

# SCHOOL OF LAW LL.B (Hons) (For students admitted from the academic year 2014-2015 onwards) CURRICULUM AND SYLLABUS

FACULTY OF SCIENCE AND HUMANITIES

SRM UNIVERSITY

SRM NAGAR, KATTANKULATHUR- 603 203

# THREE YEAR LL.B (Hons)

# SEMESTER- I

COURSE	SUBJECTS
CODE	OFMENTED 1
	SEMESTER – I
ULL14101	English Language and Literature
ULL14102	Jurisprudence
ULL14103	Law of Contracts – I
ULL14104	Law of Torts
ULL14105	Family Law I
ULL14106	Law of Crimes
	SEMESTER – II
ULL14201	Legal Professional and Communication Skills
ULL14202	Law of Contracts – II
ULL14203	Property Law Including Transfer of Property Act and Easement Act
ULL14204	Constitutional Law I
ULL14205	Family Law II
ULL14206	Professional Ethics and Accountancy System
ULL14207	Internship
	SEMESTER - III
ULL14301	Constitutional Law II
ULL14302	Labour Law I
ULL14303	Company Law
ULL14304	Law of Evidence
ULL14305	Banking Laws
ULL14306	Intellectual Property Rights Law
ULL14307	Internship
	SEMESTER – IV
ULL14401	Interpretation of Statutes
ULL14402	Administrative Law
ULL14403	Public International Law
ULL14404	Law of Insurance
ULL14405	Labour Law II
ULL14406	Maritime Law
ULL14407	Research Methodology
ULL14408	Internship

	SEMESTER – V
ULL14501	Land laws
ULL14502	Cyber law and Forensic Science
ULL14503	Environmental Law
ULL14504	Law of Taxation
ULL14505	Private International Law
ULL14506	Law Relating To Women and Children
ULL14507	Internship
	SEMESTER – VI
ULL14601	Civil Procedure Code
ULL14602	Criminal Procedure Code
ULL14603	Competition Law
ULL14604	Alternative Dispute Resolution
ULL14605	Moot court
ULL14606	Drafting, Pleading and Conveyancing
ULL14607	Internship

# **SEMESTER I**

SL. No.	CATEGORY	SUBJECT CODE	SUBJECT TITLE	NATURE OF THE SUBJECT	L	T	P	TOT LTP	Credit
1.	Core Paper		ENGLISH LANGUAGE AND LITERATURE	NON LAW	4	1	0	5	4
2.			JURISPRUDENCE	LAW	4	-	1	5	4
3.	Core Paper	ULL14103	LAW OF CONTRACTS – I	LAW	4	-	1	5	4
4.	Core Paper	ULL14104	LAW OF TORTS	LAW	4	1	1	5	4
5.	Core Paper	ULL14105	FAMILY LAW – I	LAW	4		1	5	4
6.	Core Paper	ULL14106	LAW OF CRIMES	LAW	4	-	1	5	4
TOTAL									24

# **SEMESTER II**

SL. No.	CATEGORY	SUBJECT CODE	SUBJECT TITLE	NATURE OF THE SUBJECT	L	Т	P	TOT LTP	Credit	
1.	Core Paper	ULL14201	LEGAL PROFESSIONAL COMMUNICATION SKILLS	NON LAW	4	1	0	5	4	
2.	Core Paper	1111114202	LAW OF CONTRACTS – II	LAW	4	-	1	5	4	
3.	Core Paper	ULL14203	PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT AND EASEMENT ACT	LAW	4	1	1	5	4	
4.	Core Paper	111111111111111111111111111111111111111	CONSTITUTIONAL LAW – I	LAW	4	1	1	5	4	
5.	Core Paper	ULL14205	FAMIL LAW – II	LAW	4	1	1	5	4	
6.	Clinical	ULL14206	PROFESSIONAL ETHICS AND ACCOUNTANCY SYSTEM	LAW	1	1	3	5	4	
7.	Clinical	ULL14207	INTERNSHIP	LAW	1				1	
	TOTAL									

# **SEMESTER III**

SL. No.	CATEGORY	SUBJECT CODE	SUBJECT TITLE	NATURE OF THE SUBJECT	L	T	P	TOT LTP	Credit
1.	Core Paper	ULL14301	CONSTITUTIONAL LAW II	LAW	4	ŀ	1	5	4
2.	Core Paper	ULL14302	LABOUR LAW I	LAW	4		1	5	4
3.	Core Paper	ULL14303	COMPANY LAW	LAW	4	-	1	5	4
4.	Core Paper	ULL14304	LAW OF EVIDENCE	LAW	4	!	1	5	4
5.	Core Paper	ULL14305	BANKING LAWS	LAW	4		1	5	4
6.	Core Paper	ULL14306	INTELLECTUAL ROPERTY RIGHTS LAW	LAW	4	1	1	5	4
7.	Clinical	ULL14307	INTERNSHIP	LAW	1	1			1
TOTAL									25

# SEMESTER IV

SL. No	CATEGORY	SUBJECT CODE	SUBJECT TITLE	NATURE OF THE SUBJECT	L	Т	P	TOT LTP	Credit	
1.	Core Paper	ULL14401	INTERPRETATION OF STATUTES	LAW	4		1	5	4	
2.	Core Paper	ULL14402	ADMINISTRATIVE LAW	LAW	4	-	1	5	4	
3.	Core Paper	ULL14403	PUBLIC INTERNATIONAL LAW	LAW	4		1	5	4	
4.	Core Paper	ULL14404	LAW OF INSURANCE	LAW	4	-	1	5	4	
5.	Core Paper	ULL14405	LABOUR LAW II	LAW	4		1	5	4	
6.	Core Paper	ULL14406	MARITIME LAW	LAW	4		1	5	4	
7.	Clinical		RESEARCH METHODOLOGY	LAW	1	1	3	5	4	
8.	Clinical	ULL14408	INTERNSHIP	LAW	1				1	
	TOTAL									

# **SEMESTER V**

SL. No.	CATEGORY	SUBJECT CODE	SUBJECT TITLE	NATURE OF THE SUBJECT	L	Т	P	TOT LTP	Credit
1.	Core Paper	ULL14501	LAND LAWS	LAW	4		1	5	4
2.	Core Paper	ULL14502	SCIENCE	LAW	4	-	1	5	4
3.	Core Paper	ULL14503	ENVIRONMENTAL LAW	LAW	4	1	1	5	4
4.	Core Paper	ULL14504	LAW OF TAXATION	LAW	4		1	5	4
5.	Core Paper	ULL14505	PRIVATE INTERNATIONAL LAW	LAW	4	1	1	5	4
6.	Core Paper	ULL14506	LAW RELATING TO WOMEN AND CHILDREN	LAW	4		1	5	4
7.	Clinical	ULL14507	INTERNSHIP	LAW	1				1
TOTAL									25

# **SEMESTER VI**

SL. No.	CATEGOR Y	SUBJECT CODE	SUBJECT TITLE	NATURE OF THE SUBJECT	L	T	Р	TOT LTP	Credit
1.	Core Paper	ULL14601	CIVIL PROCEDURE CODE	LAW	4	1	1	5	4
2.	Core Paper	ULL14602	CRIMINAL PROCEDURE CODE	LAW	4	1	1	5	4
3.	Core Paper	ULL14603	COMPETITION LAW	LAW	4	1	1	5	4
4.	Core Paper	ULL14604	ALTERNATIVE DISPUTE RESOLUTION	LAW	4	1	1	5	4
5.	Core Paper	ULL14605	MOOT COURT	LAW	4	-	1	5	4
6.	Core Paper		DRAFTING, PLEADING AND CONVEYANCI NG	LAW	4	1	1	5	4
7.	Clinical	ULL14607	INTERNSHIP	LAW	1				1
							•	TOTAL	25

5

#### SEMESTER - I

		ENGLISH LANGUAGE AND LITERATURE	L	Т	Р	С		
ι	JLL14101	Total Contact Hours) - 75 Hours)	4	1	0	4		
INSTRUCTIONAL OBJECTIVES								
1.	To enhance students' proficiency in English language.							
2.	To enable th	ne students to think in English and communicate	e in E	nglish.	_			
3.	<ol> <li>To equip students with the awareness and strategies needed to enable lega proceedings in English language.</li> </ol>							
4.	To engage i	n ongoing professional development						

#### UNIT I - INTRODUCTION

(15 Hours)

# a) English Language & Linguistics

Tracing the historical development of English Language – Indo – European Language Tree – Eastern and Western Language Groups – Germanic groups – Old English – Middle English – Modern English.

# b) Vocabulary

Development of Vocabulary in English Language – Influence of other Languages on English Vocabulary – Etymology – Semantics.

UNIT II (15 Hours)

# c) Phonetics

R.P. Phonemes – Identification and Classification – Vowels, Diphthongs and Consonants.

Transcription Exercises.

Accent – Rhythm in connected speech – Kinds of Accent Intonation – Falling tone and Rising tone.

#### II. Prose Section

UNIT III (15 Hours)

- 1. Gettysburg Address Abraham Lincoln
- 2. Advice to a young man interested in going into law Felix Frank further
- 3. Methods of Study Glanville Williams.
- 4. Court Scene Merchant of Venice William Shakespeare.
- 5. The Law is a Jealous Mistress A Popular Fallacy Joseph W. Plank.

UNIT IV (15 Hours)

- 1. The Hypotheses of Failure O. Henry
- 2. Civil Disobedience Henry David Thoreau
- 3. On Truth Francis Bacon
- 4. On Liberty Chapter I John Stuart Mill
- Aringnar Anna's Maiden Speech in Rajya Sabha 1962

#### **UNIT V - GRAMMAR**

(15 Hours)

- a) Words often confused (I Semester)
- b) Idioms and Phrases
- c) Synonyms and Antonyms
- d) Phrases and Clauses
- e) Reported Speech

#### **Books Recommended**

- Law and Language Bhat Nagar
- 2. Learning the Law Glanville Williams
- 3. Essays of Francis Bacon
- 4. Merchant of Venice William Shakespeare
- 5. Contemporary English Grammar Structures & Composition David Green
- 6. English Grammar Composition & Usage J.C. Nesfield

#### APPENDIX I

# **Expressions and Phrases**

- 1. To make both ends meet to live within one's income
- 2. To eat one's word to retract one's statements
- 3. To set one's face against to sternly oppose
- 4. To play fast and loose say something and do another
- 5. To win one's spurs to make one's reputation
- 6. To make one to test to rebuke
- 7. To turn a deaf ear to to disregard
- 8. By hook or by crook by fair or foul means
- 9. Without reserve fully
- 10. To take exception to to object to
- 11. To pay off old scores to wreck revenge
- 12. On and off at intervals
- 13. Off and on now and then
- 14. In good part without offence
- 15. To put a spoke in the wheel to thwart the execution of one's designs.
- 16. To make one's mark to distinguish oneself
- 17. To put one's foot down to take a resolute stand.
- 18. To make up one's mind to resolve
- 19. To turn over a new leaf to change for the better

- 20. No love lost (between them) not on good terms
- 21. To throw cold water to discourage
- 22. Hands in glove connive with
- 23. To turn one's errors to account to profit by errors
- 24. To sit on the fence to remain undecided
- 25. At issue in dispute
- 26. To bring to light to disclose
- 27. To burn one's fingers to get into trouble
- 28. To live by one's wits to earn one's livelihood by ingénuity
- 29. To bid fair fairly to
- 30. To strain every nerve to put forth one's utmost efforts
- 31. Beside himself out of his mind
- 32. At sixes and sevens In disorder or confusion
- 33. To put on airs to behave arrogantly
- 34. To be on alert ready to act
- 35. Order of the day Prevailing state of things
- 36. To get into hot water to get into trouble
- 37. To get the better of one to overcome
- 38. To get of easily to get a light sentence
- 39. Washing dirty linen in public to talk about one's short comings in public.
- 40. To have a finger in the pie to meddle with the affair
- 41. To hit the nail on the head to say or do exactly the right thing.
- 42. To have an axe to grind to have personal interest in the matter
- 43. To have the gift of the gab to have talent for speaking
- 44. To throw out of gear to disturb the working of
- 45. Gall and wormwood Hateful, unacceptable
- 46. To be in the good books of to enjoy the patronage of
- 47. To stand in one's own light to act against one's own interest
- 48. To put one's foot in to involve
- 49. To fight tooth and nail to fight bitterly
- 50. To make clean breast of to confess without reserve
- 51. To stand one's ground to maintain one's position
- 52. Where the shoe pinches where the difficulty or trouble exist.
- 53. To take to one's heels to run away
- 54. To the letter to adhere to every detail
- 55. To keep in the dark to keep one in ignorance
- 56. To die in harness to die while in office
- 57. To have too many irons in the fire to be engaged in too many enterprises
- 58. To be at one's wit's end puzzled, completely at a loss to act
- 59. To fall foul of to guarrel with
- 60. To go back on to fail to keep
- 61. To lend ear to to listen to

- 62. To read between the lines to read a hidden meaning not apparent
- 63. Thorn in one's side to be a constant source of annoyance
- 64. To smell a rat to suspect
- 65. To nip in the bid to put an end to in the beginning itself
- 66. The long and short of it the whole matter in a few words
- 67. To take stock of to assess
- 68. To keep one's own counsel to preserve a discrete silence
- 69. To be born with silver spoon in one's mouth to be born in wealth and luxury
- 70. To stand to reason to be logical
- 71. To stand in good stead to be of good service
- 72. To take wind out of one's sail to render one's work or action ineffectively.
- 73. To pay back in one's coin to treat one in the same way
- 74. To take one's life in one's hands to undergo great risks
- 75. To fight shy of to avoid due to a feeling of mistrust
- 76. To end in smoke to come to nothing
- 77. To leave no stone unturned to use all available meaning
- 78. To harp on the same string to swell tediously on same subject
- 79. To give a piece of one's mind to scold one
- 80. To make good the loss to compensate for the loss
- 81. To kick up a row to make great noise or fuse
- 82. To be ill at ease to be uneasy
- 83. To rise to the occasion to show oneself equal to deal with the emergency
- 84. To do the handsome thing by one to behave towards one in a magnanimous manner.
- 85. To take the edge of one's argument to make or argument ineffective
- 86. To hang in the balance to remain in suspense
- 87. To put in the market to offer for sale
- 88. To fall short of one's expectations to disappoint
- 89. On the spur of the moment instantly
- 90. To burn the candle at both the ends to overtax energy
- 91. To bury the hatchet to cease fighting, to make peace
- 92. To feather one's own nest to make money unfairly
- 93. To blow one's own trumpet to praise oneself
- 94. To keep one's head above water to keep out of depth
- 95. To have two strings to one's bow to have two source income to rely upon
- 96. To make a pile to save a fortune
- 97. To be beside the man to be irrelevant
- 98. To be under the water of to be completely under control of
- 99. To be on tender roof to be in a state of suspense anxiety
- 100. To move heaven and to make every possible event

#### **APPENDIX II**

#### Words often confused:

- Affect Effect
- 2. Adverse Averse
- 3. Apprehend Comprehend
- 4. Adapt Adopt
- 5. Accept Except
- Advise Advice
- 7. Beside Besides
- 8. Bridal Bridle
- 9. Canon Cannon
- 10. Canvas Canvass
- 11. Council Counsel
- Continual Continuous
- 13. Childlike Childish
- Collision Collusion
- 15. Confirm Conform
- 16. Contagious Contiguous
- 17. Dual Duel
- 18. Flusive Illusive
- 19. Eminent Imminent
- 20. Facilitate Felicitate
- 21. Industrial Industrious
- 22. Judicial Judicious
- 23. Metal Mettle
- 24. Official Officious
- 25. Popular Populace
- 26. Principal Principle
- 27. Stationary Stationery
- 28. Wave Waive
- 29. Sea See
- 30. Momentary Momentous
- 31. Junction Juncture
- 32. Estimate Esteem
- 33. Fain Feign
- 34. Flagrant Fragrant
- 35. Luxurious Luxuriant
- 36. Emigrate Immigrate
- 37. Destiny Destination
- 38. Disease Decease
- 39. Disposal Disposition
- 40. Confident Confidential
- 41. Corporal Corporate

- 42. Congenial Congenital
- 43. Compliment Complement
- 44. Abstract Extract
- 45. Avert Invert
- 46. Accede Exceed
- 47. Assent Ascent
- 48. Atenuate Extenuate
- 49. Artful Artificial

ULL14102	JURISPRUDENCE	L	T	Р	С
	Total Contact Hours) - 75 Hours)	4	-	1	4

#### INSTRUCTIONAL OBJECTIVES

1. The course aims at developing an analytical approach to understand the nature of law, development of law and working of a legal system in different dimensions with reference to popular legal theorists and to create an understanding of basic legal concepts like state, sovereignty, rights, possession, ownership, liability, which are basic to the study of law.

UNIT I (10 Hours)

Nature and definition of jurisprudence.

UNIT II (10 Hours)

The various schools of jurisprudence and their methodology.

UNIT III (8 Hours)

Nature and definitions of law- Different kinds and, classification, imperative theory of law- constitutional law and international law- their nature.

UNIT IV (8 Hours)

The concept of State and Sovereignty- a general outline.

UNIT V (8 Hours)

Sources of law- Legislation, Precedent and Custom.

UNIT VI (8 Hours)

Administration of Justice.

UNIT VII (8Hours)

Juristic Concepts of Rights and Duties, Title, Persons, Liability, Ownership, Possession, Property and Obligation.

#### **BOOKS PRESCRIBED**

- 1. Salmond, Jurisprudence (Prescribed Text), Sweet and Maxwell, 2012
- G.W.Paton, Jurisprudence, Oxford Press, 1973 2.
- 3. Monica David, Jurisprudence, Allahabad Law Agency, 1967
- 4. G.C.V. SubbaRao, Jurisprudence, Eastern Book Company, 2008

ULL14103	LAW OF CONTRACTS – 1	L	T	Р	С				
	Total Contact Hours) - 75 Hours)	4		1	4				
INSTRUCTIONAL OBJECTIVES									

All societies require a vehicle through which planned exchanges can be made. Contracts are one such vehicle which facilitates planned exchanges. The Law of contracts I provides for general principles which govern the contractual relationships between persons in society. The object of this course is to introduce the basic principles governing formation of contracts, performance of contracts, discharge of contracts and breach of contracts.

# General Principles of Contract (Section 1-75) & Specific Relief Act

UNIT I (3 Hours)

Basis and Nature of Contracts

UNIT II (3 Hours)

PRIVITY OF CONTRACT - Development of Contract-Development of Specialised Contract.

UNIT III (3 Hours)

VOID. VOIDABLE AND UNENFORCEABLE Contracts. Express and Implied Contacts, Unilateral and Bilateral Contracts, Analysis of Contract- Theory Consensus-Essential Elements of a Contract.

**UNIT IV** (3 Hours)

FORMATION: Offer and Acceptance- Offer and invitation to Treat- Fact of Acceptance- Acceptance in Person, By post, Telephone, Telegram etc.-Revocation of Acceptance.

**UNIT V** (3 Hours)

TERMS OF CONTRACT: Warranty, Condition, Fundamental Obligation- Ticket Cases.

UNIT VI (3 Hours)

CONSIDERATION- Definition Indian and English- Executory and Past must move from the promises - Adequacy and Reality of consideration-performance of Existing Duty consideration in Discharge of Contract- Rules in Finnels case, High Trees case, Composition with Creditors- Difference between English and Indian Law.

UNIT VII (3 Hours)

Intention to create Legal obligation.

UNIT VIII (3 Hours)

CAPACITY TO CONTRACT: (i) Infants; (ii) Lunatic; (iii) Drunken Persons; (iv) Alien Enemies; (v) Foreign Sovereigns and Ambassadors; (Vii) Married Women, Contract of Necessaries- Basis of such Contracts- Infant Relief Act of 1874- Beneficial Contract of Service Equitable Doctrine of Restitution- Delictual Liability- English and Indian Law.

