

**Department of Law
Bankura University,
Bankura, West Bengal**

**Distribution of Courses of 3(Three) Year LL.B Hons. Course
Under CBCS System**

SEMESTER : I

| Course Code | Course Title | Credit | Marks | | |
|-------------|--|--------|-------|-----|-------|
| | | | IA | ESE | Total |
| LB101C | Jurisprudence and Legal Theory | 4 | 20 | 80 | 100 |
| LB102C | Indian Constitutional Law I | 4 | 20 | 80 | 100 |
| LB103C | Family Law I | 4 | 20 | 80 | 100 |
| LB104C | Law of Torts, MV and CP Laws | 4 | 20 | 80 | 100 |
| LB105C | General Principles of Contract & Specific Relief | 4 | 20 | 80 | 100 |
| LB106O | Right to Information | 4 | 20 | 80 | 100 |

SEMESTER II

| | | | | | |
|--------|---|---|----|----|-----|
| LB201C | Indian Constitutional Law II | 4 | 20 | 80 | 100 |
| LB202C | Family Law II | 4 | 20 | 80 | 100 |
| LB203C | Special Contract | 4 | 20 | 80 | 100 |
| LB204C | Transfer of Property & Easement Law | 4 | 20 | 80 | 100 |
| LB205H | Land Laws including Tenure & Tenancy System | 4 | 20 | 80 | 100 |
| LB206O | Health Law | 4 | 20 | 80 | 100 |

SEMESTER III

| | | | | | |
|--------|--|---|----|----|-----|
| LB301C | Law of Crimes I (Indian Penal Code) | 4 | 20 | 80 | 100 |
| LB302C | Public International Law | 4 | 20 | 80 | 100 |
| LB303H | Human Rights Law and Practice | 4 | 20 | 80 | 100 |
| LB304C | Code of Civil Procedure and Limitation | 4 | 20 | 80 | 100 |
| LB305C | Environmental Law | 4 | 20 | 80 | 100 |
| LB306O | Media and Law | 4 | 20 | 80 | 100 |

SEMESTER IV

| | | | | | |
|---------|---|---|-----------------------|----|-----|
| LB401H | Law of Copyright | 4 | 20 | 80 | 100 |
| LB402C | Administrative Law | 4 | 20 | 80 | 100 |
| LB403C | Law of Evidence | 4 | 20 | 80 | 100 |
| LB404C | Law of Crimes II (CrPC, JJ Act, PO Act) | 4 | 20 | 80 | 100 |
| LB405CL | Drafting, Pleading and Conveyance | 4 | Practical 40+40+20 | | 100 |
| LB406O | Banking Law | 4 | 20 | 80 | 100 |
| LB407O | International Organisation | 4 | 20 | 80 | 100 |

SEMESTER V

| | | | | | |
|---------|--|---|-------------------------------------|----|-----|
| LB501H | Patent and Design | 4 | 20 | 80 | 100 |
| LB502C | Company Law | 4 | 20 | 80 | 100 |
| LB503H | Information Technology Law | 4 | 20 | 80 | 100 |
| LB504H | Competition Law | 4 | 20 | 80 | 100 |
| LB505CL | Professional Ethics and Professional Accounting System | 4 | Practical 50(WT)+30(CS)+20(Viva) | | 100 |
| LB506O | Insurance Law | 4 | 20 | 80 | 100 |
| LB507C | Mediation with Conciliation | 4 | 50(ESE)+ 50(Practical) | | 100 |

SEMESTER VI

| | | | | | |
|---------|---|---|--------------------------|----|-----|
| LB601H | Trade Mark and Geographical Indication | 4 | 20 | 80 | 100 |
| LB602C | Labour and Industrial Law | 4 | 20 | 80 | 100 |
| LB603H | Interpretation of Statutes and Principles of Legislations | 4 | 20 | 80 | 100 |
| LB604C | Law of Taxation | 4 | 20 | 80 | 100 |
| LB605CL | Moot Court Exercise and Internship | 4 | Practical 30+30+30+10 | | 100 |
| LB606CL | Alternate Dispute Resolution | 4 | Practical | | 100 |

Note : 'C' denotes Compulsory Paper

'CL' denotes Clinical Paper

'O' denotes Optional Paper

'H' denotes Hons. Paper

Total Marks and Credit of 3 year LL.B (Hons.) Course

| SEMESTER | CREDIT | MARKS |
|--------------|------------|-------------|
| I | 24 | 600 |
| II | 24 | 600 |
| III | 24 | 600 |
| IV | 28 | 700 |
| V | 28 | 700 |
| VI | 24 | 600 |
| TOTAL | 152 | 3800 |

Department of Law
Bankura University
Detail Syllabus of 3 year LL.B (Hons.) Course under CBCS System

SEMESTER I

Course Code : LB101C
Course Title :_Jurisprudence and Legal Theory
Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Definition, meaning, nature, classification and importance of jurisprudence, meaning of law, relationship between law and morality.
- UNIT 2. Theories of law- natural law theories, historical school of law, analytical theories of law, American realism, pure theory of law, sociological theories, feminist jurisprudence.
- UNIT 3. Sources of law- legislation, precedent and custom.
- UNIT 4. Administration of justice- Meaning and various theories of punishment
- UNIT 5. Legal Right- Meaning, basis and elements of Legal Right, Relation between rights and duties, kinds of Legal Rights.
- UNIT 6. Ownership- Meaning and characteristics of ownership, kinds of ownership.
- UNIT 7. Possession- Meaning, elements of possession, kinds of Possession, distinction between ownership and possession.
- UNIT 8. Personality- Meaning, Natural Person and artificial Person, Legal Status of Animals, dead persons and unborn persons, Theories of Corporate personality.

Books Recommended:

1. Salmond- Jurisprudence
2. G.W. Paton- Jurisprudence
3. Dias- Jurisprudence
4. Friedman- Legal Theory
5. B.N. Mani Tripathy- Jurisprudence and Legal Theory
6. M.J. Sethna- Contributions to Synthetic Jurisprudence
7. S.N. Dhyani- Fundamentals of Jurisprudence
8. Lloyd- Introduction of Jurisprudence
9. V.D. Mahajan- Jurisprudence

Course Code : LB102C
Course Title : Indian Constitutional Law-I
Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Historical Background, nature and features of the Constitution of India.
- UNIT 2. Union and Its Territory (Arts. 1-4) and Citizenship (Arts. 5-11)
- UNIT 3. The Preamble: Its Importance and utility.
- UNIT 4. Fundamental Rights: State (Art. 12), Pre-Constitutional and Post-Constitutional Operation of Law (Art. 13), Right to Equality (Arts. 14-18), Right to Freedom (Arts. 19-22), Right against Exploitation (Arts. 23-24), Right to Freedom of Religion (Arts. 25-28), Cultural and Educational Rights (Arts. 29-30).
- UNIT 5. Directive Principles of State Policy (Arts. 36-51), and its relation with Fundamental Rights. Overriding effect of Directive Principles of State Policy over FRs (Arts. 31, 31A, 31B, 31C).
- UNIT 6. Right to Constitutional Remedies (Art. 32).
- UNIT 7. Judicial Review and Judicial Activism.
- UNIT 8. Fundamental Duties and its Legal Implications.

