

Academic Regulations and Syllabus 2018-2023



MATS UNIVERSITY
(Recognized by UGC u/s.2(f) of UGC Act, 1956)
MATS LAW SCHOOL
(BCI:D:973/2015 (LE/Afflin) Dated 17/6/2015)
B.A. LL.B (Hons)
(LegumLegis Baccalaureus)
(5 Years Integrated (Hons.) Degree Course)

Semester Pattern (10 Semesters)

B.A. LL.B.

Five Years Integrated (Hons.) Law Degree Course

Semester Pattern (10 Semesters)

Rules for Admission and Internal Assessment

These rules shall be applicable to MATS LAW SCHOOL only.

Admissions:

Medium of instruction and examination shall be English alone. The minimum eligibility condition is 45% marks in 10+2, preference being given to those having higher marks. The marks scored in CLAT and L-SAT shall be given due weight in preparation of merit for admission. For admission in LL.B. three years, graduate level in any stream would be enough for eligibility. Any Degree taken after Graduation may also be considered for minimum percentage of 45 % in that Degree provided that he is a Graduate. The ordinary rule of eligibility shall not apply to all the following categories which shall form exception.

- SC/ST and Adivasi students of Chhattisgarh.
- SC STs from other states
- Woman candidates from Chhattisgarh
- Woman candidate from other states
- Minorities including Jains Muslims, Christian and Parasis and
- Physically challenged persons.

Admission shall be given according to the admission rules of the University wherein these rules shall be read as exception. Candidates who have appeared in CLAT and L-SAT shall be given preference. All those who are eligibility to get scholarship from Government or any other agency shall remain entitled to those benefits. Loan scholarship shall also available. Delayed admissions after last date fixed by the university may be permitted in special cases by the Vice Chancellor on the recommendation of the Director, MATS Law School, subject to availability of seats.

Admission shall not be a matter of right for any and shall be at the discretion of University which reserves the right to refuse admission to anyone without assigning any reason even if otherwise eligible.

The rules for admission for graduate programs in law are as under:

- i) For admission in BA LL.B., preference shall be given to the candidates who have passed the qualifying exam in Arts, social science and humanities streams; however students from other streams may if so desire, seek admission in BA LL.B. 5 years integrated (Hons.) degree course.
- ii) For BBA LL.B. preference shall be given to the students who have passed the qualifying exam in Commerce stream. Students doing BBA may seek transfer to this course subject to other conditions; however they shall have to complete requirements of studies and examinations in compliance papers, which shall be decided by the University on recommendation of HOD/Registrar, MATS Law School, MATS University Raipur.
- iii) It shall be open to the HOD/Registrar MATS Law School, MATS University to permit admission at any level, any semester to students applying for admission on grounds of transfer of parents,

guardians or transfer on any other ground or even otherwise if the student wants to migrate from some other university to MATS University. Such student can be exempted from the subjects he has already read in the earlier university and has passed in those papers. Such students have to clear the subjects which are in syllabus of MATS Law School and those in which he has not passed. The marks obtained in the subjects in the previous examinations shall be adopted at MATS University.

- iv) Notwithstanding anything to the contrary anywhere else in general rules of the University, be it graduate or post graduate, it shall be open to the Director MATS Law School to permit any student to change from annual pattern or semester pattern or vice versa at any stage. This will apply to admissions of those students also who have done semester or annual pattern from any other University recognized by UGC.

Provision for Internal assessment (BA LL.B)

Internal assessment in each paper shall carry 40 marks maximum, which shall be divided in the following way.

- I) **Moot Court-** Maximum 5 marks for each moot court subject to a maximum of 10 marks for each moot in each semester whether moot court is attended locally or moot court held elsewhere.
- II) **Seminar/Conference** – Maximum 5 Marks for each memorial of important cases, subject to a maximum of 5 marks for each memorial in semester in each subject.
- III) **10 marks for project**, presentation and report of the work done in internship in previous semester. There shall be viva voce in the end of semester on the project topic assigned.
- IV) **Representation in internship, legal aid camps and publication of articles** -One mark may be given to the student for representation in each seminars, conferences, legal aid camps and publication of articles in any law journal subject to maximum of 5 marks.
- V) **There shall be 10 marks for Mid Term and 5 Marks for Snap Test in each paper in each semester.**
- VI) The professor incharge of the subject shall have power to give zero or deduct marks proportionately if the number of home assignment CRE, moot, memorial, project or representation in seminars etc. falls short of the number mentioned in para 1 to VII of these rules.
- VII) Late compliance of the provisions of para I to V shall entail penalty in terms of Para VIII.

Minimum short term placement (one at the end of each semester) has to be done by each student at his own cost with the approval of the department, and certificate to this effect has to be produced in the department by each student within two weeks of the completion of internship.

Internal Marks Proforma in each subject:

Sr. No	Moot Court	Seminar/Conference	project	Representation in internship, legal aid camps and publication of articles	Snap Test	Mid Term Exam	Total Max. Marks
Maximum Marks assign	5	5	10	5	5	10	40

subject to each column							
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Project submission, valuation and presentation/viva voce

Each project in each subject shall carry 10 marks to be divided into valuation and presentation for purposes of marking. The topics of the project in each subject shall be given to each student by the subject teacher concerned on the first day whereon the classes begin. The teacher shall also give the list of the projects to the director prior thereto. The topic assigned shall not be changed by the course teacher except with the concurrence of the Director.

Students of all batches of all streams shall adhere to the uniform pattern stated below for the submission of their projects. Failure in following the pattern would result in non-acceptance of the project. The subject teachers are advised to brief the students on all points (a to e) in open class to each student at the time topics are allotted and should ensure the review of the preliminary submission.

The researcher should make sure that the project –

- a) Has been typed in Times New Roman, font size 12, double spacing with no borders
- b) Has proper title (bold, 14, Times New Roman), introduction, research objectives and conclusion besides chapters and sub chapters arranged in proper order.
- c) Follows The Bluebook: A Uniform System of Citation, 19th Edition, for the citation of the various sources of the project in footnotes. Endnotes shall not be allowed,.
- d) Mentions all the books, journals, magazines, newspapers, web sources (eg. Manupatra, Westlaw, Indlaw etc.) and other primary and secondary sources under the title ‘references’.
- e) Besides these has a cover page, acknowledgment, table of content with page numbers.

Additionally, it is advised that the students substantiate and authenticate their arguments/points as far as possible with primary and published source material/documents. Effort must be made to avoid abundant borrowing/quoting from web sources. **Submissions with more than 20% plagiarized content will be rejected outright.**

Quotations/References from a single source should be limited to a minimum frequency of 2-3. For purposes of textual quality and uniformity, each paper should be organized into 2-3 paragraphs. Textual/content coherence should be maintained between each paragraph. Statistical Tables, Graphs, Charts, Maps, should be inserted at appropriate place in running text; not at the end of the paper. Source must be mentioned at the bottom of the Table, etc. in full language mode: British (not American). Long, repetition of sentences should be avoided. The project should not be less than 12-15 pages. Notwithstanding anything contained elsewhere, the faculty incharge may opt any of the mode to examine the project either by presentation or viva voce.

Curriculum Matrix and Syllabi

The syllabus that is given below in all subjects is illustrative only. The professor in-charge shall be at liberty to add or delete any matter indicated as part of syllabus here. This shall be deemed to be approved by the academic council. It is made clear that the University does not prescribe any text book for Honors degree courses Students are expected to read the entire material spread in form of books, articles, research papers, reports, cases decided by Supreme Court preferably in last 6 months prior to the examination available anywhere in any journal of repute in the country or on internet and English knowing world. It shall not be open to allege that any question is out of syllabus.

Note: the names of the books that are mentioned at the end of syllabus for each subject are suggestive only.

BA LL.B 5 years Honours Programme Course Matrix (LTPC) as per NAAC Requirement

Batch 2018- 23 & Onwards (Total Credit- 292)

S.N	Course Codes	Semester I	Lecture	Tutorials	Practical	29 Credit
1.	BAL/ 101	Legal Methods	4	1		5 credits
2.	BAL/ 102	Law of Torts, Motor Vehicle Act & consumer protection	4	1		5 credits
3.	BAL/ 103	General English & Legal Language	3	1	1	5 credits
4.	BAL/ 104	History I	4	1		5 credits
5.	BAL/ 105	Political Science I	4	1		5 credits
6.	BAL/ 106	Clinical Paper I- Moot Court, Trial Preparation & Research	1	1	2	4 credits
S.N	Course Codes	Semester II	Lecture	Tutorials	Practical	29 Credit
1.	BAL/ 201	Jurisprudence I	4	1		5 credits
2.	BAL/ 202	Contract I	4	1		5 credits
3.	BAL/ 203	Constitutional Law I	4	1		5 credits
4.	BAL/ 204	History II	4	1		5 credits
5.	BAL/ 205	Political Science II	4	1		5 credits
6.	BAL/ 206	Clinical Paper II- Professional Ethics & Professional Accounting System	1	1	2	4 credits
S.N	Course Codes	Semester III	Lecture	Tutorials	Practical	32 Credit
1.	BAL/ 301	Jurisprudence II	4	1		5 credits
2.	BAL/ 302	Contract II	4	1		5 credits
3.	BAL/ 303	Constitutional Law II	4	1		5 credits
4.	BAL/ 304	Indian Penal Code	4	1		5 credits
5.	BAL/ 305	Equity and Trust	4	1		5 credits
6.	BAL/ 306	Economics I	4	1		5 credits
7.	BAL/ 307	Internship			2	2 credits
S.N	Course Codes	Semester IV	Lecture	Tutorials	Practical	32 Credit
1.	BAL/ 401	Administrative Law	4	1		5 credits
2.	BAL/ 402	Law of Property	4	1		5 credits

3.	BAL/ 403	Law of Evidence	4	1		5 credits
4.	BAL/ 404	Criminal Procedure Code	4	1		5 credits
5.	BAL/ 405	Family Law I	4	1		5 credits
6.	BAL/ 406	Economics II	4	1		5 credits
7.	BAL/407	Internship			2	2 credits
S.N	Course Codes	Semester V	Lecture	Tutorials	Practical	30 Credit
1.	BAL/ 501	Civil Procedure code and Law of Limitation	4	1		5 credits
2.	BAL/ 502	Interpretation of Statutes	4	1		5 credits
3.	BAL/ 503	Clinical Paper III- Drafting, Pleading and Conveyancing	1	1	2	4 credits
4.	BAL/ 504	Optional Paper- I	3	1		4 credits
5.	BAL/ 505	Family Law II	4	1		5 credits
6.	BAL/ 506	Sociology I	4	1		5 credits
7.	BAL/507	Internship			2	2 credits
S.N	Course Codes	Semester VI	Lecture	Tutorials	Practical	31 Credit
1.	BAL/ 601	Intellectual Property Rights-I (Copyright, Trademark, Design & GI)	4	1		5 credits
2.	BAL/ 602	Company Law I	4	1		5 credits
3.	BAL/ 603	Alternative Dispute Resolution	4	1		5 credits
4.	BAL/ 604	Optional Paper II	3	1		4 credits
5.	BAL/ 605	Human Rights	4	1		5 credits
6.	BAL/ 606	Sociology II	4	1		5 credits
7.	BAL/607	Internship			2	2 credits
S.N	Course Codes	Semester VII	Lecture	Tutorials	Practical	30 Credit
1.	BAL/ 701	Intellectual Property Rights-II (Patent, Traditional Knowledge, Plant Variety & Farmer's Right & Biodiversity Act)	4	1		5 credits
2.	BAL/ 702	Company Law II	4	1		5 credits
3.	BAL/ 703	Criminology & Penology	4	1		5 credits

4.	BAL/ 704	Labour Law I	4	1		5 credits
5.	BAL/ 705/BL BAL/705/CL	Honours I	3	1		4 credits
6.	BAL/ 706/ BL BAL/706/ CL	Honours II	3	1		4 credits
7.	BAL/707	Internship			2	2 credits
S.N	Course Codes	Semester VIII	Lecture	Tutorials	Practical	30 Credit
1.	BAL/ 801	Labour Law II	4	1		5 credits
2.	BAL/ 802	Banking Law	4	1		5 credits
3.	BAL/ 803	Public International Law	4	1		5 credits
4.	BAL/ 804	Competition Law	4	1		5 credits
5.	BAL/ 805/BL BAL/805/CL	Honours III	3	1		4 credits
6.	BAL/ 806/BL BAL/ 806/ CL	Honours IV	3	1		4 credits
7.	BAL/807	Internship			2	2 credits
S.N	Course Codes	Semester IX	Lecture	Tutorials	Practical	25 Credits
1.	BAL/ 901	Direct Taxation	4	1		5 credits
2.	BAL/ 902	Environmental Law	4	1		5 credits
3.	BAL/ 903	Private International Law / Conflict of Law	4	1		5 credits
4.	BAL/ 904/ BL BAL/904/CL	Honours V	3	1		4 credits
5.	BAL/ 905/ BL BAL/ 905/ CL	Honours VI	3	1		4 credits
6.	BAL/ 906	Internship			2	2 credits
S.N	Course Codes	Semester X	Lecture	Tutorials	Practical	24 Credits
1.	BAL/ 1001	International Investment Law	4	1		5 credits
2.	BAL/ 1002	Indirect Taxation	4	1		5 credits
3.	BAL/ 1003	Clinical Paper IV- Public Interest Lawyering, Legal Aid and Para Legal Services	1	1	2	4 credits
4.	BAL/ 1004/ BL	Honours VII	3	1		4 credits

	BAL/1004/ CL					
5.	BAL/ 1005/ BL BAL/1005/ CL	Honours VIII	3	1		4 credits
6.	BAL/1006	Internship			2	2 credits

SYLLABUS

BA. LLB 2018

S.N	Course Codes	Semester I	Lecture	Tutorials	Practical	29 Credit
1.	BAL/ 101	Legal Methods	4	1		5 credits
2.	BAL/ 102	Law of Torts, Motor Vehicle Act & consumer protection	4	1		5 credits
3.	BAL/ 103	General English & Legal Language	3	1	1	5 credits
4.	BAL/ 104	History I	4	1		5 credits
5.	BAL/ 105	Political Science I	4	1		5 credits
6.	BAL/ 106	Clinical Paper I- Moot Court, Trial Preparation & Research	1	1	2	4 credits

1. LEGAL METHODS

Course Objectives: This course pursues to facilitate first year students to identify, analyse and Understand various Legal Methods subsisted in India and out the India in any area of law. It is a bridge course of BALL.B, BBA and LL.B 3 years designed to equip students with the basic skills and information necessary to navigate the law-related issues. This Course focuses on orientation of students to legal studies from the point of view of basic concepts of law and legal system. It also forms a part of extension of legal jurisprudence.

Unit I

- Legal Method – Concept, Nature and Types
- Truisms about human nature, social order and law
- Jurisprudence and other social sciences
- Priory and posterior methods, deductive and inductive methods
- Legal Type and Social Type

Unit II

- Legal type questions – temporary injunctions, interlocutory orders, functions of legal systems, legal techniques, kinds of social functions

- Power and legal system, legal reasoning, theories of law and legal methods
- Systems of law and constitutional governance
- Hierarchy of court and court structure
- Law and Social Order

Unit III – socio legal methods and evolutionary theories

- Sources of Law
- Custom
- Judicial methods and Precedent
- Legislative methods and Legislation
- Interpretation of statutes, a legal method to find out scientialegis
- Primary rules of interpretation, secondary rules of interpretation
- Mimansa rules of interpretations

Unit IV

- Elements of law, Legal Rights: the Concept; Rights: kinds; Right duty correlation
- Legal Persons: Nature of personality; Status of the unborn, minor, lunatic, drunken and dead persons; Corporate personality; Dimensions of the modern legal personality: Legal personality of non-human beings
- Possession: the Concept; Kinds of possession
- Ownership of property rights and ownership of computer systems :the Concept; Kinds of ownership; Difference between possession and ownership
- Problems arising out of ownership of internet, and social networking sites like twitter and Facebook.
- Problems arising out of growth in different dimensions in IPR related matters.
- Ownership and air waves and computers
- Owning a relationship, owning a system of systems

Unit V

- Organization and enforcement of law
- Alternative Dispute Resolution
- Arbitration
- Negotiation
- Mediation
- Conciliation
- LokAdalat and legal aid

Course Outcome: Students got aware about the various legal methods existing in the judicial system of India as well as out of India. Students expected to attain highest objectivity of the course contents. Similarly, the research topics comprising within the course contents help the students to reach toward the individual variables.

Recommended Readings

- ‘Legal methods’ by Dr. G P Tripathi, published by Central Law publications, Allahabad
- ‘Legal Research and Research Methodology’ by Dr. G P Tripathi, published by Central Law publications, Allahabad

2. LAW OF TORTS, MOTOR VEHICLE ACT & CONSUMER PROTECTION ACT

Course Objectives: This course is to make students understand the nature of tort and conditions of liability with reference to established case law. Further, it covers the Motor Vehicle Act and Consumer Protection Act, 1986. Its forms the foundation of tortious liability and duties. Similarly, fiduciary relationship of certain relations is the special outcome of the subject.

Unit I – General Principles to Liability in Law of Torts

- Origin and Development of Law of Torts in England – Forms of action – Specific remedies from case to case.
- Evolution of Law of Torts in India – Un-codified and judge-made - Advantages and disadvantages.
- Meaning and function of Law of Torts – Prescribing standards of human conduct, redressal of wrongs by payment of compensation, injunction.
- Definition of Tort

Unit II

- Constituents of Tort – Wrongful act, Legal damage and Remedy – Injuria Sine Damno and Damnum Sine Injuria – Ubi jus ibi remedium
- Tort vis-a-vis other wrongs e.g. crime, breach of contract, Breach of Trust, etc. General defences to liability in torts
- Consent as defence – Volenti non-fit injuria – Essentials for the application of defence;
- Scienti lenon fit injuria
- Liabilities for dangerous animals
- Liabilities for straying live stocks like dogs snakes bulls and other pets
- Interference with goods conversion, remedies or replevin distress
- Liability for fire and insurance and
- Liability of flow of waters from damp
- Occupier liabilities
- Interference with privacy
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Unit III

- Statutory exemptions
- Act of God Vis major
- Statutes granting standing to certain persons or groups
- Capacity to Sue and be Sued
- Joint Tort Feasors
- Vicarious Liability including liability of the Government for the torts committed by employees
- Liability under modern legislation
- Doctrine of sovereign immunity and its relevance in India.

Unit IV

- Motor Vehicle Accident Liability, Remoteness of Damage
- Fatal Accidents Act
- Factories Act
- Laws relating to hazardous substances
- Trespass to Person, Trespass to Goods and Immovable Property with special reference to Occupier's Liability Act and Defective Premises Act, 1972

- Economic Torts – conspiracy
- Social security and law of torts
- Law of torts and Human rights

Unit V –

- Consumer Protection Act 1986
- Basic concepts under consumer protection Act
- Liability for defective products
- Doctrine of Caveat emptor
- Remedies under consumer protection Act.

Course Outcome: The law of tort is one of the interesting arenas of Law. Students enjoy it well when they come to know about the legal maxims. The law of tort groom the student in different aspect in the sense that, it purely based on the precedents. It help the students to read the matter beyond the legislative boundaries.

Recommended reading

Textbook –

Winfield Law of torts

Salmond‘ Law of Torts’

3. GENERAL ENGLISH & LEGAL LANGUAGE

4. HISTORY I (INDIAN HISTORY)

Objective: This Course focuses on broad features of legal institutions and administration in ancient, medieval and modern India.

Unit I

- History – Meaning and Significance and relevance with legal field.
- Relationship between Law and History
- Sociological and political situation in Ancient India
- Sociological and political situation Vedic Polity
- Sociological and political situation Mauryan State
- Sociological and political situation Gupta Polity
- Sociological and political situation Medieval India
- Chola Village Administration
- Delhi Sultanat

Unit II

- Mughal State (Mansabdari System and Administrative Apparatus)
- Theory of Kingship and Nature of State in Ancient and Medieval India
- Brahmanic Era, Buddhist Era, Kautilyan Era, Balban Era, Alauddin Khilji Era
- Turko-Afgan Concept and legal relevance

Unit III

- Political Movements of Gandhi –
- Non-Cooperative,

- Civil Disobedience, and
- Quit India Movements,
- Social Institutions in Ancient India, Varna, Jati, Gotra , Pravara,Family, Slavery ,Position of Woman.

