

**(CBCS BASED)**

**ORDINANCE, REGULATION & SYLLABUS  
For  
LL.B. [3 YEAR'S]**



**NEHRU GRAM BHARTI  
(DEEMED TO BE UNIVERVISITY),  
KOTWA-JAMUNIPUR-DUBAWAL  
PRAYAGRAJ-221505  
UTTAR PRADESH**

**Session:  
2019 – 2020**

## Preamble

The Nehru Gram Bharati (Deemed to be University) is one of the prestigious universities in the country. In 2019-20 session, the Nehru Gram Bharati (Deemed To Be University) moved on from traditional marks and percentage system and introduced Choice Based Credit System. The talks on CBCS system went on for quite a long time created confusion among the Universities as to whether the syllabus, timetables and assessment procedures should be prepared as per the requirements of the CBCS or should they have continued with the previous marking system. But, the Nehru Gram Bharati (Deemed to Be University) has been able to implement the CBCS system with relative ease, while the students are finally coming to terms with the changes introduced by the UGC. Let's get into the details of this system

In LLB Syllabus of Faculty of Law Nehru Gram Bharati (Deemed to Be University) is designed in a way so that every aspect of law can be included in the three-year course of study. Various subjects like Crime, Labour Law, Administrative Law, Constitutional Law of India, Procedure Code, Legal Writing, Computer Application to name a few forms a part of the course's curriculum and are mostly covered by all top Universities providing admission into LLB course.

The University Grants Commission has come up with the Choice Based Credit System (CBCS) programme in which the students have a choice to choose from the prescribed courses, which are referred as core, elective or minor or soft skill courses and they can learn at their own pace and the entire assessment is graded-based on a credit system. The basic idea is to look into the needs of the students so as to keep up-to-date with development of higher education in India and abroad. CBCS aims to redefine the curriculum keeping pace with the liberalisation and globalisation in education. CBCS allows students an easy mode of mobility to various educational institutions spread across the world along with the facility of transfer of credits earned by students.

The Faculty of Law was established in 2008 by Nehru Gram Bharati (Deemed to Be University). Dr. K.P Mishra, was its first Vice Chancellor of the University. The Faculty of Law was initially located in the Hanumanganj G.T Road, Prayagraj UP, India.

The LL.B course is revised periodically and new subjects are included in the course to keep pace with the national and international social, legal and policy changes, innovations and technology. In the year 2014 and 2017 the LL.B. Course was revised, keeping in view the new developments in the field.

### Features of CBCS

- This is a uniform CBCS for all Central and State and other recognised universities.
- There are three main courses: Core, Elective and Foundation.
- All the three main courses will be evaluated and accessed to provide for an effective and balanced result.

**The LL.B. Programme is aimed at:**

- Familiarising students with basic laws and judicial interpretations at the national and international level.
- Apprising students of the legal system, rule of law, and administration of justice.
- Imparting professionally and socially relevant legal education
- Sensitising students towards the issues of access to justice of the deprived, marginalised and weaker sections of society
- Producing internationally competent litigating lawyers, corporate lawyers, judges, judicial officers, legal officers, researchers, law reformers, law teachers, etc.
- Imparting skills of legal reasoning, problem solving, research, legal writing, oral and written communication, persuasion, leadership and teamwork.
- Promoting ethical practices in the profession of law.
- Promoting inter-disciplinary approach to legal profession.

**Programme Specific Outcomes:**

At the end of the LL.B. course, the students will be able to:

- Do legal research.
- Understand, interpret, and apply law.
- Evaluate and compare domestic and international laws Design, and formulate case theory and strategy.
- Analyze and differentiate facts and law.
- Solve problems by employing legal reasoning, research
- Discharge their social responsibility.

## विधि विभाग की अध्ययन परिषद की बैठक का कार्यवाही विवरण

दिनांक 25.05.2019 दोहर 12:00 बजे विधि-विभाग की अध्ययन परिषद की बैठक सिविल लाइन्स परिसर नहर ग्राउंड भारतीय मारिह विश्वविद्यालय में आयोजित की गई। जिसमें निम्नलिखित सदस्य उपस्थित

हूँ:-

1. डॉ० यू० अन० शर्मा — अध्यक्ष
2. डॉ० मुहम्मद जफर — सदस्य
3. डॉ० स्वप्निल त्रिपाठी — सदस्य
4. डॉ० एस० आर० शर्मा — सदस्य
5. डॉ० आर० के० चौबे — सदस्य
6. डॉ० एम० पी० तिवारी — सदस्य

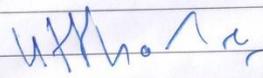
बैठक में सर्वप्रथम आननीय अध्यक्ष ने सभी सदस्यों का स्वागत किया। आननीय अध्यक्ष महोदय द्वारा विश्वविद्यालय की सत्र 2018-19 की उपलब्धियों एवं गतिविधियों की जानकारी करायी। इसके पश्चात निम्न एजेण्डा बिन्दुओं पर विचार विमर्श करके निर्णय लिए गए।

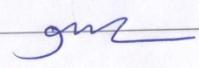
एजेण्डा बिन्दु:

अध्ययन परिषद द्वारा विधि स्नातक (त्रिवर्षीय एवं पंचवर्षीय) एवं परास्नातक स्तर पर प्रस्तावित C.B.C.S पद्धति के अनुमोदन पर विचार।

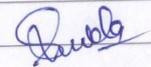
निर्णय: उपरोक्त एजेण्डा बिन्दु पर उपस्थित सभी सदस्यों ने विस्तृत चर्चा करके हुर्रु आवाजी सत्र 2019-2020 से विधि स्नातक त्रिवर्षीय, पंचवर्षीय एवं परास्नातक कक्षाओं में C.B.C.S पद्धति संचालित करने का प्रस्ताव अनुमोदित किया। सत्र 2019-2020 से एल एल०बी०, बी०ए० एल एल०बी०

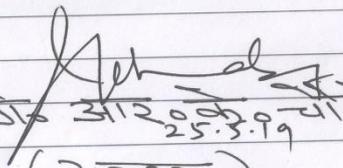
शुभ रात-शुभ रात कक्षाओं हेतु CBCS पद्धति का प्रस्ताव अध्ययन परिषद से विषय की सम-कालीन उपेक्ष्यता और BCI तथा UJC के निर्देशों के अनुसार CBCS पद्धति को सत्र 2019-2020 से कक्षाओं हेतु संचालित करने का प्रस्ताव अनुमोदित किया गया।

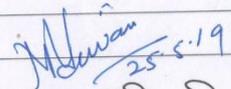
  
डॉ० मू० सु० शर्मा  
Dean, Faculty of Law  
Neeru Gram Bharati (Deemed to be University), Prayagraj-221505

  
डॉ० मुहम्मद ज.फर  
Dr. Mohammad Zafar  
HOD, Department of Law  
Neeru Gram Bharati (Deemed to be University), Prayagraj-221505

~~डॉ० सु० शर्मा~~  
डॉ० स्वप्निल त्रिपाठी  
(सदस्य)

  
डॉ० सिमा राम शुक्ल  
सदस्य

  
डॉ० आर०  
25.5.19  
(सदस्य)

  
डॉ० सु० पी० विवारी  
(सदस्य)

## विश्व विभाग की संकाय परिषद की बैठक का कार्यवाही विवरण —

दिनांक 30/05/2019 को दोपहर 12 बजे विश्व विभाग की संकाय परिषद की बैठक अनुमानित परिषद बैठक भवन (माठ विठ्ठ) में आयोजित की गयी जिसमें निम्नलिखित सदस्य उपस्थित रहे :-

|                          |         |
|--------------------------|---------|
| 1. डॉ. मूकेश शर्मा       | अध्यक्ष |
| 2. डॉ. मुहम्मद जफर       | सदस्य   |
| 3. डॉ. दिवीप कुमार       | सदस्य   |
| 4. डॉ. स्वप्निल त्रिपाठी | सदस्य   |
| 5. प्रो. आर.के. चौबे     | सदस्य   |

बैठक में ~~.....~~ माननीय अध्यक्ष महोदय ने सदस्यों का स्वागत किया। माननीय अध्यक्ष महोदय द्वारा अध्यक्षता परिषद की बैठक का कार्यवृत्त (दिनांक 25/05/2019) को पढ़कर सुनाया

निर्णय :- संकाय परिषद ने सर्वसम्मति से निम्नलिखित निर्णय लिए :-

1. संकाय परिषद ने दिनांक 25/05/2019 को सम्पन्न हुयी अध्यक्षता परिषद के कार्यवृत्त को अनुमोदित किया।

30/05/19

डॉ. मूब एन शर्मा

Dear Faculty of Law  
Nehru Gram Bharati (Deemed to be  
University), Prayagraj-221505

30/05/19

30/05/19

डॉ. मोहम्मद जफर

Dr. Mohammad Zafar  
Department of Law  
Nehru Gram Bharati (Deemed to be  
University), Prayagraj-221505

30-5-19

डॉ. दिवीप कुमार

(सदस्य)

~~डॉ. दिवीप कुमार~~

डॉ. स्वप्निल त्रिपाठी

(सदस्य)

डॉ. आर.के. चौबी

(सदस्य)

|           | <b>I Semester (CORE COURSES)</b>  | Page No. |
|-----------|---|----------|
| LB-CC-101 | Jurisprudence-I (Legal Method, Indian Legal System and Basic Theory of Law) |          |
| LB-CC-102 | Law of Contract   |          |
| LB-CC-103 | Law of Torts including Motor Vehicles Act and Consumer Protection Act       |          |
| LB-CC-104 | Law of Crimes-I: Indian Penal Code  |          |
| LB-CC-105 | Family Law-I  |          |
|           | <b>II Semester (CORE COURSES)</b>   |          |
| LB-CC-201 | Law of Evidence   |          |
| LB-CC-202 | Family Law – II   |          |
| LB-CC-203 | Law of Crimes-II: Code of Criminal Procedure                                |          |
| LB-CC-204 | Property Law  |          |
| LB-CC-205 | Public International Law  |          |
|           | <b>III Semester (CORE COURSES)</b>  |          |
| LB-CC-301 | Constitutional Law-I  |          |
| LB-CC-302 | Company Law   |          |
| LB-CC-303 | Special Contract  |          |
| LB-CC-304 | Moot Court Mock Trial and Internship  |          |
|           | <b>IV Semester (CORE COURSES)</b>   |          |
| LB-CC-401 | Constitutional Law-II   |          |
| LB-CC-402 | Administrative Law  |          |
| LB-CC-403 | Alternate Dispute Resolution  |          |
| LB-CC-404 | Labour Law  |          |
|           | <b>V Semester (CORE COURSES)</b>  |          |
| LB-CC-501 | Code of Civil Procedure and Limitation Act                                  |          |
| LB-CC-502 | Drafting Pleadings and Conveyance   |          |
| LB-CC-503 | Industrial Law  |          |
|           | <b>VI Semester (CORE COURSES)</b>   |          |
| LB-CC-601 | Professional Ethics & Accounting System                                     |          |
| LB-CC-602 | Environmental Law   |          |
| LB-CC-603 | Principles of Taxation Law  |          |

|           |  |  |
|-----------|--|--|
|           | <b>III Semester (ELECTIVE COURSES)</b>       |  |
| LB-EC-301 | International Institutions                   |  |
| LB-EC-302 | Legal Philosophy including Theory of Justice |  |
|           | <b>IV Semester (ELECTIVE COURSES)</b>        |  |
| LB-EC-401 | Interpretation of Statutes                   |  |
| LB-EC-402 | Humanitarian and Refugee Law                 |  |
|           | <b>V Semester (ELECTIVE COURSES)</b>         |  |
| LB-EC-501 | Information Technology Law                   |  |
| LB-EC-502 | Criminology                                  |  |
| LB-EC-503 | International Trade Law                      |  |
| LB-EC-504 | Intellectual Property Rights Law-I           |  |
|           | <b>VI Semester (ELECTIVE COURSES)</b>        |  |
| LB-EC-601 | Intellectual Property Rights Law - II        |  |
| LB-EC-602 | Election Laws                                |  |
| LB-EC-603 | International Investment Law                 |  |
| LB-EC-604 | Competition Law                              |  |

|           |                                       |  |
|-----------|---------------------------------------|--|
|           | <b>III Semester (OPEN ELECTIVES)</b>  |  |
| LB-OE-301 | White Collar Crimes                   |  |
| LB-OE-302 | Computer Application in Legal Studies |  |
|           | <b>IV Semester (OPEN ELECTIVES)</b>   |  |
| LB-OE-401 | Bio-Technology and Law                |  |
| LB-OE-402 | Gender Justice                        |  |
|           | <b>V Semester (OPEN ELECTIVES)</b>    |  |
| LB-OE-502 | Jurisprudence-II                      |  |
| LB-OE-503 | Law and Development                   |  |

## **I. About the Department**

The Faculty of Law was established in 2008 by Nehru Gram Bharati (Deemed to Be University). Dr. K.P Mishra, was its first Vice Chancellor of the University. The Faculty of Law was initially located in the Hanumanganj G.T Road, Prayagraj UP, India.

The LL.B course is revised periodically and new subjects are included in the course to keep pace with the national and international social, legal and policy changes, innovations and technology. In the year 2014 and 2017 the LL.B. Course was revised, keeping in view the new developments in the field.

## **II. Introduction to CBCS (Choice Based Credit System)**

### **Choice Based Credit System:**

The CBCS provides an opportunity for the students to choose courses from the prescribed courses comprising core, elective/minor or skill-based courses. The courses can be evaluated following the grading system, which is considered to be better than the conventional marks system. Grading system provides uniformity in the evaluation and computation of the Cumulative Grade Point Average (CGPA) based on student's performance in examinations which enables the student to move across institutions of higher learning. The uniformity in evaluation system also enables the potential employers in assessing the performance of the candidates.

### **Definitions:**

- (i) 'Academic Programme' means an entire course of study comprising its programme structure, course details, evaluation schemes etc. designed to be taught and evaluated in a teaching Department/Centre or jointly under more than one such Department/ Centre
- (ii) 'Course' means a segment of a subject that is part of an Academic Programme
- (iii) 'Programme Structure' means a list of courses (Core, Elective, Open Elective) that makes up an Academic Programme, specifying the syllabus, Credits, hours of teaching, evaluation and examination schemes, minimum number of credits required for successful completion of the programme etc. prepared in conformity to University Rules, eligibility criteria for admission.
- (iv) 'Core Course' means a course that a student admitted to a particular programme must successfully complete to receive the degree and which cannot be substituted by any other course
- (v) 'Elective Course' means an optional course to be selected by a student out of such courses offered in the same or any other Department/Centre
- (vi) 'Open Elective' means an elective course which is available for students of all programmes, including students of same department. Students of other Department will opt these courses subject to fulfilling of eligibility of criteria as laid down by the Department offering the course.
- (vii) 'Credit' means the value assigned to a course which indicates the level of instruction; One-hour lecture per week equals 1 Credit, 2 hours practical class per week equals 1 credit. Credit for a practical could be proposed as part of a

course or as a separate practical course

- (viii) 'SGPA' means Semester Grade Point Average calculated for individual semester.
- (ix) 'CGPA' is Cumulative Grade Points Average calculated for all courses completed by the students at any point of time. CGPA is calculated each year for both the semesters clubbed together.
- (x) 'Grand CGPA' is calculated in the last year of the course by clubbing together of CGPA of **three years, i.e., Six semesters**. Grand CGPA is being given in Transcript form. To benefit the student a formula for conversation of Grand CGPA into %age marks is given in the Transcript.

### **III. LL.B. Programme Details:**

#### **Programme Objectives:**

The LL.B. Programme is aimed at:

- Familiarising students with basic laws and judicial interpretations at the national and international level
- Apprising students of the legal system, rule of law, and administration of justice.
- Imparting professionally and socially relevant legal education
- Sensitising students towards the issues of access to justice of the deprived, marginalised and weaker sections of society.
- Producing internationally competent litigating lawyers, corporate lawyers, judges, judicial officers, legal officers, researchers, law reformers, law teachers, etc.
- Imparting skills of legal reasoning, problem solving, research, legal writing, oral and written communication, persuasion, leadership and teamwork
- Promoting ethical practices in the profession of law
- Promoting inter-disciplinary approach to legal profession

#### **Programme Specific Outcomes:**

At the end of the LL.B. course, the students will be able to:

- Do legal research
- Understand, interpret, and apply law
- Evaluate and compare domestic and international laws Design, and formulate case theory and strategy
- Analyze and differentiate facts and law
- Solve problems by employing legal reasoning, research
- Choose ethical practices in the profession of law and discharge their social responsibility.

## Programme Structure:

The LL.B.programme is a three-year course divided into six-semester. A student is required to complete 150 credits for the completion of course and the award of degree.

|                   |             |                               |                                |
|-------------------|-------------|-------------------------------|--------------------------------|
| <b>Part – I</b>   | First Year  | <b>Semester</b><br>Semester I | <b>Semester</b><br>Semester II |
| <b>Part – II</b>  | Second Year | Semester III                  | Semester IV                    |
| <b>Part - III</b> | Third Year  | Semester V                    | Semester VI                    |

## COURSE CREDIT SCHEME

| Semester | No. of papers | Core Courses    |               |               | Elective Course |               |               | Open Elective Course |               |               | Total Credits |
|----------|---------------|-----------------|---------------|---------------|-----------------|---------------|---------------|----------------------|---------------|---------------|---------------|
|          |               | Credits (L+T/P) | Total Credits | No. of papers | Credits (L+T/P) | Total Credits | No. of papers | Credits (L+T/P)      | Total Credits | No. of papers |               |
| I        | 5             | 4+1             | 25            | 5             | 0               | 0             | 0             | 0                    | 0             | 0             | 25            |
| II       | 5             | 4+1             | 25            | 5             | 0               | 0             | 0             | 0                    | 0             | 0             | 25            |
| III      | 6             | 4+1             | 20            | 4             | 4+1             | 5             | 3 (1)         | 2                    | 2             | 4 (1)         | 27            |
| IV       | 6             | 4+1             | 20            | 4             | 4+1             | 10            | 3 (1)         | 2                    | 2             | 4 (1)         | 27            |
| V        | 6             | 4+1             | 15            | 3             | 4+1             | 10            | 6 (2)         | 2                    | 2             | 5 (1)         | 27            |
| VI       | 5             | 4+1             | 15            | 3             | 4+1             | 10            | 6 (2)         | 0                    | 0             | 0             | 25            |
|          | 33            | 5               | 120           | 24            | 4+1             | 30            | 9             | 2                    | 6             | 3             | 156           |

- \* For each Core and Elective Course there will be 4 lecture hours of teaching per week. and one hour will be scheduled for tutorials/ moot courts / project work per week.
- \* Three Open Elective Courses to be opted for total of 6 credits (2 credits each)

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| <b>Semester I/II/III/IV/V/VI (individually for each semester)</b> |   |                                    |   |                |
|---|---|------------------------------------|---|----------------|
| <b>Number of core courses</b>                                     |   | <b>Credits in each core course</b> |   |                |
| <b>Courses</b>  |   | <b>Theory</b>                      | <b>Tutorial/<br/>Project / Moot<br/>Court</b> | <b>Credits</b> |
| <b>Semester I</b>   |   |                                    |   |                |
| LB-CC-101   | Jurisprudence-I (Legal Method, Indian Legal System and Basic Theory of Law) | 4                                  | 1   | 5              |
| LB-CC-102   | Law of Contract   | 4                                  | 1   | 5              |
| LB-CC-103   | Law of Torts including Motor Vehicles Act and Consumer Protection Act       | 4                                  | 1   | 5              |
| LB-CC-104   | Law of Crimes-I: Indian Penal Code  | 4                                  | 1   | 5              |
| LB-CC-105   | Family Law-I  | 4                                  | 1   | 5              |
| <b>Semester II</b>  |   |                                    |   |                |
| LB-CC-201   | Law of Evidence   | 4                                  | 1   | 5              |
| LB-CC-202   | Family Law – II   | 4                                  | 1   | 5              |
| LB-CC-203   | Law of Crimes-II: Code of Criminal Procedure                                | 4                                  | 1   | 5              |
| LB-CC-204   | Property Law  | 4                                  | 1   | 5              |
| LB-CC-205   | Public International Law  | 4                                  | 1   | 5              |
| <b>Semester III</b>   |   |                                    |   |                |
| LB-CC-301   | Constitutional Law-I  | 4                                  | 1   | 5              |
| LB-CC-302   | Company Law   | 4                                  | 1   | 5              |
| LB-CC-303   | Special Contract  | 4                                  | 1   | 5              |
| LB-CC-304   | Moot Court Mock Trial and Internship  | 4                                  | 1   | 5              |
| <b>Semester IV</b>  |   |                                    |   |                |
| LB-CC-401   | Constitutional Law-II   | 4                                  | 1   | 5              |
| LB-CC-402   | Administrative Law  | 4                                  | 1   | 5              |
| LB-CC-403   | Alternate Dispute Resolution  | 4                                  | 1   | 5              |
| LB-CC-404   | Labour Law  | 4                                  | 1   | 5              |
| <b>Semester V</b>   |   |                                    |   |                |
| LB-CC-501   | Code of Civil Procedure and Limitation Act                                  | 4                                  | 1   | 5              |
| LB-CC-502   | Drafting Pleadings and  | 4                                  | 1   | 5              |

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|   |  |   |   |  |
|---|--|---|---|--|
|   | Conveyance                                   |   |   |  |
| LB-CC-503                                 | Industrial Law                               | 4   | 1 | 5                                      |
| <b>Semester VI</b>                        |  |   |   |  |
| LB-CC-601                                 | Professional Ethics & Accounting System      | 4   | 1 | 5                                      |
| LB-CC-602                                 | Environmental Law                            | 4   | 1 | 5                                      |
| LB-CC-603                                 | Principles of Taxation Law                   | 4   | 1 | 5                                      |
| <b>Total credits in core courses</b>      |  | <b>120</b>                                      |   |  |
| <b>Semester III</b>                       |  |   |   |  |
| <b>Number of elective courses offered</b> |  | <b>Number of Elective Courses to be Opted</b>   |   | <b>Credits in each Elective Course</b> |
| <b>(Semester III) 2</b>                   |  | <b>1</b>  |   | <b>5</b>                               |
| <b>(Semester IV) 2</b>                    |  | <b>1</b>  |   | <b>5</b>                               |
| <b>(Semester V) 4</b>                     |  | <b>2</b>  |   | <b>5</b>                               |
| <b>(Semester VI) 4</b>                    |  | <b>2</b>  |   | <b>5</b>                               |
| <b>Credits in each Elective Course</b>    |  | <b>Theory + Tutorials / Project/ Moot Court</b> |   | <b>Credits</b>                         |
| <b>Semester III</b>                       |  |   |   |  |
| LB-EC-301                                 | International Institutions                   | 4+1   |   | 5                                      |
| LB-EC-302                                 | Legal Philosophy including Theory of Justice | 4+1   |   | 5                                      |
| <b>Semester IV</b>                        |  |   |   |  |
| LB-EC-401                                 | Interpretation of Statutes                   | 4+1   |   | 5                                      |
| LB-EC-402                                 | Humanitarian and Refugee Law                 | 4+1   |   | 5                                      |
| <b>Semester V</b>                         |  |   |   |  |
| LB-EC-501                                 | Information Technology Law                   | 4+1   |   | 5                                      |
| LB-EC-503                                 | Criminology                                  | 4+1   |   | 5                                      |

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|  |                                       |           |   |
|--|---------------------------------------|-----------|---|
| LB-EC-504                                | International Trade Law               | 4+1       | 5 |
| LB-EC-505                                | Intellectual Property Rights Law-I    | 4+1       | 5 |
| <b>Semester VI</b>                       |                                       |           |   |
| LB-EC-601                                | Intellectual Property Rights Law - II | 4+1       | 5 |
| LB-EC-602                                | Election Laws                         | 4+1       | 5 |
| LB-EC-603                                | International Investment Law          | 4+1       | 5 |
| LB-EC-604                                | Competition Law                       | 4+1       | 5 |
| <b>Total credits in Elective Courses</b> |                                       | <b>45</b> |   |

| Number of Open Elective Courses offered           |                                       | Number of Open Elective Courses to be Opted | Credits In Each Open Elective Course |  |
|---|---------------------------------------|---|--------------------------------------|--|
| <b>(Semester III) 2</b>                           |                                       | <b>1</b>                                    | <b>2</b>                             |  |
| <b>(Semester IV) 2</b>                            |                                       | <b>1</b>                                    | <b>2</b>                             |  |
| <b>(Semester V) 2</b>                             |                                       | <b>1</b>                                    | <b>2</b>                             |  |
| Number of Open Electives                          |                                       | Credits in each Open Elective               |                                      |  |
|   |                                       | Theory                                      | Credits                              |  |
| <b>Semester III</b>                               |                                       | <b>Choose One</b>                           |                                      |  |
| LB-OE-301   | White Collar Crimes                   | 2   | 2                                    |  |
| LB-OE-302   | Computer Application in Legal Studies | 2   | 2                                    |  |
| <b>Semester IV</b>                                |                                       | <b>Choose One</b>                           |                                      |  |
| LB-OE-401   | Bio-Technology                        | 2   | 2                                    |  |
| LB-OE-402   | Gender Justice                        | 2   | 2                                    |  |
| <b>Semester V</b>                                 |                                       | <b>Choose One</b>                           |                                      |  |
| LB-OE-501   | Jurisprudence-II                      | 2   | 2                                    |  |
| LB-OE-502   | Law and Development                   | 2   | 2                                    |  |
| <b>Total credits in Open Elective Courses</b>     |                                       | <b>6</b>                                    |                                      |  |
| <b>Total Credits in Semester I/II/III/IV/V/VI</b> |                                       | <b>171</b>                                  |                                      |  |

**SEMESTER WISE DETAILS OF LL.B. COURSE**

| S.No.               | Paper No. | Subject Name  |
|---------------------|-----------|---|
| <b>SEMESTER I</b>   |           |   |
| 1                   | LB-CC-101 | Jurisprudence-I (Legal Method, Indian Legal System and Basic Theory of Law) |
| 2                   | LB-CC-102 | Law of Contract   |
| 3                   | LB-CC-103 | Law of Torts including Motor Vehicles Act and Consumer Protection Act       |
| 4                   | LB-CC-104 | Law of Crimes –I – Indian Penal Code  |
| 5                   | LB-CC-105 | Family Law-I  |
| <b>SEMESTER II</b>  |           |   |
| 1                   | LB-CC-201 | Law of Evidence   |
| 2                   | LB-CC-202 | Family Law – II   |
| 3                   | LB-CC-203 | Law of Crimes-II- Code of Criminal Procedure                                |
| 4                   | LB-CC-204 | Property Law  |
| 5                   | LB-CC-205 | Public International Law  |
| <b>SEMESTER III</b> |           |   |
| 1                   | LB-CC-301 | Constitutional Law-I  |
| 2                   | LB-CC-302 | Company Law   |
| 3                   | LB-CC-303 | Special Contract  |
| 4                   | LB-CC-304 | Moot Court Mock Trial and Internship  |
| 1                   | LB-EC-301 | International Institutions  |
| 2                   | LB-EC-302 | Legal Philosophy including Theory of Justice                                |
| 1                   | LB-OE-301 | White Collar Crimes   |
| 2                   | LB-OE-302 | Computer Application in Legal Studies.                                      |
| <b>SEMESTER IV</b>  |           |   |
| 1                   | LB-CC-401 | Constitutional Law-II   |
| 2                   | LB-CC-402 | Administrative Law  |
| 3                   | LB-CC-403 | Alternate Dispute Resolution  |
| 4                   | LB-CC-404 | Labour Law  |
| 1                   | LB-EC-401 | Interpretation of Statutes  |
| 2                   | LB-EC-402 | Humanitarian and Refugee Law  |
| 1                   | LB-OE-401 | Bio-Technology and Law  |
| 2                   | LB-OE-402 | Gender Justice  |
| <b>SEMESTER V</b>   |           |   |
| 1                   | LB-CC-501 | Code of Civil Procedure and Limitation Act                                  |
| 2                   | LB-CC-502 | Drafting Pleadings and Conveyance   |
| 3                   | LB-CC-503 | Industrial Law  |
| 1                   | LB-EC-501 | Information Technology Law  |
| 2                   | LB-EC-502 | Criminology   |
| 3                   | LB-EC-503 | International Trade Law   |
| 4                   | LB-EC-504 | Intellectual Property Rights Law-I  |
| 1                   | LB-OE-501 | Jurisprudence-II  |
| 2                   | LB-OE-502 | Law and Development   |
| <b>SEMESTER VI</b>  |           |   |
| 1                   | LB-CC-601 | Professional Ethics & Accounting System                                     |
| 2                   | LB-CC-602 | Environmental Law   |
| 3                   | LB-CC-603 | Principles of Taxation Law  |

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|   |           |                                       |
|---|-----------|---------------------------------------|
| 1 | LB-EC-601 | Intellectual Property Rights Law - II |
| 2 | LB-EC-602 | Election Laws                         |
| 3 | LB-EC-603 | International Investment Law          |
| 4 | LB-EC-604 | Competition Law                       |

### **Selection of Elective Courses:**

The LL.B course is a three year course divided into total six semesters. The Elective Courses shall be offered in the Semester III, IV, V and VI. The number of elective courses offered in Semester III is three, Semester IV is three, Semester V is six, Semester VI is six out of which the students will have to choose one, one, two and two respectively having 5 credits each. An Elective Course shall be taught only if minimum twenty students opt to study the course.

### **Selection of Open Elective Courses:**

The Open Elective Courses are also offered from Semester III. The students will be offered four Open Elective Courses each in Semesters III and IV and Five Open Elective Courses in Semester V out which they shall have to opt **one Open Elective Course** in each semester having 2 credits for each paper. An Open Elective Course shall be taught only if minimum twenty students opt to study the course.

### **Eligibility for Admissions:**

The eligibility criteria for admission, is as per the Bar Council of India Regulations-2009 and State Government Norms. The eligibility norms as prescribed by the University and approved by the Syndicate are as follows:

- (i) For **Unreserved Category** candidates: Graduate/Post-Graduate Degree from the NGBDU or any other Indian or Foreign University with at least 45% marks or an equivalent grade point in the aggregate in either of them. **LLB or Bachelor of Law/Laws** is an undergraduate law course offered by various Indian universities.
- (ii) For **Other Backward Classes (OBC) Category** candidates: Graduate/Post-Graduate Degree from the NGBDU or any other Indian or Foreign University with at least 42% marks or an equivalent grade point in the aggregate in either of them.
- (iii) For **Schedule Caste/Schedule Tribe (SC/ST) Category** candidates, Graduate/Post- Graduate Degree from the NGBDU or any other Indian or Foreign University with at least 40% marks or an equivalent grade point in the aggregate in either of them.