UNIT IX (3 Hours)

**FLAW IN CONSENT**: Mistakes of Fact and Law- As to identify As to title- As to the existence the Non- Subject matter- As to quality- As to written contract (nonest factum) Error in Verbis- Error in 'Causa' difference between English and Indian Law.

UNIT X (3 Hours)

**MISREPRESENTATION**: Fraudulent- Elements of an Effective Representation- Can Silence Amount to Representation which is a term of Contract or mere Representation Condition or Warranty.

UNIT XI (3 Hours)

Limits or Rights t Rescind.

UNIT XII (3 Hours)

Coercion- Duress. Undue influence, Unconscionableargains.

UNIT XIII (3 Hours)

**UNLAWFUL AGAREEMENTS**: By Common Law (Public Policy) Stiffing of Prosecution, Maintenance, Champerty- Agreements which tend to affect the Freedom or Security of Marriage- immoral- Agreement- outside, The Jurisdiction of Courts-Restraint of Trade- Wagering Contracts Restraint of Parental Right, restraint of Personal liberty, Consequences of Illegality Impari Delicto-Difference between illegal and Void Contract.

UNIT XIV (3 Hours)

**LIMITS OF CONTRACTUAL OBLIGATION**: Privity of Contract – Strangers to a Contract sure or cannot be bound by its terms. Agreement of Contractual Rights and Liabilities.

UNIT XV (3 Hours)

**DISCHARGE OF CONTRACTS:** By performance – Tender by express Agreement-Accord and Satisfaction- Bilateral and Unilateral Discharge- The Doctrine of Frustration- Theories of Frustration- Operation of Doctrine, Effect of Doctrine-Difference between English and Indian Law.

UNIT XVI (3 Hours)

BY BREACH: Anticipatory Breach.

UNIT XVII (3 Hours)

**Remedies for Breach of Contract –** Measure of Damages, Remoteness of Damages, Penalty and Liquidated Damages, Mitigation of Damages.

UNIT XVIII (3 Hours)

**QUASI CONTRACT-** Definition- Historical basis- Quantum Meruit, Obligation, Resembling those created by contract under Indian Act.

UNIT XIX (3 Hours)

**MISCELLANEOUS:** Contingent Contracts- Appropriation of Payments- Time and Place if Performance – Joint promises and reciprocal promises.

UNIT XX (3 Hours)

**SPECIFIC RELIEF ACT:** Recovering Possession of Property specific performance of contracts- Contracts which cannot be specifically enforced contracts which can be specifically enforced- persons for or against whom contracts may be specifically enforced – Discretionary Powers of Court, Ratification or Instruments- Rescission of Contract, Cancellation of Instruments- Declaratory Decree- Preventive Reliefinjunction Generally-Perpetual injunction.

#### STATUTORY MATERIAL

- The Indian Contract Act.
- 2. Specific Relief Act 1963,

#### **TEXT BOOKS**

- 1. Pollock and Mulla, *The Indian Contract Act and Specific Relief Act (in 2 vols.)*,14<sup>th</sup> ed., Lexis Nexis, (2014).
- 2. G.C.V Subba Rao, Law of Contract I and II, Gogia & Company,
- 3. Avtar Singh, Law of Contracts, 11th ed., Eastern Book Company, (2013).
- 4. Anson, Law of Contract, 28th Ed., Oxford University Press, 2002.
- 5. V.K. Rao, Contract I Cases and Materials, Butterworths, 2004.

#### **REFERENCES**

- 1. Jill Poole, *Text book on Contract Law*, 6<sup>th</sup> ed., Oxford University Press, 2001.
- 2. Robert Duxbury, *Contract Law*, 2<sup>nd</sup> ed., Sweet & Maxwell, 2013.

- 3. Michael Furmston, Chesire, Fifoot & Furmston's Law of Contract, 16<sup>th</sup> ed., Oxford University Press, 2013.
- 4. Surendra Malik & Sudeep Malik, Supreme Court on Specific Relief Act, Eastern Book Company, 2015.
- Brian H.Brix, Contract Law: Rules, Theory and Context, Cambridge University Press. 2012

ULL14104	LAW OF TORTS	L	T	Р	С			
	Total Contact Hours) - 75 Hours)	4		1	4			
NSTRUCTIONAL OR IECTIVES								

#### INSTRUCTIONAL OBJECTIVES

Law of torts is a law of obligations imposed by law on persons. The subject deals
with law of civil wrongs. The object of this course is to teach the nature of torts,
basic and general principles of torts, various specific torts, liability under law of
torts inter alia.

UNIT I (20 Hours)

**GENERAL PRINCIPLES**: origin and Development of Torts Definition of Trot-distinction between Tort and Crime- Tort and Contract, Tort and Breach of Trust-Foundation of Tortious Liability- Faults as a condition of liability. Essential condition of liability in Tort- Duty of Care- Damnum sine injuria sine damno relevance of malice0 The impact of Insurance on Tort Liability, Individual and Collective tor Accidents Claims.

UNIT II (20 Hours)

**GENERAL DEFENCES**: Volenti- Non fit injuria- inevitable Accident, necessity-Private Defence- Mistake, Statutory Authority- Act of God.

UNIT III (20 Hours)

Parties and their capacity- The State and its Subordinate Officers of State- Minors, Lunatic and Drunkards- Married Women, Corporation Union Corporate Bodies-Foreign Ambassadors.

- 1. Masters and Servants- Servant Independent Contractors, Course Employment and Common Employment Master's Duties to Servant and vice versa.
- 2. Joint tort feasors.
- Remedies
- 4. Remoteness of damage- Novus Actus Interveniens.
- 5. Successive Actions on the same facts- Effect of Merger and Death.
- 6. Specific Torts
  - (a) Wrong to persons and Reputation- Death, Assault, Battery false, imprisonment, Nervous shock, Defamation, Status.
  - (b) Wrongs to Property to Land and Chattels.

- (c) Negligence
- (d) Nuisance- Nuisance and injury of Servitude's Highways etc.
- (e) Strict or Absolute Liability- Liability for dangerous chattels animals and structures or Premises.
- (f) Conspiracy, interference with freedom of contractual and Business relationship- injurious falsehood slander of title or of goods- Passing off-Abuse of legal procedure.
- (g) Foreign Torts- Miscellaneous and Doubtful Torts Invasion of Privacy.
- 7. Discharge of Torts.

#### PRESCRIBE BOOKS

- 1. Winfield: Law of Torts, Sweet & Maxwell, 18th edition, 2009
- 2. Salmond: Law of Torts. Sweet & Maxwell: 21st Revised edition 1996
- 3. Ramasamy Iver, S.: Law of Torts, Lexis Nexis Butterworths, 2013

ULL14105		FAMILY LAW – I	L	T	Р	С		
		Total Contact Hours) - 75 Hours)	4		1	4		
INSTRUCTIONAL OBJECTIVES								
1.	The objective of the paper is to apprise the students with the laws relating to family matters applicable to different communities in India.							

UNIT I (12 Hours)

**Source:** Traditional and modern sources of personal Laws. Evolution of the Hindu Joint Family-The Classical Schools.

UNIT II (12 Hours)

Law of Marriage: Hindu, Muslim and Christian Laws of marriage and divorce, The nature of the institution of Marriage and its development, the capacity nuptial rights and the effect of void and voidable marriage under the aforesaid systems of law. Hindu law of marriage and divorce with reference to the changes brought about by modern legislation. Muslim law of marriage and divorce will include Law of Dower.

UNIT III (12 Hours)

**Law of Adoption**: Hindu law of Adoption with special reference to the juristic concept and development of case laws and changes brought about by the Hindu Adoption and Maintenance Act, 1956. The Muslim Laws of Legitimacy. Parentage and the Doctrine of Acknowledgement of Paternity.

UNIT IV (12 Hours)

**The Law of Guardianship**: The Hindu law of Minority and Guardianship and Maintenance and changes brought about by modern legislation. Muslim Law of minority and Guardianship and Maintenance.

UNIT V (12 Hours)

Maintenance: The Hindu, Muslim and Christian law relating to Maintenance.

#### STATUTORY MATERIALS

- Hindu Widows Re Marriage Act, 1956. 1.
- 2. Child Marriage Restraint Act, 1929,
- 3. Special Marriage Act, 1954.
- 4. Hindu Marriage Act. 1955.
- 5. Hindu Adoptions and Maintenance Act. 1956.
- 6. Hindu Minority and Guardianship Act, 1956.
- 7. Hindu Women's Right to separate Residence Act, 1956.
- 8. Guardianship and Wards Act. 1890.
- 9. Guardianship Act.
- 10 Indian Majority Act, 1875.
- The dissolution of Muslim Marriage Act, 1939. 11.
- 12. The Christian Marriage Act, 1872.
- 13. Indian Divorce Act, 1896.

#### **BOOKS PRESCRIBED**

- Mulla, Hindu Law, Lexis Nexis, 2013 1.
- 2. N.R.Raghavachari, Hindu Law-Principles and Precedents, Madras Law Journal 1980
- 3. Mulla, Principles of Mohammedan law, N.M. Tripathi, 1972
- A. Fyzee, Outlines of Mohammedan law, Oxford University Press, 2009 4.

111 1 44406	LAW OF CRIMES	L	T	Р	С	
ULL14106	Total Contact Hours) - 75 Hours)	4		1	4	
INSTRUCTIONAL OBJECTIVES						

This paper is to deal with the basic principles of criminal law determining criminal liability and punishment and to focus on the study of substantive crimes under the Indian Penal Code.

UNIT I (10 Hours)

Crime - Concept - Constituent Elements of Crime- Actusreas and mensrea- Types-Strict Responsibility in Criminal law- Mensrea in Statutory Offences.

UNIT II (10 Hours)

General Defences- Conditions- Negative Criminal Responsibility, Mistake of Fact, Judicial Acts, Accident, Doctrine of Necessity, Infancy, Insanity, Intoxication, Consent, Compulsion, Duress, Triviality, Right of private Defence.

UNIT III (10 Hours)

Parties to a Crime- Joint and Constructive Liability- Group Liability- Abetment-Conspiracy, Attempt- Corporate Liability Accessories after the Fact.

UNIT IV (10 Hours)

Jurisdiction- Personal, Territorial, Extra- Territorial, Admiralty.

UNIT V (5 Hours)

Punishment- Objective, basis and Types.

UNIT VI (10 Hours)

Specific Crimes

- (a) Offences affecting Public.
  - (i) Against State (sedition)
  - (ii) Against Public Peace- Unlawful Assembly, Rioting, Affray.
  - (iii) Against Public Administration- Bribery, Personation
- (b) Offence against Administration of Justice giving and fabricating false statement.
- (c) Offences against Persons- Homicide (murder, culpable- homicide and negligent homicide) Hurt and grievous hurt, Wrongful restraint and confinement, Kidnapping and abduction and rape etc.
- (d) Offences against Property- Theft, Extortion, Robbery, Dacoity, Criminal misappropriation and Breach of trust, Cheating, Forgery, Mischief and Criminal Trespass.
- (e) Offences relating to Marriage and Religion.
- (f) Defamation, Criminal insult, Criminal intimidation etc.

UNIT VII (5 Hours)

Law of Attempt

#### STATUTORY MATERIALS

The Indian Penal Code.

#### PRESCRIBED BOOKS

- 1. Kenny: Outlines of Criminal Law, Hard Press Publishing, 2013
- 2. Ratanlal : The Indian Penal Code, Lexis Nexis, 2013
- 3. Gour, K.D: Criminal Law, Universal Law Publishing Company, 2014

#### SEMESTER - II

ULL14201		LEGAL PROFESSIONAL COMMUNICATION SKILLS	L	T	Р	С			
		Total Contact Hours) - 75 Hours)	4	1	0	4			
INSTR	INSTRUCTIONAL OBJECTIVES								
1.	<ol> <li>The paper aims to imbue students with importance of Ethics in Legal profession. It also focuses on Court craft as part of Legal Profession.</li> </ol>								

## PROSE SECTION

UNIT I (15 Hours)

- 1. Moots and Mock Trials Glanville Williams
- 2. The Divisions of the Law Glanville Williams
- 3. In the Court Anton Chekov
- 4. The Five Functions of the Lawyer Arthur T. Vanderbilt
- 5. The Language of the Law Urban A. Lavery
- 6. Roses in December-M.C.Chagla

UNIT II (15 Hours)

- Cross Examination of Pigott before the Parnell Commission Sir Charles Russel
- A Plea for the Severest Penalty upon his Conviction for Sedition M.K. Gandhi
- 3. Educating Lawyers for A Changing World Erwin N. Griswold
- 4. Due Process of Law Part I Lord Denning
- 5. Before Memory Fades- Fali.S.Nariman

# UNIT III - LANGUAGE ACQUISITION AND USE OF LANGUAGE (15 Hours)

Four Skills of Language Learning – Understanding Spoken Language and Speaking – Understanding Written Language and Writing – Stages of Acquisition of Languages – Laws of Language Learning – Factors Influencing Results in Language Learning – Place of Mother Tongue in Language Learning.

#### FIGURES OF SPEECH

Simile, Metaphor, Hyperbole, Allegory, Personification, Metonymy, Synecdoche, Euphemism, Climax, Bathos, Epigram, Pun, Irony, Alliteration, Assonance and Tautology – examples.

UNIT IV - LOGIC (15 Hours)

 The scope of Logic – Definition of Logic – Logic and Psychology and Ethics – The Principles of thinking and syllogism.

- Proposition and its parts classification of propositions Distribution of terms
   The opposition of propositions.
- 3. Syllogism Kinds and rules of syllogisms.
- Fallacies deductive fallacies formal and material fallacies inductive fallacies.

#### COMPOSITION

Essay Writing on topics of Legal interest precise writing and letter writing.

UNIT V (15 Hours)

Copy attached - 100 Legal Terms

#### **BOOKS RECOMMENDED**

- Law and Language by Bhatnagar
- 2. Learning the Law by Glanville Williams
- 3. Due Process of Law by Lord Dennings.
- 4. The Language Riddle by David Annousamy

#### LIST OF LEGAL TERMS

Accomplice Homicide Proviso

Ad-Idem In Camera Quid Pro quo

Adjudication In-forma Pauperis Receiver

Adjournment In-Limine Redemption

Admission Injunction Remand

Advalorem Insolvency Remedy

Affidavit Insurance Rent

Amendment Issue Resiudicata

Amicus Curiae Judgement Settlement

Approver Jurisdiction Sine-die

Bona-fide Liability Specific

performance

Breach of Contract Licence Stamp duty

Capital Punishment Magna Carta Stay of execution

Coercion Maintenance Summons

Compromise Malafides Surety

**Consent Minor Taxation** 

Counter claim Mortgage Tenant

Cur.advelt Murder Title

**Damages Natural Justice Tort** 

Defamation Necessaries Trademark

Defence Negligence Transfer

De-facto Negotiable Instrument Treason
De-jure Oath Trespass
Deposit Obscene Trial
Detinue Partition Trust
Distress Persona designate Ultra-vires
Earnest-Money Perjury Usage
Equity Plaintiff Vakalat
Estoppel Power of attorney Verdict
Evidence Pre-emption Vis-Major
Execution Prescription Void
Ex-parte Presumption Voidable
Fraud Privity Waiver
Habeas Corpus Promissory note
Hearsay Proof

ULL14202		LAW OF CONTRACTS – II	L	T	Р	С		
		Total Contact Hours) - 75 Hours)	4		1	4		
INSTRUCTIONAL OBJECTIVES								
1.	This paper is to impart knowledge various special contract, law of agency and partnership and specific reliefs.							

(Indian Contract Act, Indian Partnership Act, Sale of Goods Act and Other Specific Contracts).

#### **UNIT I - INDEMNITY AND GUARANTEE**

(12 Hours)

Definition - English and Indian Distinction between indemnity and guarantee. Rights of the indemnity holder. Rights of the indemnifier. Implied indemnity dealt with Section 59,145,164 and 222 of the Contract Act. Codification not exhaustive-principles of equity applicable. Definition - English and Indian definitions. Essentials and nature of guarantee. Distinction between guarantee and indemnity - guarantee and insurance. Elements of consideration in a contract of guarantee. Nature and quantum of surety's liability. Kinds of guarantee and their incidents. Suretyship arises on contract and not on notice-position in English Law. Duty of disclosure in guarantee. Rights of surety against principal debtor-credit-co-sureties-difference in English Law-Circumstances which a surety discharges.

# UNIT II – BAILMENT (12 Hours)

Definition - Indian and English definitions. Essentials of bailment and classification of bailment. Distinction between bailment and pledge-deposit-sale-agency. Rights and duties of the bailor and bailee-difference in English Law. Pledge-definition-Rights of the Pawner and Pawnee. Pledge by non-pawners. Lien-kinds of lien-their nature and incidents - how lost

#### **UNIT III - SALE OF GOODS**

(12 Hours)

Definition of sale and agreement to sell - distinction between sale and agreement to sell - Contract of work and layout. Hire purchase agreement - Bailment - Exchange - Gift. Definition-goods - specific goods-future goods-Mercantile agent-Documents of title of goods. How is sale made-rules for fixing price and effect of goods getting damages or perished in a contract of sale. Stipulation as to time and other stipulation. Conditions and warranties - Effect of breach - Ex-post facto warranty - when condition is treated as warranty. Implied conditions and warranties - in a contact of sale - Exemption clauses effect of fundamental breach. Rule as to passing off property. Sale by non-owners, exception to Nemodat quod non habet. Rules as to delivery. Unpaid vendor - His Rights or lien and stoppage in transit. Remedies available to seller and buyer. Auction sale.

UNIT IV - AGENCY (12 Hours)

Definition of contract of agency – Creation of agency-kinds of agency. Distinction between Agent and servant and independent contractor. Who may be an agent-kinds of Agent – Authority of the different kinds of Agent – Authority of Agents – Ostensible and emergency authority – delegation of authority – delegates non protest delegare – sub agent – substituted agent. Essential of ratification and its effect. Effect of notice to agent – necessary conditions to bind Principal. Principal and third parties – The doctrine of undisclosed principal and concealed Principal. Termination of agency and when it becomes irrevocable.

#### **UNIT V - PARTNERSHIP**

(12 Hours)

Definition of Partnership–Essential of partnership–Joint Hindu– partnership. Distinction between partnership and co-ownership – Joint Hindu family –Incorporation companies – contract of service – legal notion and mercantile notion. Kinds of partners and duration of partnership. Mutual rights and duties of partners. Minor as a partner – difference in English Law. Rights of Legal Representative and surviving partners. Authority of partners – implied and emergency. Liability of the partners of the acts of the firm and for the wrongful acts of other partner – nature of liability. Principle of agency in partnership. Partnership property – Tests. Settlement of accounts – goodwill and its disposal – distribution of assets. Retirement of partners. Dissolution of firm and modes and circumstances. Effect of non – registration of firm.

#### **TEXT BOOKS**

- 1. Rao V.K., "Contract II Cases and Materials", Butterworths, 2004.
- 2. Avtar Singh, "Law of Contracts", 11th ed., Eastern Book Company, (2013).
- 3. Dr.R.K.Bangia, "Contract II, Allahabad Law Agency", 2014.
- 4. Kapoor S.K, Contract II along with Sale of Goods Act and Negotiable Instruments Act, 14<sup>th</sup> ed., Allahabad Law Agency, 2014.
- 5. Mulla, "The Sale of Goods Act", 10<sup>th</sup> ed., Lexis Nexis, 2012.

#### **REFERENCES**

- 1. Chitty, "Contracts(Vol. II),"29th Ed., Sweet & Maxwell, 2004.
- 2. Justice Shanmukham and Saharay, "Commentary on The Sale of Goods", 5<sup>th</sup> ed., Universal Law Publishing Co. Ltd., 2013.
- 3. Venkatesa lyer T.S, "Law of Contracts and Government Tenders (Vol.II"), S.Gogia & Gogia, Hyderabad, 2012.
- 4. PC Markande, "Law of Contracts" (Vol.2), Lexis Nexis, 2013.

