



**K.R. MANGALAM UNIVERSITY**  
THE COMPLETE WORLD OF EDUCATION

**SCHOOL OF LEGAL STUDIES (SOLS)**

**BACHELOR OF LAW (H)**


**LL.B (H)**

**Programme Code: 23**

**2020-23**

**Approved in the 20th Meeting of Academic Council Held on 23 June 2020**



  
Registrar  
K.R. Mangalam University  
Sohna Road, Gurugram, (Haryana)



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THE COMPLETE WORLD OF EDUCATION

**SCHOOL OF LEGAL STUDIES (SOLS)**

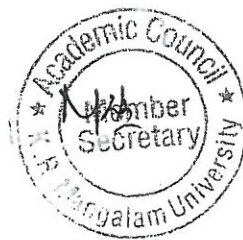
**BACHELOR OF BUSINESS ADMINISTRATION BACHELOR OF LAW (H)**

**BBA LL.B. (H)**

**Programme Code: 14**

**(2020-25)**

**Approved in the 23rd Meeting of Academic Council Held on 23 June 2020**



  
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**SCHOOL OF LEGAL STUDIES (SOLS)**

**BACHELOR OF ARTS BACHELOR OF LAW (HONS)**

**BA LL.B. (H)**

**Programme Code: 17**

**(2020-25)**

**Approved in the 23<sup>rd</sup> Meeting of Academic Council Held on 23 June 2020**



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## **SCHOOL OF LEGAL STUDIES (SOLS)**

**BACHELOR OF COMMERCE AND BACHELOR OF LAW (HONS)**

**B. Com LL.B (H)**

**Programme Code: 15**

**2020-25**

**Approved in the 23<sup>rd</sup> Meeting of Academic Council Held on 23 June 2020**



  
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**K.R. MANGALAM UNIVERSITY**  
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## **SCHOOL OF LEGAL STUDIES (SOLS)**

**MASTER OF LAW**

**LL. M.**

**Programme Code: 69**

**Undergraduate programme**

**With Specialization in**

Criminal Laws

Corporate Laws

Intellectual Property Rights

Cyber Laws

Human Rights & Humanitarian Law

**(2021-22)**

**Approved in the 26th Meeting of Academic Council Held on 11 June 2021**



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**K.R. MANGALAM UNIVERSITY**  
**THE COMPLETE WORLD OF EDUCATION**

# School of Legal Studies

**BACHELOR OF LAW (H)**

**LL.B. (H)**

**PROGRAMME CODE: 23**

**Undergraduate programme With Specialization in**

Criminal Laws

Business Laws

Constitutional Law

International Law

**(2021-24)**

**Approved in the 26th Meeting of Academic Council Held on 11 August**

**2021**



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**K.R. MANGALAM UNIVERSITY**  
**THE COMPLETE WORLD OF EDUCATION**

## **SCHOOL OF LEGAL STUDIES**

**BACHELOR OF ARTS BACHELOR OF LAW (HONS)**

**B.A LL.B.(H)**

**Programme Code: 17**

**Undergraduate programme**

**With Specialization in**

Business Laws

Criminal Law


Constitutional Law

International Law

**(2021-26)**

**Approved in the 26th Meeting of Academic Council Held on 11 August 2021**



  
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**K.R. MANGALAM UNIVERSITY**  
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## **SCHOOL OF LEGAL STUDIES (SOLS)**

**BACHELOR OF COMMERCE BACHELOR OF LAW (H)**


**B.COM LL. B (H)**

**PROGRAMME CODE: 15**

**(2021-26)**

**Approved in the 26th Meeting Of Academic Council Held On 11 August 2021.**



  
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**MASTER OF LAW**

**LL. M.**

**Programme Code: 69**

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Cyber Laws

Human Rights & Humanitarian Law

**(2022-23)**

**Approved in the 29th Meeting of Academic Council Held on 09 August**



  
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# School of Legal Studies

**BACHELOR OF LAW (H)**

**LL.B. (H)**

**PROGRAMME CODE: 23**

**Undergraduate programme With Specialization in**

Criminal Laws

Business Laws

Constitutional Law

International Law

**(2022-25)**

**Approved in the 29th Meeting of Academic Council Held on 09 August**

**2022**



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# **SCHOOL OF LEGAL STUDIES**

**BACHELOR OF BUSINESS ADMINISTRATION BACHELOR OF LAW (Hons)**

**BBA LL.B.(H)**

**Programme Code: 14**

**Undergraduate Programme with Specialization in**

**Criminal Laws  
Business Laws  
Constitutional Law  
International Law**

**(2022-27)**

**Approved in the 29th Meeting of Academic Council Held on 09 August 2022**



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**THE COMPLETE WORLD OF EDUCATION**

## **SCHOOL OF LEGAL STUDIES**

**BACHELOR OF ARTS BACHELOR OF LAW (HONS)**

**B.A LL.B.(H)**

**Programme Code: 17**

**Undergraduate programme**

**With Specialization in**

Business Laws

Criminal Law

Constitutional Law

International Law

**(2022-27)**

**Approved in the 29th Meeting of Academic Council Held on 09 August 2022**



  
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**THE COMPLETE WORLD OF EDUCATION**

## **SCHOOL OF LEGAL STUDIES**

**BACHELOR OF COMMERCE AND BACHELOR OF LAW**

**PROGRAMME CODE: 15**

**Undergraduate Programme**

**With Specialization in**  
**Criminal Laws**  
**Business Laws**  
**Constitutional Law**  
**International Law**

**(2022-25)**

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## **SCHOOL OF LEGAL STUDIES**

**(SOLS)**

**Bachelor of Law (Hons.)**

**LL.B. (H)**

**2020-23**

**Programme Code: 23**

**Approved in the 23rd Meeting of Academic Council Held on 23 June 2020**

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## 1. Introduction

K.R. Mangalam University, Sohna Road, Gurgaon is a private University founded in the year 2013 by Mangalam Edu Gate, a company incorporated under Section 25 of the Companies Act, 1956, and recognized by the UGC under Section 2f of the UGC Act, 1956. The University offers multidisciplinary liberal education that transcends beyond the boundaries of Science and Arts. It is constantly chasing perfection, innovating new dimensions and creating different opportunities for the new generation. Its quest for knowledge is seamless across disciplines like **Engineering, Law, Basic & Applied Sciences, Management and Commerce, Journalism & Mass Communication, Medical & Allied Sciences, Architecture & Planning, Fashion, Humanities, Education and Ph. D. Programmes.** It lays strong emphasis on interdisciplinary learning through practical exposure and research, enabling its students to become responsible professionals with self-awareness and a commitment for public service. The unique learning facilities and the state-of the infrastructure of the University inspire its students to be professionally skillful, socially committed and personally successful. The exposure to the organizations and associations of

.international status is a unique experience for its students for their career perfection

Quality education is the major focus of the university. The well qualified and experienced faculty members, the panel of experts as the visiting faculty, guest lectures and other curricular activities provide the best learning experience. The advanced laboratories, workshops, studios and the activity rooms give the practical experience of the knowledge disseminated. The continuous evaluation system and the systematic mentoring are the two major measures that enable the

.holistic development of the students of KRMU

The ragging free campus with lot many supporting facilities for the whole round development of the students make the KRMU campus as the most luring place for students. The gym, indoor and outdoor game courts, cafeteria, play grounds, lawns etc. are the favourite student hangouts. Spreading over 26 acres, the KRM University campus with its sprawling greenery, in an idyllic

.setting is a visual delight

KRM University is unique because of its

- i. Enduring legacy of providing education to high achievers who demonstrate leadership in diverse fields.
- ii. Protective and nurturing environment for teaching, research, creativity, scholarship, social and economic justice.

## OBJECTIVES

- i. To impart Under Graduate, Post-Graduate and Doctoral Education in identified areas of higher education.



- ii. To undertake research programmes with industrial interface.
- iii. To integrate its growth with the global needs and expectations of the major stake holders through teaching, research, exchange & collaborative programmes with foreign, Indian Universities/Institutions and MNCs.
- iv. To act as a nodal center for transfer of technology to the industry.
- v. To provide job oriented professional education to the student community with particular focus on Haryana.

## **2. About School of Legal Studies (SOLS)**

School of Legal Studies offers, Bar Council of India (BCI) approved, five year BBA LL.B. (H) Integrated programme, five year B Com. LL.B. (H) Integrated programme, five year BA LL.B. (H) Integrated programme, three year LL.B. (H) programme and LL.M. programme. These Law Programmes have the distinct objective of equipping the students with knowledge, skills and attitude so as to make them capable of successfully meeting the present requirements and future challenges in legal profession. The courses are intended to impart intensive knowledge and training in the non-law subjects as well as law subjects and help students acquire wider perspectives both for managerial responsibilities and professional application, and train them to have successful career.

### **School Vision**

SOLS envisages to be a globally recognized law school by harnessing the academic excellence of the budding lawyers through interdisciplinary research and advancing social justice through legal education.

### **School Mission**

SOLS is committed to:

M1: Educate legal professionals, serving society and fostering justice.

M 2: Foster employability and entrepreneurship through a futuristic curriculum and progressive pedagogy with cutting-edge technology.

M 3: Instill notion of lifelong learning through stimulating research, Outcomes-based legal education, and innovative thinking.

M 4: Enhance leadership qualities, understanding of ethical values and environmental realities among the youth.

### **3. The Programmes offered by School of Legal Studies:**

(Bar Council of India, New Delhi approval vide BCI: D: 745/2018 (LE/Afflin) dated 27.06.2018)

#### **3.1 BBA LL. B (H)**

Duration: 5 Years (10 Semesters) Eligibility Criteria

Candidate should have passed 10+2 examination conducted by Central Board of Secondary Education or equivalent examination from a recognized board with an overall aggregate of 50%.

#### **3.2 B Com LL.B (H)**

Duration: 5 Years (10 Semesters) Eligibility Criteria

Candidate should have passed 10+2 examination in the Commerce stream or any other stream with higher mathematics conducted by Central Board of Secondary Education or equivalent examination from a recognized board with an overall aggregate of 50%.

#### **3.3 BA LL.B (Hons.)**

Duration: 5 Years (10 Semesters) Eligibility Criteria

Candidate should have passed 10+2 examination conducted by Central Board of Secondary Education or equivalent examination from a recognized board with an overall aggregate of 50%.

#### **3.4 LL.B (Hons.)**

Duration: 3 Years (6 Semesters) Eligibility Criteria

Candidate should be a graduate in any stream from a recognized University with an overall aggregate of 50%.

#### **3.5 LL.M (One Year)**

Duration: One Years (2 Semesters) Eligibility Criteria

Candidate should have passed LLB from a recognised University with not less than 50% in aggregate.

### **4. Career Options**

The Law Programmes offer various career opportunities in legal profession. These are the corporate sector, practicing law, working with law firms, joining Judiciary and pursuing academics.

A Post Graduate degree in Law with specialization shall provide an opportunity to the students to pursue further research in legal studies in India or abroad. Students can look forward to pursue Doctorate in Law for a career in higher education or join judicial services.

## **5. Programme Duration**

The minimum period required for programmes offered by SOLS is specified in section 3 above. The Programme will be considered completed when the candidate has earned minimum credits and CGPA required by the respective Programme scheme.

The duration of the programme shall be one year in two semesters and shall consist of three components: compulsory papers, specialization papers and dissertation. Compulsory papers are class room based while the specialization papers are research based. Dissertation writing is mandatory complement of the programme.

## **6. Class Timings**

The classes are held from Monday to Friday from 9.10 am to 4.10 pm

## **7. Syllabi**

The syllabi of all courses for first year for all the programmes offered by SOLS are given in the following pages. These are arranged in numeric order of the last three digits of the course code. For each course, the first line contains; Course Code, Title and Credits (C) of the course. This is followed by the Course Objectives, Syllabus (Unit I to IV), Text book and Reference books.

<b>SOLS 109A</b>	<b>LAW OF CONTRACT – I</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

## **OVERVIEW AND OBJECTIVE:**

In our daily lives we make many promises which raise a reasonable expectation in the mind of the other person that such promises would be fulfilled. But not every kind of promise gives rise to legal consequence if not performed. Only those promises which the law requires to be legally enforceable fall into the category of contract. The general principles relating to formation and enforceability of contract are enshrined in the in the Indian Contract Act, 1872. The objective of this paper is to make students familiar with various principles of contract formation enunciated in the Indian Contract Act, 1872.

The contract of sale and purchase of goods is also governed by another important central legislation, Sales of Goods Act, 1930. This course also aims to equip students with the basic knowledge of Sales of Goods Act, 1930.

## **EXPECTED OUTCOMES**

On the completion of the course the student is expected to know the following-

1. The basic concept and essentials of a contract.
2. Who can contract?
3. Factors vitiating the validity of contract.
4. What are void agreements?
5. Discharge of contract.
6. What are quasi contracts?
7. What are the remedies available for breach of contract.
8. Difference between Conditions and Warranties under Sales of Goods Act.
9. Performance of Contract and rights of unpaid seller under Sales of Goods Act.

## **UNIT I**

### **The Indian Contract Act- 1872: Formation of Contract and Consideration**

1. Meaning and nature of contract
2. Offer / Proposal
  - a. Definition
  - b. Communication
  - c. Revocation
  - d. General/ Specific offer
  - e. Invitation to treat
3. Acceptance
  - a. Definition
  - b. Communication
  - c. Revocation
  - d. Tenders/Auctions
4. Consideration
  - a. Definition
  - b. Essentials
  - c. Privity of contract
  - d. Unlawful consideration and object

## **UNIT II**

### **Capacity, Validity, Discharge and Performance of Contract**

1. Capacity to enter into a contract
  - a. Unsound Mind
  - b. Minor's position
  - c. Nature / effect of minor's agreements
2. Free Consent: Coercion, undue influence, Misrepresentation, Fraud, Mistake

3. Effect of void, voidable, valid, illegal, unlawful and uncertain agreements
4. Performance
5. Discharge of Contract

### **UNIT III**

#### **Remedies and Quasi Contracts: The Indian Contract Act- 1872**

1. Quasi Contracts (Sections 68-72)
2. Remedies : Damages (Sections 73,74 and75)

### **UNIT IV**

#### **Sales of Goods Act 1930**

1. Definitions
2. Conditions and Warranties
3. Passing of property
4. *Nemo Dat quod non habet*
5. Performance of Contract
6. Rights of unpaid seller

#### **TEXT BOOK:**

- Avtar Singh, Law of Contract and Specific Relief, Eastern Book Company, 2013 (11<sup>th</sup> Edn)
- Latest Bare Act

<b>SOLS 110A</b>	<b>LAW OF CONTRACT - II</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

**Overview:**

In our daily lives we make many promises which raise a reasonable expectation in the mind of the other person that such promises would be fulfilled. But not every kind of promise gives rise to legal consequence if not performed. Only those promises which the law requires to be legally enforceable fall into the category of contract. The general principles relating to formation and enforceability of contract are enshrined in the Indian Contract Act, 1872. The objective of this paper is to make students familiar with various principles of contract formation enunciated in the Indian Contract Act, 1872.

**Course Objective and Expected Outcomes:** This paper is to impart knowledge various special contract, law of agency and specific reliefs. In the society wherein all major ventures are getting corporatized, a law student should acquaint himself with the knowledge of special contracts apart from equipping himself with general principles of contract. This law is contained in several legislations apart from the Indian Contract Act. This course equips the students to better appreciate the legal services required in a corporate office so that he can enhance his relevance as a lawyer in society.

**UNIT I**

**Indemnity and Guarantee/Bailment and Pledge:** Meaning, Distinction between Indemnity and Guarantee. Right / Duties of Indemnifier , Indemnified and Surety. Discharge of Surety . Kinds of Guarantee.

**Bailment and Pledge** Meaning and Distinction, Rights and Duties of Bailor/Bailee, Pawnor/Pawnee, Lien, Termination of Bailment.

**UNIT II**

**Agency:** Definitions of Agent and Principal. Essentials of relationship of agency. Creation of agency: by agreement, ratification and law. Relation of principal / agent, subagent and substituted agent, Termination of agency.

### **UNIT III**

**Specific Relief Act, 1963:** Recovery of property, Specific performance of contracts, Rectification and Cancellation of Instruments

### **UNIT IV**

**Specific Relief Act, 1963:** Rescission of Contract, Declaratory decree, Injunctions – Temporary and Perpetual and mandatory

### **TEXT BOOK**

- Avtar Singh, Law of Contract and Specific Relief
- Latest Bare Act



<b>SOLS 108A</b>	<b>LAW OF TORTS and CONSUMER PROTECTION ACT, 1986</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

**Overview:**

A tort is any civil wrong for which the law provides a remedy. Torts provide compensation for injuries to persons and property caused by the fault of another. There have always been concerns about whether there should be restrictions on tort law because of disagreements about who should bear the financial burden for an injury and what injuries should be compensable. Powerful lobbies of doctors, hospitals, insurance companies and product manufacturers are always appealing to Legislatures to limit the ability of the public to obtain compensation for violations of tort law. Consumers who are injured by defective products, victims of sexual harassment, drunk drivers, and many other civil wrongs are always under attack with their legal ability to be compensated for their injuries.

The purpose of tort law is to restore someone who has been injured as a result of the wrong of another to the condition they were prior to the injury by awarding them monetary damages which will pay for medical expenses, lost wages and compensate for physical and mental pain and suffering as a result of their injuries.

To deal with the malicious behavior of the people tort existed in Hindu and Muslim law but it can be said that tort was formally introduced by the Crown in India. It is based on the principles of equity, justice, and good conscience. The law of torts is based on the principles of ‘common law’ which is mainly the English law of torts. The application of the law of tort is an applied selectively in Indian courts keeping in mind if it suits the circumstances of Indian society.

**Objective and Expected Outcome:**

One moment you are walking on the road and the other you slip into the pit left open by the Municipal Corporation. Without having a glance around, you stand up quickly to cover up the embarrassment you have faced. But what can you do? This happens every now and then

especially in a country like India. Is there anyone who could be blamed for this? I have sustained injuries so I should be more careful from the next time. Isn't it? No, there was a responsibility of Municipality in this situation. They were negligent in fulfilling their duty. This is what law of torts talks about and much more.

The objective of this paper is to equip students with knowledge of tort and consumer protection law with the help of leading cases.

After completing the course, students will be able to learn about

## **UNIT I**

1. Nature and Definition of Tort
2. Various definitions of tort, nature of tort, essentials of tort, mental elements in tortious liability.
3. General Defences
4. Capacity: Minor, Corporation, Convict, Husband and Wife, Sovereigns. Joint tortfeasors and Independent tortfeasors.

## **UNIT II**

1. Vicarious Liability: Master-Servant Principal-Agent;
2. Vicarious Liability of the State-Position In India.
3. Remoteness of Damage : Test of directness, test of reasonable foresight
4. Negligence :Essentials of negligence; Contributory Negligence
5. Rule of Strict Liability :Rule and exceptions;
6. The Rule of absolute liability
7. Nervous Shock

## **UNIT III**

1. Trespass to Land : Meaning, trespass ab Initio and remedies
2. Trespass to goods: Meaning, conversion of goods - meaning, kinds of conversion; detinue

3. Trespass to the person : Assault Battery and False Imprisonment and Remedies
4. Nuisance :Kinds of nuisance, Essentials, Defences
5. Defamation :Kinds, Essentials, Defences

#### **UNIT IV**

1. Remedies : Damages, Injunctions, specific restitutions; extra judicial remedies.
2. Consumer Protection Act, 1986 ; Consumer Movements: Historical Perspective
3. Consumer: The concept
4. Consumer of goods and services; service, commercial service and consumer safety; unfair trade practices;
5. Enforcement of consumer rights.

#### **TEXT BOOK**

- S.P.Singh: Law of Tort including compensation under Consumer Protection Act, Universal Law publications Co.Pvt.Ltd.

<b>SOLS 209A</b>	<b>LAW OF CRIMES - I (IPC) (GENERAL PRINCIPLES)</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

### **Overview:**

Indian Penal Code is a substantive law which defines various crimes that are punishable in India. Though this Code consolidates the whole of the law on the subject and is exhaustive on the matters in respect of which it declares the law, many more penal statutes governing various offences have been created in addition to this code. The Indian security system has been one that has gone through a lot of tests and examinations throughout the time. This is due to the political as well as the social situation of the country. India is a land of diverse cultures and traditions and it is a place where people from various religions as well as ethnic backgrounds live together. The Indian Penal Code has its roots in the times of the British rule in India, formulating in year 1860. Amendments have been made to it in order to incorporate a lot of changes and jurisdiction clauses. The total number of sections contained in the Indian Penal Code is five hundred eleven. All these sections pertain to a particular category of crimes committed by civilians of Indian origin. The Indian Penal Code is thus the most fundamental document of all the law enforcer as well as the entire judiciary in India. The Indian Penal code has a basic format, it's a document that lists all the cases and punishments that a person committing any crimes is liable to be charged. It covers any person of Indian origin. The exceptions are the military and other armed forces, they cannot be charged based on the Indian Penal Code. They have a different set of laws under the Indian Penal Code as well.

### **Objective and Expected Outcome:**

Various offences in the Indian Penal Code have been drafted keeping in view various principles of criminal liability. For example, most offences specify the required state of mind as well as the prohibited act for imposition of criminal liability. However, many situations require deviation from these principles due to the involvement of more than one person in the action, or due to the resultant harm to society, or due to prevailing social and cultural norms contrary to constitutional principles of equality and liberty to all. The course of Law of Crimes-I has been so designed as to enable the students to understand the general principles of criminal liability, to identify the ingredients of an offence, understand the range of state of mind required for different offences, as well as to sensitize the students about the inherent biases of criminal law against certain groups of people despite its claim of universality, neutrality and equality.

After completing the course, students will be able to learn about the various essentials which make an act punishable and also the different stages of crime.

## UNIT I

**Introduction to Substantive Criminal Law:** Extent and operation of IPC, Definition of Crime

Fundamental elements of crime- Common Law principle of *actus non facit reum, nisi mens sit rea* and exceptions to this principle - Strict liability offences- The four elements that go to constitute a crime are as follows: *first*, a human being under a legal obligation to act in a particular way and a fit subject for the infliction of appropriate punishment; *secondly*, an evil intent or *mens rea* on the part of such human being; *thirdly*, *actus reus*, i.e., act committed or omitted in furtherance of such an intent; and *fourthly*, an injury to another human being or to society at large by such an act.

Stages in commission of crime- Intention, Preparation, Attempt, Actual Commission of offence

Difference between crime and other wrongs- In order to draw a distinction between civil and criminal liability, it becomes necessary to know clearly what is a wrong of which all the three are species. Law either awards punishment or damages according to the gravity of the wrong done. If the law awards a punishment for the wrong done, we call it a crime; but if the law does not consider it serious enough to award a punishment and allows only indemnification or damages, we call such a wrong as a civil wrong or tort. In order to mark out the distinction between crimes and torts, we have to go deep into the matter and study it rather elaborately.

## UNIT II

**Elements of Criminal Liability:** Joint and Constructive Liability, Common Intention and Common Object- Provisions for providing for group liability in crimes including sections 34 and 149 of the IPC are exceptions to the general rule of criminal liability that a man should be held liable for his own criminal acts and not for those of others. These provisions providing for vicarious liability/group liability are intended to deter people from committing offences in groups and to spare the prosecution to prove specific *actus reus* of each member of the group

**Criminal Conspiracy-** Conspiracy precedes the commission of a crime and is complete before the crime is attempted or completed. A mere agreement to commit an illegal act is sufficient to constitute the offence of criminal conspiracy.

**Theories of Punishment-** Reformatory, Retributive, Punitive, Deterrent, Expiatory

**Kinds of Punishment:** Punishments prevalent in the World- Flogging, Banishment, Whipping, Mutilation, Stoning, Pillory, Death Penalty, solitary confinement, fine, security bond.

**Punishments in India-** Section 53-74, Capital Punishment

## UNIT III

**General Exceptions** –A person may not always be punished for a crime that he has committed. Section 76- 106 covers defences that exculpate criminal liability which includes Mental incapacity, Minority and Insanity, Involuntary intoxication, crime done with consent-

**Private Defence** - The right of private defence has come to be recognized by all civilized societies as a preventive and protective right where the state protection is not available; this right is essentially protective and preventive and never punitive. There are limitations on the exercise of this right both in relation to offences against human body and specific offences against property. The extent of this right, against whom it can be exercised, when this right commences and how long it lasts are dealt with elaborately in IPC.

**Abetment-** Abetment as a crime where a person helps another in commission of crime comes under Section 107-120 of the Code.

## **UNIT IV**

**Offences against State and Public Tranquility:** These kind of offences are not only an offence against the person and property of an individual but also an offence against the State. They are group offences which are generally committed by a large number of people resulting in breach of peace. Broadly they can be categorized into- Waging War, Sedition, Rioting, Affray.

### **Unlawful Assembly**

#### **TEXT BOOK:**

- Indian Penal Code, 1860 – S.N. Mishra, Central Law Publication Company
- The Criminal Law (Amendment) Act, 2018
- Indian Penal Code, 1860- Latest Bare Act

<b>SOLS 207A</b>	<b>CONSTITUTIONAL LAW – I</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

**OVERVIEW:**

Introduction to constitution of India-Formation and Composition of the Constituent Assembly  
 Salient features of the Constitution-Preamble to the Indian Constitution Fundamental Rights  
 Fundamental Duties-Directive principles of state policy. Parliamentary system of governance-  
 Structure of Parliament- Lok Sabha and Rajya Sabha - Functions of parliament- Legislative  
 ,Executive, Financial Function, Powers of Lok Sabha and Rajya Sabha- Procedure followed in  
 parliament in making law-Structure of union executive Power and position of President, Vice  
 President, Prime minister and council of ministers. Structure of the judiciary: Jurisdiction and  
 functions of Supreme Court, high court, and subordinate courts Federalism in the Indian  
 constitution, Division of Powers- Union list, State list and concurrent list, Structure of state  
 legislation, Legislative assembly and Legislative council, Functions of state legislature, Structure  
 of state executive-Powers and positions of Governor, ,Speaker, Deputy Speaker, Chief Minister  
 and council of minister. Local self-government- meaning-Three tier system-Village panchayat  
 Taluk panchayat Zila panchayat- Local bodies- Municipalities and Corporations.

The students will be able to imbibe the features of Indian Constitution in their daily life. The  
 students will be able to become a better advocate or judge as they are able to link all the other  
 aspects with the grund norm i.e. Indian Constitution.

