University of Mumbai

No. AAMS_UGS/ICC/2023-24/18

CIRCULAR:-

Attention of the Principals of the Affiliated Colleges, the Head of the University Departments and Directors of the Recognized Institutions in Faculty of Interdisciplinary studies is invited to this office circular No. AAMS (UG)/60 of 2022-23 dated 28th June, 2022 relating to the revised syllabus of LL.B. (3years)(Sem-I to VI) and LL.B. (5yrs) Five Year Integrated Course (Sem -I to X)(CBCS).

They are hereby informed that the recommendations made by the Board of Studies in **Law** at its online meeting held on 12th July, 2022 and subsequently passed by the Board of Deans at its meeting held on 08th December, 2022 **vide** item No. 8.5 (N) have been accepted by the Academic Council at its meeting held on 06th April, 2023 **vide** item No. 8.5 (R) and that in accordance therewith, **the titles of the new codes in the syllabus of Labour Law and Industrial Relations I of Semester I/V and Labour Law and Industrial Relations II of Semester V/IX is included without any change in the topic for LL.B. 3 years and LL.B. 5 years programme. The change is necessitated by the recent act of the government in notifying them. The changes in the topic in the revised syllabus for LL.B. (3years) Sem – I to VI and LL.B. (5yrs) Five Years Integrated Course Sem – I to X (CBCS)** as per appendix has been brought into force with effect from the academic year 2022-23.

(The said circular is available on the University's website www.mu.ac.in).

(Prof. Sunil Bhirud)
I/c. REGISTRAR

MUMBAI – 400 032
26th June, 2023

To

The Principals of the Affiliated Colleges, the Head of the University Departments and Directors of the Recognized Institutions in Faculty of Interdisciplinary studies.

A.C/8.5 (R) /06/04/2023

Copy forwarded with Compliments for information to:-

1) The Dean, Faculty of Interdisciplinary studies,
2) The Chairman, Board of Studies **Law**,
3) The Director, Board of Examinations and Evaluation,
4) The Director, Board of Students Development,
5) The Director, Department of Information & Communication Technology,
6) The Co-ordinator, MKCL.

Copy for information and necessary action :-

1. **The Deputy Registrar, College Affiliations & Development Department (CAD),**
2. **College Teachers Approval Unit (CTA),**
3. **The Deputy Registrar, (Admissions, Enrolment, Eligibility and Migration Department (AEM),**
4. **The Deputy Registrar, Academic Appointments & Quality Assurance (AAQA)**
5. **The Deputy Registrar, Research Administration & Promotion Cell (RAPC),**
6. **The Deputy Registrar, Executive Authorities Section (EA)**
   He is requested to treat this as action taken report on the concerned resolution adopted by the Academic Council referred to the above circular.
7. **The Deputy Registrar, PRO, Fort, (Publication Section),**
8. **The Deputy Registrar, Special Cell,**
9. **The Deputy Registrar, Fort Administration Department (FAD) Record Section,**
10. **The Deputy Registrar, Vidyanagari Administration Department (VAD),**

Copy for information :-

1. **The Director, Dept. of Information and Communication Technology (DICT), Vidyanagari,**
   He is requested to upload the Circular University Website
2. **The Director of Department of Student Development (DSD),**
3. **The Director, Institute of Distance and Open Learning (IDOL Admin), Vidyanagari,**
4. **All Deputy Registrar, Examination House,**
5. **The Deputy Registrars, Finance & Accounts Section,**
6. **The Assistant Registrar, Administrative sub-Campus Thane,**
7. **The Assistant Registrar, School of Engg. & Applied Sciences, Kalyan,**
8. **The Assistant Registrar, Ratnagiri sub-centre, Ratnagiri,**
9. **P.A to Hon'ble Vice-Chancellor,**
10. **P.A to Pro-Vice-Chancellor,**
11. **P.A to Registrar,**
12. **P.A to All Deans of all Faculties,**
13. **P.A to Finance & Account Officers, (F & A.O),**
14. **P.A to Director, Board of Examinations and Evaluation,**
15. **P.A to Director, Innovation, Incubation and Linkages,**
16. **P.A to Director, Department of Lifelong Learning and Extension (DLLE),**
17. **The Receptionist,**
18. **The Telephone Operator,**

Copy with compliments for information to :-

19. **The Secretary, MUASA**
20. **The Secretary, BUCTU.**

AC – 06/04/2023
Item No. – 8.5 (R)

University of Mumbai

Revised Syllabus for

LL. B. (3 years) Sem – I to VI and LL. B. (5yrs)

Five Years Integrated Course Sem – I to X

(Choice Based Credit System)

(With effect from the academic year 2022-23)

University of Mumbai

Syllabus for Approval

Title of Course	L.L.B. (3 Years) L.L.B. (5 Years) Five Years Integrated Course
Eligibility	L.L.B. (3 Years) Graduation with minimum 45% and CET L.L.B. (5 Years) XII Board and CET
Passing Marks	40%
Ordinances/Regulations (if any)	
No. of years/Semesters:	3 Years/ 6 Semester 5 Years/ 10 Semester
Level:	~~P.G.~~ / U.G./ ~~Diploma / Certificate~~ (Strike out which is not applicable)
Pattern:	~~Yearly~~ / Semester (Strike out which is not applicable)
Status:	Revised / ~~New~~ (Strike out which is not applicable)
To be implemented from Academic Year :	From Academic Year 2022-2023

J. Sri Vidhya

Chairman,
Board of Studies

Faculty of Dean

Programme Objectives :

LL.B. (3 yrs) unitary professional law degree and LL.B. (5 yrs) integrated professional law degree programmes aim at offering quality, professional legal education in compliance with the Bar Council of India Legal Education rules, thus enabling the students who successfully complete these programmes to opt for enrolling themselves into the Bar and practice law.

General Instructions :

1. Wherever a statute is prescribed for teaching – learning unless specifically limited, the whole statute will be deemed to be prescribed.
2. Wherever a statute is prescribed for teaching – learning any amendment to that statute by the competent legislature if made, the syllabus will be deemed to include the amendment. The amendments that are law at the time of the commencement of the term in which the statute is to be taught – learnt shall be deemed to be part of the syllabus.
3. Teaching – learning of the courses shall include the relevant updated judicial precedents as well.
4. Evaluation shall be designed to effectualise the objectives.

UNIVERSITY OF MUMBAI

SYLLABI OF FIVE-YEAR INTEGRATED PROFESSIONAL LAW PROGRAM AND THREE YEAR UNITARY PROFESSIONAL LAW PROGRAM

UNDER CHOICE BASED CREDIT SYSTEM (CBCS)

Program: 5 Years Integrated Professional Law

First Year B.L.S LL.B

Semester: I

Course Title: English I

Course Code: **Credits: 4**

COURSE OBJECTIVES:

Language is an essential tool in legal profession. Competence in communication and a good vocabulary is essential for lawyers. The skills contemplated as essential to a lawyer are communication skills (both written and oral) as well as skills of comprehension (learning by reading and listening). This course primarily aims to give a functional knowledge of the language for the purpose of communication and comprehension in legal profession. This entails emphasis on both General English as well as English for legal purpose. The main focus of this course is on the use of English language for effective communication, reading, writing and speaking, for the purpose of understanding and transaction of legal learning and profession. The course aims to expose the students of law to literature texts with legal themes and inculcate in them the importance of ethics, new ideas and human sensitivity. Improve their reading skills with the use of literature texts in order to expand their vocabulary. The course aims to expand their speaking skills and pronunciation with activities such as speeches and elocution. The course aims to advance their grammar skills by improving their syntax and construction of sentences and enhance their writing skills with activities that are meant to train them in using this skill for various purposes, such as letters, reports, précis. Developing the ability to analyze literature texts is yet another objective of this course.

COURSE OUTCOMES:

After the completion of this course the student will be able to:

- Identify the different literature texts related to legal themes through the writings of various authors while simultaneously understanding the importance of ethics in legal issues and deal them with human sensitivity.
- Read efficiently and develop the vocabulary with the help of the prescribed texts.
- Develop the ability to speak grammatically correct sentences and with proper syntax.
- Write official communication through various related activities.
- Learn to critically analyse literature texts.
- Develop analytical skills and structure the foundation for legal writing.

Module 1

Law and Literature: Texts*

1. **The Merchant of Venice – William Shakespeare**
2. **Joseph Andrews – Henry Fielding**
3. **The Pickwick Papers – Charles Dickens**
4. **Adam Bede – George Eliot**
5. **Puddn'head Wilson – Mark Twain**

* Note: In order to improve reading skills students should be given tips and suggestions to improve their reading ability as the texts are being read.

*Note: For the text ‒The Merchant of Venice‖ by William Shakespeare, the abridged version can be used for explanation depending upon the aptitude of the students. However, for reference to context use the original text of the play.

Module 2

Law & Literature: Speeches & Essays*~~Marks allotted 25~~

2.1. Apology – Plato

2.2. Of Judicature – Francis Bacon

2.3.Some Reminiscences of the Bar – M.K Gandhi

2.4. Joy of Reading - A.P.J Abdul Kalam

2.5. Why the Indian Labour is Determined to Win the War – B.R. Ambedkar

* Note: In order to improve reading skills students should be given tips and suggestions to improve their reading ability as the texts are being read.

Module 3

Language Development —

3.1 Analytical Skill~~*~~

3.1.1 The Cop and the Anthem – O. Henry

3.1.2 Murder – Arnold Bennett

3.1.3 A Time to Kill – John Grisham Chapters 11 and 13

*Note**:** Students should be exposed to a critical analysis of the text with respect to its themes, character analysis and language. Students should also be made to read aloud to enhance their reading and pronunciation ability.

3.2 Oral Communication

3.2.1 Definition of oral communication, meaning and its importance*

3.2.2.Types of Oral Communication – Verbal Communication - Formal Speech (Oral & Written),

3.3.3 Elocution/Mock Trials/ Meetings*

Note:* Emphasis should be given to the theory related to oral communication.

* Students should be given exercises both written and oral, to build the respective skill.

Module 4

Language Enhancement

4.1 Written Communication

4.1.1 Types of written communication (New Addition)

4.1.2 Techniques/tips on effective letter writing Letter of Application*

4.1.1 Precis Writing (New Addition)

Note: * Emphasis should be given on internship application letters and e-mail correspondence

Note: Allocation of marks is to give an idea for the weightage to be given to the respective modules and sub-modules during paper – setting.

4.2 Grammar –

4.2.1 Verbs/Tenses – Activity*

4.2.2 Active/ Passive – Activity

4.2.3 Reported Speech – Activity

Note:* Students should be given exercises to be solved, regarding respective topics.

Recommended Resources:

1. Law & Literature – By ShakuntalaBharvani(Himalaya Publication)

2. Ambedkar B.R. *"Why the Indian labor is determined to win the War" Dr. B. R. Ambedkar: Writings and Speeches. Vol. 10 New Delhi: Govt. Of India, 2014.*

https://www.mea.gov.in/Images/attach/amb/Volume_10.pdf

3. M. K. Gandhi ―Some Reminiscences of the Bar‖ *The Law and the Lawyers Ed. S.B. Kher, Ahmedabad, Navjiwan Trust, 2004.*

https://www.lawyersupdate.co.in/legal-articles/some-reminiscences-of-the-bar/

4. A.P.J. Abdul Kalam, ‗Joy of Reading‖ *The Very Best of APJ Abdul Kalam – The Righteous Life, New Delhi, Rupa Publications, 2014.*

https://www.pdfdrive.com/the-very-best-of-apj-abdul-kalam-the-righteous-life-selected-writings-and-lectures-e184200535.html

5. Gopalswami Ramesh, Mahadevan Ramesh, ‗The Ace of Soft Skills‖

http://ieeecs-madras.managedbiz.com/pgms/2010/ace-ss.pdf

6. J.D. O'Connor, ‗Better English Pronunciation‖

https://f.english.ru/books/better-english-pronunciation.pdf

7. David A. McMurrey, Joanne Buckley, ‗Handbook for Technical Writing‖

8. Jeff Butter, ‗Soft Skills for Everyone‖

9. Wren & Martin, ‗High School English Grammar and Composition‖

10. Of Judicature – Francis Bacon, *Takahav, N. S. Bacon Essays, Mumbai, Karnatak Publishing House*

http://www.authorama.com/essays-of-francis-bacon-56.html

https://www.iilsindia.com/study-material/32600_1596909674.docx

11. ‒English for Law‖ by M A Yadugiri and GeethaBhasker, Foundation Books, Online publication date:October 2011, Print publication year:2005, Online ISBN:9788175968660

https://doi.org/10.1017/UPO9788175968660

12. A Time to Kill by John Grisham, Chapters 11 and 13, The Trial Begins and Ends, respectively

https://books-library.net/files/books-library.online-12272239Nh6T7.pdf (Approx. Page No 201)

13. Dr. K Alex, Soft Skills, Know yourself and know the world, S. Chand Publication, 2009

I4. Jeremy Comfort, Pamela Rogerson, Trish Stott & Derek Utley, Speaking Effectively, Cambridge University Press, 1984.

PROGRAM: 5yr Integrated Professional Law

First year BLS LLB

Semester: I

Course Title: LOGIC - I

Course Code: **Credits: 4**

Course Objectives:

This course is introduced in the First year of the Five-year Integrated Law Program to familiarize students with the basic principles of reasoning. Logical principles is integral to human reasoning but we are unable to spell it out appropriately. This course **i**ntroduces the student to logical reasoning, deductive and inductive reasoning and the basic concepts of logic such as arguments and its kinds, sentence, proposition, truth and validity. It aims to familiarize the students with nuances of language and its use in Law. It will help the students to understand and apply the Aristotelian classification of propositions, Boolean interpretation, immediate inference based on the square of opposition and kinds of Eductions. The course aspires to develop critical thinking, analytical skills and intents to enhance the student‘s ability to judiciously evaluate real life situations.

Course Outcome:

After completing this course, students will be able to:

- Apply conceptual knowledge to differentiate between good and bad reasoning.

- Elucidate the implication of terms and propositions in inference and arguments.
- Examine words and classes with conceptual clarity.
- Evaluate patterns of reasonings.
- Significantly analyze situations with augmented reasoning proficiency.

MODULE - 1

Introduction to Logical and Legal Reasoning

1.1. Traditional and Modern definitions of Logic.

1.2. Analysis of arguments - Purpose, Content, language, structure / form.

How to identify, evaluate, interpret and construct argument.

1.3 Basic features of Inductive and Deductive reasoning and their uses in Courts.

1.4 Some basic logical concepts – Truth, Validity, Inference, Implication.

1.5 Three Theories of Truth (Western perspectives).

1.6 Laws of Thought.

1.7 Terms: Meaning of Terms – Connotation and denotation of terms – positive and negative terms, contrary and contradictory terms.

1.8 Induction- Simple Enumeration as a form of induction.

1.9 Analogy – characteristic of a good and bad analogy. Its use in law – circumstantialevidence.

MODULE - 2

Propositions

2.1 Distinctions between – proposition and sentence, proposition and judgment, proposition and fact, constituent and component.

2.2 Traditional classification of proposition into categorical and conditional four –fold classification.

2.3 Reduction of sentences to their logical forms.

2.4 Distribution of terms in A, E, I, O propositions.

2.5 Failure of Traditional classification propositions.

2.6 Modern classification of Propositions - Aim of modern classification, Kinds of simple and compound propositions and basic truth tables for compound propositions.

2.7 General propositions in Modern logic – universal and existential propositions.

2.8 Comparative Study of Traditional and Modern Classification of Propositions.

2.9 Distinction between the traditional and modern general propositions.

2.10 Meaning of predication with special reference to the copula.

MODULE - 3

Inference

3.1 Inference & kinds of Inference - Immediate and mediate.

3.2 Opposition of proposition – types of opposition – inference by Opposition of propositions- oppositions of singular proposition

3.3 Eduction& types of Eductions. [Conversion, Obversion, Obverted Converse, Contrapositive (Partial and Full), Inverse (Partial and Full)

3.4 Other immediate inferences- material obversion, Inference by Added Determinants, Inference by Complex Conception & Inference by Converse Relation.

MODULE - 4

Definition And Logical Division

4.1 Definition purpose.

4.2 Traditional Définition - _rules and fallacies‘

4.3 Modern Definitions – Kinds - Methods and purpose.

4.4 Definition and Law -Précising definition with special reference to specific definition – private and public nuisance (Law of Torts), consent (Law of Contract),medical negligence.

4.5 Division- Logical division – rules and fallacies of division – Division by Dichotomy. (Kinds of evidence)

Introduction to Wigmorean analysis - fact management *

Recommended Resources:

1. Introduction to Logic – K. T. Basantani – Seth Publication. (11th Edition)
2. An Introduction to Logic – Irving Copi (Ninth edition)
3. A concise introduction to logic - Patrick J. Hurley & Lori Watson (13th Edition), 2016.
4.* Legal Method bySharon Hanson Publication- Cavenish Publishing Limited, London , United Kingdom Page no 157 -164) How to identify, evaluate, interpret andconstruct argument (Page no -177-192)

5. https://iep.utm.edu/truth/#H3 (Theories of Truth)

PROGRAM: 5yr Integrated Law

First year B.L.S /LL.B

Semester: I

Course Title: Economics

Course Code: **Credits: 4**

Course Objectives:

The Course aims to help students to understand the basic concepts, tools of analysis and terminology used in economics. The course inculcates theoretical basis and practical application of microeconomics and macroeconomics. Further the course facilitates understanding past events of economy and accordingly predict future policies. This course will ensure that the students comprehend financial markets and the real economy, and how these linkages influence the impact of economic policies over differing time horizons and understand public finance issues, amendments in various related acts from time to time and the working of the international economic laws and their evolutionary and historical aspects.

Course Outcomes:

After completing this course, the students will be able to -

- Understand the basic concepts, tools of analysis and terminologies used in economics, to facilitate their understanding of various legal phenomena.
- Recognize the difference between microeconomics and macroeconomics with the help of various concepts and laws of economics.
- Integrate theoretical knowledge with quantitative and qualitative evidence in order to explain past economic events and to formulate predictions on future ones to study
- Bridge gap between financial markets and the real economy, and how these linkages influence the impact of economic policies over differing time horizons. Illustrating the inter linkages between case laws, legislations and contemporary issues.
- Relate the functioning of financial markets in the emerging context of deregulation, privatization and globalization of markets.
- Analyze the various concepts and issues related to public finance in India. Understand the meaning, formulation and working of the international economic laws and their evolutionary and historical aspects.

Module I

Foundation of Economics

1. The Nature and Significance of economic science and its relevance to law, Difference between Micro and Macro Economics, Positive economics and Normative economics
2. Law of demand, Elasticity of Demand and Law of supply
3. Market structure- Features of Perfect Competition, Monopoly, Monopolistic Competition and Oligopoly
4. Circular Flow of Income

5. National Income and its measurement (GDP, NDP,GNP, NNP, PCI, GVA, Green GDP)
6. Trade Cycles-Phases

Module II

Indian Economy

1. Salient features of Indian Economy and Structural changes
2. Causes of Low Agricultural Productivity and Government measures to improve its productivity
3. Poverty- Poverty Line, Causes and its alleviation strategies
4. Population- Size and composition, Causes of high growth and Demographic Dividend
5. NITI Aayog- Structure and Functions
6. Food Security and recent trends
7. New Industrial Policy,1991
8. Micro, Small and Medium Enterprises (MSMEs) – Problems and Policies

Module III

Financial Markets and Fiscal System

1. Indian Money Market- Features and recent trends
2. Indian Capital Market- Features and Growth
3. Measures of Money Supply in India
4. Indian Tax Structure- Direct and Indirect Taxes
5. Sources of Public Revenue
6. Public Expenditure- Classification and Causes of growth of Public Expenditure
7. Intergovernmental Fiscal Relations in India- Centre- State Fiscal Relationship and Finance Commission

Module IV

External Sector

1. Structural changes in India‘s foreign trade since1991
2. Balance of Payments- Structure and Disequilibrium
3. WTO, SAARC,BRICS
4. Commercial trade policy

Recommended Resources:

1. H. L. Ahuja – Advanced Economic Theory, Publisher- S. Chand, New Delhi, India.
2. Robert S. Pindyck and Daniel L. Rubinfeld, Microeconomics, Publisher- Pearson, Delhi, India.
3. D. N. Dwivedi- Macroeconomics- Theory and Policy, Publisher- McGraw Hill Education, India.
4. H. L. Ahuja – Macroeconomics- Theory and Policy, Publisher- S. Chand, New Delhi, India.
5. Ramesh Singh- Indian Economy, Publisher- McGraw Hill Education, India.
6. V. K. Puri and S. K. Misra- Indian Economy, Publisher- Himalaya Publishing House, Mumbai, India.
7. Editorial Board Pratiyogita Darpan, Pratiyogita Darpan Extra Issue series- General Studies Indian Economy, Publisher- Upkar Prakashan, Agra, India.
8. L. M. Bhole and Jitendra Mahakud- Financial Institutions and Markets, Structure, Growth& Innovations, Publisher- McGraw Hill Education, India.
9. Publications available onhttps://www.rbi.org.in/

1. **Richard A. Musgrave and Peggy B. Musgrave- Public Finance in theory and practice,**
a. Publisher- McGraw Hill Education, International Edition, 1989.
1. M. L. Jhingan- International Economics, Publisher- Vrinda Publications (P) Ltd., New Delhi, India.
1. Francis Cherunilam- International Economics, Publisher-Tata McGraw-Hill Publishing Company Limited, New Delhi, India.

1.H. L. Bhatia- Public Finance, Publisher- Vikas Publishing House Pvt. Limited,

NewDelhi, India

PROGRAM: 5yr Integrated Professional Law

First year B.L.S LL.B

Semester: II

Course Title: History

Course Code: **Credits: 4**

Course Objectives:

The Course aims to provide a historical background of Indian freedom struggle and constitutional developments. The course further helps to understand the change in the system of administration and governance after the second half of the 18th century, conditions that ushered in modern Judiciary system started in India since the Company's Rule, the major

developments in Education, Press, Local self- government and Civil Services, the Social and Religious reform movements in India.

Course Outcome:

After completing this course students will be able to:

- Identify the various Charter Acts which helped in changing the structure of administration and the conditions that led development of modern Judiciary.
- Critically evaluate the various developments in field of Civil service, Education, Local Government which lead to various social reform movements and made people aware about their basic rights.
- Appreciate India's freedom struggle and contribution of freedom fighters and various constitutional developments.

Module 1

Administration of East Indian Company and the Revolt of 1857

1. **Charter Acts from 1773 to1853.**
2. **Causes of Revolt of1857.**
3. **Consequences of Revolt with special reference to Queens's Proclamation and Act for the better Government of India.**

1.4. Indian Council Act of1891.

Module 2

Major developments in India and Social Reform

2.1. Education

2.1.1. Charter Act of1813.

1. Macaulay's Minute of 1835.

1. Wood's Despatch of 1854.

1. Hunter Education Commission (1882).

1. 5 Indian Universities Act, 1904.

2.2. Press

2.3. Civil Services

1. **Socio-religious reform movements with special reference t**o-

2.4.1. Emancipation of women.

2.4.2. Upliftment of Depressed Classes.

Module 3

Freedom Struggle and Constitutional Developments (1885-1935)

1. Establishment of the Indian National Congress and the work of Moderates (1885-1905).

2. Indian Councils Act of1892.
3. Rise of Extremists and Partition of Bengal (1905).
4. Indian Councils Act of 1909.
5. August Declaration (1917) and Montague-Chelmsford Report (1918).
6. The Government of India Act 1919 and its consequences.
7. Simon Commission (1927), Nehru Report (1928) and Round Table Conferences.
8. Civil Disobedience Movement and Government of India Act, 1935.

Module 4

Partition and Post-Independence India

1. **Cripps Mission(1942), Cabinet Mission Plan (1946) and the Indian Independence Act (1947).**
2. **Genesis and Growth of Communalism and Partition of India.**
3. **Integration of Indian States and Kashmir Issue.**
4. **Making of the Constitution -CAD: Constituent Assembly Debates**
5. **States Reorganization.**
6. **Economic Planning and Mixed Economy-**
    a. Five Year Plans during the Nehru Era
    b. Mixed Economy(overview)

4.7 Land reforms-

c. Zamindari Abolition and Tenancy Reforms
a. Ceiling and the Bhoodan Movement(overview)

Recommended Resources:

1. Banerjee, Anil Chandra - Constitutional History of India Vol. II(1858-1919)
2. Bipan Chandra, Mridula Mukherjee, Aditya Mukherjee – India Since Independence
3. Mahajan, V.D. - Modern Indian History.
4. Majumdar, R.C., Raychaudhari, H.C. Datta, Kalikinkar- An Advanced History of India.
5. Pylee, P.V. Constitutional History of India(1600-1930)
6. Sarkar, Sumit – Modern India

PROGRAM: 5yr Integrated Professional Law

First Year B.L.S LL.B

Semester: II

Course Title: Legal Language and Writing

Course Code: **Credits: 4**

Course Objectives:

The course aims at introducing to the students the meaning of law, its sources and classification. It seeks to familiarize them with legal communication, terminology, legal texts, analysis of statutes and emerging trends in law. This course further aims to increase student‘s comprehension of case laws and judgments and create awareness about socio legal issues with changing times. Overall, this course strongly aspires to equip students with foundational notions, conceptions and understanding of law.

Course Outcomes:

After completing this course students will be able to:

- Define law and identify different sources of law, kinds of laws and various legal concepts.
- Explain and identify legal terminology in legal texts and judgments.
- Identify facts of a case and legal rules.
- Understand and compare the emerging trends in law in global context with special reference to information technology, artificial intelligence, social media, etc

Module I

1. Meaning of Law, Rules, Regulation and Policy
2. Sources of law - custom and treaty, legislation, precedent
3. Legal Writing- Language and Law- Characteristics of Legal Language
4. Case analysis and case briefs-relevant Indian case laws*

1.5 Understanding a Statute and Statutory Analysis*: Information Technology Act, 2000

Module II

2.1. Legal Concepts: Justice, Bar and Bench, duty, right, wrong, Remedy, Fact, Jurisdiction Person, Offence, bail, damage, compensation, trial, petition

2.2 Extracts from important judgments:

Head Note, abbreviations jurisdiction, judges, statutes, international conventions, Bye - law, rules, regulations, notices, notifications, if any with reference to the following:

Case laws:

i) Supreme Court of India Maneka Gandhi vs Union Of India on 25 January,1978

ii) Ratlam Muncipality vs Vardichand and Ors. [29 July, 1980]

2.3.1 Trial of Bal Gangadhar Tilak under Section 124A and 153A of the India Penal Code.
2.3.2 The Nanavati Trial.
2.3.3 Trial of Derek Chauvin [George Floyd Case]

Module III

Selected readings:

3.1 Learning the Law: Chapters: 1.The Divisions of the Law;
6. Case Law Technique
7. The Interpretation of Statutes

3.2 Discipline of Law: Part Three
3.3 Games Lawyers need to play -Understanding Moot Problems and Memorials
3.4 Introduction to important constitutional provisions – Reservation, Uniform Civil Code

Module IV

4.1 Introduction to technology and communication –
i) Internet and jurisdiction Policy Network
ii) Introduction to Social Media
iii) Social media and freedom of speech and expression
4.2. Artificial Intelligence and future of legal profession
4.3 Virtual Courts and E-Courts in India

<u>Recommended Resources</u>:

1. Legal Writing and Legal Method by John.C .Derbach, and others; Publication Wolters Kluwer, Indian Reprint 2011
* Chapter -3 Legal Writing and Legal Method]
2. Legal Method by Sharon Hanson (page no: 21-30)]Cavendish Publication
*[Chapter -8 Legal Writing and Legal Method]
3. Language in the Law edited John Gibbons and others, Publisher: Orient Longman.
4. Learning the Law by Glanville William, Publishers: Sweet and Maxwell, South Asian Edition
5. Discipline of Law by Lord Denning: Part Three [pages 113 to 144]
Publisher: Lexis- Nexus, Butterworths
6. Games Lawyer need to Play – Moot Problems and Memorials, Publisher: Chronicle Books, New Delhi
7. Trial of Independence, Author B. R. Agarwala, Publisher: National Book Trust, India.

8. Trials of Tilak

Author Publisher: The Director, Publication Division, Ministry of Information and Broadcasting, Government of India. Judgment reported in AIR 1922 BOM 112.

7. https://indiankanoon.org › doc
i).K. M. Nanavati vs State Of Maharashtra on 24 November, 1961
ii) Ratlam Municipality vs Vardichan and Ors. on 29 July, 1980
Equivalent citations: AIR 1980 SC 1622, 1980 CriLJ 1075,
iii) Maneka Gandhi vs Union of India on 25 January, 1978
iv) Constituent Assembly Debates

8.https://www.clayton-legal.co.uk/blog/artificial-intelligence-and-the-future-of-law-firms-73428114913
9.https://legal.thomsonreuters.com/en/insights/articles/ai-and-its-impact-on-legal-technology

PROGRAM: 5yr Integrated Professional Law

First year B.L.S LL.B

Semester: II

COURSE TITLE: Political Science-I

Political Theory and Political Organisation

COURSE CODE: **CREDITS: 4**

Course Objectives:

The importance of study of Political Science is well reflected in the process of making Law. The course aimsto assist students to understand the concept of State as a Sovereign Political entity and exercise of power by government within a political system. The course aims at facilitating comprehension of the various forms of Government with reference to select case studies and the vital role of Judiciary in upholding the Supremacy of the Constitution. It intends to explore the basis of Representation and the Electoral System in India. Overall, the course aspires to instil the ability to critically analyse and to substantially form argument on key issues about state, politics and democracy.

