

**BA.LL.B. – I<sup>st</sup> Semester**  
**GENERAL AND LEGAL ENGLISH**

|                           |                                  |                    |                   |
|---------------------------|----------------------------------|--------------------|-------------------|
| <b>Paper Code: BL-101</b> | <b>General and Legal English</b> | <b>Language-01</b> | <b>Credits: 4</b> |
|---------------------------|----------------------------------|--------------------|-------------------|

**COURSE DESCRIPTION:**

**General and Legal English Language:** course caters a wide variety of exercises based on authentic texts form different genres used in the legal profession; it exposes students to the language and academic skills needed to study Law.

**Objective:** The most critical link among human beings that binds society together is the ability to share thoughts, emotions and ideas through various means of communication: both verbal and non-verbal. The present course hopes to address some of these aspects through an interactive mode of teaching-learning process and by focusing on dimensions of communication skills.

**Methodology:** Legal English is intended for developing initial knowledge and of the students of Law. The students will be taught to develop their understanding of Legal English vocabulary and appropriate language skills for students of Law. With minimal textual emphasis and optimal use of practice exercises, an effort has been made to make learning a pleasure for the students.

**Outcomes:** The legal English course normally runs parallel to Law courses so that students can associate their subject knowledge they have learned with the legal English context whenever relevant. The course will enhance the students' English skills in legal contexts so as to prepare them for successful participation in their future professional communication. The course will make Law students familiar with legal terminology and write adeptly in English by the end of the course.

**SYLLABUS:**

**UNIT – I - Introduction to Language:**

- (a) Language - Definition and Purpose
- (b) The four Functions of Language
  - 1. Reading
  - 2. Writing
  - 3. Speaking and;
  - 4. Comprehensions
- (c) Importance of English in Legal Field/ Law
- (d) Significance of Traditional Language in the study of Law
- (e) Developing English writing skills in Legal Documents
- (f) Use of Dictionary

**UNIT – II - Structure, Usages and Vocabulary:**

**Structure:**

- (a) Sentence and its Kinds
- (b) Tenses
- (c) Introduction - Parts of Speech

**Usages:**

- (a) Subject Verb Agreement

- (b) Order of words
- (c) Idioms and Phrases
- (d) Common errors

**Vocabulary:**

- (a) One word substitution
- (b) Antonyms and Synonyms
- (c) Words liable to be confused: Paronyms, Homonyms

**UNIT – III – Legal Language:**

- (a) Legal terms and usage
- (b) Latin/Foreign Words and Maxims

**UNIT - IV - Reading, Speaking and Listening Skills:**

**Reading Comprehension:**

- (a) Comprehension Reading Skills
- (b) Reading speed
- (c) Nature of words
- (d) Passage for communication

**Précis Writing:**

- (a) Steps to précis writing
- (b) Do's and Don'ts for précis writing

**Effective Listening:**

- (a) Importance of listening
- (b) Difference between Hearing and listening
- (c) Effective listening skills

**UNIT - V - Oral Presentation Strategies:**

- (a) Defining Purpose, Audience and Locale
- (b) Organizing contents, preparing outline
- (c) Audio-visual aids
- (d) Nuances of delivery
  1. Body language, Space, Setting Nuances of Voice Dynamics and Time-dimension
  2. Nuances of voice dynamics

***Recommended Books:***

1. High School English Grammar and Composition - Wren & Martin
2. Newfield's English Grammar, Composition and Usage - N.K. Agrawal and F. T. Wood
3. English Grammar – F. T. Wood
4. An intensive Course in English – C. D. Siddhu
5. Intermediate Grammar – Usage and Composition – M.L. Tickoo and Subramanian
6. Legislative Drafting – G. C. Thornton
7. Plain Language for Lawyers – Michele M. Asprey
8. Due Process of Law – Lord Denning.
9. Legal Glossary

|                    |   |            |            |
|--------------------|---|------------|------------|
| Paper Code: BL-102 | Fundamental Principles of Political Science | Major - 01 | Credits: 4 |
|--------------------|---|------------|------------|

**COURSE DESCRIPTION:**

**Objective:** Since social order is premised on tacit agreements, and social change as occurring in a relatively slow and orderly manner, (Thomas Bernard: 1983), development can simply be defined as an incremental improvement in the quality of lives of the citizenry. Therefore, fundamental of political science is essential to be studied in Law study, as a people's response that is directed at ensuring good governance; a political process of evolving means of adding value to people's life. Political Science is considered to be the mother science of Law and as such the two have an intimate relationship.

A student of Law is expected to have insight and understanding as to how Law Functions. State being the central theme is prime focus of the study. This paper will make students more comprehensive with the different theories and concept of political science. With the objective of basic political understanding the course is designed so that one can understand the political position of the individual in the governmental system.

**Pedagogy for Course Delivery:** The class will be adopts a critical, interpretive, qualitative case study methodology. The instructor will cover the ways to think innovatively liberally using thinking techniques. The instructor will help students develop critical minds.

**Student Learning Outcomes:** On completion of this course, students should be able to:

1. Describe the basic structures and processes of state and government systems as well as their role and Functions.
2. Able to apply social scientific reasoning and theories to the analysis of a wide range of political issues and problems.
3. Analyze and test hypotheses about political processes institutions or engage in conceptual analysis and interpretation of political ideas, arguments, and phenomena.
4. Conceptualize problems and apply tools to critically analyze and resolve political arguments, information, and theories.
5. Develop insight into the strategies to complete independent research projects in political science, particularly

**SYLLABUS:**

**UNIT- I – An Introduction to Political Science:**

**Lecture: 18**

- (a) The Meaning, Nature, Significance and Scope of Political Science: Conceptual analysis
- (b) Interdisciplinary approach in political science
- (c) Relation of Political science with Law
- (d) The Meaning, Nature, Importance and essential elements of a 'State'.
- (e) Concept of Welfare State
- (f) Sovereignty: Concepts and types of Sovereignty and Challenges to Sovereignty
- (g) Theories of Sovereignty: Pluralist, Legal, Monistic

## **UNIT-II - Political Concepts:**

**Lecture: 14**

- (a) Concept of Justice and Theories of Justice
- (b) Concept of Liberty and Equality and their Relationship with each other
- (c) Political Obligations: Concept and its Basis.
- (d) Public opinion : Concepts and Formation

## **UNIT-III - Organs of Government:**

**Lecture: 14**

- (a) Theory of Separation of powers
- (b) Organs of Government-
  1. Legislature: - Unicameral and Bicameral, powers, role and Functions
  2. Executive: - Kinds, powers, , role and Functions
  3. Judiciary: - powers, role and Functions
- (c) A comparative study of interaction of various organs of government in different forms of governance.

## **UNIT-IV- Political Ideology:**

**Lecture: 14**

- (a) Fascism
- (b) Feminism
- (c) Multiculturalism
- (d) Environmentalism

### ***Recommended Books:***

1. Rajeev Bhargava & Ashok Acharya (Ed.), Political Theory : An Introduction, New Delhi,
2. Pearson Longman, 2008. S.P. Varma; Modern Political Theory, Vikas Publishing House Pvt. Ltd. Reprint 2001
3. Amal Ray, Mohit Bhattacharya, Political Theory – Ideas and Institutions, World Press, Calcutta, 2004
4. R.C. Agarwal; Political theory (Principles of Political Science), S. Chand & Company Ltd. 2001
5. O.P. Gauba; An Introduction to Political Theory, Macmillan India Ltd., New Delhi, Reprint, 2001
6. V.D. Mahajan; Political Theory, S.Chand & Company Limited, 2001
7. J.C. Johari, Adhunik Rajniti Vigyan Ke Siddhant, Sterling Publishers Pvt. Ltd. New Delhi, 199
8. A. Appadorai, ‘Substance of Politics’, OUP, New Delhi, 2000.
9. Eddy Ashirvatham ‘Political Theory’ S. Chand & Co. Ltd., Delhi, 2009
10. W. Y. Elliot, Pragmatic Revolt in Politics, New York, The Macmillan, 1928
11. Charles E. Merriam, Theories of Sovereignty Since Rousseau, Union/Jersey : Law Book Exchange Ltd., 1999
12. K. K. Misra, Modern Political Theory: With focus on Political Ideas of Laski, New Delhi: Pragati, 1978

**BA.LL.B. – I<sup>st</sup> Semester**  
**SOCIOLOGY –I (LEGAL SOCIOLOGY)**

|                           |                                       |                 |                   |
|---------------------------|---------------------------------------|-----------------|-------------------|
| <b>Paper Code: BL-103</b> | <b>Sociology –I (Legal Sociology)</b> | <b>Minor-01</b> | <b>Credits:03</b> |
|---------------------------|---------------------------------------|-----------------|-------------------|

**COURSE DESCRIPTION:**

**Objective:** Law does not operate in a vacuum. It has to reflect social values, attitudes and behavior. Societal values and norms, directly or indirectly, influence Law. Law also endeavors to mould and control these values, attitudes and behavioral patterns so that they flow in a proper channel. It attempts either to support the social system or to change the prevalent social situation or relationship by its formal processes. Law also influences other parts of the social system. Law, therefore, can be perceived as symbolizing the public affirmation of social facts and norms as well as means of social control and an instrument of social change. Commenting on the interrelationship between Law and society, Luhman observed:

*“All collective human life is directly or indirectly shaped by Law. Law is, like knowledge, an essential and all pervasive fact of the social condition. No area of life-whether it is the family or the religious community, scientific research is the internal network of political parties-can find a lasting social order that is not based on Law ---. A minimum amount of legal orientation is indispensable everywhere.”*

**Teaching-Learning Methodology:** Class room teaching, Assignments, PPT Presentation, Group Discussion, Industrial visits, Social institutional visits, Outdoor Activities, Participation in Moot court Competition, Participation in Seminar, Workshop, Conferences and Symposium

**Outcome of the Course:**

1. Develops understanding about the principle schools of thought in sociology
2. At the end of the course, students will be able to understand the aspects of Legal sociology and difference of society with other social subjects.
3. This Course will be covered Family system and Indian marriage
4. Understanding as to how the contemporary legal institutions operate, including the use of Possibilities in our course and community

**SYLLABUS:**

**UNIT-I – An Introduction to Sociology:**

**Sociology:**

- (a) Definition, Scope, Nature and Importance/Usage of Sociology
- (b) Study of Sociology and other Social Sciences:
  1. Sociology and Anthropology
  2. Sociology and Political Science
  3. Sociology and Jurisprudence
  4. Sociology and Criminology
- (c) The Society:
  1. Tribal society
  2. Agrarian society
  3. Industrial society
  4. Human vs. Animal society

## **Legal Sociology:**

- (a) Social control:
  - 1. The Meaning, Nature and Purpose
  - 2. Types of social control - Formal and Informal
- (b) Agencies of social control:
  - 1. Control by Law
  - 2. Other Controls - Control by Education, Control by Customs, Control by folk ways, Control by Religion and Morality, Control by rituals , Control by ceremonies, Control by fashion , Control by Public Opinion, Control by propaganda
- (c) Sociology of Law- Sociology of Law, Meaning of Law, Differences between Custom & Law, The Classes of Law and Custom

## **UNIT-II - The Family System:**

### **Family System:**

- (a) Family- Meaning, Characteristics, Features, Functions and Types of Family
- (b) Marriage- Definition, Characteristics, Forms and Functions of Marriage
- (c) The Kinship System:
  - 1. Definition
  - 2. Kinship as a Significant concept in Anthropology
  - 3. Structural Principles of Kinship
  - 4. Kinship usages.

### **Community:**

- (a) The Rural Community:
  - 1. The Meaning, Definition, Characteristics and Types of Rural Community
  - 2. Rural Economic organization
  - 3. Rural Recreational activities
  - 4. Rural Problems , Rural Health and welfare activities
- (b) The Urban Community:
  - 1. The Meaning and Characteristics of Urban Community
  - 2. Urban Problems
  - 3. Urban influence on the country
- (c) The Urban Rural Contrast

## **UNIT-III- Social Disorganizations and Social Problems:**

- (a) Social Disorganization- The Concept, Definition, Characteristics and Causes of social disorganization
- (b) The Social Problem:
  - 1. The Nature and Causes of Social Problems
  - 2. Solutions to social problems like Juvenile delinquencies, beggary, poverty, unemployment, crime, crimes against women etc.

### ***Recommended Books:***

- 1. Sociology : C.N. Shankar Rao
- 2. An Introduction to Sociology: Vidhya Shankar Bhushan & Dr. Sachdeva, (Ketaab Mahal)
- 3. The Indian Society: Ram Ahuja
- 4. Sociology for Law Students: S. R. Myneni.

**BA.LL.B. – I<sup>st</sup> Semester**  
**INDIAN HISTORY- PART-I**

|                           |                               |                 |                   |
|---------------------------|-------------------------------|-----------------|-------------------|
| <b>Paper Code: BL-104</b> | <b>Indian History- Part-I</b> | <b>Minor-02</b> | <b>Credits: 4</b> |
|---------------------------|-------------------------------|-----------------|-------------------|

**COURSE DESCRIPTION:**

**Objective:** The Purpose of the course to teach the student Indian History in simple way for competition purpose. The Purpose of teaching Indian History is to highlight it's never ending growth.

**Teaching Methodology:** The course will be delivered through a combination of lecture classes, discussions and home assignments on Indian History. All the leading recent development will be discussed.

**Outcome of the Course:** At the end of the course a student will be able to:

1. Understand Indian History in practical sense.
2. Analyze the understanding of the subject though conduct of mock trials at the end of the course.
3. Attain knowledge on usage and development of various sources of Indian History.
4. Understand, analyze and resolve many issues for competition purpose

**SYLLABUS:**

**UNIT-I- Pre-Historic and Historic Era:**

**A. Pre Historic Era (400000-1500 BCE):**

- (a) The Indus Valley Civilization (Bronze Age – 2500-1500 BCE) :
1. Origin of the Civilization and Urban Planning
  2. Agro-based craft production and Trade
  3. Religion, Culture, System of Law
  4. Art, Architecture, Script
  5. Its decline

**B. Historic Era:**

--Vedic History (1500-500 BCE)--

- (a) Early Vedic Age:
1. Society, Economy, Polity, Religion and Culture
  2. Vedic literature
- (b) Later Vedic Age:
1. State formation and Urbanization
  2. Formation of Mahajanpadas
  3. Buddhism: Factors for the spread of Buddhism
  4. Jainism
  5. Sanatan Dharm

--Mauryan Empire (322-185 BCE)--

- (c) Administration, Society, Economy, Art and Architecture of Mauryan Empire

--Gupta Period-Golden Age (320-520 CE)--

- (d) Administration, Society, Economy Literature, Astronomy, Bhakti Cult during Gupta Empire

- (e) Condition of Women in Ancient India
- (f) System of Law in Ancient India

### **UNIT-II- Early Medieval Era:**

- (a) Early Medieval India
- (b) Rajput Period
- (c) Early Invasions of Muslims in India:
  - 1. Attack by Mohd-Bin-Qasim (711 CE)
  - 2. Attacks by Mahmud of Ghazni (1000 CE)
  - 3. Invasion by Muhammad Ghori (1175 CE) etc.
- (d) Literature in Medieval India

### **UNIT-III – Later Medieval Era:**

- (a) Sources of Medieval Indian History
- (b) Establishment of Delhi Sultanate (1206-1526 CE)
  - 1. Mamluk/Slave Dynasty- Qutb al-di Aibak, Iltutmish
  - 2. Khilji Dynasty- Ala ud-din Khilji
  - 3. Tughlak Dynasty- Mohd bin Tughlak
  - 4. Sayyid Dynasty
  - 5. Lodi Dynasty- Sikandar Lodhi
- (c) Polity, Society, Economy, Art and Architecture of Delhi Sultanate
- (d) Islam and Sufism

### **UNIT-IV – The Mughal Era:**

- (a) Mugal Period (1526-1857 CE)- Babur, Humayun, Akbar, Jhangir, Shahjahan, Aurangzeb
- (b) Mansabdari System and Jagirdari System of Akbar
- (c) Administration, Economy, Society, Art and Architecture of Mughals
- (d) Sher Shah Suri-Administration, Land revenue system
- (e) Condition of women in Medieval India
- (f) System of Law, Justice, Crime and Punishment in Medieval India

### ***Recommended Books:***

- |                   |   |  |
|-------------------|---|--|
| 1. A.S. Alterkar  | - | State and Government in Ancient India      |
| 2. A.L. Bashan    | - | The wonder that was India                  |
| 3. R.P. Das Gupta | - | Crime and Punishment in Ancient India      |
| 4. S.D. Sharma    | - | Administration of Justice in Ancient India |
| 5. Medieval India | - | Harishchand Verma                          |
| 6. Medieval India | - | Satish Chandra                             |



**BA.LL.B. – I<sup>st</sup> Semester**

**LAW OF TORTS INCLUDING M.V. ACCIDENT AND CONSUMER PROTECTION LAWS**

|                                     |  |                   |                              |
|-------------------------------------|--|-------------------|------------------------------|
| <b>Paper Code:</b><br><b>BL-105</b> | <b>Law of Torts including M.V. Accident and Consumer Protection Laws</b> | <b>Core Paper</b> | <b>Credits:</b><br><b>04</b> |
|-------------------------------------|--|-------------------|------------------------------|

**COURSE DESCRIPTION:**

**Objectives:** This course is designed to study the principles of Tortious liability, the defenses available in an action for torts, the capacity of parties to sue and be sued and matters connection there with. Further, this course is designed to study specific torts against the individual and property. With rapid industrialization, inadequacy of the Law to protect the individual is exposed. The unprecedented growth and development in the society has led to the creation of various forms of new threat to the legal rights of individuals. For e.g. sexual harassment at working place and cyber defamation etc. The Law of tort by adding new Pigeon holes extends its hands to protect the innocent victims and thereby reduced its further development to a large extent. Thus Law of tort, an old branch of Law has a significant role to play in this modern context. Most of the modern legislations such as Insurance act, Motor Vehicle act, Consumer Protection act, etc were originated from the Law of Torts. Being the mother of all these modern legislations it is necessary that a Law student must have a good knowledge in this branch of Law. An attempt shall be accorded to the individuals against mass torts and industrial torts. Keeping in the expensive character of judicial proceedings the students should reflect on the alternative forms, and also the remedies provided under the *Consumer Protection Act, 1986*.

**Teaching Methodology:** Lecture Method with PPT, Discussion Method, Problem solving Method, Tutorials, Assignments, Audio-video clips

**Course Outcome:** After completion of the course the student will be able to:

1. Analyze the development of Tortious liability, Nature, concept of civil wrongs and justification available thereto. Also, the student will be able to distinguish between tort and other wrongs as crime, breach of contract etc
2. Recognize various specific wrongs and can explain them.
3. Explain the extent of Sovereign Immunity, liability of others & remedies available for wrong done.
4. Interpret the provisions of Consumer Protection Act and MV Act, which will help the student in enhancing its practical professional skills.

**SYLLABUS:**

**UNIT – I: Introduction:**

**(15 HOURS)**

- (a) Meaning, Nature and Functions of Law of Torts and Pigeon Hole Theory
- (b) Constituents of a Tort: Wrongful Act, Injury and Remedy- Damnum sine injuria and Injuria sine Damnum
- (c) Mental Elements - Malice, Negligence, Motive, Malfeasance
- (d) Distinction between:
  1. Tort and Contract
  2. Tort and Crime
  3. Tort and other situations of Restitution
  4. Tort and liability on Bailment

- (e) General Defenses in Torts(Justification in Tort):
1. Leave and License (Volenti non-fit Injuria)
  2. Necessity
  3. Plaintiff as a wrong doer
  4. Act of God
  5. Inevitable Accidents
  6. Private Defenses
  7. Executive, Judicial and Quasi Judicial Acts
  8. Parental and quasi Parental Authority

**(Cases:** Ashby v. White (1703)2 LR 938;Rudal Shah v. State of Bihar, AIR 1983 SC 1086 Saheli v. Commissioner of Police, Delhi AIR 1990 SC 513;Gloucester Grammar School case (14190 V.B. Hill 11.;Mayor of Bradford Corporation v. Pickles (1895) AC 587;Bhim Singh v. State of Jammu & Kashmir AIR 1986 SC 494;Usha Ben v. Bhagya Laxmi Chitra Mandir, AIR 1978 Guj., Hall v. Brookaland Auto Racing Club ; Smith v. Backer (1981) AC 325; Stanley v. Powell (1891)11 Q.B. 86; Heynes v. Harwood (1935) 1 KB 146)

## **UNIT-II: Specific Torts**

**(18 HOURS)**

- (a) Defamation- Types and its defenses
- (b) Negligence, Contributory Negligence, Res ispa loquiter and its defenses
- (c) Nuisance- Types and its defenses
- (d) Trespass- Types and its defenses
- (e) Malicious Prosecution
- (f) Nervous Shock
- (g) Strict liability and its defenses
- (h) Absolute liability
- (i) Emerging trends in Torts (Cyber Tort- Cyber Stalking- Cyber Breach of Property- Cyber Obscenity- Cyber Defamation, Cyber trespass, Spamming, Invasion of Privacy in Cyberspace, Tort of Sexual Harassment, Environmental Tort)

**(Cases:** Jay Laxmi Salt Works (P) Ltd. V. State of Gujarat 1994(4) SCC 1;Dr.Laxman V. Dr. Trimbak AIR 1969 SC 128; Davis v. Redcliffe, (1990)2 AER 536;F V. Birkshire Health Authority (1989) 2 All ER 545 (HL); Maynard V. Midlands Health Authority ( 1985) 1 All ER 635 (HL);Achutrao Haribhau Khodwa V. State of Maharashtra AIR 1996 SC 2377 ;M.P. State Road Transport Corp. v. Basanti bai (1971) MPLJ 706 (DB);Indian Air Lines v. Madhuri Chaudhri AIR 1964 Cal. 252; Glasgow Corporation v. Muir (1943) AC 448;Municipal Corporation of Delhi v. Subhagwati AIR 1966 SC 1750;Ratlam Municipality v. Vardhichand (1980) 4SCC 162, Leta Fay Ford V. Revlon, Inc. Supreme Court of Arizona (153 Ariz. 38, 734 P.2d 580) 1987; Noor Mohd. v. Mohd Jiauddin AIR 1992 MP 244; Hayward v. Thompson (1981)3All E R 450; M.C. Verhese v. T.J. Poonam, AIR 1970 SC1876; T.S. Bhatt v. A. K. Bhatt AIR 1978 Ker 111; Girija Prasad Sharma v. Uma Shankar Pathak AIR 1973 MP 79; Quinn v. Leathem,( 1901)AC 495; Municipal Board of Kanauj v. Mohanlal AIR 1951 All 867 State v. Gangadhar AIR 1967 Raj 199; Rajalingam v. Lingaiah (1964) 1ALT 391; Sobha Ram v. Tika Ram(1936) ILR 58 All 903, Reyland v. Fletcher (1868) L.R. 3 H.L. 30; M.C. Mehta v.Union of India (1987)1 SCC395)

## **UNIT-III: Liability for torts committed by others and Remedies:**

**(12 HOURS)**

- (a) Vicarious liability
  1. Principal and Agent
  2. Master and Servant
  3. Partners
- (b) Liability of the State
- (c) Doctrine of Sovereign Immunity
- (d) Joint tort-feasers
- (e) Extinction of tortious liability

(f) Remedies:

1. Judicial- Damages, Injunctions, Specific Restitution of Property
2. Extra Judicial Remedies

**(Cases:**Lucknow Development Authority v M.K. Gupta AIR 1994 1 SC 243;State of Rajasthan v. Vidyawati Devi AIR 1962 SC 933;Donoghue v. Stevenson, 1932,AC 562;Kasturi Lal v. State of U.P. AIR 1965 SC 1039;Nicholes v. Marshland (1876)2 Ex.D. 1;Smith v. London and South Western Railway Co. (1870) LR 6;Peninsular and Steam Navigation Co. Secretary of State for India (1861) 5 Bom. H.C.R. App. 2; Loyd v. Grame Smith &Co. (1912) AC 716)

**UNIT-IV: The Consumer Protection Act and MV Act**

**(15 HOURS)**

- (a) Consumer Protection Act; Historical Background.
- (b) Consumers-the concept, definition and scope, object of C.P.Act, Rights of Consumers.
- (c) Unfair Trade practice, defect in goods, deficiency in services.
- (d) Consumer forum under C.P.Act, constitution, jurisdiction and procedure
- (e) Motor Accidents as a civil wrong- With and without fault liability, Insurance against Third party Risk, Setting of Claims

***Recommended Books:***

- |                          |   |              |
|--------------------------|---|--------------|
| 1. Rattan Lal Dhiraj Dal | : | Law of Torts |
| 2. Winfiled              | : | Law of Torts |
| 3. Sahmond               | : | Law of Torts |
| 4. Bangia, R.K.          | : | Law of Torts |
| 5. Basu, D.D.            | : | Law of Torts |
| 6. S. Ramaswami Iyer     | : | Law of Torts |
| 7. Sinha, B.S.           | : | Law of Torts |
| 8. Fleming               | : | Law of Torts |

**BA.LL.B. – I<sup>st</sup> Semester**

**GENERAL PRINCIPLE AND THEORIES OF CONTRACT (SECTIONS 1 TO 75)**

|                           |                                       |                   |                   |
|---------------------------|---------------------------------------|-------------------|-------------------|
| <b>Paper Code: BL-106</b> | <b>Law of Contract-1<sup>st</sup></b> | <b>Core Paper</b> | <b>Credits: 4</b> |
|---------------------------|---------------------------------------|-------------------|-------------------|

**COURSE DESCRIPTION:**

**Course Objectives:** This course is designed to acquaint a student with the conceptual and operational parameters of these various general principles of contractual relations. Specific enforcement of contract is an important aspect of the Law of contracts. Analysis of the kinds of contracts that can be specifically enforced and the methods of enforcement forms a significant segment of this study. Whatever may be the Nature of a given society, the contractual relations, as are obtained in that society, are governed by certain principles which are more or less of a general and basic Nature. In India these general principles are statuted in the form of the Indian Contract Act 1972. This course is designed to acquaint a student with the conceptual and operational parameters of these various general principles of contractual relations.

**Methods of teaching-learning:** Case-study method shall be the main method of learning to be followed. Dialectic method of mootings and argumentation plays a very convincing procedure of learning. The information sharing and flow of information among the teacher and taught has to work as bonding of the entire course. Case comment and book review can also be a method of research writing in this paper.

**Course Outcome:** Understanding the common types of contracts, the situations in which the party who is not in a bargaining position is exploited and remedies for the same. After the completion of this module students will be conversant with the principles underlying the grant of reliefs and the different remedies provided under the Act.

**SYLLABUS:**

**UNIT- I- Introduction and Formation of Contract**

**20 Hrs**

- (a) Introduction to Agreement and Contract:
  - 1. Theories of contract, Nature, Scope and Function of contract;
  - 2. Phenomena of Agreement,
  - 3. Definition of Contract,
  - 4. Obligation- contractual obligation and other kinds of obligations
- (b) Offer or Proposal:
  - 1. Elements & Kinds,
  - 2. Communication of offer and Revocation of offer
  - 3. Family and social agreements, Social offer, lapse of offer,
- (c) Acceptance:
  - 1. Communication of acceptance, knowledge of acceptor,
  - 2. Provisional acceptance and withdrawal of tenders, revocation of acceptance
  - 3. Mode of acceptance.
  - 4. Difference between English Law and Indian Law,
- (d) Consideration:
  - 1. Definition, Necessity for consideration, Adequacy of consideration
  - 2. Consideration and third party, Privity of contract,
  - 3. Performance of existing duty for consideration,
  - 4. Exception to the doctrine of consideration,
  - 5. Indian and English Law on Consideration.

## **UNIT- II- Capacity and Validity of Contract (Void, Voidable, Valid)**

**20 Hrs**

- (a) Capacity to contract:
  - 1. Minor's Contract - Nature and Effect of Minor's contract, Doctrine of restitution position under the specific relief Act 1963.
  - 2. Contract by an Unsound
- (b) Contract and consent:
  - 1. Meaning of Consent, Vitiating factors and their effects,
  - 2. Coercion
  - 3. Undue-influence, real or apparent authority.
  - 4. Fraud
  - 5. Misrepresentation
  - 6. Unconscionable bargains.
  - 7. Pardanashin women and contracts,
- (c) Mistake:
  - 1. Mistake of fact, doctrine of *non est-factum*
  - 2. Mistake of Law
- (d) Term of contract, Exemption clauses, standard form of contract, notice of printed terms, Interpretation of Exemption or Exclusion clauses, Fundamental terms and fundamental breach of the contract, Exemption clauses and the third parties
- (e) Unlawful Agreements (unlawful object and consideration)
- (f) Void Agreements:
  - 1. Agreement made without consideration,
  - 2. Restraint of marriages, Restraint of trade, Restraint of legal proceedings
  - 3. Agreements void for uncertainty
  - 4. Illegal Agreements, exceptions, Agreements against public policy,
  - 5. Wagering contract,
  - 6. Impossible Consideration
- (g) Contingent contract

## **UNIT- III-Discharge of contract:**

**10 Hrs**

- (a) Discharge by performance:
  - 1. impossibility of performance, discharge by frustration, specific grounds of frustration, theories of frustration, theories of implied term, just and reasonable, effects of frustration
  - 2. Position in India
- (b) Discharge by novation
- (c) Discharge by operation of Law
- (d) Discharge by accord and satisfaction
- (e) Discharge by lapse of time
- (f) Discharge by breach:
  - 1. Condition of breach and Anticipatory breach
  - 2. Rights of the parties excused from further performance

## **UNIT- IV-Quasi Contact and damages:**

**10 Hrs**

- (a) Meaning of quasi contract, kinds of quasi contract.
- (b) Remedies in contractual obligation:
  - 1. Damages- General and specific damages,
  - 2. Remoteness of damages, Measure of damages.

- **Exercise of Drafting a Contract**

### ***Suggested Case Study:***

Carlill v. Carbolic Smoke Ball Company, (1830) 1.Q.B 265.; Harris v. Nickerson, (1875) LR SQB, 286.; Powell v. Lee, (1908) 99 LT 284.; Entores v. Miles Far East Corporation, (1955) 2 All ER 493; Bank of India Ltd v. Swarubar, AIR 2003 SC 858.; Hervey v. Facie, (1893) AC 552.Lalman Shukla v. Gauri Dutta, II ALJ 489; Felth House v. Bindley (1862) 11, CB (NS) 86; Mohri Bibee v. Dharmodass Ghosh, (1903) 30 IA 114. Derry v. Peek, (1889) 14 AC 337.;Mithoo Lal Nayak v. LIC of India, AIR 1962 SC 814; Subhas Chandra Das Mushib v. Ganga Prasad Das Mushib and others AIR 1967 SC 878;Central Inland Water Transport Corporation v. B.K Ganguly, AIR 1986 SC 157; .Kalyanpur Lime Works Ltd. v. State of Bihar and another AIR 1954 SC 165; Gujarat Bottling Co. Ltd. v. Coca Cola Co. (1995) 5 SCC 545 ; National Insurance co Ltd v. S. G Nayak & co AIR 1997 SC 2049. Satyabrata Ghose v. Mugneeram Bangur AIR 1954 SC 44; State of Bihar v. Majeed AIR 1954 SC 786.Bashir Ahmad and others v. Govt. of AP AIR 1970 SC 1089; Mugniram Bangur & Co.(P) Ltd. v. Gurbachan Singh AIR 1965 SC 1523; Taylor v. cadwell (1863) 3 B&S 826. Krell v.Henry (1903 ) 2 KB 740. Hadley v. Baxendale (1854)9 Exch 341. Dunlop Pueumatic Tyre Co v. New Garage & Motor Co Ltd (1915) A.C 79,;( 1914-15) All ER 739; Oil and Natural Gas Corp. Ltd. SAW Pipes Ltd. AIR 2003 SC 2629

### ***Recommended Books:***

1. Law of Contract : Chesire and Fifoot
2. Law Contract : Avtar Singh
3. Law of Contract : Anson
4. Law of contract : R.K. Bangia

## BA.LL.B. – I<sup>st</sup> Semester

### UNIVERSAL HUMAN VALUES AND PROFESSIONAL ETHICS (FOUNDATION COURSE)

|                           |  |                       |                    |                  |
|---------------------------|--|-----------------------|--------------------|------------------|
| <b>Paper Code: BL-100</b> | <b>Universal Human Values and Professional Ethics<br/>( Foundation Course)</b> | <b>Ability Course</b> | <b>Enhancement</b> | <b>Credit: 1</b> |
|---------------------------|--|-----------------------|--------------------|------------------|

**Course Objectives:-** This introductory course input is intended

1. To help the students appreciate the essential complementarity between 'VALUES' and 'SKILLS' to ensure sustained happiness and prosperity, which are the core aspirations of all human beings
2. To facilitate the development of a Holistic perspective among students towards life and profession as well as towards happiness and prosperity based on a correct understanding of the Human reality and the rest of Existence. Such a holistic perspective forms the basis of Universal Human Values and movement towards value-based living in a natural way
3. To highlight plausible implications of such a Holistic understanding in terms of ethical human conduct, trustful and mutually fulfilling human behavior and mutually enriching interaction with Nature

Thus, this course is intended to provide a much needed orientational input in value education to the young enquiring minds.

#### **Course Methodology**

1. The methodology of this course is explorational and thus universally adaptable. It involves a systematic and rational study of the human being vis-à-vis the rest of existence.
2. It is free from any dogma or value prescriptions.
3. It is a process of self-investigation and self-exploration, and not of giving sermons. Whatever is found as truth or reality is stated as a proposal and the students are facilitated to verify it in their own right, based on their Natural Acceptance and subsequent Experiential Validation.
4. This process of self-exploration takes the form of a dialogue between the teacher and the students to begin with, and then to continue within the student leading to continuous self-evolution.
5. This self-exploration also enables them to critically evaluate their pre-conditionings and present beliefs.

#### **Course Syllabus: Universal Human Values and Professional Ethics [L-T-P: 1-0-0]**

The whole course is divided into 5 modules.

After every two lectures of one hour each, there is a 2 hour practice session.

The teachers are oriented to the inputs through an eight to ten day workshop (Teachers' Orientation Program).

The Teacher's Manual provides them the lecture outline. The outline has also been elaborated into presentations and provided in a DVD with this book to facilitate sharing.

The teacher is expected to present the issues to be discussed as propositions and encourage the students to have a dialogue. The process of dialogue is enriching for both, the teacher as well as the students.

The syllabus for the lectures is given below:

### **UNIT 1: Course Introduction - Need, Basic Guidelines, Content and Process for Value Education**

1. Understanding the need, basic guidelines, content and process for Value Education
2. Self Exploration–what is it? - its content and process; ‘Natural Acceptance’ and Experiential Validation- as the mechanism for self exploration
3. Continuous Happiness and Prosperity- A look at basic Human Aspirations
4. Right understanding, Relationship and Physical Facilities- the basic requirements for fulfillment of aspirations of every human being with their correct priority
5. Understanding Happiness and Prosperity correctly- A critical appraisal of the current scenario
6. Method to fulfill the above human aspirations: understanding and living in **harmony** at various levels

### **UNIT 2: Understanding Harmony in the Human Being - Harmony in Myself!**

7. Understanding human being as a co-existence of the sentient ‘I’ and the material ‘Body’
  8. Understanding the needs of Self (‘I’) and ‘Body’ - *Sukh* and *Suvidha*
  9. Understanding the Body as an instrument of ‘I’ (I being the doer, seer and enjoyer)
  10. Understanding the characteristics and activities of ‘I’ and harmony in ‘I’
  11. Understanding the harmony of I with the Body: *Sanyam* and *Swasthya*; correct appraisal of Physical needs, meaning of Prosperity in detail
  12. Programs to ensure *Sanyam* and *Swasthya*
- Practice Exercises and Case Studies will be taken up in Practice Sessions.

### **UNIT 3: Understanding Harmony in the Family and Society- Harmony in Human-Human Relationship**

13. *Understanding Harmony in the family – the basic unit of human interaction*
  14. Understanding values in human-human relationship; meaning of *Nyaya* and program for its fulfillment to ensure *Ubhay-tripti*; Trust (*Vishwas*) and Respect (*Samman*) as the foundational values of relationship
  15. Understanding the meaning of *Vishwas*; Difference between intention and competence
  16. Understanding the meaning of *Samman*, Difference between respect and differentiation; the other salient values in relationship
  17. Understanding the harmony in the society (society being an extension of family): *Samadhan*, *Samridhi*, *Abhay*, *Sah-astitva* as comprehensive Human Goals
  18. Visualizing a universal harmonious order in society- Undivided Society (*Akhand Samaj*), Universal Order (*Sarvabhaum Vyavastha* )- from family to world family!
- Practice Exercises and Case Studies will be taken up in Practice Sessions.

### **UNIT 4: Understanding Harmony in the Nature and Existence - Whole existence as Co-existence**

19. Understanding the harmony in the Nature
20. Interconnectedness and mutual fulfillment among the four orders of nature- recyclability and self-regulation in nature
21. Understanding Existence as Co-existence (*Sah-astitva*) of mutually interacting units in all-pervasive space
22. Holistic perception of harmony at all levels of existence



- Practice Exercises and Case Studies will be taken up in Practice Sessions.

## **Guidelines and Content for Practice Sessions**

### **UNIT 1: Course Introduction - Need, Basic Guidelines, Content and Process for Value Education**

**PS 1:** Introduce yourself in detail. What are the goals in your life? How do you set your goals in your life? How do you differentiate between right and wrong? What have been your achievements and shortcomings in your life? Observe and analyze them.

**Expected outcome:** the students start exploring themselves; get comfortable to each other and to the teacher and start finding the need and relevance for the course.

**PS 2:** Now-a-days, there is a lot of voice about many techno-genic maladies such as energy and natural resource depletion, environmental pollution, global warming, ozone depletion, deforestation, soil degradation, etc. – all these seem to be man-made problems threatening the survival of life on Earth – What is the root cause of these maladies & what is the way out in your opinion?

On the other hand, there is rapidly growing danger because of nuclear proliferation, arms race, terrorism, criminalization of politics, large scale corruption, scams, breakdown of relationships, generation gap, depression & suicidal attempts, etc – what do you think, is the root cause of these threats to human happiness and peace – what could be the way out in your opinion?

**Expected outcome:** the students start finding that technical education without study of human values can generate more problems than solutions. They also start feeling that lack of understanding of human values is the root cause of all problems and the sustained solution could emerge only through understanding of human values and value based living. Any solution brought out through fear, temptation or dogma will not be sustainable.

#### **PS 3:**

1. Observe that each one of us has Natural Acceptance, based on which one can verify right or not right for him. Verify this in case of

- i) What is Naturally Acceptable to you in relationship- Feeling of respect or disrespect?
- ii) What is Naturally Acceptable to you – to nurture or to exploit others?

Is your living the same as your natural acceptance or different?

2. Out of the three basic requirements for fulfillment of your aspirations- right understanding, relationship and physical facilities, observe how the problems in your family are related to each. Also observe how much time & effort you devote for each in your daily routine.

#### **Expected outcome:**

1. The students are able to see that verification on the basis of natural acceptance and experiential validation through living is the only way to verify right or wrong, and referring to any external source like text or instrument or any other person cannot enable them to verify with authenticity; it will only develop assumptions.
2. The students are able to see that their practice in living is not in harmony with their natural acceptance most of the time, and all they need to do is to refer to their natural acceptance to remove this disharmony.
3. The students are able to see that lack of right understanding leading to lack of relationship is the major cause of problems in their family and not the lack of physical facilities in most of the cases, while they have given higher priority to earning of physical facilities in their life ignoring relationships and not being aware that right understanding is the most important requirement for any human being.

## **UNIT 2: Understanding Harmony in the Human Being - Harmony in Myself!**

**PS 4:** List down all your desires. Observe whether the desire is related to Self (I) or Body. If it appears to be related to both, see which part of it is related to Self (I) and which part is related to Body.

**Expected outcome:** the students are able to see that they can enlist their desires and the desires are not vague. Also they are able to relate their desires to 'I' and 'Body' distinctly. If any desire appears related to both, they are able to see that the feeling is related to I while the physical facility is related to the body. They are also able to see that 'I' and 'Body' are two realities, and most of their desires are related to 'I' and not body, while their efforts are mostly centered on the fulfillment of the needs of the body assuming that it will meet the needs of 'I' too.

### **PS 5:**

1. a. Observe that any physical facility you use, follows the given sequence with time :  
Necessary & tasteful → unnecessary & tasteful → unnecessary & tasteless → intolerable  
b. In contrast, observe that any feeling in you is either naturally acceptable or not acceptable at all. If naturally acceptable, you want it continuously and if not acceptable, you do not want it any moment!
2. List down all your activities. Observe whether the activity is of 'I' or of Body or with the participation of both 'I' and Body.
3. Observe the activities within 'I'. Identify the object of your attention for different moments (over a period of say 5 to 10 minutes) and draw a line diagram connecting these points. Try to observe the link between any two nodes.

### **Expected outcome:**

1. The students are able to see that all physical facilities they use are required for a limited time in a limited quantity. Also they are able to see that in case of feelings, they want continuity of the naturally acceptable feelings and they do not want feelings which are not naturally acceptable even for a single moment.
2. the students are able to see that activities like understanding, desire, thought and selection are the activities of 'I' only, the activities like breathing, palpitation of different parts of the body are fully the activities of the body with the acceptance of 'I' while the activities they do with their sense organs like hearing through ears, seeing through eyes, sensing through touch, tasting through tongue and smelling through nose or the activities they do with their work organs like hands, legs etc. are such activities that require the participation of both 'I' and body.
3. The students become aware of their activities of 'I' and start finding their focus of attention at different moments. Also they are able to see that most of their desires are coming from outside (through preconditioning or sensation) and are not based on their natural acceptance.

### **PS 6:**

1. Chalk out programs to ensure that you are responsible to your body- for the nurturing, protection and right utilisation of the body.
2. Find out the plants and shrubs growing in and around your campus. Find out their use for curing different diseases.

**Expected outcome:** The students are able to list down activities related to proper upkeep of the body and practice them in their daily routine. They are also able to appreciate the plants wildly growing in and around the campus which can be beneficial in curing different diseases.

### **UNIT 3: Understanding Harmony in the Family and Society- Harmony in Human-Human Relationship**

**PS 7:** Form small groups in the class and in that group initiate dialogue and ask the eight questions related to trust. The eight questions are :

- 1a. Do I want to make myself happy?
- 2a. Do I want to make the other happy?
- 3a. Does the other want to make him happy?
- 4a. Does the other want to make me happy?

*What is the answer?*

#### Intention (Natural Acceptance)

- 1b. Am I able to make myself always happy?
- 2b. Am I able to make the other always happy?
- 3b. Is the other able to make him always happy?
- 4b. Is the other able to make me always happy?

*What is the answer?*

#### Competence

Let each student answer the questions for himself and everyone else. Discuss the difference between intention and competence. Observe whether you evaluate your intention & competence as well as the others' intention & competence.

**Expected outcome:** The students are able to see that the first four questions are related to our Natural Acceptance i.e. Intention and the next four to our Competence. They are able to note that the intention is always correct, only competence is lacking! We generally evaluate ourselves on the basis of our intention and others on the basis of their competence! We seldom look at our competence and others' intention as a result we conclude that I am a good person and other is a bad person.

#### **PS 8:**

1. Observe on how many occasions you are respecting your related ones (by doing the right evaluation) and on how many occasions you are disrespecting by way of under-evaluation, over-evaluation or otherwise evaluation.
2. Also observe whether your feeling of respect is based on treating the other as yourself or on differentiations based on body, physical facilities or beliefs.

**Expected outcome:** The students are able to see that respect is right evaluation, and only right evaluation leads to fulfillment in relationship. Many present problems in the society are an outcome of differentiation (lack of understanding of respect), like gender biasness, generation gap, caste conflicts, class struggle, dominations through power play, communal violence, clash of isms, and so on so forth. All these problems can be solved by realizing that the other is like me as he has the same natural acceptance, potential and program to ensure a happy and prosperous life for him and for others though he may have different body, physical facilities or beliefs.

