

LL.B 1ST SEMESTER

LAW OF CONTRACT

Course Objectives:

- The entire body of law, particularly that pertaining to property, business, trade, commerce, and corporate law in particular, is based on the law of contracts.
- Law students must have a conceptual understanding of the concepts and general rules that regulate contracts, since the Law of Contracts governs the entire web of contractual transactions.
- The legal aspect of a contract's formation, performance, discharge, and accessible channels for recourse for parties who have been wronged is learnt herein
- The function of law of contract in trade and commerce is significant. This lesson comes after the one on broad principles that all contracts must adhere to.
- They deal with general principles that apply to each specific contractual relationship.

Course Outcome:

- Gain understanding of the fundamental components of rewriting void contracts and agreements.
- Recognize the fundamental terms used in contract law.
- Determine the pertinent legal questions in the field of contract law about a specific set of circumstances.
- Understanding the distinction between an agreement and a contract; apply strategic and pragmatic thinking throughout the whole process of initiating and prosecuting a contract law dispute.
- Acquire knowledge of the fundamental laws pertaining to commercial contracts.

Unit 1: General Principles

1.1 History And Nature Of Contractual Obligations

1.2 Formation of an Agreement

Intention, Proposal and Acceptance, Communication and Revocation of Proposal and Invitations for Proposal.

Unit 2: Valid and Voidable Contract

2.1 Consideration - Its Need, Meaning, Kinds, Essential Elements, Adequacy Of Consideration - Present, Past And Future Consideration - Unlawful Consideration - Evaluation Of The Doctrine Of

2.2 Privity of Contract and Its Exceptions

2.3 Competency to Contract

2.4 Free Consent, Coercion, Undue Influence, Fraud, Misrepresentation, Mistake

Unit 3: Void Contract

- 3.1 Legality of Object
- 3.2 Void Agreement, Lawful and Unlawful Agreements
- 3.3 Unlawful Consideration and Unlawful Objects
- 3.4 Agreement without Consideration
- 3.5 Agreement in Restraint of Marriage
- 3.6 Agreements in Restraint of Legal Proceedings
- 3.7 Wagering Contract and Contingent Contract

Unit 4: Discharge of Contract Including Specific Relief Act

4.1 Performance of Contracts

Discharge Of A Contract And Its Various Modes: Discharge By Performance - Performance Of Reciprocal Promises, By Breach, Anticipatory Breach, Impossibility Of Performance - Frustration - Effect Of Frustration - Frustration And Restitution, By Period Of Limitation, By Agreement - Rescission And Alteration, Remission And Waiver Of Performance, Extension Of Time - Accord And Satisfaction,

4.2 Quasi – Contracts

Remedies in Contractual Relations, Remedies for Breach of Contract, Damages - Kinds Of Damages

4.3 Specific Relief Act, 1963: Definition, Injunction - When Granted And When Refused? Refund And Restitution, Specific Performance - Recovering Of Possession Of Property, Specific Performance Of Contracts, Rectification Of Instruments, Rescission Of Contracts, Cancellation Of Instruments, Declaratory Decrees, Preventive Relief.

Unit 5: Government Contract

5.1 Government as a Contracting Party: Constitutional Provisions – Government Power to Contract – Procedural Requirements – Kinds of Government Contracts – Their Clauses – Performance of Such Contracts – Settlements Of Disputes And Remedies.

5.2 Standard Form Contracts : Nature, Advantages – Unilateral Character, Principles Of Protection Against The Possibility Of Exploitation – Judicial Approach To Such Contracts – Exemption Clauses – Clash Between Two Standard Form Contracts – Law Commission Of India’s Views – 4, Multinational Agreement.

5.3 Remedies - Strategies and Constraints to Enforce Contractual Obligations - Judicial Methods – Redressal Forum, Other Methods like Arbitration, Lok Adalat, Nyaya Panchayat and Other Such No Formal Methods - Systemic Constraints In Settling Contractual Disputes, Court Fees, Service Of Summons, Injunctions, Delay.

Reference Cases

1. Mohori Bibee v. Dharmodas Ghose, [1903] UKPC 12, LR 30 IA 114
2. Carlill v. Carbolic Smoke Ball Company, (1893) 1 QB 256; (1892) EWCA Civ1
3. Chinnaya v. Ramayya, (1882) ILR (1876-82) 4 Mad137

4. Dunlop Pneumatic Tyre Co. Ltd. v Selfridge & Co Ltd, [1915] UKHL, [1915] AC847
5. Lalman Shukla v. Gauri Datt, (1913) 11 ALJ489
6. Taylor v. Caldwell, [1863] EWHC QB J1, (1863) 3 B & S826
7. Bhagwandas Goverdhandas Kedia v. M/s Girdharilal Parshottamdas & Co., AIR 1966 SC 543
8. Kanhaiya Lal Aggarwal v. Union of India, AIR 2002 SC 2766
9. Abdul Aziz v. Masum Ali, AIR 1914 All. 22
10. Tersem Singh v. Sukhminder Singh (1988) 3 SCC 471
11. Bank of India v. O.P. Swarankar, AIR 2003 SC 858
12. M/s Alopi Parshad & Sons Ltd. V. Union of India, AIR 1960 SC 588
13. State of West Bengal v. S.K. Mondal & Sons, AIR 1962 SC 779
14. Oil & Natural Gas Corporation Ltd. V. Saw Pipes Ltd. (2003) 4 SCALE 92

Recommended Books:

1. Bangia, R.K, “*Contract I*”, Allahabad Law Agency, Allahabad.
2. Kailash Rai, *Contract-I & Specific Relief Act*, Central Law Publication.
3. Myneni SR, *Contracts I*, Asia Law House,
4. Subba Rao, G.C., “*Law of Contract*”, S. Gogia & Co., Hyderabad.
5. Venkatesa Iyer, T.S, “*Law of Contracts*”, revised by Dr. Krishnamachary. S. Gogia & Co., Hyderabad.
6. Avatar Singh, “*Law of Contract and Specific Relief Act*”, Eastern Book Company, Lucknow.

Reference Books:

1. S. S. Srivastava, *Law of Contract — I & II with Specific Relief Act, Sale of Goods Act, Partnership Act & Negotiable Instruments Act*, Central Law Publication.
2. Anson, “*Law of Contract*”, Clarendon Press, Oxford.
3. Cheshire and Fifoot, “*Law of Contract*”, Oxford University Press.
4. Pollock and Mulla, “*Indian Contract Act*”, Lexis Nexis.
5. Sarkar, “*Specific Relief Act*”, Lexis Nexis, New Delhi.
6. Kapoor N.D, “*Elements of Merchantile Law*”, Sultan Chand and Sons Pvt. Ltd.

JURISPRUDENCE

Course Objective:

- Jurisprudence is the study of legal law and philosophy. Both its science and philosophy makes legal issues and concepts clear.
- The goal of the course is to build an analytical approach to comprehend the nature of law, as well as the evolution of the legal system.
- Jurisprudence tries to provide answers to basic legal concerns.
- The concern for jurisprudence is an inherent aspect of the legal system and the law itself. The frontiers of Jurisprudence are generous.
- It offers a wide range of intellectually stimulating topics.
- This paper aims to pinpoint and clarify a number of legal theory's core concerns.
- Additionally, this paper aims to foster comprehension of fundamental legal ideas such as ownership, liability, obligation, rights, title, possession, and ownership.

Course Outcome

- Identifies the concept, nature, and necessity of jurisprudence.
- Examines the different legal schools
- Exposition of the sources of law: legislatures, conventions, customs, and precedent.
- Describes the relationship between legal rights and legal duties, as well as the concepts of being a person, person position, corporate personality, possession, and ownership.
- Title, property, duty, liability, and procedural legal concepts are understood.

Unit 1: Introduction

1.1 Nature, definition of jurisprudence. Need to study jurisprudence

1.2 Definition, nature, scope, purpose and kinds of law

1.3 Sources of Law

Unit 2: Schools of Law – (Part I)

2.1 Analytical Positivism

2.2 Kelson's Pure Theory of Law – Grundnorm

2.3 Historical School of Law

Unit 3: Schools of Law – (Part II)

3.1 Sociological School of Law

3.2 Natural Law School

Unit 4: Legal Concepts (Part I)

4.1 Legal right and legal duty-correlation

4.2 Concept of person, position of person, corporate personality, possession and ownership.

Unit 5: Legal Concepts (Part II)

5.1 Concept of Title, property, liability, obligation

5.2 Procedure law

5.3 Natural Law

Reference Cases

1. Maneka Gandhi v. Union of India, AIR 1978 SC 597.
2. Kesavananda Bharti v. State of Kerala AIR 1973 SC 1461
3. A.K. Gopalan v. State of Madras, AIR 1950 SC 28
4. Olga Tellis v. Bombay Municipal Corporation, AIR 1986 SC 180
5. Bandhua Mukti Marcha v. Union of India, AIR 1984 SC 802
6. Peoples Union for Democratic Rights v. Union of India, AIR 1982 SC. 1473
7. Air India v. Nargesh Meerza, (1978) 2 SCR 621
8. I.C. Golaknath & others V. State of Punjab & ors., 1967 AIR 1643
9. Apparel Export Promotion Council V. A.K. Chopra, (1999) 1 SCC. 759
10. Vishaka V. State of Rajasthan, AIR 1997 SC 3011

Recommended Books

1. Mahajan, V.D, “*Jurisprudence and Legal Theory*”, Eastern Book Company, Lucknow.
2. Tripathi, B.N.M., “*Jurisprudence the Legal Theory*”, Allahabad Law Agency, Allahabad.
3. Agarwal Nomitha, “*Legal Theory*”, Central Law Publication, Allahabad.
4. Subba Rao G.C.V, “*Jurisprudence and Legal Theory*”, Eastern Book Company, Allahabad.
5. Dr. M.P Tandon, *Jurisprudence (Legal Theory)*, Allahabad Law Agency

Reference Books

1. Dr. S.R Myneni, *Gender Justice And Feminist Jurisprudence*, Allahabad Law Agency
2. Friedmann, W, “*Legal Theory*”, Sweet and Maxwell, South Asian
3. Dias, “*Jurisprudence*”, Lexis Nexis, New Delhi.
4. Fitzgerald, Patrick John, “*Salmond on Jurisprudence*”, Universal Law Publishing Co. Pvt. Ltd., New Delhi.

FAMILY LAW 1

Course Objectives:

- This course aims to provide students with an understanding of the family as an institution under personal laws that regulate matters related to marriage, divorce, adoption, maintenance, minorities, and guardianship.

- Students will study governing acts as well as decisions made by higher courts on a several issues.
- There is no complete codification of the personal law that applies to Christians, Muslims, Hindus, Parses, and other religious groups.
- These personal laws differ greatly in their specifics, even if their fundamental, overarching ideas are identical.
- Personal law applies not only to property law, such as joint family systems and devolution of property, but also to aspects of family relations, such as marriage and divorce, support and maintenance, children and their custody and guardianship, adoption, and the like.

Course Outcome

- Recognizes the roots of personal laws and their notion.
- A summary of the fundamental requirements for marriage as well as the institution of marriage under various personal laws are learnt.
- Determines the Causes for Marriage; Judicial Separation; grounds for divorce under different personal laws.
- Highlights the options for redress when marriages fail as well as the ideas of adoption, guardianship, and legitimacy under personal laws.
- Defines the relationship between codified laws and customary laws, together with the authority and duties of family courts.

Unit 1 – Introduction on Personal Laws

- 1.1 Who are Hindus and who are not Hindus - Hindu by religion, Hindu by birth, Hindu by declaration - Hindu Law: its origin, nature and application
- 1.2 Sources of Hindu Law
- 1.3 Schools of Hindu Law
- 1.4 Concept of family
- 1.5 Joint Hindu Family (Mitakshara and Dayabhaga): Mitakshara joint family Mitakshara Coparcenary - Partition and Reunion Joint Hindu Family as a social security institution and impact of Hindu Gains of Learning Act and various tax laws on it.
- 1.6 What is Islam - Significance of Islam - Teachings of Islam - Who is a Muslim - History of Islam
- 1.7 Sources of Muslim
- 1.8 School of Muslim Law

Unit 2 – Laws on Marriage

- 2.1 Concept of marriage and evolution of the institution of marriage
- 2.2 Marriage as sacrament and marriage as contract
- 2.3 The Hindu Marriage Act, 1955
- 2.4. 1. Applicability of the Act (Sec – 2, 4) and salient features of the Act.

2. Forms of marriage
3. Conditions of valid Hindu marriage (Sec 3 & 5)
4. Ceremonies for Hindu marriage (Sec – 7)
5. Registration of marriage (Sec – 8)

- 2.5 Definition of Nikah - Objects of Nikah - Nature of Nikah
- 2.6 Essential requirement of valid Muslim marriage
- 2.7 Void and Irregular Muslim marriage.
- 2.8 Muta marriage
- 2.9 Difference between Sunni and Shia law of marriage
- 2.10 Comparison between Muslim marriage and Hindu marriage
- 2.11 The Muslim Women (Protection of Rights on Marriage) Act, 2019

Unit 3 – Dissolution of Marriage

- 3.1 Judicial Separation (Sec – 10)
- 3.2 Void and Voidable marriage
- 3.3 Divorce and remedies under Hindu Marriage Act (Sec – 13(1), (2), 13 (1A), 13A, 13B and 15)
- 3.4 Matrimonial Remedies for Muslims (Talaq, Illa, Zihar, Tafwiz, khula, Mubarak) Muslim wife's grounds of divorce
- 3.5 Dissolution of Muslim Marriage Act, 1939
- 3.6 Dower (Mahr)

Unit 4 – Adoption and Maintenance

- 4.1 Who is a Minor - Appointment of Guardian - Kinds of Guardian
- 4.2 Guardianship law of Hindu and Muslims
- 4.3 Concepts of adoption, sonship, pious obligation of sons
- 4.4 Child and the family: Legitimacy, Adoption, Custody
- 4.5 Hindu Adoptions and Maintenance Act
- 4.6 Maintenance of divorced wives, neglected wives, minor children and parents under Hindu Marriage Act, 1956
- 4.7 Right of Muslim divorced women to maintenance
- 4.8 Maintenance of Muslims wives during and after divorce; Protection of Rights on Divorce Act, 1986
- 4.9 Maintenance under S.125 of Cr.P.C.

Unit 5 – Customary Practices and Law

- 5.1 Dowry and Dowry Prohibition Act, 1961
- 5.2 Child Marriage and Child Marriage Restraint Act, 1929
- 5.3 Article 44 of the Indian Constitution

5.5 Dispute Resolution Procedure of Marriages in Bodo villages

5.6 Role of Village Headman in resolving various disputes in Bodo villages

Reference Cases:

1. Mohd. Ahmed Khan v. Shah Bano Begum and Ors., 1985 SCR (3) 844
2. Bai Tahira A v. Ali Hussain Fissalli Chothia and Anr., 1979 AIR 362
3. Danial Latifi & Anr. v. Union Of India, 2007 (3) SCC(CRI) 266
4. Sarla Mudgal v. Union Of India & Ors., 1995 SCC (3) 635
5. Ramesh Chand Daga v. Rameshwari Bai, 2005 (4) SCC 772
6. Bhuri Bai v. State of Madhya Pradesh 2022, 901 11 Nov 2022
7. Hardev Singh v. Harpreet Kaur & Ors., AIR 2020 SC 37
8. B.R. Kapoor v. State of Tamil Nadu & Anr.
9. Saroj Rani v. SK Chadha, AIR 1984 SC 1562
10. Hardev Singh v. Harpreet Kaur & Ors. AIR 2020 SC 37

Recommended Books:

1. Agarwal, R.K., "*Hindu Law*", Central Law Agency, Allahabad.
2. Paras Divan, "*Modern Hindu Law*", Allahabad Law Agency, Allahabad.
3. Paras Divan, "*Family Law*", Allahabad Law Agency, Allahabad.
4. Ahmed, Aqil, Revised by Prof. Iqbal Ali Khan, "*Text Book of Mohammedan*", Central Law Agency, Allahabad.
5. Prof. Kusum, "*Family Law Lectures*", Lexis Nexis, New Delhi.
6. Faiz Badruddin Tyabji, "*Muslim Law - the Personal Law of Muslim in India on Pakistan*", N.M Tripathi Publications, New Delhi.
7. Mohammed Nazmi, "*Mohammedan Law*", Central Law Publications, Allahabad.

Reference Books:

1. Mayne's., "*Treatise on Hindu Law and Usage*", Bharat Law House, New Delhi.
2. Mulla, "*Principles of Mohammedan Law*", Lexis Nexis, New Delhi.
3. Fyzee A. A., "*Outlines of Mohammedan Law*", Edited and Revised by Tahis Mahmood, Oxford University Press, New Delhi.
4. Archana Parasher, "*Indian Journal of Gender Studies Marriage and Family Law Reforms in India*", Sage Publications, New Delhi.
5. Vasudha, "*Towards Uniforms Civil Code*", N.M Tripathi Pvt. Ltd., Bombay.

Course Objectives:

- Tort law is conceptual in nature and is not codified.
- Civil wrongs are the subject of the Tort Law. These types of wrongs include negligence, trespassing, assault, conspiracy, and fraud; their responsibility is different from that of criminal law and contract law.
- By providing damages to a successful plaintiff who can show that the defendant was to blame for the plaintiff's losses, tort law seeks to make up for any harm that has been done. Among other concepts covered in this area of study were those of negligence, nuisance, and liability.
- This course also covers the Consumer Protection Act 1986, and the principles of liability in case of accidents under the Motor Vehicles Act 1988.
- Right of consumer under the Consumer Protection Act will also be studied.

Course Outcome

- Students will understand the fundamentals of tortious liability. The defenses that can be used in a tort action, as well as the parties' ability to sue and be sued, are related issues.
- Student will learn that civil wrongs are the subject of the Tort Law. These types of wrongs include negligence, trespassing, assault, conspiracy, and fraud; their responsibility is different from that of criminal law and contract law.

Unit 1 – Introduction to Torts

1.1 Evolution of Law of Torts - Its development by Courts in England

1.2 Reception of Law of Torts in India

1.3 A Wrongful act - Legal damage - *damnum sine injuria* and *injuria sine damnum*

1.4 Tort distinguished from breach of Contract, trust, crime, quasi contract etc.

1.5 The concept of unliquidated damages

1.6 Foundation of tortious liability, Fault liability, Strict liability, Statutory liability, Liability without fault, Principles of Insurance in tort.

Unit 2 – General Exceptions to Liability in Torts

2.1 Volenti non fit injuria, Necessity, Plaintiff's the wrong doer, Act of God, Inevitable Accident, Private Defence, Statutory Authorization

2.2 Act of State, Plaintiff the wrongdoer, Judicial and Quasi – Judicial acts, Executive act, Mistake, Parental and Quasi – Parental authority.

2.3 Vicarious Liability - Master and Servant relation, Distinction between servant and Independent Contractor, Course of Employment, Hospital cases, Common Employment, Liability for tort in independent contractor, Master's duties towards servant, Servants duties to the Master, Joint Tort Feasors and Doctrine of Sovereign Immunity

Unit 3 – Specific Torts

- 3.1 Negligence: Basic concepts, Theories of Negligence, Standards of care, Duty to take care, carelessness, Doctrines of contributing negligence, *Res ipsa loquitur* and its importance.
- 3.2 Nuisance: definition, essentials, types, pollution of air, water, noise
- 3.3 Defamation: libel, slander – distinction
- 3.4 Nuisance: Public and Private Nuisance
- 3.5 Trespass to the Land - Re - entry in land, Recapture of goods, distress damage
- 3.6 Trespass to the Person – Assault battery, mayhem – False imprisonment
- 3.7 Strict Liability – Case of Ryland vs. Fletcher, Absolute Liability
- 3.8 Abuse of Legal Procedure
- 3.9 Deceit – Case of Derry vs. Peek.

Unit 4 – Consumer Protection Law

- 4.1 Aims and Objectives of Consumer Protection Act
- 4.2 Advertisement, Consumer, Complaints, Complainants, Defect in Goods and Services, Manufacturer, Product Seller, Product Liability, Unfair Trade Practice, Restrictive Trade Practice
- 4.3 Rights of Consumers
- 4.4 Consumer Protection Council
- 4.5 Central Authority – Meaning and Role of CCPA, Powers and Functions of CCPA
- 4.6 Dispute Redressal Mechanisms – District, State and National Commission, Mediation

Unit 5 – Motor Vehicle Law

- 5.1 Salient features of Motor Vehicles Act
- 5.2 Road safety measures as per Radhakrishnan Committee Recommendations.
- 5.3 No fault liability
- 5.4 Effect of death of parties in tort – Compensation
- 5.5 Insurer's liability – Driving without driving licence

Reference Cases:

1. Donoghue v. Stevenson, 1932 SC (HL) 31
2. Rylands v. Fletcher, 1868 LR 3 (HL) 330
3. Gloucester grammar School Case, 1410 Y.B. 11 hen. 1V of 47
4. Vaughan v. Taffvale Railway Company, 1858 EngR 1160 (1858) 3 H & N 743
5. Kasturi Ralia Ram v. the state of Uttar Pradesh, 1965 AIR 1039, 1965 SCR (1) 375
6. Bhim Singh v. State of Jammu and Kashmir and ors, AIR 1986 SC 494
7. Ashby v. White, 1703 92 ER 126
8. Haul v. Brook Lands Auto Racing Club, 1933 (1) K.B. 205

9. Dr. Ram Baj Singh v. Babulal, AIR 1982 ALL 285
10. Ram Ghulam and another v. State of Uttar Pradesh, AIR (1950) ALL206
11. Re Polemis and Furnace Withy & Co. (1921) 3 KB 560

Recommended Books

1. Ratan Lal & Dhiraj Lal, *“The Law of Torts”*, Lexis Nexis, New Delhi.
2. Bangia, R.K, *“Law of Torts including Compensation under the Motor Vehicles Act and Consumer Protection Laws”*, Allahabad Law Agency, Allahabad.
3. Panday, J.N, *“The Law of Torts”*, Central Law Publications, Allahabad.
4. Pillai, P.S.A., *“The Law of Torts”*, Eastern Book Company, Lucknow.
5. Myneni, S.R. *“Consumer Protection Law”*, Asia Law House, Hyderabad, 2020.

Reference Books:

1. Winfield & Jolowicz, *“Tort”*, Sweet and Maxwell, London.
2. Salmond & Heuston, *“Law of Torts”*, Sweet and Maxwell.
3. Ramaswamy Iyer, *“The Law Torts”*, Lexis Nexis, New Delhi.
4. Horsey, Kirsty & Rackley, Erica, *“Tort Law”*, Oxford University Press, London.
5. Paranjappa, Dr. N.V., *“Consumer Protection Law in India”*, Central Law Publication, Allahabad.

LL.B 2nd Semester

Special Contracts

Course Objectives:

- Understanding the application of general contract principles to bailment, contracts for the sale of goods, contracts for partnerships, hire purchase systems, and indemnity and guarantee is the goal of this course.
- To understand the full concept of indemnification, as well as contracts for guarantees, bailment, goods, partnerships, and hire purchases.
- To learn the separate laws that pertain to particular contracts, including those that are negotiable instruments.
- To understand the Sale of Goods Act in detail.
- To know the partnership laws in India and a partner's limited liability in a partnership firm.

