

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

2013-14

Syllabus and Regulations



CHRIST
UNIVERSITY
BANGALORE, INDIA

Declared as Deemed to be University under Section 3 of UGC Act 1956

SCHOOL OF LAW

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BA - LLB, BBA - LLB, LLM, Ph.D. in Law

CONTENTS

CONTENTS.....	1
Assessment Rules.....	1
Semester-wise Subjects.....	7
Semester-Wise Summary of Teaching Hours and Credits.....	12
FIRST SEMESTER.....	13
BAL111 Political Theory – I	13
BAL132 English.....	17
BAL143 Principles of Economics.....	21
BAL154 Computer Fundamentals.....	25
BAL165 Indian Legal and Constitutional History.....	29
BAL166 Law of Torts.....	33
SECOND SEMESTER.....	39
BAL211 Political Theory – II.....	39
BAL232 Communicative English.....	43
BAL243 Institutional Economics.....	47
BAL254 Computer Programming.....	51
BAL265 Legal Methods.....	55
BAL266 Law of Consumer Protection and Motor Vehicles Act.....	59
THIRD SEMESTER.....	63
BAL311 Indian Government and Politics - I.....	63
BAL352 Law and Society.....	67
BAL383 Philosophy of Law.....	71
BAL364 Legal Language and Legal Writing.....	75
BAL365 Contract – I.....	79
BAL386 Law of Freedom of Information and Prevention of Corruption.....	85
FOURTH SEMESTER.....	89
BAL411 Indian Government and Politics - II.....	89
BAL452 Law and Economics.....	93
BAL463 Family Law – I.....	97
BAL464 Jurisprudence.....	101
BAL465 Contract – II.....	105
BAL466 Property Law.....	109

FIFTH SEMESTER.....	113
BAL511 Nation States and International Terrorism.....	113
BAL562 Company Law – I.....	117
BAL563 Family Law – II.....	123
BAL564 Constitutional Law – I.....	127
BAL585 Principles of Criminal Law.....	131
BAL566 Environmental Law.....	135
SIXTH SEMESTER.....	141
BAL611 International Relations.....	141
BAL662 Criminal Law – I.....	145
BAL663 Company Law – II.....	151
BAL664 Constitutional Law – II.....	155
BAL685 Intellectual Property Law.....	159
BAL666 Labour and Industrial Law – I.....	163
SEVENTH SEMESTER.....	167
BAL781 Cyber Law.....	167
BAL762 Administrative Law.....	171
BAL783 Law of Banking.....	175
BAL784 Law of Insurance.....	179
BAL765 Public International Law.....	183
BAL766 Labour and Industrial Law – II.....	187
EIGHTH SEMESTER.....	191
BAL811 Law of International Institutions.....	191
BAL882 Telecommunication Law and Regulation.....	195
BAL883 Law of e-Commerce.....	199
BAL884 Interpretation of Statutes.....	203
BAL865 Criminal Law – II.....	207
BAL866 Civil Procedure Code and Limitation Act.....	211
NINTH SEMESTER.....	215
BAL961 Law of Taxation.....	215
BAL982 Medical and Health Law.....	219
BAL963 Law of Evidence.....	223
BAL984 Competition Law.....	227
BAL975 Drafting, Pleading and Conveyancing.....	231
BAL976 Alternative Dispute Resolution.....	235

TENTH SEMESTER.....	237
BAL1061 Human Rights.....	237
BAL1082 Conflict of Laws.....	241
BAL1083 Dissertation.....	245
BAL1074 Public Interest Litigation, Legal Aid and Para Legal Services.....	247
BAL1075 Moot Court and Internship.....	249
BAL1076 Professional Ethics and Professional Accounting System.....	251

ASSESSMENT RULES

Assessment is based on the performance of the student throughout the semester.

1. Credit Structure

Subjects having 20 weeks of class with 3 lectures per week will earn the candidates 2 credits. Subjects having 15 weeks of class with 5 lectures per week will earn 3 credits. Subjects having 20 weeks of class with 6 lecture or practical hrs/Wk will earn 4 credits. Total credits that can be earned in each semester 24-28 credits.

2. Assessment of each paper

- A. Continuous Internal Assessment (CIA) for theory paper : 50% (50 marks out of 100 marks)
- B. End Semester Examination (ESE) : 50% (50 marks out of 100 marks)

3. Components of CIA

- CIA I: Mid-Semester Examination (MSE) (Theory) : 25 marks
- CIA II : Research paper : 10 marks
- CIA III: Quizzes/Seminars/Case Studies/Project work : 10 marks

Attendance: : 5 Marks

% Attendance	Marks
95% – 100%	05
90% – 94%	04
85% – 89%	03
80% – 84%	02
76% – 79%	01

Students can check their attendance and academic reports from the University website. Students representing the University/Department activities will be eligible for attendance with the permission of the HOD/Coordinator.

4. Mid-Semester Examination (MSE)

The examination will be held as per the timetable released by the Controller of Examination (COE) in each semester and will be held simultaneously for I, III, V, VII, IX semester in August and II, IV, VI, VIII, X Semester in Jan/Feb.

Valued answer scripts will be distributed in the class on a day announced prior to the distribution. Corrections if any are to be done during the same hour. No further changes after this will be entertained.

Those candidates missing the MSE (for valid reasons only) will be given a second opportunity prior to the ESE, however, permission to repeat MSE is not automatic. The candidate must procure an application from the office of Examinations and must pay the required fee. If the candidate does not appear in the MSE then an entry denoted by " " will be made in the marks card stating that appear in the first MSE if student fails to appear the second chance, an entry denoted by will be made in the marks card stating the student did not write the MSE. During the course of the study, a UG candidate can repeat the MSE at most two times, the PG candidate can attempt it only once. There are restrictions on the number of times a student can repeat MSE.

The duration of the MSE will be of 2 hours and the same is applicable for the repeat examination also. MSE will be conducted out of 50 marks and will be reduced to 25 marks, by the COE office.

The CIA marks will be displayed on the website for the candidate's reference at the end of the semester before the ESE.

Candidates must preserve all MSE answer sheets and present the same to the COE in case of any discrepancy in the CIA marks.

There will be no minimum pass marks for CIA.

For subjects having practical as part of the subject/paper

End-Semester Practical Examination	25 marks
Records	05 marks
One Mid-Semester Examination	10 marks
Class work	10 marks
Total	50 marks

The Mid-Semester practical examination will be conducted during a regular practical hour with prior intimation to all candidates.

All End-Semester practical examination will have two examiners, an internal and an external examiner.

5. End-Semester Examination (ESE)

The examination for the theory as well as practical papers will be held at the end of the semester. All papers will have a three hour examination except Functional English papers. ESE will be conducted out of 100 marks, which will then be reduced to the required level, by the office of the COE. In order to avoid identification during the valuation, bar codes are pasted on the Answers Sheets by the students themselves instead of the Register Number.

Permission for admission to the ESE will not be granted unless

- (a) A student has put in at least 85% of attendance in aggregate at the end of the semester.
- (b) The Vice-Chancellor is satisfied with the character and conduct of the student.

6. Results

Semester results will be announced within a period of 30 days of completion of examination.

Marks cards will be ready within 45 days of completion of examinations.

Revaluation/Re-totaling request should be made within 5 days from the date of announcement of results along with a fee notified by the Controller of examinations.

There is no provision for improvement examination.

Candidates who have not passed in at least 50% of the papers will not be promoted to the next year.

Requirement of Marks for Pass in each paper: 40% for ESE separately and 40% for ESE+CIA.

There will be a special supplementary examination in the June/July for final semester students who have failed in the just concluded final semester examination subject to the condition that they have no back-log in the previous semester. Students who are not debarred from examinations for reasons of malpractice will not be able to avail this facility. Another special supplementary examination is conducted in the month of January for the students who have failed in their IX semester examination.

Students having arrears can attempt the same when the examination is next conducted for the respective semester.

The Office of Examinations will preserve the answer sheets for a period of six months.

All marks cards issued by the COE will indicate the marks, percentage obtained, grade and grade point average.

7. Grade Point Average

The Grade Point average will be calculated as follows: for each subject, multiply the Grade Point with the Number of Credits; divide the sum of product by the total number of credits.

The CGPA (Cumulative GPA) is calculated by adding the total number of earned points [GP x Cr] for all semesters and dividing by the total number of credit hours for all semesters.

$$GPA = \frac{\sum [GP \times Cr]}{\sum Cr}$$

Grading Scheme for each paper: UG Courses

Percentage	Grade	Grade Point	Interpretation	Class
80 and above	A	4.00	Outstanding	First class with Distinction
73-79	A-	3.67	Excellent	First Class
66-72	B+	3.33	Very Good	
60-65	B	3.00	Good	
55-59	B-	2.67	Average	Second Class
50-54	C+	2.33	Satisfactory	
45-49	C	2.00	Pass	Pass Class
40-44	D	1.00	Pass	
39 and below	F	0	Fails	Fail

Transcript/ Statement of Marks: can be downloaded from the University website after the examinations for each semester. Consolidated statement of marks and Provisional Degree Certificate will be awarded to all eligible candidates at the end of the course on the Graduation day.

8. Regulations for repeating (improvement of) CIA

- 1) This Regulation shall apply to UG and PG Students of the University as well as continuing students of erstwhile Christ College (Autonomous), other than students of CUIM, CUSE and CUSL
- 2) The eligibility criteria for Repeat Courses shall be as under
 - a. Student must have completed the academic duration of the Course in full-all odd and even semesters.
 - OR
 - b. Student must be pursuing the final semester of the course for obtaining permission under clause 6.
 - c. Failure in the subject must be solely due to less than 40% score in CIA in respect of the repeat subject, and has scored minimum pass % for ESE.
 - d. The student must have attempted and failed in at least one supplementary examination in the subject after the first failing.

- 3) Repeat Course is permitted for students opting to repeat one or more subjects or any semester due to their inability to complete and earn pass mark in the course for reason of very low score in CIA.
- 4) Student may exercise the option to repeat course only after the completion of their final (end of the course) ESE except for students under Clause 2 (b).
- 5) Repeat of the subject / paper in CIA shall be restricted to any one ongoing Semester at a time (*i.e.*, either odd or even semester subjects) and shall nullify all previous CIA scores (including practical, where applicable) of the student in respect of the subject(s) repeated (except for students under clause 6).
- 6) In exceptional circumstances as may be approved by the Management Committee, in respect of cases like, 'where a foreign student has non-renewable limited visa' or 'where a student due to late admission misses to complete the CIA', students under clause 2(b) may be permitted to do the Repeat Course during the final Semester, on a failed subject in respect to any semester except of the final semester.
- 7) The repeat course will follow a tutorial system of 20 hours in duration of not exceeding 30 days during which the entire repeat CIA process is expected to be completed. The student shall follow the curriculum adopted by the applicable semester. If the subject or paper has been revised or replaced by another in the changed syllabus, the student shall be required to complete the revised/changed paper.
- 8) The tutor-in-charge, will conduct tutorial classes, on pre-determined timings, normally outside the usual class hours, covering at least 60% of the syllabus portion, chosen at the his/her discretion. The tutor will record the attendance, evaluate the assignments (CIA II & III) and also conduct a test in lieu of MSE, in examination conditions.
- 9) The repeat course is only for the CIA (excluding attendance) and not for the ESE. The student's performance in the ESE and the marks secured for the attendance, as per the relevant completed semester will be carried over.
- 10) On completion of the course meant for the improvement of CIA components, the results will be announced along with that of regular students of the current semester and a fresh marks card will be issued for the subject/semester the student has appeared for.
- 11) Eligible candidates other than those under clause 7 shall apply in the prescribed application form (Form A) with details specified therein, and submit the same to the Dean on or before the specified date. Applications duly approved by the Dean shall be processed at IPM for payment of fee and entries in student records and the details thereof will be communicated to the Dean and COE.
- 12) In respect of candidates under clause 7 eligible candidates shall apply in the prescribed application form (Form B) with details specified therein, and submit the same to the Dean on or before the specified date. Applications duly recommended by the Dean be forwarded to the Registrar for consideration by the Management Committee and on its approval, it shall be processed at IPM and the details thereof be communicated to the Dean and the COE.
- 13) Fee for the repeat course will be announced by the Examinations Office.