Unit IV

- Changes in Medieval period
- Reformation in Medieval and Modern Times
- Nanak, Kabir , Raja Ram Mohan Roy
- Aligarh Movement and Backward Caste Movements (B.R. Ambedkar, Jotiba Phule and Naicker)
- Economic Structure
- Feudalism
- Post- Mauryan Economy
- Gupta Economy
- Iqtadari System
- Agrarian Reforms of Alauddin Khalji and Mohammed-bin Tughlaq
- Market Reforms of Alauddin Khalji
- Drain of Wealth and Stages of Colonialism

Unit V

- Legal Systems and Institutions Ancient India and Medieval India
- Sources: Vedic Texts, Brahmanas, Sutras (Kalpa and Dharma), Dharm, custom
- Thinkers – Manu, Brihaspati, Yajnavalkya, Narada, Katyayan
- Judicial System
- Types of court: Pratishita, Apratishta, Mudrita, Sasita, Guilds, Panchayats, Kantakasodhana, Dharmasthiyaa
- Procedures: Appointment of judges, Trial, Witness, Pleaders, Secret agents, wergild and Punishment, Role of Judges and Investigation
- Sources of Islamic Law: Sharia and Hadis
- Salient features of Islamic Criminal Law
- Judicial organization: King, Chief Qazi, Judicial Officers, Investigative Process and Punishments
- Law with regard to non-Muslims
- Evolution of Judicial Setup – changes introduced by Akbar

Course Outcome: History I (Indian History) is an interesting course structured for the students of BALL.B in order to inform the students about the legal, social and economic system existing in ancient, medieval and modern India. It also tried to depict the sources of law either may it be institutional or legislated law

Text Books:

1. H.V. Sreeniwasmurthy – History (for law students)
2. Habib&Nizami – Comprehensive History of India, Vol. V and VI

References:

1. Bipan Chandra – India’s Struggle for Independence (Penguin)
2. A.S.Tripathi – Jurisprudence
3. T.RamaJois – Ancient Legal thought
4. A.L. Basham – Wonder that was India, Part-I
5. S.A.A. Rizvi – Wonder that was India, Part –II

5. POLITICAL SCIENCE I

Objective: This Course focuses on understanding the basic concepts, theories and functioning of state. It will help to understand the basics of political science. Its foundation and growth.

Unit I

- Meaning and nature of the State: Theories of the origin of the State, The State as conceived by different schools of Thought
- Government: Forms of Government, Constitution of Government.

- Political theory meaning and approaches
- Theories of the state: Liberal, Neoliberal, Marxist, Pluralist, Post-colonial and feminist.
- **Justice:** Conceptions of justice with special reference to Rawl's theory of justice and its communitarian critiques.
- **Equality:** Social, political and economic; relationship between equality and freedom; Affirmative action.
- **Rights:** Meaning and theories; different kinds of rights; concept of Human Rights.
- **Democracy:** Classical and contemporary theories; different models of democracy – representative, participatory and deliberative.

Unit II

- Main currents of Western Political Thought: Concepts of Natural Law and Natural Rights, Liberalism, Socialism, Marxism and Idealism.
- Conceptions of Political and Legal Sovereignty: the totalitarian State.
- Concept of power, hegemony, ideology and legitimacy.
- Political Ideologies: Liberalism, Socialism, Marxism, Fascism, Gandhism and Feminism.
- Indian Political Thought: Dharamshastra, Arthashastra and Buddhist traditions ; Sir Syed Ahmed Khan, Sri Aurobindo, M.K. Gandhi, B.R. Ambedkar, M.N. Roy .
- Western Political Thought: Plato, Aristotle, Machiavelli, Hobbes, Locke, John, S. Mill, Marx, Gramsci, Hannah Arendt.

UNIT – III

- Main currents of Indian Political Thought: Hindu concept of the state, Islamic concept of the State, Liberalism, Marxism, Gandhism and Sarvodaya in Indian Political Thought

UNIT – IV

- Organs of State: Legislature, Executive and Judiciary.
- Doctrine of Separation of Powers: Parliamentary Sovereignty, Independence of the Judiciary.
- Conception of representation: Public opinion and participation.
- Role of NGOs and civil societies

Unit - V

- Organization of Government:
- Unitary, Federal, Quasi-Federal and Confederal,
- One party Democracies, Military rule, Presidential and Parliamentary forms with reference to the Constitution of U.S.A, Switzerland, Australia, U.K,
- organizations of law
- law enforcement machineries formal and informal
- France, Canada, India and the United Nations Organization.

Course Outcome: It gives an overall idea to the students about the political system. It enhances the skill

of students by making them aware about the concepts of justice, equity, democracy and many more. It enhances the knowledge of students by introducing the various political thoughts. It also dealt with the organisation of Government of Switzerland, Australia, U.K , France, Canada, India and the United Nations which enhance the skill of students to understand the legal system over there.

Recommended Readings:

Textbooks -

1. S.P. Verma – Modern Political Theory
2. H. Finer – The Theory and Practice of Modern Government
3. K.C. Wheare – Federal Government
4. Brecht – Political Theory

Reference Books:

Dunning – History of Political Thought
F.W.Coker – Recent Political Thought
H.J. Lakshi – The State in Theory and Practice
R.G. Gettell – History of Political Thought
Karl Loewenstein – Political Power and the Government Process

6. MOOT COURT, TRIAL PREPARATION, PARTICIPATION IN TRIAL PROCEEDING

Course Objectives: To enhance the knowledge of students to understand about the practical knowledge of Trial, and court practical

(A) Theory paper exam – maximum 40 marks

There shall be only one theory paper wherein A, B and C, All the three shall be included. The paper setter is at liberty to choose his own format for setting theory paper in this subject. The effort shall however be made that all the three parts A, B and C are covered in theory paper.

Course content of theory paper:

There shall be three parts in theory paper.

Part A- Moot Court

What is Moot Court? What is difference between Moot Court, Mock Court and Real Court?

Principles of Moot Court.

How to draft a Moot Court problem?

Preparation of memorials

Arguments on behalf of petitioner

How to articulate and develop responses to the petition?

How to address the court?

How to behave with the councils of the opposite party?

Part B- Trial preparation

Civil cases/ criminal cases/revenue cases

When does trial start?

How does it differ from enquiry?

Jurisdiction

Examination chief

How to conduct it?

Cross-examination

Re-examination

Arguments based on the facts and the evidence given in moot problem

Part c: Participation in trial proceedings

This part consists of court visit, conducting legal aid camps, arranging legal aid literacy camps, advising clients, helping weaker section of society including minority, SC/ST and women and other vulnerable section of society.

(B) Practical marks – total marks 60

In the practical following shall be expected from the students:

1. Moot court participation – 15 marks maximum

1.1 Each student of final year shall participate in at least 2 moot courts. He/she shall prepare records of the Moot Court and the roles he/she has played as researcher or mooter. Each Moot court exercise shall carry as much marks, as detailed below:

For moot court-1

- For the first moot court oral advocacy: 4 marks, and
- Written memorials: 3 marks.

For moot court-2

- For the second moot court oral advocacy: 4 marks, and
- Written memorials: 3 marks.

One mark shall be given on the neatness and clarity of the problem and the confidence over it.

1.2 The student shall make written submission on behalf of the party for whom he makes oral advocacy as assigned by the course teacher. The written submissions for the two moot courts shall be neatly written on one side of the bond size papers and bound together with a certificate signed by the course teacher to the effect that it is the bonafide work of the concerned student.

Part B: Observation of Trial –15 maximum

1.1 Each student shall attend trial in three cases at any stage one civil (5marks) one criminal (5 marks) and revenue (5 marks).

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

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

Part C: Client Interviewing – 15 maximum

Each student shall observe three session of client interviewing at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which shall carry 5 marks each. Each student shall further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition.

Part D: Viva (15 marks)

At the end of the semester, the student shall appear for a viva voce, which shall carry 15 marks. The viva voce shall be based on the record of the Moot Court, diary prepared during observation trial proceeding and client interviewing.

Course outcome: To ensure the students about the practical aspects of our field.

S.N	Course Codes	Semester II	Lecture	Tutorials	Practical	29 Credit
1.	BAL/ 201	Jurisprudence I	4	1		5 credits
2.	BAL/ 202	Contract I	4	1		5 credits
3.	BAL/ 203	Constitutional Law I	4	1		5 credits
4.	BAL/ 204	History II	4	1		5 credits
5.	BAL/ 205	Political Science II	4	1		5 credits
6.	BAL/ 206	Clinical Paper II- Professional Ethics & Professional Accounting System	1	1	2	4 credits

7. JURISPRUDENCE I

Course Objectives: The objectivity of course jurisprudence I constrain to know the law, nature and its aspects. It's objectivity remain confine to know about general and specific jurisprudence, to understand the law and its social context, to know the relevance of law, morality and society etc.

Unit I

- What is Law?, Nature & Definition
- What is Jurisprudence
- How Jurisprudence difference with legal theory
- General Jurisprudence, Specific Jurisprudence

Unit II

- Natural Law and Law of Nature
- Philosophy of Law
- Cosmic Law, basic Law of creation
- Religion of Law and Law of Religion
- Transcendental Jurisprudence and Vedic Jurisprudence
- Sociology of Law and Legal Sociology
- Natural Law Jurisprudence and Human Rights Jurisprudence- Aquinas, Socrates, Plato, Aristotle and Pre Socrates thinkers, Augustine

Unit III

- Human Law in social contexts.
- Different approaches to Law
- Law and social order
- Law, power and legal system
- Positive Law Jurisprudence, Formal Theories of "a Law" and "the Law" –Machiavelli, Locke, Hobbes, Bentham, Austin, Hart and Fuller
- Historical Jurisprudence – Savigny, Maine
- Economic Jurisprudence – Marx

Unit IV

- Law, moral and society
- Law, justice and freedom
- Pure Theory of Law – Kelson
- Sociological theories of legal theory – Comte, Duguit, Ihering, Pound
- Realist Jurisprudence – American Realists(Holmes, Llewellyn, Frank) and Scandinavian Realists (Hagestrom, Lundstedt , Olivecrona and Ross).
- Social movement and social welfare
- **Unit V**
- Law and the government
- Tribal Law in Chhattisgarh
- Muslim Jurisprudence- Sources
- Law and social change
- Law making and society
- Concept of “Dharma”
- Concept of Religion
- Sources of Hindu Jurisprudence

Course Outcome: The present course is the basics of law. It helps the students to understand the science of law. It helps the students to know the different approaches of law. It built the analogy of students with various directions to know and learn the law in better ways. The concept of positivist, naturalist and socialist make the subject interesting one which groom the students with dimensional aspects of law

Recommended reading

Textbook

‘Indian Jurisprudence’ by Dr. G P Tripathi, published by ALA, Faridabad, Haryana.

Salmond on jurisprudence

Dias on Jurisprudence

Reference books

Friedman ‘legal theory’

Stone jurisprudence

Original works by Austin, Savigny, Ihering, Kelsen and Pound

Friedman ‘legal theory’

Stone jurisprudence

8. CONTRACT I

Course Objective: The major objective of this course is to make students acquainted with various principles of contract, agreements, kinds, formation voiced in the Indian Contract Act, 1872.

I General Principles (Sections 1 To 75 of Indian Contract Act)

Unit-1 - Agreement and contract

- Definitions and essentials
- Simple Contracts

- Offer and acceptance
- Proposal and acceptance
- Promisor and promisee
- Consideration
- Revocation
- Capacity to contract
- Formal Contracts (Contract under seal)
- Government Contracts
- Bilateral contracts, and multilateral contracts, agreements and treaties
- Standard form of contract and doctrine of fundamental breach

Unit-2 - Free consent

- Definitions
- Coercion
- Undue influence
- Fraud
- Misrepresentation
- Mistake

Unit-3 - Legality of objects

- Unlawful objects,
- Difference between void agreements and unlawful agreements and illegal agreements
- illegal and unlawful agreements and their effects
- Unlawful considerations and objects
 - (i) Forbidden by law
 - (ii) Defeating the provisions of any law
 - (iii) Fraudulent
 - (iv) Injurious to person or property
 - (v) Against public policy
- Void agreement –
 - (i) Agreement without consideration
 - (ii) Agreement in restraint of marriage
 - (iii) Agreement in restraint of trade-its exceptions
 - (iv) Agreement in restraint of legal proceedings – its exceptions
 - (v) Uncertain agreements
 - (vi) Wagering agreements – its exceptions

Unit-4

- Performance of contract
- Discharge of contract and its various mode
- By Breach
- Impossibility of performance
- By expiry of limitations
- By agreement
- Quasi contracts or of obligation resembling by contract

Unit-5

- Remedies in contractual relations
 - (i) Anticipatory Breach
 - (ii) Breach

- (iii) Ascertainment of Damages in contract and tort, liquidated and unliquidated damages
- (iv) Payment of damages
- (v) Suit for Injunction
- (vi) Suit for Specific performance

Course Outcome: The students are expected to aware about the contracts, contractual capacities of the parties, contractual obligations and remedies for the breach of the contracts. It also helped the students to ascertained the quantum of amount for awarding the damages for contractual breaching

Recommended reading

Textbook –

‘Law of simple contracts’ by Prof. G. P. Tripathi, published by Allahabad Law Agency, Faridabad.

Reference book –

Doctrine of Frustration in Law of Contract, Dr. G P Tripathi, ALA, Faridabad, Haryana, 2013

D F Mulla revised by Dr. R G Padia

Dr. G C Cheshire and Fifoot ‘contract Act’

Anson ‘ Law of Contract’

Dr. Avtar Singh ‘ Law of Contract’

Bare Act Indian Contract Act Code (must for everybody)

9. CONSTITUTIONAL LAW I (CONSTITUTIONAL GOVERNANCE)

Course Objective: This course is voiced with aspect of knowing the perspectives of National Movements. To know all about constitution and constitutionalism. To know the authorities of state and central Government in the matter of governance. It also talk about the gross root level development. Also covers some cross cultural and social issues.

Unit I-

- Political Strategies of India’s Freedom struggle : constitutionalism to mass Satyagraha, Non-cooperation, Civil Disobedience ; militant and revolutionary movements, Peasant and workers’ movements.
- Perspectives on Indian National Movement: Liberal, Socialist and Marxist; Radical humanist and Dalit.
- Making of the Indian Constitution: Legacies of the British rule; different social and political perspectives.
- Salient Features of the Indian Constitution: The Preamble, Fundamental Rights and Duties, Directive Principles; Parliamentary System and Amendment Procedures; Judicial Review and Basic Structure doctrine.

Unit II

- Principal Organs of the Union Government: Envisaged role and actual working of the Executive, Legislature and Supreme Court.
- Principal Organs of the State Government: Envisaged role and actual working of the Executive, Legislature and High Courts.

Unit III

- Grassroots Democracy: Panchayati Raj and Municipal Government; significance of 73rd and 74th Amendments; Grassroot movements.
- .Statutory Institutions/Commissions: Election Commission, Comptroller and Auditor General, Finance Commission, Union Public Service Commission, National Commission for Scheduled Castes, National Commission for Scheduled Tribes, National Commission for Women; National Human Rights Commission, National Commission for Minorities, National Backward Classes Commission.

Unit IV

- Federalism: Constitutional provisions; changing nature of centre-state relations; integrationist tendencies and regional aspirations; inter-state disputes.
- Planning and Economic Development : Nehruvian and Gandhian perspectives; role of planning and public sector; Green Revolution, land reforms and agrarian relations; liberalization and economic reforms.
- Law on regionalism
- Law and language

Unit V

- Caste, community and Religion
- Ethnicity in Indian Politics.
- Party System: National and regional political parties, ideological and social bases of parties; patterns of coalition politics; Pressure groups, trends in electoral behaviour; changing socio-economic profile of Legislators.
- Social Movements: Civil liberties and human rights movements; women's movements; environmentalist movements
- Woman empowerment

Course Outcome: It enhances the skill of students to upgrade and do regulate the interest of different groups, castes, communities, castes and religion. It also makes aware about the social, political and economic development of the country.

Recommended reading

Textbooks -

1. S.P. Verma – Modern Political Theory
2. H. Finer – The Theory and Practice of Modern Government
3. K.C. Wheare – Federal Government
4. Brecht – Political Theory

Reference Books:

Dunning – History of Political Thought
 F.W.Coker – Recent Political Thought
 H.J. Lakshi – The State in Theory and Practice
 R.G. Gettell – History of Political Thought
 Karl Loewenstein – Political Power and the Government Process

10. HISTORY II (LEGAL & CONSTITUTIONAL HISTORY OF INDIA)

Course Objective: To understand the growth and development of the legal structure in India. To know the history of presidency towns in India, To know about the legal and judicial administration in India. To know about the History of law and legal field including the Supreme court and high courts

Unit – I

- Judicial System in Ancient India
- Judicial System in Medieval India
- Administration of Justice-Muslim Period
- East India Company; Early Charters – charter of 1600, judicial charter of 1661, charter of 1683

Unit – II

- Presidency Town
- Administration of Justice in Chennai, Calcutta, Mumbai From Recorder Court (1798) to High Court
- Royal Courts in India- charter of 1726 and charter of 1753 and working of Mayor Courts
- Warren Hasting and the court structure (1772-1785)
- Act of Settlement 1781
- Regulating Act, 1773
- Charter of 1774, Supreme Court at Calcutta and the three cases – trial of Maharaja Nand Kumar, Patna case, Caussijurah case and their importance in the legal history of India

Unit-III – History of Court Structure

- Introduction of English law
- Warren Hastings – the Court structure during his regime, judicial plan of 1772 and 1774
- Court Structure (Adalat System) during Cornwallis (1786-1793) judicial plan of 1787, 1790 and 1793, Cornwallis code 1793
- Court Structure (Adalat System) from Shore to Minto (1793-1813), judicial plan of 17984 modifying Cornwallis plan of 1793. 1795 and 1796 of Sir John Shore.
- Lord Wellesely known as Akbar of British regime, judicial plan of 1797, 1799, 1801, 1803, judicial plans of lord Minto 1808, 1810, 1812 and Lord Hesting's plan of 1814.
- Lord William Bentinck (1828-1835), judicial plan of 1829 and 1831
- Lord Charles Metcalfe, Lord Auckland, Lord Ellen Bourough, Lord Henery Harding, Lord Dalhousie and Lord Canning.
- Political history during Lord Nortbook, Lord Ripon, Lord Dufferin and others till C R Rajgopalachari (in 1948)
- Mountbatten 1947 Court Structure)

Unit-IV

- History of Higher Court structures – High Courts Act 1861, Indian High courts Act 1911, Government of India Act 1935, Federal Court 1937-1950, Privy Council 1726-1949), Supreme Court of India under 1950 Constitution.
- History of Penal Law in India
- Development of Principles of Justice, Equity, and Good Conscience
- History of Racial Discrimination
- History of Legal Education
- History of Legal Profession

Unit - V

- Growth and development of the legislature – Charter of 1726, Regulating Act 1773, British Parliamentary Act 1797, Charter Act 1813, 1833, 1853 and 1858.
- Government of India Act 1909, 1919 and 1935

- Codification of laws in India Since 1833
- History of Law Reports
- History of Writs
- Constitution in Making; Documents
- Amendments to Indian Constitution

Course Outcome: It helps the students to know about the History of the Constitution of India. It enhances the knowledge of the students by making them aware about the Law Reports and its history. The Court structure, judicial systems and the role of Governor general in the administration of justice built the encouragement and strength within the student to rule . it also helps the students to understand the features of good ruler. It also helps the students to know about the justice, equity and good conscience.

