



KARNATAK UNIVERSITY, DHARWAD
ACADEMIC (S&T) SECTION

ಕರ್ನಾಟಕ ವಿಶ್ವವಿದ್ಯಾಲಯ, ಧಾರವಾಡ
ವಿದ್ಯಾಮಂಡಳ (ಎಸ್&ಟಿ) ವಿಭಾಗ



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'A' Grade 2014

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No. KU/Aca(S&T)/JS-203/BOS /Law(UG) /24-25

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Date:

12 SEP 2024

ಅಧಿಸೂಚನೆ

ವಿಷಯ: 2024-25ನೇ ಶೈಕ್ಷಣಿಕ ಸಾಲಿನಿಂದ ಜಾರಿಯಾಗಿರುವ ಸ್ನಾತಕ ಪದವಿ 5 years LL.B. and 3 years LL.B. Degree ಹೊಸ ಕಾನೂನುಗಳ ಸೇರದೆಯ ಪಠ್ಯಕ್ರಮದ ಕುರಿತು.

ಉಲ್ಲೇಖ: 1. ವಿದ್ಯಾವಿಷಯಕ ಪರಿಷತ್ ಸಭೆಯ ನಿರ್ಣಯಗಳ ಸಂ: 14, ದಿನಾಂಕ: 16.07.2024.

2. ಮಾನ್ಯ ಕುಲಪತಿಗಳ ಅನುಮೋದನೆ ದಿನಾಂಕ: 26/08/2024

ಮೇಲ್ಕಾಣಿಸಿದ ವಿಷಯ ಹಾಗೂ ಉಲ್ಲೇಖಗಳನ್ವಯ, 2024-25ನೇ ಶೈಕ್ಷಣಿಕ ಸಾಲಿನಿಂದ ಜಾರಿಯಾಗಿರುವ ಸ್ನಾತಕ ಪದವಿ 5 years LL.B.-1 to 10th Sem and 3 years LL.B. Degree -1 to 6th Semesterಗಳ ಹೊಸ ಕಾನೂನುಗಳ ಸೇರದೆಯ ಪರಿಷ್ಕೃತ ಪಠ್ಯಕ್ರಮ ರಚನೆ ಕುರಿತಾಗಿ ಸಂಬಂಧಿಸಿದ ಅಭ್ಯಾಸಸೂಚಿ ಮಂಡಳಿ ಹಾಗೂ ನಿಖಾಯಗಳ ಶಿಫಾರಸ್ಸಿನಂತೆ ವಿದ್ಯಾವಿಷಯಕ ಪರಿಷತ್ ಸಭೆಯ ಅನುಮೋದಿತ ಪದವಿಗಳ ಪಠ್ಯಕ್ರಮಗಳನ್ನು ಕ.ವಿ.ವಿ. ಅಂತರ್ಜಾಲ www.kud.ac.in ದಲ್ಲಿ ಭಿತ್ತರಿಸಲಾಗಿದೆ. ಸದರ ಪಠ್ಯಕ್ರಮಗಳನ್ನು ಕ.ವಿ.ವಿ. ಅಂತರ್ಜಾಲದಿಂದ ಡೌನ್‌ಲೋಡ್ ಮಾಡಿಕೊಳ್ಳಲು ಸೂಚಿಸುತ್ತ ವಿದ್ಯಾರ್ಥಿಗಳು ಹಾಗೂ ಸಂಬಂಧಿಸಿದ ಎಲ್ಲ ಬೋಧಕರ ಗಮನಕ್ಕೆ ತಂದು ಅದರಂತೆ ಕಾರ್ಯಪ್ರವೃತ್ತರಾಗಲು ಸದರ ಮಹಾವಿದ್ಯಾಲಯದ ಪ್ರಾಚಾರ್ಯರಿಗೆ ಸೂಚಿಸಲಾಗಿದೆ.

ಅಡಕ: ಮೇಲಿನಂತೆ

A. Channarayana
ಕುಲಸಚಿವರು.

ಗೆ,

1. ಪ್ರಾಚಾರ್ಯರು, ಕ.ವಿ.ವಿ. ಸರ್ ಸಿದ್ಧಪ್ಪ ಕಂಬಳಿ ಕಾನೂನು ಮಹಾವಿದ್ಯಾಲಯ, ಧಾರವಾಡ.

ಪ್ರತಿ:

1. ಡೀನರು, ಕಾನೂನು ನಿಖಾಯ, ಸ್ನಾತಕೋತ್ತರ ಕಾನೂನು ಅಧ್ಯಯನ ವಿಭಾಗ, ರೊಡ್ಡ ರಸ್ತೆ, ಧಾರವಾಡ.
2. ನೊಡಲ್ ಅಧಿಕಾರಿಗಳು, ಯು.ಯು.ಸಿ.ಎಂ.ಎಸ್. ಘಟಕ, ಕ.ವಿ.ವಿ. ಧಾರವಾಡ.
3. ಎನ್.ಇ.ಪಿ. ನೊಡಲ್ ಅಧಿಕಾರಿಗಳು, ಸಿ.ಡಿ.ಸಿ. ವಿಭಾಗ, ಕ.ವಿ.ವಿ. ಧಾರವಾಡ.
4. ನಿರ್ದೇಶಕರು, ಕಾಲೇಜು ಅಭಿವೃದ್ಧಿ / ವಿದ್ಯಾರ್ಥಿ ಕಲ್ಯಾಣ ವಿಭಾಗ, ಕ.ವಿ.ವಿ. ಧಾರವಾಡ.
5. ಕುಲಪತಿಗಳ ಆಪ್ತ ಕಾರ್ಯದರ್ಶಿಗಳು / ಕುಲಸಚಿವರ ಆಪ್ತ ಕಾರ್ಯದರ್ಶಿಗಳು / ಕುಲಸಚಿವರು (ಮೌಲ್ಯಮಾಪನ) ಆಪ್ತ ಕಾರ್ಯದರ್ಶಿಗಳು, ಕ.ವಿ.ವಿ. ಧಾರವಾಡ.
6. ಅಧೀಕ್ಷಕರು, ಪ್ರಶ್ನೆ ಪತ್ರಿಕೆ / ಗೌಪ್ಯ / ಜಿ.ಎ.ಡಿ. / ವಿದ್ಯಾಮಂಡಳ (ಪಿ.ಜಿ.ಪಿ.ಎಚ್.ಡಿ) ವಿಭಾಗ, ಸಂಬಂಧಿಸಿದ ಕೋರ್ಸುಗಳ ವಿಭಾಗಗಳು ಪರೀಕ್ಷಾ ವಿಭಾಗ, ಕ.ವಿ.ವಿ. ಧಾರವಾಡ.

PROGRAM STRUCTURE

PROPOSED SCHEME OF TEACHING AND EVALUATION FOR 3 YEARS L.L.B I SEMESTER

Sl. No.	Course Code	Title of the Course	Category of Course	Teaching of Week (L+T+P)	SEE	CIE	Total Marks	Credits
1	UG22T101R	Contract-I	DSC	4+1+0	70	30	100	5
2	UG22T102R	Constitutional Law - I	DSC	4+1+0	70	30	100	5
3	UG22T103R	Law of Torts	DSC	4+1+0	70	30	100	5
4	UG22T104R	Family Law-I: Hindu Law	DSC	4+1+0	70	30	100	5
5	UG22T105R	Criminal Law-I: Bharatiya Nyaya Sanhita, 2023	DSC	4+1+0	70	30	100	5
Total								25

II SEMESTER

Sl. No.	Course Code	Title of the Course	Category of Course	Teaching of Week (L+T+P)	SEE	CIE	Total Marks	Credits
1	UG22T201R	Contract-II	DSC	3+1+0	70	30	100	4
2	UG22T202R	Company Law	DSC	4+1+0	70	30	100	5
3	UG22T203R	Property Law	DSC	3+1+0	70	30	100	4
4	UG22T204R	Administrative Law	DSC	3+1+0	70	30	100	4
5	UG22T205R	Family Law – II: Mohammedan Law & Indian Succession Act, 1925	DSC	3+1+0	70	30	100	4
6	UG22T206R	Constitutional Law - II	DSC	3+1+0	70	30	100	4
Total								25

III SEMESTER

Sl. No.	Course Code	Title of the Course	Category of Course	Teaching of Week (L+T+P)	SEE	CIE	Total Marks	Credits
1	UG22T301R	Environmental Law	DSC	4+1+0	70	30	100	5
2	UG22T302R	Labour Law – I : Law Relating to Industrial Relation and Employment	DSC	4+1+0	70	30	100	5
3	UG22T303R	Criminal Law-II: Bharatiya Nagarik Suraksha Sanhita, 2023	DSC	4+1+0	70	30	100	5
4	UG22T304R	Jurisprudence	DSC	4+1+0	70	30	100	5
5	UG22T305R	Clinical Course-I: Professional Ethics and Professional Accounting System	DSC	4+1+0	80	20	100	5
Total								25

IV SEMESTER

Sl. No.	Course Code	Title of the Course	Category of Course	Teaching of Week (L+T+P)	SEE	CIE	Total Marks	Credits
1	UG22T401R	Public International Law	DSC	4+1+0	70	30	100	5
2	UG22T402R	Optional-I: Human Rights Law and Practice/ Insurance Law	DSC	4+1+0	70	30	100	5
3	UG22T403R	Optional-II: Banking Law / Right to Information	DSC	4+1+0	70	30	100	5

4	UG22T404R	Clinical Course-II: Alternate Dispute Resolution Systems	DSC	4+1+0	60	40	100	5
5	UG22T405R	Labour Law – II : Law Relating to Welfare, Conditions of Work and Wages	DSC	4+1+0	70	30	100	5
Total								25

V SEMESTER

Sl. No.	Course Code	Title of the Course	Category of Course	Teaching of Week (L+T+P)	SEE	CIE	Total Marks	Credits
1	UG22T501R	Civil Procedure Code, 1908 and Limitation Act, 1963	DSC	4+1+0	70	30	100	5
2	UG22T502R	Optional-III: Intellectual Property Rights-I / Penology & Victimology	DSC	4+1+0	70	30	100	5
3	UG22T503R	Optional-IV: Interpretation of Statutes & Principles of Legislation / Competition Law	DSC	4+1+0	70	30	100	5
4	UG22T504R	Clinical Course-III: Drafting, Pleading and Conveyance	DSC	4+1+0	70	30	100	5
Total								20

VI SEMESTER

Sl. No.	Course Code	Title of the Course	Category of Course	Teaching of Week (L+T+P)	SEE	CIE	Total Marks	Credits
1	UG22T601R	Bharatiya Sakshya Adhinyam, 2023	DSC	4+1+0	70	30	100	5
2	UG22T602R	Taxation	DSC	4+1+0	70	30	100	5
3	UG22T603R	Optional – V: Intellectual Property Rights-II / White Collar Crimes	DSC	4+1+0	70	30	100	5
4	UG22T604R	Optional – VI: Women and Criminal Law & Law relating to child /Law Relating to International Trade	DSC	4+1+0	70	30	100	5
5	UG22T605R	Clinical Course-IV: Moot Court exercise and Internship	DSC	4+1+0	70	30	100	5
Total								25

3 YEARS LL.B SYLLABUS

I SEMESTER

CONTRACT - I: LAW OF CONTRACT (56 Hrs)

OBJECTIVES:

Contracts are at the basis of majority of transactions especially transactions dealing with the property. Whether the transaction is in the ordinary course of life or in the electronic world (e-commerce) the general principles governing contracts remain same. For this reason it is very important to introduce the students to the basic principles governing contracts and lay a powerful foundation for their study of other transactional and related laws in subsequent semesters.

UNIT- I: 10hrs

Formation of Contract - Agreement and Contract - Definitions - Classification - Offer and Acceptance Communication - Revocation - Essential elements - Invitation to Offer-Tenders; Consideration - *Nudum Pactum* - Essential elements- Privity of Contract and of Consideration Exceptions-Unlawful Considerations and its effect-e-contract.

UNIT- II: 15hrs

Capacity to Contract - Minor's Agreements and its effects - Agreement of Persons of unsound mind and Persons disqualified by Law; Free Consent Coercion Undue influence Misrepresentation-Fraud-Mistake - Legality of Object Void Agreements and Contingent Contracts.

UNIT- III: 15hrs

Modes of Discharge of Contracts Time and place of performance Performance of reciprocal premises-Appropriation of Payments Discharge by Agreement, operation of Law, frustration (Impossibility of Performance) and by Breach (Anticipatory and Actual)

UNIT-IV: 10hrs

Remedies for Breach of Contracts Damages Kinds of damages Remoteness of damages
Ascertainment of damages-Quasi Contracts

UNIT-V: 6hrs

The Specific Relief Act-Sections 9-16, Sections 21, Section 24, Sections 36-42; Nature of Specific Relief Recovery of Possession of movable and immovable Property Specific performance when granted and not granted - Who may obtain and against whom Discretionary remedy Power of Court to grant relief Rectification of instruments Cancellation Declaratory decrees Preventive relief-Temporary injunctions-Perpetual and Mandatory Injunctions.

PRESCRIBED BOOKS:

1. Singh, Avtar, *Law of Contract and Specific Relief*, 11th Edition, (Lucknow: Eastern Book Company, 2013)

REFERENCE BOOKS:

1. Pollock and Mulla, *Indian Contract and Specific Relief Act*, 14th Edition, (New Delhi: LexisNo1, 2013)

2. Smith, Stephen A and PS Atiyah, *Atiyah's introduction to the Law of Contract*, 6th Edition, (Oxford University Press: Clarendon Law Series, 2006)

3. G. C. Cheshire and Fifoot, *Law of Contract*, 29th Edition (New Delhi Lexis Nexis, 2010)

4. Anson, William, *Law of Contract*, 29 Edition, (Oxford University Press, 2010)

5. Maine, Henry, *Ancient Law* 4 Edition (London Albemarle Street, 1870)

CONSTITUTIONAL LAW – I (56 Hrs)

UNIT – I (10 Hrs)

1. Meaning and significance of the constitution
2. Making of Indian constitution
3. Salient features of Indian constitution
4. Preamble

UNIT – II (10 Hrs)

1. Citizenship: Modes of acquisition, termination, citizenship at commencement and citizenship after the commencement of Indian constitution.
2. Amendment of Indian constitution

UNIT – III (16 Hrs)

Fundamental rights: Art 12 and 13 of Indian constitution

1. Art 14 - 18: Right to equality
2. Art 19 - 22: Right to Freedom
3. Art 23 - 24: Right against exploitation
4. Art 25 - 28: Right to religion
5. Art 29 - 30: Right to cultural and educational rights
6. Art 32 - 35: Constitutional rights

UNIT – IV(10 Hrs)

Directive principles of state policy, meaning, characteristics, importance, classification, difference between DPSP's and FR's.

UNIT – V(10 Hrs)

1. Fundamental duties
2. Art 226, difference between Art 32 and 226

PRESCRIBED BOOKS:

Jain M.P, Indian constitutional law

REFERENCE BOOKS:

1. Seeravai H.M, Constitutional law of India, Bombay N.M Tripathi PVT Ltd, 1996, 3 Vol's.
2. Shukla V.N, Constitutional law of India, Lucknow eastern book Co, 1995 9th edition.
3. Basu D.D, Shorter Constitution of India, New Delhi: Prentice hall of India PVT Ltd.
4. Basu D.D, Shorter Constitution of India, New Delhi: Prentice hall of India PVT Ltd, 1994.
5. Austin Granville, the Indian constitution: Corner stone of a Nation Oxford: Clarandon Press 1966.