ULL14203	TRANSFER OF PROPERTY ACT AND EASEMENT ACT.	L	Т	Р	С
	Total Contact Hours) - 75 Hours)	4		1	4

#### **INSTRUCTIONAL OBJECTIVES**

The institution of property is age old concept of society. The right to property is not only a constitutional right but has also come to be recognized as a human right. Variety of rights and obligations has been attached to the concept of property which are dealt by various laws in all legal systems. It is incumbent on law student to know the fundamentals of property laws, the various modes of acquiring rights in the property and kinds of interests in the property. This course is intended to teach the basics of property law and its jurisprudence.

# UNIT I - JURISPRUDENTIAL CONTOURS OF PROPERTY (10 Hours)

Concept and meaning of property – new property Governmental larges - Kinds of property-movable and immovable property – tangible and intangible property – intellectual property – copyright patents and designs, trade marks -Private and public property-natural resources property privatization public property - Capitalist and socialist analysis of property property in means of production - possession and ownership as man-property relationship-finder of lost goods - Social functions of property.

#### UNIT II - GENERAL PRINCIPLES OF TRANSFER OF PROPERTY (10 Hours)

Definition of transfer of property- difference between transfer and contract – Kinds of interest – Conditional transfer – Doctrine of election – Ostensible owner – feeding the grant by estoppel – Lis pendens – fraudulent transfer - Part performance.

#### UNIT III - TRANSFER OF ABSOLUTE INTEREST

(10 Hours)

Sale – Definition, difference between sale and contract of sale, rights and liabilities of seller and buyer before and after completion of sale -Exchange: Definition and mode-Actionable Claims- Gifts: Scope- meaning- mode of transfer- universal gifts- onerous gifts.

#### **UNIT IV - TRANSFER OF LIMITED INTEREST**

(10 Hours)

Mortgages of Immovable property: Definition- Kinds of mortgages and their features-Rights and liabilities of mortgagor and mortgagee- Priority of securities- Marshalling and contribution- Charges-. Leases of immovable property: Definition- Scopecreation of lease- rights and liabilities of lessor and lessee- Determination and holding over;

#### UNIT V - EASEMENTS

(10 Hours)

Creation of easements -Nature and characteristics of easements - Extinction of easements- Riparian rights - Licences.

#### **UNIT VI - INDIAN REGISTRATION ACT**

(10 Hours)

#### **TEXT BOOKS**

- 1. Sanjiva Row, *The Transfer of Property Act (in 2 vols.)*, 8<sup>th</sup> ed., Universal Law Publishing Co. Pvt, Ltd, New Delhi, 2013.
- 2. Vepa P.Sarathi, *Transfer of Property Act*, 5<sup>th</sup> ed.,(reprint),Eastern Book Company, 2013.
- 3. Mulla, *Transfer of Property*, 12<sup>th</sup> ed., Lexis Nexis, 2015.
- 4. R.K Sinha, *Transfer of Property Act*, 15<sup>th</sup> ed., Central Law Agency, 2014.
- 5. G.P Tripathi, *Transfer of Property Act*, 18<sup>th</sup> ed., Allahabad Law Agency, 2014.

#### **REFERENCES**

- 1. Narayana PS, "*Transfer of Property*", S Gogia&Co., Hyderabad, 2011.
- 2. Gregory S. Alexander and Edurado S.Penalver, "An Introduction to Property Theory", Cambridge University Press, 2012.
- 3. Proudhon, "What is Property?", Cambridge University Press, 2012.
- 4. Fitzgerald PJ, "Salmond on Jurisprudence", 12<sup>th</sup> ed.,( Indian Reprint), Universal Law Publishing Co. Ltd, New Delhi, 2014.

5. Darashaw J. Vakil and Justice M.L. Singhal, "Commentaries on Transfer of Property Act", 4th ed., Allahabad Law Agency, 2013.

ULL14204		CONSTITUTIONAL LAW – I	L	Т	Р	С			
		Total Contact Hours) - 75 Hours)	4		1	4			
INSTRUCTIONAL OBJECTIVES									
	1. The Objective of this paper is to provide understanding of basic concepts of Indian Constitution and various organs created by the constitution including their								

## **UNIT I- CLASSIFICATION OF CONSTITUTION AND GOVERNMENTS (15 Hours)**

Definition and meaning of Constitution: kinds of Constitution, meaning of Constitutionalism, features of Indian Constitution - Convention - Significance, Parliamentary Supremacy, Theory of Separation of Powers - Latimer House Principle - Doctrine of Checks and Balances, Doctrine of Judicial Review - Significance - State - Federal, Quasi-Federal, Co-operative Federalism - Essentials of Federalism - Panchayat Raj System - 73rd and 74th Amendment - Constitution - Written and Unwritten, Rigid and Flexible - Executive - parliamentary, Presidential - Combination of Both Judiciary - Rule of Law

# UNIT II - PREAMBLE, UNION AND ITS TERRITORIES AND CITIZENSHIP

(15 Hours)

Preamble: Meaning, Scope, Importance, Objectives and Values - Union and its Territories (Art 1-4) - Citizenship: (Art 5-11) - Citizenship at the commencement of the Constitution - Deprivation and the renunciation of the Citizenship - Parliament power to regulate - Citizenship Act.

#### **UNIT III - STATE, LAWS AND AMENDMENT**

(15 Hours)

**State:** Definition and meaning, Article 12, New Judicial trends on concept of State – Definition and Meaning of Law: Pre- Constitutional and Post- Constitutional Laws, Various Doctrines like Eclipse, Severability and Ultravires, Judicial Review and Article 13 –

#### AMENDMENT

functions

Constitutional Processes of Adaptation and Alteration (Article 368)- Methods of constitutional amendment- Power and Procedure to amend the Constitution - Limitations upon constituent power- Doctrine of Basic Structure - Development of the Basic Structure - Judicial Review of Legislations included in the Ninth chedule

#### UNIT IV - FUNDAMENTAL RIGHTS

(15 Hours)

**Right to Equality**: General Equality Clause under Article 14, Judicial Interpretation on Equality– Reasonable Classification. Protective Discrimination Clause, eservation and Social Justice under Articles 15 and 16, Equality and eservation, Equality of

opportunity in public employment – Art 16, Constitutional Provisions on Untouchability under Article 17.

**Right to Freedom**: Freedom of Speech and Expression - Art 19, Scope and Ambit-Art 19(1) (a) and (2); Balance between individual interest and collective interest, Reasonable restrictions on Right to Freedom under Article 19(2) to 19(6)- Judicial interpretation on Right to Strike and Bundh - Right to Information.

**Rights of the Accused**: Article 20 - Rights of the arrested person, Ex-post Facto – Double Jeopardy – Self incrimination, Art 21 - Right to Life and Personal Liberty, Meaning and Scope, Procedure established by law, Judicial Interpretation on Life and Liberty, Applicability of concept of reasonableness. Article 22 – Preventive Detention, Right against Preventive Detention, Exceptions, Safeguards against Preventive Detention.

**Freedom of Religion:** Articles 25-28, Secularism, Judicial Interpretation, Restrictions on Freedom of religion.

**Cultural and Educational Rights:** Articles 29-30, Protection on Minorities, Recent trends on Minority Educational Institutions.

**Right to Constitutional Remedies**: Article 32 and 226, Writ Jurisdiction – Definition, Nature, Scope and functions, Compensatory Jurisprudence, Various Writs – *Habeas Corpus, Mandamus, Quo-Warranto, Prohibition* and *Certiorari*.

# UNIT V - DIRECTIVE PRINCIPLES OF STATE POLICY AND FUNDAMENTAL DUTIES (15 Hours)

Directive Principles- directions for social change- A new social order - undamental Rights and Directive Principles - inter-relationship - judicial balancing - Constitutional amendments - to strengthen Directive Principles - Reading Directive Principles into Fundamental Rights, `Judicial Approach.

**Fundamental Duties**: The need and status in constitutional set up, Interrelationship with fundamental rights and directive principles, Enforcement of Fundamental Duties.

#### **TEXT BOOKS**

- 1. Jain M.P., Indian Constitutional Law, 7<sup>th</sup> Edition, LexisNexis
- 2. Shukla Mahendra V.N P Singh, Constitution of India, (2013)
- Dr. Durga Das Basu, Introduction to the constitution of India, 21<sup>st</sup> Edition LexisNexis

#### **ESSENTIAL CASE LAW**

- R.K. Dalmia v. Justice Tendulkar AIR 1958 S.C. 538
- 2. In Re Article 143, Constitutional of India AIR 1951 S.C. 332
- 3. Ram JawayaKapur v. State of Punjab AIR 1955 S.C. 549
- 4. Indira Gandhi v. Raj Narain AIR 1975 S.C. 2299
- 5. Scora v. U.O.I. 1993 (4) S.C.C. 441
- 6. State of H.P. v. Umed Ram Sharma AIR 1986 S.C. 847

- 7. S.R. Bommai v. Union of India, 1994(3) S.C.C. 1
- 8. A.D.M. Jabalpur v. Shiv Shankar Shukla, 1976 Suppl. S.C.R. 172
- India Cements Ltd & Anr v. State of Tamil Nadu, 1990 (1) S.C.C. 12
- A.P. Sampoorna Madhya NishedSamithi&Ors. v. State of A.P., AIR 1997 A.P.
   312
- 11. U.N. Rao v. Indira Gandhi, AIR 1971 S.C. 1002
- 12. KeshavanadBharati v. State of Kerala, 1976(2) S.C.R. 347, 523
- National Human Rights Commission v. State of Arunachal Pradesh, AIR 1996
   S.C. 1234
- 14. Minerla Mills v. Union of India AIR 1980 S.C. 1804
- 15. SamtaVedike v. State of Karnataka 2003 CR.L.J. 1003 Kar N.C.
- Tikaramji v. State of U.P. AIR 1968 S.C. 1286
- 17. Calcutta Gas Co. v. State of W.B. AIR 1962 S.C. 1044
- 18. Gujarat University v. Sri Krishna AIR 1963 SC 702
- 19. DAV College v. State of Punjab AIR 1971 SC 1737
- 20. Prafulla Kumar v. Pramil of Commerce AIR 1947 P.C. 60
- 21. State of Rajasthan v. G.Chawla AIR 1959 SC 544
- 22. Union of India &Ors. V. Shah GovardhanLalKabra 2000 (7) Scale 435
- 23. Zayerbhai v. State of Bombay AIR 1954 SC 752
- 24. Union of India v. V.H.S. Dhillon AIR 1972 SC 1061
- 25. JayantiLalAmritLalRana v. F.N. Rana AIR 1964 S.C. 648
- 26. State of Harvana v. Ram Kishan AIR 1988 SC 1301
- 27. K. Nagraj v. State of A.P. 1985 (1) SCC 527
- 28. K.T. Plantantion v. State of Karnataka, AIR 2002 (Oct) Kar 365
- 29. Gunupati v. Nafisul Hasan AIR 1954 SC 636
- 30. Pandit MSM Sharma v. Sri Krishna Sinha AIR 1959 SC 395
- In powers, privileges and Immunities of State Legislature Re: AIR 1965 SC 745
- 32. P.V. Narsimha Rao v. State 1998 (94) SCC 626
- 33. TejKiran v. Sanjiva Reddy AIR 1970 SC 1573
- 34. Roop Ashok Hurrah v. Ashok Hurrah 2002 (3) SCC 406
- 35. TirupathiBalaji Developers (P) Ltd. v. State of Bihar AIR 2004 SC 2351
- 36. A.K. Roy V. UOI 1982 (2) SCR 272
- 37. State of Maharashtra v. A. Lakshmirutty AIR 1987 SC 331
- 38. KihotoHollohah v. Zachillu 1992 Suppl (2) SCC 651
- 39. Ravi Naik v. UOI AIR 1994 SC 1558
- 40. G. Vishwanathan v. Speaker T.N. Assembly 1996 (2) SCC 353
- 41. M. KashinathJalmi v. Speasker Legislative Assembly Goa 1993 (2) SCC 703
- 42. D.C. Wadhwa v. State of Bihar 1987 (1) SCC 379
- 43. Krishan Kumar v. State of Bihar 1998 (5) SCC 643
- 44. Makhan Singh v. State of Punjab AIR 1964 SC 381
- 45. A.D.M. Jabalpur v. Shivshankar Shukla AIR 1976 SC 1207

ULL14205	FAMILY LAW – II	L	T	Р	С
ULL 14200	Total Contact Hours) - 75 Hours)	4		1	4

#### **INSTRUCTIONAL OBJECTIVES**

1. The Main objective of introducing this subject is to make the students to identify and understand the scheme of succession under the Hindu, Muslimand Christian Laws. Further, with reference to unmodified Hindu Law, the matters relating to joint family system, competency, Karta and his powers, partition and the Hindu Religions Endowments are given in the syllabus forunder standing the changes effected after the parsing of the Hindu succession Act, 1956 and other related laws. Under Muslim Law the matters relating to wakf, wills, Gifts and pre-emption are given in separate chapters in addition to the Sunni and Shia Law of Inheritance. With reference to Christian Law, a Part of the Indian succession Act, 1925 relating to Law of wills and the Christian Law of inheritance are given in separate chapters to have a better understanding of Christian laws.

#### **UNIT I - JOINT HINDU FAMILY**

(12 Hours)

Institution of joint family Coparcenary system Classification of properties Karta Status, powers and duties Principle of survivorship and succession Partition

#### **UNIT II - INTESTATE SUCCESSION**

(12 Hours)

General principles of succession under Hindu, Muslim and Christian Law Disinheritance and disentitlement Comparative analysis of various personal laws on right to property of women Dwelling house and Right of Pre-emption

#### **UNIT III - TESTAMENTARY SUCCESSION**

(12 Hours)

Testamentary succession under Hindu, Muslim and Christian Law Limitation to testaments under various religious and statutory laws Will and administration of will Codicil Lapse, abatement and ad emption of legacies Probate, letters of administration and succession certificate

#### UNIT IV - GIFT UNDER ISLAMIC LAW

(12 Hours)

Hiba - Nature and characteristics of Hiba - Subject matter of Hiba - Hiba-biliwaz, - Hiba-ba-shart-ul-iwaz - Revocation of gift

#### **UNIT V - RELIGIOUS ENDOWMENTS AND WAKF**

(12 Hours)

Hindu religious endowments Wakf

# STATUTORY MATERIAL

The Hindu Succession Act, 1956 with recent amendments Indian Succession Act, 1925
The Hindu Women's Right to Property Act, 1937
The Wakf Acts.

#### **REFERENCES**

- 1. Mulla, Principels Hindu Law, Biblio Bazaar, 2013
- 2. Raghavachari N.R., Hindu Law, Madras Law Journal, 1980
- 3. Chaudhari D.H., The Hindu Succession Act, 1956, 1957
- 4. Fyzee, Outlines of Mahomedan Law, Oxford University Press
- 5. Subba Rao, Family Law, S.Gogia Publications, 2014

#### **BOOK FOR STUDY**

- 1. Paras Diwan, Family Law, Allahabad Law Agency, 2009
- 2. Paruck, Indian succession Act, Lexis Nexis, 2011
- Poonam pradhanSaxena, Family Law Lectures Family Law II, Lexis Nexis, 2008

ULL14206	PROFESSIONAL ETHICS AND ACCOUNTANCY SYSTEM	L	T	P	С
	Total Contact Hours) - 75 Hours)	1	1	3	4

#### **INSTRUCTIONAL OBJECTIVES**

1. The lawyers are considered to be social engineers. When they are shouldering such a huge responsibility, it must be ensured that they are stronger in their professional ethics so that the society can repose confidence in the advocates. As such, the advocates shall maintain ideal standards of conduct while dealing with the rights and liabilities of the litigants. The course is designed to imbue students with these high values forming the basis of the profession so that they can live up to those standards in their professional life.

UNIT I (10 Hours)

Law and Legal profession – Development of Legal profession in India- The equipment of the lawyer- Conduct in court-professional conduct in general- Privileges of a lawyer- Salient features of the *Advocates Act, 1961* -Right to practice – a right or privilege? Constitutional guarantee under article 19(1) (g) and its scope.

UNIT II (10 Hours)

Regulation governing enrolment and practice. Practice of Law – Whether a business?- Scholars firm – Whether an Industry- Advocacy and Elements of Advocacy

UNIT III (10 Hours)

Seven lamps of advocacy-Advocates duties Duty to the court; Duty to the profession; Duty to the opponent; Duty to the self; Duty to the public and the state; Duties towards other advocates and Legal Aid- Bar Council Code of Ethics

UNIT IV (10 Hours)

Disciplinary proceedings-Professional misconduct – disqualifications-Disciplinary committee-Disqualifications and removal from rolls-Functions of Bar Council of India / State Bar Councils in dealing with the Disciplinary proceedings

#### **UNIT V - BAR - BENCH RELATIONS**

(10 Hours)

#### UNIT VI - ACCOUNTANCY OF LAWERS

(5 Hours)

- Nature and functions of accounting-Important branches of accounting -Accounting and law- Use of knowledge of accountancy in legal Disputes especially arising out of law of contracts, Tax Law, etc.
- 2) Accountancy in Laweyers office-firm.
  - a) Basic financial statement: Income & Loss account- Balance sheet Interpretation thereof Feature of Balance sheet
  - b) Standard costing.

UNIT VII (5 Hours)

Contempt of Court Act, 1972

Selected major judgments of the Supreme Court:

- 1. In the matter of D, An Advocate, AIR 1956 SC 102.
- 2. P.J.Ratnam v. D.Kanikaram, AIR1964 SC 244.
- N.B.Mirzan v. The disciplinary committee of Bar Council Another, AIR 1972 SC 46.
- 4. Bar Council Of Maharastra v. M.V.Dabholkar, etc., AIR 1976 SC
- 5. V.C.Rangadurai v. D.Goplan and others, AIR 1979 SC 201.
- 6. Chandra Shekhar Soni v. Bar Council of Rajasthan and Others,

- 7. In Re an Advocate, AIR 1989 SC 245.
- 8. In Re Vinay Chandra Mishra, 1995 (Vol-I) IBR 118.
- 9. Supreme Court Bar Association v. Union of India, AIR 1998 SC
- 10. Ex-Capt. Harish Uppal v. Union of India, AIR 2003 SC 73

This course will be taught in association with practising lawyers on the basis of the following materials.

- (i) Mr. Krishnamurthy lyer's book on "Advocacy"
- (ii) The Contempt Law and Practice
- (iii) The Bar Council Code of Ethics
- (iv) 50 selected opinions of the Disciplinary Committees of Bar Councils and 10 major judgments of the Supreme Court on the subject (v)Other reading materials as may be prescribed by the University

#### TEXT BOOKS

- Mr.Krishnamurthy, Bar Council of India Rules Under Advocates Act, Universal Law Publishing Co (Pvt) Ltd, New Delhi, 2011
- 2. The Law of Contempt of Court, K.Balasankaran Nair, Atlantic Publishers and Distributors, New Delhi, 2004.
- 3. The Bar Council Code of Ethics, Universal Law Publishing Co (Pvt) Ltd, New Delhi, 2011
- 4. Professional Ethics, Rose Crane, Oxford University Press, 2010.
- 5. R. Narayanaswamy, Accounting for Management, Prentice Hall of India, New Delhi, 2014
- 50 selected opinions of the Disciplinary Committees of Bar Councils and 10
  major judgments of the Supreme Court on the subject (v)Other reading
  materials as may be prescribed by the University

#### SEMESTER - III

ULL14301		CONSTITUTIONAL LAW - II	L	T	Р	С		
		Total Contact Hours) - 75 Hours)	4		1	4		
INSTRUCTIONAL OBJECTIVES								
	This paper is to orient students with constitutional rights and duties perspective as well as remedies.							