Books Recommended:

1. Durga Das Basu – Constitutional Law of India
2. Durga Das Basu – Shorter Constitution of India
3. Durga Das Basu – Case Book on Indian Constitution
4. Udai Raj Rai- Fundamental Rights and Their Enforcement, PHI Learning.
4. V.N. Shukla – Constitution of India
5. M.P. Jain – Indian Constitutional Law
6. M. Hidayatullah – Constitutional Law of India
7. T.K. Tope – Constitutional Law of India
8. H.M. Seervai – Constitutional Law of India

Course Code : LB103C
Course Title : Family Law-I
Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Sources of Hindu Law, Hindu Joint Family System and Coparcenaries.
- UNIT 2. General Principles of Succession under Dayabhaga and Mitakshara systems, distinction between Dayabhaga and Mitakshara systems and effects of modern statutes.
- UNIT 3. Women's property and Stridhan.
- UNIT 4. Hindu Marriage Act, 1955.
- UNIT 5. Hindu Succession Act, 1956.
- UNIT 6. Hindu Adoption and Maintenance Act, 1956.
- UNIT 7. Hindu Minority and Guardianship Act, 1956.
- UNIT 8. Special Marriage Act, 1954.

Books Recommended:

1. Mulla- Hindu Law
2. S. K. Mitter- Hindu Law
3. Venkatraman- A Treaties on Hindu Law
4. Derret- Modern Hindu Law
5. Paras Diwan- Modern Hindu Law
6. Tahir Mohamood- Hindu Law
7. Desai- Hindu Law

Course Code : LB104C
Course Title : Law of Torts, MV and CP Laws
Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Nature and principles of Torts: Historical development of law of Torts and applicability in India, Basic foundation of law of Torts, Meaning, Ingredients, relevancy of *Mens rea* and Malice, Felonious and Foreign Torts, Constituents of Tortious liability.
- UNIT 2. Immunity from tortuous liability- Husband and wife relationship, married women and General Defences under Law of Torts.
- UNIT 3. Special Torts: Assault, Battery, False Imprisonment, Malicious Prosecution, Defamation, Trespass.
- UNIT 4. Nuisance and Negligence.
- UNIT 5. Liabilities under Law of Torts- Vicarious Liability, Strict Liability and Absolute Liability.
- UNIT 6. Remedies and damages under law of Torts.
- UNIT 7. The Consumer Protection Act, 1986.
- UNIT 8. The Motor Vehicles Act, 1988 (Sections 1,2,39,43,50,55,165,173-185,195 and 196).

Books Recommended:

1. S. S. Chatterji- D. D. Basu's Law of Torts
2. R. K. Bangia- Law of Torts
3. Ratanlal and Dhirajlal- law of Torts
4. Avtar Singh- Introduction to the Law of Torts and Consumer Protection
5. Winfield- Cases on the Law of Torts
6. Salmond- A summary of Law of Torts

Course Code : LB105C
Course Title :_General Principles of Contract and Specific Relief
Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. History- Formation of Contract, Agreement and Contract, Definitions, Classification, Offer and Acceptance ,Communication, Revocation, Essential elements of Contract, Invitation to Offer, Tenders and Standard form of Contract.
- UNIT 2. Consideration , Privity of Contract and of Consideration, Exceptions - Unlawful Consideration and its effect.
- UNIT 3. Capacity to Contract -Minor’s Agreements and its effects, Persons of unsound mind, Persons disqualified by Law.
- UNIT 4. Free Consent- Coercion, Undue influence, Misrepresentation ,Fraud ,Mistake , Legality of Object.
- UNIT 5. Void Agreements- Agreements against Public Policy ,Wagering Agreements, Its exceptions – Contingent Contracts.
- UNIT 6. Discharge of Contracts and its various Modes.
- UNIT 7. Remedies for Breach of Contracts- Damages, Remoteness of damages, Ascertainment of damages, Injunction – When granted and when refused, Restitution – Specific performance when granted, Quasi Contracts.
- UNIT 8. The Specific Relief Act, 1963 (Sections 9-24 and 36-42).

Books Recommended:

1. Mulla- Indian Contract Act
2. R.K. Bangia- Law of Contract
3. Avtar Singh- Introduction to the Law of Contract
4. N. D. Kapoor- Mercantile Laws
5. S. K. Kapoor- Contract-I

Course Code : LB1060
Course Title : Right to Information
Credit : 4, Marks : 100 (ESE-80, IA : 20)

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 the right to information infuses transparency and accountability in governance, preventing abuse of power

- Unit. 1 Right to Information before Right to Information Act, 2005 Significance in democracy; Constitutional basis; Supreme Court on right to information
- Unit 2. RTI Act- definitions; Right to information and obligations of public authorities
- Unit 3. Central information commission; State information commission; Powers and functions of information commissions; Appeals and penalties
- Unit 4. Other related laws - The Official Secrets Act, 1923; The Public Records Act, 1993; The Public Records Rules, 1997; The Freedom of Information Act, 2002; The Commission of Inquiry Act, 1952; The Commission of Inquiry (Central) Rules, 1972
- Unit 5. 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

Recommended Books :

1. J H Barowalia, Commentary on the right to Information Act, Universal Law Publications
2. S V Joga Rao, Law Relating to Right to Information, vol. 1

SEMESTER II

Course Code : LB201C

Course Title : Indian Constitutional II

Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. President and Governor- Qualification, Election, Removal/ Impeachment, Powers and Functions.
- UNIT 2. Parliament and State Legislatures- Constitution, Duration, Qualification, Powers, Privileges and Immunities.
- UNIT 3. Legislative Procedure- Ordinary Bills, Money Bills and Resolution of Deadlock.
- UNIT 4. Union and State Judiciary- Constitution, Powers, Jurisdiction, Appointment, Qualification, Removal and Independence of Judiciary.
- UNIT 5. Legislative Relations between Union and States (Arts. 245-255), Liability of States (Arts. 299-300), Right to Property (Art. 300A), Freedom of Trade, Commerce and Intercourse (Arts. 302-308).
- UNIT 6. Services under the Constitution: Doctrine of Pleasure (Arts. 310-311), Union and State Commissions (Arts. 315-319), Power and Functions of Administrative Tribunals.
- UNIT 7. Emergency- Proclamation of Emergency, Effects and Power of Judicial Review (Arts. 352-360).
- UNIT 8. Constitutional Amendments (Art. 368), Doctrine of Basic Structure.

Books Recommended:

1. Durga Das Basu – Constitutional Law of India
2. Durga Das Basu – Shorter Constitution of India
3. Durga Das Basu – Case Book on Indian Constitution
4. V.N. Shukla – Constitution of India
5. M.P. Jain – Indian Constitutional Law
6. M. Hidayatullah – Constitutional Law of India
7. T.K. Tope – Constitutional Law of India
8. H.M. Seervai – Constitutional Law of India

Course Code : LB202C
Course Title : Family Law-II
Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Concept and Background of Muslim Law.
- UNIT 2. Sources and Schools of Muslim Law.
- UNIT 3. Marriage and Dower.
- UNIT 4. Dissolution of Marriage and Maintenance.
- UNIT 5. Gift and Will.
- UNIT 6. Waqf , Pre-emption and Administration of Estates.
- UNIT 7. Inheritance.
- UNIT 8. The Indian Succession Act (Probate, Succession Certificate and Letters of Administration), Indian Divorce Act.

