

SOCIOLOGY--- I

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit. All questions carry equal marks)

Objective: Sociology is the study of development, structure and functioning of human society. The course aims at making the student aware of the social settings and their systematic knowledge through the science of society with which law continues to bear important relationships.

UNIT-I Sociology: An Introduction

- Definition, Nature and Scope of Sociology
- · Origin and Growth of Sociology
- · Relationship of Sociology with Law
- Law and Society-Significance of Law for the functioning of Society
- Contributions of founding figures of Sociology: August Comte, Herbert Spencer, Emile Durkheim, Max Weber, Karl Marx

UNIT- II Sociological Concepts, Social Groupings and Social Processes

- Society and other Basic Concepts (Community, Association, Institution and Organization)
- Types of Societies
- Role and Status
- Culture and Civilization
- Socialization: Process, Stages, Factors and Agencies

Unit III Social Institutions: Continuity and Change

- Family Definition, Types of Family, Forms and Recent Trends in family system in India, functions and dysfunctions of family
- Marriage-Definition, Forms, Types and Trends

- Kinship Definition and Forms, Types of Kinship, Kinship Usages, Kinship System in North and South India
- Religion Origin, Meaning, and Theories, Functions and Dysfunctions, Morality Education (Meaning, Theoretical Perspectives)

Unit - IV Population and Social Control

- Definitions, Importance of Demographic Study, Census, Population Theories and Population Problems
- Fertility, Mortality and Migration
- Social Control Meaning, Formal and Informal Means of Social Control.

UNIT-V Social Stratification and Social Inequality

- Social Stratification Meaning and Forms of Social Stratification, Theories of Social Stratification
- Concept of Social Inequality—Caste, Class, Race and Tribe, Issue of Untouchability, Anti-Caste struggles, Dalit Movements and Adivasi Struggles in India.

- 1. Abraham Francis and J. H. Morgan (1985): Sociological Thought from Comte to Sorokin, Macmillan India.
- 2. Alex Inkeles (1964): What is Sociology? Prentice-Hall, London.
- 3. Andre Beteille (1965): *Caste, Class and Power: Changing Patterns of Stratification in a Tanjore Village,* University of California Press, Berkeley.
- 4. Anthony Giddens (2001): *Sociology*, Polity Press, Cambridge.
- 5. Asha A Bhende and Tara Kanitkar (2017): *Principles of Population Studies*, Himalaya Publishing House, New Delhi.
- 6. C.N. Shankar Rao (2001): Sociology, S.Chand, Delhi.
- 7. David Mandelbaum. G. (1983): *Society in India*, Vol.1 and Vol.2., Popular Prakashan, India.
- 8. Dipankar Gupta (1991): Social Stratification. Oxford University Press, Delhi.
- 9. Francis Abraham (1985), Socialogical Thought, Macmillan Publishers, India.
- 10. Ghanshyam Shah (2002): Social Movements and the State, Sage Publications,

New Delhi.

- 11. Imtiaz Ahmad (ed.) (1973): *Caste and Social Stratification Among the Muslims*, Manohar Book Service, Delhi.
- 12. Imtiaz Ahmad (ed.) (1976): Family, Kinship and Marriage Among Muslims in India, Manohar, New Delhi.
- 13. Iravati Karve (1968): *Kinship Organization in India*, Asia Publishing House, Bombay.
- 14. Krishna Chakraborty (2002): Family in India, Rawat Publications, New Delhi.
- 15. Krishna Iyer (1972): *Law and the People (A Collection of Essays)*, People's Publishing House, New Delhi.
- 16. Leela Dubey (1974): Sociology of Kinship, Popular Prakashan, Bombay.
- 17. M. Haralambos (1997): *Sociology: Themes and Perspectives*, Oxford University Press, New Delhi.
- 18. M. N. Srinivas (1987): *The Dominant Caste and other Essays*, Oxford University Press, New Delhi.
- 19. M. N. Srinivas (ed.).(2000): Caste: Its Twentieth Century Avatar, Penguin, India.
- 20. M. N. Srinivas.(1962): *Caste in Modern India and other Essays*, Asia Publishing House, Bombay.
- 21. Mabel Agnes Elliot and Francis Ellsworth Merrill (1961): *Social Disorganisation*, Harper Colins, New York.
- 22. MSA. Rao. (1978): *Social Movements in India*, Vol.1 and Vol.2. Manohar Publications. New Delhi.
- 23. Nicholas Sergeyvitch Timasheff (2002): *An Introduction to Sociology of Law,* Harvard University committee, USA.
- 24. Patricia Uberoi (ed.) (1994): *Family, Kinship and Marriage in India*, Oxford University Press, New Delhi.
- 25. Ram Ahuja (1999): *Society in India: Concepts, Theories and Recent Trends*, Rawat Publications, Jaipur.
- 26. Raymond Aron (1967): *Main Currents in Sociological Thought*, Vol. 1 & Vol. 2, Penguin Books, London.
- 27. Robert MacIver & Charles H. Page (1987): *Society: An Introduction*, Macmillan, India.
- 28. Satish Deshpande (2003): *Contemporary India: A Sociological View*, Viking Publishers New Delhi.
- 29. Srinivas M. N. (1986): *Indian Social Structure*, Hindustan Publishing Corporation, New Delhi.

- 30. T.B.Bottomore (1971): *Sociology: A Guide to Problems and Literature*, S. Chand, New Delhi.
- 31. Upendera Baxi (1986), *Towards the Sociology of Law*, Satvahan Publications, New Delhi
- 32. Vidya Bhushan (2008), *Text Book of Sociology for Law Students*, Kitab Mahal, Allahabad.
- 33. Vidya Bhushan and D.R.Sachadev (2014), *An Introduction to Sociology*, Kitab Mahal, Allahabad.
- 34. Virginius Xaxa (2003): 'Tribes in India' in Veena Das (ed.), *The Oxford Companion to Sociology and Social Anthropology*, Oxford University Press, Delhi.
- 35. Yogendra Singh (1999): *Social Stratification and Change in India*, Manohar Publishers and Distributors, India.

ECONOMICS-I

(ECONOMIC THEORY)

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course is specifically designed for students with no formal background or a little acquaintance with Economics. A good grasp of Economics is vital for decision making, for designing and understanding public policy from a legal perspective. The main objective of the course is to give the students with a clear understanding of the basic concepts, tools of analysis and terminologies used in Economics, which will facilitate their understanding of various legal phenomena and their economic implications.

UNIT-I

INTRODUCTION TO ECONOMICS

- Definition of Economics: Positive v. Normative Economics-Micro v. Macro Economics
- **Problem of Scarcity:** Choice and Opportunity Cost-Concept of Equilibrium
- Economics Types of Economics System: Capitalism-Socialism-Mixed Economy-Relevance of Economics in Law

UNIT-II

MICRO-ECONOMICS, PRODUCTION & MARKET STRUCTURE

 Micro Economics: Law of Demand and Supply-Determination of Demand and Supply-Shifts and Movements in Demand and Supply Curve-Equilibrium Price Determination-Price Elasticity-Cross Elasticity and Income Elasticity of Demand-

- Types of Goods-Substitutes, Compliments-Normal-Inferior Goods-Giffen Goods-Concept of Utility-Laws of Diminishing and Equal Marginal Utility.
- Production: Production Function-Total Product-Average Product-Marginal Product-Law of Variable Proportion and Returns to Scale-Concept of Total Cost-Average Cost- Average Fixed Cost-Average Variable Cost-Marginal Cost-Total Revenue-Marginal Revenue and Profit-Normal and Abnormal Profit
- Market Structure: Types of Market-Features of Different Markets-Perfect
 Competition; Monopoly-Oligopoly-Monopolistic Competition-Practical
 Relevance of Different Market Structures-Concept of Firm and IndustryEquilibrium of the Firm and Industry under Perfect Competition-Theory of
 Distribution-Micro & Macro Dimensions of Distribution-Marginal Productivity
 Theory of Distribution

UNIT-III

INCOME, EMPLOYMENT AND INFLATION

- Circulation of Flow of National Income
- Concept of Stocks and Flows: Intermediate & Final Products-Concepts of Gross National Product-Net National Product-Gross Domestic Product-Net Domestic Product-Personal Disposable Income-Introduction of Classical and Keynesian Theory of Income Determination
- Inflation: Causes of Inflation-Unemployment-Concept of Investment Multiplier

UNIT-IV

MACRO ECONOMICS CONCEPTS, ISSUES & POLICIES

- Basis of International Trade: Ricordo-Heckser-Ohlin and Modern View-Concept of Terms of Trade-Balance of Payment-Rate of Exchange-Tariff and Non-Tariff Barriers-Role of World Trade Organization
- Taxes: Types of Taxes-Tax Shifting-Characteristics of Good Tax System-Principles of Public Expenditure
- **Economic Policies**: Types of Credit by Commercial Banks-Functions of Reserve Bank of India (RBI)-Instrument of Monetary Policy and Fiscal Policy

UNIT-V

WELFARE ECONOMICS

- Welfare and Competition
- **Social Welfare Function:** Pareto Optimality-Consumer's Surplus
- Concept of Equity: Equity v. Efficiency-Market v. State

- 1. S. K. Misra & V. K. Puri: *Indian Economy*, Himalaya Publishing House, Mumbai.
- Ruddar Datt & K. P. M. Sundharam: Indian Economy, S. Chand & Company Ltd., New Delhi.
- 3. I. C. Dhingra: *The Indian Economy: Environment & Policy*, Sultan Chand & Sons, New Delhi.
- 4. Kalpana Rajaram (ed.): *Indian Economy*, Spectrum Books Pvt. Ltd., New Delhi.
- 5. R. R. Barchwal: *Industrial Economics*, New Age Publisher, New Delhi.
- 6. V. B. Jugal (ed.): Globalization, Growth and Poverty, Serials Publisher, New Delhi.
- 7. N. Vinayaken (ed.): *Globalization of Indian Economy*, Kanishka Publisher, Delhi.

- 8. K.E. Saksena: Economic Reforms: *The Indian Experiences*, Shipra Publication, New Delhi.
- 9. G. S. Batra & R. C. Dangwal (ed.): *Liberalization, Globalisation and International Business*, Deep & Deep Publishers, New Delhi.
- 10. Peter Isard: *Globalisation and the International Financial System*, Cambridge University Press, Cambridge.
- 11. Raj Kapila and Uma Kapila (ed.): Decade *of Economic Reforms in India*, Academic Foundation, New Delhi.
- 12. M. Y. Khan: Indian Financial System, Tata McGraw Hill Publisher, New Delhi.
- 13. Vasant Desai: *Indian Financial System and Financial Market Operation*, Himalaya Publishing House, Mumbai.

POLITICAL SCIENCE-I

(FUNDAMENTALS OF POLITICAL SCIENCE)

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objectives: Political Science and Law are organically interwoven and leave profound impact on the society, both in their individual domains as well as when they work in unison. While Political Science could be seen as a larger domain that leads to the creation of the legal system, the Laws regulate the various players and processes in the political sphere. This paper is designed with the objective of initiating law students into the basic concepts, ideas and theoretical frameworks that would facilitate their understanding in legal subjects such as Jurisprudence and Legal System. The paper approaches the subject more from conceptual perspective rather than purely case-study based approach, so that the students can utilize and implement these learning even while dealing with the legal system in different countries.

UNIT- I INTRODUCTION

- Definition, Meanings, Aims and Scope
- · Nature of Political Science
- Relationship between Political Science and other social sciences
- Relationship between Political Science and Law

UNIT- II IDEOLOGIES

 Meaning and Spectrum of Political Ideologies; Liberalism: Concept, Elements, and Criticism; Developmental Phases: Classical, Modern and Neoliberalism, Conservatism

- Socialism: Concept, Elements and Criticism; Schools of Socialism: Fabianism, Syndicalism and Guild Socialism; Marxism: Class Identity, Dialectical Materialism, Historical Materialism, Scientific Socialism, Forms: Classical, Orthodox and Modern
- **Totalitarianism:** Concept, Elements and Criticism, Fascism and Nazism; **Secularism:** Meaning, Political Secular, Western and Indian Secularism
- **Feminism:** Origin and Development, Public-Private Debate, Patriarchy, Sex and Gender, Equality and Difference, Forms: Liberal Feminism, Socialist Feminism, Radical Feminism, New Feminist Traditions

UNIT- III STATE

- Definitions and Elements of the State
- Salient Features & Functions
- Theories of State: Divine and Force Theory, Organic Theory, Idealist and Individualist Theory, Theory of Social Contract, The Saptang Theory of State
- Classification of the State: Minimal, Monarchical, Developmental, Social Democratic, Collectivized, Totalitarian

UNIT- IV CONCEPTS-I

- Liberty: Meaning and Definition, Evolution of the Concept, Negative-Positive
- Equality: Meaning and Definition, Evolution of the Concept, Rationale and Scope of the Concept
- Justice: Meaning and Nature, Theories of Justice, Kinds of Justice, Views of John Rawls and Nozick
- · Sovereignty, Nationalism and Supranationalism

UNIT- V CONCEPTS-II

- Power, Authority and Legitimacy
- Rights, Obligations and Citizenship
- · Law: The Rule of Law, Natural and Positive Law, Law and Liberty
- Property: Concept of Property, Property under Socialism, Welfarism and Libertarianism

- 1. A. C. Kapur: Principles of Political Science, S. Chand & Company Ltd., Delhi.
- 2. Andrew Heywood: Political Ideologies, Palgrave Macmillan, New York.
- 3. Andrew Heywood: *Political Theory: An Introduction*, Palgrave-Macmillan Education, London.
- 4. H. Dillon: C. Leiden & P. Stewart: *Introduction to Political Science*, D. Van Nostrand Company, INC, New York.
- 5. E. Asirvatham& K. K. Misra: Political Theory, S. Chand Co. Ltd., New Delhi.
- 6. E. Whittington, R. D. Kelemer& G. A. Calberia: *Law & Politics*, Oxford University Press, Oxford.
- 7. Eddy Asirvatham and K. K. Misra, *Political Theory*, S. Chand & Company Ltd., Delhi.
- 8. J. C. Johari: *Contemporary Political Theory: New Dimensions, Basic Concepts and Major Trends*, Sterling Publishers, India.
- 9. J. C. Johari: *Principles of Modern Political Science*, Sterling Publications Pvt. Ltd. Delhi.
- 10. J. R. Strayer: *On the Medieval Origins of the Modern State*, Princeton University Press, NJ.
- 11. John S. Dryzek et al.,: *The Oxford Handbook Political Theory*, Oxford University Press, New York.
- 12. M. Hawkesworth: 'The Science of Politics and the Politics of Science' in M. Hawkesworth& M. Kogan (ed.) *TheEncyclopedia of Government & Politics* (Vol. I), Routledge, London.
- 13. M. P. Jain: *Political Theory (Liberal & Marxian)*, Authors' Guild Publications, Delhi.
- 14. M. S. Rao: Political Obligation, New Era Law Publication Delhi.
- 15. N. Kant: An Introduction to Political Science, Central Law Publications, Allahabad.

- 16. N. Linda: *Political Sociology: Social Post-Modernism, Beyond Identity Politics,* Cambridge University Press, Cambridge.
- 17. O. P. Gauba: An Introduction to Political Theory, Mayur Paperbacks, New Delhi.
- 18. Rajeev Bhargava and Ashok Acharya (eds.): *Political Theory: An Introduction*, Pearson, Delhi.
- 19. Rathore&Haqqi: *Political Theory*, Eastern Book Company Lucknow.
- 20. S. P. Verma: Modern Political Theory, Vikas Publishing House, New Delhi.
- 21. Samuel H. Beer: 'Why Political Science' in R.A.W. Rhodes, S. Binder & B. A. Rockman (ed.), *The Oxford Handbook on Political Institutions*, Oxford University Press, Oxford.

LAW OF TORTS - I

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objectives: The law of tort is a field of law that applies and regulates our day to day affairs. The course introduces major area of tort law such as intentional torts, negligence and strict liability as well as damages issues in tort actions. The course structure explores the underlying objectives and functions of tort law, the basis for imposing liability and a number of intentional torts and applicable defences. The centuries old tort-law stands substituted by the new enactment especially the Consumer Protection Act, 1986 and the Motor Vehicles Act, 1988.

UNIT-I

GENERAL PRINCIPLES, EVOLUTION, MEANING AND SCOPE OF TORTS

- Introduction: Importance and Significance of Law of Torts; Evolution of Law of
 Torts in England and India: Application of the Principles of Equity, Justice and
 Good Conscience; Nature of Torts: History-Definition of Torts-Distinction
 between Torts and Crime, Breach of Trust & Contract
- General Principles: Constituents of torts, damnum sine injuria, injuria sine damno, ubi jus ibi remedium; General Elements in Torts: Act and Omission, Voluntary Act; Requirement of Mental Element: Malice Intention or Negligence and Recklessness, Fault, Motive, Malfeasance, Misfeasance and Non-Feasance as Conditions of Liability Foundation of Tortious liability: Pigeon-Hole and General Principle of Liability Theories-Critical Evaluation; Personal Capacity: Convict-Alien Enemy-Husband and Wife-Corporation-Trade Unions-Insolvent-State and its Subordinates-Minor-Lunatic-Foreign Sovereigns.

• New & Emergent Torts: Strict Liability/ No Fault liability – Statutory Liability, Vicarious Liability, Doctrine of Sovereign Immunity.

UNIT-II

JUSTIFICATION IN TORT

- · General Defences
- Consent as Defence-Leave and Licence- *Volenti non fit injuria*-Necessity-Mistake-Plaintiff's default; Act of God-Force Majeure or *Vis Major*-Inevitable Accident-Private Defence; Act of State-Statutory Authority; Judicial Acts-Judicial & Quasi-Parental Authority.
- Extinguishment of Liability: Discharge of Torts-Death-Waiver-Acquiescence-Release-Accord and Satisfaction-Limitation.

UNIT-III

NEGLIGENCE

- Basic Concepts of Negligence: Meaning and Definition of Negligence-Essentials
 of Negligence: Standard of Care-Duty to Take Care-Breach of Duty, Damage
- **Burden of Proof**: Doctrine of Contributory Negligence-*Res Ipsa Loquitur*-Nervous Shock and Psychiatric Suffering
- Professional Liability Due to Negligence: Liability of Manufacturers & Business Houses.

UNIT-IV

NO FAULT LIABILITY

- **Strict Liability:** Meaning and Essentials-Scope of the Rule in Ryland v. Fletcher-Exceptions to the Rule
- Application of Rule in India: Absolute Liability-Rule in M.C. Mehta v. UOI

 Bhopal Catastrophe: Liability of MNCs and National Government for Mass Torts-Toxic Torts and Protection of Environment-Development of Statutory Torts in U.K., USA and India

UNIT-V

VICARIOUS LIABILITY

- Vicarious Liability: Its Basis & Reasons-Liability by Ratification-Liability by Special Relationship and Abetment
- Doctrine of Sovereign Immunity: Liability of the State-Sovereign and Non-Sovereign Functions-Crown Proceedings Act 1947, Federal Torts Claims Act 1946 and Article 300 of the Indian Constitution
- **Joint Tortfeasors**: Distinction between Joint and Several Liability-Contribution between Tortfeasors

- 1. Avtar Singh: P. S. A. Pillai's Law of Tort, Eastern Book Company, Lucknow.
- 2. J. N. Pandey: *Law of Torts*, Central Law Publications, Allahabad.
- 3. Kumud Desai: *Law of Torts (An Outline with Cases)*, N.M. Tripathi, Bombay.
- 4. R. F. V. Heuston & R. A. Buckley: *Salmond & Heuston on the Law of Torts*, Sweet & Maxwell, London.
- 5. R. K. Bangia: *A Handbook of Consumer Protection Laws & Procedure for the Lawman & the Layman,* Asian Offset Press, Faridabad.
- 6. R. K. Bangia: Law of Torts (Including Compensation under The Motor Vehicles Act and Consumer Protection Laws), Allahabad Law Agency, Allahabad.
- 7. Ratanlal & Dhirajlal (Revised by Akshay Sapre): *Ratanlal and Dhirajlal's The Law of Torts,* LexisNexis, Gurgaon.
- 8. S. K. Kapoor: *Law of Torts*, Central Law Agency, Allahabad.
- 9. W. V. H. Rogers: Winfield and Jolowicz on Tort, Sweet & Maxwell, London.

Relevant Case law

- 1. Allen v. Flood, (1898) AC 1.
- 2. Ashby v. White, (1703) 2 LR 930.
- 3. Henderson v. Merrett Syndicate Ltd., (1994) 3 ALLER 506.
- 4. Gloucester Grammar School Case (1410).
- 5. Acton v. Blundell, (1848) 12 M&W 324.
- 6. Bradford Corporation v. Pickles, (1865) AC 587.
- 7. Town Area Committee v. Prabhu Dayal, AIR 1975 All 132.
- 8. Khorasandjian v. Bush, (1993) 3 ALL ER 669.
- 9. Wilkinson v. Downton, (1897) 2 Q.B. 57
- 10. Hall v. Brooklands Auto-Racing Club, (1993) 1 KB 205.
- 11. T.C. Balakrishnan v. T.R. Subramanian, AIR 1968 Ker 151.
- 12. South Indian Industries Ltd., Madras v. Alameh Ammal, AIR 1923 Mad 565.
- 13. Haynes v. Harwood, (1932) 1 KB 146.
- 14. Cutler v. United Dairies, (1933) 2 KB 297.
- 15. Baker v. T. E. Hapkins & Son, (1959) 1 WLR 968.
- 16. Padmavati v. Dugganika, (1975) 1 Karn LJ 93.
- 17. Dann v. Hamilton, (1939) 1 KB 509.
- 18. Smith v. Baker, (1891) AC 325.
- 19. Vaughan v. Taff Vale Railways Co., (1860) 5 H&N 679.
- 20. Smith v. London & South Western Railway Co. (1870) LR 6 CP 14
- 21. Ramchandra Ram Ngaram Rice & Oil Mills Ltd., Gaya v. The Municipal Commissioner of the Purulia Municipality, (1943) 22 Pat 359.
- 22. Manindra Nath Mukherjee v. Mathuradass Chaturbhuj, AIR 1946 Cal 175.
- 23. Nicholas v. Marshland, (1876) 2 Ex. D. 1.
- 24. Kallulal v. Hem Chand, AIR 1958 MP 48.
- 25. Donogue v. Stevenson, (1932) AC 562.

- 26. White v. Jones, (1995) 1 ALL ER 691.
- 27. Rural Transport v. Bezlum Bibi, AIR 1950 Cal 165.
- 28. Municipal Corporation of Delhi v. Sushila Devi, (1999) 4 SCC 317.
- 29. P. A. Kulkarni v. State of Karnataka, (1999) Kent 284.
- 30. Chairman, Grid Corporation of Orissa Ltd. v. Sukamani Das, (1999) 7 SCC 37.
- 31. Pashchim Banga Khet Mazdoor Society v. State of West Bengal, (1996) 4 SCC 37.
- 32. Pushpaleela v. State of Karnataka, AIR 1999 Kant 119.
- 33. Cates v. Mongini Bros, (1917) 19 Bom LR 778.
- 34. *Hedley Byrne & Co. v. Heller & Partners Ltd.,* (1963) 2 All ER 575.
- 35. M.C.D. v. Subhagwanti, AIR 1966 SC 1750.
- 36. State of Punjab v. Modern Cultivators, AIR 1965 SC 17.
- 37. Shyam Sunder v. State of Rajasthan, (1974) 1 SCC 690.
- 38. Rylands v. Fletcher, (1868) LR 1 Ex 265.
- 39. Madras Railways Co. v. Zamindar of Carvatenagram, (1874) I.A. 364.
- 40. M.C. Mehta v. Union of India, AIR 1987 SC 1086.
- 41. UCC v. Union of India, 1992 AIR 248, 1991 SCR Supl. (1) 251.
- 42. UCC v. Union of India (Order of Settlement), 1989 3 SCC 38.
- 43. UCC v. Union of India (Reasons for Settlement), 1989 3 SCC 38.
- 44. Charanlal Sahu v. Union of India (Validity of 1985 Act) (1990) 1 SCC 613.
- 45. Consumer Education & Research Centre v. Union of India, (1995) 3 SCC 42.
- 46. Bakshi Amrik Singh v. Union of India, (1974) SCJ 105.
- 47. State of Rajasthan v. Ms. Vidyawati, AIR 1962 SC 933.
- 48. Kasturilal v. State of U.P., AIR 1965 SC 1039.
- 49. Lucknow Development Authority v. M.K. Gupta, AIR 1994 SC 787.
- 50. Rudal Shah v. State of Bihar, AIR 1983 SC 1086.
- 51. Jay Laxmi Salt Works (P) Ltd. v. State of Andhra Pradesh, (1994) 4 SCC 1.
- 52. N. Nagendra Ram & Co. v. State of Andhra Pradesh, (1994) 6 SCC 205.
- 53. Jasbir Kaur v. State of Punjab, AIR 1995 P&H 278.

54. Tabassum Sultana v. State of UP, AIR 1997 All 177.

LAW OF CONTRACT-I

(GENERAL PRINCIPLE OF CONTRACT & SPECIFIC RELIEF)

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: Contract law provides the framework within which all commercial transactions, from the smallest consumer purchase to the most complex business deal, take place. The Indian Contract Act occupies the most important place in the Commercial Law. Without contract Act, it would have been difficult to carry on trade or any other business activity and in employment law. It is not only the business community which is concerned with the Contract Act, but it affects everybody. The objective of the Contract Law is to ensure that the rights and obligations arising out of a contractual relation are honoured and that legal remedies are made available to those who are affected. The course structure of Contract-I is designed to acquaint students with the conceptual and operational parameters of various general principles relating to conceptual and practical principles of rules for formation of contract, performance and enforcement of contract remedies.

UNIT- I

INDIAN CONTRACT ACT, 1872

- **General:** Literal Concept-Utility and Purpose.
- Indian Contract Act, 1872: Scheme of the Act and its Salient Features-Definition of Contract-Void Contract and Voidable Contract
- Formation of Contract: Offer-General and Specific Offer-Cross and Counter
 Offer; Acceptance-Mode of Acceptance-Communication and Revocation of Offer
 and Acceptance-Contract through Electronic Medium.
- Intention to Create Legal Relationship/Obligations

UNIT- II INDIAN CONTRACT ACT, 1872

- **Consideration:** Definition and Essential Elements-Privity of Contract and Privity of Consideration-Exceptions-Adequacy of Consideration-Past, Executed and Executor Consideration.
- Capacity to Contract: Meaning-Incapacity arising out of Status & Mental Defects;
 Nature of Minor's Agreement-Effect of Minor's Agreement as regard to Estoppel-Liability, Restitution and Notification-Accessories Supplied to a Minor-Agreements Beneficial and Detrimental to a Minor.
- **Principle of Free Consent:** Coercion-Undue Influence-Misrepresentation-Fraud-Mistake; Unlawful Consideration and Object
- Void Agreement: Meaning-Agreement without Consideration-Agreement in Restraint of Marriage-Agreement in Restraint of Trade-Agreement in Restraint of Legal Proceedings-Unmeaning Agreement-Wagering Agreement

UNIT- III INDIAN CONTRACT ACT, 1872

- Contingent Contract: Performance of Contingent Contract
- Discharge of Contract: Performance-Impossibility of Performance-Doctrine of Frustration-By Agreement-By Breach-Anticipatory Breach-Breach during Performance
- Appropriation of Payment
- Quasi-Contract

UNIT-IV INDIAN CONTRACT ACT, 1872

- Damages
- Remoteness of Damages & Measures of Damages
- Penalty Clause

• Quantum Meruit

UNIT-V

SPECIFIC RELIEF ACT

- **Specific Performance of Contract:** Contract that can be Specifically Enforced, Persons against whom Specific Enforcement can be ordered.
- Rescission and Cancellation
- Injunction: Temporary-Perpetual
- **Declaratory Orders:** Discretion and Power of the Court

- Dr. Avtar Singh: Law of Contract & Specific Relief, Eastern Book Company, Lucknow.
- 2. Dr. R.K. Bangia: *Contract*, Allahabad Law Agency, Allahabad.
- 3. H. K. Saharay: *Dutt on Contract-The Indian Contract Act, 1872*, Eastern Law House, Kolkata.
- 4. G. H. Treitel: *The Law of Contract*, Sweet & Maxwell, London.
- 5. H. G. Beale and Joseph Chitty: *Chitty on Contracts: General Principles*, Sweet & Maxwell, London.
- 6. J. Beatson, Andrew Burrows & John Cartwright: *Anson's Law of Contract*, Oxford University Press, London.
- 7. M. Krishnan Nair: *Indian Contract Law*, Orient Longman, Hyderabad.
- 8. Michael P. Furmston: *Cheshire, Fifoot & Furmston's Law of Contract,* Oxford University Press, London.
- 9. N. C. Seddon, R. A. Bigwood & M. P. Ellinghaus: *Cheshire and Fifoot-Law of Contract*, Butterworths, London.

- 10. Pollock & Mulla (revised & edited by Nilima Bhadbhade): *Indian Contract Act,* 1872, Lexis Nexis, Gurgaon.
- 11. T. S. Venkatesa Iyer: Lectures on Law of Contract, Asia Law House, Hyderabad.
- 12. Venkoba Rao (revised by S. C. Srivastava): Law of Agency, LexisNexis, Gurgaon.

Relevant Cases

- 1. Carlill v. Carbolic Smoke Ball Co., (1893) 1 QB 256.
- 2. Lalman Shukla v. Gauri Dutt, (1913) 11 All 486.
- 3. Balfour v. Balfour, (1919) 2 KB 571.
- 4. Weeks v. Tybald, (1605) 75 ER 982.
- 5. *Harvey v. Facie*, (1893) AC 552.
- 6. Powel v. Lee, (1908) 24 LTR 606.
- 7. Bhagwandas Govardhandas Kedia v. Girdhari Lal Parshotamdas & Co., AIR 1966 SC 543.
- 8. Dutton v. Poole, (1672) KB Lev 210.
- 9. Tweddle v. Atkinson, 30 LJ QB 218.
- 10. Durga Prasad v. Baldeo, (1880) 3 All 221.
- 11. Kedar Nath v. Gorie Mohamed (1886) 1 LR 14 Cal 614.
- 12. Chinnaya v. Ramayaa, (1882) 4 Mad 137.
- 13. Mohori Bibee v. Dharmodas Ghose, 30 Cal 539.
- 14. Khan Gul v. Lakha Singh, ILR (1928) 9 Lah 711.
- 15. Madhub Chandra v. Raj Coomar, (1874) XIV Bengal Law Rev. 76.
- 16. Nordenfelt v. Maxim Nordenfelt Gun & Ammunition Co., Ltd. (1894) AC 535.
- 17. Krell v. Henry, (1903) 2 KB 740 CA.
- 18. Satyabrata Ghose v. Mugneeram, AIR 1954 SC 44.
- 19. Hadley v. Baxendale, (1854) 9 Exch 341.
- 20. Simpson v. London North Rly. Co., (1876) QBD 274.
- 21. Victoria Laundry (Windsor) Ltd. v. Nowman Industries Ltd., (1949) KB 528.

- 22. Ardeshir H. Mama v. Flora Sassoon, IP 1928 PC 208.
- 23. Devender Singh v. Syed, AIR 1973 SC 2457.
- 24. Thomas v. Hanuman Prasad, AIR (1983) A 202.
- 25. American Cyanamid v. Ethican, (1975) 1 All ER 504.

ENGLISH & LEGAL LANGUAGE

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course is designed with the objective to familiarize the students with the correct pronunciations of words and to acquaint them with the role of meanings of words and their interpretation in law. This paper also intends to give the students more exposure to the nature of legal language and the issues related to it in drafting legislations and legal documents. It aims to acquaint the students with advocacy skills so much so to bridge the gap between theoretical and practical knowledge and to strengthen and enhance their critical thinking. It also introduces the students to logical reasoning and its use in law to set up good arguments. This paper also intends to strengthen the students' listening, speaking, reading and writing skills by using literature and to enable the students to analyse the case laws from the perspective of language.

UNIT- I

ESSENTIAL GRAMMAR, COMPREHENSION SKILLS AND VOCABULARY

(The unit will strength the understanding and clarity of grammar items listed below which will be taken rigorously vide a series of close/gap-filling passages for practice. The unit will also aim at bringing about clarity of words, identifying ambiguities and building a legal English vocabulary. Unseen passages will be administered for comprehension practice and testing).

- Articles-Prepositions-Conjunction and Connectors-Tenses-Voices
- Prefixes/Suffixes-Synonyms and Antonyms
- Common Errors-Legal Vocabulary (Comprising of Legal Maxims and Maxims of Equity)-Unseen Passages

UNIT- II COMPOSITION SKILLS

(This unit is devoted to enhancing legal writing skills and familiarity with formats of legal documentation)

- Paraphrasing-Drafting-Précis/Briefs
- Reports & Recitals (Para-Writing)-Legal Correspondence (Letters, Application, Reports and Press Release)
- Legal Essay Writing, Ethics in Legal Writing

UNIT-III

STUDY OF THEORY

(This course will focus on enhancement of their thoughts, ideas and vision for practical application in their professional life. Because law is deeply implicated in our economic, political, and social worlds, pursuit of change invariably involves an understanding of the deep structures of the society)

- Traditional Gender Roles and Feminist Criticism. (With an Overview of Gay, Lesbian and Queer Theory)
- Psychoanalysis and the Origin of the Unconscious
- Post-colonial Identity

UNIT- IV STUDY OF TEXT

(The prescribed chapters in this unit illustrates to law students the clarity of thought and language as well as familiarizes them with use of Satire)

- Trials of Gandhiji-M.K. Gandhi
- Play Justice-John Galsworthy
- Animal Farm- George Orwell

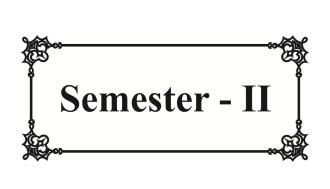
UNIT- V PRESENTATION AND COMMUNICATION SKILLS

(A unit aimed at practical communication where the students are helped to make presentation before an audience, articulate and argue an interpretation. This final unit combines comprehension and oral-written output. Combined with communication skills, the paper will help in developing critical and analytical skills among the students)

- Meaning of Communication: Approaches-Directions and Challenges-Formal & Informal Communication-Barriers to Communication
- Evaluating and Interpreting Issues
- Enhancing Argumentative Skills by enactment of Selective readings from Act IV -Merchant of Venice by Shakespeare.

- 1. Bryan Garner: *A Dictionary of Modern Legal Usage*, Oxford University Press, USA.
- 2. F. T. Wood: *A Remedial English Grammar*, Macmillan and Mahatma Gandhi University, Kottayam.
- 3. George Orwell: Politics and the English Language, available at http://www.orwell.ru/library/essays/politics/english/e_polit.
- 4. Hartin Hewings: *Advanced English Grammar*, Cambridge University Press, Cambridge.
- Interpretations: William Shakespeare's The Merchant of Venice, Harold Bloom, New York.
- 6. John Rodden, Understanding Animal Farm: A Student Casebook to Issues, Sources and Historical Documents, Greenwood Publishing Group.
- 7. Lorna Gilmour: *Collins Thesaurus: The Ultimate Wordfinder*, Harper Collins, New York.
- 8. M. L. Tickoo and A. E. Subramanian: *A Functional Grammar with Usage and Composition*, Frank Bros. & Co. (Publisher) Ltd. Noida.

- 9. Michael McCarthy: *English Vocabulary in Use*, Cambridge University Press, Cambridge.
- 10. P. C. Wren and H. Martin: *High School English Grammar and Composition,* S. Chand, New Delhi.
- 11. Pamela Samuelson: Good Legal Writing: of Orwell and Window Panes 46
 University of Pittsburgh Law Review 149 (Fall 1984)
- 12. Raymond Murphy: *Essential English Grammar*, Cambridge University Press, Cambridge.
- 13. T. J. Fitikides: Common Mistakes in English, Pearson Education Limited, England.
- 14. W. S. Allen: Living English Structure, Pearson Education Limited, England.



SOCIOLOGY--- II

(Indian Society)

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit. All questions carry equal marks)

Objective: Society in India is the aggregate of people living together in India. The course aims at making the student understand the basics of the Indian society, its institutions, functions and dysfunctions for understanding its relations with law and legal institutions.

UNIT-I Social Change

- Social Change: Meaning, Nature of Social Change, Theories of Social Change, The Causes or Factors of Social Change
- · Globalization and Social Change
- Law as an instrument of Social Change in India
- Social Change in Modern India: Sanskritization, Westernization, Islamization and Secularization.

UNIT-II Sociology of Development

- Concepts of Development
- Perspectives of Development: Liberal, Marxian, Gandhian
- Modernization
- Various Approaches to Sustainable Development
- Environmental issues and Movements in India

UNIT-III Women and Society

- Status of Women in Society: Historical and Contemporary view
- Gender Inequality: The origin of Gender Inequalities
- Different Perspectives on Gender Inequality: Feminist and Marxist perspectives,
- Women's liberation Movements
- Feminism and the Future
- Constitutional Mandates and Women in India
- Changing Position of Women in India.

UNIT—IV

Weaker Sections and Minorities

- Problems of the underprivileged and welfare measures (Scheduled castes, Scheduled Tribes and Other Backward Classes)
- Concepts of Social Exclusion and Social Justice, Protective Discrimination and Legal Measures for SCs, STs and OBCs,
- Types of Minority Community in India, Minority Rights, Issues and Challenges of Minority communities of India.

