

H.N.B. Garhwal University, Srinagar, Garhwal
School of Law
(B.A.LL.B. Five Years Integrated Degree Course)
Applicable from Academic Session: 2022-23

Important Instructions

1. The admission to the above-mentioned course shall be made in accordance with the guidelines laid down by the Bar Council of India (as amended from time to time) and the Ordinances of the University (as amended from time to time).
2. The examination and evaluation shall be conducted to the above-mentioned course as per the rules/guidelines laid down under the ordinances of the University.
3. Each theory paper and Practical paper shall be of four (4) credits.
4. There will be 70 marks for the written examination and 30 marks for sessional work in each paper.
5. The division of marks of the practical paper as coming under this syllabus shall be as per the guidelines prescribed by the Bar Council of India.
6. Each theory paper will be divided in two Parts e.g., Part A and Part B. There will be seven (07) short Answer's questions in Part A out of which a student will have to attempt five questions and each question will carry five (05) marks. In Part B there will be Six (06) Long Answer's questions out of which a student will have to attempt three (03) questions.
7. The duration of theory examination shall be Two (2) hours.
8. The total number of credits for B.A.LL.B. Integrated Five Year Course shall be 200 Credits.
9. The curriculum of study for the B.A.LL.B. Degree shall be spread over Five academic years, and shall be divided into Ten semesters, called as First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Semester.

H.N.B. Garhwal University, Srinagar, Garhwal
School of Law
(B.A.LL.B. Five Years Integrated Degree Course)
Applicable from Academic Session: 2022-23

Model Question Paper

B.A.LL.B. -----Semester Examination Year-----
Paper No.

Name of the Paper

Time: Two Hours

Maximum Marks: 70

Note: Attempt any five questions from Part A (Short Answers). Each question carries 5 marks. Attempt any Three questions from Part B (Long Answers) and each question carries 15 marks

(Part A Short Answer's Questions)

1. Question in Hindi medium
Question in English medium
2. Question in Hindi medium
Question in English medium
3. Question in Hindi medium
Question in English medium
4. Question in Hindi medium
Question in English medium
5. Question in Hindi medium
Question in English medium
6. Question in Hindi medium
Question in English medium
7. Question in Hindi medium
Question in English medium

(Part-B Long Answer's Questions)

8. Question in Hindi medium
Question in English medium

**9. Question in Hindi medium
Question in English medium**

**10. Question in Hindi medium
Question in English medium**

**11. Question in Hindi medium
Question in English medium**

**12. Question in Hindi medium
Question in English medium**

**13. Question in Hindi medium
Question in English medium**

H.N.B. Garhwal University, Srinagar, Garhwal
School of Law
COURSE – STRUCTURE
B.A.LL.B. (Five Years Integrated Degree Course)
Applicable from Academic Session: 2022-23

The B.A. LL.B. Course shall be divided into ten semesters. The following course of study is based on the revised guidelines of the Bar Council of India and as per Ordinances of the University.

Semester-I

Subject Code	Title of Course	Credit	Max. Marks
101121	English-I	4	100
101122	Political Science-I	4	100
101123	Sociology-I	4	100
101124	History- I	4	100
101125	Legal Method	4	100

Semester -II

Subject Code	Title of Course	Credit	Max. Marks
102121	English-II	4	100
102122	Political Science-II	4	100
102123	Sociology-II	4	100
102124	History- II	4	100
102125	Law of Torts, MV Act & Consumer Protection Laws	4	100

Semester- III

Subject Code	Title of Course	Credit	Max. Marks
103121	English-III	4	100
103122	Political Science-III	4	100
103123	Political Science-IV	4	100
103124	Sociology-III	4	100

103125	Constitutional Law-I	4	100
--------	----------------------	---	-----

Semester- IV

Subject Code	Title of Course	Credit	Max. Marks
104121	Political Science-V	4	100
104122	Political Science-VI	4	100
104123	History-III	4	100
104124	Constitutional Law -II	4	100
104125	Defence and Strategic Studies	4	100

Semester-V

Subject Code	Title of Course	Credit	Max. Marks
105121	Humanitarian and Refugee Law	4	100
105122	Law of Contract (Contract -I)	4	100
105123	Law of Crimes-I (Indian Penal Code)	4	100
105421 Or 105422	Media Law Or Election Law	4	100
105423 Or 105424	Criminology Or Socio-Economic Offences	4	100

Semester - VI

Subject Code	Title of Course	Credit	Max. Marks
106121	Law of Contract -II (Special Contract)	4	100
106122	Family Law –I	4	100
106123	Public International Law	4	100
106124	Company Law	4	100

106421	Law of Corporate Finance	4	100
Or	Or		
106422	International Trade Law		

Semester - VII

Subject Code	Title of Course	Credit	Max. Marks
107121	Jurisprudence	4	100
107122	Property Law (Transfer of Property Act & Easement Act)	4	100
107123	Family Law-II	4	100
107421 Or 107422 Or 107423	Land Laws including Tenure and Tenancy System Or Information Technology Law Or Aviation Law	4	100
107124	Professional Ethics and Professional Accounting System (Clinical/Practical Paper)	4	100

Semester - VIII

Subject Code	Title of Course	Credit	Max. Marks
108121	Administrative Law	4	100
108122	Interpretation of Statutes and Principles of Legislation	4	100
108123	Civil Procedure Code and Limitation Act	4	100

108421	Banking Law	4	100
Or	Or		
108422	Competition Law		
Or	Or		
108423	Insurance Law		
108124	Alternative Dispute Resolution -Arbitration, Mediation and Conciliation (Clinical/Practical Paper)		

Semester - IX

Subject Code	Title of Course	Credit	Max. Marks
109121	Law of Evidence	4	100
109122	Law of Crimes -II (Criminal Procedure Code)	4	100
109123	Labour Law and Industrial Law-I	4	100
109421	Offences against Children and Juvenile Offences	4	100
Or	Or		
109422	Women and Law		
Or	Or		
109423	Human Rights Law and Practice		
109124	Drafting, Pleading and Conveyancing (Clinical/Practical Paper)	4	100

Semester - X

Subject Code	Title of Course	Credit	Max. Marks
100121	Labour Law and Industrial Law-II	4	100
100122	Environmental Law	4	100
100123	Principles of Taxation	4	100

100421 Or 100422 Or 100423	Intellectual Property Rights Law Or Health Care Laws Or Private International Law	4	100
100124	Moot Court Exercise and Internship (Clinical/Practical Paper)	4	100

B.A.LL.B. Semester – I
Code: 101121
Credit-4

Paper-I

M. M: 100
Theory: 70
Sessional: 30

English-I

Objectives of the Course

1. The students are provided a holistic syllabus leading to a comprehensive grasp in this field.
2. Their command over language enhances their ability to manoeuvre legal terms and statements.
3. They are offered a systematic order to start from the basics of the language supplied in Grammar and Writing.

Outcomes of the Course

Students will be able to:

1. Become competent in reading legal language.
2. Identify and correct the common errors in English.
3. Become effective communicators.

Contents of the Course

UNIT-I:

- a. Parts and Types of Sentences
- b. Parts of Speech
- c. Articles
- d. Concord

UNIT-II:

- a. Tenses and Forms
- b. Question tags and Short Responses
- c. Prepositions
- d. Conjunctions

UNIT-III:

- a. Definition and function of Communication
- b. Need for effective communication
- c. Process of communication and barriers to communication
 - d. Kinds of communication: Intrapersonal, personal, group and mass, verbal and non-verbal communication

UNIT-IV:

- a. One word substitution
- b. Homonyms, Antonyms, Synonyms
- c. Common Errors in English

Suggested Readings:

Wren and Martin, English Grammar

Law Dictionary, P.H. Collin, Universal Book Stall, New Delhi

Collins, Paper Back Thesaurus

L.A. Well , Letter Writing (Oxford University Press)

W. Stannard Allin, Living English Structure (Orient Longman, New Delhi)

B.A.LL.B. Semester – I
Code: 101122
Credit-4

Paper-II

M. M: 100
Theory: 70
Sessional: 30

Political Science –I
(Introduction of Political Theory)

Objectives of the Course

1. To study the concepts of state, sovereignty, and law.

Outcomes of the Course

Students will be able to:

1. Develop better understanding of various concepts of political theories.

Contents of the Course

UNIT – I:

Introduction to Political Science

- a. Meaning, Nature and Scope of Political Science
- b. Relation of Political Science with Law, Economics, Sociology, Ethics and Religion
- c. Approaches for Study of Political Science – Traditional and Modern

UNIT – II:

The State

- a. Meaning of State- Definition of State and Nation and Distinction between State and Nation
- b. Elements of State- Population, Territory, Government, Sovereignty and International Recognition
- c. Theories of Origin of State- Divine, Social Contract and Historical Evolution Theory
- d. Theories of State Action- Liberal, Socialist and Welfare

UNIT – III:

Sovereignty

- a. Meaning, Characteristic and kinds
- b. Austin's Theory of Sovereignty and its criticism
- c. Pluralists and internationalists
- d. Distinction between sovereignty and Power, Power and Authority, Authority and Legitimacy

UNIT – IV:

- a. Law- Meaning, Nature, Sources and Law and Morality
- b. Liberty- Meaning, Types and Safeguards of Liberty
- c. Equality- meaning, Contents, Liberty and Equality
- d. Rights and Duties- Meaning, Kinds and Theories of Rights, Relationship between Rights and Duties

Suggested Readings:

F.W. Garner, Principles of Political Science
A.C. Kapoor, Principles of Political Science
Myneni, Political Science for Law Students
R.C. Aggarwal, Rajniti Vigyan ke Siddhant (in Hindi)
O.P. Gaba, Political Theory

B.A.LL.B. Semester – I
Code: 101123
Credit-4

Paper-III

M. M: 100
Theory: 70
Sessional: 30

Sociology – I
(Basic Sociological Concepts)

Objectives of the Course

1. To understand the fundamentals of sociology and its relationship with other social sciences.
2. To introduce students to the basic social processes of society, social institutions and patterns of social behavior.
3. To interpret to the students objectively the role of social processes, social institutions and social interactions in their lives.
4. To enable students to cope effectively with the socio-cultural and interpersonal processes of a constantly changing complex society.

Outcomes of the Course

The students will be able to:

1. Define and explain the fundamentals of sociology.
2. Demonstrate the relationship of sociology with other social sciences.
3. Examine the the role of social processes, social institutions and social interactions in their lives.
4. Formulate socio-cultural and interpersonal processes of a constantly changing complex society.

Contents of the Course

UNIT – I:

Introduction

- a. Sociology- definition, subject matter and scope
- b. Sociology as a science and its relationship with Psychology, Political Science, Anthropology and Law
- c. Steps of Scientific enquiry; Methods and Techniques.
- d. Sources of Data: Primary and Secondary- Questionnaire, Schedule, Observation, Interview and Case Study

UNIT – II:

Basic Concepts:

- a. Society- Community and Social Groups
- b. Association and Institution
- c. Social Process- Associative and Dissociative
- d. Status and Role

UNIT – III:

- a. Socialization – Agencies, Stages, Theories
- b. Stratification – Bases and Changing patterns.

c. Social Control- Formal and Informal

UNIT – IV:

a. Religion – Definitions, Theories of origin

b. Culture & Civilization

c. Personality – factors that influence personality development

d. Norms & values

Suggested Readings:

M. Harlambos, Sociology: Themes and Perspectives, Oxford University Press, 1980

T.B. Bottomore, Sociology: A Guide to Problems and Literature, Blackie and Sons India Ltd. 1971

P.B. Horton and C.L. Hunt Sociology; McGraw- Hill book Company, Singapore, 1984. A.

Giddens, Sociology, Polity Press, UK 1993

V. Bhushan, and D.R. Sachdeva, An Introduction to Sociology

B.A.LL.B. Semester- I
Code: 101124
Credit- 4

Paper -IV

M.M.:100
Theory: 70
Sessional: 30

History-I
(Ancient and Medieval India)

Objectives of the Course

1. To understand the interrelationship of History and Law.
2. To explain the Polity & Administration of Ancient and Medieval India.
3. To describe the contemporaneous Law and Order in social and economic contexts.
4. To illustrate the legal system implemented by institutions in Ancient and Medieval India.

Outcomes of the Course

The students will be able to:

1. Understand the Historical context of Law.
2. Summarize the polity and administration of the monarchical system of Governance.
3. Relate the contemporaneous social and economic legislation.
4. Analyse the institutions of ancient and medieval India and their legal system.

Contents of the Course

UNIT – I:

Introduction

- a. History – Sources, Meaning and Methodology
- b. Relationship between History and Law

UNIT – II:

Polity, State and Administration

- a. Ancient India – Vedic Polity, Mauryan State, Gupta administration
- b. Medieval India – Chola, Delhi Sultanate – Administration, Mughal State – Mansabdari System and Administration Apparatus
- c. Theory of Kingship and nature of state in Ancient and Medieval India – Brahmani, Buddhist, Kautilya and Balban

UNIT – III:

Socio-Economic Object

- a. Social Institutions: - Varna, Jati, Gotra, Pravara, Family Slavery, Position of Women
- b. Reformation in Medieval Period – Nanak, Kabir, Tulsi
- c. Economic Structure – Feudalism
- d. Post – Mauryan- economy, Iqtadari system, Agrarian Reforms of Firozshah Tughlaq.
- e. Market Reforms of Alauddin Khilji

UNIT – IV:

Legal System and Institutions:- Ancient & Medieval India

- a. Sources – Vedic Texts, Brahmanas, Sutras [Kalpa and Dharma] Dharma Shastra, Arthshastra, Custom.
- b. Thinkers – Manu, Brihaspati, Yajnavalkya
- c. Judicial System :- (i) Types of Courts :- Pratishta, Apratishta, Mudrita, Sasita, Guilds, Panchayats, Kantaksodhan, Dharamsthiya. (ii) Procedures :- Appointment of Judges, Trail, Witness, Pleaders, Secret Agent, Verdict and Punishment, Investigation
- d. Sources of Islamic Law – Shariat and Hadi
- e. Judicial Organisation – King, Chief Qazi, Judicial officers Investigative Process and Punishments (f) Evolution of Judicial Setup – Changes introduced by Akbar

Suggested Readings:

- Bharatiya Vidya Bhavan Vols., History of Indian People
A.S. Altekar, State & Society in Ancient India
Iswari Prasad, Medieval India
A.L. Srivastava, Mughal Empire
H.V. Sreenivas Murthy, Indian History
Romila Thapar, Ancient Indian History
R.C. Mazumdar, Ancient India
R.S. Sharma, Medieval India
Mazumdar, Dutta and Ray, Advanced History of India
A.L. Basham, The Wonder that was India

B.A.LL.B. Semester- I
Code: 101125
Credit- 4

Paper-V

M.M.:100
Theory: 70
Sessional: 30

Legal Method

Objectives of the Course

1. To understand the meaning of Law generally (in the context of its diverse origins and conceptualizations) as well as within the context of a Legal System.
2. To understand the meaning of Legal System and learn about the various types of Legal Systems.
3. To learn the basics of the Indian Legal System.
4. To orient towards the study of various courses of Law to follow in due course of the Law Program.

Outcomes of the Course

Students will be able to:

1. Understand the meaning and fundamentals of Law in light of different Schools of thoughts.
2. Relate the characteristics and peculiarities as well as the functioning of the Indian Legal Systems and other prominent legal systems.
3. Illustrate the different sources of law and its importance in present legal system.
4. Comprehend and apply different types and methodologies of research in law and interdisciplinary sciences with application of citation.

Contents of the Course

UNIT- I:

Meaning and Classification of Laws

- a. Meaning and Definition
- b. Functions of Law
- c. Classification of Law
- d. Public and Private Law
- e. Substantive and Procedural Law
- f. Municipal and International Law

UNIT- II:

Sources of Law

- a. Custom
- b. Precedent
- c. Legislation

UNIT- III:

Basic Concepts of Indian Legal System

- a. Common Law
- b. Constitution as the Basic Law
- c. Rule of Law
- d. Separation of Powers
- e. Judicial System in India

UNIT- IV:

Legal Writing and Legal Research

- a. Legal Material- Case Law
- b. Statutes, Reports, Journals, Manuals, Digests
- c. Legal Writing and Citation
- d. Meaning of Legal Research
- e. Importance of Legal Research
- f. Techniques of Legal Research

Suggested Readings:

- Edgar Bodenheimer, Jurisprudence, The Philosophy and Method of the Law, Revised ed., New Delhi Universal Law 2006
- P.J. Fitzgerald, Salmond on Jurisprudence – 12th ed. – New Delhi Universal Law, 2008
- G.P. Tripathi, Legal Method, 1st ed., Central Law Publications 2014
- Joseph Minattur, Indian Legal System, 2nd ed., New Delhi ILI Publications, 2006
- J.D.M. Derrett, An Introduction to Legal Systems -
- Benjamin Cardozo, Judicial Process, New Delhi Universal Law, 2012
- V.P. Sarathi, Legal Fictions, 2nd ed., Lucknow Eastern Books Co., 2012
- S.K. Verma, and M.A. Wani, Legal Research and Methodology – New Delhi, ILI Publications, 2006
- Ram Ahuja, Research Methods, 1st ed., Rawat Publications, 2001

B.A.LL.B. Semester – II
Code: 102121
Credit-4

Paper -VI

M. M: 100
Theory: 70
Sessional: 30

English – II

Objectives of the Course

1. The students are provided a holistic syllabus leading to a comprehensive grasp in this field.
2. Their command over language enhances their ability to manoeuvre legal terms and statements.
3. They are offered a systematic order to start from the basics of the language supplied in Grammar and Writing.

Outcomes of the Course

Students will be able to:

1. Have a good understanding of framing of sentences.
2. Better understand the nuances of Speech.
3. Become effective listeners.

Contents of the Course

UNIT-I:

- a. Simple Sentence
- b. Compound Sentence
- c. Complex Sentences
- d. Conditional Sentences

UNIT-II:

Comprehension

- a. Affirmative-Negative & Vice versa
- b. Assertive-Exclamatory & Vice versa
- c. Assertive- Interrogative & Vice versa

UNIT-III:

- a. Voice-Active & Passive
- b. Reported Speech- Direct & Indirect
- c. Phrasal Verbs
- d. Reading Comprehension
- e. Precis Writing

UNIT-IV:

Listening and Speaking Skills

- a. Developing effective listening skills
- b. Academic listening (Lectures)
- c. Listening to talks and presentations
- d. Monologue, dialogue, group discussion, interview, public speech
- e. Pronunciation, accent, intonation and rhythm

Suggested Readings:

Wren and Martin, English Grammar

P.H. Collin, Law Dictionary, Universal Book Stall, New Delhi

Collins, Paper Back Thesaurus,

L.A. Well, Letter Writing, (Oxford University Press)

Varinder Kumar, Raj Bodh, Business Communication, Oscar Publication, 2010

B.A.LL.B. Semester – II
Code: 102122
Credit-4

Paper-VII

M. M: 100
Theory: 70
Sessional: 30

Political Science – II
(Constitution and Indian Government)

Objectives of the Course

1. To study the various aspects of Indian Constitution like theories of democracy and dictatorship, check and balance theory and their comparison with other constitutions across the globe.

Outcomes of the Course

Students will be able to:

1. Understand the Indian constitution, parliamentary form of government, President and its power, Prime Minister and its power, parliament, judiciary, and panchayat raj institutions.

Contents of the Course

UNIT – I:

Forms of Government

- a. Aristotle's classification & Modern Classification
- b. Democracy- Concept of Democracy, Condition for the successful working of democracy, democracy and dictatorship
- c. Parliamentary and Presidential form of Government
- d. Unitary and Federal form of Government and Swiss model

UNIT – II:

- a. Rule of Law
- b. Separation of Power,
- c. Check and Balance theory with special reference to U.S., U.K. & India
- d. Panchayat Raj, Institution of Local Self Government in India

UNIT – III:

- a. The President, The Governor
- b. The Prime Minister, Council of Ministers
- c. The Parliament, State Legislature (Uni cameral and Bi cameral)
- d. Duty of a representative- Representation of minorities

UNIT – IV:

Judiciary

- a. Structure & Functions of Supreme Court and High Court
- b. Judicial Review
- c. Judicial Activism
- d. Independence of Judiciary and Judicial Reforms

e. Judiciary and its relation with Legislature and Executive

Suggested Readings:

F.W. Garner, Principles of Political Science

A.C. Kapoor, Principles of Political Science

R.C. Aggarwal, Principles of Political Science

S.P. Aiyer & U. Mehta, Essays on Indian Federalism

D.D. Basu, An Introduction to Constitution of India

G. Austin, The Indian Constitution: Corner Stone of a Nation

B.A.LL.B. Semester – II
Code: 102123
Credit-4

Paper-VIII

M. M: 100
Theory: 70
Sessional: 30

Sociology – II
(Society in India)

Objectives of the Course

1. To introduce the students to the key issues around which the everyday life in India is constructed.
2. To familiarize the student with the historical background of the subject and certain relevant basic concepts.

Outcomes of the Course

Students will be able to:

1. Analyse the key issues around which the everyday life in India is constructed.
2. Demonstrate the historical background of the subject and certain relevant basic concepts.

Contents of the Course

UNIT – I:

- a. Unity and Diversity of culture & society in India
- b. Family- Definition, Characteristics, Types and Changing patterns
- c. Marriage- Hindu, Muslim. (Forms- objectives- Dissolution and Laws relating to marriage)
- d. Kinship – Definition, types – changing patterns

UNIT – II:

- a. Caste- Definition, Characteristics, Prohibitions, Dominant Caste & OBCs
- b. Class- Characteristics and as the basis of emerging stratification in our society
- c. Tribe- Definition, Characteristics, Social Scenario in India
- d. Scheduled Caste- Problems and Laws
- e. Scheduled Tribe- Problems and Laws

UNIT – III:

- a. Social Change- Concept, factors, Modes, Theories and Processes of Social Change
 - i. Sanskritization & Westernization
 - ii. Industrialization & Urbanization
 - iii. Modernization & Secularization

UNIT – IV:

Identity, Dignity & Social Justice

- a. Women- status, empowerment, Problems and Laws
- b. Ethnic minorities- Problems and Solutions
- c. Children & Aged- Problems, changing perspective and Laws

Suggested Readings:

M. Harlambos, *Sociology: Themes and Perspectives*, Oxford University Press; 1980 Horton.

P.B. and C.L. Hunt *Sociology*, McGraw- Hill book Company, Singapore, 1984

D.G. Mandelbaum, *Society in India*; Volume I and Volume II; Popular Prakashan Mumbai; 1992

H.P. Prabhu, *Hindu Social organization: A study in Socio-Psychological and Ideological Foundations*; Popular Prakashan, Bombay; 1963

A. Beteille, *Caste, Class and Power: Changing Patterns of Stratification in a Tanjore Village*; Oxford University Press, New Delhi, 2002

Y. Singh, *Social Change in India: Crisis and Resilience*; Har-Anand Publications Pvt. Ltd., New Delhi; 1993

M.N. Srinivas, *Social Change in Modern India*, Orient Longman Ltd. 1980 Sabharwal, G. *Ethnicity and Class; Social Divisions in an Indian City*; Oxford University Press; New Delhi; 2006

Dharam Vir, *Kinship, Family and Marriage: Changing Perspectives (Edited)*, New Academic Publication, New Delhi; 2006

B.A.LL.B. Semester – II
Code: 102124
Credit-4

Paper -IX

M.M:100
Theory: 70
Sessional: 30

History–II
(Modern India)

Objectives of the Course

1. To understand the basic purpose of legal education in the historical context.
2. To explain the legality of the colonial expansion of The East India Company in India in the early stages.
3. To summarize the detailed account of civil law, personal law, justice and equality in the historical context.
4. To study and compare the judicial reforms done by of Lord Cornwallis, Lord William Batting and Establishment of High Courts, 1861 etc.