Course Outcome:

- Student will be able to recognize the meaning of a guarantee and indemnity contract.
- They will learn about the Bailment Contract and Agency.
- Students will understand the purpose and importance of the Sale of Goods Act.
- Students will comprehend the significance of the Limited Partnership Act and the Indian Partnership Act.

Unit 1 – Bailment and Indemnity

- 1.1 Contract of Indemnity - Nature and extent of liability of the indemnifier Rights of Indemnity Holder, Liability of the Indemnifier
- 1.2 Contract of Guarantee - Definition of Guarantee, Essential characteristics of Contract of Guarantee
- 1.3 Distinction between Contract of Indemnity and Contract of Guarantee - Rights and liabilities of Principal Debtor - Nature of Surety's liability duration and termination of such liability - Rights and liabilities of Surety and Discharge of Surety
- 1.4 Contract of Bailment – Definition - Essential requisites of Bailment - Kinds of Bailment
- 1.5 Rights and Duties of Bailor and Bailee - Termination of Bailment
- 1.6 Pledge – Definition - Rights and duties of Pawner and Pawnee - Pledge by Non Owners

Unit 2 - Contract of Agency

- 2.2 Definition of Agent and Principal - Various methods of creation of agency
- 2.2 Distinction between Agent and Servant - Rights and duties of Agent - Delegation of authority
- 2.3 Relationship between Principal and third parties - Termination of Agency

2.4 Liability of the principal and agent before and after such termination

Unit 3 – Sales of Goods Act

3.1 Formation of Contract of Sale - Subject-matter of Contract of Sale

3.2 Conditions and Warranties - Stipulation as to time - Implied conditions and warranties as to title, quality, fitness etc. - Sale by description and by Sample - Treating conditions as warranties - Doctrine of Caveat Emptor

3.3 Effect of the contract - Transfer of Property - Nemo dat quad non habit

3.4 Sale - By a person other than the owner - By joint owner - By mercantile agent - By Seller or buyer in possession after sale

3.5 Performance of the contract - Rights and liabilities of Seller and Buyer before and after Sale

3.6 Rights of unpaid Seller

3.7 Suit for breach of contract - Auction Sale

Unit 4 – Laws on Partnership

4.1 Definition and nature of Partnership - Formation of Partnership - Partnership and other Associations - Partnership at Will

4.2 Registration of Firm - Effect of non – registration – Relationship of Partners - Rights and duties of Partners

4.3 Properties of the Firm - Relationship between Partners and thirdparties - Implied authority of a partner

4.4 Kinds of partners - Minor as partner - Reconstitution of a firm, Dissolution of firm

4.5 Limited Liability of Partnership Act - Essential features of Limited Liability of Partnership - Difference between Partnership and Limited Liability of Partnership

4.6 Incorporation of LLPs – Effect of Registration - Liabilities of LLP and its partners - Holding out – Conversion of Business Status – Winding Up

Unit 5 – Negotiable Instrument Act

5.1 Promissory Note and its Essential Features - Capacity to make promissory notes

5.2 Bill of Exchange

5.3 Cheque Holder - payment in due course

5.5 Definition of negotiable instruments

5.5 Dishonors of Cheques

Reference Cases:

1. Secretary of State v. Bank of India Ltd. (1938)65 IA 286.
2. Gajanan Moreshwar Parelkar v. Moreshwar Madan Mantri AIR 1942 Bom. 302.
3. Himadri Chemicals Industries Ltd. V. Coal Tar Refining Company, AIR 2007 SC 2798.

4. General Manager, Center Ry v. Lakshmi Ratan Cotton Mills Ltd., AIR 1971 All. 531.
5. Bank of Bihar v. The State of Bihar, AIR 1971 SC 1210.
6. K.M. Hidayathulla v. Bank of India, AIR 2001 Mad. 251.
7. Lakshmi Narain Ram Gopal & Sons v. Hyderabad Government, AIR 1954 SC 364
8. Kalka Prasad Ram Charan v. Harish Chandra AIR 1957 All 25
9. Skill Lotto Solutions Pvt. Ltd. v. Union of India, AIR 2020 SC 870.
10. Beale v. Taylor [1967] 3 All ER 253.
11. Munshi Ram v. Municipal Committee, (1979) 3 SCC 83.
12. Cox v. Hickman, (1860) 8 H. L. C. 268.
13. Dulichand Laxminarayan v. Commissioner of Income Tax, Nagpur (1956) INSC 14.

Recommended Books:

1. Avtar Singh, "*Law of Contract*", Eastern Book Company, 10thEdn., Lucknow, 2010.
2. Bangia R.K, "*Contract II*", Allahabad Law Agency, Allahabad, 2018.
3. Mulla, "*The Indian Contract Act*", N.M. Tripathi (P) Ltd. Bombay, 1977.
4. Subba Rao G.C.V, "*Law of Contract*", S. Gogia & Co., Hyderabad, 2016.
5. Krishnan.K. Nair, "*Law of Contract*", S. Gogia & Company, Hyderabad.
6. Anson, "*Law of Contract*", Oxford University Press, London, 1948.
7. Venkatesh Iyer, "*The Law of Contracts and Tenders*", Asia Law House, 4thEdn., Hyderabad, 1983.
8. Cheshire & Fifoot, "*Law of Contract*", Butters Worth, London, 1946.

Reference Books:

1. Ramaiah. A, "*Sale of Goods Act*", The Law Book Co., 4thEdn., Allahabad, 1998.
2. Benjamin, "*Sale of Goods Act*", Sweet & Maxwell, 11thEdn., London, 2020.
3. P.S. Atiyah, "*Sale of Goods Act*", Universal Book Traders, Delhi, 1997.
4. Majumdhara P.K., "*Law of Consumer protection in India*", Orient Publishing Co., 1994.
5. Leela Krishna P., "*Law of Consumer protection in India*", Eastern Book Company, Lucknow, 1984.

Constitutional Law I

Course Objectives:

- To assist the student understand and value constitutional law as one of the fundamental laws of the nation.
- To highlight the nature of basic rights and the Directive Principles of State Policy that promotes responsible governance.
- To understand why Constitution of India is called as social document and also to know the importance and implementation of fundamental duties.

- To understand the significance of Writs as stated under the Constitution of India.
- To recognize the significance of the Fundamental Duties.

Unit 1 – Historical Perspective of Constitution of India

- 1.1 Constitutional Developments since 1858 to 1947 - Philosophical development of Constitution
- 1.2 Constituent Assembly – Sovereignty
- 1.3 Preamble
- 1.4 Salient features of Constitution of India
- 1.5 Citizenship under the Constitution
- 1.6 Citizenship under the Citizenship Act, 1955 (as amended upto date)
- 1.7 The Foreigners Act, 1946 and The Foreigners Rules, 1964

Unit 2 – Fundamental Rights – I (Art 12 – 18)

- 2.1 Concept of State and Law (Articles 12 & 13)
- 2.2 Right to Equality
- 2.3 Doctrine of Severability, Eclipse and Waiver
- 2.3 Prohibition of discrimination – Equal Opportunity in Public Employment
- 2.4 Abolition of Untouchability

Unit 3 – Fundamental Rights – II (Art 19 – 28)

- 3.1 Right to Freedom - Freedom of speech and expression - Freedom of the press
- 3.2 Protection of life and personal liberty
- 3.3 Right to education
- 3.4 Protection against arrest and detention
- 3.5 Right against exploitation
- 3.6 Freedom of Religion

Unit 4 – Fundamental Rights – III (Art 29 – 35)

- 4.1 Cultural and Educational Rights
- 4.2 Right to Constitutional Remedies and Judicial Review

Unit 5 - Directive Principles of State Policies and Fundamental Duties

- 5.1 Directive Principles of State Policies (Art 38 to 51)
- 5.2 Fundamental Duties { Art 51 A (a) to (k) }

Reference Cases:

1. I. C. Golaknath and Others v. State of Punjab, AIR 1967 SC 1643
2. In re Berubari Union, AIR 1960 SC 845.

3. Romesh Thappar v. State of Madras, AIR 1950 SC 124.
4. M. C. Mehta v. Union of India and others, AIR 1987 1 SCC 395.
5. Indira Sawhney and others v. Union of India, AIR 1993 SC 477.
6. Vishakha and others v. State of Rajasthan, AIR 1997 SC 3011.
7. National Legal Services Authority v. Union of India, AIR 2014 SC 1863.
8. Indian Express Newspapers v. Union of India, AIR 1985 1 SCC 641.
9. Keshavananda Bharati v. State of Kerala, AIR 1973 SC 1461
10. ADM, Jabalpur v. Shivkant Shukla, AIR 1976 SC 1207.
11. Maneka Gandhi v. Union of India, AIR 1978 SC 597.
12. Bandhua Mukti Morcha v. Union of India, AIR 1997 SC 2218.
13. Justice K. S. Puttaswamy (Retd.) and another v. Union of India and others, AIR 2017 SC 4161.
14. Hussainara Khatoon v. State of Bihar, AIR 1979 SC 1369.
15. Sarla Mudgal v. Union of India, AIR 1995 3 SCC 635.
16. S. P. Gupta and others v. President of India and other, AIR 1982 SC 149.

Recommended Books:

1. Shukla V.N, “*Constitution of India*”, Eastern Books Company, Lucknow, 2019.
2. Pandey J.N, “*Constitutional Law of India*”, Central Law Agency, 57thEdn.,Allahabad, 2020.
3. Austin, Granwille, “*The Indian Constitution*” - Corner Stone of a Nation, Oxford University, Press, New Delhi, 1966.
4. Subrahmanyam, Annam, “*Constitutional Law of India*”, Andhra Law House, Visakhapatnam, 2002.
5. Narendra Kumar, “*Constitutional Law of India*”, Allahabad Law Agency, 9thEdn., Allahabad, 2016.
6. Subramanyam A, “*Constitutional Law of India*”, New Era Publication, Noida, 2021.

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1. Seervai, H.M, “*Constitutional Law of India (in 3 volumes)*”, Silver Jubilee Edition, 4thEdn., Delhi, 2017.
2. Basu, D.D, “*Constitutional Law of India*”, Lexis Nexis, 24thEdn., New Delhi, 2019.
3. Jain, M.P, “*Indian Constitutional Law*”, Lexis Nexis, 7thEdn., New Delhi, 2017.
4. Subba Rao, G.C.V., “*Indian Constitutional Law*”, Eastern Books Company, Lucknow.
5. Tope, T.K., “*Constitutional Law of India*”, Eastern Book Company, Lucknow.
6. Shiva Rao B, “*The Framing of India’s Constitution (in 5 volumes)*”, Indian Institute of Public Admn., New Delhi.
7. Constituent Assembly Debates - *Official Report*, Lok Sabha Secretariat, New Delhi.

Family Law 2

Course Objectives:

- Making the students understand and recognize the succession law under Muslim, and Hindu law is the primary goal of this subject.
- The syllabus includes the modifications made following the enactment of the Hindu Succession Act, 1956, and other relevant laws.
- In addition to the Sunni and Shia Law of Inheritance, the topics of wakfs, wills, gifts, and pre-emption are covered in different chapters under Muslim law.

Course Outcome:

- Understanding the concept of property.
- Providing an overview of the historical basis of traditional Hindu law in order to better understand the Hindu Succession Act of 1956 as it relates to property and the Hindu female successor's property.
- Determining the Devolution of Interest in the Mitakshara Coparcenary in Light of the Hindu Succession Act of 1956.
- Highlighting the Hindu Succession Act, 1956's provisions regarding the inheritance of Hindu women who dies intestate.
- Explains the Indian Succession Act and the Muslim Law of Inheritance and Succession.

Unit 1 – Concept of Property

1.1 Kinds and sources of property in Hindu Law

1.2 Property concept, scope and evolution, New Property concepts, Such As Skill, Job, etc. as new forms of property.

Unit 2 – Hindu Laws of Inheritance

2.1 Coparcenary and separate property, women's property

2.2 Alienation of joint Hindu family property by Karta, Father, Alienees rights, duties and remedies

2.3 Alienation of property by way of –

1. Gift
2. Will
3. Religious and Charitable Endowments

Unit 3 – Hindu Laws of Succession

3.1 The Hindu Succession Act, 1956 - Main features of legislation.

3.2 Devolution of Mitakshara property under the Act

3.3 General principles of inheritance, classification of Heirs (Sec – 8 to Sec – 13).

3.4 Succession to Mitakshara Coparcener's interest and testamentary succession (Sec – 6, Sec – 30).

3.5 Succession to the Property of Female Hindu (Sec – 14, 15, 16).

3.6 Succession to the Property of a Male Hindu.

3.7 General rules of succession (Sec – 18 to 30).

Unit 4 – Muslim Laws of Inheritance

4.1 Rules of Primogeniture

4.2 Rules governing Sunni and Shia law of inheritance - Differences between Shia and Sunni Law

4.3 Administration of Estates

4.4 Gift (Hiba) Wills under Muslim Law

Unit 5 – Muslim Laws of Succession

5.1 Indian Succession Act - Intestate Succession

5.2 Legacies, Probate and letters of administration

5.3 Executor-administrators - Succession certificate

5.4 Rule of ‘Spes Succession’

5.5 Pre – Emption (Shuffa)

5.6 Death Bed Transaction

5.7 Uniform Civil Code (UCC Art 44)

Reference Cases:

11. V.D. Dhanwatey v. CIT, AIR 1968 SC 683

12. CWT v. Chander Sen, (1986) 3 SCC 567

13. Bhagwant P. Sulakhe v. Digambar Gopal Sulakhe, AIR 1986 SC 79

14. John Vallamattom and Anr. v. Union of India, Writ Petition (Civil) 242 of 1997

15. Vineeta Sharma v. Rakesh Sharma, (2019) 3 SCC 162

16. Mohammad Hesabuddin v. Mohammad Hesaruddin, AIR 1984 Gau. 41

17. Mumtaz Ahmad v. Wasi-un-nesa, AIR 1948 Oudh 301

18. A. M Khan v. Mirtuza Khan, AIR 1991 Pat. 154

19. Indira Bai v. Nand Kishore, AIR 1991 SC 1054

20. Abdul Raheem v. Land Acquisition Officer, AIR 1989 AP 318

Indian Penal Code

Course Objectives:

- Law and crime are connected in such a way that it is nearly impossible to fully understand one without the other.
- Students should understand the ideas of crime, punishment, and criminal justice.
- Criminal law's major goals are to punish offenders and uphold social order while also protecting people's lives and liberties.
- Identify and synthesize social theory about crime and social deviance and explain various obstacles and barriers experienced by individual before during and after imprisonment.

Course Outcome:

- The ability to distinguish between criminal and civil liability is understood by the students.
- Students know and understand basic offences.
- The student is knowledgeable about the variety of distinct offenses, including property and bodily offenses.
- Students are able to recognize the elements of crime.
- Students can express well-informed opinions on significant, contentious criminal law matters.

Unit 1 – Concept of Crime and Criminal Liability

1.1 Conception of Crime

1.2 Elements of criminal liability

1.3 Stages of a crime

1.4 Salient features of I.P.C.

Unit 2 – General Exceptions

2.1 Common intention

2.2 Abetment

2.3 Criminal Conspiracy

2.4 Private Defence - justification and limits, when private defence extends to causing of death to protect body and property – Necessity – Mistake of Fact

Unit 3 – Offences against State and Public

3.1 Waging war against the government of India.

3.2 Assaulting high officers

3.3 Sedition

3.4 Waging war against a power at peace with the government of India.

3.5 Unlawful Assembly

3.6 Rioting

3.7 Promoting enmity between different classes

3.8 Affray

Unit 4 – Offences against Human Body

4.1 Unlawful homicide - Culpable homicide - Murder - Homicide by rash or negligent act - Suicide - Dowry death

4.2 Hurt and grievous hurt

4.3 Wrongful restraint

4.4 Wrongful confinement

4.5 Criminal force

4.6 Assault

4.7 Kidnapping

4.8 Abduction

4.9 Sexual Assault (Rape) and other sexual offences

4.10 Cruelty to married woman

4.11 Defamation

Unit 5 – Offences against Property

5.1 Theft

5.2 Extortion

5.3 Robbery

5.4 Dacoity

5.5 Criminal misappropriation of property

5.6 Criminal Breach of Trust

Reference Cases:

1. Krishna Kumar Vs. Union of India AIR 1959 SC 1390
2. **Mahbooh Shah V Emperor (Indus River Case) AIR 1945 PC 118**
3. **Bachan Singh V. State of Punjab AIR 1980 SC 898**
4. **Om Prakash V. State of Punjab. AIR 1961 SC 1782**
5. **Gian Kaur Vs. State of Punjab, 1996 2 SCC 648**
6. **Shyam Babu and Others Vs. State of Haryana AIR 2009 SC 577**
7. **Kedar Nath AIR 1962 SC 955**
8. **Navtej Singh Johar Vs. Union of India AIR 2018 SC 4321**
9. **K.M. Nanavati Vs. State of Maharashtra AIR 1962 SC 605**
10. **Chandi Kumar Vs. Abanidhar Roy AIR 1965**
11. **State of U.P. Vs. Shukhpal Singh & Others AIR 2009 SC 1729**

Recommended Books:

1. Gour K.D, “*Text Book on the Indian Penal Code*”, Universal Law Publishing Co., 4th Edition, New Delhi, 2009.
2. Mishra S.N, “*Indian Penal Code with Criminal Law (Amendment) Act, 2018*”, Central Law Publication, 21stEdn., Lucknow, 2018.
3. Myneni, S.R., “*Law of Crimes*”, Asia Law House, 3rdEdn, Hyderabad, 2019.
4. Malik S.K., “*Indian Penal Code*”, Allahabad Law Agency, 2009.
5. Gandhi, B.M., “*The Indian Penal Code*”, Eastern Book Company, 2nd Edn., Lucknow, 2008.
6. Basu’s “*Textbook on Indian Penal Code*”, Whytes & Co., 15th Edn., Gujarat, 2021.
7. Bhattacharya, *The Indian Penal Code*, Central Law Agency, 9th Edn., Allahabad, 2018.
8. Richa Mishra, “*Criminal Law Part – I*, New Era Publication, Noida
9. Her Singh Gour, “*Penal Law of India*”. Law Publishers India Pvt. Ltd. 11thEdn. 2018.

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1. Ratan Lal and Dhiraj Lal, “*Indian Penal Code*”, Wadhwa & Co., 36th Edn., Nagpur, 2019.
2. Pillai, P. S. A., “*Criminal Law*”, Lexis Nexis, 14th Edn., New Delhi, 2019.
3. Pillai, Chandrashekharan, “*General Principles of Criminal Law*”, Eastern Book Company, 2nd Edn., Lucknow, 2020.
4. Prasad, Kishore, “*Problems and Solutions on Criminal law*”, Lexis Nexis, New Delhi, 2017.
5. Tandon, M.P., “*The Indian Penal Code*” Allahabad law Agency, Lucknow, 2016.
6. Nelson, R.A., “*Indian Penal Code Set of 4 vols.*”, Lexis Nexis, 1st Edn., New Delhi, 2015.

Legal Research Methodology

Course Objectives:

- To learn the basic elements of research by concentrating more on the legal research.
- To understand the need of law for better building of a society in terms of social, economic justice.
- To learn research methods step by step.
- Student will also learn importance of law library and usefulness of computer for conducting research.

Course Outcome:

- Student will learn the importance and need of legal research for providing comprehensive justice to the people.
- Research will help the students to understand and interpret laws better.
- This subject will help the students to collect the necessary information from various sources.
- The knowledge of reading and analyzing the concepts will multiply with the help of this subject.

Unit 1 – Introduction to Research

- 1.1 Law and Society
- 1.2 Legal System and Social System
- 1.3 Law for Socio Economic Development

Unit 2 – Legal Research Methodology

- 2.1 What is research?
- 2.2 Types of research
- 2.3 Research Methods and Research Methodology
- 2.4 What is legal research?
- 2.5 Scope and relevance of legal research
- 2.6 Importance of legal research
- 2.7 Legal research and methodology - Doctrinal Legal Research - Non-Doctrinal Legal Research
- 2.8 Sources of information

Unit 3 – Steps of Research (Part 1)

- 3.1 Identification and formulation of a research problem
- 3.2 Review of literature
- 3.3 Formulation of a hypothesis

Unit 4 – Steps of Research (Part 2)

- 4.1 Research design
- 4.2 Sampling
- 4.3 Collection of data – Questionnaire – Interview – Observation
- 4.4 Analysis of data
- 4.5 Interpretation of data
- 4.6 Report Writing

Unit 5 – Usage of Law Library and Computer in Legal Research

- 5.1 Importance of Secondary Data
- 5.2 Usage of Text Books, Journals, Periodicals, Etc
- 5.3 Usage of Internet Data

Recommended Books:

1. C. R. Kothari and Gaurav Garg – Research Methodology, Methods and Techniques
2. Dr. S. R. Myneni – Legal Research Methodology
3. J. Mahalakshmi and P. Balamurugan - Legal Research Methodology

4. Prof. (Dr) Rattan Singh - Legal Research Methodology
5. Dr. T. Padma and K.P.C. Rao - Legal Research Methodology
6. Dr. H.N. Tiwari - Legal Research Methodology

LL.B 3RD SEMESTER

Land Laws of Assam

Course Objectives:

- In this paper the students will learn about land as legal and constitutional rights.
- The students will trace the historical development of land in the state of Assam beginning from Ahom rule till the recent developments of law.
- Various provisions like land mutation, partition, land acquisition, rehabilitation and settlement of land will be learnt by the students in this course.
- Protection given to the backward classes under Assam Land and Revenue Regulation will be highlighted to the students.
- Protection of tribal belt and blocks will be ascertained.

Course Outcome:

- After learning this course the students will be well versed with the citizen's legal and constitutional right over their land.
- The students will gain knowledge on categories of land.
- The students will acquire information on resolving land disputes.
- The rights of land owners before and after the land acquisition will be learnt by the students.