**COURSE OBJECTIVE and EXPECTED OUTCOME:**

Introduction to constitution of India-Formation and Composition of the Constituent Assembly  
 Salient features of the Constitution-Preamble to the Indian Constitution Fundamental Rights  
 Fundamental Duties-Directive principles of state policy. Parliamentary system of governance-  
 Structure of Parliament- Lok Sabha and Rajya Sabha - Functions of parliament- Legislative  
 ,Executive, Financial Function, Powers of Lok Sabha and Rajya Sabha- Procedure followed in  
 parliament in making law-Structure of union executive Power and position of President, Vice

President, Prime minister and council of ministers. Structure of the judiciary: Jurisdiction and functions of Supreme Court, high court, and subordinate courts Federalism in the Indian constitution, Division of Powers- Union list, State list and concurrent list, Structure of state legislation, Legislative assembly and Legislative council, Functions of state legislature, Structure of state executive-Powers and positions of Governor, Speaker, Deputy Speaker, Chief Minister and council of minister. Local self-government- meaning-Three tier system-Village panchayat Taluk panchayat Zila panchayat- Local bodies- Municipalities and Corporations

The students will be able to imbibe the features of Indian Constitution in their daily life. The students will be able to become a better advocate or judge as they are able to link all the other aspects with the grund norm i.e. Indian Constitution.

## **UNIT I**

**Concept of Constitution**, Constitutionalism, History behind framing of Indian Constitution, Nature of the Constitution, Framing of Indian Constitution, Salient features of the Constitution, Preamble, Rule of Law, Separation of Powers ,

Fundamental Rights- Origin and Development, Fundamental Rights in India- Article 12, Definition of State

### **Article 13- Rules of Interpretation**

Relevant Doctrines: Doctrine of Eclipse Severability and Waiver, Pith and substance, Repugnancy, pith and substance, territorial nexus

## **UNIT II**

Right to Equality – Doctrine of Reasonable Classification, Intelligible differentia, Principle of absence of arbitrariness, Article 14- Equality before Law,

Article 15 - Prohibition of Discrimination on grounds of Religion, Race, Caste, Sex or Place of Birth, Special Provision for Women, Children and Backward Classes,

Article 16- Equality of Opportunity in matters of Public Employment, Reservation of Posts for Backward Classes 79<sup>th</sup> and 85<sup>th</sup> Constitutional Amendments



### **UNIT III**

Right to Freedom – Articles 19-22, Freedom of Speech and Expression, Right to know, Freedom of Press, Reasonable Restrictions, Test for Reasonableness, Freedom of Assembly, Freedom to form Association, Freedom of Profession, Occupation, Trade and Business,

Article 20- Rights of the Accused, *Ex- post facto laws*, *Right against Double Jeopardy*, Right against Self-incrimination,

Article 21-Protection of Life and Personal Liberty, Meaning and Scope, American and Indian Concept of Right to Life and Personal Liberty, Prisoners' Rights,

Article 22-Protection against Arrest and Detention in certain cases, Safeguards against Arrest made under the ordinary law, Preventive Detention, Safeguard against Arrest made under Preventive Detention Laws.

### **UNIT IV**

Article 23-24 Protection against Exploitation, Article 23- Prohibition of Traffic in Human Beings and Safeguards against Begging and other forms of Forced Labour, Article 24- Prohibition of Employment of Children in Factories etc.

Articles 25-28-Right to Freedom of Religion, Secularism

Articles 29-30-Cultural and Educational Rights,

Articles 32 – 35-Right to Constitutional Remedies-Right to move to Supreme Court, Prerogative writs, Rule of Locus Standi, Public Interest Litigation, Resjudicata, Delay and Laches,

Overview- Suspension of Fundamental Rights, Effect of Emergency on Fundamental Rights, Legislation to give effect to Fundamental Rights.

Articles 36-51- Directive Principles of State Policy, Relation between Directive Principles of State Policy and Fundamental Rights

Article 51-A-Fundamental Duties

**TEXT BOOK:**

1. Dr. Shukla V.N. The Constitution of India
2. BARE ACT OF CONSTITUTION OF INDIA BY P.M BAKSHI/ UNIVERSAL

<b>SOLS 201A</b>	<b>FAMILY LAW – I</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

## **OVERVIEW:**

This subject is designed to equip the students with the knowledge of personal law which operates in a familial set up. Familial relationship means that relationship which is connected through marriage or blood. Nowadays when people are becoming more and more aware about their rights with respect to the state and their neighbour it is also important to know the rights and duties in a family set up. The subject deals with the legal issues which arise in familial set up such as marriage, divorce, adoption, maintenance, succession, partition etc. The subject deals with Hindu Law which includes the most important central legislations that play key role in resolving the dispute arising in a Hindu Family. Such legislations include The Hindu Marriage Act, 1955, Hindu Adoption and Maintenance Act, 1956, Hindu Succession Act, 1956.

The subject starts with the introduction of ancient sources of Hindu Law and how customs play an important role in Hindu Law. The subject then moves to introduce the law relating to marriage and divorce. It further appraises the concept and law relating adoption of children and law relating to maintenance. The last part of the subject covers the law relating to succession to the property of Hindu Male and Female.

The Muslim personal law will be covered by Family Law- II taught in next semester.

## **COURSE OBJECTIVE and EXPECTED OUTCOME:**

On the completion of the course the student is expected to know the following-

1. Sources and schools of Hindu Law
2. The concept and Powers and Functions of Karta
3. Who is a Hindu?
4. Concept and essentials of valid Hindu Marriage.
5. Concept and Grounds of dissolution of marriage.
6. Concept of Adoption and Maintenance under Hindu Law.

7. Concept of succession to the property of Hindu Male and Female.

### **Unit-I :**

Sources of Hindu Law – (a) Scope and application of Hindu Law (b) Schools of Hindu Law - Mitakshara and Dayabhaga Schools (c) Institution of Karta- Powers and Functions of Karta - Pious Obligation - Partition – Debts and alienation of property.

### **Unit-II**

– The Hindu Marriage Act, 1955- (a) Applicability of legislation (b) Concept and various forms of marriage, (c) Essentials of a valid marriage, (d) Solemnization and Registration of marriage, (e) Void and Voidable marriages (f) Dissolution of Marriage: Restitution of Conjugal Rights, Judicial Separation, Various Theories of Divorce along with Irretrievable Breakdown of Marriage ( Seventy-first Report of Law Commission of India) , Various Grounds of Divorce, Divorce by Mutual Consent.

### **Unit-III:**

Hindu Adoption and Maintenance Act, 1956- (a) Concept of Adoption (b) Law of Maintenance (c) Section 125 of Cr.P.C (d) Hindu Minority and Guardianship Act 1956 -Law of Guardianship.

### **Unit-IV:**

Hindu Succession Act, 1956 and the Hindu Succession (Amendment) Act, 2005 Succession – Intestate succession; Succession to the property of Hindu Male and Female; Dwelling House— Notional Partition – Classes of heirs – Enlargement of limited estate of women into their absolute estate

Family Court: Establishment, Power and Functions, uniform civil Code

## **TEXT BOOK**

Paras Diwan, Modern Hindu Law, Allahabad Law Agency, 1993

<b>SOLS 205A</b>	<b>LEGAL HISTORY</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

### **Overview:**

Legal History deals with the changes that took place in the colonial times in the Indian society and the economy in general, the legal system in particular. It seeks to answer some basic questions. How did contemporary India emerge? What were the processes and events that shaped it? Why and how did the present legal system evolve? What were the various ideas and elements that went into the making of British policies? What were the changes that took place in the courts and laws in the colonial times and how they impacted the Indians and their old systems? How did Indian Nationalism emerge and what were the forms it took? What were the concerns of the framers of the constitution? Finally, how the concept of Indian secularism emerged during the national movement and was adopted post independence.

### **Objective and Expected Outcome:**

This course is intended to introduce students to the Legal and Constitutional History of India (1600-1950). Further the course also throws light on the important events how the established British legal system changed to current legal system. The development of Personal Laws and Legal Profession in India. The pre and post- independence Indian legal system and also the functions of federal courts are pinpointed in this course.

### **UNIT I : Early Developments (1600- 1836)**

1. Administration of justice in **Surat, Madras, Bombay and Calcutta.**
2. The Royal Charter of 1726 (Mayor’s Court- Establishment and Working)
3. Inauguration of Adalat System in Bengal – **Warren Hastings** ; Judicial Plans of 1772, 1774, 1780.
4. Conflicts of Dual judicature : Trial of *Raja Nand Kumar, The Patna Case.*
5. Judicial Reforms of **Lord Cornwallis**

### **UNIT-II : Evolution of Law and Legal Institutions**

1. The Charter Act of 1833 : Establishment of an All-India Legislature, subsequent appointment of Law Commissions for the purpose of codification of laws in India.
2. Law Commissions and Codification of Law prior to 1947
3. Establishment of High Courts – The Indian High Courts Act 1861 and Reforming of High Courts
4. The Federal Court of India 1935.

### **UNIT-III : Legal Profession and Education**

1. Development of Personal Laws of Hindus and Muslims during British period.

2. Growth of Legal Profession – The Indian Bar Councils Act of 1926, All India Bar Committee 1951
3. The Advocates Act, 1961.

#### **UNIT-IV: Constitutional History**

1. The Indian Councils Act of 1861
2. The Indian Councils Act 1892
3. The Government of India Act 1919
4. The Government of India, 1935
5. The Indian Independence Act, 1947

#### **TEXT BOOKS**

1. Jain, M.P. : Outlines of Indian Legal History, Lexis Nexis
2. Pranjpe, N.V. : Legal and Constitutional History of India, Central Law Agency

<b>SLDM 301A</b>	<b>DISASTER MANAGEMENT</b>	<b>C</b>
		<b>3</b>

### **COURSE OBJECTIVE:**

The objective of the course is to create awareness about various types of disasters and to educate the learners about basic disaster management strategies. The course examines disaster profile of our country and illustrates the role played by various governmental and non- governmental organizations in its effective management. It also acquaints learners with the existing legal frame work for disaster management.

### **LEARNING OUTCOME:**

The course will -

1. Provide students an exposure to disasters, their significance and types.
2. Ensure that the students begin to understand the relationship between vulnerability, disasters, disaster prevention and risk reduction.
3. Provide the students a preliminary understanding of approaches of Disaster Risk Reduction (DRR)
4. Develop rudimentary ability to respond to their surroundings with potential disaster response in areas where they live, with due sensitivity.

### **UNIT I Introduction to Disasters:**

Concept and definitions- Disaster, Hazard, vulnerability, resilience, risks.

**Different Types of Disaster:** Causes, effects and practical examples for all disasters.

- ☐ Natural Disaster: such as Flood, Cyclone, Earthquakes, Landslides etc
- ☐ Man-made Disaster: such as Fire, Industrial Pollution, Nuclear Disaster, Biological Disasters, Accidents (Air, Sea, Rail & Road), Structural failures (Building and Bridge), War & Terrorism etc.

### **UNIT- II**

- ☐ Disaster Preparedness: Concept and Nature
- ☐ Disaster Preparedness Plan
- ☐ Prediction, Early Warnings and Safety Measures of Disaster.

- ❑ Role of Information, Education, Communication, and Training, Role of Government, International and NGO Bodies.
- ❑ Role of IT in Disaster Preparedness
- ❑ Role of Engineers on Disaster Management.
- ❑ Relief and Recovery
- ❑ Medical Health Response to Different Disasters

### **UNIT III Rehabilitation, Reconstruction and Recovery**

- ❑ Reconstruction and Rehabilitation as a Means of Development.
- ❑ Damage Assessment
- ❑ Post Disaster effects and Remedial Measures.
- ❑ Creation of Long-term Job Opportunities and Livelihood Options,
- ❑ Disaster Resistant House Construction
- ❑ Sanitation and Hygiene
- ❑ Education and Awareness,
- ❑ Dealing with Victims' Psychology,
- ❑ Long-term Counter Disaster Planning
- ❑ Role of Educational Institute.

### **UNIT IV Disaster Management in India**

- ❑ **Disaster Management Act, 2005:**  
Disaster management framework in India before and after Disaster Management Act, 2005, National Level Nodal Agencies, National Disaster Management Authority
  
- ❑ **Liability for Mass Disaster**
  - Statutory liability
  - Contractual liability
  - Tortious liability
  - Criminal liability
  - Measure of damages
  
- ❑ **Epidemics Diseases Act, 1897: Main provisions, loopholes.**



- ❑ **Project Work:** The project/ field work is meant for students to understand vulnerabilities and to work on reducing disaster risks and to build a culture of safety. Projects must be conceived based on the geographic location and hazard profile of the region where the institute is located.

## Reference Books:

- Government of India, Department of Environment, Management of Hazardous Substances Control
- Act and Structure and Functions of Authority Created Thereunder.
- Indian Chemical Manufacturers' Association & Loss Prevention Society of India, Proceedings of the National Seminar on Safety in Road Transportation of Hazardous Materials: (1986).
- Author Title Publication Dr. Mrinalini Pandey Disaster Management Wiley India Pvt. Ltd.
- Tushar Bhattacharya Disaster Science and Management McGraw Hill Education (India) Pvt. Ltd.
- Jagbir Singh Disaster Management: Future Challenges and Opportunities K W Publishers Pvt. Ltd.
- J. P. Singhal Disaster Management Laxmi Publications.
- Shailesh Shukla, Shamna Hussain Biodiversity, Environment and Disaster Management Unique Publications
- C. K. Rajan, Navale Pandharinath Earth and Atmospheric Disaster Management: Nature and Manmade B S Publication
- Indian law Institute (Upendra Baxi and Thomas Paul (ed.), Mass Disasters and Multinational Liability: The Bhopal Case (1986)
- Indian Law Institute, Upendra Baxi (ed.), Environment Protection Act: An Agenda for Implementation (1987)
- Asian Regional Exchange for Prof. Baxi., Nothing to Lose But our Lives: Empowerment to Oppose
- Industrial Hazards in a Transnational world (1989)
- Gurudip Singh, Environmental Law: International and National Perspectives (1995), Lawman (India) Pvt. Ltd.
- Leela Krishnan, P, The Environmental Law in India, Chapters VIII, IX and X (1999), Butterworths, New Delhi.

<b>SOLS 212A</b>	<b>LAW OF CRIMES – II (IPC)</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

**Overview:**

Indian Penal Code is a substantive law which defines various crimes that are punishable in India. Though this Code consolidates the whole of the law on the subject and is exhaustive on the matters in respect of which it declares the law, many more penal statutes governing various offences have been created in addition to this code. The Indian security system has been one that has gone through a lot of tests and examinations throughout the time. This is due to the political as well as the social situation of the country. India is a land of diverse cultures and traditions and it is a place where people from various religions as well as ethnic backgrounds live together. The Indian Penal Code has its roots in the times of the British rule in India, formulating in year 1860. Amendments have been made to it in order to incorporate a lot of changes and jurisdiction clauses. The total number of sections contained in the Indian Penal Code is five hundred eleven. All these sections pertain to a particular category of crimes committed by civilians of Indian origin. The Indian Penal Code is thus the most fundamental document of all the law enforcer as well as the entire judiciary in India. The Indian Penal code has a basic format, it's a document that lists all the cases and punishments that a person committing any crimes is liable to be charged. It covers any person of Indian origin. The exceptions are the military and other armed forces, they cannot be charged based on the Indian Penal Code. They have a different set of laws under the Indian Penal Code as well.

**Objective and Expected Outcome:**

Various offences in the Indian Penal Code have been drafted keeping in view various principles of criminal liability. For example, most offences specify the required state of mind as well as the prohibited act for imposition of criminal liability. However, many situations require deviation from these principles due to the involvement of more than one person in the action, or due to the resultant harm to society, or due to prevailing social and cultural norms contrary to constitutional principles of equality and liberty to all. The course of Law of Crimes-I has been so designed as to enable the students to understand the general principles of criminal liability, to identify the ingredients of an offence, understand the range of state of mind required for different offences, as well as to sensitize the students about the inherent biases of criminal law against certain groups of people despite its claim of universality, neutrality and equality.

After completing the course, students will be able to learn about the various essentials which make an act punishable and also the different stages of crime.

## UNIT I

**Offences against Human Body:** Culpable Homicide, Murder- Offences of culpable homicide amounting and not amounting to murder distinguished. - culpable homicide of first degree provided in clause (a), second degree in clause (b) and third degree in clause (c) of section 299, IPC. Each clause of section 299 contains comparable clauses in section 300. Every murder is culpable homicide but not vice versa. Culpable homicide is the *genus* and murder is its *species*.

Causing Death by Negligence- Distinction between negligence and rashness as forms of *mens rea*; *mens rea* required is criminal negligence (inadvertent negligence) or criminal rashness (advertent negligence)

Abetment of suicide, Attempt to murder, Hurt and Grievous Hurt, Acid Attack, (226th Report of the Law Commission)

Wrongful restraint and Confinement, Criminal force and Assault

Kidnapping and Abduction- Ingredients of the offence of kidnapping from lawful guardianship (section 362); distinction between taking, enticing and allowing a minor to accompany; Kidnapping from lawful guardianship is a strict liability offence (section 363) and distinction between 'Kidnapping' and 'Abduction' - Relevance of age, consent, force, deception and motive.

## UNIT II OFFENCES AGAINST WOMEN

**Offences relating to marriage-** Mock Marriages, Adultery, Bigamy (227th Report of the Law Commission) Cruelty (243rd Report of the Law Commission) Dowry Death (10<sup>th</sup> and 202<sup>nd</sup> Report of the Law Commission)

**Miscarriage** (Section 312-318- Comparison to be made with the Medical termination of Pregnancy Act, 1971)

**Outraging modesty and annoyance of women-** 354A (Sexual harassment), section 354B (Assault or use of criminal force to woman with intent to disrobe), section 354C (Voyeurism), section 354D (Stalking) and section 509 (Word, gesture or act intended to insult the modesty of a woman)

**Rape** - Comparison to be made with the definitions in The Protection of Children from Sexual Offences Act, 2012, Custodial Rape (172<sup>nd</sup> Report of the Law Commission)

**UNIT III Offences against Property:** Theft, Extortion, Robbery, Dacoity, Criminal Misappropriation of Property, Criminal Breach of Trust, Receiving Stolen Property, Cheating, Mischief, Criminal trespass, House trespass, House breaking.

## **UNIT IV Miscellaneous Offences:**

Defamation, Criminal Intimidation, Insult and Annoyance

**Attempt to commit offence-** An attempt is direct movement towards the commission of an offence after the preparation is made. An accused is liable for attempting to commit an offence even if the forbidden consequence does not ensue for reasons beyond his control and he is to be punished for creating alarm and scare in the society

### **TEXT BOOK:**

- Indian Penal Code, 1860 – S.N. Mishra, Central Law Publication Company
- The Criminal Law (Amendment) Act, 2018
- Indian Penal Code, 1860- Latest Bare Act

<b>SOLS 210A</b>	<b>CONSTITUTIONAL LAW - II</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

### **OVERVIEW:**

Introduction to constitution of India-Formation and Composition of the Constituent Assembly  
Salient features of the Constitution-Preamble to the Indian Constitution Fundamental Rights  
Fundamental Duties-Directive principles of state policy. Parliamentary system of governance-  
Structure of Parliament- Lok Sabha and Rajya Sabha - Functions of parliament- Legislative  
,Executive, Financial Function, Powers of Lok Sabha and Rajya Sabha- Procedure followed in  
parliament in making law-Structure of union executive Power and position of President, Vice  
President, Prime minister and council of ministers. Structure of the judiciary: Jurisdiction and  
functions of Supreme Court, high court, and subordinate courts Federalism in the Indian  
constitution, Division of Powers- Union list, State list and concurrent list, Structure of state  
legislation, Legislative assembly and Legislative council, Functions of state legislature, Structure  
of state executive-Powers and positions of Governor, ,Speaker, Deputy Speaker, Chief Minister  
and council of minister. Local self-government- meaning-Three tier system-Village panchayat  
Taluk panchayat Zila panchayat- Local bodies- Municipalities and Corporations.

The students will be able to imbibe the features of Indian Constitution in their daily life. The  
students will be able to become a better advocate or judge as they are able to link all the other  
aspects with the grund norm i.e. Indian Constitution.

### **COURSE OBJECTIVE and EXPECTED OUTCOME:**

Introduction to constitution of India-Formation and Composition of the Constituent Assembly  
Salient features of the Constitution-Preamble to the Indian Constitution Fundamental Rights  
Fundamental Duties-Directive principles of state policy. Parliamentary system of governance-  
Structure of Parliament- Lok Sabha and Rajya Sabha - Functions of parliament- Legislative  
,Executive, Financial Function, Powers of Lok Sabha and Rajya Sabha Procedure followed in  
parliament in making law-Structure of union executive Power and position of President, Vice  
President, Prime minister and council of ministers. Structure of the judiciary: Jurisdiction and

functions of Supreme Court, high court, and subordinate courts Federalism in the Indian constitution, Division of Powers- Union list, State list and concurrent list, Structure of state legislation, Legislative assembly and Legislative council, Functions of state legislature, Structure of state executive-Powers and positions of Governor, Speaker, Deputy Speaker, Chief Minister and council of minister. Local self-government- meaning-Threetiersystem-Villagepanchayath-TalukpanchayathZillapanchayath-Local bodies-Municipalities and Corporations.

The students will be able to imbibe the features of Indian Constitution in their daily life. The students will be able to become a better advocate or judge as they are able to link all the other aspects with the grund norm i.e. Indian Constitution.

## **UNIT I :**

### **Union Executive**

**The President of India :** Election of President and Vice President, term of office, qualification and eligibility, Impeachment, Oath of office, Power of the President to be exercised, power to grant pardon, Conduct of Business of the Government of India, Office of Vice President – Election procedure, powers and functions

**Union Cabinet:** Constitutional provision on formation of Council of Ministers, Advisory function, Collective responsibility, Confidentiality of Cabinet Decisions, Other provisions, Duties of Prime Minister

### **Union Legislature**

**The Parliament:** Bicameral Character and constitution, Composition of the House of States and House of the People, Duration, Qualification and disqualification of members, Office of Profit, sessions, Officers of the Parliament and their duties, removal, Conduct of Business, Privileges and Immunities of Parliament and its Members, office of profit, Salaries and allowances of members, Special procedure on Money Bill and Financial matters.

## **UNIT II**

**State Executive:** Governor of a state, Qualification, Appointment, Term, Executive and legislative power and function; Council of Ministers.

## **State Legislature**

Constitution under Unicameral and Bicameral Legislative system, qualification of members, sessions, Officers of Legislature, power and function, Conduct of business, disqualification, Special Procedure on Money Bill and Financial matters

## **UNIT III**

**Union Judiciary:** Nature of Indian Judicial System with its distinctive feature, Supreme Court of India, its various powers, Judicial Appointment, Special Leave Petition, Independence of Judiciary

**State Judiciary- High Courts and Subordinate Courts:** Judicial system in the States, Appointment of Judges, Various Powers, Establishment of Common High Court, Constitution of Bench, Transfer of a judge.

## **UNIT IV**

**Relation between Union and States (Arts. 245-281)**

**Concept of Federalism-**Legislative Relations, Administrative Relations, Financial Relations, Cooperative Federalism

**Right to Property, Services under the Union [Articles 308-323], Elections [Art 324], Emergency Provisions [Articles 352, 356 and 360]:** Proclamation, Effects and the Grounds

**Amendment to the Constitution:** Kinds of Amendment, Methods of Amendments, Scope of Amending Powers of the Parliament, Doctrine of Basic Structure, Amendment of Fundamental Rights

**Special Status to Jammu and Kashmir [Art 370]**

## **TEXTBOOK:**

- 1) V.N. Shukla, Constitution of India
- 2) BARE ACT OF CONSTITUTION OF INDIA BY P.M BAKSHI/ UNIVERSAL

<b>SOLS208A</b>	<b>ADMINISTRATIVE LAW</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>-</b>	<b>4</b>

**Course Objective:** The focus or the center point of this study, as in cases of the study of other branches of public law, is the rights of individual *vis a vis* the public interest.

Upon successful completion, students will have the knowledge and skills to:

1. By the end of the course, students should be able to:
2. Explain, apply and appraise the principles of judicial review of administrative action at both the State and Federal levels of government in Australia;
3. Explain, apply and appraise the limits on the powers of the courts to engage in judicial review of administrative action, and the constitutional protection of such review;
4. Distinguish between the different categories of adjudicative review (legality and merit review) and between adjudicative and non-adjudicative accountability mechanisms;
5. Explain and appraise the interaction between the various institutions of administrative law and the role played by each in the administrative justice system;
6. Recognise and explain the relevance of the Constitution and constitutional concepts to the development of distinctive Australian administrative law institutions and principles;
7. Reflect critically on judicial reasoning in administrative law cases, the values underpinning administrative law, and the impact of the law on administrative decision-making;
8. Apply administrative law principles to resolve practical problems, reasoning to a conclusion by analogy to decided cases recognising the way in which statutory context influences the application of these principles.

## **UNIT I : Evolution, Nature and scope of Administrative law**



Definitions, scope , classification and reason for the growth of administrative law ; Relationship between constitutional law and administrative law; Doctrine of Separation of Powers and its application in administrative law; Doctrine of Rule of law and application in administrative law.

## **UNIT II : Legislative function of Administration:**

Delegated legislation: Necessity for delegated legislation, classification of delegated legislation and its requirement, constitutionality of delegated legislation, All forms of control of delegated legislation i.e. Parliamentary, Procedural and Judicial control (doctrine of ultra vires).

## **UNIT III : Judicial function of Administration:**

Reason for Administrative adjudication; Tribunals and classification of Tribunals; Principles of Natural Justice; Ombudsman: Lokpal, Lokayukta; Central Vigilance Commission (CVC).

## **UNIT IV : Administrative discretion , Judicial control of administrative action and Judicial Review**

Need and legality and abuses; Constitutional objections and discretion, failure to exercise discretion; Doctrine of proportionality; Legitimate expectation.

Courts as the final authority to determine the legality of Administrative actions ; Public Interest Litigation and the principle of *locus standi*, laches

Judicial review ; scope and extent, statutory appeals, writs.

## **TEXT BOOK:**

Dr.J.J.R.Upadhyaya: Administrative Law , Central Law Agency

<b>SOLS204A</b>	<b>FAMILY LAW – II</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

### **Overview:**

Family Law II Course is mainly devoted to the study of Source, School and property relations in the familial relationship. The legal incidence of joint family and the laws of succession – testamentary and intestate – according to the personal laws of Hindus and Muslims shall be discussed in depth to create insights amongst the students who develop visions and perceptions that may promote loud thinking on a Uniform Civil Code and equality among sexes in property relations within the family.

### **Course Objective and Learning Outcome:**

The students will be well equipped with the family laws so that they could become good lawyers who are able to handle matrimonial cases properly.