Outcomes of the Course

The students will be able to:

1. Explain the purpose of legal education in the historical context.
2. Understand the judicial plan of British colonial India.
3. Illustrate and compare the civil law, personal law, justice and equality in Modern India.
4. Appraise the codification of law through formation of First law commission & Second law commission, Charter Act of 1833 and Act of 1853 etc.

Contents of the Course

UNIT – I:

Early Development

- a. Charters of the East India Company – 1600, 1601, 1726 and 1753.
- b. Settlements – Surat, Madras, Bombay, Calcutta.
- c. Courts – Mayor’s Court of 1726 and Supreme Court of 1774.
- d. Status – Regulating Act 1773, Pits India Act 1784, The Act of Settlement 1781.
- e. Conflict – Raja Nand Kumar, Kamluddin, Patna case and Kasijurah.
- f. Warren Hastings – Judicial Plan of 1772, 1774, 1780.

UNIT – II:

Legal System

- a. Lord Cornwallis – Judicial Plan of 1787, 1790, 1793.
- b. Lord William Bentick – [With special Focus on Appraisal of Criminal Law]
- c. Establishment of High Courts, 1861
- d. Privy Council and Federal Court – Appeals and Working of Privy Council, Appraisal of Privy Council.

UNIT – III:

Evolution of Law

- a. Development of Personal Law.
- b. Development of Law in Presidency Towns.
- c. Development of Civil Law in Mufassil special emphasis on Justice, Equity and good conscience.
- d. Codification of Laws - Charter of 1833, The First – Law Commission, Charter of 1853 and second Law Commission.

UNIT – IV:

Legal Profession and Education

- a. Early Development through Mayor's Court, Supreme Court Company's, Adalat, High Court.
- b. Legal Practitioners Act of 1879. The Chamier and Indian Bar Committee of 1951.
- c. Legal Education – History and Basic Aims of Legal Education.

Suggested Readings:

M.P. Jain., Outlines of Indian Legal History
V.D. Kulshreshta, Landmarks of India Legal and Constitutional History
Abdul Hamid, Constitutional History of India
J.K. Mittal, Legal History
Garrette and Thompson, British Rule in India
V. Smith, British India

B.A.LL.B. Semester – II

Paper –X

M.M.: 100

Code: 102125

Theory: 70

Credit: 4

Sessional: 30

Law of Torts, M.V. Act and Consumer Protection Laws

Objectives of the Course

1. To equip the students with fundamental knowledge of Law of Torts.
2. To elucidate and familiarize the students with the nature and extent of liability of the private enterprises, multinationals and the government authorities for the civil wrongs committed against the individual and identify the remedies available.
3. To understand the essential principles of Tortious liability.
4. To develop sound knowledge, skills and disposition on some of the contemporary issues Product Liability, Motor Vehicles Act, Consumer Protection Act etc.

Outcomes of the Course

Students will be able to:

1. Have strong and clear conceptual knowledge of Law of Torts, MV Act and Consumer Protection Act.
2. Explain the fundamentals and elements of Law of Torts, MV Act and Consumer Protection Act.
3. Explain the operation and application of Law of Torts, MV Act and Consumer Protection Act.
4. Research and analyze issues related to Law of Torts, MV Act and Consumer Protection Act.

Contents of the Course

UNIT-I:

General Principles of Tort

- a. Tort: Definition, Nature and Distinction from Crime, Contract and quasi contract
Constituents of Tort: Wrongful Act, Injuria sine damnum, Damnum sine injuria, Ubi jus ibi remedium
- b. General Principles of Tortious Liability
- c. Two Competing Theories- Pigeon-Hole Theory
- d. Justification in Tort- Volenti non fit injuria, Act of God, Inevitable Accident, Necessity, Plaintiff's Default, Private Defence

- e. Mental Elements in Tort- Motive, Intention, Malice, Malfeasance, Misfeasance and Non-feasance, Fault

UNIT-II:

Specific Torts (Torts against Person, Property, Freedom & Reputation) & MV Act

- a. Trespass to Person: Assault, Battery, False Imprisonment, Malicious Prosecution
- b. Trespass to Land, Nuisance
- c. Torts related to Reputation: Defamation
- d. Negligence, Contributory Negligence, Res ipsa loquitor
- e. Salient Features of MV Act with special reference to Compulsory Insurance
Third party liability of owner under the Motor vehicle Act.

UNIT-III:

Principles of Liability in Torts and Legal Remedies

- a. Vicarious Liability
- b. Strict Liability and Absolute Liability
- c. Kinds of Damages, Remoteness of Damage, Novus Actus Interveniens, Nervous Shock
- d. General Remedies in Tort- Judicial and Extra Legal Remedies Joint-Tort Feasors

UNIT-IV:

Concept of Consumer and Consumer Protection Act

- a. Definition of Consumer and Object of Consumer Protection Act,
- b. Rights and Duties of Consumers,
- c. Unfair Trade Practices,
- d. Defects in Goods and Services, Types of Services, Deficiency-Meaning,
- e. Consumer Protection Councils,
- f. Consumer Disputes Redressal Agencies: District Forum, State Commission, National Commission

Suggested Readings:

- R.K. Bangia, Law of Tort Allahabad Law Publication, 2020
- S.P. Singh, Law of Tort, Universal Publication, 2015
- Siddhartha Dubey, Law of Tort & Consumer Protection, Central Law Agency, 2017
- P.S.A. Pillai, Law of Tort, 9th ed., EBC, 2008
- Wienfield And Jolowicz, Torts, Sweet & Maxwell 2010
- Ramaswamy Iyer, The Law of Torts, Lexis Nexis, 2007
- Taxmann's, Consumer Protection Law Manual with Practical Manual, 2008 Taxmann Publication

B.A.LL.B. Semester – III

Code: 103121

Credit-4

Paper-XI

M. M: 100

Theory: 70

Sessional: 30

English – III

Objectives of the Course

1. Students are provided a parallel development between Language and Law.
2. Their command over language enhances their ability to manoeuvre legal terms and statements.
3. The three papers offered throughout the course act like successive stages in systematically cultivating language proficiency as an essential qualification in approaching Law.

Outcomes of the Course

Students will be able to:

1. Have good knowledge of legal vocabulary, legal terms and legal maxims which will in turn help them to understand legal concept better and also give them ability to write in a legal context.
2. Find applicability in the real world and will be able to participate in the pragmatics of this program in the public sphere.
3. Feel motivated to find career possibilities in the field of Law.

Contents of the Course

UNIT–I:

- a. Verbs
- b. Adjectives
- c. Adverbs
- c. Conversion of words (Parts of Speech)
- d. Affixes
- e. Idioms

UNIT–II:

- a. Transformation of Sentences
- b. Filling in blanks with suitable words
- c. Words often misused and confused
- d. Logical Rearrangement of words

UNIT–III:

a. Legal Terms

Raison d'être, ratio decidendi, sine-qua-non, tour deforce, res integra, res nullius, stare decisis, sub-judice, status quo, sine die, vice versa, suo motu, uberrima fides, subpoena, ab initio, ad valorem, ad idem, alibi, amicus curiae, animus, a priori, a posteriori, bonafide, caveat emptor, corpus juris, casus belli, compos mentis, de jure, de facto, de novo, ex-parte, ex-post facto, ex-

gratia, ejusdem generis

b. Legal Maxims

- (i) Res judicata pro veritate accipitur
- (ii) Uberrima fides
- (iii) Res ipsa loquitur
- (iv) Ubi jus ibi remedium
- (v) Volenti non fit injuria
- (vi) Quid pro quo
- (vii) Audi alteram partem
- (viii) Actus non facit reum nisi mens sit rea
- (ix) Bonafides non patitur ut bis idem exigatur
- (x) Delegatus non potest delegare

UNIT-IV:

- a. Essay Writing on Legal Topics
- b. Translation of Passages (Hindi to English and Vice versa)
- c. Comprehension of Legal Texts

Suggested Readings:

Wren and Martin, English Grammar

P.H. Collin, Universal Book Stall, New Delhi Law Dictionary

Collins, Paper Back, Thesaurus

L.A. Well (Oxford University Press), Letter Writing

Herbert Brown, A Solution of Legal Maxims

G.S. Sharma, Legal Language Legal Writing & General English

Ministry of Law, Justice and Company Affairs, Government of India, Legal Glossary

B.A.LL.B. Semester – III

Paper-XII

M.M:100

Code: 103122

Theory:70

Credit-4

Sessional: 30

**Political Science – III
(Western Political Thoughts-I)**

Objectives of the Course:

1. To study the political philosophies of Plato, Aristotle, Thomas Aquinas, and Bodin.

Outcomes of the Course:

Students will be able to:

1. Develop the idea of ideal state, revolution, classification of constitutions, theory of justice, classification of law, concept of state, sovereignty, and governments.

Contents of the Course

UNIT – I:

Plato's

- a. Views on justice
- b. Ideal state
- c. Education
- d. Communism

UNIT – II:

Aristotle

- a. Views on nature of state
- b. Slavery
- c. Concept of Revolution
- d. Classification of Constitution
- e. Theory of Distributive Justice

UNIT – III:

St. Thomas Aquinas

- a. Concept of state
- b. Classification of Law
- c. Contribution to Political & Legal Thought

UNIT – IV:

Bodin

- a. Concept of Sovereignty
- b. Limitations upon Sovereignty
- c. Concept of state & Government
- d. Concept of Religious Tolerance
- e. Contribution to Political Thought

Suggested Readings:

Bhandari, Political Thinkers

J.P. Sood, Western Political Thought Vol. -I, II, III & IV

G.H. Sabine, A History of Political Theories

William Ebbenstein, Western Political Thought

C.C. Maxey, Western Political Thought

J.P. Sood, Paschatiya Rajnitik Vicharak- Vol. 1-4,

B.L. Fadia, Paschatiya Rajnitik Chintan ka Itihaas

B.A.LL.B. Semester – III
Code: 103123
Credit-4

Paper -XIII

M. M: 100
Theory:70
Sessional: 30

Political Science – IV
(Western Political Thoughts-II)

Objectives of the Course

1. To study the philosophies of Machiavelli, Hobbes, Locke, Rousseau, Bentham, and Marx.

Outcomes of the Course

Students will be able to:

1. Develop the understanding on human nature, morality, religion, social contract, sovereignty, natural law, judicial reforms, scientific socialism, class struggle and revolution.

Contents of the Course

UNIT –I:

Machiavelli

- a. Concept of Human nature
- b. Views on Morality
- c. Views on Religion
- d. Views on Ideal Ruler
- e. Machiavelli as First Modern Political Thinker

UNIT – II:

Theories of Hobbes, Locke and Rousseau

- a. On Human Nature
- b. On Social Contract
- c. On Sovereignty
- d. On Natural Law

UNIT – III:

Bentham

- a. Views on Utilitarianism
- b. Hedonistic Calculus
- c. Views on Law Reforms
- d. Views on Judicial Reforms

UNIT –IV:

Marx

- a. Scientific Socialism
- b. Historical Materialism

- c. Theory of Class struggle & Revolution
- d. Theory of State

Suggested Readings:

Bhandari, Political Thinkers

J.P. Sood, Western Political Thought Vol. –I, II, III & IV

G.H. Sabine, A History of Political Theories

William Ebbenstein, Western Political Thought

C.C. Maxey, Western Political Thought

J.P. Sood, Paschatiya Rajnitik Vicharak- Vol. 1-4,

B.L. Fadia, Paschatiya Rajnitik Chintan ka Itihaas

B.A.LL.B. Semester – III
Code: 103124
Credit-4

Paper -XIV

M. M: 100
Theory:70
Sessional: 30

Sociology – III
(Classical Sociological Theory and Social Problems)

Objectives of the Course

- 1.To understand the different perspective and theoretical approach in sociology.
2. To make students familiar with the various diversifications in the society.
3. To address the implications and approaches to the study of law in a social view regarding society.

Outcomes of the Course

Students will be able to:

- 1.Explain the different perspective and theoretical approach in sociology.
2. Analyse the diversification in the society.
3. Demonstrate the relationship between law and society.

Contents of the Course

UNIT – I:

a. Theoretical approach in sociology

I – Evolutionism II – Functionalism III – Conflict

b. Contributions of Sociologist:

I – August Comte- Positivism, Law of three stages, classification of science

II – Herbert Spencer- Spencer and the Science of Sociology

III – Karl Marx- Theory of class conflict, Concept of alienation, Theory of Social changes

IV – Marx Weber- Protestant, Ethics and Capitalism and Bureaucracy- Social action

V – Telcot Parsons- Protestant, Ethics and Capitalism and Bureaucracy- Social action

UNIT – II:

a. Social disorganization and Deviance

I - Personal disorganization

II – Family

III - Social

b. Deviance and Crime

I – Concept, Types and Theories

II – Crimes – Organised/ Professional, white collared.

c. Juvenile Delinquency – Concept, Theories, Treating Juveniles in India

UNIT – III:

Social Problems

a. Casteism and Communalism

b. Fundamentalism, Terrorism and Regionalism

c. White Collar Criminals

e. Prostitution and Trafficking

f. Drug Addiction and Alcoholism etc.

UNIT – IV:

Identity Dignity and Social Justice

- a. Woman- Status, Empowerment, Problems and Laws
- b. Ethnic Minorities- status, empowerment, Problems and Laws
- c. Children and Aged- status, empowerment, Problems and Laws

Suggested Readings:

D.G. Mandelbaum, Society in India; Volume I and Volume II; Popular Prakashan Mumbai; 1992

T.B. Bottomore, Sociology: A Guide to Problems and Literature; Blackie and Sons India Ltd; 1971

A. Giddens, Sociology; Polity Press, UK; 1993

A. Beteille, Caste, Class and Power: Changing Patterns of Stratification in a Tanjore Village; Oxford University Press, New Delhi, 2002

G. Sabharwal, Ethnicity and Class; Social Divisions in an Indian City; Oxford University Press; New Delhi; 2006

B.A. LL.B. Semester-III

Paper XV

M.M.: 100

Code: 103125

Theory: 70

Credit- 4

Sessional: 30

Constitutional Law-I

Objectives of the Course

1. The basic understanding of the Constitutional Principles and working of the fundamental rights and its relationship with the Directive Principles of State Policy.
2. To learn how various interpretations of Constitution are possible and why significant inter-relation was adopted in a particular situation.
3. To know the genesis, nature and special features and beware of the social, political and economic influence of the constitution.
4. To know the importance of the fundamental rights in real time in the administration of justice and governance of the country.

Outcomes of the Course

Students will be able to:

1. Understand the salient features of the Constitution and fundamental concepts of Constitutional Law.
2. Critically assess the role and importance of fundamental rights in the governance of the country.
3. Put in practice acquired knowledge into their research on contemporary Constitutional law issues.

Contents of the Course

UNIT-I:

Introduction

- a. Sources of the Indian Constitution
- b. Preamble of the Indian Constitution
- c. Nature of the Indian Constitution
- d. Salient features of the Indian Constitution
- e. Rule of Law
- f. Separation of Power
- g. Citizenship

UNIT-II:

Fundamental Rights

- a. Definition of State for enforcement of Fundamental Rights-Article 12
- b. Justifiability of Fundamental Rights
- c. Article 13- Doctrine of Eclipse, Severability, waiver, distinction between Pre-Constitutional and Post-Constitutional Law

- d. Article 14- Right to Equality: Doctrine of Reasonable Classification and Principle of Arbitrariness
- e. Article 15- Prohibition of Discrimination on grounds of religion, race, caste, sex or place of birth
- f. Article 16- Equality of Opportunity in matters of Public Employment

UNIT III:

Fundamental Rights

- a. Article 17- Abolition of Untouchability
- b. Article 18- Abolition of Titles
- c. Articles (19) (1) (a) to Article (19) (1) (g) Right to Freedoms
- d. Article 20- Protection in respect of conviction for offences
- e. Article 21- Right to Life and Personal Liberty
- f. Article 21-A- Right to Education

UNIT- IV:

Fundamental Rights

- a. Article 22- Protection against Arrest and Detention in certain Cases
- b. Article 23 & 24- Protection and Exploitation
- c. Articles 25 to Article 28- Right to Freedom of Religion
- d. Article 29 & 30- Cultural and Educational Rights
- e. Article 32 to Article 32- Right to Constitutional Remedies
- f. Public Interest Litigation

Suggested Readings:

- D.D. Basu, Introduction to Constitution of India, Lexis Nexis, 2021
H.M. Seervai, Constitutional Law of India, Universal Law Publishing Co., 2021
M.P. Jain, Indian Constitutional Law, Lexis Nexis, 2018
V.N. Shukla, Constitution of India, Eastern Book Company, 2021
J.N. Pandey, Constitutional Law of India, Central Law Agency, 2020
Narender Kumar, Constitutional Law of India, Allahabad Law Agency, 2021
B.K. Sharma, Introduction to Constitution of India, PHI Learning, 2019

B.A.LL.B. Semester – IV
Code: 104121
Credit-4

Paper -XVI

M.M.:100
Theory: 70
Sessional: 30

Political Science – V
(Comparative Study of Major Constitutions-I)

Objectives of the Course

1. To compare the study of British, American and Switzerland Constitutions.

Outcomes of the Course

Students will be able to:

1. Develop the concept of executive, legislative and judicial powers, and their comparison as prescribed in various constitutions.

Contents of the Course

UNIT – I:

Constitution of U.K.

- a. General Features
- b. King and Crown
- c. Prime Minister and Cabinet
- d. British Parliament – Composition, Powers & Functions
- e. House of Lord: - Judicial Powers

UNIT – II:

Constitution of U.S.

- a. General Features
- b. The President – Election, Power & Functions
- c. U.S. Congress – Composition & Functions
- d. U.S. Supreme Court: - Composition & Functions
- e. U.S. Federation

UNIT – III:

Constitution of Switzerland

- a. Salient Features
- b. Swiss Federal Parliament: Composition Powers and Functions
- c. Federal Council: Organization and Functions
- d. Swiss Federal Tribunal: Composition & Organization, Its Jurisdiction
- e. Direct Democracy in Switzerland

UNIT – IV:

Comparative Study

- a. American President & British Prime Minister
- b. Chairman of the Swiss Federal Council and American President

- c. U.S. Supreme Court and Swiss Federal Tribunal
- d. U.S. Supreme Court and House of Lord of Britain
- e. U.S. Senate & House of Lords
- f. U.S. and Swiss Federation

Suggested Readings:

Herman Finer, World Constitutions

C.F. Strong, World Constitutions

A.C. Kapoor, World Constitutions

Vishnoo Bhagwan, World Constitutions

Babu Lal Fadia, Aadhunik Shaasan Pranaliyan (Hindi)

Iqbal Narain, Vishwa Ke Pramukh Samvidhaan (Hindi)

B.A.LL.B. Semester – IV
Code: 104122
Credit-4

Paper-XVII

M. M: 100
Theory:70
Sessional: 30

Political Science – VI

(Comparative Study of Major Constitutions-II)

Objectives of the Course

1. To study the basic features of French, Canadian and Australian constitutions, and their comparative study.

Outcomes of the Course

Students will be able to:

1. Develop the understanding of French political system as French executive, prime minister, Parliament and supreme court, Canadian executive, dominion parliament, privy council and supreme court and Australian executive, prime minister, federal parliament and federal judiciary and their comparison.

Contents of the Course

UNIT – I:

Constitution of France

- a. General Features
- b. French Executive: Powers and Functions of the President
- c. French Prime Minister and Cabinet
- d. French Parliament: Composition & Functions
- e. Supreme Court of France: Organization, Powers & Functions

UNIT – II:

Constitution of Canada

- a. Salient Features
- b. Dominion Executive: Governor – General's appointment, Powers and Functions
- c. Canadian Prime Minister & His Cabinet
- d. Dominion Parliament: Organization, Powers & Functions
- e. Privy Council & Supreme Court

UNIT – III:

Constitution of Australia

- a. Main Features
- b. Australian Executive: Powers of the Crown and Governor- General
- c. Prime Minister and Federal Executive Council
- d. Federal Parliament: Composition, Powers & Functions
- e. Federal Judiciary: The High Court Its Organization & Jurisdiction

UNIT –IV:

Comparative Study

- a. Canadian and Australian Federation
- b. Australian Prime Ministers & French Prime Minister
- c. Canadian & French Senate
- d. French and Canadian Supreme Court

Suggested Readings:

Herman Finer, World Constitutions

C.F. Strong, World Constitutions

A.C. Kapoor, World Constitutions

Vishnoo Bhagwan, World Constitutions

Babu Lal Fadia, Aadhunik Shaasan Pranaliyan (Hindi)

Iqbal Narain, Vishwa Ke Pramukh Samvidhaan (Hindi)

B.A.LL.B. Semester – IV

Paper-XVIII

M. M: 10

Code: 104123

Theory: 70

Credit-4

Sessional: 30

History-III

(National Movement of India and Constitutional Development)

Objectives of the Course

1. Providing information on constitutional developments in India during the Indian freedom movement.
2. To provide information on contemporaneous legal legislations through socio-religious reform movements in India.
3. Explaining the role of the acts of 1861, 1909, 1919 etc. in the making of the Indian Constitution.
4. Explaining the role of Gandhian, extremist and liberal movements in the development of Indian nationalism.

