

JSS LAW COLLEGE

AUTONOMOUS

MYSORE



B.B.A.LL.B (Hons.)

SYLLABUS

2018-19

B.B.A.,LL.B (Hons.)**SUBJECTS LIST: 2018-19**

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**I SEMESTER
COURSE I
ಕನ್ನಡ**

ಉದ್ದೇಶಗಳು:

ಕಾನೂನು ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಸಾಹಿತ್ಯಕ್ಕೆ ಹೆಚ್ಚಾಗಿ ಭಾಷೆಯಲ್ಲಿ ಪ್ರಾವೀಣ್ಯತೆ ಸಾಧಿಸಬೇಕಾಗುತ್ತದೆ. ಆ ದೃಷ್ಟಿಯಿಂದ ಭಾಷೆ, ಭಾಷೆಯ ಅಗತ್ಯ ಪ್ರಯೋಜನಗಳು, ವಾಕ್ಯಗಳ ರಚನೆ, ವ್ಯಾಕರಣ ಶುದ್ಧತೆ ಇವುಗಳಿಗೆ ಆದ್ಯತೆ ನೀಡಲಾಗಿದೆ. ಅನ್ಯದೇಶೀಯ ಕಾನೂನು ಪಾರಿಭಾಷಿಕ ಪದಗಳ ಬಗೆಗೂ ಅರಿವು ಮೂಡಿಸುವ ಪ್ರಯತ್ನ ಮಾಡಲಾಗಿದೆ. ಕನ್ನಡ ಭಾಷಾ ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಭಾಷಾಂತರದ ಅನಿವಾರ್ಯತೆಯನ್ನು ಗುರುತಿಸಲಾಗಿದೆ. ಸರಕಾರಿ ಪತ್ರಗಳ, ಕಾನೂನು ಪತ್ರಗಳ ರಚನೆ ಹಾಗೂ ಸ್ವರೂಪದಲ್ಲಿ ಗಮನಿಸಬೇಕಾದ ಸಂಗತಿಗಳನ್ನು ತಿಳಿಸಲು ಪ್ರಯತ್ನಿಸಲಾಗಿದೆ.

ಘಟಕ - 1

ಭಾಷೆ ಎಂದರೇನು? ಭಾಷೆಯ ಸ್ವರೂಪ. ಭಾಷೆಯ ಅಗತ್ಯಗಳು, ಪ್ರಯೋಜನಗಳು, ಅನ್ಯದೇಶೀಯ ಪದಗಳು (ಕಾನೂನಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಒತ್ತು ನೀಡುವುದು) ಪಾರಿಭಾಷಿಕ ಪದಗಳು, ಆಡುನುಡಿ ಮತ್ತು ಶಿಷ್ಟ ಪದಗಳ ಪರಿಚಯ, ಸ್ವರ ವ್ಯಂಜನಾಕ್ಷರಗಳ ಪರಿಚಯ.

ಘಟಕ - 2

ಪತ್ರ ರಚನೆ, ವ್ಯವಹಾರ ಪತ್ರದ ವಿವಿಧ ಅಂಗಗಳು (ವಾಣಿಜ್ಯ ಪತ್ರಗಳು) ವ್ಯವಹಾರ ಪತ್ರದ ದೃಷ್ಟಿ ಶೈಲಿ, ರಚನೆ, ಬ್ಯಾಂಕ್ ಪತ್ರಗಳು, ವಿಮಾ ಪತ್ರಗಳು, ಕಂಪನಿ ಕಾರ್ಯದರ್ಶಿ - ಕಾರ್ಯವಿಧಾನ, ಪತ್ರ ವ್ಯವಹಾರ, ಸಭೆಯ ನಡವಳಿಗಳು.

ಘಟಕ - 3

ವಾಕ್ಯಗಳ ರಚನೆ, ರಚನೆಯ ದೃಷ್ಟಿಯಿಂದ ವಾಕ್ಯಗಳ ರಚನೆ, (ಸರಳ, ಸಂಯುಕ್ತ, ಮತ್ತು ಸಂಕೀರ್ಣ ವಾಕ್ಯಗಳು Simple, Compound & Complex Sentences) ಅರ್ಥದ ದೃಷ್ಟಿಯಿಂದ ವಾಕ್ಯಗಳ ರಚನೆ, (ವಿದ್ಯಾರ್ಥಕ, ನಿಷೇಧಾರ್ಥಕ, ಸಂಭಾವನಾರ್ಥಕ ವಾಕ್ಯಗಳು. ಕೃತ ಕರ್ಮ ಕ್ರಿಯಾ (Subject Object Predicate) ಪದಗಳ ರಚನೆ, ಲೇಖನ ಚಿಹ್ನೆಗಳು.

ಘಟಕ - 4

ಭಾಷೆಯ ಬಗೆಗೆ ಸಂವಿಧಾನಿಕ ನಿಯಮಗಳು (ಅನುಚ್ಛೇದ 343 ರಿಂದ 351), ಕನ್ನಡ ಭಾಷೆಯ ವಿವಿಧ ಮಜಲುಗಳು. ಹಳೆಗನ್ನಡ, ನಡುಗನ್ನಡ, ಹೊಸಗನ್ನಡ, ಕವಿಕಾವ್ಯಗಳ ಪರಿಚಯ, ವಚನ ಸಾಹಿತ್ಯ, ದಾಸ ಸಾಹಿತ್ಯ, ಸರ್ವಜ್ಞನ ವಚನಗಳ ಪರಿಚಯ (ಸಾಮಾಜಿಕ ನ್ಯಾಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ).

ಘಟಕ - 5

ಸರಕಾರಿ ಪತ್ರಗಳು - ಅಧಿಕೃತ ಪತ್ರ, ಅರೆಸರಕಾರಿ ಪತ್ರ, ಸುತ್ತೋಲೆ, ಅಧಿಕೃತ ಜ್ಞಾಪನಪತ್ರ. ಕ್ರಯಪತ್ರ, ದಾನಪತ್ರ, ಭೋಗ್ಯಪತ್ರಗಳ ರಚನೆ, ಉಯಿಲು (Will) ಪತ್ರಗಳ ರಚನೆ.

ಆಕರ ಗ್ರಂಥಗಳು:

1. ರಮೇಶ್ ಬೇವೂರ್, ಎಚ್.ಎಸ್.ಕೆ - ಆಡಳಿತ ಕನ್ನಡ.
2. ಡಾ. ಎಂ. ಚಿದಾನಂದ ಮೂರ್ತಿ - ಬಾಷಾ ವಿಜ್ಞಾನದ ಮೂಲತತ್ವಗಳು.
3. ಡಿ.ಟಿ. ರಂಗಸ್ವಾಮಿ - ಸರ್ಕಾರಿ ಪತ್ರಲೇಖನ.
4. ತಿ.ನಂ.ಶ್ರೀ - ಕನ್ನಡ ಮಾಧ್ಯಮಿಕ ವ್ಯಾಕರಣ.

COURSE I
SPECIAL ENGLISH

Course Objectives:

One of the significant aspects of introducing Special English is to develop general linguistic abilities such as listening, reading and communication and the ability to comprehend documents. It also aims at honing the skills of advocacy, argumentation, writing etc.,

*The content of the subject is framed to train the students increase their vocabulary, in the proper use of sentence linkers, introduce them to legal terms etc., There is also a scope for the enhancement of the creative ability of a student. The syllabus also has a prescribed text *Roses in December – An Autobiography by M.C. Chagla*, where in the students are given training not only in reading and comprehension but also learning from the experiences of a great jurist.*

Unit I

Synonyms, Antonyms, Sentence Linkers, Legal Words, Foreign words and one word substitution.

Unit II

Paragraph writing, Précis writing, refutation of arguments, prefixes and suffixes.

Unit III

Composition: Dialogue writing, Interview Skills, Reporting skills, creative writing, Connecting words into a meaningful paragraph

Unit IV

Chapters I, II, III & IV Page No: 1 - 74 Chapters VI Page No: 122 – 146
Prescribed text: *Roses in December – An Autobiography by M.C. Chagla*

Unit V

Chapters VII, XIII & XVII Page No: 391 – 407 & 463 – 478

Prescribed Book:

1. *Roses in December – An Autobiography by M.C. Chagla*

Books Prescribed:

1. David Grene - Contemporary English Grammar: Structure and Composition.
2. R.P.Bhatnagar and R.Bhatnagar - English for Competitive Examinations.

COURSE II
CONTRACT - I
(GENERAL PRINCIPLES OF CONTRACT)

Course Objectives:

Contracts are the foundation for most of the transactions especially transactions dealing with the property. The general principles governing contracts remain the same, whether the transaction is in the ordinary course of life or in the electronic world (e-commerce). For this reason it is very important to introduce the students to the basic principles governing contracts and lay a powerful foundation for their study of other transactional and related laws in higher semesters.

Unit I

Introduction:

Formation of an Agreement, Intention to create legal relationship, Proposal and Acceptance, their various forms, Essential elements, communication and revocation, Mode of Revocation of offer, proposal and invitations for proposal, Making of an Agreement.

Consideration: Meaning, basis and the nature of Consideration –kinds – essential elements, Doctrine of Privity of Contract and Consideration and its exceptions, nudum pactum, Adequacy of Consideration – Present, past and adequate consideration.

Unit II

Capacity to Contract:

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 necessities supplied to the minor, fraud by a minor agreements made on behalf of a minor and Estoppels Evaluation of the law relating to minor's agreements and the illustrations.

Free consent – Its need and definition, factors vitiating Free Consent. Coercion - definition, essential elements, Misrepresentation, Undue Influence, Fraud-definition, essentials elements. Mistake – definition, mistake of law and of fact, their effects.

Unit III

Legality of objects:

Unlawful Agreements, Forbidden by law, Defeating the provisions of any law, injurious to person or property, immoral, against public policy.

Void Agreement: Agreement without consideration, Agreements in restraint of marriage, Agreements in restraint of trade and its exception, Wagering agreement – its exceptions.

Formation of Contract through Tenders

Unit IV

Discharge of a contract and its various modes: By performance, by breach, frustration – application to leases, theories of frustration – Effect of frustration, frustration and restitution. By agreement and novation, rescission and restoration, remission of performance – extension of time – accord and satisfaction.

Remedies for Breach of Contract: Damages –kinds – remoteness of damages- measure of damages. Quasi contract

Unit V

E Contracts and Specific Relief Act:

E-Contracts, Section 10A of Information Technology Act, 2000, Electronic Documents as Web Pages, Digital Certificates as Entry Passes, Time and Place of Contract, Secured Custody of Electronic Records.

Government as a contracting Party: Constitutional provisions – Government’s power to contract, procedural requirements kinds of Government contracts, Settlement of disputes and remedies.

Nature of Specific Relief Act: Recovery of Possession of movable and immovable Property, Specific performance when granted and not granted, Who may obtain and against whom, Discretionary remedy, Powers of Court to grant relief. Rectification of instruments, Cancellation, Declaratory decrees, Preventive relief, Temporary injunctions, Perpetual and Mandatory Injunctions.

Prescribed Books:

1. Avtar Singh - Law of Contract and Specific Relief

Reference Books:

1. P. S. Atiya - Introduction to the Law of Contract
2. G. C. Cheshire - Law of Contract
3. M. Krishnan Nair - Law of Contract
4. G. H. Treitd - Law of Contract
5. R. K. Abichandarai - Contract and Specific Relief Act
6. Bannarjee. S. C - Law of Specific Relief
7. Na. Vijayashankar – Cyber Laws
8. Justice Yatinder Singh – Cyber Laws
9. William Anson - Law of Contract
10. Venkatesh Iyer - Law of Contract

COURSE III
LAW OF TORTS

Course Objectives:

This course is designed to study the principles of Tortious liability, the defenses available in an action for torts, the capacity of parties to sue and be sued and matters connected there with. Further, this course is designed to study specific torts against the individual and property. With rapid industrialization, inadequacy of the law to protect the individual is exposed. An attempt shall be accorded to the individuals against mass torts and industrial torts.

Unit I

Definition, Nature and Scope of the Law of Torts

Evolution of Law of Torts: Ubi Jus ibi Remedium, Definition, Distinction between Tort and Contract, crime, and breach of trust.

Essentials of Torts: a. Act and Omission; b. Legal Damage - Damnum Sine Injuria, Injuria Sine Damnum.

Nature of Tortious Liability: Mental Element: Intention, Motive, Malice - Malice in Law and in Fact.

Unit II

Capacity and Disabilities:

General Defences:

Rule of Strict and Absolute Liability: Rylands v. Fletcher, Exceptions to Strict Liability

Unit III

Doctrine of Vicarious Liability: Its principles, Liability of the State for Torts

Joint Tortfeasors: Nature of Liability

Tort against Person and Property: Trespass to the person - Assault and Battery, False Imprisonment, Malicious Prosecution.

Unit IV

Tort against Person and Property:

Defamation –Slander and Libel, Innuendo, Defence.

Nuisance: Meaning, Essentials, Kinds – Private and Public Nuisance, Specific Defences and remedies.

Trespass: Movable and Immovable property

Unit V

Specific Tort:

Negligence: Ingredients of Negligence, Proof of negligence – Res ipsa loquitur, Contributory negligence and Composite Negligence, Doctrines of lost opportunities and appointment and Alternative danger, Specific Remedies

Liability for animals:

Remedies: Kinds – Damage, Injunctions, Specific Restitution of Property.

Discharge of Torts (Extinction of Liability in Tort)

Prescribed Books:

1. Avtar Singh - The Law of Torts

Reference Books:

1. Ratan Lal and Dhiraj Lal - The Law of Torts
2. Winfield - Law of Torts
3. D. D. Basu - The Law of Torts
4. Salmond and Heuston - Law of Torts
5. Achuthan Pillai - The Law of Torts
6. R. K. Bangia - The Law of Torts

Cases:

1. Donoghue v. Stevenson(1809) Camp 493
2. Gloucester Grammar School Case(1410) Y.B. Hill 11 Hen, 4 of 47
3. Mogul Steamship Co. v. McGregor Gow and Co.(1892) AC 25
4. Bradford Corporation v. Pickles (1895) AC 587
5. Ashby v. White(1703) 11 Sm LC 251
6. Bhim Singh v. State of J & K, AIR 1986 SC 494
7. Ryland v. Fletcher 1868 LR 3 HL 330
8. M.C. Mehta v. Union of India AIR 1987 SC 1086
9. Hall v. Brooklands Auto-Racing Club (1932) All. ER 221
10. Smith v. Baker 1891 AC 325
11. Haynes v. Harwood (1935) 1 KB 146
12. Wagner v. International Railway(1921) 232 Ny 176
13. Nichols v. Marsland (1876) 46 LJ. Ex 174
14. Kallulal v. Hemchand, AIR MP 48
15. Nitro-Glycerine Case (1872) 15 Wallace 524
16. Padmavati v. Dugganaika (1975) 1 KLJ 93
17. Bird v. Hallbrook(1828) 4 Bing 628
18. Morgans v. Launchbury (1973) AC 127
19. Cassidy v. Ministry of Health (1951) 2 KB 343
20. Lloyd v. Grace Smith & Co. (1912) AB 716
21. St. Helen's Smelting Co. v. Tipping (1865) 11 HCL 642
22. Ushaben v. Bhagyalakshmi Chitra Mandir AIR 1978 Guj 13
23. Campbell v. Paddington Corporation, (1911)(1) KB 869
24. Byrne v. Boadle (1863) 2 HVE 722
25. Muncipal Corporation, Delhi, v. Subhagwanti AIR 1966 SC 1750
26. Buttterfield v. Forrester (1809) 10 R.R. 433
27. Lucknow Development Authority v. M.K. Gupta AIR 1994 SC 787

COURSE IV
PRINCIPLES AND PRACTICES OF MANAGEMENT

Course Objectives:

The course intends to appreciate the importance of 'Management' and its planning monitoring and organizational aspects are emphasized. Leadership skills and controlling aspects are examined.

Unit I

Concept of Management: Meaning, Nature, Scope and Importance.

Evolution of Management Thought: Taylor's Scientific Management, Fayol's theory, Elton Mayo and Hawthorne experiments, Peter.F.Drucker, Management Process, Functions of Management.

Unit II

Planning: Concept, Significance, Planning Process, Types of Plans.

Different Approaches to Planning: Strategies, Objectives and MBO, Decision Making.

Policy, Procedure, Methods and Rule: Meaning, Definition, Features, Need, Sound Policy.

Forecasting: Introduction, Definition, Features, Advantages, Process, Areas, Techniques.

Unit III

Organization: Line, Staff and Functional Organization. Formal and Informal organization. Organizational structure. Authority and responsibility, Delegation and Decentralization. Divisionalization and Departmentalization, Span of control, Chain of command, Co-ordination as an essence of Management.

Unit IV

Management Audit: Introduction, Meaning, Definition, Objectives, Scope, Need, Qualifications of a Management auditor, Preliminaries of Management Audit, Auditor's report, Merits and Demerits.

Operation Research: Introduction, Meaning, definition, Characteristics, Role of Operation Research.

Business Ethics: Introduction, Definition, Need, Principles, Factors, Business Ethics in India.

Unit V

Leadership: Meaning and Importance, Features , Styles, Motivation Theories, Maslow's Theory, Mc Gregor's Theory.

Managerial Control: Need for control, Step in Control, Features of Effective Control System.

Prescribed Books:

1. T. Ramaswamy - Principles and Practice of Management.

Reference Books:

1. Hetal and Cyril O Donnel - Essentials of Management.
2. C. B. Gupta - Principles of Management.
3. T. N. Chakravarthy - Principles of Management.
4. L. M. Prasad - Principles of Management.
5. Stoner - Principles of Management.

COURSE V
MANAGERIAL ECONOMICS

Course Objectives:

To understand the fundamental concepts of Managerial Economics such as, Cost Principle, Equi-marginal Principles etc., are introduced with the Mathematical Illustrations for the better appreciation of the subject. The concept of Demand with its various hues would be taught using statistical methods. The inevitable aspect of business i.e., 'Competition' is explained with the Principles of Cost Analysis.

Unit I

Introduction to Managerial Economics: Definition, Nature and Scope of Managerial Economics, Decision Making and Forward Planning, Distinction between Economics and Managerial Economics, Role of Managerial Economist, Usefulness of Managerial economics.
Basic economic principles in Managerial Economics: Opportunity Cost Principle, Incremental Cost and Incremental Revenue, Principle of Time Perspective, Discounting Principle, Equi-marginal Principle (with mathematical illustrations on Opportunity Cost and Incremental Cost Principle).

Unit II

Demand Analysis: Concept of Demand, Law of Demand, Factors determining Demand, Exceptions to the Law of Demand.
Elasticity of Demand: Types, Usefulness of Price Elasticity of Demand.
Demand Forecasting: Meaning, Objectives, Types of Demand Forecasting, Criteria of a good forecasting. Forecasting demand for a New Product.
Methods of Forecasting: Survey Method: Experts opinion Survey, Consumers Interview, Delphi Method, Complete Enumeration, Sample Survey, End-use method.
Statistical Method: Trend Projection, Correlation and Regression, Barometric Method, Moving Average.

Unit III

Production: Meaning, Concept of Production Function.
Laws of Returns: Law of diminishing, Increasing and Constant Returns to Scale and its Application, Economies and Dis-economies of Scale.
Cost Concepts: Fixed, Variable, Marginal, Average, Total, Opportunity Cost, Explicit and Implicit Cost. Short run and Long run Cost Curves.
Revenue Concepts: Marginal, Average and Total revenues.

Unit IV

Market Analysis: Meaning, Types, Price, Demand and Supply factors. Price determination under different market conditions under Perfect Competition, Monopoly, Monopolistic Competition and Oligopoly.
Introduction to Game Theory: Analysis and Equilibrium.
Pricing Policies and Practices: Meaning and Methods, Cost Plus or Mark-up Pricing, Marginal Costing (with problems), Multiple Product Pricing, Transfer Pricing, Skimming and Penetration Price.

Unit V

Capital Budgeting: Meaning and Significance. Steps involved in Capital Budgeting.

Techniques of Project Evaluation under Traditional Method: Payback Period method and Accounting Rate of Return method with problems.

Discounted Cash Flow Method: Net Present value Index Method(NPVI), Internal Rate of Return Method (IRR), Profitability Index (PI) with problems.

Capital Rationing and Cost of Capital, Break-Even Analysis with diagrammatic explanation.

Prescribed Books:

1. Varshney, R.L and Maheshwari, K.L. Managerial Economics, Text, Problems and Cases.

Reference Books:

1. Craig Peterson M.and Cris Luis W. - Managerial Economics.
2. Cauvery,R and Sudha Nayak,U.K. - Managerial Economics.
3. Mithani,D.M. Managerial Economics - Theory and Practice.
4. Mehta,P.L. - Business and Managerial Economics.

II SEMESTER
COURSE I
ENGLISH AND LEGAL LANGUAGE

Course Objectives:

One of the significant aspects of introducing this course is to develop general linguistic abilities and to familiarize the students with sources of legal material. The course is aimed at training the students in increasing their vocabulary, proper use of idioms and phrases, introducing them to legal terms, legal maxims and Latin terms. The syllabus also has a prescribed text “Nani Phalkivala - The Court Room Genius” which sheds light on the importance of oratorical skills for successful advocacy.

Unit I

Kinds of sentence: Simple, compound and complex sentences. Transformations. Use of connectives.

Composition: Punctuation, common errors in English (articles, preposition, verb etc..) Vocabulary (Homonyms ,Homophones)

Unit II

Idioms and Phrases, comprehension passage, formal correspondence, words for different expressions, pairs of words used differently, Expressive expression)

Unit III

Significance of Legal Language: Communication, Phonetics, the concept, the characteristics, purpose and scope of legal language, Distinction between conventional and legal language. Problems of Legal Language.

Sources of legal language:

Primary sources: Statutes, Statutory instruments, Reports, Judicial decisions- Case Laws, Government Official Publications, Academic Journals.

Secondary Sources: Legal Encyclopedias, Dictionaries, Digests Manuals, Legal Research.

Unit IV

Aids to understand Legal Language:

Legal maxims – Analysis of the Principles.

Legal terms including Latin terms and Concepts –Civil Law and Criminal Law.

Sentences and Awards, Legal Arguments, Contentions, Prayers, Appeals.

Reading of the selected Judgments.

Unit V

“Nani Phalkivala - The Court Room Genius” by Soli. J. Sorabji and Aravind. P. Datar.

Chapters: 1,2,3,5.i, 5.ii, 5.v, 5.vi,5.xii & 9

Prescribed Books:

1. Nani Phalkivala - The Court Room Genius by Soli J Sorabji and Aravind P Datar.
2. O.R. Krishnaswamy and M.Ranganathan- Methodology of Research in Social Sciences.
3. AIR, SCC & other Law reporters & journals.

Reference Books:

1. R.W.Zandvoort - A Handbook of English Grammar.
2. Michael Swan - Practical English Usage.
3. Dr S.C.Tripathi –Legal Language, Legal writing, General English.
4. M. Gandhi,L. Solomon Raja-Introduction to Legal Method and Legal Research.
5. Srikanth Mishra – Legal Language, Legal Method and General English.
6. Julius Stone – Legal System and Lawyers’ Reasoning.
7. H.L.A.HART- The Concept of Law
8. Herbert Broom’s- Legal Maxims
9. Wren and Martin- High School English Grammar and Composition

COURSE II
CONTRACT - II
(SPECIAL CONTRACTS)

Course Objectives:

In the society wherein all major ventures are getting corporatized, a law student should acquaint himself with the knowledge of special contracts apart from equipping himself with general principles of contract. The student is enabled to comprehend several legislations apart from the Indian Contract Act. The practical business in day-to-day life requires the legal provisions relating to agency, indemnity, bailment, pledge, partnership and carriage laws.

Unit I

Indemnity: Definition, Nature and Extent of liability of the Indemnifier, Commencement of liability of the Indemnifier.

Guarantee: Definition of Guarantee-as distinguished from Indemnity, Continuing Guarantee, Nature of Surety's Liability, Duration and termination of such liability, Rights of surety, Extent of Sureties liability, Discharge of Liability of Sureties.

Bailment: Definition of Bailment, Features of Bailment, Duties of Bailor and Bailee towards each other, Rights of Bailor and Bailee.

Pledge: Definition of pledge, Comparison with Bailment; Rights of the Pawnor and Pawnee, Pledge by certain specified persons.

Unit II

Contract of Agency: Definition of Agent and Principal. Kinds of agents and Essentials of agency. Distinction between Agent and Servant. Various methods of Creation of Agency, Rights, Duties and Liabilities of Principal and Agent, Scope and Limitation. Ratification and Revocation of Authority. Termination of Agency, Liability of the Principal and Agent before and after such termination.

Unit III

The Sale of Goods Act, 1930:

Formation of Contract of Sale - Concept of goods, Sale and Agreement, Features of Contract of Sale, Statutory Transactions, Contract of Works & Labour.

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

Effects of the Contract: Transfer of Property, Doctrine of Nemo dat Quad non Habet, Sale by a person other than the owner, by joint owner, mercantile agent, seller or buyer in possession after sale, Estoppels.

Performance of Contracts: Duties of Seller and Buyer, Rules relating to delivery of goods.

Rights of Unpaid Seller: Un paid seller's Rights – Right of Lien, Rights of Stoppage in Transit, Resale. Transfer of goods by Buyer and Seller.

Suit for Breach of Contract: For price, Non delivery, Non acceptance, Damages for breach of conditions and warranties, Repudiation of Contract, Payment of damages and special damages. Auction Sale.

Unit IV

Indian Partnership Act, 1932: Nature of Partnership – Definition of Partnership, Essentials of Partnership. Partnership not created by Status, Mode of determining existence of partnership, Partnership at Will, Particular partnership, Partnership and Private Limited Company, Advantages and Disadvantages.

Mutual Relations: Rights and Duties of Partners, Incoming and Outgoing Partners, Dissolution of Firm, Registration of Firms.

Unit V

Limited Liability of Partnership (LLP)

The Limited Liability Partnership Act, 2008: Concept and nature of Limited Liabilities Partnerships, Distinction between LLP and a Company, Incorporation of LLPs, Effects of registration, Partners and their relations, Liabilities of LLP and its partners, Holding Out, Protection to whistle blowers, Investigation.

The Carriage by Road Act, 2007.

Prescribed Books:

1. Avtar Singh - Law of Contract
2. Avtar Singh - Law on Carriage of Goods
3. Avtar Singh - Indian Partnership Act
4. Avtar Singh - Sale of Goods Act

Reference Books:

1. J. P. Verma - The Law of Partnership in India
2. Saharay. H. K - Indian Partnership and Sale of Goods Act
3. Krishnan Nair - Law of Contract
4. Pollock and Mulla - Indian Contract Act
5. Anson - Law of Contract
6. Avtar Singh - Sale of Goods Act
7. Mulla - Sale of Goods Act
8. S. D. Singh and S. P. Gupta - Law of Partnership
9. Rajagopalachari - Partnership Act
10. Avtar Singh – Law of Carriage

COURSE III
FINANCIAL ACCOUNTING

Course Objectives:

The need of scientific accounting being focal point in the day to day business, the fundamental accounting concept is introduced with double entry book keeping. The basics of accounting system such as maintenance of journal, ledger, cash book and trial balance are taught. The final accounts of trading and non-trading concerns are explained with examples to enable the students appreciate the principles of Accountancy.

Unit I

Introduction to Accounting: Book-Keeping and its features. Accounting, Essential aspects of Accounting, Differences between Book-Keeping and Accounting. Origin and Development of Accounting, Parties interested in Accounting Information, Objectives of Accounting, Advantages and Limitations of Accounting.

