

MOTHERHOOD UNIVERSITY, Roorkee

ENLIGHTENING WORLD

**A
REPLACED
STUDY AND EVALUATION SCHEME
OF
B.A.LL.B.**

Five Year Integrated Course

[w.e.f Academic Session 2020-21 onwards]



**Faculty of Legal Studies
Roorkee-Dehradun Road, Village Karoundi,
Post Bhagwanpur, Tehsil-Roorkee
Pin -247661
Distt-Haridwar
Uttarakhand**

NEW STUDY AND EVALUATION SCHEME

OF

BACHELOR OF LAW

[w.e.f Academic Session 2020-21 onwards]

SUMMARY

Programme	B.A.LL.B. (Integrated)
Duration	Five year (Ten Semesters)
Medium	English and Hindi
Credits	259

**MOTHERHOOD UNIVERSITY,
B.A.LL.B. 5 YEAR (TEN SEMESTER) COURSE SYLLABUS
(w.i.e.: 2020 – 21 Sessions)**

SCHEME OF EXAMINATION

SEMESTER – I

Paper No.	Subject Code	Title of Paper	Effective Teaching				Evaluation scheme		
			L	T	P	C	Internal Assessment	End Term	Total Marks
1	MUBAL101	Legal Method	4	1	0	5	30	70	100
2	MUBAL102	Legal Eng.& Comm. Skills	2	1	0	2	30	70	100
3	MUBAL103	History-I	4	1	0	5	30	70	100
4	MUBAL104	Sociology-I	4	1	0	5	30	70	100
5	MUBAL105	Political Science-I	4	1	0	5	30	70	100
6	MUBAL151*	Comprehensive Viva	0	0	8	4	0	100	100
Total			18	5	8	26	150	450	600

SEMESTER – II

Paper No.	Subject Code	Title of Paper	Effective Teaching				Evaluation scheme		
			L	T	P	C	Internal Assessment	End Term	Total Marks
1	MUBAL106	Law of Contract -I	4	1	0	5	30	70	100
2	MUBAL107	Law of Taxation	4	1	0	5	30	70	100
3	MUBAL108	History-II	4	1	0	5	30	70	100
4	MUBAL109	Sociology-II	4	1	0	5	30	70	100
5	MUBAL110	Political Science-II	4	1	0	5	30	70	100
6	MUBAL 152*	Comprehensive Viva	0	0	8	4	0	100	100
Total			20	5	8	29	150	450	600

SEMESTER – III

Paper No.	Subject Code	Title of Paper	Effective Teaching				Evaluation scheme		
			L	T	P	C	Internal Assessment	End Term	Total Marks
1	MUBAL201	Family Law-I	4	1	0	5	30	70	100
2	MUBAL202	Constitutional Law-I	4	1	0	5	30	70	100
3	MUBAL203	Indian Panel Code-I	4	1	0	5	30	70	100
4	MUBAL204	Law of Contract-II	4	1	0	5	30	70	100
5	MUBAL205	Economics-I	4	1	0	5	30	70	100
6	MUBAL 251*	Comprehensive Viva	0	0	8	4	0	100	100
Total			20	5	8	29	150	450	600

SEMESTER – IV

Paper No.	Subject Code	Title of Paper	Effective Teaching				Evaluation scheme		
			L	T	P	C	Internal Assessment	End Term	Total Marks
1	MUBAL206	Family Law-II	4	1	0	5	30	70	100
2	MUBAL207	Constitutional Law-II	4	1	0	5	30	70	100
3	MUBAL208	Indian Panel Code-II	4	1	0	5	30	70	100
4	MUBAL209	Administrative Law	4	1	0	5	30	70	100
5	MUBAL210	Economics-II	4	1	0	5	30	70	100
6	MUBAL252*	Comprehensive Viva	0	0	8	4	0	100	100
Total			20	5	8	29	150	450	600

SEMESTER – V

Paper No.	Subject Code	Title of Paper	Effective Teaching				Evaluation scheme		
			L	T	P	C	Internal Assessment	End Term	Total Marks
1	MUBAL301	Environmental Studies And Environmental Law	4	1	0	5	30	70	100
2	MUBAL302	Law of Evidence	4	1	0	5	30	70	100
3	MUBAL 303	Corporate Law	4	1	0	5	30	70	100
4	MUBAL304	Code of Civil Procedure	4	1	0	5	30	70	100
5	MUBAL305	Alternative Dispute Resolution (ADR)	0	0	8	4	30	70	100
6	MUBAL 351*	Comprehensive Viva	0	0	8	4	0	100	100
Total			20	5	8	28	150	450	600

SEMESTER – VI

Paper No.	Subject Code	Title of Paper	Effective Teaching				Evaluation scheme		
			L	T	P	C	Internal Assessment	End Term	Total Marks
1	MUBAL306	Jurisprudence	4	1	0	5	30	70	100
2	MUBAL307	International Law	4	1	0	5	30	70	100
3	MUBAL308	Property Law	4	1	0	5	30	70	100
4	MUBAL309	Investment and Competition Law	4	1	0	5	30	70	100
5	MUBAL310	Code of Criminal Procedure	4	1	0	5	30	70	100
6	MUBAL 352*	Comprehensive Viva	0	0	8	4	0	100	100
Total			20	5	8	29	150	450	600

SEMESTER – VII

Paper No.	Subject Code	Title of Paper	Effective Teaching				Evaluation scheme		
			L	T	P	C	Internal Assessment	End Term	Total Marks
1	MUBAL 401	Labour Law-I	4	1	0	5	30	70	100
2	MUBAL 402	Law of Torts and Consumer Protection Act	4	1	0	5	30	70	100
3	MUBAL 403	Law and Emerging Technologies	4	1	0	5	30	70	100
4	MUBAL 404	Professional Ethics, Accountability of Lawyers and Bar Bench Relation (Practical Training)	0	0	8	4	30	70	100
5	MUBAL 405	Seminar Paper-I	0	0	8	4	30	70	100
6	MUBAL 451*	Comprehensive Viva	0	0	8	4	0	100	100
Total			12	3	24	27	150	480	600

SEMESTER – VIII

Paper No.	Subject Code	Title of Paper	Effective Teaching				Evaluation scheme		
			L	T	P	C	Internal Assessment	End Term	Total Marks
1	MUBAL 406	Intellectual Property Rights	4	1	0	5	30	70	100
2	MUBAL 407	Labour Law-II	4	1	0	5	30	70	100
3	MUBAL 408	Interpretation of Statutes	4	1	0	5	30	70	100
4	MUBAL 409	Drafting, Pleading and Conveyancing	0	0	8	4	30	70	100
5	MUBAL 410	Seminar Paper-II	0	0	8	4	30	70	100
6	MUBAL 452*	Comprehensive Viva	0	0	8	4	0	100	100
Total			12	3	24	27	150	450	600

SEMESTER – IX

Paper No.	Subject Code	Title of Paper	Effective Teaching				Evaluation scheme		
			L	T	P	C	Internal Assessment	End Term	Total Marks
1	MUBAL501	Human Rights	4	1	0	5	30	70	100
2	MUBAL502	International Trade Law	4	1	0	5	30	70	100
3	MUBAL503	Land Laws including ceiling and other Local Laws	4	1	0	5	30	70	100
4	(MUBAL 504-510)	Seminar Paper-III	0	0	8	4	30	70	100
5	(MUBAL 504-510)	Seminar Paper-IV	0	0	8	4	30	70	100
6	MUBAL 551*	Comprehensive Viva and Summer Internship Assessment**	0	0	8	4	0	100	100
Total			12	3	24	27	150	450	600

SEMESTER – X

Paper No.	Subject Code	Title of Paper	Effective Teaching				Evaluation scheme		
			L	T	P	C	Internal Assessment	End Term	Total Marks
1	B.A.LL.B 511	Dissertation	0	0	8	4	100	200	300
2	B.A.LL.B 512	Internship (Lawyers / Law firms)	0	0	8	4	30	70	100
Total			0	0	16	08	130	270	400

Seminar Papers from Seventh to Ninth Semester

These shall be the elective courses to be taught with the purpose of developing specializations. These papers are to cover upcoming and specialized subjects of law which will offer a choice to the students to develop expertise in the areas of their interest/choice. The following papers will be offered as seminar papers as may decided by the faculty of legal studies.

Seventh Semester

1. Banking and Insurance Law
2. Telecommunication Law
3. Women and Law
4. Criminology

Eighth Semester

1. International Commercial Law
2. Election Law
3. International Humanitarian Law
4. Indirect Taxes

Ninth Semester

1. International Refugee Law
2. Socio Economic Offences
3. International Economic Law
4. Law of International Organizations
5. Health Care Law
6. Comparative Laws
07. Socio-Legal Dimensions of Gender

Explanations

Mode of Evaluation and Distribution of Marks:

Each course shall carry total of 100 marks. There shall be semester end written examination for all the courses conducted by Examination Division of the University for 70 Marks. In each course in each semester there shall be Internal-examinations of 20 marks through written and 10 Marks continuous assessment and attendance by the subject teacher concerned.

Note:

1. The total number of Credits of the BA LLB Programme is 259 Credits.
2. Each student shall be required to appear for examination in all the papers of the course for the award of a degree.

Evaluation of Tenth Semester Dissertation

The tenth semester dissertation shall carry 300 (100 Viva+200 Dissertation Work) marks. They shall be conduct Internal/External expert appointed by the Dean/HOD, of legal studies.

Evaluation of Tenth Semester Internship

After the completion of internship by the students, the work done by the candidate as recorded in his/her daily diary along with a consolidated internship report would be conducted by Dean/HOD, an External Examiner, one faculty member and the supervisor concerned.

Paper Code: MUBAL 101

Credit 5

Subject: Legal Method

Objective: This paper focuses on orientation of students to legal studies from the point of view of basic concepts of law and legal system.

Unit-I: Introduction to Legal Method

- a. Definition of Law
- b. Functions of Law
- c. Law, Justice and Morality
- d. Classification of Laws:
 - i. Public and Private Law
 - ii. Substantive and Procedural Law
 - iii. Municipal and International Law
 - iv. Civil Law and Criminal Law

Unit-II: Sources of Law

- a. Custom
- b. Precedent
- c. Legislation

Unit-III: Basic Concepts of Indian Legal System

- a. Common Law Foundations
- b. Rule of Law, Separation of Powers, Principle of Natural Justice and Rule of equity
- c. Indian Constitution: Salient Features
- d. Judicial System in India
 - i. Hierarchy of Courts
 - ii. Jurisdiction of the Courts

Unit-IV: Legal Writing and Research

- a. Legal Materials: Statutes, Reports, Journals, Manuals, Bill, Act
- b. Case Analysis and Preparation of Briefs
- c. Kinds of Legal Research
 - i. Doctrinal Research
 - ii. Non-Doctrinal Research
- d. Techniques of Legal Research
- e. Citations and Bibliography

Text Books:

1. A. T. H. Smith, *Glanville Willaim's Learning the Law*, Sweet & Maxwell, 2013 (15th Edn)
2. John Wiliam Salmond, *Jurisprudence*, Sweet & Maxwell, 1966 (12th Edn)

References:

1. John William Salmond, *Jurisprudence or Theory of Law*, Gale ECCO, 2012
2. S. K. Verma & M. Afzal Wani (ed.), *Legal Research and Methodology*, ILI, Delhi 2001
3. D.D Basu, *Introduction to the Constitution of India*, Lexis Nexis, 2013 (21st Edn)
4. Benjamin N. Cardozo, *The Nature of Judicial Process*, Dover Publications, 2005
5. Joseph Minattur, *Indian Legal System*, ILI Publication, 2006(2nd Revised Edn)
6. J.C. Dernbach, R.V Singleton, et.al., *A Practical Guide to Legal Writing and Legal Method*, Aspen Publishers, 2013 (5th Edn)

Objective: This course will focus on enhancement of their thoughts, ideas and vision for practical application in their professional life. Combined with communication skills, the paper will help in developing critical and analytical skills among the students.

Unit-I: Comprehension and Composition

- a. Reading Comprehension of General and Legal Texts
- b. Paragraph & Précis Writing
- c. Abstract Writing
- d. Note Taking
- e. Drafting of Reports and Projects
- f. Petition Writing

Unit-II: Language, Communication and Law

- a. Meaning and Communication Approaches
- b. Types, Directions and Challenges
- c. Formal & Informal Communication
- d. Barriers to Communication
- e. Culture and Language Sensitivity
- f. Non-verbal Communication: Importance, Types (Paralanguage, Body Language, Proximity etc.)
- g. Legal Maxims
- h. Foreign Words, Urdu and Hindi Words
- i. Legal Counselling and Interviewing

Unit-III: Legal Communication

- a. Legal Communication
- b. Mooting
- c. Reading and Analysis of Writings by Eminent Jurists (Cases, Petitions and Judgements)

Text Books:

1. J.S. Singh & Nishi Behl, *Legal Language, Writing and General English*, Allahabad Law Agency, 2009
2. N.R. Madhava Menon, *Clinical Legal Education*, Eastern Book Company, 2011 (Reprint)

References:

1. Jenny Chapman, *Interviewing and Counselling*, Routledge Cavendish, 2000 (2nd Edn)
2. Stephens P. Robbins, *Organizational Behaviour*, Pearson Education India, 2013 (15th Edn)
3. John Galsworthy, *Justice*, F.Q. Books, 2010
4. Varinder Kumar, Raj Bodh, et.al., *Business Communication*, Oscar Publication, 2010

Subject: History-I

Objective: The primary objective of this paper is to answer the question how and why the present has evolved from the past in the manner it has. There is another reason which makes history so important. The way we perceive our past constructs our identity in the present and also builds our vision of the future. For this reason it is important to understand both historiography and historical methodology. History must encourage critical thinking to identify myths and stereotypes, and embedded meanings and discourses. History helps us to understand the socio, economic and political context in which legal system emerge and evolve. A study of the nature of the state and administrative apparatus is required for proper understanding of the legal systems in ancient and medieval India. The paper will offer a close Study of select themes, focusing specifically on the intersections in history and law.

UNIT-I: History and Law

- a. Relevance of History to Law: Interdisciplinary Approach
- b. Rethinking History and Historian's Craft
- c. Indian Historiography: Orientalist, Utilitarians, Nationalists, Marxist, Religious Nationalist, Subalterns and Regional Histories

UNIT-II: Ancient India

- a. State, Polity and Governance: Nature of State, Notions of Kingship (Brahminic, Buddhist, Kautalyan), and administrative apparatus in Vedic Age, Age of Mauryas and Guptas
- b. Kinship, Caste and Class: Social Differentiation, Family, Patriline, Rules of Marriage, Gotra, Jatis and Varnas, Access to Property and Gender
- c. Religious Traditions and Polity: Brahminism, Buddhism, Jainism

UNIT-III: Medieval India

- a. Kings and their Courts:
 - i. Cholas: Local Self-Government
 - ii. Delhi Sultanate: Theory of Kingship (Balban), Administrative Apparatus
 - iii. Vijayanagara State
 - iv. Mughals: Theory of Sovereignty (Akbar), Administrative Structure
- b. Bhakti-Sufi Tradition in relation with the State and Reconfiguration of Identity
- c. Peasant, Zamindars and the State: Market Reforms of Alauddin Khilji, Agrarian Reforms of Akbar

UNIT-IV: The Concept of Justice and Judicial Institutions in Ancient and Medieval India

- a. Sources of Law in Ancient India: Concept and Sources of Dharma, Veda, Dharmasutra, Dharma Shastra, Tradition and Good Custom, Types of Courts and Procedures
- b. Legal Thinkers of Ancient India: Manu and Yajnavalkya
- c. Legal Traditions in Medieval India: Sources of Islamic Law (Quran, *Hadis*, *Ijma*, *Qiyas*), Salient Features of Islamic Criminal Law, Hanafi School of Thought

Text Books:

1. H.V. Sreenivasa Murthy – *History of India*, Eastern Book Company, 2011
2. E.H. Carr, *What is History*, Penguin, 2008 Edn
3. Sabyasachi Bhattacharya (ed.), *Approaches to History: Essays in Indian Historiography*, Primus Books, 2013

References:

1. Romila Thapar, *Time as a Metaphor of History*, OUP, 1996
2. Romila Thapar, *Early India: From the Origins to AD 1300*, University of California Press, 2004
3. Satish Chandra, *Medieval India*, Vol. I, Har-Anand, 2000, (2nd Edn)
4. Satish Chandra, *Medieval India*, Vol. II, Har-Anand, 2004, (3rd Edn)
5. Satish Chandra, *History of Medieval India*, Orient Blackswan, 2009
6. Bipan Chandra, *India's Struggle for Independence, 1857-1947*, Penguin, 1989
7. N. Mani Tripathi, *Jurisprudence the Legal Theory*, 2013

Objective: This paper is designed to familiarize the student with the historical background of the subject and certain relevant basic concepts.