LAW OF TORTS (56 Hrs)

COURSE 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 connection there with. Further, this course is designed to study specific torts against the individual and property. With rapid industrialization, inadequacy of the law to protect the individual is exposed. An attempt shall be accorded to the individuals against mass torts and industrial torts. Keeping in the expensive character of judicial proceedings the students should reflect on the alternative forms, and also forms, and also the remedies provided under the Consumer Protection Act, 2019

UNIT-I: 12hrs

Evolution of law of torts- Nature and scope of law of torts- Meaning- Torts distinguished from Contract- Crime - Pigeon hole theory -Development of Ubi jus ibi Remedium- Mental elements- Intention, Motive, Malice in Law and in Fact.

UNIT-II: 8hrs

General Defences, Vicarious Liability.

UNIT-III: 10HRS

Negligence; Nuisance; Absolute and Strict liability; Legal Remedies-Awards-Remoteness of damage

UNIT-IV: 20hrs

Torts against person: Torts affecting body- Assault, Battery, Mayhem and False Imprisonment; Torts affecting reputation-Libel and Slander, Torts affecting freedom-Malicious Prosecution, Malicious Civil Action and Abuse of Legal Process, Torts affecting the domestic and other rights- Marital Rights, Parental Rights, Rights to Service, Contractual Rights, Intimidation and Conspiracy. Torts Against property

UNIT- V: 6hrs

Consumer Protection Act, 2019

PRESCRIBED BOOKS:

1. Ratanlal and Dhirajlal, Law of Torts, Nagpur: Wadhwa and co.
2. Singh Gurubax, Law of Consumer Protection, Jaipur: Bharat Law Publications

REFERENCE BOOKS:

1. Winfield and Jolowicz, Tort London: Sweet and Maxwell Hepple and Mathews, Tort: Cases and Materials, London: Butterworths
2. Baxi Upendra and Danda Amita, Valiant victims and Lethal Litigation-The Bhopal Case, 1990 Bombay M Tripathi Pvt., Ltd., 1990
3. Salmond, On Torts.
4. Avtar Singh - The law of torts
5. D. N. Saraf - Law of consumer protection in India

FAMILY LAW-I: HINDU LAW (56 Hrs)

COURSE OBJECTIVES:

The knowledge of Family Laws is very important for 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.

UNIT-I (10 Hrs)

Introduction - Concept of Dharma - Sources of Hindu Law: Ancient and Modern - Two Principal Schools of Hindu Law: Mitakshara and Dayabaga Schools -Application of Hindu Law

UNIT-II (12 Hrs)

Marriage and Kinship - A detailed study of Hindu Marriage Act, 1955 - Matrimonial Remedies - Maintenance and Alimony

UNIT-III (10 Hrs)

Hindu Undivided Family - Mitakshara Joint Family, Property under both Schools - Kartha: His Position, Powers, Privileges and Obligations

UNIT-IV (13 Hrs)

Inheritance and Succession – A study of Hindu Succession Act, 1956 - Stridhana: Woman's Property – Amendments to Hindu Succession Act

UNIT-V (11 Hrs)

Law relating to Hindu Minority and Guardianship: Kinds of Guardians, Duties and Powers of Guardians; A detailed study of Hindu Adoption and Maintenance Act, 1956

PRESCRIBED BOOKS-

1. Mulla, "Principles of Hindu Law", (New Delhi: Lexis Nexis Butterworths, 2007)
2. Paras Diwan, "Modern Hindu Law", (Faridabad: Allahabad Law Agency, 1993)

3. Paras Diwan, "Law of Adoption, Ministry, Guardianship and Custody", (Universal, 2000)

REFERENCE BOOKS-

1. John D. Mayne, "A Treatise on Hindu Law and Usage", (Madras: Higginbotham, 1922)

2. J. D. M. Derrett, "Hindu Law- Past and Present", (Calcutta: A Mukherjee & Co., 1957)

CRIMINAL LAW - I
BHARATIYA NYAYA SANHITA, 2023 (56 HRS)

UNIT –I (13 Hrs)

Introduction: general principles of crime; conception of crime; classification of wrongs; General principles of criminal liability, variations in liability, possible parties to the crime; Bharatiya Nyaya Sanhita, 2023: Definitions, General explanations, punishments

UNIT –II (10 Hrs)

General Exceptions (Ss. 14-44); Abetment, Criminal Conspiracy and Attempt of Abetment (Ss. 45-62); Offences against women and child (Ss. 63-99)

UNIT –III (10 Hrs)

Offences affecting human body (Ss. 100-146); Offences against the State (Ss. 147-158); Offences relating to Army, Navy and Air Force (Ss. 159-168); Offences relating to Elections (Ss. 169-177); Offences relating to coins, currency notes, etc (Ss. 178-188)

UNIT –IV (10 Hrs)

Offences against Public Tranquility (Ss. 189-197); Offences by or relating to Public Servants (Ss. 198-205); Contempt of the Lawful Authority of Public Servants (Ss. 206-226); False Evidence and Offences against Public Justice (Ss. 227-269)

UNIT –V (13 Hrs)

Offences affecting the Public Health, Safety, Convenience, Decency and Morals (Ss. 270-297); Offences relating to Religion (Ss. 298-302); Offences against Property (Ss. 303-334); Offences relating to Documents and Property Marks (Ss. 335-350); Criminal Intimidation, Insult, Annoyance, Defamation, etc. (Ss. 351-357)

PRESCRIBED BOOKS

1. Bharatiya Nyaya Sanhita, 2023
2. Ratanlal and Dhirajlal, *Indian Penal Code*, (New Delhi: Lexis Nexis Butterworths Wadhwa Nagpur, latest ed.)

For explanations, corresponding provisions of earlier editions of the Law of Evidence books may be referred.

3. Turner, Cecil J. W., *Kenny's Outlines of Criminal Law*, (New York: Cambridge University Press, 2013)

REFERENCE BOOK

1. K. D. Gaur, *A Textbook on Indian Penal Code*, (New Delhi: Universal Publishing Co.)

II SEMESTER

CONTRACT – II: SPECIFIC CONTRACTS (56 Hrs)

COURSE OBJECTIVES:

In the society wherein all major ventures are getting corporatized, a law student should acquaint himself with the knowledge of special contracts apart from equipping himself with general principles of contract. This course enables the students to better appreciate the law governing special contracts like, Indemnity, Guarantee, Bailment, Pledge, Agency, Sale of Goods and Indian Partnership etc., which are more relevant in the contemporary society. Law contained in several legislations apart from the Indian Contract Act is taught in this course.

COURSE CONTENTS:

UNIT-I (9 Hrs)

Contract of Indemnity- Definition, Nature and Scope- Rights of Indemnity Holder- Commencement of the Indemnifiers Liability

Contract of Guarantee- Definition, Nature and Scope- Rights of Surety- Discharge of Surety- Extent of Surety's Liability- Co-Surety- Difference between Contract of Indemnity and Contract of Guarantee

UNIT-II (10 Hrs)

Contract of Bailment – Definition, Kinds of Bailment- Rights and Duties of Bailor and Bailee- Finder of Goods as Bailee- Rights and Duties of Finder of Goods as Bailee- Rights to dispose off the goods

Contract of Pledge- Definition- Rights and Duties of Pawnor and Pawnee- Comparison with Bailment

UNIT-III (12 Hrs)

Agency- Definition- Creation of Agency- Kinds of Agents- Distinction between Agent and Servant- Rights and Duties of Agent- Relation of Principal with third parties- Delegation- Duties

and Rights of Agent- Extent of Agents authority- Personal liability of Agent- Termination of Agency

UNIT-IV (13 Hrs)

Indian Partnership Act- Definition- Nature, Mode of determining the existence of Partnership- Relation of Partner to one another- Rights and Duties of Partner- Relation of Partners with third parties- Types of partners- Admission- Retirement and Expulsion of partners- Dissolution of Firm- Registration of Firms

UNIT-V (12 Hrs)

Sale of Goods Act- The Contract of Sale- Agreement to sell- Conditions and Warranties- Passing of Property- Transfer of title- Performance of the Contract- Rights of Unpaid Seller- Remedies for Breach of Contract

PRESCRIBED BOOKS:

1. Avtar Singh, "Law of Contract and Specific Relief", (Lucknow: Eastern Book Company, 2013)
2. Pollock and Mulla, "Indian Contract and Specific Relief Act", (New Delhi: Lexis Nexis, 2013)
3. Krishnan Nair, "Law of Contract", (New Delhi: Orient Law House, 1999)
4. Verma J. P (ed.,) Singh and Gupta, "The Law of Partnership in India", (New Delhi: Orient Law House, 1999)
5. Saharay H. K, "Indian Partnership and Sale of Goods Act", (Universal, 2000)

REFERENCE BOOKS:

1. Anson William, "Law of Contract", (Oxford University Press, 2010)
2. Sir Frederick Pollock and Mulla, "Pollock and Mulla on the Sale of Goods Act", (Lexis Nexis: 2014)

COMPANY LAW (56 HRS)

COURSE OBJECTIVES:

The 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. 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.

UNIT – I (10hrs)

Company– historical development-salient features of the act- meaning-nature and characteristics of company –lifting of corporate veil-Kinds of company

UNIT – II (13hrs)

Stages of Incorporation – Promotion-Promoters-Duties and Liabilities of Promoters-legal Relationship of Promoter-procedure of incorporation-certificate of incorporation-subscription-commencement of business, Memorandum of Association (MOA) and Articles of Association (AOA)

UNIT – III (13hrs)

Doctrine of Indoor management- Prospectus, Board of Director: Powers and Functions, Director: Appointment-qualification-types-powers and removal, Meetings – Kinds
Oppression and Mismanagement, Corporate Social Responsibility

UNIT - IV (10hrs)

Shares-meaning-types-allotment-transfer of shares- Rights and privileges of shareholders, dividends-types of dividends-declaration and payment of dividends, Debentures- types of debentures-redemption-Membership of Company

UNIT – V (10hrs)

Winding up: Concept-modes of winding up-who can apply-procedures under different modes;
National Company Law Tribunal (NCLT)

PRESCRIBED BOOKS:

1. Taxman Companies Act 2013
2. Avtar Singh - Company Law

REFERENCE BOOKS:

1. Ramaiah, Guide to Companies act
2. Shah - Lectures on Company Law
3. S. C. Kuchal – Corporation Finance : Principles and problems.

PROPERTY LAW (56 Hrs)

COURSE OBJECTIVES:

The focuses 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. A detailed study of the substantive law relating to particular transfers, such as sale, mortgage, lease, exchange, gift and actionable claims will also be undertaken. The course also includes the study of concept of the Easement.

UNIT-1 (10 hrs)

General principles of Transfer of Property by Act of parties inter- vivos- Concept and meaning of immovable property - Transferable Immovable Property - Persons Competent to transfer- Operation of Transfer -Conditions restraining alienation and restrictions repugnant to the interest created- Rule against perpetuity and exceptions- Direction for accumulation- Vested and Contingent interest.

UNIT-2(10 hrs)

Doctrine of election - transfer by ostensible and co-owner- Apportionment - Priority of rights - Rent paid to holder under defective title- Improvements made by bonafide holder - Doctrine of Lis pendense - Fraudulent transfer and part-performance.

UNIT-3(10 hrs)

Mortgages of Immovable property: Definition- Kinds of mortgages and their features - Rights and liabilities of mortgagor and mortgagee - Priority of securities- Marshalling and contribution- Charges.

UNIT-4 (16 hrs)

Sale of immovable property - Rights and liabilities of seller and buyer before and after completion of sale - Difference between sale and contract for sale. Leases of immovable property: Definition- Scope- creation of lease- rights and liabilities of lessor and lessee-

Determination and holding over - Exchange: Definition and mode - Actionable Claims. Gifts: Scope-meaning- mode of transfer- universal gifts - onerous gifts.

UNIT – 5 (10 hrs)

Indian Easement Act, 1882: Nature, Definition and Characteristics of Easement-Modes of creation of Easement-Extinction of Easement Licence

PRESCRIBED BOOKS:

1. Mulla on the transfer of Property Act, 1882.
2. Shah - Lectures on Transfer of Property.
3. Transfer of Property Act, 1882 (Bare Act)
4. Indian Easement Act, 1882 (Bare Act)

REFERENCE BOOKS:

1. Subbarao -Transfer of Property
2. Shah - Principles of the Law of Property
3. Shukla - Transfer of Property Act
4. Tripathi – The Transfer of Property Act
5. Menon - Property Law

ADMINISTRATIVE LAW (56 hrs)

UNIT – I (10 hrs)

Evolution- Nature and Scope of Administrative Law- Relation with Constitutional Law
Separation of powers and concepts- Rule of law- Conseil d' Etate, (French system) -
Classification of Administration Action- functions- Administrative direction and discretion.

UNIT –II (16 hrs)

Legislative power of the administration- Extent of delegation and control over delegated
Legislation- Sub-delegation- Judicial- Parliamentary control over delegated Legislation.

UNIT – III (10 hrs)

Judicial power of Administration- Nature of procedure- Principles of Natural justice- Effect of
non- compliance with principles of Natural Justice- Exception to principles of Natural Justice.

UNIT – IV (10 hrs)

Judicial control of Administrative action – Writs, Principles and Procedure - Public Law Review
and Private Law Review of Administration action- Liability of State – Torts, Contract-
Promissory Estoppel-Government Privileges- Right of information- Doctrine of Legitimate
expectation- Doctrine of Accountability- Waiver- Doctrine of Proportionality.

UNIT –V (10 hrs)

Corporations and Public undertaking- Commission of Enquiry- Ombudsman in India (Lokpal
and Lokayuktha) - Central Vigilance Commission- Parliamentary Committees-Civil services in
India- Accountability and responsibility- Problems and Prospectives- Administrative
deviance Corruption- Mal-administration- Control mechanism of Accountability.

PRESCRIBED BOOK:

M. P. Jain & S. N. Jain - Principles of Administrative Law.

REFERENCE BOOKS:

Wade - Administrative Law. De Smith - Judicial Review of Administrative Action. S. P. Sathe - Administrative Law. I. P. Massey - Administrative Law.

FAMILY LAW – 2
(MOHAMMEDAN LAW & INDIAN SUCCESSION ACT) (56 Hrs)

COURSE OBJECTIVES:

The knowledge of family laws is important for lawyers. 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, menace of dowry, etc. In addition the students have to familiarize themselves with the provisions of the Indian Succession Act.

UNIT-1 (10 Hrs)

The knowledge of family laws is important for lawyers. This course is designed to endow the students with knowledge of both the codified and un-codified portions of Mohammedan Law. The course concerns itself with the sources, schools, institutions, succession, maintenance, menace of dowry, etc. In addition the students have to familiarize themselves with the provisions of the Indian Succession Act.

UNIT-2 (10 Hrs)

Conversion and its consequences on family: Marriage, Guardianship, Succession. Child and Family: Legitimacy, Custody, maintenance and education, Guardianship and parental rights.