COURSE OUTCOMES –

At the end of this course, students will be able to:

- Identify the constituent elements of the State and the relationship between State and Government.
- Critically read and analyse the ideas of political theorists.
- Identify the characteristic features of different Governments and apply the learnings from the course to understand the concrete problems of the world.
- Evaluate and analyse the role of Judiciary.

- Demonstrate an understanding of the methods of representation and the right to franchise in modern democracy with special reference to the working of the Indian Electoral System.
- Write with clarity on contemporary developments related to course content.

MODULE 1

State and Sovereignty in Political Theory

1.1 The Concept of the State- Meaning and Definition

1.1.2. State as a Community of Persons.

1.1.3. State as a Politically Organized Society within a Defined Territory.

1.1.4. State as the only Sovereign entity with a single Government.

1.1.5. Definitions of State.

1.1.6. Constituent Elements of State and importance of each Element.

1.1.7. Comparative Study- State and Government, State and Society, State and Association.

1.2 Sovereignty as the Basic Element of the State.

1.2.1 Meaning and Definition of Sovereignty.

1.2.2 Two Aspects of Sovereignty: Internal and External.

1.2.3 Essential Characteristics of Sovereignty

1.2.4 The Notion of Legal Sovereignty, Political Sovereignty and Popular Sovereignty

1.2.5 History of the Development of the Concept of Sovereignty

1.2.6 Contribution of Jean Bodin, Hugo Grotius, Jeremy Bentham

1.2.7 Social Contract/Consent Theory. (Hobbes, Locke and Rousseau)

1.2.8 John Austin‘s Theory of Sovereignty.

MODULE 2

Government as a Concept in Political Theory

2.1 Main Currents of Western Political Thought on Statecraft

2.1.1 Plato‘s Ideal State as given in _The Republic‘ - Concept of Philosopher King.

2.1.2 Machiavelli‘s view on Statecraft- Advices to Prudent Prince in_The Prince‘

2.1.3 Aristotle‘s Classification of Governments

2.2 Modern Classification of Government

2.2.1 .Unitary and Federal Government (Meaning and Definition, Features, Merits and Demerits and Comparative Study)

2.2.2 . Quasi- Federal State, India as a Quasi-Federal State

2.2.3. Parliamentary and Presidential Government (Meaning and Definition,Features, Merits and Demerits and Comparative Study)

MODULE 3

Organization of Government

3.1 Theory of Separation of Powers

3.1.1. Montesquieu‘s Theory of the Separation of Powers

3.1.2 Liberal Interpretation with Checks and Balances

3.1.3. Application of the Doctrine of Separation of Powers in the US and India (Specified)

3.1.4 Evaluation of the Doctrine of Separation of Powers

3.2 Judiciary as an Organ of the Government

3.2.1. Role and Functions of Judiciary

3.2.2. Three Methods of Appointments of the Judges-

3.2.3. Election by the People, Election by the Legislature, Nomination by the Executive.

3.2.4. Importance of Independence of Judiciary- Measures to ensure Independence of Judiciary

3.2.5. Rule of Law and Judicial Review, Judicial Review in India and the USA- a comparative study

3.2.6. Basic Structure Case (Specified) ParliamentaryPower to amend the Constitution and Fundamental Rights

Four Landmark cases – AK Goplan, Shankari Prasad, Sajjan Singh, Golakath and Keshavananda Bharati – Main Features.

3.3 Parliamentary Sovereignty

3.3.1. Meaning and Nature of Parliamentary Sovereignty

3.3.2. Parliamentary Sovereignty in India and its Limitations.

3.3.3. Parliamentary Sovereignty in the United Kingdom and Contemporary Challenges.

MODULE 4

Representation

4.1 Concept of Representation

4.1.1. Role of the Representative

4.1.2. Universal Adult Suffrage

4.1.3. Women Enfranchisement- Arguments for and against- Fight for Women Suffrage in USA

4.1.4. Challenges to Women Representation in India.

4.2 Bases of Representation

4.2.1 Territorial Representation- Single Member Constituency and Multi Member Constituency

4.2.2 Functional Representation and its difficulties

4.2.3 Minority Representation

4.2.4 Proportional Representation- Hare Plan or the Single Transferable Vote and the List System

4.2.5 The System of Plural Voting

4.3 Electoral System in India

4.3.1. Composition of the Election Commission of India (ECI)

4.3.2. Powers and Functions of the ECI, Autonomy of ECI

4.3.3. Social Media's influence on Elections in India

4.3.4. ECI Scrutiny on Social Media

Recommended Resources:

1. Asirvatham, E. (1971), Political Theory, Lucknow, Upper India Publishing House
2. Barker, E. (1956), Principles of Social and Political Theory, London: Oxford University Press
3. Bhargava, R. (2008) _What is Political Theory', in Bhargava, R and Acharya, A.(eds) Political Theory: An Introduction, New Delhi: Pearson Longman
4. Gokhale, B.K. (1994), Political Science (Theory and Government Machinery), Mumbai: Himalaya Publishing House
5. Jayal, N.G. and Mehta, P.B. (eds.) (2010), The Oxford Companion to Politics in India, New Delhi: Oxford University Press.
6. Laxmikanth, M. (2016) Indian Polity for Civil Services Examinations, New Delhi: Tata McGraw Hills
7. McMillan, Allistar. (2010) The Election Commission, in Jayal, N.G. and Mehta, P.B. (eds.) (2010), The Oxford Companion to Politics in India, New Delhi: Oxford University Press.
8. Mukherjee, S. and Ramaswamy, S. (2015), A History of Political thought: Plato to Marx, Delhi: PHI Learning Pvt. Ltd.
9. Ramaswamy, S. (2003), Political Theory – Ideas and Concepts, 2nd ed., New Delhi: PHI Learning Pvt. Ltd.
10. Rathore L.S. and Haqqi S.A.H. (2002), Political Theory and Organisation, Lucknow: Eastern Book Company.

11. Sabine, G. H. (1973), A History of Political Theory. New Delhi: Oxford and IBH Publishing

Suggested Web Links: https://www.fjc.gov/sites/default/files/trials/Anthony%20Teacher%20Handout.pdfhttps://www.parliament.uk/about/how/role/sovereignty/

PROGRAM: 5yr Integrated Law

Second Year B.L.S /LL.B

Semester: III

Course Title: Sociology

Course Code: **Credits: 4**

Course Objectives:

This course provides a comprehensive understanding of society, its structure, institutions, social behavior and wide understanding of topics that affects people on local, national and international level. Law is born in the society and it is a tool to control and regulate the society. The course provides an interdisciplinary approach to analyse and interpret the law, the legal phenomenon, the relationship between these two and also their relationships with the society. To briefly introduce social research as a means of understanding social reality. Overall, this course aspires to provide intrinsic understanding of correlation, connection and association of law and society in order to augment to students' ability to study law in the social milieu.

Course Outcomes:

After completing this course, students will be able to:

- Apply sociological concepts, terms and theories to the processes of everyday life.
- Analyze and draw critical links between social structures, social forces and individual circumstances.
- Apply the knowledge of society, social research methods in social planning, finding causative factors of a social problem and solutions and thus bring change in society.
- Students will learn sociological understanding of causes and effects of crimes and deviant behavior in society.
- Apply sociological knowledge in interpretation of Law.

Module 1

Introduction to Sociology

1. **Meaning and Definition**
2. **Nature and Scope of sociology- Specialistic and synthetic schools.**
3. **Relevance of Sociology to Law**
4. **Theoretical Perspectives- Evolutionary, Functionalist, Conflict, Social Exchange theory, Symbolic Interaction, Post Modernism.**
5. **Basic concepts-**

1.5.1 Society (Meaning & Characteristics, Types of Society, Pluralistic Nature

of Indian Society- Linguistic, Regional, Ethic & Cultural Pluralism)

1.5.2. Social groups (Meaning & Characteristics, Types of & Groups

Primary & Secondary, In-group & Out group, Organized & Unorganized groups, Reference groups)

1.5.3. Norms, Values, Community, Associations, Institutions, Status andRole,

Socialization, Culture, Social structure and Social system.

1.6. Social Institutions-

1.6.1 Marriage (Meaning, Functions of Marriage, Forms of

Marriage, Recent Trends of Marriage)

1.6.2 Family - Meaning, Functions of Family, Theories of Origin ofFamily, Types of Family, Changing Patterns of Family

1.6.3 Kinship (Meaning, Types of Kinship, Degrees of Kinship,Kinship Usages, Kinship & Descent)

1.6.4 Political Parties and Voting Behavior, Pressure group, Welfare State

1.6.5 The concept of Economic system, Social Importance of Work and Occupation, mechanization of Work and the Decline of Traditional Skills, Property, Division of Labor as a socio- economic system, Social Consequences of Division of Labor, Work &Alienation, Capitalism and Socialism as forms of Economy Jajmani System, Social Determinants of Economic Development

1.6.6 Definition & Characteristics of Religion, Social Functions of Religion, Structural aspects of Religion, Theories of Origin of Religion, Organization of Religion- Church, Denomination, Sect Cult

1.6.7 Media -Meaning, Characteristics, Functions, Mass media andits impact

1.7 Social Stratification- caste, class, sex and gender, race andethnicity.

Module 2

Crime, Deviance, Disorganization and Social Control

2.1 Crime and Social Deviance

2.2 Social Disorganization

2.3 Social Control- Meaning and Purpose, Types of social control-formal and informal

Module 3

Social Processes and Change

3.1 **Social Processes-** Competition, Conflict, Accommodation, assimilation, tolerance, compromise, super-ordination and subordination, integration, isolation etc

3.2 **Change- Social change** -

3.2.1. Meaning, Characteristics, factors or causes of social change,processes of social change (Westernization, Modernization, Industrialization, Sankritisation, Liberalization, Globalization)

3.2.2. Theories of social change : Evolutionary Theories, CyclicalTheories, Functionalist Theories, Conflict Theories)

3.3 **Social Research**- Nature and Purpose, Types of methodology – comparative, descriptive, diagnostic, exploratory, experimental.

3.4 **Research methods –** documentary, empirical and survey method

3.5 **Tools of data collection-** observation, interview, questionnaire and schedule, 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.

Module 4

Law, Society and Social Thought

4.1 Relation of law and society

4.2 Law and social change

4.3 Sociology of legal profession

4.4 Legal Pluralism

4.5 Contributions of Classical Social Thinkers-

4.5.1 August Comte: Positivism, Law of three stages, Social Staticsand Social Dynamics.

4.5.2 Emile Durkheim: Theory of Religion, Theory of Suicide,Division of Labour and Social Solidarity.

4.5.3 Karl Mar: Historical and Dialectical Materialism, Theory ofSocial Class, Theory of Social Conflict, Alienation

4.5.4. Max Weber: Social Action and types, Power and Authority, Protestant Ethics and the Spirit of Capitalism,Bureaucracy

Recommended Resources:

1. Haralambos & Holborn Sociology: Themes And Perspectives, London : Collins 8th Edition
2. Bhushan, V., and Sachdeva, D. (1961). An Introduction to Sociology (edition) Kitab Mahal Publishers
3. Shankar Rao, C N (1990). Sociology. 7th revised edition. S Chand & Company Pvt. Ltd.
4. Shankar Rao, C N Sociology of Indian Society. Revised Edition. S Chand & Company Pvt. Ltd.
5. Ahuja Ram, Research Methods (2001). Rawat Publications
6. Ritzer George, Sociological Theory. 8th Edition. McGraw Hill
7. Oommen T.K and Venugopal C.N. Sociology for Law Students. Eastern Book Company
8. OommenT.K and Mukherji P.N. Indian Sociology: Reflections and Introspections (1986). Popular Prakashan
9. Dev Indra. Sociology of Law. (2009) Oxford India Paperbacks
10. Galendar Marc. Law and Society in Modern India
11. Deflem Mathieu. Sociology of Law: Visions of a Scholarly Tradition. (2008). Cambridge University Press

PROGRAM: 5yr Integrated Professional Law

Second Year B.L.S /LL.B

Semester: III

COURSE TITLE: Political Science-II - Foundations of Political Obligation

COURSE CODE: **CREDITS: 4**

TEACHING SCHEME:

Course Objectives:

The significance of the study of Foundation of Political Obligation is to acquaint students with the conceptual theories of Power, Authority and Legitimacy. Students will understand and problematize the idea of political obligation and the views of different thinkers and practitioners on the right to resistance. The course seeks to enable comprehension of the philosophical underpinnings and identification of the features of various theories of punishment and analysis of their implications. It will provide a comparative understanding of various political ideologies and influences on the Constitution of India .This course aims to enhance the comprehension of the vital role of political entities like political parties and interest groups, the working of democracy in India in the context of decentralisation model at grassroots level: Rural and Urban.

COURSE OUTCOMES –

After completing the course students will be able to:

- Recognise the working of Power, Authority and Legitimacy within an actual Political System.
- Evaluate and analyse the basis of Political Obligation and the importance of Right to Resistance with the help of select case studies.
- Deliberate over the ideas of various thinkers on the forms of Punishment and its real life effects both Positive and Negative on the society.
- Critically read and analyse major Political Ideologies, their impact on various provisions of the Constitution of India.
- Elucidate select views of different thinkers and main constitutional provisions regarding the decentralisation model of Indian Democracy at the local level.

FOUNDATIONS OF POLITICAL OBLIGATION

MODULE 1

Power, Authority and Legitimacy

1.1. Power as a concept in Political Science

1.1.1 Meaning and definitions of Power

1.1.2 Exercise of political power and role of the Government in decision making

1.1.3 External influences on Exercise of Political Power

(Role of Interests groups, Lobbying as a technique, Examples from India and the USA)

1.1.4. Theories of Power- Elite theory and Marxist theory of Power (Specified)

1.2 Authority as a Concept in Political Science

1.2.1 Meaning and Features of Authority - De jure and De facto Authority

1.2.2 Max Webber‘s Classification of Authority

1.2.3 Sources – How is Power legalised?

1.3. Comparative Study – Power and Authority (Specified)

1.4. Legitimacy - Concept and Relevance of Legitimacy in the Exercise of Political Power

MODULE 2

Political Obligation - State Authority and Citizen

2.1. Concept of Political Obligation

2.1.1 Command and Obedience Relationship

2.1.2 Grounds of Political Obligations-Why do people obey laws?

2.1.3 D.D. Raphael‘s views on Political Obligation.

2.2. Theories of Political Obligation

2.2.1. Divine Right Theory of Kings, Social Contract/ Consent Theory, Theory of Force,

2.2.2. Theory of Prescriptive Possession, Views of Karl Marx (Specified)

2.3. Problems of Obedience to Unjust Laws

2.3.1. What is Unjust Law?

2.3.2. Right to Resistance and Dissent – T.H. Green, M. K. Gandhi, Harlod Laski, Martin Luther King Jr and Nelson Mandela (New)

2.3.3 Satyagraha – Gandhian Technique of Resistance against Unjust Laws

2.4. Punishment – Objectives, Justification and Deviation

2.4.1 Responsibility of the Modern State to Punish

2.4.2 Philosophical underpinnings: Kant‘s Retributivism, Jeremy Bentham‘s Utilitarian

2.4.3 Justification of Punishment

2.4.4 Deterrent, & Preventive approaches

2.4.5 Gandhian thought on Reformative Approach to Punish

2.4.6 Implicit Biases in the Justice Delivery System , Social Injustice and Social Inequality

2.4.7. Ethnic profiling in the European Union and US ,Case Study- Black Lives Matter Movement

MODULE 3

Political Ideologies

3.1. Liberalism

3.1.1. Meaning and Definition, Basic Principles, Arguments in Favour and Against. Shift from Negative Liberty to Positive Liberty (Classical and ModernLiberalism)

3.1.2. J.S Mill views on Liberty – Influence on Indian Constitution

3.2 Utilitarianism

3.2.1 Meaning and Definition, Basic Principles, Arguments in Favour and Against.

Jeremy Bentham‘s Views and J.S Mill‘s Modification of Benthamite Utilitarianism

Comparison to Sarvodaya (Specified)

3.3. Socialism

3.3.1 Meaning and Definition, Basic Principles, Arguments in Favour and Against.

Influence on Indian Constitution

3.4. Communism

3.4.1 Basic Principles and Evaluation of Communism

3.4.2 Comparative Study of Socialism and Communism (Specified)

3.4.3 Comparative Study of Gandhism and Communism (Specified)

MODULE 4

Indian Democracy at Work

4.1. Significance of Political Parties in India

4.1.1. Political Parties -Meaning, differences between Political Parties andInterest Groups

4.1.2. Features of Political Parties in India

4.1.3. Coalition Politics and Future of Multi- Party System in India

4.2. Political Legitimacy and Democracy

4.2.1. Democracy and the Consent of the Governed

4.2.2. Conditions Essential for the Success of Democracy

4.2.3. Ethical Decay of Democracy

4.2.4. Challenges to Indian Democracy – Old and New

4.3 Democratic Decentralisation and Local Governments

4.3.1. Beginnings - Gandhian Gram Swaraj and Dr Ambedkar‘s Views Decentralisation

4.2.2. Key features of Article 40, 73rd and 74th Constitutional Amendments Gram Sabha and Participatory Democracy

4.3.3. Implications for gender and social inclusion- Promises & Limitations

Recommended Resources:

1. Appadurai, A. (2021) How to kill a democracy. Social Anthropology https://doi.org/10.1111/1469- 8676.13041
2. Austin, G. (1999) Indian Constitution: Corner Stone of a Nation, New Delhi: Oxford University Press.
3. Bachrach, P. and Baratz, M. (1962) Two Faces of Power. *American Political Science Review*, 56(04), pp.947-952.
4. Basu, D.D (2005), An Introduction to the Constitution of India, New Delhi, Prentice Hall.
5. Berry, N. (1981), An Introduction to Modern Political Theory, London: Macmillan.
6. Dalton, D. (2012). Mahatma Gandhi: Nonviolent Power in Action, New York: Columbia University Press
7. Gauba O.P. (2009), An Introduction to Political Theory, New Delhi: Mac Millan

8. Gokhale B. L. (1994), Political Science (Theory and Government Machinery), Mumbai: Himalayan Publishing House.
9. Heywood, A. (1992). Political Ideologies: An Introduction, 6 ed., London: Palgrave MacMillan
10. Jayal, N.G. and Mehta, P.B. (eds.) (2010), The Oxford Companion to Politics in India, New Delhi: Oxford University Press.
11. Laxmikanth M. (2016) Indian Polity for Civil Services Examinations, New Delhi: Tata McGraw Hills
12. Manor, J. (2004) 'Democratisation with Inclusion: Political Reforms and People's Empowerment at the Grassroots', *The Journal of Human Development*, 5(1), pp. 5-29.

Suggested Web Links:

https://plato.stanford.edu/entries/legitimacy/https://www.britannica.com/topic/Black-Lives-Matterhttps://www.amnesty.org/what-we-do-/detention/https://www.epw.in/elections-age-social-mediahttps://www.coe.int/en/web/commissioner/-/ethnic-profiling-a-persisting-practice-in-europehttps://www.justiceinitiative.org/publications/ethnic-profiling-european-union-pervasiveineffective-and-discriminatory

Program: 5yr Integrated Professional Law

Second year B.L.S LL.B

Semester: III

Course Title: History of Courts

Course Code: **Credits: 4**

Course Objective:

This course aims to emphatically explain the prime importance of Courts in the administration of justice. It also aims to elucidate the historical development of courts-pre-and post-independence, including various Charters, Act, etc. It further helps the students develop an understanding of legal system, various judicial reforms and the importance of dual judicial system in maintenance of law and order in the society. It intends to familiarize them with concepts such as Rule of Law, independence of Judiciary, the importance of legal profession and understand the code of conduct of an advocate and law officers.

Course Outcome:

After completing this course, the students will be able to:

- Understand the various stages which lead to the establishment of well-defined legal system in India.
- Identify various laws, Charters and Acts formed, modified, amended and deleted to develop a Code governing the conduct of courts and their officers.
- Appreciate features of the Indian Legal System, amendments, new trends in Legal System and Constitutional laws.
- Understand the theoretical basis and practical application of certain provisions and doctrines such as the Rule of Law, Doctrine of Independence of Judiciary.
- Understand the administration of justice during the initial British period 1600- 1800
- Appreciate the issues of dual judicial system and the powers of the Privy Council
- Know about the establishment of the High Courts
- Know in detail the courts system under the Constitution of India
- Understand the history of legislatures in India
- Learn the history and evolution of legal profession in India

Module I

Administration of Justice (1600-1780), Regulating Act of 1773 & Settlement Act of 1781

1. Administration of Justice in the presidency Towns and Development of courts under East India Company (1600- 1773)

1.1.1 Period from 1600- 1726, Establishment of Mayor‘s Court (1726),

1.1.2 Changes introduced by the Charter of 1753, Warren Hastings Plan of 1772, Reforms under the plan of 1774 and Recognition in1780.

1.2 **Regulating Act of 1773**: Provisions of the Act, Establishment of Supreme Court at Calcutta under the Charter of 1774, Working of Supreme Court at Calcutta Cases: Trial of Raja Nandkumar, Trial of Radha Charan, Patna Trial, Kamalluddin‘s Case Cossijurah Case, Saroopchand‘s Case, Gora Gopichand‘s Case.

1.3 Settlement Act of 1781

1.4 **Judicial Reforms of Lord Cornwallis**- Judicial Plan of 1787, Judicial Plan of 1790, Judicial Plan of 1793, Progress of Adalat System under Sir John Shore.

Module II

Conflict Arising out of the Dual Judicial System & Judicial Committee of the Privy Council

2.1 Conflict Arising out of the Dual Judicial System

2.1.1. Indian High Court Act1861, High Court under GOI Act 1915, High Court under GOI Act 1935.

2.2. Judicial Committee of the Privy Council

2.2.1. Appeals to Privy Council between1726-1860, Appeals to Privy Council between 1861-1949.

Module III

Court System under the Constitution of India & Rule of Law, Independence of Judiciary & Separation of Powers:

3.1 Court System under the Constitution of India: Supreme Court, High Court, Subordinate Courts &Writ Jurisdiction

3.2 Rule of Law, Independence of Judiciary & Separation of Powers: Before independence andafter independence

Module IV

History of Legislature & History of Legal Profession:

4.1 History of Legislature

4.1.1 Charter of1600

4.1.2 Charter of 1813 &1833

4.1.3 Indian Council Act of 1861, 1892 & 1909

4.1.4 Government of India Act, 1919 & 1935

4.1.5 Indian Independence Act, 1947

1. **History of Legal Profession:**

4.2.1. Legal profession in Pre-British India

4.2.2. Law Practitioners in the Mayor‘s Court1726

4.2.3. Legal Profession under Charter of 1774

4.2.4. Legal Profession in the Company‘s Court and Legal Practitioners Act, 1853

4.2.5. High Court Act, 1861

4.2.6. Legal Practitioners Act, 1879 and All India Bar Committee of 1951

4.2.7. Introduction to Advocates Act, 1961

4.2.8. Law Reporting in India.

Recommended Resources

1. History of Courts, Legislative and Legal Profession- Kailash Rai
2. Indian Legal History- M. A. Jain
3. Indian Constitution and Legal History- S.D. Kulashresh
4. Herbet Cowall- The History and Constitution of the Courts and Legislative Authorities in India,1936

Course Title: English II

Course Code: **Credits :4**

Semester: IV

COURSE OBJECTIVES:

Language and words are crucial to legal system and to the craft of lawyering. The proficiency in English is essential for the Law graduates to understand and argue the cases in the courts. The language of the Supreme Court and the High Courts in India is English. The course objective is to create awareness among law students regarding literature texts with different legal themes in order to expose them to various legal issues in daily life. The course intends to introduce students to different personalities through their trials, speeches and essays to enhance their reading skills and along with that to build their sense of righteousness. This course will help improving the student's writing skills and grammar with activities that are meant to train them in using the skill for various purposes, such as summaries, reports. The course is designed to expanding their ability to critically analyze literature texts in order to develop deeper understanding of the work/author.

COURSE OUTCOME:

After completing this course the student will be able to:

- Identify the different literature texts related to legal themes to understand legal issues.
- Understand the importance of fairness and compassion through the leading role models and the trials they faced.
- Communicate efficiently with the help of verbal, non-verbal and listening skills.
- Develop their writing ability for various official purposes with the help of grammar and proper syntax.
- Explore their critical ability by analyzing literature texts to gain deeper understanding of the work/author.

Module 1

Law & Literature: Texts

1.1. Justice – John Galsworthy

1.2. St. Joan – George B. Shaw

1.3. A Passage to India – E.M. Forster

1.4. Counselor-at-Law – Elmer Rice

1.5. Nineteen Eighty-Four – George Orwell

Module 2

Law & Literature: Speeches & Essays

2.1. Susan B. Anthony – U.S. Vs Susan Anthony

2.2. U. S. Supreme Court – Brown Vs Board of Education

2.3. We Should All Be Feminist – Chimamanda Adichie - Nigerian Writer Ted Talk

2.4. Child Marriage – M.K. Gandhi

2.5. Gender Equality Speech at the United Nations by Emma Watson

Module 3

Literature for Analytical Study

3.1 The Greek Interpreter – Arthur Conan Doyle

3.2 A Jury of Her Peers – Susan Glaspell

3.3 The Judgement – Franz Kafka

3.4 Benefit of Doubt – Jack London

3.5 The Case for Defense – Grahame Greene

Module 4

Language Enhancement

4.1 Writing Skills

4.1.1. Paragraph Writing & Note Writing – Activity*

4.1.2 Summary Writing, Report/ Article Writing*

Note: Students should be given exercises to improve the respective skills.

4.2 Communication Skills

4.2.1. Oral Communication – *Barriers to Verbal & Non-Verbal Communication, Tips for effective communication – Activity*

4.2.2. Listening Skills – Definition and tips for improvement – Activity*

4.2.3 Effective Public Speaking – Tips for improvement, Interview Tips – Activity*

Note: * Emphasis should be given to on various barriers of communication and tips for effective communication.

* Students should be given exercises/assignment to understand and improve their respective skills

4.3 Grammar **[Marks Allotted 5]**

4.3.1. Homophones – Activity*

4.3.2. Stress (pronunciation) – Activity*

4.3.3. Transformation of Sentences – Simple, Compound & Complex – Activity*

Note: *Students should be given exercises to be solved, regarding respective topics.

Recommended Resources:

1. Law & Literature – *By Shakuntala Bharvani (Himalaya Publication*)
2. The Judgement – By Franz Kafka

   https://www.kafka-online.info/-the-judgement.html
3. Benefit of Doubt – By Jack London

   http://vnsgulibrary.org.in/Free_Ebooks/0632%20The%20Benefit%20of%20the%20Doubt.pdf
4. The Case for Defense – Grahame Greene

   https://elt.oup.com/elt/students/englishfile/dyslexicfriendlytexts/ef_int_reading_10b.pdf?cc=us
5. ‒Child Marriage‖ – M.K. Gandhi, *The Story of My Experiments with Truth – An Autobiography, by M.K. Gandhi*

   https://www.gandhiashramsevagram.org/autobiography/chapter-3.php
6. Chimamanda Adichie - Nigerian Writer - We Should All Be Feminist – Ted Talk Speech*https://people.unica.it/aideesu/files/2019/11/Chimamanda_Ngozi_Adichie_We_Sho uld_All_Be_Feminiz-lib.org_.epub_.pdf*
7. Emma Watson - Gender Equality Speech at the United Nations

   https://www.unwomen.org/en/news/stories/2014/9/emma-watson-gender-equality-is-your-issue-too
8. Gopalswami Ramesh, Mahadevan Ramesh, ‒The Ace of Soft Skills‖

   http://ieeecs-madras.managedbiz.com/pgms/2010/ace-ss.pdf
9. J.D. O'Connor, ‒Better English Pronunciation‖

   https://f.fenglish.ru/books/better-english-pronunciation.pdf
10. David A. McMurrey, Joanne Buckley, ‒Handbook for Technical Writing‖
11. Jeff Butter, ‒Soft Skills for Everyone‖
12. Wren & Martin, ‒High School English Grammar and Composition
13. ‒English for Law‖ by M A Yadugiri and Geetha Bhasker, Foundation Books, Online publication date: October 2011, Print publication year:2005, Online ISBN:9788175968660

    https://doi.org/10.1017/UPO9788175968660
14. Dr. K Alex, Soft Skills, Know yourself and know the world, S. Chand Publication, 2009
15. Jeremy Comfort, Pamela Rogerson, Trish Stott & Derek Utley, Speaking Effectively, Cambridge University Press, 1984.

PROGRAM: 5yr Integrated Law

Second Year BLS /LLB

Semester: IV

Course Title: LOGIC - II

Course Code: **Credits: 4**

Learning Objectives:

The main objective of this course is to familiarize learners/students with patterns of reasoning-arguments-both deductive and inductive. The students will learn methods of inquiry, errors in reasoning and uses of language, the methods of experimental enquiry Mill, patterns of scientific investigations. This course also seeks to inculcate ethical values and foster individual development. This course helps the student to learn logical analysis, deduction and develop a rational bent of mind which is a vital requisite for legal profession.

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Learning Outcomes:

After completing this course, students will be able to:

- Appreciate the principles governing the validity of arguments.
- Identify reasonable assumptions and formulate sound reasoning.
- Apply the method of inquiry to real life situations and identify the fallacies in reasoning.
- Have stronger skills of framing hypothesis and drawing inferences
- Augment language skills with study of fallacies.
- Critically evaluate the correlation between moral values and socio- legal issues.
- Develop logical and moral reasoning.