### **UNIT I**

**Muslim Law:** Sources and Schools of Muslim Law, Nikah - Solemnization of Marriage – conditions for validity, classification and types; Special Marriage Act,1954 , Dower; Divorce - (a) Extra-judicial - Talaq, Khula, Mubarat (b) Judicial - The Dissolution of Muslim Marriages Act, 1939, Acknowledgement of Paternity.

### **UNIT II**

**Family Courts:** Establishment, Powers and functions, Uniform Civil Code- Constitutional Mandate; Role of the State; Impediments to the formulation of the Uniform Civil Code. Maintenance,

### **UNIT III**

**Dispositions under Muslim Law :** A. Testamentary Disposition (Will): Definition and basis, Capacity of the Legatee, Formalities of a Will (*Wasiyat*); subject matter of Will, Restrictions on

testamentary power of disposition, interpretation of the Will, Revocation of the Will; **B** Disposition inter vivos (Gift): Gift (*Hiba*) its definition, classification and essentials of gift, Who can make gift, to whom gift can be made, the property which can be subject of Gift; Delivery of possession, (*Musha*), Revocation of Gifts; Distinction between *Hiba*, *Ariya*, *Sadaqa* and *Wakf*, *Hiba-bil-Sharitu* *wad*, Gift during death illness (*Marzul –a-Mawt*), Custody (*Hizanat*)

#### **UNIT IV**

**Waqf:** Meaning, Kinds of Waqf, Objects and purpose, Requisites, Rights and Characteristics, Advantages and disadvantages, Methods of creation of *waqf*; Pre-emption – Origin, Definition, Classification, Subject matter, formalities, effects, constitutional validity.

#### **TEXTBOOK:**

1. Tahir Mahmood, Fyzee's: Outlines of Muhammedan Law.
2. M. Hidayatulla and Arshad Hidayatulla, Mulla's Principles of Mahomedan Law.
3. Mulla, D.F: Principal of Mohammadan Law

<b>SOLS 305A</b>	<b>JURISPRUDENCE</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

**Overview:**

The objective of the course is to create an understanding of basic legal concepts and provide an insight to the student into philosophical, ideological and theoretical foundations of the discipline of law with special reference to Indian legal system. The question of knowing the metabolism of law involves various inquiries such as what is law and where the law is and the functions thereof? However, the investigation invariably requires distinction of the law with which we are concerned, and the subject of jurisprudence and here it is clearly concerned with social science laws. As the course progresses students would be prepared to understand that this subject is more about questions and not answers.

**Objective and Expected Outcome:**

The learning outcomes set forth here are the aims of a comprehensive legal education for each student. The overarching goal of the faculty is to vest in our students the entire range of concrete lawyering skills necessary to most effectively perform as legal professionals at the local, state, national, transnational, and international levels in the 21st Century.

**UNIT I: Introduction**

1. Definition, Nature of Jurisprudence
2. Scope and Utility of Jurisprudence
3. Definition and Nature of Law
4. Kinds of Law

**UNIT II: Schools of Jurisprudence**

1. Analytical School: Analytical Positivism:
  - (a) Imperative Theory of Law: John Austin

- (b) Pure Theory of Law: Hans Kelson
- (c) Theory by HLA Hart.
- 2. Historical School:
  - (a) Volkgeist Theory of Law: Frederick Karl Von Savigny
  - (b) Anthropological Theory of Law: Sir Henry Summer Maine
- 3. Sociological School:
  - (a) Background and Characteristics
  - (b) Social Engineering Theory: Roscoe Pound
- 4. Realist or Functional School:
  - (a) Karl Llewellyn
  - (b) Jerome Frank

### **UNIT III : The Sources of Law**

- 1 Custom: Essentials, kinds
2. Precedent Authority of precedent, circumstances destroying or weakening precedent, ratio decidendi , obiter dicta
3. Legislation as a source of law; Types of legislations; relation of legislation to other sources of law; Codification, Interpretation of enacted law (in general)
4. Difference between custom, legislation and precedents.

### **UNIT IV: Legal Concepts**

1. Legal Rights: Concept; Characteristics; Legal rights in wider sense of the term ; kinds
2. Ownership: Concept, ; Subject matter; Classification
3. Possession: Idea of possession- Possession in fact and possession in law ; Kinds; Modes of acquisition of possession ; Relation between possession and ownership ; possessory remedies .
4. Persons: Nature of personality – Legal status of lower animals, dead man, unborn person,-Legal persons-Theories of legal personality; corporate personality
5. Liability: Concept; kinds
6. Modern Trends study with reference to judicial pronouncements with state policy.

**TEXT BOOK:**

- .Dr.B.N.Mani Tripathi : Jurisprudence (Legal Theory) , Allahabad Law Agency.

<b>SOLS 307A</b>	<b>CIVIL PROCEDURE CODE, 1908 and LIMITATION ACT, 1963</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

### **Overview:**

Civil Procedure Code is subject of daily use by the courts and lawyers. Students cannot afford to have scant knowledge of civil procedure when he goes out to practice as a lawyer. True that it is through experience one gets expert knowledge of civil procedure. However, it is necessary to have good grounding in the subject before one enters the profession. While the substantive law determines the rights of persons affected by action, judicial decisions will supply the omissions in the law.

The Code of Civil Procedure in India has a chequered history and lays down the details of procedure for redressal of civil rights. Many questions may prop up when one goes to vindicate one's civil rights. The court where the suit is to be filed, the essential forms and procedure for institution of suit, the document in support and against, evidence taking and trial, dimensions of an interim order, the peculiar nature of the suit, the complexities of executing a decree and provision for appeal and revision are all matters which a lawyer for any side is to be familiar with.

A delay in filing the suit, besides indicating the negligence of the plaintiff in effectively agitating the matter on time, may place court in a precarious situation. They may not be in a position to appreciate the evidence correctly. Evidence might have been obliterated. Hence, the statute of limitation fixes a period within which a case has to be filed. The students should know how the court fee stamp will be fixed, how the ready Reconor is referred and what is the importance of suit valuation

### **LEARNING OUTCOME:**

Students will be able to communicate effectively regarding civil procedure issues orally (in class) and in writing (on the final exam and any possible short-report assignment). Students will understand the value and use of non-adversary alternative dispute resolution procedures and their integration with and use in resolving disputes concerning procedural rules, discovery, etc. Students will increase their ability and desire to engage in lifelong learning and service in their application, practice and use of the rules of civil procedure.

## **UNIT I**

Significant Terms and Definitions: Definitions: Decree, Judgment, Order, Foreign Court, Foreign Judgment, Mesne, Profits, Affidavit, Suit, Complaint, Written Statement, Suit of civil nature ;Important Concepts: Res Sub- Judice, Res judicata, Restitution

## **UNIT II**

Initial steps in a suit: Jurisdiction and place of suing; Institution of suit, cause of action, joinder, non-joinder and mis -joinder of parties; Summons; Pleadings: Meaning, object, General rules, Amendment of pleadings; Complaint and written statement: Particulars, set off and counter claim; Admission return and rejection; Discovery, Inspection and production of documents; Appearance and non-appearance of parties, ex-parte proceedings; First hearing: Meaning, object, framing of issues, omission to frame issues, disposal of suit in the first hearing; Trial: Summoning and attendance of witnesses, summons to produce documents, adjournment, hearing of suit., Caveat, Inherent powers of courts.

## **UNIT III**

**Interim Orders:** Commissions, Arrest before judgment, Attachment before judgment, Temporary Injunctions, Interlocutory orders, Receiver, Security of costs.

**Suits in Particular Cases:** Suits by or against Government, Suits by Indigent persons, Interpleader Suit, Summary Procedure, Suits relating to public nuisance.

**Execution :** Courts executing Decree ,Application for Execution, Stay of Execution, Mode of Execution.

## **UNIT IV**

**Appeals:** General provision relating to appeal, appeal from original decree, appeal from appellate decree, appeal to Supreme Court, appeal by indigent person. Reference, Review and Revision

**Law of Limitation: objects and principles -** period of limitation and grounds, plaintiff, defendant; limitation of suits, appeals, and application, computation of period of limitation, effect of acknowledgement.

## **TEXT BOOK**

C.K. Thakkar's (Takwani), Code of Civil Procedure

## **BARE ACT**

Civil Procedure Code, Amendment Act, 2005



<b>SOLS 311A</b>	<b>PROPERTY LAW</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

**Overview:** The institution of property is age old concept of society. The right to property is not only a constitutional right but has also come to be recognized as a human right. Variety of rights and obligations has been attached to the concept of property which is dealt by various laws in all legal systems. It is incumbent on law student to know the fundamentals of property laws, the various modes of acquiring rights in the property and kinds of interests in the property. This course is intended to teach the basics of property law and its jurisprudence. The subject imparts to the student an understanding of the law in India relating to transfer of immovable property and the norms and doctrines that aid in carrying out secure transactions in this regard. Right to property has always been considered a very important jurisprudential right to attain economic freedom though State's right of eminent domain. Right to transfer of property is also as important as right to property. It is this factor that shall be kept in mind while examining the various disputes arising out of transfer of property.

### **Expected Outcome**

After the study of property law students will learn how to deal with the transfer of immovable property. They will be capable of applying the various rules governing the transfer of property.

## **UNIT I**

**Jurisprudential Basis (Sections 5-21):** Concept and meaning of property – New property, Kinds of property – movable and immovable property, tangible and intangible property,

**Sale of Immovable Property:** : Doctrine of Election Sec. 35, Doctrine of lis Pendens Sec52 ,Fraudulent Transfer, Sec. 53, Doctrine of Part Performance Sec53A

## **UNIT II**

### **Sale of immovable property (Ss. 54 – 55)**

Sale, Contract of Sale, Contract to sell, Rights and Liabilities of buyer and seller.

**Specific Transfers:** Mortgages of immovable Property: Ss. 58 – 77 (Kinds of mortgage, Rights and Liabilities of the mortgagor and mortgagee, Marshalling and Contribution (Ss. 81 – 82), Redemption (Ss. 91 – 96).

## **UNIT III**

**Leases:** Leases (Ss. 105 – 117): Definition, Leases how made, Rights and Liabilities of lesser and lessee, Charges (Section, 100 – 104).

**Easements:** Creation of Easements (Ss. 4 – 7), Nature and characteristics of Easements, Extinction, Suspension and Revival of Easements (Ss. 37–51), Riparian Rights, Licenses (Ss. 52 – 64).

## **UNIT IV**

### **Indian Stamp Act, 1899**

Duly Stamped: Meaning, Instruments chargeable to Stamp Duty, Valuation of stamp duty, Duty Payable when several instrument's, Powers to reduce stamp duty, Instrument's not duly stamped : effect

### **The Registration Act, 1908.**

Compulsorily Registrable Documents, Documents of which Registration is optional, Effects of Registration and Non Registration of Documents

## **TEXT BOOK**

Dr. R.K.Sinha, the Transfer of Property Act.

### **BARE ACTS**

1. Transfer of Property Act, 1882
2. Indian Stamp Act, 1899
3. The Registration Act, 1908

<b>SOLS 303A</b>	<b>LAW OF EVIDENCE</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

**Overview:**

The law of evidence is also concerned with the quantum (amount), quality, and type of proof needed to prevail in litigation. The rules vary depending upon whether the venue is a criminal court, civil court, or family court, and they vary by jurisdiction. The quantum of evidence is the amount of evidence needed; the quality of proof is how reliable such evidence should be considered. Important rules that govern admissibility concern hearsay, authentication, relevance, privilege, witnesses, opinions, expert testimony, identification and rules of physical evidence. There are various standards of evidence or standards showing how strong the evidence must be to meet the legal burden of proof in a given situation, ranging from reasonable suspicion to preponderance of the evidence, clear and convincing evidence, or beyond a reasonable doubt. Criminal charges lead to serious consequences for the accused. Therefore, in criminal cases, the level of proof required to resolve a case is very high. It is a strict requirement and the party alleging the crime must prove the claim beyond all reasonable doubt. Therefore, a case that goes to trial must be robust in its legal submissions and be able to prove the claim being made by the party. The laws have declared that certain types of documents and certain articles of evidence have more weight than others, and would prove the claim convincingly. This can be done by producing relevant documents, or eye-witnesses to the offending incident or circumstantial evidence that increases the probability of the incident.

**Objective and Expected Outcome:**

To provide students with detailed knowledge and skills in the rules of evidence and procedure as they apply to civil and criminal trials as might be relevant to a person working in a legal office, an insurance company or associated fields in the public or corporate sectors. Knowledge of the rules of evidence will enable analysis and evaluation of evidence available in connection with the preparation of a case for trial. Upon successful completion of the course the students will be able

to analyse and define the concept and general nature of evidence, and illustrate the different types of evidence and court procedures relating to evidence, to analyse the rule relating to relevance of evidence, analyse and evaluate the rules governing examination in chief, cross examination and re-examination, and establish the procedures in the conduct of a civil or criminal trial.

## **UNIT I**

**Definitions and Relevancy of Facts:** Evidence and its relationship with the substantive and procedural laws; Definitions: Facts, facts in issue, relevant Facts, evidence proved, disproved, not proved, oral and documentary evidence; Relevancy and admissibility; Doctrine of *res gestae*; Conspiracy.

## **UNIT II**

**Admissions, confessions and statements by person who cannot be called as witnesses:** Definition of admission, who can make admissions by or on their behalf, proof of admission against the persons making them and admissions in civil cases. (Section 17-23, 31); Definition, relevance and consideration of confessions (section 24-30); Dying declaration (Section 32 and Section 33). **Opinion of Third Persons (Sec. 45 to 51) and Character Evidence (Sec. 52 to 55).**

## **UNIT III**

**Documentary Evidence:** Primary and Secondary Evidence, Proof and verification of documents; Public documents and presumption as to documents, exclusion of oral evidence by documentary evidence.

## **UNIT IV**

**Production and Effect of Evidence:** Burden of proof (Sections 101-114); Estoppel (Section 115); Competence of witnesses (Sections 118-120).

**Examination of Witnesses (Sections 135-166) and Rejection of evidence (Section 167)**

Examination –in-chief : Cross Examination, Re-examination; Leading questions; Hostile witnesses; Refreshing memory; Judge’s power to put questions or order production.

**TEXT BOOK:**

- Avtar Singh : Evidence Law
- The Evidence Act, 1872- Latest Bare Act

<b>SOLS 304A</b>	<b>LABOUR and INDUSTRIAL LAW-I</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

**Overview:**

The concept of the welfare State ushered in the care of labour and the consequent regulation of Industry through legislation. Our Constitution went beyond the mere welfare State to ensure human dignity. Labour law also known as employment law is the body of laws, administrative rulings, and precedents which address the legal rights of, and restrictions on, working people and their organizations. As such, it mediates many aspects of the relationship between trade unions, employers and employees. In other words, Labour law defines the rights and obligations as workers, union members and employers in the workplace.

**Objective and Expected Outcome:**

The course attempts to inform, educate and inspire the law student in the use of law for engineering a fair deal for labour through changes in legislation and its interpretation by Courts.

**UNIT I**

Industrial Disputes Act, 1947 : Concept of industrial dispute, Arena of interaction, Industry, Participants, workman and employer, Settlement of industrial disputes, Dispute settlement machinery, Works Committee, Conciliation Machinery, Adjudication, Labour Court, Tribunal and National Tribunal, Voluntary Arbitration,

**UNIT II**

Instruments of economic coercion, strikes, lock-outs, Gherao and Bandh, Lay-off, retrenchment, closure and transfer, Unfair labour practices and discharge, Management’s prerogative during the pendency of proceedings.

**UNIT III**

Trade Unions Act, 1926: Trade unionism in India, Definition of Trade Union and Trade disputes, Membership of Trade Unions, Registration of Trade Unions, Rights and Liabilities of Trade Unions, Civil and Criminal Immunities of Registered Trade Union and its members, General and Political Funds of Trade Unions, Recognition of Trade Union, Political Rivalries among Trade Unions.

## **UNIT IV**

Industrial Employment (Standing Orders) Act, 1946, Nature and concept of Standing Orders, Certification of Standing Orders - Modification of Standing Orders, Interpretation of Standing Orders, - Powers and duties of Certifying Officers and Appellate Authorities, Misconduct, Disciplinary action and Domestic enquiry

### **TEXT BOOK:**

1. ND Kapoor, Labour and Industrial Law

<b>SOLS 310A</b>	<b>CRIMINAL PROCEDURE CODE, 1973</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

## **OVERVIEW:**

The Criminal Procedure Code is designed to look after the process of the administration and enforcement of the Criminal law. The present course intends at acquainting the students with the various pre judicial and judicial procedures. This course includes the rights and duties of those proceeded against and the powers, duties and restraints on those administering the criminal judicial process. It also provides the machinery for the detection of crime, apprehension of suspected criminals, collection of evidence, determination of the guilt or innocence of the suspected person and the imposition of suitable punishment on the guilty person.

## **COURSE OBJECTIVE AND OUTCOME:**

The Student will learn the basic idea about the Criminal Justice System. The student will understand how the Criminal Procedure Code Controls and regulate the working of the machinery set up for the investigation and trial of offences. The student will learn about the court controlled machinery for ensuring justice under criminal law, starting from FIR and preliminary enquiry to the various roles of the police in preventing, registering and tracking crimes to maintain law and order as well as the role of executive magistrate. The student will learn about the structure of court especially the district courts, their role in ensuring liberty through the process of anticipatory and regular bail.

## **UNIT -1: INTRODUCTION**

Object and Importance of Cr.P.C, Functionaries under the Cr.P.C, Basic Concepts: Bailable Offence, Non-Bailable Offence, Cognizable Offence, Non-cognizable Offence, Complaint, Charge, Police Report, Investigation, Inquiry and Trial, Summons Case, Warrant Case Arrest and Rights of an Arrested Person.



## **UNIT-II: ARREST, BAIL AND PRE-TRIAL PROCEEDINGS**

Information to the Police and their powers to Investigation, Process to Compel Appearance of Person, Process to Compel Production of Things, Condition Requisites for Initiation of Proceeding, Complaint to Magistrate and Commencement of Proceeding before Magistrate

## **UNIT-III: TRIAL PROCEEDINGS**

Framing of Charges and Joinder of Charges, Jurisdiction of the Criminal Courts in Inquiries and Trials, Types of trials: Sessions Trial, Warrant Trial, Summons Trial, Summary Trial, Judgment and Sentences under the Code, Submission of Death Sentences for Confirmation, General Provisions as to Inquiries and Trial, Execution, Suspension, Remission and Commutation of Sentences

## **UNIT-IV: MISCELLANEOUS**

Provision for Bail under the Code, Appeals, Reference and Revision, Inherent Power of Court, Transfer of Criminal Cases, Plea Bargaining

## **TEXT BOOK**

1. R.V. Kelkar, Lectures on Criminal Procedure Code

**BARE ACT:** The Code of Criminal Procedure, 1973

<b>SOLS308A</b>	<b>COMPANY LAW</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

### **OVERVIEW:**

The legal invention of the company, regardless of political structures, has been the vehicle for financial and economic development. Political structures and policies determine the shape, size and structure of this invention in each country. It is the main vehicle today for global transfer of technology, investment knowledge and skilled personnel. It is also the source of high value criminality, litigation and other methods of dispute settlement.

The course covers the general principles of Company Law. It examines the various structures through which businesses may be run, the method of establishing and running a company, ways of financing and conducting the affairs of a company, the duties and rights of directors, shareholder rights, insolvency.

The attempt of this course is to impart corporate law knowledge base to the law student to enable the student to understand the place and use of the company in various socio-economic and political contexts. This opens for the student a vast array of entrepreneurial and earning opportunities in various capacities in a borderless world of finance.

### **COURSE OBJECTIVE AND OUTCOME:**

On completion of this course, learners will be able to:

1. On completion of this course, learners will be able to: appreciate the relevance of company law to individuals and businesses and the role of law in an economic, political and social context.
2. Identify the fundamental legal principles of company law.
3. Critically analyse complex problems in relation to the regulation of companies, apply the legal principles studies to these problems, evaluate competing arguments or solutions and present well supported conclusions both orally and in writing

4. Understand the legal and fiscal structure of different forms of business organizations such as company, partnership and LLP

## **UNIT I**

Company-Definition, Meaning, Nature and its Characteristics, Comparison between Company and Partnership and Company and Limited Liability Partnership.

Concept of Corporate Personality - Concept of Separate Legal Entity, Doctrine of Lifting of Corporate Veil – judicial and statutory grounds.

Kinds of Companies: Public and Private Companies; Holding and Subsidiary Companies; Limited and Unlimited Companies; Company Limited by Shares and Guarantee; Producer Companies; Small company; One person company; Government company and foreign company. Company's Share Capital/Debenture: Shares, Kinds of Share capital, Equity share, Preference share, Debentures Nature of Shares or Debentures, Comparison between Share and Debenture.

## **UNIT II**

Incorporation and its Consequences.

Formation of Companies - Procedural Aspects, Memorandum of Association and Articles of Association and their Alteration, Doctrine of Ultra-Vires, Constructive Notice, Indoor Management.

Prospectus, Public issues, Contents of prospectus and formalities of issues, Shelf prospectus, Red Herring Prospectus, Information Memorandum, Misrepresentation and penalties.

Promoters-Meaning, Position, Duties, Rights.

## **UNIT III**

Allotment: General Principles and Statutory Provisions related to Allotment

Forfeiture and surrender of Shares, Transfer and Transmission of shares

Provisions relating to payment of Dividend

Meetings: Types / Kinds of Meetings, Essential Conditions of a Valid Meeting, Procedure for Calling Company Meetings.

Directors-Types, Director's Identification Number, Appointment/Reappointment, Disqualifications, Vacation of Office, Retirement, Resignation and Removal, Role and Responsibilities of Directors (Powers and Duties).

## **UNIT IV**

Role of Tribunals to Protect Interests of Creditors and Shareholders, Class Action Suits, Derivative Actions, Rule in *Foss v. Harbottle*, Prevention of Oppression and Mismanagement.

Winding up of Companies: Mode of winding up of the companies, Compulsory Winding up under the Order of the Tribunal, Voluntary winding up, Contributories, Payment of liabilities.

Adjudicatory Bodies: National Company Law Tribunal; National Company Law Appellate Tribunal – Constitution, Powers, Jurisdiction, Procedure, Judicial Review.

### **PRESCRIBED LEGISLATION:**

The Companies Act, 2013.

### **TEXT BOOK**

Avtar Singh, *Company Law*, 16th ed., Eastern Book Company, Lucknow, 2015.

<b>SOLS 312A</b>	<b>PUBLIC INTERNATIONAL LAW</b>	<b>C</b>
		<b>4</b>

### **COURSE OBJECTIVE:**

The course aims to present a panorama of public international law, which covers principles and rules that govern the relations between States and the latter's interactions with other international actors. The course is designed to give students a global understanding of the rules governing international relations and, ultimately, provide them with practical skills in legal reasoning and arguing, research and writing on international issues. The course will start with an introduction to the international legal order, including a presentation of the specificities of international law as compared to domestic law. It will then focus on core areas of public international law which involve the following questions: Who are the actors in the international legal system and to whom does international law apply? How is international law created and where can it be found? What are the fundamental principles of public international law, besides the multitude of international rules, with a special focus on one of them, namely the prohibition of the use of force? Finally, in case of breaches of international rules, how does international law react to such breaches? The objective of this paper is to provide knowledge to the students regarding the Public International Law to enable them to deal with the transnational legal order.

### **COURSE OUTCOME:**

This course is an introduction to Public International Law for Students of International Relations. Emphasis throughout the course is both on the substantive rules of the law and on historical episodes that illustrate the various issues. By the end of the course, students should have a good understanding of the legal structures underpinning international relations.

By the end of the course, students should be able to: understand the basic doctrines and concepts of public international law, critically discuss the limits and potentials of international law as a technique of public policy and analyze contemporary issues from the perspective of international law

### **UNIT I**

**Introduction:** Definition and Basis of International Law, Subjects of International Law, Relationship between International Law and Municipal Law .

### **UNIT II**

**Sources of International Law:** Custom, Treaties, General Principles of law, Juristic Works, General Assembly Resolutions, Other sources.

### **UNIT III**

**State Recognition, State Jurisdiction and Law of the Sea: State Recognition:** Recognition of states, Recognition of governments, *de facto* and *de jure* Recognition, Types of Recognition: Implied Recognition, Conditional Recognition, Collective Recognition; Withdrawal of Recognition, The legal effects of recognition; **State Jurisdiction:** Basics of Jurisdiction, Principles of Jurisdiction, Exemption from Jurisdiction: Diplomatic Immunities and Privileges, Armed Forces, Public Ships; **Law of the Sea:** First and Second Law of the Sea Conventions :Third Law of the Sea Convention {UNCLOS III (United Nations Convention on the Law of The Sea), Maritime Zones: Territorial Waters, Contiguous Zone, Exclusive Economic Zone, Continental Shelf, High Seas: Sea Bed Authority, Deep Sea Bed Mining and International Sea – Bed Area.

### **UNIT IV**

**Conflict Resolution, War and Neutrality of States:** Modes of Settlement of Disputes: Peaceful means, Coercive means; War: Laws of War, Humanitarian Laws: Rules of neutrality.

### **TEXT BOOK**

- H.O. Aggarwal, International Law

<b>SOLS 403A</b>	<b>LABOUR and INDUSTRIAL LAW - II</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

## **OVERVIEW:**

Law comes into existence to cater to the growing needs of society, which may be caused by technological, economic, political, social changes. Law is a dynamic concept. Law is like a citadel which requires regular repairs, revamping and replacement. "Life and Laws have moved together in history and it must do in future". It is in this perspective that the Labour Legislations have to be studied.

Society evolves institutions to abhor vacuum created by changes. Industrial Revolution is a epoch-making event, which completely changes the lifestyles of society from agricultural and pastoral to industrial and materialistic one. The industrial society brought about, in its wake, excessive exploitation of the working classes by the employer who took advantage of the individual dispensability of the worker and wanted maximum profit on his investment. The golden rule of capitalism that "Risk and Right" go together provided them with prerogatives to "hire and fire". The other legal concepts which were then Introduction to Labour Legislation available were those of Master and Servant and carrot and stick etc. The principle of common law was in operation. The law of contract used to govern the relation between worker and the employer in which individual contact was struck, the terms of contract were usually verbal and mostly used in cases of breaches, leading to prosecution and imprisonment of workers. Labour and Migration Act was another legislation which gave rise to the "Indentured labour system". Anti-Combination legislations were in vague treating 'combination' of workers as act of criminal conspiracy. Longer hours of work, abysmally low wages, no safety and welfare provisions, and no insurance - the exploitation at large. State was adopting the policy of Laissez-faire (let not interfere) and employers abused workers, taking advantage of the situation.