Outcomes of the Course

Students will be able to:

1. Understand the background of the Indian National Movement.
2. Understand the impact of the British Empire on Indian law and administration after 1858.
3. Understand the important aspects of constitutional development in India.
4. Get detailed information about the social institutions of Modern India and their legal system; as like The Arya Samaj, The Brahma Samaj, The Prarthana Samaj and The Theosophical Society etc.

Contents of the Course

UNIT – I:

Revolt of 1857 and Impact of British Rule in India

- a. Causes and Nature
- b. Declaration of 1858
- c. British impact on Law and administration
- d. Political impact of British rule in India

UNIT – II:

Cultural Awakening and Social Reforms

- a. The Brahma Samaj
- b. The Prarthana Samaj
- c. The Arya Samaj
- d. The Ramakrishna Movement
- e. The Theosophical Movement
- f. The Wahabi Movement
- g. The Aligarh Movement
- h. Backward Class Movement – B. R. Ambedkar and Jyotiba Phule

UNIT – III:

Indian Nationalism

- a. Swadeshi Movement
- b. Gandhian Movement
- c. Revolutionary Movement
- d. Moderates
- e. Extremists

UNIT – IV:

Constitutional Development

- a. The Indian Councils Act, 1861
- b. The Indian Councils Act, 1909
- c. The Indian Councils Act, 1919
- d. The Government of India, 1935

Suggested Readings:

Griffith, Impact of British Rule in India

R.C. Majumdar, History of Freedom Struggle

Bipin Chandra, India Struggle for Independence

B.C. Grover, Modern Indian History

S.L. Grover, From 1707 to the Modern Times

A. R. Desai, Indian Nationalism

Sitapattaramaya, History of Indian National Congress

Ayodhya Singh , Bharat ka Mukti Sangram (in Hindi)

B.A.LL.B. Semester-IV

Paper-XIX

M.M.: 100

Code: 104124

Theory: 70

Credit- 4

Sessional: 30

Constitutional Law-II

Objectives of the Course

1. The basic understanding of the constitutional principles.
2. The enable students in understanding the Constitutional Governance of the Country and working of the Constitutional bodies.
3. To enable students in exploring the importance of the working of the constitutional institutions.

Outcomes of the Course

Students will be able to:

1. Assess the role and importance of Constitutional bodies, functionaries, and institutions.
2. Analyze working of Judiciary, Executive and Legislative bodies
3. Put in practice the acquired knowledge into their research.

Contents of the Course

UNIT-I:

Directive Principles of State Policy and Writs

- a. Article 36 to Article 51- Directive Principles of State Policy Nature and Justiciability of Directive Principle of State Policy, Interrelationship between Fundamental Rights and Directive Principles of State Policy
- b. Article 51-A– Fundamental Duties
- c. Article 226– Power of High Court to issue certain Writs
- d. Writs- Habeas Corpus, Mandamus, Certiorari, Prohibition and Quo-Warranto

UNIT-II:

Distribution of Powers between Centre and States

- a. Legislative Power
- b. Doctrine of Territorial Nexus
- c. Doctrine of Harmonious Construction
- d. Doctrine of Pith and Substance
- e. Doctrine of Repugnancy
- f. Doctrine of Colorable Legislation
- g. Administrative Powers
- h. Financial Powers

UNIT-III:

Constitutional Organs

- a. Union Parliament and State Legislature- Constitution and Function, Parliamentary Sovereignty, Parliamentary Privilege, Anti-Defection Law, Collective Responsibility of Cabinet.
- b. Union and State Executive.
- c. Supreme Court and High Courts- Constitution and Jurisdiction, Power of Judicial review, Independence of Judiciary.

UNIT-IV:

Liability of the State

- a. Contractual and Tortious Liability of State
- b. Freedom of Trade, Commerce and Intercourse
- c. Services under the Union and States
- d. Emergency Provisions
- e. Amendment of the Constitution

Suggested Readings:

- V.N. Shukla, Constitution of India, Eastern Book Company, 2021
J.N. Pandey, Constitutional Law of India, Central Law Agency, 2020
Narender Kumar, Constitutional Law of India, Allahabad Law Agency, 2021
B.K. Sharma, Introduction to Constitution of India, PHI Learning, 2019
D.D. Basu, Introduction to Constitution of India, Lexis Nexis, 2021
H.M. Seervai, Constitutional Law of India, Universal Law Publishing Co., 2021
M.P. Jain, Indian Constitutional Law, Lexis Nexis, 2018

B.A.LL.B. Semester- IV Paper-XX
Code: 104125
Credit-4

M. M.: 100
Theory:70
Sessional :30

Defence and Strategic Studies

Objectives of the Course

1. To develop an understanding about the defence policy of India and evaluate its strengths and weaknesses.
2. To understand the working of National and International security agencies in contemporary environment.
3. To impart knowledge and create awareness on the development of national defence, security and strategic policy.

Outcomes of the Course

Students will be able to:

1. Comprehend the factors responsible for the tactics and causation of war.
2. Learn and understand defence and military operations from historical and theoretical perspective.
3. Analyze the defence policy of India and evaluate its strengths and weaknesses.
4. Understand and critically apply fundamentals of military leadership and strategy to situations related to war and related areas of practice.

Contents of the Course

UNIT- I:

Introduction

- a. Defence studies: Concept, scope, Importance. Concept of National Security: Definition, National Defence and National Interest and Evolution-of the National Security concept in the 20th Century and Beyond
- b. National Security Structures: Armed Forces, Intelligence Agencies, Police Forces, Decision-Making Structures, etc. Military Alliances and Pacts, Peace Treaties, Defence Cooperation, Strategic Partnership and Security Dialogue
- c. Nuclear Warfare and Laws of War, Conventional warfare and laws of war
- d. National Security-Internal & External, laws of neutrality, Diplomacy, Peace and war, Conflict Resolution

UNIT- II:

India's Security Concerns & Policies in Contemporary International Scenario

- a. The Boundary Dispute, Sino-Indian Relations, Sino- Pakistan Nexus, OBOR and CPEC, China and India- Military Balance, Chinese Policy towards South Asia
- b. India and South Asia: Issues and Challenges for Regional Cooperation.
- c. India's maritime security and strategy in 21st century: (a) Indian Ocean (b) Asia-Pacific region(c) Security of Sea Lanes, India's Maritime Strategy for the 21st Century.
- d. Role of Intelligence agencies and their shortcomings, Defence Intelligence Agency

UNIT -III:

Legal and Justice Defence System in India

- a. Law relating to Defence Sector in India- Maritime Laws of India, The Navy Act 1957, Army Act of 1950, Air Force Act 1950, Armed Forces Special Powers Act (AFSPA) 1958, Official Secrets Act 1923, Armed Forces Tribunal Act 2007 and Rules, Civil Defence Act 1961 and Civil Defence Rules 1968, Police Act, BSF Act 1968 and CRPF Act 1949.
- b. National Security and Defence Organizations/Agencies –India
- c. Justice System for Defence in India- The Idea of Justice and Military Justice System in India, Court Martial System: System and Procedure at Trial, Pre-Trial Preparation, Trial by Court Martial, Armed Forces Tribunal.

UNIT- IV:

Strategic Thought

- a. Meaning and definition of Defence and Strategic Studies – Its relevance and significance and relationship with other disciplines of study.
- b. Contribution of Sun Tzu, Kautilya, Marx, Lenin, Mao Zedong and Che Guevara, Adam Smith: Views on Importance of Military Power, Engels and Marx: Military Concept of the Social Revolutionaries, Thoughts of Gandhi and Nehru on Peace, Security and Development

Suggested Readings:

- J.F.C. Fuller, "The Conduct of War: 1889-1961" Eyre Methuen Ltd. London, U.K.,1972
Nagendra Singh, The Defence Mechanism and the Modern State, Asia Publishing House 1974.
Ken Booth, Theory of World Security: Cambridge University Press,2007
Jaswant Singh, Defending India, Palgrave Macmillan India Ltd, 1999
Mukherji and Shyam Lal, A Textbook of Military Science, Vol. II., Navayuga, 1952
Aron R., Peace and War: A Theory of International Relations, Praeger, 1966
R. Barringer, War: Patterns of Conflict, MIT Press, 1972
B.H. Hart, Liddell, Strategy,1991
R.C. Jauhari, Western Military Thinkers
B.K. Majumdar, Bhartiya Sena ka Itihas
Shama Shastri, Kautilya's Arthshastra,1967
Sun Tzu, The Art of War,1963
Quincy Wright, Study of War, University of Chicago Press,1942

B.A.LL.B. Semester-V

Paper-XXII

M.M.: 100

Code: 105121

Theory: 70

Credit-4

Sessional: 30

Humanitarian and Refugee Law

Objectives of the Course

1. To disseminate to student the knowledge about Humanitarian and Refugee Law.
2. To make student know about the implementation of Humanitarian and Refugee law in the National Legal System.
3. To create awareness amongst the students about the enforcement mechanisms under Humanitarian and Refugee law.

Outcomes of the Course

Students will be able to:

1. Understand the fundamentals of Humanitarian and Refugee Law.
2. Apply the principles of Humanitarian and Refugee Law in practice.
3. Explore and evaluate the potential areas of research.

Contents of the Course

UNIT –I:

Introduction to International Humanitarian Law

- a. Nature and Definition of IHL — Historical Background and Origins of IHL- (a) Inter-state resort to force and international law – Prohibition and Exceptions (b) Use of Force and International Humanitarian Law (IHL) – Relationship between *jus ad bellum* and *jus in bello*
- b. IHL as a part of International Law — Sources of Modern IHL -Development of the Geneva Conventions and Additional Protocols
- c. Fundamental Rules of IHL — Applicable in Armed Conflict
- d. Concept of War — International and Non-International Conflicts
- e. Relationship between IHL and International Human Rights Law (IHRL); The Problem of Applicability of Human Rights Law in Armed Conflict

UNIT- II:

Limitation on Means and Methods of Warfare and Protection of Defenceless

- a. General Limitations on the Conduct of War— Limits on the Choice of Methods and Means of Warfare
- b. Specific Weapons — Chemical, Biological, Nuclear etc.
- c. Anti-personnel Land Mines
- d. Protection of Cultural Property and Natural Environment

- e. Contemporary Challenges to IHL: Lethal Autonomous Weapons System and Cyber War
- f. The General Obligations of Humane Treatment — Role of ICRC — Wounded, Sick and Shipwrecked persons
- g. Combatant Status
- h. Protection of POW's
- i. Women and Children and Other Vulnerable Groups

UNIT- III:

Law of Non-International Armed Conflicts

- a. Historical Development and Conditions of Application — Common Article
- b. Additional Protocol II to the Geneva Conventions of 1949 — A Critical Evaluation
- c. Situation of Internal Disturbances and Violence — IHL and Human Rights
 - i. Implementation of International Humanitarian Law:
 - ii. National Implementation of IHL — Status in South Asia
 - iii. Role of National Legislation — Role of Military Law — Representation of Breaches
 - iv. International Implementation of IHL — Protecting Power Concept and Role — Other International Measures War Crime Tribunals and Developments in International Criminal Law

UNIT- IV:

Introduction of International Refugee Law and Protection of Refugees

- a. Origin and Development of International Refugee Principles
- b. The 1951 UN Convention on the Status of Refugees and its 1967 Protocol
- c. The Definition of Refugee including the Exclusion and Cessation of Refugee Status
- d. Regional Conventions: OAU Convention, Dublin Convention, etc.
- e. Statute and Role of the UNHCR
- f. Asylum and the Principle of Non-Refoulement
- g. Internally Displaced Persons
- h. Safe Haven Concepts, Principles of Family Unity etc.
- i. Vulnerable Groups of Refugees including Women, Children and Victims of Torture
- j. Ratification of International Human Rights Instruments by India and their Impact on Refugee Protection in India, the Impact of the Bangkok Principles — Asian African Legal Consultative Organisation and Indian Obligations to Provide Refugee Protection
- k. National Framework for Refugee Protection in India — Relevant Provisions of the Constitution of India
- l. Foreigner Act, 1946, Relevant provisions of the IPC, Problem of Detention of Refugees/Arrests/discharge/ Surety etc.
- m. Role Played by Indian Administrative Authorities, the Judiciary, NHRC, SAARC LAW and Other Institutions/ Groups/NGO's Including the Role of the Informal Consultations on Status of Refugees and Migratory Movements in South Asia.
- n. Issues relating to the Accession to the Refugee Conventions
- o. Global Overview of Refugee Assistance Programmes

Suggested Readings:

R.C. Hingorani, Humanitarian Law, OUP, New Delhi, 1987

Manoj Kumar Sinha, Humanitarian Intervention by the United Nations, Manak Publishers, New Delhi, 2002

B.S. Chimni, International Refugee Law: A Reader Sage Publications, New Delhi, 2000

Gowlland Vera Debbas, The Problem of the Refugees in the Light of Contemporary International Law (Gowlland Vera, Issues, London, 1995)

Kavin M. Cahill, Basics of International Humanitarian Missions NY: Fordham University Press, 2003

Herczegh Geza, Developments of International Humanitarian Law, Akademiai Kiado, Budapest, 1984)

Henckaerts, Jean-Marie and Beck-Doswald, Louise, Customary International Humanitarian Law Cambridge University Press, UK, 2005

Mark and Sands Lattimer, Philippe (eds.), Justice for Crimes Against Humanity, Hart Publishing, USA, 2003

Gill Goodwin, Guy, S., The Refugee in International Law, Clarendon Press, 1996

James C. Hathaway, The Law of Refugee Status, Butterworths, Toronto, 1996

Nagendra Singh, The Role and Record of the UN High Commissioner for Refugees, Macmillan, New Delhi, 1994

B.A.LL.B. Semester-V

Paper -XXIII

M.M.: 100

Code: 105122

Theory: 70

Credit- 4

Sessional: 30

Law of Contract (Contract-I)

Objectives of the Course

1. To equip the students with fundamental knowledge of Contract Law.
2. This course is intended to acquaint the students with the conceptual and theoretical aspects of various general contractual principles.
3. To analyze the various definitions of 'Contract' in order to identify the best approach of understanding the subject.
4. To develop research, analysis, reasoning and presentation skills in students.
5. To enable the students to apply the knowledge of contract law in legal practice.

Outcomes of the Course

Students will be able to:

1. Understand the fundamentals of contract law with commitment towards learning.
2. Interpret the conceptual basis of legal principles of contract law with comparative analysis.
3. Research, analyze, rationalize and present effectively.
4. Apply the legal principles and procedures in practice.

Contents of the Course

UNIT-I:

Formation of Contract

- a. Contract: definitions, elements and kinds
- b. Proposal and Acceptance- their various forms, essential elements, communication and revocation- proposal and invitations for proposal-floating offers-tenders, Agreement
- c. Consideration - its need, meaning, kinds, essential elements - nudum pactum -privity of contract and of consideration- its exceptions- adequacy of consideration-present, past and adequate consideration- unlawful consideration and its effects

UNIT-II:

Capacity to Contract and Void Agreements

a. Capacity to enter into a contract

Meaning- incapacity arising out of status and mental defect-minor's agreements-definition of 'minor, Nature of Minor's Contract

Free consent- Need and definitions, Factors vitiating free consent –Coercion, Undue influence,

Fraud, Misrepresentation, Mistake

b. Legality of Objects and Consideration

Void Agreement- Agreements without consideration, Agreements in restraint of marriage, Agreements in restraint of trade - its exceptions- sale of goodwill, Agreements in restraint of legal proceedings- its exceptions, Uncertain agreements, Wagering agreement -its exception

UNIT-III:

Discharge and Performance of Contract, Quasi-Contract, Discharge

- a. **By performance-** conditions of valid tender of performance- How? By whom? Where? When? In what manner? Performance of reciprocal promises-time as essence of contract.
- b. **By breach** - anticipatory breach and present breach.
- c. **Impossibility of performance** - Specific grounds of Frustration, Theories of frustration, Effect of frustration, Frustration and restitution.
- d. **By period of limitation**
- e. **By agreement-** Rescission and Alteration

UNIT-IV:

Quasi-Contract and Remedies

Quasi-Contracts or certain relations resembling those created by contract

- a. Remedies available under the Indian Contract Act, 1972- Meaning, nature, remoteness etc, Quantum meruit
- b. Remedies available under the Specific Relief Act- Specific Performance of Contract- What contracts can be specifically performed and what not
- c. Injunction- when granted and when refused-Why? Kinds of Injunction

Suggested Readings:

Indian Contract Act, 1872 (Bare Act)

Pollock and Mulla, Indian Contract Act - Lexis Nexis, 2014

Avtar Sing, Law of Contract & Specific Relief -, EBC, Reprinted with Supplement 2021

Avtar Singh, संविदाविविधिं विवदित् अतुष अविवियम- एकपरिचय, EBC

Kapoor, Reprint 2020, Samvidha Vidhi (Hindi) Central Law Agency, 2019

Kailash Rai, Law of Contract, Central Law Publication, 2014

J. Beatson, Anson's Law of Contract, Oxford University Press, 2020

Nilima Bhadbade, Mulla Indian Contract and Specific Relief Acts, Vol. 1 & 2, Butterworths, LexisNexis Butterworths, 2013

Anson, Law of Contract – LexisNexis Butterworths, 2017

R. K. Abichandani (ed.), Pollock and Mulla on the Indian Contract and the Specific Relief Act.,

Ewan Mc Kendrick, Contract Law, Text, Cases and Materials, Oxford University Press, Ninth Edition, 2020

B.A.LL.B. Semester-V
Code:105123
Credit- 4

Paper-XXIV

M.M.: 100
Theory: 70
Sessional: 30

Law of Crimes-I (Indian Penal Code)

Objectives of the Course

1. To equip the students with fundamental knowledge of Criminal Law.
2. To understand the meaning of crime, to maintain law and order in the society.
3. To understand the essential principles of criminal liability.
4. To enable the students to apply the knowledge in legal practice.
5. To teach specific offences under the Indian Penal Code.

Outcomes of the Course

Students will be able to:

1. Understand the fundamentals of criminal law with commitment towards learning.
2. Analyze, rationalize and present effectively.
3. Apply the legal principles and procedures in practice.

Contents of the Course

UNIT-I:

Introduction

- a. Crime: meaning and definition, elements of crime & stages of crime, Distinction between Crime and other wrongs under common Law, Principles of criminal liability–Actus reus and mensrea (also statutory offences) and other maxims; Application and jurisdiction (sections 1 -35), Of punishments (sections 53-75), Concept of joint and Constructive Liability (Sections 34, 28 and 149), Difference between Section 34 and 149.
- b. General exceptions: Mistake of fact (section 76& 79) Judicial acts (section 77& 78) Accident and misfortune (section 80 & 81) Infancy (section 82 & 83) Insanity (section 84) Intoxication (section 85 & 86) Consent (sections87–94) Trivial acts (section95), Right of Private Defence (section96-106)

UNIT-II:

Offences against Government

- a. Abetment: Sections (107 – 120);
- b. Criminal Conspiracy: Sections (120A & 120 B);
- c. Offences against State: Sections (121-130);
- d. Offences against the public tranquility: Sections (141–160);
- e. Difference between Section (34 & 149)-
- f. Offences relating to election: Contempt to lawful Authority and Public Servants (Brief discussion): Sections (172 to 190).
- g. False Evidence: Sections (191 to 197), (208 to 212):
- h. Offences relating to coins and Government Stamps: Sections (230 to 240) & 263A;
- i. Public Nuisance & Private Nuisance: Offences relating to religion: Sections (295– 298)

UNIT-III:

Offences against Body

- a. Homicide, culpable homicide, murder, death by negligence, attempt to commit murder, suicide & dowry death (Section 299 to 311) - Hurt, Grievous Hurt - Wrongful restraint - Wrongful confinement (Section 339-342), Criminal force and Assault

UNIT-IV:

Offences against Body and Property

- a. Kidnapping, Abduction – Sexual offences: Rape: custodial rape, marital rape (Sections 375 –377)
- b. Offences against property: Theft, robbery and dacoity - Criminal Misappropriation of property-Criminal breach of trust- Receiving of stolen property– Cheating–Fraudulent deeds and disposition of property.
- c. Mischief - Criminal Trespass - Offences relating to document and property marks – Offences relating to marriage (Sections 493 – 498 A) - Defamation (Sections 499 – 502); Criminal intimidation and annoyance and attempt to commit such offences (Sections 506– 511).

Suggested Readings:

Ratan Lal and Dhirajlal, The Indian Penal Code, Lexis Nexis, 2019

S.N. Mishra, Indian Penal Code, CLP, 2019 B.M. Gandhi, Indian Penal Code, EBC, 2017 Bare Act of Indian Penal Code, 1860

Williams Glanville, Text Book of Criminal Law, Universal Law Publishing Co., 2012

K.D. Gaur, A Text Book on the Indian Penal Code, Universal Publishing Co., 2012

P.S.A. Pillai, Criminal Law, Lexis Nexis, 2017

R.A. Nelson's, Indian Penal Code; 4 Vols. 11th Edition 2015 Lexis Nexis
K.D. Gaur, Criminal Law Cases and Materials, Lexis Nexis, 2019

B.A.LL.B. Semester – V

Paper-XXV

M. M: 100

Code: 105421

Theory: 70

Credit-4

Sessional: 30

Media Law

Objectives of the Course

1. To equip the students with fundamental knowledge of media law.
2. To understand constitutional and legal framework of media law.
3. To introduce students to the major legal, ethical and policy issues related to the mass media.
4. To explain in broad context, existing media law and policy and be able to critique and analyse future laws and policies.

Outcomes of the course

Students will be able to:

1. Critically analyze the legal and regulatory restrictions on freedom of speech and expression and their impact on freedom of press.
2. Explain and apply the legal principles in practice.
3. Develop the research-oriented understanding in the field of mass media law.