MODULE - 1

Categorical Syllogism

1.1 Syllogism- Rules and Fallacies

1.1.2. Figures and Moods – Testing the validity of arguments.

1.1.3. Reduction - Aristotle‘s Dictum de omni et Nullo and the First Figure.

1.1.4. Direct Reduction and Indirect Reduction.

1.2 Nyaya Logic (Anumana - Vyapti - Hetvabhasa)

MODULE - 2

Other Mediate Inferences

2.1 Hypothetical and Disjunctive Arguments

2.1.1. Rules and fallacies in the arguments with special reference to Law.

2.3. Analysis of Rules of Inference and Rules of Replacement.

2.4. Dilemma -Types of Dilemma, Refutation of Dilemma- Values of Dilemma in Law.

2.5. Hypothesis- Conditions of good hypothesis - kinds of hypothesis.

2.6. Hypothetico - Deductive Method – stages of the method as used in Science.

2.7. Method Inquiry in Law.

MODULE - 3

Language and Law

3.1 **Uses of Language-** Emotive words – Emotively Neutral language – kinds of agreement and disagreement. (Swami Vivekanand‘s Chicago Speech)

3.2. Fallacies- Its kinds- Fallacies

3.2.1. Fallacies of Ambiguity

3.2.2. Fallacies of Relevance

3.2.3. Fallacies of Defective Induction

3.2.4. Fallacies of Presumption

3.3 **Impediments to good reasoning.**

MODULE - 4

Application of Logical & Moral Reasoning

4.1. Causation- Conception, common sense and scientific notion, plurality of causes.

4.2. Free Will & Maxims in relation to causation –

4.2.1. In jure non remota causa sed proxima spectator – In law the immediate and not the remote cause is considered.

4.2.2. Respondent superior

4.3 **Equality and its Implications** *

4.4 **Ends and Means** *(M. K. Gandhi, Peter Singer)

<u>Recommended Resources:</u>

1. Introduction to Logic – K. T. Basantani - Seth Publication. (11th Edition)

2. An Introduction to Logic – Irving Copi – (Ninth Edition).

3. An Introduction to Logic – Irving Copi – (Fourteenth Edition).

4. *Gandhi‘s Autobiography-My Experiments with Truth

5. *Practical Ethics by Peter Singer - Second Edition –Cambridge University Press. (Chapter II and XI from the book Practical Ethics by Peter Singer).

6. Reason and Argument – Richard Feldmen – Prentice Hall International USA.

7. A Selection of Legal Maxims – Herbert Broom. Tenth Edition

8. A Concise Introduction to Logic - Patrick J. Hurley & Lori Watson
10. The Complete Works of Swami Vivekananda

11. https://iep.utm.edu/freewill/ (Concept of Free Will)

PROGRAM: 5yr Integrated Professional Law

Second Year B.L.S LL. B

Semester: IV

COURSE TITLE: Political Science-III - INTERNATIONAL RELATIONS

COURSE CODE: **CREDITS: 4**

Course Objectives:

This course on International Relations is introduced in the fourth semester to familiarize students with the evolution of the discipline of International Relations and the modern Nation-State system. The course seeks to further the understanding and exploration on how the main actors in International Relations- the sovereign state and non -sovereign entities interact, and their power dynamics in the contemporary world. Students will understand the various forms of Dispute Resolution Mechanism expounded in the United Nations Charter and the primary organs involved like the United Nations Security Council and the International Court of Justice. This course aims to enrich the students in learning about the working of various International and Regional Organisations and issues of contemporary importance like global North-South divide, wealth and vaccine inequality. The course further aims at sensitizing about Human Security, Forced Displacement of Refugees, Asylum Seekers and the lived realities of the Migrants.

Course Outcomes:

After completing this course students will be able to:

- Demonstrate a thorough understanding of nature of IR and the issues and challenges faced by Modern Nation-States.
- Analyse the current issues and interdependencies within State and Non-State Actors in contemporary global politics.

- Use the knowledge of Dispute Resolution Methods as lenses to analyse and explain outcomes of various conflict resolution efforts in the past and present.

- Identify the factors responsible for Global North- South divide and the challenges to Global Cooperation. Recognise the problems of Refugees, Asylum Seekers and Migrant and to device humane solutions to ameliorate their conditions.

MODULE 1

Introduction to International Relations (IR)

1. **IR as an Academic Discipline: Relevance of the study of** IR
   Evolution of the study of IR

1. **Westphalian Nation – State System**

   1.2.1. Peace of Westphalia and Implications on the Modern Nation State System

   1.2.2. Foundational Elements of Modern Nation State – Principles of Sovereign

   1.2.3. Equality, Territorial Integrity, Non-Intervention

1. **National Power**

   1.3.1. Meaning and Definition, Elements and Limitations of National Power

   1.3.2. Polarity in IR - Bi-Polarity (1949 -1991), Uni-polarity (1991 – 2001), Multi-polarity (2001- present)

   1.3.3 Challenges to State Sovereignty – Globalisation and R2P

   1.3.4 World Government – Myth or Reality, Methods of Creation and Difficulties

MODULE 2

Actors in IR

2.1. Sovereign Nation-State as the Primary Actor in IR

2.1.1. Inter-state relations- Treaty signing as a Sovereign attribute, Declaration of War

and Conclusion of Peace

2.1.2. Diplomacy – as an official medium of inter-state communication

Public diplomacy, Track II Diplomacy and Para diplomacy

2.2. **Shift in the State Centric System** –Emergence of the Non State Actors (NSAs)

2.2.1. Classification of NSAs –NonViolent Non State Actors and Violent Non State Actors (VNSAs)

2.2.2. Features and Role of Non Sovereign Actors in IR with relevant Case Studies

2.2.3. Multinational Company (MNC) (Home State & Host State relations Environmental Pollution, Carbon Lobbying, Labour Law Violations – Sweat shops, Case study – Royal Dutch Shell, Nike, United Fruit Company & the BananaRepublic)

2.2.4. International Non - Government Organisation (INGO) (Amnesty International, TransparencyInternational & International Red Cross)

2.2.5. Intergovernmental Organisation (IGOs) – Features & Role

2.2.6. National Liberation Movements [NLM]

2.2.7. VNSAs – The rapid rise of VNSAs as a threat to world peace. Impact of Global Terrorist Organisations, International Drug Cartels and Human Traffickers, and War Lords.

2.3 **INGOs and UN ECOSOC**

MODULE 3

Dispute Redressal Mechanisms in IR

3.1. Peaceful Settlement of Disputes

3.1.1. Chapter VI of the UN Charter

Negotiation, Mediation, Conciliation, Arbitration, Judicial Settlement

3.1.2. Functions and Role of ICJ in Peaceful Settlement of Disputes– Case laws

3.2. UN Peace Keeping Operations - Principles, Case studies and Critical Appraisal

3.2.1. United Nations Mission in the Republic of South Sudan (UNMISS),
3.2.2. United Nations Mission for the Referendum in Western Sahara (MINURSO)
3.2.3. UN Stabilization Mission in Haiti (MINUSTAH)

3.3. Chapter VII of the UN Charter- Coercive Methods of Settlement of Disputes

3.3.1. UNSC as Global Enforcement Agency

3.3.2. Exercise of Veto by P-5 as an obstacle to UNSC's effectiveness

3.3.3 Uniting for Peace Resolution (UNGA /RES/377 (A), Reforms of UNSC

MODULE 4 International Organizations and Issues

4.1. United Nations Organisation (UNO)

4.1.1 Formation, Objectives, Purposes and Principles

4.1.2 Principal Organs– Composition, Functions and Evaluation.

4.2. Specialized agencies – Functions and role

WTO, IMF, World Bank, ILO, WHO, UNESCO, UNICEF, FAO

Regional Organizations and Groupings – OPEC, ASEAN, EU, Arab League, SAARC, G7,BRICS, QUAD, NATO, BIMSTEC (New)

4.3. **Issues of concern in IR** (Specified & New)

4.3.1 Global North -South divide (Rich vs. Poor, Stability vs. Progress)

4.3.2. Wealth (NIEO and PIEO) and Vaccine Inequality (New), Climate Justice:

Carbon Divide and Carbon Credit

4.3.3 Human Security –Asylum seekers, Migrants and Refugees, the differences.

Recommended Resources:

1. Appadurai, A.(2000) The Grounds of the Nation-State: Identity, Violence and Territory, in Nationalism and Internationalism in the Post-Cold War Era. K. Goldmann, U. Hannerz, and C. Westin (Eds.). London: Routledge

1. Arora, P. (1996) International Politics, New Delhi: Cosmos Book Hive Pvt. Ltd.

1. Basu, R. (2012) International Politics: Concepts, Theories and Issues, New Delhi: Sage Publications India

1. Baylis, J. and Smith, S. (2020) The Globalisation of World Politics: An Introduction to International Relations. 8. ed., New York: Oxford University Press

1. Ghosh, P. (2009) International Relations, 5. ed., New Delhi: PHI Learning Pvt. Ltd.,

1. Heywood, A. (2015) Global Politics, London; New York: Palgrave Macmillan

1. Koser, K. (2007) International Migration: A Very Short Introduction, Oxford: Oxford University Press

1. Murthy, B.S. (2002) International Relations and Organization, Lucknow: Eastern Book Company

1. Ravenhill, J. (eds.) (2008). Global Political Economy. Oxford: Oxford University Press

10. Reus – Smit, C. and Snidal, D. (eds.) (2008) The Oxford Handbook of International Relations, Oxford; New York: Oxford University Press

Suggested Web Links:

https://www.icj-cij.org/enhttps://www.mea.gov.in/distinguished-lectures-detail.htm?850https://www.un.org/en/about-us/un-charter/full-texthttps://peacemaker.un.org/regional-organizationshttps://www.amnesty.org/what-we-do-/

https://www.oxfamindia.org/knowledgehub/workingpaper/inequality-virus-global-report-

2021https://plato.stanford.edu/entries/justice-climate/https://peacekeeping.un.org/en/mission/unmis

s https://peacekeeping.un.org/en/mission/minurso
https://peacekeeping.un.org/en/mission/minustah

https://www.nytimes.com/1997/10/26/us/nike-supports-women-in-its-ads-but-not-itsfactories-groups-say.html **https://www.panoramas.pitt.edu/other/truth-behind-banana-republic https://www.downtoearth.org.in/blog/climate-change/why-shell-being-asked-to-cutemissions-is-a-big-move-on-big-oil-77141**

COURSE OUTLINE

PROGRAM: 5yr/3 Yr Professional Law

First-year BLS/LLB

Semester: V/I

PROGRAMME: 5yr/3 Yr Professional Law

First-year BLS/LLB Semester

V/I Course Title-: LABOUR LAW AND INDUSTRIAL RELATIONS- I

Course Code: Credits: 4

OBJECTIVES: This course is designed to acquaint the students with the framework of Industrial relations in our country. Further, the importance of the maintenance of Industrial peace and efforts to reduce the incidence of Strikes and Lockouts is to be emphasized. The main theme underlying the course is to critically understand the provisions of the Trade Unions, the types of machinery contemplated under the provisions relating to the Industrial Disputes for the prevention and settlement of industrial disputes Further, the objectives underlying the Industrial Employment (Standing Orders) and Disciplinary Enquiry for Misconduct are to be studied to acquaint the students with misconduct and the procedure to be followed before punishing the misconduct alleged and established. Further, the students are to be acquainted with the social security framework prevailing in our country. It is necessary to know the concept of social security, its importance and the constitutional basis for the same in India. The importance of ensuring the health, safety and welfare of the workmen and social assistance and social Insurance Schemes under various legislations are to be emphasized. The main theme underlying the course is to critically examine the provisions relating to payment of wages of the workmen and the machinery provided for protecting the interests of the workers. The course aims to impart knowledge about the wages, payment of bonus, audits, etc for workmen in industries and factories as per the Wages Code, 2020.

. COURSE OUTCOMES: After completing this course students should be able to:

1. Understand the provisions of the Trade Union and industry.
2. Comprehend the standards and techniques of Industrial relations.
3. Understand the technicalities and concepts of industrial dispute and apply the relevant provisions of law.
4. Know the legal provisions and concepts of Lay-Off and Lock-Out, Retrenchment, Strike, Wages and Workman.
5. To develop extensive knowledge regarding provisions relating to trade unionism

6. To understand the provisions relating to minimum payment of wages, Bonus, etc of the workers.
7. Understand in detail Laws related to Factories and Apprentices
8. Know the offences and penalties under the Wages code 2020

INDUSTRIAL RELATIONS: THE TRADE UNIONS
Module : 1: INDUSTRIAL RELATIONS CODE

1. Historical reasons for the formation of combinations of workers, legal impediments
2. International Labour Organisation – its influence in bringing changes in national legislations.
3. Trade Union – Definition, Registration and Recognition
4. Immunities in trade disputes : Criminal and Civil

Module 2
INDUSTRIAL RELATIONS: THE INDUSTRIAL DISPUTES

1. **'Industry' – Conceptual Analysis**
2. **Standing orders**
3. **Mechanism to dispute Resolution**
4. **Concept of 'Workman'**

Module: 3: CAUSES OF INDUSTRIAL DISPUTE

1. **'Strike' &'Lock out' :**Concepts, legality and justification
2. **'Lay off' 'Retrenchment' & 'Closure'**
3. Analysis of the Concepts, Pre-requisites
4. Unfair Labour Practices

Module 4: WAGES CODE 2020

1. Minimum Wages and Payment of Wages
2. Payment of Bonus
3. Offences and Penalties
4. Miscellaneous

Suggested Books:

1. B. Pai, Labour Law in India (2001)
2. L.Malik, K.D. Srivastava's Law Relating to Trade Unions and Unfair Labour Practices in India (4th ed., 2002, with Supplement 2003)
3. C. Srivastava (Rev.)Labour Law and Labour Relations : Cases and Materials (Indian Law Institute, 2007)
4. M. Rao, O.P. Malhotra's The law of Industrial Disputes(6th ed., 2004)
5. D. Srivastava, Industrial Employment (Standing Orders) Act, 1946 (4th ed., 1998 with Supplement 2003)
6. Bare Act: Industrial Relations Code 2020
7. Bare Act: Wages Code 2020

PROGRAM: 5yr/3 Yr. Professional Law

First-year BLS LL B

Semester: V/I

Course Title-: LAW OF TORTS, MOTOR ACCIDENT CLAIMS AND CONSUMER PROTECTION

Course Code: **Credits: 4**

Teaching Scheme:

OBJECTIVES:

This course is designed to study the principles of Tortious liability, the defences available in an action for torts, the capacity of parties to sue and be sued and matters connected therewith. Further, this course is designed to study specific torts against the individual and property. With rapid industrialization, the inadequacy of the law to protect the individual is exposed. An attempt shall be accorded to the individuals against mass torts and industrial torts. The objective

of the course is to set out the law of private rights and remedies which is unique in nature as it is not covered under any statute. Students will be well acquainted with this branch of law governing actions for damages for injuries to certain kinds of rights, like the right to personal security, property, and reputation. The students will be able to conceptually understand the standing of a person in tort, justifications of tort, discharge of torts, vicarious liability, strict liability, product and services liability and remedies. Students will be acquainted with the rules for Motor Vehicle Accident Claims and the rights and remedies under Consumer Protection Act, 2019.

COURSE OUTCOMES:

After completing this course, the students will be able to:

1. Understand the Concept of Tort as a civil wrong and the remedies available to the aggrieved party.
2. Gain knowledge about Torts against persons, including Assault, Battery, Mayhem, False imprisonment.
3. Understand Torts against property and the concept of Trespass.
4. Comprehend the concepts of Defamation, Nuisance, Negligence, Fraud.
5. Fathom the principles of vicarious and strict liability and the Judicial and extrajudicial remedies.
6. Grasp the concepts in the Consumer Protection Act, the importance of consumer protection law and its implementation through consumer dispute redressal commission.
7. Identify and understand the elements of Motor Accident Claims under the Motor Vehicles Act.

MODULE 1:

General Principles of Tort

1.1 Tort: Definition, Nature, Scope and object of Tort, Tort in India.

1.2 Distinction from Crime, Breach of Contract etc., who may sue, who may not be sued.

1.3 Damnum Sine Injuria, Injuria Sine Damnum

1.4 Volenti non-fit Injuria, Ubi jus ibi remedium

1.5 Extinguishment of Liability in Tort

1.6 General Defenses and Discharge of Torts

MODULE 2:

Torts against person, property, Freedom &Reputation

2.1 Trespass to Person: Assault, Battery, Mayhem, False imprisonment.

2.2 Torts affecting Property (Movable & Immovable): Trespass, Trespass ab initio etc.

2.3 Torts related to Reputation (Defamation) & Personal Relations

2.4 Torts affecting person &Property: Nuisance, Negligence, Fraud

2.5 Joint Tort-Feasors, Nervous Shock and Malicious abuse of Legal Process.

MODULE 3:

Principles of Liability in Torts and Legal Remedies

3.1 Vicarious Liability: Basis, scope, Justification, Different types.

3.2 Principle of Strict Liability: Ryland V. Fletcher case with exceptions.

3.3 Principle of Absolute Liability: Bhopal Gas Disaster case and Shree Ram Food Oleum Gas Leakage case and orientation to Public liability Insurance Act, 199.

3. 4 Judicial and Extra Judicial Remedies.

MODULE 4:

Concept of Consumer & Consumer Protection Act 2019

4. 1 Consumer: Definition; Defect in goods.

4.2 Services: Types of services, Deficiency-meaning, Denial of Services, Commercial & Professional Services, Medical Services.

4.3 Consumer Protection Councils.

4.4 Consumer Disputes Redressal Agencies: District Commission, State Commission & National Commission, Judicial Review.

4.5 Motor Vehicles Act, 1988- Motor Accidents Claims- Claims Tribunals.

4.6 Liability without fault and third-party risks under Motor Vehicles Act, 1988.

SUGGESTED READINGS:

1. Salmond and Heuston – On the Law of Torts, Universal, Delhi
2. D.D. Basu. The Law of Torts, Kamal, Calcutta.
   D. M. Gandhi Law of Tort Eastern, Lucknow
3. P.S. Achuthan Pillai, The Law of Torts, Eastern,
   Ratanlal&Dhirajlal.. The Law of Torts, Wadhwa.
   Winfield and Jolowiz on Torts, Sweet and
   Maxwell, London.
4. Saraf, D. N. Law of Consumer Protection in India, Tripathi,
   Bombay
5. Avtar Singh. The Law of Consumer Protection, Principles and
   Practice, Eastern Book Co. Lucknow.
6. J. N. Barowalia, Commentary on Consumer Protection Act, 1986,
   Universal Delhi.
7. P. K. Majumdar, The Law of Consumer Protection In India,
   Orient Publishing Co. NewDelhi.
8. R.M. Vats, Consumer, and the Law, Universal, Delhi.
   Winfield and Jolowiz on Tort, Sweet and Maxwell London.
9. Saraf, D. n. Law of Consumer Protection in India, Tripathi, Bombay

10. P. Mathur's Law Relating to Motor Vehicles: Eastern Book Company (Revised by Justice G. C. Mathu

COURSE OUTLINE

PROGRAM: 5yr/3 Yr. Professional Law

First-year BLS LL B / LLB

Semester: V/I

Course Title-: LAW OF CONTRACT AND SPECIFIC RELIEF

Course Code: **Credits: 4**

COURSE OBJECTIVES:

The objective of the course is to enable the students to understand the contractual obligations and their significance. They will be able to identify the nature of contracts and various types of contracts. To enumerate and understand the essentials of a valid contract and make out what amounts to the performance of a contract. They will acquire the ability to identify if there is a breach of contract and to explain the remedies in case of breach of contract. The course also covers the Specific Relief Act 1963 and hence aims to understand the remedies available therein and actions aggrieved parties can seek.

COURSE OUTCOMES:

After completing this course, the students will be able to

1. Identify the commencing point of contractual obligations.
2. Test the validity of contracts by applying the essentials of valid contracts.
3. Identify the nature of the contract and contractual liabilities.
4. Understand the performance of a contract
5. Identify and Apply the remedies available in case of breach of contract from the Contract Act and Specific Relief Act.
6. Understand the remedies that can be availed by adopting various legal proceedings.

MODULE 1:

Sections 1 – 9, 30 – 37 and 68 – 72 of the Indian Contract Act 1872
1.1 INTRODUCTION
History and nature of a contractual obligation
Contemporary Relevance
1.2 OFFER, ACCEPTANCE AND ITS COMMUNICATION
1.3 Types of Contracts
Including – Contingent Contract, Quasi Contracts, Standard Form Agreements and E-Contracts
(Includes Legal Recognition to E-Contracts as per the Information Technology Act (Section 2 – 16)

Definitions, Digital Signatures, Electronic Governance, Attribution, Acknowledgment and Despatch of electronic records, Clickwrap and Shrink Wrap Contracts)

MODULE 2:

Section 10-30
2.1 Essential Ingredients for Enforceability (Sections 10 – 30)
2.2 Competency of Parties
2.3 Free Consent
2.4 Consideration
2.5 Unlawful Object and Consideration
2.6 Void Agreements

MODULE 3:

Sections 36 – 67 and 73-75
3.1 Performance of Contract
3.2 Discharge of contract
3.3 Breach of Contract
3.4 Types of Damages & Remedies for Breach

MODULE 4:

4.1 Origin of Specific Relief as Equitable Relief
4.2 KINDS OF RELIEF IN Specific Relief Act 1963
4.2.1 Possessory Remedies
4.2.2 Specific Performance of Contracts
4.2.3 Contracts that cannot be specifically performed
4.2.4 Substituted Performance of Contract
4.2.5 Rectification of Instruments
4.2.6 Recession of Contract
4.2.7 Cancellation of instrument
4.2.8 Declaratory Decree
4.2.9 Injunctions

Recommended Resources :

1. Ansons, Law of Contract, (OUP UK)
2. Bajaj Puneet, Law of Contract (Macmillan)
3. Bangia, R.K, Contract I: With Specific Relief Act (LexisNexis)
4. Bhatt Sairam, Law Of Business Contract s In India Sage Publications
5. Chopras D.S, Cases And Materials On Contract Law & Specific Relief (Thomson Reuters)
6. Charles Fox, Working with Contracts, What they don‘t teach you at Law Schools
7. Cracknell, D.G, Obligations: Contract Law, (Old Baily Press London)
8. Fifoot, Law of Contract (Butterworth).
9. Gupta Ritu, Law of Contract: Includes the Specific Relief Act 1963, (LexisNexis Haryana)
10. Shetty Krishna, Simplest Book on Contract Law, Naveen Publications.

11. Kapoor S.k, ― Law of Contracts I Section 1 to 75 of the Indian Contract Act, 1872 and the Specific Relief Act 1963, (Central Law Agency)
12. Mitra S.C, Law of Contracts, (Orient Publishing)
13. Mulla Dinshaw F, Indian Contract Act, (LexisNexis)
14. Muray, Rayan, Contract Law: The Fundamentals, (Sweet & Maxwell)
15. Pathak Akhileshwar, Contract Law, (Oxford)
16. Pollock & Mulla "Indian Contract Act and Specific Relief Act‖ (LexisNexis)
17. Ramaswamy, B.S, Contracts and their Management, (Lexis Nexis).
18. Singh Avatar, (EBC)
19. Singh, R. K, Law Relating to Electronic Contracts (LexisNexis).

PROGRAM: 5yr/3 Yr. Professional Law

First-year BLS LL B/LLB

Semester: V/I

Course Title-: LEGAL LANGUAGE

Course Code: **Credits: 4**

COURSE OBJECTIVES:

The Course aims at training students for the legal profession from the perspective of language of the law and its interpretation and enabling them to get familiar with concepts and principles of law. This course will equip students to become familiar with the formalized and professional language which is used in the Court of Law. They will be able to understand the meaning and application of legal Maxims in written and oral submissions advanced before the Courts. This course intends to train the students in reading, intellectually understanding and citing cases. The students will acquire expertise in comprehending the abbreviation of Law Reports and search of case laws in the relevant Law Reports and e-data bases. The students will be well versed in the study of precedents with relation to case laws involving matters of public importance, decided by the various Courts.

COURSE OUTCOMES:

After completing this course the students will be able to-
1) Get accustomed to the language of the Court and with the legal concepts.
2) Search the case laws with ease.
3) Understand the application of Legal Maxims.
4) Understand the use of Law Reports.
5) Read and understand statute and its classification

6) Use the precedents in the litigation.

MODULE 1:

1. **Legal Concepts -**

Law, Custom, Justice, Right, Duty, Wrong, Remedy, Fact, Person, Offence, State, Plaint, Complaint, Suit, Affidavit, Judgment, Appeal, Review, Revision, Reference, Writ, Stay Order, Injunction, Adjournment, Cause of Action, Issue, Charge, Bail, Ex-Parte, Discharge, Acquittal, Conviction, Legal heirs, Legal Representative, Power of Attorney, International Law, Arbitration, Jurisdiction, Amicus Curiae.

1.2 Legal Maxims -

Actus de nemini facit injuriam
Salus Populi Est Suprema Lex
Nemo Tenetur Sepisum Accusare
Leges postpriores priores contrarias abrogant
Nova constituito futris formam imponere debet non praetertis.
Noscitur a sociis
Expressio unis est exclusio alterius
Vigilantibus, non domientibus, jura subveniunt
Quod ab initio non valet in tractu temporis non convalesscit
Nullus commodum capere potest de injuria sua propria
Cessante retione legis cessat ipsa lex
Acta exteriora indicant interiora secreta
Domus sua cuique est tutissimum refugium
Nemo est haeres viventis
Ignorantia facti excusat, ignorantia lex non excusat

MODULE 2:

2.1 Law Reports, Magazines and References to Case Laws
Law Reports
Law Magazines
Explanation of citations
The search of a case law
Abbreviations of law Reports

2.2 Statutes (Enactments) - Meaning and Classification

2.3 Commencement of Statutes- Prospective application, Retrospective effect, Repeal of Statutes, Provisions dealing with repeal under the General Clauses Act.

2.4 General English: Essay writing, comprehension, and rules of grammar
Active-passive, direct and indirect speech, degrees of comparison, kinds of sentences- interrogative, exclamatory, imperative, assertive, positive, and negative

Question tags.

MODULE 3:

3.1 Legislative Material -
Internal Aids -Parts of a statute and their function in interpretation of a statute – Short and long titles, preamble, schedules, marginal headings, parts, and their captions, chapters and their captions, marginal and section-headings, Definition‘s clause and types of definitions, Explanations, exceptions, illustrations, and provisos, Language, and punctuation, non-obstante clause and saving clause.
External Aids - External Aids to the interpretation of a statute – Dictionaries, Translations, Travaux Preparatiories, Statutes in pari materia, Contemporanea Exposito, Debates, and Reports.

3.2 Judicial material – Ratio and guidelines of courts in the following cases, minority, and majority judgements:
D.K. Basu v. State of West Bengal - AIR1997 SC610
M.C. Mehta V. Union of India - AIR1987SC965
Vishakha v. State of Rajasthan - AIR1997SC3011
Joseph Shine v. Union of India - AIR2018SC4898
Aruna Shanbaug v. Union of India – AIR2011SC1290
Young Lawyers Association v. the State of Kerala – AIR2018SC1690

MODULE 4:

4.1 Rules of interpretation of Statutes – Literal, Mischief and Golden rule of interpretation Secondary Rules or Subsidiary Rules of Interpretation- Noscitur a Sociis, Ejusdem Generis, Reddando Singula Singulis, Interpretation with reference to the subject matter and purpose – Restrictive and beneficial construction, Taxing statutes, Penal statutes and Welfare legislation, Interpretation of directory and mandatory provisions, Interpretation of substantive and adjunctively statutes.

4.2 Presumptions in Statutory interpretation – Statutes are valid, Statutes are territorial in operation, Presumption as to jurisdiction, Presumption against what is inconvenient or absurd, Presumption against intending injustice, Presumption against impairing obligations or permitting advantage from one‘s own wrong.

4.3 General Clauses Act, 1897

SUGGESTED READINGS:

1. Legal language and Legal Writing by Prof D.K. Shukla.
2. Legal Language and Legal Writing by Prof. Dr. K.L.Bhatia.
3. G.P Singh, Principles of Statutory Interpretation
4. Golden Legal Maxims by Maxwell
5. Broom‘s Legal Maxims, Lexus Nexis
6. Law Lexicon
7. Latin words, phrases, and maxims by R. S. Vasant
8. Maxwell on Interpretation of Statutes.
9. N.S. Bindra‘s Interpretation of Statutes

10. V. Sarthy, Interpretation of Statutes
11. Avatar Singh Interpretation of Statutes
12. Dr. Shrikant Mishra's Legal Language and Legal Writing
13. Wren and Martin, English Grammar

LL B Semester I / Semester V BLS LLB

Practical Training – I Professional Ethics and Professional Accounting System

Course Objectives

Professional legal education cannot be sans practical aspects. This course is as prescribed by the Bar Council of India(BCI) as a compulsory clinical course. The objective of this course is to equip the students with the knowledge about the Bar, enrolment into the Bar, different terminology used to refer to practitioners of law, Bar Councils under the Advocates Act, qualities of a good lawyer, Right to practice and privileges, The course is designed to imbibe in students the values forming the basis of the profession so that they can live up to those standards in their professional life and hence includes BCI laid down professional ethics and the disciplinary powers of Bar Council over the advocates for misconduct in the teaching-learning of this course. The course aims at providing an insight into the Contempt of Courts Act, 1971 as prescribed by BCI. The course endeavors to teach the bar- bench relations and accountancy for lawyers.