### **LL. B. Entrance Test:**

1. The LL.B. Entrance Test is held OFFLINE (unless declared otherwise by the University) at various notified centres. The schedule of the test is also notified later. The Test is of two hours duration.
2. The Test Paper consists of one question paper containing 100 objective-type questions with multiple choice answers relating to English/Hindi Language Comprehension, Analytical Abilities, Legal Awareness & Aptitude, and General Knowledge.
3. The language of the Entrance Test is English/Hindi.
4. Each question carries four marks. For every correct answer, four marks are awarded and for every incorrect answer, one mark is deducted. No mark is awarded or deducted for a question which is left unanswered.
5. The general instructions to the candidates are supplied on the University website.

**Assessment of Students' Performance and Scheme of Examinations:**

- English shall be the medium of instruction, though answers in end semester examination may be written in Hindi.
- Five marks shall be given for attendance in all the Core, Elective, and Open Elective Courses (except three Clinical Education Core Courses) as per the following formula
  - 76%-80% attendance 1 Mark
  - 81%-85% attendance 2 Marks
  - 86%-90% attendance 3 Marks
  - 91%-95% attendance 4 Marks
  - 96%-100 attendance 5 Marks

**Core Courses and Elective Courses (100 Marks, 5 credits):**

- There shall be end-semester written exam for 80 marks in Core Courses and Elective Courses. The students will be required to make oral and written presentations/assignments/field visit reports/MCQ worth 15 marks. 5 marks will be given for attendance as mentioned above.

**The duration of the written exam in Core Courses and Elective Courses shall be 3 hours for the end-semester exam for 80 marks. Each Question Paper will have five units of 16 marks each. The student shall be required to answer five questions from each unit.**

**Page Limit for written answers in Core and Elective Courses**

- There shall be page limit for answers by the students. The students shall be given only one answer sheet containing not more than 28 pages.
- The students shall limit their answers ordinarily to not more than five pages. In no case an additional answer sheet will be given to the student.

**Open Elective Courses (40 Marks, 2 credits)**

- English shall be the medium of instruction, though oral presentations and submissions may be made in Hindi.
- Five marks shall be given for attendance in all the Core, Elective, and Open Elective Courses (except three Clinical Education Courses) as per the following formula
  - 76%-80% attendance 1 Mark
  - 81%-85% attendance 2 Marks
  - 86%-90% attendance 3 Marks
  - 91%-95% attendance 4 Marks
  - 96%-100 attendance 5 Marks

The evaluation in Open Elective Courses will be internal consisting of 15 marks for written submission of the project report on a topic assigned by the teacher to each student. 5 marks will be given for attendance as mentioned above.

**Clinical Courses:**

- (i) The Scheme of Examinations in the following CLE papers will be determined by teachers from time to time:
  - 1. Moot Court, Mock Trial & Internship
  - 2. Alternate Dispute Resolution
  - 3. Professional Ethics & Accounting
- (ii) 10 marks have been kept for attendance in these three Clinical Courses as follows:

|                  |                  |                    |
|------------------|------------------|--------------------|
| 71-75% - 1 mark  | 76-80% = 2 marks | 81-85% = 4 marks   |
| 86-90% = 6 marks | 91-95% = 8 marks | 96-100% = 10 marks |

**Pass Percentage & Promotion Criteria:**

**1. Pass percentage and Classification of Successful Candidates**

The following shall be the percentage of marks for passing the examination and for classification of successful candidates admitted to the LL.B. course:

- (i) A candidate must secure 156 credits in total from **Twenty Four** Compulsory Courses, **Nine** Elective Courses and **Three** Open Elective Courses in six Terms to be eligible to obtain the LL.B. Degree;
- (ii) A candidate must secure not less than 40% marks to pass in each Paper;
- (iii) A candidate securing 60% or more marks in the aggregate in all the 36 courses taken together will be awarded First Division;
- (iv) A candidate securing less than 60% marks but not less than 50% marks in the aggregate in all the 36 courses taken together will be awarded Second Division;
- (v) No Division will be awarded to a candidate securing less than 50% marks in the aggregate in all the courses taken together;
- (vi) The Distinction in any paper(s) of a Term will be awarded only to those candidates who passed in all papers of the Term concerned in one attempt in normal course securing 75% marks in the paper(s) concerned.

**Part I to Part II and from Part II to Part III Progression:**

- (i) **No student shall be promoted to the next Term**, if he/she has been detained in the examination for shortage of attendance.
- (ii) **Subject to sub-rule (i) above**, a student of LL.B. First, Third or Fifth Term shall be eligible for promotion to Second, Fourth or Sixth Term, respectively irrespective of the number of courses in which he/she has failed to pass or failed to appear in the First, Third or Fifth Term examinations.
- (iii) **Subject to sub-rules (i) and (ii) above**, a student of LL.B. Second Term shall be eligible for promotion to Third Term if he/she has passed in at least five papers of First and Second Term examinations taken together and a student of Fourth Term shall be eligible for promotion to Fifth Term if he/she has passed in at least fifteen papers of First, Second, Third and Fourth Term examinations taken together inclusive of Open Elective Courses.

**Note:** The students eligible for admission to III/V Term must seek admission not later than two weeks from the date(s) of announcement of the results of LL.B. II/IV Term Annual Examinations or within one week of commencement of teaching, whichever is later, failing which they will forfeit their right to be admitted to III/V Term in the particular year.

**2. Improvement of Previous Performance**

- 1. A student studying in the Third Term may be permitted to surrender his/her result of any subject of the First Term within one month of the commencement of the Term provided:
  - (a) he/she has passed that subject in the first attempt; and
  - (b) at the time of surrendering his/her result, he/she has passed at least 5 other subjects of the First and Second Terms taken together excluding the subjects the result of which he/she wishes to surrender.
- 2. A student studying in the Fourth Term may be permitted to surrender his/her result of any subject of the Second Term within one month of the commencement of that Term provided:
  - (a) he/she has passed that subject in the first attempt; and
  - (b) at the time of surrendering his/her result, he/she has passed at least 5 other subjects of the First and Second Terms taken together excluding the subjects the result of which he/she wishes to surrender.
- 3. A student studying in the Fifth Term may be permitted to surrender his/her result of any subject of the Third Term within one month of the commencement of that Term provided:
  - (a) he/she has passed that subject in the first attempt; and
  - (b) at the time of surrendering his/her result, he/she has passed at least 15 other subjects of the First, Second, Third and Fourth Terms taken together excluding the subjects the result of which he/she wishes to surrender.
- 4. A student studying in the Sixth Term may be permitted to surrender his/her result of

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any subject of the Fourth Term within one month of the commencement of that Term provided:

- (a) he/she has passed that subject in the first attempt; and
  - (b) at the time of surrendering his/her result, he/she has passed at least 15 other subjects of the First, Second, Third and Fourth Terms taken together including the Open Elective Courses but excluding the subjects the result of which he/she wishes to surrender.
5. A student who has been promoted to the Sixth Term may be permitted to surrender the results of not more than two subjects of the Fifth Term within one month of the commencement of the Term or the publication of the result of the Fifth Term, whichever is later. In such a case, he/she will take the supplementary examination in those subjects to be held in that year subject to his/her being eligible for the benefit of supplementary examinations.
  6. A student who has passed in all the subjects of the Sixth Term may, within one month of the declaration of the result of Sixth Term examination, surrender his/her result of not more than two subjects of the Sixth Term along with a declaration that he/she will not seek enrolment or employment or any other benefit on the basis that he/she has passed the LL.B. examination till such time the result of the subjects in which he/she wishes to improve his/her performance has been declared. He/she will take the examination at the next available opportunity.
  7. Such candidates who surrender results in order to improve their performance will take the examination in the current question paper based on the latest syllabus along with the regular students of that year.

**3. Supplementary Examination**

A supplementary examination for students of LL.B. V and VI Terms would be held at the end of the VI Term examinations to give one more opportunity to such students who could not clear any one or more papers of V and VI terms. In case a student of V and VI Term had not cleared any paper of I, II, III and IV Terms he/she would clear the same by taking the respective examinations at the regular examination held at the end of each Term:

Provided that such students of V and VI Terms who could not clear any paper or papers of the V and VI Terms even after taking the supplementary examination, he/she would clear the same at the regular examinations of V and VI Terms held at the end of each Term.

Provided further that all the thirty-three papers, required for getting the LL.B. degree, have to be cleared within the over-all span of 6 years

**Conversion of Marks into Grades:**

(specify the formula for conversion of marks into grades)

**Grade Points:**

Grade point table as per University Examination rule

**CGPA Calculation:**

As per University Examination rule

**SGPA Calculation: Grand**

**SGPA Calculation:**

**Conversion of Grand CGPA into Marks**

As notified by competent authority the formula for conversion of Grand CGPA into marks is: Final %age of marks = CGPA based on all four semesters × 9.5

**Division of Degree into Classes:**

Post Graduate degree to be classified based on CGPA obtained into various classes as notified into Examination policy.

**Attendance Requirement:**

**1. Attendance Rules in conformity with the BCI Legal Education Rules 2008**

All the students of LL.B. shall have to put in minimum attendance of 70% of the lectures in each of the Core, Elective, and Open Elective courses as also in the moot courts, tutorials, projects, and practical training conducted or taught in a semester for taking the examination.

Provided that if a student for any exceptional reasons fails to attend 70% of the classes held in any subject or training course, the Dean of the Faculty of Law may allow the student to take the examination for the semester if the student concerned attended at least 65% of the classes held in the subject concerned and attended 70% of classes in all the subjects taken together in all the courses of the semester.

Provided further the Dean, Faculty of Law or a committee constituted by the Dean in this regard may allow attendance up to fifteen days in one semester or twenty days in a year for participation in recognized Moot Court / Quiz / Debates Competitions, Seminars and Conferences, N.S.S., Legal Aid Camps and activities, Cultural and Sports Competitions, sensitization programmes, Training Programmes relevant to Legal Education, soft-skills building activities, other co-curricular / extra-curricular activities, etc.

The Dean of the Faculty or Professor-in-Charge of the Law Centre shall have power to strike off the name of a student who is grossly irregular in attendance in spite of warning or when the absence of the student is for such a long period that he/she cannot put in requisite percentage of attendance for the semester.

**Span Period:**

Subject to the provisions contained in the Ordinance relating to ex-students as in force from time to time, all the thirty-three papers must be passed for getting the LL.B. degree. As per guidelines of the UGC a student may be allowed two years period beyond the normal period to clear the backlog to be qualified for the degree. In addition a further extension of one (1) year can be granted under exceptional circumstances to be spelt out clearly by the relevant statutory body of the University. More so during the extended period the student shall be considered as a private/ external candidate and shall not be eligible for ranking.

No student shall be admitted as a candidate for any LL.B. examination after six years from the date of admission to the first year of the course.

**Guidelines for the Award of Internal Assessment Marks LL.B. Programme (Semester Wise)**

In the **Open Elective Courses**, the students will be required a written submission worth

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15 marks on any case or any other contemporary legal issue / development relevant to the subject.

**Marks for Attendance:**

10 marks shall be given for attendance in three CLE papers, namely, Moot Court, Mock Trial & Internship, Alternate Dispute Resolution, and Professional Ethics and Accounting System as follows:

|                  |                  |                    |
|------------------|------------------|--------------------|
| 71-75% = 1 mark  | 76-80% = 2 marks | 81-85% = 4 marks   |
| 86-90% = 6 marks | 91-95% = 8 marks | 96-100% = 10 marks |

**Course Wise Content Details for LL.B. Programme:**

**Semester - First**

**Course Name- Jurisprudence-I (Legal Method)**

**Course Code- LB-CC-101**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

- To give an overview to the students about law and legal systems prevalent in the world and India in particular, so that they can understand the jurisprudence of all subjects taught to them over a span of three years.
- To learn the jurisprudential basis of various concepts which are continuously being dealt within law in all manifestations
- To sensitizethe students to adopt a pragmatic approach in studying all the subjects in the six semesters by teaching them how to read cases and ways to club theory with practice. It is a subject which forms the foundation of the law degree.
- To make the students trace the evolution of law and legal systems in different countries.
- To familiarize the students with linkage of law with other social sciences such as psychology, history sociology, economics history etc.
- To familiarize the students with the growth of legal profession in India and the laws governing the profession.

**Learning Outcomes**

- Students will be acquainted with the basic ideas and fundamental principles of Law in the given society.
- Knowledge of Law and Legal precepts will help the students to face exigencies of life boldly and courageously
- Students will be inculcated with standards of ideal for human conduct in terms of law for the maintenance of Public conscience.
- Students will be able to identify such pressing demand or problems which require solution within the parameters of the law, justice and other social norms.

**Teaching Methodology:**

- Classroom Teaching(Lecturing\Discussions)
- Class Presentations

**Course Content:**

**UNIT I:**

**(6 LECTURES)**

- a. Major Legal Systems of the World
- b. Indian Legal System

**UNIT II: STRUCTURE OF INDIAN LEGAL SYSTEM, BASIC PRINCIPLES OF LAW ANDRULEOF LAW**

**(14 LECTURES)**

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(i) *Hierarchy of Courts and Jurisdiction*

(ii) *Legal Services and LokAdalat*

(iii) Rule of Law

*W. Friedmann, 'Welfare State and Rule of Law*

*H.M. Seervai "The Supreme Court of India and the Shadow of Dicey" The  
Position of the Judiciary under the Constitutional of India, (1970)*

(iv) Doctrine of separation of powers and its applicability in India<sup>42</sup>

(v) Method of Legal study and Rules of interpretation.

*Glanville Williams, learning the law, Chapter 7, "The Interpretation of  
statutes" pp. 97-108 (11<sup>th</sup> ed., 12<sup>th</sup> Indian Reprint 2006)*

**UNIT III: SOURCES OF LAW**

**(8 LECTURES)**

a. Custom

b. legislation

c. precedent

Legal profession in India

**POSITIVE/ANALYTICAL SCHOOL OF THOUGHT**

**(8 LECTURES)**

**UNIT IV: HANS KELSEN, "PURE THEORY OF LAW"**

**(6 LECTURES)**

**HISTORICAL AND SOCIOLOGICAL SCHOOL OF THOUGHT**

**(8 LECTURES)**

• Karl von Savigny

• Roscoe Pound

**UNIT V: JUDICIAL PROCESS APPLYING THEORIES OF LAW**

**(6 LECTURES)**

**RIGHTS AND DUTIES DIAS, JURISPRUDENCE**

**(4 LECTURES)**

*"Concept of Rights and Duties: Jurisprudential Analysis"*

**Course Wise Content Details for LL.B. Programme:**

**Semester - First**

**Course Name- Law of Contract**

**Course Code- LB-CC-102**

**Credits – 5**

**Total Classes 60+15**

**Course Background:**

The law relating to contracts is one of the basic laws to be studied by every law student the world over. The law of contracts touches equally upon the lives of ordinary persons and the activities of business whether organized on small or large scale. For any lawyer this branch of law is extremely important and without a sound understanding of the underlying principles it is impossible to succeed in his career.

This branch of law deals with law relating to promises, their formation, performance and enforceability. It is scattered over several legislations. There are special legislations dealing with particular contractual relationships, e.g. The Sale of Goods Act, 1930, The Partnership Act, 1932. And there are various laws that contain certain special provisions for particular situations. However, this paper will include a study of general principles of contracts spelt out in sections 1-75 of the Indian Contract Act, 1872 together with certain provisions of related legislations and Common Law.

**Objectives of the Course:**

- To acquaint the students with fundamental concepts of law relating to contracts.
- To study the Indian statutes specifically relating to contracts and to analyse the legal provisions through case laws and the related reference material.
- To study the practical application of law relating to contracts.

**Course Outcomes:**

The students will be able to learn and understand:

- The system of formation and discharge of contracts in India and the role of courts in enforcing them.
- The concept of voluntarily created civil obligations.
- Synthesis of case laws, identification of issues, applicability of relevant provisions and critical analysis of the judicial decisions with reference to the Indian Contract Act, 1872, the Specific Relief Act, 1963, the Indian Majority Act, 1875, and the Information Technology Act, 2000.
- Tracing the existing legal framework through latest Judgments and applicability of provisions in the evolving as well as technological driven society.

**Teaching Methodology:**

- The course will be conducted through lectures, presentations and discussions.

**COURSE CONTENTS:**

**UNIT I: GENERAL INTRODUCTION – HISTORY AND NATURE OF CONTRACTUAL OBLIGATIONS  
(12 LECTURES)**

Formation of an Agreement Intention to create legal relationship; offer and invitation to treat; kinds of offer, communication, acceptance and revocation of offer and acceptance; modes of revocation of offer - Indian Contract Act, 1872, sections 2 – 10

**UNIT II: MAKING OF AN AGREEMENT – SPECIAL SITUATIONS TENDERS AND AUCTIONS -  
INDIAN CONTRACT ACT, 1872, SECTIONS 2 – 10 (12 LECTURES)**

Consideration Meaning; basis and the nature of consideration; Doctrine of Privity of Contract and of consideration, its exceptions; Exceptions of consideration – Indian Contract Act, 1872, sections 2(d), 2(f), 23 and 25

**UNIT III: CAPACITY TO CONTRACT (12 LECTURES)**

Legal disability to enter into contract - Minors, persons of unsound mind ; person under legal disability; lunatics, idiots; Restitution in cases of minor's agreement; Liability for necessaries supplied to the minor - Indian Contract Act, 1872, sections 10, 11, 12, 64, 65, 68; Specific Relief Act, 1963, section 33; Indian Majority Act, 1875

**UNIT IV: FREE CONSENT TO CONTRACT (12 LECTURES)**

Free consent; Definition – Coercion, Undue influence, Fraud, Misrepresentation and Mistake; Effect on contracts influenced by any factor vitiating free consent - Indian Contract Act, 1872, sections 13 – 22

Limitations on Freedom of Contract Circumstances in which agreements become void or voidable, Distinction between void and voidable agreements; Unlawful Agreements; Public policy; Agreements with unlawful consideration in part and objects; Agreements without consideration; Agreements in restraint of marriage; Agreements in restraint of trade; Agreements in restraint of legal proceedings; Ambiguous and uncertain agreements & Wagering agreements -Indian Contract Act, 1872, sections 23 – 30

**UNIT V: DISCHARGE OF A CONTRACT MODES (12 LECTURES)**

Discharge by performance; Frustration; Supervening impossibility of performance; Grounds of Frustration and its effect; Discharge by Agreement and Novation - Indian Contract Act, 1872, sections 37 – 67

Remedies for Breach of Contract (a) Damages; Types of Damages; Basis of Assessment of Damages; Remoteness of Damages and Measures of Damages; Mitigation of Damages; Penalty & Liquidated Damages – Indian Contract Act, 1872, sections 73 – 74

**Course Wise Content Details for LL.B. Programme**

**Semester - First**

**Course Name- Law of Torts**

**Course Code- LB-CC-103**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

The course aims at:

1. Familiarize the students with basic concept of the torts, its origin, development and general principles of the Law of Torts.
2. Making students aware about the specific torts, defences and remedies available.
3. Giving an overview of the tortious liabilities under the Consumer Protection Act, 1986.
4. Preparing the students to apply their knowledge and critical legal thinking to explore and develop their own perspectives and interpretations and support them with logical arguments.
5. Preparing the students to conduct effective legal research and write research papers related to torts.

**Learning Outcomes:**

On successful completion of this Course the students will be able to:

1. Read, interpret and apply the Law of Torts in Indian and international context.
2. Apply their knowledge to solve factual situations under tort law and support them with logical arguments.
3. Practice in this area in the law courts/consumer fora.
4. Write research papers/notes, case comments and work in research houses.

**Teaching Pedagogy:**

The course is designed to not only cover the theoretical concepts through Lecture Methods but also to give a practical outlook to the students and ensure skill development through Moot Courts, Assignments, Presentations, Discussions, Quizzes/MCQs, etc. Case Method shall be adopted to hone the critical thinking skills of students and to illuminate ideas.

**Course Contents:**

The course is primarily divided into two parts i.e. Part A and Part B. Both the parts comprise total 11 topics dealing with all the major elements of the Law of Torts as given below:

**PART A**  
**LAW OF TORTS**

**UNIT I: INTRODUCTION: DEFINITION, NATURE AND SCOPE**

**(LECTURES 6)**

- Meaning, Origin and Development of Law of Torts in England and in India
- Definition of Tort; Constituents of Tort
- Legal Damage and Remedy: *Injuria Sine Damno* and *Damnum Sine Injuria – Ubi jus ibi remedium*
- Tort *vis-a-vis* other types of the wrongs, such as, crime, breach of contract, etc.
- Relevance of intention and motive in law of torts

**DEFENCES AGAINST TORTIOUS LIABILITY**

**(LECTURES 6)**

- Essentials for the establishment of the defences
- General Defences- Statutory authority, Act of God/ *Vis Major*, Inevitable accident, Plaintiff-the wrong doer, Necessity, Mistake, Consent as Defence- *Volenti non fit injuria*
- Exceptions to the defence of *Volenti non fit injuria* – Rescue cases and Unfair Contract Terms Act, 1977 (U K)

**UNIT: II: NEGLIGENCE**

**(LECTURES 8)**

- Theories of Negligence
- Definition of Negligence
- Essential Ingredients
- Proof of Negligence- *Res ipsa loquitur*
- Manufacturer's Negligence
- Medical Negligence

**REMOTENESS OF DAMAGE**

**(LECTURES 5)**

- Causation - But for Test, Concurrent Causes, Consecutive Causes, Proof of Causation
- *Novus Actus Interveniens*;
- Tests of Remoteness of Damage – Natural and Proximate Consequence, Directness and Foreseeability
- Eggshell Skull Rule

**UNIT III: NERVOUS SHOCK**

**(LECTURES 5)**

- Meaning
- Impact Theory: From Personal Injury, From Property Damage
- Immediate aftermath test
- Foreseeability of Psychiatric illness; Primary Victims, Secondary Victims; Rescuers

**NO FAULT LIABILITY – STRICT AND ABSOLUTE LIABILITY**

**(LECTURES 6)**

- Strict Liability – Rule in *Rylands v. Fletcher* – Origin and nature, scope, defences
- Application of the rule in India
- Absolute Liability – Rule in *M. C. Mehta v. Union of India*
- *Bhopal Gas Leakage Case*
- Object and Salient features of the Public Liability Insurance Act, 1991
- No fault liability in hit and run cases under Motor Vehicles Act, 1988

**VICARIOUS LIABILITY OF STATE**

**(LECTURES 6)**

- Meaning and Basis of Vicarious Liability
- Government Liability in Torts – Constitutional Provisions, Sovereign and Non-sovereign Functions
- Law Commission of India First Report, 1956
- Violation of Fundamental Rights and Sovereign Immunity; Concept of Constitutional Tort

**UNI IV: DEFAMATION**

**(LECTURES 5)**

- Meaning - Libel and Slander
- Essential Conditions
- Defences - Justification by Truth, Fair Comment, Privilege (Absolute and Qualified),

**NUISANCE**

**(LECTURES 5)**

- Nuisance: Meaning
- Essential ingredients and types
- Environmental nuisance
- Defences and Remedy

**PART - B**  
**CONSUMERS AND TORTS**

**UNIT V: CONSUMER PROTECTION ACT, 1986**

**(LECTURES 8)**

- Objective and Salient Features of the Consumer Protection Act
- Definitions of “Consumer”, “Complaint”, “Complainant”, “Defect”, “Deficiency”, Goods, “RTP”, “UTP”, “Service”
- Establishment of Central, State and District Consumer Protection Councils
- Adjudicatory Bodies, Consumer Disputes Redressal Forums– Constitution, Powers, Jurisdiction, Procedure, Appeals

**Course Wise Content Details for LL.B. Programme**

**Semester - First**

**Course Name- Law of Crimes- I: Indian Penal Code**

**Course Code- LB-CC-104**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

The primary objectives of this course are:-

- To familiarise the students with the key concepts regarding crime and criminal law.
- To expose the students to the range of mental states that constitute *mens rea* essential for committing crime and to teach specific offences under the Indian Penal Code.
- To familiarise the students with the concept of criminal liability and the vastness of its horizons.
- To keep students abreast of the latest legislative and judicial developments and changes in the field of criminal law.

**Learning Outcomes:**

1. The students should be able to identify the concept of criminal liability as distinguished from the civil liability.
2. Identify the elements of crime in given factual situations entailing culpability.
3. Be familiar with the range of Specific Offences (Bodily offences and Property offences)

**Teaching Methodology:**

1. Classroom Teaching (Lecturing/Discussions)
2. Class Presentations

**Course Content:**

Classroom Teaching with help of Legislation and Case Material.

**Prescribed legislation:**

The Indian Penal Code, 1860

**Prescribed Books:**

- 1) K.T. Thomas, M.A. Rashid (Rev.), **Ratan Lal & Dhiraj Lal's *The Indian Penal Code***, (35<sup>th</sup> ed., 2017)
- 2) K.D. Gaur, ***Criminal Law : Cases and Materials***, (8<sup>th</sup> ed., 2015)
- 3) R.C. Nigam, ***Law of Crimes in India*** (Vol. I) (1965)
- 4) K. I. Vibhute (Rev.), **P.S.A. Pillai's *Criminal Law*** (13<sup>th</sup> ed., 2017)
- 5) Syed Shamsul Huda, ***The Principles of the Law of Crimes in British India*** (1902)
- 6) K.N. Chandrasekharan Pillai, ***General Principles of Criminal Law*** (2<sup>nd</sup> ed., 2011)

**UNIT I: PRINCIPLE OF MENS REA AND STRICT LIABILITY**

**(4 LECTURES)**

**CULPABLE HOMICIDE AND MURDER**

**(16 LECTURES)**

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(Sections 299-302, 304 read with sections 8-11, 21, 32, 33, 39, 52)

**Intention - clause (a) of section 299 and clause (1) of section 300**  
**Mens rea and actus reus-Relationship**

**Cause and effect relationship- The act of the accused must be the causal factor or direct cause of death (read with section 301, IPC)**

**Comparison of clause (b) of section 299 with clause (3) of section 300**

**Comparison of clause (c) of section 299 with clause (4) of section 300**

Distinction between intention and knowledge and role of knowledge in S.300 secondly and then comparison of clause (c) of section 299 with clause (4) of section 300.

**UNIT II: SPECIFIC EXCEPTIONS TO SECTION 300**

**(12 LECTURES)**

1. *Exception I to section 300*
2. Homicide by Rash or Negligent Act not amounting to Culpable Homicide

**UNIT III: GENERAL EXCEPTIONS – CHAPTER IV OF THE INDIAN PENAL CODE**

**(9 LECTURES)**

1. Private Defence (Sections 96-106, IPC)
2. Kidnapping and Abduction (sections 359-363 read with sections 18, 82, 83, 90)

**UNIT IV: SEXUAL OFFENCE**

**(8 LECTURES)**

The offence of rape (sections 375, 376, 376A-E read with section 90); Section 377 – Unnatural Offences ;Comparison to be made with the definitions in The Protection of Children from Sexual Offences Act, 2012.

Section 354 (Assault or criminal force to woman with intent to outrage her modesty), section 354A (Sexual harassment), section 354B (Assault or use of criminal force to woman with intent to disrobe), section 354C (Voyeurism), section 354D (Stalking) and section 509 (Word, gesture or act intended to insult the modesty of a woman).

**JOINT LIABILITY AND GROUP LIABILITY (SECTION 34, SECTIONS 141, 149 IPC)**

**(5 LECTURES)**

**UNIT V: ATTEMPT (SECTIONS 511, 307, 309 IPC)**

**(5 LECTURES)**

**OFFENCES OF THEFT, EXTORTION, ROBBERY AND DACOITY**

**(5 LECTURES)**

(Sections 378, 379, 383, 384, 390 and 391 read with sections 22-25, 27, 29, 30 and 44)

**OFFENCES OF CRIMINAL MISAPPROPRIATION, CRIMINAL BREACH OF TRUST AND CHEATING**

**(4 LECTURES)**

(Sections 403-405, 415-416 and 420 read with sections 29-30)

**Course Wise Content Details for LL.B. Programme**

**Semester - First**

**Course Name- Family Law – I**

**Course Code- LB-CC-105**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

1. To create awareness and educate the students about rights and duties of members of family towards each other, with special reference to spousal relationship.
2. To give overview to the students and enhance their understanding on the current laws on marriage, divorce, maintenance, adoption and guardianship.
3. To give practical exposure to students by field visits of Family Courts, Mediation and Conciliation Centres etc.

**Course Learning Outcomes:**

1. Students will be able to know mutual rights and duties in law in the personal sphere of family.
2. Students will be enlightened, through case law, about the interpretation of statutory law by judiciary.
3. Students will get exposure to legal institutions working for settlement of family disputes.

**Course Contents:**

**UNIT I: MARRIAGE UNDER HINDU LAW**

**(20 LECTURES)**

Concept of marriage in general; Nature of Hindu Marriage; Applicability of Legislation (Section 2 of HMA, 1955); Conditions for the validity of marriage (sections 3 and 5 of HMA, 1955); Solemnisation of marriage with special reference to live in relationship (section 7 of HMA, 1955 r/w Section 114 Indian Evidence Act); Registration of Marriage (section 8 of HMA, 1955); Void marriages (sections 11 r/w 17, 18 of HMA, 1955 r/w section 494 and 495 IPC); Voidable marriage (section 12).

**MATRIMONIAL REMEDIES UNDER HINDU LAW**

**(12 LECTURES)**

Restitution of Conjugal Rights (Section 9 of HMA, 1955); Judicial Separation [sections 10 and 13 (IA) of HMA, 1955]; Divorce [sections 13(1), (2), 13(1A), 13A, 13B of HMA, 1955] (a)Theories of Divorce (b) Grounds of Divorce with particular emphasis on Cruelty, Desertion, Option of Puberty, Breakdown of Marriage, Mutual Consent, Irretrievable Breakdown of Marriage ; Seventy-first Report of Law Commission of India; Marriage Laws Amendment Bill 2013.