UNIT-3 (16 Hrs)

Matrimonial Remedies under Islamic Law and Indian Divorce Act, 1869 (Amended Act) - Nullity of marriage Bar to matrimonial relief. Alimony and Maintenance: Alimony and Maintenance as an independent remedy- A review under Muslim law, Indian Divorce Act, 1869 - provisions under the Bharatiya Nagarika Surakhsha Sanhita, 2023. Maintenance of divorced Muslim Women under the Muslim Women (Protection of Rights on Divorce) Act, 1986.

UNIT-4 (10 Hrs)

Will and Inheritance: Will-Meaning, difference between will and gift, Will made in death bed or during illness; Muslim law of Inheritance - Shia and Sunni schools. Distribution of property under Indian Succession Act of 1925(Of Christians, Parsis and Jews)- Domicile - Parsis Intestate succession and Non Parsis Intestate succession, Succession certificate. Probate and letters of administration, powers and duties of executor.

UNIT – 5 (10 Hrs)

Wills-Privileged and unprivileged wills Construction of Wills in brief - Void bequests, void wills, kinds of legacies Protection of property of the deceased. Family Courts Act, 1984 - Constitution, powers, and its functions. Need for Uniform Civil Code - Article 44 of Indian Constitution.

PRESCRIBED BOOKS:

1. Mulla Principles of Mohammedan Law
2. Paras Diwan - Law of Intestate and Testamentary
3. Indian Divorce Act, 1869 (Bare Act)
4. Muslim Women (Protection of Rights on Divorce) Act, 1986. (Bare Act)
5. Indian Succession Act, 1925 (Bare Act)
6. Family Courts Act, 1984

REFERENCE BOOKS:

1. B. B Mitra- Indian Succession Act, 1925.
2. A. A Fyzee - Outlines of Mohammedan Law.
3. D. D Basu - Law of Succession.
4. Paras Diwan - Family Law: Law of Marriage and Divorce in India

5. M Bhattachargee - Muslim Law and the Constitution.
6. Tahir Mohamood - Mohammedan Law.

CONSTITUTIONAL LAW – II (56 Hrs)

UNIT – I (12 Hrs)

Federal system, relation between centre and state, freedom of trade and commerce, official language, local–self government with special emphasis on 73rd and 74th amendment, Art 370 – Art 371A to 371-J.

UNIT – II (12 Hrs)

Executive – President: Powers and functions

Governor: Powers and functions

Parliament and state legislature: Powers and functions

Council of ministers

UNIT – III (10 Hrs)

Speaker: Powers and functions

Anti-defence law

Judiciary: Union and state appointments, Powers – Jurisdiction – Transfer of judges

UNIT – IV (12 Hrs)

Subordinate judiciary, Administrative tribunals, Public service commission, Election commission, State liability for torts and contract.

UNIT – V (10 Hrs)

Emergency provisions: Effects, Types and Amendments, Basic structure theory, Schedules.

PRESCRIBED BOOKS:

Jain M.P, Indian constitutional law, Bombay: N.M Tripathi, 1994, 4th edition

REFERENCE BOOKS:

1. Seervai H.M Constitutional law of India, Bombay N.M Tripathi PVT Ltd, 1996, 3rd Vol's.
2. Shokla V.N Constitution of India, Lucknow eastern book Co, 1995 9th edition
3. Basu D.D, Shorter Constitution of India, New Delhi: Prentice Hall of India PVT Ltd, 1994.

III SEMESTER

ENVIRONMENTAL LAW (56 Hrs)

COURSE CONTENTS-

UNIT – I (8 Hrs)

Environment: meaning and components- Pollution: meaning, sources, Kinds, and effects of pollution - Ancient and Medieval Writings Environmental jurisprudence - National environmental policy.

UNIT – II (12 Hrs)

Environmental Policy and Law: Pre & Post Independence Period -Constitutional provisions on Environment and its Protection: Right to Environment — Duty to protect environment - Public interest litigation and environment -Role of Judiciary on Environmental issues -Doctrines of Environmental Pollution: Evolving new Principles — Absolute Liability -Polluter pays principle Precautionary principle — Inter generational equity principle -Public trust doctrine.

UNIT – III (11 Hrs)

International Law and Environmental Protection: Sustainable Development -International conventions in the development of Environmental Laws and its Policy: Stockholm — Rio & Johannesburg Declaration -Trans-boundary Pollution hazards & Regulation; Common Law aspects of Environmental Protection — Criminal Law and environment

UNIT – IV (12 Hrs)

Prevention and Control of Water & Air Pollution: Water Act, 1974 and Air Act, 1981 -Pollution Control Boards and its powers and functions- offences and penalties -Remedies in case of water and air pollution - Noise Pollution and its control: Noise Pollution (Regulation & Control) Rules, 2000 - Wildlife Protection Act, 1972: Hunting — Trade in Animal articles — Authorities under wild life protection Act- Role of Judiciary on wild life protection - Forest Conservation Act, 1980 —judicial approach.

UNIT – V (13 Hrs)

Environment Protection Act, 1986; Environmental Audit - Coastal Regulation Zone, Environment Impact Assessment, Regulation on Bio-Medical Waste - Disposal of Solid Waste

PRESCRIBED BOOKS:

1. P. Leela Krishnan, Environmental Law in India, Third Edition, Lexis Nexis Armin Rosencranz - Environmental Law and Its Policy in India.
2. S. C. Shastri, Environmental Law, Third Edition, Eastern Book Company.

REFERENCE BOOKS:

1. Lal's Encyclopaedia on Environment Protection and Pollution laws , Fifth Edition, Volume I & 2, Delhi Law House.
2. Shyam Divan and Armin Rosencranz, Environmental Law and Policy in India (Cases, Materials and Statutes), Second Edition, Oxford University Press
3. Relevant Bare Acts/Notifications

**LABOUR LAW-1: LAW RELATING TO INDUSTRIAL RELATION AND
EMPLOYMENT (56 Hrs)**

COURSE OBJECTIVES-

In this course, the students are to be acquainted with the Industrial relations framework. Further, the importance of the maintenance of industrial peace and efforts to reduce the incidence of strikes and lockouts are to be emphasized. The main objective is to critically examine the provisions in the Trade Unions Act, 1926; the machineries contemplated under the Industrial Disputes Act, 1947 for the prevention and settlement of industrial disputes and other matters. Further, the objectives underlying the Industrial Employment (Standing Orders) Act, 1946 and Disciplinary Enquiry for misconduct are to be studied with a view to acquaint misconduct and the procedure to be followed before imposing punishment for misconduct alleged and established.

Wherever necessary refer to the Constitutional provisions and the ILO Conventions and recommendations will do learning of these legislations. We will be looking at the judicial response, legislative response and probable amendments required to the industrial relations laws to meet the challenges posed by economic liberalization. In order to understand the above-mentioned legislations in their proper perspective, a brief historical background of these legislations will also be examined.

In this course, students shall also acquaint with legal frame-work relating to social security and welfare. The concept of social security, its importance and also Constitutional basis for the same are introduced. The importance of ensuring health, safety and welfare of the workmen, social assistance and social insurance schemes and the regulation of wages under various legislations are to be emphasized. The objective is also to understand the provisions of the Employees Compensation Act, 1923, the Employees' State Insurance Act, 1948, the Payment of Wages Act, 1936, the Factories Act, 1948. These legislations are to be studied with a view to acquaint the students regarding various rights and benefits available to the workmen there under. Legislations are to be analyzed by examining historical background, objectives underlying these legislations, judicial interpretations and effectiveness of these legislations in the changed economic policies.

COURSE CONTENTS-

UNIT- I (10 Hrs)

Historical aspects Master and Slave Relationship, Trade Unionism in India and UK- Enactment of the Trade Unions Act, 1926- ILO Conventions relating to Trade Unions and relevant Constitutional provisions.

A bird's eye view of the Act Definitions Trade Union, Trade Dispute, etc., Provisions relating to registration, withdrawal and cancellation of registration Funds of Trade Union, Immunities, problems of Trade Union, Amalgamation of Trade Union -Recognition of Trade Unions Methods, need and efforts in this regard, Collective Bargaining Meaning, methods, status of collective bargaining settlements, collective bargaining and liberalisation.

UNIT-II (11 Hrs)

Historical Background and Introduction to the Industrial Disputes Act, 1947- Definitions Industry, Workman, Industrial Dispute, Appropriate Government, etc., Authorities/ Industrial Dispute resolution machinery Works Committee, Conciliation and Board of Conciliation Powers and Functions, Court of Inquiry, Grievance Settlement Authority,

Voluntary Arbitration U/S 10-A, Compulsory Adjudication- Government's power of reference U/S-10 Critical analysis with reference to decided cases. Compulsory Adjudication Composition, Qualification, Jurisdiction, powers of adjudication authorities, Award and Settlement - Definition, Period of operation, binding nature and Juridical Review of award.

UNIT-III (11 Hrs)

Law relating to regulation of strikes and lockouts- Definition of strikes and lockouts, Analysis with reference to Judicial Interpretations, Regulation U/Ss 22, 23, 10-A(4-A), and 10 (3), Illegal strikes and lockouts, penalties. Regulation of Job losses-concepts of Lay-off, Retrenchment, Closure and Transfer of undertakings with reference to statutory definition and Judicial Interpretations - Regulation of job losses with reference to the provisions of chapter V A and V B of the ID Act, 1947-Regulation of managerial prerogatives Ss. 9A, 11A, 33 and 33A of ID

Act, 1947 Certified Standing Orders Meaning and Procedure for Certification, Certifying officers- Powers and Functions, etc.

UNIT-IV (12 Hrs)

Concept and Importance of Social Security Influence of I.L.O Constitutional Mandate; The Employees' Compensation Act, 1923 Definitions employee, employer, dependent, partial disablement, total disablement, etc. Employer's liability for compensation - Conditions and Exceptions Procedure for claiming compensation; Computation of Compensation; Commissioner- Jurisdiction, Powers, etc

The Payment of Wages Act, 1936-Definitions employed person, factory, industrial and other establishment, wages, etc.; Deductions Authorities Inspectors and Payment of Wages Authority.

UNIT-V (12 Hrs)

Concept of Wages Theories of wages and Kinds of wages; The Minimum Wages Act, 1948- Definitions appropriate government, employer, employee, Scheduled employment, etc. Fixation of Minimum rates of wages-Methods - Regulation of working conditions - Payment of Wages, Working Hours, etc.; Bonus Context -a claim for share in profits even after payment of wages according contract of employment? Is it a breach of contract or an implied term of the contract? concepts of bonus and right to share in profits -

PRESCRIBED BOOKS:

1. S.C. Srivastava Industrial Relations and Labour Laws.
2. Dr. V.G. Goswami Labour Industrial Laws
3. S.N.Mishra Labour and Industrial Laws
4. S.C.Srivastava, Treatise on Social Security.
5. The Trade Unions Act, 1926
6. The Industrial Disputes Act, 1947
7. The Industrial Employment (Standing Orders) Act, 1946

8. The Employees Compensation Act, 1923
9. The Employees' State Insurance Act, 1948
10. The Payment of Wages Act, 1936
11. The Factories Act, 1948

REFERENCE BOOKS:

1. O.P. Malhotra Law of Industrial Disputes
2. G. Ramanujam Indian Labour Movements
3. P.L. Malik Industrial Law
4. Mamoria and Mamoria - Dynamics of Industrial Relations
5. First National Labour Commission Report, 1969
6. Second National Labour Commission Report, 2002
7. International Labour Conventions and Recommendations

CRIMINAL LAW-II

THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023 (56 Hrs)

UNIT: I (11 Hrs)

PRELIMINARY: Constitution of Criminal Courts and Offices, Classes of Criminal Courts, Territorial divisions, Court of Session, Court of Judicial Magistrates, Chief Judicial Magistrate and Additional Chief Judicial Magistrate, Special Judicial Magistrates, Subordination of Judicial Magistrates, Executive Magistrates, Special Executive Magistrates, Local Jurisdiction of Executive Magistrates Subordination of Executive Magistrates, Public Prosecutors, Assistant Public Prosecutors, Directorate of Prosecution.

POWER OF COURTS: Courts by which offences are triable Courts by which offences are friable, Sentences which High Courts and Sessions Judges may pass,, Sentences which High Courts and Sessions Judges may pass, Sentence of imprisonment in default of fine, Sentence in cases of conviction of several offences at one trial, Mode of conferring powers, Powers of officers appointed, Withdrawal of powers, Powers of Judges and Magistrates exercisable by their successors -in-office.

POWERS OF SUPERIOR OFFICERS OF POLICE AND AID O THE MAGISTRATES AND THE POLICE: Powers of superior officers of police, Public when to assist Magistrates and police, Aid to person, other than police officer, executing warrant, Public to give information of certain offences, Duty of officers employed in connection with affairs of a village to make certain report.

ARREST OF PERSONS: When police may arrest without warrant, Procedure of arrest and duties of officer making arrest, Designated police officer, Right of arrested person to meet an advocate of his choice during interrogation, Arrest on refusal to give name and residence, Arrest by private person and procedure on such arrest, Arrest by Magistrate, Protection of members of Armed Forces from arrest, Arrest how made, Search of place entered by person sought to be arrested, Pursuit of offenders in to other jurisdictions, No unnecessary restraint, Person arrested to be informed of grounds of arrest and of right to bail, Obligation of person making arrest to inform about arrest, etc, to relative or friend, Search of arrested person, Power to seize offensive

weapons, Examination of accused by medical practitioner at request of police officer, Examinations of person accused of rape by medical practitioner, Examination of arrested person by medical officer, Identification of person arrested, Procedure when police officer deposes subordinate to arrest without warrant, Health and safety of arrested person, Person arrested to be taken before Magistrate of officer in charge of police station, Person arrested not to be detained more than twenty-four hours, Police to report apprehensions, Discharge of person apprehended, Power, on escape, to pursue and retake, Arrest to be made strictly according to Sanhita

PROCESSES TO COMPEL APPEARANCE : Form of summons, Summons how served, Service of summons on corporate bodies, firms, and societies, Service when persons summoned cannot be found, Procedure when service cannot be effected as before provided, Service on Government servant, Service of summons outside local limits, Proof of service in such cases and when serving officer not present, Service of summons on witness, Form of warrant of arrest and duration, Power to direct security to be taken, Warrants to whom directed, Warrant may be directed to any person, Warrant directed to public officer, Notification of substance of warrant, Person arrested to be brought before Court without delay, Where warrant may be executed, Warrant forwarded for execution outside jurisdiction, Warrant directed to police officer, for execution outside jurisdiction, Procedure on arrest of person against whom warrant issued, Procedure by Magistrate before whom such person arrested is brought. Proclamation for person absconding, Attachment of property of person absconding, Identification and attachment of property of proclaimed person, Claims and objections to attachment, Release, sale and restoration of attached property, Appeal from order rejecting application for restoration of attached property, Issue of warrant in lieu of, or in addition to summons, Power to take bond or bail bond for appearance, Arrest on breach of bond or bail bond for appearance. Provisions of this Chapter generally applicable to summons and warrants of arrest.