Course Outcomes

At the end of the course, the students will be able to:
1. Understand the eligibility and procedure for enrolment and required ethical standards of the legal profession.
2. Distinguish between the different kinds of lawyers and their roles
3.Know the qualities of a good lawyer, privileges of a lawyer and the right to practice
4.Know duties of advocates andthe rules of legal professionalism
5. Know professional misconduct and powers and procedure for disciplinary action against erring advocates
6. Know and apply the contempt of court law and basic accountancy required for advocates

Module 1

1.1 Enrolment of Lawyers- Qualifications prescribed u/s 24 of the Advocates Act 1961and procedure
1.2 Common Terminology: Solicitor, Advocate, Lawyer, Senior Counsel, Junior Counsel, Legal Practitioners, Barrister, AOR,Amicus Curie
1.3 Seven Lamps of Advocacy: Honesty, Courage, Industry, Wit, Eloquence, Judgment and Fellowship
1.4 The Bar Council of India and the State Bar Council- Constitution, Powers and Functions
1.5 Privileges of a lawyer- Salient features of the Advocates Act, 1961
1.6 Right to Practice
1.7 Designation as Senior Counsel: Indira Jaising v/s SC of India (SC 2017)

Module II

2.1 Professional Ethics- Power of Bar Council of India, Meaning and Standards of professional conduct and etiquette
2.2 Duties
A. Duty to the court

B. Duty to the client
C. Duty to the opponent
D. Duty to the profession
E. Duty to the colleagues
F. Duty to public, state and society
2.3 Duty to Render Legal Aid

Module III
3.1 Professional Misconduct
3.2 Punishment for misconduct
3.3 Remedies against the order of punishment
3.4 Review by the State Bar Council of its own order 3.5 Disciplinary Committee of the State Bar Council- Organisation and powers and procedure
3.6 Disciplinary Committee of the Bar Council of India- Organisation and powers and procedure
3.7 Transfer of proceedings from the State Bar Council to the Bar Council of India
3.8 Selected opinions of the Disciplinary Committee of Bar Councils and Major Judgments of the Supreme Court on the subject.

Module IV
4.1 The Contempt Law and Practice- Articles 129 and 215 of the Constitution of India, Contempt of Courts Act, 1971
4.2 Bar Bench relations - Role of the Bar to Strengthen Bar-Bench Relations
4.3 Accountancy for Lawyers

i. Amount due to the client or amount due by the client;
ii. Penalty for not keeping Account Books;
iii. Bar council Rules relating to accounting.
iv. Basic principles of accounting, financial statements, balance sheet, income statement

Recommended Readings:

- Mr. Krishnamurthy Iyer‘s book on –Advocacy‖
- Professional Conduct and Advocacy B S Raman
- Advocates Act, 1961
- Contempt of Courts Act, 1971
- N R Madhava Menon, (ed,) - Clinical Legal Education (1998), Dr B Malik, (Ed)
- Art of Lawyer (New Delhi, Universal Book Agency, 1999)

COURSE OUTLINE

PROGRAM: 5yr/3 Yr. Law

First-year BLS/LLB

Semester: VI/II

Course Title-: LAW OF CRIMES

Course Code: **Credits: 4**

COURSE OBJECTIVES:

This course is designed to understand the meaning of crime, and the essential principles of criminal liability by a study of a range of offences under the Indian Penal Code 1860. It further aims to empower students to understand the fundamentals of criminal jurisprudence and analyse the various elements of the crime. The students will be equipped to understand the principles of culpability and punishment. The students will be well versed with the general scheme of the Indian Penal Code 1860 and be able to grasp the various terms and terminology used in the Indian Penal Code 1860. The students will be prepared to analyse the ingredients of various offences and study the punishments prescribed thereto. They will be able to identify the general exceptions under the penal law and understand the principles of joint criminal liability.

COURSE OUTCOMES:

After completing this course, the student will be able to:

1. Identify the various components of criminal culpability and an offence.
2. Appreciate the fundamentals of Criminal Jurisprudence.
3. Appreciate the fundamentals of culpability and the various kinds of punishment.
4. Understand criminal terms and terminology as per the Indian Penal Code.
5. Understand the extent and operation (jurisdiction) of the Indian Penal Code.
6. Identify various crimes from the point of view of the requirements of substantive criminal law.
7. Identify the punishment prescribed for various offences from a micro perspective as per IPC.
8. Appreciate and understand the aspects of joint criminal liability.
9. Identify whether a given case is covered under any of the general exceptions.

MODULE 1:

1.1 History of Criminal law

Difference between civil and criminal law

1.2 Concept of Crime, Components of Crime and Criminal Liability

1.3 Theories and Kinds of Punishment

(Includes IPC Chapter III: Sections 53 to 75)

1.4 Capital Punishment

1.5 Stages of Crime

1.6 Theories of Negligence

1.7 Introduction to Cyber Crimes

MODULE 2:

2.1 Extent and Operation -

IPC Chapter I: Sections 1 – 5

2.2 General Explanations

IPC Chapter II: Sections 6 - 52

2.3 General Exceptions

IPC Chapter IV: Sections 76 - 106

2.4 Abetment

IPC Chapter V: Sections 107 120

2.5 Criminal Conspiracy

IPC Chapter V-A: Sections 120 A & B

2.6 Attempts

IPC Chapter XXIII: Section 511

1. **Unlawful Assembly, Gang Rape and Dacoity from point of view of Joint criminal liability**

MODULE 3:

3.1 Offences against the State

IPC Chapter VI: Sections 121 – 130

3.2 Offences relating to Army, Navy & Air force

IPC Chapter VII: Sections 131 – 140

3.3 Offences against public tranquillity

IPC Chapter VIII: Sections 141– 160

3.4 Offences relating to public servants

IPC Chapter IX: Sections 166 – 171

3.5 Contempt of Lawful Authority of Public Servants

IPC Chapter X: Sections 172 – 190

3.6 False Evidence and Offences against public justice

IPC Chapter XI: Sections 191 – 229A

3.7 Offences relating to coin and government stamps

IPC Chapter XII: Sections 230 –263A

3.8 Offences relating to weights and measures

IPC Chapter XIII: Sections 264 – 267

3.9 Offences affecting the human body

IPC Chapter XVI: Sections 299 – 377

MODULE 4:

4.1 Offences relating to elections

IPC Chapter I: Sections 171A – 171I

4.2 Offences affecting public health safety, convenience, decency and morals

IPC Chapter XIV: Sections 268 – 298

4.3 Offences relating to religion

IPC Chapter XV: Sections 295 – 298

4.4 Offences against property

IPC Chapter XVII: Sections 378 – 462

4.5 Offences relating to documents and property marks

IPC Chapter XVIII: Sections 463 – 499E

4.6 Offences relating to marriage

IPC Chapter XX: Sections 493 – 498

4.7 Cruelty by husband or relatives of the husband

IPC Chapter XX-A: Section 498A

4.8 Defamation

IPC Chapter XXI: Section 499

4.9 Criminal Intimidation, Insult and Annoyance

IPC Chapter XXII: Sections 503 – 505

SUGGESTED READINGS:

1. Criminal Law: Cases and Material by KD Gaur
2. Commentary on the Indian Penal Code by KD Gaur
3. Criminal Jurisprudence by Dr. V S Chitnis
4. Law of Crimes in India by R C Nigam
5. Textbook of Criminal Law by Glanville Williams
6. The Indian Penal Code by Ratanlal & Dhirajlal
7. Simplest book on Criminal Law by Dr. K K Shetty
8. Lectures on Criminal Law by Dr. Rega Surya Rao
9. The Criminal Law Manual – Mulla‘s IPC
10. Criminal Law by P S A Pillai

11. Law of Crimes and Criminology by R P Kathuri

COURSE OUTLINE

PROGRAM: 5yr/3 Yr. Professional Law

First-year BLS LL B / LLB

Semester: VI/II

Course Title-: CONSTITUTIONAL LAW -I

Course Code: **Credits: 4**

COURSE OBJECTIVES:

This course aims to comprehend the philosophy of the Indian Constitution, the Historical background of the Indian Constitution, objectives of the Indian Constitution through the Preamble and the provisions relating to fundamental rights and citizenship. The purpose of the course is to acquaint the students with the Basic Postulates of the Constitution like the Constitutional Supremacy, Rule of law, and Concept of Liberty. It further aspires to fathom the conceptually crafted Directive Principles of State Policy and Fundamental Duties. To develop amongst the students practical understanding of Constitutional provisions and to augment critical thinking skills related to the Constitution and various authorities and to give them a picture of Constitutional Parameters regarding the organization, Powers and Functions of the various Organs of the Government. The emphasis is also on the study of the nature of federal structure and its functioning. A critical analysis of the significant judicial decisions is offered to highlight judicial restraint, judicial passivity, judicial activism and judicial balancing. The students will be able to articulate their independent views over contemporary crucial constitutional issues. The course intends to provide students with tools for identifying Constitutional issues that may arise so that the issues can be anticipated and averted through proper planning and legal recourse. The course will also rely upon the legal case study method as a learning strategy for understanding the key principles of constitutional law. The course deals with both interpretation and implementation of the Indian Constitution.

COURSE OUTCOMES:

After completing this course, the students will be able to understand:

1. The Historical background and salient features of the Indian Constitution.
2. Concepts of Federalism and Secularism.
3. The importance of Preamble and various concepts envisaged under the same.
4. The definition of State with special reference to Fundamental Rights.
5. The importance of Fundamental Rights, Directive Principles of State Policy and Fundamental Duties and their justiciability and non–justiciability.
6. Implementation of Fundamental Rights through Articles 32 and 226.

MODULE 1

1.1- Philosophy of Constitution.

Constitution as a basic norm.

Concept of Rule of Law and Constitutionalism.

Constitution as a living document.

Forms and Models of Constitution.

1.2- Historical background and framing of the Indian Constitution.

Legal system during East India Company‘s Rule in India.

Legal system during British Crown‘s Rule in India.

Freedom Struggle- Simon‘s Commission, Communal Award, Civil disobedience movement.

Mountbatten‘s Plan 1947 and Indian Independence Act 1947.

Framing and drafting of Indian Constitution by Constituent assembly.

1.3- Preamble

Socio-Legal Concepts under Preamble.

Preamble as a tool to interpret the Constitution.

Judicial Pronouncements on Preamble.

1.4- Salient Features of the Indian Constitution.

1.5- Provisions relating to Citizenship and Citizenship Act 1955 (Part II).

MODULE 2

2.1- Origin, Purpose and Significance of Fundamental Rights.

Article 12- Definition of State and concept of State Instrumentalities and agencies.

Article 13 -Judicial Review, Pre-constitutional and Post Constitutional Laws, Doctrine of Ultra Vires, Doctrine of Eclipse, Doctrine of Severability and Doctrine of Waiver.

2.2- Article 14-18 – Right to Equality.

2.3- Article 19 – Six Fundamental Freedoms and Reasonable Restrictions.

2.4- Fundamental Rights under Articles 20 and 22.

2.5- Article 21 and 21A – Right to Life and Personal Liberty & Right to Education.

MODULE 3

3.1- Article 23 and 24 – Right against Exploitation.

3.2- Article 25-28 – Right to Religion.

3.3- Article 29 and 30 – Rights of Minorities.

3.4- Article 32- Right to Constitutional Remedies and Public Interest Litigation.

3.5– Saving of Certain Laws - Article 31, 33, 34, 35.

Module 4

1. – Directive Principles of State Policy.

Relationship between Directive Principles of State Policy and Fundamental Rights

Judicial and Legislative trends on Directive Principles of State Policy.

1. – Historical Background of Fundamental Duties

Fundamental duties under the Constitution

1. – Judiciary – Supreme Court, High Court (Part V, Chapter IV and Part VI Chapter V)
1. – Tribunals (Part XIVA), Official languages (Part VII), Miscellaneous Provisions (Part XIX) and Commencement, Authoritative Texts and Repeals Part XXII

SUGGESTED READINGS

1. H.M. Seervai, Constitutional Law of India, Law and Justice Publishing Company
2. M.P. Jain, Indian Constitutional Law, Lexis Nexis
3. Narendra Kumar, Constitutional Law of India, Allahabad Law Agency
4. J.N. Pandey, Constitutional Law of India, Central Law Agency
5. P.M. Bakshi, The Constitution of India, Butterworth Lexis Nexis
6. D.D. Basu, Introduction to the Constitution of India, Lexis Nexis
7. Subhash Kashyap, Constitution of India, National Book Trust
8. Dr. Suresh Mane, Indian Constitutional Law, Dynamics and Challenges, Aarti & Co.
9. Mahendra Pal Singh, V. N. Shukla‘s Constitution of India, Eastern Book Company
10. Writings and speeches of Dr. Baba Saheb Ambedkar by the Government of Maharashtra
11. Arvind Datar, Commentary on the Constitution of India, Lexis Nexis, 2010

PROGRAM: 5yr/3 Yr. Professional Law

First-year BLS LL B / LLB

Semester: VI/II

Course Title-: FAMILY LAW I

Course Code: **Credits: 4**

COURSE OBJECTIVES:

This course is designed to equip the students of law about the institution of family, types of marriages and the matrimonial remedies inclusive of dissolution of marriages through customary practices as well as dissolution of marriage under personal laws of Parsis, Christians and Muslims and Special Marriages Act. Further, this course enables the students to understand

the social evils and their effects on the family institution and update the student about new emerging trends and changing patterns of family in the present scenario of the society. Overall, this course is designed to endow the students with knowledge of both the codified and uncodified portions of Mohammedan Law. The course concerns itself with the sources, schools, institutions, succession, maintenance, the menace of dowry. In addition, the students shall be able to familiarize themselves with the provisions of the Indian Succession Act

COURSE OUTCOMES:

After completing this course, the students will be able to:

1. Recognize the Nature, Scope, Foundation and Sources of various personal laws of Parsis, Christians and Muslims.
2. Familiarize traditional and statutory legal system, which governs personal matters.
3. Understand the subject of family law not merely as a separate system of personal laws based upon religious beliefs, but as one cutting across religious lines, eventually enabling the fulfillment of the Constitutional directive of Uniform Civil Code.

MODULE 1

1.1 Sources of Muslim Law

Shariat Application Act, 1937

Sources of Mohammedan Law

Primary Source – Quran, Sunna, Ijma, Qiyas

Other Sources - Custom

Modern Sources – Judicial Precedents, Legislation, Equity, Justice, and Good Conscience

1.2 Schools of Muslim Law

Sunni Schools of Muslim Law - Hanafi School, Maliki School, Shafie School, Hanbali School

Shia Schools of Muslim Law - Zaidya School, Ismailya School, Ithna Ashari School

1.3 Concept of Marriages and Mehr under Muslim Law

Essential requisites of Valid Muslim Marriage

Kinds of Muslim Marriage

Valid Marriage, Void Marriage, Irregular Marriage

Concept of Iddat

Muta Marriage

Doctrine of Puberty (Option of Puberty)

Concept of ‗Halala Marriage‘

Concept of Mehr and its Classification

Module II

2.1 Dissolution of Muslim Marriage

Kinds of dissolution of Muslim Marriage -Death of Spouse, By the Husband

Divorce - Necessity of Divorce, Conditions for the effectiveness of Talaq, Oral Talaq, Talaq

in writing

Talaq-al-S -unna & Talaq-al-Biddat - By the wife,

Talaq-e-Tawfid

Divorce by Mutual Consent

Khula

Mubarrat

Judicial Divorce (Ila, Zihar, Lian)

Dissolution of Muslim Marriage Act, 1939

Criminalization of Triple Talaq

2.2 Maintenance

General Principles of Maintenance

Persons entitled for Maintenance under Personal Law

Maintenance under Section 125 (1) (a) of Cr. P. C., 1973

Muslim women (protection on right to divorce) Act, 1986

2.3 Paternity Legitimacy, Parentage and Acknowledgment

Parentage

The legitimacy of children, Presumption of Legitimacy

Acknowledgement of Paternity

Conditions of a valid acknowledgement

2.4 Guardianship

Custody (Wali) & Hijnat

Definition of Guardian

Classification of Guardianship

Power of Guardian

Disqualification of Guardian

2.5 Property

Hiba

Doctrine of Pre emption

Mutawali- powers and duties

MODULE 3

3.1 The Parsi Marriage and Divorce Act 1936:

Parsi Marriage

Dissolution of Parsi Marriage

Alimony

Custody of Children

Parsi Matrimonial Courts

3.2 The Indian Christian Marriage Act, 1872

Essentials for solemnization of marriage - An authorized person for solemnization of marriage, Time, Place & Registration of Marriage

Registration of Marriage

Marriages of Indian Christian

Penalties and Miscellaneous provisions

3.3 Divorce Act 1869

Dissolution of Marriage (Nullity of Marriage, Divorce, Judicial Separation, Restitution of Conjugal Rights)

Protection orders

Alimony, Settlements, custody of Children, remarriage

Court Procedure and Miscellaneous

MODULE 4:

Indian Succession Act, 1925

4.1 Introduction

Scheme of the Act

Application of the Act

4.2 Domicile

Kinds of Domicile

4.3 Inheritance (For other than Parsis)

Meaning of Intestacy

Meaning of Consanguinity

Rules of Inheritance

4.4 Law of Inheritance for Parsis

Rules of Inheritance

4.5 Testamentary Succession

Wills

Residuary Legatees, Lapsing of Legacies

Bequest to Unborn Person or Non- Existing Person

Rule against Perpetuity

Onerous Gifts, Conditional Gifts

Kinds of Legacies

Ademption of Legacies

SUGGESTED READINGS:

1. Tahir Mahmood, The Muslim Law of India, Law Book Company
2. Mulla, Principles of Mohammadan Law, Lexis Nexis
3. A.A. Fyzee, Outlines of Mohammadan Law, Oxford University Press
4. Aquil Ahmed, Textbook of Mohammadan
5. Paras Divan, Family law
6. M.P. Tandon, Muslim Law in India
7. Prof. G. C. V. Subba Rao, Family law in India
8. B B Mitra - Indian Succession Act, 1925
9. A. A. A Fyzee - Outlines of Mohammedan Law
10. D. D Basu - Law of Succession
11. Paras Diwan - Family Law: Law of Marriage and Divorce in India
12. A. M Bhattachargee - Muslim Law and the Constitution

COURSE OUTLINE

PROGRAM: 5yr/3 Yr. Professional Law

First-year BLS LL B / LLB

Semester: VI/II

Course Title-: ENVIRONMENTAL LAW

Course Code: **Credits: 4**

COURSE OBJECTIVES:

The objective of this course is to enable the students to understand the legal protection of the environment through various laws. The course aims to shed vivid light on environmental jurisprudence and aspires to equip future lawyers with knowledge and skills to handle environmental matters. It further highlights the detailed understanding of emerging environmental issues, remedies for the same and the viability of potential solutions.

This course intends to develop an in-depth understanding of various environmental legislations available in India. The role of international and national environmental mechanisms & their involvement in promoting the cause of the environment is emphatically elucidated along with the outcome of various conferences and conventions. Environmental problems have attained alarming proportions It is essential to sensitize the students to environmental issues and the laws. The important principles in the field like intergenerational equity, carrying capacity, sustainable development and precautionary, polluter pays principles are to be appreciated. The law in practice is to be analyzed and evaluated. The course is designed towards these objectives.

COURSE OUTCOMES:

After completing this course, the students should be able-

1. To develop a basic scientific understanding of environmental issues, their causes, effects, remedies and viable solutions.
2. To be able to apply disciplinary knowledge and enforce the same through available mechanisms.
3. To explore the developments in national & international environmental laws and their fundamental principles.
4. To have an in-depth understanding of various statutes and provisions in respect of environmental laws.
5. To know about the importance of Public Participation, Public Interest Litigation, and other remedies in preserving and protecting the environment.
6. To analyze areas concerning Global & transboundary environmental problems through better perspectives.

MODULE 1:

1. **Environment, its components, and factors affecting the quality of environment including global warming, climate change and kinds of pollution.**
2. **Environmental Law** – meaning and purpose.
3. **Constitutional Provisions relating to rights and duties of people and government Public Interest Litigation and Judicial Activism.**

1.4 General Laws and Environment Protection- application of Tort law, Indian Penal Code and Criminal Procedure Code.

MODULE 2:

2.1 Environment Protection from International Perspectives-

Stockholm Conference, Rio Declaration and Johannesburg Declaration

Introduction to United Nations Framework Convention on Climate Change,

Kyoto Protocol, Montreal Protocol and Convention on Biological Diversity

2.2 Environment Protection-Significant Concepts and Principles-

Sustainable development

Polluter Pays Principle

Precautionary Principle

Environment Impact Assessment- CG Notification

Eco-mark

Intergenerational and Intragenerational Duty

Public Trust Doctrine

MODULE 3:

3.1 The Water (Prevention & Control of Pollution) Act 1974-

Definitions,

Establishments of - Central Pollution Control Board (S. 3)

The State Pollution Control Board (S. 4)

Joint Board (S. 13)

Functions of Central Pollution Control Board (S.16),

The State Pollution Control Board (S. 17)

Prevention & Control of Water Pollution (S.19 – S. 33),

Penalties & Procedure (S.41- S. 50)

3.2 The Air (Prevention & Control of Pollution) Act 1981-

Definitions,

Establishments of - Central Pollution Control Board (S. 3)

The State Pollution Control Board (S. 4)

Constitution of State Board (S. 5)

Functions of Central Board (S.16)

Functions of State Boards (S. 17)

Prevention and Control of Air Pollution (S.19- S. 33A)

Penalties and Procedure (S. 37- S.46)

3.3 The Environment (Protection) Act, 1986-

Definitions

General Powers of the Central Government (S.3)

Prevention, Control and Abatement of Environmental Pollution (S.7 – S.14)

Penal Provision (S.15-S.17)

3.4 Indian Forest Act 1927 and Forest Conservation Act, 1980-

MODULE 4:

1. The National Green Tribunal Act, 2010-

Scope (sec 3-13),
Jurisdiction, Powers and Proceedings of the Tribunal (sec 14-25),
Penal Provisions (26-28)

1. The Wild Life (Protection) Act, 1972-

Definitions,
Hunting of Wild Animals (sec- 9,11 &12)
Protection of Specified Plants (sec 17A-H)
Protected Areas Sanctuaries, National Parks & Closed Area (sec 18 – 49C)
Offences Against Wildlife (sec 50 – 58Y)

4.3 Rules addressing some environmental problems-

Bio-Medical Waste Rules 2016
Hazardous wastes Rules 1989
Noise Pollution Rules 2000
Ozone Depleting Substances Rules 2014
Solid Waste Management Rules 2016

SUGGESTED READINGS:

1. P. Leelakrishnan, The Environmental Law in India, Butterworths – India
2. P. Leelakrishnan, Environmental Law in India, Lexis Nexis
3. Shyam Diwan& Armin Rosencranz, Environmental Law and Policy in India, Oxford University Press
4. S. C. Shastri, Environmental Law, Eastern Book Company.
5. Gurdip Singh, Environmental Law in India, MacMillan Publisher.
6. Benny Joseph, Environment Studies, Tata McGraw Hill, New Delhi.
7. Environmental & Pollution Laws in India by Justice T S Doabia, Lexis Nexis
8. Krishan Keshav, Law and Environment, Singhal Law Publications
9. Green Book: Pollution Control Act, Rules and Notifications Issued Thereunder
10. Book Corporation's Principles of Environmental Laws by Dr. Rabindra Kr. Pathak, Ms. Surbhi Singh
11. Asia Law House's Environmental Law by DR. S. R. Myneni
12. Environment, Energy and Climate Change Author: Nawneet Vibhaw, Lexis Nexis
13. All We Can Save: Truth, Courage, and Solutions for the Climate Crisis, by Ayana Elizabeth Johnson, Katharine K. Wilkinson
14. Dr. Paramjit Jaiswal et al Environmental Law. Allahabad Law Agency, 5th Edition 2021
15. Our Common Future- The Bruntland Commission Report
16. Shantakumar‘s Introduction to Environmental Law, Wadhwa and Company
17. H. N. Tiwari, Environmental Law, Allahbad Law Agency

Drafting, Pleading and Conveyancing 1

LL B Semester II / Semester VI BLS LLB

Course Objectives

Good speaking and the writing skills are required for the lawyers. The objective of the course is to train the students with skills to draft the essential legal documents. It also intends to acquaint the students with advocacy skills to bridge the gap between theoretical and practical knowledge and to strengthen and enhance their critical thinking. This course intends to impart the essential skills enabling the learner to understand and draft the legal documents that he/she may come across in his/her professional as well as day to-day life. It helps in making aware the learner to the critical rules and principles of drafting legal documents essential not only in professional life but also in day today life.

Bar Council of India has prescribed one course on Drafting, Pleading and Conveyance as a compulsory clinical course. However, to give a winning edge to students of the University there will be three courses on drafting, pleading and conveyancing. This is the first of the three on drafting. Drafting skills are absolutely important for a lawyer and so in-depth coverage and vast coverage of the subject is the primary objective. The purpose of this course is to impart knowledge in drafting simple letters and of documents/pleadings which are related to the courses students study in the first year. The objective of the course is to teach in detail the content and format of the drafting of the items included in the four modules.

Course Outcomes

On successful completion of this course, the students will be able to :

1. Draft with ease the various letters, documents, applications included in the four modules
2. Understand the relevant legal provisions relating to the items included for drafting in this course
3. Identify and correct the errors in the drafting of these items which they learn to draft

Module I

1. Letter to obtain permission from the statutory authority
2. Letter of attornment
3. Accountable receipt
4. Promissory note
5. Affidavit for change of name
6. Declaration
7. Schedule of Property- plot of land with structure thereon

Module II

1. Public Notice
2. Adjournment application in criminal matters
3. Vakalatnama for High Court
4. Vakalatnama for city civil/ district court
5. Domestic Violence Act- Notice, Application

Module III

1. Consumer Complaint under CPA, 2019
2. Appeal and revision under CPA, 2019
3. General Power of Attorney, Special Power of Attorney

4. Agreement for Sale
5. Franchise Agreement
6. Confidentiality Agreement

Module IV

1. Writ Petition U/A 32, 226 and 227 of the Constitution
2. Public Interest Litigation

PROGRAM: 3 Yr/5 yr Professional Law

Second year LLB / Fourth Year B.L.S.

Semester: III/VII

Course Title-: ADMINSTRATIVE LAW

Course Code: **Credits: 4**

COURSE OBJECTIVES:

The objective of this course is to acquaint students with the basic principles of administrative law, its growth, and utility. This course will deal with the nature, scope and functions of Administrative Law, the nature and control of delegated legislative power, regulation of discretionary powers and general principles of administrative adjudication. This course will further deal with the role played by courts in the development of Administrative Law. The focus is on their role in protecting the rights of individuals against abuse of administration. In addition, adjudicatory powers of the administration and liability of administrative authorities are also studied in this course. This course aspires to educate students on comparative study of provisions of administrative law of France, England, America and India. It aims to provide an analysis of growing need of administrative law with special reference to civil services in India. The students will be equipped to examine the importance of delegated legislation and explore contractual and tortuous liability of Government. Importance of public corporations and rules of natural justice too will to be imparted. Overall, this course intends to comprehensively familiarize students with Administrative Law which is concerned with controlling the misuse of public power, by laying down general norms of administrative behaviour.

COURSE OUTCOMES

After completing this course, the students will be able to:

1. Recognize and trace the evolution of the concept of Administrative Law and principles of Natural Justice.
2. Understand the role of Judiciary and Executive in the growth of Administrative Law as a new branch of Law.

3. Evaluate the powers of the three organs of the Government, Executive, Legislature and Judiciary, importance of separation of powers, rule of law and the theory of checks and balances.
4. Comprehend the role played by civil servants and public corporations in achieving the welfare of the citizens.
5. Study the Concept of Delegated Legislation as a necessary tool for smooth functioning of Government.
6. Understand the contractual and tortious liability of Government and also the western concept of Ombudsman in Indian context i.e. Lokpal and Lokayukta.

Module 1:

1.1 Introduction

Transformation- Laissez-faire to welfare State

Definition, Nature and Scope of Administrative Law

Sources of Administrative Law

Reasons for growth of Administrative Law

Red Light Theory and Green Light Theory

Historical Growth and Development of Administrative Law (England, US, France and India)

Constitutional Law and Administrative Law

English Administrative Law and Indian Administrative Law

1.2 Basic Constitutional Principles

Rule of Law

Rule of Law under Indian Constitution

Separation of Powers

Separation of Powers in practice (US, England and India)

1.3 Classification of Administrative Functions

Tripartite functions of Administration

Legislative and Judicial Functions Distinction

Legislative and Executive Distinction

Judicial and Quasi-judicial Distinction

Module 2:

2.1 Delegated Legislation

Reasons for growth of Delegated Legislation

Constitutional Validity of Delegated Legislation

Doctrine of Excessive Delegation-Permissible and Non- permissible Delegation

Forms/ Types of Delegated Legislation

2.2 Safeguards and Controls on Delegated Legislation

Judicial Control over Delegated Legislation

Legislative Control over Delegated Legislation

Other Controls over Delegated Legislation

2.3 Principles of Natural Justice

Definition, Nature and Scope

Rule against Bias

Audi Alteram Partem

Post Decisional Hearing

Reasoned Decisions

Effect of failure of Natural Justice

Exceptions to Principles of Natural Justice

Module 3:

3.1 Administrative Tribunals

Characteristics

Administrative Tribunal and Court- Distinction

Working of Tribunals

3.3 Tribalization and threat to independence of judiciary- Tribunals Reforms Act, 2021

3.2 Administrative Discretion & Judicial Control, Judicial Remedies against administrative Arbitrariness

Need for conferring discretion on Administrative Authorities

Grounds of Judicial Review- Abuse of Discretion and Failure to exercise Discretion

Doctrine of Legitimate Expectation

Doctrine of Proportionality, Public Accountability.