Recommended reading

Textbook –

‘History of Courts and legislatures’ by Prof. G. P. Tripathi, published by Central Law publication, Allahabad

Reference book –

M P Jain ‘Legal history’

11. POLITICAL SCIENCE II (CONSTITUTIONAL GOVERNANCE)

Course Objectives: This paper focuses on understanding of theories of liberalism and Marxism. It traced the viewpoints of development. It also traced the movement for freedom and ways thereof, principle organ of concepts and approaches of political science.

Unit-1---Ideology: Concept of Ideology

- Liberalism
- Marxism.

Unit-2 ----Democracy: Meaning & Theories

- Liberal
- Elitist
- Pluralist
- Marxist

Unit-3--- Development: Meaning& Views on Development:

- Sustainable Development
- Human Development
- Gandhian view on Development

Unit-4---Moral Values in Politics

- Non-Violence
- Swaraj

Unit 5--Concept and Approaches to the study of Political Science---

- Politics & Political Science
- Philosophical approach
- Legal-Institutional approach
- Behavioural & Post-Behavioural approach

Course Outcome: The present course is based on the concepts, ideology and approaches of political

science. It helps the students to know about the behavioural approaches in political science. It helps the students to know about the human developments and the ways of freedom fight.

Recommended reading

Textbooks -

1. S.P. Verma – Modern Political Theory
2. H. Finer – The Theory and Practice of Modern Government
3. K.C. Wheare – Federal Government
4. Brecht – Political Theory

Reference Books:

Dunning – History of Political Thought
F.W.Coker – Recent Political Thought
H.J. Lakshi – The State in Theory and Practice
R.G. Gettell – History of Political Thought
Karl Loewenstein – Political Power and the Government Process

12. PROFESSIONAL ETHICS, ACCOUNTANCY FOR LAWYERS & BAR-BENCH RELATIONS

Course Objectives: To improve the proficiency of skills in the field of law. To add values in to the legal education of the students. To enhance the skill to understand the bench bar relationship.

This paper shall consist of four parts, Part A- professional ethics, Part B- accountancy for Lawyers, Part C – Bar- Bench relations, Part D – Viva-voce.

(A) Theory paper – maximum 40 marks

Course content for theory paper

There shall be only one theory paper which shall consist of three parts A, B and C. The paper setter is at liberty to choose his own format for setting theory paper in this subject. The effort shall however be made that all the three parts A, B and C are covered in theory paper.

A. Course content of the theory paper on Professional ethics –

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

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

Contempt of Court Act, 1972, Advocates Act and Bar Council Rules.

B. Course content of the theory paper Accountancy for Lawyers

Need for maintenance of accounts- Books of accounts that need to be maintained- Cash Book, journal and ledger

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

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

C: Course content of the theory paper Bar Bench relations

Bar-Bench Relations-Meaning, necessity, nature and scope

Selected opinions of the Bar council of India

1. DC Appeal No. 16/93 1998 (Vol.1) IBR 135
2. BCI Tr. Case No.40/91 1998 (Vol.1) IBR139
3. DC Appeal No. 8/94 1998 (Vol. 1) IBR 153
4. DC Appeal No. 20/94 1997 (Vol. 3 &4) IBR 193
5. BCI Tr. Case No. 76/95 1997 (Vol. 3 &4) IBR 201
6. DC Appeal No.43/96 1997 (Vol. 3 &4) IBR 207
7. DC Appeal No.18/91 1997 (Vol. 1 & 2) IBR 271
8. DC Appeal No.24/90 1996 (Vol.1) IBR 135
9. DC Appeal No.19/93 1996 (Vol.1) IBR 152
10. BCI Tr. Case No.104/90 1996 (Vol.1) IBR 155
11. BCI Tr. Case No.52/89 1994 (Vol.1) IBR 187
12. BCI Tr. Case No.127/88 1992 (Vol. 3 &4) IBR 125
13. BCI Tr. Case No.39/87 1992 (Vol. 3 &4) IBR 147
14. BCI Tr. Case No.39/89 1992 (Vol. 3 &4) IBR 149
15. BCI Tr. Case No.16/88 1989 (Vol.1) IBR 99
16. BCI Tr. Case No.2/88 1989 (Vol.1) IBR 102

(B) Practical examinations – maximum marks 60

(A) Professional ethics (practical) 15 marks maximum

The students are expected to read the following decisions on professional ethics and prepare a note of these decisions and be ready for presentations/ memorials.

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

(B) Accountancy for Lawyers (practical) – 15 marks maximum

This course is based on the syllabus provided for Advocate On Record examinations in Supreme Court of India. The practical of this paper consists of works of training under some accountants, ledger preparation and book binding and book keeping. The students are to prepare diary of work done during training under some accountant which shall be evaluated in viva voce.

(C) Bar bench relations - 15 marks maximum

Project/court diary report of the student, minimum one civil, one criminal and one writ petition of the case actually seen in the court have to be submitted

(D) Part D: Viva voce (15 marks)

Based on practical work done on A, B, C

Course Outcome: The students are expected to work on the line of professional ethics and for law school to arrange and improve the knowledge of students by introducing value added programmes for the enhancements of accountancy and proficiency of student as a lawyer. Involvement of the external in the process of part D helps to groom the knowledge of students.

Recommended readings

Textbooks-S

KailashRai's Moot Court Advocacy and Bar Bench Relations

Reference books

Mr. Krishnamurthy Iyer's book on "Advocacy".

Bar Council of India Rules

S.N	Course Codes	Semester III	Lecture	Tutorials	Practical	32 Credit
1.	BAL/ 301	Jurisprudence II	4	1		5 credits
2.	BAL/ 302	Contract II	4	1		5 credits
3.	BAL/ 303	Constitutional Law II	4	1		5 credits
4.	BAL/ 304	Indian Penal Code	4	1		5 credits
5.	BAL/ 305	Equity and Trust	4	1		5 credits
6.	BAL/ 306	Economics I	4	1		5 credits
7.	BAL/ 307	Internship			2	2 credits

12. JURISPRUDENCE II

Course Objective: To enhance the knowledge of jurisprudence. To make clear the legally recognised and approved concepts of law. To updated about the recent upcoming from the jurisprudential point of view.

Unit I Person and Legal person

- Legal Status of Persons
- Person - Definition and Nature of Personality - Legal Status of Unborn Children, Minor, Lunatic, Drunken, and Dead Persons - Legal Status of Animals – Legal Persons - Legal Personality of State - Status of Corporate Personality – Theories of Corporate Personality.

Unit II Recent upcoming in Jurisprudential Standpoints

- Social Institutions like Marriage, Live-in-relationships, Gay Marriages, Monogamy, Polygamy, Polyandry and Marital relationships among Adivasis of Chhattisgarh and Khap Dictates and Law
- Domestic Relationship – From undivided -Joint Hindu Family – Joint Family – Single Family – Single Parent Family , Position, Status and Property Rights of Married Women, Un-wed Mothers, Unmarried Girls and widows
- Vedism and transcendentalism
- God- a juristic concept
- Oaths prescribed in third Schedule of the Indian Constitution

Unit IV Rights and Duties

Nature & Characteristics - Theories of Rights - Kinds of Legal Rights - Hohfeld's Analysis of Legal Rights – Duties – Nature & Characteristics – Classification of Duties - Correlation of Rights and Duties - Cognate concepts like Liberty, Power, Immunity, Privilege etc.

Unit V Possession and Ownership

- Concept of Ownership in Muslim Law
- Concept of Possession in Muslim Law
- Social Institutions like Nikah, Live-in-relationships, Gay Marriages, Monogamy, Polygamy, Polyandry
- Domestic Relationship – Contribution of Islam in Establishing the feeling of World Family through concept of Fraternity - Position, Status and Property Rights of Married Women, Unmarried Girls and widows

Unit VI Obligation and Liability

- Definition and Nature of Obligation
- Sources of Obligation
- Liability - Definition and Nature Kinds of Liability
- Theories of Liability - General Conditions of Liability
- Theories of Punishment - Retributive
- Theory - Deterrent Theory
- Expiatory Theory
- Reformatory Theory
- Rehabilitative Theory

Course Outcome: To enhance the legal knowledge through science of law is one of the most significant outcomes of Jurisprudence II. It also helps the students to know about the basic concepts of law which never changes and remain static in every law all over the world. It also stressed out the right duty co-relations. It works on the various legal theories on the right, duties, obligation, ownership and possession.

Recommended Reading

Textbook 'Indian Jurisprudence' by Dr. G P Tripathi, published by ALA, Faridabad, Haryana.

Salmond on jurisprudence

Dias on Jurisprudence

Reference Books

Friedman 'legal theory'

Stone jurisprudence

Original works by Austin, Savigny, Ihering, Kelsen and Pound

Friedman 'legal theory'

Stone jurisprudence

13. CONTRACT II (SPECIFIC CONTRACT)

Course Objectives: This course is the extension of basics of contract. It covers the special categories of contracts including Indemnity and Guarantee, Partnership, Sale of goods and Negotiable Instrument Act

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
- Hire purchase Act

Unit – II: Agency

- Definitions of Agent and Principal
- Essentials of relationship of agency
- Creation of agency: by agreement, ratification and law.
- Kinds of agents
- Relation of principal / agent, subagent and substituted agent
- Duties and rights of agent
- Termination of agency

Unit – III: Sale of Goods Act

- Introduction:
- Definition and essentials of sale, Define Goods and Different kinds of goods Difference between contract of sale and agreement to sell. Differentiate between hire-purchase and contract of sale.
- Implied conditions and Warranties in a contract of sale
- Transfer of property and Title:
- Transfer of property in Specific Goods, and Unascertained goods Transfer of title: Rule of Nemo det quod non habet, Exceptions of the rule
- Performance of Contract:
- Kinds of delivery, Rules regarding delivery.
- Rights of Unpaid Seller: Rights to LIEN, Right to stoppage in transit and right to resale
- Suits for breach of Contract

Unit – IV: The Indian Partnership Act, 1932

- Nature of partnership firm
- Relations of partners to one another and outsiders
 - i. Rights /Duties of partners inter se
 - ii. Partnership Property
 - iii. Relations of Partners to third parties
 - iv. Liability for holding out
 - v. Minor as a partner
- Incoming and outgoing partners
- Dissolution
 - i By consent,
 - ii By agreement,
 - iii compulsory dissolution,
 - iv contingent dissolution,
 - v By notice,
 - vi By Court.
 - vii Consequences of dissolution
 - viii Registration of firms and effects of non-registration

Unit V - Negotiable Instruments Act

- Definition and essentials of Negotiable Instruments

- Promissory note:
- Definition, Nature and Essentials of Promissory Note
- Bill of exchange: Definition and essentials of a bill of exchange. Bills in sets Distinction between Bill of exchange and Promissory Note
- Cheque: Definition and essentials of a cheque. Distinction between Cheque and Bill of exchange
- Negotiation: Endorsement and its kinds, Definition fo holder, and, holder in due course
- Holder in due course: Rights and privileges of a holder in due course of a negotiable instrument
- Payment in due course
- Parties to negotiable instruments and their liability.
- Modes of discharge from liability: payment cancellation, release, non-presentment, etc.
- Crossing of cheques
- Dishonour of cheques: Criminal liability of drawer for issuing cheques without funds
- Presentment: Presentment for payment
- Dishonour: Non acceptance, non-payment, Notice of dishonour
- Noting and protest
- Maturity of negotiable Instruments

Course Outcome: Specific contract is an extension of the law of contract I. Therefore, obviously it will help the students to enhance the skill in contract law. The specific contract makes aware the students about the specification exist in the bailment, pledge, indemnity, and guarantee. It extends the scope of the course by adding the law of agency, Sale of Goods Act 1930, The Indian Partnership Act 1932 etc. It also enhances the scope of understanding about the negotiable instruments.

Recommended reading

Textbooks-

‘Law of simple contracts’ by Prof. G. P. Tripathi, published by Allahabad Law Agency, Faridabad.

Reference book –

Doctrine of Frustration in Law of Contract, Dr. G P Tripathi, ALA, Faridabad, Haryana, 2013

D F Mulla revised by Dr. R G Padia

Dr. G C Cheshire and Fifoot ‘contract Act’

Anson ‘ Law of Contract’

Dr. Avtar Sing ‘ Law of Contract’

Bare Act Indian Contract Act Code (must for everybody)

14. CONSTITUTIONAL LAW- II

Course Objective: This course is voiced with aspect of knowing the perspectives of National Movements. To know all about constitution and constitutionalism. To know the authorities of state and central Government in the matter of governance. It also talk about the gross root level development. Also covers some cross cultural and social issues.

Unit-1

Constitutionalism, Rule of Law, Preamble, Introduction to Fundamental Rights and Directive Principles of State Policy

Unit-2

Doctrine of State Action (Art.12), Eclipse, Doctrine of Waiver, Doctrine of Severability (Art.13), Right to Constitutional Remedies (Arts.32, 226 &227).

Unit-3

Fundamental Rights- General (14, 17, 18, 20, 21, 22, 23, 24, 25-28).

Unit-4

Fundamental Rights of Citizens (Art.15, 16, 19, 29 & 30).

Unit-5

Directive Principles of State Policy

Unit-6

Fundamental Duties, Effect of Emergency on Fundamental Rights.

Course Outcome: It enhances the skill of students to upgrade and do regulate the interest of different groups, castes, communities, castes and religion. It also makes aware about the social, political and economic development of the country.

Recommended reading

Textbooks -

1. S.P. Verma – Modern Political Theory
2. H. Finer – The Theory and Practice of Modern Government
3. K.C. Wheare – Federal Government
4. Brecht – Political Theory

Reference Books:

Dunning – History of Political Thought
F.W.Coker – Recent Political Thought
H.J. Lakshi – The State in Theory and Practice
R.G. Gettell – History of Political Thought
Karl Loewenstein – Political Power and the Government Process

15. INDIAN PENAL CODE

Course objective: To understand the substantive aspect of criminal law. To Understand the general principles of criminal liability, group liability, its extension. To understand the nature of penology and criminology. To understand the aspects of punishment etc

Unit I

- Harm theory and relevance in criminal Law
- Pre-colonial notions of crime as reflected in Hindu, Muslim and tribal Law, Macaulay's concept of crime and criminal Law based essentially on British notions.
- acts or omissions as crimes
- State's responsibility to detect, control, prevent and punish crime.
- How to distinguish crime from non-crime
- General Principles of Crime; Concepts of Crime;
- Distinction between Crime and other wrongs under common Law – Crime and morality distinction.

- Criminology and penology
- IPC: a reflection of different social and moral values.
- Principles of criminal liability – Actus reus and mens rea (also statutory offences) and other maxims.
- Recent trends to fix liability without mens rea in certain socio-economic offences, Act in furtherance of guilty intent.
- Theories of punishment and sentencing pattern
- Social relevance of Capital Punishment - Alternatives to Capital Punishment - Discretion in awarding punishment and minimum punishment in respect of certain offences with relevance to precedents (judgments). Kinds and modes of punishments under IPC. Punishment, Sections 53 – 75

Unit II

- Extent of IPC- Territorial or Personal
- definitions under IPC Sections 6 – 33 and 39 – 52A
- General Exceptions: Sections 76 – 106
- Criminal act by several persons or group: Sections 34 – 38, 149
- Abetment: Sections 107 – 120
- Offences relating to obscenity 292-294
- Offences relating to religion: Section 295 – 298.
- Crimes against person
- Murder and culpable homicide and Euthanasia
- Offences affecting human life, causing miscarriage, injuries to unborn children - Exposure of infants, child trafficking and begging. POSCO
- Hurt, Grievous Hurt - Wrongful restraint - Wrongful confinement - Criminal force and Assault (Sections 299 – 358).
- Kidnapping, Abduction.
- Rape: custodial rape, marital rape. Prohibition of indecent representation of women -
- Unnatural offenses.

Unit III

Crimes against society and state

- Criminal Conspiracy: Sections 120A & 120B
- Offences against State: Sections 121 – 130;
Offences relating to document and property marks (Sections 463 – 480).
- Offences against the public tranquility: Sections 141 – 160; Offences relating to election: Sections 171A – 171; Contempt of Lawful authority and public servants: Sections 172 – 190;
- Social crimes, crimes against humanity and crimes against women and SC/ST, crimes against God
- Crimes against public health
- False evidence and offences against public trust: Sections 172 – 229; Offences relating to coins and Government Stamps: Sections 230 – 263A; Offences relating to weights and measures: Sections 260 – 294A;
- Crime against woman under IPC
- Insulting the modesty of woman
- Assault or criminal force with intent to outrage the modesty of woman

- Causing miscarriage without woman's consent; Causing death by causing miscarriage without woman's consent
- Kidnapping or abducting woman to compel her to marry or force her to illicit intercourse
- Buying a minor for purposes of prostitution
- Rape: Custodial rape, Marital rape
- Cruelty by husband or his relatives,

Unit IV

- Meaning Nature and kinds of Property
- Theft 378
- Punishment for theft 379
- Theft in dwelling house, etc 380
- Theft by clerk or servant of property in possession of master 381
- Theft after preparation made for causing death, hurt or restraint in order to the committing of the theft 382
- Extortion 383
- Punishment for extortion 384
- Putting person in fear of injury in order to commit extortion 385
- Extortion by putting a person in fear of death or grievous hurt to 386
- Putting person in fear of death or of grievous hurt, in order to
- commit extortion 387
- Extortion by threat of accusation of an offence punishable with death or imprisonment for life, etc 388
- Putting person in fear of accusation of offence, in order to commit extortion 389
- Meaning and nature of robbery
- Meaning and nature of dacoity
- Distinction between robbery and dacoity
- Robbery 390
- When theft is robbery
- When extortion is robbery 391 Dacoity
- Punishment for robbery 392
- Attempt to commit robbery 393
- Voluntarily causing hurt in committing robbery 394
- Punishment for dacoity 395
- Dacoity with murder 396
- Robbery, or dacoity, with attempt to cause death or grievous hurt 397
- Attempt to commit robbery or dacoity when armed with deadly weapon 398
- Making preparation to commit dacoity 399
- Punishment for belonging to gang of dacoits 400
- Punishment for belonging to gang of thieves 401
- Assembling for purpose of committing dacoity 402

Unit V Of Criminal Misappropriation of Property and Of Criminal Breach of Trust

- Dishonest misappropriation of property 403
- Dishonest misappropriation of property possessed by deceased person at the time of his death 404
- Criminal breach of trust 405
- Punishment for criminal breach of trust 406
- Criminal breach of trust by carrier, etc 407
- Criminal breach of trust by clerk or servant 408
- Criminal breach of trust by public servant, or by banker, merchant or agent Of the Receiving of Stolen Property 409
- Stolen Property 410
- Dishonestly receiving stolen property 411
- Dishonestly receiving property stolen in the commission of a dacoity 412
- Habitually dealing in stolen property 413
- Assisting in concealment of stolen property 414
- Cheating 415
- Cheating by personation 416
- Punishment for cheating 417
- Cheating with knowledge that wrongful loss may ensue to person whose interest offender is bound to protect 418
- Punishment for cheating by personation 419
- Cheating and dishonestly inducing delivery of property 420
- Dishonest or fraudulent removal or concealment of property to prevent distribution among creditors 421
- Dishonestly or fraudulently preventing debt being available for creditors 422
- Dishonest or fraudulent execution of deed of transfer containing false statement of consideration 423
- Dishonest or fraudulent removal or concealment of property. 424
- Mischief 425
- Punishment for mischief 426
- Mischief causing damage to the amount of fifty rupees 427
- Mischief by killing or maiming animal of the value of ten rupees 428
- Mischief by killing or maiming cattle, etc, of any value or any animal of the value of fifty rupees 429
- Mischief by injury to works of irrigation or by wrongfully diverting water .430
- Mischief by injury to public road, bridge, river or channel 431
- Mischief by causing inundation or obstruction to public drainage attended with damage 432
- Mischief by destroying, moving or rendering less useful a light-house or sea-mark 433
- Mischief by destroying or moving, etc, a land-mark fixed by public authority
- Mischief by fire or explosive substance with intent to cause damage to amount of one hundred or (in case of agricultural produce) ten rupees 434
- Mischief by fire or explosive substance with intent to destroy house, etc 436
- Mischief with intent to destroy or make unsafe a decked vessel or one of twenty tons burden 437

- Punishment for the mischief described in section 437 committed by fire or explosive substance 438
- Punishment for intentionally running vessel aground or ashore with intent to commit theft, etc 439
- Mischief committed after preparation made for causing death or hurt 440
- Criminal Trespass and Housebreaking
- Offences relating to reputation and defamation

Course Outcome: The course is designed in such a way that, a student can understand the meaning, nature and scope of offences. Specially offences against human body and property. The offence of defamation, crime against modesty and many more other nature of offences.