PROCESSES TO COMPEL THE PRODUCTION OF THINGS: Summons to produce document or other thing. Procedure as to letters. When search warrant may be issued, Search of place suspected to contain stolen property, forged documents, etc. Power to declare certain publication forfeited and to issue search warrants for same. Application to High Court to set-aside declaration of forfeiture. Search for persons wrongfully confined. Power to compel restoration of

abducted females. Direction, etc., of search warrants. Persons in charge of closed place to allow search. Disposal of things found in search beyond jurisdiction.

SECURITY FOR KEEPING THE PEACE AND FOR GOOD BEHAVIOUR: Security for keeping peace on conviction, Security for keeping in other cases, Security for good behaviour from persons dissemination to certain matters, Security for good behaviour from suspected persons, security for good behaviour from habitual offenders, Order to be made, Procedure in respect of person present in Court, Summons or warrant in case of persons not so present, Copy of order to accompany summons or warrant, Power to dispense with personal attendance, Inquiry as to truth of information, order to give security, Discharge of person informed against, Commencement of period for which security is required, Contents of bond, Power to reject sureties, Imprisonment in default of Security, Power to release persons imprisoned for failing to give security, Security for unexpired period of bond.

UNIT-II (12 Hrs)

ORDER FOR MAINTENANCE OF WIVES, CHILDREN AND PARARENTS: Dispersal of assembly by use of civil force, Use of armed forces to disperse assembly, Power of certain armed force officers to disperse assembly, Protection against prosecution for acts done under sections, 148, 149 and 150, Conditional order for removal of nuisance, Service or notification of order, Person to whom order is addressed to obey or show cause, Penalty for failure to comply with section 154, Procedure where existence of public right is denied.

PREVENTIVE ACTON OF THE POLICE: Police to present cognizable offences, Information of design to commit cognizable offences, Arrest to prevent commission of cognizable offences, Prevention of injury to public property, Persons bound to conform to lawful directions of police

INFORMATION TO THE POLICE AND THEIR POWERS TO INVESTIGATE: Information in cognizable cases, Information as to non-cognizable cases and investigation of such cases, Police officer's power to investigate cognizable case, Procedure for investigation, Report how submitted, Power to hold investigation or preliminary inquiry, Police officer's power to require attendance of witnesses, Examination of witnesses by police, Statements to police and use thereof, No inducement to be offered, Recording of confessions and statements, Medical examination of victim of rap, Search by police officer, When officer in charge of police station

my require another to issue search warrant, Procedure when investigation cannot be completed in twenty-four hours, Report of investigation by subordinate police officer, Release of accused when evidence deficient, Cases to be sent to Magistrate, when evidence is sufficient, Complainant and witnesses not to be required to accompany police officer and not be subject to restraint, Diary of proceedings in investigation, Report of police officer on completion of investigation, Police to enquire and report on suicide, etc., Power to summon persons, Inquiry by Magistrate into cause of death.

JURISDICTION OF THE CRIMINAL COURTS IN INQUIRIES AND TRIALS: Ordinary place of inquiry and trial, Place of inquiry or trial, Offence tribal where act is done or consequence ensues, Place of trial where act is an offence by reason of relation to other offence, Place of trial in case of certain offences, Offences committed by means of electronic communications, letters, etc. Offence committed on journey or voyage, Place of trial for offences triable together, Power to order cases to be tried in different sessions divisions, High Court to decide, in case of doubt, district where inquiry or trial shall take place, Power to issue summons or warrant for offence committed beyond local jurisdiction, Offence committed outside India, Receipt of evidence relating to offences committed outside India.

CONDITIONS REQUISITE FOR INITIATION OF PROCEEDINGS: Cognizance of offences by Magistrates, Transfer on application of accused, Making over of cases to Magistrates, Cognizance of offences by Court of Session, Additional Sessions Judges to try cases made over to them, Prosecution for contempt of lawful authority of public servants, for offences against public justice and for offences relating to documents given in evidence, Procedure for witnesses in case of threatening, etc., Prosecution for offences against state and for criminal conspiracy to commit such offence, Prosecution of Judges and public servants, Prosecution for offences against marriage, Prosecution of offences under section 85 of Bharatiya Nyaya Sanhita, 2023, Cognizance of offence, Prosecution for defamation.

COMPLAINTS TO MAGISTRATE: Examination of complainant, Procedure by Magistrate not competent to take cognizance of case, Postponement fo issue of process, Dismissal of complaint.

COMMENCEMENT OF PROCEEDINGS BEFORE MAGISTRATES: Issue of process, Magistrate may dispense with personal attendance of accused, Special Summons in cases of

petty offence, Supply to accused of copy of police report and other documents, Supply of copies of statements and documents to accused in other cases triable by Court Session, Commitment of case to Court of Session when offence is triable exclusively by it, Procedure to be followed when there is a complaint case and police investigation in respect of same offence.

UNIT-III (11 Hrs)

THE CHARGES: Contents of charge, particulars as to time, place and person, When manner of committing offence must be stated, Words in charge taken in sense of law under which offence is punishable, Effect of errors, Court may alter charge, Recall of witnesses when charge altered, Separate charges for distinct offences, Offences of same kind within year may be charged together, Trial for more than one offence, Where it is doubtful what offence has been committed, When offence proved included, in offence charge, What persons may be charged jointly, Withdrawal of remaining charges on conviction on one of several charges.

TRIAL BEFORE A COURT OF SESSION: Trial to be conducted by public Prosecutor, Opening case for prosecution, Discharge, Framing of charge, Conviction on plea of guilty, Date for prosecution evidence, Evidence for prosecution, Acquittal, Entering upon defence, Arguments, Judgement of acquittal or conviction, Previous conviction, Procedure in cases instituted under sub-section(2) of section 222.

TRIAL OF WARRANT CASES BY MAGISTRATES: Compliance with section 230, When accused shall be discharged, Framing of charge, Conviction on plea of guilty, Evidence for prosecution Evidence for defence Evidence for prosecution. When accused shall be discharged, Procedure where accused is not discharged, Evidence for defence, Acquittal or conviction, Absence of complainant, Compensation for accusation without reasonable cause.

TRIAL OF SUMMONS CASES BY MAGISTRATES: Substance of accusation to be stated, Conviction on pleas of guilty, Conviction on pleas of guilty in absence of accused in petty cases, Procedure when not convicted, Acquittal or conviction, Non appearance or death of complaint, Withdrawal of complaint, Power to stop proceedings in certain cases, Power of court to convert summons cases into warrant cases.

SUMMARY TRIALS; Power to try summarily, Summary trial by Magistrate of second class, Procedure for summary trials, Record in summary trials, Judgement in cases tried summarily, Language of record and judgment.

PLEA BARGAINING: Application of chapter, Application for plea bargaining, Guidelines for mutually satisfactory disposition, Report of mutually satisfactory disposition to be submitted before court, Disposal of case, Judgement of Court, Finality of judgment, Power of court in plea bargaining, Period of detention undergone by accused to be set off against sentence of imprisonment, Saving, Statement of accused not to be used, Non application of chapter.

ATTENDANCE OF PERSONS CONFINED OR DETAINED IN PRISONS: Definitions, Power to require attendance of prisoners, Power of State government or central Government to exclude certain persons from operation of section 302, Officer in charge of prison to abstain from carrying out order in certain contingencies, Prisoner to be brought to court in custody, Power to issue commission for examination of witness in prison.

EVIDENCE IN INQUIRIES AND TRIALS: Language of Courts, Evidence to be taken in presence of accused, Record in summons cases and inquiries, Record in warrant cases Record in trial before Court of Session, Language of record of evidence, Procedure in regard to such evidence when completed, Interpretation of evidence to accused or his advocate, Remarks respecting demeanour of witness, Record of examination of accused, Interpreter to be bound to interpret truthfully, Record in High Court, When attendance of witness may be dispensed with and commission issued, Commission to home to be issued, Execution of commissions, Parties may examine witnesses, Return of commission, Adjournment of proceeding, Execution of foreign commissions, Deposition of medical witness, Identification report of Magistrate, Evidence of officers of Mint, Reports of certain Government Scientific experts, No formal Proof of certain documents, Affidavit in proof of conduct of public servant, Evidence of formal character on affidavit, Authorities before whom affidavits may be sworn, Previous conviction or acquittal how proved, Record of evidence in absence of accused, Evidence of public servants, experts, police officer in certain cases,

GENERAL PROVISIONS AS TO INQUIRIES AND TRIALS : Person once convicted or acquitted not be tried for same offence, Appearance by Public prosecutors, Permission to

conduct prosecution Right of person against whom proceedings are instituted to be deafened, Legal aid to accused at State expense in certain cases, Procedure when corporation or registered society is an accused, Tender of pardon to accomplice, Power to direct tender of pardon Trial of person not complying with conditions of pardon, Power to postpone or adjourn proceedings, Local inspection, Power to summon material witness, or examine person present, Power of Magistrate to order person to give specimen signatures or handwriting, etc, Expenses of complainants and witnesses, Power to examine accused, Oral arguments and memorandum of arguments, Accused person to be competent witness, No influence to be used to induce disclosure, Provision for inquiries and trial being held in absence of accused in certain cases, Inquiry trial or judgement in absentia of proclaimed offender, Procedure where accused does not understand proceedings, Power to proceed against other persons appearing to be guilty of offence, Compounding of offences, Withdrawal from prosecution, Procedure in cases which Magistrate cannot dispose of, Procedure when after commencement of inquiry or trial, Magistrate finds case should be committed, Trial of persons previously convicted of offences against coinage, stamp law or property, Procedure when Magistrate cannot pass sentence sufficiently severe, Conviction of commitment on evidence partly recorded by one Magistrate and partly by another, Court to be open.

PROVISIONS AS TO ACCUSED PERSONS OF UNSOUND MIND: Procedure in case of accused being person of unsound mind, Procedure in case of person of unsound mind tried before Court, Release of person of unsound mind pending investigation or trial, Resumption of inquiry or trial, Procedure on accused appearing before Magistrate or Court, When accused appears to have been of sound mind, Judgment of acquittal on ground of unsoundness of mind, Person acquitted on ground of unsoundness of mind to be detained in safe custody, Power of State Government to empower officer in charge to discharge, Procedure where prisoner of unsound mind is reported capable of making his defence, Procedure where person of unsound mind detained is declared fit to be released, Delivery of person of unsound mind to care of relative or friend.

PROVISIONS AS TO OFFENCES AFFECTING THE ADMINISTRATION OF JUSTICE: Procedure in cases mentioned in section 215, Appeal, Power to order costs, Procedure of Magistrate taking cognizance, Summary procedure for trial for giving false evidence, Procedure

in certain cases of contempt, Procedure where court considers that case should not be dealt with under section 384, When Registrar or Sub-Registrar to be deemed a Civil Court, Discharge of offender on submission of apology, Imprisonment or committal of person refusing to answer or produce document, Summary procedure for punishment for non attendance by a witness in obedience to summons, Appeals from convictions under section 383, 384, 388 and 389, Certain Judges and Magistrates not to try certain offences when committed before themselves.

UNIT-IV (12 Hrs)

THE JUDGEMENT: Judgment, Language and contents of judgment, Order for notifying address of previously convicted offender, Order to pay compensation, Victim compensation scheme, Treatment victims, Witness protection scheme, Compensation to persons groundlessly arrested, Order to pay costs in non cognizable cases, Order to release on probation of good conduct or after admonition, Special reasons to be recorded in certain cases, Court not to alter judgment, Copy of judgment to be recorded in certain Court not to alter judgment, Copy of judgment to be given to accused and other persons, Judgment when to be translated, Court of Session to send copy of finding and sentence to District Magistrate.

SUBMISSION OF DEATH SENTENCES FOR CONFIRMATION; Sentence of death to be submitted by Court of session for confirmation, Power to direct further inquiry to be made or additional evidence to be taken, Power of high Court to confirm sentence or annual conviction, Confirmation or new sentence to be signed by two Judges, Procedure in case of difference of opinion, Procedure in cases submitted to High Court for confirmation.

APPEALS: No appeal to lie unless otherwise proved, Appeal from orders requiring security or refusal to accept or rejecting surety for keeping peace or good behaviour, Appeals from convictions, No appeal in certain cases when accused pleads guilty, No appeal in petty cases, Appeal by State Government against sentence, Appeal in case of acquittal, Appeal against conviction by High Court in certain cases, Special right to appeal in certain cases, Appeal to Court of session how heard, Petition of appeal, Procedure when appellant in jail, Summary dismissal of appeal, Procedure for hearing appeals not dismissed summarily, Powers of Appellate Court, Judgments of subordinate Appellate Court, Order of High Court on appeal to be certified to lower Court, Suspension of sentence pending appeal; release of appellant on bail,

Arrest of accused in appeal from acquittal, Appellate Court may take further evidence or direct it to be taken, Procedure where Judges of Court of appeal are equally divided, Finality of judgments and orders on appeal, Abatement of Appeals.

REFERENCE AND REVISION: Reference to High Court, Disposal of case according to decision of High Court, Calling for records to exercise powers of revision, Power to order inquiry, Sessions Judge's powers of revision, Power of Additional Sessions Judge, High Courts powers of revision, Power of High Court to withdraw or transfer revision cases, Option of Court to hear parties, High Court's order to be certified to lower Court.

TRANSFER OF CRIMINAL CASES; Power of Supreme Court to transfer cases and appeals, Power of high Court to transfer cases and appeals, Power of Sessions Judge to transfer cases and appeals, Withdrawal of cases and appeals by Sessions Judges, Withdrawal of cases by Judicial Magistrates, Making over or withdrawal of cases by Executive Magistrates, Reasons to be recorded.

EXECUTION, SUSPENSION, REMISSION AND COMMUTATION OF SENTENCES: Execution of order passed under section 409, Execution of sentence of death passed by High Court, Postponement of execution of sentence of death in case of appeal to Supreme Court, Commutation of sentence of death on pregnant woman, Power to appoint place of imprisonment, Execution of sentence of imprisonment, Direction of warrant for execution, Warrant with whom to be lodged, Warrant for levy of fine, Effect of such warrant, Warrant for levy of fine issued by a court in any territory to which Sanhita does not extend, Suspension of execution of sentence of imprisonment, Who may issue warrant, Sentence on escaped convict when to take effect, Sentence on offender already sentenced for another offence, Period of detention undergone by accused to be set off against sentence of imprisonment, Saving, Return of warrant on execution of sentence, Money ordered to be paid recoverable as a fine, Mercy petition in death sentence cases, Power to suspend or remit sentences, Power to commute sentence, Restriction on powers of remission or commutation in certain cases, Concurrent power of Central Government in case of death sentences, State Government to act after concurrence with Central Government in certain cases.

PROVISIONS AS TO BAIL AND BONDS: In what cases bail to be taken, Maximum period for which under trial prisoner can be detained, When bail may be taken in case of non bail able offence, Bail to require accused to appear before next Appellate Court, Direction for grant of bail to person apprehending arrest, Special powers of High court or Court of Session regarding bail, Amount of bond and reduction thereof, Bond of accused and sureties, Declaration by sureties, Discharge from custody, Power to order sufficient bail when that first taken in insufficient, Discharge of sureties, Deposit instead of recognizance, Procedure when bond has been forfeited, Cancellation of bond and bail bond, Procedure in case of insolvency or death of surety or to when a bond is forfeited, Bond required from child, Appeal from orders under section 491, Power to direct levy of amount due on certain recognisances.