Contents of the Course

UNIT-I: Media and the Constitution

History of Media Law in India, Constitutional Rights of Media & Limitations on Freedom of Speech and Expression

Media & Other Constitutional Estates

Legislature: Breach of Privileges

Judiciary: Contempt of Court

Executive: Official Secrets Act, Central Civil Service Conduct Rules

Issues relating to reporting Legislature and Judiciary

UNIT-II: Media and the Law

Media & Criminal Law

Defamation

Sedition

Obscenity

Media and Civil wrongs (Torts)

Defamation

Breach of privacy

Negligence

Media & Copyright issues

Right to Information Act 2005: New tool for Press Freedom

Media and Journalists: Working Journalists Act and Press Council & Human Rights

Trial by Media: Influence on Adjudicators

UNIT-III: Advertisement and the Law

Basis of Advertisement: Constitutional Freedom of Commercial Speech

Drug and Magic Remedies (Objectionable Advertisements) Act and other Laws regulating Advertisements

Content of Advertisements: Civil and Criminal liability

Unfair Practices through Advertisements and Consumers Rights

Advertising Standards Council of India: A Self-Regulatory Organization

Misleading Advertisements

Unit-IV: Electronic Media and Regulatory Law

Convergence of New Media in the Internet: Cinema, Social Media

Expansion of Electronic Media: Broadcast sector – TV and Radio

Autonomy of Public Sector Broadcaster: Prasar Bharti Law

Freedom of Private Broadcasting: Broadcasting Regulation Bill and Cable TV Network Regulation Act

Cinematograph Act, Pre-censorship, Indecent Representation of Women (Prohibition) Act and Young Persons (Harmful Publications) Act

Information Technology Act 2000

Suggested Readings:

H.M. Seervai, Constitutional Law of India, 1991

M.P. Jain, Constitutional Law of India, 1994

John B. Howard, The Social Accountability of Public Enterprises, 1980

Rajeev Dhavan, On the Law of the Press in India, 26 JILI 288 (1984)

Soli Sorabjee, Law of Press Censorship in India, 1976

E.S. Venkaramiah, Freedom of Press: Some Recent Trends, 1984

D.D. Basu, The Law of Press of India, 1980

Rajeev Dhavan, Legitimizing Government Rhetoric: Reflections on Some Aspects of the Second Press Commission, 26 JILI 391, 1984

B.A.LL.B. Semester – V
Code: 105422
Credit-4

Paper-XXVI

M. M: 100
Theory: 70
Sessional: 30

Election Law

Objective of the course

1. This subject introduces the political structure of every democratic government.
2. It will proceed to educate the students on conducting of free and fair election.
3. Analysing democracy as a right and the relevancy of election.

Outcomes of the Course

Students will be able to:

1. Understand the role of election commission
2. Know the electoral rights and responsibilities of every citizen of the state.
3. Analyze and interpret the relationship between law and politics.
4. Grasp the importance of elections in a vibrant democracy

Contents of the Course

UNIT-I:

Introduction

- a. Election: Meaning and Process
- b. Constitutional Mandate
- c. Law governing election
- d. Election disputes
- e. Election to the offices of the president and Vice-President

UNIT- II:

- a. Election Commission
 - i. Composition
 - ii. Function
 - iii. Powers
- b. Delimitation of Constituencies.
- c. Preparation and Revision of Electoral Rolls.

UNIT- III:

- a. Qualification and Disqualification of Candidates
Constitutional and Statutory Provisions
- b. Disqualification of sitting members
- c. Nomination and Candidature
- d. Voter's right of information
- e. Anti-Defection Law (Tenth Schedule of the Constitution of India)

UNIT- IV:

- a. Corrupt Practices in the Election Law,
- b. Electoral Offences.

Suggested Readings:

Dev Inder, Manual of Election Law in India

P.C. Jain & Kiran Jain, Election Law & Practice

R.N. Choudhry, Election Laws and Practice in India

K.C. Sunny, Corrupt Practices in Election Law

V.S. Rama Devi & S.K. Mendiretta, Election Laws, Practice and Procedure

V.N. Shukla, The Constitution of India

Relevant Provisions of the Constitution of India

The Representation of the People Act, 1950

The Representation of the People Act, 1951

B.A.LL.B. Semester-V

Paper-XXVII

M. M: 100

Code-105423

Theory: 70

Credit-4

Sessional: 30

Criminology

Objectives of the Course

1. To understand the methods used by the criminal justice system to process and sanction criminal offenders.
2. To develop an understanding of the theories of crime and causation, including its measurement.
3. To understand the working of criminal justice system.

Outcomes of the Course

Students will be able to:

1. Comprehend the factors responsible for the causation of crime.
2. Understand the principles and theories of criminology and the way it impacts criminology and criminal justice.
3. Critically apply fundamentals of criminology and criminal justice principles to situations related to crime, criminal justice, and related areas of practice.

Contents of the Course

UNIT-I:

Criminology

- a. Nature & Scope, Nature and Extent of Crime in India, Criminology, Criminal Law and Criminology General Approaches to Crime control organized Crime (Smuggling in Narcotics etc),
- b. White Collar Crime-Corruption in Public Life
- c. Socio-Economic Crime-Adulteration of Foods and Drugs, Crime in the Profession, Perpetrators of Ordinary Crime, The situational crime, The chronic offender, Criminality of women, Young offender.

UNIT-II:

School of Criminology

- a. The Constitutional School of Criminology, Lombroso and others, Hereditary and mental retardation as causes of Crime, Sociological theories Anomies, Modern Sociological. Theories: Sutherland's differential Association theory, Reckless social vulnerable theory, Multiple Causation Theories.

UNIT-III:

Factor Responsible for Causation of Crime

- a. Environment, home and community influences, urban and rural crimes. The ghetto, broken homes, effect of TV, Video, Press, Narcotics and Alcohol, Caste community tension-Case, Wars and Communal riots-their causes and demoralizing effects,
- b. Atrocities against Scheduled Cadres.

UNIT-IV:

Criminal Justice Administration

- a. The Police System, Structural Organization of Police,
- b. Power and Duties of Police under the Police Act and Criminal Procedure Code., Arrest, Search and Seizure and Constitutional imperatives,
- c. Liability of Police for Custodial Violence, Select Aspects of National Police Commission Report.

Suggested Readings:

A. Siddique, Criminology: Problems and Perspectives, Eastern Book House, 1997
J. M. Sethna, Society and the Criminal, 1980
S.S. Srivastava, Criminology Penology and Victimology, Central Law Agency, 2021
N. V. Paranjape, Criminology Penology and Victimology, Central Law Agency, 2019
J. E. Conklin, Criminology, Macmillan Publishing Company, 2001
Sutherland & Cressey, Principles of Criminology, Lippincott, 1974
George Vold and Thomas J. Bernard, Theoretical Criminology, Oxford University Press, 1986
Walter C. Reckless, The Crime Problem, Vakols, Feffner & Simson P. Ltd., 1967
Titus Reid, Crime & Criminology, Holt, Rinehard & Winstoon, 1982

B.A.LL.B. Semester-V
Code: 105424
Credit- 4

Paper-XXVIII

M.M.: 100
Theory: 70
Sessional: 30

Socio-Economic Offences

Objectives of the Course

1. To equip the students with the basic knowledge of Socio-economic offences.
2. To understand the concept of White-Collar Crimes, corruption, food adulteration, atrocities and Money-Laundering.
3. To acquaint the students with the legal control mechanism to combat various socio-economic offences.
4. To develop research, analysis, reasoning and presentation skills in students.
5. To enable the students to apply the knowledge in legal practice.

Outcomes of the Course

Students will be able to:

1. Understand the fundamentals of various socio-economic offences with commitment towards learning.
2. Analyze & interpret various rationales for the commission of socio-economic offences.
3. Apply the legal principles and procedures in practice.

Contents of the Course

UNIT- I:

Socio-Economic Offences: Introduction

- a. Concept and Evolution of Socio-Economic Offences
- b. Nature and Extent of Socio- Economic Offences
- c. Meaning and Concept of White-Collar Crimes-Sutherland's theory of Differential Association
- d. Difference among Socio-Economic Offences, White Collar Crimes and Traditional Crimes
- e. Important Committee Reports on Socio-Economic Offences in India (The Santhanam Committee Report, 1964; 47th Report of the Law Commission of India, 1972)

UNIT-II:

a. The Food Safety and Standards Act, 2006

Historical perspective of Food Adulteration in India

Definition of adulterant, advertisement, contaminant, food, food additive, food business, unsafe food, misbranded food

Authorities under the Act

Provisions related to offences and penalties

Adjudication and Appeal

b. The Prevention of Corruption Act, 1988

Practice and Dimensions of Corruption

Definitions of public duty, public servant (Sections 2(b) & (c)), gratification (Section 7)

Offences and Penalties

Sanction for prosecution

UNIT-III:

The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989

- a. Constitutional provision
- b. Definition of Scheduled Castes and Scheduled Tribes and Atrocities
- c. Offences of Atrocities
- d. Presumption as to Offences
- e. Externment
- f. Special Courts
- g. Miscellaneous

UNIT- IV:

The Prevention of Money-Laundering Act, 2002

- a. Meaning and Concept of Money Laundering
- b. Definition of Money Laundering
- c. Offence of Money Laundering
- d. Attachment, Adjudication and Confiscation
- e. Special Courts
- f. Authorities
- g. Survey, Search and Seizure

Suggested Readings:

Mahesh Chandra, Socio- Economic Offences, N.M. Tripathi, Bombay, 1979

J.S.P. Singh, Socio- Economic Offences, New Era Law Publication, 2021

Ahmed Siddiqui, Criminology: Problems and Perspectives, Eastern Book Company, 1997

Sutherland: White Collar Crimes, Holt, Rinehart and Winston, New York, 1949

Seth and Capoor, Prevention of Corruption Act with a treatise on Anti- Corruption Laws, Law Publishers (India) Pvt. Ltd., 2000

T.V. Nawal, Legally Combating Atrocities against SC and ST, 2004

Kumar (Revised by Justice A.B. Srivastava and C.S. Lal), Commentaries on Prevention of Food Adulteration Act, 1954 with Central and States Rules along with Food Safety and Standards Act, 2006 (2009)

M. C. Mehanathan, Law on Prevention of Money Laundering in India, Lexis Nexis, 2017

B.A.LL.B. Semester-VI

Paper-XXIX

M.M.: 100

Code: 106121

Theory: 70

Credit-4

Sessional: 30

Law of Contract-II (Special Contract)

Objectives of the Course

1. This course will enable the students to better appreciate the law governing special contracts like indemnity, guarantee, agency etc. which are more relevant in the contemporary society.
2. To equip the students to better appreciate the legal services required in a corporate office so that they can enhance their relevance as a lawyer in the society.
3. To enhance knowledge of students regarding special type of contracts.
4. The main focus is to ingrain in the students a critical understanding of the context and importance of such contracts from an economic, social and legal perspective.

Outcomes of the Course

Students will be able to:

1. Understand the fundamentals of special contract with commitment towards learning.
2. Interpret the conceptual basis of legal principles of special contract with comparative analysis.
3. Research, analyze, rationalize and present effectively.
4. Identify the principles and doctrines that guide such contracts.
5. Exhibit and understanding of the legal concepts involved in such contracts.

Contents of the Course

UNIT-I:

Contract of Indemnity and Guarantee (Ss. 124-147)

- a. Indemnity (Ss. 124-125)** –the Concept, Definition, Methods Commencement of liability of the indemnifier, Nature of indemnity clauses, Right and liabilities of Indemnifier and Indemnity- Holder, difference between indemnity contract and Contingent contract, distinction between contract of indemnity and guarantee
- b. Guarantee- (S. 126-147)** Definition, Nature, and scope, Kinds of Guarantee, essential elements, Extent of Liability of guarantor, co-existence of surety and principal debtor's liabilities, joint and separate liability of surety, continuing guarantee, Rights of surety, Discharge of Surety's liability

UNIT-II:

Contract of Bailment, Pledge and Agency (Ss. 148-128)

- a. **Contract of Bailment Ss. 148-171)-** (Definition, Kinds, Rights and Duties of Bailor and Bailee, termination of bailment, Rights and responsibility of finder of goods, Provisions relating to lien,
- b. **Pledge (Ss. 172-181)-** Definition, Essential elements, Pledge: comparison with bailment, Rights of Pawnor, Rights of Pawnee
- c. **Contract of Agency (S.182-238) -**Definition-Creation of Agency, Kinds of Agents, Ratification, Rights and duties of Agent, Relation of Principal with third parties, Termination of Agency

UNIT-III:

Law Relating to Partnership

- a. Definition, Nature and Essentials, Test of Determining, Relation of Partner to another partner, Rights and duties of partner, relation of partners to third parties, Incoming and outgoing partners
- b. Dissolution of a firm, Registration of firms, Limited Liability
- c. Partnership-Meaning, Nature, a limited liability partnership and a company

UNIT-IV:

Sale of Goods

- a. Concept of sale as a contract, Definition, Conditions and Performance, Formation of Contract, Effect of Contract, concepts of caveat emptor, Right of Parties and Remedies, Performance of Contract, Rights of Unpaid Seller, Remedies for breach of contract

Prescribed Legislations

The Indian Partnership Act, 1932

The Limited Liability Partnership Act, 2008 (6 of 2009)

The Indian Contract Act, 1872

The Sale of Goods Act, 1930

Suggested Readings:

H. K. Saharay, The Indian Contract Act, 1872, Eastern Law House, 2013

A.G. Guest (ed.), Benjamin's Sale of Goods, Sweet & Maxwell, 1992

Mulla, The Sale of Goods Act and The Indian Partnership Act, Lexis Nexis, 2019

Venkoba Rao (revised by S. C. Srivastava): Law of Agency, LexisNexis India, Butterworth, 2001

Sanjiv Agarwal and Rohini Agarwal, Limited Liability Partnership: Law and Practice, LexisNexis Butterworths, 2009

G.C. Bharuka, The Indian Partnership Act, LexisNexis Butterworths, 2007

Avtar Singh, Introduction to Law of Partnership, EBC, 2019
Deepa Paturkar, Avtar Singh's Law of Sale of Goods, EBC, 2021
Fedrick Pollock and Mulla, Pollock and Mulla on Sale of Goods Act Lexis Nexis,2021
Madhusudan Saharay, Textbook on Sale of Goods and Hire Purchase, Universal Publication, 2017
Benjamin, Sale of Goods, Sweet and Maxwell, 2010

B.A.LL.B. Semester-VI

Paper-XXX

M.M.: 100

Code: 106122

Theory: 70

Credit- 4

Sessional: 30

Family Law-I

Objectives of the Course

1. To equip the students with fundamental knowledge of Family Law.
2. To Prepare the students with strong conceptual and comparative analytical skills.
3. To develop research, analysis, reasoning and presentation skills in students.
4. To enable the students to apply the knowledge in legal practice

Outcomes of the course

Students will be able to:

1. Understand the fundamentals of personal law with commitment towards learning.
2. Interpret the conceptual basis of legal principles of personal law with comparative analysis.
3. Research and present effectively.
4. Apply the legal principles and procedures in practice.

Contents of the Course

UNIT-I:

Concept of Family and Development of Family System

- a. Patriarchal Family, Matrilineal Family, Nuclear family, Joint family, Joint Hindu Family (Mitakshara and Dayabhaga)
- b. Source of Hindu Law and Sources of Muslim Law
- c. Schools of Hindu Law and Schools of Muslim Law

UNIT-II:

a. Introduction to Marriage Laws

Concept of Marriage, Nature of Marriage, Essential Conditions of Marriage, Registration of Marriages (Hindu Marriage Act, 1955; Muslim Marriage, Special Marriage Act, 1954)

b. Matrimonial Reliefs

Annulment, Restitution of conjugal Rights, Judicial separation, Theories of Divorce, Conditions for grant of matrimonial remedies, (Hindu Marriage Act,1955, Special Marriage Act,1954)

Matrimonial Remedies for Muslims (Talaq, Ila, Zihar, Tafwiz, khula, Mubara), Muslim wife's grounds of divorce, Dissolution of Muslim Marriage Act, 1939, The Muslim Women (Protection of Rights on Marriage) Act, 2019, Bars to Matrimonial Relief.

c. Maintenance

Maintenance of divorced wives, neglected wives, minor children and parents (Hindu Marriage Act, 1955, Hindu Adoptions and Maintenance Act; 1956)

Maintenance of Muslims wives during and after divorce; Muslim Women (Protection of Rights on Divorce) Act, 1986,

Maintenance under Sec.125 of Cr.P.C

Maintenance of Parents and Senior Citizens Act, 2007

UNIT-III:

a. Child and the Family

Parentage and Legitimacy, Legal status of Child born of void and voidable Marriage under Hindu Law, Acknowledgement of Paternity, Legitimacy and Legitimation, Legitimacy under Sec.112 of Indian Evidence Act, 1872

Adoption and Custody, Hindu Law (Hindu Adoption and Maintenance Act, 1956) Juvenile Justice Care and Protection Act, 2015, Inter-Country Adoption Guardianship (Hindu Minority and Guardianship Act, 1956 and Muslim Law)

b. Customary Practice and the Law

Dower, Types of Dower, Nature of Dower, Muslim Women's right on non-payment of Dower Dower-whether heritable or transferable

Offences against Marriage-Adultery, Bigamy, Same Sex Marriages, Demand of Dowry (Dowry Prohibition Act, 1961, Protection of Women from Domestic Violence Act, 2005)

Child Marriage (Prohibition of Child Marriage Act, 2006)

UNIT-IV:

a. Family Courts

Composition, Power and functions of Family Courts (Family Courts Act 1984) Article 44 of the Indian Constitution

b. Recent Trends in Family Law

Live-in relationship, Concept of Palimony, Surrogacy

Suggested Readings:

Aquil Ahmad, Mohamedan Law, Central Law Agency, 2006

Paras Diwan, Family Law, Allahabad Law Agency, 2009

G.C.V. Subba Rao's, Family Law in India, S. Georgia & Company, 2010

Kusum, Family law lectures-family Law-I, Lexis Nexis Butterworths, 2008

Mamta Rao, Law relating to Women & Children, Eastern Book Co., 2008

Asaf A.A. Fyzee, Outline of Mohammedan Law, Oxford University, 2008

D.D. Basu, Commentary on the Constitution of India, (Vol.3), Lexis Nexis

Poonam Pradhan Saxena, Family Law II lecturers, Lexis Nexis, 2019

Flavia Agnes, Marriage, Divorce and Matrimonial Litigation, Oxford University Press, 2011 Flavia

Agnes, Marriage, Family Laws and Constitutional Claims, Oxford University Press, 2011 Mayne's,

Hindu law & usages, Bharat Law House, 2008

Mulla, Hindu Law, Lexis Nexis Butterworths Wadwa, 2012

Mulla, Principles of Mahomedan Law, Lexis Nexis Butterworths Wadhwa, 2012

R.V. Kelkar, Criminal Procedure, 5th Edn. 2008

S.A. Desai, Mulla, Hindu Law, LexisNexis Butterworths Wadhwa, 2008

S.C. Tripathi and Vibha Arora, Law Relating to Women and Children, Central Law Publications, 2010

Syed Khalid Rashid's, Muslim Law, Eastern Book Company, 2008

B.A.LL.B. Semester-VI

Paper-XXXI

M.M.: 100

Code: 106123

Theory: 70

Credit- 4

Sessional: 30

Public International Law

Objectives of the Course

1. The aim of the course is to help the student develop a learning approach that combines critical thought and applied knowledge to the study of international law.
2. It will introduce public international law and focus on its essentials with an emphasis on problem-solving approach.
3. It will begin with an introduction to the traditional approaches to international law and understand its nature, scope and functions.
4. To look into the processes and institutions of international law formation, key principles, international organisation, and dispute settlement mechanism in international law.

Outcomes of the Course

Students will be able to:

1. Analyse the necessary knowledge and skills of international law.
2. Develop capacity to apply international law in concrete cases.

Contents of the Course

UNIT-I:

Nature, Scope, and Development of International Law

- a. Definition, Nature & Basis of International Law
- b. Codification of International Law
- c. Subjects of International Law
- d. Relationship between International and Municipal Law
- e. Third World and International Law

UNIT-II:

Recognition of State

- a. Nature of State
- b. Recognition (De facto and De jure recognition)
- c. Succession, Acquisition and Loss of Territory

UNIT-III:

Jurisdiction, Power and Immunities in International Law

- a. Nationality
- b. Extradition
- c. Asylum
- d. Diplomatic
- e. Agents
- f. Treaties

UNIT-IV:

International Organizations

- a. International Organizations
- b. United Nations Organizations
- c. Security Council
- d. International Court of Justice
- e. International Criminal Court
- f. Regional Organizations (EU, SAARC and ASEAN)

Suggested Readings:

Starke's International Law, Oxford, New York, 2008

Ian Brownlie, Principles of Public International Law, Oxford University Press, 2008

H.O. Aggarwal, International Law & Human Rights, Central Law Publication, 2018

S. K. Kapoor, International Law & Human Rights, Central Law Agency, 2018

Malcolm N. Shaw, International Law, Cambridge Publications, 2002

Oppenheim's International Law, Volume 1 &2. Oxford University Press, 2008

B.S. Chimni, International Refugee Law: A Reader, Sage Publications: New Delhi, 2005

B.A.LL.B. Semester-VI

Paper-XXXII

M.M.: 100

Code: 106124

Theory: 70

Credit- 4

Sessional: 30

Company Law

Objectives of the Course

1. To enable students to understand the Laws, Rules & Regulations relating to the companies.
2. To appreciate the issues and challenges of companies with the development of students' skills in legal reasoning, analysis and presentation through research by relying on study of statutes, case law and regulatory practice governing companies.
3. To understand the legal protection available to shareholders and their rights and to examine corporate social responsibility in India as a mandatory requirement.
4. To enable students to understand the intricacies of the different offices operating in the company set up like promoters, directors, independent directors etc. and their rights and duties.
5. To enable the students to apply the knowledge in practice.

Outcomes of the Course

Students will be able to:

1. Demonstrate strong insight of the formation and incorporation of a company, including the foundational understanding of the general role of promoters.
2. Appreciate the significance of company as a corporate entity compared to other form of corporate and non-corporate organizations.
3. Appreciate the varied methods of raising capital, other than shares, like borrowing and debentures etc;
4. Critically evaluate the existing legal framework relating to companies in accordance with the Companies Act (2013) including the Companies Amendment Act, (2017) and the Companies Amendment Act, (2020)
5. Understand the process of winding up of a corporate person and its dissolution and appreciate the recently introduced Insolvency and Bankruptcy Code

Contents of the Course

UNIT- I:

Formation, Registration and Incorporation of Company

- a. Need of Company for development, Definition, meaning, nature and kinds of Company including one person company
- b. Comparison between Company and Partnership and Company and Limited Liability Partnership
- c. Theory of corporate personality, Advantages and disadvantages of corporate form of enterprise
- d. Lifting of corporate veil, position of promoters and pre-incorporation contracts, formation of company and registration of company

UNIT-II:

Memorandum of Association and Prospectus

- a. Clauses in Memorandum of Association including the doctrine of Ultra Vires, alteration of Memorandum
- b. Articles of Association and its contents, relationship of Articles with Memorandum, alteration of Articles, doctrine of constructive notice with its exceptions.
- c. Prospectus- Definition; contents; Shelf-Prospectus and Red Herring Prospectus; remedies against misrepresentation in Prospectus, Liability- Civil and criminal.