UNIT-V Contemporary Social Issues and Legal Measures

- Major Social Problems in India: Poverty, Illiteracy, Unemployment, Corruption and Black Money, Communal Violence,
- LGBT Issues: Decriminalization of Homosexuality
- Aged and Disability Issues

- 1. A. R. Desai: *India's Path of Development: A Marxist Approach*, Popular Prakashan, Bombay.
- 2. Amartya Sen: *The Argumentative Indians: Writings on Indian History, Culture and Identity,* Penguin Group, London
- 3. Andre Beteill: *The Backward Classes in Contemporary India*, Oxford University Press, New Delhi.
- 4. Anil Agarwal: 'What is Sustainable Development', *Down to Earth*, June 15, 1992: 50-51.
- 5. Ann Oakley: *Subject Women: Where Women Stand Today Politically, Economically, Socially, Emotionally, Martin Robertson, Oxford.*
- 6. B. Kuppyswamy: Social Change in India, Vikas, New Delhi.
- 7. Bipan Chandra: *Communalism in Modern India*, Vikas Publishing House, New Delhi.
- 8. C. N. Shankar Rao, Sociology, S. Chand, Delhi.
- 9. D. Harrison: *The sociology of Modernization and Development*, Routledge.
- 10. Francis Abraham (1985): Sociological Thought, Macmillan Publishers, India.
- 11. Ghansyam Shah (ed.): *Dalit Identity and Politics*, Sage, New Delhi.
- 12. Gunnar Myrdal: *Asian Drama: An Inquiry into the Poverty of Nations*, Kalyani Publishers, India.
- 13. Jean Drèze and Amartya Sen: *India: Economic Development and Social Opportunity*, Clarendon Press.
- 14. K. L. Sharma (ed.): *Social Inequality in India: Profiles of Caste, Class and Social Mobility*, Rawat Publications, Jaipur.
- 15. Kamala Bhasin: What is Patriarchy?, Kali for Women: New Delhi.
- 16. M. Haralambos: *Sociology: Themes and Perspectives*, Oxford University Press, New Delhi.
- 17. M. K. Gandhi: *Hind Swaraj or Indian Home Rule*, Navajivan Trust, Ahmedabad.
- 18. M. K. Gandhi: *The Selected Works of Mahatma Gandhi* Vol.III, Navajivan Trust, Ahmedabad.
- 19. M. N. Srinivas: *Social Change in Modern India*, University of California Press, Berkeley.
- 20. Mahbub Ul Haq: *Reflections on Human Development*, Oxford University Press, New Delhi.
- 21. Maitrayee Chaudhuri: The Indian Women's Movements: Reform and Revival,

- Radiant Publishers, New Delhi.
- 22. Mary E. John *et. al.* (ed.): *Contested Transformations: Changing Economies and Identities in Contemporary India*, Tulika, New Delhi.
- 23. N. R. Madhava Menon: *Social Justice and Social Processes in India*, Indian Academy of Social Sciences, Allahabad, India.
- 24. Neera Desai and Maithreyi Krishna Raj: *Women and Society in India*, Ajanta Books, New Delhi.
- 25. Rajeev Bhargava: Secularism and its Critics, Oxford University Press, New Delhi.
- 26. Ram Ahuja: Social Problems in India, Rawat Publications, Jaipur.
- 27. S. C. Dube: *Understanding Change*, Vikas Publishing House, New Delhi.
- 28. S. C. Dube: Modernisation and Development, Sage Publication: New Delhi.
- 29. T. K. Oommen: *Nation, Civil Society and Social Movements: Essays in Political Sociology*, Sage, New Delhi.
- 30. T. B. Bottomore: *Sociology: A Guide to Problems and Literature*, S. Chand, New Delhi.
- 31. United Nations Development Programme: *Human Development Report*, Oxford University Press. New Delhi.
- 32. Upendera Baxi: *Towards the Sociology of Law*, Satvagan Publications, New Delhi
- 33. Vandana Shiva: *Ecology and the Politics of Survival: Conflicts over Natural Resources in India*, Sage Publications, New Delhi.
- 34. Vidya Bhushan, Text Book of Sociology for Law Students, Kitab Mahal, Allahabad.
- 35. Vidya Bhushan and D. R. Sachadev: *An Introduction to Sociology*, Kitab Mahal, Allahabad.
- 36. Yogendra Singh: *Modernization of Indian Tradition*, Thomson Press, New Delhi.

ECONOMICS-II

(INDIAN ECONOMY)

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The objective of the course is to introduce the salient features of institutional economics and its analytical tools that could be applied to study various legal issues in public and private sector. It also aims to familiarize student with the role of institutions and how these have proven important for economic and social development. The course is specifically designed to make student learn the economic approach of analysing the importance and significance of institutions for resolving socio-economic issues.

IINIT- I

INTRODUCTION TO INDIAN ECONOMY

- Basic Features of Indian Economy: Importance of Social Sector-Health, Education and Infrastructure-India's National Resources (Human and Natural) and their Role in Economic Development.
- Poverty: Types, Extent, Causes and Unemployment
- Poverty Alleviation and Employment Generating Programmes and their Impacts

UNIT-II

INDIA'S AGRICULTURE & ECONOMIC DEVELOPMENT

- Basic Characteristic & Problems of Agricultural Economy: Trends in the Growth of Agricultural Production.
- Indian Agricultural Policy and Agricultural Price in India.
- Land Reforms: Agriculture Labour-Agriculture Finance-Green Revolution.

UNIT-III

INDUSTRIAL DEVELOPMENT

- Industrial Development and Economic Growth: Trends in Industrial Production-Large Scale and Small-Scale Industry-Industrial Policy of 1948, 1956, 1980 and 1991.
- Industrial Finance and Industrial Relations.
- Concentration of Economic Power: Multi-National and Trans-Nationalization of Indian Business.

UNIT-IV

TRADE & FINANCE

- Trade Composition & Direction: Balance of Trade and Balance of Payments
 Problems-Export & Import Policy
- Finance Commission in India: Major Issues in Fiscal Policy-Problems of Fiscal Deficit.
- Problems of External and Internal Debts-Size & Its Implications.

UNIT-V

INDIAN ECONOMY IN GLOBAL ORDER

- Economic Reforms since 1990s
- MNCs and IFMs
- WTO and Indian Economy: IPRs, TRIPs, TRIMs.

- 1. A. N. Aggarwal: *Indian Economy*, Wishwa Prakashan, New Delhi.
- 2. B. Sodersten: International Economics, Macmillan Press Ltd., London.

- 3. B. N. Ghosh and Rama Ghosh: *Modern Macroeconomics: Theory and Practice,* Himalayan Publishing House, New Delhi.
- 4. Bernard Heokman: *Development Trade and The WTO: A Handbook*, Atlantic Publisher, New Delhi.
- 5. D. M. Mithani: International Economics, Himalaya Publishing House, New Delhi.
- 6. G. S. Batra & R. C. Dangwal (ed.): *Liberalization, Globalization and International Business*, Deep & Deep Publishers, New Delhi.
- 7. H. G. Mannur: International Economics, Vikas Publishing House, New Delhi.
- 8. H. L Ahuja: *Macroeconomics: Theory and Policy*, S. Chand & Company Ltd., New Delhi.
- 9. H. L. Bhatia: *Public Finance*, Vikas Publishing House Pvt. Ltd., New Delhi.
- I. C. Dhingra: The Indian Economy: Environment & Policy, Sultan Chand & Sons, New Delhi.
- 11. K. K. Dewett: *Modern Economic Theory*, S. Chand & Company Ltd., New Delhi.
- 12. K. R. Gupta (ed.): World Trade Organisation, Atlantic Publisher, New Delhi.
- 13. Kalpana Rajaram (ed.): Indian Economy, Spectrum Books Pvt. Ltd., New Delhi.
- 14. M. C. Vaish: Monetary Theory, Vikas Publishing House Pvt. Ltd., New Delhi.
- 15. M. M. Sury (ed.): *Finance Commissions of India*, New Century Publication, New Delhi.
- 16. M. Y. Khan: Indian Financial System, Tata McGraw Hill Publisher, New Delhi.
- 17. Peter Isard: *Globalisation and the International Financial System*, Cambridge University Press, Cambridge.
- 18. R. A. Musgrave and P.B. Musgrave: *Public Finance in Theory and Practice*, Mcgraw-Hill International Edition, Tokyo.
- 19. R. K. Lekhi: *Public Finance*, Kalyani Publishers, New Delhi.
- 20. Ruddar Datt & K. P. M. Sundharam: *Indian Economy*, S. Chand & Company Ltd., New Delhi.

- 21. S. K. Misra & V. K. Puri: *Indian Economy*, Himalaya Publishig House, New Delhi.
- 22. Suraj B. Gupta: *Monetary Economics: Institution Theory and Policy*, S. Chand Company, New Delhi.
- 23. T. T. Sethi: Monetary Economics, S. Chand & Company Pvt. Ltd. New Delhi.
- 24. Vasant Desai: *Indian Financial System and Financial Market Operation*, Himalaya Publishing House, New Delhi.

POLITICAL SCIENCE-II (CONCEPTS & PERSPECTIVES)

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objectives: Political Science and Law are organically interwoven and leave profound impact on the society, both in their individual domains as well as when they work in unison. While Political Science could be seen as a larger domain that leads to the creation of the legal system, the Laws regulate the various players, processes and institutions in the political sphere. This paper is designed to introduce law students to the institutions, processes and contemporary debates that have their genesis in the political realm but profoundly influence the legal domain and *vice versa*, both nationally and internationally. This paper aspires to provide a platform to enhance the students' understanding of national and global developments in the field of Constitutional Law, International Law, and Human Rights Law.

UNIT- I CONSTITUTION

- Definition, Aims and Scope
- Types of Constitutions
- Amendment to the Constitution
- Salient Features of the Indian Constitution

UNIT- II GOVERNMENT

- Concept and Meaning, Classification of Governments
- Organs of the Government
- Separation of Powers & Checks and Balances
- Governance in India

UNIT- III DEMOCRACY AND REPRESENTATION

• Democracy: Definition and Meaning, Models of Democracy

- Theories of Democracy
- Elections, Representation and Political Parties
- Groups, Interests and Movements

UNIT- IV WORLD POLITICS

- National Power: Definition and determinants of National Power, Limitations on National Power
- National Interest: Meaning and Scope of National Interests
- Means of Securing National Interest
- National Security and Human Security

UNIT- V INTERNATIONAL POLITICS

- **Cold War:** Causes, Phases and Conflicts (Korean Crisis, Vietnam Crisis, Cuban Missile Crisis, Gulf, War)
- Post-Cold War World: Bipolarity-Unipolarity-Multipolarity, Globalization
- United Nations and its Organs
- Alliances: NATO and Non-Aligned Movement; Supra-National Organisations: EU, OAS, AU, SAARC, ASEAN, BRICS, SCO; Challenges before the Contemporary World Order

- 1. A. C. Kapur: Principles of Political Science, S. Chand & Company Ltd., Delhi.
- 2. Andrew Heywood: *Political Theory: An Introduction*, Palgrave-Macmillan Education, London.
- 3. L. Fadia and KuldeepFadia: *Indian Government and Politics*, SahityaBhawan Publications, Agra.
- 4. E. Asirvatham& K. K. Misra: *Political Theory*, S. Chand Co. Ltd., New Delhi.
- 5. E. Whittington, R. D. Kelemer& G.A. Calberia: *Law & Politics*, Oxford University Press. Oxford.
- 6. Eddy Asirvatham and K. K. Misra: *Political Theory*, S. Chand & Company Ltd., Delhi.

- 7. J. C. Johari: *Contemporary Political Theory: New Dimensions, Basic Concepts and Major Trends*, Sterling Publishers, India.
- 8. J. C. Johari: *Principles of Modern Political Science*, Sterling Publishers, India.
- 9. J. C. Johari: *The Constitution of India: A Politico-Legal Study*, Sterling Publishers, India.
- 10. John Bayliset. al.: *The Globalization of World Politics*: An Introduction to International Relations, Oxford University Press, New York.
- 11. John S. Dryzeket. al.: *The Oxford Handbook Political Theory*, Oxford University Press, New York.
- 12. Joshua S. Goldstein and Jon C. Pevehouse: *International Relations*, Pearson Longman, New York.
- 13. Karen A. Migst et al.: *The United Nations in the 21t Century: Dilemmas in World Politics*, Westview Press, Boulder.
- 14. M. P. Jain: Political Theory (Liberal & Marxian), Authors' Guild Publications, Delhi.
- 15. M. S. Rao: Political Obligation, New Era Law Publication, Delhi.
- 16. Margaret P. Karns et al.,:International Organizations: The Politics and Processes of Global Governance, Viva Books Pvt. Ltd., New Delhi.
- 17. N. Kant: An Introduction to Political Science, Central Law Publications, Allahabad.
- 18. O. P. Gauba: *An Introduction to Political Theory*, Mayur Paperbacks, New Delhi.
- 19. Rajeev Bhargava and Ashok Acharya (eds.): *Political Theory: An Introduction*, Pearson, Delhi.
- 20. Rathore&Haggi: *Political Theory*, Eastern Book Company, Lucknow.
- 21. S. Lukes: *Power: A Radial View*, Macmillan, London.
- 22. S. N. Ray: *Modern Comparative Politics: Approaches, Methods and Issues,*PrenticeHall: India, New Delhi. S.P. Verma: *Modern Political Theory,* Vikas Publishing House, New Delhi.

- 23. Shahrbanou Tadjbakhsh and Anuradha M. Chenoy: *Human Security: Concepts and Implications*, Routledge, London.
- 24. Subhash C. Kashyap: Our Constitution, National Book Trust, Delhi.

HISTORY

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objectives: The objective of this paper is to introduce the law students the historical basis, foundation and legacies influencing our current legal framework, institutions and jurisprudence. The course takes students through historical periods and analyses the methodology through the sources, for understanding, informing and advancing the genesis of our Law. The course provides the students with a foundational understanding on Ancient Law systems such as Arthashastra and sources of Islamic History and Law like Quran and Hadith. After completion of the course, the students are able to draw parallels and appreciate historical influences that have shaped our legal system.

UNIT-I

- History: Meaning and Methodology-Relationship between Law and History-Sources of History-Indus Valley Civilization
- Sources of Legal Systems in Ancient India: Vedic Texts-Brahmanas-Sutras (Kalpa and Dharma)-Dharma Shastra-Asthashastra-Custom-Law State and Society in Manusmriti; Sources of Islamic Law: Shari'ah and Hadith

UNIT- II

- Political System, Religion and Culture in the Vedic Period: Rise of the Caste
 System-Emergence of Jainism and Budhism
- Mauryan and Gupta Period: State and Administration under the Mauryas-Asokan Dhamma-State Craft and Law in Kautilyal's Arthashastra-State and Administration under the Guptas- Rise of Indian Feudalism

UNIT-III

- Delhi Sultanate: Alauddin Khalji's Agrarian Measures and Price Control Policy-Muhammad-Bin-Tughluq's Major Projects-Religious Policy under the Tughluqs.
- **Delhi Sultanate:** Law and *Shari'ah* under the Delhi *Sultan*-Caste and Slavery-Development of *Sufism* in North India-Evolution of Indo-Islamic Culture.

UNIT-IV

- Mughal Dynasty: Establishment of Mughal Rule under Babur and Humayun-Administration under Sher Shah Suri-Consolidation of Mughal Empire under Akbar-Akbar's Religious Policy-Aurangzeb and the Decline of Mughal Empire
- British Expansion from the mid-18th to 19th Century-Economic Consequences of British Rule in India (1765-1857)-Socio-Religious Reform Movements during 19th Century

UNIT-V

- Resistance to Colonial Rule-Revolt of 1857-Social and Economic Consequences of the Railways in India
- Early Indian Nationalism (1885-1909)-Emergence of Gandhi-Khilafat and Non-Cooperation Movement (1919-24)-Civil Disobedience Movement (1930-34)-National Movement from Quit India (1942) to Independence

- 1. A. B. Keith: Constitutional History of India, Pacific Publication, New Delhi.
- 2. Bipan Chandra: *India's Struggle for Independence*, Penguin India, New Delhi.
- 3. Burton Stein: *History of India*, Wiley-Blackwell, Chichester, U.K.
- 4. D. N. Jha: *Ancient India: An Introductory Outline*, Manohar Publishers and Distributors, New Delhi.

- 5. Irfan Habib: *Essays in Indian History: Towards Matxist Perception*, Anthem Press, London.
- 6. J. F. Richards: *The Mughal Empire*, Cambridge University Press, Cambridge.
- 7. Judith Brown: *Modern India the Origin of an Asian democracy*, Oxford University Press, Oxford.
- 8. Sekhar Bandyopadhyay: From Plassey to Partition, Orient Blackswan, Telangana.
- 9. Sumit Sarkar: *Modern India*, Laxmi Publications, New Delhi.

LAW OF TORTS-II

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objectives: The law of tort is a field of law that applies and regulate our day to day affairs. The course introduces major area of tort law such as intentional torts, negligence and strict liability as well as damages issues in tort actions. The course structure explores the underlying objectives and functions of tort law, the basis for imposing liability and a number of intentional torts and applicable defences. The centuries old tort-law stands substituted by the new enactment especially the Consumer Protection Act, 1986 and the Motor Vehicles Act, 1988.

UNIT- I

TORTS AGAINST PERSON & PERSONAL RELATIONS

- **Specific Torts:** Torts affecting the Person-Assault-Battery-False Imprisonment-Malicious Prosecution-Abuse of Legal Process
- Torts Affecting Domestic Relationship: Marital Relations, Domestic Relations, Parental Relations
- Trespass to Reputation or Defamation: Nature, Meaning, and Essentials, Kinds-Libel, Slander, Defences: Truth or Justification, Fair Comment, Privilege-Absolute & Qualified

UNIT-II

WRONGS AFFECTING PROPERTY AND PERSON

• **Trespass to Land**: Nature, Meaning and essentials, Kind-Trespass on the Highway, Trespass in the space, Continuing Trespass, Trespass *ab Initio*,

- **Defences & Remedies**-Pleas of *Jus tertii* & Mesne Profits; **Trespass to Goods**-by conversion, by detention
- Torts against Business Interests: Injurious Falsehood, Mis-Statements & Passing-Off
- Nuisance: Nature, Meaning & Essentials, Kinds- Public and Private, Act Constituting Nuisance-Obstructions of Highways-Pollutions of Air, Water & Noise-Interference with Light & Air-Defenses

UNIT-III

DAMAGES

- **Award of Damages:** Simple-Special-Punitive
- Remoteness of Damages: Foreseeability & Directness-Test of Causation 'But for' Test-Wagon Mound Case-Reasonable Foreseeability Test-Effect of an Intervening Act-Re Polemis Case-Direct Consequences Test-Injunction & Specific Restitution of Property
- Extra-Legal Remedies: Self-Help, Re-Entry on Land, Re-Caption of Goods,
 Distress, Damage Feasant & Abatement of Nuisance

UNIT-IV

CONSUMER PROTECTION LAWS

- Consumer Law: Introduction to Consumer Protection Law in Contract and Torts
- **Criminal Sanction**:Scale of Noxious and Adulterated Substances-False Weights and Measures-Use of Unsafe Carriers
- Consumer Laws: Common Law and the Consumer-Duty to Take Care and liability for Negligence-Product Liability-Consumerism-Consumer Movements in India- Consumer Protection Act, 1986-Salient Features of the

Act-Definition of Consumer-Rights of Consumers-Defects in Goods and Deficiency in Services-Unfair Trade Practices

UNIT-V

CONSUMER DISPUTE REDRESSAL AGENCIES & LIABILITY ARISING OUT OF ACCIDENTS

- Redressal Machinery under the Consumer Protection Act: District Forum-State Commission-National Commission
- Liability under Consumer Protection Act: Liability of the Service Providers,
 Manufacturers and Traders-Remedies
- Liability Arising out of Accidents: Relevant Provisions of the Motor Vehicles
 Act, 1988-Liability without Fault-Insurance of Motor Vehicle Against Third
 Party Risks-Claims Tribulation

- 1. Avtar Singh: P.S.A. Pillai's Law of Tort, Eastern Book Company, Lucknow.
- 2. H. K. Saharay: *Textbook on Consumer Protection Law,* Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 3. J. N. Pandey: *Law of Torts*, Central Law Publications, Allahabad.
- 4. Janak Jai Raj & Himanshi Mittal: *Motor Accident Claims-Law & Procedure,* Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 5. Justice J.R. Midha: *Law Relating to Motor Accident Claims-A Ready Referencer with Latest Judgements*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 6. Kumud Desai: *Law of Torts (An Outline with Cases)*, N.M. Tripathi, Bombay.
- 7. R. Chakraborty: *Law Relating to Rash and Negligent Driving*, CTJ Publications, Maharashtra.

- 8. R.F.V. Heuston & R. A. Buckley: *Salmond & Heuston on the Law of Torts*, Sweet & Maxwell, London.
- 9. R. K. Bangia: *A Handbook of Consumer Protection Laws & Procedure for the Lawman & the Layman*, Asian Offset Press, Faridabad.
- 10. R. K. Bangia: Law of Torts (Including Compensation under the Motor Vehicles Act and Consumer Protection Laws), Allahabad Law Agency, Allahabad.
- 11. Ratanlal & Dhirajlal (Revised by Akshay Sapre): *Ratanlal and Dhirajlal's The Law of Torts*, LexisNexis, Gurgaon.
- 12. S. K. Kapoor: Law of Torts, Central Law Agency, Allahabad.
- 13. W. V. H. Rogers: Winfield and Jolowicz on Tort, Sweet & Maxwell, London.

Relevant Cases

- 1. Fowler v. Lanning, (1959) 1 All ER 290.
- 2. Letang v. Cooper, (1964) 2 All ER 929.
- 3. Collins v. Wilcock, (1984) 3 All ER 974.
- 4. Murray v. Ministry of Defence, (1988) 2 All ER 52.
- 5. Lumley v. Gye, (1853) 118 ER 749.
- 6. Mogul Steamship Co. v. McGregor, Gow & Co., (1892) AC 25.
- 7. Rohtas Industries v. Rohtas Industries Staff Union, (1976) 2 SCC 82.
- 8. Cadbury Schweppes Ltd v. Pub. Squash Co. Ltd., (1981) 1 All ER 213.
- 9. Cassidy v. Daily Mirror Newspaper Ltd., (1929) 2 KB 331.
- 10. Tolly v. Fry & Sons Ltd., (1931) AC 333.
- 11. R.K. Karanjia v. K.M.D. Thackersey, AIR 1970 Bom 424.
- 12. Dr. J.C. Gosh v. H.S. Mukherjee, (1961) 3 SCR 486.
- 13. Sturges v. Bridgman, (1878) 11 Ch 853.
- 14. St. Helen's Smelting Co. v. Tipping, (1865) 11 HL Cas 642.
- 15. Radhey Shiam v. Gur Prasad, AIR 1978 All 86.
- 16. Dr. Ram Baj Singh v. Babulal, AIR 1982 All 285.

- 17. Hunter v. Canary Wharf Ltd., (1797) 2 All ER 426.
- 18. Allen v. Flood, (1898) AC I.
- 19. Quinn v. Leathem, (1910) AC 495.
- 20. Scoot v. Shepherd, (1773) 2 W Bl 892.
- 21. Re Polemis & Furness, Withy & Co. Ltd, (1920) 2 KB 560.
- 22. Liesbosch Dredger v. S. S. Edison (1933) AC 449.
- 23. Overseas Tankship (U.K.) Ltd v. Morts Dock & Engg. Co. Ltd., (1961) 1 All ER 404 (PC).
- 24. Doughty v. Tuner Manufacturing Co. Ltd., (1964) 1 QB 518.
- 25. S.C.M. (UK) Ltd v. WJ Whittall & Sons, (1971) 1 QB 337.
- 26. The Presidency Post Master & Anr. V. Dr. U. Shanker Rao II, (1993) CPJ 141 (NC).
- 27. Nirmal Pande v. Post Master General & Others II, (1993) CPJ7 (SC).
- 28. Lucknow Dev. Authority v. M.K. Gupta, (1993) CPJ 7 SC.
- 29. Indian Medical Association v. V.P. Shantha, AIR 1994 SC.
- 30. Om Prakash v. Asstt. Engineer, Haryana Agro Industries Corporation Ltd. & Anr, (1994) 3 SCC 504.
- 31. Post Master General, Tamil Nadu v. Calvin Jacob, III (1994) CPJ 85 (NC).

LAW OF CONTRACTS-II

(Special Contract & Mercantile Law)

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course structure of Contract II introduces the specific ways in which the law relating to contracts has evolved and the forms that it has taken. Contracts law has assumed special forms in the course of its evolution to suit changes in society. Special provisions that apply to special contracts relating to contracts of indemnity and guarantee, of bailment and pledge, and of agency are contained in three chapters of the Indian Contract Act 1872 and statutes *viz.*, Sale of Goods Act 1930 and Indian Partnership Act 1932 form part of this course. These transactions play a very important role in commerce and trade. This course follows the general principles that apply to all contracts. They deal with general principles that apply to each specific contractual relationship. The study of this course will enable a good understanding of the purposes with which each of these transactions is made, the features of each of these transactions, and the rights and liabilities of the parties to them. The course also emphasizes the study of remedies provided in these laws.

UNIT- I

INDIAN CONTRACT ACT, 1872

- Contract of Indemnity (ss. 124, 125): Definition and Conceptual Validity By
 Specific Requirements, By General Principles of Contract-Nature & Extent of
 Indemnifier's Liability (Rights of Indemnified) on Indemnified suing or being
 sued-Commencement of Indemnifier's liability.
- Contract of Guarantee (ss. 126- 147): Definitions and Conceptual Validity by Specific Requirements, By General Principle of Contract-Liability of Surety: Its Nature and Extent-Discharge of Surety from Liabilities: By Invalidation, By Revocation & By Conduct of Creditor-Rights of Surety: Against-(i) Principal Debtor (ii) Creditor and (iii) Co-Surety

• Contract of Bailment (ss. 148- 171) & Pledge (ss. 172-179): Bailment: Definition and Conceptual Validity-Duties of Bailor and Bailee-Rights of Bailor and Bailee; Pledge (Pawn)-Definition and Conceptual Validity, Who can Pledge-Duties of Pledger (Pawner) and Pledgee (Pawnee)-Rights of Pledger (Pawner) and Pledgee (Pawnee).

UNIT- II

INDIAN CONTRACT ACT, 1872

- Contract of Agency (ss. 182-189, 196-200, 201-210): Definition and Conceptual Validity-By Specific Requirements-By General Principles of Contract; Classes (Kinds) of Agents-Creation of Agency: By Express Agreement-By Implied Agreement of (i) Estoppel (ii) Holding Out (iii) Necessity by Ratification-Requirements & Effects.
- Determination / Termination of Agency
- Of Agency Transaction (ss. 211-238): Mutual Rights and Duties of Parties-Principal, Agent & Third Party-As Regards Relations between Principal and Agent-As Regards Relations between Principal and Third Party-As Regards 'Personal Liabilities' of Agent-Presumption of Contract to the Contrary

UNIT-III

SALE OF GOODS ACT, 1930

Of Nature, Formation & Terms of Contract of Sale of Goods (ss. 1-17):
 General (Ss. 4-10)-Generic Term Contract of Sale-Its Formalities and Essential-Its Species 'Sale' and 'Agreement to Sell'

 Terms or Stipulations of Contract of Sale (ss. 11-13): Conditions & Warranties-Of Implied Term/Stipulations (ss. 14-17)-Implied Conditions-Implied Warranties

UNIT-IV

SALE OF GOODS ACT, 1930

- Of the Effect of Contract of Sale (ss. 18-30): As to Transfer of Property between Seller and Buyer (ss. 18-25)-As to Passing of Risk (ss. 26)- As to the Transfer of Title by Seller having Defective Title (ss. 27-30)
- **Right of Unpaid Seller (ss. 45-54):** As to Lien (ss. 47-49)-As to Stoppage in Transit (ss. 50-52)-As to Resale (s. 54)
- Breach of Contract and its Remedies (ss. 55-57)

UNIT-V

INDIAN PARTNERSHIP ACT, 1932

- Of Partnership, Its Nature & Concept: Definition & Essential and Duration of Partnership (ss. 4-8)- Partnership distinguished from (i) Joint-Stock Company (ii) Joint Family (iii) Co-ownership and Other Association- Right and Duties of Partner (ss. 9-17)
- Liabilities towards Thirds Persons (ss. 18-30): Nature and Extent of the Liabilities of the Firm-Doctrine of 'Holding Out' Creating the Liability of a Non-Partner-Rights of Transferee of a Partner-Position of a 'Minor' admitted to the Benefit of Partnership
- Of Registration (ss. 56-71) & Dissolution of Firms (ss. 39-55): Registration of Firm-Procedure for-Effect of Non-Registration-Dissolution of Firm-Modes of Dissolution and Consequential Effects

Suggested Readings

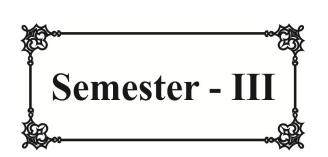
- 1. Dr. Avtar Singh: Law of Contract & Specific Relief, Eastern Book Company,
 Lucknow
- 2. Dr. R. K. Bangia: *Contract*, Allahabad Law Agency, Allahabad
- 3. Dr. R. K. Bangia: Sale of Goods Act, Allahabad Law Agency, Allahabad
- 4. H. K. Saharay: *Dutt on Contract-The Indian Contract Act, 1872*, Eastern Law House, Kolkata
- 5. G. H. Treitel: *The Law of Contract*, Sweet & Maxwell, London
- 6. H. G. Beale and Joseph Chitty: *Chitty on Contracts: General Principles*, Sweet & Maxwell, London
- 7. J. Beatson, Andrew Burrows & John Cartwright: *Anson's Law of Contract*, Oxford University Press, London
- 8. Justice K. Kannan: *Mulla: The Sale of Goods Act and the Indian Partnership Act,* Lexis Nexis, New Delhi
- 9. M. Krishnan Nair: *Indian Contract Law*, Orient Longman, Hyderabad
- 10. Michael P. Furmston: *Cheshire, Fifoot & Furmston's Law of Contract,* Oxford University Press, London
- 11. N. C. Seddon, R. A. Bigwood & M. P. Ellinghaus: *Cheshire and Fifoot -Law of Contract*, Butterworths, London
- 12. Pollock & Mulla (revised & edited by Nilima Bhadbhade): *Indian Contract Act,* 1872, Lexis Nexis, Gurgaon
- 13. T. S. Venkatesa Iyer: Lectures on Law of Contract, Asia Law House, Hyderabad,
- 14. Venkoba Rao (revised by S. C. Srivastava): Law of Agency, LexisNexis, New Delhi

Relevant Cases

- 1. Adamson v. Jarvis, (127) 4 Bing 66.
- 2. *Dugdale v Lovering*, (1875) 10 CP 196.
- 3. United India Insurance Co. v. M/s Aman Singh Munshilal, AIR 1994 P&H 206.

- 4. Secretary of State v. Bank of India Ltd, AIR 1938 PC 191.
- 5. Gajanan Moreshawar v. Moreshwar Madan, AIR 199 Bom 302.
- 6. SBI v. Manganese Ore (India) Ltd, AIR 1997 SC 254.
- 7. Birkmyr v. Darnell, (1704) 91 ER 27.
- 8. Taylor v. Lee, (1924) 187 NC (SC) 393.
- 9. London General Omni Bus Co. v. Holloway, (1912) 2 KB 72.
- 10. Bank of Bihar v. Damodar Prasad, AIR 1969 Sc 297.
- 11. Amrit Lal v. State Bank of Travancore, AIR 1968 SC 1432.
- 12. M.S. Anirudhan v. Thomco's Bank Ltd., AIR 1963 SC 746.
- 13. State of MP v. Kaluram, AIR 1967 SC 1105.
- 14. Re Lampreigh Iron Ore Co. Ltd., (1927) 1 H 308.
- 15. Larson & Tombro Ltd v. Maharashtra Electricity Board, AIR 1996 SC 334.
- 16. NTPC Ltd v. M/s Flowmore Pvt Ltd., AIR 1996 SC 445.
- 17. Coggs v. Bernard, 1703, 1 Sin. LC 175.
- 18. Ultzen v. Nichols, (1894) 1 QB 92.
- 19. NR Srinivasa Iyer v. New India Insurance Co. Ltd., AIR 192 SC 899.
- 20. State of Gujarat v. Memon Mahomed, AIR 1967 SC 1885.
- 21. Trustee, Port Trust of the Bombay v. Premier Automobiles, AIR 1981 SC 1982.
- 22. Juggilal Kamlapat Oil Mills v. Union of India, (1976) 1 SCC 893.
- 23. Morvi Mercantile Bank v. Union of India, AIR 1955 SC 1954.
- 24. Phillips v. Brooks Ltd, (1919) 2 KB 243.
- 25. M/s Kalyani Breweries Ltd v. State of WB, AIR 1998 SC 408.
- 26. Syndicate Bank of India v. Vijay Kumar, AIR 1992 SC 1066.
- 27. Loon Khan v. Johns & Co., AIR 1967 All 308.
- 28. Sayyed Abdul Khader v. Rami Reddy, AIR 1979 SC 553.
- 29. Badri Prasad v. State of MP, AIR 1988 SC 58.
- 30. Panna Lal Jankidas v. Mohanlal, AIR 1951 SC 144.

- 31. Keppel v. Wheeler, (1927)136 LT 203.
- 32. Narandas v. Papammal, AIR 1967 SC 333.
- 33. Luxor (Eastbourne) Ltd. v. Cooper, (1941) AC 108.
- 34. State Bank of India v. Shayama Devi, AIR 1978 SC 1263.
- 35. Harshad J. Shah v. LIC of India, AIR 1997 SC 2459.
- 36. Ram Prasad v. State of UP, AIR 1973 SC 2673.



CONSTITUTIONAL LAW-I

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objectives: The main purpose of this course is to provide the basic understanding of the Indian Constitution which is the fundamental law of the country and establishes the main organs of the government. This course will also focus on Constitutionalism, importance of the preamble, Rule of law and nature of Indian constitution, as well as Powers and Functions of the various organs of government and their relationship. The critical analysis of recent judgments delivered by the Court is to make the students able to develop analytical approach over contemporary issues.

UNIT- I INTRODUCTIO

N

- Constitutional Law: Concept, Definitions & Kinds-Special Features of the Constitution
- Constitutionalism
- Rule of Law: Concept and New Horizons
- Separation of Powers

UNIT-II

FEDERALISM

- Concept and Development of Federalism: Essentials of a Federal
 - Government-Challenges to Indian Federalism
 - **Legislative:** Distribution of Legislative Powers
- Executive: Administrative-Resolution of Conflict
- Financial: Distribution of Taxing Power and Distribution of Revenues

UNIT- III LEGISLATURE

- Privileges of Legislature
- Nature of Parliamentary Sovereignty-Parliamentary Privileges-Privileges and Fundamental Rights
- Anti-Defection Law
- Role of the Speaker: Speaker's Power under Anti-Defection Law

UNIT-IV

EXECUTIVE

- Concept of Executive Power
- Westminster Model-Choice of Parliamentary Government at the Centre and State
- President of India: Election, Qualification and Impeachment-Position of President-Relationship between Cabinet & President
- Powers of the President: Executive Power, Ordinance Making Power,
 Pardoning Power and Emergency Powers

UNIT-V

JUDICIAL REVIEW AND CONSTITUTIONAL AMENDMENT

- Judicial Review: Nature and Scope
- Amendment to the Constitution: Methods of Constitutional Amendment
- Limitation Upon Constituent Power-Doctrine of Basic Structure
- Judicial Activism and Judicial Restraint

- 1. Durga Das Basu: Introduction to the Constitution of India, LexisNexis India.
- 2. Durga Das Basu: Shorter Constitution of India, Prentice-Hall of India, New Delhi.

- 3. Shibanikinkar Chaube: *Constituent Assembly of India*, Manohar Publishers & Distributors, New Delhi.
- 4. J. N. Pandey: Constitutional Law of India, Central Law Agency, Allahabad.
- 5. Zoya Hasan & E. Sridharan (eds.): *India's Living Constitution: Ideas, Practices, Controversies*, Permanent Black Publishers, Delhi.
- 6. M.C. Jain Kagzi: The Constitutional of India, India Law House, New Delhi.
- 7. Arthur Berriedale Keith: *A Constitutional History of India 1600-1935*, Methuen & Co. Ltd., London.
- 8. M. P. Jain: Indian Constitutional Law, LexisNexis India.
- 9. P. D. Mathew: Fundamental Rights in Action, Indian Social Institute, New Delhi.
- 10. Prof. M. P. Singh: V.N. Shukla's Constitution of India Eastern Book Company, Lucknow.
- 11. M. V. Pylee: *Constitutional Amendments in India*, S. Chand & Company, New Delhi.
- 12. M.V. Pylee: *Our Constitution Government & Politics*, Universal Law Publishing Co. Pvt. Ltd., New Delhi.
- 13. M. V. V. Ramana: *Inter-State River Water Disputes in India*, Orient Longman, New Delhi.
- 14. H. M. Seervi: Constitutional Law of India, N.M. Tripathi, Bombay.
- 15. Jagdish Swarup: Constitution of India, Modern Publications, New Delhi.

Relevant Cases

- 1. A. K. Roy v. Union of India, AIR 1982 SC 710.
- 2. A.S Mohammed Rafi v. State of Tamil Nadu, AIR 2011 SC 308.
- 3. Balchandra L. Jarkiholi and Ors. v. B.S Yedyurappa and Ors., (2011) 7 SCC 1.
- 4. Bandhua Mukti Morcha v. Union of India, AIR 1982 SC 802.
- 5. BSE Brokers Forum Bombay v. SEBI, AIR 2001 SC 1010.

