

SRI PADMAVATI MAHILA VISVAIDYALAYAM TIRUPATI

WOMENS' UNIVERSITY

DEPARTMENT OF LAW

ANNEXURE-2

Regulations & Syllabus of

LL.B.

3 YEAR DEGREE COURSE

(Effective from the Academic Year 2019-2020)

ANNEXURE-2
Regulations relating to
LL.B. 3 YEAR DEGREE COURSE
(Semester System)

(Effective from the Academic Year 2017-2018)

The following regulations for 3 year LL.B Course shall come into force with effect from the Academic Year 2017-2018:

- ❖ **Admission** into 3 Year LL.B. Degree Course is subject to LAW CET and University Rules and Regulations. Admissions are made by LAW CET Convener in accordance with the Rules prescribed by Government of Andhra Pradesh vide G.O Ms No 26 Higher Education dated 24-2-2004.
- ❖ **For the award of 3 year LL.B. Degree**, a candidate shall be required to have
 - i) received instruction and training for the prescribed course of study as full-time student for three academic years, and
 - ii) passed all the papers prescribed for the award of 3 Year LL.B. Degree.
- ❖ **Duration:** 3 Year LL.B Degree Course has to be pursued in six semesters stretching over three academic years. Each academic year comprises of two Semesters.
- ❖ **Medium of Instruction:** English
- ❖ **Fee Structure:**

	Y E A R	Tuition fee per annum Rs.	**Spl. Fee Rs.	Library fee Rs.	User charges (non- refund able) Rs.	*Admiss ion fee Rs.	Regular/ payment/ self finance (amount) Rs	Comp u ter fee Rs.	Total Rs.
Regular	1.	3,500	1,000	500	1,000	1,000	---	1,000	8,000/-
	2.	3,500	1,000	---	1,000	----	---	---	5,500/-
	3.	3,500	1,000	---	1,000	---	---	---	5,500/-
Self Finance	1.	3,500	1,000	500	1,000	1,000	16,000	1,000	24,000/ -
	2.	3,500	1,000	---	1,000	----	16,000	---	21,500/
	3.	3,500	1,000	---	1,000	----	16,000	---	21,500/

- ❖ **Class Room Instruction:** Class room instruction for each semester will be for 15weeks excluding the period for conducting the examinations.
- ❖ **Attendance:** In order to be eligible to take the examination in any subject, candidate is required to put in 75% of attendance; she may be condoned for the shortage of attendance as per the norms of the University.
- ❖ **Credits:** All papers carry **five** credits each. Total credits of the LL.B (3Year)Course are 140.
- ❖ **Examinations:**
 1. **Question Paper Pattern:** For all papers other than Practical Training Papers I and IV, namely Drafting, Pleading and Conveyancing and Moot Court Exercise and Internship, in Sixth Semester the question paper consists of three parts.
 - Part A** consists of 9 short answer type questions, out of which the candidates shall answer any six questions. Each question carries 4 marks.
 - Part B** consists of 4 short essay type questions, out of which the candidates shall answer any two questions. Each question carries 12 marks.
 - Part C** consists of 4 essay type questions (Problem analysis), out of which the candidates shall answer any two questions. Each question carries 16 marks. The

answer shall cover recitation of facts, framing of issues, reasoned decisions and citation of authority.

2. **Allotment of Marks:** All papers carry 100 Marks, out of which 80 Marks are allotted to Semester End written examination. 20 Marks are allotted for internal assessment. Internal assessment marks will be based on student's performance in two internal tests, *assignment, Moot Court/Seminar and Attendance*.

For practical papers:

- ↔ For Practical Training Paper I, "Drafting, Pleading and Conveyancing", in Sixth Semester 90 marks internal component, (45+45=90) + 10 marks for external viva.
 - ↔ For Practical Training-II on "Professional Ethics & Professional Accounting System" in sixth semester 80 marks for external university examination + 20 Marks for external viva
 - ↔ For Practical Paper IV, Moot Court Exercise and Internship in Sixth semester 90 marks internal component, (30+30+30=90) + 10 marks for external viva.
3. Candidate shall take examination in each of the subjects prescribed for study at the end of the semester by registering for that semester examination and obtaining hall ticket for the same. Duration of the examination is three hours.
4. The semester end examination shall be based on the question paper set by an external paper setter.
5. For passing in the examination the candidate has to secure a minimum of 35% in each paper and a minimum of 50% in the practical papers and aggregate of 40% in all papers.

❖ **Grafting/Grace** is permitted as per the university norms

↔ **Scheme of Grading**

S. No	Range of Marks	Grade Point	Grade	Class
1.	75-100 Marks	7.5-10	O	Distinction
2.	65-74 Marks	6.5-7.49	A+	I Class
3.	60-64.9 Marks	6.0-6.49	A	I Class
4.	55-59.9 Marks	5.5-5.99	B+	II Class
5.	50-54.9 Marks	5.0-5.49	B	II Class
6.	40-49.9 Marks	4.0-4.99	C	Pass
7.	<40 (0-39.9)	-	-	Fail

❖ **Awards:** A candidate who passed all the papers relating to any semester at the first appearance is eligible for the Award of Medals or Prizes by the University and to receive certificates of rank obtained by them in the examination.

❖ **Subjects:** Subjects of study prescribed by Curriculum Development Committee and Bar Council of India are as follows:

Compulsory Papers: 20

1. Jurisprudence .
2. Law of Contract-I (General Principles of Contract (Secs.1 to 75) & Specific Relief Act)
3. Law of Contract-II (Special Contracts)
4. Law of Torts (Including MV Accident and Consumer Protection Laws)

5. Family Law- I: (Family Relations)
6. Family Law –II (Testamentary and Intestate Succession)
7. Law of Crimes - I: (Indian Penal Code)
8. Law of Crimes - II: (Cr. P.C, Juvenile Justice Act and Probation of Offenders Act.)
9. Indian Constitutional Law -I
10. Indian Constitutional Law -II
11. Property Laws (Including Transfer of Property Act and Easements Act)
12. Law of Evidence
13. Civil Procedure Code and Limitation Act
14. Administrative Law
15. Company Law
16. Public International Law & Human Rights
17. Principles of Taxation Law
18. Environmental Law (Including Laws for The Protection of the Wild Life and other Living Creatures & Animal Welfare)
19. Labour and Industrial Law -I
20. Labour and Industrial Law-II

Practical Training Papers: 4

1. Practical Training-1: Drafting, Pleading and Conveyancing
2. Practical Training-II: Professional Ethics & Professional Accounting System
3. Practical Training-III: Alternate Dispute Resolution (ADR)
4. Practical Training-IV: Moot Court Exercise and Internship

Discipline Specific Elective (DSE):6 Optional Subjects

1. DSE-I: Banking Law & Negotiable Instruments in Second Semester
2. DSE-II: Intellectual Property Rights Litigation in Third Semester
3. DSE-III: Women and Law in Third Semester
4. DSE -IV: Interpretation of Statutes and Principles of Legislation in Third Semester.
5. DSE-V: Land Laws (Including Land Ceiling, Tenure and Tenancy System) in Fourth Semester
6. DSE-VI: Penology and Victimology in Sixth Semester

LLB3ydc

SEMESTER-WISE DISTRIBUTION/SCHEME:

I SEMESTER

3LLB01: Contracts-I(General Principles of Contract(Secs.1 to 75) & Specific Relief Act)	:80+20=100Marks
3LLB02: Family Law – I (Comparative Family Relations)	:80+20=100Marks
3LLB03: Law of Torts (Including MV Accident & Consumer Protection Laws)	:80+20=100Marks
3LLB04: Indian Constitutional Law – I-	: 80+20=100Marks
3LLB05: Jurisprudence-	: 80+20=100Marks

II SEMESTER

3LLB06: Indian Constitutional Law-II -	: 80+20=100Marks
3LLB07: Contracts-II (Special Contracts)-	:80+20=100Marks
3LLB08: Family Law – II (Testamentary and Intestate Succession)-	: 80+20=100Marks
3LLB09: Law of Crimes-1 (BNS)	:80+20=100Marks
3LLB10: Banking Law & Negotiable Instruments (DSE-I)-SMP	: 80+20=100Marks

III SEMESTER

3LLB11: Property Laws (Including Transfer of Property Act& Easements Act)	: 80+20=100Marks
3LLB12: Labour and Industrial Law – I	: 80+20=100Marks
3LLB13: Intellectual Property Rights Litigation (DSE-II)	:80+20=100Marks
3LLB14: Women and Law (DSE-III)	:80+20=100Marks
3LLB15: Interpretation of Statutes and Principles of Legislation (DSE-IV)-	: 80+20=100Marks

IV SEMESTER

3LLB16: Labour and Industrial Law – II	: 80+20=100Marks
3LLB17: Public International Law	: 80+20=100Marks
3LLB18: Principles of Taxation Law	: 80+20=100Marks
3LLB19: Environmental Law (Including Laws for the Protection of Wild Life and Other Living Creatures & Animal Welfare	: 80+20=100Marks
3LLB20: Human Rights Law and Practice -	: 80+20=100Marks

V SEMESTER

3LLB21: Administrative Law	: 80+20=100Marks
3LLB22: Law of Evidence -(BSA)	:
80+20=100Marks	
3LLB23: Civil Procedure Code and Limitation Act -	: 80+20=100Marks
3LLB24: Law of Crimes- II (BNSS)	
)	
3LLB25: Practical Training - III	: 80+20=100Marks
Alternate Dispute Resolution	

VI SEMESTER

3LLB26: Company Law	: 80+20=100Marks
3LLB27: Practical Training – I	: 10+90=100Marks
Drafting, Pleading and Conveyancing	
3LLB28: Practical Training- II	: 80+20=100Marks
Professional Ethics & Professional Accounting System	
3LLB29: Practical Training – IV-	: 10+90=100Marks
Moot Court Exercise and Internship	
3LLB30: Penology and Victimology (DSE-VI)-	: <u>80+20=100Marks</u>

TOTAL

3,000 Marks

LL. B 3YEAR DEGREE COURSE- CURRICULUM

FIRST SEMESTER

Category	Code	Subject	Hours			Max Marks		Credits
			L	T	P	E	I	
Core	3LLB01	Contracts-1 (General Principles of Contract (Secs.1 to 75) & Specific Relief Act)	5	1	2	80	20	6
Core	3LLB02	Family Law-I (Comparative Family Relations)	5	1	2	80	20	6
Core	3LLB03	Law of Torts (Including MV Accident and Consumer Protection Laws)	5	1	2	80	20	6
Core	3LLB04	Indian Constitutional Law – I	5	1	2	80	20	6
Core	3LLB05	Jurisprudence	5	1	2	80	20	6
SEC		Skill Enhancement Course—I Communicative English	2	0	0		50	2
TOTAL								30

Total hours per semester: 90

SECOND SEMESTER

Category	Code	Subject	Hours			Max Marks		Credits
			L	T	P	E	I	
Core	3LLB06	Indian Constitutional Law-II	5	1	2	80	20	6
Core	3LLB07	Contracts-II (Special Contracts)	5	1	2	80	20	6
Core	3LLB08	Family Law-II (Testamentary and Intestate Succession)	5	1	2	80	20	6
Core	3LLB09	Law of Crimes-I (BNS)	5	1	2	80	20	6
DSE	3LLB10	Banking Law & Negotiable Instruments (Discipline Specific Elective Course-1)	5	1	2	80	20	6
SEC		Skill Enhancement Course– II Computer Applications	2	0	0		50	2
TOTAL								30

Total hours per semester: 90

Total hours per year: 180

THIRD SEMESTER

Category	Code	Subject	Hours			Max Marks		Credits
			L	T	P	E	I	
Core	3LLB11	Property Laws (Including Transfer of Property Act and Easements Act)	5	1	2	80	20	6
Core	3LLB12	Labour and Industrial Law-I	5	1	2	80	20	6
Core	3LLB13	Intellectual Property Rights Litigation (Discipline Specific Elective Course-II)	5	1	2	80	20	6
Core	3LLB14	Women And Law / Land Laws (Including Land Ceiling, Tenure and Tenancy System) (Discipline Specific Elective Course-V) (Discipline Specific Elective Course-III)	5	1	2	80	20	6
DSE	3LLB15	Interpretation of Statutes and Principles of Legislation (Discipline Specific Elective Course-IV)	5	1	2	80	20	6
	AEC	Ability Enhancement Course—1 Legal Deeds & Drafting	2	0	0		50	2
TOTAL								30

Total hours per semester: 90

FOURTH SEMESTER

Category	Code	Subject	Hours			Max Marks		Credits
			L	T	P	E	I	
Core	3LLB16	Labour and Industrial law-II	5	1	2	80	20	6
Core	3LLB17	Public International Law	5	1	2	80	20	6
Core	3LLB18	Principles of Taxation Law	5	1	2	80	20	6
Core	3LLB19	Environmental Law (Including Laws for The Protection of Wild Life and other Living Creatures & Animal Welfare)	5	1	2	80	20	6
DSE	3LLB20	Human Rights Law and Practice	5	1	2	80	20	6
	AEC	Ability Enhancement Course—2 Moot Courts	2	0	0		50	2
TOTAL								30

Total hours per semester: 90

Total hours per year: 180

FIFTH SEMESTER

Category	Code	Subject	Hours p/w			Max Marks		Credits
			L	T	P	E	I	
Core	3LLB21	Administrative Law	5	1	2	80	20	6
Core	3LLB22	Law of Evidence (BSA)	5	1	2	80	20	6
Core	3LLB23	Civil Procedure Code and Limitation Act	5	1	2	80	20	6
Core	3LLB24	Law of Crimes –II (BNSS)	5	1	2	80	20	6
Practical	3LLB25	Practical Training-III Alternate Dispute Resolution (ADR)	5	1	2	80	20	6
	A E C	Ability Enhancement Course—3 Internship	2	0	0		50	2
TOTAL								30