#### UNIT I - THE UNION AND STATE EXECUTIVE

(15 Hours)

The Union Executive - The President - Election, Term of Office, Powers and functions, Impeachment - Immunities - Pardoning power - Ordinance making power - President and Union Council of Ministers-The State Executive - Governor - Appointment, Powers and functions - Immunities - Pardoning power - Removal of Governor, Doctrine of Pleasure - State Council of Ministers

#### UNIT II - LEGISLATURE AND JUDICIARY

(15 Hours)

Composition of Parliament and State legislatures – Office of the Speaker – Qualification/Disqualification of Members - Legislative Procedures, Legislative Privileges – Judicial interpretations – Anti Defection law, X Schedule. Union Judiciary-Supreme Court of India (Articles 124-147) – Composition, Appointment and Removal of Judges of Supreme Court - Writ Jurisdiction of Supreme Court under Art 32 – Appellate Jurisdiction of Supreme Court – Civil, Criminal and in other Matters - Statutory Appeals and Enlargement of Jurisdiction - Special Leave to Appeal (Art. 136) - Power of Review (Art. 137) - Advisory Jurisdiction (Art. 143) - Public Interest Litigation – Compensatory Jurisprudence - Independence of Judiciary – Tribunals State Judiciary -High Courts in the States - Composition, Appointment and Removal of Judges - Writ Jurisdiction of High Courts under Art. 226.

# UNIT III - CENTRE - STATE: DISTRIBUTION OF LEGISLATIVE, ADMINISTRATIVE AND FISCAL POWERS & FREEDOM OF TRADE AND COMMERCE (15 Hours)

Distribution of Legislative Powers - Doctrine of Territorial Nexus - Subject matter of laws made by Parliament and Legislatures of States - Doctrine of Harmonious Construction - Doctrine of Pith and Substance - Doctrine of Occupied Field-Colourable Legislation - Parliament's Power to Legislate in State List - Implied and Residuary Power - Doctrine of Repugnancy. Administrative relations - Full faith and credit clause - Centre and inter-state conflict management 2 Fiscal Relations - Sharing of tax - Grants-in-Aid - Restriction on the power of state legislatures - Doctrine of immunity of Instrumentality - Borrowing powers - Constitutional Limitations Freedom of Trade, Commerce and Intercourse (Art. 301-307) - Meaning

of Freedom of trade, commerce and intercourse - Power of Parliament – Restrictions – Goods and Service Tax (GST) Impact of Globalization.

# UNIT IV - EMERGENCY PROVISIONSEMERGENCY PROVISIONS (15 Hours)

National Emergency - Duty of the Union to protect the States against external aggression and internal disturbance - Power of Union Executive to issue directions and the effect of non- compliance.

**State Emergency** - Imposition of President's Rule in States – Grounds, Limitations, Parliamentary Control, Judicial Review (Articles 356-357) –

Financial Emergency (Article 360) Emergency and suspension of fundamental rights

# UNIT V - OTHER CONSTITUTIONAL FUNCTIONARIES (15 Hours)

Organisation, powers and function of Election Commission of India, Union Public Service Commission, State Public Commission, Comptroller and Auditor General, Attorney General & Advocate General—Constitutional safeguards for Civil Servants Art 311 - Protection against arbitrary dismissal, removal, or reduction in rank — Exceptions to Art 311 — Role of Finance Commission — Planning Commission — Interstate Council — National Development Council — Local Self Government (Panchayat Raj)

#### **TEXT BOOKS**

- 1. M.P. Jain Indian Constitutional Law
- V.N. Shukla Constitution of India
- D.D. Basu Constitutional Law of India

#### **ESSENTIAL CASE LAW**

- 1. Electricity Board Rajasthan v. Mohan Lal AIR 1967 SC 185
- 2. Sukhdev v. Bhagat Roy AIR 1975 SC 1331
- 3. R.D. Shetty v. International Airport Authority AIR 1979 SC 1628
- 4. M.C. Mehta v. UOI 1987 (1) SCC 395
- Mysore Paper Mills v. Mysore Paper Mills Officers Association AIR 2002 SC 609
- 6. BhikajiNarain v. State of M.P. AIR 1955 SC 781
- 7. Kailash Chand Sonkar v. Smt. Maya Devi AIR 1984 SC 600
- 8. Sikkim Subba Associates v. State of Sikkim 2001 (5) SCC 629
- 9. Olga Teelis v. Bombay Mumcp. Corp. 1985 (2) SCR 51
- 10. State of W.B. v. Anwar Ali Sarkar AIR 1952 SC 75
- 11. Deepak Sibbal v. Punjab University AIR 1989 SC 903
- 12. Competroller and Auditor General v. K.V. Mehta 2003 (1) SCALE 351
- 13. E.P. Royapra v. State of T.N. AIR 1974 SC 555
- 14. Rattan Lal v. State of Haryana 1985 (4) SCC 43
- 15. Narmada BachaoAndolan v. Union of India 1999 (8) SCC 308

- 16. S. Rangarajan v. P. Jagjivan Ram 1989 (2) SCC 574
- 17. Communist Party of India v. Bharat L. Pasricha AIR 1998 SC 184
- 18. Union of India v. Motion Pictures 1999 (6) SCC 150
- 19. Railway Board v. Niranjan Singh 1969 (1) SCC 502
- 20. HimmatLal K. Shah v. Commissioner of Police AIR 1973 SC 87
- 21. OK Ghosh v. Ex. Joseph AIR 1963 SC 812
- 22. Rupinder v. State AIR 1983 SC 65
- 23. P.N. Kaushal v. UOI AIR 1978 SC 1456
- 24. A.K. Gopalan v. State of Madras AIR 1950 SC 27
- 25. Maneka Gandhi v. Union of India AIR 1978 SC 597
- 26. HussainaraKhatoon v. State of Bihar AIR 1979 SC 1369
- 27. M.H. Hoskot v. State of Maharashtra
- 28. Sunil Batra v. Delhi Administration AIR 1978 SC 1675
- State of H.P. v. Umed Ram AIR 1986 SC 847
- 30. Narmada BachaoAndolan v. Union of India 2001 (2) SCC 62
- 31. N.S. Sahni v. Union of India 2002 (8) SCC 211
- 32. M.P. Human Rights Commission v. State of M.P.
- 33. L. Pochanna v. State of Maharashtra AIR 1985 SC 389
- 34. Fatehchand v. State of Maharashtra AIR 1977 SC 1825
- 35. Air India Statutory Corporation v. United Labour Union 1997 (9) SCC 377
- 36. M.R. Balaji v. State of Mysore AIR 1963 SC 648
- 37. Indira Sawnney v. Union of India AIR 199 SC 477
- 38. KihotoHollohan v. ZACHILLU AIR 1993 SC 412
- 39. State of Madras v. Champak DoraiRajan AIR 1951 SC 226
- 40. MRF Ltd. V. Inspector Kerala AIR 1999 SC 188
- 41. KeshavnanBharaji v. State of Kerala AIR 1973 SC 1461
- 42. Minerva Mills v. UOI AIR 1980 SC 1784
- 43. State of T.N. v. L. Abu Kavvr AIR 1984 SC 326
- 44. A.I.I.M.S. Students Union v. AIIMS 2002 (1) SCC 428
- 45. West Bengal Headmasters Association v. Union of India AIR 1987 CAL. 448
- 46. Javed and Ors. V. State of Haryana 2003 (5) SCALE 602
- 47. Dasrathi v. State AIR 1985 A.P. 136
- 48. State of Gujrat v. Hon'ble High Court of Gujrat 1998(7) SCC 392
- 49. Peoples Union for Democratic Rights v. Union of India AIR 1982 SC 1473
- 50. University of Mysore v. Govindraio AIR 1965 SC 491
- 51. State of Haryana v. Haryana Co-operative Transport Ltd. AIR 1977 SC 237
- 52. B.R. Kapur v. State of T.N. AIR 2001 SC 3435
- 53. S.I. Syndicate v. UOI AIR 1975 SC 460
- 54. Union of India v. C. Krishna Reddy 2003 (10) SCALE 1050
- 55. Ananda Mukti Sadguru Trust v. V.R. Rudani AIR 1989 SC 1607
- 56. East India Commercial Co. v. Collector of Customs AIR 1962 SC 1893
- 57. Syed Yakoob v. K.S. Rashakri AIR 1964 SC 477

- 58. In Re Kerala Education Bill AIR 1958 SC 956
- 59. Ahemdabas St. Xavier College Society v. State of Gujrat AIR 1974 SC 1389
- 60. St. Stephens College v. university of Delhi AIR 1992 SC 1630
- 61. T.M.A. Pai Foundation v. State of Karnataka AIR 1994 SC 13
- 62. R.B. Rajbhar v. State of W.B. AIR 1975 SC 623
- 63. A.K. Roy v. Union of India AIR 1982 SC 710
- 64. S.R. Bommai v. Union of India 1994 (3) SCC 1
- 65. ARUNA Roy v. Union of India AIR 2002 SC 3176
- 66. M. Ismail Faruqui v. Union of India AIR 1995 SC 605

ULL14302	LABOUR LAW – I	L	T	Р	С		
	Total Contact Hours) - 75 Hours)	4		1	4		
INSTRUCTIONAL OR IECTIVES							

1. The concept of social security is based on ideals of human dignity and social justice. The quest for social security and freedom from want and distress has been the consistent urge of man through the ages. The mutual conflict between the employee and employees over the adequacy of their respective shares in social produce constitutes a serious menace in the society. Work can Be never be important than the worker because no industry can flourish unless the wage earner who is a partner in the production should be given due status by offering him reasonable working conditions and due share in production. This means social justice and social security has to be restored to the Labour because a contented worker would produce better yields and would increase his efficiency. Therefore, social security is a necessary phenomenon of a welfare state as it is one of the most progressive and dynamic instruments for achieving socio – economic progress. This course shall examine the various dimensions of Labour security measures and explore the possibility whether or not Labour security is part of the comprehensive and integrated social security.

## UNIT I - EVOLUTION OF LABOUR LEGISLATIONS

(12 Hours)

Origin and development of labour legislation - Object and nature of labour legislation - Evolution of concept of master and servant relationship - Theory of Laissez Faire and state regulation of labour legislation and its special features - Role of International Labour Organization in setting labour standards

# **UNIT II - TRADE UNION ACT, 1926**

(12 Hours)

Definitions - History of Trade Union Movement - Registration of Trade Unions - Rights and Liabilities of Trade Unions - Immunities and Privileges of a Registered Trade Union - Trade Union funds - Collective bargaining - Amalgamation and Dissolution of Trade Unions - Recognition of Trade Unions

# UNIT III - INDUSTRIAL DISPUTES ACT, 1947

(12 Hours)

Definitions - Machinery for the settlement of industrial disputes - Unfair labour practices

# UNIT IV - INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT, 1946

(12 Hours)

Scope and Definitions - Procedure for Certification of Standing Orders - Duration and modification of Certified Standing Orders - Domestic enquiry and disciplinary proceedings

## **UNIT V - LAW RELATING TO WAGES**

(12 Hours)

Minimum Wages Act, 1948 - Payment of Wages Act, 1936

# STATUTORY MATERIALS

- 1. Industrial Disputes Act, 1947.
- 2. Trade Union Act, 1926
- 3. Industrial Employment (Standing Orders) Act, 1946
- 4. Minimum Wages Act, 1948.
- Payment of Wages Act, 1936.

# **BOOKS PRESCRIBED**

- 1. MadhavanPillai: Labour and Industrial Law, Jain book depot, 2014.
- 2. S.N. Mishra, Labour and Industrial Law, 27<sup>th</sup> edition, 2014.
- 3. Dr.V.D. Goswami, Labour and Industrial laws, Central law agency, Allahabad, 9<sup>th</sup> edition 2011.
- 4. Srivastava. K .D., Commentaries on Factories Act 1948 (2000), Eastern, Luknow

## **REFERENCES**

Malhotra O.P.: Industrial Disputes Act

- Srivastava S.C. (Rev.) Labour Law and Labour Relations: Cases and Materials (ILI, 2007)
- 3. Malik's P.L Industrial Law, Delhi law house (21st ed., 2008)
- 4. Dr.V.D. Goswami, Labour and Industrial laws Law of industrial relations in India, Central law agency, Allahabad, VOL 1&2, 9<sup>th</sup> edition, 2011

ULL14303	COMPANY LAW	L	T	Р	С	
	Total Contact Hours) - 75 Hours)	4		1	4	
INSTRUCTIONAL OBJECTIVES						

This subject would give an extensive knowledge to students who like pursue their career in corporate sector of what is a company and its related issues. This subject cuts through the topic how a company is formed and which association could be termed to be a company. Formation of a company, who are promoters and how a company is registered, is brought in to understand the incorporation of a company. The drafting of memorandum of association and Articles of Association, prospectus will be discussed, in order to, understand the formation of a company. In addition, this course will enumerate corporate financing and corporate governance, in order to, understands how to bring in investment to start a company and how to govern it. Last but not least, this course puts light on certain areas like compromises, arrangements and winding up provisions. Hence, this course will provide an appropriatefoundation for a lawyer interested to join as an advisor in company or advice the member of board regarding the procedures and substantive principles of a company or to start a company of his own.

# UNIT I - INTRODUCTION

(12 Hours)

Corporate personality the companies Act 1956 as repealed by Companies Act 2013 - Definition of Company - Types of Association - Illegal association - Classes of company - One person Company

## **UNIT II - FORMATION**

(12 Hours)

Formation of a company - Promoters – Registration – Incorporation - Memorandum of Association and Articles of association - Prospectus & Deposits Application and Allotmentof shares

## UNIT III - CORPORATE FINANCING

(12 Hours)

Shares - Application and allotment of shares - Members and share holders, shares and share capital - Debentures, charges and debenture holder - Dividends, - borrowings, lending, investments, contracts

## UNIT IV - CORPORATE GOVERNANCE

(12 Hours)

Directors -Independent directors, women directors and managerial personnel, Meetings, accounts and audits- internal auditing -National financial reporting authority - E-filing and information technology Act 2000, - Corporate social responsibility - Majority powers and minority rights - Prevention of oppression Mismanagement, investigation, powers of inspectors, powers of NCLT -Insidertrading

# UNIT V - COMPROMISES, ARRANGEMENTS AND WINDING UP (12 Hours)

Compromises, arrangements and amalgamations - Mergers and acquisitions Winding up and kinds of winding up - Administration of NCLT and CLAT and special courts - Powers of liquidator's removal of names of companies from register of

companies -Defunct companies and restoration, revival and rehabilitation of sick companies

# STATUTE PRESCRIBED

Companies Act, 2013

## **TEXT BOOKS**

- 1. Ramaiya, A Ramaiya Guide to Companies Act, 18th ed., Lexis Nexis, 2014.
- 2. KR Chandratre, Company Meetings: Law, Practice and Procedure, 2<sup>nd</sup> ed., Lexis Nexis, 2009.
- 3. Vinod Kothari, *The Companies Act, 2013*, 2<sup>nd</sup> ed., Lexis Nexis, 2014.
- 4. Avatar Singh, *Company Law*, 16<sup>th</sup> ed., Eastern Book Company, 2015.
- 5. Taxmann, *Circulars and Clarifications on Company Law*, 15<sup>th</sup> ed., Taxman publications, 2012.

### REFERENCES

- Gower and Davies, "Principles of Modern Company Law", 9th edition, Sweet & Maxwell, (2012).
- 2. Mayson, French & Ryan, "Company Law", 24th ed., Oxford University Press, (2008).
- 3. Palmer, "Company Law" (4 Volumes), Sweet & Maxwell, (2012).
- 4. Bhandari M.C, "Guide to Company Law Procedure", 22<sup>nd</sup> ed., Lexis Nexis, 2010.
- Anantaharam K.S, "Company Law & Competition Act, 2002", 11<sup>th</sup> ed., Lexis Nexis, 2013.

UI I 14304	LAW OF EVIDENCE	L	T	Р	С
ULL 14304	Total Contact Hours) - 75 Hours)	4		1	4

# INSTRUCTIONAL OBJECTIVES

1. The Law of Evidence forms an important branch of procedural Law. Nevertheless certain doctrines of law of evidence like the rule of relevancy and law giving rise to presumptions forms part of substantive law. Therefore, anyone embarking upon the study of Law of Evidence has to keep in mind various intricacies involved in the interpretation and application of Law of Evidence. The importance of Law of Evidence is such no case can be decided without the aid of law of evidence. Hence, this course helps the student to revise various rules and doctrines involved in deciding the nature and character of a fact to be called as evidence.

## UNIT I - INTRODUCTION

(12 Hours)

Introduction to Law of Evidence Generally - Introduction to the Indian Evidence Act, 1872 Specifically

# UNIT II - WHAT FACTS ARE REQUIRED TO BE PROVED?

(12 Hours)

Theory of Relevancy – Admissions - Dying Declarations – Confessions - Approver's Evidence

## UNIT III - WHO IS REQUIRED TO PROVE THOSE FACTS?

(12 Hours)

Burden of Proof - Evidentiary Presumptions

# UNIT IV - WHAT KIND OF EVIDENCE IS SUFFICIENT TO PROVE THESE FACTS? (12 Hours)

Documentary Evidence - Oral Evidence - Expert Evidence - Estoppel - Privileged Communication

# **UNIT V - WITNESSES**

(12 Hours)

Witnesses in General - Examination and Cross Examination of Witnesses - Power of the Judge to call and examine a witness

## **TEXT BOOKS**

- 1. Ratanial: Law of Evidence, Butterworths, , 2010
- 2. Avatar Singh: Law of Evidence, Central Law Agency, 1992
- 3. VepaSarathi: Law of Evidence, Eastern Book Company, 2013,
- Dr.V.Krishnamachari : Law of Evidence, <u>S Gogia& Company / Law Agency</u>, 2014
- 5. B.R. Sharma: Forensic Science in criminal trial and Investigation, Universal law publishing 2013

ULL14305	BANKING LAWS	L	T	Р	С
	Total Contact Hours) - 75 Hours)	4		1	4
INSTRUCTION					

1. The Banking sector is the life line of any economy in the world. As such, it is very essential for a law student to be aware of the legal aspects relating to operation of banking sector and to be abreast with the developments in the banking sector in India. The purpose of offering this course at the graduation level is to introduce the law students with the fundamental aspects of banking laws.

## UNIT I - INTRODUCTION

(10 Hours)

History of banking in India and elsewhere – indigenous banking – evolution of banking in India – Different types of Banks including foreign companies – Nationalisation of major banks. – Nature and Development of Banking – Functions of Banking – Global Banking Institutions – The Banking (Regulation) Act, 1949 – Its main provisions, social control, nationalization of Banks. – Central Bank, Evolution, Characteristics and Functions. – Reserve Bank of India and It's Role.

## **UNIT II - BANKER AND CUSTOMER:**

(10 Hours)

Definition of Banker & Customer and relationship between them – Special types of customer – Banker as Borrower – Different types of accounts – Duties and rights of the Banker and different types of instruments – Banker – Paying Banker and Collecting Banker.

# UNIT III - LAW RELATING TO BAKING COMPANIES IN INDIA: (10 Hours)

- 1. The Banking Companies Act, 1949
  - Extent and application; business of banking companies; control and management by Reserve Bank; suspension of business and winding-up of banking companies; special provisions for speedy disposal of winding-up proceedings
- 2. The Banking Regulation Act, 1949

# UNIT IV - LAWS RELATING TO LOANS, ADVANCES AND INVESTMENTS BY BANKS (10 Hours)

Subsidiary business operations of bankers with special reference to Safety Deposit Lockers – Liability of Banker in case of bank robberies and fraud by bank employees – Vicarious liability of the bank employees – Vicarious liability of the bank – Recovery of loans and advances – Recovery of debts due to banks, Financial Institutions Act, 1993. Attachment, Mareva Injunctions, Bank and Garnishee, set off.