#### **PS 9:**

1. Write a note in the form of story, poem, skit, essay, narration, dialogue to educate a child. Evaluate it in a group.
2. Develop three chapters to introduce 'social science- its need, scope and content' in the primary education of children

**Expected outcome:** The students are able to use their creativity for educating children. The students are able to see that they can play a role in providing value education for children. They are able to put in simple words the issues that are essential to understand for children and

comprehensible to them. The students are able to develop an outline of holistic model for social science and compare it with the existing model.

#### **Module 4: Understanding Harmony in the Nature and Existence - Whole existence as Co-existence**

**PS 10:** List down units (things) around you. Classify them in four orders. Observe and explain the mutual fulfillment of each unit with other orders.

**Expected outcome:** The students are able to differentiate between the characteristics and activities of different orders and study the mutual fulfillment among them. They are also able to see that human beings are not fulfilling to other orders today and need to take appropriate steps to ensure right participation (in terms of nurturing, protection and right utilization) in the nature.

**PS 11:**

1. Make a chart for the whole existence. List down different courses of studies and relate them to different units or levels in the existence.
2. Choose any one subject being taught today. Evaluate it and suggest suitable modifications to make it appropriate and holistic.

**Expected outcome:** The students feel confident that they can understand the whole existence; nothing is a mystery in this existence. They are also able to see the interconnectedness in the nature, and point out how different courses of study relate to the different units and levels. Also they are able to make out how these courses can be made appropriate and holistic.

#### **UNIT 5: Implications of the above Holistic Understanding of Harmony at all Levels of Existence**

**PS 12:** Choose any two current problems of different kind in the society and suggest how they can be solved on the basis of natural acceptance of human values. Suggest steps you will take in present conditions.

**Expected outcome:** The students are able to present sustainable solutions to the problems in society and nature. They are also able to see that these solutions are practicable and draw roadmaps to achieve them.

**PS 13:**

1. Suggest ways in which you can use your knowledge of Technology/Engineering/ Management for universal human order, from your family to the world family.
2. Suggest one format of humanistic constitution at the level of nation from your side.

**Expected outcome:** The students are able to grasp the right utilization of their knowledge in their streams of Technology/Engineering/ Management to ensure mutually enriching and recyclable productions systems.

**PS 14:** The course is going to be over now. Evaluate your state before and after the course in terms of

- a. Thought    b. Behavior    c. Work                      d. Realization

Do you have any plan to participate in the transition of the society after graduating from the institute? Write a brief note on it.

**Expected outcome:** The students are able to sincerely evaluate the course and share with their friends. They are also able to suggest measures to make the course more effective and relevant. They are also able to make use of their understanding in the course for a happy and prosperous society.

**BA.LL.B. – II<sup>nd</sup> Semester**  
**ADVANCE ENGLISH COMMUNICATION AND WRITING**

|                           |  |                    |                    |
|---------------------------|--|--------------------|--------------------|
| <b>Paper Code: BL-201</b> | <b>Advance English Communication and Writing</b> | <b>Language-01</b> | <b>Credits: 06</b> |
|---------------------------|--|--------------------|--------------------|

This **Advance English Communication and Writing** course focuses on developing the productive skills, writing and oral communication, at an advanced level. The writing deals with legal academic writing; whereas the speaking activities will provide students with the opportunity to practice speaking skills needed by Lawyers.

**Objective:** The purpose of this course is to introduce students to the theory, fundamentals and tools of communication and to develop in them vital communication skills which should be integral to personal, social and professional interactions. The present course hopes to address some of these aspects through an interactive mode of teaching learning process and by focusing on various dimensions of communication skills.

**Methodology:** The course will include identifying and teaching appropriate language skills, relevant context analysis and teaching legal vocabulary, using authentic sources; web-based resources and published materials. The course is practically oriented and is a combination of group and individual tasks to explore learning contexts, to study legal English discourse, and to employ teaching methodologies appropriate to the teaching of English to the Law students. During the course ample of activities will be conducted to help Law students in their professional development.

**Outcomes:** The legal English course focuses broadly on the four basic language skills of listening, reading, writing and speaking because it is unrealistic for the students to predict which specific skill their future jobs require. The fundamental goal of legal English teaching is to enhance the balanced development of the learners and enable them to become active in thinking and broad in vision. The course will make Law students familiar with legal terminology and write adeptly in English by the end of the course. They would also, be able to write professional documents, e-mails as well as a resume of good quality.

## **SYLLABUS:**

### **UNIT-I- Nature of Communication**

1. Meaning of communication
2. Verbal and non verbal communication
3. Process of communication
4. Levels of communication:
  - a. Interpersonal
  - b. Organizational
  - c. Mass Communication
5. The flow of communication:
  - a. Downward and Upward
  - b. Lateral or Horizontal (Peer group)
6. Importance and purpose of communication
7. Barriers to communication

## **UNIT-II- Constituents of Written Communication**

1. Words and phrases: word formation
2. Synonyms and Antonyms
3. Homophones
4. Requisites of sentence construction
5. Paragraph development
6. Techniques and methods: inductive, deductive, spatial, linear, chronological etc.
7. The list of condensation-various steps.

## **UNIT-III- Forms of Written Communication**

1. The form of letters:
  - a. A model of Business letters: Sales and credit letters, Letters of Enquiry, Letter of Question, Order, Claim and adjustment letters.
  - b. A model of personal letters: Private or Informal letters and Formal letters
  - c. A model of official letters: D.O. letters, Govt. letters, letters to authorities etc.
2. Report writing:
  - a. Types,
  - b. Significance, Structure, Style
  - c. Writing of reports, note making and note taking.
3. Other Business Communications:
  - a. Technical proposals: Parts, types, writing of proposal, significance.
  - b. Memorandum: Function and structure, types, press release
  - c. Notices, Agenda and Minutes of Meeting

## **UNIT-IV- Job related communication:**

1. Job related application and resume
2. Employment interview preparation: Types of interview, Preparation for the interview, attending the interview, interview, interview process, Employers' expectations, conducting an interview, Negative aspects.
3. Group discussion: Definition, process, guidelines, helpful expressions, evaluation

## **UNIT-V- Legal writing**

## **UNIT – VI- Communication**

### ***Suggested Books:***

1. Business correspondence and Report writing (A practical approach to business and technical communication) By R.C. Sharma – Krishna Mohan
2. Business Communication By- Dr. R.K. Kalra, Dr. S.C. Chitkara, Dr. Mittal, Dr. Garg.
3. Professional Communication , By Rajhans Gupta
4. Technical Communication, By Ramanand Sharma
5. Successful communication in Business, By Physi. B. Elizabeth
6. Effective Communication- Adair, John
7. Business Communication-Lesikar & Pettit
8. Living English structure- Allen, W.S.
9. Spoken English for Indian Speakers- Bansal and Herrison.

**BA.LL.B. – II<sup>nd</sup> Semester**  
**WESTERN POLITICAL THOUGHT**

|                           |                              |                 |                    |
|---------------------------|------------------------------|-----------------|--------------------|
| <b>Paper Code: BL-202</b> | <b>POLITICAL SCIENCE –II</b> | <b>Major-01</b> | <b>Credits: 04</b> |
|---------------------------|------------------------------|-----------------|--------------------|

**Course Objectives:** The course will seek to comprehend the broad intellectual traditions in Western political philosophy that has decisively shaped the contours of political philosophy as we understand it today. It will cover a few representative thinkers chronologically in the history of ideas and aim to evaluate their philosophy with reference to the contexts in which these grew. The interpretation of these thinkers will involve striking a balance between the text and the context, and relate to the core ideas of each. The legacy of the thinkers is explained with the view to establish the continuity and change within the Western political tradition.

**Pedagogy for Course Delivery:** The signature pedagogy of political science is essentially, a combination of large lecture and smaller group sessions. Political sciences' signature pedagogy has remained relatively static. A traditional reliance on lectures, tutorials and private study remains the contemporary basis for teaching and learning in political science

**Student Learning Outcomes:** On completion of this course, students should be able to:

1. To demonstrate knowledge of fundamentals of Western political philosophy.
2. To describe the interpretation of these thinkers will involve striking a balance between the text and the context, and relate to the core ideas of each.
3. To understand the political philosophy of various western scholars and its impact on the present political setup.
4. Distinguish between normative and empirical political analysis.

**SYLLABUS:**

**UNIT-I- The Classical Tradition**

**Lecture: 15**

1. **Plato:**
  - a. Life and Works
  - b. Ideal State
  - c. Rule of Philosopher King
  - d. Theory of Education
  - e. Communism of Wives and Property
  - f. Theory of Justice
  - g. Changes in Platonic Stand in 'The Statesman' and 'The Laws'
  - h. Plato's Contribution to Political Thought
2. **Aristotle**
  - a. Life and Works
  - b. Theory of State and Ideal State or the Best State
  - c. Theory of Justice
  - d. Revolution
  - e. Slavery
  - f. Citizenship
  - g. Aristotle's Contribution to Political Thought

## **UNIT-II- The Renaissance Tradition & Social Contract Tradition**

**Lecture: 15**

### **1. Nicolo Machiavelli**

- a. Life and Works
- b. Machiavelli as a Modern Thinker
- c. Machiavelli on Human Nature
- d. Ideas Morality and Religion
- e. Ideas on State and Its Preservation as reflected in Prince
- f. Machiavelli's Contribution to Political Thought

### **2. Thomas Hobbes**

- a. Life and Works
- b. Ideas on Human Nature
- c. State of Nature
- d. Social Contract
- e. Ideas on Sovereignty, Law, Rights and Liberties
- f. Hobbes as an Individualist as well as Absolutist
- g. Hobbes' Contribution to Political Thought

## **UNIT-III- The Social Contract Tradition**

**Lecture: 15**

### **1. John Locke**

- a. Life and Works
- b. Ideas on Human Nature
- c. State of Nature
- d. Social Contract
- e. Views on State & Revolution
- f. Locke as an Individualist
- g. Locke's Contribution to Political Thought

### **2. Jean Jacques Rousseau**

- a. Life and Works
- b. Ideas on Human Nature
- c. State of Nature
- d. Social Contract
- e. Theory of General Will and Popular Sovereignty
- f. Rousseau's Contribution to Political Thought

## **UNIT-IV- The Utilitarian Tradition and Scientific Socialism Traditions**

**Lecture: 15**

### **1. Jeremy Bentham**

- a. Life and Works
- b. Utilitarianism of Bentham
- c. Bentham on State and Government
- d. On Liberty
- e. On Reforms in Law and Justice Administration System
- f. On Punishment and Prison Reforms
- g. Bentham's Contribution to Political Thought



## 2. **John Stuart Mill**

- a. Life and Works
- b. Utilitarianism of Mill
- c. Mill's Ideas on Liberty
- d. Ideas on State and Representative Government
- e. Mill as a champion of Women's Rights
- f. Mill as a Democrat
- g. Mill's Contribution to Political Thought

## 3. **Karl Marx**

- a. Life and works
- b. Dialectical Materialism,
- c. Historical Materialism,
- d. Class Struggle,
- e. State
- f. Revolution

### ***Recommended Books:***

1. S. Wolin, *Politics and Vision: Continuity and Innovation in Western Political Thought*, Boston, Little Brown, 1960
2. Q. Skinner, *The Foundations of Modern Political Thought*, 2 Volumes, Cambridge, Cambridge University Press, 1990.
3. S. B. Smith, *Hegel's Critique of Liberalism*, Chicago, University of Chicago Press, 1989.
4. Sir L. Stephen, *History of English Thought in the 18th Century 2 Vols.*, London, London
5. Boucher, David & Paul Kelly (eds.), *Political Thinkers: From Socrates to the Present*, Oxford University Press (2nd Ed.), 2009.
6. Jha, Shefali, *Western Political Thought: From Plato to Marx*, Pearson Publications.
7. Aristotle, *The Politics*, Translated Ernest Braker, Oxford, Oxford University Press, 1998 edn.
8. Hobbes, Thomas, *The Leviathan*, Amherst New York, Prometheus Books, 1988.
9. Hegel, Georg Wilhelm Fredrik, *The Philosophy of Right*, Translated by T.M. Knox Oxford, Oxford University Press, 1942.
10. Machiavalli, Niccolo, *The Prince and The Discourses*, translated L. Ricci, New York, Modern Library, 1950.
11. Kant, *Political Writing*, Translated by H.B Nisbet, edited by Hans Reiss, Cambridge, Cambridge University Press, 1991.
12. George H Sabine and Thomas L Thorson, *A History of Political Theory*, Oxford & IBH Publishing Co. Pvt.Ltd, New Delhi, 1973. (Available in HNLU Library)
13. Wanlass C. Lawrence, *Gettell's History of Political Thought*, Surjeet Publications, Delhi, 2001. (Available in HNLU Library)
14. Quentin Skinner, *The Foundations of Modern Political Thought Vol-I and II*, Cambridge University Press, Cambridge, 2007. (Available in HNLU Library)
15. Wolin, Sheldon S., *Politics and Vision*, Princeton University Press, Princeton, 2006. (Available in HNLU Library)
16. Kymlicka Will, *Contemporary Political Philosophy: an Introduction*, Oxford University Press, Oxford, 2008. (Available in HNLU Library)
17. Goodin E. Robert and PettIt Philip, *A Companion to Contemporary Political Philosophy*, BlackwellPublishing, Malden, USA, 2005. (Available in HNLU Library)
18. Ian Adams and R.W. Dyson, *Fifty Great Political Thinkers*, Routledge, London, 2004.
19. Sukhbir Singh, *History of Political Thought vol-I and II*, Rastogi Publications, Meerut, 2003.

20. Strauss, Leo and Joseph Cropsey edited. *History of Political Philosophy*. Chicago, University of Chicago Press, 1973.
21. Beiner, Ronald and William James Booth, *Kant and Political Philosophy* New Haven, Yale University Press, 1993.
22. Cohen, G.A, Karl Marx's *Theory of History*, Oxford, Oxford University Press, 1978.
23. Lukacs, G., *History and Class Consciousness*, Merlin, 1978.
24. 'Machiavelli' by Quentin Skinner, 'Hobbes' by Richard Tuck, 'Mill' by William Thomas,
25. 'Marx' by Peter Singer in *Great Political Thinkers*. Oxford, Oxford University Press, 1992.
26. MacIntyre, Alasdair, *A Short History of Ethics*, Oxford, Aldern Press, 1967.
27. Macpherson, C.B., *The Political Theory of Possessive Individualism*, Oxford, Oxford University Press, 1962.
28. O'Neil, Onora, *Constructions of Reason: Explorations of Kant's Practical Philosophy*, Cambridge, Cambridge University Press, 1989.
29. Pocock J.G. A., *The Machiavellian Moment*, Princeton, N.J., Princeton University Press, 1975.
30. Raphael D.D., *Hobbes: Morals and Politics*, Great Britain, Cambridge •University Press, 1977.
31. Rawls, John, *Lectures on the History of Moral Philosophy*, Cambridge, Harvard University Press, 2000.
32. Reiss, Hans, *Kant Political Writings*, Cambridge, Cambridge University Press, 1970. Taylor, Charles, *Hegel*, Cambridge, Cambridge University Press, 1975.
33. Wiser, L James, *Political Philosophy: A History of the Search for Order*, Prentice-Hall, 1983. Chris Sparks and Stuart Isaacs, *Political Theorists in Context*, Routledge, 2004.
34. Nelson, Brian, *Western Political Thought: From Socrates to the Age of Ideology*, Prentice Hall (2nd Edition), 1995.
35. Boucher, David & Paul Kelly (eds.), *Political Thinkers: From Socrates to the Present*, Oxford University Press (2nd Ed.), 2009.
36. Jha, Shefali, *Western Political Thought: From Plato to Marx*, Pearson Publications.
37. Mukherjee, Subrata, *A History Of Political Thought: Plato To Marx*, Prentice-Hall Of India, 2009.
38. William Ebenstein: *Great Political Thinkers-Plato to Present*, Oxford and IBH Publishing Co. New Delhi.
39. George, H. Sabine, *A History of Political Theory*, Oxford and I.B.H. Publishing, New Delhi, 1973 (English & Hindi)
40. C.L. Wayper, *Political Thought*, Hutchinson, London, 1965.
41. S. Mukerjee, & S. Ramaswamy, *A History of Political Thought*, Prentice Hall, New Delhi, 1999.
42. E. Barker, *The Political Thought of Plato and Aristotle*, Dover Publications, New Delhi, 1964

**BA.LL.B. – II<sup>nd</sup> Semester**  
**LAW AND SOCIAL CHANGE**

|                           |                      |                 |                   |
|---------------------------|----------------------|-----------------|-------------------|
| <b>Paper Code: BL-203</b> | <b>Sociology –II</b> | <b>Minor-01</b> | <b>Credits:04</b> |
|---------------------------|----------------------|-----------------|-------------------|

**Objective of the course:** However, the societal values and patterns are dynamic and complex. These changing societal values and ethos obviously make the discipline of Law dynamic and complex.. It also enables to assess efficacy of Law as an instrument of socio-economic changes and to identify bottlenecks, if any. Law, thus, has a social context. Law without its social context is simply a noteworthy mental exercise. ‘Law without social content or significance is Law without flesh, blood or bowels’. Hence one Law student first must know the society and then its relationship with the legal system. This basic objective and further to penetrate on the social structure which ultimately works behind the legal development.

**Teaching, Learning and Methodology:** Teaching, Learning and Methodology –Class room teaching, Assignments, PPT Presentation, Group Discussion, Industrial visits , Social institutional visits ,Outdoor Activities, Participation in Moot court Competition, Participation in Seminar , Workshop, Conferences and Symposium

**Course Outcome:**

1. Develop understanding about Social Changes in sociology
2. At the end of completion of the course , students will be able to understand the aspects of Social Problems of society
3. This Course will be covered Social Change in Family System
4. Understanding contemporary legal institution and Social Change and Development.
5. In Modern Society there is need to women empowerment, so this course will cover Status of Women in India society

**SYLLABUS:**

**UNIT-I: Social Change in India:**

1. Meaning and Definition of social change
2. Nature and Characterization of social change
3. Social change and Cultural change
4. Causes and Sources of social change, Resistance to social change
5. The role of values in social change, The role of great men in social change
6. Social Evolution, Social Change, and Progress
7. The Hindu Marriage:
  - a. Hindu marriage is a religious duty and not a contract, Hindu marriage as a Sacrament
  - b. Recent trends in the Hindu marriage
  - c. Factors affecting Hindu marriage
  - d. Influence of social legislation on marriage.
8. Muslim Marriage:
  - a. Features of Muslim Marriage
  - b. Conditions of Void, Valid and Irregular Marriage
  - c. Importance of Mehar or Dower in Muslim Marriage
  - d. Divorce among the Muslims, Importance of Iddat in Muslim Divorce
  - e. Influence of social legislation on Muslim Marriage

## **UNIT-II: Social Stratification:**

1. Social Stratification- Meaning of Social Stratification and Characteristic, Social Differentiation and Stratification
2. The Caste system - Origin of Caste system, Characteristics of Caste system, Caste Panchayat, Changes in the Caste system , Causes for the changes in Caste system, Influence of social legislation on caste

## **UNIT-III: Social Change and Development**

1. Sanskritization- The Meaning of Sanskritization, Definition of Sanskritization, Sanskritization, and Brahminization, An analysis of the process of Sanskritization,
2. Westernization – The Definition of Westernization, Main features of Westernization, Impact of Westernization on Indian culture
3. Modernization- The Definition of modernization , The process of modernization in India , characteristics of modernization, Causes of modernization, Impact of the modernization in India, Problems of modernization

## **UNIT-IV : Status of Women**

1. Women in Society-
  - a. Status of women in Ancient India, Status of women in Independent India
  - b. Women and employment, Human rights and Women
  - c. Problems of women in Modern India, Empowerment of Women
  - d. The position of women : Future prospects
2. Crime against women- female foeticides, child marriage, malnutrition, health problems, sexual harassment, domestic violence, prostitution, dowry deaths, eve teasing, acid attacks, Rape etc.

### ***Recommended Books:***

1. Sociology : CN Shankar Rao
2. An Introduction to Sociology: Vidhya Shankar Bhushan & Dr. Sachdeva, (Katabl Mahal)
3. The Indian Society: Ram Ahuja
4. Sociology for Law Students: S. R. Myneni.

## BA.LL.B. – II<sup>nd</sup> Semester

### HISTORY OF COURTS AND LEGISLATURES

|                           |  |                   |                   |
|---------------------------|--|-------------------|-------------------|
| <b>Paper Code: BL-204</b> | <b>History of Court and Legislatures</b> | <b>Core Paper</b> | <b>Credits:03</b> |
|---------------------------|--|-------------------|-------------------|

**Objectives of the course:** Study of Law relating to a particular country is not complete without understanding the history and development of the Laws and legal institutions. India is a country rich in history and traditions. A student of Law should be exposed to the ancient social order and religious philosophy as well as to the systems of dispute settlement mechanisms existing in those days. The medieval period had influence in the development of legal system. The advent of the British was an event, which also had its influence. The growth of judicial and legislative institutions after this event has to be taught in order to give an insight and awareness of how the present system had emerged from the ancient and medieval times. In the light of this historical set up it is easy to understand and interpret the provisions of Law. This course aims at giving a brief overview of the history of Indian Law and pathway to Indian Constitution of India so as to enable the students to understand the Laws of India, especially the Constitutional Law in a better manner.

**Teaching Methodology:** Lecture Method with PPT, Discussion Method, Tutorials, Assignments, Audio-video clips

**Course outcome:** After completion of the course the student will be able to:

1. Describe the establishment of East India Company & presidency town in India. Further the student will be in a position to evaluate the working of Adalat System, Mayor's Court & Supreme Court at Calcutta established under the various Charters.
2. Identify the causes for the development of Law commission & Legal Profession in India and can analyze their working. Also, the student will be able to examine the working of High Court, Privy Council & Federal Court and can classify their working under different head.
3. Generalize the existence of Legislative Council and their reforms for Indians from time to time. Also, Students will be able to describe the constitutional development in India.

### SYLLABUS:

#### UNIT-I: Early Developments (1600- 1836)

(20 HOURS)

1. Administration of justice from 1600-1726 CE
2. Establishment in Presidency Towns
3. Mayor's Court of 1726
4. Distinction between Charter of 1687 and 1726, Charter of 1753.
5. Regulating Act, 1773 and Establishment of Supreme Court in Calcutta
6. Raja Nand Kumar case, Kamaluddin case, Patna Case, and Cossijurah case
7. The Act of Settlement 1781
8. Pitts India Act, 1784.
9. Adalat System: Warren Hastings's Judicial Plans of 1772, 1774 and 1780; Lord Cornwallis's Judicial Plans of 1787, 1790 and 1793; Lord William Bentinck's Judicial Reforms

**UNIT II: Evolution of Law, Legal Institutions and legal Profession****(15 HOURS)**

1. Codification of Laws: Charter of 1833 , 1853
2. First, Second, Third and Fourth Law Commissions
3. Establishment of High Courts under the Indian High Courts Act, 1861
4. Privy Council and Federal Court
5. Early development of legal profession through Mayor's Court, Supreme Court, Company's Adalat, High Court, Legal Practitioners Act of 1879.

**UNIT-III: Constitutional Developments and Framing of Indian Constitution (10 HOURS)**

1. The Indian Councils' Act, 1861 and 1892
2. The Government of India Act, 1909
3. The Government of India Acts, 1919
4. Simon Commission (1927), Nehru Report (1928) and Round Table Conferences
5. The Government of India Act, 1935
6. Cripps Mission (1942), Cabinet Mission Plan (1946)
7. Transfer of powers & Indian Independence Act, 1947
8. Effects of the Indian Independence Act,1947

***Books Recommended:***

1. Jain, M.P. : Outlines of Indian Legal History
2. Singh, M.P. : Outlines of Indian Legal History
3. Puri, S.K. : Indian Legal History
4. Pranjape, V.N. : Indian Legal History
5. J.K. Mittal : Indian Legal History
6. Keith, A.B. : Constitutional History of India
7. Banerji, A.C. : The Constitutional History of India (3 vols).
8. Herbert Cowell : The History and Constitution of the Courts and Legislative Authorities in India
9. Singh, G.N. : Landmarks in India's Constitutional and National Development
10. V.D. Kulshreshth : Landmarks in India Legal & Constitutional History.

**BA.LL.B. – II<sup>nd</sup> Semester**  
**SPECIFIC (SPECIAL) CONTRACT**

|                           |                                    |                   |                   |
|---------------------------|------------------------------------|-------------------|-------------------|
| <b>Paper Code: BL-205</b> | <b>Specific (Special) Contract</b> | <b>Core Paper</b> | <b>Credits:04</b> |
|---------------------------|------------------------------------|-------------------|-------------------|

**Course Objective:** This course is to be taught after the students have been made familiar with the general principles of contract in which the emphases on understanding and appreciating the basic essentials of a valid contract and on the existence of contractual relationship in various instances. Obviously a course on special contracts should initiate the students to different kinds of contract with emphasis on the intricacies therein. This course also should provide an insight into the justification for the special statutory provisions for certain kinds of contracts.

**Methods of teaching-learning:** Lectures, Case studies with presentation and group exercise, specialist's lecture, drafting and documentation.

**Course outcome:** After the completion of Course, a student would be able to:

1. Understand various types of specific contract, earning the skill of drafting of such contracts
2. Critically analyze the difference between guarantee and indemnity.
3. Describe the various kinds of charge on property that is contract of Bailment, Pledge and Hypothecation.
4. Classify various modes of creation and termination of agency and rights and duties of agent and principal. Further explain the provision like sale, agreement to sell, hire purchase etc. under sale of goods Act.

**SYLLABUS:**

**UNIT-I: Indemnity and Gaurantee**

**(15 HOURS)**

1. The concept of Indemnity:
  - a. Definition and Nature,
  - b. Extent of liability of the indemnifier, commencement of liability of indemnifier. Indemnity in cases of international transactions.
2. Contract of Guarantee
  - a. Definition and Essential features of guarantee,
  - b. Continuing Guarantee, revocation of continuing guarantee,
  - c. Extent of surety's liability- Discharge of surety from liability, Right of surety
3. Indemnity and Guarantee distinguished.

**UNIT-II: Bailment and Pledge**

**(15 HOURS)**

1. Contract of Bailment:
  - a. Definition, Essential features of bailment.
  - b. Duties of bailor and bailee, Rights of bailor and bailee,
  - c. Finder of goods
  - d. Commercial utility of bailment contract
2. Pledge:
  - a. Definition,
  - b. Rights of pawner and pawnee,
  - c. pledge by certain specified persons mentioned in the Indian Contract Act,

3. Difference between Bailment and Pledge,
4. Charge on property,
5. Hypothecation and difference between hypothecation and pledge

**UNIT-III: Law of Agency**

**(15 HOURS)**

1. Definition and Essentials of agency,
2. Creation of agency,
3. Kinds of agents and agencies,
4. Duties and Rights of agents,
5. Scope and extent of agent's authority, liability of the agent towards the principal, personal liability towards the parties,
6. Termination-Methods of termination of agency, liability of the principal and agent after termination of agency,
7. Difference between agent and servant,
8. Sub-agency- rights, duties and liability of sub-agent.

**UNIT-IV: Sale of Goods Act, 1930**

**(15 HOURS)**

1. Concept of sale as a contract,
2. Definition, Essentials of contract of sale,
3. Warranties and Conditions, Implied terms in contract of sale, Effect and Meaning of implied warranties in a sale,
4. The rule of caveat emptor and its exceptions,
5. Transfer of title and passing of risk, The *nemo dat quod non habet* rule,
6. Delivery of goods, unpaid seller and his rights,
7. Remedies for breach of contract,
8. Concept of Hire Purchase Agreements and their difference with sale by installment and lease,
9. Standard form of contracts, FOB and CIF Contracts.
10. Contract formation exercise- Drafting of a Contract

***Case Laws:***

- Amritlal Goverdhan Lal v. State Bank of Travancore AIR 1968 SC 1432
- Morvi Mercantile Bank v. Union of India AIR 1965 SC 1954
- Vasireddi Seetha ramaiah v. Srirama Motor Finance Corporation 1977 AP 164
- Wheels India Ltd., Mount Road v Khem Chand Raj Kumar 1970 MLJ 648
- Maganbhai v Union of India AIR 1969 SC 785
- Madhav Rao v. Union of India AIR 1971 SC 530
- Delhi Science Forum & Others v. Union of India JT 1996 (2) SC 295
- Canara Bank v Canara Sales Corporation & Others AIR 1987 SC 1603
- Indian Airlines Corporation v Madhuri Choudhury AIR 1965 Cal 252
- Gatewhite Ltd & Another v. Iberia Lineas de Espana SA (1989) 1 All E.R. 944

***Books Recommended:***

1. Avtar Singh – Law of Contract
2. Krishnan Nair – Law of Contract
3. Pollock and Mulla – Indian Contract Act
4. S.K. Singh – Sale of Goods Act
5. Reynolds & Davenport, Bowstead on Agency, Sweet & Maxwell
6. Chitty, Contracts, Vol. 1I, 29th Ed., Sweet & Maxwell, 2004



## BA.LL.B. – II<sup>nd</sup> Semester

भाषा ज्ञान एवं विधिक लेखन में हिन्दी भाषा

|                    |        |             |             |
|--------------------|--------|-------------|-------------|
| Paper Code: BL-206 | हिन्दी | Language-02 | Credits: 02 |
|--------------------|--------|-------------|-------------|

**Course Objective:** Students may understand legal Hindi and may work in Courts where work is in Hindi. In many other countries also, Hindi is used as an Official Language as well as second Language in few states. So this will be helpful while their employment in those states also. Since the Hindi is the local language hence this paper will also be helpful to develop a better understanding of the law terms.

**Course outcome:** At the end of the course the student will be in position to explain English, Latin legal terms properly and further use of the same at right place.

### ईकाई.०१ वाक्य निर्माण/ हिन्दी भाषा की शब्द सम्पदा:-

वाक्य से आशय, प्रकार, वाक्य रूपान्तरण

१. वाक्य रचना में अशुद्धियां एवं सुधार
२. विराम चिन्हों का प्रयोग
३. पैराग्राफ लेखन - (अनुच्छेद लेखन)
४. संक्षेपीकरण व अनुवाद
५. हिन्दी भाषा का महत्व
६. तदभव, तत्सम शब्द
७. अनेकार्थक शब्द
८. पर्यायवाची शब्द
९. विलोम शब्द
१०. शब्द युग्म एवं व्याक्यांष के लिए शब्द
११. विधिक शब्दावलीयां
१२. प्रषासनिक शब्दावलीयां

### ईकाई.२ पत्र लेखन आख्या लेखन/प्रतिवेदन लेखन:-

१. पत्र लेखन के सामान्य सिद्धान्त
२. पत्र लेखन के प्रकार
३. औपचारिक व अनौपचारिक पत्र लेखन
४. प्रथम सूचना रिपोर्ट
५. परिवाद पत्र
६. अनौपचारिक नोटिस
७. अनुस्मारक
८. परिपत्र
९. प्रेस विज्ञप्ति
१०. विधिक एवं सामाजिक - समीचीन समस्याओं पर निबन्ध

## BA.LL.B. – II<sup>nd</sup> Semester

### BASICS OF COMPUTER LANGUAGE AND ITS APPLICATION

|                    |   |              |            |
|--------------------|---|--------------|------------|
| Paper Code: BL-206 | Basics of Computer Language and Its Application | Language -02 | Credits:02 |
|--------------------|---|--------------|------------|

#### Second Semester (option paper in lieu of Hindi for foreign students Only)

#### UNIT -I: Introduction to Computers

Introduction, Characteristics of Computers, Block diagram of computer, Types of computers and features, Mini Computers, Micro Computers, Mainframe Computers, Super Computers, Types of Programming Languages, Machine Languages, Assembly Languages, High Level Languages, Data Organization, Drives, Files, Directories, Types of Memory , Primary And Secondary, RAM, ROM, PROM, EPROM, Secondary Storage Devices (FD, CD, HD, Pen drive ), I/O Devices, Scanners, Digitizers, LCD, Simple Addition, Subtraction, Multiplication, Division  
What is a program; Digital computer fundamentals; What is a language; How program executes.

#### UNIT-II: Programming

**C programming:** Data types; Operators; Expressions; Scope resolution and variable types; Control flow structures; Functions; Arrays and pointers; Structures and Unions; Stream data processing (File operations).

**C++ Programming:** Introduction to objects and classes; Object hierarchy; Inheritance; Polymorphism; Operator overloading; Templates; Virtual class and Friend class.

#### *Recommended Books:*

1. Programming in C – Gottfried B.S. (TMH).
2. Fundamental of Computers – By V. Rajaraman B.P.B. Publications
3. Fundamental of Computers – By P. K. Sinha
4. Let us C – Kanetkar Y. (BPB).
5. The C Programming Language - Kernighan B.W., Ritchie D.M. (PHI).
6. C++: The Complete Reference (4th Ed) – Schildt H. (TMH).
7. The C++ Programming Language – Stroustrup B. (Addison-Wesley)

**BA.LL.B. – III<sup>rd</sup> Semester**  
**INDIAN POLITICAL THOUGHT**

|                           |                              |                 |                    |
|---------------------------|------------------------------|-----------------|--------------------|
| <b>Paper Code: BL-301</b> | <b>Political Science-III</b> | <b>Major-01</b> | <b>Credits: 04</b> |
|---------------------------|------------------------------|-----------------|--------------------|

**Course Objective:** This introduces the specific elements of Indian Political Thought Spanning over two millennia. The basic focus of study is on individual thinkers whose ideas are however framed by specific themes. The course as a whole is meant to provide a sense of the broad streams of Indian thought while encouraging a specific knowledge of individual thinkers and texts selected from some original texts are also given to discuss in class. The list of further readings is meant for teachers as well as the more interested students

**Pedagogy for Course Delivery:** The signature pedagogy of political science is essentially, a combination of large lecture and smaller group sessions. Political sciences' signature pedagogy has remained relatively static. A traditional reliance on lectures, tutorials and private study remains the contemporary basis for teaching and learning in political science

**Student Learning Outcome:**

On completion of this course, students should be able to:

1. Define ancient political institutions in India.
2. To demonstrate knowledge of Thinkers of Indian Political Thought and analyze their relevance in the present world.
3. Understand knowledge of Buddhism, Jainism, Islam, Sikhism.
4. Analyze and test hypotheses about administrative processes institutions or engage in conceptual analysis interpretation and execution of political ideas, arguments, and phenomena

**SYLLABUS**

**UNIT-1 Political Thought and Institutions in Ancient India**

**Lecture: 15**

1. Characteristics of Ancient Indian Political Thought
2. Dharmashastra, Arthashastra and Nitishastra traditions in India.
3. Political ideas in Shantiparva (Mahabharat) and Ramayan.
4. Political ideas in Smritis

**UNIT -2 Political Thought in Ancient India**

**Lecture: 15**

1. Major ideas of Manu,
2. Major ideas of Kautilya
3. Major ideas of Shukra.

**UNIT-3 Political Thought of Mediaeval India**

**Lecture: 15**

1. Buddhism
2. Jainism.
3. Major tenets of Islam
4. Major tenets of Sikhism.

1. Major political ideas of Swami Vivekanand
2. Major Political Ideas of Mahatma Gandhi
3. Major Political ideas of Neta Ji Subash Chandra Bose
4. Major Political Ideas of Dr.B.R.Ambedkar
5. Major Political Ideas of J.P.Narayan

***Books Recommended***

1. U.N. Ghosal, *A History of Indian Political Ideas*, OUP, Mumbai, 1968
2. A S Altekar, *State and Government in Ancient India*, Delhi, Motilal Banarasidas, Delhi, 1966.
3. S.K. Belvalkar, *Mahabharata : Santi Parvam*, 1954.
4. C. Drekmeir, *Kingship and CommUNITY in Early India*, Berkeley, University of California, Press, 1962.
5. K.P. Jaiswal, *Hindu Polity*, Butterworth, Calcutta, 1924.
6. V.R. Mehta, *Foundations of Indian Political Thought*, Manohar Publisher, New Delhi, 1999.
7. D.D. Kosambi, *Culture and civilization in Ancient India*, Vikas, Delhi, 1980.
8. A.S. Altekar, *State and Government in Ancient India*, Motilal Banarasidas, Delhi, 1966.
9. D.R. Bhandarkar, *Some Aspects of Ancient Indian Hindu Polity*, Banaras Hindu University, Varanasi.
10. K.P. Jayaswal, *Hindu Polity*, Bangalore Printing Press, Bangalore, 1967.
11. Charles Drekmeir, *Kingship and CommUNITY in Early India*, California, 1962.
12. U.N. Ghoshal, *A History of Indian Political Ideas*, OUP, London, 1966.
13. K.P. Jayaswal, *Hindu Polity*, Bangalore Printing Press, Bangalore, 1967.
14. Charles Drekmeir, *Kingship and CommUNITY in Early India*, California, 1962.
15. Ram Gopal, *Indian Muslim*, Asia Publishers, New Delhi, 1997
16. G.C. Pandey, *Jaina Political Thought*, Jaipur Prakrit Bharti, 1984.
17. Abul Fazal, *Ain-i-Akbari*, 2 Vols., Calcutta, Inded, Trans, Blochman Corrected and edited by J. Sarkar, Asram Society of Bengal, rep., New Delhi Imperial Book Depot, New Delhi, 1965.
18. B.A. Sale tore, *Ancient Indian Political Thought and Institutions*, University of Bombay, Bombay, 1963.
19. R.S. Sharma, *Aspects of Political ideas and institutions in Ancient India*, Delhi, 1959
20. Raghuramaraju ( 2007) ‘ Swami and Mahatma, Paradigms: State and Civil Society’, in *Debates in Indian Philosophy: Classical, Colonial, and contemporary*. Delhi: Oxford University Press. pp. 29-65
21. M.K. Gandhi, *Hind Swaraj*, Navjeevan Publishing House, Ahmedabad, 1908.
22. Sriman Narayan(ed.), *The Selected Works of Mahatma Gandhi*, Navjeevan Publishing House, Ahmedabad, 1969.
23. N. Raghavan Iyer, *The Moral and Political Thought of Mahatma Gandhi*, OUP, Oxford, 1978.
24. A.K. Saran, *Gandhi and the Concept of Politics: Towards a Normal Civilization*, *Gandhi Marg*, Vol.I No. II,1980
25. V.P. Verma, *Modern Indian Political Thought*, Lakshmi Naryan Aggarwal, Agra, 1974.
26. A. Appadorai, *Indian Political Thinking through the Ages*, Khanna Publishers, Delhi, 1992.
27. J. Bandopandhyay, *Social and Political Thought of Gandhi*, Allied Publishers, Bombay, 1969.
28. T. Pantham, and K. Deustch (eds.), *Political Thought in Modern India*, Sage Publishers, New Delhi, 1986.

29. B. Parekh & T. Pantham (eds.), *Political Discourse: Exploration in Indian and Western Political Thought*, Sage, New Delhi, 1987.
30. M.N. Jha, *Political Thought in Modern India*, Meenakshi Prakashan, Meerut.
31. V.R. Mehta, *Indian Political Thought*, Manohar, New Delhi, 1996.
32. Ambedkar, Mahesh. 2005. *The Architect of Modern India: Dr. Bhim Rao Ambedkar*. New Delhi: Diamond Books.
33. Sharma, Kusum. 1997. *Ambedkar and the Indian Constitution*. New Delhi: Ashish Publishing House.
34. Shashi S S (ed.) 1992. *Dr Ambedkar and Social Justice. VoL I*, Ministry of Information and Broadcasting Government of India, New Delhi.

### ***Further Suggested Readings:***

1. Parekh, Bhiku (1986) 'Some Reflections on the Hindu Tradition of Political Thought', in Pantham, Thomas and Deutsch, Kenneth. I. (eds.) *Political Thought in Modern India*. New Delhi: Sage, pp. 17-31.
2. Altekar, A.S. (1958) 'The Kingship', in *State and Government in Ancient India*. (3<sup>rd</sup> Edition). Delhi: Motilal Banarsidass, pp. 75-108.
3. Shakir, Moin (1986) 'Dynamics of Muslim Political Thought', In Pantham, Thomas and Deutsch, Kenneth I. (eds.) *Political Thought in Modern India*. New Delhi: Sage, pp. 142-160
4. Pandey, G.C. (1978) *Sraman Tradition: Its History and Contribution to Indian Culture*. Ahmedabad L.D. Institute of Indology, pp. 52-73.
5. Saberwal Satish (2008) Ch.1, "Medieval Legacy", *Spirals of Contention*; New Delhi: Routledge, pp. 1-31
6. Varma, V.P. (1974) *Studies in Hindu Political Thought and Its Metaphysical Foundations*. Delhi: Motilal Banarsidass, pp. 211-230.
7. Chatruvedi, Badrinath (2006) 'Dharma-The Foundation of Raja-Dharma, Law and Governance', in *The Mahabarta: An Inquiry in the Human Condition*. Delhi: Orient Longman, pp. 418-464.
8. Mehta, V.R. (1992) 'The Cosmic Vision: Manu', in *Foundations of Indian Political Thought*. Delhi: Manohar, pp. 23-39.
9. Sharma, R.S. (1991) 'Varna in Relation to Law and Politics (600 BC-AD 500)', in *Aspects of Political Ideas and Institutions in Ancient India*. Delhi: Motilal Banarsidass, pp. 233-251.
10. Olivelle, P. (2006) 'Introduction', in *Manu's Code of Law: A Critical Edition and Translation of the Manava-Dharmasastra*. Delhi: Oxford University Press, pp. 3-50.
11. Mehta, V.R. (1992) 'The Pragmatic Vision: Kautilya and His Successor', in *Foundations of Indian Political Thought* Delhi: Manohar, pp. 88-109.
12. Kangle, R.P. (1997) *Arthashastra of Kautilya-part-III: A Study*. Delhi: Motilal Banarsidass, rpt. pp.116-142.
13. Spellman, John W. (1964) 'Principle of Statecraft', in *Political Theory of Ancient India: A Study of Kingship from the Earliest time to circa AD 300*. Oxford: Clarendon Press, pp. 132-170.
14. *The Mahabharata* (2004), Vol.7 (Book XI and Book XII, Part II), (ed, trans and annotated Fitzgerald, James L., Chicago and London: University of Chicago Press.
15. Kautilya (1997) 'The Elements of Sovereignty' in Kangle, R. K. (ed. and trans.) *Arthashastra of Kautilya*, New Delhi: Motilal Publishers, pp. 511-514.
16. Manu (2006) 'Rules for Times of Adversity', Olivelle, P. (ed. & Trans.) *Manu's Code of Law: A Critical Edition and Translation of the Manava-Dharmasastra*. N. Delhi: OUP, pp. 208-213.