UNIT- III:

Shares/Debentures and Meetings

- a. Equity Finance- Shares and their kinds including equity and preference shares, general principles of allotment and statutory restrictions on allotment, share certificate, transfer of shares. Share capital and its kinds.
- b. Debt Finance-Definition, kinds and remedies of debenture holders. Directors- Position and Powers, Director Identification Number, Corporate social responsibility.
- c. Meetings- Kinds, Procedure, Voting.

UNIT -IV:

Winding Up and Adjudicatory Bodies

- a. Winding up under the Companies Act 2013- Winding up by the Tribunal, grounds for compulsory winding up, who can make petition, company liquidator and winding up committee, consequences of winding up order
- b. Winding up under the Insolvency & Bankruptcy Code, 2016- Voluntary liquidation of a company, Default in payment of debts, Corporate Insolvency Resolution Process, Interim Resolution professional, committee of creditors
- c. National Company Law Tribunal and National Company Law Appellate Tribunal-powers, jurisdiction and Judicial review

Suggested Readings:

Avtar Singh, Indian Company Law, EBC, 2018

Kailash Rai, Principles of Company Law, Allahabad Law Agency, 2019

G.K. Kapoor & Sanjay Dhamija, Company Law and Practice, Taxman, 2021

A. Ramaiya, Guide to the Companies Act, Lexis Nexis, 2021

N.C. Jain, Company Law: Principles and Practices, Allahabad Law Agency, 2010

L.C.B. Grower, Principles of Modern Company Law, Maxwell, 2015

S.C. Tripathi, New Company Law, Central Law Publications, 2018

B.A.LL.B. Semester-VI

Paper-XXXIII

M.M: 100

Code-106421

Theory: 70

Credit-4

Sessional: 30

Law of Corporate Finance

Objectives of the Course

1. To understand the basic perspective and practises in corporate finance.
2. To demonstrate the importance of conservation of corporate finance.
3. To make the students aware of the legal requirements pertaining to corporate finance.

Outcomes of the Course

Students will be able to:

1. Comprehend the basic concepts required to understand corporate finance.
2. Understand and correlate the intricacies of the equity and debt market finance.
3. Comprehend and illustrate the mandatory/legal requirements, due diligence in the arena of corporate finance.

Contents of the Course

UNIT-I:

Introduction to Corporate Finance

- a. Meaning, Importance and Scope of Corporate Finance. Financial System Overview, Overview of Indian Capital Market, Finance and Financial Management. Objectives of Corporate Finance - Profit Maximisation and Wealth Maximisation.
- b. The advantages of corporate firm over the sole traders and partnerships. Fundamental concepts on Equity and Debt Securities, Depository receipts and Corporate bonds.
- c. Financial Planning and Financial Forecasting. Changing role of finance managers.

UNIT-II:

Equity and Debt Finance

- a. Issue of Securities, Listing of Securities, Issue of Capital and Disclosure Requirements (ICDR), Procedure for Issue of Various Types of Shares and Debentures, Employee Stock Option Scheme and Employee Stock Purchase Scheme, Delisting of Securities. Functions and Significance of Stock Exchanges Operations and Trading Mechanism of Stock Exchanges Settlement of Securities, Stock Market Indices, Risk Management, Surveillance Mechanism at Stock Exchanges.
- b. Debt Market: Instruments, Listing, Primary and Secondary Segment. Growth of Money Market in India – Structure and Institutional Mechanism.

UNIT-III:

Conservation of Corporate Finance and Corporate Fund Raising

- a. Managerial Remuneration, Protection of Creditors, corporate governance. Individual Share Holder Rights, Corporate Membership Rights.
- b. Indian Depository Receipts (IDRs): Procedure for Making Issue of IDRs, Conditions for Issue of IDRs, Listing of IDRs.

UNIT-IV:

Legal Aspects Governing Corporate Management

- a. Meetings, Majority rule and Minority protection - Prevention of oppression, mismanagement - Role of central Govt., Company registrar, National Company Law Tribunal
- b. Securities Contract Regulation Act, SEBI

Suggested Readings:

G.K. Kapoor & Sanjay Dhamija, Company Law and Practice (21st ed. Taxmann Publications (P.) Ltd. 2016)

Avtar Singh, Company Law, (17th Edition, EBC, 2021)

ICSI study material- Executive (2017)

Ell's Ferran, Company Law and Corporate Finance (1999), Oxford

Jonathan Charkham, Fair Shares : The Future of Shareholder Power and Responsibility (1999), Oxford.

Ramaiya A: Guide to the Companies Act (1998), Vol. I, II and III

Gilbert Harold: Corporation Finance (2nd rev. ed. 1956)

Statutory Material: Companies Act and Law relating to SEBI, Depositories, Securities Contract Regulation Act.

B.A.LL.B. Semester–VI

Paper-XXXIV

M.M:100

Code:106422

Theory:70

Credit-4

Sessional:30

International Trade Law

Objectives of the Course

1. To familiarize students with the core principles of international trade law.
2. To introduce legal and institutional framework of WTO.
3. To study the regulatory framework and dispute settlement mechanism in international trade law.

Outcomes of the Course

Students will be able to:

1. Analyze and frame legal arguments on the policy debates of issues relating to international trade law.
2. Identify the legality of policy decisions on the basis of the principles of international trade law.
3. Illustrate knowledge of dispute settlement mechanism in international trade law.

Contents of the Course

UNIT-I:

Origin and Evolution of GATT & WTO

- a. Protectionism and Free Trade theories
- b. The Havana Charter & Birth of GATT, 1947.
- c. GATT Rounds of Negotiation GATT 1994 & The WTO: It's Genesis (Uruguay Round 1986 to 1994)
- d. WTO Agreements, Understandings, Annexes, Membership Objective, Functions and Structure of WTO (Key Organs/Bodies) Decision - Making Process, Voting, Amendment, Waiver etc
- e. Principle of non-discrimination

UNIT – II:

Trade in Goods I

- a. General Agreement on Tariffs and Trade (GATT)
- b. Agreement on Agriculture
- c. Agreement on Sanitary and Phytosanitary Measures
- d. Agreement on Technical Barriers to Trade

UNIT-III:

Trade in Goods II

- a. Agreement on Trade-Related Investment Measure
- b. Agreement on Subsidies and Countervailing Measures
- c. Anti-dumping Agreement
- d. Agreement on Safeguards

UNIT – IV:

Trade in Services & International Trade Dispute Resolution

- a. General Agreement on Trade in Services
- b. Ongoing Multilateral Negotiations
- c. Nullification or impairment
- d. Dispute settlement
- e. Enforcement and Remedies

Suggested Readings:

Results of the Uruguay Round of Multilateral Trade Negotiations: The Legal Texts (Geneva: GATT Secretariat, 1994)

Robert E. Hudec, Developing Countries in the GATT Legal System (London: Gower Press for the Trade Policy Research Centre, 1987)

John H Jackson, World Trade and the Law of GATT (Indianapolis: Bobbs Merrill, 1969)

Ravindra Pratap, India at the WTO Dispute Settlement System (New Delhi: Manak Publications, 2004).

Peter Van den Bosche and Werner Zduoc, The Law and Policy of the World Trade Organization, (CUP, 2013)

Simon Lester, World Trade Law: Material and Commentary, (Bloomsbury, 2018).

T. N. Srinivasan, Developing Countries and the Multilateral Trading System: From the GATT to the Uruguay Round and the Future (Delhi: Oxford University Press, 1998).

Autar Kaul, A Guide to the W.T.O. and GATT: Economics, Law, and Politics, (Kluwer Law International, 2006)

James Nedumbara, Injury and Causation in Trade Remedy Law: A Study of WTO Law and Country Practices (Springer, 2016)

B.A.LL.B. Semester–VII

Paper-XXXV

M.M:100

Code: 107121

Theory:70

Credit-4

Sessional:30

Jurisprudence

Objectives of the Course

1. To understand the historical evolution of legal thought and legal theory.
2. To acquaint students with the growth and development of law in different countries under different social and political conditions.
3. To understand the various fundamental legal concepts such as Rights, Duties, Property, Liability, Persons etc.
4. To acquaint students with the theories, attitude and insights of various jurists.

Outcomes of the Course

Students will be able to:

1. Understand, define and explain the jurisprudential understanding of the legal concepts.
2. Identify, explain, distinguish the diverse origins and conceptualizations of law and develop a keen sense of objectivity while dealing with various laws.
3. Critically analyse various legal theories and to distinguish them into broader history of thought.
4. Put in practice the acquired knowledge and will use logical, analytical and decision-making ability to deal with contemporary challenges.

Contents of the Course

UNIT-I:

Meaning and Importance of Jurisprudence

- a. Jurisprudence, Law and State, Nature and Scope of Jurisprudence, Meaning and Definition and Classification of Law, Definition, Elements and Functions of State
- b. Relation of Law and State, Law and Morals

UNIT-II:

Sources of Law and Administration of Justice

- a. Classification of Sources, Custom, Legislation, Judicial Precedent,
- b. Administration of Justice

UNIT-III:

Schools of Jurisprudence

- a. Natural Law School
- b. Analytical School
- c. Historical School
- d. Sociological School
- e. The Pure Theory of Law

UNIT-IV:

Concepts of the Law

- a. Rights and Duties
- b. Ownership
- c. Possession
- d. Person
- e. Property
- f. Liability

Suggested Readings:

- B.N. Mani Tripathi, Jurisprudence (The Legal Theory), Allahabad Law Agency, 2012
- N.V. Paranjape, Studies in Jurisprudence and Legal Theory, Central Law Agency, 2013
- Nomita Aggarwal, Jurisprudence, Central Law Publication, 2010
- S.N. Dhyani, Fundamentals of Jurisprudence (The Indian Approach), Central Law Agency, 2004
- Michael Doherty, Jurisprudence: The Philosophy of Law, Old Balley Press, 2003
- P.J. Fitzgerald, Salmond on Jurisprudence, Thomson Sweet & Maxwell Universal, 2008
- R.W.M. Dias, Jurisprudence, Lexis Nexis (Indian Edition) 2013
- Suri Ratnapala, Jurisprudence, Cambridge University Press (First South Asian Edition) 2009
- W. Friedmann, Legal Theory, Universal Law Publishing Co., 2008

B.A.LL.B. Semester-VII

Paper-XXXVI

M.M.: 100

Code: 107122

Theory: 70

Credit- 4

Sessional: 30

Property Law (Transfer of Property Act & Easement Act)

Objectives of the Course

1. To make the students understand basic principles and concepts related to transfer of property.
2. To enable the students, understand and analyse various modes of alienation under Transfer of Property act, 1882 and related legal requirements.
3. Be acquainted with the questions of law involved in the transfer of property.
4. Be acquainted with the concept, creation, scope and application of easement.
5. To enable the students to apply legal principles in practice.

Outcomes of the Course

Students will be able to:

1. Understand basic principles and concepts related to transfer of property.
2. Understand and analyse various modes of alienation under Transfer of Property Act and related legal requirements.
3. Understand and answer the questions of law involved in the transfer of property.
4. Understand and apply the concept, creation and scope of easement.
5. Integrate the different laws with the law of transfer of property and apply them towards problem solving.

Contents of the Course

UNIT- I:

Introduction

- a. Definitions
- b. Essentials of valid transfer
- c. Condition restraining alienation
- d. Transfer for benefit of unborn person
- e. Rule against perpetuity
- f. Vested & Contingent interest
- g. Conditional Transfer

UNIT-II:

General Principles

- a. Election
- b. Apportionment
- c. Ostensible owner
- d. Doctrine of Lis-pendens
- e. Fraudulent transfer
- f. Part performance

UNIT-III:

Specific Transfers

- a. Sale: Definition and Essential
- b. Rights & liabilities of buyer and seller
- c. Mortgage: Definition and types of Mortgage Rights & Liabilities of Mortgage and Mortgagee
- d. Exchange
- e. Gift
- f. Actionable claims

UNIT-IV:

Lease and Easement Lease

- a. Nature & Kinds of Easement Imposition & Acquisition, Disturbance, Extinction, Suspension & Revival
- b. Difference between License and Easement

Suggested Readings:

- Poonam Pradhan Saxena, Property Law, Lexis Nexis, 2012, Nagpur
R.K. Sinha, The Transfer of Property Act, CLA, 2021, Allahabad
G.P. Tripathi, The Transfer of Property Act, CLA, 2014, Allahabad
T.P. Tripathi, The Transfer of Property Act, 1882, ALA, 2011, Allahabad
S.N. Shukla Transfer of Property Act, Allahabad Law Agency, 2020
G.C. Bharuka, Mulla's Transfer of Property Act 1882, Lexis Nexis Butterworths, 2006, New Delhi.
Vepa P. Sarthi, Transfer of Property, Eastern Book Publication, 5th Ed, Lucknow, 2012
Subbarao, Transfer of Property, Eastern Book Publication, 2012
H.S. Gour, and A.R. Lakshmanan, Commentary on Transfer of Property Act, Delhi Law House, 2011, Delhi.
M.R. Mallick, Goyle's A Commentary on the Transfer of Property Act, Delhi Eastern Law House, 200, Delhi.
157th Law Commission Report
181st Law Commission Report
Transfer of Property Act, 1882, Indian Easement Act, 1882

B.A.LL.B. Semester-VII

Paper-XXXVII

M.M.: 100

Code: 107123

Theory: 70

Credit-4

Sessional: 30

Family Law-II

Objectives of the Course

1. The course is designed to analyse the presence of different personal laws for different community.
2. A critical and comparative study of different personal laws governing testamentary and intestate succession i.e., their diversities, similarities, affinities and paradoxes.
3. Examines, in particular, fundamental concepts dealing with the joint family, coparcenary, partition, interstate succession as well as the law relating to gifts, wills, and inheritance.

Outcomes of the Course

Students will be able to:

1. Understand that personal laws owe their diversity to their varied origin, distinct principles and the bulk of substantive law itself.
2. Analyse that personal laws play a vital role in governing the conflicting interest of the individuals.
3. Interpret that personal law of a person is not determined by his domicile or his nationality but by his membership of the community to which he belongs.
4. Examine and compare the intricacies and applicability of personal laws in handling the disputes.

Contents of the Course

UNIT-I:

Introduction

- a. Mitakshara Joint Family: Mitakshara coparcenary formation and incidents, Property under Mitakshara Law: separate property and coparcenary property, Dayabhaga coparcenary: formation and incidents, Property under Dayabhaga Law, Karta of the Joint Family: who can be Karta, His/ Her position, powers, privileges and obligation. Difference between Mitakshara and Dayabhaga Coparcenary, Alienation of property: Separate and coparcenary
- b. Debts: Doctrine of Pious Obligation and Antecedent debt
- c. Partition- Concept, subject matter, modes, how partition effected family and its Changing Patterns
- d. Processes of social change in India

UNIT-II:

Intestate Succession and Testamentary Succession

- a. Devolution of interest in Mitakshara Coparcenary property under the HSA, 1956
General Principle of Inheritance under Hindu Law
- b. Succession to property of Hindu male dying intestate under the Hindu Succession Act, 1956, The Repealing and Amending Act, 2015
- c. Succession to property of Hindu female dying intestate under the Hindu Succession Act, 1956, Stridhan and Women Estate
- d. Disqualifications of heirs relating to succession
- e. General rules of succession & exclusion from succession under Islamic law: Shia & Sunni Classification of heirs under Hanafi and Ithna Asharia School; Their shares and distribution of property, Disqualified heirs
- f. Testamentary Succession
- g. 'Will' under Indian Succession Act, 1925 and Codicil, Execution of unprivileged & privileged wills
- h. Attestation, revocation, alteration & revival of will. 'Will' under Hindu Law-Sec 30, HSA 1956; 'Will' under Islamic Law- Competence of Testator, testamentary limitations

UNIT-III:

Disposition Inter-vivos

- a. Gift under Hindu Law-Transfer of Property Act, 1882
- b. Hiba- meaning & characteristics, who can make and to whom Hiba, classification of Hiba Hiba during Marz-ul-maut, revocation of Hiba, Musha, Distinction between Hiba, Ariya, Sadaqa & Wakf, Hiba-ba-Shartul-iwaz, Hiba-bil-iwaz
- c. Pre-emption under Islamic Law
- d. Pre-emption – Definition, Classification, Subject matter Formalities & legal effects, when right lost, Constitutional validity

UNIT-IV:

Hindu Religious Endowments and Muslim Law of Wakf

- a. Traditional Religious principles of creation, Administration & Offices, Statutory methods of creation of trust, Powers & functions of Trustees
- b. Wakf- meaning, essentials & formalities for creation Powers of Mutawalli
- c. Muslim Religious institutions & Offices

Suggested Readings:

Poonam Pradhan Saxena, Family Law II Lecturers, LexisNexis, 2019

Aquil Ahmad, Mohammedan Law, Central Law Agency, 2006

Paras Diwan, Family Law, Allahabad Law Agency, 2011

G.C.V. Subba Rao, Family Law in India, S. Georgia & Company, 2010

Asaf A. A. Fyzee, Outline of Mohammedan Law, Oxford University Press, 2008

Flavia Agnes, Marriage, Divorce, and Matrimonial Litigation, Oxford University Press, 2011

Mayne's, Hindu law & usages, Bharat Law House, 2008

Mulla, Hindu Law, Lexis Nexis Butterworths Wadhwa, 2012

Mulla, Principles of Mohammedan Law, LexisNexis Butterworths Wadhwa, 2012

S.A. Desai, Mulla, Hindu Law, LexisNexis Butterworths Wadhwa, 2008

Syed Khalid Rashid's, Muslim law, Eastern Book Company, 2008

B.A.LL.B. Semester–VII

Paper-XXXVIII

M.M:100

Code: 107421

Theory:70

Credit-4

Sessional:30

Land Laws Including Tenure & Tenancy System

Objectives of the Course

1. To familiarize with the fundamental principles of Land Laws and Tenancy System.
2. To make them understand the nuances of the Land Laws and Tenancy system.
3. To make them understand the applicability of legal principles in order to handle nitty-gritties of the Land laws and Tenancy system.

Outcomes of the Course

Students will be able to:

1. Acquire the knowledge of different types of land property and related areas.
2. Define how to transfer the immovable property to the other person.
3. Explain and interpret various principles of land Laws.
4. Apply the principles in legal practice.

Contents of the Course

UNIT-I:

U.P. Zamindari Abolition and Land Reforms Act, 1950

- a. Aims and object of the Act
- b. Salient features of the Act
- c. Reasons for abolition of Zamindari system
- d. Definitions
 - (i) Agriculture year
 - (ii) Estate
 - (iii) Gram Panchayat
 - (iv) Improvement
 - (v) Intermediary
 - (vi) Land

(vii) Rent free guarantee

(viii) Sir and Khudkast

e. Acquisition of the interest of intermediaries and its consequences

UNIT-II:

U.P. Zamindari Abolition and Land Reforms Act, 1950

a. Acquisition of the interest of intermediaries and its consequences

i) Rights retained by intermediaries

ii) New land tenures

iii) Status conferred on Old Tenants

b. Compensation and Rehabilitation grant

c. Gram Panchayat and Land Management Committee

d. Allotment of Land and declaratory suit

UNIT-III:

U.P. Zamindari Abolition and Land Reforms Act, 1950

a. Tenure-Holders

i) Classes of Tenure holders

ii) Rights of Tenure holders

iii) Ejectment of Tenure holders

b. Abandonment, surrender, extinction and lease.

c. Succession

UNIT-IV:

Land Revenue

a. Liability to pay, First charge, Collection and Recovery, Settlement of land Revenue (S.243 to 272 U.P.Z.A. & L. R. Act, 1950).

b. The U.P. Land Revenue Act, 1901

i) Maintenance of maps and records

ii) Revision of maps and records

iii) Procedure of Revenue Courts and Revenue Officers

iv) Appeal, Revision, Review and Reference

Suggested Readings:

R.R. Maurya, Uttar Pradesh Land Law, Central Law Publication, 2020

Yatendra Singh, The Uttar Pradesh Imposition of Ceiling on Land Act, 1960, Central Law Publication

S.R. Myneni, Land Laws, Asia Law House, 2020

N. Maheswara Swami, Land Laws, Asia Law House, 2020

Sheetal Kanwal, Land Law including Tenure & Tenancy System, Amar Law Publication

B.A.LL.B. Semester–VII
Code: 107422
Credit-4

Paper-XXXIX

M.M:100
Theory:70
Sessional:30

Information Technology Law

Objectives of the Course

1. The primary object of this course is to introduce students to the information technology law.
2. To provide insight into the applicability of other laws in the digital environment.

Outcomes of the Course

Students will be able to:

1. Analyse the provisions of Information Technology laws and its peculiarities.
2. Understand the concept of electronic commerce - electronic signatures, data protection, cyber security; penalties & offences under the IT Act, dispute resolution, and other contemporary issues.

Contents of the Course

UNIT-I:

Introduction

- a. Information Technology, Understanding cyberspace, Interface of technology and Law
- b. Information Technology Act, 2000, Legal recognition & authentication of electronic records under Information Technology Act and UNCITRAL model law on Electronic Commerce and e-signatures

UNIT-II:

Civil Liabilities

- a. Data protection, Damage to computer, Online defamation and Dispute resolution under I.T Act

UNIT-III:

Criminal Liabilities

- a. Financial frauds, hacking, obscenity and pornography, identity theft, IPR related crime, cyber stalking, cyber terrorism
- b. Internet service provider liability and cyber security

UNIT- IV:

Applicability of other laws on e-commerce,

- a. E-contracts, United Nations Convention on the Use of Electronic Communication in International Contract, trademarks and domain name, concept of jurisdiction in cyber space

Suggested Readings:

Pavan Duggal, Legal Framework on Electronic Commerce and Intellectual Property Rights in Cyberspace, (Universal, 2014)

Kamath Nandan, Law Relating to Computers Internet & E-commerce - A Guide to Cyber laws & The Information Technology Act, Rules, Regulations and Notifications along with Latest Case Laws (Universal,2019)

Ishita Chatterjee, Law and Information Technology, (Central Law Publications, 2018).

Pavan Duggal, An exhaustive section-wise commentary on the Information Technology Act, 2000 (Universal, 2014)

S.K. Verma and Raman Mittal (Eds.), Legal Dimensions of Cyberspace, (ILI, 2004).

Aparna Viswanathan, Cyber Law (Indian & International Perspectives on key topics including Data Security, E-commerce, Cloud Computing and Cyber Crimes (LexisNexis 2015)

B.A.LL.B. Semester–VII

Paper-XL

M.M:100

Code: 107423

Theory:70

Credit-4

Sessional:30

Aviation Law

Objectives of the Course

1. To explain students with the basic understanding of the various international conventions that affect Aviation law.
2. To apprise students with the concept of carrier and product liability in Aviation.
3. To make the students understand national laws governing aviation industry.
4. To equip the students with the basic understanding and correlation between legal regimes governing crimes on board.

