



**JAYOTI VIDYAPEETH WOMEN'S UNIVERSITY,
JAIPUR**

**Faculty of Law and Governance
Department of Law**

SYLLABUS

B.A.-LLB

SESSION – 2022-23

DURATION – 5 YEARS / 10 SEMESTER

SYLLABUS FOR:

1- 5 YEARS

PROGRAM DETAIL

Name of Program	-	Bachelor of Law and Humanities
Program Code	-	BA LLB
Mode of Program	-	Semester
Duration of Program	-	5yrs/10 Semester
Total Credits of Program	-	462
Curriculum Type and Medium Choice	-	English

SYLLABUS DETAIL

FIRST SEMESTER

S. No.	Credit	Name of Course
1	8	Law of Contract
2	8	Law of Torts
3	7	Introduction to Sociology
4	7	Political Theory
5	7	History of India upto 1206 AD
6	4	Computer fundamentals
7	4	General English
Total	45	

SECOND SEMESTER

S. No.	Credit	Name of Course
1	8	Specific Contract
2	8	Company Law
3	8	English and Legal Language
4	5	Indian Society
5	5	Indian Government and Politics
6	5	History of India from 1206 AD to 1761 AD
Total	39	

THIRD SEMESTER

S. No.	Credit	Name of Course
1	8	Law of Crimes(Principles)
2	8	Hindu Law
3	8	Introduction of Constitution Law
4	8	Sociology and Law
5	6	Comparative Government and Politics
6	6	History of India 1757-1857 AD
Total	44	

FOURTH SEMESTER

S. No.	Credit	Name of Course
1	8	Law of Crimes(Specific)
2	8	Muslim Law
3	8	Basic of Indian Constitutional Law
4	5	Sociology and Caste
5	5	International Relations
6	5	Indian National Movement (1857-1947 AD)
Total	39	

FIFTH SEMESTER

S. No.	Credit	Name of Course
1	8	Introduction to Code of Civil Procedure & Limitation
2	8	Introduction to Code of Criminal Procedure
3	8	Law of Evidence
4	7	Legiaslation and Social change
5	7	Public Administration:
6	7	Indian Political Institution & Process(major)
Total	45	

SIXTH SEMESTER

S. No.	Credit	Name of Course
1	8	Code of Civil Procedure & Limitation
2	8	Code of Criminal Procedure
3	8	Public International Law
4	6	International Economics
5	6	India and the
6		Contemporary World (1950-2000)
7	6	Indian Political Thought
Total	42	

SEVENTH SEMESTER

S. No.	Credit	Name of Course
1	8	Principle of Labour Law
2	8	Environmental Law
3	8	Principles of Taxation Law
4	8	Intellectual Property Rights
5	8	Right to Information
6	8	Health Care Law
Total	48	

EIGHT SEMESTER

S. No.	Credit	Name of Course
1	8	Labour Law Specific
2	8	Jurisprudence
3	8	Alternative Dispute Resolution Laws and Legal Service Authority Act, 1987
4	8	French Legal System
5	8	Rajasthan Land Laws
6	8	Offences against Child & Juvenile Offence
7	8	Media and Law
Total	56	

NINTH SEMESTER

S. No.	Credit	Name of Course
1	8	Interpretation of Statutes and principles of Legislation
2	8	Moot court exercise and internship
3	8	Banking Law
4	8	Insurance Law
5	8	Private International Law
6	8	Criminology & Penology
7	8	Drafting, Pleading & Conveyancing
Total	56	

TENTH SEMESTER

S. No.	Credit	Name of Course
1	8	Forensic Science & Law
2	8	Professional Ethics and Professional Accounting System
3	8	Administrative Law
4	8	Property Law & Easement
5	8	Dissertation
6	8	Law & Technology
Total	48	

Consolidated Program Summary

B.A. LLB-5 years

I-Sem

Nature of Course	Course Name	C	T	D & T	P	PS
Core Law	Law of Contract	8	2.8	0.2	3	2
Core Law	Law of Torts	8	2.8	0.2	3	2
Core Sociology	Introduction to Sociology	7	7	0	0	0
Core Political	Political Theory	7	7	0	0	0
Core History	History of India up to 1206 AD	7	7	0	0	0
Core Information Technology	Computer Fundamentals	4	2	1	1	0
Core General English	General English	4	2	1	1	
University Compulsory Course	CDA & ECA	2	0	0	2	0
University Optional Course	Professional Activities	-	-	-	-	-
Total Credits:		47	30.6	2.4	10	4

B.A. LLB-5 years

II-Sem

Nature of Course	Course Name	C	T	D & T	P	PS
Core Law	Specific Contract	8	2.8	0.2	3	2
Core Law	Company Law	8	2.8	0.2	3	2
Core Law	English and Legal Language	8	2.8	0.2	3	2
Core Sociology	Indian Society	5	4.3	0.2	0.5	0
Core Political	Indian Government and Politics	5	4.8	0.2	0	0
Core History	History of India from 1206 AD to 1761 AD	5	4.8	0.2	0	0
Professional Development Activities	Internship 4 Week	12				
University Compulsory Course	WRL	1	1	0	0	0
	CDA & ECA	2	0	0	2	0
University Optional Course	Professional Activities	-	-	-	-	-
Total Credits:		54+12	23.3	1.2	11.5	6

B.A. LLB-5 years

III-Sem

Nature of Course	Course Name	C	T	D & T	P	PS
Core Law	Law of Crimes (Principles)	8	2.8	0.2	3	2
Core Law	Hindu Law	8	2.8	0.2	3	2
Core Law	Introduction of Constitution Law	8	2.8	0.2	3	2
Core Sociology	Sociology and Law	8	8	0	0	0
Core Political Science	Comparative Government and Politics	6	6	0	0	0
Core History	History of India 1757-1857 AD	6	6	0	0	0
University Compulsory Course	Environment Studies & Disaster System	1	1	0	0	0
	CDA & ECA	2	0	0	2	0
University Optional Course	Professional Activities	-	-	-	-	-
Total Credits:		47	29.4	.6	11	6

**B.A. LLB-5 years
IV-Sem**

Nature of Course	Course Name	C	T	D & T	P	PS
Core Law	Law of Crimes(Specific)	8	2.8	0.2	3	2
Core Law	Muslim Law	8	2.8	0.2	3	2
Core Law	Basic of Indian Constitutional Law	8	2.8	0.2	3	2
Core Sociology	Sociology and Caste	5	4.3	0.2	0.5	0
Core Political Science	International Relations	5	4.8	0.2	0	0
Core History	Indian National Movement (1857-1947 AD)	5	5	0	0	0
Professional Development Activities	Internship 4 Week	12				
University Compulsory Course	CDA & ECA	2	0	0	2	0
University Optional Course	Professional Activities	-	-	-	-	-
Total Credits:		41+12	22.5	1	11.5	6

**B.A. LLB-5 years
V-Sem**

Nature of Course	Course Name	C	T	D & T	P	PS
Core Law	Introduction to Code of Civil Procedure & Limitation	8	2.8	0.2	3	2
Core Law	Introduction to Code of Criminal Procedure	8	2.8	0.2	3	2
Core Law	Law of Evidence	8	2.8	0.2	3	2
Core Sociology	Legislation and Social change	7	7	0	0	0
Core Pub. Ad.	Public Administration:	7	7	0	0	0
Core Political	Indian Political Institution & Process(major)	7	7	0	0	0
University Compulsory Course	CDA & ECA	2	0	0	2	0
University Optional Course	Professional Activities	-	-	-	-	-
Total Credits:		47	29.4	.6	11	6

**B.A. LLB-5 years
VI-Sem**

Nature of Course	Course Name	C	T	D & T	P	PS
Core Law	Code of Civil Procedure & Limitation	8	2.8	0.2	3	2
Core Law	Code of Criminal Procedure	8	2.8	0.2	3	2
Core Law	Public International Law	8	2.8	0.2	3	2
Core Economy	International Economics	6	4.8	0.2	0	1
Core History	India and the Contemporary World (1950-2000)	6	3.2	0.5	0.3	1
Core Political	Indian Political Thought	6	4.8	0.2	0.5	0.5
University Compulsory Course	WRL	1	0	0	1	0
University Compulsory Course	CDA & ECA	2	0	0	2	0
Professional Development Activity	Internship 4 Week	12				
University Optional Course	Professional Activities	-	-	-	-	-
Total Credits:		45+12	21.2	1.5	12.8	8.5

(BALLB - VII Sem)

Nature of Course	Course Name	C	T	D & T	P	PS
Core Law	Principle of Labour Law	8	2.8	0.2	3	2
Core Law	Environmental Law	8	2.8	0.2	3	2
Core Law	Principles of Taxation Law	8	2.8	0.2	3	2
Core Law	Intellectual Property Rights	8	2.8	0.2	3	2
Core Law	Right to Information	8	2.8	0.2	3	2
Core Law	Health Care Law	8	2.8	0.2	3	2
University Compulsory Course	CDA & ECA	2	0	0	2	0
University Optional Course	Professional Activities	-	-	-	-	-
Total Credits:		50	16.8	1.2	20	12

(BA.LLB - VIII SEM)

Nature of Course	Course Name	C	T	D & T	P	PS
Core Law	Labour Law Specific	8	2.8	0.2	3	2
Core Law	Jurisprudence	8	2.8	0.2	3	2
Core Law	Alternative Dispute Resolution Laws and Legal Service Authority Act, 1987	8	2.8	0.2	3	2
Core Law	French Legal System	8	2.8	0.2	3	2
Core Law	Rajasthan Land Laws	8	2.8	0.2	3	2
Core Law	Offences against Child & Juvenile Offence	8	2.8	0.2	3	2
Core Law	Media and Law	8	2.8	0.2	3	2
Professional Development Activities	Internship 4 Week	12				
University Compulsory Course	CDA & ECA	2	0	0	2	0
University Optional Course	Professional Activities	-	-	-	-	-
Total Credits:		62+12	19.6	1.4	23	18

(BA -LL.B -IX SEM)

Nature of Course	Course Name	C	T	D & T	P	PS
Core Law	Interpretation of Statutes and principles of Legislation	8	2.8	0.2	3	2
Core Law	Moot court exercise and internship	8	2.8	0.2	3	2
Core Law	Banking Law	8	2.8	0.2	3	2
Core Law	Insurance Law	8	2.8	0.2	3	2
Core Law	Private International Law	8	2.8	0.2	3	2
Core Law	Criminology & Penology	8	2.8	0.2	3	2
Core Law	Drafting, Pleading & Convincing	8	2.8	0.2	3	2
University Compulsory Course	CDA & ECA	2	0	0	0	2

(BA.LL.B -X SEM)

Nature of Course	Course Name	C	T	D & T	P	PS
Core Law	Forensic Science & Law	8	2.8	0.2	3	2
Core Law	Professional Ethics and Professional Accounting System	8	2.8	0.2	3	2
Core Law	Administrative Law	8	2.8	0.2	3	2
Core Law	Property Law & Easement	8	2.8	0.2	3	2
Core Law	Dissertation	8	2.8	0.2	3	2
Core Law	Law & Technology	8	2.8	0.2	3	2
Professional Development Activities	Internship 4Week	12				
University Compulsory Course	CDA & ECA	2	0	0	2	0
University Optional Course	Professional Activities	-	-	-	-	-
Total Credits:		62	18.8	1.4	23	14

**B.A., LL.B. 1ST YEAR
I SEMESTER**

Law of Contract

Credits-8

Objective: The objective of this paper is to make students familiar with various principles of contract formation enunciated in the Indian Contract Act, 1872.

Unit-I:General Principles Meaning and nature of contract, Offer / Proposal- Definition, Communication, Revocation, General/ Specific offer, Invitation to treat, Acceptance- Definition, Communication, Revocation, Tenders / Auctions, Consideration- Definition, Essentials, Privity of contract, Capacity to enter into a contract- Minor's position, Nature or effect of minor's agreements
(2 Credit)

Unit-II: Validity of Contract- Free Consent, Coercion, undue influence, Misrepresentation, Fraud, Mistake, Unlawful consideration and object, Effect of void, voidable, valid, illegal, unlawful and uncertain agreements contracts, Discharge of Contracts, Performance- Time and Place of performance, Impossibility of performance and frustration, Breach – Anticipatory & Present
(2 Credit)

Unit-III: Remedies- Damages, Kinds, Remoteness of damages, Injunction, Specific performance, Quantum Merit, Quasi Contracts
(2 Credit)

Recommended Books:

1. S K Kapoor-Contract I, CLA
2. Myneni-Contract 1, Asia Law House.

Suggested Readings:

1. Anson's - Law of Contract
2. Bangia - Law of Contract and Specific Relief
3. Cheshire and Fifoot - Law of Contract

Recommendation for practical exposure:- (2 Credit)

1. Two Case Study and Analysis of General Principles, Validity of Contract. (1 Credit)
2. One Seminar on Remedies of Contract (.5 Credit)
3. One Moot Court on Validity of Contract. (.5 Credit)

Objective: This paper is to make students understand the nature of tort and conditions of liability with reference to established case law. Further, it covers the Consumer Protection Act, 1986.

Unit – I: Introduction and Principles of Liability in Tort- Definition of Tort, Development of Tort actions in England and India – Tort distinguished from contract, Quasi-contract and crime, Constituents of Tort – Wrongful Act, Damage and Remedy, Strict Liability and Absolute Liability, Vicarious Liability – Scope and Justification, Doctrine of Sovereign Immunity.

Justification in Tort- Volenti non-fit Injuria, Necessity, Plaintiff's default, Act of God, Inevitable accidents, Private defences, Judicial and Quasi – Judicial Acts, Parental and quasi-parental authority.

Specific Torts- Defamation, Negligence, Nuisance, Assault, battery and mayhem, False imprisonment and malicious prosecution, Nervous Shock,

(2 Credit)

Unit – II:Motor Vehicle Act –

Liability to pay compensation in certain cases on the principle of no fault, Special provisions as to compensation in case of hit and run motor accident, Refund in certain cases of compensation paid under section 161, Claims Tribunals, Application for compensation, Option regarding claims for compensation in certain cases, Award of the Claims Tribunal

(2 Credit)

Unit – III:Consumer Protection Act:

The Consumer Protection Act 1986 Definition : Consumer- Complainant – Complaint – defect -deficiency – Consumer Dispute – Scope of Consumer Protection Act – Rights of Consumer Dispute Redressal Agencies : District Forum – State Commission – National Commission.

(2 Credit)

Recommended Books:

1. Kapoor-Torts & Consumer Protection, CLA.
2. Shukla-Torts & Consumer Protection, CLA.
3. The Consumer protection Act 1986 Dehli Law House, Dehli.

Essential Case Law:

1. Bhim Singh v. State of J & K and Others (1985) 4 SCC 677
2. RudulSah v. State of Bihar (1983) 4 SCC 141
3. Rylands v. Fletcher 1868 LR HL 330
4. M.C. Mehta v. Union of India 1987 1 SCC 395
5. Union Carbide Corporation v. Union of India AIR 1989 SC 248
6. Donoghue v. Stevenson 1932 SC 31
7. State of Rajasthan v. Mst. Vidyawati& Others AIR 1962 SC 1039
8. M/s KasturilalRaliaRam Jain v. State of U.P. AIR 1965 SC 1039
9. Cassidy v. Daily Mirror Newspapers Ltd.
10. Bird v. Jones 1845 7 QB 742
11. Lucknow Development Authority v. M.K.Gupta, (19494) ISCC 243.
12. A.C. Modagi v. cCrosswell Tailor, (1991) II CPJ 586
13. Indian Medical Assn. v. V.P. Shantha (1995) 6 SCC 651
14. Consumer Unity and Trust society v. St. of Rajasthan (1991) II CPJ 56 Raj.
15. PoonamVerma v. Ashwin Patel (1996) 4SCC 332
16. LaxmiEngg. Works v. P.S.G. Industrial Institute, AIR (1995) SC 1428
17. Spring Meadows Hospital v. HarjolAhluwalia, AIR (1998) SC 1801
18. Morgan Stanley Mutual Fund v. Kartick Das (1994) 4SCC 225

Recommendation for practical exposure:- (2 Credit)

1. Two Moot Court on Liability in Tort and Consumer Cases. (1 Credit)
2. One Leading Case- Study and Analysis of Law of Torts. (1 Credit)

Objective: The objective of this paper is to focus on basic concepts of sociology relevant for understanding of society and various social issues.

Unit-I : Introduction to Sociology & its Basic Concept- Sociology – definition, aims and scope, Relation with other social sciences- history, anthropology and psychology, theoretical approaches- evolutionism, functionalism, conflict theory, inter-actionist theory, Society, Community, Association, Social groups, Status and role.

(3 Credit)

Unit-II: Contributions of Eminent Sociologists - Saint Simon, August Comte, Emile Durkheim, Herbert Spencer, Karl Marx, Max Weber, Talcott Parson, Pareto.

(2 Credit)

Unit-III: Research Methods- Types of methodology – comparative, descriptive, diagnostic, exploratory, experimental, Research methods – documentary, empirical and survey method, Tools of data collection- observation, interview, questionnaire and schedule, genealogy, case study, sampling, Stages of data collection- conceptualizing problem, laying down hypothesis, defining, the variables, choosing the tools of data collection, phase of data collection, data analysis.