Unit 1 – Introduction to Land

- 1.1 Understanding on Land
- 1.2 Property as a Legal Right
- 1.3 History of Land Rights in Assam
- 1.4 Constitutional Rights

Unit 2 - Assam Land and Revenue Regulation 1886

- 2.1 Revenue Administration during Ahom Rule
- 2.2 Different kinds of land rights
- 2.3 Settlement operation, realization of arrear land revenue
- 2.4 Mutation, partition, appeal
- 2.5 Matter exempted from preview of civil court
- 2.6 Protection of Backward Classes

Unit 3 - Protection of Backward Class (Chapter X) under the Assam Land & Revenue Regulation, 1886

3.1 Classes of People Entitled to Protection

3.2 Protective Measures

3.3 Tribal Belt and Blocks

3.4 Rights over Land

3.5 Eviction

3.6 Dispute Resolving Mechanisms

Unit 4 - Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

4.1 Understanding on Land Acquisition

4.2 History of Land Acquisition

4.3 Acquisition of Land for Public Purpose

4.4 Rehabilitation and Resettlement

4.5 Payment and Compensation

4.6 Offenses and Penalties

Unit 5 - The Assam Urban Areas Rent Control Act, 1972

5.1 Meaning of Landlord, Pucca Structure, Standard Rent, Fair Rent

5.2 Rights and Duties of Landlord and Tenant

Reference Cases:

1. Indore Development Authority v. Manoharlal and Ors. Etc., AIR 2020 SC 1496
2. Association for Protection of Democratic Rights v. State Of West Bengal and Ors. 2007(4) CHN 842
3. Himangshu Sekhar Purkayastha v. The State of Assam, AIR1953GAU55
4. Soneswar Basumatary v. Assam Board of Revenue, Laws (Gau)-1998-5-25
5. Swarna Brahma v. Assam Board of Revenue, AIR 1972 Gau 121
6. Refiqunnessa v. Lal Bahadur Chetri AIR 1964 SC 1511
7. Kali Kumar Sen v. Moahulal Biswas AIR 1969 A8M 66 (FB).
8. Variety Emporium v. VRM Md. Ibrahim Novina, AIR 1985 SC 207
9. Satyaranjan v. Assam Board of Revenue AIR 1999 Gau – 83 (FB)
10. V. Dhanpal Chettiar v. Yesodal Amal, AIR 1979 SC. 1745

Constitutional Law 2

Course Objectives:

- To make it possible for students to learn about the relationships between the federal government, state governments, and both.

- To make the students aware of the Indian President's position.
- To understand the Supreme Court's and the High Court's roles and authority.
- To understand the duties and authority of constitutional bodies.
- To comprehend the significance of the Emergency and Constitutional Amendment provisions.

Course Outcome:

- Gain knowledge of the parliamentary system of government.
- Provide an overview of the Council of Ministers, the President's constitutional role, the Governor's role, State government roles, and the Center-State relationship.
- Determine the legislative body's authority to enact laws.
- Emphasize on the federal notion and state for the need of independency to the judiciary.
- Detailed explanation of the provisions pertaining to Trade, Services, and the importance of the Constitution.

Unit 1 – The Union and State

1.1 The President of India - Election of President, Qualifications for Election of President - Powers and Functions of the President

1.2 Procedure for impeachment of the President, President's constitutional relationship, Vice – President of India, Election of Vice – President, Salary, etc., - Council of Ministers to aid and advice the President

1.3 Parliamentary Government - Constitution of Parliament, Legislative Process - powers, privileges and immunities of Parliament and its members

1.4 Freedom of Speech, Practice of law-making, etc.

1.5 Legislative Privileges vs. Fundamental Rights

1.6 The Chairman and Deputy Chairman of the Council of States, Council of Ministers to aid and advice the Governor and State Government

1.7 The Speaker and Deputy Speaker - The Prime Minister - Cabinet System, Collective Responsibilities

1.8 President Prime Minister Relationship - Party System - Position of Speaker - Anti-Defection Law

Unit 2 – Judiciary

2.1 Independency of the Judiciary

2.2 Judicial Process under the Constitution

2.3 Supreme Court – Chief Justice and other Judges of the Supreme Court – Appointment and Removal of Judges

2.4 Jurisdiction of Supreme Court – original jurisdiction, appellate jurisdiction, statutory appeal, special leave to appeal power of review, advisory jurisdiction

2.5 High Courts – Jurisdiction of High Court

2.6 Judicial Review – Judicial Activism

2.7 Writs

Unit 3 – Principles of Federalism

3.1 Federalism - Comparative study Federalism in other countries

3.2 Relations between the Centre and the States Administrative

3.3 Legislative Relations between Centre and states

3.4 Financial Relations between Centre and States

Unit 4 – Freedom of Trade and Services

4.1 Freedom of Trade, Commerce and Inter Course

4.2 Power of Parliament to impose restrictions on trade and commerce and intercourse

4.3 Restrictions on trade, commerce and intercourse among states

4.4 Services under the Union and States - Doctrine of Pleasure, Dismissal, Protection against Arbitrary Dismissal, Removal or Reduction in Rank

Unit 5 – Emergency and Amendment

5.1 Emergency Provisions under the constitution

5.2 Types of Emergencies

5.3 Proclamation of Emergency

Reference Cases:

1. Keshavanand Bharati v. State of Kerala, AIR 1973 SC 1461
2. Maneka Gandhi v. Union of India, AIR 1978 SC 597
3. In special reference No. of 1998 (Judges Appointment Case) AIR 1999 SC 1
4. S.R. Bommai v. Union of India, AIR 1994 SC 1918
5. Kuldeep Nayyar v. Union of India, AIR 2006 SC 312
6. A.D.M. Jabalpur v. Shivkant Shakla, AIR 1976 SC 1207
7. Rameswar Prasad v. Union of India, AIR 2006 SC 980
8. Kesab Singh in re. AIR 1965 SC 745
9. Union of India v. Tulsiram, AIR 1985 SC 141
10. Atiabari Tea Estate Co v. State of Assam, AIR 1961 SC 232

Recommended Books:

7. Shukla V.N, “*Constitution of India*”, Eastern Books Company, Lucknow, 2019.
8. Pandey J.N, “*Constitutional Law of India*”, Central Law Agency, 57th Edn., Allahabad, 2020.
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13. Shiva Rao B, “*The Framing of India’s Constitution (in 5 volumes)*”, Indian Institute of Public Admn., New Delhi.
14. Constituent Assembly Debates - *Official Report*, Lok Sabha Secretariat, New Delhi.

Criminal Procedure Code including Juvenile Justice Act and Probation of Offenders Act

Course Objectives:

- The primary goals of the course are to familiarize students with the functioning of the criminal justice delivery system and help them understand the important issues involved in the process.
- The Substantial Criminal law, which defines offenses and establishes penalties for them, would be essentially useless in the absence of appropriate procedural legislation.
- The purpose and rationale of the criminal law will be severely limited in the absence of any deterrent effect.
- Criminal Procedure was established to guarantee the administration of Criminal Law and is intended to be a supplement to it.
- A just society can have fair procedures with the help of procedural law.

Course Outcome:

- The pre-trial, trial, and post-trial procedures for making the administration of criminal justice efficient will be explained to the students.
- The course will familiarize the students with the roles and responsibilities of the functionaries as defined by the Criminal Procedure Code.
- The FIR, Police statement, charge sheet, and other materials will also be familiarized to the students.
- It is a significant piece of legislation that provides students with practical expertise.

- The study of criminal procedure is merged with juvenile justice and offender probation. These subjects do have a foundation in criminal process as well.
- Students will gain knowledge of the hierarchy of criminal courts that have the authority to hear appeals and make revisions.

Unit 1 – Criminal Justice System

1.1 Salient features of the Criminal Procedure Code, 1973

1.2 Constitution of Criminal Courts - Powers and Jurisdiction

1.3 Judicial and Executive magistrates

Unit 2 – Procedure for Arrested Persons/Investigation Proceedings

2.1 Investigation - first information report - Powers of Police Officers - Interrogation powers of police officer evidentiary value of FIR and statements made to police

2.2 Arrest with and without a warrant - Preventive powers of the Police

2.3 Special remand order - Police diary, Police report

2.4 Rights of arrested person - Search and Seizure - Proclamation and Attachment - Recording of confessions and statements

2.5 Inquiry Proceedings & Bail provisions - Initiation of Inquiry proceedings - Inquiry proceedings before magistrates

2.6 Maintenance of wife, children and parents

Unit 3 – Trials

3.1 Trial Proceedings - Concept of fair trial - Presumption of Innocence - Right of Silence & Right to Speedy Trial

3.2 Charge

3.3 Trial before a court of session

3.4 Trial of Warrant Cases before magistrates

3.5 Trial of Summons Cases

3.6 Summary Trials

Unit 4 – Appeals, Reference, Revision and Execution

4.1 Appeals

4.2 Reference

4.3 Revision

4.4 Transfer of criminal cases

4.5 Execution of Orders

Unit 5 – Juvenile Justice and Probation of Offenders

- 5.1 Concept of Juvenile Justice - Provisions relating to Juvenile Offenders under IPC and Criminal Procedure Code; Juvenile Justice Act, 1986 - Juvenile Justice (Amendment) Act, 2000 – major changes
- 5.2 Distinction between Juvenile Offender and Neglected Juvenile
- 5.3 Constitution of Child Welfare Boards and Juvenile Courts
- 5.4 Observation and Juvenile Homes
- 5.5 Powers of the State Government to constitute Advisory Boards
- 5.6 Release the juvenile from juvenile or special home
- 5.7 Concept of probation - Salient features of Probation of Offenders Act 1958
- 5.8 Parole system - Role of probation officers - Role of Judiciary in the implementation of the Act
- 5.9 Reforms in Criminal Procedure - Major recommendations made in the Mallimath Committee, 2002 in relation to Criminal Procedure Code.

Reference Cases:

1. Brij Nandan Jaiswal v. Munna, AIR 2009 SC 2001
2. Brindaban Das v. State of West Bengal, (2009) 3 SCC 329
3. Balbir Singh v. State of Delhi, AIR 2007 SC 2397
4. State of Haryana v. Dinesh Kumar (2008) 3 SCC 222
5. Zahira Habibullah H Sk v. State of Gujarat, (2004) 4 SCC 158
6. Prahlad Singh Bhati v. NCT, Delhi (2001) 4 SCC 280
7. Mukesh & Anr v. State for NCT of Delhi & Ors, AIR 2017 SC 2161 (Nirvaya Case)
8. Sheela Barse & Ors v. Union of India & Ors, 1986 SCALE (2) 230
9. Salil Bali v. Union of India & Anr., AIR 2013 SC 3743
10. Dalbir Singh v. State of Haryana, AIR 2000 SC 1677
11. Keshav Sitaram Sali v. State of Maharashtra, AIR 1983 SC 291

Recommended Books:

1. Ratan Lal and Dhiraj Lal, "*Indian Penal Code*", Lexis Nexis, 23rd Edn., Lucknow, 2020.
2. Achutan Pillai, "*Criminal Law*", Lexis Nexis, 14th Edn., Lucknow.
3. Subrahmanyam, A. et. al. (Edn.), "*Dimensions and Directions*", Vikash Publishing Ltd. New Delhi, 2002.
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1. Gaur K.D, "*Criminal Law*", Cases and Material, Lexis Nexis, 9th Edn., New Delhi, 2019.
2. Kenny. S, "*Outlines of Criminal Law*".

3. Kelker, R. V, "*Lecturers on Criminal Procedure Code*", Eastern Book Publication, 6th Edn., Lucknow, 2018.
4. Mishra, S.N., "*The Code of Criminal Procedure*", Central law Publication, 22nd Edn., New Delhi, 2019.
5. Sarkar, "*The Code of Criminal Procedure*" Lexis Nexis, 12th Edn.

Law of Evidence

Course Objectives:

- This course's main goal is to emphasize the importance of evidence in the administration of justice.
- The student will learn the course with a solid understanding of the fundamentals of evidence law as well as the rigorous application of its regulations in court proceedings.
- Students will understand the function of evidence law as well as its guiding principles in both criminal and civil cases.
- Students will learn how this legislation relates to other procedural laws as well as substantive law.

Course Outcome:

- Students will learn about different kinds of evidence required for fair hearing for equitable justice.
- Students will learn the circumstances of admitting confession of crime by the accused.
- Relevancy and non – relevancy of confession will be understood by the students.
- The role of witnesses, dying declaration, opinion of third person and character of person for the case will be summarized in this paper.
- Examination, cross examination and burden of proof will be learnt in this paper.

Unit 1 – Introduction

- 1.1 Main Features of the Indian Evidence Act, 1872
- 1.2 Oral and Documentary
- 1.3 Real Primary and Secondary Evidence,
- 1.4 Circumstantial Evidence and Direct and Indirect Evidence
- 1.5 Hearsay Evidence
- 1.6 "Proving", Not Proved and "Disproving"
- 1.7 Witness, Appreciation of Evidence

Unit 2 – Relevancy and Admissibility of Facts

- 2.1 Facts – Relevancy of facts (S.S – 16), facts in Issue, Facts distinguished from law, facts which is to be proved, not proved and Proof in civil and criminal cases disproved,
- 2.2 Doctrine of Res. Gestae (Ss. 6-9, 11)

- 2.3 Evidence of Common Intention – relating to conspiracy (S. 10)
- 2.4 The problems of relevancy of “otherwise” irrelevant facts (Sec. 11)
- 2.5 Relevant facts for proof of custom (S. 13)
- 2.6 Facts concerning bodies and mental state (Ss. 14, 15)
- 2.7 Relevancy and Admissibility of facts
- 2.8 Admission and confession (Ss. 24-30) – Definition - Similarity and difference between ‘admission’ and ‘confession’- Admission in civil cases, when relevant (S. 23) - Classification of confession – judicial and Extra-judicial - Confession to police (Ss. 25-30) - Retracted confession (S. 27) - Improper admission and rejection of evidence

Unit 3 – Dying Declaration

- 3.1 Statements by persons who cannot be called as witnesses (Ss. 32-33)
 - justification for relevance on dying declarations
 - judicial standards for appreciation of evidentiary value of dying declaration
- 3.2 How much of a statement to be proved (S. 39)
- 3.3 Relevance of judgment (Ss. 40-44)
- 3.4 Opinion of third person when relevant (Ss. 45-51)
- 3.5 Character when relevant (Ss. 52-55)
 - in civil cases, character to prove conduct imputed, irrelevant
 - in criminal cases, previous good character relevant, previous bad character not relevant, except in reply, character as affecting damages.

Unit 4 – Oral and Documentary Evidence

- 4.1 Oral evidence - general principles concerning Oral Evidence - exceptions to hearsay evidence
- 4.2 Documentary evidence - General Principles concerning documentary evidence
- 4.3 Primary and secondary evidence
- 4.4 Public document and private document
- 4.5 General Principles Regarding Exclusion of Oral by Documentary Evidence
- 4.6 Attested documents Ambiguous documents presumptions regarding documents.

Unit 5 – Of Witnesses

- 5.1 Competency and compellability of witnesses - Examination of witnesses
- 5.2 Competency to testify
- 5.3 Privileges of communications - matrimonial privileges State Privilege - Professional Privilege
- 5.4 Accomplice
- 5.5 General Principles of Examination - Leading Questions - Lawful Questions in Cross-Examination
- 5.6 Hostile witness - Impeaching of the standing the credit of witnesses

5.7 Burden of proof - The general conception of burden of proof - General and Special Exceptions to burden of proof - Presumption as to dowry death - The Scope of the doctrine of judicial notice Facts admitted need not be proved

5.8 Estoppel: What is Estoppel? - Estoppel, res judicata and waiver

5.9 Promissory estoppels

5.10 Improper admission and of witness in civil and criminal Cases

5.11 Amendment to Indian Evidence Act by the I.T. Act, 2000

Reference Cases:

1. State of Maharashtra v. Sukhdev Singh, AIR 1992 SC 2100
2. N. Siva Prasad Reddy v. State of Andhra Pradesh, 1993 2 ALT CrI 136
3. State of Uttar Pradesh v. Ravindra Prakash Mittal, AIR 1992 SC 2045
4. M. Narsinga Rao v. State of Andhra Pradesh, AIR 2000 SC 318
5. Prem Kumar Gulati v. State of Haryana, 2014 (14) SCC 646
6. Pakala Narayana Swamy v. Emperor, AIR 1939 PC 47
7. Smt. Kamala v. State of Punjab, AIR 1993 SC 374
8. Anil Sharma v. State of Jharkhand, AIR 2004 SC 2294
9. Santhi v. State of Haryana, AIR 1991 SC 1226
10. Manish Dixit v. State of Rajasthan, AIR 2001 SC 93

Recommended Books:

1. Vepa P. Sarathi, "*Law of Evidence*", Eastern Book Co., 8th Edn., Lucknow, 2021.
2. Batuk Lal, "*The Law of Evidence*", Central Law Agency, 2018th Edn., Allahabad, 2018.
3. Singh, Avtar, "*Principles of the Law of Evidence*", Central Law Publications, 24th Edn., Allahabad, Reprint 2020.
4. Krishnamachary, V., "*The Law of Evidence*", S. Gogia & Company, Hyderabad, 8th Edn., 2019

Reference Books:

1. Ratan Lal, and Dhiraj Lal, "*Law of Evidence*", Lexis Nexis, 24th Edn., New Delhi, 2013.
2. Monir, M., "*Principles and Digest of the Law of Evidence*", Universal Book Agency, 11th Edn., Allahabad.
3. Vijay Shekar R.D., "*Law of Evidence*", Vijay Law Series, 2017.
4. Basu, S.D., "*Law of Evidence*", Allahabad Law Agency, Allahabad, 2015.
5. Prakashan, Ajit, "*Law of Evidence*", Ajit Law Book.
6. Woodroffe & Ali, Amir, "*Law of Evidence*", Lexis Nexis, Vol. 1, 20th Edn., New Delhi.

Alternate Dispute Resolution including clinical Paper – I

Course Objectives:

- This paper provides an opportunity to learn about the process of resolving legal disputes through alternative means such as negotiation, conciliation, and arbitration.
- To investigate the features of judicial dispute resolution, including the benefits and drawbacks.
- To investigate ADR's methods, procedures, and other elements.
- To investigate the notions of conciliation and mediation.
- To thoroughly investigate the procedures used by arbitral tribunals and the means by which awards are enforced.

Course Outcome:

- The amount of unresolved disputes in courts these days is so overwhelming that the legal system is already overworked and experiencing delays.
- Students are taught ADR processes through this paper, which will provide them a solid understanding of additional techniques they could use as advocates in the real world.
- For law students, alternative dispute resolution (ADR) processes such as mediation, negotiations, conciliation are novel ideas that they will thoroughly explore and analyze in this paper.
- The main topic of the paper is the necessity for the developing nation of today to expedite and settle every case that is pending before the courts as a whole.

Unit 1 – Introduction to ADR system

1.1 Characteristics - Party participation and Control - Advantages and Disadvantageous of such resolution

1.2 Alternative to formal adjudication

1.3 Unilateral - Bilateral - Triadic (Third party) Intervention

1.4 Advantages – Limitations

1.5 Distinction between Arbitration - Conciliation and Negotiation and other forms of alternative resolution

1.6 Distinction between Judicial Settlement and Alternative Dispute Resolution

Unit 2 – Arbitration

2.1 UNCITRAL Model Laws

2.2 ADR provisions under the CPC, 1908 (Sec. 89) - ADR provision under the Hindu Marriage Act, 1955 - ADR provision under the relevant provisions of the Indian Contract Act, 1872 - ADR provisions under the Constitution of India, Article 298, Art. 299 and the related provisions of Art. 53 and Art. 162

2.3 Role of Panchayat

2.4 Role of Grama Sabhas

2.5 Arbitration

2.6 Proceedings in Arbitral Tribunals and Enforcement of Awards

- 2.7 Arbitral Award - Termination of Proceedings
- 2.8 Setting aside of arbitral award
- 2.9 Finality and Enforcement
- 2.10 Appeals, Enforcement of foreign awards

Unit 3 – Mediation, Conciliation and Lok Adalat

- 3.1 Negotiation
- 3.2 Mediation
- 3.3 Conciliation
- 3.4 Lok Adalat – Role of Legal Services Authorities

Reference Cases:

1. M.H. Hoscot v. State of Maharashtra, (1979) (1) SCR 192
2. In re. Central Coal Fields Case, AIR 1980 SC 2125
3. K.K.Modi v. K.N. Modi & Others, AIR 1998 SC 1297
4. National Insurance Co v. Amal Kumar Das, AIR 1998 Gau- 1
5. SBP & Co v. Patel Engg. Ltd 2005 (8) SC 618
6. Krishna Bhagya Jala Nigam Ltd v. G.Arischandra Reddy (2007) 2 SCC 720
7. Oil & Natural Gas Corporation v. Saw Pipes Ltd. 2003 (4) SCALE 92- 185

Recommended Books:

1. Tiwari, O. P, “*The Arbitration and Conciliation Act, 1996*”, Allahabad Law Agency, 2nd Edn., Allahabad, 2017.
2. Acharya N.K., “*Law Relating to Arbitration ADR*”, Asia Law House, 3rd Edn., Hyderabad, 2012.
3. Tripathi S.C., “*Arbitration and Conciliation Act, 1996*”, Central Law Publication, 7th Edn., Allahabad, 2015.
4. Avatar Singh, “*Law of Arbitration and Conciliation*”, Eastern Book Company, 8th Edn., Lucknow, 2007.
5. Rao, A Jagadeesh Chandra, “*Ready Reckoner on the Law of Arbitration and Conciliation Act*”, Asia Law House, 1st Edn., Hyderabad, 2017.

Reference Books:

1. Subrahmanyam, A. et. al. (Ed.), “*Judicial Activism Dimensions and Directions*”, Vikash Publishing Ltd. New Delhi, 2002.
2. Mallick, Justice S.B., “*Commentary on The Arbitration and Conciliation Act*”, Universal Law Publishing, 8th Edn., New Delhi, 2017.

3. Rao, P.C, “*Alternate Dispute Resolution: What it is and How it Works*”, Universal Law Publishing, 1st Edn., New Delhi, 2015.
4. Krishna, Keshav, “*Alternate Dispute Resolution (Arbitration, Conciliation Negotiation and Mediation)*”, Singhal Law Publication, New Delhi, 2017.
5. Chandrachud, Justice, D.Y., “*Alternate Dispute Resolution – The Indian Perspective*” Oxford University Press, New Delhi, 2018.

Environmental Law

Course Objectives:

- The course will assist the student in learning about the legislative and regulatory frameworks designed to safeguard the environment.
- Course is divided into International Environmental Law and Indian Environmental Law.
- This document provides information on legal mechanisms to support ongoing "Green" initiatives at the municipal, national, and international levels.
- The purpose of this course is to make students aware of the legislative measures in place to safeguard the environment as well as the spirit of the Indian Constitution.
- The students will have a comprehensive understanding of both national and international obligations for the protection of environment.

Course Outcome:

- Students will be able to comprehend the meaning of environment, forms of pollution in the environment, detrimental impacts of biodiversity loss, and definitions and explanations of the ozone layer.
- With the academic knowledge they are given, students ought to comprehend the need of taking action to protect the environment.
- The fundamentals of the various legal and governmental initiatives that have emerged at the national and international levels to prevent environmental contamination are taught to students.
- Students get a deeper understanding of the Indian judiciary's role in environmental preservation and the development of many principles, including intergenerational equality, the precautionary principle, the polluter pay principle, and sustainable development.
- Students will gain knowledge about judicial activism by going over a number of case laws that are listed according to different environmental protection domains.

Unit 1 – International Conventions for the Protection of Environment

1.1 Stockholm Conference 1972

1.2 Rio Earth Summit, 1992

1.3 World Summit on Sustainable Development (WSSD), 2002

1.4 U.N. Commission on Sustainable Development

1.5 Kyoto Conference

1.6 Johannesburg Declaration on Sustainable Development

1.7 Copenhagen Summit

1.8 Brundtland Commission

1.9 Montreal Protocol

Unit 2 – Constitutional Provisions of Environmental Law

2.1 Meaning and definition of environment and pollution

2.2 Kinds of pollution

2.3 Significance of environmental Law

2.4 Global issues of depletion of ozone layer and global warming (green house effect), importance of green house effect and global warming and action plan.