# UNIT V - WINDING UP OF COMPANIES EFFECT OF WINDING UP OF BANKING COMPANIES (10 Hours)

Rights of customers on winding up of companies – Necessity for reforms in Indian Banking Law to meet global challenges – Banking ombudsman – Debt Recovery Tribunal – SARFESI Act – Recent Trends of Banking System.

## **UNIT VI - NEGOTIABLE INSTRUMENTS**

(5 Hours)

Definition and characteristics – Parties to negotiable instruments – Presentation – Negotiation discharge and dishonour – Liability – Various kinds of crossing – effect of crossing of cheque – Rights of holder and holder in due course against Banker – Civil and criminal liability for dishonour of cheques under Section 138 to Section 142 of the Amended Negotiable Instruments Act.

## UNIT VII - ANCILLARY SERVICES AND E- BANKING

(5 Hours)

Remittances - General, DD, MT, TT, Traveler's cheques, bank orders, credit card, debit/smart cards, safe deposit vaults, gift cheques, stock invest.

E-Banking - Definition - E-Banking includes - Internet banking, mobile banking, ATM banking, computerized banking -E- banking services - retail services - wholesale services - E- Cheque-authentication-Cyber Evidence

## **TEXT BOOKS**

- B.R Sharma and R.P Nainta, Banking Law and Negotiable Instruments Act, 4<sup>th</sup> ed., Allahabad Law Agency, 2013.
- 2. K.C. Shekhar: *Banking Theory and Practice*, UBS Publisher Distributors Ltd.. New Delhi, (1998),
- 3. A. Basu, Review of Current Banking Theory and Practice, Mac Milan Publishers (1998).
- 4. L.C. Goyle, *The Law of Banking and Bankers*, Eastern Book Company (1995)
- 5. P.S. Narayana, *The Recovery of Debts due to Banks and Financial Institutions Act*, 1993 (51 of 1993), 5<sup>th</sup> ed., Asia Law House, Hyderabad.

## **REFERENCES**

- 1. Bimal N.Patel et.al, Banking Law, Lexis Nexis, 2014.
- 2. Tannan M.L, "Tamnan's Banking Law and Practice in India" (2 Vols.), 36th ed., India Law House, New Delhi, (1997).
- 3. Ross Cranston, "Principles of Banking Law", Oxford, (1997)
- 4. M. Hapgood (ed.), "Pagets' Law of Banking", Butterworths, London, (1989).
- 5. Bankers Manual, Modern Law Publications, 2008.

ULL14306	INTELLECTUAL PROPERTY RIGHTS LAW	L	Т	Р	С		
	Total Contact Hours) - 75 Hours)	4		1	4		
NOTELIATIONAL OF FOUNCE							

# INSTRUCTIONAL OBJECTIVES

The new trends in international trade ushered in by the WTO and the TRIPS Agreement demand for a serious rethinking on teaching intellectual property Laws. The new economic policies, it is assumed, will facilitate the free movement of capital, technology and goods based on new technology across the borders to promote international trade. This is expected to bring in new technology for the industrial and economic development India. It is also expected that there is going to be more investment on the research and development by the local industries to

face the new international competition. This demands India to afford better protection for the intellectual Property based on the TRIPS Agreement. This course is intended to introduce the different categories of IP, the minimum standard to indentify the items of protection. Exposing the students the procedural requirements for the acquisition of IPR and also address the International filing system Bundle of rights conferred to the right holder and remedies available in the case of infringement are also examined.

## UNIT I - INTELLECTUAL PROPERTY

(12 Hours)

Meaning and concept of intellectual Property and the need for protection - The world Intellectual property Organisation (WIPO) Convention- Origin and functions of World Trade Organisation (WTO) - Trade Related Intellectual property Rights (TRIPS) Agreement of WTO and its effects on Intellectual Property law in India; Dispute Settlement Mechanism.

UNIT II - PATENTS (12 Hours)

The Patents Act O(1970), object definitions, salient features, patentable and non-patentable inventions, product and process patents - Persons entitled to apply for patents, provisional and complete specifications, priority dates, of claims, opposition to grant of patent, anticipation, provisions for secrecy of certain inventions. - Patent office and power of Controller- Grant and sealing of patents, rights of patentees, rights of co-owners of patents, term of patent, patents of addition, assignment and transmission, register of patents.- Amendment of applications and specifications, restoration of lapsed patents, rights of patentees of lapsed patents, which have been restored, surrender and revocation of patents- Compulsory licences, exclusive marketing rights, licences of right, use of invocation of patents purposes of government, acquisition of inventions by Central Government - Remedies for infringement of patents - Patent agents, scientific advisers, international arrangements - International Law - Right of plant breeders and farmers - National Law on Biological Diversity

# UNIT III - TRADE MARKS (12 Hours)

The Trade Mark Act (1999), object, definitions, salient features, marks registrable and non – registrable, conditions for registration, absolute and relative grounds for refusal of registration, procedure for and duration of registration, effects of registration.—Powers and functions of Registrar- Distinctiveness, deceptive similarity, concurrent registration, rectification and correction of register - Assignment and transmission—Use of trademarks and registered users, collective marks, registration of certification mars, trade mark agents- Appellate board - Infringement action, passing off action - International treaties - Geographical Indication of goods (Registrations and protection) Act (1999), objects, definitions, conditions for registration, prohibition of registration of

certain geographical indications procedure for and duration of registration effects of registration special provisional relating to trademark and prior users, remedies for infringement, international Law

# UNIT IV - COPYRIGHT (12 Hours)

The Copyright Act (1957) and recent amendments: works in which copyright subsists; meaning of copyright; ownership and rights of the owner; assignment; term of copyright - Powers and functions of the copyright board - Registration of copyright; compulsory licences; licence to produce and publish translations; copyright societies - Rights of broadcasting organisations and of performers

International copyright - Acts constituting & not constituting infringement; remedies for infringement

# UNIT V - INDUSTRIAL DESIGNS

(12 Hours)

The designs Act.2000; definitions, registration of designs, copyright in registered designs, piracy of registered designs, remedies, powers and duties of Controller, International Law. - Semi conductor integrated circuit layout – Design Act – 2000

## STATUTORY MATERIALS

- 1. The Patents Act. 1970
- 2. The Trade Marks Act, 1999
- 3. The Copyright Act 1957
- 4. The Designs Act, 2000
- International Covenants

## **BOOKS PRESCRIBED**

- P. Narayanan Intellectual Property Law (1999) ( Eastern Law House, Calcutta)
- Dr. B.L. Wadehra Law relating to patents, trademarks, copyright, design and geographical indications (Universal Law Publishing Co – Ltd., New Delhi)2010
- 3. Dr. S.R. Myneni Law of Intellectual Property (Asia Law House, Hyderabad)2013
- 4. Vikas Vashisht Law and practice of Intellectual Property in India (Bharat Law House, New Delhi)2010

## REFERENCES

- 1. Cornish W.R. Intellectual Property, Patents, Copyright, trademarks and allied rights (1999) (Sweet & Maxwell, London)
- 2. Arad Sherman and Lionel Bently The Making of Modern Intellectual Property Law (Cambridge University Press) 2013
- 3. David I. Bainbridge International Property (Pitman Publishing)2002
- Allison Coleman The Legal Protection of Trade Secrets ( Sweet & Maxwell)2012
- 5. W.R. Cornish Cases and Materials on Intellectual Property (Sweet & Maxwell)2010

## SEMESTER - IV

ULL14401	INTERPRETATION OF STATUTES	L	T	Р	С	
	Total Contact Hours) - 75 Hours)	4		1	4	
INSTRUCTIONAL OBJECTIVES						

1. The significance of this course is accurately captured by a legal maxim Legis interpretation legis vim obtinet which means that the interpretation obtains the force of the law. The interpretation of law is a tool to capture the spirit and life of law. Without the knowledge of tools of interpretation of laws, the knowledge of law can not considered as complete. Hence, this course is intended to imbibe the law students with various tools of interpretation of laws.

UNIT I (4 Hours)

Law Making: Legislature, Executive and the Judiciary - Principle of Utility - Law and Public Opinion - Law and Social Control - Relevance of John Rawls and Robert Nozick - individual interest to community interest - Law and Morals - Meaning, objectives and scope of interpretation,,,construction and ,statute - Public opinion and law making.

UNIT II (4 Hours)

Nature and Kinds of Indian Laws: Statutory, Non-statutory, Codified, Uncodified, State made and State recognised laws – Parts of a Statute - Commencement, operation and repeal and revival of statutes - Purpose of Statutory Interpretation – Basic Sources of Statutory Interpretation – The General Clauses Act, 1897: Nature, Scope and Relevance – Definition clauses in various legislations: Nature and Imperative Role.

# UNIT III - GENERAL PRINCIPLES OF INTERPRETATOIN (4 Hours)

The primary rule: literal construction—The other main principles of interpretation—Reading words in their context: the external aspect—Reading words in content: the statutory aspect.

## **UNIT IV - BENEFICIAL CONSTRUCTION**

(4 Hours)

## **UNIT V - RESTRICTIVE CONSTRUCTION**

(4 Hours)

Consequences to be considered–Presumption against changes in the common law–Mens rea in statutory offences.

# UNIT VI - CONSTRUCTION TO PREVENT EVASION OR ABUSE

(4 Hours)

Construction to prevent evasion—Construction to prevent abuse of powers.

# **UNIT VII - PRESUMPTIONS REGARDING JURISDICTION**

(4 Hours)

Presumptions against ousting established jurisdictions–Presumptions against creating new, and enlarging established jurisdictions–Presumption against a violation of international law

# UNIT VIII - CONSTRUCTION TO AVOID COLLISION WITH OTHER PROVISIONS (4 Hours)

# UNIT IX - CONSTRUCTION MOST AGREEABLE TO JUSTICE AND REASON (4 Hours)

Presumption against intending what is inconvenient or unreasonable–Presumption against intending injustice or absurdity–Presumption against impairing obligations or permitting advantage from one's own wrong–Retrospective operation of statutes.

## **UNIT X - EXCEPTIONAL CONSTRUCTION**

(4 Hours)

Modification of the language to meet the intention-Equitable construction-Strict construction of penal laws-Statutes encroaching on rights or imposing burdens

## **UNIT XI - SUBORDINATE PRINCIPLES:**

(4 Hours)

Usage and contemporanea exposition –Construction imposed by statute–construction of words in bonam partem–change of language–Understanding associated words in a common sense, and the expcessiounius rule–Generic words following more specific–Meaning of some particular expressions.

# UNIT XII - INTENTIONS ATTRIBUTED TO THE LEGISLATURE WHEN IT EXPRESSES NONE (4 Hours)

Imperative and directory enactments—Absolute and qualified duties—Impossibility of compliance—Waiver—Public and private remedies.

# **UNIT XIII - STARE DECISIS**

(4 Hours)

The doctrine as inherited by us— Techniques of innovation (subversion) of stare Decisis—Supreme court's Authority to overrule its own Decisions (e.g. the Antulay Case ) –Advisory Jurisdiction and its import on Precedent –Prospective overruling in India—Objections to judicial Review as anti - majoritarian

# UNIT XIV - STATUTORY INTERPRETATION AS ASPECTS OF JUDICIAL PROCESS

(4 Hours)

Rules of Statutory Interpretation: their Judge made Character-Legalism and Rule of Literal Interpretation-Creativity: Mischief and Golden Rule - Self-Discipline: Rules of construction in Fiscal and Criminal Statutes-Technicality: Rules as to necessary and implied Repeal: Rules for interpretation of codifying, consolidating\_and amending stature-Values and Interpretation.

UNIT XV - PRINCIPLES OF INTERPRETATION OF CONSTITUTION (4 Hours) Interpretation of Constitution – Principles and Theories - Preamble as a tool – Reading Directive Principles and Fundamental Duties with Fundamental Rights – Harmonious Construction, Doctrine of Pith and Substance, Colourable Legislation, Proviso, Doctrine of Eclipse, Principle of separation.

### STATUTORY MATERIALS

- 1. General Clauses Act, 1897
- 2. Constitution of India, 1950

# **BOOKS PRESCRIBED:**

- 1. St. J. Langan, Maxwell on the Interpretation of Statutes (12th ed., 1969)
- 2. Vepa P. Sarathi, Interpretation of Statutes (4th ed., 2003)
- 3. G.P. Singh, Principles of Statutory Interpretation (11th ed., 2008)
- 4. P.M. Bakshi Interpretation of Statutes, Orient pub, 2<sup>nd</sup> 2012.
- 5. M.P. Tandon Interpretation of Statutes

## REFERENCE

- 1. Singh G.P. Principles of Statutory Interpretation
- 2. Bindra Commentary on the General Clauses Act, 1897
- 3. Thornton, G.C. Legislative Drafting, Butter worths, London
- 4. Rupert Cross Interpretation of Statutes References, oxford university press, 3<sup>rd</sup>, 1995
- 5. Bindra Interpretation of Statutes, lexis Nexis, 10<sup>th</sup> ed, 2010
- 6. Jain M.P.: Constitutional Law of India (1994) Wadhwa & Co.,
- 7. Jain M.P., V.N. Shukla's: Constitution of India, (1994) Eastern, Lucknow
- 8. U.Baxi: Introduction of Justice K.K.Mathew's, Democracy Equality and Freedom (1978) Eastern, Lucknow

ULL14402	ADMINISTRATIVE LAW	L	T	Р	С
ULL 14402	Total Contact Hours) - 75 Hours)	4		1	4

## INSTRUCTIONAL OBJECTIVES

1. In modern times, administrative law is the fast growing domain of Public law. It is a branch of law which is being increasingly developed to control abuse or misuse of Governmental power. A good grasp of administrative law is essential for a law student in order to understand the limitations of Governmental power. 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. This course further deals with the role played by courts in the development of Administrative Law. The Focus is on their role 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 - EVOLUTION, NATURE AND SCOPE OF ADMINISTRATIVE LAW

(10 Hours)

- 1. From a laissez faire to a social welfare state State as regulator of private interest State as provider of services Other functions of modern state.
- 2. Evolution of administration as the fourth branch of Government. Necessity for delegation of powers on administration.
- 3. Relationship between Constitutional Law and Administrative Law.
- Separation of Powers Meaning, Origin, Montesquieu's Doctrine of Separation of Powers, System of checks and balances, position in U.K., U.S.A., and India
- 5. Rule of Law and Administrative Law Evaluation of Dicey's concept of Rule of Law, Modern conception of Rule of Law, Rule of Law in U.K., U.S.A. and India
- 6. Definitions and Scope of Administrative Law Origin and Development in U.K., U.S.A., France and India
- 7. Scope of Administrative Law
- 8. Parliamentary Sovereignty in U.K., Limited Legislative Powers in U.S.A. and India
- Classification of Administrative Action—a. Nature of Powers—Executive, Legislative and Judicial b. Legislative function—Quasi Legislative functions— Administrative Directions. c. Judicial function—Quasi Judicial functions— Tribunals and Administrative Justice d. Executive function—Ministerial functions and discretionary functions.

UNIT II - LEGISLATIVE POWERS OF ADMINISTRATION (10 Hours)
Meaning, Nature, Origin, Development and causes of growth of delegated legislation,

Types of Delegated Legislation and Constitutionality of Delegated Legislation-

Delegated Legislation and Conditional Legislation, Sub-Delegation-Restraints on Delegation of

Legislative Power, Doctrine of Excessive Delegation- Control over Delegated Legislation – Judicial, Procedural and Legislative Control-Administrative directions and Delegated Legislation

# UNIT III - JUDICIAL POWERS OF ADMINISTRATION (10 Hours)

Need for devolution of adjudicatory authority on administration - Administrative Tribunals - Meaning, Nature, Main characteristics, Origin and development (U.S.A., U.K. and India)-Franks Committee- Tribunal and Court, Similarity and Difference-Reason for growth of Administrative Tribunals-Merits and Demerits of Administrative Tribunal-Procedure and powers of Administrative Tribunal (U.K., U.S.A. and India)-Tribunal under Constitution -High Court's Superintendence over Tribunals-Appeal to Supreme Court by Special Leave-Working of the Administrative Tribunal Administrative Tribunals under Administrative Tribunals Act, 1985-Administrative Procedure Act in U.S.A.-Domestic Tribunal

# UNIT IV - PROCEDURAL FAIRNESS AND JUDICIAL CONTROL OF ADMINISTRATIVE ACTION (10 Hours)

- Principles of Natural Justice
   — Concept, Parameters and application of the
   Principles of Natural Justice-Rule against Bias-Audi AlteramPartem or the
   Rule of Fair Hearing Meaning, Object, Ambit and Ingredients of Fair
   Hearing, Institutional Decision, Post-Decision Hearing-Reasoned Decisions Exceptions to the Rule of Natural Justice-Effects of Breach of Natural Justice
- 2. Administrative Process and Judicial Review 1) Meaning and need for Judicial Review 2) Scope of Judicial Review Jurisdiction of the Supreme Court -Writ Jurisdiction-Appeal by Special Leave (Art. 136)-Scope and Object of Article 136- Jurisdiction of the High Court 3) Judicial Review of Administrative Action through Writs- Scope of the Writ Jurisdiction -Against whom the Writ lies-Territorial extent of Writ Jurisdiction -Relief against an Interim Order Interim Relief [Art. 226(3)]-Locus-standi-Kinds of Writ -Grounds for issue of Writs 4) Principles for the Exercise of Writ Jurisdiction Alternative Remedy-Laches or Dela-Res Judicata 5) Public Interest Litigation and Locus-Standi 6) Doctrine of Legitimate Expectation and Doctrine of Proportionality
- 3. Statutory Remedies—a) Injunction- Declaration against the Government Exclusion of Civil Suits
- 4. Privileges and Immunities of Government in Legal Proceedings— Privilege to withhold documents Miscellaneous Privileges of the Government-Notice, Limitation, Enforcement of Court Order- Binding nature of Statutes over the States action-Promissory Estoppel- Right to Information
- 5. Liability for wrongs (Tortious and contractual) Tortious liability, Sovereign and non-sovereign functions- Crown proceedings Act of U.K. and Torts Claims Act

of U.S. - Statutory immunity- Act of State-Contractual liability of government-Government privilege in legal proceedings – State secrets public interest, etc., - Right to information and open government -Estoppel and Waiver

## **UNIT V - ADMINISTRATIVE DISCRETION**

(5 Hours)

Need for administrative discretion -Administrative discretion and rule of law-Mala fide exercise of discretion-Constitutional imperative and use of discretionary authority-Irrelevant considerations -Non-exercise of discretionary power-Discretion to prosecute or to withdraw prosecution- Limiting confining and structuring discretion-General discretion technical discretion.

# UNIT VI - LIABILITY FOR WRONGS (Tortious and contractual) (5 Hours)

Tortious liability, Soveerign and non-sovereign functions- Crown proceedings Act of U.K. and Torts Claims Act of U.S. - Statutory immunity- Act of State-Contractual liability of government- Government privilege in legal proceedings - State secrets public interest, etc., - Right to information and open government -Estoppel and Waiver

## UNIT VII - CORPORATIONS AND PUBLIC UNDERTAKINGS

(5 Hours)

State monopoly – Remedies against arbitrary action or for acting against public policy. -Liability of public and private corporations of Departmental undertakings. - Legal remedies-Accountability – Committee on public undertakings. Estimates Committee. Etc.,

# UNIT VIII - INFORMAL METHODS OF SETTLEMENT OF DISPUTES AND GRIEVANCE REDRESSAL PROCEDURES. (5 Hours)

Conciliation and mediation through social action groups. - Use of media. Lobbying and public participation in policy making-Public inquiries and commissions of inquiry-Ombudsman parliamentary commissioner-Lok Pal, LokAyukta- Vigilance Commission-Congressional and Parliamentary Committees.