Unit-I: Introduction

- a. Sociology: Growth, Scope, Definition
- b. Relationship with Law
- c. Law as a tool of Social Engineering: Durkheim, Weber, Pound and Bentham

Unit-II: Basic Concepts

- a. Social Groups: Cooley, Sumner, Community and Association
- b. Tribes
- c. Culture: Culture Relativism, Racism, Ethnicity and Ethnocentrism
- d. Socialization
- e. Status and Role

Unit III: Social Change

- a. Social Reform Movements in India – Raja Ram Mohan Roy, Jotiba Phule, Naicker, etc.,
- b. Modernization and Post Modernization
- c. Liberalization and Globalization
- d. Fordism and Mc Donaldization

Unit IV: Social Control

- a. Custom as an Agency of Control
- b. Law as an Agency of Control
- c. Media as an Agency of Control
- d. Public Opinion as an Agency of Control

Text Books:

1. C.W. Mills, *The Sociological Imagination*, New York: Oxford University Press, (pp.3-24). 2000
2. Marc Galanter, *Law and Society in Modern India*, New Delhi: Oxford India, 1997
3. Andre Beteille, *Sociology: Essays on Approach and Method*, New Delhi: Oxford University Press, (pp. 13-27), 2009

References:

1. Anthony Giddens, Duneier, Mitchell, Applebaum, Richard, *Introduction to Sociology*, Sixth Edition, New York: W.W. Norton and Company, (Chapter 1), 2007
2. Haralambos & Holborn, *Sociology: Themes and Perspectives*, 6th ed, Collins Educational, 2004
3. MacIver and Page, *Society: An Introductory Analysis*, (pp. 3-22), McMillon India Ltd.,1937
4. Amita Baviskar, ed., *Contested Grounds: Essays on Nature, Culture and Power*, New Delhi, OUP, PP. 1-12, 2008.
5. Immanuel M. Wallerstein, "The Construction of Peoplehood: Racism, Nationalism, Ethnicity", in I.M. Wallerstein and E. Balibar (eds.), *Race, Nation, Class: Ambiguous Identities*, Verso: London, (pp 71-85), 1991
6. Ashutosh Varshney, *Ethnic Conflict and Civic Life*, Delhi: Oxford University Press, 2004
7. George Ritzer, *The McDonaldization of Society*, New Delhi: Sage Publications, (pp.1-22; 24-41 and 213- 244), 2004
8. T.B. Bottomore, *Sociology: A Guide to Problems and Literature*, London: George Allen & Unwin, 1962

Objective: This paper focuses on understanding the basic concepts, theories and functioning of State. The course prepares the student to receive instruction in Constitutional Law and Administrative Law in the context of political forces operative in society. It examines political organization, its principles (State, Law and Sovereignty) and constitutions. As a final point, the course attempts to evaluate the contributions of Western and Indian political thinkers in the context of politico-legal experiences.

Unit -I: Political Theory

- a. Introduction
 - i. Political Science: Definition, Aims and Scope
 - ii. State, Government and Law
- b. Theories of State
 - i. Divine and Force Theory
 - ii. Organic Theory
 - iii. Idealist and Individualist Theory
 - iv. Theory of Social Contract
 - v. Hindu Theory: Contribution of Saptang Theory
 - vi. Islamic Concept of State

Unit -II: Political Ideologies

- a. Liberalism: Concept, Elements and Criticisms; Types: Classical and Modern
- b. Totalitarianism: Concept, Elements and Criticisms; Types: Fascism and Nazism
- c. Socialism: Concept, Elements and Criticisms; Schools of Socialism: Fabianism, Syndicalism and Guild Socialism
- d. Marxism and Concept of State
- e. Feminism: Political Dimensions

UNIT-III: Machinery of Government

- a. Constitution: Purpose, Features and classification
- b. Legislature: Concept, Functions and Types
- c. Executive: Concept, Functions and Types
- d. Judiciary: Concepts, Functions, Judicial Review and Independence of Judiciary
- e. Separation of Powers
- f. Political Processes

Unit- IV: Sovereignty and Citizenship

- a. Sovereignty: Definition and Types (Political, Popular and Legal)
- b. Rights: Concept and Types(Focus on Fundamental and Human Rights)
- c. Duties: Concept and Types
- d. Political Thinkers: Plato's Justice; Aristotle on Government and Citizenship; John Rawls on Distributive Justice; Gandhi's Concept of State and *Swaraj*; Nehruvian Socialism; Jai Prakash Narain's Total Revolution

Text Books:

1. O.P.Gauba, *An Introduction to Political Theory*, Delhi :Macmillan, 2009
2. George H. Sabine, & Thomas L. Thorson, *A History of Political Theory*, Delhi: Oxford & IBH Co. Pvt. Ltd.,1973
3. Eddy Asirvatham, *Political Theory*, S. Chand & Company Ltd., Delhi, 2012

References:

1. A.C. Kapur, *Principles of Political Science*, S.Chand & Company Ltd., Delhi, 2012
2. Andre Heywood, *Politics*, Palgrave Macmillan, New York, 2011
3. B.L. Fadia, *Indian Government and Politics*, Sahitya Bhawan Publications,Agra, 2010
4. Peu Ghosh, *Indian Government and Politics*, Prentice Hall of India, New Delhi, 2012
5. Subhash C. Kashyap, *Our Constitution*, National Book Trust, India, 2012
6. Subhash C. Kashyap, *Our Parliament*, National Book Trust, India, 2008
7. M.P. Singh, *Indian Federalism : An Introduction*, National Book Trust,India, 2013
8. Brian R. Nelson, *Western Political Thought*, Pearson Education, India, 2009
9. B.P. Dua, M.P.Singh and Rekha Saxena, *Indian Judiciary and Politics: The Changing Landscape*, Manohar Publishers and Distributors, Delhi, 2007
10. Subrata Mukherjee, & Sushila Ramaswamy, *A History of Political Thought: Plato to Marx*, Prentice Hall of India, 2009

Paper Code: MUBAL 151
Subject: Comprehensive Viva

Credit 4

Comprehensive Viva shall be conducted by the Internal/External Experts appointed by the Dean/HOD of Faculty of Legal Studies for a particular subject of respective semester assigned by subject teacher.

SECOND SEMESTER

Paper Code: MUBAL 106
Subject: Law of Contract-I

Credit 5

Objective: The objective of this paper is to make students familiar with various principles of contract formation enunciated in the Indian Contract Act, 1872.

Unit-I: Formation of Contract

- a. Meaning, Nature and Scope of Contract
- b. Offer / Proposal: Definition, Communication, Revocation, General/ Specific Offer
- c. Invitation to Treat
- d. Acceptance: Definition, Communication, Revocation, Tenders / Auctions
- e. Effect of Void, Voidable, Valid, Illegal, Unlawful Agreements
- f. Standard Form of Contract
- g. Online Contracts

Unit-II: Consideration and Capacity

- a. Consideration- Definition , Kinds, Essentials, Privity of Contract
- b. Capacity to Enter into a Contract
- c. Minor's Position
- d. Nature / Effect of Minor's Agreements

Unit-III: Validity, Discharge and Performance of Contract

- a. Free Consent
- b. Coercion, Undue Influence, Misrepresentation, Fraud, Mistake
- c. Unlawful Consideration and Object
- d. Discharge of Contracts
- e. Performance, Impossibility of Performance and Frustration
- f. Breach: Anticipatory and Present

Unit-IV: Remedies and Quasi Contracts

- a. Breach
- b. Remedies:
 - i Damages: Kinds
 - ii Quantum Merit
- c. Quasi Contracts

Text Books:

1. Anson, *Law of Contract* , Oxford University Press, 2010 (29th Edn)
2. Pollock & Mulla, *The Indian Contract and Specific Relief Act*, Lexis Nexis, 2013(14th Edn)

References:

1. Avtar Singh, *Law of Contract and Specific Relief*, Eastern Book Company, 2013 (11th Edn)
2. Pollock & Mulla, *The Indian Contract and Specific Relief Act*, Lexis Nexis, 2013(14th Edn)
3. Cheshire and Fifoot, *Law of Contract*, Lexis Nexis, 2010 (10th Edn)

Objective: To understand the concept of Taxation, heads of income, including foreign income assessment procedures, adjudication and settlement of tax disputes are the focus points of study in this paper.

Unit -I: Basic Concept

- a. Types of Taxes and Distinction between Direct and Indirect tax
- b. Previous Year and Assessment Year
- c. Definition of Certain Terms: Persons, Assessee, Income, Application of Income and Diversion of Income by overriding Titles
- d. Assesses and Assessment
- e. Capital Receipt and Revenue Receipt
- f. Rates of Income Tax: Proportional and Progressive Rate of Taxation
- g. Agricultural Income

Unit -II: Residential Status, Chargeability

- a. Meaning and Rules for Determining Residential status of an Assesses
- b. Charge of Income Tax and Scope of Total Income
- c. Income Exempted from Tax and Deduction under Income Tax Law
- d. Heads of Income and its Justification
- e. Tax Treatment to Salary, Perquisites etc

Unit -III: Heads of Income and Rules of Tax

- a. Tax Treatment to Income from House property
- b. Profits and Gains of Business & Profession
- c. Capital Gain Taxation

Unit – IV: Residual Income and Procedure for Assessment

- a. Income from other Sources
- b. Set off and Carry Forward of Losses
- c. Deductions, Refund and Tax Authorities
- d. Return of Income and Assessment
- e. Penalty and Prosecution for Tax Evasion
- f. Search and Seizure

Text Books:

1. Vinod Singhania & Kapil Singhania, *Direct Taxes Law and Practice*, Taxmann, 2014 Edition
2. Chaturvedi & Pithisaria, *Income Tax Act with Relevant Tax Allied Acts*, Lexis Nexis, 2013

References:

1. B.B. Lal, *Income Tax*, Pearson, 2010 (Ist Edition)
2. *Taxmann's Income Tax Act as Amended by Finance Act, 2014*

Subject: History-II

Objective: The focus of History II is to look at Modern times in India, the developments of modern legal procedures, laws and institutions and how they impacted the Indians and their old systems. The emergence of present judicial system can be traced to the historical developments in colonial India. The paper looks at the framing of Indian Constitution. The paper ends with post colonial developments in India, looking up some of the current events of significance.

UNIT-I: Early Developments (1600- 1836)

- a. Charters of the East India Company: 1600, 1661
- b. Settlements: Surat, Madras, Bombay
- c. Courts: Mayor's Court of 1726 and Supreme Court of 1774
- d. Statutes: Regulating Act, 1773; The Act of Settlement 1781
- e. Conflict: Raja Nand Kumar, Kamaluddin, Patna Case, and Cossijurah
- f. Adalat System: Warren Hastings's Judicial Plans of 1772, 1774 and 1780; Lord Cornwallis's Judicial Plans of 1787, 1790 and 1793; Lord William Bentinck's Judicial Reforms

UNIT-II: Evolution of Law and Legal Institutions

- a. Development of Personal Laws
- b. Development of Criminal Law
- c. Development of Civil law in Presidency towns *Mufassil*: Special Emphasis on Justice, Equity and Good Conscience
- d. Codification of Laws: Charter of 1833, The First Law Commission, The Second Law Commission
- e. Establishment of High Courts under The Indian High Courts Act, 1861
- f. Privy Council and Federal Court: An Appraisal

UNIT-III: Constitutional Developments and Framing of Indian Constitution

- a. The Indian Councils' Act, 1861
- b. The Government of India Act, 1909
- c. The Government of India Acts, 1919 and 1935
- d. Accession of Princely States and Reorganisation of the States

UNIT-IV: Modern and Contemporary India

- a. Colonialism and Imperialism: Stages of Colonialism, Impact on Economy (Industry, Agriculture and Trade), Permanent Settlement and Emergence of the idea of land as a commodity
- b. Nationalist and Civil Disobedience Movement: Only Gandhian Movements
- c. Partition: Politics and Communalism
- d. Changing notions of Justice and Gender from Ancient to Modern times: A Post-Colonial Discourse

Text Books:

1. M.P. Jain, *Outlines of Indian Legal History*, Wadhwa & Co, Nagpur, 2003 (6th Edn)
2. V.D. Kulshretha and V.M. Gandhi, *Landmarks of Indian Legal and Constitutional History*, Eastern Book Company, Kurukshetra, 2005
3. M.P. Singh, *Outlines of Indian Legal History*, Universal Law Publishing Co., 2010
4. H.L.O. Garren & Abdul Hamid, *A Constitutional History of India, 1600-1935*. London, 1936

References:

1. Radha Kumar, *The History of Doing: An Illustrated Account of Movements for Women's Rights and Feminism in India, 1800-1990*, Zubaan, 1993
2. Granville Austin, *The Making of Indian Constitution*, OUP, 1999
3. Ania Loomba, *Colonialism/Postcolonialism*, Routledge, 1992
4. David Ludden, *India and South Asia: A Short History (Including Bangladesh, Bhutan, Nepal, Pakistan and Sri Lanka)*, Oxford: One World Publications, UK, 2004
5. Ramachandra Guha, *India after Gandhi: The History of the World's Largest Democracy*, Macmillan, 2007
6. Bipan Chandra, Mridula & Aditya Muherjee, *India Since Independence*, Penguin, 2008

Objective: This paper formally introduces the student to the key issues around which the everyday life in India is constructed.

Unit-I: Kinship, Family and Marriage

- a. Descent: Patrilineal and Matrilineal, Comparative study of Northern and Southern Kinship
- b. Concepts: Principles of Kinship, Consanguinity, Filiations, Incest Taboo and Affinity
- c. Forms of Marriage; Monogamy/Polygamy; Endogamy/Exogamy; Sororate/Levirate
- d. Forms of Family: Joint and Nuclear family

Unit-II: Religion

- a. Sacred and Profane
- b. Rites and Rituals
- c. Communalism and Fundamentalism
- d. Secularism

Unit-III: Social Stratification

- a. Caste: Features, Mobility, Dominant Caste
- b. Class and status: Marx and Weber
- c. Gender: Equality, Neutrality and Third gender

Unit IV: Marginalised Groups and Deviants

- a. Theories: Positivist Approach, Labelling Theory, Functionalist Theory, Subculture Theory
- b. Social Problems and Social Legislation: Women and Children
- c. Sexual Violence against Women & Children: Myths and Realities
- d. Marginalised Groups: Differently abled.

Text Book:

1. A. Giddens, *Sociology*, New Delhi: Wiley India Pvt Ltd, (Chapter 21), 2013
2. R. Crompton and M. Mann (eds.), *Gender and Stratification*, Cambridge: Polity Press, (Chapter 3, pp 23-39),1986
3. Haralambos, *Themes and Perspectives*, Oxford, (406-451)

References:

1. A.R.Radcliffe-Brown, and Daryll Forde, “ Introduction” in Radcliffe-Brown and Daryll Forde (eds.), *African Systems of Kinship and Marriage*, London: Oxford University Press, (pp 1-39), 1950
2. A. M. Shah, “Changes in the Indian Family: An Examination of Some Assumptions”, in A.M. Shah, *The Family in India: Critical Essays*, pp. 52-63(Orient Longman,1998).
3. E. Durkhiem, *Elementary Forms of Religious Life. A New Translation* by Carol Cosman, OUP: Oxford, (pp 25-46; 87-100 and 153-182), 2001
4. A. Van Gennep, *The Rites of Passage*, Routeledge and Kegan Paul: London, (Introduction, pp 1-14; 65-70; 74-77; 85-90; 101-107; 116-128; 130-135 and 141-165), 1960
5. T.N.Madan, *Modern Myths, Locked Minds: Secularism and Fundamentalism in India*, Delhi: Oxford University Press, (pp.1-38), 1997

Objective: This paper focuses on understanding the forms that governments acquire along with the nature and conflicts encountered by different forms of governments. Students would get trained to look into centre-state conflicts and legislature-executive –judiciary conflicts. The design is to look into how emerging issues in international relations become important in the legal context and prepare the students to understand International Law.

Unit-I: Types of Government

- a. Democracy
- b. Federal form of Government: Concept, Features, Merits and Demerits
- c. Confederal and Quasi Federal Form(Indian Federalism)
- d. Parliamentary Form of Government
- e. Presidential Form of Government

Unit-II: Key Concepts in International Relations

- a. Power, Elements of National Power: Population, Geography, Resources, Economy, Technology and Military
- b. Limitations on National Power: International morality, Public Opinion and International Law
- c. Balance of Power

Unit-III: United Nations and International Relations

- a. Diplomacy: Old World and New World, Legal conflicts.
- b. UN Principal Organs: General Assembly, Security Council and International Court of Justice
- c. Peaceful Settlement of Disputes: Negotiations, Mediation, Conciliation, Arbitration and Judicial Settlement
- d. Collective Security Mechanism

Unit-IV: Critical Global Concerns

- a. Cold War: Causes, Phases and Case Studies (Korean Crisis, Vietnam Crisis, Cuban Crisis and Gulf War)
- b. Post Cold War: Iraq War, US Hegemony, Rise of Japan and China
- c. Alliances: NATO and Non-Aligned Movement.
- d. Supra-National Organizations: EU, OAS, AU and ASEAN
- e. International Terrorism: Reasons for Emergence (Issues of Resources, Territorial Claims, Culture and Religion), Forms and Combating Terrorism

Text Books:

1. Peu Ghosh, *International Relations*, Prentice Hall of India, 2009
2. Rumki Basu, *The United Nation: Structure and Function of an International Organisation*, South Asia Books, 2008

References:

1. Moore and Pubantz, *The New United Nations*, Pearson Education, 2008
2. Chandra Prakash, and Prem Arora, *International Relations*, Cosmos Bookhive, 1986
3. E. H.Carr, *International Relations between Two World Wars 1919-1939*, Macmillan, 2004
4. Shakti Mukherjee, and Indrani Mukherjee, *International Relations*, World Press Pvt. Ltd., 1986
5. Hans J. Morgenthau, *Politics Among Nations: The Struggle for Power and Peace*, Revised, New York: Alfred A. Knopf, 2005

Paper Code: MUBAL 152**Credit 4****Subject: Comprehensive Viva**

Comprehensive Viva shall be conducted by the Internal/External Experts appointed by the Dean/HOD of Faculty of Legal Studies for a particular subject of respective semester assigned by subject teacher.