Types of Transactions: Cash, Credit, Barter, Paper Transactions. Examples of Transactions and Events.

Meaning of Accounting Terms: Equity, Owner, Capital, Drawings, Assets, Liabilities, Book-Debt, Creditor, Debtor, Solvent, Inventory, Revenue and Expense.

Unit II

Accounting Principles: Accounting Concepts and Conventions, Accounting Cycle.

Double-Entry System of Accounting: Principles, Objectives, Classification of Accounts with examples.

Journal: Features, Objectives, Advantages, Format, Problems

Unit III

Ledger: Features, Objectives, Format, Balancing of Ledger Accounts, Problems.

Subsidiary Books: Features, Objectives, Advantages.

Types: Purchase Book, Sales Book, Purchase Returns Book, Sales Returns book, Cash book, Bills Receivable book, Bills Payable book, Journal Proper.

Cash Book: Meaning, features, Objectives, advantages, Types (problems on Three Column Cash Book only).

Unit IV

Trial Balance: Definition, Features, Objectives, Advantages, Limitations and Problems.

Bills of Exchange: Characteristics, Parties, Advantages, Maturity of the Bill, Specimen.

Promissory Note: Characteristics, Specimen, Parties.

Meaning and Preparation of Final Accounts: Trading, Profit and Loss Account, Balance Sheet.

Unit V

Non-Trading Concerns: Meaning, Books of Accounts of Non-Trading Concerns.

Fund Based Accounting: Introduction, Meaning, Features and Treatment of various items with explanation.

Receipts and Payments Account: Meaning, Features and Problems.

Income and Expenditure Account: Meaning, Features and Problems.

Balance Sheet: Meaning, Features, Proforma and Preparation.

Recommended Books:

1. B.S. Raman - Basic Concepts of Accounting.

Reference Books:

1. R.L. Gupta - Advanced Accountancy.
2. B. S. Raman - Advanced Accountancy.
3. S. N. Maheshwari - Advanced Accountancy.
4. M. C. Shukla - Advanced Accountancy.

COURSE IV

INTERNATIONAL BUSINESS

Course Objectives:

The course intends to focus on 'International Marketing'. The onset of globalization and its inevitable legal consequences are required to be appreciated by legal fraternity. The concepts of MNCs and the global market with international business environment and the intricacies involved with it are highlighted.

Unit I

International Business: Evolution, Drivers of Globalization, Influences of International Business, Stages of Internationalization, Differences between Domestic and International Business, International Business Approaches, Modes of Entry, Advantages of IB and Problems of IB.

Theories of International Trade: Mercantilism, Theory of Absolute cost advantage, comparative cost advantage theory, factor endowment theory, country similarity theory, product life cycle theory, global strategic rivalry theory, porter national competitors advantage

Unit II

International Business Environment: Introduction, social cultural environment, technological environment, economic environment, political environment, Trading Environment, Commodity Agreements, Cartels, State Trading, Trading Blocks and Growing Intra-Regional Trade, Other Regional Groupings, SAARC, GATT / WTO and Trade Liberalization, The Uruguay Round, Evaluation, UNCTAD.

Unit III

International Business Size and Growth: Introduction, Factors causing Conflicts, Conflict between host country and Transnational Company, Negotiations and Role of International Agencies in conflict resolution.

Unit IV

International Finance: International Financial Environment, Global Capital Structure, Foreign Exchange, Foreign Exchange Market, Convertibility of the Rupee and its implications, Foreign Institutional Investors, Global Depository Receipts, Capital Expenditure Analysis.

Unit V

International Marketing: Product, Globalization of Markets, Pricing, Place/Distribution, Promotion, International Marketing in different stages of Product Life Cycle, Market Intelligence, International Marketing Information System.

Trade Policy and Regulation in India: Trade Strategies, Trade Strategy of India, Export - Import Policy, An Evaluation of the Policies, Regulation and Promotion of Foreign Trade in India, Export Incentive, Product Assistance/Facilities, Marketing Assistance, Import

Facilities for Exporters, Export Units and Export Processing Zones, Export Houses and Trading Houses.

Prescribed Books:

1. P. Subba Rao - International Business.

Reference Book:

1. Ashwatappa- International Business
2. Francis Cherunilam- International Business
3. N S Kumar- International Business

COURSE V

STRATEGIC MANAGEMENT

Objectives:

The Course analyzes the major initiatives taken by a company's top management on behalf of owners, involving resources and performance in internal and external environments. It entails specifying the organization's mission, vision and objectives, developing policies and plans, often in terms of projects and programs, which are designed to achieve these objectives, and then allocating resources to implement the policies and plans, projects and programs. A balanced scorecard is often used to evaluate the overall performance of the business and its progress towards its objectives.

Unit I

Strategic Planning: Introduction, Operational and Tactical Planning, Levels, Strategy Makers and Strategy Decisions, Dimensions, Elements, Strategies and Tactics.

Business Policy: Importance, Strategic Management Process.

Strategic Intent: Vision, Mission and Objectives.

Unit II

Environmental Analysis: Organization's Environment, Components, Environmental Scanning.

Industry Analysis: Introduction, Michael Porter's Analysis and its Usefulness.

Competitive Analysis: Introduction, Components, Strategic Groups.

Internal Analysis: Introduction, Need, Resource based Strategy, Resource based View, Capabilities and Competencies, Value Chain Analysis. **Strategy Formulation and Choice, Strategic Alternatives, Corporate Restructuring: Concept, Process, Elements, Methods, Mergers, Acquisitions and Takeovers.**

Unit III

Strategy Implementation and Functional Strategies: Introduction, Issues in Strategy Implementation, Activating strategy, Resource Allocation, Functional Structure, Strategic Business Unit's.

Behavioural Issues: Introduction, Influence Tactics, Power and Behaviour.

Operational Strategy: Introduction, Formulation.

Financial Strategy: Introduction, Procurement and Utilization of Funds.

Unit IV

Strategic Evaluation and Control: Introduction, Importance, Barriers, Evaluation Criteria.

Strategic Control: Premise, Implementation, Strategic Surveillance, Special Alert Control.

Operational Control: Evaluation Techniques, Process, Characteristics.

Unit V

Strategy and Technology Management: Introduction, Choice, Technological Leverage, technological Life Cycle, and Competitive Advantage, Planning.

Technology Forecasting and R&D Strategies: Meaning, Need, Techniques, Issues, Changes, Transfer of Technology, Strategies for Transfer and Absorption of Technology.

Prescribed Books:

1. V S P Rao and V Hari krishna. Strategic Management

Reference Books:

1. Saxena R M. Strategic Management
2. Arpita Mehta. Strategic Management

III SEMESTER
COURSE I
CONSTITUTIONAL LAW – I
(CONSTITUTIONAL FEATURES AND PRINCIPLES)

Course Objectives:

This course gives the students a picture of Constitutional parameters regarding the organization, powers and functions of the various organs of the Government. The emphasis is also on the study of the nature of federal structure and its functioning. A critical analysis of the significant judicial decisions is offered to highlight judicial restraint, judicial activism and judicial balancing. Finally, the students should be able to articulate their independent views over contemporary crucial Constitutional issues.

Unit I

Historical Background of the Indian Constitution.

Meaning of Constitution, Constitutionalism, Kinds of Constitution, Framing of the Constitution. (Act of 1909, 1919 & 1935) Constitutional Assembly and Various Committees; Nature of the Indian Constitution, Federalism Principles as practiced in India.

Features of Indian Constitution.

Preamble: Objectives and Values.

Unit II

The Union and its Territories (Art. 1-4).

Citizenship (Art.5-11) - Citizenship Act 1955, Citizenship Amendment Act, 2003, Overseas Citizenship.

Fundamental Rights: The Concept of State. (Art.12) –Pre-Constitutional and Post-Constitutional Law Art. 13; Right to Equality (Art. 14): New concept of Equality, Reasonable classifications.

Unit III

Prohibition of Discrimination (Art.15-16); Untouchability Art.17 and Abolition of Titles Art.18.

Right to Freedom: (Art 19 (1) (a-g) Reasonable Restrictions. Art.19 (2-6)

Unit IV

Protection in respect of conviction of offences and Personal Liberty (Art.20-22): Rights of the Accused - Expost facto law, Double Jeopardy, Self-incrimination.

Right to Life and Personal Liberty – Scope and Limitation, Judicial Interpretation, Safeguards against arbitrary arrest and Preventive Detention

Right against Exploitation (Art.23-24): Forced labour and child employment.

Freedom of Religion (Art.25-28) Concept of Secularism (Judicial Interpretation).

Cultural and Educational Rights (Art.29-30), Safeguards to Minorities Educational Institutions.

Unit V

Right to Property – Art. 31 A.B.C & Art. 300(A) and present situation in India.

Right to Constitutional Remedies – Art. 32 & 226, Writs.

A Dynamic Approach – Public Interest Litigation.

Fundamental Duties – Art.51A

Directive Principles of State Policy.

Interrelationship between Fundamental Rights and Directive Principles – Judicial Balancing.

Prescribed Book:

1. V.N. Shukla – Constitution of India

Reference Books:

1. F.C. Strong – Federalism
2. V.D. Mahajan – Modern Government
3. D.D. Basu – Shorter Indian Constitutional Law
4. Dr. Subhash C. Kashyap – The Framing of India's Constitution
5. M.P. Jain – Indian Constitutional Law.
6. H.M. Seervai – Constituion of India

COURSE II
LAW OF CONSUMER PROTECTION

Course Objectives:

The purpose of the course is to acquaint the students the idea of Consumer Protection. The students are expected to undergo experiential learning through training & practical. The course also contemplates projects, field survey, study of consumer behaviour working of the Regulatory Bodies to enable the students to understand the rights of the consumers & enforcement mechanisms in India under Consumer Protection Act, 1986 and other legislations.

Unit- I

Development of Consumer Protection : UN Guidelines on Consumer Protection, International Standards: International Standards Organization (ISO). ISI, BIS, AGMARK. Development of Consumer Protection in India: Historical development -Medieval, Modern development. Problems of Consumer. Rights of Consumer.

Unit- II

Consumer Protection Act, 1986: Scope and objectives of the Act. Definition: Consumer, Goods, Service, Defect, Deficiency, etc. Unfair trade practice and Restrictive trade practice. Consumer Protection Councils: Role and its importance.

Unit- III

Grievances Redressal Mechanism under the COPRA, 1986: District Forum, State Commission & National Commission, Composition, Jurisdiction and powers and functions. Procedures of filing Complaint: Contents of a Complaint, Revision and Appeal. Reliefs available to Consumer.

Unit- IV

Consumer Protection in other sectors and Regulatory Bodies: (salient features) Telecom, Insurance Banking, Electricity, Regulatory Bodies like KERC, IRDA, TRAI, RERA, Medical and Legal Profession.

Unit- V

Protection of Consumer under others laws: Agricultural Produce (Grading and Marking) Act, 1937, Drugs and Cosmetics Act, 1940, Food Safety and Standards Act, 2006, Legal Metrology Act, 2009 and Rules. Misleading advertisements & E-Consumers.

Prescribed Books:

1. Avtar Singh: - Law of consumer protection
2. Myneni S R: - Law of consumer protection

Reference Books:

1. Barowala J N-Commentary on Consumer Protection Act:
2. Bangia R K -Consumer protection law
3. Rajendra Kumar Nayak-Consumer protection law in India
4. Banerjee B N- Digest in consumer protection laws
5. Majumdar P K -consumer forum Law of consumer protection
6. Reddy G B -Law of consumer protection
7. Choudhari V R- Law of Consumer Protection
8. Shukla M N -Law of Torts & Consumer Protection Act

COURSE III
PRINCIPLES OF MARKETING

Course Objectives:

The course introduces the key elements in developing a marketing strategy and planning a marketing program. The course covers the topics such as customer segmentation, positioning, branding, consumer research, pricing, marketing communications, new product development, and channel strategy. It also helps to enhance your problem-solving abilities in operational areas of marketing and to present examples of how firms organize their marketing efforts across a broad range of industries like consumer packaged goods, pharmaceutical, telecommunications, financial services, and non-profit organizations.

Unit I

Marketing: Introduction, Nature, Importance and Scope.

Marketing Concepts: Approaches, Evolution of Marketing Concept, Changing Concepts, Modern Marketing, Distinction between Marketing and Selling.

Marketing Mix: Meaning, Elements, Marketing Mix for Services, Factors, Essentials.

Marketing Environment: Nature, Need, Micro and Macro Environment.

Unit II

Consumer Behaviour: Buying Decision Process, Need for understanding Consumer Behaviour, Buying Motives and Factors.

Market Selection: Concept of Market Segmentation, Importance, Bases, Criteria, Target market Selection.

Product Positioning: Concept, Importance and Bases.

Unit III

Product Decisions: Introduction, Product Classification, Concept of Product Mix, Attributes, Branding, Packaging, Labelling, After-sale service, Product Differentiation, Market Segmentation.

New Product Development: Process, Tests, Product Life-Cycle.

Unit IV

Pricing Decisions: Concept of Price, Significance, Factors effecting pricing decisions, Pricing Policies and Strategies, Geographical Pricing, Product Line Pricing, Discounts and Rebates.

Promotion Decisions: Meaning, Nature, Importance, Communication Process, Concept of Integrated Communication.

Promotion Mix: Meaning, Elements and Strategies.

Unit V

Distribution: Meaning, Importance of Channels, Types, Choice, Functions of Middlemen, Distribution Strategies, Wholesaling.

Physical Distribution: Meaning, Importance and Elements.

Retailing: Meaning, Functions, Services of Retailers, Types, Retailing Operations, Retailing in India.

Recent Developments in Marketing: Social, Direct, Online, Relationship, Green, Sustainable and Services Marketing.

Prescribed Books:

1. C B Gupta. Principles of Marketing

Reference Books:

1. Philip Kotler. Principles of Marketing
2. S K Sarangi. Principles of Marketing

COURSE IV
HUMAN RESOURCES MANAGEMENT – INDUSTRIAL RELATIONS

Course Objectives:

The H.R management being the most difficult of all human relations is related to Industrial relations. The course offers a complete picture of Human Resource Management. The H.R Development being the most crucial aspect in the management, due importance is given to all aspects of HRM.

Unit I

Meaning and Significance of HRM: Evolution and Development, Functions, Objectives, Organization Design and HRM.

Human Resource Planning: Integrated Strategic Planning and Human Resource Planning, HR Planning at different levels, Process of HRM, Control and Review Mechanism in HR Planning.

Unit II

Recruitment: Definition, Objectives and Complexity, Corporate Objectives and Recruitment, **Sources and Techniques of Recruitment:** Internal and External Sources, Modern Sources and Techniques and Assessment of Recruitment Programme.

Staffing: Selection, Placement and Induction, Selection Procedure, Tests, Interviews; Placement and Induction.

Unit III

Human Resource Development: Concept and Significance, Frame Work, Techniques, functions, Tasks and Line Manager.

Performance Appraisal: Performance Evaluation to Performance Analysis and Development, Methods of Performance Development, System of Performance Appraisal, Counseling, Managerial Appraisal.

Unit IV

Industrial Relation: Meaning - Factors Harmonious Industrial Relation – Objectives.

Approaches of Industrial Relation

Workers Participation in Management & Quality Circles-Concepts of QC & benefits

Unit V

Collective Bargaining: Essential Conditions for the Success of Collective Bargaining – Functions of Collective Bargaining

Quality of Work Life: Meaning – QWL & Productivity – Barriers to QWL

Strategies for improving of QWL

Prescribed Book:

1. Subba Rao – Human Resources Management.

Books for reference

1. K.S. Ashwathappa - Human Resources Management.
2. T.V. Rao - Human Resources Management.
3. L.M. Prasad - Human Resources Management.
4. V.S.P. Rao - Human Resources Management.
5. Fred Luthans - Human Resources Management.
6. C.B. Memoria - Personnel management.

COURSE V
COST AND MANAGEMENT ACCOUNTING

Course Objective:

The course intends to examine the primordial concept of management i.e. 'Costing'.

It enables the students to grasp the fundamentals of Cost and Management Accounting, to analyze and evaluate information for cost ascertainment, planning, Control and decision-making and the Tools and techniques used.

Unit I- Cost Accounting:- Introduction, meaning, definition of Cost, Costing and Cost Accounting, objectives, advantages and disadvantages of Cost Accounting. Comparison between Cost Accounting and Financial Accounting, Elements of Cost, classification of Cost, Cost unit, Cost centre, Statement of Cost, preparation of Cost sheet including Estimations, Quotation and Tender.

Unit II- Materials: Meaning, nature, classifications and codification. Purchase procedure, functions of store keeper. Inventory control-meaning, techniques-problems on stock levels, pricing the issue of materials-methods, problems on FIFO AND LIFO only.

Labour: Meaning, methods of time keeping and time booking, methods of remunerations to labour overtime and idle time and their treatment problems on time wage, Piece wage, Halsey and Rowan plan.

Unit III- Management Accounting: Meaning and Definition, Nature, Scope and Objectives of Management Accounting, Difference between Cost and Management Accounting and Management Accounting and Financial Accounting. Limitations of Management Accounting.

Unit IV- Marginal Costing: Basic concepts and Definitions, Features, Need, Advantages and Disadvantages, Assumptions, Contribution, Profit Volume Ratio, Objectives of Cost Volume Profit analysis, Break Even Point, Break Even chart, uses of Break Even Point, Margin of safety, Angle of Incidence, Exploring Additional Markets and Exporting, Effect of change in sales price, Make or buy decisions, Graphical analysis.

Unit V- Budgetary control: Definition- Budget, Budgetary control, objectives, Basic concepts, Need for a Budget, key factors, Difference between Budget and Forecast, Budgetary Control and Accounting, Essentials of an effective Budgetary control system, Types of Budgets, Problems on Flexible Budget and Sales Budget.

Prescribed Book:

1. Cost Accounting- S P Jain and K L Narang

Books for reference:

1. Cost Accounting R S.N. Pillai and V Bagavathi
2. Cost Accounting M Ravi Kishore
3. Cost Accounting Shukla M.C. and Grewal T.S
4. Management Accounting : M.Y.Khan
5. Management Accounting : Robert N Anthony
6. Management Accounting : I.M.Pandey
7. Cost and Management Accounting : Dr.S.N.Maheshwari & P.K.Jain
8. Management Accounting : Manmohan and Goyal

COURSE VI

EMPLOYMENT LAW

Course objectives:

This course gives an overview of various laws and regulations that determine the rights and obligations of employees and employers in government and private sector. Topics covered include the Constitutional safeguards, prohibitions against discrimination, nature of the employment relationship in different sectors and common law principles. It also focuses on modern employment contracts in public and private sector.

Unit-I

Modern Employment Law-Ideological Conflict, formation of the contract of employment in public and private sector, service regulation under the Constitution, Constitutional safeguards,-The Rights of Civil Servants, doctrine of Pleasure and its limitations, domestic inquiry, compassionate appointments, voluntary retirement, compulsory retirement.

Unit-II

Departmental remedies, representation, Review, Revision, and Appeal under CCA rules, Procedure for imposing penalties, Remedy before the Administrative Tribunals, its jurisdiction, Scope and procedure, Administrative Tribunals Act, 1985 Articles 323A and 323B, Exclusion of judicial Review, Judicial Review of service matters, limited jurisdiction of judicial review against disciplinary proceedings. jurisdiction of the Supreme Court and High Courts.

Unit-III

Collective Labour Relations, The Individual employment relationship, contract of employment, legal machinery for resolving employment claims in public and private sector. Terms and conditions of employment-law governing the employment.

Unit-IV

The Employment Relationship, The Process of Hiring Employees, Evaluating Performance, Termination, Employee Compensation and Benefits, Taxes, Leave Policies, Workplace Safety, Discrimination, Disabilities, Unions and Labor Relations, Legal Issues, Employment termination in India, grounds for termination, Miscellaneous Topics (Public and Private Sector)

Unit-V

Laws governing the terms of Service Contracts in private sector, agreements in restraint of Employment in India, Hiring and firing in India, applicable labour laws and Contract laws applicable to Private sectors.

Prescribed Book

ILI (by Justice M.RaamaJois), Services under the State (1987)

Michael Jefferson, Principles of Employment Law, Cavendish Publishing Limited, London & Sydney, Third Edition 1997

Hepple & O'Higgins, Employment Law, Sweet & Maxwell, London, Fourth Edition.

Reference Books

- Ejaz Ahmed, Service Laws in India, Ashoka Law House, New Delhi (Volume 1&2)
- M.P.Mallick, Service Law in India, Eastern Law House, New Delhi, 2000.
- Muthuswamy & Brinda, Swamy's Manual on Disciplinary Proceedings for Central Government Staff, Swamy Publishers(P) Ltd, Chennai, Tenth Edition, 2006.
- H.C.Arora and Miss.Shaveta Arora, Practical Aspects of Service Law, Bahri Brothers, Delhi, 2002.
- N.Narayan Nair, The Civil Servants under the Law and the Constitution (1973)
- K.K.Goyal, Administrative Tribunals Act (1985)
- Seervai, Constitutional Law of India
- Arjun.P.Aggarwal, "Freedom of Association in Public Employment", 14 JILI (1972)
- C.K.Kochukoshy, "All India Services-Their Role and Future", 25 J.I.L.I359 (1983)
- Douglas Vass, "The Public Service in modern Society", 1983 I.J.P.A. 970
- Z.M.S Siddiqui, "Sanctions for the breach of contracts of service", 25 J.I.L.I359 (1983)
- O.P.Motial "Compulsory Retirement", 1975 I.J.P.A 247
- D.S.Chopra, "Doctrine of Pleasure-its scope implication and limitations", 1975 .J.P.A 92
- G.C.V.SubbaRao, "The O.N.G.C Case and New Horizons in Public Services Law", 1975 S.C.J. 29
- The Central Civil Services (Classification, Control and Appeal) Rules, 1965.
- The Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

IV SEMESTER
COURSE I
CONSTITUTIONAL LAW – II (CONSTITUTIONAL INSTITUTIONS)

Course Objectives:

This course gives the students a picture of Constitutional parameters regarding the organization, powers and functions of the various organs of the Government. The emphasis is also on the study of the nature of federal structure and its functioning. A critical analysis of the significant judicial decisions is offered to highlight judicial restraint, judicial activism and judicial balancing. Finally, the students should be able to articulate their independent views over contemporary crucial Constitutional issues.

Unit I

Federal System: Indian Federalism, Identification of Federal Features, challenges to Indian Federalism (Sarkaria Commission) Co-operative Federalism.

Distribution of Power between Centre and State Legislature: Principles of Interpretation of Lists (Territorial nexus, Pith and Substances, Colorable Legislation, Harmonious construction).

Administrative Powers: Financial Distribution (Finance Commission) Freedom of Trade and Commerce, Constitutional Position of Jammu and Kashmir.

Unit-II

Centre and State Executive: President of India and Governor of State, Constitutional position and powers, Election, qualification tenure and impeachment, Bicameralism. Council of Ministers (Cabinet System): Parliament and State legislature, composition, election, qualifications, and tenure of members, collective responsibility and individual responsibility, Position of Prime Minister and Chief Minister.

Privileges of the Legislatures: Art. 105 & Art.194
(Legislature v/s Judiciary).

Unit III

Speakers and Anti Defection Law: Powers and functions of Parliament and State Legislatures, process of law making, Ordinary Bills, Money Bills, Financial Bills and Appropriation Bills.

Judiciary: Supreme Court–composition, appointment, jurisdiction, removal, etc. High Court - Composition, Appointment and Transfer, Jurisdiction, Independence of Judiciary. Subordinate Judiciary.

Unit-IV

Services under the Centre and State – Doctrine of Pleasure, Constitutional Safeguards to Civil Servants. Administrative Tribunals.

Public Service Commission: Powers and Functions.

Election Commission: Powers and Functions. Code of Conduct.

Tortious Liability and Government Contracts- Art. 299 and 300

Unit-V

Local Self Government with special emphasis on 73rd and 74th Amendment. Emergency Provisions – Kinds of Emergencies, Effect of Emergency.

Amendment of the Constitution – Doctrine of Basic Structure.

Official Language.

Special Provisions relating to certain classes - Art. 332 – 342.(Scheduled Caste/ Scheduled Tribes, and Backward Classes)

Prescribed Books:

1. V.N. Shukla – Constitution of India

Reference Books:

1. D.D. Basu – Shorter Indian Constitutional Law.
2. M.P. Jain – Indian Constitutional Law.
3. Dr. L.M. Singvi – Constitution of India.

Cases:

1. H.S. Dhillan v. Union of India, AIR 1972 SC 1061
2. Prapulla Kumar v. Bank of Commerce, AIR 1947 PC 6
3. State of Bihar v. Kameswar Singh, AIR 1952 SC 252
4. State of Bombay v. F.N. Balsara, AIR 1966 SC 318
5. State of Rajasthan v. G. Chavala, AIR 1959 SC 544
6. B.R. Kappor v. State of Tamilnadu, (2001) SCALE 309
7. D.C. Wadhwa v. State of Bihar, (1987) 1 SCC 378
8. Jaya Bacchan v. Union of India, AIR 2006 SC 2119
9. K.M. Nanavati v. State of Bombay, AIR 1961 SC 112
10. Kehar Singh v. Union of India, AIR 1989 SC 653
11. Kihot Hollohan v. Zachllu, (1992) 1 SCC 309
12. Kuljeet Singh v. Governor of Delhi, AIR 1982 SC 774
13. A.R. Antulay v. R.S. Nayak, (1988) 2 SCC 602
14. Advocate on Record Association v. Union of India, (1993) 4 SCC 441
15. Ismail Farukui v. Union of India, AIR 1992 SC 522
16. S.P. Gupta v. Union of India, AIR 1982 SC 149
17. State of Karnataka v. Union of India, AIR 1978 SC 68
18. Supreme Court Bar Association v. Union of India, AIR 1998 SC 1895
19. Union Carbide Corporation v. Union of India, AIR 1992 SC 248
20. Parashottam Lal Dhingra v. Union of India, AIR 1958 SC 36
21. Ponnuswamy v. Returning Officer, Namakal, AIR 1962 SC 64
22. Sampat Kumar v. Union of India, (1987) 1 SCC 124
23. T.N. Seshan v. Union of India, (1995) 4 SCC 611
24. Venkatachalam v. Swamickan, AIR 1999 SC 172
25. Golanath v. State of Punjab, AIR 1967 SC 1643
26. Makkan Singh v. State of Punjab, AIR 1964 SC 381
27. Rameswar Prasad v. Union of India, (2006) 2 SCC 1
28. S.R. Bommai v. Union of India, AIR 1994 SC 1918
29. State of Rajasthan v. Union of India, AIR 1977 SC 1361

COURSE II
BUSINESS COMMUNICATION

Course Objectives:

Success in business depends upon two major factors, communication and marketing. Successful communication completes the link between the communicator and the communicated and it results in the realization of the purpose of communication. In communication, the message, the mode and the means are of vital significance. Mind should go with the body in communication. This course elaborates the various types of successful communication and it will provide the necessary techniques and skills of proper communication. In the profession of advocacy, proper communication is vital. Its place in client interviews, examination of witnesses and convincing the judges need not be over emphasized.

Unit I

Communication: Objectives, Definition, Characteristics, Channels of Communication, Barriers of Communication and Overcoming Barriers.

Areas of Communication: Family, Society, Art & Business, Distinction between General communication & Business communication.

Essentials of a successful business: Need for Effective Communication in Business Fields and Organizations. *Team Communication- Inter-personal and Intra-personal communication.*

Unit II

Modes of communication: Verbal and Non verbal.

Targets for Communication: Individual (telephonic conversation, dialogue & conversation) Group Discussion, Audience, Superiors, Subordinates, Customers and Clientele, Decision Makers.