9. Regulations for repeating Mid Semester Examination

1. Supplementary MSE shall be permitted only for students who were absent for the regular MSE for genuine and valid reasons as may be confirmed and certified by the Class Teacher and the HOD and as been approved by the Dean.
2. Number of chances to appear for the Supplementary MSE within the entire duration of a course shall be restricted as under irrespective of the actual duration of the program.
 - a. UG Students can attempt at most two times.
 - b. PG and B.Ed, students can attempt only once.
 - c. Students who were absent for regular MSE due to deputation on University sponsored / permitted programs (like NCC, CSA etc.) shall not be affected by the restriction and may avail the permissible number of chances as may be applicable.
3. Students who exhaust the number of allowed chances shall not be permitted to appear for any more Supplementary MSE and hence shall have to be satisfied with the CIA marks without MSE score, in case they fail to appear for regular MSE.
4. Other procedures specified for supplementary MSE as per existing Regulation shall remain unchanged.

SEMESTER-WISE SUBJECTS

I SEMESTER

SUBJECT CODE	SUBJECTS	NO. OF HOURS	CREDITS
BAL 111	Political Theory 1	4	4
BAL 132	English	4	4
BAL 143	Principles of Economics	4	4
BAL 154	Computer Fundamentals	4	4
BAL 165	Indian Legal and Constitutional History	5	4
BAL 166	Law of Torts	5	4
HE01	Holistic Education – I	1	1
TOTAL		27	25

II SEMESTER

SUBJECT CODE	SUBJECTS	NO. OF HOURS	CREDITS
BAL 211	Political Theory – II	4	4
BAL 232	Communicative English	4	4
BAL 243	Institutional Economics	4	4
BAL 254	Computer Programming	4	4
BAL 265	Legal Methods	5	4
BAL 266	Law of Consumer Protection and Motor Vehicles Act	5	4
HE02	Holistic Education – II	1	1
TOTAL		27	25

III SEMESTER

SUBJECT CODE	SUBJECTS	NO. OF HOURS	CREDITS
BAL 311	Indian Government and Politics – I	4	4
BAL 352	Law and Society	4	4
BAL 383	Philosophy of Law	4	4
BAL 364	Legal Language and Legal Writing	5	4
BAL 365	Contract – I	5	4
BAL 386	Law of Freedom of Information and Prevention of Corruption	5	4
HE03	Holistic Education – III	1	1
TOTAL		28	25

IV SEMESTER

SUBJECT CODE	SUBJECTS	NO. OF HOURS	CREDITS
BAL 411	Indian Government and Politics – II	4	4
BAL 452	Law and Economics	5	4
BAL 463	Family Law – I	5	4
BAL 464	Jurisprudence	5	4
BAL 465	Contract – II	5	4
BAL 466	Property Law	5	4
HE04	Holistic Education – IV	1	1
TOTAL		30	25

V SEMESTER

SUBJECT CODE	SUBJECTS	NO. OF HOURS	CREDITS
BAL 511	Nation States and International Terrorism	4	4
BAL 562	Company Law I	5	4
BAL 563	Family Law – II	5	4
BAL 564	Constitutional Law – I	5	4
BAL 585	Principles of Criminal Law	5	4
BAL 566	Environmental Law	5	4
TOTAL		29	24

VI SEMESTER

SUBJECT CODE	SUBJECTS	NO. OF HOURS	CREDITS
BAL 611	International Relations	4	4
BAL 662	Criminal Law – I	5	4
BAL 663	Company Law – II	5	4
BAL 664	Constitutional Law – II	5	4
BAL 685	Intellectual Property Law	5	4
BAL 666	Labour and Industrial Law – I	5	4
TOTAL		29	24

VII SEMESTER

SUBJECT CODE	SUBJECTS	NO. OF HOURS	CREDITS
BAL 781	Cyber Law	5	4
BAL 762	Administrative Law	5	4
BAL 783	Law of Banking	5	4
BAL 784	Law of Insurance	5	4
BAL 765	Public International Law	5	4
BAL 766	Labour and Industrial Law – II	5	4
TOTAL		30	24

VIII SEMESTER

SUBJECT CODE	SUBJECTS	NO. OF HOURS	CREDITS
BAL 811	Law of International Institutions	5	4
BAL 882	Telecommunication Law and Regulation	5	4
BAL 883	Law of E-Commerce	5	4
BAL 884	Interpretation of Statutes	5	4
BAL 865	Criminal Law – II	5	4
BAL 866	Civil Procedure Code and Limitation Act	5	4
TOTAL		30	24

IX SEMESTER

SUBJECT CODE	SUBJECTS	NO. OF HOURS	CREDITS
BAL 961	Law of Taxation	5	4
BAL 982	Medical and Health Law	5	4
BAL 963	Law of Evidence	5	4
BAL 984	Competition Law	5	4
BAL 975	Drafting, Pleading & Conveyance (C1)	5	4
BAL 976	Alternative Dispute Resolution (C2)	5	4
TOTAL		30	24

X SEMESTER

SUBJECT CODE	SUBJECTS	NO. OF HOURS	CREDITS
BAL 1061	Human Rights	5	4
BAL 1082	Conflict of Laws	5	4
BAL 1083	Dissertation	5	4
BAL 1074	Public Interest Litigation, Legal Aid and Para Legal Services (C3)	5	4
BAL 1075	Moot Court and Internship (C4)	5	4
BAL 1076	Professional Ethics and Professional Accounting System (C5)	5	4
TOTAL		30	24

SEMESTER-WISE SUMMARY OF TEACHING HOURS AND CREDITS

S. No.	SEMESTERS	NO. OF HOURS	CREDITS
1	First Semester	27	25
2	Second Semester	27	25
3	Third Semester	28	25
4	Fourth Semester	30	25
5	Fifth Semester	29	24
6	Sixth Semester	29	24
7	Seventh Semester	30	24
8	Eighth Semester	30	24
9	Ninth Semester	30	24
10	Tenth Semester	30	24
TOTAL		290	244

FIRST SEMESTER

BAL111 POLITICAL THEORY – I (No. of Hrs. 40-60 Hrs)

COURSE OBJECTIVES: This course aims at introducing the philosophical ideas underlying constitution and other branches of law. Knowledge of these ideas will enable the students to understand the legal principles in a better way.

Module 1 will deal with the contributions of Greek thinkers and the evolution of concepts like democracy and justice. **Module 2** will deal with the impact of Roman thought and the contributions of the Roman empire. **Module 3** will deal with the renaissance and its contribution to political thought. **Module 4** will deal with the social contract theories that attempt to explain the origin of the state. **Module 5** will deal with the writings of Edmund Burke and Karl Marx.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Guest Lectures by theorists and philosophers, etc. as per the requirement of each module.

CLASSICAL THINKERS

MODULE 1: THE GREEK THINKERS

Learning Outcome: Students will be introduced to the key ideas of the classical greek thinkers and the foundations of democracy.

Socrates – Paradoxes, Idea of Athenian Democracy, Political Philosophy, the trial of Socrates. Plato- The idea of the Republic, Private property, justice, censorship, freedom and autonomy. Aristotle – Views on human nature, constitutions, ethics, theory of justice, natural law.

MODULE 2: CICERO AND ROMAN PHILOSOPHY

Learning Outcome: Students will learn about the contributions of roman thinkers and the achievements of the roman empire.

The Roman Empire-an introduction, Cicero – The rhetorical foundations of society, Statesmanship, Republican rule

MODERN THINKERS

MODULE 3: RENAISSANCE PERIOD

Learning Outcome: Students will learn the significance of the renaissance and also the impact of Machiavelli in political philosophy.

Introduction to Renaissance, Machiavelli's contributions in The Prince, idea of politics, Realism.

MODULE 4: SOCIAL CONTRACT THEORIES

Leaning Outcome: Students will learn about the significance of ideas on the origin of state and the basis for political obligation.

Thomas Hobbes – Contractarianism, Agency and Authorization, The non-resistance Compact between subjects

John Locke – The idea of Social Contract, equality and natural law, property, limited government, toleration and rule of law

Jean Rousseau – The state of nature, natural law and natural rights, the general will, the problem of freedom.

MODULE 5: EDMUND BURKE AND KARL MARX

Learning Outcome: Students will learn about the two most prominent thinkers of conservative and socialist thought, namely Edmund Burke and Karl Marx.

Edmund Burke – Sovereignty and Constitutionalism, political obligation, natural law

Karl Marx – The Hegelian influence, alienation, critique of the Modern State, ideology, forces and relations of production, influence of marx today.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%**SUGGESTED READINGS**

1. Arendt, Hannah. *The Human Condition*. Chicago: University of Chicago Press, 1958. Print.
2. Berlin, Isaiah, and Isaiah Four essays on liberty Berlin. *Liberty: Incorporating Four Essays on Liberty*. Oxford: Oxford University Press, 2002.
3. Foucault, Michel. *Discipline and Punish : The Birth of the Prison*. 2nd Vintage Books ed. New York: Vintage Books, 1995.
4. Machiavelli, Niccolo, and M. Lerner. *The Prince and the Discourses*. New York: Modern Library, 1950.
5. Mill, John Stuart. *Considerations on Representative Government*. Peoples edition. ed. [S.l.]: Longmans, 1894.
6. Mill, John Stuart, and Colin Heydt. *Utilitarianism*. New ed. / edited by Colin Heydt. ed. Peterborough, Ont.: Broadview; London: Eurospan [distributor], 2011.
7. Nozick, Robert. *Anarchy, State, and Utopia*. Oxford: Blackwell, 1974. Print.
8. Rawls, John. *Political Liberalism*. Expanded ed. New York; Chichester: Columbia University Press, 2005.
9. Rawls, John.. *A Theory of Justice*. Rev. ed. ed. Cambridge, Mass. ; London: Belknap, 1999.
10. Rousseau, Jean-Jacques, and G. D. H. Cole. *On the Social Contract*. Dover Thrift ed. Mineola, N.Y.: Dover ; [Newton Abbot : David & Charles, distributor], 2003.
11. Smith, Adam. *The Wealth of Nations*. [London]: Everyman's Library, 1991. Print.
12. Smith, Adam, and Ryan Patrick Hanley. *The Theory of Moral Sentiments*. 250th anniversary ed. New York, N.Y.: Penguin Books, 2009.
13. Weber, Max, and Stephen Kalberg. *The Protestant Ethic and the Spirit of Capitalism*. New York: Oxford University Press, 2011.

BAL132
ENGLISH
(No. of Hrs. 40-60 Hrs)

COURSE OBJECTIVES: To facilitate the students in enhancing their reading, writing and comprehension skills. The course will also help the students in having a sound grasp over the language and to clearly and effectively communicate using the written language.

Module 1 is the revision of basic grammar so as to strengthen the foundation of language. **Module 2** facilitates students in constructing grammatically correct sentences. **Module 3** is to equip students with the skills required for reading and gathering factual and inferential information. **Module 4** enable students to use words appropriate to situations. **Module 5** exposes students to different types of paragraph writing. **Module 6** seeks to equip students with the essential skills required for effective presentations and oral communication. **Module 7** help students in drafting different types of letters and write essays.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: BASIC GRAMMAR

8 Hrs.

Learning Outcome: On completion of this module students will be able to write grammatically correct sentences.

Parts of speech, tenses, subject-verb agreement, articles.

MODULE 2: SENTENCE STRUCTURE

5 Hrs.

Learning Outcome: On completion of this module students will be able to construct correct sentences with proper punctuations.