- 6. Centre for PIL v. Union of India, (2011) 1 SCC 560.
- 7. Chief Election Commissioner v. Jan Chukidar, (2013) 7 SCC 507.
- 8. D. C. Wadhwa v. State of Bihar, AIR 1987 SC 579.
- 9. Devender Pal Singh Bhullar v. State (NCT of Delhi), (2013) 6 SCC 195.
- 10. Dhananjoy Chatarjee v. State of West Bengal, AIR 2004 SC 3454.
- 11. Divisional Manager, Aravali Golf Club v. Chander Hass, (2008) 1 SCC 683.
- 12. Epuru Sudhakar v. Government of Andhra Pradesh, (2006) 8 SCC 161.
- 13. GVK Industries Ltd. v. The Income-Tax officer, (2011) 4 SCC 36.
- 14. I.R. Coelho v. State of Tamil Nadu, (2007) 2 SCC 1.
- 15. Jagjit Singh v. Haryana, (2006) 11 SCC 1.
- 16. K. M. Sharma v. Shri Devi Lal, AIR 1990 SC 528.
- 17. Kehar Singh v. Union of India, AIR 1989 SC 653.
- 18. Kesavanand Bharti v. State of Kerala, AIR 1973 SC 1416.
- 19. Kihota Hollohan v. Zachilhu AIR 1993 SC 412.
- 20. Kuljeet Singh v. Lt. Governor of Delhi, AIR 1982 SC 774.
- 21. Md. Sukur Ali v. State of Assam, (2011) 4 SCC 729.
- 22. Mohammed Ajmal Amir Kasab v. The State of Maharashtra, AIR 2012 SC 3565.
- 23. Mohd. Ajmal Amir Kasab v. State of Maharashtra, (2012) 9 SCC 1.
- 24. Mohd. Hussain@Julfikar Ali v. The State (Govt. of NCT) Delhi, AIR 2012 SC 750.
- 25. Nandini Sunder v. State, (2011) 1 SCC 577.
- 26. National Human Rights Commission v. State of Gujarat, (2009) 6 SCC 342.
- 27. P. V. Narsimha Rao v. State (CBI/SPF) AIR 1998 SC 2120.
- 28. People's Union For Civil Liberties (PUCL) v. Union Of India, (2003) 4 SCC 399.
- 29. R.M.D.C. v. Union of India, 1957 SC 628.
- 30. Raja Ram Pal v. The Hon'ble Speaker, Lok Sabha, (2007) 3 SCC 184.
- 31. Rajendra Singh Rana v. Swami Prasad Maurya, AIR 2007 SC 1305.
- 32. Ram Javaya Kapoor v. State of Punjab, AIR 1955 SC 549.

- 33. Rameshwar Prasad v. Union Of India, AIR 2006 SC 980.
- 34. Re Article 143 AIR 1965 SC 745.
- 35. Re Berubari Union & Exchange of Enclaves, AIR 1960 SC 845.
- 36. Re Delhi Laws Act, AIR 1951 SC 332.
- 37. Rupa Ashok Hurra v. Ashok Hurra, AIR 2002 SC 1771.
- 38. S.P. Gupta and Others v. President of India and Others AIR 1982 Sc 149.
- 39. S.R. Bommai v. Union of India, AIR 1994 SC 1918.
- 40. Sahara India Real State Corporation Ltd. v. SEBI, (2012) 10 SCC 603.
- 41. State of Kerala v. M/s Mar Appraem Kuri Co. Ltd., AIR 2012 SC 2375.
- 42. State of U.P. v. Jeet Singh Bisht, (2007) 6 SCC 586.
- 43. State of West Bengal v. Committee For Protection of Democratic Rights, AIR 2010 SC 1476.
- 44. University of Kerala v. Council of Principals of Colleges, Kerala, (2011) 14 SCC 357.
- 45. V.K Naswa v. Home Secretary, Union of India, 2012(2) SCC 542.

ISLAMIC JURISPRUDENCE

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objectives: The course offers an introduction in Islamic jurisprudence as a broad field of academic study. It focuses on the legal sources and the areas of development of interpretation methodologies used by the Islamic jurists. It presents an insight into the basic sources of what is described as Islamic law (*fiqh* and *usul al-fiqh*). Furthermore, the course examines a range of methods of interpretation (Ijtihad) of sources of law by connecting these interpretative processes to a variety of socio-political and historical contexts. The course also introduces the student to a range of contentious and reconciliatory issues regarding the Islamic jurisprudence in the context of liberal democracy in contemporary time.

UNIT- I INTRODUCTION

- Definition of Law: Comparison between God-Given and Man-Made Laws-Origin and Development of Muslim Law
- Pre-Islamic Arabia: Socio-Legal Conditions
- Islam after Prophet Mohammad (SAW): The Prophet of Islam and Impact of Islam on West and Modern Technology and Democracy

UNIT- II SOURCES-I

- Who is a Muslim?
- Muslim Law as Applied and Interpreted in India: Operation of Muslim Law Legislative Enactments-The Muslim Personal Law (Shari'at) Application Act, 1937
- Sources of Islamic Law: The Holy Quran-Hadith and Sunnah

UNIT- III SOURCES-II

- Secondary Sources: *Ijma* (Consensus of Opinions) and *Qiyas* (Analogy)
- *Ijtehad* and *Taqlid*
- Equity, Justice and Good Conscience

UNIT- IV SCHOOLS OF ISLAMIC LAW

- Schools of Islamic Law: General Introduction
- Sunni Schools: Hanafi –Maliki-Shafie-Hanbali-Tasawwuf-Sufism
- Shia Schools: Ja'fari or Imāmī School-Ismaeli School-Zaidiya School

UNIT-V

ISLAMIC LEGAL SYSTEM

- Democracy and Islamic System of Shura-Concept of Justice and Sharia Adalat
- Concept of Conversion and Apostasy under Islam
- Rights of Muslim Women and the Dissolution of Muslim Marriage Act, 1939-Right of Maher, Maintenance and the Muslim Women (Protection of Rights on Divorce) Act, 1986

- 1. A.M. Bhattarcharjee: *Muslim Law and the Constitution*, Eastern Law House, Calcutta.
- 2. Abdul Rahim: *The Principles of Muhammadan Jurisprudence*, Luzac and Company, London.
- 3. Ageel Ahmad: Muslim Law, Central Law Agency, Allahabad.
- 4. Asif Ali A. Faizee: A Modern Approach to Islam, Oxford University Press, Delhi.

- 5. Asif Ali A. Faizee: Outlines of Mohammadan Law, Oxford University Press; Delhi.
- 6. J. Schachet: The Origin of Mohammadan Jurisprudence, Clarendon Press, Oxford.
- 7. Khalid Rasheed: Muslim Law, Eastern Book Co., Lucknow.
- 8. Mir Waliullah: *Muslim Jurisprudence and the Qur'anic Law of Crimes*, Adam Publishers & Distributers, New Delhi.
- 9. S. Mahmassni: (Falsafat al-tashrifi-Islam)-Philosophy of Jurisprudence in Islam, Beirut, 1946. [English Translation by F.J. Ziadeb (Beirut) Leiden, 1961].
- 10. Sir D.F. Mulla: Principles of Mahomedan Law, Lexis Nexis, Gurgaon.
- 11. Tahir Mahmood: *Muslim Law in India and Abroad*, Universal Law Publishing Co., New Delhi.

LEGAL METHODS

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course structure on Legal Methods seeks to orient the student to the scheme of law and the essential tools, principles and methods by which the legal system operates to deliver justice. The course will entail the study of sources of law, doctrine of precedents, legal reasoning, case briefing and analogizing and interpretation of statutes and the working of the judicial process. The course will also address basic question such as where and how a start researching on a problem, how to find authorities in support of one's proposition, how to read a case and prepare a case brief, and how to read a statute.

UNIT-I

CONCEPT OF LAW, TYPES & FUNCTION

- Perceptions on Law: Approaches to the Study of Law-Historical, Philosophical, Analytical, Sociological etc.-Law as Distinct from Religion, Morality, Custom, and Public Opinion
- Types of Law: Common Law-Civil and Criminal Law-Public and Private Law-Substantive and Procedural Law-Adjective Law-International Law & Municipal Law

UNIT-II

SOURCES OF LAW

- Purpose and Function of Law: Normative-Social Ordering-Justice Delivery-Dispute Settlement-Directing Social Change-Social Engineering-Legitimising Power
- Sources of Law: Religion-Culture-Agreement-Custom-Precedent & Legislation

UNIT-III

LAW AS A SYSTEM

- Form & Structure of Legal System: Rule of Law-Institutions of Law / Hierarchy of the English & Indian Courts
- Structure of the Indian Legal System

UNIT-IV

METHODS OF LAW

- Statute: How is a Statutory Law Enacted? -The Structure of a Statute-How to Read a Statute
- Cases: What is a Precedent in Law?-How to Read a Case?-Distinguishing 'Ratio' from Obiter-Judicial Law Making

UNIT-V

LEGAL RESEARCH METHODS

- Research-Meaning, Legal Research- Meaning- Types, Objectives, Techniques,
 Ethics in Legal Research- Plagiarism
- **Sources** Primary, Secondary, Using Law Library

- 1. Anwarul Yaqin: Legal Research and Writing Methods, LexisNexis, India.
- 2. Carl Stychi: Legal Method: Text and Materials, Sweet & Maxwell, London.
- 3. Dr. G. P. Tripathi: Legal Method, Central Law Publications, Allahabad.
- 4. Dr. Sanjeev Kumar Tiwari: *Legal Method*, Samudhvab Publisher & Book Sellers, New Delhi.
- 5. Lon L. Fuller: *Morality of Law*, Universal Law Publishing Co. Private Limited, New Delhi.
- 6. Glanville L. Williams: Learning the Law, Sweet & Maxwell, London.
- 7. Ian McLeod: *Legal Method*, Palgrave Macmillan, London.

- 8. Robert M. Baird: *Morality and the Law (Contemporary Issues in Philosophy)*, Prometheus Books, New York.
- 9. Sebastian Urbina: Legal Method and the Rule of Law, Springer, Berlin.
- 10. Simon Lee: Learning Legal Skills, Oxford University Press, Oxford.
- 11. Sir Carleton Kemp Allen: Law in Making, Oxford University Press, UK.
- 12. Tushar Kanti Saha: *Textbook on Legal Methods, Legal Systems & Research,* Universal Law Publishing Co. Pvt. Ltd., New Delhi.

LEGAL AND CONSTITUTIONAL HISTORY

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The objective of this paper is to take the law students through the immediate past of our current legal system - the genesis of our constitution, legal institutions and systems. The students are introduced to a wide variety of Acts and/or factors that facilitated formulation of Act and the subsequent incorporation in our current constitution, the socio-political and economic influences behind such Acts thereby taking the students through historical facts and materials enroute to framing of constitution and traces the influences over it.

UNIT-I

DEVELOPMENT OF COURTS & JUDICIAL INSTITUTIONS FROM 1600 TO 1781

- India at the Dawn of British Arrival: English East India Company, Foundation,
 Constitution and Growth till 1726-Administration of Justice in Presidency Towns
 (1600-1726) and Development of Court and Institutions under the East India
 Company.
- Establishment of Crown Courts in India: The Mayor's Courts and Courts of Request in Presidency Towns-Beginning of Adalat System-Warren Hastings Plan of 1772, Reforms under Plan of 1774 and Reorganization in 1780- Regulating Act of 1773
- Salient Features of Supreme Court at Calcutta: Composition-Powers-Functions-Working-Landmarks Cases: Trial of Raja Nand Kumar (1775)-Case of Kamaluddin (1775)-The Patna Case (1779)-The Cossijurah Case (1779-80)

UNIT-II

DEVELOPMENT OF COURTS & JUDICIAL INSTITUTIONS SINCE 1781

- Act of Settlement 1781: Supreme Courts at Madras and Bombay- Role of Cornwallis in Judicial Reforms: Judicial Plans of 1787, 1790 and 1793-Progress of Adalat System under Sir John Shore, Lord Walleseley, Lord Amherest and Lord William Bentick
- History of Indian High Courts under Act of 1861, 1865, 1911 & Govt. of India
 Act, 1915 & 1935
- Judicial Committee of Privy Council as a Court of Appeal and its Jurisdiction to Hear Appeals from Indian Decisions-Abolition of the Jurisdiction-Federal Court-Modern Judicial System

UNIT-III

DEVELOPMENT OF LAW

- Racial Discrimination in Administration of Civil and Criminal Justice
- Introduction of English Law in the Presidencies and Mufussils
- Development of Criminal Law-Development of Civil Law-Development of Personal Law during British Periods

UNIT-IV

CIVIL REBELLIONS, RISE & GROWTH OF INDIAN NATIONAL MOVEMENT

- Revolt of 1857: Civil Rebellious and Peasant Revolts with Special Reference to Indigo-Revolt, Deccan Riots and Mappila Uprising-Early Nationalists and Militant Nationalists-Revolutionary Group-Terrorists
- Passing of the Indian Council Act, 1881, 1892 and the Govt. of India Act of 1909, 1919 & 1935

 Emergence of Gandhi in Indian Politics and Techniques of Mass Mobilization: Non-Cooperation, Civil Disobedience and Quit Indian Movement-Transfer of Power and Indian Independence Act, 1947

UNIT-V

HISTORICAL GROWTH OF LEGAL PROFESSION & LAW-REPORTING

- Codification of Indian Laws and the Law Commissions: The Charter Act of 1833-First Law Commission- Charter Act of 1853-Second, Third & Fourth Law Commission
- Growth of Legal Profession in India: Legal Practitioners Act, 1853, The High Court of 1861, The Legal Practitioners Act 1879, Report of the Indian Bar Committee, 1923, The Indian Bar Council Act, 1926 and The Advocates Act, 1961
- History of Law Reporting in India

- 1. J. K. Mittal: *Indian Legal & Constitutional History*, Allahabad Law Agency, Allahabad.
- 2. Kailash Rai: *Indian Legal & Constitutional History*, Allahabad Law Agency, Allahabad.
- 3. M P Jain: Outlines Of Indian Legal and Constitutional History, LexisNexis India, Gurgaon.
- 4. M. P. Singh: Outlines of Indian Legal and Constitutional History: Including Elements of Indian Legal System, Universal Law Publishing Co. Pvt. Ltd, New Delhi.
- 5. M. Rama Jois: Legal and Constitutional History of India: Ancient Legal, Judicial and Constitutional System, Universal Law Publishing-An Imprint of LexisNexis, New Delhi.

DATID	(Hone)	Somoctor-III)	
D.A.LL.D.	nons.	Semester-III)	

	B.A.LL.B. (Hons.) Semester-III)	
6.	Sumeet Malik: V. D. Kulshreshtha's Landmarks in Indian Legal & Constitutional	
	History, Eastern Book Company, Lucknow.	

Last updated on 20.01.2025

LAW OF CRIMES – I (The Bharatiya Nyaya Sanhita, 2023

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course of Law of Crimes has been so designed as to enable students to understand the general principles of criminal liability, to identify the ingredients of an offence, understand the range of states of mind required for different offences, as well as to sensitize students about the inherent biases of criminal law against certain groups of people despite its claim of universality, neutrality and equality. Students will gain a greater understanding of the changes and developments in this field through the course. Students will learn the basic concepts of criminal law and crime in this course. Students are also exposed to the various mental states that constitute mens rea. All in all, this course will provide students with a comprehensive understanding of criminal law and crime.

UNIT-I

INTRODUCTION

- Concept and Nature of Crime
- Elements of Crime Mens rea and Actus Reas
- Stages of Crime Intention, Preparation, Attempt and Completion
- Applicability and Territorial Jurisdiction of Bhartiya Nyaya Sanhita, 2023

UNIT - II

PUNISHMENT

- Concept and Theories of Punishment
- Kinds of Punishment Death Penalty, Community Service, Solitary Confinement, Imprisonment, Fine

- Commutation of Sentence, Imprisonment for Default of Community Service and Non-Payment of Fine
- Enhanced Punishment

UNIT – III

GENERAL EXCEPTIONS – I

- Defence of Mistake of Fact and Judicial Acts
- Defence of Accident
- Defence of Necessity
- Defence of Infancy

UNIT - IV

GENERAL EXCEPTIONS – II

- Defence of Unsoundness of Mind
- Defence of Intoxication.
- Defence of Consent
- Private Defence.

UNIT - V

INCHOATE CRIMES AND ORGANISED CRIMES

- Attempt.
- Abetment
- Criminal Conspiracy
- Organized Crimes

Prescribed Legislation:

The Bharatiya Nyaya Sanhita, 2023

- 1. Ratan Lal & Dhirajlal, *Indian Penal Code*, (Lexis Nexis XXXV ed. 2023)
- 2. K.D Gaur, *Textbook on the Bharatiya Nyaya Sanhita*, 2023, (Lexis Nexis Ninth ed. 2024)
- 3. Vageshwari Deswal, Saurabh Kansal, Bharatiya Nyaya Sanhita 2023-Law & Practice (Taxman Publications, 2024)
- 4. S.N Mishra, *The Indian Penal Code* (Central Law Publications 22nd ed. 2018)
- 5. PSA Pillai's *Criminal Law* (Lexis Nexis Butterworths Wadhwa 15th ed. 2023)
- 6. K.A Pandey, B.M. Gandhi's *Indian Penal Code* (EBC publications 4th ed. 2018)
- 7. K.D Gaur, Criminal Law: Cases and Materials, (Lexis Nexis 9th ed. 2019)
- 8. S.P Sen Gupta, Sarkar on Indian Penal Code, 1860 (Kamal Law House, 4th ed. 2022) The by
- 9. T Bhattacharyya, Bharatiya Nyaya Sanhita, 2023, Ist ed. Central Law Agency
- 10. N. P. Khan, Commentary On The Bharatiya Nyaya Sanhita, 2023, Satyam Law International

PROPERTY LAW

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: Since time immemorial, right to acquire, own and dispose of property has been considered as a very important legal right to attain economic freedom, despite the State's right of eminent domain indisputably. It is this factor that shall be kept in mind while examining the various issues arising out of transfer of property. The object of the course is to provide the students with the concepts of transfer of property law. In this paper, attempts have been made to understand the extra- ordinary complexities of transfer of property. The very purpose of the course is to provide the students with the study of the topics like sale, exchange, gift, mortgage and lease of immovable property and how they can be affected apart from exposing the students to the fundamental principles governing transfer of property. The following syllabus is prepared with the above-stated objectives and will be spread over the semester.

UNIT-I

INTRODUCTION

- Concept & Meaning of Property
- Kinds of Property
- Interpretation Clause (Section 3): Distinction between Movable and Immovable Property-Attestation-Actionable Claim-Doctrine of Notice

Relevant Cases

- 1. Anand Behara v. State of Orissa, (1955) 2 SCR 919.
- 2. Bamadev Panigrahi v. Manorama Raj, AIR 1974 AP 226.
- 3. Ahmedabad Municipal Corp. v. Haji Abdul, AIR 1971 SC 1201.
- 4. Md. Mustufa v. Haji Md. Isa, AIR 1987 Pat 05.
- 5. United Indian Fire & Gen. Ins. Ltd. v. Palaniaapppa & Transport Carrier, AIR 1986 AP 32.

UNIT-II

TRANSFER OF PROPERTY BY ACT OF PARTIES

- Meaning of Transfer of Property (Section 5): Modes of Transfer of Property- What Property may be Transferred (Section 6)-Doctrine of Feeding the Grant by Estoppels (Section 43)
- Competency of a Person to Transfer Property (Section 7): Conditional Transfer (Sections 10, 11, 25)-Rules against Perpetuity (Sections 13, 14, 15)- Vested and Contingent Interest (Sections 19 and 21)
- **Doctrine of Election (Section 35):** Transfer by Ostensible Owner (Section 41)- *Lis Pendens* and Part-Performance (Sections 52, 53A)

Relevant Cases

- 1. V. N. Sarin v. Ajit Poplai, AIR 1966 SC 432.
- 2. Ram Niwas v. Nankoo, (1929) 921 IC 401.
- 3. Cooper v. Cooper, (1874) HL 53.
- 4. Amarnath v. Dy. Dir. of Consolidation, Kanpur, AIR 1985 All 16.
- 5. Sunil Kr. Sarkar v. Aghor Kr. Basu, AIR 1989 Gauh 39.

UNIT-III

SPECIFIC TRANSFER-I

Laws Relating to Sale, Exchange and Mortgage (Sections 54-56, 118-120, 58-60, 81, 91)

Relevant Cases

- 1. Ganga Dhar v. Shankar Lal, (1958) SC 770.
- 2. Pomal Kanji Govingji v. VrajiLal K. Prohit, AIR 1989 SC 436.
- 3. Abdul Hakim v. Sajjad Hussain, (1923) 26 PC 206.

4. Meena Devi v. Thakur Man Singh, AIR 1986 Raj 44.

UNIT-IV

(SPECIFIC TRANSFER-II)

• Law Relating to Lease and Gift (Sections 105-111, 122-127)

Relevant Cases

- 1. Errington v. Errington, (1952) 1 All ER 149.
- 2. Associated Hotels of India Ltd v. R. N. Kapoor, (1960) 1 SCR 368.
- 3. Quality Cut Pieces v. M. Laxmi & Co., AIR 1986 SC 1816.
- 4. Sm. Kartari v. Keval Krishan, AIR 1972 HP 117.
- 5. Tila Bewa v. Mana Bewa, AIR 1962 Ori 130.

UNIT- V

EASEMENT

- Concept and Meaning of Easement
- Creation and Extinction of Easement
- License-Difference between Easement and License

- 1. Avtar Singh: *Textbook on the Transfer of Property Act*, Universal Law Publishing-An Imprint of LexisNexis, New Delhi.
- 2. Darashaw J. Vakil: *Commentaries on the Transfer of Property Act*, LexisNexis India, Gurgaon.
- 3. Dr. H. N. Tiwari: Transfer of Property Act, Allahabad Law Agency, Allahabad.
- 4. Dr. R. K. Sinha: The Transfer of Property Act, Central Law Agency, Allahabad.
- 5. G. P. Tripathi: The Transfer of Property Act, Central Law Publications, Allahabad.
- 6. Poonam Pradhan Saxena: Mulla: The Transfer of Property Act, Lexis Nexis, India.
- 7. Poonam Pradhan Saxena: *Property Law*, LexisNexis India, Gurgaon.

- 8. Rega Surya Rao: Lectures on Transfer of Property Act, Asia Law House, Hyderabad.
- 9. S. N. Shukla: The Transfer of Property Act, Allahabad Law Agency, Allahabad.
- 10. S. R. A. Rosedar: Transfer of Property Act, LexisNexis India, Gurgaon.
- 11. Sudhir Jairam Birje: *The Transfer of Property Act, 1882 & Indian Easement Act, 1882*, Ajit Prakashan, Pune.



CONSTITUTIONAL LAW-II

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: This course will deal with fundamental rights because the success or failure of democracy depends on the extent to which civil liberties are enjoyed by the citizens. This paper will give knowledge to the students about the concept of state, classification of fundamental rights, relevance of Directive Principles of State Policy and importance of Fundamental Duties. The critical analysis of recent judgments delivered by the Courts is to make the students able to develop analytical approach over contemporary issues

UNIT-I STATE

- Concept of State under Article 12 of the Constitution
- Concept of Law under Article 13 of the Constitution

UNIT- II FUNDAMENTAL RIGHTS- I

- Doctrine of Equality
- Affirmative Action

UNIT-III FUNDAMENTAL RIGHTS- II

- Right to Freedom
- Right to Life & Liberty-Protection against Arrest & Detention

UNIT-IV FUNDAMENTAL RIGHTS- III

- Right against Exploitation
- Right to Religion
- Cultural & Educational Rights

UNIT-V

DPSP & FUNDAMENTAL DUTIES

- Directive Principles of State Policy
- Fundamental Duties

- 1. Arthur Berriedale Keith: *A Constitutional History of India 1600-1935*, Methuen & Co. Ltd., London
- 2. Dr. J. N. Pandey: Constitutional Law of India, Central Law Agency, Allahabad.
- 3. Durga Das Basu: *Introduction to the Constitution of India*, LexisNexis India, Gurgaon.
- 4. Durga Das Basu: Shorter Constitution of India, Prentice-Hall of India Pvt. Ltd., New Delhi
- 5. H. M. Seervi: Constitutional Law of India, N.M. Tripathi, Bombay
- 6. Jagdish Swarup: Constitution of India, Modern Publications, New Delhi
- 7. M. P. Jain: *Indian Constitutional Law*, LexisNexis India.
- 8. M. V. Pylee: Constitutional Amendments in India, S Chand & Company, New Delhi,
- 9. M. V. Pylee: *Our Constitution Government & Politics*, Universal Law Publishing Co. Pvt. Ltd., New Delhi
- 10. M. V. V. Ramana: Inter-State River Water Disputes in India, Orient Longman, New Delhi

- 11. M.C. Jain Kagzi: The Constitutional of India, India Law House, New Delhi
- 12. P. D. Mathew: Fundamental Rights in Action, Indian Social Institute, New Delhi
- 13. Prof. M. P. Singh: V. N. Shukla's Constitution of India, Eastern Book Company, Lucknow
- 14. Shibanikinkar Chaube: *Constituent Assembly of India*, Manohar Publishers & Distributors, New Delhi:
- 15. Zoya Hasan & E. Sridharan (eds.): *India's Living Constitution: Ideas, Practices, Controversies*, Permanent Black, Delhi

Relevant Cases

- 1. AIIMS Students Union v. AIIMS, AIR 2001 SC 3262.
- 2. Aruna Ramchandra Shanbaug v. Union of India, (2011) 4 SCC 454.
- 3. Ashok Kumar Thakur v. Union of India, (2008) 6 SCC 1.
- 4. Association for Democratic Reforms v. Union of India, AIR 2001 Del 126.
- 5. Bennet Coleman & Co. v. Union of India, AIR 1973 SC 106.
- 6. Bijoe Emmanual v. State of Kerala, AIR 1986 Ker. 34.
- 7. Devender Pal Singh Bhullar v. State (NCT of Delhi), (2013) 6 SCC 195.
- 8. Ex-Captain Garish Uppal v. Union of India, (2003) 2 SCC 45.
- 9. Francis Coralie v. Union Territory of Delhi, AIR 1981 SC 746.
- 10. Hussainara Khatoon v. Home Secretary, Bihar, AIR 1979 SC 1322.
- 11. Indian Express Newspapers (Bombay) Pvt. Ltd. v. Union of India, AIR 1986 SC 515.
- 12. Islamic Academy of Education v. State of Karnataka, (2003) 6 SCC 697.
- 13. M. H. Hoskot v. State of Maharashtra, AIR 1978 SC 1548.
- 14. M. Nagaraj v. Union of India, (2006) 8 SCC 212.
- 15. Maneka Gandhi v. Union of India, AIR 1978 SC 597.
- 16. Municipal Corporation of Delhi v. Association of Victims of Uphaar Tragedy, AIR 2012 SC 100.
- 17. Namit Sharma v. Union of India, (2013) 1 SCC 745.

- 18. National Human Right Commission v State of Arunachal Pradesh, AIR 1996 SC 1254.
- 19. P.A. Inamdar v. State of Maharashtra, AIR 2005 SC 3236.
- 20. Prakash Jha Productions v. Union of India, (2011) 8 SCC 372.
- 21. R. K. Dalmia v. Justice S. R. Tendolkar, AIR 1958 SC 538.
- 22. Rabindra Kumar Pal @Dara Singh v. Republic of India, 2011 (1) SCR 929.
- 23. Rupa Ashok Hurra v. Ashok Hurra, AIR 2002 SC 1771.
- 24. Satimbla Sharma v. St Paul's Senior Secondary School, (2011) 13 SCC 760.
- 25. Society for Unaided Private Schools of Rajasthan v. Union of India, AIR 2012 SC 3445.
- 26. St. Stephen's College v. University of Delhi, AIR 1992 SC 1630.
- 27. State of Bombay v. F. N. Balsara, AIR 1951 SC 318.
- 28. State of Orissa v. Mamta Mohanty, (2011) 3 SCC 436.
- 29. State of West Bengal v. Anwar Ali Sarkar, AIR 1952 SC 75.
- 30. T. K. Rangarajan v. Government of Tamil Nadu, AIR 2003 SC 3032.
- 31. T. M. A.Pai Foundation v. State of Karnataka, AIR 2003 SC 355.
- 32. *Unni Krishnan v. State of A.P.*, AIR 1993 SC 2178.
- 33. Zee Telefilms Ltd. v. Union of India, (2005) 4 SCC 649.

FAMILY LAW-I

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course will help the students to understand and reflect upon the nature and basic concepts of Muslim Law, and also understand the set of challenges Muslim religious laws face in the wake of national and international developments in the socio-political context. The course will also make the students aware about the legislative measures undertaken by the government right from the time of the British till the present government and the role of Judiciary in bringing reforms in uplifting the position of women, particularly in the laws of divorce and maintenance

UNIT-I

MARRIAGE & DIVORCE

- Marriage: Definition, Nature, Formalities-Legal Effects-Kinds of Marriages-Legal Effects-Stipulations in Marriage Contract-Prohibitions to a Muslim Marriage- Permanent and Temporary, Option of Puberty, Restitution of Conjugal Rights.
- Divorce: Classification of Divorce-By the Husband-By the Wife-By Mutual Consent, By Judicial Process-Effects of Divorce-Apostasy and Conversion as Grounds of Divorce-Iddat-Rationale and Utility-The Dissolution of Muslim Marriage Act, 1939- Triple Divorce-Position in other countries.

UNIT-II

DOWER & MAINTENANCE

Dower: Definition, Nature & Kinds of Dower: Specified and Unspecified,
 Prompt and Deferred Dower-Subject matter of Dower-Widow's Right of

- Retention in lieu of Dower, Payment of Dower and Maintenance-Sections 125-127 of the Criminal Procedure Code, 1973.
- Maintenance: Definition-Maintenance of Wife-of Descendants-of Ascendants-of other Relations-Maintenance under Agreement-Maintenance under the Criminal Procedure Code-Maintenance under the Muslim Women (Protection of Rights on Divorce) 1986-Section 77 of the *Waqf* Amendment Act, 2013.

UNIT-III

GUARDIANSHIP

- Parentage/ Acknowledgement & Legitimacy: Introduction-Parentage:
 Paternity and Maternity-Legitimacy and Legitimation-Presumptions of Legitimacy-Section 112 of the Indian Evidence Act-Acknowledge of Paternity-Conditions of Valid Acknowledgement-Effects-Rebuttal of Acknowledgement-Position of Adoption under Muslim Law [The Muslim Personal Law (Shariat) Application Act, 1937]
- Guardianship: Definition-Concept of Guardianship in Islam-Age of Majority-Appointment of Guardian, Kinds of Guardians-Kinds of Guardianship-Guardianship of Person (Right of Custody)-Guardianship of Property-Guardianship in Marriage-Disqualification-Termination-Power of Alienation-Movable and Immovable Property.

UNIT- IV

LAW OF WILLS & WAQF

Wills: Definition-Concept: Creation- Capacity-Subject-matter of Will-Limitations to Will-Abatement of Legacies-Death-Bed Gifts-For whom Bequest can be made-Revocation of Wills-Bequests which are not Absolute-Interpretation of Wills; Gifts - Definition-Essentials-Exceptions to the

General Rule-Capacity, In whose favour, Subject-Matter, Gift of *Musha*-Exceptions, Conditional-Contingent-Future Gifts, Revocation of Gift-Life Interest-Life Estates.

Waqfs: Definition and Meaning, Origin, Kinds and Family Law of Waqfs,
 Essentials, Legal Incidents, Creation, Subject-Matter, Objects, Beneficiaries,
 Waqfs for Benefit of Humanity, Administration-Statutory and Non-Statutory;
 Law before 1913 and after 1913-The Waqf Amendment Act, 2013.

UNIT-V

SUCESSION & INHERITANCE

- Administration of Estates: Meaning, Vesting of Estate and Payment of Debts-Extent of Liability of Heirs for Debts-Alienation before Payment of Debts
- Succession and Inheritance: Position Before Islam-Reforms brought by Islam-General Rules of Inheritance-Doctrine of Representation-Total and Partial Exclusion-Hanafi Law of Inheritance-Shia Law of Inheritance- Differences between the two laws of inheritance.

- 1. Abdur Raheem: Muhammedan Jurisprudence, Allahabad Law Agency, Faridabad.
- 2. Ameer Ali: *Mahommedan Law*, Vol. I, Kitab Bhavan, New Delhi.
- 3. B.R. Verma: Commentaries on Mohammedan Law in India, Pakistan and Bangladesh, Law Publishers (India) Pvt. Ltd., Allahabad.
- 4. Badruddin Tyabji: *Muslim Law-The Personal Law of Muslims*, N.M. Tripathi Pvt. Ltd., Bombay.
- Dr. Paras Diwan & Peeyushi Diwan: Family Law, Allahabad Law Agency, Faridabad.
- 6. Dr. G.V. Subba Rao & Dr. Vijender Kumar: G. C. V. Subba Rao's Family Law in India, S Gogia & Company, Hyderabad.

- 7. Flavia Agnes, Family Law: Volume 2: Marriage, Divorce and Matrimonial Litigation, Oxford University Press.
- 8. Flavia Agnes, Law, Justice and Gender: Family Law and Constitutional Provisions in India, Oxford University Press.
- 9. K. B. Agrawal: Family Law in India, Kluwer Law International, Netherlands.
- 10. Kahkashan Y. Danyal, *Muslim Law of Marriage, Dower, Divorce and Maintenance,* Regal Publications, New Delhi.
- 11. Kahkashan Y. Danyal, Law of Waafs in India, Regal Publications, New Delhi.
- 12. Kumud Desai: Law of Marriage and Divorce, N.M. Tripathi Pvt. Ltd., Bombay.
- 13. M. A. Qureshi: *Muslim Law*, Central Law Publication, Allahabad.
- 14. Paras Diwan: Law of Marriage and Divorce, Universal Law. Publishing Co. Pvt. Ltd., New Delhi.
- 15. Poonam P. Sexena: Family Law Lectures-Family Law II, LexisNexis India, Gurgaon.
- 16. Prof Kusum: Family Law Lectures-Family Law I, LexisNexis India, Gurgaon.
- 17. Sir Dinshaw Fardunji Mulla: *Principles of Mahomedan Law- Incorporating the Wakf* (*Amendment*) *Act*, 2013, LexisNexis India, Gurgaon.
- 18. Sir Dinshaw Fardunji Mulla: Principles of Mahomedan Law, LexisNexis, Gurgaon.
- 19. Tahir Mahmood: Fyzee's outlines of Muhammedan Law, Oxford University Press, New Delhi.

JURISPRUDENCE-I

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course structure of Jurisprudence I encourages critical reflections on the nature of law, the central issues of jurisprudence and the concepts and techniques used in the operation of legal systems. The course deals with the concept, nature, scope and utility of jurisprudence/legal theory. It relates to the study of different scholastic approaches, selected exponents of different jurisprudential thoughts: analytical school, philosophical school, Historical school, sociological school, and feminist jurisprudence and critical appreciation of their theories in socio-legal perspective in general and with reference to India in particular.

UNIT-I

INTRODUCTION

- Introduction and Overview of the Subject
- Concept, Nature and Scope of Jurisprudence-Utility and Relevance of Jurisprudence
- Origin of the Idea of Law: What is Law? -Different Conceptions of Law- Nature of Law in Relation to Jurisprudence-Outline of Legal Theory-Law and Ethics

UNIT-II

SCHOOL OF LAW-I

- Introduction to Different Scholastic Thoughts
- Natural Law School of Jurisprudence: Characteristic Features of Natural Law School-Ancient Period-Medieval Period-Modern and Post-Modern Period
- Decline of Natural Law School-Revival of Natural Law School

UNIT-III

SCHOOL OF LAW-II

- Analytical School of Jurisprudence: Characteristic Features of Analytical School of Jurisprudence-Concept and Nature of Analytical Positivism
- J. Bentham and J. Austin's Contribution to Analytical Jurisprudence-Hans Kelsen's Pure Theory of Law-H.L.A. Hart's Primary and Secondary Rule & Rule of Recognition
- Analytical Jurisprudence on Function of Law, Sanction and Sovereignty

UNIT-IV

SCHOOL OF LAW-III

- Historical School of Jurisprudence: Characteristic Features of Historical School-Historical Theories of Law-F.K. von Savigny and Henry Maine's Perceptions of Historical School and their Evaluation-Concept of Status to Contract and *vice-versa*
- Sociological School of Jurisprudence: Characteristics Features of Sociological School-Origin and Development of Sociological Approach-Methodology of Sociological Approach-Evaluation of Theories of Sociological Jurists: (The balancing of interest): Ehrlich (The Living Law): Durkheim (Social Solidarity): Weber (Law as a Legitimate Authority) and Roscoe Pound (Sociological Engineering).
- Characteristic Features of Feminist Jurisprudence

UNIT- V EQUITY & JUSTICE

- Justice: Meaning and Kinds-Problem of Power and Control of Liberty-Justice in Deciding Disputes
- Judges and the Judicial Process-Justice in Adapting to Change
- Characteristic Features of Dalit Jurisprudence

- 1. A. W. Brian Simpson: *Reflections on 'The Concept of Law'*, Oxford University Press, London.
- 2. Dr. B. N. Mani Tripathi: *Jurisprudence: Legal Theory*, Allahabad Law Agency, Allahabad
- 3. Edgar Bodenheimer: *Jurisprudence: The Philosophy and Method of Law*, Universal Book Traders, Delhi.
- 4. G. W. Paton: A Text book of Jurisprudence, Clarendon Press, Oxford.
- 5. H. L. A. Hart: *The Concept of Law*, Clarendon Press, Oxford.
- 6. Howard Davies and David Holdcroft: *Jurisprudence-Text and Commentary*; Butterworths Law, London.
- 7. John Rawls: *A Theory of Justice*, Harvard University Press, London.
- 8. Julius Stone: *The Province and Function of Law;* Associated General Publications Pvt. Ltd. Sydney.
- 9. M. Rama Jois: Seeds of Modern Public Law in Ancient Jurisprudence, Eastern Book Company, Lucknow.
- 10. N. K. Jayakumar: Lectures in Jurisprudence, LexisNexis India, Gurgaon.
- 11. P. J. Fitzgerald: Salmond on Jurisprudence, Sweet and Maxwell, London
- 12. R. W. M Dias: Jurisprudence, LexisNexis India, Gurgaon.
- 13. Raymond Wacks: *Understanding Jurisprudence: An Introduction to Legal Theory,* Oxford University Press, Oxford.