THIRD SEMESTER

Paper Code: MUBAL 201

Credit 5

Subject: Family Law-I

Objective: The objective of the paper is to apprise the students with the laws relating to marriage, dissolution, matrimonial remedies, adoption, contemporary trends in family institutions in India, in particular the Hindus.

- (1) Sources of Hindu Law
- (2) Schools and Sub-Schools of Hindu Law
- (3) Marriage: Essentials of a Valid Marriage, Void and Voidable Marriage
- (4) Matrimonial Relief: Concept and Grounds of Various Matrimonial Reliefs *viz.*
 - Restitution of Conjugal Rights
 - Judicial Separation
 - Nullity of Marriage
 - Divorce
- (5) Legitimacy - Legal Status of Children Born of Void and Voidable Marriage.
- (6) Adoption
- (7) Hindu Minority and Guardianship Act, 1956
- (8) Law of Maintenance - Hindu Adoption and Maintenance Act, 1956.

Text Books:

1. Paras Diwan, *Modern Hindu Law*, Allahabad Law Agency, 1993
2. Mulla, *Principles of Hindu Law*, Lexis Nexis, 2007

References:

1. Mulla, *Principles of Hindu Law*
2. Diwan Paras (Dr.), *Modern Hindu Law*
3. Mayne's, *Hindu Law and Usage*
4. Kesari U.P.D. (Dr.), *Modern Hindu Law*
5. Sharma B. K.- *Modern Hindu Law*

Objective: The Objective of this paper is to provide understanding of basic concepts of Indian Constitution and various organs created by the Constitution and their functions. The course shall comprise of the following:

- (1). Nature of the Indian Constitution. Special emphasis shall be placed on
 - (a) Federal Structure and
 - (b) Form of the Government.
- (2). Preamble of the Constitution
- (3). Fundamental Rights –
 - (a) **General:** Scheme of Fundamental Rights, Who can claim Fundamental Rights ; Against whom Fundamental Rights are available ? Suspension of Fundamental Rights.
 - (b) **Specific Fundamental Rights-**
 - Right to Equality (Articles 14 to 18)
 - Right to Freedom of Speech and Expression (Article 19(1)(a))
 - Protection in respect of Conviction for offences (Article 20)
 - Right to Life and Personal Liberty (Article 21)
 - Right to Education (Article 21A)
 - Right against Exploitation (Articles 23 to 24)
 - Right to Freedom of Religion (Articles 25 to 28)
 - Cultural and Educational Rights of Minorities (Articles 29 to 30)
 - Right to Constitutional Remedies (Article 32)
- (4) Directive Principles of State Policy, their importance and relationship with Fundamental Rights.
- (5) Fundamental Duties

Text Books:

1. V.N. Shukla, *Constitution of India*, Eastern Book Agency, 2014
2. M.P. Jain, *Indian Constitutional Law*, Lexis Nexis, 2013

References:

1. D.D. Basu, *Introduction to the Indian Constitution of India*, Prentice Hall of India Private Ltd., New Delhi, 1994
2. H. M. Seervai, *Constitutional Law of India*, Universal Law Publishing Co., Reprint, 2013
3. Glanville Austin, *Indian Constitution-Cornerstone of the Nations*, Oxford University Press, 1999
4. P.M. Bakshi, *The Constitution of India*, Universal Law Publishing Co., 2014

Objective: This paper will deal with the basic principles of criminal law determining criminal liability and punishment.

Unit-I: Introduction to Substantive Criminal Law

- a. Extent and operation of the Indian Penal Code .
- b. Definition of Crime
- c. Constituents Elements of Crime: *Actus Reus* and *Mens rea*

Unit-II: General Exceptions (Sections 76-106)

- a. Definitions
- b. Mistake
- c. Judicial and Executive acts
- d. Accident
- e. Necessity
- f. Infancy
- g. Insanity
- h. Intoxication
- i. Consent
- j. Good Faith
- k. Private Defense against Body and Property

Unit-III: Incoherent Forms of Crime

- a. Joint and Constructive Liability
- b. Criminal Conspiracy
- c. Attempt
- d. Abetment

Unit-IV: Punishment

- a. Offence against the State
- b. Offence against Public Tranquility
- c. Theories of Punishment with special reference to Capital Punishment

Text Books:

1. Glanville Williams, *Text Book of Criminal Law*, Universal Law Publishing Co., New Delhi, 2012
2. Ratanlal Dhiraj Lal, *The Indian Penal Code*, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
3. K.D. Gaur, *Textbook on Indian Penal Code*, Universal Law Publishing Co., New Delhi, 2012

References:

1. J.W. Cecil Turner, *Russel on Crime* ,Vol I &2, Universal Law Publishing Co., New Delhi, 2012
2. K.I. Vibhuti, *PSA Pillai's Criminal Law*, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
3. Glanville Williams, *Text Book of Criminal Law*, Universal Law Publishing Co., New Delhi, 2012
4. Ratanlal Dhiraj Lal, *The Indian Penal Code*, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
5. K.D. Gaur, *Textbook on Indian Penal Code*, Universal Law Publishing Co., New Delhi, 2012
6. Dr. H.S. Gaur, *Penal Law of India*, Law Publishers , Allahabad, 2013
7. John Dawson Mayne, *Mayne's Criminal law of India*, Gale, Making of Modern Law, 2013
8. *Bare Act of Indian Penal Code, 1860*

Paper Code: MUBAL 204
Subject: Law of Contract-II

Credit 5

Objective: This paper will impart comprehensive information on indemnity, guarantee, agency, partnerships, Sale of Goods Act and Negotiable Instrument.

Unit-I: Indemnity, Guarantee and Agency (Conceptual Study)

- a. Distinction between Indemnity and Guarantee
- b. Right and Duties of Indemnifier and Discharge
- c. Rights and Duties of Bailor / Bailee, Lien, etc
- d. Definitions of Agent and Principal, Creation of Agency and its Termination

Unit-II: The Indian Partnership Act, 1932

- a. Nature of Partnership Firm
- b. Rights /Duties of Partners
- c. Incoming and Outgoing Partners, Position of Minor
- d. Dissolution and Consequences

Unit-III: The Sale of Goods Act, 1940

- a. Definitions, Distinction between Sale and Agreement to Sale
- b. Conditions and Warranties
- c. Passing of Property
- d. Rights of Unpaid Seller and Remedies for Breach of Contract

Unit-IV: The Negotiable Instrument Act, 1881

- a. Definition and Kinds of Negotiable Instruments
- b. Holder and Holder-in-Due Course
- c. Material Alterations and Crossing of Cheque, etc.
- d. Dishonour of Negotiable Instruments

Text Books:

1. Pollock & Mulla, *Indian Contract and Specific Relief Act*, Lexis Nexis, 2013(14th Edn)
2. Avtar Singh, *Law of Partnership*, Eastern Book Company, 2012 (4th Edn)
3. Avtar Singh, *Law of Contract and Specific Relief*, Eastern Book Company, 2013 (11th Edn)
4. S. P. Sengupta, *Commentaries on Negotiable Instruments' Act*, Central Law Agency, 2008 (3rd Edn)

References:

1. Avtar Singh, *Sale of Goods*, Eastern Book Company, 2011 (7th Edn)
2. Michael G. Bridge (ed.), Benjamin's *Sale of Goods*, Sweet & Maxwell, 2013 (8th Edn)
3. P.S. Atiyah, *Sale of Goods*, Pearson Education, 2010 (12th Edn)
4. B.M. Prasad and Manish Mohan, *Khergamvala on the Negotiable Instrument Act*, 2013, Lexis Nexis, 2013 (21st Edn)
5. P. Mulla, *The Sale of Goods and Indian Partnership Act*, Lexis Nexis, 2012 (10th Edn)

Objective: The objective of this paper is to provide broad understanding of basic concepts of Economics and understanding of relationships between Economics and Law.

UNIT-I: Introduction to Economics

- a. Definition, Methodology, Scope of Economics
- b. Basic Concepts and Precepts: Economic Problems, Economic Agents, Economic Organizations, Marginalism, Time Value of Money, Opportunity Cost
- c. Forms of Economic Analysis: Micro vs. Macro, Partial vs. General, Static vs. Dynamic, Positive vs. Normative, Short run vs. Long run
- d. Relation between Economics and Law: Economic Offences and Economic Legislations

UNIT-II: Demand, Supply, Production Analysis and Cost

- a. Theory of Demand and Supply, Price Determination of a Commodity, Shift of Demand and Supply, Concept of Elasticity
- b. Concepts of Production: Total Product, Average Product, Marginal Product, Returns to Factor, Returns to Scale
- c. Costs and Revenue Concepts

UNIT-III: Market Structure, Theory of Determination of Factor Prices

- a. Classification of Markets: Pure and Perfect Competitions, Monopolistic and Imperfect Competition, Monopoly, Duopoly and Oligopoly, Cartels
- b. Dumping: Meaning, Types, Importance and Impact of Dumping
- c. Wage determination, Rent, Interest and Profits

UNIT-IV: Theory of Money, Banking and Financial Institutions

- a. Concept of Money: Functions of Money, Impact of Money; Inflation and Deflation
- b. Supply of and Demand for Money
- c. Central Banking: Functions, Credit Control through Monetary Policy
- d. Commercial Banking: Functions, Organization and Operations (Credit Creation)
- e. Non-Banking Financial Institutions: Meaning and Role
- f. Money Markets and Capital Markets: Meaning and Instruments

Text Books:

1. K.K. Dewett, *Modern Economic Theory*, Sultan Chand & Sons, New Delhi, 2006
2. M.L. Jhingan, *Micro Economic Theory*, Konark Publishers Pvt Limited, 7th Edition, 2012
3. D.N. Dwivedi, *Principles of Economics*, Vikas Publishing House, New Delhi, 2005

References:

1. H.L. Ahuja, *Principles of Micro-Economics*, S.Chand, New Delhi, 2004
2. Richard G. Lipsey, *Introduction to Positive Economics*, ELBS, 7th Edition, Weindenfeld and Nicolson, 1989
3. P.A. Samuelson, *Economics*, Mc-Graw-Hill, Irwin, 2005
4. P.L. Mehta, *Managerial Economics*, Sultan Chand, New Delhi, 2013
5. D.N. Dwivedi, *Macro-Economics*, Tata Mc Graw Hill, 2005
6. E. Shapiro, *Macro-Economic Analysis*, Tata Mc Graw Hill, 2003
7. M.L. Seth, *Money, Banking, International Trade and Public Finance*, Lakshmi Narayan Aggarwal Publisher, 2000
8. M.C. Vaish, *Macro-Economic Theory*, Vikas Publishing House, New Delhi, Latest Edition, 2002
9. S.K. Mishra, and V.K. Puri, *Modern Macro-Economic Theory*, Himalaya, Delhi, Latest Edition, 2000

Paper Code: MUBAL 251
Subject: Comprehensive Viva

Credit 4

Comprehensive Viva shall be conducted by the Internal/External Experts appointed by the Dean/HOD of Faculty of Legal Studies for a particular subject of respective semester assigned by subject teacher.

FOURTH SEMESTER

Paper Code: MUBAL 206
Subject: Family Law-II

Credit 5

Objective: The objective of the paper is to apprise the students with the laws relating to family matters governing inheritance, succession, partition, with practical approach.

- (1) **Introduction:** Who is Muslim, Conversion, Apostasy.
- (2) **Sources of Muslim Law**
- (3) **Schools of Muslim Law**
- (4) **Marriage:** Definition, Nature, Capacity, Classification and Legal Effect of Marriage.
- (5) **Dower, Will, Gifts, Wakf and Pre-emption.**
- (6) **Dissolution of Marriage under Muslim Law:** (Divorce) Talaq, Ila, Khula, Mubarrat, Talaq-e-Tafweed, Lian, Faskh etc., Dissolution of Muslim Marriage Act, 1939.
- (7) Maintenance of Wives with special reference to Section 125 Cr.P.C.
- (8) Shah Bano Case and the ensuing Legislation.
- (9) **Parentage and Legitimacy:** Acknowledgement of Legitimacy. Brief Study of Section 112 of the Evidence Act.
- (10) **Indian Succession Act,** Part VII (Protection of Deceased, Section : 192 to 210), Part VIII (Prepresentative Title to Property of Deceased on Succession, Section : 211 to 216).

BOOKS RECOMMENDED

Ali Ameer, *Principles of Mohammadan Law*. Fyzee, *Outlines of Mohammedan Law*. Mahmood Tahir, *Civil Marriage Law*. Mahmood Tahir, *Muslim Law of India*.

Mulla, *Principles of Mohammadan Law*. Rashid Khalid, *Muslim Law*. Wilson, *Muslim Law*.

Cental Acts : *Dissolution of Muslim Marriage Act, 1939.*

: *Family Courts Act, 1984.*

: *Muslim Personal Law(Shariat) Application Act,1937.*

: *Muslim Women (Protection of Rights on Divorce) Act, 1986.*

: *The Special Marriage Act, 1954.*

Objective: The Objective of this paper is to provide understanding of basic concepts of Indian Constitution and various organs created by the Constitution and their functions. The course shall comprise of the following:

The course shall comprise of the following

1. Union Parliament : Organization, Procedure regarding Enactment of Legislation, Parliamentary Privileges.
2. Union Executive : The President, his Powers and Position including Ordinance Making Power.
3. Prime Minister and the Cabinet. Is the Prime Minister Real Head?
4. Distribution of Legislative Powers between Union and the States. Territorial and Topical Distribution of Powers. Power of Parliament to Legislate on State Matters. Doctrine of Territorial Nexus. Doctrine of Pith and Substance, Doctrine of Colourable Legislation.
5. Emergency Provisions with Special References to Proclamation of Emergency and President's Rule.
6. Union Judiciary: Supreme Court of India. Composition and Jurisdiction
7. Tortious Liability of State.
8. Protection of Civil Servants.
9. Amendment of the Constitution. Power and Procedure; Basic Structure of the Constitution.

Text Books:

1. V.N. Shukla, *Constitution of India*, Eastern Book Agency, 2014
2. M.P. Jain, *Indian Constitutional Law*, Lexis Nexis, 2013

References:

1. D.D. Basu, *Introduction to the Constitution of India*, Lexis Nexis, 21st Edn., 2013.
2. H. M. Seervai, *Constitutional Law of India*, Universal Law Publishing Co., Reprint, 2013
3. Glanville Austin, *Indian Constitution-Cornerstone of the Nations*, Oxford University Press, 1999
4. P.M. Bakshi, *The Constitution of India*, Universal Law Publishing Co., 2014

Objective: This paper will focus on the study of substantive crimes under the Indian Penal Code.

Unit-I: Offences against the Human Body I

- a. Culpable Homicide and Murder
- b. Rash and Negligent Act
- c. Dowry Death
- d. Attempt to Murder
- e. Attempt and Abetment to Suicide

Unit-II: Against Human Body II

- a. Hurt and Grievous Hurt
- b. Criminal Force and Assault
- c. Wrongful Restraint and Wrongful Confinement
- d. Kidnapping and Abductions

Unit-III: Offences against Women

- a. Outraging the Modesty of Women, *Voyeurism*, Stalking, Acid Attack
- b. Rape and Unnatural Offences
- c. Cruelty and Offences relating to Marriage

Unit-IV: Offences against Property

- a. Theft, Extortion, Robbery and *Dacoity*
- b. Criminal Misappropriation and Criminal Breach of Trust
- c. Cheating and Forgery
- d. Mischief

Text Books:

1. K.D. Gaur, *Textbook on Indian Penal Code*, Universal Law Publishing Co., New Delhi, 2012
2. Dr. H.S. Gaur, *Penal Law of India*, Law Publishers, Allahabad, 2013

References:

1. J.W. Cecil Turner, *Russel on Crime*, Vol I &2, Universal Law Publishing Co., New Delhi, 2012
2. K.I. Vibhuti, *PSA Pillai's Criminal Law*, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
3. Glanville Williams, *Text Book of Criminal Law*, Universal Law Publishing Co., New Delhi, 2012
4. Ratanlal Dhiraj Lal, *The Indian Penal Code*, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
5. John Dawson Mayne, "*Mayne's Criminal law of India*", Gale, Making of Modern Law, 2013
6. *Bare Act of Indian Penal Code, 1860*

Objective: The paper will make students aware of various aspects of Administrative Law including quasi-legislative, quasi-judicial and other ministerial functions of administration and control thereof with a practical approach.