Meetings: Types, Objectives, Preparation of Meeting Notice and Agenda.

Presentation: Visual Aids, Preparation of PPT, Video Conferencing.

Unit III

Skills and Techniques of Communication.

Business Letters: Direction, Instruction, Circulars, Quotations, Orders, Notices, Responses

Public Communication: Notices, Public Caution Notice, Announcements, Appeal.

Good will letters: Thanking Letters, Congratulatory Letters, Letters of Sympathy, Condolence Letters. E-mail writing

Unit IV

Personal Communication: Application, Resume, Reporting, Preparation of Memorandum & Memorials.

Ethics in Business Communication: Introduction, Ethical Communication, Business Ethics. Ethical Dilemmas Faced by Managers.

Unit V

Skills of Argument-Listening skills, Types of Listening, Effective Listening Techniques, *Barriers of Listening.*

Speaking skills: Effective Speaking Techniques, Barriers and Pronunciation.

Negotiation, Basic Approaches to Negotiation, Guidelines for Successful Negotiation, Conflict Settlement, Social Networking Technologies in business communication, Art of Public Speaking.

Prescribed Text:

1. Loveleen Kaur - Communication Skills.

Reference Books:

1. M. S. Ramaiah & Puttanashetty – Business Communication.

2. M.S. Ramesh, C.S. Pattanshetti, Madhumati M Kulkarni – Business Communication.

3. Meenakshi Rahaman, Prakash Singh- Business Communication.

4. Urmila Rai, S.M. Rai- Business Communication.

COURSE III
BUSINESS STATISTICS

Course Objectives:

The course intends to spell out the statistical methods of calculation and analysis with appropriate expressions. The fundamentals of the subjects such as data collection and classification are introduced. The measuring of Central Tendencies, Dispersion and Correlations are taught to enable the students for research activities.

Unit I

Business Statistics: Meaning and Scope, Definitions, Importance, Limitations.

Collection of Data: Introduction, Statistical units to be used, Sources, Methods of Data Collection.

Classification and Tabulation: Introduction, Functions, Rules, Bases.

Frequency Distribution, Array, Grouped and Ungrouped frequency distribution, Continuous frequency, Types of Classes, Cumulative Frequency Distribution.

Tabulation: Meaning and Importance, Parts of a Table, Requisites of a Good Table.

Diagrammatic and Graphic Representation: Graphs, Histogram & Ogive curves, Pie & Bar diagrams (single dimensional only)

Unit II

Measures of Central Tendency: Requisites of a Good Average, Measures of Central Tendency- Problems on (without Grouping) Arithmetic Mean, Median, Mode, Geometric Mean, Harmonic Mean.

Unit III

Dispersion: Introduction and Meaning, Characteristics, Absolute Measure and Relative Measure. Problems on Range (Merits and demerits), Quartile Deviation, Mean Deviation, Standard Deviation and Co-efficient of Variation.

Skewness and Measures of Skewness: Karl Pearson's Coefficient of Skewness, Bowley's Co-efficient of Skewness.

Unit IV

Correlation: Meaning, Utility, Karl Pearson's coefficient of correlation (raw data only), Spearman's Rank Correlation, Regression & Estimation.

Unit V

Index Numbers: Meaning, Uses, Steps involved in computing index numbers, Methods: simple, weighted, Laspeyre's Index number, Pasche's Index Number, Fisher's Ideal Index Number (Including TRT & FRT), Consumer Price Index under family budget method.

Prescribed Books:

1. S. P. Gupta - Business Statistics.
2. B. N. Gupta - Business Statistics.

Reference Books:

1. S. C. Gupta - Business Statistics.
2. D. N. Elhance - Business Statistics.
3. Leonard J Kazmier - Business Statistics for Business and Economics.
4. Andrew F Siegel - Practical Business Statistics.

COURSE IV

OPERATIONS MANAGEMENT

Course objectives:

This course focuses on the strategic role of operations management in creating and enhancing a firm's competitive advantages. The course enables to understand the interdependence of the operations function with the other key functional areas of an organisation. The key concepts and issues of Operations Management in both manufacturing and service organizations by applying analytical skills and problem-solving tools are also discussed.

Unit I

Introduction to Operations Management: Objectives, The historical development of operations management Key elements, operations management and operations managers. Craft manufacturing, mass production, the modern period, Strategic Operations Management. Role of Operations Management in overall development, operations strategy on competitive priorities, demand forecasting.

Unit II

Long Range Capacity & Facility Planning: Capacity Planning, types, long term future capacity planning, economics and diseconomies of scale, developing capacity alternatives. International operations management: Nature, Strategic Issues, outsourcing, supply chain management, managing service operations, International Quality standards, Total Quality Management, Internationalisation of R&D.

Unit III

Aggregate planning & Master production scheduling: Aggregate Capacity Planning, Costs, approaches, Rough-cut capacity planning, Master Production Scheduling. Resources requirement planning: Materials requirements planning, The MRP computational procedure.

Unit IV

Service Operations: Operations Strategies for Services, Types, Scheduling for Services, Scheduling Quasi-Manufacturing operations, Scheduling 'Customer-As-Product' and 'Customer-As-Participant' Scheduling Multiple Resources, Cyclical schedule. Shop floor planning & control: Production Environment, Shop Floor activity, EBQ and Line of Balance. Project management: Project Planning and Control Techniques.

Unit V

Quality Management: Nature of Inspection, Quality Control, Statistical Quality Control, Types, Modern Quality Management, BPR, Quality Movement in India. Maintenance management: Introduction, areas, types, Control of Maintenance, Total Productive Maintenance. Materials management: Introduction, objectives, importance, MMIS and Organisation. Purchase management: Introduction, functions, importance, organisation, cycle, Purchasing Policies-Make-or-Buy, Role of a Purchase Manager. Inventory management: Meaning, objectives, process, ISntroduction to Inventory control Techniques.

Prescribed books:

1. Prof. K. Ashwathappa, K Sridhar Bhat, Production and Operations Management – Himalaya Publications

Reference Books

1. B. Mahadevan, Operations Management Theory and Practice, Pearson education, Second impression 2007
2. William J. Stevenson Operations Management, 8th 2005.
3. Upendra kachru, Production and Operations Management, Text and cases, first, excel Books.
4. Norman Gaither & Greg Fraizer, Operations Management, Thomson SouthWestern.

COURSE V
FINANCIAL MANAGEMENT

Course Objectives:

The course intends to highlight capital structure and market with long term and short term debts. The nerve centre of every business set up is its financial management.

Fundamentals of Financial Management are examined in its entirety. The course also tries to explain the Financial Management of MNCs, besides, Mergers and Acquisitions.

Unit I

Introduction to Financial Management: Finance Function, Objectives of Financial Management, Organization of Finance Department, Duties of a Financial Manager, Financial Planning, Approaches to Financial Management, Traditional Approach, Goals of Financial Management, Profit Maximization Approach,

Finance Functions: Investment Decision, Financing Decision, Dividend Decision, Liquidity Decision.

Interface between Finance and other Functions: Accounting, Marketing, HR Operations, Importance of Financial Management For Corporate Legal Officers

Unit II

Cost of Capital: Definition, Meaning, Basic aspects of Cost of Capital, Assumptions, Importance, Computation of Cost of Capital,

Classification of Cost of Capital: Explicit Cost, Implicit Cost, Historical Cost, Future Cost, Average Cost, Marginal Cost, Specific Cost, Combined Cost, Spot Cost, Normalized Cost. Introduction to **MODIGLIANI and MILLER APPROACH** , Assumptions.

Weighted Average Cost of Capital: Meaning, Steps in Computation.

Unit III-

Analysis of financial Statements

Meaning, significance and objectives, tools of financial analysis, trend Analysis, limitations of financial analysis.

Ratio Analysis: Meaning of Ratio, significance of Ratio.

Types:

1. Liquidity Ratio, current Ratio Liquid Ratio.
2. Solvency Ratio: Debt Equity Ratio, Preparatory Ratio,
3. Activity Ratio, Inventory Ratio, Debtor Turnover Ratio, Creditors Turnover Ratio.
4. Profitability Ratio: Limitations of Ratio Analysis.

Unit IV

Capital Structure: Objectives, Features of Capital Structure, Distinguishing between Capital Structure and Capitalization, Factors affecting Capital Structure

Capital Structure Planning: Principles, Forms of Capital Structure Planning.

Theories of Capital Structure: Net Income Approach, Net Operating Income Approach

Dividend Policy: Forms of Dividends, Stock split, Factors Affecting Dividend Policy and Types of Dividend Policies.

Unit V

Working capital Management: Meaning, concept of working capital, components, nature and Kinds, Determinants of Working Capital, Estimation of Working Capital Requirements, different Aspects of Working Capital Management.

Cash Management: meaning, Reason for holding Cash, Objectives of Cash Management, and basic problems in Cash Management.

Management of Inventories: Kinds of Inventories, ABC Analysis, Perpetual Inventory System, Budgetary Control System.

Prescribed Books:

1. B.S. Raman - Financial Management.

Reference Book:

1. DR.S.N. Maheshwari- Financial Management

2. Ravi M Keshore- Financial Management

Prescribed Books:

1. B.S. Raman - Financial Management.

Reference Books:

1. Mao, James C. T – Quantitative Analysis of Financial Decisions.

2. Khan, M. V. and Jain – Financial Management.

3. Paney. I. M. – Financial Management.

COURSE VI

SPORTS LAW

Objective of the Subject:

The Course is intended to give a broad idea to the student about the origin and development of sports and sports law in India and World. This course is a brief analysis of regulation of sports in India and world. This course will enable the students to understand and interpret different issues such as doping, betting, civil and criminal liability etc.

Unit: I - Historical Development of Sports

Introduction to Sports, Definition of Sports, History of sports, Origin and development of Individual sports, Sports Law – Identity Crisis, Sports Culture in India, Classification of Sports. Role of State and sports law, Sports Ethics.

Unit: II - International Law and Sports

International agency regulating Sports and their constitution and powers and functions, Legal Regulation of Drugs in Sports, Doping- Anti Doping, World Anti- Doping Code , World and National Anti-doping Agency. Dispute resolution in Sports – Arbitration and other ADR Methods, International Disciplinary procedures, enforcement of awards and sanctions.

Unit: III - Indian Law and Sports

Sports and Indian Constitution, The role of Ministry of Youth Affairs and Sports and National Sports Federations. The National Sports Policy, 2001 and Draft Sports Policy 2007. Central and State schemes for Sports achievers. Judicial Contribution for the development of Sports Law in India.

Unit: IV – Sports and Special Issues

Gender Discrimination – Women and sports, The International Olympic committee, Gender testing and Human Rights. Commercialization of Sports - Labour and Contractual Issues – Participation Agreement, Standard Sponsorship agreement, Model Agreement between clubs and players, Sports Injuries, Taxation and Sports, Sports Broad casting.

Unit: V – Sports and Special Issues

Betting – Meaning, legalization of Betting in India and Betting in Cricket and other sports. Violence in Sports and Sports Injuries – Meaning, Criminal and Civil Liability, Liability of officials and organizers. Taxation and Sports.

Reference:

1. Mudgal Mukul – Law and Sports in India: Developments, issues and Challenges, Lexis Nixis-Butterworth’s Publication, Wadwa Nagpur, 2015.
2. Anderson Jock – Modern Sports Law, Hart Publication, 2010.
3. Goel - Encyclopedia of Sports & Games, 2013.
4. Dorling Kindersley - The Sports Book: The Sports. The Rules. The Tactics. The Techniques, DK Publication, 2016.
5. Anujaya Krishna – Sports Law, Universal Publication, New Delhi,. 2014.

V SEMESTER
COURSE I
ECONOMIC OFFENCES

Course Objectives:

This course focuses on the criminality of the privileged classes – the wielders of all forms of State and social power. The course focuses on the relation between privilege, power and deviant behaviour. The traditional approach of criminology is inadequate to deal with white collar offences, socio-economic offences or crimes of the powerful. The dimension of deviance associated with the bureaucracy, the new rich religious leaders and organisations, professional classes are to be focused. In teaching this course, current developments in deviants reflected in press and media, law reports and legislative proceedings are to be considered.

Unit I

Genesis of Economic Crimes: Origin of Law. Criminal Law and its Purpose. History of crime. From Tort to Crime. Emergence of Economic Crimes. Nellum Crimen Sine Lege. New Legislative Thinking. Welfare State and Economic Crimes. Courts and Economic Crimes. World War II and Economic Crimes.

Marxist Theory, Bonger's Economic Theory of Criminality (Criticisms). Limitations of Economic Explanation of Crime.

Background of Schools of Criminology.

Unit II

Economic Crimes in India: Penal Laws of India. New Legislative Deal. The Santhanam Committee. The Wanchoo Committee, Lentin Commission Report, N N Vohra Committee Report & Features of Lokayukta Act, 1984. Crime and Economic Conditions: Relationship between Economic Structure and Crimes.

Deviance: Parliamentary, Bureaucratic, Judicial, Religious Deviances.

Accountability and transparency under Anti-Corruption Laws – an overview.

Unit III

Nature and Scope of Economic Crimes: White Collar Crime: Definition, Sutherland's Theory of White Collar Crime. Contributing Factors. White Collar Crime in India. White Collar Crime in Certain Professions & Business Deals. White Collar Crime distinguished from Traditional Crime. Violations of Rationing and Price Control Orders. Smuggling, under invoicing, over invoicing and other violations of Foreign Exchange Regulations.

Bribery, Corruption, Favoritism and Nepotism. Corruption and Bribery (Prevention of Corruption Act).

The Whistle Blowers' Protection Act, 2011 and its amendments

Lokpal Act .

Unit IV

Evasion & Avoidance of Tax: (Income Tax Act), Illicit Trafficking in Contraband Goods & Drugs – (Customs Act, NDPS Act & COFEPOSA). Racketeering in False Travel Documents (Passport Act). Bootlegging and Violation of Anti Narcotic Legislation. Human Trafficking (The Immoral Traffic (Prevention) Act). Trade in Human Body Parts (Transplantation of Human Organs Act). Terrorist Activities (IPC provisions & Related Acts).

**Black Money: Meaning, nature, The Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015;
Demonitisation;
Introduction of GST.**

Unit V

Embezzlement, Misappropriation, Frauds and other Malpractices including Share Pushing and Monopolistic Controls in the administration of Corporate and other Companies. Violations of Specifications in Public Contracts and Theft, Misappropriation and Frauds relating to Public Property. Trafficking in Licenses, Permits and Quotas, Profiteering, Black Marketing and Hoarding, Money Laundering (FEMA & Money Laundering Act, 2002 and Amendments). Illicit Trafficking in Arms & Explosives (Arms Act, Explosives Act & Explosive Substances Act).

Overview of Cyber Crimes.

Prescribed Books:

1. Chandra Mahesh - Socio-Economic Crimes (Bombay: N. M. Tripathi Pvt. Ltd 1979)
2. N.V. Paranjape - Criminology and Penology (Allahabad – Central Law Publications, 2008).

Reference Books:

1. Ramakrishna P.V., A treatise on Anti Corruption Laws in India (Hyderabad: S. Gorgia & Co., 1996)
2. Forty Seventh Report, Law Commission of India
3. Baxi Upendra, Law & Poverty: Critical Essays (Bombay N.M. Tripathi, 1988)
4. Relevant Treatise on Economic and Social Offences

COURSE II
FAMILY LAW-I
(HINDU LAW)

Course Objectives:

India is a country of various religion and faith. The Constitution of India has guaranteed the right of religion. So there are different sets of laws, secular and personal. Hindu law is a personal law applied to Hindus for their personal and family rights and obligations.

Unit I

Introduction: Concept of Dharma, Hindu Philosophy & Social Structure.

Sources of Hindu Law, Modern and Ancient schools of Hindu law.

Mitakashara and Dayabhaga.

Application of Hindu law.

Unit II

Hindu Joint Family: Mitakshara Joint Family & Coparcenary- Formation and Incidents.

Dhayabhaga Joint Family & Coparcenary Property under schools.

Kartha: Position, Powers, Privileges and Obligations.

Alienation of Property-Separate and Coparcenary.

Debts: Doctrine of Pious Obligation.

Partition: Modes, Shares & Re-union.

Unit III

Evolution of the Institution of Marriage: Concept of Marriage, forms, essential conditions of marriage, ceremonies and registration.

Hindu Marriage Act, 1955: Nullity of marriage, Restitution of Conjugal Rights, Judicial Separation, Theories of Divorce, Grounds, Matrimonial Reliefs & Remedies.

Maintenance and Alimony.

Dowry Prohibition Act, 1961.

Unit IV

Inheritance and Succession: Intestate Succession, A detailed study of Hindu Succession Act, 1956, Succession to the property of Hindu male & female, recent state and central amendments to Hindu Succession Act, disqualifications.

Stridhan & Women's Estate, enlargement of limited estate of women into their absolute estate.

Gifts & Wills: Testamentary Succession, Formalities & subject matter, Restriction & Revocation.

Family Courts: Powers and Functions.

Unit V

Concept of Adoption: Scope and Significance.

Law of Maintenance: Concept and Significance

Law of Guardianship: Hindu Minority & Guardianship Act, 1956, Hindu Adoption and Maintenance Act, 1956.

Maintenance of neglected wives, divorced wives, minor children, disabled children & parents who are unable to support themselves under Cr.P.C 1973.

Prescribed Books:

1. Paras Diwan – Modern Hindu Law
2. R. K. Agarwal - Hindu law

Reference Books:

1. John D. Mayne – Hindu Law Usages
2. Mulla – Principles of Hindu Law
3. Venkataraman – Treatise on Hindu Law
4. N. R. Raghavachariyar – Principles of Hindu Law
5. Paras Diwan – Law of Adoption, Ministry Guardianship's custody
6. Basu .N. D – Law of Succession
7. A. M. Bhattachargee – Hindu Law's Constitution
8. T. R. Desai – Introduction to Hindu Law
9. J. D. M. Derrett – Hindu Law – Past and Present

Case laws

1. Manohar Joshi v. N.B Patil AIR (1966)SC 796 at p 812
2. Yagnapurudasji v. Muldas AIR 1966 SC 1119.
3. Kusum v. Satya (1903) 30 Cal 999.
4. Peerumal v. Poonuswami AIR 1971 SC, 2352.
5. Mohan Das v. Devasan Board 2975 KCT.
6. Sarla Mudgal v. Union of India (1995) 35CC p 635.
7. Gokal Chand v. Parvin Kumari AIR 1952 SC 231.
8. T. Sareetha v. Venkatasubbaiah AIR 1983 Andhra Pradesh 356.
9. Smt. Havinder Kaur v. Harmander Singh AIR 1984 Delhi 66.
10. Saroj Rani v. Sudarshan Kumar AIR 1984SC 1502.
11. Ashwini Kumar v. Seema 2006.
12. Ramesh Kumar v. Sunita Devi 2005 p & H 55.
13. Ram Narayan v. Rameshwari 1989 SC 149.
14. A.Jaya Chandrs v. Aneel Kaur 2005 SC 534
15. Debanti Devi v. Rupan Janty, 2005 Thar 49
16. Jagannath v. Krishna 82 PLR 83.
17. Lachman v. Meena 1964 SC 40.
18. Bipinchandra v. Prabhavathi
19. Chandra v. Sudesh 1971 Delhi 208.
20. A.Premchand v. Padmalriya 1997 Mad 135.
21. Harbhajan v. Brij Bala.
22. Ananth Nath v. Lajjabati 1959 cal 799.
23. Judupi Venkata Vijaya Bhaskar v. Judupi Kesava Rao. AIR 2003 SC 3314.
24. Siddaramappa v. Gouravva AIR 2004 Kant. 230.
25. Viswambharan v. Dhanya AIR 2005 Kea at p 236.
26. Baburao Marutrao Mane v. Ramchandra Balasaheb Mane AIR 2005 Bom 375.
27. K.C. Kapoor v. Radhika Devi, 198 SC 2128.

COURSE III JURISPRUDENCE

Objectives

Any academic discipline, worthy of the name, must develop in the student the capacity for critical thought. Legal education needs to impart both law and its context- social, political and theoretical. Without deep understanding of the concept of law neither legal practice nor legal education can be a purposive activity. This course in Jurisprudence is designed, primarily, to induct students into a realm of questions concerning nature of law questions like, what is law. What are the purposes of law? The relationship between law and justice and the like. This course also deals with the meaning of the term “rights” in the abstract and seeks to distinguish various kinds of rights. Similarly, it investigates other legal concepts and tries to build up a general and more comprehensive picture of each concept.

Unit I

Introduction: Meaning and nature of ‘Jurisprudence’, Purpose and value of Jurisprudence.

Schools of Jurisprudence: Natural law Theory: The Greek notion., Analytical Positivism-Critical Approach, The Historical School: Savigny’s concept of Law, The Comparative School of Law, Sociological School of Law, American Realism-Holmes and Frank-The rule Skeptics and Facts Skeptics

Unit II

The Authority of Law: Function and Purpose of law, the territorial nature of law, dimensions to International law.

The concept of Justice: Corrective and Distributive Justice.

Administration of Justice: Courts, Civil Justice and Criminal Justice, Primary and Secondary functions of Courts.

Unit III

Sources of law:

Legislation: The process, Importance of legislation in modern days. Subordinate legislation and its kinds.

Precedent: Common law system, Doctrine of Stare decises, Nature of Precedent, kinds of Precedent: The doctrines of Ratio-decidenti and Obiter dicta, the authority of Precedent and its exceptions.

Customs: Legal and Historical customs.

Stages in the formation of customs, the characteristics of legal customs.

Equity: Evolution and its Application.

Unit IV

Right and Duty: Kinds, Meaning of Right in its wider sense.

Possession, Idea of Ownership, kinds of Ownership, Difference between Possession and Ownership, Nature of Personality, Status of the Unborn, Minor, Lunatic, Drunken and Dead Persons.

Unit V

Liability: Conditions for imposing liability, Wrongful act, Damnum Sine injuria, Injuria sine Damnum, causation, mens rea, intention, malice, negligence and recklessness, strict liability, vicarious liability, obligation, evidence.

Prescribed Books:

- 1 Fitzgerald – Salmond on Jurisprudence
- 2 R. W. M. Dias – Jurisprudence

Reference Books:

1. W. Friedman – Legal Theory
2. V. D. Mahajan – Jurisprudence and Legal Theory
3. Paton – Jurisprudence
4. Edgar Bodenheimer – Jurisprudence

COURSE IV
LAW OF CRIMES

Course Objectives:

This course is designed to understand the meaning of crime, methods of controlling them and the essential principles of criminal liability by a study of a range of offences under the Indian Penal Code. The study signifies that intention for a crime is vital for fixing criminal liability. The course will highlight the logical relationship between crime and punishment.

Unit I

Concept of Crime: Distinction between Crime and other wrongs under Common Law, Crime and Morality, State's responsibility to detect, control and punish crime.

Principles of Criminal Liability: Actus non facit reum nisi mens sit rea, statutory offences.

Variations in liability: Mistake, Intoxication, Compulsion, Legally abnormal persons.

Possible parties to the crime: Principal in the I degree, Principal in the II degree, Accessories before the fact, Accessories after the fact.

General Explanation: Sec. 6 – 33 and 39 – 52A **Criminal acts by several persons or group:** Sec. 34 – 38. **Punishment:** Sec. 53 – 75- Social relevance of Capital Punishment, Discretion in awarding punishment.

Unit II

Sec 76-229A

General Exceptions: Sec. 76 – 106:

Abetment: Sec. 107 – 120, Criminal Conspiracy: Sec. 120A & 120B, Offences against State: Sec. 121 – 130, Offences against public tranquility: Sec. 141 – 160, Offences relating to election: Sec. 171A – 171-I, Contempt of lawful authority and public servants: Sec. 172 – 190, False Evidence and offences against Public Trust: Sections 172 – 229A,

Unit III

S 230-338

Offences relating to Coins and Government Stamps: S. 230 – 260, Offences relating to Weights and Measures: Sec. 261 – 294A, Offences relating to Religion Sec. 295 – 298

Offences affecting Human Life: Culpable Homicide, Murder, Death caused by negligence, Causing Miscarriage, Injuries to unborn children, Exposure of infants, Concealment of Birth, Hurt, Grievous hurt,

Unit IV

S 349-414: Wrongful Restraint, Wrongful Confinement, Criminal Force and Assault etc.

Kidnapping, Abduction, Slavery and forced labour. Rape, Prohibition of indecent representation of women, Unnatural Offences (Criminal Law Amendment Act 2013).

Offences against Property: Theft, Robbery, Dacoity, Criminal Misappropriation of Property, Criminal Breach of Trust, Receiving of Stolen Property.

Unit V

Sec 415-511

Cheating, Fraudulent deeds and disposition of property etc.

Mischief (Sec.425 – 440), **Criminal Trespass** (Sec. 441 – 462), Offences relating to document and Property Marks (Sec.463 – 480), **Offences relating to Marriage** (Sec. 493 –

498 A), **Defamation** (Sec. 499 – 502). Criminal Intimidation and annoyance and attempt to Commit such Offences, Sec.506 – 511.

Prescribed Books:

1. Rathanlal and Dhirajlal - Indian Penal Code
2. Kenny's Outlines of English Criminal Law

Reference Books:

1. K. D. Gaur - A Text Book on the Indian Penal Code
2. P. S. Achuthan Pillai - Criminal Law.
3. Law Commission Reports.
4. Smith and Hogan- Criminal Law.

Cases:

1. R.v. Prince.
2. R. v. Tolson
3. K. Veeraswamy v. U.O.I.1991.3scc 655.
4. Ranaprathap v. State Of Haryana.AIR1983.sc 680.
5. S.C Bahri v. State of Kerala. AIR 1994. SC 2020.
6. Joshi v. State of Kerala. 1996. Cr. L.J 143 Ker.
7. Smt. Indira Gandhi's case.1988, SCC, 609.
8. R. v. Govinda.1876, Bom,342.
9. Moorthy v. State of T.N.1988,3 SCC 207,
10. Rekha Rai v. U.O.I.1927,6, Pat,471.
11. Varadarajan v. State of Madras. AIR 1965, SC,942.
12. Madanlal v. Jaswant Batra-1994, Cr L J 1761.
13. Jagannath Rao v. Kamaraju, 1900, 24. Mad, 284.
14. Shyama Sunder v. State .2003. CrLJ 1354.
15. Pani Bhushan Behre v. State of Orissa 1992, 2 4 LJ.
16. Nagarajan v. State Of Tamilnadu, 1995, Cr L J 3211.
17. George v. State of Kerala. AIR 2002. SC 1647.
18. State v. Sitaram. 1998, Cr LJ 4225 All.
19. Narantakat v. Parakkal, 1922, 45, Mad 986.

COURSE V

PUBLIC HEALTH LAW

Course Objectives:

In modern times, particularly after the Advent of globalization and liberalization, science and technology are having great impact on the community. Along with traditional legal subjects, there is a need to incorporate emerging sectors in legal education. Public Health Law is one such subject. This subject should be viewed as one of the measures of welfare legislation. At the same time the control and regulation of medicines and drugs are vital. Therefore, a comprehensive legal study of different dimensions of medical area is introduced for the purpose of determining the liabilities and distribution of medical benefits to the public at large, and to achieve the Constitutional goal of right to Health and Environment.

Unit I

Introduction to Health, Policy and Constitutional initiatives .

Introduction to Public Health, Meaning and concept of Health, Signification of Health, factors influencing Health. Factors affecting Public Health, Maintenance of public health and Public Sanitation, water management and waste management, rural sanitation, causes for ill health in rural India.