Different types of sentences and their grammatical formats, organizing ideas into grammatically correct sentences, punctuation.

MODULE 3: COMPREHENSION

5 Hrs.

Learning Outcome: On completion of this module there will be improvement in the reading skills of students.

Working on Comprehension passages to develop the reading, comprehending and writing skills of students – factual and inferential passages.

MODULE 4: VOCABULARY**5 Hrs.**

Learning Outcome: On completion of this module students' vocabulary gets enriched.

Antonyms, synonyms, appropriate use in sentences and paragraphs.

MODULE 5: PARAGRAPH WRITING**5 Hrs.**

Learning Outcome: On completion of this module students' editing skills get sharpened.

Rearranging sentences into proper paragraphs, error analysis, expansion of an outline, *précis* writing, writing short paragraphs on specific topics.

MODULE 6: PRESENTATION SKILLS**6 Hrs.**

Learning Outcome: On completion of this module students will be able to effectively communicate orally using power point presentations.

Characteristics of effective presentations, the voice in presentation, body language, modes of presentation, use of visual aids, their benefits, types of visual aids, how to prepare visual aids, dos and don'ts, coordination between speech and visual aids during presentation, listening skills, role of audience.

MODULE 7: DESCRIPTIVE WRITING**6 Hrs.**

Learning Outcome: On completion of this module students will be able to draft letters and write lengthy essays.

Different types of descriptive writing, letters, different types of letters.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. Nesfield J. C. *English Grammar Composition and Usage*. Macmillan India, 2002.
2. Thorpe Edgar, and Showick Thorpe. *Objective English*. Pearson Education, 2012.
3. Amin A., R. Eravelly, and F. J. Ibrahim. *Grammar Builder*. CUP, 2004 (2009).
4. Hewings, Martin. *Advanced English Grammar*. CUP, 1999 (2002).
5. Murphy, Raymond. *Essential English Grammar*. CUP, 2005.

BAL143
PRINCIPLES OF ECONOMICS

(No. of Hrs. 40-60 Hrs)

COURSE OBJECTIVES: The course aims at introducing the students to concepts of issues of Micro Economics and Macro Economics.

Module 1 provides the basic conceptual and analytical framework required for economic analysis. **Module 2** emphasises the significant role of market forces in determining prices and analyses the behaviour of consumers in revealing their preferences which is helpful to producers in taking input-price-output decisions. **Module 3** aims at analysing the production process and the role of a producer in the market. **Module 4** explains the concepts of costs, their graphical and mathematical analysis in order to cut costs and increase profits. **Module 5** aims at better understanding of markets, the competition therein and its influence on prices. **Module 6** provides the basics of national Income accounting and an overview of macroeconomics in understanding the policy framework of a country. **Module 7** aims at discussing the macroeconomic problems of countries – inflation, unemployment, poverty and the policies to resolve them. **Module 8** aims at explaining the general equilibrium in a macroeconomic set-up and elaborates on the Keynesian model of increasing government expenditure to create employment and income in society. **Module 9** gives an insight into how policies are framed at the national level and explains the fiscal and monetary policies and their role in solving the macroeconomic problems.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION TO ECONOMICS

5 Hrs.

Learning Outcome: This module helps students in understanding and appreciating economic terminology used in policy framework of any economy.

Scarcity and Choices, Macro and Micro Concepts, Schools of Economic Thought

MODULE 2: DEMAND AND SUPPLY ANALYSIS

5 Hrs.

Learning Outcome: It helps in understanding the psychology of individual economic agents like consumers and producers and their respective choices in the market.

Individual Factor Prices, Law of Demand, Elasticity of Demand, Elasticity as instrument to forecast, Supply Analysis, Supply Elasticity

MODULE 3: THEORY OF PRODUCTION**5 Hrs.**

Learning Outcome: This module gives a student deep insights into the process of production and the problems that a producer has to face and ways to resolve them in order to reach the goal of profit maximisation.

Production function, Short run laws of Production: production with one variable input, Law of Diminishing Returns, Long term Laws or Production: Production with two variable input, Isoquant Curves and their properties, Isoquant Map and economic region of production, Other forms of Isoquants, Elasticity of Factor substitution. Laws of Returns to scale through production function.

MODULE 4: COSTS**4 Hrs.**

Learning Outcome: It helps in learning about the significance of costs and the importance of reducing costs for more profits.

Understanding of various types of costs, Fixed and variable costs, opportunity costs, Externalities, Marginal, Average and Total Costs, Interrelation between different Costs, Long-run and Short-run cost curves.

MODULE 5: MARKET STRUCTURE**4 Hrs.**

Learning Outcome: Students learn about the competition and its impact on market pricing, ways to beat competition i.e. cartel formation etc.

Assumptions of different market structures Average, Marginal and Total Revenue in different markets. Price and output determination under perfect competition, Monopoly, Monopolistic competition and oligopoly.

MODULE 6: NATIONAL INCOME**4 Hrs.**

Learning Outcome: Increases overall awareness about the ways in which nations are compared, calculation of N.I etc. at macro level.

Macro Economic Overview, Concepts and Methods of National Income Accounting, GNP, GDP, NNP, NDP, at Factor costs and Market Price, Methods of computing National Income, Sectoral Approach to of computing National Income, Brief Understanding of National Income Accounting Development in India.

MODULE 7: PRICE INDICES**5 Hrs.**

Learning Outcome: Students are made aware of the problems facing any economy and the government's policies and practical difficulties regarding the same.

Understanding Price Indices, Laspayer's, Pasche's and Fisher's Index Numbers, Wholesale and Consumer Price Indices, GDP and other Indices, GDP Deflator, Measurement of Inflation, Unemployment, Types and Nature of Unemployment, Measurement of Unemployment, Poverty and Income Inequality, Head count ratio and Gini Coefficients, Magnitude of Poverty in India.

MODULE 8: MACRO-ECONOMIC EQUILIBRIUM MODELS**4 Hrs.**

Learning Outcome: It brings out the pragmatic approach of Keynes, when the market economy failed, and the government intervention model.

Basis understanding of IS and LM, Real and Money Market Equilibrium, Understanding Multipliers, Marginal Propensity, to Consume and Save, Consumption Multiplier, Investment multiplier.

MODULE 9: MONETARY AND FISCAL POLICY**4 Hrs.**

Learning Outcome: It strengthens the understanding of various official bodies involved in the policy process, their instruments for control and the difficulties faced by them.

Fiscal Instrument, Instrument of Direct and Indirect Tax, Implication of Fiscal Instruments on Economy, Monetary Policy, Instruments of Monetary Policy (CRR, SRR, Bank rates, etc.), Implication of Monetary policy on Inflation and Economy.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. Damodaran, Suma. *Managerial Economics*. Darbhanga: CentralLaw Publishing, 2010.
2. Gupta, C. S. *Macro-Economics Theory and Applications*. New Delhi: Tata McGraw-Hill Publishing Company Limited, 1970.
3. Mankiw, Gregory. *Macroeconomics*. New York: Harvard University Press, 2004.
4. Thomas, Christopher R., and Charles Maurice. *Managerial Economics: Concepts and Applications*. New Delhi: McGraw-Hill Companies, 2008 (2009).
5. Dwivedi, D. N. *Managerial Economics*. New Delhi: Vikas Publishing House Limited, 2006.
6. Dwivedi, D. N., *Macro-Economics: Theory and Policy*. New Delhi: McGraw-Hill Companies, 2006.
7. Mankiw, Gregory N. *Economic Principles and Applications*. New York: South-Western Harvard University, 2007.

BAL154
COMPUTER FUNDAMENTALS
(No. of Hrs. 40-60 Hrs)

COURSE OBJECTIVES: In this computer era, every professional has to have at least basic knowledge of computer applications. Legal profession is not an exception. For preparing pleadings and other documentation, for accessing databases and online information for the websites of courts and tribunals, for using email knowledge of computer applications is essential. This course aims at providing that basic knowledge to the students.

Further, in the recent past, a lot of research is going on to use artificial intelligence for decision making in the field of law. Advocates may use the technology to give expert advices, making professional reports and deciding the course of action to be taken using RBR (Rule-based Reasoning), CBR (Case-based Reasoning and other tools. A lawyer who has the knowledge of basic computer technology will be at an advantage compared to others.

With the fast development in information technology there is a steep rise in cyber crimes and cyber torts. There are computer related contractual and IPR issues. All these legal aspects are addressed through different courses at different semesters. This course lays a foundation for the study of those courses.

Module 1 is designed to give the students the functioning of computers. It deals with the electronic and logical aspects of computing. **Module 2** introduces students to word processing. **Module 3** introduces students to spreadsheets, **Module 4** introduces students to presentations and **Module 5** introduces students to databases.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module. There will also be Laboratory Practical Sessions.

MODULE 1: INTRODUCTION

4 Hrs.

Learning Outcome: On completion of this module students will be able to distinguish between different types of materials depending upon their electronic conduction properties and explain the reasons for that.

Electronic atomic structure, Meaning of Electronics, Structure of elements, Semiconductors, Transistors, Electronic circuit and lay-out design.

Integrated circuits and their advantages and disadvantages, classification, fabrication of components on ICs. Scale of integration.

Analog and digital signals, Binary number system, Logic Gates, Advantages and disadvantages of digital electronics.

Building blocks of computer, CPU-Memory-ALU, Input and output devices, Storage devices, Working of computer.

MODULE 2: WORD PROCESSING

6 Hrs.

Learning Outcome: On completion of this module students will be able to create, edit and format documents using Microsoft Word.

Basic terminology – Folder, file, documents – short and long, section, page, paragraph, word and character – Formatting of each of them – Bullets and numbers – Tables and fields – Cut, copy, paste, paste special – Footnotes and endnotes – Templates – Table of contents.

MODULE 3: SPREADSHEET SOFTWARE

3 Hrs.

Learning Outcome: On completion of this module students will be able to create and modify spreadsheets using Microsoft Excel.

Basic terminology – File, workbook, spreadsheet, row, column, cell – References – Some basic functions – Macros.

MODULE 4: PRESENTATION SOFTWARE

3 Hrs.

Learning Outcome: On completion of this module students will be able to create, modify and format presentations using Microsoft PowerPoint.

Basic terminology – Presentation, slides, slide layout, slide transition, animation – outlines, notes, handouts

MODULE 5: DATABASES

4 Hrs.

Learning Outcome: On completion of this module students will be able to create and modify databases using Microsoft Access and use query and form features of MS Access.

Basic terminology – Tables, queries, forms and reports.

PRACTICAL**20 Hrs.**

Understanding operating system, Word processing, Spread sheet calculations, Data base creation and maintenance, Internet

LAB EXERCISES

1. Prepare your resume of two pages and protect your document.
2. Using Word processor write a letter inviting people for a College fest.
Mail it to 10 colleges using Mail merge. Use date and time insertion, Auto text, formatting. Use find and replace to change the Venue in the merge document.
3. Prepare a Brochure for your New Enterprise using Word processor.
Use Picture, Clipart, Background, Borders, Watermark and Graphic features
4. Create a presentation to launch a new product. Use layouts, graphics, Backgrounds, Formatting and alignment. Add statistical data graphs and tables of the company's previous year's performance. Each slide should have slide number, date, Time, and the Company Name. Also prepare handouts.
5. Using Spreadsheet, project the Product sales for any five products for five years. Compute the total sales of each product in the five years.
 - a. Compute the total sales of all the products in five year.
 - b. Compute the total sales of all products for each year.

Then

 1. Represent annual sale of all the products using Pie-Chart.
 2. Represent annual sales of all products using Bar Chart.
 3. Represent sale of a product for five years using Pie-Chart.