**UNIT II: MAINTENANCE UNDER HINDU LAW**

**(4 LECTURES)**

The Hindu Marriage Act, 1955, sections 24 and 25; The Hindu Adoptions and Maintenance Act, 1956, section 18; The Criminal Procedure Code, 1973, section 125; Protection of Women from Domestic Violence Act, 2005

**ADOPTION UNDER HINDU LAW (READ WITH CARA GUIDELINES 2017)**

**(8 LECTURES)**

The Hindu Adoptions and Maintenance Act, 1956

**UNIT III: MINORITY AND GUARDIANSHIP UNDER HINDU LAW**

**(2 LECTURES)**

The Hindu Minority and Guardianship Act, 1956

**SOURCES AND SCHOOLS OF MUSLIM LAW**

**(2 LECTURES)**

**UNIT IV: MARRIAGE UNDER MUSLIM LAW**

**(4 LECTURES)**

Nikah - Solemnisation of Marriage – conditions for validity, classification and types; Dower

**DIVORCE AND TALAQ UNDER MUSLIM LAW**

**(4 LECTURES)**

Extra-judicial divorce - Talaq, Khula, Mubarat; Judicial divorce under The Dissolution of Muslim Marriages Act, 1939, Muslim Women (protection of Rights on marriage) Ordinance, 2018.

**UNIT V: DOWER & MAINTENANCE ON DIVORCE UNDER MUSLIM LAW**

**(4 LECTURES)**

Maintenance of a divorced Muslim woman under The Muslim Women (Protection of Rights on Divorce) Act, 1986 and under section 125 Criminal Procedure Code, 1973.

**PRESCRIBED LEGISLATIONS:**

1. The Hindu Marriage Act, 1955
2. The Hindu Adoptions and Maintenance Act, 1956
3. The Hindu Minority and Guardianship Act, 1956
4. The Dissolution of Muslim Marriages Act, 1939
5. The Muslim Women (Protection of Rights on Divorce) Act, 1986
6. Prohibition of Child Marriages Act, 2006
7. Protection of Women from Domestic Violence Act 2005

**PRESCRIBED BOOKS:**

1. Ranganath Misra (Rev.), Mayne's Treatise on Hindu Law & Usage
2. Satyajeet A. Desai, Mulla's Principles of Hindu Law
3. Paras Diwan, Law of Marriage and Divorce
4. M. Hidayatulla and Arshad Hidayatulla, Mulla's Principles of Mahomedan Law
5. Tahir Mahmood, Fyzee's Outlines of Muhammedan Law

**Course Wise Content Details for LL.B. Programme:**

**Semester - Second**

**Course Name- Law of Evidence**

**Course Code- LB-CC-201**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

The objective is to help the students as future lawyers to understand, to prevent laxity and negligence in the presentation and admissibility of evidence. It introduces the students to a feel of the courts, and also while practicing, how the rules of procedure need to be followed. It is both a part of the substantive and procedural law in civil and criminal cases. Evidence law provides a dynamic set of principles, which annexed with other essential factors in a case, including the rules of substantive law, the rule of procedure and the substantive characteristics of many of the participants in the trial, through mock trials, help to comprehend the actual trials in courts. To make them understand that, a trial includes understanding the judges perception and how opinions may be formed, how the advocates skills, a witness and a party's demeanor in court is influential in the trials, the credibility of a person who is called as a witness to depose before the courts, the credibility of a witness, affecting the case on trial and personality traits of various persons involved in the trial forms a part and parcel of the legal system. All of these factors ultimately come together to make a basis for the court's decision in a trial.

**Course Learning Outcomes:**

By the conclusion of this course, it is intended that students will able

- To acquire the knowledge of the basics of Law of evidence and develop an understanding of the law of evidence and its operation.
- To discuss the overview about the courts and various principles and provisions that govern the Law of Evidence.
- To contradict and contrast between the English law and the Indian law and the Adversarial and the Inquisitorial system of law
- To demonstrate a detailed knowledge of specific areas of current importance and to analyze the evolving nature of law of evidence.
- To ascertain and discuss the facts of complex legal problems including implementation of the involving question of Law of Evidence.

**Course Contents:**

**PART – I**

**GENERAL ISSUES RELATING TO LAW OF EVIDENCE**

**UNIT I: UNDERSTANDING THE LAW AND THE LEGAL SYSTEMS OF THE WORLD (11 LECTURES)**

Re-enactment of past events for deducing blameworthiness or entitlements of the parties is the core enquiry of Evidence law. Similarities between the historians, authors, media persons and lawyers in their re-enactment of 'past events' enterprise.

Why rules of evidence have different significance under the Adversarial System and the Inquisitorial System of Justice?

**Historical Aspect**

History of statutory Evidence Law of India-Pre and post Indian Evidence Act, 1872 realities- Role of Judiciary, particularly the appellate judiciary in updating the Evidence Law rules by judicial creativity.

Relationship between law of Evidence and substantive laws (Criminal and Civil laws) and procedural laws (Code of Criminal Procedure and Code of Civil Procedure).

Understanding the concepts such as: 'Fact', 'Fact in Issue', 'Relevant Fact', 'Relevancy', ' Evidence- Oral, Documentary, electronic records', ' Proved', 'Disproved' and ' Not Proved'.

**PART II**

**RELEVANCY AND ADMISSIBILITY OF FACTS**

**UNIT II: RELEVANCY OF FACTS**

**(30 LECTURES)**

- (i) Logically relevant facts- sections 5-9, 11
- (ii) Special class of relevant facts relating to Conspiracy- section 10

**Stated relevant facts**

- i. Admissions- sections 17-31
- ii. Confessions-sections 24-30
- iii. Dying Declarations section 32(1)

**PART – III**

**ON PROOF**

**UNIT III: OPINION OF THIRD PERSON WHEN RELEVANT- SECTIONS 45-51**

**(5 LECTURES)**

**Proof and forms of Proof**

- a) (i)Facts which need not be proved- sections 56-58
- (ii) Facts which the parties are prohibited from proving- Doctrine of Estoppel- sections 115-117
- (iii) Privileged communications-sections 122-129
- b) (i) Oral and Documentary evidence sections 59-78
- (ii) Exclusion of oral by documentary evidence-sections 91-92

**PART – IV**

**ACCOMPLICE EVIDENCE**

**UNIT IV: ACCOMPLICE EVIDENCE**

**(6 LECTURES)**

Section 133 read with section 114 with Illustration

**Presumptions**

Sections 4.41.105, 111-A, 112, 113, 113A, 113B, 114 and 114A

**PART-V**

**WITNESSES: COMPETENCY AND EXAMINATION**

**UNIT V: WITNESSES**

**(4 LECTURES)**

(a) Kinds of witnesses

- i. Child Witness-section 118
- ii. Dumb Witness- section 119
- iii. Hostile witness- section 154

**PROCEDURE OF EXAMINATION OF WITNESSES**

**(5 LECTURES)**

Examination, cross-examination and re-examination and impeaching the credit of witness  
- sections 137-139, 155

**REFERENCES:**

1. Vepa P. Sarthi, Law of Evidence (7<sup>th</sup> ed. 2017)
2. M. Monir, Law of Evidence (11<sup>th</sup> ed. 20018)
3. Ratanlal&Dhirajlal's The Law of Evidence (26<sup>th</sup> ed. 2017)
4. BatukLal's The Law of Evidence (ed. 2015)

**Course Wise Content Details for LL.B. Programme:**

**Semester - Second**

**Course Name- Family Law – II**

**Course Code- LB-CC-202**

**Credits – 5**

**Total Classes 60+15**

*(Hindu Law of Joint Family, Partition and Debts, Gifts and Wills, Muslim Law of Gifts & Wills, Hindu Succession Act and Muslim General Principles of Inheritance)*

**Course Background:**

Hindu law has the most ancient pedigree of any known legal system. Where, not modified or abrogated by legislation, Hindu law may be described to be the ancient law of the Hindus rooted in the *Vedas* and enounced in the *Smritis* as explained and enlarged in recognized commentaries and digests and as supplemented and varied by approved usages. The concept of Hindu law is deeply rooted in Hindu philosophy and Hindu religion. Till this day, no precise definition of the word 'Hindu' is available in any statute or judicial pronouncement; it has defied all efforts at definition. There are two main schools of Hindu law; viz. the Mitakshara school and the Dayabhaga school or Bengal school. They have emerged in the era of Digests and Commentaries. The codified Hindu Law lays down uniform law for all Hindus. In the codified areas of Hindu Law, there is no scope for existence of schools. The schools of Hindu law have relevance only in respect of the un-codified areas of Hindu Law.

**Course Objectives:**

- Endow the students with knowledge of both codified and uncodified portions of Hindu Law and Mohammedan Law relating to inheritance, intestate and testamentary succession, gifts, wills etc. in India.
- Focuses on the function of law in building and reinforcing a set of social values.
- Encourages students to examine the intersection of family, law and society by exploring cross cutting disciplines such as jurisprudence, property and constitutional law and gender studies.
- Explores the relationship between religion and law, law and society and law and gender.
- Encourages students to critically explore ideas for legal reform.

**Course Learning Outcomes:**

At the end of the course, the students will be able to:

1. Exhibit conceptual understanding of tackling family law problems.
2. Have adequate knowledge of relevant issues addressed by family law such as Hindu joint family, coparcenership, partition, succession of Hindu law and gift, will and inheritance of Muslim law.
3. Be equipped with tools to critically analyse family law and ascertain its social impact.
4. Be able to break down complex family law problems and come up with workable and welfare-enhancing solutions.

**PART – A**

**HINDU LAW OF JOINT FAMILY**

**UNIT I: JOINT HINDU FAMILY AND HINDU COPARCENARY**

**(16 LECTURES)**

The Mitakshara joint family is a unique contribution of Hindu law which has no parallel in any ancient

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or modern system of law. Whatever the sceptic may say about the future of the Hindu joint family, it has been, and still continues to be, the fundamental aspect of life of Hindus. In Hindu law, there is a presumption that every family is a joint Hindu family. The males in a joint Hindu family up to four generations from the last holder of the property are known as coparceners and they acquire a right by birth in the joint Hindu family property. This group of males is known as coparcenary. Hindu Succession (Amendment) Act, 2005, has conferred on daughter the same status as that of a son as coparcener in Hindu joint family.

**KINDS AND SOURCES OF PROPERTY**

**(5 LECTURES)**

Coparcenary and separate property, Gift from paternal ancestor and property inherited from maternal ancestor.

**Karta** - The position of karta in a joint Hindu family is *sui-generis*. Karta in a joint family occupies a very important position. His position is so unique that there is no office or institution in any other system of the world which is comparable with it.

**ALIENATION OF JOINT HINDU FAMILY PROPERTY**

**(4 LECTURES)**

Ordinarily, neither karta nor any other coparcener singly possesses full power of alienation over the joint family property or over his interest in the joint family property. It is now settled that karta can alienate the joint Hindu family property in exceptional circumstances, i.e. legal necessity and benefit of estate.

- (a) Alienation by karta - sale, mortgage, gifts and wills
- (b) Alienation by father
- (c) Alienee's rights duties and remedies
- (d) Pious obligations of the son

**UNIT II: PARTITION**

**(6 LECTURES)**

Partition means bringing the joint status to an end. On partition, the joint family ceases to be joint, and nuclear families or different joint families come into existence. There are members of the joint family who can ask for partition and are entitled to a share also. There is another category of the members of the joint family who have no right to partition but, if partition takes place, they are entitled to share. A reunion can be made only between the parties to partition.

- (a) What is partition
- (b) Subject matter of partition
- (c) Partition how effected
- (d) Persons who have a right to claim partition and who are entitled to a share
- (e) Rules relating to division of property

**PART – B**

**THE HINDU SUCCESSION ACT, 1956**

**UNIT III: GENERAL INTRODUCTION AND THE APPLICATION OF THE HINDU SUCCESSION ACT, 1956**

**(8 LECTURES)**

- (a) General principles of inheritance
- (b) Disqualifications of heirs

**SUCCESSION TO THE PROPERTY OF MALE INTTESTATE**

**(4 LECTURES)**

- (a) Mitakshara property
- (b) separate property

**SUCCESSION TO THE PROPERTY OF FEMALE INTTESTATE  
HINDU WOMEN'S ESTATE**

**(4 LECTURES)**

**(4 LECTURES)**

**UNIT IV: LAW RELATING TO GIFTS**

**(4 LECTURES)**

- a) Gift of Mushaa
- b) Gift made during Marz-ul-Maut

**LAW RELATING TO WILLS**

**(4 LECTURES)**

- a) Capacity to make Will
- b) Subject matter of Will
- c) To whom Will can be made
- d) Abatement of legacies

**UNIT V: LAW RELATING TO INHERITANCE**

**(8 LECTURES)**

- (a) General rules of inheritance of Sunnis and Shias
- (b) Classification of heirs
- (c) Entitlement of primary heirs

**PRESCRIBED LEGISLATION:**

The Hindu Succession Act, 1956 as amended by The Hindu Succession (Amendment) Act, 2005 (No.39 of 2005)

**PRESCRIBED BOOKS:**

1. Ranganath Misra, *Mayne's Treatise on Hindu Law & Usage* (17<sup>th</sup> ed., 2014)
2. Satyajee A. Desai, *Mulla Principles of Hindu Law*, Vol. I & II (21<sup>ST</sup> ed., 2010)
3. Tahir Mahmood, *Principles of Hindu Law* (2014).
4. Poonam Pradhan Saxena, *Family Law Lectures, Family Law– II*, (3<sup>rd</sup> ed., 2011)
5. Paras Diwan and Peeyushi Diwan, *Modern Hindu Law* (23<sup>rd</sup> ed., 2016)

**Course Wise Content Details for LL.B. Programme:**

**Semester - Second**

**Course Name- Law of Crimes-II**

**Course Code- LB-CC-203**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

1. The primary objectives of this course are to-
2. To familiarise the students with the Criminal Justice administration and the various functionaries involve therein.
3. To familiarise the students with the major stages in a criminal case.
4. To familiarise the students with the crucial aspects relating to investigation and trial of offences (like initiation of criminal cases, powers and duties of police during investigation of offences, stages of criminal trial, functions, duties, and powers of criminal courts)
5. To sensitise the students about critical issues in administration of criminal justice (like protection of human rights of accused, victims, principles of fair trial)

**Learning Outcomes:**

The students should be able:

1. To appreciate the importance of criminal procedure and its indispensable attributes in a civilized society.
2. To be familiar with the powers, functions, and duties of police as one of the primary functionary of the criminal justice.
3. To be familiar with the stages of investigation and trial in criminal cases.

**Teaching Methodology:**

1. Classroom Teaching (Lecturing\Discussions)
2. ClassPresentations

**Course Content:**

Classroom Teaching with help of Legislation and Case Material.

**Prescribed Legislation:**

The Code of Criminal Procedure, 1973

**UNITS I: INTRODUCTION TO CRIMINAL PROCEDURE CODE**

**(6 LECTURES)**

- a. Importance of Criminal Procedure
- b. Stakeholders and Functionaries in the Criminal Justice Administration
- c. Hierarchy, powers and duties of Criminal Courts
- d. Definitions- Sections 2(a), (g), (h), (w), (wa), (x)

**INITIATION OF CRIMINAL CASE**

**(10 LECTURES)**

Section - 2 (c) (d) and (1), 154-156, 160-164A, 167, 173, 176 of the Criminal Procedure Code.

**UNIT II: INVESTIGATION (10 LECTURES)**

Section - 157, 41-41D, 46-47, 93, 50-50A, 51-53, 53A, 54-54A, 55A, 56-57, 60A,.

- a. Procedure for Investigation
- b. Arrest – procedure and rights of arrested person
- c. Search and seizure (sections 165, 166 read with section 100)

**BAIL – (8 LECTURES)**

**SECTION 436 - 439 OF THE CRIMINAL CODE OF PROCEDURE**

- a. Grant of Bail, including anticipatory bail
- b. Cancellation of Bail
- c. Compulsory release

**UNIT III: PRE-TRIAL PROCEEDINGS (4 LECTURES)**

Ss. 190, 193, 199, 200, 202, 204, 209-224, 228

- a. Cognizance of Offences
- b. Committal Proceedings
- c. Framing of Charges

**TRIAL – (4 LECTURES)**

Ss. 2(w) (wa) and (x), 225-226, 230-231, 233-234, 242-244, 251, 260, 262 of the Cr PC.

- a. Differences among warrant, summons, and summary trials
- b. Production of Witnesses - Summons and warrants
- c. S.321-Withdrawal of Prosecution

**UNIT IV: THE FAIR TRIAL AND RIGHTS OF ACCUSED AND VICTIMS (7 LECTURES)**

- a) Features of Fair Trial – Ss.273, 300, 303-304, 313, 316, 317, 319, 321, 327, 406, 409;
- b) Articles 20 (1) (3), 22(1), 39A of the Constitution
- c) Rights of Victims – Ss.357, 357A, 357B, 357C, 372, Provision.
- d) Witness Protection - Delhi High Court Guidelines for Protection of Vulnerable Witnesses.

**JUDGMENT – (3 LECTURES)**

Section. 227, 229, 232, 235 353-355 of the Cr PC Discharge and acquittal.

**UNIT V: OTHER MEANS OF DISPOSAL OF CASES (4 LECTURES)**

Sections - 265A-265L, 320, 360-361 of the Cr PC.

- a. Plea Bargaining 154th Report of the Law Commission of India, 1996, pp. 51-54.
- b. Compounding of cases.

**APPEALS, INHERENT POWERS OF THE HIGH COURT (4 LECTURES)**

Sections - 372, 374 - 376, 482 of the Criminal Procedure Code.

**Course Wise Content Details for LL.B. Programme**

**Semester - Second**

**Course Name- Property Law**

**Course Code: LB-CC-204**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

The primary objectives of this course are to:

- Create an understanding about the rules affecting the ownership, possession, transfer and use of property.
- Explain the fundamental legal terminology of property law and principles governing the nature of property ownership.
- Analyse the socio-economic and political underpinnings of property law in India.
- Educate the students on the recent developments in property law in India

**Course Learning Outcomes:**

At the end of the course, the students will:

1. Exhibit conceptual understanding of the doctrines stipulated under the Transfer of Property Act, 1882.
2. Have adequate knowledge regarding the modes of transfer of property including sale, mortgage, lease, gift etc.
3. Be equipped with tools to critically analyse property law and ascertain its social impact.
4. Be able to effectively apply the knowledge to built cohesive and logical arguments and solve practical problems.

**Course Content:**

**UNIT I: DEFINITION CLAUSES (SEC.3)**

**(4 LECTURES)**

**Movable and Immovable Property:** Concept of property; Definition of and distinction between movable and immovable property; meaning of “things attached to earth” and Concept of “Doctrine of fixtures”

**Attestation** : Importance of attestation; who may be a competent witness; mode of attestation; attestation by a Pardanashin woman **(4 LECTURES)**

**Notice:** Relevance of doctrine of notice; Actual and constructive notice; Wilful abstention from making an inquiry and gross negligence; Actual possession; Registration and notice to agent as constructive notice **(4 LECTURES)**

**Actionable Claim** : Definition, mode and effect of assignment, Conditions of Actionable Claim, Transfer of Actionable Claim Liability of transferee (Secs. 3, 130-137) (4 lectures)

**MEANING OF TRANSFER OF PROPERTY (SEC. 5)**

**(4 LECTURES)**

Meaning of transfer of property under the Act; Transfer *intervivos*; Living person

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distinguished from juristic person; Status of partition of joint family property.

**UNIT II: WHAT KIND OF PROPERTY CAN BE TRANSFERRED (SECS. 6(A) AND 43) (8 LECTURES)**

Transfer of "*Spec Successionis*"; Transfer by heir apparent; Chance of a relation obtaining a legacy on the death of a kinsman; Comparison with fraudulent and erroneous unauthorized transfers; Doctrine of feeding of grant by estoppels"; Status of bonafide transferee for consideration and without notice

**CONDITIONAL TRANSFER (SECS. 10 AND 11) (4 LECTURES)**

Transfers subject to a condition or limitation; Absolute and partial restraints on transfer; Exception in case of lease and married women; Restrictions repugnant to interests created; General principles; Restrictions for beneficial enjoyment of one's own land; Positive and negative covenants

**UNIT III: TRANSFER FOR THE BENEFIT OF UNBORN PERSONS (SECS. 13-18 (4 LECTURES)**

Creation of prior interests and absolute interests in favour of unborn persons; Rule against perpetuity; Period of perpetuity; Rule of possible and actual events; Transfer to a class; Transfer when prior interest fails; Directions for accumulation of income; Exceptions

**VESTED AND CONTINGENT INTERESTS (SECS. 19 AND 21) (4 LECTURES)**

Definition of and distinction between vested and contingent interests

**UNIT IV: TRANSFER DURING PENDENCY OF LITIGATION (SEC. 52) (8 LECTURES)**

Concept of "*LisPendens*", Meaning of proceedings; Collusive suits; Commencement and conclusion of suits; Specific rights in specific immovable property; Voluntary and involuntary alienations

**PART PERFORMANCE (SEC. 53A) (2 LECTURES)**

Doctrine of Part Performance; Essential requirement of sec. 53A, Nature of transferee's rights, Period of limitation

**UNIT V: MORTGAGE (SECS. 58-60, 100) (3 LECTURES)**

Definition of mortgage; Kinds of mortgages; Mode of execution of mortgages; Redemption and foreclosure of mortgages; Clog on equity of redemption; Distinction between mortgage and charge

**LEASE AND LICENSE (SECS. 105, 106 AND INDIAN EASEMENT ACT, 1882, SEC 52)**

Definition of lease; Absolute and derivative lease; Lease for a specific time; Periodic lease and lease in perpetuity; Distinction between lease and license

**GIFT (SECS. 122-126) (2 LECTURES)**

Definition of gift; Mode of execution of gift; Suspension and revocation of gifts

**PRESCRIBED LEGISLATIONS:**

1. The Transfer of Property Act, 1882.
2. The Registration Act, 1908.

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3. The Indian Easement Act, 1882.

**PRESCRIBED BOOKS:**

1. Poonam Pradhan Saxena (Rev.), Mulla's The Transfer of Property Act (18<sup>th</sup> ed. 2018)
2. Poonam Pradhan Saxena, "Property and Easement", Halsbury Laws of India; Vol. 12 (2<sup>nd</sup> 2009).
3. Poonam Pradhan Saxena, Property Law (3<sup>rd</sup> ed. 2017)
4. A.Chandrasekaran (Rev.) G.C.V. SubbaRao's Law of Transfer of Property (16<sup>th</sup> ed., 2018)
5. B.B. Mitra & Sen Gupta, Transfer of Property Act ( ed. 2017 )

**Course Wise Content Details for LL.B. Programme**

**Semester - Second**

**Course Name- Public International Law**

**Course Code- LB-CC-205**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

- Introduction to the relevance and scope of the Course in the globalized world with special reference to India;
- Examine the jurisprudential doctrines, practices and legal instruments that have been instrumental in its formulation, development and functioning;
- Create awareness about the structures and characteristics of Public International Law with emphasis on specific areas of the discipline;
- Examine the position of India vis-à-vis Public International Law and its implementation in India; and
- Engage the students with the cases decided by ICJ and other relevant dispute settlement bodies.

**Intended Learning Outcomes:**

- Understand the meaning of Public International Law, its legal basis and its position vis-à-vis the Indian legal system;
- Distinguish between various sources of Public International Law and their respective use in any given dispute involving questions of law;
- Understand the relationship between Public International Law and the national legal system with special emphasis on India
- Understand and reflect upon the jurisprudential doctrines and law related to the principle of State Responsibility, Law of the Sea, State Jurisdiction, Diplomatic and Consular Immunities; and
- Appreciate the International Human Rights instruments and institutions laying down human rights standards and India's position on protection of human rights.

**Teaching methodology:**

Class Lectures, Discussions and Presentations

**Course Content:**

**UNIT I: NATURE AND DEVELOPMENT OF INTERNATIONAL LAW (9 LECTURES)**

Definition of International Law, Basis of International Law - Jurisprudential Theories  
Codification of International Law: Work of International Law Commission, Sanctions of International Law, Subjects of International Law, Third World and International Law

**SOURCES OF INTERNATIONAL LAW (10 LECTURES)**

Statute of the International Court of Justice, 1945 (Article 38), International Treaties and Conventions, International Custom, Judicial Decisions, Juristic Opinion, Ex aequo et bono, Other Sources of International Law, Resolutions of General Assembly

**UNIT II: RELATIONSHIP BETWEEN INTERNATIONAL LAW AND MUNICIPAL LAW (8 LECTURES)**

Theories: Monistic Theory, Dualistic Theory, Practice of States: India, United Kingdom, United States of America

**STATE RESPONSIBILITY (5 LECTURES)**

Basis of International Responsibility, Constituent Elements of International Responsibility, Damage Theory, Fault Theory, Absolute Liability and Risk Theory, The Act of State (Rules of Attribution), Forms of Reparation, Restitution, Indemnity, Satisfaction, Guarantee against Repetition, Rule of Exhaustion of Local Remedies, ILC Draft Code on Responsibility of States for Internationally Wrongful Acts, 2001

**UNIT III: LAW OF THE SEA (10 LECTURES)**

Maritime Zones, Territorial Sea, Contiguous Zone, Continental Shelf, Exclusive Economic Zone, High Seas, Delimitation of Adjacent and Opposite Maritime Boundaries, Concept of "Common Heritage of Mankind" Relating to the Resources of International Seabed Area, International Seabed Mining – Parallel System of Mining, Indian Maritime Interests, Policy and Law, International Tribunal for the Law of the Sea

**TREATIES AND STATUTES (4 LECTURES)**

Geneva Convention on Territorial Waters and Contiguous Zone, 1958, Geneva Convention on Continental Shelf, 1958, Geneva Convention on Conservation of Fishing Resources, 1958, Geneva Convention on High Seas, 1958, United Nations Convention on Law of the Sea, 1982, Agreement relating to the Implementation of Part XI of the United Nations Convention of 1994 on the Law of the Sea of 10 December 1982, The Territorial Waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act, 1976

**UNIT IV: STATE JURISDICTION (5 LECTURES)**

Territorial Jurisdiction, Jurisdiction based on nationality, protective principle, Universal Jurisdiction, Extra territorial Jurisdiction of State, Extradition, Deportation, Asylum.

**INTERNATIONAL HUMAN RIGHTS LAW (8 LECTURES)**

Traditional Human Rights, Civil and Political Rights, Economic, Social and Cultural Rights, Third Generation Human Rights (Solidarity Rights), Implementation of Human Rights at International Level, Human Rights Council, Regional Conventions on Human Rights, Protection of Human Rights in India, General Comments made by Human Rights Committee on Articles 6, 7, 9 of ICCPR, 1966 (2008)

**UNIT V: TREATIES AND STATUTES (6 LECTURES)**

Universal Declaration on Human Rights, 1948, International Covenant on Civil and Political Rights, 1966.

International Covenant on Economic, Social and Cultural Rights, 1966, Optional Protocol of International Covenant of Civil and Political Rights, 1966, European Convention on Human Rights, 1950, Protocol 9 of 1990 and Protocol 11 of 1994, The Protection of Human Rights Act, 1993 (India)

**SOVEREIGN, DIPLOMATIC, AND CONSULAR IMMUNITY/PRIVILEGES (5 LECTURES)**

Diplomatic agents- Types, Consuls, Sovereign and Non-Sovereign Acts, Diplomatic Immunity: personal and property, Consular Privileges and Immunities

**PRESCRIBED BOOKS:**

1. Malcolm N. Shaw, International Law (8th ed., 2018)

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2. D. Harris & Sandesh Sivakumaran, Cases and Materials on International Law (8th ed., 2015)
3. Robert Jennings and Arthur Watts (eds.), Oppenheim's International Law [Vol. I – Peace] (9th ed., 2008)
4. James Crawford, Brownlie's Principles of Public International Law (8th ed., 2013)
5. I.A. Shearer, Starke's International Law (1 st Indian ed., 2007)
6. Gurdip Singh, International Law (3<sup>rd</sup> ed., 2015)

**Course Wise Content Details for LL.B. Programme**

**Semester - Third**

**Course Name- Constitutional Law-I**

**Course Code- LB-CC-301**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

The primary objectives of the course are:-

- To inculcate the foundation philosophy of the Constitution and to examine the different aspects of Constitution and Constitutionalism in the context of Indian legal system;
- To bring out the normative presuppositions of the Indian Constitution as revealed in the Constitution and the ways in which it has been interpreted by judiciary from time to time;
- To normatively assess the developments in the key areas of law and governance;
- To familiarize the students with the concept and working of the Indian federalism and the legislative and executive relationship between the Centre and the States under the Constitution;
- To expose the students to the independent judicial organ and its relation with other organs of the State in regard to judges' appointment and transfer;
- To develop an understanding of the freedom of trade and commerce and the reasonable restrictions imposed by the State on freedom of trade and commerce; and
- To study the various type of emergency under the Constitution, its effects and the judicial review of the proclamation of President's rule in the States

**Learning Outcomes:**

- The principal aim of the outcome of this course is that the students should be able to attain factual and theoretical knowledge and develop critical analytical thinking and articulation particularly on the following topics:-
- Nature of the Indian Constitution, theory of Basic Structure of the Constitution and the Indian federalism;
- Power to cede Indian territory to a foreign State, power to create and extinguish a State, alteration of name, area and boundary of existing States;
- Working of the three organs of the State;
- The President/Governor and the Council of Ministers;
- Legislative procedures and Privileges;
- Judicial review of Ordinances;
- The independence of judiciary and the appointment and transfer of Judges of Constitutional Courts; Distribution of legislative powers between the Centre and the State;

**Course Contents:**

**UNIT I: GENERAL (6 LECTURES)**

Constitution – Fundamental Law of the Land: Making of the Indian Constitution; Aims and Objectives; Essential Features of Constitution; Theory of Basic Structure; Principles of Federalism; Nature of the Indian Constitution – Federal, Unitary, Quasi-federal;

**THE UNION AND ITS TERRITORY (3 LECTURES)**

Power to cede Indian territory to a Foreign Nation; Power to create/extinguish a state; Alteration of name, area and boundary of existing states – Procedure (Articles 1 – 4)

**UNIT II: THE UNION AND THE STATE EXECUTIVES (8 LECTURES)**

The President and Vice President – Qualifications, Election, Term of Office, Powers, Impeachment,(Articles 52-72); Governor – Appointment and Powers (Articles 153 – 161) Nature, Scope and Extent of Executive Powers of the Union and States (Article 73, 162) Union Council of Ministers – Powers and Position of the President (Articles 74-75); State Council of Ministers (Articles 163-164); Relationship of the President/Governor with the Council of Ministers; Scope and Extent of Judicial Review of Executive Actions (Articles 74, 75,77,78,111,102, 103(2), 217(3), 163)

**PARLIAMENT AND STATE LEGISLATURES (5 LECTURES)**

Composition of Parliament and State legislatures; Qualification/Disqualification of Members; Legislative Procedure, Legislative Privilege (Articles 79 – 122, 168 – 212)

**UNIT III: LEGISLATIVE POWER OF THE EXECUTIVE (ORDINANCES) (3 LECTURES)**

Essential conditions for promulgation of an Ordinance: ‘Ordinance’ under Article 13; Judicial Review; Validity of successive promulgation of the same Ordinance (Articles 123, 213)

**UNION AND STATE JUDICIARY (12 LECTURES)**

**Part-I Composition, Appointment, Removal and Jurisdiction**

The Union Judiciary: the Supreme Court of India (Articles 124-147); Composition, Appointment and Removal of Judges (Articles 124-130); Procedure (Article 145); the High Courts in the States (Articles 214-231),, Original Concurrent Jurisdiction of Supreme Court and High Courts (Articles 32, 226),,Enlargement of Jurisdiction (Article 138); enforcement of decrees and orders, (Articles 141 and 142),,Power of Review (Article 137),Advisory Jurisdiction (Article 143),,Writs – *habeas corpus*, *mandamus*, prohibition, *quo warranto* and *certiorari*

**Part-II Procedural requirements and innovations**

Judicial Activism and overreach/self-restraint, *Locus Standi*, Laches, Res Judicata, Exhaustion of Alternative Remedies and - PIL (Concept of *pro bono publico*),

**UNIT IV: DISTRIBUTION OF LEGISLATIVE POWERS (14 LECTURES)**

Articles 245 – 255, Schedule VII

**UNIT V: FREEDOM OF TRADE, COMMERCE AND INTERCOURSE (4 LECTURES)**

Article -301

**EMERGENCY PROVISIONS (5 LECTURES)**

Article 352-360

**PRESCRIBED TEXT:**

The Constitution of India, 1950

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**PRESCRIBED BOOKS:**

1. H.M. Seervai, **Constitutional Law of India** [4<sup>th</sup> ed., 2016, *Silver Jubilee Edition* , Vol. 1, 2 & 3 (2016)]
2. M.P. Jain, **Indian Constitutional Law** (*Revised by Justice Jasti Chelameswar and Justice Dama Seshadri Naidu*) (8<sup>th</sup> ed., 2018)
3. Mahendra P. Singh, **V. N. Shukla's Constitution of India** (13<sup>th</sup> ed., 2017)
4. D.D. Basu, **Shorter Constitution of India** (*Revised by Justice A K Patnaik*) (Vol. 1 & 2, 15<sup>th</sup> ed., 2018)

**Course Wise Content Details for LL.B. Programme**

**Semester - Third**

**Course Name – Company Law**

**Course Code- LB-CC-302**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

- This course is structured to understand company law and governance issues and to provide much needed clarifications on company laws, rules and regulations.
- To introduce students to the economic function of the company as a legal structure for business, to its advantages and disadvantages compared to other structures available such as the partnership and the limited liability partnership, and in particular to the company's limited liability thus provide a solid background for further studies of this subject.
- To encourage the development of student's skills in legal reasoning and analysis through study of statutes, case law and regulatory practice relating to Company Law. Therefore, the present course is designed to enable the students to take up professional practice in the field of company law in India and beyond.
- To provide students with knowledge and appreciation of the major core topics in Company Law including the legal nature of company, concept of the company as a business structure, the legal implications of separate corporate personality, the role of the board of directors and their legal duties as directors and the legal protection of shareholders and corporate social responsibility in India.