(2 Credit)

Recommended Books:

1. Harlambos, M. Sociology: Themes and Perspectives; Oxford University Press, 1980
2. Bottomore, T.B. Sociology: A Guide to Problems and Literature; Blackie and Sons India Ltd., 1971
3. Horton. P.b. and C.L. Hunt Sociology; McGrew- Hill book Company, Singapore, 1984.
4. Giddens, A. Sociology; Polity Press, UK; 1993

Suggested Readings:

1. Davis, K. Human Society; Surjeet Publications, India; 2000
2. Desai, N. and M. Krishnaraj Women and Society in India; Ajanta Publications; 1987
3. Mellow, R.C. Identity and Social Life: Psychological Issues; International University Press, 1978
4. Mac Iver and Page Society: An Introductory Analysis ; Mac Millan India Ltd. , New Delhi
5. Myneni Sociology; Allahabad Law Agency, Faridabad; 2004Goode, W.J. and P.K. Hatt Methods in Social Research; MacGraw - Hills, New York 1952

Objective-The paper is to make the students understand nature and Scope of Political, Welfare State and Administration

Unit I : Nature and Scope of Political , Welfare State and Administration Theory

Nature, meaning and Significance of Political Theory, developing trends, Pluralism, Theories of Law, 20th Century trends in Liberalism, Socialism, Trends in Democratic Theory, Power and Authority. Development of Welfare State, social justice, evolution and scope of Welfare State, role of Government and non-government organization, Gandhi and Sarvodaya, theories of Social Change

(Credits 2)

Unit II: State and Sovereignty

State: Definition, elements of the State, theories of Origin of State, functions of the State, nature of State- Concept of Sovereignty, definitions of sovereignty, characteristics of sovereignty, development of sovereignty, kinds of sovereignty, theories of sovereignty, Citizenship, Rights and Liberty

(Credits 2)

Unit III: Equality

Equality, development of the concept, nature of equality, kinds of equality, different views of equality. Recent theories of equality and justice, Concept, Rawl's theory of justice, theory of Social Change and Democracy.

(Credits 3)

Recommended Book :

1. Benhabib, S., and Cornell, D., *Feminism as Critique*, Polity Press, Cambridge, 1987

Suggested Readings:

1. Barker, E., *Principles of Social and Political Theory*, Oxford University Press, Calcutta, 1976.
2. Barry, N.P., *Introduction to Modern Political Theory*, Macmillan, London, 1995.

History of India up to 1206 A.D

(Credits-7)

Objective-The paper is to make the students understand the nature and scope of Indian History.

Unit I: Survey of Sources and Geographical Features

Literary and Archaeological Sources – Geographical features – Indus Valley Civilization – Cities of Harappan civilization: Harappa, Mohenjodaro, Lothal and Chanhudaro – The political, economic and religious life of the Indus people – The Aryans – origin – The Rig Vedic and Later Vedic Period – political – economic – socio – religious life of the Aryans.

(Credits 2)

Unit II : Sixth Century B.C. and the Rise of New Religions

The Sixth Century BC in Indian History – Causes for the rise of new Religions – Jainism – Life and Teachings of Mahaveera – Buddhism – Life and Teachings of Buddha – their contributions.

(Credits 2)

Unit III : The Mauryan, Gupta and Rajput Rulers and their contributions

The Mauryas – Chandragupta Maurya, Asoka – Kalinga War – Welfare State – Asoka's Dharma – Factors for the disintegration – The Indo – Greeks – Menander – The Kushans – Kanishka – Conquests – Patronage to Buddhism – Gandhara Art. The Guptas – Samudragupta – Chandragupta Vikramaditya – The Gupta's Contributions in the field of Literature, Science, Art and Architecture – The Revival of Hinduism – The Hun Invasion – The Vardhanas – Harshavardhana – Career and Achievements

(Credits 3)

Recommended Books

1. Basham AL., (Ed), A Cultural History of India, OUP, Delhi, 1998.
2. Jha, DN., Ancient India - An Introductory Outline, People's Publishing House, New Delhi.
3. Sharma, RS., Indian Feudalism, MacMillan Pub. Madras, 1998.
4. Sharma, RS., Material Culture and Social Formation in Ancient India, MacMillan Pub., Madras, 1995.

Suggested Readings:

1. Allchin, BR., Birth of Indian Civilization, Penguin Books Ltd., 1995.
2. Romila Thapar (Ed), Recent perspectives of Indian History, Oxford University Press, Delhi, 1998.
3. Romila, Thapar, A History of India – I, Penguin Books
4. Romila, Thapar, Asoka and the Decline of the Mauryas, OUP, Delhi, 1999.

Computer Fundamentals

Credits: 4

Objective: This course offers a good understanding of basics of Information Technology.

UNIT I

- Introduction to Computers: Classification, Components of Computer System, Introduction to High level and low level languages.
- Software: Application Software and System Software, Applications Basic concepts of operating systems, Flow charts and data flow diagrams.
- Networking concepts, Internet and intranet, sending and reading e-mails.
- Practical on Internet using emails, Use of search engines

(Credits: 2)

UNIT II

- End User computing using MS-Office: Word processing: MS-Word, formatting text and documents, working with header and footer, tables and sorting, graphics and mail merge.
- MS Excel basics, Rearranging, Worksheets, Excel formatting techniques, using formulas and functions, chart features and working with graphics in Excel
- Power Point: Basics, working with texts and graphics in Power Point,
- Creating and delivering presentations
- Computer Security: Introduction, Malicious programs, cryptography, digital signature, firewall,
- Users Identification and Authentication, Security Awareness Issues

(Credits: 2)

Recommended Text Book:

- Computer Application in Management :NirupmaPathak, Himalaya Publishing House.

Suggested Readings:

- Leon & Leon : Internet for Everyone Leon Tech World
- Curtin, Foley, Sen& Martin : Information Technology Tata McGraw Hill
- Rajaraman, V: Fundamentals Of Computers: PHI
- AakashSaxena, Sunil Chauhan, Kratika Gupta: Fundamentals of Computer: Laxmi.P. K. Sinha: Fundamental of Computers: BPB

Recommendation for practical exposure:-

- Twenty Hours Creation of Word, Excel and Power point
- Twenty Hours Practice on Networking

Objective: To enable students to develop four major skills Reading, Writing, Speaking and listening in relevance to English culture according to time and venue.

Unit- 1

Language and Grammar:

Defining Language, Nature of Language; Linguistic Competence (Introductory); Grammar and Usage - Sentence Structure- Subject and Predicate; Concord; Tenses; Use of Articles; Accurate Use of Prepositions; Making Questions (Why- and yes-no questions and question tags); Use of Auxiliary Verbs (making requests, suggestions, seeking permission etc.); Some Common Errors

(Credit: 2)

Unit-2

Communication Skills:

Communication - Verbal, Non-verbal and Written; Significance of Communication Skills for Lawyers- Listening, Speaking, Reading and Writing (Introductory); Electronic Communication and its Types (Telephone, Facsimile, E-mail, Voicemail, Teleconferencing, Video-conferencing, Word processor, Internet, Social Media); Formal Correspondence; Resume Writing, Difference between Bio-data, Resume and Curriculum-Vitae.

(Credit: 2)

Recommended Books:

- Phonetics by Peter Roach, Oxford University Press 2004.
- Better English Pronunciation by J.D.O'Connor, OUP 2010.
- Accents of English by J.C.Wells, Cambridge University Press.
- English Grammar Today with CD: An A-Z of Spoken and Written
- Grammar by Ronald Carter, Michael Mac Carthy, Geraldine Mark
- Anne O'Keefe, Cambridge University Press, 2009.
- Alred, Gerald J. . The Business Writers Handbook. 9th ed. Boston:Bedford/St. Martins, 2009.
- GeetaJajivan, Kiranmai: Course Listening and Speaking Skills part 1. Foundation Books Pvt Ltd.
- Lorven: Enrich Your Communication in English

II SEMESTER

Special Contract

Credits-8

Objective: This paper is to impart knowledge various special contract, law of agency and partnership and specific reliefs

Unit – I: Indemnity and Guarantee- Meaning, Distinction between Indemnity and Guarantee, Right / Duties of Indemnifier, Indemnified and Surety, Discharge of Surety, Kinds of Guarantee, Bailment and Pledge- Meaning and Distinction, Rights and Duties of Bailor/Bailee, Pawnor/Pawnee, Lien, Termination of Bailment

(2 Credit)

Unit – II: Agency- Definitions of Agent and Principal, Essentials of relationship of agency, Creation of agency: by agreement, ratification and law, Relation of principal / agent, subagent and substituted agent, Termination of agency, Specific Relief Act, 1963- Recovery of property, Specific performance of contracts, Injunctions – Temporary, Perpetual and Mandatory

(2 Credit)

Unit – III: The Indian Partnership Act, 1932- Nature of partnership firm, Relations of partners to one another and outsiders- Rights /Duties of partners inter se, Partnership Property, Relations of Partners to third parties, Liability for holding out, Minor as a partner, Incoming and outgoing partners, Dissolution- By consent, By agreement, compulsory dissolution, contingent dissolution, By notice, By Court, Consequences of dissolution, Registration of firms and effects of non registration

(2 Credit)

Recommended Books:

1. S K Kapoor-Contract II, CLA
2. Myneni-Contract 2, Asia Law House.

Suggested Readings:

1. Pullock&Mulla, Indian Contract and Specific Relief Acts
2. Avtar Singh - Law of Partnership
3. K. Sukumaran, Pollock & Mulls - The Indian Partnership Act

Recommendation for practical exposure:-

1. Two Moot Court on Indemnity and Guarantee and Partnership. (1 Credit)
2. One Leading Case- Study and Analysis on Agency. (1 Credit)

Objective: The paper aims to provide insight into formation and winding up of companies besides Corporate Administration.

Unit-I: Formation, Registration and Incorporation of company- Nature and kinds of company, Promoters: Position, duties and liabilities, Mode and consequences of incorporation, Uses and abuses of the corporate form, lifting of corporate veil, Memorandum of Association, alteration and the doctrine of ultra virus, Articles of association, binding nature, alteration, relation with memorandum of association, doctrine of constructive notice and indoor management- exceptions

(2 Credit)

Unit-II: Capital Formation- Prospectus: Issues, contents, Kinds, liability for misstatements, statement in lieu of prospectus, The nature and classification of company securities, Shares and general principles of allotment, Statutory share certificate, its objects and effects, Transfer of shares, Share capital, reduction of share capital, Duties of court to protect interests of creditors and shareholders, Debentures, kinds, remedies of debenture holders

(2 Credit)

Unit – III: Corporate Administration- Directors – kinds, powers and duties, Insider trading, Meetings kinds and procedure, The balance of powers within companies - Majority control and minority protection, Prevention of oppression, and powers of court and central government, Emerging trends in Corporate social responsibility, legal liability of company - civil, criminal, tortuous and environmental, Winding up of Companies- Kinds, consequences and reasons of winding up, Role of the court, Liability of past members, Payment of liabilities, Reconstruction and amalgamation.

(2 Credit)

Recommended Books:

1. Baxi& Prasad- Corporate Social Responsibility, oxford.
2. Anantharaman- Lectures on Company Law & Competition Act, Lexix&Nexix.

Suggested Readings:

1. Palmer - Company Law
2. Ramiya: Guide to Companies Act
3. Gower: Principles of Modern Company Law

Recommendation for practical exposure:-

1. One Moot Court on Registration of Company. (1 Credit)
2. Two Leading Case and Group Discesstion- Study and Analysis on Capital Formation and Corporate Administration.(1 Credit)

English and Legal Language**Credits-8**

Objective: The Objective of this course is to develop a student capability to write and speak in English correctly

Unit – I: Grammar and Usage- Tense and Composition, Basic Transformations- Active/Passive, Negatives, Questions, Simple, Complex and Compound Sentences, Reported Speech, Some Common errors
(2 Credit)

Unit–II: Comprehension and Composition- Reading Comprehension, Comprehension of Legal Texts, Paragraph and Precis writing, Formal Correspondence, Note Taking, Drafting of Reports and Projects, Abstracts, Legal Language- Legal maxims, Foreign words, Drafting of moot memorials
(2 Credit)

Unit – III: Common Hindi and Urdu words used in Courts, Translation from Hindi to English and Vice Versa
(2 Credit)

Recommended Books:

1. English – I – Dr. T Padma, Alt Pub.
2. English – II – Dr. T Padma, Alt Pub.
3. Legal Language, Writing- R L Jain, CLA.

Suggested Readings:

1. Legal Language, Writing and General English – J.S. Singh

Recommendation for practical exposure:-

1. Practice on Grammar and Usage, Comprehension and Composition and Translation. (2 Credit)

Objective: The Objective of this paper is to focus on basic concepts of sociology relevant for better understanding of Indian Society.

Unit-I: Features of Indian Society-

Diversity- linguistic, racial, ethnic and religious; Unity-through processes of assimilation, accommodation, pilgrimage and political and administrative efforts; Basis of social stratification in Indian society-caste, class and tribes; Scheduled caste, scheduled tribe and other backward classes: issue of reservation.

(2Credits)

Unit-II: Marriage, family, kinship, Identity, Dignity and Social Justice in India

Marriage-definition, forms and trends; dowry and divorce; Family-definition, forms and trends; universality of family; functions and dysfunctions of family; Kinship- definition and forms; kinship system in north and south India-important Features Children and Youth; Women; Aged; Physically challenged; Religious and ethnic minorities.

(2 Credits)

Unit-III: Social Change in India-

Internal social processes of change-sanskritization, universalization and parochilization; External sources- modernization and westernization; Change initiated through state agencies-education, administrative policies; development processes.

(1Credit)

Recommended Books:

1. Harlambos, M. Sociology: Themes and Perspectives; Oxford University Press, 1980
2. Bottomore, T.B. Sociology: A Guide to Problems and Literature; Blackie and Sons India Ltd., 1971
3. Horton. P.b. and C.L. Hunt Sociology; McGrew- Hill book Company, Singapore, 1984
4. Giddens, A. Sociology; Polity Press, UK; 1993

Suggested Readings:

1. Mandelbaum, D.G. Society in India; Volume I and Volume II; Popular Prakashan, Mumbai; 1992
2. Bhushan, V. and D.R. Sachdeva An Introduction to Sociology; KitabMahal, Allahabad; 1999
3. Prabhu, H.P. Hindu Social Organisation: A study in Socio-Psychological and Ideological Foundations; Popular Prakashan, Mumbai; 1963
4. Beteille, A. Caste, Class and Power: Changing Patterns of Stratification in a Tanjore Village; OUP; New Delhi; 2002
5. Singh, Y. Social Change in India : Crisis and Resilience; har-Anand Publications PVT. Ltd. New Delhi; 1993
6. Srinivas, M.N. Social Change in Modern India; Orient Longman Ltd. 1980

Objective-The paper is to make the students understand territory of the Union, Citizenship.

Unit I: The Making of India's Constitution, Spirit of the Indian Constitution

Framing of Indian Constitution, Constituent Assembly, Indian Constitution and its sources, Basic Features of India's Constitution, Philosophy of the Constitution, Territory of the Union, Citizenship, Rights and privileges of the citizens, Preamble of the Constitution, Integration. Nature, classification and survey of Fundamental Rights, Fundamental Rights and Duties; goals, classification and principles of Directive Principles of State Policy.

(Credits 2)

Unit II: The Union, State Governments and Judiciary

Union Government:

The President, Prime Minister, Council of Ministers, Parliament, Lok Sabha, Rajya Sabha and Comptroller and Auditor-General. State Government: The Governor, Chief Minister, Council of Ministers, Centre-State Relations, Legislative Assembly. Judiciary: Indian Judiciary and the Constitutional Process, Supreme Court, High Courts, Tribunals, its powers and functions. Constitutional Amendments and emergency provisions.

(Credits 2)

Unit III: The Election Commission

Political Parties: Characteristics of Indian Party System, National and Regional, Political Parties, Elections in India, its organized method and periodical popular expressions, Electoral Reforms, Major issues in Indian Politics; Caste, Religion, Languages, Region.

(Credits 1)

Recommended Books

1. Baxi, U., *The Indian Supreme Court and Politics*, Delhi, Eastern Book Company, 1980.
2. Baxi, U., and B. Parekh (ed.), *Crisis and Change in Contemporary India*, New Delhi, Sage 1994.
3. Battleheim, C. *Independent India*, London, MacGibbon, 1968.
Bhambhri, C.P., *The Indian State : fifty years*, New Delhi, Shipra, 1997.

Suggested Readings:

1. Alyar, S.P., and U. Mehta (eds.), *Essays on Indian Federalism*, Bombay, Allied Publishers, Bombay, 1965.
2. Austin, G., *The Indian Constitution : Corner Stone of a Nation*, Oxford, Oxford University Press, 2000.
3. Austin, G., *Working a Democratic Constitution: The Indian Experience*, Delhi, Oxford University Press, 2000.
4. Basu, D.D., *An Introduction to the Constitution of India*, New Delhi, Prentice Hall, 1994.

History of India from 1206 A.D. to 1761 A.D.

(Credits-5)

Objective-The paper is to make the students understand the nature and scope of History of India.

Unit I :Medieval India: theDelhi Sultanate, NewReligions and SocialReformers ofMedieval India

LiterarySources–FoundationofDelhiSultanate–Qutb-ud-dinAibak–Iltumish– RaziaSultana– GhiasuddinBalban–TheKhilji’s–AlauddinKhilji–TheTughlaqs – Mohammed bin Tughlaqand theirtheories of Kingship. Rise of Monotheistic religions in India – Kabir– Nanak – Sufism – Sheik NizamuddinAuliya–SheikMoinuddinChisti–ThesaintsofMaharashtra–Namdev, Eknath, Tukaram.

(Credits 2)

Unit II:Mughal Empireandthe Marathas

AdventofBabarandthefoundationoftheMughalEmpire–ShershahSur–Career andachievements–Akbar–Conquests–Administration–ReligiousPolicy – Aurangazeb– ReligiousPolicy –DeccanPolicy–Shivaji,CareerConquests– Administration, the Peshwas– BalajiVishvanath–Baja RaoI,BalajiBajiRao–The Third battle ofPanipat.