Total hours per semester: 90

SIXTH SEMESTER

Category	Code	Subject	Hours P/W			Max Marks		Credits
			L	T	P	E	I	
Core	3LLB26	Company Law	5	1	2	80	20	6
Practical	3LLB27	Practical Training-I (Drafting, Pleading and Conveyancing)	2	1	6	10	90	6
Practical	3LLB28	Practical Training –II Professional Ethics and Professional Accounting System	5	1	2	80	20	6
Practical	3LLB29	Practical Training-IV(Moot Court Exercise and Internship)	2	1	6	10	90	6
DSE	3LLB30	Penology and Victimology (Discipline Specific Elective Course-VI)	5	1	2	80	20	6
TOTAL								30
TOTAL CREDITS :TOTAL CREDITS OF THE LL.B (3YEAR) COURSE								180

Total hours per semester: 90

Total hours per year: 180

SUBJECT CREDITS : 180 (3000 Marks)

LIST OF DISCIPLINE SPECIFIC ELECTIVE PAPERS –Optional Subjects

TITLE OF THE PAPER	HOURS/WEEK			
	L	T	P	C
Penology and Victimology	5	1	2	6
Intellectual Property Rights Litigation	5	1	2	6
Women and Law	5	1	2	6
Interpretation of Statutes and Principles of Legislation	5	1	2	6
Human Rights Practice and the Law	5	1	2	6
Banking Law & Negotiable Instruments	5	1	2	6
Land Laws (Including Land Ceiling, Tenure and Tenancy System)			2	6
Indian Federalism	5	1	2	6
Law of the Sea	5	1	2	6
Humanitarian and Refugee Law	5	1	2	6
International Environmental Law	5	1	2	6
Maritime Law	5	1	2	6
Information Technology- Offences	5	1	2	6

LIST OF GENERIC ELECTIVE COURSES OFFERED TO OTHER DEPARTMENTS

Category	TITLE OF THE PAPER	HOURS/WEEK			CREDITS
		L	T	P	
Generic Elective Course -1	Indian Constitutional Law	2	0	0	2
Generic Elective Course -2	Special Contracts	2	0	0	2
Generic Elective Course-3	Testamentary and Intestate Succession	2	0	0	2
Generic Elective Course -4	Law of Crimes-1 (Indian Penal Code)	2	0	0	2
Generic Elective Course -5	Land Laws Including Land Ceiling, Tenure	2	0	0	2
Generic Elective Course -6	Property Laws	2	0	0	2
Generic Elective Course -7	Labour and Industrial Law	2	0	0	2
Generic Elective Course -8	Intellectual Property Rights	2	0	0	2
Generic Elective Course -9	Women And Law	2	0	0	2
Generic Elective Course -10	Interpretation of Statutes and Principles of Legislation	2	0	0	2

LIST OF AECC AND SKILL ENHANCEMENT ELECTIVE COURSES

Category	TITLE OF THE PAPER	HOURS/WEEK			
		L	T	P	CREDITS
Skill Enhancement Course-1	Communicative English	2	0	0	2
Skill Enhancement Course-2	Computer Applications	2	0	0	2
Ability Enhancement Course-1	Legal Deeds & Drafting	2	0	0	2
Ability Enhancement Course-2	Moot Courts	2	0	0	2
Ability Enhancement Course-3	Internship	2	0	0	2

SYLLABUS:

3LLB01: CONTRACTS-1

(General Principles of Contract (Secs.1 to 75) & Specific Relief Act)

OBJECTIVES: Every person in his day to day life has to enter into variety of contracts. In a way living in a modern society would be impossible of the in the field of trade, commerce and industry. In India these, general principles are statuterized in the form of the Indian Contract Act, 1872. This course on several principles of law of contract is designed to acquaint a student with conceptual and operational parameter of these various general principles of contractual relations. To develop the appreciative and qualitative facilities of the students in statutory law as well as case law in matters relating to contractual relations in a developing, planned and welfare economy of India.

SYLLABUS:

1. Introduction-History of the contract-Nature and Definition of the Contract-Essential elements of a valid contract-Classification of contract-Cyber Contracts
2. Agreement-Definition of Agreement, Offer and Acceptance-General Offer, Specific Offer, Standing offer and express and implied offers.-Offer and Invitation to Treat-Rules of offer and acceptance-Lapse of offer, Revocation of Acceptance.
3. Consideration: Definition, essentials and legal rules of consideration-Exceptions to the rule that contract without considerations is void-Doctrine of Privity of contract-Executed and Executory consideration
4. Capacity to contract-Competent persons to enter into contract-Nature and Effects of Minor's agreement-Agreements of persons of unsound mind, alien enemies, convicts and insolvent.
5. Free Consent-Definition of Consent and Free Consent-Flaw in consent, Coercion, Undue influence, Fraud, Misrepresentation and Mistake, and their effects in agreements.
6. Legality of Object and Consideration: Explanation of consideration and unlawful object- Unlawful, void, voidable, and illegal agreements -Agreements and their effects-Unlawful considerations and objects-Void Agreements
7. Performance of contract-Modes, essentials of performance of contract-Performance of joint promises, reciprocal promises-Requisites of valid tender and kinds of tender-Time as the essence of contract-Assignment of contracts and Appropriation
8. Discharge Of Contract And Its Various Modes:-Discharge by Performance: Modes, essentials, Discharge by breach: Anticipatory breach and present breach, Discharge by Agreement: rescission and alteration-its effects, accord and satisfaction. Discharge by Consent-Discharge by Impossibility of Performance-Discharge by period of limitation.
9. Quasi Contracts: Definition of quasi contract-Kinds of quasi contractual obligations-- Quantum Meruit
10. Remedies for breach of contract: Rescission-Suit for damages- Suit for Quantum Meruit- Suit for specific performance of contract- Suit for Injunction-Jurisdictional Problems of International Contracts including Cyber Contracts
11. Specific Relief Act, 1969-Definition-Recovering possession of property-Specific performance of contract- Rectification of instruments-Rescission of contracts- Cancellation of instruments-Declaratory decrees- Preventive relief.

REFERENCE BOOKS:

- | | |
|----------------------------|---------------------|
| 1. Mercantile Law | - Avtar Singh |
| 2. Contracts | - Venkatesh Iyer. |
| 3. Mercantile Law | - N.D.Kapoor |
| 4. Law of Contract- I & II | - Dr.S.S.Srivastava |
| 5. Law of Contract | - Dr.Kailash Rai |
| 6. Law of Contract | - Anson |
| 7. Cyber Contracts | - Joga Rao |

3LLB02: FAMILY LAW-1 **(Comparative Family Relations)**

Objectives: 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 fulfil the constitutional directive of uniform civil code. Such a restructuring would make the study of family relations more meaningful.

Syllabus:

1. Introduction: Applicability of laws – Hindu- Christian -Muslim
2. Sources of personal laws - Types of family based upon- Lineage- patrilineal and matrilineal-Authority structure- patriarchal and matriarchal- Location - patriarchal and matriarchal- Number of conjugal units: nuclear, extended, joint and composite
3. Institution of Marriage and kinship- Evolution of the institution of marriage and family- Role of religion, rights and practices in moulding the rules regulating the marital relations- Customary practices and the state Intervention- Polygamy - Child marriage- Sati- Dowry- Essentials of a valid marriage
4. Matrimonial Remedies: Non-judicial resolution of marital conflicts: Judicial resolution of marital conflicts: A general perspective of Mankind- Nullity of marriage- Option of puberty- Restitution of Conjugal rights- Judicial Separation- Divorce – Grounds of Divorce- Bars to matrimonial relief
5. Alimony and Maintenance: Maintenance pendente lite - Maintenance of neglected wives, divorced wives, minor children under Cr. P. C - Alimony and Maintenance as an independent remedy- A review under different personal laws - Alimony and Maintenance as an ancillary relief, alimony pendente and permanent maintenance - Maintenance divorced Muslim women under the Protection Rights on Divorce Act, 1986
6. Child and the Family: Legitimacy- Adoption - Effect of conversion on adoption Custody, Maintenance and Education- Guardianship- Effect of Conversion on Adoption
7. Foreign Marriages and International Marriages
8. Family Courts
9. Uniform Civil Code

REFERENCE BOOKS:

- | | |
|----------------------------------|-----------------------|
| 1. Family Law | : G.C.V. Subba Rao |
| 2. Hindu Law | : Paras Diwan |
| 3. Hindu Law: Past & Present | : Derrett |
| 4. Hindu Law | : Mayne |
| 5. Outlines of Muslim Law | : A.A.A. Fyzee |
| 6. Hindu law | : Mullah |
| 7. Law of Adoption, Maintenance | : Paras Diwan |
| 8. Muslim Law & the Constitution | : A. M. Bhattachargee |

3LLB03: LAW OF TORTS

(Including MV Accidents and Consumer Protection)

Objectives: With rapid industrialization, tort action came to be used against manufacturers and industrial units for products injurious to human beings. Presently, the emphasis is on extending the principles not only to acts, which are harmful, but also to failure to comply the standards that are continuously changing due to advancement in science and technology. Product liability is now assuming a new dimension in developed economics. In the modern era of consumer concern of goods and services, the law of torts has an added significance with this forage into the emerging law of consumer protection. It operates in disputes relating to the quality of goods supplied and services rendered and in those areas relating to damage suffered by consumers.

SYLLABUS:

1. Definition, Nature, Scope and objects- legal damage- Damnum sine injuria and Injuria sine damnum-Tort distinguished from Crime, Breach of Contract, etc.,- concept of un-liquidated damages-Judicial Process in Tort-Capacity to sue.
2. General Principles of liability in Torts- Fault and Liability without fault- Vicarious liability: Master and servant – independent contractor- Principal and agent-corporation and principal officer - Statutory liability- Absolute liability/Strict Liability- State liability; Doctrine of Sovereign immunity and its relevance in India- Liability of MNCs.
3. Justification in Torts- Volenti non fit injuria-Necessity- public and private-Plaintiff's default- Act of god and inevitable accident and Private defence- Statutory authorization-Judicial and quasi-judicial acts- Parental and quasi-parental authority.
4. Extinguishment of liability in certain cases-Death - Actio personalis moritur cum persona, Exceptions, Law Reforms (Miscellaneous Provisions) Act,1934-Waiver and acquittance- Release-Accord and satisfaction-Limitation
5. Torts against persons and personal relations -Assault, Battery, Mayhem, False imprisonment-Defamation – Libel, Slander including law relating to Defamation-Privileges, Marital, Domestic and Parental relations-Master and servant relations-Malicious prosecution-Shortened expectation of life-Nervous shock
6. Wrongs affecting property-Trespass to land, Trespass ab initio, Dispossession- Movable property – Trespass to goods, detainee, conversion- Torts against business interests- injurious falsehood, misstatements- passing off
7. Negligence- Basic concepts; Standards of care, duty to take care, Carelessness and Inadvertence- Theories of Negligence-Doctrine of contributory Negligence- Res ipsa loquitor and its importance in contemporary law- Professional liability due to Negligence with special reference to Consumer Protection Law
8. Nuisance- Definition, essentials and types- Acts which constitute Nuisance – obstructions of high ways, pollution of air-water, noise and Interference with light and air
9. Legal Remedies-Award of damages- foreseeability and direct tests- Injunction-Specific Restitution of Property- External- Legal remedies- self help, re-entry in land, recapture of goods-distress damage Pheasant and abetment of nuisance
10. Consumer and Consumer Protection Act, 1986- Caveat emptor and Caveat Venditor- Duty to take care and liability for negligence-Deceit and false advertisements- Liability for hazardous and inherently dangerous trial activity-Product liability-EEC directives- Right to common property resources- right to pass and repass on Pathways -Motor Vehicles Act, 1988

REFERENCE BOOKS:

- | | | |
|--|---|-----------------------|
| 1. Law of Torts | : | Winfield |
| 2. Law of Torts | : | Salmond |
| 3. Law of Torts | : | R. K. Bangia |
| 4. Law of Torts | : | Ratanlal & Dhiraj Lal |
| 5. Law of Torts | : | M. Sreedharacharya |
| 6. Law of Torts | : | D.D.Basu |
| 7. Law of Consumer Protection in India | : | D.N. Sarat |

3LLB04: INDIAN CONSTITUTIONAL LAW -1

Objectives: The Constitutional Law of India embodies the main principles of Democratic Government, how it comes into being, what are its powers, functions responsibilities and obligations. How power is limited distributed. A good understanding of the Constitutional Law which has developed through Constitutional amendments, judicial decisions of constitutional practice, therefore, absolutely necessary for a student of Law.

Syllabus:

1. Introduction: Concepts of Constitution, Constitutional Law and Constitutionalism- Making of Indian Constitution (1946-1950)- Constituent Assembly, Constituent Assembly Debates- Salient features of the Indian Constitution- Is India a federation
2. Preamble: Objectives enshrined in the preamble- Role of the preamble in the interpretation of the Constitution- Amendability of the preamble
3. Citizenship
4. Fundamental Rights: Introduction- Definition of State (Art. 12)- Laws inconsistent with Fundamental Rights (Art. 13)- Doctrine of eclipse- Doctrine of severability- Doctrine of waiver of Fundamental Rights
5. Right to Equality (Art. 14 to 18): Scope and ambit of equality before law and equal protection of laws- Doctrine of reasonable classification and Different bases for classification- New doctrine under Art. 14 against arbitrariness- Reservations for Backward Classes and for Scheduled Castes and Scheduled Tribes- Special provisions for women and children - Abolition of untouchability and Titles
6. Right to Freedom (Art. 19&20): Fundamental Freedoms- Freedom of speech and Expression- Freedom of assembly- Freedom to form associations and unions- Freedom of movement- Freedom of residence- Freedom of profession, occupation, trade and business-Test to determine reasonableness of restrictions under Art. 19 Protection in respect of conviction for offences: Doctrine of Ex post facto law- Doctrine of double jeopardy- Privilege against self incrimination
7. Protection Of life and personal liberty (Art. 21): Meaning and scope of the expression 'Life, Personal Liberty & Procedure established by law'- Human dignity, Right to livelihood and minimum wages - Prisoners Rights- Imposition of death sentence- Prevention of environmental pollution-Interrelationship between Art.14, 19 and 21.
8. Safeguards against arbitrary arrest and detention (Art. 22)
9. Right to Freedom of Religion and Minority Rights (Art. 25 to 31): Cultural and Educational rights- Protection of the interests of Minorities- Right of Minorities to establish and administer educational Institutions- Present status of right to property (Art. 31-A, B, C)
10. Right to Constitutional Remedies (Art-32): PIL- Writs
11. Directive Principles of State Policy: Relative importance of fundamental rights and directive principles- Directive Principles of State Policy- Directive Principles of Social and Economic charter- Directive Principles of Social Security charter- Directive Principles of Community Welfare charter
12. Fundamental Duties

REFERENCE BOOKS:

- | | |
|-----------------------------------|--------------------|
| 1. Constitutional Law | : H. M. Seervai |
| 2. Shorter Constitution of India | : D. D. Basu |
| 3. Constitution of India | : V. N. Shukla |
| 4. Constitutional Law of India | : J. N. Pandey |
| 5. Indian Constitutional Law | : M. P. Jain |
| 6. Constitutional Law | : M. Hidayatulla |
| 7. Constitution of India | : V. D. Mahajan |
| 8. Working of Indian Constitution | : Glanville Austin |

3LLB05: JURISPRUDENCE

Objectives: The core of the legal enterprise in the concept of law without a deep understanding of this concept neither legal practice nor legal education can be a purposive attainment and justice in society. A course in Jurisprudence should primarily induct the student into a realm of questions concerning law. So that the students are able to live with their perplexity or complexity and is driven to seek out answers for themselves.