**Learning Outcomes:**

By the conclusion of this course, it is intended that students will able

- To critically evaluate the existing legal framework relating to company and regulatory framework of companies in accordance with the Companies Act, 2013 including the Companies (Amendment) Act, 2017.
- To demonstrate a detailed knowledge of specific areas of current importance and to appreciate the evolving nature of company law.
- Enable the development of critical and analytical abilities in the area of Company Law, culminating into a presentation during the class sessions of the course.
- Familiar with the current policy trends and developments in Company Law in India, UK and USA and of the likely impact of these trends and developments on the major topics in Company Law.
- Describe the theoretical assumptions that underlie the way companies are regulated in India and the way changes to those assumptions might result in law reform.
- Identify and articulate complex legal issues that arise in business practice and demonstrate advanced analysis of statutory provisions and case-law; sophisticated

legal reasoning; and well-developed skills in creative thinking to generate appropriate legal and practical responses to those issues.

**Course Content:**

|   |                      |
|---|----------------------|
| <b>UNIT I: NATURE AND KINDS OF COMPANIES</b>                    | <b>(14 LECTURES)</b> |
| <b>PROMOTION AND FORMATION OF COMPANY</b>                       | <b>(2 LECTURES)</b>  |
| <b>UNIT II: COMPANY'S CONSTITUTIONAL DOCUMENTS</b>              | <b>(10 LECTURES)</b> |
| <b>PROSPECTUS</b>   | <b>(2 LECTURES)</b>  |
| <b>UNIT III: COMPANY'S SHARE CAPITAL/DEBENTURE</b>              | <b>(2 LECTURES)</b>  |
| <b>BOARD OF DIRECTORS</b>                                       | <b>(10 LECTURES)</b> |
| <b>DIRECTOR'S IDENTIFICATION NUMBER SEC.153-159 INDEPENDENT</b> |                      |
| <b>UNIT IV: ANNUAL GENERAL MEETINGS</b>                         | <b>(2 LECTURES)</b>  |
| <b>PREVENTION OF OPPRESSION AND MISMANAGEMENT</b>               | <b>(10 LECTURES)</b> |
| <b>UNIT V: WINDING UP OF COMPANIES</b>                          | <b>(4 LECTURES)</b>  |
| <b>ADJUDICATORY BODIES</b>                                      | <b>(4LECTURES)</b>   |
| <b>CORPORATE SOCIAL RESPONSIBILITY</b>                          | <b>(2 LECTURES)</b>  |

**Course Wise Content Details for LL.B. Programme**

**Semester - Third**

**Course Name – Special Contracts**

**Course Code – LB CC 303**

**Credits – 5**

**Total Classes 60+15**

**Objectives of the Course:**

The law recognizes various Special Contracts, viz. (i) Partnership and (ii) Sale of Goods. The law relating to partnership has gone a drastic change with the enactment of the Limited Liability Partnership Act, 2008. The limited liability partnerships are more akin to companies but not exactly the same. The traditional concept of partnerships with unlimited liability, joint ownership and flexibility in registration permissible under the Indian Partnership Act, 1932 has been drastically modified under the Limited Liability Partnership Act, 2008. The need to have two kinds of partnerships along with registered companies deserves to be studied by keeping in mind the rationale in retaining these three forms of business associations.

The present course is aimed at a study of the Law relating to Agency particularly the provisions of sections 182-238 of the Indian Contract Act, 1872, the Indian Partnership Act, 1932, Limited Liability Partnership Act, 2008 and Sale of Goods Act, 1930 in the light of judicial pronouncements.

**Learning Outcomes:**

After this course students will-

- Demonstrate an advanced understanding of the underlying legal principles, rules and institutions which regulate partnership/ contracts, agreement.
- Increase the intellectual understanding of students regarding seller and buyer rights and also duties and partnership rights and duties.
- Know the rationale behind the formation of partnership agreements, limited liability partnerships and appreciate their contribution to laws in organizations.

**Course content:**

|  |                      |
|--|----------------------|
| <b>UNIT I: CONCEPT OF AGENCY AND THE NATURE OF PARTNERSHIP</b>       | <b>(8 LECTURES)</b>  |
| <b>RELATIONS OF PARTNERS TO ONE ANOTHER AND TO THE THIRD PARTIES</b> | <b>(10 LECTURES)</b> |
| <b>UNIT II: INCOMING AND OUTGOING PARTNERS</b>                       | <b>(4 LECTURES)</b>  |
| <b>REGISTRATION AND DISSOLUTION OF A FIRM</b>                        | <b>(12 LECTURES)</b> |
| <b>UNIT III: GENERAL - FORMATION OF CONTRACTS OF SALE</b>            | <b>(6 LECTURES)</b>  |
| <b>UNIT IV: CONDITIONS AND WARRANTIES</b>                            | <b>(8 LECTURES)</b>  |
| <b>UNIT V: EFFECTS OF THE CONTRACT OF SALE</b>                       | <b>(8 LECTURES)</b>  |
| <b>RIGHTS OF UNPAID SELLER</b>                                       | <b>(4 LECTURES)</b>  |

**Prescribed Books:**

1. Sanjiv Agarwal and Rohini Agarwal, *Limited Liability Partnership: Law and Practice, First Edition, 2009*
2. G.C ., Bharuka, *The Indian Partnership Act, 7th Edition, Reprint 2011.*

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3. Avtar Singh, *Law of Partnership, 11th Edition, 2018.*
4. V.P. Verma (Rev.), S. D. Singh and J.P. Gupta, *Law of Partnership in India, 6th Edition.*
5. Krishnamachari and Surender K. Gogia, T.S. Venkatesa Iyer's *Sale of Goods Act, 1930, 8th Edition, 2002.*

**Course Wise Content Details for LL.B. Programme**

**Semester - Third**

**Course Name – Moot Court Exercise and Internship**

**Course Code- LB-CC-304**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

This Course aims to impart the practical skills of research, case analyses and strategy, witness handling, presentation of arguments at the trial and appellate stages of a case, and to draft and prepare different kinds of pleadings and conveyance. The course has been divided into four components dealing with Moot courts, Mock trials, Court visits and Viva Voce/attendance. The purpose is to expose the students to the system of administration of justice in real life by visiting various courts and chambers of practicing counsels. This learning is basic and essential for the study of professional course of Law. By learning the practical aspect throughout the Course, the students shall gain the expertise in legal drafting, filing and contesting the cases on strong grounds before the Courts of Law in India as well as in other countries.

**Course Learning Outcomes:**

*After successful completion of this Course, students should be able to:*

1. practice at all the stages of any case/matter and at all the fora with critical thinking
2. do appellate advocacy by independent research, preparation of arguments and presenting arguments in a persuasive manner in appellate courts
3. to do trial advocacy, i.e., case analysis, client interviewing and advise, how to conduct examination-in-chief and cross-examination of witnesses, preparation and presentation of arguments on facts and law in the trial courts.
4. Interview clients and advise them on procedural aspects of litigation, costs and possible legal and social consequences, etc.
5. To work in teams and develop the cooperative nature essential for the legal practice.

**Course Contents:**

**UNIT I: MOCK TRIAL INCLUDING CLIENT INTERVIEWING AND COUNSELLING AND CASE ANALYSES**

The students will learn the basics of client interviewing and counseling through simulation exercises. They will be required to do case analyses in the mock trial exercise to be done by them. At least two mock trials, one Civil and one Criminal will be conducted during the course of the semester. The students will be divided in teams of lawyers and witnesses. Each student will be required to function as a lawyer and witness in the mock trials being simulated in the classroom. 30 marks for this component are divided equally (5 marks) among different tasks performed by each student including client interviewing and counselling, case analysis, written submissions, Examination-in-chief, Cross-examination, and final arguments.

**UNIT II: MOOT COURTS**

The teacher teaching this course will supply three Moot Court problems to the students in the course of a single semester requiring them to work on all three problems assigned to

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them, prepare written submissions (memorials) and present oral arguments in a moot court setting.

30 marks for this component are divided equally between written submission and oral arguments. Students may be asked to work in teams at the discretion of teacher. Each student will prepare a case only on one side.

**A. Rules re Memorial submissions:**

1. Each student / team must submit one typed and bound copy of the memorial on either side no later than the date fixed and announced in the class. Memorials will not be accepted after the prescribed date and time and the student will lose the marks assigned for that assignment.

**2. Memorial specifications:**

- a) Memorials must be printed on A4 size white paper with black ink on both sides of the paper.
- b) The body of the memorial must be in Fonts Times New Roman, Size 12 and footnotes in Fonts Times New Roman in Size 10.
- c) Each page must have a margin of at least one-inch on all sides. Do not add any designs or borders on the pages.
- d) Memorials should be submitted with differently coloured Title Page for each side:
  - Title page in red colour for Petitioner / Appellant
  - Title page in blue colour for respondent
- e) The Memorial should not exceed 20 typed pages (line space 1.5) and shall consist of the following Parts:
  - Table of Contents
  - Statement of Facts
  - Statement of Jurisdiction
  - List of References and Cases
  - Statement of Issues
  - Summary of Arguments
  - Detailed Pleadings
  - Prayer
  - Affidavit, if necessary
- f) Relevant Annexures may be kept by the student and may be used during oral arguments, if necessary.

**B. Rules re Oral Arguments:**

- Court Language shall be English unless prior permission is sought from the teacher to speak in Hindi.
- Each student would be given 10 minutes to present their oral arguments
- Judges may, at their discretion extend oral argument time, up to a maximum of 5 minutes.

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- Rebuttal would be allowed only to the petitioner and they would have to specify in the beginning the time they want to set apart for rebuttal.
- Evaluation: The oral performance will be evaluated on the basis of communication skills, application of facts, persuasion / use of authorities, and response to questions.

**UNIT III: INTERNSHIP - COURT VISIT / CHAMBER PLACEMENTS**

This part will require the students to be attached with practicing lawyers with a minimum of ten years standing at the Bar. Preparation for this component has to begun from the first semester. Each student is required to spend at least one month doing internship during the summer vacation / winter break / mid-semester break. Full time internship during the semester is not permitted by the Bar Council of India and students may do only project work during the semester. During the internship, the students must keep record of client dealings, research and drafting done, fact investigations, etc. A certificate confirming the student's attendance and th work done during internship shall have to be attached with the internship diary to be submitted at the end of this semester.

During the court visits, the students are required to observe the following stages and write reports of their observation in the diary:

- Framing of charges/Issues
- Examination-in-Chief
- Cross-examination
- Final arguments

In the lawyer's chamber, they are required to do and record the following:

1. Read minimum of four case files to learn how files are prepared and maintained
2. Learn how to maintain records and accounts
3. Do legal research in at least two cases
4. Draft minimum of two documents in an ongoing case in the chamber
5. Observe client interviewing and counselling with the permission of the lawyer and clients in at least two cases

The students are expected to maintain a diary of their field visits, work done during placement and their observations. In the diary, they have to keep a log of the time spent by them each day including factual accounting of their experience of what they are doing, seeing and hearing. However, the diary should not be only descriptive of each day but should focus on what they learnt during the day. What were they thinking and feeling about their experiences? What is exciting or surprising? What is bothering them? What are their questions or insights about lawyering and judging? What criticism or praise do they have for the legal system? What else would they like to be taking place in their experience? They should be careful that while writing their accounts they do not reveal any confidential information.

The diary should contain two parts: (a) the factual and analytical information about their internship; and (b) two legal documents drafted by them during internship. Each part will be evaluated separately for 15 marks each. This part carries a total of 30 marks.

The diary is an integral part of the course and they will be evaluated in terms of thoughtfulness and reflections about their learning experience. They must be sure to write the journal in their own words even if they went with another class fellow or were in a group and observed the same things.

***If two or more students are found to have copied each other's language, both / all the students found to have copied will be given a zero for that work.***

**SUGGESTED READINGS:**

1. NRM Menon (ed.) *Clinical Legal Education* (1998)
2. Don Peters, *The Joy of Lawyering: Readings for Civil Clinic* (1996)
3. B. Malik, *The Art of a Lawyer* (9<sup>th</sup> Ed. 1999)
4. Steven Lubet, *Modern Trial Advocacy: Analysis and Practice* (1993)
5. Thomas A. Mauet, *Trial Techniques* (1996)
6. Thomas A. Mauet, *Pre-trial* (1995)
7. Inns of School of Law, *Advocacy* (1999/2000)
8. Inns of School of Law, *Case Preparation* (1999/2000)

Assessment of Students' Performance and Scheme of Examinations:

1. There is no written examination at the end of the semester in this paper.

The break up of marks in each unit may be changed in the paper from time to time. Broad division of marks is as follows:

Unit 1 = 30 marks

Unit 2 = 30 marks

Unit 3 – 30 marks

10 marks have been kept for attendance in these courses as follows:

|                  |                  |                    |
|------------------|------------------|--------------------|
| 71-75% - 1 mark  | 76-80% = 2 marks | 81-85% = 4 marks   |
| 86-90% = 6 marks | 91-95% = 8 marks | 96-100% = 10 marks |

**IMPORTANT NOTE:**

1. The topics, cases and suggested readings given above are not exhaustive. The Committee of teachers teaching the Course shall be at liberty to revise the topics/cases/suggested readings.

2. Students are required to study/refer to the legislations as amended from time to time, and consult the latest editions of books

**Course Wise Content Details for LL.B. Programme**

**Semester - IV**

**Course Name- Constitutional Law – II**

**Course Code- LB-CC-401**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

- (i) To understand the jurisprudential aspects of the relevancy and foundation of fundamental rights, Directive Principles of State Policy and Fundamental Duties and to critically appraise the challenges and their significance in 21st century India.
- (ii) To explain the meaning, purpose, nature and importance of the concepts of 'State' and 'Law' prescribed in Part III of the Constitution of India and to discuss the impact of globalization and liberalization on the same.
- (iii) To develop an understanding of the constitutional values of equality, freedom, right to life and liberty as incorporated and recognized under various Articles of Part III of the Constitution of India and to analyze them in the light of contemporary socio-legal and political challenges with the help of landmark Supreme Court judgments.
- (iv) To evaluate the relationship between Fundamental Rights and Directive Principle of State Policy with special reference to jurisprudential analysis of social justice and equality.
- (v) To develop a fair idea of secularism, freedom of religion and minority rights, their utility and scrutinization through relevant provisions and judicial decisions.
- (vi) To discuss the extent of amending power of Parliament and limitations on it imposed through the judicial pronouncements and inherent structure.
- (vii) To teach and analyze the various doctrines evolved by the Supreme Court while interpreting various constitutional provisions with special reference to Fundamental Rights, constitutional amendments and rights of civil servants.

**Course Learning Outcomes:**

Following outcomes are intended after the completion of the Course from the Students

- (i) Understand the jurisprudence of Constitutional Law and its relationship with politics, society and economy.
- (ii) A comprehensive understanding of the complex relation among impact of liberalization, Role of State and the significance and utility of the Fundamental Rights, Directive Principles of State Policy and Fundamental Duties.
- (iii) Understanding the basic constitutional mandates on secularism socialism, judicial review, and rule of law, equality, liberty, social justice and economic justice.
- (iv) Adapt appropriate methods of analysis and interpretation of the constitutional provisions and application of Doctrines evolved by the judiciary while interpreting constitution.
- (v) To prepare them for their constructive participation in justice system and to grow

**Course Contents:**

|  |                      |
|--|----------------------|
| <b>UNIT I: FUNDAMENTAL RIGHTS (GENERAL)</b>                      | <b>(14 LECTURES)</b> |
| <b>RIGHT TO EQUALITY (ARTICLES 14 – 18)</b>                      | <b>(12 LECTURES)</b> |
| <b>UNIT II: RIGHT TO FREEDOM (ARTICLES 19 - 22)</b>              | <b>(11 LECTURES)</b> |
| <b>RIGHT AGAINST EXPLOITATION (ARTICLES 23, 24)</b>              | <b>(01 LECTURES)</b> |
| <b>UNIT III: RIGHT TO FREEDOM OF RELIGION (ARTICLES 25 – 28)</b> | <b>(08 LECTURES)</b> |
| <b>EDUCATIONAL AND CULTURAL RIGHTS (ARTICLES 29, 30)</b>         | <b>(04 LECTURES)</b> |
| <b>UNIT IV: FUNDAMENTAL DUTIES (ARTICLE 51A)</b>                 | <b>(01 LECTURES)</b> |
| <b>DIRECTIVE PRINCIPLES OF STATE POLICY (ARTICLES 36 - 51)</b>   | <b>(02 LECTURES)</b> |
| <b>UNIT V: CIVIL SERVANTS (ARTICLES 308 - 323)</b>               | <b>(02 LECTURES)</b> |
| <b>AMENDMENT OF THE CONSTITUTION (ARTICLE 368)</b>               | <b>(05 LECTURES)</b> |

**Course Wise Content Details for LL.B. Programme**

**Semester - IV**

**Course Name- Administrative Law**

**Course Code- LB-CC-402**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

The paper aims at:

1. Familiarizing the students with the basic principles, relevant rules/legislative enactments and judicial decisions relating to administrative law in comparative manner.
2. Preparing the students to apply their knowledge and critical legal thinking to explore and develop their own perspectives and interpretations and support them with logical arguments.
3. Preparing the students to conduct effective legal research and write research papers.

**Learning Outcomes:**

On successful completion of this Course, the students will be able to:

1. Explain the foundational concepts and basic principles of administrative law.
2. Apply their knowledge to solve factual situations relating to administrative law and support them with logical arguments.
3. Write research papers/notes and case comments and work in research houses.
4. Make appropriate administrative choices
5. Practice in this area in the law courts/tribunals

**Course Content:**

|   |                      |
|---|----------------------|
| <b>UNIT I: NATURE AND SCOPE OF ADMINISTRATIVE LAW</b>                                   | <b>(8 LECTURES)</b>  |
| <b>DELEGATED LEGISLATION</b>  | <b>(10 LECTURES)</b> |
| <b>UNIT II: ADMINISTRATIVE DISCRETION</b>   | <b>(10 LECTURES)</b> |
| <b>ADMINISTRATIVE ADJUDICATION AND PRINCIPLES OF NATURAL JUSTICE</b>                    | <b>(12 LECTURES)</b> |
| <b>UNIT III: JUDICIAL REVIEW</b>  | <b>(6 LECTURES)</b>  |
| <b>RIGHT TO INFORMATION</b>   | <b>(4 LECTURES)</b>  |
| <b>UNIT IV: TRIBUNALS</b>   | <b>(3 LECTURES)</b>  |
| <b>COMMISSIONS OF INQUIRY &amp; CENTRAL VIGILANCE COMMISSION</b>                        | <b>(3 LECTURES)</b>  |
| <b>UNIT V: REGULATORY AGENCIES</b>  | <b>(2 LECTURES)</b>  |
| <b>REDRESSAL OF COMPLAINTS AGAINST THE ADMINISTRATION: THE INSTITUTION OF OMBUDSMAN</b> | <b>(2 LECTURES)</b>  |

**REFERENCES:**

1. M.P. Jain and S.N. Jain's Principles of Administrative Law Revised by Amita Dhanda (7<sup>th</sup> ed., 2017)
2. H.W.R. Wade and C.F. Forsyth, Administrative Law (10<sup>th</sup> ed., 2009)

**Course Wise Content Details for LL.B. Programme**

**Semester - IV**

**Course Name-Alternative Dispute Resolution**

**Course Code- LB-CC-403**

**Credits – 5**

**Total Classes 60+15**

**Course Learning Outcome:**

After the completion of the course, students will be able to:

1. Describe, analyse and apply the substantive rules of ADR
2. Choose appropriate ADR
3. Communicate effectively
4. Draw functional, legal settlement agreements
5. Choose appropriate negotiation strategy
6. Practice Mediator's skills
7. Solve the ethical dilemmas
8. Identify the relationship between present justice delivery system and various ADR mechanism and the growing dependence on the ADR process
9. Develop the understanding of the rules and principles operating the domestic arbitration, international arbitration in India and issues related thereto;
10. Apply various alternative dispute resolving techniques and their application through negotiation, mediation, lok-adalats and other ADR forums. To give overview to the students and enhance their understanding that how ADR can be used in to the specific kinds of disputes i.e. Matrimonial Disputes, Intellectual Property Right, Business disputes etc .

**Objective of the Course and Teaching Methods:**

With the introduction of Section 89, CPC and amendment in the Arbitration and Conciliation Act 1996 in 2015, alternative dispute resolution methods have been given a primary role in reducing arrears and promoting fast and affordable settlement of disputes.

This course has two primary objectives. First is to provide the students with the *basic theoretical understanding* of the concepts and the legal provisions relating to ADR.

Secondly, the course is geared to train the students in the practical skills required to effectively participate in the ADR processes. The course has been designed for a class of about 50 students. It is desirable that the course is delivered by a team of teachers together for individualized learning and supervision.

The teaching methods to be employed by teachers include lectures, use of multi-media, simulation exercises, role plays, field visits, feedback and other CLE methods of teaching and learning.

The course focuses on instilling the following practical skills among the students: Communication including verbal, non-verbal, body language and para-linguistic; Case

and Dispute Analyses and Strategy; Distinguishing interests from rights; Persuasion; Skills of mediators; Drawing agreements; Negotiation skills; Ethical dilemmas.

**Course Content:**

**UNIT I: INTRODUCTION TO ALTERNATE DISPUTE RESOLUTION: DIFFERENCES BETWEEN LITIGATION, ARBITRATION, CONCILIATION, MEDIATION AND NEGOTIATION (5 LECTURES)**

1. Need for Alternatives to the Formal Legal System (Special Address by Muralidhar S. in International Conference on ADR, Conciliation, Mediation and Case Management Organised By the Law Commission of India at New Delhi on May 3-4, 2003)
2. Comparison of Adjudication with ADR', Mediation Training Module of India Chapter 4 (2011) SC of India
3. Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. P. Ltd., (2010) 8 SCC 24

**COMMUNICATION – INTRODUCTION, VERBAL, NON-VERBAL COMMUNICATION, PARALINGUISTICS (2 LECTURES)**

1. Body Language – non-verbal communication.
2. One and Two-Way Communication.
3. Conflict-what is it?

**SIMULATION EXERCISES ON COMMUNICATION, CONFLICT SITUATIONS (5 LECTURES)**

**UNIT II: NEGOTIATION- INTRODUCTION, STYLE AND STRATEGIES (6 LECTURES)**

1. Negotiation Strategies, Direct Negotiation versus facilitated Negotiation (mediation)
2. Negotiation: The Seven Elements Checklist.
3. Negotiation styles-developing personal profile and debrief
4. BATNA, WATNA, MLATNA, ZOPA.
5. Drafting Negotiation Agreement.

**SIMULATION EXERCISES ON NEGOTIATION (8 LECTURES)**

**UNIT III: MEDIATION (8 LECTURES)**

1. Difference between mediation/ conciliation and other ADRs
2. Private Mediation versus Court Referred/Court Annexed Mediation
3. Mediator's Skills and Roles.
4. Stages of Mediation: Mediator's Opening Statement; Parties Opening Statement; Joint Session; Caucus or Separate Session; Final Negotiation/Deal-Making Round; Closure.
5. Strategies and Techniques
6. Role of Silence/Apology
7. Handling Emotions/Impasse
8. Drafting Mediation Agreement, Eforceability of Mediation Agreements (both in case of court referred and private)
9. Ethical Dilemmas in Mediation.

**SIMULATION EXERCISES ON MEDIATION (8 LECTURES)**

**UNIT IV: ARBITRATION**

**(8 LECTURES)**

1. Overview of A&C Act, 1996.
2. Arbitration: meaning, scope and types - International Commercial, Domestic, Institutional, Ad Hoc, Statutory etc...
3. Arbitration agreement/clause, Drafting Arbitration Clause.
4. Arbitral Tribunal - Arbitral Award, Appeal and revision.
5. Enforcement of foreign awards.
6. Overview of International Rules.
7. Case Analysis.

**SIMULATION EXERCISE**

**(5 LECTURES)**

1. Drafting Arbitration Clause.
2. Identifying good and bad facts, issues, arguments-case and fact analysis

**UNIT V: LOK ADALAT, FIELD VISIT AND REPORT**

**(3 LECTURES)**

1. Concept of Lok-Adalat, Permanent Lok Adalat.
2. Where does Lok Adalat fit into the Legal Services Authority Act, 1987.
3. Lok Adalat in different areas (practical arena): Family Law, Consumer Law etc.

**SUGGESTED READINGS:**

1. O.P. Malhotra and Indu Malhotra, 2006, The Law and Practice of Arbitration and Conciliation, Lexis Nexis Butterworths, Nagpur.
2. Madabhushi Sridhar, Alternative Dispute Resolution: Negotiation and Mediation, Edition: 2006, Lexis Nexis Butterworths Wadhwa, Nagpur (India).
3. Shriram Panchu, Mediation Practice Law - The Path to Successful Dispute Resolution, 2 nd Edition, LexisNexis 2015

**STATUTORY READINGS:**

1. The Arbitration and Conciliation Act 1996 as amended in 2015.
2. Section 89, Code of Civil Procedure.
3. Legal Services Authorities Act, 1987.
4. Mediation and Conciliation Rules Allahabad High Court.

**Assessment of Students' Performance and Scheme of Examinations:**

English shall be the medium of instruction, though answers in end semester examination may be written in Hindi.

**Examination/ Evaluation Scheme**

**D1. End-semester written examination--50 marks covering the theoretical aspect of the course**

The exam would be of 2 hours duration comprising 8 questions of 10 marks each, of which 5 would be required to be attempted by the examinee.

**D2. Oral/ practical exercises--50 marks with division as follows:**

- Arbitration (10 marks)
- Mediation (10 marks)

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- Negotiation (10 marks)
- Lok Adalat Field Visit Report [8-15 pages, A4, TNR font, 1.5 spacing] (10 marks)
- Attendance (10 marks)

**Page Limit for written answers in Core and Elective Courses**

- There shall be page limit for answers by the students. The students shall be given only one answer sheet containing not more than 28 pages. The students shall limit their answers ordinarily to not more than five pages. In no case an additional answer sheet will be given to the student.

**IMPORTANT NOTE:**

1. The topics, cases and suggested readings given above are not exhaustive. The Committee of teachers teaching the Course shall be at liberty to revise the topics/cases/suggested readings.
2. Students are required to study/refer to the legislations as amended from time to time, and consult the latest editions of books.

**Course Wise Content Details for LL.B. Programme**

**Semester - IV**

**Course Name- Labour Law**

**Course Code- LB-CC-404**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

1. To familiarize the students with the need for enactment of Trade Unions Act, 1926 which declares trade unions as legitimate bodies
2. To familiarize the students with the basic concepts and definitions under the Industrial Disputes Act, 1947 that provides the settlement of disputes through various mechanisms and to bring home to the students the importance of the basic concepts used in it and the social responsibilities imposed on the employer in certain situations in tune with the constitutional mandate brought about by various amendments to the act in post constitutional period.

**Learning Outcomes:**

1. Demonstrate an advanced understanding of the underlying legal principles, rules and institutions which regulate employer employee relationship in Indian industrial law.
2. Increase the intellectual understanding of students of labor law and individual employment rights, both in terms of black letter law and public policy as a labor lawyer.
3. Develop the understanding of rationale behind the formation of Trade Unions and their working and appreciate their contribution to labour laws in organizations.