Outcomes of the Course

Students will be able to:

1. Provide comprehensive idea of the Aviation industry sector.
2. Understand the international laws governing civil aviation applicable as between sovereign States.
3. Understand the domestic law of India governing the issues related to civil aviation.
4. Comprehend the rules governing liability in event of death, or injury to persons and cargos.
5. Demonstrate the intellectual and creative skills to research, interpret and synthesize relevant legal matters.

Contents of the Course

UNIT -I:

Introduction to Air Law

- a. Origin of air law
- b. Theories of airspace
- c. Freedom v. Sovereignty debate
- d. The development of international legal regime

UNIT- II:

International and National Frame work

- a. Chicago Convention and the Fundamental Principles Scheduled and non -scheduled air traffic
Airline cooperation
- b. Nationality of aircrafts
- c. Rules on airports, Jurisdiction, International Civil Aviation Organization
- d. National laws
- e. Aircraft Act of 1934, The Aircraft Rules, 1937

UNIT -III:

Legal Regime Governing Crimes on Board Aircrafts

- a. Problem of jurisdiction and applicable law to try the offenses on board aircrafts
- b. The Tokyo Convention
- c. The Hague Convention to combat hijacking
- d. The Montreal Convention and the safety of civil aviation

UNIT -IV:

Carriers' Liability and Product Liability in Aviation

a. Carriers' Liability under the Warsaw Convention

Debate over the applicability Carriage documents

Extent of the liability of carrier Duration of the Liability

Jurisdiction and procedural aspects Related instruments

b. Product Liability in Aviation

Concept of product liability

Move towards strict liability in aviation Crashworthiness Punitive damages

Codification of product liability

Suggested Readings:

Peter Martin, et al., Air Law, Vol. 1, Butterworths, 1977.

P.P.C. Haanappel, The Law and Policy of Air Space and Outer Space, The Hague: Kluwer Law International, 2003.

J. C. Batra, International Air Law, New Delhi: Reliance Publishing House, 2003.

Air Law and Policy in India S. Bhatt, VS Mani, V. Balakista Reddy Lancer Books 2008

Lawrence B. Goldhirsch, The Warsaw Convention Annotated: A Legal Hand Book

Elmar Giemulla, et al., Montreal Convention, The Netherlands: Wolters Kluwer, 2010.

Chia-Jui-Cheng and Doo Hwan Kim, The Utilization of the World's Airspace and Free Outer Space in the 21st Century, The Hague: Kluwer Law International, 2000.

B.A.LL.B. Semester–VII

Paper-XLI

M.M:100

Code: 107124

Theory:70

Credit-4

Sessional:30

**Professional Ethics & Professional Accounting System
(Clinical/Practical Paper)**

Objectives of the Course

1. To have a discourse on the legal provisions, guidelines, and judicial decisions on the subject of professional conduct for advocates and on Contempt of Court Act.
2. It will also aim to discuss the opinions/decisions of the State Bar Councils/Bar Council of India on professional misconduct.

Outcomes of the Course

Students will be able to:

1. Identify situations of professional dilemmas.
2. Understand the concept of contempt of court and its implications on legal profession.
3. Analyze and evaluate the law and principles of legal ethics under the Advocates Act, 1961.

Contents of the Course

UNIT-I:

Introduction

- a. Brief History of Legal Profession in India
- b. Its Nature, Evolution and Development in India
- c. Meaning of Ethics, Object of Legal Ethics, Necessity for an Ethical Code

UNIT -II:

Admission & Enrollment of Advocate

- a. Right to Practice
- b. Conduct of Advocates and Disciplinary Proceedings

UNIT-III:

Rights and Duties of Advocates

- a. Rights, Privileges, Duties, Disabilities and Social Responsibilities of an Advocate
- b. Standard of Professional Conduct and Etiquette
- c. Professional and other Misconducts

UNIT-IV:

Relation with Bar & Bench

- a. Powers and Procedure of Disciplinary Committees of the Bar
- b. Accountancy for Lawyers, Bench-Bar Relations
- c. Legality of Lawyers Strike in the Right-Duty Discourse
- d. Contempt Law and Practice: The Contempt of Courts Act, 1971

Suggested Readings:

C.L. Anand, Professional Ethics of the Bar, Allahabad Law Books, 1987.
B.K. Goswami, Legal Profession and Its Ethics, Gogia Law Publisher, 1995.
Anirudh Prasad, Principles of the Ethics of Legal Profession in India, 2004, Universal Book House, 2005.
S.K. Mookerji, Iyer's Law of Contempt of Court, Delhi Law House, 2011.
Krishnaswami Iyer's Professional Conduct and Advocacy (1945)
G.C.V. Subba Rao, Commentary on Contempt of Courts Act 1971, 2014.
Randhir Kumar De, Contempt of Court Law & Practice, Wadhwa Book Company, 2012.
Francis L. Wellman, The Art of Cross Examination, Simon & Suchester, 1997
Kailash Rai, Legal Ethics, Accountability for Lawyers and Bench-Bar Relations, Central Law Publication, 2015.

B.A.LL.B. Semester–VIII

Paper-XLII

M.M:100

Code: 108121

Theory:70

Credit-4

Sessional:30

Administrative Law

Objectives of the Course

1. To expose to the guiding principles and applicable doctrines of select sub-fields of Administrative Law.
2. To foster an informed perspective on the nature and limit of Judiciary in the development of the Administrative Law.
3. To cultivate ability to identify latent issues in Administrative Law.
4. To equip students with the intellectual tools necessary to properly conceptualize and analyse issues in Administrative Law.

Outcomes of the Course

Students will be able to:

1. Understand and explain the principles of Administrative Law covered in the course.
2. Apply the critical thinking required to bring about solutions to complex Administrative Law Problems/lacunae/uncertainties.
3. Predict and construct how unresolved or ambiguous Administrative Law questions could be resolved by the courts through an analysis of case law and the judicial method.
4. Examine and explain the Tribunalization of justice.

Contents of the Course

UNIT-I:

Introduction

- a. Definition, Nature and Scope of Administrative Law, Reasons for the growth of Administrative Law
- b. Relation between Administrative Law and Constitutional Law
- c. The impact and implications of the Doctrine of Separation of power and the Rule of Law on Administrative Law, Droit Administratif

UNIT-II:

Administrative Action

- a. Classification of Administrative Action – the necessity
- b. Delegated Legislation: Meaning, Kinds and causes of its growth, Constitutionality of Delegated Legislation
- c. Control Mechanism: Legislative Control, Procedural Control and Judicial Control

UNIT-III:

Principles of Natural Justice and Liability

- a. Administrative Tribunals
- b. Principle of Natural Justice, Exception to Natural Justice
- c. Judicial Review of Administrative Discretion: Meaning, nature and scope, Doctrine of Promissory Estoppels, Doctrine of legitimate expectation, Doctrine of proportionality,
- d. Liability of Administration in Tort and Contract

UNIT-IV:

Review of Administrative Action

- a. Judicial Review of Administrative Action, Writs, Ombudsman in India (Lokpal and Lokayukta)
- b. Central Vigilance Commission, Constitutional Protection to Civil Servants, Parliamentary Committees – Commission of Enquiry

Suggested Readings:

- I.P. Massey, Administrative Law, EBC, 2019
Jain & Jain, Principles of Administrative Law, LexisNexis, 2015
C.K. Takwani, Lectures on Administrative Law, EBC.2019,
H.W.R. Wade- Administrative Law, Oxford University Press, 2019
P.P. Craig - Administrative Law, Sweet & Maxwell, 2003
D. Smith - Judicial Review of Administrative Action, Sweet & Maxwell, 2004
V.N. Shukla's- Constitution of India, EBC, 2020
S.P. Sathe, Administrative Law, Lexis Nexis, 2010

B.A.LL.B. Semester-VIII

Paper-XLIII

M.M:100

Code: 108122

Theory:70

Credit- 4

Sessional:30

Interpretation of Statutes and Principles of Legislation

Objectives of the Course

1. To equip the students with various tools of interpretation of statutes.
2. To provide understanding and working knowledge about interpretation of statutes.
3. To make students understand certain rules, doctrines and principles of interpretation.

Outcomes of the Course

Students will be able to:

1. Know the techniques adopted by courts in construing statutes.
2. Interpret the conceptual basis of legal principles with comparative analysis.
3. Research, analyse, rationalize and present effectively.
4. Apply the legal principles and procedures in practice.

Contents of the Course

UNIT-I:

General and Rules of Statutory Interpretation

- a. Basic Principles of Interpretation, Statutes, Parts of Statutes, Kinds of Statutes, Intention of Legislature
- b. Meaning of Construction and Interpretation, Purpose of interpretation
- c. Guiding rules of interpretation

UNIT-II:

Aids to the Interpretation

- a. **Internal Aids to Interpretation-** Title, Preamble, Heading, Marginal Note, Section, Sub-section, Punctuation mark, Illustration, Exception, Proviso, Explanation, Saving Clause, Schedule, Non - obstante clause
- b. **External Aids to Interpretation-** Dictionaries, Translations, Constituent Assembly debate for Constitutional Interpretation, Legislative History, Legislative intention, Statement of objects and reasons, Legislative Debate, Law Commission Reports, Stare Decisis, Contemporanea Expositio, General Clause Act
- c.

UNIT-III:

Rules and Principles of Statutory Interpretation

- a. **Primary rules-** Literal rule, Golden rule, Mischief rule (rule in the Heydon's case), Rule of harmonious construction
- b. **Secondary Rules** - Noscitur a sociis, Ejusdem generis, Reddendo Singula Singulis, Principle of Constitutional interpretation, ut res magis valeat quam pereat, In bona mpartem.

UNIT-IV:

Interpretation with Reference to the Subject Matter and Purpose

- a. Restrictive and beneficial construction - Taxing statutes, Penal statutes, Welfare legislation
- b. Interpretation of substantive and adjunctive statute
- c. Interpretation of directory and mandatory provisions
- d. Interpretation of enabling statutes
- e. Interpretation of codifying and consolidating statutes
- f. Interpretation of statutes conferring rights
- g. Interpretation of statutes conferring powers

Suggested Readings:

- G.P. Singh, Principles of Statutory Interpretation, Wadhwa, 1999
- P. St. Langan (Ed.). Maxwell on the Interpretation of Statutes, Lexis Nexis, 2006
- N.M. Tripathi, Bombay K. Shanmukham, N.S. Bindras's Interpretation of Statutes, The Law Book Co., 2007
- V. Sarathi, Interpretation of Statutes, Eastern Book Company, 2010
- M.P. Jain, Constitutional Law of India, Wadhwa & Co., 2008
- M.P. Singh (Ed.), V.N.Sukla's Constitution of India, Eastern Book Company, 2017
- Narotam Singh and N.S. Bindra, Bindra's Interpretation of Statutes, LexisNexis Butterworths, 2007
- Sandeep Bhalla, Principles of Interpretation in India: (with Legal Maxims), IE books Inc., 2015
- U. Baxi, Introduction to Justice K.K. Mathew's, Democracy Equality and Freedom, EBC, 1978

B.A.LL.B. Semester–VIII

Paper-XLIV

M.M:100

Code: 108123

Theory:70

Credit- 4

Sessional:30

Civil Procedure Code and Limitation Act

Objectives of the Course

1. To equip students with the fundamental knowledge of Civil Procedure Code
2. To familiarize students with certain important concepts of civil procedure code such as place of suit, pleadings, particular suits, trial of suits, order, decree so on and so forth.
3. To acquaint students with the knowledge of procedural aspects of working of civil courts.
4. To equip students with the fundamental knowledge of the Limitation Act,1963.

Outcomes of the Course

Students will be able to:

1. Understand the fundamentals of Civil Procedure Code with commitment towards learning.
2. Interpret the conceptual basis of legal principles of Civil procedure code with comparative analysis
3. Research, analyze, rationalize and present effectively.
4. Apply the legal principles and procedures in practice.

Contents of the Course

UNIT I:

Introduction

- a. Background and Significance of the CPC, 1908
- b. Definitions: Decree, Judge & Judgment, Order, Foreign Court & Judgment, Mesne Profits, Public Officer, Affidavit, Complaint, Suit, Written Statement
- c. Jurisdiction and Place of suing
- d. Doctrine of Res sub judice, Doctrine of Res Judicata, Caveat, Inherent Power of Courts, Restitution
- e. Transfer of Proceedings

UNIT II:

Civil Suits

- a. Parties to Suit, Framing of suits
- b. Pleadings: Definition and Fundamental Rules of Pleading
- c. Complaint: General Rules of Complaint, Return and Rejection of a Complaint
- d. Limitation for Filing Written Statement under CPC
- e. Joinder, Re-joinder, Misjoinder, set-off and counter claim
- f. Summoning under the CPC
- g. Incidental Proceedings

- h. Appearance and Non-Appearance of Parties
- i. Ex-parte decree, Dismissal for Default

UNIT III:

Particular Suits and Trial of Suits

- a. Particular Suits: Suits by or against Governments, Suits by or against a foreigner, Suits by or against minors, Suits by or against firms, Suits by or against indigent person, Suits relating to public matters, Interpleader suits
- b. Trial of Suits: Examination of the Parties, Admission and Affidavit, Adjournment, Withdrawal and Compromise of suits
- c. Judgment: Judgment, decree and order, Execution of order and decree, Appeal from order and decree

UNIT IV:

Interim Orders, Supplementary Proceedings and the Limitation Act

- a. Commissions
- b. Arrest and Attachment before Judgment, Temporary Injunction and Interlocutory orders
Appointment of Receiver
- c. Reference, Review and Revision
- d. **The Limitation Act, 1963:** Limitation of suits, Appeal and Application [Section 3-11], Computation of Periods of Limitation [Section 12- 24], Acquisition of Ownership by Possession [The Schedule of period of Limitation is excluded]

Suggested Readings:

Dinshaw Fardauzi Mulla, Mulla's Code of Civil Procedure, Lexis Nexis, 2017

Sudipto Sarkar & V.R. Manohar, Sarkar's Code of Civil Procedure (2 Vols), Lexis Nexis India (11th Edn)

M. P. Jain, The Code of Civil Procedure, LexisNexis Butterworth India, 2019

C.K. Takwani, Code of Civil Procedure, Eastern Book Company, 2010

M.R. Malik, Ganguly's Civil Court, Practice and Procedure, Eastern Law House, 2012

M.P. Tandon, Code of Civil Procedure, Allahabad Law Agency, 2005

Universal's Code of Civil Procedure, 1908 (Bare Act)

B.A.LL.B. Semester–VIII

Paper-XLV

M.M:100

Code: 108421

Theory:70

Credit-4

Sessional:30

Banking Law

Objectives of the Course

1. To equip students with fundamental knowledge of Banking Law.
2. To acquaint the students with the historic development of banking industry in India.
3. To ascertain the laws applicable to banking sector.
4. To acquaint the students with the recent and emerging dimensions of banking system.
5. To develop research, analysis, reasoning and presentation skills in students.
6. To enable the students to apply the knowledge of banking law in legal practice.

Outcomes of the Course

Students will be able to:

1. Understand the fundamentals of banking law with commitment towards learning.
2. Interpret the conceptual basis of legal principles of banking law with comparative analysis.
3. Research, analyze, rationalize and present effectively.
4. Apply the legal principles and procedures in practice.

Contents of the Course

UNIT- I:

Introduction

- a. History & Evolution of Banking in India
- b. Nationalisation of Banks
- c. Meaning & Definition of Banking
- d. Kinds of Banks & their functions

UNIT -II:

Laws relating to Banking in India

a. Banking Regulation Act, 1949

Definitions of bank, banker, banking and banking companies

Control over Management

Prohibition of certain activities in relation to Banking Company

Acquisition of Undertakings of Banking Companies in Certain cases

Suspension of Business and Winding up of Banking Companies

Special Provisions for Speedy Disposal of Winding up proceedings

b. The Central Bank: Reserve Bank of India

Evolution of RBI

Organization and Management

Functions of RBI

UNIT -III:

Banker and Customer

a. Relationship between Banker & Customer

Definition of Banker and Customer

General and Special Relationship

Legal Character

Contract between banker & Customer

Banks duty to customers

General lien & Persons entitled to General lien

Types of Accounts

b. Special classes of Customers

Minor

Partnership

Company

Married Women

Trust

Illiterate persons

Joint Hindu Family

Executors

Lunatics

UNIT -IV:

E- Banking and Ancillary Services

a. E-Banking-

Definition

Internet Banking- Retail & Corporate Mobile banking

ATM Banking

E-Cheque-authentication

b. Remittances-

General, Demand Draft, Money Transfer

Traveler's Cheques, Bank orders, credit cards/debit cards

Safe deposit vaults, gift cheques

c. Banking Ombudsman

Suggested Readings:

- M.L. Tannan, Tannan's Banking Law and Practice in India, Lexis Nexis, 2017
- Avatar Singh, Banking and Negotiable Instruments, Eastern Book Company (P) Ltd, 2018
- Ross Cranston, Principles of Banking Law, New York: Oxford University Press, 1997
- R.K. Gupta, Banking Law and Practice, Modern Law Publications, 2004
- Paget's, Law of Banking, Lexis Nexis, 2015
- R.N. Chaudhary, Banking Laws, Central Law Publications, 2016
- Basu, Review of Current Banking: Theory and Practice, Macmillan, 1974
- L.C. Goyle, The Law of Banking and Bankers, Eastern Law House Pvt. Ltd., 1995
- S.N. Gupta, The Banking Law in Theory and Practice, Universal Publishing Co. Pvt. Ltd, 2017

B.A.LL.B. Semester–VIII

Paper-XLVI

M.M:100

Code: 108422

Theory:70

Credit-4

Sessional:30

Competition Law

Objectives of the Course

1. To develop an understanding about the concept of monopoly, constitutional perspectives pertaining to state monopoly.
2. To trace historical development of the competition law regime and learn about the need for having competition law.
3. To provide an analysis of the legal developments, from MRTP to the Competition Act.
4. To learn the nuances of the competition law and the various guidelines issued within its purview by the regulatory bodies.
5. To study and enhance the knowledge pertaining to the working of the competition commission of India and identify the areas where competition law has marked its presence.

Outcomes of the Course

Students will be able to:

1. Explain the concept of monopoly, constitutional directives against monopoly and the practice of monopolization.
2. Illustrate the evolution, object and functions of Competition law.
3. Compare the types of anti-competitive agreements and testing its validity; the practices covered by abuse of dominant position; practices in connection with combinations.
4. Examine the enforcement mechanisms and regulatory framework envisaged under the Competition Law.

Contents of the Course

UNIT-I:

- a. The Concept of Monopoly: Advantages and Disadvantages, The Role of monopoly in Indian economy
- b. Constitutional directives regarding concentration of economic power, The Right of the state to set up a monopoly in trade or business, Monopolies in the Private and Public Sectors, Monopolization of certain trades and services - Magnitude and trends.

UNIT-II:

- a. History and Development of Competition Law/ Antitrust Law, Liberalization and Globalization - Raghavan Committee Report, Competition Act 2002; Difference between MRTP Act and Competition Act, 2002,
- b. Historical Introduction to Monopolies and Antitrust Legislation in U.S.A. and U.K. - The Sherman Act, the Clayton Act and the Monopolies and Mergers Act; Monopolies Inquiry Commission Recommendations: Constitutional directive, MRTP Commission: Policy and Law.

UNIT-III:

- a. Enforcement Mechanisms under The Competition Law, 2002: Establishment and Constitution of Competition Commission of India, Powers and Functions- Jurisdiction of the CCI- adjudication and appeals, -Competition Appellate Tribunal, Director General of Investigation
- b. Regulation of Anti-competitive Agreements, Abuse of Dominant Position, Combinations under the Act

UNIT-IV:

- a. The Competition Act, 2002- Penalties for Contravention (Chapter VI)
- b. Role of Competition Advocacy (Chapter VII)

Suggested Readings:

T. Ramappa, Competition Law in India: Policy, Issues and Development, Oxford University Press, New Delhi

Avtar Singh, Competition Law, Eastern Book Company, Lucknow

Abir Roy & Jayant Kumar, Competition Law in India, Eastern Law House, Kolkata

Souvik Chatterji, Competition Law in India and USA, Allahabad Law Agency, Faridabad

Versha Vahini, Indian Competition Law, Lexis Nexis, Gurgaon

J. M. Blair, Economic Concentration - Structure, Behaviour and Public Policy

Rowley, International Mergers Anti-Trust Process. Evel and Little: Concentration in British Industry

J. B. Health, (ed.) International Conference on Monopolies - Mergers and Restrictive Practices.

C. Kaysen and Turner, Anti-Trust Policy.

W. F. Muller, A. Primer on Monopoly and Competition

A. Sutherland, The Monopolies Commission in Action

Government of India, Report of the Industrial Licensing Policy Inquiry Committee (1969).

Government of India, Report of the High-Powered expert Committee on the Companies Act.

V.K. Singhania, Economic Concentration through Intercorporate

S. M. Jhala, Monopolies and Restrictive Trade Practices in India

B.A.LL.B. Semester–VIII

Paper-XLVII

M.M:100

Code: 108423

Theory:70

Credit-4

Sessional:30

Insurance Law

Objectives of the Course

1. To equip the students with fundamental knowledge of Insurance Law.
2. To acquaint the students with the general and specific principles of law of insurance.
3. To familiarize with the various types of insurances and the laws governing insurance in India.
4. To develop research, analysis, reasoning and presentation skills in students.
5. To enable the students to apply the knowledge of insurance law in legal practice.

Outcomes of the Course

Students will be able to:

1. Understand the fundamentals of insurance law with commitment towards learning.
2. Interpret the conceptual basis of legal principles of insurance law with comparative analysis
3. Research, analyze, rationalize and present effectively.
4. Apply the legal principles and procedures in practice.