SYLLABUS:

1. Nature and scope of Jurisprudence: Need to study jurisprudence- Definition and scope-nature of jurisprudence- relationship of legal theory to the development of just society.
2. Various school of Jurisprudence: Analytical School- Natural Law school- Historical school- Sociological school - Realist school
3. Theories of Jurisprudence: Imperative theory of law-Austinian Theory- Natural Law Theory – Hugogrotius and Stamler- Pure theory of law-Kelson Theory- Historical theory of law- Savigny's Theory- Sociological theory of law-Roscopound's Theory- Economic theory of law-Karl Marx Theory- Feminist Jurisprudence
4. State- Sovereignty: Definition of State- Essential elements of State- Function of State- Administration of Justice- Importance of Administration of Justice- Origin and growth of Administration of Justice- Theories of Punishment-Reformative Theory, Retributive Theory, Deterrent Theory and Preventive Theory- Sovereignty- Salmond, Dicey, Austin and Marxist view of sovereignty.
5. Sources of Law: Meaning of Sources of Law- Custom –Legislation- Judicial Precedent
6. Other sources of Law-Justice, Equity and Good conscience and Juristic writings
7. Concepts of Law: Rights and Duties- Definition of Legal Rights and Duties, Theories of legal rights, Kinds of Rights and Duties, Relation between Rights and Duties.
8. Ownership- Development of Idea of ownership, Definition and essentials of ownership, subject matter of ownership, modes of acquisition of ownership, kinds of ownership
9. Property- Meaning and kinds of property, servitudes, Modes of acquisition of property. Possession
10. Persons: Definition of persons, - kinds of persons- Natural persons and legal persons- Legal status of unborn persons, dead persons and animals
11. Liability: Concept of Liability- General conditions of Liability- Kinds of Liability- Civil, Criminal, Remedial, Vicarious, Absolute and Strict Liability.
12. Titles: Definition and Nature of Titles- Classification of Titles.

REFERENCE BOOKS:

- | | |
|----------------------------------|-------------------|
| 1. Jurisprudence | : Dias |
| 2. Jurisprudence | : Salmond |
| 3. Principles of Jurisprudence | : V.D.Mahajan |
| 4. Principles of Jurisprudence | : G.C.V. Subbarao |
| 5. Legal Theory | : Friedman |
| 6. Jurisprudence | : M.P.Jain |
| 7. Glimpses of Jurisprudence | : R.D.Yadav |
| 8. Introduction of Jurisprudence | : Lloyd |
| 9. Jurisprudence | : Paton |

SECOND SEMESTER:

3LLB06: INDIAN CONSTITUTIONAL LAW -II

Objectives: The Constitutional Law of India embodies the main principles of Democratic Government, how it comes into being, what are its powers, functions responsibilities and obligations. How power is limited distributed. A good understanding of the Constitutional Law which has developed through Constitutional amendments, judicial decisions of constitutional practice, therefore, absolutely necessary for a student of Law.

Syllabus:

1. Nature of Indian Polity: Parliamentary Government -West minister Model- Indian experience before Independence- Choice of Parliamentary form of Government
2. Union Executive: President of India- Constitutional position, Election, Qualifications, Powers, Privileges, Impeachment, Salary- Vice President - Election, Qualifications, Powers, Privileges, Impeachment, Salary, Prime Minister- Cabinet system and Council of Ministers
3. State Executive- Governor - Election, Qualifications, Powers, Privileges, Impeachment, salary- Chief Minister and Council of Ministers
4. Union and State Legislatures-Legislative Process- Parliamentary Privileges, Freedom of Speech, practice of law making- Speaker- Position and Powers -Procedure to pass the Bills in the Legislature- Ordinary Bill and Money Bill- Provisions relating to Anti-defection
5. Federalism: Federalism-principles- Comparative study of other Federations- Indian Federalism- President of India-Council of State Process of Constitutional amendment- Governor's position from the perspective of Federalism - Centre's Powers over the States- Art. 356, J & K – Under Art. 371 Omitted Special Status - problems of India Federalism - Sarkaria Commission- Greater autonomy Vs Central Control, One party domination, Emergence of Political Federalism. Growth of Regional parties.
6. Union Judiciary and State Judiciary- Judicial process under the Constitution- Judicial Review – Art. 32, 226, 227, Nature of Judicial Review - Court system in India: Backlogs, Arrears, Alternatives, Lok Adalats - Appointment of Justices of SC and HC- Powers and functions of the SC and HC : Original Jurisdiction of SC and HC- Appellate Jurisdiction of SC and HC- Advisory Jurisdiction of SC and HC- Binding nature of the decisions of SC and HC- Transfer of High Court Judges- National Judicial Commission
7. Union- State Relations: Legislative relations - Administrative relations- Financial Relations- Freedom of Trade, Commerce and Intercourse
8. State Liability for Torts, Crimes and Contracts- Panchayats and Municipalities
9. Services - Doctrine of Pleasure, Safeguards against dismissal, removal or Reduction in rank of Civil Servants Protection against Arbitrary Dismissal, Removal, or Reduction in Rank (Art. 311), Tulsiram Patel case- Exceptions to Art. 311.
10. Election Commission: Constitution, powers and functions of Election Commission of India.
11. Emergency Provisions: Proclamation and effects of emergency - Breakdown of Constitutional machinery in the state- Financial emergency
12. Amending Process of the Indian Constitution: Modes of Amendment of Constitution- Distinction between constituent power and ordinary legislative power- Doctrine of prospective overruling - Basic Structure Theory

REFERENCE BOOKS:

1. Constitutional Law : H. M. Seervai
2. Shorter Constitution of India : D. D. Basu
3. Constitution of India : V. N. Shukla
4. Constitutional Law of India : J. N. Pandey
5. Indian Constitutional Law : M. P. Jain
6. Constitutional Law : M. Hidayatulla
7. Constitution of India : V. D. Mahajan
8. Working of Indian Constitution: Granville Austin

3LLB07: CONTRACTS-II (Special Contracts)

OBJECTIVES: Every person in his day to day lives has to enter into variety of contracts. Living in a modern society would be impossible if the law did not recognize the contract making power of a person in the fields of trade, commerce and industry. There is a need of codified enactment to regularize this type of transactions. Its rules define the remedies that are available in a court of law against a person who fails to perform his contract and the conditions under which the remedies are available. The purpose of the contract is to ensure the realization of reasonable expectation of the parties who enter into a contract. This course contains principles of special contracts designed to develop the appreciative and evaluative faculties of the students.

SYLLABUS:

1. Contract of Indemnity and Guarantee Sec.124 to 147-Contracts of Indemnity- Definition- Rights of Indemnity holder-Liability of the Indemnifier-Contracts of Guarantee-Definition- Essential Characteristics of Contract of Guarantee-Distinction between Contract of Indemnity and Contract of Guarantee -Kinds of guarantee -Rights and liabilities of surety - Discharge of Surety
2. Contract of Bailment Sec.148 to 181-Definition and essentials of Bailment-Kinds of Bailment-Rights and Duties of Bailor and Bailee-Termination of Bailment -Pledge- Definition. Rights and Duties of Pawner and Pawnee, Pledge by Non-owners
3. Contract of Agency Sec.182 – 238 of Indian Contract Act.1872-Definition and Creation and kinds of Agency-Rights and Duties of Agent-Delegation of Authority-Personal liability of Agent-Relations of Principal with third parties Termination of Agency
4. Contract of Sale of Good Sale of Goods (The Indian Sale of Goods Act)-Formation and Subject matter of Contract of Sale-Conditions and Warranties -Express and Implied Conditions and Warranties-Caveat Emptor-Passing of Property-Rights and duties of seller and buyer-Drafting of Sale deed
5. Contracts of Partnership (The Indian Partnership Act, 1932)-Definition, nature and formation of partnership -Partnership and other associations-Registration of Firm and effect of non-registration-Relation of partners-5.7Rights and Duties of partners - Properties of the Firm-Relation of partners to third parties-Implied authority of a partner- Minor as partner-Dissolution and Reconstitution of firm-Drafting of partnership deed
6. Law of Negotiable instruments (Negotiable instrument Act, 1881)-Definition, Characteristics and kinds of Negotiable Instruments-Promissory Note-Bill of exchange Cheque-Capacity of parties-Capacity of parties- Liability of parties- Endorsement - Instruments obtained by unlawful means-Dishonor of a negotiable instrument -Drafting of Promissory Note, Bill of Exchange and Specimen of General & Special Crossing
7. Hire Purchase
8. E-Contracts under I T Act. - Formation of E Contracts, - Authentication of E Contract, - Problems relating to Internet Contracts

REFERENCE BOOKS:

- | | |
|---------------------------|----------------------|
| 1. Mercantile Law | - Avtar Singh |
| 2. Contracts | - Venkatesh Iyer. |
| 3. Mercantile Law | - N. D. Kapoor |
| 4. Law of Agency | - V. G. Ramachandran |
| 5. Law of Contract- I &II | - Dr. S.S.Srivastava |
| 6. Law of Contract | - Dr. Kailash Rai |
| 7. Law of Contract | - Anson |
| 8. Cyber Contracts | - Nandan Kamat |
| 9. Cyber Contracts | - Joga Rao |

3LLB08: FAMILY LAW-II ***(Testamentary and Intestate Succession)***

Objectives: 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 family relations more meaningful.

Syllabus:

1. Joint Hindu Family (Mitakshara and Dayabhaga)- Mitakshara Joint Family -. Mitakshara coparcenary- formation and incidents- Property under Mitakshara Law- separate property and coparcenary property-Dayabhaga coparcenary- formation and incidents - Property under Dayabhaga Law- Karta of the joint family – his position, powers, privileges and obligations. Alienation of the property – separate and coparcenary- Debts'- doctrine of pious obligation and antecedent debt- Partition and Re-union- Joint Hindu Family as a social security institution and impact of Hindu Gains of Learning Act and various Tax Laws on it.
2. Inheritance under Hindu Law: Historical perspective of Hindu Succession Act, 1956- Devolution of interest in mitakshara coparcenary- Succession to property of a Hindu male dying in testate- Succession to property of a Hindu female dying in testate- Disqualifications to succession- General rules of succession- Marumakkattayam and Aliyasantana laws relating to Succession- Latest Amendments
3. Muslim Law of Succession /Inheritance: Hiba under Muslim Law- Wassiyat under Muslim Law
4. Wakf
5. Christian law of Succession under Indian Succession Act
6. Concepts of Will- probate- administrator, executor- legacies under the Indian Succession Act

REFERENCE BOOKS:

- | | |
|----------------------------------|-----------------------|
| 1. Family Law | : G.C.V. Subba Rao |
| 2. Hindu Law | : Paras Diwan |
| 3. Hindu Law: Past & Present | : Derrett |
| 4. Hindu Law | : Maine |
| 5. Outlines of Muslim Law | : A.A.A. Fyjee |
| 6. Hindu law | : Mullah |
| 7. Law of Adoption, Maintenance | : Paras Diwan |
| 8. Muslim Law & the Constitution | : A. M. Bhattachargee |

3LLB09: Law of Crimes-1 (BHARATIYA NYAYA SANHITA, 2023) 2024-2025 admitted batch

UNIT 1: General

Conception of Crime; State's power to determine acts or omissions as crimes; State's responsibility to detect, control and punish crime; Distinction between crime and other wrongs; Pre-colonial notions of crime as reflected in Hindu, Muslim, Tribal laws; The Colonial reception – Macaulay's draft based essentially British notions; Historical outline of Criminal Laws; Applicability of Bhartiya Nyaya Sanhita (BNS); Territorial; Personal; Salient features of the Bhartiya Nyaya Sanhita (BNS); Comparative study of Indian Penal Code and Bhartiya Nyaya Sanhita (BNS).

UNIT 2: Elements of Criminal Liability

Author of Crime – natural person and a fit subject for punishment, companies and corporations; Mens rea -evil intention; Importance of *mens rea*; Recent trends of fix liability without *mens rea* in certain socio- economic offences; An act in furtherance of guilty intent; An omission as specifically includes in the Code; Injury to another.

Unit 3: Group Liability

Stringent provision in case of combination of persons attempting to disturb peace; Common Intention; Abetment; Instigation, aiding and conspiracy; Mere act of abetment punishable; Abetment outside India for offence in India; Unlawful Assembly; Basis of Liability; Criminal Conspiracy; Rioting as a specific offence

Unit 4: Stages of Crime

Guilty intention-mere intention not punishable; Preparation; Preparation not punishable; Exception in respect of certain offences of grave nature or of peculiar kind such as possession, counterfeit coins, false weights and measure; Attempt; Attempt when punishable -specific Bhartiya Nyaya Sanhita (BNS) provisions; Tests for determining what constitutes attempt proximity equivocally and social danger; Impossible attempt.