(Credits 2)

Unit III: Society andEconomy underthe Mughals

TheMughal SocietyandEconomy– Mughal contribution to art and Architecture.

(Credits 1)

Recommended Books

1. Streuchand Douglas,TheFormationofMughal Empire, OUP, 1999.
2. HarmannKulke,TheStateinIndia (1000-1700AD), OUP, 1997
3. SatishKBajaj,RecentTrends inHistoriography, AnmolPvt.Ltd.,New Delhi, 1999.

Suggested Readings:

1. IrfanHabib, (Ed),Medieval India– 1 (1200-1750), Oxford Uni.Press, 1997.
2. Chaudhary, Socio-Economic History of Mughal India, Discovery Pub.house, Delhi, 1987.
3. SatishChandra,MedievalIndiafromSultanatetoMughals,HarAnand Pub.Vt.ltd., Delhi,1998.
4. SatishChandra,Historiography,Religion,StateinMedievalIndia,Har AnandPub.Pvt.Ltd., Delhi, 1997.

Women Rights and Law

Credits-1

Objective: The paper aims at creating awareness as to importance and role of women in society through the medium of law. It also focuses on women welfare laws.

Unit – I: Meaning of law, Constitutional Safeguards for Women, Right to Equality (Art-14), Life & Personal Liberty, Right to Education (Art-21,21-A), Right against Sexual Exploitation (Art-23,24), Constitutional Remedies (Writs- Art-32-35), Participation in Panchayat and Municipalities, Marriage : Conditions, Ceremonies, Registration, Restitution of Conjugal Rights, Judicial Separation, Void & Voidable Marriages, Legitimacy of Children of Void & Voidable Marriages, Punishment of Bigamy, Divorce Common Grounds for Divorce, No Petition for divorce within 1 year of marriage, Divorced Person when may marry again, Maintenance: Wife, widowed daughter-in-law, Children, Amount of Maintenance, Interim Maintenance, Maintenance Provisions under Cr.PC, Adoption: Requisites of a valid adoption, Capacity of a male Hindu to take in adoption, Capacity of a female Hindu to take in adoption, Persons capable of giving in adoption, Persons who may be adopted, Effects of Adoption.,

(1 Credit)

Unit – II: Indian Penal Code, 1860 Right of Private Defence, Dowry Death, Abetment of Suicide, Cruelty by Husband or Relatives of Husband, Sex Selection & Causing Miscarriage, Hurt & Grievous Hurt, Wrongful Restraint & Confinement, Outraging the modesty of a woman, Kidnapping and Abduction, Offences regarding Prostitution, Rape, Bigamy, Adultery, Domestic Violence, Sex Determination Test -The Medical Termination of Pregnancy Act, 1971, The Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994, Reproductive Technologies: Meaning, Concept & Challenges of A.I, IVF & Surrogacy, Right of HIV/ AIDS Victims, Introduction to Consumer Protection Act, Tenancy Act, Right to Information Act, Motor Vehicles Act, Intellectual Property Rights, Act & Rules Maternity Benefits Act 1961.

Recommended Books:

1. Law relating to Women – S.R.Myneni
2. Law relating to Women – Dr. S.C. Tripathi

Suggested Readings:

1. Women and Law – Prof. Nomita Aggarwal
2. Women and Law – Dr. Manjula Batra
3. Women and Law – G.P. Reddy

**B.A., LL.B. 2nd YEAR
III SEMESTER**

Law of Crimes (Principles)

Credits-8

Objective: This paper is to deal with the basic principles of criminal law determining criminal liability and punishment.

Unit – I: Introduction to Substantive Criminal Law- Extent and operation of the Indian Penal Code, Definition of Crime, Fundamental elements of crime, Stages in commission of a crime, Intention, Preparation, Attempt
(2 Credit)

Unit – II: General Explanations and Exceptions- Definitions, Constructive joint liability, Mistake, Judicial and Executive acts, Accident, Necessity, Infancy, Insanity, Intoxication, Consent, Good faith, Private defence
(2 Credit)

Unit – III: Abetment and Criminal Conspiracy, Theories of Punishment: Deterrent, Retributive, Preventive, Expiatory and Reformatory Theory, Punishment under the IPC: Fine, Imprisonment, Capital Punishment
(2 Credit)

Recommended Books:

1. S.N. Shukla , IPC

Suggested Readings:

1. Myneni- Criminal Law 1, Asia Law House.
2. RatanLal and DhirajLal, CLA

Recommendation for practical exposure:-

1. Two Moot Court on General Explanations and Exceptions, Abetment and Criminal Conspiracy. (1 Credit)
2. Two Land mark Judgment- Study and Analysis on Substantive Law and Constructive joint liability.
(1 Credit)

Objective: The objective of the paper is to apprise the students with the laws relating to family matters applicable to different communities in India.

Unit-I: Hindu Law: Sources, schools and application, coparcenary, Joint family property and Self-acquired property; Karta and his powers and obligation, Religious and Charitable endowments-Essentials of an endowment, kinds, shebait and mahant. The Hindu Marriage Act,1995: conditions of a hindu marriage, its ceremonies and registration, void and voidable marriage: divorce, divorce by mutual consent, one year bar to divorce, divorce persons when may marry again: jurisdiction and procedure

(2 Credit)

Unit-II: The Hindu Succession Act,1956: Succession to the property of a Hindu male: Succession to interest in coparcenary property, property of a Hindu female, succession to the property of a Hindu female; general rules and disqualifications of succession, escheat. The Hindu Adoption and Maintenance Act, 1956: Requisites of a valid adoption; capacity to take in adoption, capacity to give in adoption, effects of adoption: Miscellaneous provisions of adoption; Maintenance of Wife, children and parents; Maintenance of widowed daughter-in-law; Dependants and their maintenance; amount of maintenance.

(2 Credit)

Unit-III: The Hindu Minority and Guardianship Act, 1956: Natural Guardians and their powers; Testamentary guardian and their powers, de facto guardian, general provisions of guardianship. Partition: Meaning, Property for partition, person entitled to sue for partition and allotment of shares, partition and allotment of shares how effected, Determination of shares, re-opening of partition, reunion, Debts- Doctrine of pious obligation: Antecedent Debts.

(2 Credit)

Recommended Books:

1. Kusum- Family Law-I, Lnbw.
2. ParasDiwan-Hindu Law, Ala.

Essential Case Laws:

1. ShastriYajnaPurusdasji v Muldas, AIR1966SC1119
2. Hanooman Prasad v MussamatBabooesMunrajKoonware, (1856)6MIA 395
3. Brij Narayan v Mangla Prasad(1924)511A129
4. Bipin Chandra v Prabhavati AIR(1957) SC 176
5. Dr Narayan Ganesh Dastane v SuchetaDastane AIR (1975) SC 1534
6. Dharmendrakumar v Usha Kumar, AIR (19977)SC 2218
7. Tulsamma v SessaReddi AIR (1977) SC 1944

Recommendation for practical exposure:-

1. Two Moot Court on Hindu Marriage and Hindu Succession(1 Credit)
2. One Land mark Judgment - Study and Analysis on Hindu Succession(.5 Credit)
3. Seminar On Hindu Minority.(.5 Credit)

Introduction to Constitution

Credits-8

Objective: The Objective of this paper is to provide understanding of basic concepts of Indian Constitution and various organs created by the constitution including their functions.

Unit-I: Constitution., Sources of Constitution, Constitutional Conventions, Salient features of Indian Constitution, Rule of Law, Separation of powers, Distribution of Powers between Center and States- Legislative Powers, Administrative Powers, Financial powers. Relevant Doctrines: Territorial Nexus, Harmonious Construction, Pith and Substance, Repugnancy

(2 Credit)

Unit-II: Constitutional Organs- Parliament, Parliamentary Sovereignty, Parliamentary Privileges, Anti Defection Law, Executive Power, Collective Responsibility of Cabinet, Judiciary - Jurisdiction of Supreme Court and High Courts, Independence of Judiciary, Public Interest Litigation, Power of Judicial Review, Doctrine of Political Question

(2 Credit)

Unit-III: Emergency Provisions, Amendment of Constitution, Doctrine of Basic Structure

(2 Credit)

Recommended Books:

1. Pandey, J N- Constitutional Law Of India, CLA.
2. Sharma, Brij Kishore- Introduction to Constitution of India, PHI.

Recommendation for practical exposure:-

1. Two Moot Court on Constitutional Cases. (1 Credit)
2. Three Land mark Judgments- Study and Analysis on Constitution . (1 Credit)

Sociology and Law

Credits-8

Objective: The Objective of this paper is to focus on basic concepts of sociology relevant to understanding law and bring out the relationship between law and society.

Unit-I: Social Basis of Law- Relation between law and society; Customary law- some case studies; Role of courts and lawyers as social engineers; Social legislation and social justice; Social change and law.
(3 Credits)

Unit II: Social Problem, Legislation & Control- Issues of ethnic and inter – caste conflicts; Communalism and fundamentalism; Alcoholism and drug addiction; Terrorism; Poverty; Social Control- its meaning; mechanisms and agents of social control, functions and; dysfunctions of social control; Distinction between formal and informal social control; Informal Agencies of social control-customs, folkways, mores and religion; Formal Agencies- public opinion, media, propaganda and law.
(3 Credits)

Unit III: Social Deviance Meaning and types of deviance; Forms of crime-violent crime, property crime, white collar crime, organized crime, sex; crimes, environmental crime, cyber crimes; Issues of domestic violence and juvenile delinquency; Some important theories of deviance-biological, psychological, anomie, sub-culture, learning and social disorganization.
(2 Credit)

Recommended Books:

1. Harlambos, M. Sociology: Themes and Perspectives; Oxford University Press, 1980
2. Bottomore, T.B. Sociology: A Guide to Problems and Literature; Blackie and Sons India Ltd.; 1971
3. Horton. P.B. and C.L. Hunt Sociology; McGraw- Hill book Company, Singapore; 1984
4. Giddens, A. Sociology; Polity Press, UK; 1993

Suggested Readings:

1. Prasad, S.K. Social Problems in India; Mohit Publications Ltd. India; 2000
2. Anleu. S. and N.L. Roach Law and social changes; Sage Publications Ltd. Delhi; 2000
3. Saxena, D.r. Law, Justice and Social Change; Vedam Books, Delhi; 1996
4. Fanon, F. Wretched of the Earth; Penguin, London; 1965
5. Laqueur, W. The Age of Terrorism; GoergeWeidenfeild and Nicholson Ltd. London; 1987
6. Williams, K.S. Criminology; Universal Law Publication (Indian Reprint); Delhi, 2001

Objective-The paper is to make the students understand historical background of comparative governments and politics.

Unit I: Historical Background of Comparative Governments and Politics

Historical Legacy and Political Traditions, Constitutional structures; Executive, Legislature and Judiciary, Issues in comparative government and politics, Political Culture, Institutions and Change- Comparative Politics- Scope, Meaning, significance, Approaches to the study of comparative politics, Constitutions and Constitutionalism with reference to Government and Politics of UK, USA, Russia, China, Switzerland and France.

(Credits 2)

Unit II: Political culture and political socialization in India

Political Parties and Party systems in India, Constitution, Constitutionalism, Constitutional Government – Meaning, Nature and Classification of Constitutional Amendments.

(Credits 2)

Unit III: Political Dynamics, Safeguards in Indian Constitution

Parties, Interest and Pressure groups, their role in social movements, State and Local Self Governments in India. Women, Children, Scheduled Castes and Scheduled Tribes, Minorities and Constitutional Safeguards.

(Credits 2)

Recommended Books:

1. Bryce, J., *Modern Democracies* Vol.2, New York, Macmillan, 1921.
2. Derbyshire, I., *Politics in China*, London, Chambers, 1991.
3. Dicey, A., *Introduction to the Study of the Law of the Constitution*, 10th edn., London, Macmillan, 1959.

Suggested Readings:

1. Almond, G., et al., *Comparative Politics Today; A World View*, 7th edn., New York, London, Harper/Collins, 2000.
2. Bagehot, W., *The English Constitution*, London, Fontana, 1963.
3. Beer, S., *Britain Against Itself*, London, Faber and Faber, 1982.
4. Birch, A.H., *British System of Government*, 4th edn., London, George Allen and Unwin, 1980.
5. Blondel, J., *An Introduction to Comparative Government*, London, Weidenfeld and Nicolson, 1969.
6. Blondel, J., *Comparative Legislatures*, Englewood Cliffs NJ, Prentice Hall, 1973.

History of India 1757– 1857 A.D.

(Credits-6)

Objective-The paper is to make the students understand the nature and scope of History till 1857

Unit I: Indian Historical Writings (Nationalist writers), 18th Century India

Nationalist school of thought–Dadabhai Naoroji–R.C. Dutt–Modern Writers: Tarachand R.C. Majumdar. Decline of the Mughal Empire–India in the 18th Century– Advent of British and the French –Carnatic Wars.

(Credits 2)

Unit II : Expansion of British Power in India

Expansion of British Power in India–Subjugation of the Bengal–Plassey and Buxar – Anglo – Maratha Wars– Ranjit Singh– Anglo Sikh Wars.

(Credits 2)

Unit III: Structure of Government, Administrative and Social Reforms in

Colonial India Structure of the Government– the Regulating Act of 1773– Pitt’s India Act of 1784– Economic Policies – Land Revenue Policy – The Zamindari– Ryotwari and Mahalwari System –Development of Means of Transport and communication, Introduction of Railways, Post and Telegraph-Print technology-Drain of Wealth. Introduction of English Education-role of Macaulay- Social Reforms– Rajaram Mohan Roy and the abolition of Sati, Iswarchandra Vidya Sagar-The Rebellion of 1857–its causes, nature, results and social composition.

(Credits 2)

Recommended Books

1. Bipan Chandra, Nationalism and Colonialism in India, Oriental Longman, Hyderabad, 1979.
2. Grover, B.L., A New Look at the Modern Indian History, New Delhi, 2000.
3. Bipan, Chandra, The Rise and Growth of Economic Nationalism in India, Peoples Publishing House, New Delhi.
4. Ramachandran, C., East India Company and South Indian Economy, New Era Pub., Madras, 1981.

Suggested Readings:

1. Arthur, D. Innes, History of British in India, New Delhi, 1998.
2. Ranjit, Guha, Elementary Aspects of Peasant Insurgency in Colonial India, OUP, New Delhi, 1999.
3. Percival, Spear, Oxford History of Modern India (1740-1975), New Delhi.
4. Bipan, Chandra, Essays on Colonialism, Oriental Longman, Hyderabad, 1999.

Environmental Science and Disaster Management

Credit-3

Objective: To enable students to aware about the Environmental Science for sustainable development and also about the Disaster Management for precautionary as well as rescue purpose.

UNIT I(Ecosystem and pollution) (0.75-0-0)

Theory (0.75 credits)

Environmental Science and Ecosystem: Definition, scope and importance, Concept of Ecosystem, Ecological Pyramids, and Functions of Ecosystem: brief idea of energy flow. Environmental Pollution and other Problems: Definition, Causes, Effect, Control and preventive measures of air, water, noise, nuclear pollution. Global problems: Climate change, global warming, Ozone layer depletion and Acid Rain.

UNIT II(Biodiversity and Conservation) (0.75-0-0)

Theory (0.75 credits)

Biodiversity and its Conservation: Definition, Types and Importance, Spots of Biodiversity, Endangered and Endemic Species of India, Threats to Biodiversity, Habitat loss, Poaching of wild life, Conservation of Biodiversity: Brief idea of *in situ* and *ex situ* conservation of Biodiversity. Brief idea of Natural Resources and their conservation

UNIT III (Concept and Types of Disaster) (0.75-0-0)

Theory (0.75 credits)

Concept and definitions (Disaster, Hazard, Vulnerability, Resilience, Risks), Disaster: classification, causes, impacts (including social, economic, political, environmental, health, psychosocial, etc), Differential impacts-in terms of caste, class, gender, age, location, disability, Global trends in disasters, urban disasters, pandemics, complex emergencies, climate change, Disaster cycle-its analysis, phases, culture of safety, prevention, mitigation, and preparedness, community based DRR, Structural –non structural measures, roles and responsibilities of community, Panchayati Raj Institutions/Urban Local Bodies (PRIs/ULB,s) states, Centre and other stake-holders.

UNIT IV (Components and Management of Disaster) (0.75 -0-0)

Theory (0.75 credits)

Factors affecting Vulnerabilities, differential impacts, impact of development projects such as Dams, embankments, changes in Land use etc, Climate change Adaptation, Relevance of indigenous knowledge, appropriate technology and local resources, Disaster risk Management in India: Hazard and Vulnerability profile of India, Components of Disaster Relief: Water, Food, Sanitation, Shelter, Health, Waste Management, Institutional arrangements (Mitigation, Response and Preparedness, DM Act and Policy, Other related policies, plans, programs and legislation, Project Work: (Field Work, Case Studies)

Recommended Text Books:

1. “Disaster Management (2003)”- H.K. Gupta
2. Elements of Environmental Science (2012) Kaushik and Kaushik

Reference Books:

1. P. Bakre, V. Bakre and V. Wadhwa. 2005. ParyavarniyaAdhyyan. Rastogi Publications, Meerut.
2. E. Bharucha. 2005. Environmental Studies. University Press, Hyderabad.
3. G.R. Chatisel and H. Sharma. 2005. A Text Book of Environmental Studies. Himalaya Publishing House, Delhi.
4. J.P. Sharma. 2005. Environmental Studies. Laxmi Publications Ltd., Jalandhar.
5. S.V.S. Rana. 2007. Environmental Studies. Rastogi Publications, Meerut.
6. P.D.Sharma .2008. Environmental Science. RastogiPublication , Meerut.