Contents of the Course

UNIT-I:

Principles of Contract of Insurance

- a. Meaning, Definition & Nature of Insurance Contract,
- b. Parties and Premium under Contract of Insurance
- c. **General Principles:** - Essentials of Contract of Insurance
 - i. Proposal and Acceptance
 - ii. Competence of Parties
 - iii. Consideration
 - iv. Free Consent
 - v. Legality of Object
 - vi. Capacity to Contract

d. Specific principles:

- i. Principle of utmost good faith (Duty of Disclosure, uberrima fides)
- ii. Principle of Insurable Interest
- iii. Principle of Subrogation
- iv. Principle of Contribution
- v. Principle of Proximate Cause
- vi. Principle of Indemnity
- vii. Material facts
- viii. Double Insurance & Re-insurance

UNIT -II:

Life Insurance

a. Life Insurance:

History & Evolution

Nature and definition of life Insurance Contract

Kinds of Life Insurance Contracts

Formation of Life Insurance Contract

Factors affecting the risk

Amounts recoverable and persons entitled to payment under Life Insurance Policy

Settlement of Claims and payment of Money

b. Important Provisions of LIC Act, 1956

UNIT- III:

Marine & Fire Insurance

a. Marine Insurance

Nature & Characteristics of Marine Insurance

Indemnity

Kinds of Marine Insurance policies

Warranties & Breach of Warranties

Voyage & Deviations

Maritime perils

Settlement of Claim

b. Fire Insurance

Nature, Scope & Importance of Fire Insurance

Contract of Indemnity

Types of Fire Insurance

Perils insured against and proximate cause

Excepted perils

Inclusions & Exclusions under Fire Insurance Policy

Manipulated Fire and its effects

Settlement of Claim

Unit -IV:

Legislations Governing Insurance in India

a. Insurance Act, 1938

Assignment & Transfer of Policies

- Nomination
- Difference between Assignment & Nomination
- Misstatement & Concealment
- b. Insurance Regulatory and Development Authority (IRDA)**
 - Duties, Powers & Functions of the authority
 - Registration, Cancellation of Registration and Requirements as to Capital
- c. Redress of Public Grievances Rules, 1998: Insurance Ombudsman**

Suggested Readings:

- K.S.N. Murthy & K.V.S. Sharma, Modern Law of Insurance, LexisNexis, 2014
- Avtar Singh, Law of Insurance, Eastern Book Company, 2017
- J.V.N. Jaiswal, Law of Insurance, Eastern Book Company, 2008
- M.N. Srinivasan, Principles of Insurance Law, LexisNexis Butterworth Wadhwa, 2009
- Taxmann's, Insurance Law Manual, 2015
- B.C. Mitra, Law Relating to Marine Insurance, 2012
- E.R. Hardy Ivamy, General Principles of Insurance

B.A.LL.B. Semester–VIII

Paper-XLVIII

M.M:100

Code:108124

Theory:70

Credit-4

Sessional:30

**Alternative Dispute Resolution- Arbitration, Mediation and Conciliation
(Clinical / Practical Paper)**

Objectives of the Course

1. To provide a strong academic understanding of the various modes of Alternative Dispute Resolution (ADR) systems.
2. To discuss the procedural aspects of the different modes of ADR.
3. To inculcate the practical approaches through the case study on Domestic Arbitration and International Arbitration.
4. To develop the practical approaches, participation and report writing skills through the participation in Lok Adalats and Legal Awareness Camps.

Outcomes of the Course

Students will be able to:

1. Understand various modes of ADR with procedure and practice.
2. Evaluate the sophisticated understanding of ethical and legal issues surrounding Dispute Resolution models and practice including case study.
3. Formulate the modalities and techniques of resolution of disputes through outside court settlement.

Contents of the Course

UNIT- I:

Introduction & General Concept of Alternative Dispute Resolution and Arbitration

- a. Meaning, Nature and Scope of ADR
- b. Arbitration- Definitions with related Sections description, New York Convention and Geneva Convention

UNIT -II:

Other Modes of Alternative Dispute Resolution

- a. Conciliation, Mediation, Negotiation
- b. Section 89 of the Civil Procedure Code, 1908 and Plea Bargaining

UNIT -III:

Institution and Case Analysis

- a. One leading case on Domestic Arbitration and one on International Arbitration
- b. Indian Council of Arbitration (ICA) – Its system and working

UNIT- IV:

Report Writing

- a. Reports on participation in Legal Awareness Camps organized by department and/or with other institutions Reports on participation in Lok Adalats

Suggested Readings:

Avtar Singh, Law of Arbitration & Conciliation and Alternative Resolution Systems, Eastern Book Company, 2021

K.V. Satyanarayana, Law of Arbitration and Conciliation in India, Asia Law House, 2021

Madusudan Sahary, Text book on Arbitration and Conciliation with Alternative Dispute Resolution, Universal Law Co. Pvt. Ltd., 2017

N.V. Paranjpe, Law relating to Arbitration & Conciliation in India, Central Law Agency, 2016

Rohit M. Subramaniam, Eastern Book Co., 2021

Anirban Chakraborty, Law & Practice of Alternative Dispute Resolution in India, Lexis Nexis, 2016

Justice S.M. Jhunjhunwala, Law of Arbitration and Conciliation, Snow white Publications Pvt. Ltd. 2021

Shashank Garg, Alternative Dispute Resolution, Oxford, 2018

B.A. LL.B. Semester–IX
Code: 109121
Credit-4

Paper-XLIX

M.M:100
Theory:70
Sessional:30

Law of Evidence

Objectives of the Course

1. To make the students understand nature and functions of the law of evidence.
2. To assist the students in grasping the fundamental rules regarding evidence which help the judge in reaching his decision.
3. To demonstrate to students the quality and type of proof needed to prevail in litigation.
4. To inculcate in them the skills of an Advocate by exposing them to the techniques of cross examination.
5. To make them understand the effect of evidence.

Outcomes of the Course

Students will be able to:

1. Acquire the knowledge of the basics of law of evidence and will develop an understanding of the law of evidence and its operation.
2. Demonstrate a coherent and fundamental knowledge of the rules of evidence, evidential concepts and principles.
3. Develop communication skills to present a clear and coherent understanding of the rules of evidence to a legal audience.
4. Discuss the facts of complex legal principles pertaining to evidence.
5. Demonstrate a detailed knowledge of the specific areas of current importance and will be able to analyse the evolving nature of law of evidence.

Contents of the Course

UNIT- I:

Introduction and Relevancy

- a. Introduction
- b. Definition Nature, Functions and relationship of Law of evidence with the substantive and procedural laws.
- c. Lex fori
- d. Definitions (Sections 3 and Section 4)
- e. Judgements of Court of Justice, opinion of third persons and character when relevant (Sections 40 to 55).
- f. Doctrine of res gestae (Sections 6, 7, 8, 9, 14).
- g. Conspiracy (Section 10).

UNIT -II:

Statements - Admissions/Confessions/Dying Declaration

- a. Admission (Sections 17 –23)
- b. Confessions (Sections 24 –30)

- c. Statements (Sections 32 –39)

UNIT- III:

Method of proof of facts & Production and effect of Evidence

- a. Facts which need not to be proved (Sections 56 –58)
- b. Oral and Documentary Evidence (Sections 59 –78)
- c. Presumptions (Sections 4, 41, 71 – 90, 105, 107, 108, 112, 113A, 114 & 114A)
- d. Exclusion of oral by documentary evidence (Sections 91)
- e. Burden of proof (Sections 101 –114A)
- f. Facts Prohibited from proving Estoppel (Sections 115 –117)
- g. Privileged communications (Sections 122 –129)
- h. Witnesses (Sections 118 – 121, 130 –134)

UNIT -IV:

Productions and Effect of Evidence

- a. Examination of witness (Sections 135 –166)
- b. Improper Admission and rejection of evidence (Section 167)
- c. Digital Signatures & Digital Certificates-The Concept
- d. Working of Digital Signatures and Digital Certificates
- e. Applications of Digital Signatures in an e-business Scenario Cryptography and Cryptosystems
- f. Public Key Infrastructure (PKI)

Suggested Readings:

Batuk Lal, Law of Evidence, Central Law Agency, 2020

Ratan Lal Dhiraj Lal, The Law of Evidence, LexisNexis, 2019

Avtar Singh, Principle of the Law of Evidence, Central Law Publications, 2020

M. Monir, The Text Book on The Law of Evidence, Universal Law Publishing, 2018

Vepa P. Sarathi, Law of Evidence, EBC, 2021

Richard D. Friedman, Wigmore on Law of Evidence, Foundation Pr, 2008

M. Monir, The Law of Evidence (In 2 Volumes)- Sarkar and Manohar, Sarkar on Evidence, Lexis Nexis, 2010

Albert S. Osborn, The problem of Proof, Nabu Press, 2010

Ali and Woodroffe, Law of Evidence, Lexis Nexis, 2016

B.A.LL.B. Semester–IX
Code: 109122
Credit-4

Paper-L

M.M:100
Theory:70
Sessional:30

Law of Crimes-II (Criminal Procedure Code)

Objectives of the Course

1. The course is aimed at driving home the students how the pre-trial, trial and the subsequent process are geared up to make the administration of criminal justice effective
2. The course will acquaint the student with organisation of the functionaries under the Code, their power and functions at various stages and the procedure according to which these powers and functions are to be exercised.
3. The students will also undertake the study of two cognate Acts as a part of this course viz.; Juvenile Justice Act and Probation of Offenders Act.

Outcomes of the Course

Students will be able to:

1. Understand the fundamentals of law with commitment towards learning.
2. Interpret the conceptual basis of legal principles with comparative analysis.
3. Research, analyze, rationalize and present effectively.
4. Apply the legal principles and procedures in practice.

Contents of the Course

UNIT- I:

Introduction

- a. Object, extent and scope of Criminal Procedure Code, Definitions
- b. The organization of the functionaries under the Code; their duties, functions and powers, Jurisdiction of Criminal Courts in enquiries and trails.

UNIT-II:

Pre-Trial-I

- a. Provisions for Investigation, Information to Police and their power to investigate
- b. Provisions regarding arrest, warrant of arrest, search warrant, Summons, Proclamation and attachment, Security for keeping the peace and for good behaviour.

UNIT-III:

Trial

- a. Process to compel appearance and production of things, Magisterial Powers to take cognizance, Complaint to Magistrate, Dismissal of complaints, Commencement of

proceeding before Magistrate, The charge

- b. Trial, Features of a fair trial, Types of Trial (Session, Warrant, Summon and Summary trial), Plea- bargaining.

UNIT-IV:

Appeal, Reference, Revision

- a. The Judgment, Appeals, Reference and revision, Bail, Maintenance of wives, children's and parents, compounding of offences and plea bargaining., Limitation of taking cognizance.
- b. Juvenile Justice (Care & Protection of Children) Act, 2015, Probation of Offenders Act, 1958.

Suggested Readings:

Code of Criminal Procedure, 1973

Probation of Offenders' Act, 1958

Juvenile Justice (Care & Protection of Children) Act, 2000

R.V. Kelkar- Criminal Procedure, EBC, 2021

Ratanlal & Dhiraj Lal, The Code of Criminal Procedure, LexisNexis, 2020

S.N. Mishra- The Code of Criminal Procedure 1973, Central Law Publication, 2020

C.K. Takwani, Criminal Procedure, LexisNexis, 2014

P. S. A. Pillai, Criminal Law, Lexis Nexis, 2017

S.C. Sarkar, Code of Criminal Procedure (Volume –I &II), Lexis Nexis, 2018

B.A. LL.B. Semester–IX
Code:109123
Credit-4

Paper-LI

M.M:100
Theory:70
Sessional:30

Labour Law and Industrial Laws-I

Objectives of the Course

1. This course aims to introduce fundamentals principles and regulations relevant in the domain to labour and industrial law.
2. It will focus on developing research, analysis and presentation among the students.
3. It also aims to disseminate legal awareness about the relevant legislation such as trade unions act, industrial dispute act, and employee's state insurance Act particularly in the context of Uttarakhand.

Outcomes of the Course

Students will be able to:

1. Possess the necessary legal knowledge in the domain of labour and industrial laws.
2. Develop capacity to apply these regulations in industrial disputes.

Contents of the Course

UNIT-I:

Trade Union Act, 1926

- a. Trade Unionism in India
- b. Definition of trade union and trade dispute Registration of trade unions
- c. Legal status of registered trade union
- d. Mode of registration
- e. Powers and duties of Registrar
- f. Cancellation and dissolution of trade union
- g. Procedure for change of name
- h. Amalgamation and dissolution of trade union
- i. Disqualifications of office-bearers, Right and duties of office-bearers and members
- j. General and Political funds of trade union
- k. Civil and Criminal Immunities of Registered trade unions
- l. Recognition of trade union
- m. Collective bargaining

UNIT-II:

The Industrial Dispute Act, 1947

Resolution of Industrial Dispute

- a. Industrial dispute and individual dispute
- b. Arena of interaction and Participants– Industry, workman and employer
- c. Settlement of industrial dispute
 - Works Committee
 - Conciliation Machinery
 - Court of Enquiry
 - Voluntary Arbitration
 - Adjudication – Labour Court, Tribunal and National Tribunal settlement bodies and techniques
- d. Powers of the appropriate Government under the Industrial Disputes Act, 1947
- e. Unfair Labour Practice

UNIT-III:

The Industrial Dispute Act, 1947

Instrument of Economic Coercion

- a. Concept of strike
- b. Gherao
- c. Bandh and Lock-out
- d. Types of strike
- e. Rights to strike and Lock-out
- f. General Prohibition of strikes and lock-outs
- g. Prohibition of strikes and lock-outs in public utility services
- h. Illegal strikes and lock-outs
- i. Justification of strikes and lock-pouts
- j. Penalties for illegal strikes and Lock-outs
- k. Wages for strikes and lock-outs

UNIT-IV:

Employee's State Insurance Act, 1948

- a. Historical Background
- b. Aims, Objects & Application
- c. Definitions
- d. Security Measures (Benefits Available)
- e. Employment Injury

- f. General Rules concerning benefits
- g. Authorities under the Act

Suggested Readings:

Trade Union Act, 1926, Industrial Employment (Standing Orders) Act, 1946

Industrial Dispute Act, 1947

Employee's State Insurance Act, 1948

S.C. Srivastava, Labour Law and Industrial Relations, Vikas Publishing House, 2012.

S.K. Puri, Labour and Industrial Laws, Allahabad Law Agency, 2017.

Pai, Labour Law in India, Butterworths, 2001.

V.G. Goswami, Labour Law and Industrial Law, Central Law Agency, 2019.

S.N. Mishra, Labour and Industrial Law, Central Law Agency, 2020

O.P. Malhotra, Industrial Disputes Act, Vol. I & II, Lexis Nexis, 2004

Indian Law Institute – Cases and Materials on Labour Law and Labour Relations, Indian Law Institute, 2007

B.A. LL.B. Semester–IX
Code: 109421
Credit-4

Paper-LII

M.M:100
Theory:70
Sessional:30

Offences against Children and Juvenile Offences

Objectives of the Course

1. To understand the meaning of Juvenile Delinquency and the factors responsible for its causation.
2. To enable the students to understand the meaning of crime related to child.
3. To introduce the student to various aspects of criminal liability and the logical classification of offences according to their gravity.
4. To acquaint them to available National and International legal regimes pertaining to child protection.

Outcomes of the Course

Students will be able to:

1. Understand the various dimensions of the various aspects of crime and criminal behaviour and the implementation of the law through judicial interpretation.
2. Work efficiently and with critical engagement with various concepts of Criminal law in relation to child protection, having due regard to the practical implementation of the principles in actual cases.
3. Put in practice the acquired knowledge, procedural and practical aspects of jurisprudential law and will use logical, analytical and decision-making ability to deal with challenge.

Contents of the Course

UNIT-I:

Constitutional and International Legal Status of Child

- a. Constitutional Concern-Articles 15(3), 21(A), 24, 39(e) & (f) and 45
- b. International concern and endeavour for the welfare of children:
 - Minimum Age conventions
 - Child rights conventions
 - U.N. Declaration of the Rights of the Child, 1924, 1959
 - Contributions – UNESCO, UNICEF, CEDAW

UNIT-II:

Legal Control of Child Labor

- a. International conventions and recommendations of the ILO
- b. The Factories Act, 1948
- c. The Child Labor (Prohibition and Regulation) Act, 1986

UNIT-III:

Child and Criminal Liability: Statutory provisions

- a. Sections 82, 83, 299 (Explanation 3), 312, 313, 314, 315, 316, 317, 318, 363A, 372, 376 and 377 of IPC
- b. Section 27 of the Cr.P.C.
- c. The Prohibition of Child Marriage Act, 2006
- d. The Children Act, 1960
- e. The Child Abuse Prevention and Treatment Act, 1974

UNIT-IV:

Juvenile Offence, Juvenile Delinquency and Sexual Abuse of Children

a. Concept of Juvenile Delinquency

b. Legal Position in India

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

General Principles of Care and Protection of children

Juvenile Justice Board: Procedure, Powers and functions

Procedure in relation to children in conflict with law

Children's Court and its Powers

Child welfare committee: Procedure, Powers and functions

Procedure in relation to children in need of Care and Protection

Rehabilitation and Social Re-Integration- Offences against Children.

Probation of Offenders Act, 1958 (benefit of Section 6 of the Act)

c. Sexual Abuse of Children

Meaning, Definition, Nature and different types of Sexual Abuses

Protection of Children from Sexual Offences Act, 2013

Preventive Sexual Assault and Aggravated Penetrative Sexual Assault (3 to 6)

Sexual Assault and Aggravated Sexual Assault (7 to 10)

Sexual Harassment (11, 12)

Using Child for Pornographic Purpose (13 to 15)

Abetment and Attempt to commit an offence (16 to 18)

Procedure for Reporting Case (19 to 23) - Procedure for recording Statement (24 to 27)

Special Courts and Procedure and Powers of Special Courts (28 to 38)

Suggested Readings:

- S.C. Tripathi and Vibha Arora, Law relating to Women & Children, Central Law Publications, 2017
- R.N. Choudhary, Law relating to Juvenile Justice in India, Orient Publishing House, 2015
- Mamta Rao, Law relating to Women & Children, Eastern Book Company, 2018
- S.N. Jain (ed.), Child and Law, Indian Law Institute, 1979
- K. D. Gaur, Textbook on Indian Penal Code, Universal Law Publishing Co., 2012
- K. I. Vibhuti, PSA Pillai's Criminal Law, LexisNexis, Butterworths Wadhwa, 2012
- S.R. Myneni, Offences against Child and juvenile Offences, New Era Law Publication, 2018
- S.K. Chatterjee, Offences against Child and Juvenile Offences, Central Law Publication, Allahabad, 2012
- Ved Kumari, The Juvenile Justice System in India: From Welfare to Rights, Oxford University Press India, 2010
- M.S. Sabnis, Juvenile Justice and Juvenile Correction, Somaiya Publications Pvt. Ltd., 1996 edition, 1996
- N.K. Chakrabarty, Juvenile Justice in the Administration of Criminal Justice, Deep & Deep Publications, 2000

B.A.LL.B. Semester-IX
Code: 109422
Credit-4

Paper-LIII

M.M:100
Theory:70
Sessional:30

Women and Law

Objectives of the Course

1. To create awareness and to make the students familiar with women's issues and women's rights.
2. To enable them to critically analyse women's issue on human right perspective.
3. To familiarize the students with the major historical developments of women's movement in their onward march to freedom and equality.
4. To understand the nature and growth of women's movement in the modern age, covering arrange of issues pertinent to women's emancipation, dignity and status.

Outcomes of the Course

Students will be able to:

1. Appreciate the norms of equality and liberty as the basis of just and fair society.
2. Demonstrate that how and in what manner the laws relating to women should be considered in proper perspective.
3. Analyse the radical transformation in the position of women internationally as well as nationally.
4. Able to put in practice the acquired knowledge.

Contents of the Course

UNIT I:

a. Introduction: Status of Women: International and National Perspective

Women Rights as Human Rights

Universal Declaration of Human Rights, 1948

Convention on the Elimination of all forms of Discrimination against Women, 1979

Declaration on the Elimination of Violence against Women, 1993

b. Gender Equality and Constitution

Preamble

Political Rights, Economic Rights and Social Justice

Fundamental Rights

Equality, Right to Livelihood, Right to Live with Dignity, Right against Exploitation

c. Directive Principles of State Policy

Equal Justice and Free Legal aid, Provision for Just and Humane Conditions of Work and Maternity Relief,
Uniform Civil Code
Fundamental Duties-Art.-51-A[e]
Women's Representation in Local Bodies

UNIT-II:

Personal Laws and Women

- a. Marriage
- b. Divorce
- c. Adoption
- d. Maintenance
- e. Succession
- f. Guardianship

UNIT-III:

Criminal Laws and Women

- a. Adultery
- b. Rape (Custodial Rape, Gang Rape, Marital Rape)
- c. Outraging Modesty
- d. Domestic Violence
- e. Dowry Deaths
- f. Sexual Harassment

UNIT-IV:

a. Women Welfare Laws

The Dowry Prohibition Act, 1961
Pre-conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994
Indecent Representation of Women (Prohibition) Act, 1986
Immoral Traffic (Prevention) Act, 1986
Protection of Women against Sexual Harassment at Workplace Act, 2013
Protection of Women against Domestic Violence Act, 2005

b. Labour Welfare Legislations:

Maternity Benefit Act, 1961
Factories Act, 1948
Equal Remuneration Act, 1976

Suggested Readings:

S.C. Tripathi and Vibha Arora, Law relating to Women & Children, Central Law

Publications, 2017

Mamta Rao, Law relating to Women & Children, Eastern Book Company, 2018

S.N. Jain (ed.), Child and Law, Indian Law Institute, 1979

Anjani Kant, Women and the Law, A.P.H Publishing Corporation, 2008

Arunima Baruah, The Soft Target-Crime Against Women, Kilaso Books, 2004

Dalbir Bharathi, Women and the law, A.P.H Publishing Corporation, 2008

P.D. Kaushik, Women Rights- Access to Justice, Bookwell, 2007

National Commission for Women, Gender Equity-Making it Happen – Strategies and Schemes of Government of India, NCW, 2001

B.A. LL.B. Semester– IX
Code:109423
Credit-4

Paper-LIV

M.M:100
Theory:70
Sessional:30

Human Rights Law and Practice

Objectives of the Course

1. To expose students about concepts and ideas of Human rights.
2. To focus on the study of Law relating to Human rights in National and International perspectives.
3. To understand the development of Human rights Law in practice.
4. To understand the Conventions related to Human rights.

Outcomes of the Course

Students will be able to:

1. Understand the fundamentals of law with commitment towards learning.
2. Interpret the conceptual basis of legal principles with comparative analysis.
3. Research, analyze, rationalize and present effectively.
4. Expose the students about Enforcement of Human Rights in India.

Contents of the Course

UNIT - I:

Introduction

- a. Concept and nature of Human Rights
- b. History, Evolution and Growth of Human Rights
- c. Development of Human Rights in International Law
- d. Human Rights & U.N. Charter

UNIT-II:

International Conventions

- a. International Protection of Human Rights: Universal Declaration on Human Rights, International Covenant on Civil & Political Rights 1966, International Covenant on Social, Cultural and Economic Rights 1966,
- b. Regional Protection of Human Rights: European Convention on Human Rights, American Convention on Human Rights, African Charter on Human and People's Rights, Amnesty International.