Books Recommended:

1. Mulla - Principles of Mohammedan Law
2. I.A. Khan- Aqil Ahmad's Mohammedan Law
3. Paras Diwan - Law of Intestate and Testamentary Succession
4. B. B. Mitra - Indian Succession Act, 1925
5. A. A. A Fyzee - Outlines of Mohammedan Law
6. D. D. Basu - Law of Succession
7. A. M. Bhattachargee - Muslim Law and the Constitution
8. Tahir Mohamood - Mohammedan Law

Course Code : LB203C
Course Title : Special Contract
Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Contract of Indemnity- Definition, Nature and Scope, Rights of indemnity holder and Indemnifier ,Commencement of the indemnifier's liability
- UNIT 2. Contract of Guarantee – Definition, Nature and Scope, Rights of surety ,Discharge of Surety, Extent of Surety's liability, Co-surety.
- UNIT 3. Contract of Bailment- Definition, Kinds ,Duties of Bailer and Bailee ,Rights of Finder of goods as Bailee
- UNIT 4. Contract of Pledge – Definition, Comparison with Bailment – Rights and duties of Pawner and Pawnee
- UNIT 5. Agency- Definition, Creation of Agency, Kinds of Agents, Distinction between Agent and Servant, Rights and Duties of Agent, Relation of Principal with third parties ,Delegation
- UNIT 6. Extent of Agents authority, Termination of Agency.
- UNIT 7. Indian Partnership Act -Definition ,Nature, Mode of determining the existence of Partnership, Relation of Partners, Rights and duties of Partner ,Relation of partners with third parties, Types of partners, Admission of partners, Retirement, Expulsion, Dissolution of Firm ,Registration of Firms.
- UNIT 8. Sale of Goods Act -The Contract of sale ,Conditions and Warranties , Passing of Property ,Transfer of Title, Performance of the Contract, Rights of Unpaid Seller against goods, Remedies for Breach of Contract.

Books Recommended:

1. Mulla- Indian Contract Act
2. R.K. Bangia- Law of Contract
3. Avtar Singh- Introduction to the Law of Contract
4. N. D. Kapoor- Mercantile Laws
5. S. K. Kapoor- Contract-I
6. T.R. Desai- The Indian Contract Act: Sale of Goods and Partnership Act.

Course Code : LB204C
Course Title : Transfer of Property and Easement Law
Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Preliminary (Sections 1-4 of the Transfer of Property Act, 1882)
- UNIT 2. Transfer of Property by Act of parties (Sections 5-53A)
- UNIT 3. Sale of Immovable Property (Sections 54-55)
- UNIT 4. Mortgage of Immovable Property (Sections 58-92)
- UNIT 5. Lease of Immovable Property (Sections 105-117)
- UNIT 6. Gifts (Sections 122-129)
- UNIT 7. Actionable Claims (Sections 130-134)
- UNIT 8. The Indian Easement Act, 1882 (Sections 4-19, 37-51, 52-64)

Books Recommended:

1. Mulla- The Transfer of Property Act
2. R. K. Sinha- The Transfer of Property Act
3. S. N. Shukla- The Transfer of Property Act
4. L.C. Goyal- A commentary on Transfer of Property Act
5. G. P. Tripathy- The Transfer of Property Act
6. T.R. Desai and V.R. Randive- Desai's The Indian Easement Act

Course Code : LB205H
Course Title :_Land Laws including Tenure and Tenancy System
Credit : 4, Marks : 100 (ESE-80, IA : 20)

UNIT 1. The West Bengal Land Reforms Act, 1955.

UNIT 2. The West Bengal Apartment Ownership Act, 1972.

UNIT 3. The West Bengal Premises Tenancy Act, 1997.

UNIT 4. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

UNIT 5. Tenure and Tenancy System

Books Recommended:

1. M.R. Mallick-The West Bengal Premises Tenancy Act
2. Amal Das- West Bengal Land Reforms Act
3. A.N. Saha- The West Bengal Land Reforms Act

Course Code : LB2060
Course Title : Health Law
Credit : 4, Marks : 100 (ESE-80, IA : 20)

Unit – I: **Medicine and Healthcare**

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

Unit – II: **Professional Obligations of Doctors**

- a. Transplantation of Human Organs Act, 1994
- b. Pre Conception & Pre Natal Diagnostic Techniques (Prohibition of sex selection) Act, 1994
- b. International Code of Medical Ethics
- c. Indian Medicine Central Council Act, 1970
- d. Dentists Act, 1948
- e. The Homeopathy Central Council Act, 1973
- f. The Drugs and Cosmetics Act, 1940

Unit – III: **Medical Negligence**

- a. Ingredients
- b. Role of consent in medical practice
- c. Error of judgment and gross negligence
- d. Wrongful diagnosis and negligent diagnosis

Unit – IV: **Remedies for Medical negligence**

- a. Law of Torts
- b. Law of Crimes
- c. Consumer Protection Law

Recommended books:

1. Vijay Malik – Drug and Cosmetic Act, 1940
2. Anoop K. Kaushal – Medical Negligence & Legal Remedies
3. Dr. Jagdish Singh – Medical negligence Compensation
4. B.K. Dutta – Drug Controller

Unit-6. Right to Information: Development of RTI in India

Unit-7: Right to Information Act, 2005: Its implementation

Unit-8: Right to Information Decisions: Decisions of Judiciary, RTI and Decisions of Chief Central Information commissions and State Information Commission under the RTI Act, 2005.

Books Recommended:

1. *M.P. Jain, Constitutional Law of India (1994) Wadhwa.*
2. *H.M. Seervai, Constitutional Law of India Vol. 1. (1991) Tripathi, Bombay.*
3. *Rajeev Dhavan "On the Law of the Press in India" 26 J.L./288 (1984).*
4. *Rajeev Dhavan, "Legitimizing Government Rhetoric: Reflections on some Aspects of the Second Press commission" 26 J.L./391 (1984) .*
5. *Soli Sorabjee, Law of person Censorship in India (1976).*
6. *Justice E.S. Venkaramiah, Freedom of Press: Some Recent Trends (1984)*
7. *D.D.Basu, The Law of Press of India (1980)*
8. *Right to Information Act, 2005, SP Sathe, 2006*
9. *Right to Information in India, Solu Nigam*

SEMEWSTER III

Course Code : LB301C

Course Title : Law of Crimes I (IPC)

Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Concept of Crime and Offence, Actus non-fecit reum nisi mens sit rea, jurisdiction (Sec. 1-5), General Explanations (Sec. 6-52A), General Exceptions (Sec. 76-106).
- UNIT 2. Abatement (Sec. 107-113).
- UNIT 3. Criminal Conspiracy (Sec. 120A-120B).
- UNIT 4. Offences against State-Waging War and Sedition (Sec. 121-124A).
- UNIT 5. Offences against Public Tranquility (Sec. 141-152)
- UNIT 6. False Evidence and Offence against Public Justice (Sec. 191-200).
- UNIT 7. Offences against Human Body- Culpable Homicide, Murder, Suicide, Hurt, Grievous Hurt, Wrongful Restraint, Wrongful Confinement,

Assault, Criminal Force, Kidnapping, Abduction and Rape (Sec. 299-377)

UNIT 8. Offences against Property- Theft, Extortion, Robbery, Dacoity, Misappropriation of Property, Breach of Trust, Cheating, Mischief and Criminal Trespass (Sec. 378-462), Offences Relating to Marriage and Cruelty by Husband or Relatives of Husband (Sec. 493-498A), Defamation (Sec. 499-502), Criminal Intimidation, Insult, Annoyance and Attempt (Sec. 503-511)

Books Recommended:

1. Ratanlal and Dhirajlal- (i) The Indian Penal Code (ii) The Law of Crimes
2. K.D. Gaur-A Text Book on the Indian Penal Code
3. Hari Singh Gaur- The Indian Penal Code
4. T. Bhattacharya- The Indian Penal Code
5. S.S. Chatterji- (i) Batuk Lal's Indian Penal Code (ii) Constructive Liability under Indian Penal Code
6. R. N. Saxena- Indian Penal Code

Course Code : LB302C

Course Title : Public International Law

Credit : 4, Marks : 100 (ESE-80, IA : 20)

UNIT 1. Nature, origin and Basis of International Law.