DISPOSAL OF PROPERTY: Order for custody and disposal of property pending trial in certain cases, Order for disposal of property at conclusion of trial, Payment to innocent purchaser of money found on accused, Appeal against orders under section 498 or section 499, Destruction of libellous and other matter, Power to restore possession of immovable property, Procedure by police upon seizure of property, Procedure where no claimant appears within six months, Power to sell perishable property.

IRREGULAR PROCEEDINGS; Irregularities which do not vitiate proceedings, Irregularities which vitiate proceedings, Proceedings in wrong place, Non-compliance with provisions of section 183 or section 316, Effect of omission to frame, or absence of , or error in, charge, Finding or sentence when reversible by reason of error, omission or irregularity, Defect or error not to make attachment unlawful.

LIMITATION FOR TAKING COGNIZANCE OF CERTAIN OFFICES: Definitions, Bar to taking cognizance after lapse of period of limitation, Commencement of period of limitation, Exclusion of time in certain cases, Exclusion of date of which Court is closed, Continuing offence, Extension of period of limitation in certain cases.

MISCELLANEOUS: Trials before High Courts, Delivery to commanding officers of person liable to be tried by Court-martial, Forms, Power of High Court to make rules, Power to alter functions allocated to Executive Magistrate in certain cases, Cases in which Judge or Magistrate is personally interested, Practising advocate not to sit as Magistrate in certain Courts, Public

servant concerned in sale not to purchase or bid for property, Saving of inherent powers of High Court, Duty of High Court to exercise continuous superintendence over Courts, Trial and proceedings to be held in electronic mode, Repeal and savings.

UNIT-V (10 Hrs)

Salient features of the Juvenile Justice (Care and Protection) Act, 2016.

Salient feature of the probation of offenders Act, 1958

PRESCRIBED BOOKS-

1. The Bharatiya Nagarik Suraksha Sanhita, 2023 - Bare Act, 2024

JURISPRUDENCE (56 HRS)

COURSE OBJECTIVES:

Any academic discipline, worthy of the name, must develop in the student the capacity for critical thought. Legal education needs to teach both law and its context- social, political and theoretical. At the heart of legal enterprise is the concept of law. Without deep understanding of this concept neither legal practice nor legal education can be a purposive activity. This course in Jurisprudence is designed, primarily, to induct students into a realm of questions concerning nature of law. Therefore, the first part of the course is concerned with important questions like, what is law. what are the purposes of law? the relationship between law and justice and the like. The second part is concerned with the important sources of law. The emphasis is on important issues concerning law with reference to ancient and modern Indian Legal Thought. One important branch of Jurisprudence consists in analysis of legal concepts. The law of contract and tort is concerned with different rights which one person may have against another. Jurisprudence, on the other hand, studies the meaning of the term “rights” in the abstract and seeks to distinguish various kinds of rights which are in theory possible under a legal system. Similarly it investigates other legal concepts and tries to build up a general and more comprehensive picture of each concept as a whole. This course is designed primarily on English model but native India Orientation is given wherever possible.

COURSE CONTENTS-

UNIT – I (7hrs)

Meaning and nature of ‘Jurisprudence’ - Purpose and value of Jurisprudence – Nature and definition of Law

UNIT – II (10hrs)

Schools of Jurisprudence: Analytical School-Austin’s Theory-Kelson’s Pure Theory-Hart’s Concept of Law, Natural law-Its development and relevance in modern times, Historical School, Sociological School, Realist Theory.

UNIT – III (12hrs)

Functions and purpose of law, questions of law, fact and discretion - Justice and its kinds - Civil and Criminal Administration of Justice - Theories of Punishment

UNIT – IV (12hrs)

Sources of Law: Legislation, Precedent and Custom - A Comparative study

UNIT – V (15hrs)

Legal Concepts: Right and Duty, Kinds, Meaning of Right in its wider sense - Possession: Idea of Ownership, kinds of Ownership, Difference between Possession and Ownership - Nature of Personality, Status of the Unborn, Minor, Lunatic, Drunken and Dead Persons. Obligation, Property, Liability

PRESCRIBED BOOKS:

1. Fitzgerald – Salmond on Jurisprudence
2. R. W. M. Dias – Jurisprudence

REFERENCE BOOKS:

1. W. Friedman – Legal Theory
2. V. D. Mahajan – Jurisprudence and Legal Theory

CLINICAL COURSE –I:
PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM (56 Hrs)

COURSE OBJECTIVE:

Professions are noble. The movement of all professions, hitherto, has been from chaos to organization, organization to consolidation and consolidation to autonomy and monopoly. Same is true of the law profession also. The prime reason for conferring autonomy and monopoly by the society on the professionals is the fact that they are a body of learned persons and the interest of society and individuals is safe in their hands. The Bar should set enviable standards of ethics and scrupulously adhere to them as also enforce them. It is too good of the society to trust the learned body of the professionals to regulate themselves and not to empower an outsider to sit in judgment over their activities. The trust reposed by the society in profession is to be zealously guarded. The Bar should live up to the expectations of the society. The society has a right to expect of the professionals such ideal behavior. The course is designed to imbue students with these high values forming the basis of the profession so that they can live up to those standards in their professional life.

COURSE CONTENTS-

UNIT-I (10 Hrs)

The legal profession and its responsibilities; The equipment of the lawyer; Conduct in court; Professional conduct in general; Privileges of a lawyer; Salient features of the Advocates Act, 1961.

UNIT-II (8 Hrs)

Duty to the court; Duty to the profession; Duty to the opponent; Duty to the client; Duty to the self; Duty to the public and the State

UNIT-III (15 Hrs)

Contempt of Court Act, 1972

Selected major judgments of the Supreme Court:

1. *In the matter of D, An Advocate, AIR 1956 Sc 102*
2. *P. J. Ratnam v. D. Kanikaram, AIR 1964 SC 244*
3. *N. B. Mirzan v. The disciplinary committee of Bar Council of Maharashtra and Another, AIR 1972 SC 46*
4. *Bar Council of Maharashtra v. M. V. Dabholkar, etc., AIR 1976 SC 242*
5. *V.C. Rangadurai v. D. Gopaln and others, AIR 1979 SC 201*
6. *Chandar Shekhar Soni v. Bar Council of Rajasthan and others, AIR 1983 SC 1012*
7. *In Re an Advocate, AIR 1989 SC 245*
8. *In Re Vinay Chandra Mishra, 1995 (Vol-I) IBR 118*
9. *Supreme Court Bar Association v. Union of India, AIR 1998 SC 1895*
10. *Ex-Capt. Harish Uppal v. Union of India, AIR 2003 SC 739*

UNIT-IV (15 Hrs)

Selected opinions of the Bar council of India

1	DC Appeal No. 16/93	1998	(Vol. 1)	IBR 135
2	BCI Tr. Case No. 40/91	1998	(Vol. 1)	IBR 139
3	DC Appeal No. 8/94	1998	(Vol. 1)	IBR 153
4	DC Appeal No. 20/94	1997	(Vol. 3 & 4)	IBR 193
5	BCI Tr. Case No. 76/95	1997	(Vol. 3 & 4)	IBR 201
6	DC Appeal No. 43/96	1997	(Vol. 3 & 4)	IBR 207
7	DC Appeal No. 18/91	1997	(Vol. 1 & 2)	IBR 271
8	DC Appeal No. 24/90	1996	(Vol. 1)	IBR 135
9	DC Appeal No. 19/93	1996	(Vol. 1)	IBR 152
10	BCI Tr. Case No. 104/90	1996	(Vol. 1)	IBR 155
11	BCI Tr. Case No. 52/89	1994	(Vol. 1)	IBR 187
12	BCI Tr. Case No. 127/88	1992	(Vol. 3 & 4)	IBR 125

13	BCI Tr. Case No. 39/87	1992	(Vol. 3 & 4)	IBR 147
14	BCI Tr. Case No. 39/89	1992	(Vol. 3 & 4)	IBR 149
15	BCI Tr. Case No. 16/88	1989	(Vol. 1)	IBR 99
16	BCI Tr. Case No. 2/88	1989	(Vol. 1)	IBR 102
17	BCI Tr. Case No. 52/88	1989	(Vol. 2)	IBR 110
18	DC Appeal No. 41/87	1989	(Vol. 2)	IBR 122
19	BCI Tr. Case No. 29/81	1989	(Vol. 2)	IBR 245
20	DC Appeal No. 14/88	1989	(Vol. 2)	IBR 258
21	BCI Tr. Case No. 14/80	1989	(Vol. 2)	IBR 264
22	DC Appeal No. 24/87	1989	(Vol. 2)	IBR 273
23	DC Appeal No. 46/86	1989	(Vol. 2)	IBR 280
24	DC Appeal No. 3/88	1989	(Vol. 2)	IBR 285
25	BCI Tr. Case No. 2/80	1989	(Vol. 2)	IBR 289
26	BCI Tr. Case No. 10/86	1989	(Vol. 3 & 4)	IBR 520
27	BCI Tr. Case No. 101/88	1989	(Vol. 3 & 4)	IBR 524
28	DC Appeal No. 23/88	1989	(Vol. 3 & 4)	IBR 532
29	DC Appeal No. 35/87	1989	(Vol. 3 & 4)	IBR 536
30	BCI Tr. Case No. 27/88	1989	(Vol. 3 & 4)	IBR 542
31	BCI Tr. Case No. 6/84	1989	(Vol. 3 & 4)	IBR 560
32	BCI Tr. Case No. 24/86	1989	(Vol. 3 & 4)	IBR 563
33	DC Appeal No. 10/88	1989	(Vol. 3 & 4)	IBR 572
34	DC Appeal No. 45/74	1988	(Vol. 1 & 2)	IBR 182
35	DC Appeal No. 23/87	1989	(Vol. 1 & 2)	IBR 187
36	DC Appeal No. 6/81	1988	(Vol. 1 & 2)	IBR 193
37	BCI Tr. Case No. 16/86	1988	(Vol. 1 & 2)	IBR 197
38	DC Appeal No. 41/86	1988	(Vol. 1 & 2)	IBR 200
39	DC Appeal No. 33/86	1988	(Vol. 3 & 4)	IBR 354
40	DC Appeal No. 21/85	1988	(Vol. 3 & 4)	IBR 359
41	BCI Tr. Case No.43/82	1988	(Vol. 3 & 4)	IBR 364
42	DC Appeal No. 28/86	1988	(Vol. 3 & 4)	IBR 374

43	DC Appeal No. 64/74	1987	(Vol. 2)	IBR 314
44	DC Appeal No. 30/84	1987	(Vol. 2)	IBR 319
45	DC Appeal No. 40/86	1987	(Vol. 3)	IBR 488
46	DC Appeal No. 10/86 & 10A/86	1987	(Vol. 3)	IBR 491
47	DC Appeal No. 7/86	1987	(Vol. 3)	IBR 496
48	DC Appeal No. 7/81	1987	(Vol. 4)	IBR 735
49	DC Appeal No. 12/86	1987	(Vol. 4)	IBR 745
50	BCI Tr. Case No. 57/87	1987	(Vol. 4)	IBR 753

UNIT-V (8 Hrs)

Accountancy for lawyers:

Need for maintenance of accounts- Books of accounts that need to be maintained- Cash Book, Journal and Ledger.

Elementary aspects of bookkeeping: Meaning, object, journal, double entry system, closing of accounts.

The cash and bulk transaction- The Cash book- Journal proper especially with reference to clients accounts- Ledger, Trial balance and final accounts- Commercial mathematics.

MODE OF ASSESSMENT-

The scheme of evaluation for Clinical Course-I: Professional Ethics and Professional Accounting System shall be as follows-

(a) There shall be a VIVA-VOCE for 20 marks at the end of the semester. Viva-voce shall be conducted by the course teacher and the Principal or a senior law faculty designated by the Principal.

(b) There shall be a written examination for this course for a maximum of 80 marks.

PRESCRIBED BOOKS-

1. K. V. Krishnaswamy Iyer, "Professional Conduct and Advocacy", (Oxford University Press, 1945)

2. B. S. Raman, “Financial Accounting”, Elements of Accountancy, (Mangalore: United Publishers, 1998)

REFERENCE BOOKS-

1. Menon, N. R. Madhava, “Clinical Legal Education”, (Eastern Book Company, 2008)

2. Dr. B. Malik, “Art of Lawyer”, (New Delhi: Universal Book Agency, 1999)

3. Contempt of Court Act, 1971

IV SEMESTER

PUBLIC INTERNATIONAL LAW (56 Hrs)

COURSE CONTENTS-

UNIT-I (12 Hrs)

Nature, Definition, Origin and Basis of International Law; Sources of International- International Custom, International Convention, General Principles of law recognized by civilized state Judicial Decision/Juristic Work; Relationship between Municipal Law and International Law- Monism Theory, Dualism Theory, Harmonization Theory; Subjects of International Law- State as Subject of International Law, Individual as Subject of International Law, State, Individual and Non-State entities as Subject of International Law.

UNIT -II (12 Hrs)

States as Subjects of International Law- Origin, Definition and Essentials of State, Different Types of States, Rights and Duties of the State; Recognition- Meaning and Definition, Theories of Recognition- Constitutive Theory, Declaratory Theory, Modes of Recognition- De-facto Recognition, De-jure Recognition, Distinction between De-facto and De-jure Recognition; State territorial sovereignty-The concept of State Territory, Modes of Acquiring Territory, Acquisition of Territorial sovereignty by newly emerged States.

UNIT-III (12 Hrs)

State Jurisdiction-Territorial Sovereignty, Subjective and Objective Territorial Principles, Some exceptions of the exercise of Jurisdiction; The Law Of The Sea-Maritime Belt or Territorial Waters, Contiguous Zone, Continental shelf, Exclusive Economic Zone; State Responsibility-Meaning, Original and Vicarious Responsibility, State responsibility for acts of Government Organs; Succession to rights and obligations-Definition and Meaning, Rights and Duties arising out of State Succession.

UNIT-IV (10 Hrs)

State and Individual- Extradition, Asylum, Nationality; The Agent of International Business
Diplomatic Envoys- Consuls and other representatives, the law and practice as to treaties

UNIT-V (10 Hrs)

The United Nations Organizations- The Principal organs, Functions; World Trade Organization,
Main Features; International Labor Organization.

PRESCIBED BOOKS-

1. J. G. Starke, An Introduction to International Law
2. Dev Arjun, et al, Human Rights: A Source Book, NCERT, New Delhi

REFERENCE BOOKS-

1. Text book Prescribed by University –‘Starke’s Public International Law, by S.H. Shearer, Eleventh edition, International student’s edition.
2. ‘International Law by Malcolm N. Shaw, Sixth Edition, Cambridge University Press, Cambridge, UK, 2008.
3. International Law A Treatise by L. Oppenheim, Volume 1 Peace, Second Edition, Longmans, Green And Co. London 1912.
4. Official websites of World Trade Organization, United Nations Organization and International Labour Organization.