**Course Content:**

**PART A**

**UNIT I: TRADE UNION – DEFINITION, REGISTRATION AND RECOGNITION (10 LECTURES)**

**UNIT II: IMMUNITIES – CRIMINAL AND CIVIL (6 LECTURES)**

**PART – B**

**INDUSTRIAL DISPUTES**

**UNIT 3: ‘INDUSTRY’ – CONCEPTUAL ANALYSIS (8 LECTURES)**

**‘INDUSTRIAL DISPUTE’ V. ‘INDIVIDUAL DISPUTE’ – CONTRAST (8 LECTURES)**

**UNIT 4: CONCEPT OF ‘WORKMAN’ (10 LECTURES)**

**‘STRIKE & LOCK OUT’ (8 LECTURES)**

**UNIT 05: ‘LAY OFF’ ‘RETRENCHMENT’ & ‘CLOSURE’ (10 LECTURES)**

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**PRESCRIBED BOOKS:**

1. E. M. Rao (rev) *O. P. Malhotra, The Law of Industrial Disputes* (7th ed., 2015)
2. P.K. Padhi, *Labour And Industrial Laws* (3<sup>rd</sup> ed., 2017)
3. H.L. Kumar, *Law Relating to Dismissal, Discharge and Retrenchment* (5th ed., 2016)
4. G.B. Pai, *Labour Law in India* (2001)

**Course Wise Content Details for LL.B. Programme**

**Semester - V**

**Course Name- Code of Civil Procedure and Limitation Act**

**Course Code- LB-CC-501**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

1. To impart basic knowledge to the students of the difference between the civil laws and criminal laws by making them understand the key differences between the methodology of both the streams of law.
2. Having understood the same the students would be apprised of the key words used in civil laws for better understanding of the subject.
3. This course aims at making the students learn the procedure before the civil court and the mannerisms that needs to be followed in the court.
4. The course also aims at inculcating ethical values in the students by making them learn about those areas which they need to bear in mind to maintain legal propriety and ethics.

**Course Outcomes:**

1. The students will become well versed with the basic keywords used frequently in the civil courts such as plaint, written statement, summons, plaintiff, defendant, judgement, decree, and so on.
2. The students would be able to locate the jurisdiction of the various civil courts after reading this subject by knowing the various jurisdictions that are there at every level as per the hierarchy of civil courts.
3. Since this subject is taught to second year students, they would be better equipped to deal with the papers like Moot Court, ADR, Professional Ethics etc. which are being taught in the final year.

**Course Contents:**

**PART A  
CIVIL PROCEDURE**

**UNIT I: DEFINITIONS**

**(15 LECTURES)**

1. Jurisdiction of Courts, Principle of Res Subjudice and Res Judicata.
2. Place of Suing.
3. Suits By or Against Government.
4. Special Suit

**UNIT II: APPEALS**

**(8 LECTURES)**

1. Reference, Review , Revision.
2. Includes Sections 113, 114 and 115
3. Inherent powers of Court.
4. Includes Sections 148- 151.
5. Amendment of pleadings. Includes Order 6 Rule 17

**UNIT III: REJECTION OF PLAINT**

**(12 LECTURE)**

1. Includes Order 7 Rule 11

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2. Appearance of Parties and Consequences of Non- appearance.
3. To understand the importance and value of time before the court. Includes Order 9 Rules 6, 7 and 13.
4. Summary Procedure.
5. Includes Order 37 Rules 1 to 4.
6. Temporary Injunction and Interlocutory Orders.
7. To understand the concept of stay order and other intermediate reliefs before the final decree. Includes Order 39 Rules 1 to 5.

**PART B  
LIMITATION**

**UNIT IV: LIMITATION OF SUITS, APPEALS AND APPLICATION (6 LECTURES)**

This topic outlines the basic importance of time within which a suit or an appeal or an application shall be made before the court to seek the relief or else the remedy stands barred. Includes Sections 3 to 5 of Limitation Act

**COMPUTATION OF LIMITATION (6 LECTURES)**

Includes Sections 12, 17 to 21, Limitation Act.

**UNIT V: ACQUISITION OF OWNERSHIP BY POSSESSION (2 LECTURES)**

This topic helps the student to understand the difference between lawful and unlawful possession of the property. Includes Sections 25-27, Limitation Act.

**THE SCHEDULE - PERIOD OF LIMITATION (4 LECTURES)**

This topic contains the long list of various time periods within which the suit must be filed depending upon the nature of the suit. Includes Article 113, Article 137 of the Limitation Act

This paper being the core paper will also have 15 tutorial classes in addition to the 60 lectures.

**Prescribed Readings:**

1. C. K. Takwani 's Civil Procedure, Seventh Edition, 2013
2. B.M. Prasad & S.K. Sarvaria, Mulla's Code of Civil Procedure ( 17th edn., 2007)
3. M.R. Mallick, B.B. Mitra *The Limitation Act*, 1963 (22nd edn., 2011)
4. K. Shanmukham, Sanjiva Row's *The Limitation Act* ( 9th end., 2000)
5. Mulla The Code of Civil Procedure, Nineteenth Edition, 2017

**Course Wise Content Details for LL.B. Programme**

**Semester - V**

**Course Name- Drafting, Pleadings and Conveyance**

**Course Code- LB-CC-502**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

The art of drafting a good pleading or conveyance can be acquired only through practice. A well drafted document is not simply for the benefit of the parties but also assist the court in understanding the subject matter of the draft. This paper provides a good start to the students for acquiring the skills of drafting pleadings and conveyancing by familiarizing them with the fundamental rules. The students are acquainted with the nuances of drafting various pleadings, deeds and agreements.

**Course Outcomes:**

The students will be able to:

1. Apply fundamental/golden rules of Pleadings and Conveyancing while drafting.
2. Recall and apply the provisions of specific statute while drafting any petition/application under the said statute.
3. Draft civil pleadings, criminal pleadings, matrimonial pleadings and constitutional pleadings.
4. Comprehend the pleadings and prepare written replies for the same.
5. Draft notices for their clients under various statutes and replies to the notices.
6. Draft deeds and agreements.

**Teaching Methodology:**

The course will be conducted through lectures, presentations, discussions, drafting exercises, use of multi-media etc.

**Course Contents:**

**UNIT I: PLEADINGS**

**(3 LECTURES)**

1. Meaning and Importance, History of pleadings in India, Functions of Pleadings
2. Golden Rules of Pleadings, Order VI, VII and VIII of the Code of Civil Procedure
3. Jurisdiction of Civil Courts

**CIVIL PLEADINGS**

**(13 LECTURES)**

1. Suit for recovery under Order XXXVII of the Code of Civil Procedure 1908.
2. Draft Affidavit, Suit for Permanent Injunction..
3. Application for Temporary Injunction Under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908.
4. Application under Order XXXIX, Rule 2-A of the Code of Civil Procedure, 1908.
5. Suit for Ejectment and Damages for Wrongful Use and Occupation.
6. Model Draft Written Statement.
7. Caveat under section 148-A of the Code of Civil Procedure, 1908.
8. Transfer Petition (Civil) U/s 25 of the Civil Procedure Code, 1908.
9. Application for the Execution of Decree.

**UNIT 2: MATRIMONIAL PLEADINGS**

**(6 LECTURES)**

1. Petition for Restitution of Conjugal Rights under Section 9 of the Hindu Marriage Act, 1955.
2. Petition for Judicial Separation under Section 10 of the Hindu Marriage Act, 1955.
3. Petition for Dissolution of Marriage by Decree of Divorce under Section 13 of the Hindu Marriage Act, 1955.
4. Petition for Dissolution of Marriage by Decree of Divorce under Section 13 B(1) of the Hindu Marriage Act, 1955.

**PETITIONS UNDER CONSTITUTIONAL LAW**

**(6 LECTURES)**

1. Writ Petition under Article 226 of the Constitution of India.
2. Writ Petition (Cri.) for Enforcement of Fundamental Rights.
3. Caveat for Special Leave Petition.
4. Special Leave Petition (Civil) under Article 136 of the Constitution of India.
5. Special Leave Petition (Criminal) under Article 136 of the Constitution of India.
6. Curative Petition under Article 129, 137, 141, 142 of the Constitution of India.

**UNIT 3: PLEADINGS UNDER CRIMINAL LAW**

**(6 LECTURES)**

1. Application for Regular Bail.
2. Application for Anticipatory Bail.
3. Complaint under section 138 of the Negotiable Instruments Act, 1881.
4. Application under section 125 of the Code of Criminal Procedure, 1972.

**OTHER MISCELLANEOUS PLEADINGS**

**(6 LECTURES)**

1. Contempt Petition under Section 11 and 12 of the Contempt of Courts Act, 1971.
2. Complaint under section 12 of the Consumer Protection Act, 1986.
3. Petition under section 12 of the Protection of Women from Domestic Violence Act, 2005.
4. Petition for Grant of Probate under the Indian Succession Act, 1925.
5. Petition for Grant of Letters of Administration under the Indian Succession Act, 1925.

**UNIT 4: CONVEYANCING**

**(3 LECTURES)**

1. Meaning and Importance.
2. History of Conveyancing
3. Component parts of a deed.

**FORMS OF DEEDS**

**(13 LECTURES)**

1. Will.
2. General Power of Attorney and Special Power of Attorney.
3. Agreement to sell.
4. Sale Deed, Lease Deed, Mortgage Deed, Partnership Deed, Deed of Family Settlement, Relinquishment Deed, Gift Deed.

**UNIT 5: NOTICES**

**(4 LECTURES)**

1. Notice under section 106 of the Transfer of Property Act, 1882.
2. Notice under section 80 of the Code of Civil Procedure, 1908.
3. Notice under section 138 of the Negotiable Instruments Act, 1881.
4. Reply to legal notice.

**SUGGESTED BOOKS:**

1. G.C. Mogha and S.N. Dhingra, Mogha's Law of Pleadings in India with Precedents
2. (Eastern Law House, 18<sup>th</sup> Edn., 2016).
3. M.C. Agarwal and G.C. Mogha, Indian Conveyancer (Eastern Law House, 14<sup>th</sup> Edn.,

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2016).

4. H.K. Saharay, N.S. Bindra's Pleadings and Practice (Universal Law Publishing, 2016).
5. C.R. Datta and M.N. Das, De Souza's Forms and Precedents of Conveyancing
6. (Eastern Law House, 2006)
7. S.P. Agarwal, Pleadings: An Essential Guide (LexisNexis, Haryana, 2016).
8. S.P. Agarwal, Drafting and Conveyancing (LexisNexis, Haryana, 2015).

**Course Wise Content Details for LL.B. Programme**

**Semester - V**

**Course Name-Industrial Law**

**Course Code- LB-CC-503**

**Credits – 5**

**Total Classes 60+15**

As labour legislations are to regulate the conditions of labour, in the industrial milieu, it is required to be adjusted as per the changing requirements of industry. The objectives of a labour legislation are a developing concept and require ceaseless efforts to achieve them on continuous basis. Regulation of employee-employer relationship is a condition precedent for planned, progressive and purposeful development of any society. No one legislation can suffice for achievement of these goals and a comprehensive study is required, in continuation of previous course work, to understand the nuances of industrial relations. Keeping this in mind the present coursework of Industrial Law has been devised with following objectives

**Course Objectives:**

1. To examine whether present legal framework provided by the state is adequate to meet the challenges of globalization and to keep the students abreast of the latest developments in the present economic order.
2. To discuss critically the resultant changes that need to be made in industrial relations law for achieving higher economic growth tempered with social justice.
3. To acquaint the students with Social Security Frame-work prevailing in our country thereby sensitizing them towards the needs of both labour and the employer

**Learning Outcomes:**

1. The student must be able to comprehend the categorisation of different labour legislation along with their full understanding and should have clarity as to how various legislations are in sync with the constitutional provisions of the country.
2. Understand the precisely the dispute settlement mechanisms in the Industrial Disputes Act, 1947 and working of various machineries.
3. Differentiate between the concept of social justice and general justice to appreciate the aims, objectives, interpretations and application of various social security legislations.

**Course Content:**

**General Readings:**

1. Report of the National Commission on Labour (1969)
2. Report of the Second National Commission on Labour (2002)
3. Report of the Committee on Fair Wages (1948)

**Prescribed Legislations:**

1. The Industrial Disputes Act, 1947
2. The Industrial Employment (Standing Orders) Act, 1946

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3. The Minimum Wage Act, 1948
4. Employees compensation Act, 1923
5. Employee State Insurance Act, 1948
6. Maternity benefit Act, 1961
7. Factories Act, 1948

**Prescribed Books:**

1. E M. Rao (rev.) O. P. Malhotra, The Law of Industrial Disputes (7th Ed., 2015)
2. P.K. Padhi, Labour And Industrial Laws (3<sup>rd</sup> Ed., 2017)
3. H.L. Kumar, Law Relating to Disciplinary Proceedings in Industries (10<sup>th</sup> Ed., 2017)
4. G.B. Pai, Labour Law in India (2001)
5. P.L. Malik (Rev.), K.D. Srivastava's Industrial Employment (Standing Orders) Act, 1946 (4th ed., 2000)
6. P.L. Malik's Industrial Law (21st Ed., 2008)
7. S.C. Srivastava (Rev.) Labour Law and Labour Relations: Cases and Materials (3rd Ed., (2007).

**UNIT I: DISPUTE SETTLEMENT UNDER THE INDUSTRIAL DISPUTES ACT, 1947 (10 LECTURES)**

1. Reference of the Industrial Dispute
2. Nature & Scope of the Power of the Appropriate Government under section 10
3. Jurisdiction of Adjudicatory Authorities.

**UNIT II: AWARDS AND SETTLEMENTS (8 LECTURES)**

1. Settlement: Nature, Duration and Termination
2. Awards: Nature and Duration
3. Judicial Review of Industrial Awards

**UNIT III: MANAGERIAL PREROGATIVE & DISCIPLINARY ACTION (6 LECTURES)**

1. Powers of the Adjudicatory Authorities Power in cases of Discharge/Dismissal (section 11A)

**UNIT IV: RESTRAINTS ON MANAGERIAL PREROGATIVES (SECTION 33 AND 33A)(12 LECTURES)**

1. Wage – Concept and Kinds of Wages (i) Concept; Kinds - (a) Minimum Wage; (b) Fair Wage; (c) Living Wage.
2. The Minimum Wage Act, 1948 – Machinery under the Act for the Fixation of Minimum Wage
3. The Payment of Wages Act, 1936: Salient Features.
4. Equal Remuneration Act, 1976: Employees compensation Act, 1923 & Employee State Insurance Act, 1948. Definitions: Concept of injury — arising out of and in the course of employment
5. Disablement: Partial and Total; Temporary and Permanent.

**UNIT V: PAYMENT OF BONUS ACT 1965 & PAYMENT OF GRATUITY ACT, 1972 (8 LECTURES)**

1. Salient features of the Payment of Bonus Act, 1965
2. Social Security Legislations: Salient Features
3. Maternity benefit Act, 1961: Relevant Provisions Factories Act, 1948 Salient features

**Course Wise Content Details for LL.B. Programme**

**Semester - VI**

**Course Name- Professional Ethics and Accounting System**

**Course Code- LB-CC-601**

**Credits – 5**

**Total Classes 60+15**

**Objectives of the Course:**

Professional ethics form the foundation in the lives of the lawyers. Every person has been given the right to engage a lawyer of their choice to represent their case. It means that lawyers have the constitutional obligation to take up the case of every person who approaches them for legal representation. Does it mean that the lawyer is obligated to represent a self- confessed murderer, rapist, and other accused persons who are alleged to have committed very serious offences against the nation even though his conscience or his personal beliefs do not permit that? How can the lawyer do that when his inner conscience revolts at the thought of represent a certain category of persons? All clients approach the lawyer with hope and desire that their lawyers will zealously represent their case. Does zealous representation mean that the lawyers must get the relief sought by the clients by all means? Are there any boundaries set by law or professional ethics that a lawyer must not cross? What is the role of truth and morality in determining the standards of professional ethics for lawyers? What conduct amounts to professional misconduct? What are the repercussions if a lawyer does not follows the principles of professional ethics? What are the mechanisms set by law to deal with complaints of professional misconduct? These and many other similar other questions trouble the mind of new entrants to law practice. The lawyers have to adopt ethical practices in all spheres of their profession from meeting clients, giving them legal counselling, presenting their cases before appropriate bodies, managing client's accounts, etc.

1. This paper covers this wide spectrum of lawyers' conduct and specifically aims to:
2. Familiarize the students with the legal provisions, guidelines, and judicial decisions on the subject of professional conduct for lawyers and contempt of court.
3. Acquaint them with the opinions of the Bar Council of India on professional misconduct.
4. Train them in the skills of client interviewing and counselling.
5. Teach them the basics of professional accountancy.

**Course Outcomes:**

The students will be able to:

1. Identify situations of professional dilemmas and of contempt.
2. Take appropriate decisions when faced with any professional dilemma.
3. Recall and apply the principles of professional ethics in their professional life.
4. Interview and counsel clients in a professional manner.
5. Apply the basic principles of professional accountancy.

**Course Contents:**

**UNIT I: ADVOCACY**

**(12 LECTURES)**

Meaning, Profession-Occupation-Employment, Seven Lamps of Advocacy, History of Legal Profession in India, the Advocates Act, 1961- Bar Council of India and State Bar Councils- Composition and Functions; Senior Advocates and other Advocates, Designation of Senior Advocates, Admission, Enrolment of Advocates and Disqualifications for enrolment, Right to Practice and Right to Appearance, Professional Misconduct and disciplinary powers of Bar Councils and appeals, Entry of Foreign Law Firms in India.

**UNIT II: PROFESSIONAL ETHICS**

**(16 LECTURES)**

Meaning, Ethics and Morals, Bar and Bench Relation, Part VI of the Bar Council of India Rules- Rules Governing Advocates- Restrictions on Senior Advocates, Duty to the court, Duty to the client, Duty to the opponent, Duty to colleagues, Duty in imparting training, Duty to render legal aid and section on other employments, Orders of Disciplinary Committee of Bar Council of India/Judgments of Supreme Court on Professional Misconduct.

**UNIT III: CONTEMPT OF COURT**

**(20 LECTURES)**

**UNIT IV: ACCOUNTANCY FOR LAWYERS**

**(2 LECTURES)**

Importance of maintaining proper accounts by advocates, Fees and Expenses, Accountancy in Lawyers' office/firm: Basic financial statements, -Income & Loss account, Balance-sheet- Interpretation thereof, Bar Council of India Rules- Duties to the clients, Advocate on Record Rules.

**UNIT V: CLIENT INTERVIEWING AND COUNSELLING**

**(10 LECTURES)**

Meaning, Importance, Listening, Communication Techniques, Types of Questions, Advising and Counselling.

**SUGGESTED BOOKS:**

1. Aiyar, K.V. Krishnaswami, *Professional Conduct and Advocacy* (Oxford University Press, 1945). Available at: <https://archive.org/details/professionalcond029273mbp>.
2. De, Ranadhir Kumar, *Contempt of Courts: Law & Practice* (Wadhwa Book Company, 2012).
3. Ghosh, Yashomati, *Legal Ethics and The Profession of Law* (Lexis Nexis, 2014).
4. ILL, *Restatement of Indian Law- Contempt of Court* (CCH India, 2011).
5. Parry, Judge Edward Abbott, *The Seven Lamps of Advocacy* (T. Fisher Unwin Ltd., London, 1923). Available at: <https://archive.org/details/sevenlampsfadvo00parr>.
6. Ramachandran, Raju, *Professional Ethics for Lawyers- Changing Profession, Changing Ethics* (Lexis Nexis, 2014)

**Course Wise Content Details for LL.B. Programme**  
**Semester - VI**  
**Course Name- Environmental Law**  
**Course Code- LB-CC-602**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

- To explain the role of law, policy and institution in the conservation and management of natural resources.
- To provide for answers to important matters as national development, policies concerning natural resources, injustice to communities and prevention of pollution.
- To introduce the laws and policies both at the national and international level relating to environment.
- To equip the students with the skills needed for interpreting laws, policies and judicial decisions.

**Course Outcomes:**

- Acquire the ability to evaluate the role of law and policy in conservation and management of natural resources and prevention of pollution.
- Acquire an overview of the major environmental statutes as well as relevant common law doctrines.
- Develop understanding of the variety of regulatory techniques that have been applied to deal with environmental problems and the attributes, advantages and disadvantages of each.

**COURSE CONTENTS:**

**UNIT I: ENVIRONMENT AND POLLUTION (4 LECTURES)**

1. Environment – Meaning and Scope
2. Pollution – Air, Water, Environmental - Meaning, Causes and Effects
3. Dimensions and Magnitude of the Problem of Environmental Degradation
4. Need for Legal Control of Pollution

**INTERNATIONAL LAW RELATING TO ENVIRONMENTAL PROTECTION (9 LECTURES)**

1. U.N. Conference on Human Environment, 1972 – Stockholm Principles, Establishment of Environmental Institutions like UNEP
2. World Charter for Nature, 1982
3. Ozone Protection – Montreal Protocol for the Protection of Ozone Layer, 1987 as amended
4. U.N. Conference on Environment and Development, 1992 - Rio Principles;
5. U.N. Convention on Biological Diversity, 1992; Cartagena Protocol on Biosafety, 2000;
6. U.N. Convention on Climate Change 1992, Kyoto Protocol, 1997; Forest Principles; Agenda 21
7. Human Right to Healthy Environment; Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, 1998 (Aarhus Convention)

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8. Johannesburg Conference, 2002.
9. Rio+20-United Nations Conference on Sustainable Development.

**UNIT II: FUNDAMENTAL PRINCIPLES OF ENVIRONMENTAL PROTECTION (10 LECTURES)**

1. Development v. Environment.
2. Sustainable Development – Inter-generational and Intragenerational Equity.
3. Precautionary Principle.
4. Polluter Pays Principle.
5. Public Trust Doctrine

**CONSTITUTIONAL PERSPECTIVE (10 LECTURES)**

1. Fundamental Rights - Article 14 (Right to equality, non-arbitrary and non-discriminatory treatment).
2. Article 19(1)(g) (Freedom to carry on trade or business).
3. Article 21 (Right to life, livelihood and wholesome environment) and Article 32 (Right to Constitutional remedies).
4. Directive Principles of State Policy – Article 47, 48-A, Fundamental Duty – Article 51-A(g)
5. Article 226 (Powers of High Courts).
6. Public Interest Litigation - Nature – Non-Adversarial, Collaborative, Co-operative and Investigative, Locus Standi - *Pro Bono Publico*; Representative Standing; Citizens' Standing.

**UNIT III: PREVENTION AND CONTROL OF WATER AND AIR POLLUTION (8 LECTURES)**

1. The Water (Prevention and Control of Pollution) Act, 1974 - Water Pollution – Meaning, Central and State Pollution Control Boards – Constitution, Powers and Functions.
2. Water Pollution Control Areas, Samples of Effluents – Procedure, Consent, Requirement – Procedure, Grant/Refusal, Withdrawal, Review, Appeals, Revision, Restraint Order, Citizen Suit Provision, Offences and Penalties.
3. The Water Cess (Prevention and Control of Pollution) Act, 1977.
4. The Air (Prevention and Control of Pollution) Act, 1981 - Air Pollution – Meaning, Causes and Effects.
5. Central and State Pollution Control Boards – Functions, Air Pollution Control Area Consent Requirement - Procedure, Grant/Refusal, Withdrawal; Restraint Orders, Citizen Suits.
6. Noise Pollution (Regulation and Control) Rules, 2000, Offences/Penalties Vehicular pollution.

**UNIT IV: ENVIRONMENT (PROTECTION) ACT, 1986 (7 LECTURES)**

1. The Environment (Protection) Act, 1986, Aims and Objects, Meaning of “Environment” and “Environmental Pollutant”.
2. Powers and Functions of the Central Government.
3. Environment Authority – Constitution, Delegation Powers; Offences/Penalties.
4. Effectiveness of the Act.
5. Environmental Impact Assessment, 2006.
6. Environmental Audit

**NATIONAL GREEN TRIBUNAL (3 LECTURES)**

1. The National Green Tribunal Act, 2010 - Aims and Objects; Jurisdiction.
2. Establishment of the Tribunal, Powers and Proceedings of the Tribunal, Penalty; Miscellaneous.

**UNIT V: HANDLING OF HAZARDOUS SUBSTANCES – LEGAL CONTROLS (5 LECTURES)**

1. Hazardous Waste, Bio-Medical Waste, Industrial Accidents.
2. Principle of No fault and Absolute Liability

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3. Public Liability Insurance – The Public Liability Insurance Act, 1991

**PROTECTION AND CONSERVATION OF FORESTS, BIODIVERSITY AND WILDLIFE (4 LECTURES)**

1. The Indian Forest Act, 1927, The Forest (Conservation) Act, 1980 - Kinds of Forest Land - Private, Reserved, Village, Protected, Dereservation of Forests - Use of Forest Land for Non-Forest purposes.
2. Rights of Tribals, Forest Dwellers, The Scheduled Tribes and Other Traditional Dwellers (Recognition of Forest Rights) Act, 2006.
3. Use of Forest Land - Mining, Eco-Tourism, Mega Projects.
4. The Biological Diversity Act, 2002 - Regulation of genetically modified organisms, The Manufacture, Use, Import, Export and Storage of Hazardous Micro-Organisms Genetically Engineered Organisms or Cells Rules, 1989.
5. The Wildlife (Protection) Act, 1972 - Protection of Wildlife, Sanctuaries and National Parks, Licensing of Zoos and Parks.

**PRESCRIBED BOOKS:**

- Shyam Diwan and Armin Rosencranz, *Environmental Law and Policy in India – Cases, Materials and Statutes* (2<sup>nd</sup> Edition, 2001)
- P. Leelakrishnan, *Environmental Law Case Book* [2<sup>nd</sup> Edition, 2006 (Reprint 2010)]
- Gurdip Singh, *Environmental Law in India* (2<sup>nd</sup> Edition, 2016)
- Stuart Bell and Donald Mc Gillivray, *Environmental Law* (9<sup>th</sup> Edition, 2017)

**Course Wise Content Details for LL.B. Programme**

**Semester - VI**

**Course Name- Principles of Taxation Law**

**Course Code- LB-CC-603**

**Credits – 5**

**Total Classes 60+15**

Tax is a compulsory exaction of money by the government and has financial implications on the public at large. The paper on Taxation is aimed at studying the direct tax law viz. the Income Tax Act 1961 and case laws pertaining to the same.

**Objectives:**

The objectives of this course are as follows:

1. To impart understanding of the basic concepts and principles of Income Tax Act 1961.
2. To give an overview to the students of the Income Tax Act 1961.
3. To educate the students regarding the judicial interpretation of the various provisions of the Act.
4. To provide a broad understanding about computation of tax liability of an individual.
5. To provide the skill to at least file his/her income tax return.
6. To inculcate in the students a citizen's responsibility to pay tax by emphasising on the importance of tax.
7. To sensitise the students about the ways to curb evasion of tax and implications of evasion of tax.

**Course Outcome:**

The following are the expected outcome of this Course. At the end of the Course, students shall be able to –

1. understand the basic concepts of taxation, the background, the general scheme of direct tax and interpretation of different provisions of the Income Tax Act;
2. compute the tax liability of an individual;
3. deal with court cases pertaining to tax;
4. file income tax return; and

**Course Content:**

- a) Selected Provisions of Income Tax Act, 1961
- b) Case-laws shall be taught for each topic stated below

**UNIT I: TAXATION**

**(12 LECTURES)**

Historical background of the Income Tax Legislation

Basic concept of tax; how tax is different from cess, toll and surcharge; direct and indirect taxes

Meaning of terms - Income, persons, Assessee, Previous year, Assessment year [sections 2(24), 2(31), 2(7), 3, 2(9) of the Income Tax Act, 1961] Relevant cases.

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Understanding the concept of 'application of income' and 'diversion of income', and tax implications through case laws.

Concept of 'capital receipts' and 'revenue receipts'; the differences between the two terms and their tax implications through case laws.

**UNIT II:**

**(12 LECTURES)**

Definition of 'agricultural income' [Section 2 (1A)], and its interpretation through case laws.

Exemption of agricultural income from Income Tax Act 1961 [Section 10(1)]

Determination of residential status of an Assessee (individuals, HUF, Company, and other persons) (Section 6), Meaning of Total Income of an Assessee and scope of 'total income' (Section 4 and 5);

Income that is deemed to accrue or arise in India (Section 9), Understanding Place of Effective Management in respect of Control and Management of a company, POEM Guidelines, Tax Jurisdictions in global perspective, Double Tax Avoidance Agreement and Glimpse of DTAA in Indian Context

**UNIT III:**

**(12 LECTURES)**

Heads of income (Section 14), Mutual exclusivity of each of the heads of income, Income chargeable to income tax under the head 'Salary', (Section 15), Standard deductions available under the head 'salary' (Section 16), Meaning of 'salary', 'perquisites' and 'profit in lieu of salary' (Section 17), Income that come under head income from House Property (Sections 22), Determination of annual value of house property (Section 23), Deduction available with respect to interest paid on loan taken for the purpose of purchase or construction or repair or renewal or reconstruction of a residential house property (section 24), Amounts not deductible from income from house property (section 25), Tax liability w.r.t. property owned by co-owners (Section 26), Deemed owners (section 27)

**UNIT IV:**

**(12 LECTURES)**

Income chargeable to income tax under the head income from Profits and Gains of Business or Profession (Sections 28), How to compute income chargeable to income tax under this head (section 29)

Manner of computation (section 30 to 43D), Presumptive taxation scheme

Deductions available under this head., Relevant cases, Income chargeable to income tax under the head income from Capital Gains (Section 45), Definition of capital assets [section 2(14)];, Short term capital assets [section 2(42A)]; Short term capital gains [section 2(42B)];, Long term capital assets and Long term capital gain [section 2(29A) and 2(29B)];, Meaning of 'Transfer' [section 2(47)];

Computation (section 45);, Transactions not amounting to transfer (sections 46 and 47);, Mode of computation of income from capital gains (section 48);, Meaning of 'adjusted cost of improvement' and 'cost of acquisition' (section 55), Income chargeable to income tax under the head income from Other Sources (Sections 56), Deduction on income from other sources (section 57), Deduction not allowable under income from other sources (section 58) Applicability of sub-section (1) of section 41 while computing income of an assessee under section 56 (section 59).