Recommended reading/ Textbook –

S N Mishra ‘Indian Penal Code’ Central Law Publications, Allahabad
 Dr. K D Gaur ‘Criminal Law’
 RatanLal ‘Indian Penal Code’
 Bare Act Indian Penal Code 1860 (must for everybody)

Reference book –

Bare Act Prohibition of indecent representation of women Act 1986
 Bare Act criminal Law amendment Act 2013
 Bare Act Protection of children from sexual offences Act.
 Bare Act Indecent representation of Woman Act
 Bare Act Dowry prohibition Act 1961
 Bare Act Prevention of Immoral Traffic Act.1986.
 Bare Act the Medical termination of Pregnancy Act 1973 with amendment 2002.

16. EQUITY AND TRUST

Course objective: The objective is to study the concept of equity and trust.

UNIT-I Concept of Equity Definition, Nature and origin of equity, Equity as a Court of conscience, transformation of equity, the relation between common law and equity, Judicature Acts of 1873 and 1875, the nature of equitable rights, classification of equitable rights

UNIT-II Equitable doctrines: Conversion and reconversion, election, performance and satisfaction; The Maxims of equity – Equity will not suffer a wrong to be without a remedy; Equity follows the law; where equities are equal, the law shall prevail; where equities are equal, first in time shall prevail.

UNIT-III He who seeks equity must do equity; He who comes to equity must come with clean hands; Delay defeats equity; equality is equity; equity looks to the intent rather than to the form; equity looks on that as done which ought to have been done; equity imputes an insertion to fulfil an obligation; equity acts in personam

UNIT-IV The Indian Trust Act 1882: Definition (sec 3); Creation of Trusts Rules (sections 4-10); Duties and Liabilities of the Trustees (Sections 11-30); Public and private Trusts and Doctrine of Cyprus. Rights and powers of Trustees (Sections 31-45); Disabilities of Trustees (Sections 46-54); rights and Liabilities of Beneficiaries (Sections 55-69); Vacating the office of Trustee and Extinction of Trusts (sections 70-79).

Course outcome: It enables student to understand use of clause justice, equity and good conscious in our legal system. It gives a better understanding how the concept of common law evolved in India legal System.

Suggested Readings:

- Singh G.P. Principles of Equity with special reference to trust and specific relief.
- Tandon M.P. Principles of Equity with trusts and Specific Relief.
- Basu, D.D. Equity, Trusts and Specific Relief.
- Snell; Principles of Equity.
- B.M. Gandhi Equity, Trust and specific Relief.

17. ECONOMICS I (FUNDAMENTALS OF ECONOMICS)

Course Objective: The objective of this course is to provide broad understanding of basic concepts of economics and understanding of relationship between economics and law.

Unit-I

- General Economics Basics of Economics History of eco thoughts theories of eco thoughts Economics of social sector development

Unit-II

- Micro-economics : (a) Production : Agents of Production; Costs and supply; Isoquants (b) Consumption and Demand ; Elasticity concept (c) Market Structure and concept of Distribution (f) Elementary concept of Welfare economics; Pareto optimality Private and social products-consumers surplus capital inter market and development

Unit- III

- Micro-economics : (a) National income concept; (b) Determinants of National Income Employment (c) Determinants of consumption saving and investment (d) Rate of interest and its determination (e) interest and profit advance micro Eco.

Unit- IV

- Financial Economics Money, Banking and public Finance (a) Concepts of Money and Measures of money supply; velocity of money (b) Banks and credit creation : Banks and portfolio management (c) Central Bank and control over money supply (d) Determination of the price level. 9e) Inflation, its causes and remedies (f) Public, Finance-Budgets Taxes and non-tax revenues – Type of Budget deficits.

Unit- V

- International Economics : (a) Theories of International Trade – comparative costs-Huckster-Ohlin-Gains from Trade-Terms of Trade (b) Free Trade and Protection (c) Balance of Payments accounts and Adjustment. (d) Exchange rate under free exchange

markets. (e) Evolution of the International Monetary System and World Trading order-Gold Standard-the Bretton woods System.

- IMF and the World Bank and their associates
- Floating rates – GATT and WTO
- Growth and Development : (a) Meaning and measurement of Growth distribution and Welfare; (b) Characteristics of underdevelopment; (c) Stages of Development; (d) Source of growth-capital population, productivity, Trade and aid non-economics factors; growth Strategies, (e) Planning in a mixed economy-indicative planning-Planning and growth
- Economic Statistics: Types of averages-measures of dispersion-correlation-index number; type's uses and limitations.
- Public Economics

Course Outcome: Present course chalk out the study to understand the theories of international trade. It introduces to the students about GATT and WTO. It helps the students to know about the welfare and developmental strategies and policies. It touches the aspects of micro- economics and help the students to understand the other basics of economics

Reference Books:

1. Dewett K.K- Modern Economic Theory.
2. Paul A, Samuelson- Economics
3. Gopalkrishnan K.C.-Economics for Law Students
4. Stonier and Hague- A Text Book of Economic Theory
5. Lerner A. P.-Micro Economic Theory
6. Sankaran S.- Economic Analysis.
7. Seth M. L.-Principles of Economics.
8. Anderson W.H . Locke, Ann Putallaz and William G. Shepherd{1983} Economics,{ Prentice Hall, New Jerse }

S.N	Course Codes	Semester IV	Lecture	Tutorials	Practical	32 Credit
1.	BAL/ 401	Administrative Law	4	1		5 credits
2.	BAL/ 402	Law of Property	4	1		5 credits
3.	BAL/ 403	Law of Evidence	4	1		5 credits
4.	BAL/ 404	Criminal Procedure Code	4	1		5 credits
5.	BAL/ 405	Family Law I	4	1		5 credits
6.	BAL/ 406	Economics II	4	1		5 credits
7.	BAL/407	Internship			2	2 credits

18. ADMINISTRATIVE LAW

Course Objectives: To understand the nature and scope of administrative law. To know about the delegated legislation. To know about the principle of natural justice.

UNIT I

- Nature and Scope of Administrative Law
- Rule of Law
- Separation of Powers
- Difference between Public Law and Private Law
- Evolution and Significance of Administrative Law in various forms of Government
- From Laissez Faire to a Social Welfare State
- Classification of Administrative Action
- Administrative Direction and Discretion
- Administrative Authorities – Government and Departmental Authorities – Statutory
- Authorities – Other Authorities under Article 12

UNIT II

- Delegated legislation, nature and importance in the present day administration
- Legislative Power of Administration and its Necessity
- Extent of Delegation and Control over Delegated Legislation
- Ultra Vires
- Sub-Delegation
- Judicial and Parliamentary Control over Delegated Legislation

UNIT III

- Principles of Natural Justice
- Judicial Power of Administration
- Nature of Procedure
- Due Process in the US – Principles
- Effect of non-compliance with principles of Natural Justice
- Exceptions to the Principles of Natural Justice
- Doctrine of Bias

UNIT IV

- Judicial Control of Administrative Action
- Writs, Principles and Procedures
- Public Interest Litigation
- Administrative Finality and Exclusion of Jurisdiction of the Court
- Public Law Review and Private Law Review of Administrative Action
- Liability of State – Torts, Contracts, Promissory Estoppel
- Governmental Privileges
- Right to Information
- Doctrine of Legitimate Expectation
- Doctrine of Accountability
- Waiver
- Doctrine of Proportionality
- Doctrine of Pleasure

UNIT V

- Corporations and Public Undertaking
- Commission of Enquiry

- Ombudsman – Concept – In India
- Central Vigilance Commission
- Parliamentary Committees
- Civil Service in India - Accountability and Responsibility - Problems and Perspectives
- Administrative Deviance – Corruption – Maladministration
- Control Mechanism of Accountability

Course Outcome: Administrative law is one of the most significant phases in legal education. It not only helps the student to work and understand the scope of administrative law but also make them enable to work where there is no law. The broad scope of the subject and attachment with the constitutional mechanism enhance the values of students. Understanding legitimate expectations, , accountability and pleasure is the expected outcome of the subject.

19. LAW OF PROPERTY

Course Objective: To know about the law of property. To know about the law of Equity.
To Know about the law of Trust.

Unit I Introduction

- Transfer of property Act 1882
- Specialties of the 1882 Act
- Reality, real estate market and property dealing
- Marketing and corporate property
- Capital market, money market, call money markets, treasury bill market and non-banking finance companies and developmental financial institutions.
- Concept and Meaning of Property
- Kinds of Property
- Right to property and the Constitution (Article 300A)
- Statutory Enactments on Property
- Definitions (S. 1-4) , TPA, 1882 - immovable property, Standing Timber, Notice, Actionable Claim, Attestation, Things attached to earth
- Transfer of Property
- Concept of Transfer of Property – Section 5
- Exceptions to transferability – spessuccessionis
- Operation of transfer
- Oral transfers
- Persons Competent to Transfer
- Conditions restraining alienation (section 101)
- Conditions on mode of enjoyment (section 11)
- Transfer to unborn (section 13)
- Rule against perpetuity (section 14 and 18)

Unit II

- Transfer to class 15, 16, 17
- Conditional transfers

- Condition precedents – section 25, 26, 29
- Conditions restraining alienations
- Restrictions repugnant to interest created
- Conditions making interest determinable on insolvency or attempted transfers
- Condition subsequent – sections 28, 29, 31
- Collateral conditions – sections 28
- Conditional limitations S 27
- Transfer to Unborn - S 13
- Rule against perpetuity – S 14
- Doctrine of Election and Apportionment (S. 35-37)
- Transfer of Interests (S. 13-20, 21-34)
- Vested Interests
- Contingent Interests
- Doctrine of Election S 35
- Apportionment S 36, 37
- Transfer of Immovable Property
- Sections 48-53A

Unit III - Mortgages

- Definition of Mortgage
- Types of Mortgage
- General Consideration in relation to Mortgages
- Rights of Mortgagees
- Rights of Mortgagor
- Charges
- Merger
- Different Kinds of Tenancies
- Rights and Liabilities of Lessor and Lessee
- Duties of Lessor and Lessee
- Determination of Lease
- Statutory leases
- Holding out
- Sales
- Definition of Sale
- Parties to Sale, Passing of ownership
- Disclosures, Title Deeds
- Discharge of encumbrances, Payment of Price
- Remedies before and after Conveyance
- Unpaid Vendor's Charge, encumbrances and Court Sales

Unit IV - Gifts, Exchange and Actionable Claims

- Definition of Gift and Kinds (Conditional Gift, Onerous Gift)
- Concept of Exchange
- Definition of Actionable Claims

Unit V - Indian Easement Act and Indian Trust Act 1882

- Easement in general
- Imposition and transfer of easements
- Incident of easements
- Distribution of easements

- Extinction, suspension and revival of easements
- Licenses and related Sections of Indian Easements Act
- Creation of Trust
- Rights, Powers, Duties and Liabilities of Trustee
- The Extinction of Trust
- Certain obligations in the nature of Trust

Course Outcome: Students will get acquainted with the proprietary rights of an individual. It helps the students to know about the various proprietary transactions and law thereon. To assist the students to know the law relating to trust and equity.

Recommended reading

Textbook –

‘Transfer of Property Act’ by Prof. G. P. Tripathi, published by Central Law Publications, Allahabad
 Bare Act Transfer of Property Act 1882 (must read for everyone) \ D F Mulla ‘Transfer of Property Act’

Recommended reading

Textbook - ‘Transfer of Property Act’ by Prof. G. P. Tripathi, published by Central Law Publications, Allahabad

Indian Easement Act by Prof. GP tripathi published by Allahabad Law Agency, Faridabad
 Bare Act Transfer of Property Act 1882, Indian Easement Act (**must read for everyone**)

Reference Book – D F Mulla ‘Transfer of Property Act’

20. LAW OF EVIDENCE

Course Objective: To know about the procedural law within the court. To know the extension of the law of evidence. To understand the order of examination. To know the basic concepts and rules relating to evidence.

Unit-I: Introductory

- The main features of the Indian Evidence Act 1861.
- Other acts which deal with evidence (special reference to CPC, Cr.P.C.)
- Problem of applicability of Evidence Act to;
 - Administrative
 - Administrative Tribunals
 - Industrial Tribunals
 - Commissions of Enquiry
 - Court-martial
 - Disciplinary authorities in educational institutions
- Central Conceptions in Law of Evidence
- Facts : section 3 definition: distinction -relevant facts/facts in issue
- Evidence: oral and documentary.
- Circumstantial evidence and direct evidence
- Presumption (Section 4)
- ‘Proved’ not ‘proved’ ‘disproved’
- Witness Protection Law
- Appreciation of evidence

Unit-II Facts: relevancy

- The Doctrine of res gestae (Section 6,7,8,9)
- Evidence of common intention (Section 10)
- The problems of relevancy of "Otherwise" irrelevant facts (Section 11)
- Relevant facts for proof of custom (Section 13)
- Facts concerning bodies & mental state (Section 14, 15)
- Admissions and confessions
- General principles concerning admission (Section 17, 23)
- Differences between "admission" and "confession"
- The problems of non-admissibility of confessions caused by "any inducement, threat or promise" (Section 24)
- Inadmissibility of confession made before a police officer (Section 25)
- Admissibility of custodial confessions (Section 26)
- Admissibility of "information" received from accused person in custody; with special reference to the problem of discovery based on "joint statement" (Section 27)
- Confession by co-accused (Section 30)
- The problems with the judicial action based on a "retracted confession"

Unit-III

Dying Declarations

- The justification for relevance on dying declarations (Section 32)
- The judicial standards for appreciation of evidentiary value of dying declarations. Other Statements by Persons who cannot be called as Witnesses
- Dying disposition
- Difference in dying declaration and dying disposition
- General principles.
- Special problems concerning violation of women's rights in marriage in the Law of evidence

Unit-IV

Relevance of Judgments

- General principles
- Admissibility of judgments in civil and criminal matters (Section 43)
- "Fraud" and "Collusion" (Section 44)

Expert Testimony

- General principles
- Who is an expert? : types of expert evidence
- Opinion on relationship especially proof of marriage (Section 50)
- The problems of judicial defence to expert testimony.

Unit-V

Oral and Documentary Evidence

- General principles concerning oral evidence (Sections 59-60)
- General principles concerning Documentary Evidence (Sections 67-90)
- General Principles Regarding Exclusion of Oral by Documentary Evidence
- Special problems: re-hearing evidence
- Estoppels (section 115)
- Tenancy estoppel (Section 116) Witnesses, Examination and Cross Examination
- Competency to testify (Section 118)
- State privilege (Section 123)

- Professional privilege (Section 126, 127, 128)
- Approver testimony and Accomplice evidence (Section 133)
- General principles of examination and cross examination (Section 135-166)
- Leading questions (Section 141-143)
- Lawful questions in cross-examination (Section 146)
- Compulsion to answer questions put to witness
- Hostile witness (Section 154)
- Impeaching of the standing or credit of witness (Section 155) Burden of Proof
- The general conception of onus probandi (Section 101)
- General and special exceptions to onus probandi
- The justification of presumption and of the doctrine of judicial notice
- Justification as to presumptions as to certain offences (Section 111A)
- Presumption as to dowry death (Section 113-B)
- The scope of the doctrine of judicial notice (Section 114) Estoppel
- Why estoppel? The rationale (Section 115)
- Estoppel, res judicata and waiver and presumption
- Estoppel by deed
- Estoppel by conduct
- Equitable and promissory estoppel
- Questions of corroboration (Section 156-157)
- Improper admission and of witness in civil and criminal cases.

Course Outcome: Present course assist the students to attain the highest sense of law and its technicalities. It assures the student about the legal aspect of examination of witness. It helps the students to depict the nature, scope and meaning of evidence. The shifting of liabilities as the nature of trials and its change is one of the outcome of the law of evidence. It helps the students to know what facts are relevant and what facts are not relevant. Similarly, it helps the students to know the rules as to admissibility of evidence.

Recommended reading

Textbook –Ratanlal and Dhirajlal ‘Evidence Act’

Bare Act Indian Evidence Act (must read for students)

Reference book

Phipson on Evidence Law Muhammad Munir on Evidence

21. CRIMINAL PROCEDURE CODE

Course Objectives: To know about the procedural aspects of investigation, inquiry and trials. To know about the rights of arrested person. To know about the steps to ensure the presence of accused person in the court of law. To know about the law of juvenile delinquent and law on probation.

UNIT-I

Introductory

- The rationale of criminal procedure: the importance of fair trial.
- Constitutional perspectives: Articles 14, 20 & 21.
- The variety of criminal procedures (the class should examine, in particular the procedure for trial of special offences, especially, offences under the Prevention of Corruption Act and Narcotic Drugs and Psychotropic Substances Act)

- The organisation of police, prosecutor, defence counsel and prison authorities and their duties, functions and powers.
- Pre-trial process : arrest
- The distinction between cognisable and non-cognisable offences: relevance and adequacy problems.
- Steps to ensure accused's presence at trial : warrant and summons.
- Arrest with and without warrant (Section 70-73 and 41).
- The absconder status (Section 82, 83, 84 and 85)
- Right of the arrested person
- Right to know grounds of arrest (Section 50(1), 55, 75).
- Right to be taken to magistrate without delay (Section 56, 57).
- Right of not being detained for more than twenty-four hours (section 57): 2.9 Article 22(2) of the Constitution of India.
- Right to consult legal practitioner, legal aid and the right to be told of rights to bail
- Right to be examined by a medical practitioner (Section 54).
- Pre-trial process: Search and Seizure
- Search warrant (Section 83, 94, 97, 98) and searches without warrant (Section 103)
- Police search during investigation (Section 165, 166, 153)
- General principles of search (section 100), Seizure (Section 102)
- Constitutional aspects of validity of search and seizure proceedings

UNIT-II

- Pre-trial Process: FIR
- F.I.R. (section 154)
- Evidentiary value of F.I.R. (See Sections 145 and 157 of Evidence Act)
- Pre-trial Process: Magisterial Powers to Take Cognizance
- Trial Process
- Commencement of proceedings: (Section 200, 201, 202)
- Complaint (section 190)
- Dismissal of complaints (Section 190, 200, 202, 203, 204)
- Bail: concept, purpose : constitutional overtones
- Bailable and Non- Bailable offences (Section 436, 437, 439)
- Cancellation of bail (Section 437 (5))
- Anticipatory bail (Section 438)
- Appellate bail powers (Section 389(1), 395 (1), 437(5))
- General principles concerning bond (Sections 441-450)

UNIT-III

- Fair Trial
- Conception of fair trial
- Presumption of innocence.
- Venue of trial.
- Right of the accused to know the accusation (Section 221-224)
- The right must generally be held in the accused's presence (Section 221-224)
- Right of cross -examination and offering evidence in defence: the accused's statement
- Right to speedy trial
- Charge
- Framing of charge

- Form and content of charge (Section 211, 212, 216)
- Separate charges for distinct offence (Section 218, 219, 220,221,223)
- Discharge - pre-charge evidence
- Plea Bargaining
- Preliminary pleas to bar the trial
- Jurisdiction (Section 26, 177-188, 461,462,479)
- Time limitations: rationale and scope (section 468-473)
- Pleas of autrefois acquit and autrefois convict (Section 300, 22D)
- Issue-Estoppel
- Compounding of offences

UNIT-IV

- Trial Before a Court of Sessions: Procedural Steps and Substantive Rights Judgment
- Form and content (Section 354)
- Summary trial
- Post-conviction orders in lieu of punishment: emerging penal policy (Section 360,361, 31)
- Compensation and cost (Section 357, 357-A, 358)
- Modes of providing judgement (Section 353, 362, 363)
- Appeal, Review, Revision
 - No appeal in certain cases (Section 372, 375, 376)
 - The rationale of appeals, review, revision.
 - The multiple range of appellate remedies:
 - Supreme Court of India (Sections 374, 379, Articles 31, 132,134,136)
 - High Court (Section 374)
 - Sessions court (Section 374)
 - Special right to appeal (Section 380)
 - Governmental appeal against sentencing (Section 377, 378)
 - Judicial power in disposal of appeals (Section 368)
 - Legal aid in appeals.
 - Revisional jurisdiction (Sections 397-405)
 - Transfer of cases (Section 406, 407)

UNIT-V

Juvenile delinquency J.J. Act

- Nature and magnitude of the problem
- Not a criminal trial
- Causes
- Juvenile court system
- Treatment and rehabilitation of juveniles
- Juveniles and adult crime
- Legislative and judicial protection of juvenile offender
- Juvenile Justice Act 1988

Probation

- Probation of offenders Law
- The judicial attitude

- Mechanism of probation : standards of probation services.
- Problems and prospects of probation
- The suspended sentence
- Reform of criminal procedure

Course Outcome: Students will get an opportunity to know the procedural aspects of legal practice in criminal side. It will help the students to make aware about the rights of accused person, the powers of police to arrest and investigation. Student will surely acquainted with the distinctions of offences and the effect thereof on the trials. It assist the students to understand the magnitude of juvenile justice and probation of offenders.