OPTIONAL – I
HUMAN RIGHTS LAW AND PRACTICE / INSURANCE LAW

HUMAN RIGHTS LAW AND PRACTICE (56 Hrs)

COURSE OBJECTIVES:

The objectives of the course are to prepare for responsible citizenship with awareness of the relationship between Human Rights, democracy and development; to foster respect for international obligations for peace and development; to impart education on national and international regime of Human Rights; 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 CONTENT:

UNIT – I (10hrs)

Jurisprudence of Human Rights; Nature, definition, origin and theories of human rights

UNIT – II (12hrs)

Universal protection of human rights -United Nations and human rights - Universal Declaration of Human Rights, 1948; International Covenant on Civil and Political Rights, 1966; International Covenant Economic, Social and Cultural Rights, 1966

UNIT – III (10hrs)

Regional Protection of Human rights - European system - Inter American System - African System

UNIT – IV (10hrs)

Protection of human rights at national level; Human rights and the constitution; The Protection of Human rights Act, 1993.

UNIT – V (14hrs)

Human Rights and Vulnerable Groups: Rights of Women, Children, Disabled, Tribals, Aged and Minorities - National and International Legal Developments.

PRESCRIBED BOOKS:

1. Meron Theodor, Ed., Human Rights and International Law: Legal and Policy Issues, 2 Vols., Oxford: Clarendon Press, 1983.
2. S.K.Kapoor, Human rights Under International Law and Indian Law.

REFERENCE BOOKS:

1. Henkin Luis, Rights of Man Today, London: Stevens, 1978.
2. Singh Nagendra, Enforcement of Human Rights in Peace and War and the future of humanity, Calcutta: Eastern Law House, 1986.

RELEVANT INTERNATIONAL INSTRUMENTS:

1. United Nations Charter, 1945.
2. Universal Declaration of Human Rights, 1948.
3. International Convention on the Elimination of All Forms of Racial Discrimination, 1948.
4. International covenant on civil and Political Rights, 1966.
5. International covenant on Economic and Cultural Rights, 1966.
6. Convention on Elimination of All forms of Discrimination against Women, 1979.
7. Convention on the Rights of the Child, 1989.

INSURANCE LAW (56 Hrs)

UNIT I (10 hrs)

Introduction: Nature- Definition- History of Insurance- History and development of Insurance in India- Insurance Act, 1938- (main sections) Insurance Regulatory Authority Act, 1999: Its role and functions.

UNIT II (10 hrs)

Contract of Insurance: Classification of contract of Insurance- Nature of various Insurance Contracts- Parties there to- Principles of good faith – non disclosure – Misrepresentation in Insurance Contract- Insurable Interest- Premium: Definition- method of payment, days of grace, forfeiture, return of premium, Mortality. The risk – Meaning and scope of risk, Causa Proxima, Assignment of the subject matter

UNIT III (10 hrs)

Life Insurance: Nature and scope of Life Insurance- Kinds of Life Insurance. The policy and formation of a life insurance contract- Event insured against Life Insurance contract- Circumstance affecting the risk- Amount recoverable under the Life Policy- Persons entitles to payment- Settlement of claim and payment of money.

UNIT IV (16hrs)

Life Insurance Act, 1956- Insurance against third party rights- General Insurance Act, 1972- The Motor Vehicles Act, 1988 – Sec. (140-176), Nature and scope- Absolute or no fault liabilities, Third party or compulsory insurance of motors vehicles- Claims Tribunal- Public Liability Insurance –Legal aspects of Motor Insurance –Claims – Own Damages Claims – Third Party Liability Claims.

UNIT V (10 hrs)

Fire Insurance: Nature and scope of Fire Insurance –Basic Principles – Conditions & Warranties – Right & Duties of Parties – Claims – Some Legal Aspects; Introduction to Agriculture

Insurance – History of Crop Insurance in India – Crop Insurance Underwriting, Claims, and Problems associated with Crop Insurance – Cattle Insurance in India.

PRESCRIBED BOOKS:

1. K. S. N. Murthy and K. V. S. Sharma - Modern Law of Insurance in India
2. M. H. Srinivasan - Principles of Insurance Law (6th Edn)

REFERENCE BOOKS:

1. E. R. Hardy Ivamy - General Principles of Insurance Law, relevant Chapters.
2. Insurance Act, 1938 The Marine Insurance Act, 1963
3. General Insurance (Business) (Nationalization) Act, 1972
4. The Life Insurance Corporation Act, 1956 Motor Vehicle Act, 1988

OPTIONAL – II

BANKING LAW/ RIGHT TO INFORMATION

BANKING LAW (56 Hrs)

UNIT-I (16 Hrs)

Indian Banking Structure - Origin – Evolution of Banking Institutions – Types and functions of banks - Commercial banks – functions – Banking companies in India –

UNIT-II (10 Hrs)

RBI - Constitution, Management and Functions - Banking Regulation Act, 1949 – State Bank of India- UTI, IDBI, RRBs’-Local banks

UNIT-III (10 Hrs)

Law relating to Negotiable Instruments, 1881 Act (Read with the amended Act of 2002) - Negotiable Instruments - Kinds - Holder and holder in due course – Parties – Negotiation- 39 Assignment – Presentment – Endorsement – Liability of parties – Payment in due course – Special rules of evidence - Material alteration – Noting and protest – Paying banker and collecting banker – Bills in sets – Penal provisions under NI Act - Banker’s book evidence Act. –

UNIT-IV (10 Hrs)

Banker and customer Relationship, Opening of New Accounts, Ancillary Services and - E – Banking

UNIT-V (10 Hrs)

Definition – E – Banking includes - Internet banking, mobile banking, ATM banking, computerized banking –E- banking services – retail services – wholesale services – E- Cheque-authentication-Cyber Evidence-Banking Ombudsman

PRESCRIBED BOOKS:

1. M. L. Tannan - Law of Banking

2. Khergamvala - Negotiable Instruments Act – M. S. Parthasarathy (Ed.)
3. Justice Bhaghabati Prasad Banerjee- Guide to Securitisation and Reconstruction of financial Assets and Enforcement of Security Interest Act, 2002

REFERENCE BOOKS:

1. Avtar Singh – Negotiable Instruments Act
2. Basu - Review of current banking theory and practice.
3. Paget, Law of Banking - Butterworths, London.
4. L. C. Goyle – The Law of Banking and Bankers – Eastern Book Co

RIGHT TO INFORMATION (56 Hrs)

UNIT I (10 hrs)

Right to Information before Right to Information Act, 2005; Significance in democracy; Constitutional basis; Supreme Court on right to information - RTI Act- definitions; Right to information and obligations of public authorities.

UNIT II (10 hrs)

Central information commission; State information commission; Powers and functions of information commissions; Appeals and penalties. - Other related laws - The Official Secrets Act, 1923.

UNIT III (10hrs)

The Public Records Act, 1993; The Public Records Rules, 1997; The Freedom of Information Act, 2002; The Commission of Inquiry Act, 1952; The Commission of Inquiry (Central) Rules, 1972.

UNIT III (16 hrs)

Best practices- A study of decisions rendered by state commissions and central Commission in the following areas of – Police, Revenue, PWD, Irrigation, Secretariat, BSNL, Posts and Telegraphs, Scheduled Banks, CPWD, Income Tax Department, Central Excise Department, Local Authorities.

PRESCRIBED BOOKS:

J.H.Barowalia, Commentary on the right to Information Act, Universal Law Publications

REFERENCE BOOKS:

S.V.Joga Rao, Law Relating to Right to Information, vol.1

CLINICAL COURSE-II:
ALTERNATIVE DISPUTE RESOLUTION SYSTEMS (56 Hrs)

OBJECTIVES:

Today alternative disputes resolution systems have become more relevant than before both at local, national and international levels. Certain of the disputes, by nature are fit to be resolved through specific method of resolution. Each of these dispute resolution systems involves different style of planning and execution. The skills involved are also different as also preparation. This course trains the students in ADRs. The course teacher shall administer simulation exercises for each of the methods.

COURSE OUTCOMES:

Students graduating with ‘Arbitration, Conciliation and Alternative Disputes Resolution Systems’ will be able to:

1. Familiarize with the modalities and techniques of resolution of conflict which is a necessary component in the endeavors of developing expertise in juridical exercise.
2. To understand and analyze the traditional justice delivery system through adjudication by along with an alternative mode of dispute resolution in the common law countries.
3. To approach the processes of arbitration, conciliation and mediation in areas where the traditional judicial system had its sway in the past and in the new areas of conflicts that demand resolution by alternative methods.

COURSE CONTENTS:

UNIT-I (8 hours)

General; Different methods of dispute resolution; Inquisitorial method; Adversarial method; Other methods- both formal and informal- like Arbitration, Conciliation, Negotiation, Mediation, etc.; Advantages and disadvantages of above methods; Need for ADRs; International commitments; Domestic needs; Suitability of ADRs to particular types of disputes; Civil Procedure Code and ADRs.

UNIT-II (12 hours)

Arbitration: Meaning of arbitration; Attributes of arbitration; General principles of arbitration; Different kinds of arbitration; Qualities and qualifications of an arbitrator; Arbitration agreement and its drafting; Appointment of arbitrator; Principal steps in arbitration; Arbitral award; Arbitration under Arbitration and Conciliation Act, 1996.

UNIT-III (12 hours)

Conciliation: Meaning; Different kinds of conciliation- facilitative, evaluative, court-annexed, voluntary and compulsory; Qualities of a conciliator; Duties of a conciliator; Role of a conciliator; Stages of conciliation; Procedure; Conciliation under statutes- Industrial Disputes Act, 1947; Family Courts Act, 1984; Hindu Marriage Act, 1955; Arbitration and Conciliation Act, 1996.

UNIT-IV (12 hours)

Negotiation: Meaning; Different styles of negotiation; Different approaches to negotiation; Phases of negotiation; Qualities of a negotiator; Power to negotiate.

UNIT-V (12 hours)

Mediation: Meaning; Qualities of mediator; Role of mediator; Essential characteristics of the mediation process – voluntary, collaborative, controlled, confidential, informal, impartial & neutral, self-responsible; Different models of mediation; Code of conduct for mediators.

PRESCRIBED BOOKS:

1. Sridhar Madabhushi- Alternative Dispute Resolution
2. Rajan R.D. - A Primer on Alternative Dispute Resolution.

REFERENCE BOOKS:

1. Sampath D.K. - Mediation. Gold Neil, et.al. - Learning Lawyers Skills (Chapter-7).
2. Michael Noone- Mediation, (Chapters-1, 2&3)

MODE OF ASSESSMENT: There will be an end of the semester examination for 60 marks and 40 marks to be awarded by the course teacher for four exercises at the rate of 10 marks for each of the exercise.

LABOUR LAW-II: LAW RELATING TO WELFARE, CONDITIONS OF WORK AND WAGES (56 Hrs)

COURSE OBJECTIVES

In this course, students are to be acquainted with legal frame-work relating to social security and welfare. It is necessary to know the concept of social security, its importance and also Constitutional basis for the same. The importance of ensuring health, safety and welfare of the workmen and social assistance and social insurance schemes under various legislations are to be emphasised. The main theme underlying the programme is to critically examine provisions of the Factories Act, 1948, the Child Labour (Prohibition and Regulation) Act, 1986, the Contract Labour (Regulation & Abolition) Act 1970, the Minimum Wages Act, 1948, the payment of Bonus Act, 1965, the Payment of Gratuity Act, 1972, the Employees' State Insurance Act, 1948, the Employees' Provident Fund (Family Pension Fund and Deposit Linked Insurance Fund) Act, 1952, the Maternity Benefit Act, 1961, the Unorganised Sector Workers' Social Security Act, 2008, These legislations are to be studied with a view to acquaint the students regarding various rights and benefits available to the workmen thereunder. These legislations are to be analysed by examining historical background, objectives underlying these legislations, judicial interpretations and effectiveness of these legislations in the changing times.

UNIT-I (10 Hrs)

Constitutional Dimensions of Industrial Relations and Labour- Constitution and Labour welfare - The Bonded Labour System Abolition Act, 1976-The Equal Remuneration Act, 1976-the Inter-State Migration of Workers Act, 1979-the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

UNIT II (12 Hrs)

Bonus and Gratuity- The payment of Bonus Act, 1965-definitions - provisions relating to payment of bonus judicial interpretations and constitutionality of the provision relating to Govt's power to exempt; Gratuity Context reward for long drawn loyal service -employers' liability or good gesture? Historical developments. The payment of Gratuity Act, 1972 definitions judicial

interpretation and parliamentary amendment of the definition of employee. payment of gratuity determination of the amount of gratuity authorities.

UNIT III (12 Hrs)

Protection of Child Labour and contract labour- Child labour practice and reasons for child labour competing views on necessity and feasibility of abolition of child labour Human rights perspective and constitutional provisions for the protection of child the Child Labour (Prohibition and Regulation) Act, 1986 definitions provisions relating to prohibition of child labour in certain establishments and processes regulation of conditions of work penalties judicial interpretations. Amendments made through The Child Labour (Prohibition and Regulation) Amendment Act, 2016 and Criticisms.

Abolition and regularisation of contract labour, regulation of contract labour under the Contract Labour (Regulation & Abolition) Act 1970 judicial decisions relating absorption of sham practice of contract labour-evaluation of the working of the Act in the present days.

UNIT-IV (10 Hrs)

Social Security- the Employees' Provident Fund (Family Pension Fund and Deposit Linked Insurance Fund) Act, 1952-Definitions- contribution, employee, employer, factory, fund, etc.; Provident Fund Scheme, Family Pension Scheme, Employees' Deposit Linked Insurance Scheme Scope, Contributions - Benefits - Authorities under the Act Powers. Latest judicial pronouncements; The Maternity Benefit Act, 1961- Object and Scope of the Act, Definitions appropriate government, employer, establishment, factory, maternity benefit, wages, etc. Benefits under the Act – Inspectors

The Employees' State Insurance Act, 1948 Definitions Employment injury, contribution, dependent, employee, principal employer, etc.; Employees' State Insurance Funds contribution, Benefits available Administrative Mechanism E.S.I Corporation, Standing Committee, Medical Benefits Council Composition, Powers, Duties Adjudication of Disputes - E.S.I Courts. Comparative analysis of the E.S.I. Act, 1948 with the Employees' Compensation Act, 1923

UNIT-V (12 Hrs)

The Factories Act, 1948-Definitions factory, manufacturing process, occupier, worker, hazardous process, etc. Provisions of the Factories Act relating to health, safety and welfare of workers - Provisions relating to Hazardous process - Provisions relating to working conditions of employment Working Hours, Weekly leave, Annual leave facility Provisions relating to regulation of employment of women, children and young persons.

PRESCRIBED BOOKS

1. K.M. Pillai Labour and Industrial Laws
2. S.N.Mishra Labour and Industrial Laws
3. S.C.Srivastava, Treatise on Social Security
4. Sairam Bhat, Privatisation and Globalisation: The Challenging Legal Paradigm
5. Jwitesh Kumar Singh, Labour Economics: Principles, Problems and Practices
6. Joanne Conagham, Labour Law in an Era of globalisation, Transformative Practices and possibilities
7. C. S. Venkata Ratnam, Globalisation and Labour-Management Relations, Dynamics of Change

REFERENCE BOOKS:

1. Dr.V.G.Goswami - Labour Industrial Laws.
2. O.P. Malhotra - The Law of Industrial Dispute.
3. N.G.Goswami Labour and Industrial Laws
4. Khan and Khan - Labour Law.
5. Bhargava, V.B. - Industrial and Labour Laws.
6. Pai, G.B.-Labour Law in India.