- 14. S. N. Dhyani: Jurisprudence and Indian Legal Theory, Central Law Agency, Allahabad,
- 15. V. D. Mahajan: Jurisprudence and Legal Theory, Eastern Book Company, Lucknow.
- 16. W. Friedmann: Legal Theory, Columbia University Press, New York.

PUBLIC INTERNATIONAL LAW

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The contemporary world is a highly connected yet severely fragmented entity. Member states of this international community are intrinsically bound together through a complex web of international legal rules and principles that governs its various actors. The objective of this paper is to help students develop an understanding about the rules, subjects and processes in the international domain which exists outside the sanctity of sovereign national borders, yet directly impacting the churnings within socio-political-economic and legal fabric of the states. It introduces students to the major concepts, developments and variables in international legal regime. With the aid of contemporary cases and events, this paper aspires to create a bridge between jurisprudence of international legal and its practical implications.

UNIT-I INTRODUCTION

- Definition, Nature and Origin of International Law
- Theories as to the Basis of International Law-Relations between International Law & Municipal Law-Sources of International Law-Statute of the International Court of Justice (Article 38)-General Concepts-Pacta Sunt Servanda, Rebus Sic Stantibus, Jus Cogens
- Relationship between International Law & Dunicipal Law: Theories,
 State Practice UK, USA and India.
- Codification and Progressive Development of International Law

UNIT-II LAW OF PEACE-I

- Subjects of International Law: Concept of Subject of Law and of Legal Personality and Classification of Subjects
- State: Condition of Statehood-Territory and Underlying Principles-Sovereignty-Concept, Right and Duties under International Law; Recognition of States:
 Meaning & Definition-Theories-Modes: De jure & De facto-Legal Effects of Recognition-Withdrawal of Recognition.
- International Organisation: Concept, Rights and Duties under International Law
- Individuals as subjects of International Law: Individual Criminal Responsibility
 International Criminal Courts and Tribunals, International Crimes; Other
 Non-State Actors

UNIT-III LAW OF PEACE-II

- State Jurisdiction: Territory Acquisition and Loss of Territory, Principle of Exercise of Jurisdiction, Criminal Jurisdiction, Hijacking, Extradition and Asylum
- State Responsibility: Elements of International Responsibility, Concept of 'Denial of Justice' by a State, State Responsibility in respect of the Protection of Lives and Property Claims, Nationality of Claims, Exhaustion of Local Remedies: the 'Calvo Clause', The Theory of Permanent Sovereignty over Natural Resources, Draft Articles on Responsibility of States for Internationally Wrongful Acts, 2001
- State Succession: Continuity and Succession, Succession of Treaties, Succession with Respect to Matters other than Treaties
- Settlement of International Disputes: Legal and Political Disputes, Pacific and Coercive Means

UNIT- IV LAW OF SEA

- Maritime Belt (or Territorial Waters)-Contiguous Zone-Continental Shelf-Exclusive Economic Zone (EEZ)
- High Seas
- International Sea-Bed Area
- International Maritime Organization (IMO)-International Tribunal for the Law of the Sea

UNIT-V

INTERNATIONAL TRANSACTION & ORGANIZATION

- Diplomatic Agents: Classification & Functions-Immunities and Privileges of Diplomatic Agents-Theoretical Basis of Immunities-Termination of Diplomatic Mission and Refusal to Accept Diplomatic Agents
- International Treaties: General Concept & Allied Issues
- United Nations on War and War Crimes-Permanent Organs of UN-General Assembly-Security Council & International Court of Justice
- International Criminal Court (Rome Statute)

- 1. Abhimanyu Singh: *Public International Law*, Mahaveer Publications, Dibrugarh.
- 2. Dr. H. O. Agarwal: *A Concise book on International Law and Human Rights,* Central Law Publications, Allahabad.
- 3. Dr. Jyoti Rattan & Dr. Vijay Rattan: *Public International Law*, United Nations & Human Rights, Bharat Law House, Jaipur.
- 4. Dr. S. K. Kapoor: *Human Rights under International Law & Indian Law*, Central Law Agency, Allahabad.

- 5. Dr. S. R. Myneni: *Human Rights*, Asia Law House, Hyderabad.
- 6. Dr. S. R. Myneni: Public International Law, LexisNexis India, Gurgaon.
- 7. Ian Brownlie & James Crawford: *Brownlie's Principles of Public International Law*, Oxford University Press, Oxford.
- 8. Ian Brownlie Guy S. Goodwin-Gill: *Brownlie's Documents on Human Rights*, Oxford University Press, Oxford.
- 9. N. K. Jaya Kumar: *International Law and Human Rights*, LexisNexis India, Gurgaon.
- 10. R. P. Kataria & Salah Uddin: *Commentary on Human Rights,* Orient Publishing Company, Allahabad.
- 11. Rakesh Kumar Singh: *Textbook on Public International Law*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 12. Rashee Jain: *Textbook on Human Rights Law and Practice*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 13. Rhona K. M. Smith: *Textbook on International Human Rights*, Oxford University Press, Oxford.
- 14. Richard Stone: *Textbook on Civil Liberties & Human Rights*, Oxford University Press, Oxford.
- 15. S. K. Verma: *An Introduction to Public International Law,* Satyam Law International, New Delhi.
- 16. S. R. A. Rosedar: Public International Law, Lexis Nexis, India, Gurgaon.
- 17. Upendra Baxi: *The Future of Human Rights*, Oxford University Press, Oxford.
- 18. V. K. Ahuja: Public International Law, LexisNexis India, Gurgaon.
- 19. V. S. Mani et. al.: Recent Developments in International Space Law and Policy, Lancer Books, New Delhi.
- 20. V. S. Mani: Basic Principles of Modern International Law, Lancer Book, New Delhi.

Relevant Cases

- 1. Alabama Claims Arbitration (1893)
- 2. Anglo-Iranian Oil Co. Case (Jurisdiction) ICJ 1952, 109
- 3. Anglo-Norwegian Fisheries Case, ICJ 1951, 116
- 4. Anna Kumaru Pillai v. Muthupayal, 1903 Mad High Court
- 5. Arantzazu Mendi Case (1939) AC 256.
- 6. Bank of Ethiopia v. National Bank of Egypt & Ligouri, (1937) Ch 513
- 7. Barcelona Traction, Light & Power Co. Ltd., (Second Phase) 1 CJ 1970
- 8. Chorzow Factory (Indemnity) Case, Pub PCIJ (1928) Series A.
- 9. Chung Chi Cheung v. R. (1939) AC 160
- 10. Danzig Railway Official Case (Advisory Opinion), Pub. PCIJ (1928) Series B.
- 11. Gramophone Co. of India Ltd. v. Birendra Bahadur Pandey, AIR 1984 SC 667
- 12. Maganbhai Ishwarbhai Patel v. Union of India, AIR 1969 SC 783
- 13. Nicaragua v. USA, (1986) ICJ 1986, 14.
- 14. North American Dredging Co. Case ADPIL Cases, 1925, No. 218
- 15. North Atlantic Fisheries Case (2004) vol. 7, p.85.
- 16. North Sea Continental Shelf Cases, ICJ 1969, Rep. 3.
- 17. *Pious Fund Case* (1902)
- 18. R. v. Gordon-Finlayson, Ex parte an Officer, (1941), KB 171
- 19. Re Piracy Jure Gentium Case [1934] AC 586
- 20. S. S. I'am Alone Case, UN Report of Intern'l Arbitral Awards, Vol. III at 1609.
- 21. Schooner Exchange v. McFaddon (1812) 7 Cranch 116
- 22. South West Africa Case (1966) ICJ Rep Ed, p.6.
- 23. The S.S.Lotus Case, Pub. PCIJ (1927), Series A.
- 24. The Corfu Channel Case (United Kingdom v. Albania) (1949)ICJ Rep. 4, p.23.
- 25. *The Paquete Habana, (The Lola Case),* 175 US 677 (1900)
- 26. The Scotia Case, (USA v. UK, 1871)
- 27. Thomas H. Youmans v. United Mexican States, 1925-26 p. 223

- 28. Union of India v. Sukmar Sen, AIR 1991 SC 1692
- 29. West Rand Gold Mining Co. Ltd. v. R, (1905) 2 KB 391

Last updated on 20.01.2025

LAW OF CRIMES – II (The Bharatiya Nyaya Sanhita, 2023

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course of Law of Crimes has been so designed as to enable students to understand the general principles of criminal liability, to identify the ingredients of an offence, understand the range of states of mind required for different offences, as well as to sensitize students about the inherent biases of criminal law against certain groups of people despite its claim of universality, neutrality and equality. Students will gain a greater understanding of the changes and developments in this field through the course. Students will learn the basic concepts of criminal law and crime in this course. Students are also exposed to the various mental states that constitute mens rea. All in all, this course will provide students with a comprehensive understanding of criminal law and crime.

UNIT - I

OFFENCES AGAINST HUMAN BODY - I

- Culpable Homicide
- Murder
- Death Caused by Rash and Negligent Act

UNIT - II

OFFENCES AGAINST HUMAN BODY - II

- Hurt, Grievous Hurt, Assault and Criminal Force
- Wrongful Restraint and Wrongful Confinement
- Kidnapping and Abduction

UNIT-III

OFFENCES AGAINST WOMEN AND CHILD

- Rape
- Criminal Force and Assault Against Women
- Offences relating to Marriage
- Selling/Buying of Child for Prostitution

UNIT-IV

OFFENCES AGAINST THE PROPERTY

- Theft, Extortion, Robbery, Dacoity.
- Criminal Misappropriation of Property and Criminal Breach of Trust.
- Mischief, Cheating

UNIT - V

LIABILITY AND SPECIFIC OFFENCES AGAINST STATE

- Constructive Liability under S. 3 (5) to 3 (9) and S. 190 read with S.189
- Offences against Public Tranquility Riots and Affray
- Act Endangering Sovereignty, Unity and Integrity of India

Prescribed Legislation:

The Bharatiya Nyaya Sanhita, 2023

- 1. Ratan Lal & Dhirajlal, *Indian Penal Code*, (Lexis Nexis XXXV ed. 2023)
- 2. K.D. Gaur, Textbook on the

- 3. Bharatiya Nyaya Sanhita, 2023, (Lexis Nexis Ninth ed. 2024)
- 4. S. N. Mishra, *The Indian Penal Code* (Central Law Publications 22nd ed. 2018)
- 5. P. S. A. Pillai's *Criminal Law* (Lexis Nexis Butterworths Wadhwa 15th ed. 2023)
- 6. K. A. Pandey, B.M. Gandhi's *Indian Penal Code* (EBC publications 4th ed. 2018)
- 7. K.D. Gaur, Criminal Law: Cases and Materials, (Lexis Nexis 9th ed. 2019)
- 8. S. P. Sen Gupta, Sarkar on Indian Penal Code, 1860 (Kamal Law House, 4th ed. 2022)
- 9. T Bhattacharyya, Bharatiya Nyaya Sanhita, 2023, Ist ed. Central Law Agency
- 10. N. P. Khan, Commentary On The Bharatiya Nyaya Sanhita, 2023, Satyam Law International

LAW AND POVERTY

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course structure is deigned to examine legal responses to the phenomena of 'poverty' and 'development' both in national and international context. The course comprises of a multi-disciplinary approach to understand and appraise the problems associated with poverty and development, while attempting legal solutions for them. Basic needs such as food, security, housing, employment and problems of child labour, prostitutions, etc., are given special attention in the course with particular reference to the role of legislator, administrator and Judge. The paper is designed to acquaint the students with the courses and consequences of urban concentration, the balancing of conflicting interests and the role of law and legal institutions in planning and development. The objective of the **Law and Poverty** is to ensure that students understand the interface of human, legal and social process, evaluate law as a policy instrument and access to the scope for law reform as part of development.

UNIT- I INTRODUCTION

- Concept of Poverty: Poverty Line as a way to identify the Impoverished.
- Determinants of Impoverishment-Legal System as a Determinant of Impoverishment- the Lackadaisical Agrarian Reforms.
- Protection of Poor at International Perspective-India's Policy Commitments-Constitution and the Concept of Social Justice, Constitutional Provisions (Article 14,15,38 and 39-A) and Legislations for Empowering the Weaker Sections Right to Work, Distributive Justice-Rawls Theory of Justice.

UNIT- II RIGHTS OF INDIGENT PERSONS

 Criminal Justice System & the Poor: Position of Poor and Indigent Persons under Criminal Justice System.

- **Poor and Right to Die:** Prosecution of the Poor for Attempt to Suicide-Right to Bail, The Problems of Under-Trials-Compensation to Victims of Crime, Especially to the Impoverished in Communal Riots or Civil Disturbances.
- Imprisonment in Default of Fine-Whether Constitutional in Relation to the Poorest of the Poor?

UNIT-III

BONDED LABOUR

- Concept of Bonded Labour: Bonded Labour System (Abolition) Act, 1976-Bandhua Mukti Morcha-Problem of Judicial Effectiveness
- Social Security Legislation for Rural Labour-Minimum Wages
- Un-Organised Rural Labour-Migrant Labour-Contract Labour-Child Labour (Prohibition and Regulation) Act, 1986

UNIT-IV

RIGHTS OF INDIGENOUS PERSONS

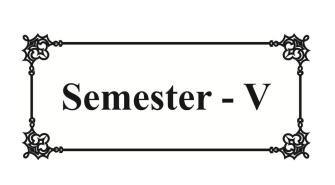
- The Protection of Civil Rights Act, 1955-The Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989
- Indigenous and Tribal People-Forest and Cultural Rights to Life Sustaining Resources
- **Public Projects:** Dams-Deforestation-Displacement and Rehabilitation

UNIT-V

LEGAL & CLINICAL EDUCATION

- Gender Discrimination on the Impoverished Women-The Equal Remuneration Act
- Concept of Legal Aid and the Poor-The Legal Services Authorities Act, 1987
- Legal Literacy Programmes and Role of Law Teachers and Students

- 1. Amartya Sen: *Development as Freedom*, Anchor Books, New York.
- 2. Frank Munger: Law and Poverty, Ashgate Publishing Limited, UK.
- 3. Lucy Williams, Asbjorn Kjonstad & Peter Robson: Law and Poverty: The Legal System and Poverty Reduction, Zed Books Ltd., UK.
- 4. M. L. Upadhyaya: *Law, Poverty & Development*, Taxmann Publications Private Limited, New Delhi.
- 5. Nilendra Kumar: *Law, Poverty and Development*, Universal Law Publishing Co. Private Limited, New Delhi.
- 6. Philippe Cullet: Water Law, Poverty and Development, Oxford University Press, Oxford.
- 7. S. Muralidhar: Law, Poverty and Legal Aid: Access to Criminal Justice, LexisNexis, India, Gurgaon.
- 8. S. R. Myneni: Law & Poverty, Allahabad Law Agency, Allahabad.
- 9. Sameer Kochhar: *Defeating Poverty: Jan Dhan and Beyond*, Skoch Media Pvt. Ltd., Haryana.



LABOUR LAW-I

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objectives: Labour Laws provide provisions for equitable distribution of profits and benefits emerging from industry, between industrialists and workers and affording protection to the workers against harmful effects to their health safety and morality.

UNIT-I

THE TRADE UNIONS ACT, 1947

- History of Trade Unionism in India
- **Concept of Trade Union:** Trade Dispute-Registration-Procedures-Power of Registrar-Immunity from Civil Action and Criminal Conspiracy

UNIT-II

THE INDUSTRIAL DISPUTES ACT, 1947

- Definition of Industry-Workman-Industrial Dispute
- Concept of Collective Bargaining-Conditions Precedent-Merits and Demerits-Bargaining Process-Impact of Globalisation on Collective Bargaining

UNIT-III

THE INDUSTRIAL DISPUTES ACT, 1947

- Definition of Strike and Lockout-Kinds of Strike-Legality and Illegality of Strike and Lockout
- Lay-off & Retrenchment: Concept, Procedure etc.

UNIT-IV

THE INDUSTRIAL DISPUTES ACT, 1947

- Industrial Settlement Machinery-Reference by Government under Section10
- Awards & Settlements-Unfair Labour Practices

UNIT-V

THE WORKMEN'S COMPENSATION ACT, 1923

- Definition of Dependent-Partial and Total Disablement-Workmen's Compensation-Disablements-Employer's Liability to Pay Compensation-Notional Extension of Employer's Liability-Calculation of Compensation
- The Maternity Benefit Act, 1961: Salient Features of the Act-Maternity Benefits

- 1. A. J. Fonseca: *Wage Determination and Organised Labours in India*, Oxford University Press, New York.
- 2. A. N. Buch, S.T. Salilallt & Mehta. S.S.: *Sweat of Labour Economics for Trade Unions*, Himalaya Publishing House, Bombay.
- 3. C. B. Mamoria: *Dynamics of Industrial Relations in India*, Himalaya Publishing House, Mumbai.
- 4. C. R. Mc Connell & S. L. Brue: *Contemporary Labour Economics*, Mc Grow-Hill, New York.
- 5. Dr. S.R. Myneni: Labour Laws, Asia Law House, Hyderabad.
- 6. Dr. T. N. Bhagoliwal: *Economics of Labour and Industrial Relations*, Sahitya Bhavan Publications, Agra.
- 7. E. A. Ramaswamy: *The Worker and Trade Union*, Allied Publishers, New Delhi.

- 8. Indrani Mukherjee: *Industrial Workers in a Developing Society*, Mittal Publications, New Delhi.
- 9. Jwitesh Kumar Singh: *Labour Economics-Principles, Problems and Practices*, Deep & Deep publications Pvt. Ltd., New Delhi.
- K. K. Bagin & N. Gope: State, Labour and Development, Abhijeet Publication, New Delhi.
- 11. Mavi Anupreet Kaur: *Educated Unemployed*, Deep & Deep Publication, New Delhi.
- 12. Meenu Agrawal: *Economic Reforms, Unemployment and Poverty,* New Century Publications, New Delhi.
- 13. Pramod Verma: *Labour Economics and Industrial Relations*, Tata McGraw Hill Publishing Co. Ltd., New Delhi.
- 14. S. C. Srivastava: *Industrial Relations and Labour Laws*, Vikas Publishing House, Noida.
- 15. S. D. Punekar: *Labour Welfare, Trade Unionism and Industrial Relations*, Himalaya Publishing House, Bombay.
- 16. S. N. Misra, Labour & Industrial Law, Central Law Publication, Allahabad.
- 17. T. S. Papola, P. P. Ghose and A. N. Sharma (ed.): *Labour Employment and Industrial Relations in India*, B. R. Publishing Corp., New Delhi.
- 18. V. B. Karnik: Indian Trade Union-A Survey, Popular Prakashan, Mumbai.
- 19. V.V. Giri: *Labour Problems in Indian Industry*, Asia Publishing House, Bombay.
- 20. Y. S. Purohit: *Industrialising Economy and Labour Market in India*, Mittal Publication, New Delhi.

FAMILY LAW-II

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit. All questions carry equal marks.)

Objective: This paper is designed with the object of introducing the students to the basic concept of *Shastric* Hindu Law, nature of Hindu Law, major components of Hindu Law and its sources. Hence, the syllabus introduces the students to various legislative measures undertaken by the government to bring reforms into the laws of marriage, divorce, maintenance, adoption, guardianship and the law of succession by passing various legislations, particularly, the Hindu Succession Amendment Act, 2005. The syllabus also gives an insight into various judicial interpretations with regard to different components of Hindu Laws. The paper also focusses on Special Marriage Laws, Family Courts legislation, Christian and Parsi Laws.

UNIT-I

SOURCES & LAW OF MARRIAGE

- Sources of Hindu Law: Ancient Sources-Shruti-Smiriti-Commentaries and Digests-Custom; Modern Sources-Equity, Justice and Good Conscience-Judicial Decisions (Precedents)-Legislation
- Marriage: Concept and Nature of Marriage-Forms-Ceremony-Capacity to Marry-Sapinda Relationship-Degrees of Prohibited Relationships- Validity of Marriage, Kinds of Marriages-Valid, Void and Voidable, Legitimacy of Children.
- Matrimonial Remedies: Nullity of Marriage, Judicial Separation, Dissolution of Marriage, Alternate Relief to Divorce Proceedings, Divorce by Mutual Consent, Restitution of Conjugal Rights, Bars to Matrimonial Relief, Ancillary reliefs, Decree in Proceedings (Section 23), Appeals, Enforcement of Decree.

GUARDIANSHIP, ADOPTION & MAINTENANCE

- **Guardianship**: Kinds of Guardianship-Kinds of Guardians-Power of Guardian-Removal of Guardian
- Adoption: Who may take in Adoption-Who may give in Adoption-Who may
 be taken in Adoption- Ceremonies required for Adoption- Effect of the
 Adoption-Relationship of Adopted Child-Restrictive Conditions of Adoption
- Maintenance: Maintenance as a Personal Obligation-Maintenance of Dependents-Maintenance of the Members of Joint Hindu Family-Quantum of Maintenance-Arrears and Alteration of Maintenance

UNIT-III

HINDU JOINT FAMILY AND COPARCENARY

- **Hindu Joint Family and Coparcenary [***Mitakshara & Dayabhaga***]:** Joint Family-Coparcenary- Mitakshara Coparcenary-Classification of Property, Karta- Position, Liabilities-Who can be a Karta-Dayabhaga Joint Family.
- Karta's Rights & Obligations-Power of Alienation-Legal Necessities-Benefit of the Estate-Acts of Indispensable Duty
- Son's Pious Obligation-*Avyavaharika* Debts- Antecedent Debts

UNIT-IV

INHERITANCE AND SUCCESSION

- Inheritance and Succession: Ancient Concept of Inheritance-Aim and Object of the Hindu Succession 1956
- **Succession:** Testate & Intestate-Succession to the Property of a Hindu Male-Succession to *Mitakshara* Coparcener's Interest-Succession to the Property of a Hindu Female-Disqualification to Succession
- **General Rules of Succession:** Section 14 of the Hindu Succession Act 1956 and Its Effects-Distribution of Property after the Hindu Succession Act 1956

UNIT-V

PARSI & CHRISTIAN LAW

- The Special Marriage Act, 1954
- The Indian Divorce Act, 1869
- The Parsi Marriage and Divorce Act, 1936
- The Family Courts Act, 1984

- 1. A. G. Gupte: *Hindu Law*, Premier Publishing Co., Allahabad.
- 2. B. M. Gandhi: *Hindu Law*, Eastern Book Co., Lucknow.
- 3. Dr. Basant K. Sharma: *Hindu Law*, Central Law Publications, Allahabad.
- 4. Dr. Paras Diwan & Pyushi Diwan: *Family Law*, Allahabad Law Agency, Faridabad.
- 5. Dr. S. R. Myneni: Hindu Law (Family Law I) Asia Law House, Hyderabad.
- 6. Dr. G. V. Subba Rao & Dr. Vijender Kumar: *G. C. V. Subba Rao's Family Law in India*, S Gogia & Company, Hyderabad.
- 7. Dr. U. P. D. Kesri: Modern Hindu Law, Central Law Publications, Allahabad.
- 8. Flavia Agnes, Family Law: Volume I: Family Law and Constitutional Claims, Oxford University Press, New Delhi.
- 9. Flavia Agnes, Family Law: Volume 2: Marriage, Divorce and Matrimonial Litigation, Oxford University Press, New Delhi.
- 10. Flavia Agnes, Law, Justice and Gender: Family Law and Constitutional Provisions in India, Oxford University Press, New Delhi.
- 11. Flavia Agnes, Law and Gender Inequality, Oxford University Press, New Delhi.
- 12. H. S. Gaur: *The Hindu Code*, Allahabad Law Agency, Faridabad.
- 13. K. B. Agrawal: Family Law in India, Kluwer Law International, Netherlands.
- 14. Kulwant Gill: *Hindu Women's Right to Property in India*, Deep & Deep Publications Pvt. Ltd., New Delhi.

- 15. Kumud Desai, *Law of Marriage and Divorce*, N.M. Tripathi Pvt. Ltd., Bombay.
- 16. Monmayee Basu, Hindu Women and Marriage Law: From Sacrament to Contract, Oxford University Press, New Delhi.
- 17. P. K. Das: *Handbook on Hindu Succession* (Property Rights of Women and Daughters) Universal Law Publishing Co. Pvt. Ltd., Delhi.
- 18. P. K. Das: *New Law on Hindu Succession*, Universal Law Publishing Co. Pvt. Ltd., Delhi.
- 19. Paras Diwan: *Law of Marriage and Divorce*, Universal Law. Publishing Co. Pvt. Ltd., New Delhi.
- 20. Paras Diwan: *Modern Hindu Law*, Allahabad Law Agency, Faridabad.
- 21. Poonam P. Sexena: Family Law Lectures-Family Law II, LexisNexis, Gurgaon.
- 22. Prof Kusum: Family Law Lectures–Family Law I, LexisNexis, Gurgaon.
- 23. R. K. Aggarwal: Hindu Law, Central Law Agency, Allahabad.
- 24. Ranganath Misra: Mayne's Treatise on Hindu Law & Usage, Bharat Law House, New Delhi.
- 25. Satyajeet A. Desai: *Mulla's Principles of Hindu Law, Vol. I & II*, LexisNexis, Gurgaon.

Relevant Legislations:

- 1. The Hindu Marriage Act, 1955
- 2. The Hindu Adoptions and Maintenance Act, 1956
- 3. The Hindu Minority and Guardianship Act, 1956
- 4. The Hindu Succession Act, 1956 (as amended by Amendment Act 2005)
- 5. The Christian Marriage Act, 1872
- 6. The Indian Divorce Act, 1869 (as amended by Amendment Act 49 and 51 of 2001)
- 7. The Parsi Marriage and Divorce Act, 1936
- 8. The Special Marriage Act, 1954

JURISPRUDENCE-II

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course structure of Jurisprudence II is designed primarily to induct students into a realm of questions concerning nature of law. The course aims at developing an analytical approach to understand the nature of law and the development of legal system. Jurisprudence seeks to answer fundamental questions about law. The concern of jurisprudence is an inescapable feature of the law and legal system. Jurisprudence accommodates copious subjects of intellectual enquiry. This subject identifies and elucidates the major preoccupations of legal theory. The subject intent to create an understanding of legal concepts such as Rights, Title, Possession, Ownership, Liability and Obligation which are basic to the study of Law.

UNIT- I

SOURCES OF LAW

- **Custom:** Origin of Custom-The Position of Custom under Different Legal Systems-Classifications of Custom-Essentials of a Custom-Custom-When transformed into Law-Reasons for receptions of Customary Laws
- Legislation: Concept and Nature of Legislation-Place of Legislation among the Sources of Law-Kinds of Legislations-Legislation and Other Sources of Law
- Judicial Precedent: Concept and Nature of Precedent-Position of Judicial Precedent under Different Legal Systems -Authority of Precedent under English Law-Hierarchy of Authority for Operation of Precedent
- Stare decisis and its Role in Law Making Process-Ratio Decidendi and Obiter
 Dicta-Difficulty in Finding Ratio Decidendi-Binding Effects of Judicial

 Precedent as a Source of Law

RIGHTS AND DUTIES

- Meaning and Nature of Right: Right-Duty Relationships- Classification of Right and Duty
- Theories of Right
- Characteristics of Legal Right-Elements of Legal Right
- Jural Relationship-Hohfeldian Analysis

UNIT- III

LEGAL PERONALITY

- Concept of a Legal Person
- Corporation Sole and Corporation Aggregate
- Adaptation to Change
- Theories of Legal Person

UNIT-IV

POSSESSION AND OWNERSHIP

- Meaning of Possession and Ownership-Essentials of Possession and Ownership-Theories of Possession and Ownership
- Possession in Fact and Possession in Law
- Kinds of Possession and Ownership-Relation between Possession and Ownership
- Protection of Possession and Possessory Remedies

UNIT- V LIABILITY

- Meaning, Scope and Classification
- Basis of Liability-Philosophic Aspect
- Legal Conditions for Imposing Liability
- · Strict and Vicarious Liability

- 1. Dr. B. N. Mani Tripathi: *Jurisprudence: Legal Theory*, Allahabad Law Agency, Allahabad.
- 2. Edgar Bodenheimer: *Jurisprudence: The Philosophy and Method of Law*, Universal Book Traders, Delhi.
- 3. G. W. Paton: A Text Book of Jurisprudence, Clarendon Press, Oxford.
- 4. H. L. A. Hart: *The Concept of Law*, Clarendon Press, Oxford.
- 5. Howard Davies and David Holdcroft: *Jurisprudence-Text and Commentary*, Butterworths Law, London.
- 6. John Rawls: A Theory of Justice, Harvard University Press, London.
- 7. Julius Stone: *The Province and Function of Law,* Associated General Publications Pvt. Ltd. Sydney.
- 8. M. Rama Jois: *Seeds of Modern Public Law in Ancient Jurisprudence*, Eastern Book Company, Lucknow
- 9. N. K. Jayakumar: *Lectures in Jurisprudence*, LexisNexis, Gurgaon.
- 10. P. J. Fitzgerald: Salmond on Jurisprudence, Sweet and Maxwell, London.
- 11. R. W. M Dias: Jurisprudence, LexisNexis, Gurgaon.
- 12. Raymond Wacks: *Understanding Jurisprudence: An Introduction to Legal Theory*, Oxford University Press, Oxford: USA.

- 13. S. N. Dhyani: *Jurisprudence and Indian Legal Theory*, Central Law Agency, Allahabad.
- 14. Simpson, A. W. Brian: *Reflections on 'The Concept of Law'*, Oxford University Press, London.
- 15. V. D. Mahajan: *Jurisprudence and Legal Theory*, Eastern Book Company, Lucknow.
- 16. W. Friedmann: *Legal Theory*, Columbia University Press, New York.

INTERNATIONAL TRADE & FINANCE

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The objectives of the course are to familiarize the students about the World Trade Organization and the various agreements entered into under the auspices of the WTO. Students will be given an insight into the transnational commercial transactions and the related matters thereto. Further an attempt is made to gives an overview of the law and policy of India in relation to international trade and finance.

UNIT-I

INTRODUCTION

- Nature, Origin and Development of International Trade-Globalisation and Liberalisation-Export Transactions
- Marketing Organizations Abroad: Agency Arrangements, Branch Offices and Subsidiaries-Foreign Acquisitions, Sole Distribution Agreements, Licensing and Franchising Agreements, Joint Ventures
- **Transnational Corporations**: Definitions, Scope and its Role

UNIT-II

INTERNATIONAL COMMERCIAL LAW

- International Sales Contracts: Special Trade Terms in Export Sales and their implications, INCOTERMS 2010, United Nations Convention on Contracts for the International Sale of Goods 1980 (CISG)
- Carriage of Goods: Unimodal and Multimodal Transportation of Goods-Documents of Carriage of Goods by Sea; Bills of Lading: Kinds-Nature-Features

• International Payments: Methods of International Payments-Bill of Exchange-Letter of Credit and Collection Arrangement

UNIT- III

WORLD TRADE ORGANIZATION

- Historical Background of GATT 1947-Uruguay Round and Marrakesh Agreement-General Agreement on Tariffs and Trade (GATT) 1994
- Principle of Non-Discrimination in International Trade: Most-Favoured
 Nation Treatment, National Treatment and General Exceptions, Developing
 Country Concerns-General Agreement on Trade in Services (GATS): General
 Principles, Developing Country Concerns
- Trade Related Aspects of Intellectual Property Rights Agreement (TRIPS):
 General Principles-Developing Country Concerns-Contemporary Issues
 related to International Trade-Environmental Issues-Doha Development
 Agenda-Singapore Issues-TRIMS-Government Procurement

UNIT-IV

OVERVIEW OF WTO AGREEMENTS

- Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994(Anti-Dumping Agreement): Dumping and Anti-Dumping Measures
- Agreement on Subsidies and Countervailing Measures: Prohibited Subsidies-Actionable Subsidies-Countervailing Measures
- Agreement on Technical Barriers to Trade (TBT Agreement)-Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement)-Agreement on Agriculture

UNIT-V

SETTLEMENT OF INTERNATIONAL DISPUTES

- International Commercial Arbitration: Mediation and Conciliation-Recognition and Enforcement
- Investment Dispute Resolution: PCA, ICC, ICSID, Ad-hoc Arbitration
- **WTO Dispute Settlement:** Dispute Settlement Procedures-WTO Remedies and Compliance-WTO Dispute Settlement Reform Proposals

- 1. A. K. Kaul: *Guide to the WTO and GATT: Economics, Law and Politics,* Kluwer Law International, Netherlands.
- 2. Carole Murray, David Holloway and Daren Timon-Hunt: *Schmitthoff: The Law and Practice of International Trade*, Sweet and Maxwell, London.
- 3. Dr. Dinesh Sabat: *International Trade Law (An Essential Revision Aid for Law Students)*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 4. Dr. S. R. Myneni: *International Trade Law*, Allahabad Law Agency, Allahabad
- 5. Indira Carr: *International Trade Law*, Routledge-Cavendish, London.
- 6. Jason C T Chuah: *Law of International Trade: Cross Border Commercial Transactions*, Sweet and Maxwell, London.
- 7. Peter Van den Bossche: *The Law and Policy of the WTO*, Cambridge Publications, UK
- 8. Raj Bhalla: *International Trade Law: Theory and Practice*, Lexis Nexis India, Gurgaon.
- 9. Ravindra Pratap: *India at the WTO Dispute Settlement System*, Manak Publications, New Delhi.
- 10. Simone Schnitzer: *Understanding International Trade Law*, Universal Law Publishing Co Pvt. Ltd., New Delhi.

CRIMINOLOGY, PENOLOGY & VICTIMOLOGY

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course is designed to acquaint the students with the criminal policies including theories of punishment, and the exercise of discretion in sentencing. Introduce the students to the discipline of victimology which will shift the study from accused-centric approach to much needed victim-centric approach. This course intends to understand the meaning of crime, methods of controlling them and the basic principles of criminal law determining criminal liability and punishment. The course examines crime victims and patterns of punishment as complementary aspects of the criminal justice system, and explores their contributions to social perceptions of crime and justice.

UNIT-I

CRIMINOLOGY-I

- Nature, Definition and Scope of Criminology: Inter-relationship of Criminology, Penology & Victimology
- Concept of Crime: Legal and Social Definition-Element and Theories of Crime Causation Criminal Behaviour-Schools of Criminology

UNIT- II

PENOLOGY

- Nature and Definition of Punishment: Theories of Punishment-Retributive,
 Deterrent and Reformative
- Forms of Punishment: Imprisonment-Simple & Rigorous Confiscation of Property-Capital Punishment

UNIT-III

CORRECTION & CONTROL MECHANISM

- Police System in India: Prison System in India-Open Jails
- Probation and Parole: Nature-Characteristics-Principles and their Distinctions; After-Care; Role of Forensic Science

UNIT-IV

(CRIMINOLOGY-II)

- Juvenile Crime: Nature-Definition and Causes-Alcoholism and Drug Addiction-Mass Media and Crime-Juvenile Court-Working of Juvenile Court in India
- Crimes against Women-White Collar Crime

UNIT- V

(VICTIMOLOGY)

- **Victimology:** Definition & Concepts- Sources of Victimization
- Impact of Victimization: Physical Impact-Financial Impact-Psychological Impact-Secondary Victimization from Criminal Justice System and Society-Rights of Victim-Compensatory Jurisprudence.

- 1. Abuja Ram: Criminology, Rawat Publication, New Delhi.
- 2. Dr. M. S. Chauhan: *Criminology, Criminal Administration and Victimology*, Central Law Agency, Allahabad.
- 3. E. H. Sutherland: *Principles of Criminology*, Times of India Press, Bombay.

- 4. Frank E. Hagan: *Introduction to Criminology*, Sage Publications Inc., Thousand Oaks, USA.
- 5. Frank J. Schrnalleger: *Criminology Today: An Integrative Introduction*, Prentice Hall, New Delhi.
- 6. J. P. S. Sirohi: Criminology and Penology, Allahabad Law Agency, Allahabad.
- 7. Katherine S Williams: *Criminology*, Oxford University Press, New York.
- 8. Larry J. Siegal: Criminology, Wordsworth Thomson Learning, New Delhi.
- 9. Livingston J: Crime and Criminology, Prentice Hall, New Jersey.
- 10. Martin O'Brien: *Criminology*, Routledge Publishers, UK.
- 11. McLaughlin Eugene and Muncil John: *The Sage Dictionary of Criminology*, Sage Publication, London.
- 12. N. V. Paranjape: *Criminology and Penology with Victimology*, Central Law Publications, Allahabad.
- Rajendra Kumar Sharma: Criminology and Penology, Atlantic Publishers & Dist., New Delhi.
- 14. S. M. A. Qadri: *Criminology, Penology and Victimology*, Eastern Book Company, Lucknow.
- 15. Sue Titus Reid: *Crime and Criminology*, Oxford University Press, New York.

HUMAN RIGHTS, REFUGEE LAW & INTERNATIONAL HUMANITARIAN LAW

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: Human Rights are the fundamental rights that are available to every human person by the virtue of their being born as humans. However, these claims need to be acknowledged, protected and promoted against any potential violation or threat of violation. This paper is designed with the objective of introducing students to the major themes and debates in the contemporary International Human Rights Law. This paper also teaches them about the extension of protective mechanisms for refugees, stateless persons, IDPs and other such vulnerable groups. By incorporating International Humanitarian Law, the students are educated about the protection of humanity in midst of armed hostilities.

UNIT-I

INTRODUCTION

- Concept, Origin and Nature of Human Rights
- Development of International Human Rights Law: Universal Declaration on Human Rights 1948 (UDHR)-International Covenants on Human Rights-ICCR (International Covenant on Civil and Political Rights)-ICSECR (International Covenant on Social, Economic and Cultural Rights-Islamic Declaration of Human Rights and Comparison with UDHR
- International Covenants and Declarations such as on Racial Discrimination,
 Torture and Inhuman Treatment, Slavery, Enforced Disappearance-Protection
 of Vulnerable Groups such as Women, Children, Disabled
- Right to Development and Regional Human Rights Instruments and Mechanisms, Universalism v. Cultural Relativism Debate.