Unit 5: Factors negating guilty intention

Mental incapacity; Minority; Insanity -impairment of cognitive facilities, emotional imbalance; Medical and legal insanity; Intoxication-involuntary; Private defense -justification and limits; When private defense extends to causing of death protection body and property; Necessity; Mistake of Fact

Unit 6: Types of Punishment

Death; Social relevance of capital punishment; Alternative to capital punishment; Importance for life, with hard labour, simple imprisonment; Forfeiture of property; Fine; Discretion in awarding punishment; Minimum punishment in respect of certain offences

Unit 7: Specific offences against human body

Causing death of human beings; Culpable homicide; Murder; Distinction between culpable homicide and murder; Specific mental element requirement in respect of murder; Situation justifying treating murder as culpable homicide not amounting to murder; Grave and sudden provocation; Exceeding right to private defense; Public servant exceeding legitimate use of force; Death in sudden fight; Death caused by consent of the deceased -Euthanasia; Death caused by person other than the person intended; Miscarriage with or without consent; Rash ; and negligent act causing death; Hurt-grievous and simple;

Assault and criminal force; Wrongful restraint and wrongful confinements-kidnapping from lawful guardianship and from outside India; Abduction; Terrorist act (section 113)

Unit 8: Offences against women

Insulting the modesty of a woman; Assault or criminal force with intent to outrage the modesty of a woman; Causing miscarriage without woman's consent; Causing death by causing miscarriage without woman's consent; Kidnapping or abducting woman to compel her to marry or force her to illicit Intercourse; Buying a minor for purposes of prostitution; Cruelty by husband or relatives of the husband; Rape; Custodial rape; Marital rape; Cruelty by husband or relatives of the husband; False promise of marriage (section 69); Common law remedies to protect against obscene/indecent depiction of woman.

Unit 9: Offences against property

Theft; Cheating; Snatching; Extortion; Robbery and Dacoity ; Mischief; Criminal mis representation and criminal breach of trust: Criminal Trespass' Forgery.

Unit 10: Offences by or relating to public servants

Public servant taking gratification of other than legal remuneration; Public servant induced by illegal or corrupt means to do or not to do an act; Public servant obtaining valuable thing without consideration connection with official functions; Public servant framing incorrect document without intent to cause injury; Unlawful buying or bidding by public servant; Special legislations dealing with prevention of corruption, prevention of corruption Act, objective and scope; False evidence and offences against public justice

Unit 11: Offences against the State

Waging attempting conspiring to wage or collecting the ammunition to wage war against the Government of India; Assaulting President or Governor of a State with an intent to compel or restrain the exercise of any lawful power; War against a power at peace with the Government of India are committing depredations on the territories of such powers; Permitting or aiding or negligently suffering the escape of or rescuing of harboring, a state of prisoner.

Unit 12: Defamation

Defamation (section 356); Punishment for defamation; Printing or engraving matter known to be defamatory; Sale of printed or engraved substance containing defamatory matter.

Books Recommended:

1. *Bharatiya Nyaya Sanhita, 2023, Law and practice by Prof.Vageshwari Deswal & Adv. Saurabh Kansal (Taxmann's publication).*
2. *Bharatiya Nyaya Sanhita, 2023(Bare Act)*
3. *Commentary on "Bharatiya Nyaya Sanhita,2023" by K. Sudhakar, Superintendent of Police (Rtd) published by Asia Law House*
4. *The Bharatiya Nyaya Sanhita, 2023 by Varun Soni, IRS (Lawman's Publication)*
5. *Master Guide to new Criminal Laws by C.H Malkal Rao, Deputy Commissioner of Police (Rtd) published by Asia Law House.*
6. *Taxmann's Book on New Criminal Law*
7. *Ratan Lal and Dhiraj Lal: Indian Penal Code, Wadhwa &Co. Nagpur*
8. *Achutan Pillai, Criminal Laws, Butterworth Co.*
9. *Kenny's outlines of Criminal Law.*

3LLB10: BANKING LAW & NEGOTIABLE INSTRUMENTS

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. The variety of assistance tendered 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.

SYLLABUS

1. The Nature and Development of Banking: History of Banking in India – Evolution
Constitutional perspectives – Union list entries 36, 37, 38, 43, 44, 45 And 46 State list entry 30
2. Relationship of Banker and Customer- Banker, banking business, meaning of customer, types of accounts- Contract between banker and Customer, general relation, legal relation, their rights and duties -Banker's Lien - Banking instruments, bank notes, banker's drafts, deposit receipts, Letter of credit, Indemnities, traveller's cheques, postal order, Dividend warrants, bonds
3. Law Relating To Banking Companies in India- The Banking Companies Act. 1949, - Extent and application, -Business of banking companies- Control and management by reserve bank, -Suspension of business and winding up of banking companies, - Special provisions for speedy disposal of winding up of proceedings
4. The Banking Regulation Act. 1948, extent and application business of Banking Companies, provisions for winding up
5. Reserve Bank of India Act, 1934 :Characteristics, and functions, - Objectives, legal status and organizational structure,- Functions such as; banking, Currency, banker to government, exchange - control over non Banking companies and supervision of other banks (sections 17, 18 and 42)- Co – operative banking law: Banking Regulation (Co-operative Societies) Rules, 1966- Co –operative Credit Society Act, 1904 and 1970
6. Nationalization of Banks: Banking Companies (Acquisition and Transfer of undertaking) Act, 1969 and 1970- 6.2. Legislative competence for nationalization: Entries 43, 44 and 45 of List –I , Entry 42 of List – III, Entry 7 and 52 of List – I, Entries 24, 26, 27 of List – II, 33 of List –III: Entries 54, 56 of List – I: Articles 19(1) (f), 19(5), 31, 31 - Banks before and after nationalization: growth, assets and liabilities, efficiency and Profitability, recovery frauds in banks, bank robberies
7. Foreign Exchange Control And Banking For Non- Residential Indians - FERA, 1974,-. Authorized dealers in foreign exchange,- Restrictions on dealing on payment (Sect. 3 to 10, 13 to 17, 19 22 to 27)
8. Law relating to negotiable instruments: Negotiable Instruments Act. 1881: Meaning, Kinds of negotiable instruments, promissory notes- Bills of exchange, holder and holder in due course, parties- Negotiation, presentment, discharge from liability- Dishonour, noting and payment for honour cheques, crossing of cheques, pledge stocks, Shares, life policies documents of title to goods, guarantee and hypothecation
9. Reforms in Indian Banking Law: The Indian banking commission and banking laws
10. Committee of Government of India, A review of their Recommendations

REFERENCE BOOKS:

1. Sheldon, Law of Banking
2. Tunner, Law of Banking
3. Gulati, Banking Companies Act.
4. Maheswari, Banking Law and Practice
5. Ravi. R Mehta, Fundamentals of Banking
6. Promod Kumar Mukherjee, Modern Banking Theory

THIRD SEMESTER 3LLB11:: PROPERTY LAWS

(Including Transfer of Property Act and Easements Act)

Objectives: Property transactions are very common in the day to day life of an individual in the society. The course on Property Laws deals with Transfer of Property Act and the law relating to Easements. Transfer of Property Act contains the rules with regard to essentials of a valid transfer, various types of interests, conditional transfers and transfer to unborn persons, mortgages, lease and transfer of titles etc., which affect the vast majority of the people. Hence, knowledge about the different property transactions is highly essential to a law student to resolve the conflicting interests.

Syllabus:

1. Jurisprudential contours of property: Concept and meaning of property- kinds of property- movable and immovable property- tangible and intangible property
2. Transfer of property defined – Essentials of a valid transfer- What Can be Transferred and effect of a valid transfer
3. Transfer to unborn persons and rule against perpetuity
4. Vested, contingent and executory interests
5. Conditional transfers- conditions precedent and condition subsequent- negative covenants
6. Doctrine of Election- Doctrine of Holding out- Doctrine of Feeding the Grant by Estoppel
7. Doctrine of Lis pendens
8. Doctrine of Part Performance
9. SALE: Sale defined- sale how made- contract for sale and contract of sale.- -Rights and liabilities of buyer and seller- Marshalling of securities
10. MORTGAGE: Definition of mortgage, mortgagor, mortgagee and mortgage deed- Rights and liabilities of mortgagor- right to redeem- clog on redemption- Rights and liabilities of mortgagee- right to foreclose or sale- accession to mortgaged property- rights of mortgagee in possession- Marshalling and contribution- Redemption and subrogation- Charge
11. LEASE: Definition and essentials of lease- lease how made- Distinction between lease and license -Rights and liabilities of lessor and lessee- Determination of lease
12. EXCHANGE- Definition of exchange- rights and liabilities
13. GIFT: Definition of gift-Gift of existing and future property- Rights and liabilities of parties- Suspension or revocation of gift- Onerous gift and universal donee
14. EASEMENTS: Creation of easements- Nature and characteristics of easements- Acquisition of easements- Extinction, suspension and revival of Easements- Distinction between easements and licenses

REFERENCE BOOKS:

- | | |
|-----------------------------|--------------------|
| 1. Law of Property | : G.C.V. Subba Rao |
| 2. Transfer of Property | : Mullah |
| 3. Transfer of Property Act | : Vepa P. Saradhi |
| 4. Transfer of Property Act | : Tripathi |
| 5. Law of Easements | : Sastri |
| 6. Law of Easements | : Katiyar |

3LLB12:: LABOUR AND INDUSTRIAL LAW - I

Objectives: Protection of labour is a constitutional mandate. A constitution inspired by the vision of social justice committed to the cause of upliftment of labour. Well balanced industrial development leads to increased productivity which in turn is a factor of national progress. Labour makes significant contribution in this respect. The study of labour law has its focus on the societal impulses on, and state reaction to the complex socio-economic, human and political problems arising out of the constant conflicts between different classes. The studies of the subject of Labour Laws enable the students to get an insight into the mechanics of socio-legal control of labour.

Syllabus:

1. Introduction: Concepts of Labour Jurisprudence, Labour Welfare and social Security/International Labour Organization and its impact on Labour Welfare and Social Security
2. Code of Wages, 2019- Wages: Concept of Wage and Wage Boards- Payment of Wages - Rules for payment of wages- Deduction from wages- Minimum Wage-Fair Wage-. Living Wage- Fixation and Revision of Minimum Wages - Safeguards in Payments of Minimum Wages- Maintenance of Registers and records-Obligation of the Employer -Equal Remuneration - Duty of the employer to pay equal remuneration to men and Women workers for same work or work of similar nature- Payment of Bonus.
3. Workmen's Compensation Act, 1923: Need and salient features of the Act- Definitions: Workman, Disablement, Dependant, Employer and employment, Wages. Employers liability for compensation - Arising out of and in the course of employment- Theory of Notional extension - Computation and payment of compensation- Penalties and procedures
4. Employees State Insurance Act, 1948: Object, Salient features of the Act- Concepts, Contributions, Application of the Act - Benefits available under the Act: -Sickness Benefit, . Maternity Benefit, - Disablement Benefit, - Dependent Benefit, - Medical Benefit. - Functions and duties of inspectors- Penalties, Procedures and ESI Courts
5. Maternity Benefit Act, 1961- Object and Scope and salient features of the Act -. Restrictions on employments or work by women- Right to payment of maternity benefit- Payment of maternity benefit - Administration, Enforcement and Penalties- Appointment, Powers of Inspectors- Penalties for contravention of Act by employer
6. Employees' Provident Funds, and [Miscellaneous Provisions] Act, 1952: Object, Scope and salient features of the Act- Employees Provident Fund Scheme- Employees Pension Scheme- Employees Deposit linked Insurance Scheme- Administration, Enforcement and Penalties- Penalties and Procedures.
7. Payment of Gratuity Act, 1972: Scope and Coverage - Payment and Protection of gratuity Nomination- Determination and recovery of the amount of gratuity- Obligations and rights of the employers and the employees
8. Protection of the Weaker Sectors of Labour: Unorganized Labour- Unorganised Worker's Social Security Act, 2008- Bonded Labour System (Abolition) Act, 1976.- Contract Labour (Regulation and Abolition) Act, 1970 - Child Labour (Prohibition& Regulation) Act, 1986
9. Impact of Globalization and Privatization on Labour Welfare and Social Security

REFERENCE BOOKS:

1. Mishra S.N : Labour and Industrial Laws.
2. Goswamy : Labour and Industrial Laws
3. V.V. Giri : Labour Problems in Indian Industry.
4. P.L. Malik : Handbook of Labour and Industrial Law.
5. Srivastava : Labour and Industrial relations

3LLB13:: INTELLECTUAL PROPERTY RIGHTS LITIGATION

Objectives: The importance of this branch of law is to be sufficiently realized in this Indian legal education. Compendious courses on the law of copy right, trademarks and patents are offered in few schools of as optional courses, but these do not either integrate the significance of these subject matters under any comprehensive aspect of 'modernization' or 'development' nor do they spread even emphasis between and among the subject areas represented by these three interconnected bodies of the law. The subject matter of property relations is here pre-eminently based on mental labour. The law relating to intellectual property protects the right to mental labour. An important aspect of the exploration in this course would be the ways in which the laws strike a fair balance between the interests and rights of the intellectual labourers on the one hand and organized industrial enterprises on the other.