7. Srivatava, S.C. - Industrial Relations and Labour Laws.

8. Singh, S.N. Law and Social change: Essays on Labour Laws and Welfare research - methodology and environmental protection.

V SEMESTER

. CIVIL PROCEDURE CODE, 1908 AND LIMITATION ACT (56 HRS)

COURSE OBJECTIVES:

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

COURSE CONTENTS:

UNIT-I (10 Hrs)

Civil Procedure Code- Introduction; Distinction between procedural law and substantive law History of the code, extent and its application, definition; Suits: Jurisdiction of the Civil Courts- Kinds of jurisdiction-Bar on suits Suits of civil nature (Sec.9); Doctrine of Res sub judice and Res judicata (Sections 10, 11 and 12); Foreign Judgment (Sections 13-14); Place of Suits (Sections. 15 to 20); Transfer of Cases (Sections. 22 to 25).

UNIT-II (10 Hrs)

Institution of suits and summons: (Sections. 26, 0.4 and Sections. 27, 28, 31 and 0.5); Interest and Costs (Sections. 34, 35, 35A, B); Pleading: Fundamental rules of pleadings Plaintiff and Written Statement- Return and rejection of plaint- Defences- Set off- Counter claim; Parties to the suit (O. 1): Joinder, misjoinder and non-joinder of parties- Misjoinder of causes of action- Multifariousness.

UNIT-III (12 Hrs)

Appearance and examination of parties (0.9, 0.18) Discovery, inspection and production of documents (0.11 & 0.13) - First hearing and framing of issues (0.10 and 0.14) - Admission and affidavit (0.12 and 0.19) Adjournment (0.17) Death, marriage-Insolvency of the parties (0.22)

Withdrawal and compromise of suits (0.23) Judgment and Decree (0.20); Execution (Sections 30 to 74, 0.21): General principal of execution- Power of executing Court-Transfer of decrees for execution- Mode of execution-a) Arrest and detention, b) Attachment, c) Sale.

UNIT-IV (12 Hrs)

Suits in particular cases; Suits by or against Governments (Sections 79 to 82, 0.27); Suits by aliens and by or against foreign rulers, ambassadors (Sections 85 to 87); Suits relating to public matters (Sections 91 to 93); Suits by or against firms (0.30); Suits by or against minors and unsound persons (0.32); Suits by indigent persons (0.33); Inter-pleader suits (Sec. 88, 0.35); Interim Orders; Commissions (Sec. 75, 0.26); Arrest before judgment and attachments before judgment (0.38); Temporary injunctions (0.39); Appointment of receivers (0.40); Appeals (Sections 90 to 109, 0.41, 42, 43, 45); Reference- Review and Revision (Sections. 113, 114, 115, 0.46, 0.46); Caveat (Sec. 144.A)- Inherent powers of the Court (Sections 148, 149, 151).

UNIT-V (12 Hrs)

Limitation Act, 1963

PRESCRIBED BOOKS:

1. Bakshi, P.M., *Mulla's Civil Procedure Code, 12th Edition*, (Bombay: Tripathi, 1990).
2. Tandon, M.P, *Code of Civil Procedure*, (Allahabad Law Agency, 2005)
3. Karnataka Civil Rules of Practice - Bare Act.

REFERENCE BOOKS:

1. Malik, M.R, *Ganguly's Civil Court, Practice and Procedure*, (Eastern Law House, 2012)
2. Takwani, C.K, *Civil Procedure Code*. (Eastern Book Co., 2010)

OPTIONAL III
INTELLECTUAL PROPERTY RIGHTS-I / PENOLOGY & VICTIMLOGY

INTELLECTUAL PROPERTY RIGHTS-I (56 Hrs)

COURSE OBJECTIVES:

Intellectual Property Law has assumed a great importance in recent times as a result of the recognition that "knowledge is property" The creations of the human brain as IP are required to be understood and protected The syllabi encompassing all relevant IP legislations in India with a view to understand and adjust with changing needs of the society because creative works useful to society and law relating to innovation/creativity ie intellectual property is one of the fastest growing subjects all over the globe because of its significance and importance in the present era Disseminate information on national and international IPR issues The course is designed with a view to create IPR consciousness; and familiarize the learners about the documentation and administrative procedures relating to IPR in India The subject Intellectual Property Law divided into two Papers namely Paper -I and Paper - II of 100 marks each.

COURSE CONTENTS:

UNIT I (11 Hours)

Introductory Aspects: Overview of the concept of property; Industrial property and non-industrial property; Historical background of IPR; Need for Intellectual Property Protection, Importance of human creativity in present scenario; Different forms of IP and its conceptual analysis.

Law Relating to Patents in India.: Introduction and overview of Patent protection, Historical development in IPR ,Concepts :- Novelty, Utility Inventiveness/Non-obviousness, Patent Act 1970 – amendments of 1999, 2000, 2002 and 2005 Patentable subject matter, Patentability criteria, non-patentable inventions , Pharmaceutical products and process and patent protection Software Patents, Rights of patentee Procedure for granting a patent and obtaining patents, specifications, Grounds for opposition Working of Patents, Compulsory License Acquisition, Revocation and surrender of patents, Restoration& Transfer of patent rights:- Voluntary and compulsory license Government use of patents. Infringement:- What Is Infringement? Direct,

Contributory, and Induced How Is Infringement Determined? Who Is an Infringer? Official Machinery, Controller;-Powers and Functions, Defences to Infringement, Remedies for infringement, offences and penalties.

UNIT II (12 Hours)

COPYRIGHT: Copyright and Neighbouring Rights Concept and Principles Historical background and Development of Copyright Law. Copyright Act, 1957 Terms of Copyright conditions for grant of copyright, extent of rights exception to copyright protection, fair use provision, assignment and licensing, Copyright in Literary, Dramatic and Musical ,Works, Sound Recording, Cinematograph Films, Copyright in Computer Programme, Author Special Rights, Right of Broadcasting and performers, Copyright Registrar and Copyright Board-Power and Procedure Copyright Societies, Ownership, Assignment, Licence, Translation of Copyright, Compulsory Licences, Infringement-Criteria of Infringement, Infringement of Copyright-Films, Literary and Dramatic works, Importation and Infringement.

UNIT III (12 Hours)

Law Relating to Trademarks Marks in India.: Historical development of the concept of trademark and trademark law-National and International, Introduction to Trademarks :- Introduction and overview of trademark, Evolution of trade mark law, Object and scope of trade mark protection, Features of good trade mark, Different forms of trade mark, Trade mark registry and register of trademarks, basic requirements of trademark protection- Registrable and non-registrable marks, procedure, term of protection; Assignment franchising and transmission, Rectification of register, Infringement of trade mark and remedies, deceptive similarity, Offences and penalties. Passing off action- essential requirements, defences and remedies. History of Internet, evolution of concept of cyberspace, Interface of Technology and Law, Jurisdiction in Cyber Space and Jurisdiction in traditional sense, Internet Jurisdiction, IPR related issues in cyberspace, Jurisdictional issues relating to enforcement of IPRs, Need for trans -border protection of IPRs.Meaning of domain name, Domain name registration, Domain Name Disputes: Cybersquatting, typo-squatting and Meta tagging and Online protection of trademarks under Trademarks Act, 1999.

UNIT IV: (11 Hours)

Law relating to Geographical Indications in India: the Geographical Indications of Goods (Registration and Protection) Act, 1999 The Geographical Indications of Goods (Registration and Protection) Act, 1999 provides for the registration and better protection of geographical indications relating to goods, provisions relating to the establishment of a Geographical Indications Registry, registration of geographical indications of goods, rights conferred by registration, registration of authorised users of registered geographical indications, provisions for renewal, rectification and restoration of geographical indications, and prohibition of registration of geographical indication as a trade mark, etc

UNIT V :(10 Hours)

International Convention and Treaties: Paris Convention, TRIPS,WIPO, Berne Convention, Paris Convention: Background; Salient features of Paris Convention; Patent Cooperation Treaty: Background; Objectives of PCT; Salient features of PCT; Madrid Convention: Salient features; International registration of marks;

PRESCRIBED BOOKS:

1. Elizabeth Verkey, Intellectual Property Rights, Eastern Book Company, 2007
2. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.
3. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).
4. Ranabhir Singh, Law relating to Intellectual Property, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.

REFERENCE BOOKS:

1. Peter Drahos, A Philosophy of Intellectual Property (Dartmouth Publications Co., 1996).
2. Campbell, Dennis and Susan Cotter (Eds.) International Intellectual Property Law: Global Jurisdictions (John Wiley & Sons, UK, 1996).

3. P. Narayanan, Intellectual Property Law (Eastern Law House, New Delhi and Kolkata, 4th edn., 2020).
4. Prabuddha Ganguly, Intellectual Property Rights: Unleashing the Knowledge Economy (Tata McGraw-Hill Publishing Company Limited, New Delhi, 2001).
5. Jayashree Watal, Intellectual Property Rights in the WTO and Developing Countries (Oxford University Press, New Delhi, 2001).
6. N.S. Gopalakrishnan and T.G. Ajitha, Principles of Intellectual Property, Eastern book company, 2nd edition, 2014.
- 7 .Shavksha,Trade Marks,1999(Butter Worth's)

PENOLOGY & VICTIMLOGY (56 Hrs)

UNIT I (16 hrs)

Introduction: Notion of punishment in law; Difference between crime prevention and control; Theories of punishments.

UNIT II (10 hrs)

Kinds of punishment; Sentencing policies and processes; the riddle of capital punishment

UNIT III (10 Hrs)

Prison reforms; Alternatives to imprisonment; Victimology- Introduction, history and philosophy

UNIT IV (10 hrs)

Victimology- European experience; American experience; Victim witness assistance programmes; Restitution

UNIT V (10 hrs)

Victimology - Indian experience; Legal framework; Role of Courts; Role of NHRC.

PRESCRIBED BOOKS:

1. Edwin H. Sutherland- Criminology
2. Ahmad Siddique- Criminology.
3. V.N.Rajan- Victimology in India
4. H.L.A. Hart- Punishment and Responsibility.
5. S. Chabra- Quantum of Punishment in Criminal Law
6. Herbert L. Packer- the Limits of Criminal sanctions.

OPTIONAL-IV
INTERPRETATION OF STATUTES & PRINCIPLES OF LEGISLATION /
COMPETITION LAW

INTERPRETATION OF STATUTES & PRINCIPLES OF LEGISLATION
(56 Hrs)

COURSE OBJECTIVES:

As it is difficult to have legislations without ambiguous provisions, there is a need to make proper study of the rules and principles relating to interpretation of statutes. Legislation is the major source of law of the modern era. Legislatures enact laws after much deliberation. No doubt in this process they have to take into account the present and future needs of the people. What are the matters to be reckoned with by legislature while enacting laws? With the emergence of legislation, interpretation of statutes became a method by which judiciary explores the intention behind the statutes. Judicial interpretation involves construction of words, phrases and expressions. In their attempt to make the old and existing statutes contextually relevant, courts used to develop certain rules, doctrines and principles of interpretation, Judiciary plays a highly creative role in this respect. What are the techniques adopted by courts in construing statutes? How far are they successful in their strategy? With the above problems and perspectives in view, this paper is framed.

COURSE CONTENTS-

UNIT-I (12 Hrs)

Interpretation of Statutes: Meaning of the term 'statutes', Commencement, operation and repeal of statutes, Purpose of interpretation of statutes, Restrictive and beneficial construction, Taxing statutes, Penal statutes, Welfare legislation Law, Interpretation of substantive and adjunctively statutes, Interpretation of directory and mandatory provisions, Interpretation of enabling statutes, Interpretation of codifying and consolidating statutes, Interpretation of statutes conferring rights, Interpretation of statutes conferring powers

UNIT-II (12 Hrs)

Aids to Interpretation: Internal aids, Title, Preamble, Headings and marginal notes, Sections and sub-sections. Punctuation marks, Illustrations, exceptions, provisos and saving clauses, Schedules, Non- obstante clause

External aids, Dictionaries, Translations, Travaux Preparatoires, Statutes in parimateria Contemporanea Exposito, Debates, inquiry commission reports and Law Commission reports

UNIT III (13 Hrs)

Rules and Principles of Statutory Interpretation: Primary Rules, Literal rule, Golden rule, Mischief rule (rule in the Heydon's case), Rule of harmonious construction, Secondary Rules, Noscitur a sociis, Ejusdem generis, Reddendosingulasingulis

Principles of Constitutional Interpretation, Harmonious construction, Doctrine of pith and substance Colourable legislation, Ancillary powers, "Occupied field", Residuary power, Doctrine of repugnancy

UNIT IV (11 Hrs)

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, Prospective operation of statutes

UNIT V (8 Hrs)

Principles of Legislation: Law making the legislature, executive and the judiciary, Principle of utility, Operation of these principles upon legislation, Distinction between morals and legislation

BOOKS PRESCRIBED -

1. G.P.Singh, "Principles of Statutory Interpretation", (Wadhwa, Nagpur, 1999)
2. P. St. Langan (Ed.), "Maxwell on The Interpretation of Statutes", (N.M. Tripathi, Bombay, 1976)

3. K.Shanmukham, "N.S.Bindras's Interpretation of Statutes", (The Law Book Co. Allahabad, 1997)
4. V.Sarathi, "Interpretation of Statutes", (Eastern, Lucknow, 1984)
5. Jeremy Bentham, "Theory of Legislation", (Wadhwa, Nagpur)

COMPETITION LAW (56 hrs)

UNIT I (16 hrs)

Constitutional provisions regulating trade; Salient features of MRTP Act, 1986; Salient features of Consumer Protection Act, 1986.

UNIT II (10 hrs)

Sherman Antitrust Act, 1890; Relevant provisions of Clayton Act, 1914; Relevant provisions of the Federal Trade Commission Act; Salient features of U.K. Competition Act, 1998.

UNIT III (10 hrs)

The Competition Act, 2002; Preliminary; Prohibition of certain agreements, abuse of dominant position and regulation of combinations

UNIT IV (10 hrs)

Competition Commission of India; Duties, powers and functions

UNIT V (10 hrs)

Duties of Director general; Penalties; Competition advocacy; Important judgments of the Supreme Court.

PRESCRIBED BOOKS:

1. Adi P.Talati & Nahar S.Mahala- Competition Act, 2002: Law, Practice and Procedure.

VI SEMESTER

BHARATIYA SAKSHYA ADHINIYAM, 2023 (56 Hrs)

UNIT –I (12 Hrs)

Introduction; Distinction between Substantive and Procedural Law; Salient Features of the Bharatiya Sakshya Adhinyam, 2023; Definitions (S. 2)

Of Relevancy of Facts (Ss. 3-14), closely connected facts

UNIT –II (12 Hrs)

Of Relevancy of Facts (Ss. 15-50), Admissions, Statements by persons who cannot be called as witnesses, Statements made under special circumstances, How much of statement is to be proved, Judgments of Courts when relevant, Opinions of third persons when relevant, Character when relevant.