Territory law, Constitutional provisions concerning environment Articles 14, 15(2), 19 (e), 21, 32, 38, 39, 42, 47, 48-A, 49, 51, 51-A

Unit 3 – Protective Laws for Environmental Pollution (Part I)

3.1 Environment (Protection) Act 1986 - Definition and Salient features of the Environmental Protection Act - hazardous and non hazardous substances - Power and function of Central Govt. - Prevention, Offences and penalties of Environment pollution

3.2 The Water (Prevention and Control of Pollution) Act, 1974 - Meaning of Water Pollution - Sources of Water Pollution - Central Pollution Control Board - State Pollution Control Board - Prevention and Control of Water Pollution - Offences and Penalties

3.3 The Air (Prevention and Control of Pollution) Act, 1981 - Meaning of Air Pollution - Sources of Sources of Pollution - Effects of Air Pollution - Central pollution Control Board - State Pollution Control Board - Prevention and Control of Air Pollution - Offences and Penalties

Unit 4 – Protective Laws for Environmental Pollution (Part II)

4.1 The National Environment Appellate Authority Act, 1997

4.2 Principle of no fault and the Public Liability Insurance Act, 1991 liability

4.3 National Green Tribunal Act, 2010

4.4 Forest Conservation Act, 1980

Unit 5 – Remedies and Judicial Activism for Protection of Environment

5.1 Remedies under law of Torts – Nuisance – Negligence – Trespass - Strict Liability - Absolute Liability – Damages – Injunction

5.2 Criminal remedies - Indian Penal Code - Code of Criminal procedure

5.3 Public interest litigation for environmental protection - New dynamic role of the Judiciary

Reference Cases:

1. Union Carbide Corporation v. Union Of India, 1989 SCC (2) 540
2. Municipal Council, Ratlam v. Shri Vardhichand & Ors., 1979 3 SCC 327
3. M.C Mehta and Anr. v. Shri Ram Foods and Fertilizer Industries and Ors., AIR 1987 SC 965
4. Rural Litigation and Entitlement Kendra v. State of Uttar Pradesh, AIR 1985 SC 652
5. A.P Pollution Control Board v. Prof. M.V. Nayudu, AIR 1999 SC 812
6. Vellore Citizen Welfare Forum v. Union of India, AIR 1996 SC 2715
7. M.C Mehta v. Union of India, AIR 1988 SC 1115
8. Olga Tellis v. Bombay Municipal Corporation, 1986 AIR SC 180
9. S. Jagannath v. Union of India, AIR 1997 SC 811
10. M.C. Mehta v. Kamalnath and Ors., AIR 1996 SC 711
11. T.N Godavarman Thirumulkpad v. Union of India and ors., (1997) 2 SCC 267

Recommended Books:

1. Nanda, Dr. Sukanta K., "*Environmental Law*", Central Law Publication, 4th Edn., Allahabad, 2015.
2. Armin Rosencranz, Shyam Divan, Martha L. Noble, "*Environmental Law*".
3. Upadhyaya Jai Ram, "*Environmental Law*", Central Law Agency, Allahabad.
4. Sastsri S.C, "*Environmental Law in India*", Eastern Book Company, 6th Edn., Lucknow, 2017.
5. Tripathi, S.C., "*Environmental Law*" Central Law Publications, 6th Edn., Allahabad, 2017.
6. Leela Krishna, P., "*Environmental Law in India*", Lexis Nexis, 4th Edn. New Delhi, 2016.

Reference Books:

1. V.R. Krishna Iyer, "*Environment Protection and Legal Defence*", Sterling Publishers Pvt. Ltd., New Delhi, 1994.
2. Paras Diwan, "*Environmental Law, Policy, Administration*", Asia Law House, 2nd Edn., Hyderabad, 2013.
3. Maneka Gandhi, "*Animal Laws of India*", University Law Publishing Co. Pvt. Ltd., 6th Edn., New Delhi, 2016.
4. Shantha Kumar S., "*Environmental Law*", Lexis Nexis, 2nd Edn., New Delhi, 2008.
5. Jaswal, Dr. Paranjith S., "*Environmental Law*", Allahabad Law Agency, 4th Edn., Allahabad, 2018.

Property Law

Course Objectives:

- To understand the meaning of immovable property.
- To have information on the laws governing the transfer of ownership of property.
- It comprises a range of equitable principles and doctrines related to property transfer.
- To get familiar with the several methods of transferring an interest in property.
- To understand the Easement Act, which outlines the many ways in which easementary rights can be acquired as well as how they expire.

Course Outcome:

- The Introduction and General Principles of Transfer of Property will be beneficial to the students.
- Students will obtain a better understanding of the following concepts: transfer to unborn person, rule against perpetuity, vested and contingent interest, condition precedent and condition subsequent, condition restricting enjoyment, and condition retraining alienation.
- Recognize and learn about the rights and obligations of the buyer and seller in a sales contract.
- Examine types of mortgages, the requirement for registration, the mortgagor's rights, and the redeemable right.

Unit 1 – Principles of Transfer of Property (Part I)

1.1 Concept and meaning of property

1.2 Interpretation Clause- 'Immovable clause', 'Instrument', 'attested', registered, attached to the earth', 'actionable claim', 'notice', 'actually express and constructive notice.

1.3 Transfer of Property – Competency to transfer

1.4 Property may not be transferred

1.5 Condition retraining alienation

1.6 Vested and contingent interest

1.7 Condition precedent and condition subsequent

Unit 2 – Principles of Transfer of Property (Part II)

2.1 Transfer to unborn person

2.2 Rule against perpetuity

2.3 Doctrine of election

2.4 Transfer by person authorized only under certain circumstances to transfer

2.5 Transfer where third person is entitled to maintenance

2.6 Transfer by Ostensible Owner, Benami Transaction Act, 1988

2.7 Fraudulent transfer

2.8 Doctrine of part- performance

Unit 3 – Sales and Mortgage

3.1 Definition, contract for sale

3.2 Hire purchase agreement, Distinction between sale and exchange

3.3 Rights and liabilities of seller and buyer before and after sale

3.4 Mortgage – meaning and definition

3.5 Kinds of mortgages

3.6 Rights of mortgagor - rights of mortgagee

3.7 Liabilities of mortgagor – liabilities of mortgagee

3.8 Distinction between charge and mortgage, charge and lien.

Unit 4 – Lease, Gift, and Exchange

4.1 Leases – Definition of Lease - Lessor, Lessee, premium and rent

4.2 Lease how made

4.3 Right and liabilities of lessor and lessee

4.4 Forfeiture of Lease. Holding over, Determination of Lease

4.5 Gift – definition – essentials

4.6 Transfer how effected, modes of making gift

4.7 Gift of existing and future property

4.8 When gift may be suspended & revoked

4.9 Onerous gift, conditional gifts, universal donee, *donation mortis causa*

4.10 Exchange of properties

4.11 Assignment of actionable claims

Unit 5 – Easements

5.1 Definition - nature and characteristics of easements

5.2 Acquisition or creation of easements

5.3 Classification or kinds of easement

5.4 Termination or determination of easements

5.5 Difference between easement and license.

Reference Cases:

1. T. Venkatasubba Rao v. The Municipal Council, Kurnool, AIR 1969 SC 1173
2. Alamanaya KunigariNabi Sab v. Murukuti Papiyah, AIR 1915 Mad 972
3. Mohiri Bibi v. Dharmodas Ghose, AIR 1914 PC 20

4. Vega Clothing Pvt. Ltd. v. Malhotra Bros. Pressing, AIR 2010 SC 1942
5. T.S. Doabia v. Habib Abdul Rahim Khan, AIR 1951 SC 613
6. Commissioner of Income Tax v. Chandralekha, AIR 1968 SC 729
7. Jayadalal Poddar v. Bibi Hazra, AIR 1974 SC 171
8. Indian Oil Corporation v. ChandraprakashBhagwandasDhoot, AIR 2008 SC 1418
9. Sheela Devi v. Lt. Col. (Retd.) Dr. Zile Singh & Ors, AIR 2009 SC 1809
10. D.D. Oswal v. Union of India &Ors, AIR 2014 SC 1647

Recommended Books:

1. Sinha, R.K., "*The Transfer of Property Act*", Central Law Agency, 2021st Edn., Allahabad, 2021.
2. Subba Rao, GCV "*Law of Transfer of Property*", Revised by Prof. A. Subrahmanyam, ALT Publications, Hyderabad, 2018.
3. Myneni, Dr. S.R., "*Law of Property*", Asia Law House, 2nd Edn., Hyderabad, 2020.
4. Vepa Sarathi, "*Law of Transfer of Property Act*", Eastern Book Company, 6th Edn., Lucknow, 2017.
5. Mitra, B.B., "*Transfer of property Act*", Kamal Law House, West Bengal, 2009.
6. Tripathi, G.P., "*Transfer of Property*", Central law Publication, 18th Edn., Allahabad, 2014.

Reference Books:

1. Mulla, "*Transfer of Property*", Lexis Nexis, 12th Edn., New Delhi, 2015.
2. Krishna Menon, "*Law of Property*", Orient Longman, 1971.
3. Mulla, "*Transfer of Property Act*", Lexis Nexis, 13th Edn., New Delhi, 2018.
4. Singh, Dr. Avatar & Kaur, Dr. Harprit, "*Textbook on The Transfer of Property Act*", Lexis Nexis, 6th Edn., New Delhi, 2019.
5. Shukla, S.N., "*Transfer of Property Act*", Allahabad Law Agency, 29th Edn., Allahabad, 2015.
6. Saxena, Dr. Poonam Pradhan, "*Property Law*", Lexis Nexis, 2ndEdn., New Delhi, 2011.

Civil Procedure Code and Limitation Act

Course Objectives:

- The goal of the course is to understand civil procedure.
- The course helps in understanding the steps that civil courts must take from the filing of lawsuits until their final decision.
- The course aims to explain the limitation period for the institution of a lawsuit, an appeal, applications, and exclusion.
- Grounds of limitation, plaint rejection and return, document production and listing, written statement, counterclaim, set off, issue framing, appearance and examinations, decrees and judgments, stay and injunctions, interim orders, appeals, and commissions are all topics covered in the course.

Course Outcome:

- Students will be able to understand the civil court hierarchy upon completion of the course.
- Students will be able to identify the various stages of civil litigation.
- Recognize the goals and purposes of civil procedural law, the organizational structure of the civil court, and the responsibilities of the professionals employed by the court.
- Students will comprehend the types of cases that civil courts handle, their jurisdiction, and how they differ from one another.

Unit 1 – Introduction

1.1 Conceptions of Civil Procedure in India before the advent of the British Rule

1.2 Evolution of Civil Procedure from 1712 to 1901

1.3 Principal features of the Civil Procedure Code

1.4 Importance of State Amendments

1.5 Types of Procedures – Inquisitorial and Adversary - Importance of observance of procedure. Law Reforms

1.6 Code of Civil Procedure (Amendment) Act, 2002

1.7 Suits: Concept of Law Suit, Order I, Parties to Suit, Order II, Frame of Suit, Order IV, Institution of suits, Bars & Suit: Doctrines of Sub Judice & Res Judicata, Place of Suing (Section 15, 20)

1.8 Territorial Jurisdiction

1.9 Cause of Action

1.10 Jurisdictional Bars

1.11 Summons (Sections 27, 28, 31, Orders IV, VI, IX)

1.12 Service of Foreign Summons

1.13 Power for Order (Section 30 order XI)

Unit 2 – Pleadings

2.1 (Order VI), Material Facts, Forms of Pleading, Condition Precedent, Presumptions of Law, Striking Out / Amendment

2.2 Plaintiff: (Order VII), Particulars (esp., in money suits/suits for immovable Property)

2.3 Ground of Limitation, Return of Plaintiff, Rejection of Plaintiff

2.4 Production and listing of Documents

2.5 Written Statement, Counter Claim, Set off,

2.6 Issue – meaning, Framing of issues, kinds of issue, importance of issues, materials for framing issues, omission to frame issues, Disposal of suit

2.7 Appearance and Examination: Appearance, Ex-parte procedure, Default of Plaintiff, Summoning and attendance of witnesses

2.8 Examination, Admissions, production, importing, return of documents, hearing, affidavit
Adjournments: Order XVII, Adjournment, Judicial Discretion & Problems Arrears

Unit 3 – Judgment, Suits and Special Suits

3.1 Withdrawal and Compromise of suits.

3.2 Hearing of suit

3.3 Concepts of judgment, Decree, and Interim Orders and stay Injunctions, Appointment of Receivers, Costs

3.4 Execution: (Order XXI), Concept of “Execution”, General Principles of Execution, Power for Execution of Decrees (Section 38-46), Procedure for Execution (Section 51-54)

3.5 Enforcement: Arrest and Detention (section 55-59)

3.6 Attachment (Section 60-64)

3.7 Suits in Particular Cases: Suits by or against Government (Section 79-82), Suits by Aliens and by or Against Foreign Rulers, Ambassadors and (Section 91-93), Suits relating to public matters, Incident and supplementary proceedings (Section 75-78, 94-95), and Suits against Minors, persons with unsound mind, indigent persons etc., Interpleader suits

3.8 Suits by indigent persons

3.9 Summary Suits

Unit 4 – Appeals

4.1 Appeals from Original Decrees (Section 96-99-A) and Order XLI

4.2 Appeals from Appellate Decrees (Sections 100-101)

4.3 Appeals from Orders (Sections 104-106) (Order XLII)

4.4 General Provisions Relating to Appeals (Section 107-108)

4.5 Appeals to the Supreme Court (Section 108)

Unit 5 – Commission

5.1 The Rationale of Commissions, Order XXVI, Socio - Legal Commissions of Inquiry in “Social Action” or “Public Interest Litigation”

5.2 Limitation: Concept of Limitation – Why limitation, General principles of limitation
Extension – sufficient causes – acknowledgment

5.3 Legal disability – Condonation of Delay – when comes to an end

5.4 Rules regarding execution of prescribed time

5.5 Effect of certain events on computation of period of limitation

Reference Cases:

1. Nawab Shauafath Ali Khan v. Nawab Imad Jah Bahadur, 2009 S Sec 162

2. Puran Ram v. Bhaguram & Anr., AIR 2008 SC 1960
3. State of Punjab v. Mohinder Singh Chawla, AIR 2014 SC 217
4. Satyabrata Ghosh v. Mukherjee & Ors., AIR 1994 SC 1134
5. Mullur Gopalakrishnan v. State of Kerala & Ors, AIR 1995 SC 1276
6. Ram Nath & Ors. v. Asstt. Registrar & Ors., AIR 1985 SC 1127
7. Sipadan Enterprises (P.) Ltd. v. P.S. Hariharan & Ors., AIR 2010 SC 3173
8. Dabur India Ltd. v. Rajesh Bhuwania & Ors , AIR 2009 SC 3005
9. Union of India v. Escorts Ltd. & Ors, AIR 2014 SC 1928
10. Union of India v. V. Kamalendu Shukla, AIR 2006 Pat 117
11. Salem Advocates Bar Association, Tamil Nadu v. Union of India, AIR 2003 SC 189

Recommended Books:

1. Takwani, C.K, “*Civil Procedure Code*”, Eastern Book Company, 4th Edn., Lucknow, 2019.
2. Row, Sanjiva, “*Code of Civil Procedure*”, Universal Law Publishing, Lexis Nexis, 6th Edn., (in 4 Volumes), New Delhi, 2016.
3. Justice Narayana, P.S, “*Civil Procedure Code*”, Asia Law House, 4th Edn., Hyderabad
4. Mitra, B.B, “*Limitation Act*”, 17th Edn., Eastern Law House, Calcutta, 1974.
5. Sanjiva Row, “*Limitation Act*”, 7th Edn. (in 2 Volumes), Law Book Co., Allahabad, 1978.

Reference Books:

1. Mulla, “*The Code of Civil Procedure*”, Lexis Nexis, 17th Edn., New Delhi, 2018.
2. Saha, A.N, “*Code of Civil Procedure*”, Premier Publishing Company, 8th Edn., Reprint, Kerela.
3. Bhagat, Y.P., “*Civil Court Practice and Procedure*”, Universal Law Publishing Lexis Nexis, 2nd Edn., New Delhi, 2015.
4. Sarkar, S.C.,and Sarkar, P.C., “*Code of Civil Procedure*”, Lexis Nexis, 12th Edn., New Delhi, 2017.
5. Desai, T.R., “*Commentary on the Limitation Act*”, Lexis Nexis, 12th Edn., New Delhi, 2019.

Administrative Law

Course Objectives:

- To understand how India's administrative system operates.
- To learn about India's administrative justice system.
- To verify the functioning of discriminatory justice and administrative action in India.
- To comprehend how an administrative body operates smoothly.

Course Outcome:

- Students will receive a more comprehensive analysis of the nation's administrative structure and discriminatory justice practices.
- They will be taught on the administrative decisions made in other nations.
- Highlight the idea of discriminative justice.
- They will be aware of the Administrative Action and Principles of Natural Justice. Compare administrative action and discretion.

Unit 1 - Evolution, Nature and Scope of Administrative Law

1.1 Definition, Nature and scope of Administrative Law.

1.2 Reasons for Development and Growth of Administrative Law.

1.3 Sources of Administrative Law.

1.4 Relationship between constitutional Law and Administrative Law.

1.5 Droit Administrative – Conseil De Etat.

1.6 Meaning and concept of Rule of Law, Dicey's concept of Rule of Law, Rule of Law in Indian context – Dicey's Rule of Law and Droit Administrative.

1.7 Doctrine of separation of Power, application of separation of Power in India, United States of America and United Kingdom.

1.8 Administrative Action, its classification (quasi legislative, quasi judicial and administrative)

1.9 Administrative Discretion – meaning and action – Abuse of Discretion

1.10 Administrative Discretion and Administrative Discrimination.

Unit 2 – Delegated Legislation

2.1 Meaning and concept of Delegated Legislation.

2.2 Reasons for growth of Delegated Legislation.

2.3 Advantages and Disadvantages of Delegated Legislation.

2.4 Delegated Legislation in United states of America and United Kingdom.

2.5 Committees on delegated legislation – its constitution and functions.

2.6 Delegated Legislation of Taxing Statute.

– Control Mechanism

2.7 Sub-Delegations of legislative powers – delegata potestas non potest delegare.

Unit 3 – Principles of Natural Justice

3.1 Concept of Principles of Natural justice

3.2 Rule against Bias – Nemo debet esse iudex in propria causa

3.3 Rule of Fair Hearing – Audi Alteram Partem

3.4 Reasoned Decisions

3.6 Administrative tribunals and other adjudicating authorities – powers and functions

3.7 Tribunals – nature, constitution, jurisdiction and procedure

3.8 Advantages of justice by Tribunals – openness, Fairness, Impartiality, Absence of Technicalities of Evidence and Procedure

3.9 Administrative Tribunals established under the Administrative Tribunals Act, 1985

3.10 Distinction between Quasi-Judicial and Administrative functions

3.11 Distinction between Tribunals and Courts of Law

Unit 4 – Judicial Review

4.1 Jurisdiction of the Supreme Court and High Court

4.2 Rules restricting judicial review – locus standi, laches, resjudicata, exhaustion of Alternative/administrative remedies, no dismissal of petition – without speaking order, finality of administrative action

4.3 Violation of Procedural norms

4.4 Remedies in judicial Review – writs

Unit 5 – Liability of Administration, Public Undertakings and Constitutional Protection of Civil Servants

5.1 Nature and purpose of Public Interest Litigation, Locus Standi, procedure, class actions.

5.2 Liability of the Administration in Contract

5.3 Liability of Administration in Tort

5.4 Privileges and Immunities of the Administration in suits

5.5 Statutory Public Corporations, its characteristics, classifications, liability, status of employees control of statutory corporations – Government companies.

5.6 Ombudsman meaning and objectives, development in England, U.S.A. and India

5.7 Constitutional Protections of civil servants

Reference Cases:

1. Keshavananda Bharathi v. State of Kerala, 1973 4 SCC 225
2. A.D.M. Jabalpur v. Shivakat Shukla, 1976 2 SCC 521
3. Indira, Nehru, Gandhi v. Raj Narayan, 1975 Supp. SCC 182
4. Supreme Court Advocates on Record Assn. v. Union of India. 1993 4 SCC 441
5. Sheela Devi v. Lt. Col. (Retd.) Dr. Zile Singh & Ors., AIR 2009 SC 1809
6. Life Insurance Corporation of India v. Escorts Limited, AIR 1983 SC 1376
7. Mohini Mohan Rout v. State of Orissa, AIR 1993 SC 2103
8. R. v. Board of Education, 1960 (English Case on Procedural Fairness)
9. D.K. Trivedi v. Bombay Port Trust, AIR 1972 SC 1485
10. Olga Tellis v. Bombay Municipal Corporation, AIR 1985 SC 1801

11. Bandhua Mukti Morcha v. Union of India, AIR 1984 SC 1616

12. Aadhaar Facial Recognition Case - Justice K.S. Puttaswamy (Retd) v. Union of India, AIR 2018 SC 1615

Recommended Books:

1. Takwani, C.K, "*Lectures on Administrative Law*", Eastern Book Company, 6th Edn., Lucknow, 2020.
2. Sathe, S.P., "*Administrative Law*", Lexis Nexis, 7th Edn., New Delhi, 2004.
3. Subrahmanyam, A. et. al. (Edn.), "*Judicial Activism: Dimensions and Directions*", Vikash Publishing Ltd. New Delhi, 2002.
4. Jain M.P. and Jain, S.N., "*Principles of Administrative Law*", Lexis Nexis, 8th Edn., New Delhi, 2016.
5. Kesari, U. P. D., "*Administrative Law*", Central Law Publications, 22nd Edn., Allahabad, 2018.

Reference Books:

1. Ghosh, Yashomati, "*Textbook on Administrative Law*", Lexis Nexis, 1st Edn., New Delhi, 2015.
2. Massey, I.P., "*Administrative Law*", Eastern Book Company, 17th Edn., Lucknow, 2017.
3. Beatson and Mathews. J. & M. H., "*Administrative Law Cases and Materials*", Oxford University Press, New York, 1983.
4. Myneni, S.R., "*Administrative Law*", Asia Law House, 1st Edn., Hyderabad, 2014.
5. Krishnan, Keshav, "*Administrative Law*", Signal Law Publications, 2018th Edn., New Delhi, 2018.
6. Wade H.W.R., & Forsyth, C.F., "*Administrative Law*", Oxford University Press, 11th Edn., London, 2014.

Labour and Industrial Law – I

Course Objectives:

- To help in maintaining wages at a consistent level in line with the real economic standard.
- To encourage among employees self-reliance and self-respect.
- To contribute to raising the workers' standard of living through increased wages and improved amenities.
- To assist employees in collective bargaining by providing them with equal respect and dignity.
- To set up the framework for a fair and just resolution of conflicts in order to promote economic justice and industrial peace.