UNIT-II

HUMAN RIGHTS IN INDIA

- Human Rights in India: Problem and Focus Areas (Violations, Identities and vulnerabilities)
- Fundamental Rights and Directive Principles under the Indian Constitution and Human Rights
- Role of Indian Judiciary in the Protection and Promotion of Human Rights

UNIT-III

INSTITUTIONS

- National Human Rights Commission-National Commission for Women,
 Minorities Commission and the Commission for Schedule Caste and
 Scheduled Tribes
- Human Rights Literacy and Human Rights Education
- Role and Responsibilities of the Civil Society, NGOs, Media, Law Students & Legal Profession

UNIT-IV

REFUGEE LAW

- **Refugee Law:** Origin, Definition, Development
- Rights and Protections for the Refugees, Vulnerable Groups of Refugees including Women, Children and Victims of Torture-The Principle of Non-Refoulement-Durable Solutions
- Internally Displaced Persons: Guiding Principles, Protections and Vulnerabilities
- Legal Status of Refugees in India

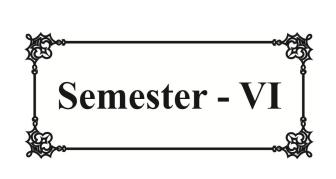
UNIT-V

HUMANITARIAN LAW

- International Humanitarian Law: Historical Background and Origins and Classification of IHL
- IHL as a part of International Law Sources of Modern IHL Development of the Geneva Conventions and Additional Protocols
- Protection of Defenceless in War: Distinction between Combatant and Non-Combatant-Limitations on Means and Methods of Use of Force-Law of Internal Armed Conflicts
- Issues Relating to Implementation of Humanitarian Law

- 1. Dr. H. O. Agarwal: *A Concise book on International Law and Human Rights*, Central Law Publications, Allahabad.
- 2. Dr. S. K. Kapoor: *Human Rights under International Law & Indian Law*, Central Law Agency, Allahabad.
- 3. Dr. S. R. Myneni: *Human Rights*, Asia Law House, Hyderabad.
- 4. Ian Brownlie & Guy S. Goodwin-Gill: *Brownlie's Documents on Human Rights,* Oxford University Press, Oxford.
- 5. N. K. Jayakumar: *International Law and Human Rights*, LexisNexis India, Gurgaon.
- 6. R. P. Kataria & Salah Uddin: *Commentary on Human Rights*, Orient Publishing Company, Allahabad.
- 7. Rashee Jain: *Textbook on Human Rights Law and Practice*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 8. Rhona K. M. Smith: *Textbook on International Human Rights*, Oxford University Press, Oxford.
- 9. Richard Stone: *Textbook on Civil Liberties & Human Rights*, Oxford University Press, Oxford.

		FACULTY OF LAW	V	
10. Upendra Baxi: The Future of Human Rights, Oxford University Press, Oxford.				



LABOUR LAW-II

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: Labour Laws provide provisions for equitable distribution of profits and benefits emerging from industry, between industrialists and workers and affording protection to the workers against harmful effects to their health safety and morality.

UNIT-I

THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT, 1946

- Application-Main Features of the Act-Definitions-Industrial Establishment-Standing Orders etc.
- Submission of Draft Standing Orders-Duration and Modification-Powers of Certifying Officer

UNIT-II

THE FACTORIES ACT, 1948

- Introduction-Definitions: Factory, Hazardous Process, Manufacturing Process, Worker & Occupier-Approval-Licensing and Registration of Factories-Duties of the Occupier and Manufacturer-Powers of Inspectors
- Provision Relating to Health and Safety in Factories Act, 1948-Provisions
 Relating to Hazardous Process-Welfare Provisions-Employment of Young

 Persons

UNIT-III

THE MINIMUM WAGES ACT, 1948

- The Minimum Wages Act, 1948: Object & Constitutional Validity-Theories of Wages- Concept of Wages- Minimum Wage-Fair Wage-Living Wage-Components of Wages
- Minimum Wages: Principle of Fixation and Revision of Minimum Wage-Procedure for Fair Wages and Living Wages-Protection of Wages-Authorized Deductions-Remedial Measures

UNIT- IV

THE EQUAL REMUNERATION ACT, 1976 & EMPLOYEE'S STATE INSURANCE ACT, 1948

- Equal Remuneration Act, 1976: Same Work or Work of Similar Nature-Obligations of Employer-Remedial Measures
- The Employee's State Insurance Act, 1948: Application & Scope-Constitution Validity-Definitions-Employee, Family & Dependent-Employment-Injury-Workmen

UNIT-V

PROTECTION OF THE WEAKER SECTORS OF LABOUR

- Unorganised Labour
- Bonded Labour Legislation-Abolition of Bonded Labour-Implementation of the Act-Contract Labour-Abolition and Absorption-Labour Standards and WTO

- 1. A. J. Fonseca: *Wage Determination and Organised Labours in India*, Oxford University Press, New York.
- 2. A. N. Buch, S.T. Salilallt & S.S. Mehta: *Sweat of Labour Economics for Trade Unions*, Himalaya Publishing House, Bombay.
- 3. Meenu Agrawal: *Economic Reforms, Unemployment and Poverty,* New Century Publications, New Delhi.
- 4. C. B. Mamoria and Mamoria: *Dynamics of Industrial Relations in India*, Himalaya Publishing House, Mumbai.
- 5. C. R. Mc Connell & S. L. Brue: *Contemporary Labour Economics*, Mc Grow-Hill, New York.
- 6. Dr. S.R. Myneni: *Labour Laws*, Asia Law House, Hyderabad.
- 7. Dr. T. N. Bhagoliwal: *Economics of Labour and Industrial Relations*, Sahitya Bhavan Publications, Agra.
- 8. E. A. Ramaswamy: *The Worker and Trade Union*, Allied Publishers, New Delhi.
- 9. Indrani Mukherjee: *Industrial Workers in a Developing Society*, Mittal Publications, New Delhi.
- 10. Jwitesh Kumar Singh: *Labour Economics-Principles, Problems and Practices,* Deep & Deep Publications Pvt. Ltd., New Delhi.
- 11. K. K. Bagin & N. Gope: *State, Labour and Development,* Abhijeet Publication, New Delhi.
- 12. Mavi Anupreet Kaur: *Educated Unemployed*, Deep & Deep Publication, New Delhi.
- 13. Pramod Verma: *Labour Economics and Industrial Relations*, Tata McGraw Hill Publishing Co. Ltd., New Delhi.
- 14. S. N. Misra: Labour & Industrial Law, Central Law Publication, Allahabad.
- 15. S. D. Punekar: *Labour Welfare, Trade Unionism and Industrial Relations*, Himalaya Publishing House, Bombay.

- 16. S. C. Srivastava: *Industrial Relations and Labour Laws*, Vikas Publishing House, Noida.
- 17. T. S. Papola, P. P. Ghose and A. N. Sharma (ed.): *Labour Employment and Industrial Relations in India*, B. R. Publishing Corp., New Delhi.
- 18. V. B. Karnik: *Indian Trade Union-A Survey*, Popular Prakashan, Mumbai.
- 19. V. V. Giri: *Labour Problems in Indian Industry*, Asia Publishing House, Bombay.
- 20. Y. S. Purohit: *Industrialising Economy and Labour Market in India*, Mittal Publication, New Delhi.

TAX LAW-I

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: Taxes are divided into two kinds; (1) Direct tax and (2) Indirect Tax. Direct Taxes are paid directly to the Government by individuals liable to pay Income Tax. Indirect Taxes are paid to the government by one person but he recovers the same from another person i.e. Goods and Services Tax (GST). Objectives of Income Tax are raising revenue, redistribution of income and preventing concentration of wealth in few hands, promoting economic growth with stability. Objectives of Goods and Services Tax are elimination of multiple taxes and elimination of cascading effect, fostering common market across the country, improving GDP rate and boost our economy.

UNIT-I

INCOME & EXPENDITURE

- **Definition:** Income-Previous Year-Assessment Year-Casual Income-Receipts-Capital and Revenue
- Expenditure: Capital and Revenue-Tax free Income-Agricultural Income-Residential Status of Individual Company-HUF and Partnership Firm-Tax Planning and Tax Management-Tax Avoidance and Tax Evasion-Distinction between Tax, Fee and Cess-Taxing Power and Constitutional Limitations

UNIT- II

INCOME TAX I

 Income from Salaries: Meaning and Scope-Perquisites-Valuation of Perquisites-Profits in lieu of Salary-Norms of Salary Income- Tax treatment of different forms of Salary Income, Allowances-Deduction and Reliefs-Allowances-TDS

• Income from House Property: Deemed Owner-Annual Value-Computation of Income of a Let out or Self-Occupied House Property-Deductions & Reliefs

UNIT- III

INCOME TAX II

- Profits and Gains from Business or Profession: Meaning of Business-Principles Governing Assessment of Business Income-Deduction-Scheme of Deduction and Allowance-Principles Governing Admissibility of Deduction-Losses deductible from Business Income-Losses not deductible from Business Income
- Capital Gains: Meaning of Capital Gains and Capital Assets-Types of Capital Assets-Transfer Meaning-Long Term and Short-Term Transfer

UNIT-IV

INCOME TAX III

- Income from Other Sources: Chargeability-Incomes-Chargeable to Tax under Section 56(2) and 56 (1); Interest on Kisan Vikas Patra-Indira Vikas Patra-National Saving Certificates -Social Security Certificates; Deductions-Amount not Deductible
- Income of Other Persons included in Assessee's Total Income: Meaning of Transfer-Clubbing of Income-Income of Minor child, conversion of selfacquired property into joint family property & subsequent partition

UNIT- V

INCOME TAX IV

• **Income Tax Authorities:** Powers and Functions-Procedure for Assessment-Filing of Return-Self Assessment-Best Judgment Assessment-Re-Assessment

• Offences and Penalties: Search and Seizure-Set off and Carry Forward Losses-Tax treatment of Hindu Undivided families

- 1. B. B. Lal and N. Vashist: *Direct Taxes, Income Tax, Wealth Tax and Tax Planning,*Darling Kindersley (India) Pvt. Ltd., Delhi.
- 2. Balram Sangal and Jagdish Rai Goel: *All India VAT manual (4 Vols.)*, Commercial Law Publishers (India) Pvt. Ltd., Delhi.
- 3. Dr. H. C. Mehrotra and Dr. S.P. Goyal: *Direct Taxes (with Tax Planning)*, Sahitya Bhawan, Agra.
- 4. Dr. V. K. Singhania: *Students Guide to Income-Tax including Service Tax/VAT*, Taxmann Publications Pvt. Ltd., New Delhi.
- 5. Girish Ahuja and Ravi Gupta: *Professional Approach to Direct Taxes Law & Practice*, Bharat Publications, New Delhi.
- 6. Girish Ahuja and Ravi Gupta: *Systematic Approach to Income-Tax, Service Tax and VAT*, Bharat Law House, Jaipur.
- 7. J. K. Mittal: *Law, Practice & Procedure of Service Tax*, CCH India, (Walters Kluwer (India) Pvt. Ltd.), New Delhi.
- 8. Sampath Iyengars: *Law of Income Tax*, Bharat Law House Pvt. Ltd., Jaipur.
- 9. V. S. Datey: Service Tax Ready Reckoner, Taxmann Publications, New Delhi.
- 10. V. S. Datey: Indirect Taxes Law and Practice, Taxmann Publications, New Delhi.
- 11. Vikas Mundra: Tax Laws and Practices; Law Point Publications, Kolkata.

ENVIRONMENTAL LAW

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The environmental pollution and degradation of biodiversity has become one of the biggest hazards not only to human existence but also to the existence of all the gifts that nature has bestowed on mankind. Unless immediate and urgent steps are taken to control environmental pollution, a bleak and terrible future awaits the humanity. This fact has accelerated the emergence of different legal and governmental measures at national and international level for prevention of environmental pollution. This course aims to create awareness among the students about the legislative measures for protection of environment and spirit of Indian Constitution for protection of environment. It also provides the opportunities to the students to understand the activist role played by Indian Judiciary in protection of environment and evolution of different principles such as polluter pay principle, precautionary principle, inter-generational equity and sustainable development.

UNIT-I

ENVIRONMENT & SUSTAINABLE DEVELOPMENT

- Environment & Sustainable Development: Conceptual & Theoretical Framework
- Sustainable Development: International & National Legal Response: Report of the World Commission on Environment and Development (WCED), Our Common Future, (Brundtland Report), 1987-Caring for Earth Document-World Summit on Sustainable Development (WSSD), 2002 (Johannesburg Summit)- Plan of Implementation, Johannesburg Declaration-Rio+20; Environmental Principles-Precautionary Principle-Polluter Pays Principle-Inter-generational Equity-Intra-generational **Equity-Common** but Differentiated Responsibilities; Implementation of Sustainable Development-International Measures-UN Commission on Sustainable Development, 1992-WTO Committee on Trade and Environment National Measures-Implementation of Sustainable Development in India

- Environmental Policy in India: Historical & Contemporary Perspective: Environmental Policy Instruments- The National Forest Policy, 1988- The National Water Policy, 2002-The Wildlife Conservation Strategy, 2002- The National Environment Policy, 2006
- Classical & Common Law Remedies for Environmental Protection: Criminal & Tortious Dimensions

UNIT-II

CONSTITUTION & ENVIRONMENT

- Constitutional Dimensions of Environment: Federal Framework-Right to Environment-Constitutional Operationalisation of Fundamental Right to Pollution Free Environment-Articles 14, 19(1) (g), 21, 48-A and 51-A (g) of the Constitution-Environmental Law Making-Parliamentary power under Article 253 to amend law made under Article 252-Constitutional Status of Fundamental Environmental Principles: Precautionary Principle, Polluter Pays Principle, Inter-generational Equity, Intra-generational Equity, Public Trust Doctrine.
- **Human Rights to Environment:** Right-Duty Perspective; Human Right to Environment v. Right to Development; World Charter for Nature, 1982
- Regulation of Hazardous Industries: Legal & Institutional Framework-The Hazardous Wastes (Management and Handling) Rules, 1989 as amended in 2000 and 2003.
- Environmental Liability Principles: Emerging Trends-Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, 1989; Basel Protocol on Liability and Compensation, 1999; Stockholm Convention on Persistent Organic Pollutants, 2001

UNIT-III

LAW & ENVIRONMENT I

- Environment Protection Act, 1986: Salient Features- Regulatory Mechanism-Enforcement & Working of the Act
- Water Act, 1974: Salient Features-Regulatory Mechanism- Enforcement & Working of the Act- The Water Cess (Prevention and Control of Pollution) Act, 1977
- Air Act, 1981: Salient Features- Regulatory Mechanism- Enforcement & Working of the Act
- **Noise Pollution Rules, 2000:** Salient Features-Regulatory Mechanism-Enforcement & Working of the Act

UNIT-IV

LAW & ENVIRONMENT II

- Forest Protection Laws: Forest Policy-Salient Features of Forest Conservation
 Act, 1980-Regulatory Mechanism & Enforcement-Scheduled Tribes and Other
 Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (Forest
 Rights Act)
- Wildlife Protection Law: Wildlife Policy in India-Salient Features of Wildlife
 Protection Act, 1972-Enforcement & Working of the Act
- The Biological Diversity Act, 2002: Regulation Biological Diversity and Legal Order-Bio-diversity and Legal Regulation-Utilization of flora and fauna-Experimentation on Animals -Legal and Ethical issues -Genetic Engineering
- Environmental Planning for Sustainable Urban and Rural Environment:
 Master Plans, Zoning, Health and Sanitation-73rd and 74th Amendments to
 the Constitution- Displacement, Resettlement and Rehabilitation

UNIT-V

ENVIRONMENTAL ADVOCACY & LITIGATION

- Environment Impact Assessment: Law & Practice-Public Participation & Environment Protection
- Environmental Dispute Resolution-The National Green Tribunal Act, 2010
- Environmental Advocacy & Litigation- Environmental Justice-Access to Environmental Justice
- Environmental Remedies: Administrative, Statutory and Constitutional Remedies

- 1. Armin Roseneranz *et.al*: *Environment Law and Policy in India*, South Asia Books, New Delhi.
- 2. Dr. N. V. Pranjape: *Environmental Laws and Management in India*, Thomson Reuters, Delhi.
- 3. Indrajit Dube: *Environmental Jurisprudence-Polluter's Liability*, LexisNexis India, Gurgaon.
- 4. K. Thakur: *Environmental Protection, Law and Policy in India*, Eastern Book Company, Lucknow.
- 5. M. R. Grag, V.K. Bansal & N. S. Tiwana: *Environmental Pollution and Protection*, Deep & Deep Publishers, New Delhi.
- 6. Md. Zafar Mahfooz Nomani: *Environment Impact Assessment Laws*, Satyam Law International, New Delhi.
- 7. Md. Zafar Mahfooz Nomani: *Legal Control of Radiation Pollution*, Regency Publications, New Delhi.
- 8. Md. Zafar Mahfooz Nomani: *Natural Resources Law and Policy*, Uppal Publishing House, New Delhi.

- 9. Md. Zafar Mahfooz Nomani: *Right to Health: A Socio-Legal Perspective*, Uppal Publishing House, New Delhi.
- 10. P. Leelakrishnan: Environmental Law Case Book, LexisNexis India, Gurgaon.
- 11. P. Leelakrishnan: *Environmental Law in India*, LexisNexis India, Gurgaon.
- 12. Partha Pratim Mitra: *Wild Animal Protection Laws in India*, LexisNexis India, Gurgaon.
- 13. Patricia W. Birnie & Alan E. Boyle: *International Law and the Environment*, Eastern Book Company, Lucknow.
- 14. Sumeet Malik: Environmental Law, Eastern Book Company, Lucknow.
- 15. Surendra Malik & Sudeep Malik: *Supreme Court on Environmental Law*, Eastern Book Company, Lucknow.

INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objectives: Statutes are framed by the legislature with the help of legal experts in a very clear and express terms and it is perceived that there would be no room for their interpretation. It is, however, found that the Courts are busy in unfolding the meaning of terms and provisions of the statutes. Therefore, the duty of the judges is to interpret the statutes, so that their provisions would become meaningful and devoid of lacunas. Generally, the statutes are designed to meet and solve the problems of society. Different statutes are passed by the legislature dealing with different aspects of the society. Therefore, the purpose of this paper is to make the students understand how these statutes are interpreted by the Courts. The object of this paper is to provide the students exposure to different rules of interpretation. The paper also offers understanding of the principles of legislation in law making

UNIT-I

PRELIMINARY MATTERS

- Introduction: Concept of Statutes-Meaning of Interpretation and Construction; Interpretation of Statutes: Meaning-Need for Interpretation-Purpose and Broad Approaches of Interpretation-Function of the Judges; Understanding Statutes: Its Commencement, Operation, Repeal and Revival etc.
- **Intention Attributed to Expression:** Mandatory and Directory-Rules as to Waiver of Statutes and Against Statutes.

UNIT-II

RULES OF STATUTORY INTERPRETATION

- Primary Rules: Literal (Grammatical) Rule of Construction-Golden Rule of Construction-Mischief Rule (Heydon's Rule) of Construction-Harmonious Rule of Construction
- Secondary Rule: Construction Expositio-Construction in Bonam Partem-Noscitur a Sociis-Expressio Unius Rule-Ejusdem Generis Rule-Redendo Singula Singulis

UNIT-III

AIDES TO CONSTRUCTION

- Internal (Intrinsic) Aides: Title, Preamble, Heading, Marginal Notes, Schedule, Interpretation Clauses, Illustration, Explanation and Proviso.
- External (Extrinsic) Aides: Historical Setting-History Parliamentary Legislation- International Convention-Reference to Legislation-Objects and Reason of the Act-Dictionaries-Text Books.

UNIT-IV

INTERPRETATION WITH REFERENCE TO SUBJECT MATTER AND PURPOSE

- Beneficial and Restrictive Construction-Construction of Penal and Taxing Statutes
- Constitutional Interpretation: Meaning and Principles of Construction of Constitution-Constitutionality of Statutory Law

UNIT-V

PRINCIPLES OF LEGISLATION AND PRESUMPTION IN STATUTORY INTERPRETATION

- Law Making: Legislature, Executive and Judiciary-Process of Law Making-Relevancy of Each Steps-Draft-Bill-Act-Assent
- Principle of Utility: Presumption as to Validity and Territorial Operation-Presumption as to Operation of Statutes (Prospective & Retrospective)-Presumption Regarding Court's Jurisdiction

- 1. Amita Dhanda: *N S Bindra's Interpretation of Statutes*, LexisNexis India, Gurgaon.
- 2. Avtar Singh & Harpreet Kaur: *Introduction to Interpretation of Statutes*, LexisNexis India, Gurgaon.
- 3. Justice G P Singh (Revised by Justice A. K. Patnaik): *Principles of Statutory Interpretation (Also including the General Clauses Act, 1897)*, LexisNexis India, Gurgaon.
- 4. P. St. J. Langan: *Maxwell on the Interpretation of Statutes*, LexisNexis India, Gurgaon.
- 5. N. S. Bindra: *Interpretation of Statutes* LexisNexis India, Gurgaon.
- 6. P. M. Bakshi: *Statutory Interpretation of Statutes*, Orient Publishing Company, Orient Publishing Company.
- 7. P. S. Narayan: *Statutory Interpretation*, Asia Law House, Asia Law House, Hyderabad.
- 8. M. P. Tandon: *Interpretation of Statutes & Legislation*, Allahabad Law Agency, Allahabad.
- 9. Bawa & Roy: Interpretation of Statues, Allahabad Law Agency, Allahabad.
- 10. A. B. Kafaltiya: *Interpretation of Statues*, Universal Law Publishing Co Pvt. Ltd., New Delhi.

ADMINISTRATIVE LAW

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: Administration is an individual's interface with the State. Due to unprecedented rise in state intervention in an individual's life, the possibilities of accumulation of uncontrolled power and of arbitrariness in its exercise too have increased. This in turn has started adversely affecting legal rights granted to an individual by the law. Therefore, administrative law has been systematically developed as an instrument to ensure that the powers entrusted or delegated to the administrative authorities are exercised strictly in accordance with the law. Administrative law is essentially the law that exercises control over state functionaries which have increased over time for assumption of increased state responsibilities. The course structure of Administrative Law deals with legal framework governing public administration and the principles to control executive power to avoid arbitrariness. The course structure is deigned to make students acquaint of various aspects of Administrative Law including quasi-legislative, quasijudicial and other ministerial functions of administration and control thereof, delegated legislation, natural justice, administrative discretions and administrative tribunals.

UNIT-I

INTRODUCTION

- Evolution and Development of Administrative Law: Nature, Scope and Definition of Administrative Law-Constitutional Law and Administrative Law
- **Rule of Law:** *Droit Administartif* and Indian Perspective
- Separation of Powers

UNIT-II

ADMINISTRATIVE ADJUDICATION

 Administrative Action: Classification of Administrative-Functions: Pure Administrative, Quasi-Judicial and Quasi-Legislative.

- Administrative Discretion: Scope and Control
- Administrative Adjudicatory Bodies: Tribunals-Need, Nature, Jurisdiction and Procedure-Overview of Tribunals in India with Special Reference to Administrative Tribunals established under the Administrative Tribunals Act, 1985-Civil Courts vis-à-vis Tribunals-Legal Status and Jurisdictional Conflicts

UNIT-III

DELEGATED LEGISLATION

- Meaning, Reasons for Growth and Limits of Delegated Legislative Power.
- Constitutionality of Delegated Legislation, Power of Exclusion & Inclusion and Power to Modify Statute-Conditional Legislation and Delegated Legislation
- Controls over Delegated Legislation: Parliamentary Control , Procedural Control and Judicial Control

UNIT-IV

NATURAL JUSTICE

- Principles of Natural Justice
- Audi Alterem Partem-Rule against Bias-Reasoned Decision
- Consequences of Violation of the Principles of Natural Justice

UNIT-V

LAW OF WRITS, OMBUDSMAN & RTI

- Judicial Review of Administrative Actions
- Public Law Remedies (Writ Remedies)-Private Law Remedies
- Transparency and Accountability in Governance: Institution of Lokpal and Lokayuktas (Ombudsman)-The Right to Information Act, 2005- -Judicial Standards and Accountability

- 1. A. B. Kafaltiya: *Textbook on Administrative Law*, Universal Law Publishing, New Delhi.
- 2. Abhishek Baplawat: *Administrative Law*, Wisdom Press, New Delhi.
- 3. H. J. Abraham: *The Judicial Process*, Oxford University Press, New Delhi.
- 4. T. R. Andhyarjina: *Judicial Activism and Constitutional Democracy in India*, N.M. Tripathi Pvt. Ltd., Bombay.
- 5. Ashok H. Desai and S. Muralidhar: 'Public Interest Litigation: Potential and Problems' in B. N. Kirpal et. al. (eds.), *Supreme but not Infallible-Essays in Honour of the Supreme Court of India*, OUP, New Delhi.
- 6. C. K. Takwani: *Lectures on Administrative Law*, Eastern Book Company, Lucknow.
- 7. Rajeev Dhavan (ed.): *Litigation Explosion in India*, N.M. Tripathi, Bombay.
- 8. Dr. U. P. D. Kesari: Administrative Law, Central Law Publication, Allahabad.
- 9. Durga Das Basu & S P Sen Gupta: *Administrative Law*, Kamal Law House, Kolkata.
- 10. Elizabeth Giussani: *Constitutional and Administrative Law*, Sweet & Maxwell, London.
- 11. Granville Austin: *Working a Democratic Constitution-The Indian Experience*, Oxford University Press, New Delhi.
- 12. H. W. R. Wade & C. F. Forsyth: Administrative Law, Oxford University Press, UK.
- 13. I. P. Massey: *Administrative Law*, Eastern Book Company, Lucknow.
- 14. J. J. R. Upadhaya: Administrative Law, Central Law Agency, Allahabad.
- 15. M. P. Jain: Locus Standi in the Evolving Indian Administrative Law, Tripathi, Bombay
- 16. Ivory Jennings: *The Law and the Constitution*, University Press, London
- 17. K. C. Joshi: *Administrative Law*, Central Law Publication, Allahabad.
- 18. K. Thakker: *Administrative Law*, Eastern Book Company, Lucknow.

- 19. Kailash Rai: Administrative Law, Central Law Publication, Allahabad
- 20. A. Kumari Krishna: *Judicial Activism: Need for Reforms*, ICFAI University Press
- 21. M. P. Jain and S. N. Jain: *Principles of Administrative Law*, LexisNexis Buttersworth Wadhwa, Nagpur.
- 22. Gobinda Mukhoty: *Locus Standi and Public Interest Litigation*, Indian Intellectual Publishing House New Delhi.
- 23. Neil Parpworth, Constitutional and Administrative Law, OUP, UK.
- 24. P. P. Craig: *Administrative Law*, Sweet and Maxwell, London.
- 25. Paras Diwan: *Administrative Law*, Allahabad Law Agency, Delhi.
- 26. Peter Cane: *Administrative Law*, Oxford University Press, UK.
- 27. Prof. Dr. M. C. Jain Kagzi: *The Indian Administrative Law*, Universal Law Publishing Company Pvt. Ltd. New Delhi.
- 28. S. P. Sathe: *Administrative Law*, LexisNexis Buttersworth Wadhwa, Nagpur.
- 29. S. P. Sathe: *Judicial Activism in India*, Oxford University Press, New Delhi.
- 30. Sampat Jain: Public Interest Litigation, Deep & Deep, New Delhi.
- 31. Tushar Kanti Saha: *Administrative Law*, Universal Law Publishing Company Pvt. Ltd., New Delhi.
- 32. V. N. Shukla: *Constitution of India*, Eastern Book Company, Lucknow.
- 33. Yashomati Ghosh: Textbook on Administrative Law, LexisNexis, Haryana.

Relevant Cases

- 1. A. K. Kraipak v. Union of India, AIR 1970 SC 150.
- 2. A.N. Parsuraman v. State of Tamil Naidu, AIR 1990 SC 40.
- 3. A.T. Sharma v. A.P. Sharma, AIR 1979 SC 1047.
- 4. Amar Nath Chaudhary v. Braithwaite & Co. Ltd., (2002) 2 SCC 290.
- 5. Ashok Kr. Yadav v. State of Haryana, (1985)4SCC417.

- 6. Atlas Cycle Industries Ltd. v. State of Haryana, AIR 1979 SC 1149.
- 7. Canara Bank v. V. K. Awasthy, AIR 2005 SC 2090.
- 8. CCSU v. Minister for Civil Services [1984] 3 All ER 935.
- 9. *Center for PIL v. Union of India* (2012) 3 SCC 1 (2G Spectrum Case).
- 10. Central Board of Secondary Education and Anr. v. Aditya Bandopadhyay and Ors., (2011) 8 SCC 497.
- 11. Commr. of Police v. Goardhan Das Bhanji, AIR 1952 SC 16.
- 12. CPIO, Supreme Court of India v. Subhash C. Agrawal, 2011 3MLJ 194 SC.
- 13. Daryo v. State of Uttar Pradesh, AIR 1961 SC 1457.
- 14. DDA v. Joint Action Committee, AIR 2008 SC 1343.
- 15. Delhi Cloth & Gen Mills v. Union of India, (1988) 1 SCC 66.
- 16. *H. Mukherjee v. S. K. Bhargva* 1996 4 SCC 542.
- 17. Durgadas v. Union of India, AIR 2002 SC 2639.
- 18. Dwarka Pd. Laxmi Narain v. State of Uttar Pradesh, AIR 1954 SC 224.
- 19. Ekta Shakti Foundation v. Govt. of NCT of Delhi, MANU/SC/3115/2006.
- 20. Express Newspapers (P) Ltd. v. Union of India, AIR 1986 SC 827.
- 21. G. N. Nayak v. Goa University, (2002) 2 SCC 712.
- 22. G. Sadanandan v. State of Kerala, AIR 1966 SC 1925.
- 23. Govind Lal v. A.P.M. Committee, AIR 1976 SC 263.
- 24. *Govt. of Madras v. J. S. Bassappa*, AIR 1964 SC 1873.
- 25. H. L. Trehan v Union of India, (1989) 1 SCC 764.
- 26. Hira Nath Mishra v. Principal, Rajendra Medical College, AIR 1973 SC 1260.
- 27. Indian Railway Construction Co. Ltd v. Ajay Kumar, (2003) 4 SCC 579.

- 28. J. K. Agarwal v. Haryana Seeds Development Corp. Ltd, AIR 1991 SC 1221.
- 29. Jacob Mathew v. State of Punjab (2005) 6 SCC 1.
- 30. K. C. Wora v. G. Annamanaidu, AIR 1974 SC 1069.
- 31. L. Chandra Kumar v. Union of India, AIR 1997 SC 1125.
- 32. Larsen & Turbo Ltd. v. Union of India, AIR 2005 SC 4180.
- 33. M.D. ECIL, Hyderabad v. B. Karunakar, (1993) 4 SCC 77.
- 34. Maharashtra State Seeds Corpn. Ltd. v. Haridas, AIR 2006 SC 1480.
- 35. Maneka Gandhi v. Union of India, (1978) 1 SCC 248.
- 36. Marbury v. Madison 1803 5 US (1 Cranch) 137 US Supreme Court.
- 37. MP Special Police Establishment & Anr v. State of MP & Ors. 2004 8SCC 788.
- 38. National Building Construction Co. v. S Raghunathan, (1998)7 SCC 66.
- 39. Navjyoti Corpn. Group Housing Society v. UOI, (1992) 4 SCC 477.
- 40. P. D. Agarwal v. State Bank of India, 2006(5) SCALE 54.
- 41. Pratap Singh v. State of Punjab, AIR 1964 SC 72.
- 42. Province of Bombay v. Khushal Das Advani, AIR 1950 SC 222.
- 43. R.S. Deodhar v. State of Maharashtra, AIR 1974 SC 259.
- 44. Raj Narain v. Chairman, Patna Administration Committee, AIR 1954 SC 519.
- 45. Ram Krishan Dalmia v. Shri Justice S. R. Tendolkar AIR 1958 SC 538.
- 46. Ram Manohar Lohia v. State of Bihar, AIR 1966 SC 740.
- 47. Re Delhi Laws Act, AIR 1951 SC 332.
- 48. S. D. Rai v. Ram Chandra Rai, (2003) 6 SCC 675.
- 49. S. N. Mukherjee v. Union of India, (1990) 4 SCC 594.
- 50. Secy. Ministry of Chemicals & Fertilizers v. Cipla Ltd., AIR 2003 SC 3078.

- 51. Shri Rama Sugar Industries v. State of A.P (1974) 1 SCC 534.
- 52. State of Bombay v. K.P. Krishnan, AIR 1960 SC 1223.
- 53. State of Karnataka v. Union of India, AIR 1978 SC 68.
- 54. State of Punjab v. V. K. Khanna (2001) 2 SCC 330.
- 55. State of T.N. v. P. Krishnamurthy, AIR 2006 SC 1622.
- 56. State of Tamil Naidu v. S. Thangaval, (1997) 2 SCC 349.
- 57. State of U.P. v. Harendra Arora, (2001) 6 SCC 392.
- 58. State of Uttar Pradesh v. Jeet S Bisht & Anr, 2007 (6) SCC 586.
- 59. State of Uttar Pradesh v. Raj Narain and Ors, 1975 (4) SCC 428.
- 60. State of West Bengal & Ors v. Kamal Sengupta & anr, JT 2008 (8) SC.
- 61. State of West Bengal v. Ashish Kumar Roy, AIR 2005 SC 254.
- 62. Swadeshi Cotton Mills ltd. v. Union of India, (1981) 1 SCC 664.
- 63. T. Sudhakar Prasad v. Govt. of Andhra Pradesh & ors, JT 2001(1) SC 204.
- 64. T. K. Rangarajan v. State of T.N., AIR 2003 SC 3032.
- 65. T.O. Estates P Ltd. v. U.T. Chandigarh, 2003 (10) SCALE 1016.
- 66. Tara Chand v. MCD (1977) 1 SCC 472.
- 67. Tata Cellular v. Union of India (1994) 6 SCC 651.
- 68. The Institute of Chartered Accountants of India v. Shaunak H. Satya and Ors (2011) 8 SCC 781.
- 69. Tilok Chand Moti Chand v. H.B. Munshi, AIR 1970 SC 898 5.
- 70. Union of India v. Malti Sharma, 2006(2) SCALE 578.
- 71. Union of India v. Tulsi Ram Patel, (1985) 3 SCC 398.
- 72. Ujjaim Bai v. State of Uttar Pradesh, AIR 1962 SC 1621.

- 73. Vineet Narain v. Union of India (1998) 1 SCC 226.
- 74. Welfare Assn A.R.P, Maharashtra v. R.P. Gohil, AIR 2003 SC 1266.
- 75. Zahira Habibullah Shiekh v. State of Gujarat, (2004) 4 SCC 158.
- 76. Zee Telefilms v. Union of India, (2005) 4 SCC 64.

CORPORATE LAW-I

((The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The fast track growth of Liberalization, Privatization and Globalization augmented the requirement of overhauling of corporate laws in tune with international requirements. As a consequence, thereof, the different corporate laws are either introduced or amended/replaced by the Government of India. The object of the paper is to make the students understand the various aspects of corporate laws so that they can cope up with national and international requirements. The paper offers the students to introduce different fields, viz., corporate abuses, insider trading, merger, amalgamation & take-over, winding up of companies, competition law, foreign exchange etc.

UNIT-I

NATURE AND CONCEPT OF A COMPANY

- Concept and Nature of Corporate Personality: Advantages and Disadvantages of Company, Lifting of Corporate Veil, Consequences of Non-Compliance of the Provisions of the Companies Act in Matters of Incorporation
- Kinds of Companies: Foreign, Multinational and Transnational Corporations
- Limited Liability Partnership: Concept and Nature, Formation, Partners and their Mutual Rights and Liabilities-Designated Partners
- Corporate Social Responsibilities of Companies: Concept and Relevance,
 Emerging Trends in Corporate Social Responsibility-Legal Liability of
 Company-Civil, Criminal, Tortuous and Environmental

UNIT-II

FORMATION OF COMPANY

- Promotion of Company: Position and Liability of Promoters-Pre-Incorporation and Provisional Contracts-Process of Registration and Incorporation of Company
- Memorandum of Association: Clauses of Memorandum of Association and its Alteration-Binding Force of Memorandum of Association and Articles of Association-Articles of Association and Its Alteration-Relationship with Memorandum of Association
- **Prospectus:** Meaning and Contents-Statement in lieu of Prospectus-Remedies for Misrepresentation-Civil and Criminal liability
- Doctrine of *Ultra Vires*: Doctrine of Constructive Notice-Doctrine of Indoor Management

UNIT- III

SHARE CAPITAL AND SHARES

- Concept, Nature and Kinds of Shares and Share Capital
- **Issue and Allotment of Shares:** General Principles and Statutory Provisions related to Allotment-Issue of Shares at Premium and Discount
- Dematerialization and Re-materialization of Shares
- Transfer and Transmission of Shares: Buyback of Shares-Forfeiture and Surrender of Shares-Membership in a Company

UNIT-IV

BORROWINGS AND DIVIDEND

- Debentures: Concept, Nature and Kinds-Debentures Index-Charges and Mortgages- Crystallization of Charge
- Dividend and Interim Dividend-Rules Regarding Dividend
- Borrowing and Lending: Inter-Corporate Loans
- Meetings of Shareholders & Directors and Resolutions

UNIT-V

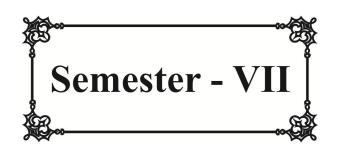
MANAGEMENT OF COMPANY

- Position of Directors
- Appointment, Qualifications and Disqualification and Removal of Directors
- Powers, Duties and Liabilities of Directors
- Corporate Governance

Suggested Readings

- Andrew Lidbetter: Company Investigations and Public Law, Bloomsbury Acad. & Prof. London.
- 2. Avtar Singh: Company Law, Eastern Book Company, Lucknow.
- 3. Brenda Hanningan: *Company Law*, Oxford University Press, UK.
- 4. David Kershaw: Company Law in Context, Oxford University Press, UK.
- 5. Dr. Charles Wild & Dr Stuart Weinstein: *Smith and Keenan's Company Law*, Pearson, London.