Label and format the graphs.
6. Create a Spreadsheet for attendance maintenance for 10 students in 6 subjects. Create one sheet per Month. Calculate the total attendance per student per subject in a month. Compute the percentage in each subject for each student and total percentage for each student. Create a new worksheet for the consolidated attendance. Compute the percentage of each student in a subject for all the months. Compute total percentage of each student for the whole year. Mark all students having a shortage in a different color. Make a list of students who have shortage. Sort this list based on percentage.
7. Create a Marks card for 5 students and the marks card contains the details of student name, register number, department, semester, section and 6 subjects. Compute the total marks, percentage and grade. Check the

- percentage and individual subject marks using logical test and print the status either “Distinction” or “First Class” or “Second Class” or “Fail”.
8. Create a database for the employees in your firm. Maintain personal details in a table and Payroll details in another table. Create a Report for a given employee, which contains Name, Employee Code, Department details from his personal file and his salary details from the payroll file. Format the report.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. Sinha D. K. *Computer Fundamentals*. New Delhi: BPB Publications, 2004.
2. Bartee, Thomas C. *Digital Computer Fundamentals*. New York, McGraw-Hill, 1977.
3. Rajaraman. *Fundamentals of Computer*. NewDelhi: Prentice Hall India, 2003.
4. Deter, Richard C. *Fundamentals of Assembly Language Programming*. D C Heath & Co, 1990.

BAL165
INDIAN LEGAL AND CONSTITUTIONAL HISTORY
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: Historical evolution of any law helps the students to know the reasons behind the legislation. In the light of this historical set up it is easy to understand and interpret the provisions of law. This course aims at giving a brief overview of the history of Indian law and Constitution of India to enable the students to understand the laws of India, especially the Constitutional law in a better manner.

Module 1 is to equip students with the historical background of East India Company and its position in law. **Module 2** deals with the establishment of the Crown Courts in India. **Module 3** acquaints students with the beginning of Adalat System in India. **Module 4** deals with the Regulating Act, 1773 and the functioning of Supreme Courts. **Module 5** makes students familiar with the reforms brought by Lord Cornwallis to the Adalat System. **Module 6** deals with the establishment of High Courts under the Act of 1861. **Module 7** deals with the codification of law in India. **Module 7** deals with the Constitutional history of India.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: THE EAST INDIA COMPANY AND ITS EARLY SETTLEMENTS IN INDIA **8 Hrs.**

At the completion of this module students will be able to understand the legal history of India in a better manner as they are now equipped with the knowledge of the facts constituting its historical background.

Historical background of East India Company; Settlements at Surat, Madras, Bombay and Calcutta – Judicial system in the settlements

MODULE 2: ESTABLISHMENT OF CROWN'S COURTS IN INDIA **8 Hrs.**

At the completion of this module students will be able to explain the Charter of 1726 and enumerate the salient features of the same.

Charter of 1726, Main Features of the Charter, Mayor's Courts under the Charters of 1687 and 1726; Working of the Charter, Courts for the Natives

MODULE 3: BEGINNING OF THE ADALAT SYSTEM**7 Hrs.**

At the completion of this module students will be able to describe the Judicial Plans of 1772, 1774 and 1780 and the reforms associated with them.

Judicial Plans of 1772 and 1774 – Judicial Plan of 1780 and its working – Reforms by Sir Impey; Reforms in the Administration of Criminal Justice under Warren Hastings

MODULE 4: SUPREME COURTS AT CALCUTTA, MADRAS AND BOMBAY**7 Hrs.**

At the completion of this module students will be able to describe the provisions of the Regulating Act, 1773 and the establishment of Supreme Courts at the three Presidency Towns.

Regulating Act of 1773; Functioning and the difficulties faced by the Supreme Court at Calcutta – Raja Nand Kumar Case; The Patna Case; The Kasijora Case – Changes introduced by the Act of Settlement of 1781

MODULE 5: ADALAT SYSTEM UNDER LORD CORNWALLIS**7 Hrs.**

At the completion of this module students will be able to will be able discuss Judicial Plan of 1793 and the reforms associated with it.

The Judicial Plan of 1793 – General features, Reorganization of Courts, Other Reforms – Evaluation of the Plan of 1793 – Reforms by Lord Hastings under the Plan of 1793

MODULE 6: HIGH COURTS AND THE PRIVY COUNCIL**7 Hrs.**

At the completion of this module students will be able to discuss the establishment of High Courts and critically describe the working of Privy Council.

The Act of 1861 and the establishment of High Courts in India. Jurisdiction of the High Courts – The Working of the Privy Council; Appraisal of the Privy Council

MODULE 7: LAW AND ITS CODIFICATION**7 Hrs.**

At the completion of this module students will be able to discuss the Charter Acts of 1833, and 1853 and the reforms associated with it.

The Charter Act of 1833 and the First Law Commission; The Charter Act of 1853 and the Second, the Third and the Fourth Law Commissions

MODULE 8: CONSTITUTIONAL HISTORY OF INDIA**16 Hrs.**

At the completion of this module students will be able to understand

The Minto Morley Reforms of 1908; the Government of India Act 1919 – The Central Government, the Provincial Governments, the Provincial Executive – the Diarchy

The Government of India Act 1935 (Federal Government, the federal court and the Provincial Government); Constitutional Developments after the Act of 1935 – The Cripps Mission, the Wavell Plan, the Cabinet Mission of 1946 and the Mountbatten Plan; Indian Independence Act, 1947.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%**SUGGESTED READINGS**

1. *Debates of Constitutional Assembly.*
2. Jain, M. P. *Outlines of Indian Legal History.* Delhi: Lexis-Nexis, 2009.
3. Gandhi, B. M. V. D. *Kulashreshtha's Landmarks in Indian Legal and Constitutional History.* 8th Revised Edition, Allahabad: Eastern Book Company, 2005.
4. Cowell, Herbert. *The History and Constitution of the Courts and Legislative Authorities in India,* 6th Ed. Calcutta: Rev. S. C. Bagehi, Macker, Spink, 1936.
5. Ilbert, Courtney Sr. *The Government of India,* 2nd ed. London: Oxford University Press, 1907.

6. Keith A. B. *A Constitutional History of India, 1600-1935*, 2nd ed. Allahabad: Central Depot, 1961.
7. *Speeches and Documents on the Indian Constitution 1945 -1947* (2 Vols.) London OUP, 1957.
8. Pylee, M. V. *Constitutional History of India (1600-1950)*. Bombay: Asia 1967.

BAL166
LAW OF TORTS
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: With rapid industrialization, tort action came to be used against manufacturers and industrial units for products injurious to human beings. Presently, the emphasis is on extending the principles not only to acts, which are harmful, but also to failure to comply with standards that are continuously changing due to advancement in science and technology. Product liability is now assuming a new dimension in developed economics.

Module 1 introduces students to the law of torts and to the principles of tortious liability and distinguishes torts from crimes and breaches of contract. **Module 2** is designed to make the students know and understand various defences available to the defendant in a suit for torts. **Module 3** is to introduce the students to the concept of *locus standi* and of disability and immunity. **Module 4** is designed to acquaint the students with the circumstances under which one person may be liable for the wrongs done by another and with the concepts of employer and employee relationship and the concept of individual agency, as well as with the doctrine of sovereign immunity. **Module 5** is to acquaint students with the different torts against persons and personal relationships and the circumstances in which a person is liable for committing such torts. **Module 6** is to acquaint students with the different torts against properties and the circumstances in which a person is liable for committing such torts. **Module 7** acquaints students with the mental elements involved in a tort, especially negligence, the extent of liability and the liabilities of different professional for negligence. **Module 8** is designed to acquaint the students with the concept of no fault liability. **Module 9** is designed to acquaint the students with the different remedies available to the victim of a tort and the circumstances in which they are available.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: EVOLUTION DEFINITION, NATURE, SCOPE AND OBJECTS OF LAW OF TORTS **5 Hrs.**

Learning Outcome: On completion of this module students will be able to describe tortious liability in general and distinguish the same from crimes and breaches of contracts.

Principles of justice equity and good conscience – un-codified character-advantages and disadvantages; a wrongful act – violation of duty imposed by law, duty which is owed to people generally (*in rem*) – *damnum sine injuria* and *injuria*

sine damno; Tort distinguished from crime and breach of contract; Changing scope of law of torts: Objects – prescribing standards of human conduct, redressal of wrongs by payment of compensation, proscribing unlawful conduct by injunction; Principles of Liability – Fault; Wrongful intent; Negligence; Liability without fault; Place of motive in torts.

MODULE 2: DEFENCES IN ACTIONS FOR TORTS

8 Hrs.

Learning Outcome: On completion of this module students will be able to frame defences to the hypothetical cases presented to them.

Justification – *Volenti non fit injuria*; Necessity, private and public; Plaintiffs default; Act of God; Inevitable accident; Private defense; Statutory authority; Judicial and quasi-judicial acts; Parental and quasi-parental authority.

Extinguishment of Liability in Certain Situation – *Actio personalis moritur cum persona* – exceptions; Waiver and acquiescence; Release; Accord and satisfaction; Limitation.

MODULE 3 – STANDING AND CAPACITY

3 Hrs.

Learning Outcome: On completion of this module students will be able to advise whether the suit may be instituted by a hypothetical plaintiff and whether a suit is maintainable against a hypothetical defendant.

Who may sue – aggrieved individual – class action – social action group; Statutes granting standing to certain persons or groups

Who can be sued and who cannot be sued

MODULE 4: VICARIOUS LIABILITY

6 Hrs.

Learning Outcome: On completion of this module students will be able to find the liability of an employer, a principal or government in cases of the given hypothetical facts.

Basis, scope and justification; Express authorization; Ratification; Abetment; Special Relationships: Master and servant – arising out of and in the course of employment – who is master? – the control test – who is servant? – borrowed servant – independent contractor and servant, distinguished; Principal and agent; Corporation and principal officer.

Doctrine of Sovereign Immunity

MODULE 5: TORTS AGAINST PERSONS AND PERSONAL RELATIONS 10 Hrs.

Learning Outcome: On completion of this module students will be able to discuss the liability of the defendant on hypothetical facts.

Assault, battery, False imprisonment; Defamation – libel, slander including law relating to privileges; Marital relations, parental relations, master and servant relations; Malicious prosecution; Nervous shock.

MODULE 6: WRONGS AFFECTING PROPERTY**10 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the liability of the defendant on hypothetical facts.

Trespass to Land, Trespass *ab initio*, Dispossession; Nuisance: Definition, Essentials and Types; Acts Which Constitute Nuisance – Obstructions of Highways, Pollution of Air, Water, Noise, and Interference with Light and Air.

Movable Property – Trespass to Goods, Detinue, Conversion; Torts Against Business Interests – Injurious Falsehood, Misstatements, Passing off.

MODULE 7: NEGLIGENCE**8 Hrs.**

Learning Outcome: On completion of this module students will be able to find the nature and extent of liability of the defendant on hypothetical facts.

Basic concepts, Theories of negligence, Standards of care, duty to take care, carelessness, inadvertence, Doctrine of contributory negligence, *Res ipsa loquitur* and its importance in contemporary law; Liability due to negligence: different professionals; Liability of common carriers for negligence; Product liability due to negligence: liability of manufacturers and business houses for their products.

MODULE 8: STRICT LIABILITY AND ABSOLUTE LIABILITY**5 Hrs.**

Learning Outcome: On completion of this module students will be able to fix the liability even in the absence of negligence in certain cases.

The rule in *Rylands v. Fletcher*, Liability for harm caused by inherently dangerous industries. Development of Law beyond Strict Liability Absolute Liability *M. C. Mehta vs. UoI*.

MODULE 9: LEGAL REMEDIES**5 Hrs.**

Learning Outcome: On completion of this module students will be able to fix the liability for torts on a set of hypothetical facts.