**B.A., LL.B. 2nd YEAR
IV SEMESTER**

Muslim Law

Credits-8

Objective: The objective of the course is to give knowledge regarding Muslim Law .

Unit I: Mohammedan Law: Origin, Development, Sources, Schools, Application, Interpretation and Conversion. Marriage: Nature of marriage, Essentials of marriage; Khvar-bulugh, Iddat, Khalwat-us-sahiha, Matrimonial stipulation, Kinds of marriage and Effects of marriage, Mahr: Meaning, Nature, Kinds, Object and Subject-matter. Wife's rights on non-payment of dower. Dissolution of Marriage: TalaqIIa, Zihar, Talaq-e-T fweexz, Mubarat, Khula, Lian, Faskh- Section 2 of the dissolution of Muslim Marriage Act, 1939; Legal effects of divorce.

(2 Credit)

Unit II: Pre-emption: Meaning, nature and classification of HaqShufa (Pre-emption); Rights of pre-emption, when conflict of laws, subject matter and formalities of pre-emption, legal effects of pre-emption, Devices for evading pre-emption. Gift: Meaning and requisites to gift (Hiba); Gift of Musha, Conditional and future gifts, Life estate, Life interest, (Hiba-bit-iwaj, Hiba-iul-iwaj). Will (Vasiyat): Competence of testator and legatee, Valid subjects of will: Testamentary limitations, Formalities of a will and abatement of Legacy. Legitimacy and Acknowledgement: Legitimacy and legitimation, Presumption of legitimacy under Muslim Law and Section 112 of the Indian Evidence Act, Conditions of a valid acknowledgement.

(2 Credit)

Unit III: Maintenance: Persons entitled to maintenance, Principles of maintenance; The Muslim Women (Protection of Rights on Divorce) Act, 1986. Death Bed Transactions: Meaning and effect of Marj-ul-Maut. Wakf: Meaning, Essentials and Kinds, Beneficiaries of Wakf; The Wakf Validating Act, 1913; Formalities for creation of Wakf; Wakf of Musha; Muslim religious institution and officers; Administartion of Wakf; Mutawalli. Inheritance: General Principle of Law in heritance, Doctrines of Aul and Radd under Hanafi and Shia Law.

(2 Credit)

Leading Cases

1. MainaBabi v. ChoudharyVakil Ahmed, (1923) 52 IA I45
2. HabiburRahman v. Altaf Ali (1921) 42 IA II4
3. MoonsheeBuzul-ul-Raheem v. LuteefauiaNissa, (1061) 8 MLA 379
4. Abu Fata Mohd. v. RussomoyDharChowdhary (1894) 22 IA 76
5. Mohd. Ahmed Khan v. Shah BanoBegaum, AIR (1985) SC 945

Recommended Books:

1. Myneni- Muslim Law, Asia Law House.
2. Mulla- Mohammedan Law, Dwivedi law agency.

Recommendation for practical exposure:-

1. One Moot Court on Maintenance. (1 Credit)
2. Two Leading Cases- Study and Analysis on Muslim Marriage and Pre-emption . (1 Credit)

Basic of Indian Constitutional Law

Credits-8

Objective: This paper is to orient students with constitutional rights and duties: perspective as well as remedies.

Unit – I Fundamental Rights – I : Definition of ‘State’ for enforcement of fundamental rights – Justifiability of fundamental rights – Doctrine of eclipse, severability, waiver. Distinction between pre-constitutional law and post-constitutional law. Right to equality – Doctrine of Reasonable classification and the principle of absence of arbitrariness, Fundamental freedom: Freedom of speech and expression, freedom of association, freedom of movement, freedom to reside and settle, freedom of trade, business and profession – expansion by judicial interpretation – reasonable restrictions

(2 Credit)

Unit – II: Fundamental Rights – II: Right to life and personal liberty – scope and content – (expensive interpretation), Preventive detention under the Constitution – Policy and safeguards – Judicial review, Right against exploitation – Forced labour and child employment, Freedom of religion, Right to Constitutional Remedies – Judicial Review - Writs – Habeas Corpus, Mandamus, Certiorari, Prohibition and Quo-warranto- Art 32 and 226

(2 Credit)

Unit – III: Directive Principles of State Policy – Nature and justiciability of the Directive Principles – Inter-relationship between Fundamental Rights and Directive Principles, Fundamental Duties, Social justice under the Indian Constitution – Compensatory discrimination for backward classes – Mandal Commission’s case and other cases – Protective discrimination doctrine

(2 Credit)

Recommended Books:

1. Pandey, J N- Constitutional Law of India, CLA.
2. Sharma, Brij Kishore- Introduction to Constitution of India, PHI.

Recommendation for practical exposure:-

1. Two Moot Court on fundamental rights and Compensatory discrimination for backward classes . (1 Credit)
2. Seminar on Constitutional Remedies. (1 Credit)

Objective: This paper is to focus on the study of substantive crimes under the Indian Penal Code

Unit – I : Offences affecting the Human body- Offences affecting life, causing miscarriage, or injuries to unborn children, Offences of hurt, of wrongful restraint and wrongful confinement, Offences of criminal force and Assault, offences of kidnapping and Abduction

(2 Credit)

Unit – II: Offences against Women- Obscene acts and songs, Outraging the modesty of women, Rape, Cruelty by husband or relatives of husband, Offences relating to marriage

(2 Credit)

Unit – III: Offences against Property- Theft, Extortion, robbery and decoity, Criminal misappropriation and criminal breach of trust, Cheating, Mischief, Criminal trespass. Defamation, offences relating to documents and property marks- Forgery, Counterfeiting

(2 Credit)

Recommended Books:

1. Myneni- Criminal Law 2, Asia Law House.

Recommendation for practical exposure:-

1. One Moot Court on Offences against Women . (1 Credit)
2. Two Leading Cases- Study and Analysis on Offences affecting the Human body and Property. (1 Credit)

SOCIOLOGY AND CASTE

Credits-5

Objective: The Objective of this paper is to focus on Sociology of Caste.

Unit I Sociology of Caste

Caste: Meaning, features by G.S. Ghurye. Sanskritisation, Westernization, Secularization, Modernization. Problems faced by Scheduled Castes. Scheduled Castes with special reference to Constitutional Provisions: (Article 14, 15, 16, 17, 23, 24, 25, 29, 46, 330, 332, 341, 342), The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 Dr. B.R. Ambedkar on Caste in India Scheduled Tribes: Features.

Credit 2

Unit II Social problems related with children, sociology of crime and deviance

Child marriage: Reasons and Consequences reference to The Prohibition of Child Marriage Act, 2006 Juvenile Delinquency: Meaning, Factors, Juvenile Justice through Juvenile Justice, (Care and Protection of Children) Act, 2000 Child Abuse. Child Labour with reference to Child Labour Prohibition Act, 1961. Relationship between Sociology and Criminology Crime and Deviance: Meaning and Difference Causes of Crime & Deviance, Labelling theory Crime, Deviance and Social Control.

Credit 2

Unit III Gender and Law

The social construction of Gender Domestic Violence with special reference to Domestic Violence Act, 2005 Sexual Harassment of Women at work place with special reference to Vishakha Vs. State of Rajasthan Dowry with special reference to Dowry Prohibition Act, 1961 Status of Women in India with special reference to the Hindu Succession (Amendment) Act, 2005 (Section 6) Impediments to legal reform: Patriarchy and Culture.

Credit 1

Recommended Books

Jaya Sagade, 2005, Child Marriage in India, Oxford University Press, New Delhi.
K.L. Sharma, 2004, Social Inequality in India, Rawat Publications, Jaipur
Veena Das, 2004, Handbook of Indian Sociology, Oxford University Press, New Delhi.
Vandana Madam, The Village in India, Oxford University Press, New Delhi. Jairam Kusal, Sociology of Social change, Dominant Publishers, New Delhi Ghanshyam Shah, 2004, Caste and Democratic Politics in India, Permanent Black, New Delhi
Kushal Deb, 2002, Mapping Multiculturalism, Rawat Publications, Jaipur
Ram Ahuja, 2003, Indian Social System, Rawat Publications
Ranbir Singh, Ghanshyam Shah, Human Rights, Education, Law and Society, Nalson University, The Print House

Suggested Readings:

Bare Acts
The Prohibition of Child Marriage Act, 2006
The Juvenile Justice (Care and Protection of Children) Act, 2000
The Dowry Prohibition Act, 1961
The Scheduled Castes, Scheduled Tribes Prevention of Atrocities Act, 1989
The Child Labour (Prohibition and Regulation) Act, 1986
The Domestic Violence Act, 2005.

INTERNATIONAL RELATIONS

Credit 5

Objective-The paper is to make the students understand international relations.

Unit I:International Relations

Growth and development of International Relations as an academic discipline, approach to the study of International Relations, Science vs. Tradition controversy, realist and idealistic approaches, Systems Theory, Game Theory, Bargaining Theory, Communication and Decision Making Process, Nature of International Relations.

(Credits 2)

Unit II:Actors of International Relations, Power and its functions

National Actors, non-national actors, multi-nationals, regional, economic and political organizations, State and Other Players. Elements of Power, Definition and Elements, Struggle for Power: Meaning, nature and limitations of national power and Balance of power.

(Credits 2)

Unit III: Peace, Security and Disarmament

Collective security and the problems of Disarmament, Peace Process and Settlements, Moral and Prudential aspects of Diplomacy, Role of League of Nations, UN, Peace process since 1940- Specific Issues: Environmentalism, Globalization and Human Rights, efforts towards Disarmament since 1960 and Peace Treaties.

(Credits 1)

Recommended Book

1. Baldwin, D.A.(ed.), *Paradoxes of Power*, New York, Basil Blackwell, 1989.

Suggested Readings:

1. Axelrod, R., *The Evolution of Co-operation*, New York, Basic Books, 1984.
2. Baldwin, D.A.(ed.), *Neo-realism and Neo-liberalism*, New York, Columbia University Press, 1993

INDIAN NATIONAL MOVEMENT (1857-1947 A.D)

(Credits-5)

Objective-The paper is to make the students understand the nature and scope of History and get knowledge Indian national movement.

Unit I: Rise of Nationalism in Modern India- 1885-1905

Factors responsible for the growth of Nationalism- Drain of Wealth- Socio-Religious Reform Movements and its background- era of moderate-modern political associations- the establishment of Indian National Congress:

(Credits 1.5)

Unit II: Indian National Movement: 1905-1920

The formation of Muslim League- Curzon and the Partition of Bengal- The Swadeshi Movement in Bengal- growth of Extreme Nationalism- Revolutionary violence constructive and self help programmes: boycott and mass movements- Extremists and their Techniques - Militant Nationalism - Bhagat Singh and Chandrashekar Azad- the Home rule League.

(Credits 1.5)

Unit III: Gandhi and the Indian National Movement- 1920-1947

National Movement during the World Wars- Lucknow Session of Congress- League Home Rule Movement- Rowlatt Satyagraha and Jallianwala Bagh tragedy- operation Movement- Civil Disobedience Movement- Simon Commission Round Table Conferences- National Movement after 1935- Indian National Army Growth of Communalism- Hindu Mahasabha- League and two nation theory- and Independence.

Pact-
Non-Co-
-
-
partition
(Credits

2)

Recommended Books

1. Gynendra, Pandey, Construction of Communalism in Colonial North India, Oxford University Press, New Delhi, 1999.
2. Sumit, Sarkar, Writing Social History, Oxford University Press, New Delhi, 1999.
3. Sumit Sarkar, Modern India (1885- 1947), MacMillan India, Madras, 1986.
4. Hassan, Imam, Indian National Movement, Anmol Publishers Private Limited, New Delhi.

Suggested Readings:

1. Desai, A.R., Social Background of Indian Nationalism, Popular Prakashan, Bombay, 1998.
2. Percival, Spear, Oxford History of Modern India (1740- 1975).
3. Bipan, Chandra, Nationalism and Colonialism in India, Orient Longman, Hyderabad, 1999.
4. Peter, Hechs, Nationalism, Terrorism and Communalism (Essays in Modern Indian History), Oxford University Press, Delhi, 1998.

Internship Credits- 12

Each student shall undergo Internship of minimum 120 Hours during the vacations after fourth semester either with an Advocate corporate, law firm, NGO as per BCI directions and submit at least two copies of the Internship Report to the Dean of the Institution within two weeks of the commencement of the Fifth Semester. It shall be evaluated by a Board of Members consisting of

- (i) Dean of the Institute
- (ii) Two faculty members and an invitee from outside University/Institute.

**B.A., LL.B. 3rd YEAR
V SEMESTER**

Introduction to Code of Civil Procedure & Limitation

Credits-8

Objective: This paper is to help a law student to acquire a thorough knowledge of procedural aspects of working of civil courts and other machineries.

Unit – I: Introduction- Definitions: Decree, Judgement, Order, Foreign Court, Foreign Judgement, Mesne Profits, Affidavit, Suit, Plaint, Written Statement, Important Concepts: Res Sub-Judice, Resjudicata, Restitution, Caveat, Inherent powers of courts. (2 Credit)

Unit – II: Initial steps in a suit- Jurisdiction and place of suing, Institution of suit, Pleadings: Meaning, object, General rules, Amendment of pleadings, Plaint and written statement, Discovery, Inspection and production of documents, Appearance and non-appearance of parties, First hearing (2 Credit)

Unit – III: Interim Orders- Commissions, Arrest before judgement, Attachment before judgement, Temporary Injunctions, Interlocutory orders, Receiver, Security of costs. Suits in Particular Cases- Suits by or against Government, Suits by Indigent persons, Interpleader Suit, Summary Procedure, Suits relating to public nuisance. The Limitation Act, 1963 (Omitting the Schedule): Purpose, Policy, Nature and Scope of the Act. Definitions: Applicant, bond, defendant, easement, good faith, plaintiff, period of Limitation. (2 Credit)

Recommended Books:

1. Code of Civil Procedure, 1908 (Relevant Provisions)
2. The Limitation Act, 1963
3. C.K. Takwani, Code of Civil Procedure
4. Mulla – Code of Civil Procedure
5. Sarkar's Code of Civil Procedure

Suggested Readings:

1. Ganguly – Civil Court, Practice and Procedure
2. M.P. Tandon – Code of Civil Procedure

Essential Case Law:

1. Topandas V/s Gorakhram, AIR 1964 SC 1348
2. Dhulabhai V/s State of H.P., AIR 1969 SC 78
3. Premier Automobile V/s Kamlakar, 1976 (1) SCC 496
4. Rajasthan State Road Transport Corpn. V/s Krishna Kant – 1995 (5) SCC 75
5. Pandurang V/s Shantibai, AIR 1989 SC 2240
6. Workmen C.P. Trust V/s Board of Trustee, 1978 (3) SCC 119
7. Razia Begum V/s Anwar Begum, AIR 1958 SC 886 (895)
8. B.K.N. Pillai V/s P. Pillas, AIR 2000 SC 614
9. Sangram Singh V/s Election Tribunal, AIR 1955 SC 425
10. Martin Burn Ltd. V/s Banerjee, AIR 1958 SC 79
11. Dalpat V/s Prahlad, 1992 (1) SCC 719
12. Gujrat Battling Co. Ltd. Coca Cola Co., 1995 (5) SCC 545
13. Morgan Stanly V/s Kartick Das, 1994 (4) SCC 225
14. Bihari Chordhary V/s State of Bihar, 1984 (2) SCC 627
15. Raj Duggal V/s Ramesh Kumar, AIR 1990 SC 2218

Recommendation for practical exposure:-

1. Two Moot Court on Civil Cases. (1 Credit)
2. One Seminar on Code of Civil Procedure & Limitation (1 Credit).

Introduction to Code of Criminal Procedure

Credits-8

Objective: This paper is to give students thorough knowledge of procedural aspects of working of criminal courts and other machineries.

Unit – I: Introduction- Definitions, Constitution and powers of Criminal Courts and Offices, Provisions for Investigations: Arrest and Bail provisions, Information to the Police and their powers to investigate (2 Credit)

Unit – II: Process to Compel Appearance and Production of things- Summons for Appearance, Warrant of arrest, Proclamation and attachment, Other rules regarding processes, Summons procedure, Search Warrants, General provisions as to search, Miscellaneous. 2 Credit)

Unit – III: Proceedings before Magistrate- Conditions requisite for initiation of proceedings, Complaints to Magistrates, Commencement of proceedings before Magistrates, Security Proceedings 2 Credit)

Recommended Books:

1. Rattan Lal&Dhirajlal – Code of Criminal Procedure
2. R.V. Kelkar – Code of Criminal Procedure

Suggested Readings:

1. S.N. Mishra – Code of Criminal Procedure
2. Ganguly – Criminal Court, Practice and Procedure

Recommendation for practical exposure:-

1. One Moot Court on Criminal Cases. (2 Credit)

Law of Evidence

Credits-8

Objective: This paper is to orient students with importance of evidence for establishment of claims and the related rules and principles.

Unit – I: Introduction and Relevancy- Evidence and its relationship with the substantive and procedural laws, Definitions – Facts, facts in issue, relevant, evidence proved, disproved, not proved, oral and documentary evidence, Relevancy and admissibility, Doctrine of res gestae, Conspiracy, Statement – Admissions, Confessions and Dying Declarations (2 Credits)

Unit – II: Method of proof of facts- Presumptions, Expert opinion, Character, Oral and documentary evidence, Rules relating to Burden of proof, Estoppel, Privileged Communications (2 Credit)

Unit – III: Presumptions regarding discharge of burden of proof- Evidence by accomplice, Judicial notice, Dowry Death, Certain Offences (2 Credit)

Recommended Books:

1. Rattan Lal&DheerajLal – Evidence
2. Avtar Singh – Evidence
3. Monir – Evidence

Recommendation for practical exposure:-

1. One Moot Court on Evidence. (2 Credit)

Legislations and Social Change

Credit 7

Objective-The paper is to make the students familiar with the Social Transformation.