17. Agganna Sutta' (2001), Collins, s (ed.) Agganna Sutta: An Annotated Translation. New Delhi : Sahitya Akademi, pp. 44-49.
18. Sen, Amiya. P. (2003) ' Swami Vivekananda on History and Society', in Swami Vivekananda. Delhi: OUP,
19. Rustav, Hilfred (1998) 'Swami Vivekananda and the Ideal Society', in Radice, William (ed.), Swami Vivekananda and the Modernisation of Hinduism. Delhi: Oxford University Press, p
20. Raghuramaraju ( 2007) ' Swami and Mahatma, Paradigms: State and Civil Society', in Debates in Indian Philosophy: Classical, Colonial, and contemporary. Delhi: Oxford University Press. pp. 29-65
21. Rodrigues, Valerian (2007) 'Good Society, Rights, Democracy Socialism', in Thorat, Sukhdeo and Aryama (eds.) Ambedkar in Retrospect-Essays on Economics, Politics and Society. Jaipur: IIDS and Rawat Publications.
22. Mungekar, Bhalachandra (2007) ' Quest for Democratic Socialism', in Thorat, Sukhdeo and Aryana (eds.) Ambedkar in Retrospect – Essays on Economics, politics and society. Jaipur: IIDS and Rawar Publications, pp. 121-142.
23. Chatterjee, Partha (2005) 'Abmedkar and the Trobuled times of Citizenship', in Mehta, V.R. and Pantham, Thomas (eds.) Political ideas in modern India: Thematic Explorations, New Delhi: Sage, pp.73-92.
24. Parel, Anthony J. (ed.) (2002) 'Introduction', in Gandhi, freedom and Self Rule. Delhi: Vistaar Publication.
25. Dalton, Dennis (1982) Indian Idea of Freedom: Political Thought of Swami Vivekananda, Aurobindo Ghose, Mahatma Gandhi and Rabindranath Tagore. Guraon: The Academic Press. pp.154-190.
26. Terchek, Ronald (2002) ' Gandhian Authonomy in Late Moden World', in Parel, Anthony i. (ed.) Gandhi. Freedom and Self Rule. Delhi: Sage.
27. D.D. Kosambi, *Culture and civilization in Ancient India*, Delhi, Vikas, 1980.
28. A.S. Altekar, *State and Government in Ancient India*, Delhi, Motilal Banarasidas, 1966.
29. D.R. Bhandarkar, *Some Aspects of Ancient Indian Hindu Polity*, Varanasi, Banaras Hindu University.
30. K.P. Jayaswal, *Hindu Polity*, Bangalore, Bangalore Printing Press, 1967.
31. Charles Drekmeir, *Kingship and CommUNITY in Early India*, California, 1962.
32. U.N. Ghosal, *A History of Indian Political Ideas*, OUP, Mumbai, 1968
33. A S Altekar, *State and Government in Ancient India*, Delhi, Motilal Banarasidas, Delhi, 1966.
34. S.K. Belvalkar, *Mahabharata : Santi Parvam*, 1954.
35. C. Drekmeir, *Kingship and CommUNITY in Early India*, Berkeley, University of California, Press, 1962.
36. K.P. Jaiswal, *Hindu Polity*, Butterworth, Calcutta, 1924.
37. V.R. Mehta, *Foundations of Indian Political Thought*, Manohar Publisher, New Delhi, 1999.
38. G.C. Pandey, *Jaina Political Thought*, Jaipur Prakrit Bharti, 1984.
39. Abul Fazal, *Ain-i-Akbari*, 2 Vols., Calcutta, Inded, Trans, Blochman Corrected and edited by J. Sarkar, Asram Society of Bengal, rep., New Delhi Imperial Book Depot, New Delhi, 1965.
40. B.A. Sale tore, *Ancient Indian Political Thought and Institutions*, University of Bombay, Bombay, 1963.
41. R.S. Sharma, *Aspects of Political ideas and institutions in Ancient India*, Delhi, 1959

**BA.LL.B. – III<sup>rd</sup> Semester**  
**LAW, MORAL & SOCIETY**

|                           |                       |                 |                   |
|---------------------------|-----------------------|-----------------|-------------------|
| <b>Paper Code: BL-302</b> | <b>Sociology –III</b> | <b>Minor-01</b> | <b>Credits:03</b> |
|---------------------------|-----------------------|-----------------|-------------------|

**Objectives of the course:** The Indian society has changed very rapidly since Independence. A proper understanding of crimes, methods of controlling them and the socio-economic and political reasons for their existence is now extremely important in the larger context of India's development, if students are to use their knowledge and skills to build a just and humane society. The curriculum outlined here attempts to bring in these new perspectives.

**Teaching, Learning and Methodology:** Teaching, Learning and Methodology –Class room teaching, Assignments, PPT Presentation, Group Discussion, Industrial visits , Social institutional visits ,Outdoor Activities, Participation in Moot court Competition, Participation in Seminar , Workshop, Conferences and Symposium.

**Course Outcomes:**

1. Develop understanding about crime and its social causes
2. At the end of completion of the course , students will be able to understand the aspects of sexual offences
3. This Course will be covered the problem of corruption in India.
4. Students will understand the international problem Terrorism and violence
5. Drug Addiction and alcoholism is current social issue of youth, Students will able be able to learn impact, effects and social factors of drug abuse

**SYLLABUS**

**UNIT-I: Social Causes and Effects of Crime and Sexual Offences**

1. Crime:
  - a. Introduction of crime, The early concept of crime,
  - b. Classification of crimes, Characteristics of crime,
  - c. Causation of crime and Prevention of crime.
2. Corruption:
  - a. Meaning and Definition of Corruption, Cases of Corruption
  - b. Organized crime and White collar crime
  - c. Prevention of Corruption
3. Black Money:
  - a. Meaning and Definition of Black Money, Origin of Black Money
  - b. Causes of Black Money and Measures to control Black Money
4. Sexual Offences:
  - a. Sexual crimes, causes of Sexual delinquency,
  - b. Rape, Homosexuality, Adultery, Prostitutions, Human trafficking, Pornography, Domestic Violence, Sexual Harassment.

**UNIT-II: Drug addiction & Cyber crimes**

1. Drug addiction in society- Main causes, Classification of drug abuse, Drugs and Crime
2. Alcoholism- Alcoholism and Crime, Social factors of alcoholism, Measures to control.
3. Cyber crimes - Cyber crime and its causes, Social impact of Cyber crime

### **UNIT-III: Violence, Terrorism and Juvenile Delinquency**

1. Violence:
  - a. Introduction of violence,
  - b. sexual violence, student violence, election violence,
2. Terrorism:
  - a. The purpose of terrorism, Classification of terrorism,
  - b. Legal control of International terrorism.
3. The Juvenile Delinquency:
  - a. Meaning and definition of Juvenile Delinquency,
  - b. Causes of Juvenile Delinquency, Remedies for Juvenile Delinquency, Institute to rehabilitate Juvenile Delinquents

#### ***Recommended Books:***

1. Penology & Criminology
2. Sociology : CN Shankar Rao



**B.A.LL.B.-III Semester**  
**WORLD HISTORY**

|                           |                      |                 |                   |
|---------------------------|----------------------|-----------------|-------------------|
| <b>Paper Code: BL-303</b> | <b>World History</b> | <b>Minor-02</b> | <b>Credits:03</b> |
|---------------------------|----------------------|-----------------|-------------------|

**Course Objective:** The Purpose of the course to teach the student World History in simple way for competition purpose. The Purpose of teaching World History is to highlight its never ending growth.

**Methods of Teaching:** The course will be delivered through a combination of lecture classes, discussions and home assignments on World History. All the leading recent development will be discussed.

**Course Outcome:** At the end of the course a student will be able to:

1. Understand World History in practical sence.
2. Analyze the understanding of the subject though conduct of mock trials at the end of the course.
3. Attain knowledge on usage and development of various sources of World History.
4. Understand, analyze and resolve many issues for competition purpose

**SYLLABUS:**

**UNIT-I: Renaissance:**

1. Renaissance & Reforms:
  - a. Definition, Concept, Development
  - b. Impact on the western nations
2. Impact of Industrial Revolution
3. Colonialism and Imperialism

**UNIT-II: World Civil Wars:**

1. American war of Independence
2. French Revolution, Napoleon Bonaparte
3. Glorious Revolution of Britain ,1688
4. Russian Revolution
5. Making of nation-states in Italy & Germany

**UNIT-III: The World Wars:**

1. First World War: Background, Causes and its Consequences
2. Ideology of Nazism and Fascism
3. Second World War: Causes and its Worldwide Impact
4. Establishment of UNO and Failure of League of Nations
5. Capitalism, Socialism, Communism, Regionalism ,Secularism and Terrorism

***Books Recommended:***

- |                   |   |  |
|-------------------|---|--|
| 1. F.L. Benns     | - | European History Since 1870                |
| 2. Uden Grant     | - | Longman World History                      |
| 3. J.H. Hayes     | - | A Political and Cultural History of Modern |
| 4. M. Mujeeb      | - | World History, Our Heritage                |
| 5. Meenaxi Phukan | - | Rise of the modern west                    |
| 6. W.C. Langsam   | - | World Since 1914                           |

## BA.LL.B. – III<sup>rd</sup> Semester

### **JURISPRUDENCE**

|                           |                      |                   |                   |
|---------------------------|----------------------|-------------------|-------------------|
| <b>Paper Code: BL-304</b> | <b>Jurisprudence</b> | <b>Core Paper</b> | <b>Credits:04</b> |
|---------------------------|----------------------|-------------------|-------------------|

**Course Objectives:** This course in Jurisprudence is designed, primarily, to induct students into a realm of questions concerning Nature of Law. Therefore, the first part of the course is concerned with important questions like, what is Law, what are the purposes of Law? the relationship between Law and justice and the like. The second part is concerned with the important sources of Law. The emphasis is on important issues concerning Law with reference to ancient and modern Indian Legal Thought.

One important branch of Jurisprudence consists in analysis of legal concepts. The Law of contract and tort is concerned with different rights which one person may have against another. Jurisprudence, on the other hand, studies the Meaning of the term “rights” in the abstract and seeks to distinguish various kinds of rights which are in theory possible under a legal system. Similarly, it investigates other legal concepts and tries to build up a general and more comprehensive picture of each concept as a whole. This course is designed primarily on English model but native India Orientation is given wherever possible.

**Method of Teaching-Learning:** The class will be taught Legal theories & Principles using lectures and PPT presentation and case based method. In addition to assigning the projects, the course instructor will spend considerable time in understanding the concept of different schools comparatively. The instructor will cover the ways to think innovatively liberally using thinking techniques.

**Course Outcome:** After the completion of this course, the student will be able to:

1. Analyze critically the important ideas of selected jurists from various schools of thoughts.
2. Understand the theoretical foundations and central focus of the leading theories of Law of different Schools of jurisprudence.
3. Appreciate the theories behind formation of State and those related to sovereignty.
4. Comprehend the jurisprudential basis of certain legal concepts which appear in Law in all its manifestations and understand the correlation between rights and duties, personality, ownership and possession.

### **SYLLABUS:**

#### **UNIT-I: Introduction**

**8 Hours**

1. Definition, Nature, Scope and Importance of Jurisprudence
2. Development of Law and Schools of Jurisprudence
3. Theoretical and Conceptual Jurisprudence
4. Jurisprudence as a Philosophy

#### **UNIT-II: Development of Law and Schools of Jurisprudence**

**20 Hours**

1. Natural Law and Jurisprudence
2. Natural school
3. Analytical School
4. Sociological School
5. Historical School
6. Realist and Philosophical School

**UNIT-III: State, Sovereignty Administration of Justice and Related Aspects in Indian**

**Perspective**

**12 Hours**

1. State and Sovereignty
2. Administration of Justice
3. Theories of Punishment: Applicability of Theories of punishment in India.
4. Recent Trends In Indian Jurisprudence:
  - a. Judicial Activism, Lok Adalat , Fast Track Courts
  - b. Concept of Plea Bargaining , Epistolary Jurisprudence ( PIL)

**UNIT-IV: Law and Other Legal Concepts in Jurisprudence**

**20 Hours**

1. Law:
  - a. Meaning, Sources and Elements of Law.
  - b. Procedural and Substantive Law and their distinction with each other.
  - c. Precedents- Kinds, Theories and Principles
2. Rights & Duties:
  - a. Meaning, Definition
  - b. Kinds of Rights and Duties.
3. Possession and Ownership:
  - a. Meaning, Definition
  - b. Classification and Difference between Possession And Ownership.
4. Persons:
  - a. Nature of Personality,
  - b. Status of The Unborn, Minor, Lunatic, Drunken And Dead Persons,
  - c. Corporate Personality, Various Theories Of Corporate Personality,
5. Negligence And Liability:
  - a. Negligence And Recklessness,
  - b. Strict Liability,
  - c. Vicarious Liability

***Book Recommended:***

- |                       |   |
|-----------------------|---|
| 1. Paton              | : Jurisprudence                             |
| 2. Dias               | : Jurisprudence                             |
| 3. Friedmann          | : Legal Theory                              |
| 4. Bodenheimer        | : Jurisprudence                             |
| 5. Lloyed Denis       | : Idea of Law                               |
| 6. Tripathi B.N. Mani | : Jurisprudence                             |
| 7. Salmond. J.        | : Jurisprudence                             |
| 8. Dias, R.W.M.       | : Jurisprudence                             |
| 9. Friedmann          | : Legal Theory                              |
| 10. Mahajan, V.D.     | : Jurisprudence and Legal Theory            |
| 11. Dr. Avtar Singh   | : Jurisprudence                             |
| 12. Anurudh Prashad   | : Vidhi Shastra Ke Mool Siddhant            |
| 13. N.V.Pranjape      | : Studies in Jurisprudence and Legal Theory |

## BA.LL.B. – III<sup>rd</sup> Semester

### CONSTITUTION LAW-I

|                           |                           |                   |                    |
|---------------------------|---------------------------|-------------------|--------------------|
| <b>Paper Code: BL-305</b> | <b>Constitution Law-I</b> | <b>Core Paper</b> | <b>Credits: 05</b> |
|---------------------------|---------------------------|-------------------|--------------------|

**Objectives:** India is a democracy and her Constitution embodies the main principles of the democratic government- how it comes into being, what are its powers, Functions, responsibilities and obligation show power is limited and distributed. Whatever might have been the original power base of the Constitution, today it seems to have acquired legitimacy as a highest norm of public Law. A good understanding of the Constitution and the Law, which has developed through constitutional amendments, judicial decisions, constitutional practice and conventions is, therefore, absolutely necessary for a student of Law. He must also know the genesis, Nature and special features and be aware of the social, political and economic influence on the Constitution. A student must learn how various interpretations of the constitution are possible and why a significant interpretation was adopted in a particular situation. Such a critical approach is necessary require in the study of constitutional Law. Judicial review is an important aspect of constitutional Law. India is the only country where the judiciary has the power to review even constitutional amendments. The application of basic structure objective in the evaluation of executive actions is an interesting development of Indian constitutional Law. Pari pasu the concept of secularism and federalism engraved in the constitution are, and are to be, interpreted progressively.

**Methods of teaching-learning:** This course will be taught via a combined lecture and Socratic Method format. Students will be expected to have absorbed the assigned material prior to class, and to be able to respond to questions on the assigned material. Further, students will brief court cases as assigned and will be prepared to recite on those cases.

**Course Learning Outcomes:** On successful completion of this course, students will be able to:

1. Demonstrate an understanding of salient features and ability to interpret key terms of the Preamble of Constitution and relate whether it's unitary, federal or quasi federal.
2. Understand the concept of India as a Union and the various provisions regarding the territories of the Union and the states, the concept of nationality and citizenship and how citizenship can be acquired.
3. Define the State and explain the rights of equality included in the Indian Constitution.
4. Identify and explain the freedoms and right to life, religion and other rights included in the Constitution.
5. Analyse the directives given to states and fundamental duties assigned to citizens and also comprehend relationship between directive principles and fundamental rights.
6. Learn the relevant doctrines and key cases in each major area of constitutional Law.

### SYLLABUS:

#### UNIT- I: Introduction

(Lectures – 10)

1. The Meaning of Constitution
2. The Meaning of Federalism & its features
3. The Nature of Constitution of India
4. Salient features of the Constitution of India
5. Parliamentary v/s Presidential System
6. The Preamble of the Constitution, its purpose & objectives

*Leading Cases -*

**Federal Principle**-State of West Bengal v. Union of India (AIR 1963 SC 1241)

**Preamble** -Re Berubari Union Case.

Keshvananda Bharti v. Union of India (AIR 1973 SC 1461)

**42<sup>nd</sup> Amendment**- Excel Wear v. Union of India (AIR 1979 SC 25)

D.S. Nakara v. Union of India (AIR 1983SC 130)

S.R. Bommai v. Union of India (AIR 1974 SC 1389)

Aruna Roy v. Union of India (AIR 2003 SC 3176)

Shabnam Hashmi v. Union of India, (2014) 4 SCC 1

## **UNIT- II: The Union & its Territory And Citizenship (Part – I-II, Art 1-11)** (Lectures – 08)

1. The Union & its Territory (Ar.1)
2. State and its Creation within the territory of India (Ar.2&3), Cession of Indian Territory to Foreign Country
3. Citizenship in Indian Constitution (Art.5-11)
  - a. Citizenship under the Citizenship Act, 1955
  - b. Overseas Citizenship along with dual citizenship for NRI's by Amendment of 2003
  - c. Commonwealth Citizenship

### ***Leading Cases -***

**Ar. 2&3** - Magan Bhai v. Union of India (AIR 1969 SC 783)

**Citizenship** - Mohammed Raza v. State of Bombay (AIR 1956 Sc 1436)

Louis De Raedt v. Union of India (AIR 1991 3 SCC 544)

Kulathi v. State of Kerala (Air 1967 SC 1614)

## **UNIT-III: Fundamental Rights (Part – III, Art 12-18, 33-35)**

(Lectures – 20)

1. Fundamental Rights:
  - a. Historical background
  - b. Classification
  - c. Restriction on Suspension
  - d. Waiver of Fundamental Rights
2. The Meaning & definition of "State"(Ar. 12)
  - a. Recent Expansion of the term State by Indian Judiciary
  - b. Is Judiciary included in the term State?
3. Meaning of "Law" & "Laws in Force" (Ar.13)
  - a. Laws inconsistent with Fundamental Rights
  - b. Application & Rules of Interpretations:
    - i. Doctrine of Prospective Overruling
    - ii. Doctrine of Severability
    - iii. Doctrine of Eclipse
    - iv. Doctrine of Waiver
  - c. Is Constitutional Amendment a Law under Ar.13 (2)?
4. Power of Parliament to modify Fundamental Rights(Ar.33)
5. Restriction on Fundamental Rights - Martial Law(Ar.34)
6. Legislation to give effect to Part-III(Ar.35)
7. Right to Equality under Constitution of India (Ar.14-18)
  - a. Meaning of "Equality before Law" & "Equal Protection of Law"
  - b. The test of Reasonable Classification
  - c. Affirmative Action and Protective Discrimination
  - d. The Prohibition of Class Legislation
  - e. The new concept of Equality: The Arbitrariness

- f. The Rule of Law & its inclusion u/ Ar.14
- g. The Prohibition of Discrimination against citizens (Ar.15)
  - i. Exception to Ar. 15(1) & (2)
- h. Equality of Opportunity in Public Employment(Ar. 16)
  - i. Exception to Ar. 16(1) & (4)
  - ii. Protective Discrimination: A Facet of Equality
  - iii. Reservation in Employment (The Mandal Case)
  - iv. Reservation in Educational Institute Creamy Layer
  - v. The Carry Forward Rule
  - vi. Back Log
- i. Abolition of Untouchability (Ar.17)
- j. Abolition of Titles(Ar.18)

### ***Leading Cases -***

A.K. Gopalan v. Sate of Madras (AIR 1950 SC 27)

Behram v. State of Maharastra (AIR 1955 SC 123)

Olga Tellis Case (AIR 1986 SC 180)

**Waiver of Fundamental Rights** - Basheshar Nath v. C.I.T (AIR 1959 SC 149)

**State** -R.D Shetty v. International Airport Authority of India(AIR 1979 SC 1628)  
 -Ajay Hasia v. Khalid Mujib(AIR 1981 SC 487)  
 -Pardeep Kumar Biswas v. Indian Institute of Chem Bio (2002) 5 SCC 111  
 -Zee Telefilms Ltd. V. Union of India (2005) 4 SCC 649

**Judiciary as State** -Naresh v. State of Maharastra (Air 1967 SC 1)

-Rupa Ashok Hurra v. Ashok Hurra (AIR 2002 SC 1771)

**Ar. 13** -Keshavan Madhva Menon v. State of Bombay (AIR 1951 SC 128)

**Separability** -State of Bombay v. F.N. Balsara(AIR 1952 SC 318)

-R.M.D.C. v. Union of India (AIR 1957 SC 628)

-A.K. Gopalan's Case

-Kihota Hollohan v. Zachithu(AIR 1993 SC 412)

**Eclipse** -Bhika ji Narain Dhakras v. State of M.P. (AIR 1955 SC 781)

-State of Gujrat v. Shri Ambica Mills Ltd(Air 1974 Sc 1300)

**Ar. 14** Charanjit Lal Choudhary v. Union of India (AIR1950 SC 41)

-State of W.B. v. Anwar Ali Sarkar(AIR 1952 SC 75)

-Kathi Raning rawat v. State of Saurashtra (AIR 1952 SC 123)

-M. Chhagganlal v. Greater Bombay Municipality (AIR 1974 SC 2009)

-Re Special Courts Bill, 1978(AIR 1979 SC 478)

-Mithu Singh V. State of Punjab (Air 1983 SC 473)

-Shayara Bano v Union of India 2017 9 SCC 1

-National Legal Services Authority v. Union of India, (2014) 5 SCC 438

**Arbitrariness** -E.P. Royappa v. State of Tamail Nadu (AIR 1974 SC 555)

-Ajay Hasia' Case

-Air India v. Nagesh Meerza(AIR 1981 SC 1829)

**Ar. 15** -Randhir Singh v. Union of India (AIR SC 879)

-Pradeep Jain v. Union of India (1984) 4 SCC 654

**Ar. 16** -State of kerala v. N.M. Thomas (AIR 1976 SC 490)

**Facet of Equality** -Jagdish Lal v. State of Haryana(AIR 1997 SC 2366)

**Employment** -Indra Sawhney v. Union of India, The Mandal Case(AIR 1993 SC 477)

**Carry Forward Rule**-A.B.S.K. Sangh Railway Union case (AIR 1981 SC 298)

**Creamy Layer** -The Mandal Case

-Indira Shawney II v. Union of India (AIR 2000 SC 498)

**Education Institute:** -Ashoka Kumar Thakur v. U.O.I (2008) 6 SCC 1

### **UNIT-IV: Fundamental Rights (Part-III, Art 19-32)**

(Lectures – 25)

1. The Right to Freedom
  - a. Freedom under Art.19
  - b. Reasonable Restrictions on Freedoms
  - c. The Right to Information (RTI Act, 2005)

- d. Media trial
- e. Voters Right to Know
- f. Right to Property -
  - i. Present Position - Article 31 A, Article 31 B and Ninth Schedule , Article 300 A
2. Constitutional protection provide for conviction of offences (Ar. 20)
  - a. Ex-post facto Law
  - b. Double Jeopardy: *autrefois convict & autrefois acquit*
  - c. Protection against Self-Incrimination
3. Protection of Life & Personal Liberty(Ar.21)
  - a. Personal Liberty - Meaning & Scope, Right to Privacy
  - b. Implied Fundamental Rights U/Ar.21
4. Right to Education (Ar.21-A)
5. Constitutional Safeguard against arbitrary arrest & detention(Ar.22) and Preventive Detention Laws in India
6. Right against Exploitation(Ar.23 & 24)
  - a. Traffic in Human beings & Forced Labour (Ar.23)
  - b. Prohibition on Employment of Children (Ar.24)
7. Freedom of Religion (Ar.25-28)
  - a. "Secularism" as basic feature of the Constitution
  - b. Meaning of Religion
  - c. Practice & Propagation of Religion
  - d. Restriction on Freedom of Religion
  - e. Freedom from payment of religion promotion tax(Ar.27)
  - f. Freedom from Non- Attendance of religious instructions (Ar.28)
8. Right of Minorities (Ar.29&30)
  - a. Meaning of Minorities
  - b. Protection of Interest of Minorities (Ar.29)
  - c. Right of Minorities to Establish & Administer Educational Institutions (Ar.30)
  - d. Relation between Ar.29 (1) & Ar.30 (1)
9. Right to Constitutional Remedies (Art.32 and Art. 226)
  - a. Judicial Review: A basic Feature of the Constitution
  - b. Locus Standi & Public Interest Litigation (PIL: - pro bono publico litigation)
  - c. Writs

### **Leading Cases -**

**Ar.19:** - A.K. Gopalan v. State of Madras (AIR 1951 SC 21)

-Express News Papers v. U.O.I. (AIR 1958 SC 578)

-Bennett Coleman & Co. v. Union of India (AIR 1973 SC 106)

-Sodan Singh v. N.M.D.C. (1992)5 SCC 52

**The Right to Information** -Sectry., Ministry of I & B v. Cricket Asson., Bengal (AIR 1995 SC 1236)

**Media Trial** -State of Maharastra v. Rajendra Gandhi(1997) 8 SCC 386

**Voters Right to Know** -People's Union for Civil Liberty v. U.O.I.(AIR 2003 SC 2363)

**Double Jeopardy** -Maqbool Hussain v. State of Bombay (AIR1953 SC 325)

**Self Incrimination** -Nandini Sathpathy v. P.L.Dani (AIR 1978 SC 1025)

-Delhi Judicial Service Association v. State of Gujarat (1991) 4 SCC 406

-State of Bombay v. Kathi Kalu Oghad(AIR 1954 SC 1808)

**Ar.21** -A.K. Gopalan's Case

-Maneka Gandhi v. Union of India (AIR 1978 SC 597)

-Vishaka v. State of Rajasthan (AIR 1997 SC 3011)

-Kharak Singh v. State of U.P. (AIR 1963 SC 1295)

-Olega Tellis's Case

-Ratinam v. Union of India (1994)2 SCALE Vol. II No. 7674

-Gian Kaur v. State of Punjab (1996)2 SCC 648

|                     |  |
|---------------------|--|
|                     | -Parmanand Katara v. Union of India (Air 1989 SC 2039)                         |
|                     | -State of U.P. v. Raj Narian (AIR 1975 SC 865)                                 |
|                     | -Sunil Batra v. Delhi Administration (AIR 1978 SC 1675)                        |
|                     | -Justice K.S. Puttaswamy v. Union of India (2017) 10 SCC 1                     |
| <b>Legal Aid</b>    | -Hussainara Khatoun v. Home Secy. State of Bihar(1981)1 SCC 627                |
| <b>Speedy Trial</b> | -Raj Deo Sharma v. State of Bihar(1998)7 SCC 507                               |
| <b>Environment</b>  | -Shri ram Gas Leak Case(AIR 1987 sc 1086)                                      |
|                     | -Murli S. Deora v. U.O.I. (2001) 8 SCC 765                                     |
| <b>Ar.21-A</b>      | -Mohini Jain v. State of Karnataka (AIR 1992 SC 1858)                          |
|                     | -Unni Krishnan v. State of A.P. (AIR 1993 SC 2178)                             |
| <b>Ar.22</b>        | -D.K. Basu v. State of west Bengal (AIR 1997 SC 610)                           |
|                     | -A.K. Roy v. Union of India (AIR 1982 SC 710)                                  |
|                     | -Sunil Batra's Case  |
| <b>Ar. 23</b>       | -Gaurav Jain v. Union of India (AIR 1997 SC 3021)                              |
| <b>Ar.24</b>        | -P.U.D.R. v. Union of India (AIR 1982 SC 1473)                                 |
|                     | -M.C Mehta v. State of T.N. (AIR 1997 SC 609)                                  |
|                     | -Bandhua Mukti Morcha v. U.O.I. i(AIR 1997 SC 2218)                            |
|                     | -Santosh Kumar v. Secy. Of Ministry of Human Resources Dev.(AIR 1995 SC 293)   |
|                     | -S.R. Bommai v. Union of India, JT 1994(2) SC 215                              |
|                     | -M. Ismail Faruqui v. U.O.I. (Ayodha Case) AIR 1995 SC 605                     |
|                     | -Aruna Roy v. U.O.I. (AIR 2002 SC 3176)  |
|                     | -Indira Gandhi v. Raj Narain (AIR 1975 SC 2299)                                |
|                     | -Gulam v. State of U.P.(AIR 1981 SC 2198)                                      |
|                     | -M.H. Quareshi v. State of Bihar (AIR 1985 SC 731)                             |
|                     | -Commr. Of Police v. Achareya Jagadishwarananda(2004)12 SCC 809                |
| <b>Ar.26</b>        | -S.P. Mittal v. Union of India (AIR 1983 SC 1)                                 |
|                     | -Seshmal v. State of T.N.(1972)2 SCC 11  |
|                     | -N. Adinath v. Travancore DavaSwom Board (2002) 8 SCC 106                      |
|                     | -SheshMal v. State of Tamil Nadu(1972 )2 SCC 11                                |
| <b>Ar.28</b>        | -St. Xavier College v. State of Gujarat (AIR 1974 SC 1389)                     |
|                     | -Aruna Roy' Case   |
|                     | -The National Anthem Case- Bijoe Emmanuel v. Sate of Kerala (1986)3 SCC 615    |
| <b>Minorities</b>   | -A.M.U. Case- Naresh Agarwal v. Bharat (2006)                                  |
|                     | -St. Xavier's Case   |
|                     | -Re Kerala Education Bill, 1967(AIR 1958 SC 965)                               |
|                     | -Commr of Police v. Acharya Jagdishwaranda (2004)12 SCC 809                    |
| <b>Ar. 29-30</b>    | -St. Xavier's Case   |
|                     | -Frank Anthony Public School Employees Association v. U.O.I. (AIR 1987 SC 311) |
|                     | -P.A. Imamdar v. State of Maharashtra (AIR 2005 SC 3226)                       |
| <b>Ar.32</b>        | -Keshvananda Bharti's case (Judicial Review as basic feature of Constitution)  |
| <b>Res Judicata</b> | -Ghulam Sarvar v. U.O.I.(AIR 1967 SC 1335)                                     |
|                     | -Parmanand Katara v. Union of India (1989 SC 2039)                             |
|                     | -M.C. Mehta v. Union of India (AIR 1987 SC 1080)                               |
|                     | -Rupa Ashok Hurra's cased.   |
|                     | -Sebastian M. Hongray v. U.O.I. (AIR 1984 SC 1026)                             |

## **UNIT-V: Directive Principles of State Policy & Fundamental Duties**

**(Ar.36-51A)**  
(Lectures-12)

### **PART A: Directive Principles of State Policy**

1. Theory of Social Justice
2. Classification, Implementation & Utility of Directives
3. Art 31C And Directive Principles
4. Uniform Civil Code
5. Relation between Directive Principles & Fundamental Rights

### **PART B: Fundamental Duties (Ar.51-A)**

#### **Leading Cases -**

- D.P. S.P.**
- Sarla Mudgil v. Union of India (AIR 1995 SC 1531)
  - Union Of India v. Navin Jindal(2004)2 SCC 410
  - State of Madras v. Champakam Dorairajan(AIR 1951 SC 956)



-Re Kerala Education Bill  
-Minerva Mills v. U.O.I. (AIR 1980 SC 1789)  
-Keshvananda Bharti's case  
-Unni Krishnan v. State of A.P. (1993)1 SCC 645

***References:***

1. A.V Dicey: The Law of the Constitution
2. D.D Basu: Commentary on the Constitution of India
3. H.M Seervai: The Constitution of India, 1950
4. J. N. Pandey: Constitutional Law of India
5. M.P. Jain: Indian Constitutional Law
6. Narender Kumar: Constitutional Law of India
7. Subba Rao: Lectures on Constitutional Law
8. V.N. Shukla: Constitution Law of India
9. Bare Act: The Constitution of India, 1950
10. Dr. Chandera Pal Sheoran: Cooperative Federalism
11. K.C. Wheare: Federal Government
12. Wade & Philips: Constitutional Law
13. Jennings: Some Characteristics of the Indian Constitution
14. M.V. Pylee: Constitutional History of India
15. Constitutional Assembly Debates

***Books Recommended:***

- |                      |   |   |
|----------------------|---|---|
| 1. H.M. Seerai       | : | Constitutional Law Of India                       |
| 2. V. N. Shukla      | : | The Constitutional Of India                       |
| 3. D.D Basu          | : | Constitutional Law Of India                       |
| 4. J.N Pandey        | : | Constitutional Of India                           |
| 5. G. Austin         | : | India's Constitution: Corner Stone of<br>a Nation |
| 6. G.C.V. Subba Rao  | : | Constitutional Of India                           |
| 7. M.P. Jain         | : | Constitution Of India                             |
| 8. Dr. Umesh Chandra | : | Human Right                                       |

## BA.LL.B. – III<sup>rd</sup> Semester

### **ENVIRONMENTAL LAW AND CLIMATE CHANGE**

|                           |   |                   |                   |
|---------------------------|---|-------------------|-------------------|
| <b>Paper Code: BL-306</b> | <b>Environmental Law and Climate Change</b> | <b>Core Paper</b> | <b>Credits:04</b> |
|---------------------------|---|-------------------|-------------------|

**Objectives of the course:** The Environmental Law programme, in contrast to other Law curricula, has certain characteristics which make it unique and is one of the best instruments for breaking the ice of colonial legal education. Its uniqueness lies in the fact that the problems it raises do not relate merely to specific individuals but about such matters as national development, industrial policy, policies concerning natural resources, injustice to communities, inter generational equity and prevention of pollution. All these issues relate to problematic about construction of a just, humane and healthy society. Secondly, environmental Law necessarily demands an inter-disciplinary approach. Thirdly, uniqueness of the subject is borne out by the new epistemological outlook which ecology-related knowledge has brought about in recent times. The development of ecological knowledge has necessitated an overall change not only in managerial studies but also in socio-legal explorations.

This approach to the growing dimensions of environmental Law is essential.

**Methods of teaching-learning:** Lecture led seminar classes and Preparation of assessments (An Initial problem question on Law will be set and students will be asked to produce a written answer to the problem either in the form of advice to one of the parties in the problem or by a more general discussion of the legal issues raised in the problem scenario OR Problem question on environmental Law)

**Course Learning Outcomes:** On successful completion of this course, students will be able to:

1. Identify basic concept and key environmental issues at the international, national and state level;
2. Describe State and Central powers, responsibilities and institutions in the field of Indian Environmental Law
3. Analyse the Legal understanding of Biodiversity.
4. Evaluate the scope of key Multilateral Environmental Agreements and International Organisations relating to Environment.

### **SYLLABUS:**

#### **UNIT-I- Introduction**

(Lectures – 10)

1. Meaning of Environment
2. Environmental Jurisprudence
3. Environmental Ethics
4. Environment Pollution: Causes and Kinds
5. Emerging Environmental Issues and Concept (including International Issues)

#### **UNIT-II: Environmental Policy and Law in India.**

(Lectures – 17)

1. Environmental Policies and Regulations in India, Since 1970
2. Constitutional provision for environment protection in India
3. Environmental Legislations
  - a. Water Pollution Control [Water (prevention and control of pollution) Act 1974]
  - b. Air Pollution Control [Air (prevention and control of pollution) Act, 1981]
  - c. Environment (Protection) Act, 1986]

**UNIT- III: Law relating to Bio-Diversity.**

(Lectures – 17)

1. Bio-Diversity: Meaning ,Concept and Salient features of Biological Diversity Act, 2002
2. Forest Conservation: Law and Practice
3. Wild Life Protection: Law and Practice

**UNIT-IV: International Aspects of Environmental Law & Climate Change** (Lectures – 16)

**PART A**

1. International Law in Environmental Perspective
2. International Organizations and Environment
3. Trans boundary Pollution

**PART B**

1. Climate Change: Meaning and Causes
2. Summits and Conferences on Climate Change
3. Difference between Environment Pollution Claim and Climate Change Claim
4. Adaptation and Mitigation

***Books Recommended:***

- |                                      |   |  |
|--------------------------------------|---|--|
| 1. Dr. I.A. Khan                     | : | Environment Law                        |
| 2. P. Lelakrishnan                   | : | Environment Law in India               |
| 3. J.J.R. Upadhyay                   | : | Environmental Law                      |
| 4. Stuart Bell & Donald Mc Gillivray | : | Environmental Law                      |
| 5. Shyam Divan, Armin Rosencranz     | : | Environmental Law & Policy<br>in India |

**BA.LL.B. – IV<sup>th</sup> Semester**  
**INDIAN POLITY AND PUBLIC ADMINISTRATION**

|                           |  |                 |                   |
|---------------------------|--|-----------------|-------------------|
| <b>Paper Code: BL-401</b> | <b>Indian Polity and Public Administration</b> | <b>Major-01</b> | <b>Credits:04</b> |
|---------------------------|--|-----------------|-------------------|

**Course Objectives:** This paper is an introductory course in Public Administration. The course provides an introduction to the discipline of public administration. The emphasis is on administrative theory, including non-western developing country perspectives. An understanding of the classical theories of administration is provided a practical context with the link to public policy. The course explores some contemporary social values, including social protection, feminism and ecological conservation and how the call for greater democratization is restructuring public administration. The course will also attempt to provide the student some practical hands-on understanding on contemporary administration and policy concerns. The essence of Public Administration lies in its effectiveness in translating the governing philosophy into programmes, policies and activities and making it a part of community living. The recent developments and particularly the emergence of New Public Administration are incorporated within the larger paradigm of democratic legitimacy. The importance of legislative and judicial control over administration is also highlighted. The role and contribution of public services and in particular to the development process is also one of the important aspects of this paper. The Indian Polity and Public Administration paper details the basic parameters of the Indian Administrative System with reference to the idea of committed bureaucracy. It emphasizes the structural mix, institutional evolution and the dynamics of organizational change.

**Pedagogy for Course Delivery:** The signature pedagogy of political science is essentially, a combination of large lecture and smaller group sessions. Political sciences' signature pedagogy has remained relatively static. A traditional reliance on lectures, tutorials and private study remains the contemporary basis for teaching and learning in political science.

**Student Learning Outcome:**

1. To demonstrate knowledge of fundamentals of public administration.
2. Able to apply social scientific reasoning and theories to the analysis of a wide range of politico-administrative issues and problems.
3. A systematic understanding of Indian Administration is required for analyzing any aspect of Indian governing parameters
4. Public Administration is an integral part of the governmental system and its better understanding will be helpful for the students to analyze the Functions and working of the governmental agencies in a systematic manner.
5. Exhibit an awareness and concern for their roles as citizens in a liberal democracy.
6. Analyze and test hypotheses about administrative processes institutions or engage in conceptual analysis interpretation and execution of political ideas, arguments, and phenomena.

**SYLLABUS:**

**UNIT-I Concepts and Ideas of Public Administration**

**Lecture: 15**

1. Meaning, Nature, scope and significance of Public Administration.
2. Public and private administration,
3. New Public Management,
4. State versus Market debate.

## **UNIT-II Administrative Theories and Thinkers**

**Lecture: 15**

1. Bureaucracy as organization (Max Weber and Others).
2. Scientific management (Frederick W. Taylor).
3. Classical Administrative Management (Luther Gulick, L. Urwick & H. Fayol).
4. The Human Relations School (Mary Parker Follet and Elton Mayo) and Motivational Theory (Maslow's and F.Herzberg's Theory of Motivation )
5. Decision-Making (Herbert A. Simon).

## **UNIT-III Evolution and Framework of Indian Administration**

**Lecture: 15**

1. Framework of Indian polity
2. Conceptual background and evolution of the Indian administrative system: ancient, mediaeval, British period, and post-independence period and Administrative Ethics
3. All India Services and State Services: Structure, role and Functions.
4. Union Public Service Commission and State Public Service Commission : Structure , Functions and Role

## **UNIT-IV: Citizen and Administration: Concepts and Issues**

**Lecture: 15**

1. The State and the Citizen- Women, minorities, internally displaced people and weaker sections.
2. Good Governance and Citizen's Charter.
3. Accountability of Administration and Citizen, Administration and Judiciary (Judicial Activism and PIL).
4. People's Participation in Administration.

### ***Books Recommended:***

1. M. Blau, Bureaucracy in Modern Society, New York, Random House, 1962
2. M.Bhattacharya, Restructuring Public Administration: Essays in Rehabilitation, New Delhi, Jawahar, 1990.
3. R.W. Cox, Public Administration in Theory and Practice, Englewood Cliffs, N.J. Prentice Hall, 1994.
4. N. Henry, Public Administration and Public Affairs, New Delhi, Prentice Hall, 1999.
5. P.B. Heymann, The Politics of Public Management, London, Yale University Press, 1987.
6. M. Bhattacharya, New Horizons of Public Administration, New Delhi, Jawahar Publishers and Distributors, 2001
7. R.K. Arora, and R. Goyal Indian Public Administration, Vishwa Prakashan, New Delhi 2
8. C.P. Bhambri, Bureaucracy and Politics in India, Delhi, Vikas Publications, 1971.
9. S.R. Maheshwari, Evolution of Indian Administration, Agra, Lakshmi Narain Aggarwal, 1970.
10. S.R. Maheshwari, Indian Administration, Orient Longman, New Delhi 2000
11. A.S. Upadhyaya (ed.) Electoral Reforms in India, Concept Publishers, New Delhi, 2005
12. R.K. Arora, and R. Goyal Indian Public Administration, Vishwa Prakashan, New Delhi 2
13. C.P. Bhambri, Bureaucracy and Politics in India, Delhi, Vikas Publications, 1971.
14. S.R. Maheshwari, Evolution of Indian Administration, Agra, Lakshmi Narain Aggarwal, 1970.
15. S.R. Maheshwari, Indian Administration, Orient Longman, New Delhi 2000
16. A.S. Upadhyaya (ed.) Electoral Reforms in India, Concept Publishers, New Delhi, 2005
17. R.T. Golembewski, Public Administration as a Developing Discipline: Perspectives on Past, Present and Futures, New York, Marcel Dekker, 1977.
18. Awasthi Evam S.R. Maheshwari, Lok Prashasan, Laxminarayan Agrawal, Agra, 2004.

19. M.P. Sharma Evam B.L. Sadana, Lok Prashasan: Sidhanth Evam Vyavahar, Kitab Mahal, Allahabad, 2004
20. M. Bhattacharya, Public Administration: Structure, Process and Behaviour, Calcutta, The World Press, 1991.
21. M. Bhattacharya, New Horizons of Public Administration, New Delhi, Jawahar Publishers and Distributors, 2001
22. H. Mander and M Asif, Good Governance, Books for Change, Bangalore, 2004
23. J.G. Jabbra and O.P. Dwivedi (eds.), Public Service Accountability: A Comparative Perspective, West Hartford, Kumarian Press, 1998.
24. R.B. Jain (ed.), Public Services in a Democratic Context, New Delhi, IIPA, 1983.
25. H.B. Gartz (eds.), Structural Adjustment, Public Policy and Bureaucracy in Developing Societies, New Delhi, Har Anand Publications, 1994.
26. R. Khator, Bureaucracy-Citizen Interface: Conflict and Consensus, Delhi, B.R. Publishing, 1999.
27. S. Krislov, Representative Bureaucracy, Englewood Cliffs N.J., Prentice Hall, 1974.
28. N. Lewis and P. Birkeshaw, When Citizens Complain: Reforming Justice and Administration, Buckingham, Open University Press, 1999.
29. B. Stone, (Administrative Accountability in the Westminster Democracies: Towards a new conceptual framework), Governance, 8(4), Oct., 1995.
30. Arvind K. Sharma & Indu Sharma, (Inducing Client Focus in Bureaucracy: The Citizen Charter in India), IIPA, New Delhi, 2002.
31. T.N. Chaturvedi (ed.), (Towards Good Governance), IIPA, New Delhi, 1999.
32. Brahmadeo Sharma, (Sahbhagita, Vikendrikaran auk Vikas), IIPA, New Delhi, 1997
33. H. Ingram and S.R. Smith, Public Policy for Democracy, Washington DC, Brookings Institution, 1993.

**B.A.LL.B.-IV Semester**  
**INDIAN HISTORY-II (1857 TO 1947)**

|                           |                          |                 |                  |
|---------------------------|--------------------------|-----------------|------------------|
| <b>Paper Code: BL-402</b> | <b>Indian History-II</b> | <b>Minor-02</b> | <b>Credits:4</b> |
|---------------------------|--------------------------|-----------------|------------------|

**Course Objective:** The Purpose of the course to teach the student Indian History IInd in simple way for competition purpose. The Purpose of teaching Indian History IInd is to highlight its never ending growth.

**Methods of Teaching:** The course will be delivered through a combination of lecture classes, discussions and home assignments on Indian History IInd. All the leading recent development will be discussed.