UNIT –III (12 Hrs)

On Proof: Facts which need not be proved (Ss. 51-53); Of oral evidence (Ss. 54-55); Of documentary evidence (Ss. 56-93), Public documents, Presumption as to documents; Exclusion of oral evidence by documentary evidence (Ss. 94-103)

UNIT –IV (10 Hrs)

Production and Effect of Evidence: Burden of Proof (Ss. 104-120), Estoppel (Ss. 121-123), Of Witnesses (Ss. 124-126);

UNIT –V (10 Hrs)

Privileged Communications (Ss. 127-139); Of Examination of Witnesses (Ss. 140-157); Improper Admission of Evidence (S. 168)

PRESCRIBED BOOKS-

1. Bharatiya Sakshya Adhinyam, 2023
2. Ratanlal and Dhirajlal, *Law of Evidence*, (New Delhi: LexisNexis, latest ed.)

For explanations, corresponding provisions of earlier editions of the Law of Evidence books may be referred.

REFERENCE BOOK:

1. Sarkar, *Law of Evidence*
2. Avatar Singh, *Law of Evidence*

LAW OF TAXATION (56 Hrs)

UNIT-I (10 Hrs)

Concept of Tax- Nature and characteristics of different types of taxes- Direct and Indirect Taxes- Distinction between tax and fees, tax and Cess-Tax evasion, Tax planning and Tax avoidance- Retrospective Taxation- Power of Taxation under the Constitution, Immunity of State agencies/instrumentalities- Fundamental Rights and the power of Taxation- Commerce Clause, Inter-State Commerce and Taxation, Scope of Taxing powers of Parliament. Delegation of taxing power to State Legislatures and Local bodies.

UNIT-II (16 Hrs)

The Income Tax Act 1961: Basis of taxation of Income —Basic concepts, Person, Residential Status and incidence of tax, Income from Salaries-Income from House Property-Income from Business or profession and vocation-Capital gains, Income from other sources-Deemed assessee, Set-off and carry forward Loss; Incomes exempt from tax, permissible deductions & Chapter VIA deductions, Assessment, Kinds of assessment, Income tax authorities Appointment-powers and functions. Provisions relating to collection and recovery of tax filing of returns, electronic filing, I.T. Portal working and Refund of tax, appeal and revision provisions, offences and penalties.

UNIT-III (10 Hrs)

Concept of Goods and Service Tax (GST)-The Constitution (122nd Amendment) Act 2017. The Central Goods and Services Tax Act, 2017- Dual GST model taxation- GST Council — Central GST (CGST); GST levy on transactions-sale, transfer, Purchase, barter, lease, or import of goods and/or services. IGST / SGST /UTGST/ compensation Law to State Governments GSTN-Goods and Services Tax Network Portal; Tax Invoice, GST on Imports & Exports, benefits of GST to trade, industry, e-commerce & Service Sector and the consumers at large, Impact of GST on GDP of India and Inflation.

UNIT-IV (10 Hrs)

IGST- Integrated GST (IGST) levied by the Central Government. Inter-state transactions and imported goods or services- State GST (SGST); The State Goods & Service tax Law, Power of Central government to levy tax on interstate taxable supply, Impact of GST on State revenue; Indemnifying State Revenue Loss; UTGST-Union Territory Goods and Service Tax Law-GST Exemption on the sale and purchase of securities, Securities Transaction Tax (STT)

UNIT-V: (10 Hrs)

Custom Law (10 Hrs) Legislative Background of the levy-ports-Warehouses-Nature and restrictions on exports and imports-Levy, exemption and collection of customs, duties and overview of law and procedure Clearance of goods from the port, including baggage-Goods imported or exported by post and stores and goods in transit-Duty drawbacks provisions, Authorities Powers and functions and SEZ Units.

PRESCRIBED BOOKS:

- Sunnit Dutt Majumder, GST in India, 2nd edn., (New Delhi: Centax Publications Pvt. Ltd., 2016/2017.
- Taxxman's Income Tax Act, 60th edn., (New Delhi: Taxmann Publications Pvt. Ltd., 2016/2017
- R. K. Jha and P.K. Singh, A Bird's Eye view of GST, 1st edn., (Hyderabad: Asia Law House)

REFERENCE BOOKS/WEBSITES/PORTALS:

- Arvind P Datar. Kanga and Pa] khivala's The Law and Practice of Income Tax. 10th edn., (Nagpur: LexisNexis, 2014).
- Sampath lyengar's, Law of Income Tax, 1th edn., (New Delhi: Bharat Law House Pvt. Ltd.,
- Income tax Act, 1961 and Income-Tax Rules, 1962 as amended by latest Finance Act,2016-17

OPTIONAL- V
INTELLECTUAL PROPERTY RIGHTS-II / WHITE COLLAR CRIMES

INTELLECTUAL PROPERTY RIGHTS-II (56 Hrs)

OBJECTIVES:

Intellectual Property Law has assumed a great importance in recent times as a result of the recognition that "knowledge is property" The creations of the human brain as IP are required to be understood and protected The syllabi encompassing all relevant IP legislations in India with a view to understand and adjust with changing needs of the society because creative works useful to society and law relating to innovation/creativity i.e. intellectual property is one of the fastest growing subjects all over the globe because of its significance and importance in the present era Disseminate information on national and international IPR issues The course is designed with a view to create IPR consciousness; and familiarize the learners about the documentation and administrative procedures relating to IPR in India The subject Intellectual Property Law divided into two Papers namely Paper -1 and Paper - II of 100 marks each.

COURSE CONTENTS:

UNIT I: (11 Hours)

BIODIVERSITY:-Relationship between Biodiversity and IPR: -Biopiracy, Bioprospecting and Traditional Knowledge. Concept and Scope of biodiversity protection . Types of biodiversity, mega-biodiverse centres, Type of bio-resources, conservation mechanisms . International resources/centres of conservation . Traditional Resource rights, ecosystem measures. Protection of Biological Diversity -Indian position , The Biological Diversity Act, 2002. Regulatory authorities in India – NBA &SBB . Biodiversity Management Committees People Biodiversity Registers . ABS (Access and benefit sharing mechanisms) Regulation and Benefit Sharing Procedures in India. Protection of Biological diversity: International mandate . Overview of

International framework .Convention on Biodiversity - Objectives and Articles , International Regime on ABS . Biodiversity and Climate Change.

UNIT II: (12 Hours)

Protection of plant varieties and farmers rights laws:-Historical background leading to modern legislations; meaning of seeds, plants, propagating material and relevant provisions of the Seeds Act, 1966. Meaning of plant variety, new variety, plant breeder, farmer, cultivator, plant breeders' rights (PBRs), farmers' rights; distinction between the PBRs and IPRs (patent), impact PBRs system on socio-economic growth of the country. Basic requirements of plant variety protection in India; The salient features of the Protection of Plant Varieties and Farmers' Rights (PPV&FR) Act, 2001- Conceptual analysis of New Variety, Essentially Derived Variety (EDV), Farmer Variety and extant variety. Conditions or requirements for the registration of a plant variety, registrable and non-registrable plant varieties, procedure for the registration of different kinds of plant varieties, opposition proceedings and grounds of opposition, rights available to the plant breeders, researchers, farmers and communities upon the registration of a variety, term of protection available for different registered varieties and benefit-sharing; surrender and revocation of certificate and rectification of register.

UNIT III: (12 hours)

Designs law : -Concept and Origin of Industrial Designs – Introduction- evolution – Legal protection - Layout Designs – Integrated circuits – Utility Models – Protection of Industrial Designs. Industrial Designs – Subject matter of Design – Exclusion of Designs – Novelty and originality – Rights in Industrial Designs: Nature, Acquisition and duration of rights. Procedure for registration of Lay-out Design: Submission, advertisement, opposition and Registration – Duration of registration. The Semiconductor Integrated Circuits Layout-Design Act, 2000 – salient features of the Act – Layout design Appellate Board – Registrar of Semiconductor Integrated Circuits Layout Design and his Powers. Infringement and Enforcement Mechanisms Infringement of Lay-out Designs – Exemptions – Use of Layout design – Penalties – Offences – remedies.

UNIT IV: (11 Hours)

Cyber laws: - History of Internet, evolution of concept of cyberspace, Interface of Technology and Law, Jurisdiction in Cyber Space and Jurisdiction in traditional sense, Internet Jurisdiction, IPR related issues in cyberspace, Jurisdictional issues relating to enforcement of IPRs, Salient features of Information Technology Act 2000. Cyber Crimes, Law relating to Data protection in India.

UNIT V: (10 Hours)

Convention of Bio-Diversity, UPOV Convention, 1961, WTO-TRIPS agreement, round of trade negotiations; International Treaty on Plant Genetic Resources ("ITPGR").

PRESCRIBED BOOKS:

- 1 Narayanan - Intellectual Property Law
- 2 Cornish William - Intellectual Property

REFERENCE BOOKS:

- 1 Justice P S Narayana - Intellectual Property Law in India
- 2 N K Acharya - Intellectual Property Rights
- 3 Das J K - Intellectual Property Rights
4. Ganguli- Intellectual Property Rights: Unleashed the knowledge economy
- 5 Copinger & Skine James - Copyright
- 6 Pal P - Intellectual Property Rights in India
- 7 Unni - Trade Mark, Design and Cyber Property Rights
- 8 Elizabeth Verkey - Law of Plant Varieties Protection

WHITE COLLAR CRIMES (56 HRS)

UNIT I (16Hrs)

Introduction - Concept of white collar crime – Indian approaches to socio-economic offences- forms of privileged class deviance – official deviance (Legislators, judges and bureaucrats), professional deviance, trade union deviants, land law deviance, upper class deviance, police deviance, gender based deviance, deviance by religious leaders and organisations.

UNIT II (10 hrs)

Official deviance; Prevention of Corruption Act, 1988 - Police and politicians' deviance; N.N.Vorha Committee Report; Lokpal and Lokayukta institutions.

UNIT III (16 hrs)

Professional deviance; Medical profession - The Lentin Commission Report; Legal profession – Opinions of Disciplinary Committee of Bar Council of India.

UNIT IV (10hrs)

Gender based deviance – sexual harassment; Offences against scheduled castes and scheduled tribes.

PRESCRIBED BOOKS:

Edwin H. Sutherland, Criminology Ahmad Siddique, Criminology

REFERENCE BOOKS:

Upendra Baxi, the Crisis of Indian Legal system Upendra Baxi, Law and Poverty Upendra Baxi, Liberty and corruption A.R.Desai edn., Violation of Democratic Rights in India.

OPTIONAL-VI

WOMEN AND CRIMINAL LAW & LAW RELATING TO CHILD / LAW RELATING TO INTERNATIONAL TRADE

WOMEN AND CRIMINAL LAW & LAW RELATING TO CHILD (56 Hrs)

UNIT: - I (10hrs)

Women in India - Pre Independence Period - Post Independence Position - Constitutional Provisions to Women - Preamble, Art.14, 15, 23, and Part IV , Legal Measures in relating to Child Labour , Women and Political Representation. - Uniform Civil Code Towards Gender Justice.

UNIT: - II (10 hrs)

Inequality in Inheritance Rights - Guardianship - Divorce - Criminal Law and Social Legislation - Women Participation in Domestic Government. Different Personal Laws- Unequal Position of Indian Women-Uniform Civil Code; Sex Inequality in Inheritance Rights: Right of Inheritance by birth for Sons and not for Daughters; Inheritance under Christian Law; Inheritance under Muslim Law; Matrimonial Property Law; Right of Women to be Guardian of her minor sons and daughters. Law of Divorce - Christian Law-Discriminatory Provision; Muslim Law- Inheritance divorce. Women and Social Legislation: Prevention of Domestic Violence Law; Sex Determination Test, Law relating to Prevention of Immoral Trafficking in Women Act.

UNIT:- III (16 hrs)

Women Employment - Protection and Enforcement Agencies- Protectional Rights and Remedies under Criminal Laws. - Women's Protectional Rights under the Indian Penal Code, 1860 (BNS)- Women's Protectional Rights under Evidence Act (BSA) - The Indecent Representation of Women (Prohibition) Act, 1986 - The Commission of Sati (Prevention) Act, 1987 - Pre Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 , Women's Protectional Rights under Industrial Law - The Equal Remuneration Act, 1976 - The Maternity Benefit Act, 1961 - Women's Protectional Right and Remedies under the Factories ACT, 1948 - Women's Rights Under the Employees State Insurance Act, 1948 -Dowry Prohibition Act, 1961 - Convention on the Elimination of All forms of Discrimination Against

Women - The National Commission for Women Act, 1990 - Domestic Violence Act, 2005.
Prevention of Sexual Harassment at women workplace 2013.

UNIT - IV (10 hrs)

Constitutional and international Legal Status of Child - National Policy for Children 1987
Indian Constitutional Provisions Regarding Welfare of Child - U.N. Declaration of the Rights
of Child - U.N. Declaration of the Right of the child - 1924 and 1959 and the 1986 Convention
on Children.

UNIT V:- (10 hrs)

Legal Protection to the Child - Child and Criminal Liability - Indian Responsibility for the
Education of Child - Family Relations and Child - Legal Control of Child Labour -
Discrimination Against Female Child - Child and Contractual Liability.

PRESCRIBED BOOKS:

1. Indu Prakash Singh- Women, Law and Social Change in India.
2. Paras Dewan- Dowry and Protection to Married Women.
3. S.P.Sathe- Towards Gender Justice.
- 4 Dwarka Nath Mitter- Position of Women in Hindu Law.
5. Shaukat Nasir- Muslim Women and their Rights.

REFERENCE BOOKS:

1. Relevant Provisions of Constitution of India.
2. Relevant Provisions of Indian Penal Code. (BNS).
3. S.125, Criminal Procedure Code. (BSA).

LAW RELATING TO INTERNATIONAL TRADE (56 HRS)

UNIT I (16 HRS)

Historical perspectives of International Trade, Institutions – UNCTAD, UNICITRAL, GATT (1947-1994): World Trade Organization-Objectives, Structure, Power; Favored Nation Treatment and National Treatment; Tariffs and Safeguard measures. Most - Technical Barriers to Trade; Sanitary and Phyto – Sanitary measures; Trade Related Investment Measures (TRIMs); Anti – Dumping, Subsidies and Countervailing Measures;

UNIT II (12 HRS)

Dispute Settlement Process - International Sales of Goods Formation and Performance of International Contracts, Various Forms and Standardization of Terms; Acceptance and

UNIT III (12 HRS)

Rejection of Goods, Frustration of Contract, Invoices and packing, Product liability - Exports – Insurance of Goods in Transit; Marine Insurance and kinds; Law on Carriage of goods by sea, land and air, Container transport, Pre-Shipment Inspection; Licensing of Export and Imports. - Laws Governing Finance and Investments; Foreign Collaboration and Investment Policy; Foreign Direct Investment in Industries and Governing Policies; Foreign Institutional Investors (FIIs):

UNIT IV (16 HRS)

Investment by Non-resident Indians (NRIs)and Overseas Corporate Bodies(OCBs); Foreign Collaboration Agreement- Foreign Technology Agreement; Foreign Companies and Foreign Nationals in India.

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2. Clive M Schmitthoff- Export Trade : The Law and Practice of International Trade,11th Edn, Sweet & Maxwell Rajiv Jain- Guide on Foreign Collaboration: Policies and Procedures, 8th Edn, New Investment Publication C. Singhania- Foreign Collaborations and Investment in India:
3. Law and Procedures. Jayanta Bagachi – World Trade Organisation: An Indian Perspective, Eastern Law.