3.3 Liability of Government for wrongs

Tortious liability

Sovereign and non-sovereign functions

Contractual Liability

Statutory Immunity and privileges of Government - act of state, Govt. Privileges in legal proceedings, State secrets- public interest privilege, Estoppels, waiver , Doctrine of legitimate expectations and accountability

Module 4:

4.1 Corporations and Public Undertakings

Definition and Characteristics

Classification of Public Corporation

Liabilities of Public Corporation

Control over Public Corporation

4.2 Informal methods of settlement of disputes and Grievance Redressal Procedures

Conciliation and Mediation

Use of Media-Lobbying and Public Participation, Public Inquiries and Commissions of Inquiry,

Ombudsman: Lokpal and Lok Ayukta

Lokpal and Lokayukta Act, 2013

Maharashtra Lokayukta and Uplokayukta Act, 1971

Central Vigilance Commission

Congressional and Parliamentary Committees

4.3 Civil Services in India

Nature and Organization of Civil Services

Powers and Functions

Accountability and Responsiveness- Problems and Perspectives

Administrative Deviance- Corruption, Nepotism and Mal-administration- Prevention of Corruption Act, 1988

Whistleblowers‘ Protection Act, 2014

4.4 Right to Information Act, 2005

Transparency and Right to Information-Constitutional Imperative

Object, Application, Definitions and Salient Features of the Act

Right to Information and Obligations of Public Authorities, Central Information Commission, State Information Commission, Powers and Functions of the Information Commissions, Appeal and Penalties

Hurdles in the implementation

Suggested readings and References:

1. C. K. Takwani, Lectures on Administrative law, Third Edition, Eastern Book Company.

2. S.P. Sathe, Administrative law, Seventh Edition, LexisNexis.
3. H.W.R. Wade And C.F .Forsyth, Administrative Law, Eleventh Edition, Oxford.
4. M.P. Jain and S.N. Jain, Principles of Administrative Law, Seventh Edition Volume 2, LexisNexis Butterworth‘s Wadhwa, Nagpur.
5. I.P.Massey, Administrative Law, Sixth Edition, Eastern Book Company.
6. M.P.Jain, The Evolving Indian Administrative Law, N. M. Tripathi Private Ltd,1983.
7. Prof. Saiyed I.A:-Administrative Law.

PROGRAM: 3 Yr/5 yr Professional Law

Second year LLB / Fourth Year B.L.S.

Semester: III/VII

Course Title-: TRANSFER OF PROPERTY

Course Code: **Credits: 4**

Course Objectives:

The focus of this course in on the study of the concept of 'Property' the' nature of property rights' and the general principles governing the transfer of property. The objective of this course is to enable students to understand the basic philosophy of property law and its nuances and to develop a sound grasp of the foundation of the laws relating to transfer of property including gaining knowledge about the concept of property and kinds of property as well as understanding the general principles governing transfer of property.
The intention is to facilitate a study of the substantive law on transfer of property, pertaining to specific modes of transfer of property, *inter vivos*, including sale, mortgage, lease, gift, exchange and transfer of actionable claims and to appreciate the implications of registration and stamp duty thereon. This course includes Indian Easements Act, 1882 for study. The course provides an insight on the kinds of stamps, adjudication, liability to pay stamp duty, time for payment of stamp duty, ramification of non-payment or insufficient payment and allowances for stamps together with knowledge of documents requiring compulsory registration, time for registration and understanding the consequences of non-registration.

Course Outcomes:

After completing this course, the students will be able to:

1. Understand the theoretical basis of the general principles governing transfer of property.
2. Analyze and understand the practical application of the legal provisions pertaining to specific modes of transfer of property.
3. Understand the law and applicability of easements in India
4. Assess the estimation of stamp duty payable as well as the timelines within which stamp duty is required to be paid on an instrument.
5. Assess the requirement of registration for a document and the timelines within which a document needs to be registered.

6. Interpret the relevant judicial precedents on transfer of property, stamp duty, registration and matters ancillary and incidental thereto.

Module 1:

1.1 Meaning of property under the Transfer of Property Act, 1882:

Kinds of property – movable and immovable

Definitions

1.2 General principles of transfer of property:

What may be transferred?

Persons competent to transfer

Transfer for benefit of unborn child

Rule against perpetuity

Accumulation

Vested Interest and Contingent Interest

Conditional Transfers

Election

Apportionment

Restrictive Covenants

Ostensible Owner

Feeding the Grant by Estoppel

Lis Pendens

Fraudulent Transfer

Part Performance

Attestation

Module 2:

2.1 Specific Transfers under the Transfer of Property Act, 1882:

Sale [Sections 54 – 57]

Mortgage and Charge [Sections 58 – 104]

Module 3:

3.1 Specific Transfers under the Transfer of Property Act, 1882:

Lease [Sections 105 – 117]

Exchange [Sections 118 – 121]

Gift [Section 122 – 129]

Actionable Claims [Sections 130 – 137]

3.2 Indian Easements Act, 1882

Module 4:

4.1 Registration Act, 1908:

Documents of which registration is compulsory [Section 17]

Documents of which registration is optional [Section 18]

Time for presenting documents [Section 23]

Provision where delay in presentation is unavoidable [Section 25]

Time from which registered document operates [Section 47]

Effect of non-registration of documents required to be registered [Section 49]

4.2 Maharashtra Stamp Act, 1958

Definitions [Section 2]

Liability of Instruments to Duty [Sections 3 – 9]

Kinds of Stamps and Mode of Using Stamps [Sections 10 – 16]

Time of Stamping [Sections 17 – 19]

Duty payable by whom [Section 30]

Adjudication [Sections 31 – 32C]

Impounding [Sections 33 – 46]

Allowances for Stamps [Sections 47 – 52B]

Reference, Revision, Appeal [Sections 53 – 58]

Recommended Resources:

1. S. N. Shukla, Transfer of Property Act, Allahabad Law Agency (January 2020)

2. Avtar Singh & Harpreet Kaur, Transfer of Property Act, Universal Law Publishing (January 2019)

3. Vepa P. Sarathi, Law of Transfer of Property, by Mallika Taly, EBC (January 2017)

4. G. P. Tripathi, The Transfer of Property Act, Central Law Publications (January 2016)

5. Dr. R. K. Sinha, The Transfer of Property Act, Central Law Agency (January 2021)

6. The Registration Act, 1908, Universal Law Publishers (January 2020)

7. The Registration Act, 1908, Professional Book Publishers (January 2020)

8. Maharashtra Stamp Act, 1958, by Sunil Dighe, Snowhite (January 2020)

9. Maharashtra Stamp Act, 1958, Current Publication (December 2020)

Reference Books:

1. Mulla, Transfer of Property Act, by Dr. Poonam Pradhan Saxena, Lexis Nexis, 13th Edition (2018)

2. G. C. V. Subbarao, Transfer of Property Act, C. Subbiah Chetty & Co., 16th Edition (Reprint January 2021)

3. Sir H.S. Gour's Commentary on The Transfer of Property Act, Delhi Law House, 14th Edition (2016)

4. Megarry& Wade, The Law of Real Property, Sweet & Maxwell Ltd., 9th Edition (August 2019)

5. Darashaw Vakil's Commentaries on the Transfer of Property Act, LexisNexis, 5th Edition (June 2017)

6. Goyle's A Commentary on Transfer of Property Act, by Sukumar Ray, Eastern Law House, 3rd Edition (January 2020)

7. Sanjiva Row, Transfer of Property Act, Universal Law Publishing, 9th Edition (May 2017)

8. Mulla, The Registration Act, LexisNexis, 14th Edition (January 2020)

9. Digest on the Registration Act, 1908, Kamal Publishers, 3rd Edition (January 2019)

10. Maharashtra Stamp Act, 1958, by A. K. Gupte, Hind Law House (2021)

Suggested Websites:

1. http://igrmaharashtra.gov.in
2. https://bhulekh.mahabhumi.gov.in
3. https://lj.maharashtra.gov.in

PROGRAM: 3 Yr/5 yr Law

Second year LLB / Fourth Year B.L.S.

Semester: III/VII

Course Title-: FAMILY LAW – II

Course Code: **Credits: 4**

COURSE OBJECTIVES:

The knowledge of family laws is important for law students and lawyers. This course is designed to endow the students with knowledge of both the codified and uncodified portions of Hindu law. The course concerns itself with the sources, schools, institutions, succession, maintenance, menace of dowry, etc. The study of family laws under this course covers provisions relating to Hindu law from the ancient period of Vedas, Shruti‘s, Smriti‘s etc. till the modern period of legislation. The course t also mainly focuses on origin, establishment and development of Hindu Law. It aims to educate students on various matrimonial remedies available under various laws. The Course also imparts details about Uniform Civil Code and its applicability. The object of this course t is to deal with legal incidence of joint family system, evolution of marriage and family, essentials of marriage. The course examines in detail fundamental concepts dealing with joint family, coparcenary, partition, intestate succession as well as the law relating to gifts, wills and inheritance.

COURSE OUTCOMES:

After completing this course, the students will be able to-

1. Examine historical and social contexts that have influenced the modern definition and regulation of families.
2. Have a deeper insight of the foundation of Hindu Law.
3. Understand the important concepts of Hindu Law- marriage, adoption, guardianship, maintenance and Hindu succession etc.
4. Understand new and emerging types of families.
5. To critically evaluate the application of Uniform Civil Code and its application in Indian scenario.
6. Understand the constitution and functions of Family Courts in India.
7. Ascertain and acquire skills required for remedies in matrimonial issues.

Module 1:

1.1 Evolution of the institution of marriage and family.

1.2 Role of religious rituals and practices in molding the rules regulating to marital relations.

1.3 Types of family based upon

Lineage – patrilineal, matrilineal
Authority structure patriarchal and matriarchal
Location- patrilocal and matrilocal
Number of conjugal units-nuclear, extended, joint and composite.

1.4 Emerging concepts: Maitri Sambandh and divided home

1.5 Hindu Marriage Act 1955

1.6 Benami Transaction Act, 2016

1.6 Special Marriage Act, 1954

1.7 Domestic Violence Act, 2005

1.8 Establishment of family Courts – Family Courts Act, 1984

Constitution, power and functions
Administration of gender justice

Module 2:

2.1 Mitakshara joint family

2.2 Mitakshara coparcenary-formation and incidents

Property under Mitakshara law-separate property and coparcenary property.

2.3 Dayabhaga coparcenary-formation and incidents

Property under Dayabhaga law.

2.4 Karta of the joint family-his position, powers, privileges and obligations.

2.5 Alienation of property-separate and coparcenary

2.6 Debt-doctrines of pious obligations and antecedent debt.

2.7Sec.6- Devolution of interest in coparcenary property under Hindu Succession Act.

2.8 Partition and re-union.

2.9Joint Hindu family as a social security institution and impact of Hindu Gains of Learning Act and various tax laws on it.

2.10 Matrilineal joint family.

Module 3:

3.1 Historical perspective of traditional Hindu law as a background to the study of Hindu succession Act 1956.

3.2 Succession to property of a Hindu male dying intestate under the provisions of Hindu Succession Act 1956.

3.3 Devolution of interest in Mitakshara coparcenaries with reference to the provisions of Hindu Succession Act, 1956.

3.4 Succession to property of Hindu female dying intestate under the Hindu Succession Act 1956.

3.5 Disqualification relating to succession

3.6 General rules of succession

Module -4:

4.1 Hindu Adoptions and Maintenance Act, 1956

4.2 Adoption by members of other religion with special reference to CARA Rules

4.3 The Maintenance and Welfare of Parents and Senior Citizens Act, 2007

4.4 The Hindu Minority and Guardianship Act, 1956

4.5 Uniform Civil Code-

4.5.1 Custody, maintenance and education
4.5.2 Guardianship and parental rights – welfare of the child principle.

Uniform Civil Code

4.5.1 Religious pluralism and its implications.
4.5.2 Connotations of the directive contained in Article 44 of the Constitution.
4.5.3 Impediments to the formulation of the Uniform Civil Code
4.5.4 The idea of Optional Uniform Civil Code.

Recommended Resources

1. Modern Hindu Law by Dr. Paras Diwan, Allahabad Law Agency
2. Hindu Law by Sir Dinshaw Fardunji Mulla, Lexis Nexis
3. Hindu Law by G.C.V. Subba Rao, Gogia Law Agency
4. Hindu Law by B. M. Gandhi, Eastern Book Company
5. Supreme Court on Hindu law by Hari Devi Kohli, Universal Law Publication
6. Hindu Law and Constitution by A. M. Bhattacharjee, Eastern Law House

PROGRAM: 3 Yr/5 yr Professional Law

Second year LLB / Fourth Year B.L.S.

Semester: III/VII

Course Title-: COMPANY LAW

Course Code: **Credits: 4**

COURSE OBJECTIVES:

This course is designed to understand the formation, management and other activities of the companies. In view of the important developments that have taken place in the corporate sector. Important regulations pertaining to the issue of shares and the capital raising have come into force. The objective of this paper is to enlighten students about various and vital concepts of Company Law with recent changes. This course aspires to edify students with compliances related to formation, management, prospectus, securities, financial aspects, meetings, etc.

The course includes to identification of different types of malpractices committed and levy of punishment provisions for breach of law. The students will be in a position to develop an understanding of emerging issues in Company Law related to Environmental Social Governance, Corporate Governance, Insider Trading, Corporate Social Responsibility and National Company Law Tribunal and National Company Law Appellate Tribunal with winding up.Overall, this course aims to impart the students, the corporate management, control, possible abuses, the remedies and government regulation of corporate business and winding up of companies.

COURSE OUTCOMES:

After completing this course, the students will be able to –

1. Identify and understand various provisions of Companies Act, 2013 read with Rules and Schedules.
2. Understand emerging trends of business world related to Environmental Social Governance, Corporate Governance and Insider Trading.
3. Apprehend the impact of non-compliances of the laws and regulations.
4. Get practical exposure of understanding organisational structure followed by Corporates and duties and responsibilities of different personnel working for them.
5. Grasp different methods of collecting finance by companies and duties involved around it including maintaining proper records and getting them checked and audited for different purposes.
6. Analyse and appreciate different concepts and doctrines under Companies Act, 2013.

MODULE 1:

1.1 Basic principles of company law for incorporation, prospects and Securities

Meaning and Definition of a Company

Types of Companies

Nature and Characteristics of a Company

Doctrine of Lifting of the Corporate Veil

Citizenship of a Company

Promoters – position – duties and liabilities

1.2 Incorporation of companies & matters incidental thereto

Formation and Incorporation of Companies

Commencement of Business

Memorandum of association

Articles of association

Doctrine of constructive notice and indoor management

Rectification of name of company

1.3 Prospectus & allotment of securities

Shelf Prospectus, Red Herring Prospectus, Abridged Prospectus, Offer for Sale - Deemed Prospectus

Matters to be stated in prospectus

The Golden Rule or Golden Legacy

Public offer of securities to be in dematerialized form

Criminal liability for mis-statements in prospectus

Civil liability for mis-statements in prospectus

Punishment for fraudulently inducing persons to invest money

Punishment for personation for acquisition, etc., of securities

Allotment of securities by company

Securities to be dealt with in stock exchanges

Private placement

1.4 Share capital & debentures

Kinds of share capital

Nature of shares or debentures

Equity Shares with Differential Voting Rights

Issue and Redemption of Preference Shares

Issue of sweat equity shares

Application of premiums received on issue of shares

Prohibition on issue of shares at discount

Transfer and transmission of securities

Power of limited company to alter its share capital

Further issue of share capital

Issue of bonus shares

Reduction of share capital

Restrictions on purchase by company or giving of loans by it for purchase of its Shares

Power of company to purchase its own securities

Prohibition for buy-back in certain circumstances

Debentures

Power to nominate

MODULE 2:

2.1 **Acceptances of deposits**

Definition of Deposits

Eligibility to accept Deposits

Applicability

Conditions for acceptance of Deposits from its members

Damages for fraud

Time period & Acceptance Limit for Deposit

2.2 Registration of charges

Creation, Modification & Satisfaction of Charges

Floating Charge

Fixed Charges

Crystallization of Charge

2.3 **Meetings**

Kinds of Meetings

Types of Resolutions;

Notice, Quorum, Poll, Chairman, Proxy;

Meeting and Agenda;

Voting and its types-vote on show of hands, Poll, E-Voting, Postal ballot;

Circulation of Members‘ Resolutions etc.;

Signing and Inspection of Minutes

Register of Members & other Security Holders

Significant Beneficial Owners

Annual Return

Resolutions and agreements to be filed

Report on annual general meeting

Meetings of Board and its Committees

Frequency, Convening and Proceedings of Board and Committee meetings;

Quorum; Resolution by Circulation;

2.4 Dividend

Declaration of dividend

Unpaid Dividend Account

Investor Education and Protection Fund

Punishment for failure to distribute dividends

2.5 Accounts, Audit & Auditors

Books of Accounts;

Financial Statements;

National Financial Reporting Authority;

Auditors-Appointment, Resignation and Procedure relating to Removal,

Qualification and Disqualification;

Rights, Duties and Liabilities;

Audit and Auditor‘s Report;

Internal Audit;

Cost Audit

Annual Report & Directors Reports

Integrated Reporting

MODULE 3:

3.1 Directors

DIN,

Types of Directors;

Appointment/ Reappointment,

Disqualifications,

Vacation of Office,

Retirement, Resignation and Removal,

Duties of Directors;

Rights of Directors;

Register of directors and key managerial personnel and their shareholding

Loans to Directors;

Disclosure of Interest;

Declaration by the Directors;

Loan and investment by company

Investments of company to be held in its own name

Related Party Transactions

Register of contracts or arrangements in which directors are interested

3.2 Board constitution and its powers

Board composition;

Restriction and Powers of Board;

Board Committees- Audit Committee, Nomination and Remuneration Committee, Stakeholder relationship Committee and other Committees

Contributions to Charitable Funds, Political Party & National Defense Fund

3.3 Appointment and remuneration of managerial personnel

Appointment of Key Managerial Personnel;

Managing and Whole-Time Directors, Manager, Chief Executive Officer, Chief Financial Officer and Company Secretary

Remuneration of Managerial Personnel

3.4 Prevention of oppression and mismanagement

Majority Rule and Minority Rights

The Principle of Non-interference

Meaning of Oppression

Application to tribunal for relief in cases of oppression etc.

Powers of Tribunal

Class action

Reconstruction and amalgamation

MODULE 4:

4.1 Corporate Social Responsibility & secretarial audit

Applicability of CSR

CSR Policy & Permitted CSR Activities

CSR Committee and Expenditure

Net Profit for CSR

Reporting requirements

4.2 Winding Up

Procedure before Tribunal & Appellate Tribunal

Legal provisions for Winding Up of Companies

Winding Up by the Tribunal

Voluntary Winding Up

4.3 Environmental, Social &Governance and Corporate Governance

Meaning of ESG & its Components

History of Corporate Governance

Meaning of Corporate Governance

Requirements under Corporate Governance

Corporate Governance Report

4.4 Insider Trading

Definitions – Insider, Connected Person, Person Deemed to be Connected, Unpublished Price Sensitive Information, Window Closure, Opposite Transaction, Trading Plans

When Applicable

Penalties

Case Studies

Recommended Resources:

1. Dr. Avtar Singh, Company Law; Eastern Book Company, 34, Lalbagh, Lucknow
2. Ramaiya, Guide to the Companies Act; Lexis Nexis, Butterworths Wadhwa, Nagpur
3. Taxmann's, Circulars & Clarifications on Company Law; 59/32, New Rohtak Road,
   New Delhi

1. L.C.B. Grower. Principles of Modern Company Law Sweet and Maxwell, London
1. S. C. Kuchal - Corporation Finance: Principles and problems.
1. Y. D. Kulshreshta- Government regulation of financial management of private corporate sector in India.
1. S. K. Roy - Corporate Image in India
1. Gower - Company Law
1. Sen - New Horizons in company law
1. D. L. Majumdar - Towards a philosophy of modem Corporation.
1. Rajiv Jain - Guide on foreign collaboration - Policies & Procedures.
1. C. Singhania - Foreign collaborations and Investments in India - Law and procedures.
1. Joyant M Thakur - Comparative Analysis of FEMA - FEMA

LL B Semester III / Semester VII BLS LLB

PRACTICAL TRAINING – II Alternate Dispute Resolution

Course Objectives.

This course is in compliance with the BCI prescription of compulsory clinical courses. The course aims at providing class room instructions including simulation exercises and extension programmes like Alternate Dispute Resolution Mechanism, LokAdalat, Legal aid Camp, Legal Literacy and Para Legal Training. The course has as its objective to teach about Free Legal Services, para legal training, legal literacy. The course also aims at imparting education in arbitration, conciliation mediation and negotiation. The course further aims at equipping the students with the use of computers and internet in legal work and legal research, with the skills of legal writing - case comments, editing of law journals and law office management.

Course outcomes:

By the end of the course, students would be able to:

1. Understand well the authorities constituted under Legal Services Authorities Act, their powers, functions and role: further the students will be able to know about the legal aid services covered by the Act and persons eligible for the same
2. Know the lokadalats, permanent lokadalats, para legal training and legal literacy
3. Know and practice the alternative disputes resolution mechanisms under the Arbitration and Conciliation Act, 1996- negotiation, conciliation, mediation and arbitration
4. Know and use computers and internet in the professional work and research
5. Understand research required for Public Interest Litigation

6. Know to write articles and case comments, to edit law journals and know law office management

Module I.

1. Legal Services Authorities Act, 1987
    1. Authorities
    2. Services
    3. Persons entitled to services
    4. LokAdalats
    5. Para legal training and legal literacy
    6. Permanent LokAdalats

Module II

2.1. The Arbitration and Conciliation Act, 1996

Module III

3.1. Enforcement of Certain Foreign Awards
(In light of New York Convention Awards Geneva Convention Awards)

3.2. Conciliation

3.3. Mediation and Negotiation

3.4 Counselling

Module IV

4.1 Legal writing- Article and Case Comment, Editing of a Law Journal

4.2 Research for Public Interest Litigation

4.3 Use of Computer and internet in professional legal work

4.4 Law office Management

<u>Suggested Reading</u>

1. B.V.R .Sarma, Arbitration & Conciliation Act, 1996 (Commentary) 3rd edition 2020.
2. Dr. N.V. Paranjape , Law Relating to Arbitration and Conciliation in India, 8th Edition, 2019
3. K V Satyanarayana, Law Of Arbitration And Conciliation In India As Amended By Act No. 33 Of 2019, 2nd Edition, 2021
4. Fali S. Nariman , Harmony Amidst Disharmony: The International Framework (The Arbitration Series (Vol. 2), 2020
5. O.P.Malhotra&Indu Malhotra, Commentaries on The Law and Practice of Arbitration and Conciliation (2 Vols.)4th edition, 2020
6. Justice R P Sethi , Commentary on Arbitration & Conciliation Act (in 2 Vol)3rd Edition reprint 2020

1. Dr.U. Pattabhi Ramiah, Arbitration & ADR (including Conciliation, Mediation and Negotiation)2011
1. Dr. Hemant Kumar Chand ,LokAdalat In India – Genesis, Law Practice And Prospects, 2016
1. Ashwini Kumar Bansal, Arbitration & ADR (Universal Law Series)5th edition, 2016

PROGRAM: 3 Yr/5 yr Professional Law

Second year LLB / Fourth Year B.L.S.LL B

Semester: IV/VIII

Course Title-: JURISPRUDENCE/LEGAL THEORY

Course Code: **Credits: 4**

COURSE OBJECTIVES:

This course in Jurisprudence is designed primarily, to induct students into a realm of questions concerning nature of law. Accordingly, the first part of the course sheds vivid light on various schools of law explaining, what is law, what are the purposes of law? What is the relationship between law and justice? This course aims to educate students on various legal concepts, such as, Rights, Persons, Property, Possession, Ownership, Title and Obligationand attempts to shape up a general and more comprehensive picture of each concept as a whole. This course is proposed predominantly on English model but native Indian orientation is given wherever possible with help of case laws. The course aims at developing an analytical approach to understand the nature of law and development of legal system. The concerns of jurisprudence are an inescapable feature of the law and legal system. Overall, the course aims to identify and elucidate several major principles of legal theory.

COURSE OUTCOMES:

After completing this course, the student will be able to:

1. Know various theories of Law with their merits, demerits and their application in legal system.

1. Identify and acquaint themselves with the various formal and material sources of law
1. Understand the function and purpose of law.
1. Understand thoroughly the concept of right, its elements, its kinds including rights in the wider sense i.e., the Hofliedian analysis on rights
1. Know the concepts of Custody, Possession, Ownership, Title and the distinction between and among them
1. Grasp and understand the different Legal Concepts: Legal Personality, Property, Obligations.

1. Fathom the jurisprudential aspect of legal concepts, legal statutes, legal interpretations,

Module 1:

1. **Introduction, Meaning, nature, scope and importance of jurisprudence**.
2. **Law**
   Nature and definition of law

Functions and purpose of law
Classification of law

1. **State**

Introduction, Meaning and Nature of State
Elements of State- Population, Territory, Government and Sovereignty
Theories regarding the origin of State- The Divine Theory, Social Contract Theory, Patriarchal Theory, Matriarchal Theory.

Module 2:

2.1 Sources of law

Formal and material sources of law
Custom
Meaning and Nature of Custom as a source of law

Kinds of Customs

Trade Usage/ Convention

Essential conditions of validity of Custom

1. **Precedent-**

Meaning and nature of Precedent as a source of law

Doctrine of Stare Decisis, Doctrine of Prospective Overruling and Declaratory theory of Precedents

Ratio-Decidendi and Obiter Dicta

Circumstances which destroy the binding force of precedent

Merits and Demerits of Precedent

1. **Legislation-**

Meaning, Nature and Scope of Legislation as a source of law

Kinds of Legislation

Merits and Demerits of Legislation as a source of law

Codification of Law

Statutory Interpretation

2.4 Convention **as a source of law.**

Module 3:

Schools of Jurisprudence

3.1Natural Law School

Basic Tenets of Natural Law

History of Natural Law School- The Greek period, The Roman period, Christian period, Medieval period and Modern period.

1. **Legal positivism**

Bentham‘s Utilitarian theory,

Austin‘s Imperative/ Analytical theory,

Prof. HLA Hart‘s Concept of Law,

Hans Kelson‘s Pure Theory of Law.

1. **Law and Morality**, **Ancient Indian concept of Dharma**

3.4 Historical school of law-

Savigny‘s view, Puchta‘s view, Main‘s view

Basic Tenets of Historical School

1. **Sociological school of law-**

Roscoe Pound‘s Social Engineering Theory

Basic Tenets of Sociological School

1. **Realist school of law-**

American Realist School

The Scandinavian Realist School

Basic Tenets of Realist School

1. **Feminist legal theory**

MODULE 4:

4.1 Rights and Duties

Meaning of Rights

Characteristics of legal Rights

Rights and Duties correlations

Rights in wider sense (Hofeldian table)

Classification of Rights

4.2 Persons

Nature of Personality

Legal Status of Animal, Minor, Person of unsound mind, Drunk, Unborn and Dead person

Corporate Personality- Characteristic and Theories of Corporate

Personalities.

4.3 Property

Philosophical Theories of Property

Kinds of Property

Modes of Acquisitions of Property

4.4 Possession

Concept of Possession

Possession in fact and possession in law

Corporeal and Incorporeal Possession

Modes of Acquisition

Why Possession is protected

Possessory Remedies

4.5 Ownership

Definition

Characteristics of Ownership

Possession and Ownership

Austin‘s conception of Ownership

Different kinds of Ownership

4.6 The law of Obligations

The Conception of Obligation

Imperfect and Perfect Obligations

Simple and Solidary Obligations

Sources of Obligations.

<u>Recommended Resources: -</u>

1. Bodenheimer Jurisprudence- ‒The Philosophy and Method of Law‖ (1996), Universal Publication, Delhi.
2. W. Friedmann, ‒Legal Theory‖ (1999) Universal Publication, Delhi.
3. Roscoe Pond, ‒Introduction to the Philosophy of Law (1998-Re-print)

4. Fizerald (ed.) Salmond on Jurisprudence (1999) Tripathi, Bombay.
5. V.D. Mahajan, ‒Jurisprudence and Legal Theory‖ 1996 Re-print, Eastern Book, Lucknow
6. H.L.A Hart, ‒The Concept of Law‖, Oxford University Press, ELBS, 1970
7. Dr. M. P. Tandon, ‒Jurisprudence –Legal Theory‖, 19 Edition- (2016), Allahabad Law Agency, Faridabad, Haryana.
8. Dr. Nomita Agarwal, ‒Jurisprudence‖, 2019, Central Law Agency, Faridabad.
9. Rohinton Mehta, ‒50 Lectures on Jurisprudence‖, Edi. 2000, Network Publications, Mumbai
10. Dr. B.N. Mani Tripathi, ‒Jurisprudence (Legal Theory), 2012 (Reprint- 16-17) Allahabad Law Agency, (Faridabad)
11. Dr. S.R. Myneni- ‒Jurisprudence‖, 2004 (Reprint-2010) Asia Law House, Hyderabad.
12. Dr. Avtar Singh & Dr. Harpeet Kaur, ‒Introduction to Jurisprudence‖ 2009, Lexis Nexis (Nagpur).
13. Jurisprudence and Legal Theory by G W Paton
14. Jurisprudence Indian Legal Theory Prof. S.N. Dhyani, Central Law Agency

PROGRAM: 3 Yr/5 yr Professional Law

Second year LLB / Fourth Year B.L.S. LL B

Semester: IV/VIII

Course Title-: CONTRACT II

Course Code: **Credits: 4**

COURSE OBJCETIVES:

This course is principally designed to equip a law student with the knowledge of special contracts apart from equipping himself/herself with general principles of contract.The objective of this course is to enable students to understand the functioning of commercial transactions and to identify the forms of business organization and structuring and the requirement and legal framework of special contracts, sale of goods and partnership laws. The intention of this course is to facilitate understanding of the various legal provisions and case studies related to special contracts, sale of goods and partnership laws.