UNIT 2. Sources of International Law.

UNIT 3. Subjects of International Law and Relation between International Law and Municipal Law.

UNIT 4. Recognition, State Jurisdiction.

UNIT 5. Nationality, Extradition and Asylum.

UNIT 6. Treaties.

UNIT 7. Amicable means of Settlement of Disputes.

UNIT 8. United Nations- Purposes, Principles, Membership and Principal Organs.

Books Recommended:

1. Starke- Introduction to International Law
2. Oppenheim- International Law: A Treatise.
3. H.O. Agarwal- International Law
4. Radharaman Chakraborty- UNO: nA Study in Essencials
5. Ian Brownlie- Principles of Public international Law
6. D. J. Harris- Cases and materials on International Law

Course Code : LB303H

Course Title :_Human Rights Law and Practice

Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Theoretical Foundations of Human Rights Law- Definition, International and Indian developments, Ancient, Medieval, British and Post Independence Indian Perspective- Theories of Human Rights Law- Theories Based on Natural Rights- Theory Based on Equality of Respect and Concern- Theories Based on Human Dignity- John Rawls's Theory of Justice and Its Application to Human Rights Law- Amartya Sen's Theory of Human Rights.
- UNIT 2. International Bill of Human Rights- Formulation of International Bill of Human Rights- 1948 Universal Declaration- 1966 Covenants on Civil and Political Rights- Economic, Social and Cultural Rights- Relationship between the Two Sets of Rights: ICCPR and ICESCR- First, Second and Third Generations of Human Rights- Reservations on Human Rights treaties and Indian Practice.
- UNIT 3. Human Rights Law and Protection Against Inhuman Wrongs- Genocide, Apartheid, and Prevention of Torture and Other

Inhuman Treatment and Punishment, Elimination of Racial Discrimination- Abolition of Slavery and Slave Trade- Abolition of Death Penalty.

- UNIT 4. Human Rights in Indian Constitutional Law- Rights Recognised in the International Covenants- 1966 ICESCR-1966 ICCPR- Rights Recognised in the Constitution of India: Judicially Enforceable or Judicially Cognizable?- Enforcement of Human Rights by the High Courts and Apex Court in India.
- UNIT 5. Human Rights Law and Protection of Women and Children- Gender Neutral Human Rights Law in Women Perspective- Elimination of Discrimination against Women- Gender Specific Human Rights Law- Prevention of Sexual Harassment of Women at Workplace- Protection of Children under International and Indian Human Rights Law.
- UNIT 6. Human Rights Law and Protection of Persons with Disabilities- Magnitude of Disability in Human Rights Perspective- Different Approaches: Religious Approach , Charitable Approach, Medical Approach, Social Relations Approach, Human Rights Approach - United Nations Convention on the Rights of Persons with Disabilities - Rights of Persons with Disabilities in India.
- UNIT 7. Human Rights Law and Protection of Indigenous Peoples- Discrimination against Indigenous Peoples- Development of the Rights of Indigenous Peoples at International Level- Right of Self-determination of Indigenous Peoples- Rights Elaborating the Contents of Self-determination- Rights of Indigenous Peoples under the Constitution of India- Fifth and Sixth Schedule.
- UNIT 8. Protection of Human Rights Act, 1993- Human Rights Commissions- Structure , Functions and Powers and their Role in Protecting Human Rights- Human Rights Courts.

Books Recommended:

1. Jatindra Kumar Das, Human Rights Law and Practice, PHI Learning (2019).
2. D.D. Basu- Human Rights in Constitutional Law
3. Nagendra Singh- Human Rights and The Law
4. V.R. Krishna Iyer- Human Rights and Inhuman Wrongs
5. R.C. Hingorani- Human Rights in India
6. Paras Diwan- Human Rights and The Law
7. Upendra Baxi- (i) Human Rights in a Posthuman World (ii) The Future of Human Rights

Course Code : LB304C
Course Title : Code of Civil Procedure and Limitation
Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Civil Procedure is an Adjective Law- Classification and Importance- Object, Scope and Applicability of the Code-Adversary Procedure and inquisitor Procedure- Efficacy of Adversary Procedure- Delay and Other Problems.
- UNIT 2. Definitions-Code, Decree and Order, Judge, Judgment and Judgment-Debtor, Foreign Court and Foreign Judgment, Legal Representative, Pleader and Government Pleader, Mesne Profit, Public Officer and Affidavit. (Section 2).
- UNIT 3. Jurisdictions of Civil Courts (Section 9), *Res Sub-Judice* and *Res Judicata* uctive *Res Judicata* (Sec. 10 and 11), . Place of Suing (Sec. 15-21), Transfer and Withdrawal of Suit (Sec. 21-25).
- UNIT 4. Institution of Suit (Section 26 and Order 4), Service of Summons (Sec. 27-29 and Order 5), Parties to Suit (Order 1), Framing of Suit (Order 2), Recognized Agents and Pleaders (Order 3), Judgment , Decree and Cost (Order 20, Sections 35, 35A, 35B and Order 20A).

- UNIT 5. Suit by or against Government- Notice (Sec. 80), Interpleader Suit (Sec. 88 and Order 35), Filing of a Suit in Respect of Public Nuisance (Sec. 91).
- UNIT 6. Appeals, Reference, Review and Revision.
- UNIT 7. Commissions , Injunctions and Interlocutory Orders (Orders 26, 39), Inherent Power (Sec. 151).
- UNIT 8. The Limitation Act, 1963 (Sec. 1-20).

Books Recommended:

1. Jatindra Kumar Das, Code of Civil Procedure, PHI Learning (2019).
2. Mulla- Code of Civil Procedure
3. A. N. Mukherjee- Code of Civil Procedure
4. A. N. Saha- Civil Procedure Code
5. B.B. Mitra- The Limitation Act
6. Ganguly- Civil Procedure Practice and Procedure
7. V.G. Ramchandran- Law of Limitation

Course Code : LB305C

Course Title : Environmental Law

Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Adverse Impact of Various Policies on Natural Environment and 1972 Stockholm Declaration, 1992 Rio Declaration, 2002 Johannesburg Declaration, Rio +20.
- UNIT 2. Environment Policy in India- Constitutional Mandates, Enlargement of Article 21 of the Constitution.
- UNIT 3. Environment (Protection) Act, 1986. Air (Prevention and Control of Pollution) Act, 1981, Water (Prevention and Control of Pollution) Act, 1974-Administration and Functioning of Pollution Control Board- For Human Being Pertaining to Water, Air, Noise and Nuclear Radiation-For Non Human Being Pertaining to Wild Life, Land Use, Irrigation, Forests etc.
- UNIT 4. Role of the judiciary to Protect Environmental Pollution-Enlargement of *Locus Standi* and Concept of Public Interest Litigation, Principles evolved.
- UNIT 5. Legal sanctions and Strategies to Control Pollution with Reference to Environment Act, Air Act, Water Act and Public

Liability Insurance Act, 1991 and national Environmental Tribunal Act, 1995.

UNIT 6. Indian Forest Act, 1927, Prevention of Cruelty to Animals Act, 1960 and Wild Life Protection Act, 1972.

UNIT 7. Biological Diversity Act, 2002.

UNIT 8. National Green Tribunal Act, 2010.

Books Recommended:

1. Alan Boyle and Patricia Bernie - International Law and Environment, Oxford
2. P. Leelakrishnan - Environmental Law in India, Butterworths
3. Elli Louka - International Environmental Law, Cambridge
4. V.N. Paranjape - Environmental Law
5. P.S. Jaswal - Environmental Law

Course Code : LB3060

Course Title : Media Law

Credit : 4, Marks : 100 (ESE-80, IA : 20)

UNIT 1. Introduction and Development of Media:
Understanding the concept of Media; History of Media; Theories of Media; Evolution of Media; Media Legislation in Indian Context; Print Media and Registration.