Unit-I: Evolution and Scope of Administrative Law

- a. Nature, Scope and Development of Administrative Law
- b. Rule of Law and Administrative Law
- c. Separation of Powers and its Relevance
- d. Relationship between Constitutional Law and Administrative Law
- e. Classification of Administrative Law

Unit-II: Legislative Functions of Administration

- a. Meaning and Concept of Delegated Legislation
- b. Constitutionality of Delegated Legislation
- c. Control Mechanism
 - i. Parliamentary Control of Delegated Legislation
 - ii. Judicial Control of Delegated Legislation
 - iii. Procedural control of Delegated Legislation
- d. Sub-Delegation

Unit-III: Judicial Functions of Administration

- a. Need for Devolution of Adjudicatory Authority on Administration
- b. Problems of Administrative Decision Making
- c. Nature of Administrative Tribunals: Constitution, Powers, Procedures, Rules of Evidence
- d. Principles of Natural Justice
 - i. Rule against Bias
 - ii. *Audi Alteram Partem*
 - iii. Speaking Order (Reasoned Decisions)

Unit-IV: Administrative Discretion and Judicial Control of Administrative Action

- a. Need and its Relationship with Rule of Law
- b. Judicial Review of Administrative Action and Grounds of Judicial Review
 - i. Abuse of Discretion
 - ii. Failure to Exercise Discretion
 - iii. Illegality, Irrationality, Procedure Impropriety
- c. Doctrine of Legitimate Expectations
- d. Evolution of Concept of *Ombudsmen*
- e. *Lokpal* and *Lokayukta* Act and other Anti corruption Bodies and their Administrative Procedures

Text Books:

1. H.W.R. Wade & C.F. Forsyth, *Administrative Law*, Oxford University Press, 2009 (12th Edn)
2. M.P. Jain & S.N. Jain, *Principles of Administrative Law*, Lexis Nexis, 2013 (7th Edn)

References:

1. I.P. Massey, *Administrative Law*, Eastern Book Company, 2012, (8th Edn)
2. C.K. Takwani, *Lectures on Administrative Law*, Eastern Book Company, 2012 (5th Edn)
3. S.P. Sathe, *Administrative Law*, Lexis Nexis Butterworths Wadhwa, 2010 (7th Edn)

Objective – The objective of this paper is to provide broad understanding of basic concepts of Economics and understanding of relationships between Economics and Law.

Unit-I: Overview of Macro Economics

- a. Basic Concepts: Stock and Flow, National Product and Domestic Product, Circular Flow of Income, Real and Nominal GNP, Marginal Efficiency of Capital and Marginal Efficiency of Investment, Balance of Trade and Balance of Payments, Exchange Rate
- b. Development of Macro Economics: Schools of Thought (Classical, Keynesian and Post-Keynesian)
- c. Goals of Macro Economic Policy
- d. Business Cycles: Meaning, Phases, Features, Impact on the Economy

Unit-II: Issues in Economic Development

- a. Concept of Economic Development and Growth, Factors of Economic Development and Obstacles of Economic Development
- b. Infrastructure and Development
- c. Poverty, Unemployment and Inequalities of income: Concept and Policy Measures
- d. Debate on State vs. Market
- e. Inclusive Growth

Unit-III: Public Finance

- a. Concept of Public Finance and Private
- b. Tax System: Meaning and Classification
- c. Burden of Deficit and Debts
- d. Fiscal Policy: Concept, Objective and Instruments
- e. Central Budget

Unit-IV: Liberalization, Globalization and Related Issues

- a. New Economic Policy: Structural Adjustment Programme (SAP)
- b. Free Trade and Protection
- c. International Institutions: IMF, WB and WTO
- d. SEZ, FDI

Text Books:

1. D.D. Chaturvedi, *Macro Economic Theory*, International Book House Pvt Ltd, New Delhi, 2012
2. M.L. Jhingan, *Development Economics*, Konark Publishers Pvt Ltd, New Delhi, 1986
3. H.L. Bhatia, *Public Finance*, Vikas Publishing House, Noida, 25th Edition, 2012

References:

1. S.K. Mishra, and V.K. Puri, *Modern Macro-Economic Theory*, Himalaya Publishing House, New Delhi, 2007
2. D.N. Dwivedi, *Macro-Economics*, Tata Mc Graw Hill, 2005
3. E. Shapiro, *Macro-Economic Analysis*, Tata Mc Graw Hill, 2003
4. M.L. Seth, *Money, Banking, International Trade and Public Finance*, Lakshmi Narayan Aggarwal, New Delhi, 2000
5. M.C. Vaish, *Macro-Economic Theory*, Vikas Publishing House, New Delhi, 1999

Paper Code: MUBAL 252
Subject: Comprehensive Viva

Credit 4

Comprehensive Viva shall be conducted by the Internal/External Experts appointed by the Dean/HOD of Faculty of Legal Studies for a particular subject of respective semester assigned by subject teacher.

FIFTH SEMESTER

Paper Code: MUBAL301

Credit 5

Subject: Environmental Studies and Environmental Law

Objective: The objective of this paper is to acquaint the students with the environmental issues and the measures taken for its protection along with the norms prevailing at international and national level.

UNIT-I: Environmental Protection: International and National Perspective

a. Introduction

- i. Environment: Meaning
- ii. Environment Pollution: Meaning and Issues

b. Constitutional Guidelines

- i. Right to Wholesome Environment: Evolution and Application
- ii. Relevant Provisions: Art. 14, 19 (1) (g), 21, 48-A, 51-A(g)
- iii. Environment Protection through Public Interest Litigation

c. Environmental Laws: India and International

- i. Law of Torts
- ii. Law of Crimes
- iii. Public Nuisance
- iv. Emergence of Environmental Legislations

UNIT-II: Prevention and Control of Water, Air, Noise and Land Pollution

a. The Water (Prevention and Control of Pollution) Act, 1974

- i. Water Pollution: Definition
- ii. Central and State Pollution Control Boards: Constitution, Powers and Functions
- iii. Water Pollution Control Areas
- iv. Sample of effluents: Procedure; Restraint Order
- v. Consent requirement: Procedure, Grant/Refusal, Withdrawal
- vi. Citizen Suit Provision

b. Air (Prevention and Control of Pollution) Act, 1981

- i. Air Pollution: Definition
- ii. Central and State Pollution Control Boards: Constitution, Powers and Functions
- iii. Air Pollution Control Areas
- iv. Consent Requirement: Procedure, Grant/Refusal, Withdrawal
- v. Sample of Effluents: Procedure; Restraint Order
- vi. Citizen Suit Provision

c. Noise Pollution Control Order, 2000

d. Land Pollution

UNIT-III: General Environment Legislations and Protection of Forests and Wild Life

a. Environmental (Protection) Act, 1986

- a. Meaning of 'Environment', 'Environment Pollutant', 'Environment Pollution'
- b. Powers and Functions of Central Govt.
- c. Important Notifications U/s 6: Hazardous Substance Regulation, Bio-Medical Waste Regulation and Coastal Zone Management, EIA
- d. Public Participation & Citizen Suit Provision

b. Laws Related to Forest

- i. Forest Act, 1927
- ii. Kinds of forest – Private, Reserved, Protected and Village Forests
- iii. The Forest (Conservation) Act, 1980
- iv. Forest Conservation vis-a vis Tribals' Rights

c. The Wild Life (Protection) Act, 1972

- i. Authorities to be Appointed and Constituted under the Act
- ii. Hunting of Wild Animals
- iii. Protection of Specified Plants
- iv. Protected Area
- v. Trade or Commerce in Wild Animals, Animal Articles and Trophies; Its Prohibition

UNIT-IV: International Environment Laws and Current Trends

a. Introduction to International Environmental Laws

- i. Environmental Law: Human Rights Perspective
- ii. Stockholm Declaration: Brief overview
- iii. Rio-Declaration: Brief Overview
- iv. Important Doctrines: Sustainable Development – Meaning and Scope - Precautionary Principle: Polluter pays Principle-Public Trust Doctrine
- v. UNEP

b. National Green Tribunal

- i. Constitution
- ii. Functions and Powers

Text Books:

1. Shyam Diwan & Armin Rosencranz, *Environmental Law and Policy in India*, Oxford University Press, 2nd Edition, 2001.
2. P. Leelakrishnan, *Environmental Law in India*, Lexis Nexis, 3rd Edition, 2008

References:

1. P. Leelakrishnan, *Environmental Law Case Book*, Lexis Nexis, 2nd Edition, 2006
2. S. C. Shastri, *Environmental Law*, Eastern Book Company, 4th Edition, 2012
3. Gurdip Singh, *Environmental Law in India*, MacMillan Publisher, 2005
4. Sneha Lata Verma, *Environmental Problems: Awareness and Attitude*, Academic Excellence Publishers & Distributors, Delhi, 2007
5. Benny Joseph, *Environment Studies*, Tata McGraw Hill, New Delhi, 2009

Objective: This paper is to orient students with importance of evidence for establishment of claims and the related rules and principles on contemporary basis.

Unit-I: Introduction and Relevancy

- a. Evidence and its Relationship with the Substantive and Procedural Laws
- b. Definitions: Facts, Facts in Issue, Relevant Fact, Evidence Proved, Disproved, not Proved, Oral and Documentary Evidence, *Factum Probandum* and *Factum Probans*, Proof and Evidence
- c. Theory of Relevancy:
 - i. Logical Relevancy, Legal Relevancy, Admissibility and Reliability
 - ii. Facts not otherwise Relevant (Plea of Alibi)
- d. Doctrine of *Res Gestae*
- e. Test Identification Parade
- f. Conspiracy

Unit-II: Statement – Admissions / Confessions and Dying Declarations

- a. Admissions
- b. Confessions
- c. Dying Declarations

Unit-III: Method of proof of facts

- a. Presumptions
- b. Expert Opinion
- c. Oral and Documentary evidence
- d. Burden of Proof
- e. Estoppel
- f. Privileged Communications

Unit-IV: Emerging Areas in the Law of Evidence

- a. Evidence by Accomplice
- b. Definition of Witness, Witness Protection Scheme
- c. Examination of Witness, Cross Examination, Leading Questions and Hostile Witness
- d. Refreshing Memory
- e. Impact of Forensic Science: Evidentiary Value in DNA Test, Narco-analysis.
- f. Impact of Social Media in the Law of Evidence

Text Books:

1. M. Monir, *Law of Evidence*, Universal Law Publishing Co. Pvt. Ltd, 2006
2. Rattan Lal Dheeraj Lal, *Law of Evidence*, Lexis Nexis, 2011

References:

1. GS Pande, *Indian Evidence Act*, Allahabad Law Agency, 1996
2. Avtar Singh, *Principles of Law of Evidence*, Central Law Publications, 2013
3. Dr. Satish Chandra, *Indian Evidence Act*, Allahabad Law Agency, 2007
4. Batuk Lal, *Law of Evidence*, Central Law Agency, 1990

Objective: The paper needs to be taught in light of the New Companies Amendment Act 2013. The Companies act 1956 has not been repealed. The New Act of 2013 is made applicable by notifications as to particular sections by the Ministry of Company Affairs. The notified sections which replace the provisions of Companies Act 1956 will be highlighted.

Unit I: Incorporation and Formation of Company

- a. Company and Other Forms of Business Organisations
- b. Different Kinds of Company: One Person Company, Foreign Company
- c. Process of Incorporation
 - i. Nature and Content
 - ii. Doctrine of Indoor Management
 - iii. Doctrine of *Ultra Vires*
 - iv. Doctrine of Constructive Notice
- d. Memorandum and Articles of Association

Unit II: Corporate Financing

- a. Prospectus and Statement in lieu of Prospectus
- b. Shares, Share Capital and Debenture, Debenture Bond
- c. Classification of Company Securities
- d. Inter-corporate Loans
- e. Role of Court to Protect Interests of Creditors and Shareholders, Class Action Suits, Derivative Actions

Unit III: Corporate Governance

- a. Kinds of Company Meetings and Procedure
- b. Powers, Duties and Kinds of Director: Independent Director, Women Director
- c. Different Prevention of Oppression and Mismanagement
- d. Investor Protection
- e. Insider Trading
- f. Corporate Fraud
- g. Auditing Concept

Unit IV: Corporate Social Responsibility and Corporate Liquidation

- a. Evolution of Corporate Social Responsibility, Corporate Criminal liability, Corporate Environmental Liability
- b. Different Types of Winding up of Company
- c. Role of Courts in Winding up of Company
- d. Merger and Acquisition of Company (eg. like Arcelor Mittal and Air India Case)
- e. Cross Border Merger, Takeover Code: Role of SEBI

Text Books:

1. Saleem Sheikh & William Rees, *Corporate Governance & Corporate Control*, Cavendish Publishing Ltd., 1995
2. Taxmann, *Companies Act 2013*
3. Taxmann, *A Comparative Study of Companies Act 2013 and Companies Act 1956*

References:

1. Charles Wild & Stuart Weinstein Smith and Keenan, *Company Law*, Pearson Longman, 2009
2. Institute of Company Secretaries of India, *Companies Act 2013*, CCH Wolter Kluwer Business, 2013
3. Lexis Nexis, *Corporate Laws 2013* (Palmtop Edition)
4. C.A. Kamal Garg, *Bharat's Corporate and Allied Laws*, 2013,

Objectives: The paper will focus on the civil procedures followed in instituting a suit. The students will be familiarised with certain important concepts and practical skill development activity will provide insights into the actual working of the court procedures.

Unit-I: Introduction

- a. Definitions: Decree, Judgement, Order, Foreign Court, Foreign Judgement, Mesne-Profits, Affidavit, Suit, Plaint, Written Statement
- b. Important Concepts: Res Sub-Judice, Resjudicata, Restitution, Caveat, Inherent Powers of Courts
- c. Execution of Judgement and Decree

Unit-II: Initial Steps in a Suit

- a. Jurisdiction and Place of Suing
- b. Institution of Suit
- c. Pleadings: Meaning, Object, General rules, Amendment of Pleadings
- d. Plaint and Written Statement
- e. Appearance and Non-Appearance of Parties

Unit-III: Interim Orders

- a. Commissions
- b. Receiver
- c. Temporary Injunctions
- d. Summary Procedure
- e. Suits by Indigent persons
- f. Inter-pleader Suit

Unit – IV: Appeal, Reference, Review and Revision

- a. Appeals from Original Decree
- b. Appeals from Appellate Decrees
- c. General Provisions relating to Appeals
- d. Reference to High Court
- e. Review
- f. Revision

Text Books:

1. Dinshaw Fardauzi Mulla, *Mulla's Code of Civil Procedure*, Lexis Nexis (18th Edn)
2. Sudipto Sarkar & V.R. Manohar, *Sarkar's Code of Civil Procedure* (2 Vols), Lexis Nexis India (11th Edn)

References:

1. *Universal's Code of Civil Procedure, 1908* (Bare Act)
2. C.K. Takwani, *Code of Civil Procedure*, Eastern Book Company, 2010
3. M.R. Malik, *Ganguly's Civil Court, Practice and Procedure*, Eastern Law House, 2012.
- 4.. M.P. Tandon, *Code of Civil Procedure*, Allahabad Law Agency, 2005

Objectives: Alternative Dispute Resolution has become the primary means by which cases are resolved now days, especially commercial, business disputes. It has emerged as the preferred method for resolving civil cases, with litigation as a last resort. Alternative Dispute Resolution provides an overview of the statutory, procedural, and case law underlining these processes and their interplay with litigation. A significant theme is the evolving role of professional ethics for attorneys operating in non-adversarial settings. Clients and courts increasingly express a preference for attorneys who are skilled not only in litigation but in problem-solving, which costs the clients less in terms of time, money and relationship. The law of ADR also provides an introduction to negotiation and mediation theory.

Unit-I: Concept of ADR

- a. Meaning, Nature and Genesis of Alternative Dispute Resolution
- b. Forms of ADR Mechanism
- c. Legal Framework: Legal Services Authorities Act, 1987
- d. Legal Aid

Unit-II: Negotiation and Mediation

- a. Negotiation
- b. Theories, Development and its types
- c. Qualities of Negotiator and Process for Negotiation
- d. International Negotiation
- e. Mediation
- f. Good Offices

Unit-III: Arbitration and Conciliation

- a. Arbitration Agreement, Essentials, Rule of Severability
- b. Composition of Arbitral Tribunal, Extent of Judicial Intervention, Interim Measures, Power of Court to refer Parties to Arbitration
- c. Jurisdiction of Arbitral Tribunal, Competence, Competence of Arbitral Tribunal, Conduct of Arbitral Proceedings, Place of Arbitration
- d. Arbitral Award, Termination, Enforcement
- e. Conciliation and its Mechanism

UNIT-IV: International Perspective

- a. International Commercial Arbitration
- b. New-York and Geneva Convention
- c. UNCITRAL Model Law, Treaties etc.
- d. Enforcement of Foreign Award and Jurisdictional Issue

Text Books:

1. J. G. Merrills, *International Dispute Settlement*. U.K : Cambridge University Press, 2005(Fifth Edn)
2. Avtar Singh, *Law of Arbitration and Conciliation*, Eastern Book Company, 2013(10th Edn)

References:

1. Robert J. Niemic, Donna Stienstra and Randall E. Ravitz, *Guide to Judicial Management of Cases in ADR*, Federal Judicial Centre, 2001
2. J. Auerbach, *Justice Without Law?* Oxford University Press, 1983
3. Abraham P. Ordovery and Andrea Doneff, *Alternatives to Litigation : Mediation, Arbitration, and the Art of Dispute Resolution*, Notre Dame: National Institute for Trial Advocacy, 2002

B.A.LL.B Paper Code: MUBAL 351
Subject: Comprehensive Viva

Credit 4

Comprehensive Viva shall be conducted by the Internal/External Experts appointed by the Dean/HOD of Faculty of Legal Studies for a particular subject of respective semester assigned by subject teacher.