Course Outcome:

- Recognizing the evolution of labor laws and the need of labour legislations in India for development of the country is emphasized in this course.

- Functioning of role of trade union for the setting up of industry is learnt in this course.
- Explains the concept of collective bargaining.
- Highlights the idea of the employee-employer relationship and briefly describe the terms of the 1947 Industrial Dispute Act.
- Students gets to know the laws pertaining to labor relations, working conditions, and industrial discipline as well as the inquiry procedure.

Unit 1 – Introduction on Labour

1.1 Labour through the ages - slave labour - guild system - division on class basis - labour during feudal days

1.2 Labour – capital conflicts: Profit motive, exploitation of labour, poor working conditions, poor bargaining power, unorganized labour, surplus labour, division of labour and super – specialization

1.3 From Laissez faire to Welfare State: Transition from exploitation to protection and from contract to status

1.4 International Labour Standards and their implementation

Unit 2 – Trade Union and Factories Act

2.1 Right to trade union as part of human right to freedom of association

2.2 Role of trade unions in the changing economic scenario

2.3 The Indian Trade Union Act, 1926

2.4 History of trade union movement in India, trade unionism, need, objects, types and functions

2.5 Registration of trade unions, rights and privileges of a registered trade union, advantages of registration

2.6 Preliminary, manufacturing process, factory, occupier, the inspecting staff.

2.7 Health and cleanliness measures, safety arrangement measures in factory

Unit 3 – Law Relating to Industrial Disputes

3.1 Industrial Disputes Act, 1947 - Conceptual conundrum: industry, industrial dispute, workmen

3.2 Preliminary: appropriate government, industry, industrial dispute vs. individual dispute, public utility service, workman.

3.3 Dispute settlement machinery: Conciliation officers, Board of Conciliation, labour court, Industrial Tribunal and National Tribunal – duties and powers; Reference for adjudication and Voluntary Arbitration; Award and its binding nature and judicial review of awards

3.4 Powers of the Adjudicatory Authorities - Power In Cases of Discharge/Dismissal (Section 11A)

Unit 4 – Code of Wages

4.1 Objective and Purposes of Code of Wages

4.2 Meaning and Definition of Appropriate Government, Contractor, Contract Labour, Interstate Migrant Labour - Employer, Employee, Minimum Wage, Wages

4.3 Minimum Wages – Kinds of Wages – Fixation of Minimum Wages – Fixation and Revising of Wages – Power of Central Govt. to fix Floor Wage – Minimum Working Hours – Overtime Payment – Leave Encashment

4.4 Payment of Wages and its mode – Deduction of Wage – Recovery of Loan

4.5 Payment of Bonus - Eligibility of Bonus – Disqualification for Bonus – Various Ways of Payment of Wages – Settlement of Allocable Surplus

Unit 5 – Social Security Laws and Protection of Weaker Sections Labours

5.1 Objective and Purposes of Code on Social Security, 2020

5.2 Meaning And Definition Of Appropriate Government, "Building Or Other Construction Work, Building Worker, Career Centre, Contract Labour, Employer, Employee, Employment Injury, Inter-State Migrant Worker, Permanent Partial Disablement, Permanent Total Disablement, Social Security

5.3 Registration of Establishment

5.4 Constitution Of National Social Security Board For Unorganised Workers – Powers, Functions And Duties Of Social Security Board For Unorganized Workers - State Unorganised Workers' Board - Powers, Functions And Duties Of State Unorganised Workers' Board

5.5 Constitution of State Building Workers’ Welfare Boards – Powers, Functions and Duties - Disqualification and Removal of A Member Of Any Social Security Organisation

5.6 Supersession of Corporation

5.7 Employee's Compensation – Employers’ Liability To Pay For Compensation – Amount Of Compensation – Calculation Of Compensation – Insolvency Of Employer – Appointment Of Competent Authority For Payment Of Compensation

Reference Cases:

1. Rangaswami and Another v. Registrar of Trade Unions, AIR 1962 Mad. 231
2. Lal Mohamad and other v. Indian Railway Construction Co. Ltd & Others, 1999 I, SSC 596
3. Rohtas Industries Ltd. And another v. Rohtas Industries Staff Union and others, AIR 1976, SC 425
4. Air India Employees' Union v. Air India Ltd. & Ors, AIR 1997 SC 2606
5. Bangalore Water Supply and Sewerage Board v. A. Rajappa, 1978 (3) SCR 207
6. Osmania University v. Industrial Tribunal, 1960 LLJ, A.P.
7. Saurashtra Salt Manufacturing Co. v. Bai Value Raja and Others, AIR 1958 SC 881
8. Peoples’s Union for Democratic Rights v. Union of India, AIR 1982 SC 1473
9. Vishaka v. State of Rajasthan, AIR 1997 SC 3011
10. Bandhua Mukti Morcha v. Union of India and Others, AIR 1984, SC 802

Recommended Books:

1. Srivastava, S.C, “*Social Security Legislations*”, Eastern Book Company, Lucknow.
2. Subrahmanyam, A. “*Labour Laws*”, Andhra Law House, Visakhapatnam, 2014.
3. Bagri, “*Law of Industrial Disputes*”, Kamal Law House, Delhi, 2001.
4. Srivastava, S.C, “*Law of Trade Unions*” Eastern Book Company, 4th Edition, Lucknow, 2002.
5. Srivatsava, S.C, “*Industrial Relations and Labour Laws*”, Vikas Publishing House Pvt. Ltd., 7thEdn., New Delhi, 2007.
6. Myneni, S.R, “*Labour Laws II*”, Asia Law House, Hyderabad, 2013.
7. Puri, S.K, “*Labour and Industrial Laws*”, Allahabad Law Agency, Allahabad, 2017.
8. Malik, S.K, “*Labour Laws*”, Allahabad Law Agency, Allahabad, 2016.
9. Meenu Paul, “*Labour and Industrial Laws*”, Allahabad Law Agency, Allahabad, 2015.

Reference Books:

1. Malik, J.N, “*Trade Union Law*”, Eastern Book Company, 25th Edn., Lucknow, 2017.
2. Goswami, V.G, “*Labour and Industrial Law*”, Central Law Agency, Allahabad, 2020.
3. Mishra, S.N, “*Labour and Industrial Law*”, Central Law Agency, 29th Edn., Allahabad, 2019.
4. Khan and Khan, “*Labour Law*”, Asia Law House, 3rd Edn., Hyderabad, 2019.
5. Pillai K.M, “*Labour and Industrial Laws*”, Allahabad Law Agency, Allahabad, 2010.

Company Law

Course Objectives:

- This course undertakes to provide knowledge about process of incorporation of a company and kinds of company.
- The process of obtaining membership under a corporate body is introduced to the students.
- Different kinds of raising funds in a company are learnt by the students.
- Kinds of meeting and role of directors for the functioning of a company is learnt by the students.
- Management of company’s finances and necessity of audit is explained in this course.

Course Outcome:

- Acquire knowledge on functioning of a company.
- Students get acquainted with rights, liabilities and protection of rights of members.
- Students understand about the role of directors for the functioning of a company.
- The liabilities of members after the company’s winding up are also covered under this course.
- Role of SEBI, fraud investigation agency is made aware in this course.

Unit 1 – Introduction and Incorporation of a Company

1.1 Meaning of Company – characteristics - lifting the corporate veil

1.2 Kinds and Types of Company

1.3 Incorporation – Registration – Certificate of Incorporation

1.4 Promoters - position - duties and liabilities

1.5 Memorandum of association - various clauses - alteration therein - doctrine of ultra vires

Articles of association - binding force alteration - its relations with memorandum of association - doctrine of constructive notice and indoor management and its exceptions.

Unit 2 – Prospectus, Shareholders, Membership and Debentures

2.1 Prospectus - issue - contents - liability for misstatements - statement in lieu of prospectus - , liability of misstatement or untrue statement in prospectus

2.2 Shares, meaning, definition, characteristics, classifications, distinction, allotment, transfer and transmission of shares, share certificate, share warrant, stock and shares, share at discount, call on shares, forfeiture of shares.

2.3 Members, modes of acquiring membership, shareholders, their rights, duties and liabilities

2.4 Majority rule, oppression of minority shareholders, protection of minority against oppression and mismanagement.

2.5 Debenture, meaning, definition, nature and classification, creation of charges, fixed and floating charges, conversion, distinction between debenture and share

Unit 3 – Directors and Meeting

3.1 Directors - position - appointment - qualifications, vacation of office - removal, resignation - powers and duties of directors - Director Identification Number

3.2 Meeting – Kinds of Meeting – Shareholders Meeting – Resolutions

Unit 4 – Finance and Audit

4.1 Auditor, Auditors, appointment, removal, rights, duties and liabilities, Audit Committee

Constitution of National Financial Reporting Authority

4.2 Corporate Social Responsibility

4.3 Winding up, meaning, definition, classification, consequences, liquidator, contributory etc.

4.4 Liability of past members - payment of liabilities

Unit 5 – Other Administrative Regulations

5.1 National Company Law Tribunal

5.2 Establishment of Serious Fraud Investigation Office

5.3 SEBI (Security Exchange Board India)

Reference Cases:

1. Salmon v. Salmon and Company Ltd. 1897 AC 22

2. Lee v. Lee's Air Farming Ltd. 1961 AC 12
3. Ashbury Railway Carriage and Iron Co. Ltd. v. Riche, 1875 LR 7 HL 653
4. Lakshmanaswami Mudaliar v. LIC, AIR 1963 SC 1185
5. Royal British Bank v. Turquand, 1856 119 ER 886
6. Secretary, Ministry of Company Affairs v. Jeshingbhai Patel, AIR 2003 SC 2419
7. S.P. Jain v. Kalinga Tubes Ltd. AIR 1965 SC 1535
8. Tata Sons Ltd. v. Cyrus Pallonji Mistry & Ors, 2020 SCC Online SC 175
9. SEBI v. Sahara India Real Estate Corporation Ltd. &Ors, 2014 SCC Online SC 284
10. Zaveri Lal Mehta v. MCA &Ors, 2020 SCC Online SC 207
11. Daimler company Ltd Vs. Continental Tyre and Rubber Co (1916) 2 AC 307

Recommended Books:

1. Avatar Singh, "*Company Law*", Eastern Book Company, 16th Edn., Lucknow, 2013.
2. Myneni, S.R., "*Company Law*", Asia Law House, 4th Edn., Hyderabad, 2018.
3. Jagota, Dr. Rajni, "*Company Law*", Taxmann Publication S Pvt. Ltd., 2020 Edn., Lucknow, 2020.
4. Anantha Raman, "*Lectures on Company Law*", Wadhwa and Company, New Delhi, 2015.
5. Gogna, P.P.S., "*A Textbook of Company Law*", S. Chand Publishing, 11th Edn., New Delhi.
6. Nabi, Mohd. Kamalun, "*Company Law*", Dreamtech Press, New Delhi, 2019.

Reference Books:

1. Palmer's, "*Company Law*", Sweet and Maxwell, 22nd Edn., London, 1976.
2. Gower and Davies, "*Principles on Company Law*", Sweet and Maxwell, 9th Edn., London, 2012.
3. Ramaiya, A. "*Guide to Companies Act*", Lexis Nexis, 18th Edn., New Delhi, 2017.
4. Majumdar, A.K., and Kapoor, Dr. G.K., "*Company Law*", Taxman Publications Pvt. Ltd., New Delhi, 2011.
5. Bhandari, M.C., "*Guide to Company Law Procedures*", Lexis Nexis, Vol. 1, 24th Edn., New Delhi, 2015.
6. Gupta, Karn, "*Introduction to Company Law*", Lexis Nexis, 18th Edn., New Delhi, 2002.

Drafting, Pleading and Conveyancing

Course Objectives:

- Proficiency in drafting is essential for an Advocate. It is expected from students to gain knowledge on writing abilities necessary to pursue a career in advocacy.
- The handwritten record must be submitted by the student.

- The ability to create pleadings and conveyances is one of the fundamental skills covered in this course for advocates.
- A student will be able to understand conveyancing in details and modes of transferring a property.
- Pleadings will introduce the student to the fundamentals of drafting pleadings to present his client's case.

Course Outcome:

- Students will acquire basic ideas on skills of drafting different kinds of pleading under various statutes of the country.
- Students will learn about different kinds of property deeds.
- Before entering into the actual field of advocacy the students will learn about the skills of drafting which is fundamental to all the practicing advocates.

Drafting: General principles of drafting and relevant substantive rules shall be taught.

Pleadings: Pleadings in general, object of pleadings and fundamental rules of pleadings.

- 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 & 2 of the CPC.
- Application under Order 39, Rule 2-A of the CPC.
- 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 & S.13 B (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 & 12 of the Contempt of Courts Act, 1971 before High Court.
- Writ petition under Article 32 and 226 of Constitution of India.
- Caveat under S. 148-A of CPC.
- Caveat for Special Leave Petition (Civil) under Article 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 S. 138 of the Negotiable Instruments Act, 1881.
- Application U/S. 125 of Cr.PC.
- Special Leave Petition (Criminal) under Article 136 of the Constitution of India.

- Transfer Petition (Civil) U/S. 25 of CPC.
- Curative Petition under Articles 129, 137, 141 and 142 of the Constitution of India.
- Complaint under the Consumer Protection Act, 1986.

Conveyancing: Conveyancing in general, objects of conveyancing and component parts of a deed.

- Sale deed
- Mortgage deed
- Lease deed
- Gift deed
- Promissory note
- Power of attorney – general and special power of attorney
- Will
- Trust deed
- Relinquishment deed
- Partnership deed
- Deed of dissolution 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., 1982
- Notice under S. 80 of the Code of Civil Procedure, 1908.

Reference Cases:

1. Ram Sarup Gupta v. Bishu Narayan Inter College, AIR 1987 SC 1242
2. Hari Chand v. Daulat Ram, AIR 1987 SC 94
3. Dhoom Singh v. Prakash Ch. Sethi, 1975 (1) SCC 597
4. Delhi Development Authority v. Durga Chand, AIR 1973 SC 2609

Recommended Books:

1. Chaturvedi R.N, “*Pleadings, Drafting and Conveyancing*”, Central Law Publications, 2018th Edn., Allahabad, 2018.
2. Keshav, Krishna, “*Drafting, Pleading and Conveyancing*”, Singhal Law Publication, New Delhi, 2018.
3. Kafaltiya, A.B., “*Textbook on Pleadings, Drafting and Conveyancing*”, Universal Law Publishing, 2nd Edn., New Delhi, 2017.
4. Swamy, Dr. N. Maheshwara, “*Textbook on Drafting, Pleading and Conveyancing*”, Asia Law House, Hyderabad, 2013.
5. Narayana, P.S, *Justice “Civil Pleadings and Practice”*, Asia Law House, Hyderabad.

6. Narayana, P.S, “*Justice Criminal Pleadings and Practice*”, Asia Law House, Hyderabad.

Reference Books:

1. Dutta, C.R., “De Souza’s Forms and Precedents of *Conveyancing*”, Eastern Law House, 13thEdn., New Delhi, 2018.
2. Agarwal, M.C., “*Mogha’s, Indian Conveyancer*”, Eastern Law House 14thEdn., New Delhi, 2014.
3. Dhingra, S.N., and Mogha, G.C., & Mogha P.C., “*Mogha’s Law of Pleadings in India with Precedents*”, Eastern Law House, 2013thEdn., New Delhi, 2013.
4. Gopal, Shiv, “*Conveyancing Precedents and Forms*”, Eastern Book Company, 6th Edn., New Delhi, 2016.
5. Mani, Kant, “*Pleadings, Drafting and Conveyance*”, Kamal Publishers, 2017thEdn., New Delhi, 2017.

Labour and Industrial Law II

Course Objectives:

- This course's main goal is to provide an explanation of India's different social security and welfare laws. Labor law regulates the interactions between employers and employees.
- It addresses the proper treatment of workers in the workplace and the defense of their legal rights.
- To ensure that employers receive fair treatment and are appreciated for their contributions.
- It concentrates on instructing students on how labor laws function inside organizations and how they facilitate employees' ability to do their jobs.
- To guide students on how to apply laws in organizations.

Course Outcome:

- This course recognizes the origins of labor laws and the many wage concepts (living wage, fair wage, minimum wage, and need-based minimum wage).
- Demonstrate a thorough comprehension of the range of Social Security benefits related to employment injuries.
- The students' capacity to evaluate the legal issues surrounding the protection of labor's weaker segments.
- This course also analyzes the remedies available to retrenched and laid off employees.

Unit 1 – Trade Union and Factories Act

1.1 Change of Name and Amalgamation

1.2 Dissolution of Trade Union

1.3 Power of Appropriate Government To Make Regulation

1.4 Penalties and Procedure

1.5 Constitution of Site Appraisal Committee Relating To Hazardous Procedure At Factories

1.6 Disclosure of Information by the Occupier

1.7 Responsibility of the Occupier In Relation To Hazardous Processes

1.8 Right of Workers to Warn About Imminent Danger

1.9 Welfare Facilities for Workers

1.10 Working Hours of Adult Workers

1.11 Rules Pertaining To Employment of Young Labours

1.12 Wages Policies during Leave

1.13 Power of State Government

1.4 Offences and Liability

Unit 2 – Law Relating To Industrial Disputes

- 2.1 Strikes and Lock-Outs - Prohibition of Strikes and Lock-Outs - Illegal Strikes and Lock-Outs
- 2.2 Lay – Off
- 2.3 Right of Workmen Laid-Off For Compensation
- 2.4 Penalty for Illegal Strikes and Lock-Outs.
- 2.5 Duty of an Employer to Maintain Muster Rolls of Workmen
- 2.6 Penalty for Lay-Off and

Unit 3 – Retrenchment and Unfair Labour Practices

- 3.1 Retrenchment - Continuous Service
- 3.2 Conditions Precedent to Retrenchment - Compensation to Workmen
- 3.3 Procedure for Retrenchment – Re – Employment of Retrenched Workmen
- 3.4 Penalty for Retrenchment without Previous Permission
- 3.5 Unfair Labour Practices - Domestic Enquiry and Disciplinary Actions with Special Reference to the Industrial Employment (Standing Orders) Act, 1946
- 3.6 Restraints on Managerial Prerogatives (Section 33 and 33A)

Unit 4 – Code of Wages

- 4.1 Establishment of Central Advisory Board and State Advisory Boards
- 4.2 Payment of Various Dues to the Employees
- 4.3 Auditing Of Profit And Loss of Employers
- 4.4 Inspector-Cum-Facilitators and Their Powers
- 4.5 Power of Officers of Appropriate Government
- 4.6 Penalties for Offences
- 4.7 Suits and Appeals

Unit 5 – Social Security Laws and Protection of Weaker Sections Labours

- 5.1 Social Security for Unorganised Workers - Framing of Schemes for Unorganised Workers by Central and State Government – Fundings Of scheme
- 5.2 Registration of Unorganized Workers
- 5.3 Maintenance of Records - Audit and Accounting
- 5.4 Role of Social Security Organizations
- 5.5 Holding of Assets and Properties by the Social Security Organizations
- 5.6 Penalty For Non – Payment
- 5.7 Power, Functions and Duties of Appropriate Government

Recommended Books:

1. Srivastava, S.C, “*Social Security Legislations*”, Eastern Book Company, Lucknow, 2005.
2. Subrahmanyam, A. “*Labour Laws*”, Andhra Law House, Visakhapatnam, 2014.
3. Bagri, “*Law of Industrial Disputes*”, Kamal Law House, Delhi, 2001.
4. Srivastava, SC, “*Law of Trade Unions*” Eastern Book Company, 4th Edition, Lucknow, 2002.
5. Srivatsava, S.C, “*Industrial Relations and Labour Laws*”, Vikas Publishing House Pvt. Ltd., 7th Edn., New Delhi, 2007.
6. Myneni, S.R, “*Labour Laws II*”, Asia Law House, Hyderabad, 2013.
7. Puri, S.K, “*Labour and Industrial Laws*”, Allahabad Law Agency, Allahabad, 2017.
8. Malik, S.K, “*Labour Laws*”, Allahabad Law Agency, Allahabad, 2016.
9. Meenu Paul, “*Labour and Industrial Laws*”, Allahabad Law Agency, Allahabad, 2015.

Reference Books:

1. Malik, J.N, “*Trade Union Law*”, Eastern Book Company, 25th Edn., Lucknow, 2017.
2. Goswami, V.G, “*Labour and Industrial Law*”, Central Law Agency, Allahabad, 2020.
3. Mishra, S.N, “*Labour and Industrial Law*”, Central Law Agency, 29th Edn., Allahabad, 2019.
4. Khan and Khan, “*Labour Law*”, Asia Law House, 3rd Edn., Hyderabad, 2019.
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Reference Cases:

1. Union of India v. Rina Devi, (2019) 3 SCC 572.
2. Shri Birdhichand Sharma v. First Civil Judge, 1961 AIR 644.
3. Randhir Singh v. Union of India, 1982 AIR 879.
4. Bandhua Mukti Morcha v. Union of India, 1984 AIR 802.
5. M.C.Mehta v. State of Tamilnadu & ors, AIR 1997 SC 699.
6. People Union for Democratic Rights v. Union Of India, 1982 AIR 1473
7. Delhi Transport Corporation v. D.T.C Mazdoor Congress, 1991 AIR 101
8. Marathwada Gramin Bank KarmchariSangthan v. Management of Gramin Bank, (2011) 9 SCC 620.
9. Workmen of M/s. Firestone Tyre and Rubber Co. of India v. Management, 1973 SCR (3) 587.
10. Bata Shoe Co. Ltd. v. D.N. Ganguly, 1961 AIR 1158.

Course Objectives:

- The learner is exposed to the steps involved in acquiring rights under intellectual property rights. It could be an industrial design, patent, trade mark, or copyright.
- The remedies available to the 'Claimant' in the event of any infringement or violation of the 'Rights Conferred' under I.P.R. will also be examined.
- To familiarize students with the essentials of intellectual property rights as they prepare to take on significant roles in the creation and development of innovative projects in industry.
- To spread understanding of patents, the Indian and international patent systems, and registration issues. To promote awareness of copyrights and the rights associated with them.
- To trace out the international conventions pertaining to intellectual property law.

Course Outcome:

- Learn about copyright and patents for their creative research projects.
- Advance their research career; data and patent documents offer helpful insights on the originality of their concept obtained from innovative searches
- In order to persuade students to choose careers in intellectual property.
- Examining the elements that have contributed to the growth of intellectual property law internationally.