## **BOOKS PRESCRIBED**

- M.P. Jain and S.N. Jain, Principles of Administrative Law , Lexis Nexis, 6<sup>th</sup> edition, 2013
- 2. S.P. Sathe, Administrative Law, Lexis Nexis, 7<sup>th</sup> edition 2004.
- 3. I.P. Massey, Administrative Law, Eastern Book Company, 8<sup>th</sup> edition, 2012.
- 2. C.K. Takwani , Administrative Law, Eastern Book Company ,5<sup>th</sup> edition 2012.
- 3. Kailash Rai, Administrative Law, Allahabad law agency, 9th edition 2013.

## **REFERENCES**

 Wade H.R & C.S Forswyth , Administrative Law, Oxford university press, 11<sup>th</sup> edition, 2010

- 2. Durga das Basu, Administrative law, Jain book depot, 6<sup>th</sup> edition2004
- 3. David Foulkes, Administrative Law, OUP publishers, 8th edition, 1995.
- 4. Indian Law Institute Cases and Material of Administrative Law, ILI, 2000
- 5. Markose Judicial Control of Administrative action, Madras law journal, 1956
- 6. Griffith J. A.G and H Street, Administrative Law, Pitman, 2<sup>nd</sup> edition, London
- 7. Report of the Law Commission First Report Second Report –Fourteenth Report, Government of India, 2007
- 8. Report on the Committee of Minister's power Franks Committee report, law commission of India, 1998

ULL14403		PUBLIC INTERNATIONAL LAW	L	Т	Р	С
		Total Contact Hours) - 75 Hours)	4		1	4
IN	ISTRUCTION	AL OBJECTIVES				
The objective of this paper is to acquaint the students with the basics of Publ International Law and practice.						Public

UNIT I (12 Hours)

International Law – Definition, Basis and Nature – Codification – International Law Commission – Sources of International Law – Relationship between International Law & Municipal Law – Theories and State Practice.

UNIT II (12 Hours)

State and Individual as a subject – Rights and Duties / Responsibilities – State Recognition – Theories – Kinds and legal effects – Nationality – Acquisition and loss related issues – Extradition Asylum - Territorial Sovereignty – Modes of acquisition and loss of territory – State Jurisdiction – State Succession and liability.

UNIT III (12 Hours)

Law of the Sea - Air & Space Law; Diplomatic Law – Agents Consulars, Immunities and Privileges – Refugee Law

UNIT IV (12 Hours)

Concept - Definition of International Treaties – Formation of Treaties and its stages – Reservation, observance of Treaties, Interpretation of Treaties – Suspension and Termination of Treaties.

UNIT V (12 Hours)

Origin, Nature & Scope of International Organisations – League of Nations, United Nations and its organs – International Tribunals.

## **TEXT BOOKS**

- 1. Starke International Law, LexisNexis UK; 1994
- 2. S.K. Kapoor International Law, Jain book agency, 2012
- 3. Malcom N. Shah An introduction to International Law, Cambridge university press, 2003
- 4. Haris D.J. Case Materials in International Law, Sweet & Maxwell; 2010

ULL14404	LAW OF INSURANCE	L	T	Р	С	
	Total Contact Hours) - 75 Hours)	4		1	4	
INSTRUCTIONAL OR IECTIVES						

## INSTRUCTIONAL OBJECTIVES

1. Though the concept of insurance is ancient in its origin, it attained currency in the modern days. Due to modernization of society and development of science and technology, there is enormous rise in the personal and professional activities of every individual. The probabilities of risks to the person and properties has also raised simultaneously. To meet all the contingencies with respect to person and property, every body expects some or other kind of assurance to meet unforeseen happenings. This social conditions have led to development of insurance laws which provide to a larger extent assurance for contingencies with respect to all walks of life of citizens. This course is designed to acquaint the students with the conceptual and operational parameters of insurance law in India.

## UNIT I - INTRODUCTION

(10 Hours)

Meaning of concept of Insurance – Risk Management – Kinds of risks – Insurable – Distinction between Insurance and Assurance – Parties of Insurance. Insurance and contract linkage – Extent of applicability of General principles of Law of Contract viz., offer, acceptance, capacity of parties, consideration, consensus, ad-idem and lawful object – Insurance and wager – Performance of insurance contracts – Discharge of Insurance Contract. Necessity for applying special principles of contract to Law of Insurance – Extent of applicability – Special Principles: (a) Uberrimae fidae: (b) Indemnity (c) Subrogation, (d) Contribution (e) Proximate cause – Cover note and slip.

UNIT II (10 Hours)

History of Insurance in India- Indian Insurance Act, 1938 - Insurance Regulatory and Development Authority Act, 1999 : Mutual Insurance Companies and cooperative life insurance societies, Double insurance and re-insurance.

UNIT III (10 Hours)

Life Insurance: Nature and scope, Event- insured against life insurance contract, Circumstances affecting the risk, Amounts recoverable under life policy. Persons entitled to payment, Settlement of claim and payment of money, Consitution, Powers and functions of L.I.C under L.I.C Act, 1956, Ombudsman.

UNIT IV (10 Hours)

Marine Insurance: Nature and Scope. Classification of marine policies, The Marine insurance Act, 1963, Marine Insurance, Insurable interest, insurable value, Marine insurance policy-condition-express warranties construction of teams ea policy. Voyage deviation, Perils of the sea, Assignment of Policy, Partial laws of ship and of freight, salvage, general average, particular charges, Return of premium.

UNIT V (10 Hours)

Insurance against Accidents: The Fatal Accidents Act, 1855, Objects and reasons. Assessment of compensation, Contributory negligence. Apportionment of compensation and liability, The Personal Injuries (Compensation insurance) Act 1963, Compensation payable under the Act, Compensation insurance scheme under the Act Compulsory,: insurance. Property insurance: Fire Insurance, The Emergency Risks (Factories) Insurance, The Emergency Risks (Goods) Insurance, ('policies covering risk of explosion, Policies covering accidental loss. damage to property, Policies covering risk of storm and tempest, Glass-plate policies, Burglary and theft policies, Live stock policies, Goods in transit insurance, Agricultural insurance

UNIT VI (10 Hours)

Insurance against Third Party Risks: The Motor Vehicles Act, 1988, Nature and Scope, Effect of Insolvency or death on claims of insolvency and death of parties, certificate of insurance, Claims tribunal: Constitution, functions, application for compensation. procedure powers and award, Liability Insurance: Nature and kinds of such insurance, Public liability insurance. Professional negligence insurance. Miscellaneous Insurance Schemes: New Dimensions: Group life insurance, Mediclaim sickness insurance.

### TEXT BOOKS

- Raul Colinvax and Robert M. Merkin, Law of Insurance, 9<sup>th</sup> ed., Sweet & Maxwell, 2010.
- Avtar Singh, M.N. Srinivasan's Principles of Law of insurance , Wadwa & Company, 2009.
- 3. KSN Murthy and KVS Sharma, *Modern Law of Insurance in India*, 5<sup>th</sup> ed., Lexis Nexis, 2013.
- 4. E.R. Hardy Ivamy, *General Principles of Insurance law*, 2<sup>nd</sup> ed., Butterworths, 1970.
- 5. B.S Bodia et.al, *Insurance–Fundamentals,Environment and Procedures*, 2003.

## **REFERENCES**

1. Srinivasan M.N., "Principles of Insurance Law in 2 vols", Lexis Nexis, 2009.

- 2. Edwin W.Patterson, "Cases and Materials of Law of insurance", 4th ed., Foundation Press, 1961.
- 3. Rob Thoyts, "Insurance theory and practice", Routledge, 2010.
- John Lowry and Philip Rawlings, "Insurance Law: Cases and Materials", Hart 4. Publishing, 2004.

ULL14405	LABOUR LAW II	L	T	Р	С		
	Total Contact Hours) - 75 Hours)	4		1	4		
INSTRUCTIONAL OR IECTIVES							

The concept of social security is based on ideals of human dignity and social justice. The guest for social security and freedom from want and distress has been the consistent urge of man through the ages. The mutual conflict between the employee and employees over the adequacy of their respective shares in social produce constitutes a serious menace in the society. Work can.

Be never be important than the worker because no industry can flourish unless the wage earner who is a partner in the production should be given due status by offering him reasonable working conditions and due share in production. This means social justice and social security has to be restored to the Labour because a contented worker would produce better yields and would increase his efficiency. Therefore, social security is a necessary phenomenon of a welfare state as it is one of the most progressive and dynamic instruments for achieving socio economic progress. This course shall examine the various dimensions of Labour security measures and explore the possibility whether or not Labour security is part of the comprehensive and integrated social security.

### UNIT I - INTRODUCTION: SOCIAL SECURITY AND LABOUR WELFARE (12 Hours)

Concept, Evolution and Constituents of Social Security Object of Social Security Laws Social Security and Constitution ILO on socialsecurity

# UNIT II - SOCIAL SECURITY: INDUSTRIAL INJURIES AND SOCIAL INSURANCE (12 Hours)

The Employees' Compensation Act, 1923 -The Employee's State Insurance Act, 1948 **UNIT III - OTHER SOCIAL SECURITY LEGISLATIONS** (12 Hours)

The Maternity Benefits Act, 1961- The Employee's Provident Funds and Miscellaneous Provisions Act, 1952 - The Payment of Bonus Act, 1965 - Payment of Gratuity Act, 1972

# **UNIT IV - LABOUR WELFARE LEGISLATIONS**

(12 Hours)

Factories Act, 1948 - The Tamil Nadu Shops and Establishment Act, 1947

# **UNIT V - CONTEMPORARY ISSUES**

(12 Hours)

# **TEXT BOOKS**

- 1. S.N.Mishra: Labour and Industrial Law27<sup>th</sup> edition, 2014.
- 2. Dr.V.D. Goswami, Labour and Industrial laws, Central law agency , Allahabad,  $9^{\text{th}}$  edition 2011
- 3. MadhavanPillai: Labour and Industrial, Allahabad law agency, 2014.
- 4. Srivastava S.C.: Social Security and Labour Laws, eastern book company, 6<sup>th</sup> edition, 2012,

## **REFERENCES**

- 1. Srivastava K. D.: The Employees' Compensation Act, 1923
- 2. Srivastava K.D.: The Employees' State Insurance Act, 1948
- 3. Srivastava K. D.: The Employees' Provident Funds and Miscellaneous Provisions Act, 1961.
- 4. Srivastava K. D.: The Payment of Bonus Act, 1965
- 5. Srivastava K. D.: Payment of Gratuity, 1972
- 6. Srivastava K. D.: Factories Act, 1948

ULL14406		MARITIME LAW	L	T	Р	С	
		Total Contact Hours) - 75 Hours)	4	-	1	4	
INS	INSTRUCTIONAL OBJECTIVES						
	delimitations	deals with introductory elements, Maritim s, Admiralty Jurisdiction and its mode of ex- at of ships, its safety and security of sea.	ne bo ercise	undai , own	ry an ership	d its and	

## **UNIT I - INTRODUCTORY ELEMENTS**

(12 Hours)

Nature of Admiralty Law: Admiralty Law in relation to public and private international law – admiralty law as a part of law merchant – admiralty law in relation to common law and civil law – admiralty law as the Common law of the sea – Sources of maritime law and admiralty law.

## UNIT II - MARITIME BOUNDARY AND DELIMITATION

(12 Hours)

History of admiralty law in England, other parts of the world and in India –History of admiralty jurisdiction of High Courts of India – admiralty courts –immunity of Government ships.

# UNIT III - ADMIRALTY JURISDICTION AND THE MODE OF EXERCISE 12 Hours)

Admiralty and maritime jurisdiction (scope and extent) – Enforcement of maritime claims by actions in rem and in personam – juridical personality of the ship – maritime liens and priorities. Jurisdiction in matters of collision – Extra territorial jurisdiction – Changing concept of maritime frontiers. International waters; Territorial Waters; Contiguous Zone; EEZ; Continental shelf; International straits; archipelagos; international fisheries; High seas; Conseration and exploitation of maritime sources; Sea as a common heritage of manking – Role of IMO – Piracy and hot pursuits.

# UNIT IV - OWNERSHIP AND MANAGEMENT OF SHIPS

(12 Hours)

The ship as property – ownership – registration – flag of convenience – ship construction rules – acquisition of ships – transfer of ships –negotiation and contract – terms of contract – inspection by buyer – ship mortgages – ship's sale and purchase. Arrest of sea going ships – ISM and issues of safety.

# UNIT V - SAFETY AND SECURITY AT SEA

(12 Hours)

Safety & security regulations at sea and in port, accidents, collisions, salvage, towage – The laws of harbours and pilot age – Jurisdiction in maritime ports; Access to maritime pots; Indian law – The maritime zones Act 1976; civil and criminal jurisdiction over ships; Ship owner's liabilities for damage to ports – Limitation of ship owner's liability.

## **TEXT BOOKS**

- Bimal N.Patel and Hitesh Thakkar, Maritime Security and Piracy, 1<sup>st</sup> ed., Eastern Book Company, 2012.
- 2. Shrikant Hathi and Binita Hathi, *Maritime Practice in India*, 7<sup>th</sup> ed., Brus Chambers, Mumbai, 2012.
- 3. Samareshwar Mahanty, *Maritime Jurisdiction and Admiralty Law in India*, Universal Publishing (2009)
- 4. Donald R.Rothwell and Tim Stephens, *The International Law of the Sea*, Bloomsbury Publishing Company, 2010.

## REFERENCES

111 1 4 4707

- 1. Aleka Mandaraka and Sheppard, *Modern Maritime Law*, Second Edition, Taylor & Francis. (2013).
- 2. Jackson D.C., *Enforcement of Maritime Claims*, 4<sup>th</sup> ed., Informa, London, , (2005).
- 3. Marsden, Collisions at Sea,14<sup>th</sup> ed., Sweet & Maxwell, London (1961).
- 4. Chorly and Giles, Shipping Law, 6th Edn., Sweet & Maxwell, London.

this course to train a law student in to a professional lawyer.

5. Kochu Thommen, *International Legislation on Shipping*, U.N., New York (1968).

DECEMBELLANDOL OCV

ULL 14/0/		RESEARCH WEITHODOLOGI	L		Г	٥	
		Total Contact Hours) - 75 Hours)	1	1	3	4	
II	NSTRUCTIONA	L OBJECTIVES					
1	. Research p	lays a very active role in all walks of life. Especially	/ for	a stı	uden	t of	
	law it helps him in analysing the social problems and brings in solution for such						
	problem. He	ence, it is very important to impart the methods of a	esea	arch	thro	ıah	

UNIT I - OBJECTIVES OF LEGAL EDUCATION

(10 Hours)

I T D C

Lecture Method of Teaching –Merits and demerits-The Problem Method-Discussion method and its suitability at postgraduate level teaching- The Seminar method of teaching- Examination system and problems in evaluation-external and internal assessment-Student participation in law school programs – Organization of seminars, publication of journal and assessment of teachers-Clinical legal education-legal aid, legal literacy, legal survey and law reform.

# **UNIT II -RESEARCH METHODS**

(10 Hours)

Social Legal Research-Doctrinal and non doctrinal-relevance of empirical research-Induction and deduction

# UNIT III - RESEARCH METHODS: IDENTIFICATION OF PROBLEM OF RESEARCH

(20 Hours)

What is a research problem?-Survey of available literature and bibliographical research- Legislative materials including subordinate legislation, notification and policy statements-Decisional material including foreign decisions, method of discovering the "rule of the case" tracing the history of important case and ensuring that these have not been over-ruled, discovering judicial conflict in the area pertaining to the research problem and the reason thereof-Juristic writings – a survey of juristic literature relevant to select problems in India and Foreign periodicals.

# UNIT IV - PERPARATION OF THE RESEARCH DESIGN (20 Hours)

Formulation of the Research proble.Im-Devising tools and techniques for collection of date Methodology- Methods for the collection of statutory and case materials and juristic literature- Use of historical and comparative materials- Use of observation studies-Use of questionnaires/interview- Use of case studies- Sampling procedures – design of sample, types of sampling to be adopted-Use of scaling techniques.

## PRESCRIBED BOOKS

- High Brayai, Negel Dunean and Richard Crimes: Clinical Legal Education: Active Learning in, your Law School (1998), Blackstone Press Ltd., London
- 2. Agarwal S.K. (ed.): Legal Education in India (1993), Tripathi, Bombay
- 3. Madhava Menun N.P. (ed.) : A Handbook of Clinical Legal Education (1998). Eastern Book Company. Lucknow

# **REFERENCES**

- 1. William, J. Grade and Paul, K. Hatt: Methods in Social Research, McGraw Hill Book Company, London 012
- 2. Morris, L. Cohan: Legal Research in Nutshell (1996), West Publishing Company
- 3. Harvard Law Review Association : Uniform System of Citations

### SEMESTER - V

ULL14501		LAND LAWS	L	T	Р	С	
		Total Contact Hours) - 75 Hours)	4		1	4	
INSTRUCTIONAL OBJECTIVES							
1.	The object of this paper is to focus on land reforms besides land acquisition procedures enunciated in the Act of 1894and the rent laws.						

## **UNIT I - LAND REFORMS**

(15 Hours)

Constitutional Provisions on Agrarian Reform Legislation - Abolition of private landlordism - Land Ceiling Legislation -State enactments prohibiting alienation of land by tribals to non-tribals -Consolidation of holdings

## **UNIT II - LAND ACQUISITION**

(15 Hours)

Purpose - Procedure - Compensation

UNIT III - RENT LAW: CONCEPTS, TERMS AND PROCESSES

(15 Hours)

Rent Legislation in India - Definitions, Land Lord, Tenant, Land and Fair Rent. - Fixation of fair rent

# UNIT IV - EVICTION AND DISPUTE SETTLEMENT MECHANISM (15 Hours)

Grounds of eviction: Non-payment of Rent, Sub-letting, Change of user, Material, alterations, Non-occupancy, Nuisance, Dilapidation, Bonafide requirement of the landlord, Alternative accommodation, Building and re-construction and Limited Tenancy - Settlement of rent disputes

# **BOOKS PRESCRIBED**

- 1. V.N.Shukla, Constitution of India, Eastern Book Company, 2008
- 2. Jaspal Singh, Delhi Rent Law, Associated Publishing House, 1978
- 3. Bikaram Sarkar, Land Reforms in India, Ashish Publishing House, 1989

## **REFERENCES**

- 1. AbhijithGuha, Land, Law and The Left, Concept Publishing Company, 2007
- 2. SakaramaSomayaji, Development-Induced Displacement, Rehabilitation and Resettlement in India, Routledge, 2011

ULL14502 CYBER LAW AND FORENSIC SCIENCE	L	T	Р	С	
---	---	---	---	---	--

	Total Contact Hours) - 75 Hours)	4	 1	4
INSTRUCTIONAL OBJECTIVES				

1. The course is intended to inculcate the significance of cyber space and to enlighten the various legal, social and international issues and the various remedies available under the information technology Act for the breach and commission of offence in cyber space. The course also outlines the importance of forensic science in collection, preservation and restoration of Digital evidences.