SIXTH SEMESTER

Paper Code: MUBAL 306

Credit 5

Subject: Jurisprudence

Objective: The students should get familiar with various approaches to law and legal processes. They should be able to appreciate dynamic character of the law and legal systems particularly in the context of socio-political history of the society. Endeavour should be made to develop among students critical thinking about the law, legal system and legal processes. The students should be in position to appreciate how diverse approaches to law influence decision-making in judicial courts.

Unit-I: Introduction

- a. Meaning, Content and Nature of Jurisprudence
- b. Classical Schools of Jurisprudence
- c. Analytical Positivism

Unit-II: Schools of Jurisprudence

- a. Historical Schools of Jurisprudence
- b. Sociological Schools of Jurisprudence
- c. Economic and Realist School of Jurisprudence

Unit – III: Legal Concepts

- a. Rights and Duties
- b. Personality
- c. Property, Possession and Ownership

Unit – IV: Theories and Concepts of Justice

- a. Concepts of Natural and Social Justice
- b. Theories of Justice: Rawls, Fuller, Nozick
- c. Indian Concepts of Justice: Constitution Imperatives, Amartya Sen's The Idea of Justice

Text Books:

1. R.W.M. Dias, *Jurisprudence*, Aditya Prakashan, 1995 (5th Edn)
2. Patrick John Fitzgerald (ed.), *Salmond on Jurisprudence*, Tripathi, 1985 (12th Edn)
3. Edgar Bodenheimer, *Jurisprudence*, Harvard University Press, 1974 (Revised Edn)

References:

1. Amartya Sen, *The Idea of Justice*, Cambridge, Mass.: Belknap Press/Harvard University Press, 2009
2. Chandran Kukathas and Philip Pettit, *Rawls: A Theory of Justice and its Critics*, Cambridge : Polity Press, 1990
3. Jonathan Wolff , Robert Nozick, *Property, Justice, and the Minimal State*, Stanford University Press, 1991
4. Granville Austin, *Indian Constitution, The Cornerstone of a Nation*, New Delhi, Oxford University Press, 2007

Objective: The objectives of this paper are to acquaint students with basics of Public International law and update them with the latest development.

Unit-I: Introduction

- a. Nature and Development of International Law
- b. Subject of International Law
 - i. Concept of Subject of Law And of Legal Personality
 - ii. States : Condition of Statehood, Territory And Underlying Principles, Sovereignty
 - iii. International Organisation: Concept, Right and Duties under International Law
 - iv. Status of Individual
 - v. Other Non State Actors
- c. Relationship Between International Law and Municipal Law (UK, USA, India, China & Russia)
- d. Codification of International Law

Unit-II: Sources of International Law

- a. Treaties
- b. Custom
- c. General Principles
- d. Jurist Works
- e. General Assembly Resolutions, Security Council Resolutions
- f. Other Sources

Unit-III: Recognition, Extradition and the Law of the Sea

- a. Recognition
 - i. Theories of Recognition
 - ii. Defacto, Dejure Recognition
 - iii. Implied Recognition
 - iv. Withdrawal of Recognition
 - v. Retroactive Effects of Recognition
- b. Extradition and Asylum
 - i. State Jurisdiction
 - ii. Customary Law Basis
 - iii. Treaty Law
 - iv. The Nature of Obligation
- c. Law of The Sea
 - i. Territorial Sea
 - ii. Contiguous Zone
 - iii. Exclusive Economic Zone
 - iv. Continental Shelf
 - v. High Sea

Unit - IV: Contemporary International Issues

- i. Prohibition of the Use of Force
- ii. Exceptions to the Prohibition: Individual and Collective Self Defence, Authorized or Recognised Military Actions
- iii. Responsibility to Protect

Text Books:

1. Oppenheim, *International Law*, Biblio Bazaar, LIC, 2010
2. James Crawford Brownlie, *Principles of International Law*, Oxford University Press, 2013

References:

1. Starke, *Introduction to International Law*, Oxford University Press, 2013
2. Shaw, *International Law*, Cambridge University Press, 2008 (6th Edn)
3. A. Boyle & C. Chinkin, *The Making of International Law, Foundations of Public International Law*, Oxford University Press, 2007
4. R. P. Dhokalia, *The Codification of Public International Law*, United Kingdom: Manchester University Press, 1970
5. Mark Villiger, "The Factual Framework: Codification in Past and Present", in *Customary International Law and Treaties*, Mark Villiger, pp.63-113, The Netherlands: Martinus Nijhoff, 1985

Objective: The objective of this paper is to focus on concept and classification of property as well as principles governing transfer of immovable property.

Unit-I: Concept of Property and General Principles Relating to Transfer of Property

- a. Concept of Property: Distinction between Movable and Immovable Property
- b. Conditions Restricting Transfer
- c. Definition of Transfer of Property
- d. Transferable and Non-Transferable Property
- e. Transfer to an Unborn Person and Rule against Perpetuity
- f. Vested and Contingent interest
- g. Rule of Election

Unit-II: General Principles Governing Transfer of Immovable Property

- a. Transfer by Ostensible Owner
- b. Rule of Feeding Grant by Estoppel
- c. Rule of Lis pendens
- d. Fraudulent Transfer
- e. Rule of Art Performance
- f. Actionable Claim

Unit – III: Specific Transfers – I

- a. Mortgage: Definitions and Kinds, Rights and Liabilities of Mortgagor and Mortgagee
- b. Charge

Unit – IV: Specific Transfer – II

- a. Sale and Gift
- b. Lease

Text Books:

1. Mulla, *Transfer of Property Act*, Lexis Nexis, 2013
2. Poonam Pradhan Saxena, *Property Law*, 2011

References:

1. James Charles Smith, *Propert and Sovereignty (Law, Property and Society)*, Ashgate, 2014
2. Avtar Singh, *Transfer of Property Act*, Universal Publishing Pvt Ltd., 2012
3. Sandeep Bhalla, *Digest of Cases on Transfer of Property in India*, Eastern Book Company, 2nd Edn., 2012

Objective: This paper focuses on the investment and competition laws of India in the context of new economic order.

Unit-I: Investment and Securities Laws

- a. Evolution of Securities and Investment Laws in India
- b. Concept of Securities and Kinds of Securities
- c. Regulatory Framework to Govern Securities in India: The Securities Contracts (Regulation) Act, 1956 - Delisting of Securities; Role of Stock Exchange under It - Powers and Functions under SEBI Act, 1992; The Depositories Act, 1996 - Dematerialisation of Shares

Unit-II: Banks and Securities

- a. Role of Banks to Issue Securities
- b. Changing Functions of Banks from Direct Lending to Modern System of Investment Banking.
- c. Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002: Its Background , Importance, The Debt Recovery Tribunals and Important Case Law

Unit-III: Foreign Investment Laws

- a. Role of the Foreign Exchange Management Act, 1999 to Regulate Foreign Trade - Difference from FERA, Administration of Exchange Control, Adjudicatory Powers
- b. Foreign Trade (Development & Regulation) Act, 1992
- c. Joint ventures in India and Foreign Collaborations: Concept of Transnational Corporations and Multinational Corporations – UNCTAD model
- d. Foreign Direct Investment, Foreign Institutional Investors: Its Regulatory Mechanism in India, Concept of Special Economic Zone(SEZ)

Unit-IV: The Competition Law in India

- a. Evolution of Competition Law in India, Difference from the MRTP Act
- b. Anti-Competitive Agreements, Vertical and Horizontal Agreements, Predatory Pricing
- c. Abuse of Dominance
- d. Combinations and its Regulations
- e. Powers and Functions of Competition Commission of India, Appellate Authorities, Competition Advocacy.
- f. Brief concept of the Development of Competition Laws in USA and UK

Text Books:

1. Richard Whish & David Bailey, *Competition Law* , Oxford University Press, 2012 (7th Edn)
2. Avtar Singh, *Competition Law*, Eastern Book Company, 2012

References:

1. V.A. Avdhani, *Investment and Securities Market in India*, Himalaya Publishing House, 2011 (9th Edn)
2. Vinod Dhall, *Competition Law Today*, Oxford University Press, 2007
3. Taxmann's *Competition Act, 2002*

Objective: This paper is to give students thorough knowledge of procedural aspects of working of criminal courts and other machineries.

Unit -1: Introduction

- a. Object and Importance of Cr.P.C
- b. Functionaries under the Cr.P.C
- c. Basic Concepts: Bailable Offence, Non-Bailable Offence, Cognizable Offence, Non-cognizable Offence, Complaint, Charge, Police Report, Investigation, Inquiry and Trial, Summons Case, Warrant Case

UNIT-II: Arrest, Bail and Pre-Trial Proceedings

- a. Arrest and Rights of an Arrested Person
- b. Provision for Bail under the Code
- c. Process to Compel Appearance of Person
- d. Process to Compel Production of Things
- e. Condition Requisites for Initiation of Proceeding
- f. Complaint to Magistrate
- g. Commencement of Proceeding before Magistrate

UNIT-III: Trial Proceedings

- a. Framing of Charges and Joinder of Charges
- b. Jurisdiction of the Criminal Courts in Inquiries and Trials
- c. Types of trials: Sessions Trial, Warrant Trial, Summons Trial, Summary Trial
- d. Judgement and Sentences under the Code
- e. Submission of Death Sentences for Confirmation
- f. General Provisions as to Inquiries and Trial
- g. Execution, Suspension, Remission and Commutation of Sentences

UNIT-IV: Miscellaneous

- a. Appeals
- b. Reference and Revision
- c. Inherent Power of Court
- d. Transfer of Criminal Cases
- e. Plea Bargaining

Text Books:

1. Ratanlal & Dhirajlal, *Criminal Procedure*, Lexis Nexis Butterworths Wadhwa, Nagpur, 2012
2. S.C. Sarkar, *The Law of Criminal Procedure*, Wadhawa & Co. , Nagpur, 2007

References:

1. K.N. Chandrasekharan Pillai, *R.V. Kelkar's Lectures on Criminal Procedure*, Eastern Book Company, 2013
2. K.N. Chandrasekharan Pillai, *Criminal Procedure*, Eastern Book Company, 2004
3. Aiyer, Mitter, *Law of Bails- Practice and Procedure*, Law Publishers (India) Pvt. Ltd., 2012
4. P.V. Ramakrishna, *Law of Bail, Bonds, Arrest and Custody*, Lexis Nexis, 2008
5. P.K. Majumdar, *Law of Bails, Bonds and Arrest*, Orient Publication, 2012
6. Justice P.S. Narayana, *Code of Criminal Procedure*, ALT Publications, 2012
7. *Bare Act of Code of Criminal Procedure, 1973*

Paper Code: MUBAL 352

Credit 4

Subject: Comprehensive Viva

Comprehensive Viva shall be conducted by the Internal/External Experts appointed by the Dean/HOD of Faculty of Legal Studies for a particular subject of respective semester assigned by subject teacher.

SEVENTH SEMESTER

Paper Code: MUBAL 401

Credit 5

Subject: Labour Law-I

Objective: This paper focuses on various aspect of management of labour relation and dispute settlement bodies and techniques.

The course shall comprise of the following:

1. Evolution of Industrial Legislation in India.

2. Industrial Disputes Act, 1947.

- a. Scope and Object, Main Features, Important Definitions
- b. Industry
- c. Industrial Dispute and Individual Dispute
- d. Workman and Employee
- e. Reference of Disputes
- f. Voluntary Arbitration (Section 10 A)
- g. Award
- h. Authorities under the Act.
- i. Procedures, Powers and Duties of Authorities
- j. Strike
- k. Lock- out
- l. Retrenchment
- m. Lay-off
- n. Transfer and Closure
- o. Regulation of Managements Prerogative During Pendency of Proceedings

3. Trade Unions Act, 1926

- a. Growth of Unions
- b. Important Definitions
- c. Registration of Trade Unions
- d. Rights and Liabilities of Registered Trade Unions
- e. Collective Bargaining.

Text Books:

1. Surya Narayan Misra, *An Introduction to Labour and Industrial Law*, Allahabad Law Agency, 1978
2. S.C. Srivastava, *Industrial Relations and Labour Law*, Vikas Publishing House, New Delhi

References:

1. M.S Siddiqui, *Cases and Materials on Labour Law and Labour Relation*, Indian Law Institute, 1963
2. P.L. Malik, *Industrial Law*, Eastern Book Company, 2013
3. Dr. Goswami, *Labour and Industrial Law*, Central Law Agency, 2011
4. Chaturvedi, *Labour and Industrial Law*, 2004
5. ZMS Siddiqi and M.Afzal Wani, *Labour Adjudication in India*, ILI, 2001.

Objective: This paper is to make students understand the nature of tort and conditions of liability with established cases along with the Consumer Protection Act, 1986.

Unit-I: Introduction and Principles of Liability in Tort

- a. Definition of Tort
- b. Development of Law of Torts
- c. Distinction between Law of Tort, contract, Quasi-contract and crime
- d. Constituents of Tort: Injuria sine damnum, Damnum sine injuria
- e. Justification in Tort, Volenti non-fit Injuria, Necessity, Plaintiff's default, Act of God, Inevitable accidents, Private defense

Unit-II: Specific Torts-I

- a. Negligence
- b. Nervous Shock
- c. Nuisance
- d. False Imprisonment and Malicious Prosecution
- e. Judicial and Quasi: Judicial Acts
- f. Parental and Quasi-Parental authority

Unit-III: Specific Torts-II

- a. Vicarious Liability
- b. Doctrine of Sovereign Immunity
- c. Strict Liability and Absolute Liability
- d. Defamations

Unit-IV: The Consumer Protection Act, 1986

- a. Definitions of Consumer, Goods and Services
- b. Rights and Duties of Consumer
- c. Authorities for Consumer Protection
- d. Remedies

Text Books:

1. W.V.H. Rogers, *Winfield and Jolowicz on Tort*, Sweet & Maxwell, 2010 (18th Edn)
2. Ratanlal & Dhirajlal, *The Law of Torts*, Lexis Nexis, 2013 (26th Edn)

References:

1. B.M. Gandhi, *Law of Torts with Law of Statutory Compensation and Consumer Protection*, Eastern Book Company, 2011 (4th Edn)
2. R.K. Bangia, *Law of Torts including Compensation under the Motor Vehicles Act and Consumer Protection Laws*, Allahabad Law Agency, 2013
3. Ramaswamy Iyer's, *The Law of Torts*, Lexis Nexis, 2007 (10th Edn)

Objectives: The objective of this paper is to inform students about various new technologies and their social, political aspects along with the regulations.