Every society on it's onwards march revises, reviews, refurbishes and reinvents its legal concept and civilized ways of living. The changes brought about by the industrial revolution created some gaps and it became the responsibility of the society to fill-up those gaps. Society went for certain social devices to take care of the gaps, which are known as labour legislation. The labour legislations are the products of Industrial Revolution and they have come into being to take care of the aberrations created by it. They are different from common legislations, because they come to alleviate special disorders created by specific circumstances. Therefore, they are specific and not general in orientation, philosophy and concept.

The students will have plenty of options who will in future choose to expert in the field of labour law and labour management. The course aims at providing skill and knowledge to the students in the domain so that the student can in future fulfill the demands of society as well as industries.

The course is focused at nurturing labour law experts in such a way that they are academically sound to take the challenges in practical field.

### **COURSE OBJECTIVE:**

Law comes into existence to cater to the growing needs of society, which may be caused by technological, economic, political, social changes. Law is a dynamic concept. Law is like a citadel which requires regular repairs, revamping and replacement. "Life and Laws have moved together in history and it must do in future". It is in this perspective that the Labour Legislations have to be studied.

Society evolves institutions to abhor vacuum created by changes. Industrial Revolution is a epoch-making event, which completely changes the lifestyles of society from agricultural and pastoral to industrial and materialistic one. The industrial society brought about, in its wake, excessive exploitation of the working classes by the employer who took advantage of the individual dispensability of the worker and wanted maximum profit on his investment. The golden rule of capitalism that "Risk and Right" go together provided them with prerogatives to "hire and fire". The other legal concepts which were then Introduction to Labour Legislation available were those of Master and Servant and carrot and stick etc. The principle of common law was in operation. The law of contract used to govern the relation between worker and the employer in which individual contact was struck, the terms of contract were usually verbal and mostly used in cases of breaches, leading to prosecution and imprisonment of workers. Labour and Migration Act was another legislation which gave rise to the "Indentured labour system". Anti-Combination legislations were in vague treating 'combination' of workers as act of criminal conspiracy. Longer hours of work, abysmally low wages, no safety and welfare provisions, and no insurance - the exploitation at large. State was adopting the policy of Laissez-faire (let not interfere) and employers abused workers, taking advantage of the situation.

Every society on it's onwards march revises, reviews, refurbishes and reinvents its legal concept and civilized ways of living. The changes brought about by the industrial revolution created some gaps and it became the responsibility of the society to fill-up those gaps. Society went for certain social devices to take care of the gaps, which are known as labour legislation. The labour legislations are the products of Industrial Revolution and they have come into being to take care of the aberrations created by it. They are different from common legislations, because they come to alleviate special disorders created by specific circumstances. Therefore, they are specific and not general in orientation, philosophy and concept

### **EXPECTED OUTCOME:**

The students will have plenty of options who will in future choose to expert in the field of labour law and labour management. The course aims at providing skill and knowledge to the students in



the domain so that the student can in future fulfill the demands of society as well as industries. The course is focused at nurturing labour law experts in such a way that they are academically sound to take the challenges in practical field.

## **UNIT I**

Constitutional Perspective, Fundamental Rights related to labour, Directive Principles, concerning labour, Distribution of legislative powers with respect to labour, Public Interest Litigation on labour matters, Delegation of legislative power under various labour legislation, Child and Bonded Labour

## **UNIT II**

Workman Compensation Act, 1923: Scope, object and conditions for compensation, Definitions, Employer's liability for compensation, Fixation of compensation, Procedure for awarding compensation, Appeals against the orders of the commissioner

## **UNIT III**

Minimum Wages Act, 1948 - Concept of minimum wages, Different concepts of wages, Living Wage, Fair wage, Minimum wage (Need based and Notional based), Fixation of Minimum Wages, Rates for Minimum wages, Procedure for fixing and revising minimum wages

## **UNIT IV**

Factories Act, 1948, Objects and reasons of the Act, Definition clause, Measures to be adopted in factory for Health, Safety, Welfare

Payment of Bonus Act, 1965, Object and Scope of the Act, Concept of Bonus, Formula for Calculation of Bonus

## **TEXT BOOK**

1. S.C. Srivastava, Industrial Laws in India
2. Labour and Industrial Laws
3. Industrial Laws Manual
- 4.

<b>SOLS 405A</b>	<b>BUSINESS LAWS</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

### **OBJECTIVE AND OVERVIEW:**

The main objective of this paper is to make students aware about the relevant legislations and legal concepts which are important in the business world. This course contains three different legislations which are important for students of legal studies to have knowledge about the corporate world and the legal issues which arises in day to day administration of business. The course also appraises students about different forms of business and what are the legal requirements for establishing such business. This course is aimed at a study of the fundamental knowledge of the Negotiable Instrument Act, 1881, The Indian Partnership Act, 1932 and Limited Liability Partnership Act, 2008 in the light of judicial pronouncement. .

### **EXPECTED OUTCOMES:**

On the completion of the course the student is expected to know the following:

- Meaning, nature and types of negotiable instrument
- The legal issues involved in dishonor of negotiable instruments.
- Forms of business: partnership and Limited Liability Partnership
- The essential characteristics of LLP and how it is more beneficial than partnership and company.
- Rights and liabilities of partners and firm under partnership and Limited Liability Partnership.
- Conversion of Partnership Firm/ Private Company/ Unlisted Public Company into LLP.
- Winding up of Partnership and LLP.

### **UNIT I NEGOTIABLE INSTRUMENT ACT 1881:**

Meaning and characteristics of negotiable instruments; types of negotiable instruments; parties to the negotiable instruments; negotiation, assignment, endorsement and instrument without consideration. Holder and holder in due course, dishonor of negotiable instrument, noting and protesting, jurisdictional issue in cheque bouncing.

### **UNIT II THE INDIAN PARTNERSHIP ACT, 1932:**

Meaning and nature of partnership, relations of partners with each other and outsiders, rights and duties of partners *inter se*, partnership property; Liability for holding out, minor as partner;

incoming and outgoing partners; dissolution of partnership firm, its modes and consequences; registration of firms and effects of non- registration.

### **UNIT III LIMITED LIABILITY PARTNERSHIP ACT, 2008:**

Meaning and nature of the LLP, definitions, incorporation of LLP, Designated partners, partners and their relationship and their liability, assignment and transfer of partnership right.

### **UNIT IV MISCELLANEOUS:**

Foreign LLP, conversion of Partnership Firm/ Private Company/ Unlisted Public Company into LLP, Compromise arrangement and reconstruction of LLP, winding up of LLP.

### **REFERENCE BOOKS:**

1. C L Gupta, Law of Partnership–Including Limited Liability Partnership, Vol I, 5<sup>th</sup> edition, Lexis Nexis, 2016
2. Dr. R.K Bangia, Indian Partnership Act, 1931 with Limited Liability Act, 2008, ALA, Faridabad.
3. Avtar Singh, Introduction to Law of Partnership (including Limited Liability Partnership), Eastern Book Company.
4. Dr. R.K Bangia, Negotiable Instrument Act, Allahabad law agency; eleventh edition (2015).

<b>SOLS 409A</b>	<b>ENVIRONMENTAL LAW</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

**OVERVIEW:**

Environment Law and Policy deals with the ways that human societies regulate the interaction of individual, communities, business, and governmental system- both natural system, such as forest, gazing lands and marine ecosystem, and human created system such as the manufacturing industry, fossil fuel production and use, agriculture and cities. Environment Law aims to protect and enhance the environment, reduce the risk to human health from pollution and achieve sustainable development of natural resources. The Course provides the study of environmental laws covering legislations related to it and protection of forest and wild life.

**COURSE OBJECTIVE AND OUTCOME:**

The student will be able to understand the key environmental issues at the planetary, international, national and state and local level. They will be able to describe State and Federal Powers, responsibility and institution in the field of Indian Environmental Law. Students will be able to analyse the relationship between environmental law across multiple sectors and jurisdictions and the interactions with regulatory and policy frameworks beyond the environmental sector.

**UNIT-I**

Introduction: Meaning, Definition and Concept of Environment, Concept of Pollution, Types of Environment Pollution, Effect of Pollution, International Norms :Sustainable Development: Precautionary Principle, Polluter Pays Principle, Agenda 21, Inter-generational equity, Public Trust Doctrine, Principle of no fault liability: Absolute Liability.

**UNIT- III**

International Law and Environment Protection

History and Development of Environment Protection under International Law- Major International Instruments for Environment Protection- United Nation Conference on Human

Environment, 1972( Stockholm Conference), UNEP- Vienna Convention & Montreal Protocol, WCED- The Brundtland Commission, Earth Summit, Agenda 21, Kyoto Protocol, Johannesburg Conference 2002

### **UNIT- III**

Protection of Environment under the Indian Constitution :

Protection of environment and fundamental rights, role of Judiciary, Expansion of Locus Standi, PIL, Constitutional Remedy, Right to wholesome Environment, Dynamic Interpretation of Article 21, 14 and 19 of the Constitution. 42<sup>nd</sup> Constitution Amendment Act, 1976, Directive Principles of State Policy, Fundamental Duties.

### **UNIT-IV**

Legislations on Environment Protection

Significance of Indian Forest Act, 1927, The Wildlife (Protection) Act, 1972, The Water (Prevention and Control of Pollution) Act of 1974, The Air (Prevention and Control of Pollution) Act of 1981

Environmental (Protection) Act, 1986, The National Green Tribunal Act, 2010

### **TEXT BOOK**

Environmental Law and Policy in India – Shyam Diwan

### **BARE ACTS:**

The Environment (Protection) Act, 1986

The Air (Prevention and Control of Pollution) Act, 1981

The Water (Prevention and Control of Pollution) Act, 1974

The National Green Tribunal Act, 2010

The Wild life (Protection) Act, 1972

The Forest(Conservation) Act, 1980

<b>SOLS 407A</b>	<b>ALTERNATE DISPUTE RESOLUTION</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

### **OVERVIEW:**

Litigation is time consuming and expensive. Hence alternative methods of dispute settlement for inexpensive and timely justice have been created by Parliament. For this reason ADR is appreciated by many countries around the world. India also became part of this change in the year 1996 when it enacted the Arbitration and Conciliation Act. The Act is replica of the UNCITRAL Model Law.

The course attempts to train students in the art of making a choice between litigation and these alternative methods and also in science of using these alternate methods. The goal of the course is to help the students to understand the various methods of resolving disputes under ADR system, so that they can help their clients and society to select and apply the most effective, just and humane methods.

### **COURSE OBJECTIVE AND OUTCOME:**

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

1. understand the legal and regulatory framework that governs the development of arbitration process;
2. understand the strengths and weakness of various dispute resolution methods;
3. explain primary dispute resolution process and functions;
4. develop techniques and skill to make effective use of ADR methods;
5. understand the process and technique of arbitration.

### **UNIT I**

Meaning, Nature and Genesis of Alternative Dispute Resolution; Forms of ADR Mechanism; Disputes - kinds of disputes - Justiciable dispute- Dispute Resolution in adversary system; Legal Aid – constitutional provisions, criteria for free legal aid and case laws; the Legal Services Authorities Act, 1987 - Lok Adalats and Permanent Lok Adalat-nature, scope, procedure and functioning; National and State Legal Services Authority; Role of Gram Nyayalaya and Nyaya Panchayat in ADR.

### **UNIT II**

Kinds of arbitration, the Arbitration and Conciliation Act, 1996: Definitions, Arbitration Agreement (S. 7), Power of Court to refer Parties to Arbitration (S.8), Interim Measures (S.9), Composition of Arbitral Tribunal (Ss. 10-15), Extent of Judicial Intervention, Jurisdiction of Arbitral Tribunal (Ss 16-17).

### **UNIT III**

The Arbitration and Conciliation Act, 1996: Conduct of Arbitral Proceedings (Ss 18-27), Making of Arbitral Award and Termination of Proceedings (Ss. 28-33), Recourse against Arbitral Award

(S. 34), Finality and Enforcement of Arbitral Awards (Ss. 35-36), Appeals (S. 37), Jurisdiction (S. 42), Limitations (S. 43).

Amendment Act, 2015 of the Arbitration and Conciliation Act, 1996

#### **UNIT IV**

The Arbitration and Conciliation Act, 1996: International Commercial Arbitration, Enforcement of Foreign Award and Jurisdictional Issues: New-York and Geneva Convention, Conciliation and its Mechanism: Nature, Scope and Roles of Conciliators, Parties, Lawyers

Negotiation, Mediation, Good Offices

#### **PRESCRIBED LEGISLATIONS:**

1. The Arbitration and Conciliation Act, 1996.
2. The Legal Services Authority Act, 1987.

#### **TEXT BOOK**

Avtar Singh, *Law of Arbitration and Conciliation*, EBC

<b>SOLS 402A</b>	<b>INTELLECTUAL PROPERTY RIGHTS</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

**OVERVIEW:** The course will give the learner an insight into how human progress depends on human creativity or intellectual skills. The legal protection of such creativity enables society's development in technology, business practices, art, literature and music. It is essential for the Indian law student to know the legal framework which encourages and sustains this creativity underlying each country's economy. This human capital like any other property can be stolen, misused and wrongly appropriated by those who have nothing to do with the efforts in making this capital. This destroys the identity of the creator and deprives him/her of its monetary and other benefits. In a globalized world this destruction and deprivation has been recognized and is sought to be prevented by international treaties. Today's law person is incomplete without knowledge of the legal remedies to prevent, prohibits and account for the infringement and theft of the intellectual property. The student will be taught the Patents Act 1970, Copyright Act 1957, Trademarks Act 1999, Designs Act 2000, the Semi-conductor, and Integrated Circuits Layout Design Act 2000, the Biological Diversity Act, The Geographical Indication of Goods (Regulation and Protection) Act 1999, in the context of the evolution of those rights and the international treaties/agreements.

**COURSE OBJECTIVE AND OUTCOME:**

The Student will learn the changing dimensions of IPR. This will explain the changes in Intellectual Property Regime, the emergence of new intellectual property rights, the influence of intellectual property regime in different countries and role of traditional knowledge in transforming IPR system etc.

**UNIT I CONCEPT AND PHILOSOPHY NEED FOR PRIVATE RIGHTS VERSUS PUBLIC INTERESTS, ADVANTAGES AND DISADVANTAGES OF IPR.**

Development of patent law, Rationale for patent protection , Nature and definition, Types of patentable subject matter, Patentability criteria, non-patentable inventions, Rights of patentee, Procedure for granting a patent, Grounds for opposition, Transfer of patent rights, Compulsory



Licenses, Acquisition, Surrender, Revocation, restoration, Patent infringement and remedies, Bio patents and software patents, Official Machinery, Controller, Powers and Functions, Patent in pharmaceutical industry, Patent cooperation treaty, Paris convention.

## **UNIT II COPYRIGHT:**

History, Concept of copyright, conditions for grant of copyright, extent of rights exception to copyright protection, fair use provision, assignment and licensing, Compulsory licensing and statutory licensing, Collective administration, Copyright board and office, powers and functions, Moral rights: Neighboring rights; infringement , penalties and remedies, Appeals, Berne Convention, Universal Copyright Convention - WIPO Copyright Treaty: WIPO Phonograms and Performances treaty, TRIPS with respect to Copyright and Neighboring rights.

## **UNIT III DESIGNS, PROTECTION, HISTORICAL DEVELOPMENT, RATIONALE:**

Designs Act, 2000: Meaning of Design, Conditions for grant of protection, Ambit of Protection, Exceptions, Registration of Designs, Cancellation, Copyright in Registered Designs, Enforcement, Infringement and remedies, Powers and duties of Controller.

## **UNIT IV TRADEMARKS:**

Evolution, Functions, Objective, Definition, Kinds of Marks, Domain names, Registration, Concurrent registration, Procedure for registration, Relative and absolute grounds of refusal, opposition and its grounds, Assignment, transmission and licensing of Trademarks , Infringement, Penalties and Remedies, Withdrawal of protection, Passing off, Official machinery for regulation administration and Redressal, Registrar, Difference between Trade Mark, Trade Secret, Traditional Knowledge and Geographical Indications, TRIPS on Trademarks, Madrid Agreement for The Repression of False or Deceptive Indications of Source on Goods, 1891- Madrid Agreement for the International Registration of Marks, 1891 and protocol relating to that agreement 1989.

## **TEXT BOOK**

P. Narayanan, Intellectual Property Law, Eastern Law House, 2017

**BARE ACTS:**

The Trade Marks Act, 1999

The Patent Act, 1970

The Copyright Act, 1957

The Design Act, 2000

The Geographical Indications of Goods (Registration and Protection) Act, 1999

The Biological Diversity Act, 2002

<b>SOLS 501A</b>	<b>PROFESSIONAL ETHICS, ACCOUNTANCY FOR LAWYERS and BENCH-BAR RELATIONS</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

### **Overview:**

The Course has been designed to acquaint the student of Law about the Professional Ethics and Professional etiquettes that are essentially significant for an advocate to observe while at the Bar.

### **Objective and Expected Outcome:**

This course helps the students to learn about the rules and regulations of Bar Council of India and professional ethics which is highly useful in their professional life.

### **UNIT I**

Evolution of the right to advocacy in Courts throughout India, The structure of the Bar Councils and their powers to hold advocates accountable for their Professional and other conduct.

### **UNIT II**

Code of Ethics for Advocates in the Advocates Act and the legal aspects of a lawyer's relation to the client , the Court and Society. Client as consumer-Lawyer-Court-Judges and Contempt of Courts Act,1971. Lawyer's society-National Legal Services Authorities Act,1987. The Code and the obtaining of legal business, the place of merit in the legal Profession.

### **UNIT III**

Double Entry Book keeping ,Ledger,Cash Book and Accountancy Records for an Advocate. Preparing a Trial Balance, Financial Records and Ethics in an Advocates office.

### **UNIT IV**

Bench Bar Relations , Code of Ethics for Judges, Lawyers as an officer of the Court.

### **TEXT BOOK and BOOKS (Bare Acts)**

- 1.Krishna Murthy Iyer's Book on Advocacy.
- 2.Indian Advocates Act, 1971
- 3.The Contempt of Courts Act, 1971
- 4.Journal of Bar Council of India

<b>SOLS505A</b>	<b>DRAFTING, PLEADING AND CONVEYANCING</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

### **Course Objective:**

The course aims at acquainting the students about the various fundamentals of drafting to develop the skills of pleading and conveyancing. The objective of the present course is to guide young lawyers, law students, litigants on the methods of drafting legal pleadings for Indian courts. This will enable students to quickly file and prosecute Legal Suits, Public Interest Litigation (PILs), Private Criminal Complaints, Bail Applications, Appeals, Review of Orders. The art of drafting has been explained in a simple and crisp manner to avoid huge legal jargon and enable people to file Court Pleadings.

### **Expected outcome:**

Students will learn how to draft the petitions and be able to file any kind of applications or proceedings before any court or tribunal. They can file any bail application or a civil suit without the help of any other and will grow as an advocate.

### **UNIT I**

**Fundamentals Rules of Pleadings:** Meaning: Pleading and Conveyancing, Complaint structure, written statement, Affidavit and Conveyancing, Verification of pleading, Object of verification, Amendment of Pleadings.

### **UNIT II**

**General Principles of Civil Pleadings:** Suit for Part-performance of the contract; Suit for specific performance of the contract; Suit for recovery of money given on Interest (Money suit); Suit of damages; Suit for restitution of conjugal rights; Maintenance suit by wife; Application under Section 13 Hindu Marriage Act (Divorce) ; Suit for recovery of rent or eviction of tenant ; Interpleader suit; Suit for malicious prosecution ; Suit under Section 13 of Negotiable Instruments Act; Application under Order 6 Rule 17 of Code of Civil Procedure ( Amendment of Pleadings); Appeal (First); Execution Petition; Revision; Application for Temporary Injunction Order 39 Rule 2 of Code of Civil Procedure.

### **UNIT III**

**General Principles of Criminal Pleadings:** Complaint; Application for Bail (Section 436, 437 of Code of Criminal Procedure); Application for Anticipatory Bail (Section 438 of Code of Criminal Procedure Code); Accused's reply; Criminal Appeal (Appeal against conviction ).

### **UNIT IV**

**Conveyancing:** Notice and Reply to notice; General power of attorney; Special power of Attorney; Writ petitions: *Habeas Corpus* ,*Mandamus*, *Certiorari*, *Quo Warranto*; Sale deed; Partnership deed; Lease deed/ Rent deed; Promissory note; Gift deed; Adoption deed; Will; Affidavit; Mortgage –deed.

### **TEXT BOOK**

Conveyancing – A.N. Chaturvedi

<b>SOLS 503A</b>	<b>PRINCIPLES OF TAXATION LAWS</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

### **Overview:**

A major concern in the course is to relate the economic policies and processes to tax and fiscal policies in different systems of economic administration keeping the constitutional goals in view. Direct taxes, Indirect taxes and its administration is the focus of this course. It is organized around a phenomenon based grouping to facilitate perception of the wide variety of issues revolving around indirect taxation and local taxation like the motives, history, and fountain of authority for indirect and local taxation. Analysis of the existing indirect and local taxation systems and structures and the political, social, economic and legal effects of indirect local taxation together with the judicial perception of the same will also be studied.

### **Objective and Expected Outcome:**

A major concern in the course is to understand that taxes are a powerful incentive or disincentive to economic growth, a lever which can rise or depress savings and capital formation, and instrument of reducing income disparities. A student of law will have to make a detailed study of tax policy and tax in India. Our tax laws are said to be the most complicated ones in the world. The following course content has been designed to provide a comprehensive picture of principles of taxation in India.

#### **UNIT I**

General Principles of Taxation Laws: History and Development of Tax Laws in India, Fundamental Principles relating to Tax Laws, Taxing power and constitutional limitations, Tax avoidance, Tax evasion, Tax planning and Tax management

#### **UNIT II**

Basic concepts of Income Tax: Income, Previous Year, assessment Year, Person, Assesee and Total Income, Income not included in the Total Income. Residential status, Clubbing of Income, Tax planning, Rate of Income Tax, Heads of Income, Salaries, Income from House Property, Income from Business or Profession, Capital Gains, Income from Other sources, Deductions under the Income Tax Act, 1961, Income Tax Authorities: Power and Functions, Filing of returns and procedure for assessment, Offences and Penal Sanctions

### **UNIT III**

Double Taxation Avoidance Agreement, Principles of DTAA, Entitlement to benefits under DTAA, DTAA Scenario in India, Government working on DTAA to avoid tax evasion, Dual Residence, Bilateral Relief, Unilateral Relief, Tax Havens, Tax havens problems and opportunities.

### **UNIT IV**

Goods and Services Tax- Characteristics, levy and collection of GST, place of supply, Rate of Taxes, exemptions from GST, Penalties and Prosecution

### **TEXT BOOKS:**

- 1) Dr. Girish Ahuja and Dr.Ravi Gupta, Professorial Approach to DIRECT Taxes law and practice including Tax planning , 40th Edition , 2018
- 2) Taxmann' s , Income Tax Act , Edition 2018.

<b>SOLS 508A</b>	<b>MOOT COURT and MOCK TRIAL</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>0</b>	<b>0</b>	<b>8</b>	<b>4</b>

### **Course Objective:**

Litigation advocacy is the cutting edge of the rule of law for delivery of enforceable justice in disputes sought to be decided through courts. It is effective to the extent that advocates are available who have been trained in legal drafting, court procedures and court craft to ensure reasonable, fair and just solutions to conflicts through the court system. The course is an attempt to impart to law students as prospective lawyers the skills required for case management outside and inside the court from filing to its final argument. To learn the drafting, listening, interviewing technique, communication, legal research, debate, stress management skills from the experienced Advocates, Law firms. b) To acquire the practical knowledge. c) To know the management procedures of law firms and courts

### **Expecting Outcome:**

The students will know how to appear before the court and learn to proceed the trials by themselves. Get the practical knowledge about the legal provisions and know how to relate them with the real life problems.

### **UNIT I**

Steps in filing a case-limitation, jurisdiction, court fee, stamp duty, lawyer's welfare stamp, court rules.

Drafting the case: research of law, language, and body of the case, mandatory inputs, and formulation of prayers for interim and final relief in different hands of cases. Preparing the memorials, court craft, opening the case, building the argument with analysis of statutory provisions and case laws, concluding the case.

### **UNIT II**

Advisory law practice methods and procedures in law firms, advocates and NGO's, police stations, legislatures, government departments, banks and financial institutions.

### **UNIT III**

Visiting courts for Criminal, Civil and Constitutional cases.

### **UNIT IV**

Visiting tribunals for familiarization with commissions, boards and various tribunals like company law, tax law, securities law, service law and others.



<b>SOLS 504A</b>	<b>LAW, POVERTY and DEVELOPMENT</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

## Overview

The State of India's poor does not feature much in Indian law Curricula. Only a few law schools offer an optional course. The Constitution of India - especially Article 39-A since 1976 commands innovation of legal system in such ways that no one, especially because of economic condition, is denied access to the law and its benefits. In so far as legal education is a state-funded or sponsored action and even otherwise, this Directive Principle must apply to renovation of legal education. The constitutional programme of social justice displays a dramatic concern for the "weaker sections of society". Steadily, legislation protecting their entitlements has grown to impressive proportion in the last forty years. They would be advocates, counsellors, judges, teachers; scientists in law ought to have a complete grounding in these legal processes of "development". The burgeoning "poverty law" involves: (a) constitutional provisions' (b) legislation; (c) administrative anti-poverty programmes aimed at improving economic condition f the poor; (d) legal services programmes; (e) adjudication on the entitlement of the poor through social action litigation. All these need careful study in this compulsory course.

## Course Objective and Expected Outcome:

The objective of this paper is to provide an understanding of basic concepts of poverty and development and their relationship with law.

### UNIT I

**Understanding Poverty and Development :** Poverty: Meaning and Concept, Relative Dimensions, Measurement and Determinants, Issues related to Poverty in India; Development: Perspectives, Developmental index.

### UNIT II

**Constitutional Guarantees for the Poor:** Equality and Protective Discrimination, Right to Basic Needs and Welfare, Abolition of Untouchability and Protection of Civil Rights, Right to Development.

### UNIT III

**Criminal Justice System and the Poor:** Treatment of the poor by Police, Inability to get Bail, Problems of Poor Under trials, working of free legal aid schemes.

### UNIT IV

**Impoverishment of Women, Children and Disabled Persons:** Deprivations of women under family laws, Problems of women workers in organized and unorganized sectors, Child labour, Approaches to disability and rights of the disabled persons, Right to education and dignity.