**Course Outcomes:** At the end of the course a student will be able to:

1. Understand Indian History IInd in practical sence.
2. Analyze the understanding of the subject though conduct of mock trials at the end of the course.
3. Attain knowledge on usage and development of various sources of Indian History IInd.
4. Understand, analyze and resolve many issues for competition purpose

**SYLLABUS:**

**UNIT-I: Early Freedom Struggle (1857-1900)**

1. The Revolt of 1857- first Freedom Struggle:
  - a. Causes and Effects
  - b. Downfall of East India Company
  - c. Establishment of British Raj -1858
2. Post 1857 War:
  - a. Civil rebellions and Uprisings after 1857
  - b. Peasants movements after 1857
3. Early organizations and Foundation of Indian National Congress
4. Economic Nationalism
5. Social Religious Reforms and the National Awakening
6. Important contributors in early Freedom Struggle

**UNIT-II: India during 1900-1930**

1. Raise of Voice for freedom in the legislature
2. The policy of divide & rule
3. Split of Bengal 1905 and The Swadeshi Movement 1903-08
4. The split in the Congress (Liberals and Extremists) and Foundation of Muslim League
5. Ist World war (1914-1919) and its Impact on Indian Nationalism
6. Congress-League Pact 1916 (Lucknow Pact)
7. Mohandas Karamchand Gandhi:
  - a. Gandhi's early life and activism
  - b. Non cooperation Movement 1920-22
  - c. Gandhian thoughts and techniques for mass mobilization
7. The Khilafat movement
8. The Indian Working Class and the National Movement
9. Swarajists

10. Hindustan Socialist Republican Army- Bhagat Singh, Chandra Shekhar Aazad and Revolutionary terrorism
11. The rise of Left Wing

### **UNIT-III: India during 1930-1940**

1. Dandi March
2. Civil Disobedience Movement 1930-32
3. Round Table Conferences
4. Gandhi- Ambedkar Pact
5. Peasants Movements in the 1930s and 40s
6. Indian Capitalist and National Movement
7. Socialism in India

### **UNIT-IV: India for Independence after 1940**

1. The rise and growth of communalism
2. The crisis at Tripuri to the Cripps mission
3. The Quit India Movement
4. Subhash Chandra Bose and INA
5. Freedom and Partition of India

### ***Books Recommended:***

1. Bipan Chandra, India's struggle for independence 1857-1947
2. Tara Chand, History of the freedom movement in India
3. Sumit Sarkar, Modern India 1885-1974
4. B.L. Grover, Modern India



GENERAL STUDIES

|                    |                 |             |             |
|--------------------|-----------------|-------------|-------------|
| Paper Code: BL-403 | General Studies | Value Added | Credits:2.5 |
|--------------------|-----------------|-------------|-------------|

**Objective:** The Purpose of the course to teach the student General studies in simple way for competition purpose. The Purpose of teaching the general studies is to highlight its never ending growth.

**Methods of Teaching:** The course will be delivered through a combination of lecture classes, discussions and home assignments on general studies. All the leading recent development will be discussed.

**Course Outcomes:** At the end of the course a student will be able to:

1. Understand general study in practical sence.
2. Analyze the understanding of the subject though conduct of mock trials at the end of the course.
3. Attain knowledge on usage and development of various sources of general studies.
4. Student can acquire in depth knowledge of general studies.
5. Understand, analyze and resolve various current issues.

**UNIT-I- General Legal Concepts**

1. Legal Thinkers, Legal Personalities
2. Legal Geography, Legal literature, Legal Mathematics, Legal Abbreviations
3. Important national and international days, Important Legal events, Current Legal Affairs
4. Legal Facts of India & Important Legal Information
5. Supreme Court and High Courts, Family Court, Gram Nyayalaya, Lok Adalat
6. Important Law Commissions and its Report, Election Commission, Niti Aayog
7. Panchayati Raj System, Social Justice, Role of NGO in social reform and Welfare Schemes
8. E-Governance

**UNIT-II- Constitutional Bodies**

1. President of India, Vice President of India and Governors of States
2. Speakers of Lok Sabha, Chairman of Rajya Sabha
3. Prime Ministers of India and Chief Ministers of States
4. Allocation of Seats in the Rajya Sabha
5. Parliamentary Committee
6. Important Amendments

**UNIT-III- International Perspective**

1. International Organizations and Other Organizations
2. Basic Structure of the selected constitutions of the world

***Books Recommended:***

1. Legal General Knowledge Universal Publication House, New Delhi
2. Indian Polity, Tata Mac Graw Hill, Mumbai
3. The Hindu
4. The Frontline

## **BA.LL.B. – IV<sup>th</sup> Semester**

### **CONSTITUTIONAL LAW –II (AR.52 TO AR. 395)**

|                           |                   |                   |
|---------------------------|-------------------|-------------------|
| <b>Paper Code: BL-404</b> | <b>Core Paper</b> | <b>Credits:06</b> |
|---------------------------|-------------------|-------------------|

**Course Objective:** The purpose of the course is to acquaint the students with the Basic Postulates of the Constitution like the Constitutional Supremacy, Rule of Law, and Concept of Liberty. Give them a picture of Constitutional Parameters regarding the organization, Powers and Functions of the various Organs of the Government. The purpose of teaching constitutional Law II is to highlight its never-ending growth. Constitutional interpretation is bound to be influenced by one's social, economic or political predilections. The emphasis is also on the study of the Nature of federal structure and it's functioning. A critical analysis of the significant judicial decisions is offered to highlight judicial restraint, judicial passivity, judicial activism and judicial balancing. Finally, the students should be able to articulate their independent views over contemporary crucial constitutional issues.

**Methods of teaching-learning:** The course will be delivered through a combination of lecture classes, discussions and home assignments on substantive Law, Constitutional principles, conventions, practices and judicial case study analysis. All the leading relevant cases as well as recent developments will be discussed.

**Course Outcomes:** At the end of the course, a student would be able to:

1. Understand and appreciate textual semantics of the Constitution.
2. Comprehend the provisions in the Constitution regarding the institutional framework, the jurisdictional ambit and the limitations in its working.
3. Analyze and interpret the constitutional document and testing the jurisdictional competencies of the different institutions – legislative, executive and the judiciary.
4. Infer and assess that the principles of constitutionalism such as Rule of Law, Separation of Powers and Independence of the judiciary are unavoidable objectives to be advanced while interpreting the constitutional scheme.
5. Appreciate and assess constitutional issues in real time litigation as well as the skills to review policy and changes for the future.

### **SYLLABUS:**

#### **UNIT –I-**

1. The Union: ( 15 Hrs)
  - a. The President and Vice President (Ar.52- 72)
  - b. Legislative Powers of the President (Ar.123)
  - c. The Council Of Ministers (Ar.74-75)
  - d. The Attorney General of India (Ar.76)
  - e. Conduct of Govt. business (Ar.77-78)
2. The States (Ar.152-231):
  - a. General (Ar.152)
  - b. The Executive (Ar.153-167)
  - c. Governor (Ar.153-162)
  - d. Legislative Powers of the Governor (Ar.213)
  - e. Council of Ministers (Ar.163, 164)
  - f. The Advocate General for the State (Ar.165)
  - g. Conduct of Government Business (Ar.166 & 167)

### 3. The Union Territories (Ar.239-241)

#### **Leading Cases:**

**President:-** Ram Jawaya Kapoor v. State of Punjab, AIR 1955 SC 549.

In re, Presidential Elections, AIR 1974 SC 1982.

Dr. N. B. Khare v. Election Commissioner of India, AIR 1957 SC 694.

**Ordinance making Power:** - R.K. Garg v. UOI, AIR 1981 SC 2139.

D.C. Wadhwa v. State of Bihar, (1987) 1 SCC 376.

**Pardoning Powers:-** Kuljeet Singh v. Lt. Governor of Delhi, AIR 1982 SC 774.

K.M. Nanavati v. State of Bombay, AIR 1961 SC 112.

Kehar Singh v. UOI, AIR 1989 SC 653.

Krishna Kumar Singh v/s State of Bihar AIR 2017

**Position:-** The Judges's Transfer Case Ist.

U.N. Rao v. Indira Gandhi, AIR 1971 SC 1002.

President Prime Minister, Sh. Rajeev Gandhi Controversy, 1987.

**The Council of Ministers:-** S.P. Anand v. H.D. Deve Gowda, AIR 1997 SC 272

S.R. Chauhan v. State of Punjab,

**Governor:-** Trilochan Dev Sharma v. State of Punjab, AIR 2001 SC 2524.

Shamsher Singh v. State of Punjab, AIR 1974 SC 2193.

**Pardoning Power:** - K.M. Nanavati v. State of Bombay, AIR 1961 SC 112.

Kuljeet Singh v. Lt. Governor of Delhi AIR 1982 SC 774

**Governor's sanction for Prosecution:** - M.P. Special Police Estb. V. State of M.P., AIR 2005

S.R. Chaudhari v. State of Punjab, AIR 2001 SC 2707.

B.R. Kapoor v. State of T.N. & Otrs., (2001) 6 SCALE 309

C.M. & Minister are Pub. Servant: M. KarunaNidhi v. UOI, AIR 1979 SC 8991.

#### **UNIT-II- The Legislature**

1. The Parliament (15 Hrs)
  - a. General (Ar.79-88)
  - b. Officers of Parliament (Ar.89-98)
  - c. Conduct of business (Ar.99-100)
  - d. Disqualification of Members (Ar.101-104)
  - e. Powers, privileges & immUNITies of Parliament & its Members (Ar.105-106)
  - f. Legislative Procedures (Ar.107-111)
  - g. Procedure in Financial Matters (Ar.112-117)
  - h. General Procedure (Ar.118-122)
  - i. Comptroller & Auditor General of India (Ar.148-151)
2. The State Legislature
  - a. General (Ar.168-177)
  - b. Officers of the State Legislature (Ar.178-187)
  - c. Conduct of Business (Ar.188-189)
  - d. Disqualifications of Members (Ar.190-195)
  - e. Legislative Procedure (Ar.196-201)
  - f. Procedure in Financial Matters (Ar.202-207)
  - g. General Procedure (Ar.208-212)

#### **Leading Cases:**

**The Parliament:** - *Rajya Sabha*:- Jaya Bachan v. UOI, AIR 2006 SC 2119.

Kihota Hollohan v. Zachilhu, (1992) 1 SCC 309.

**Session of Parliament:-** Smt. Indira Nehru Gandhi v. Raj Narain, (1975) Supp. SCC 1.

#### **UNIT-III- The Relations between the Union & the States (Ar.245-263)** (15 Hrs)

1. Legislative Relations (Ar.245-255)
  - a. Theory of "Territorial-Nexus"
  - b. Delegated Legislation

- c. Control
- d. Interpretation:
  - i. *Pith and Substance*
  - ii. *Doctrine of Repugnancy*
  - iii. Colorable Legislation
- 2. Administrative Relations (Ar.256-263)
- 3. Finance (Ar.264-290A)
- 4. Borrowing (Ar.292-293)

***Leading Cases:***

**Legislative Relations:** - A.H. Wadia v. Income tax Commissioner, Bombay, AIR 1949 FC 181.  
 State of Bombay v. R.M.D.C.  
 Coffee Board, Bangalore v. JT. Commercial Tax Officer, AIR 1971 SC 370.  
 State of W.B. v. UOI, AIR 1974 Sc 1510  
**Pith & Substance:-** State of Bombay v. F.N. Balsara, AIR 1951 SC 318.  
**Colorable Legislation:-** K.C.G. Narayan Dev v. State of Orrisa, AIR 1953 SC 375.

**UNIT-IV-The Judiciary**

**(15 Hrs)**

- 1. The Supreme Court of India (Ar.124-147)
  - a. Judges: Appointment, Removal, Transfer and Condition of service
  - b. Jurisdiction of Supreme Court
  - c. Review of Supreme Court Decision
  - d. Independence of Judiciary
- 2. The High Courts in the States (Ar.214-231) including Writs U/ Art.226
- 3. Judges: Appointment, Removal, Transfer
- 4. Subordinate Courts (Ar.233-237)

***Leading Cases:***

**Union Judiciary:-**Judges Transfer Case Ist.  
 S.C. Adv. On Record Association v. UOI, Judges Transfer Case IInd, (1993) 4 SCC 441  
 Re Presidential, AIR 1999 SC 1  
 Advocates-on-Record Association v/s Union of India AIR 2016 SC 11  
 UOI v. Gopal Chandra Mishra, AIR 1978 SC 694.  
 K. Veera Swami v. UOI AIR 1991 SCC655  
 Golak Nath v. Sate of Punjab, AIR 1971 SC 1643  
**Contempt:** - Mohd. Aslam v. UOI, (1994) 6 SCC 442.  
 State of Karanataka v. UOI, (1978) 11 SCJ 190  
 In Re Shri justice C.S. Karnan AIR 2017  
**Appeal:-** The Election Commissioner v. Venkata Rao, AIR 1953 SC 210.  
 UOI v. Shiromani GURudwara Prabhandhak Committee, (1986) 3 SCC 600.  
 A.R. Antulay v. R.S. Nayak, (1988) 2 SCC 602.  
 Delhi Judicial Service Assn. v. State of Guj, (1991) 4 SCC 406  
 Union Carbide Corpn. V. UOI, (1991) 4 SCC 584.  
 State Judiciary: - S.P. Gupta & Otrs. V. UOI, AIR 1982 SC 149.  
 S.C. Adv. On Record Association v. UOI, Judges Transfer Case IInd., (1993) 4 SCC 441  
 UOI v. Sankal Chand, AIR 1977 SC 2328.  
 C. Ravi Chandran Iyer v. Justice. A.M. Bhattacharjee, (1995) 5 SCC 457.  
 Judges are not Govt. Servant:- UOI v. Pratibha Bonnerjea,  
**Writs:-Habeas Corpus:** - Kanu Sanyal v. D.M. , Darjeeling, AIR 1974SC 510.  
 -A.D.M. Jabalpur v. V.C. Shukla, AIR 1976 SC 1207.  
*Mandamus:-* State of M.P. v. Mandawara, AIR 1954 SC 493.  
*Certiorari:-* Province of Bombay v. Khushal Das, AIR 1950 SC 22.

**UNIT-V- Parts- IX, IX-A, X, XII, XIII, XIV, XV of the Constitution**

- 1. The Panchayats (Ar.243-243-O)
- 2. The Municipalities (Ar.234-P – 234ZG)

**(15 Hrs)**

3. The Scheduled & Tribal Areas (Ar.244-244A)
4. Property, Contracts, Rights, Liabilities, Obligations & Suits (Ar.294-300)
5. Right to Property (Ar.300A)
6. Freedom of Trade Commerce & Intercourse within the Territory of India (Ar.301- 307)
  - a. Fiscal Measures: Direct and Immediate Restrictions on trade
7. Services under the Union & the States (Ar.308- 313)
  - a. Public Service Commissions (Ar.315- 323)
8. Elections (Ar.324-329)

**Leading Cases:**

**The State Liability:- Torts:-** P.O. Steam Navigation Co. v. Sec. of State for India, 5 Bom H.C.R. Appl 1.

Kasturi Lal v. State of U.P., AIR 1965 SC 1029.

N. Nagendra Rao & Co. v. State of A.P, (1994) 6 SCC 205.

N.Rudal Shah v. State of Bihar, AIR 1983 SC 1086.

P.U.D.R. v. Police Commnr. Delhi Head Quarter, (1984) 4 SCC 730.

Bhim Singh v. State of J & K., AIR 1986 SC 494.

Nilabati Behra v. State of Orissa,

**Property:-**Jilu Bhai Nanbhai Khachar v. State of Gujarat, AIR 1995 SC 142.

**Trade & Commerce:** - Atibari Tea Co. State of Assam, AIR 1951 SC 232.

Automobile Transport Ltd. v. State of Rajasthan, AIR 1962 SC.

**Services under Union & State:-** T.R. Rangrajan v. Govt. of T.N., AIR 2003 SC 3032.

Purshottam Lal Dhingra v. UOI, AIR 1958 SC 36.

State of Guj. v. Umedbahi M. Patal, AIR 2001 SC 1109.

State of Punjab v. Sukh Raj Bhadur, AIR 1968 SC 1089.

UOI.v. Tulsi Ram Patel, (1985) 3 SCC 398.

S.P. Sampat Kumar v. UOI, (1987) 1 SCC 124.

L. Chandra Kumar v. UOI AIR 1997 SC 1125

**Elections:-**S.S. Dhannova v. UOI, AIR 1991 SC 1745.

T.N. Seshan v. UOI, (1995) 4 SCC 611.

Presidential Reference U/ Ar. 143, 2002, AIR 2003 SC 871.

**UNIT- VI- Parts- XIV-A, XVI, XVII, XVIII, XX, XXI of the Constitution**

1. Tribunals (Ar.323A & 323B) (15 hours)
2. Special Provisions relating to certain classes (Ar.330-342)
3. Language:
  - a. Official Language of the Union (Ar.342-344)
  - b. Regional Languages (Ar.345-347)
  - c. Language of the Supreme Court & the High Court (Ar.348-349)
  - d. Special Directives (Ar.350-351)
4. Emergency Provisions (Ar.352-360)
  - a. Significance of Emergency Powers
  - b. National Emergency – Grounds – Suspension of Fundamental Rights
  - c. State Emergency – Grounds – Judicial Review
  - d. Financial Emergency
5. Amendment of the Constitution (Ar.368)
  - a. Procedure of Amendment of the Constitution
  - b. Judicial Review of Constituent Power
  - c. Doctrine of Basic Structure
  - d. Controversial & Historical Amendments
6. Contemporary Issues:
  - a. Temporary, Transitional & Special Provisions (Ar.369-392)

**Leading Cases:**

**Tribunal:** - Clerks of Calcutta Tramways v. C.T. Co. Ltd, AIR 1957 SC 78.

Cauvery Dispute Tribunal, AIR 1992 SC 522.

**Special Provisions:-** V.V. Giri v. D.S. Dora, AIR 1959 SC 1318.

In re Kerala Education Bill, AIR 1958 SC 956.  
Carry Forward Rule: - Indra Sawhney v. UOI, AIR 1993 SC 477.  
Emergency Provisions: - 44<sup>th</sup> Amendments.  
Minerva Mills Ltd. v. UOI, AIR 1980 SC 1789.  
Bennett Coleman & Co. v. UOI, AIR 1973 SC 106.  
A.D.M. Jabulpur v. V.C. Shukla, AIR 1976 SC 1207.  
Amendments:- Keshvananda Bharti v. Sate of Kerala,  
Shankri Prasad v. UOI AIR1951 SC455  
Golak Nath v. Sate of Punjab, AIR 1971 SC 1643.  
M. Nagraj v. UOI AIR 2007 SC71  
I.R. Coelhu v. State of T.N., AIR 2007 SC 8617.  
Indira Nahru Gandhi v. Raj Narayan, AIR 1975 SC 2299.  
Minerva Mill's v UOI AIR 1980SC1789  
S.P. Sampat Kumar v. Uoi, AIR 1981 SC 271.

***Books Recommended:***

1. A.V Dicey: The Law of the Constitution.
2. D.D Basu: Commentary on the Constitution of India.
3. H.M Seervai: The Constitution of India, 1950.
4. J. N. Pandey: Constitutional Law of India.
5. M.P. Jain: Indian Constitutional Law.
6. Narender Kumar: Constitutional Law of India.
7. Subba Rao: Lectures on Constitutional Law.
8. V.N. Shukla: Constitution Law of India.
9. Bare Act: The Constitution of India, 1950.
10. Dr. Chandera Pal Sheoran: Cooperative Federalism.
11. K.C. Wheare: Federal Government.
12. Wade & Philips: Constitutional Law.
13. Jennings: Some Characteristics of the Indian Constitution.
14. M.V. Pylee: Constitutional History of India.
15. Constitutional Assembly Debates.

**BA.LL.B. – IV<sup>th</sup> Semester**  
**PRINCIPLES OF TRANSFER OF PROPERTY LAWS**

|                           |                     |                   |                  |
|---------------------------|---------------------|-------------------|------------------|
| <b>Paper Code: BL-405</b> | <b>Property Law</b> | <b>Core Paper</b> | <b>Credit: 5</b> |
|---------------------------|---------------------|-------------------|------------------|

**Course Objectives:** Right to property has always been considered a very important jurisprudential right to attain economic freedom though State's right of eminent domain has been accepted in the common Law countries. Right to transfer of property is also as important if not more, as right to property. Quality of property right is tested by way of manner and with élan how the right can be fully or in parts be transferred. It is this factor that shall be kept in mind while examining the various arising out of transfer of property.

**Methods of teaching-learning:** Case studies and case analysis is one of the sure method of discovering Law in books to support the Law in action. Similarly problem oriented studies and enquiry is ideal for generating interest among the student commUNITY. Creating security Interest on property is a complex transaction and as such it would always be better to raise specific issues and cases for analysis. Lecture method makes the learning system slow and monotonous, one has to keep that in mind. In view of the teaching-learning system it is good to set the evaluation system as well. Case-studies and presentation; problem research and analysis, drafting documents, sending students to property registration office to learn the procedure and interrogative questions on that procedure would be a good form of assessment. Terminal Test should also have more reliance on problem-solution.

**Course Outcome:** On completion of the first module students will be able to analyse the various terms that appears in the enactment so as to understand the objective of this Act better as well as for better understanding. Second module will help the students to understand certain basic principles underlying any kind of transfers. The module also deals with certain cardinal principles which have to be followed regarding transfer. Election is an important concept of Transfer where the non owner of the property gives an option to the owner of the property to exchange his property for a benefit which is a peculiar rule as only the owners have the right sell their property. The next module throws light on transfer for certain purposes and by certain owners. The fifth module deals with specific type of transfer that is through Sale and exchange. The students will know the rights and duties of the seller and the buyer before and after sale. On completion of the sixth module students will be able to describe the different types of mortgage and their essentials, remedies available to the parties. On completion of the seventh module students will be able to explain the essentials of lease and distinguish it from licence. They will be able to tell the rights and duties of the parties. On completion of the next module students will be able to know gift deeds. On completion of the ninth module students will be able to list the parts of a deed of transfer of property and the essential particulars to be written in such documents. On completion of the last module students will have a better underlying of easements and licences, the rights of parties, etc.

**SYLLABUS:**

**UNIT-I-Introduction to General Principles of Movable & Immovable Property      20 Hrs**

1. Preliminary, Concept of Property and real property, Kinds of Property, Intangible property
2. Meaning of Transfer of Property
3. What May Be Transferred?
4. Transfer to Unborn Person
5. Rule against Perpetuity
6. Conditional Transfer
7. Election

**UNIT-II General Principal of Transfer of Property (Only Immovable Property) 10 Hrs**

1. Ostensible Owner, Benami Transactions Act
2. Joint and Co-Owners
3. Lis Pendens
4. Fraudulent Transfer
5. Part Performance

**UNIT-III -Sale of Immovable 10 Hrs**

1. Sale defined, contract for sale
2. Rights & literalities of buyer & seller
3. Marshalling
4. Registration
5. Sale for Intangible property
6. Exchange

**UNIT-IV-Mortgage of Immovable property & charge 15 Hrs**

1. Definition of mortgage, mortgagor, mortgagee
2. Kinds of Mortgages
3. Rights and liabilities of mortgagor and mortgagee
  - a. Mortgage assurance,
  - b. Right of mortgagor to redeem,
  - c. Subrogation, Marshalling and Contribution, Charge.
  - d. Attachment of Mortgage property, Charges.

**UNIT-V-Lease, Gift, Actionable Claim (sec. 105-137) and The Indian Easement Act 20 Hrs**

1. Lease:
  - a. Lease
  - b. Essential features,
  - c. Kinds of leases,
  - d. Rights and liabilities of lesser and lessee,
  - e. Termination of lease, forfeiture,
  - f. Distinction between Lease and Licence.
2. Gift:
  - a. Definition and Essentials of Gift,
  - b. Different types of gifts,
  - c. Registration of Gifts,
  - d. *Donatio mortis causa*,
  - e. Universal Gifts,
  - f. Onerous Gifts
3. Actionable claim
4. Nature & Characteristics of Easement
5. Creation of Easement
6. Licenses.

***List of cases:***

1. Dorab Cawasji Warden v. Coomi Sorab Warden, AIR 1990 SC 867
2. Laxamma v State of Karnataka AIR 1983 Kant 237
3. Gautam Paul v Debi Rani Raul (2000) 8 SCC 330 207
4. Arjun Lal Gupta v Mriganka Mohan Sur AIR 1975 SC
5. SunilD Chedda v Suresh Babsilal Seth & others AIR 1992 SC1200
6. Kedernath Lal & another v Sheonarain & others AIR 1970 SC 1717



7. AMA Sultan & Others v Seydu Zohra Beevi AIR 1990 Ker 186Bhaskar Waman Joshi v Narayan Rambilas Agarwal AIR 1960 SC 301
8. Tamboli Ramanlal Motilal v Ghanmchi Chamanlal Keshavlal AIR 1992 SC 1236
9. Nana Tukuram v Sonabai AIR 1982 Bom 437
10. Harihar Prasad Singh v Deonarain Prasad AIR 1956 SC 305
11. Dattatraya Mote v Anand Datar (1974) 2 SCC 799
12. Dipak Banerjee v Smt Lilabati Chakraborty AIR 1987 SC 2055
13. Jattu Ram v Hakam Singh AIR 1994 SC 1653
14. Union of India v Sri Sarada Mills Ltd (1972) 2 SCC 877
15. Bal Niketan Nursing School v Kesari Prasad AIR 1987 SC 1970

***Books Recommended:***

1. Mulla, Transfer of Property Act, (2006), Lexis Butterworth's.
2. D.J. Valeil; Commentaries on Property Act, 2004
3. S.M. Lahiris, The Transfer of Property Act
4. Dr. G.P. Triapthi, The Transfer of Property Act, 1882
5. Subbarao, Transfer of Property Act, 2004 (A.L.T Publication)

**BA.LL.B. – IV<sup>th</sup> Semester**  
**LAWS OF MARRIAGE & DIVORCE**

|                           |                       |                   |                    |
|---------------------------|-----------------------|-------------------|--------------------|
| <b>Paper Code: BL-406</b> | <b>Family Law – I</b> | <b>Core Paper</b> | <b>Credits: 04</b> |
|---------------------------|-----------------------|-------------------|--------------------|

**Objective:** The course structure is designed mainly with three objectives in view. One is to provide adequate sociological perspectives so that the basic concepts relating to family are expounded in their social setting. The next objective is to give an overview of some of the current problems arising out of the foundational inequalities writ large in the various family concepts. The third objective is to view family Law not merely as a separate system of personal Laws based upon religions but as the one cutting across the religious lines and eventually enabling us to fulfill the constitutional directive of uniform civil code. Such a restructuring would make the study of familial relations more Meaningful. The entire course has been divided in two parts and speeded in two semesters. In first part only the concept related with marriage and divorce shall be studied and rest will be in the next semester.

**Teaching Methodology:** Lecture and Discussion method, use of PPT's and Memorial presentation will be adopted.

**Course Outcome:** At the end of the session student will be able:-

1. Discuss the Nature and source of Family Law and the other state regulations in reference to customary practices.
2. Analyze the concept of marriage and dower (Muslim) under various personal and codified Laws.
3. Describe the matrimonial remedies such as restitution, judicial separation, divorce and maintainance.
4. Analyze be other miscellaneous provisions and contemporary issues.

**SYLLABUS:**

**UNIT-I- Introduction**

**15 Hours**

1. Meaning and Nature of family Law
2. Article 44 and Personal Law.
3. Sources of Hindu Law, Who is a Hindu.
4. Sources of Muslim Law, Who is a Muslim.
5. Sources of other personal Laws
6. Schools of Hindu Law & Muslim Law.
7. Customary practices and State regulation
  - a. Polygamy
  - b. Concubine
  - c. Child marriage
  - d. Sati
  - e. Dowry

**UNIT-II- Marriage**

**15 Hours**

1. Meaning and Nature of Marriage in personal Laws
  - a. Hindu
  - b. Muslim
  - c. Christian and Parsi
2. Essentials and forms of marriage
3. Concept of Dower

4. Marriage under codified Laws

**UNIT-III- Matrimonial Remedies**

**15 Hours**

1. Restitution of marriage
2. Judicial Separation
3. Divorce:
  - a. Concept and Meaning of Divorce
  - b. Theories and Grounds of Divorce
4. Maintenance

**UNIT IV- Miscellaneous**

**15 Hours**

1. Special Marriage Act
2. Supreme Court on the issue of marriage & Divorce
3. Enforcement of matrimonial Laws
  - a. Constitution, Powers and Functions of family Courts
  - b. Administration of gender justice
4. Other Contemporary issues related with Marriage & Divorce

***Books Recommended:***

1. J.D.M. Derrett- Hindu Law
2. Mulla -Hindu Law, Butterworth Publication
3. Paras Diwan, Hindu Law, Allahabad Law Agency
4. Dr.R.K.Singh, Hindu Law (Hindi), Allahabad Law Agency
5. Kusum & P.P.Sexena, Lecture on Hindu Law, Butterworthe Publication

***Statutes Recommended:***

1. Hindu Marriage Act, 1955
2. Hindu Adoption and Maintenance Act, 1956
3. Hindu Minority and Guardianship Act, 1956
4. Muslim Women (Protection of Right on Divorce) Act, 1986

**BA.LL.B. – V<sup>th</sup> Semester**  
**INTERNATIONAL ORGANIZATION**

|                           |                             |                 |                   |
|---------------------------|-----------------------------|-----------------|-------------------|
| <b>Paper Code: BL-501</b> | <b>Political Science- V</b> | <b>Major-01</b> | <b>Credits:04</b> |
|---------------------------|-----------------------------|-----------------|-------------------|

**Course Objectives:** The years following the Second World War have witnessed a phenomenal growth of international organizations. The United Nations has become increasingly complex in its functioning, and the range of its activities has widened beyond manageable proportions. It has therefore become imperative to understand the modes of operation of the numerous organs and agencies of the U.N. system, the decision-making pattern, financing and accountability. This course highlights the key legal principles governing the International organizations. Following an overview of the structure of organizations, there is an elaboration of the basic principles that underpin this structure, including the concept of legal personality. Conceptual issues facing multilateral and regional organizations then receive attention, including the competence of organizations and decision-making, judicial functions exercised and judicial and democratic control within the organizations, privileges and immunities, and accountability of international organizations. This paper studies the evolution and the development of international organizations from its inception till present times. It focuses on the problems that confront international organizations and constraints within which they function. An in-depth study of the structure and functioning of the United Nations needs to be undertaken and analyzed from the perspective of whether it has lived up to the expectations, hope and aspirations of its architects. In addition, the shift from political and security considerations to social, economic and humanitarian concerns following the end of the Cold War and UN's role in facilitating these needs to be analyzed. This paper also explores questions relating to the role of the United Nations in the enforcement of International Law. It concentrates, in particular, on the role of Global and regional organizations for the maintenance or restoration of international peace and security under UN Charter. To make the course more relevant to the professional needs and practical interest of students, the UN system, African Union and African sub-regional organizations are included to form specific areas of study.

The following syllabus prepared with this perspective will be spread over a period of one semester.

**Pedagogy for Course Delivery:** The class will adopt a critical, interpretive, qualitative case study methodology. The faculty member will cover the ways to think innovatively and liberally using thinking techniques. The instructor will help students develop critical minds.

**Student Learning Outcomes:** On completion of this course, students should be able to:

1. Define the concept of International Organization
2. Comprehend and evaluate the knowledge with working of different international organization and institution working.
3. Recognize and demonstrate an understanding of their roles as members of a global community
4. Distinguish between normative and empirical political analysis.
5. Conceptualize problems and apply tools to critically analyze and resolve political arguments, information, and theories

**SYLLABUS:**

**UNIT- 1 Introduction**

**Lecture: 15**

1. Early Political and Non -Political Organizations
2. League of Nations
3. Pact and Conferences after League of Nations

#### 4. Classification of International organization

##### **UNIT-2 United Nation Organization**

**Lecture: 15**

1. Atlantic Charter and origin of UN
2. Organs of UN
  - a. General Assembly
  - b. Security Council
  - c. Economic and Social Council
  - d. Trusteeship council
  - e. ICJ
  - f. The Secretariat

##### **UNIT-3 Organization of Limited Competence and Regional Organization**

**Lecture: 15**

1. Specialized Agencies (Object & Nature)
2. Functioning of Specialized Agencies (ILO, WHO, IMF Etc.)
3. EU
4. OAS
5. AU
6. Asian System (SAARC, & ASEAN)
7. BRICS
8. Other Governmental and Non Governmental Organization

##### **UNIT-4 Contemporary Issues**

**Lecture: 15**

1. International Organization and Globalization
2. Conflict resolution and International Organization
3. Human Rights and International Organization
4. Refugees Problems and International Organization
5. International Terrorism – Issues of Resources, Territorial Claims, Culture and Religion

##### ***Books Recommended:***

1. D.W.Bowett, The Law of International Organizations, 4<sup>th</sup> edn, London [1982]
2. C.F.Amerasinghe, Principles of the Institutional Law of International Organizations, Cambridge [1996].
3. G.Scott, The rise and fall of the League of Nations, London [1973].
4. Feld and R.S.Jordan, International Organizations, New York [1983]
5. M.N.Shaw, International Law 4<sup>th</sup> edn [1997]
6. I.Brownlie, Principles of international Law 4<sup>th</sup> edn, Oxford [1990]
7. R.Higgins, The development of international Law through the political organs of the UNITED Nations, Oxford [1963].
8. F.Morgenstern, Legal problems of International organizations, Cambridge [1986]
9. O.Schachter and C.C.Joyner, UNITED Nations Legal order, Cambridge [1995]
10. B.Finley, The Structure of the UNITED Nations General Assembly 3 vols Dobbs ferry [1977]
11. Bailey, The place of international Law in the settlement of Disputes by the Security council, oxford [1988]
12. G.Clark and L.Sohn, World peace through World Law, Cambridge [1958]
13. S.Bailey, The UNITED Nations Secretariate, in The evolution of international organizations [ed.E.Luard] London [1996]
14. W.Alexandrowicz, The Law- making Functions of the Specialized Agencies of UNITED Nations [1973]
15. Stephen Good Speed, The Nature and Functions of International organizations [1967]

16. Clyde Eagleton, International Organizations [1957]
17. S.Rajan, The UNITED nations and Domestic Jurisdiction [1958]
18. L.Oppeenheim, International Law[ed by,L.Laughterpacht,8<sup>th</sup> edition1955]
19. Yoder, Evolution of the UN System, New York, Random House, 1989.
20. The General Assembly:
21. Bailey, The General Assembly,[1960]
22. Johnson, The effect of resolutions of the General Assembly of the UNITED Nations31,B.Y.I.L p 97[1955-56]
23. The Security Council.
24. Gross, Voting in the Security Council, 60 Yale Law journal p28 [1958]
25. Rudzinski, The so called double veto 45,A.J.I.L p 243[1951]
26. M.C.Wood, Security Council working methods and procedures 45 International comparative Law quarterly p 156[1996]
27. M.Bedjaoui, The New World order and security Council,Dordrecht[1994]
28. Mac Donald, Changing relations between the ICJ and the Security Council of UNITED Nations Canadian Year book of International Law p3 [1993]
29. The Economic and Social Council.
30. Carnege Endowment, Coordination of Economic and Social Activities [1948]
31. W.R.Sharp, The UN Economic and social Council, New York [1969]
32. Trusteeship Council.
33. Duncan Hall, Mandates, Dependancies and Trusteeship [1948]
34. Toussaint,C.E, The Trusteesysyem of UNITED nations[1956]
35. International Court of justice.
36. Phillip C.Jessup, Do new problems need new Courts 65 A.J.I.L p157 [1971]
37. Sorensen, The I.C.J:Its role in contemporary international relations 14 international organization [1960]
38. R.P. Anand, Compulsory Jurisdiction of I.C.J[1961]
39. Leograss, The International Court of justice: Consideration of requirements for enhancing its role in the international legal orderA.J.I.Lp25 [1971]
40. Louis,B.Sohn, Broadening the advisory jurisdiction of the I.C.J 77A.J.I.L p 124[1983]
41. Judge NagendraSingh, Codification and progressive development of international Law: The role of I.C.J 18 Indian journal of International Lawp1 [1978]
42. H.Highet, The Peace palace hots up: The World court in business again85 AJIL p46 [1991]
43. J.G.Merrilis,The optional clause revisited 64 BYIL p197[1997]
44. D.W.Bowett,J.Crawford et al,The international court of Justice: Efficiency of procedures and working methods 45 ICLQ[1996]
45. The Secretariat.
46. S.Bailey,The UNITED Nations Secretariat, in The evolution of international organizations[ed Luard,London 1966]
47. S.Schwebel, The Secretary-General of the UNITED Nations, Cambridge[1952]
48. T.Meron, The UN Secretariat of the UNITED Nations [1977]
49. A,W,Rovine, The fifty years-The secretary -General in World politcs1920-1950,Leiden[1952]
50. Specialized Agencies.
51. Alexandrowicz, World Economic agencies [1962]
52. UNITED Nations:Inter Agency agreements and agreements between specialized agencies and other international organizations [1953]
53. Franciso.Wilcox, Regionalism and UNITED nations, Journal of International organizations p789 [1965]
54. C.W.Jenks, Social justice in the Law of Nations: The I.L.O impact after 50 years [1970]
55. George A.coddling, Jr, Contribution of world Health Organization and I.C.A.O to the development of international Law, A.J.I.L p147 [1965]

56. Rafin, A.A. Kindele., The Warsaw pact, The U.N and Soviet union, Journal of International Law p 557[1971]
57. E. Laugterpacht, The development of the Law of international Organizations by the decisions of international tribunals, 152 Hague Academy of international Law –p137
58. A. Elerian, The legal organizations of international society in Manual of public international Law [Ed Mac Sorensen 1968 pp 55,96.106]
59. Rumki Basu, The UNITED Nation: Structure and Function of an International Organisation, South Asia Books, 1993.
60. Chandra Prakash and Prem Arora, International Relations, Cosmos Bookhive, 2008.
61. E. H. Carr, International Relations Between Two World 1919-1939, Macmillan, 2004.
62. Shakti and Indrani Mukherjee, International Relations, World Press Pvt. Ltd., 2001.
63. Hans J. Morgenthau, Politics Among Nations: The Struggle for Power and Peace, Revised, (New York: Alfred A. Knopf), 1978.
64. J.G. Starke, An Introduction to International Law, Butterworths, (Revised 1993)
65. Prof. M.P. Tandon, International Law and Human Rights, Allahabad Law Agency, 2005.
66. Joshua S. Goldstein, International Relations, Sixth Edition, Pearson Education, 2008. 5. J.N. Dixit, India's Foreign Policy and its Neighbours, Gyan Books, 2001.
67. Abbreviations
68. B.Y.I.L-British year Book of International Law
69. A.J.I.L-American Journal of International Law.
70. ICLQ-International and comparative Law quarterly

**B.A.LL.B.-V Semester  
LOGIC & REASONING**

|                           |                              |                    |                    |
|---------------------------|------------------------------|--------------------|--------------------|
| <b>Paper Code: BL-502</b> | <b>Logic &amp; Reasoning</b> | <b>Value Added</b> | <b>Credits:2.5</b> |
|---------------------------|------------------------------|--------------------|--------------------|

**Course Objective:** This Course has been designed to provide the basics of logic and reasoning. After studying this course student will be able to know the importance and applicability of reasoning for competition purpose.

**Teaching Learning Methodology:** The Course will be conducted using lectures, power point, assignments, discussions and home assignment. Latest development in the field of logic and reasoning will be discuss

**Course Outcomes:** At the end of the course a student will be able to:

1. Understand general study in practical sence.
2. Analyze the understanding of the subject though conduct of mock trials at the end of the course.
3. Attain knowledge on usage and development of various sources of Logic and reasoning.
4. Understand, analyze and resolve various problems for competition purpose.

**SYLLABUS:**

**UNIT-I**

1. Logical Method of Law
2. Reason and Logic of Reasoning
3. Number Series
4. Analogy
5. Classification
6. Coding-Decoding
7. Blood Relation
8. Puzzle Test
9. Directions Sence Test
10. Alphabet Series
11. Mathematical Operation and Arithmetical Reasoning

**UNIT-II**

1. Data Sufficiency
2. Eligibility Test
3. Assertion & Reason
4. Situation Reaction Test
5. Verification of Truth of the Statement

**UNIT-III**

1. Statement-Arguments
2. Statement-Asseptions
3. Statement-Course of Actions
4. Statement-Conclusion
5. Cause & Effect Reasoning

***Books Recommended:***

1. Logic and Reasoning by R.S. Aggarwal, S. Chand Publication, New Delhi
2. Logic and Reasoning, Prayag Publication, New Delhi



**BA.LL.B. – V<sup>th</sup> Semester**  
**COMPANY LAW AND PARTNERSHIP**

|                           |                                    |                   |                    |
|---------------------------|------------------------------------|-------------------|--------------------|
| <b>Paper Code: BL-503</b> | <b>Company Law and Partnership</b> | <b>Core Paper</b> | <b>Credits: 05</b> |
|---------------------------|------------------------------------|-------------------|--------------------|

**Course Objectives:** Industrialization plays a very vital role in the economic development of India. In the post Independence era, industrial regulation is employed as a principal means in the strategy for attaining constitutional values. Companies are no doubt powerful instruments for development. Besides bringing returns and financial benefits to the capital and labour they help amelioration of the living conditions of masses. In a developing society like India, vast varieties of consumer goods are manufactured or produced and different kinds of public utility services are generated both for general welfare and consumption purposes. Obviously, it is beyond the capacity of one or a few entrepreneurs to engage into such activities. Because the problem of raising large capital needed for such enterprises, there is a looming danger of market risks. Hence, taking recourse to the device of incorporation is the only efficacious way to surmount all such hurdles.

**Teaching Learning Methodology:** The course will be conducted using lectures, assignments, and PPT presentations. The class will be taught using theory and case based method.

**Course Outcomes:** At the end of the course students will be able to:

1. Understand the Meaning, characteristics of company and salient features of Act of 2013.
2. Provide insight into formation of companies i.e. MOA, AOA, share capital, debentures, etc.
3. Analyse the role company in regulating business activity and company affairs.
4. Deduce the procedure and various modes of winding up of a company
5. Describe the provisions of Indian Partnership Act, 1932.

**SYLLABUS:**

**UNIT – I- Introduction**

**(15 hours)**

1. Meaning of Corporation
2. Meaning and Characteristics of a company organization.
3. Kinds of companies
4. Difference between Company and Corporations, Partnerships and other associations of persons, State Corporations, Co-operative, Corporate and Joint Sectors.
5. Theories of Corporate Personality
6. Salient features of Companies Act, 2013 and differentiate with the Act of 1956

**UNIT-II- Incorporation Of A Company**

**(25 hours)**

1. Certificate and commencement, Advantages of incorporations
2. Formation of a company :
  - a. Promoters –Position, Duties, Liabilities
  - b. Memorandum of Association -Various clauses and alteration therein; doctrine of *ultra vires*,
  - c. Articles of Association - Binding force, alteration, relationship with memorandum of association; Doctrine Of Constructive Notice and Indoor Management with exceptions.
  - d. Prospectus- Issue, Contents, Kinds, Liability for misstatements, Statement in lieu of prospectus.

2. Shares-
  - a. General principles of allotment (statutory restrictions);
  - b. Share Certificate- objects and effects;
  - c. Transfer of Shares- restrictions; procedure; refusal,
  - d. Kinds of shares
3. Shareholder-
  - a. Who can be and who cannot be a shareholder- Modes of becoming a shareholder
  - b. Calls on shares; Forfeiture and Surrender of shares; Lien on shares
4. Share Capital-
  - a. Kinds
  - b. Alteration and Reduction; Further issue of capital
  - c. Conversion of loans and debentures into capital
  - d. Duties of courts to protect the interests of creditors and share holders
5. Dividends-
  - a. Payment
  - b. capitalization
  - c. profit
6. Debentures –
  - a. Meaning
  - b. Fixed and Floating charge
  - c. Kinds of debentures
  - d. Shareholder and Debenture holder
  - e. Remedies of debenture holders.
7. Directors-
  - a. Position
  - b. Appointment; Qualification
  - c. Vacation of office; Removal; Resignation
  - d. Powers and Duties
  - e. Remuneration
  - f. Role of nominee directors in compensation for loss of office
  - g. Managing directors; Compensation for loss of office; Managing Directors and other Managerial Personnel.