- 6. J. Charlesworth & Geoffrey Morse: *Charlesworth and Morse: Company Law,* Sweet & Maxwell, London,
- 7. J. P. Sharma, *Corporate Laws*, Ane Books Pvt. Ltd., New Delhi.
- 8. J.C. Verma: *Corporate Mergers, Amalgamations & Takeovers, Bharat Law House,* New Delhi.
- 9. L. C. B. Gower: *Principles of Company Law*, R. Cambray & Co. Pvt. Ltd., Kolkata.
- 10. Munish Bhandari: *Professional Approach to Corporate Laws and Practice*, Bharat Law House, Jaipur.
- 11. S. Kannal & V.S. Sowrirajan: *Company Law Procedure*, Taxman's Allied Services (P) Ltd., New Delhi.
- 12. Saleem Sheikh & William Rees: *Corporate Governance & Corporate Control*, Cavendish Publishing, London.
- 13. Suman Gupta: *Shareholder's Democracy: Fact or Fiction,* Publication Division, University of Delhi, New Delhi.
- 14. T. Ramappa: *Competition Law in India-Policy, Issues and Development*, Oxford University Press, New Delhi.



CIVIL PROCEDURE CODE-I

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The paper aims to familiarize the students with the various stages involved in a civil case. This paper will acquaint the students to draft plaints, written statements, Interlocutory applications, etc. involved in civil cases which will further enhance their skills of arguments. The objective of the Code of Civil Procedure is to consolidate a code relating to the procedure which is to be followed by the Court of civil judicature and to facilitate justice and adopt a law relating to procedure followed by the civil courts, so that, justice is done to both the parties. In this subject, technical and hypo-technical objection is totally avoided which is meant to defeat justice, and the provision of this Code has been formulated to be construed liberally.

UNIT-I

- Introduction of Procedural Laws-Interpretation of Procedural Laws
- Preliminary Concept & Definition (Section 2): Decree, Decree-Holder,
 Judgement-Debtor, Mesne Profits, Foreign Court & Foreign Judgements
- **Courts:** Their Constitution and Jurisdictional Aspects (Section 9 and 15 to 21A)

UNIT-II

- Stay of Suit (Section 10)-Bar to further Suit (Section 12)
- Conclusiveness of Foreign Judgments

UNIT-III

- Place of Suing: Situation of Subject Matter-Immovable Property within Jurisdiction of Different Courts-Local Limits-Wrongs to Person/Movable Property-Equity Acts in Personam
- Transfer of Cases (Sections 22-25): Transfer & Compensatory Cost-Dilatory Costs
- Execution of Decrees and Orders (Sections 36 to 74): Concept and Meaning of Execution-Nature and Scope-Courts by which decree may be executed-Powers of the Courts in Executing Decree (Section 38)-Questions to be determined by the Executing Court-Distinction between Trial Court and Executing Court-Modes of Execution of Decree (Section 51-60)-Arrest and Detention of Judgment Debtor Order 21-Attachment of Property-Sale of Property Moveable and Immovable-Delivery of Property-Stay of Execution of Decree (Order 21, R26)

UNIT-IV

- **Commissions (Sections 75-78):** Their Findings and Value-Notice
- Settlement of Disputes and Conciliation-Settlement of Disputes outside the Court (Section 89)
- Inter-Pleader Suit (Section 88 Order 35)-Public Nuisances (Section 91)-Public Charities (Section 92)

UNIT-V

• **Appeal:** Concept and Meaning in General-Appeal from Original Decree (Section 96 Order 41]-Whom may Appeal-Who cannot Appeal-Appeal from *Ex-Parte* Decree [Section 96 (2)]-Consent Decree [Section 96 (3)]-No Appeal in Petty Cases [Section 96(4)]; Appeal from Appellate Decree [Section 100 order 42]-Nature and Scope-Grounds of Second Appeal; Appeal to the Supreme Court [Section 109]-Grounds of Appeal to the Supreme Court; Appeals from

Orders [Section 104 order 43]-Procedure for Filling Appeal; Revision: Concept and Meaning-Grounds of Revision (Section 105)- Revision from Interlocutory Orders-Distinction between appeal and revision; Review: Meaning and concept (Section 114)-Grounds of Review (Section 114)-Procedure of Filling Review (Order 45); Reference: Meaning and Concept-Grounds of Review (Section 113)-Procedure of Filling Review

- Inherent Powers of the Court (Section 151)-Rule Making Powers of the High Court (Sections 129-130); Restitution-Concept and Meaning-Nature and Scope-Condition Necessary for Restitution-Who may Apply for Restitution-Who may Grant Restitution-Extent of Restitution
- Amendment of Judgments-Decrees-Orders.

Suggested Readings:

- 1. Avtar Singh: *Code of Civil Procedure*, Central Law Publications, Allahabad.
- 2. C.K. Thakker & M. C. Thakker: *Civil Procedure with Limitation Act, 1963*, Eastern Book Company, Lucknow.
- 3. Dr. N. Maheshwara Swamy: *Law Relating to Civil Procedure and Limitation*, Asia Law House, Hyderabad.
- 4. Himanshi Mittal: *Law of Limitation*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 5. Justice P. S. Narayana: Code of Civil Procedure, 1908, Asia Law House, Hyderabad.
- 6. Prof. M. P. Jain: *The Code of Civil Procedure* (CPC), LexisNexis India, Gurgaon.
- 7. Shailender Malik: *The Code of Civil Procedure (CPC)* Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 8. Sukumar Ray: *Textbook on the Code of Civil Procedure*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 9. Vedula Venkata Ramana: *V.J. Rao's The Code of Civil Procedure, 1908*, ALT Publications, Hyderabad.

10 Vinay Kumar (Gupta: <i>Mulla-The K</i>	ev to Indian Pro	ctice (A Summa	ry of the Code
	Jupta: <i>Mulia-The</i> Ki), LexisNexis India		cuce (A Summu	ry of the code

CORPORATE LAW-II

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The fast track growth of Liberalization, Privatization and Globalization augmented the requirement of overhauling of corporate laws in tune with international requirements. As a consequence, thereof, the different corporate laws are either introduced or amended/replaced by the Government of India. The object of the paper is to make the students understand the various aspects of corporate laws so that they can cope up with national and international requirements. The paper offers the students to introduce different fields, viz., corporate abuses, insider trading, merger, amalgamation & take-over, winding up of companies, competition law, foreign exchange etc.

UNIT-I

- Majority Powers and Minority Rights-Shareholder's Representative Action and Derivative Action
- Corporate Membership Rights and Individual Membership Rights-Prevention of Oppression and Mismanagement-Class Action
- Investigation: Inspection of Company's Affairs: Necessity and Nature of, Grounds for Appointment of Inspectors, Powers and their duties-Investigation by Serious Fraud Investigation Office

UNIT-II

- Accounts & Reports of Companies.
- Audit of Accounts: Auditor-Eligibility-Appointment and Removal-Resignation and Remuneration-Powers & Rights-Duties and Liabilities
- Concept of Insider-Dealings and its Prohibition

UNIT- III

- Amalgamation and Reconstruction-Mergers and Demergers of Companies
- Arrangement and Compromise
- Take-Over & Acquisition of Companies-Rights of Dissenting Minorities Shareholders

UNIT-IV

- Concept of Winding-Up: Types of-Compulsory Winding-Up& Voluntary Winding-Up
- Conduct of Winding-Up: Commencement of Winding Up and Consequences of Winding Up Order; Liquidation Process: Liquidator of Company-Position & Powers
- Liability of Past Members-Preferential Payments-Unclaimed Dividends

UNIT-V

- Formation and Powers of NCLT (National Company Law Tribunal) and NCLAT (National Company Law Appellate Tribunal)
- National Law FEMA (Foreign Exchange Management Act), 1999: Dealing and Holding of Foreign Exchange-Current Account and Capital Account-Role of RBI Transactions-Control of Joint Ventures-Investment in India-Repatriation of Project; Capital Market and SEBI (Securities & Exchange Board of India): SEBI-Role in Capital Market-Formation, Powers and Function-Securities Contract Regulation Act, 1956-Recognition of Stock Exchanges-Conditions of Listing of Securities-Securities Appellate Tribunal-Establishment and Scope of Jurisdiction
- General Provisions of the Competition Act, 2002

Suggested Readings:

- 1. Andrew Lidbetter: *Company Investigations and Public Law*, Bloomsbury Acad & Prof. London.
- 2. Avtar Singh: Company Law, Eastern Book Company, Lucknow.
- 3. Brenda Hanningan: *Company Law*, Oxford University Press, UK.
- 4. David Kershaw: Company Law in Context, Oxford University Press, UK.
- 5. Dr. Charles Wild & Dr Stuart Weinstein: Smith and Keenan's Company Law, Pearson, London.
- 6. J. C. Verma: *Corporate Mergers, Amalgamations & Takeovers, Bharat Law House, Jaipur.*
- 7. J. Charlesworth & Geoffrey Morse: *Charlesworth and Morse: Company Law,* Sweet & Maxwell, London.
- 8. J. P. Sharma: Corporate Laws, Ane Books Pvt. Ltd., New Delhi.
- 9. L. C. B. Gower: *Principles of Company Law*, R. Cambray & Co. Pvt. Ltd., Kolkata.
- 10. Munish Bhandari: *Professional Approach to Corporate Laws and Practice*, Bharat Law House, New Delhi.
- 11. S. Kannal & V. S. Sowrirajan: *Company Law Procedure*, Taxman's Allied Services (P) Ltd., New Delhi.
- 12. Saleem Sheikh & William Rees, *Corporate Governance & Corporate Control*, Cavendish Publishing, London.
- 13. Suman Gupta: *Shareholder's Democracy: Fact or Fiction*, Publication Division, University of Delhi, Delhi.
- 14. T. Ramappa: *Competition Law in India-Policy, Issues and Development*, Oxford University Press, New Delhi.
- 15. Vinod Dhall (ed.): Competition Law Today, Oxford University Press, New Delhi.

LAW OF EVIDENCE

(The Bharatiya Sakshya Adhiniyam, 2023)

(The entire syllabus is divided into 3ive units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer 3ive questions in all selecting one from each unit.)

Objective: Law of evidence is a procedural law and guides us as to how process of proving facts in legal proceedings is regulated. Teaching focuses on what evidence may properly be used to persuade a Court of the truth of a party's claims, the extent of a judge's powers to exclude some forms of evidence, and the rationale for exclusion. The students get an insight into how the law of evidence provides the parameters for determining facts within the adjudicative process, and the manner in which the adjudicative process defines truth. These facts are the basis of findings of liability in civil and criminal proceedings. Hence the students are made to understand how the objective of the Bharatiya Sakshya Adhiniyam, 2023 is to prevent laxity and negligence in the admissibility of evidence and to introduce a full-proof and uniform rule of practice than what was previously used and it more focuses on the admissibility of digital/electronic evidence. The course structure is designed to introduce the substantive law of evidence and identify principles of fairness and conceptualizations of justice underlying the law of evidence.

UNIT-I

- Introduction and General Conceptions in Law of Evidence: Importance and Necessity of the Rules of Law of Evidence- Its Relationship with the Substantive Law and Procedural Law-Main Features of The Bharatiya Sakshya Adhiniyam, 2023.
- **Definitions (Section 2):** Facts-Facts in Issue and Relevant Facts-Evidence and its Kinds-Proved-Disproved and Not Proved-Presumptions
- **Relevancy and Admissibility:** Relevancy of Facts (Section 3)- Doctrine of *Res-Gestae* (Section 4)-Facts Constituting Occasion-Cause of Effect (Section 5)-Facts Constituting Motive, Preparation and Conduct (Section 6)-Facts-Introductory and Explanatory (Section 7), Facts Reflecting upon Common Intention (Section 8)-

Facts not otherwise Relevant becomes Relevant (Section 9)-Facts Showing State of Mind (Section 12)-Facts bearing on the Question Whether an act was Accidental or Intentional (Section 13)

UNIT-II

- Admissions & Confessions: Admission and its Kinds (Section 15)-Admission by
 Party to Proceeding or his Agent (Section 16)-Admission by Persons Expressly
 Referred to by Party to Suit (Section 18)-Admission in Civil Cases, when relevant
 (Section 21)-Confession and Admission-Problem of Non- Admissibility of
 Confession caused by Inducement, Threat or Promise (Section 22)-Confession to
 Police Officer (Section 23)- Confession by Co-Accused (Section 24)-Retracted
 Confession
- Dying Declarations: Justification for Relevance of Dying Declarations (Section 26)- Judicial Standards for Appreciation of Evidentiary Value of Dying Declarations-Distinction between Indian and English Law of Dying Declaration
- Relevance of Judgments: General Principles (Sections 34-38)-Admissibility of Judgements in Civil and Criminal Cases (Section 37)-Fraud and Collusion (Section 38)

UNIT-III

• Expert Testimony (Section 39-41): General Principles Relating to Expert's Testimony-Who is an Expert? -Types of Expert Evidence-Opinion as to Handwriting and Signature when Relevant (Section 41)-Evidence of Character in Civil and Criminal Cases (Sections 46-50)-Judicial Notice (Sections 51-52),

- **General Principles concerning Oral Evidence (Section 54-55):** Rule against Hearing- Primary and Secondary Evidence regarding Documents (Sections 56-63)
- **Documentary Evidence:** Principles regarding Exclusion of Oral by Documentary Evidence (Section 94-100)

UNIT-IV

- **Burden of Proof** (Sections 104-113)
- Presumptions (Sections 115 -120): Presumption Regarding Discharge of Burden of Proof
- Doctrine of Estoppels (Sections 121-123)

UNIT-V

- Law Relating to Witnesses: Competency to Testify (Section 124)-Parties to Civil Suit and their Wives and Husbands-Husband or Wife of Person under Criminal Trials (Section 126)-Judges and Magistrates (Section 127)
- Privileged Communications: Communication during Marriage (Section 128)Evidence as to Affairs of State (Section 129)-Professional Communications
 (Sections 132); Confidential Communications (Section 134); Accomplice
 Evidence: Nature and Evidentiary Value-Apparent Contradiction between
 Section 138 and Section 119 (Illus. B) BS A 2023 and their Reconciliation.
- Examination of Witness: Order of Production and Examination of Witnesses

 (Sections 140-141)-Examination in Chief, Cross Examination and Re- Examination

 (Sections 142-143)-Leading Questions (Sections 146)- Evidence as to matters in

 Writing (Sections 147-148); Cross-Examination: 'Lawful' Questions in Cross
 Examinations (Section 149)-Protection to Witnesses in Cross-Examination

 (Sections 150-156)- Hostile Witness (Section 157)-Impeaching the Credit of

 Witnesses (Section 158)-Production and Inspection of Documents (Section 165)

Suggested Readings:

- Batuk Lal & Surendra Sahai Srivastava, The Bharatiya Sakshya Adhiniyam, 2023 (Repealing The Indian evidence Act, 1872) Central Law Agency, Allahabad.
- 2. C. D. Feild: *Commentary on Law of Evidence (In India, Pakistan, Bangladesh, Burma, Ceylon, Malaysia and Singapore)*, Delhi Law House, New Delhi.
- 3. Dr. Avtar Singh: *Principles of the Law of Evidence*, Central Law Agency, Allahabad.
- 4. Dr. Mukund Sarda & Prof. D.S. Chopra: *Cases and Materials on Evidence Law*, Thomson Sweet & Maxwell, London.
- 5. Dr. V. Krishnamachari & Surender K. Gogia: *Law of Evidence*, S. Gogia & Co., Hyderabad.
- 6. Justice M. Monir: *Textbook on the Law of Evidence*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 7. Justice M. Monir & A. C. Moitra: *Law of Estoppel and Res-Judicata*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 8. Justice M. Monir & Shriniwas Gupta: *Law of Evidence*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 9. Justice U.L. Bhat: *Lectures on the Indian Evidence Act*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 10. Stephen Mason: *Electronic Evidence*, LexisNexis India, Gurgaon.

TAX LAWS-II

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: Taxes are divided into two kinds: (1) Direct tax and (2) Indirect Tax. Direct Taxes are paid directly to the Government by individuals liable to pay Income Tax. Indirect Taxes are paid to the government by one person but he recovers the same from another person i.e. Goods and Services Tax (GST). Objectives of Income Tax are raising revenue, redistribution of income and preventing concentration of wealth in few hands, promoting economic growth with stability. Objectives of Goods and Services Tax are elimination of multiple taxes and elimination of cascading effect, fostering common market across the country, improving GDP rate and boost our economy.

UNIT- I

INTRODUCTION

- Constitutional framework for GST, Taxation Powers of Union & State Government
- Major Defects in the structure of Indirect Taxes prior to GST; Rationale for GST
- Important Definitions under GST Law
- Structure of GST (SGST, CGST, UTGST &IGST); GST Council and its functions, State Compensation Mechanism

UNIT-II

REGISTRATION, LEVY AND COLLECTION UNDER GST

- Compulsory & voluntary Registration-Procedure for Registration-Deemed Registration- Cancellation of Registration-Revocation of Registration
- Taxable supply-Time of Supply-Value of Supply-Taxability of Composite and

Mixed Supply-Location of The Supplier and Place of Supply

- Valuation for GST- Valuation rules-taxability of reimbursement of expenses
- Exemption from GST-Small supplies and Composition Scheme; Classification of Goods and Services: Reverse Charge

UNIT- III

PAYMENT OF TAX & INPUT TAX CREDIT

- Payment of Tax Liability and Payment of Tax, Interest on Delayed Payment of Tax, Refund of Tax.
- Eligibility to avail Input Tax Credit, Input Tax Credit in Special Circumstances, Input Tax Credit in Respect of Goods sent for Job-work
- Distribution of Credit by Input Service Distributor.
- Recovery of Input Tax Credit.

UNIT-IV

PENAL PROVISIONS

- GST Returns-Anti-profiteering
- · Refunds under GST- Demands and Recovery-
- Offence and Penalties under GST
- Appeals and Revision -Advance Ruling

UNIT-V

CUSTOM DUTIES

- Meaning, Concept & Scope of Import and Export-Types of duties, Prohibition on Importation and Exportation of Goods and services.
- Customs Duty: Basic Customs Duty- IGST on Importation of Goods and Services -Duty Drawback-

- Authorities-Their Powers and Jurisdiction -Adjudicating Authority-
- Offences-Appeals under Customs Law-Authority for Advance Ruling

Suggested Readings

- 1. V. S. Datey: *Indirect Taxes Law and Practice*, Taxmann Publications, New Delhi.
- 2. V.S Datey: GST Ready Reckoner, Taxmann Publications, New Delhi
- 3. Vikas Mundra: Tax Laws and Practices, Law Point Publications, Kolkata.
- 4. Dr. V. K. Singhania: *Students Guide to GST & Customs Law*, Taxmann Publications Pvt. Ltd., New Delhi.

Last updated on 20.01.2025

LAW RELATING TO WOMEN AND CHILDREN

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course aims at making students learn about the laws relating to women, how women are being empowered through the instruments of law, and what are the lacunae which are to be discussed and dealt with. The course further focuses on the analysis of the laws relating to Child in the light of court judgments and policy initiatives taken in India with the underlying objective of examining the interventions and strategies employed by non-governmental organizations in recommending legislative reforms in support of children

UNIT- I INTRODUCTION TO FEMINISM AND FEMINIST THEORIES

- 1. Conceptualizing Patriarchy & Sexuality: Feminism and Feminist Theories
- 2. Feminist Movements in the West
- 3. Background & Status of Women in India: Pre & Post Independence, Socio-legal Position of Women and the Law
- 4. Gender Equality & Constitution of India: Political Right, Economic Right and Social Justice

UNIT- II PROTECTION OF WOMEN UNDER NATIONAL LAWS

- 1. Important legislation relating to the Protection of Women:
 - a. Prostitution and Trafficking of Women Immoral Traffic (Prevention) Act, 1956
 - b. Menace of Dowry Dowry Prohibition Act, 1961
 - c. Obscenity Indecent Representation of Women (Prohibition) Act,1986
 - d. Curse of Sati Commission of Sati (Prevention) Act, 1987
 - e. Domestic violence Protection of Women from Domestic Violence Act, 2005
 - f. Sexual Harassment of Female employees Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

UNIT-III

PROTECTING WOMEN'S RIGHTS: INTERNATIONAL LAW & HUMAN RIGHTS MECHANISMS

- 1. Principle of Non-Discrimination on the basis of Sex enshrined in International Law
- 2. UN Convention on the Elimination of All forms of Discrimination against Women, 1979 Implementation of the Convention Working of the CEDAW Committee
- 3. Commission on the Status of Women
- 4. UN Women
- 5. International Women Rights Conferences
- 6. National Commission for Women its Role and Challenges in Protecting Women's Rights

UNIT-IV

CHILD RIGHTS, INTERNATIONAL LAW & NCPCR

- 1. Concept of Child Rights Emergence of Child Rights
- 2. Convention on the Rights of the Child, 1989 and Optional Protocols
- 3. CRC Committee and India
- 4. ILO-Conventions regarding the rights of children
- 5. United Nations Children's Fund (UNICEF)
- 6. National Commission for Protection of Child Rights (NCPCR)

UNIT-V

RIGHTS OF CHILD & NATIONAL LAWS

- 1. Child Education Right of Children to Free and Compulsory Education (RTE) Act, 2009
- 2. Child Marriage Prohibition of Child Marriage Act, 2006
- 3. Prohibition of Employment of Children Child and Adolescent Labour (Prohibition and Regulation) Act, 1986
- 4. Sexual Abuse of Children Protection of Children from Sexual Offences Act, 2012
- Children in need of care and protection Juvenile Justice (Care and Protection of Children) Act, 2015

Suggested Readings

- 2. Mamta Rao, Law Relating to Women and Children, Eastern Book Co., Lucknow.
- 3. Nuzhat Parveen Khan, *Textbook on Women and Child Related Laws*, LexisNexis, New Delhi.
- 4. Sarah Gamble (ed.), *The Routledge Companion to Feminism and Post feminism*, Routledge, London & New York.
- 5. Ursula Kilkelly Ton Liefaard (eds.), International Human Rights of Children, Springer,
- 6. Women and Law in India An Omnibus, OUP, New Delhi
- 7. Geeta Chopra, *Child Rights in India: Challenges and Social Action*, Springer India.
- 8. S. C. Tripathi & Vibha Arora, *Law Relating to Women and Children*, Central Law Publications, Allahabad.
- 9. Asha Bajpai, *Child Rights in India: Law, Policy, and Practice*, OUP, New Delhi.
- 10. Supreme Court of India, Handbook on Combating Gender Stereotypes, SC, New Delhi
- 11. Suman Rai, *Law Relating to Protection of Women from Domestic Violence*, Orient Publishing Company, New Delhi.
- 12. Indira Jaising, *Sexual Harassment at Workplace*, Universal Law Publishing Co Ltd., New Delhi.
- 13. Vidhi Centre for Legal Policy, *A Decade of POCSO*, Vidhi, New Delhi

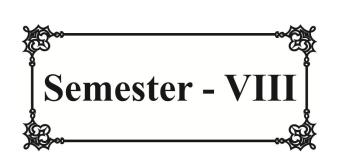
CLINICAL COURSE-I (ALTERNATIVE DISPUTE REDRESSAL)

(This course will focus on various alternative dispute resolution process including negotiation, conciliation, arbitration, and mixed processes such as mini-trial and medola. In addition to acquainting the students with the processes, the objective of this course is to familiarize them with some skill in using them.)

Outline of the Course:

- Negotiation Skills to be Learned with Simulated Programme
- Conciliation Skills
- Arbitration Law and Practice including International Arbitration and Arbitration Rules.
- I. Written Report/Paper carrying 50 Marks is devoted to the following areas:
 - Concept and Scope of ADR
 - Various forms of ADR. Negotiation, Conciliation, Mediation, Arbitration, Medola, Mini-trial
 - Alternative Means of Dispute Resolution in India
 - Concept and Scope of Resolution
 - Arbitration Agreement, Composition and conduct of Arbitral tribunal.
 - Competence and Jurisdiction of Arbitral Tribunal.
 - Arbitral Award and Termination of Proceeding
 - Recourse against Arbitral Awards, Finality & Enforcement of Awards
 - Nature and Scope of Conciliation
 - Proceeding of Conciliation
 - Dispute Resolution Mechanism at grass root level such as Lok Adalat, Nyaya Panchayat and Legal Aid.

- II. Paper presentation carrying 25 Marks is devoted to one area out of the above enumerated topics. A group of three to seven students can be assigned one area. The presentation shall be made thematically followed by discussion. Each student will be evaluated on the basis of his/her individual performance. This will include:
 - Methodology and Literature Surveyed Bibliography etc.
 - Coverage, Consistency Style and Expression
 - Communication Style and Expression and Ability to Answer the Question and Defence.
- III. Mid-term Test of 25 Marks from the topics given in Part I



CIVIL PROCEDURE CODE-II

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course aims to familiarize the students with the various stages involved in a civil case. This paper will acquaint the students to draft plaints, written statements, Interlocutory applications, etc. involved in civil cases which will further enhance their skills of arguments. The objective of the Code of Civil Procedure is to consolidate a code relating to the procedure which is to be followed by the Court of civil judicature and to facilitate justice and adopt a law relating to procedure followed by the civil courts, so that, justice is done to both the parties. In this subject, technical and hypo-technical objection is totally avoided which is meant to defeat justice, and the provision of this Code has been formulated to be construed liberally.

UNIT- I

FRAMING OF SUIT I

- Parties to the Suit (Order 1)-Framing of Suit (Order 2)-Recognized Agents and Pleaders (Order 3)
- Institution of Suits (Section 26, Orders 4 to 7)-Pleadings-Plaint-Amendments of the Pleadings
- Service of Summons (Section 27 to 32, Order 5) and Exemption from Personal Appearance (Section 132, 135)
- Written Statement, Counter Claims and Set-off (Order 8)

UNIT-II

FRAMING OF SUIT II

- Consequences of Appearance and Non-Appearance of the Parties and Restoration Proceedings (Order 9) & Examination of Parties by the Court (Order 10)
- Framing of Issues (Order 14) and Disposal of Suit at the First Hearing (Order
 15)

- Adjournments (Order17)-Costs (Sections 35, 35A, 35B)
- Final Hearing of the Suit and Examination of Witnesses, Production & Recording of Oral & Documentary Evidences (Order 18) Judgment & Decree (Section 33, Order 20)

UNIT-III

PARTIES TO SUIT & INTERLOCUTORY ORDERS

- Death, Marriage & Insolvency of Parties (Order 22)
- Suits by or against Minors (Order 32)-Suit by Indigent Persons (Order 33)
- Suits by or against the Government (Section 79,80 and Order 27)
- Interlocutory Orders: Temporary Injunctions (Order 39)-Appointment of Receiver (Order 40)-Withdrawal of Suit (Order 23)-Arrest and Attachment before Judgment (Order 38)

UNIT-IV

PROCEDURE

- Supplemental Proceeding (Section 94 & 95)
- Special Case (Order 36)-Summary Procedure (Order 37)
- Appointment of Receiver
- Miscellaneous (Section 132-158)

UNIT-V

LAW OF LIMITATION

- Concept and Object of Law of Limitation: Extension and Suspension of Limitation-Condonation of Delay Extension and Suspension of Delay-Legal Disability
- Requisition of Easementary Rights and Ownership by way of Prescription and Efflux of Time (Sections 25 to 27)

Laches in Writ Proceedings

Suggested Readings

- 1. Avtar Singh: *Code of Civil Procedure*, Central Law Publications, Allahabad.
- 2. C. K. Thakker & M. C. Thakker: *Civil Procedure with Limitation Act, 1963*, Eastern Book Company, Lucknow.
- 3. Dr. N. Maheshwara Swamy: *Law Relating to Civil Procedure and Limitation*, Asia Law House, Hyderabad.
- 4. Himanshi Mittal: *Law of Limitation*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 5. Justice P. S. Narayana: Code of Civil Procedure, 1908, Asia Law House, Hyderabad.
- 6. Prof. M. P. Jain: The Code of Civil Procedure (CPC), LexisNexis India, Gurgaon.
- 7. Shailender Malik: *The Code of Civil Procedure (CPC)* Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 8. Sukumar Ray: *Textbook on the Code of Civil Procedure*, Universal Law Publishing Co Pvt. Ltd., New Delhi.
- 9. Vedula Venkata Ramana: *V.J. Rao's The Code of Civil Procedure, 1908*, ALT Publications, Hyderabad.
- 10. Vinay Kumar Gupta: *Mulla-The Key to Indian Practice (A Summary of the Code of Civil Procedure)*, LexisNexis India, Gurgaon.

INTELLECTUAL PROPERTY RIGHTS-I

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: Intellectual property in the modern world is not confined only to the protection of intellectual creations or inventions. Rather now it has become a powerful tool of economic growth and prosperity by stimulating creative and innovative ideas, of generating revenue, promoting investment, enhancing literary, social and cultural values of mankind. It prevents 'brain-drain', and nurture over-all economic health. Every sphere of life is getting moulded by intellectual properties. It has become an important component of business transactions. The developments in international telecommunications have increased its importance and put new challenges to the protection of intellectual property. With such an importance of IP, well-crafted IP courses require to be devised. The objective of the current draft is to impart knowledge the substantive intellectual property law and infuse with the skill of applying and construing the law to different factual situations. On theoretical level, students should be able to have the basic understanding of the IP. Subsequently they are required to engage in a critical discourse on the policy factors of each and every kinds of intellectual property to become aware of their rights for the protection of their creations and inventions. Apart from the introductory levels, students should be increasingly exposed to international aspects of IP law.

UNIT-I

INTRODUCTION

- Intellectual Property Rights: Concept, Nature and Kinds
- Intellectual Property Law: Concept & Aspects of Protection, Legal Frameworks [History & Sources]
- Principles of Treatments of IPRs

UNIT-II

INTELLECTUAL PROPERTY IN PATENT RIGHTS

- Patent –Concept, Subject Matter, Nature and Kinds, Genesis, Emergence and International Legal Frameworks
- Rights and Obligations of the Patentee:
 - o Negative (Patent) Rights
 - Positive Rights
 - o 'Working the Patent' Obligation
- Balancing the Patent Rights: Limitations-Geographical, Temporal and Exceptional (mainly use for Non-Commercial Purposes (Section 47, Compulsory Licensing)

UNIT-III

INTELLECTUAL PROPERTY IN COPYRIGHT

- Copyright-Concept, Subject Matter, Nature and Kinds, Genesis, Emergence and International Legal Frameworks
- Rights of the Author/Owner of Copyright:
 - Negative (Copyright) Rights
 - o Positive Rights
 - o Author's Special/Moral Rights (Sec. 57)
- Balancing the Copyright Rights: Limitations-Geographical, Temporal and Exceptional (mainly Fair Dealings or Permitted Acts)-Non-Voluntary Licensing.

UNIT-IV

INTELLECTUAL PROPERTY IN TRADEMARKS

Trademark Rights-Concept, Subject Matter, Nature and Kinds, Genesis,
 Emergence and International Legal Frameworks

- Rights of the Registered Proprietor/User of Trademark:
 - o Negative (Trademark) Rights
 - o Positive Rights
- Balancing the Trademarks Rights: Limitations-Geographical, Temporal and Exceptional (mainly the Limits on Effect of Registered Trademark (Section 30)).

UNIT-V

INTELLECTUAL PROPERTY IN DESIGN, GEOGRAPHICAL INDICATION RIGHTS, AND OF SUI GENERIS NATURE

- Design Right-Concept, Subject Matter, Nature and Kinds, Rights of the Proprietor Negative and Positive)
- Geographical Indication Right -Concept, Subject Matter, Nature and Kinds.
 Rights of the Registered Proprietor and Authorised User (Negative and Positive Rights)
- Intellectual Property Rights of *Sui Generis* Nature: Semiconductor Integrated Circuit Layout Design Right (Layout Design Right)-Plant Varieties Right (Plant Patent)-Biological Diversity Rights.

STATUTORY MATERIALS:

Patents:

- 1. (Indian) Patents Act, 1970; the Repealing & Amending Act, 1974; the Delegated Legislation Provisions (Amendment) Act, 1985; the Patents (Amendment) Act, 1976,1999, 2002, 2005; the Patent Rules, 2003 (as adopted and amended time to time, and repealing the Patent Rules, 1972).
- 2. Trade Related Intellectual Properties (TRIPS) Agreement 1994 (as regards patent)

- 3. Paris Convention for the Protection of Industrial Property (PIP), 1883 (as regards the Patent) (last amended 1976), Stockholm) [member India since 1998]
- 4. Patent Co-operation Treaty 1970 [member India since 1998]
- 5. Patent Law Treaty, 2000

Copyright:

- 1. (Indian) Copyright Act, 1957; the Copyright (Amendment) Act, 1983, 1984, 1992 1994, 1999; the Copyright Rules (as adopted and amended time to time, and repealing the Copyright Rules, 1958).
- 2. Trade Related Intellectual Properties (TRIPS) Agreement 1994 (as regards copyright)
- 3. Berne Convention for the Protection of Literary and Artistic Works, 1886 (as revised time to time, and last amended 1979)
- 4. The Universal Copyright Convention, 1952 (with Protocols)
- 5. Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, 1961
- 6. Geneva Convention for the Protection of Producers of the Phonograms against Unauthorised Duplication of their Phonograms, 1971
- 7. Brussels Convention Relating to the Distribution of Programme Carrying Signals
 Transmitted by Satellite, 1974
- 8. Geneva Convention on International Registration of Audi-Visual Works, 1992
- 9. World Intellectual Property Organisation (WIPO) Copyright Treaty, 1996
- 10. WIPO Performances and Phonograms Treaty, 1996

Trade Marks:

- 1. (Indian) Trade Marks Act, 1999 (repealing the erstwhile Trade and Merchandise Marks Act, 1958, in turn, repealing the Trade Marks Act, 1940); the Trade Marks Rules, 2002 (as adopted and amended time to time, and repealing the erstwhile the Trade and Merchandise Marks rules, 1959).
- Trade Related Intellectual Properties (TRIPS) Agreement 1994 (as regards Trade Marks)
- 3. Paris Convention for the Protection of Industrial Property (PIP), 1883 (as regards the Trade marks) (last amended 1976), Stockholm) [member India since 1998]
- 4. The Nice Agreement concerning the International Classification of Goods and Services for the Registration of Marks, 1957
- 5. The Vienna Agreement Established on International Classification of the Figurative Elements of Marks, 1973
- 6. Madrid Agreement Concerning the International Registration of Marks, 1979; Protocol, 1989 relating to that Agreement
- 7. Common Regulations under the Madrid Agreement concerning the International Registration of Marks and the Protocol relating to that Agreement, 1998

Designs:

- Indian Designs Act, 2000 (repealing the erstwhile the Designs Act, 1911); The Designs Rules, 2001(as adopted and amended time to time, and repealing the Designs Rules, 1933)
- 2. Trade Related Intellectual Properties (TRIPS) Agreement 1994 (as regards the Designs)
- 3. Paris Convention for the Protection of Industrial Property (PIP), 1883 (as regards the Designs) (last amended 1976), Stockholm) [member India since 1998]

- 4. Lacarno Agreement of establishing an International classification of Industrial Designs 1968
- 5. Hague Agreement of Industrial Deposit of Industrial Designs, 1960

Geographical Indications:

- (Indian) The Geographical Indications of Goods (Registration & Protection) Act,
 1999; the Geographical Indications Rules (if any)
- Trade Related Intellectual Properties (TRIPS) Agreement 1994 (as regards the Geographical Indications)
- 3. Agreement of Madrid for the Repression of False or Deceptive Indications of Source on Goods, 1967 (Known as the Lisbon Act)
- 4. Lisbon Agreement for the Protection of Appellation of Origin and their International Registration (revised 1967, Stockholm and amended 1979)

Semiconductor Integrated Circuits Layout-Designs (Topographies):

- (India) The Semiconductor Integrated Circuits Layout-Designs Act, 2000; The Semiconductor Integrated Circuits Layout-Designs Rules (if any)
- Trade Related Intellectual Properties (TRIPS) Agreement 1994 (as regards the Semiconductor Integrated Circuits Layout-Designs)
- 3. Treaty on the Intellectual Property in respect of Integrated Circuits, 1989 (Known as IPIC Treaty, 1989 done at Washington, D.C., on May 26, 1989)

Biological Diversity:

- 1. (India) The Biological Diversity Act, 2000; the Biological Diversity Rules (if any
- 2. The United Nations Convention on Biological Diversity, 1992 (signed at Rio de Janeiro on 15th day of June, 1992) (w.e.f. 29. 12. 1993)

Plant Varieties and the Breeder's Right:

- 1. The Protection of Plant Varieties and Farmers' Rights Act, 2001; the Protection of Plant Varieties and Farmers' Rights Rules (if any)
- 2. Trade Related Intellectual Properties (TRIPS) Agreement 1994 (as regards the Plant Varieties)
- 3. Union Pour Le Des Obtentious Vegetales (UPOV) Convention, 1961 (UPOV Convention for the Protection of New Varieties of Plants, 1961) (revised 1972, 1978, 1991

Suggested Readings:

- Alka Chawla: Copyright and Related Rights: National and International Perspectives,
 Macmillan India Ltd., Delhi
- 2. Ashwani Bansal: *Law of Trade Marks in India with introduction to Intellectual Property Laws*, Institute of Constitutional and Parliamentary Studies, New Delhi.
- 3. Catherine Colston: *Principles of Intellectual Property Law*, Sweet & Maxwell, London
- 4. David Bainbridge: Intellectual Property, Pearson Education, Delhi.
- 5. Dr. B. L. Wadehra: Law relating to Patents, Trademarks, Copyright, Design and Geographical Indications, Universal Law Publishing Co. Ltd., New Delhi.
- 6. Dr. S. R. Myneni: *Law of Intellectual Property*, Asia Law House, Hyderabad.
- 7. Elizabeth Verkey: *Law of Patent*, Eastern Book Company, Lucknow.
- 8. Hilary Pearson & Clifford Miller: *Commercial Exploitation of Intellectual Property*, Blackstone Press, London.
- 9. Paul Torremans: Holyoak & Torremans-*Intellectual Property Law*, Oxford University Press, New York, 2010.
- 10. Jaya Shree Watal: *Intellectual Property Rights in the WTO & Developing Countries*, Kluwer Law International, Netherlands.