**TEXT BOOK**

- Upendra Baxi, Law, Poverty and Development

## ELECTIVES

<b>SOLS 401A</b>	<b>CRIMINOLOGY, PENOLOGY &amp; PROBATION OF OFFENDERS ACT, 1958</b>	<b>C</b>
		<b>4</b>

### **Overview:**

The courses of crime and the emergence of the criminal personality make economic development more difficult and costlier. This socio-economic impact of the changing profile of crime along with changes in technology and sciences needs to be understood in several dimensions beyond the mere criminal law provisions. The psychology of crime and criminality, the investigation, enforcement and punishment machinery with evolving concepts of Probation, compensation and restitution needs to be understood by the law student to be an effective lawyer, law advisor, administrator, judge and business person.

### **Objective and Expected Outcome:**

The course attempts to impart this understanding to enable the student to comprehend and contribute to the finding of solutions for dealing with crime in society.

### **UNIT I**

Criminology: Definition, Nature and Scope, Crime and Social Processes, Classical School, Sociological School,

### **UNIT II**

Theories of Punishment, The Police System, Functions and Duties of the Police, Custodial Violence, Police- Community Relations, Prison System: Prison Reforms and open prison system in India

### **UNIT III**

Treatment and Correction of Offenders, Probation: The Probation of Offenders Act, 1958, Parole, Juvenile Delinquency: Juvenile Justice (Care and Protection of Children) Act, 2015

### **Unit –IV**

Victimology, Nature and Development, Victim and Criminal Justice, Role and Typology of Victims, Recidivism, White Collar Crime, Organized Crime, Prevention of Crime

### **TEXT BOOK:**

Paranjape, N.V. Criminology and Penology

<b>SOLS 404A</b>	<b>PRIVATE INTERNATIONAL LAW</b>	<b>C</b>
		<b>4</b>

Course Objective: The objective of this specialized course is to develop the deep understanding of private international law and to equip student to deal with dispute involving a foreign element in personal, civil and commercial matters i.e. increasing in frequency as a result of a globalized economic and social environment.

## **UNIT I**

Definition Nature and Scope of Private International Law

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

## **UNIT II**

Family Law and Adoptions : Material and formal validity of marriage under Indian and English law, Choice of law and jurisdiction of courts in matrimonial causes: dissolution of marriage, grounds of divorce, restitution of conjugal rights, recognition of foreign judgment, Recognition of foreign adoptions, Adoption by foreign parents, Jurisdiction under Indian and English law.

## **UNIT III**

Civil and Commercial matters: Tort, Theories of foreign tort, Contract, Theory of Proper Law of Contract, Ascertaining the applicable law, Property. Expanding scope of conflict of laws

## **UNIT IV**

Indian Law relating to foreign judgment: Basis of recognition; Recognition and Enforcement of Foreign Judgments, Finality, Failure, Direct execution of foreign judgments, decrees. The Hague Conference on Private International Law

## **TEXT BOOK**

Private International Law by Dr. ParasDiwan

## **REFERENCE BOOKS:**

1. Private International Law by Cheshire
2. Private International Law by Morris
3. Conflict of Laws by Atul M Setalvad
4. Conflict of Laws in India by V. C. Govindaraj,

<b>SOLS 406A</b>	<b>COMPETITION LAW</b>	<b>C</b>
		<b>4</b>

### **OVERVIEW:**

Fair competition is the lifeline of continuing progress and growth. It incentivizes creativity for solving human problems and meeting needs. The question is how to ensure fair competition by legal methods for detection and stoppage of the maximization of profits at the cost of level playing markets.

The syllabus has been structured to ensure the students appreciate the concepts of anti-trust laws. For this, it is essential that economic principles such as market structures are understood. The course will concentrate on the anti-competitive agreements, abuse of dominant position and the combinations between the enterprises. Emphasis is on the role of Competition Commission of India in ensuring an equal level playing field exists in the market and enforcement mechanisms under the Competition Act, 2002. The objective is to acquaint the students with rules of Indian competition law.

### **COURSE OBJECTIVE AND OUTCOME:**

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

1. comprehend the interplay between law, economics and policy in the field of competition law;
2. to demonstrate a good understanding of the function of competition law;
3. to explain the main concepts of competition law such as undertaking, anti-competitive agreement, abuse of a dominant position, relevant market;
4. to identify the relevant substantive and procedural rules and apply them in hypothetical or real life business settings;
5. take up professional practice in the field of competition law.

### **UNIT I**

Concept of Competition; Classification of Markets: Pure and Perfect Competitions, Monopolistic and Imperfect Competition, Monopoly, Oligopoly; Constitutional aspect; Objectives of Competition Law

History and Development of Competition Law/ Antitrust Law, the Sacher Committee Report, the Raghavan Committee Report, Difference between the MRTP Act and the Competition Act.

### **UNIT II**

Relevant definitions and concepts – agreement, undertaking, enterprise, relevant market, de minimis, parallel behaviour, appreciable adverse effect on Competition

Anti- Competitive Agreements under the Competition Act, 2002 - Appreciable Adverse Effect on Competition in the Market, Rule of Reason and *per se* Illegal Rule; Horizontal and Vertical restraints; Exemptions; Penalties; Prohibition of Anti-competitive agreement/ Cartel/bid rigging.

Prohibition of Anti- Competitive Agreements under EU and US Laws.

### **UNIT III**

Abuse of Dominance in the Market – Concept of dominance, relevant market; Appreciable Adverse Effect on Competition in the Market; Abusive Conduct under the Competition Act, 2002; Penalties; Predatory Pricing; Prevention of Abuse of Dominance under EU and US Laws.

Combinations: Merger, Acquisition, Amalgamation and Takeover; Horizontal, Vertical and Conglomerate Mergers - Combinations covered under the Competition Act, 2002; Regulations; Penalties; Regulation of Combinations under EU and US Laws.

### **UNIT IV**

Enforcement Mechanisms under the Competition Act, 2002 - Competition Commission of India - Constitution of the CCI - Powers and Functions- Jurisdiction of the CCI – adjudication and appeals - Director General – NCLAT

Private Enforcement; Competition Advocacy

### **PRESCRIBED LEGISLATIONS**

The Competition Act, 2002

### **TEXTBOOK**

Versha Vahini, *Indian Competition Law*, 1<sup>st</sup> ed., LexisNexis, 2016.

<b>SOLS 408A</b>	<b>HUMAN RIGHTS, INTERNATIONAL HUMANITARIAN &amp; REFUGEE LAW</b>	<b>C</b>
		<b>4</b>

**OVERVIEW:**

The main thrust of this course shall be to acquaint the students on the developments of Human Rights law and the working of the different Human Rights Institutions such as the Universal Declaration of Human Rights and the various Conventions relating to the International Humanitarian Law. It also tends to acquaint and give an insight view to students into the serious kind of War Crime i.e. Genocide and how the International Criminal Court will protect the Human Beings from the Genocide. We have also included the Refugee Law in our syllabus tend to make students aware of how the Status of Refugee came into being and which Conventions deal with the same at the same time by discussing the role of UNHCR we try to make a clear picture in the minds of students regarding the status of Refugee and how they are treated under the Indian Law.

It will stimulate the legal thinking and will help students to get well acquaint with the prevalent laws in international front so that justice could be given. It is necessary for legal professionals to have knowledge of International Humanitarian Law. It will ultimately help them in their career if they aspire to become international law or human rights professionals.

**COURSE OBJECTIVE & EXPECTED OUTCOME:**

The main thrust of this course shall be to acquaint the students on the developments of Human Rights law and the working of the different Human Rights Institutions such as the Universal Declaration of Human Rights and the various Conventions relating to the International Humanitarian Law. It also tends to acquaint and give an insight view to students into the serious kind of War Crime i.e. Genocide and how the International Criminal Court will protect the Human Beings from the Genocide. We have also included the Refugee Law in our syllabus tend to make students aware of how the Status of Refugee came into being and which Conventions deal with the same at the same time by discussing the role of UNHCR we try to make a clear picture in the minds of students regarding the status of Refugee and how they are treated under the Indian Law.

It will stimulate the legal thinking and will help students to get well acquaint with the prevalent laws in international front so that justice could be given. It is necessary for legal professionals to have knowledge of International Humanitarian Law. It will ultimately help them in their career if they aspire to become international law or human rights professionals

## **UNIT I Origin and Development of Human Rights**

**United Nations and Human Rights: International Bill of Rights:** UDHR (Universal Declaration of Human Rights), International Covenants: Civil and Political Rights, Economic, Social and Cultural Rights;

**Human Rights and Vulnerable Sections:** Children, Women, Disabled Persons, Racial Minorities, Prisoners (war prisoners and others), Refugee and Immigrants, SC/ST. Human Rights Council, International Criminal Court.

## **UNIT II International Humanitarian Law:**

History and evolution, Growth, Character of International Humanitarian Law, Geneva Convention I, Geneva Convention II, Geneva Convention III and Geneva Convention IV, 1949, Additional Protocol I to Geneva Conventions, 1977, Additional Protocol II to Geneva Conventions II 1977.

**Enforcement Machinery:** War Crimes, Serious breaches of International Humanitarian Law, International Criminal Court (ICC).

## **UNIT III Refugees under International Law:**

Who is a refugee?, Convention Relating to the Status of Refugees, 1933, Convention on Status of Refugees, 1951, The 1967 Protocol , , Role of the UNHCR ,Treatment of Refugees under Indian Laws

## **UNIT IV Human Rights in India:**

Evolution of concept, National freedom movement, Social and political movements, Dalit movements, Women's movements, Environmental movements, Criminal justice system and protection of human rights : treatment of individuals in situations of crime , Human rights of the accused.

**Human Rights Enforcement in India:** Role of Constitution, Role of Judiciary; National Institutions [as Suggested by BOS (composition, powers & functions)]: NHRC, SHRC, NCW, NGO's etc. Protection of Human Rights Act, 1993

## **TEXT BOOK**

1. S.K Kapoor, International Law and Human Rights
2. Bare act of Protection of Human Rights Act,1993



<b>SOLS 410A</b>	<b>BANKING &amp; INSURANCE LAW</b>	<b>C</b>
		<b>4</b>

### **COURSE OBJECTIVES**

This course acquaints students with banking system of India and familiarizes students about kinds of banks and their functions, about the relationship between Banker and Customer. This course also imparts knowledge with regard to law relating to recovery of debts due to banks and introduce to the students with the process of securitization, Asset Reconstruction and Enforcement of Security Interest. This course aims at explaining the concept of insurance law and the underlying principles of the insurance sector, the kinds of insurance, regulation of the Insurance Sector and the role of IRDA. It aims to familiarize the students with the application of Consumer Protection Law in India and its impact on Banking and insurance sector.

### **EXPECTED OUTCOMES**

On completion of this course, the students will have the knowledge and understanding of

- What is banking?
- Regulation of Banking Sector in India –Role of Reserve Bank of India (RBI)
- History of Banking Sector in India
- Social Control over the Banking Sector in India with special emphasis on Nationalization of Banks.
- Relationship of Banker and Customer
- Principles of Lending
- Law relating to recovery of debts in India which are due to the Banks and the Financial Institutions
- Banking Frauds and Legal Regime to Control it
- Meaning of Insurance
- Principles of Insurance- Uberrimma fides, Insurable Interest, Indemnification etc.
- IRDA and its role
- Application of Consumer Protection Act 1986 on Insurance and Banking Sector
- Compulsory Third Party Insurance under the Motor Vehicles Act 1988

### **UNIT I**

Banking System in India: Kinds of Banks and their functions; Banking Regulation Laws: Reserve Bank of India Act, 1934, Banking Regulation Act, 1949; Relationship between

banker and customer: Legal Character, Contract between banker & customer, Banks duty to customers; The Banking Ombudsman Scheme, 1995; Liability under Consumer Protection Act, 1986.

## **UNIT II**

**Lending, Securities and Recovery by Banks:** Principles of Lending; Position of Weaker Sections; Nature of Securities and Risks Involved; Recovery of debts with and without intervention of courts / tribunal: Recovery of Debts due to Banks and Financial Institutions Act, 1993, Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002 (SARFAESI).

## **UNIT III**

**Banking Frauds:** Nature of Banking Frauds; Legal Regime to Control Banking Frauds; Recent Trends in Banking: Automatic Teller Machine and Internet Banking, Smart Cards, Credit Cards.

## **UNIT IV**

**Insurance Law:** Concept and principles of Insurance, Nature of Insurance Contracts; Kinds of Insurance: Life Insurance, Mediciam, Property Insurance, Fire Insurance, Motor Vehicles Insurance (with special reference to third party insurance; Constitution, Functions and Powers of Insurance Regulatory and Development Authority; Application of Consumer Protection Act, 1986

### **Text Books:**

1. *Banking and Insurance Law and Practice*, Institute of Company Secretaries of India, Taxmann Publishers, 2010
2. M.N. Mishra, *Law of Insurance*, Central Law Agency, 9th Edition, 2012

### **References:**

1. K.C. Shekhar, & Lekshmi Shekhar, *Banking Theory and Practice*, Vikas Publishing House, 19th Edition, 2005.
2. M.L. Tannan, *Banking Law and Practice in India*, Lexis Nexis, 23rd Edition, 2010
3. J N Jain & R K Jain, *Modern Banking and Insurance – Principles and Techniques*, Regal Publications, 2008
4. Jyotsana Sethi & Nishwar Bhatia, *Elements of Banking and Insurance*, PHI Publishers, 2nd Edition.

<b>SOLS 306A</b>	<b>PRINCIPLES OF LEGISLATION AND INTERPRETATION OF STATUTES</b>	<b>C</b>
		<b>4</b>

### **Overview:**

Legislation dominates the contemporary legal landscape. Almost all fields of legal regulation involve legislation in some form. The ability to interpret and understand the operation of legislation is a skill essential to understanding law and its operation.

This course will provide an advanced study of the rules and principles governing statutory interpretation.

Students who have encountered statute law in a variety of contexts (criminal law, torts law, administrative law etc.) and been introduced to the relevant common law principles, will benefit from a more detailed consideration of statutory interpretation as a fundamental skill involved in all areas of practice but particularly those areas involving government.

### **Learning Outcome:**

Upon successful completion, students will have the knowledge and skills to:

- 1) Explain, distinguish and apply the principles and process of statutory interpretation
- 2) Compare, contrast and reflect on the theoretical concepts underlying and impacting on approaches to statutory interpretation and its application in professional practice.
- 3) Plan, differentiate and priorities approaches and materials used in statutory interpretation while working collaboratively.
- 4) Select and apply a range of legal research principles and methods in interpreting legal instruments.

### **UNIT I**

Statute: Meaning and Classification, Interpretation-Meaning, Object, Purpose and Scope, Basic Principles of Interpretation, Rule of Construction-Literal, Golden and Mischief Rules,

### **UNIT II**

Internal Aid: Tittle, Preamble, Heading, Marginal Note, Section, sub-section, Punctuation, Illustration, Exception, Proviso, Explanation, Saving Clause, Schedule

External Aid: Dictionaries, Text Books, Historical background, legislative History.

Interpretation of Mandatory and Directory Provisions,

Interpretation of Penal Statutes

### **UNIT III**

Interpretation of Indian Constitution: principle of incidental and ancillary powers, principle of implied prohibition, principle of pith and substance, principle of colourable legislation, principle of territorial nexus, principle of severability, principle of prospective overruling, principle of eclipse.

Rule of Eiusdem Generis, Rule of Noscitur-a-sociis, Rule of Stare Decisis

### **UNIT IV**

Amending ,consolidating and codifying statutes(add) What is Legislation, Bentham's Theory of Legislation, Greatest Happiness of Greatest Number, Pains and Pleasure, Utilitarianism

### **BOOK:**

G.P. Singh, Principles of Statutory Interpretation

<b>SOLS 515A</b>	<b>REGISTRATION ACT, 1908, SUPREME COURT RULES, 1966 &amp; DELHI HIGH COURT RULES, 1967</b>	<b>C</b>
		<b>4</b>

### **Course Objective:**

This course shall provide knowledge of registration of document and the Supreme Court and the High Court Rules.

### **UNIT I**

#### **Indian Registration Act 1908**

1. Compulsory registration of certain documents (Ss.17, 18, 49)
1. Description of property and maps etc. (Ss.21-22)
2. Time of presentation of documents (Ss.23-26)
3. Re-registration of certain documents (S. 23 A)
4. Place of registration (S. 28-31)
5. Effect of registration and non-registration (S 47, 50)

### **UNIT II**

#### **Supreme Court Rules, 1966**

1. Rules as to the persons who can appear and plead before the Supreme Court (Order IV)
2. Procedure for enforcement of fundamental rights under Article 32 of the Constitution (Order XXXV)

### **UNIT III**

1. Review of its judgment or order by the Supreme Court (Order XL)

### **UNIT IV**

#### **Delhi High Court Rules, 1967**

1. Jurisdiction – Vol. I, Chapter 2
2. Judgment and Decrees, Vol I, Chapter 11
3. Execution of Decrees – Vol. I, Chapter 12

Part A – General

Part B – Courts competent to execute decrees

Part C – Powers of executing courts

3. Superintendence and Control (Vol. IV, Chapter 1)

Part A – Supervision and Control

**REFERENCE BOOKS:**

Indian Registration Act by Mulla

The Registration Act by Sanjiva Rao

Indian Registration Act by J.P.S. Sirohi

Supreme Court Practice and Procedure by B.R. Agarwala

<b>SOLS 517A</b>	<b>RIGHT TO INFORMATION</b>	<b>C</b>
		<b>4</b>

### **Course Objective:**

This course shall provide knowledge on the right to information, its background and future implications.

### **UNIT I**

1. Conceptual Background: Right to know, Open Government and Transparency in Governance
2. Privilege to withhold disclosure of Documents/Information
3. Comparative analysis of Laws in other Common Law – countries with special reference to (a) England (b) U.S.A.

### **UNIT II**

Privilege to withhold documents and the law in India – with special reference to:

- (a) Indian Evidence Act, 1872
- (b) Indian Telegraph Act, 1885(DELETE)
- (c) The Official Secret Act, 1923
- (d) The Atomic Energy Act, 1962

### **UNIT III**

Right to Information and Legislative Measures in India

- Efforts/attempts made to legislate right to Information
- Right to Information Act, 2005

### **UNIT IV**

Right to Information and Judiciary

- Electoral reforms, transparency in governance, privilege and immunities of journalist involved in legal reporting
- Extent of liability for Contempt of Court, scope of defences under the Contempt of Court Act, 1971 and the Right to Information Act, 2005

### **REFERENCE BOOKS:**

Right to Information Act, 2005 (Bare Act)

Right to Information Law in India by N.V. Paranjape

Right to Information Act (Commentary) by Dr. S.K.Awasthi

Right to Information Act in India- Future and Implications by Pankaj K P Shreyaskar

<b>SOLS 512A</b>	<b>AIR &amp; SPACE LAW</b>	<b>C</b>
		<b>4</b>

### **Course Objective:**

The objective of this paper is to provide an understanding of laws relating to Air and Space.

### **UNIT I**

Definition of Air Law, Nature, Scope and Source, Development of Air Law (Paris Convention, 1910; Paris Convention, 1919; Madrid Convention, 1926; Havana Convention, 1928; Warsaw Convention and Chicago Convention, 1944)

Freedom of the Air and Sovereignty in the Air-Membership and Organs of ICAO, Legislative, Administrative and Judicial function, Economic and Technical regulations

### **UNIT II**

Bilateralism and Multi-literalism- Concept of bilateralism, Views on multi-literalism, Merits and demerits, Regionalism in civil aviation, India and bilateral agreement, Safety and security in civil aviation

International Norms-conventions, protocols and regulations

Regulation in India: Air safety provisions, Air Traffic management, Legal regime of Air Space

And Outer Space, Problem of application of Air, Space and telecommunication laws

State obligation to provide Air Navigation services, Sovereign rights of States

### **UNIT III**

New Development in India- Technology development and problem in civil aviation, Airports-leasing and privatization-legal issues, Liability in International civil aviation, Manufacturers, operators, operators agents and maintenance contractors, Third party liability for surface damage Changing Global Trend, Globalization, de-regulation and liberalisation in international civil aviation-Infra-structural problems of airport, Private involvement in ownership operation and management of air ports, international regulatory framework, Rights and Privileges of Air Passengers

### **UNIT IV**

Space Law-Definition, nature, scope and development, Sources: UN and Outer Space, Space Technology-establishment of COPUOS, International Co-operation for peaceful use, UN Space



Treaties, Development of Law by Treaties: The Space Treaty, 1967; The Rescue Agreement, 1968; The Liability Convention, 1972; The Registration Convention, 1975; The Moon Treaty, 1979; Partial Test Ban Treaty, 1963; Weather Modification Convention, 1977

International and inter-governmental organisations, Bilateral Agreement in Space Activity, Satellite Broadcasting and Tele-communications, Use of Space Technology: peaceful and non-peaceful, remote sensing, Disaster prediction, warning and mitigation, management of earth sources, Satellite navigation and location, Space communication

Commercialization of Space Activities: Public and private sector activities, industry-government Partnership, IPR Rights, Organisation of Space Activities-DOS, ISRO, Space policy, Need for the Law in the country.

### **TEXT BOOK**

V.S.Mani, Recent Trends in International Space and Policy

### **REFERENCE BOOKS:**

1. Azbeyratne, RIR, Legal and Regulatory Issues in International Aviation
2. S. Bhatt, The New Aviation Policy in India

<b>SOLS509A</b>	<b>ELECTION LAW</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>-</b>	<b>4</b>

### **Course Objective:**

The objective of this paper is to acquaint the students with the Election Laws governing the elections of the Houses of the Parliament and the State Legislatures as well as to the offices of President and Vice President.

### **UNIT I**

**Introduction:** Election: Meaning and Process, Constitutional Mandate, Laws governing elections, Election disputes, Election to the Offices of the President and Vice President.

### **UNIT II**

**Election Commission:** Composition, Functions, Powers; Delimitation of Constituencies, Preparation and Revision of Electoral Rolls.

### **UNIT III**

**Qualifications and Disqualifications of Candidates:** Constitutional and Statutory Provisions: Disqualifications of sitting members, Nomination and Candidature, Voters Right to Information; Anti Defection Law (Tenth Schedule to the Constitution of India).

### **UNIT IV**

Corrupt Practices in the Election Law; Electoral Offences

### **TEXT BOOK**

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

### **REFERENCE BOOKS:**

1. Dev Inder, Manual of Election Law in India
2. P.C. Jain & Kiran Jain, Chawla's Elections Law & Practice
3. K.C. Sunny, Corrupt Practices in Election Law
4. V.S. Rama Devi & S.K. Mendiretta, How India Votes – Election Laws, Practice and Procedure
5. M.P. Singh, V.N. Shukla's The Constitution of India.

## **STATUTORY PROVISIONS**

- Relevant Provisions of the Constitution of India
- The Representation of the People Act, 1951.
- The Representation of the People Act, 1950.
- The Presidential and Vice-Presidential Elections Act, 1952
- The Election Commission (Condition of service of Election Commissioners and Transaction of Business) Act, 1991.
- The Delimitation Act, 2002.

<b>SOLS 507A</b>	<b>CYBER LAW</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>

### **Overview:**

The course attempts to explain the cyber revolution, its various applications and the use of law in regulating the use and misuse of Cyber Communications. It will make the community aware of the various facets of Cybercrimes. It enhances the understanding of problems arising out of online transactions and provokes them to find out the solution. The course also includes the clarification of intellectual Property issues in the growth and development of the law in this regard and also educate about the regulation of cyber space at national and international level.

### **Objective and Expected Outcome –**

It will enable the students to understand, explore, and acquire a critical understanding of Cyber Law. It will develop competencies for dealing with frauds and deceptions (confidence tricks, scams) and other cybercrimes for example, child pornography etc. that are taking place via the Internet. It will develop the understanding of relationship between commerce and cyberspace and give learners in depth knowledge of Information Technology Act and legal frame work of Right to Privacy, Data Security and Data Protection.

## **UNIT I**

**Introduction:** The student will learn the concept of cyber space, the creation of technology to use this space, need and role of Cyber Law to make cyberspace meaningful. They will learn basic concepts like cyber security, electronic signature, digital signature, Key pair, public key, private key, asymmetric crypto system, licence, secure system, certifying authority, certification practice statement, Computer network, computer resources, and computer system under Information Technology (Amendment) Act 2008.

## **UNIT II**

**Regulatory Framework:** After learning the basic concepts of cyber law the student will be exposed regulatory framework, which includes appointment of the Controller and other officers and the functions of controller and certifying authorities. Establishment of Cyber Appellate Tribunal, Composition of Cyber Appellate Tribunal, Qualification, Terms of office, Salary and the Powers of the Cyber Appellate Tribunal. The student will also understand the Procedure for issue of Electronic Signature Certificates, Digital Signature Certificate, Suspension and Revocation of Digital Signature Certificates.

### **UNIT III**

**Intellectual Property Rights and Electronic Commerce in Cyber Space:** Concept, Nature and issue of Intellectual Property in cyber space. International legal preparedness: Berne Convention, WIPO, TRIPS Agreement. Introduction to electronic commerce, Online contracts, Issues, Spamming, Disclaimer, Competition Law Establishing and maintaining brand identity, Licensing and regulatory requirements, E – banking Electronic funds transfer, Evidence and security, work in UNCITRAL, WTO and WIPO regarding commerce.

### **UNIT IV**

**Cyber Crimes and Punishments:** The technological power of cyber can be criminally misused. The student will learn about the various cybercrimes like Hacking, Digital Forgery, Cyber Stalking, Cyber Pornography, Identity theft and Fraud, Cyber Terrorism, Cyber Defamation and the punishment of these offences under Information Technology Act and under the Indian Penal Code.

### **TEXT BOOK:**

Vakul Sharma, Universal Law Publication: Information Technology Laws and Practice.  
5<sup>th</sup> Edition 2016

<b>SOLS 506A</b>	<b>LAW RELATING TO WOMEN AND CHILD</b>	<b>C</b>
		<b>4</b>

### **COURSE OBJECTIVE:**

The objective of this paper is to provide an understanding of legal safeguards enacted for the protection of women.

### **COURSE OUTCOME:**

The outcome of this course will result into student's awareness about: offences against women and child and the laws made for giving punishment for such offences to offenders and such laws includes Indian Penal Code, The Child Marriage Restraint Act, The Medical Termination of Pregnancy Act, The Protection of Children from Sexual Offences Act.

### **UNIT I**

**General Introduction:** Historical background and status of women in ancient India, Post-independence position

**Personal Laws:** Status of women in different Personal Laws, Social and legal status of child Uniform Civil Code towards Gender justice.