COURSE OUTCOMES:

After completing this course, the students will be able to:

1. Understand the importance and the difference between various forms of business organizations and structuring, from a legal as well as commercial perspective.
2. Appreciate the formation, liabilities and legal remedies in case of the partnership form of organizational structure.
3. Understand and apply the Limited Liability Partnership Act, 2008
4. Apply the provisions of sale of goods in practical commercial transactions.
5. Analyse the various special contracts under the Indian Contract Act viz Indemnity, Guarantee, bailment and pledge, their significance and applicability

1. Understand the rights and obligations of various stake holders in the special contracts, partnership contracts and sale of goods

Module 1:

1.1 Indian Partnership Act, 1932:

Forms of business organization
Factors taken into consideration for choice of organization
Definition of Partnership & Essentials
Kinds of Partnership
Partnership Property
Rights and Duties of a Partner
Implied Authority of a Partner
Minor Admitted to the benefits of Partnership
Incoming and Outgoing Partner
Registration of Partnership Firm
Dissolution of Partnership
Public Notice in case of Partnership

Module2:

2.1 Limited Liability Partnership Act, 2008:

Nature of Limited Liability Partnership [Sections 2 – 10]
Incorporation of Limited Liability Partnership [Sections 11 – 21]
Partners and their Relations [Sections 22 – 25]
Extent and Limitation of Liability of Limited Liability Partnership and Partners [Sections 26 – 31]
Contributions [Sections 32 – 33]
Assignment and Transfer of Partnership Rights [Section 42]
Conversion into a Limited Liability Partnership [Sections 55 – 58]
Winding up and Dissolution [Sections 63 – 65]
Difference between Limited Liability Partnership incorporated under Limited Liability Partnership Act, 2008 and a Partnership Firm incorporated under the Indian Partnership Act, 1932 and a Company incorporated under Companies Act, 2013

Module 3:

3.1 Sale of Goods Act, 1930:

Significance of transfer of property
Concept of buyer and seller
Difference between sale and hire purchase
Difference between sale and Agreement to Sell
Condition and Warranty
Delivery of goods and its rules
Rules relating to passing of the property
Unpaid Seller – Rights and Remedies
Auction Sale

Module 4:

4.1 Special Contracts under Indian Contract Act, 1872:

Indemnity [Sections 123 – 125]
Guarantee [Sections 126 – 147]
Bailment [Sections 148 – 181]
Agency [Sections 182 – 238]

Reference Books:

1. Pollock and Mulla‘s The Indian Contract Act,1872, by R. Yashod Vardhan, Chitra Narayan, Pollock, Lexis Nexis (2019)
2. Indian Contract Act and Tenders, by Sanjiva Row, Delhi Law House (2018)
3. Law of Contract, by M. J. Aslam, Thomson Reuters (2017)
4. Mulla‘s Indian Contract Act, by Anirudh Wadhwa, Lexis Nexis (2015)
5. Pollock & Mulla‘s Sale of Goods Act by Akshay Sapre, Lexis Nexis (2021)
6. Benjamin‘s Sale of Goods by Michael G Bridge, Sweet and Maxwell (2019)
7. Mulla‘s Sale of Goods Act and Indian Partnership, by K. Kannan, Lexis Nexis (2019)
8. Pollock & Mulla‘s Indian Partnership Act by Devashish Bharuka, Lexis Nexis (2020)
9. The Law of Partnership along with The Limited Liability Partnership Act, 2008, by P. S. Narayanan & Anita Gogia, Gogia Law Agency (2021)
10. Limited Liability Partnerships, Law and Practice, by Hitender Mehta, Commercial Law Publishers (India) Pvt. Ltd. (2020)
11. Law Relating to Limited Liability Partnership, by D. S. R. Krishnamurti, Taxmann Publications Pvt. Ltd. (2009)

Recommended Resources:

1. Law of Contract II, with Indian Partnership Act and Sale of Goods Act, by R. K. Bangia, Allahabad Law Agency (January 2019)
2. Law of Contract and Specific Relief Act, by Avtar Singh, Eastern Book Company (2019)
3. Law of Contract, by Rajni Malhotra Dhingra, Taxmann (February 2021)
4. Law of Contract I and II, with Specific Relief Act, Sale of Goods Act, Partnership Act and Negotiable Instruments Act, by Dr. S. S Srivastava, Central Law Publications (2018)
5. Contract II along with Sale of Goods Act and Partnership Act, by Dr. S. K. Kapoor – Central Law Agency (2017)
6. Contract II (Special Contracts), by Dr. S. R. Myneni, Asia Law House (2018)
7. Law of Contract-II, by Y. S. Sharma, University Book House Pvt. Ltd. (2018)
8. Avtar Singh‘s Law of Sale of Goods, by Deepa Paturkar, Eastern Book Company (2021)
9. Sale of Goods Act, by R. K. Bangia, Allahabad Law Agency (January 2017)
10. The Indian Partnership Act, 1932 with Limited Liability Partnership Act, 2008, R. K. Bangia, Allahabad Law Agency (2012)
11. Introduction to Law of Partnership, including Limited Liability Partnership, by Avtar Singh, Eastern Book Company (2018)

Suggested Websites:

1. www.mca.gov.in

2. https://rof.mahaonline.gov.in

PROGRAM: 3 Yr/5 yr Professional Law

Second year LLB / Fourth Year B.L.S. LL B

Semester: IV/VIII

Course Title-: CONSTITUTIONAL LAW- II

Course Code: **Credits: 4**

COURSE OBJECTIVES:

This course is the second course on Constitutional Law in the professional LL B programmes of the University. This is designed to enrich student's knowledge about the *Supreme Lex*. The course aspires to impart detailed understanding of various vital aspects of Indian Constitutional governance, federalism and Centre-State relations. The students will be intellectually armed with the exhaustive knowledge of the composition and jurisdiction of Supreme Court and High Courts. This course intends to highlight detailed understanding of the powers and functions of legislature and executive. At the same time, this course provides augmented acquaintance to students about concepts like independence of judiciary, judicial accountability and judicial activism in India. The students will gain in depth learning about provisions relating to Emergency and amenability of the Constitution. The Constitution and powers of various constitutional bodies will be analyzed in detail. Over all, this course emphatically prepares students to achieve intense knowledge and meticulous intricate details about imperative concepts of the Supreme law of the land. The course also encompasses study of interstate trade and commerce and cooperative societies.

COURSE OUTCOME:

After completing this course the students will be able to:

1. Understand the concept of Federalism and relationship and distribution of powers between Centre and State and analyse various doctrines to interpret the Union, State and Concurrent Lists

1. .Understand the procedure for appointment, removal and powers of President and Governor as well as various Constitutional bodies like Election Commission of India, Attorney General and Advocate generals, Comptroller and Auditor General of India.
1. Comprehend in detail the qualifications, disqualifications of members of legislatures and executives and powers and privileges of Centre and State Legislatures.
1. Understand and fathom the Composition and Jurisdiction of Supreme Court and High Court and the concepts of Independence of Judiciary, Judicial accountability and judicial activism.

1. Understand and identify the provisions relating to declaration of various emergencies ad their interpretation
1. To know and appreciate the provisions of the Constitution as to the power, procedures and restrictions on amending the Constitution and their interpretation , including the Basic Structure Doctrine
1. To understand the provisions of the Constitution on interstate trade and commerce and cooperative societies

Module 1:

1. Federalism

Concept and Idea of Federalism

State and Union territories (Part-I and Part- VIII)

Features of Indian Federalism

Local self-governing Bodies: Panchayats and Municipalities (Part IX and IX-A)

Scheduled and Tribal Areas (Part X)

Special Status of some States (Part- XXI)

Forms of Government

1.2 Concept of Cooperative and Competitive Federalism

1.3 Centre-State Relations (Part-XI)

Legislative Relations

Administrative Relations

Finance, Property, Contract and Suits(Part-XII)

Special Provisions Relating to Certain Classes (Part-XVI)

MODULE 2:

2.1 Legislature and Executive under the Indian Constitution

Unicameral and bicameral Legislatures

Composition, Powers, and Functions of Union Legislature (Part-V, Chap-2)

Composition, Powers, and Functions of State Legislature (Part-VI, Chap-3)

1. **Qualification, Disqualification and Privileges of-**

Members of Parliament

Members of Legislative Assembly

Anti-Defection Law (Xth Schedule)

1. **Law making procedure**

Types of Bills- Ordinary, Financial, Money and Appropriation

Private Member Bills and Government / Public Bills

1. Qualification, Powers, and functions of-

President and Vice-president

Union Council of Ministers

Governor

State Council of Ministers

Module 3:

3.1 Judicial Activism

3.2 Independence of Judiciary

3.3 Judicial accountability

3.4 National Judicial Appointments Commission.

MODULE 4:

4.1 Emergency (Part XVIII)

Types of Emergencies

Grounds for proclamation

Consequences of Proclamation

Judicial Review of proclamation of emergencies

4.2 Amendment and the basic structure doctrine (Part XX)

4.3Constitutional Bodies and Offices

Services (Part-XIV, Chap-1)

UPSC and State Public Service Commission (Part-XIV, Chap-2)

Election Commission of India (Part-XV)

Attorney General and Advocate Generals (Relevant Chapters from Part-V and Part-VI)

Comptroller and Auditor General of India (Chapter-V, Part-V)

Finance Commission (Art. 280, Art-281)

National Commissions for SC, ST and Backward Classes (Art.338, Art.338-A, Art.338-B)

4.4 Inter-state Trade and Commerce (Part-XIII)

Freedom of trade, commerce and inter course

Restrictions on the freedom

4.5 Co-operative Societies (Part-IX-B)

Recommended Resources :

1. H.M. Seervai, Constitutional Law of India, Law and Justice Publishing Company, 4 Edition 2021
2. M.P. Jain, Indian Constitutional Law, Lexis Nexis
3. Narendra Kumar, Constitutional Law of India, Allahabad Law Agency
4. J.N. Pandey, Constitutional Law of India, Central Law Agency
5. P.M. Bakshi, The Constitution of India, Butterworth Lexis Nexis
6. D.D. Basu, Introduction to the Constitution of India, Lexis Nexis
7. Subhash Kashyap, Constitution of India, National Book Trust
8. Dr. Suresh Mane, Indian Constitutional Law, Dynamics and Challenges, Aarti and Company
9. Mahendra Pal Singh, V. N. Shukla‘s Constitution of India, Eastern Book Company
10. Kailash Rai, The Constitutional Law of India, Central Law publication
11. Writing and speeches of Dr. Baba Saheb Ambedkar published by Government of Maharashtra.
12. Arvind Datar, Commentary on the Constitution of India, 3 volumes
13. K L Bhatia, Cases and Materials on Constitutional law of India, Universal Law Publishers

PROGRAM: 3 Yr/5 yr Professional Law

Second year LLB / Fourth Year B.L.S. LL B

Semester: IV/VIII

Course Title-: HUMAN RIGHTS LAW (Elective Course)

Course Code: **Credits: 4**

COURSE OBJECTIVES:

The objective of this course is to inculcate sense of responsibility amongst citizens and create awareness about Human Rights, democracy and development.This course aims to enlighten students about the Principles and Characteristics of Human Rights and its various Laws, Declaration and Covenants. Through this course the students will be able to understand the growth and development of Human Rights laws in India and across the globe. Education on national and international regime of Human Rights will be imparted. This course intends to reflect on the criticism of various theories of Human Rights. To study the classification of Human Rights-First, Second, Third generation rights with their historical development. To analyze Human Rights vis-à-vis Politics and Society and Third world perspective of Human Rights. Overall, this course intendsto foster respect for international obligations for peace and development, to sensitize students to human suffering and promotion of human life with dignity, to develop skills on human rights advocacy and to appreciate the relationship between rights and duties and to foster respect for tolerance and compassion for all living creatures.

COURSE OUTCOMES:

After completion of this course, students will be able to:

1. Understand, evaluate and analyze the historical perspectives and philosophical aspects of human rights jurisprudence across the globe.
2. Understand working of international organizations dedicated to the protection of human rights.
3. Have in depth knowledge of various statutory safeguards available for protection of human rights in India and role of judiciary.
4. Comprehend ideals of constitution and functions of commissions and bodies set up for protecting human rights in India.
5. Fathom the global steps taken for protection of human rights of vulnerable persons.
6. Understand, appreciate and evaluate the promotion of human life with dignity, especially with respect to the various regional arrangements and recognized measures to protect the rights of the meek and subjugated.

Module1:

History and Philosophy of Human Rights

1. Human Rights: Concept, Definition, Evolution, Characteristics, Need, Limitations, Theories of Development of Natural Rights, Theories of Utilitarianism, Idealism, Socialism and Positivism;
2. Human Rights in India, the tradition of Human Rights in Indian context: ancient, medieval and modern;
3. First, Second and Third Generation Human Rights: Their Meaning, Historical Development and evolution, distinguishing factors and essential characteristics;
4. Universality of Human Rights.
5. Human Rights in Western tradition, Normative Foundation of International Human Rights;
6. The American Declaration of Independence and the Bill of Rights & the French Declaration of the Rights of Man.
7. The UN Human Rights System and UDHR.

Module 2:

International Conventions and Protocols

2.1 International Covenant on Civil and Political Rights, First Optional Protocol, Second Optional Protocol, International Covenant on Economic, Social and Cultural Rights

2.2 Role of ILO, UNESCO, UNICEF and WHO

2.3 UN SDG‘s, Right to Environment, Role of NGOs in protection of Human Rights.

Module 3:

Human Rights and the Indian Constitution and Commissions

3.1 Indian Constitution and Human Rights: Fundamental Rights and Directive Principles of State policy under the Indian Constitution, Fundamental Duties under the Indian Constitution, Relationship Between Rights and Duties in relation to State and Society.

3.2 The Protection of Human Rights Act, 1993

3.3 National Commission for Women: Constitution, Role and Responsibilities;

3.4 National Commission for Minorities: Constitution, Role and Responsibilities;

3.5 National Commission for Scheduled Castes: Constitution, Role and

Responsibilities;

3.6 National Commission for Scheduled Tribes: Constitution, Role and

Responsibilities

3.7 Role of Judiciary in Protection of Human Rights in India

Module 4:

Human Rights Protection of Vulnerable Groups & Regional Arrangements

4.1. Human Rights Protection of Vulnerable Groups The

Convention on Elimination of all forms of Discrimination

Against Women (CEDAW), 1979

The Convention on the Rights of Child (CRC),

The Convention on Rights of Persons with Disabilities (CRPD), 2008

International Convention on the Rights of Older Persons, 2020

4.2 Human Rights: LGBT, Refugees and Aliens.

4.3 Regional Arrangements:

European Regional Arrangement

American Regional Arrangement

African Regional Arrangement

Suggested Readings

1. Theodor,Meron, Human Rights andInternationalLaw:Legaland Policy Issues
2. Kapoor, S.K., International Law and Human Rights, Central Law Agency
3. Luis,Henkin, ‒The Rights of Man Today‖, University ofMiamiInter-American Law Review,
4. Singh, Nagendra, Enforcement of Human Rights in Peace and War and the future of humanity

1. The Module ed., Nations and HumanRights (Clarendon Press, Oxford)
1. Agarwal,H.0.,Implémentationof Human Rights Covenants with Special Reference of India{Kitab Mahal, Allahabad}
1. D.D. Basu Human Rights in Constitutional Law(Lexis Nexis)

1. B.P. Singh Seghal,(Human Rights in India)
1. International Refugee Law: A Reader, Edited by B.S. Chimni

PROGRAM: 3 Yr/5 yr Professional Law

Second year LLB / Fourth Year B.L.S. LL B

Semester: IV/VIII

Course Title-: CRIMINOLOGY AND PENOLOGY (Elective Course)

Course Code: **Credits: 4**

COURSE OBJECTIVES:

Crime is a concept having changing dimensions according to social, economical, political and legal dimensions. Science and technology have also impacted on patterns of crime. Thus, this Course aims to give a basic idea of concepts like crime, criminal law, administration system etc. and to make students acquainted with criminology, penology and victimology in detail.This course offers a specialist understanding of criminal policies including theories of punishment, their supposed philosophical and sociological justifications and the problem of exercise of discretion in sentencing. In addition the course introduces students to the factors leading to criminal behaviour and modern approach of courts in awarding punishments. A general idea of criminal justice system is to be put forth through this course. In addition the course introduces students to the discipline of victimology which will shift the study from accused centric approach to much needed victim centric approach.

COURSE OUTCOMES:

After completing this course, students will be able to:

1. Understand various forms of crimes and criminals;
2. Grasp knowledge of different schools explaining criminal behaviour and crime causation;
3. Comprehend the reformative approach in dealing with criminals;
4. Understand different theories and kinds of punishments and their applicability;
5. Fathom the concept of victimology in Indian context.
6. Identify and understand the actual working of criminal justice system in India.

MODULE 1:

1. Nature and scope- Crime and Criminology

Concept of Crime- 18th, 19th and 20th Century

Classification of Crime

Definitions of Criminology

History of criminology

Inter –Relation between Criminology, Penology and Criminal Law

Is criminology a science?

1.2 The Schools of Criminology

Pre-classical School of Criminology

The Classical School

Neo-classical school

Positive School

Cartographic School

Clinical School of Criminology

Sociological School of Criminology

Socialist School of Criminology

New Criminology Trends for research

MODULE-2:

2.1 Causes of Criminal Behaviors

Heredity and Crime

Bio-physical factors and criminality

Freud‘s Theory of Criminal Behaviour

Group and class conflict

Emotional and psychological factors

Certain modern and technological developments

Atrocities

Theory of Differential Association (Sutherland)

Multiple factors approach to crime causation: - Mobility, Cultural conflicts, Family background, Political ideology, Religion and crime, Economic condition, Ecology of crime.

2.2 Classification of Criminals:

Ordinary &First-time offenders

Habitual offenders,

Women offenders

Juveniles in conflict with law

White Collar Criminals

Cyber Criminals

Terrorists

MODULE 3:

3.1 Police and Criminal Justice

The police system

Structural organization of police at the centre and states

Mode of recruitment and training

Powers and duties of police under Police Act, Criminal Procedure Code and other laws

Method of police investigation

Third degree method

Corruption in police

Relationship between police and prosecution

Liability of police for custodial violence

Police public relations

Police Reforms

3.2 Meaning of penology

3.3 Theories of punishment

3.4 Kinds of punishment

3.5Capital punishment

MODULE4:

4.1 Treatment or Correction of Offenders

The need for reformation and rehabilitation of offenders undergoing punishment/ imprisonment

The role of psycho-analysts and social workers in the prison

Vocational and religious education and apprenticeship programmes for the offenders

Group counseling and re-socialization programmes

Prisoner‘s organizations for self-government

Participation of inmates in community services

An appraisal of reformative techniques

Efficacy of imprisonment as a measure to combat criminality and the search for substitutes

The Prisons Act, 1894

Kinds of Prison

4.2 Probation of offenders

Probation and suspended sentence – Distinction

The Probation of Offenders Act, 1958

4.3 Parole and Furlough

Parole and indeterminate sentence- Distinction

Parole and Probation comparison

Parole distinguished from furlough

The object of Parole

Parole in India

Condition of Parole

Parole violation

Supervision of parolees

Problems of the released offender

Attitudes of the community towards released offender

4.4 Victimology

Definition, nature and development of victimology

Victim and criminal justice system in India

UN Declaration on Justice for Victims of Crimes, 1985

Rehabilitation and reconciliation of victims

SUGGESTED READINGS:

1. Ahmad Siddique, Criminology Problems & Perspective (5th ed., 2007) 4.

2. N.V. Paranjape, Criminology and Penology (13th ed., 2008) Salmond and Heuston – On the Law of Torts, Universal, Delhi

3. Gaur. K.D. (3-Edn. 2015); Criminal Law, Criminology and Administration of Criminal Justice Universal Law Publishing

4. S. S. Srivastava, Criminology, Penology & Victimology (6th ed., 2012) Criminology, Penology & Victimology, (2-Edn. 2019) Bright Law House

5. Allen, Friday, Roebuck and Sagarin, Crime and Punishment: An introduction to Criminology, The Free press. New York.

6. National Police Commission Report

7. Law Commission‘s Report on Capital punishment

PROGRAM: 3 Yr/5 yr Law

Second year LLB / Fourth Year B.L.S.

Semester: IV/VIII

Course Title-: BANKRUPTCY LAWS (Elective Course)

Course Code: **Credits: 4**

COURSE OBJECTIVES:

Insolvency is a financial malaise that afflicts the economy and society. Law has to effectively deal with this malaise. Indian Parliament has repealed the laws dealing with insolvency and bankruptcy and passed the Insolvency and Bankruptcy Code, 2016(IBC) to consolidate the laws relating to insolvency and bankruptcy of corporate persons, individuals and corporate firms and to expedite resolutions with maximization of the value of assets.

The objective of this course is to teach and learn IBC in depth. This course will include the study of the historical background of IBC, aims and objectives of IBC, the role, powers and functions of Insolvency Bankruptcy Board of India, provisions of IBC as to corporate persons, Limited Liability Partnership firms, individuals and partnership firms.

COURSE OUTCOME:

After completing this course, students will be able to :

1. Understand the role of Insolvency and Bankruptcy Board of India (IBBI) in professionalizing insolvency services through regulation and development of service providers, namely, insolvency professionals, insolvency professional agencies, insolvency professional entities, information utilities, registered valuers, and registered valuers‘ organizations
2. Understand in respect of corporate persons the corporate insolvency resolution process(CIRP), fast track CIRP, voluntary liquidation process, liquidation process and in respect of Micro, Small and Medium Enterprises the Prepackaged Insolvency Resolution Process
3. Understand in respect of individuals and partnership firms the fresh start process, the insolvency resolution process and the liquidation process
4. Understand the role of insolvency professionals, insolvency professional agencies and information utilities
5. Understand the importance, powers and functions of the Adjudicatory Authorities under IBC
6. Appreciate the relationship between the government and IBBI and to understand Board‘s Fund , Insolvency and Bankruptcy Fund , relevant regulations framed by IBBI and rules framed by the government

MODULE 1:

1.1 Historical background and constitutional allocation of the subject of insolvency and bankruptcy

1.2 Preliminary under IBC

1.2.1 Short title, extent and commencement of IBC

1.2.2 Application of IBC

1.2.3 Definitions under IBC

1.3 MISCELLANEOUS

1.3.1 Insolvency and Bankruptcy Fund

1.3.2 Power of Central Government

1.3.3 Bar of jurisdiction

1.3.4 Protection of action taken in good faith

1.3.5 Appeal and revision

1.3.6 IBC to override other laws

1.3.7 Limitation

MODULE 2:

2.1 CIRP

2.2 Fast track CIRP

2.3 Voluntary Liquidation Process

2.3 Liquidation Process

2.4 Prepackaged Insolvency Resolution Process

2.5 Adjudicating Authorities and Appellate Authorities

2.6 Offences and Penalties

MODULE 3:

3.1 Fresh Start process for individuals and partnership firms

3.2 Insolvency resolution process for individuals and partnership firms

3.3 Bankruptcy order in respect of individuals and partnership firms

3.4 Administration and Distribution of assets of the Bankrupt

3.5 Adjudicating authorities and appellate authorities

3.6 Offences and Penalties under Part III of IBC

MODULE 4:

4.1 IBBI

4.2 Insolvency Professional Agencies

4.3 Insolvency Professionals

1. **Information Utilities**
1. **Insolvency Professional Entities**

4.5 Registered Valuers, and Registered Valuers' Organizations

Suggested Readings:

1. https://ipaicmai.in/
2. https://www.ibbi.gov.in/
3. https://www.mca.gov.in/Ministry/pdf/TheInsolvencyandBankruptcyofIndia.pdf
4. https://www.ibbi.gov.in/uploads/publication/a30d234862670f06b5a128a1bf208083.pdf
5. https://www.ibbi.gov.in/uploads/publication/e42fddce80e99d28b683a7e21c81110e.pdf
6. Law of Insolvency in India By: Mulla, D. F
7. Law of Insolvency By: Singh Avtar.
8. Insolvency and Bankruptcy Code, 2016 Bare Act (Print/eBook) by EBC, Edition: 8th, 2021
9. Insolvency and Bankruptcy Code: Law and Practice by Akaant Kumar Mittal, Edition: 2021
10. Taxmann's Insolvency and Bankruptcy Code 2016 (latest edition)
11. Vivek Sood, Emergence of Commercial Justice, Bloomsbury, 2021

Drafting Pleading and Conveyancing II

LL.B Semester IV/ B.L.S LL.B Semester VI

Course Outline

Course Objectives

The primary objective of the course is to train the students in putting the thoughts into words with respect to the Legal Drafts. The students will be trained in drafting of conveyances and other essential documents. The course aims at equipping the students with drafting skills to give more exposure to the nature of legal language and the issues related to drafting legal documents. This course intends to cover the traditional conveyances, pleadings in matrimonial and family matters, partnership and corporate drafts which are particularly listed in the modules.

Course Outcomes:

By the end of the course the students will be able to

1. Draft conveyances included in the syllabus
2. Draft wills and codicils

3. Understand registration of documents
4. Draft partnership and limited liability partnership deeds
5. Draft pleadings in matrimonial and family matters included in the syllabus
6. Draft RTI, application for CIRP, winding up petitions, notice for AGM and defective goods

7. Have the practical exposure to drafting deeds, conveyances and matrimonial petitions

8. Independently draft the deeds and the petitions after thorough legal research

9. Have the ability to defend the case undertaken by identifying the issues and providing solutions to resolve considering the facts in issue.

4 10. Identify different stages in matrimonial case and prepare for court trial and proceedings like cross examinations and arguments

Module I

1.1 Sale Deed

1.2 Mortgage Deed- Simple, English, Mortgage by Conditional sale, Usufructuary,

mortgage

1.3 Lease deed, Leave and License Agreement

1.4 Exchange Deed

1.5 Gift Deed

1.6 Trust Deed

1.7 Registration of Documents- S 17, 18 Indian Registration Act, 1908

1.8 Partnership Deed

Module II

2.1 Matrimonial Petitions- Divorce Petitions, Mutual Consent Divorce Petitions
2.2 Application for Maintenance
2.3 Application for Custody
2.4 Pleadings for restitution of conjugal rights
2.5 Nullity of marriage

Module III
3.1. Limited Liability Partnership Deed
3.2 Petitions for winding up a company under Companies Act 2013
3.3 Draft Notice for Annual General Meeting and Special General Meeting
3.4 Legal Notice for Defective Goods
3.5 Application for Corporate insolvency resolution under IBC 2016

Module IV

4.6 Will and Codicil

4.7 Application for heirship certificate

4.8 Testamentary Petition for Succession Certificate (Probate)

4.9 Application for Certified Guardian

4.10 Adoption Deed under Juvenile Justice Act, 2015

4.11 RTI applications, reply, appeal

SUGGESTED READINGS

1. Shiva Gopal, Conveyancing, Precedents and Forms, EBC, 2016
2. Hargopal, Hargopal's Legal Draftsman - A Comprehensive Guide to Deeds and Documents in 2 Vols.

PROGRAM: 3Yr/5 Yr Professional Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: V/IX

Course Title-: CIVIL PROCEDURE CODE 1908 AND LIMITATION ACT 1963

Course Code: **Credits: 4**

Teaching Scheme:

COURSE OUTLINE

COURSE OBJECTIVES:

Study of procedural law is enormously pertinent for law students. This course is designed to acquaint the students with the various stages through which a civil case passes through in the courts of law. The course also includes law of limitation. The course aims to assist the students to understand the practice and procedure in the conduct of suits in and out of the court. It will also analyse this consolidated code with the substantive laws with regard to the procedure to be followed by the civil courts and thereby help in facilitating justice. The course thus explains in detail the role of civil court and the procedures to be followed in the administration of civil justice. Overall, this course makes an endeavour to familiarize the students with the plaints, written statements, Interlocutory applications, issuance of commissions, trial and other aspects of civil court proceedings which prepares the students adequately for practice in courts.

COURSE OUTCOMES:

After completing this course, the students will be able to:

1. Understand the Civil Court procedures to be followed in India.
2. Recall and apply the standard and uniform procedure to deal with the civil matters in issue.

3. Identify the procedure of execution of decrees, attachment and sale of property in execution and the importance of limitation of time in filing of suit, debt recovery, filing of appeals, review, revision and impact of delay on suit or appeal.
4. Apply the rules relating to the procedure of issuance of summons, substituted service of summons, admission and impounding of documents and conducting civil trial in courts.
5. Understand the procedure of examination of witnesses and different categories of witnesses involved in a suit or proceeding.
6. Identify a lawyer's professional obligations at each stage in the life cycle of a lawsuit.