Unit I Basic Concepts:

Social Change, Social Transformation, Social Welfare, Empowerment, Gender Injustice, social Differentiation, Social Stratification and Social Mobility (meaning) Forms of Social Stratification (Caste, Class, Race, Gender, Ethnicity). Caste and Class Interface
Credit 2

Unit II Social Transformation Social Change and Social Transformation (Difference) Law's Advantages and Limitations in bringing Social Transformation Theoretical Models: Consensus, Conflict and Integration Interaction between Law, Social Transformation and Social Change Science, Technology and Change. Education and Social Change. NGOs (meaning), Role of NGOs in Social Welfare and social transformation. Role of Legislature in Social Transformation.
Credit 3

Unit III Some important Legislations and Social Change

Social Legislation as an Instrument of Social Change. Primary Education as a Fundamental Right—Article 14 of Constitution of India Reservation for Women in Panchayati Raj The policy of Protective Discrimination for Scheduled Castes and Scheduled Tribes. Contemporary Social Issues like- Drug Abuse, Sex Selective Abortions, Surrogacy.
Credit 2

Recommended books

Note: All the relevant acts prescribed in the syllabus should be referred to. The emphasis of the course will be on examining the existing laws from the social perspective. Purohit, B.R., and Joshi Sandeep, Social Justice in India (ed.) 2003, Rawat Publications, Jaipur. Goel, S.L., Social Welfare Administration, Organizational Infrastructure, vol.1, Deep and Deep Publications. Kansal, Jairam, 2004, Sociology of Social Change, Dominant Publishers and Distributors.

Suggested Readings:

Giddens Anthony, Sociology, Polity Press India. Deva Indra, 2005, Sociology of Law, Oxford University Press, New Delhi.
Ahuja Ram, 2003, Social Problems, Rawat Publications, New Delhi.
Bhat Ishwara, P., 2009, Law and Social Transformation, Eastern Book Company, Lucknow.
Pal, et. al., 2009, Gender and Discrimination, Health, Nutritional Status and Role of Women in India, Oxford University Press.

Objective-The paper is to make the students understand the administrative development.

Unit I Development Administration

Administration, Evaluation of Public Administration as a discipline, Importance of Public Administration- Methods and Approaches of Public Administration, Administrative Behaviour, Leadership, Decision Making, Communication, Accountability and control. New Public Administration, Politics and Administration, Dicotomy

(Credits 2)

Unit II: Bureaucracy and Civil Service in India

Meaning, types, merits, Marx, Weber and their theories of Bureaucracy, basic characteristics, criticism of Bureaucracy and Public Administration in the age of Globalisation and liberalization, Financial administration—Meaning, preparation and the characteristics of budget.

(Credits 3)

Unit III: Control over Public Administration in India

Legislative control, limitations of legislative control, executive control, over Administration, Judicial control, scope of judicial intervention, extraordinary remedies, suits against government and public officials and administration.

(Credits 2)

Recommended Books

1. Dimock, M.E., and G O Dimock, *Public Administration*, Oxford, IBH Publishing Co., 1975.
2. Dimock, M.E., and G O Dimock, *Administrative Vitality: The Conflict with Bureaucracy*, New York, Harper, 1959.
3. Gladden, E.N., *The Essentials of Public Administration*, London, Staples Press, 1958.
4. Gaus, J.M., *A Theory of Organization in Public Administration*, Chicago, University of Chicago Press, 1936.

Suggested Readings:

1. Appleby, P.H., *Policy and Administration*, Alabama University of Alabama Press, 1957.
2. Avasthi, A., and S R Maheshwari, *Public Administration*, Agra, Lakshmi Narain Aggarwal, 1996.
3. Basu, D.D., *Administrative Law*, New Delhi, Prentice Hall, 1986.
4. Bhambri, C.P., *Administration in a Changing Society : Bureaucracy and Politics in India*, Delhi, Vikas, 1991.
5. Bhambri, C.P., *Restructuring Public Administration : Essays in Rehabilitation*, New Delhi, Jawahar, 1999.

Indian Political Institution & Process(major) credit 7

Unit - I(Fundamental Rights) Credit: 3

Framing of the Indian Constitution - Major issues, trends and approaches in the constituent Assembly; Preamble of the constitution; Nature of federal system; Fundamental Rights, Directive Principles of State Policy.

Unit - II(President, Prime Minister) Credit: 2

Union Executive: President, Prime Minister and Council of Ministers; Union Parliament, Supreme Court and Judicial Review: Method of amendment of constitution, Union - State relationship; emergency provisions of the Constitution.

Unit - III (Role of Parties) Credit: 2

Working of Parliamentary System in India, Role of Parties. secularism in India Governance of State - State legislature, state Executive and office of the governor, special status to certain states and its implications; Major problems facing Indian political system - regionalism, Communalism; National Integration.

Recommended practice session

10 Practice Sessions of-Union Parliament,state Executive and office of the governor.

Recommended Books

1. RajniKotnari ; Politics in India (Orient Lonpmans, New Delhi, 1971)
- 2.PukhrajJain :BhartiyaRajyaVyavastha.
3. Fadia :BhartiyaRajyaVyavastha.

SuggestedReadings:

1. N.D. Palmer: The Indian Political System
2. Govind Ram Verma :BhartiyaShasan and Rajniti
3. R.V. Jathar : Evolution of panchayati raj in india.

Internship

Credits- 12

Each student shall undergo Internship of minimum 120 Hours during the vacations after Fifth semester either with an Advocate, corporate , law firm ,NGO as per BCI directions and submit at least two copies of the Internship Report to the Dean of the Institution within two weeks of the commencement of the Sixth Semester. It shall be evaluated by a Board of Members consisting of

- (i) Dean of the Institute
- (ii) Two faculty members and an invitee from outside University/Institute.

VI SEMESTER

Code of Civil Procedure & Limitation

Credits-8

Objective: This paper is to give to a law student a thorough knowledge of procedural aspects of working of civil courts and other machineries.

Unit –I: Judgment and Decree- Judgment: Definition, Essentials, Pronouncement, Contents, and Alteration, Decree: Definition, Essentials, Types, Drawing up of a decree, Contents, and Decree in particular cases, Interest, Costs

(2Credit)

Unit-II: Execution- Courts by which decree may be executed, Payment under decree, Application for Execution, Mode of Execution, Stay of Execution, Questions to be determined by executing court

(2Credit)

Unit-III: Appeals- Appeals from original decree, Appeals from appellate decrees, General provisions relating to appeals, Appeals to the Supreme Court, Appeals by Indigent persons. Reference, Review and Revision- reference to High Court, review & revision. The Limitation Act, 1963: Relationship between limitation, laches, acquiescence, estoppel and res judicata; Limitation of suits, appeals and applications, disability, computation of period of limitation, acknowledgement and part payment, acquisition of ownership by prescription

(2credit)

Recommended Books:

1. Mulla – Code of Civil Procedure
2. Sarkar’s Code of Civil Procedure

Suggested Readings:

1. Code of Civil Procedure, 1908 (Relevant Provision)
2. The Limitation Act, 1963
3. M.P. Tandon – Code of Civil Procedure

Recommendation for practical exposure:-

1. Two Moot Court on Civil Cases. (1 Credit)
2. One Leading Case- Study and Analysis on Civil Appeal. (1 Credit)

Code of Criminal Procedure

Credits8

Objective: This paper focuses on procedures dealing with criminal cases

Unit-I: Introduction to Trial Procedures- The charge: Form of charges, Joinder of charges. Evidence in inquiries and trials, General provisions as to inquiries and trials, Provisions as to accused persons of unsound mind.

(2 Credit)

Unit-II: Trials and Execution Proceedings- Trial before a court of session, Trial of warrant cases by magistrates, Trial of summons – cases by Magistrates, Summary Trials, Judgement, Submission of death sentences for confirmation, Execution, suspension, remission and commutation of sentences

(2 Credit)

Unit-III: Review Procedures- Appeals, Reference and Revisions. Miscellaneous- Maintenance of wives, children and parents, Transfer of criminal cases, Irregular proceedings, Limitations for taking cognizance

(2 Credit)

Recommended Books:

1. Rattan Lal&Dhirajlal – Code of Criminal Procedure
2. R.V. Kelkar – Code of Criminal Procedure

Suggested Readings:

1. S.N. Mishra – Code of Criminal Procedure
2. Ganguly – Criminal Court, Practice and Procedure

Recommendation for practical exposure:-

1. Three Moot Court on Criminal Cases. (2 Credit)

Public International Law

Credits-8

Objective: The objective of this paper is to acquaint the students with the basics of Public International Law and practice.

Unit – I: Introduction- Nature of International Law, Subjects of International Law, Relationship between International Law and Municipal Law, Sources of International law- Custom, Treaties, General Assembly Resolutions, General Principles, Juristic Works, Other Sources

(2 Credit)

Unit –II: Recognition- Theories of Recognition, De facto, De jure recognition, Implied Recognition, Withdrawal of Recognition, Retroactive Effects of Recognition, Extradition- State Jurisdiction, Customary Law basis, Treaty Law, The nature of obligation, Law of the Sea- Territorial Sea, Contiguous Zone, Exclusive Economic Zone, Continental Shelf, High Sea

2 Credit)

Unit-III: International Organizations- UN, ICJ, IMF and IBRD, WTO, ICAO, IAEA, UNEP
2 Credit)

Recommended Books:

1. Starke – Introduction to International Law
2. Oppenheim - International Law
3. H.O.Agarwal- International Law
4. S.K.Kapoor- International Law

Suggested Readings:

1. Brownlie – Principles of International Law
2. Shaw - International Law

Recommendation for practical exposure:-

1. Two Land mark judgments- Study and Analysis on Public International Law (1 Credit)
2. One Group Discussion on Public International Law. (1 Credit)

Objective-The paper is to make the students understand political thought and its development..

Unit I :Political Thought and its Development, Trade Restrictions

Kingship, executive and central assembly, Republics—Meaning, nature, organization, working, disappearance, theory of State relations, Mandala—Sadgun doctrine, Kautilya and his contributions to ancient Indian political thought, Dayanand Saraswati and Swami Vivekananda. Sources of ancient Indian Political thought, Bases of Political thought in Ancient India—Dharma, Varna and Ashrama Dharma, Trivarga (Dharma), Artha and Kama—Political Thought in Modern India: Moderates and Extremes, Dadabai Naoraji, G.K. Gokhale, Bal Gangadhar Tilak, Lajpat Rai, socialist political thought.

Credit 2

Unit II :Political thought in the Indian Freedom Movement

Renaissance and Nationalism in India, Rajaram Mohan Roy, Mahatma Gandhi & MN Roy.

Credit 2

Unit III:Political Thought of Indian leaders

BR Ambedkar, R N Lohia, Acharya Narendra Deva and J P Narayan.

(Credits 2)

Recommended Books

1. Nigro, F.A., and G.L. Nigro, Modern Public Administration, New York, Harper Row, 1980.
2. Perry, J., Handbook of Public Administration, San Francisco, Jossey-Bass, 1989.
3. Rabin, et.al., J., (eds.), handbook of Public Administration, New York, Marcel Dekker, 1989.
4. Singh, H., and M. Singh, Public Administration in India: Theory and Practice, New Delhi, Sterling Publishers, 1990.

Suggested Readings:

1. Altekar, A. S., State and Government in Ancient India, Delhi, Motilal Banarsidass, 1966.
2. Appadorai, A., Documents on Political thought in Modern India, 2 vols, Bombay Oxford University Press, 1970.
3. Bandhopadhyaya, J., Social and Political Thought of Gandhi, Bombay, Allied, 1969.
4. Jain, R.B., Contemporary Issues in Indian Administration, New Delhi, Vishal, 1976.

Objective-The paper is to make the students understand trade theories.

Unit I: Trade Theories

Importance of International Economics – Distinction between inter-regional and International trade – trade and economic development – basis of trade; Absolute Advantage, Comparative Advantage and opportunity cost – Heckscher-Ohlin Theory of Trade; Features, assumptions and limitation. Foreign Trade in India – Recent changes in the Composition and direction of Foreign trade – Causes and effects of deficit in balance of Payments – Measures adopted to correct the deficit since 1991 – trade Reforms: Features and Orientation – Export Formation: Policy Initiatives – WTO and India.

(Credits 2)

Unit II : Gains from Trade, Trade Restrictions

Gains from trade – Measurement and distribution – Concepts of terms of Trade and their Importance – Doctrine of Reciprocal demand; Importance and Limitations. Case for Protection – Tariffs and Quotas – Importance and effects: Effect of Tariff in a Partial Equilibrium Situation – Concept of Optimum Tariff – Effective Rate of Protection.

(Credits 2)

Unit III: Balance of Payments

Concept – Causes – Different types of Deficits – Methods of Adjustment – Automatic mechanism and policy options – Exchange control.

(Credits 2)

Recommended Books

1. Aggarwal, M R. (1979), *Regional Economic Cooperation in South Asia*, S Chand and Co., New Delhi
2. Bhagwati, J. (Ed.) (1981), *International Trade, Selected Readings*, Cambridge University Press, Mass.
3. Crockett, A. (1982), *International Money; Issue and analysis*, ELBS and nelson, London.
4. Greenaway, D. (1983), *International Trade Policy*, Macmillan Publishers Ltd., London.

Suggested Readings:

1. Kenan, P.B. (1994), *The International Economy*, Cambridge University Press, London
2. Kindlberger, C.P. (1973), *International Economics*, R D Irwin, Homewood.
3. Krugman, P R. and M. Obstfeld (1994), *International Economics: Theory and Policy*, Glenview, Foresman.
4. Salvatore, D.L. (1997), *International Economics*, Prentice-Hall, Upper Saddle River, N.J
5. Soderstenm, B.O (1991), *International Economics*, Macmillan Press Ltd, London

INDIA AND THE CONTEMPORARY WORLD 1950– 2000 A.D. (Credits-6)

Objective-The paper is to make the students understand the nature and scope of History and contemporary world..:

Unit I: Rise and Growth of Indian Republic

Rise of Indian Republic-effects of Partition-integration of Goa and Pondicherry to Indian Union-the five-year plans with special reference to the growth of Agriculture and Industries .

Credit-2

Unit II : India after Independence

Reorganisation of Linguistic States–Political parties-Regionalism and communalism in Modern India-Major crisis-Panjab, Kashmir, Assam, Indian Foreign Policy-India and the Super Powers-India and her neighbours.

Credit-2

Unit III: Cold War and Power Blocks

The Cold War and the Power Blocks– Stages of Cold War– the Bandung conference and Non-alignment Movement-The Arab Israeli Wars.

Credit-2

Recommended Books

1. David Taylor and Malcolm (Ed), Political Identity in South Asia, Centre of South Asian Studies, London, 1978.
2. Govind Kelkar, China after Mao, Usha Publishers, New Delhi.
3. Hall, D.G.E., History of South-East Asia, MacMillan Education Limited, Hampshire, 1995.

Suggested Readings:

1. Sugata, Bose, Ayesha Jalal, Modern South Asia (History, culture and Political Economy), Oxford University Press, Delhi, 1999.
2. Baily, C.A., Origins of Nationality in South Asia, Oxford, Delhi, 1998.
3. Peter Heehs, Nationalism, Terrorism and Communalism, Oxford University Press, Delhi, 1998.
4. Sharma R.R. (Ed), The USSR in Transition: Issues and Themes–Atlantic Publication and Distribution, New Delhi, 1995.

Internship

Credits- 12

Each student shall undergo Internship of minimum 120 Hours during the vacations after Sixth semester either with an Advocate, corporate, law firm, NGO as per BCI directions and submit at least two copies of the Internship Report to the Dean of the Institution within two weeks of the commencement of the Seventh Semester. It shall be evaluated by a Board of Members consisting of

- (i) Dean of the Institute
- (ii) Two faculty members and an invitee from outside University/Institute.

**B.Com, BA, BBA LL.B. 4th YEAR
VII SEMESTER**

Principles of Labour Law

Credits-8

Objective This paper focuses on various aspect of management of labour relation and dispute settlement bodies and techniques.