**UNIT V:**

**(12 LECTURES)**

Concept of clubbing of income and its justification (Sections 60 to 64), Clubbing of income for transfer of income without transfer of asset (section 60), Clubbing of income for revocable transfer of assets (section 61), Income of individual to include income of spouse, minor child, etc. (section 64)

Return of income (section 139), How to file return for individual assessee, Types of assessments:, Self-assessment, Scrutiny assessment, Best Judgment assessment (Sections 139 to 145), Income Escaping assessment (Sections 147), Issuance of notice (section 148)

When not to issue notice under section 148 (section 149 - 151), Income tax rate applicable on the escaped income (section 152), Time limit for completion of assessment, reassessment and recomputation (section 153).

**SUGGESTED BOOKS:**

1. Kanga & Palkhiwala, The Law and Practice of Income Tax, Vol. I and II, 10<sup>th</sup> Edition
2. Vinod K. Singhania & Kapil Singhania, Taxmann's Direct Taxes – Law & Practice.
3. Girish Ahuja & Ravi Gupta, Direct Taxes – Law and Practice

**Course Wise Content Details for LL.B. Programme**  
**Semester - III**  
**Course Name- Law of International Institutions**  
**Course Code- LB-EC-301**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

- It aims primarily to examine the international law applicable to international institutions (organizations).
- It envisions to study the constituent instruments, institutional structures, legal functions of key IOs such as UN (principal organs plus specialized agencies), World Bank, IMF, WTO, European Union (EU), African Union (AU), ASEAN, Asian Development Bank, SAARC, International Atomic Energy Agency (IAEA), Organization for Prohibition on Chemical Weapons (OPCW), Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO), United Nations Environment Programme, (UNEP), Global Human Rights Organizations etc.
- It endeavours to comprehend the traditional topics associated with functioning of IOs such as immunity, privilege, along with responsibility of IO, decision-making, dispute resolution, relationship between International Institutions and International Courts.

**Course Learning Outcomes:**

Students who have successfully completed this course will be able to:

1. Apply the applicable international law in relation to selected international institutions.
2. Comprehend the role, function and structure of prominent IOs, and their utility within the international legal system.
3. Explain the decision making process within prominent IOs.
4. Analyse the problems in relation to the working of IOs and appropriate dispute resolution mechanism for resolving disputes between IOs and member states, and between IOs.

**COURSE CONTENTS:**

**UNIT I: ATTRIBUTES OF INTERNATIONAL INSTITUTIONS**

**(14 LECTURES)**

1. Origin and Development
2. Classification
3. Legal Personality
4. *Reparation for Injuries Suffered in Services of UN*, ICJ Rep.1949
5. *Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo*, ICJ Rep.2010
6. Immunities and Privileges
7. *Applicability of article VI, section 22, of the Convention on the Privileges and Immunities of the United Nations*, ICJ Rep. 1989
8. Responsibility
9. *Reparation for Injuries Suffered in Service of UN*, ICJ Rep.1949
10. *ILC Draft Articles on IO Responsibility 2011*
11. *Difference Relating to Immunity from Legal Process of a Special Rapporteur*

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*of the Commission on Human Rights, ICJ Rep.1999*

12. *Certain expenses of the United Nations, ICJ Rep.1962*

**UNIT II: FUNCTIONS OF INTERNATIONAL LAW (12 LECTURES)**

1. Legislative, Executive, Judicial Functions
2. *Interpretation of Agreement between WHO and Egypt, ICJ Rep.1980*
3. Constituent Instrument
4. *Legality of the Use by a State of Nuclear Weapons in Armed Conflict, (WHO) ICJ Rep.1996*
5. *Effect of Award of Compensation Made by the UN Administrative Tribunal, ICJ Rep.1954*
6. Decisions and Resolutions
7. Practice of International Institutions

**UNIT III: UNIVERSAL INSTITUTIONS (12 LECTURES)**

1. Political
2. United Nations, Principal Organs and Overview of Specialized Agencies Security Council, General Assembly, Legal Structure, Functions, Powers and Role Played Specialized Agencies (Brief Overview)
3. Economic and Trade
4. WTO, IMF, IBRD, Legal Structure, Functions, Powers and Role Played

**UNIT IV: REGIONAL INSTITUTIONS (10 LECTURES)**

1. European Institutions
2. Council of Europe, European Union, European Community, Legal Structure
3. Functions, Powers and Role Played
4. Asian Institutions: ASEAN, Asia Development Bank SAARC, Legal Structure, Functions, Powers and Role Played
5. Africa African Union, Legal Structure. Functions, Powers and Role Played

**UNIT V: OTHER INSTITUTIONS (6 LECTURES)**

1. Disarmament
2. IAEA, OPCW, CTBO
3. Human Rights Human Rights Council, Human Right Committees
4. Environment: UNEP
5. Relationship between IOs and International Courts (6 Lectures) International Court of Justice
6. International Criminal Court

**SUGGESTED BOOKS:**

1. Philippe Sands, Pierre Klein, BOWETT'S LAW OF INTERNATIONAL INSTITUTIONS (Sweet & Maxwell, 6<sup>th</sup> edn., 2015)
2. Jan Klabbers, AN INTRODUCTION TO INTERNATIONAL INSTITUTIONAL LAW (Cambridge University Press, 2<sup>nd</sup> edn., 2009)

## **Course Wise Content Details for LL.B. Programme**

### **Semester – III**

**Course Name- Legal Philosophy including theory of Justice Course**

**Code- LB-EC-302**

**Credits – 5**

**Total Classes 60+15**

#### **Course Objectives:**

This Course aims to introduce to students the Legal philosophy, a branch of philosophy and jurisprudence, which is the general and fundamental study of law and legal systems. By learning the Legal Philosophy including Theory of Justice throughout the Course, the students shall gain the expertise in the realm of law and its various interconnectedness e.g. with society, economy, polity and also the culture in which it operates. Students will also learn the relationship between Law and morality which forms the core of good sense of natural law. The students will learn the moral values like impartiality, fairness, justice etc. which not only ward off the prejudice, conflict of interests and caprice but they are also instrumental in social control as they increase the obedience of legal rules, by the people. The students will have the exposure of principles like Liberty and equality that are other principles which form the bed rock of any just legal order in the light of various schools of thoughts like Utilitarianism, Realism, Marxism and Libertarianism. Further, the students shall discuss the concept of justice generally with the help of various theories and particularly in Indian context.

#### **Course Learning Outcomes:**

After successful completion of this Course, students should be able to:

1. Have a deep knowledge of basic concepts in Legal Philosophy including Theory of Justice and to explain them in the legal field from a critical approach.
2. Identify the strengths and limitations of different theories and models in explaining the concepts like Law, Morality, Justice, Equality and Liberty and to develop the capacity to engage in lifelong learning.
3. Apply their specialist knowledge, skills and creativity to get the practical and appropriate solutions of legal problems.
4. Understand the relation between law and morality which is basis of any legal system and how the law serves social purpose.
5. Expertise this analytical skill in critically analysing the concept of justice and its applicability in India to remove various evil practices in society with the help of our Constitution and Indian Thought e.g. Gandhian Concept of Justice.

#### **COURSE CONTENTS:**

##### **UNIT I: LAW AND MORALITY**

This unit examines the concept of law and explore the relation between law and morality. It further examines how this relationship has been framed in the Indian context.

##### **UNIT II: LAW, EQUALITY AND LIBERTY**

The focus of this unit is to understand the concepts of equality and liberty and their relevance in the study of law. The concept of equality can be employed for achieving substantive equality in order to create a more equal society. The students will evaluate the moral and philosophical justifications for according preferential treatment to historically or socially disadvantaged groups. It also discusses the different concepts of liberty and their importance for democracy and individual fulfilment.

##### **UNIT III: THEORY OF JUSTICE**

The purpose of this unit is to understand the various approaches to the concept of justice. It also seeks to discuss Constitutional and Gandhian Concept of justice in the Indian context.

**Course Wise Content Details for LL.B. Programme**

**Semester - IV**

**Course Name- Interpretation of Statutes**

**Course Code- LB-EC-401**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

- To acquaint the students with essential function of legislature and judiciary
- To acquaint students with the basics of legislative lexicology
- To familiarize the students with various rules of interpretation
- To familiarize the students with internal and external aids of interpretation of statute
- To develop the critical thinking to analyze the judgments in the light of principles of interpretation
- To develop the skill to write a judgment and frame the arguments in the light of principles discussed
- To induce curiosity in the students as to how and why certain words or phrases in the statute are attributed certain meanings.
- To familiarize students with the concept of legislative intent and its intended and unintended consequences.

**Course Learning Outcomes:**

Students who have successfully completed this course will be able to:

- They should be able to identify the legislative intent and further it.
- They should be able to understand and read any statute which they may not have studied in the LL.B course.
- They should be in a position to apply various rules of interpretation to substantiate their argument and convince the judge in the court of law.
- Apply the rules of interpretation in course of their profession as a lawyer or as a judge
- Uncover the rule of interpretation on which the judgment of Judge on particular issue is based Criticize the judgments on the basis of rule of interpretation
- Provide a new interpretation of law by using various rules of interpretation in various facts and circumstances.

**UNIT I: INTRODUCTION: BASIC CONCEPT**

**(10 LECTURES)**

*The students shall be taught the basic concepts 'Interpretation' and 'Construction'- Why to interpret – Role of judiciary in interpretation – Basic presumptions ,, - Kinds of Statutes – Effect of Repeal under S. 6 General clauses Act 1897*

**Role of judiciary**

P.Ramachandra Rao v. State of Karnataka (2002) 4 SCC 578

Padma Sundra Rao v. State of Tamil Nadu Karnataka (2002) 3 SCC 533

D. M. Aravali Golf Club v. Chander Hass, 2007 (14) SCALE

*The students shall be taught the major principles of Interpretation*

- (i) Literal interpretation / Grammatical interpretation  
Tej Kiran Jain v. N. Sanjiva Reddy (1970) 2 SCC 272  
M.V. Joshi v. M.U. Shimpi AIR 1961 SC 1494  
The Queen v. Charles Arthur Hill Heaven Ellis (1844) 6 Q.B. 499  
B.N. Mutto v. T.K. Nandi (1979) 1 SCC 361  
**Words of common usage to be understood in their popular sense**  
Jugalkishore v. Raw Cotton Co. AIR 1955 SC 376  
Ramavtar Budhaiprasad v. Assistant Sales Tax Officer AIR 1961 SC 1325  
Motipur Zamindari Co. (Private) Ltd. v. State of Bihar AIR 1962 SC 660
- (ii) Golden rule of interpretation/ modified rule of interpretation  
Lee v. Knapp (1967) 2 Q.B. 442  
G. Narayanaswami v. Pannersevan (1972) 3 SCC 717  
Union of India v. Filip Tiago De Gama of Vedem Vasco De Gama AIR 1980 SC 981  
Nokes v. Doncaster Amalgamated Collieries (1940) AC 1014
- (iii) Mischief Rule  
Heydon's Case (1584) 3 Co. Rep. 7  
R.M.D.C. v. Union of India AIR 1957 SC 628  
Commissioner of Income Tax v. Smt. Sodhara Devi AIR 1957 SC 832  
Smith v. Hughes (1960) 1 W.L.R. 830
- (iv) Harmonious Construction  
Sri Venkataramana Devaru v. State of Mysore AIR 1958 SC 255.  
K. M. Nanavati v. State of Bombay AIR 1961 SC 112  
Sirsilk Ltd. v. Govt. of A.P. AIR 1964 SC 160  
The Remington Rand of India Ltd. v. The Workmen AIR 1968 SC 224  
Calcutta Gas Co. v. State of West Bengal AIR 1962 SC 1044  
Union of India v. Pfizer Limited (decided on 15 Dec 2017)
- (v) Purposive Construction / Beneficent  
  
Construction Rev. Stainislaus v. State of M.P. AIR  
  
1977 SC 108  
S.R. Chaudhary v. State of Punjab (2001) 7 SCC 126  
State of Mysore V. R V Bidap, AIR 1973 SC 255  
All India Reporter Karamchari Sangh v. All India Reporters Ltd. AIR 1988 SC 1325  
Shashi Kant Laxman Kale v. Union of India AIR 1990 SC 2114  
Ms. Eara Through Dr. Manjula v. State (Govt of NCT Delhi decided on 21 July 2017)
- (vi) Strict Construction of Penal and Taxing statutes  
Bowers v. Gloucester Corporation (1963) 1 Q.B. 881  
George Banerjee v. Emperor (1917) 18 Cr LJ 45  
The Empress Mills, Nagpur v. The Municipal Committee Wardha, AIR 1958 SC 314

*The students shall be taught the ancillary principles of Interpretation*

Principle ut res magis valeat quam erent

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Avatar Singh v. State of Punjab AIR 1955 SC 1107

Principle Noscitur a sociis

Oswal Agro Mills Ltd. v. CCE 1993 Supp (3) SCC 716

Principle ejusdem generis

Calcutta Municipal Corporation v. East India Hotels Ltd. AIR 1996 SC 419

Statute must be read as a whole

Utkal Contractors v. State of Orissa, AIR 1987 SC 1454

**UNIT IV: INTERNAL AIDS AS TOOLS OF INTERPRETATION**

**(8 LECTURES)**

*The students shall be taught the internal aids or tools of interpretation of a statute*

Long title/Short Title, Preamble

Minority judgement in Queen v. Charles Arthur

Calcutta Gas Co. v. State of West Bengal AIR 1962 SC 1044 Manoharlal v. State of Punjab AIR 1961 SC 41

Definitions

All India Reporter Karamchari Sangh v. All India Reporters Ltd. AIR 1988 SC 1325

Provisos and exceptions

Sundaram Pillai v. Pattabiraman (1985) 1 SCC 591

Casio India Co.Pvt.Ltd v. State of Haryana, AIR 2016 SC 1690

Explanations and illustrations

ShashiKant Laxman Kale v. Union of India AIR 1990 SC 2114

**UNIT V: EXTERNAL AIDS AS TOOLS OF INTERPRETATION**

**(5 LECTURES)**

*The students shall be taught the external aids or tools of interpretation of a statute*

Dictionary Meaning

Motipur Zamindari Co. (Private) Ltd. v. State of Bihar AIR 1962 SC 660 Rev. Stainislaus v. State of M.P. AIR 1977 SC 108

Parliamentary history

Pepper v.Hart (1993) All ER 42 (HL)

State of Mysore v. R.V. Bidap AIR 1973 SC 255

R.M.D.C. v. Union of India AIR 1957 SC 628

Constituent Assembly Debates

S.R. Chaudhary v. State of Punjab (2001) 7 SCC 126

Statement of Objects and Reasons

Utkal Contractors v. State of Orissa, AIR 1987 SC 1454

Dissent in Commissioner of Income Tax v. Smt. Sodhara Devi AIR 1957 SC 832

Foreign judgements

Tej Kiran Jain v. N. Sanjiva Reddy (1970) 2 SCC 272

**SUGGESTED BOOKS:**

1. G.P. Singh, *Principles of Statutory Interpretation* (11<sup>th</sup> ed. 2008)
2. F.A.R. Bennion, *Bennion on Statutory Interpretation* (7<sup>th</sup> Ed) Lexis Nexis
3. P. St. J. Langman, *Maxwell on Interpretation of Statutes* (12<sup>th</sup> ed. 1969)
4. S.G.G. Edgar, *Craies on Statute Law* (1999)
5. Vepa P. Sarathi, *Interpretation of Statutes* (4<sup>th</sup> ed. 2003)

**Course Wise Content Details for LL.B. Programme**

**Semester – IV**

**Course Name-Humanitarian Law and Refugee Law**

**Course Code- LB-EC-402**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

This paper is divided into two parts - Part A and Part B. Part A deals with Humanitarian Law and Part B deals with Refugee Law. The aim in the first part remains on the development of International Humanitarian law and protection of victims of armed conflict. It then discusses the rules on legality of warfare (jus ad bellum), but the main emphasis is on the rules that to be followed when the armed conflict is going on (jus in bello). Part –B consists of five topics, delineates the conceptual dimensions of refugees and various international instruments relating to the status of refugees, withdrawal of refugee status and the standard treatment of refugees in India.

**Learning Outcomes:**

At the end of the course, the student will be able to apply and understand humanitarian law and the institutional structure for its implementation. This apart, it will sensitize and enable them to examine the problems of human rights in times of conflict and issues relating to refugees, the reasoning for inclusion, exclusion, cessation and nonrefoulment and denial of refugee law in India.

**PART A  
(HUMANITARIAN LAW)**

**UNIT I: INTRODUCTION**

**(LECTURES 9)**

- (vii) Jus ad bellum and jus in bello
- (viii) Origin and Development of International Humanitarian Law
- (ix) Martens Clause
- (x) Geneva Conventions and Additional Protocol
- (xi) Meaning of —armed conflict – Common Article
- (xii) Non-international armed conflict - Common Article
- (xiii) International Human Rights Law and Humanitarian Law

**UNIT II: PROTECTION OF DEFENSELESS**

**(LECTURES 7)**

- (i) Hors de combat, Wounded, Sick (both in field and sea) and Shipwrecked Members of Armed Forces.
- (ii) Prisoners of War (POW).
  - (1) Who are Prisoners of war?
  - (2) Protection of Prisoners of War
  - (3) Internment of Prisoners of War
  - (4) Penal and Disciplinary Sanctions
  - (5) Repatriation and Release of POW
- (iii) Civilian Persons in Time of War.

**UNIT III: PROHIBITION ON THE USE OF CERTAIN WEAPONS**

**(LECTURES 4)**

- (i) General Limitations on the Conduct of War— Limits on the Choice of Methods and Means of Warfare.
- (ii) Weapons of Mass Destruction — Chemical, Biological, Nuclear etc.
- (iii) Anti-personnel Land Mines.

**UNIT IV: CRIMINAL TRIBUNALS**

**(LECTURES 8)**

- (i) International Military Tribunal at Nuremberg
- (ii) International Military Tribunal for the Far East (Tokyo)
- (iii) International Criminal Tribunal for the Former Yugoslavia (ICTY)
- (iv) International Criminal Tribunal for Rwanda (ICTR)
- (v) Special Court for Sierra Leone
- (vi) Proposed Ad hoc Hybrid Special Court for Sri Lanka

**UNIT V: INTERNATIONAL CRIMINAL COURT**

**(LECTURES 9)**

- (i) Jurisdiction with respect to Crimes – (i) Genocide; (ii) Crimes against Humanity; (iii) War Crimes; (iv) Aggression
- (ii) Basis of Jurisdiction – (i) Jurisdiction rationemateriae; (ii) Jurisdiction rationetemporis; (iii) Jurisdiction ratione loci; (iv) Jurisdiction ratione personae
- (iii) General Principles of Criminal Law - (i) Nullumcrimen sine lege; (ii) Nullapoena sine lege; (iii) Non-retroactivity ratione personae; (iv) Individual criminal responsibility; (v) Exclusion of jurisdiction over persons under eighteen; (vi) Irrelevance of official capacity; (vii) Responsibility of commanders and other superiors; (viii) Nonapplicability of statute of limitations; (ix) Mental element
- (iv) Defences/Grounds for excluding criminal responsibility - (i) Mental incapacity; (ii) Intoxication; (iii) Self-defence; (iv) Duress and necessity; (v) Mistake of fact or mistake of law; (vi) Superior orders and prescription of law.

**PART B  
(REFUGEE LAW)**

**UNIT I: INTRODUCTION**

**(LECTURES 8)**

- (i) Historical Background of Refugee Law.
- (ii) Meaning of Refugee under various International Instruments - Statute of International Refugee Organization (IRO); Convention relating to the Status of Refugees, 1951 and Protocol Relating to the Status of Refugees, 1967; Bangkok Principles, 1966; OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, 1969; Cartagena Declaration, 1984.
- (iii) Exclusion and Cessation of Refugee Status.
- (iv) Asylum-Seekers, Migrants, Stateless persons, Internally Displaced Persons and Refugees: Distinction.
- (v) Refugee Law, Human Rights, and Humanitarian Law: Co-relation.

**UNIT II: PROTECTION OF REFUGEES UNDER 1951 CONVENTION**

**(LECTURES 3)**

- (i) Principle of Non-refoulement.
- (ii) Rights and Duties of Refugees.
- (iii) Welfare measures for Refugee.
- (iv) Administrative measures for the benefits of refugees.

**UNIT III: BURDEN SHARING, EXTRADITION OF REFUGEES, AND DURABLE SOLUTIONS**

**(LECTURES 3)**

- (i) Burden Sharing.
- (ii) Extradition of Refugee.
- (iii) Durable Solutions: Voluntary Repatriation, Localintegration/Naturalization, Re-settlement in Third Country.

**UNIT IV: ROLE OF UNHCR**

**(LECTURES 2)**

- (i) Statute of the Office of the United Nations High Commissioner for Refugees (UNHCR), 1950
- (ii) Role of UNHCR.

**UNIT V: REFUGEE PROTECTION IN INDIA**

**(LECTURES 7)**

- (i) Constitution of India.
- (ii) Registration of Foreigners Act, 1939, the Foreigners Act, 1946, and the Foreigners Order, 1948.
- (iii) Role of National Human Rights Commission (NHRC).
- (iv) Judicial decisions interpreting rights of refugees in India.

**SUGGESTED READINGS:**

1. Adam McBeth, Justine Nolan and Simon Rice, *The International Law of Human Rights* (2017)
2. M.K. Balachandran and Rose Verghese (eds.), *Introduction to International Humanitarian Law* (1997)
3. V.S. Mani (ed.), *Handbook of International Humanitarian Law in South Asia* (2007)
3. Sanjay Parikh, —*Refugees in the International and National framework*, *ISIL Yearbook of International Humanitarian And Refugee Law* (2001)
4. Deepak K. Singh, —*Lost in Transition: A Narrative of Non-existence*, *Economic and Political Weekly* (2016)
5. Rajeev Dhawan, *Refugee Law and Protection in India*.

## **Course Wise Content Details for LL.B. Programme**

### **Semester – V**

#### **Course Name- Information Technology Law**

#### **Course Code- LB-EC-501**

**Credits – 5**

**Total Classes 60+15**

#### **Background:**

Advent of computers, followed by Internet has revolutionized the human existence and their conduct in the society. The information can be accessed, stored, retrieved and distributed speedily and easily. The traditional paper documents are now being replaced by their electronic equivalents. The commercial transactions and individual functioning are more and more driven by the digital technology. This transition has put forth need for a law to facilitate and govern activities in the information society and has thus led to the passing of the Information Technology Act, 2000 (IT Act).

#### **Course Objectives:**

1. To understand the concept of information technology, cyberspace and interface of information technology and law.
2. To study the provisions of Information Technology Act, 2000.
3. To provide insight into the applicability of other laws to cyberspace.

#### **Learning Outcomes:**

At the end of this paper, the students should be able to learn theoretical concepts, its practical applicability and understanding of gaps in existing legislation. The students learn:

- i) The provisions of the Information Technology Act, 2000 in relation to e-commerce, e-governance and cybercrimes
- ii) The application of other laws viz. jurisdiction, contract and Trade mark to cyberspace
- iii) Synthesis of case laws, identification of issues, applicability of relevant provisions and critical analysis of the judicial decisions with reference to the Information Technology Act.
- iv) The gaps in the existing legal framework and countering these challenges thrown up by ever changing technological developments.

#### **Teaching Methodologies:**

Lecture, presentations, case laws study, critical thinking, moot problems, field visits/ Classroom teaching/Field visits/Paper Presentations/workshops /Seminars/Moot/Mock Trial Total 60 hours lecture plus 15 hours of tutorials.

#### **COURSE CONTENT:**

##### **UNIT I: INTRODUCTION**

**(LECTURES 8)**

Meaning of Information Technology; Understanding cyberspace scope and regulation; Interface of information technology and law, current challenges; Information Technology Act, 2000, purpose and objective, applicability, overriding effect; Definitions, information, computer, computer network, computer resource, computer system; Case laws.

##### **E- CONTRACTS**

**(LECTURES 3)**

Kinds of Contracts, Formation of E-contracts United Nations Convention on the Use of Electronic Communications in International Contract 2005; Case Laws

##### **UNIT II: LEGAL RECOGNITION AND AUTHENTICATION OF ELECTRONIC RECORDS(A MOVE TO FACILITATE E- COMMERCE AND E GOVERNANCE)**

**(LECTURES 10)**

UNCITRAL Model Laws.

Legal Recognition of electronic records and electronic signatures.

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Digital Signatures; Electronic signatures.

Secured electronic record and secure electronic signature.

Presumptions and verification under the Evidence Act, 1872.

Public key infrastructure (PKI).

Offences relating to digital signatures.

Critical analysis of provisions.

Attribution, Acknowledgment and Despatch of Electronic Records.

**UNIT III: CIVIL LIABILITIES/CYBER TORTS**

**(LECTURES 10)**

Dispute Resolution, Adjudicating officer and cyber appellate tribunal under the Information Technology Act, 2000.

Liabilities for Damage to computer and computer system, Legal provisions.

Data Protection, liability of body corporates for sensitive personal information under the IT Act and the rules.

Privacy issues-use of personal information, preservation of information by intermediaries; Case laws.

Online defamation, Case Laws.

**TRADE MARKS AND DOMAIN NAMES**

**(LECTURES 4)**

Domain names, functions, infringement/ passing off Dispute resolution under – ICANN Policy-UDRP, INDRP Case Laws.

**UNIT IV: CRIMINAL LIABILITIES**

**(LECTURES 12)**

Cyber Crimes, introduction, kinds; Crimes Information Technology Act and Indian Penal Code, Tampering with computer source code, Case Laws Hacking, Case laws Identity Theft and cheating by Personation, case Laws Obscenity and Pornography, Voyeurism, case laws Cyber Stalking, case laws Cyber Terrorism (s.66F), case laws; Admissibility of Electronic Evidence. legal provisions and case laws.

**JURISDICTION IN CYBERSPACE**

**(Lectures 5)**

No geographical boundaries, applicability of traditional rules of jurisdiction on internet, rules of private international law, personal jurisdiction on defendant (CPC), Criminal jurisdiction (CRPC); Extraterritorial Jurisdiction under IT Act.

**UNIT V: INTERNET SERVICE PROVIDERS LIABILITY**

**(LECTURES 3)**

Definitions, Intermediary, cyber cafe.

Exemption from liability, due diligence, legal provisions and rules, Case Laws.

**CYBER SECURITY**

**(LECTURES 5)**

National Security, Interception, Blocking, Protected System, procedure of Blocking and Interception under the rules, and its interface with freedom of speech and privacy, right to be forgotten; Case Laws.

**SUGGESTED READINGS:**

1. Kamath, Nandan. (2012). Law Relating to Computers Internet & E-commerce - A Guide to Cyberlaws & The Information Technology Act, Rules, Regulations and Notifications along with Latest Case Laws (2012).
2. Seth, Karnika. (2013). Computers Internet and New Technology Laws (2013).
3. Viswanathan, Aparna. (2012). Cyber Law (Indian & International Perspectives on key topics including Data Security, E-commerce, Cloud Computing and Cyber Crimes) (2012).
4. Gupta, Apar. (2016). Commentary on Information Technology Act.
5. Internet Law and Practice by International Contributors, West Thomson Reuters, South Asian Edition (2013).

**Course Wise Content Details for LL.B. Programme:**

**Semester – V**

**Course Name-Criminology**

**Course Code- LB-EC-502**

**Credits – 5**

**Total Classes 60+15**

**Course Objective:**

The main objectives of the course are:

1. To introduce students to the science of criminology, its nature, extent, scope, role and different approaches to criminology.
2. To educate and familiarize students with different perspectives on crime and crime causation, its typology, characteristics and impact on victims of crime.
3. To create an understanding of how state responds to law breakers and the justifications behind the punitive and non – punitive measures.
4. To sensitize students to the therapeutic approach to criminal justice.

**Course Learning Outcome:**

At the end of the course the student will be able to -

1. Understand the role played by criminology in framing of criminal policy and penal laws.
2. Analyse the different perspectives of crime and models of crime control.
3. Exhibit conceptual understanding of the various theories of crime causation and apply them to varied crime situations vis-à-vis crime and the criminal.
4. Comprehend the therapeutic approach in criminal justice administration and appreciate the functional value of penal laws.
5. Assess the Indian Police system and Indian Prison system in the present scenario and suggest the way forward.
6. Evaluate the working of the criminal justice system and point out the problem areas in need of reforms.

**UNIT I: THEORETICAL AND HISTORICAL PERSPECTIVES OF CRIMINOLOGY (6 LECTURES)**

- (i) Perspective of Crime and Criminal – Sin, Wrong and Crime – Changing concept of crime in varying social formations – Crime viewed through consensus or conflict perspectives.
- (ii) Relationship between Criminal Policy, Criminal Law and Criminology.

**UNIT II: CRIME CAUSATION GENERALLY AND IN THE CONTEXT OF SPECIFIC OFFENSES SUCH AS WHITE COLLAR CRIMES, CRIME AGAINST WOMEN AND CHILDREN, TERRORISM ETC. (12 LECTURES)**

- (i) Prominent criminological thought currents – Classicalism, Positivism and Radicalism.
- (ii) Learning Theories of Causation – Differential Association Theory of Sutherland.
- (iii) Social Disorganization Theories – Durkheim, Merton.
- (iv) Psychodynamic Theory – Freud.
- (v) Economic Theory of Crime.
- (vi) Female Criminality.

**UNIT III: THE INDIAN CRIME REALITY (10 LECTURES)**

- A. Typology of crime and their characteristics (mala in se & mala in prohibita); Crime Statistics
- B. Traditional Crimes
- C. Social & Economic Offences:
  - (i) Organised Crimes: Cyber Crimes, Trafficking, Narcotic Trade, Money Laundering
  - (ii) Privileged Class Deviance.

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**INDIAN POLICE SYSTEM**

**(4 LECTURES)**

- (i) Methods of Police Investigation.
- (ii) Reforms in Police System.

**UNIT IV: JUVENILE DELINQUENCY**

**(8 LECTURES)**

- (i) Concept of Juvenile Delinquency
- (ii) Legal Framework in India

**VICTIMOLOGY MEANING AND SCOPE OF VICTIMOLOGY**

**(6 LECTURES)**

Role of victim in criminal justice administration compensation under section 357 & 357 A CrPC.

**UNIT V: PUNISHMENT AND ITS JUSTIFICATIONS**

**(10 LECTURES)**

- (i) Theories of Punishment – Retribution, Deterrence, Reformation and Prevention.
- (ii) Kinds of Punishment – with a special emphasis on Capital Punishment S. 354 CrPC.
- (iii) Probation as a form of Punishment.