UNIT 2. Media in the Constitutional Framework:
Freedom of Expression in Indian Constitution and Restrictions; Interpretation of Media freedom and Free expression; Issues of Privacy; Right to Information; Media Personal Privileges; Print Media and Press Law; Public Interest Litigation.

UNIT 3. Legal Dimensions of Media-I:
Criminal Law-Defamation, Obscenity and Seditious; Law of Tort-Defamation & Negligence; Legislature-Privileges of the Legislature; Judiciary-Contempt of Court; Executive – Official Secrets; Journalists-Protection of Working Journalists; Role of Press Council.

UNIT 4. Legal Dimensions of Media-II:
Copyright Act-Broadcasting Rights and its Privileges, Performers Rights; Security of Nation; Trial by Media; Sting Operation and Media.

Unit 5. Self Regulation & Other Issues:

- Media and Ethics; Self-Regulation Versus Legal Regulation; Media & Human Rights; Issues relating to entry of Foreign Print Media
- UNIT 6. Legislative effort and Media:
Evolution of Broadcast Sector; Airwaves and Government Control-only specific provisions from Prashar Bharti Act 1990, Cinematography Act 1952; Cable T.V. Networks (Regulation) Act of 1995
- UNIT 7. The New Media of Internet:
Evolution of Internet as New Media; Regulating the Internet and Media (IT Act of 2000 Indian Telegraph Act of 1885); Social Networks and Media.
- UNIT 8. Media – Advertisement & Law
Concept of Advertisement: Advertisement & Ethics; Prohibition of Indecent Representation; Magic Remedies; Issues of Consumer Protection.

RECOMMENDED BOOKS :

1. Madhavi Goradia, Facets Of Media Law
2. Media, Press and Telecommunication Law, 2007
3. DR. A. Verma, Cyber Crimes & Law
4. DR. S. R. Myneni, Media law and RTI

Five questions are to be answered out of eight.

SEMESTER IV

Course Code : LB401H

Course Title : Law of Copyright

Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Theoretical Foundations of Law of Copyright- Nature and Meaning- Copyright as Property-General Principles-Special Features-Justification for Providing Copyright to authors: Labour Theory, Personality Theory, Economic Incentive Theory, Social Requirements Theory.
- UNIT 2. Origin and Development of Law of Copyright –1886 Berne Convention,1952 Universal Copyright Convention, 1961 Rome Convention, 1994 TRIPS Agreement, 1996 WIPO Copyright Treaty, 2012 Beijing Treaty on Audiovisual Performances, Utility of International Copyright Law in India-Development in India: Copyright Act, 1847, Copyright Act, 1914, Copyright Act, 1957, Information Technology Act, 2000.
- UNIT 3. Works in Which Copyright Subsists- Concept of Originality-Idea and Expression Dichotomy- No Copyright in Common Property- Literary Work-Dramatic Work- Musical Work- Artistic Work-Cinematograph Film-Sound Recording.

- UNIT 4. Author of Work, Owner of Copyright and Rights of Copyright Owner- Meaning of Author and Work- Ownership of Copyright- Transfer of Ownership of Copyright- Recognised Rights of Copyright Owner.
- UNIT 5 Term, Licencing and Registration of Copyright-Terms of Copyright in Published Works, Anonymous and Pseudonymous Works, Posthumous Work, Photographs, Cinematograph Films and Sound Recording-Licencing of Copyright-International Copyright-Procedure for Copyright Registration.
- UNIT 6. Rights of Broadcasting Organisation and of Performers-Concept-Indian Broadcasting Organisation: Regulatory Framework, and Their Importance, International Protection,Broadcasting Rights under Indian Copyright Act-Rights of Performers at International Level- Protection of Performer's Rights in India.
- UNIT 7. Protection of Copyright in Internet-Concepts of Internet, Internet Protocol, Domain Name, Browsing on Internet, Caching, Linking, E-Mail and Bulletin Board Service-Rights of Reproduction in Internet-Liability of Internet Service Provider- Jurisdictional Issue in Internet Disputes.
- UNIT 8. Infringement of Copyright and Defence of Copyright Liability-When Copyright is deemed to be Infringed?-Defence of Copyright Liability, Enforcement of Copyright-TRIPS Agreement Mandate on Enforcement-Administrative and Judicial Remedies in India.

Books Recommended:

1. Jatindra Kumar Das, Law of Copyright, PHI Learning (2019).
2. W.R. Cornish-Intellectual Property, Sweet and Maxwell
3. Alka Chawla- Copyright Law

Course Code : LB402C

Course Title : Administrative Law

Credit : 4, Marks : 100 (ESE-80, IA : 20)

1. Nature Scope and Definition of Administrative Law-Distinction Between Constitutional Law and Administrative Law-Sources of Administrative Law-Growth of Administrative Law.
2. Rule of Law-Application of Rule of Law in India-Rule of Law *vis-à-vis* Droit Administrative-Doctrine of Separation of Power.
3. Delegated Legislation-Concept and Reasons for Growth in National and International Level-Merits and Demerits- Sub-Delegation- Conditional Legislation- Control of Delegated Legislation.
4. Principles of Natural Justice- Concept- Rule against Bias, Right to be Heard and Reasoned Decision- Application in India.
5. Administrative Tribunal- Growth and Importance.
6. Judicial Control of Administrative Action-Nature and Extent of Prerogative Writs.
7. Ombudsman and Scope of Lokpal Remedy.
8. Public Corporations.

Books Recommended:

1. D.D. Basu- (i) Administrative Law (ii) Comparative Administrative Law
2. Indian Law Institute- Cases and Materials on Administrative Law
3. I.P. Massey- Administrative Law
4. S.P. Sathe- Administrative Law
5. J.J.R. Upadhyaya- Administrative Law

Course Code : LB403C

Course Title : Law of Evidence

Credit : 4, Marks : 100 (ESE-80, IA : 20)

- | | |
|---------|---|
| UNIT 1. | Preliminary (Sections 1-4) |
| UNIT 2. | Relevancy of Facts (Sections 5-55) |
| UNIT 3. | Facts which need not be proved (Sections 56-58) |
| UNIT 4. | Oral and Documentary Evidence (Sections 59-90A) |
| UNIT 5. | Exclusion of Oral or Documentary Evidence (Sections 91-100) |
| UNIT 6. | Burden of Proof (Sections 101-114A) |
| UNIT 7. | Estoppel (Sections 115-117) |
| UNIT 8. | Witness and Examination of Witnesses (Sections 118-166), |

Improper Admission and Rejection of Evidence (Section 167)

Books Recommended:

1. Ratanlal Dhiraj Lal – The Law of Evidence
2. Batuklal – The Law of Evidence
3. Avtar Singh –Principles of Law of Evidence
4. S.N. Bhattacharjee – The Law and Practice of Evidence: Civil and Criminal.