- 11. Latha R. Nair & Rajendra Kumar: *Geographical Indications: A Search for Identity*, LexisNexis India, Gurgaon.
- 12. M. D. Nair: "TRIPS, WTO and IPR: Bio diversity Protection: Critical Issue", 16(1) JIPR 3537 (2011).
- 13. Mathew Thomas: *Understanding Intellectual Property*, Eastern Book Company: Lucknow
- 14. M. Z. M Nomani: 'Biological Diversity, IPR & Sustainable Development: A Critical Appraisal of Access & Benefit Sharing Models of U.S., Australia & India', VI (11&12) International Journal of Environmental Consumerism, 40-55(2010).
- 15. M. Z. M Nomani

16.

- 17. : 'Environment Agriculture and Challenges of Bio-Piracy: A Blue Print of Indian Sui Generis Legal Order', 1(2) *Indian Journal of Environmental Law*, Bangalore 3-22, (2000).
- 18. P. Narayanan: Copyright and Industrial Designs, Eastern Law House; Calcutta
- 19. P. Narayanan: *Intellectual Property Law*, Eastern Law House, Calcutta.
- 20. P. Narayanan: Patent Law, Eastern Law House, Calcutta.
- 21. P. Narayanan: Intellectual Property Law in India, Gogia Law Agency, Hyderabad
- 22. Philippe Cullet, "Human Rights, Knowledge and Intellectual Property Protection", 11(1) *IIPR* 7-14 (2006).
- 23. S. K. Tripathi: "Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore: International, Regional and National Perspectives, Trends and Strategies", 8 JIPR 468-477 (2003).
- 24. S. Venkateswaran: *The Law of Trade Marks and Passing-off*, LexisNexis, Gurgaon.
- 25. V. K. Ahuja: *Intellectual Property Rights in India*, Lexis Nexis, Gurgaon.
- 26. Vikas Vashisht: *Law and Practice of Intellectual Property in India*, Bharat Law House, New Delhi.

- 27. W. R. Cornish: *Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights*, Universal Law Publishing Co. Pvt. Ltd., Delhi.
- 28. W. R. Cornish: *Intellectual Property: Patents, Copyright, Trade Marks And Allied Rights*, Sweet & Maxwell, London.

Last updated on 20.01.2025

THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023 (BNSS)-I

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The paper will make the student aware with the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) that has replaced the Code of Criminal Procedure, 1973 (CrPC). The procedural aspects of criminal law including the scope, extent of the Bharatiya Nagarik Suraksha Sanhita 2023 and classification of offences along with the functionaries involved in criminal justice administration and their powers. In addition to this the concerned teacher will try to familiarize the students about arrest, FIR, Remand, Forensic Investigation, Confession, Bail, Trial etc. .and key changes introduced in the BNSS as compared to the CrPC.

UNIT-I

INTRODUCTION

- The Bharatiya Nagarik Suraksha Sanhita, 2023 -General Introduction and Object extent and scope of BNSS
- Functionaries in criminal justice administration
- Definitions and Classification of offences
- Criminal Courts-Their Hierarchy and Sentencing Powers
- Public Prosecutors
- Powers of Senior Police Officers
- Duty of Public to assist Magistrate

UNIT-II

POWER TO ENSURE ACCUSED PRESENCE FOR THE PURPOSE OF INVESTIGATION, INQUIRY AND TRIAL

ARREST OF PERSONS

Meaning and purpose of arrest

- Powers of Arrest, Procedure of Arrest and Rights of Arrested Persons
- Arrest of a woman
- Preventive Arrest

Steps to ensure accused's presence at trial

- Issue of process
- Summons and Warrants
- Proclamation and Attachment of Property
- Attachment, forfeiture or restoration of property.

UNIT-III

PROCESS TO COMPEL PRODUCTION OF THINGS

- Summons to Produce Documents
- Search with and Without Warrant and Power to Search with Warrant
- Recording of search and seizure through audio-video electronic means
- General provisions relating to searches
- Illegalities in a search and its consequences
- Seizure

UNIT-IV

INVESTIGATION

INFORMATION TO THE POLICE AND THEIR POWERS TO INVESTIGATE

- Information to the police, FIR (Zero FIR & E-FIR) and Preliminary Inquiry
- Evidentiary value of F.I.R.
- Police officer's power to investigate cognizable case
- Procedure for Investigation and Forensic aid in heinous crime investigation
- Police Interrogation and Recording of Statements by Police during Investigation
- Evidentiary Value of Statements

- Recording of confessions and statements
- Police Report/Closure Report

UNIT-V

Remand & Bail

- Remand and Default Bail
- Bail: Concept and Purpose
- Anticipatory Bail
- Cancellation of Bail

Note:

- The topics and cases given in the syllabus are not exhaustive and the teachers teaching the course shall be at liberty to add new topics and cases.
- The concerned teacher will teach comparatively BNSS and Cr.P.C

CASES

- ➤ Abdul Khader v State of Kerala, 2024 Live Law (Ker) 450
- Achpal @ Ramswaroop& Another v. State of Rajasthan, (Criminal Appeal No. 1218 of 2018 @ Special Leave Petition (Criminal) No.6453 of 2018Decided on Sep. 24, 2018)
- AdambhaiSulemanbhaiAjmeri v. State of Gujarat(2014) 7 SCC 716
- > AmitabhaiAnilchandara Shah v. Central Bureau of Investigation, AIR 2013 SC 3794
- Arnesh Kumar v. State of Bihar (2014) 8 SCC 273
- Awadesh Kumar Jha V. State of Bihar, (2016) 3 SCC 8
- Bhagyan Das v. The State of Uttrakhand, decided on March 11, 2019 (SC)
- ➤ Bhim Singh v. Union of India Writ Petition(s) (Criminal) No(s). 310 of 2005, decided on 05.09.2014
- Central Bureau of Investigation v. RathinDandapat and others, AIR 2015 SC 3285
- Chandra Babu v. State, (2015) 8 SCC 774

- Dharam Pal v. State of Haryana, 2016 SCC OnLine SC 91
- Dhariwal Industries Ltd. v. Kishore Wadhwani, 2016 SCC OnLine SC 935,
- DevendraKishanlalDagalia v. Dwarkesh Diamonds Pvt. Ltd. & others; (2014) 1 SCC
 (Cri) 800)
- Gurbax Singh Sibbia v. State of Punjab AIR 1980 SC 1632
- Gurcharan Singh v. State (Delhi Administration) AIR 1978 SC 179
- HemantYashwantDhage v. State of Maharashtra, (2016) 6 SCC 273
- Kerala Asstt. Public Prosecutors Assn. v. State of Kerala, (2018) 7 SCC 314
- Krishna Joshi v State of Rajasthan & Ors., 2024 LiveLaw (Raj) 155
- LalitaKumari v. State of U.P (2014) 2 SCC 1
- Moti Ram v. State of M.P AIR 1978 SC 1594
- ➤ M/s KG Marketing India v. Ms. RashiSantoshSoni&Anr., Delhi High Court (July 2024)
- Naman Singh v. State of U.P., (2019) 2 SCC 344
- NandiniSatapathy v. P.L Dani AIR 1978 SC 1025
- Research In Human Dna. It vs Unknown, Case No: WPA/22702/2011 (July 2024)
- RiniJohar v. State of MP, 2016 SCC OnLine SC 594
- RomilaThapar v. Union of India, (2018) 10 SCC 753
- Sharif Ahmed and others vs State of Uttar Pradesh, Vakil Ahmad &ors. vs. State of Uttar Pradesh Through Secretary, Department of Home &anr., 2024 LiveLaw (SC) 337,
- SushilaAggarwal v. State (NCT of Delhi), , (2018) 7 SCC 731
- State of Gujarat v. Afroz Mohammed Hasanfatta decided on Feb. 05, 2019 (SC)
- State of Madhya Pradesh v. Pradeep Sharma, 2014 (2) SCC 171
- State of Madhya Pradesh v. Kalyan Singh, 2019 SCC OnLine SC 7
- Youth Bar Association of India Vs. Union of India, 2016 SC
- VikasYadav v. State of U.P., 2016 SCC OnLine SC 1088,

- V.L.S. Finance Ltd. v. S.P. Gupta, (2016) 3 SCC 736
- Wasim Ahmed v. The State of West Bengal decided on May 20, 2019 (SC)

Essential Readings:

- Ratanlal & Dhirajlal, *The Code of Criminal Procedure*, Lexis Nexis Butterworths Wadhwa, Nagpur, 2017
- S.C. Sarkar, *The Law of Criminal Procedure*, Wadhawa& Co., Nagpur, (Reprint 2009)
- K.N. Chandrasekharan Pillai, *R.V. Kelkar's Lectures on Criminal Procedure,* Eastern Book Company, 2017
- Dr. Vageshwari Deswal, Saurabh Kansal, Shruti Goyal, Taxmann's Editorial Board,
 Law and Practice Series Bharatiya NyayaSanhita (BNS) | Bharatiya Nagarik
 Suraksha Sanhita (BNSS) | Bharatiya Sakshya Adhiniyam (BSA) (Taxmann
 Publications)

Suggested Readings

- The Bharatiya Nagarik Suraksha Sanhita, 2023
- The Bharatiya Nyaya Sanhita, 2023
- The Bharatiya Sakshya Adhiniyam, 2023
- K.N. Chandrasekharan Pillai, *Criminal Procedure*, Eastern Book Company, 2008
- Aiyer, Mitter, Law of Bails- Practice and Procedure, Law Publishers(India) Pvt. Ltd.,
 2012
- Justice P.S. Narayana, Code of Criminal Procedure, ALT Publications, 2012
- Justice C.K. Thakker, M.C. Thakker, Takwani Criminal Procedure, (LexisNexis)
 2016

HEALTH LAW

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: This course is designed to provide students with an introduction and overview of critical issues relating to law, ethics, and public health. The course introduces the concept of Public health in respect to human rights framework. It explores the legal regime of the government to protect and support the health of the public, implementation of health policies and ensuring accessibility of medical care to all. This course examines the legal foundations of the Indian public health system . This includes recognition of the scope and limitations of authority of health organizations, regulation of professions, and tort litigation for the public's health. The course discusses current controversies in public health law and practice, including such topics as medical negligence, mental health and the health related to women and children. The course concludes by examining the laws fixing professional liability of various stakeholders in Public Health in case of default.

UNIT- I

INTRODUCTION

- Introduction to Public Health: Concept-Right to Health and Medicine
- State Responsibilities for Community Health in a Welfare State: Law and Health-Development of Inter-Relationship
- Right to Health: International Perspective and of Role of WHO-Health as a
 Human Right-Constitutional Perspective: Fundamental Rights, Directive
 Principles of State Policy and Fundamental Duties.
 - Regulation of Public Health & Private Health

UNIT-II

LEGISLATIONS RELATING TO PUBLIC HEALTH

- Important Legislations relating to Public Health: Aim and Objects of the Acts-The Drugs and Cosmetic Act,1940-The Environment Protection Act-1986, The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA), Epidemic Diseases Act, 1897- Indian Penal Code, 1860-Insecticides Act, 1968
 - The Mental HealthCare Act, 2017-Narcotic Drugs and Psychotropic Substance Act-1985-The Poisons Act,
- The Maternity Benefit Act,1961-Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994-Infanticide- Female Feticide
 - Food and Safety Laws Food Safety and Standards Act, 2006

UNIT-III

LAW & MEDICINE

- Nature and Concept of Physician-Doctor and Patient Relationship
- Medical Negligence and Medical Malpractices-Confidentiality-Consent and Informed Consent-Duty to Take Care and Duty to Treat-Code of Ethics in Medical Profession Professional Conduct and Duties.
 - Euthanasia-Mercy Killing-Role of Doctor-Patient Rights-Issue of Right to Die
- Role of Judiciary in Regulating the Medical Profession-Need for Public Health Insurance in India

UNIT-IV

HEALTH RELATING TO WOMEN AND CHILDREN

• **Health relating to Women and Children:** Reproductive Rights And Family Planning, Mortality Rate- Maternal and Infant, Infant Milk Substitutes,

Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 2003.

- AIDS and the Law
- Organ Transplantation-The Transplantation of Human Organs Act-1994 and Rules 1995
- Reproductive Technology: Right to Womb and Surrogacy-Right to Abortion and Paternity Test-The Medical Termination of Pregnancy and Pre-Natal Diagnostic Techniques Act, 1994

UNIT-V

LAW & PROFESSIONAL LIABILITY

- Legal Regulation of Medical Establishment-Registration with Medical Council,
 Clinical Establishments (Registration and Regulation) Act, 2010.
- Professional Liability of Hospital Administration and Management: Civil Liability under Tort and Contractual Liability, Criminal Liability-Indian Penal Code-, Statutory Liability -Consumer Protection Act,1986
- Medical Waste Disposal: The Bio-Medical Waste (Management and Handling)
 Rules 1998.

Suggested Readings

- 1. Dr. Jagdish Singh: *Medical Negligence and Compensation*, Bharat Law Publications, Jaipur.
- 2. Dr. Lily Srivastava: Law & Medicine, Universal Law Publishing, New Delhi.
- 3. Krishan Pal Singh Mahalwar: *Medical Negligence and the Law*, Deep & Deep Publications, New Delhi.
- 4. Mohammad Naseem & Saman Naseem: *Medical Law in India*, Kluwer Law International, Netherlands.

- 5. B. K. Das & S Sodhi: Negligence: *Medical and Non-Medical*, Sodhi Publication, Allahabad.
- 6. Davies Michael: *Textbook on Medical Law*, Oxford University Press, Oxford.
- 7. Kennedy Ian and Grubb Andrew: *Principles of Medical Law*, Oxford University Press, London.
- 8. J. K. Mason, R. A. McCall Smith and G. T. Laurie: Law and Medical Ethics, Lexis Nexis, UK.
- 9. Bredan Greene: *Understanding Medical Law*, Cavendish Publishing Limited, London.
- 10. Md. Zafar Mahfooz Nomani: *Right to Health: A Socio-Legal Perspective*, Uppal Publishing, House, New Delhi.

Relevant International Instruments on Public Health

- 1. Universal Declaration of Human Rights (1948)
- 2. International Covenant on Economic, Social and Cultural Rights (1966)
- 3. Declaration of Alma Ata (1978)
- 4. The Convention on the Elimination of All Forms of Discrimination against Women including drug addiction and related problems (CEDAW, 1979).
- 5. The Convention on the Rights of the Child (CRC, 1989)
- 6. International Health Regulations (IHR, 2005)
- 7. WHO Framework Convention on Tobacco Control (FCTC)
- 8. UN Convention on Rights of Persons with Disabilities (UNCRPD, 2008)
- The Declaration of Istanbul on Organ Trafficking and Transplant Tourism,
 2008

LAW RELATING TO ELECTION

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course aims to make the students understand the different aspects of democracy and its implications in the overall development of the state to the postulate of free and fair elections

UNIT-I

DEMOCRACY & ELECTION SYSTEM

- Evolution of Democracy & Election System-Types of Election-Direct and Indirect, General, Bye & Mid-Term Election-Types of Representation-General Principles of Election-
- Election of President & Vice-President
- Qualification and Disqualification of Members of Parliament and State Legislature under the Constitution and Appropriate Legislations Special Provisions for Scheduled Castes and Scheduled Tribes-Reservation for Scheduled Castes-Scheduled Tribes-Women
- Local Bodies Election: Rural Level-at Village (Gram Panchayat), Intermediate
 or Block (Panchayat Samiti) and District (Zilla Parishad) Levels; Urban Local
 Self-Government-Nyaya Panchayat

UNIT-II

ADMINISTRATIVE SET UP

• **Election Commission:** Composition, Powers and Functions of the Election Commission-General Electoral Roll-Preparation and its Revision-Supervisory Powers of the Election Commission-Process of Removal of Member

- Chief Election Commissioner: Political Parties-Registration and Recognition
 as National & State Parties-Symbols-Election Expenses-Auditing of Party
 Funds-Public Financing of Elections-State Election Commissions-Monitoring
 of Electoral Expenditure of the Political Parties
- **Elections Officers:** Returning, Presiding and Polling Officers
- Delimitation Commission: Constituencies & Delimitation and its Commission

UNIT-III

RIGHT TO VOTE AND CONTEST ELECTION

- Universal Adult Suffrage-System of Voting-Compulsory Voting/NOTA
- Right to Vote &Contest-Candidates and their Eligibility to Contest-Notification of Election
- Withdrawal of Candidature-Grounds for Rejection-Effect of Death
- Election Campaign-Code of Conduct-Poll-Ballot Papers including Postal Ballot & Electronic Voting Machine (EVM)-Declaration of Result

UNIT-IV

ELECTORAL OFFENCES

- Anti-Defection Law-Defection-Tenth Schedule of the Constitution of India
- Criminalization of Electoral Process
- Corrupt Practices-Electoral Offences under I.P.C-Bribery, Undue Influence, Appeal on Grounds of Caste, Religion etc., Electoral Fraud and Other Crimes against Electoral System-Safeguard against Impersonation-Publication of False or Defamatory Statements-Corporate Funding of Political Parties
- Jurisdiction of Courts-Election Petitions

UNIT-V

ELECTORAL REFORM

- Office of Profit-Electoral Reforms-Model Code of Conduct- Opinion and Exit Polls-Free and Fair Election
- Media and Elections-Use of Government/Private Electronic Media and Social Media by Political Parties
- Freedom of Expression-Right to Reject-Right to Recall-NRI Voting Options
- Political Empowerment of Women-Women Reservation

Suggested Readings

- 1. Atul Kohli: *The Success of India's Democracy*, Foundation Books, New Delhi.
- 2. B. C. Chowdhury: *Political Theory Traditional and Modern Theory*, National Publishing House, New Delhi
- 3. Doabia & Doabia: Law of Elections and Election Petitions, LexisNexis, Gurgaon.
- 4. Herman Finer: Theory and Practice of Modern Government, Greenwood, Westport.
- 5. Manoranjan Mohanty: *Theorizing India's Democracy*, in Rajendra Vohra (ed.) *Indian Democracy: Meanings and Practices*, Sage, New Delhi.
- 6. Rajni Kothari: *Rethinking Democracy*, Orient Longman, New Delhi.
- 7. SK Mendiratta: *All You Want to Know About Indian Elections*, LexisNexis, Gurgoan
- 8. Thomas Feliner and Lidija R. Basta: *Constitutional Democracy in a Multicultural Globalised World*, Springer, Berlin.
- 9. V S Rama Devi & S K Mendiratta: *How India Votes–Election Laws, Practice and Procedure,* LexisNexis, Gurgaon.
- 10. Andre Blais: The Debate over Electoral Systems, 12(3) *International Political Science Review* 239-260 (1991).
- 11. Arora Dolly: State Funding of Elections-Some Posers, 35(7) EPW 3283 (2000)
- 12. B. Venketesh Kumar: Power to Allot Symbols, EPW Commentary, Sept. 16, 2000.

- 13. Bikash Chandra Dash: Civil Society Initiatives in Electoral Reforms, *EPW Commentary*, Sept.11, 2004.
- 14. Jagdeep S. Chhokar: *Reforming the Electoral System*, 521 Seminar, p. 61 (2003).
- 15. Lauri Karvonen: *Preferential Voting: Incidence and Effects*, 25(2) International Political Science Review 203-226 (2004).
- 16. S Aarthi Anand & Celia Joanne Jenkins: Exit Polls: Debating Freedom or Fairness, *EPW Commentary*, Nov. 20, 2004.
- 17. Samuel Paul: Right to Information on Candidates How Will the Voters Know? *EPW Commentary*, April 12, 2003.
- 18. Vinod Bhanu: Right to Recall Legislator-The Chhattisgarh Experience, 43(40) *EPW* 15 (2008).

CLINICAL COURSE-II (PLEADING, DRAFTING AND CONVEYANCING)

(The objective of the course is to provide practical orientation and develop necessary acumenship in drafting legal documents This course covers essential skills required for an Advocate i.e. the skill of drafting conveyances and pleadings. Developing the ability to draft effectively requires development of skills of writing purposefully, articulation, legal research, and of qualities of language, its clarity and precision. All of these develop by practice).

Outline of the Course:

- (i) Drafting: General Principles of Drafting and Relevant Substantive Rules shall be taught.
- (ii) Pleadings:
 - Civil: Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 32 and 226 of the Constitution of India.
 - Criminal: Complaint, Criminal Miscellaneous petition, Bail Application, Memorandum of Appeal and Revision.
 - Conveyance: Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed.
 - Drafting of writ petition and PIL petition.

Formats and Drafting of the following:

- Writ Petition(s) [Civil]
- Writ Petition(s) [Criminal]
- · Pro-bono Public Petitions
- Company Petitions
- Petitions under the Industrial Disputes Act, 1947
- Appeals and their essentials (Format and the Material Part)

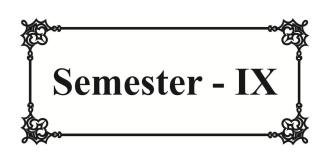
- Appeals Application for issuance of Succession Certificates and Probates
- Application for Reference, Review and Revision
- Petitions for Execution and Transfer of Decrees
- Component Parts of a Deed
- Essential and necessary ingredients of a Conveyance Deed; Rules for interpretation of Deeds and Documents
- Will(s), Gift, Power of Attorney [Special and General]
- Agreement to Sell/Sale-deed, Receipt and Acknowledgement, Exchange, Release Deeds
- Mortgages Simple, Usufructury, Equitable, Anomalous and by Conditional Sale
- Lease and Licence deeds, Notices of Attornment, Rent Agreements, Notice for Termination of Tenancy, Revocation of Licences etc.
- Security and other Bonds [Administration, Bottomry, Indemnity, Customs, Respondentia Bonds etc.
- Advertising Agreement, Building/Engineering Agreements, Copyright
- Agreements, Underwriting and Brokerage Agreements, Agency Agreements;
- Contracts of Guarantees and Indemnities
- Agreement to Sell a Patent/Assignment of Patent, Joint Venture and Foreign Collaboration Agreements
- Partnership Deeds, Deeds of Dissolution (simple and with Stipulations) and Model Forms of Notices under the Partnership Act.

The Course will cover class instruction and simulation exercise, preferably with assistance of practicing lawyers/retired judges/

Apart from teaching the relevant provisions of law, the course may include not less than 15 practical exercise in drafting carrying a total of 45 marks (3 marks for each) and 15 exercises in conveyance carrying another 45 marks (3 marks for each exercise) remaining 10 marks will be given for viva voce.

Suggested Readings:

- 1. G. M. Kothari and Arvind G. Kothari: *Drafting, Conveyancing and Pleadings*, N.M. Tripathi (P.) Ltd., Bombay.
- 2. P. C. Mogha: *The Indian Conveyancer*, Eastern Law House, Kolkatta.
- 3. Nitin Khanna & A.C. Moitra: *The Indian Draftsman; Guide to Legal Drafting,* University Book Agency, Allahabad.
- 4. S. K. Verma: *Conveyancing Drafting & Interpretation of Deeds*, Law Publishers, Allahabad.
- 5. Dr. J. C. Verma: *Commercial Drafting & Conveyancing*, Bharat Law House, New Delhi.
- 6. Justice K. N. Goyal: *The Law of Pleadings in India*, Eastern Law House, Calcutta.
- 7. Rodney D. Ryder: *Drafting Corporate & Commercial Agreements*, Universal Law Publishing Co., Delhi.



LAND LAWS

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objectives: The Syllabus is designed with the objective of initiating students into the basic concepts of Land Laws. Since based in Delhi, the students are exposed to the Delhi Rent Control Laws which would facilitate their understanding of the relationship of landlord and tenant, the landlord and tenant disputes and procedure for eviction of tenants. Students after learning can utilise and implement these learnings even while dealing with disputes in other states. Further, the course examines the historical background of the Land Acquisition Laws from 1894 onwards through various amendments and leading to the 2013 legislation and the role of judiciary in interpreting the provisions of 2013 legislation. The course will also introduce the students to the law and procedures for eviction of unauthorised occupants from public premises (government premises).

UNIT-I

- The Delhi Rent Control Act, 1958: Definition and Concept-Landlord,
 Premises, Tenant, Basic Rent & Standard Rent-Control of Eviction of Tenant.
- The Slum Areas (Improvement and Clearance) Act, 1956: Concept and Definition-Slum Areas, Improvement, Clearance, Development, Acquisition, Protection of Tenants in Slum Areas from Eviction.

UNIT-II

- The Delhi Rent Control Act, 1958: Right to Recover Immediate Possession,
 Orders for Payment of Rent-Benefits of Protection against Eviction of Tenant-Provisions Safeguarding Sub-Tenant-Recovery of Possession
- The Delhi Rent Control Act, 1958: Summary Trial-Deposit of Rent-Special Obligations of Landlords and Penalties

UNIT-III

- Right to Fair Compensation and Transparency in Land Acquisition,
 Rehabilitation and Resettlement Act, 2013: Application of the Act-Definitions, Social Impact Assessment -Preliminary Investigation and Appraisal by Expert-Group, Food Security Provisions-Notification and Acquisition-Notice to Persons Interested-Enquiry, Lapse of Social Impact Assessment Report
- Preparation and Review of Rehabilitation, Scheme, Lapse of Acquisition, Award by Collector

UNIT-IV

- Right to Fair Compensation and Transparency in Land Acquisition
 Rehabilitation and Resettlement Act, 2013: Compensation-Award of
 Solatium-Rehabilitation and Resettlement Award -Special Powers-Provisions
 and Procedure -Manner of Rehabilitation and Resettlement-National
 Monitoring Committee for Rehabilitation and Resettlement-Land Acquisition Rehabilitation and Resettlement Authority-Composition Qualification-Powers and Procedure
- Apportionment of Compensation-Payment-Temporary Occupation of Land-Offences and Penalties-Return of Unutilized Land-Land Bank; Schedules- First, Second, Third & Fourth.

UNIT-V

The Public Premises (Eviction of Unauthorized Occupants) Act, 1971:
 History Behind the Act-Amendment Acts- Need for a Separate Legislation Meaning and Concept of Public Premises-Premises-Rent-Temporary
 Occupation-Unauthorized Occupation-Estate Officer: Appointment-Powers

 Law and Procedure Concerning Eviction of Unauthorized Occupants of Pubic Premises-Bar of Jurisdiction

Suggested Readings:

- 1. Universal Law Series: *Land Laws Lease, Licences Rent Control and Slum Clearance in Delhi*, Universal Law Publishing An Imprint of LexisNexis; New Delhi.
- 2. P. K. Sarkar: Law of Acquisition of Land in India, Eastern Law House, Kolkata
- 3. Jaspal Singh: *Delhi Rent Law*, Pioneer Books, Delhi.
- 4. Rameshwar Dial & Adeshwar Dial, *Law of Rent Control in Delhi*, Universal Publishing House, New Delhi
- 5. S.C. Mitra, Law of Public Premises in India, Orient Publications, New Delhi.
- 6. D.P.S. Kanwal, *Land Laws (Including Land Acquisition and Rent Laws)*, Satyam Law International, New Delhi
- 7. Sangita Dhingra Sehgal, *The Slum Areas (Improvement and Clearance) Act,*Universal Law Publishing An imprint of LexisNexis, New Delhi.
- 8. S. K. Awasthi, The Public Premises (Eviction of Unauthorised Occupants) Act, 1971.

INTELLECTUAL PROPERTY RIGHTS – II

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course structure has been prepared to provide the students with a wide perspective and in-depth knowledge in intellectual property to enable them to get solid grounding in the legislative framework, practice and procedure of the intellectual property protected through patents, trademarks, copyrights, designs and geographical indications.

UNIT-I

REGISTRATION OF IP

- Intellectual Property Registration–Concept and Validity Effect of, and the application for IP protection
- Enforcement of IP
 - Patent Prosecution
 - o Trademark Prosecution
- Enforcement of IP
 - Copyright Prosecution
 - o Industrial Design Prosecution

UNIT-II

INFRINGEMENT OF THE KINDS OF IP

- Intellectual Property Right Infringement -Concept, Kinds and Statutory Recognition
- Definition and Determination of
 - a. Patent Infringement
 - b. Trademark Infringement
- Definition and Determination of

- Copyright Infringement
- o Design Right Infringement

UNIT-III

DEFENCES TO INFRINGEMENT OF IP

- Defences to Intellectual Property Right Infringement –concept and kinds.
- Defences to Intellectual Property Right Infringement
 - Patent Infringement (particularly *statutory expressed exception-defences- Section 107A*).
 - o Trademark Infringement (particularly *statutory permitted use-defences- Section 30*).
 - Copyright Infringement [particularly fair dealing with certain works {Sec.
 52 (1) (b) and permitted reproduction (Section 52 (1)(e), (f), (i), (m), (p), (q) read together)}].
 - Design Right Infringement.

UNIT-IV

REMEDIES FOR IP INFRINGEMENT

- Remedies in the Form of Enforcing Machineries –Administrative and Judicial,
 Issues pertaining to Jurisdictions thereof.
- Remedies in the form of Substantive Reliefs:
 - o of administrative nature
 - o of judicial nature:
- Injunction Proper and Ex Parte Injunction (including Anton Pillar Order, Mareva Injunction, John Doe Order/Ashok Kumar Order).
- Damages and Account Profit.

UNIT -V

INTELLECTUAL PROPERTY MISC. ASPECTS

- Laws Relating to Appellate Boards/Tribunals for different kinds of IP- National Biodiversity Authority and State Biodiversity Board under Biodiversity Act.
- Laws Relating to Copyright Society and Copyright Board under Copyright
 Act.
- Laws relating to IP Agents.

Statutory Materials:

Patents:

- 1. Indian Patents Act, 1970; the Repealing & Amending Act, 1974; the Delegated Legislation Provisions (Amendment) Act, 1985; the Patents (Amendment) Act, 1976,1999, 2002, 2005; the Patent Rules, 2003 (as adopted and amended time to time, and repealing the Patent Rules, 1972).
- Trade Related Intellectual Properties (TRIPS) Agreement 1994 (as regards Patent)
- 3. Paris Convention for the Protection of Industrial Property (PIP), 1883 (as regards the Patent) (last amended 1976), Stockholm) [member India since 1998]
- 4. Patent Co-operation Treaty 1970
- 5. Patent Law Treaty, 2000

Copyright:

1. (Indian) Copyright Act, 1957; the Copyright (Amendment) Act, 1983, 1984, 1992 1994, 1999; the Copyright Rules (as adopted and amended time to time, and repealing the Copyright Rules, 1958).

- 2. Trade Related Intellectual Properties (TRIPS) Agreement 1994 (as regards copyright)
- 3. Berne Convention for the Protection of Literary and Artistic Works, 1886 (as revised time to time, and last amended 1979)
- 4. The Universal Copyright Convention, 1952 (with Protocols)
- 5. Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, 1961
- 6. Geneva Convention for the Protection of Producers of the Phonograms against Unauthorized Duplication of their Phonograms, 1971
- 7. Brussels Convention Relating to the Distribution of Programme Carrying Signals
 Transmitted by Satellite, 1974
- 8. Geneva Convention on International Registration of Audi-Visual Works, 1992
- 9. World Intellectual Property Organization (WIPO) Copyright Treaty, 1996
- 10. WIPO Performances and Phonograms Treaty, 1996

Trade Marks:

- 1. (Indian) Trade Marks Act, 1999 (repealing the erstwhile Trade and Merchandise Marks Act, 1958, in turn, repealing the Trade Marks Act, 1940); the Trade Marks Rules, 2002 (as adopted and amended time to time, and repealing the erstwhile the Trade and Merchandise Marks rules, 1959).
- Trade Related Intellectual Properties (TRIPS) Agreement 1994 (as regards Trade Marks)
- Paris Convention for the Protection of Industrial Property (PIP), 1883 (as regards the Trade marks) (last amended 1976), Stockholm)
- 4. The Nice Agreement concerning the International Classification of Goods and Services for the Registration of Marks, 1957

- 5. The Vienna Agreement Established on International Classification of the Figurative Elements of Marks, 1973
- Madrid Agreement Concerning the International Registration of Marks, 1979;
 Protocol, 1989 relating to that Agreement
- 7. Common Regulations under the Madrid Agreement concerning the International Registration of Marks and the Protocol relating to that Agreement, 1998

Designs:

- (Indian) Designs Act, 2000 (repealing the erstwhile the Designs Act, 1911); the Designs Rules, 2001(as adopted and amended time to time, and repealing the Designs Rules, 1933)
- 2. Trade Related Intellectual Properties (TRIPS) Agreement 1994 (as regards the Designs)
- 3. Paris Convention for the Protection of Industrial Property (PIP), 1883 (as regards the Designs) (last amended 1976), Stockholm) [member India since 1998]
- 4. Lacarno Agreement of establishing an International classification of Industrial Designs 1968
- 5. Hague Agreement of Industrial Deposit of Industrial Designs, 1960

Geographical Indications:

- (Indian) The Geographical Indications of Goods (Registration & Protection) Act,
 1999; the Geographical Indications of Goods (Registration & Protection) Rules,
 2002
- 2. Trade Related Intellectual Properties (TRIPS) Agreement 1994 (as regards the Geographical Indications)
- 3. Agreement of Madrid for the Repression of False or Deceptive Indications of Source on Goods, 1967 (Known as the Lisbon Act)

4. Lisbon Agreement for the Protection of Appellation of Origin and their International Registration (revised 1967, Stockholm and amended 1979)

Semiconductor Integrated Circuits Layout Designs (Topographies):

- 1. (India) The Semiconductor Integrated Circuits Layout-Designs Act, 2000; The Semiconductor Integrated Circuits Layout-Designs Rules (if any)
- 2. Trade Related Intellectual Properties (TRIPS) Agreement 1994 (as regards the Semiconductor Integrated Circuits Layout-Designs)
- 3. Treaty on the Intellectual Property in respect of Integrated Circuits, 1989 (Known as IPIC Treaty, 1989 done at Washington, D.C., on May 26, 1989)

Biological Diversity:

- 1. (India) The Biological Diversity Act, 2000; the Biological Diversity Rules (if any
- 2. The United Nations Convention on Biological Diversity, 1992 (signed at Rio de Janeiro on 15th day of June, 1992) (w.e.f. 29. 12. 1993)

Plant Varieties and the Breeder's Right:

- 1. The Protection of Plant Varieties and Farmers' Rights Act, 2001; the Protection of Plant Varieties and Farmers' Rights Rules, 2003
- 2. Trade Related Intellectual Properties (TRIPS) Agreement 1994 (as regards the Plant Varieties)
- 3. *Union Pour Le Des Obtentious Vegetales* (UPOV) Convention, 1961 (UPOV Convention for the Protection of New Varieties of Plants, 1961) [revised in 1972, 1978, 1991]

Suggested Readings:

- Alka Chawla: Copyright and Related Rights: National and International Perspectives,
 Macmillan India Ltd., Delhi.
- 2. Ashwani Bansal: *Law of Trade Marks in India with Introduction to Intellectual Property Laws*, Institute of Constitutional and Parliamentary Studies, New Delhi.
- 3. Catherine Colston: *Principles of Intellectual Property Law*, Sweet & Maxwell, London.
- 4. David Bainbridge, Intellectual Property, Pearson Education, Delhi.
- 5. Dr. B. L. Wadehra: *Law Relating to Patents, Trademarks, Copyright, Design and Geographical Indications*, Universal Law Publishing Co. Ltd., New Delhi.
- 6. Dr. S. R. Myneni: Law of Intellectual Property, Asia Law House, Hyderabad.
- 7. Elizabeth Verkey: *Law of Patent*, Eastern Book Company, Lucknow.
- 8. Hilary Pearson & Clifford Miller: *Commercial Exploitation of Intellectual Property*, Blackstone Press, London.
- 9. Holyoak & Torreman: *Intellectual Property Law*, Oxford University Press, New York.
- 10. Jaya Shree Watal: *Intellectual Property Rights in the WTO & Developing Countries*, Kluwer Law International, Netherlands.
- 11. Latha R. Nair & Rajendra Kumar: *Geographical Indications: A Search for Identity*, Lexis Nexis. New Delhi.
- 12. M. D. Nair, "TRIPS, WTO and IPR: Bio-Diversity Protection: Critical Issue", 16(1) JIPR 3537 (2011).
- 13. Mathew Thomas: *Understanding Intellectual Property*, Eastern Book Company, Lucknow.
- 14. M. Z. M. Nomani, 'Biological Diversity, IPR & Sustainable Development: A Critical Appraisal of Access & Benefit Sharing Models of U.S., Australia & India', VI (11&12) International *Journal of Environmental Consumerism* 40- 55(2010).