UNIT-III:

Enforcement and Development of Human Rights in India

- a. Enforcement of Human Rights, Development of Human Rights in India, Human Rights under the Indian Constitution and their Enforcement
- b. Fundamental Rights Conventions against Torture, Inhuman and degrading behaviour, Directive Principles of State Policy

UNIT -IV:

Human Rights Act, 1993

- a. Human Rights Act, 1993: Characteristics features, Promotion and Protection of Human Rights in India: National Human Rights Commission, State Human Rights Commission,
- b. Human Rights Courts. Human Rights during Armed Conflict, Awareness and Education of Human Right.

Suggested Readings:

- S.K. Kapoor, Human Rights under International Law & Indian Law, Central Law Agency, 2017
- D.D. Basu - Human Rights in Constitutional Law, LexisNexis, 2008
- H.O. Agarwal, Human Rights, Central Law Publications, 2020
- Rashee Jain, Textbook on Human Rights Law and Practice, Universal Law Publishing, 2016
- H.O. Agarwal, International Law & Human Right, CLP, 2018
- S.K. Kapoor- International Law and Human Rights, Central Law Agency, 2021
- Bare Act-The Protection of Human Right Act, 1993

B.A. LL.B. Semester-IX
Code:109124
Credit-4

Paper-LV

M.M:100
Theory:70
Sessional:30

Drafting, Pleading and Conveyancing (Clinical/Practical Paper)

Objectives of the Course

1. To introduce the basic principles of drafting and pleading to the students.
2. To explain the format of applications, plaint and other forms of legal writing will be discussed in the class.

Outcomes of the Course

Students will be able to:

1. Understand the format and requirements of drafting in the legal proceedings.
2. Draft legal documents such as legal notices, applications and plaint etc. which will be useful in litigation.

Contents of the Course

UNIT-I:

General Principles of Drafting and Pleading

- a. Drafting rules
- b. Forms of Pleading

UNIT-II:

Criminal Pleading

- a. Bail Application
- b. Complaint
- c. Criminal Revision
- d. Criminal Appeal

UNIT-III:

Civil Pleading

- a. Plaint
- b. Written Statement

- c. Interlocutory Applications
- d. Original Petition
- e. Execution Petition
- f. Memorandum of Civil Appeal
- g. Petition under Article 226 and Article 32 of the Constitution of India.

UNIT-IV:

Conveyancing

- a. Essentials of Deeds
- b. Sale Deed
- c. Mortgage Deed
- d. Lease Deed
- e. Gift Deed
- f. Affidavit
- g. Promissory Note
- h. Power of Attorney (General)
- i. Power of Attorney (Special)
- j. Will
- k. Agreements
- l. Partnership Deed

Suggested Readings:

M.C. Agarwal and G.C. Mogha, Mogha's Law of Pleadings in India, Eastern Law House, 2016

M.R. Mallick, Ganguly's, Civil Court: Practice and Procedure, Eastern Law House, 2016

J.M. Srivastava and G.C. Mogha, Mogha's The Indian Conveyancer, Eastern Law House, 2008

C.R. Datta and M.N. Das, De Souza's, Forms and Precedents of Conveyancing, Eastern Law House, 1999

B.A.LL.B. Semester–X

Paper-LVI

M.M:100

Code: 100121

Theory:70

Credit-4

Sessional:30

Labour & Industrial Law–II

Objectives of the Course

1. This course aims to introduce fundamental principles and regulations relevant in the domain to labour and industrial law.
2. It will focus on developing research, analysis and presentation among the students.
3. It also aims to disseminate legal awareness about the relevant legislation such as minimum wages act, payment of wages act, factories act and workman's compensation act particularly in the context of Uttarakhand.

Outcomes of the Course

Students will be able:

1. Possess the necessary legal knowledge, expertise in labour and industrial law.
2. Apply these regulations in industrial disputes.

Contents of the Course

UNIT-I:

Minimum Wages Act, 1948

- a. Concept of minimum wage, fair wage, living wage and need based minimum wage
- b. Constitutional validity of the Minimum Wages Act, 1948
- c. Procedure for fixation and revision of minimum wages
- d. Fixation of minimum rates of wages by time rate or by piece rate
- e. Procedure for hearing and deciding claims

UNIT-II:

Payment of Wages Act, 1936

- a. Object, scope and application of Act
- b. Definition of wages
- c. Responsibility for payment of wages
- d. Fixation of wage period
- e. Time of payment of wage
- f. Deductions which may be made from wages
- g. Maximum amount of deduction

UNIT-III:

Workmen's Compensation Act, 1923

- a. Definition of dependent, workman, partial disablement and total disablement
- b. Employer's liability for compensation
- c. Employer's Liability when employee is employed under any contract or is engaged independently or by an independent contractor
- d. Amount of Compensation

UNIT-IV:

Factories Act, 1948 & Maternity Benefits Act, 1961

- a. Concept of 'factory', 'manufacturing process' 'worker' and 'occupier'
- b. General duties of occupier
- c. Measures to be taken in factories for health, safety and welfare of workers
- d. Working hours for adults
- e. Maternity Benefits Act: Aims and Objects & Application, Definitions, Restriction of work, Right to Payment, Forfeiture of Maternity Benefits (v) Other Provision (Leaves etc.), Authorities, Powers & Duties of Inspectors and Penalty

Suggested Readings:

S.C. Srivastava, Labour Law and Industrial Relations, Vikas Publishing House, 2012

S.K. Puri, Labour and Industrial Laws, Allahabad Law Agency, 2017

G.B. Pai, Labour Law in India, Butterworths, 2001

V.G. Goswami, Labour Law and Industrial Law, Central Law Agency, 2019

S.N. Misra, Labour and Industrial Law, Central Law Agency, 2020

O.P. Malhotra, Industrial Disputes Act, Vol. I & II, Lexis Nexis, 2020

Indian Law Institute – Cases and Materials on Labour Law and Labour Relations, Indian Law Institute, 2007

B.A.LL.B. Semester–X

Paper-LVII

M.M:100

Code: 100122

Theory:70

Credit-4

Sessional:30

Environmental Law

Objectives of the Course

1. To acquaint students of the Indian approach to the problem of environmental pollution.
2. To explore the international obligations of the country for protection of environment.
3. To make the students aware about the legislative measures for protection of environment and spirit of Indian Constitution for protection of environment.
4. To make students understand the activist role played by Indian Judiciary in protection of environment and evolution of different principles such as ‘polluter pays principle’, ‘precautionary principle’, ‘inter-generational equity’ and ‘sustainable development’.

Outcomes of the Course

Students will be able to:

1. Understand and explain the importance and basic principles of environmental law in India with current developments.
2. Analyze the social, historical, constitutional and legal developments on environmental law in India vis-a-vis international developments in the field.
3. Comprehend and appreciate the applicable legal regime specifically legislated for environmental protection and pollution in India.
4. Understand appreciate the structure, functioning and jurisprudence of Special Courts and Tribunals in India on environmental issues.

Contents of the Course

UNIT-I:

Concepts of Environmental Protection

- a. Environmental Protection & its Importance
- b. Global Warming and Depletion of Ozone Layer
- c. Constitutional Provision and Environment Protection in India
- d. Sustainable Development
- e. International Concern for Environment Protection and Role of Judiciary in India
- f. WTO and Environment Protection

UNIT-II:

Environmental Legislations

- a. Environmental Protection Act, 1986
- b. The National Green Tribunal Act, 2010
- c. Hazardous Waste Management Rules, 2016

UNIT-III:

Air and Water Legislations

- a. Water (Prevention and Control of Pollution) Act, 1974
- b. Air (Protection and Control of Pollution) Act, 1981

UNIT-IV:

Wildlife and Forest Legislations

- a. Wildlife (Protection) Act, 1972
- b. Forest (Conservation) Act, 1980
- c. Indian Forest Act, 1927

Suggested Readings:

- S.C. Shastri, Environmental Law, Eastern Book Company, Lucknow, 2005
- I.A. Khan, Environmental Law, Central Law Agency, Allahabad, 2002
- Amod S. Tilak, Environmental Law, Snow White Publication, Mumbai.
- Shyam Divan and Armin Rosencranz, Environmental Law and Policy in India, Oxford University Press, New Delhi, 2005
- Maheshwara Swamy, Textbook on Environmental Law, Asia Law House, Hyderabad, 2008
- P. Leelakrishnan, Environmental Law in India, Lexis Nexis, New Delhi, 2005
- S. Shantakumar, Introduction to Environmental Law, Wadhwa & Company, Nagpur, 2005
- Indra Priya, Environmental Law sustainable Development Asia Law Agency, 2010
- K. Uma Devi, Sustainable Development, Asia Law House, 2010
- Ratan Joshi, Environmental Study, Sahitya Bhawan Publication, Allahabad, 2019
- Philippe Sands, Principles of International Environmental Law: Frameworks, Standards and Implementation, Cambridge University Press, 2003
- Stuart Bell & Donald Me Gillivray, Environmental Law–The Law and Policy Relating to the Protection of the Environment, Oxford University Press, 2006
- Daniel Budansky, The Art and Craft of International Environmental Law, Harvard University Press, 2010

B.A.LL.B. Semester–X

Paper-LIX

M.M:100

Code: 100123

Theory:70

Credit-4

Sessional:30

Principles of Taxation

Objectives of the Course

1. To analyse the basics of Income Tax Laws.
2. To apply the basics of heads of Incomes and computation procedures.
3. To Explain various legal solution for the problems relating to computation of Heads of Incomes and computation procedures.
4. To elucidate Tax authorities and recovery of taxes.

Outcomes of the Course

Students will be able to:

1. Explain canon of taxation including exemption & deductions of taxes.
2. Apply general principles of Heads of Incomes and its computational procedures on Assesses.
3. Evaluate basic concepts of Tax Authorities and Recovery of taxes.
4. Design a tax-payer friendly modality for practical and procedural legal issues, involve under taxation system.

Contents of the Course

UNIT-I:

Introduction

- a. Definitions
- b. Basis of Incomes-Charge of Income Tax, Scope of Total Income, Residential Status of an Assessee, Income deemed to accrue or arise in India and Foreign Income & its taxability.

UNIT-II:

Incomes which do not form part of Total Income

- a. Incomes not included in total income
- b. Special provision in respect of newly established industrial undertaking in free trade Zone
- c. Special provision in respect of newly established hundred percent export-oriented undertaking

- d. Income from property held for charitable or religious purpose
- e. Income of trusts or Institutions from contributions.
- f. Section 11 not to apply in certain cases
- g. Special provisions relating to incomes of Political parties

UNIT-III:

Heads of Income

- a. Salaries
- b. Income from House Property
- c. Profit and Gains of Business or Profession
- d. Capital Gains
- e. Income from other sources.

UNIT -IV:

Tax Authorities

- a. Powers and Procedures for adjudication & settlement, Collection and recovery of Taxes Appeal, Reference and Revision.
- b. Constitutional framework for GST and Salient Features of Goods & Services Laws.

Suggested Readings:

Pradeep S. Shah, Taxmann's Master Guide to Income Tax Act, Taxmann Publications Pvt. Ltd., 2021

H. C. Mahrotra, Income Tax Law, Sahitya Bhawan Publications, 2020

B.K. Singhania, Students Guide to Income Tax including GST, Taxmann Publications Pvt. Ltd., 2021

Vinod K Singhania, Taxmann's Direct Taxes Law, Taxmann Publications Pvt. Ltd., 2021

Girish Ahuja and Ravi Gupta, Systematic Approach to Income tax, Wolters Kluwer India Pvt. Ltd., 2019

Arvind P. Datar, Palkhiwalas' The Law and Practice of Income tax 2 Vol., LexisNexis, 2014

P.K. Jain, Income Tax Law and Accounts, SBPD Publishing House, 2020

B.A. LL.B. Semester–X

Paper-LX

M.M:100

Code:100421

Theory:70

Credit-4

Sessional:30

Intellectual Property Rights Law

Objectives of the Course

1. To introduce fundamental aspects of Intellectual property Rights to students.
2. To disseminate knowledge on copyrights and its related rights.
3. To disseminate knowledge on patents, patent regime in India and abroad.
4. To disseminate knowledge on trademarks.

Outcomes of the Course

Students will be able to:

1. Acquire adequate knowledge on patent and copyright for their innovative research works.
2. Interpret the conceptual basis of legal principles with comparative analysis.
3. Research, analyse, rationalize and present effectively.
4. Apply the legal principles and procedures in practice.

Contents of the Course

Unit-I:

IPR and International Conventions

- a. Basic concept of IPR; The meaning of Intellectual property, Nature, the forms of intellectual property
- b. Introduction to the leading international instruments concerning intellectual property rights: the Berne Convention, Universal Copyright Convention, the Paris Union, TRIPS, World Intellectual Property Rights Organization (WIPO) and the UNESCO

UNIT-II:

Copyright Act, 1957

- a. Historical evolution of the copyright law in India, Meaning and Nature of copyright, Copyright in literacy, dramatic and musical works, Copyright in sound records and cinematograph films, Registration Procedure, Ownership of copyright, Assignment and license, Copyright authorities, Performer's Right, Author's Special Right

- b. Infringement of Copy right and remedies including Anton Pillor, injunctive relief in India

UNIT-III:

Patents Act, 1970

- a. Concepts and Historical view of the patents, Nature and object of patent law and its scope in India; Elements of Patentability: Novelty, Non-Obviousness (Inventive Steps), Industrial Application, Non-Patentable Subject Matter, Process of obtaining a patent: application, examination, opposition and sealing of patents: general introduction, Prior publication or anticipation
- b. Procedure for filing patents, Rights and obligations of a patentee, Compulsory licenses, Infringement, defences, Injunctions, Remedies & Penalties - Patent office and Appellate Board

UNIT-IV:

Trade Marks Act, 1999

- a. Concept of Trademarks - Different kinds of marks (brand names, logos, signatures, symbols, well known marks, certification marks and service marks)
- b. Non-Registrable Trademarks-Registration of Trademarks- Rights of holder, assignment and licensing of marks, Passing off and infringement, Remedies & Penalties - Trademarks registry

Suggested Readings:

- W.R. Cormish, Intellectual Property, Patents, Trademarks, Copy Rights and Allied Rights, Asia Law House, 2019
- Vikas Vashisth, Law & Practice of Intellectual Property Bharat Law House, 2002
- P. Narayanan, Intellectual Property Law, Eastern Law House, 2020
- Bibeck Debroy (ed.), Intellectual Property Rights Rajiv Gandhi Foundation, 2004
- W.R. Cornish, Intellectual Property, Sweet and Maxwell, 2007
- M.K. Bhandari, Law relating to Intellectual Property Rights, Central Law Publication, 2021
- A. K. Yadav, Copyright in Digital Era, Scholar's Press, 2014
- Neeraj, P., & Khusdeep, D. Intellectual Property Rights. India, IN: PHI learning Private Limited, 2014
- B.L. Wadhera, Patents, trademarks, copyright, Designs and Geographical Judications, Universal Law Publishing, 2007
- V.K. Ahuja, Law relating to Intellectual Property Rights. India, IN: LexisNexis, 2017
- Ashwani Kumar Bansal, Design Law, Universal Law Publishing Company, 2012

B.A. LL.B. Semester–X

Paper-LXI

M.M:100

Code:100422

Theory:70

Credit-4

Sessional:30

Health Care Laws

Objectives of the Course

1. To develop basic understanding of the health Law.
2. To contextualize the constitutional dimension to 'right to health', obligations of medical professionals and complex issues such as 'consent', 'confidentiality' and 'medical negligence'.
3. To acquaint the students with both the conceptual and practical application of medico-legal guidelines, medical ethics and develop effective strategies to prevent and defend medical negligence litigation.
4. To enable the students to apply the knowledge in legal practice.

Outcomes of the Course

Students will be able to:

1. Understand the basic rules and doctrines of health Law.
2. Understand the importance of the values and policies underlying health law.
3. Research, analyse, rationalize and present effectively.
4. Apply the health law to real-world problems.

Contents of the Course

UNIT – I:

Introduction

- a. Healthcare as an issue at the national and international level
- b. Constitutional provisions:
Right to Health as a Fundamental Right; Remedies available under the Indian Constitution;
Right to health vis-à-vis the right to confidentiality; Access to medical records
- c. National Health Policy
- d. Medical insurance
- e. Medical Ethics & Etiquettes

UNIT – II:

- a. Problem of Drug Abuse & Drug Addiction Causes,
- b. Consequences & Remedial Measures
- c. The Problem of AIDS and its Socio-Medico Legal Aspects

UNIT – III:

a. Medical Negligence

Essential features of Medical Negligence; Role of consent in medical practice; Confidentiality and medical practice; Error of judgment and gross negligence; Wrongful diagnosis and negligent diagnosis

b. Remedies for Medical negligence

Law of Torts; Law of Crimes; Consumer Protection Law

UNIT – IV:

Legal Regulation of Transplantation & Human Organs

Legal Regulation of Prenatal Diagnostic Techniques

Medical Termination of Pregnancy, Artificial Insemination

Reproductive technology – surrogate motherhood

Suggested Readings:

The Drugs and Cosmetics Act, 1940

The Indian Medical Council Act, 1956

The Indian Medicine Control Council Act, 1970

Medical Termination of Pregnancy Act, 1971

Transplantation of Human Organs Act, 1994

Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994

Vijay Malik, Drug and Cosmetic Act, 1940

Anoop K. Kaushal, Medical Negligence & Legal Remedies, Universal Law Publishing, 2016

Jagdish Singh, Medical negligence & Compensation, Bharat Law Publications, 2014

P.K. Dutta, Drug Control, Eastern Law House, 2003

Jonathan Herring, Medical Law and Ethics, Oxford University Press, 2020

S. V. Joya Rao, Current Issues in Criminal Justice and Medical Law, Eastern Law House, 1999

B.A.LL.B. Semester-X

Paper-LXII

M.M:100

Code:100423

Theory:70

Credit-4

Sessional:30

Private International Law

Objectives of the Course

1. To introduce the concepts of jurisdiction, choice of law and the recognition and enforcement of judgments and their role in the reconciling conflict of laws.
2. To make students familiar with the concept of adoption and family law matters and their interface with the principles of private international law.
3. To develop the ability to apply the knowledge gained through this course in relevant cases and identify solutions.

Outcomes of the Course

Student will be able to:

1. Understand the principles of conflict of laws and its application in cases involving foreign element.
2. Apply the principles of conflict of laws in relation to the Indian legal mechanism and its practices.
3. Analyze the issue of jurisdiction and application of foreign laws in a case where foreign element are involved.

Contents of the Course

UNIT – I:

Introduction

- a. Application and subject matter of Private International Law, Hague Convention on Private International law.
- b. Distinction with Public International Law,
- c. Characterization and theories of characterization,
- d. Concept of Renvoi, Double Renvoi (Doctrine of Court)
- e. Application of foreign law.
- f. Domicile

- g. Jurisdiction of courts, Introduction to *lex-loci* and *lex-fori* concepts.
- h. Depeçage

UNIT – II:

Family Law matters

- a. Material and formal validity of marriage under Indian and English law
- b. Hague Convention on Recognition of Divorces and Legal Separations and Civil Abduction Aspects of Child Abduction Bill 2016, India
- c. Choice of law and jurisdiction of courts in matrimonial causes: dissolution of marriage, grounds of divorce, restitution of conjugal rights, recognition of foreign judgments

UNIT – III:

Adoption

- a. Recognition of foreign adoptions, Hague Convention on Protection of Children and Co-operation in Respect of Inter-country Adoption
- b. Hague Conference on Private International Law on Family Law, and Child Abduction Convention
- c. Adoption by foreign parents
- d. Jurisdiction under Indian and English law

UNIT – IV:

Indian Law relating to foreign judgment

- a. Basis of recognition, recognition
- b. Finality, Failure
- c. Recognition and enforcement for foreign arbitral awards
- d. Direct execution of foreign decrees

Bare Acts

Civil Procedure Code, 1908

Indian Succession Act, 1925

Suggested Readings:

North and Fawcett, Cheshire and North's Private International Law, 13th ed., Butterworths: New Delhi, 1999

Abla Mayss, Principles of Conflict of Laws, 3rd ed. Cavendish Publishing Ltd., U.K., 1999

John O'Brien, Smith's Conflict of Laws, Cavendish Publishing Ltd., U.K., 1999

Nandan Kamath, Law Relating to Computers Internet and e-commerce, Universal Law Publishing, New Delhi, 2001

Paras Diwan and Peeyushi Diwan, Private International Law, 9th ed., Deep and Deep Publications, Delhi, 1998

B.A. LL.B. Semester-X Paper-LXIII

M.M:100

Code:100124

Project/File+Vivavoce=60+10=70

Credit-4

Sessional=30

Moot Court Exercise and Internship (Clinical/Practical Paper)

Objectives of the Course

1. To promote the growth and knowledge of practical skills in students.
2. To develop the ability in students in researching and arguing.
3. To make the student understand and appreciate court room mannerisms.
4. To expose students as nearly as possible to court room situations.
5. To develop in them subtle techniques to interview clients.

Outcomes of the Course

Students will be able to:

1. Participate in Intramural and Intermural moot court competitions.
2. Demonstrate the skills set for effective argumentation.
3. Identify legal issues and address them.
4. Learn to work in teams and develop the co-operative nature essential for the legal practice.
5. Interview clients and advise them on the procedural aspects of litigation, costs and possible legal and social consequences.

This paper will have three components of 20 marks each, which will be prepared by the student in the form of a project/file. The fourth component of this paper will be viva-voce examination of 10 marks. There will also be a sessional examination of 30 marks conducted by the department/college.

(A) Moot Court

Every student will do at least two moot courts during this semester with 10 marks for each. The moot court work will be on assigned problems and it will be evaluated for 5 marks for written submissions (to be recorded in a diary of the sessional work) and 5 marks for oral Advocacy.

(B) Observance of Trial in two cases – One Civil and One Criminal

Students will attend two trials in the VI Semester. They will maintain a record and enter the various steps observed during their attendance on different days in the Court assignment. Every student will attend the court for two weeks in the whole semester. This scheme will carry 20 marks.

(C) Internship/Interviewing techniques and Pre-trial preparations

This part will require the students to be attached with a practicing lawyer of at least 10 years practice. Preparation of this has to begin from the first semester. Each student is required to spend at least one month doing internship during the summer vacation/winter break etc. Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceeding in a diary which will carry 10 marks. Each student will further observe the preparation of documents and court papers by the advocates and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 10 marks.

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