Unit 1 – Introduction on IPR and International Conventions

1.1 Meaning of intellectual property

1.2 Introduction to Intellectual property – Concept – Theories, Types of Intellectual property

Economic importance of Intellectual property

1.3 International Conventions - World Intellectual Property Rights Organization (WIPO), TRIPS Agreement, the Berne Convention, Paris Convention, Universal Copyright Convention, Patent Cooperation Treaty

Unit 2 – Law on Copyright

2.1 Understanding of Copyright – Idea Expression Dichotomy

2.2 Works in Which Copyright Subsists

2.3 Copyright – Bundle of Rights

2.4 Ownership and Authorship – Assignment – Compulsory Licenses

2.5 Copy Right Societies - Rights of Broadcasting Organizations and of Performers – Moral Rights of Performers

2.6 Acts Constituting and not Constituting Infringement - Remedies for Infringement

Unit 3 – Law on Patent

- 3.1 Object of Patent System, Definitions – Salient Features- Patentable and Non - Patentable Inventions
- 3.2 Product Patent, Process Patent - Persons Entitled to apply for Patents - Provisional and Complete Specifications, Opposing grant of Patent - Patent Office – Powers of Controller - Grant and Sealing of Patents
- 3.3 Rights of Patentees - Rights of Co - Owners of Patents - Term of Patent - Patents of Addition
Register of Patents - Amendment of Applications and Specifications, Restoration of Lapsed Patents - Rights of Patentees of Lapsed Patents which have been restored
- 3.4 Surrender and Revocation of Patents
- 3.5 Rights of Licenses
- 3.6 Acquisition of Inventions by Central Government

Unit 4 – Trademark and Geographical Indications

- 4.1 Object, Definition, Salient Features, Marks Registrable and Non – Registrable
- 4.2 Conditions for Registration Absolute and Relative Grounds for Refusal of Registration
- 4.3 Procedure and Duration of Registration - Effects of Registration - Powers and Functions of Registrar
- 4.4 Distinctiveness, Deceptive Similarity, Collective Marks
- 4.5 Infringement & Passing off Action of Trade mark
- 4.6 Protecting Domain Names as Trade Marks
- 4.7 Objects, Definitions, Conditions for Registration under Geographical Indication of Goods (Registration and Protection) Act, 1999
- 4.8 Conditions for Registration, Prohibition of Registration of Certain Geographical Indications
Duration of Registration - Effects of Registration
- 4.9 Appeal, offences, penalties, suits for infringement

Unit 5 - Industrial Designs

- 5.1 Designs Act, 2000 - Definitions – Registrations of Designs
- 5.2 Copyright in Registered Designs
- 5.3 Registration of design for articles
- 5.4 Rights in registered design
- 5.5 Cancellation of Design
- 5.6 Infringement of copyright in Design

Reference Cases:

1. Bayer Corporation v. Union of India, AIR 2014 Bom 178
2. Diamond v. Chakrabarty, 447 U.S. 303
3. Yahoo Inc. v. Akash Arora & Anr., 1999(19) PTC 201 (Del)
4. The Coca-Cola Company v. Bisleri International Pvt. Ltd. and Ors., (2009) 164 DLT 59

5. Novartis Ag v. Natco Pharma Limited & Anr., (2013) 6 SCC 1
6. *F. Hoffmann LA Roche v. Cipla* 2009 SCC OnLine Del 1074
7. **R.G. Anand v. Deluxe Films (1978 AIR 1613)**
8. **Cadila Healthcare Ltd. v. Cadila Pharmaceuticals Ltd. (2001 PTC (21) 341 SC)**
9. **Bishwanath Prasad Radhey Shyam v. Hindustan Metal Industries (1979 AIR 673)**
10. Gramophone Company of India Ltd. v. Birendra Bahadur Pandey and Ors., AIR 1984 SC 667
11. Indian Performing Right Society v. Eastern India Motion Pictures, AIR 1977 SC 1445
12. Dr. Aloys Wobben and Anr. v. Yogesh Mehra, 2014 SCC ONLINE SC 482
13. Khodey Distillers Ltd. v. The Scotch Whisky Association, (2008) 10 SCC 7
14. Amrithdhara Pharmacy v. Satya Deo Gupta, AIR 1963 SC 449
15. De Cordova v. Vick Chemical Co., (1951) 68 RPC 103

Recommended Books:

1. Myneni, S.R. "*Law of Intellectual Property*", Asia law House, 7th Edn., Hyderabad, 2011.
2. Narayana, P., "*Intellectual Property Law in India*", Eastern Law House, 2018th Edn., Kolkata, 2018.
3. Wadehra, B. L., "*Law Relating to Patents, Trademarks, Copyright, Design and Geographical Indications*", Lexis Nexis, 5th Edn., New Delhi, 2016.
4. Reddy, Dr. G.B., "*Intellectual Property Rights and the Law*", Gogia Law Agency, Hyderabad, 2020.
5. Vikas Vashisht, "*Law and Practice of Intellectual Property in India*", Bharat Law House Pvt. Ltd., 3rd Edn., 2006.
6. The Indian Patent Act, 1970
7. The Trade Marks Act, 1999.
8. The Copyright Act 1957
9. The Designs Act, 2000.

Reference Books:

1. Cornish, W.R., "*Cases and Materials on Intellectual Property*", Sweet and Maxwell, 5th Edn., 2006.
2. Allison Chokeman, "*The Legal Protection of Trade Secrets*", Sweet and Maxwell, 1992.
3. David I. Bainbridge, "*Intellectual Property*", Pearson, 9th Edn., 2010.
4. Arad Sherman and Lionel Bently, "*The Making of Modern Intellectual Property Law*", Cambridge Intellectual Property and Information Law Book, 2001.
5. John Holyoak and Paul Torremans, "*Intellectual Property Law*", Oxford University Press, 9th Edn., London, 2019.

Course Objectives:

- The purpose of this paper is to provide an introduction to basic concepts in commercial law, as well as the constitutional issue of removing wealth concentration and distributing resources.
- To acquire knowledge about Competition Advocacy, Enforcement Mechanisms, Regulation of Combinations, and Anti-Competitive Agreements.
- In order to facilitate students' comprehension of globalization and liberalization, The Competition Act of 2002, the Raghavan Committee Report, the Competition Act's salient features, the Competition Act's distinction from the MRTP Act, and the Competition Act's important definitions are learnt here.

Course Outcome:

- In order to facilitate students' understanding of Article 39(b)(c) of the Constitution, which addresses the elimination of wealth concentration and resource distribution. Relationship between competition policy and competition law and the goals of competition law are learnt here.
- To understand the Regulation of Combinations and Anti-Competitive Agreements.
- To require students to learn about the Competition Appellate Tribunal, the Director General of Investigation (DGI), penalties, enforcement, and the jurisdiction of the CCI.

Unit 1 – Basic Concepts

- 1.1 Introduction Basic Concepts –Constitutional aspect of Elimination of Concentration of Wealth and Distribution of Resources Article 39 (b) (c)
- 1.2 Relation between Competition Policy and Competition Law
- 1.3 Objectives of Competition Act, 2002 - Salient feature of Competition Act
- 1.4 History and Development of Competition Law
- 1.5 Liberalization and Globalization - Raghavan Committee Report
- 1.6 Difference between MRTP Act and Competition Act
- 1.7 Competition Law and WTO

Unit 2 – Anti Competitive Agreements

- 2.1 Anti-Competitive Agreements, Anti- Horizontal and Vertical agreement
- 2.2 Rule of per se and Reason
- 2.3 Appreciable Adverse Effect on Competition (AAEC) in India
- 2.4 Exemption, Prohibition of Anti-competitive agreement
- 2.5 Regulation of Abuse of Dominant Position Enterprise
- 2.6 Relevant Market - Dominance in RelevantMarket
- 2.7 Abuse of dominance

2.8 Predatory Pricing

2.9 Anti Trust Laws

Unit 3 – Merger and Acquisition

3.1 Merger, Acquisition, Amalgamation

3.2 Horizontal, Vertical and Conglomerate Mergers

3.3 Combinations covered under the Competition Act, 2002

3.4 Regulations, Penalties

Unit 4 – Enforcement Mechanism

4.1 Establishment and Constitution of Competition Commission of India

4.2 Powers and Functions - Jurisdiction of the CCI

4.3 Adjudication and appeals

4.4 Competition Appellate Tribunal

Unit 5 – Interface between Intellectual Property, Competition Law and Consumer Protection Law

5.1 Conflict between Intellectual Property Rights and Competition Law

5.2 IPR and market power – Abuse of Dominance in context of IP

5.3 Domestic Law and International Harmonization on IP rights and competition – relevant provisions of TRIPS Agreement

5.4 Monopolies and Restrictive Trade Practice under Consumer Protection Law

5.5 Rights of Consumer and Competition Law

Recommended Books:

1. Maher M. Dabbah, *EC and UK, Competition Law: Commentary, Cases and Materials*, Cambridge University Press, 2004.
2. Piet Jan Slot and Angus Johnston, *An Introduction to Competition Law*, Oxford and Portland, Oregon, 2006.
3. Suresh T. Vishwanathan, *Law and Practice of Competition Act*, Bharat.
4. Dugar S M, *Commentary on MRTP Law, Competition Law & Consumer Protection Law*, 4thed, 2006, Wadhwa Nagpur.
5. Abir Roy & Jayant Kumar, *Competition Law in India*, Eastern Law House, New Delhi.

Reference Cases:

1. Coal India Ltd & Anr. v. Competition Commission of India & Another

2. Telefonaktiebolaget LM Ericsson (PUBL) v. Competition Commission of India & Another
3. Institute of Chartered Accounts of India v. Competition Commission of India & Others
4. Google India Pvt. Ltd v. Matrimony. Com Ltd.
5. Alliance of Digital India Foundation v. Competition Commission of India & Others
6. Ultratech Cement Ltd v. Competition Commission of India & Another
7. Google LLC & Anr. v Competition Commission of India & Others
8. Consumer Unity & Trust Society v. Competition Commission of India & Others
9. The U.P. Glass Manufacturers Syndicate v. Competition Commission of India & Others
10. Balrampur Chini Mills Limited v. Competition Commission of India & Others

Reference Books:

1. Satyanarayana Prasad, *Competition Law and Cartels*, Amicus Books, ICAFI University Press, 2007.
2. Vinod Dhall (ed.), *Competition Law Today*, Oxford University Press, 2007.
3. Ramappa T, *Competition Law in India: Policy, Issues and Developments*, 3rd ed. 2013, Oxford University Press, New Delhi.
4. Mittal D.P., *Taxmann, Competition Law and Practice*, 3rd ed. 2007.
5. *Universal Guide to Competition Law in India*, Universal Law Publishing Company, New Delhi, 2003.

Banking Law – OP 2

Course Objectives:

- The subject deals with "Banking," and how it is regulated by law. During the globalization era, the banking sector experienced significant growth accompanied by a multitude of issues. Students will get knowledge about RBI rules.
- For an in-depth understanding of banking law and practice.
- The main goal of this course is to familiarize the student with the operational guidelines of banking law.
- The banking structure, laws, practices, and patterns in India have been shaped and impacted by the country's evolving developments, especially since the planning process was instituted as a means of accelerating economic development.

Course Outcome:

- The practical understanding of banking practices will be imparted to students.

- Beneficial opportunities can be found by professionals in the banking, treasury, retail, merchant, and investment sectors.
- The purpose of this course is to familiarize the student with the judicial interpretation process, the conceptual and practical framework of banking legislation, and the latest developments in the banking industry.

Unit 1 – Introduction on Banking System

1.1 History of Banking

1.2 Nationalisation of major banks

1.3 Bank, Banking and Banking Regulation

1.4 Different types of Banks including foreign companies

1.5 Structure and function of Banking Institutions -The different types of Banks viz. Central Bank, Commercial bank, Co-operative Bank, Specialized Banks, Regional Rural Banks, NABARD, (Overview)

Unit 2 – Relationship between Banker and Customer

2.1 Definition of Banker & Customer

2.2 Relationship between them-special types of customer-Banker as Borrower

2.3 Different types of accounts

2.4 Duties and rights of the Banker and different types of instruments

2.5 Banker- paying Banker and Collecting Banker

Unit 3 – Banking Regulations and RBI

3.1 Reserve Bank of India – Organization structure of RBI

3.2 Functions of the Reserve Bank – Primary and Secondary Functions.

3.3 Banking Regulation Act, 1949 as per the new provisions of the Banking Laws (Amendment Act, 2012).

Unit 4 – Subsidiary Business Operations of Bankers

4.1 Subsidiary business operations of bankers with special reference to safety deposit lockers

4.2 Liability of banker in case of bank robberies and fraud by bank employees

4.3 Vicarious liability of the bank employees

4.4 Vicarious liability of the bank

4.5 Recovery of loans and advances

4.6 Recovery of debts due to banks

4.7 Effect of winding up of Banking Companies

4.8 Rights of customers on winding up of companies

4.9 Necessity for reforms in Indian Banking Law to meet global challenges

4.10 Banking ombudsman

4.11 Debt Recovery Tribunal

Unit 5 – E – Banking System

5.1 Concept of E-Banking

5.2 Importance of E-Banking

5.3 EFT (Electronic Fund Transfer) - NEFT (National Electronic Fund Transfer) - RTGS (Real Time Gross Settlement) - IMPS (Immediate Payment Service) - UPI (Unified Payments Interface) - Difference between NEFT, RTGS & IMPS

5.4 Virtual Currency

5.5 Automated Clearing House

5.6 Automated Ledger Posting

Reference Cases:

1. Phoenix ARC (P) Ltd. v. Vishwa Bharati Vidya Mandir
2. Pradeep Kumar v. Postmaster General
3. Bank of Baroda v. Karwa Trading Co.
4. Union Bank of India v. Rajasthan Real Estate Regulatory Authority
5. NKGSB Cooperative Bank Ltd. v. Subir Chakravarty
6. Rustom Cavasjee Cooper v. Union of India, AIR 1970 SC 564.
7. Nedumpilli Finance Co. Ltd. v. State of Kerala, (2022) 138 SC 191.
8. Chander Prakash Wadhwa v. State (NCT of Delhi), (2022) 143 SC 348
9. Bank of Rajasthan Ltd. v. VCK Shares & Stock Broking Services Ltd., (2022) 144 SC 193
10. Vishal N. Kalsaria v. Bank of India, (2016) 3 SCC 762.

Recommended Books:

1. ICSC, Banking and Insurance Law and Practice, ICSI, Taxman Publications, 2010
2. Sekher K.C & Lakshmi Sekher, Banking Theory and Practice in India, Vikash Publishing House, 2005
3. Jai and Jain, Modern Banking and Insurance, Principles and Techniques, Regal Publications, 2008
4. Jyothstna Sethi and Bhatia, Elements of Banking and Insurance, PHI Publication, 2013
5. Subrahmanyam, A, Law of Banking, Andhra Law House, Visakhapatnam, 2003

Reference Books:

1. Tannan. S, *Banking law and Practice in India*, India Law House, New Delhi.

2. Bhashyan & Adiga, *Negotiable Instruments*, Bharat Law House Pvt. Ltd., New Delhi.
3. Sir John Paget., *Law of Banking*: 15th Edition: Lexis Nexis: United Kingdom 2018.
4. Sheldon. H.P., *The Practice and Law of Banking: Macdonald and Evans: 10th Edition:1972*
5. Abdul Khader Kunju, *Khergamvala on Negotiable instruments Act*, 22nd Edition, Lexis Nexis: NewDelhi.2020

Corporate Governance – OP 2

Course Objectives:

- To understand ideas and works of literature that is essential to learning about corporate governance and worldwide business ethics, particularly corporate social responsibility (CSR).
- To recognize various stakeholders and comprehend the reasons behind their potential differences in viewpoints regarding moral matters.
- To establish logical justifications for ethical positions.
- To participate in a conversation on corporate governance and ethics with a wide range of individuals.

Course Outcome:

- Students will be able to understand the concepts of business ethics' benefits and drawbacks, moral responsibility, and ethics in business.
- They will be able to investigate the corporate fraud in business.
- Students will be enabled to assess the business system, the government, markets, global trade, perfect competition, and monopolistic competition surrounding environment, and the persons within the corporation.

Unit 1 – Basic Concepts on Corporate Governance

1.1 Corporate governance- meaning and structure

1. Corporate governance v Public Governance

1.3 Concept of corporate governance and stakeholders

1.4 Principles of corporate Governance – OECD principles

Unit 2 – Historical Development of Corporate Governance in India

2.1 Kumar Mangalam Birla Committee

2.2 Naresh Chandra Committee

2.3 N.R. Narayana Murthy Committee Report (2003)

2.4 Dr. J J Irani Expert Committee Report on Company Law (2005)

2.5 Corporate Governance Voluntary Guidelines, 2009

Unit 3 – Decision System of a Corporate

3.1 Introduction to decision system at corporate

3.2 Role of shareholders

3.3 Separation of owners from management

3.4 Directors

3.5 Role of Board of Directors and Management

3.6 Powers exercisable only by the Board of Directors

3.7 Powers exercisable at Annual General Meeting

3.8 Responsibilities of the Board

Unit 4 – Corporate Fraud and Crime

4.1 Organizational Crime

4.2 Corporate business crime

4.3 Protection of fraud in India

4.4 Characteristics of fraud

4.5 Role of Serious Fraud Investigation office (SFIO)

4.6 SEBI (Prohibition of Fraudulent and Unfair Trade Practices relating to Securities Market) Regulations, 2003

Unit 5 – National Voluntary Guidelines on Social, Environmental & Economic Responsibilities of Business

5.1 New guideline to strengthen and enable the Indian corporate sector to evolve into a global leader in responsible business –

5.2 Ministry of Corporate Affairs will help the corporate sector in their efforts towards inclusive development in Dec 2009.

Recommended Books:

1. Agrawal K. Sanjay, *Corporate Social Responsibility in India*, Sage Publication, New Delhi, 2008.
2. Manuel G. Velasquez, *Business Ethics: Concepts and Cases*, 6th Edition, 2007 , Prentice Hall of India/Pearson Education Publication
3. Fernando A.C, *Corporate Governance: Principles, Policies and Practices*, Second Impression, 2008, Pearson Education publication.
4. Bradshaw Thornton and David Vogal, *Corporations and Their Critics: Issues and*

answers to the problems of corporate social responsibility, New York, McGraw Hill Book Company, 1981.

5. ALMA. “*Corporate Governance and Business Ethics*”. New Delhi: Excel Books, 1997.
6. Bajaj, P. S. and Raj Agarwal, “*Business Ethics: An Indian Perspective*”. New Delhi: Biztantra, 2004.

Reference Books:

1. Banarjee R.P, *Ethical in Business and Management.*, Himalaya Publishing House, NewDelhi, 2003.
2. Hartman, Laura Pincus, “*Perspectives in Business Ethics*”. New Delhi: Tata McGrawHill, 2003.
3. Chris, Moon and Bonny Clive “*Business Ethics*”. London: Profile, 2002.
4. David, Murray “*Ethics in Organizations*”. New Delhi: Crest Pub. Delhi: WheelerPublishing. Education. New Delhi: New Century Publications, 2001.
5. Giri& Ananta K, “*Values, Ethics and Business*”. Jaipur: Rawat, 1998.
6. Kapoor, N. D. “*Corporate Laws and Secretarial Practice*”, Sultan Chand & Sons, NewDelhi, 2004.

Public International Law

Course Objectives:

- The relationships between and among States are governed by international law.
- To examine the fundamental principles of international law governing interstate relations.
- To bring together the ideas of State Succession and Recognition.
- To emphasize the fundamental concepts of the common human inheritance, law of sea, air, and space.
- To study the fundamental needs, steps, and treaty-making process.
- To understand and engage in discussion with the United Nations Organizations.
- It also examines the subjects of international law—the state and the individual.

Course Outcome:

- The goal of this course is for the student to have an understanding of the nature and growing significance of international law.
- Students will get knowledge of UNO, international treaties, the Sea Law.
- The UN's various agencies will be thoroughly described and linked to the subject matter.

- Students will understand the law of neutrality, laws of war and settlement of disputes among the international states.

Unit 1 – Nature and Development of International Law

- 1.1 Definition and concept of International law
- 1.2 Sources of International law
- 1.3 History, Development and Schools of International law
- 1.4 Law of Nature and its influence on the development of International law
- 1.5 Relationship of International law and Municipal law

Unit 2 – The Law of Peace

- 2.1 States in General
- 2.2 Recognition of states
- 2.3 State succession
- 2.4 Intervention
- 2.5 Law of Sea and Air law
- 2.6 Extradition
- 2.7 Asylum
- 2.8 Diplomatic Agents
- 2.9 Laws of Treaties, including its formation, classification, ratification, termination and binding forces

Unit 3 – The Law of War

- 3.1 Settlement of International Dispute
- 3.2 Laws of Armed conflicts and its effect including insurgency and belligerency, Four Geneva covenants of 1949 including its Additional Protocol of 1977,
- 3.3 Enemy character
- 3.4 Belligerent occupation
- 3.4 Prize court
- 3.6 War Crimes and Role of ICRC
- 3.7 The Termination of war
- 3.8 International Terrorism
- 3.9 Concept of International Humanitarian Law

Unit 4 – The Law of Neutrality

- 4.1 Neutrality
- 4.2 Blockade
- 4.3 Contraband

4.4 Disarmament

Unit 5 – International Organizations

5.1 Origin, Development role and functions

5.2 The League of Nations

5.3 The United Nations Organizations and its organs

5.4 International Court of justice

5.5 International Criminal Court

Recommended Books:

1. H.O. Agarwal, *“International Law and Human Rights”*, Central Law Publications, 22ndEdn.,Allahabad, 2018.
2. Kapoor, S. K, *“Human Rights under International Law and Indian Law”*, Central Law Agency, Allahabad, 2017.
3. Varma, S. K, *“An Introduction to International Law”*,Printice Hall of India, New Delhi, 2012.
4. Kapoor, S. K, *“Public International Law and Human Rights”*, Central Law Agency, Allahabad, 2017.
5. Mc Caffery, Stephen C., *“Understanding International Law”*, Lexis Nexis, New Delhi.
6. Ahuja, V.K., *“Public International Law”*, Lexis Nexis, 2nd Edn., New Delhi, 2021.

Reference Books:

1. Oppenheim, *“International Law”*, Oxford University Press, 1st Edn., U.K., 2017.
2. Ian Bronnlie, *“Principles of Public Internal Law”* Oxford University Press, 9th Edn.
3. Malcolm N Shaw, *“International Law”*, Cambridge University Press, 16th Edn., United Kingdom, 2018.
4. Starke, J.G., *“Introduction to International Law”*, Butterworth-Heinemann, 7th Revised Edn., 1972.
5. Sir Robert Jennings & Sir Arthur Watts, *“International Law”*, Longman, 9th Edn., London, 1992.

Reference Cases:

1. Nicaragua v. United States of America, [1986] ICJ Rep 14.
2. Frontier Dispute (Burkina Faso/Mali), [1986] ICJ Rep 554
3. Legality of the Threat or Use of Nuclear Weapons [1996] ICJ Rep 226.
4. Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory [2004] ICJRep 136.
5. Yugoslavia v. United States of America [1999] ICJ Rep 916.
6. Germany v. United States of America, [1999] ICJ Rep 9.

7. Bosnia and Herzegovina v. Serbia and Montenegro [2007] ICJ Rep 43.
8. United Kingdom of Great Britain and Northern Ireland v. Albania [1949] ICJ Rep 4.
9. Australia v. Japan: New Zealand intervening, I.C.J. Reports 2014.
10. Marshall Islands v. United Kingdom, I.C.J. Reports 2016.