## UNIT I – INTRODUCTION

(10 Hours)

Computers and Internet - Nature, scope and evolution of Cyber space - Cyber space and its challenges to legal fraternity - Internet as Human right

# **UNIT II – ECOMMERCE**

(10 Hours)

Ecommerce – history – UNICITRAL Model law Ecommerce- E- commerce models – Impact of ecommerce on the Indian Economy- E - governance - Impact in public sectors – Issues and challenges Online contracts – essentials and kinds – click wrap, shrink wrap, and browse wrap contracts Electronic and digital signatures – UNICITRAL model law On Digital Signatures E - Banking - RBI Guidelines On online Transactions- Issues and challenges in E banking transactions – Banks and Online advertising - Nature and its importance – National and International Regulations Taxation issues in cyber space- Indirect tax, Tax evasion, double taxation, International tax, and Permanent establishment Protection of trade secrets and deceptive trade practices

# **UNIT III - CYBER CRIMES**

(10 Hours)

Nature, scope and theories of cyber crimes

Types of crimes in the internet-

- (a) Against Individuals Cyber bullying- cyber stalking cyber defamation cyber murder- phishing- spam- steganography-cyber fraud- pyramid/ponzi schemes cyber vandalism- cyber pump and dump- cyber extortion- cyber theft-spoofing spyware- adware
- (ii) Against Organizations Corporate cyber smear salami attack- Smacking-Web Jacking – Denial of Service Attack- Attacks by Virus, worm, Trojan – Data Diddling
- (iii) Against Society at large Cyber pornography cyber terrorism Cyber warfare Cyber Espionage
  - Privacy Issues in Internet Issue of censorship national security and social security Internet service providers liabilities.

## UNIT IV - IPR AND CYBER SPACE

(10 Hours)

Patenting computer programmes – copyright vs. patent protection – comparative analysis of U.S, EU and Indian scenario on patenting computer softwares Copyright issues in the internet- protection of computer software - caching, International -Open

source software – DMCA - Data protection and data protection directiveTrademark issues in the internet – domain name registration, domain name registration, domain name dispute, ICANN, UDRP policy, linking, framing, tagging

# UNIT V - CYBER FORENSICS AND CYBER INVESTIGATION (10 Hours)

Nature and scope of Cyber forensic investigation - Importance of Cyber forensics in Cyber investigation - Introduction to Cyber forensic Investigation Tools E- Discovery-Digital Evidence collection and preservation - Email and Ip tracking - Email recovery - Recovering deleted evidences and password recovery Digital evidence- Investigation and adjudication of cyber crimes in India- Online dispute resolution - Cyber arbitration- mediation - conciliation - WIPO rules and regulations- Techniques and methods in conducting online arbitration- International agreements relating to Online Dispute resolution

# UNIT VI - CONTEMPORARY ISSUES AND LEGAL REFORMS (10 Hours)

Convergence technologies - Cloud computing - Online digital libraries - Net Neutrality - Censorship and surveillance

### STATUTORY MATERIALS

- 1. Unicitral model law on ecommerce
- 2. Unicitral model law on digital signature
- It act 2000
- 4. It rules 2011
- Convergence technology bill

## **BOOKS PRESCRIBED**

- karnika seth, Computers, technology and the new internet laws, Lexis nexis, 2014
- 2. S.K.Verma , Legal dimensions of Cyber space, Indian law institute, 2000
- 3. Nandan Kamath , Law relating to Computers, internet and ecommerce: A guide to cyber laws, Delhi: Universal law publishing co, 5<sup>th</sup> edition, 2013.
- Rodney Ryder, Intellectual Property and the internet, lexis Nexis, 3rd edition, 2009.
- 5. Raghu snatanam, sethuraman, mohit virendra "Cyber crime, cyber security and cyber forensics", Information science reference, Hershey, New York.

## **REFERENCES**

- 1. lan J. Lyod, "Information technology laws" 2nd editions, Butterworths, 1997.
- 2. Yee fen Lim, "Cyber space law commentaries and Materials" oxford university press,
- 3. Chris reed, "computers and Internet, oxford university press", 7<sup>th</sup> edition, 2012.
- 4. Apar Gupta, "Commentaries on Information technology Act", Lexis nexis, 2<sup>nd</sup> edition, 2011
- 5. George B. Delta, "Law of the internet, Aspen publishers", USA, 3<sup>rd</sup> edition 2008,

111 1 4 4 5 0 2	ENVIRONMENTAL LAW	L	T	Р	С	
ULL14503	Total Contact Hours) - 75 Hours)	4		1	4	
INSTRUCTIONAL OBJECTIVES						

1. The objective of the course is to make environmental law familiar to the students by understanding all dimensions of the subject. The contribution of Constitution and Constitutional Courts by recognizing the right to wholesome environment as a fundamental human right with the aid of Public Interest Litigation and principles environmental law are also explored. It is necessary to explore the laws enacted by the Union and State Governments by incorporating the international commitment under the various conventions and declarations. The Policies and Strategies of the Governments also focused.

## UNIT I – INTRODUCTION

(12 Hours)

Ancient Indian Environmental Ethics - Pollution: Causes and kinds - Necessity of Environmental Law in Indian Perspective

# UNIT II - ENVIRONMENTAL PROTECTION AND INDIAN CONSTITUTION (12 Hours)

Fundamental Rights - Directive principles of State Policy - Fundamental Duty of Citizens - Public Interest Litigation - Genesis of Precautionary Principle - Pollution Fine and Punishment for contempt of court -Constitution and its Amendments

## UNIT III - INTERNATIONAL ENVIRONMENTAL LAW

(12 Hours)

Fundamental Principles of Environmental Law in International Scenario - Role of United Nations - Multilateral Environmental Agreements - Stockholm Declaration on Human Environment, 1972 - United Nations Environment Programme - Nairobi Declaration, 1982 - Brundtland Report, 1987 - Rio Declaration on Environmentand Development, 1992 - Agenda 21 - United Nations Commission on Sustainable Development - Climate Change Convention and Kyoto Protocol - Convention on Biological Diversity - Johannesburg Summit on Sustainable Development 2002 Farth Summit Rio +20

## **UNIT IV - POLLUTION CONTROL LAWS**

(12 Hours)

The Environmental Protection Act, 1986 - Water (Prevention and Control of Pollution)
Act, 1974 - Air (Prevention and Control of Pollution) Act, 1981

Environment (Protection) Act, 1981

Powerof Central Government to make environmental Rules

- Rules relating toManagement of Hazardous,
- Rules relating to Plastic Waste, Bio-Medical Waste
- Rules relating to E-Waste, Municipal Solid Wastes and Batteries

Noise Pollution Rules, 2000

Environmental Impact Assessment

Coastal Regulation Zone Notification

Disaster Management Act. 2005

# UNIT V - RESOURCE CONSERVATION AND ANIMAL WELFARE LAWS (12 Hours)

Indian Forest Act, 1927 - Wildlife Protection Act, 1972 - Forest Conservation Act, 1980 - Biological Diversity Act, 2002 - Prevention of Cruelty to Animals Act, 1960 - Chennai Metropolitan Area Groundwater (Regulation) Act, 1987 - Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 - Role of Local Bodies

# UNIT VI - ENVIRONMENTAL POLLUTION AND ITS CONTROL UNDER OTHER LAWS (12 Hours)

Environmental Pollution and remedies under Law of Tort - Environmental Pollution and related provisions of the Indian Penal Code, 1860 - Provisions under the Criminal Procedure Code, 1973 - Factories Act, 1948 - Public Liability Insurance Act, 1991-The National Environment Tribunal Act. 2010

## STATUTOTY MATERIALS

- 1. The National Environment Policy, 2006
- 2. The National Forest Policy, 1988
- 3. The National Water Policy, 2002
- 4. The Wildlife Conservation Strategy, 2002

## **BOOKS PRESCRIBED**

- 1. S.C. Shastri, Environmental Law, Eastern book company, 3<sup>rd</sup> edition, 2008.
- 2. Shyam Diwan and Armin Rosencranz, Environmental Law and Policy in India Cases, Materials and Statutes (2nd ed., 2001)
- 3. P. Leelakrishnan, Environmental Law in India, Lexis Nexis ,Butterworths,3<sup>rd</sup> edition , 2008
- 4. P. Leelakrishnan, Environmental Case Book, Lexis Nexis, Butterworths, 2<sup>nd</sup> edition, 2006
- S.Shanthakumar, Environmental Law –An Introduction, Lexis Nexis, Butterworths.2<sup>nd</sup> edition 2008
- 6. ShyamDiwan and Armin Rosencranz, Environmental Law and Policy in India,Oxford university press, 2<sup>nd</sup> edition, 2002.

## REFERENCES

- 1. Alan Boyle and Patricia Bernie, International Law and Environment, Oxford University press, 3<sup>rd</sup> edition, 2009.
- 2. Philippe Sands, Principles of International Environmental Law, Cambridge, 3<sup>rd</sup> edition 2012.
- 3. The World Commission on Environment and Development, Our Common Future, 1987
- 4. C.S.E., The State of India's Environment 1984-85, The Second to Fifth reports1986-1999
- 5. IPCC Fourth Assessment Report (AR4). "Climate Change 2007".
- 6. Aarmin Rosencranz, et al., (eds.,), Environmental Law and Policy in India, (2000), Oxford
- 7. R.B.Singh & Suresh Misra, Environmental Law in India (1996), Concept Publishing Co., NewDelhi.
- 8. Richard L.Riversz, et.al. (eds.) Environmental Law, the Economy and Sustainable Development (2000), Cambridge.
- 9. Indian Journal of Public Administration, Special Number on Environment and Administration, July- September 1988, Vol. XXXV, No.3, pp.353-801
- Leelakrishnan, P et. al. (eds.), Law and Environment (1990), Eastern, Lucknow
- 11. Leelakrishnan, P, The Environmental Law in India (1999), Butterworths-India
- Department of Science and Technology, Government of India, Report of the Committee for Recommending Legislative Measures and Administrative Machinery for Ensuring Environmental Protection (1980) (Tiwari Committee Report).
- 13. Stuart Bell & Donald Mc Gillivray, Environmental Law (7th ed., 2008)
- 14. World Commission on Environment and Development, Our Common Future (1987), Oxford.

ULL14504	LAW OF TAXATION	L	T	Р	С
ULL 14304	Total Contact Hours) - 75 Hours)	4		1	4

# INSTRUCTIONAL OBJECTIVES

1. The taxes are 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 law 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. The following course content has been designed to provide a comprehensive picture of taxation in India.

# **UNIT I - INTRODUCTION**

(12 Hours)

Concept of Tax- Nature and characteristics of taxes- Distinction between tax and fee, tax and cess- Kinds of taxes; progressive, proportion; regressive and digressive – Direct and Indirect taxes- Tax evasion and tax avoidance- Scope of taxing powers of Parliament, State Legislatures and Local bodies - Mutual relationship between Income Tax Act and Finance Act – Canons of Taxation – Applicability of doctrines under the constitution to taxation laws – interpretation of tax laws.

## UNIT II - THE INDIAN INCOME TAX ACT, 1961

(12 Hours)

- Preliminaries- Concepts; 'income', 'agricultural income', 'casual income', 'assessed- person'- Residential status Previous year, Assessment year General charging section and specific charging section Income Received Arising 'Accrual'- Scope and total income Exemption from taxation
- 2. Taxability under' specific heads': i) Income from 'salaries' ii) Income from 'house property' iii)Income from 'business or profession' iv)Income from 'capital gains' v) Income from 'other sources'
- 3. Clubbing of income: Income of other persons in assessee's total income.
- 4. Treatment of losses set-off-carry forward of loss.
- Procedure for assessment:
- 6. Deduction allowed in certain cases chapter VIA deductions
- 7. Assessment of special class of assesses

### UNIT III - THE WEALTH TAX ACT

(12 Hours)

Definition of person, meaning of wealth, net wealth-exempted wealth – net wealth – valuation date – procedure for assessment.

# **UNIT IV - THE CENTRAL SALES TAX**

(12 Hours)

Meaning – Constitutional validity of Central Sales Tax Act – Sales in the course of inter-state trade or commerce – Sale in the course of import into and export out of the

territory of India – Sale outside a State – Declared Good's – 'C' From – customs frontiers – Liability in Special cases.

# UNIT V - THE TAMIL NADU GENERAL SALES TAX ACT

(12 Hours)

Meaning – 'Dealer', Registered Dealer', 'Casual Dealer', Turnover', Total turnover', Taxable turnover – Sale and works contract – Single Point Tax V – Multipoint Tax – Value added tax – procedure for assessment – kinds of assessment – Hierarchy of authorities.

# **BOOKS PRESCRIBED**

- 1. Dr. Girish Ahuja and Dr.Ravi Gupta, Professorial Approach to DIRECT Taxes law and practice including Tax planning, 31st Edition, 2015-2016
- 2. Taxmann's, Income Tax Act, Edition 2014.
- Gurumurthi S., Sales Taxation in Tamil Nadu, Vikas Publishing House Pvt.Ltd, India (May 1997)
- Dr. Bhagwati Prasad, Income Tax Law & Practice, wishwa Prakashan, New Delhi.
- Singhania V K, Direct Taxes –Law and Practice, Taxmann Publications Pvt. Ltd. 2014

ULL14505	PRIVATE INTERNATIONAL LAW	L	Т	Р	С	
	Total Contact Hours) - 75 Hours)	4		1	4	
INOTELIATIONAL OF ITATIVES						

### INSTRUCTIONAL OBJECTIVES

 In this 21stcentury, Liberalisation, Privatisation and Globalization (LPG) works beyond national barriers. The course creates an understanding on the conflict of laws under various legal system Pertaining to jurisdiction, marriage, divorce, adoption, maintenance, property. The course also covers torts and contracts laws. The course also covers enforcement of foreign judgements and arbitral awards. UNIT I (12 Hours)

Introduction –Scope of Private International Law –Theories of Private International Law -Conflict of Law or Private International Law –Codification of Private International Law –Hague Conventions Distinction between Public International Law and Private International Law.

UNIT II (12 Hours)

Jurisdiction - Choice of Law - Domicile - Residence - Renvoi - Forum Convinience.

UNIT III (12 Hours)

Cases involving Private International Law –Marriage –Divorce –Adoption – Guardianship and Maintenance.

UNIT IV (12 Hours)

Contract–Negotiable Instruments –e-contracts -Private International Law Relating to Corporations –Jurisdiction over Corporations –Insolvency Jurisdiction and effects of Foreign insolvency proceedings.

UNIT V (12 Hours)

Enforcement of Foreign Judgements and Decrees –Enforcement of Foreign Arbitral Awards –Evidence and Procedure –Stay of Proceeding –Proof of Foreign Laws.

### **TEXT BOOKS**

- Paras Diwan and Peeyushi Diwan, The Private International Law India, 4<sup>th</sup> ed, rev., Deep & Deep Publication, (1998).
- 2. Atul M. Setalvad, Conflict of Laws, 1st edt., Lexis Nexis, (2007).
- 3. Collins et.al, *Dicey,Morris and Collins on Conflict of Laws*, 14<sup>th</sup> ed., Sweet & Maxwell, (2009).
- 4. Adrian Briggs, *Conflict of Laws*,3<sup>rd</sup> ed., Oxford University Press, (2013).
- 5. Collier, Conflict of Laws, 4<sup>th</sup> ed., Cambridge University Press, (2013).

## **REFERENCES**

- Eckart Gottschalk et.al., Conflict of Laws in Globalised world, Eastern Book Company, (2007).
- 2. Brilaymayer, Conflict of Law: Cases and Materials, 6<sup>th</sup> ed., Wolters Kluwer, (2011).

ULL14506	LAW RELATING TO WOMEN AND CHILDREN	L	Т	Р	С	
----------	------------------------------------	---	---	---	---	--

	Total Contact Hours) - 75 Hours)	4		1	4	
NSTRUCTIONAL OR IECTIVES						

### INSTRUCTIONAL OBJECTIVES

Since ages Women and Children have been subjected to various kinds of violence in the hands of this society. This course runs through various period and development of law in relation to their problems. Nearly, 64 years have passed after the Adoption of the Indian Constitution, still the equality between women and men appears to be a distant mirage to be reached. Effective political representation of women in Legislature and other forums too has become a difficult proposition to be acceptable. This course will Study, what are the legal provisions enacted to tackle these situations with special emphasis on Indian Municipal Law and international commitments. What is the scope and shortcomings in the existing legal regime in this regard?

## UNIT I - INTRODUCTION

(10 Hours)

Women and Child in Pre-Constitution-Period - Women and Child in post - Constitution Period - Women and Child in International Scenario - Women and political representation

## UNIT II - WOMEN AND PERSONAL LAWS

(10 Hours)

Women and Different personal laws - Unequal position of India women Uniform civil code - Sex inequality in inheritance rights various personal laws - Matrimonial property law - Guardianship Right of women - Women and Law of Divorce

## UNIT III - WOMEN AND CRIMINAL LAW

(10 Hours)

Dowry Prohibition Law - Sex Determination Test - Law relating to Prevention of Immoral Trafficking of Women - Adultery - Rape - Outraging the modesty of women - Kidnapping - Sati Prohibition Law - Law relating to Domestic Violence - Law relating to Eve Teasing - Indecent Representation of Women Act

# UNIT-IV-WOMEN AND LAW RELATING TO EMPLOYMENT

(10 Hours)

Factories Act- Provisions relating to women - Maternity Benefit Act - Equal Remuneration Act - Law Relating to Sexual Harassment at working place

## **UNIT-V LAW RELATING TO CHILDREN**

(10 Hours)

Law relating to protection of children - Child Labour (Protection and Regulation) - Child Trafficking and Abuse - Juvenile Justice

## UNIT-VI CONTEMPORARY ISSUES

(10 Hours)

# PRESCRIBED BOOKS

1. Mamta Rao- Law Relating to Women and Children, Eastern Book Co; 2008

- Indu Prakash Singh- Women, Law and Social Change in India , Radiant Publishers, 1989
- 3. Paras Diwan- Dowry and Protection to married women, Deep and Deep Publications, 1995
- 4. S.P.Sathe- Towards Gender Justice, Research Centre for Women's Studies, S.N.D.T. Women's University, 1993
- 5. DwarkaNathMitter- Position of Women in Hindu Law, Eastern Book Co., 2006

## REFERENCES

- Relevant Provisions of Constitution of India
- 2. Relevant Provisions of Indian Penal Code
- 3. S-125, Criminal Procedure Code
- 4. National Commission on Women Act, 1990
- 5. Matrimonial Property- Private Members bill introduced in parliament.
- Towards Equality- Report of Committee on the status of women (Government of India) Chapter IV and Section IV General Conclusions and Recommendations.

#### SEMESTER - VI

ULL14601		CIVIL PROCEDURE CODE		T	Р	С			
		Total Contact Hours) - 75 Hours)	4		1	4			
INSTRUCTIONAL OBJECTIVES									
1.	The course	intends to understand the legislative measure	es in	proce	edural	. The			

1. The course intends to understand the legislative measures in procedural. The course also helps in understanding the procedures to be followed by the civil courts from the institution of suits till the final disposal. The course tries to understand the computation of limitation period for the institution of suit, appeal and applications along with exclusion.

#### UNIT I – INTRODUCTION

(12 Hours)

Definitions – Jurisdiction of Civil Court – Place of Suing – Institution of Suits – Presentation of Plaint – Parties to the suit-principles of res subjudice and res judicata.

#### **UNIT II - PLEADINGS & TRIAL**

(12 Hours)

Plaint – Written Statement – Service of Summons – Appearance and Non-Appearance of Parties – Discovery, Inspection and Production of Documents – Admission – Production, Impounding and Returning of Documents- transfer of suits-decree and judgment -Remand – Restitution – Appeals: first appeal, second appeal, appeals from orders and appeals to Supreme Court – Reference – Review - Revision

#### **UNIT III - SUITS IN PARTICULAR CASES**

(12 Hours)

Suits by and against government and public officer – Suits by indigent person – suits by or against minors and lunatics, aliens and foreign rulers, soldiers, corporation, Firms, trustees, executors and administrators-suits relating to family matters, mortgages, public nuisance and public charities- interpleader suits-summary procedure.

### **UNIT IV - EXECUTION**

(12 Hours)

General principles, courts by which decree may be executed, payment under decree, application for execution, mode of execution, stay of execution, questions to be determined by executing court, arrest and detention, attachment of property sale and delivery of property, distribution of assets.