Unit-I: Introduction: Notion of Technology

- a) Emergence of Technology and Industrial Revolution
- b) Legal Order and Technological Innovation
- c) Technology and its Impact on Society and Politics
- d) Notion of Technological Society
- e) Law, Ethics and Technology

Unit-II: E-Commerce

- a) Model Law of E-Commerce
- b) Online Contracting
- c) Jurisdiction Issue in E-Commerce
- d) Digital Signature/Electronic Signature
- e) E-payment, E-Banking

Unit-III: Cyber Crime

- a) Jurisdiction Issue in Cyber Crime
- b) Cyber Crime under Information Technology Act: National Perspective
- c) Cyber Crime under Information Technology Act: International Perspective
- d) International Convention on Cyber Crime
- e) Mobile Phones Crimes

Unit - IV: Genetic and Medical Technologies

- i. Genetic Technologies
 - a. Environment Effect: Environment Protection Act
 - b. Genetic Engineering and Plant Variety Act
 - c. Natural Resources and Bio-Diversity Act
- ii. Medical Technologies
 - a. Medical Technologies and Forensic Science
 - i. DNA Profiling
 - ii. Brain Mapping
 - iii. Narco-analysis
 - iv. Handwriting
 - v. Any other new Forensic Science

- b. Medical Technologies and Drugs
 - i. Patent Protection
 - ii. Life Saving Drugs
 - iii. Generic Drugs
 - iv. National Drugs Policies
- c. Medical Technologies and New Areas
 - i. Organ Transplantation
 - ii. Experiment on Human Beings
 - iii. Sex Determination Test
 - iv. Designer Baby
 - v. Abortion
 - vi. Cloning
 - vii. Artificial Reproductive Technologies

Text Books:

1. *UNCITRAL Model Law of Ecommerce, 1996*
2. Vakul Sharma, *Information Technology Law and Practice*, Universal Law Publishers, 2011 (3rd Edn)
3. Harish Chander, *Cyber Laws and IT Protection*, PHI Learning Pvt. Ltd., 2012
4. Nandan Kamath, *Law Relating to Computers, Internet and Ecommerce*, Universal Law Publishing Co., Ltd., 2006

References:

1. Bernard E. Rollin, *Science and Ethics*, Cambridge University Press, 2006
2. Nandita Adhikari, *Law and Medicine*, Central Law Publication, 2012
3. Pavan Duggal, *Mobile Law*, Universal Law Publishing Co., Ltd., 2012
4. UN Office on Drugs and Crime, *Comprehensive Study of Cyber Crime* (Report)
5. Arvind Kumar, Gobind Das, *Biodiversity, Biotechnology and International Knowledge: Understanding Intellectual Property Rights*, Narosa Book Distributors Pvt. Ltd., 2010
6. Jaiprakash G. Shevale, *Forensic DNA Analysis: Current Practices and Emerging Technologies*, CRC Press, 2013
7. Lori B. Andrews, Maxwell J. Mehlman, Mark A. Rothstein, *Genetics: Ethics, Law and Policy*, Gale Cengage, 2010 (3rd Edn)

PROFESSIONAL ETHICS, ACCOUNTABILITY OF LAWYERS AND BAR BENCH RELATION (Practical Training)

Objective: This course will be taught in association with the practicing Lawyers / retired Judges / retired Law Teachers. This paper will carry **Maximum 100 Marks**. The written examination on this paper (Theory Paper) will be in **descriptive form** and of **two (02) hours duration** and will carry **50 Marks**. The written examination (Theory Paper) shall be held by way of paper with the other theory papers. **The Practical / Viva-voce Examination will carry 50 Marks**. The students will be given **Assignment** by the subject teacher. Students will record answer to all the Assignment by preparing a **Project File**. **The Project File will carry 30 Marks. The Project File will be evaluated by the Internal Examiner/External Examiner, Dean/HOD at the time of Practical / Viva-voce examination. The Viva-voce will carry 20 Marks.**

1. Historical Perspective and Regulation of Legal Profession.
2. Admission, Enrolment and Rights of Advocate, Bar Councils.
3. Nature and Characteristics of:
 - a. Ethics of Legal Profession,
 - b. Legal Profession
4. Contempt of Court:
 - a. Civil Contempt
 - b. Criminal Contempt
 - c. Punishment for Contempt
 - d. Defences against Contempt.
 - e. Constitutional Validity of Contempt Law.
 - f. Contempt by Lawyers, Judges, State, and Corporate Bodies
5. Strike by the Lawyers
6. Extent of Professionalization of Legal Profession
 - a. Code of Ethics for Lawyers
 - b. Professional Misconduct and its Control
 - c. Bar-Bench Relations
 - d. Accountability of Lawyers towards Court, Clients and Society
 - e. Role of Law and Legal Profession in Social Transformation

Text Book:

Gupta S.P., *Professional Ethics, Accountancy for Lawyers & Bench Bar Relations*.

Rai Kailash, *Professional Ethics, Accountancy for Lawyers & Bench Bar Relations*.

Sirohi (Dr.), *Professional Ethics, Accountancy for Lawyers & Bench*

Any one of the seminar papers from the following:

- i. Banking and Insurance Law
- ii. Telecommunication Law
- iii. Women and Law
- iv. Criminology

Paper Code: MUBAL405 (a)

(i) Subject: Banking and Insurance Law

Objective: In this paper the students will be taught different kinds of banks, their functions, and relationship with customers and the banking frauds, law relating to recovery of debts due to banks recovery of debts. Kinds of insurance and the body regulating the insurance sector will also be studied, along with their judicial interpretation and the new and emerging dimensions in both insurance and banking.

Unit-I: Banking System in India

- a. Kinds of Banks and their Functions
- b. History of Banking in India
- c. Banking Regulation Laws:
 - i. Reserve Bank of India Act, 1934
 - ii. Banking Regulation Act, 1949
- d. Bank Nationalization and Social Control over Banking
- e. Relationship between Banker and Customer:
 - i. Legal Character
 - ii. Contract between Banker and Customer
 - iii. Bank's Duty to Customers
 - iv. Liability under Consumer Protection Act, 1986

Unit -II: Lending, Securities and Recovery by Banks

- a. Principles of Lending
- b. Position of Weaker Sections
- c. Nature of Securities and Risks Involved
- d. Default and Recovery
- e. Recovery of Debts with and without Intervention of Courts / Tribunal:
 - i. Recovery of Debts due to Banks and Financial Institutions Act, 1993
 - ii. Securitization and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002 (Definitions, s 13,s 17)

Unit -III: Banking Frauds

- a. Nature of Banking Frauds
- b. Legal Regime to Control Banking Frauds
- c. Recent Trends in Banking: Automatic Teller Machine and Internet Banking, Smart Cards, Credit Cards

Unit-IV: Insurance Law

- a. Nature of Insurance Contracts
- b. Kinds of Insurance:
 - i. Life Insurance
 - ii. Mediclaim
 - iii. Property Insurance
 - iv. Fire Insurance
 - v. Motor Vehicles Insurance (with special reference to Third Party Insurance)
- c. Constitution, Functions and Powers of Insurance Regulatory and Development Authority
- d. Application of Consumer Protection Act, 1986

Text Books:

1. *Banking and Insurance Law and Practice*, Institute of Company Secretaries of India, Taxmann Publishers, 2010
2. M.N. Mishra, *Law of Insurance*, Central Law Agency, 9th Edition, 2012

References:

1. K.C. Shekhar, & Lekshmi Shekhar, *Banking Theory and Practice*, Vikas Publishing House, 19th Edition, 2005.
2. M.L. Tannan, *Banking Law and Practice in India*, Lexis Nexis, 23rd Edition, 2010
3. J N Jain & R K Jain, *Modern Banking and Insurance – Principles and Techniques*, Regal Publications, 2008
4. Jyotsana Sethi & Nishwar Bhatia, *Elements of Banking and Insurance*, PHI Publishers, 2nd Edition, 2013.

Paper Code: MUBAL 405(b)

(ii) Subject: Telecommunication Laws

Objectives: The main purpose of the paper is to introduce the conceptual aspect of Telecommunications Law, prevailing legal and regulating framework at national as well as International Level.

Unit-I: Introduction

- a) Historical Evolution of Telecommunications Law.
- b) Terrestrial and Satellite broadcasting
- c) Internet services
- d) Cable television
- e) Telecommunication Laws in India: the Indian Telegraph Act 1885 – Telecom Regulatory Authority of India

Unit -II: International Bodies

- a) International regulations
- b) ITU reform
- c) ICANN
- d) World Trade Organization

Unit -III: Reforms in Telecommunication

- a) Economic reform in Telecommunication
- b) Constitutional aspects of Telecommunication
- c) Liberalization and deregulation policies of Govt.
- d) Foreign Direct Investment Policy in Telecommunication
- e) Technological reforms: Satellite Communication, Internet

Unit-IV: Telecommunications: Issues and Challenges

- a) Jurisdictional issues: National & International Aspects
- b) Cellular and mobile services
- c) Dispute Settlement under TRAI
- d) Consumer protection
- e) Intellectual Property Rights
- f) Competition Law

Text Books:

1. Global Legal Group, *The International Comparative Legal Guide to Telecommunication Laws and Regulations 2008: A Practical Insight to Cross-border Telecommunication Laws and Regulations*, Global Legal Group, 2008
2. *India Telecom Laws and Regulations Handbook Volume* , International Business Publications, USA, 1995.
3. Vikram Raghavan, *Communications law in India: legal aspects of telecom, broadcasting, and cable services*, LexisNexis Butterworths, 2007

References

1. Sharon Black, *Telecommunication Law in the Internet Age*, Elsevier Publication, 2001.
2. Ian Walden, *Telecommunications Law & Regulation*, Oxford University Press, 2012
3. Christian Koenig, *EC Competition and Telecommunication Law*, Kluwer Law International, 2009
4. Dennis Campbell, *International Telecommunications Law*, Yorkhill Law Publications, 2007 Part II
5. Rafiq Dossani, *Telecommunication Reforms in India*, Greenwood Publication Group, 2002
6. R.U.S.Prasad, *Resolving Disputes in Telecommunication: Existing Country Practices And Future Challenges*, Oxford University Press, 2010
7. Vardharajan Sridhar, *The Telecom Revolution in India: Technology, Regulation and Policy*, Oxford University Press, 2011.

Paper Code: MUBAL405(c)

(iii) Subject: Women and Law

Objective: The paper aims at creating awareness as to importance and role of women in society through the medium of law. It also focuses on women welfare laws.

Unit - I. A. Introduction

- i. Status of Women in India
- ii. Status of Women – Position abroad

B. Constitution of India and Women

- i. Preamble
- ii. Equality Provision

Unit – II: Personal Laws and Women

- a. Unequal position of women – different personal laws and Directive principles of State Policy
- b. Uniform Civil Code towards gender justice
- c. Sex inequality in inheritance
- d. Guardianship

Unit – III: Criminal Laws and Women

- a. Adultery
- b. Rape
- c. Outraging Modesty
- d. Domestic Violence

Unit – IV: Women Welfare Laws

- a. Pre-conception and pre-natal diagnostic techniques (Prohibition of Sex Selection) Act, 1994
- b. Indecent Representation of Women (Prohibition) Act, 1986
- c. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal).
- d. Domestic Workers Welfare and Social Security Act, 2010
- e. Immoral Traffic (Prevention) Act, 1987
- f. Family Courts Act, 1984

Text Books:

1. Mamta Rao, *Law Relating to Women and Children*, Eastern Book Company, 3rd Edition, 2012.
2. Lalita Dhar Parihar, *Women and Law*, Eastern Book Company, 2011.

References:

1. SC Tripathi and Vibha Arora, *Law relating to Women and Children*, Central Law Publication, 2006
2. DK Tiwari & Mahmood Zaidi, *Commentaries on Family Courts Act*, 1984, Allahabad Law Agency, 1997
3. BN Chattoraj, *Crime against Women: A Search for Peaceful Solution*, LNJN-NICFS,

2007

4. Nomita Agarwal, *Women and Law*, New Century Publishing House, 2005
5. Manjula Batra, *Women and Law & Law Relating to Children in India*, Allahabad Law Agency, 2001

PaperCode:MUBAL405 (d)

Credit 4

(iii)Subject: Criminology

objective: The objective of the seminar paper is to introduce the students to a holistic understanding of crime. PSDA in this seminar paper will include seminar presentation, debates and group discussions, critical review of existing laws in India and a comparison with other countries. The paper seeks to explore the possible practical applications of the various theories that have been formulated so far. It will also require the students to look up the international cases where these theories have been applied. The students who opt for this paper will also visit the prisons/ juvenile homes/ juvenile courts / rehabilitation centre etc. and make an assessment of the current situation.

Unit-I: Introduction

- a. Criminology- Definition and Scope
- b. Brief introduction to pre- classical and classical theories of crime
- c. Positive theories of crime- constitutionalism and morphological theories, psychological and psycho-analytical theories
- d. Sociological theories of crime- differential association, sub- culture, ecological and anomie theory

Unit-II: Nature of Crime

- a. Radical theories of crime
- b. Crimes against children (nature, extent and legal provisions)
- c. Crimes against women (nature, extent and legal provisions)
- d. Special types of crimes in India: honour killing, female foeticide, witch-hunting
- e. Other types- organized crime, white collar crime, terrorism, juvenile delinquency
- f. Victims of crime and victim compensation, restitution

Unit-III: Punishment

- a. Punishment: Definition and Types
- b. Theories of Punishment
- c. Substantive Provisions of Punishment under India Penal Code and other Act
- d. Non- institutional Treatment of Offenders: Probation, Temporary Release and Parole
- e. Institutional Treatment of Offenders

Unit-IV: Juvenile Justice

- a. Probation of Offender Act, 1958
- b. Juvenile Justice (Care and Protection of Children) Act, 2000
- c. Juvenile Delinquency, Juvenile Institutional and Non- institutional Services
- d. UN Declaration on Basic Principles of Justice for Victims of Crime and Abuse of Power
- e. Prisons in India: Organisation, Type and Functions
- f. Correctional Services for Jail Inmates
- g. Victimological Research in India.

Text Books:

1. Roger Hopkin Burke, *An Introduction to Criminological Theory*; 2001, Willian Publishing
2. Katherine S. Williams , *Textbook on Criminology*; 2004, Oxford Press, Oxford

References:

1. Frank A. Hagan, *Introduction to Criminology: Theories, Methods and Criminal Behavior*; 1978, Sage Publications Ltd., London
2. Larry Seigel ,*Criminology*, 2008, Thomson Wadsworth, Canada
3. Sue Titus Reid ,*Crime and Criminology*; 2008; Oxford University Presss, Oxford
4. Mark Tunic, *Punishment: Theory and Practice*; 1992 University of California Press, Berkeley
5. Robert Elias, *Victims Still: Politicla Manipulation of Crime Victim*, 1993, Sage Publications Inc.
6. R. I. Mawby & S. Walkate, *Critical Victimology*; 1995, Sage Publications Ltd., London

Paper Code: MUBAL451
Subject: Comprehensive Viva

Credit 4

Comprehensive Viva shall be conducted by the Internal/External Experts appointed by the Dean/HOD of Faculty of Legal Studies for a particular subject of respective semester assigned by subject teacher.

EIGHTH SEMESTER

B.A.LL.B Paper Code: MUBAL 406

Credit 5

Subject: Intellectual Property Rights

Objective: The objective of this course is to acquaint the students with basics of intellectual property rights with special reference to Indian law and practice.

UNIT-I: The Copyrights (Indian Copyright Act, 1957)

- a. Introduction to Copyright Law
- b. Brief Introduction to related International Treaties and Conventions
- c. Subject Matter of Copyright, Economic and Moral Rights (ss2,13,14,15,16, 57)
- d. Authorship and Ownership (s17), Term of Copyright and Assignment-Licensing (ss18-31)
- e. Infringement and Remedies (ss50-61)
- f. Exceptions: Fair Dealing
- g. International Copyright Order (ss40-41)
- h. Issues in Digital Copyrights

UNIT-II: Trademarks (The Trademarks Act, 1999)

- a. Introduction to Trademark Law
- b. Brief Introduction to related International Treaties and Conventions
- c. Definitions (s2), Registration of Trademarks, Procedure, Grounds of Refusal and Well Known Trademarks (ss9-12, ss18-23 and s33)
- d. Passing Off, Infringement and Exceptions to Infringement Actions, Remedies (ss27-30, s34, ss134-135)
- e. Assignment and Licensing (ss48-53)
- f. Intellectual Property Appellate Board (ss83-100)
- g. Conflicts of Trademarks with Domain Name
- h. Unconventional Trademarks

UNIT-III: Patent (The Patents Act, 1970)

- a. Introduction to Patent Law
- b. Brief Introduction to related International Treaties and Conventions
- c. Definitions (s2), Criteria for Patents, Patentable Inventions
- d. Non-Patentable Inventions (s3)
- e. Procedure for Filing Patent Application (ss6-53)
- f. Revocation of Patent (s64), Licensing, Compulsory Licensing (ss82-92A)
- g. Parallel Import (s107A)
- h. Rights of Patentee, Patent Infringement and Defences (ss47-48,s104 and s107)

UNIT-IV: Industrial Design (The Designs Act, 2000)

- a. Introduction to Designs Law
- b. Brief Introduction to related International Treaties and Conventions
- c. Definitions (s2), Registration of Designs and Procedure (ss3-9, s16,s21)
- d. Cancellation of Registration of Design (s19)
- e. Piracy of Registered Design (s22) and Remedies
- f. Overlapping Between Designs Copyrights and Trademark

Text Book:

1. N.S. Gopalakrishnan & T.G. Ajitha, *Principles of Intellectual Property*, Eastern Book Company, 2014 (2nd Edn)
2. B.L. Wadhwa, *Law Relating to Intellectual Property*, Universal Law Publishing, 2014 (5th Edn)
3. S. Narayan, *Intellectual Property Law in India*, Gogia Law Agency, Hyderabad, 2005 (3rd Edn)

References:

1. A. K. Bansal, *Law of Trademark In India*, Thomson & Reuter, 2014
2. V.K. Ahuja, *Law Relating to Intellectual Property Law*, Lexis Nexis, 2013 (2nd Edn)
3. Elizabeth Verky, *Law of Patents*, Eastern India Company, 2012 (2nd Edn)
4. Jayashree Watal, *Intellectual Property Rights in the WTO and Developing Countries*, Oxford University Press, 2001
5. P. Narayanan, *Law of Trademarks (The Trademarks Act 1999) and Passing Off*, Eastern Law, Calcutta, 2006
6. W.R. Cornish, *Intellectual Property: Patents, Copyright, Trademark and Allied Rights*, Universal Law Publishing 2001
7. C.S. Lal, *Intellectual Property Handbook: Copyright, Designs, Patents & Trademarks*, Law Publishers, Allahabad, 2000

Subject: Labour Law-II

Objective: The paper will focus on wages, wage policies, compensation, social security and retirement benefits during the course of employment and working conditions of employees.