Health Policies in India: National Health Policies, Various forms of Medical Profession; Allopathic and Alternative Medical Systems- Ayurveda, Homeopathy, Unani, Naturopathy, Sidda, Sowa Rigpa or Amichi, Reiki and Yoga.

Health as a Fundamental Right: Constitutional initiatives: Role and responsibilities of the State for improving the community health in a welfare state; the right to health emergent from parts III and IV of the Constitution. WHO-dimensions of health; Physical, Mental and social, International initiatives.

Unit II

Health Care: Administration and Regulatory Mechanisms.

Health Administration in India: Nature and scope of Public Health Administration. Health Care Levels: Primary, Secondary and Tertiary Health care and its administration.

Rural Health Care: Primary health center. The model of National Health Service (NHS) in Great Britain. Regulating the Private Health Care systems: Private Nursing homes and Clinics, Diagnostic centers etc.

Regulating the Public Health Care Systems: Legal organization of public hospitals, Medico-legal cases and duties of hospitals liability for medical negligence in public hospitals, Mental Health Care in public hospitals: duties and liabilities.

Regulatory Authorities in India: Medical Council of India, Pharmacy Council, Dental Council of India, Indian Nursing Council, Rehabilitation Council of India and other Statutory Bodies.

Unit III

Law and Medicine: Legal Issues

Law and Medicine: Drug laws in relation to India: The Regulation of Pharmaceutical Industry, Drugs and Cosmetics Act, Regulation of research development, Patenting of Drugs and Medicines. Blood as a drug, regulating the blood banks.

Multinational Drug Industry in India: Patent law aspects and dumping of unsafe drugs. Drug as an essential commodity, Generic drugs, Case laws relating to violation of the Drugs and Cosmetic Rules.

Regulation of drug testing procedures in India: Clinical Trial, the Constitution of the Ethical Committee and functions of the Ethical Committee, Informed Consent.

Scientific advancement in medical Science and its legal issues: Euthanasia, Artificial Reproductive Techniques(ART),Surrogacy, Genetic Engineering and Human cloning, Test Tube baby, Transplantation of Human organs and Stem Cell Research and Banking, Body Donation.

Unit IV

Health and Management:

Health Hazards and its Control: Major Industrial Accidents causing health hazards, epidemics and its control, natural calamities causing health problems in India, Health of workers and occupational hazards, Disablement and Health Care, Bhopal Gas tragedy and aftermath development.

Hospital Management: Bio-Medical Waste Management.

National Disasters Management Authority.

Consumer protection and medical negligence: Unfair trade practices and misleading advertisements, Common law remedies for medical negligence.

Compulsory Medical Service at Rural Places.

Protection to Medicare service personnel and Medicare Service Institutions. Professional Indemnity Insurance.

Unit V

Health Delivery Systems in India:

Public Health Insurance Schemes and Community Welfare: Need, for Public Health Insurance in India. Important projects and schemes of State and Central Governments (Janani, Madilu, Yashaswini etc.,) Health Care and Weaker Sections of Society.

International health hazards and control programmes: Control of Contagious and Communicable diseases, International health hazards and control programmes. Market economy and public health law. Public Health Laws in the developed Nations, Central and State initiatives, Health awareness programmes, Telemedicine, the practice of E-medicine and legal and ethical implications.

Prescribed Books:

1. Law and Medicine by: Nanditha Adikari
2. Public Health Policy and Administration by : S.L. Goel
3. Law and Medicine by: Lilly Srivastava
4. Law and Medicine: Module-1 & 7 prepared by: NLSIU, Bangalore

References:

1. Medicine and Law By: K.Kannan,Oxford,2014
2. Medical Law and Ethics, By: Shaun D. Patterson Sweet & Maxwell, South Asian Edition,2013
3. Medical Negligence and Law by: Dr.Avtar Singh
4. Medical Jurisprudence &Toxicology by: Joshi's
5. Guide to Medical laws, edited by; M.L. Bhargava's
6. National Health Policies and Report on Health care data for India.
7. The Alma Ata Declaration, the International Conference on Primary Health Care, 1978 at Almaty, USSR:

8. The Health Planning and Development Committee's Report, 1946 (popularly known as the Bhole Committee Report) is the first organized set of health care data for India.
9. The first National Health Policy in 1983 aimed to achieve the goal of 'Health for All' by 2000 AD
10. National Health Policy, 2002
11. National Health Research Policy, 2010
12. The ICH- GCP Guidelines-1996
13. Health Care Committees
14. Drugs and Cosmetics Act, 1940 (Different forms of Medical systems)

BARE ACTS (*Note: Refer only the excerpts from the relevant sections of the following Acts*)

1. The Air (Prevention and Control Pollution) Act 198
2. The Biomedical Waste (Management and Handling) Rules 1998
3. The Indian Air Craft (Public Health) Rules 1954
4. The Noise Pollution Control Order 2000
5. The National Green Tribunal Act 2010
6. Biological Diversity Conservation laws
7. The Indian Medical Council Act 1956 (Amended 1964, 1993 and 2001)
8. The Drugs and Cosmetic Act 1940
9. The Indian Nursing Council Act 1947
10. The Dentist Act 1948
11. The Pharmacy Act 1948
12. The Drugs (Control) Act 1948
13. The Red Cross Society Act (Allocation of Property) 1936
14. The Mental Health Act 1987(Indian Lunacy Act 1912,-repealed)
15. The Homoeopathy Central Council Act, 1973.
16. The Rehabilitation Council of India Act 1992.
17. The Food Safety and Standards Act, 2006
18. The Maternity Benefit Act, 1961
19. The Infant Milk Substitutes, Feeding Bottles & Infants (Regulation of production, supply and Distribution) Act, 1992
20. The Registration of Birth and Death Act 1969
21. The Medical Termination of Pregnancy (MTP) Act 1971 (Rules 1975)
22. The Dangerous Machines (Regulation) Act 1983
23. The Narcotic Drugs and Psychotropic Substance Act 1983
24. The Consumer Protection Act (CPA), 1986
25. The Epidemic Diseases Act, 1987
26. The Transplantation of Human Organs Act 1994
27. The Pre-conception & Pre-natal Diagnostic Techniques (Regulation and prevention of misuse) Act 1994
28. The Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act 1995
29. The Clinical Establishments (Registration and Regulation) Act, 2010
30. The Karnataka Prohibition of violence against Medicare Personnel & Damage to Property in Medicare Service Institutions Act, 2009
31. The Karnataka Private Medical Establishments Act, 2007

32. The National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation, and Multiple Disabilities Act, 1999
33. The Drugs and Cosmetics Act, 1940
34. The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954
35. The Patents Act, 1970
36. The Drugs Price (Control) Order, 1995
37. The Employees' State Insurance Act, 1948
38. The Plantations Labour Act, 1951
39. The Prohibition of Child marriage Act 2006

COURSE VI LAND LAWS

Course Objectives:

Land Laws is the form of Law that deals with the rights to use, alienate, or exclude others from land. This course is an integral part of the Law course, as they socially enforce groups of individuals' rights to own land in concurrence with the Land Laws of a nation. Land Laws addresses the legal mandates set forth by a country in regards to land ownership. It intends to be a systematic and practical guide to the basic features of modern Land Legislations.

Unit I

Karnataka Land Revenue Act, 1964:

Historical development of Land Laws, Pre-Independence & Post-Independence scenario, KLR Act, 1964: Definitions, Constitution and Powers of the Revenue Officers & Karnataka Revenue Appellate Tribunal, Land and Land Revenue - Grant, use and relinquishment of unalienated land, Revenue Survey - Record of Rights, boundaries and boundary marks - Realisation of Revenue and other Public Demands, Land Grant Rules.

Unit II

Indian Registration Act, 1908:

Definitions, Registration Establishment, Registrable Documents, Time of Presentation, Place of Registration, Enforcing the Appearance of Executants and Witnesses, Deposit of Wills, Effects of Registration and Non-Registration, Duties and Powers of Registering Officers, Refusal to Register, Fees for Registration, Searches and Copies, Penalties.

Unit III

Karnataka Rent Act, 1999:

Definitions, Regulation of Rent, Deposit of Rent, Registration of Middlemen or Estate Agents, Controllers: Their Powers and Procedure, Regulation of Eviction, Special Obligations of Landlords and Tenants.

Karnataka Industrial Areas Development Act 1966-Special features.

Unit IV

Land Acquisition, Rehabilitation & Resettlement Act, 2013- Features

To be read with Previous Land Acquisition Act.

Application of Act, Definitions, Determination of Social Impact and Public Purpose, Special Provision to Safeguard Food Security, Notification and Acquisition, Rehabilitation and Resettlement Award, Procedure and Manner of Rehabilitation and Resettlement, National Monitoring Committee for Rehabilitation and Resettlement, Establishment of Land Acquisition, Rehabilitation and Resettlement Authority, Apportionment of Compensation, Payment, Temporary Occupation of Land, Offences and Penalties, miscellaneous.

Unit V

Indian Stamp Act, 1899:

Definitions, Stamp Duties, Adjudication as to Stamps, Instruments not duly stamped, Allowances for Stamps in certain cases, Reference and Revision, Criminal Offences and Procedure, Supplemental Provisions.

With reference to recent Amendments and Landmark Judgements

Prescribed Books:

1. T. S. Nagarajan - Karnataka Land Revenue Act
2. Karnataka Rent Act
3. Sirohi - Indian Registration Act
4. Karnataka Industrial Areas Development Act
5. Indian Stamp Act

Reference Books:

1. M. R. Achar and T. Venkanna - Karnataka Land Revenue Act.
2. Srishaila - Karnataka Land Revenue Act, Rules relating to Land Grants.
3. Karnataka Land Reforms Act.
4. D. F. Mulla - Indian Registration Act.

VI SEMESTER
COURSE I
LAW OF BANKING

Course Objectives:

Banking Institutions have become important players in the present day economy. They play pivotal role in the growth of trade, commerce and industry. Several policy initiatives and legislative amendments have changed the role of Banks from being mere economic institutions into agents of social change. Appreciating the importance, the Government has enacted several enactments to direct, regulate and control the banks and banking operations through Reserve Bank of India and Ministry of Finance. The course is designed to primarily acquaint the learners with operational parameters of banking law and to teach the general principles of banking law and to develop appreciative faculty of the students in statutory as well as case laws in this area.

Unit I

Institution of Banking in India: Evolution of Banking Law & Banking Institutions, Development of British Banking & Bank of England, Nationalization of Banks, (Main Provisions of the Nationalization Act). The Banking (Regulation) Act, 1949: Applicability, Objects and Main Provisions. Reserve Bank of India and its Role: Functions, Organization and Controlling Powers.

Unit II

Commercial Banks: Functions (Subsidiary Services, General Utility Services & Special Banking Services), **Banker and Customer:** Definition of Banker and Customer, General Relationship & Special Relationship. Banker's Book Evidence Act, 1891.

Opening of New Accounts: Savings Bank account, Current account, Recurring Deposit account & Fixed Deposit account.

Special Types of Customers: Precautions required to be taken by a banker to open an account in case of administrators, clubs, societies and charitable institutions. (Minors, Joint stock company, Partnership firm, Joint accounts etc.,)

Ancillary Services: (General, DD, MT, TT, Traveler's cheques, bank orders, credit card, debit/smart cards, safe deposit vaults, gift cheques, stock invest).

Unit III

Negotiable Instruments Act, 1881: Negotiable Instruments, Bills in Sets, Crossing of Cheques, Holder & Holder in Due Course, Parties, Endorsements, Negotiation, Assignment, Liability of Parties, Obligations of Paying Banker, Collecting Banker & Customers' Account (NI Act). Presentment, Discharge from Liability, Material Alteration, Noting & Protest, Reasonable Time for giving Notice of Dishonor, Compensation, Special rules of Evidence, Acceptance and Payment for Honor and Reference in case of need.

Unit IV

Negotiable Instruments Act, 1881 (Continued): Dishonor of Cheques. Penal Provisions (Section 138-142)

E-Banking: Definition, Internet banking, Mobile Banking, ATM banking, and computerized Banking (NEFT, RTGS etc); E-banking services: retail services, wholesale services and E-Cheque-authentication, Cyber Evidence. Banking Ombudsman Scheme.

Securitization Act, 2002 (Relevant Provisions relating to recovery of debts due to banks & DRT).

Unit V

Employment of Funds: Important factors governing Cash Reserve, Profitable uses of Funds, Investments in Government and other Stock Exchange Securities. Loans & Advances: General Principles and Forms. New Concept of Bank Lending (Credit Agencies). Fund Flow Analysis, Working Capital Finance, Term Loans, Precautions in Discounting Bills, Recovery of advances

Prescribed Books:

1. M. L. Tannan - Law of Banking
2. Khergamvala - Negotiable Instruments Act – M. S. Parthasarathy (Ed.)

Reference Books:

1. Avtar Singh – Negotiable Instruments Act.
2. Basu - Review of current banking theory and practise, Macmilan.
3. Pagets Law of Banking - Butterworths, London.
4. L. C. Goyle – The Law of Banking and Bankers – Eastern Book Co.
5. K. Subramanyan – Banking Reforms in India
6. R. K. Talavar- Report of working group on customer service in Banks
7. S. N. Gupta - The Banking law in theory & practice.
8. G. S. N. Tripathi (Ed.) Sethi's commentaries on Banking Regulation Act 1949 and allied Banking Laws.
9. Bashyam and Adiga – The Negotiable Instruments Act.
10. Mukherjee. T. K. - Banking Law and practice.
11. Chorley – Law of Banking
12. Paget – Law of Banking
13. Information System for Banks - Taxmann
14. Vasantha Desai and Joshi - Managing Indian Banks.
15. Justice Bhaghabati Prasad Banerjee- Guide to Securitisation and Reconstruction of financial assets and Enforcement of Security Interest Act, 2002
16. Relevant provisions of Information Technology Act, 2000

Case Laws:

1. Barclays Bank v. Astley Industrial Trust Ltd [(1970) 2 QB 527]
2. Brandao v. Barnett [(1846) 12 CI & F 787]
3. Commissioners of Taxation v. English Scottish & Australian Bank [(1920) A.C. 683]

4. Royal British Bank v. Turuquand [(1856) 6 E & B – 327]
5. Sutherland v. Barclays Bank [The Times Nov.25-1938; 5 LDB 163]
6. The Bank of India v. The Official Liquidator [AIR 1950 Bombay 375]
7. Tournier v. National Provincial and Union Bank of England [(1924) 1 KB 461]
8. Bank of Van Dieman's Land v. Bank of Victoria [(1871) LR 3 PC 526]
9. Evans v. London and Provincial Bank [(1854) 9 Ex. 354]
10. Great Western Ry. Co. v. London & County Banking Co., [(1901) AC 414]
11. Hongkong and Shanghai Banking Corpn., v. Lo Lee Shi [(1928) AC 181 (PC)]
12. Raephal v. Bank of England [(1855) 104 RR 638:25 LJCP 33]

COURSE II

CORPORATE LAW

Course Objectives:

The course is designed to understand the formation, management and other activities of the companies, in view of the important developments that have taken place in the corporate sector. Important regulations pertaining to the issue of shares and the capital raising have come into force. This course aims to impart to the students the idea of the corporate management, control, possible abuses, the remedies and government regulation of corporate business and winding up of companies.

Unit I

The Concept of Corporate Personality: Advantages and disadvantages, History of Company Legislation (England and India), Modes of Business Organization. Differences between Modes of Business Organization, **Companies Act, 1956/2013:** Classification of Companies, Promoters- Definition, Legal position of Promoter, Duties and Liabilities, Remedies available to the Company against the Promoter, Registration & Incorporation - Important steps. Preliminary Contracts, Pre-incorporation Contracts, Provisional Contracts.

Unit II

Memorandum of Association: Nature, Purpose, Form, Contents, Registration, Doctrine of Ultravires, Alteration of MOA

Articles of Association: Nature, Purpose, Form, Contents, Registration, Distinction between MOA and AOA, Legal effects of MOA and AOA, Doctrine of Constructive Notice, Doctrine of Indoor Management, its exceptions

Prospectus- Meaning and Definition, when prospectus is not required to be issued, Statement in lieu of Prospectus, Contents/Disclosures of prospectus, Types of prospectus, Criminal Liability for Mis-statement in Prospectus, Remedies for Misrepresentation in prospectus, against directors and promoters, Disclosure as per SEBI Guidelines.

Directors: Concept, Definition, Types, Legal position, Qualifications, Number of Directors, Appointment of Directors, Removal, Retirement, Resignation, Vacation of office, Remuneration, Office or place of profit, Liabilities and Duties, Responsibilities, Criminal Liability, Managing director, Executive director/whole-time director, Manager, Chairman.

Meetings: Meaning, Kinds, Requisites of a valid meeting, Notice, Venue, Agenda, Quorum, Proxy, Duties and role of Chairman, Resolutions, Minutes of proceedings of meetings, Registration of Resolutions and Agreements. Role of Company Secretary,

Corporate Social Responsibility.

Unit III

Financial structure: Meaning of the term 'Capital', Sources of Capital, Equity Capital, Shares: Meaning, Nature, Kinds, Issue of shares, Dividends, Alteration of share capital, Debt Capital, Debentures and its kinds, deposits, Procedure for allotment of shares and debentures. Rights and Privileges of shareholders, majority rule and minority protection, prevention of oppression and Mis-management.

Winding up of companies: Different Modes

Unit IV

Securities Market in India: Primary and Secondary Market.

Regulatory Mechanism: SEBI, ROC, Ministry of Company Affairs, Securities Contracts (Regulation) Act, 1956, SEBI Act, 1992. SEBI (Disclosure and Investor Protection Guidelines), 2000, Clause 49 of Listing Agreement on Corporate Governance

Unit V

FEMA, 1999: Objectives, Regulations and Management of Foreign Exchange, Contravention and penalty provisions, Adjudication and Appeal, Enforcement of Appeal Orders. Functioning of BPO's and LPO's in India - need for regulation.

Corporate restructuring: - Laws relating to Mergers & acquisitions

Prescribed Books:

1. A.K.Majumdar - Taxman's Corporate Laws
2. Avtar Singh - Company Law

Reference Books:

1. Ramaiah- Company's Act, PART I and II
2. Shah - Lectures on Company Law
3. K. C. Anantharaman – Lectures on Company Law
4. Taxman's Company Law
5. Dr. H.K. Saharai – Company Law
6. Datta. C. R. - Company Law
7. Bhandari. M. C. – Guide to Company Law Procedures.
8. S. C. Kuchal – Corporation Finance: Principles and problems.
9. V. G. Kulkarni - Corporate Finance.
10. Y. D. Kulshreshta – Government regulation of financial management of private corporate sector in India.
11. S. K. Roy - Corporate Image in India
12. Tone Hosmer - Ethics in Management
13. Gower - Company Law
14. Datta - Company Law
15. Sen – New Horizons in Company Law
16. D. L. Majumdar - Towards a philosophy of Modern Corporation.
17. Pennington - Company Law
18. Rajiv Jain - Guide on foreign collaboration – Policies & Procedures.
19. C. Singhania – Foreign collaborations and Investments in India – Law and procedures.
20. Joyant M Thakur – Comparative Analysis of FEMA – FEMA Act, 1999 with FERA
21. S. M. Dugar – Law of Monopolistic, Restrictive and unfair Trade Practices.
22. Sanjiv Agarwal - Bharat's guide to Indian capital.
23. Study materials of ICSI – Corporate Law and Secretarial Practice
24. Internet study material – LPO and BPO's

JOURNALS:

1. Journal of Indian Law Institute, Journal of Business Law, Company Secretary, Company Law Journal.

STATUTORY MATERIALS:

1. Companies Act and laws relating to SEBI, Depositories Act.

COURSE III

LAW AND AGRICULTURE

Course Objectives:

India is an agricultural economy, plays a dominant role in the field of food, employment, industrial development, trade and commerce. The course intends to provide the Laws and Policies relating to agriculture. It also focuses on the current agricultural policies and welfare measures undertaken by the Government. It also emphasizes on a holistic approach towards the overall development of agriculture and its allied sectors in India.

Unit I

Introduction- Historical perspective of agriculture in India. Gandhian concept of agriculture.

Indian agriculture during British regime. Farmers movements.

Constitutional provisions relating to agriculture, Abolition of Zamindari systems and agrarian reforms in India.

National Agricultural Policy. Five years plan relating to agriculture. Agriculture and Rural Development-National Initiatives. Kinds of agriculture.

Unit II

Special Laws on Agriculture- Protection of Forest Dwellers and Rights of the Vulnerable sections. The Karnataka Land Improvement Act,1966. The Karnataka Agricultural Pests and Diseases Act,1968. Food Security Act, 2013.

Unit III

Special Laws Relating to Agriculture: Fertilizer Control Order, The Insecticides Act,1968. The Seeds Act,1966. Protection of Land Varieties and Farmers Rights Act,2001. The Traditional Rights of Farmers- Geographical indication of Goods Act,1999. Plant Quarantine Rules-AGMARK.

Unit IV

Socio-Agricultural Legislations: Agricultural Marketing. Agricultural Credit Policy. Agricultural Co-operative Societies. Fair Price Policy. Contract farming. The status of farmers aftermath of GATT/WTO.

Unit V

Agriculture and Development: Role of CIAR (Council of Indian Agriculture Research) Conserving plant Genetic Resources in India. Issues relating to GMOs(Genetically Modified Organisms) Agriculture & Technology. Promotion of Traditional Crops (like millets) & natural farming. Agricultural Insurance. Agricultural Banks-Role of NABARD. Role of LSGs (Panchayath Raj Institutions).

Prescribed Book:

- Sukhbir Bhatnagar-Agricultural Law, Mittal Publishers.

Reference Books :

- A.K.Vyas and Rishi Raj-Introduction to Agriculture
- S.S.Acharya and N.L.Agarwal-Agricultural Marketing in India
- S.R.Reddy-Principles of Agronomy
- R.L.Arya,Sonam Arya,Rena Arya, Janardhan Kumar-Fundamentals of Agriculture

Bare Acts:

- Seeds Act,1966; Pesticides Act,1999; Insecticides Act,1968; Food Security Act,1985; Food Safety Act1990; Food Standards Act,1999; Fertilizers Control Act,1973; Fertilizer Control Order, 2016; The Land Reforms Act,1955; The Agrarian Reforms Act1950; The Karnataka Agricultural Pests and Disease Act,1968; The Agricultural Marketing Act ,1958; The Agricultural Credit Act,1987;The Agriculture Insurance Act ,1996; Contract Farming Act.

COURSE IV
LAW OF INSURANCE

Course Objectives:

The idea of insurance is an old-institution of transactional trade. Insurance is a method of transferring risk to capable persons and bodies to bear the loss. Recently insurance is growing enormously as a service in India. This course deals with the concepts of insurable interests and the different types of insurance. The course is designed to incorporate the changing trends in contracts of insurance on the basis of improvement in science, technology and transport.

Unit I

History of Insurance: Definition, development of Insurance in India.

Insurance Regulatory Authority Act, 1999: Composition, Powers and Functions. Registration of Insurance companies. Classification of Contract of Insurance.

General Principles of Contract of Insurance. Uberime fides-utmost good faith, Contract of Indemnity, Insurable interest, causa proxima.

Unit II

Life Insurance: Nature and scope of Life Insurance. The formation of a life insurance contract. Parties to the contract, Insurable Interest, free consent, misrepresentation, consideration and legal object (coparcener in a Hindu Joint Family) Meaning and scope of risk. Premium- mode of payment-days of grace. Event insured against Life Insurance contract, circumstances affecting the risk, amount recoverable under the Life Policy, settlement of claim and payment of money, assignment of life Insurance.

Unit III

Fire Insurance and Miscellaneous Insurance: Nature and scope of Fire Insurance, Basic Principles and Kinds of policies. Standard Fire Policy, Conditions & Warranties, Right & Duties of Parties, Claims, Reinsurance, Double Insurance, Insurable Interest in Fire Insurance.

Special doctrines: Doctrine of Subrogation, Contribution and Reinstatement, Burglary and Theft insurance (including Robbery and Dacoity).

Unit IV

Marine Insurance: Nature and Scope, Classification of Marine policies, Insurable interest, Insurable values, Conditions and warranties, Voyage deviation, Perils of the sea.

Loss: Kinds of Loss.

Unit V

Motor Vehicle Insurance: Introduction, Absolute or No fault liabilities, Third party or compulsory insurance, Claims Tribunal, Public Liability Insurance, coverage of third party risk. Surveyors and Loss Assessors. Application of Res ipsa loquitur principle. Agriculture Insurance, Health Insurance, Insurance of Livestock.

Prescribed Books:

1. E. R. Hardy Ivamy - General Principles of Insurance Law, relevant Chapters.
2. K. S. N. Murthy and K. V. S. Sharma - Modern Law of Insurance in India
3. M. N. Srinivasan - Principles of Insurance Law
4. J.V.N Jaiswal – Law of Insurance

Reference Books:

1. Insurance Principles and Practice-M.N.Mishra & S.B.Mishra.
2. Insurance Act, 1938
3. The Marine Insurance Act, 1963
4. General Insurance (Business) (Nationalization) Act, 1972
5. The Life Insurance Corporation Act, 1956
6. Motor Vehicle Act, 1988
7. Hand Book of Insurance Law- Rangarajan.

List of Cases

1. LIC v. Shakuntala devi AIR 1975 AP 68
2. Duargavathi Devi v. LIC AIR 1997
3. Nandan v. Ocean accident or Guarantee Corporation
4. Casdin v. Preston 380
5. Dalby v. The India Assurance Company 1854-15 CB 365
6. Wilson v. Jones 1867 LR
7. Carbolic Smoke Ball Company v. Carlil
8. Pink v. Fleming (1890) QBD 396
9. Reserve Bank of India v. Peerless General Insurance Company AIR 1987 SC 1023
10. LIC v. Komalavalli AIR 1984 2 SCC 719
11. Benarasi Devi v. New India Assurance Co Ltd (1997)6 Rel 281
12. Northern India Insurance co v. Kavyalal ILR (1938) Lahore 542
13. Asia Assurace co v. Kartiya Devi AIR 1940
14. Nirmala adi Reddy v. LIC AIR 1962
15. General Assurance Society v. chard Null 1966 3sc (500)
16. Harris V. Polland. Young v. Newzealand Insurance Co (AII ER 204)1941
17. Young v. New Iceland Insurance co (1976) p 196
18. Midland Insurance v. Smith.
19. Brown v. Royal Insurance Co (1888) 6 QBD 561
20. Brown v. Royal Insurance Co 28 LJ QB 275 (SC)
21. Chinnaswamy Nadar v. Home Insurance co 1981 SCJ 919 (SC)
22. Home Insurance v. Ramnath tlr 29 (1907)
23. Bhagvan Das v. Netherlands Insurance Co AIR 1984 MP 126
24. Hamilton v. Pendroff (1887) 12 APP cas 518
25. Canada Rice Mill Ltd v. Union Marine and General Insurance co ALL ER 169
26. Wood v. Associated National Assurance Co ltd 1984 ODR 297
27. Geismar v. Sum Alliance of London Insurance co (1977) 3 QBD 570
28. Haji Habib v. Commercial Union Assurance co AIR 1952
29. Green R.J in Ocean Steam Navigation Co ltd v. Evans (1867) 2 QB 203.

COURSE V
FAMILY LAW-II
(MOHAMMEDAN LAW AND INDIAN SUCCESSION ACT)

Course Objectives:

This course deals with the laws which are applicable to Mohammedans in India. Muslims in India are governed by their personal law contained in Shariat Act. Personal laws of Muslims are protected by the Constitution. This course analyzes the Islamic laws related to marriage and divorce, gifts and wills, maintenance and inheritance which create rights and obligations of individual Muslims etc., Indian Succession Act creates rights and obligations of Indians who are not Hindus or Muslims in relation to Succession. It is a secular law of succession.