Recommended Reading

Textbook –

Prof. S N Mishra ‘Criminal Procedure Code’, Central Law Publications Allahabad

Bare Act Criminal Procedure Code (**must read for students**)

Reference book – D F Mulla ‘Criminal procedure Code’

22. FAMILY LAW (HINDU LAW)

Course Objectives: To understand various sources of ancient Hindu Law. To understand principles that governs Hindu society and its effect in Current Legal System

Unit I

Hindu Marriage Act, 1955 and Special Marriage Act 1954

- Who is Hindu?
- Schools and Sources of Hindu Law
- The Hindu Marriage Act, 1955
 - (a) Applicability of legislation (section 2)
 - (b) Concept and forms of marriage
 - (c) Conditions for the validity of marriage (sections 3 and 5)
 - (d) Solemnisation of marriage (section 7)
 - (e) Registration of Marriage (section 8)
 - (f) Void and Voidable marriages (sections 11 and 12)
- Restitution of Conjugal Rights (Section 9)
- Judicial Separation [sections 10 and 13 (IA)]
- Divorce [sections 13(1), (2), 13(1A), 13A, 13B]
 - (a) Theories of Divorce
 - (b) Grounds of Divorce with particular emphasis on Cruelty, Desertion, Option of Puberty, Breakdown of Marriage, Mutual Consent, Irretrievable Breakdown of Marriage (Seventy-first Report of Law Commission of India)

Unit II Hindu Law of Joint Family

- Joint Hindu Family and Hindu Coparcenary
 - (a) Concept of joint Hindu family and coparcenary under Mitakshara and Dayabhaga law and their incidents.
 - (b) Judicial and Legislative Trends
- Property in Hindu Law - Kinds and Sources of property: Coparcenary and separate property, Gift from paternal ancestor and property inherited from maternal ancestor.
- Karta
 - (a) Who can be a karta

- (b) Position of a karta
- (c) Powers, duties and liabilities of karta
- Alienation of Joint Hindu Family Property
 - (a) Alienation by karta - sale, mortgage, gifts and wills
 - (b) Alienation by father
 - (c) Alienee's rights duties and remedies
 - (d) Pious obligations of the son
- Partition
 - (a) What is partition
 - (b) Subject matter of partition
 - (c) Partition how effected
 - (d) Persons who have a right to claim partition and who are entitled to a share
 - (e) Rules relating to division of property

Unit III

- The Hindu Succession Act, 1956
 - (a) General introduction and the application of the Hindu Succession Act, 1956
 - (b) Devolution of Mitakshara property under the Act: General principles of inheritance; Disqualifications of heirs
- Succession to the Property of Female Intestate
 - (a) Hindu women's estate
 - (b) Law relating to inheritance
- Indian Succession Act 1925

Unit IV

Adoption and Maintenance

- Adoption
- The Hindu Adoptions and Maintenance Act, 1956
- Ceremonies
- Capability
- Effect
- Maintenance
- The Hindu Marriage Act, 1955, sections 24 and 25
- The Hindu Adoptions and Maintenance Act, 1956, section 18
- The Criminal Procedure Code, 1973, section 125
- Juvenile Justice Act 2002 and Juvenile Justice rules 2005

Unit V

Minority and Guardianship

- Guardians and Wards Act 1890
- The Hindu Minority and Guardianship Act, 1956
- Guardianship – Meaning
- Kinds of Guardianship
- Right, obligations and disqualification of guardian
- Guardianship under Muslim Law
- Entitlement to guardianship
- Rights, obligations and disqualification of a guardian

Course Outcome: It makes Student to understand the concept behind implementing personal law in our society. It also helps student to understand our traditional customs that slowly took the force of Law.

Recommended reading

Textbook –

B N Mani ‘Hindu Law’

Reference books –

Derret ‘Modern Hindu Law’

D F Mulla ‘principles of Hindu law’

Dr. PriyaNathSen‘ Hindu Jurisprudence’ (TLL) published by Allahabad Law Agency, Faridabad.

Note – On Hindu law Tagore Law lectures are available since 1890. These lectures are of very high quality and students are expected to read all these attentively

23. ECONOMICS II (MAJOR PROBLEMS OF ECONOMICS)

Course Objective: To understand the major problems of economics. To know the nature and broad causes of problems of economics. To know the developmental perspectives from the point of view of economics.

UNIT-I

Main Features; Geographic size-Endowment of natural resources, Population size, composition quality and growth trend-Occupational distribution-Effect of British Rule with reference to Drain theory and Laissez Faire policy

UNIT-II

Major problems, their dimensions, nature and board causes; Mass poverty-Unemployment and its types-Economics effects of population pressure-Inequality and types thereof Low productivity and low per capital income Rural-Urban disparities Foreign Trade and payments imbalance, Balance of Payments and External Debt-inflation and parallel economy and its effects-Fiscal deficit

UNIT-III

Growth in income and employment since independence – Rate, Sectoral trends-Distributional changes- Regional disparities

UNIT-IV

Economics Planning in India : Major controversies on planning in India – Alternative strategies-goals and achievements, shortfalls of different plans-planning and the Market

UNIT-V

Board Fiscal, Monetary, Industrial trade and agriculture policies-objectives, rationale, constraints and effects.

Course Outcome: The students will get familiarity with the major problems in economics.

Reference Books:

1. Dewett K.K- Modern Economic Theory.
2. Paul A, Samuelson- Economics
3. Gopalkrishnan K.C.-Economics for Law Students
4. Stonier and Hague- A Text Book of Economic Theory
5. Lerner A. P.-Micro Economic Theory
6. Sankaran S.- Economic Analysis.
7. Seth M. L.-Principles of Economics.
8. Anderson W.H . Locke, Ann Putallaz and William G. Shepherd{1983} Economics,{Prentice Hall, New Jerse

S.N	Course Codes	Semester V	Lecture	Tutorials	Practical	30 Credit
1.	BAL/ 501	Civil Procedure code and Law of Limitation	4	1		5 credits
2.	BAL/ 502	Interpretation of Statutes	4	1		5 credits
3.	BAL/ 503	Clinical Paper III- Drafting, Pleading and Conveyancing	1	1	2	4 credits
4.	BAL/ 504	Optional Paper- I	3	1		4 credits
5.	BAL/ 505	Family Law II	4	1		5 credits
6.	BAL/ 506	Sociology I	4	1		5 credits
7.	BAL/507	Internship			2	2 credits

24. CIVIL PROCEDURE CODE AND LAW OF LIMITATION

Course Objectives: To know about the procedure of civil in nature. To understand the Easement and prescription. To know about the law of limitation.

UNIT-1 Introduction

- Concepts
- Definition Affidavit, order, judgment, decree, plaint, restitution, execution, decree-holder, judgment-debter, manse profits, written statement
- Distinction between decree and judgment and between decree and order Jurisdiction - Kinds
- Hierarchy of courts
- Suit of civil nature - scope and limits
- Res-subjudice
- Resjudicata

- Foreign judgment –
- Enforcement of foreign judgment
- Place of suing
- General rules Jurisdiction
- Institution of suit
- Parties to suit: joinder, mis-joinder or non-joinder of parties: representative suit.
- Frame of suit : cause of action
- Summons
- Stamp Act
- Suit valuation Act

UNIT-II

- Pleadings
- General rules of pleadings
- Signing and verification.
- Alternative pleadings
- Construction of pleadings
- Plaint
- Admission, return and rejection of plaints
- Written statement : particulars
- Set off and counter claim : distinction
- Discovery, inspection and production of documents.
- Interrogatories
- Privileged documents
- Appearance, examination and trial
- Summary trial
- attendance of witnesses

- Ex-parte proceedings
- Adjournments
- Interim orders and injunction
- Commission
- Arrest or attachment before judgment
- Appointment of receiver
- Interests and costs

UNIT-III

- Appeals
- Appeals from original decree
- First Appeals from appellate decree
- Second Appeals
- Appeals from orders
- Appeal is creature of statute
- General provisions relating to appeal
- Appeal to the Supreme Court
- Reference
- Review
- Revision

- Miscellaneous
- Transfer of cases
- Restitution
- Caveat
- Interpleader Suits
- Inherent powers of courts

UNIT-IV

- Suits in particular cases
- By or against government (ss.79-82)
- By aliens and by or against foreign rulers or ambassadors (ss.83-87A)
- Public nuisance (ss.91-93)
- Suits by or against firm
- Suits in forma pauperis
- Mortgages
- Suits relating to public charities
- Execution: The concept
- General principles
- Stay of execution
- Power of court that is executing decree
- Procedure for execution (ss. 52-54)
- Enforcement, arrest and civil detention (ss. 55.59)
- Attachment (ss. 60-64)
- Sale (ss.65-97)
- Delivery of possession of the property

UNIT-V

- Legal Services Authority Act
- Arbitration and conciliation Act
- Alternative disputes resolution (ADR)
- Law reform: Law Commission on Civil Procedure- amendments
- Law of Limitation
- The concept - the Law assists the vigilant and not those who sleep over the rights. - Object
- Distinction with laches, acquiescence, prescription.
- Extension and suspension of limitation
- Sufficient cause for not filing the proceedings
- Illness
- Mistaken legal advice
- Mistaken view of Law
- Poverty, minority and Purdha
- Imprisonment
- Defective vakalatnama
- Legal liabilities
- Foreign rule of limitation : contract entered into under a foreign Law
- Acknowledgement - essential requisites
- Continuing tort and continuing breach of contract

<p>Course Outcome: Present course helps the students to know about the distinctions between procedural</p>

and substantive aspects of law. It helps the students to enhance the skill of practice in the court of law. It's one of the subjects which assure the employability of law student. It also helps the student to know about the law of limitation and prescription. The ground for extension of limitation, laches and understanding of the computation period are some of the essential outcome of the present course.

Recommended reading-

Textbook –

Prof. T P Tripathi 'Code of Civil Procedure' published by Allahabad Law Publication, Allahabad
C K Takwani 'civil procedure code'

Bare Act Civil Procedure Code (must read for students)

Reference book

D F Mulla 'Civil Procedure Code'

25. INTERPRETATION OF STATUTES

Course Objectives: To know the rules of interpretation of statutes. To understand the role of presumption, To know the kinds of statutes etc

UNIT-I

- Introduction
- Statute and its Interpretation
- Presumptions in Interpretation
- Some important considerations in Interpretation
- Liberal or strict Interpretation
- Duties, power and practice of courts
- Mimansa rules of interpretation

UNIT-II

- Intentions of legislature
- Where language is plain
- Departure from plain meaning
- Where language is not plain
- Conflicting provisions
- The golden rule of Interpretation

UNIT-III

- Maxims of Interpretation
- The Heydon's rule of Interpretation
- Internal Aids to Interpretation
- External Aids to Interpretation
- History of Legislation
- General and special statutes

UNIT-IV

- Substantive and adjective law
- Mandatory and directory provisions
- Amending codifying and consolidating statutes
- Enabling statutes
- Fiscal statutes
- Crown Grants

UNIT-V

- Expropriating statutes
- Penal statutes
- Emergency legislation
- Delegated or subordinate legislation
- Interpretation of constitution
- Implied power and obligations
- State when bound by a statute
- Retrospective operation of statute
- Repeal of statutes

Course Outcome: The role of the course above is very much interesting one in the legal life of every lawyer. The major outcome of the subject is to make the mind enable to influence every aspect of interpretation of each statutes and law.

Recommended reading

Textbook – G P Singh ‘Interpretation of Statutes’

Reference book – Maxwell ‘interpretation of Statutes’

26. DRAFTING, PLEADING AND CONVEYANCING

Course Objectives: To enhance the knowledge of students to understand the law on drafting, pleading and Conveyancing.

Unit I

Course contents: this paper shall be divided in four parts. Part A- Drafting, Part B- Pleading Part C- Conveyancing, Part D- viva.

40 marks for all the three parts are assigned for written examination. 45 marks are assigned for course work and 15 marks for viva.

Theory paper maximum (40 marks)- mode of examination, written paper

There shall be only one theory paper wherein A, B and C, All the three shall be included. The paper setter is at liberty to choose his own format for setting theory paper in this subject. The effort shall however be made that all the three parts A, B and C are covered in theory paper.

Course content of theory papers (40 marks)

Students are expected to know the principles, rules and matters relating to actual practice, in re pleading drafting and Conveyancing.

Drafting

The question shall be set on the basis of rules of various orders

- From 1 to 4 and 52 of Civil Procedure Code).
- Drafting of memo of appeal, memo of revision and review and writ petitions and lodging of caveat.
- General principles of drafting and relevant substantive rules

Pleading

- General rules of pleading, order 6 to 11 of Civil Procedure Code.
- Pleadings in General, Object of pleadings, Fundamental Rules of Pleadings,

Conveyancing

- Conveyancing of deeds, documents, and applications

- Conveyancing in General, Object of Conveyancing, Component parts of a deed, Forms of deeds and notices.

Practical

In this paper students are expected to write the following

Part A Drafting and diary preparation (15 marks)

1. **Civil:** Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal, Revision and lodging of caveat.
2. **Petition under** - Article 226 and Article 32 of the Constitution of India.
3. **Criminal** :FIR,Complaints, framing of charges, Criminal Miscellaneous petition, Bail Application, protest applications and, Memorandum of Appeal and Revision.

Part B Pleading (15 marks)

Suit for recovery under Order XXXVII of the Code of Civil procedure 1908, Suit for Permanent Injunction. Application for Temporary Injunction Under Order 39 Rules 1 and 2 of the Code of Civil Procedure, 1908. Application under Order 39, rule 2-A of the Code of Civil Procedure, 1908. Suit for Ejectment and Damages for Wrongful Use and Occupation. Petition for Restitution of Conjugal Rights under S. 9 of the Hindu Marriage Act, 1955. Petition for Judicial Separation under S. 10 of the Hindu Marriage Act, 1955. Petition for Dissolution of Marriage by Decree of Divorce under S. 13 of the Hindu Marriage Act, 1955. Petition for Dissolution of Marriage by Decree of Divorce under S. 13B(1) of the Hindu Marriage Act, 1955. Petition for Grant of Probate in High Court, Petition for Grant of Letters of Administration, Contempt Petition under Ss. 11 and 12 of the Contempt of Courts Act,1971 before the High Court, Caveat under s. 148-A of the Code of Civil Procedure, 1908, Caveat for Special Leave Petition (Civil) under Art.136 of the Constitution of India, Special Leave Petition (Civil) under Article 136 of the Constitution of India, Counter Affidavit in Special Leave Petition (Civil)

Application for Bail

Application for Grant of Anticipatory Bail

Complaint under Section 138 of the Negotiable Instruments Act, 1881

Application U/S. 125 of the Code of Criminal Procedure, 1973

Special Leave Petition (Criminal) under Article 136 of the Constitution of India

Transfer Petition (Civil) U/S. 25 of the Code of Civil Procedure, 1908

Curative Petition under Articles 129, 137,141 and 142 of the Constitution of India

Complaint under Section 12 of the Consumer Protection Act, 1986

Written Statement to the Complaint under the Consumer Protection Act,1986

Part C (15 marks)

Sale Deed, Mortgage Deeds, Lease Deed, Gift Deed, Promissory Note, Power of Attorney- General and Special Power of Attorney, Will, Relinquishment Deed, Partnership Deed, Deed of Dissolution of Partnership, Hire-Purchase Agreement, Deed of Family Settlement between Rival Claimants of an Estate Notice of Ejectment to the tenant under s.106 of the T.P.Act, 1882, Notice under Section 80 of the Code of Civil Procedure, 1908

Part D Viva-voce examination (15 marks)

Based on work done in A, B, and C above.

Course Outcome: To make the student employable in the present market is the major outcome of the present course. Involvements of external examiner in to the process of evaluation add certain values to make the process more transparent. It will help the students to collaborate with other firms and

corporates for their internship.

Recommended readings

Textbooks-

C K Takwani, Civil Procedure Code

D F Mulla, Code of Civil Procedure

KailashRai's Moot Court Advocacy and Bar Bench Relations

Reference books

Mr. Krishnamurthy Iyer's book on "Advocacy".

Bar Council of India Rule

27. OPTIONAL PAPER I

Any one optional paper to be obtained by the student from the optional paper list. The Course objectives and course outcome will be the same as it is mentioned for the subject concerned.

28. FAMILYLAW II

Course Objectives: To Understand the legal regulations of the relations of Muslims and the personal law thereof.

Unit-I

- Islam as religion and as law
- Understanding Islam
- Birth of Islam, Arab and Arab culture
- Islam wrongly associated with fundamentalism
- Islam and Muslim law
- Who is Muslim?
- Schools of Muslim Law
- Sources of Muslim Law
- The Concept and Background of Indian Musalmans.
- Muslim law as applied and interpreted in India.

Unit-II

- Marriage (Nikah): Definition, Nature, Capacity, Classification and Legal Effect of Marriage
- Dower (Mahr)
- Divorce: Talaq, Ila, Khula, Mubarrat, Talaq-e-Tafweed, Lian, Faskh etc.
- Dissolution of Muslim Marriage Act, 1939

Unit-III

- Legitimacy and Parentage (JayrajaurRishta)
- Guardianship (Valaya)
- Maintenance (Nafaqa)
- Maintenance of Wives with Special Reference to Section 125 Cr. P.C.
- Shah Banu Case and the Ensuing Legislation.

Unit-IV

- Wakf
- Gift
- Pre-emption (Shuafa)
- Shariyat Act 1937

Unit-V

- Will (Wasiyat)
- Administration of Estates and payments of Debts
- Inheritance

Course Outcome: Students are expected to know the law of Muslims on marriages, divorce, adoption, maintainace etc.

Recommended reading

Textbook –

Prof. R K Sinhs‘ Muslim Law’ Published By Central Law Agency, Allahabad

Reference books -

D F Mulla ‘Principles of Muslim Law

Faizee‘ Principles of Muslim Law’

Abdul Rahim ‘ Muslim Jurisprudence’ (TLL) published by Allahabad Law Agency, Faridabad.

Note – on Muslim Law, Tagore Law lectures are available since 1890. These lectures are of very high quality and students are expected to read all these attentively

29. SOCIOLOGY- I (BASICS OF SOCIOLOGY AND SOCIAL STRUCTURE)

Course Objectives: To know about the basics of Sociology and social structure of India.