**UNIT – III -Procedural Working Of Company: Meetings, Company Secretary, Auditors, Prevention of Oppression And Mismanagement** **(15 hours)**

1. Meetings:
  - a. Introduction and kinds of meetings,
  - b. Requisites of a Valid meeting,
  - c. Voting rights,
  - d. Resolutions agreements of Meetings,
  - e. Minutes of meeting
2. Company Secretary And Auditors:
  - a. Appointment and Dismissal,
  - b. Status, Powers and Functions, Duties and Liabilities.
  - c. Audit of company accounts.
3. The Rule of Supremacy of the Majority and Protection of Minority; Meaning of Oppression and Mismanagement
4. Powers of company Law Board.

**UNIT-IV- Winding Up Company****(10 hours)**

1. Winding up – Meaning and various modes.
2. By court – Grounds; who can apply; procedure powers of liquidator; powers of court.
3. Consequences of winding up

**UNIT-V - Indian Partnership Act, 1932****(10 hours)**

1. Meaning and Characteristics of partnership.
2. Partnership Deed.
3. Doctrine of Holding out
4. Registration of a partnership firm.
5. Effect of non- registration.
6. Relations of partners to one another and with third parties.
7. Rights and Duties of partners.
8. Incoming and Outgoing partners.
9. Dissolution of firm

***Books Recommended:***

1. Prof. N.D Kapoor company Laws
2. L.C.B.Gower, Principles of Modern Company Law 1997 Sweet & Maxwell, London
3. A. Ramaiya, Guide to the Companies Act, 1998
4. Palmer, Palmer's Company Law, 1987 Stevens, London
5. Avtar Singh, Indian Company Law, Eastern Book Co.
6. Avtar Singh, Law of Negotiable Instruments
7. Avtar Singh, Banking and Negotiable Instruments

**BA.LL.B. – V<sup>th</sup> Semester**

**LAWS OF INHERITANCE, SUCCESSION, GUARDIANSHIP, WILL ETC.**

|                           |                       |                   |                   |
|---------------------------|-----------------------|-------------------|-------------------|
| <b>Paper Code: BL-504</b> | <b>Family Law -II</b> | <b>Core Paper</b> | <b>Credits:04</b> |
|---------------------------|-----------------------|-------------------|-------------------|

**Objective:** The course structure is designed mainly with three objectives in view. One is to provide adequate sociological perspectives so that the basic concepts relating to family are expounded in their social setting. The next objective is to give an overview of some of the current problems arising out of the foundational inequalities writ large in the various family concepts. The third objective is to view family Law not merely as a separate system of personal Laws based upon religions but as the one cutting across the religious lines and eventually enabling us to fulfill the constitutional directive of uniform civil code. Such a restructuring would make the study of familial relations more Meaningful. The entire course has been divided in two parts and speeded in two semesters. In first part only the concept related with marriage and divorce has been studied and rest will be in this semester.

**Teaching Methodology:** Lecture and Discussion method, use of PPT's and Memorial presentation will be adopted.

**Course Outcome:** At the end of the session student will be able:-

1. Discuss the concept of coparcenary, joint Hindu Family, Karta and Debt in Hindu Law.
2. Understand and Compare the Inheritance of various personal Laws.
3. Analyze the Meaning and essentials of Hiba will and Pre-emption.
4. Evaluate the Legitimacy acknowledgement, adoption, custody and guardianship

**SYLLABUS:**

**UNIT-I- Joint Hindu Family**

**15 Hours**

1. Origin and Nature of Joint Hindu Family and Coparcenary
2. Characteristic features of Coparcenary
3. Distinction between Coparcenaries and Joint Family
4. Classification of Property:
  - a. Joint Family Property
  - b. Separate Property
5. Karta:
  - a. Position
  - b. Powers and Liabilities
6. Debts

**UNIT-II- Partition and Succession (Inheritance)**

**15 Hours**

1. Partition: Definition
2. Persons entitled to demand Partition
3. Reopening and Reunion Hindu Succession Act, 1956: Features
4. Devolution of interest in Coparcenary Property (Sec.6), List of heirs in Class-I & II of the Schedule
5. Persons debarred from inheritance
6. Hindu Women's Right to Property
7. Inheritance in Islamic, Christen, and Parsi Laws
8. Heirs and their shares and distribution of property under the Indian Succession Act of 1925.

### **UNIT III- Hiba, Will and Pre-emption**

**15 Hours**

1. Hiba:
  - a. Definition and Essentials
  - b. Kinds and Formalities for a Valid Hiba
  - c. Revocation of Hiba
2. Will:
  - a. Definition, Essentials
  - b. Kinds of a Valid Will
  - c. Battement of Legacies
  - d. Revocation of Will.
3. Pre-emption:
  - a. Definition,
  - b. Classification & Formalities

### **UNIT IV -Child and the Family**

**15 Hours**

1. Legitimacy, Acknowledgment (Muslim)
2. Adoption (Hindu)
3. Custody, Maintenance and education
4. Guardianship and parental rights - welfare of the child principle
5. Conversion and Its effect on Family

#### ***Books Recommended:***

1. J.D.M. Derrett- Hindu Law
2. Mulla -Hindu Law, (18th Ed. 2002) Butterworth Publication
3. Paras Diwan, Hindu Law, Allahabad Law Agency
4. Dr. R.K. Singh, Hindu Law (Hindi), Allahabad Law Agency
5. Kusum & P.P. Sexena, Lecture on Hindu Law, Butterworth Publication Hi

**PRINCIPLES OF CRIMINAL LAW AND IPC**

|                           |                                      |                   |                    |
|---------------------------|--------------------------------------|-------------------|--------------------|
| <b>Paper Code: BL-505</b> | <b>Law of Crimes-01 (Penal Code)</b> | <b>Core Paper</b> | <b>Credits: 06</b> |
|---------------------------|--------------------------------------|-------------------|--------------------|

**Course Objective:** This course is designed to understand the Meaning of crime, theories of controlling crimes and the essential principles of criminal liability by a study of a range of offences under Indian Penal Code.

**Method of Teaching-Learning:** For course delivery Instructor use Lecture & discussion based applications, PPT Presentation to the students in order to make them aware about the subject. Case Studies are preferred so that they can raise their different issues with regard to the respective Laws

**Course Outcomes:** After the successful completion of Course Curriculum, a student will be able to:

1. Understand pre and post independence status of penal Laws.
2. Evaluate general explanations and specific offences under IPC.
3. Distinguish the various grounds of general exception and right to private defense under Indian Penal Code.
4. Know about the different offences against human body.
5. Classify the different offences against property.
6. Correlate various theories of punishment in light of provision of IPC.

**UNIT I: Introduction**

**8 Hours**

1. Definition, Nature and Concept of Crime,
2. Pre-colonial Notion of crime in Hindu, Muslim and Tribal Law,
3. First Law Commission and the role of Lord Macaulay
4. General Principles, Elements of Crime. Stages of Crime,
5. Applicability of IPC.

**UNIT II**

**PART A: General Explanations and Exceptions**

**22 Hours**

1. General Explanations (sec.6 to 52A),
2. Constructive and Joint Liability, Common intention and Common object.
3. General Exceptions- (Sec. 76-106) Mistake of Facts and Law, Judicial and Executive Acts, Accidents, Necessity, Infancy, Intoxication, Consent, Private Defense and Trifles.

**PART B: Inchoate and Specific Offences**

1. Inchoate Offences-
  - a. Abetment,
  - b. Criminal Conspiracy,
  - c. Attempt (Section 511 IPC).
2. Specifics Offences-
  - a. Offences against the State and Public Tranquility,
  - b. Offences by or relating to Public Servants,
  - c. False Evidence and offences against Public Justice,
  - d. Offences Relating to Religion

### ***Cases for reference & Study:***

R. v. Prince (1875)LR 2 CCR 154; R v. Tolson (1889) 23 QBD 168, Sherras v. De Rutzen [1895] Q B 918, R v. Williams (1987)3 All ER 411, State of Maharastra v. M. H. George AIR 1965 SC 722, Nathumal v. State of M.P., Jogeswar v. Emperor , R. v. Clarck (1972)1 All ER 219Southwark London Borougn Council v. Williams (11971)2 All ER 175,R. v. Duddley and Stephen (1884)14 QBD 273, Dhaniya Daji v. State, (1868) 5 BHC (Cr C) 59, Bishwambhar v. Roomal , Makhulshah (1886) 1 Weir 470, Mussamut Aimona, (1864)1 WR (Cr) 43, Ulla Mahapatra,(1950) Cut 293, Krishna Bhagwan v. State of Bihar AIR 1989 Pat. 217, M'Naughton's Case (1843)4 St. Tr. (NS) 847, Laxman Dagdu, Ashiruddin v. Emperor, 50 Cr.LJ 225 Cal., Niman Sha v. M. P., 1996 Cr LJ 3395 MP, Director of Public Prosecutions v. Beard (1920)AC 479, Basdev v. State of Pepsu, 1956 Cr LJ 919, AIR 1956 SC 488, R. v. Lipman, (1969) 3 All ER, R. v. Kingston, (1994) 3 All ER 353 HL, Baboolan Hijrah, (1866)5 WR, Poonai Fattemah,(1869)12 W.R., Williams, (1923) 1 KB 340, Munney Khan v. State, AIR 1971 SC 1491, Biran Singh, AIR 1975 SC 87, Jaidev v. State of Punjab, AIR 1963 SC 612, Yogendra Morarji, AIR 1980 SC 660, Rizwan v. State of Chhattisgarh (2003)2 SCC 661; Sucha Singh v. State of Punjab (2003)7 SCC 693

## **UNIT III: Offence against Human Life and Body**

**20 Hours**

1. Murder
2. Causing Death by Negligence
3. Abetment of Suicide
4. Offences relating to Birth and Exposure of children
5. Simple and Grievous Hurt
6. Wrongful Restraint and Wrongful Confinement
7. Force, Criminal force and Assault
8. Kidnapping and Abduction
9. Sexual Offences and Unnatural Offences.

### ***Referred Cases:***

R v Govinda IBL Bom 342, R Punaiya v State, Versa Singh v. Sate of Punjab AIR 1958 Sc 465, (Injury Sufficient to cause death.) Chhote Singh Vs. State of Rajasthan (Injury Sufficient to cause death), KM Nanavati Vs. State of Maharastra, AIR 1962 SC 605, Honsa Singh Vs. State of Punjab AIR 1977 SC 1801, Jagnohan Singh vs State of U.P. AIR 1973 SC 947, Bachan Singh vs Sate of Punjab AIR 1980 Sc 898 Machhi Singh Vs State of Punjab AIR 1983 SC 957, Nathu Ram Godse vs The Crorum AIR 1983 Easi Punjab 321, Kehar Singh Vs. Delhi Administration AIR 1988 SC 1883 Laxman Naik Vs State of Orissa AIR 1995 Sc 1387, State CBI/SIT Vs Nalini and Others (1999) 105 Cr, LS 3124

## **UNIT IV: Offences against Property**

**25 Hours**

1. Offences dealing with the Deprivation of Property:
  - a. Theft, Extortion, Robbery and Dacoity
  - b. Criminal Misappropriation of property and Criminal breach of Trust
  - c. Receiving Stolen Property
  - d. Cheating, Fraudulent Deeds and Disposition of Property.
2. Offences dealing with damage to Property:
  - a. Mischief
3. Violation of Rights to Property in order to commit other offences:
  - a. Criminal Trespass and House Trespass,
  - b. Lurking House Trespass and House-breaking.

## **UNIT V: Other Specific Offences**

**10 Hours**

1. Offences relating to Marriage
2. Defamation
3. Criminal Intimidation, Insult, Annoyance

## **UNIT VI: Punishments**

**5 Hours**

1. Theories: Deterrent, Retributive, Preventive, Expiatory and Reformative
2. Punishments under the IPC
  - a. Fine
  - b. Imprisonment and Solitary Confinement
  - c. Forfeiture
  - d. Life Imprisonment and Death Sentence

### ***Books Recommended:***

1. Bare Act of The Indian Penal Code 1860
2. Ratan Lal Diraj Lal' IPC
3. R.C. Nigam, Ratanlal & Dhiraj Lal , S.N. Mishra
4. Pillai, PSA, Criminal Law
5. Jeroma Hall, Principles of Criminal Law
6. K.D.Gaur, Criminal Law cases and material



**LABOUR AND INDUSTRIAL LAW – I (LABOUR MANAGEMENT RELATIONS)**

|                           |                      |                   |                    |
|---------------------------|----------------------|-------------------|--------------------|
| <b>Paper Code: BL-506</b> | <b>Labour Law-01</b> | <b>Core Paper</b> | <b>Credits: 04</b> |
|---------------------------|----------------------|-------------------|--------------------|

**Objectives:** In this course, the students are to be acquainted with the Industrial relations framework in our country. Further, the importance of the maintenance of Industrial peace and efforts to reduce the incidence of Strikes and Lockout and Industrial Strike are to be emphasised. The main theme underlying the Programme is to critically examine the provisions in the Trade Unions Act, 1926; the machineries contemplated under the provisions of the Industrial Disputes Act for the prevention and settlement of Industrial Disputes. Further, the objectives underlying the Industrial Employment (Standing Orders) Act, 1946 and Disciplinary Enquiry for Misconduct are to be studied with a view to acquaint misconduct and the procedure to be followed before imposing punishment for misconduct alleged and established.

**Method of Teaching-Learning:** For course delivery Instructor use Lecture & discussion based applications, PPT Presentation to the students in order to make them aware about the subject. Case Studies are preferred so that they can raise their different issues with regard to the respective Laws

**Course Outcome:** After the successful completion of Course Curriculum, a student will be able to:

1. Understand Labour Policy, Revolution and Labour Problems in India
2. Evaluate Industrial Dispute Act, 1947
3. Know about the history and development of trade union in India.
4. Analyze the factories Act and payment of bonus Act etc.

**SYLLABUS:**

**UNIT –I Introduction**

1. Labour and Industrial Policies in India
2. Industrial Revolution and Labour Problems in India
3. Principles of Labour Legislation in India
4. Growth of Labour Legislation in India.

**UNIT –II The Industrial Dispute Act, 1947**

1. Introduction and Main features of the Act
2. Definitions
3. Authorities : Powers and Duties
4. Disputes Settlement Procedure
5. Strikes and Lock Out
6. Lay off and Retrenchment

**UNIT –III The Trade Union Act, 1926**

1. History and development of trade unionism in India
2. Definitions
3. Registration of trade unions
4. Rights and Liabilities of Registered trade unions
5. Concept of collective Bargaining and trade disputes
6. Recognition of unions

7. Recommendations of Labour Commission on Industrial Disputes.

#### **UNIT –IV The Factories Act, 1948**

1. Introduction and Interpretation
2. Approval, Licensing and registration of factories
3. The Inspecting Staff
4. Hazardous process and related Provisions
5. Employment of young persons
6. Penalties and procedure.

#### **UNIT –V Payment of Bonus Act, 1965**

1. Introduction
2. Definition
3. Accounting year, Direct Tax, Employees
4. Salary or wages
5. Eligibility for bonus
6. Disqualification for bonus
7. Calculation and payment of bonus
8. Time limit and Recovery of bonus and Penalty.

#### **UNIT –VI Industrial Employment (Standing Orders) Act, 1946**

1. Application of the Act and not to apply to certain industrial establishment
2. Interpretation
3. Standing orders their legal Nature
4. Submission of draft standing orders
5. Certification
6. Appeals, Penalties and Procedure.

#### ***Books Recommended:***

- |                     |   |   |
|---------------------|---|---|
| 1. R.F. Rustom Ji   | : | The Law Of Industrial Disputes<br>In India            |
| 2. J.N. Malik       | : | Trade Union Law                                       |
| 3. Bagri            | : | Law Of Industrial Dispute                             |
| 4. S.N. Misra       | : | Labour And Industrial Law                             |
| 5. Srivastava       | : | Law Of Trade Unions                                   |
| 6. Dr. V.G. Goswami | : | Labour And Industrial Law<br>(With Related Bare Acts) |

**ORGANIZATION OF LAW AND POLITICAL PARTIES**

|                           |                             |                 |                    |
|---------------------------|-----------------------------|-----------------|--------------------|
| <b>Paper Code: BL-601</b> | <b>Political Science-VI</b> | <b>Major-01</b> | <b>Credits: 04</b> |
|---------------------------|-----------------------------|-----------------|--------------------|

**Course Objectives:** A student of Law is expected to have an insight and understanding as to how democratic institutions function. Union Legislature being the central theme is prime focus of the study. This Paper will make students more comprehend with the working of Indian legislature and political parties.

**Pedagogy for Course Delivery:** The class will be adopts a critical, interpretive, qualitative case study methodology. The instructor will cover the ways to think innovatively liberally using thinking techniques. The instructor will help students develop critical minds.

**Student Learning Outcomes:** On completion of this course, students should be able to:

1. Demonstrate knowledge of concepts of Indian political party system and Comprehend with working of different political parties and institution and their role in nation building.
2. Recognize and demonstrate an understanding of working of Union legislature in India
3. Develop insight into the strategies to complete independent research projects in political science. and distinguish between normative and empirical political analysis.
4. Conceptualize problems and apply tools to critically analyze and resolve political arguments, information, and theories
5. Distinguish between normative and empirical political analysis.

**SYLLABUS:**

**UNIT-1-Indian Political Party System**

**Lecture: 15**

1. Political parties:
  - a. Political Parties and Democracy in theoretical and practical perspectives.
  - b. Origin, Evolution, Characteristics, Functions and Significance of Indian Political Party System
  - c. Indian Political Party System
    - i. Organization and Ideology
    - ii. Electoral Performance.
2. Anti Defection Law

**UNIT-2- Political concept and Institutions**

**Lecture: 15**

1. Concept of Representation
2. Election Commission:
  - a. Structure, Functions and its Role.
  - b. Election Commission's Model Code of Conduct.
  - c. Electoral reforms
3. Role of media in democracy.

**UNIT -3- Rajya Sabha Legislation**

**Lecture: 15**

1. Union Legislature :
  - a. Composition
  - b. Powers and Functions
2. Rajya Sabha: Evolution, powers and Functions
3. Rules of Procedure and Conduct of Business in the Council of States

#### 4. Rajya Sabha at work

### **UNIT -4- Loksabha Legislation**

**Lecture: 15**

1. Rules of Procedure and Conduct of Business in the Lok Sabha
2. Directions by the Speaker Lok Sabha
3. Motions and Resolutions in Parliament
4. Parliamentary procedure and Parliamentary decorum and Etiquette

#### ***Books Recommended:***

1. U.N Gupta, Indian Parliamentary Democracy, Vol.I & Vol II, Atlantic Publishers, Delhi
2. DeSouza, P.R., (ed.), Contemporary India – Transitions, New Delhi, Sage Publications, 2000;  
Enskat, M., Mitra, S.K., „Introduction“ in: S.K. Mitra, C. Spiess, M. Enskat, (ed.) Political Parties in South Asia: The assassination of a Western Model, Westport, Praeger Publishers, 2004;  
Enskat, M., Mitra, S.K., Singh, V.B., „India“ in: D. Nohlen (ed.) Elections in Asia: A data handbook, Oxford, University Press, 2001;
3. Fischer, A., Mitra, S.K., „Sacred Laws and the Secular State“, India Review 1 (4), 2002;  
Kohli, A., „Interpreting India’s Democracy: A State-Society Framework“ in: A. Kohli (ed.) India’s Democracy. An Analysis of Changing State-Society Relations, New Jersey, Princeton University Press, 1990;
4. Kothari, R., „Continuity and Change in the Indian Party System,“ Asian Survey 10 (11), 1970;
5. Mitra, S.K., „Room to Maneuver in the Middle: Local Elites, Political Action, and the State in India“, in: World Politics, #43 (3), April 1991;
6. Morris-Jones, W.H., Dominance and Dissent: Their Inter-relations in the Indian Party System,“ in: W.H. Morris-Jones, Politics Mainly Indian, Madras, Orient Longman Limited, 1978;
16. Palekar, S.A., Constitution and Parliamentary Democracy in Contemporary India, Jaipur, ABD Publishers, 2002;
7. Pelinka, A., Democracy Indian Style: Subhas Chandra Bose and the creation of India's political culture, New Brunswick, Transaction Publishers, 2004;
8. Varshney, A., „India's Democratic Challenge“, Foreign Affairs, March-April 2007

## BA.LL.B. – VI<sup>th</sup> Semester

### MINOR ACTS

|                           |                   |                    |                   |
|---------------------------|-------------------|--------------------|-------------------|
| <b>Paper Code: BL-602</b> | <b>Minor Acts</b> | <b>Value Added</b> | <b>Credits:05</b> |
|---------------------------|-------------------|--------------------|-------------------|

**Objective:** The Objective of Teaching the Minor Acts to the students is to apprise them with some of the important acts of daily use in the courts and practice. These Acts cannot be taught fully in the class as they are quite large in number but the important provisions of all these Acts will be covered in the course curriculum.

**Teaching Methodology:-** by Books/ PPT

**Course outcome:** - At the end of the course the students will be able to:

1. Apply the various provisions of General Clauses Act while reading the other Acts.
2. Explain the Meaning of Essential Commodities and describe the various Essential Commodities and Control orders that can be passed by the State or the Centre under the E.C. Act.
3. Analyse the various offences under the Prevention of Corruption Act and the important provisions regarding CVC/VC under the Central Vigilance Act.
4. Distinguish between the Narcotic Drugs and Psychotropic Substances and elucidate the Penal and search provisions of NDPS Act.
5. Describe the Pregnancies that can be and which can not be terminated and the provisions of MTP Act and PCPNDT Act.
6. Explain and apply the provisions relating to Food safety under the new F.S. & S. Act, 2006.

### **SYLLABUS:**

#### **UNIT-I: Minor Acts of Social Importance (Part-I)** (15)

1. Introduction and the necessity of Minor Acts
2. General Clauses Act, 1897
3. Essential Commodities Act 1955
4. Prevention of Corruption Act 1985

#### **UNIT- II: Minor Acts of Social Importance (Part-II)** (12)

1. Central Vigilance Act 2003
2. Dowry Prohibition Act, 1961
3. Domestic Violence Act 2005

#### **UNIT-III: Minor Acts with National Security** (20)

1. The National Security Act, 1980
2. The Explosive Act, 1884
3. Arms Act, 1959
4. UnLawful Activities (Prevention) Act, 1967
5. The Narcotic Drugs and Psychotropic Substances Act, 1985

**UNIT-IV: Minor Acts with Negligent Activities**

**(10)**

1. Medical Termination of Pregnancy Act, 1971
2. The Pre-conception and Pre-Natal Diagnostic Techniques (Probatons Sex Selection) Act, 1994
3. The Fatal Accidents Act, 1855
4. Motor Vehicle Act, Sec-140 to 176 (Provisions relating to Accident Claims only)

**UNIT-V: Minor Acts related to Edibles and Consumable**

**(18)**

1. The Drugs and Magic Remedies (Objectionable Advertisement) Act, 1954
2. Immoral Traffic (Prevention) Act, 1956
3. Food Safety and Standards Act 2006.

**BA.LL.B. – VI<sup>th</sup> Semester**  
**CRIMINAL PROCEDURE (Cr.P.C.)**

|                           |                              |                   |                    |
|---------------------------|------------------------------|-------------------|--------------------|
| <b>Paper Code: BL-603</b> | <b>Law of Crime Paper-02</b> | <b>Core Paper</b> | <b>Credits: 06</b> |
|---------------------------|------------------------------|-------------------|--------------------|

**Objectives:** Procedural Law providing for a fair procedure is significant for a just society. The course is aimed at driving home the students how the pre-trial, trial and the subsequent process are geared up to make the administration of criminal justice effective. The course will acquaint the student with organization of the functionaries under the Code, their power and Functions at various stages and the procedure according to which these powers and Functions are to be exercised. In additions the course teacher shall Endeavour to familiarize the students with the Documents like FIR, Police statements, Site Plan, Confessional Statement, Final Report, Medical and Post Mortem Report, Charge Sheet, Charge, statement of accused U/s 313 Cr.P.C., Judgement etc. The course introduces students to the idea of Victimology which will shift the study from accused centric approach to much needed victim centric approach.

**Teaching Methodology:** by Books/ PPT/ Tutorial

**Course outcome:** At the end of the course the Students will be able to

1. Differentiate between and various Criminal Courts at the District level.
2. Distinguish betweenailable and Non-ailable, Cognizable and Non-Cognizable offences, FIR and Complaint, Investigation and Inquiry, Summons, Warrant and Search warrant etc. and use is knowledge about them whenever a Client comes before him.
3. Discuss the rights of accused persons after arrest and ensure that the same are not being violated by the police.
4. Describe and explain the procedure of various Criminal Trials and Contest cases as per the required procedure, whenever a person comes to him.
5. Explain the provisions regarding Bail and Bail bonds and apply them suitably in appropriate cases.
6. Discuss the cases in which criminal appeals can or can not be filed and differentiate between Appeal and Revision

**CBS Points: 6 (Ninety Lectures)**

**SYLLABUS:**

**UNIT I- Introduction: Object and Extent of Cr.P.C., Courts and their Powers (12)**

1. Importance of procedural Laws in General and Cr.P.C. in particular.
2. Development of Criminal Procedure till present day Cr.P.C and amendments in it.
3. Important Definitions under Cr.P.C. and;  
The distinction betweenailable and Nonailable and Cognizable and Non Cognizable offences, Complaint and FIR , Investigation and Enquiry, Summons and Warrant Cases etc.(Section 2)
4. Constitution of Criminal Courts, their Powers and hierarchy (Sections 6 to 35)
5. The organization of Police and the Powers of Superior Police officers (Sec.36)
6. Prison Authorities and their Duties, Functions and Powers (From Jail Manual)

**UNIT II- Arrest of accused persons and their rights, Search warrants, Provisions regarding maintenance of peace, good behaviour, controlling public nuisance and Preventive action of police** (20)

1. Duty of Public to assist Magistrate and Police and give information of certain offences. (Sec. 37 to 40)
2. Arrest: (Sections 41 to 60 A)
  - a. Arrest of accused Persons by Police officers, Magistrate and Private Persons, their Duties thereafter
  - b. Rights of arrested persons to be produced before Magistrate, Medical Practitioner, to consult Legal Practitioner etc.
3. Process to Compel Appearance: (Sections 61 to 90)
  - a. Summons,
  - b. Warrants of Arrest,
  - c. Proclamation of person absconding etc.
4. Process to compel the Production of things and persons: (Sections 91 to 105)
  - a. Summons to produce and Search Warrants,
  - b. Power of police officers to seize certain property
  - c. Power of court to impound documents produced.
5. Security for keeping the peace and good behaviour (Section 106 to 124)
6. Public nuisance, order for their removal and dealing with urgent cases of nuisance or apprehended danger (Section 133 to 148)
7. Preventive action of Police (Section 149 to 153)

**UNIT III- FIR, Investigation, Charge Sheet, Cognizance by Magistrate, Charge and its alteration, joinder/ misjoinder of charges** (15)

1. Information to the Police and their Powers to investigate- (Sections 154 to 176)
  - a. F.I.R.,
  - b. Investigation, Inquiry Examination of witnesses by I.O.,
  - c. Recording of Confession and Statement of witness,
  - d. Remand- Judicial Custody and Police Custody,
  - e. Final Report and Charge Sheet.
2. Jurisdiction of the Criminal Courts in Inquiries and Trials (Sections 177 to 189)
3. Conditions Requisite for Initiation of Proceedings (Cognizance) by Magistrates (Sections 190 to 199)
4. Complaints to Magistrates and Commencement of proceedings before them: (Sections 200 to 210)
  - a. Examination of complainant and witnesses,
  - b. Dismissal of complaint,
  - c. Issue process,
  - d. Special summons in Petty Offences,
  - e. Supply of copies of Police documents to accused
  - f. Committal of Case to the Court of Sessions.
5. Charge, Alteration in Charge and Joinder of Charges (Sections 211 to 224)

**UNIT IV- Procedure of various Criminal Trials** (8)

1. Trial Procedure before a Court of Sessions. (Sections 225 to 237)
2. Trial Procedure of Warrant Cases (On Police Report and otherwise than on Police Report i.e. on Complaint) by Magistrates (Sections 238 to 250)
3. Trial Procedure of Summons Cases by Magistrates (Sections 251 to 259)
4. Summary Trial procedure of Cases by Magistrates (Sections 260 to 265)



**UNIT V- Recording of Evidence and Judgement****(15)**

1. Evidence in Inquiries and Trials- Mode of taking and recording, Commissions for the examination of witnesses. .( Sections 272 to 299)
2. General Provisions as to Inquiries and Trials: (Sections 300 to 327).
  - a. Principle of Double Jeopardy-Pleas of autrefois acquit and autrefois convict,
  - b. Conduct of case by public prosecutor,
  - c. Adjournment of proceedings,
  - d. Power of Court to summon any person as a witness or as accused,
  - e. Compounding of offences and withdrawal from prosecution etc.
3. The Judgement- Language, Content, mode of pronouncement, time period for judgement, copy to accused etc. (Sections 353 to 365)
4. Submission of Death sentence for Confirmation to High Court. (Sections 366 to 371)

**UNIT VI- Appeals, Reference, Revision, Bail and Bail bonds, Limitation etc.****(20)**

1. Appeals: (Sections 372 to 394)
  - a. Cases in which appeal lies to Sessions Court, High Court and the Supreme Court,
  - b. Appeal against acquittal or for enhancement of sentence,
  - c. Procedure of filing and hearing the appeal etc.
2. Reference and Revision. (Sections 395 to 405)
3. Provisions as to Bail and Bonds- (Sections 436 to 450)
  - a. In what cases and by whom Bail may be taken,
  - b. Anticipatory Bail,
  - c. Forfeiture of Bonds and realization of their amounts.
4. Limitation for taking Cognizance of Offences. (Sections 467 to 473)

**BA.LL.B. – VI<sup>th</sup> Semester**

**ADMINISTRATIVE LAW**

|                           |                           |                   |                    |
|---------------------------|---------------------------|-------------------|--------------------|
| <b>Paper Code: BL-604</b> | <b>Administrative Law</b> | <b>Core Paper</b> | <b>Credits: 04</b> |
|---------------------------|---------------------------|-------------------|--------------------|

**Course Objective:** The 20<sup>th</sup> century has witnessed unprecedented increases in the role and power of government as the supreme provider of basic necessities to its citizens. This transformation of the ‘police’ state which was limited to maintaining internal peace and security, and protection against external enemy towards the ‘welfare state’ which assumed new roles like Provision of direct services and regulation of economic activities, has resulted in the concentration of power over the executive. Power, though justified on grounds of practical necessities, unless properly controlled, leads to its abuse, and hence results in violation of individual rights and freedoms. The central mission of Administrative Law has thus been balancing power vs. liberty. That is also at the heart of every political theory.

The study of Administrative Law is closely related to Constitutional Law. They both govern the relationship between the individual and the government. Administrative Law may be viewed as a subset of detailed rules and principles determining the Nature of that relationship. In effect administrative Law serves as a tool to implement the constitution.

This course has to be approached using the balancing mission or the control and remedial purpose of Administrative Law, and its role as an instrument to implement the constitution, as a guide to understand its content. A prior knowledge of constitution is a prerequisite for this course. The course is more of a practical one which requires an understanding of the administrative process. However knowledge of the basic principles like rule of Law, Principle of legality, doctrine of ultra virus, openness, accountability, transparency in administration, judicial review etc... is a requisite not only to analyze the administrative process but also to give a reasoned and sound solution to any disputes between the individual and the government.

**Methods of teaching-learning:** Lecture led seminar classes and Preparation of assessments (An Initial problem question on Law will be set and students will be asked to produce a written answer to the problem either in the form of advice to one of the parties in the problem or by a more general discussion of the legal issues raised in the problem scenario OR Problem question on Administrative Law)

**Course Learning Outcome:** On successful completion of this course, students will be able to:

1. Analyse the development, relation between administrative Law with other public Law and advanced principles of administrative Law.
2. Conduct legal research and analyse administrative agencies’s decision making, rule making and administrative Functions.
3. Describe mechanisms for control of administrative agencies.
4. Identify and explain government accountability for the exercise of public power or to challenge administrative decisions.

**SYLLABUS:**

**UNIT 1: Introduction**

(Lectures – 12)

1. Definition and Purpose of Administrative Law
2. Nature, Origin and Development of Administrative Law
3. Relation between Administrative Law and other Branches of Public Law
4. Administrative Law vis-à-vis Privatization
5. Fundamental Constitutional Principles Related to Administrative Law
  - a. Separation of Powers

- b. Due Process of Law
- c. Rule of Law

## **UNIT 2: Administrative Functions and Process**

(Lectures – 18)

- 1. Administrative Agencies
- 2. Purposes of Agencies
- 3. Nature of Agency Powers
  - a. Legislative/Delegated Rule Making/ Power
    - i. Meaning and Concept of Delegated Legislation
    - ii. Constitutionality of Delegated Legislation
    - iii. Arguments for and Against Delegated Legislation
    - iv. Sub-Delegation
  - b. Adjudicative Power /Decision Making Power
    - i. Need for Devolution of Adjudicatory Authority on Administration
    - ii. Problems of Administrative Decision Making
    - iii. Administrative Tribunals in India: Constitution, Powers, Procedures
    - iv. Principles of Natural Justice
      - a) Rule against Bias
      - b) Audi Alteram Partem
      - c) Speaking Order (Reasoned Decisions)
  - c. Executive Power
    - i. Administrative Powers and Administrative Discretion
    - ii. Need for administrative discretion, Abuse of discretion, Constitutional imperatives and use of discretionary authority, Non-exercise of discretionary power

## **UNIT 3: Mechanism for Control of Administrative Agencies**

(Lectures – 16)

- 1. Need for Control
- 2. Mechanisms of Control
  - a. Control over Delegated Legislation
    - i. Parliamentary Control
    - ii. Procedural Control
    - iii. Judicial Control
  - b. Control over Administrative Actions
    - i. Parliamentary Control
    - ii. Judicial Control through writs
    - iii. Judicial Review
  - c. Control over Statutory Corporations
    - i. Parliamentary Control
    - ii. Government Control
    - iii. Judicial Control
    - iv. Public Control

## **UNIT 4: Remedies**

(Lectures – 14)

### **Part A:**

- 1. Remedies:
  - a. Injunction,
  - b. Suit for Damages,
  - c. State Liability for Tortious and Contractual Wrongs,

2. Ombudsman, Lokpal, Lokayukt, Vigilance Commission

**Part B:**

1. Indian Civil and Administrative Law

**Books Recommended:**

1. A. C. Aman, W.T. Mayton, *Administrative Law* (St. Paul, MINN., West Pub. Co., 1993).
2. D. Foulkes, *Administrative Law* (7<sup>th</sup>) (London: Butterworths, 1990).
3. E.C.S. Wade and A.W. Bradely, *Constitutional and Administrative Law* (10<sup>th</sup> ed.) (London: English Language Book Society, 1985).
4. Girma Woldelessie, *Material on Administrative Law* (Unpublished), Faculty of Law, AAU, 1974 (in two volumes).
5. H.W.R. Wade, *Administrative Law* (6<sup>th</sup> ed.) (Oxford: Oxford University Press, 1988).
6. J.L. Marshaw, R.A. Merrill, P.M. Shane, *Administrative Law: The American Public Law System, Cases and Materials* (3<sup>rd</sup> ed.) (St. Paul, MINN., West Pub. Co., 1992).
7. K. C. Davis, *Administrative Law Treatises* (St. Paul, MINN., West Pub. Co., 1958).
8. L. Neville Brown & John S. Bell, *French Administrative Law* (4<sup>th</sup> ed.) (Oxford: Clarendon Press, 1993)
9. Paul and Clapham, *Indian Constitutional Development* (in two volumes).
10. C.K. Allen, *Law And Orders* (1985)
11. D.D. Basu, *Comparative Administrative Law* (1998)
12. M.A. Fazal, *Judicial Control Of Administrative Action In India, Paksitan, Bangladesh* (2000) – Butter Norths- India
13. M.P Jain, *Cases And Materials On Indian Administrative Law Vol. I&II*.
14. Jain & Jain, *Principles Of Administrative Law*, (1997) Universal, Delhi.
15. S.P. Sathe, *Administrative Law* (1998), Butterworths- India, Delhi.]
16. *Indian Law, Cases And Materials On Administrative Law In Institute India Vol.1* (1996), Delhi.
17. U.P.D. Keshri, *Administrative Law*
18. J.J.R. Upadhyay, *Administrative Law*
19. I.P. Masey, *Administrative Law*

## BA.LL.B. – VI<sup>th</sup> Semester

### LAW OF EVIDENCE

|                           |                        |                   |                    |
|---------------------------|------------------------|-------------------|--------------------|
| <b>Paper Code: BL-605</b> | <b>Law of Evidence</b> | <b>Core Paper</b> | <b>Credits – 5</b> |
|---------------------------|------------------------|-------------------|--------------------|

**Course Objectives:** The Law of Evidence has its own significance amongst Procedural Laws. The knowledge of Law of Evidence is indispensable for a Lawyer. The course is designed to acquaint the students with the rules of evidence in relation to relevancy of facts and proof. In addition they are introduced to Law relating to production of evidence. The course teacher shall familiarize the students with appreciation of evidence and use innovative techniques like simulation exercises wherever necessary.

**Method of Teaching Learning:** The class will be taught using theory and case based method. In addition to assigning the case studies, the teacher will spend considerable time in understanding the concept of innovation through new case Laws. The instructor will cover the ways to think innovatively liberally using thinking techniques.

**Course Outcomes:** At the end of the course, a student would be able to

1. Clarify the use of evidence in civil and criminal Law.
2. Explain the application of Law of Evidence in various situations.
3. Describe the relationship between Law of Evidence and other procedural Law.
4. Comprehend and evaluate the challenges involved in application of Law of Evidence.
5. Analyze the understanding of the subject through conduct of mock trials at the end of course.

### **SYLLABUS:**

#### **UNIT-I- Introduction: Definitions and Relevancy of Facts**

**(20Hrs)**

1. Evidence and its relationship with substantive and procedural Laws
2. Salient features of the Indian Evidence Act, 1872
3. Applicability of the Act.
4. Interpretation clause
5. Concept of Relevancy and Admissibility.
6. Presumptions.(May presume, Shall presume, Conclusive proof)
7. Witness- Appreciation of evidence.
8. Relevancy of Facts- Facts connected with facts in issue-Doctrine of *Res gestae*; Sections 6, 7, 8 of Evidence Act.
9. Facts necessary to explain or introduce relevant fact.( Identification parade-Section 9)
10. Things said or done by conspirator in reference to common design -Section10
11. Relevancy or otherwise irrelevant facts.(Section 11)
12. Fact for quantum of damages ( Section 12)
13. Facts to prove right or custom (Section13)
14. Facts concerning state of mind/state of body or bodily feelings (Sections 14 and 15)

#### **UNIT-II- Admissions, confessions and statements by person who cannot be called as witnesses**

**(15 Hrs)**

1. Admission (Sec 17 to 23 & 31 )
2. Confessions and Confession of co-accused (Sections 24 to 30)
3. Statement by persons who cannot be called as witness. (Section 32 & 33), Dying Declaration
4. Statement under special, circumstances (Sections 34 to 39)

5. Relevance of judgments (Sections 40 to Sec. 44)
6. Expert opinion (Sections 45-51)
7. Relevancy of character ( 52 to 55 )

**UNIT-III-General Principles of Oral and Documentary Evidence**

(15 Hrs)

1. Facts need not be proved (Section 56 -58)
2. General principles concerning oral; Evidence (Sections 59-60)
3. General principles concerning documentary Evidence (Sections 61-90)
4. General principles regarding exclusion by evidence (Sections 91-100).

**UNIT-IV Production and Effect of Evidence**

(15 Hrs)

1. Burden of Proof
2. The general conception of *onus probandi* (Section 101)
3. General and special exception to *onus probandi* (Sections 102-106)
4. The justification of presumption and burden of proof (Sections 107 to 114) with special reference to presumption to legitimacy of child and presumption as to dowry death, Doctrine of judicial notice and presumptions.
5. Impact of forensic science: Evidentiary value in DNA test, Narco-analysis.
6. Estoppel (Section 115 to 117)

**UNIT-V Examination of Witness and Rejection of Evidence.**

(15 Hrs)

1. Competency to testify (Sections 118 to 120)
2. Privileged communications (Sections 121 to 132)
3. Evidence of Accomplice ( Sec 133 , 114 illustration b)
4. General principles of examination and cross examination (Sections 135 to 166): Leading questions, Hostile witnesses, Compulsion to answer questions. Questions of corroboration, Refreshing of memory, Production of document, Power of court to question.
5. Improper admission of evidence. (Sec 167)

***Books Recommended:***

1. Best - Law of Evidence.
2. M. Monir – Law of Evidence
3. Sarkar - Law of Evidence.
4. Batuk Lal - Law of Evidence.
5. Rattan Lal and Dheeraj Lal - Law of Evidence.
6. Phipson on Evidence.
7. Dr. Avtar Singh – Principles of Law of Evidence, Central Law Publications, 2013
8. V.P Sarathi – Law of Evidence.

SOCIAL SECURITY LEGISLATIONS

|                    |                                |            |            |
|--------------------|--------------------------------|------------|------------|
| Paper Code: BL-606 | LABOUR AND INDUSTRIAL LAW – II | Core Paper | Credits:04 |
|--------------------|--------------------------------|------------|------------|

**Course Objectives:** The students are to be acquainted with Social Security Frame-work prevailing in our Country. It is necessary to know the concept of social security, its importance and also constitutional basis for the same in India. The importance of ensuring the health, safety and welfare of the workmen and social assistance and social Insurance Schemes under various legislations are to be emphasized. The main theme underlying the Programme is to critically examine the provisions in the Employees’s Compensation Act, 1923, the machinery provided for protecting the interests of workers. Further, the objectives underlying E.S.I. Act, 1948, the employees provident fund Act,1952 are to be studied with a view to acquaint the students with various rights and benefits available to the workmen under the legislations.

**Teaching Learning Methodology:** The course will be conducted using lectures, assignments, and PPT presentations. The class will be taught using theory and case based method. All the leading cases shall be discussed to clear queries and doubts to make concepts more clear.

**Course Outcomes:** At the end of the course students will be able to

1. Understand the Legislations related to Compensation and Insurance of labour.
2. Analyse the provisions of financial benefit to employees in respect of PF and gratuity.
3. Know the Laws that cover the rights of workers against discrimination, of fair and humane conditions of work, protection of wages;
4. Deduce the Laws for the benefit of weaker section of labour like prohibition of child labour, Laws implemented for the welfare of labour class in terms of health, housing, social security and other incidental benefits.

**SYLLBUS:**

**UNIT –I -Legislations for Compensation and Insurance**

**(15 hours)**

1. Employee’s Compensation Act, 1923
  - Main features of the Act & definition, Commissioner & commission, Compensation, Dependent, Employer & Employee, Partial and Total disablement, wages, workmen, workmen’s compensation, Power of government to make rules, quantum and method of distribution of compensation.
2. The Employees’ State Insurance Act, 1948
  - Definitions , Benefits provided under the Act, Employees State Insurance fund and Contributions, Adjudications of Disputes and Claims, Penalties.