Legal remedies, Award of damages – simple, special, punitive. Unliquidated Damages – Remoteness of damage-foreseeability and directness, Shortened Expectation of Life, Injunction, Specific restitution of property; Extra-legal remedies- self-help, re-entry on land, re-capture of goods, distress damage feasant and abatement of nuisance.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%**SUGGESTED READINGS**

1. Singh, Guru Prasanna. *Ratanlal & Dhirajlal's Law of Torts*, 25th ed. New Delhi: Wadhwa & Co, 2006.
2. Jones, Michael A. *Text book on Torts*. New Delhi: Lawman. 1995.
3. Lakshminath, A. and Sridhar M. *Ramaswamy Iyer's Law of Torts*, 10th ed. New Delhi: Lexisnexis, 2007.
4. Weir, Tony. *Introduction to Tort Law*, 2nd ed. New York: Oxford University Press, 2006.
5. Pillai, P. S. A. *Law of Tort*. 9th ed. Lucknow: Eastern Book-Co., 2004.
6. Dugdale, Anthony, ed. *Clerk & Lindsell on Torts*, 19th ed. London: Sweet & Maxwell, 2006.
7. Howarth, D. R., Hepple Howarth, and Mathews. *Tort: Cases & Materials*. London: Oxford University Press, 2005.
8. Weir, Tony. *Case book on Tort*. 10th ed. London: Sweet & Maxwell, 2004.
9. Rogers, W. V. H. *Winfield & Jolowicz on Tort*, 7th ed. London: Sweet & Maxwell, 2006.
10. Harpwood, Vivienne. *Law of Tort*. London: Cavendish, 1994.
11. Giliker, Paula. *Tort*. London: Sweet & Maxwell, 2008.

12. Rogers, W. V. H. *Winfield & Jolowicz on Tort*. 7th ed. London: Sweet & Maxwell, 2006.
13. Brazier, Margaret. *Street on Torts*. 9th ed. London: Butterworths, 1993.
14. Epstein, Richard. *Torts*. New York: Aspen Law & Business, 1999.
15. Samuel, Geoffrey. *Tort: Cases & Materials*. 2nd ed. London: Sweet & Maxwell, 2007.
16. Rogers, W. V. H. *Tort*. London: Sweet & Maxwell, 2002.

SECOND SEMESTER

BAL211 POLITICAL THEORY – II

(No. of Hrs. 40-60 Hrs)

COURSE OBJECTIVES: This course aims at introducing the students to different contemporary but contradictory theories that have shaped the ideas of many a ideologue. Understanding of the same would keep the students in good stead to appreciate the the underlying legal concepts effectively.

Module 1 would entail an introduction to themes like democracy and justice and also to the ideology of liberalism. **Module 2** will introduce the students to the origins and key principles of conservatism. It will also entail a discussion on contemporary conservative parties and groups. **Module 3** will deal with the origins and key concepts of socialism. **Module 4** will deal with the key ideas of fascism and also the important events like the holocaust that are related to fascism. **Module 5** will deal with the core themes of anarchism and the writings of its key exponents. **Module 6** will deal with the phenomena of religious fundamentalism that is ever rising and it seeks to provide explanations for this growth. **Module 7** will deal with the issue of post-colonialism and minority rights. **Module 8** will be an open discussion on the impact of ideology and how to make sense of this in the 21th century.

TEACHING METHODOLOGY: Lecture, Group Discussions, Power Point Presentation, as per the requirement of each module.

MODULE 1: WORLDVIEWS AND IDEOLOGIES

6 Hrs

Learning Outcome: Students will be able to appreciate the key tenets of liberalism which has played a huge role in the evolution of legal systems and constitutions in democratic polities.

Liberalism – origins, core themes of individual, freedom justice, the liberal state, liberal idea of democracy

MODULE 2: CONSERVATISM

6 Hrs

Learning Outcome: Students will exposed to the key principles of conservative thought and will also be able to appreciate the current status of conservative movements.

Origins, core themes of tradition, human imperfection, hierarchy, the new right

MODULE 3: SOCIALISM**8 Hrs.**

Learning Outcome: Students will be in a position to understand the key tenets of socialism and how this ideology influences policy making.

Origins, core themes of community, equality, common ownership, types of socialism, socialism in the 21st Century.

MODULE 4: FASCISM**8 Hrs.**

Learning Outcome: Students will be able to understand the adverse impact that fascism has had on humanity. They will also be in a position to know more about genocides and war crimes.

Origins, core themes of anti-rationalism, totalitarianism, elitism, the politics of race, Nazism – The Holocaust

MODULE 5: ANARCHISM**8 Hrs.**

Learning Outcome: Students will be able to appreciate the key concepts behind this ideology.

Origins and development, core themes of anti-statism, economic freedom, libertarianism, anarcho-capitalism

MODULE 6: RELIGIOUS FUNDAMENTALISM**8 Hrs.**

Learning Outcome: Students will be able to analyse the phenomenon of religious fundamentalism and its connection with terrorism.

Origins, religion and politics, anti-modernism, militancy, terrorism

MODULE 7: MULTICULTURALISM**8 Hrs.**

Learning Outcome: Students will be able to appreciate the complexities of multiculturalism, identity politics and post-colonialism

Origins, core themes of unity and diversity, post – colonialism, minority rights, identity and culture

MODULE 8: A POST IDEOLOGICAL AGE**8 Hrs.**

The end of ideology and end of history debate – The clash of civilizations – Huntington Thesis

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
	TOTAL 100%

SUGGESTED READINGS

1. Bailyn, Bernard. *The Ideological Origins of the American Revolution*. The Kelknap Press of Harvard University Press, 1968.
2. Kolakowski, Leszek, and P. S. Falla. *Main Currents of Marxism : The Founders, the Golden Age, the Breakdown*. New York; London: W. W. Norton, 2005.
3. Macpherson, C. B. *The Political Theory of Possessive Individualism : Hobbes to Locke*. New ed., Ont; Oxford: Oxford University Press, 2011.
4. Popper, Karl R. *The Open Society and Its Enemies*. 5th ed. ed: [S.l.]: Routledge and Kegan Paul, 1966 (1969).
5. Raz, Joseph. *The Morality of Freedom*. Oxford: Clarendon, 1986.
6. Talmon, J. L. *The Origins of Totalitarian Democracy*. London: 1970.
7. Waldron, Jeremy “Theoretical Foundations of Liberalism”, *The Philosophical Quarterly*, Vol. 37, No. 147 (Apr., 1987), pp. 127-150.

BAL232
COMMUNICATIVE ENGLISH
(No. of Hrs. 40-60 Hrs)

COURSE OBJECTIVES: To facilitate the students in becoming good listeners and effective communicators, through understanding of the self and utilizing their communication skills in enhancing interpersonal relationships.

Module 1 is designed to help the students in understanding the significance of verbal & non-verbal communication. **Module 2** facilitates in creating an awareness and understanding about the need for effective listening. **Module 3** is to help students in recognising their strengths and weaknesses and enable them to overcome their weaknesses. **Module 4** aims at helping students in understanding how perception influences communication. **Module 5** is designed to enable students in understanding the need for a healthy environment in the context of communication. **Module 6** enables students in understanding how to build healthy interpersonal relationships through communication. **Module 7** is to enable students in understanding what conflict is and how to deal with them in a positive way.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: COMMUNICATION

8 Hrs.

Learning Outcome: At the completion of this module students will have a clear idea of communication and the impact of negative mannerisms.

What is communication? Communication cycle - different types of communication – verbal and non verbal – oral and written – body language – gestures – silence- principles of communication – barriers to communication.

MODULE 2: LISTENING SKILLS

8 Hrs.

Learning Outcome: At the completion of this module students will be able to understand the need and significance of effective listening.

Importance of listening – Challenges of listening – reasons for listening – types of listening – barriers in listening – how to be an effective listener – case study – listening-centred activity.

MODULE 3: SELF DEVELOPMENT AND COMMUNICATION**10 Hrs.**

Learning Outcome: At the completion of this module students will be able to understand themselves and their behaviour in different situations.

Introduction, what is self development, objectives of self development, how self development improves communication, how to develop oneself, body language & self development.

MODULE 4: COMMUNICATION AND THE CONCEPT OF SELF**10 Hrs.**

Learning Outcome: At the completion of this module students will be able to understand how their behaviour and communication creates perceptions in others.

Intrapersonal communication as impression management – intrapersonal communication – perception – perception process – influence on perception, common tendencies.

MODULE 5: COMMUNICATION CLIMATE**6 Hrs.**

Learning Outcome: At the completion of this module students will be able to understand the need to create a healthy environment through communication.

What is communication climate? How communication climates develop – creating positive climates – transforming negative climates.

MODULE 6: INTERPERSONAL RELATIONSHIPS**6 Hrs.**

Learning Outcome: At the completion of this module students will be able to understand the role and significance of communication in building interpersonal relationships.

Goals of interpersonal relationships – why we form relationships – communication and relational states – communicating about relationships – compliance gaining in interpersonal relationships – making relationships work.

Theories of interpersonal relationships – feedback – supportive-defensive climates – Johari's window – how does it help in improving interpersonal relationships

MODULE 7: CONFLICT**6 Hrs.**

Learning Outcome: At the completion of this module Students are able to look at conflicts in a positive way and examine how they can contribute to relationship building in a healthy way.

What is conflict? Functional and dysfunctional conflicts – types and sources of conflict – effects of conflict – conflict management – conflict resolutions.

BAL243
INSTITUTIONAL ECONOMICS

(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: The course aims at introducing the students to basic concepts of Institutional Economics and sensitize them to various problems relating to information asymmetry, property rights and transaction costs by bringing in cases from the real world.

Module 1 introduced different streams of economic thought. It traces the evolution of Institutional economics as an alternative to main stream economics. Its objective is to make the students to realise there are different perspectives and alternative solutions to economic problems. **Module 2** brings to light the defects of Main stream economics. Introduces different techniques of conflict resolution. **Module 3** explains different theories of Property. It elaborates the problems of ill defined property rights. **Module 4** introduces the concept of transaction cost, which has led revolutionary thinking in economics. It helped in integrating law and economics. **Module 5** concentrates in practical application of New Institutional Economics to public policy and environment problems.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: BASIC INTRODUCTION TO INSTITUTIONAL ECONOMICS 10 Hrs.

Learning Outcome: On completion of this module students will be able to discuss about different streams of economic thought.

Institutional Economics as a departure from Neo-classical and Marxian economic.
Historical development of Institutional Economics, Old and New Institutional Economics
Core issues in New Institutional Economics

MODULE 2: PROBLEMS OF INFORMATION ASYMMETRY 12 Hrs.

Learning Outcome: On completion of this module students will be able to point out the defects of mainstream economics.

Social *vis-à-vis* Individual Choices, Neo classical Maximization *vis-à-vis* Methodological Individualism, Prisoners dilemma and Nash equilibrium, Principal-Agent, Problem Problems of Adverse Selection, Problem of Moral Hazard

MODULE 3: PROPERTY RIGHTS ISSUES

13 Hrs.

Learning Outcome: On completion of this module students will be able to describe the origin of property and discuss about the need for property rights.

Concepts of Property and defining Property Rights, Problems of ill defined property rights, Externalities-Market failure and property rights, Issues relating to ill-defined property rights Hardin's Tragedy of Commons, Collective Action, and Assurance Problem

MODULE 4: TRANSACTION COSTS AND BOUNDED RATIONALITY

13 Hrs.

Learning Outcome: On completion of this module students will be able to explain the new thinking in economics and law led by Coase theory.

Issues relating to transaction costs, Social cost *vis-a vis* individual costs, Identification and measurement of transaction costs, Coase Theorem, Bounded Rationality

MODULE 5: APPLICATIONS OF NIE

12 Hrs.

Learning Outcome: On completion of this module students will be able to discuss about NIE and the issues addressed through it.