**INDIAN PRISON SYSTEM**

**(4 LECTURES)**

- (i) Reforms in Prison System.
- (ii) Open Prisons.

**SUGGESTED READINGS:**

1. N.V. Paranjape, Criminology and Penology.
2. S. S. Srivastava, Criminology and Criminal Administration.
3. Donald R. Taft and Ralph W. England, —Crime and Criminology", Criminology.
4. Harry Elmer Barnes and Negley K. Teeters, —The Eternal Quest for the Causes of Crime.
5. Ahmad Siddique, Criminology Problems & Perspective.
6. S. S. Srivastava, Criminology, Penology & Victimology.
7. Geilbert Geis and Colin Goff, —The Problem of White Collar Crime , Edwin H. Sutherland, White Collar Crime.
8. S.S. Srivastava, —Female Criminality and Victimity in Indian Context: Women and Crime , Criminology and Criminal Administration.
9. Ved Kumari, Juvenile Justice (Care and Protection of Children) Act, 2015: Critical Analysis.
10. S.C. Raina, —Rights of Victims , in Renu Ghosh.
11. K.I. Vibhuti, Open-Peno-Correctional Institutions in India-A Review of Fifty- Five Years Experience and Expectations.

## **Course Wise Content Details for LL.B. Programme**

### **Semester – V**

**Course Name- International Trade Law**

**Course Code- LB-EC-503**

**Credits – 5**

**Total Classes 60+15**

#### **Course Objectives:**

To gain knowledge and understanding of the following:

1. Structural aspects of the international trade law system
2. Functioning of the World Trade Organization including the erstwhile GATT System, and gain insight into the decision making process of WTO.
3. Mechanisms of dispute resolution under WTO.
4. Legal aspects of Dumping, Anti-Dumping, Subsidies and Countervailing Measures.
5. Types of International Contracts; Standard Trade Terms; Formation and Enforcement of International contracts; Rights & Liabilities of Parties to International Contracts; Payments in International Trade.

#### **Course Learning Outcomes:**

Students who have successfully completed this course will be able:

1. To identify the key international agreements covered under the GATT/WTO multilateral trading framework
2. To analyse and examine the several key areas of international trade law including trade in goods, services, technical barriers to trade, dumping, anti-Dumping, subsidies and countervailing measures etc.
3. To identify and explain the procedure of decision making and dispute resolution under WTO
4. To apply skills, both orally and in writing, in the construction of legal argument and analysis on issues of international trade law.

#### **UNIT I: ORIGIN AND EVOLUTION OF GATT & WTO**

**(8 LECTURES)**

Global Economics and International Trade Law Protectionism vs Free Trade Birth of GATT, 1947 GATT Rounds of Negotiation Including Doha Round and After The WTO: Its Genesis (Uruguay Round 1986 to 1994) The WTO Charter and GATT 1994, WTO Agreements, Understandings, Annexes Objective, Function and Structure of WTO (Key Organs or Bodies), Membership, Decision Making Process, Voting, Amendment, Waiver etc.

#### **THE PRINCIPLES OF NON-DISCRIMINATION IN GATT & WTO**

**(9 LECTURES)**

Most-favoured-Nation Treatment (MFN) Article 1 of GATT 1947; its background and history, meaning, scope, significance & advantages,; meaning and scope of like product. Exceptions to MFN (Annexes A to F of Article 1, Customs Unions and Free Trade Areas (Art. XXXIV), Generalized System of Preferences (Art XXV), Art. XXXV, Art XXV, Art. XX, Art XXI, XII-XVIII, Art. VI, Subsidies Code and Government Procurement Code, Art XXIII, XIX (Escape Clause); Also Discuss Regional Associations like NAFTA, BRICS, SAFTA, TTIP etc. National treatment principle (NT) Article III, GATT: its Origin & Scope, Meaning, Methodology.

#### **UNIT II: DISPUTE SETTLEMENT PROCEDURES UNDER GATT AND WTO**

**(6 LECTURES)**

Dispute settlement under GATT: Article XXII, Article XXIII, its merit & de-merit Difference between the GATT and WTO dispute settlement procedures Dispute Settlement Procedure under the WTO charter (refer Agreement on Dispute Settlement Understanding), Consultation, Dispute Panel Body, Appellate Body, Implementation of findings/decisions of WTO Dispute Settlement Body (Refer Article XXV GATT)

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**AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES (6 LECTURES)**

Identification of Subsidies that are subject to the SCM Agreement. Definition of Subsidy, Specificity.

Regulation of Specific Subsidies

- i. Prohibited Subsidies
- ii. Actionable Subsidies.
- iii. Non- actionable Subsidies.
- iv. Dispute Settlement and Remedies

**UNIT III: AGREEMENT ON DUMPING AND ANTI-DUMPING DUTIES (7 LECTURES)**

Anti-dumping: A Basic Overview

Anti-dumping Investigations:

- i) Initiation
- ii) Evidence used in the Investigation
- iii) Key substantive issues: Dumping, injury and causation

Anti- dumping Measures

- i) Provisional measures
- ii) Price undertakings
- iii) Duration & review of duties
- iv) The use of Anti-dumping Measures other than Tariff Duties

Challenging AD measures in WTO Dispute Settlement

- v) Standard of Review
- vi) The measures to be challenged
- vii) Good faith, Even-handedness, Impartiality

**CARRIAGE OF GOODS IN EXPORT TRADE (4 LECTURES)**

Carriage of Goods by Sea.

Bills of lading and Charter Parties.

Rights and Liabilities of the Parties to Contract of Carriage.

**UNIT IV: GENERAL AGREEMENT ON TRADE AND SERVICES (GATS) (6 LECTURES)**

The scope of GATS General obligations and discipline

- i. MFN Principle (GATS Article II & Annex)
- ii. Domestic regulations (GATS Article VI)
- iii. Exceptions

(GATS Article XIV)

Specific commitments (GATS Parts III-IV)

- i) Market access
- ii) National treatment
- iii) Additional commitments

**AGREEMENT ON TRADE-RELATED INVESTMENT MEASURES (TRIMS) (4 LECTURES)**

Objective and Coverage of TRIMs National Treatment and Quantitative Restrictions, Inconsistent

TRIMs Notification & Transitional Agreements, Transparency Provision for Developing Country.

**UNIT V: EXPORT TRADE TRANSACTIONS AND INTERNATIONAL COMMERCIAL CONTRACTS (5 LECTURES)**

Types of International Contracts Standard Trade Terms (CIF, FOB, FAS)

Formation and Enforcement of International contracts

Rights Liabilities of Parties to Contracts

**PAYMENTS IN INTERNATIONAL TRADE (5 LECTURES)**

Bills of Exchange

Law Relating to Bills of Exchange

Commercial Credit in International Trade

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Letter of Credit: Types and the Law Relating to Commercial Credit.

**SUGGESTED READINGS:**

1. Indira Carr, International Trade Law (5th ed., Routledge, 2014)
2. Carole Murray, David Holloway, The Law and Practice of International Trade (12th ed., Sweet & Maxwell, 2015)
3. Dr. S.R. Myneni, International Trade Law (International Business Law) (3rd ed., Allahabad Law Agency, 2014).

**Course Wise Content Details for LL.B. Programme:**

**Semester – V Course**

**Name-Intellectual Property Rights Law – I**

**Course Code- LB-EC-504**

**Credits – 5**

**Total Classes 60+15**

**Course Background:**

The development in the society triggered by trade, innovation and technology saw emergence of Intellectual property laws. Generally, it means the legal rights which emanates from intellectual activity in the industrial, scientific, literary and artistic fields. Intellectual Property laws safeguard intellectual property for two broad reasons: One is to give impetus to creativity, innovation, scientific development, and dissemination to encourage fair trading which would contribute to economic and social development. The second is to give statutory expression to the moral and economic rights of creators and the rights of the public to access creations.

**Course Objectives:**

- To get acclimatized with the rationale and general principles of Intellectual Property Laws
- To understand specific IPL; Trade Marks, Domain Names, Geographical Indications, Designs and their convergence.
- To study the provisions of Trade Marks Act, 1999, Geographical Indications Act, 1999 and Designs Act 2000.
- To untangle enforcement of Intellectual Property Rights issues.
- To recognize relevancy of International Conventions in relation to Intellectual Property.

**Learning Outcomes:**

At the end of this paper, the students should be able to learn theoretical concepts of evolution of Intellectual Property Laws vis a vis the international development, the emergence of different branches of Intellectual Property Laws. The students learn

- (i) the legal basis of the IPL and its impact in economic, social and technological context
- (ii) Synthesis of case laws, identification of issues, applicability of relevant provisions and critical analysis of the judicial decisions with reference to the Trade Marks Act, 1999, Geographical Indications Act, 1999 and Designs Act 2000
- (iii) Tracing the existing legal framework through latest Judgments and applicability of provisions in the evolving as well as technological driven society.

**COURSE CONTENT:**

**UNIT I: INTRODUCTION**

**(8 LECTURES)**

Introduction to Intellectual Property General Principles.

Nature and Concept of Intellectual Property Rights.

Evolution, Types of Intellectual Property, Enforcement of Intellectual Property Rights (Art. 9-39 WTO/TRIPs).

International legal instruments, Paris Convention, 1883, WTO (TRIPs Agreement) Reciprocity and Priority, Concept of Minimum Standards, Concept of National Treatment, Concept of Most Favored Nation Treatment, Madrid Agreement.

**UNIT II: INTRODUCTION TO TRADEMARKS ACT, 1999, DEFINITION OF TRADE MARK AND ABSOLUTE GROUNDS FOR REFUSAL OF REGISTRATION**

**(8 LECTURES)**

DEFINITIONS: Mark, Trade mark, Service, Goods, Package, Well known trade mark.

Functions, General Principles, Need for Protection of Trademarks, Registered and Unregistered Trade

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Marks.

Use of trade mark on goods/services, in Advertisements and as Domain Names.

Registration of trade mark - Procedure, Grounds of Refusal, Prior/Vested Rights, Rectification of register.

Absolute Grounds for Refusal of Registration-Distinctive character, Descriptive, customary or bonafide practices of trade, and other absolute grounds for refusal under the Trade Marks Act, 1999, Acquired distinctiveness.

**UNIT III: REFUSAL FOR REGISTRATION (6 LECTURES)**

Relative Grounds for Refusal of Registration: Later trade mark similar with Earlier Trade Marks Earlier Trade mark and well Known Trade Marks, Prohibition of registration even for different goods/ services, Factors for determination, registered or used in good faith Refusal of registration on grounds of passing off or under law of copyright Prior/ Vested Rights, Honest and Concurrent user, Acquiescence.

**UNIT IV: PASSING OFF AND INFRINGEMENT (5 LECTURES)**

Passing off and Infringement Difference between passing off and infringement.

Passing off- for similar goods/different goods/transborder reputation.

Exceptions to Infringement.

Action Trade Mark Dilution.

**UNIT V: CONTEMPORARY AREAS (5 LECTURES)**

Protection of Trade Dress & colour combinations.

Tarnishment of Trade marks/Comparative Advertising/Disparagement.

Exhaustion of IPR.

**INDUSTRIAL DESIGNS (6 LECTURES)**

Rationale basis and Subject matter of protection of industrial designs.

Registration, Cancellation and Piracy or Infringement of copyright in Designs Overlap of Design.

Copyright and Trade Marks.

**UNIT V: GEOGRAPHICAL INDICATIONS AND INDUSTRIAL DESIGNS LAW (6 LECTURES)**

Geographical Indications. Definitions, Concept of Indication of source.

Geographical Indication, its kinds and appellations of origin Registration.

Grounds for Refusal of Registration of GI.

Registration of homonymous GI, protection, duration and renewal.

Infringement, penalties and remedies.

Conflict of GI's with Trade marks.

**SUGGESTED READINGS:**

1. Ahuja, V.K., (2007). Law of Copyright and Neighbouring Rights: National and International Perspectives, LexisNexis, Haryana.
2. Ahuja, V.K., (2017). Intellectual Property Laws, Law Relating to Intellectual Property Rights (3rd edn), LexisNexis, Haryana.
3. Bansal, Ashwani Kumar, (2004). Materials on Copyright.
4. Chawla, Alka,(2013). Law of Copyright: Comparative Perspectives, LexisNexis, Haryana.
5. Cornish, W.R. & Llewelyn, David (2010). Intellectual Property: Patents, Copyright, Trademarks and Allied Rights, Sweet and Maxwell.
6. Garnett, Kevin, Davies Gillian & Harbottle, Gwilym(2012). Copinger and Skone James on Copyright, Sweet and Maxwell.
7. Kankanala, K.C., Narasani, A.K. & Radha Krishna, V., (2012). Indian patent Law and Practice, Oxford University Press.
8. Mittal, Raman, (2011). Licensing of Intellectual Property: Law and Management, Satyam Law House.
9. Narayanan, P., (2007). Law of Copyright and Industrial Designs, Eastern Law House.

**Course Wise Content Details for LL.B. Programme**

**Semester – VI**

**Course Name- Intellectual Property Rights Law – II**

**Course Code- LB-EC-601**

**Credits – 5**

**Total Classes 60+15**

**Background:**

The development in the society triggered by trade, innovation and technology saw emergence of Intellectual property laws. Generally, it means the legal rights which emanates from intellectual activity in the industrial, scientific, literary and artistic fields. Intellectual Property laws safeguard intellectual property for two broad reasons: One is to give impetus to creativity, innovation, scientific development, and dissemination to encourage fair trading which would contribute to economic and social development. The second is to give statutory expression to the moral and economic rights of creators and the rights of the public to access creations.

**Objectives of the Course:**

- Comprehend the students with fundamental concepts of various types of Intellectual Properties, and study of related International Legal Instruments.
- To study the Indian statutes specifically relating to Copyright, Patents, Plant Variety Protection and Farmers' Rights and Semiconductor Integrated Circuits Layout Design and to analyse these legal provisions through case laws and the related reference material.
- To study the practical application of IP rights and their infringements.

**Course Outcomes:**

At the end of this course, students will be able to:

- Understand the implications of IP Regime in social, economic and technological context.
- Synthesize the case laws, relevant provisions and critical analysis of the judicial decisions with reference to the Copyright Act, 1957 and Patents Act, 1970.
- Trace the existing legal framework through latest Judgments and applicability of provisions in the evolving as well as technological driven society.
- Analyse the importance of protection of plant varieties, integrated circuits, trade secrets and traditional knowledge.

**COURSE CONTENTS:**

**UNIT I: INTRODUCTION TO COPYRIGHT AND SUBJECT MATTER OF COPYRIGHT (10 LECTURES)**

Introduction to International Instruments on Copyright - Berne Convention, Rome Convention, Paris Convention, TRIPs Agreement, WCT and WPPT.

The Copyright Act, 1957- Important Definitions – work, literary work, musical work, artistic work, dramatic work, computer programme, cinematograph film, sound recording; Meaning of Original', Idea-Expression Dichotomy - Concept Notes.

**UNIT II: MEANING OF COPYRIGHT AND RIGHTS OF COPYRIGHTED WORKS (12 LECTURES)**

Meaning of Copyright.

Economic rights in all works-Bundle of Rights, Reproduction, issue copies, performance and communication to public, to make cinematograph film and sound recording, translation, Adaptation and Abridgement of work.

Rights in computer programmes, cinematograph films and sound recordings with special reference to rental rights, Meaning of Commercial Rental.

Author's Moral Rights.

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**UNIT III: OWNERSHIP, ASSIGNMENT, LICENSING AND INFRINGEMENT (10 LECTURES)**

Ownership –Who is an author, Author as First Owner, When author is not first owner, Joint Authorship.  
Definition of Producer Term of Copyright, Assignment and Licencing of Copyright Collective  
Management of Copyright by Copyright Societies, Infringement.  
Circumvention of technological measures, Rights Management Information.

**NEIGHBOURING/RELATED RIGHTS & PERMITTED USES (8 LECTURES)**

A. Rights of Performers and Broadcasting organizations.  
B. Acts not infringing Copyright, Broadcast right and Performer's Right.

**UNIT IV: PATENTS (14 LECTURES)**

Meaning, Object of Patent System, Patentable and Non-Patentable inventions.  
Procedure for filing Patent Application- Provisional and Complete Specification, Pre Grant and Post Grant Opposition.  
Licensing of Patents-special reference to public health issues and parallel imports Rights of Patentee and Patent.  
Infringement and Defences (specifically Gillette Defence).

**UNIT V: INSIGHT INTO OTHER IP LAWS (6 LECTURES)**

**A. LAW OF PLANT VARIETIES AND FARMERS' RIGHTS –**

Definitions (breeder, farmer, variety, essentially derived variety, extant variety, farmer's variety, essential characteristic, denomination, propagating material, seed), Registrable varieties Rights of Breeders, Farmers and Communities, Researchers' Rights, Benefit Sharing, Introduction to UPOV-1976 and 1991. Department of Law, Nehru Gram Bharati (Deemed to be University) 315

**B. CONFIDENTIAL INFORMATION/TRADE SECRET, TRADITIONAL KNOWLEDGE, FOLKLORE, AND INTEGRATED CIRCUITS –**

Legal Framework of Trade Secret Protection in India and at International Level, Subject Matter of Trade Secret Protection, Traditional Knowledge and Folklore, The Semiconductor Integrated Circuits Layout-Design Act, 2000- Meaning, Registration and Rights.

**C. ABUSE OF IP –**

Abuse of Intellectual Property—Concept, Redress under Art.40 TRIPs and Competition Law, Refusal to license Conditions of Exclusive Grant back Coercive Package Licensing or tie- in, Market Power and Dominance Horizontal and Vertical Restraints on license, Abuse of Dominant Position by right holder.

**PRESCRIBED LEGISLATIONS:**

1. The Copyright Act, 1957.
2. The Patents Act, 1970.
3. The Plant Variety Protection and Farmers' Rights Act, 2001.
4. The Semiconductor Integrated Layout Design Act, 2000.

**Course Wise Content Details for LL.B. Programme**

**Semester – VI**

**Course Name- Election Laws**

**Course Code- LB-EC-602**

**Credits – 5**

**Total Classes 60+15**

**Course Objectives:**

The primary objective of this Course is to acquaint the students with the laws governing elections to both Houses of the Parliament and the State Legislatures, and to the offices of the President and the Vice-President of India. They will also be familiarised with the qualifications and disqualifications for candidates desirous of contesting these elections and the legal remedies for various electoral malpractices that candidates often resort to, in order to win elections. The role of the Election Commission of India, an independent constitutional authority, in ensuring a level playing field for all candidates will also be discussed.

**Course Learning Outcomes:**

(List of outcomes in terms of learnings which student will be able to acquire due to this course) On successful completion of this Course the students will be able to: Identify the laws relating to elections to the Parliament, State Legislatures and to the offices of the President and Vice President of India. Explain the qualifications and disqualifications for Members of Parliament and State Legislatures in India. Recognise the corrupt practices that candidates often resort to in order to win elections to the Legislatures in India. Know the ambit of the right of voters to know the antecedents of candidates at elections to Legislatures in India.

**UNIT I: INTRODUCTION - MEANING OF ELECTION AND DISPUTES REGARDING ELECTIONS TO PARLIAMENT AND STATE LEGISLATURES (10 LECTURES)**

1. Meaning of election.
2. Election petition– forum, presentation, grounds and relief that may be claimed by the petitioner; time for presentation of an election petition- section 81 read with section 86(1) , The Representation of the People Act, 1951 (R.P. Act, 1951).
3. Contents of an election petition-material facts and particulars- section 83, R.P. Act, 1951.
4. Parties to an election petition- sections 82 read with sections 84, 86, R.P. Act, 1951.
5. Recriminatory petition- section 97, R.P. Act, 1951.
6. Withdrawal (sections 109-111, R.P. Act, 1951), abatement(sections 112, 116, R.P. Act, 1951) and dismissal (section 86, R.P. Act, 1951) of election petitions; appeal (sections 116A, 116B, 116C, R.P. Act, 1951).

**UNIT II: COMPOSITION OF PARLIAMENT AND ELECTION OF PRESIDENT AND VICE PRESIDENT (8 LECTURES)**

1. Composition and dissolution of Parliament and State Legislatures: The Constitution of India - Articles 79-83, 85, 168-172, 174, 330-334.
2. Delimitation of constituencies: The Constitution of India - Articles 329(a), 81, 82, 170, 330, 332 R.P. Act, 1950- sections 3-13. The Delimitation Act, 2002.
3. Election of President and Vice-President of India: The Constitution of India, Articles 52, 54-59, 62-68, 71 The Presidential and Vice-Presidential Elections Act, 1952.

**COMPOSITION, POWERS AND FUNCTIONS OF THE ELECTION COMMISSION (8 LECTURES)**

1. Composition of the Election Commission: The Constitution of India – Article 324.
2. The Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991.
3. Powers and functions of the Election Commission: The Constitution of India – Articles 324-328,

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103(2), 192(2); R.P. Act, 1951- sections 8A, 10A, 11, 11A, 11B, 28A(read with section 13CC, R. P. Act, 1950), 29A, 77, 78, 146, 146A, 146B, 146C.

The Election Symbols (Reservation and Allotment) Order, 1968.

**UNIT III: QUALIFICATIONS AND DISQUALIFICATIONS OF CANDIDATES**

**(10 LECTURES)**

The Constitution of India - Articles 84, 101-104, 173, 190-193 R.P. Act, 1951- sections 3-6,7, 8, 8A, 9, 9A, 10, 10A, 11, 100(1)

1. Disqualification for holding an office of profit.  
The Constitution of India- Articles 102(1)(a), 191(1)(a)  
R.P. Act, 1951 -section 10.  
The Parliament (Prevention of Disqualification) Act, 1959.
2. Disqualification for government contracts.  
The Constitution of India- Article 299.  
R.P. Act, 1951-section 9A.
3. Disqualification on conviction for certain offences.  
R.P. Act, 1951-section 8.  
Law Commission of India, 244th Report on Electoral Disqualifications (February, 2014).

**ANTI-DEFECTION LAW**

**(6 LECTURES)**

1. The Constitution (Fifty-second Amendment) Act, 1985.
2. The Constitution of India - Tenth Schedule, Articles 101(3), 102(2), 190(3), 191(2).
3. The Constitution (Ninety-first Amendment) Act, 2003.
4. The Constitution of India- Articles 75(1A), 75(1B), 164(1A), 164(1B), 361B.

**UNIT IV: NOMINATIONS**

**(4 LECTURES)**

1. Requirements of valid nomination of candidates for election- procedure for filing nomination paper, number of proposers, security deposit, scrutiny of nomination papers, grounds of rejection of nomination papers, withdrawal of nomination papers etc.  
R.P. Act, 1951 – sections 30-39, 100 (1) (c), 100 (1) (d)(i).
2. Consequences of improper rejection and improper acceptance of nomination papers.  
R.P. Act, 1951 – sections 100 (1) (c) , 100 (1) (d) (i).

**VOTERS RIGHT TO KNOW THE ANTECEDENTS OF THE CANDIDATES**

**(4 LECTURES)**

R.P. Act 1951 - sections 33A, 33B, 125A

**UNIT V: CORRUPT PRACTICES**

**(10 LECTURES)**

1. Distinction between corrupt practices (section 123, R.P. Act, 1951) and electoral offences: Chapter IXA-sections 171A- 171 I, Indian Penal Code, 1860 and sections 125-136, R.P. Act, 1951.
2. Corrupt Practices: R.P. Act, 1951 – section 123 read with sections 8A, 79, 98, 99, 100(1)(b), 100(1)(d)(ii), 100(2), 101.
3. Bribery: section 123(1), R.P. Act, 1951.
4. Undue influence: section 123(2), R.P. Act, 1951.
5. Appeal on the grounds of religion, race, caste, community or language etc.; promotion of feelings of enmity or hatred between different classes of the citizens of India on grounds of religion, race, caste, community or language: sections 123(3), 123(3A), R.P. Act, 1951.
6. Publication of false statement of fact in relation to the personal character or conduct of any candidate: section 123(4), R.P. Act, 1951.
7. Free conveyance of voters: section 123(5), R.P. Act, 1951 o Incurring or authorising expenditure in excess of the permissible limit: section 123(6), R.P. Act, 1951.
8. Booth capturing: section 123(8), R.P. Act, 1951.
9. Obtaining or procuring the assistance of a government servant: section 123(7), R.P. Act, 1951.

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**PRESCRIBED LEGISLATIONS:**

1. The Constitution of India, 1950.
2. The Representation of the People Act, 1950.
3. The Representation of the People Act, 1951 (R.P. Act, 1951).
4. The Delimitation Act, 2002.
5. The Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991.
6. The Indian Penal Code, 1860 (Selected Relevant Provisions).
7. The Parliament (Prevention of Disqualification) Act, 1959.
8. The Presidential and Vice-Presidential Elections Act, 1952.

**BOOKS:**

1. V.S. Rama Devi and S.K. Mendiratta, How India Votes – Election Laws, Practice and Procedure (3rd ed., 2013).
2. Kiran Gupta and P.C. Jain, Chawla's Elections - Law & Practice (9th ed., 2009).

**LAW COMMISSION REPORTS:**

1. Law Commission of India, 170th Report on Reform of the Electoral Laws (May, 1999).
2. Law Commission of India, 244th Report on Electoral Disqualifications (February, 2014).
3. Law Commission of India, 255th Report on Electoral Reforms (March, 2015).

**REPORTS:**

1. The Goswami Committee Report on Electoral Reforms, 1990.
2. The Vohra Committee Report on Criminalisation of Politics, 1993.

## **Course Wise Content Details for LL.B. Programme**

### **Semester – VI**

#### **Course Name-International Investment Law**

#### **Course Code- LB-EC-603**

**Credits – 5**

**Total Classes 60+15**

#### **Course Objectives:**

The objectives of this course are:

1. To expose the students about the core principles of the international law of foreign investment.
2. To make the students familiar with the disputes between foreign investors and sovereign States.
3. To develop their critical faculties by analysing and evaluating the policy arguments behind the formation of BITs and FTA investment chapters.
4. To make the students understand the importance of regulating foreign investments and also the dichotomy of sovereign States' obligation to protect foreign investments vis-à-vis public policy objectives.
5. To enable the students to form a reasoned opinion with regard to actual international investment law problems facing their States.
6. To enable the students to provide legal opinions on international investment law problems in practice.
7. To build the capacity of Indian legal fraternity for dealing with the issues of international investment law which may have public policy implications for our State, by training the students in classroom, with adequate theoretical and practical considerations.

#### **Course Learning Outcomes:**

At the end of this course, the Students will be able to:

1. Understand and explain the elements of BITs and the policy considerations underlying the formation of such treaties.
2. Apply the knowledge of the issues arising out of international investment agreements in front of the municipal courts of law.
3. Represent their clients – foreign investors/host States in international arbitrations involving issues of international investment law.
4. Provide legal opinions on the issues involving international investment law either the private foreign investors or the host States.
5. Demonstrate (both orally and in written) a detailed understanding of various aspects of investment treaties and their linkage with investor protection and the regulatory discretion of the sovereign countries.

#### **COURSE CONTENTS:**

##### **UNIT I: THE NATURE AND SIGNIFICANCE OF INTERNATIONAL INVESTMENTS (4 LECTURES)**

1. Meaning of Investment.
2. Nature of International Investment – Foreign Direct Investments (FDI), Portfolio Investments.
3. Nature of foreign investors.
4. Interests of States in foreign investments (host State and home State).

##### **INTERNATIONAL INVESTMENT LAW – INTRODUCTION (8 LECTURES)**

1. Historical Background to Contemporary International Investment Law Law of Diplomatic Protection → Customary International Law relating to State Responsibility for injury → to aliens (Neer v. Mexico)
2. Emergence of New International Economic Order (NIEO).

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3. Emergence of Bilateral Investment Treaties and their role in Investment Protection.
4. International Investment Arbitration Vis-à-vis International Commercial Arbitration.
5. Sources of International Investment Law.
6. BITs and Regulatory Sovereignty of Host States.
7. Role of BITs in attracting foreign investments.
8. Dispute settlement under the BITs.

**UNIT II: DEFINITION OF INVESTMENT**

**(8 LECTURES)**

1. Why is definition of investment important in BITs – A jurisdictional issue?
2. Various approaches to definition of investment
  - a. Broad Asset based definition
  - b. Narrow Asset based definition
  - c. Advantages and Disadvantages of either approaches
  - d. FII as investments
  - e. Reinvestments and changes in the nature of investments as investments.
3. Arbitral Awards as investments.
4. Exceptions to limit the definition of investments within BITs.
5. Definition of investments in the Indian BITs and the 2016 Model Indian BIT.

**MOST FAVOURED NATION (MFN) TREATMENT**

**(8 LECTURES)**

1. Principle of MFN in International Investment Law.
2. How is different from the MFN in International Trade Law.
3. Economic Rationale behind MFN clause in International Investment Law.
4. Application of MFN:
  - a. to substantive issues under BITs.
  - b. to procedural issues under BITs.
5. MFN and Treaty Shopping.
6. Treaty based exceptions to MFN i.e. like circumstances qualification.
7. MFN clauses in Indian BITs and 2016 Indian Model BIT

**UNIT III: FAIR AND EQUITABLE TREATMENT (FET)**

**(8 LECTURES)**

1. Origin and importance of the FET.
2. Constituents of the FET.
3. International Minimum Standard vis-à-vis FET (the NAFTA cases).
4. The divided arbitral jurisprudence on FET.
5. Legitimate Expectations as a part of FET.
6. Treaty based exceptions to FET.
7. FET clauses in Indian BITs and 2016 Indian Model BIT.

**EXPROPRIATION**

**(8 LECTURES)**

1. Expropriation under general international law.
2. Expropriation under international investment law vis-à-vis expropriation under national law.
3. Elements of expropriation under international investment law.
4. Kinds of expropriation.
  - a. Direct Expropriation.
  - b. Indirect Expropriation/Regulatory Taking.
  - c. Difference between the direct expropriation and regulatory taking.
5. Indirect Expropriation/Regulatory Taking versus Legitimate Regulation.
  - a. Sole Effects Doctrine.
  - b. Police Power Doctrine.
  - c. Proportionality Analysis.
6. Treaty based exception to expropriation.
  - a. Environmental exceptions.
  - b. Public health exceptions.

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- c. Compulsory licensing.
  - d. Taxation measures.
7. Expropriation clauses in Indian BITs and 2016 Indian Model BIT.