**UNIT – 2-Employees Provident fund and Miscellaneous Provisions Act, 1952 and Payment of Gratuity Act, 1972**

**(10 hours)**

1. Employees Provident fund Scheme and Authorities, Penalties and powers.
2. The changing rules regarding employees provident fund and pension schemes.
3. Concept of gratuity, Eligibility for payment of gratuity, Determination of gratuity, forfeiture of gratuity

**UNIT – 3- Social security legislations for wages and other benefits**

(20 hours)

1. The Minimum Wages Act, 1948
  - Definition clause, Fixation of minimum rules of wages, Penalties, Exemptions and exceptions, Authorities.
2. The Payment of Wages act 1936
  - Payment of wages and Deductions from wages.
3. The Maternity benefits Act, 1961
4. The Equal Remuneration Act, 1976

**UNIT – 4- Protection of child and other weaker section of labour**

(15 hours)

1. Child Labour Act, 1986
2. Contract Labour Act 1940
  - Problems of Contract Labour, Process of contractualisation of labour, Controversy regarding Abolition of Contract labour
3. Bonded Labour System (Abolition) Act, 1976
  - Problem of bonded labour
4. The Beedi And Cigar Workers (Conditions Of Employment) Act, 1966
  - Protective measures

***Books Recommended:***

- |                     |   |   |
|---------------------|---|---|
| 1. R.F. Rustom Ji   | : | The Law Of Industrial Disputes In India |
| 2. J.N. Malik       | : | Trade Union Law                         |
| 3. Bagri            | : | Law Of Industrial Dispute               |
| 4. S.N. Misra       | : | Labour And Industrial Law               |
| 5. Srivastava       | : | Law Of Trade Unions                     |
| 6. Dr. V.G. Goswami | : | Labour And Industrial Law               |



**BA.LL.B. – VII<sup>th</sup> Semester**

**LAW OF CIVIL PROCEDURE**

|                           |   |                   |                   |
|---------------------------|---|-------------------|-------------------|
| <b>Paper Code: BL-701</b> | <b>Law of Civil Procedure &amp; Specific Relief Act</b> | <b>Core Paper</b> | <b>Credits:06</b> |
|---------------------------|---|-------------------|-------------------|

**Objectives:** Study of procedural Law is important for a Law student. This course is designed to acquaint the students with the various stages through which a civil case passes through, and the connected matters. The course teacher shall Endeavour to familiarize the students with the case papers (like plaints, written statements, Interlocutory applications, etc.) involved in civil cases and touch upon the provisions of Evidence Act wherever necessary.

**Teaching Methodology:-**by Books/ PPT/Tutorial

**Course outcome:** - After completion of the course the students will be able to

1. Differentiate the substantive and procedural Law.
2. Choose the correct Civil Court for filing civil cases/applications.
3. Distinguish between necessary and proper parties in a suit, Set off and Counter Claim.
4. Explain and emphasize the importance of presence of parties and consequence of their non appearance in a Civil Suit/Proceeding.
5. Describe the procedure of filing various types of Suits, applications etc.
6. Differentiate between Appeal, Revision and Review.

**SYLLABUS:**

**UNIT – I: Introduction**

**(15)**

1. Procedural and Substantive Law: Meaning and Distinction
2. History of the code, extent and its application
3. Definitions
4. Suits:
  - a. Jurisdiction of the civil courts
  - b. Kinds of jurisdiction
  - c. Bar on suits (Sec.9)
  - d. Suits of civil Nature
5. Doctrine of *Res sub judice* and *Res judicata* (Sec. 10, 11 and 12)
6. Foreign Judgment (Sec. 13, 14);
7. Place of Suits (Ss. 15 to 20)
8. Transfer of Cases (Ss. 22 to 25).

**UNIT – II- Suits**

**(15)**

1. Parties to the suit (O. I):
  - a. Joinder,
  - b. Misjoinder and
  - c. Non-joinder of parties.
2. Frame of Suit joinder/ miss joinder of causes of action (O. II)
3. Institution of suits and issue/ service of summons (Sec. 26 to 32 and O.IV, V)
4. Interest and Costs (Sec. 34, 35, 35A, 35B)
5. Pleading: Fundamental rules of pleadings.(O.VI)
6. Plaint and Written Statement (O.VII & VIII)
7. Defenses- Set off, Counter claim(O. VIII Rule 6 & 6-A)

**UNIT – III- Miscellaneous (I)****(15)**

1. Appearance of parties and consequence of Non appearance (O. IX)
2. First hearing, Examination of parties by court, framing/ amending and striking out issues (O. X and IVX)
3. Discovery, inspection, production, impounding and return of documents (O.XI & O. XIII)
4. Adjournments (O. XVII)
5. Admission, summoning and attendance of witnesses and affidavits (O. XII, XVIII & XIX)
6. Death, marriage-Insolvency of the parties (O. XXII)
7. Withdrawal and compromise of suits (O. XXIII)
8. Judgment and Decree (O. XX)

**UNIT – IV-Execution****(15)**

Execution of Decrees/ orders/ payment into and out of court (Sec. 30 to 74, O. XXI & O. XXIV)

**UNIT – V- Miscellaneous (II)****(20)**

1. Interim Orders; Commissions (Sec. 75 to 78, O. XXVI)
2. Suits in particular cases; Suits by or against Governments (Sec. 79 to 82, O. XXVII)
3. Suits by aliens and by or against foreign rulers, ambassadors (Sec. 85 to 87)
4. Suits relating to public nuisance/ trust matters (Sec. 91 to 93, O. XXXI)
5. Suits by or against firms (O. XXX)
6. Suits by or against minors and unsound persons (O. XXXII)
7. Suits by indigent persons (O. XXXIII)
8. Inter-pleader suits (Sec. 88, O. XXXV)
9. Arrest before judgment and attachments before judgment (O.38)
10. Temporary injunctions (O. XXXIX)
11. Appointment of receivers (O. XL)

**UNIT VI- Appeals, Reference, Review, Revision, Inherent Powers and Limitation Act (10)**

1. Appeals from original and appellate Decrees, Appeals from Orders, Appeals by indigent persons, appeals to the Supreme Court (Ss. 90 to 109, XLI, XLII, XLIII, XLIV, XLV)
2. Reference- Review and Revision (Ss. 113, 114, 115, O.XLVI, XLVII)
3. Caveat (Sec. 144.A)
4. Inherent powers of the court, Amendment of Judgements Decrees and Orders etc..(Ss. 148, 149, 151, 152, 153, 153A, 153B)
5. Limitationa Act 1963- Limitation of Suits, Appeals and Applications, Effect of Sufficient Cause for not Preferring Appeals or Making Applications within the Period of Limitation.

***Books Recommended:***

- |                                |                      |
|--------------------------------|----------------------|
| 1. Civil Procedure Code.       | P. M. Bakshi         |
| 2. Civil Procedure Code        | D.F. Mulla           |
| 3. Civil Procedure Code        | Justice C.K. Takwani |
| 4. Civil Procedure Code        | T.P. Tirpathi        |
| 5. Civil Procedure Code        | M.P. Tandon          |
| 6. The Code of Civil Procedure | M.P. Jain            |

**BA.LL.B. – VII<sup>th</sup> Semester**

**ALTERNATIVE DISPUTE RESOLUTION**

|                           |            |                            |                  |
|---------------------------|------------|----------------------------|------------------|
| <b>Paper Code: BL-702</b> | <b>ADR</b> | <b>Core clinical Paper</b> | <b>Credits:5</b> |
|---------------------------|------------|----------------------------|------------------|

**Objective of the Course:** In recent years there has been a virtual explosion of the use of a wide variety of processes and techniques for resolving and dealing with disputes and conflicts both in the public sector and in private arenas. This course will be, in some ways, an advanced Civil Procedure course, examining statutes, cases and policies that affect how courts and agencies are seeking to resolve an expanding and increasingly complex case load and mix of ways of dealing with it. This course will critically examine recent developments in the creation and use of methods alternative to conventional forms of adjudication and trial for dispute resolution.

The course is required to be conducted by qualified and expert teachers or by senior legal practitioners through simulation and case studies covering the following:-

- (i) Negotiation skills to be learnt with simulated programmes.
- (ii) Conciliation skills
- (iii) Arbitration Law and Practice including international arbitration and Arbitration Rules

**Note: Alternate Dispute Resolution shall carry 50 marks for written exam, 45 marks for project & 5 marks for viva-voce.**

**Teaching Methodology:** Lecture and Discussion method, use of PPT's presentation will be adopted.

**Course Outcomes:** After the completion of this course the students will be able to:

1. Develop the ADR technique and other negotiation and conciliation skill
2. Identify the use of ADR in India.
3. Understand about the family counseling technique and other ADR technique
4. Analyze the International Commercial Arbitration

**SYLLABUS:**

**UNIT-1: Introduction**

**15 Hours**

1. Alternative Dispute Resolution System: Alternative to formal adjudication Techniques processes,
2. Advantages and Disadvantage, Need of ADR Limitations of Unilateral - Bilateral - Triadic (Third party) Intervention
3. Distinction between arbitration, conciliation negotiation and mediation
4. Distinction between judicial settlement and alternative dispute resolution
5. Role of Nyay Panchayat, Role of Grama Sabhas, Lokpal, Lakayukta, Lok Adalats, Family Courts

**UNIT-2: Law of Arbitration in India**

**15 Hours**

1. Background of the Act,
2. Definition Clause
3. Arbitration Agreement
4. Appointment of "Arbitrator", grounds for changing the arbitrator
5. Termination of Arbitrator
6. Proceedings in arbitral tribunals and enforcement of awards
7. Termination of Proceedings, Setting aside of arbitral award
8. Finality and Enforcement
9. Appeals

10. Enforcement of foreign awards
11. New York and Geneva Convention

**UNIT-3: Conciliation Proceeding in India**

**15 Hours**

1. Section 89 and O-10, R-1 of CPC and Conciliation
2. Meaning and definition of conciliation agreement
3. Conciliator: Appointment, Powers and function
4. Techniques of successful conciliation proceedings and enforceability

**UNIT-4: Other Alternative modes of dispute resolution**

**15 Hours**

1. Family Courts, family counseling techniques
2. Tribunals
3. Motor Accident Tribunals
4. Administrative Tribunals
5. Consumer Forum
6. Legal Services Authority Act
7. Role of N.G.Os. in dispute resolution

**UNIT-5: Arbitration in Global Scenario**

**15 Hours**

1. International Commercial Arbitration
2. UNCITRAL Model Law on Arbitration
3. Concept Nature and emergence of International commercial Arbitration
4. Law Applicable in International Commercial Arbitration
5. Other contemporary issues related with Arbitration

***Books Recommended:***

1. O.P. Tiwari: The Arbitration and Conciliation Act (2nd Edition): Allahabad Law Agency.
2. Johar's: Commentary on Arbitration and Conciliation Act, 1996: Kamal Law House.
3. Acharya N.K.: Asia Law House, Hyderabad.
4. Tripathi S.C.: Central Law Agency, Allahabad.
5. Avatar Singh: Arbitration and Conciliation, Eastern Law Book House, Lucknow.
6. Murthy KKSR: Gogia Law Agency, Hyderabad.
7. P.C. Rao Alternate Dispute Resolution 2001 Ed. Universal Book Traders, New Delhi.
8. D. Singh: Alternate Dispute Resolution 2001 Ed. Universal Book Traders

**BA.LL.B. – VII<sup>th</sup> Semester**

**MEDIA LAW & PUBLIC AWARENESS**

|                            |                        |                              |                  |
|----------------------------|------------------------|------------------------------|------------------|
| <b>Paper Code: BL--703</b> | <b>Media &amp; Law</b> | <b>Choice Base (Group A)</b> | <b>Credits:3</b> |
|----------------------------|------------------------|------------------------------|------------------|

**Objectives of the course:** Mass media such as press, radio and television, films, play a vital role in socialization, culturalisation and modernization of a society. The visual media are bound to have a much greater impact on human mind. But while these media have such a potential value as man educators, they are also susceptible to destructive and harmful uses for promoting criminal anti-social and selfish escapist tendencies. While their positive potential as mass educators has to be harnessed for developmental purposes, their negative, harmful potential has to be curbed in public interest. Law plays a dual role vis-a-vis such media. On the one hand, it protects the creative freedom involved in them, on the other; it has to regulate them so as to avoid their possible abuse. This paper will deal with such interaction between Law and mass media.

**Teaching Methodology:**

1. Lecture Method with PPT
2. Discussion Method
3. Tutorials
4. Assignments
5. Audio-video clips

**Course outcome:** After completion of the course the student will be able to:

1. Describe the kinds and Meaning of media along with evolution of Media Law in India.
2. Explain constitutional justification for the protection of Right to Free Speech. It also enables the students to understand the fundamental aspects of protection of reputation, to analyze the legal nitty-gritty of media and how their activities can result in a breach of privacy in its various hues.
3. Discuss the requisite conceptual as well as statutory provisions pertaining to media, ethics, adjudication and related contemporary issues.

**SYLLABUS:**

**UNIT 1- Media & Public Policy**

**(8 HOURS)**

1. Introduction and Development of Media Law in India
2. Forms- Print media; Broadcast media; Social media

**UNIT 2- Media, Free Speech and the Constitution**

**(25 HOURS)**

1. Right to Free Speech of Media and Constitutional Restrictions:
  - a. Morality, Obscenity and Censorship
  - b. Contempt of Court
  - c. Defamation
  - d. Hate Speech and Public Order
  - e. Right to Expression and the National Flag
2. Right to Information/Know, Right to Interview, Right to Privacy vis-à-vis Right to Information
3. Right to Circulation
4. Cinema and the State
5. Broadcasting- Judicial Recognition, Regulation of Broadcasting (TRAI, CAS, DTH)
6. Advertising (Right to Information and Right to Speech)
7. Parliamentary Privileges, Judicial Reporting and the Media

8. Media as commercial industry (Taxation and other issues)

**UNIT 3- Ethical Issues related to Media and Journalism**

**(12 HOURS)**

1. Media and Ethics
2. Censorship
3. Yellow Journalism
4. Media Trial
5. Media and Human Rights
6. Ombudsman & Media
7. Contemporary Issues (Paid news, Fake news and Social Media, Terrorism etc)

***Books Recommended:***

1. M.P. Jain, Constitutional Law of India (1994) Wadhwa.
2. H.M. Seervai, Constitutional Law of India Vol.I (1991) Tripathi, Bombay.Law 328
3. John B. Howard, "The Social Accountability of Public Enterprises" in Law and Community Controls in New Development Strategies (International Center for Law in Development 1980).
4. Bruce Michael Boyd, "Film Censorship in India: A Reasonable Restriction on Freedom of Speech and Expression ". 14 J.I.L.I. 501 (1 972).
5. Rajeev Dhavan "On the Law of the Press in India" 26 J.I.L.I. 288 (1984).
6. Rajeev Dhavan, "Legitimizing Government Rhetoric: Reflections on Some Aspects of the Second Press Commission" 26 J.I.L.I. 391 (1984).
7. Soli Sorabjee, Law of Press Censorship in India (1976).
8. Justice E.S. Venkaramiah, Freedom of Press: Some Recent Trends (1984).
9. D D. Basu, The Law of Press of India

**BA.LL.B. – VII<sup>th</sup> Semester**

**PUBLIC HEALTH LAWS**

|                            |                   |                              |                    |
|----------------------------|-------------------|------------------------------|--------------------|
| <b>Paper Code: BL--704</b> | <b>Health Law</b> | <b>Choice Base (Group A)</b> | <b>Credits: 03</b> |
|----------------------------|-------------------|------------------------------|--------------------|

**Objective of the course:** Health is a basic human right. This has been so recognized in the declaration made by International Conference on Primary Health Care at Alma-Ata USSR in 1928, to which India is a signatory. The constitution of India has certain norms to be operative in the field of Health Care. Coupled with these constitutional norms, there have been many legislative measures. Even Public Health has not received due attention in Legal Studies. Purpose of the study is to give special attention over the health legislation. Along with part –III & IV of the constitution, this course also touches disabled person' health, health as a human right, trafficking in drug, the effect of psychotropic substance on the health, Medical ethics and medical practitioners liability along with the health of a unborn child to the health of a aged persons has been taken.

**Methodology of teaching learning:** Case study, lecture, tutorial method shall be the main method of learning to be followed. Dialectic method of mootng and argumentation plays a very convincing procedure of learning. The information sharing and flow of information among the teacher and taught has to work as bonding of the entire course. Case comment, specialists' lecture and book review can also be a method of research writing in this paper.

**Learning Outcome:** On completion of this Course students will be able to:

1. UNIT 1: Understand the Meaning and importance of public health Laws.
2. UNIT 2: Describe the legal provisions, policies of governments related to health care.
3. UNIT 3: Explain the role of authorities regarding health promotion.

**SYLLABUS:**

**UNIT-I- Introductory**

**(15 HOURS)**

1. Meaning of Health and Public Health
2. Importance of Public Health
3. Origin of Health Legislation
4. Health regime & WHO
5. Right to Health & Part III & IV of Indian Constitution
6. Population stabilization and Public Health

**UNIT-II-Legal Provisions for Health Care**

**(15 HOURS)**

1. Reproductive Health Care
2. Infants Health care
3. Disabled Health Care
4. Mental Health Care
5. Health Care for working children
6. Aged person & Health Care
7. Health Care for prisoners
8. Some Social Issues [Surrogacy, Fetal Disease(AIDS, Hepatitis – B etc.), Euthanasia, Mal-nutrition]
9. MTP and Abortion
10. Prenatal Diagnostic
11. Food Adulteration
12. Transplantation of human organs
13. Blood Transfusion

**UNIT-III-Health Promotion Liability and Legal Profession****(15 HOURS)**

1. State's Liability (Pollution, Drug, Quack)
2. Doctor's Liability (Civil and Criminal)
3. Pharma Company
4. Different Bodies like MCI, DCI, NCI (Primary, Rural and Community Health care)
5. Consumer Forums
6. Medico Legal System ( Med-claim and Health Insurance)
7. Global Health Legislation : Need of the Hour

***Reference Statutes:***

1. Constitution of India ,1950
2. Transplantation of Human Organs Act, 1994
3. Pre Natal Diagnostic Act, 1994
4. MTP Act ,1971
5. MCI Act, 1956
6. Dentist Act. 1948
7. NCI Act,1947
8. Consumer protection Act, 1986
9. Code of Medical Ethics
10. Blood Transfusion Policy
11. Drugs and Cosmetics Act 1940



## BA.LL.B. – VII<sup>th</sup> Semester

### BANKING LAWS

|                            |                    |                              |                    |
|----------------------------|--------------------|------------------------------|--------------------|
| <b>Paper Code: BL--705</b> | <b>Banking Law</b> | <b>Choice Base (Group B)</b> | <b>Credits: 03</b> |
|----------------------------|--------------------|------------------------------|--------------------|

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

**Teaching Learning Methodology:** The course will be conducted using lectures, assignments, and PPT presentations. Further demonstration method will be used to make students aware of availing banking facilities, e.g. h use of net banking, etc.

**Course Outcome:** At the end of the course the student will be able to:

1. Understand the definition and structure of banking in India and further analyse the present bank-customer relationship.
2. Deduce day-to-day Commerce and basic knowledge of commercial and usual banking transactions with aptitude to comprehend the various money/investment related activities carried by the banks.
3. Describe the Law related to money lending, securit and banking practices concerning deposits , advances etc .

### **SYLLABUS:**

#### **UNIT -1- Introduction to Banking Laws**

**(20 hours)**

1. Definition , Structure And Functions:
  - a. Banking: Meaning, definition and structure of banking in India,
  - b. Emergence of multi functional dimensions.
  - c. Systems of Banking: unit banking, branch banking, group banking and chain banking.
  - d. RBI Act, 1934 and Banking Regulation Act, 1949
2. Banks And Customers Relationship:
  - a. Customer: Meaning and Concept of KYC
  - b. Legal character of banker- customer relationship
  - c. Rights, duties and obligations of banks
  - d. Garnishee orders
  - e. Types of Accounts of customers
  - f. Special types of customers
  - g. Banking frauds : Card and Internet Banking transactions
3. Banking Ombudsman

#### **UNIT -2- Investment, Negotiable Instruments and Reserve Bank Of India.** (10 hours)

1. Concept Of One Time Investment Plans, Systematic Investment Plan, Mutual Fund
2. Kinds Of Negotiable Instruments

3. The Reserve Bank of India as central bank in India
4. Objectives and organizational structure
5. Functions
  - a. Regulations of the monetary system
  - b. Monopoly of issuing the Note
  - c. Credit control

**UNIT – 3 - Lending By Banks, Security, Guarantee and Repayment (15 hours)**

1. Kinds of money lending
2. Principles of good lending
3. Securities for bank advances
  - a. Charge
  - b. Pledge
  - c. Mortgage
  - d. Hypothecation
  - e. Goods or documents of title to goods
  - f. Insurance policies as security
4. Guarantee:
  - a. Guarantees as security ,
  - b. Contract of Guarantee and Contract of Indemnity,
  - c. Kinds of guarantees: specific & continuing
  - d. Surety's rights and liabilities.
5. Repayment
6. Default and Recovery, Recovery of Debts Due to Banks and Financial Institutions Act, 1993, concept of Non Performing Assets (NPAs)
7. Establishment of debt recovery tribunals, national company Law tribunal and national company Law appellate tribunal- constitution and Functions

***Books Recommended:***

1. P.N. varshney, Banking Law
2. SHARMA & NAINTA an introduction to banking Law
3. DR. R.N. CHOUDHERY Banking Laws
4. M.L.Tannen, Tannen's Banking Law and Practice in India,
5. S.N.Gupta, The Banking Law in Theory and Practice, (1999) Universal, New Delhi
6. S.N.Gupta, Banks and the Consumer Protection Law (2000) Universal, Delhi.
7. Mukherjee. T.K., Banking Law and Practice (1999), Universal, Delhi.
8. Henry R. Cheeseman, Business Law, Ch.28 (1998), Prentice Hall, New Jersey

## BA.LL.B. – VII<sup>th</sup> Semester

### LAWS OF INSURANCE

|                            |                      |                              |                   |
|----------------------------|----------------------|------------------------------|-------------------|
| <b>Paper Code: BL--706</b> | <b>Insurance Law</b> | <b>Choice Base (Group B)</b> | <b>Credits:03</b> |
|----------------------------|----------------------|------------------------------|-------------------|

**Course Description:** The insurance idea is an old-institution of transactional trade. The age old form of insurance was the marine insurance. There is nothing like disaster to set men's minds to work. Consequently, in due course of time fire and life insurance, made their appearance. Within the last hundred years the insurance principle is being extended wider. Today on finds insurance cover for accidents, Motor Vehicles, glass, Live - stock, crop, burglary and various other disasters.

Insurance is a device not to avert risks, calamities and disasters; but to mitigate their rig ours and financial losses. The function of insurance is to spread such loss arising from risks of life over a large number of persons.

The operational framework of insurance idea is provided by the general principles of contract. The insurance policy, being a contract, is subject to all the judicial interpretative Techniques. Besides, the insurance idea has a compensatory justice component. This brings it in the arena of the Law of tort as well. It is even suggested that a fully grown and developed Law of insurance may, if not totally displace, decrease the significance of the Law of tort.

This course is designed to acquaint the students with the conceptual and operational Parameters of insurance Law in the context of the development of the general principles of Law and judicial interpretation to inform the students about the use of Law for the establishment of "just" order in insurance and to develop the appreciative and evaluative faculties of the students.

### **SYLLABUS:**

#### **UNIT-I- Introduction to Insurance**

1. Introduction and Meaning of Insurance
2. Historical Aspects, Nature of Insurance, Contract of Insurance, Characteristics of Insurance
3. General Principle of Insurance
4. Proposal policy and Parties
5. Re-Insurance and Double Insurance
6. Types of Insurance
7. Risk
8. Insurance Regulatory Development Authority (IRDA)

#### **UNIT-II- Life and Marine Insurance**

1. Life Insurance:
  - a. Meaning, Nature and Scope
  - b. Kinds of Life Insurance
  - c. General Principle of Life Insurance policy
  - d. Life Insurance Contract
  - e. Person entitled to Payment
  - f. Settlement of claim and Payment of Money
2. Marine Insurance:
  - a. Meaning, Nature and Scope
  - b. Marine Insurance Policy-
    - i. Condition and Warranties (Express and Implied)
    - ii. Exemption Clauses
    - iii. Construction of Terms of Marine Insurance Policy

iv. Marine Insurance Act 1963

**UNIT-III- Miscellaneous**

1. General Insurance-
  - a. Property Insurance against Fire and Emergency Risk,
  - b. Insurance against Third Party Risk, M. V. Act
2. Social Insurance –
  - c. Meaning, Nature, scope, Essential of Social Insurance
  - d. Various kinds of Social Insurance
    - i. Group Life Insurance,
    - ii. Health Insurance,
    - iii. Old Age Insurance,
    - iv. Unemployment Insurance,
    - v. Insurance for Weaker Section and Social Security/ Insurance measures.
3. FDI-
  - a. Introduction of FDI Under Insurance Sector
  - b. Latest Govt. guidelines about FDI in Insurance Sector,
  - c. Public and Private partnership in Insurance Sector,
  - d. Insurance Ombudsman

***Books Recommended:***

- |                      |   |                                    |
|----------------------|---|------------------------------------|
| 1. Sharma, R.S       | : | Insurance Principles & Practice    |
| 2. Murty, Ks.        | : | A Modern Law Of Insurance In India |
| 3. Srinivasan, M.N.  | : | Law And Thelife Insurance Contract |
| 4. Jagannathan, Y.   | : | Social Insurance In India          |
| 5. Benerji, B.N.     | : | Law Of Insurance                   |
| 6. Fredrick G. Crane | : | Insurance Principles And Practice  |

***Statutes Prescribed:***

1. The Life Insurance Corporation Act 1956
2. The Motor Vehicle Act 1938
3. The Marine Insurance Act 1963
4. Insurance Act 1938
5. Employees State Insurance Act 1948

**BA.LL.B. – VII<sup>th</sup> Semester**  
**CRIMINAL PSYCHOLOGY**

|                            |                            |                              |                    |
|----------------------------|----------------------------|------------------------------|--------------------|
| <b>Paper Code: BL--707</b> | <b>Criminal Psychology</b> | <b>Choice Base (Group C)</b> | <b>Credits: 03</b> |
|----------------------------|----------------------------|------------------------------|--------------------|

**Objective:** This course offers a deeper understanding of criminal psychology, History of criminal psychology, biological, sociological, and psychological, criminal policies including schools of criminology their supposed philosophical and sociological justifications and the problematic of discretion in the sentencing experience. The object of this paper is to discuss the causative factors of criminal behavior and treatment of criminals further the role of commUNITY in crime prevention.

**Methodology of teaching learning:** Clinical and tutorial, lecture form of learning is the best method. In the absence or partial application, case study and research for self learning may be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching learning devise. There are a lot of scope of innovation and new interpretation

**Learning outcome:** On completion of this unit students will be able to:

1. UNIT 1: Understand the concept of crime, criminal psychology.
2. UNIT 2: Explain Psychopathology mental health and crime, major psychological disorders.
3. UNIT 3: Describe the role of community in crime prevention.

**SYLLABUS:**

**UNIT I: Introduction**

**15 Hours**

1. Criminal Psychology:
  - a. What is crime and What is Criminal Psychology,
  - b. History of criminal psychology,
  - c. Biological, Sociological, and Psychological theories of crime,
  - d. Role of a criminal psychologist
2. Criminology:
  - a. What is criminology,
  - b. Brief history of criminology
  - c. Social psychology of criminal behaviour
  - d. What leads to crime – individual or the context; do most delinquents come from broken families
  - e. Crime culture – group, community and society;
  - f. Socio-religious context of crime
  - g. Protest for social change leading to criminal behaviour;
  - h. Eyewitness testimony and crime

**UNIT II: Psychopathology and Crime**

**15 Hours**

1. Mental health and Crime;
2. Major psychological disorders and Major personality disorders,
3. Substance abuse and crime,
4. Gender crimes,
5. Pathological gambling, Kleptomania
6. Psychological Assessment & Criminal Profiling –
  - a. Inductive v/s Deductive approach
  - b. Approaches to offender profiling,

- c. Criminal profile generating process
- 7. Investigative psychology

**UNIT III: Community and Crime Prevention**

**15 Hours**

- 1. Community theories of crime
- 2. Community psychology and crime
- 3. Community environment and crime
- 4. Community and crime prevention
- 5. Controlling Crime in Youth:
  - a. Introduction to Youth Crimes
  - b. Theoretical perspectives of youth crime,
  - c. Crime prevention in youth
  - d. Juvenile Justice Systems
- 6. Mass media and Identity:
  - a. Effect of Media Violence;
  - b. Social Media and Crime
- 7. Moral Psychology of Criminal Behaviour

***Books Recommended:***

- 1. Navin Kumar (2015), Criminal Psychology, Lexis Nexi
- 2. Walker, N. Crime and Criminology, 1987
- 3. J.P.S. Sirohi- Criminology and penology
- 4. Ahamed Siddique - Criminology

**BA.LL.B. – VII<sup>th</sup> Semester**  
**PENOLOGY & VICTIMOLOGY**

|                            |                                   |                              |                   |
|----------------------------|-----------------------------------|------------------------------|-------------------|
| <b>Paper Code: BL--708</b> | <b>PENOLOGY &amp; VICTIMOLOGY</b> | <b>Choice Base (Group C)</b> | <b>Credits:03</b> |
|----------------------------|-----------------------------------|------------------------------|-------------------|

**Objective:** This course offers a specialist understanding of criminal policies including theories of punishment, their supposed philosophical and sociological justifications and the problematic of discretion in the sentencing experience of the developing' societies, a focus, normally absent in Law curricula so far , broadly, the course will concern itself with Theories of Punishment Approaches to Sentencing Alternatives of Imprisonment Penology in relation to marginalized deviance of criminality ,the distinctive Indian (historical and contemporary) approaches to penology& concept of Victimology

**Methodology of teaching learning:** Clinical, Lectur, tutorial form of learning and case study method is ideal for appreciating the principles of penology. Sometimes a group discussion on any legal related to contemporary issue would be very beneficial to the students. Clinical and tutorial form of learning In the absence or partial application, case study and research for self learning may be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching learning devise. There are a lot of scope of innovation and new interpretation.

**Learning Outcome:** On completion of this unit students will be able to

1. UNIT 1: Explain Meaning & importance of penology.
2. UNIT 2: Classify punitive approaches.
3. UNIT 3: Understand the concept of victimology.

**SYLLABUS:**

**UNIT-I Introductory**

**10 Hours**

1. Definition of Penology
2. Historical and contemporary approaches to penology
3. Intimidation, Behavioral prevention, Incapacitation Behavioral prevention: Rehabilitation
4. Classical Hindu and Islamic approaches to punishment.

**UNIT-II Punishment of Offenders**

**20 Hours**

1. Concept of punishment
2. Punitive reaction – justification and motivation
3. Theories of punishment:
  - a. Retribution,
  - b. Utilitarian,
  - c. Prevention,
  - d. Deterrence,
  - e. Expiatory
  - f. Reformative
4. Efficacy of punishment
5. Essential of an ideal penal system

6. Some discarded modes of punishment:
  - a. Corporal punishment- Whipping and Flogging, Mutilation and Branding
  - b. Transportation as a punishment
  - c. Public execution
7. Punishments under the Indian criminal Law
  - a. Capital punishment
  - b. Imprisonment
  - c. Fine
  - d. confiscation
8. Modes of Death Sentence and other Sanctions
9. Compensation for injury to another.
10. Plea Bargaining, Prison System, Probation and Parole
11. Treatment of Correction of Offenders

### **UNIT-III Victimology**

**15 Hours**

1. Victim of Crime, Victimless Crimes
2. Victimology: Nature and development
3. Victim's Characteristics – Police and Judicial attitudes
4. Role and typology of Victim
5. Person needing Special attention
6. Consumer Victim
7. Victim and Criminal justice
8. Emerging trends and Policies
9. State Compensation Programmes
10. Sentencing alternatives – compensation orders.

#### ***Books Recommended:***

1. Katherine S Williams, Textbook on Criminology, 1999
2. Loveland, Frontiers of Criminality, 1995
3. Manheim H, comparative Criminology, 1965
4. Walker, N. Crime and Criminology, 1987
5. J.P.S. Sirohi- Criminology and penology
6. Ahamed Siddique - Criminology



**BA.LL.B. – VII<sup>th</sup> Semester**  
**PRIVATE INTERNATIONAL LAW**

|                            |                                  |                              |                    |
|----------------------------|----------------------------------|------------------------------|--------------------|
| <b>Paper Code: BL--709</b> | <b>Private International Law</b> | <b>Choice Base (Group D)</b> | <b>Credits: 03</b> |
|----------------------------|----------------------------------|------------------------------|--------------------|

**Objectives of the course:** Conflict of Law and also private international Law is perhaps one of the few courses which have been least codified and is always growing. Initially, after Independence we were still drawing guidance from English Private International Law and even to-day we do it often, but with a distinct determination that we have to develop this subject on our own.

Our courts have taken this challenge well. Indian Private International Law course cannot be taught in isolation but with guidance from English Private International Law rules since our roots in this area, like many others, have been to common Law

**Teaching Learning Methodology:** The course will be conducted using lectures, Power Point, Assignments. The students will be acquainted with important case Laws on the subject.

**Course Outcome:** After completion of the course students will be in a position to

1. Acquaints with the general principles of Private International Law and its relation with other Laws.
2. Analyze and resolve the legal issue related to the Domicile, Marriage, property, with connected foreign aliment.
3. Understand, analyze and resolve various issues arise in the field of Private International Law.

**SYLLABUS:**

**UNIT-I: Definition, Nature of Private International Law and Conflict of Jurisdiction (20hrs)**

1. Kinds and Category of International Laws
2. Definition and Nature of Private International Law
3. Origin and Development of Private International Law
4. Unification of Private International Law.
5. Hague Conference on Private International Law.
6. Difference between Public and Private International Law.
7. Relation of Private International Law with Personal Laws.
8. Conflict of Jurisdiction (Brussels and Lugavo Convention) and Law
9. Concept of Jurisdiction while application of Choice of Law.
10. Action in personam – contract and tort.
11. Action in rem such as matrimonial courses and probate.
12. Choice of Law Lex Causae
13. Classification, characterization, categorization and allocation of juridical category to foreign element case.
14. Necessity for classification – different legal concepts, talaq and dower in different legal system.
15. Various Theory – leading cases.
16. Connection factor – what is connection factor lex fori to determine.
17. Application of lex causae – three Meaning of Lex Causae
18. Doctrine of Renvoi
19. Limitation on application of exclusion of foreign Law
20. Grounds of Exclusion of Foreign Laws- Public policy, Revenue Laws the Penal Law.

**UNIT-II: Incidental question and Time factor in Pvt. Int. Law**

**(15hours)**

1. Domicile
  - a. Definition and General Principles in respect of Domicile
  - b. Meaning in the Indian Context – Primary and Secondary Domicile
  - c. Domicile of Origin and Domicile of Choice
2. Status
  - a. Definition, Purpose and characteristics of Status
3. Marriage
  - a. Material and formal validity of Marriage under Indian and English Law.
  - b. Choice of Law and jurisdiction of court in Matrimonial Causes.
  - c. Dissolution of Marriage, Grounds of Divorce, Restitution of Conjugal Rights.
4. Property
5. Succession

**UNIT-III: Individual under International Contract**

**(10 hours)**

1. Contract as a leading relationship in Private International Law system.
2. Capacity to contract –
  - a. Lex loci,
  - b. Lex Domicile,
  - c. Lex Situs
  - d. Proper Law.
  - e. Formal validity - Lex Loci contracts governs.
  - f. Essential validity – proper Law is usually accepted as governing.
3. Discharge of contract – Lex loci solutions governing.
4. Doctrine of proper Law contract - subjective and objective theories.
5. Indian Judiciary and Private International Law
6. Need recognizing foreign Judgments.
7. Limitations in recognizing and enforcement
8. Sec 13, 44 and 44-A of CPC and Sec. 41 of Indian Evidence Act.

***Books Recommended:***

1. Paras Diwan , Private International Law 1998 – Deep and Deep New Delhi.
2. Cheshire, Private International Law
3. Srumbery, Private International Law.
4. A.V. Dicey, conflict of Laws.
5. S.R. Myneni : Private International Law.
6. F. E. Noronha: Private International Law in India.

**BA.LL.B. – VII<sup>th</sup> Semester**  
**INTERNATIONAL TRADE LAW**

|                          |                                |                              |                   |
|--------------------------|--------------------------------|------------------------------|-------------------|
| <b>PaperCode: BL-710</b> | <b>International Trade Law</b> | <b>Choice Base (Group D)</b> | <b>Credits:03</b> |
|--------------------------|--------------------------------|------------------------------|-------------------|

**Course Objectives:** This course has been design to provide detail knowledge of International trade Law. After study of this course students would be able to know the various international trade regulations which are internationally recognized. As present age is an age of cut throat economic competitions and various International trade disputes are arising day by day, after knowing the basics of international trade norms one can easily handle the international trade problems easily.

**Teaching Learning Methodology:** The course will be conducted using lectures, assignments, and PPT presentations.

**Course Outcomes:** At the end of the course students will be able to:

1. Know policies related to international trade Law, WTO and its impact on international trade.
2. Analyse different trade agreements as barriers to international trade and dispute resolution understanding.
3. Understand international trade contract and related insurance policies.

**SYLLABUS:**

**UNIT-I – Introduction**

**(15 hours)**

1. The Policies and Realities of International Trade Law : Intra-regional trade, dismantling of tariff and other non-tariff barriers
  - a. South Asian Preferential Trade Arrangement (SAPTA)
  - b. South Asian Free Trade Area (SAFTA)
2. World Trade Organization : Evolution, constitution , Structure, Power and Objectives
3. Concept of Most favored Nations and National Treatment
4. Impact of WTO on Indian international trade

**UNIT – II –International Trade Agreements and Dispute Settlement**

**(10 hours)**

1. Barriers To International Trade
  - a. Tariff and Safeguards
  - b. Trade related Investment Measures (TRIMs)
  - c. Subsidies and Countervailing Measures
  - d. Anti-Dumping Measures
  - e. Sanitary and Phyto Sanitary Measures
2. Trade in Services (GATS)
3. Trade related Aspects of Intellectual Property Rights (TRIPs)
4. Dispute Settlement Process; Compensation with ICC,
5. Court of Arbitration and other Models
6. Emerging trends in WTO

### **UNIT-III- International Trade Contract, Insurance and Container Management (20 hours)**

1. International Sale of goods: Various Forms and Standardization of terms.
2. Formation and performance of international Trade Contracts: Acceptance and Rejection of goods, Passing off property, Rights of Unpaid seller and Frustration of Contract
3. Product liability Insurance of Exports, Marine and other Insurance
4. Law on carriage of goods by Sea , land and air
5. Container transport and Pre-shipment Inspection
6. Export and Import : Licensing Unification

#### ***Books Recommended:***

1. AmnGoyal- WTO in the new millennium 4<sup>th</sup> edition , 2000
2. BhagirathLal Das ; The World Trade Organization
3. Clive M. Schmitthoft – The Law and Practice of International Trade Law
4. M. L. Jhingan, International trade . an introduction
5. Lester, Simon - Bryan: World trade Law
6. Simon Schnitzer : Understanding International Trade Law
7. Mishra and Puri : international trade
8. World Trade Law (Text, Materials and Commentary), Universal Law Publish

PUBLIC INTERNATIONAL LAW

|                     |                          |            |            |
|---------------------|--------------------------|------------|------------|
| Paper Code: BL--801 | Public International Law | Core Paper | Credits:05 |
|---------------------|--------------------------|------------|------------|

**Objectives:** Public International Law traditionally deals with the Laws that affect the political relations among nations. The basic UNIT in the international system is the state which acts similar to the way an individual acts under national Law. International Law derives its Nature from its constituent parts – individual states. Hence, this course analyzes the idea of state sovereignty and the traditional view of the international legal order as a Westphalia system of independent and sovereign states, the major subjects of international Law – states and international organizations – and how these subjects are constituted. Furthermore, it discusses the actions of states, providing the groundwork for the sources of international Law, and the major sources of international Law in detail with an emphasis on the two most important sources, international customary Law and treaty Law. It also explores the basic rules in national and international contexts. The course includes the study of general principles of international Law including Law of peace. Third world concerns in respect of security and development and the role of U.N. and International Agencies in structuring solutions in the context of changing balance of power are also to be appreciated.

**Teaching Learning Methodology:** The course will be conducted using lectures, Power Point, Assignments. The students will be acquainted with important case Laws on the subject. All the leading relevant cases as well as recent developments will be discussed.

**Course Outcomes:** At the end of the course, a student would be in able to

1. Demonstrate knowledge about the conduct of sovereign states as analogous entities and as a part of intergovernmental organizations.
2. Attain knowledge on usage and development of various sources of Public International Law.
3. Analyze legal issues and propose solutions to legal problems which arise in relation to relationship between states.
4. Gain a reasonably advanced understanding of the role played by connecting factors in Public International Law.
5. Classify and Correlate various factors related to Law of sea, Air and Outer space.

**UNIT-I- Introduction**

**(15 Hrs)**

1. Definition of International Law
2. Nature and Development of International Law
3. Legality of International Law- Positive Morality
4. Theories as to Basis of International Law.
5. International Law and Municipal Law.
  - a. Monistic Theory
  - b. Dualistic Theory
    - i. Specific Adoption Theory
    - ii. Transformation Theory
    - iii. Delegation Theory
  - c. Practice of States – UK Practice, American Practice and Indian Practice

## **UNIT-II- Sources and Subjects of International Law**

**(15 Hrs)**

1. Sources of International Law
  - a. International Conventions and treaty
  - b. International Custom
  - c. General Principles of Law Recognized by Civilized States
  - d. Decisions of Judicial Tribunals
  - e. Juristic works
  - f. Decisions or Determinations of Organs of United Nations
  - g. Other sources
2. Subjects of International Law
  - a. States
  - b. Individuals
  - c. Non State Entities
3. Asylum.
4. Extradition.

## **UNIT-III- State Recognition**

**(15 Hrs)**

1. State
  - a. Definition and concept of State
  - b. Essential ingredients of state
  - c. Different kinds of states
  - d. State Jurisdiction
2. Recognition
  - a. Recognition of states and Governments,
  - b. Insurgency and Belligerency
  - c. State sovereignty
  - d. Theories of Recognition
  - e. Modes of recognition
  - f. Recognition of insurgency and belligerency
  - g. Collective Recognition
  - h. Legal effects
3. Acquisition and loss of territory
  - a. Occupation
  - b. Prescription
  - c. Accretion
  - d. Cession
  - e. Annexation

## **UNIT-IV- Law of Sea, Air and Outer Space**

**(15 Hrs)**

1. Law of Sea
2. First and Second Law of the Sea Conventions
3. Third Law of the Sea Convention : UNCLOS III (United Nations Convention on the Law of The Sea)
  - a. Territorial Sea
  - b. Contiguous Zone
  - c. Exclusive Economic Zone
  - d. Continental Shelf
  - e. The High Sea
  - f. International Sea Bed Area
4. Law of Air and Outer Space
  - a. Air Craft Hijacking under Air Law

b. Development of Outer Space Law

**UNIT-V- Settlement of International Disputes**

**(15 hrs)**

1. Peaceful settlement of International Disputes
  - a. Negotiations
  - b. Mediation
  - c. Conciliation
  - d. Good Offices
  - e. Arbitration
  - f. Judicial Settlements of Dispute under ICJ
2. Modes of Short of War for settlement of International Disputes
  - a. Retortion
  - b. Reprisals
  - c. Intervention
  - d. Embargo
  - e. Pacific Blockade
3. War and its Effects

***Books Recommended:***

1. J.G Starke : Introduction to International Law
2. H. Oppenheim : International Law
3. J.L. Brierly : Law of Nations
4. Black Stone : International Law Documents
5. Dr. S.K. Kapoor : An Introduction to International Law
6. M.P. Tandon : International Law
7. Malcom Shaw : International Law
8. D.J. Harris : Case and Material on International Law
9. H.O Aggarwal : International Law

**PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM**

|                            |  |                      |                   |
|----------------------------|--|----------------------|-------------------|
| <b>Paper Code: BL--802</b> | <b>Professional Ethics (Practical)</b> | <b>Core Clinical</b> | <b>Credits:04</b> |
|----------------------------|--|----------------------|-------------------|

**Course Objective:** Professions are noble. The movement of all professions hitherto has been from chaos to organization, organization to consolidation, consolidation to autonomy and Monopoly. Same is true for the Law profession too. The prime reason for conforming autonomy and monopoly by the society on the professionals is the fact that they are a body of learned persons and the interest of society and individuals is safe in their hands. The society has a right to expect the professionals with such ideal behaviors. The course is designed to imbue students with these high values forming two basis of the profession so that they can line up to these standards in their professional life.