Unit I

Advent of Islam and Development of Muslim Law: History, origin and schools of Muslim Law, Application, operation and interpretation of Muslim Law.

Shariat Act, 1937; Definition of 'Muslim' ; Conversion to Islam and its effect, Sources of Muslim law; Primary Sources and Secondary sources;

Marriage: Definition, object, nature; Essential requirements of a Muslim marriage, classification of marriage, legal effects of valid, void and irregular marriages.

Muta marriage.

Unit II

Dower: Definition, nature and objects, classification, enforcement of dower and wife's rights of retention.

Divorce: Classification.

Talaq: Talaq-e-tafweez, Khula, ıla, Mubarat, Zihar, Lian, Faskh, Formalities of Talaq. Judicial divorce. Dissolution of Muslim Marriage Act, 1939.

Parentage: Legitimacy and Acknowledgements, Establishment of Paternity and Maternity, special rules regarding presumption of legitimacy, conditions of valid acknowledgement

Guardianship: Kinds and duties of Guardians.

Unit III

Maintenance : Traditional and present law, Gifts, Pre-emption, Wakf, Will and Gift made in death or illness, limitation on testamentary disposition, Muslim Law of Inheritance.

Unit IV

Indian Succession Act: Preliminary; Domicile (Sec. 1-19) and Consanguinity (Sec.23-28, Intestate Succession (Sec.29-56), Testamentary Succession (Sec. 57 –191)

Unit V

Protection of property of the deceased (Sec 192 – 210) Probate, Letters of Administration and administration of their assets of the deceased (Sec. 217-369), Succession Certificate (Sec. 370 – 390)

Prescribed Books:

1. Mulla - Principles of Mohammadan Law
2. B.B. Mitra - Indian Succession Act
3. Fyzee - Outlines of Mohammadan Law
4. Indian Divorce Act

Reference Books:

1. Aquil Ahmad- Mohammedan Law
2. Paruck- Indian Succession Act
3. Basu -Indian Succession Act

Cases

1. Skinner v. Orde (1871) 14 M.I.A 309
2. Anis Begum v. Mohammad Istafa (1933) 55 APP743
3. Abdul Razak v. Aga Mohammad (21 IA 56)
4. Abdul Kabir v. Salima I.L.R (1886) 8 all 149
5. Rashid Ahmad v. Anisa Khatoon (1932) 59 IA 21
6. Shamim Ara v. State of Uttar Pradesh JT 2002(7) SC 520
7. Sarala Mudgal v. Union Of India 1995 SCC (3) 635
8. Manijila Bibi v. Noor Hussian AIR 1992 Cal 93
9. Yasuf v. Sowramma AIR 1971 Ker 261
10. K. Muhamma Lateef v. Nishanth AIR 2004 Ker 22
11. Mohammad Alladad khan v. Mohammad Ismail Khan (1888) 10 AII 289
12. Shah Banu Begum v. Mohammad Ahmed Khan AIR 1985 SC 945
13. Chand Patel v. Bissmillah Begum (2008) 4 SCC 774
14. Danial Latifi v. Union of India (2001) 7 SCC 740
15. Govinda Dayal v. Inayatullah I.L.R AII 775(FB)
16. Noor Saba Khatoon v. Mohammad Quasim AIR 1997 SC 3280
17. Seema v. Ashwani Kumar 2006 (2) SCC

COURSE VI
LAW ON INFRASTRUCTURE DEVELOPMENT

Course Objectives:

This course is designed to discuss the legal issues involved in infrastructure development, to examine the working of regulators in general and specific to sectors. It aims to study the mechanism of dispute resolution through arbitration and litigation. The role of Government in different infrastructural projects; the environment in which civil servants perform in the light of political expectations is analyzed. It develops an understanding of the Model Concession Agreements of the Planning Commission and deals with other statutes that affect infrastructure sector.

Unit I

Concept of Infrastructure – Need for Infrastructure development, Introduction, Public Private Partnership – Procurement Process,

Stake holders in regulating Infrastructure : New dimensions. Common to most of the sectors: Environment, land acquisition, etc., Sectoral issues in roads and national highways, airports, power, railways, special economic zones, telecom, etc., Public interest, public policy, and public order, Legal empowerment: PIL and RTI. Model Concession Agreements, Dispute Resolution – Arbitration (both domestic and international). Working of the Judiciary and role of courts in infrastructure projects: Challenges ahead, PPP – Public Private Partnership: Different mechanisms, project structuring, role of state and private players. Issues

Unit II

Foreign Direct Investment restrictions in the infrastructure sectors and formulating viable investment structures; Regulatory aspects and liaison with Government agencies, such as, Department of Industrial Policy and Promotions, Foreign Investment Promotion Board, State Pollution Boards, etc.

Drafting, negotiating and review of project documentations such as Expression of Interests, Procurement Documents including Request for Proposal/ Request for Quotations, Bid and Tender Documents, Memorandum of Agreement, Joint Bidding Agreements, Concession Agreements, Power Purchase Agreements, Shareholders' Agreement, Fee-Sharing Agreements, Engineering Procurement & Construction Contracts, Supply Agreements, Service and Equipment Supply Contracts, Operation & Management Contracts, Risk Management Documentation for the allocation, management and mitigating of the project risks;

Litigation or dispute resolutions mechanisms relating in infrastructure projects.

Unit III

The Electricity Act, 2003. Definitions, National Electricity Policy and Plan, Generation, Transmission and Distribution of Electricity, Licensing and Tariff, Central Electricity Authority and Regulatory Commissions, Offences and Penalties.

Determination of Social Impact and Public Purpose, Special Provision to Safeguard Food Security, Rehabilitation and Resettlement Award, Procedure and Manner of Rehabilitation and Resettlement, National Monitoring Committee for Rehabilitation and Resettlement, Establishment of Land Acquisition, Rehabilitation and Resettlement Authority, Apportionment of Compensation, Temporary occupation of Land, Offences and Penalties.

Unit IV

The Special Economic Zones Act, 2005, Definitions, Establishment of Special Economic Zone, Constitution of Board of Approval, Development Commissioner, Single Window Clearance, Special Fiscal Provisions for Special Economic Zones, Special Economic Zone Authority

Environmental clearance proposals, seeking licenses, approvals and permits required for infrastructure projects

Unit V

Legal framework of specific infrastructure sector of: Telecom, Railways, Metro, Roads and National Highways, Water, Airports. Case study.

Legal Framework for Real Estate. The Real Estate (Regulation and Development) Act, 2016. Contract Laws, agreements, dispute resolution, arbitration Laws, contract documents and international contracting. Labour Laws as applicable to real estate development, Land regulations and transfer of property. Taxation Laws as applicable to real-estate development. Plan Implementation: Town and Country Planning Act, Municipalities and local bodies' Act, Acts relating to environmental quality and infrastructure development.

Prescribed Books:

- *Piyush Joshi*, Law Relating To Infrastructure Projects, 2nd Edition, 2003

Reference Books:

- N Brega, Marcos, Trenn, Infrastructure in Emerging Markets, LAP Lambert Academic Publishing
- Sameer Kochhar, Deepak B Phatak, H Krishnamurthy, Gursharan Dhanjal, Infrastructure and Governance Publication Year : 2008 First Edition
- Anup Chatterjee, K Narindar Jetli, Industry and Infrastructure Development in India Publication Year: 2009
- Judith – Anne Mackenzie, “Text book on Land Law”, (2004), Oxford University Press, U.K.
- Kevin J Gray, “Elements of Land Law”, (2004), Lexis Nexis, U.K.
- R. N. Joshi, Public Private Partnership in Infrastructure Perspectives, Principles, Practices
- Kendemadward Digby, “An introduction to the history of the law of real property” (2005), the law book exchange Ltd. UK.
- V.G. Ramachandran, “Law of land acquisition & compensation, 8th edition, 2000, Eastern Book Company, Lucknow.
- K.C. Gopalakrishnan, “Legal Economics (Interactional Dimensions of economics and Law), (1998) reprinted (2005), Eastern Book Company, Lucknow.

**VII SEMESTER
COURSE I
INDUSTRIAL LAW**

Course Objectives:

In this course, the students are to be acquainted with the Industrial relations framework in our country. Further, the importance of the maintenance of Industrial peace and efforts to reduce the incidence of strikes and lockouts are to be emphasized. This course deals with the protection of workers who form Trade Unions. There is an emphasis on the safety and security measures provided by the Factories Act.

Unit I

The Industrial Disputes Act, 1947: History, scope and features.

Area of interaction and participants: Industry, Workmen and Employer, Industrial Dispute and Individual Dispute.

Settlement of Industrial Disputes: Works Committee, Conciliation Machinery, Court of Enquiry, Voluntary Arbitration.

Adjudication: Labour Court, Tribunal and National Tribunal.

Powers of the Appropriate Government, Unfair Labour Practice.

Unit II

Modes of Coercion:

Strike - Kinds of Strike, Right to Strike, General prohibition of strikes in Public Utility Services, Illegal Strikes.

Lock-out: General prohibition of Lock-outs in Public Utility Services, Illegal Lock-outs. Gherao and Bandh.

Lay-off, Retrenchment and Closure: Retrenchment Compensation, Compensation to workmen in case of transfer of undertaking.

Unit III

Concept and Nature of Standing Orders: Scope and Coverage of the Industrial Employment (Standing Orders) Act, 1946. Certification process, Procedure for Certification, Appeals against Certification, Condition for certification, Date of operation of Standing Orders, Binding nature and effect of certified Standing Orders, Posting of Standing Orders, Modification and temporary application of model Standing Orders, Interpretation and Enforcement of Standing Orders, Penalties and Procedure.

The Apprentices Act, 1961:

Object and Scope, Definitions, Apprentices and their training, Obligations of employers and apprentices, Authorities under Act- Constitution of Councils and appointment of apprenticeship adviser, power and functions, Penalties.

Unit IV

Trade Unionism in India: Trade Union movement in Britain, Trade Unionism in India, Definition of Trade Union and trade disputes, Registration of Trade Unions, Legal status of registered Trade Union, Mode of registration, Powers and duties of Registrar. Cancellation

and Dissolution of Trade Union, Procedure for change of name. Amalgamation and Dissolution of trade union. Disqualifications of office-bearers, Rights and Duties of office bearers and members, General and Political funds of Trade Union, Civil and Criminal immunities of registered Trade Unions. Recognition of Trade Union. Collective Bargaining.

Unit V

Factories Act, 1948: Concept of 'Factory', 'Manufacturing Process', 'Worker' and 'Occupier'. General duties of Occupier, Measures to be taken in factories for Health, Safety and Welfare of Workers, Working hours of Adults, Employment of Young Persons and Children, Annual leave with wages, Additional Provisions regulating employment of Women in factory.

Prescribed Books:

1. S.N. Mishra.– Labour and Industrial Laws
2. Dr. V. G. Goswami- Labour and Industrial Laws

Reference Books

1. Malhotra.O.P - The Law of Industrial Disputes
2. Memoria and Memoria - Dynamics of Industrial Relations.
3. K.D. Srivastava –Laws Relating to Trade Union Act

Cases

1. Assam Cha Karamachari Sangh v. Dimakurchi Tea State, 1958(1) LLJ 500
2. Associated Cement Companies Ltd, Jhinkapani v. Their Workmen, 1960 (1) LLJ 1 (SC)
3. Bangalore Water Supply & Sewerage, Board v. A. Rajappa, AIR 1978 SC 548.
4. Bokajan Cement Corporation Employees Union v. Cement Corporation of India Ltd. (2004) 1 SCC 142
5. Borosil Glass Works Ltd, Employees Union v. D.D. Bombode(2001)1 SCC 350
6. D.C. & G Mills Co. v. Chief Commissioner, Delhi, AIR 1971 SC 344.
7. D.K. Yadav v. J.M.A. Industries Ltd. (1993) 3 SCC 259
8. D.N. Banerjee v. P.R. Mukherjee, AIR 1953 SC 58
9. Delhi Transport Corporation v. Sardar Singh (2004) 7 SCC 574
10. Indian Express and Chronicle Press v. M.C. Kapur SC (1974) 2 LLJ 240
11. Indian Oxygen Ltd v. Their Workmen, SC (1969) 1 LLJ 235
12. K.M.P. Kodar Moideen v. State, AIR 1953 Mad 406
13. Motipur Zamindari Co.(P) Ltd. v. State of Bihar, 1970(1)LLJ 634
14. NUCE v. IT, Bombay, AIR 1962 SC 1080
15. Punjab National Bank v. Their Workmen, 1959(2) LLJ SC 666
16. Rajasthan State Road Transport Corporation and Another v. Krishnakant and Others(1995) 5 SCC 75
17. Regional Manager, SBI v. Rakesh Kumar Tewary, SC 2006 LLR 209
18. Rohatas Industries v. Ramalakhn Singh, AIR 1978 SC 849
19. Rohtak and Hissar District Electricity Supply Co. Ltd, and Another v. State of UP, SC (1966) 2 LLJ 330

20. Rohtas Industries Ltd v. Rohatas Industries Staff Union, SC (1976) 1 LLJ 274
21. Shankar Balaji v. State of Maharashtra, AIR 1962 SC 517
22. State of Bihar v. Deodhar Jah, AIR 1958 Pat 51.
23. State of Bombay v. Ali Saheb Kashim Tomboli, (1995) 2LLJ 182
24. University of Delhi v. Ram Nath, AIR 1963 SC 1873
25. Workman of Dimacuchi Tea State v. The Management of the Dimakuchi Tea State, AIR 1958 SC 53
26. Workmen of Tata Nagar Foundry Co. v. Their Workmen, 1962(1) LLJ 382

COURSE II
INTERNATIONAL TRADE LAW

Course Objectives:

After 1990's the protectionist policy of states has been replaced by Liberalization and Globalization. There is a world market of International competition. The survival of the economy of a country depends upon its trade and balance of payment situations. This course enables the students to be aware of rules and regulations of International Law and institutions to face the competition with competence.

Unit I

Origin & Nature of International Trade: Internal & International Trade; Distinct features of International Trade.

International Trade Theories: David Ricardo's Comparative Cost Theory, Heckscher's Theory -Ohlin's Theory of International Trade.

International Trade: Advantages & Disadvantages, Balance of Payments in International Trade, importance of Balance of Payments; Protection of Free Trade, Trade Barriers.

Unit II

GATT- Historical Evolution, Objectives, Salient features, GATT Negotiation Rounds.

Evolution of World Trade Organization from 1947 to 1995: Organization, structure, powers and objectives of WTO, difference between GATT & WTO provisions. Most Favored Nation Treatment and National Treatment, Tariffs and Safeguards.

Unit III

Technical Barriers to Trade: Sanitary and Phyto-sanitary measures, Trade Related Investment Measures, Anti- dumping, Subsidies and Countervailing measures, Agriculture, Textiles, WTO Dispute Resolution Mechanism

Unit IV

International Sale of Goods: Meaning of International Sale of Goods, Uniform Law on the Formation of Contracts for International Sale of Goods, Types of Commercial Contracts, Frustration of Contracts. UN Convention on Contracts for the International Sale of Goods (CISG), Special Trade Terms in International Sale of Contracts.

International Chamber of Commerce: Origin, Organs of ICC, Functions, International Commercial Arbitration & Conciliation, UNCITRAL Model Law on International Commercial Arbitration.

Unit V

Law Relating to International Carriage of Goods: Bill of Lading- Meaning, functions of bill of lading, International Conventions governing the bill of lading. Brussels Convention, Hague Rules, Hague- Visby Rules, International Transport by Sea- Provisions under Hamburg Rules, Conventions on Carriage by Air- The Warsaw Convention & Montreal Convention. Convention on Carriage by land- CMR Convention

Prescribed Books:

1. Clive M Schmitthoff- The Law and Practices of International Trade
2. Bhagirath Lal Das- World Trade Organization

Reference Books

1. Dr.S.R Myneni – International Trade Law
2. Indira Carr- International Trade Law
3. John H. Jackson- The World Trading System
4. Arun Goyal- WTO in the New Millennium

COURSE III

COMPETITION LAW

Course Objectives:

It is necessary to introduce students to the laws that are designed from time to time in keeping with the policy of the government to prevent unfair trade competition and protection of consumers. These laws have changed over a period of time in accordance with the demands of changing times. The laws are to be geared up to pass on the benefit of competition to consumers. These laws are to be reviewed and appreciated in this course.

Unit I

Competition Law in India: Introduction, Indian Industrial Policy, Economic Reforms-Historical Background, Competition Policy and Law, Competition, Advantages and Disadvantages, Need for Competition Regulations, Shortcomings of Monopolistic and Restrictive Trade Practices Act, 1969, Monopolistic Trade Practices, Restrictive Trade Practices, Unfair Trade Practices, Raghavan Committee Report on Competition Law.

Unit II

Anti-competition Agreements and the Freedom of Contract (S.23&27), Constitutional initiatives in the Protection from Monopolistic Activities. Competition laws in U.K., U.S.A and European Union and other countries, Cartel system and law.

Anti-trust Laws: Introduction, the Sherman Act, Clayton Act, and Federal Trade Commission Act, Relevant provisions of the said laws with comparative analysis.

Unit III

Globalization and Competition Policy in India, Monopoly and the new change. Consumer Protection under Competition Act, 2002, International position on competition.

The influence of WTO on Indian markets and International developments

Anti Dumping, Competition Law, & International Trade, Competition Law & IPR.

Unit IV

The Competition Act, 2002: Objectives, preliminary and definitions of technical terms.

Competition Laws: Core issues, Dominant Position and its abuses, comparative analysis with U.K, U.S.A and European Union. The Prohibition of anti-competitive agreements, Indian position and remedies, Combinations and Regulations of Combination-Merger between enterprises-comparative perspectives-Accommodative approach and protection of people from anti-competitive arrangements.

Unit V

Authorities, Composition, Duties of Director General, Powers, Functions and Jurisdiction of Competition Commission of India. Disposal of cases and remedies through the Commission, Some important judgments of the Commission and the Supreme Court, Future initiatives, challenges. Competition Law Practice & Procedure.

Prescribed Books:

1. T.Ramappa - Competition Law in India
2. D.P Mittal - Taxmann's Competition Law & Practice, Taxmann's Publications (P) Ltd, 3rd Edition

Reference Books:

1. Dr .V.K Agarwal - Competition Act, 2002,
2. P.Satyanarayana Prasad - Competition Law-Emerging Trends
4. Competition Act, 2002.
5. Avtar Singh - Competition Law
6. Suzanne Ra - Indian Competition Law an Internal perspective CCH
7. Vinod Dhall - Competition Law Today
8. Suresh T.Vishwanathan - Competition Act, 2002- Law and Practice

COURSE IV
CIVIL PROCEDURE CODE AND LIMITATION ACT

Course Objectives:

Study of procedural law is important for a law student. This course is designed to acquaint the students with the various stages through which a civil case passes through and the connected matters. The course also includes law of limitation. The course teacher shall endeavour to familiarise the students with the case papers (like complaints, written statements, interlocutory applications, etc.) involved in civil cases and touch upon the provisions of Evidence Act wherever necessary.

Unit I

Civil Procedure Code: Introduction: Distinction between procedural law and substantive law, History of the code, extent and its application, definition. Suits: Jurisdiction of the civil courts, Kinds of jurisdiction, Bar on suits, Suits of civil nature (Sec.9). Doctrine of Res sub judice and Res judicata (Sec. 10, 11 and 12), Foreign Judgement (Sec. 13, 14). Place of Suits (Sec. 15 to 20). Transfer of Cases (Sec. 22 to 25).

Unit II

Institution of Suits and Summons: (Sec. 26, O. IV and Sec. 27, 28, 31 and 0V). Interest and Costs (Sec. 34, 35, 35A, B). Pleading: Fundamental rules of pleadings, Complaint and written statement, Return and rejection of complaint, Defences, Set off- Counter claim. Parties to the suit (O.I), Joinder, misjoinder and non-joinder of parties, Misjoinder of causes of action, Multifariousness.

Unit III

Appearance and examination of parties (O.IX, & XVIII): Discovery, inspection and production of documents (O.XI & XIII), First hearing and framing of issues (O.X & XIV), Admission and affidavit (O.XII & XIX), Adjournment (O.XVII), Death, marriage, Insolvency of the parties (O.XXII), Withdrawal and compromise of suits (O.XXIII)- Judgement and Decree (O.XX). **Execution** (Sec. 30 to 74, O.XXI):

General Principle of execution: Power of executing court, Transfer of decrees for execution.

Mode of execution: a) Arrest and detention, b) Attachment, c) Sale.

Unit IV

Suits in particular cases: Suits by or against Governments (Sec. 79 to 82 O.XXVII), Suits by aliens and by or against foreign rulers, ambassadors (Sec. 85 to 87), Suits relating to public matters (Sec. 91 to 93), Suits by or against firms (O.XXX), Suits by or against minors and unsound persons (O.XXXII), Suits by indigent persons (O.XXXIII), Inter-pleader suits (Sec. 88, O.XXXV). Interim Orders.Commissions (Sec. 75, O.XXVI). Arrest before judgement and attachments before judgement (O.XXXVIII). Temporary injunctions (O.XXXIX). Appointment of receivers (O.XL).

Appeals (Sec. 90 to 109, O.XLI, XLII, XLIII, XLV). Reference- Review and Revision (Sec. 113, 114, 115, O.XLVI). Caveat (Sec. 144.A), Inherent powers of the court (Sec. 148, 149, 151)

Unit V

The Indian Limitation Act, 1963

Prescribed Books:

1. Mulla - Civil Procedure Code
2. Sanjiwa Rao - Civil Procedure Code
3. Mitra. B - Limitation Act

Reference Books:

1. P. M. Bakshi - Civil Procedure Code
2. C. K. Takwani - Civil Procedure Code

COURSE V
TRANSFER OF PROPERTY LAW

Course Objectives:

The focus of this course is on the study of the concept of 'Property', the 'nature of property rights' and the general principles governing the transfer of property. A detailed study of the substantive law relating to particular transfers, such as sale, mortgage, lease, exchange and gift will also be undertaken. The course also deals with the law of Trust.

Unit I

Transfer of Property: General principles, Concept and meaning of immovable property, Transferable Immovable Property, Persons Competent to transfer, Operation of Transfer, Conditions restraining alienation and restrictions repugnant to the interest created. **Transfer for the benefit of unborn person.** Rule against perpetuity and its exceptions. Direction for Accumulation. Vested interest and contingent interest.

Unit II

Doctrine of Election: Transfer by ostensible and Co-owner.

Apportionment: Priority of rights, Rent paid to holder under defective title. Improvements made by bonafide holder.

Unit III

Doctrine of Lis pendense. Fraudulent transfer and Part-performance. **Mortgage:** Definition, Kinds and its features, rights and liabilities of mortgagor and mortgagee, priority of securities, marshalling and contribution. **Charges.**

Unit IV

Sale: Rights and liabilities of seller and buyer before and after completion of sale. Difference between sale and contract for sale. **Lease:** Definition, creation, rights and liabilities of lessor and lessee, Determination and holding over. **Exchange:** Definition and Mode. Actionable Claims. **Gift:** Scope, meaning, mode of transfer, universal gifts and onerous gifts. **Easement rights.**

Unit-V

Law of Trusts with Fiduciary Relations: Definitions of Trust and its comparison with other relationships like Debt, Ownership, Bailment, Agency and Contract, Kinds of Trusts. Creation of Trust: Appointment of Trustees, Duties and Liabilities of Trustees, Rights and Powers of Trustees, Disabilities of Trustee, Rights and Liabilities of the Beneficiary, Vacating the office of trustee and Extinction of Trusts.

Prescribed Books

1. Mulla – Transfer of Property Act, 1882
2. Dr. Tripathi- The Transfer of Property Act

Reference Books:

1. Subbarao – Transfer of Property
2. Shah – Principles of the Law of Property
3. Shukla – Transfer of Property Act
4. Menon – Property Law
5. M. P. Tandon – Indian Trust Act.

Cases

1. Marshall v. Green 33 LT 400
2. Seeni Chettiar v. Santhanathan (1897) 20 Mad 58
3. Skinner v. Bank of Upper India AIR 1935 P.C 108
4. Ideal Bank Ltd v. Pride of India Pictures Ltd AIR 1983 Del 546
5. Daniels v. Davinson (1809)16 Ves 249
6. Mahesh Chandra Sharma v. Smt. Raj Kumari Sharma AIR 1996 SC 869
7. Har Prasad v. Fazal Ahmad AIR 1929 All 465
8. Perumal Ammal v. Perumal Naiker 44 Mad 196
9. Roser v. Roser 44 L.J Ch 44
10. Re Macky case 44 Ch 441
11. Rukmini Bai v. Lakshmi Bai 44 Bom 304
12. Tulk v. Moxhay 2(1848) 2 Ph 774
13. Girijesh Dutt v. Data Din AIR 1934 Oudh 35
14. Sopher v. Administrator General of Bengal AIR 1944 PC 67
15. whitby v. Mitchell)1890) 54 Ch .D .85
16. Theluson v. Woodford 35 E.R 979
17. Mohammad Afzal's Case (1933) 30 Cal 843
18. Ram Kumar v. Maqueen 18 E.R 166
19. Nirus Purve v. Tetri Pasin (1916) 20 C.W.N 103
20. Annoda Mohan Case (1922) 26 C.W.N 436
21. Bala Ramachandra v. Daulu AIR 1925Bom 176
22. Maddision v. Alderson (1833) 8 A.A.A 467
23. Kumar Harish Chandra Singh Deo v. Bansidhar Mohanty,AIR 1965 SC 1738
24. Ram Niwas v. Bano, AIR 2000 SC 2921
25. Shivdev Singh v. Sucha Singh, AIR 2000 SC 1935

COURSE VI

MEDIA AND LAW

Course Objectives:

Media plays a crucial role in shaping a healthy democracy. It creates awareness on socio-economic and political activities happening around the world. It is an interface between the common man and the Government, a powerful tool with the ability to make or break the opinion of people. This course intends to provide insights into freedom of the press as enshrined in the Constitution and the reasonable restrictions on them including journalistic ethics. It also focuses on the major regulatory mechanisms relating to the print, electronic, social media. It encompasses the entire gamut of media jurisprudence in India.

Unit I

Introduction to Media Law:

The historical perspective of mass media in India. An overview of Press Laws in India-British to present. The freedom of speech and expression under the Constitution. Constitutional safeguards, Media Legislations in U.K & U.S.A comparison with the Indian context, Issues of Privacy & Right to Information.

Unit II

Legal Dimension:

Media and Criminal Law (Defamation/Obscenity/Sedition), Media and Legislature-Privileges of the Legislature. Media & Judiciary. Contempt of Court. Media & Journalists, Official Secrets Act, The Press Council Act, Press and Registration of Books Act, 1867.

Self-regulation and other Issues: Media and Ethics, Self-regulation Vs Legal regulation, Media & Human Rights, Issues relating to entry of Foreign Print Media.

Unit III

Convergence and Media: Evolution of Broadcast Sector, Airwaves and Government control, Open Skies policy, licensing issues in Broadcast Sector. Electronic media; films, radio and television, ownership pattern-press, films, radio & television. Impact of Media. Social media.

Legal Control over Media: Cinematography Act, 1952; The Prasar Bharati Act, 1990; The Cable TV Networks (Regulation) Act, 1995; Indian Telegraph Act of, 1885. The evolution of internet as new media, regulating the internet under Information Technology Act, 2000 and media Convergence Bill, the Regulatory Commissions.