Unit-I: The Minimum Wages Act, 1948

- a. Concept of Minimum Wage, Fair Wage, Living Wage and Need Based Minimum Wage
- a. Constitutional Validity of the Minimum Wages Act, 1948
- b. Procedure for Fixation and Revision of Minimum Wages
- c. Fixation of Minimum Rates of Wage by Time Rate or by Piece Rate
- d. Procedure for Hearing and Deciding Claims

Unit-II: The Payment of Wages Act, 1936

- a. Object, Scope and Application of the Act
- b. Definition of Wage
- c. Responsibility for Payment of Wages
- d. Fixation of Wage Period
- e. Time of Payment of Wage
- f. Deductions which may be made from Wages
- g. Maximum Amount of Deduction

Unit-III: The Factories Act, 1948

- a. Approval, Licensing and Registration of Factories
- b. Concept of “Factory”, “Manufacturing Process”, “Worker”, and “Occupier”
- c. General Duties of Occupier
- c. Measures to be taken in Factories for Health, Safety and Welfare of Workers
- d. Working Hours of Adults
- e. Employment of Young Person and Children
- f. Annual Leave with Wages
- g. Additional Provisions Regulating Employment of Women in Factory

Unit-IV: The Employee's Compensation Act, 1923

- a. Definition of Dependant, Workman, Partial Disablement and Total Disablement
- b. Employer's Liability for Compensation
 - i. Scope of Arising out of and in the Course of Employment
 - ii. Doctrine of Notional Extension
 - iii. When Employer is not liable
- c. Employer's Liability when Contract or is engaged
- d. Amount of Compensation
- e. Distribution of Compensation
- f. Procedure in Proceedings before Commissioner
- g. Appeals Retirement Benefits
 - i. Employee's Provident fund and miscellaneous provisions Act, 1952
 - ii. Employees Pension Scheme, 1995 and Family Pension Scheme
 - iii. Social Security for the unorganised Sector

Text Books:

1. Indian Law Institute, *Cases and Materials on Labour Law and Labour Relations*, 1963
2. PL Malik, *Industrial Law*, Eastern Book Company, 2013
3. Dr. Goswami, *Labour and Industrial Law*, Central Law Agency, 2011

References:

1. Surya Narayan Misra, *An Introduction to Labour and Industrial Law*, Allahabad Law Agency, 1978
2. S.C. Srivastava, *Industrial Relations and Labour Law*, Vikas Publishing House, New Delhi, 6th Edn., 2012
3. Chaturvedi, *Labour and Industrial Law*, Central Law Agency, 2004
4. S.C. Srivastava, *Commentaries on the Factories Act, 1948*, Universal Law Publishing House, Delhi, 2002
5. H.L. Kumar, *Workmen's Compensation Act, 192*, Universal Law Publishing, 2009

Objective: The paper is aimed to enhance the critical skills to equip the students with various aspects of interpretations

Unit-I: Introduction

- a. Meaning of Interpretation
- b. Need for Interpretation
- c. Act, Enactment, Statutes, Ordinances, Rules, etc.

Unit -II: Internal Aids to Interpretation

- a. Title
- b. Preamble
- c. Heading
- d. Marginal Note
- e. Section
- f. Sub-section
- g. Punctuation
- h. Illustration
- i. Exception
- j. Proviso
- k. Explanation
- l. Saving Clause
- m. Schedule

Unit-III: External Aids to Interpretation

- a. Constituent Assembly Debates for Constitutional Interpretation
- b. Constitution of India
- c. Legislative History: Legislative Intention
- d. Statement of Objects and Reasons
- e. Legislative Debates
- f. Committee Reports, Law Commission Reports

Unit -IV: Rules of Interpretation

- a. Literal Rule
- b. Golden Rule
- c. Mischief Rule
- d. Legal Fiction
- e. Ejusdem generis
- f. Noscitur a sociis
- g. Reddendo singula singulis
- h. Generalia specialibus non derogant
- i. Expressio unius est exclusion alterius

Text Books:

1. P. St. J. Langan, *Maxwell's on the Interpretation of Statutes*, Lexis Nexis, 12th Edition, 1969
2. V.P.Sarathi, *Interpretation of Statutes*, Eastern book Company, 5th Edition, 2010.

References:

1. G.P. Singh, *Principles of Statutory Interpretation*, Lexis Nexis, 13th Edition, 2012
2. N.S. Bindra, *Interpretation of Statutes*, Lexis Nexis, 2013
3. Bakshi BM, *Interpretation of Statutes*, Orient Publisher, 2008

Objective: This paper will carry **Maximum 100 Marks** which will be divided into **Theory Paper** and **Practical / Viva-voce examination carrying 50 Marks each**. The Theory paper will be conducted at the time of other Theory papers. This course will be taught through class instructions and simulation exercises, preferably with the assistance of practicing Lawyers / retired Judges. Apart from teaching the relevant provisions of law, the course will include **10 written exercises in Drafting of Pleading and 10 written exercises in Conveyancing** carrying **40 Marks**. Each student will maintain a **Sessional Exercise Book** for the purpose and write down all the exercise in Pleading and Conveyancing during regular classes. **It will be assessed by the Internal/External Examiner, Dean/HOD. The Viva-voce will be of 10 Marks.**

Unit-I: Fundamental Rules of Pleadings

- a. Pleadings (Order 6 CPC)
- b. Plaint Structure
- c. Written Statement and Affidavit
- d. Application under Section 5 of the Limitation Act
- e. Application for setting aside ex-parte Decree
- f. Writ Petitions

Unit-II: Civil Pleadings

- a. Suit for Recovery under Order XXXVII of CPC
- b. Suit for Permanent Injunction
- c. Suit for Dissolution of Partnership
- d. Application for Temporary Injunction Order XXXIX of CPC
- e. Appeal from Original Decree under Order 41 of CPC
- f. Revision Petition
- g. Review Petition

Unit-III: General Principles of Criminal Pleadings

- a. Application for Bail
- b. Application under Section 125 Cr.PC
- c. Compounding of Offences by Way of Compromise under Section 320 (i) Cr.PC
- d. Complaint under Section 138, Negotiable Instruments Act, 1881
- e. Application under Section 482, Cr.PC

Unit-IV: Conveyancing

- a. Notice to the Tenant under Section 106 of Transfer of Property Act
- b. Notice under Section 80 of CPC
- c. Notice under Section 434 of the Companies Act
- d. Reply to Notice
- e. General Power of Attorney
- f. Will

- g. Agreement to SELL
- h. Sale-Deed
- i. Lease-Deed
- j. Partnership Deed
- k. Mortgage Deed
- l. Relinquishment Deed
- m. Deed of Gift

Forms

- i. Petition for Grant of Probate / Letters of Administration
- ii. Application for Appointment of Receiver/Local Commissioner
- iii. Application for Compromise of Suit
- iv. Application for Appointment of Guardian
- v. Application to Sue as an Indigent Person under Order 33 CPC
- vi. Appeal from orders under order 43 of CPC
- vii. Application for execution
- viii. Application for caveat section 148A of CPC
- ix. Writ Petition
- x. Special Power of Attorney
- xi. Reference to Arbitration and Deed of Arbitration
- xii. Notice for Specific Performance of Contract

Text Books:

1. N.S. Bindra, *Conveyancing, Draftsmen and Interpretation of Deeds*, Delhi Law House, 1985
2. G.C. Mogha & S. N. Dhingra, *Mogha's Law of Pleading in India with Precedents*, Eastern Law House, 18th Edn. 2013

References:

1. R.N. Chaturvedi, *Conveyancing*, Eastern Book Company, 2011 (7th Edn)
2. G.C. Mogha, *Indian Conveyancer*, Dwivedi Law, 2009 (14th Edn)
3. C. R. Datta & M.N. Das, *D'Souza's Form and Precedents of Conveyancing*, Eastern Law House, 2008 (13th Edn)

Paper Code: MUBAL410
Subject: Seminar Paper - II

Credit 4

Select any one of the seminar papers from the following:

1. MUBAL 410 (a) International Commercial Law
2. MUBAL 410 (b) Election Law
3. MUBAL 410(c) International Humanitarian Law
4. MUBAL 410 (d) Indirect Taxes

Paper Code: MUBAL410(a)
Subject: International Commercial Law

Objective: This paper is to acquaint the students with the tools and techniques of International Commercial Law.

Unit-I: International Sales Contracts

- a. Formation of the Contract
- b. Breach of Contract and Avoidance of Contract, Doctrine of Frustration, Damage
- c. Rights and Duties of Buyers and Sellers
- d. Case Law

Unit-II: Carriage of Goods

- a. Unimodal and Multimodal Transportation of Goods
- b. Documents of Carriage of Goods by Sea
- c. Bills of Lading: Kinds, Nature, Features
- d. INCOTERMS 2010
- e. Case Law

Unit-III: International Payments

- a. Methods of International Payments
- b. Uniform Customs and Practice 600
- c. Types of Letters of Credit
- d. Parties to Letter of Credit
- e. Case Law

Unit-IV: Settlement of International Commercial Disputes

- a. Arbitration: Kinds
- b. Mediation
- c. Conciliation
- d. Recognition and Enforcement
- e. Investment Dispute Resolution (PCA, ICC, ICSID, Ad-hoc Arbitration and other Institutional Institution)
- f. Case Law

Text Books:

1. Jason C T Chuah, *Law of International Trade: Cross Border Commercial Transactions*, Sweet and Maxwell, 5th Edn, 2013
2. Schmitthoff, *Export Trade: The Law and Practice of International Trade*, London: Sweet and Maxwell, 2000

References:

1. International Chamber of Commerce's *Incoterms*, 2010
2. F. Reynolds, "Some Reservations about CISG", in *New Trends in International Trade Law*, G Giappicheli, 2000
3. P. Todd, *Bills of Lading and Banker's Documentary Credits*, London: Sweet and Maxwell, 1998
4. Convention on Agency in the International Sale of Goods, 1983
5. International Convention for the Unification of Certain Rules of Law relating to Bills of Lading signed at Brussels on 25 August 1924, as amended by the Protocol signed at Brussels on 23 February 1968
6. New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 1958
7. Vienna Convention on Contracts for the International Sale of Goods, 1980

Paper Code: MUBAL 410(b)
Subject: Election Law

Objective: Democracy is one of the basic features of the Constitution and free and fair elections is the cornerstone for constructive realization for democratic ideals and aspirations of the people of a country. This paper is intended to acquaint the students regarding the significance of free and fair elections and various intricacies of the Elections Law, including electoral corrupt practices, which will facilitate them to choose responsive representatives for good governance.

UNIT-I: Meaning and Concept of Election and Election Dispute

- a. Challenge to Election: Whom and How to Made
- b. Forum for filing Election Petition
- c. Parties to Election Petition
- d. Contents of Election Petition
- e. Grounds of Challenge to Election
- f. Trial of Election Petition
- g. Recriminatory Petition
- h. Withdrawal, Abetment and Appeal
- i. Election to President and Vice President
- j. Composition and Powers of Election Commission (Part XV-Article 324-329 of the Constitution of India)

UNIT-II: Qualification and Disqualification of Candidates

- a. Meaning and Distinction Between Qualification and Disqualification
- b. Qualifications and Disqualifications Provisions under Indian Constitution and the Representation of Peoples' Act, 1951
- c. Office of Profit
- d. Government Contract
- e. Disqualifications on Convictions under the Representation of Peoples' Act, 1951
- f. Anti-Defection Law

UNIT-III: Nomination (Sections 30-39, s100(1)(c), s100(1)(d) of the Representation of Peoples' Act, 1951

- a. Meaning of Valid Nomination
- b. Procedure for Filing of Nomination Security Deposits etc.
- c. Grounds of Rejection of and Withdrawal of Nominations
- d. Voter's Right to Know Antecedent of the Candidates
- e. Recognition of Political Parties and Election Symbols

UNIT-IV: Corrupt Practices

- a. Meaning and Distinction between Corrupt Practices and Electoral Offences
- b. Substantive Corrupt Practice: Bribery, Undue Influence, Character, Assassination of Candidates, Appeal on the Grounds of Religion, Race, Caste, etc.
- c. Needs of Educational Qualification for Candidates
- d. Criminalization of Politics
- e. Election Expenses
- f. Model Code of Conduct
- g. Use of Government/Private Electronic Media and Social Media by Political Parties
- h. Opinion and Exit Polls
- i. Defacement of Public and Private Properties
- j. Reservation for Women in Parliament and State Legislatures

Text Books:

1. V.S. Rama Devi & S.K. Mehendiratta, *Election Law, Practice and Procedure*, Butterworths Publishers, 2013
2. P.C. Jain & KiranJain, *Election Law and Practice*, Chawla Publishers, 2012

References:

1. P.M. Bakshi, *The Constitution of India*, Universal Publishing Company Ltd., 2014
2. *The Representation of Peoples' Act, 1950* (Bare Act), Universal Publishing Company Ltd., 2014
3. *The Representation of Peoples' Act, 1951* (Bare Act), Universal Publishing Company Ltd., 2014
4. *The Presidential and Vice-Presidential (Election) Act, 1952* (Bare Act), Universal Publishing Company Ltd., 2014
5. *The Registration of Elector Rules, 1960* (Bare Act), Universal Publishing Company Ltd., 2014
6. *The Conduct of Election Rules, 1961* (Bare Act), Universal Publishing Company Ltd., 2014

Paper Code: MUBAL 410(c)

Subject: International Humanitarian Law

Objective: The objective this paper is to make students aware of the principles of international humanitarian law and enable them to specialize in the field of Human Rights Law and Humanitarian Law.

Unit – I: Introduction

- a. History
- b. Evolution
- c. Growth

Unit – II: Geneva Conventions Systems

Geneva Convention I, II, III, IV

Unit – II: Armed Conflicts

- a. Internal Armed Conflict
- b. International Armed Conflicts
- c. Non-International Armed Conflicts

Unit – IV: Enforcement Machinery

- a. International Criminal Court
- b. ICRC

Text Books:

1. Ingrid Detter, *The Law of War*, Cambridge, 2000
2. Roberts and R. Guelff, eds. , *Documents on the Laws of War*. Oxford, 2000

References:

1. Legality of the Threat or Use of nuclear weapons, Advisory Opinion, ICJ Reports (1996)
2. M.K. Balachandran and Rose Verghese (eds.), *International Humanitarian Law*, ICRC, 1997
3. Ravindra Pratap, “India’s Attitude towards IHL”, in Mani (ed.), *International Humanitarian Law in South Asia*, Geneva: ICRC, 2003

Paper Code: MUBAL 410(d)

Subject: Indirect Taxes

Objective: Focus of this paper is to orient students with various indirect taxes such as central excise, customs and sales Tax. This optional paper will enable students to specialize in tax laws.

Unit – I: Central Excise

- a. Background and Introduction to Excise Law in India
- b. Structure of Excise Law in India
- c. Meaning of ‘Manufacture’ under section 2(f) and ‘Manufacturer’ under Section 2(f)
- d. Classification of Goods :
 - i. Central Excise Tariff Act 1985
 - ii. Rules for Interpretation of CETA
 - iii. Other Aspects of Classification
- e. Valuation: Study of section 4 and section 4 A alongwith Rules for Valuation
- f. CENVAT
 - i. Basic Meaning
 - ii. MODVAT
 - iii. CENVAT on Inputs
 - iv. CENVAT on Capitals Goods
- g. Administrative Structure of Excise Department

Unit – II: Customs

- a. Background and Introduction to Customs Law in India
- b. Structure of Customs Law in India
- c. Administrative Structure of Customs Department Sections 3 to 6
- d. Territorial Waters of India
- e. ‘Goods’ under Customs Act
- f. Types of Duties
- g. Valuation:
 - i. Section 14
 - ii. Rules for Valuation
- h. Restrictions on Import and Export under the Customs Act 1962
- i. Introduction to Duty Drawback
- j. Introduction to Baggage Rules and Import by Post and Courier

Unit – III: Sales Tax and Vat

- a. Introduction to Central Sales Tax
- b. Constitutional Provisions on Taxes on Sales of Goods
- c. Charging Section
- d. Inter-State Sale
- e. Movement of Goods f.
Stock Transfer
- g. Meaning of goods and Sales h.
Introduction to VAT

Unit – IV: Service Tax

- a. Introduction and Background b.
Constitutional Validity
- c. Provisions Regarding:
 - i. Registration ii.
Records
 - iii. Self Assessment and verification iv.
Interest on Delayed Payment
 - v. List Services included

Text Books:

1. Dr. Monica Singhania & Dr Vinod Singhania, *Students guide to Indirect Tax Laws*, Taxmann, 2014
2. V.S. Datey, *Elements of Indirect Taxes*, Taxmann, 5th Edn., 2014

References:

1. Vineet Sodhani, *Indirect Tax Laws*, Taxmann, 2014
2. S.S. Gupta, *Service Tax: How to Meet your Obligation*, Taxmann, 2014
3. R Krishnan & R Parthasarthy, *Valuation under Central Excise & Service Tax*, Commercial Law Publishers Pvt. Ltd, 2013.
4. V.S. Datey, *Custom Law and Practice and Procedure*, Taxmann, 12th Edn., 2014

Paper Code: MUBAL 452
Subject: Comprehensive Viva

Credit 4

Comprehensive Viva shall be conducted by the Internal/External Experts appointed by the Dean/HOD of Faculty of Legal Studies for a particular subject of respective semester assigned by subject teacher.

NINTH SEMESTER

Paper Code: MUBAL 501

Credit 5

Subject: Human Rights Law

Objective: The objective of this course is to lay the foundation of the Human Rights law and acquaint the students with basic human rights institutions.