**Methods of Teaching-Learning:** Lectures, PPT Presentation and interactive sessions would be held in delivery of this course. Guest lectures by eminent and experienced members of the bar.

**Course Outcomes:** After the completion of this course the students will be able to:

1. Develop insights about the professional parameters.
2. Identify the professional ethics to employ during the practice of the profession.
3. Understand about the duties of an advocate towards his client, court, profession, state etc.
4. Adapt accountability and transparency which are imperative to the profession.

**Evaluation/ Assessment/ Examination Scheme:** This is a practical paper and during evaluation student must be evaluated on the basis of their verbal and non-verbal skills i.e. the assessment should be made in two parts consisting written examination and viva voce of cases & periodical problems. For the purpose of case study and periodical problems, a student has to prepare case file (Practical File) under the supervision of the course teacher. **Professional Ethics and Professional Accounting System shall carry 50 marks for written exam, 45 marks for project & 5 marks for viva-voce**

**SYLLABUS:**

**UNIT-I: Meaning and Development of Legal Profession in India**

**10 Hours**

1. Meaning Of Ethics And Professional Ethics
2. Legal Profession - Historical Introduction to legal profession in India, The All India Bar Committee, 1951 and the passing of Indian Advocates Act, 1961.
3. Personnel's Involved in Legal Profession (Barrister, Vakil, High Court Pleader, Advocate, Attorney etc.),
4. The Concept Of Amicus Curie In India
5. Ethics of The Lawyer In General
6. The Equipments of The Lawyer
7. Salient feature of the Advocate's Act, 1961

**UNIT-II: The Advocate's Act, 1961 And Conduct Of The Lawyers**

**25 Hours**

1. Definitions, Constitution, Functions and Powers of State Bar Councils and Bar Council of India, Terms of Office, various sub-committees including Disciplinary Committee and the qualification for their membership, Power to make rules (Chapter –II Sections 3-15).
2. Admission and Enrolment of Advocates – Senior and other Advocates,



3. Common role of Advocates, Qualifications and Disqualifications for enrolment and Procedure thereof (Chapter – III Section 16 to 28).
4. Right to Practice - Monopoly of Representation, Exclusion of advocates from certain cases, self representation by litigants. (Chapter IV Secs. 29 to 34).
5. Professional and other misconduct, Principles for determining misconduct
6. Constitution, Powers and Functions of Disciplinary committees of Bar Council of India and State Bar Councils, Punishment of advocates for professional or other misconduct, Appeals to the Supreme Court, (Chapter – V – Secs. 35 to 44).
7. Conduct of Lawyer -
  - a. Duty to the court,
  - b. Duty to the profession,
  - c. Duty to the Opponent,
  - d. Duty to the Client,
  - e. Duty to the Self,
  - f. Duty to the public and State
  - g. Study of code of Ethics prepared by the Bar Council of India.

### **UNIT-III: Contempt of Courts Act, 1972**

**15 Hours**

1. Contempt Laws Prior To The Act Of 1972,
2. Meaning Of Contempt Of Court, Kinds Of Contempt Of Court
3. Contempt By The Lawyer
4. Contempt By The Judges
5. Contempt:
  - a. Defenses Available To Contemnor,
  - b. Proceedings in Contempt Cases,
  - c. Punishment in Contempt Cases,
  - d. High Court Rules and the Supreme Court Rules To Regulate Contempt Proceedings. (Disciplinary Committee Opinions (Minimum Fifty) From Different States Are Mandatory To Be Discussed)
4. Selected major judgments of the Supreme Court.
  - D and an Advocate AIR 1956 SC 102
  - P.J. Ratnam vs D. Kanikaram And Others , AIR 1964 SC 244
  - N.B. Mirzan vs The disciplinary committee of the Bar council of Maharashtra and another AIR 1972 SC 46
  - Bar Council of Maharastra vs M V Dabholkar etc. AIR 1976 SC 242
  - V C Rangaduari vs. D Gopal and others AIR 1979 SC 201
  - Chandra Chekher Soni VS Bar council of Rajasthan AIR 1983 SC 1012.
  - In Re Vinay Chandra Misra 1995 (Vol. I IBR 118)
  - Supreme Court Bar Association Vs U.O.I. AIR 1998 SC 1895.
  - Ex Capt, Harish Uppal VS U O I AIR 2003, SC 739.

Other recent Supreme Court cases with relevant topics

### **UNIT-IV: Bar-Bench Relationship and Accountancy for Lawyers**

**10 Hours**

1. Concept and Meaning of Bar and Bench
2. Role of Lawyers in Bar Council/Bar association
3. Bar - Bench relationship.
4. Need for Maintenance of accounts
5. Books of accounts that need to be Maintained :
  - a. Cash Book
  - b. Journal Ledger
  - c. Elementary aspects of book keeping
  - **Exercise of Drafting a Vakalatnama**

***Books Recommended:***

- |                           |   |  |
|---------------------------|---|--|
| 1. K.V. Krishnamurty Iyar | - | Advocacy   |
| 2. Dr. B. Malik           | - | Art of Advocacy  |
| 3. B.R. Verma             | - | Law of Contempt of Courts  |
| 4. Oswald                 | - | Contempt of Courts   |
| 5. S.P.Gupta/Kailash Rai  | - | Professional Ethics, Accountancy for Lawyers and Bench Bar Relations |
| 6. B.S. Raman             | - | Accountancy  |

***Relevant Acts on the subjects:***

1. The Advocate's Act, 1961
2. Supreme Courts Rules 1966
3. Bar Council of India Rules
4. The Contempt of Courts Act, 1971.

INTERPRETATION OF STATUTE AND PRINCIPLE OF LEGISLATION

|                     |                |                       |            |
|---------------------|----------------|-----------------------|------------|
| Paper Code: BL--803 | Interpretation | Choice Base (Group A) | Credits:04 |
|---------------------|----------------|-----------------------|------------|

**Course Objectives:** The statute is to be construed according ‘to the intent of them that make it.’ To ascertain the true Meaning, intent of the maker, numerous rules of interpretation were formulated by courts and jurists. The objective of this course is to make the student familiar with various rules of interpretation. The goals of this course are to provide students with an introduction to the techniques to construe Statutes. To understand and appreciate the Law and perform critical appraisal of the same.

**Methods of Teaching-Learning:** The course will be delivered through a combination of theoretical and case study approach through lectures, PPT presentation, tutorials and group discussion on leading cases. All the leading cases as well as current cases shall be discussed to clear queries & doubts and to make concepts more clear.

**Course Outcomes:** After the completion of this course, the student will be able to:

1. Understand the Meaning, Nature, and scope of interpretation and construction
2. Comprehend the key approaches, rules, principles, definitions to construe a Statute.
3. Demonstrate an understanding of tools for analyzing a statute.
4. Apply various Principles of Interpretation of constitution through different doctrines propounded by the Apex court of India.

**UNIT – I: Introductory**

**12 Hours**

1. Meaning, Scope and Object of Interpretation
2. Construction and Interpretation
3. Nature and Kinds of Law (Statutory, Non-statutory, Codified, Un-codified, State made and State recognized Law)
4. Commencement, Enforcement, Repeal and Revival of a statute (Substitution, Omission, Insertion etc.)
5. Purpose of Interpretation and Sources of Interpretation.

**UNIT – II: Rules of Statutory Interpretation**

**23 Hours**

1. General rules/ Primary Rules
  - a. Literal or grammatical rule
  - b. Golden Rule
  - c. Mischief Rule
2. Subsidiary Rules of Statutory Interpretation/ Secondary Rules
  - a. *Nocitur a Sociis*
  - b. *Ejusdem Generis*
  - c. *Reddendo Singula Singulis*
  - d. *Delegates non potest delegare*
  - e. *Expression unius exclusio alterius*
  - f. *Generalia specialibus non derogant*
  - g. *In pari delicto potior est conditio possidentis*
  - h. *Utres valet potior quam pareat*
  - i. *Expressum fact cessare tacitum*
  - j. *In bonum partem*
  - k. *Contemporanea Espositio Est Optima Et Protissima Lege.*

**UNIT - III: Aids to Interpretation****10 Hours**

1. Internal aids:  
Title, Preamble, Headings and Marginal Notes, Sections And Sub Sections, Interpretation Clauses, Punctuation Marks, Illustrations, Exceptions, Provisions, Saving Clauses, Explanation And Schedule etc.
2. External Aids:  
Role of Constituent Assembly, Debates in the Interpretation of Constitution Of India, Law Commission Reports, Committee Reports and Statement of Object And Reasons, Legislative History and Debates, International Law and Human Rights Documents, Dictionaries and Translations, Statutes In Pari-Materia, Text Books etc.

**UNIT- IV: Principles of Interpretation of Constitution and other Statutes****15 Hours**

1. Harmonious construction,
2. Pith and substance
3. Colorable legislation
4. Ancillary powers and Residuary powers
5. Doctrine of repugnancy
6. Territorial nexus
7. Doctrine of severability etc.
8. Construction of Beneficial Legislation
9. Interpretation of Penal Statute
10. Interpretation of Tax Statute
11. Problems during interpretation,
12. General Clauses Act, 1897
13. Delegated Legislation, Meaning and kinds,
14. Rules of presumption in jurisprudence and other legal presumptions of Statutory Interpretation

- **Exercise of Drafting a Statute**

***Books Recommended:***

- |                      |   |  |
|----------------------|---|--|
| 1. R.D. Srivastava   | : | Interpretation Of Statutes And Legislation |
| 2. Avtar Singh       | : | Interpretation Of Statutes And Legislation |
| 3. Anirudh Prasad    | : | Interpretation Of Statutes And Legislation |
| 4. Bentham           | : | Theory Of Legislation                      |
| 5. G.P. Singh        | : | Principles Of Statutory Interpretation     |
| 6. Dicey             | : | Law And Public Opinion                     |
| 7. Maxwell           | : | Interpretation Of Statutes                 |
| 8. Bindra            | : | Interpretation Of Statutes                 |
| 9. J.Swrup           | : | Interpretation Of Statutes                 |
| 10. Chakravarti      | : | Interpretation Of Statutes                 |
| 11. Dr. Bhattacharya | : | Kanoonon Ka Nirvachan                      |
-

**BA.LL.B. – VIII<sup>th</sup> Semester**  
**HUMAN RIGHTS LAW AND PRACTICE**

|                            |                         |                              |                    |
|----------------------------|-------------------------|------------------------------|--------------------|
| <b>Paper Code: BL--804</b> | <b>Human Rights Law</b> | <b>Choice Base (Group-A)</b> | <b>Credits: 03</b> |
|----------------------------|-------------------------|------------------------------|--------------------|

**Objective:** This course has been design to provide basic information of human rights Law and the relevancy and working in India. In this module, students will investigate the legal framework of the United Nations, international and national documents relating to the protection and promotion of, inter alia, the rights of minorities and weaker section rights and accused rights. Students will assess the remedies that exist for violations of human rights Law in the various systems. This module provides a platform through which students can explore international human rights norms thematically.

**Methods of teaching-learning:** Class time will be used for a combination of lectures, discussions, and group exercises. Participation is very important in this module. Students will be asked to explain readings and concepts, to offer analysis of cases and to express their opinion.

**Course Learning Outcomes:** On successful completion of this course, students will be able to:

1. Describe the concept and different perspectives toward human rights.
2. Assess areas of international and national human rights Law and also analyze the gap between universal rights and grassroots realities in national contexts.
3. Analyse some special human rights.

**UNIT-I- Introduction to Human Rights Law**

(Lectures – 12)

1. Human Rights- Concept, Scope and Historical background.
2. Need for Human Rights
3. Human Rights and the Rule of Law
4. Human Rights and the Constitution of India.
5. Human Rights and Social Democracy.
6. Human Rights and Globalization
7. Human Rights and Consumerism

**UNIT-II- Human Rights Instruments and Laws**

(Lectures – 20)

**PART A: International Instruments**

1. Charter of The United Nations, 1945
2. Statute of ICJ, 1945
3. Universal Declaration of Human Rights, 1948
4. International Covenant on Civil and Political Rights, 1966
5. International Covenant on Economic, Social and Cultural Rights, 1966
6. Instrument of Accession By India To The Human Rights Covenants, 1979
7. Vienna Convention on Human Rights, 1993

**PART B: Human Rights and Allied Laws in India**

1. The Protection of Human Rights Act ,1993
2. The National Commission for Women Act ,1990
3. The National Commission for Minorities Act,1992
4. The Protection of Civil Rights Act,1955

**UNIT-III- Some Special Human Rights**

(Lectures – 13)

1. Human Rights of Minorities
2. Human Rights Legislations for Weaker Section of the Society.
  - a. Human Rights of Women

- b. Human Rights of Children
  - c. Human Rights of Old Age Persons
  - d. Human Rights of Disabled Persons
  - e. Others
3. Human Rights of The Accused/ Detainee
  4. Human Rights, Capital Punishment and Mercy killing
  5. Human Rights and Media.
  6. Human Rights and Police.

***Books Recommended:***

1. Erma Cora, Nowak and Tretter, International Human Rights (1993), Sweet & Maxwell.
2. Wallace, International Human Rights: Text & Materials (1996), Sweet & Maxwell
3. Oxford. Human Rights and Global Diversity (2001), Frank Cass, London
4. Nirmal.C.J. (ed.), Human Rights in India (2000), Oxford
5. Nirmal.B.C., The Right to Self determination in International Law (1995), Deep & Deep.
6. P.R.Gandhi, International Human Rights Documents (1999) Universal, Delhi.
7. Khwaja Abdul Muntaqim, Protection of Human Rights(2004), Law Publishers, Allahabad
8. Dr.Awasthi & Kataria, Law Relating to Protection of Human Rights(2006), Orient Publishing Co., New Delhi

**GENERAL AGREEMENT ON TARIFF & TRADE**

|                            |             |                              |                    |
|----------------------------|-------------|------------------------------|--------------------|
| <b>Paper Code: BL--805</b> | <b>GATT</b> | <b>Choice Base Group (B)</b> | <b>Credits: 04</b> |
|----------------------------|-------------|------------------------------|--------------------|

**Course Objective:** This course has been designed to provide detailed knowledge of working of WTO AND GATT. As present age is an age of cut throat economic competitions and various International trade disputes, arising day by day, after knowing the basics of international trade norms one can handle the international trade problems easily. General agreement on trade and tariff is an agreement which regulates the international trade transactions on a certain terms and conditions.

**Teaching Methodology:** - Lecture Seminar and Discussion

**Course Outcome:** After study of this course the Students will be well versed with the necessity of introduction of GATT and WTO in world trade System and the procedure for settlement of Disputes between the Trading Countries, & will be able to know about latest developments in International trading set-up.

**SYLLABUS:**

**UNIT I- Introduction to World Trade Law**

1. Meaning of International Trade
2. Globalization
3. Free trade vs. Protectionism
4. World Trade Law in Domestic and International perspective
5. Introduction of GATT and its origin
6. Negotiation Rounds of GATT
7. The WTO as an institution: Objectives/Principles, Scope and Functions.

**UNIT-II- Developing Countries in the Multilateral Trading System**

1. Introduction
2. Definition of Developed, Developing & Least Developed Nations
  - a. Classification of WTO Members as “Developing” and “Least Developed”
  - b. Differences in Developed, Developing and LDCs
3. The role of WTO and the developing countries
4. Need for WTO for developing Nations & Quantitative Restrictions
5. Benefits of WTO for Developing and Developed Countries
6. Disputes related to International Trade
7. Latest developments at International Trade level

**UNIT-III- The Settlement of Trade Disputes In Gatt/Wto**

1. Trade Dispute Settlement in the GATT & WTO
2. Basic overview of the DSU process- Consultations, Panels, Appellate Review, Implementation, Compliance, Reviews etc.
3. Alternatives to Dispute Settlement : Mediation and Arbitration
4. Important Procedural and Systematic Issues: The Complaint, Participation by WTO Members and Other Interested Group. Panel and Appellate Body. Decision Making, Multilateralism v/s Unilateralism

#### **UNIT-IV- Traditional GATT Obligations**

1. Border Measures: Tariffs and Quotas
2. Tariffs : GATT/WTO Tariff Negotiations, GATT rules on Bound Tariffs & domestic Tariff Administration
3. Quotas: Tariff Quotas
4. Export Quotas and Export Tariffs
5. GATT Exceptions : Bilateral/Regional Trade Agreements (Article XXIV)
6. Dumping and Anti-dumping Measures
7. TRIMs & TRIPs



LAW OF BANKRUPTCY AND INSOLVENCY

|                    |                    |                       |            |
|--------------------|--------------------|-----------------------|------------|
| Paper Code: BL-806 | Business Law Group | Choice Base (Group-B) | Credits:03 |
|--------------------|--------------------|-----------------------|------------|

**Course Objective:** This subject provides students with a thorough introduction to the history and processes of bankruptcy and insolvency. The subject equips students with the skills necessary to find, interpret and apply the Law in both its legislative and adjudicative modes and awareness of the significance of bankruptcy and insolvency Laws in business situations.

**Teaching Learning Methodology:** The course will be conducted using lectures, assignments, and PPT presentations. Case study will also preferred for practical understanding of students.

**Course Outcome:** After the completion of the course student will be able to:

1. Understand the Meaning, significance and historical background of bankruptcy and insolvency.
2. Deduce the concept and other provisions of bankruptcy and insolvency.
3. Resolve various legal issues in commercial transactions related to Bankruptcy and Insolvency through procedure given in code,2016

**SYLLABUS:**

**UNIT 1- Introduction and Historical Background** (15 hours)

1. Meaning and significance of Insolvency and Bankruptcy
2. Capacity to contract
3. The Presidency Towns Insolvency Act, 1909
4. The Provincial Insolvency Act, 1920
5. Developments post Independence
6. SICA, SARFAESI etc.
7. Insolvency and Bankruptcy Code, 2016 and amendments

**UNIT-2- Concept of Bankruptcy and Insolvency** (15 hours)

1. Bankruptcy
  - a. The concept: Inability to pay debt
  - b. Jurisdiction and powers of the courts
  - c. Transfer of property to a third person for benefit of creditors
  - d. Transfer with intent to defeat creditors.
  - e. Fraudulent preferences in transfer of property
  - f. Absconding with intent to defeat the creditors
  - g. Sale of property in execution of decree of court.
2. Insolvency
  - a. Adjudication as insolvent
  - b. Notice to creditors about suspension of payment of debt and Notice by creditors.

**UNIT-3- Procedure** (15 hours)

1. Insolvency Resolution And Liquidation For Corporate Persons
2. Corporate Insolvency Resolution Process
3. Liquidation Process
4. Fast Track Corporate Insolvency Resolution Process
5. Voluntary Liquidation Of Corporate Persons

## 6. Offence And Penalties

### ***Books Recommended:***

1. Halsbury's Laws of England, Vol.3(2) on Bankruptcy and Insolvency (1989)
2. Aiyar.S.K., Law of Bankruptcy (1998) Universal, Delhi
3. Manzar S., Law of Insolvency, orient
4. Dr. Bharioke Neera, Sudhir Talwar, Law of Insolvency

## BA.LL.B. – VIII<sup>th</sup> Semester

### **I.T. OFFENCES (CYBER LAW)**

|                           |                                |                              |                  |
|---------------------------|--------------------------------|------------------------------|------------------|
| <b>Paper Code: BL-807</b> | <b>IT Offences (Cyber Law)</b> | <b>Choice Base Group (C)</b> | <b>Credits:4</b> |
|---------------------------|--------------------------------|------------------------------|------------------|

**Course Objective:** Computers can be the means, target of, or the source of information about a crime, and increasingly, those interested in all aspects of criminal Law must have some working knowledge of computer crime to effectively investigate, prosecute, and defend cases. This course will explore the policy and Law of computer crime and consider how "cybercrimes" are different from and similar to transgressive behavior in physical space and will include the forensics, electronic surveillance, data theft, hacking , spreading virus & worms , phishing , cyber stalking / bullying, identity theft & impersonation, credit card & online banking frauds, obscenity, pornography & child pornography , cyber defamation, defacement, illegal online selling & gambling, denial of service attacks cyber terrorism software piracy & illegal downloading, the era of "forced disclosure," and the challenge of cross-jurisdiction enforcement etc.

**Method of Teaching-Learning:** The course is delivered through lectures, PPT presentation and case study.

**Course Outcome:** After the completion of the course the student will be able to:

1. Understand Evolution of the IT Act, Genesis and Necessity and the various authorities under IT Act and their powers.
2. Learn about the various offences related to information technology.
3. Deduce the concept of E-Commerce and related Laws in India.
4. Describe the jurisdiction of the courts under IT Act and Cyber Tribunal & Appellate Tribunal.

#### **UNIT-I: Introduction**

**15 Hours**

1. Evolution of the IT Act, Genesis and Necessity
2. Salient features of the IT Act, 2000, various authorities under IT Act and their powers.
3. Penalties and amendments.
4. Impact on other related Acts :
  - a. Indian Penal Code.
  - b. Indian Evidence Act.
  - c. Reserve Bank of India Act.
5. Cyber Forensic and Computer Crimes and their types.
6. Differentiation between traditional crime and cyber crimes

#### **UNIT-II: Offences Related To Information Technology**

**20 Hours**

1. Tampering with computer source documents (Section 65)
2. Hacking with Computer system (Section 66)
3. Punishment for sending offensive messages through communication service, etc (Section 66A (Shreya Singhal v UOI)
4. Punishment for dishonestly receiving stolen computer resource or communication device(Section 66B)
5. Punishment for identity theft(Section 66C)
6. Punishment for cheating by personation by using computer resource(Section 66D)
7. Punishment for violation of privacy(Section 66E)
8. Publishing obscene information in electronic form(Section 67)
9. Punishment for publishing or transmitting of material containing sexually explicit act, etc. in electronic form(Section 67A)

10. Unauthorized access to protected system(Section 70 )
11. Breach of Confidentiality & privacy(Section 72)
12. Publishing false Digital SigNature Certificate(Section 73)
13. Publication for fraudulent purpose(Section 74)

**UNIT-III: E-Commerce and Laws in India**

**15 Hours**

1. Definition of E-commerce
2. Types of E-commerce
3. Digital / Electronic SigNature in Indian Laws
4. E – Commerce; Issues and provisions in Indian Law
5. E – Governance; concept and practicality in India
6. E – Taxation issues in Cyberspace
7. E – Contracts and its validity in India
8. Cyber Regulations

**UNIT- IV: Dispute Resolution in Cyberspace**

**10 Hours**

1. Indian Context of Jurisdiction and I.T. Act, 2000.
2. Cyber Tribunal & Appellate Tribunal
3. International Law and Jurisdictional Issues in Cyberspace.
4. Dispute Resolutions
5. Case Laws on Cyber Space Jurisdiction

***Books Recommended:***

1. Cyber Law & Cyber Crimes By Advocat Prashant Mali; Snow White publications, Mumbai
2. Cyber Law in India by Farooq Ahmad; Pioneer Books
3. Information Technology Law and Practice by Vakul Sharma; Universal Law Publishing Co. Pvt. Ltd.
4. The Indian Cyber Law by Suresh T. Vishwanathan; Bharat Law House New Delhi
5. Guide to Cyber and E – Commerce Laws by P.M. Bukshi and R.K. Suri; Bharat Law House, New Delhi
6. Guide to Cyber Laws by Rodney D. Ryder; Wadhwa and Company, Nagpur
7. The Information Technology Act, 2000; Bare Act – Professional Book Publishers, New Delhi
8. Digital Evidence and Computer Crime, 2nd Ed. By Eoghan Casey; Academic Press, 2004.
9. The Regulation of Cyberspace by Andrew Murray, 2006; Rutledge – Cavendish.
10. Verma S, K, Mittal Raman, Legal Dimensions of Cyber Space, Indian Law Institute, New Delhi, (2004)
11. Sudhir Naib, The Information Technology Act, 2005: A Handbook, OUP, New York,(2011)

OFFENCES AGAINST CHILDREN AND JUVENILE OFFENCES

|                           |  |                              |                   |
|---------------------------|--|------------------------------|-------------------|
| <b>Paper Code: BL-808</b> | <b>Offences Against Children and Juvenile Offences</b> | <b>Choice Base Group (C)</b> | <b>Credits:03</b> |
|---------------------------|--|------------------------------|-------------------|

**Objectives:** Juvenile delinquency is considered an important branch of criminology. The impact of juvenile delinquency upon the formation of Indian criminology tradition does not seem to be noticeable. No understanding of crimes and treatment of offenders can be complete without a sure grasp of causes, carrots, and cures of juvenile delinquency. Increasingly, it is being also realized that young offenders require a wholly different centre of criminal justice system and should not be treated in the same way as the adult offenders. Juvenile Justice System, although a part of the criminal justice system has now its own autonomous characteristics.

**Methodology of teaching learning:** Lecture, Clinical and tutorial form of learning is the best method. In the absence or partial application, case study and research for self learning may be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching learning device.

**Learning Outcome:** On completion of the course the students will be able to-

1. Identify who is child, child abuse, child right movement.
2. Analyze and Compare different Offences against Children.
3. Explain the concept of Juvenile Delinquency.

**SYLLABUS:**

**UNIT-I Child and Constitutional Provisions**

**(10 hours)**

1. Who is child?
2. What is Child Abuse?
3. Child Rights Movement
4. Child Abuse in India
5. Child under the Constitution of India

**UNIT-II Offences against Children**

**(20 hours)**

**(A) Indian Penal Code 1860**

1. Causing of Miscarriage and Injuries to Unborn Child.
2. Kidnapping & Abduction
3. Trafficking in Children
4. Sexual Offences
  - a. Prostitution
  - b. Rape
  - c. Sodomy
  - d. Pornography

**(B) Labour Laws and Prohibition of Child Marriage Act, 2006**

1. Prohibition of employment of Children
2. Working Hours for Children
3. Economic Exploitation and Abuse of Children
4. Child Marriage

5. Prohibition of Child Marriage Act, 2006

**(C) Protection of Children from Sexual offences Act, 2012.**

1. Nature of the offence.
2. Sexual Assault and Punishment for offence.
3. Aggravated sexual Assault and Punishment for Offence.
4. Sexual Harassment and Punishment for Offence.
5. Abetment of and attempt to commit an offence

**UNIT-III Juvenile Justice (Care and Protection) Act, 2015**

**(15 hours)**

1. Nature and Magnitude of the problem.
2. Causes of juvenile delinquency
3. Juvenile Trial System
4. Treatment and rehabilitation of juveniles.
5. Juvenile and adult crime.
6. Legislative and Judicial protection of juvenile offender.

***Books Recommended:***

1. Myron Weiner, The Child and State in India (1990)
2. The Juvenile Justice (Care and Protection of Children) Act, 2000
3. The Prohibition of Child Marriage Act, 2006
4. The Child Labour (Prohibition and Regulation) Act, 1986
5. Law of Crimes by Rattan Lal Dhiraj Lal
6. Indian Penal Code by H.S.Gour
7. The Juvenile Justice System in India by Ved Kumari
8. Neglected Children : A Study of Juvenile Justice System by Dr. Pushpinder Kaur Dhillon

## BA.LL.B. – VIII<sup>th</sup> Semester

### INTERNATIONAL HUMAN RIGHTS LAW

|                    |                                |                       |            |
|--------------------|--------------------------------|-----------------------|------------|
| Paper Code: BL-809 | International Human Rights Law | Choice Base Group (D) | Credits:04 |
|--------------------|--------------------------------|-----------------------|------------|

**Objective of the Course:** This course provides a comprehensive introduction to the Law, theory, institutions, and practice of international human rights. It will provide a solid grounding in the historical development of international human rights Law and related institutions, as well as contemporary developments in the field. We will look at the relationship between domestic legal systems and international human rights Law, as well as existing and proposed regional and international human rights regimes. The course will also explore several current debates in the field, including judicial and non-judicial responses to mass violence, the responsibility to protect and the use of humanitarian intervention, universal jurisdiction, the impact of non-state actors on human rights, as well as the relationship between human rights and development. There are no prerequisites, though an introductory course in international Law would be beneficial.

#### **UNIT – 1: Evolution of the Concept of International Human Rights Law**

1. Meaning and Concept of Human Rights
2. Journey from Magna Carta to the Universal Declaration of Human Rights (Magna carta; The United States Declaration of Independence; The French Declaration of the Rights of Man and the Citizen; United States Bill of Rights; Geneva Convention of 1864; Universal Declaration of Human Rights, 1948.)
3. International Bill of Rights (Significance of Universal Declaration of Human Rights, International Covenant on Civil and Political Rights; and the International Covenant on Economic, Social and Cultural Rights)

#### **UNIT-2 : Deprivation, Denial and Promotion of Human Rights at International Level**

1. Difficulties rooted in Social, Economic, Political and Legal System of the Country
2. Apathy and Lack of Social Auditing
3. Criminal Justice System (Police Behaviour and and Judicial System)
4. Rights of the Accused (Protection from Arbitrary Arrest, Fair and Speedy Trial)
5. Protection Against Torture and Degrading Treatment
6. Accountability of the Governmental Machinery
7. Commission on Human Rights and It's Sub-Committees on Women and Children
8. UNESCO, WHO, ILO, CRC, CEDAW

#### **UNIT-3: International Concern for Human Rights**

1. United Nations Charter Provisions on Human Rights ; From International Concern to International Obligation to Protect Human Rights
2. The Role of the U.N. Security Council and Other International Organisations (Amnesty and Red Cross)
3. International Sanctions Against Violations of Human Rights ('Unilateralism': Humanitarian Intervention versus State Sovereignty)
4. International Convention on Elimination of All Forms of Racial Discrimination ; Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief
5. International Concerns Regarding Self-Rule and the Rights of Self- Determination

#### **UNIT-4: Human Rights and Duties in International Perspective**

1. Vienna Declaration 1993
2. Determination of Refugee Status ; International Refugee Law; Refugee Protection, UN High Commissioner on Refugees
3. Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 1992 ; Commission on Human Rights—Sub-Commission on Minorities
4. Right to Clean Environment and Public Safety: Issues of Industrial Pollution, Prevention, Rehabilitation
5. Safety Aspect of New Technologies such as Chemical and Nuclear Technologies, Issues of Waste Disposal, Protection of Environment

#### ***Books Recommended:***

1. SAHRDC, *Human Rights and International Law*, OUP, New Delhi, 2008.
2. M. R. Ishay, *The History of Human Rights*, Orient Longman, New Delhi, 2004.
3. Kalin and Kunzli, *The Law of International Human Rights Protection*, OUP, Clarendon, 2009.
4. M K. Sinha (ed.), *International Criminal Law and Human Rights*, Manak Publications, New Delhi, 2010.
5. R H. CalLaway and J. Harrelson-Stephens (eds.), *Explaining International Human Rights*, Viva, New Delhi, 2010.
6. UNITED Nations, *Human Rights: A Compilation of International Instruments*, Bookwell, New Delhi, 2002.
7. Jansuez Symonides (ed.), *Human Rights*, Rawat Publications, Jaipur, 2005.
8. A H Robertson and J G Merrills, *Human Rights in the World*, Universal, Delhi, 2005.
9. Richard Clayton and Hugh Tomlinson (eds.), *The Law of Human Rights*, (2 vols.), OUP, Clarendon, 2005.
10. Kevin Boyle (ed.), *New Institutions for Human Rights Protection*, OUP, Clarendon, 2009.
11. S.N. Chaudhary, *Human rights and poverty in India: theoretical issues*, Delhi: Concepts, 2005.
12. Anuradha Kumar, *Encyclopaedia of Human Rights Development of under Privilege*, New Delhi: Sarup, 2002
13. M.H. Syed, *Human Rights in Islam: the Modern Perspective*, New Delhi: Anmol, 2003.
14. Mathur, *Crime, Human Rights and National Security*, New Delhi: Gyan Pub.
15. P.M. Katare and B.C. Barik, *Development, Deprivation and Human Rights Violation*, New Delhi: Rawat, 2002,
16. Mujawar, Wasiyoddin R., *Social and Political Movements for Human Rights*, Delhi: Manglam Pub., 2009.
17. Subramanian, K.S., *Political Violence and the Police in India*, Los Angel: Sage, 2007.
18. B. Goswami, *Human Rights and reforming the Law: a compendium of articles of Human Rights and Legal Reforms*, Jaipur: Raj Pub., 2008.
19. P. Madhava & Soma Sundaram, K. Jaishankar, *Crime Victims and Justice: an introduction to restorative principles*, New Delhi: Serials Publications, 2008.
20. James Vadackumchery, *Policing the Police: a Nation's Cry*, New Delhi: Kaveri Books, 2003.
21. Paras Diwan, & Peeyushi Diwan, *Human Rights and the Law: Universal and Indian*, New Delhi : Deep & Deep, 1998.



22. Venket Iyer, (ed.), *Democracy, Human Rights and the Rule of Law: Essays in Honour of Nani Palkhivala*, New Delhi: Butterworths, 2000.
23. Amartya Sen, *The Idea Justice*, New Delhi: Penguin Books, 2009.
24. Conor Grealy and Adam Tomkins (Eds). *Understanding HumanRights*, London: Manshell, 1996.
25. David Beetham, *Politics and Human Rights*, Oxford: Blackwell, 1995
26. Gurpreet Mahajan Ed., *Democracy, Difference and Social Justice*, New Delhi: Oxford University Press, 1998.
27. James Nickel, *Making Sense of Human Rights: Philosophical Reflections on the Universal Declaration of Human Rights*, Berkeley: University of California Press, 1987.
28. John Rawls, *Law of the People*, Cambridge: Harvard University Press, 2001.
29. Michael Freedon, *Rights*, Delhi: World View, 1998( Indian Reprint)
30. Michael Freeman, *Human Rights: An Interdisciplinary Approach*, Oxford: Polity, 2002.
31. R.J. Vincent, *Human Rights and International Relations*, Cambridge: Cambridge University Press, 1986.
32. Ronald Dworkin, *Taking Rights Seriously*, London: Duckworth, 1978
33. SAHRDC, *Human Rights and Humanitarian Law*, New Delhi: South Asian Human Rights Documentation Centre, 2002
34. Stephen Shute and Susan Herley (Eds), *On Human Rights*, New York: Basic Books, 1993
35. Waldron, Jeremy. *Theories of Rights*, Oxford; Oxford University Press, 1984
36. Will Kymlicka (Eds), *Rights of Minority Cultures*, Oxford: Clarendon Press, 1995
37. UNITED Nations Development Programme, *Human Development Report 2004: Cultural Liberty in Today's Diverse World*, New Delhi: Oxford University Press, 2004.
38. Upendra Baxi,: *The Future of Human Rights*, New Delhi: Oxford University Press.

**BA.LL.B. – VIII<sup>th</sup> Semester**

**UNCITRAL MODEL CODE**

|                           |                            |                              |                   |
|---------------------------|----------------------------|------------------------------|-------------------|
| <b>Paper Code: BL-810</b> | <b>Uncitral Model Code</b> | <b>Choice Base Group (D)</b> | <b>Credits:03</b> |
|---------------------------|----------------------------|------------------------------|-------------------|

**Objective of the Course:** In recent years there has been a virtual explosion of the use of a wide variety of processes and techniques for resolving and dealing with disputes and conflicts both in the public sector and in private arenas. This course will examine recent developments in the creation and role of UNCITRAL Model Code in ADR Process.

The course is required to be conducted by qualified and expert teachers or by senior legal expert.

**Method of Teaching-Learning:** The course is delivered through lectures, PPT presentation and case study.

**Course Outcome:** After the completion of the course the student will be able to:

1. Understand Evolution of the UNCITRAL CODE.
2. Deduce the concept of Arbitration Process.
3. Describe the jurisdiction of the Arbitral Tribunal and Award Enforcement.

**SYLLABUS:**

**UNIT 1 Introduction**

**(15)**

1. General Provisions
2. Salient Feature
3. Scope of Application
4. Written Communication
5. Waiver of Right to Object
6. Court Intervention
7. Certain Function of Court & Other Authority for Assistance

**UNIT 2 Arbitration Agreement & Composition of Tribunal**

**(15)**

1. Definition and form of Arbitration Agreement
2. Arbitration and Substantive Claim
3. Arbitration Agreement and Interim Measures
4. Number of Arbitrators
5. Appointment
6. Grounds of Challenge
7. Challenge Procedure
8. Failure or Impossibility to Act
9. Appointment of Substitutive Arbitrator

**UNIT 3 Jurisdiction of Arbitral Tribunal and Making of Award**

**(15)**

1. Conduct of Arbitral Proceedings
2. Equal Treatment of Parties
3. Rules of Procedure
4. Place of Arbitration, Commencement, Language
5. Decision Making by Penal
6. Form and Contents of Award
7. Termination of Proceeding
8. Correction and Interpretation of Award
9. Recognition and Enforcement

## BA.LL.B. – IX<sup>th</sup> Semester

### LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM

|                           |  |                   |                   |
|---------------------------|--|-------------------|-------------------|
| <b>Paper Code: BL-901</b> | <b>Land Laws Including Tenure and Tenancy System</b> | <b>Core Paper</b> | <b>Credits:06</b> |
|---------------------------|--|-------------------|-------------------|

**Objectives of the course:** The legislative power to make Laws relating to land and land ceiling is in the State list. Different states have enacted their own Laws on this subject. The Constitutional perspectives relating to this subject have to be taught as an essential part of this course. The provisions in the Constitution in Part III, IV and XII as well as those in Schedule VII relating to distribution of legislative powers over land are essentially to be taught.

**Teaching Methodology -** By Books/PPT/ Tutorial

**Course outcome:** - 1. After the course the students will be able to

1. Explain with the various bodies at village level dealing with land like Gram Sabha, Gram Panchayat and Bhumi Prabandhak Samiti
2. Describe tenure system i.e. various classes of tenure holders, their rights and as such will be able to handle the matter of villagers regarding their rights and duties.
3. Describe the various Revenue Authorities, their jurisdiction and powers and as such would be able to file proper applications/cases before them.
4. Explain the terms and concept of Lease, Lease Rent, Ejectment, Surrender, Abandonment, Succession etc.
5. Describe the assessment and the recovery of Land Revenue and differentiate between the Land Revenue and Rent and Jurisdiction of Civil and Revenue Courts.
6. Have a broad idea of the other relevant acts like U.P. Consolidation of Holding Act 1953, U.P. Panchayat Raj Act 1947, U.P. Urban Building (Regulation of Letting, Rent and Eviction) Act 1972, U.P. Urban Planning and development Act 1973, U.P. Municipalities Act 1916 and as such will be able to apply and practice them in courts.

#### **UNIT-I Introduction**

**10 Hours**

1. General over view of land Laws
2. Special features and object of UP Revenue Code 2006.
3. Various Definitions under the UP Revenue Code (Section 2)
4. Gram Sabha, Gram Panchayat and LMC (From Panchayat Raj Act and UP Revenue Code)

#### **UNIT-II Revenue Divisions and the Revenue officers thereunder, ownership of land and other property and Maintenance and revision of Village Records**

**15 Hours**

1. Constitution of Revenue Divisions, Districts, Tehsils, Villages (Section 05 & 06)
2. Board of Revenue and Revenue Officers (Section 07 to 19)
3. Boundaries and Boundary Marks (Section 20 to 28)
4. Maintenance and revision of Village Records (Section 29 to 53)
5. Ownership of Land and other properties (Section 54 to 58)

#### **UNIT-III Classes of Tenure Holders, Their rights, Successions, Surrender and abandonment of land**

**15 Hours**

1. Classes of Tenure holder and Rights of tenure holder (Section 74 to 106)
2. Provisions relating to Bequest, Succession and Escheat (Section 107 to 115)
3. Division of Holding (Section 116, 117)

4. Amendment, Surrender and Extension of interest, Ejectment (Section 118 to 124)

**UNIT-IV Management of Land and other Properties by Gram Panchayat and other local authorities, lease of land, ejectment of Asami and other persons, Rent and its recovery, Declaratory suits 12 Hours**

1. Lease of land by Gram Panchayat and Government lessees (Section 125 to 129 & 147 to 152)
2. Management of Land and other Properties by Gram Panchayat and other local authorities (Section 59 to 73)
3. Ejectment of Asami and other persons occupying land without title (Section 130 to 137)
4. Rent payable by Asami and its recovery (Section 138 to 143)
5. Declaratory suits by Tenure Holders and by Gram Panchayat (Section 144 to 146)

**UNIT-V Land Revenue-Assessment & Recovery, Jurisdiction of Civil and Revenue Courts 18 Hours**

1. Assessment of land revenue and its collection/recovery (Section 153 to 205)
2. Jurisdiction and Procedure of Revenue Courts Vis-à-vis Civil Courts (Section 206 to 217)
3. Miscellaneous (Section 218 to 225F)

**UNIT-VI Other Relevant and Related Acts (Broad idea and important provisions only) 20 Hours**

1. U.P. Consolidation of Holding Act 1953
2. U.P. Panchayat Raj Act 1947
3. U.P. Urban Building (Regulation of Letting, Rent and Eviction) Act 1972
4. U.P. Urban Planning and development Act 1973
5. U.P. Municipalities Act 1916

***Books Recommended:***

1. Dr. R.R. Maurya : U.P. Land Laws, C.L.A.
2. Dr. C.P. Singh : U.P. Land Laws, A.L.A.
3. Dr. R.P. Singh : U.P. Land Laws
4. V.K. Singh : U.P. Revenue Code 2006
5. R.N. Chaudhary & S.K. Chaudhary : Commentary on U.P. Revenue Code (EBC Wes store)

**DRAFTING OF PLEADING AND CONVEYANCING**

|                           |  |                            |                   |
|---------------------------|--|----------------------------|-------------------|
| <b>Paper Code: BL-902</b> | <b>Drafting of Pleading and Conveyancing (Practical)</b> | <b>Core Clinical Paper</b> | <b>Credits: 5</b> |
|---------------------------|--|----------------------------|-------------------|

**Course Objectives:** This Paper aims at giving the students an opportunity to peep into the working of Law by referring to various practical aspects of civil and criminal Laws. It also emphasizes on the conveyancing aspects and imparts the students the requisites of various deeds that go to make the theoretical Law complete.

This paper is for the development of drafting skills of Law professionals. In the paper General principles of drafting and relevant substantive rules shall be taught along with civil, criminal pleadings and deeds. PIL should also be discussed among Law students in the class.

**Methods of teaching-learning:** The course will be taught through class instructions and simulation exercises, preferably with the assistance of practicing Lawyers/retired judges. Apart from teaching the relevant provisions of Law, the course may include not less than 15 practical exercises in drafting and 15 exercises in Conveyancing along with various High Court Rules.

**Learning Outcome:** Module is designed to disseminate the fundamental principles of drafting which are very crucial with regard to the propriety of the cases to be filed. this goes on to deal with the particular application of the said rules with respect to pleadings in civil matters along with reference to criminal matters. The Module aims at discussing the principles of conveyancing with reference to different deeds. And this is a clinical paper where student will be in position to draft various pleadings and conveyance after proper use of various Laws already studied in previous years.

**Drafting: 50 marks (inclusive of 5 marks for viva-voce), Conveyancing: 50 marks (inclusive of 5 marks for viva-voce)**

**SYLLABUS:**

**UNIT-I Drafting**

**5 Hrs**

General principles of Drafting and relevant Substantive Rules

**UNIT-II Civil Pleadings**

**20 Hrs**

1. Complaint, Written Statement
2. Interlocutory Application
3. Original Petition
4. Adjournment application
5. Affidavit
6. Application to set-aside ex-party decree, Stay/injunction etc
7. Execution Petition
8. Memorandum of Appeal and Revision, Review Petition
9. Divorce Petition, Petition for Restitution of Conjugal Rights, Maintenance Petition

**UNIT-III Criminal Pleading**

**15 Hrs**

1. Complaints
2. Criminal Miscellaneous Petition, Bail Application
3. Memorandum of Appeal and Revision

4. Compounding of Offences by way of Compromise under Section 320 (i) CrPC,
5. Application under section 125 CrPC

**UNIT-IV Writ Petition**

**10 Hrs**

1. Writ Petition under Article 226 and 32 of the Constitution of India.
2. Civil & Criminal Miscellaneous Writ Petition

**UNIT-V Conveyancing**

**25 Hrs**

1. Notice to the Tenant under Section 106 of Transfer of Property Act,
2. Notice under Section 80 of CPC,
3. Notice under Section 434 of the Companies Act,
4. Reply to Notice,
5. General Power of Attorney, Special Power of Attorney,
6. Will,
7. Agreement to Sell, Sale-Deed,
8. Lease-Deed,
9. Partnership Deed,
10. Mortgage Deed,
11. Relinquishment Deed,
12. Deed of Gift,
13. Promissory Note, Memorandum of Understanding etc.