#### **UNIT V - LIMITATION ACT**

(12 Hours)

Definitions – Limitation of Suits – Appeals – Computation of Period of Limitation – Acquisition of ownership by possession.

#### STATUTORY MATERIALS

- 1. Code of Civil Procedure, 1908
- 2. Limitation Act, 1963

#### TEXT BOOKS

- 1. C.K.Takwani, Civil Procedure Code,11th ed., Eastern Book Company,2013.
- 2. Mulla, Code of Civil Procedure, 16th ed., Lexis Nexis, 2013.
- M. P. Jain, Code of Civil Procedure, 3rd ed., Lexis Nexis, 2011. 3.
- MP Tandon, Code of Civil Procedure, Allahabad Law Agency, 2011. 4
- Malik Shailinder, Text book on The Code of Civil Procedure, Universal Law 5. Publishing Co. Ltd., 2014.

#### **REFERENCES**

- Taxmann, "Code of Civil Procedure", 1st Edition, Taxmann Publications, 2003. 1.
- 2. Justice C.K Thakker et.al, "Commentaries on Code of Civil Procedure", Eastern Book Company, 2014.
- Sarkar, "Code of Civil Procedure", 11th ed., Lexis Nexis, 2013. 3.

ULL14602	CRIMINAL PROCEDURE CODE	L	T	Р	С				
	Total Contact Hours) - 75 Hours)	4	-	1	4				
INSTRUCTIONAL OR JECTIVES									

Procedural law is the handmaid of substantive law. Without the law of procedure, the substantive law would be futile. As such, the law of criminal procedure is essential for administration of criminal justice. This course is intended to teach the students the law of criminal procedure in India and also criminal procedure with reference to juvenile offenders.

#### UNIT I - INTRODUCTION TO LAW OF CRIMINAL PROCEDURE IN INDIA (12 Hours)

Functionaries: Aguisitorial, inquisitorial – brief history about the code-definition-main functionaries of the code-powers of superior police officers and aid to the magistrates and police.

#### UNIT II - PRE-TRIAL PROCEEDINGS

(12 Hours)

Stages of Investigation - process compelling for the presence of the presence of accused for investigation and trial - arrest-procedure for arrest - rights of arrested persons- consequences of non - compliance of arrest procedures - search and seizure - process of investigation by police - investigation of unnatural and suspicious death – Local jurisdiction of the Courts in Inquires and Trials – cognizance of offence and commencement of proceedings - bail procedures - types of bail -General Provision regarding bond of accused and sureties.

### **UNIT III - TRIAL PROCEDURE**

(12 Hours)

Principal features of fair trial - Charge - Some common features regarding trial -Disposal of Criminal cases without full Trial - preliminary plea to bar trial - Trial before a Court of Session - Trial of warrant cases by Magistrates - Trial summons cases and summary Trial Special Rules of Evidence.

### **UNIT IV - APPEAL PROCEDURES**

(12 Hours)

Types of Appeals - Reference and Transfer of Criminal Cases - Execution, Suspension, Remission and Commutation of Sentences - Execution of Sentence death penalty and Imprisonment - Execution of Sentence of fine - Preventive and Precautionary Measures for keeping peace and good behavior - Maintenance procedures - conditions for claiming maintenance - cancellation of maintenance - Muslim Women Protection of Rights on Divorce Act.

# UNIT V - JUVENILE JUSTICE CARE AND PROTECTION ACT, 2001 AND PROBATION OF OFFENDERS ACT, 1958 (12 Hours)

Introduction – Object – definitions – Statutory bodies for juveniles under the Act – Reformative institutions for juveniles – Special offences – Probation –Object and meaning – Criminal court and probation – Duties of Probation officers - Report of the probation officers - conditions and cancellation of probation.

Statutory Material: Code of Criminal Procedure, 1973

### **BOOKS PRESCRIBED**

- 1. Criminal Procedure Code: Ratanlal, Lexis Nexis, 2013
- Criminal Procedure Code: Sarkar, Lexis Nexis, 2014
- 3. Criminal Procedure Code: T.D.Sharma, Rawat Publications, 1998
- 4. Principles of Criminal Law: Srivastava, Eastern Book Company, 2013
- Lectures on Criminal Procedure Code, K.N.C. Pillai, Eastern Book Company 2013
- 6. Cases of materials on criminal law: K.D.Gaur, Lexis Nexis, 2013
- 7. Criminal Procedure Code, Durga Das Basu, Lexis Nexis, 2014

111 1 4 4 6 0 2		COMPETITION LAW L	T	Р	С						
	JLL14603	Total Contact Hours) - 75 Hours) 4		1	4						
INS	INSTRUCTIONAL OBJECTIVES										
	This paper economic or	focuses on the competition laws of India in th der.	e cont	est of	new						

UNIT-I (12 Hours)

Constitutional provisions regulating trade; Salient features of MRTP Act, 1986; Salient features of Consumer Protection Act, 1986.

UNIT-II (12 Hours)

Sherman Antitrust Act, 1890; Relevant provisions of Clayton Act, 1914; Relevant provisions of the Federal Trade Commission Act; Salient features of U.K. Competition Act, 1998.

UNIT-III (12 Hours)

The Competition Act, 2002; Preliminary; Prohibition of certain agreements, abuse of dominant position and regulation of combinations.

UNIT-IV (12 Hours)

Competition Commission of India; Duties, powers and functions.

UNIT-V (12 Hours)

Duties of Director general; Penalties; Competition advocacy; Important judgments of the Supreme Court.

#### **TEXT BOOKS**

- 1. Sharma KK, Competition Commission Cases: A compendium of cases from 2009 to 2014, 1st ed., Lexis Nexis, 2014.
- 2. T.Ramappa, Competition Law in India:Policies, Issues and Development, 3<sup>rd</sup> ed., Oxford University Press, 2013.
- 3. Vinod Dhall, Competition Law today: Concepts, Issues and Law in Practice, Oxford University Press, 2007.
- 4. Saharay H.K, *Text book on Competition Law*, Universal Law Publishing Co. Ltd., 2012.
- 5. Avtar Singh, Competition Law, 1st ed., Eastern Book Company, 2012.

#### REFERENCES

- 1. Herbert Hovenkamp, "Federal Antitrust Policy: Law of Competition and its practice", 2<sup>nd</sup> ed., West Publishing Co., USA, 1999.
- 2. Ray Steinwall, "25 years of Australian Competition Law", Butterworths, 2000.
- 3. Valentine Korah, "Cases and materials on EC Competition Law", 2<sup>nd</sup> ed., Hart Publisher, London.
- 4. Satish K. Jain, "Law and Economics", Oxford University Press, 2010.
- 5. Michael W.Dowdle, "Asian Capitalism and the Regulation of Competition: Towards a Regulatory Regime: Towards a regulatory geography of Global Competition Law", Cambridge University Press, 2012.

#### STATUTORY MATERIAL

- 1. Competition Act 2002
- 2. Security Contract (Regulation ) Act 1956
- 3. SEBI Act 1992
- 4. Depositories Act 1996

- 5. Foreign Trade (Development & Regulation) Act 1992,
- 6. Foreign Exchange Management Act, 1999
- 7. Taxman's Student's Guide to Economic Laws

ULL14604		ALTERNATIVE DISPUTE RESOLUTION	L	T	Р	С				
		Total Contact Hours) - 75 Hours)	1	1	3	4				
INSTRUCTIONAL OBJECTIVES										
1.	Outline of the Course: i) Arbitration Law and Practice including International									
	Arbitration and Arbitration rules. ii) Negotiation skills to be learnt with stimulated									
	program, iii)	Conciliation skills								

#### **UNIT I - TYPES OF DISPUTE RESOLUTIONS**

(10 Hours)

- JUDICIAL DISPUTE RESOLUTION : Characteristics Advantages and Disadvantage of such resolution
- 3. DISTINCTION BETWEEN JUIDICIAL SETTLEMENT AND ALTERNATE DISPUTE RESOLUTION:

# UNIT II - INTRODUCTION TO THE ARBITRATION AND CONCILIATION ACT,1996 (10 Hours)

Background of the Act – Efforts of United Nations commission on International Trade Law – Model Arbitration Law – Recommendations of Law Commission of India

#### **UNIT III – ARBITRATION**

(10 Hours)

Definitions of "Arbitrary", "Arbitration agreement", "Arbitrator" – Appointment of "Arbitrator" – Grounds for changing the arbitrator – Termination of Arbitrator

#### **UNIT IV - PROCEEDINGS IN ARBITRAL TRIBUNALS**

(5 Hours)

Arbitral Award– Termination of proceedings– Setting aside of arbitral award– Finality and Enforcement– Appeals – Power of the High Court to make rules

#### UNIT V - ENFORCEMENT OF FOREIGN AWARDS

(5 Hours)

New york and Geneva Convention Awards

#### Unit VI - CONCILIATION

(5 Hours)

Meaning and Definition— Appointment of conciliators— Powers and functions of conciliators – Conciliation agreements— Conciliation Proceedings— Enforceability

### UNIT VII - ALTERNATE MODELS OF DISPUTE RESOLUTIONS

5 Hours

Role of Panchayat

Role of Grama Sabha

Lokpal - Lokayukta

LokAdalats

Family

Court 

Counselling centers

Tribunals

### **UNIT VII - LEGAL SERVICES AUTHORITY**

(5 Hours)

#### UNIT IX - ROLE OF N.G.O. IN DISPUTE RESOLUTIONS

(5 Hours)

#### STATUTORY MATERIALS

International Conventions Bare Act: Arbitration and conciliation Act, 1996

#### **BOOKS PRESCRIBED**

AvtarSingh: The Law of Arbitration and Conciliation

#### REFERENCES

- 1. Malhotra O.P. and Indu Malhotra: Arbitration to conciliation, Lexis Nexis, Butterworths. New Delhi
- 2. Markanda P.C., Law Relating to Arbitration and conciliation: Wadhwa& Company, Nagpur
- 3. Justice Dr. B.P. Saraf and Justice S.M. Jhunjhunwala, Law of Arbitration and conciliation Snow White Publication, New Delhi
- 4. Chawla S.K., Law of Arbitration and conciliation Eastern Law Book Corporation, Kolkata.

ULL14605		MOOT COURT	L	T	Р	С				
		Total Contact Hours) - 75 Hours)	1	1	3	4				
INSTRUCTIONAL OBJECTIVES										
1 1	This paper is aimed at enhancing the advocacy skills of the students and to train them with court mannerism.									

MOOT COURT (60 Hours)

This paper may have three components and a viva .

Moot Court: Every student may be required to do at least three moot courts in a year. The moot court work will be on assigned problem and it will be evaluated for written submissions and for oral advocacy.

- Observance of Trial in two cases, one Civil and one Criminal: Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment.
- Interviewing techniques and Pre-trial preparations and Internship diary: Each 2. student will observe two interviewing sessions of clients at the Lawyer's Office/ Legal Aid Office and record the proceedings in a diary. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary.
- 3. The fourth component of this paper will be Viva Voce examination on all the above three aspects.

#### **TEXT BOOKS**

- 1 Prof. K.L. Bhatia, Moot court and Mock Trial: Art to and Art of Advocacy, Essentials of Court Craft, Universal Law Publishing Pvt. Ltd., 2013.
- Prof. Nomita Aggarwal and Mukesh Anand, A Beginners path to Moot court, 2. 2<sup>nd</sup> ed., Universal Law Publishing Pvt. Ltd. 2011.
- Amita Dhanda, Moot court for interactive legal education, NALSAR, 2000. 3.
- O.P Tiwari, Moot court, Pre trial preparations and Viva voce, Allahabad Law 4. Agency, 2001.
- 5. Dr.S.R.Myneni, Moot Court, Pre trial preparations and Participation in trial proceedings and viva voce, Asia Law House, 2013.

### **REFERENCES**

- Garry Watt & John Shape, "How to Moot: A student guide to mooting", 2nd 1. ed, Oxford Publications, 2010.
- Games Lawyers need to Play: "Moot court problems and memorials", 2. Allahabad Law Agency, 2005.

ULL14606	DRAFTING, PLEADING AND CONVEYANCING	L	T	Р	С				
	Total Contact Hours) - 75 Hours)	1	1	3	4				
INSTRUCTIONAL OBJECTIVES									

1. The object of this paper is to train students in the art of drafting both for court purposes as well as for other legal forums.

UNIT I - FUNDAMENTAL RULES OF PLEADINGS a. Plaint Structure (15 Hours)

Plaint Structure - Description of Parties - Written Statement and affidavit - Application for setting aside ex-part decree

### **UNIT II - ORDINARY SUIT FOR RECOVERY**

(15 Hours)

Suit under Order XXXVII of CPC and the difference between the two suits - Suit for Permanent Injunction - Application for temporary injunction Order XXXIX of CPC - Suit for Specific Performance - Petition for eviction under the Tamil Nadu Rent Control Act

# UNIT III - GENERAL PRINCIPLES OF CRIMINAL PLEADINGS (15 Hours)

Application for bail - Application under Section 125 Cr.P.C. - F.I.R. – under Section 154 Cr.P.C.

# UNIT IV - MODEL DRAFT FORMS

(15 Hours)

- 1. Notice to the tenant under section 106 of Transfer of Property Act
- 2. Notice under section 80 of CPC
- Reply to notice
- 4. General Power of Attorney
- 5. Will
- 6. Agreement to SELL
- 7. Sale deed
- 8. Suit for Dissolution of Partnership
- 9. Petition for grant of probate / Letters of Administration
- 10. Application for appointment of receiver/Local Commissioner
- 11. Application for Compromise of Suit
- 12. Application for Appointment of Guardian
- 13. Application to sue as an indigent person under Order 33 CPC
- 14. Appeal from original decree under Order 41 of CPC
- 15. Appeal from orders under order 43 of CPC
- Revision Petition
- 17. Review Petition
- 18. Application under section 5 of Limitation Act
- 19. Application for execution
- 20. Application for caveat section 148A of CPC
- 21. Writ Petition
- 22. Application under section 482 of CPC
- 23. Compounding of offences by way of compromise under section 320(i) Cr.P.C.
- 24. Lease deed
- 25. Special Power of Attorney
- 26. Relinguishment Deed
- 27. Partnership Deed

- 28. Mortgage Deed
- 29. Reference to Arbitration and Deed of Arbitration
- 30. Deed of gift
- 31. Notice under section 434 of the Companies Act
- 32. Notice for Specific Performance of Contract

### **TEXT BOOKS**

- 1. Bindra N.S., Conveyancing, Law Publishing, 1985
- 2. Chatuvedi A.N., Conveyancing, Allahabad Law Agency, 2013
- 3. Mogha's, Law of Pleading, Eastern Law House, 2013
- 4. D'Souza, Conveyancing, Eastern Law House, 2006

## **SEMSESTER I**

SL. No.	CATEGORY	SUBJECT CODE	SUBJECT TITLE	NATURE OF THE SUBJECT	TI	TE	
1.	Core Paper		English Language And Literature	NON LAW	30	70	TOTAL 100 MARKS
2.	Core Paper	ULL14102	JURISPRUDENCE	LAW	30	70	(ALL
3.	Core Paper		LAW OF CONTRACTS- I	LAW	30	70	SUBJECTS)
4.	Core Paper	ULL14104	LAW OF TORTS	LAW	30	70	
5.	Core Paper	ULL14105	FAMILY LAW I	LAW	30	70	
6.	Core Paper	ULL14106	LAW OF CRIMES	LAW	30	70	

# SEMSESTER II

SL. No.	CATEGORY	SUBJECT CODE	SUBJECT TITLE	NATURE OF THE SUBJECT	TI	TE	
1.	Core Paper	ULL14201	LEGAL PROFESSIONAL AND COMMUNICATION SKILLS	NON LAW	30	70	
2.	Core Paper		LAW OF CONTRACTS II	LAW	30	70	TOTAL
3.	Core Paper	ULL14203	PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT AND EASEMENT ACT	LAW	30	70	100 MARKS (ALL SUBJECTS)
4.	Core Paper	ULL14204	CONSTITUTIONAL LAW I	LAW	30	70	
5.	Core Paper	ULL14205	FAMILY LAW II	LAW	30	70	
6.	Clinical paper	ULL14206	PROFESSIONAL ETHICS AND ACCOUNTANCY SYSTEM	LAW	100(PI)		
7.	Clinical paper	ULL14207	INTERNSHIP	LAW	100(PI)	-	

# SEMSESTER III

SL. No.	CATEGORY	SUBJECT CODE		NATURE OF THE SUBJECT	TI	TE	
1.	Core Paper		CONSTITUTIONAL LAW-II	LAW	30	70	TOTAL
2.	Core Paper	ULL14302	LABOUR LAW I	LAW	30	70	100 MARKS
3.	Core Paper	ULL14303	COMPANY LAW	LAW	30	70	(ALL
4.	Core Paper	ULL14304	LAW OF EVIDENCE	LAW	30	70	SUBJECTS)
5.	Core Paper	ULL14305	BANKING LAWS	LAW	30	70	
6.	Core Paper		INTELLECTUAL PROPERTY RIGHTS LAW	LAW	30	70	
1	Clinical paper	ULL14307	INTERNSHIP	LAW	100(PI)	1	

# **SEMSESTER IV**

SL. No.	CATEGORY	SUBJECT CODE	SUBJECT TITLE	NATURE OF THE SUBJECT	TI	TE	
1.	Core Paper		INTERPRETATION OF STATUTES	LAW	30	70	
2.	Core Paper	ULL14402	ADMINISTRATIVE LAW	LAW	30	70	TOTAL 100 MARKS
3.	Core Paper		PUBLIC INTERNATIONAL LAW	LAW	30	70	(ALL SUBJECTS)
4.	Core Paper	ULL14404	LAW OF INSURANCE	LAW	30	70	
5.	Core Paper	ULL14405	LABOUR LAW II	LAW	30	70	
6.	Core Paper	ULL14406	MARITIME LAW	LAW	30	70	
	Clinical paper		RESEARCH METHODOLOGY	LAW	100(PI)	ı	
	Clinical paper	ULL14408	INTERNSHIP	LAW	100(PI)	-	

# SEMSESTER V

SL. No.	CATEGORY	SUBJECT CODE	SUBJECT TITLE	NATURE OF THE SUBJECT	TI	TE	
1.	Core Paper	ULL14501	LAND LAW	LAW	30	70	
2.	Core Paper		CYBER LAW AND FORENSIC SCIENCE	LAW	30	70	TOTAL 100 MARKS
3.	Core Paper	ULL14503	ENVIRONMENTAL LAW	LAW	30	70	(ALL SUBJECTS)
4.	Core Paper	ULL14504	LAW OF TAXATION	LAW	30	70	,
5.	Core Paper		PRIVATE INTERNATIONAL LAW	LAW	30	70	
6.	Core Paper		LAW RELATING TO WOMEN AND CHILDREN	LAW	30	70	
1	Clinical paper	ULL14507	INTERNSHIP	LAW	100(PI)	-	

# **SEMSESTER VI**

SL. No.	CATEGORY	SUBJECT CODE	SUBJECT TITLE	NATURE OF THE SUBJECT	TI	TE	
1.	Core Paper	ULL14601	CIVIL PROCEDURE CODE	LAW	30	70	
2.	Core Paper		CRIMINAL PROCEDURE CODE	LAW	30	70	TOTAL 100 MARKS
3.	Core Paper	ULL14603	COMPETITION LAW	LAW	30	70	(ALL
	Clinical Paper		ALTERNATIVE DISPUTE RESOLUTION	LAW	100(PI)		SUBJECTS)
5.	Clinical Paper	ULL14605	MOOT COURT	LAW	100(PI)		
•	Clinical paper		DRAFTING, PLEADING AND COVEYANCING	LAW	100(PI)		
	Clinical paper	ULL14607	INTERNSHIP	LAW	100(PI)	1	