Unit-I: Introduction

- a. Nature
- b. Origin and Evolution
- c. Development of Human Right Regime

Unit-II: International Human Rights Law

- a. UN Charter
- b. UDHR
- c. Covenants of 1966
- d. Optional Protocols

Unit-III: National Human Rights Law

- a. Constitutional provisions
- b. Fundamental Rights
- c. Directive Principles of State Policy
- d. Human Rights Act, 1993
- e. NHRC: Composition, Powers and Functions
- f. Role of State HRC, NCW, NCM, SC/ST Commission
- g. Role of Civil Societies and Media

Unit-IV: Group Rights

- a. Prisoners
- b. Women and Children
- c. Indigenous People
- d. Disabled
- e. Senior Citizens
- f. Refugees

Text Books:

1. D.D. Basu, *Human Rights in Constitutional Law*, Lexis Nexis, 2008 (3rd Edn)
2. Upendra Baxi, *The Future of Human Rights*, Oxford University Press, 2012 (3rd Edn)
3. H.O Agarwal, *International Law and Human rights*,

References:

1. Thomas Buergenthal, *International Human Rights in a Nutshell*, West Publisher Company, 2009 (4th Edn)
2. Henry Steiner & Philip Alston, *International Human Rights in Context: Law, Politics, Morals: Text and Materials*, Oxford University Press, 2008
3. S. K. Kapoor, *International Law and Human Rights*, Central Law Agency, 2014
4. M. K. Sinha, *Implementation of Basic Human Rights*, Lexis Nexis, 2013

Objective: The objective of the course is to introduce the conceptual background of the subject along with existing and ongoing developments in the area of International Trade and World Trade Organization's (WTO) Agreements. Special reference should also be made to India's response towards international trade and WTO.

Unit-I: Introduction of International Trade Law

- a. Economic Theories:-
 - i. Mercantilism
 - ii. Adam Smith's Absolute Cost Advantage Theory
 - ii. David Ricardo's Comparative Advantage Theory
 - iv. Hecksher: Ohlin's Factor Endowment Theory
 - v. Raymond Vernon's Product Life Cycle Theory
 - vi. National Competitive Theory (Porter's Diamond)
- b. Lex Mercatoria and Codification of International Trade Law c.
Sources and Principles of International Trade Law

Unit-II: Development of International Trade: GATT, 1947 - WTO 1994

- a. Historical Background of GATT 1947
- b. Uruguay Round and Marrakesh Agreement c.
GATT 1994
- d. Dispute Settlement Understanding

Unit-III: WTO Agreements

- a. Agreement on Agriculture
- b. Agreement on Subsidies and Countervailing Measures c.
Agreement on Anti-Dumping
- d. General Agreement on Trade in Services

Unit-IV: Contemporary Issues: International Trade and Regionalism

- a. Trade and SAPTA and SAFTA
- b. Trade and Environment
- c. Doha Development Agenda

Text Books:

1. Raj Bhalla, *International Trade Law: Theory and Practice*, Lexis Nexis, 2001 (2nd Edn)
2. A.K.Kaul, *Guide to the WTO and GATT: Economics, Law and Politics*, Kluwer Law International, 2006
3. Craig VanGrasstek, *The History and the Future of the WTO*, WTO Publications, 2013

References:

1. WTO, *Doha Development Agenda*, WTO, 2013.
2. Peter Van den Bossche, *The Law and Policy of the WTO*, Cambridge Publications, 2013
3. Gabriel Moens and Peter Gillies, *International Trade and Business: Law, Policy and Ethics*, Routledge, 2006
4. Daniel , *Oxford Handbook on International Trade Law*, Oxford University Press, 2009
5. *Results of the Uruguay Round of Multilateral Trade Negotiations: The Legal Texts* (Geneva: GATT Secretariat, 1994)
6. Francesco, ed. *Environment, Human Rights & International Trade*, Oxford: Hart, 2001

Objective: The object of this paper is to focus on land reforms in India, Constitutional provisions related to land reforms.

The course shall comprise of the following :

(1) U.P.Zamindari Abolition and Land Reforms Act, 1950

- (1) The Political-socio and economic factors responsible for the Z.A. & L.R.Act, 1950 and its objects.
- (2) Definitions of (i) Agricultural Year (ii) Date of vesting (iii) Estate (iv) Intermediary (v) Khud Kasht Land (vi) Sir.
- (3) Acquisition of the interests of intermediaries and its consequences – Sections 4-26, with emphasis on Sections 4-9.
- (4) Mines and Minerals – Sections 106-112.
- (5) Gaon Sabha – Power and Duties – Sections 117-128
- (6) **Tenure-**
 - (a) Classes of Tenure – Section 129
 - (i) Bhumidhar with transferable rights.
 - (ii) Bhumidhar with Non-transferable rights.
 - (iii) Asami.
 - (b) Their rights and liabilities;
 - (i) Use of land and improvements- Sections 142-146
 - (ii) Transfer – Sections 152-167.
 - (iii) Devolution – Sections 169-175.
 - (iv) Division – Sections 176-182.
 - (v) Surrender, Abandonment, extinction and acquisition Sections 183-198 A.
 - (vi) Ejectment – Sections 199-212 C
- (7) Declaratory Suit – Sections 229-229 D.
- (8) Land Revenue and Collection of Land Revenue- Sections 241-294.

(2). U.P. Land Revenue Act 1901

- (1) Maintenance of Maps and Records – Sections 21-47
- (2) Revision of Maps and Records – Sections 47-48
- (3) Appeals, Reference, Revision, Review – Sections 210-220.”

BOOKS RECOMMENDED

Maurya R.R., *Uttar Pradesh Land Laws*.

Singh Yatindra, *The Uttar Pradesh Imposition of Ceiling of Land Holding Act, 1960*.

Paper Code: MUBAL 504-507
Subject: Seminar Papers III

Credit 4

Any one of the seminar papers from the following:

Paper Code MUBAL 504 International Refugee Law

Paper Code MUBAL 505 Socio-Economic Offences

Paper Code MUBAL 506 International Economic Law

Paper Code MUBAL 507 Law of International Organizations

Paper Code: MUBAL504

Subject: International Refugee Law

Objective: The objective of the paper is to enable the students specializing in human rights to be acquainted with laws governing the refugees.

Unit – I: Introduction: Position of refugees under Universal Declaration of Human Rights

Unit – II: Rights, Obligations and Privileges of Refugees under the Refugee Convention

1951

- a. Who is a Refugee?
- b. Judicial Status
- c. Administrative Measures
- d. The 1967 Protocol

Unit – III: The Refugee Problem in Asia and Africa

- a. The AALCC Principles 1966
- b. The OAU Convention 1969

Unit – IV: Implementation and Monitoring

- a. Statute of the UNHCR 1950
- b. Cartagena Declaration 1984

Text Book:

1. Guy S. Goodwin, *The Refugee in International Law*, Oxford University Press, 2000

References:

1. Vibeke Egli, *Mass Refugee Influx and the Limits of Public International Law*, The Hague: Nijhoff, 2002

Paper Code: MUBAL 505

Subject: Socio-Economic Offences

Objective: This paper aims at creating awareness about laws which are meant for prevention of socio-economic offences including corruption in public offices, hoarding, adulteration etc.

Unit – I: Hoarding and Profiteering

- a. Laws relating to Maintenance of Essential Supplies
- b. Laws on Maintenance of Standards of Weights and Measures

Unit – II: Adulteration

- a. Prevention of Food Adulteration
- b. Control of Spurious Drugs

Unit – III: Corruption

- a. Practice and Dimensions of Corruption
- b. Anti Corruption Laws

Unit – IV: Investigation and Prosecution

- a. Central Vigilance Commission (CVC)
- b. Central Bureau of Investigation (CBI)
- c. Criminal Investigation Department (CID)
- d. Other Organisations

Text Books:

- 1. The Prevention of Corruption Act, 1988
- 2. The Central Vigilance Commission Act, 2003
- 3. The Essential Commodities Act, 1955

References:

- 1. The Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980
- 2. The Drugs and Cosmetics Act, 1940
- 3. The Standards of Weight and Measures Act, 1976
- 4. The Bureau of Indian Standards, 1986

Paper Code: MUBAL 506

Subject: International Economic Law

Objective: The objective of this course is to make students aware of the importance of international economic laws and governing principles with special references to India.

Unit – I: Introduction

- a. Definition
- b. New International Economic Order

Unit – II: Subjects of International Economic Law

- a. States
- b. Multinational Enterprises
- c. Individual

Unit – III: Major Economic Rights of States

- a. Permanent Sovereignty
- b. Non-Intervention in domestic Affairs

Unit – IV: Dispute Settlements in International Economic Law

- a. International Organisations
 - i. IMF
 - ii. WTO
 - iii. EC
- b. Between States and Foreign Investors
 - i. ICC
 - ii. ICSID

Text Book:

1. A.F. Lowenfeld, *International Economic Law*, New York: Mathew Bender, 1979

References:

1. M. Bedjaoui, *Towards a New International Economic Order*, Paris : UNESCO, 1979
2. I.F.I.. Shihata, *Legal Treatment of foreign Investment*, Dordrecht: Nijhoff, 1993

Paper Code: MUBAL 507

Subject: Law of International Organizations

Objective: The paper is to enable students of international laws to specialize in the subject by having a detailed study of the structure, purpose and functioning of international organizations.

Unit – I: Introduction

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

Unit – II: Legal Personality: The Reparations Case (ICJ Report 1949)

Unit – III: Relations with States

- a. Members
- b. Non-Members
- c. Municipal Law

Unit – IV: Law-Making and Enforcement

- a. UN
- b. WTO
- c. EU

Text Book:

1. Philippe S, Pirre Klein, Bowett's Law of International Institutions, Sweet and Maxwell, 6th Edn, 2009

References:

1. A.O. Kruger, WTO as an International Organizations, University of Chicago Press, 1998
2. J. Steiner, Textbook on EEC Law, Oxford University Press, 2003
3. T.A. Hartley, European Community Law, Oxford University Press, 2007

Paper Code: MUBAL 508-510

Credit 4

Subject: Seminar Papers IV

Any one of the seminar papers from the following

Paper Code MUBAL 508 Health Care Law

Paper Code MUBAL 509 Comparative Laws

Paper Code MUBAL 510 Socio- Legal Dimensions of Gender

Paper Code: MUBAL 508

Credit 4

Subject: Health Care Law

Objective: This paper focuses on various aspects of health care law including the constitutional perspective, obligations and negligence of medical professionals and remedies available to consumers of health care.

Unit – I: Medicine and Healthcare

- a. Healthcare as an Issue at the National and International Level
- b. Constitutional Provisions
 - i. Right to Health as a Fundamental Right
 - ii. Remedies Available under the Indian Constitution
 - iii. Right to Health vis-à-vis the Right to Confidentiality
 - iv. Access to Medical Records

Unit – II: Professional Obligations of Doctors

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

Unit – III: Medical Negligence

- a. Ingredients
- b. Role of Consent in Medical Practice
- c. Error of Judgment and Gross Negligence
- d. Wrongful Diagnosis and Negligent Diagnosis

Unit – IV: Remedies for Medical Negligence

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

Text Book:

1. Vijay Malik – Drug and Cosmetic Act, 1940, Eastern Book Company, 24th Edition, 2014

References:

1. Anoop K. Kaushal – Medical Negligence & Legal Remedies, Universal Publishing House, 2nd Edition, 2004
2. Dr. Jagdish Singh – Medical negligence Compensation, Bharat Law House, 3rd Edition, 2007
3. P K. Dutta – Drug Control, Eastern Law House, 3rd Edition, 1997.

Paper Code: MUBAL 509
Subject: Comparative Law

Objective: The paper introduces comparative law to the LL.B. student. It focuses on the civil and common law traditions and comparative approaches to law, while introducing other legal traditions and discussing trends of convergence, reconciliation and transitions in legal traditions and approaches.

Unit-I: Introduction

- a. The Concept
- b. Functions
- c. Objectives

Unit-II: Comparative Legal Traditions

- a. Chthonic or African
- b. Talmudic or Jewish
- c. Hindu
- d. Chinese
- e. Civil Law
 - i. Romanistic
 - ii. Germanic
 - iii. Nordic or Scandinavian
- f. Islamic
- g. Common Law
 - i. English
 - ii. United States

Unit-III: Comparative Legal Approaches

- a. Capitalist
- b. Socialist
- c. Third World

Unit-IV: Comparative Legal Traditions and Approaches :

Trends of Convergence, Reconciliation and Transitions

- a. Major Agencies
 - i. International Labour Organization
 - ii. UNIDROIT
 - iii. International law Commission
 - iv. World Intellectual Property Organization
 - v. World Trade Organization
 - vi. UN Human Rights Council
- b. Contemporary Issues
 - i. Legal Systems and Elimination of Child Labour
 - ii. Jurisdiction and Regulation of the Internet
 - iii. International Video Conferencing and National Evidence Laws
 - iv. The Criminal Law and Terrorism
 - v. Transnational Intellectual Property Litigation
 - vi. International trade Liberalization and Approximation of National

Environment Laws

- vii. Legal System Reforms and the Reception of Common Law in Bhutan
- viii. Comparative Law Aspects of the Operationalization of the Indo-U.S. Nuclear Deal
- ix. Emergence of a Global Administrative law / International Rule of Law?

Text Books:

1. Allot, A.N. "African Law", in J.D. M. Derret, Ed., *An Introduction to Legal Systems* (London: Sweet & Maxwell, 1968), 131.
2. ASEAN Law Association, *ASEAN Legal Systems* (Hong Kong/Malaysia/Singapore: Butterworths, 1995).
3. Basu, D. D., *Comparative Federalism* (New Delhi: Prentice-Hall, 1987).
4. Baxi, U., "The Colonial Heritage", in Legrand, P. and Munday, R., eds., *Comparative Legal Studies: Traditions and Transitions* (Cambridge University Press, 2003), 46.

References:

1. Borkowski, A. and du Plessis, P., *Textbook on Roman Law* (London: Oxford University Press, 2005).
2. Calabresi, G., *A Common Law for the Age of Statutes* (Cambridge, Mass: Harvard University Press, 1982).
3. Case 11/70, *Internationale Handelsgesellschaft* [1970] *European Court Reports* 491.
4. *Case Concerning Military and Paramilitary Activities and Against Nicaragua (Nicaragua v. United States of America)* (Merits), ICJ Reports (1986), Paragraphs 187-209.
5. Collins et al., *Dicey and Morris on Conflict of Laws* (London: Stevens & Sons, 2005).
6. Convention on the Law Applicable to Contractual Obligations, 1980.
7. Conventions on the Taking of Evidence Abroad in Civil or Commercial Matters, 1970.

Paper Code: MUBAL510

Subject: Socio-Legal Dimensions of Gender

Objective: This paper intends to sensitize the students about the changing dimensions of gender and also familiarizes them with the subtle manifestations of inequality rooted in our society.

Unit-I

1. Gender as a social construct
2. Production of masculinity and femininity

Unit-II

1. Power and Subordination
2. Socio-legal dimensions of Honour Killings
3. Socio-legal Dimensions of Witch-Hunting

Unit-III

1. Resistance and Movements
2. Gender in media and market
3. Socio-legal dimensions of the Third Gender

Unit-IV

1. Emerging trends with respect to LGBT Community
2. Socio-legal dimensions of Prostitution and Trafficking

References:

1. Sherry Ortner, 1974, "Is male to female as nature is to culture?" M.Z. Rosaldo and L. Lamphere (eds.) *Women, Culture and Society*, Stanford: Stanford University Press (pp. 67- 87).
2. Patricia Uberoi, "Feminine Identity and National Ethos in Indian Calendar Art" In *Economic and Political Weekly* Vol. 25, No. 17 (Apr. 28, 1990), (pp. WS41-WS48).
3. Tharu Susie, and Tejaswini Niranjana, 1999. 'Problems for a contemporary theory of gender' in Nivedita Menon (ed.) *Gender and Politics in India*, New Delhi: Oxford University Press (pp 494-525).
4. Satyamev Jayate, Season I, 5th episode, Air Date:- 3 June 2012
5. Review of Rakhi Varma's film titled *The Indian Witch Hunt*
6. Radha Kumar, 1999, "From Chipko to Sati: The Contemporary Indian Women's Movement" In Nivedita Menon (ed.), *Gender and Politics in India*, New Delhi: Oxford University Press (pp342-369).

Paper Code: MUBAL 551

Credit 4

Subject: Comprehensive Viva

Comprehensive Viva shall be conducted by the Internal/External Experts appointed by the Dean/HOD of Faculty of Legal Studies for a particular subject of respective semester assigned by subject teacher.

TENTH SEMESTER

Paper Code: MUBAL511
Subject: Dissertation

Credit 4

300 marks (200 Dissertation Work + 100 Viva)

Evaluation Pattern:

The tenth semester dissertation shall carry 300 (200 Dissertation Work +100 Viva) marks. They shall be evaluated by Dean/HOD, an External Examiner, one of the faculty of legal Studies appointed by the Dean/HOD.

Paper Code: MUBAL 512
Subject: Internship (Lawyers / Law firms)

Credit 4

100 marks (70 + 30 Viva)

Evaluation Pattern:

After the completion of internship by the students, the work done by the candidate as recorded in his/her daily diary along with a consolidated internship report would be evaluated by a Dean/HOD, an External Examiner, one faculty of Legal Studies appointed by the Dean/HOD.