***Books Recommended:***

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

## BA.LL.B. – IX<sup>th</sup> Semester

### COMPARATIVE CONSTITUTION

|                           |                                 |                               |                    |
|---------------------------|---------------------------------|-------------------------------|--------------------|
| <b>Paper Code: BL-903</b> | <b>Comparative Constitution</b> | <b>Choice Based Group (A)</b> | <b>Credits: 03</b> |
|---------------------------|---------------------------------|-------------------------------|--------------------|

**Objective:** This course is designed to examine from a comparative perspective –legal structure and concepts that are found in Constitutions across the world, percepts such as basic rights, rule of Law, systems of governance, judicial review, to name a few. Comparative Constitutional Law course is intended to make students familiar with the constitutional systems of a few countries, in particular the Constitution of UNITED States of America and few other emerging constitutions along with the Indian Constitution. Students will be benefited from deeper understanding of the doctrines and values underlying the provisions and principles from various constitutional systems.

**Methods of teaching-learning:** Lectures, library and home reading, discussions at the class.

**Course Learning Outcomes:** On successful completion of this course, students will be able to:

1. Identify, analyse and explain theoretical knowledge and understanding of the range of constitutional models throughout the world.
2. Investigate, synthesise and critically evaluate the role and relevance of constitutional comparison.
3. Identify, evaluate and review the accomplishments and shortcomings of the different constitutional system through a comparative lens.
4. Plan, design and execute a research project that identifies, critically examines and communicates comparative analysis to complex theoretical issues and practical problems in constitutional schemes.

### **SYLLABUS:**

#### **UNIT-1 Constitution of UK and Switzerland**

(Lectures – 15)

1. Constitution of State- Introductory
2. United Kingdom:
  - a. General Features
  - b. Constitutional Conventions
  - c. The Crown, Parliament, Cabinet System
  - d. The Rule of Law, The party system.
3. Form and Structure of Switzerland Govt, The Party System

#### **UNIT-2 Constitution of USA and Canada**

(Lectures – 15)

1. U.S.A.
  - a. General features
  - b. Federation, President, Congress
  - c. Federal Judiciary
  - d. Methods of Amendment
  - e. Party system
2. Constitution of Canada (Overview)

1. Constitution of Australia
2. Meaning of the Constitution of the Fifth Republic
  - a. The President and the Government
  - b. The National Assembly and the Senate
  - c. The Judicial system and Administrative Law
  - d. The party system.

***Recommended Books:***

1. Vicki C. Jackson and Mark V. Tushnet, *Comparative Constitutional Law*, Foundation Press, pp 144-152.
2. Donald Kommers, *The Value of Comparative Constitutional Law*, 9 *J. Marshall J. Prac. & Pro.* 685 (1976).
3. Ernest A. Young, *Foreign Law and the Denominator Problem* (2005) 119 *Harv. L. Rev.* 148.
4. Roger P. Alford, *In Search of a Theory for Constitutional Comparativism* (2005) 52 *UCLA L. Rev.* 639.
5. Ran Hirschl, *The Rise of Comparative Constitutional Law: Thoughts on Substance and Methods*, *Indian Journal of Constitutional Law*, (2008).
6. Sujit Choudhry, *Globalisation in Search of Justification: Toward a Theory of Comparative Constitutional Interpretation* (1999) 74 *Ind. L. J.* 819.
7. Ursula Bentele, *Mining for gold: The Constitutional Court of South Africa's Experience with Comparative Constitutional Law*, available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1169642](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1169642)
8. Jeremy Waldron, *Rule of Law and Concept of Law*, available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1273005](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1273005).
9. V.D.Mahajan
10. Prabhu dutt sharma
11. A.C.Kapoor



**CITIZENSHIP AND IMMIGRATION LAW**

|                           |  |                               |                    |
|---------------------------|--|-------------------------------|--------------------|
| <b>Paper Code: BL-904</b> | <b>Citizenship and Immigration Law</b> | <b>Choice Based Group (A)</b> | <b>Credits: 03</b> |
|---------------------------|--|-------------------------------|--------------------|

**Objective of the Course:** The course is written for the Law students to take up the challenge to educate and assist various govt and non governmental agencies on this emerging topic related to citizenship and immigration. The main objective of the course is to make students conversant with the international Laws on immigration so that they may work with various international agencies and further to enhance their knowledge on allied aspect related to citizenship.

**Methods of teaching-learning:** Lectures, library and home reading, discussions at the class.

**Course Outcome:** After the completion of the course the student will be in a position to-

1. Apply international immigration Law on various related issues.
2. Determine and explain the vary aspect of citizenship in more conversant manner.
3. Related and compare various constitutional aspects with other related Laws on citizenship and immigration.

**SYLLABUS:**

**UNIT-I- Introduction**

**(15 Hours)**

1. Concept of Nationality.
2. Difference between Nationality and Domicile.
3. Concept of Citizenship.
4. Nationality and Citizenship.
5. Mode of Acquisition of Nationality.
6. Loss of Nationality.
7. Double Nationality
8. Nationality of Married Women.
9. Statelessness

**UNIT-II- Citizenship**

**(10 Hours)**

1. International norms of citizenship.
2. Kinds of Citizenship ( Double and Single citizenship)
3. Commonwealth Citizenship.
4. Overseas Citizenship, Persons of Indian Origin, Non Resident Indian
5. Law of Citizenship of Different countries.
6. Constitutional Provisions of Citizenship ( Article 5 to 11 )
7. Indian Citizenship Act,1955

**UNIT-III (A) - Migrants and Illegal Migrants**

**(20 Hours)**

1. Meaning of Migrants and their Rights.
2. Difference between Refugees and Migrants.
3. Asylum and Extradition.
4. Impact of Illegal Immigration (Impact on National Law and order, economy, Terrorism, on Emergency etc.)
5. Role of Embassy in controlling Migration.
6. VISA Policy- H1 B VISA

**UNIT-III (B) - Law Relating To Illegal Migrants in India.**

1. IMDT AND FOREIGN ACT.
2. The Foreign Recruiting Act, 1874.
3. Immigration Liability Act 2002.
4. Comparative study of illegal migrant of different countries-U.S.A., Germany, Canada, France, Italy, Australia, Pakistan etc.

***Recommended Books:***

1. Indian Constitution
2. Indian Citizenship Act,1955
3. IMDT Act, 1983.
4. IMDT and Foreign Act.
5. The Foreign Recruiting Act, 1874.
6. Immigration Liability Act 2002.

**All the suggested bare acts will be studied with the Commentary**

## BA.LL.B. – IX<sup>th</sup> Semester

### COMPETITION LAW

|                           |                        |                              |                    |
|---------------------------|------------------------|------------------------------|--------------------|
| <b>Paper Code: BL-905</b> | <b>Competition Law</b> | <b>Choice Base Group (B)</b> | <b>Credits: 03</b> |
|---------------------------|------------------------|------------------------------|--------------------|

**Course Objective:** To impart the basic knowledge of competition Law and anti-competitive practices adopted in the commercial world.

**Methods of teaching-learning:** Lectures, library and home reading, discussions at the class.

**Course Outcome:** At the end of the course the student will be able to-

1. Take up professional practice in the field of competition Law and policy.
2. May help the statutory and other corporate organization to build strong competition culture in the country.
3. Demonstrate their abilities to deal with the issues on the expanding horizons of corporate Law.

#### **SYLLABUS:**

#### **UNIT I: Basic Principles of Competition Law (15 Hours)**

1. Definition of Competition and Competition Law
2. Relevant provisions of Sherman's Act
3. Aims and Objects of the Competition Act, 2002 and its relationship with the Monopolies and Restrictive Trade Practices Act, 1969
4. Raghavan Committee Report
5. Definition and Meaning of Acquisition, Agreement, Consumer, Enterprise, Person and Service
6. WTO Agreements and the Competition Act.

#### **UNIT II: Anti-Competitive Agreements, Abuse of Dominant Position and Regulation of Combinations (15 Hours)**

1. Horizontal and Vertical Agreement
2. Dominant Position, Abuse of Dominant Position
3. Regulation of Combinations viz. Mergers and Acquisitions
4. Value of Assets and Turnover.

#### **UNIT III: Competition Commission of India and Other Related issues (15 Hours)**

1. Establishment, Composition, Powers, Duties and Functions
2. Distribution of business amongst Commission and Benches,
3. Jurisdiction of benches and procedure for adjudication,
4. Penalties for offences under the Competition Act, 2002.
5. Competition Advocacy, Advertisement and Competition Law, IPRs and Competition,
6. Educational initiative and other contemporary issues.

#### ***Acts and Statutes (As Amended):***

1. The Sherman Antitrust Act, 1890
2. The Clayton Antitrust Act, 1914
3. The Monopolies and Restrictive Trade Practices Act, 1969

4. The Competition Act, 2002
5. The Reports of Competition Commission of India

***Recommended Books:***

1. Aggarwal, V.K; *Consumer Protection: Law and Practice*; Bharat Law House
2. Dugar, S. M.; *Commentary on the MRTP Law, Competition Law and Consumer Protection Law*;
3. LexisNexis
4. Ramappa, T; *Competition Law in India: Policy, Issues and Development*; Oxford University Press
5. Viswanathan, Suresh T; *Law and Practice of Competition Act, 2002*; Bharat Law House

## BA.LL.B. – IX<sup>th</sup> Semester

### EQUITY AND TRUST

|                           |                         |                              |                    |
|---------------------------|-------------------------|------------------------------|--------------------|
| <b>Paper Code: BL-906</b> | <b>Equity and Trust</b> | <b>Choice Base Group (B)</b> | <b>Credits: 03</b> |
|---------------------------|-------------------------|------------------------------|--------------------|

**Course Objectives:** This course has been designed to provide the basics of Equity, Trust and Fiduciary Obligation. After studying this course a student will be able to know the importance and applicability of these Laws, where enacted Laws are not applicable problems will be resolved through Equity , just and good conscience .

**Teaching Learning Methodology:** The course will be conducted using lectures, Power Point, Assignments. The students will be acquainted with important case Laws on the subject to understand the intricacies involved in the banking transactions.

**Course Outcome:** At the end of the course, a student would be able to

1. Acquaints with the genera equitable principles some of which are already finding mention in various Statutes.
2. Students can acquire in depth knowledge of institutions like Trust.
3. Understand, analyze and resolve various issues related to Fiduciary relation and specific relief.

#### **SYLLABUS:**

#### **UNIT –I Origin, Development and Maxims of Equity**

**(20 Hrs)**

1. Concept of Equity
2. Origin and development of Equity
3. Equity and Law
4. Equitable Rights and Interests
5. Equity under Indian Legal system
6. The Maxims of Equity
  - a. Equity will not suffer a wrong to be without a remedy
  - b. Equity follows the Law
  - c. Where Equities are equal, the Law shall prevail
  - d. Where Equities are equal, the first in time shall prevail
  - e. He who seeks equity, must do equity
  - f. He who comes to equity, must come with clean hands
  - g. Delay defeats equity
  - h. Equality is equity
  - i. Equity looks to the intent, rather than to the form
  - j. Equity imputes an intention to fulfill an obligation
  - k. Equity looks on that as done which ought to have been done
  - l. Equity acts in personam

#### **UNIT-II- Doctrines of Equity**

**(10 Hrs)**

1. Election
2. Mortgage:
  - a. Once a mortgage always a mortgage
  - b. Clog on redemption
  - c. Foreclosure

3. Set-off

**UNIT-III- The Concept of Trust, Fiduciary Relations and Equitable Remedies (15 Hrs)**

1. The Concept of Trust
2. Distinction with Agency and Contract
3. Classification of Trust
  - a. Constructive Trust
  - b. Religious
  - c. Charitable Trust
  - d. Public Trust Doctrine.
4. Appointment, Discharge, Right and Duties of Trustee
5. Disabilities of Trustee
6. Extinction of Trust
7. Right and Liabilities of Beneficiary.
8. The Indian Trust Act,1882
9. Fiduciary Relations
10. Equitable remedies: Nature and scope of equitable remedies
  - a. Recovery of Property
  - b. Specific Performance of contracts
  - c. Declaratory Suits
  - d. Injunctions, Rectification, Rescission and Cancellation.

***Recommended Books:***

1. S. Krishnamurthy Aiyar: Principles and Digest of Trusts Laws
2. R.H.Mandsley and E.H.Burn: Trust and Trustees
3. Philip H. Pettit: Equity and Law of Trust
4. B.M. Gandhi: Equity, Trusts and Specific Relief
5. M.P Tandon: Principles of Equity with Trust and Specific Relief

## BA.LL.B. – IX<sup>th</sup> Semester

### **LAW OF MEDICAL JURISPRUDENCE**

|                           |                                     |                              |                    |
|---------------------------|-------------------------------------|------------------------------|--------------------|
| <b>Paper Code: BL-907</b> | <b>Law of Medical Jurisprudence</b> | <b>Choice Base Group (C)</b> | <b>Credits: 03</b> |
|---------------------------|-------------------------------------|------------------------------|--------------------|

**Objective of the Course:** The broad goal of teaching this course to undergraduate students of Law is to produce efficient Lawyer with all the aspects of investigation related to court procedure, who must be well informed, about Medico -legal relationship. He/She will also be capable of making observations and inferring conclusions by logical deductions to set enquiries on the right track in associated medico - legal problems. He/She acquires knowledge of Law in relation to Medical practice, Medical negligence and respect for Forensic Science.

**Course Outcome:** After the completion of the course the student will be in a position to-

1. Identify the basic Medico-legal aspects of hospital and general practice.
2. Appreciate the responsibilities of investigating agencies in criminal matters and respect for the codes of Medical ethics.
3. Describe the Medico-legal aspects and findings of post -mortem examination in cases of death due to common unnatural conditions and poisonings

#### **UNIT-I Introduction to Legal provisions**

**(20 Hours)**

1. Introduction
2. Legal procedure:
3. Indian Penal Code-1860
4. Code of Criminal Procedure-1973
5. Indian Evidence Act-1872
6. Medical Law and Ethics
7. Indian Medical Degrees Act-1916
8. The Dentist Act-1948
9. The Indian Medical Council Act-1956

#### **UNIT-II Medico-legal Aspects**

**(20 Hours)**

1. Medico-legal Autopsy
2. Medico-legal Aspects of Wounds
3. Postmortem Injuries
4. Wound Certificate
5. Medico-legal Aspects:
6. Virginity, Pregnancy and Delivery
7. Abortion
8. Blood Stains

#### **UNIT-III Forensic Science**

**(20 Hours)**

1. Forensic Psychiatry
2. Forensic Science Laboratory
3. DNA Finger printing

#### ***Recommended Books:***

1. LYONS – Medical Jurisprudence & Toxicology, 11<sup>th</sup> Ed. 2005, Delhi Law House
2. MODIS – Medical Jurisprudence & Toxicology, 23<sup>rd</sup> Ed. 2006, Lixis Nexis Butterworths

## BA.LL.B. – IX<sup>th</sup> Semester

### WHITE COLLAR CRIME

|                           |                           |                              |                    |
|---------------------------|---------------------------|------------------------------|--------------------|
| <b>Paper Code: BL-908</b> | <b>White Collar Crime</b> | <b>Choice Base Group (C)</b> | <b>Credits: 03</b> |
|---------------------------|---------------------------|------------------------------|--------------------|

**Objective:** This course deals with a special category of offences known as “White collar crimes” or socioeconomic offences. These offences have to be understood in terms of the Nature of development of Indian state and society. Their causes partly lie in the ways in which economic and political development occurs. The costs of such offences are, often, exorbitant and are borne most acutely by the most vulnerable segments of society. Combating socio-economic offences is a vital part of achievement of justice in society.

**Methodology of Teaching Learning:** Case study method, lecture and tutorial form of learning is ideal for appreciating the principles of penology. Sometimes a group discussion on any legal related to contemporary issue would be very beneficial to the students. Clinical and tutorial form of learning In the absence or partial application, case study and research for self learning may be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching learning devise. There are a lot of scope of innovation and new interpretation. Case comment, specialists ‘lecture and book review can also be a method of research writing in this paper.

**Learning Outcome:** On completion of this UNIT students will be able to

1. UNIT 1: understand the concept of white collar crime.
2. UNIT 2: Describe the privileged class deviance and classify various forms of it.
3. UNIT 3: Explain the cyber crime.

### SYLLABUS:

#### UNIT – I: Overview on White Collar Crime

(10 HOURS)

1. Meaning and Nature of White Collar Crime,
2. Difference between Crime in General and White Collar Crime,
3. Kinds of white Collar Crime, Growth of White Collar Criminality,
4. WCC in India Concept of Criminal Sociology (Various Theories), Indian approach to Socio–Economic–Political Offences,
5. Anti white collar crime legislation, Judicial Attitude

#### UNIT- II: Privileged class deviances and Committee Reports

(20 HOURS)

1. Meaning and forms of Privileged Class Deviances,
  - a. Official Deviances [Legislators, Judges, and bureaucrats]
  - b. Professional Deviance,
  - c. Upper Class Deviances,
  - d. Police Deviance,
  - e. Gender Based Deviances,
  - f. Deviance by Religious Leaders And Organizations ,
2. Educational Institution and White Collar Crime
3. Santhanam Committee Report, N.N. Vohra Commission Report; Second Administrative Reform Commission, Professional deviance-
  - a. Medical Profession-The Lentin Commission Report,
  - b. Legal Profession-Option of Disciplinary Committee of B.C.I.
  - c. Business, Trade and Commerce etc.



### **UNIT- III: Cyber crime**

(15HOURS)

1. Concept and Nature of Cyber Crimes,
2. Hacking, Digital Forgery, Cyber Stalking/Harassment, Cyber Pornography, Identity Theft & Fraud, Cyber Terrorism, Cyber Defamation, Cyber Attack, Spam, Cyber Security
3. Right to Privacy and Data Protection on Internet, Concept of Privacy, Threat to privacy on internet, Self-regulation approach to privacy
4. Ingredients to decide confidentiality of information, Breach of sensitive personal information and confidentiality under IT Act and Penalties.
5. Right of Interception under IT Act
6. Different offences under IT Act, 2000

#### ***Recommended Books:***

1. Upendra Baxi (ed.) Law & Poverty: Critical Essays (1988)
2. Upendra Baxi, Liberty and Corruption Antulay case and Beyond (forthcoming 1989)
3. P.R.Rajagopal, Violence and Response: A critique of Indian Criminal Justice System (1988)
4. Law Commission of India, (i) One Hundred and Fifty Fourth report on Code of Criminal Procedure
5. 1973, (1996); (ii) One Hundred and Fifty Fifth Report on the Indian Penal Code, 1860

**BA.LL.B. – IX<sup>th</sup> Semester**  
**HUMANITARIAN & REFUGEE LAW**

|                           |                                       |                              |                    |
|---------------------------|---------------------------------------|------------------------------|--------------------|
| <b>Paper Code: BL-909</b> | <b>Humanitarian &amp; Refugee Law</b> | <b>Choice Base Group (D)</b> | <b>Credits: 03</b> |
|---------------------------|---------------------------------------|------------------------------|--------------------|

**Course Objective:** The two world wars had enough of lessons to teach. But the present scenario shows that the nations have not learnt any lesson: wars continue to be there. International Humanitarian Law (IHL)-otherwise known as the Law of war or the Law of armed conflict- is a body of rules which tries to make war more humane (though war itself is inhuman) by protecting individuals who are not or are no longer participating in hostilities. Human rights do have value only in peace time. War is the negation of all human rights. Though the UNITED Nations Charter does not permit war, it has shown the wisdom to regulate the war if one occurs.

The total character of modern war and threat of annihilation due to use of nuclear weapons have been responsible for a new concern for survival of humanity. To meet this challenge the UNITED Nations and other voluntary international agencies have been actively involved in prescribing standards of treatment based upon dictates of humanity and overseeing their implementation in difficult situations. The underlying purpose is to ensure a human treatment of all individuals, a minimum standard of treatment which may not be departed from even under the necessities of war or grave provocation. To this end, it limits the methods and means of warfare. Its main purpose is to minimize and, if possible, prevent human misery and suffering in times of war. The rules are to be observed not only by governments and their armed forces, but also by armed forces and any other parties to a conflict.

The four Geneva Conventions of 1949 and their two Additional Protocols of 1977 provide the principal instruments for International Humanitarian Law.

The course is intended to provide an introduction to the normative and institutional frameworks of IHL. It also attempts to give a general overview of the status of individual criminal responsibility under international Law, the applicability of IHL to UN peacekeeping/peace building/enforcement missions as well as the recent challenges before IHL

The following syllabus prepared with this perspective will be spread over a period of one semester.

This subject is complementary and supplementary to International Criminal Law and International Criminal Court, and must be taught in the light of same.

**Teaching Methodology:**

1. Lecture Method with PPT
2. Discussion Method
3. Tutorials
4. Assignments
5. Audio-video clips
6. Seminars

**Course Outcomes:** After completion of the course the student will be able to:

1. Define IHL and explain its objectives as well as the differences between *jus ad bellum* or *jus contra bellum* and *jus in bello*; Indicate the sources of IHL and discuss the relation between IHL and International Human Rights Laws; Trace the antecedents of IHL; Make distinction between the different types of armed conflicts, and outline the factors used to make the distinction; Identify protected persons and objects, as well as give a detail account of the protection given to them; Explain the limitations on the means and methods of warfare.
2. Discuss the obligations of State Parties to the four Geneva Conventions and their three Additional Protocols, as well as the role of ICRC in the implementation of rules of IHL;

Explain the applicability of IHL to UN Peacekeeping/peace enforcement Missions; and Highlight the challenges to IHL as a result of the "war on terror".

3. Analyze general obligations of humane treatment to defenseless, women, children and refugees etc.

## **SYLLABUS:**

### **UNIT I- Introduction to International Humanitarian Law (20 HOURS)**

1. Defining and Objectives of IHL
2. Historical Development and Sources of International Humanitarian Law
3. Fundamental Principles of IHL
4. Geneva Convention I, II, III, IV
5. Types of Armed Conflicts and Additional Protocols
6. Means and Methods of Warfare - Difference between *jus ad bellum or jus contra bellum* and *jus in bello*
7. Protected Persons, Protected Property

### **UNIT II- Enforcement Machinery and Challenges (10 HOURS)**

1. ICRC
2. Role of General Assembly, Security Council.
3. International Military Tribunals
4. A Brief introduction to War Crimes Tribunals (ICTY, ICTR etc).
5. The UN Peace keeping/peace enforcement Missions
6. Challenges while Implementing IHL

### **UNIT III- Law related to Refugee (15 HOURS)**

1. Definition of Refugees and Displaced Persons and their problems,
2. UN relief and Rehabilitation Administration, International Refugees, International Organizations and International Protection
3. Status of Refugees
4. Strategies to combat Refugees' problems, Repatriation, Resettlement, Local integration and rehabilitation
5. Role of United Nations High Commissioner for Refugees (UNHCR), Role of Amnesty International
6. Problem of Refugees in India and South Asian Countries and Policies.

### ***Books Recommended:***

1. L. Doswald-Beck, The Value of the 1977 Geneva Protocols for the Protection of Civilians, in ARMED CONFLICT AND THE NEW LAW: ASPECTS OF THE 1977 GENEVA PROTOCOLS AND THE 1981 WEAPONS CONVENTION (Michael A. Meyer ed.)
2. Dietrich Schindler, The Laws of Armed Conflicts: A Collection of Convention, Resolutions and Other Documents.
3. Louise Doswald-Beck and Sylvian Vite, IHL and IHRL, IRRC NO 293 (1993).
4. Hans-Joachim Heintze, The European Court of Human Rights and the Implementation of Human Rights Standards During Armed Conflict.
5. Theodore Meron, Protection of the Human Person under IHRL and IHL.
6. GIAD Draper, The Development of IHL, in INTERNATIONAL DIMENSIONS OF HUMANITARIAN LAW, (Geneva, 1998) pp 67-90.
7. Jean Pictet, Development and Principles of IHL (1985).

8. Rosemary Abi-Saab, Humanitarian Law and Non-International Armed Conflicts, ICRC-Graduate Institute Training Seminar on IHL for University Teachers, Geneva 10-15 Aug. 1998.
9. Dieter Fleck, Humanitarian Protection against Non-State Actors, available online at <http://edoc.mpil.de/fs/2003/eitel.cfm>.
10. Waldemar A. Solf, Development of the Protection of the Wounded, Sick and Shipwrecked under the Protocols Additional to the 1949 Geneva Conventions.
11. Theodore Meron, Prisoners of War, Civilians and Diplomats in the Gulf Crisis, American Journal of International Law, Vol. 85 at 104.
12. Gordon Risius & Micheal A. Meyer, The Protection of POWs against Insults and Public Curiosity
13. Habib Slim, Protection of the Red Cross and the Red Crescent Emblems and the Repression of Misuse.
14. Francois Bugnion, Towards a Comprehensive Solution to the Question of the Emblem (2000).
15. ICRC, Model Law Concerning the Use and Protection of the Emblem of the Red Cross and the Red Crescent (1996).
16. ICRC, Development in Relation to Certain Conventional Weapons and New Weapons Technologies (Geneva, 1991).
17. Louise Doswald-Beck & Gerald C. Caudery, The Development of New Anti-Personnel Weapons.
18. ICRC, The Roots of Behaviour in War: Understanding and Preventing IHL Violations.
19. Yves Sandoz, Implementing IHL, in International Dimensions of Humanitarian Law, UNESCO).
20. Improving Compliance with IHL, ICRC Expert Seminar (ICRC, 2003).
21. ECOSOC, Human Rights Issues: Terrorism and Human Rights, Second Progress report (July 17, 2002) (E/CN.4/Sub.2/2002/35).
22. Federico Andreu-Guzman, Terrorism and Human Rights No.1 & 2: New Challenges and Old Dangers (International Commission of Jurists, March 2003).
23. ICRC, IHL and the Challenges of Contemporary Armed conflicts (Geneva, 2003).
24. Partial Awards of the Ethio-Eritrea Claims Commission.
25. The web page of the International Committee of the Red Cross ([WWW.ICRC.ORG](http://WWW.ICRC.ORG)) contains a number of useful commentaries and short articles on IHL.
26. Commentaries on the four Geneva Conventions and their Additional Protocols.

## BA.LL.B. – IX<sup>th</sup> Semester

### **INTERNATIONAL CRIMINAL LAW AND INTERNATIONAL CRIMINAL COURT**

|                                     |  |                              |                              |
|-------------------------------------|--|------------------------------|------------------------------|
| <b>Paper Code:</b><br><b>BL-910</b> | <b>International Criminal Law and International Criminal Court</b> | <b>Choice Base Group (D)</b> | <b>Credits:</b><br><b>03</b> |
|-------------------------------------|--|------------------------------|------------------------------|

**Objective of the Course:** Widespread violations of international humanitarian Law had become a practice in the contemporary world. Thus, growing concerns of the international community resulted in a demand for international criminal prosecution before an international criminal tribunal for those who committed heinous crimes recognized under customary international Law as a threat to international peace and security. The culture of impunity, which existed and still exist will be replaced by punishing those who are responsible for the commission of serious human rights and humanitarian Law. The availability of a permanent international body with jurisdiction to punish those responsible for such violations may add a new substantial element in order to improve that regime. The aim of this course is to analyze the differences in the jurisdiction of the International Criminal Court and the jurisdictions of the International Criminal Tribunal for former Yugoslavia and the International Criminal Tribunal for Rwanda. A comprehensive analysis of all provisions and jurisprudence developed by the various tribunals will be discussed. Importance will be placed on the Nature of the differing relations that exist between the ICC, ICTY and ICTR with national criminal courts. The topics are chosen carefully so that the students can be motivated to pursue their interest in the field of international criminal Law and international humanitarian Laws area.

This subject is complementary and supplementary to Humanitarian & Refugee Law and must be taught in the light of same.

**Teaching Methodology:** Lecture Method with PPT, Discussion Method, Tutorials, Assignments, Audio-video clips, Seminars

**Course outcomes:** On successful completion of this course, students should be able to:

1. Define various principles of international criminal Law and concept of Individual
2. Responsibility.
3. Analyze the working of the International Criminal Court and Tribunal.
4. Discuss & evaluate the various perspectives of ICL in present scenario.

### **SYLLABUS:**

#### **UNIT –I Introduction: International Criminal Law**

**(15 HRS)**

1. Individual Responsibility: Historical Development
  - a. Treaty of Versailles,
  - b. Nuremberg & Tokyo Trials
  - c. Genocide Convention, 1948,
  - d. A Brief Introduction to Geneva Convention, 1949,
  - e. ILC Draft Code of Crimes against the Peace and Security of Mankind
2. State Sovereignty and International Criminal Law
3. General Principles of International Criminal Law
4. Crimes and Elements of Crimes

#### ***Related Cases:***

Genocide: Prosecutor V.Akayesu (ICTR 1998); Prosecutor v. Krstic (ICTY2004)

Modes of Criminal Responsibility and Defences: Prosecutor v Samuel Hinga Norman, Case No. SCSL-2004-14-AR729E, Prosecutor V. Blaskic, (ICTY 2004)

## **UNIT II: International Criminal Court and Tribunals**

**(15 HOURS)**

1. International Criminal Court
2. ICC Jurisdiction over the Nationals of Non-States parties
3. International Criminal Tribunal for Yugoslavia (ICTY)
4. International Criminal Tribunal for Rwanda (ICTR)

## **UNIT III: Enforcement of ICL**

**(15 HOURS)**

1. The Iraqi Special Tribunal Universal Jurisdiction, Immunities
2. Ex parte Pinochet (UK House of Lords); Belgium's 1993 Universal Jurisdiction Law; ICJ
3. Arrest warrant of 2000 (Congo v. Belgium); Congo v. France;
4. Decisions of the International Court of Justice Case Concerning the Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro) of 26 February 2007
5. Special Court for Sierra Leone
6. Extraordinary Court for Cambodia
7. Response of South Asian Countries to the ICC
8. Indian Perspectives on the ICC
9. The Future of International Criminal Law
10. Enforcement of ICL by National Courts

### ***Compulsory Readings:***

#### **Primary Sources:**

1. Convention on the Prevention and Punishment of the Crime of Genocide, 1948
2. Principles of International Co-operation in the Detection, Arrests, Extradition and Punishment of Persons Guilty of War Crimes, and Crimes against Humanity, 1973
3. Rome Statute of the International Criminal Court, 1998

#### **Secondary Sources:**

##### **1. Books:**

- a. Cassese, Antonio, International Criminal Law
- b. (Oxford University Press, London, 2008) ed.2nd Schabas, William A.,
- c. An Introduction to the International Criminal Court,(Cambridge University Press,Cambridge,2001)

##### **2. Articles:**

- a. Ambos, K., "General Principles of Criminal Law in Rome Statute"
- b. Criminal Law Forum, Vol.10, (1999), pp. 1-32.
- c. Arnold, R, "The Mens Rea of Genocide under the Statute of the International Criminal Court" Criminal Law Forum , vol.14, n.2 (2003), pp. 127-151.
- d. Arsanjani, Mahnoush H. , " The Rome Statute of the International Criminal Court" American Journal of International Law , vol. 93, n.1 (1999),
- e. Bassiouni, M.C., "From Versailles to Rwanda in Seventy Five Years: The Need to Establish a Permanent International Criminal Tribunal",
- f. Harvard Human Rights Journal , vol.10 (1997), pp. 11-62.
- g. Cryer, Robert, "International Criminal Law vs State Sovereignty: Another Round?" The European Journal of International Law, Vol. 16 No. 5, 979–1000.
- h. Cassese, Antonio, International Criminal Law , (Oxford University Press, London,2008), ed.2.

##### **3. Web link:**

- a. [tp://www. fas.org.pdf](http://www.fas.org.pdf)
- b. <http://www.rienner.com>
- c. <http://www.globalpolicy.org/intljustice.htm>

INTELLECTUAL PROPERTY LAWS

|                            |                                   |                   |                   |
|----------------------------|-----------------------------------|-------------------|-------------------|
| <b>Paper Code: BL-1001</b> | <b>Intellectual Property Laws</b> | <b>Core Paper</b> | <b>Credits:05</b> |
|----------------------------|-----------------------------------|-------------------|-------------------|

**Course Objective:** The objective of this course is to provide basic knowledge on the concepts of Intellectual Property. The course gives an introduction to intellectual property and explains the protection offered by different species of IP. The course delves into scope, extent, term of protection and rights granted by each type of IP.

**Teaching Learning Methodology:** The course will be conducted using lectures, assignments, and PPT presentations. Students will be encouraged to do inter-disciplinary work so that they can develop better understanding of the role of IP in industrial and scientific innovation. In addition to this, students would be encouraged to participate in IP Law seminars and make class room presentation on relevant aspects of IP Law.

**Course Outcomes:** At the end of the course the student will be able to:

1. Analyze the national and international Laws relating to intellectual property.
2. Understand the concept of copyright and related provisions and apply it in a professional manner
3. Deduce the provisions for acquiring intellectual property right of patent.
4. Correlate, conceptualize and distinguish the IPR of trademark and design.
5. Comprehend emerging issues relating to intellectual property of geographical indication and plant varieties. Further explain the techno-legal issues relating to intellectual property.

**SYLLABUS:**

**UNIT-I:- Introduction** (15 hours)

1. Meaning , Purpose, Nature and Subject-matter of I.P.Rs
2. International conventions and Covenants
3. IPRs: Constitutional aspects of IPR and Human rights.

**UNIT –II–Intellectual Property Right of Copyright** (10 hours)

1. Meaning and objects of copyrights
2. Originality and content
3. Author and owner’s right and restrictions
4. Infringement and defenses, Remedies & Statutory Authority
5. Foreign-work and International copyright

**UNIT-III- Intellectual Property Right of Patents** (10 hours)

1. Historical background, Subject matter of Patents – Tripple test
2. Invention and its attributes, Inventor and application, opposition, Revocation of Patents
3. Right and Restriction, Infringement and Principle of Construction of specification
4. International aspects

**UNIT -IV- Intellectual property right of Designs and Trade Mark** (20 hours)

1. Trade Mark
  - a. Evolution ,Object ,Definition and Characteristic of Trade-Mark Law

- b. Distinction between Trade-Mark and Property Law
  - c. Different form of Trade Mark
  - d. Registration of Trade Mark, Right's of Trade Mark holder
  - e. Infringement and Passing off, Authority under Trade Mark Act
2. Designs
- a. Meaning of Designs, Registrable and Non registrable Design
  - b. Procedure and Cancellation of registration
  - c. Infringement and Reciprocal arrangement

**UNIT- V- Intellectual Property Rights of Geographical Indication and Plant Varieties**  
**(20 hours)**

- 1. Geographical indication
  - a. Meaning of Geographical Indication
  - b. Geographical indication and Trade Mark
  - c. Registration of Geographical indication
  - d. Infringement of Geographical indication and legal remedies
- 2. Protection of Plant Varieties
  - a. Registrable Varieties, Application for registration of Plant Varieties
  - b. Right of breeder or his Successor, Farmer's Right
  - c. Infringement and Remedies

***Books Recommended:***

- |                          |   |                                       |
|--------------------------|---|---------------------------------------|
| 1. Justice P.S. Narayana | : | Intellectual Property Law in India    |
| 2. W.R. Corish           | : | Intellectual Property                 |
| 3. B.L. Wadehra          | : | Law Relating to Intellectual Property |
| 4. P. Narayana           | : | Intellectual Property Law             |



PRINCIPLES OF TAXATION LAW

|                            |                                   |                   |                   |
|----------------------------|-----------------------------------|-------------------|-------------------|
| <b>Paper Code: BL-1002</b> | <b>Principles of Taxation Law</b> | <b>Core Paper</b> | <b>Credits:04</b> |
|----------------------------|-----------------------------------|-------------------|-------------------|

**Course Objectives:** Legal regime of Tax encompasses the policies, Laws and rule for Taxation process. Income Tax Law is concerned with tax imposed on various sources of income. With regard to indirect tax latest in the Pipeline of fiscal policy is introduction of uniform Goods and Service Tax (G S T) regime by July 1, 2017. Tax Policy is related to duties on imports from foreign countries and all compulsory levies imposed by the Government on Individuals firms limited companies, Govt. organizations, Local Authorities and others for the benefit of the State. The objet here is imparting conceptual understanding to the students of the provisions of both direct and indirect tax Laws. The students of Law are required to know the impact of taxation on business transactions.

**Teaching Learning Methodology:** The course will be conducted using lectures, assignments, and PPT presentations.

**SYLLABUS:**

**UNIT-I: General**

**(15 Hours)**

1. Concept of tax-
2. Nature and characteristics of different types of taxes-Direct and Indirect taxes
3. Distinction between Tax and Fees, Tax and Cess
4. Tax evasion, Tax planning and Tax avoidance
5. Retrospective Taxation
6. Federal Base of Taxing Power of Taxation under the Constitution,
7. Immunity of State agencies/Instrumentalities
8. Fundamental Rights and the power of Taxation
9. Commerce Clause, Inter-State Commerce and Taxation,
10. Scope of Taxing Powers of Parliament, Delegation of taxing power to State Legislatures and Local bodies

**UNIT-II: Direct Tax Regime (The Income Tax Act 1961)**

**(15 Hours)**

1. Basis of taxation of income
2. Basic concepts, Person, Residential Status and Incidence of Tax.
3. Income from Salaries, Income from House Property, Income from Business or profession and vocation
4. Capital gains, Income from other sources
5. Deemed assessee, Set off and Carry Forward Loss
6. Incomes exempted from tax, Permissible deduction & Chapter VIA deductions,
7. Assessment, Kinds of assessment
8. Income tax authorities- Appointment, Powers and Functions, Provisions relating to collection and recovery of tax, Filing of returns, Electronic filing, I.T. Portal working and Refund of tax, Appeal and Revision provisions, Offences and Penalties.

**UNIT-III: Indirect Tax Regime**

**(20 Hours)**

1. Concept of Goods and Service Tax (GST)
2. The Constitution (122<sup>nd</sup> Amendment) Act 2017
3. The Central Goods and Services Tax Act, 2017

4. Dual GST model of taxation
5. GST Council
6. Central GST (CGST) - GST levy on transaction - sale, transfer, Purchase, barter, lease, or import of goods and/ or service, compensation Law to State Governments
7. GSTN-Goods and Services Tax Network Portal; Tax Invoice
8. GST on Imports & Exports, Benefits of GST to trade, industry, e-commerce & Service Sector and the consumers at large
9. Impact of GST on GDP of India and Inflation.
10. IGST- Integrated GST (IGST) levied by the Central Government, Inter-state transactions and imported goods or services
11. State GST (SGST)- The State Goods & Service tax Law, Power of Central government to levy tax on interstate taxable supply, Impact of GST on State revenue; Indemnifying State Revenue Loss;
12. Union Territory Goods and service Tax Law (UTGST)
13. GST Exemption on the sale and purchase of securities, Securities Transaction Tax (STT)

**UNIT-IV: Custom Law**

**(10 Hours)**

1. Legislative Background of the levy, ports, Warehouses
2. Nature and restrictions on exports and import
3. Levy, exemption and collection of customs, duties and overview of Law and procedure
4. Clearance of goods from the port, including baggage
5. Goods imported or exported by post and stores and goods in transit
6. Duty drawbacks provisions,
7. Authorities-Powers and Functions and SEZ units.

***Prescribed Books:***

1. Sumit Dutt Majumder, GST in India, 2<sup>nd</sup> edn., (New Delhi: Centax Publications Pvt. Ltd., 2016/2017).
2. Taxmann's Income Tax Act, 60<sup>th</sup> edn., (New Delhi: Taxmann Publications Pvt. Ltd., 2016/2017).
3. R. K. Jha and P.K. Singh, A Bird's Eye view of GST, 1<sup>st</sup> edn., (Hyderabad: Asia Law Hosue, 2017)

**BA.LL.B. – X<sup>th</sup> Semester**  
**Moot Court Exercise and Internship**

|                            |                               |                            |                   |
|----------------------------|-------------------------------|----------------------------|-------------------|
| <b>Paper Code: BL-1003</b> | <b>Moot Court (Practical)</b> | <b>Core Clinical Paper</b> | <b>Credits:04</b> |
|----------------------------|-------------------------------|----------------------------|-------------------|

**Object:** The Main Object of the paper moot court and internship is to acquaint the student with the court culture and mannerism so that by exercising three moot during course will uplift the skill of the student.

**Course Outcomes:** At the end of the course the student will be able to:

1. Analyze the moot problems and their legal solution.
2. Understand the techniques of client counseling and interview technique.
3. Deduce the provisions for acquiring the legal frame work.
4. Correlate, conceptualize and distinguish the various Laws while court practicing.

**Moot Court and Internship:**

1. Moot Court: Every student shall be required to do at least three moot courts in a year. The moot court work will be on an assigned problem and it will be evaluated for written submissions and oral advocacy.
2. Observance of actual trial in two cases at any stage, one Civil and one Criminal: Students shall be required to attend two trials in the course of the last two or three years of the studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment.
3. Interviewing techniques and Pre-trial preparations and Internship diary. Each student will observe two interviewing sessions of clients at a Lawyer's Office/Legal Aid Office and record the proceedings in a diary. Each student will further observe the preparation of documents and court papers by an advocate and the procedure for the filing of a suit/petition. This will be recorded in the diary.
4. There will be Viva-Voce examination on all the above three aspects.
5. The students in final semester are required to work as an intern in Legal Aid Clinic established for the purpose.

- **This paper will have three components of 30 marks each and Viva Voce for 10 marks.**

**DETAILED DESCRIPTION OF THE COURSE:**

**A) Moot Court - 30 Marks**

1. Three Moot Courts in a Semester (Each 10 Marks)
  - a. Moot Courts shall be based on assigned problems to be prepared by the faculty concerned
  - b. Evaluation by Principal/Head concerned an advocate and Teacher concerned
  - c. Out of 10 marks allotted for each problem, 5 marks are to be allotted for written submissions and 5 marks for oral advocacy
    - i. Written submissions shall include brief summary of facts, issues involve provisions of Land agreements, citation, Prayer, etc.,
    - ii. Marks for oral advocacy shall be awarded for communication skills, presentations, language, provisions of Law, authorities quoted, court manners etc.

**B) Observance of Trial in Two Cases (Civil and Criminal each) - 30 marks**

1. Student has to attend court to observe one civil and one criminal case minimum and record his observations step by step of different stages of litigations/proceedings.

2. This court assignment should be evaluated by an internal Teacher and an advocate and average will be taken.
3. Court attendance shall be compulsory and attendance has to be recorded in a register kept therefore. It shall be carried under the supervision of a Teacher of the college.

**C) Interviewing Techniques and Pre-trial Preparation and Internship Diary - 30 Marks**

1. Each student has to maintain a diary to record interactions with clients, preparation of documents and court papers.
2. The student should observe two 'Interview Sessions' with clients either in the Lawyers office or in the legal aid office.
3. This shall be recorded in the Diary. It carries 15 marks.
4. Each student has to observe the preparation of documents and court papers and record such observance in the diary. It carries 7 and 1/2 marks.
5. Each student shall observe the procedure for filing suit/petition and record the same in the diary. It carries 7 and 1/2 marks.

**D) The fourth component of this paper will be **Viva Voce Examination** on all the above three aspects. It will carry 10 marks.**

***Books Recommended:***

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