Syllabus:

1. Introduction : Meaning of intellectual property- Competing rationales of the legal regimes for the protection of intellectual property- The main forms of intellectual property- Copyrights, patents, trademarks and designs- The competing rationales for protection of rights in Copy Right, Trade Marks, Patents and Designs
2. Introduction to the leading international instruments concerning intellectual property rights in India- the Berne Convention, Universal Copyright Convention, the Paris Union, the World Intellectual Property Rights Organization (WIPO) and UNESCO.
3. Select aspects of the law of copyright in India: Meaning and Evolution of the law of copyright- Copyright in literacy, dramatic and musical works- Copyright in cinematograph films- Ownership of copyright- Assignment of copyright- Author's special rights- Notion of infringement- Criteria of infringement- Infringement of copyrights by films , literary and dramatic works.
4. Intellectual Property in Trademarks: The rational of protection of trademarks as an aspect of commercial rights and as an aspect of consumer rights- Definition; conception of trademarks Registration -Distinction between trademark and property mark- The doctrine of honest concurrent user- The doctrine of deceptive similarity- Passing off and criteria of infringement- Standards of proof in passing off action- Remedies
5. The Law of Intellectual Property – Patents- Conception of patent- Historical overview - Patentable inventions with special reference to biotechnology products - Process of obtaining a patent: application, examination, opposition and sealing of patents-Wrongfully obtaining the invention - Rights and obligations of a patentee- Patents as chose in action- Duration of patent: law and policy consideration- Use and exercise right- Right to secrecy- The notion of abuse of patent rights- IPR(Imported Goods) Enforcement Amendment Rules, 2018-The Patents (Amendment) Rules, 2019.
6. Special categories of Patents: Employee invention: law and policy consideration- Combination and selection patents- International patents, transfer of technology, knowhow and problems of self reliant Development- Biotechnology Patents- Patents in nuclear power –new varieties of plant breeds and medicinal plants- Compulsory licenses- Infringement-Criteria of infringement- Onus of proof- Modes of infringement- Injunctions and related Remedies
7. Intellectual Property and Remedies under Criminal Law
8. Consideration of Some Aspects of Reforms in the Law of Intellectual Property
9. Litigation in Copy Right Law, Patent Law and trade Marks Law
10. Information Technology and Exclusive Marketing Rights

REFERENCE BOOKS:

- | | |
|---|----------------------------|
| 1. Intellectual Property Rights and the Law | : Prof. G. B. Reddy |
| 2. Intellectual Property Law | : W.R. Cornish |
| 3. Law of Trademark, Copyrights, Patents & & Other Designs: | Roy Chowdhary, S. K. |
| 4. Patent Law | : P. Narayanan |
| 5. Law and Practice of Intellectual Property | : Vikas Vashishth |
| 6. Principles of Intellectual Property | : N.S.Gopalakrishna Agitha |

3LLB14: WOMEN AND LAW

Objectives: The need to study gender and juvenile justice as special subjects is to be emphasized as the constitutional guarantees have not achieved the desired results. A woman is seen as divine and worshiped as the embodiment of all the virtues on one hand but on other hand she is discriminated against and victimized by the norms created by the male dominated society. She has not been given her dues and legitimate place and status in the society even after all the civilization and cultural revolutions. Unfortunately the man made law could not rectify the historical inequality where it is possible. This is the precise reason to study the various laws pertaining to the women. The course draws the attention to the feeble condition of women and their exploitation. The legal limitation on their capacity and legal rights and protection provided in the Constitution and in various laws are to be studied critically.

Syllabus:

1. Introduction- Women as a vulnerable group –magnitude and causes of vulnerability
2. International Commitments and Conventions -United Nation Charter, 1945-Universal Declaration on Human Rights, 1948- Declaration on Elimination of discrimination against women, 1967- Convention on the Elimination of all forms of discrimination against women, 1979- Declaration on the Elimination of violence against women, 1993- Optional Protocol to the Convention on the Elimination of Discrimination against Women , 1999- Commission on the Status of Women- (ECOSOC), Vienna Conference, Beijing Conference ,1995- United Nation Millennium Declaration, 2000
3. Women in India -Pre-independence period-Making of the Indian Constitution-Uniform Civil Code towards gender justice.
4. Women and Constitutional concern
5. Women and Personal Law- Hindu Law-Muslim Law-Christian Law
6. Women and Criminal Law - Amendments to the Criminal Law
7. Women and Labour Laws-Employee's State Insurance Act, 1948-Factories Act,1948- Maternity Benefits Act,1961-Equal Remuneration Act,1976-Exploitation and harassment in workplaces
8. Protection and enforcement agencies –Courts- Family courts-NGOs-Women Commissions
9. Social Legislation -Dowry Prohibition-The Immoral Traffic (Prevention) Act, 1956 -The Indecent Representation of Women (Prohibition) Act, 1986- The Commission of Sati (Prevention) Act, 1987- Protection of Women from Domestic Violence Act, 2005- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013- Medical Termination of Pregnancy Act, 1971- Assisted Reproductive Technology Law
10. Woman participation in democratic government : Parliament- State Legislation- Local bodies

REFERENCE BOOKS

1. Gaur, Empowerment of Women in India , Law Publishers (India) Pvt. Ltd. Allahabad.
2. Dr. Sarojini Saxena, Femijuris, India Publishing Co., Raipur.
3. Reena Patel, Hindu Women's Property Rights in Rural India, Ashgate Publ.Co..
4. Mamta Rao, Law Relating to Women and Children , Eastern Book Co. Lucknow.
5. G.B.Reddy, Women and the Law , Gogia Law Agency, Hyderabad.
6. R.K.Raizada , Women and The Law : Problems and Prospects
7. Dr. Preeti Mishra, Domestic Violence against Women legal control and judicial response
8. Engendering Law- Essay in Honour of Lotika Sarkar
9. Leena Gonsalves, Women And Human Rights
10. Paras Diwan, Law relating to Dowry, Dowry deaths, Bride burning, Rape-related offences
11. Gandhi to the Women (ed. Hingorani), Position of Women .12 Tear Down the Purdah
12. Jawaharlal Nehru thoughts on women-economic bondage of Indian women
13. Revasia & Revasia, Women Social Justice & Human Right, New Delhi

LLB15:: INTERPRETATION OF STATUTES

Objectives: Legislation is the major source of law of the modern era. Legislatures enact laws after much deliberation. No doubt in this process they have to take into account the present and future needs of the people. What are the matters to be reckoned with by legislature while enacting laws? With the emergence of legislation, Interpretation of statutes became a method by which judiciary explores the intention behind the statute. Judicial Interpretation involves construction of words, phrases and expressions. In their attempt to make the old and existing statutes contextually relevant courts used to develop certain rules, doctrines and principles of interpretation. Judiciary plays a highly creative role in this respect. The student of law has to know the techniques adopted by courts in constructing statutes and how far they are successful in their strategy.

Syllabus:

1. Introduction :Meaning of interpretation-Difference between interpretation and construction-Power of interpretation- Particulars in a Statute-Classification of statutes with reference to duration, method, object and extent of application
2. General principles of interpretation- primary and secondary rules- Primary rules- The literal or grammatical interpretation-The Mischief rule-The Golden rule Secondary Rules: - The statute should be read as a whole- Construction at ul res magis valeat quam pereat -Identical expressions to have the same meaning- Construction noscitur asociis- Construction ejusdem generis- Construction expression unius est exclusion alterius- Construction contemporaneous exposition est fortissimo in lege
3. Beneficial Construction
4. Strict interpretation of Penal Statutes and Fiscal Statutes
5. Interpretation of statutes 'in part material'
6. Internal aids to Interpretation
7. External aids to Interpretation
8. Theoretical or ideological Approaches to Interpretation: Judicial Restraint- Judicial Activism- Juristic Restraint- Juristic Activism
9. Presumptions regarding jurisdiction: Presumption against ouster of established jurisdictions, creation of new jurisdictions and enlargement of existing jurisdiction of courts- Presumption against violation of International Law- Presumption against extra territorial operation- Presumptions whether Statutes affect the state
10. Stare Decisis: Supreme Court authority to overrule its own decisions (Antulay's case)- Advisory jurisdiction and its impact on precedent- Prospective overruling in India- Objections to judicial review as anti-majoritarian
11. Principles of Constitutional Interpretation: Harmonious construction - Doctrine of pith and substance- Colourable Legislation- Ancillary powers- Occupied field- Residuary power- Doctrine of Repugnancy

REFERENCE BOOKS:

- | | |
|---|-------------------------------|
| 1. Interpretation of Statutes | : Vepa P. Saradhi |
| 2. Interpretation of Statutes | : B.M. Singh |
| 3. Interpretation of Statutes | : Bhavani Lal |
| 4. Interpretation of Statutes | : T. Bhattacharya |
| 5. Principles of Statutory Interpretation | : G.P. Singh |
| 6. Maxwell on Interpretation of statutes | : P.St.Langan |
| 7. Interpretation of Statutes | : K. Shanmukham & N.S. Bindra |

FOURTH SEMESTER

3LLB16:: LABOUR AND INDUSTRIAL LAWS -II

Objectives: Protection of labour is a constitutional mandate. A constitution inspired by the vision of social justice committed to the cause of upliftment of labour. Well balanced industrial development leads to increased productivity which in turn is a factor of national progress. Labour makes significant contribution in this respect.. The study of labour law has its focus on the societal impulses on, and state reaction to the complex socio-economic, human and political problems arising out of the constant conflicts between different classes. The studies of the subject of Labour Laws enable the students to get an insight into the mechanics of socio-legal control of labour

Syllabus:

1. Introduction: Labour Jurisprudence -Historical Perspective- Labour through ages- slave labour- guild system -Colonial Labour Law and Policy -Labour-capital conflicts, exploitation of labour -International Labour standards and their implementation - From laissez faire to Welfare state- Transition from exploitation to protection and from contract to statute
2. Law relating to service conditions: Industrial Employment (Standing Orders) Act, 1946- Definition, salient features and Model Standing Orders- Certification, Modification and Application of Standing Orders- Interpretation of standing orders and Powers of Certifying Officer
3. The Trade Unions Act, 1926: History of Trade Union movement in India and development of Trade Unions- Definitions- Trade union, Trade dispute etc.- Registration of Trade Unions- Application and mode of registration- Certificate of Registration- Rights and liabilities of registered trade unions- Immunities of a registered trade union -Union Recognition- Amalgamation and dissolution of unions
4. Collective Bargaining: Concept of Collective Bargaining- Merits and demerits- Bargaining process- Unfair Labour Practices
5. Industrial Disputes Act, 1947: Scope, Object and main features of the Act- Definitions – Industry, Industrial Dispute, Appropriate Government-
6. Authorities under the Act: Works Committee- Conciliation Officer and Board of Conciliation- Court of Inquiry- Adjudicatory Authorities: Labour Court, Industrial Tribunal National -Industrial Tribunal -Procedure, powers and duties of authorities
7. Reference of certain industrial disputes to grievance settlement authorities: Scope of reference under Sec. 10 of I D Act.- Conflict between collective bargaining and compulsory adjudication
8. Voluntary reference of disputes to arbitration
9. Strikes and Lockouts: Definition of strike and lockout- Classification of strikes and lockouts- General prohibition of strikes and lock outs
10. Retrenchment, Lay off, Transfer and Closure of Undertakings: Definitions & Procedure for retrenchment and Lay off, Transfer and Closure - Right of workers to compensation
11. Discipline in Industry: Meaning of discipline and causes of indiscipline; Fairness in disciplinary process, right to know the charge sheet and right of hearing, -Domestic enquiry – notice, evidence, cross-examination, representation, Unbiased inquiry officer and reasoned decision;
12. Factories Act, 1948: Interpretation – Hazardous process, manufacturing process, worker, factory and occupier-Inspectors .their powers, Penalties and procedures-Health, Safety and Welfare Provisions

REFERENCE BOOKS:

- | | |
|---------------------------------------|-------------------|
| 1. Labour and Industrial Laws | : S.N. Mishra |
| 2. Labour Laws | : Kothari |
| 3. Labour and Industrial Laws | : Goswamy |
| 4. The Law of Industrial Disputes | : O.P. Malhotra |
| 5. Labour and Industrial Relations | : S. C.Srivastava |
| 6. Labour Problems in Indian Industry | : V.V. Giri |

3LLB17:: PUBLIC INTERNATIONAL LAW

OBJECTIVES: The international discipline of states is assured through their own domestic legal order But states do not sustain in absolute isolation. So there is a mutual necessity of International interaction which in turn leads to the obligation of maintaining an international discipline and legal order through International Law. Learning International Law at LL.B level enables the students to know the whole range of concerns in International Law and world affairs.

SYLLABUS:

1. Introduction :Definition of International Law-Nature, Evolution and Development of International Law -Relationship of International Law and Municipal Law-
2. Sources of International Law-Custom –Treaties- General Principles of law recognized by Civilized nations- Judicial decisions and writings of Jurists- Resolutions of General Assembly
3. Subjects of International Law- Place of individual in International Law- Rights and Duties of Individual- State as subject of international law: Essentials of statehood- Right and duties of states-
4. Modes of Acquisition and loss of State Territory- State responsibility
5. Recognition: Concept, significance and Modes of recognition-Theories of recognition- Legal effects of recognition- Types of recognition(implied, conditional and collective)
6. State Succession : Definition and Kinds of state succession- Theories of state succession- Law of the Air and Outer Space
7. Law of the Sea: Territorial Sea and contiguous Zone- Continental Shelf- Exclusive Economic Zone- Freedom of the high seas- Piracy- Land –Locked States- International Tribunal for Law of the Sea- Common Heritage of Mankind
8. Nationality: Definition, meaning and significance of Nationality-Nationality and Citizenship Modes of acquisition of Nationality and loss of Nationality- Double Nationality and Statelessness- Nationality of Married Women
9. Extradition and Asylum :Definition and Purpose of Extradition- Concept, Types and principles of Asylum
10. Treaties: Concept, Kinds and Formation of Treaties-General principles of Treaties- Authority to enter into Treaties, with special reference to India- Pacta Sunt Servanda- Jus cogens-Termination of Treaties
11. International Organizations and Agencies: International Court of Justice, International Criminal Court - International Bank for Reconstruction and Development (IBRD)-IMF- GATT UNCTAD-International Finance Corporation (IFC) -International Human Rights Commission
12. Concept and Evolution of Human Rights: Meaning of Human Rights-- Sources of International Human Rights Law - Evolution of Human Rights
13. International Approach on Human Rights: Universal Declaration of Human Rights (1948) - individual and group rights- UN Conventions on Human Rights:- Covenant on Political and Civil Rights (1966)- Covenant on Economic, Social and Cultural Rights (1966)- Conventions on Inhuman Rights -Regional Conventions- European Convention on Human Rights- American Convention on Human Rights- African Convention on Human Rights- SAARC
14. Protection of Human Rights in India- Constitution and Human Rights- Human Rights Act- Human Rights Commissions-National Human Rights Commission (NHRC)- State Human Rights Commission (SHRC)- Role of Judiciary

REFERENCE BOOKS:

- | | |
|--|---------------------|
| 1. International Law | : S. K. Kapoor |
| 2. International Law and Human Rights | : H. O. Agarwal |
| 3. Law of Nations | : Oppenheim |
| 4. Principles of International Law | : Lan Brownville |
| 5. New Dimensions in International Law | : Dr. Gurdeep Singh |
| 6. International Law | : Starke |

3LLB18: PRINCIPLES OF TAXATION LAW

Objectives: Power to tax had been described as the power to destroy. This idea is being floated often whenever the state introduces a new tax. Is this true? It is not necessary that in order to raise and place the economy on solid foundation, the taxing power should be conferred on the state? the power to Tax should not go unregulated. In the context of a Federal structure the distribution of taxing powers assumes added significance. Obviously, a study of the Constitutional frame work on Taxation becomes important. Along with this, an analysis of the different Laws enacted in exercise of these powers with their safeguards and remedies sheds light on the mechanics of the Taxation by the Union and the States.