MODULE 1: Introduction (Section 2-Section 25)

1. Definitions
2. Concepts: Res-sub judice, Res judicata, set off, counterclaim
3. Essentials of a suit
4. Cause of action and jurisdiction and its kind
5. Place of suing

MODULE 2: Of suits *(Section 26-Section35, Order I-Order XX)*

2.1 Parties to a suit (Order I –Order III)

Death, marriage and insolvency of parties (Order XXII)

2.2 Institution of a suit (Order IV and V)

2.3 Pleadings, plaint and written statement

(Order VI- Order VIII)

2.4 Appearance of parties and consequence of non-appearance (Order IX)

2.5 Examination of Parties, Interrogatories, Discovery and inspection, Admissions, documents (Orders X, XI, XII and XIII)

2.5 Framing of issues, Disposal (Order XIV, XV)

2.6 Trial, Summons, Hearing of suit, evidence, judgment and decree and costs (Order V, Order XVI-Order XXA)

2.7 Withdrawal and adjustment of suits (Order XXIII)

2.8 Special suits – Orders XXVII to XXXIV

MODULE 3: Execution and other procedures (Orders XXI)

3.1 Meaning of execution

3.2 Mode of execution and stay of execution (Order XXI)

3.3 Arrest, detention and attachment (Order XXI and XXXVIII)

3.4 Incidental proceeding, Payment into court, security costs and commissions (Orders XXIV. XXV and XXVI)

3.5 Interim orders, Temporary injunction (Order. XXXIX)

3.6 Interpleader, Special case and Summary procedure (Order XXXV, XXXVI and XXXVII)

MODULE 4: Receivers, Appeals and other procedures and Law of Limitation

4.1 Appointment of Receivers (Order XV)

4.2 Appeals, reference, review, revision (Order XLI –XLVII)

4.3 Miscellaneous, Chartered HCs, Provincial and Presidency Small Causes Courts (Orders XLVIII-LI)

4.4 Object and features of Limitation Act, 1963

4.5 Bar of limitation (S.3-5)

4.6 Legal disability (S.6-10)

4.7 Computation of period of limitation (S.12-24)

4.8 Effect of acknowledgment in writing and part-payment (S. 18-20)

4.9 Acquisition of ownership by possession (S. 25-27)

SUGGESTED READINGS:

1. C.K. Takwani: Code of Civil Procedure
2. Mulla: Code of Civil Procedure, Universal Law Publishing Delhi
3. M.P. Tandon: Code of Civil Procedure
4. Avtar Singh: Code of Civil Procedure, Central Law Publications
5. J.D. Jain: Limitation Act
6. S. R. Myneni, Law of Limitation, Asia Law house
7. Civil Procedure Code, 1908
8. Limitation Act, 1963
9. Code of Civil Procedure by Sarkar
10. Law of Limitation by Mulla

PROGRAM: 3 Yr /5 Yr Professional Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: V/IX

Course Title-: CRIMINAL PROCEDURE CODE 1973, THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015 AND THE PROTECTION OF CHIDLREN FROM SEXUAL OFFENCES (POCSO) ACT, 2012.

Course Code: **Credits: 4**

Teaching Scheme:

COURSE OUTLINE

COURSE OBJECTIVES:

This course is specifically designed to assist students in understanding the importance of the Code of Criminal Procedure which is one of the essential acts in India as well as the primary legislation on the procedure for administering criminal justice. The course is aimed at driving home the students how the pretrial, trial and the subsequent process are geared up to make the administration of criminal justice effective. The course will acquaint the student with organization of the functionaries under the Code, their power and functions at various stages and the procedure according to which these powers and functions are to be exercised The substantive law has to be applied through the uniform procedure as laid down which will be undertaken on completion of the course. The students will also understand the reason and manner of administering the punishments for any given offence under the substantive Penal Laws. The course will help in understanding the machinery for the investigation of crime, apprehension of suspected criminals, collection of evidence, determination of guilt or innocence of the accused person, and the determination of punishment of the guilty. The objective is also to sensitize the students about critical issues in administration of criminal justice like protection of human rights of victims and the principles of fair trial. The students will also undertake the study of two cognate Acts as a part of this course viz; Juvenile Justice Act (care and Protection of Children) 2015 and Protection of Children from Sexual Offences (POCSO) Act.

COURSE OUTCOMES:

After completing this course, the students will be able to:

1. Identify the stages in investigation and procedure of trial in criminal cases.
2. Explain the powers, functions, and duties of police and criminal courts.
3. Critically analyze the recent amendments in the Criminal Procedure Code.
4. Employ and promote adoption of humane and just practices in administration of justice.
5. Analyse the time period between when a crime has been committed until the time the sentence against the crime is passed and the case is closed.
6. Understand the machinery to be adopted by the State when a violation of the penal law, i.e., offence under the Indian Penal Code, has been detected or reported.
7. Analyse the principles and procedure that must be followed while prosecuting and adjudicating other claims.
8. Thoroughly understand the investigation, inquiry and trial of the offences governed by the provisions and subject to any other law that may be in force which regulates the manner of investigation, inquiry or trial of the matter.

9. Understand and apply he Juvenile Justice (Care and Protection of Children) Act, 2015 and The Protection of Children from Sexual Offences (POCSO) Act, 2012

MODULE 1:

1.1 Object Purpose and History of the Criminal Procedure Code.

1.2 Definitions – Section 2

1.3 Constitution and Powers of Criminal and Executive Courts – Section 6 to 35

1.4 Powers of Superior Officers of Police – Section 36

Aid to the Magistrates and the Police – Section 37 to 40

1.5 Arrest of Persons- Section 41 to 60

1.6 Process to Compel Appearance and Production of Things and Reciprocal Arrangements Sections 61 to 105L

1.7 Preventive and Precautionary Measures of Security Proceedings Section 106 to 124, Section 129 to 153.

1.8 Maintenance of Wives, Children and Parents – Section 125 to 128

1.9 Information to the Police and their Powers to Investigate – Section 154 to 176

1.10 Jurisdiction of the Criminal Courts in Inquiries and Trials- Section 177 to189.

1.11 Cognizance of Offences and Commencement of Judicial Proceedings – Sections 190 to 210

MODULE 2:

2.1 Charge – Section 211 to 224

2.2 Trial before various Courts

a. Court of Sessions-Section 225 to237
b. Warrant Cases by Magistrates-Sections 238 to 250
c. Summons cases by Magistrates- Section 251 to259
d. Summary Trial-Section 260 to265

MODULE 3:

3.1 Mode of Taking Evidence and General Provisions as to Inquiries and Trials - Section 266 to 352

3.2 Judgement – Sections 353 to 365

3.3 Appeals-Sections 372 to 394

3.4 Reference and Revision-Section 395 to 405

3.5 Provisions as to Bails and Bonds – Section 436 to 450

3.6 Irregular Proceedings-Section 460 to 466

3.7 Limitation for taking cognizance –Sections 467 to 473

MODULE 4:

1. **The Juvenile Justice (Care and Protection of Children) Act, 2015**

Chapter I & II – Preliminary and General Principles of General Care and Protection of Children.

Chapter III – Juvenile Justice Board.

Chapter IV – Procedure in relation of children in conflict with Law.

Chapter V – Children Welfare Committee.

Chapter VI – Procedure in relation to children in need of care And protection.

Chapter VII – Rehabilitation and social re-integration.
Chapter VIII – Adoption
Chapter IX – Other offences against Children.
Chapter X – Miscellaneous.

1. **The Protection of Children from Sexual Offences (POCSO) Act, 2012 (POCSO Act)**

Chapter I – Preliminary and General Principles of General Care and Protection of Children.

Chapter II – Sexual Offences against Children.

Chapter III – Using Child for Pornographic Purposes and Punishment Therefor.

Chapter IV – Abetment of and Attempt to Commit an Offence.
Chapter V – Procedure for reporting of cases.
Chapter VI – Procedures for recording statement of the child.
Chapter VII – Special Courts.

Chapter VIII – Procedure and Powers of Special Courts and

Recording of Evidence.
Chapter 1X – Miscellaneous.

RECOMMENDED READINGS:

1. Sarkar‘s Code of Criminal Procedure.
2. Ratanlal and Dhirajlal – Criminal Procedure.
3. B. B. Mitra - Code of Criminal Procedure.
4. R.V.Kelkar‘s Criminal Procedure.
5. Mishra-Code of Criminal Procedure.
6. Criminal Manual – Gupte & Dighe
7. The Bombay Police Act - Puranik
8. Juvenile Justice (Care & Protection of Children) Act, 2000 -Bare Act
9. The Protection of Children from Sexual Offences (POCSO) Act, 2012 (POCSO Act) Bare Act

1. Commentary on Protection Of Children From Sexual Offences Act 2012 by Nayan Joshi, Kamal Publishers

PROGRAM: 3 Yr/5 Yr Professional Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: V/IX

PROGRAMME: 3 Yr/5 Yr Professional Law

Third Year LLB/ Fifth Year B.L.S

LL B Semester: V/IX

Course Title-: LABOUR LAW AND INDUSTRIAL RELATIONS-II

Course Code: Credits: 4

COURSE OUTLINE COURSE OBJECTIVES: This is a second course on Labour Law as required by the Bar Council of India. This course includes the study of Social Security and Occupational, safety and health of workmen. It aims at providing an elementary understanding of the concepts and penalties and offences prescribed for the violation of norms as mentioned under the Codes. The Course also aims to provide extensive knowledge regarding powers and duties of Authorities under the Codes. The course is designed to provide knowledge of the social security organizations, Employees Provident Fund, Employees State Insurance Corporations, Maternity benefit and Employee Compensation and the Unorganized Workers Social Security and Occupational Health and Safety. .

Outcome: After completion of the course the students will be able to

1. Understand the technicalities of Social Security for employees and apply the relevant provisions of law.

2. Understand and apply Employees Provident Fund and Employees State Insurance

Corporation

3. Understand the provisions of Maternity Benefit under the Code

4. Understand the concepts and principles of Employee Compensation

5. Understand the principles of social security for unorganized workers

1. Understand the offences and penalties under the Code

Module I. **SOCIAL SECURITY – Code on Social Security, 2020**

1. Object and Salient features with various Definitions under the Act
2. Social Security Organizations
3. Employees Provident Fund
4. Employees State Insurance Corporation
5. Gratuity
6. Maternity Benefit

Module II: - **EMPLOYEE'S COMPENSATION – Code on Social Security, 2020**

1. Concept – Employee, Employer, Dependent, Disablement and its kinds.

2. Employer's Liability for Compensation – Conditions & Exceptions.

3. Social Security and Cess in Respect of Building and Other Construction Workers.

4. Social Security for unorganized workers, Gig Workers and Platform Workers.

5. Authorities, Assessment, Compliance and Recovery.

6. Offences and Penalties

7. Employment Information and Monitoring

Module III THE OCCUPATIONAL SAFETY, HEALTH AND WORKING CONDITIONS CODE, 2020

1. Concept – definitions, registrations and Duties of Employer and Employee

2. Occupational Safety, Health and working conditions

3. Maintenance of Registers, Records and Returns.

4. Special Provision Relating to Employment of Women

Module IV SPECIAL PROVISION FOR CONTRACT LABOUR AND INTER – STATE MIGRANT WORKER, ETC (OSH Code)

1. Contract Labour

2. Inter- State Migrant Worker sand types of workers (Audio visual, Mines, Beedi and Cigar, Construction, etc)

3. Factories and Plantation

5. Offences and Penalties

6. Social Security Fund

Suggested Readings

- S.C. Srivastava – Industrial Relations and Labour Laws.
- Dr. V.G. Goswami – Labour Industrial Laws.
- S.N. Mishra – Labour and Industrial Laws.
- O.P. Malhotra – Law of Industrial Disputes.
- Dr. Avatar Singh – Introduction to Labour and Industrial Laws

Bare Acts: Code on Social Security, 2020
The Occupational Safety, Health And Working Conditions Code, 2020

PROGRAM: 3 Yr/5 Yr Professional Law
Third Year LLB/ Fifth Year B.L.S LL B

Semester: V/IX

Course Title-: PUBLIC INTERNATIONAL LAW

Course Code: **Credits: 4**

COURSE OBJECTIVES:

In a world where nations have come too close due to developments of technology, international law shapes national law; further there is more need to have sound knowledge of international legal principles. The aim of the course is to acquaint the students with the fundamental concepts and broad view of Public International Law and its complex nature. It also aims to familiarize the students with the origin and nature of Public International Law. It explores concepts like State, Recognition and Jurisdiction of States in International Law. Special attention is paid to the belief and notion of State Responsibility and topical issues in International Law. For example, the international framework with respect to extradition, asylum and the Law of the Sea. The course is planned in a meticulous manner to assist the students to focus on the ‒International Legal Framework‖ in case of disputes between the parties. The course includes the study of general principles of international law including law of peace. Third world concerns in respect of security and development and the role of U.N. and International

Agencies in structuring solutions in the context of changing balance of power are also to be appreciated. The course will also delve into India‘s position with respect to International Law.

COURSE OUTCOMES:

After completing this course, the students will be able to:

1. Understand the basic concepts of International Law and its complex nature.
2. Critically analyse the notions, related to recognition and jurisdiction of State in International Law.
3. Examine the international framework with respect to certain current issues in international law like extradition and asylum.
4. Evaluate and suggest measures in cases of international conflict
5. Critically examine the operation and application of International Law in practical contexts.

MODULE1:

1.1. Nature, Origin and Historical Development of International Law

1.2 Definitions of International Law

1.3 Fundamentals of International Law – Theories and Doctrines in International Laws

1.4 Definition of Nationality, Concept of Double Nationality, Distinction between Nationality and citizenship

1.5 Sources of International Law:

Custom

Treaties

General principles of Law, Recognized by Civilized Nations

Judicial Decisions

Writings of Jurists

Equity

Resolutions of the General Assembly

1.6 Relationship between International Law and Municipal Law, Monistic Theory, Dualistic Theory)

1.7 Recognition of States and Government

MODULE 2:

2.1 State Territory

Constitution, acquisition, loss

2.2 State Jurisdiction

2.3 State Responsibility

2.2

2.4 The Law of the Sea: (Law of Sea Convention, 1982)

2.4.1 Maritime Zones:

A. Territorial Sea:

i. Anglo-Norwegian Fisheries Case (United Kingdom v. Norway), ICJ Rep. 1951, p.116

ii. Corfu Channel Case, ICJ Rep. 1949

B. Contiguous Zone

A. Continental Shelf

A. Exclusive Economic Zone

A. High Seas

2.4.2 Delimitation of Adjacent and Opposite Maritime Boundaries:

A. North Sea Continental Shelf Cases, ICJ Rep. 1969

B. Libya v. Tunisia Continental Shelf Case, ICJ Rep. 1982

C. Republic of Italy v. Union of India (2013) 4 SCC 721

D. In the Matter of the Bay of Bengal Maritime Boundary Arbitration (between the People‘s Republic of Bangladesh and the Republic of India),2014

2.5 Concept of ‒Common Heritage of Mankind‖ Relating to the Resources of International Sea-bed Area

2.6 International Seabed Mining:-Parallel System of Mining

MODULE 3:

3.1 Law of Treaties

Definition, kinds and essentials

Inception, interpretation of treaties

Rights and duties of parties

Validity and enforcement

3.2 The United Nations Organisation:

A. The United Nations Organisation
B. The General Assembly
C. Security Council
D. United Nations Economic and Social Council
E. The International Court of Justice (ICJ)
F. The Secretariat
G. The International Trusteeship System and Trusteeship Council

3.3 International Specialised agencies Protection Agencies and NGOs

1. ILO
2. WTO
3. Amnesty international
4. UNESCO.
5. UNICEF
6. UNDP and UNEP

MODULE 4: Contemporary and Allied Laws under International Laws:

4.1 WHO, Global Health law Consortium Communicable Diseases, and the International Health Regulations

4.2 International Health Regulations (IHR)

4.3 General Principles of International Trade Laws, UNCITRAL, International Arbitration Laws and TRIPS

4.4 International Laws on Air and Space Rights

RECOMMENDED READINGS:

1. **I A Shearer**, Starke‘s International Law, Oxford
2. **Dr. S. R. Myneni** Asia Law House's Public International Law--
3. **Dr. S. K. Kapoor** Central Law Agency's International Law & Human Rights--
4. **Dr. H. O. Agarwal** Central Law Publication's International Law & Human Rights for LL.B & LLM--
5. **Olivier De Schutter** Cambridge University's International Human Rights Law [Cases, Materials & Commentary]--
6. **V. K. Ahuja**, Lexis Nexis's Public International Law--
7. **S. K. Verma** Satyam Law International's, An Introduction to Public International Law--
8. **Malcolm N. Shaw** Cambridge University's International Law --
9. **Ivan Anthony Shearer, J. G. Starke**, Oxford‘s Starke's International Law
10. **Dr. Sai Ramani Garimella** ,Central Law Publication's Private International Law (Conflict of Laws)--
11. **M.P. Tandon & V.K. Anand** ,Allahabad Law Agency's International Law & Human Rights--
12. **James Fawcett & Janeen M. Carruthers**, Oxford's Cheshire, North & Fawcett: Private International Law--
13. **Ian Brownlie**, Principles of Public International Law, Oxford University Press, 2008
14. **Gurdip Singh**, International Law, Eastern Book Company, 2015
15. **Lassa Oppenheim, Robert Jennings and Arthur Watts** Oppenheim‘s International Law, Oxford University Press, USA, 2008
16. **Jain Kanade & Vishal Kanade** Public International Law – A Primer, Lexis Nexis, 2013
17. **Tim Hillier** Sourcebook on Public International Law, Routledge,1998

LL B Semester V / Semester IX BLS LLB

PRACTICAL TRAINING – III Moot Court Exercise and Internship

Course objectives

This third course on practical training as prescribed by BCI aims at imparting training in court proceedings, advocates‘ office work and moots. The course prescribes actual court visits, virtual court visits and visits to advocates offices apart from exercises in moot courts. The objectives are: to familiarize the students with the proceedings in civil and criminal courts and

to prepare them to play effective role as officers of the court to familiarize the students with the work at advocates offices/ law firms
to train the future lawyers in the art of arguing the matters

Course outcomes
At the end of this third course on practical training the students will be able to

1. Understand the civil and criminal court proceedings
2. Understand the nature and magnitude of work in advocates offices/law firms
3. Argue and counter argue in litigation matters
4. Learn the art of report writing
5. Learn the art of writing moot court memorials/ arguments

Module I Moots
1.1 Study and analysis of Moot problems including issues involved
1.2 Drafting of Moot Memorials/ Arguments
1.3 Studying laws, rules and case laws for Moot Problems

Module II Observance of trial proceedings
2.1 Attending and Observing Trial proceedings- civil and criminal
2.2 Observing live telecast of court proceedings
2.3 Writing brief report on proceedings attended

Module III Internship at lawyer's office
3.1 Internship at lawyer's office
3.2 Internship details - daily dairy to be maintained, court attendance, Lawyer's /Firms certificate
3.3 Report of learning various skills during internship

Module IV
4.1 Viva Voce
4.2 Moot- oral submissions

Suggested Reading

1. Moot Courts and Mooting by Abhinandan Malik, Edition: 2015, Reprinted 2016
2. The Art of Argument: A Guide to Mooting, by Christopher Kee, Deakin University, Victoria- 2007

1. Moot Court, Exercise and Internship, Dr. S.R. Myneni, Asia Law House, Edition: 2 Ed 2021
1. Developing Skills Through Moot Court & Mock Trails (English, Paperback, Ujjwala Sakhalkar)
1. Arguendo : A Moot Court Handbook by Satyendra Mani Tripathi, Central Law Publications,
1. Justice Malik, The Art of A Lawyer, Universal Law Publishing Company
1. P Ramanatha Aiyer, Cross Examination, Lexis Nexis

PROGRAM: 3 Yr/5 yr Professional Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: VI/X

Course Title-: LAW OF EVIDENCE

Course Code: **Credits: 4**

COURSE OUTLINE

COURSE OBJECTIVES:

The Course is designed to provide the students with a conceptual and practical understanding of meaning, purpose and application of rules of evidence in relation to relevancy of facts and proof in the court of law during the trial. It will help the students think about the process of adducing evidence, principles of admissibility and exclusion of evidences in a trial. The course will prepare the students to understand the relevancy and admissibility of the evidence produced in the court in a suit or proceeding and understand how the facts need to be proved in the courts it will assist students in analysing the process of adducing evidence through witness examination and argument for or against admissibility of their evidence. The course will effectively impart learning on the kinds of evidences, modes of proof and burden of proof. It will also examine the law as a Lex Fori and the role of a judge while hearing and appreciating the evidences on record in a suit or a proceeding.

COURSE OUTCOMES:

After completing this course, the students will be able to:

1. Analyse the concept and nature of different types of evidence;
2. Identify and apply the rules relating to relevance and admissibility of evidence in courts;
3. Understand the standard of burden of proof followed in civil and criminal cases;
4. Analyse the role played by the witnesses and evidentiary value attached to ocular evidence vis-à-vis scientific evidence;
5. Understand the procedure of examination of witnesses and different categories of witnesses involved in a suit or proceeding;
6. Explain the role and presumption powers endowed upon the judges during the trials;
7. Examine the applicability and admissibility of forensic science in civil and criminal cases along with the admissibility of expert‘s opinion.

MODULE 1:

General introduction and Relevancy of Facts (ss. 1-55) and relevant definitions under Information Technology (Amendment) Act 2008

1. Introduction and applicability of Indian Evidence Act, 1872
1. Important terminologies under Indian Evidence Act, 1872
1. Doctrine of Res Gestae
1. Motive, Preparation and Conduct

1. Conspiracy when relevant
    1. When facts not otherwise relevant become relevant
    1. State of mind and body
    1. Admissions and Confessions
    1. Statements by persons who cannot be called as witness
    1. Judgements when relevant
    1. Relevancy of opinions of third parties
    1. Character when relevant
    1. Definitions under Information Technology (Amendment) Act, 2008- S.2

MODULE 2: Proofs and Burden of Proof (ss. 56-117)

1. Facts which need not be proved
2. Oral and documentary evidence
3. Proof of electronic evidences
4. Public and private documents
5. Law relating to presumptions
6. Exclusion of oral by documentary evidence
7. Rules relating to burden of proof
8. Doctrine of estoppel

MODULE 3: Witnesses (ss. 118-167)

1. Who may testify?
2. Procedure for examination of witnesses
3. Questions to be put up to the witnesses
4. Credibility of witnesses
5. Judges power to put questions
6. Improper admission and rejection of evidence

MODULE 4: Forensic Evidence Use and applicability of Forensic Evidence in the courts

1. Introduction and branches of forensic science
2. Forensic evidence and types of forensic evidences
3. Application of forensic evidence in civil and criminal cases
4. Relevance and use of forensic evidence under Indian Evidence Act, 1872
5. Expert Witness and Admissibility of expert‘s opinion in the courts

<u>Suggested Reading:</u>

1. The Law of Evidence by Ratanlal & Dhirajlal
2. Law of Evidence by Vepa P Sarathi
3. The Law of Evidence by Justice Y V Chandrachud & V R Manohar
4. Textbook on Law of Evidence by Justice Monir
5.
6. Principles of Law of Evidence by Avtar Singh

7. Supreme Court on Evidence by Chakraborty
8. Expert Evidence by Choudhary
9. Sarkar on Evidence
10. Law of Evidence by Dr. V Krishnamachari
11. Law of Evidence by S D Basu
12. The Law of Evidence by Dr. S R Myneni
13. Evidence Act by P R Reddy
14. Evidence Act by Nandi
15. Criminal evidence by Arshad, Subzwari
16. Phipson on Evidence
17. Nayan Joshi, Medical Jurisprudence and Toxicology, Kamal Publishers

PROGRAM: 3 Yr/5 yr Professional Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: VI/X

Course Title-: LAW OF TAXATION

Course Code: **Credits: 4**

COURSE OBJECTIVES:

This course aims to help students to comprehend the basic principles of the laws governing Direct and Indirect taxes. It also helps to understand the basic principles underlying the Income Tax Act and Compute the taxable income of an assessee. It will also analyse the assessment procedure and explain about the representation before appropriate authorities under the law. The direct taxation is a powerful incentive or disincentive to economic growth, a lever which can rise or depress savings and capital formation, and instrument of reducing income disparities. The following course content has been designed to provide a comprehensive picture of taxation in India.

COURSE OUTCOMES:

After completing of this course, the students will be able to:

1. Understand and appreciate the history of taxation in India and the Indian Constitutional principles and provisions relating to Taxation
2. Understand and apply the Income Tax Act, 1961 provisions
3. Grasp the significant provisions of Central Goods and Services Act, 2017
4. Understand the Integrated Goods and Services Act, 2017
5. Understand the Maharashtra Goods and Services Act, 2017
6. Know the Maharashtra law on state tax on professions

MODULE 1:

1.1 History of Tax Law in India,

1.2 Constitutional provisions relating to Taxation

1.3 Nature and Scope of Tax

1.4 Definition: Persons, Assessees, Previous year, Assessment years, Financial year, Income, Gross Taxable Income, Taxable Income, Agricultural Income, Tax Evasion and Tax Avoidance

MODULE 2:

2.1 Income Tax, Residential Status: Rules (Sec.6),

2.2 Tax Liability Exemption, Deduction, related to individual, Expenses & Income, Rebate, Deemed income and clubbing of income,

2.3 Carried forward and Set of losses

2.4 Heads of Income: Income from Salary, House property, Business and Profession, Capital Gain and other sources

2.5 Calculation of Gross Total and Taxable income, Tax rebate and Computation of Tax Liability

2.6 Taxation in cases of Mergers & Acquisitions

2.7Tax Collection/Deduction at source and Advance Tax

MODULE 3:

3.1 Assessment Procedure,

3.2 Types of Assessment Income Tax Authority: Their function, Duties and Powers, Appeal, Offences, Fines and Penalties, Settlement of grievances and Prosecution, Income Tax Act, 1961, Income Tax Rules,

3.3 Advance Rulings, faceless assessment/e-assessment

MODULE 4:

4.1 Goods and Service Tax: - law, procedure, applicability, assessment, advance ruling

Central GST Act, 2017 Chapters 1 to 6

Integrated GST Act, 2017

Maharashtra GST Act, 2017 Chapters 1 to 6

4.2 Maharashtra State Tax on Professions, Trade, Callings and Employments Act, 1975

Suggested Reading

1. Dr. Girish Ahuja and Dr.Ravi Gupta, Systematic Approach to Taxation, Bharat
2. Dr. Vinod Singhania and Dr .Kapil Singhania, Direct taxes law and Practice, Taxmann
3. Sampath Iyengar, Law of Income tax, Bharat
4. K N Chaturvedi, Interpretation of Taxing Statutes, Taxmann
5. Dr. A L Saini & Dinesh Saini, Practice Guide to Appeals and Petitions Under Income Tax Act
6. V.S. Datey, All About GST- A Complete Guide to New Model GST Law, Taxmann
7. Arvind Datar, Kanga and Palkhivala's The Law and Practice on Income Tax, Lexis Nexis
8. Income Tax Act, 1961
9. B. B. Lal, Income Tax, Pearson

PROGRAM: 3 yr/5 yr Professional Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: VI/X

Course Title-: INTELLECTUAL PROPERTY LAWS (Elective Course)

Course Code: **Credits: 4**

COURSE OBJECTIVES

Intellectual Property Law has assumed immense importance in the contemporary era as a result of the recognition that "knowledge is property" The course is designed with a view to create IPR consciousness and to familiarize the learners about the documentation and administrative procedures relating to IPR in India. The course is designed to understand the basic concepts of different types of intellectual property and the laws relating to intellectual property rights with special reference to Indian law and practice. The students will also be educated on the technical aspects of patent system and the patent régime in India. The course aims to impart knowledge on trademarks and their relevance in trade and commerce. It will disseminate knowledge on copyright and related rights and their economic significance. The students will understand the legal system governing intellectual property rights and their administration. The course will also focus on the current trends and give an over-all understanding about economic, social and cultural benefits of intellectual property to the society.

COURSE OUTCOME

After completing this course, the students will be able to:

1. Comprehend the fundamental aspects of intellectual property rights law in the special statutes and judicial interpretations.
2. Understand the international conventions and institutions in this subject

3. Grasp and apply the Patent Act by learning the evolution of the law, registration of patents, rights and remedies of patentees
4. Understand the law and practice of trade marks registration, rights and remedies in the matter of use and breach of rights
5. Understand and apply the copyright law in India encompassing the law on the nature and term of copy rights, copy right societies, rights and remedies
6. Understand the assignments, licensing, revocation and fair use of the Patents, Trademarks and copy rights under the relevant statutes

MODULE 1: General Principles of Intellectual Property

1.1 Concept and meaning of Intellectual Property

1.2 Nature and characteristics of Intellectual Property Rights

1.3 Origin and development of Intellectual Property Rights

1.4 Kinds of Intellectual Property.

a. Patents
b. Trade Marks
c. Copyrights
d. Industrial Designs
e. Trade Secrets/ Undisclosed Information
f. Geographical Indications
g. Layout Designs of Integrated Circuits

1.5 Economic analysis of Intellectual Property Rights.

1.6 Advantages and disadvantages of Intellectual Property Rights.

1.7 Basic International Conventions and International Institutions relating to Intellectual Property:

- Paris Convention for the Protection of Industrial Property, 1883.
- The Berne Convention, 1886.
- Trips Agreement, 1994.
- GATT and WTO.
- WIPO.