Unit IV

Media and Advertisement:

The concept of advertisement, advertisement and ethics, The Indecent representation of women, Misleading advertisement, The Dramatic Performances Act, 1876; The Young Persons (Harmful Publications) Act, 1956.

Central and the State Governments power to impose restrictions on press, power to legislate on media under Article 246 read with the Seventh Schedule, Power to impose tax, licensing and fee.

Unit V

Welfare Legislations:

Welfare measures to working journalists, The Working Journalists and other Newspaper Employees (Conditions of Service and Miscellaneous Provisions) Act, 1955. The Working Journalists (Fixation of Rates of Wages) Act, 1958. The Cine-workers welfare & Employment regulation laws.

Project work: Media vis-à-vis socio-legal issues, case studies.

Suggested readings:

1. D.D Basu. 2002. Law of the Press, New Delhi Prentice Hall.
2. H.M.Seervai, Constitutional Law of India, 1991
3. Dr C K N Raja, Freedom of Speech and Expression, Karnataka University Dharwad.
4. M.P.Jain, Constitutional Law of India, 1994
5. S.R. Myneni, Media Law, Asia Law House, 1st edition, 2013
6. John B.Howard, the Social Accountability of Public Enterprises, 1980
7. P The Press - Press Institute of India
8. Soli Sorabjee, Law of Press, Censorship in India.
9. Rajeev Dhavan, On the Law of the Press in India, 26 JILI 288 (1984)
10. Soli Sorabjee, Law of Press Censorship in India, 1976
11. Justice E.S.Venkaramiah, Freedom of Press: Some Recent Trends, 1984
12. D.D.Basu, The Law of Press of India, 1980
13. Rajeeve Dhavan, Legitimizing Government Rhetoric: Reflections on Some Aspects of the Second Press Commission, 26 JILI 391, 1984
14. P.K. Ravindranath Press Laws and Ethics of Journalism, Author Press, New Delhi
15. R.K.Ravindrana Press in the Indian Constitution.
16. K.S. Venkateshwaran Mass Media Laws and Regulations in India, Published by Asian Mass Communication Research and Information Centre, Distributed by N M Tripathi Pvt. Ltd. Bombay.
17. Dr. Ambrish Saxena Freedom of Press and Right to Information in India, Kanishka Publication, New Delhi.
18. Principles & Ethics of Journalism Dr. Jan R Hakemuldar, Dr. Fay AC de Jouge, P P Singh
19. Media Ethics and Laws –Jan R Hakemulder, Fay A.C. de Jonge, PP Singh.

Bare Acts: Excerptions form the following legislations

1. Constitution of India
2. Indian Penal Code, 1860
3. Right to Information Act, 2006
4. The Prasar Bharati(Broadcasting Corporation of India) Act,1990
5. The Press and Books Registration Act, 1867
6. The Press Council Act,1978
7. The Young Persons (Harmful Publications) Act,1956
8. The Contempt of Courts Act,1971

9. The Cine –workers Welfare Fund Act,1981
10. The Cine-workers and Cinema Theatre Workers (Regulation of Employment)Act ,1981
11. The Cable Television Networks (Regulation) Act,1955
12. Copy Right Act, 1957
13. Official Secrets Act, 1923
14. Cinematograph Act, 1952
15. Information Technology Act, 2000 •Convergence Bill, Cyber Laws

Reports/Code of Ethics:

Code of ethics by editor’s guide of India. Code of conduct for journalists by Press Council and Media Houses •Reports of various Committees & Commissions dealing with media in India – Chanda Committee, Varghese committee, Joshi Committee, Vardhan Committee, Sengupta Committee, • Mac Bride Commission. ASCI Code of Ethics for advertising • DAVP’S Code of Advertising • IPRA Code of Ethics for PR practitioners PRSI Code for PR practitioners

VIII SEMESTER
COURSE I
ADMINISTRATIVE LAW

Course Objectives:

One of the perennial problems of the civilized society is to control the exercise of public power. Administrative Law is concerned with controlling the misuse of public power, by laying down general norms of administrative behaviour. This course will deal with the nature, scope and functions of Administrative Law, the nature and control of delegated legislative power, regulation of discretionary powers and general principles of Administrative adjudication. The focus is on the role of the courts in protecting the rights of individuals against abuse of administration. In addition, adjudicatory powers of the administration and liability of administrative authorities are also studied in this course.

Unit I

Introduction to Administrative Law: Evolution, Nature and Scope of Administrative Law, Relation with Constitutional Law, Theory of Separation of Powers, its application in India, Concept of Rule of law and its application in India.

The French Administrative Model: Droit Administratif. Counsel-d-Etat.

Classification of Administrative Action: Rule making action, Rule decision, Rule application, Ministerial action.

Unit II

Quasi Legislative Action/Rule Making Action/ Delegated Legislation: The need for Quasi Legislative Action, Classification of Quasi Legislative Action, Extent of delegation, Constitutional validity of Quasi Legislative Action.

Control over Delegated Legislation: Parliamentary Control, Procedural Control, Judicial Control, Sub-delegation.

Unit III

Adjudicating Power of the Administration: Quasi Judicial power of Administration: Characteristic of Quasi Judicial power, Test for determining the quasi-judicial nature, Distinction between Quasi Judicial power and Judicial power and executive power, Tribunals: need, nature, constitution, jurisdiction and procedure.

Principles of Natural Justice: Meaning and scope, Rule against Bias, Doctrine of fair hearing, Rule of reasoned decision, Effect of non-compliance with principle of Natural Justice, exceptions to the Principles of Natural Justice.

Unit IV

Administrative Discretion: need, Principles for the exercise of Administrative discretion, Judicial control of discretionary power.

Judicial Review: Grounds, Modes of Judicial review: **Public Law review:** Writs: Principles and procedure, Jurisdiction of Supreme Court and High Court.

Private Law review: Ordinary remedies: injunctions, declarations and damages.

Doctrine of Legitimate expectation, Doctrine of Accountability and Doctrine of Proportionality.

Unit V

Administrative Liability: Liability in Tort, Liability in Contract, Doctrine of Waiver, Doctrine of estoppel. Administrative Privileges and Immunities, Accountability and transparency: Right to know, Ombudsman – Lokpal and Lokayuktha, Central Vigilance Commission, Central bureau of Investigation, Anti corruption Bureau, Corporations and Public Undertakings, Significance of Prevention of Corruption Act, 1988, Concept of Good Governance.

Prescribed Books:

1. Jain M.P. & Jain S.N. – Principles of Administrative Law
2. Massey I.P. – Administrative Law

Reference Books:

1. Takwani C.K. – Lectures on Administrative Law
2. Sathe S.P. – Administrative Law
3. Wade – Administrative Law
4. Desmith – Judicial Review of Administrative Action

Cases:

1. A.K. Kraipak v. Union of India AIR 1950 SC 150
2. ADM Jabalpur v. Shivakant Shukla, AIR 1976 SC 1207
3. AIR India v. Nergesh Meerza AIR 1981 SC 1829
4. Bachan Singh v. State of Punjab AIR 1982 SC 1325
5. Board of High School v. Ghanshyam, AIR 1962 SC 1110
6. Bool Chand v. Kurukshetra University, AIR 1968 SC 294
7. D.K. Yadav v. JMA Industries,(1993) 3 SCC 1323
8. Delhi Laws Act case, AIR 1951 SC 332
9. E.P. Rayappa v. State of Tamil Nadu AIR 1974 SC 555
10. Express Newspaper (P) Ltd. v. Union of India, AIR 1958 SC 578
11. FCI v. Janadhenu Cattle Feed Industries AIR 1993 SC 1601
12. Gwalior Rayon Mills Mfg. Co. Ltd v. Assistant Commr. of Sales Tax, AIR 1974SC 1660
13. Hamdard Dawakhana v. Union of India, AIR 1965 SC 1167
14. Indira Nehru Gandhi v. Raj Narain, AIR 1975 SC 2299

15. Industrial Department v. American Petroleum Institute, 448 US 607 (1980)
16. K.I. Shephard v. Union of India, AIR 1988 SC 686
17. Kasturi Lal v. State of U.P. AIR 1965 SC 1039
18. M.P. Industries v. Union of India, AIR 1060 SC 671
19. Maneka Gandhi v. Union of India, AIR 1978 SC 597
20. Nilabati Behera v. State of Oriss, (1993) 2 SCC 746
21. Olga Tellis v. Bombay Municipal Corporation, AIR 1986 SC 180
22. Panama Refining Co. v. Ryan, 293 US 388, 434 (1935)
23. Sitaram Sugar Co. Ltd. v. Union of India, AIR 1990 SC 1277
24. Som Prakash Rekhi v. Union of India, (1981) 1 SCC 449
25. State of Bihar v. Karam Chand Thapar & Bros. Ltd, AIR 1962 SC 110
26. State of Kerala v. K.G. Madhavan Pillai, (1988) 4 SCC 669
27. State of Orissa v. Madan Gopal, AIR 1952 SC 12
28. Union of India v. Cynbamid India Ltd. AIR 1987 SC 1802
29. Union of India v. Parma Nanda, (1989) 2 SCC 177

COURSE II
RIGHT TO INFORMATION AND INFORMATION TECHNOLOGY LAWS

Course Objectives:

Free exchange of ideas is a basic pillar of a democratic society. Corruption thrives in sacred places, therefore it is stated that sunlight is the best disinfectant. There should be governance in sunshine. The course is designed to convince the students how right to information can infuse transparency and accountability in governance, preventing abuse of power. The course deals with the enactment, rules and regulations regarding the information technology. The object of this paper is to keep pace with legal developments in the context of emerging technology in various fields.

Unit I

Right to Information Act, 2005: Historical background: Colonial and Post Independent Scenario, British and American Experiences, Prominence of Information, Evolution of Access Law, Role of civil society, Significance of Right to Information in Democracy, Constitutional Basis, Supreme Court on Right to Information.

Other related laws: The Official Secrets Act, 1923; The Public Records Act, 1993; The Commission of Inquiry Act, 1952.

Unit II

RTI Act: Definitions, Right to Information and Obligations of Public Authorities. Central Information Commission, State Information Commission, Powers and Functions of Information Commissions, Appeals and Penalties.

Best practices: A study of decisions rendered by State Commissions and Central Commission in the following areas of: Police, Revenue, PWD, Irrigation, Secretariat, BSNL, Posts and Telegraphs, Scheduled Banks, CPWD, Income Tax Department, Central Excise Department, Local Authorities. Significant Decisions of Central and Karnataka State Information Commission.

Unit III

Information Technology: Evolution & growth, Privacy and Data Protection, Scope & Need for data protection, Cyber Security, Cyber crimes & frauds, obscenity, defamation, hacking and cracking, spamming and phishing, cyber pornography, crime through mobile phones, Legal Issues of the Internet and its regulation, Consequential Amendments in various convention laws in India

Unit IV

Information Technology Act, 2000 : (Along with Rules & Regulations) Preliminary, digital signature and electronic signature, Electronic Governance, attribution, acknowledgment and dispatch, electronic records, secure electronic records and secure electronic signatures, Regulation of Certifying Authorities, Electronic signature certificates

Unit V

Duties of Subscribers: Penalties, compensation and adjudication, The Cyber Appellate Tribunal, Offences, Liabilities of Intermediaries, Electronic Evidence miscellaneous provisions and Amendments.

Prescribed Books:

1. J.H.Barowalia - Commentary on the Right to Information Act
2. Dr. Madabhushi Sridhar - Right to Information : Law & Practice
3. Dr. Jyothi Rattan - Cyber Laws & Information Technology

Reference Books:

1. S.V. Joga Rao - Law Relating to Right to Information
2. Ian J Lloyd - Information Technology law
3. Yatindra Singh - Cyber Laws
4. Vijay Kumar. Na - Cyber laws for every netizen in India
5. Vakul Sharma - Information Technology law and practice
6. Ian J Lloyd - Information Technology
7. Dr.Gupta & Agrawal, Information Technology Law and Practice
8. Relevant Bare Acts.

Cases

1. Benette Coleman & Co.Ltd. v. Steven S. Lalwani, (case no. D2000-0014, Adm. Panel Decision, WIPO)
2. Cotrone v. Realnetworks, No. C00-330 (WD, Washington filed 1st March, 2000)
3. Eicher Limited & Another v. Web Link India & Another 2002 (25) PTC 322 (Del)
4. DPP v. Me Kewnon (1997) 1 Criminal Appeal 155
5. Satyam Infoway v. Sify net Solutions 2004 PTC (28) 566 (SC)
6. Tata Sons Ltd. v. Monu Kosuri and Others, 2001 PTC 432
7. Zee Telefilms v. Sundial Communication 2003 (27) PTC 457
8. Yahoo Inc. Akash Arora, 1999 PTC 201
9. Avnish Bajaj v. State, On 29th May, 2008, 150 (2008) DLT 769
10. A&M Records, Inc. v. Napster, Inc., 239 F 3d 1004, 1023 (9th Cir 2001)
11. Bazee.com Case
12. Sushas Katti v. State of Kerala
13. Kharak Singh v. State of U.P (1964) 1 SCR 332
14. M. Saravanan and Dr.L.Prakesh & Others v. State 4th July, 2012
15. B.N. Prios v. State of Kerala 2004 IPLR (April) 109
16. Thalapalam Service Co-Operative v. Union of India on 3 April, 2009
17. Mr.R S Misra vs Supreme Court Of India on 11 May, 2011
18. Mr.Vinod Sunder R v. Department Of Space on 20 March, 2012
19. Mr. Shekhar Singh v. Central Information Commission on 6 September, 2010
20. Mr.D K Bhaumik v. Ministry of Communications And ... on 10 April, 2012
21. Shri.Yashwant v. Samant v. Central Information Commission on 25 June, 2012

22. Mr.Aditya Raghav v. CBSE on 7 December, 2012
23. Shri Anand Sarup Garg v. Central Board of Secondary ... on 18 July, 2008
24. Mr. Harikrishan Das Nijhawan v. Municipal Corporation Of Delhi
25. Mr.Mohan Vidhani v. Ministry of Commerce and Industry on 24 November, 2011
26. Shri B S Alagu v. Customs on 13 January, 2010
27. Mr.Chanderkant J Karira v. Delhi High Court on 28 September, 2010
28. Union of India Thr. Director v. Central Information Commission & on 30 November, 2009
29. The Registrar General v. K.U.Rajasekar on 17 April, 2013

COURSE III
LAW OF INTELLECTUAL PROPERTY

Course Objectives:

Intellectual Property Law has assumed greater importance in recent times as a result of the recognition that “knowledge is property”. This new branch of law aspires to protect the creation of human intellect. The syllabus encompasses all relevant IP legislations. The course is designed with a view to create IPR consciousness and familiarize the learners about the documentation and administrative procedures relating to IPR in India.

Unit –I

Intellectual Property and Industrial property: Nature of Intellectual property, the main forms of Intellectual property, Rationale for Protection of rights. Intellectual Property and Economic Development. World Intellectual Property Organization. Major International Conventions: Paris convention, Berne convention, Patent Co-operative Treaty, TRIPS.

Unit II

Analysis of Indian Patent Act- Meaning of Patent, Historical evolution of the concept of patent, Acquisition and loss of the right to the patentee, Grounds of opposition, Wrongfully obtaining the invention, Prior publication, lack of inventive step, insufficient description. Rights conferred by patents and obligation of patentee, Patents as chosen in action, Duration of patent, Use and exercises of rights, right to secrecy, Abuse of patent rights, Compulsory licensing. Remedies. **“Standard Essential Patents-its Glimpses”**

Unit-III

Analysis of Trade Mark Act: Historical evolution of Trademark Law: Definition, Registration, Rights conferred, Registered user, Assignment and transmission, Well-Known trademarks, **Non-Conventional Trademarks**, domain name, collective trademark, action for passing off and infringement of trademarks. Remedies.

Unit-IV

Analysis of Copy Right Act: Historical evolution of Copyright law: Definition, Copyright in literary, dramatic and musical works, cinematograph films, computer software, etc. Ownership of copyright, Author’s Special rights, Infringement-Fair use provisions. Remedies. Internet and Copyright.

Unit-V

Confidential Information. Plant varieties protection. Utility models: Transfer of technology patents, Patenting Biotechnological Inventions, Industrial designs. Geographical Indications. Protection of Traditional Knowledge. IPR and Human Rights. Legal Practice in IPR.

Prescribed Books

1. P. Narayanan - Intellectual Property Law

2. Dr. Ahuja- Intellectual Property Law

Reference Books:

1. B.L Wadhera- Intellectual Property
2. WIPO - Reading Material on Intellectual Property Law
3. Brainbridge, David – Cases and Materials in Intellectual Property Law
4. Cornish W.R - Cases and Materials in Intellectual Property Law
5. Dr.S.K Singh- Intellectual Property Rights Laws
6. Patents(Amendment) Act, 2002
7. Copy Right Act, 1957
8. Trade Marks Act, 1999.
9. The Biological Diversities Act, 2002
10. The Protection of Plant Varieties and Farmers' Right Act, 2001
11. Geographical Indications of Goods (Registration and Protection) Act, 1999

Cases:

1. Cadilla Health Care Ltd v. Cadilla Pharmaceuticals Ltd (2001) 5 SCC 73
2. Scotch Whisky Association v. Pravara Shanksr Karkhana AIR 1992 Bom 294
3. Diamond v. Chakraborty 447 US 303 (1980)
4. Basmathi Case
5. Neem Case
6. Turmeric Case
7. U.S v. Canada (Mail Box Provisions Case)
8. Nirmla Chemical works Pvt Ltd v. Nirman High School and others AIR 2011 (NOC) Guj
9. Shelke Beverages Pvt Ltd v. Rasiklal Manickchand Dhariwal AIR 2010 (NOC) 1064
10. Satyam Infoway Ltd v. Sifnet Solutions Pvt Ltd AIR 2004 SC3540
11. Rediff Communications Ltd v. Cyberbooth AIR 2000 Bom 27
12. Goneka Institute of Education and Research v. Anjani Kumar Goneka 2009(40) PT 393 Del
13. Natco Pharma Ltd v. Bayer Corporation (13th March 2012)
14. Novartics AG v. Union of India (2013)
15. Kamal Trading Co v. Gillette U.K Ltd (1998) 1 PCR 135
16. Amrathadhara Pharmacy v. Satya Deo AIR 1963 SC 449
17. University London Press v. University Tutorial Press (1916) 2 Ch 601
18. Macmillan v. COOPER air 1924 PC 75
19. Express News Papers v. Liverpool Daily Post and Echople (1985) 1 WLR 1089
20. Najma Heptulla v. Orient Longman Ltd AIR 1989 Del 63
21. Walter v. Lane (1900) AC 539
22. Manu Bhandari v. Kala Vikas Pictures AIR 1987 Del 1
23. Amarnth Segal v. Union of India (2002) 25 PT 56
24. R.G Anand v. Delux Films AIR 1978 sc 1613.
25. Anil Gupta v. Kunal Das Gupta (2002) 25 PTC

COURSE IV

LAW OF TAXATION

Course Objectives:

The direct taxation is a powerful incentive or disincentive to economic growth, a lever which can rise or depress savings and capital formation, and instrument of reducing income disparities. A student of taxation will have to make a detailed study of tax policy and tax in India. Our tax laws are said to be the most complicated ones in the world. An analysis of this aspect will have to be made so that the reasons for such complications can be known. The following course content has been designed to provide a comprehensive picture of taxation in India.

Unit I

Concept of Tax: Nature and characteristics of taxes, Distinction between tax and fee, tax and cess. Direct and Indirect Taxes: Tax evasion and tax avoidance, Scope of taxing powers of Parliament, State Legislatures and Local bodies. Income Tax Act: Basic Concepts, Assessee, Assessment Year, Previous Year. Residential Status and Incidence of Tax, Capital and Revenue Receipts, Incomes Exempted from Tax, Income from Salaries, Income from House Property, Income from Business or Profession, Income from other Sources.

Unit II

Deductions from Gross Total Income: Computation of Total Income of Individuals and tax liability, Computation of Total Income of HUF and tax liability, Computation of Total Income of Partnership Firms and tax liability. Income Tax Authorities, their appointment, Jurisdiction, powers and functions. Advance Tax: Tax Deduction at Source, Provisions relating to Procedure for assessment/re-assessment, Appeals and Revision Provisions, Offences and Penalties.

Unit III

Introduction to Indirect Taxes:

Excise Laws: Nature of Excise Duty, Definitions and meaning of goods, manufacture, manufacturer, taxable event, Rates of Excise duty; Basis of excise duty; valuation of goods and other provisions.

Customs Law: Customs Duty, Taxable Event, Types of Customs Duty, Valuation of Goods; other provisions.

Sales Tax:

Objectives of CST Act, 1956; Concept of State, Dealer, Declared Goods; Principles for determining the place of sale or purchase Determination of taxable turnover; Registration of dealers; How and when the central sales tax is imposed;

Main features of Value Added Tax (VAT) and Service Tax

Brief note on Excise laws, Customs laws and Sales Tax laws including VAT & Service Tax.

Goods and Services Tax: Background -Demonitisation and Curbing Black Money;

Combating tax evasion;

Major features of the Constitution (122nd Amendment) Bill, 2014;

Taxation Laws (Amendment) Bill, 2017 (Indirect Tax Laws Amendment Bill);

Unit IV

Integrated Goods and Services Tax Act, 2017;

The Central Goods and Services Tax Act, 2017;

Salient features of GST, Advantages of GST, HSN (Harmonised System of Nomenclature) , Service Code, Input Tax Credit, GST Council, other provisions of GST, Tax Slabs under GST, SGST, CGST, IGSTcomparison, Administering GST; Challenges ahead etc.

CGST Act, 2017: Overview – Definitions, registration , Levy and Collection on tax, input tax credit, tax invoice, credit and debit notes, accounts and records, returns, payment of tax, refunds, assessment, audit, inspection, search, seizure and arrest, appeals and revision, offences and penalties .

Unit V

International Taxation: Double taxation; Unilateral and bilateral relief; Tax treaties; Types of Tax haven countries; OECD and UN models of tax treaties; Tax Planning and Management; types of tax planning; factors to be considered for tax planning.

Prescribed Books:

1. Dr. V. K Singhania - Students Guide to Income tax, Taxmann Publications.
2. V. S. Datey - Indirect taxes- Law and Practice, Taxmann Publications.

Reference Books:

1. Girish Ahuja and Ravi Gupta - Systematic Approach to Income – Tax and Sales –tax, Bharat Law House.
2. T. N. Manoharan- Students Handbook on Income Tax Law, Snowwhite Publications pvt. Ltd.
3. B. Lal – Direct Taxes- Practice and Planning; Konark Publishers Pvt Ltd., Delhi.
4. Dr. H. C Malhotra and Dr. S. P. Goyal- Direct taxes, Sahitya Bhawan, Agra.
5. Sharad Bhargava- Income tax for Students, Mashbra Industires (P) Ltd., New Delhi.
6. V. Balachandran- Indirect Taxes, Sultan Chand and Sons, New Delhi.
7. J. K. Jain and Anand Jain- Law of Central Sales Tax in India, Anand prakashan, Jaipur.
8. P. L. Malik- Commentaries of Customs Act, Eastern Book Company, Lucknow.
9. G. Sarangi- Introduction to Indian Tax System and Central Excise Law and Procedure, Censes Publications, New Delhi.

COURSE V
LAW OF CRIMINAL PROCEDURE

Course Objectives:

Fair procedural Law is a pre requisite for a just society. The course is designed to clarify how pre-trial, trial and the subsequent process are geared up to make the administration of criminal justice effective. The course will acquaint the student with organization of the functionaries under the Code, their power and functions at various stages and the procedure according to which these powers and functions are to be exercised. The students will also undertake the study of two cognate Acts as a part of this course viz.; Juvenile Justice Act and Probation of Offenders Act. The course teacher shall endeavour to familiarise the students with FIR, Police statement, charge sheet, etc.

Unit I

Introduction and classes of Criminal Courts: Concept of Procedural Law, Importance of procedural Law and its applications. Definitions. Construction of References. Trial of offences under the Indian Penal Code and Special Acts. Classes and hierarchy of Criminal Courts in India. Powers of various Criminal Courts. Metropolitan Areas and their Magistrates and Judges, Executive Magistrates and Public Prosecutors.

Unit II

Powers of Police Officers, Arrest of persons and Process to compel Appearance. Powers of Police Officers including Superior Officers. Aid to Magistrate and the Police. Arrest and its procedures. Examination of Accused and Victim. Other related provisions relating to arrest. **Process to compel appearance:** Summons, Warrant, Proclamation and Attachment. Process to compel the production of things: Search Warrants, Summons to produce, Seizure of properties, Reciprocal arrangements for production of person or thing in India and vice versa. **Preventive action by Police:** Information to the Police and their powers to investigate. Security for peace and for good behavior, maintenance of public order and tranquility. Related case laws.

Unit III

Order for maintenance of Wives, Children and Parents. Jurisdiction of Criminal Courts in Inquiries and Trial, Condition requisite for initiation of proceedings, Complaints to Magistrates, Commencement of proceedings before Magistrates.

The Charge: Contents of Charge, alteration of Charge, Joinder of Charge, Trial before Court of Sessions, Trial of Warrant Cases by Magistrates based on Police Report, Trial of Summons case by Magistrates, Summary Trials, Plea Bargaining. Related case laws.

Unit IV

Attendance of persons confined or detained in prison. Evidence in Inquiries and Trials, Mode of recording evidence, Commissions. General provisions as to Inquiries and Trials, Trial of persons of unsound mind, Offences affecting administration of Justice, Judgement. Confirmation of death sentence, Appeals, Reference and Revision, Transfer of Criminal Cases, Execution, Suspension, Remission and Commutation of Sentence, Provisions as to

Bail and Bonds, Disposal of property, Irregular Proceedings, Limitation for taking Cognizance of cases, Miscellaneous Provisions. Related case laws.

Unit V

Juvenile Justice (Care and Protection of Children) Act, 2016.

The Probation of Offenders Act, 1958

Prescribed Books:

1. Rathanlal and Dhiraj Lal- Criminal Procedure Code

Reference Books:

1. Sohoni's - Criminal Procedure Code.
2. Batuk Lal's - Criminal Procedure Code.
3. R.V. Kelkar - Criminal Procedure Code.
4. Decided cases on Criminal Procedure Code.
5. Criminal Judicial System in India.
6. Rarest of rare cases.
7. Annual Digests.
8. Justice. Malimath' Committee on Reforms of Criminal Procedure Code.
9. Relevant Bare Acts.

COURSE VI
INTERPRETATION OF STATUTES

Course Objectives:

Enacted laws, i.e. Acts and rules are drafted by legal experts. Language used will leave little or no room for interpretation or construction. But the experience of all those who have to bear and share the task of application of the law has been different. Courts and lawyers are busy in unfolding the meaning of ambiguous words and phrases and resolving inconsistencies. The statute is to be construed according to the intent of them that make it. To ascertain the true meaning, intent of the maker, numerous rules of interpretation have been formulated by courts. The objective of this course is to make the student familiar with various rules of interpretation.

Unit I

Introduction: The meaning and purpose of a Statute. Interpretation and construction of Statutes. Legislation and Kinds of legislations, brief introduction involved in the process of framing legislation, distinction between statute law and judicial law, advantages of statute law over case law.

Judicial Process: Evaluation of Judicial Process as an instrument of Social Order. Public Law and Social Philosophy, Characteristics of Judicial Legislation, Judicial Process and Public Policy, Law and Public Policy.

Unit II

The basic principles of interpretation: Intention of the legislature, Statute must be read as a whole and in its context, construction to make it effective and workable every word should be given a plain meaning irrespective of consequence, appraisal of plain meaning rule.

General rules of interpretation: Basic methods of interpretation, Rule of Literal construction (Mischief and Golden rule).