UNIT – I

Introduction

- Subject matter and scope.
- Sociology as a Science (Data, concepts and theory)
- Branches of Sociology
- Methods of Sociology (Comparative Method)
- Sociology and other Social Sciences
- Sociology and History
- Sociology and Law
- Sociology and Psychology

UNIT – II

- Concepts
- Social structure and social function
- Latent and manifest functions
- Role and Status
- Social Norms and Social values
- Institutions

- Community
- Association

UNIT – III Social Institutions

- Marriage and family
- Kinship and usages of kinship
- Political Institution
- Power, Status and authority
- Economic Institutions: Property, Contract, Work, Division of Labour,
- Wages, Socialist, Capitalist and Mixed Economy
- Religious Institutions: Morality and Magic Theories of the origin of
- Religion
- Educational Institutions: Formal and Informal Education, Education and
- society, Sociological Perspectives of Education UNIT – IV
- Social Stratification: Meaning, Definition and features of Stratification
- and Social Mobility
- Caste System : Caste in Modern India
- Social Class System: Class Structure in India, Rural to Urban India,
- Ancient to Modern, Difference between class and caste, Coercion: Social
- Conflict, Social Change in Modern India
- Social Control: Agencies of Social Control, Formal and Informal means
- of Social Control
- Social Order and Stability

UNIT – V Sociological Implications of Major Laws

- Sociological Implications of Major Laws: Impact of Social Laws on
- Indian Society positive and negative implications of social laws,
- Sociology as a discipline
- Law and Society: Sociology of law, law and social change, Sociology of
- legal profession and organization
- Relationship with the public in society relationship with the court, client,
- with the opponent party and colleagues.
- Legal literacy through camps by legal services authorities
- Legal Aid to the poor and weaker sections of the Society.

Course outcome: Present course is open the way to understand the social structure, its lacunas and its ways to proper overcoming. The positive and negative implications of the law on society enhance the student's sense of humour. The social control to legal mechanism and legal control to social mechanism is one of the special feature and outcome of the course.

Recommended reading

Textbooks:

1. S. R. Myneni - Sociology for law students.
2. Vidyabhushan and Sachdev - A Systematic Introduction to Sociology.

Reference Books:

1. U. S. Singh - Hand book on Sociology
2. Mac Iver and Page - Society
3. Bottomore. T. E. - Sociology, a guide to problems and literature
4. Johnson. H - Sociology – A Systematic Introduction

S.N	Course Codes	Semester VI	Lecture	Tutorials	Practical	31 Credit
1.	BAL/ 601	Intellectual Property Rights-I (Copyright, Trademark, Design & GI)	4	1		5 credits
2.	BAL/ 602	Company Law I	4	1		5 credits
3.	BAL/ 603	Alternative Dispute Resolution	4	1		5 credits
4.	BAL/ 604	Optional Paper II	3	1		4 credits
5.	BAL/ 605	Human Rights	4	1		5 credits
6.	BAL/ 606	Sociology II	4	1		5 credits
7.	BAL/ 607	Internship			2	2 credits

30. INTELLECTUAL PROPERTY RIGHTS-I

Course Objectives: To know the law relating to copyright. To know the law relating to patent. To know about the law relating to geographical indication. To know about the significance of international conventions on intellectual property rights.

Unit-I

- Introductory
The meaning of Intellectual property
Competing rationales of the legal regimes for the protection of intellectual property
- The main forms of intellectual property : copyright trademarks, patents, designs
- The competing rationales for protection of rights in – Copyright, Trade marks, Patents, Designs, Trade secrets, Other new forms such as plant varieties and geographical Indians
- Introduction to the leading international instruments concerning intellectual property rights: the Berne Convention, Universal Copyright Convention, the Paris Union TRIPS the World Intellectual Property Rights Organisation (WIPO) and the UNESCO.

Unit-II

- Indian copyright Act
- Select aspects of the law of copyright in India
- Historical evolution of the law
- Meaning of copyright

- Copyright in literary, dramatic and musical works
- Copyright in sound records and cinematograph films
- Copyright in computer programme
- Ownership of copyright
- Assignment of copyright
- Author's special rights
- Notion of infringement
- Criteria of infringement
- Infringement of copyright by films of literary and dramatic works.
- Importation and infringement
- Fair use provisions
- Piracy in internet
- Aspects of copyright justice
- Remedies, especially, the possibility of Anton pillar injunctive relief in India.
- Indian Copyright Law: Introduction and overview of copyright
- History of the concept of copyright and related rights
- Nature of copyright: Salient features of Copyright Act
- Subject matter of copyright; Literary work
- Dramatic work
- Musical works
- Artistic works
- Cinematographic films
- Sound recordings
- Term of copyright
- Computer software and copyright protection; Author and ownership of copyright; Rights conferred by copyright; Assignment, transmission and relinquishment of copyright; Infringement of copyright; Remedies against infringement of copyright
- UNIT-III

- Trade Marks Act, 1999.
- Intellectual Property in Trademarks
- The rationale of protection of trademarks as (a) an aspect of commercial and (b) of consumer rights.
- Definition and concept of trademarks
- Registration
- Distinction between trademark and property mark
- The doctrine of honest Current User
- The doctrine of deceptive similarity
- Protection of well-known marks
- Passing off and infringement
- Criteria of infringement
- Standards of proof in passing off action
- Remedies

UNIT-IV

Indian Design Act, 2000

UNIT- V

Geographical Indication of Goods (Registration and Protection) Act, 1999

Course Outcome: Students know about the biodiversity, law of design and registration of intellectual property rights in legal arena. It also helps the students to know the law of passing off and infringement of intellectual property rights.

31. CORPORATE LAW – I (COMPANY LAW)

Course Objectives: To know about the law of company. To know about the meaning, nature and legal regulation of corporation.

UNIT-I

- Meaning of Corporation – birth growth and problems of corporations
- Theories of corporate personality – fiction theory (Solomon view), concession theory (linked with philosophy of sovereign national state), purpose theory (ByZweckvermogen), symbolised theory and bracket theory (Ihering and Marquis De VareillesSommières), realist theory (Gierke)
- Creation and extinction of corporations.
- Attributes of legal person
- Piercing the veil, why there is a problem in veil piercing
- Diagnostic approach, categories analysis, Ottolenghi's analysis (analysis of Glazer Vs. commissioner on ethics for public employees 40 TCM. P 1065, 1980)
- Animals and trees, can these be legal person
- Reforms needed in company law
- Forms of Corporate and Non-Corporate Organisations
- Corporations, partnerships and other associations of persons, state corporations, government companies, small scale, co-operative, corporate and joint sectors.

UNIT-II

- Law relating to companies - public and private – study of the objects and relevant provisions of Companies Act 2013
- Need of company for development, formation of a company, registration and incorporation. (S 3-22) , Registration offices and fees. Companies to furnish statistics.
- Provisions relating to promotion and establishment of a company - Promoters - position - duties and liabilities
- Association and companies – relevant provisions of Societies registrations Act 1860 and co-operative societies act and Companies act 2013.
- Companies authorized to register under companies act 2013 (Part I sec. 366 -378)
- Memorandum of Association - various clauses - alteration therein -doctrine of ultra vires. (S 4-10).
- Articles of Association - binding force - alteration - its relation with memorandum of association - doctrine of constructive notice and indoor management - exceptions.

UNIT III

- Prospectus - issue - contents - liability for misstatements - statement in lieu of prospectus. (S 23-41) Public issue of securities and private placement
- Shares and dividends (S 43-72) - general principles of allotment statutory restrictions - share certificate its objects and effects - transfer of shares - restrictions on transfer - procedure for transfer - refusal of transfer- role of public finance institutions - relationship between transferor

and transferee - issue of shares at premium and discount – depository receipts - dematerialised shares (DEMAT), Declaration and payment of dividends (S 123-127).

- Shareholder - who can be and who cannot be a shareholder - modes of becoming a shareholder - calls on shares - forfeiture and surrender of shares - lien on shares.
- Share capital - kinds - alteration and reduction of share capital - further issue of capital - conversion of loans and debentures into capital - duties of courts to protect the interests of creditors and share holders
- Debentures (S 71-72), charges and registration of charges

UNIT IV

- Management and administration (S 88-122).
- Directors - position - appointment - qualifications - vacation of office - removal - resignation - powers and duties of directors - meeting, registers, loans – remuneration of directors - role of nominee directors - compensation for loss of office – managing directors - compensation for loss of office - managing directors and other managerial personnel
- Meetings - kinds - procedure – voting, voting by proxy and postal ballots
- Borrowing powers - powers - effect of unauthorized borrowing - charges and mortgages - loans to other companies - investments - contracts by companies
- Private companies - nature and advantages – holding and subsidiary companies

UNIT-V

- Corporate Liability
- Legal liability of companies
- Civil liability
- Constructive Criminal liability
- liability of the directors in cases involving mensrea
- Remedies against them civil, criminal and tortuous - Specific Relief Act, writs, liability under special statutes.
- E-governance
- Register of companies, removal of the name of company from the register, appeal through tribunal against removal
- Competition Act 2002

Course Outcome: The present course helps the students to understand the corporate liability. It also enhances the knowledge of students about the role of directors. It also helps the students to make them understand the criminal liabilities of secretaries and other officials.

Recommended reading

Textbook –

S M Shah ‘company Law

Avtar Sing ‘company law’

Palmar ‘company Law’

Bare Act Company Law, FEMA (must read for every student)

Reference book –

Palmer ‘Company Law’

32. ALTERNATIVE DISPUTE RESOLUTION

Course Objectives: To understand the quasi-judicial mechanism of delivery of justice. To know about the mediation, conciliation and negotiation

Unit – I

- Introduction
- Alternative Dispute Resolution (ADR): Concept and Need
- Difference between arbitration, arbitrator and judge
- Legal Aid and LokAdalat:
 - Concept, Dimensions and Practice
 - Constitutional Provisions
 - Legal Services Authority Act, 1987
 - Legal Literacy Mission
- General; Different methods of dispute resolution; Inquisitorial method; Adversarial method; Other methods- both formal and informal- like Arbitration, Conciliation, Negotiation, Mediation, etc.; Advantages and disadvantages of above methods; Need for ADRs; International commitments; Domestic needs; Suitability of ADRs to particular types of disputes; Civil Procedure Code and ADRs
- Good offices

Unit – II

- Conciliation: Nature, Scope and Methods, Different kinds of conciliation- facilitative, evaluative, court-annexed, voluntary and compulsory; Qualities of a conciliator; Duties of a conciliator; Role of a conciliator; Stages of conciliation; Procedure; Conciliation under statutes- Industrial Disputes Act, 1947; Family Courts Act, 1984; Hindu Marriage Act, 1955
- Mediation: Meaning; Qualities of mediator; Role of mediator; Essential characteristics of the mediation process – voluntary, collaborative, controlled, confidential, informal, impartial & neutral, self-responsible; Different models of mediation; Code of conduct for mediators.

Unit- III

- Arbitration – Arbitration agreement / Clause, Jurisdiction of the arbitral tribunal, Applicable Law; International Chamber of Commerce, UNCITRAL, KSID.
- Arbitration and Conciliation Act, 1996, Arbitration: Meaning of arbitration; Attributes of arbitration; General principles of arbitration; Different kinds of arbitration; Qualities and qualifications of an arbitrator; Arbitration agreement and its drafting; Appointment of arbitrator; Principal steps in arbitration; Arbitral award; Arbitration under
- Problems in Indian arbitration
- Delay in arbitration
- Issues involved in (saw pipes, 2003 5SCC 405), criticism and justifications
- Constitutional arbitration in India
- Recognition and Enforcement
- Indian Practice

Unit-IV

- Negotiation: Meaning;
- Requisites of negotiation, negotiation theories, models of negotiation, distributive negotiation strategy and tactics of negotiation

- Integrative or cooperative negotiation
- Major steps in negotiation
- Different styles of negotiation; Different approaches to negotiation; Phases of negotiation; Qualities of a negotiator; Power to negotiate.

Unit V

- International arbitration
- UNCITRAL Model and its implementation in India, international award
- A critical study of Bharat Aluminum Comp. vs. Kaiser Aluminum Technical Service Ltd. case
- Mini trials involving product liability questions, antitrust issues, billion dollar construction contracts, mass torts or disaster litigations
- Summary Jury Trials
- ADR and specific disputes like construction disputes, employment disputes, family disputes
- Criminal law and mediation

Course Outcome: To resolve the dispute in amicable ways is the major outcome of the subject. The present course provides the substitute of existing complex and lengthy procedure of law. To save the times of clients and courts and resolve the dispute with peace and in win win situation is the major outcome of course.

Recommended reading

Textbooks-

Rajan R.D., A Primer on Alternative Dispute Resolution, 2005, Barathi Law Publications, Tirunelveli.
G P Tripathi, Legal Method, Published by CLP Allahabad, 2014, Chapters 15 to 20.

Reference Books:

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

33. OPTIONAL PAPER II

Any one optional paper to be obtained by the student from the optional paper list. The Course objectives and course outcome will be the same as it is mentioned for the subject concerned.

34. HUMAN RIGHTS LAW AND PRACTISE

Course objective: To understand the development of Human rights in different legal system and study various international conventions related with Human rights.

UNIT I

- Human Rights Concept, Definition, Meaning & Nature
- Origin and Evolution
- Notion and Classification of Rights : Natural, Moral and Legal Rights
- Theories and classification of human rights: Three Generation of Human Rights, Theory of Natural Rights, Social Contract Theory
- Journey from Magna Carta to the Universal Declaration of Human Rights
- The French Declaration of the Rights of Man and the Citizen
- United States Bill of Rights

UNIT II

- Geneva Convention of 1864
- International Human Rights Standards
- Universal Declaration of Human Rights 1948
- International Covenant on Civil and Political Rights 1966
- International Covenant on Economic, Social and Cultural Rights 1966
- The Role of the U.N. Security Council and Other International Organizations {Amnesty and Red Cross }

UNIT III

- Protection of Marginalized Groups
- Human Rights of Women-
- Protection of women's rights – International and national scenario
- Gender bias, harassment and offences against woman
- Human Rights of the Children
- Nature and issues in child rights in India
- Female Feticide and Infanticide
- National and international norms and mechanisms for the
- Protection of the child rights (UN Convention on the rights of the child; UNESCO Conventions ; ILO Conventions)
- Human Rights of the workers
- Occupational Health Hazards; Bonded and Unorganized workers
- Special laws and mechanisms for protection of the worker's rights
- Physical assault and harassment
- Domestic violence
- Conditions of Working Women
- Human Rights of Minorities and Refugees
- Social Practice and Constitutional Safeguards

UNIT IV

- Human Rights in India
- Constitution, Human Rights, Fundamental Rights, Directive Principles of State Policies, Fundamental Duties: Relationship Between Them,
- International Human Rights and the Indian Constitution. Human Rights and Judiciary
- Judiciary: Article 32(Supreme Court and High Court) Article 226 (High Court), Judicial Activism and PIL, Legal Aid,
- Judicial Interpretations: Landmark Judgment
- Protection Against Torture and Degrading Treatment
- Accountability of the Governmental Machinery

UNIT V

- Bases and Sources of Human Rights
- Theories of Human Rights
- Implementations and Enforcements Mechanisms
- Human Rights Commission: National and States Human Rights Commissions,
- Role of NHRC and SHRC
- Difficulties rooted in Social, Economic, Political and Legal System of the Country

- International Sanctions Against Violations of Human Rights {‘Unilateralism’ : Humanitarian Intervention versus State Sovereignty}

Course outcome: To understand general concept of Humanitarian Law.

Recommended Books:

1. Sweet & Maxwell Ermacora, Nowak and Tretter, International Human Rights (1993).
2. H.O. Agarwal - Human Rights Law & Practice
3. S. K. Kapoor - Human Rights Law & Practice
4. U. Chandra - Human Rights Law & Practice
5. MangariRajendra - Human Rights Law & Practice
6. Rega Surya Rao - Human Rights Law & Practice
7. Wallace, International Human Rights: Text & Materials (1996), Sweet & Maxwell
8. Human Rights and Global Diversity (2001), Frank Cass, London
9. Nirmal.B.C., The Right to Self determination in International Law (1995), Deep & Deep.
10. J. G. Starke, Introduction to International Law
11. Hari Om Agarwal, International Law
12. Harris, Cases and Materials on International Law
13. Nirmal.C.J. (ed.), Human Rights in India (2000), Oxford
14. E.S. Venkataramiah, Human Rights in the Changing World
15. P.R.Gandhi, International Human Rights Documents (1999) Universal, Delhi.

35. SOCIOLOGY II

(SOCIAL AND DOMESTIC INSTITUTIONS)

Course Objectives: To understand the meaning, nature characteristics of modernistic institutions. To understand the social types. To understand the social norms and the norms of institutionally set up society.

Unit-1

- Meaning, nature and characteristics of domestic institution.
- Study on conflict between domestic law and law of legislature
- Significance of domestic institutions in India
- Classes of social and domestic institutions in India

Unit-2

- Types of Society :
- Tribal, agrarian, industrial and post-industrial
- Modern society and change on the impact on social institutions.
- Impact of matrimonial sites on social and domestic institution.
- Use of social and domestic institutions in politics, law and education.

Unit III

- Marriage : types and norms
- Marriage as contract
- Marriage as a sacrament

- Family : types, function and changes
- Undivided (joint) Hindu family
- Divided Hindu family
- Impact of globalization and industrialization on JHF.

Unit IV

- Kinships : terms and usage , rules of residence, descend inheritance
- Succession: terms and usages rules of inheritance the property
- Difference between kinship and succession
- Coparcenary meaning, nature ,characteristics and objectives
- Rules as to marriage, ownership, adoption, inheritance and Succession under muslims.
- Live in relationships
- Same sex marriages

Unit-V

- Social Stratification
- Forms and function: Caste and Class
- Jajmani system,
- purity and pollution,

Unit-5

- dominant caste,
- sanskritisation
- Social institution and Dharma
- Dharma and Legal aspirations – object and aims of term dharma

Course Outcome:

Students will understand the social stratification. Social institutions and significance of the existence of dharma. It also helps the student to understand that , how society itself govern ourselves. The study of globalisation and industrialisation is one of the significant outcomes of the present course.

Recommended reading

Textbooks:

1. S. R. Myneni - Sociology for law students.
2. Vidyabhushan and Sachdev - A Systematic Introduction to Sociology.

Reference Books:

1. U. S. Singh - Hand book on Sociology
2. Mac Iver and Page - Society
3. Bottomore. T. E. - Sociology, a guide to problems and literature
4. Johnson. H - Sociology – A Systematic Introduction

S.N	Course Codes	Semester VII	Lecture	Tutorials	Practical	30 Credit
1.	BAL/ 701	Intellectual Property Rights-II (Patent, Traditional Knowledge, Plant Variety & Farmer's Right & Biodiversity Act)	4	1		5 credits
2.	BAL/ 702	Company Law II	4	1		5 credits
3.	BAL/ 703	Criminology & Penology	4	1		5 credits
4.	BAL/ 704	Labour Law I	4	1		5 credits
5.	BAL/ 705/BL BAL/705/CL	Honours I	3	1		4 credits
6.	BAL/ 706/ BL BAL/706/ CL	Honours II	3	1		4 credits
7.	BAL/707	Internship			2	2 credits

36. INTELLECTUAL PROPERTY RIGHTS-II

Course objective: To understand different aspects of patent, Biodiversity laws in the legal system.

UNIT I

The law of intellectual property: Patents

Concept of patent

Historical view of the patents law in India

Patentable inventions with special reference to biotechnology products entailing creation of new forms of life

Patent protection for computer programme Process of obtaining a patent: application, examination, opposition and sealing of patents: general introduction

UNIT II

Characteristics of Patent

Patentable and Non Patentable Inventions

Procedure for obtaining patents

Patent co-operation treaty

Wrongfully obtaining the invention

Prior publication or anticipation

Obviousness and the lack of inventive step

Insufficient description

Rights and obligations of a patentee

Patents as choses in action

Duration of patents: Law and policy considerations

The notion of "abuse" of patent rights

Compulsory licenses

Special Categories

Employee Invention : Law and Policy Consideration

International Patents, Transfer of Technology, Know-How and problems of self reliant development

Infringement of Patent: Criteria of infringement

Onus of Proof

Modes of Infringement: the Doctrine of Colourable Variation

Defenses in suits of infringement

Injunctions and related remedies

UNIT III

Biological Diversity Law: Introduction and overview of Biological Diversity;

Meaning and scope of Biological Diversity; Biological resources and traditional knowledge;

Salient features of Biological Diversity Act; Biological Diversity concerns and issues;

Bio piracy;

Regulation of access to Biological Diversity; National Biodiversity Authority;

Functions and powers of Biodiversity Authority;

State Biodiversity Board; Biodiversity Management Committee and its functions.