Application of NIE in Public policy, Insurance Sector, Market for Lemons, Social issues, Ecological and environmental Issues.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. Nilakantan, S. – *Governance and Economic Development: A Comparative Institutional Approach* Kasper and Streit, Edward Elgar Publishing, 1998.
2. Furubotn, Eirik Grundtvig, and Rudolf Richter. *Institutions and Economic Theory: The Contribution of the New Institutional Economics*. 2nd ed Ann Arbor, Mich.: University of Michigan Press, 2005.
3. Olson, Mancur. *The Logic of Collective Action : Public Goods and the Theory of Groups*. Cambridge Massachusetts and London: Harvard University Press, 1977.
4. Shaw, Marvin E. *Group Dynamics: The Psychology of Small Group Behaviour*. 3rd ed., New York; London: McGraw-Hill, 1981.
5. Furubotn, Eirik G., and Rudolf Richter. “Institutions and Economic Theory” Select Articles of Stieglitz, Akerlof, Hardin. Ann Arbor; The University of Michigan Press, 2005.
6. Cooter, Robert and Thomas Ulen. *Law and Economics*, 3rd ed. Massachusetts: Addison-Wesley, 2000.
7. Menard, Claude and Mary M. Shirley. *Handbook of New Institutional Economics*. Springer, 2008.
8. Varian, Hal R. *Intermediate Microeconomics: A Modern Approach*. 8th edition. W. W. Norton & Company, 2009.

BAL254 COMPUTER PROGRAMMING

(No. of Hrs. 40-60 Hrs)

COURSE OBJECTIVES: To acquaint students with computer technology and related legal issued. This course will help the students to understand cyber law, computer related issues of competition law and IPR at a later stage in the curriculum, in a better way.

Module 1 is designed to acquaint students with the concepts of program and programming, and also the technique of program development. **Module 2** is to acquaint students with different levels of programming languages and about source code, object code and executable files. **Module 3** is designed to make the students understand the significance of operating system and its relationship with application software. **Module 4** makes the students understand the working of computer networks and their vulnerability and gives a clear understanding of computer and data security. **Module 5** is designed to give the students a practical experience of the aspects covered by modules 1 and 2.

TEACHING METHODOLOGY: Lectures, problem solving and group discussion shall be used as main methods, and PowerPoint presentations, simulation exercises, etc. shall also be used as per the requirement of each module. There will also be Laboratory Practical Sessions.

MODULE 1: INTRODUCTION TO PROGRAMMING

4 Hrs.

Learning Outcome: On completion of this module students will be able to show a clear picture of different generations of computer programs and the stages involved in development of computer programs.

Evolution of the components of a programming system, computer program development and techniques, algorithms, flowcharts

MODULE 2: PROGRAMMING LANGUAGES

4 Hrs.

Learning Outcome: On completion of this module students will be able to grasp terms like open source software, reverse engineering, etc. which they will be studying IPR course.

Machine language, Assembly Language, High-Level Language, Assembler, Compiler, Loaders, Macros, Number system – Legal issues related to software

MODULE 3: OPERATING SYSTEM**4 Hrs.**

Learning Outcome: On completion of this module students will be able to grasp the computer related issues of competition law.

Evolution, I/O Programming, Communication between CPU and I/O devices, Application packages – Legal issues related to operating systems

MODULE 4: NETWORKING**4 Hrs.**

Learning Outcome: On completion of this module students will be able to relate the issues of computer system security and data privacy.

Client and Server, LAN, WAN, Internet, TCP/IP, Domain Names, ICANN and UDRP – Network security and cyber crimes – Legal issues related to domain names

MODULE 5: PROGRAMMING IN C**24 Hrs.**

Learning Outcome: On completion of this module students will be able to have a first hand experience of developing computer programs.

Data types, integers and floating point numbers, Syntax of statements, Printf & scanf, IF statement, Control Structure

LIST OF LAB PROGRAMS

1. Write a program to display your name and address using only the printf statement.
2. Write a program to accept and display variables of different data types.
3. Write a program to accept two numbers of same data type (int, float, double) and modifiers and display their sum, difference, product, quotient and remainder.
4. Write a program to calculate the average of four numbers.
5. Write a program to calculate the Simple Interest.
6. Write a program to find the larger of two numbers using conditional operator.
7. Write a program to print whether a given number is odd or even.(use modulus operator)

8. While purchasing certain law books, a discount of 10% is offered if the number purchased is more than 1000. If the number of books purchased and price per book are given as input, write a program to calculate the total expenses. (Use if statement)
9. In a law firm an employee is paid as under:
- If his salary is less than Rs. 10000, then his HRA is 10% and DA is 90% of his basic salary.
 - If his salary is either Rs. 1000 or more, then his HRA is Rs. 5000 and DA is 98% of his basic salary.
- Write a program to find an employee's salary if the his basic salary is provided. (Use if...else)
10. Write a program to print the day of the week using switch statement.
11. Write a program to input the scores of students and print their grades.

Score Range	Grade
90 – 100	A++
70 – 89	A+
60 – 69	A
50 – 59	B
35 – 49	C
< 35	D

12. Write a program to find the sum of first ten numbers.(use for ... loop)

SCHEME OF VALUATION

- | | |
|--|-------|
| 1. CIA I – Mid Semester Examination | – 25% |
| 2. CIA II – Class Test / Assignment / Presentation | – 10% |
| 3. CIA III – Research Topic | – 10% |
| 4. Attendance | – 05% |
| 5. End Semester Examination | – 50% |

TOTAL 100%

SUGGESTED READINGS

1. Edwards, Alistair D. N. *Get Set for Computer Science*. Edinburgh: Edinburgh University Press, 2006.
2. Harris, Simon and James Ross. *Beginning Algorithms*. Indianapolis: Wiley Publishing, Inc., 2006.
3. Heineman, George T., Gary Pollice, and Stanley Selkow. *Algorithms in a Nutshell*. Sebastopol, CA: O'Reilly, 2009.
4. Tymann, Paul and Carl Reynolds. *Schaum's Outline of Principles of Computer Science*. New-York. McGraw-Hill, 2008.
5. *Sams Teach Yourself TCP/IP in 24 Hours*. Indiana: Sams Publishing, 2009.
6. Alcott, Neall. *DHCP for Windows 2000*. Seebastopol, CA: O'Reilly, Inc., 2001.
7. Rajaram N. V. *Principles of Computer Programming*. New Delhi: Prentice Hall, 1970.
8. Hadley, G. *Linear Programming*. Delhi: Narosa, 1987.
9. Balaguruswamy. *Programming in Basic*. McGraw-Hill, 2004.
10. Douglas, Downin G. *Computer Programming in Basic: The Easy Way*. Barron's Educational Series Inc., 1983.
11. Kernighan, Brian W. and Rob Pike. *The Practice of Programming*. Massachusettes: Addison-Wesley, 1999.
12. Kanetkar, Yashwant P. *Let Us C*. 8th ed. Sudbury, MA: Jones & Bartlett Publishers, 2008.
13. Kernighan, Brian W. and Dennis M. Ritchie. *The C Programming Language*. 2nd edition. New York: Prentice Hall, 1988.
14. Chisholm, Paul S. R., et al. *SAM's C Programming: Just the FAQs*. Indiana: Sams Publishing, 1995.
15. Prata, Stephen. *C Primer Plus*. 5th ed. Sams, 2004.
16. Lodder Arno R. and Anja Oskamp. *Information Technology and Lawyers: Advanced Technology in Legal Domain, from Challenges to Daily Routine*. Dordech, The Netherlands: Springer, 2006.

BAL265
LEGAL METHODS
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: A lawyer is most often faced with the primary task of problem solving and advising on the course of action most suited to the interests of the client. The problem may be complex in nature and may involve different branches of law. It will require sieving the material facts from the immaterial ones. Learning where and how to find the law is as important as the substantive study of various laws. The understanding of facts is critical to the process of identifying favourable precedents and distinguishing the case at hand from other authoritative rulings, which are not in direct support of one's proposition. The strength of a legal argument lies in the thoroughness of the research, which must also be clearly presented, in writing and orally.

The course on Legal Method 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, etc.

Module 1 is designed to introduce students to the meaning and definition of law and the function and classification of laws. **Module 2** deals with sources of law. **Module 3** is to introduce students to some of the important the fundamental concepts underlying the Indian law. **Module 4** is to introduce the students to legal reasoning its employment in deciding cases.. **Module 5** introduces students to the reading of judgements and to analyse and understand them. **Module 6** is to introduce the students to legal research and the steps involved in it along with some basic idea of statistics for analysing the data.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: MEANING AND CLASSIFICATION OF LAWS

10 Hrs.

<p>Learning Outcome: On completion of this module students will be able to distinguish between the different types of laws.</p>
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Meaning and definition; Functions of law; Classification of laws: Public and Private Law, Substantive and Procedural Law, Municipal and International Law

MODULE 2: SOURCES OF LAW**10 Hrs.**

Learning Outcome: On completion of this module students will be able to tell the different sources of law and their relationship *inter se*.

Meaning; Primary and Secondary sources; Custom; Precedent, *stare decisis*, *Ratio decidendi*, *obiter dictum*; Legislations, Juristic writings; Justice, Equity and Good Conscience, International law – implementation of international law

MODULE 3: BASIC CONCEPTS OF INDIAN LEGAL SYSTEM**10 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the important the fundamental concepts underlying the Indian law.

Common Law; Constitution as the Basic Law; Rule of Law; Separation of Powers; Judicial system in India, Civil and Criminal Law, Hierarchy of Courts in India, Fora and Tribunals. Alternative Dispute Resolution Methods. Arbitration, Negotiation, Mediation and Conciliation. *Lok Adalats*.

MODULE 4: LEGAL REASONING**6 Hrs.**

Learning Outcome: On completion of this module students will be able to read, analyse and understand legal writings, and to narrate the reasoning employed by judges in their judgements.

Legal materials – Case law, Case Briefing; Statutes, Reports, Journals, Manuals, Digests etc.; Use of Law Library; Importance of legal research; Techniques of Legal Research; Legal writings and citations; Judicial Reasoning; Analogizing – the application of principles laid down in similar cases, static and dynamic analogy; Case Synthesis.

MODULE 5: READING AND ANALYSIS OF LANDMARK JUDGEMENTS**10 Hrs.**

Learning Outcome: On completion of this module students will be able to read judgements, and to analyse and understand the principles laid down in them.

Reading and analysis of various landmark judgements in Constitutional Law, Criminal Law and the Law of Torts.

MODULE 6: LEGAL RESEARCH**14 Hrs.**

Learning Outcome: On completion of this module students will be able to understand the meaning of research and the steps involved in legal research. They will also apply some basic statistical methods to analyse data.

Research – Meaning – Reflective thinking – Dewey-Kelly system – Doctrinal and Non-doctrinal Methods – Basic statistical tools

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL	100%

SUGGESTED READINGS

1. Willains, Glanville. *Learning the Law*. 15th ed. Sweet & Maxwell, 2011.
2. Aggarwal, Nomita. *Jurisprudence (Legal Theory)*, 8th ed. Darbhanga: Central Law Publishing, 2010.
3. Tripathi, B. N. M. *An Introduction to Jurisprudence and Legal Theory*. Allahabad: Allahabad Law Agency, 2001.
4. Cardozo, Benjamin N. *The Nature of Judicial Process*. New Delhi: Universal Book Publishing, 2006.
5. *Indian Legal System*. 2nd Revised Edition. New Delhi: Indian Law Institute Publication, 2008.
6. *Legal Research and Methodology*. New Delhi: Indian Law Institute Publication, 2001.
7. Zander, Michael. *The Law Making Process*, 6th ed. 2004.
8. Hanson, Sharon. *Legal Method and Reasoning*, 2nd ed. London: Cavendish, 2003.
9. Sathe, S. P. *Judicial Activism in India – Transgressing Borders and Enforcing Limits*, 2nd ed. 2003.
10. Calleros, Charles R. *Legal Method and Writing*. 5th ed. New York, 2006.
11. Minattur, Joseph. *Indian Legal System*. New Delhi: Indian Law Institute, 2006.