Course Code : LB404C

Course Title : Criminal Law- II (Cr. P. C., J. J. ACT, P.O. ACT)

Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Preliminary (Sec. 1-5), Constitution of Criminal Courts and Offices (Sec. 6-25A), Power of Courts (Sec. 26-35), Arrest of Persons (Sec. 41-57), Summons and Warrant of Arrest Sec. (61-81), Search Warrant (Sec. 93-98)
- UNIT 2. Security for Keeping the Peace and for Good Behaviour (Sec.106-110), Order for Maintenance of Wives, Children and Parents (Sec. 125-128), Maintenance of Public Order and Tranquillity (Sec. 129-134), Urgent Cases of Nuisance or Apprehended Danger (Sec.144), Preventive Action of The Police (Sec. 149-153).
- UNIT 3. Information to the Police and their Powers to Investigate (Sec. 154-176). Jurisdiction of the Criminal Courts in Inquiries and Trials (Sec. 177-189), Conditions Requisite for Initiation of Proceedings (Sec. 190-199)
- UNIT 4. Complaints to Magistrates (Sec.200-203), Commencement of Proceedings Before Magistrates (Sec. 204-210), Charge (Sec.211-224)

- UNIT 5. Sessions Trial (Sec.225-237), Trial of Warrant-Cases by Magistrates (Sec.238-250), Summary Trials (Sec. 260-265)
- UNIT 6. Mode of Taking and Recording Evidence (Sec.272-283), The Judgment (Sec.353-365), Appeals (Sec. 372-394), Reference and Revision (Sec. 395-404), Provisions as to Bail and Bonds (Sec. 436-450)
- UNIT 7. Salient features of the Juvenile Justice (Care & Protection of Children) Act, 2015 and its working.
- UNIT 8. Salient features of the Probation of Offenders Act, 1958 and its working.

Books Recommended:

1. Ratanlal and Dhirajlal- The Code of Criminal Procedure
2. R.V.Kelkar- Criminal Procedure
3. Tandon- Criminal Procedure Code
4. K.D. Gaur- A Text Book on Criminal Procedure Code
5. N.V.Paranjape- Code of Criminal Procedure
6. Batuk Lal- The Code of Criminal Procedure
7. Report of the Committee on Reforms of Criminal Justice System.

Course Code : LB405CL

Course Title : Drafting, Pleadings and Conveyance (Practical)

Credit : 4, Marks : 100 (40+40+20)

1. Drafting- General Principles of Drafting and Relevant Substantive Rules- Drafting of Writ Petition and Public Interest litigation. **Marks 40**
2. Pleadings and Conveyance- (a) Civil: Complaint and Written Statement (Order 6,7,8 of CPC), Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petitions under Articles 226 and 32 of the Constitution of India. (b) Criminal: Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision. (c) Conveyance: Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will and Trust Deed.

Marks 40

3. *Viva-Voce*/ Internal Assessment.

Marks 20

The course will be taught through class instructions and simulation exercise preferably with assistance of practicing Lawyers/ Retired Judges with case studies wherever applicable. Apart from teaching the relevant provision of Law, the course may include not less than 10 exercise in Drafting carrying a total of 40 marks, 10 exercises in Conveyance carrying another 40 marks. Remaining 20 marks will be given for *viva-voce*/ internal assessment.

Books Recommended:

1. Desouza- Conveyancing
2. C.R. Dutta- A. B. Mazumder's Plaintiff
3. Rodney D. Ryder- Drafting Corporate and Commercial Agreements
4. Shiva Gopal- Conveyancing, Precedents and Forms
5. N.M.Swamy- Drafting, Pleading and Conveyancing
6. Mogha- Law of Pleadings

Course Code : LB4060

Course Title : Banking Law

Credit : 4, Marks : 100 (ESE-80, IA : 20)

- | | |
|----------------|---|
| UNIT 1. | Negotiable Instruments Act, 1882; |
| UNIT 2. | Banking Regulator Act, 1949; |
| UNIT 3. | Regional Rural Banks Act, 1976; |
| UNIT 4. | Reserve Bank of India Act, 1934; |
| UNIT 5. | Securitization and Reconstruction of Financial Assets |
| UNIT 6 | Enforcement of Security Interest Act, 2002; |
| UNIT 7. | Banking Ombudsman Scheme. |

Books Recommended :

1. Gupta, S.N. : The Banking Law in Theory and Practice, 3V.
2. Singh, Avtar : Laws of Banking and Negotiable Instruments : An Introduction.
3. Sreekantaradhya, B.S. : Banking and Finance : Perspectives on Reform.
4. Tannan's Banking Law and Practice in India.

Five questions are to be answered out of eight

Course Code : LB4070

Course Title : International Organization

Credit : 4, Marks : 100 (ESE-80, IA : 20)

Unit – I : Introduction

- a. IPU
- b. League of Nations
- c. ILO

Unit – II: Legal Personality
a. The Reparations case (ICJ Report 1949)

Unit – III: Relations with States
a. Members
b. Non-members
c. Municipal Law

Unit – IV: Law – Making and Enforcement
a. UN
b. WTO
c. EU

Recommended Books :

1. Bowett's Law of International Institutions (2001)
2. A.O. Kruger, WTO as an International Organizations (2000)
3. J. Steiner, Textbook on EEC Law (London, 2003)
4. T.A. Hartley, European Community Law

SEMESTER V

Course Code : LB501H
Course Title : Patent and Design
Credit : 4, Marks : 100 (ESE-80, IA : 20)

UNIT 1. Historical Development: Patent and its importance, Theories of Protection, Importance of Patent, International Regime of Patents, Relevant Provisions under WTO and TRIPS.

Introduction: Meaning of Patent, Patents and Traditional Knowledge, Bio-Patents, Software patents and protection of Traditional Knowledge.

UNIT 2. Grant of Patent: Features of Patent, Patent Specification, Who can obtain Patent? How to obtain Patent? Process of Registration of Patent.

Rights and obligations of patentee: Nature of Patent rights, Duration of Patent, Limitation of the patentees' rights and obligation of patentee.

UNIT 3. Register of Patents and Patent Office: Register of Patent, Patent office, Power of the Controller, Power of Central Government and Appeal.

International Patent, How to obtain international Patent?, Patent Cooperation Treaty (PCT).

UNIT 4. Transfer of Patent Rights: Compulsory Licenses and Licenses of Right, Revocation and surrender of patents.

UNIT 5. Infringement and Remedies: Infringement of Patents and penalties, Remedies for Infringement.

UNIT 6. Industrial Design: Concept and Subject Matter, Novelty and Originality and Publication.

UNIT 7. Registration of Industrial Design and Rights of Owner.

UNIT 8. Infringement of Design and Remedies.

Books Recommended:

1. Jatindra Kumar Das – Intellectual Property Right
2. W.R. Cornish - Intellectual Property Law
3. John Holyoak and Paul Torremans - Intellectual Property Law

4. Prabudh Ganguli – Gearing up for Patents
5. G.B. Reddy - Intellectual Property Rights and the Law

Course Code : LB502C

Course Title : Company Law

Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Nature of Company.
- UNIT 2. Formation of Company.
- UNIT 3. Articles and Memorandum of Association.
- UNIT 4. Prospectus.
- UNIT 5. Shares, Debentures.
- UNIT 6. Dividends.
- UNIT 7. Meetings,
- UNIT 8 Winding up and Liquidator, Board of Directors.