### **Unit-II**

**Women & Criminal Laws**–The Indian Evidence Act, 1872, Offences against women under the Indian Penal Code, 1860, Outraging the modesty of women, sexual harassment, rape, bigamy, mock and fraudulent marriages, adultery, causing miscarriage, insulting women, Provision of Maintenance under the Cr.P.C, the Medical Termination of Pregnancy Act, 1971, the Pre Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994, the Immoral Traffic (Prevention) Act, 1986

### **Unit-III**

**Women & Labour Laws:** The Factories Act, 1948, the Maternity Protection Act, 1961, Legal control of employment of child labour under the following enactments, The Factories Act, 1948, The Apprentices Act, 1961, The Child Labour (Prohibition and Regulation) Act, 1986

**Constitutional Laws:** Provisions regarding welfare of Child, National policy for Children, Constitutional Provisions regarding women rights.

### **Unit-IV**

**International Laws:** Legal status of child, The National Commission for child, U.N Declaration of the Rights of the child.

#### **Protective Legislations for the Child-**

The Juvenile Justice (Care and Protection of Children) Act, 2000.

The Protection of Human Rights Act, 1993.

The Child Marriage Restraint Act, 1929.

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

**TEXT BOOK**

Dr. Sayed Maqsood, Law Relating to Women

**REFERENCE BOOK**

Mamta Rao, Law Relating to Women and Children, Eastern Book Company

**Specialization (Constitutional Law)**

<b>SOLS 306A</b>	<b>PRINCIPLES OF LEGISLATION AND INTERPRETATION OF STATUTES</b>	<b>C</b>
		<b>4</b>

**Overview:**

Legislation dominates the contemporary legal landscape. Almost all fields of legal regulation involve legislation in some form. The ability to interpret and understand the operation of legislation is a skill essential to understanding law and its operation.

This course will provide an advanced study of the rules and principles governing statutory interpretation.

Students who have encountered statute law in a variety of contexts (criminal law, torts law, administrative law etc.) and been introduced to the relevant common law principles, will benefit from a more detailed consideration of statutory interpretation as a fundamental skill involved in all areas of practice but particularly those areas involving government.

**Learning Outcome:**

Upon successful completion, students will have the knowledge and skills to:

- 5) Explain, distinguish and apply the principles and process of statutory interpretation
- 6) Compare, contrast and reflect on the theoretical concepts underlying and impacting on approaches to statutory interpretation and its application in professional practice.
- 7) Plan, differentiate and priorities approaches and materials used in statutory interpretation while working collaboratively.
- 8) Select and apply a range of legal research principles and methods in interpreting legal instruments.

**UNIT I**

Statute: Meaning and Classification, Interpretation-Meaning, Object, Purpose and Scope, Basic Principles of Interpretation, Rule of Construction-Literal, Golden and Mischief Rules,

**UNIT II**



Internal Aid: Title, Preamble, Heading, Marginal Note, Section, sub-section, Punctuation, Illustration, Exception, Proviso, Explanation, Saving Clause, Schedule

External Aid: Dictionaries, Text Books, Historical background, legislative History.

Interpretation of Mandatory and Directory Provisions,

Interpretation of Penal Statutes

### **UNIT III**

Interpretation of Indian Constitution: principle of incidental and ancillary powers, principle of implied prohibition, principle of pith and substance, principle of colourable legislation, principle of territorial nexus, principle of severability, principle of prospective overruling, principle of eclipse.

Rule of Eiusdem Generis, Rule of Noscitur-a-sociis, Rule of Stare Decisis

### **UNIT IV**

Amending ,consolidating and codifying statutes(add) What is Legislation, Bentham's Theory of Legislation, Greatest Happiness of Greatest Number, Pains and Pleasure, Utilitarianism

### **BOOK:**

G.P. Singh, Principles of Statutory Interpretation

<b>SOLS 420A</b>	<b>COMPARATIVE CONSTITUTION</b>	<b>C</b>
		<b>4</b>

## **Overview**

The main objectives of this course are the following:

1. Transformation of students understanding of the constitutional law role in establishing effective government system.
2. Investigating actual constitutional law problems and analysis of different approaches to these problems solutions in Russia and foreign countries.

## **UNIT-I CONSTITUTION & CONSTITUTIONALISM**

Constitution: Concept, Nature and Importance of Constitution-Evolution of Constitutional Values-Requisites of Ideal Constitution-Historical Evolution of Constitutional Government.

Constitutionalism: Concept-Evolution-Limitations on Government Power Constitutional Supremacy-Separation of Power.

Constitutionalism as a Balanced Model of the Society Organization. Fundamental Constitutional Concepts. Constitution, Constitutional Law and Constitutionalism – what are they?

What are trends and paradoxes of the world constitutional process?

Constitutionalism as a balanced model of social organization. The system of the main constitutional balances: State power (rather political elite and public bureaucracy)

## **UNIT-II COMPARATIVE CONSTITUTIONS**

· Scope of Comparative Constitutional Law: Need for Comparative Study of Constitutional Law in Constitution Making

· Types of Constitutions: Written Constitutions-U.S.A, Canada, Australia and India; Unwritten Constitutions-England

## **UNIT-III JUDICIAL REVIEW & CIVIL RIGHTS**

·Judicial Review-Fundamental Rights; Writ Jurisdiction-A Comparative Study

·Civil Liberties/Rights: Structure-Enforcement-Individual Rights-Group Rights-National Security

## **UNIT-IV FEDERALISM & SOVEREIGNTY**

·Federalism: Concepts of Federalism and Federal Government-Conditions Essential for Federalism; Patterns of Federal Government: U.S.A, Australia, Canada and India

Modern Concepts of Sovereignty as a Balance for Human Liberty as well as Political Elite and Bureaucracy Power. What is sovereignty? People and State Sovereignty. What is the correlation between the literal understanding “the sovereignty of the people” and its real idea. The idea of popular sovereignty covered by social doctrine, constitutions and realized in practice. The sovereignty of people considered to be a kind of constitutional balance.

Text Book: **Comparative Constitutional Law**

Reference Book:

D. D. Basu: Comparative Constitution Law, LexisNexis India, Gurgaon.

D. D. Basu: Introduction to the Constitution of India, Lexis-Nexis, New Delhi.

M. P. Jain: Indian Constitutional Law, LexisNexis India, Gurgaon.

M. P. Singh: V.N Shukla’s Constitutional Law, Eastern Book Company, Lucknow.

<b>SOLS 421A</b>	<b>LAW ON EDUCATION</b>	<b>C</b>
		<b>4</b>

**Course Objective:** The objective of this course is to provide comprehensive knowledge to students about statutory framework for promoting education system.

### **UNIT I-Introduction**

What is an Education Law? Is there any Law on Education which is providing Justice to the People? Study of the laws related to education. Types of Education, Policy Makers in education, rights of a child.

### **UNIT II**

Constitutional provisions on Right to Education, 86<sup>th</sup> Amendment Act and Article 21-A. Study of the rights provided to children under different laws. IPC, POCSO Act, Factories Act etc.

### **UNIT III**

Study of The RTE Act 2009, Right To Free And Compulsory Education, Duties Of Appropriate Government, Local Authority And Parents, Appropriate Government To Provide For Pre-School Education, Responsibilities Of Schools And Teachers, School Development Plan, Duties of teachers and redressal of grievances.

### **UNIT IV**

Curriculum And Evaluation Procedure, Monitoring of Child's Right to Education, Constitution of National Advisory Council, Protection Of action taken in good faith.

### **PRESCRIBED LEGISLATION**

Right to Education Act, 2009

### **TEXTBOOK**

Right to education and schooling, Deepa Idnani (ed.)

### **REFERENCE BOOK**

<b>SOLS 422A</b>	<b>GENDER JUSTICE AND FEMINIST JURISPRUDENCE</b>	<b>C</b>
		<b>4</b>

## **UNIT –I**

What is Gender justice? Notions of sex and gender. Deconstructing ‘Man’, ‘Woman’, ‘Other’. Private-public dichotomy Women in ancient, medieval and modern India: An overview Indicators of Status: Difference in - likelihood of survival; female feticide, assigned human worth; and control over property, valued goods and services, working conditions, knowledge and information, political processes, symbolic representation, one’s body, daily lifestyles, reproductive processes. “LGBTQH++ and Human Rights”

## **UNIT –II**

### **SEXUALITY AND MORALITY IN LAW (6 LECTURES)**

Indian Penal Code 1860 Rape Laws, Adultery etc. Immoral Traffic Prevention Act 1956 read with section 370 IPC Indecent Representation of Women (Prohibition) Act, 1986.

## **UNIT-III**

### **LAW PROTECTING WOMEN AGAINST VIOLENCE AT HOME: DOMESTIC VIOLENCE, DOWRY HARASSMENT, SATI. (5 LECTURES)**

Protection of Women against Domestic Violence Act 2005 Dowry Prohibition Act 1961  
Commission of Sati (Prevention) Act 1987

## **UNIT-IV**

### **ECONOMIC EMPOWERMENT AND LAW (8 LECTURES)**

Labour Laws: Gender protective laws, Gender neutral laws Gender corrective laws  
Law Protecting Women against Sexual Harassment at Workplace. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013

**TEXT BOOK:** Sarla Gopalan, towards equality – the unfinished agenda – status of women in India 2001.

## Reference Book:

1. Amita Dhanda, Archana Parashar (ed) ENGENDERING LAW ESSAYS IN HONOUR OF LOTIKA SARKAR (1999). Eastern Book Depot.
2. Ratna Kapur and Brenda Cossman, SUBVERSIVE SITES: FEMINIST ENGAGEMENTS WITH LAW IN INDIA (1996).
3. TOWARDS EQUALITY Report of the Committee of Status in India Government of India (1974).
4. Kalpana Kannabhiran (ed), WOMEN AND LAW CRITICAL FEMINIST PERSPECTIVES (Sage Publications India 2014)
5. Usha Tandon (ed), Gender Justice: A Reality or Fragile Myth (2015)
6. Rajesh Talwar, The Third Sex and Human Rights (2016)
7. National Commission for Women.

<b>SOLS528A</b>	<b>CITIZENSHIP AND MEDIA LAW</b>	<b>C</b>
		<b>4</b>

**Course Objective:** The objective of this course is to provide comprehensive knowledge to students about statutory framework for studying about the citizenship and the connectivity of media to the society.

### **UNIT-I**

#### **Study of The Citizenship (Amendment) Act, 2019**

The modes to get the Citizenship, Citizenship by birth, descent, registration and naturalization. Special provisions as to citizenship of persons covered by the Assam Accord. What is Citizenship by incorporation of territory, Conditions on which the citizenship can be terminated. Certificate of Citizenship in case of doubt, Revision, Review, Offences.

### **UNIT-II**

Fundamental Law of the Land: Making of the Indian Constitution; Aims and Objectives; Essential Features of Constitution; Theory of Basic Structure; Principles of Federalism; Nature of the Indian Constitution – Federal, Unitary, Quasi-federal; Cooperative and Competitive Federalism, Scheduled and Power to cede Indian territory to a Foreign Nation; Power to create/extinguish a state; Alteration Tribal Areas. of name, area and boundary of existing states – Procedure ( Article1- 4)

### **UNIT-III**

Different forms of Media, its Theories, History of Legislative Efforts. Its Forms-Print media; Broadcast media; Social media, Theories of media, History of legislative efforts in India. Media, Freedom of Speech and the Constitution. Freedom of speech and expression under Article 19 (1) (a) and the Reasonable restrictions under Article 19 (2) Derivative rights - right to know/right to receive information, right to advertise, right to broadcast; Hate Speech etc.

### **UNIT-IV**

Privacy, defamation and the sting operations Define “privacy”; right to privacy versus freedom of expression; Differentiating between right to privacy of a public figure and private figure, Right of Publicity. Trial by media and fair trial. Regulation of the Social Media, Media, Advertisement & the Law. Media and other contemporary issues i.e.Paid news, poll surveys.

**TEXT BOOKS:** Facets of Media Laws ( 1stEdn), Divan Govadia Madhavi, Eastern Book Company, Lucknow

### **REFERENCE BOOKS:**

Media Ethics and Law, Hakemulder, R Jan. Jonge, Fay AC De & Singh, Anmol Publications Private Limited, New Delhi

Constitution of India, Shukla, V.N. Eastern Book Company, Lucknow  
Media Ethics and Law, Hakemulder, R Jan. Jonge, Fay AC De & Singh, Anmol  
Publications Private Limited, New Delhi

Media Ethics – Cases & Moral reasoning, Christain G Clifford & others Pearson  
Education, London



SOLS 511A	<b>MEDIA LAW</b>	<b>C</b>
		<b>4</b>

**Course Objective:** This course introduces the legal framework governing the different aspects and streams of media industry and the specific laws applicable to the people servicing the industry.

### **UNIT I**

Introduction to Media Laws: What is media law?, Need for Media Laws, Statutory Laws, Civil Laws: Law of Torts ( Defamation & Negligence ) & Consumer Protection Act 2006, Criminal Laws ( defamation/Obscenity/Sedition ) R. v. Hicklin( LR 3 QB 360), Ranjit D. Udeshi v. State of Maharashtra ( AIR 1965 SC 881 )

### **UNIT II**

Constitutional Framework: Freedom of speech & expression(Art. 19) Maneka Gandhi v. Union of India, RomeshThapar v. State of Madras, Indian Express v. Union of India (1985) 1 SCC 641. Issues of Privacy (Art.21) Kharak Singh v. State of UP (1964) 1 SCR 332, Gobind v. State of MP (1975) 2 SCC 148, Judicial Interpretation of Media freedom and its limits (including Contempt of Court & Judicial Activism).

### **UNIT III**

Media Laws: Right to Information Act, 2005/ Official Secrets Act, 1923,Broadcast Sector: Prasar Bharti Act, 1990,Broadcasting Bill, 2006,Cinematography Act, 1952 (Sec.51/14(d)/57/62A) Cable TV Networks (Regulation) Act, 1995, Cine Workers & Cinema Theatre Workers (Regulation of Employment) Act, 1981,Cine Workers Welfare Cess Act, 1981 Case Study: K. A. Abbas v. UOI; Bobby Art International v. Om Pal Singh Hoon)

### **UNIT IV**

Internet & Law: Evolution of Internet as a New Media, IT Act, 2000 & Media Regulatory commissions of New Media, Advertisement & Law: Advertisement Act, 1954 Indecent Representation (Prohibition) Act, 1986

Case Study: Hamdard Dawakhana v. UOI; Tata Press Ltd. V. Mahanagar Telephone Nigam Ltd.  
Print Media & Law: Press Council Act, 1978 Cable television Network (Regulation) Act, 1995  
The working Journalists and other Newspaper employees (Conditions of Service and Miscellaneous Provisions) Act, 1955 Press Council Guidance.

Case Study: Sakal Papers Ltd. v. Union of India AIR 1962 SC 305, Bennet Coleman and Co. v. Union of India AIR 1973 SC 106

**Text Book:** Facets of Media Laws ( 1stEdn), Divan Govadia Madhavi, Eastern Book Company, Lucknow(AddeUNIT-II

1. Media Ethics and Law, Hakemulder, R Jan. Jonge, Fay AC De & Singh, Anmol Publications Private Limited, New Delhi
2. Copyright Infringement, Center for International Legal Studies, Campbell, Dennis & Cotter, Susan (1998) Kluwer Law International, London
3. Constitutional Law of India, Pandey, J.N. Central Law Agency, Allahabad
4. Constitution of India, Shukla, V.N. Eastern Book Company, Lucknow
5. Broadcasting reform in India; Media Law from a Global Perspective, E. Price, Monroe & Veerhulst, Stefaan G, Oxford University Press, New Delhi
6. Mass Media Laws and regulations in India, Iyer, Venkat, Asian Media Information and Communication Centre, Singapore
7. Law of the Press in India, Basu, Durga Das Prentice Hall of India, New Delhi
8. Media Ethics – Cases & Moral reasoning, Christain G Clifford & others Pearson Education, London
9. Media Ethics – Veda to Gandhi & Beyond, Shrivastava, KM Publications Division, Ne

<b>SOLS 510A</b>	<b>HEALTH LAW</b>	<b>C</b>
		<b>4</b>

### **Course Objective:**

The objective of this paper is to provide an understanding of legal provisions concerning to healthcare.

### **UNIT I**

Medicine and Healthcare: Healthcare as an issue at the national and international level, Constitutional Provisions, Right to a Health as a Fundamental Right, Remedies available under the Indian Constitution, c. Right to health vis-à-vis the right to confidentiality, Access to medical records.

### **UNIT II**

Professional Obligations of Doctors- Indian Medical Council Act, 1956, Code of Medical Ethics. Indian Medicine Central Council Act, 1970, Dentists Act, 1948.

### **UNIT III**

The Homeopathy Central Council Act, 1973, the Drugs and Cosmetics Act, 1940, Medical Negligence, Ingredients,

### **UNIT IV**

Role of consent

### **REFERENCE BOOKS:**

1. Media Ethics and Law, Hakemulder, R Jan. Jonge, Fay AC De & Singh, Anmol Publications Private Limited, New Delhi
2. Copyright Infringement, Center for International Legal Studies, Campbell, Dennis & Cotter, Susan (1998) Kluwer Law International, London
3. Constitutional Law of India, Pandey, J.N. Central Law Agency, Allahabad
4. Constitution of India, Shukla, V.N. Eastern Book Company, Lucknow

5. Broadcasting reform in India; Media Law from a Global Perspective, E. Price, Monroe & Veerhulst, Stefaan G, Oxford University Press, New Delhi
6. Mass Media Laws and regulations in India, Iyer, Venkat, Asian Media Information and Communication Centre, Singapore
7. Law of the Press in India, Basu, Durga Das Prentice Hall of India, New Delhi
8. Media Ethics – Cases & Moral reasoning, Christain G Clifford & others Pearson Education, London
9. Media Ethics – Veda to Gandhi & Beyond, Shrivastava, KM Publications Division, Ne

<b>SOLS 510A</b>	<b>HEALTH LAW</b>	<b>C</b>
		<b>4</b>

**Course Objective:** The objective of this paper is to provide an understanding of legal provisions concerning to healthcare.

### **UNIT I**

Medicine and Healthcare: Healthcare as an issue at the national and international level, Constitutional Provisions, Right to a Health as a Fundamental Right, Remedies available under the Indian Constitution, c. Right to health vis-à-vis the right to confidentiality, Access to medical records.

### **UNIT II**

Professional Obligations of Doctors- Indian Medical Council Act, 1956, Code of Medical Ethics. Indian Medicine Central Council Act, 1970, Dentists Act, 1948.

### **UNIT III**

The Homeopathy Central Council Act, 1973, the Drugs and Cosmetics Act, 1940, Medical Negligence, Ingredients,

### **UNIT IV**

Role of consent in medical practice, Error of judgment and gross negligence, Wrongful diagnosis and negligent diagnosis, Remedies for Medical Negligence, Law of Torts, Law of Crimes, and Consumer Protection Law, 1986

### **TEXT BOOK**

Dr. Jagjit Singh, “Medical Negligence & Legal Remedies”

#### **REFERENCE BOOKS:**

1. Vijay Malik, “Drug and Cosmetic Act, 1940”
2. Anoop K. Kaushal, “Medical Negligence & Legal R
3. B.K. Dutta, “Drug Control”

<b>SOLS 525A</b>	<b>HUMAN RIGHT LAW AND PRACTICE</b>	<b>C</b>
		<b>4</b>

### **Course Objective:**

The objective of this course is to study the human rights available to human. To understand the development needed in the field of human rights.

### **UNIT-I**

#### **International Obligations to Protect Human Rights**

Concept of International Obligations Concept of obligations: Legal, Moral, Social, Obligations Accepted by International Community Through International Law: Sources of International Law Giving Rise to International Obligations (Article 38(1) of the Statute of the ICJ).

### **UNIT-II**

#### **Women and Human Rights:**

Historical and Philosophical, Social Perspectives: Social: Status of Women in Contemporary Indian Society-Poverty, Illiteracy, Lack of Independence, Oppressive Social Customs and Gender Bias; Violence Against and Abuse of Women in Public and Private Domains Special Laws for the Protection of Women: Suppression of Immoral Traffic Act (1956), Maternity Benefit Act (1961), Dowry Prohibition Act (1961), Equal Remuneration Act (1976), Medical Termination of Pregnancy Act (1971), Commission of Sati (Prevention) Act (1982), PNDT Act (1994)

### **UNIT -III**

#### **Children and Human Rights**

Historical, Philosophical and Social Perspective of Child Rights, Status and Contemporary Indian Society: Impact of Poverty and Illiteracy on the Health and Education of Child, Social and Cultural Practices Regarding Girl Child Foeticide and Child Marriage, Child Labour. Fundamental Rights and Directive Principles Under the Indian Constitution, Special Provisions for the Protection for the Child: Article 15 (3) Article 24, Article 39 (e), (f) and Article (45),

Legislature, Executive, Judiciary (Special Contribution of Judiciary, Nation Human Rights Commission, National Commission for Child.

## **UNIT-IV**

Development, Globalization and Human Rights and Contemporary Challenge to Human Rights  
Modernization and Dependency Approach, a Human Rights Approach to Development,  
Globalization: Meaning, Voices for and Against, Globalization and its Impact on Agriculture,  
Labour, Women, Environment, Culture etc. Unit-IV International Trade and Human Rights  
International Trade and Development, WTO, Unequal Terms of Trade Imposed by the Uruguay  
Round of GATT Negotiations, Impact on Social System Transnational Corporations (TNCS) and  
Human Rights violations.

Science and Technology · Terrorism

## **PRESCRIBED LEGISLATION**

**Human Rights Act**

## **TEXTBOOK**

H O Agarwal, Human Rights, Central Law Publications, Allahabad, (18th Edn. - 2018)

## **REFERENCE BOOK**

1. Alston, Phillip, The United Nations and Human Rights, Clarendon Press, London (1995).
2. Bajwa, G.S. and D.K. Bajwa, Human Rights in India: Implementation and Violations, D.K. Publishers, New Delhi (1996).
3. Basu, D.D., Human Rights in Constitutional Law, Prentice Hall, New Delhi (1994).
4. Sehgal, B.P.Singh, ed., Human Rights in India: Problems and Perspectives, Deep and Deep Publications, New Delhi (1999).
5. S.K.Avesti and R.P.Kataria, Law Relating to Human Rights, Orient Publications, New Delhi (2000)

6. SK Kapoor, Human Rights under International and Indian Law, Central Law Agency, Allahabad, (1999)
7. HO Agarwal, Human Rights, Central Law Publications, Allahabad, (12th Edn. - 2012)
8. Justice Palok Basu, Law Relating to Protection of Human Rights, Modern Law Publications, Allahabad (2002).
9. Sircar, V.K., Protection of Human Right in India, Asia Law House, Hyderabad (2004-05.)
10. Symmonides, J., Human Right: International Protection, Monitoring and Enforcement, Rawat publications, New Delhi (2005)
11. Mamata Rao, Law Relating to Woman and Children, Eastern Book Co., Lucknow (2008)
12. G B Reddy, Woman and the Law, Gogia Law Agency, Hyderabad (2001)
13. SC Tripathi, Law Relating to Woman and Children, Central Law Publishers, Allahabad, (2001)
14. Paramjit S. Jaswal, Nishtha Jaswal, Human Rights and the Law, APH Publishing, New Delhi (1996)



## Specialization (Business Law)

<b>SOLS 410A</b>	<b>BANKING &amp; INSURANCE LAW</b>	<b>C</b>
		<b>4</b>

### **COURSE OBJECTIVES**

This course acquaints students with banking system of India and familiarizes students about kinds of banks and their functions, about the relationship between Banker and Customer. This course also imparts knowledge with regard to law relating to recovery of debts due to banks and introduce to the students with the process of securitization, Asset Reconstruction and Enforcement of Security Interest. This course aims at explaining the concept of insurance law and the underlying principles of the insurance sector, the kinds of insurance, regulation of the Insurance Sector and the role of IRDA. It aims to familiarize the students with the application of Consumer Protection Law in India and its impact on Banking and insurance sector.

### **EXPECTED OUTCOMES**

On completion of this course, the students will have the knowledge and understanding of

- What is banking?
- Regulation of Banking Sector in India –Role of Reserve Bank of India (RBI)
- History of Banking Sector in India
- Social Control over the Banking Sector in India with special emphasis on Nationalization of Banks.
- Relationship of Banker and Customer
- Principles of Lending
- Law relating to recovery of debts in India which are due to the Banks and the Financial Institutions
- Banking Frauds and Legal Regime to Control it
- Meaning of Insurance
- Principles of Insurance- Uberrimma fides, Insurable Interest, Indemnification etc.
- IRDA and its role
- Application of Consumer Protection Act 1986 on Insurance and Banking Sector
- Compulsory Third Party Insurance under the Motor Vehicles Act 1988

## UNIT I

Banking System in India: Kinds of Banks and their functions; Banking Regulation Laws: Reserve Bank of India Act, 1934, Banking Regulation Act, 1949; Relationship between banker and customer: Legal Character, Contract between banker & customer, Banks duty to customers; The Banking Ombudsman Scheme, 1995; Liability under Consumer Protection Act, 1986.

## UNIT II

**Lending, Securities and Recovery by Banks:** Principles of Lending; Position of Weaker Sections; Nature of Securities and Risks Involved; Recovery of debts with and without intervention of courts / tribunal: Recovery of Debts due to Banks and Financial Institutions Act, 1993, Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002 (SARFAESI).

## UNIT III

**Banking Frauds:** Nature of Banking Frauds; Legal Regime to Control Banking Frauds; Recent Trends in Banking: Automatic Teller Machine and Internet Banking, Smart Cards, Credit Cards.

## UNIT IV

**Insurance Law:** Concept and principles of Insurance, Nature of Insurance Contracts; Kinds of Insurance: Life Insurance, Mediclaim, Property Insurance, Fire Insurance, Motor Vehicles Insurance (with special reference to third party insurance; Constitution, Functions and Powers of Insurance Regulatory and Development Authority; Application of Consumer Protection Act, 1986

### **Text Books:**

1. *Banking and Insurance Law and Practice*, Institute of Company Secretaries of India, Taxmann Publishers, 2010
2. M.N. Mishra, *Law of Insurance*, Central Law Agency, 9th Edition, 2012

### **Reference Books:**

1. K.C. Shekhar, & Lekshmi Shekhar, *Banking Theory and Practice*, Vikas Publishing House, 19th Edition, 2005.
2. M.L. Tannan, *Banking Law and Practice in India*, Lexis Nexis, 23rd Edition, 2010
3. J N Jain & R K Jain, *Modern Banking and Insurance – Principles and Techniques*, Regal Publications, 2008
4. Jyotsana Sethi & Nishwar Bhatia, *Elements of Banking and Insurance*, PHI Publishers, 2nd Edition

<b>SOLS 507A</b>	<b>CYBER LAW</b>	<b>C</b>
		<b>4</b>

### **Overview:**

The course attempts to explain the cyber revolution, its various applications and the use of law in regulating the use and misuse of Cyber Communications. It will make the community aware of the various facets of Cybercrimes. It enhances the understanding of problems arising out of online transactions and provokes them to find out the solution. The course also includes the clarification of intellectual Property issues in the growth and development of the law in this regard and also educate about the regulation of cyber space at national and international level.