UNIT IV

Protection of Plant Varieties and Farmers Rights Law: Legal concepts relating to the protection of plant varieties rights;

Legal concepts relating to the protection of plant breeders rights;

IPR in new plant varieties;
Policy and objectives of protection of plant varieties and farmers rights act;
Plant varieties and Farmers rights protection authority;
National register of plant varieties;
Procedure for registration;
Rights and privileges;
Benefit sharing;
Compensation to communities;
Compulsory license
Infringement and Relief against infringement;
National Gene Fund

UNIT V

Traditional Knowledge and Its Protection
Need for protection of Traditional Knowledge
Global Initiative and Indian Initiative

Recommended reading Textbooks –

1. P. Narayanan - Intellectual Property Law
2. B. L. Wadehra – Intellectual Property Law Handbook

Reference books –

1. WIPO Reading Material on Intellectual Property Law
2. Brainbridge, David – Cases and Materials in Intellectual Property Law, 2nd ed. London, Pitman Publishing 1999.
3. Cornish W.R. Cases and Materials in Intellectual Property Law, 3rdEd, Sweet &Maxell 1999.
4. Patents(Amendment) Act, 2002
5. The Biological Diversities Act, 2002
6. The Protection of Plant Varieties and Farmer's Right Act, 2001

37. COMPANY LAW II

Course objective: To understand the merits and demerits of merger and acquisition. To understand about the importance of amalgamation of company.

Unit I

Compromise Arrangement and Amalgamation

- Powers of Creditors, Members

- Powers of Tribunal in case of Merger and Amalgamation
- Fast Track Mergers
- Role of Central Government
- Section 230-240

Unit II

Prevention of Oppression and Management

- Protection of minority rights
- Oppression and mismanagement (S 241-246 - who can apply? - Powers of the company, court and of the central government, class action suits in case of grievances
- Inspection and inquiry and investigation - powers of inspector, search and seizure
- Serious fraud investigation office into company's affairs
- Compromises and arrangements- Regulation and amalgamation, mergers acquisition, takeovers

Unit III

Winding up by Tribunal

Unit IV

Jurisdiction

- National company Law Tribunal and appellate tribunal
- Special Courts

Unit V

- Overview of Securities Exchange Board of India Act, 1992
- Official Liquidator (Section 359 – Section 365)

Course outcome: Student will get aware of various functions of Company and its different working aspects.

38. CRIMINOLOGY, PENOLOGY AND VICTIMOLOGY

Objective: The objective of the present course is to enable and equip the students not only to effectively evaluate the contemporary criminal justice system-their policies and practices but also research and critically analyze the lacunae in criminal justice services.

Unit -I Introduction

(a) Crime : Concepts, principles-actusreus, mensrea,strict liability, absolute liability, exclusion of mensrea classification , trends and prevention

(b) Relationship between Crime and society

(c) Schools of Criminology-Neo classical, Biological, Sociological, Psychological theories and concepts related to crime and criminals, Contemporary thoughts of criminology.

UNIT-II

. Definition of Penology - historical and contemporary approaches to penology.

. Theories of punishment - Retribution - Utilitarian prevention: Deterrence - Utilitarian:

Intimidation Behavioral prevention: Incapacitation - Behavioral prevention:

Rehabilitation - Classical Hindu and Islamic approaches to punishment.

Approaches to sentencing - Probation - parole - corrective labor - fines - bail, bond- collective fines
- reparation by the offender/by the court.

UNIT-III

. Juvenile Delinquency - factors - response - JJ Act 2000 - JJ Board – Welfare

Boards- Constitutional aspects - Neglected and Delinquent, care and protection.

Sentencing - types of sentences in IPC and special laws - sentencing for habitual offender, white collar crime - Pre - sentence hearing - summary punishment – Capital punishment [Constitutionality, Judicial attitude and law reform)

UNIT-IV

Victimology and Compensation - state of Jail reform - Classification of prisoners – Rights of prisoners - open prison

Course outcome: In ensures students about the concept of Criminal justice system and its impact in our society and visa versa

39. LABOUR LAW I (LABOUR MANAGEMENT RELATIONS)

Course Objectives: To understand the industrial law. To understand the colonial and modern labour law, policies. To make aware about the legal regulation of labour relation management.

Unit-I

- Industrial Disputes Act- central and state acts
- Historical perspectives on Labour
- Labour through the ages - slave labour - guild system - division on caste basis - labour during feudal days.
- Colonial labour law and policy
- Labour capital conflicts: exploitation of labour, profit motive, poor bargaining power, poor working conditions, unorganised labour, bonded labour, surplus labour, division of labour and super-specialisation - lack of alternative employment.
- Theories of labour and surplus value

- From laissez faire to welfarism and to globalisation: transition from exploitation to protection and from contract to status : changing perspectives on labour.
- Trade unionism
- Labour movement as a counter measure to exploitation - history of trade union movement in India.
- Right to trade union as part of human right to freedom of association – international norms and the Indian Constitution.
- Legal control and protection of trade union: registration, amalgamation, rights, immunities, liabilities and dissolution.
- Problems: multiplicity of unions, over politicisation - intraunion and inter-union rivalry, outside leadership, closed shop and union-shop, recognition of unions.

Unit-II

- Trade Unions Act – central and state act
- Collective bargaining
- The concept
- International norms - conditions precedent - merits and demerits.
- Bargaining process – Negotiation, Techniques of pressurization : strike and lockout, go-slow, work to rule, gherao, bundh
- Structure of bargaining : plant, industry and national levels
- Duration and enforcement of bipartite agreement
- Reforms in law

Unit-III

- Workmen Compensation Act
- State Regulation of Industrial Relations
- Theoretical foundations: social justice, labour welfare, public interest, productivity, industrial peace and development and price control.
- Methods of regulation:
- Recognition of mutual arrangements
- Assistance to bipartite settlement: conciliation, voluntary arbitration, formulation of standing orders.
- State prescription of machinery: reference for adjudication (the political overtones), the adjudicatory mechanisms (How do they differ from courts?), award and its binding nature, judicial review of awards.
- State prescription of standards in lay off, strike, lockout, retrenchment, closure and transfer of undertakings
- The conceptual conundrum : industry, industrial dispute, workmen.
- Unfair labour practices.
- Discipline in industry
- Doctrine of hire and fire - history of management's prerogative.
- Fairness in disciplinary process:
- Punishment for misconduct - meaning of misconduct
- The right to know : the charge sheet
- The right to defend : domestic enquiry, notice, evidence, cross-examination, representation, unbiased inquiry officer and reasoned decision.
- Prenatal (permission) and postnatal (approval) control during pendency of proceedings (S.33 of the I.D. Act.)

- Role of management and labour

Unit-IV

- Minimum Wages Act
- Remuneration for Labour
- Theories of wages : marginal productivity, subsistence, wages fund, supply
- Concepts of wages (minimum wages, fair wages, living wages, need-based minimum wages)
- Components of wages : dearness allowance, principle of fixation.
- Disparity in wages in different sectors - need for rationalisation and national approach
- Wage determining process - modes and modalities.
- Unilateral fixation by employer
- Bilateral fixation
- Conciliation, arbitration and adjudication
- Wage Board and Pay Commission
- Principles of wage fixation
- Concept of bonus - computation of bonus
- Protection of wages : non-payment, delayed payment, unauthorised deductions - remedial measures.
- Health and Safety
- Obligations for health and safety of workmen - legislative controls : factory, mines and plantations.
- Employer's liability:
- Workmen's compensation
- Employee's State Insurance
- Liability for hazardous and inherently dangerous industries - environmental protection

Unit-V

- Standing orders
- Labour Welfare
- Welfare provided by the employers and through bipartite agreements and by statutory prescription.
- Provident fund and family pension.
- Gratuity
- Inter-state migrant workmen - regulation of employment and conditions of service.
- Employment of young persons : prohibition of employment of children, regulation of employment of young persons.
- Woman and labour force
- Equal remuneration law, maternity benefits, protective provisions for women under factories, plantations and mines laws
- Protection of the weaker sectors of labour
- Tribal labour : need for regulation
- Unorganized labour like domestic servants : problems and perspectives
- Bonded labour: socio-economic programmes for rehabilitation.
- Contract labour - regulation
- Daily wage workers.

<p>Course Outcome: Students will get aware about the basic concepts of labour law. Students will acquaint with the legal control of labour relation management. Protection of weaker</p>

section in industrial law, to study the legal regulation of relations between employer and employee, employee and employee and employer and employer is the major outcome of the course.

Recommended reading

Textbooks

1. Misra. S.N – Labour and Industrial Laws
2. S.C. Srivastva “Industrial Relations and Labour Law” Vikas Publishing House Pvt., Ltd., Part IV (1999)
3. Bare Acts of Labour law enacted By Chhattisgarh State

Reference Books

Memoria and Memoria “Dynamics of Industrial Relations”, Himalaya Publishing House, C.7,11,14 & 16 (2001)
 Malhotra.O.P “The Law of Industrial Disputes” Vol-I and II, Universal Law Publishing Co., Pvt., Ltd (1999)
 V.B. Karnik- “Strikes in India”.

Note: Students of BBA Ll. B. are advised to offer corporate Law group for doing their honors. It is in their interest to offer optional papers also from subjects of corporate Law.

HONORS COURSE (SPECIFY GROUP CHOSEN)

PAPER 40 - HONORS PAPER I

PAPER 41 - HONORS PAPER II

S.N	Course Codes	Semester VIII	Lecture	Tutorials	Practical	30 Credit
1.	BAL/ 801	Labour Law II	4	1		5 credits
2.	BAL/ 802	Banking Law	4	1		5 credits
3.	BAL/ 803	Public International Law	4	1		5 credits
4.	BAL/ 804	Competition Law	4	1		5 credits
5.	BAL/ 805/BL BAL/805/CL	Honours III	3	1		4 credits
6.	BAL/ 806/BL BAL/ 806/ CL	Honours IV	3	1		4 credits
7.	BAL/807	Internship			2	2 credits

42. LABOUR LAW II

(SOCIAL SECURITY LEGISLATIONS)

Course Objectives: To study the social security legislation in the spare of labour law. To understand the nature and scope of compensatory justice. To enhancing the knowledge on the gratuity , insurance and other forms of social security measures.

Unit-I - Law on Social Security

- The Workmen's Compensation Act, 1923
- Concept of 'accident arising out of' and 'in the course of the employment';
- Doctrine of notional extension and doctrine of added peril;
- Total and partial disablement;
- Quantum and method of distribution of compensation.

Unit-II

- Employees state Insurance act, 1948
- Important Definitions
- Benefits provided under the Act
- Employees State Insurance Fund and Contributions
- Machinery for the implementation of the Act
- ESI court and appeal to High Court

Unit-III - Law relating to retirement benefits:

- Employees Provident Fund and Miscellaneous Provisions Act, 1952
- Important Definitions
- Exempted Establishments
- Registrations
- contributions
- Payment of Gratuity Act, 1972
- Concept of gratuity;
- Eligibility for payment of gratuity;
- Determination of gratuity;
- Forfeiture of gratuity.

Unit-IV - Social Welfare Legislations

- Factories Act, 1948
- Important Interpretations
- The Inspecting Staff
- Provisions related to Health, safety and welfare
- Provisions related to Adults and Young Employees
- Penalties and Procedures
- Equal Remuneration Act, 1976
- Equal remuneration to men and women
- Appointment of authorities
- penalties

Unit V

- Maternity Benefit Act, 1961
- Important Definitions
- Payment of Maternity Benefit

- Kinds of Leave
- Deduction of Wages
- Powers and duties of Authorities

Course Outcome: The major outcome of the present course is to highlight the health, safety and security measures. The legal regulations of social welfare activities for vulnerable.

Recommended reading

1. Misra. S.N – Labour and Industrial Laws
2. S.C. Srivastva “Industrial Relations and Labour Law” Vikas Publishing House Pvt., Ltd., Part IV (1999)

Bare Acts (must read for every one)

Employees state Insurance act, 1948

Maternity Benefit Act, 1961

Payment of Gratuity Act, 1972

Equal Remuneration Act, 1976

Workmen Compensation Act

Minimum Wages Act

Factories Act, 1948

Bare Acts of Labour law enacted By Chattesgarh State

Reference Books

Memoria and Memoria “Dynamics of Industrial Relations”, Himalaya Publishing House, C.7,11,14 & 16 (2001)

Malhotra.O.P “The Law of Industrial Disputes” Vol-I and II, Universal Law Publishing Co., Pvt., Ltd (1999)

V.B. Karnik- “Strikes in India”.

43. BANKING LAWS

Unit-I

- Banking regulations Act 1949
- Introduction, Banking: definition- common Law and statutory
- Commercial banks: functions. Essential functions, Agency services, General utility services, International trading service, Information services, Emergence of multi functional dimensions., Systems of Banking: Unit banking, branch banking, group banking and chain banking, Banking companies in India, Banks and Customers, Customer: meaning, Legal character of banker-customer relationship,
- Rights and obligations of banks, Right of set-off, Banker's lien, Right to charge interest and commission, Obligation to Honor customers' cheques, Duty of confidentiality, Nature and justification of the duty, Exceptions to the duty, Garnishee orders, Accounts of customers, Current Accounts, Deposit Accounts, Joint Accounts, Trust Accounts
- Special types of customers:- Lunatics, minors, agents, administrators and executors, partnership firms and companies

Unit-II

- Reserve Bank of India Act
- The Reserve Bank of India as central bank in India
- Objectives and organizational structure, Functions, Regulations of the monetary system, Monopoly of note issue, Credit control, Determination of bank rate policy, Open market

operations, Banker to government, Control over Non-banking financial institutions, Economic and statistical research., Staff training, Control and supervision of other banks

- Nationalized banks
- Regional Rural Banks

Unit-III

- Financial (institutions) Act
- Security and Exchange Board of India Act
- Control over Banks
- Control by Government and its agencies
- Need for- elimination of systemic risk, avoidance money laundering, consumer protection, promotion of fair competition. On management, On account and audit, On money lending, Reorganization and reconstruction, On suspension and winding up, Control by Ombudsman, Reserve Bank of India.
- Control Banking Theory and the RBI
- Evolution of Central Banks, Characteristics and functions of central banks, Central bank as banker and adviser of the State, Central bank as banker's bank,

Unit IV

- The Recovery Of Debts Due To Banks And Financial Institutions Act, 1993
- The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002
- Lending by Banks
- Principles of good lending, Securities for bank advances – pledge, mortgage, charge, goods or documents of title to goods, life insurance policies as security, debentures as security, guarantees as security, contract of guarantee and contract of indemnity, kinds of guarantees: specific & continuing, surety's rights and liabilities.
- Repayment
- Interest: Rule against penalties, Default and Recovery, Establishment of; debt recovery tribunals- constitution and functioning

Unit-V

- Reality, real estate markets and property dealing
- Marketing and corporate property, capital market, securities market, money market, call money market, treasury market, commercial bill market and money market instruments
- Stock markets, BSEs and NSEs
- Merchant Banking
- Merchant Banking in India, SEBI (Merchant Bankers) Regulations, 1992
- Letter of Credit and Demand Guarantee, Letter of Credit, Basic features, Parties to a letter of credit, Fundamental principles, Demand Guarantee, Legal character, Distinction between irrevocable letter of credit and demand guarantees

Recommended reading

Textbooks-

1. M. L. Tannan -Law of Banking
 2. Khergamvala - Negotiable Instruments Act – M. S. Parthasarathy (Ed.)
 3. G P Tripathi, Transfer of property Act (2014 edition), CLP, Allahabad, Pages 2 to 10.
- Justice Bhaghabati Prasad Banerjee- Guide to Securitisation and Reconstruction of financial assets and Enforcement of Security Interest Act, 2002

Reference Books:

Basu- Review of current banking theory and practice, Macmillan.

Pagets Law of Banking - Butterworths, London.

L. C. Goyle – The Law of Banking and Bankers – Eastern Book Co.

K. Subramanyan – Banking Reforms in India

R. K. Talavar- Report of working group on customer service in Banks

S. N. Gupta - The Banking Law in theory & practice.

G. S. N. Tripathi (Ed.) Sethi's commentaries on Banking Regulation Act 1949 and allied Banking Laws.

44. PUBLIC INTERNATIONAL LAW

Course Objectives: To understand the concept of International Law. To understand the working of various International Organization at different levels.

UNIT-I - Introduction- law of peace

- Definition of International Law
- Nature and Basis of International Law
- Sources of International Law
- History and development of International Law including Schools of International Law
- Codification and Progressive development of International Law
- Relationship between International Law and Municipal Law
- Subjects of International Law and the place of individual in International Law
- Nature of State and different kinds of states and Non-state entities
- State Responsibility
- Recognition
- State succession
- Intervention
- State Jurisdiction
- State Territory
- Neutrality
- Non Alignment policy

UNIT-II – law of war

- Maintenance of International Peace and Security : Appraisal and new Trends
- Disarmament
- Settlement of International Disputes
- War, its legal character and effect
- Enemy character
- Belligerent Occupation
- Contraband
- War crimes
- Genocide
- Non-International Armed conflicts
- Right of angary
- Hot and pursuit

UNIT-III

- The Law of the Sea
- The International Law for the Law of the Sea and Sea, Bed disputes chamber
- Piracy
- Air Law (Including Aircraft- Hijacking)
- Outer Space
- Nationality
- Extradition
- Asylum
- Treatment of Aliens

UNIT-IV

- International Criminal Law and the establishment of An International Criminal Court
- International Economics co-operation and the evolution of a new International Economic order
- Development and Environment
- Diplomatic Agents
- Treaties

UNIT-V – International Organizations

- Definition, function and evolution of International Organization
- The League of Nations
- Origin, Purpose, Principle. Membership etc. of the United Nations
- Amendment of the U.N. charter
- Evaluation of the work of the United Nations
- The General Assembly of the United Nations
- The Security Council
- The Economics and Social Council
- The International Trustship systems and the Trustship Council
- The Secretariat
- ILO, UNESCO
- The International Court of Justice
- Collective Security

Course Outcome : It helps student to understand different International principles and norms , and how it shall be relevant to Indian legal System.

Recommended reading

Textbook – Prof. Hari Om Aggrawal ‘Public International Law’ published by Central law Publications, Allahabad

Reference book –

Oppenheim ‘public international law’

J G Starke ‘public International Law’

45. COMPETITION LAW

Course Objectives: To know about the competitive practices. To know about the anti-competitive practices. To know about the legal regulations of competitive and non-competitive practices.

Unit I

Introduction

- Competition Act replaces Monopolies and restrictive trade practices Act, (MRTP Act),
- Overview of MRTP Act, and Genesis of competition law in India.
- Concept of Competition.
- Perfect Competition, Effective Competition, Concept of Monopoly.
- Need of fair competition in Market
- Concept of Market - Definition of Market, Market Power, overview of market driven economy.

Unit II

- Competition Act, 2002 Anti-Competitive Agreements(Sec. 3)
- Definition of Agreement,
- Concept of Appreciable Adverse Effect on Competition,
- Hardcore Cartels, Bid Rigging,
- Tie-in Arrangement,
- Exclusive Supply Agreement,
- Exclusive Distribution Agreement,
- Refusal to Deal,
- Resale Price Maintenance.
- Abuse of Dominant Position (Sec. 4) - Definition of Dominant Position
- Abuse of Dominant Position, Relevant Market, Relevant Geographic Market, Relevant Product Market, Predatory Price.