Books Recommended:

1. N.D.Kapoor – Elements of Company Law
2. A.Rumaiya – A Guide to the Indian Companies Act
3. Avtar Singh – Company Law
4. Palmer – Company Law

Course Code : LB503H
Course Title : Information Technology Law
Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Introduction: Object and Subject-matter of Information Technology Law, Concept of Computer, Computer System, Computer Network and Internet, History and Development of Information Technology Law in the U.S.A., the U.K. and India.
- UNIT 2. Jurisdiction in Cyberspace: Jurisprudential Overview – Territoriality of Law and Nature of the Information Technology Law.
- UNIT 3. Electronic Governance: Legal Recognition of Electronic Records, Use and Retention of E-Records, Electronic Gazette, Electronic Records and Electronic Evidence.
- UNIT 4. Digital Signature: Concept of Digital Signature, Use of Digital Signatures in Government Records, Secure Digital Signatures, Certifying Authority, Digital Signature Certificates, Duties of Subscribers.
- UNIT 5. Abuse of Information Technology and Civil Liability.
- UNIT 6. The Cyber Regulations Appellate Tribunal.
- UNIT 7. Offences under Information Technology Law: Concept of Cyber Crime, Hacking in Cyberspace, Cyber Fraud, Cyber Theft, Cyber Terrorism, Cyber Pornography.
- UNIT 8. Liability of Network Service Providers.
Powers of Police Officers and Other Authorities.

Books Recommended:

1. David Bainbridge – Introduction to Computer Law.
2. Rodney D Ryder – Guide to Cyber Laws (Information Technology Act, 2000, E-commerce, Data Protection and the Internet).
3. Vakul Sarma – Information Technology Law and Practice: Law and Emerging Technology, Cyber Law and E-Commerce.
4. Nandan Kamath, (ed.) – Law Relating to Computers, Internet and E-Commerce.
5. M.Dasgupta – Cyber Crime in India: A Comparative Study.

Course Code : LB504H
Course Title Competition Law
Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Competition Law in India- Origin and Development of Constitution Law, Definition, Globalization and Competition Policy I India, Monopoly and the New Change.
- UNIT 2. Anti-Competition Agreements and the Freedom of Contract, Constitutional Initiatives in the Protection of Monopolistic Activities.
- UNIT 3. MRTP and Competition Act- Shortcomings of MRTP Act, Monopolistic Trade Practices, Restrictive Trade Practice, Unfair Trade Practices, Protection of Consumer Interests, Salient Feature of Competition Act, 2002.
- UNIT 4. Prohibition and Merger-Competition Laws and Core issues, Dominant Position and Its abuse; Prohibition of anti-competitive agreements, Indian position and Remedies, combination and Regulations of Combination, Merger between Enterprise.
- UNIT 5. Authorities under Competition Act, Composition Power and Duties of Director General.
- UNIT 6. Power, Function and jurisdiction of Competition Commission of India.
- UNIT 7. Remedies through Competition Commission, Acceptance and Disposal of Cases.
- UNIT 8. Judicial Pronouncement of the Commission and of the Apex Court, WTO and Competition Law.

Books Recommended:

1. Avtar Singh- Competition Law
2. S.C. Tripathi- Competition Law
3. Richard Whish and David Bailey-Competition Law
4. V. K. Agarwal- Competition Act, 2002
5. Abir Roy and Jayant Kumar- Competition Law of India

Course Code : LB505CL
Course Title : Professional Ethics and Professional Accounting System
Credit : 4, Marks : 100 (ESE-60, Viva & IA : 40)

UNIT 1. Professional Ethics- Bar Council of India Code of Ethics.

UNIT 2. Case Study on Supreme Court Judgments.

UNIT 3. Bar-Bench Relations.

UNIT 4. Accountancy for Lawyers.

This Course will be taught in association with practicing lawyers.

1. Viva-voce/ Internal Assessment

Marks 40

Books Recommended:

1. V.R. Krishnamurthy Iyer- Advocacy
2. The Contempt Law and Practice.
3. The Bar Council of India Code of Ethics
4. 50 Selected Opinions of the Disciplinary Committees of Bar Council and 10 Major Judgments of the Supreme Court on the Subject.

Course Code : LB506O
Course Title : Insurance Law
Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. General Principles; Definitions of Insurance;
- UNIT 2. Essential Elements : Insurable Interest; Materiality of Facts;
- UNIT 3. Life Insurance;
- UNIT 4. Fire Insurance;
- UNIT 5. Marine Insurance;
- UNIT 6. Liability Insurance;
- UNIT 7. The Insurance Act, 1938;
- UNIT 8. The Insurance Regulatory and Development Authorities Act, 1999.

Books Recommended :

1. Murthy, K.S.N. and Sarma, K.V.S. : Modern Law of Insurance in India. Singh, Avtar : Law of Insurance.
2. Bharat's Manual of Insurance Laws. Misra, M.N. : Insurance Law.
3. Nagarjun, R.K. : Law of Insurance.

Five questions are to be answered out of eight

Course Code : LB507C
Course Title : Mediation with Conciliation
Credit : 4, Marks : 100 (ESE-60, Practical : 40)

- UNIT 1. Understanding Conflict and Disputes:** Modes of Dispute Resolution, need for ADR & the importance of Mediation
- UNIT 2. Mediation and Restorative Justice:** Theory of restorative justice and its application, Gandhian principles of non-violent conflict resolution, traditional mediation practices in India and abroad
- UNIT 3. Mediation Laws in India:** Judicial interpretation and relevant case law, dispute resolution institutions in India
- UNIT 4. Key Concepts in Mediation:** Essential elements, process and stages, approaches to Mediation, role of the mediator
- UNIT 5. Importance of Communication:** Elements of verbal and non-verbal communication, effective and ineffective communication techniques
- UNIT 6. Conducting Effective Mediation:** Decision-making techniques, problem-solving tactics, ensuring positive outcomes
- UNIT 7. Qualities and Skills of Mediators:** Developing mediation skills, code of ethics, confidentiality requirements
- UNIT 8. Status of Mediated Agreements:** Drafting of agreements, sanctity of mediated agreements, enforcement laws and procedures
Important Developments in Mediation: Growth of virtual dispute resolution, Pre-Institution Mediation, UNCITRAL Model Law, Singapore Convention

Books Recommended:

1. Mediation Practice & Law: The Path to Successful Dispute Resolution
(Author: Sriram Panchu)
2. Mediation Training Manual of India
(Authors: Mediation and Conciliation Project Committee, Supreme Court of India)
3. Getting to Yes: How to Negotiate Agreement Without Giving In
(Authors: Roger Fisher, William Ury and Bruce Patton)
4. The Art of Negotiation and Mediation - A Wishbone, Funnybone and a Backbone (Authors: Anuroop Omkar and Kritika Krishnamurthy)

5. An Asian Perspective on Mediation
(Authors: Joel Lee and The Hwee Hwee)
6. The Mediation Process: Practical Strategies for Resolving Conflict
(Author: Christopher Moore)
7. Introduction to Non-Violence
(Author: Ramin Jahanbegloo)

SEMESTER VI

Course Code : LB601H

Course Title : Trade Mark and Geographical Indication

Credit : 4, Marks : 100 (ESE-80, IA : 20)

UNIT 1. Objects of Trade Marks Law, Concept of Trade Mark, Domain Name, Good Trade Mark, Associated Trade Mark, Trade Description and Deceptive similarity, Functions of Trade Mark.

UNIT 2. Collective Trademark and Certification of Trade Mark.

UNIT 3. Registration of Trade Marks and Rights- Procedural Requirements of Registration, Kinds of Trade Mark Registration, Registered Users of Trade Marks, International Legal Instruments on Trade Marks, Content of Rights, Exhaustion of Rights.

UNIT 4. Protection of Trade Marks and Goodwill.

UNIT 5. Power and Functions of Registrar of Trade Marks.

UNIT 6. Licensing of Trade Marks and Assignment and Transmission of Trade Marks.

UNIT 7. Infringements of Trade Marks and Remedies.

UNIT 8. Geographical Indication: Diversity of Legal Concepts underlying GIs, GIs on Handicraft, Agricultural Goods and Food Product, Role of State for Protecting GIs in India, Salient Feature of The Geographical Indications of Goods (Registration and Protection) Act, 1999.