Unit – I: Trade Unions and Collective Bargaining -Trade Unionism in India, Definition of trade union and trade dispute , Registration of trade unions i) Legal status of registered trade union ii) Mode of registration iii) Powers and duties of Registrar iv) Cancellation and dissolution of trade unionv) Procedure for change of name vi) Amalgamation and dissolution of trade union , Disqualifications of office-bearers, Right and duties of office-bearers and members ,General and Political funds of trade union , Civil and Criminal Immunities of Registered trade unions , Recognition of trade union , Collective bargaining.
(2 Credit)

Unit – II: Standing Orders-Concept and nature of standing orders, Scope and coverage of the Industrial Employment (Standing Orders) Act, 1946,Certification processi) procedure for certificationii) appeals against certificationiii) Condition for certificationiv) Date of operation of standing orders v) Building nature and effect of certified standing ordersvi) Posting of standing orders , Modification and temporary application of model Standing Orders , Interpretation and enforcement of Standing Orders, Penalties and procedure.
(2 Credit)

Unit – III: Resolution of Industrial Dispute- Industrial dispute and individual dispute, Arena of interaction and Participants– Industry, workman and employer , Settlement of industrial dispute i) Works Committee ii) Conciliation Machinery iii) Court of Enquiry iv) Voluntary Arbitration v) Adjudication – Labour Court, Tribunal and National Tribunal , Powers of the appropriate Government under the Industrial Disputes Act, 1947 , Unfair Labour Practice , Instruments of Economic Coercion- Concept of strike i. Gheraoii.Bandh and Lock-out iii. Types of strike iv. Rights to strike and Lock-outv. General Prohibition of strikes and lock-outs vi. Prohibition of strikes and lock-outs in public utility services vii. Illegal strikes and lock-outs viii. Justification of strikes and lock-pouts ix. Penalties for illegal strikes and Lock-outs x. Wages for strikes and lock-outs , Lay-off i. Retrenchment ii. Transfer and closure – Definition of lay-off and retrenchment compensation iii. Compensation to workmen in case of transfer of undertaking closure iv. Closure - Prevention and regulation v. Conditions – precedent for retrenchment vi. Special provisions relating to lay-off, retrenchment and closure in certain establishmentsvii. Procedure for retrenchment and re-employment of retrenched workmen and penalty, Disciplinary action and domestic enquiry, Management’s prerogative during the pendency of proceedings , Notice of change.
(2Credit)

Recommended Books:

1. Statutory Material - Trade Union Act, 1926, IndustrialEmployment (Standing Orders) Act, 1946 and Industrial Dispute Act, 1947
2. S.C. Srivastava, Industrial Relations and Labour Law, Vikas Publishing House, New Delhi

Suggested Readings:

1. O.P. Malhotra, Industrial Disputes Act, Vol. I & II
2. Indian Law Institute – Cases and Materials on Labour Law and Labour Relations

Recommendation for practical exposure:-

1. One Moot Court on LabourLaw . (1 Credit)
2. Three Leading Case- Study and Analysis onLabour Law. (1 Credit)

Objective: The objective of this paper is to acquaint the students with the environmental issues and the measures taken for its protection alongwith the norms prevailing at international and national level.

UNIT- I: Environmental Law: International and National Perspective- Introduction i. Environment – Meaning ii. Environment Pollution – Meaning and Issues , International Norms i. Sustainable Development – Meaning and Scope ii. Precautionary Principle iii. Polluter pays Principle iv. Public Trust Doctrine , Constitutional Guidelines i. Right to Wholesome Environment – Evolution and Application ii. Relevant Provisions – Art. 14, 19 (1) (g), 21, 48-A, 51-A(g) iii. Environment Protection through Public Interest Litigation , Other Laws i. Law of Torts , ii. Law of Crimes , iii. Environmental Legislations.

(2 Credit)

UNIT – II: Prevention and Control of Water and Air Pollution- The Water (Prevention and Control of Pollution) Act, 1974 i. Water Pollution - Definition ii. Central and State Pollution Control Boards – Constitution, Powers and Functions iii. Water Pollution Control Areas iv. Sample of effluents – Procedure; Restraint order v. Consent requirement – Procedure, Grant/Refusal, Withdrawal vi. Citizen Suit Provision , Air (Prevention and Control of Pollution) Act, 1981 i. Air Pollution – Definition ii. Central and State Pollution Control Boards – Constitution, Powers and functions iii. Air Pollution Control Areas iv. Consent Requirement – Procedure, Grant/Refusal, Withdrawal v. Sample of effluents – Procedure; Restraint order vi. Citizen Suit Provision

((2 Credit)

UNIT – III: Protection of Forests and Wild Life- Indian Forest Act, 1927 i. Kinds of forest – Private, Reserved, Protected and Village Forests , ii. The Forest (Conservation) Act, 1980 , The Wild Life (Protection) Act, 1972- i. Authorities to be appointed and constituted under the Act , ii. Hunting of Wild Animals , iii. Protection of Specified Plants , iv. Protected Area , v. Trade or Commerce in wild animals, animal articles and trophies; Its prohibition , General Environmental Legislations- i. Meaning of ‘Environment’, ‘Environment Pollutant’, ‘Environment Pollution’ ii. Powers and Functions of Central Govt iii. Citizen Suit Provision , Principle of ‘No fault’ and ‘Absolute Liability’ i. Public Liability Insurance Act, 1991 ii. The National Environment Tribunal Act, 1995 , The National Appellate Environmental Authority Act, 1997 i. Constitution, powers and functions

(2 Credit)

Recommended Books:

1. Environmental Law & Policy in India – ShyamDiwan, Armin Rosencranz
2. Environmental Law in India – P. Leelakrishnan

Statutes

1. The Water (Prevention and Control of Pollution) Act, 1974
2. The Air (Prevention and Control of Pollution) Act, 1981
3. The Indian Forest Act, 1927
4. The Forest (Conservation) Act, 1980
5. The Wild Life Protection Act, 1972
6. The Environment (Protection) Act, 1986
7. The Public Liability Insurance Act, 1991
8. The National Environment Tribunal Act, 1995
9. The National Environment Appellate Authority Act, 1997

Suggested Readings:

1. Environmental Law in India – Gurdip Singh
2. Environmental Administration, Law and Judicial Attitude – ParasDiwan, PeeyushiDiwan

Essential Case Law:

1. Subhash Kumar v. State of Bihar, AIR 1991 SC 420
2. M.C. Mehta v. Union of India, AIR 1997 SC 734
3. M.C. Mehta v. Kamal Nath, AIR 2000 SC 1997
4. M/s Abhilash Textiles v. Rajkot Municipal Corprn., AIR 1988 Guj. 57
5. Indian Council for Enviro-Legal Action v. Union of India, AIR 1996 SC 1446
6. Vellore Citizen Welfare Forum v. Union of India, AIR 1996 SC 2715
7. A.P. Pollution Control Board v. M.V. Nayudu, AIR 1999 SC 812
8. Narmada BachaoAndolen v. Union of India, AIR 2000 SC 3751
9. M.C. Mehta v. Union of India, AIR 2002 SC 1696
10. M.C. Mehta v. Union of India, AIR 1988 SC 1037
11. M.c. Mehta v. Union of India, AIR 1988 SC 1115
12. M/S. Delhi Bottling Co. Pvt. Ltd. v. Central Board for the Prevention and Control of Water Pollution, AIR 1986 Del. 152
13. Tata Tea Ltd. v. State of Kerala, 1984 K.L.T. 645
14. M.C. Mehta v. Union of India, AIR 2001 SC 1948
15. M.C. Mehta v. Union of India, 1998 (4) SCALE 196
16. Orissa State Pollution Control Board v. M/s. Orient paper Mills, AIR 2003 SC 1966
17. Tarun Bharat Singh v. Union of India (1994) 2 SCALE 68
18. T.N. GodavarmanThirumulkpad v. Union of India, AIR 1998 SC 769
19. Vellore Citizens Welfare Forum v. Union of India, AIR 1996 SC 2715
20. S. Jagannath v. Union of India, AIR 1997 SC 811
21. M.C. Mehta v. Union of India, AIR 2002 SC 1696
22. M.C. Mehta v. Union of India, AIR 1987 SC 965
23. M.C. Mehta v. Union of India, AIR 1987 SC 982
24. M.C. Mehta v. Union of India, AIR 1987 SC 1086
25. M.C. Mehta v. Union of India, (Relocation of Industries in Delhi), AIR 1996 SC 2231
26. A.P. Pollution Control Board v. M.V. Nayudu, AIR 1999 SC 812

Recommendation for practical exposure:-

1. Three Leading Cases- Study and Analysis on Environmental Law . (2 Credit)

Principles of Taxation Law

Credits

Objective: Concept of income tax, heads of income, including foreign income assessment procedures, adjudication and settlement of tax disputes are the focus points of study in this paper.

Unit – I: Introduction - Definitions , Basis of Income- Charge of Income Tax, Scope of total Income , Residential status of an assessee , Dividend Income , Income deemed to accrue or arise in India , Foreign income and its taxability.

(2Credit)

Unit – II: Incomes which do not form part of total Income- Incomes not included in total income, Special provision in respect of newly established industrial undertaking in free trade zones, Special provision in respect of newly established hundred per cent export- oriented undertaking, Income from property held for charitable or religious purpose, Income of trusts or institutions from contributions , Conditions as to registration of trusts, etc. Section 11 not to apply in certain cases , Special provision relating to incomes of political parties.

(2 Credit)

Unit – III: Heads of Income- Salaries , Income from house property , Profits and gains of business or profession , Capital gains , Income from other sources , Tax Authorities- Powers , Procedure for Adjudication and Settlement. (2credit)

Recommended Books:

1. Dinesh Ahuja and Ravi Gupta, Systematic approach to Income Tax, (Latest Edition)
2. Singhanian, Student Guide to Income Tax, Taxmann (Latest Edition).

Suggested Readings:

1. N.A. Palkwllah's Income Tax Act (Two Volume)
2. Iyer's Income Tax Act
3. Chaturvedi's Direct Tax Act (Three Volume)

Recommendation for practical exposure:-

1. Three Leading Cases- Study and Analysis on Tax Law . (2Credit)

Drafting, Pleading and Conveyancing Credits-8

Objective The object of this paper is to train students in the art of drafting both for court purposes as well as for other legal forums

Unit – I: Fundamental Rules of Pleadings -Plaint Structure , Description of Parties , Written Statement and affidavit , Application for setting aside ex-part decree .

(1 Credit)

Unit – II: Ordinary suit for Recovery- Suit under Order XXXVII of CPC and the difference between the two suits, Suit for Permanent Injunction, Application for temporary injunction Order XXXIX of CPC, Suit for Specific Performance, Petition for eviction under the Delhi Rent Control Act

(1 Credit)

Unit – III: General Principles of Criminal Pleadings - Application for bail , Application under Section 125 Cr.P.C. , F.I.R. – under Section 154 Cr.P.C. ,Model Draft- Forms i. Notice to the tenant under section 106 of Transfer of Property Act ii. Notice under section 80 of CPC iii. Reply to notice iv. General Power of Attorney v. Will vi. Agreement to SELL vii. Sale – deed viii. Suit for Dissolution of Partnership ix. Petition for grant of probate / Letters of Administration x. Application for appointment of receiver/Local Commissioner xi. Application for Compromise of Suit xii. Application for Appointment of Guardian xiii. Application to sue as an indigent person under Order 33 CPC xiv. Appeal from original decree under Order 41 of CPC xv. Appeal from orders under order 43 of CPC xvi. Revision Petition xvii. Review Petition xviii. Application under section 5 of Limitation Act xix. Application for execution xx. Application for caveat section 148A of CPC xxi. Writ Petition xxii. Application under section 482 of CPC xxiii. Compounding of offences by way of compromise under section 320(i) Cr.P.C. xxiv. Lease deed xxv. Special Power of Attorney xxvi. Relinquishment Deed xxvii. Partnership Deed xxviii. Mortgage Deed xxix. Reference to Arbitration and Deed of Arbitration xxx. Deed of gift xxxi. Notice under section 434 of the Companies Act xxxii. Notice for Specific Performance of Contract

(2 Credit)

Recommended Books:

1. Conveyancing – N.S. Bindra
2. Conveyancing – A.N. Chaturvedi
3. Mogha's Law of Pleading
4. Conveyancing – D'Souza

Recommendation for practical exposure:-

1. Practice to make Plaint ,Written Statement and affidavits. (4 Credit)

Intellectual Property Rights

Credits-8

Objective: The objective of this course is to acquaint the students with basics of intellectual property rights with special reference to Indian law and practice

Unit - I: Copyright- Nature and Meaning, Scope of protection, Procedure for protection, Enforcement and Remedies. Patents-Nature and Meaning, Scope of protection, Procedure for protection, Enforcement and Remedies

(2 Credit)

Unit - II: Trademarks- Nature and Meaning, Scope of protection, Procedure for protection, Enforcement and Remedies

(2 Credit)

Unit - III: Designs- Nature and Meaning, Scope of protection, Procedure for protection, Enforcement and Remedies

(2 Credit)

Recommended Books:

1. Paris Convention for the Protection of Industrial Property, 1883;
2. Berne Convention for the Protection of Literary and Artistic Works, 1886;
3. Indian Copyright Act, 1957;
4. Indian Patents Act, 1970;
5. Agreement on Trade-Related Aspects of Intellectual Property Rights, 1994 (the TRIPS Agreement);
6. Indian Trademarks Act, 1999;
7. Indian Designs Act, 2000
8. R.K.Nagarajan-Intellectual Property Law.

Suggested Readings:

- 1.R.K.Nagarajan-Intellectual Property Law.
2. Dr. G.B. Reddy's-Intellectual Property Rights and the Law.
3. P. Narayanan-Intellectual Property Law.

Recommendation for practical exposure:-

1. Two Latest Cases- Study and Analysis on Trademarks and Design. (1 Credit)
2. Group Discussion on Copyright. (1 Credit)

Health Care Law

Credits-8

Objective: This paper focuses on various aspects of health care law including the constitutional perspective, obligations and negligence of medical professionals and remedies available to consumers of health care.

Unit – I: Medicine and Healthcare- Healthcare as an issue at the national and international level , Constitutional provisions- Right to Health as a Fundamental Right , Remedies available under the Indian Constitution , Right to health vis-à-vis the right to confidentiality , Access to medical records
(2Credit)

Unit – II: Professional Obligations of Doctors- Transplantation of Human Organs Act, 1994 , Pre Conception & Pre Natal Diagnostic Techniques (Prohibition of sex selection) Act, 1994 , International Code of Medical Ethics , Indian Medicine Central Council Act, 1970 , Dentists Act, 1948 , The Homeopathy Central Council Act, 1973 , The Drugs and Cosmetics Act, 1940
(2Credit)

Unit – III: Medical Negligence- Ingredients , Role of consent in medical practice , Error of judgment and gross negligence , Wrongful diagnosis and negligent diagnosis , Remedies for Medical negligence- Law of Torts , Law of Crimes , Consumer Protection Law
(2 Credit)

Recommended Books:

1. Vijay Malik – Drug and Cosmetic Act, 1940
2. Anoop K. Kaushal – Medical Negligence & Legal Remedies

Suggested Readings:

1. Dr. Jagdish Singh – Medical negligence Compensation
2. B.K. Dutta – Drug Contro

Recommendation for practical exposure:-

1. Three Latest Cases- Study and Analysis on Health Care Law.(2 Credit).

VIII SEMESTER

Labour Law Specific

Credits-8

Objective: The paper is to focus on wage policies, compensation for learn caused during the course of employment and working conditions of employees.

Unit – I: Minimum Wages Act,1948 - Concept of minimum wage, fair wage, living wage and need based minimum wage , Constitutional validity of the Minimum wages Act, 1948 , Procedure for fixation and revision of minimum wages , Fixation of minimum rates of wage by time rate or by piece rate , Procedure for hearing and deciding claims.

(2 Credit)

Unit-II: Payment of Wages Act, 1936 - Object, scope and application of the Act , Definition of wage , Responsibility for payment of wages , Fixation of wage period , Time of payment of wage , Deductions which may be made from wages , Maximum amount of deduction , Factories Act, 1948- Concept of “factory”, “manufacturing process” “worker” and “occupier” , General duties of occupier , Measures to be taken in factories for health, safety and welfare of workers , Working hours of adults , Employment of young person and children , Annual leave with wages , Additional provisions regulating employment of women in factory.

(2 Credit)

Unit –III: Workmen’s Compensation Act, 1923- Definition of dependant, workman, partial disablement and total disablement , Employer’s liability for compensation – (Scope of arising out of and in the course of employment),(Doctrine of notional extension),(When employer is not liable) , Employer’s Liability when contract or is engaged , Amount of compensation , Distribution of Compensation , Procedure in proceedings before Commissioner , Appeals

(2 Credit)

Recommended Books:

1. S.C.Srivastava, Commentaries on factories Act, 1948, Universal Law Publishing House, Delhi
2. H.L. Kumar, Workmen’s Compensation Act, 1923

Recommendation for practical exposure:-

1. One Moot Court on Labour Law . (1 Credit)
2. Two Leading Cases- Study and Analysis on Payment of Wages and Workmen’s Compensation. (1 Credit)

Objective: The objective of the course is to create an understanding of basic legal concepts like state, sovereignty, rights, possession, ownership, liability, which are basic to the study of law

Unit-I: State, Sovereignty and Law- Nature and functions of a State and its relationship with law, Nature and development of Sovereignty, Nature and kinds of law and theories of justice, Schools of Law.

(2 Credit)

Unit-II: Sources of Law- Custom, Precedent & Legislation (Emphasis on Indian perspective). Concepts of Law- Rights and Duties, Personality, Possession, Ownership and Property

(2 Credit)

Unit – III: Principles of Liability- Liability and Negligence, Absolute Liability, Immunity

(2 Credit)

Recommended Books:

1. Salmond's Jurisprudence
2. R.W.D. Dias, Jurisprudence
3. Prof.(Mrs.) Nomita Aggarwal, Jurisprudence (Legal Theory)

Recommendation for practical exposure:-

1. Three Leading Cases- Study and Analysis on Jurisprudence. (2 Credit)

Alternative Dispute Resolution Laws and Legal Service Authority Act, 1987

Credits-8

Objective: The objective of this paper is to acquaint students with various modes of ADR.

Unit – I: Introduction - Alternative Dispute Resolution (ADR): Concept and Need, Techniques of ADR – I - Negotiation / Consultation , Mediation , Good offices , Techniques of ADR – II- Conciliation: Nature, Scope and Methods , Arbitration – Arbitration agreement / Clause (2 Credit)

Unit – II: Jurisdiction of the arbitral tribunal, Applicable Law; IIC, UNCITRAL, KSID, The Arbitration and Conciliation Act 1996. Recognition and Enforcement- Indian Practice, International Practice.

(2 Credit)

Unit – III: Legal Aid: - Concept, Dimensions and Practice, Constitutional Provisions, Legal Services Authority Act, 1987: Functions of National Legal Services Authority, State Legal Services Authority and District Legal Services Authority; Organisation of LokAdalat, Jurisdiction and Powers of LokAdalats, Procedure for determination of Dispute before the LokAdalat. Legal Literacy Mission.