Unit III

- Joint Ventures,
- Mergers and Competition Law - Joint Ventures and Competition Law
- Merger and Amalgamation & Competition Law
- Definition of Control, Definition of Group,
- Regulation of Combination (Sec. 5-6)
- Competition Commission of India
- Establishment and Composition of CCI
- Duties of the Commission,
- Procedure of the workings of the Commission,
- Orders of the Commission, Powers,
- Extraterritorial Jurisdiction of the Commission,
- Execution of Orders of the Commission,
- Competition Advocacy and other Miscellaneous Provisions.

Unit IV

- IPRs and Competition Law
- Concept of IPRs, Transactions Involving Intellectual Property Rights, Protection offered by IPRs, Licensing IPRs,
- Territorial restraints,
- Conflicts of IPR law and Competition law.
- Compulsory licenses for
-
- patents interplay between intellectual property (patents) and competition law
- Application of the TRIPS Agreement Article 31(k), and competition law.

Unit V

- Competition and WTO
- Trade and Competition Policy relationship (debate)
- Investment and Competition Policy
- Technical Barriers to Trade and Competition.
- International Co-operation in Competition Policy.
- Most favoured Nation Theory
- Developing countries and competition law.

Course Outcome: Students will know about the trade and competitive practices exist in market. It will also help the students to understand the merger and acquisition and law thereon.

Reading Books:

1. T Ramappa, Competition Law in India, Oxford Press
2. Gautam Banerjee, Guide to the Competition Law
3. S.M. Duggar, Guide to COMPETITION Law - Commentary on MRTP Act, Competition Act & Consumer Protection Act (Set in 2 Vols.)

Reference Books:

4. Competition Law, Dr. S.C.Tripathi
5. Competition Law, Avtar Singh

Note: Students of BBA LL. B. are advised to offer corporate Law group for doing their honors. It is in their interest to offer optional papers also from subjects of corporate Law.

HONORS COURSE (SPECIFY GROUP CHOSEN)

PAPER 46 - HONORS PAPER III

PAPER 47 - HONORS PAPER IV

S.N	Course Codes	Semester IX	Lecture	Tutorials	Practical	25 Credits
1.	BAL/ 901	Direct Taxation	4	1		5 credits
2.	BAL/ 902	Environmental Law	4	1		5 credits
3.	BAL/ 903	Private International Law / Conflict of Law	4	1		5 credits
4.	BAL/ 904/ BL BAL/904/CL	Honours V	3	1		4 credits
5.	BAL/ 905/ BL BAL/ 905/ CL	Honours VI	3	1		4 credits
6.	BAL/ 906	Internship			2	2 credits

48. DIRECT TAXATION

Course Objective: To Know about the powers of states to Impose the tax. To acquainted with the taxation system. To know the legal regulations on the direct taxation.

UNIT – I

- Constitutional Framework of Direct Taxation in India
 - (a) Separation of Powers between States & Centre
 - (b) Financial Relation between States & Centre
 - (c) Role of Financial Commission
 - (d) Levy, Assessment and Collection
- Comparative Study of Income Tax Act 1961 and Direct Tax Code 2012
- Learning the issues of Double Taxation Avoidance Treaties

UNIT – II

1. Definitions –(S.2) Person, Assessee, Income.
- Concept of Income under Income Tax 1961 - Understanding the term “Gross Total Income”, “Total Income” and “Net Income”, Residential Status
 - Computation of Total Income and Tax Liability - Incomes which are not included in Total Income, Indian Income and Foreign Income

UNIT – III

- Basis of Charge (S. 3to 9)
 - Previous Year, Assessment Year, Residential Status,
 - Scope of Total Income, Deemed income
- Different heads under which Income is Computed and Taxed, Taxing the Income of Individual under the head of “Salaries, Income under the head of “Income from House Property”
- Gift tax Act
- Wealth tax Act

UNIT – IV

- Computation of Income and tax for Individual, Firm and Company (excluding MAT)
- Advance Tax payment- S 208
- Provisions for filing of returns (Including forms of Return) Sec-139(1), 139(5)
- Taxing the Income of Individuals and Corporates
 - (a) Income under the head of “Profit and Gain of Business or Profession”
 - (b) Income under the head of “Capital Gains”
- Exclusions from Total Income (S.10)
 - Exemptions related to specified Heads of incomes to be covered with the relevant provisions such as Salary, Income from Other Sources.
 - Agricultural Income
 - Sum received from HUF by a member
 - Share of a profit from Firm
 - Income from Minor Child
 - Dividend

UNIT – V

- Heads of Income
 - (Including relevant items from S 2 and S 10)
 - Salary (S. 15 to S. 17)
 - Income from house Property (S. 22 to S. 27)

- Profits and Gains from Business, Profession & Vocation (S.28 to 32, 35, 36, 37, 40, 40A, 43B)
 Capital Gains (S. 45 to S 50C)
- Income from Other Sources (S.56 to S. 59)
 - Deduction U/s 80 - S. 80C, 80CCF: 80D, 80DD, 80DDB, 80E, 80U:

Course Outcome: Students will understand the scope nature and concepts covered under the law of taxation. Students are expected to understand the heads of taxation. Foreign Income and the income of individual, corporate and the tax thereon are the special outcome of the above course.

Recommended readings-

Textbooks-

Girish Ahuja and Ravi Gupta- Systematic Approach to Income – tax and Sales–tax, Bharat Law House.

49. ENVIRONMENTAL LAW

Course Objectives: To make aware the students about the environmental protection. To know the laws for the environment protection in India

Unit-I

- Environment protection in ancient India
- Environment protection Act 1986 – definitions, general power of central government
- Prevention control and abatement of environmental pollution.
- Concept of environment and Pollution - Environment - Meaning and contents, Pollution, Meaning, Kinds of pollution, Effects of pollution
- Legal control: historical perspectives- Indian tradition : dharma of environment, British Raj - industrial development and exploitation of nature, Nuisance: penal code and procedural codes, Free India - continuance of British influence, Old Laws and new interpretations

Unit-II

- Constitutional Perspectives - Directive principles, Status, role and interrelationship with fundamental rights and fundamental duties, Fundamental Duty, contents, judicial approach, Fundamental Rights, Rights to clean and healthy environment, Right to information, Environment vs. Development
- Emerging principles, Polluter pays: public liability insurance, Precautionary principle, Public trust doctrine, Sustainable development
- Water (Prevention and control of Pollution) Act 1974
- Definitions, central and state boards, joint boards, power and functions of boards
- Ganga Action plan
- Judicial responses under water Act
- The National green tribunals Act 2010 , penalties and procedures, offences by government departments
- Water and Air Pollution - Meaning and standards, Offences and penalties, Judicial approach

Unit-III

- Noise Pollution - Legal control, Courts of balancing : permissible and impermissible noise
- Noise pollution rules 2000

- Air (prevention and control of pollution) Pollution Act 1981
- Environment protection under constitution of India, CPC, CrPC, IPC
- Emerging protection through delegated legislation- Hazardous waste, Bio-medical waste, Genetic engineering, Disaster emergency preparedness, Environment impact assessment, Coastal zone management, Environmental audit and eco mark, Judiciary : complex problems in administration of environmental justice

Unit-IV

- Town and country planning - Law : enforcement and constrain, Planning - management policies
- Indian Forest Act, 1927, Scheduled tribes and other traditional forest dwellers act (recognition of forest rights) Act 2007
- Forest and greenery- Greenery conservation Laws, Forest conservation, Conservation agencies, Prior approval and non-forest purpose, Symbiotic relationship and tribal people, Denudation of forest : judicial approach
- Wildlife (Protection Act) 1972 and the wildlife conservation strategy 2002.
- Wild life- Sanctuaries and national parks, Licensing of zoos and parks, State monopoly in the sale of wild life and wild life articles, Offences against wild life.
- National environmental tribunal 1995 and the national environment appellate authority act 1997
- Endangered species Act 1972

Unit-V

- International regime – A critical analysis of global issues
- Possibility of sixth mass disaster
- Marine pollution, pollution by radioactive substances
- Stockholm conference 1972, Greenhouse effect and ozone depletion,
- Rio conference 1992, Bio-diversity
- Johannesburg Earth summit 2002
- Rio conference 2012
- Kyoto protocol
- Delhi ministerial declaration on climate change and sustainable development
- U.N. declaration on right to development, Wetlands

Course Outcome: Present course helps the students to understand the significance of environment. It will help the students to make aware about the environmental pollution and protection as well . It will also traced the legal control of environmental pollution.

Recommended readings

Textbooks

Leelakrishnan - Environmental Law in India /Cases
 Introduction to Environmental Law – S. Shantha Kumar
 Bare Acts (must read for every student)

Reference books

Simon ball Stuart Bell - Environmental Law.
 Relevant Bare Acts/ Notifications.

50. CONFLICT OF LAWS /PRIVATE INTERNATIONAL LAW

Course Objective: To enhance the knowledge in the spare of private international law. To understand

UNIT-I

- Nature and scope of conflict of Laws
- Development of conflict of Laws
- Theories of conflict of Laws
- Sources of conflict of Laws
- Codification of conflict of Law
- Private international Law (miscellaneous provisions Act 1995, British)
- Hague conferences on conflict of Laws
- Procedure and substance
- Lexforism rule
- Choice of jurisdiction
- Choice of Law
- Proof and application of foreign Law

UNIT-II

- Characterization/classification
- Nature
- Why problem of classification, object, subject matter of classification, principles, lexfori rule
- Classification based on comparative Law principles
- Theory of practicability
- Primary classification, secondary classification
- Incidental questions, the time factor
- Renvoi – use of lexcausa, internal Law theory of renvoi, simple renvoi, total renvoi, foreign court theory of renvoi – dessistent theory, application of renvoi to wills, foreign divorces, position of renvoi in India, movable properties and renvoi, Hague conference 1951 and renvoi
- Exclusion of foreign Law

UNIT-III

- Domicile, domicile of origin, domicile of choice (lex domicile)
- Domicile of corporations
- Change of domicile
- Domicile Act (British 1861)
- Dual domain doctrine
- Citizenship
- Nationality
- Relevant conflict rules
- Marriage and matrimonial reliefs – and relevant conflict rules
- Extra marital relations
- Validity of marriage – capacity, essential validity, formal validity (lex celebrationis)
- Limping marriage
- Intended matrimonial homes
- Parentage
- Children
- Mentally ill persons
- Foreign marriage Act 1969

UNIT-IV

- Concept of property (lex situs)
- Transfer of movables
- Nature and situs of property
- Immovable property
- Mozambique rule
- Abolition of Mozambique rule
- Action of foreign government regarding property
- Effect of marriage on property right
- Administration of establish
- Trusts
- Corporations
- IPR and conflict rules
- Problems arising out of ownership of internet, and social networking sites like twitter and facebook.
- Problems arising out of growth in different dimensions in IPR related matters.
- Ownership and air waves and computers
- Owning a relationship, owning a system of systems

UNIT V

- Contracts containing foreign elements
- Lex loci contractus
- Prorogation or contractual ouster of jurisdiction
- Proper Law of contracts
- Restitution
- Foreign Torts and constitutional torts
- Philips vs Eyre and there after
- Boys vs Chaplin and there after
- Foreign monetary obligations
- Recognition and enforcement of foreign judgments
- Recognition and enforcement of foreign judgments Act
- Enforcement of foreign awards
- Recognition and enforcement of foreign awards Act
- Procedure – (lex fori)
- Succession
- Succession of property
- Insolvency
- Cyber space and conflict rules conflicts of Laws

Course Outcome: Student will get familiarity with the private international law. The present course will make students enable to groom the knowledge in the arena of public as well as private international conflicts.

Recommended Reading

Textbook – Conflict of Laws By Prof G P Tripathi published by Allahabad Law Agency, Allahabad, 2014.
Private international Law (Hindi) ALP Allahabad, 2013

Reference book

G C Cheshire ‘Conflict of Laws’

A V Dicey 'Private International Law'

Note: Students of BBA LL. B. are advised to offer corporate Law group for doing their honors. It is in their interest to offer optional papers also from subjects of corporate Law.

HONORS COURSE (SPECIFY GROUP CHOSEN)

PAPER 51 - HONORS PAPER V

PAPER 52 - HONORS PAPER VI

S.N	Course Codes	Semester X	Lecture	Tutorials	Practical	24 Credits
1.	BAL/ 1001	International Investment Law	4	1		5 credits
2.	BAL/ 1002	Indirect Taxation	4	1		5 credits
3.	BAL/ 1003	Clinical Paper IV- Public Interest Lawyering, Legal Aid and Para Legal Services	1	1	2	4 credits
4.	BAL/ 1004/ BL BAL/1004/ CL	Honours VII	3	1		4 credits
5.	BAL/ 1005/ BL BAL/1005/ CL	Honours VIII	3	1		4 credits
6.	BAL/1006	Internship			2	2 credits

53. INTERNATIONAL INVESTMENT LAW

UNIT I

- History of International Investment Law
- Meaning of Investment; Salini Test
- Domestic Investment
- Foreign Direct Investment
- FDI Policy 2015
- FEMA

- Dispute Settlement Agencies
- International Chamber of Commerce (ICC)
- OECD Convention on the Protection of Foreign Property
- OECD Declaration on International Investment
- OECD Guidelines on International Investment
- Vienna Convention on law of treaties, 1969
- Havana Charter (1948) for an International Trade Organization
- UN Code of Conduct on Transnational Corporations
- North American Free Trade Agreement
- Comprehensive Economic Partnership Agreement
- Energy Charter Treaty
- World Trade Organization
- Multinational Enterprises
- World Bank Guidelines on Foreign Investments
- Bilateral Investment Treaties
- New York Convention of 1958
- Geneva Convention 1927
- UNCITRAL Model Law
- Modern Agreements in investment protection

UNIT II

- Investment Disputes
- Role of Sources of International Law in resolving International Investment Disputes
- International Centre for Settlement of Investment Disputes(ICSID)
- United Nations Commission on Trade and Development (UNCTAD)
- International Investment Agreements
- Duration of Agreements

- National Treatment
- Most Favored Nation (MFN)
- Fair and Equitable Treatment
- (*Waste Management v United Mexican States*, Award 30th April 2004, 43 ILM 203;
- *Tecnicas Medioambientales Tecmed S.A. v. United Mexican States* ICSID Case No ARB(AF)/00/2
- Expropriation
- The Calvo Doctrine
- Compensation for losses suffered to Investors
- Effective means of asserting claims
- *Chevron-Texaco v Ecuador Azinan v The United Mexican States*, ICSID case No ARB(AF)/97/2
- The Hull Rule

UNIT III

- The Arbitration and Conciliation Act 1996
- 176th Law Commission Report, 2001
- 246th Law Commission Report (2014) related to amendments to the Arbitration and Conciliation Act 1996
- 188th Law Commission Report, 2003 on domestic/foreign Investors
- Domestic Arbitration
- International Commercial Arbitration
- Indian Council of Arbitrators (ICA)
- Indian Councils of Alternate Dispute Resolution (ICADR)

UNIT IV

- Indian International Investment Agreements
- India's assistance in International Commercial Arbitration
- Bilateral Investment and Promotional Agreements (BIPAs)
- White Industries Australia Limited Vs The Republic of India

- Bharat Aluminium Co Vs Kaiser Aluminium Technical Services Inc
- Bhatia International Vs Bulk Trading SA.
- Venture Global Engineering Vs Satyam Computer Services Limited
- Intel Technical Services Pvt Ltd Vs WS Atkins Plc
- Vodafone Case

UNIT V

- Investors Protection under International Investment
- Conflict of Norms in International Investment Law
- Foreign Judgments
- Reciprocity and Foreign Judgment
- Arbitration Award and its enforcement
- *SirdarGurdayal Singh v Rajah of Faridkote* [1894] AC 670
- *International Woolen Mills v Standard Wool(UK)Ltd* (2001)5 SCC 265

54. INDIRECT TAXATION (GOODS AND SERVICE TAX)

Course Objective:

1. Back Ground of GST - What is GST? - Process of introduction of VAT at the Centre and the States – Advantages and Limitations of VAT - Process of preparation for GST – Comprehensive structure of the GST model – Australian Model – Canadian Model – Kelkar-Shah Model – Bagchi-Poddar Model – The Practical Model - FAQson GST u/s. 4

2. Justification for introduction of GST - Shortcomings at the Central Level - Advantage at the Central Level on introduction of GST -Shortcomings at the State Level - Advantage at the State Level on introduction of GST

3. Salient Features of Proposed GST Model CONCURRENT DUAL GST (i) Dual GST model (ii) Applicability of GST (iii) Apportionment of GST between Central and States (iv) Input tax Credit under GST (v) Cross utilization of ITC between the Central GST and the State GST (vi) Refund and Adjustment of

GST (vii) Collection of GST (viii) Administration (ix) Chargeability (x) Compounding Option (xi) Returns under GST (xii) Registration Number (xiii) Audit and Assessment - Other Features of Dual GST Model

4. Inter State Goods and Service Tax - Major advantages of IGST Model - Interstate Goods & Service Tax-illustration

5. GST Rate Structure- GST rates in prominent Countries- Zero Rating of Exports- GST on Imports- Special Industrial Area Scheme.

Transactions within a state – under GST & Inter-State Transactions – Under GST

6. Taxes and Duties subsumed under GST - Taxes & Duties outside the purview of GST – (i) Tax on items containing Alcohol (ii) Tax on Petroleum Products Other Taxes & Duties on special items (i) Tax on Tobacco products (ii) Taxation of Services

Course Outcome:

Recommended Reading:

Goods and Service Tax Act

55. PUBLIC INTEREST LAWYERING LEGAL AID & PARA LEGAL SERVICES

Course Objectives: To improve the knowledge on public interest Litigation, free legal aid and Para legal services.

This paper shall consist of four parts, part A- theory paper maximum (40 marks) and practical maximum (60 marks)

Theory paper – 40 marks maximum

Course content of theory paper

There shall be only one theory paper wherein Public interest Lawyering legal aid and Para legal services. All the three shall be included. The paper setter is at liberty to choose his own format for setting theory paper in this subject. The effort shall however be made that all the three parts are covered in question paper for theory exam.

(A) Theory paper course content

A. Public interest Lawyering –

Meaning, nature, scope and object of Public Interest Litigation (PIL)

PIL against the State and other Public bodies.

Difference between Public Interest Litigation and

Private Interest Litigation; -Meaning of Social Action Litigation,

Concept of Locus standing

B. Legal aid

Legal Aid under the- Constitution, Code of Criminal Procedure; and Code of Civil Procedure
The Legal Services Authorities Act,1987. Legal Aid and Law Schools, Legal Aid and Voluntary Organisations. Legal Aid and Legal Profession; District Legal Aid Committee. LokAdalate-Their jurisdiction, working and Powers under the Legal Services Authorities Act, 1987, Consumer Protection Act .

C. Para legal services

Meaning, nature and content of Para-legal services, qualities of advocate clerks, duties and responsibilities, training as judicial clerk, role of bar associations in legal education, control of legal education by LEC, apprentice Law training, LPOs, pleaders ad appearance through next friend.

(B) Course work for practical – 60 marks maximum

PIL petitions (15 marks) minimum 5 PIL petition have to be drafted

Must read minimum five such petitions filed in Supreme Court and High Court and prepare a brief of all these files in a register. Facts and arguments and analysis of those arguments of the court, minority opinion if any has to be specifically analyzed.

Applications for Legal Aid (15 marks) minimum 5 application for Legal Aid have to be drafted

Minimum five such applications shall be written and kept on record in register. The applications must show the acknowledgment of the receipt at DLSA.

Part C: Para legal training (15 marks) minimum 5 application for Para legal training have to be drafted

Para legal training as judicial clerk and advocates clerk and submit record with certificate of work done. All the students must prepare diary for these works. (must join some chamber of advocate or judge)

Part D: viva-voce (15 marks)

Based on practical work done in Part A, B, C

Course Outcome:Legal Aid camps, legal Literacy and Legal Education are the major outcome of the course. Involvements of externals in the process of evaluation of practical work help to make process valuable.

Recommended readings

Textbooks-KailashRai's Moot Court Advocacy and Bar Bench Relations

Reference books: Mr. Krishnamurthy Iyer's book on "Advocacy".

Bar Council of India Rules

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56. Honours VII

57. Honours VIII