12. McCormick, Neil. *Legal Reasoning and Legal Theory*. Oxford: Clarendon Press, 1978, [1994].
13. Verma, S. K. *Legal Research and Methodology*. 2nd ed. New Delhi: Indian Law Institute, 2001.
14. Lakshminath, A. *Precedent in Indian Law*. 3rd ed. Lucknow: Eastern Book Co., 2010.
15. Slapper, Gary. *English Legal System*. 8th ed. Routledge. New York, 2006.
16. Reddi, Padala Rama. *Advocates Practice*. 6th ed. Hyderabad, Paddla Rama Reddi Law College, 2006.
17. Knowles, John. *Effective Legal Research*. London: Sweet & Maxwell, 2006.
18. Finch, Emily. *Legal Skills*. 2nd ed. Oxford : Oxford University Press, 2007.
19. Dewey, John. *How We Think*. Digireads.com, 2010.

BAL266
LAW OF CONSUMER PROTECTION AND MOTOR VEHICLES
ACT

(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: This course is designed to impart the fundamental notions of consumerism, rights of consumers, and dispute resolution mechanism on the one hand, and the relevance of the MV Act on the other. It would equip the students to analyse the relevance of consumers' rights *vis-a-vis* globalization.

Module 1 is designed to introduce students to the basic principles of consumer law. **Module 2** acquaints the students with the provisions of the Consumer Protection Act, 1986. **Module 3** is to introduce students to the jurisdiction, powers and functions of Consumer Disputes Redressal Agencies. **Module 4** is designed to make the students understand the necessity of regulation of motor vehicles and the regulatory framework for the same. **Module 5** acquaints the students with the registration of motor vehicles. **Module 6** is to acquaint the students to the various liabilities arising out of wrongful use of motor vehicles.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

10 Hrs.

Learning Outcome: On completion of this module students will be able to describe the basic concepts of consumer law.

Development of consumer law and policy, *Caveat emptor* to *caveat venditor*, Consumerism and neo-liberalism, Globalization and consumer law

MODULE 2: REGULATORY FRAME WORK

10 Hrs.

Learning Outcome: On completion of this module students will be able to identify consumers, defects in goods and deficiencies in services.

Consumer Protection Act, 1986 – Objectives, Meaning of consumer, Protection of consumer, Deficiency in goods and services, Consumer Councils

MODULE 3: CONSUMER DISPUTES REDRESSAL AGENCIES**10 Hrs.**

Learning Outcome: On completion of this module students will be able to tell the remedies available to the aggrieved consumers and the forum where they are available.

District forum, State commission, National commission, Consumer Law Board

MODULE 4: MOTOR VEHICLES**10 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the need for regulation and explain the regulatory framework.

Introduction, Necessity of licensing and regulation, Motor Vehicle Act, 1988 – objectives and framework, Licensing of drivers of motor vehicles, Licensing of conductors of stage carriages

MODULE 5: REGISTRATION OF MOTOR VEHICLES**10 Hrs.**

Learning Outcome: On completion of this module students will be able to describe the provisions of the Motor Vehicles Acts relating to registration of motor vehicles.

Necessity of registration, Procedure for registration, No-objection certificate, Age limit for motor vehicles, Control of transport vehicles, Provisions relating to state transport undertakings, Construction, equipment and maintenance of motor vehicles, Control of traffic, Motor vehicles temporarily leaving or visiting India

MODULE 6: LIABILITY**10 Hrs.**

Learning Outcome: On completion of this module students will be able to fix liabilities arising out of wrongful use of motor vehicles.

Liability to pay compensation, permanent disablement, insurance of motor vehicles, against third party risks, Motor Vehicles Claims Tribunal, offences and penalties under the Act

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL 100%	

SUGGESTED READINGS

1. Wadhwa, Justice D. P. (ed). *The Law of Consumer Protection*. New Delhi: Wadhwa and Company Nagpur, 2006.
2. Nayak, Rajendra Kumar. *Consumer Protection Law in India: An Eco-legal Treatise on Consumer Justice*. Bombay: N. M/ Tripathi Pvt Ltd., 1991.
3. Sheth, Dilip K. *Treatise on Consumer Protection Law (Law & Practice)*. Mumbai: Snow White, 2003.
4. Agarwal, Dr V. K. *Bharat's Consumer Protection (Law & Practice)* 6th ed. New Delhi: B. L. H. Publishers and Distributors Pvt. Ltd., 2008.
5. Singh, Avtar. *Law of Consumer Protection (Principles & Practice)* 4th ed. Lucknow: Eastern Book Co., 2005.
6. Majumdar, P. K. *Law of Consumer Protection in India* 5th ed. New Delhi: Orient Publishing Company, 2003.
7. Sarkar, Utpal Ranjan. *Sarkar's Motor Accidents: Motor Insurance Claims & Compensation*. New Delhi : Sodhi Publications, 2004.
8. Raju, Doraiswamy. *Supreme Court Motor Accident Judgements (1995-2006)*. New Delhi, India Law House, 2007.
9. *Sengupta's Commentary on Motor Vehicles Act*. 3rd ed. Allahabad, Dwivedi Law Agency, 2006.
10. Kannan, K., and N. Vijayaraghavan. *MLJ Motor Vehicle Laws (2 Vols)*. 13th ed. New Delhi: LexisNexis Butterworths Wadhwa & Company Nagpur, 2008.
11. *Ejaz Ahmad's An Exhaustive Commentary on Motor Vehicles Act*. 4th ed. Revised by Anil Sachdeva. Jodhpur: Unique Law Publishers, 2007.

THIRD SEMESTER

BAL311 INDIAN GOVERNMENT AND POLITICS - I

(No. of Hrs. 40-60 Hrs)

COURSE OBJECTIVES: The course looks at the evolution and consolidation of Indian govt and polity from a socio-political angle from freedom struggle onwards. It paves the way for a better understanding of the working of Indian Constitution.

Module 1 gives a glimpse of struggle for freedom by India. **Module 2** deals with the socio-economic dimensions of the nationalist movement. **Module 3** conceptualises Indian State. **Module 4** deals with the salient features of Indian Constitution. **Module 5** is to throw light on the system of democracy in India.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: NATURE OF INDIAN FREEDOM STRUGGLE

12 Hrs.

Learning Outcome: At the completion of this module students will be conversant with the Indian struggle for freedom and will be in a position to describe the various movements associated with it.

From constitutionalism to Mass *Satyagraha*, Revolutionary movements Non Co-operation, Civil disobedience and Quit India, Indian Naval uprising, Indian National Army; role of women in freedom struggle.

MODULE 2: SOCIO-ECONOMIC DIMENSIONS OF THE NATIONALIST MOVEMENT

12 Hrs.

Learning Outcome: At the completion of this module students will be in position to explain the socio-economic dimensions of the nationalist movement.

The communal question and the demand for partition; backward caste movements, Trade union and Peasant movements, Civil rights movement.

MODULE 3: CONCEPTUALISING THE INDIAN STATE**12 Hrs.**

Learning Outcome: At the completion of this module students will have a clear picture of the federal structure of India.

The question of National Identity, Centre-State Relations, State Reorganisation Commission (SRC), The Nationality Question in India, Human Rights and the Indian State.

MODULE 4: SALIENT FEATURES OF THE INDIAN CONSTITUTION**12 Hrs.**

Learning Outcome: At the completion of this module students will have the basic idea of the salient features of Indian Constitution.

The Preamble, Fundamental Rights and Duties, Directive Principles; federalism, parliamentary system; amending procedures; judicial review.

MODULE 5: INDIAN DEMOCRACY: CHALLENGES AND PROSPECTS**12 Hrs.**

Learning Outcome: At the completion of this module will be able to critically and analytically discuss about the Indian democracy and the issues related to it.

The crisis of Governance, the Kashmir crisis, Insurgency in the North-East, terrorism in Punjab, Maoist violence. Terrorism by International Fundamentalist Groups.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%**SUGGESTED READINGS**

1. Tharoor, Shashi. *A Myth and an Idea*. New Delhi: Arcade Publishing, 1997.
2. Cohen, Stephen P. *Situating India*. London: Oxford University Press, 2001.

3. Brass, Paul R. *Continuities and Discontinuities between Pre and Post Independent India* in *The Politics of India Since Independence*. 2nd Edition. London: Cambridge University Press, 1994.
4. Guha, Ranajit. *Subaltern Studies: An Introduction*. Oxford: Oxford University Press, 1988.
5. Charterjee, Partha. *India: An Introduction*. Delhi: Oxford University Press, 1995.
6. Sathyamurthy, T. V. *The Impact of Centre-State Relations on Indian Politics: An Interpretative Reckoning: 1947-1987* in Charterjee, Partha (Ed.) *State and Politics in India*. Delhi: Oxford University Press, 1997.
7. Kaviraj, Sudipta. *A Critique of the Passive Revolution*. *Economic and Political Weekly*, Vol. 23, No. 45/47, Special Number (Nov., 1988), pp. 2429-2433+2436-2441+2443-2444.
8. Kothari, Rajni. *The Crisis of the Modern State and the Decline of Democracy* in Lyon, Peter and James Manor (Eds.) *Transfer and Transformation: Political Institutions in the Common Wealth*. Leicester: Leicester University Press, 1983, p. 35.
9. Kohli, Atul. *Democracy and Discontent: India's Growing Crisis of Governability*. London: Cambridge University Press, 1991.
10. Banerjee, Sumanta, and Tapan Bose. *India's 'Kashmir War'*. *Economic and Political Weekly*, Vol. 25, No. 13 (Mar. 31, 1990), pp. 650-662.
11. Kapur, Rajiv. *Khalistan: India's Punjab Problem*. *Third World Quarterly*, Vol. 9, No. 4 (Oct., 1987), pp. 1206-1224.
12. Chakravarti, Sudeep. *Red Sun: Travels In Naxalite Country*. New Delhi: Penguin Books, 2008.
13. Chadha, Vivek. *Low Intensity Conflicts in India: An Analysis*. New Delhi: SAGE Publications, 2005.

BAL352
LAW AND SOCIETY
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: Social transformation is a complex subject that speaks of and deals with fundamental changes in society, its structure, method and manner of functioning. India, as a developing multicultural society, has enormous population, pluralism in religion, language, caste onerous, structure, ethnic groups and regions. We cannot be free from impact and effects of multifaceted changes and the society has to respond with appropriate legal framework, policies and programmes. Legal system's position as a purposeful enterprise for promotion of justice logically compels it to play an instrumental and creative role in the social transformation task.

Module 1 aims at giving an overall understanding of law and its role in social change. The process of social transformation through law will be dealt in detail in **Module 2. Module 3** in connected to the concepts connected with social order and the constitutional framework will be elaborated in **Module 4. Modules 5, 6, 7 and 8** will give clear understanding of interconnections of law with specific areas i.e., religion, language, community and regionalism. **Module 9** will give and insight about the transformation , law has brought with special reference to land law and criminal law.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: LAW AND SOCIAL CHANGE

7 Hrs.

Learning Outcome: On completion of this module students will be able to get clarity about role of law in society.

Meaning and concept of law, Interplay between law and social change. Relationship between law and morality, culture.

MODULE 2: ROLE OF LAW IN BRINGING ABOUT SOCIAL CHANGE

7 Hrs.

Learning Outcome: On completion of this module students will be able to discuss about how law can be used as a tool for social change.

Law and social change in ancient India. Role of family, associations and charitable institutions in ancient India.

Social reform during the medieval period. Law and social transformation in modern India. Social reforms and women, children and others. Freedom movement and social reform ideas.

MODULE 3: LEGAL CONCEPTS IN NEW SOCIAL ORDER**7 Hrs.**

Learning Outcome: On completion of this module students will be able to describe the background of new social order in India.

Jurisprudence of *Sarvodaya*: Gandhiji, Vinobha Bhave, Jayprakash Narain.