(2 Credit)

Recommended Books:

1. International Dispute Settlement – J.G. Merrills
2. The Arbitration and Conciliation Act, 1996
3. Legal Services Authority Act, 1987
4. Sunil Deshta LokAdalats in India- Genesis & Functioning

Recommendation for practical exposure:-

1. One Moot Court on Alternative Dispute Resolution . (1 Credit)
2. Two Leading Cases- Study and Analysis on Legal Service Authority Act, 1987 . (1 Credit)

Offences against Child and Juvenile Offence

Credits-8

Unit 1 : Problems of conception, birth and nourishment and health of the child Legal status of child in work, Tortious liability against injuries to unborn children, Coparcenary and property rights of the unborn children, Law relating to maternity benefit and relief, Lack of legal protection of children of impoverished parentage State responsibility for the education of children Evaluation of the efforts of the State towards the provision of education to children, Pre-primary and nursery education – elementary education, Contributions by International Organizations for elementary education – UNESCO, UNICEF. Legal Control of Child Labour Regulation of the employment: protection of the health and well-being, International conventions and recommendations of the ILO, Recommendations of the National Commission of Labour, Legislation relating to factories, plantation labour, mines, merchant shipping, motor transport workers, apprentices, shop & establishments and child labour. .

(2 Credit)

Unit- 2 Family Relations and Child

The status of a child in matters of marriage, legitimacy, guardianship, adoption, maintenance and custody, Provisions in the statutes relating to Hindu marriages, restraint on child marriage, guardians and wards, Hindu minority and guardianship, Hindu adoptions and maintenance and in the Indian Evidence Act 1872. Child and Contractual Liability

Minors Agreements, Testimony of children, Suits by and against minors. Child and Criminal Liability Crimes committed by child; crimes committed by others in relation to children; implementation of social policy through criminal sanctions in relation to child; Variation of procedure in case of child offender; Judicio proceedings in criminal cases relating to children; Statutory provisions – Sections 82, 83, 299 Exp. 3, 363A, 372 and 376 of IPC –

Suppression of Immoral Traffic Act 1956 (SITA) – penal provisions contained in Child Marriage Restraint Act 1929 as amended in 1978 – Young Persons Harmful Publications Act 1956 – The Children Act 1960 – Section; 27 of the Cr. P.C. – Reformatory Schools Act 1897 – Juvenile Delinquency Act 1986. . (2 Credit)

Unit-3 Law and Offences Against Child

Protection of neglected children, Institutions for the protection of neglected children; Juvenile Justice Act; Juvenile delinquency : law and offences against child, Contribution by parents, licensing; Protection of girls from immoral traffic; Prevention of vagrancy and beggary. Discrimination Against Female Children Amniocentesis, Deferred infanticide through based nutritional discrimination, Termination of pregnancy. . (2 Credit)

Recommended Books:

1. Women&Children -MamtaRao
2. Women&Children-DR.S.C.Trpathi&VibhaArora

Recommendation for practical exposure:-

1. Three Leading Cases- Study and Analysis on Offences against Child and Juvenile Offence. (2 Credit)

OBJECTIVES: To help the students know about the concept of Freedom of Press and Media laws & to also enable them to get knowledge of media ethics.

UNIT –I: Democracy and Media. The Indian Constitution-Freedom of Speech and Expression and their limits. History of Press Laws in India, Rights and Duties of a citizen. Parliamentary Privileges, Contempt of court. Law of Defamation, Press and Book Registration Act, 1867. Cinematography Act 1952. Working Journalist Act, 1955.

(2 Credit)

UNIT II: Press Council Act, 1978. Indecent Represent of Women Act, 1986 PrasarBharti Act, 1990. Information Technology Act, 2000. Right to Information Act, 2005

(2 Credit)

UNIT III: Principles and Ethics of Media. Role and Responsibilities of Media. Emerging issues of Ethics in Media. Advertising and Ethics. Sensational and yellow Journalism.

(2 Credit)

Recommended Books:

1. Paranjana Guha Thakurta: Media Ethics, Trust, Fairness & objects, Oxford University Press, New Delhi.
2. B.N Ahuja: History of Press, Press Laws & Communication
3. Freedom of Press & Right to Information in India, Kanishka Publication, New Delhi.

Recommendation for practical exposure:-

1. One Seminar on Media Law . (2 Credit)

Objectives: The objective of the course is to familiarize students with Rajasthan Land Laws.

Unit I: Rajasthan Tenancy Act, 1955: Preliminary: Objects and Reasons, Definition, Khudkasht (Sections 1 to 130, Ijredars, Grove Holder (Sections 194 to 205): Classes of tenants (Section 14 to 17-A): Conferment of rights on sub-tenants of KhudKasht (19), Primary right of tenants (Section 31 to 37): Surrender, Abandonment and Extinction of tenancies of tenants (Section 55 to 64), Improvements and Trees (Sections 65 to 87): Declaratory Suits (Sections 88 to 92): Determination and Modification of Rent (Section 91 to 129): Payment and Recovery of Rent (Section 130 to 160): Grounds for Ejectment of Tenants, Remedies for wrongful ejectment (Sections 169 to 188).

(2 Credit)

Unit II: Procedure and Jurisdiction of Court (Sections 216 to 221), Provisions for injunction and appointment of Receiver (Section 212), Appeal, Review, Revision (Sections 222-232): Reference, Question of Proprietary Rights in Revenue Courts (Section 239): Question of Tenancy right in Civil Court (Section 242), Conflict of Jurisdiction (Section 243).

(2 Credit)

Unit III: The Rajasthan Land Revenue Act, 1956: The Board of Revenue, Revenue Courts and Officers (Sections 4 to 30) Appeal, Reference, Revision and Review (Sections 74-87), Land (Sections 88 to 105) Survey (Section 100-112), Record of Rights, Maintenance of maps and record, Annual Registers (Sections 113-137), Settlement Operations, Rent Ratio, Determination of Rent, Term of Settlement (Sections 142-177), Collection or Revenue (Sections 224-257), Rajasthan Rent Control Act, 2002.

(2 Credit)

Leading Cases

1. Prabhu v. Ramdeo, AIR 1966 SC 172
2. Kanaimal v. KanhaiyaLal, 1966 RLW 179
3. Bohra v. Ganesh, 1966 RRD 71 (FB) 1966 RLW
4. Yasin Shah v. Munir Shah, 1967 RRD 37
5. MangiLal v. Chotu, 1967 RRD 433
6. Smt. Mulashi v. Rama Lal, 1976 RRD 88

Recommended Book

Dutt, S.K. - Rajasthan Land Revenue Act

Suggested Readings

1. ShyamLal Gupta - The Rajasthan Tenancy Act
2. Dutt, S.K. - Tenancy Law in Rajasthan
3. Suresh Chand - Law of Tenancy in Rajasthan
H. Mathur
4. Dutt, S.K. - Rent Control in Rajasthan
5. Karkara, G.S. - Rajasthan Land Laws (English & Hindi)
6. Babel, B.L. - Rajasthan Land Laws (Hindi)

Recommendation for practical exposure:-

1. One Leading Cases- Study and Analysis on Rajasthan Tenancy Act,1955. (2 Credit)

French Legal System

Credits-8

Objective: The objective of this paper is to make students understand the French language so that they can easily understand the French legal system and the French terms generally used in law.

Unit-I: (1) Introduction in French

- a) Verb: S'appeler
Etre
Avoir
Habiter
- b) Article / Préposition: à, en, au
- c) Name of some common Countries and Nationality
- d) To talk about different professions

(2) How to talk about one's liking and disliking

- a) Verb: Aimer
Adorer

Préférer

Detester

b) Some common vocabularies like music, cinema, theatre etc.

c) Article: un, une, des / le, la, les

(2 Credit)

Unit-II: (1) How to talk about the activities of week- end and vacations.... etc.

a) Verb: Aller

Venir

Rester

Se reposer

Regarder

b) Preposition / Article : au, à la,/ du, de laetc.

(2) How to talk about the activities of the day:

a. Pronominal verb: Se réveiller

Se lever etc.

(3) To know about time and seasons:

A) Verb: Faire

Être

(2 Credit)

Unit-III: (1) How to take permission / express one's wishes:

a. Verb: vouloir

pouvoir

voir

b. Pronoun: moi, toi, etc.

(2) How to locate some thing / some place or some person

a. Préposition: à côté de , à gauche de , sur etc.

(3) How to ask questions / Different form of questions:

a. Qu'est-cequec'est?

b. Qui est-ce?

c. Comment, pourquoi, Où, Combien etc.

(4) How to describe a person:

a. Adjective: tall / short

Fat / thin

(2) How to write Informal letter

(2 Credit)

Recommended Books:

Nouveau Sans Frontières-1 (Only concerned lessons which cover the syllabus)

Suggested Readings:

(1) Le Francais du Droit – J. L. Penfornis

(2) Campus – Jacky Girardet& Jacques Pecheur

Recommendation for practical exposure:-

1. Practice on French vocabularies. (2 Credit)

IX SEMESTER

Interpretation of Statutes and Principles of Legislation

Credits-8

Objective: The paper is to equip the students with various tools of interpretation of statutes.

Unit – I: Introduction- Meaning of Interpretation , Need for Interpretation, Different parts of a Statute , Rules of Interpretation -Literal Rule , Golden Rule , Mischief Rule, External and Internal aids of construction.
(2Credit)

Unit – II : Principle of Interpretation of Constitution and Penal and Fiscal Statutes.Delegatus non potestdelegare, EjusdemGeneries, Pith and Substance Rule, Expression-Unine Exclusion, Alterios Non-obstante Clause, Mandatory and Directory Provision, Noscitur, A Soclis, ReddendoSingulaSingulis, Operation, Expiry and Repeal of Statues.
(2Credit)

Unit III: Bentham’s Principles of Legislation: Principle of Utility, Principles of Sympathy and Antipathy, Kind and Measurement of Pleasure and Pains and Sanctions-Difference between Legislation and Morals. Period of Bentamism or individualism: Growth of collectivism and its debt to Benthamism, Relation of Law and Public opinion-Characteristics of law-making opinion. Main and Counter currents of opinion-Law and Public opinion in 19th and 20th century with special reference to India. Principles of Civil Code: Object of Civil Law, Rights and obligations attached to several private condition, Principles of Penal Code: of offences, of punishments, indirect means of preventing offences. Principles of Social Legislation.
(2Credit)

Leading Cases

1. Haydon’s Case 15840 3 Co. Rep. 7a, p. 76: ER 637
2. Bengal Immunity Company v. State of Bihar, AIR 1955 SC 661
3. Alamgir v. State of Bihar, AIR 1959 SC 436
4. Inder Singh v. State of Rajasthan, AIR 1957 SC 510
5. Ram Avatar v. Assistant Sales Tax Officer

Recommended Books:

1. Maxwell - The Interpretation of Statues
2. Grawford - Statutory Constitution
3. Craies - Interpretation of Statues
4. Swarup - Interpretation of Statues
5. Bindra - Interpretation of Statues
6. Sarathi - Interpretation of Statues
7. Bhattacharyya T. - Interpretation of Statues (English & Hindi)
8. G.P. Singh’s Interpretation

Suggested Readings

1. Craies on Interpretation
2. Crawford on Interpretation

Recommendation for practical exposure:-

1. Three Leading Cases- Study and Analysis on Interpretation of Statutes.
(2 Credit)

Drafting, Pleading and Conveyancing Credits-8

Objective The object of this paper is to train students in the art of drafting both for court purposes as well as for other legal forums

Unit – I: Fundamental Rules of Pleadings -Plaint Structure , Description of Parties , Written Statement and affidavit , Application for setting aside ex-part decree .

(2 Credit)

Unit – II: Ordinary suit for Recovery- Suit under Order XXXVII of CPC and the difference between the two suits, Suit for Permanent Injunction, Application for temporary injunction Order XXXIX of CPC, Suit for Specific Performance, Petition for eviction under the Delhi Rent Control Act

(2 Credit)

Unit – III: General Principles of Criminal Pleadings - Application for bail , Application under Section 125 Cr.P.C. , F.I.R. – under Section 154 Cr.P.C. ,Model Draft- Forms i. Notice to the tenant under section 106 of Transfer of Property Act ii. Notice under section 80 of CPC iii. Reply to notice iv. General Power of Attorney v. Will vi. Agreement to SELL vii. Sale – deed viii. Suit for Dissolution of Partnership ix.Petition for grant of probate / Letters of Administration x. Application for appointment of receiver/Local Commissioner xi. Application for Compromise of Suit xii. Application for Appointment of Guardian xiii. Application to sue as an indigent person under Order 33 CPC xiv. Appeal from original decree under Order 41 of CPC xv. Appeal from orders under order 43 of CPC xvi. Revision Petition xvii. Review Petition xviii. Application under section 5 of Limitation Act xix. Application for execution xx. Application for caveat section 148A of CPC xxi. Writ Petition xxii. Application under section 482 of CPC xxiii.Compounding of offences by way of compromise under section 320(i) Cr.P.C. xxiv. Lease deed xxv. Special Power of Attorney xxvi. Relinquishment Deed xxvii. Partnership Deed xxviii. Mortgage Deed xxix. Reference to Arbitration and Deed of Arbitration xxx. Deed of gift xxxi. Notice under section 434 of the Companies Act xxxii. Notice for Specific Performance of Contract

(2 Credit)

Recommended Books:

1. Conveyancing – N.S. Bindra
2. Conveyancing – A.N. Chaturvedi
3. Mogha's Law of Pleading
4. Conveyancing – D'Souza

Recommendation for practical exposure:-

2. Practice to make Plaint ,Written Statement and affidavits. (2 Credit)

Criminology and Penology

Credits-8

Objective: The paper is to equip the students with Criminology and penology.

Unit I: Criminology: Definition, nature and scope, methods of studying, importance and classification of crime, Criminal Behaviour: (i) Explanations, (ii) Psychological Theories: Alcoholism and Drugs. Crime and social process: Economic Motivation, Socio-cultural movements, crime and Community, Female Offender, Juvenile Delinquency, influence of mass-media. Schools of Criminological Thought (Factors in causation of Criminal Behaviour):

1. Ancient School: (i) Demonological, (ii) School of Free-will
2. Classical School
3. Cartographic or Ecological School
4. Socialistic School
5. Typological School: (i) Italian or Positive School, (ii) Mental Testers School, (iii) Psychiatrists School
6. Sociological School
7. Multi-factor School

(2 Credit)

Unit II: Control of Crime: Police and Law Courts: Prison system-Re-socialisation of the offender, rehabilitation of discharged prisoners in the administration of Criminal Justice, Prevention of Crime Delinquency, Definition of punishment, relationship between Criminology and Penology: Theories of Punishment, Expiatory, Preventive and Reformative and Purpose of Punishment, Penal Science in India: History of Punishment, Pre-classical school, classical school, Neo-classical Positive School, The Reformer, Clinical School and Multiple Causation Approach.

(2 Credit)

Unit III: Kinds of Punishment: Modes of treatment of offenders, Corporeal Punishment, Transportation of Criminals, Capital Punishment, Imprisonment, Reactional, Treatment, Probation, Parole, Compensation, Admonition, Treatment of Habitual Juvenile, Sex and Adolescent offenders in deviant sentences, Borstal School, Criminal Procedural Jurisprudence. Constitutional Guarantees: Principle of natural justice as applicable to Procedural Law, Protection to arrested persons, Under-trials, Detenue and Convicted Persons, Double jeopardy and self-incrimination, Rights to Life and Legal Aid.

(2 Credit)

Recommended Books:

1. Sutherland: Principles of Criminology (latest Edition)
2. Taft: Criminology (latest Edition)
3. Pillai: Principles of Criminology

Recommendation for practical exposure:-

1. Two Leading Cases- Study and Analysis on Criminology and Penology. (1 Credit)
2. One Seminar on Criminology and Penology. (1 Credit)

MOOT Court Exercise & Internship

Objectives:

Max.Marks-100

This course is designed to hone advocacy skills in the students. Moot Courts are simulation exercises geared up to endow students with facility in preparation of written submissions and planning, organising and marshalling arguments in the given time so as to convince the presiding officer.

The students should familiarize themselves with the various stages of trial in civil and criminal cases. They should be exposed to real court experience. Further they should imbibe the skills of client interviewing. The entire course under NGO, trial and appellate advocates, legal regulatory authorities, legislatures and parliament, other legal functionaries, market institutions, law firms, companies, local self government and other such bodies as the university may stipulate.

Course contents:

Moot Court (30 marks)

1.1 Each student shall participate in at least 3 moot courts. Each Moot court exercise shall carry 10 marks, which shall be divided as under:

- for oral advocacy: 5 marks, and
- Written submission: 5 marks.

1.2 The student shall make written submission on behalf of the party for whom he makes oral advocacy as assigned by the course teacher.

1.3 The written submissions for the three moot courts shall be neatly written on one side of the bond size papers and bound together with a certificate signed by the course teacher and the principal to the effect that it is the bonafide work of the concerned student.

1.4 The cover shall indicate the name of the examination, subject, seat number.

Observation of Trial (30 marks)

1.1 Each student shall attend trial in two cases one civil and one criminal in the course .

1.2 The student shall maintain a record and enter the various steps observed during their attendance on different days in the court.

1.3 The record shall be neatly written on one side of the bond size paper and bound. It will carry a certificate by the course teacher and principal to the effect that it is the bonafide work of the concerned student.

1.4 The record shall be valued for 30 marks.

1.5 The cover page shall indicate the name of the examination, subject, seat number.

Client Interviewing (30 marks)

- 1.1 Each student shall observe two sessions of client interviewing at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which shall carry 15 marks.
- 1.2 Each student shall further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This shall be recorded in a diary, which shall carry 15 marks.
- 1.3 The Diaries shall be neatly written on one side of bond size papers and bound with a certificate signed by the course teacher and the Principal to the effect that it is the bonafide work of the concerned student.
- 1.4 The cover page of the diary shall indicate the name of the examination, subject, seat number, and the center code number.