Syllabus:

1. General Principles of Taxation :Concept of Tax- Nature and characteristics of taxes- Distinction between Tax and Fee- Distinction between Tax and Cess -Direct and Indirect Taxes -Tax evasion and tax avoidance -Governmental Financial Policy, tax structure and their role in the National Economy -Constitutional Provisions-Scope of Taxing powers of the Parliament, State Legislature and local bodies
2. Income Tax: Basic Concepts: Meaning and definition of Income-. Agricultural Income- Casual Income- Total Income- Deemed Income – Assesses- Person -Assessment Year -Previous year- Financial Year- Exempted Incomes
3. Residential Status
4. Heads of Income and Computation: Income from salaries- Income from House Property- Income from Business or Profession- Capital Gains- Income from Other Sources- Computation of Total Income- Deductions, Relief and Exemptions- Rate of Income Tax- Computation of Net Tax
5. Assessment of Tax Procedure: Self Assessment- Regular Assessment- Best Judgment Assessment- Assessment of Escaped Incomes
6. Income Tax Authorities: Powers and Functions- Offences and Penal Provisions- Settlements and Grievances- Administrative Authorities and procedure for Trial- Appeals and Revisions
7. Goods & Services Taxes: Definition and Concept under GST-Levy- Time of Supply- Place of Supply, Input Tax Credit- Valuation, Registration- Returns- Payment-Refund- Assessment-Authorities-Offences- Penalties-Appeals and Revision-Central Goods and Services Act, (CGST), 2017- Integrated Goods and Services Act, (IGST), 2017- UTGST Act- State Goods and Services Act, (SGST), 2017

REFERENCES BOOKS:

- | | |
|---|-----------------------|
| 1. The Law and Practice of Income Tax | : Kanga and Palkiwala |
| 2. Law of Income Tax | : Singhanian |
| 3. Power of Taxation under the Constitution | : K. Parameswaran |
| 4. Income Tax | : Gour and Naurang, |
| 5. Direct Taxes | : Ahuja |
| 6. Law of Income Tax | : Bhagoliwala, |
| 7. Law of Income Tax | : Sampath Iyengar, |
| 8. Law of Taxation | : Bhagavathi Prasad |
| 9. Basics of GST | :Taxmann |
| 10. GST Law and Practice | : Pankaj Ghiya |

3LLB19:: ENVIRONMENTAL LAW
(Including Laws for the Protection of Wild Life and other
Living Creatures Including Animal Welfare)

Objectives: It is widely recognized that today we are confronted with heavy levels of environmental pollution posing threat to the eco-unity. Eco-unity provides life supporting system to the entire planet Earth. Hence, it needs to be protected. It is highly essential to create environmental awareness to achieve workable solution to the various problems of environmental hazards. The introduction of the subject of environmental laws in LL.B curriculum achieves the objective of enabling the students to have deeper insights into the laws of environmental pollution.

Syllabus:

1. General Principles of Environmental Pollution - Definition, scope and meaning of environment and pollution- Importance of Environment- Causative factors of pollution- Kinds of pollution- Preventive measures
2. Environment Protection and Indian Constitution: The intended meaning of environment in the constitution- Implicit provisions of the Constitution- Explicit provisions of the Constitution Fundamental Rights and Environmental Protection
3. International Parameters of Environment: Stockholm Declaration and its impact - Concept of Sustainable Development- Rio Summit- United Nations Environmental – Programme (UNEP)- State responsibility for Environmental pollution- North South Perspective-Convention on Biological diversity- World Summit on Sustainable Development- United Nations Framework Convention on Climate Change
4. Specific Aspects of Pollution- Marine pollution- Ozone depletion- Global warming- Effects of plastics and polythene articles - Pollution of hazardous substances
5. Legal Policy for Control of Environmental Pollution - Water protection Laws- Air protection Laws - Environment protection - Noise pollution
6. Legal Strategies for Regulation of Pollution- Legal remedies under Torts- Remedies under criminal laws- Remedies under Specific Relief Act - Strategies under Public Liability Act
7. Legal Policy for Protection of Forests and Wild Life - Laws on protection of forests- Laws on protection of wildlife - The Biological Diversity Act 2002
8. Law and Adjudicatory Machinery- National Environment Tribunal Act- National Appellate Authority Act
9. Multinational Corporations - Legal responsibilities of Multinational Corporations in arresting Environmental Pollution.

REFERENCE BOOKS:

1. Environmental Protection problems - Policy Administration : Prof. Paras Diwan & Peeyushi Diwan
- Law and Judicial attitude
2. Environmental Law and Policy in India: Cases and Statutes: Shyam Divan & Armin Rozencranz
3. Law on Protection of Environment & Prevention of Pollution : R.G. Chaturvedi & M.M. Chaturvedi
4. Environmental Law in India :Prof. P. Leelakrishnan
5. Law relating to Environmental pollution and protection : Prof. N. Maheshwara Swamy
6. Environment and Sustainable Development : Prof. V. Rajya Lakshmi.
7. Environmental Pollution and the Law : Justice V.R. Krishna Iyer

3LLB20: HUMAN RIGHTS LAW AND PRACTICE

OBJECTIVES: Protection of Human Rights became an important issue after the Second World War and after the acceptance of Universal Declaration of Human Rights. The growth of Human Rights Law and Jurisprudence thereafter was spontaneous and continuous. The changes in the global scenario bring new concept of Human Rights protection against violation. In one sense, Human Rights can be said as the rights, which the nature has endowed with human beings. However, they are not more privileges given to the subjects by the ruler but liberties permitted to the 'citizens' in a democracy. Manifestly a law that violates Human Rights is no law at all. This course is intended to highlight the concept of Human Rights, their evolution and their importance in our society, now particularly in the era of privatization, globalization and liberalization. Prepared with the above perspective, the following syllabus comprises of about eleven units to be spread over a period of one semester.

SYLLABUS:

1. Concept and Evolution of Human Rights -Meaning of Human Rights-Sources of International Human Rights Law -Evolution of Human Rights-Promotion and Protection of Human Rights by the United Nations -United Nations Charter-Commission on Human Rights-Commission on the Status of Women -Center for Human Rights-U.N. High Commission for Human Rights-Human Rights 'Hot Line'-Office of United Nations High Commission for Human Rights (OHCHR)
2. International Bill of Rights -Universal Declaration of Human Rights- Legal effect of the Declaration -Covenant on Civil and Political Rights-Covenant on Economic, Social & Cultural Rights and its Implementation -Optional Protocol to the International Covenant on Civil and Political Rights-Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of Death Penalty-India and the International Bill of Rights.
3. Regional Conventions on Human Rights: European Convention on Human Rights-American Convention on Human Rights-African Charter on Human and People's Rights- Arab Commission on Human Rights-Attempts for the regional arrangements in the Asian and Pacific Regions
4. International Conventions on Inhuman Acts: Genocide-Apartheid -Torture and other Cruel, Inhuman or Degrading Treatment or Punishment-Slavery and Slave Trade-Death Penalty
5. Vulnerable Groups and Human Rights: Women-Child-Migrant Workers-Stateless Persons-Disabled Persons-Indigenous People-Older Persons-
6. Refugees: Historical Development of International Refugee Law-United Nations – Relief, Rehabilitation and Administration -International Refugee Organization-United Nations High Commission for Refugees-Convention on the Status of Refugees-Refugees in India-Internally displaced Persons
7. International Humanitarian Law -Historical Development of Humanitarian Law-Charter of Humanitarian Law-Protection and Care of Wounded and Sick Persons-Treatment of Dead Bodies-Treatment of Prisoners of War- Inhuman Treatment of Prisoners of War of Gulf War II (2003)-Protection to Civilian Population-Kargil conflict and International Humanitarian Law-Human Rights and Terrorism
8. Protection of Human Rights and Human Rights Act: National Human Rights Commission (NHRC)- State Human Rights Commission (SHRC)-Human Rights Courts in District -Human Rights and Non-Governmental Organizations : Human Rights and NGO'S -Leading NGO'S- Amnesty International - Human Rights Watch- People's Union of Civil Liberties(PUCL)

Books Recommended for Reference :

- | | | |
|------------------------|----|--|
| 1. Dr.H.O.Agarwal | -- | Human Rights |
| 2. U.P.Chandra | -- | Human Rights |
| 3.Chakraborty Manik | -- | Human Rights and Refugees |
| 4. Dewan Paras | -- | Human Rights and the Law – Universal & India. |
| 5. Iyer K.S. | -- | Human Rights – Vibrant Issue |
| 6. S. K. Kapoor | -- | International Law & Human Rights |
| 7. Krinshna Iyer V. R. | -- | The Dialectics and Dynamic & Human Rights in India |
| 8. Mehta P.L. Varma. N | -- | Human Rights under the Indian Constitution |
| 9. Sehgal B.P. Singh | -- | Human Rights in India Problems and perspectives |
| 10.Holcombe | -- | International Bill of Rights |
| 11.Swaroop, Jagadish | -- | Human Rights & Fundamental Freedoms |

FIFTH SEMESTER

3LLB21: ADMINISTRATIVE LAW

OBJECTIVES: The concept of administrative law has assumed great significance as it is a branch of law which seeks to ensure the observance of rule of law. In the welfare state, the government assumes variety of functions and powers. To effectuate wide socio – economic goals, the administrative agencies need to be provided with vast discretionary powers. Administrative law deals with such set of principles as are evolved in order to control the abuse of wide administrative discretion. For every student of law, it is highly essential to know the fundamental principles of administrative law in order to provide legal help to the citizens who might be at the receiving end of the administrative abuse.

SYLLABUS:

1. Introduction- Definition of administrative law- Need for administrative law- Evolution, nature and scope of administrative law- Relationship between Constitutional law and administrative law- Droit Administratif
2. Basic Constitutional Concepts: Rule of law- Dicey's concept and modern concept of Rule of law - Doctrine of Separation of Powers
3. Delegated Legislation: Need for the growth of delegated legislation- Permissible limits of delegated legislation -Comparison between U.K., U.S.A. and India- Conditional legislation Sub – delegation- Types of delegated legislation- Skeleton legislation-Power of exclusion and inclusion- Power of modification of statute- Power to impose tax- Control of delegated legislation-Judicial control- Parliamentary or legislative control- Procedural control
4. Judicial Review of Administrative Action: Writ jurisdiction (scope of Articles 32 & 226)- Against whom writs can be issued (scope of Art. 12 & judicial - interpretation)- Locus Standi- The concept of PIL- When writ can be refused: Alternative remedy, Laches & delay, - Resjudicata and Anticipatory relief- Doctrine of legitimate expectation- Types of writs: Habeas corpus, Mandamus, Quowarranto, Certiorari & Prohibition
5. Judicial Review of Administrative Discretion: Discretionary powers- Abuse of discretion: Malafides, improper purpose, irrelevant consideration,- Colourable Exercise of power Non application of mind: Acting mechanically- acting under -Dictation, imposing fetters on the exercise of discretion- Non-compliance with procedural requirements
6. Principles of Natural Justice: Concept, origin and back ground of natural justice- Bias: Pecuniary bias, personal bias and policy bias- Audi alteram partem (right to be heard): Notice, Fair hearing, right of cross examination, Right to counsel, reasoned decisions, institutional decisions- and post-decisional hearing- Effect of failure of natural justice
7. Governmental Liability: Governmental liability after torts and breach of contract- Estoppel and waiver
8. Administrative Tribunals: Reasons for the growth of administrative tribunals- Nature, constitution, provisions of administrative tribunals- Administrative tribunals
9. OMBUDSMAN: Lokpal- Lokayukta
10. Public Undertakings: Nature of public undertakings- Reasons for growth- Control of public under takings: a. Legislative, Governmental, Judicial contro
11. Right to Information Act

REFERENCE BOOKS:

- | | |
|-------------------------------------|----------------------------|
| 1. Administrative Law | - Wade- Oxford publication |
| 2. Administrative Law | - S.P.Sathe |
| 3. Principles of Administrative Law | - Jain and Jain |
| 4. Administrative Law | - I.P.Massey |
| 5. Lectures on Administrative Law | - U.P.D.Kesari |
| 6. Administrative Law | - C.K.Takwani |
| 7. Administrative Law | - Craig |
| 8. Principles of Administrative Law | - D.C.M.Yard Ley |
| 9. Right to Information | - M. Sreedharacharya |

3LLB22:Law of Evidence (BHARATIYA SAKSHYA ADHINIYAM, 2023) 2024-2025 admitted batch