Internal aids to construction: Preamble, Heading, Marginal notes, Schedule, Punctuation, Illustration, Explanations, Definitions, Proviso.

External aids of Construction: Parliamentary history, historical facts, reports of committees and commissions, International Conventions, and Contemporanea expositio, Dictionaries.

Unit III

Subsidiary Rules of Interpretation: Conjunctive and disjunctive words, SAME word, same meaning, Use of different words, Rule of last antecedent, Non-obstante clause, Legal fiction- Mandatory and directory provisions, use of “or” & “and”.

Construction of general words: General Principles, Rule of Ejusdem Generis, words of rank, Redendo Singula Singulus, Bonam Partem, Causus Omnisus. Doctrine of Noscitur a Sociis, Contemporanea expositio, Understanding associated words in a common sense and the expositio unius Rule.

Unit IV

Statutes affecting jurisdiction of Courts: Extent of exclusion, territorial application, Exclusion of jurisdiction, Jurisdiction of Superior Courts.

Interpretation of Taxing Statutes: Principle of construction of a fiscal Statute. Strict construction of Taxing statutes, evasion of statutes

Interpretation of the Constitution: General Principles

Unit V

Operation of the Statutes: Retrospective Operation, Liberal construction of Remedial Statutes, Strict Construction of Penal Statutes, Mens rea in statutory offences.

The General Clauses Act, 1897: The purpose of General Clauses Act and general definitions, (Special Emphasis on SS. 5 to 13, 14 to 19, 20, 24, and 28).

Prescribed Books:

1. G. P. Singh – Principles of Statutory Interpretation.

Reference Books:

1. Maxwell on the Interpretation of Statutes
2. V. P. Sarathi - Interpretation of Statutes
3. Bindra - Interpretation of Statutes
4. General Clauses Act, 1897
5. Avtar Singh - Interpretation of Statutes

Cases:

1. Reserve Bank of India v. Pearless General Insurance Finance and Investment Co. (1987) 1 S.C.C .424
2. Municipal Corporation Hyderabad. v. T.N Murthy (1987) 1 SCC 568
3. C.I.T v. Teja Singh AIR 1959 SC 352
4. ITO, Mangalore v. M. Damodhar Bhat, AIR 1969 SC 408
5. Sussex Peerage Case (844) 11 C1 & F 85
6. D. Stephen Joseph .v. Union of India, (1997) 4 SCC 753
7. Suthendran v. Immigration Appeal Tribunal, (1976) 3 All ER 611
8. Municipal Board v. State Transport Authority Rajasthan, AIR 1965 sc 458
9. Ramavtar v. Assistant Sale Tax Officer, AIR 1955 SC 1325
10. Grey v. Pearson (1857) 6 HCL 61
11. Motipur Zamindary Co Ltd v. State of Bihar, AIR 1962 SC 660
12. Forest Range Officer v. Khushboo Enterprise, AIR 1994 SC 2288
13. Ashwini Kumar Ghose v. Arabindo Bose, AIR 1952 SC 369
14. Jivabhai v. Chhagan AIR 1961 SC 1491
15. Manohar Lal v. State of Punjab, AIR 1961 SC 418
16. Raj Kiran v. Binod, AIR 1954 SC 202
17. Heydon's Case.
18. Smith.v. Hughes (1960) 1 WLR 830
19. Bengal Immunity Co. v. State of Bihar AIR, 1955 SC 661

20. CIT, Madhya Pradesh. v. Sodra Devi, AIR 1957 SC 837
21. Sopher v. Administrative General Bengal, AIR 1944 PC 67
22. Mohd. Sydeol Ariffin v. Yeah Oai Gark, 43 IA 256
23. Union Carbide Corporation v. Union of India, AIR 1988 SC 1531
24. State of Madhya Pradesh v. Swaroop Chand AIR 1997 SC 301
25. State of Bombay v. R.M.D.C AIR 1957 SC 699

Note: The cases mentioned above are suggested only. Students are informed to refer the recent cases available at various law reports and also refer to online law journals

SEMESTER IX
COURSE I
LAW OF ENVIRONMENT

Course Objectives:

Environmental problems have attained alarming proportions. It is essential to sensitise the students to environmental issues and the laws. The important principles in the field such as inter-generation equity, carrying capacity, sustainable development and precautionary, polluter pays principles are to be appreciated. The law in practice is to be analysed and evaluated. The recent development relating to the compliance towards international environment conventions and its initiatives, particularly by imposing the Corporate Social Responsibility on various sectors and its measures to implement are the challenging issues in the protection of environment and management. The course is designed towards these objectives.

Unit I

Concept of Ecology and Environment: The basic concepts of ecology and ecosystem, Biosphere and Biomes. Kinds of pollution-Air, Water, Soil. Causes and Effects of pollution-green house effect-ozone layer depletion acid rain. Ancient Indian approach to Environment, Traditional approach. Natural and Biological Sciences.

Conflicting dimensions: Anthropogenic V. Anthropocentric approaches- recent issues relating to Environment, Environment and sustainable development, National and International Perspectives, Population and Developmental impact on environment.

SEZ, Land Acquisition Policy, Rehabilitation & Resettlement.

Unit II

Environmental Law and Policy: An over view of Environmental Policy during Pre and Post Independence era, present policy. The Role of Central and State Governments - Five year Plans – Implementation of the policies. Forest Policy - Conservation strategy – National Water Policy, National Environment Policy-Conservation of Natural Resources and its Management.

Indian Constitution and Environment: Right to Environment, Constitutional provisions on Environment and its Protection, Role of Judiciary on Environmental issues, evolving of new Principles, Absolute Liability, Polluter Pays Principle, Precautionary Principle, and Public Trust Doctrine.

Unit III

International Law and Environmental Protection: International Conventions in the development of Environmental Laws and its Policy - From Stockholm to recent Conventions (Special Emphasis on Major conventions and Protocols) Brown and Green agreements-Multilateral environmental agreements- Outcomes from Doha Climate Change Conference, Carbon Credit, Corporate Social Responsibility. Control on Marine Pollution.

Common Law aspects of Environmental Protection: Riparian rights and Prior-appropriation. Relevant Provisions of I.P.C., Cr.P.C and C.P.C for preventing pollution.

Unit IV

The Pollution Prevention Laws: Prevention and Control of Pollution through Scientific methods, prevention of Water pollution- Ground water conservation. Legal Control of Water and Air Pollution, The Water Act, 1974; The Air Act, 1981.

Pollution Controlling Mechanisms- Modalities of control, Noise Pollution and its control, Noise Pollution control order. Disposal of Waste, Laws on waste disposal and its control - Trans-boundary Pollution hazards and Regulation on Bio-Medical Waste.

Laws relating to Conservation of Flora and Fauna: Bio-diversity and Legal regulation - Authorities under Biological Diversity Act, 2002 -Utilization of flora and fauna. Forest (Conservation) Act, 1980.

Problems in legal regulation of Medicinal Plants: Objectives of the Protection of Plant Varieties and Farmers' Rights Act, 2001 Wildlife Protection Act 1972, Symbiotic relationship and tribal people- Rights of Tribal- Forest Dwellers. Animal Welfare Act, 2010. Experimentation on animals, Legal and Ethical issues.

Wetland Conservation and Law.

Unit V

Environment Protection and Legal Remedies: Environment Protection Act, 1986 including Environment Protection Rules. Major Notifications relating to Coastal Zone Management, ECO-Mark, Environment Impact Assessment. Environmental Audit, Public Participation in Environmental decision making, Environment information, public hearing. **Legal remedies for environmental problems:** Environmental Disputes and its Redressal agencies, Green Benches, National Environment Appellate Authority, Environmental Tribunals; National Green Tribunal, Public liability Insurance and Environment Relief Fund and remedies under other Laws. **Environment awareness & UN initiatives:** Civil society and environment, Role of NGO's (National and International level) and voluntary organizations, Funding agencies. Complex problems in administration of Environmental Justice.

Environmental Protection to Environmental Management.

Prescribed Books:

1. Leelakrishnan - Environmental Law in India /Cases
2. S. Shantha Kumar - Introduction to Environmental Law

Reference Books:

1. Simon Ball & Stuart Bell - Environmental Law.
2. Armin Rosen Cranz - Environmental Law and Its Policy in India.
3. Sanjay Upadhyay and Videh Upadhyay - Handbook on Environmental Laws
4. Dr.S.R.Myneni - Environmental Law
5. Relevant Bare Acts/Notifications
6. S.Diwan and A. Roscencranz - Environmental Law and Policy in India
7. P. Leelakrishnan - Environmental Law in India, Butterworths Kladhira (2008)
8. P.S. Jaswal - Environmental Law (Pioneer Publications)
9. S. Lal Commentaries on Water, Air and Environmental Pollution
10. D.S. Senegar - Environmental Law.
11. S.K.Nanda - Environmental Law, 2007
12. S. Lal - Commentaries on Water, Air and Environmental Pollution

COURSE II

LABOUR WELFARE LEGISLATION

Course Objectives:

In the colonial era, before independence Indian psyche was negative and the social and legal efforts were merely imitative and not creative. But after becoming a republic and adopting a normative Constitution, the present look is positive and progressive. Our Country has gone far ahead in implementing Welfare Measures of Social Justice. One such area is enactment of legislations dealing with social securities to help vulnerable sections of the community including labour. The present paper is a specimen for creating awareness as to social securities and legislative aspirations for creating a Welfare Society.

Unit I

The Concept of Welfare State: Evolution and Functions, Social Welfare and Social Security, Constitutional aspirations of social welfare.

Labour welfare and International Scenario: ILO-Objectives, Constitution, Organs, impact of ILO on Indian Labor Legislations.

The Employees' Compensation Act, 1923:

Introduction-features and definitions.

Employees Compensation: Employers liability for compensation-Occupational disease-- Arising out of and in the course of employment- Doctrine of Notional Extension- Doctrine of Added-Peril-Amount of compensation-Method of calculating wage-distribution of compensation.

Commissioner: Appointment, Reference to commissioner-Jurisdiction of the Civil Court-Venue of proceedings and transfer-powers and Procedure of Commissioners-Appeals.

Unit II

The Employees State Insurance Act, 1948:

Introduction-Application and Scope of the act

Definitions: Contribution-Corporation, Dependent-Employment injury, Employment, Employee and Wages.

Corporation-Standing Committee and Medical Benefit Council-Contributions and Benefits.

The Maternity Benefit Act, 1961: Definition: Child, Delivery, Maternity Benefit, Medical termination of Pregnancy, Miscarriage, Wages, Women, Employment of or Work by Women prohibited during certain period, Right to payment of Maternity Benefit, continuance and payment of maternity benefit in certain cases, notice of Claim for maternity and payment thereof, payment of maternity benefit in case of death of a women, payment of medical bonus, leave for miscarriage, leave with wages for tubectomy operation, other leaves, nursing breaks, dismissed during absence of pregnancy, deduction of wages.

The Child Labour (Prohibition and Regulation) Act, 1986: Object and Scope, Definitions: Child, Family, Workshop, Prohibition of Employment of children in certain occupations and processes, regulation of conditions of work of children.

Unit III

Minimum Wages Act, 1948: Concept of Minimum Wages, Fair Wage, Living Wage and Need Based Minimum Wage, Constitutional Validity, Procedure for Fixation and Revision of Minimum Wages, Fixation of Minimum Rates of Wage by time rate or by price rate, Procedure for hearing and deciding claims.

The Payment of Wages Act, 1936: Object, Scope and Application of the Act.

Definition: Wage, Responsibility for Payment of Wages, Fixation of Wage period, time of payment of wage, deductions which may be made from wages, minimum amount of deduction.

The Contract Labour (Regulation and Abolition) Act, 1970: Object and scope,

Definitions: Contract Labor, Contractor, Controlled Industry, Principal Employer, Wages, Workmen, Registration of Establishments employing Contract Labor, Licensing of Contractors, Welfare and Health of Contract Labor.

Unit IV

The Employees Provident Funds and Miscellaneous Provisions Act, 1952: Object and Scope of the Act.

Definitions: Basic Wages, Contributions, Employer, Employee, Exempted Employee, Exempted Establishment, Fund, Pension Fund and Scheme, Superannuation, Determination of Escaped Amount, Recovery of Money due from employers.

The Payment of Bonus Act, 1965: Object of the Act.

Definitions: Payment of Wages and Deductions from Wages, Inspectors Powers and Functions.

The Payment of Gratuity Act, 1972: Object and Scope.

Definitions: Employee, Employer, Factory, Family, Wages, Continuous Service, Payment of Gratuity, Protection of Gratuity.

Unit V

The Equal Remuneration Act, 1976: Introduction, Definitions. Payment of Remuneration at Equal Rates to Men and Women Workers and other matters.

The Bonded Labor System(Abolition) Act,1976: Aims, Objects and Operation,

Definitions: Abolition of Bonded Labor System, Extinguishment of liability to repay bonded debt, Implementing Authorities, Vigilance Committee.

Benefit Schemes for the Unorganized sector: Issue and Problems. Anxieties of employees in Call Centers and Out Sourcing Centers.

Prescribed Book:

1. Surya Narayan Misra - Labour and Industrial Laws

Reference Books:

1. Dr.Goswami, V.G. - Labor and Industrial laws

2. Jivitesh Kumar Singh - Labor Economics- Principles, problems and practices

3. Srivastava, S.C. - Treaties on Social Security and Labor Laws

4. Meenu Paul - Labor and Industrial Law.

Cases:

1. Indar Singh v. Secretary of State, AIR 129. Lah. 573.
2. Upper Doaba Sugar Mills Ltd. v. Daulat Ram AIR 1960 ALL. 493.
3. General Manager G.R.P. Railway, Bombay v. Shankar, AIR 1950. Nag. 201.
4. New India Assurance Co. Ltd. v. Kotam Appa Rao and another (1995) II L.L.J. 436. (A.P.)
5. Pratap Narain Singh Deo v. Srinivasa, AIR 1976 S.C. 222.
6. State of Kerala v. Khadeeja Beevi, 1989, II L.L.J. 438 (Kerala)

COURSE III
PRINCIPLES OF LEGISLATIVE DRAFTING

Course Objectives:

Legislation plays an important role in controlling the human behaviour. In the democratic country people are not directly involved in the process of drafting of Legislation. It is very essential for the Law students to acquaint the skills & techniques of legislative drafting. In this course, the students are trained to gain the knowledge of legislative drafting by way of studying principles, theories, process of drafting through theory and practical classes.

Unit I

Conceptual background on legislative drafting: Definition and meaning of Legislation, Kinds of Legislation, Evolution of Legislation and Principles of Legislation- Early Laws, Twelve Table, Medieval Laws, Modern Laws, Contribution of Jurists. Bentham's Theory of Legislation.

Principles of Legislative Drafting: Principles, parts of a Bill, sentence, structure and other grammatical issues.

Unit II

Principles of Legislative Drafting:

Forms: Bills, Acts, Orders, Rules, Schedules, Related Provisions, Case Laws.

Principles of Legislative Instruments: As a tool of power, Object to Civil & Criminal Legislation, anticipated goals, Limitations of Legislation as a tool for change in relation to Religion, Morality and Tradition, Factors which influence decision of the legislator, Correlation between Public Opinion and Legislative formulation, major problems and trends in legislative formulation in a modern welfare State.

Ideals of Drafting: Simplicity, Preciseness, Consistency, Alignment with Existing Laws, Brevity & bibliography sources.

Unit III

Process and Preparation of Legislative Drafting: General rules, words selection, syntax, style, punctuation, reference of other related Laws and existing Laws, relevancy with Constitutional Provisions, required instructions for legislative drafting. Other requirements: punctuation, marginal notes, provisions, illustrations, presumptions, use of non- obstante clauses, retrospective effect, exceptions, fictions, explanations, classification of Statutes, Amending, consolidating and codifying Statutes: Subordinate Legislations.

Unit IV

Stages in Legislative Drafting:

Provisions: Preliminary, substantive, administrative, supplementary, penal.

Translation of Statutes: Basic requirement of regional language and English, Use of glossary and vocabulary, Translation from one language to the other.

Unit V

Practical's (Project & Viva): Each student has to scrutinise one Bill and has to prepare a Draft Bill on a subject assigned. The work will be evaluated for 15 Marks.

Prescribed books:

Reed Dickerson: Fundamentals of Legal Drafting
Robert C Dick: Legal Drafting
Thornton, G.C.: Legislative Drafting, Butterworths, London.
Bentham: Theory of Legislation
Indian Law Institute: The Drafting of Laws (1980)

Suggested readings:

Allen, Law in the making: Sweet and Max Well
Renton C' Hee Report: Preparation of Legislation, Sweet and Max Well
W. Friedman: Law in a Changing Society (1970)
Zander M.: The law Making Process, Widenfeld & Icholson, England
Renton C' Hee Report: Preparation of Legislation, Sweet & Max Well J.
Bentham : Principles of Legislation
Indian Law : The Drafting of Laws
P.M. Bakshi : Legislative Drafting
Dicey : Law and Public Opinion
Ruthnaswamy : Legislation Principles and Practice

COURSE IV
CLINIC I: DRAFTING, PLEADING AND CONVEYANCING

Course Objectives:

Translation of thoughts into words, spoken and written, is an essential ingredient of a successful advocate. The students should be trained in drafting of pleadings and conveyances and other essential documents. The skill of drafting can be acquired and sharpened by undertaking the exercises under the supervision of an expert in the field. The course aims at equipping the students with drafting skills.

Drafting, Pleadings and Conveyancing:

- a. General Principles of Drafting
- b. Pleadings

I. Civil Cases:

- a. Complaint
- b. Written Statement
- c. Interlocutory Application
- d. Affidavit
- e. Original Petition
- f. Execution Petition
- g. Memorandum of Appeal, Revision
- h. Petitions under Article 226 and 32 of the Constitution of India
- i. Issue of notices of demand/and statutory notices under section 138 of NI Act, Sec.80 of CPC and under Rent Act, Caveat under section 148-A of CPC

II. Criminal Cases:

1. Complaints
2. Criminal Miscellaneous petition
3. Bail Application
4. Memorandum of Appeal and Revision
5. Application for release of property
6. Application for exemption from personal appearance
7. Advancement, recall of warrant

III. Conveyance:

- | | |
|-------------------|----------------------|
| a. Sale Agreement | g. Partition Deed |
| b. Sale Deed | h. Adoption Deed |
| c. Lease Deed | i. Power of Attorney |
| d. Mortgage Deed | j. Trust Deed |
| e. Gift Deed | k. Partnership Deed |
| f. Release Deed | l. Will |

Note: - Test shall be conducted once in a week, i.e., for every 5 hours of teaching, the sixth hour will be for the test.

Assignment shall be given for every topic and it shall be valued by the subject teacher.

Prescribed Book:

1. Moga's Indian Conveyance
2. Bindra's – Pleading and Practice

Reference Books:

1. P.K. Majumdar – Guide to the Deeds
2. R.K. Gupta – Deeds
3. D'Souza's – Law and Practice of Conveyancing, Deeds and Documents
4. Shiva Gopal – Conveyancing precedents and forms

COURSE V
CLINIC II: PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING
SYSTEM

Course Objectives:

Professions are noble. The movement of all professions, hitherto, has been from chaos to organization, organization to consolidation and consolidation to autonomy and monopoly. Same is true of the law profession also. The prime reason for conferring autonomy and monopoly by the society on the professionals is the fact that they are a body of learned persons and the interest of society and individuals is safe in their hands. The Bar should set enviable standards of ethics and scrupulously adhere to them. The trust reposed by the society in this profession is to be zealously guarded. The Bar should live up to the expectations of the society. The course is designed to imbibe students with these high values forming the basis of the profession so that they can live up to the standards.

Syllabus

The importance of legal education. Professional Conduct and Advocacy (Krishnaswami Aiyar)

Advocates Act 1961, Professional Ethics: Standards of professional conduct & Etiquette. Bar-Bench relationship. Professional & Other Misconduct:

Bar Council of India Rules: Part- IV & VI.

Analysis of important case laws relating to professional & other misconduct.

Contempt of Court 1971. Features of the Act, Contempt Proceedings:

Analysis of important case laws relating to Contempt of Court.

Accountancy for lawyers: Need for maintenance of accounts, books of accounts.

Elementary aspects of book-keeping. Journal entries, cash book, profit & loss account.

Ledger.

The scheme of evaluation will be as under:

Division of marks; **Total marks = 100**

Tests = 80

(There shall be two tests for 40 marks each, one at the end of 8th week and the other at the end of the semester)

Case Analysis/Assignment =10

Viva = 10

Reference Books:

1. Krishnaswami Aiyar - Professional Conduct and Advocacy, Oxford Publication.
2. N. R. Madhava Menon, (ed.) - Clinical Legal Education(1998), Code of Ethics for Advocates published in the Appendix-II and other relevant articles
3. Judgments of Supreme Court on professional ethics
4. Decisions of the Disciplinary committee of the Bar Council of India reports in the Indian Bar Review.
5. Bar Council of India-Selected Judgments on Professional Ethics Vol. I & II

Prescribed Books:

1. Dr. Kailash Rai- Legal Ethics, Accountability for Lawyers & Bar-bench Relations.
2. Sirohi.J P S-Legal Ethics, Accountability for Lawyers, Bench-Bar Relations.
3. Myneni S R-Professional Ethics, Accountability for Lawyers, Bench-Bar Relations.
4. Gupta S P - Professional Ethics, Accountability for Lawyers, Bench-Bar Relations.
5. Dr. B. Malik, (Ed.) - Art of Lawyer (New Delhi, Universal Book Agency, 1999)-
Relevant articles
6. Pre-University text books on Accountancy

Acts & Rules:

1. The Advocates Act, 1961
2. The Advocates Welfare Fund Act, 2001
3. The Bar Council of India Rules 1961
4. Notaries Act, 1952.
5. The Notaries Rules 1956
6. Contempt of Court Act, 1971
7. The Contempt of Courts (CAT) Rules 1992.

X SEMESTER
COURSE I
PUBLIC INTERNATIONAL LAW AND HUMAN RIGHTS

Course Objectives:

The course deals with the study of general principles of International Law including Law of Peace. Third World concerns in respect of security and development and the role of U.N. and International Agencies in structuring solutions in the context of changing balance of power are also to be appreciated. The objectives of the course are to prepare for responsible citizenship with awareness of the relationship between Human Rights, democracy and development; to foster respect for International obligations for peace and development; to impart education on National and International regime of Human Rights; to sensitize students to human suffering and promotion of human life with dignity; to develop skills on human rights advocacy and to appreciate the relationship between rights and duties and to foster respect for tolerance and compassion for all living creatures.

Unit I

Historical Development of International Law: Definitions of International Law; Nature & Basis of International Law, Theories forming the basis of International Law, Natural Law Theory, Positivism, Consent Theory, Auto Limitation Theory, Pacta Sunt Servanda, Theory of Fundamental Rights. Difference between Public & Private International Law, Codification of International Law

Sources of International Law: International Conventions and Treaties, International Customs, General Principles of Law recognized by Civilized Nations, Decisions of Judicial or Arbitral Tribunals, Juristic Works, Decisions of the organs of International Institutions; Relationship between International Law and Municipal Law-Monism, Dualism, Specific Adoption Theory, Transformation Theory, Delegation Theory, State Practices regarding the relationship between International Law and Municipal Law, Subjects of International Law, Theories on Subject of International Law, State as a Subject of International Law, Nature of State, Essential elements of State, Different kinds of State and Non-State entities, Individual as a Subject of International Law.

Unit II

Position of State in International Law: State Jurisdiction, Basis of Jurisdiction, Civil & Criminal, Principles of Jurisdiction, Subjective and Objective Territorial Principle, Extra-territorial Jurisdiction, International Servitudes, State Recognition- Theories of Recognition, De jure & De facto Recognition, Doctrines on Recognition, Consequences of Non-Recognition, State Responsibility- Notion of Imputability, State responsibility in different fields.

Unit III

State and Individual: Nationality, Extradition, Asylum, Diplomatic & Consular Privileges and Immunities.

Law of the Sea- Development of Law of the Sea, Concept of Freedom of Sea; United Nations Convention on Law of the Sea- Territorial Sea, Contiguous Zone, Exclusive Economic Zone, High Seas, Continental Shelf, International Sea Bed Authority, International Tribunal for Law of the Sea and Sea-Bed Dispute Chamber.

International Treaties- Formation, Termination, Interpretation, Amendment and Modification of treaties

Unit IV

League of Nations: Formation and Failures, UNO Charter, Objectives, Principal Organs of UN & their functions, General Assembly, Security Council- Composition, Veto Power and International Sanctions, Economic and Social Council, Trusteeship Council, Secretariat.

International Court of Justice: Composition, & Jurisdiction of ICJ.

Specialized Agencies: Composition, Powers and Functions.

Appraisal of the performance of UNO in relation to emerging trends.

Unit V

Concept of Human Rights: Development of the concept of Human Rights, provisions relating to Human Rights in Charter of UN, International Bill of Human Rights, Enumeration of provision of rights in UDHR, International Covenant on Civil and Political Rights, 1966, International Covenant on Social, Economic and Cultural Rights, 1966. Regional Protection of Human Rights, European Convention on Human Rights, American Convention on Human Rights, African Charter on Human and People's Rights.

Human Rights in Indian Scenario: Protection of Human Rights under Human Rights Act 1993- Definition of Human Rights, Objectives, Constitution, Powers and Functions of National Human Rights Commission & State Human Rights Commission.

Prescribed Books

1. J.G.Starke- International Law
2. Oppenheim- International Law

Reference Books

1. John O Brian - International Law
2. Dr. S.K Kapoor - International Law & Human Rights
3. Martin Dixon - Textbook on International Law
4. Malcolm Nathan Shaw - International Law
5. S.K Verma -An Introduction to International Law
6. Antonio Cassese - Human Rights in a Changing World.
7. Dr. S.K Kapoor - Human Rights

COURSE II

LAW OF EVIDENCE

Course Objectives:

Every legal system will have laws prescribing rights and duties and procedure to enforce such laws. They are Substantive Law and Procedural laws, also known as adjective Law. The Law of evidence is one of the most important parts of the procedural laws. It plays a very significant role in the effective functioning of the judicial system and works as an indispensable part of both substantive and procedural laws. It imparts credibility to the adjudicatory process by indicating the degree of veracity to be attributed to 'facts' before the forum. The course enables one to appreciate the concepts and principles underlying the law of evidence and identify the recognized forms of evidence and its sources. Also, it seeks to impart to the student, the skills of examination and appreciation of oral and documentary evidence in order to find out the truth. The art of examination and cross-examination, and the shifting nature of burden of proof are crucial topics.

Unit I

Introductory: History and development of Evidence law; Procedure and Substantive law; customary principles of evidence; British principles of evidence (**Sec. 1-3**). Preamble, Short title, Extent and Commencement, Acts which deal with Evidence, Applicability of Evidence Act. Judicial Proceedings, Court, Court Martial, Tribunals, Commissions of Inquiry, Arbitration, Affidavits, Contempt of Court.

Central Conceptions in Law of Evidence (Sec. 3-4): Facts: Definition (Section 3), Evidence: Meaning and kinds (Section 3), Presumption (Section 4), "Proved", "Disproved" and "Not proved" (Section 3), Witness, Appreciation of Evidence.

Relevancy of Facts (Sec. 5-16): Doctrine of res gestae (Section 6, 7, 8, 9), Evidence of common intention (Section 10), Facts not otherwise relevant (Section 11), Relevant facts for proof of custom (Section 13), Facts concerning bodies & mental state (Section 14, 15).