Viva (10 marks)

At the end of the semester, the student shall appear for a viva voce, which shall carry 10 marks.

Method of assessment: The submissions of Moot courts shall be valued by the course teacher. The diaries relating to trial observation and client interviewing and pre-trial preparations shall be valued by the professional under whose supervision the student has completed the course. The viva shall be conducted by the Principal of the college and the course teacher.

Recommended Books:

1. A Beginners Path to Moot Court **Publisher:**[Universal Law Publishing](#)**Author:**Aggarwal Prof Nomita, MukeshAnand
2. **Moot Court , Author(s):** [Dr. KailashRai](#)**Publisher:** [Central Law Publications](#) **Edition:** 3 Ed 2006

Objectives: The objective of the course is to familiarize students with Banking Law.

Unit I: Introduction: Banking: Definition, Commercial Banks: Function, Agency Services, International Trading Service, Emergence of multi functional dimensions, System of Banking: Unit Banking, Branch Banking, Group Banking and Chain Banking, Banking Companies in India. Rights and Obligations of Banks: Right of Set-off, Banker's Lien, Obligation to honour customer's cheques, Accounts of customers, Current Accounts, Deposit Accounts, Joint Accounts, Trust Accounts, Special types of customers: Lunatics, Minors, Agents, Administrators, and Executors, Partner Firms and Companies.

(2 Credit)

Unit II: Control over Banks: Controls by Government and its agencies, Need for-eliminations of systemic risk, evidence money laundering, Consumers Protection, Promotion of fair competition. On Accounts and Audit: On money lending, reorganization and reconstruction, on suspension and winding up, control by ombudsman. Control Banking Theory and the RBI: Evolution of Central Banks, characteristics and function of Central Banks, Central Bank as Banker and Adviser of the State, Central Bank as Banker's Bank, The Reserve Bank of India as Central Bank in India, objectives and organizational structure functions. Regulations of the Monetary System: Monopoly of note issue, credit control, determination of bank rate policy, open market operations, banker to government, control over non-banking financial institutions, control and suppression of other banks.

(2 Credit)

Unit III: Leading by Banks: Principles of bank advances, Pledge, Mortgage, Charge, Goods or documents of title to goods, life insurance policy as security.

Debentures and Guarantees as security: Kinds of guarantees, specific and continuing, Society rights and liabilities, Repayment, Interest: Rules against penalties, Default and Recovery, Recovery of debts due to banks and financial institutions act, 1993, Establishment of: Debt Recovery Tribunals-Constitutions and Functioning. Merchant Banking: Merchant Banking in India, SEBI (Merchant Bankers) Regulations, 1992. Letter of Credit and Demand Guarantee: Letter of credit, Basic features, Parties to a Letter of Credit, Fundamental Principals.

(2 Credit)

Recommended Book

M.L. Tannen, The Banking Law in Theory and Practice (1999) Universal New Delhi

Suggested Readings

1.S.N. Gupta, The Banking Law in Practice (1999) Universal New Delhi

2. T.K. Mukherjee Banking Law and Practice (1999) Universal New Delhi

Recommendation for practical exposure:-

1. One Moot Court on Banking Law. (1 Credit)
2. Two Leading Cases- Study and Analysis on Banking Law. (1 Credit)

Objectives: The objective of the course is to familiarize students with Insurance Law.

Unit I: Evolution and development of the concept of insurance, role and importance of insurance, General principles of the contract of insurance, nature of contract of insurance, Classification of policies, selection and measurement of risk, treatment of sub-standard risk, calculation of premium, Licencing of insurance agents, duties and powers of controller of insurance under The Insurance Act, 1938, Status and legal position of the nominee under The Insurance Act, 1938.

(2Credit)

Unit II: Establishment of Life Insurance Corporation of India, Investment provisions and rights of the policy holders under The Life Insurance Corporation Act, 1956; Marine Insurance and Fire Insurance, Motor Insurance, Live-stock insurance against deterioration of stocks, loss o profit insurance, Contractor's All Risk Insurance and Credit Guarantee.

(2Credit)

Unit III: Public Liability Insurance Act, 1992, Definitions, Criminal liability based on no fault. Verification and publication of accidents by Collector, Application for claim for Relief-Environmental Relief Fund-Claim of Compensation under other laws, Powers of the Central Government or its authorized officers under the Act-Penalties-Liability of Companies or Government Departments.

(2 Credit)

Leading Cases

1. New India Assurance Co. v. RadheyShyamMotalalKhandelwal, AIR 1974 Bom. 228
2. Prudential Insurance Co. v. Inland Revenue Commissioners, (1904) 2 KB 658
3. Mills v. Smith (1963) 2 All. ER 1078
4. Digby v. General Accident (1943) AC 121, 138
5. Glickman v. Lancashire and general Assurance Co. Ltd. (1978) ACT 139 (HL)

Recommended Book

- 1.Mishra M.N. - Insurance, Principles and Practices

Suggested Readings

- 1 Rao, C.K. - Treaties on the Law of Insurance
2. The Insurance Act, 1938
- 3 The Life Insurance Corporation Act, 1957
- 4 Karkara, G.S. - Commentary on Public Liability, Insurance Act
- 5 Murthy & Sharma - Modern Law of Insurance in India
- 6 SurendraYadav - Insurance Law (in Hindi)

Recommendation for practical exposure:-

1. One Moot Court on Public Liability Insurance. (1 Credit)
2. One Leading Cases- Study and Analysis on Insurance Law. (1 Credit)

Unit – I: Introduction

Application and subject matter of Private International Law, Distinction with Public International Law, Characterization and theories of characterization, Concept of Renvoi, Application of foreign law, Domicile, Jurisdiction of courts (2Credit)

Unit – II: Family Law matters

Material and formal validity of marriage under Indian and English law, Choice of law and jurisdiction of courts in matrimonial causes : dissolution of marriage, grounds of divorce, restitution of conjugal rights, recognition of foreign judgments.

(2Credit)

Unit – III: Adoption: Recognition of foreign adoptions, Adoption by foreign parents, Jurisdiction under Indian and English law, Indian Law relating to foreign judgment - Basis of recognition, recognition, Finality, Failure Direct execution of foreign decrees, (2Credit)

Recommended Book:

1. Dr. Paras Diwan. Private International Law

Statutes

Civil Procedure Code, 1973

Hindu Succession Act, 1925

The Hague Draft Convention on the Recognition and Enforcement of

Foreign Judgments in Civil and Commercial Matters

Guidelines for Inter Country Adoptions, 1994

Suggested Readings

(i) Cheshire

(ii) Morris

Recommendation for practical exposure:-

1. Three Leading Cases- Study and Analysis on Private International Law (2 Credit).

X SEMESTER

Forensic Science and Law

Credits-8

Objectives: The objective of the course is to familiarize students with Forensic Science and Law.

Unit I: The Role of Forensic Science in Criminal and Civil Cases: The basic quest in investigation- Qui bono, the scene of crime, discovery of cases, traces of physical evidence, classification and reference to classified record. Systemization and classification of physical evidence and comparison with suspected material, the principles of exchange, the principles of heredity, dexamology etc. **The establishment of Identity of an individual:** Branding, tattooing, mutilating, scars and moles, bartillon system; photography, fingerprints, ridge characteristics, proxiology. **The establishment of practical Identity of an individual:** Foot prints, hair, skin, blood grouping, physical peculiarity. **The establishment of Identity of Physical objects by shape and size:** Identifying marks and impressions made by physical objects; shoe prints, type and trade marks, dye and tool marks, rupture and fracture marks. **The establishment of Identity of Physical objects by Physical and Chemical Analysis:** Prints, coloured objects, Metals, alloys, china and the earthen wares, cements, plasters, bricks, dusts, soil and mineral plastics.

(2Credit)

Unit II: Questioned Documents and Identification of Handwriting: Paper: Its types and identification, inks, pencils and writing tools, hand writing habit, flow, disguised writing comparison and points of identity, sample. Various types of Forgery and the detection; additions; erasures; alteration; scales, rubber stamps, type writing, printing and blocks. **Identification of Fire Arms and Cartridges and Related Problems:** Types of Fire Arms and their use; time and range of firing; Identification of a Fire Arm with a cartridge case and bullets. **Injuries to Persons:** Evidentiary value of details of injuries; traces, left by the weapons used; its range and direction; danger to clothing worn by victim and related problems. The flow of blood from injuries; the shape and directions of blood drops and their evidentiary value; the discovery of blood and semen stains on various objects; accidental deaths and suicides.

(2Credit)

Unit III: Miscellaneous Forensic Science Methods: Restoration of Numbers; Examination of walking pictures of foot prints; clothing; cooper wire; pieces of wood etc. **Evidentiary value of physical evidence as evaluated in a Forensic Sciences Laboratory viz: Evidence:** Findings of Scientific Methods of Investigations; DNA, Narco Analysis, Brain Mapping and Lie Detector Test.

(2Credit)

Suggested Readings:

1. Gour, AN; Fire Arms, Forensic Ballistics, Forensic Chemistry and Criminal Jurisprudence
2. Lucas A; Forensic Chemistry and Scientific Criminal Investigation
3. Lund Quist; Methods of Forensic Science (Volume-I)
4. Moreland, N; Science in Criminal Detection Illustrated
5. Paul; Narco Analysis, Brain Mapping and Lie Detector Tests
6. Mody; Medical Jurisprudence

Recommendation for practical exposure:-

1. One Moot Court on Forensic Science and Law. (1 Credit)
2. Two Leading Cases- Study and Analysis on Forensic Science (1 Credit)

Professional Ethics and Professional Accounting System

Credits-8

Objectives: The objective of the course is to familiarize students with Professional Ethics.

Unit I: Professional conduct of a lawyer, Professional conduct, Professional misconduct, professional responsibility of advocates, Conduct of advocate in general, Arguments in appeals and revisions.

(2 Credit)

Unit II: Skill of attracting clients, Persuasion through arguments, Preparation of brief, Future problems of advocacy, Fee structure, maintaining accounts of clients fee.

(2 Credit)

Unit III: Contempt of courts and lawyers, Strikes, protests and demonstrations by legal professions Information Technology and Legal Profession, Advocates and Political Activities.

(2 Credit)

Suggested Readings:

1. The Bar Council Code of Ethics
2. The Contempt of Court Act
3. Mr. Krishnamurthy Layer's book on 'Advocacy'.

Recommendation for practical exposure:-

1. One Moot Court on Contempt of courts and lawyers. (1 Credit)
1. Two Leading Cases- Study and Analysis on Professional conduct of a lawyer. (1 Credit)

Objective: The object of this paper is to keep pace with legal developments in the context of emerging Technology in various fields.

Unit – I: Internet: Features of Internet, Working, Search engines, Browsers, On-line services, Case Studies: Air India, Indian Railways. E-Commerce: Definition, Features, Benefits, Future.
(2Credit)

Unit – II: E-Commerce - Online contracting, Online securities offering, E-Banking, Cyber Crimes- Obscenity, Defamation, Hacking and Cracking, Crime through Mobile Phones, Cyber Laws and IT Act.
(2Credit)

Unit – III: Genetic and Medical Technologies- Regulation of Genetic Technology, Laws on Medical Technology, Broadcasting- Regulation and Control of Broadcasting, Law relating to Cable Television Network
(2Credit)

Recommended Books:

1. Relevant Legislations and Conventions
2. Information Technology Act - Prof. S.R.Bhansali
3. Cyber Law (Text and Cases), Gerald R. Ferrera, WEST THOMSON LEARNING
4. Cyber Crime - Vakul Sharma

Recommendation for practical exposure:-

1. One Moot Court on I.T. Law. (1 Credit)
2. Two Leading Cases- Study and Analysis on I.T. Law. (.5 Credit)
3. One Seminar on I.T. Law. (.5 Credit)

Objective: The purpose of this paper is make students aware of various aspects of administrative law including quasi-legislative, quasi-judicial and other ministerial functions of administration and control thereof.

Unit - I:

Evolution and Scope of Administrative Law- Nature, Scope and Development of Administrative Law, Rule of law and Administrative Law, Separation of powers and its relevance, Relationship between Constitutional law and Administrative Law, Administrative Law vis-à-vis privatization, Classification of functions of Administration
(2 Credit)

Unit - II:

Legislative Functions of Administration- Necessity and Constitutionality, Forms and requirements, Control: Legislative, Judicial, Procedural, Sub-delegation, Judicial Functions of Administration- Need for devolution of adjudicatory authority on administration, Nature of tribunals - Constitution, powers, procedures, rules of evidence, Administrative Tribunals, Principles of Natural Justice: Rule against bias, Audi AlteramPartem, Reasoned decisions, Rules of evidence - no evidence, some evidence and substantial evidence, Institutional Decisions
(2Credit)

Unit - III:

Administrative Discretion- Need and its relationship with rule of law, Constitutional imperatives and exercise of discretion, Grounds of judicial review: Abuse of discretion, Failure to exercise discretion, Doctrine of legitimate expectations. Judicial Control of Administrative Action- Introduction, Court as the final authority to determine the legality of administrative action, Exhaustion of Administrative remedies, Locus standi, Laches, Res judicata, Judicial review and its extent. Methods of judicial review- Statutory appeals, Writs, Declaratory judgements and injunctions, Civil Suits for Compensation
(2Credit)

Recommended Books:

1. Principles of Administrative Law - M.P. Jain & S.N. Jain
2. Administrative Law - I.P. Massey

Suggested Readings:

1. Administrative Law - Wade
2. Lectures on Administrative Law - C.K. Takwani
3. Administrative Law - S.P. Sathe

Essential Case Law:

1. Ram Jawaya v. State of Punjab (AIR 1955 SC 549)
2. AsifHameed v. State of J & K (AIR 1989 SC 1899)
3. A.N. Parasoraman v. State of Tamil Nadu AIR 1990 SC 40, (Administrative discretion)
4. State of Punjab v. V.K. Khanna, AIR 2001 SC 343 (Mala fide exercise of power)
5. State of Bombay v. K.P. Krishnan AIR 1960 SC 1322 (irrelevant considerations)
6. ShrilekhaVidyarthi v. State of U.P. (AIR 1991 SC 537) (Reasonableness)
7. Delhi Laws Act case, AIR 1951 SC 332
8. LachmiNarain v. Union of India AIR 1976 SC 714 (Modification)
9. A.V. Educational Society v. Govt. of A.P. Educational Department (AIR 2002 A.P. 348) (Judicial Control of delegated Legislation)
10. M/s Atlar Cycle Industry Ltd. v. State of Haryana (Legislative Control)
11. GovindLalChagganLal Patel v. The Agriculture Produce Market Committee (AIR 1976 SC 236) (Procedural Control)
12. Kiran Gupta v. State of U.P. (AIR 2000 SC 3299) (Delegated Legislation)
13. Indian National Congress (1) v. Institute of Social Welfare (AIR 2002 SC 2158) (Classification of Administrative Action)
14. A.K. Kraipak v. Union of India (AIR 1950 SC 150)
15. HiraNath v. Rajendra Medical College (AIR 1973 SC 1260)
16. Maneka Gandhi v. Union of India (AIR 1978 SC 597)
17. S.N.Mukherjee v. Union of India (AIR 1990 SC1986)
18. KumaonMandalVikas Nigam Ltd. v. Girja Shankar Pant (AIR 2001 SC 24) (Natural Justice, Test of Bias)
19. State of U.P. v. Johrimal (AIR 2004 SC 3800) (Judicial Review) Johri Mal
20. SayedYakoob v. RadhaKrishan (AIR 1974 SC 477) (Writ Jurisdiction)
21. ShriAnadiMuktaSadguru Trust v. V.R. Rudani (AIR 1989 SC 1607) (Mondemus)
22. R.K. Singh v. Union of India (AIR 2001 Delhi 12) (Mandemm)
23. KanhaiyaLalSethia v. Union of India (AIR 1998 SC 365) (Judicial review cannot be on policy matters)

Recommendation for practical exposure:-

1. Three Leading Cases- Study and Analysis on Interpretation of Statutes.

(2 Credit)

Objective: The Objective of this paper is to focus on concept and classification of property as well as principles governing transfer of immovable property.

Unit-I: Concept of property – distinction between movable and immovable property, Transferability of property, Compartment transfer, Conditions restricting transfer, Definition of transfer of property, Transfer and non-transfer property, Transfer to an unborn person and rule against perpetuity, Vested and Contingent interest, Rule of Election

(2 Credit)

Unit-II: General Principles Governing Transfer of Immoveable Property- Transfer by ostensible owner, Rule of feeding grant by estoppels, Rule of Lispendens, Fraudulent transfer, Rule of part performance, Specific Transfers – I: Sale and gift, Mortgage and charge, Specific Transfer – II: Lease and License,

(2 Credit)

Unit-III: Easements: Essentials of Easements, Imposition Acquisition, Incidents, Disturbance, Extinction, Suspension and Revival of Easement, Licence. Difference between lease and licence.

(2 Credit)

Recommended Books:

1. Mulla D.F. – Transfer of property
2. H.N. Tiwari – Transfer of property Act
3. Joshi: The Indian Easements Act (Act V of 1882)

Recommendation for practical exposure:-

1. One Moot Court on Transfer of immovable property. (1 Credit)
2. Two Leading Cases- Study and Analysis on Property Law and Easement(1 Credit).

Dissertation

Credits-8

In this paper the students will be required to write a Dissertation on any current topic of legal importance as may be decided by the Law Department Committee. Each student will have to work under the supervision of respective supervisors.