Unit 1: INTRODUCTORY

Conceptions of evidence in classical Hindu and Islamic Jurisprudence; Evidence in Customary Law Systems (Non – state law); The introduction of the British ‘Principles’ of evidence; The main features of the Bharatiya Sakshya Adhiniyam, 2023.; The Object and Reasons to the Bharatiya Sakshya Adhiniyam, 2023.; The comparative study of Indian Evidence Act, 1872 and Bharatiya Sakshya Adhiniyam, 2023.; Other Acts. Which deal with evidence (special reference to CPC, Bharatiya Nagarik Suraksha Sanhita, Central Act. Such as Banker’s Book Evidence Act., Fiscal and Revenue Laws etc., Problem of Applicability of Bharatiya Sakshya Adhiniyam, 2023.; Administrative Areas; Administrative Tribunals; Industrial Tribunals; Commissions of Enquiry; Court – martial; Need for industrial Tribunals, Commissions of Enquiry, Court Martial, Unfair means of examination, Arbitration, Disciplinary proceedings

Unit 2: CENTRAL CONCEPTIONS IN THE BHARATIYA SAKSHYA ADHINIYAM, 2023

Facts: Sec. 2; Definitions, distinction (Distinction between Facts in issue and relevancy of Facts).; Evidence: Oral and documentary – Primary and Secondary evidence; Circumstantial Evidence, Direct Evidence and Hearsay evidence; Presumption (sec.2); ‘Proved’ ,’Disproved’ and Not Proved.; Witness; Appreciation of Evidence;

Unit 3: RELEVANCY OF FACTS

The Doctrine of Res Gestae (sec.4,5,6,7); Evidence of Common Intention (sec.8); The problems of relevancy of ‘Otherwise’ Irrelevant become Relevant Facts (sec.9); Relevant facts for proof of custom (sec. 11); Facts concerning bodies and state of mind (sec.12 & 13)

Unit 4: ADMISSIONS AND CONFESSIONS

General principles concerning Admissions (sec. 15-21); Differences between ‘Admission’ and ‘Confession’ The problems of non – admissibility of confessions; Confession Caused by inducement, threat coercion or promise (sec. 22) Inadmissibility of Confession made before a Police Officer (sec.23(1)). Admissibility of ‘Custodial’ Confessions (sec 23(2)) Admissibility of ‘information’ received from an accused Person in custody; with special reference to the problem of discovery based on ‘Joint statement’ (sec. 23(2)); Confession by Co – accused (sec. 24); The problems with the judicial action based on a ‘Retracted Confession’.

Unit 5: DYING DECLARATION OTHER STATEMENTS BY PERSONS WHO CAN NOT BE CALLED AS WITNESSES

The justification for relevance on dying declaration (sec. 26); The judicial standards for appreciation of evidentiary value of dying declarations; General Principles (sec.27).

Unit 6: RELEVANCE OF JUDGMENTS

General principles (sec. 34 – 38); Admissibility of Judgments in civil and criminal matters (sec. 37); 'Fraud and "Collusion" (sec.38).

Unit 7: EXPERT TESTIMONY

General Principles (sec. 39- 44); Who is an Expert? Types of Expert Evidence; Opinion on Relationship especially proof of marriage (sec. 44); The Problems of Judicial defense to expert testimony

Unit 8: ORAL AND DOCUMENTARY EVIDENCE

General Principles concerning oral evidence (sec. 54,55); General principles concerning documentary Evidence including Electronic or Digital Record (sec. 61, 65-92); General Principles Regarding Exclusion of oral by Documentary Evidence(sec.95); Special problems regarding Hearsay Evidence(sec.55); Estoppel in relation to oral and Documentary Evidence(sec.121-123).

Unit 9: WITNESSES, EXAMINATION AND CROSS EXAMINATION

Competency to Testify (sec. 124); State Privilege (sec. 129); Professional Privilege (sec. 132,133); Approver Testimony (sec.138); General Principles of Examination (sec. 140 – 168); Leading Questions (sec. 146); Lawful Questions in Cross Examination (sec. 149); Compulsion to answer questions put to witness(sec. 150, 156); Hostile Witness (sec. 157); Impeaching of the standing or credit of witness (sec. 158);

Unit 10: BURDEN OF PROOF AND ESTOPPEL

The General and Special Exceptions to Probandi (sec. 104); General and Special Exceptions to Onus Probandi (sec. 105); The justification of presumptions of the Doctrine of Judicial Notice (sec. 119); Justification as to presumption as to certain offence (sec. 117); Presumptions as to Dowry Death (sec. 118); The Scope of the Doctrine of Judicial Notice (sec. 119); Why Estoppel? Introduction as to the Rationale (sec. 121-123)); Estoppel, Resjudicata and Waiver: and Presumption; Estoppel as a matter of Silence; Estoppel by Deed; Estoppel in Pais; Equitable and promissory Estoppel; Questions of corroboration (sec. 159, 160); Accomplice; Improper admission and of witness in civil and criminal cases(sec. 169).

11. LAW REFORMS

Books Recommended

1. *Bharatiya Sakshya Adhiniyam, 2023* by Adv.Saurabh kansal & Prof. Vageshwari Deswal (Taxmann's Publication).
2. *Bharatiya Sakshya Adhiniyam, 2023*(Bare Act)
3. *Commentary on Bharatiya Sakshya Adhiniyam, 2023* by K.Sudhakar, MA,LL.B Suptd. of Police(Rtd.), Published by Asia Law House.
4. *The Bharatiya Sakshya Adhiniyam, 2023* by Varun Soni, IRS (LAWMANN'S Publication)
5. *Master guide to New Criminal Laws* by CH Malhal Rao, Deputy Commissioner of Police(Rtd.) Published by Asia Law House.
6. *Taxmann's hand book on New Criminal Laws.*
7. *Batuk Lal : The law of Evidence*, Central Law agency, Allahabad.
8. *Vepa P. Saradhi : Law of Evidence*, Eastern book company, Lucknow.
9. *M Monir : Principle and Digest of the law of Evidence*, Universal Book agency, Allahabad.

OBJECTIVES: Substantive rights have little relevance without a well established procedure to realize the same. Knowledge of procedural law and the intricacies involved in civil procedure is of fundamental need for law students and is of immense value to prospective law practitioners. Law of limitation is included in civil procedure code as any procedure initiated after the time prescribed under limitation Act becomes a futile effort. With these objectives, the syllabus for CPC and limitation Act is framed.

SYLLABUS:

1. Introduction: Concept of Civil Procedure in India before the advent of the British Rule
Evolution of Civil Procedure from 1712 to 1901- Principal Features of Civil Procedure Code- Types of Procedures – Accusatorial and Adversarial- Hierarchy of Civil Courts
2. Suits: Concept of Law Suit- Order I, Parties to Suit- Order II, Frame of Suit- Order IV, Institution of Suits- Bars & Suit: Doctrines of Sub-Judice & Res Judicata- Place of Suing (Section 15, 20) – Territorial Jurisdiction- “Cause of Action” and Jurisdictional Bars- Summons (Section 27, 28, 29, 30 & 31 orders V, VI, IX & VI)
3. Pleadings: (Order VII): Rules of Pleadings- Amendments to Pleadings-
4. Plaint: (Order VII, Written Statement O VIII and Framing of Issues): Particulars of a Plaint Return of Plaint- Rejection of Plaint- Production & Listing of Documents- Written Statement- Counter Claim- Set off- Framing of issues
5. Appearance and Examination- Appearance- Ex parte procedure- Default of Parties Summoning and attendance of witnesses- Examination- Admissions- Production, Importing, Return of Documents- Hearing- Affidavit
6. Adjournments Order XVII-Adjournment Judicial Discretion and Problems of Arrears
7. Judgment, Decree and Order
8. Interim Orders: Security for Costs Order XXV- Commissions Order XXVI- Arrest before Judgment and attachment before judgment Order XXXVIII- Temporary injunctions Order XXXIV- Interlocutory Orders Order XXXIX- Receiver Order XL
9. Suits in Particular Cases- Suits by or against Government (Section 79 to 82)- Suits by Aliens and by or against Foreign Rulers & Ambassadors- Suits relating to public matters Suits against minors and persons with unsound mind- Suits by or against indigent Persons-Inter pleader suit- Suits relating to mortgages- Summary suits
10. Execution: Concept of execution-Application for execution-Transfer of decrees-Powers of an executing court-Modes of execution – Arrest and Detention; Attachment- Stay of execution-Sale and delivery of property- Distribution of Assets
11. Appeals: Appeals from Original Decrees (Section 96-99A) and Order XLI- Appeals from Appellate Decrees (Sections 100-101) and Order XLII- Appeals from Orders (Section 104-106) (Or. XLIII)- General Provisions Relating to Appeals (Section 107-108)- Appeals to the Supreme Court (Section 108)- Reference, review and revision
12. Law Reforms
13. Limitation: Concept of Limitation – Why limitation- Limitation Act, 1963 (Excluding Schedules)- General Principles of Limitation- Extension – sufficient cause – Acknowledgement- Legal disability – Condonation – When comes to an end.

REFERENCE BOOKS:

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|--------------------------------|----------------|
| 1. Civil procedure code | : Mullah |
| 2. Civil procedure code | : C.K. Takwani |
| 3. Civil procedure code | : Jabwala |
| 4. Law of limitation | : Jabwala |
| 5. Law of civil Procedure Code | : Sarkar |
| 6. Code of Civil Procedure | : A.N.Saha |

UNIT 1: INTRODUCTORY

The rationale of Criminal Procedure: The importance of Fair Trial; Constitutional perspectives: Articles 14, 20 and 21; The variety of Criminal procedures and a comparative study of Code of criminal Procedure and Bharatiya Nagarik Suraksha Sanhita, 2023; The organization of Police, prosecutor, Defense, Counsel and Prison Authorities and their duties, functions and powers; Types of procedures- inquisitorial and Advisory-importance of observance of procedure

Unit 2: PRE – TRIAL PROCESS: FIR

FIR (sec.173); Evidentiary value of FIR (sec. 148, 160 of Bharatiya Nagarik Suraksha Sanhita, 2023); Pre – trial process: Magisterial power to take cognizance (sec.215- 222).

UNIT 3: PRE-TRIAL PROCESS ARREST: SEARCH AND SEIZURE

The distinction between cognizable and non-cognizable offences: relevance and adequacy+ problems; Steps to ensure accused's presence at trial: Warrant and summons cases; Arrest with and without warrant (sec 72-75 and 35); The absconder's status (sec.84-88); Rights to arrest; Rights to be informed of the grounds of arrest (sec.55, 61, 77); Rights to be taken to the Magistrate without delay (sec.57-58); Rights of not being detained for more than 24 Hours (sec 58 Article 22(2) of the Constitution of India); Rights to consult legal practitioner and legal aid; Rights to be examined by a medical practitioner (sec.53); Search warrant (sec.85, 97, 100, 101) and Searches without warrant (sec.108); Police search during investigation (sec.185, 186); General Principles of search (sec.103); Seizure (sec.106, 107); Constitutional aspects of validity of search and seizure proceedings

Unit 4: TRIAL PROCESS AND FAIR TRIAL

Commencement of proceedings (sec.223, 224, 225); Dismissal of complaint (sec. 226, 227); Bail; Bailable and non – bailable offences (sec.478, 480, 483); Cancellation of bails (sec.480); Anticipatory Bail (sec.482); Appellate Bail powers – suspension of sentence (sec.430, 436, 480); General Principles concerning bond (sec.485-496); Constitutional principles regarding bail; Conception of fair trial and protection of witness (sec. 398); Presumption of innocence ;Venue of trial (sec.197-209) jurisdiction of criminal courts ;Right of accused to know the accusation (sec.244-247); The trial must generally be held in accused's presence (sec.228, 308, 355, 356); Right of cross examination and to offer evidence in defense; Constitutional interpretation of Article 21 as a right to speedy trial;

Unit 5: CHARGE

Form and content of charge (sec.234, 235, 239); Separate charges for distinct – offences (sec.241, 242, 243, 244, 246);

Unit 6: PRELIMINARY PLEAS TO BAR THE TRIAL:

Jurisdiction (Sec.21, 197-208, 507, 508, 525); Time limitations – Rationale and scope (sec.514, 519);
Pleas of autrefois acquit and autrefois convict (sec.337, Art. 22(d)); Issues – estoppel

Unit 7: TRIAL BEFORE A COURT OF SESSION

Procedural steps and substantive rights under sec.249- 259

Unit 8: JUDGEMENT

Form and content (sec.393); Summary trial (sec. 283-288); Post conviction orders in lieu of punishments; emerging panel policy (sec.401, 402, 25); Compensation and cost (sec.395, 399); Modes of providing judgment (sec.392, 403, 404).

Unit 9: APPEALS AND REVISION

No appeal in certain cases (sec.413, 416, 417); The rationale of appeals, review, revisions; The multiple range of appellate remedies; Supreme Court of India (sec.415, 420, Articles 132, 134); High Court (sec.415); Sessions Court (sec.415); 9.3.4. Special right to appeals (Sec. 421); Governmental appeal against sentencing (sec.418, 419); Judicial power in disposal of appeals (sec.188); Legal aid in appeals; Mercy petition in death sentences case (sec. 472, Art. 72, Art. 161)

Unit 10: PROBATION AND PAROLE AND PROCEDURE UNDER PROBATION OF OFFENDERS ACT AND SPECIAL PROCEDURES IN CRIMINAL MATTERS

Problems and principles; Suspension of sentence; Meaning of Parole; Authority granting parole; Supervision; Conditional release; Procedure under Juvenile Justice Act.; Juvenile Justice system; Treatment and rehabilitation of juveniles; Juvenile – adult crimes; Protection juvenile offenders, legislative and judicial role; Concept of juvenile delinquency.