Admissions and confessions (Sec. 17-31): General principles regarding admission (Section 17, 23), Differences between "admission" and "confession", Non-admissibility of confessions caused by "any inducement, threat or promise" (Section 24), Inadmissibility of confession made before a Police Officer (Section 25), Admissibility of custodial confessions (Section 26), Admissibility of "information" received from accused person (Section 27), Confession by co-accused (Section 30), Admissions are not the conclusive proof of the matters admitted (Section 31) .

Unit II

Dying Declarations (Sec. 32-58): Relevancy of dying declarations (Section 32), Judicial standards regarding evidentiary value of dying declarations.

Relevancy of Judgments: General principles, Admissibility of judgments in civil and criminal matters (Section 43), "Fraud" and "Collusion"(Section44).

Expert Testimony: General principles, Who is an expert? : Types of expert evidence, Opinion on relationship especially proof of marriage (Section 50), the problems of judicial defence to expert testimony.

Relevancy of Character: In civil cases (Section 52), in civil criminal cases (Section 53), Previous bad character (Section 54),

Unit III

Oral and Documentary Evidence (Sec. 59-100): General principles concerning Oral Evidence (Sections 59-60), General principles concerning Documentary Evidence (Sections 67-90), General Principles Regarding Exclusion of Oral by Documentary Evidence, Special problems: re-hearing evidence.

Unit IV

Burden of Proof (Sec. 101-134): Tenancy estoppel (Section 116), The general conception of onus probandi (Section 101), General and special exceptions to onus probandi, Presumption as to certain offences, Presumptions as to abetment of suicide by a married women (Section 113-A), Presumption as to dowry death (Section 113-B), Presumptions as to absence of consent in certain prosecution of rape.

Estoppel: General Principle (Section 115), Estoppel, res judicata and waiver and presumption, Estoppel by deed, Estoppel by conduct, Equitable and promissory estoppels.

Witnesses: Competent witness (Section 118), State privilege (Section 123), Professional privilege (Section 126, 127, 128), Accomplice (Section 133).

Unit V

Examination and Cross Examination of witnesses (Sec. 134-167), General principles of examination and cross examination (Section 135-166), Leading questions (Section 141-143), Lawful questions in cross-examination (Section 146), Compulsion to answer questions put to witness, Hostile witness (Section 154), Impeaching of the standing or credit of witness (Section 155). Refreshing memory, Powers of the Judges, Improper and rejection of evidence.

Prescribed Book:

1. Ratan Lal, Dhiraj Lal - Law of Evidence (latest edition, Wadhwa, Nagpur)

Reference Books:

1. Sarkar and Manohar - Sarkar on Evidence (1999), Wadha & Co., Nagpur
2. Indian Evidence Act, (Amendment up to date)
3. Polein Murphy, Evidence (5th Edn. Reprint 2000), Universal, Delhi.
4. Albert S.Osborn - The Problem of Proof (First Indian Reprint 1998), Universal, Delhi.
5. Avtar Singh - Principles of the Law of Evidence (1992), Central Law Agency, New Delhi.
6. Vepa P. Sarathi - Law of Evidence (6th ed., 2006)
7. M. Monir - Law of Evidence (14th ed., 2006)

Cases:

1. Bhuboni Sahu v. The King, AIR 1949 PC 257 158
2. Haroon Haji Abdulla v. State of Maharashtra, AIR 1975 SC 856 163
3. Ravinder Singh v. State of Haryana, AIR 1975 SC 856 169

4. Sec 3, State of Rajasthan v. Darshan Singh Alias Darshan Lal, 21-May-2012, SC
5. Bhera Singh v. State of Rajasthan, 12-April-2012, SC
6. Sec 4, Raja Ram Seth & Sons v. Delhi Admn, 12-October-2012, Delhi
7. Murad Ali, Son of Md. Kayam v. State of Bihar, 17-October-2012, Patna
8. Sec 6, Vutukuru Lakshmaiah v. State of AP, 22-March-2007, AP
9. Sec 7, Hind Mosaic & Cement Works v. Shree Sahjanand Trading Corporation, 24-July-2012, Gujarat
10. Essaki Ammal Alias Chitra v. Veerabhadra Alias Kumar, 15-June-2012, Madras
11. Sec 8, Sandeep v. State of UP, 11-May-2012, SC
12. Shyamal Ghosh v. State of West Bengal, 11-July-2012, SC
13. Sec 10, Mohammed Ajmal Mohammad Amir Kasab & Abu Mujahid v. State of Maharashtra, 29-August-2012, SC
14. Central Bureau of Investigation v. Raju Chintaman Sonawane, 20-October-2012, Bombay
15. Sec 11, 13, 14, 15, Hind Mosaic & Cement Works v. Shree Sahjanand Trading Corporation, 24-July-2012, Gujarat
16. Sec 17, Escolastico Mazarello v. Stacey Moraes, 07-September-2012, Bombay
17. Handicraft & Handloom Export Corporation of India Ltd v. Unisilk Ltd, 09-July-2012, Delhi
18. Sec 23, Chandan Prakash v. Vidya Devi, 14-August-2012, Delhi
19. Chakkiparambath Abdul Rasheed v. Chenakkal Juma-Ath Palli Paripalana Committee, Moonniyoor, Tirurangadi Taluk, Malappuram, 30-March-2012, Kerala
20. Sec 24, Shanti Devi v. State of Rajasthan, 05-October-2012, SC
21. Sahadevan v. State of Tamil Nadu, 08-May-2012, SC
22. Sec 25, Sandeep v. State of UP, 11-May-2012, SC
23. Subramanian Swamy v. Manmohan Singh, 31-January-2012, SC
24. Sec 26, Madhu v. State of Kerala, 13-January-2012, SC
25. Ram Sah Son of Late Jitan Sah v. State of Bihar, 12-October-2012, Patna
26. Sec 27, Sunil Clifford Daniel v. State of Punjab, 14-September-2012, SC
27. Thoti Manohar v. State of Andhra Pradesh, 15-May-2012, SC
28. Sec 30, Abdul Kalam & Kalamoni v. State of Assam, 19-July-2012, Gauhati
29. Vaibhav S/O Khushalrao Tijare v. State of Maharashtra, 13-June-2012, Bombay
30. Sec 31, Mohd Yunus v. State, 05-April-2010, Delhi
31. Sec 32, M Sarvana & K D Saravana v. State of Karnataka, 24-July-2012, SC
32. Shudhakar v. State of MP, 24-July-2012, SC
33. Sec 43, N.Gurucharanam v. State of Andhra Pradesh, 12-October-2012, AP
34. Reliance Industries Limited v. State of UP, 07-September-2012, Allahabad
35. Sec 44, Sarabjit Singh v. Gurpal Kaur, 27-July-2012, Delhi
36. Heriberto Francisco Maria D'cunha Alias Hariberto D'cunha v. Victor Luis, 13-July-2012, Bombay
37. Sec 50, Rameshbhai Dabhai Naika v. State of Gujarat, 18-January-2012, SC
38. Jai Narain Mahton v. Gopal Rai, 04-October-2012, Patna
39. Sec 52, State of Himachal Pradesh v. Hari Dass, 21-May-2012, HP
40. Sec 53, Mohd Yunus v. State, 05-April-2010, Delhi
41. Sec 54, Narender Kumar v. State Nct of Delhi, 25-May-2012, SC

42. Prashant Appasaheb Alias Apparao Kate v. State of Maharashtra, 05-March-2012, Bombay
43. R. S. Maddanappa v. Chandramma (1965) 3 SCR 283 114
44. Madhuri Patel v. Addl. Commissioner, Tribal Development, AIR 1995 SC 94 120
45. Sanatan Gauda v. Berhampur University, AIR 1990 SC 1075 131
46. M.C. Vergheese v. T.J. Ponnai, AIR 1970 SC 1876 136
47. State of U.P. v. Raj Narain, AIR 1975 SC 865 140
48. Sec 59, Durlabhji Damjibhai Vandra v. State of Gujarat, 15-September-2012, Gujarat
49. Dev Parkash v. Kalawati Widow of Het Ram, 29-May-2012, HP
50. Sec 60, Sher Ali Sardar v. State of West Bengal, 27-September-2012, Calcutta
51. Sundar Raj v. M.Srinivasa Naidu, 05-September-2012, Karnataka
52. Sec 67, Sudhir Kumar v. Ramesh Kumar, 23-July-2012, HP
53. V Pandi v. M Thyagarajan, 18-July-2012, Madras
54. Sec 90, Union of India v. Ibrahim Uddin, 17-July-2012, SC
55. Safiya Ahmed Qureshi v. Saiyed Hanif Mustafa, 13-September-2012, Gujarat
56. Sec 116, Rehoboth Garment Process v. Radha Lakshmi, 04-October-2012, Madras
57. Sharma Montessori School v. Union of India, 24-September-2012, Delhi
58. Sec 101, Ningamma W/O Late Gopalaraju v. Devanga Sangha, 04-October-2012, Karnataka
59. Munshi Lal Mahendra Kumar Jain v. Gopal Gupta, 24-September-2012, MP
60. Sec 113(A), Vitthalrao S/O Dattarao Kale v. State of Maharashtra, 10-October-2012, Bombay
61. Umesh Kumar v. State of Madhya Pradesh, 03-July-2012, MP
62. Sec 113(B), Rajesh Bhatnagar v. State of Uttarakhand, 10-May-2012, SC
63. Neeraj Kumar Alias Basante v. State of UP, 30-April-2012, Allahabad
64. Sec 115, Omprakash Jain v. Shyamlal Vyas, 18-October-2012, MP
65. Zaineb Begum v. Abdul Aziz Mir, 14-September-2012, Jammu & Kashmir
66. Sec 118, Amrit Sharma & Amit v. State, 18-October-2012, Delhi
67. Korra Govardhan v. State of A.P. Rep. By Public Prosecutor, High Court of AP., Hyderabad, 17-October-2012, AP
68. Sec 123, Shyam Agency v. Union of India, 18-October-2012, SC
69. N.Jothi v. Secretary Department of Home, 01-October-2012, Madras
70. Sec 126, Council of The Institute of Chartered Accountants of India v. Ajay Kumar Gupta, 28-February-2012, Delhi
71. Sec 133, Shanti Devi v. State of Rajasthan, 05 Oct, 2012, SC
72. In Reference(Received Fro Iii Asj(Fast Track Court) Narsinghpur v. Rahul Rajak, 25 Jul, 2012, MP
73. Sec 166, Moolchand Kotdiya v. Paraschand Vaidya, 01 Mar, 2012, Chhattisgarh
74. Sec 143, Vipin Nair Intelligence Officer Nacotics Control Bureau Mumbai v. Gulam Mohammed Malik R/O Panzinara Shumbal Road Patan Baramulla, 07-May-2012, Bombay
75. Sec 146, R K Chandolia v. Cbi, 11-April-2012, Delhi
76. Sec 154, Bhajju Alias Karan Singh v. State of MP, 15-March-2012, SC
77. Hanu Baistav v. State of Assam, 18-September-2012, Gauhati

78. Sec 155, Rajubhai Jangubhai Rathwaq v. State of Gujarat, 06-September-2012, Gujarat
79. Shajahan Alias Shajan v. State of Kerala, 07-August-2012, Kerala
80. State of Maharashtra v. Prafulla B. Desai (Dr.) (2003) 4 SCC 601
81. R. M. Malkani v. State of Maharashtra, AIR 1973 SC 157 10
82. Mirza Akbar v. Emperor, AIR 1940 PC 176 17
83. Badri Rai v. State of Bihar, AIR 1958 SC 953 23
84. Mohd. Khalid v. State of W.B. (2002) 7 SCC 334 26
85. Jayantibhai Bhenkerbhai v. State of Gujarat (2002) 8 SCC 165 39
86. Bishwanath Prasad v. Dwarka Prasad, AIR 1974 SC 117 46
87. Central Bureau of Investigation v. V.C. Shukla, AIR 1998 SC 1406 49
88. Veera Ibrahim v. State of Maharashtra, AIR 1976 SC 1167 59
89. Aghnoo Nagesia v. State of Bihar, AIR 1966 SC 119 64
90. Pulukuri Kottaya v. Emperor, AIR 1947 PC 67 70
91. Bodhraj v. State of J. & K. (2002) 8 SCC 45 76
92. Khushal Rao v. State of Bombay, AIR 1958 SC 22 86
93. Sudhakar v. State of Maharashtra (2000) 6 SCC 671 95
94. Patel Hiralal Joitaram v. State of Gujarat (2002) 1 SCC 22 101
95. Laxman v. State of Maharashtra (2002) 6 SCC 710 108
96. Ram Narain v. State of U.P., AIR 1973 SC 2200: (1973) 2 SCC 86 111
97. State of Bihar v. Laloo Prasad (2002) 9 SCC 626 176

Prescribed Legislation:

1. The Indian Evidence Act, 1872
2. Indian Penal Code, 1860
3. Information Technology Act, 2000
4. Civil Procedure Code, 1908
5. Criminal Procedure Code, 1973
6. Banker's Book Evidence Act -1971

COURSE III
SEMINAR
(Principles of Research)

Course Objectives:

The paper on seminar gives training to the students to develop inclination towards research. The students are encouraged to select topics in which they have interest and curiosity. The students are trained in methods of data collection in both doctrinal and empirical research. They are guided in the preparation of questionnaire, surveying, sampling and interview. The students are encouraged in the preparation of reports and in the method of classifying and analyzing the data. They are taught in the skills of presentation and assertion of ideas. This emphasizes constant and consistent supervision, control and direction in research pursuits.

Unit I

Concept of Research: Types of Research: Doctrinal & Non-doctrinal Research.

Methods of Research: Historical, Analytical, Statistical and Comparative.

Research Techniques (Tools of Research):

- a. **Observation:** Participant and Non-participant, Controlled and uncontrolled observation, Structured and unstructured observation.
- b. **Interview:** Structured and unstructured interview.
- c. Questionnaire, Characteristics of a good questionnaire, Structured and unstructured questionnaire.
- d. **Survey:** Characteristics of a good survey, advantages and disadvantages of survey, Interview survey, Questionnaire Survey, Group survey.
- e. **Sampling:** Characteristics of a good sample, advantages of sampling, Simple random sampling.
- f. **Case Study Method:** Meaning, advantages and disadvantages of case study method.

Unit II

- a. Hypothesis: Meaning, Characteristics of good hypothesis.
- b. Research Report: Meaning of Research report, Parts of Research Report, Preliminary Text and Reference materials, Title Page, Declaration, Preface, Foreword, Acknowledgement, Table of Cases, Introduction, The Texts, Conclusion & Suggestions, Bibliography, Appendix and Footnotes.
- c. Style and Language, Page, Size, Spacing and Numbering,

Unit III

Method of citation:

Note:

The Indian Law Institute has formulated a set pattern of footnoting, which is followed in The Journal of Indian Law Institute, Annual Survey of Indian Law and various other publications of the Institute. This method is widely accepted in India. In addition to this, students are informed to refer the standard Law journals for studying the method of citation.

Part I

Mode of citation for books

A. FOR AN AUTHORED BOOK

(i) By a single author:

Name of the author, *Title of the book* p.no. (if referring to specific page or pages) (Publisher, Place of publication, edition/year of publication).

E.g. M.P.Jain, *Indian Constitutional Law* 98 (Kamal Law House, Calcutta, 5th edn., 1998).

(ii) By two authors:

Name of the authors, *Title of the book* p.no. (if referring to specific page or pages) (Publisher, Place of publication, edition/year of publication).

E.g. M.P.Jain and S.N. Jain, *Principles of Administrative Law* 38 (Wadhawa, Nagpur, 2001)

(iii) By multiple authors (more than two):

Name of the first two authors, *et.al. Title of the book* p.no. (If referring to specific page or pages) (Publisher, Place of publication, edition/year of publication).

E.g. Jerry L. Mashaw, Richard A. Merrill, *et.al.*, *The American Public Law System –Cases and Materials* 50 (West Group, St. Paul, MN, 1992).

B. FOR EDITED BOOKS

(i) By a single editor:

Name of the editor (ed.), *Title of the book* p.no. (if referring to specific page or pages) (Publisher, Place of publication, edn/year).

E.g. Nilendra Kumar (ed.), *Nana Palkhivala: A Tribute* (Universal Publishers, Delhi, 2004).

(ii) By two editors:

Name of the editors (eds.), *Title of the book* p.no. (if referring to specific page or pages) (Publisher, Place of publication, edn/year).

E.g. S.K. Verma and Raman Mittal (eds.), *Intellectual Property Rights: A Global Vision* 38-42 (ILI, Delhi, 2004).

(iii) By more than two editors:

Name of the editors, the first two only, *et.al.* (eds.), *Title of the book* p.no. (if referring to specific page or pages) (Publisher, Place of publication, edn/year).

E.g. Chatrapati Singh, P.K. Coudhary, *et.al.* (eds.), *Towards Energy Conservation Law* 78 (ILI, Delhi, 1989).

(iv) By, or an auspices of, an organization/institution:

Indian Law Institute, *Index to Indian Legal Periodicals* (ILI, Delhi, 2002)

Part II

MODE OF CITATION FOR ARTICLES/ESSAYS

(i) Citation of a paper published in a journal/periodical:

Name of author of the article, title of the essay within inverted commas, volume number of journal, *Name of the journal in abbreviation* & page number (year).

E.g. K. Madhusudhana Rao, "Authority to Recommend President's Rule under Article 356 of the Constitution" 46 *JILI* 125 (2004).

(ii) Citation of a paper published in a case reporter:

P.K. Thakur, "Permissibility of Probation in Offences Punishable with Minimum Imprisonment" 2 *SCJ* 26-38 (2002).

(iii) Citation of an essay published in a book edited:

Name of author of the essay, title of the essay within inverted commas, in Name of the editor(s), *title of the edited book* page number (publisher, edition/year).

E.g. R.K. Nayak, "Evolving Global Drugs Law for the 21 st Century" in D.C. Jayasuriya, R.K. Nayak *et.al.*(eds.), *Global Drugs Law* 70 (1997).

(iv) Citation of an essay published as a part of a Survey of Law (e.g. Annual Survey of Indian Law – [an annual publication of the Indian Law Institute, New Delhi]:

Name of author of the essay, title of the essay within inverted commas, \ volume number *name of the survey*, page number (year).

E.g.: P.S. Jaswal, "Constitutional Law-I" XXXVIII *ASIL* 115-150(2002).

(v) Citation of a write-up published in a news paper/periodical:

Name of the writer, Title of the write-up within inverted commas, Name of the news paper date.

Robert I. Freidman, "India's Shame: Sexual Slavery and Political Corruption are Leading to an AIDS Catastrophe" *The Nation*, Apr. 8, 1996.

(vi) Citation of an editorial from a newspaper:

Editorial, Title of the Editorial within inverted commas *Name of the newspaper*, date. Editorial, "Short-circuited" *The Times of India*, Aug. 2, 2004.

(vii)Citing a reference form Encyclopedia:

Edwin R.A. Seligman (ed.), XV *Encyclopedia of the Social Sciences* (The Macmillan Co., NY, 1957).

Part III

WEBSITES

If the websites gives information as to when it was last modified, the must be cited, if not one must cite the date of visiting the website.

(i) Information Technology Act 2000, India, *available at:* <http://www.mit.gov.in/it-bill.asp> (Last Modified July 29, 2003).

ii) Information Technology Act 2000, India, *available at:* <http://www.mit.gov.in/it-bill.asp> (Visited on July 29, 2003).

Part IV

UNPUBLISHED WORKS

i. Unpublished Research Work (E. g., Dissertation/Thesis):

Name of the Researcher, *Title of the dissertation/thesis* (Year) (Unpublished Ph.D. thesis, Name of the University/organization).

Raman Mittal, *xyz* (2004) (Unpublished Ph.D. dissertation, Punjab University).

ii. Interviews:

Interview with M. Veerappa Moily, Law Minister, *The Hindu*, July 25, 2004.

iii. Forthcoming publication of a book:

G. Gann Xu, *Information for Corporate IP Management* (In Press, 2004).

iv. Forthcoming publication of an article:

Shabistan Aquil, "Classification of Human Rights", in S.K. Verma, Shabistan Aquil, *et. al.* (eds.), *Human Rights: Cases and Material* (In Press, 2004).

Part V

MODE OF CITATION OF CASE LAW

(a) All India Reporter(AIR)

(i) If the case name and citation together are to be written in the text of the article itself

[Note: This format is not allowed in JILI]: *Kesavananda Bharati v.State of Kerala* (AIR 1962 SC 933).

(ii) If the name and citation are to be written in the footnote itself: *Kesavnanda Bharati v.State of Kerala*, AIR 1962 SC 933.

(iii) Where the case title is written in the body of the text, only the name of the case shall be in the text e.g. *Kesavananda Bharathi v. State of Kerala* and the citation is written in the footnote as AIR 1973 SC 1461.

(b) Supreme Court Cases (SCC)

(i) If the case name and citation together are to be written in the text of the article itself [Note: This format is not allowed in JILI] *Jassa Singh*

Jassa Singh v. State of Haryana [(2002) 2 SCC 481]

(ii) If the name and citation are to be written in the footnote itself:

(iii) *Jassa Singh v.State of Haryana* (2002) 2 SCC 481

(iv) If the case title is to be written in the body of the research paper, only the name of the case shall be written e.g., *Jassa Singh v. State of Haryana* then the citation would be written in the footnote as (2002) 2 SCC 481.

(c) Criminal Law Journal (Cr.L.J)

Lakhwinder Singh & Ors. v. State of Punjab, 2003 Cri LJ 3058 (SC).

Ujjagar Singh v. State of Haryana, 2003 Cri LJ 1691 (P&H).

(d) All England Reports (All ER)

Wilcox v. Jeffery [1951] 1 All ER 464.

(e) If parties to a case are numerous, for e.g.

State of Punjab v. Union of India

This case is to be cited as: *State of Punjab v. Union of India* (1977) 3 SCC 592.

Part VI

ACTS

The Information Technology Act, 2000 (Act 21 of 2000)

Part VII

REPORTS

(i) Law Commission of India, 144 th Report on Conflicting Judicial Decisions Pertaining to the Code of Civil Procedure, 1908 (April, 1992).

(ii) Government of India, Report: *Committee on Reforms of Criminal Justice System* (Ministry of Home Affairs, 2003).

Unit IV

Research Activity Task – I

(Based on the selected seminar topics)*

- a. **Explanation of various stages of research:** Indication of the preparation of synopsis in brief, exact idea and vision statement, examination of Synopsis, corrections and suggestions.
- b. **Examination of synopsis:** Collection of Synopsis, corrections and suggestions.
- c. **Guidance on data collection:** Doctrinal, Non Doctrinal. Documentation of the data, target groups, areas covered, guidance on preparation of questionnaire, administration of questionnaire, Survey methods, examination of questionnaire, action plan for survey.
- d. **Guidance for the preparation of research projects action plan:** Methodology, expected outcomes, expected constraints, areas of data collection, examination of project plan, corrections and suggestions.
- e. **Examination of project plan,** Corrections and suggestions

Unit V

Research Activity Task – II

Submission of I Report, submission of II Report, classification and analysis of data, submission of III report, submission of Draft Report, submission of final report, Seminar Presentation.

**Note: The seminar topics shall be chosen by the students in the arena of law or its interdisciplinary emerging areas. The topics may also be selected by the students in consultation with their guides before the commencement of the respective semester/programme. The course coordinator will finalize the names of the Guide. The assigned seminar topics and its research activity tasks I & II reports shall be submitted to their respective guides on or before the specified date.*

Prescribed Books:

1. F.L. Whitney – Elements of Research
2. Goode and Hatt – Methods in Social Resarch
3. S.K. Verma and M.Afzal Wani (Edited) – Legal Research and Methodology, Indian Law Institute Publication

References:

1. Morris L. Cohen – Legal Research
2. N. Sadhu - Research Methodology in Social Sciences
3. Victor Tunkell - Legal Research
4. Dr. S.R Myneni – Legal Research and Methodology
5. B.A.V. Sharma – Research Methods in Social Sciences
6. Dr. H.N. Tewari - Research Methodology
7. Soloman Raja & Gandhi – Research Methodology
8. John H. Farrar & Anthony M.Dugdale – Introduction to Legal Method.
9. Harvard Blue Book of Citation (19th & 21st Edition)

COURSE IV
CLINIC III: ALTERNATIVE DISPUTE RESOLUTION SYSTEMS

Course Objectives:

Today alternative disputes resolution systems have become more relevant than before at local, national and international levels. Certain of the disputes, by nature are fit to be resolved through specific method of resolution. Each of these dispute resolution systems involves different style of planning and execution. The skills involved are also different as also preparation. The course teacher shall administer simulation exercises for each of the methods.

The students are required to study:

The different methods of ADR

The Arbitration & Conciliation Act 1996.

Mediation:

Stages in Mediation, The role of the Mediators, The role of the Advocate, Code of conduct for Mediators, Qualities of a Good Mediator, Techniques of Negotiation.

The Services Authority Act 1987.

Lok-Adalath

The scheme of evaluation will be as under:

Division of marks; **Total marks = 100**

Tests = 60

(There shall be two tests for 30 marks each, one at the end of 8th week and the other at the end of the semester)

Simulation exercises: = 20

There shall be four simulation exercises for 5 marks each. (One exercises each in Negotiation, mediation, arbitration & conciliation.)

Viva = 20

Prescribed Books:

1. Sridhar Madabhushi - Alternative Dispute Resolution
2. P.C. Rao - The Arbitration & Conciliation Act 1996

Reference Books:

1. Sampath D.K. - Mediation, National Law School, Bangalore
2. Rajan R.D. - A Primer on Alternative Dispute Resolution
3. Gold Neil, et.al., Learning Lawyers Skills (Chapter-7)
4. Michael Noone - Mediation, (Chapters-1,2&3)

COURSE V
CLINIC IV: LITIGATION ADVOCACY AND INTERNSHIP

Course Objectives:

This course is designed to hone advocacy skills in the students. Moot Courts are simulation exercises geared up to endow students with facility in preparation of written submissions and planning, organising and marshalling arguments in the given time so as to convince the presiding officer.

The students should familiarize themselves with the various stages of trial in civil and criminal cases. They should be exposed to real court experience. Further they should imbibe the skills of client interviewing.

Litigation Advocacy

Moot Court: The Paper will have following components of **30 marks** each:

1. Every student may be required to do at least three moot courts in a year. The moot court work will be on an assigned problem. **(10 marks)**

2. Observance of Trial in two cases, one Civil and one Criminal. Students may be required to attend two trials in the course of the final year of their LL.B. Programme. They will maintain a record and enter the various steps observed during their attendance on different days in the courts assigned. **(10 Marks)**

3. Final Moot Examination: The Clinical Evaluation Committee shall evaluate Moot Court at the end of the semester. The problem for the Moot examination shall be notified at least 25 days before the date of examination. The moot problem given is common to all the batches. Students have to submit memorials in hand written form (along with Citation or supporting documents) for both the sides. **(10 Marks)**

Client's interview and Counselling: The student shall attend court proceedings for at least three days in a week. Each student shall maintain a record and enter the various steps observed during their attendance on different days in the courts assigned. The course teacher shall evaluate this record for a maximum of twenty five marks. **(25 Marks)**

Pre-Trial Preparation and Internship: Each student shall observe the interviewing sessions of events when they visit the Chambers of Advocates or legal aid offices and shall record the proceedings in a diary. The course teacher shall evaluate this record for fifteen marks. **(15 Marks)**

The student shall also observe the preparation of documents and court papers by the advocate and the procedure for filing of the suit or petition and shall record in the dairy. The course teacher shall evaluate this dairy for 10 marks along with internship diary for 10 marks. **(20 Marks)**

At the end of the course, Viva-Voce will be held for 10 marks. **(10 marks)**