Books Recommended:

1. Jatindra Kumar Das – Intellectual Property Right
2. W.R. Cornish - Intellectual Property Law
3. Graeme Dinwoodie and Mark Janis- Trade Mark Law and Theory
4. G.B. Reddy - Intellectual Property Rights and the Law
5. Marsha A. Echols- Geographical Indications for Food Products
6. Delphine Marie-Vivien-The Protection of Geographical Indications in India

7. Lipika Sharma- Geographical Indications in India: Law and Procedure

Course Code : LB602C
Course Title : Labour and Industrial Laws
Credit : 4, Marks : 100 (ESE-80, IA : 20)

UNIT 1.The Factories Act, 1948: Definitions, Provisions relating to Inspecting Staff, Health, Safety and Welfare of Workers, working Hours and Employment of Young Persons.

UNIT 2.Minimum Wages Act, 1948: Definitions, Fixing of Minimum Wages- Procedure and Payment, Power and Functions of Inspector, Claims, Cognizance of Offence and Contracting Out.

UNIT 3. Employee's Compensation Act, 2010: Scope and Object, Employer's Liability and Defence, Compensation, Power and Functions of the Board.

UNIT 4. The Trade Unions Act, 1926: Definitions, Registration of Trade Unions, Rights and Liabilities of Trade Unions and Membership of Trade unions.

UNIT 5. The Industrial Disputes Act: Definitions, Provisions Relating to Strikes and lock-outs, Lay-off and Retrenchment, Unfair Trade Practices and Penalties.

UNIT 6. The Payment of Wages Act, 1936: Definitions, Wage Periods and Disbursement of Wages, Deductions.

Books Recommended:

1. S.N. Mishra- Labour Law
2. P.L.Malik- Handbook of labour and Industrial Law
3. S.K. Puri- Labour and industrial Laws
4. P.K. Padhi- Labour and Industrial Laws
5. S.M. Chaturvedi- Labour and Industrial Law
6. N.D. Kapoor- Handbook of Industrial Law

Course Code : LB603H
Course Title : Interpretation of Statutes and Principles of Legislation
Credit : 4, Marks : 100 (ESE-80, IA : 20)

- UNIT 1. Meaning of Interpretation and Construction.
Basic Rules of Interpretation: Literal Rule, Golden Rule and Mischief Rule, Harmonious Construction.
- UNIT 2. General Principles of Interpretation: Statute to be read as a whole- Intention of Legislatures- Statute to be constructed to make it effective and workable.
- UNIT 3. Subsidiary Rule of Interpretation: Mandatory and Directory Provisions, Use of “Shall” and “May”, “It shall be lawful”, “shall have power”, “Or”, “And”, “as .
- UNIT 4. Internal Aids and External Aids to Construction.
- UNIT 5. Interpretation of Taxing Statute, Penal Statute
- UNIT 6. Interpretation of Social and Beneficial Legislation
Interpretation of Constitution
- UNIT 7. Maxims: *noscitur a sociis- ejusdem generis-Causus Omissue- Expressio Unius Est Exclusio Alteriu- Redendo Singula Singulis- Generalia Specilibus non Derogant*
- UNIT 8. The General clauses Act, 1897: Definition and Salient Features.

Books Recommended:

1. T. Bhattacharya- Interpretation of statutes
2. P.M. Bakshi- Interpretation of Statutes
3. A.B. Kafaltiya-Interpretation of Statutes
4. M.P. Tandon- Interpretation of Statutes
5. Maxwell- Interpretation of Statutes
6. G. P. Singh- Principle of Statutory Interpretation
7. V.P Sarathi- Interpretation of Statutes

Course Code : LB604C
Course Title : Law of Taxation
Credit : 4, Marks : 100 (ESE-80, IA : 20)

UNIT 1. Basic Concept: Direct and Indirect Tax, History of Tax Law in India, Principles of Charging Income Tax, Exemption and Deduction, Tax Evasion, Tax Avoidance, Tax Planning, Tate of Tax.

UNIT 2. Definitions: Person, Assessee, Assessment Year, Previous Year, Income, Gross Total Income, Heads of Income, Casual Income, Business, Capital Assets, Capital Receipts and Revenue Receipts, Capital Expenditure and Revenue Expenditure, Amalgamation.

UNIT 3. Residential Status of Assessee and Scope of Total Income, Income deemed to be received/ Accrue or Arise in India, Income which do not form part of Total Income.

UNIT 4. Heads of Income- Income from Salary, Income from House Property, Income from Profits and Gains of Business or Profession, Income from Capital Gains and Income from Other Sources.

UNIT 5. Deduction of Gross Total Income, Computation of Total Income and Tax Payable Thereon, Filing of Return of Income, Relief when Salary, etc., is paid in arrears or in advance.

UNIT 6. Assessment, Self Assessment, Inquiry before Assessment, Best Judgment Assessment, Income Escaping Assessment.

UNIT 7. Appeal and Revision.

UNIT 8. Constitutional Aspect of Goods and Services Tax in India: Basic Concept, Constitutional Amendments and Scheme.

Legislative Aspect of Goods and Services in India: Relevant Legislations in force in connection to goods and Services in India, Payment of Tax and Filing of Return, refund, liability, Appeal and revision.

Books Recommended:

1. V. S. Datey - Indirect taxes- Law and Practice
2. Girish Ahuja and Ravi Gupta- Systematic Approach to Income – Tax and Sales –tax.
3. T. N. Manoharan- Students Handbook on Income Tax Law.
4. Dr. V. K Singhanian - Students Guide to Income Tax.
5. Taxmann’s- Income Tax Act
6. Dr. H. C Malhotra and Dr. S. P. Goyal- Direct Taxes.
7. Rajesh Kumar - Law of Goods and Services Tax.
8. Tarun Jain - Goods And Services Tax - Constitutional Law and Policy

Course Code : LB605CL

Course Title : Moot Court Exercise and Internship (Practical)

Credit : 4, Marks : 100 (30+30+30+10)

1. Moot Court: Every student may be required to do at least three Moot Courts with 10 marks for each. The Moot Courts work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy. **Marks 30**

2. Observation of Trial in Civil and Criminal Courts: students may be required to attend two trials and they will maintain a Diary/ Note book wherein they will record various steps of the proceedings during Trial attended on different days which will carry 30 marks. **Marks 30**

3. Interviewing Techniques, Pre-Trial Preparation, and Internship Diary: Each Student will observe two interviewing sessions of clients at the Lawyer’s Office/ Legal Aid Office and record the proceeding in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocates and the procedure for the filing of the suit/ petition. This will be recorded in the diary, which will carry 15 marks. **Marks 30**

4. Viva-Voce/ Internal Assessment. **Marks 10**

Books recommended:

1. Abhinandan Malik- Moot Court and Mooting
2. S.R. Myneni- Moot Court, Pre-Trial Preparation and Participation in Trial Proceeding and Viva Voce
3. K.L. Bhatia- Moot Court and Mock Trial Art to and Art of Advocacy
4. Namita Agarwal- Moot Court
5. Meghan Spillane- International Moot Court: An Introduction
6. Paul I. Weizer- How to Please the Court: A Moot Court Handbook

Course Code : LB606CL
Course Title : Alternate Dispute Resolution
Credit : 4, Marks : 100 (ESE-60, Practical : 40)

UNIT 1. Arbitration Law

UNIT 2. International Arbitration

UNIT 3. Arbitration Rules

UNIT 4. Basis of Conciliation and Negotiation.

Evolution of Alternative Dispute Resolution may also be conducted in practical exercise at least for a significant part of evaluation for **Marks 40**