### **Objective and Expected Outcome**

It will enable the students to understand, explore, and acquire a critical understanding of Cyber Law. It will develop competencies for dealing with frauds and deceptions (confidence tricks, scams) and other cybercrimes for example, child pornography etc. that are taking place via the Internet. It will develop the understanding of relationship between commerce and cyberspace and give learners in depth knowledge of Information Technology Act and legal frame work of Right to Privacy, Data Security and Data Protection.

## **UNIT I**

**Introduction:** The student will learn the concept of cyber space, the creation of technology to use this space, need and role of Cyber Law to make cyberspace meaningful. They will learn basic concepts like cyber security, electronic signature, digital signature, Key pair, public key, private key, asymmetric crypto system, licence, secure system, certifying authority, certification practice statement, Computer network, computer resources, and computer system under Information Technology (Amendment) Act 2008.

## **UNIT II**

**Regulatory Framework:** After learning the basic concepts of cyber law the student will be exposed regulatory framework, which includes appointment of the Controller and other officers and the functions of controller and certifying authorities. Establishment of Cyber Appellate Tribunal, Composition of Cyber Appellate Tribunal, Qualification, Terms of office, Salary and the Powers of the Cyber Appellate Tribunal. The student will also understand the Procedure for issue of Electronic Signature Certificates, Digital Signature Certificate, Suspension and Revocation of Digital Signature Certificates.

### **UNIT III**

**Intellectual Property Rights & Electronic Commerce in Cyber Space:** Concept, Nature and issue of Intellectual Property in cyber space. International legal preparedness: Berne Convention, WIPO, TRIPS Agreement. Introduction to electronic commerce, Online contracts, Issues, Spamming, Disclaimer, Competition Law Establishing and maintaining brand identity, Licensing and regulatory requirements, E – banking Electronic funds transfer, Evidence & security, work in UNCITRAL, WTO & WIPO regarding commerce.

### **UNIT IV**

**Cyber Crimes & Punishments:** The technological power of cyber can be criminally misused. The student will learn about the various cybercrimes like Hacking, Digital Forgery, Cyber Stalking, Cyber Pornography, Identity theft and Fraud, Cyber Terrorism, Cyber Defamation and the punishment of these offences under Information Technology Act and under the Indian Penal Code.

### **TEXT BOOK:**

Vakul Sharma, Universal Law Publication: Information Technology Laws and Practice. 5<sup>th</sup> Edition 2016

<b>SOLS 406A</b>	<b>COMPETITION LAW</b>	<b>C</b>
		<b>4</b>

### **OVERVIEW:**

Fair competition is the lifeline of continuing progress and growth. It incentivizes creativity for solving human problems and meeting needs. The question is how to ensure fair competition by legal methods for detection and stoppage of the maximization of profits at the cost of level playing markets.

The syllabus has been structured to ensure the students appreciate the concepts of anti-trust laws. For this, it is essential that economic principles such as market structures are understood. The course will concentrate on the anti-competitive agreements, abuse of dominant position and the combinations between the enterprises. Emphasis is on the role of Competition Commission of India in ensuring an equal level playing field exists in the market and enforcement mechanisms under the Competition Act, 2002. The objective is to acquaint the students with rules of Indian competition law.

### **COURSE OBJECTIVE AND OUTCOME:**

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

6. comprehend the interplay between law, economics and policy in the field of competition law;
7. to demonstrate a good understanding of the function of competition law;
8. to explain the main concepts of competition law such as undertaking, anti-competitive agreement, abuse of a dominant position, relevant market;
9. to identify the relevant substantive and procedural rules and apply them in hypothetical or real life business settings;
10. take up professional practice in the field of competition law.

### **UNIT I**

Concept of Competition; Classification of Markets: Pure and Perfect Competitions, Monopolistic and Imperfect Competition, Monopoly, Oligopoly; Constitutional aspect; Objectives of Competition Law

History and Development of Competition Law/ Antitrust Law, the Sacher Committee Report, the Raghavan Committee Report, Difference between the MRTP Act and the Competition Act.

### **UNIT II**

Relevant definitions and concepts – agreement, undertaking, enterprise, relevant market, de minimis, parallel behaviour, appreciable adverse effect on Competition

Anti- Competitive Agreements under the Competition Act, 2002 - Appreciable Adverse Effect on Competition in the Market, Rule of Reason and *per se* Illegal Rule; Horizontal and Vertical restraints; Exemptions; Penalties; Prohibition of Anti-competitive agreement/ Cartel/bid rigging.

Prohibition of Anti- Competitive Agreements under EU and US Laws.

### **UNIT III**

Abuse of Dominance in the Market – Concept of dominance, relevant market; Appreciable Adverse Effect on Competition in the Market; Abusive Conduct under the Competition Act, 2002; Penalties; Predatory Pricing; Prevention of Abuse of Dominance under EU and US Laws.

Combinations: Merger, Acquisition, Amalgamation and Takeover; Horizontal, Vertical and Conglomerate Mergers - Combinations covered under the Competition Act, 2002; Regulations; Penalties; Regulation of Combinations under EU and US Laws.

### **UNIT IV**

Enforcement Mechanisms under the Competition Act, 2002 - Competition Commission of India - Constitution of the CCI - Powers and Functions- Jurisdiction of the CCI – adjudication and appeals - Director General – NCLAT

Private Enforcement; Competition Advocacy

### **PRESCRIBED LEGISLATIONS**

The Competition Act, 2002

### **TEXTBOOK**

Versha Vahini, *Indian Competition Law*, 1<sup>st</sup> ed., LexisNexis, 2016.

<b>SOLS 523A</b>	<b>FINANCIAL MARKET REGULATION</b>	<b>C</b>
		<b>4</b>

### **Course Objective:**

The course coverage would enable the students to have an in-depth understanding of Financial Market and Regulatory mechanism thereto, besides, procedure for grievance redressal etc. The course will also traverse among others the laws in relation to financial system, stock exchange, competition and FEMA The course preserves the theoretical and pragmatic amalgam.

### **Pre-Requisites:**

The student should have understanding of day today Commerce and basic knowledge of commercial enteritis, transactions with aptitude to comprehend the working of managerial persons.

### **Student Learning Outcome:**

This course acquaints students with the Financial Market and various instruments related thereto. After undergoing the course student will be having sufficient knowledge about financial instruments, money market, stock exchange, foreign exchange etc. besides, the regulatory mechanism thereto.

## **UNIT I**

### **An Overview of Financial System:**

- Constituents of Financial system
- Significance of Financial system
- Development and Growth of Financial and Market in India
- Regulatory Authorities Governing Financial Market.

## **UNIT II**

### **SEBI (Securities Exchange Board of India):**

- Role and Powers
- Depositories Act, 1996; Right and Obligation of Depositories, Participants, Issuers and Beneficial Owners

## **UNIT III**

### **Capital Market and Money Market:**

- Meaning & Significance
- Capital Market Instruments

- Money Market Instruments
- Capital Market vis-à-vis Money Market
- Formation and Regulation of NBFCs.

## **UNIT IV**

### **Competition & FEMA Laws:**

- Competition Act, 2002, Aims, Objectives, Prohibition of Certain Agreements, Abuse of Dominant Position and Regulation of Combinations and Penalties.
- FEMA (Foreign Exchange Management Act): Aims, Objectives, Definitions, Regulations regarding Foreign Currency, Offences and Penalties.

### **Pedagogy for Course Delivery:**

The course will be conducted using lectures, assignments. The students will be acquainted with important case laws on the subject to understand the intricacies of the subjects including the stock and Foreign exchange.

### **Reference Books:**

1. E. Gordon & H. Natarajan, Capital Market in India; Himalaya publishing House, Ramdoot, Dr. Bhalerao Marg, Girgaon, Mumbai – 400004
2. V.L. Lyer, SEBI practice Manual; Taxman allied Services (P) Ltd; 59/32, New Rohtak Road, New Delhi – 110005
3. M.Y. Khan, Indian Financial Systems; Tata Mcgrew Hill, 4/21, Asaf Ali Raod, New Delhi – 1100102
4. SEBI Manual, Taxman
5. A.K. Senguma & A.K. Agarwal, Money Market Operations in India: Skylark
6. SEBI Annual Reports
7. SEBI Monthly Bulletin
8. Bharat V. Pathak, "Indian Financial System", Pearson Education, 3<sup>rd</sup> Edition



<b>SOLS 320A</b>	<b>LAW ON CORPORATE FINANCE</b>	<b>C</b>
		<b>4</b>

### **Course Objective:**

Industrialization has played, and has to play, a very vital role in the economic development of India. In the post independent era, industrial development is regarded, and hence employed, as principal means in the strategy for achieving the goal of economic and social justice envisioned in the Constitution. Corporations, both public and private, are viewed as a powerful instrument for development. In a developing society like India enormous varieties of consumer goods are manufactured or produced. Obviously, the situation raises the issues of procuring, utilizing and managing the finances. For this purpose, a science of financial management techniques has been evolved. The faculties of commerce, business and management studies have since last decades started to impart instruction so as to turn out sufficiently well-equipped and adequately trained financial personnel. However, the legal and juristic aspects of corporate finance have been more or less not effectively taken care of.

In view of the above perspectives the broad objectives of this cause may be formulated as follows-

- (i) To understand the economic and legal dimensions of corporate finance in the process of industrial development in establishing social order in the context of constitutional values
- (ii) To acquaint the students with the normative, philosophical and economic contours of various statutory rules relating to corporate finance
- (iii) To acquaint the students with the organisation, functions, lending, and recovery procedures, conditions of lending and accountability of international national and state financing institutions and also of commercial banks; and
- (iv) To acquaint the students with the process of the flow and outflow of corporate finance.

### **UNIT I: Introduction**

Meaning, importance and scope of corporation finance

Capital needs - capitalization - working capital - securities-borrowings-deposits  
debentures

Objectives of corporation finance - profit maximization and wealth maximization

Constitutional perspectives - the entries 37, 38, 43, 44, 45, 46, 47, 52, 82, 85, and 86 of List 1 - Union List; entry 24 of List 11 - State List.

#### Equity Finance

- Share capital
- Prospectus - information disclosure

- Issue and allotment
- Shares without monetary consideration
- Non-opting equity shares

## **UNIT II Debt Finance**

- Debentures
- Nature, issue and class
- Deposits and acceptance
- Creation of charges
- Fixed and floating charges
- Mortgages
- Convertible debentures

### **Conservation of Corporate Finance**

- Regulation by disclosure
- Control on payment of dividends
- Managerial remuneration
- Payment of commissions and brokerage
- Inter-corporate loans and investments
- Pay-back of shares
- Other corporate spending

## **UNIT III Protection of creditors**

- Need for creditor protection
- Preference in payment
- Rights in making company decisions affecting creditor interests
- Creditor self-protection
- Incorporation of favorable terms in lending contracts
- Right to nominate directors
- Control over corporate spending

### **Protection of Investors**

- Individual shareholder right
- Corporate membership right

- Derivative actions
- Qualified membership right
- Conversion, consolidation and re-organization of shares
- Transfer and transmission of securities
- Dematerialization of securities

## **UNIT IV Corporate Fund Raising**

Depositories - IDR(Indian depository receipts), ADR(American depository receipts),GDR(Global depository receipts)

Public financing institutions - IDBI, ICICI, IFC and SFC

Mutual fund and other collective investment schemes

Institutional investments - LIC, UTI and banks

FDI and NRI investment - Foreign institutional investments (IMF and World bank

### **Administrative Regulation on Corporate Finance**

#### **SEBI**

Central government control, Control by registrar of companies, RBI control

- Ramaiya A, Guide to the Companies Act (1998), Vol. I, II and III.
- H.A.J. Ford and A.P. Austen, Fords' principle of Corporations Law (1999) Butterworths.
- J.H. Farrar and B.M. Hanniyan, Farrar's company Law (1998) Butterworths
- Austen R.P., The Law of Public Company Finance (1986) LBC
- R.M. Goode, Legal Problems of Credit and Security (1988) Sweet and Maxwell Altman and Subrahmanyam, Recent Advnces in Corporate Finance (1985) LBC Gilbert Harold, Corporation Finance (1956)
- Henry E. Hoagland, Corporation Finance (1947) Maryin M. Kristein, Corporation Finance 1975) R.C. Osborn, Corporation Finance (1959)
- S.C. Kuchhal Corporation finance: Principles and Problems (6th ed. 1966) V.G. Kulkami, Corporation Finance (1961)
- Y.D. Kulshreshta, Government Regulation of Financial management of Private Corporate Sector in India (1986)
- Journal of Indian Law Institute, Journal of Business Law, Chartered Secretary, Company
- Law Journal, Law and Contemporary Problems.
- Companies Act and laws relating SEBI, depositories, industrial financing and information technology.

<b>SOLS 423A</b>	<b>BANKRUPTCY AND INSOLVENCY</b>	<b>C</b>
		<b>4</b>

## **Course Objective:**

The law of insolvency is a social legislation which has been enacted to provide relief to the honest debtors who due to any unfortunate or unforeseen circumstances become incapable of paying back their debts. Its object is also of securing distribution of a debtor's estate among his creditors equitably and thereafter to release him under certain conditions from liability in respect of his debts and obligations.

## **UNIT I**

**The Insolvency and Bankruptcy Code, 2016 (Entire Code),** Rules and Regulations under the Bankruptcy Code (All Rules and Regulations notified under the Code till 31st December, 2017)

## **UNIT II**

**The Companies Act, 2013**

- Prospectus and Allotment of Securities
- Share Capital and Debentures
- Acceptance of Deposits by Companies
- Registration of Charges
- Management and Administration
- Accounts of Companies
- Compromises, Arrangements and Amalgamations
- Registered Valuers
- Removal of names of the companies from the register of companies
- Winding-up of the companies
- NCLT and NCLAT

**The Partnership Act, 1932, and The Limited Liability Partnership Act, 2008**

(Nature of LLP; Partners and their Relations; Limitation of Liability; Financial Disclosures)

## **UNIT III**

**The Indian Contract Act, 1872**

(Voidable Contracts and Void Agreements; Contingent Contracts; Performance of Contract; Novation, Rescission and Alteration of Contracts; Agency; Consequences of breach of Contract; Indemnity and Guarantee, Surety; Bailment and Pledge; Set off)

**The Sale of Goods Act, 1930**

(Sale, Condition and Warranty, Seller's Lien and Damages)

**Specific Relief Act,1963**

**Negotiable Instruments Act,1881**

#### **UNIT IV**

- **The Recovery of Debts due to Banks and Financial Institutions Act, 1993;**  
**The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002**  
Corporate Debt Restructuring Scheme, Strategic Debt Restructuring, and Scheme for Sustainable Structuring of Stressed Assets (S4A of RBI)  
The Arbitration and Conciliation Act, 1996;
- **General Awareness** (Economy, Financial Markets, Rights of Workmen under Labour Laws and fundamental concept of Valuation)
- **Finance and Accounts** (Corporate Finance, and Financial Analysis, Liquidity Management, Tax Planning, GST)
- **Case Laws-** Orders of Hon'ble Supreme Court, High Courts, NCLAT and NCLT relating to Corporate Insolvency Resolution, Corporate Liquidation, Voluntary Liquidation and Fast Track Resolution Process.)

#### **Reference Books:**

- DATEY, V.S., Guide to Insolvency and Bankruptcy Code & Law relating to SARFAESI/ Debt Recovery & Winding Up, Taxman, 9<sup>th</sup> Edition, 2020
- The Insolvency and Bankruptcy Code, 2016

<b>SOLS 526A</b>	<b>CORPORATE GOVERNANCE</b>	<b>C</b>
		<b>4</b>

### **Course Objective:**

The students would be expected to be well conversant with the Indian framework with regard to the corporate governance and the broad features of its practice in India, as also with the relevant case law. A basic comparative knowledge of company law and the practice in other countries would also be required. Capacity to appreciate the social and economic objectives of corporate enterprises in a planned welfare economy and to evaluate the Indian law and practice in the context would be necessary

### **UNIT I History of corporation and recent developments.**

- The corporation in the modern world – comparison with other forms of business organization.
- History of Registered Companies in England and India
- Classification of companies
- Formation of company. Promotion and pre-incorporation contracts. a) Concept of Promotion b) Rights and Duties of Promoters c) Pre-incorporation contracts.

### **UNIT 2 Internal and External Regulatory Mechanisms.**

- Kinds of meetings – statutory, annual, extraordinary, general.
- Procedure and requisites of a valid meeting Notice, Quorum, Adjournment, Proceedings, Voting, Proxy Resolutions – kinds
- SEBI and Stock exchanges
- Ministry of Corporate Affairs
- Registrar of companies and Regional Directors.
- Company Law Board /National Company law Tribunal

### **UNIT 3 Conceptual Framework of Corporate Governance**

- Historical Perspective – The East Asian Crisis of 1997-Crash of the economies of Thailand, Indonesia, South Korea, Malaysia and The Philippines –American corporate crises of 2001-2002 -Collapse of Enron and WorldCom.
- Collapse of the British Bank of Middle East due to frauds, Collapse of large companies like Maxwell Communication
- Global Initiatives on Corporate Governance Sir Adrian Cadbury committee

### **UNIT 4 Legal and Regulatory Framework of Corporate Governance in India**

- History of Corporate Governance in India
- Provisions of Securities Contract (Regulation) Act relating to Corporate Governance. • Clause 49 of Listing Agreement
- Substantial Acquisition & Takeover Regulations
- Sri Kumaramangalam Birla Committee, Naresh Chandra Committee, Narayan Murthy Committee
- **Majority and Minority; Prevention of Oppression and Mismanagement of Companies**
- Management of Company, Concept of corporate Governance
- Directors – types, qualifications, appointment, remuneration, termination, Powers, Removal, Liabilities and Duties of Directors; Breach of Corporate Duties
- Meetings of company
- Supremacy of majority and protection of minority: exceptions to Rule in Foss V. Harbottle. Oppression and Mismanagement: Meaning of and Relief against Oppression and Mismanagement.
- Winding up Types, Grounds for winding up Procedure of winding up, Appointment of Liquidators
- Amalgamation, absorption and Restructuring

## **REFERENCE BOOKS**

1. L.C.B. Gower and Paul L.Davis, Principles of Modern Company Law
2. Robert R. Pennington, Company Law
3. John H. Farrar et.al, Company Law
4. L.S.Sealy, Cases and Materials in Company Law
5. Brenda Hannigan, Company Law
6. Brian Cheffins, Company Law: Theory Structure and Operation
7. Stephen Mayson et.al, Mayson, French and Ryan on Company Law
8. Fararr Company law 5 th Edn

<b>SOLS 428A</b>	<b>INVESTMENT LAW</b>	<b>C</b>
		<b>4</b>

### **Course Objective:**

There is a revolution in the laws relating to the investment and security. The economic and social development depends on security market at national and global levels. In the global level there is a trend for unification of controls of securities and investments. Reflection of this global phenomenon is essentially to be felt in India. The new laws and regulations now fall in line with the global requirements at times transcending the constitutional limitations. Needless to say that the study of law relating to investment and securities attains new dimensions.

### **UNIT I Historical Background of securities and investment laws**

- Securities: the concept
- England: Banking corporate finance and private financial services
- India: from usury laws to the modern system

#### **Securities: Kinds**

- Government Securities
- Securities issued by banks
- Securities issued by corporations
- Securities in mutual fund and collective investment scheme
- Depository receipts

### **UNIT II Government Securities**

- Bonds issued by government and semi government institutions
- Role of Central Bank (the RBI in India)
- Impact of issuance of bonds on economy
- Government loan from the general public
- External borrowing
- World Bank
- I.M.F.
- Asian Development Bank
- Direct from foreign government.
- Government loan: the constitutional dilemma and limitations
- Can a state go for external loans?
- Impact on economic sovereignty



## **UNIT III Securities Issued by Banks**

- Bank notes: is it the exclusive privilege of the central bank in the issue
- Changing functions of banks from direct lending and borrowing to modern System
- Bank draft, travelers' cheques, cheque cards, credit cards, cast cards
- Deposits' nature: current, saving and fixed deposits, interest warrants

### **Corporate Securities**

- Shares
- Debentures
- Company deposits
- Control over corporate securities
- Central government: Company Law Board
- SEBI : guide lines on capital issues
- RBI
- Protection of investor
- Administrative regulation
- Disclosure regulation
- Protection by criminal sanction

## **UNIT IV Collective Investment**

- Unit Trust of India
- Venture capital
- Mutual fund
- Control over issue and management of UTI, venture capital and mutual funds
- Plantations and horti-culture farms
- General control
- Control by rating
- Regulation on rating.

### **Depositories**

- Denationalized securities
- Recognition of securities
- Types of depository receipts: IDR, ADR, GDR and Euro receipts
- SEBI guideline on depositories
- Investment in non-banking financial institutions

- Control by RBI
- Regulation on non-banking financial and non-financial companies
- Private-financial companies: registration and regulation
- Chit funds
- 
- Foreign Exchange Control Regime in India
- Concept of foreign exchange regulation
- Administration of exchange control

## Specialization (Criminal Law)

<b>S0LS 321A</b>	<b>CRIMINAL PSYCHOLOGY</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>-</b>	<b>4</b>

**Course Objective:** The course coverage would enable the students to have an in-depth understanding of the role of psychology and crime. The students will have knowledge about the the role of psychology in the treatment of offenders at the end.

### **UNIT I**

Introduction: Meaning of psychology and crime; meaning of criminal psychology; relationship between psychology and crime

### **UNIT II**

Theories of Crime: Sociological Theory of Crime, Biological Theory of Crime, Psychological Theory of Crime, Socio Psychological Theory of Crime; Crime Trends in India, Prevention of Crime

### **UNIT III**

Psychological Disorders and Criminal Behavior: Juvenile Delinquency, mentally ill offenders, serial killers and sex offenders; Violent Criminal Behavior and Drug Related Crime: Terrorism, Drug and Crime, Cyber Crimes

### **UNIT IV**

Selection of law enforcement personnel: Selection of police officers, Training of Police Officers: Interactions with the mentally ill offenders; Role of Psychology in Treatment of Offenders

### **TEXTBOOK**

Criminal Psychology, Dr. S.R. Myneni

### **REFERENCE BOOK**

Criminal Psychology, Navin Kumar, LexisNexis

<b>SOLS 424A</b>	<b>COMPARATIVE CRIMINAL PROCEDURE</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>-</b>	<b>4</b>

### **Course Objective:**

The objective of this course is to provide comprehensive knowledge to students about Criminal Courts. The students will also know about the procedures that take place in criminal courts and about the correctional measures that are provided to offenders.

### **UNIT I**

Organization of Courts: Hierarchy of Criminal Courts and their jurisdiction; Nyay Panchayat in India.

### **UNIT II**

Pre Trial Process: Bringing information about crime incident before the formal system (Police or Magistrate) Sections 154, 155 and 190, Investigation of Crime (Sections 157 to 173), Roles of the Prosecutor and the Judicial Officer in Investigation, Arrest and Questioning of the Accused, Evidentiary Value of Statements/articles seized/collected by the police, Rights of Accused and Victim, Right to Counsel and Legal Right, Withdrawal of Prosecution.

### **UNIT III**

Trial Procedure: Role of Judge, prosecutor and defense attorney in the trial, Main features of session's trial, warrant, trial, summons trial and Summary Trial, Provisions regarding Bail and Bail Bond, Plea Bargaining, Identification Parade, Expert Evidence, Burden of Proof

### **UNIT IV**

Correctional Measures: Institutional Correction of Offenders, Law relating to Probation and Parole, Role of the Court in Correctional Programmes in India, Provisions relating preventive measure in the Criminal Procedure Code

### **TEXTBOOK**

Comparative Criminal Procedure, Prof. (Dr.) Priya Sepaha

### **REFERENCE BOOK**

Comparative Criminal Procedure, H.K. Bharti,

<b>SOLS 425A</b>	<b>INTERNATIONAL CRIMINAL LAW</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>-</b>	<b>4</b>

**Course Objective:**

The objective of this course is to provide comprehensive knowledge to students about International Criminal Law. The students will also attain knowledge about International Criminal Court and its related provisions.

**UNIT I**

Meaning of International criminal law; Sources of International Criminal Law

**UNIT II**

International Criminal Court: Structure of International Criminal Court; General Principles of Criminal Law

**UNIT III**

Crimes within the jurisdiction of International Criminal Court; Investigation and Prosecution Provisions of International Criminal Court

**UNIT IV**

Penalties Provisions of International Criminal Court; Appeal and Revision Provisions of International Criminal Court

**TEXTBOOK**

International Criminal Law, Theory and Practice, Dr. Anupam Jha

**REFERENCE BOOK**

Dr. Anupam Jha The Fundamental Concept of Crime in International Criminal Law (A Comparative Law Analysis), Iryna Marchuk

<b>SOLS 426A</b>	<b>OFFENCES AGAINST CHILD AND JUVENILE OFFENCES</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>-</b>	<b>4</b>

**Course Objective:** The objective of this course is to provide comprehensive knowledge to students about the crimes that are committed against child. This course will also provide knowledge about Juvenile Offences.

### **UNIT I**

Concept of Child and Juvenile Definition and concepts of term child and Juvenile Causes of offence against child. International protection to child and convention Offences against Child Child abuse ,Child labour and forced labour , Kidnapping, abduction , Abetment of suicide of child 5. Sale of obscene objects to young. Provisions in Information Technology Act, 2008: Section 67B; the Protection of Children from Sexual Offences Act 2012

### **UNIT II**

The Immoral Traffic (Prevention) Act 1956, Juvenile Delinquency-Nature, causes, Juvenile Court System, Treatment and rehabilitation of juveniles, Legislative and judicial protection of juvenile offender, Juvenile Justice Act, 2001. the Juvenile Justice (Care and Protection of Children) Act, 2000

### **UNIT III**

Protection of Child and Juveniles -Under the provisions of constitution (fundamental rights and directive-principles) , Under IPC, 1860,Under CRPC, 1973,Under Contract Act, 1872,Under Juvenile Justice Act, 2001The Child Labour (Prohibition and Regulation) Act, 1986; Constitutional Provisions: Provisions regarding welfare of Child

### **UNIT IV**

Child marriage (Child Marriage Restraint Act) Abandonment of child Custody of Child during matrimonial suit. Obligations to supply necessities to children The Child Marriage Restraint Act, 1929, National Policy for Children

### **BOOKS REFERED**

Paras Diwan, Children & Legal Protection

O.P. Mishra, Law Relating to women & child

Savitri Goonesekar, Children Law and Justice

<b>SOLS 401A</b>	<b>Criminology, Penology &amp; Probation of Offenders Act, 1958</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>-</b>	<b>4</b>

The course is intended to introduce students to the broad study of criminology. It is to give a broad overview to the scope of criminology, to the ideas which have influenced the area of the subject and to the practical uses and impact to which these have been, or might be put.