Books Recommended:

1. *Taxmann's: Bharatiya Nagarik Suraksha Sanhita, 2023*
2. *Commentary on Bharatiya Nagarik Suraksha Sanhita, 2023 by K. Sudhakar, Superintendent. Of Police(rtd) [by Asia Law House]*
3. *The Bharatiya Nagarik Suraksha Sanhita, 2023 Varun Soni, IRS [Lawmann's Publication]*
4. *Master Guide to new Criminal Law by C.H Malhal Rao, Deputy Commissioner of Police(Rtd), Published by Asia Law House*
5. *Taxmann's books on New Criminal Law*
6. *R.V Kelker: Lectures on Criminal Procedure code*
7. *S.N. Mishra: Criminal Procedure Code*
8. *Ratan Lal and Dhiraj Lal: Criminal Procedural Code, Wadhwa & Co.*

3LLB25: PRACTICAL TRAINING –III

(Alternative Dispute Resolution Systems)

OBJECTIVES: The major concern of law is conflict resolution. Familiarization with the modalities and techniques of resolution of conflict is a necessary component in the endeavours of developing expertise in judicial exercise. The traditional justice delivery system through adjudication by courts had already given way to a large extent too many an alternative mode of dispute resolution in the common law countries. The advent of globalization has enthused this transformation everywhere. The study of ADR is highly significant in moulding the students of law to act as soldiers of justice in the ever changing socio-economic scenario. The course aims to give the students an insight into the processes of arbitration, conciliation and mediation

Outline Of The Course:

- Negotiation skills to be learned with simulated program
- Conciliation skills
- Arbitration Law and practice including International arbitration and Arbitration rules.

The course is required to be conducted by senior legal practitioners through simulation and case studies. Evaluation may also be conducted in practical exercises at least for a significant part of evaluation.

SYLLABUS:

1. Judicial dispute resolutions: Characteristics -Operating Principles- Party participation and Control -Short focus on issues- Reasoned Decision- Finality- Adversary process- What course does and do not do effectively?- Advantages and Disadvantages of such resolution
2. Alternate dispute resolution: Alternate to formal adjudication – Techniques processes- Unilateral – Bilateral – triadic (Third party) Intervention- Advantages – Limitations- Negotiations- Conciliation- Distinction between arbitration, conciliation and negotiation- Distinction between Judicial settlement and Alternate dispute resolution
3. Arbitration and Conciliation Act, 1996: Background of the Act- Efforts of United Nations Commission on International Trade Law- Model Arbitration Law- Recommendations of Law Commission of India
4. Arbitration: Definitions of “Arbitrary”, “Arbitrator”, “Arbitration agreement”- Appointment of “Arbitrator”- Grounds for changing the arbitrator- Terminator of Arbitrator
5. Proceedings in Arbitral Tribunals: Arbitral Award- Termination of Proceedings- Setting aside of Arbitral Award- Finality and Enforcement- Appeals- Power of the High Court to make rules
6. Enforcement of Foreign Awards- New York and Geneva Convention Awards
7. Conciliation: Meaning and Definition- Appointment of Conciliators- Powers and Functions of Conciliators- Conciliation agreements- Conciliation proceedings- Enforceability
8. Alternate models of Dispute Resolutions- Role of Panchayat- Role of Grama Sabhas- Lokpal – Lokayukta- Lok Adalats- Family Court – Counselling centres- Tribunals
9. Legal Services Authority- Role of N.G.O in Dispute Resolutions

REFERENCE BOOKS:

1. Law of Arbitration and Conciliation: B.P. Saraf and M. Jhunjhunwala
2. The New Arbitration and Conciliation Law of India: Gerald R.Williams(ed.)

3. The Arbitration and Conciliation Law of India: G.K.Kwatra
4. Law of Arbitration and Conciliation: N.D. Basu
5. Commentary on Arbitration and Conciliation Act: Johari
6. Law relation to Arbitration and Conciliation: P.C.Markanda

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SIXTH SEMESTER

CODE: 3LLB26: COMPANY LAW

OBJECTIVES: Corporate governance has become the day of commercial world. Company, as a form of business organization, contributes a lot to the development of commerce and industry. In the era of globalization, company law has undergone a lot of changes and new forms of companies such as multinational corporations have emerged. The present paper proposes to throw light on the basic concepts of corporate governance and legal regulations monitoring the company's affairs.

SYLLABUS:

1. Introduction: Meaning & Definition of a Company, Difference between 1956 and 2013- Basic features of a company-Company and other forms of business organizations- Kinds of companies Other Allied Aspects: Private companies - nature advantages conversion into public company foreign companies, government companies, holding and subsidiary companies, Defunct Companies. National company Law Tribunal, powers and functions.
2. Formation of a Company-Registration and incorporation- Memorandum of Association- various clauses - alteration therein – doctrine of Ultra vires- Articles of Association- binding force alteration - Doctrine of constructive notice and indoor management- Prospectus –Issue and contents- Statement in lieu of prospectus – Liability for Misstatements-Promoters – Position – Duties and Liabilities – Pre incorporation contracts
3. Shares and Share holders: Shares - general principles of allotment -statutory restrictions - Share certificate,–Transfer of shares - role of public finance institutions - Shareholder - modes of becoming a shareholder - Rights and liabilities of shareholder- Shareholders and Members- Calls on shares -Forfeiture and surrender of shares - lien on shares.
4. Share capital -Kinds of share capital-Alteration and reduction of share capital-further issue of capital -Conversion of loans and debentures into capital- duties of court to protect the interests of creditors and shareholders.
5. Dividends, Debentures, deposits and borrowing powers: Dividends - payment - capitalization of bonus shares, Audit and accounts- Borrowing - powers - effects of unauthorised borrowing -charges and mortgages -Debentures - meaning- kinds of debentures - shareholder and debenture holder-remedies of debenture holders- Charge – fixed and floating-
6. Management of a Company- Directors – Position -Qualification and disqualification – Duties and Liabilities -Managing Directors -Powers and duties of Board of Directors Secretary – Sole selling agents
8. Meetings of a company: Kinds of Meetings – Conduct of Meetings-Kinds of resolutions and rule of proxy
9. The Majority Rule - the Protection of Minority against oppression and mismanagement-The rule in Foss vs. Harbottle- Prevention of Oppression & Mis-management – Remedies- Powers of Court and Central Government
10. Amalgamation and Reconstruction
11. Corporate Social Responsibility

12. Winding up of a company-Meaning and modes of winding up- Powers and functions of official liquidator- Powers and Functions of Auditor & Investigating Inspectors
13. SEBI: Constitution, and Powers of SEBI

REFERENCE BOOKS:

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|-----------------------------------|----------------------------|
| 1. Company Law | : Avtar Singh Latest |
| 2. Overview of Indian Company Law | : R.K. Gupta & S.C. Sarkar |
| 3. Lectures on Company Law | : Shah |
| 4. Company Law | : Palmer |
| 5. Elements of Company Law | : N.D. Kapoor |
| 6. Company Law | : M.P.Tandom |
| 7. Guide to Company Act | : Ramaiah |

3LLB27: PRACTICAL TRAINING – I: (Drafting, Pleadings and Conveyancing)

Class room instructions and simulation exercises on the following items shall be extended to:

PART- A: DRAFTING: General principles of drafting and relevant substantive rules shall be taught.

PART-B: PLEADINGS

1. CIVIL: (i) Complaint - (ii) Written Statement -(iii) Interlocutory Application -(iv) Original Petition- (v) Affidavit -(vi) Execution Petition -(vii) Memorandum of Appeal and Revision - (viii) Petition under Articles 226 and 32 of the Constitution of India.
 2. CRIMINAL: (i) Complaints-(ii) Criminal Miscellaneous Petition- (iii) Bail Application (iv) Memorandum of Appeal and (v) Revision.
 3. CONVEYANCING: (i) Sale Deed - (ii) Mortgage Deed- (iii) Lease Deed -(iv) Gift Deed (vi) Promissory Note - (vii) Will - (viii) Power of Attorney-(ix) Trust Deed
 4. Drafting of writ petition and PIL petition
- Drafting and pleading will including 15 exercises and carries 45 marks.
- Conveyancing will including 15 exercises and carries 45 marks
- These 30 exercises shall be recorded. Each student shall be served with different problems for the purpose of exercise.
- These exercises shall be evaluated by a Board of Examiners carrying of one teacher of the University College concerned, Principal/Head and teacher concerned.
- The same Board will also conduct Viva-voce on the above concepts. It carries 10 marks.
- The proceedings of the Viva-voce shall be recorded.
- The candidate shall get a minimum 1/3rd of marks allotted for each component and 40% on the aggregate in order to qualify and pass in the above paper.

3LLB28: PRACTICAL TRAINING – II
(Professional Ethics and Professional Accounting System)

1. Legal profession: Law and Legal profession-Development of Legal Profession in India- Right to practice- a right or privilege-Constitutional guarantees under article its scope.
 2. Legal Practice: Regulation governing enrolment and practice- Practice of Law – whether a business- Solicitors of firm- Whether an industry- Elements of Advocacy
 3. Rules of Advocacy- Seven lamps of Advocacy- Advocates duties towards Public, Clients, Courts, towards other advocates and Legal Aid- Bar Council Code of Ethics
 4. Professional Misconduct: Disciplinary proceedings- Professional misconduct- Disqualifications- Functions of Bar Council of India/State Bar Councils in dealing with the Disciplinary Proceedings.- Disciplinary Committee- removal from rolls.
 5. Bar-Bench relations
 6. Accountancy of Lawyers:- Nature and functions of accounting- Important branches of accounting- Accounting and Law- Use of knowledge of accountancy in legal disputes especially arising out of Law of Contracts, Tax laws etc.-
 7. Accountancy in Lawyers office/firm: Basic financial statements: Income & Loss- Accounts; Balance Sheet- Interpretation thereof; Features of Balance Sheet.- Standard costing.
- ❖ There shall be a University written examination on this paper for 80 marks and Viva-voce examination carrying 20 marks. The Viva-voce board shall be as mentioned under Practical Training paper – II. The candidate shall get a minimum 1/3rd of marks allocated for each component and 40% on the aggregate.
 - ❖ 50 selected opinions of Disciplinary Committee of Bar Council and 10 major judgments of Supreme Court on the subject.

REFERENCE BOOKS:

1. Mr. Krishnamurthy Iyer's book on Advocacy,
2. The contempt of law and practice.
3. Bar Council code of Ethics.

3LLB29: PRACTICAL TRAINING - IV (Moot Court Exercise and Internship)

OBJECTIVES: Familiarization with the modalities and techniques of advocacy is a necessary component in the endeavours of developing expertise in legal profession. The course aims to give the students training with regard to court manners, way of communication with the judges and arguments. Students also trained to frame issues, written submissions and oral advocacy, etc., This paper may have three components of 30 marks each and a viva for 10 marks.

UNIT WISE SYLLABUS:

1. Moot Court (30 marks): Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.
2. Observance of Trial in two cases, one civil and one criminal (30 marks): Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.
3. Interviewing techniques and Pre-trial preparations and Internship diary (30 marks): Each student will observe two interviewing sessions of clients at the Lawyer's Office/ Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit / petition. This will be recorded in the diary, which will carry 15 marks.

4. The fourth component of this paper will be viva voce examination on all the above three aspects. This will carry 10 marks.

3LLB30: PENOLOGY AND VICTIMOLOGY

OBJECTIVES: This course is designed to acquaint to students with advances made by sociology and psychiatry in understanding human behaviour, particularly deviant behaviour. In the past criminality was confined to acts of violence or unlawful acts of commission or omission. Thus the purpose behind penology in the past was to do acts of revenge or to commit it for personal gain. The concept of crime has changed considerably in the recent years. In view of the magnitude of the problem the existing machinery for control of crime namely the police and courts have come under severe criticism. Emphasis will be laid on understanding the weak and strong points of existing system whether it can meet the challenge and carry new burdens. The course shall well on these themes with a view to develop among the students a greater understanding of social costs of crime and the effective ways of lessening them.

Syllabus:

1. Introduction: Punishment – Meaning, Aims, Types, Objectives, Sentencing- Principles and Policies -Corrections in India – Central and State Government Role.
2. Correctional Philosophy: Evolution of Correctional Philosophy; Correctional Manuals, Prison Act.
3. Institutionalisation: Meaning and scope of institutionalization, Indian Prison system – development; Classification system; Central Prison, Sub-jails, Juvenile Institutions Observation homes, Children's home, Special home, Borstal School; Institutions for women –Prisons, Vigilance home, Protection home, Open Prison

4. Correctional Programme: Various correctional programmes -Vocational Training, Educational Training, Recreational Programmes, Self-Government and other activities.
5. Community Based Corrections: Probation – Concept and Scope; Probation of Offenders Act; Probation procedures Persistence investigation report, Supervision, Revocation; Parole and After-Care – Meaning and scope, Parole provisions, rules and supervision; Half-way houses – Organizations and Significance.

VICTIMOLOGY

6. Introduction: Victims and victimization -key concepts-Victim precipitation, Victim vulnerability; Primary, Secondary and Tertiary victimization.
7. International Instrument: UN Declaration on Basic Principles of Justice for Victims of Crime and Abuse of Power 1989 - Access to justice, restitution, compensation and assistance.
8. Victim Typology: Victims of Traditional Crimes; Victims of abuse of power; Women victims; Child victims; Victims of group violence.
9. Restitution Of Compensation: Restitution and Compensation -Victim compensation in India for traditional crimes and abuse of power.
10. Victim Assistance: Victim assistance – Preventing victimization, Assistance during crime investigation and trial; Legal aid to crime victims; Role of citizens and voluntary organization in victim assistance.

REFERENCE BOOKS

1. Ahmed Siddique, Criminology, Problems and Perspectives,
2. Battacharya S.K., Probation system in India,
3. Brodie, S.R., Effectiveness of sentencing,
4. Chockalingam K., Issues in Probation in India,
5. Paranjepe, N.V., Criminology and Penology,
6. Devasia, V.D & Leelamma Devasia, Criminology, Victimology and Corrections,
7. Gowswami, B.K., Critical Study of Criminology and Penology,
8. Ghosh, S., Open Prisons and the Inmates,
9. Naresh Kumar, Constitutional Rights of Prisoners,
10. Mulla Committee Report on Prison Reforms, 1983, Govt. of India.

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