- 15. M. Z. M Nomani, 'Environment Agriculture and Challenges of Bio-Piracy: A Blue Print of Indian Sui Generis Legal Order', 1(2) Indian Journal of Environmental Law 3-22, (2000).
- 16. P. Narayanan: Copyright and Industrial Designs, Eastern Law House, Calcutta.
- 17. P. Narayanan: *Intellectual Property Law*, Eastern Law House, Calcutta.
- 18. P. Narayanan: *Patent Law*, Eastern Law House, Calcutta.
- 19. P. Narayanan, Intellectual Property Law in India, Gogia Law Agency, Hyderabad
- 20. Philippe Cullet, "Human Rights, Knowledge and Intellectual Property Protection", 11(1) *JIPR* 7- 14 (2006).
- 21. S. K. Tripathi, "Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore: International, Regional and National Perspectives, Trends and Strategies", 8 *JIPR* 468-477 (2003).
- 22. S. Venkateswaran: The Law of Trade Marks and Passing-off, LexisNexis, Gurgaon.
- 23. V. K. Ahuja: *Intellectual Property Rights in India*, Lexis Nexis, Gurgaon.
- 24. Vikas Vashisht: *Law and Practice of Intellectual Property in India*, Bharat Law House, New Delhi.
- 25. W. R. Cornish: *Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights*, Universal Law Publishing Co. Pvt. Ltd,: Delhi.
- 26. W. R. Cornish: *Intellectual Property: Patents, Copyright, Trade Marks And Allied Rights*, Sweet & Maxwell, London.

Last updated on 20.01.2025

LAW AND INFORMATION TECHNOLOGY

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objectives: This introduces the concept of Information Technology and cyberspace in the contemporary time. It discusses the various ways in which law interacts with Information and Communication Technologies. The course aims to discuss various issues related to jurisdiction, legislation and enforcement to regulate cyberspace. It discusses the need for regulation of cyberspace in areas of e-commerce, e-contract and e-governance. It analyses different means and methods employed by different countries to regulate cyberspace. It provides crucial understanding of Information Technology Act, 2008 and its various rules. The course also aims to provide understanding on vital issues of privacy and freedom of internet on one hand and the need for data protection, security and reasonable restrictions employed by the state on the other hand. The course discusses in detail the role of judiciary in developing the cyber jurisprudence in the light of various national and international challenges like national security, privacy, data protection, global threats.

UNIT-I

CYBER SPACE AND JURISDICTION

- Concept of Information Technology and Cyber Space: Interface of Technology and Law
- Information Technology Act, 2000: Aims and Objects-Overview of the Act-Jurisdiction-Changes in IPC &IEA
- Jurisdiction in Cyber Space and Jurisdiction in Traditional Sense: Internet

 Jurisdiction-Indian Context of Jurisdiction-Enforcement Agencies
 International Position of Internet Jurisdiction-Cases in Cyber Jurisdiction

UNIT- II E-COMMERCE AND LEGAL ISSUES

- Fundamentals of Electronic Commerce: UNCITRAL Model-Legal Aspects of E-Commerce-Trends and Prospects
- Digital Signatures: Technical and Legal Issues
- Electronic Contracts: Legal Recognition of Electronic Records and Electronic Evidence-Use of Electronic Records and Digital Signatures in Government and its Agencies

UNIT- III

CYBER CRIME AND DIGITAL EVIDENCE

- Cyber Crimes: Meaning of Cyber Crimes-Different Kinds of Cyber Crimes-Penal Provisions attracting Prosecution-Cyber Crimes under IPC, Cr. P.C and Indian Evidence Law-Cyber Crimes under the Information Technology Act,
 2000-Hacking, Child Pornography, Cyber Stalking, Denial of Service Attack,
 Virus Dissemination, Software Piracy, Internet Relay Chat (IRC) Crime, Credit Card Fraud, Net Extortion, Phishing etc-Cyber Terrorism- Violation of Privacy on Internet
- Contraventions attracting Civil Liability
- Investigation & Adjudication Issues: Role of Certifying Authorities-Regulators under the Act -Cyber Regulations Appellate Tribunal-Powers of Police under the Act-Digital Evidence

UNIT- IV SOCIAL ISSUES IN CYBERSPACE

- Section 66A of the Information Technology Act, 2000and Free Online
 Speech: Freedom of Speech and Expression in Cyberspace
- Right to Access Cyberspace: Access to Internet-Issues Concerning
 Democracy-National Sovereignty, Personal Freedom
- Internet Service Providers and their Liability: E-Governance and M-Governance

UNIT- V

DATA PROTECTION

- Emergence of Data Protection: OECD Principles-Data Protection Position in India, EU and US- Privacy Policy
- Data Security & Trans-Border Data Flow
- · Conceptual Aspect of Data Protection and Privacy in AI
- Privacy Issues in I oT
- Intellectual Property in Cyberspace

Suggested Readings

- 1. Advocate Prashant Mali: *Cyber Law and Cyber Crimes (Information Technology Act, 2000 with IT Rules, 2011)*, Snow White Publications Pvt. Ltd., Maharashtra.
- 2. Alwyn Didar Singh: *E-Commerce In India: Assessments And Strategies For The Developing World*, LexisNexis India, Gurgaon.
- 3. Anirudh Rastogi: *Cyber Law of Information Technology and Internet*, LexisNexis India, Gurgaon.
- 4. Apar Gupta (Revised by Akshay Sapre): Commentary on Information Technology

- 5. Act-Along with Rules, Regulations, Orders, Guidelines, Reports and Policy Documents, LexisNexis India, Gurgaon.
- 6. Aparna Viswanathan: *Cyber Law (Indian & International Perspectives on key topics including Data Security, E-commerce, Cloud Computing and Cyber Crimes*), LexisNexis India, Gurgaon.
- 7. Barkha Bhasin & Rama Mohan Ukkalam: Cyber Law & Crimes, Asia Law House
- 8. Karnika Seth: Computers, Internet and New Technology Laws (A Comprehensive Reference Work with Special Focus on Developments in India), LexisNexis India, Gurgaon.
- 9. Karnika Seth: *Protection of Children on Internet*, Universal Law Publishing An Imprint of LexisNexis, New Delhi.
- 10. Pavan Duggal: *Cyber Law-An exhaustive section wise Commentary on the Information Technology Act along with Rules, Regulations, Polices, Notifications etc.,* Universal Law Publishing Co. Pvt. Ltd., New Delhi.
- 11. Vakul Sharma: *Information Technology Law and Practice*, Universal Law Publishing Co. Pvt. Ltd., New Delhi.

Last updated on 20.01.2025

THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023 (BNSS)-II

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objectives: The aim of this paper is to give knowledge to the students regarding the territorial jurisdiction of criminal courts and their powers of taking cognizance and also make them aware about procedure to be followed in different trials along with review procedure. The course will acquaint the students as to how the pretrial, trial and the subsequent process are geared up to make the administration of criminal justice effective. The students will also undertake the study of two related Acts as a part of this course *viz*; the Juvenile Justice (Care and Protection) Act, 2015 and the Probation of Offenders Act, 1958.

UNIT-I

TRIAL PROSESS - I

- Venue of Trial
- Cognizance of offences and Limitation for taking cognizance
- Procedure in Complaints to Magistrate
- Issue of Process
- Charge

UNIT-II

TRIAL PROCESS - II

- Concept of fair Trial
- Trial and proceedings to be held in electronic mode
- Common Provisions relating to Trials
- Conditions under which trial may end without completion

UNIT-III TYPES OF TRIALS

- > Timelines for various stages of Trial under BNSS
- Use of Technology
 - Trial before Court of Session
 - Trial of Warrant Cases before Magistrates
 - Trial of Summons Cases before Magistrates
 - Summary Trial)
- > Trial in-absentia of Proclaimed Offender
 - Post-Conviction Orders
 - Victim Compensation
 - Witness Protection

UNIT-IV

VARIOUS TYPES OF REVIEW PROCEDURES

- Appeal
- Right of Appeal
- Reference
- Revision

Transfer of Cases

UNIT-V

- Concept of Probation
 - > Probation of Offender's Act, 1958
- Concept of Juvenile Justice
 - > Inquiry & Trial of Child in Conflict with Law under the Juvenile Justice Act,

2015 viz-a-viz BNSS 2023 – Specially in Context of Heinous Offences (Only Section 10 – Section 24 of JJ Act, 2015.

Note:

The topics and cases given in the syllabus are not exhaustive and the teachers teaching the course shall be at liberty to add new topics and cases.

• The concerned teacher will teach comparatively BNSS and Cr.P.C

Cases:

- Santa Singh v. State of Punjab AIR 1976 2386
- Hussainara Khatoon v. State of Bihar, A.I.R. 1979 SC 1369
- Vineet Narain & Ors. v. Union of India & Anr. (1996) 2 SCC 199,
- Zahira Habibullah Sheikh and ors v. State of Gujrat and ors, (2006) 3 SCC 396.
- State of Madhya Pradesh v. Virender Kumar Tripathi(2009) 15 SCC 533
- Zahid Shaikh v. State of Gujarat (2011) 7SCC 763
- ➤ Mona Panwar v. High Court of Judicature of Allahabad. (2011) 3 SCC 496.
- Dr. Mrs. Nupur Talwar v. C.B.I., Delhi and another, AIR 2012 SC 847
- ➤ Mohd. Hussain @ Julfikar Ali v. State (Govt. of NCT), Delhi, AIR 2012 SC 750.
- Mohd. Ajmal Mohammad Amir Kasab @ Abu Mujahid v. State of Maharashtra, (2012) 9 SCC 1.
- ➤ Salil Bali v. Union of India & ANR, (2013)7 SCC 705
- Dharam Pal &Ors v. State of Haryana & Anr, (2014) 3 SCC 306
- Hardeep Singh v. State of Punjab &Ors. ,AIR 2014 SC 1400.
- State of Gujarat v. Girish Radha Krishnan Varde (2014) 3 SCC 659
- Baba Ramdev Food Products v. State of Gujrat 2015 SC
- > Jogendra Yadav v. State of Bihar, 2015 SCC Online SC 674,
- Anant Prakash Sinha v. State of Haryana, (2016) 6 SCC 105
- Balveer Singh & ANR. v. State of Rajasthan & ANR. May 10, 2016 SC
- L. Narayana Swamy v. State of Karnataka, 2016 SCC OnLine SC 908

- > Prabhu Chawla v. State of Rajasthan, 2016 SCC OnLine SC 905
- State of U.P. v. Anil Kumar, (2018) 9 SCC 492
- SwapnilTripathi v. Supreme Court of India,2018 SCC OnLine SC 1667
- State of Gujarat v. Afroz Mohammed Hasanfatta [Criminal Appeal No. 224 of 2019] decided on 05.02.2019
- ➤ SK Miglani vs. State NCT of Delhi decided on April 30, 2019 (SC)
- Sukhpal Singh Khaira vs. State of Punjab Crl A. No. 885/2019, 2022 LiveLaw (SC) 1009
- ➤ Sharif Ahmed and others vs State of Uttar Pradesh, Vakil Ahmad &ors. vs. State of Uttar Pradesh Through Secretary, Department of Home &anr., 2024 LiveLaw (SC) 337,
- ➤ Mandeep Singh vsKulwinder Singh and another, P&H, High Court (July 2024)
- ➤ M/S KG MARKETING INDIA v. MS. RASHI SANTOSH SONI & ANR., Delhi High Court (July 2024)
- Research In Human Dna. It vs Unknown, Case No: WPA/22702/2011 (July 2024)
- ➤ The State of Punjab vs. Partap Singh Verka, 2024 LiveLaw (SC) 461
- ➤ Abdul Khader v State of Kerala, 2024 LiveLaw (Ker) 450

Essential Readings:

- Ratanlal & Dhirajlal, The Code of Criminal Procedure,
 Lexis Nexis Butterworths Wadhwa, Nagpur, 2017
- S.C. Sarkar, *The Law of Criminal Procedure,* Wadhawa& Co., Nagpur, (Reprint 2009)
- K.N. Chandrasekharan Pillai, R.V. Kelkar's Lectures on Criminal Procedure,
 Eastern Book Company, 2017
- Prof. Ved Kumari, *Juvenile Justice System In India: From Welfare To Rights* (First Reprint Of 2nd Edition 2011)Oxford University Press,

Dr. Vageshwari Deswal, Saurabh Kansal, Shruti Goyal, Taxmann's Editorial Board,
 Law and Practice Series – Bharatiya Nyaya Sanhita (BNS) | Bharatiya Nagarik
 Suraksha Sanhita (BNSS) | Bharatiya Sakshya Adhiniyam (BSA) (Taxmann
 Publications)

Suggested Readings

- The Bharatiya Nagarik Suraksha Sanhita, 2023
- The Bharatiya Nyaya Sanhita, 2023
- The Bharatiya Sakshya Adhiniyam, 2023
- The Probation of Offenders Act. 1958
- The Juvenile Justice (Care and Protection of Children) Act, 2015

SEMINAR COURSE-I

Objective: The objective of seminar courses is to enable students to require specialization in areas of their interest and also to have knowledge about other legal disciplines by way of research and self-study. The areas identified for research are given below:

- Child and Juvenile System
- Socio-Economic Offences
- Law and Social Change
- Insurance Laws
- Disabled and the Law
- Natural Resource Law
- Law and the Information Technology
- Forest Laws
- Air Space Laws
- Planning, Urban Development and Law
- Law of the Sea
- · Law and Development
- Religion and Law
- Law and Medicine
- Law and Society
- Tribal Customary Laws
- Decentralization and Governance
- Linguistic Minorities and the Law
- Customary Dispute Resolution Mechanisms
- Indigenous Systems of Governance

A group of five to seven students can be assigned one theme and asked to prepare separate papers on different aspects/ problems/ issues pertaining to the theme. Students may be encouraged to conduct field studies wherever relevant. The seminars can be organized thematically with five to seven paper presentations followed by discussion. Each student will be evaluated on the basis of his/her individual performance which will include:

- (a) Systematic Record Field Investigations, Methodology, Any Literature Survey, Bibliography etc.
- (b) Written Paper- Its Contents, Coverage, Consistency, Style and Expression
- (c) Paper Presentation-Communication, Style, Expression and Ability to Answer the Questions and Defense.

CLINICAL COURSE-III

(PROFESSIONAL ETHICS, LAWYERING AND BAR-BENCH RELATIONS)

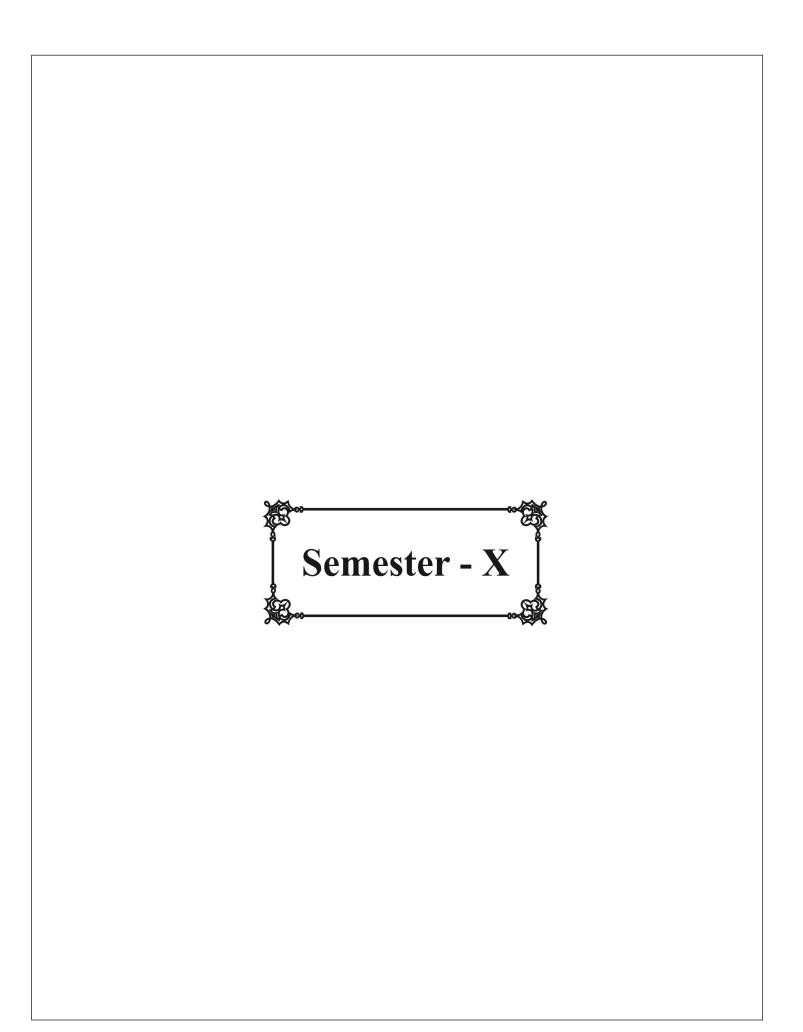
(The objective of the Clinical Course is to enable students to require specialization in the areas of their interest and also to have knowledge about other legal disciplines by way of research and self-study.)

Objective: Lawyering is a profession but lawyers are officers of the court. Advocates are therefore required to observe the ethics of their profession. The course aims at making the student aware of professional ethics and professional accounting system for properly training the student for the profession.

Outline of the Course: Professional Ethics, Accountancy for Lawyers and Bar-Bench Relations

- I. Written Paper/Report carrying 50 Marks to be devoted to the following areas:
 - Professional Ethics
 - Bar Council Rules
 - The Advocates Act, 1961
 - Judgments on the above topics
 - Client Counseling
 - Negotiations
 - Office Management
 - Disciplinary Proceedings against Lawyers
 - Right to Strike (of Lawyers)
 - Supreme Court Rules-Contempt of Court
 - Court Fees
 - Suit Valuation

- II. Oral Presentation/Defense carrying 25 Marks to be devoted to one theme out of the above enumerated ones. A group of five to seven students can be assigned one theme. The presentation shall be made thematically followed by discussion. Each student will be evaluated on the basis of his/her individual performance which will include.
 - Methodology and Literature Surveyed Bibliography etc.
 - Coverage, Consistency, Style and Expression.
 - Communication Style and Expression and Ability to Answer the Questions and Defenses.
- III. Record of Daily Work maintained in the Record Book carrying 25 Marks can be devoted to Field Work.



INSURANCE, BANKING & NEGOTIABLE INSTRUMENT

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: Insurance is a form of risk management used to hedge against the risk of a contingent loss. The operational framework of insurance idea is provided by the general principles of contract. The insurance policy, being a contract, is subject to all the judicial interpretative techniques of rules of interpretation as propounded by the judiciary. Besides, the insurance idea has a compensatory justice component. This course is designed to acquaint the students with the conceptual and operational parameters of insurance law.

UNIT-I

INSURANCE-I

- Nature and Principles of Insurance: Definition-Kinds-Statutory Governance
- **Contract of Insurance:** Nature-Essential Features-Types
- Fundamental Principles of Insurance Contract

UNIT-II

INSURANCE-II

- Insurable Interest
- Premium
- Risk

UNIT-III

NEGOTIABLE INSTRUMENTS

Concept, Meaning and Kinds of Negotiable Instruments.

- Some General Terms Used for All Types of Negotiable Instruments: inland and Foreign Instruments, Time and Demand Instruments, Ambiguous Instruments, Inchoate Instruments, Escrow Instruments, Maturity of Instruments, Payment in Due Course, and Payment of Interest.
- Liabilities of Parties to Negotiable Instruments.

UNIT-IV

NEGOTIABLE INSTRUMENTS

- Presentation of Negotiable Instruments
- Negotiation of Negotiable Instruments
- Dishonour and Discharge of Negotiable Instruments

UNIT-V

BANKING

- Banking: Meaning and History, Concept of Banking Companies.
- Concept of Customer, Banks and Customers Relations. Customers Account and Banks. Banks Funding -Loans and Advances as means of.
- Banking Ombudsman.

Suggested Readings:

- 1. Herbert P. Sheldon: *Practice and Law of Banking*, Macdonald & Evans Ltd., United Kingdom.
- 2. Lord Chorley and P. E. Smart: *Leading Case in the Law of Banking*, Bharat Law House, New Delhi.
- 3. L. C. Goyle: Law of Banking and Bankers, Eastern Law House, New Delhi.
- 4. M. L. Tannan (revised by C. R. Datta & S. K. Kataria): *Banking Law and Practice*, LexisNexis India, Gurgaon.

5.	A. B. Srivastava and K. Elumalai: Seth's Banking Law, Law Publisher's India (P) Limited, Allahabad.
6.	R. K. Gupta: Banking: Law and Practice, Modern Law Publications, Allahabad.
7.	Prof. Clifford Gomez: Banking and Finance-Theory, Law and Practice, PHI Learning Private Limited, New
	Delhi.
8.	J. M. Holden: The Law and Practice of Banking, Universal Law Publishing, Allahabad.
9.	K. S. N. Murthy and K. V. S. Sarma: Modern Law of Insurance in India, LexisNexis India, Gurgaon.
10	. Sachin Rastogi: Insurance Law and Principles, LexisNexis, India Gurgaon.
1.	91) 3 SCC 451.
	<u>.</u>
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CONFLICT OF LAWS

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

OBJECTIVE: This branch of law comes into picture whenever a court or tribunal is faced with a conflict between two laws and the court has to decide which law it should apply. The aim of the paper is to create an understanding of the rules of conflict of laws under various legal systems pertaining to jurisdiction, marriage, divorce, and adoption. The paper also covers torts and contract laws. Further, the paper discusses recognition and enforcement of foreign judgments.

UNIT-I INTRODUCTION

- Introduction to Conflict of Laws, Renvoi, Characterisation
- Domicile: Meaning & General Rules-Kinds of Domicile: Domicile of Origin- Domicile of Choice-Domicile of Dependents-Domicile & Nationality
- Marriage: Nature-Concept-Governing Law-Choice between Law of the Place of Celebration and Law of Domicile-Validity of Marriage Classification of Rules of Marriage into Formal and Essential Conditions
- Theories: Dual Domicile Theory-Intended Matrimonial Home Theory- Alternate Approaches-Polygamous Marriages

UNIT-II

CONFLICT OF LAWS IN RELATION TO MATRIMONIAL REMEDIES

- Nullity of Marriage
- Restitution of Conjugal Rights
- Judicial Separation
- Dissolution of Marriage-Recognition of Foreign Divorce

UNIT-III

(CONFLICT OF LAWS IN RELATION TO CONVERSION, LEGITIMACY & LEGITIMATION)

- Effect of Conversion on Matrimonial Rights
- Effect of Conversion on Dissolution of Marriage
- Legitimacy & Legitimation
- Recognition of Foreign Legitimation

UNIT-IV

(CONFLICT OF LAWS IN RELATION TO ADOPTION & GUARDIANSHIP)

- Conflict of Laws in Relation to Adoption: Jurisdiction-Recognition of Foreign Adoptions
- Inter-Country Adoption
- Conflict of Laws in Relation to Guardianship and Custody of Minors
- Recognition and Enforcement of Foreign Judgments-Child Custody and Guardianship Orders-Child Abduction

UNIT- V

(CONFLICT OF LAWS IN RELATION TO CONTRACT AND TORTS)

- Concept and Application of Contract in Private International Law
- Validity of Contract-Material Validity-Formal Validity
- Capacity to Contract-Discharge of Contract
- Foreign Torts-Traditional Theories-Torts in Private International Law

Suggested Readings:

- 1. Atul M Setalvad: Setalvad's Conflict of Laws, LexisNexis, New Delhi.
- 2. Chris Clarkson & Jonathan Hill, Conflict of Laws, Oxford University Press Canada.

- 3. David Pearl: Inter-Personal Conflict of Law- India, Pakistan and Bangladesh, N.M. Tripathi, Bombay.
- Flavia Agnes, Family Law and Constitutional Claims, Oxford University Press, New Delhi.
- 5. Geoffrey Chevalier Cheshire: Private International Law, Clarendon Press, Oxford.
- 6. J. H. C. Morris: Conflict of Laws, Sweet & Maxwell, London.
- 7. John P. Tiernan: Conflict of Laws, Callaghan & Co, Chicago.
- 8. Kumud Desai, Indian Law of Marriage and Divorce, LexisNexis, Gurgaon.
- 9. Laura E. Little: Conflict of Laws, Wolters Kluwer Law & Business, New York
- 10. Paras Diwan: Indian and English Private International Law, Deep & Deep, New Delhi.
- 11. Robert A. Leflar: *The Law of Conflict of Law*, The Bobbs-Merrill Company, Inc., Indianapolis.
- 12. Dean Symeon C. Symeonides: Choice of Law, Oxford University Press, USA.
- 13. Maebh Harding: Conflict of Law, Routledge, UK.

Case Laws:

- 1. Anokha v. State of Rajasthan, AIR 2004 SC 2829.
- 2. Apt v Apt, [1948] P. 83.
- 3. Arathi Bandi v. Bandi Jagdrakshara Rao, AIR 2014 SC 918.
- 4. Armitrage v Att-Gen, [1906] p. 135.
- 5. Bell v Kennedy, (1868) LR 1 Sc & Div 307.
- 6. Berkovits v Grinberg, [1995] fam. 142.
- 7. Berthiaume v Dastous, [1930] AC 79.
- 8. Boys v Chaplin, [1971] AC 356
- 9. Central Bank of India v. Ram Narain, AIR 1955 SC 36
- 10. Chaudhary v Chaudhary, [1985] Fam. 19.
- 11. D & D, [2008] EWHC 403 (Fam).
- 12. D P Joshi v. State of Madhya Bharat, AIR 1955 SC 334.
- 13. Hussain v Hussain, [1983] Fam. 26.
- 14. Hyde v Hyde (1866) LR 1 P & M 130.

- 15. Indyka v. Indyka, (1967) 2 All. E.R. 689.
- 16. Kyle Spencer Allen v. Soban Singh, 2014(3) UC 2335.
- 17. Lakshmi Kant Pandey v. Union of India, AIR 1984 SC 469.
- 18. Le Mesurier v Le Mesurier, [1895] AC 517.
- 19. Louis De Raedt v. Union of India, AIR 1991 (3) SC 1886.
- 20. May v May, [1943] 2 All ER 146.
- 21. McCabe v McCabe, [1994] 1 FLR 410.
- 22. McKee v. McKee, [1950] SCR 700.
- 23. MN (Non-Recognised Adoptions: Unlawful Discrimination?) India, UKAIT 00015.
- 24. Mrs. Mv. Mr. A, AIR 1993 Bom. 110.
- 25. Narsimha Rao Y. v. Venkata Lakshmi Y, (1991) 3 SCC 451.
- 26. Neha Saini v State of Uttrakhand, AIR 2010 Utt 36.
- 27. Ogden v. Ogden, (1947) All E.R. 86.
- 28. Perumal v. Ponnuswami, AIR 1971 SC 2352.
- 29. Philips v Eyre, (1870) LR 6 QB.
- 30. Pradeep Jain v Union of India, AIR 1984 SC 1420.
- 31. Prem Singh v. Dulari Bai, AIR 1973 Cal. 425.
- 32. Pugh v Pugh, [1951] P 482.
- 33. Quazi v Quazi, [1980] AC 744.
- 34. Ramsay v Liverpool Royal Infirmary, [1930] AC 588.
- 35. Ravichandran v. Union of India, AIR 2010 SC (Supp) 257.
- 36. Re. Evans, [1947] Ch. 695
- 37. Re. Jones' Estate, 192 Iowa 78.
- 38. Reynold Rajamani v Union of India, AIR 1982 SC 1261.
- 39. Robasa Khanum v. Khudabad Bomanji Irani, AIR 1947 Bom. 272.
- 40. Ruchi Majoo v. Sanjeev Majoo, AIR 2011 SC 1952.
- 41. Sandip Shankerlal Kedia v. Pooja Kedia, 2013 (4) Mh Lj 673.
- 42. Sanjay Mishra v. Eveline Jobe, AIR 1993 H.P. 7.
- 43. Satya v. Teja Singh, AIR 1975 SC 105.
- 44. Shabnam Hashmi v. Union of India, AIR 2014 SC 1281.

- 45. Shaw v Gould, (1868) L.R 3 HL 55.
- 46. Singh v Entry Clearance Officer New Delhi, [2004] Ewca Civ 1075.
- 47. Sinha Peerage Claim, (1946) 1 All E.R. 248.
- 48. SK ("Adoption" not recognised in UK) India, [2006] UKAIT 0068.
- 49. Smt. Surinder Kaur Sandhu v. Harbax Singh Sindhu, AIR 1984 SC1224.
- 50. Sondur Gopal v Sondur Rajini, (2013) 7 SCC 426.
- 51. Sottomayor v De Barros, (No. 1) (1877) 3 PD 1.
- 52. Starkowski v Att-Gen, [1954] AC 155.
- 53. Sulaiman v Juffali, [2002] 1 FLR 479.
- 54. Taczanowka v Taczanowki, [1957] P. 301.
- 55. Udny v Udny, (1869) LR 1 Sc & Div 441.
- 56. Vinisha Jitesh Tolani v Jitesh Kishore Tolani, AIR 2010 SC1915.
- 57. Winans v Att-Gen, [1904] AC 287.
- 58. Y. Narasimha Rao v. Y. Venkatalakshmi, (1991) 3 SCC 451.

LAW AND DISASTER MANAGEMENT

(The entire syllabus is divided into five units. Ten questions shall be set in all with two questions from each unit. The candidate shall be required to answer five questions in all selecting one from each unit.)

Objective: The course is designed to appraise the students about various types of disaster, their characteristics, causes and impacts. Historical data of past events have been studied to gain insight into the processes involved in the genesis and development of disaster events. This course is responding to such events and draws a long-term plan to minimize the impact of various disasters. This course also intends to give the students more exposure to the significance of law in disaster management particularly in risk reduction. This paper identifies and elucidates the role of the Union government, the State governments, local administration and local bodies in disaster management. The goal of the course is to help the students to understand important statutory provisions of various legislations, which may be relevant to disaster management more particularly disaster risk reduction.

UNIT-I

INTRODUCTION

- Disaster: Concepts, Definitions, Causes and Impacts
- **Disasters Cycle:** Analysis-Phases-Culture of Safety-Prevention-Mitigation and Preparedness

UNIT-II

AGENCIES IN DISASTER MANAGEMENT

 United Nations and its Specialized Agencies: UNDP-FAO-WHO-AEC (Atomic Energy Commission)-United Nations Disaster Management Cell-International Federation of Red Cross and Red Crescent Societies (IFRC) and National Red Cross / Red Crescent Societies.

UNIT-III

PREVENTIVE LAWS IN DISASTER MANAGEMENT IN INDIA

- The Constitution of India: Role of the Union and the States in Disaster Management-Article 246 of the Constitution-Distribution of Legislative and Administrative Powers Between the Union and the States with Special Reference to Following Entries of Seventh Schedule: Union List-Entry No .6, 7, 15, 22, 53, 54, 55, State List Entry No 1, 2, 5, 6, 25; Concurrent List-Entry No 18, 19, 29, 36-Hazardous Waste (Management and Handling), Rules 1989-The Concept of Absolute Liability under Tort Law-Environment Protection Act, 1986-National Environment Appellate Authority Act, 1997-The Public Liability Insurance Act, 1991
- Important Statutes with Provisions Relevant to Disaster Management: Role of Legislations in Disaster Management-Scope of Disaster Management Law with Reference to Disaster Management Act, 2005-Disaster Management Laws in Bihar and Gujarat, Essential Services Maintenance Act, 1968-Environment Protection Act, 1986-Including hazardous Substances Rules-Explosives Act, 1872-Explosive Substances Act, 1908-Mines and Minerals (Regulation and Development) Act, 1957-Insecticides Act, 1968-Atomic Energy Act, 1962-Factories Act 1948-WMD Act, 2005-Environmental Impact Assessment-Town and Country Planning Acts-Planning Commission in Disaster Management-Part IX A:Local Bodies (Municipalities and Panchayati Raj Institutions),-Panchayats-Article 243 G Read with Eleventh Schedule of the Constitution-Municipalities-Article 243 W Read with 12th Schedule of The Constitution-Model Town and Country Manning Act, 1960

UNIT-IV

DISASTER MANAGEMENT ACT, 2005 - I

Institutional Set-Up: National Disaster Management Authority-State Disaster Management Authority-District Disaster Management Authority-Local Authorities.

UNIT-V

DISASTER MANAGEMENT ACT, 2005-II

Relevant Provisions of Disaster Management Act, 2005: Measure by the Government for Disaster Management-National Institute of Disaster Management-National Disaster Response Force-National Mitigation Fund-National Fund for Disaster Management-Offences and Penalties-Payment of Compensation

Suggested Readings

- Prabhas Chandra Sinha: Disaster Management Process: Law, Process and Strategy, SBS Publishers, New Delhi.
- 2. Prabhas Chandra Sinha: *Guidelines for Human Environment and Sustainable Development*, SBS Publishers, New Delhi.
- 3. Ramakant Gaur: Disaster Management, Authors Press, Delhi.
- 4. S.L. Goel: *Disaster Administration: Theory and Practice,* Deep and Deep Publications, New Delhi.
- 5. Vinod K. Sharma: *Disaster Management*, IIPA, New Delhi.
- 6. Vishnu Konoorayar & V.S. Jaya (eds.): *Disaster Management Law,* Indian Law Institute (ILI), New Delhi.

SEMINAR COURSE-II

(The objective of seminar course is to enable students to require specialization in areas of their interest and also to have knowledge about other legal disciplines by way of research and self-study. The areas identified for research are given below)

- Anti-Dumping Law
- Arbitration Law
- Aviation Law
- · Biotechnology & Law
- Criminology and Forensic Sciences
- Disabled and the Law
- Emigration Law
- Energy Law
- Feminist Jurisprudence
- Law and RTI
- Law & Agriculture
- Law & Education
- Law & Media
- Limited Liability Partnership
- Nuclear Law
- · Service Law
- Sport Law
- Telecommunication Law
- Trade Secrets Law
- Transportation Law

- SEZ Law
- Law of Equity

A group of five to seven students can be assigned one theme and asked to prepare separate papers on different aspects/ problems/ issues pertaining to the theme. Students may be encouraged to conduct field studies wherever relevant. The seminars can be organized thematically with five to seven paper presentations followed by discussion. Each student will be evaluated on the basis of his/her individual performance which will include:

- (a) Systematic Record Field Investigations, Methodology, any Literature Survey, Bibliography etc.
- (b) The Written Paper- Its Contents, Coverage, Consistency, Style and Expression.
- (c) Paper Presentation-Communication, Style, Expression and Ability to Answer the Questions and Defense.

CLINICAL COURSE-IV (MOOT COURT EXERCISE AND INTERNSHIP)

Objective: The objective of the course is to impart the practical skills of research, case analyses and strategy, witness handling, and presentation of arguments at the trial and appellate stages of a case. This course enables the student to apply all laws of the course in the practical. The first part of moot courts will enable him to learn identifying facts, applying the law, deriving issues, oral presentation skills, organising argument, and presenting it with persuasion. The second part will give him the experience of visiting court proceedings, and watch advocates conduct matters.

This paper may have three components of 30 marks each and a viva for 10 marks.

- Moot Court (30 Marks)
 Every student may be required to do at least three moot courts in a year. The
 moot court work will be on assigned problem for written submissions and
 oral advocacy.
- Observance of Trial in two cases, one Civil and one Criminal (30 marks):
 Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment.
- Interviewing techniques and Pre-trial preparations and Internship diary
 Each student will observe two interviewing sessions of clients at the Lawyer's
 Office/Legal Aid Office and record the proceedings in a diary. Each student
 will further observe the preparation of documents and court papers by the
 Advocate and the procedure for the filing of the suit/petition. This will be
 recorded in the diary.
- The fourth component of this paper will be Viva Voce examination on all the above three aspects..

CLINICAL COURSE-IV JUDGING AND COURT MANAGEMENT

(The objective of the course is to produce an ideal judicial work force, which shall be equipped with thorough knowledge in subjects relevant to the judicial services as well as acquire skills in administration management of the judiciary)

PART-A: Written Reports/Assignment is devoted to the following areas:

- Concept, Need of Law and Courts Management in India
- Administration of Justice *viz- a- viz* Legislature & Executive
- Management of Courts and Interface of Technology and Law
- Strategic Management and Implementation of Legal Education
- National Court Management System -Introduction the Scheme and Statistics
- Courts-Infrastructure & Personnel
- Management of Courts and Cases
- Case Management: Definition-Advantages-Role of Judges & Advocates
- Administrative Supervision of Supreme Courts and High Court with regard to Trail Courts
- Case Management in the Federal Courts of the USA, United Kingdom and India.
- Supreme Court Rules 2013: Practice and Procedure in Supreme Court
- Curative Petition-Extraordinary Jurisdiction of Supreme Court
- Transfer Petition before Supreme Court
- Law Commission of India & Its Recommendations-Challenges and Remedies
- · Courts and Judge-Population Ratio
- E-Courts: Digital Evidence-Relevance and Admissibility

- E-Investigation & Adjudication Issues
- Courts and Public Domain Resources in Legal Research
- Digital Contents and Courts and its Contempt by Lawyers, Judges,
 Magistrates or Other Persons acting Judicially
- Contempt Liability of State, Corporate Bodies and their Officers
- Dispute Resolution Mechanism at Grass-Root Level such as Lok Adalat,
 Gram Nyayalaya, Nyaya Panchayat and Legal Aid.

PART-B: Paper presentations are devoted to one area out of the above enumerated ones. A group of three to seven students can be assigned one area. The presentation shall be made thematically followed by discussion. Each student will be evaluated on the basis of his/her individual performance. This will include:

- Methodology and Literature Surveyed Bibliography etc.
- Coverage, consistency style and Expression
- Communication Style and Expression and Ability to Answer the Question and Defence.

PART-C: Mid-Term Test of 25 Marks from the topics given in Part A.

Reference:

- 1. Kailash Rai: *Moot Court: Pre-Trial Preparation and Participation in Trial Proceedings,* Central Law Publication, Allahabad.
- John T. Gaubatz & Taylor Mattis: The Moot Court Book: A Student Guide to Appellate Advocacy (Contemporary Legal Education Series), Michie Co., Charlottesville.