MODULE 2: Law of Patents [The Indian Patents Act, 1970

2.1 Evolution of Patent law in India

2.2 Patentable and Non-Patentable inventions

2.3 Prerequisites – Novelty, Inventive Step and Industrial Application

2.4Concept of Prior art, Anticipation and Person skilled in the art

2.5Specifications– Provisional and Complete Specifications

2.6 Pre-Grant and Post Grant Opposition

2.7 Grant/Sealing of Patents and Term of Patents

2.8 Rights of Patentee

2.9 Surrender and Revocation

2.10 Assignment and Licensing

2.11 Fair use

2.12Infringement, Remedies and Defences

2.13 Patent Agents

MODULE 3: Law of Trademarks [The Trade Marks Act, 1999]

3.1 Introduction to Trademarks and their Evolution in India

3.2 Need for protection of Trademarks

3.3 Kinds of Trademarks: Registered and Unregistered, Conventional and Non-conventional Trademarks, Service Marks, Collective Marks, Certification Marks, Well-Known Trademarks

3.4Procedure for Registration

3.5Grounds for Refusal of Registration

- Absolute grounds
- Relative grounds

3.6 Opposition to Registration

3.7 Rights of Proprietor of Trademark

3.8 Assignment and Licensing of Trademark

3.9 Infringement and Passing Off

3.10 Remedies and Defences for Infringement and Passing Off

MODULE 4: Law of Copyright [The Copyright Act, 1957]

4.1 Evolution of Copyright Law in India

4.2 Nature and scope of Copyright

4.3 Term of Copyright

4.4 Works in which Copyright subsists: Literary Works, Dramatic Works, Musical Works and Artistic Works, Sound Recordings, Cinematograph Films

4.5 Neighbouring Rights: Performers Rights, Rights of Broadcasting Organizations and Rights of the Producers of Phonograms

4.6 Authorship and Ownership of Copyright

4.7 Copyrights: Economic and Moral Rights

4.8 Assignment and Licensing

4.9Fair Use Provisions

4.10 Infringement of Copyrights and Remedies

4.11 Copyright Societies

4.12 Powers of the Copyright Board

4.13 Copyright issues in Digital Environment

SUGGESTED READING:

1. P. Narayanan, ‗*Intellectual Property Law"*, Eastern Law House
2. P. Narayanan, ‗*Patent Law*‖**,** Eastern Law House
3. B. L. Wadehra, ‗*Law Relating to Patents, Trademarks, Copyright, Designs and Geographical Indications",* Universal Law Publishing
4. B. L. Wadehra, ‗Law Relating to Intellectual Property‖, Universal Law Publishing
5. N. S. Gopalakrishnan and T. G. Agitha, ‗*Principles of Intellectual Property"*, Eastern Book Company
6. Ganguly, ‗*Intellectual Property Rights"*, Tata McGraw
7. W.R.Cornish ‗*Intellectual Property"*, Sweet and Maxwell
8. David I. Bainbridge, ‗*Intellectual Property"*, Long Man
9. Nithyananda, K. V., ‗*Intellectual Property Rights: Protection and Management"*, Cengage Learning India Pvt. Ltd.
10. Neeraj P. &Khusdeep D., ‗*Intellectual Property Rights"*, PHI Learning Pvt. Ltd.
11. V. K. Ahuja, ‗*Law Relating to Intellectual Property Rights"*, LexisNexis

WEBSITES:

1. Cell for IPR Promotion & Management (http://cipam.gov.in/)
2. World Intellectual Property Organization (https://www.wipo.int/about–ip/en/)

Office of the Controller General of Patents, Designs and Trademarks (http://www.ipindia.nic.in)

PROGRAM: 3 yr/5 yr Professional Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: VI/X

Course Title-: LAW OF BANKING and Negotiable Instruments (Elective Course)

Course Code: **Credits: 4**

COURSE OBJECTIVES:

This elective course on banking law will equip the future lawyers with the necessary knowledge and skills for academics, practice and critical evaluation. The course will focus on the provisions and principles of the various banking statutes. .The course is designed to primarily acquaint the students with operational parameters of banking law, and to teach the general principles of banking law and to develop appreciative faculties of the students in statutory as well as case - law in this area.

COURSE OUTCOMES:

After completing this course the students will be able to:

1. Understand in detail the Banking operations.
2. Interpret the relevant protocols to be followed by banks and financial institutions.
3. Know the relevant permissions and applicable laws for the smooth functioning of banking company and other financial institutions.
4. Understand the relevant laws applicable for bad loans and insolvency with reference to Insolvency and Bankruptcy Code, 2016 and Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (SARFAESI Act)
5. Understand the importance of cash reserves with study of Cash Reserve Ratio (***CRR***) and Statutory Liquidity Ratio (***SLR***)
6. Know Basel II & Basel III international strategies followed to manage efficient functioning of banking system in other foreign countries.
7. Apply the rules of The Foreign Exchange Management Act, 1999 in respect to the foreign investments and understand the importance of *Securities and Exchange Board of India* (*SEBI*)and Reserve Bank of India (RBI).
8. Understand the power of the Reserve Bank of India and the Central Government.

MODULE 1:

1.1 Introduction – Concept of Banking

1.2 Structure of Indian Banking system

1.3 Types of Common Banking Institutions

1.4 Functions & roles of financial institutions

1.5 Introduction to IBC – Object, Financial Institutions, Information utilities

MODULE 2:

Laws Governing Financial Institutions in India

2.1 Banking Regulation Act, 1949

2.2Reserve Bank of India (RBI) Act 1934

2.3 RBI rules & Notifications (Banking) 1949

2.4 Cash Reserve Ratio (***CRR***) and Statutory Liquidity Ratio (***SLR***)

2.5Basel II &III Capital Requirements

MODULE 3:

3.1 SEBI – formation of SEBI Board, role of SEBI (Banking Companies and NBFC's)

3.2 The Foreign Exchange Management Act, 1999 (FEMA)

3.3 Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (SARFAESI)

3.4 Bankers Book of Evidence Act, 1891

MODULE 4:

4.1 Negotiable Instruments Act, 1881

Kinds of Negotiable Instruments and their features and presentment

Holder and holder in due course

Dishonour and liability

Discharge

Special presumptions and rules of evidence

4.2 Powers and functions of Debt Recovery Tribunal and Debt Recovery Appellate Tribunals under Recovery of Debts Due to Banks and Financial Institutions Act, 1993

Reference books

1. Banking Regulation Act bare act, commentary (Taxman/Lawmann)
2. RBI ACT Bare Act, commentary (Taxman)
3. Guide to SARFAESI Act 2002 Act (Taxman)
4. Introduction to Negotiable Instrument Act, 1881 – commentary by Avtar Singh
5. FEMA Fundamental Aspects and Practical Issues – Chamber of Tax Consultancy
6. SEBI ACT ,1992 (CV Bhave)
7. IBC Code
8. Banking Law & Practice In India Lexis Nexis;, by M.L. Tannan

9. Banking Theory Law & Practice by Varshney P.N. Sundharam K.P.M.Sultan Chand and Sons

PROGRAM: 3 Yr/5 yr Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: VI/X

Course Title-: LAW AND MEDICINE (Elective Course)

Course Code: **Credits: 4**

COURSE OBJECTIVES

The course is designed to impart the students an understanding of the areas of health law and various kinds of Alternative Medicine law in India. It will help in analyzing lacunae within the professional obligations of doctors and understand the doctor-patient relationship. The students will be taught to synthesize various related provisions under Constitution, Tort Law, Indian Penal Code and the Consumer Laws. The students' knowledge on law and medicine with special emphasis on the legal and ethical issues surrounding the administration of treatment of medical procedures in the backdrop of advancement of science and technology is covered. This syllabus is designed to enable the students to be legally armed for skilful advocacy as practicing lawyers and jurists in future. Overall, this course aspires to provide in-depth understanding of working of the medical profession, and equip students accordingly with the requisite knowledge to protect the interests of people, prevent wrongs and remedy wrongs.

COURSE OUTCOMES

After completing this course the students will be able to-

1. Understand the relationship between the law and medicines, medical professionals and all allied alternative medical professions
2. Analyze the international legal framework for the law and medicine, and identify situations that frequently present legal issues in the healthcare industry.
3. Understand the legal, social, and economic risks of potential legal claims.
4. Acquire detailed knowledge of regulation of traditional medicines and essential medicines through the AYUSH ministry.
5. Interpret the policy of the government regarding medicine e.g. pricing of medicines, spurious drugs, and advertisements.
6. Understand the specific legislations pertaining to law and practice on clinical trial, organ transplantation, Pre conception and pre-natal diagnostics techniques law and the Magic Remedies.

MODULE 1: Right to Health and Different Provisions having bearing on Right to health in the Indian Constitution

1.1 Health care Delivery System in India-

1.1.1 Primary Health Centre's, Dispensaries, District level Hospitals, Hospitals with affiliated Medical colleges, Advanced Centres aided by private sector which run corporate hospitals, small multi-specialty hospitals and nursing homes.

1.1.2. Limitations of smaller setups, **P**rocedure and Requirements while starting a new Setup,

1.1.3. Importance of Standards, Certifications and Accreditation's - International Organisation for Standardization, National Accreditation Board for Hospitals

1.2. **Control of Medical Profession** - Functions of the Commission/Councils under the following Acts

1.2.1. National Medical Commission Act, 2019

1.2.2. The Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulation 2002

1.2.3 The Indian Medicine Central Council Act, 1970

1.2.4 Homeopathy Central Council Act.1973

1.2.5 Importance of Registration (Different Courses, Recognition schedule 1 of MCI Act)

1.2.6 Self-Regulation through Codes of conduct, Rights and duties of Registered Medical Practitioner, Unethical Acts and Misconduct

1.3 Varieties of Medical Profession

1.3.1 Ayush Ministry, Purpose

1.3.2 Ayurveda, Siddha, Unani, Homeopathy and Allopathy —Recognized Courses

Yoga and Naturopathy

1.3.3. Different Degrees Conferred, Doctors getting Degrees from Abroad, Crosspathy Practice and Mixopathy

MODULE 2: Doctor Patient Relationship

2.1. Medico legal Implications of Consent, Different types of consent, Informed Refusal and Therapeutic Privilege.

2.2. Importance of Documentation, Certificates in Medical practice, Medical Record,

2.3 Confidentiality and Privileged Communication between Doctor and Patient

2.4. Patients Right to self Determination and Euthanasia- Legal Position in India

2.5. Concept of living Will and Request for DNR- Do Not resuscitate

2.6 Professional Obligations of Medical Professionals

MODULE 3: Medical Negligence and Different remedies

3.1 Negligence in Medical Practice, Contributory Negligence and Different Remedies

3.2. Errors in Medical Practice, Medical Accidents

3.3. Consumer Protection Act, 2019 and Medical Profession

3.4 Violence Against doctors and Medical Establishments (Legal provisions)

3.5. Criminal Law Remedies

MODULE 4: Medico –Legal Issues

4.1 Clinical trials of drugs on Humans and Law, Nuremberg code, Helsinki declaration and Good Clinical practice

4.2 Road accidents, sexual assaults

4.3 The Drug and Magic Remedies (Prevention of Objectionable Advertisement) Act, 1954

4.4 Transplantation of Human Organs Act, 1994

4.5 Pre Conception and Pre Natal Diagnostic Techniques Act, 1994

4.6 Disaster Management Act, 2005 - Mass Disasters

4.7 Medical Insurance

Text Books and Reference Books:

1. S K Joshi, ‒Law And The Practice Of Medicine‖, Jaypee Brothers Medical Publishers, New Delhi, 2010
2. Dr. Lily Srivastava, Law And Medicine, Universal Law Book Agency, New Delhi;
3. Malik, Surendra, & Sudeep, Supreme Court On Drugs, Medical Laws And Medical Negligence,Eastern Book Company, New Delhi. 2014;
4. Nandita Adhikari, Law & Medicine, Central Law Publications, Allahabad, 4th Ed. 2015.
5. Siddhartha Mukherjee, The Laws Of Medicine, Ted Books
6. Emily Jackson, Law And The Regulation Of Medicines, Hart Publishing House
7. Sheila A M Mclean, Contemporary Issues In Law, Medicine And Ethics, Dartmouth Publishing Company Limited, Hampshire, 1996
8. Tapas Kumar Koley. Medical Negligence and the Law in India. Duties Responsibilities And Rights .Oxford University Press -2010.
9. Dr.S.B.N Prakash. Mental Health and Law. Lawyer‘s Law Book.2008.
10. S.K.Verma.Legal Framework for Health Care in India Lexis Nexis Butterworths 2002.
11. Modi‘s Medical Jurisprudence and Toxicology. Lexis Nexis 2006.
12. Kannan K. Medicine and Law. Oxford University Press – 2014.

13.Manson J.K . Mason And Mc Call Smith‘s Law And Medical Ethics .Oxford University Press 2006

1. Veitch.Kenneth. The Jurisdiction Of Medical Law .Ashgate Publishing 2007
1. Lawrence Gostin.Principles of Mental Health Law and Policy. Oxford University Press 2010
1. Jonathan Merrill's And Jonathan Fisher. Pharmacy Law And Practices.Elsener 2006
1. Andrew Grubb. Principles Of Medical Law .Oxford University Press 2010

PROGRAM: 3 yr/5 yr Professional Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: VI/X

Course Title-: LAW RELATING TO WOMEN AND CHILDREN (Elective Course)

Course Code: **Credits: 4**

COURSE OBJECTIVES

This elective course is to facilitate learning of special laws to protect women and children. Identified as vulnerable by the international community of states, a few international instruments have been adopted for the protection of the rights of women and children. There are various national efforts also to protect women and children. This course offers an opportunity to substantially learn the international and national law on protection of women and children from human rights perspectives.

COURSE OUTCOME

After completing this course, the students will be able to:

1. Understand the status of women and children nationally and internationally.in the human rights perspectives

2. Appreciate and apply the international conventions on women and children.

3. Identify and analyse the constitutional provisions safeguarding the woman and the child

4. Understand the specific Laws related to women and children in India.

5 Comprehend the State initiatives, and judicial pronouncements on issues relating to gender justice and justice for children

MODULE 1: Social, Constitutional and International legal status of Women.

1.1. Status of Women in India- Pre-Independence period, Social and legal inequality, Social Reform Movement in India, Karachi Congress , Fundamental Rights Resolution, Equality of Sexes
1.2 Constitution of India and Women- Preamble, Fundamental Rights, Directive Principles of State Policy, Reservation for women in local bodies ,
1.3. Personal Laws relating to marriage, divorce, succession and maintenance with special emphasis on discrimination of women, Uniform Civil Code towards gender justice, Special Marriage Act, 1954

1.4. Criminal Laws and Women:

Provisions to protect women under Indian Penal Code 1860, Code of Criminal Procedure, 1973 and Indian Evidence Act, 1872

1.5 Position of Women under International instruments - Salient features of Convention for Elimination of all forms of Discrimination against Women (CEDAW) and optional protocols to the Convention

MODULE 2:- Women Welfare Laws

2.1 Pre-conception and pre-natal diagnostic techniques (Prohibition of Sex Selection) Act, 1994 and Medical Termination of Pregnancy Act, 1971

2.2. Indecent Representation of Women (Prohibition) Act, 1986

2.3. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal Act, 2013

2.4. Dowry Prohibition Act, 1961

2.5 Protection of Women from Domestic Violence Act, 2005

2.6 Immoral Traffic (Prevention) Act, 1956

2.7. Maternity Benefit Act, 1961 and Factories Act, 1948

2.8 National Commission for Women Act, 1990

Module III: Social, Constitutional and International legal status of Child
3.1- Socio Legal Issues
Deferred infanticide through biased nutritional discrimination, Regulation of the employment; Child Labour, Recommendations of the National Commission of Labour, Female Foeticide

3.2. Constitutional concern – Article 15(3), Article 21A, Articles 23, 24, 28, 29 Article 39 (e) and (f)and Article 45, Article 243(G) Schedule XI, Article 350A State responsibility for the education of children, Constitutional safeguards to Children
3.3 Safeguards under Indian Penal Code, 1860, Hindu Adoptions and Maintenance Act, Hindu Minority and Guardianship Act, Tort law, Contract law and partnership law
3.3International concern and endeavour for the welfare of the Children:
Minimum Age Convention, 1973
U.N. Declaration of the Rights of the Child, 1959
Role of UNESCO, UNICEF and ILO
UN Convention on Rights of a Child, 1989

MODULE 4: Special Legislation for the Protection of Children

4.1 Prohibition of Child Marriage Act, 2006

4.2 The Right of Children to Free and Compulsory Education Act, 2009

4.3 National Food Security Act, 2013

4.4, Child Labour (Prohibition and Regulation) Act 1986

4.5 Commissions for the Protection of Child Rights Act, 2005

4.6 Young Persons Harmful Publications Act, 1956 –
4.7 Immoral Traffic (Prevention) Act, 1956
4.8 Bombay Prevention of Begging Act, 1959

Recommended Readings:

1. S.P. Sathe: Towards Gender Justice.
2. Dr. Vijay Sharma: Protection to woman in Matrimonial home
3. Dr. Sarojini Saxena: Femijuris(Law relating to Women in India)
4. Dr. Archana Parsher: Women and Social Reform
5. Dr. Paras Diwan: Dowry and protection to married women
6. Mary Wollstonecraft: A Vindication of the rights of women.
7. Dr. G.B.Reddy: Women and Law, 2nd Edn. Gogia Law Agency, Hyderabad, 1998.
8. Dr. Anjali Hastak, Empowerment of women through Property Rights in Hindu Law, SPARC publication, Chandrapur
9. Flavia Agnes – Law and Gender inequality
10. Ajit Ray – Widows are not for burning
11. A.S.Altekar – Position of Women in Hindu Civilization
12. Flavia Agnes – State, Gender and Rhetorics of Law of Reforms
13. S.N.Jain (Ed) – Child and the Law (ILI)
14. Asha Bajpai – Child Rights in India: Law, Policy and Practice.Oxford 2003 New Delhi.
15. Encyclopaedia of Laws of the Child in India. S.P.Shaw. Alia Law Agency

PROGRAM: 3 Yr/5 yr Professional Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: VI/X

Course Title-: LAW OF INSURANCE (Elective Course)

Course Code: **Credits : 4**

This elective course aims to impart the principles and characteristics of the Laws of Insurance to the students. It will help the students to be aware of the process and need of nationalization and the subsequent privatization of the insurance sector in India. The course also will deliberate upon the legislations relating to Insurance and Insurance Sector in India, characteristics and functions of insurance companies, types of insurance and specific provisions relating to regulatory mechanisms for regulating the insurance sector and current developments, issues and challenges.

COURSE OUTCOMES

After completing this course, students will be able to:

1. Learn the evolution of the insurance sector in India ;
2. Familiarize with the basic principles of the Laws of Insurance ;

3. Understand and apply the insurance legislations and regulations in India ;
4. Understand and evaluate the strengths and shortcomings of insurance sector and regulations in India ;
5. Promote and involve themselves in consumer education and awareness in the Insurance sector ;

MODULE 1: Introduction

1. 1 Insurance : Definition, Nature, Scope, History, Its future, need and importance in India and across the globe

1. 2 Risk : Definition, Nature, Relation between Risk andInsurance, Concept of Risk Management

1. 3 Kinds of Insurance , Types of Insurance Polices, Law of Contract, Proposal, Consideration, Re-insurance and Double Insurance

1. 4 General Principles of Law of Insurance, Good Faith (Uberrima Fides), Subrogation, Indemnity, Insurable Interest, Misrepresentation, Causa Proxima, Loss minimization, Contribution

1,5 Insurance Policy, Assignment and Nomination

1. 6 Insurance service under Consumer Protection Act, 2019

MODULE 2: Insurance Regulatory Framework in India

2.1 Insurance Regulatory and Development Authority (IRDA) Act, 1999, IRDAI, its functions, role, structure

2.2 Nationalization, Privatization and Globalization of Insurance Secto

2.3 Insurance pertaining to Life and Personal Accidents, Hospitalization

2.4 Life Insurance – Nature, Principles and Scope Events insured against life, life insurance contract, persons entitled to payments, settlement of claims
Mediclaim, Sickness Insurance, Personal Accidents

2.5 Motor Vehicles Act, 1988, Salient features, (Chapter – VIII), Nature and Scope, persons governed, Third party liability of owner, duty to inform the Third Party, rights and limitations of the third party, Claims Tribunal : constitution, functions, procedures, powers and award.

MODULE 3: Non-Life General Insurance

3.1 Marine Insurance: Nature and Scope - Classification of Marine policies - The salient features of the Marine Insurance Act, 1963, Insurable interest, Insurable value, Seaworthiness, Hull and Cargo Insurance

3.2 Marine Insurance policy, Conditions and express Warranties, Voyage Deviation, Perils of sea, Loss - Kinds of Loss of ship and of freight

3.4 Property Insurance: Policies covering risk of explosion, earthquake, and flood. Policies covering accidental loss, damage to property, construction risks

3.5 Burglary, Theft, Civil Commotion and Strikes, other Endorsements

3.6 Fire Insurance: Nature and scope of Fire Insurance – Basic Principles – Conditions & Warranties, Right & Duties of Parties, Claims and other related Legal Aspects of General Insurance

MODULE 4: Social Insurance in India

4.1 Social Insurance : Meaning, Scope, Characteristics, Need and Limitations

4.2 Agriculture Insurance, Crop Insurance in India, Crop Insurance Underwriting, Claims, Problems associated with Crop Insurance, Cattle Insurance in India

4.3 Public Liability Insurance: Public Liability Insurance Act, 1991 (An Overview) Claims, Role of Consumer courts and Insurance Ombudsman

4.4 Insurance schemes for sick, infirm, old, labour, premature death, Divyangjan, Pension earners, families affected by death of sole breadwinner, relief available to those who die due to pandemic, calamities and natural disasters

4.5 Unemployment Insurance, Insurance for special category of persons like, Circus workers, seamen etc.

4.6 Professional Negligence Insurance, impact of Contributory Negligence,

4.7 Compulsory Insurance

Relevant Statutes

- Insurance Act, 1938.
- The Marine Insurance Act, 1963.
- General Insurance (Business) (Nationalization) Act, 1972.
- The Life Insurance Corporation Act, 1956.
- Motor Vehicle Act, 1988
- Public Liability Insurance Act, 1991

Suggested Reading

1. Brijnandan Singh – Law of Insurance
2. Singh,Avtar, Law of Insurance, (2004)
3. Banerjee, Law of Insurance
4. E.R. Hardy Ivamy – Principles of Insurance
5. Gow Colinvaux – Law of Insurance
6. John Hanson and Christopals Henly – All Risks Property Insurance (1999)

7. K.S.N. Murthy and Dr. K. V.S. Sarma – Modern Law of Insurance.
8. Marine Insurance – Hardy Ivamy
9. Mitra B.C. – Law of Marine Insurance

1. Murthy K.S.N and K. V. S. Sharma , Modern Law of Insurance in India, (New Delhi:Lexis Nexis,2009)
1. Srinivasan , M.N., Principles of Insurance Law, 7th Edition, (Nagpur: Wadhwa and Co., 2004)

PROGRAM: 3 Yr/5 yr Professional Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: VI/X

Course Title-: <u>CONFLICT Of LAWS (Elective Course)</u>

Course Code: **Credits: 4**

COURSE OBJECTIVES:

The course aims at explaining the principles of the Private International Law, also known as Conflict of Laws. The students will be learning the rules that enable finding that law of that country which will govern disputes among private parties involving a foreign element. This course introduces students to private international law, as to the fundamental concepts and mechanism of the branch of law, and the legislative rules, judicial interpretations issued by Authorities. The students will be introduced to practical aspects of civil and commercial practice relating to cross border issues involving contracts, property, succession, marriage, divorce, and adoption. Study of this law will also give an international and comparative perspective to the study of different laws required in practice of civil law

<u>COURSE OUTCOMES</u>

After completing this course, the students will be able to:

1. Define the principles of conflict of laws and its application in cases involving foreign elements
2. Explain the concept of recognition and enforcement of foreign judgments;
3. Apply the principles of conflict of laws in relation to the Indian legal mechanism and its practices.
4. Analyse the issue of jurisdiction and application of foreign laws in a case where foreign element is involved;

MODULE 1: Introduction and Stages of Analysis in Private International Law

1.1 Definition, meaning and scope of private international law

1.2 Theories concerning private international law

1.3 Sources of private international law

1.4 Primary Characterization – defining the legal nature of the cause of action

1.5 Determining the connecting factor – articulating the relevant private international law

Principles

1.6 Delimitation and application of lex causae

1.6.1 Doctrine of Renvoi

1.6.2 The Scope of application of lex causae

1.6.3 Substance and Procedure

1.6.4 Depecage and Incidental question

1.7 The Act of State Doctrine

MODULE 2: Issues Relating to Jurisdiction and Enforcement of Foreign Judgment.

2.1 General Issues relating to jurisdiction

2.1.1 Jurisdiction and its implications in private International Law

2.1.2 Action in personam and action in rem in private international law

2.1.3 Action in personam: actor sequitur forum rei principle and its implications

2.2 In Personam Jurisdiction – The English Common Law and Indian Position

2.3 Action in Rem: Admiralty Jurisdiction in India

2.4 EC Regulation on Jurisdiction and the Recognition and Enforcement of Judgment (BrusselsRegulation I and Recast Regulation)

2.5 The Mareva and Worldwide Mareva Injunctions – International Dimensions

2.6 Effects of Jurisdiction Clauses in India and under the Common Law

2.7 Enforcement of foreign Judgments

2.7.1 Need recognizing foreign judgments 8.2 Limitations in recognizing and enforcement

2.7.2 Section 13, 14 and 444 of C.P.C. and S. 41 of the Indian Evidence Act

2.7.3 Brussels Convention on Jurisdiction and Enforcement of Judgments in Civil and Commercial Matters, 1968

MODULE 3: Applicable Law – Family Matters

3.1 Domicile as deciding factor

3.1.1 Concept of Domicile

3.1.2 Common Law Approach

3.1.3 Indian Approach

3.2Jurisdiction and Choice of Law Issues in Family Matters

3.3 Marriage and Matrimonial Causes

3.4 Legitimacy and Legitimation

3.5 Adoption, Guardianship and Child Custody (Jurisdiction and Choice of Law Issues)

3.6 Hague Conference on Private International Law

MODULE 4: Applicable Law: Contracts and Commercial Matters

4.1 Governing Law and Transnational Contracts – Common Law and Indian Law

4.2 Rome Regulation I on Contractual Obligations

4.3 IMF and Exchange Contracts

4.4 Negotiable Instruments

4.5 Torts and Rome Regulation II [Non-Contractual Obligation]

Suggested Reading

1. Setalvad, Atul M., Conflict of Laws, Lexis Nexis, 2014.
2. Paras Diwan, Private International Law: Indian and English; Deep & Deep, 2008.
3. K.B. Agrawal& Vandana Singh, Private International Law in India, Wolters Kulwer International, 2010
4. V. C. Govindraj, The Conflict of Laws in India- Inter-Territorial and Inter-Personal Conflict Oxford University Press, 2011.
5. Dicey, Morris & Collins, Conflict of Laws, Sweet and Max well 15th ed., 2016.
6. James Fawcett and Janeen M Carruthers, Cheshire and North‘s Private International Law Oxford University Press, 14th ed., 2008.

Drafting , Pleading and Conveyancing III

LL B Semester VI/ BLS LL B Semester X

Course Objectives This course is the third on the subject of drafting. The main objective is to train students in drafting of pleadings to be submitted in courts. Module I will focus on the civil pleadings like plaint written statement and others. Module II will include the training in drafting of pleadings required in criminal courts viz complaints bail application and others. Module III is devoted to the teaching- learning of drafting in the matter of civil and consumer-appeals, revision and others.

The last module is unique as it gives an opportunity to learn the drafting of bills and judgments

Course outcomes

At the end of the course the students will be able to

1. Draft independently the civil pleadings
2. Draft the pleadings required in criminal matters including appeals, revision and others
3. Draft the pleadings in civil and consumer appeals, revisions and related matters
4. Draft bills and amendment bills
5. Draft judgment and orders

Module I-

1. Drafting of the Plaint in Suit and Summary suit, Notice of motion and Affidavit in support ,
2. Drafting of Written Statement and affidavit in support
3. Interlocutory Applications
4. Chamber Summons and affidavit in support thereof
5. Purshis /, Praecipe
6. Execution Petition

Module II -

1. Criminal Complaints
2. Complaints of dishonour of cheque (S. 138, N I Act)
3. Miscellaneous applications
4. Bail Applications
5. Anticipatory Bail Applications
6. Memorandum of Appeal and Revision
7. Transit Bail Application
8. Applications under S. 482, Cr P C

Module III -

1. Civil – Memorandum of Appeal and Memorandum of revision
2. Criminal – Memorandum of Appeal and Memorandum of revision
3. Review Petitions- civil, criminal and constitutional
4. Applications for correction of typographical or other errors in the judgment/order
5. Speaking 2 (Two) Minutes Application
6. Appeal and revision under CPA, 2019

Module IV -

1. Drafting of Bills and Amendment Bills
2. Drafting of Judgments and Orders

Recommended Readings

1. Kumar H.L., Legal Drafting - Do it yourself, Universal Law House, 2016
2. Universal Law Publishing Co Pvt. Ltd., 2018 Justice P.S.Narayana, Pleadingsand Practice (Civil & Criminal), Asia Law House, 2017
3. Dr. Amit Sen, Legal Language, Legal Writing and Legal Drafting, Kamal Law House, Kolkata, 2008.
4. SR Myneni, Legal Language and Legal Writing, Asia Law House, Hyderabad, 2019

5. Medha Kolhatkar, Drafting, Pleading and Conveyancing, LexisNexis, 2015.
6. S P Aggarwal, Pleadings, an Essential Guide, 2nd ed, LexisNexis, 2013.
7. S P Aggarwal, Drafting and Conveyancing, LexisNexis 2015.
8. S D Singh, Judgments and how to write them, EBC
9. Robinjeet Singh, An insight into Judgment Writing, AMALTAAS Publication, 2020 Edition.
10. Y. V. Bhagat, Art of Judgment Writing, Lawmann‘s.