Law of Taxation

Course Objectives:

- The goal of the course is to illustrate how India's tax laws have changed throughout time.
- Constitutional clauses pertaining to taxation in India are studied here.
- Understanding tax laws is beneficial to the government as it allows raising money for national development while simultaneously imposing direct or indirect taxes on people.
- Key tax laws should be understood by the student. Students will gain a fundamental understanding of the Income Tax Act, Goods and Services Tax, and other related topics.

Course Outcome:

- To inform and familiarize students with the idea of Income Tax Authorities.
- The subjects that are taxable and non-taxable will be taught to the students.
- For understanding the general avoidance guidelines and double taxation.
- Students will gain knowledge about India's single system of indirect taxes.

Unit 1 – Introduction to Tax System

1.1 Introduction of Tax

1.2 Characteristics and Classification of Taxes

1.3 Kinds of Taxes

1.4 Merits and Demerits of Direct and Indirect Taxes

1.5 Single Taxation and Multiple Taxation – Advantages and Disadvantages of Multiple Taxation

Unit 2 – Income Tax

2.1 Introduction to Income Tax Act, 1961 - Constitutional Validity - Basic Concepts and Definitions - Capital and Revenue Receipts - Basis of Charge and Scope of Total Income - Residential Status and Incidence of Tax (Excluding Section 9a)

2.2 Income, Which Do Not Form Part of Total Income [Sec. 10, 11 to 13a]

Heads Of Income And Computation Of Total Income And Tax Liability – Salaries - Income From House Property - Profits And Gains Of Business Or Profession - Capital Gains - Income From Other Sources

- 2.3 Clubbing Provisions, Set off and Carry Forward of Losses, Deductions - Income of Other Persons Included in Assessee's Total Income - Aggregation of Income and Set off and Carry Forward of Losses - Deductions in Computing Total Income - Rebate and Reliefs - Applicable Rates of Tax and Tax Liability
- 2.4 Assessment of Income and Tax Liability of Different Persons - Taxation of Individual – HUF- Firms, LLP and Association of Persons - Co-Operatives Societies

Unit 3 – Goods and Services Tax

- 3.1 Concept and History of Goods and Services Tax – Need For GST
- 3.2 GST and Centre-State Financial Relations
- 3.3 Constitutional Amendment
- 3.4 Salient Features of GST
- 3.5 Supply of Goods
- 3.6 Who May Register Under GST – Compulsory Registration – Procedure, Cancellation, Revocation
- 3.7 Integrated Goods and Service Tax (IGST) - Basic Features of IGST Levy
- 3.8 Filing of GST Compensation Act
- 3.9 State Goods and Services Act, 2017

Unit 4 – Wealth Tax

- 4.1 Definitions of Asset
- 4.2 Net Wealth
- 4.3 Valuation Date Deemed Assets
- 4.4 Exempted Assets

Unit 5 – Taxation Authorities of India

- 5.1 Settlement of Cases under Income Tax Authorities
- 5.2 Appeals and Revisions under Income Tax Authorities
- 5.3 Penalties, Offences and Prosecution under Income Tax Authorities
- 5.4 Role of GST Council
- 5.5 Power of Inspection, Search and Seizure, Arrest under GST Law
- 5.6 Advance Ruling – Appellate Authority – National Appellate Authority
- 5.7 Constitution of Appellate Tribunal under GST Law
- 5.8 Powers and Functions of Appellate Tribunal
- 5.9 Appeals to High Court and Supreme Court

Recommended Books:

1. Vinod K. Singhanian, “*Student Guide to Income Tax*”, Taxman Publications Pvt. Ltd.,

63rd Edn., New Delhi, 2020.

2. Vinod K. Singhanian, “*Direct Taxes Law & Practice*”, Taxmann Publications Private Limited; 44th Edn., New Delhi, 2020.
3. Myneni S.R, “*Law of Taxation*”, Allahabad Law Agency, Allahabad, 2017.
4. KailashRai, “*Taxation Laws*”, Allahabad Law Agency, Allahabad, 2018.
5. Ahuja, Gurish, “*Systematic Approach to Income Tax*”, Wolters Kluwer India Pvt. Ltd., New Delhi, 2020.

Reference Books:

1. Datey V.S, “*Law and Practice Central Sales Tax Act*”, 2003, Taxman Publications Pvt. Ltd., 2010.
2. Kanga & Palkhivala's, “*Income Tax*”, Lexis Nexis, 11th Edn., New Delhi, 2020
3. Pillai G.K, “*VAT- A Model for Indian Tax Reforms Naidu’s Sales Tax Act*”, 2016.
4. Singhanian, Dr. Monica, “*Direct Taxes Ready Reckoner*”, Pearson, 2010.
5. Agarwal, Ca Vivek Kr., “*G.S.T., Guide for Students: Making GST – Goods and Services Tax*”, Universal Law Publication, New Delhi, 2020.

Reference Cases:

1. Anidhi Impex Pvt. Ltd. v. ITO, (2019) 73 ITR 379 (Mum)(Trib)
2. Sri Krishna Das v. Town Area Committee, (1990) 77 SCC 395 (SC).
3. Larsen and Toubro Ltd. v. State of Karnataka, (2014) 65 VST 1 (SC).
4. Uttar Pradesh v. Raze Buland Sugar Co. Ltd, (1979) 118 ITR 50 (SC).
5. Western India Theatres Cantonment Board Poona v. Western India Theatres Ltd., AIR 1954 Bom 261.
6. CIT v. P.E. Polson, (1945) 13 ITR 384 (PC).
7. Himalayan Cooperative Group Housing Society v. Balwan Singh, (2015) 7 SCC 373.
8. V. A. Haseeb and Co. (Firm) v. CCIT (2017) 152 DTR 306 (Mad) (HC).
9. Jain Brothers v. Union of India, ILR 1969 Delhi 687.
10. Pannalal Binjraj v. Union of India, 1957 AIR 397.

Professional Ethics and Professional Accounting Systems

Course Objectives:

- To familiarize the learner with the moral standards that the legal profession adheres to.
- It discusses about the role that the Bar and the Bench play in the administration of justice.

- To identify specific acts restricted by the law about the accounting system and legal professional ethics.
- To analyze rulings regarding professional ethics.

Course Outcome:

- Students will have a more comprehensive analysis of the Indian legal profession.
- Understand the rules pertaining to practice and enrollment.
- Put a focus on the idea of professional ethics.
- Students will be aware of the disciplinary actions
- They will be aware of the Bar-Bench Relationships.

Unit 1 – Introduction

- 1.1 Law and Legal profession
- 1.2 Development of Legal profession in India
- 1.3 Aim and Objective of Professional Ethics
- 1.4 Need for the Professional Accounting System
- 1.5 Right to practice a right or privilege?

Unit 2 – Regulation Governing Enrolment and Practice

- 2.1 Regulation governing enrolment and practice
- 2.2 Practice of Law
- 2.3 Ethics
- 2.4 Seven lamps of advocacy
- 2.5 Advocates duties towards Public, Clients, Court, towards other advocates
- 2.6 Legal Aid, Bar Council of Ethics
- 2.7 Disciplinary Proceedings
- 2.8 Professional Misconduct – Disqualifications
- 2.9 Functions of Bar Council of India/State Bar Council
- 2.10 Disciplinary proceedings, Disciplinary Committee, Disqualifications

Unit 3 – Bar - Bench Relations

- 3.1 Bar - Bench Relations
- 3.2 Accountancy of Lawyers: Nature and functions of accounting
- 3.3 Important branches of accounting and Bar Bench Relations
- 3.4 Accounting and Law
- 3.5 Use of knowledge of accountancy in Legal Disputes especially arising out of Law of Contracts
- 3.6 Tax Law, etc., Accountancy in Lawyers office / firm

- 3.7 Basic financial statements
- 3.8 Income & Loss account
- 3.9 Balance sheet - Interpretation thereof
- 3.10 Feature of Balance sheet Standard Costing

Reference Books:

1. RamachandraJha, “*Selected Judgements on Professional Ethics*, published by Bar Council of India Trust”, 2002.
2. *50 Selected Opinions of the Disciplinary Committees of Bar Councils and 10 Major Judgments of the Supreme Court* on the subject.
3. Rosedar, S.R.A., “*Professional Ethics, Accountancy of Lawyers and Bar – Bench Relationship, (Practical Training Paper)*”, Lexis Nexis, 3rd Edn., New Delhi, 2020.
4. Vaidhya, S., “*Professional Ethics*”, Allahabad Law Agency, Allahabad, 2015.
5. Lyons, Peter, “*Advocacy a Practical Guide*”, Wildly, Simmonds and Itills Publishing, U.K.

LL.B 6th Semester

Interpretation of Statutes

Course Objectives:

- To develop understanding onto specific rules and principles in order to resolve doubts, inconsistent statements, discrepancies, and gaps.
- To investigate the legislative expression that are expressed in a statute and that must be applied with the same understanding and gravity.
- While the methods used to interpret tax laws, penal laws, and welfare laws may vary, the fundamental concepts of interpretation are always the same.
- To study the intention of the legislature in tune with the law to give fair interpretation of law for administering of justice in society.

Course Outcome:

- Students will be able to understand the various rules of interpretation of statutes.
- This course will enable them to research various laws which will further help the students in interpreting laws after joining the legal profession.
- Skills of drafting law will also be enhanced.
- Students will also learn different kinds of law.

Unit 1 – Introduction

1.1 Legislature, Executive and the Judiciary

1.2 Law and Public Opinion, Law and Social Control

1.3 Individual interest to Community Interest – Law and Morals

1.4 Meaning, Objects and Scope of ‘interpretation’, ‘construction’ and ‘statute’

Unit 2 – Kinds of Law

2.1 Nature and Kinds of Indian Laws - Statutory, Non-statutory, Codified, Uncodified, State - made and State - recognized laws

2.2 Commencement, operation and repeal of statutes

2.3 Purpose of interpretation of statutes

2.4 Basic Sources of Statutory Interpretation

(i) The General Clauses Act, 1897: Nature, Scope and Relevance (Ss.6- 8)

(ii) Definition clauses in various Legislations: Nature and Interpretative Role

Unit 3 – Rules of Statutory Interpretation

3.1 Aids to Interpretation (Parts of the statute and their interpretative role)

3.2 Internal aids – Title – Preamble – etc.

3.3 External aids

3.4 Role of Constituent Assembly debates in the interpretation of the Constitution of India.

Legislative history- Legislative Intention, Statement of objects and reasons, legislative debates, Committee reports, Law Commission reports etc.

3.5 International-law and human-rights documents

3.6 Dictionaries-Translations

3.7 Statutes in pari material

3.8 Literal Rule

3.9 Golden Rule

3.10 Mischief rule (rule in the Heydon's case)

3.11 Rule of harmonious construction

3.12 Strict Construction of Penal Laws and Taxation Laws

Unit 4 – Interpretation of Constitution and International Instruments

4.1 Principles and theories

4.2 Interpretation of Constitution – reading Directive Principles of State Policies (DPSP) and 4.3 Fundamental Rights

4.4 Interpretation of International Instruments

4.5 Presumption in favor of Constitutionality of a Statute

4.6 Presumption against violation of International Law

4.7 Presumption against retrospective operation of law

4.8 Presumption against Ouster of Jurisdiction of Courts

Unit 5 – Legislature and Drafting

5.1 Principles and Process of Legislative Drafting

5.2 Simplicity, Preciseness, Consistency

5.3 Alignment with Existing Law

5.4 Brevity

5.5 Drafting General Laws and Special Laws

5.6 Rules and Orders

Reference Cases

1. Grasim Industries Ltd. v. Controller of Customs, (2002) 4 S. C. C. 297.

2. Girija K. Phukan v. State of Assam 1984 (2) LR 488.
3. Municipal Board v. State Transport Authority, Rajasthan, AIR 1963 SCR (2) 273.
4. Bengal Immunity Co. Ltd. v. State of Bihar 1955 2 SCR 603.
5. District Mining Officer and others v. Tata Iron Steel Co. and another, (2001) 7 SCC 358.
6. S. P Gupta v. Union of India, AIR 1982 SC 149
7. P. Ramachandra Rao v. State of Karnataka (2002) 4 SCC 578.
8. R. M. D. C. v. Union of India, AIR 1957 SC 628
9. Avtar Singh v. State of Punjab, AIR 1955 SC 1107
10. Shashikant Laxman Kale v. Union of India, AIR 1990 SC 2114: (1990) 4 SCC 366

Recommended Books:

1. Basu, D.D, “*Limited Government and Judicial Review*”, Lexis Nexis, 5th Edn., New Delhi, 2015.
2. Vepa P. and Sarathi, “*Interpretation of Statutes*”, Eastern Book Co, 5th Edition, Lucknow, 2003.
3. Battacharya, T., “*Interpretation of Statutes*”, Central Law Agency, Lucknow, 2017.
4. Gandhi, B.M., “*Interpretation of Statues*”, Central law Agency, 10th Edn., Allahabad, 2017.
5. Singh, G P., “*Principles of Statutory Interpretation*”, Lexis Nexis, 14th Edn., New Delhi, 2016.
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Reference Books:

1. Bindra, N.S., “*Interpretation of Statutes*”, Lexis Nexis, New Delhi, 2013.
2. Singh, Avatar & Kaur, Harpreeth, “*Introduction to Interpretation of Statutes*”, 4th Edn., New Delhi, 2018.
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Cyber Laws -----OP 3

Course Objectives:

- The regulatory framework to control the digital world has become essential in this digital age.
- This course aids in comprehending the laws pertaining to E - contracts, E - banking, intellectual property concerns, cyber crimes, etc.
- The goal of the course is to examine the necessity for cyberspace regulation from both a jurisdictional and a legal perspective.

Course Outcome:

- This course will help the students to understand cyberspace, UNCITRAL model law, and the Information Technology Act (with recent amendments),
- Students will be able to examine the matters of cyber jurisdiction, digital signatures, and cyber regulation.
- Students can learn the scope of cyber laws pertaining to e - commerce, e - taxation, etc.
- To assess and comprehend cyber law concerning online IP rights.

Unit 1 – Introduction to cyber space and international conventions

1.1 Meaning of Cyber and Cyber Law

1.2 Need of cyber law

1.3 Cyber space

1.4 Regulation of cyber space – rise of global computer network

1.5 Jurisdictional issues – Roles of Civil and Criminal Law

1.6 UNCITRAL Model Law

Unit 2 – E – Commerce

2.1 Scope of Cyber laws

2.2 E-commerce - online contracts - E - Banking Transactions - e-taxation - e-governance

2.3 Electronic and Digital Signature

2.4 The Digital Personal Data Protection Act, 2023

Unit 3 – Crime Cyber and Liberties

3.1 Cyber Crimes - Actus Rea and Mensrea

3.2 Types of Crimes in the Internet

3.3 Crime Against Person, Against Property, Against Government

3.4 Freedom of Speech & Expression in cyber space

3.5 Decent Speech – Indecent Speech – Hate Speech – Obscene – Pornography

Unit 4 – IPR issues

4.1 Copy Right issues in the Internet - Protection of Computer Software

4.2 Caching - International Regime – OSS – DMCA - DATA PROTECTION DIRECTIVES

4.3 Trademark issues in the Internet

4.4 Domain Name; Registration - Domain Name –Registration - Domain Name Dispute

4.5 ICANN - UDRP Policy – Linking – Framing -Met Tagging - Database issues in the internet.

Unit 5 – Provisions of Information Technology Law and Indian Evidence Act

Objectives of the Act

- 5.1 Legal Recognition of Electronic Documents
- 5.2 Evidence Act on Electronic Record
- 5.3 E-Governance
- 5.4 Regulation of Certifying Authorities
- 5.5 Duties of Subscribers
- 5.6 Offenses and Contraventions- Penalties and Adjudications
- 5.7 Justice Dispensation System for Cybercrimes
- 5.8 Making of Rules and Regulations etc.

Recommended Books:

1. Chatterjee, Biwas, "*Cyber Contract*", Asia Law House, Hyderabad, 2015.
2. Verma, Amita, "*Cyber Crimes and Law*", Central Law Publications, 2012.
3. Basin Barkha & Rama Mohan Ukkalum, "*Cyber Law and Crime*", Asia Law House, 3rd Edn., Hyderabad, 2017.
4. Duggal, Pavan, "*Cyber Law - The Indian Perspective*", Universal Law Publications 2nd Edn., New Delhi, 2020.
5. Singh, Justice Yatindra, "*Cyber Law*", Universal Law Publication, 6thEdn., New Delhi, 2016.

Reference Books:

2. Hemanth Goel, "*Cyber Crimes*", Allahabad Law Agency, Allahabad, 2016.
3. Jain N.C., "*Cyber Law*", Allahabad Law Agency, Allahabad, 2002.
4. Myneni, S.R., "*Information Technology Law (Cyber Laws)*", Asia Law House, Hyderabad, 2016.
5. Kamath, Nandan, "*Law Relating to Computer: Internet and E Commerce*", Asia Law House, New Delhi, 2016.
6. Verma, S.K. & Raman Mital, "*Legal Dimensions of Cyber Space*", Allahabad Law Agency, Allahabad, 2010.

Reference Cases

1. CBI v. Arif Azim, (2008) 105 DLT 769 (Sony Sambandh Case)
2. Shreya Singhal v. Union of India, AIR 2015 SC 1523
3. State of Tamil Nadu v. Suhaskatti, CC No. 4680 of 2004
4. Microsoft Corporation v. Yogesh Papat and Anr, 118 (2005) DLT 580
5. Nasscom v. Ajay Sood & Ors, 119 (2005) DLT 596
6. Jayesh S. Thakkar v. State of Maharashtra, Writ Petition No. 1611 of 2001
7. Shamsher Singh Verma v. State of Haryana, 2015 SCC Online SC 1242
8. Whitney v. California 247 US 214

9. Cohen v. California 403 U.S. 15 (1971)
10. R v. Hicklin (1868), LR 3 QB 360
11. Reno v. ACLU 521 U.S. 844 (1997)

Insurance Law – OP 3

Course Objectives:

- To explain the insurance contract in lieu with Indian contract. Studying the insurance industry, which is now available to private players due to reforms resulted from recent developments.
- To learn about the principles of insurance necessary for formulation of insurance contract.
- To know about the fundamentals of burglary and marine insurance, as well as the related laws and penalties.
- To research and analyze the field of liability insurances, including motor vehicle insurance, third party insurance, etc.

Course Outcome:

- Students will gain practical knowledge of insurance practices through this course.
- Students will be imparted with a deeper understanding of how insurance businesses operate.
- They will learn how the insurance industry raises money.
- Students will be familiar with insurance legislation in addition to basic legal knowledge.

Unit 1 – Introduction on Insurance

1.1 Historical Development of Insurance in India

1.2 Nationalization of Insurance in India – LIC Act, 1956, General Insurance Act, 1972, Insurance Act, 1938, Insurance Regulatory Development Authority Act, 2000

1.3 The Risk – Peril – Hazard – Kinds of Risk

1.4 Kinds of Insurance

Unit 2 – Principles of Insurance

2.1 Insurance as a Contract - Nature of insurance contract

2.2 General Principles – Duty to Disclose (Uberrima Fides), Principle of Proximate Causa – Principle of Indemnity – Principle of Insurable Interest – Principle of Subrogation – Wager and Insurance

Unit 3 – Life Insurance

3.1 Nature and scope

- 3.2 Principles Applicable in life insurance contract
- 3.3 Amounts recoverable under life policy – Surrender Value
- 3.4 Assignment – Nomination
- 3.5 Personal Accident Insurance – Kinds of Death
- 3.6 Medical Insurance

Unit 4 – Fire and Marine Insurance

- 4.1 Characteristics of fire insurance
- 4.2 Principles applicable in fire insurance
- 4.3 Nature of damage of properties due to fire
- 4.4 Consumer insurance – fire in factory – fire in shop
- 4.5 Marine Insurance – Definition – Principles applicable in marine insurance
- 4.6 Assignment of policy
- 4.7 Pirates – thieves – freight – goods

Unit 5 – Motor Vehicle Insurance

- 5.1 Nature of motor vehicle insurance
- 5.2 Motor vehicle Act, 1988
- 5.3 No fault compensation – interim compensation
- 5.4 Statutory Liability – enhancement of compensation – maximum limit of compensation
- 5.5 Third party's rights against insurers – liability of insured to insurer – defences of insurer under third party claim

Reference Cases

1. Dalby v. The Indian & London Assurance Co, (1854) 15 CB 365
2. Liberty National Life Insurance Co vs. Weldon, (1830) 4 Bligh NS 194 (HL)
3. Carlil v. Carbolic Smoke Ball Company, (1929) 2 Ch. 1
4. Saurashtra Chemicals Ltd. v. National Insurance Co. Ltd., AIR 2020 SC 548.
5. Om Prakash v. Reliance General Insurance Co. Ltd. AIR 2017 SC 4836.
6. Banarasi Debi v. New India Assurance Co., AIR 1959 Pat. 540.
7. Biman Krishna Bose v. United India Insurance Co. Ltd. AIR 2001 6 SCC 477.
8. Galada Power and Telecommunication Ltd. v. United India Insurance Co. Ltd. AIR 2016 SC 4021.
9. Mohd. Sayed v. Hindustan Petroleum, AIR 2004 NOC 288 (M. P.)
10. Reliance Life Insurance Company Ltd. v. Rekhaben Nareshbhai Rathod, AIR 2019 6 SCC 175
11. Insure Policy Plus Services (India) Pvt. Ltd. v. Life Insurance Corporation of India and the Insurance Regulatory and Development Authority, 2007 (109) Bom LR 559
12. Gherulal Parekh v. Mahadeodas Maiya, AIR 1959 SC 78

13. National Insurance Company Ltd. v. Sujir Ganesh Nayak and Company, AIR 1997 SC 2049.

Recommended Books:

1. Banerjee, Law of Insurance (1994), Asia Law House, Hyderabad.
2. Bangia. R.K, *Law of Insurance*, 2nd Edition, Allahabad, 2015.
3. Singh, Avatar, Law of Insurance, 3rd Edition, Eastern Book House, Lucknow, 2018 reprinted.
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2. Murthy K.S.N, *Modern Law of Insurance in India*, Lexis Nexis, Butter Worth, New Delhi, 2019
3. Robert Merkin, Colinvalxs , *Law of Insurance*, 8th Edition, Oxford, London, 1990.
4. Prof. John Birds, Mac Gillivray, *Insurance Law*, 13th Edition, Sweet & Maxwell 2015
5. James Porter, *The laws of Insurance*, Cornwell University Library, London, 2009
6. Mathew Arnold,, *Marine Insurance*, Rarebooksclub, London 2012

Penology and Victimology – OP4

Course Objectives:

- Penology, Victimology and Criminal Law are related fields of study. to comprehend how criminal law establishes the definition and penalties for crimes.
- The criminal's traits and capacity for change through punishment determine the severity of the penalty.
- As a result, the course gives students a scientific understanding of criminal conduct and the application of punishment.
- Penal victimologists are concerned with the study of illegal criminal acts.
- Victimology opine that victimology fails to question the basic foundations of what crime is and supervises why certain acts are sanctioned

Course Outcome:

- Students will learn how victimology provides professional assistance to the victims.
- Various theories of punishments will be learnt by the students.
- Students will learn to correlate impact of crime on victims.
- It will be helpful in training the students for improving communication skills with the victims.