### **UNIT I**

Criminology: Definition, Nature and Scope, Crime and Social Processes, Classical School, ~~Cartographic School, (delete)~~ Sociological School, ~~Typological School(delete)~~

### **UNIT II**

Theories of Punishment, The Police System, Functions and Duties of the Police, Custodial Violence, Police- Community Relations, Prison System: Prison Reforms and open prison system in India

### **UNIT III**

Treatment and Correction of Offenders, Probation: The Probation of Offenders Act, 1958, Parole Juvenile Delinquency: Juvenile Justice (Care and Protection of Children) Act, (2015)

### **Unit –IV**

Victimology, Nature and Development, Victim and Criminal Justice, Role and Typology of Victims, Recidivism, White Collar Crime, Organized Crime, Prevention of Crime.

### **TEXT BOOK**

Paranjape, N.V. : Criminology and Penology

### **REFERENCE BOOKS:**

1. Sutherland, E& Creesy : Principles of Criminology.
2. Barnes & Teeters : New Horizons in Criminology.
3. Chang, D.H. : Criminology: A Cross- Culture Perspective.
4. Walker, N. : Crime and Criminology: A Critical Introduction.
5. Taft & England : Criminology.
6. Siddique, Ahmed : Criminology.
7. Sirohi, P.S. : Criminology and Penology.
8. Batra P.P. : Probation of Offenders Act, 1958

<b>SOLS522A</b>	<b>WOMEN AND CRIMINAL LAW</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>-</b>	<b>4</b>

The objective of this paper is to provide an understanding of legal safeguards enacted for the protection of women.

### **UNIT I**

1. Sexual Offences under Indian Penal Code:
  - Outraging the Modesty of Women
  - Rape
2. Sexual Harassment at Workplace.

### **UNIT II**

Obscenity and Indecent Representation of Women

Dowry Crimes under Indian Penal Code:

Dowry Death (Section 304B)

Cruelty against Married Women (Section 498A)

### **UNIT III**

1. Dowry Prohibition Act, 1961
2. Termination of Pregnancy under the Indian Penal Code (Ss.312-318)

### **UNIT IV**

1. Female Foeticide with special reference to Pre-Conception and Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act
2. Domestic Violence Act, 2005

### **TEXT BOOK**

Nomita Aggarwal, Women and Law

### **REFERENCE BOOKS:**

1. Dr. Sayed Maqsood, Law Relating to Women
2. S.P. Sathe: Towards Gender Justice
3. Dr. Vijay Sharma: Protection to woman in Matrimonial home



<b>SOLS 514A</b>	<b>WHITE COLLAR CRIMES</b>	<b>C</b>
		<b>4</b>

### **UNIT I Introduction**

Nature, Concept & Scope of White Collar Crime, Classification of White Collar Crime, Sutherland's view on White Collar Crime, Criticism of Sutherland's view on White Collar Crime, Role of Organization of Economic Cooperation and Development, Council of Europe, United Nations in combating white collar crime.

### **UNIT II White Collar Crime in India**

Hoarding, Black-marketing & Adulteration, Tax evasion, White collar crime in different professions – Medical, Engineering, Legal, Educational Institutions, White collar crime in Business, Fake employment / placement rackets, Counterfeiting Of Coins And Government Stamps, Cyber Offences: Hacking, Cyber fraud, Software piracy, Computer sabotage, Electoral Offences: sec 125 to 137 of Representation of People Act 1951.

### **UNIT III Remedies to combat White Collar crime**

White collar crime vs. Traditional crime, judicial response to White collar crime, Remedial measures to curb White Collar Crimes, Information Technology Act 2000 in combating Hacking, Cyber fraud, Software piracy, Computer sabotage

### **UNIT IV The Prevention of Corruption Act, 1988**

Salient features of the Act, Offences committed by Public Servant & bribe giver, Sanction for Prosecution, Presumption where public servant accepts gratification, Prosecution and Penalties

#### **The Prevention of Money Laundering Act, 2002**

Salient features of the Act, Definition & Scope of Money Laundering, Survey, Search & Seizure, Attachment, Powers to arrest under the Act, Adjudication by the Adjudicating authorities & Special Courts, Obligation of banking companies, financial institutions and Intermediaries

### **TEXT BOOK**

White Collar Crimes, Causes Prevention Law and Judicial Trends, Dr. Shailesh Kumar Singh

## **REFERENCE BOOKS:**

1. S.P. Singh, Socio- Economic Offences (1st Ed., 2005, Reprint 2015)
2. Ahmed Siddiqui, Criminology: Problems and Perspectives (4th Ed., 1997)
3. Seth and Capoor, Prevention of Corruption Act with a treatise on Anti- Corruption Laws (3rd Ed., 2000)
4. C. Mehanathan, Law on Prevention of Money Laundering in India (2014)
5. N.V Paranjape, Criminology, Penology with Victimology, 16<sup>th</sup> Ed., 2014, Central Law Publications
6. Justice Jaspal Singh, Socio Economic Offences

<b>SOLS 527A</b>	<b>FORENSIC SCIENCE</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>C</b>
		<b>3</b>	<b>1</b>	<b>-</b>	<b>4</b>

**Course Objective:** The objective of this course is to provide comprehensive knowledge to students about

### **UNIT I**

Meaning and Scope and Need of Forensic Science, History of Forensic Science: Hans Gross, Edmond Locard; Principles of Forensic Science

### **UNIT II**

Organization of Crime Laboratory: Crime Labs, Services of Crime Labs, Crime Lab Units, Basic and Optional Services provided by Full Service Crime Laboratories; Forensic Labs in India: Central Forensic Science Laboratory and State Forensic Science Laboratory,

### **UNIT III**

Functions and Duties of Forensic Scientist, Code of Conduct for Forensic Scientist, Qualifications of Forensic Scientist, Meaning of Crime Scene, Types of Crime Scene: Outdoor Crime Scene, Indoor Crime Scene, Conveyance Crime Scene, Who All at Crime Scene

### **UNIT IV**

Meaning and Purpose of Crime Scene Investigation, Basic Stages in Crime Scene Investigation: Approach Scene and protect it, Initiate Preliminary Survey, Examination of Scene, Documentation of Scene, Record and Collect Physical Evidence, Conduct Final Survey, Releasing the scene of Crime; Evaluation in Forensic Science

### **TEXTBOOK**

Textbook of Forensic Medicine and Toxicology, Anil Aggrawal

### **REFERENCE BOOK**

Textbook of Forensic Medicine and Toxicology, V V Pillay

## **Specialization (International Law)**

<b>SOLS 322A</b>	<b>INTERNATIONAL ORGANIZATIONS</b>	<b>C</b>
		<b>4</b>

### **Course Objective:**

The objective of this specialized course is to provide opportunity for the students to learn about the various aspects and the role of International Organizations. This course is designed to impart knowledge on the creation of a number of international organizations and their performance at global level. Also to develop the student's capacity to critically examine role of international organization and global governance. This will enhance their understanding on the basic functioning of the most important institutions in the international society.

### **Unit-I**

Introduction to International Organisations, History and concept The League of Nations

### **Unit II**

Evolution of the UN, The UN Charter United Nations System : Principal Organs - Security council, General Assembly, ECOSOC, ICJ and Trusteeship Council Mission of UN

### **Unit III Other Important Bodies of UN**

Subsidiary Bodies – Military Staff Committee, International Criminal Tribunal, Peace keeping Related organization-OPCW , IAEA and WTO, UNRISD

Programmes and Funds : UNCTAD, UNEP, UNDP, UNICEF, UNFPA, UNHCR, WFP, UNWRA

Functional Commissions- Human Rights, Narcotic Drugs, Sustainable development, Status of women

### **UNIT IV**

Regional Commissions- Economic Commissions for Africa, Europe , Latin America and the Caribbean, Economic and Social Commissions for the Asia and Pacific and Western Asia  
Specialized agencies- ILO, FAO, UNESCO, World Bank, IMF, IMO, WMO, ITU

## **REFERENCE BOOKS:**

1. The Law of International Organisations by N. D. White
2. International Organisations and Global Problems: Theories and Explanations by Susan Park
3. An Introduction to International Organizations Law by Jan Klabbbers
4. An introduction to International Organisations by Sajid Iqbal and Uzma Yousaf
5. International Organisations and Global Peace by Dr Lama Gangchen and Dr Charles Mercieca

<b>SOLS 408A</b>	<b>HUMANITARIAN AND REFUGEE LAW</b>	<b>C</b>
		<b>4</b>

### **Course Objective :**

The objective of this specialized course is to develop understanding of the students on the various aspects of International Humanitarian Law and Refugee law. The course will provide essential theoretical and practical knowledge for students and researchers.

### **UNIT I**

Introduction to Humanitarian Law  
 The History and concept of Humanitarian Law  
 Sources of International Humanitarian Law  
 The relationships between law and armed conflicts

### **UNIT II**

Application of International Humanitarian Law. **Protection of persons**, the norms regulating the protection of persons in time of war, specially the wounded and sick people, the captured combatants and the civilians, including in time of occupation.  
 State responsibility, national and international mechanisms for the punishment of individuals responsible of war crimes

### **UNIT III**

Introduction to International Refugee Law  
 History origin and Development of International Refugee Law  
 The Definition of Refugee; Conceptualizing Refugees, the Distinction between Refugees and other Migrants  
 Sources of International Refugee Law, Nansen Passport (League of Nations), UN Charter, IRO, UDHR, IOM, International Bill of Rights, Statute and Role of the UNHCR

International Refugee Principles & International Refugee Law  
The Evolution of Refugee Status in International Law,

## **UNIT IV**

Legal Framework , National and International framework for the protection of refugee  
The Legal Framework of Refugee Protection under the UN Convention of 1951 on to the Status of Refugees (UNCSR) and 1967 Protocol (UNCSR Protocol),UN Convention of 1951 and the Statute of the UNHCR, International Refugee Law and its Relationship with International Human Rights Law (IHRL) and International Humanitarian Law (IHL)

## **REFERENCE BOOKS:**

1. International Refugee Law: A Reader by B.S. Chimni,
2. Making People Illegal: What Globalization Means for Migration and Law by Dauvergne and Catherine
3. Refugees-The Human Rights of Non-citizens by David Weissbrodt
4. The Refugee in International Law by Goodwin-Gill, Guy S., McAdam and Jane
5. The Evolution of International Human Rights: Visions Seen by Paul Gordon Lauren
6. ISIL Year Book Of International Humanitarian And Refugee Law by L. (ed.) Jambholkar

<b>SOLS 429A</b>	<b>INTERNATIONAL HUMAN RIGHTS</b>	<b>C</b>
		<b>4</b>

### **Objective of the course:**

The objective of this specialized course is to provide knowledge to the students regarding basic concepts and framework of International Human rights Law and to develop their understanding and research ability on various important aspects of this subject.

### **Unit I**

Introduction to International Human Rights Law

Nature and Origin, Basic principles of Human Rights, History, Development and Institutions of International Human Rights

The Global Conceptual Framework of Contemporary Human Rights.

### **Unit II**

The Human Rights Movement

The Right to Life, the United Nations Treaties and Institutions

Judgment at Nuremberg. The Role of States in Protecting and Enforcing Human Rights: The Spread of State Constitutionalism in the Liberal Model, Human Rights Treaties within States Legal and Political Orders. The Evolving Legal Framework for Human-Rights Obligations and Accountability of NGOs, INGOs and Civil Society.

International Environmental Law and Human Rights Regimes

Rights of Refugees and Asylum Seekers

The Human Right to Health, Minority Rights

Social and Economic Rights, The Right against Torture, Inhuman, and Degrading Treatment,

### **Unit III**

Human Rights and the Transformation of World Politics

Internationalizing and Democratizing Rights,



Perspectives and Approaches to Human Rights; Human Rights and the Third World, Feminist Approach, Hindu Traditions of Human Rights, Islamic Approach to Human Rights, Human Rights Values and Multiple Legal Orders: Connections & Contradictions, Human Rights and Multiculturalism

#### **Unit IV**

The UN Charter to the Two Covenants, The Relationship between the Two Sets of Rights (ICCPR & ICESCR), Legal Framework of the ICESCR, The Rights mentioned in the ICESCR Role of the Courts in Developing Economic-Social Rights, Social Mobilization Approaches and Rights of the Child.

Women's Rights in International Human Rights Systems

Women's Rights and CEDAW, Status, Discrimination, Violence: Socio-Economic and Cultural Context, CEDAW's Principles and Committee.

Monitoring system, Remedies & Enforcement Mechanisms

#### **REFERENCE BOOKS:**

1. International Human Rights in Context: Law, Politics, Morals by Henry J. Steiner and Philip Alston
2. International Human Rights Law by Olivier de Schutter
3. Non-State Actors and Human Rights by Alston.
4. Philip Human Rights Law-Making in the United Nations: A Critique of Instruments and Process by Meron, T
5. International Human Right by Philip Alston and Ryan Goodman
6. Universal Human Rights in Theory and Practice by Jack Donnelly,
7. Making Sense of Human Rights by James Nickel
8. The History of Human Rights: From Ancient Times to the Modernization Era by Micheline R, Isha

<b>SOLS 404A</b>	<b>PRIVATE INTERNATIONAL LAW</b>	<b>C</b>
		<b>4</b>

Course Objective: The objective of this specialized course is to develop the deep understanding of private international law and to equip student to deal with dispute involving a foreign element in personal, civil and commercial matters i.e. increasing in frequency as a result of a globalized economic and social environment.

### **UNIT I**

Definition Nature and Scope of Private International Law

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

### **UNIT II**

Family Law and Adoptions : Material and formal validity of marriage under Indian and English law, Choice of law and jurisdiction of courts in matrimonial causes: dissolution of marriage, grounds of divorce, restitution of conjugal rights, recognition of foreign judgment, Recognition of foreign adoptions, Adoption by foreign parents, Jurisdiction under Indian and English law.

### **UNIT III**

Civil and Commercial matters: Tort, Theories of foreign tort, Contract, Theory of Proper Law of Contract, Ascertaining the applicable law, Property. Expanding scope of conflict of laws, WTO and commercial transactions, transactions through cyberspace.

### **UNIT IV**

Indian Law relating to foreign judgment: Basis of recognition; Recognition and Enforcement of Foreign Judgments, Finality, Failure, Direct execution of foreign judgments, decrees.

The Hague Conference on Private International Law

## **TEXT BOOK**

Private International Law by Dr. ParasDiwan

## **REFERENCE BOOKS:**

1. Private International Law by Cheshire
2. Private International Law by Morris
3. Conflict of Laws by Atul M Setalvad
4. Conflict of Laws in India by V. C. Govindaraj,

<b>SOLS 427A</b>	<b>INTERNATIONAL CRIMINAL LAW &amp; INTERNATIONAL COURT OF JUSTICE</b>	<b>C</b>
		<b>4</b>

### **Course Objective:**

The objective of this specialized course is to make students understand the various aspects of International Criminal Law and gain knowledge on the issues of contemporary international criminal law and procedure. This will enhance their knowledge in current issues related to this international field of study which will help the students for further research as well.

### **UNIT I International Criminal Law**

History of International Criminal Law Sources of the International Criminal Law International Crimes: Meaning, definition, Crimes and Elements of Crimes

### **UNIT II. The Types of International Crimes**

Major international crimes – genocide, aggression, organized crimes and corruption War crimes and crimes against humanity, international terrorism Prevention and Punishment of international crimes – jurisdiction, extradition and mutual legal assistance Individual Responsibility: Historical Development, Treaty of Versailles, Nuremberg & Tokyo Trials, Genocide Convention, 1948, Geneva Convention, 1949, ILC Draft Code of Crimes against the Peace and Security of Mankind  
State Sovereignty and International Criminal Law General Principles of International Criminal Law Modes of Criminal Responsibility and Defences,

### **UNIT III National Perspectives on International Criminal Law**

1. International Regional and Mixed Tribunals.
2. National Perspectives on International Criminal Law

### **UNIT IV International Criminal Court**

International Criminal Court – Organisation structure, personal, material and temporal

Jurisdiction of the Court. Procedure and evidence

Universal Jurisdiction, Immunities :Ex parte Pinochet (UK House of Lords); Belgium's 1993 Universal Jurisdiction law; ICJ Arrest warrant of 2000 (Congo v .Belgium); Congo v. France; Decisions of the International Court of Justice Case Concerning the Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro) of 26 February 2007

## **TEXT BOOK**

S.K. Kapoor, International Law.

## **REFERENCE BOOKS:**

1. Oppenheim, International Law, Vol. – 1.
2. J.G. Strake, Introduction to International Law.
3. Grieg, International Law.
4. R.C. and Hingorani, Modern International Law.
5. H.O. Aggarwal, International Law.
6. Bowell, The Law of International Institutions.
7. Verma, S.K., An Introduction of Public International Law
8. International Criminal Law by Cassese and Antonio
9. An Introduction to the International Criminal Court by Schabas and William A.

<b>SOLS 520A</b>	<b>LAW OF SEA &amp; INTERNATIONAL RIVER</b>	<b>C</b>
		<b>4</b>

### **Course Objective:**

The objective of this specialized paper is to develop the understanding on various important aspects of the law of the sea. This course will enhance the knowledge of the students on a number of important conventions like Geneva Conventions on the Law of the territorial sea by analyzing and discussing the various parts of the Convention and its application.

### **UNIT I**

1. Introduction to Law of the Sea
2. History of the Law of the Sea
3. United Nations Convention on the Law of the Sea (LOSC) 1982,
4. UNCLOS I and UNCLOS II.
5. Four Geneva Conventions of 1958
6. Maritime Zones.

### **UNIT II**

- 1 Baselines
- 2 The Territorial Sea and Contiguous Zone
- 3 Straits used for International Navigation
- 4 Archipelagoes and Islands

### **UNIT III**

- 5 Exclusive Economic Zone (EEZ)
- 6 Continental Shelf and the High Seas
- 7 Maritime Delimitation
- 8 The High Seas – jurisdiction on the high seas
- 9 Protection and preservation of the marine environment
- 10 Deep Seabed Mining

## **UNIT IV**

1. Settlement of disputes
2. Indian Law and practice
3. International boundary rivers, with special reference to boundary rivers in the Indian sub-continent
4. The International Tribunal for the Law of the Sea

## **TEXT BOOK**

R.C. and Hingorani, Modern International Law.

## **REFERENCE BOOKS:**

1. H.O. Aggarwal, International Law.
2. S.K. Kapoor, International Law.
3. The International Law of the Sea, by Donald R. Rothwell and Tim Stephens
4. The International Tribunal for the Law of the Sea by P. Chandrasekhara Rao and Philippe Gautier

<b>SOLS 518A</b>	<b>INTERNATIONAL ENVIRONMENT LAW</b>	<b>C</b>
		<b>4</b>

**Course Objective:**

The objective of this specialized paper is to develop understanding of students in various aspects of international environmental law and the fundamental issues related to it. This study will develop their research skills and critical thinking on the on this subject.

**UNIT I Introduction to International Environmental Law**

History, Origin and Development of International Environmental Law Definition of Pollution and Roots of Environmental crisis and Sovereignty U.N. Declaration of Human Rights-Standard of living-Right to water

**UNIT II Major Conferences on Environmental Law**

UN Conference on the Human Environment (1972) World Commission on Environment and Development (1987) United Nations Conference on Environment and Development (1992) General Assembly Special Session on the Environment (1997) World Summit on Sustainable Development (2002) UN Conference on Sustainable Development (2012) UN Sustainable Development Summit (2015)

**Earth Summit**

Stockholm Declaration, 1972 Earth Summit – Declarations and Conventions Adopted in Rio-1992 Environment and Development Framework Convention of Climate Change

**UNIT III Conventions**

Convention on the Control of Trans Boundary Movement of Hazardous Wastes and their Disposal 1989 Protection of Ozone Layer- Vienna Convention and Montreal Protocol

**UNIT IV International Institutions**

Role of International Institutions Standards Applied in Civil and Criminal Liability

**REFERENCE BOOKS:**



Environmental Law & Policy in India – ShyamDiwan, Armin Rosencranz

Environmental law : Casebook by P. leelakrishnan

P.K. Rao, International environmental law and economics, ley-Blackwell, 2002.

Donald K. Anton, Jonathan I. Charney, Philippe Sands, Thomas Schoenbaum and Michael J. Young, International Environmental Law: Cases, Materials, Problems (LexisNexis 2007).

Neil Craik, The International Law of Environmental Impact Assessment Process, Substance and Integration, Cambridge University Press, 2008.

Environmental Law, the Economy and Sustainable Development, Eds by Richard L. Revesz , Philippe Sands , Richard B. Stewart, Cambridge University Press, 2008.

<b>SOLS 519A</b>	<b>MARITIME LAW</b>	<b>C</b>
		<b>4</b>

### **Course Objective:**

The objective of this specialized course is to provide opportunity for the students to learn about the various aspects of Maritime Law and this is ideal for those wishing to specialize in shipping and related matters. This course is designed to impart knowledge on merchant shipping and its relationship with the public international law and national laws.

### **UNIT I HISTORY AND JURISDICTION:**

Public International Law and Merchant Shipping Laws; Relationship of Merchant Shipping Law to National and International Law; Maritime Flag and State Responsibility. Equality of Flag and Use of National Ports; Merchant Shipping in Territorial Water and High Seas.

### **UNIT II CARRIAGE BY SEA:**

The Form of the Contract Charter Party and Bills of Lading; Rights and Duties of Ship-owners at Common Law, Carriage of Goods by Sea Act, 1924; Protection of Ship-owner and Limitation of His Liability Under the Merchant Shipping Act; Bill of Lading as a Document of Title and its Function in Relation to Overseas Trade; Bills of Lading Act, 1855; Contract for the Sale of Goods and C.I.F. and FOB Terms; Average and the York Antwerp Rules (All in Outline Only); The Ship-owners Lien, Stoppage in Transit. Measure of Damages for Breach of the Contract.

### **UNIT III MARINE INSURANCE:**

General Principles; what is Insured; Insurable Interest Duty of Disclosure; Principle of Indemnity, Formation of the Contract: Premium its Retention and Return Conditions and Warrantees and their Interpretation; Loss and Abandonment and Measure of Indemnity; Assignment; Reinsurance.

### **UNIT IV ADMIRALTY LAW**

This is concerned with matters within the jurisdiction of the Admiralty Court. It is concerned with the "wet" areas of maritime law including acquisitions and transfer of interest in ships; ship mortgages; collisions; salvage; and marine pollution.

**International Sales Law:** Exploring the main features of the private law of international trade.

**International Law of the Sea:** International rules regarding the use of oceans and seas.

**International Maritime Organization (IMO):** Objectives. Policy for International Shipping.  
Governing body, Committees

## **REFERENCE BOOKS:**

1. The law relating to Marine Insurance by B.C.Mitra
2. Admiralty and maritime Law: Admiralty and Maritime (Hornbook Series Student Edition) By Thomas J.
3. Legal regime of Marine Environment in The Bay of Bengal by M. Habibur Rahman
4. Marine Insurance – its principles and practice by Frederick Templeman
5. International Maritime Conventions: Protection of the Marine Environment by Francesco Berlingieri

## Summer Internships

Course Code	Course Title	L	T	P	C
SOLS606A	Summer Internship II	0	0	0	2
Pre-requisites/Exposure	NA				
Co-requisites	NA				

### COURSE OBJECTIVES

Student will be able to:

- Acquire and use knowledge based capacities needed to work in a law environment.
- Familiar with the substantive issues in their court/office's practice field.
- Learn time management, prioritizing and other skills.
- Create relationships and professional connections that help them pursue their career goal

### COURSE OUTCOMES (COs)

**CO1:** Identify the requirements of workplace and related behaviour

**CO2:** Develop technical writing and presentation skills.

**CO3:** Learn how to apply your academic learning through discussions with a professional who has a similar background

**CO4:** Apply problem solving and critical thinking skills to solve real time problem

**CO5:** Evaluate case laws and form an opinion about nuances of law

### Course Content

1. Duration of internship programme will be 04 weeks ordinarily, which may be extended on the intern's request for a maximum period of two weeks with the prior permission of Head/Dean of the institute in prescribed format (NOC).
2. The University pays no remuneration/expenses.
3. The interested law students pursuing studies in ( 2nd and 3rd year of three-year and 2nd to 5th year of five-year law degree course only) may get approved their

applications/NOC in the prescribed format by 1<sup>st</sup> April (in case of Summer programme) and by 1<sup>st</sup> October (in case of Winter programme).

4. Students have to submit the certificate signed by authorized person of the organization and report in prescribed format successful completion of the internship to the Mentor/Assigned faculty of the Institute.

### **Format of Summer Internship Report**

1. The report shall comply with the summer internship program principles. Main headings are to be centered and written in capital boldface letters Times New Roman style with 14pt font. Sub-titles shall be written in small letters and boldface. The content shall be Times New Roman style with 12pt font. All the margins shall be 1.5cm. Each report shall be bound in a simple wire vinyl file and contain the following sections:
  2. **Cover Page**
  3. **Acknowledgement**
  4. **Index-** Table of Content
  5. **Introduction:** In this section, give the purpose of the summer internship, reasons for choosing the location and court, and general information regarding the nature of work you carried out.
  6. **Objectives**
  7. **Learning Outcome**
  8. **Weekly Report**
  9. **Conclusions:** In the last section, summarize the summer internship activities. Present your observations, contributions and intellectual benefits. If this is your second/third/fourth summer internship, compare the last and current summer internships and your preferences.

### **Mapping of Course Outcome (COs) with Program Outcomes (POs) and Programme Specific Outcomes (PSOs)**

Course Code	Course Outcome	PO1	PO2	PO 3	PO 4	PO 5	P O 6	P O 7	PS O1	PS O2

<b>SOLS606A</b>	CO1	3		3			3	3	3	2
	CO2	3		3			3	3	3	2
	CO3	3		3			3	3	3	2
	CO4	3		3			3	3	3	2
	CO5							3		

*1=weakly mapped, 2= moderately mapped, 3=strongly mapped*