**UNIT IV: NON-PRECLUDED MEASURES**

**(6 LECTURES)**

1. General Exceptions in BITs vis-à-vis general exception in GATT/GATS.
2. Importance of general exception.
3. Interpretation of the general exceptions clauses.
  - a. Permissible Objectives.
  - b. Nexus Requirement Links
4. Defence of Necessity in BITs versus the concept of necessity in customary international law – art. 25 of the ILC Articles on State Responsibility.
5. NPM clauses and regulatory space of the host States.

**INVESTOR – STATE DISPUTE SETTLEMENT (ISDS) / INVESTMENT TREATY ARBITRATION (ITA)**

**(4 LECTURES)**

1. Nature of ISDS as a dispute settlement mechanism.
2. How ISDS/ITA is different from International Commercial Arbitration.
3. Issues of Transparency v. Confidentiality.
4. Issues of systemic bias
  - a. Arbitrator bias
  - b. Moonlighting – Role of ICJ judges in ISDS
  - c. Revolving Door
5. Reform of ISDS.

**UNIT V: INTERNATIONAL INVESTMENT LAW – INTEGRATIONIST PERSPECTIVES**

**(4 LECTURES)**

1. International Investment Law and Environmental Protection.
2. International Investment Law, Land Rights and Indigenous People.
3. International Investment Law and Intellectual Property Rights.
4. International Investment Law and Armed Conflict.
5. Legitimacy Concerns in contemporary international investment law and the way forward.

**INDIA AND INTERNATIONAL INVESTMENT LAW**

**(2 LECTURES)**

1. Foreign Investments in Indian Economy.
2. Post 1991 – Economic Scene and Proliferation of BITs and FTA Investment Chapters.
3. White Industries and beyond.
4. 2016 Model Bilateral Investment Treaty.

**SUGGESTED READINGS:**

1. Jeswald Salacuse, *The Law of Investment Treaties* (Oxford 2010)
2. Kenneth J Vandeveld, *Bilateral Investment Treaties: History, Policy and Interpretation* (Oxford 2010)
3. Rudolf Dolzer and Christoph Schreuer, *Principles of International Investment Law* (Oxford 2012)
4. Gus van Harten, *Investment Treaty Arbitration and Public Law* (Oxford 2007)

## **Course Wise Content Details for LL.B. Programme**

### **Semester – VI**

#### **Course Name- Competition Law**

#### **Course Code- LB-EC-604**

**Credits – 5**

**Total Classes 60+15**

#### **Course Objectives:**

1. This course is structured to understand the objectives of antitrust laws and to reflect upon the relevance of competition in the market, in light of changing economic paradigm, post liberalization.
2. This course will examine and compare the application of competition law on anticompetitive, dominant and combining behaviour of enterprises and competition interface with sectorial regulators.
3. To give a sound introduction to key legal rules and underlying economic concepts that make up the substance of Competition Law in India through a comparison of the main jurisdictions (especially EU and US) and thus provide a solid background for further studies of this subject.
4. To encourage the development of student's skills in legal reasoning and analysis through study of statutes, decisions of the Indian competition authorities will be dealt exhaustively throughout the course. Therefore, the present course is designed to enable the students to take up professional practice in the field of competition law and policy in India and beyond.

#### **Learning Outcomes:**

By the conclusion of this course, it is intended that students will able:

1. To identify and explain the founding principles of Indian Competition Law.
2. To understand the types of behavior and the market circumstances that invoke competition law and policy.
3. To demonstrate a detailed knowledge of specific areas of current importance and to appreciate the evolving nature of competition law.
4. To ascertain and evaluate the facts of complex legal problem involving question of competition law.

#### **COURSE CONTENTS:**

##### **UNIT I: HISTORY AND DEVELOPMENT OF COMPETITION LAW (5 LECTURES)**

1. Basic Concepts, Constitutional aspect of Elimination of Concentration of Wealth and Distribution of Resources [Article 39 (b) (c)].
2. Relation between Competition Policy and Competition Law.
3. Objectives of Competition Law, History and Development of Competition Law, Raghavan Committee Report, Competition Act 2002.
4. Difference between MRTP Act and Competition Act.
5. Salient feature of Competition Act, Draft National Competition Policy, 2011, Important Definitions under the Competition Act, 2002.

##### **COMPETITION LAW FROM INTERNATIONAL PERSPECTIVE (5 LECTURES)**

1. European Union Competition Law- Treaty on the Functioning of the European Union (TFEU).
2. United States Antitrust Law: Sherman Act of 1890, Clayton Act of 1914 and Federal Trade Commission Act of 1914.

##### **UNIT II: PROHIBITION OF CERTAIN AGREEMENTS (14 LECTURES)**

1. Anti- Competitive Agreements, Horizontal and Vertical agreement.
2. Rule of Perse and Reason, Appreciable Adverse Effect on Competition (AAEC) in India.

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3. Exemption, Prohibition of Anti competitive agreement/ Cartel/bid rigging.

**UNIT III: PROHIBITION OF ABUSE OF DOMINANT POSITION**

**(LECTURES 14)**

1. Enterprise.
2. Relevant Market, Dominance in Relevant Market.
3. Abuse of dominance, Predatory Pricing.

**UNIT IV: REGULATION OF COMBINATIONS**

**(12 LECTURES)**

1. Combinations: Merger, Acquisition, Amalgamation and Takeover.
2. Horizontal, Vertical and Conglomerate Mergers.
3. Combinations covered under the Competition Act, 2002 – Regulations, Penalties.

**UNIT V: COMPETITION LAW IN REGULATED SECTORS**

**(5 LECTURES)**

1. Competition and Intellectual Property Rights Interface.
2. Competition and Consumer protection Law Interface.
3. Securities Exchange Board of India (SEBI).
4. Telecom Regulatory Authority of India (TRAI).
5. Banking Ombudsman.
6. Insurance Regulatory Development Authority (IDRA).
7. Other Regulatory Authorities.

**ENFORCEMENT MECHANISMS & ADVOCACY**

**(5 LECTURES)**

1. Establishment and Constitution of Competition Commission of India.
2. Powers and Functions- Jurisdiction of the CCI – adjudication and appeals.
3. Director General of Investigation (DGI)- Penalties and Enforcement.
4. Competition Advocacy in India.

**SUGGESTED BOOKS:**

1. Whish, Richard & Bailey, David. (2015). Competition Law. 8 th ed. Oxford University Press.
2. Furse, Mark, (2008). Competition Law of the EC and UK. 6 th ed. Oxford University Press.
3. Roy, Abir& Kumar, Jayant (2016). Competition Law in India. Kluwer Law International B. V.
4. Ramappa, T. (2014). Competition Law in India: Policy, Issues and Developments. 3 rded., Oxford University Press.
5. Ezrachi Ariel (2018). EU Competition Law: An Analytical Guide to the Leading Cases, 6 th ed., Hart Publishing

**SUGGESTED JOURNALS:**

1. European Competition Law Review.
2. International Review of Competition Law.
3. European Competition Journal (ECJ).
4. Antitrust Law Journal (ALJ).
5. European Journal of Law and Economics.
6. The Competition Law Review (CompLRev).
7. OECD Journal of Competition Law and Policy.
8. Competition Law Journal (Jordan Publishing).
9. Global Antitrust Review (GAR).
10. Competition Law Reports (Manupatra)

**Course Wise Content Details for LL.B. Programme**

**Semester – III**

**Course Name – White-Collar Crime and Economic Offences**

**Course Code- LB-OE-301**

**Credits – 2**

**Total Classes – 30**

**Course Objectives:**

This Course aims to introduce to students a new kind of criminality which was earlier not considered as criminality at all and to explain them the reasons for the same. The students shall learn how dangerous the impact of this criminality on the economy of any country including India and that the impact is far graver than any traditional criminality whatsoever. Further, it has been so designed as to enable the students to understand the special principles of this criminality, to identify the ingredients of offences, to know about special mechanisms for investigation and trial, and special punishment policy, as well as to sensitize the students about need of studying these offences and its impact on common people of the country. The course will enable students to critically analyse the provisions of various Special Statutes related to these offences and to scrutinize the recent developments and changes that have taken place in this field. Students shall also learn how to use this expertise in filing and contesting the cases before the Courts of Law.

**Course Learning Outcomes:**

After successful completion of this Course, students should be able to:

1. Learn a new kind of criminality, its nature and its basic concepts that are required for its better understanding and about the difference between this criminality and other kinds of criminalities.
2. Know about the history and the evolution of the White-Collar crimes and Economic offences with the help of different approaches taken by eminent criminologists/jurists in this regard for the better understanding of the need, purpose and urgency of enacting these laws.
3. Have knowledge of emergent areas of this criminality with special reference to Corruption, Money Laundering and NDPS offences.
4. Acquire expertise on the relevant legal mechanism which is different kind of investigation and trial of these cases and enforcement procedure specially required for combating such type of crimes.
5. Acquire the analytical skill in analysing provisions of various Special Statutes in this area of law and can use their knowledge and skills on the subject to build a just and human society.

**COURSE CONTENTS:**

**UNIT I: INTRODUCTION TO THE WHITE-COLLAR CRIME AND ECONOMIC OFFENCES (9 LECTURES)**

1. Concept and Evolution of White-Collar Crime and Economic Offences.
2. Nature and Extent of White-Collar Crime and Economic Offences.
3. Sutherland's theory of Differential Association.
4. Distinction among Economic Offences, White-Collar Crimes and Traditional Crimes.
5. Mens Rea, Nature of Liability, Burden of Proof and Sentencing Policy.
6. These Offences in India: The Santhanam Committee Report, 1964 and the 47th Report of the Law Commission of India, 1972.

**UNIT II: THE PREVENTION OF CORRUPTION ACT, 1988 (9 LECTURES)**

1. Need of the Act (read with Santhanam Committee Report)
2. The Prevention of Corruption Act, 1988 Definitions of public servant, Section 2 (c) and gratification, Section 7.
3. Offence committed by public servant and bribe giver and their Penalties (Section 7 to 14).

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4. Punishment for attempts (Section 15).
5. Sanction for prosecution (Section 19 r/w Section 197 of the Code of Criminal Procedure, 1973).
6. Presumption where public servant accepts gratification (Section 20)

**UNIT III: THE PREVENTION OF MONEY-LAUNDERING ACT, 2002**

**(9 LECTURES)**

1. Need for combating Money-Laundering.
2. Magnitude of Money-Laundering, its steps and various methods.
3. The Prevention of Money-Laundering Act, 2002
  - a. Definition of Money Laundering, Section 3 & 2(1)(p)
  - b. Punishment for Money Laundering (Section 4)
  - c. Enforcement: Attachment (Section 5) Survey, Search, & Seizure (Sections 16, 17 & 18).
  - d. Power to arrest (Section 19)
  - e. Adjudication under the Act: Adjudication by Adjudicating Authorities (Section 8)
  - f. Special courts (Sections 43 to 47)
  - g. Vesting of Property in Central Government (Section 9)
  - h. Preventive Mechanisms under the Act: Obligation of banking companies, financial institutions and Intermediaries (Sections 12 & 12A)
  - i. Reciprocal Arrangements with other countries (Overview of Chapter IX i.e. Sections 55 to 61).

**UNIT IV: THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES ACT, 1985**

**(9 LECTURES)**

1. Definition of Narcotic Drugs and Psychotropic Substances.
2. Authorities and Officers (Section 4,6).
3. National Fund for Control of Drug Abuse (Section 7A).
4. Prohibition, Control and Regulation (Section 8, 9, 9A).
5. Offences and Penalties (Section 18, 19, 21, 22, 25A, 27, 27A, 30, 31, 31A, 32, 32A, 33, 35, 36, 36A, 37, 39).
6. Procedural Aspects (Section 41-43, 50, 52A, 54, 58, 60, 64).

**Course Wise Content Details for LL.B. Programme:**

**Semester - III**

**Computer Application in Legal Studies**

**Course Code- LB-OE-302**

**Credits – 2**

**Total Classes – 30**

**COURSE CONTENT:**

**UNIT I: (6 LECTURES)**

Element of Computer Processing System, Hardware CPU, Storage Device & Media VDU, I/O Device, Disk concepts- formatting, booting, Partitioning, DAT, Directory, Data Communication Equipment.

Software, System Software, Application Software, DBMS, RDBMS< And ERP package

**UNIT II: (6 LECTURES)**

Operating System: Concept as A Resource Manager and Cordinator of Processor, Device and Memory, Concept of Priortes, Protection and Parallelism, Command Interpreter, Typical Command of DOS & Unix GUI Windows.

**UNIT III: (6 LECTURES)**

Computer and Communication: Single User, Multi-user, Workstation, Client Server System, computer Network, Network Protocols, LAN, MAN

**UNIT IV: (6 LECTURES)**

Internet: Structure of Internet, Connectivity, Methods, Internet Service- E-mail, WWW, Mailing List, Usenet, DTP, Telnet, Chatting, Conferencing, Telephony.

**UNIT V: (6 LECTURES)**

Practical:

OFFICE 2000

**SUGGESTED READINGS:**

1. Rajaraman V. : Fundamentals of Computers (3rd ed.) Prentice hall of India, New Delhi, 1999
2. Sander D.H. : Computers today Mc. Graw Hill, 1988
3. Trainer : Computers (4th ed.) Mc. Graw Hill, 1994
4. P.K. Shinha : Fundamental in Computing
5. Sushil Goel : Computer Fundamental
6. S. Jaiswal : Basic in Computers
7. S. Dasgupta : Computer Fundamental
8. Suresh K. Basandra : Computers Today
9. Peter- Notron's : Computers Today
10. A.K. Sharma : Fundamentals in Compters
11. Complete Reference in MS-Office.

## **Course Wise Content Details for LL.B. Programme**

### **Semester – IV**

#### **Course Name – Biotechnology and Law**

#### **Course Code- LB-OE-401**

**Credits – 2**

**Total Classes – 30**

#### **Course Description:**

Biotechnology emerged as an important tool for biomedical researches in the twenty first century. Biotechnology is related to the use of genetic information of same or different species to solve a certain kind of problems. Decoding of genetic information and its use and application for various purposes had very serious legal implications. Impact of biotechnological innovations and its ramifications compelled scientist, philosopher, policy maker and users to examine its scope, limitations and viability, So there is utmost need of interdisciplinary study of biotechnology related issues which will provide a systematic understanding of law, policy, science and technology. This course is designed to cover contemporary issues relating to biotechnology like use and misuse of gene, genetic material as well as genetic information and laws relating to that. There were huge debates across the globe on ethical acceptance of biotechnological inventions including patentability of biotechnological inventions, genetically modified crop, Ownership of biological material, privacy and human rights issues.

#### **Course Objectives:**

This course is mainly designed to cover the legal implications of biotechnological innovations and law relating to that. The main objectives of this course are as follows:

1. To learn the basic understanding about biotechnological inventions and its importance.
2. To discuss the theological and ethical aspects of biotechnological inventions.
3. To impart legal skill to students who can be able to judge the interest of MNCs as well as the common mass of the country.
4. To know the complicated ethico-legal issues like genetic ownership, human cloning as well as genetic data privacy.
5. To develop critical understanding of a student who can protect the biotechnological interest of citizen at national level and interest of country at international level.

#### **Group Work:**

You will have the opportunity to work with a small group of three-four students from class to do the assigned work and share your conclusions and observations through presentation before the class with the instructor and other students. At the end of the semester the group members will submit a research paper which should be of publishable quality.

#### **Learning Outcomes:**

After the completion of the course, the students will be able to:

1. Comprehend the basic understanding of interdisciplinary complexities involved in biotechnological invention.
2. Defend or criticise the certain issues on the ground of morality or theological basis. Protect the private right of individual as well as public interest if affecting issues are biotechnological.
3. Protect the rights of farmers, patient, consumer and other person in cases of issues relating to genetically modified plant, food and misuse of genetic information etc.
4. Provide valuable suggestions on various issues and related draft policy, proposal or Bill etc.
5. Work with NGO, with deep understanding of the issues and may provide consultation to the parties.

**UNIT I: INTRODUCTION**

**(6 LECTURES)**

Biotechnology and Law This Module introduces the paper providing relationship between Biotechnology and Law. The module focuses on different stages of biotechnological development, its impact on society and legal implications. How does modern biotechnological innovations affect the existing legal norms are the main component of this section.

1. Meaning of biotechnology.
2. First, Second and Third Generation Biotechnology.
3. Biotechnological innovations and emerging challenges.
4. Relationship between law and Biotechnology.

**UNIT II: BIOTECHNOLOGICAL INVENTIONS AND ETHICS**

**(4 LECTURES)**

The divine concept of origin of life was challenged by new age biotechnological inventions and started a great ethical debate on artificial creation of life or modification of living organism deviating from its natural origin. The second module emphasises the theological and ethical discourse on the various issues like ownership over gene and genetically modified organism, artificial human organs, use and control of genetic information, stem cell research etc.

1. Ownership of human body, parts, life and biological processes.
2. Theological Perspective- Christian, Islamic and Hindu.
3. Ethical Perspective.

**UNIT III: PATENTABILITY OF BIOTECHNOLOGICAL INVENTION**

**(6 LECTURES)**

Intellectual Property Rights protect scientific innovations and biotechnological inventions are mainly protected through patent. Patent does not protect all types of inventions. There are certain limitations and qualifications to be protected under patent law. The standards of patentability criteria for biotechnological innovations are different in various jurisdictions.

1. Patentability criteria.
2. Non Patentable inventions.
3. Gene, Microorganism, plant and animal patentability.
4. Genetically Modified Organism and plant.

**UNIT IV: GENETIC DATA AND LAW**

**(6 LECTURES)**

Genetic Material and related information is the raw material for any biotechnological inventions. These genetic information come from sequence of nucleotides. The rising demand to use these genetic data for research goes hand in hand with an increased awareness of privacy issues related to its use. Using human genetic data in a legally compliant way requires an examination of the legal basis as well as an assessment of potential disclosure risks.

1. Genetic material and Genetic Data.
2. Genetic data – Common heritage of mankind vs Private property
3. Privacy.
4. Genetic Discrimination.

**UNIT V: LEGAL FRAMEWORK OF BIOTECHNOLOGICAL INVENTIONS**

**(5 LECTURES)**

There are national, regional and international regulations to regulate the biotechnological invention. The laws are different in different countries or interpreted defiantly by the court. The microscopic analysis gives the detail picture of comparative laws.

1. TRIPS Agreement.
2. EPO Examination Guidelines.
3. EU Directive.
4. US PTO Examination Guideline.
5. IPO Examination Guideline.
6. Cartagena Protocol.

**BIOTECHNOLOGICAL INVENTION AND HUMAN RIGHTS**

**(3 LECTURES)**

Biotechnology permits our world to progress. It's a tool to better apprehend the human being, but as well to let him go ahead. Applied to the living, biotechnologies present the same finality. But since their matter concerns effectively the living, they are the sources of specific dangers and particularly of that one to use the improvements obtained on the human to modify the human species. The right of the persons has to find its place to avoid that the fundamental rights of the human personality shall undergo harm.

1. Human Dignity.
2. Privacy.
3. Informed consent.

**Course Wise Content Details for LL.B. Programme:**

**Semester - IV**

**Course Name – Gender Justice**

**Course Code- LB-OE-402**

**Credits – 2**

**Total Classes 30**

**Course Objectives:**

1. To create awareness among students about meaning and importance of gender and gender identity
2. To generate awareness about difference between sex and gender and impact of stereotyping on people
3. To create an understanding of the struggles of LGBTQIH community people
4. To focus on gender rights as basic human rights
5. To familiarise the students about various International and National laws in the field of Gender rights
6. To generate critical thinking on judicial decisions dealing with gender justice

**Course Learning Outcomes:**

**At the end of the semester the students will be able to: -**

1. Know the meaning of LGBTQIH
2. Identify the issues of the Third Gender and other sexual minorities
3. Critically evaluate international and national laws and judicial decisions regarding gender rights
4. Empathise with third gender and LGBTQIH community persons

**Basic Readings:**

1. Kalapana Kannabhiran (ed), *WOMEN AND LAW CRITICAL FEMINIST PERSPECTIVES* (Sage Publications India 2014)
2. Rajesh Talwar, *"The Third Sex and Human Rights"*, Gyan Publishing House, New Delhi, 2016
3. S. Nanjundaswamy, M.R Gangadhar, *"Transgender Challenges in India"*, Aayu Publications, 2016
4. Dr. Piyush Saxena, *"Life of a Eunuch"*, Shanta Publishing House, Navi Mumbai 2011

**UNIT I: NOTIONS OF SEX AND GENDER: DECONSTRUCTING 'MAN', 'WOMAN', 'OTHER' (6 LECTURES)**

**Readings:**

1. Moira Gatens, *"A Critique of the Sex/Gender Distinction"* in A Phillips ed. *FEMINISM AND SUBJECTIVITY*, pp. 139-154

**Department of Law, Nehru Gram Bharati (Deemed to be University)**

2. PUCL, Human Rights Violations against the Transgender Community : A study of kothi and hijra sex workers in Bangalore , India (September, 2003)
3. *National Legal Services Authority v. Union of India*, [(2014) 1 SCC 1]

**UNIT II: INTERNATIONAL LAW**

**(6 LECTURES)**

1. UN Human Rights Council Resolution on Human rights, sexual orientation and gender identity, 2011
2. EXCERPTS: Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law (UN Human Rights Office of the High Commissioner) HR/PUB/12/06 (2012)
3. The Yogyakarta Principles 2007
4. UDHR, ICESCR, ICCPR

**UNIT III: SEXUAL ORIENTATION IN LAW**

**(5 LECTURES)**

1. Arvind Narrain, “*That despicable specimen of humanity’: Policing of homosexuality in India*” in Kalpana Kannabiran (ed), CHALLENGING THE RULE(S) OF LAW: COLONIALISM, CRIMINOLOGY AND HUMAN RIGHTS IN INDIA (2008) Sage India
2. *Navtej Singh Johar v. Union of India Ministry of Law and Justice Secretary*, 2018 SCC OnLine SC 1350

**UNIT IV: ECONOMIC DISMPOWERMENT**

**(5 LECTURES)**

1. Employment
2. Inheritance

**Readings:**

Vanessa Sheridan, “Transgender Economic Equality: The New Frontier” in HUFFPOST available at [https://www.huffingtonpost.com/vanessa-sheridan/transgender-economic-equality-the-newfrontier\\_b\\_3914614.html](https://www.huffingtonpost.com/vanessa-sheridan/transgender-economic-equality-the-newfrontier_b_3914614.html)

**UNIT V: GENDER JUSTICE IN INDIA: AN OVERVIEW**

**(4 LECTURES)**

1. Kalpana Kannabhiran, “*Judicial Meanderings in Patriarchal Thickets: Litigating Sex Discrimination in India*” in Kalpana Kannabhiran (ed), WOMEN AND LAW CRITICAL FEMINIST PERSPECTIVES (Sage Publications India 2014)
2. *NALSA v. Union of India*, Writ Petition (Civil) no.400 of 2012
3. Government of India, Report: *Expert Committee on the Issues relating to Transgender Persons*, (Ministry of Social Justice and Empowerment, 2013)
4. Transgender Persons (Protection of Rights) Bill 2016

**Course Wise Content Details for LL.B. Programme:**

**Semester - V**

**Course Name-Jurisprudence - II**

**Course Code- LB-OE-502**

**Credits – 2**

**Total Classes 30**

**Target Group:** Students of Law, Political Science, History, Sociology

**Course Objectives:**

This Course aims to introduce to students the jurisprudential analysis of certain concepts in the field of Law. These concepts are basic and essential for the study of Law. By learning the Jurisprudential Analysis of basic concepts throughout the Course, the students shall gain the expertise in analysing the other concepts also used in the field of Law with their rationale. Students will also learn how to use this expertise in filing and contesting the cases on strong grounds before the Courts of Law in India as well as in other countries.

**Course Learning Outcomes:**

*After successful completion of this Course, students should be able to:*

1. Have a deep knowledge of basic concepts in jurisprudence and to explain them in the legal field from a critical approach.
2. Identify the strengths and limitations of different theories and models in explaining the basics of Law and to develop the capacity to engage in lifelong learning.
3. Apply their specialist knowledge, skills and creativity to get the practical and appropriate solutions of legal problems.
4. Differentiate properly among various look alike concepts and used them appropriately wherever required.
5. Expertise this analytical skill in critically analysing different type of Laws in case of any confusion and to provide a strong basis for their legal opinion.

**COURSE CONTENTS:**

**UNIT I: THE CONCEPT OF RIGHTS AND DUTIES: JURISPRUDENTIAL ANALYSIS (6 LECTURES)**

(a) R.W.M. Dias, — Jural Relations, Jurisprudence, pp. 23-43 (1994).

(b) Chhatrapati Singh, "The Inadequacy of Hohfeld's Scheme: Towards more Fundamental Analysis of Jural Relations", 27 JILI. 117 (1985).

(c) Upendra Baxi, "Laches and the Rights to constitutional Remedies: *Quis Custodiet Ipsos Custodes?*", Alice Jacob (ed.), Constitutional Developments since Independence (1975).

(d) Hohfeld's Contributions to the Science of Law Walter Wheeler Cook (ed.), Fundamental Legal Conceptions as Applied in Judicial Reasoning and Other Legal Essays by Wesley Newcomb Hohfeld, pp. 1-15 and pp. 27-73 (1919).

(e) Hart, H.L.A., "Bentham on Legal Rights", in A.W.B. Simpson (ed.), Oxford Essays in Jurisprudence, Second Series, Oxford: Clarendon Press, (1973).

**UNIT II: THE CONCEPT OF RIGHTS AND DUTIES: PHILOSOPHICAL ANALYSIS (6 LECTURES)**

- (a) Bhiku Parekh, "The Modern Conception of Right and Marxist Critique" in Upendra Baxi (ed.), *The Right to be Human*, pp. 1-22 (1987).
- (b) Allen Buchanan, "What is so Special about Rights," *Social Policy & Philosophy*, pp. 61-75 (1984).
- (c) Ronald Dworkin, *Taking Rights Seriously*, Chapter 7, pp. 184-205.
- (d) Amartya Sen, "Culture and Human Rights", in *Development as Freedom*, Chapter 10, pp. 227-48 (2000).

**UNIT III: LIABILITY (6 LECTURES)**

- (a) P.J. Fitzgerald, *Liability in Salmond on Jurisprudence*, pp. 349-410 (1966).
- (b) P.J. Fitzgerald, *Civil and Criminal Justice in Salmond on Jurisprudence*, pp. 91-106 (1966).

**UNIT IV: PERSONALITY (6 LECTURES)**

- (a) Joel Feinberg, "The Rights of Animals and Unborn Generations" in *Philosophy & Environmental Crisis* by William T. Blackstone (ed.), pp. 43-68 (1974).
- (b) R.W.M. Dias, *Theories of the Nature of "Legal Person"* in *Jurisprudence*, pp. 265- 270 (1994).

**UNIT V: (6 LECTURES)**

Adolf A. Berle and Gardiner Means, "The Evolution of Modern Corporate Structure", Chapter I of *Book II, Regrouping of Rights: Relative Legal Position of Ownership and Control of The Modern Corporation and Private Property* (1932).

**CASES:**

1. *Shiromani Gurudwara Prabandhak Committee, Amritsar vs. Shri Som Nath Dass & Ors.*, 2000,
2. *The State Trading Corporation of India Ltd. & Ors. vs. The Commercial Tax Officer, Visakhapatnam & Ors*, AIR 1963 SC 1811; 1964 SCR (4) 89.
3. *Kanta Mohanlal Kotecha vs. Branch Manager, United India Insurance Company Limited*, 2006 Indlaw SCMAH 5.
4. *Divisional Controller, B.T.S. Division, Karnataka State Road Transport Corporation vs. Vidya Shinde*, 2005 ACJ 69.
5. *Bhawaribai vs. New India Assurance Co. Ltd.*, 2006 ACJ 2085.
6. *Manikuttan vs. M.N. Baby*, 2009 ACJ 1947

## **Course Wise Content Details for LL.B. Programme**

### **Semester – V**

#### **Course Name-Law and Development**

#### **Course Code- LB-OE-503**

**Credits – 2**

**Total Classes 30**

**Target Group:**

Students of Law, Economics, Sociology, Social Work, Political Science, Anthropology, Officials working in Public Sector Units, Private Organizations involved in developmental activities.

**About the course:**

Law and Development is an interdisciplinary course which looks at the relationship of law, economics and social development. The course will examine how law can be used as a tool for achieving socio-economic development of the weaker sections of the society.

**Course objectives:**

The objectives of the course are to –

1. Make students aware of the significance of law in development.
2. Acquaint the students with various theories and perspectives of development.
3. Sensitise them about the conflict of rights and interest of different sections/class of people in the context of development, and the need to protect the socio-economically weaker sections.
4. Provide students hands on experience regarding development and its impact.
5. Inculcate in the students to keep foremost the rights and interest of the poor and marginalised while examining developmental goals and policies.

**Course outcome:**

At the end of the course, it is expected that the students shall –

1. Be aware of the different perspectives of development and have fair knowledge about the theories of development.
2. To understand how law can be used as a tool to ensure that the fruits of development reaches the poor and marginalized
3. Would be enabled to critique developmental policy or projects proposals.
4. Would be able to advise and assist PSUs and private companies to see to it that the benefit of development reaches the socio-economically weaker sections.
5. Would be able to advocate for and advise the development affected people and file petitions before the court for the sake of socio-economic justice for them.

**COURSE CONTENT:**

**UNIT I: INTRODUCTION**

**(6 LECTURES)**

1. Concept of Development from Constitutional Perspective
  - a. Preamble of the Constitution of India
  - b. Fundamental Rights of the Constitution of India
  - c. Directive Principles of State Policy of the Constitution of India
  - d. Schedule V and VI of the Constitution of India
2. Concept of sustainable development: International perspective.

**UNIT II: THEORIES OF DEVELOPMENT**

**(6 LECTURES)**

1. Economic theories of development.
2. Cultural theories of development.
3. Legal theories of development.

**UNIT III: LAW AND DEVELOPMENT RELATION**

**(6 LECTURES)**

1. Legislations relating to development.
2. Conflict of rights and interest of peoples.
3. Redressal mechanisms.

**UNIT IV: DEVELOPMENT AND ITS IMPACT**

**(6 LECTURES)**

1. Land acquisition for development and Displacement.
2. Humanising displacement through effective Rehabilitation & Resettlement.
3. Other impacts of development.

**UNIT V: ASSESSMENT OF DEVELOPMENT PROJECTS**

**(6LECTURES)**

1. Environmental Impact Assessment.
2. Social Impact Assessment.