Unit 1 – Introduction to Penology

Definition of Penology

Punishment – Concept

Theories of punishments

Unit 2: Capital Punishment

2.1 Capital Punishment in India

2.2 Constitutionality of Capital Punishment

2.3 Judicial Trend

Unit 3: Sentencing and Imprisonment

3.1 Approaches to Sentencing

3.2 Alternatives to Imprisonment – Probation – Compensation – Fines

Imprisonment - Jail System - Classification of Prisoners - Open Prison

Unit 4: The Police System

4.1 Police Force in India

4.2 The role of Police

4.3 Functions of Police

Unit 5: Victimology

5:1 Need for Compensation

5:2 Compensation and Rehabilitation

5:3 Compensation as a Mode of Punishment

5:4 Constitutional Perspective of Compensation

Reference Cases

1. Bishnu Deo v. State of West Bengal AIR 79 SC 964
2. Munna v. State of U.P. AIR 82 SC 806
3. Sammder Singh v. State of Rajasthan AIR 87 SC 737
4. Dharan Bir v. State of UP (1979) 3 SCC 645
5. Sunil Batra v. Delhi Administration, AIR 1980 SC 1579

Recommended Books:

1. Maheshwara N., “*Criminology & Criminal Justice System*”, Asia Law House, 2nd Edn., Hyderabad, 2019.
2. Myneni, S.R., “*Crime and Criminology*”, Allahabad Law Agency, 1st Edn., Allahabad, 2017.
3. Ahmad S., “*Criminology and Penology*”, Eastern Book Company, 7th Edn. Lucknow, 2016.
4. Sharma, Rajendra Kr., “*Criminology and Penology*”, Atlantic Publishers and Distribution Pvt. Ltd., New Delhi, 2008.
5. Prafullah Padhy, “*Crime and Criminology*”, Isha Books Publication, 2006.

Reference Books:

1. Afzal Kadri S.M., “*Criminology, Penology and Victimology*”, Eastern Book Company, 2015.
2. Sutherland E., “*White Collar Crime*”, Praeger Publisher Inc. 1983.
3. Srivastava S.C., “*Criminology, Penology, & Victimology*”, Central Law Agency, 5th Edition, Allahabad, 2017.
4. Paranjappe N.V., “*Criminology, Penology with Victimology*”, Central Law Agency, 16th Edn., Allahabad, 2014.
5. Vibhute K.L., “*Criminal Justice*”, Eastern Book Company, 1st Edn., Lucknow, 2004.

Women and Criminal Law – OP4

Course Objectives:

- To determine laws protecting human rights of women.
- To protect women from various forms of exploitation.
- To evaluate international conventions pertaining to women's rights.
- To understand more about sexual harassment and domestic abuse, as well as the laws that govern them.
- To determine statutory bodies responsible for protection of women's rights.

Course Outcome:

- Students will more specifically learn about forms of crime committed on women.
- Students will be knowledgeable about the specific labour legislations that protect the women working as labours in different factories or industries.
- Root cause of vulnerabilities of women and crime on women will be highlighted.

- Women welfare legislation other than penal laws are covered under this course.

Unit 1 – Introduction

1.1 Root causes of violence against women - Religion, patriarchy, marriage institution and changing cultural values

1.2 Perpetuation of violence: Social Evils – Prostitution, Sati, child marriages, female foeticide and infanticide, witchcraft, incest

1.3 International norms relating to protection of women and children against violence: CEDAW, United Nations Declaration on the Elimination of Violence against Women, 1993

1.4 Women rights under Constitution of India

Unit 2 – Protective provisions under IPC

2.1 Rape

2.2 Bigamy

2.3 Mock marriages

2.4 Enticing a married woman

2.5 Offences against minor girls.

Unit 3 – Women Welfare Laws

3.1 Immoral Traffic (Prevention) Act, 1956 (1986 Amendment)

3.2 Medical Termination of Pregnancy Act, 1971

3.3 Protection of Women from Domestic Violence Act, 2005

3.4 Sexual Harrasment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2016

3.5 Uniform Civil Code towards gender justice

Unit 4 – Labour Welfare Legislations

4.1 Safety/Health Measures, Provision for crèche, Work timing, restriction of dangerous work under Protection of Women under Factories Act, 1948, Beedi and Cigar Workers (Conditions of Employment) Act, 1966

4.2 Provisions of Maternity Benefit Act, 1961 with recent amendments

Unit 5 - Role of Statutory Bodies

5.1 National Commission for Women

5.2 State Commissions for Women

5.3 Legal aid to women

Reference Cases

1. Sumithra Vishnu v. Union of India, 1985 SC 1618
2. Vellore Citizens Welfare Forum v. Union of India, (1996) 5 SCC 647
3. Vishaka v. State of Rajasthan, AIR 1997 SC 3011
4. Tukaram and Anr v. State of Maharashtra, 1979 AIR 185
5. Sakshi v. Union of India, AIR 2004 SC 3566
6. Laxmi v. Union of India, (2014) 4 SCC 427
7. Mukesh & Anr v. State for NCT of Delhi (2017) 6 SCC 1 (Nirvaya Case)

Recommended Books:

1. Myneni S.R., "*Law relating to Women*", Asia Law House, 4th Edn., Hyderabad, 2019.
2. Acharya, K., "*Protection of Women from Domestic Violence*", Asia Law House 7th Edn., Hyderabad, 2016.
3. Tiwary A.P., "*Women's Rights*", Asia Law House, Hyderabad.
4. Devendar Singh, "*Women Rights, Women and Law*", Allahabad Law House, Allahabad, 2010.
5. Dhinga, Jitender Kumar, "*Digest on Protection of Women from Domestic Violence*", LRC Publications, 3rd Edn., New Delhi, 2019.

Reference Books:

1. Tripathi P.C, "*Crime against Working Women*", Ashish Publication, Delhi, 1999.
2. Ram Ahuja, "*Violence against Working Women*", Rawat Publication, Delhi, 2003.
3. SobhaSaxena, "*Violence against Women and Protective Law*", Deep and Deep Publication, Delhi, 2001.
4. Devan V. K., "*Law Relating to Offences Against Women*", Asia Law House, 5th Edn., Hyderabad, 2000.
5. Krishna Iyer, V.R., "*Human Rights and the Law*", "The Dialectic & Dynamics of Human Rights in India", Eastern Law House, Lucknow, 1999.

Media and Law – OP 5

Course Objectives:

- This paper aims to explain constitutional provision of freedom of speech and expression.

- This paper's primary goal is to examine and evaluate the historical context, current situation, and potential futures of the numerous rights, freedoms, and advantages that the state has granted to the media through a variety of legislative and judicial actions.
- The media is a social tool that gives members of the public a forum to openly exercise their right to free speech and expression.

Course Outcome:

- Students will learn about media and entertainment industries.
- This course will help the students in understanding Art 19(1)(a) of Constitution of India in reference to freedom of speech of media personnel.
- This course also provides about the restrictions imposed on media to telecast certain matters that are immoral and indecent in nature.
- The application of copyright law restricting the media to telecast that infringes the performer's rights are discussed here.

Unit 1 – Introduction to Mass Media

- 1.1 Types of media – press, radio, television, films
- 1.2 Ownership patterns – private and public
- 1.3 Difference between visual and non - visual media
- 1.4 Role of media in human life

Unit 2 – Radio and Television

- 2.1 Radio and Television - Government Monopoly
- 2.2 Effect of television on people
- 2.3 Report of the Chanda Committee
- 2.4 Government Policy
- 2.5 Commercial advertisement

Unit 3 – Freedom of Speech and Expression to Press

- 3.1 Freedom of speech and expression under Art 19 (1) (a)
- 3.2 Media Personal Privileges
- 3.3 Laws of defamation, Provisions embodied in the Indian Penal Code, obscenity, Indecent 3.4 Representation Act, 1986, blasphemy and sedition
- 3.5 Broadcasting and its privileges, Performer's Rights, Indian Copy Right Act as amended, 3.6 Censorship of films Indian Copy Right Act as amended

Unit 4 – Constitutional Provisions

- 4.1 Power to legislate – Article 246 read with the seventh schedule
- 4.2 Privacy Laws in India
- 4.3 Power to impose tax – licensing and license fee

Unit 5 – Judiciary and Media

- 5.1 Judicial recognition of Right to Information
- 5.2 Salient features of Right to Information Act
- 5.3 Leading decisions pertaining to media and law

Reference Cases

1. Zee Telefilms Ltd. v. Union of India, (2005) 4 SCC 649
2. Bennett Coleman and Co. v. Union of India, AIR 1973 SC 106
3. Romesh Thappar v. State of Madras, AIR 1950 SC 124
4. Sharma v. Srikrishna, AIR 1959 SC 395
5. Prakash Jha Productions v. Union of India, (2011) 8 SCC 372
6. Tata Press Ltd. v. MTNL, (1995) 5 SCC 139
7. Indian Express Newspapers v. Union of India, (1985) 1 SCC 641

Recommended Books:

1. Jain, M.P, “*Constitutional Law of India*”, Lexis Nexis, 7th Edn., New Delhi, 1994
2. Seervai, H.M, “*Constitutional Law of India*” Vol. 1., Universal Law Publication, Tripathi, Bombay, 1991.
3. Madhavi, Divan, “*Facets of Media Law*”, Eastern Book Company, 2nd Edn., New Delhi, 2018.
4. Neelamalar, M., “*Media Law and Ethics*”, Pentice Hall India Learning, 2nd Edn., New Delhi, 2009.
5. Basu, D.D., “*Introduction to the Constitution of India*”, Lexis Nexis, 23rd Edn., Gurgaon, 2018.

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1. Rajeev Dhavan, “*On the Law of the Press in India*” 26 JI. L/288, Delhi, 1984.
2. Rajeev Dhavan, “*Legitimizing Government Rhetoric: Reflections on some Aspects of the Second Press commission*” 26 J.L /. 391, Delhi, 1984.
3. Soli Sorabjee, “*Law of Press Censorship in India*”, Indian Law Institute, Vol. 20, New Delhi, 1998.
4. Kashyap, Subash C., “*Indian Presidency Constitutional Law and Practice*”, Universal Law Publishing Co., New Delhi, 2012.

5. Kumar, Narendra, “*Constitutional Law of India*”, Allahabad Law Agency, 10th Edn., Allahabad, 2018.

Right to Information – OP 5

Course Objectives:

- The Right to Information Act is a tool that can be used to combat corrupt practices, abuses of authority, and poor administration.
- This law gives the right to be informed in real sense.
- Object of this course is to familiarize the student about this Act and enable them to make use of it.
- To encourage accountability and openness.
- To reduce corruption and increase public engagement in the democratic process.

Course Outcome:

- Students will be able to learn the importance of good governance.
- Students are able to understand how this law impact individuals and Indian administration.
- Students will gain knowledge about the transparency and functioning of public authorities operate.
- The necessity of all public authorities are required to keep all of their records properly classified and in orderly form for making easy access for the public.

Unit 1 – Development of RTI in India

- 1.1 Development of RTI movement in India, Mazdoor Kisan Shakti Sangathan
- 1.2 Importance & Necessity of Right to Information
- 1.3 Classification of Information
- 1.4 Right to Information in India
- 1.5 Legal & Constitutional Perspective

Unit 2 – Constitutional and Other Legal Rights

- 2.1 Fundamental Rights – Article 19 - Article 21 and its Interpretation
- 2.2 Right to know – Right to be informed - Right to Information
- 2.3 Right to Information Vis - a – Vis Right to life
- 2.4 Right to Information - in Consumer Laws
- 2.5 Right to Information in Environmental Laws
- 2.6 Right to Information Administrative Law
- 2.7 Right to Information Criminal Law

Unit 3 – Right to Information Act

- 3.1 Procedure to file Application
- 3.2 First Appeal
- 3.3 Second Appeal
- 3.4 Penal provisions, etc
- 3.5 Central Information Commission
- 3.6 State Information Commissions
- 3.7 Powers and Functions
- 3.8 The Assam Right to Information Act, 2001

Unit 4 – Right to Information & Public Interest Litigation

- 4.1 Expanded Locus Standi
- 4.2 Writ Jurisdiction
- 4.3 Social Justice and Accountability
- 4.4 Pro Bono Advocacy

Unit 5 – Role of Judiciary

- 5.1 Issues relating corruption in Administration
- 5.2 Various Anti - Corruption Laws
- 5.3 Whistleblowers Protection Act

Reference Cases

1. Union of India v. Association for Democratic Reforms, AIR 2002 SC 2112
2. Secretary, Ministry of Information and Broadcasting, Govt. of India v. Cricket Association of Bengal, AIR 1995 SC 1236
3. People's Union for Civil Liberties v. Union of India, AIR 2003 SC 2363
4. Indra Sawhney v. Union of India, AIR 1993 SC 477
5. Union of India v. Raghubir Singh, AIR 1989 SC 1933
6. P.V. Narasimha Rao v. State, AIR 1998 SC 2120

Recommended Books:

1. Das, P.K., *“The Right to Information Act, 2005”*, Universal Law Publishing Co. Pvt. Ltd. Delhi, 2005.
2. Krishna Iyer, V. R., *“Freedom of Information”*, Eastern Book Company, Lucknow, 1990.
3. Sreedhar, Moodabooshi, *“Right to Information Act”*, Wadwa Publications, Nagpur, 2005.
4. Sathe, S. P., *“Right to Information Act”*, Lexis Nexis, 2006.

5. Jain, M.P., *“Indian Constitutional Law”*, Lexis Nexis, 8th Edn., New Delhi, 2018.

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7. Parashar, Anuradha, *“Right to Information in India”*, Lamberi ACAD Publication, 2011.
8. Paranjappe, N., *“Right to Information”*, Central Law Agency, Allahabad, 1st Edn., 2013.

Human Rights Law and Practice – OP 6

Course Objectives:

- To acknowledge the significance of human rights that have been identified.
- To recognize the significance of India's Human Rights Commission.
- To find out about the Organizations of the United Nations.
- To understand and advance the nation's social, economic, and cultural rights in addition to its civil and political rights.
- To determine how human rights enforcement theories and methods should be applied.

Course Outcome:

- Students will get an understanding of human rights, including its origin and development.
- Additionally, it covers United Nation's agencies that explain and human rights, providing students with a global perspective on the rights that are accessible to them.
- The Human Rights Instruments' such as Social, Economic and Cultural Rights provides our students with an additional chance to investigate various aspects of human rights.
- The paper also addresses human rights enforcement mechanisms. Human rights is the primary topic recommended since it discusses the in-depth theories that citizens can rely on to ensure that their rights are effectively applied in their communities.

Unit 1 – Origin and Development of Human Rights

- 1.1 Characteristics of Human Rights
- 1.2 Evolution of Human Rights
- 1.3 Classification of Human Rights
- 1.4 Theories of Human Rights

Unit 2 – United Nations and Human Rights

- 2.1 United Declaration of Human Rights
- 2.2 International Covenants on Human Rights
- 2.3 Amnesty International
- 2.4 International Court of Justice

Unit 3 – Civil and Political Rights

- 3.1 The Rights to life, Liberty and security of person
- 3.2 Abolition of slavery and slavery – life practice
- 3.3 Protection against torture and other forms of cruelty inhuman or degrading treatment or punishment.
- 3.4 Protection against arbitrary arrest and detention
- 3.5 Freedom of thoughts, Conscience and Religion or Belief Provisions of the United Nations Instructions.
- 3.6 The rights of everyone to take part in the Government of his country – Right to Vote - Right to contest election – Election Commission – Representation of the People’s Act – Elections to Local self – Government

Unit 4 – Socio, Economic and Cultural Rights

- 4.1 Rights to work – Provisions on ILO – Child Labour – Bonded Labour.
 - 4.2 Right to education – UNESCO – Conventions - Educational rights of Women and Children
 - 4.3 Right to health – WHO - Global Strategy - Health of women and children
- Human Rights and Vulnerable Groups

Unit 5 – Enforcement of Human Rights

- 5.1 Human Rights Commission in India
- 5.2 Role of Judiciary in protecting human rights

Reference Cases

- 1. Ramlila Maidan Incident v. Union of India & Ors, Writ Petition (CRL.) No. 122 of 2011
- 2. M.C. Mehta v. Union of India, 1987 AIR 1086
- 3. Olga Tellis v. Bombay Municipal Corporation, 1986 AIR 180

4. Vishaka v. State of Rajasthan, AIR 1997 SC 3011
5. Justice K.S. Puttaswamy (Retd.) & Anr v. Union of India &Ors, AIR 2015 SC 3081
6. Indian Young Lawyers Association & Ors v. State of Kerala & Anr, AIR Online 2018 SC 243 (Sabarimala Case)
7. National Legal Services Authority (NALSA) v. Union of India, Writ Petition (Civil) No. 400 of 2012
8. Sunil Batra v. Delhi Administration, 1980 AIR 1579

Recommended Books:

1. Kapoor, Dr. S.K., “*Human Rights under International Law and India Law*”, Central Law Agency, 7th Edn., Allahabad, 2017.
2. Bantekas, Ilias and Oette, Lutz, “*International Human Rights Law and Practice*”, Cambridge University Press, 3rd Edn., England, 2013.
3. Donnelly, Jack, “*Universal Human Rights in Theory and Practice*”, Cornell University Press, 3rdEdn., New York, 2013.
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5. Singh, Gurudip, “*Human Rights in 21st Century*”, Universal Law Publications, New Delhi, 2012.
6. Jain, Rashee, “*Textbook on Human Rights Law and Practice*”, Universal Law Publishing, Lexis Nexis, 3rd Edn., New Delhi, 2016.
7. R. Dworkin, “*Taking Rights Seriously*”, Harvard University Press, London, 2013.

Reference Books:

1. Joshi, Nayan, “*Law Relating to Human Rights*”, Kamal Publishers, 2ndEdn., NewDelhi, 2020.
2. Maybee, Larry & Banerji Chakka, “*International Humanitarian Law – A Reader of South Asia*” ICRC, 1st Edn., New Delhi, 2008.
3. Dr. Chandra. U, “*Human Rights*”, Allahabad Law Agency, 8thEdn., Allahabad, 2018.
4. Paras Diwan, “*Human Rights and Law*”, Deep and Deep Publications, New Delhi, 1996.

Bodo Customary Law and Practice – OP 6

Unit 1 – Custom as a Source of Law

Unit 2 – Scheduled Tribes and Constitution

Unit 3 – Bodo Tribe and Their Intellectual Property

Unit 4 – Administration of Justice in Bodoland Territory

Unit 5 – Social Welfare Policies for Good Governance

Reference Cases

Health Law – OP 6

Course Objectives:

- To assist students in realizing the significance of powerful health laws and regulations in India.
- To educate students about the numerous International Health Organizations and the Sustainable Development Goal of "Good Health and Well Being," which all United Nations members must attain by 2030.
- To emphasize that everyone has the freedom to obtain medical treatment.
- To determine that in order for a country to become developed, public health must be improved by controlling health legislation.

Course Outcome:

- The course assists students in understanding the extension of Article 21 under the Indian Constitution of India and the duty to protect public health as stipulated by the Directive Principles of State Policies.
- It educates the students by discussing the concept of the relevant legal provisions.
- It draw attention to the judiciary's responsibility in maintaining public health.
- Helps in researching the legislation pertaining to reproductive health in order to protect women's rights.

Unit 1 – Introduction

Introduction & development of health laws in India

National policies on health in India

Unit 2 – Constitutional Provisions

Constitutional provisions in protecting health

Right to health as emergent from parts III and IV of the Constitution of India

Unit 3 – Health Laws in India

Laws of Health of Citizen of India

Reproductive Health and Surrogacy Laws

Access to Medicare

Mental health care

Unit 4 – Role of Govt. in Protecting Health

Steps taken by the government

Rural health care

Health of marginalized Groups

Unit 5 – Role of Judiciary in Protecting Health

Judicial Protection of Healthcare Medicare in India

Medical negligence cases

Reference Cases

1. CESC Ltd. v. Subhash Ch. Bose AIR 1992 SC 573
2. K.P. Singh v. Union of India (2001) 10 SCC 167
3. State of Tripura v. Amrita Bala Sen 2005 2 GLR 7
4. Ram Datt Sharma v. State of Rajasthan AIR 2005 RAJ 317
5. Directorate of Enforcement v. Ashok Kumar Jain (1998) 2 SCC 105
6. Marri Yadamma v. State of Andhra Pradesh AIR 2002 AP 164

Recommended Books:

1. Agarwal, H.O., “*International Law and Human Rights*”, Central Law Publications, Allahabad, 2005.
2. Rao, Y.V, “*Medical Negligence*”, Asia Law House, 3rdEdn.,Hyderabad, 2019.
3. Seervai, H.M., “*Constitutional Law of India*”, N.M. Tripathi Private Ltd., Bombay, Volume 2, edn. 1993.
4. Singh, Dr. Devinder, “*Human Rights Women and Law*”, Allahabad Law Agency, 2ndEdn., Allahabad, 2010.
5. Singh, Gurudip and Ahuja, V.K., “*Human Rights in 21st Century, Changing Dimensions*”, Universal Law Publishing Co., New Delhi, 2012.

Reference Books:

1. Beotra, B. R (edited by R. N Saxena), “*The Mental Health Act, 1987*” by Butterworths India, 2nd Edition, New Delhi, 2000.
2. National Human Rights Commission, “*Quality Assurance in Mental Health*”, New Delhi: National Human Rights Commission (1999).
3. WHO, Geneva, “*Mental Health Care in Developing Countries A Critical Appraisal of Research Findings*”, 1984, Geneva, WHO Technical Report Series, ILI, LIB New Delhi.

4. Jackson, Emily, *“Medical Law Text, Cases and Materials”*, Oxford University Press, 5thEdn., United Kingdom, 2019.
5. Rai, Dr. Kailash, *“The Constitutional Law of India”*, Central Law Publication”, 11thEdn., Allahabad, 2017.

Moot Court, Internship and Legal Aid Camp

Course Objectives:

- To prepare students for practical experience in the legal area.
- To participate in practical mooting in order to advance their legal profession skills.
- To instruct the students by providing a case involving a criminal or civil lawsuit, allowing each group to conduct research for the purpose of making an argument and resolving the conflict.
- In order to aid them in advocacy, the students will be taught how to draft a written submission and present their oral arguments in a mock court.

Course Outcome:

- Moot court exercise help law students to attain better position in the legal profession by raising their standards.
- They will be inspired and encouraged to improve their aptitude and strength in the topic.
- After receiving quality guidance from these training sessions, which will educate them during their practical field.
- Additionally, proper court etiquette, attire, and legal terminology will be observed, all of which are prerequisites for appearing before India's Honourable Courts.
- It helps students in understanding court processes and provide them with additional useful court information.

A) Moot Court - 30 Marks

- 1) Three Moot Courts Cases

B) Observance of Trial in Two Cases, one civil and the criminal case - 30 marks

C) Interviewing Techniques and Pre - trial Preparation and Internship Diary - 30 Marks