Socialist thought on law and justice. Communist, Naxalist movements- causes and cure. Rise of *Dalits* and changing equations in social order in 21st century.

MODULE 4: CONSTITUTION'S ORIENTATION AND SOCIAL TRANSFORMATION **7 Hrs.**

Learning Outcome: On completion of this module students will be able to present the need of social transformation in India and how the basic law of the land supports social transformation with judicial interpretations.

Constitutional text as a mechanism for social change, the constitutional amendments and social transformation.

Basic structure theory as balancing continuity and change. The role of governmental organs for social transformation.

MODULE 5: RELIGION AND LAW**6 Hrs.**

Learning Outcome: On completion of this module students will be able to exhibit a better understanding of pluralistic society- law relating to freedom of religion, no discrimination on the basis of religion and protection of minority rights.

Religion as a divisive factor, secularism. Reform of law on secular lines, freedom of religion and non-discrimination on the basis of religion, religious minorities and the law.

MODULE 6: LANGUAGE AND LAW**6 Hrs.**

Learning Outcome: On completion of this module students will be able to explain how law works in a multi-lingual society and protection of linguistic minorities.

Language as a divisive factor, formation of linguistic states, constitutional protection to linguistic minorities, language policy and the constitution.

MODULE 7: COMMUNITY AND LAW**7 Hrs.**

Learning Outcome: On completion of this module students will be able to have clarity on relevance on affirmative action, constitutional mandate and reconciliation with protection against discrimination.

Caste as a divisive factor, non-discrimination on the ground of caste, acceptance of caste as a factor to undo past injustices, protective discrimination (Reservation)

MODULE 8: REGIONALISM AND LAW**7 Hrs.**

Learning Outcome: On completion of this module students will be able to have a better outlook about federal nature and issues relating to the same.

Regionalism as a divisive factor, concept of India as one unit. Equality in the matters of employment, the slogan “sons of the soil” and its practice. Admission to educational institutions, preference to residents of a state.

MODULE 9: MODERNIZATION AND LAW**7 Hrs.**

Learning Outcome: On completion of this module students will be able to have a clear understanding of the meaning of social transformation through classic examples wherein law is used as an instrument for social change and its impacts in the society.

Agrarian reform – industrialization of agriculture, industrial reform, industrialization and environmental protection,

Reform of court process, criminal law – plea bargaining, compensation to victim.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. Bhat, P. Ishwara, *Law and Social Transformation*. Lucknow, Eastern Book Co., 2009.
2. Baxi, Upendra. *The Crisis of Indian Legal System*. New Delhi:Vikas, 1982.
3. Lingat, Robert, *The Classical Law of India*. New Delhi: Oxford University Press, 1998.
4. Meagher, Robert F ed., *Law and Social Change: Indo-American Reflections*. Bombay: N.M. Tripathi, 1988.
5. Chakrabarty, Dipesh, *The Bernard Cohn Omnibus*. New Delhi: Oxford University Press, 2008.
6. Barzilai, Gad ed., *Law and Religion*. Hampshire: Ashgate, 2007.
7. Baird, Robert D ed., *Religion and Law in Independent India*. 2nd ed., New Delhi: Manohar, 2005.
8. Sontheimer, Gunther-Dietz, *Essays on Religion Literature and Law*. New Delhi: Manohar, 2004.
9. Mahmood, Tahir, *Law of India on Religion and Religious Affairs: Introduction, Text & Cases Law*. New Delhi: Universal Law Publishing Co. Pvt. Ltd., 2008.
10. Desai, A.R., *Social Background of Indian Nationalism*. 6th ed., Mumbai: Popular Prakashan, 2000.
11. Rao, M.S.A, *Social Movements and Social Transformation*. New Delhi: Manohar, 1987.
12. Jacobsohn, Gary Jeffrey, *The Wheel of Law: India's Secularism in Comparative Constitutional Context*. New Delhi: Oxford University Press, 2003.
13. Deva, Indra ed., *Sociology of Law*. New Delhi: Oxford University Press, 2005.
14. Bhatnagar, R.P., *Law and Language*. Delhi: Macmillan, 1999.
15. Galanter, Marc. *Law and Society in Modern India*. New Delhi: Oxford University Press, 1998.
16. Lingat, Robert. *The Classical Law of India*. Delhi: Oxford University Press, 1998.
17. Derret, Duncan. *The State, Religion and Law in India*. New York: Oxford University Press, USA, 1999.
18. Seervai, H. M. *Constitutional Law of India*. 4th ed. Mumbai: Universal Law Publishing Pvt. Ltd, 1991 (1993).

BAL383
PHILOSOPHY OF LAW

(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: This course will focus on the principles, ideas and issues that have shaped the modern legal thinking. During the course the different legal theories and criticisms levelled against them will be discussed in detail. This course is aiming to impart the analytical skill and equip the student with the basic problems concerning law and the types of solutions sought. Thus, the student not only will be able to use this skill in practice but also is motivated to take up detailed historical studies on his own after the course. Since a basic idea in the designing of this course is to bring jurisprudence closer to our reality, in the selection of cases and reading materials the teacher should try to make use of the Indian material as far as possible.

Module 1 will deal with the introductory part i.e., nature of legal philosophy and sources of law. **Module 2** deals with the positivist approach to law. **Module 3** discusses the natural law theories. **Module 4** focuses on legal realism in an analytical manner and the usefulness of these in the development of law. **Module 5** deals with the different legal systems of the world. **Module 6** deals with the concepts of law in international law.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

10 Hrs.

Learning Outcome: This module will facilitate the students with skills to understand the concept of law in a philosophical and analytical manner.

Nature of Legal Philosophy, Legality of Law, Law as Justice, Custom, opinion and consent

MODULE 2: LEGAL POSITIVISM

10 Hrs.

Learning Outcome: Learning legal positivism will help the students to analyse the evolution of legislation as a source of law, distinguishing between law and morality.

John Austin, Bentham's theory of law, Positivism and separation of law and morals, Pure theory of Law – Kelsen

MODULE 3: NATURAL LAW**10 Hrs.**

Learning Outcome: Students will develop a clarity about the contribution of natural law theories to the development of law.

Philosophy of St. Thomas Aquinas, Natural law and legal reasoning, Dividing line between natural law theory and legal positivism, Legal Theory – Ronald Dworkin

MODULE 4: LEGAL REALISM**15 Hrs.**

Learning Outcome: Development of critical legal theory and the way it attacks realism and thus enhancing the analytical skills of students.

Normative and critical theory, American realism, Path of the Law – O. W. Holmes, Scandinavian legal realism, Economic analysis of law

MODULE 5: LEGAL SYSTEMS OF THE WORLD**10 Hrs.**

Learning Outcome: On completion of this module students will be able to understand the differences between the various legal systems of the world.

Law and legal system; civil law system, common law system; religious law system; totalitarian law.

MODULE 6: PHILOSOPHY OF INTERNATIONAL LAW**5 Hrs.**

Learning Outcome: International law has emerged as subject matter of philosophical investigation. This module makes the students clear about moral and political values that guided development of international law and institutions

Philosophy of Property, Theory of Liability, Enforcement of morals

SCHEME OF VALUATION

- | | |
|--|-------|
| 1. CIA I – Mid Semester Examination | – 25% |
| 2. CIA II – Class Test / Assignment / Presentation | – 10% |
| 3. CIA III – Research Topic | – 10% |
| 4. Attendance | – 05% |
| 5. End Semester Examination | – 50% |

TOTAL 100%

SUGGESTED READINGS

1. May, Larry, and Jeff Brown (Eds.). *Philosophy of Law: Classic and Contemporary Readings*. West Sussex: Wiley-Blackwell, 2010.
2. Pound, Roscoe. *An Introduction to the Philosophy of Law*. New Delhi: Universal Law Publishing Co. Pvt Ltd., 1922 [2006].
3. Finch, John D. *Introduction to Legal Theory*. 2nd ed. New Delhi: Universal Law Publishing Co., 1979 [2009].
4. Hart, H.L.A. *The Concept of Law*. 2nd ed. New Delhi: Oxford University Press, 1961 [2005].
5. White, Jefferson, and Dennis Patterson. *Introduction to the Philosophy of Law: Readings and Cases*. New York: Oxford University Press, 1999.
6. Bix, Brian H. *Philosophy of Law: Critical Concepts in Philosophy*. 4 Vols. London: Routledge, 2006.
7. Burton, Steven J. *An Introduction to law and legal reasoning*. 3rd ed. Austin : Wolter Kluwer, 2007.
8. Benda-Beckmann, Franz von, and Keebet von Benda-Beckmann. *Rules of Law and Ruling: On the Governance of Law*. Surrey: Ashgate, 2009.
9. Vinx, Lars. *Hans Kelsen's Pure Theory of Law: Legality and Legitimacy*. Oxford: Oxford University Press, 2007.
10. Tamanaha, Brian Z. *On the Rule of Law: History, Politics, Theory*. Cambridge: Cambridge University Press, 2006.
11. Harris, Phil. *An Introduction to Law*. 7th ed. Cambridge: Cambridge University Press, 2007.
12. Feinberg, Joel. *Philosophy of Law*. 6th ed. Australia: Wadsworth Thomson Learning, 2000.
13. Hart, H. L. A. *Essays in Jurisprudence and Philosophy*. Oxford : Clarendon Press, 1983 [2001].

BAL364
LEGAL LANGUAGE AND LEGAL WRITING
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: Command of language is an essential quality of a lawyer for presentation of not only pleadings but also arguments before a court of law. Efficiency of advocacy depends upon communication skill to a substantial extent. No doubt, he should be conversant with the legal terminology. Precision, clarity and cogence are governing principles of legal writing and dialogue. A student of law should get an opportunity to be familiar with the writings of eminent jurists of the past. This exposition will stand him in good stead in understanding the intricate problems of law and will equip him with the faculty of articulation and sound writing.

Module 1 provides basic understanding about the importance of language and legal language, Case laws and one of the sources of law and the judgements comprehend the law applicable. Students will learn the technique in an analytical manner. **Module 2** aims at legal comprehension which will be taught through reading and understanding selected cases **Module 3** provide wider understanding of law through studying legal maxims, **Module 4** focuses on improving legal writing, **Modules 5, 6 and 7** focus on the theoretical analysis and practical application of the whole process of legal drafting.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION: LANGUAGE AND THE LAW **10 Hrs.**

Learning Outcome: On completion of this module students will be able to have clarity about significance of language and the implications of legal language inside and outside the court room.

MODULE 2. LEGAL COMPREHENSION (SELECT JUDGEMENTS) **10 Hrs.**

Learning Outcome: On completion of this module students will be able to analytically read judgements of courts and understand their facts and principles.

1. *Common Cause: A Registered Society vs. Union of India and Others.* JT 1996 (3) SC 706.
2. *Gain Kaur vs. State of Punjab.* AIR 1996 SC 1257.
3. *Mohani Jain vs. State of Karnataka.* 1992 3 SCC 666.

4. *Nilabati Behara vs. State of Orissa*. (1993) 2 SCC 746, AIR 1993 SC 1960.
5. *Premchand vs. Union of India*. AIR 1990 SC 538.
6. *Sarala Mudgal vs. State of Haryana*. 1995 3 SCC 635.
7. *M/s Spring Meadows Hospital vs. Harjol Ahluwalia through K. S. Ahluwalia*. AIR 1998 SC 1801.
8. *Paramanada Katara vs. Union of India*. AIR 1989 SC 2039.
9. *Varadrajan vs. State of Rajasthan*. AIR 1965 SC 942.
10. *Vishaka vs. State of Rajasthan*. AIR 1997 SC 3011.

MODULE 3: LEGAL MAXIMS

13 Hrs.

Learning Outcome: On completion of this module students will be able to explain the meanings of latin maxims and elucidate some of the legal concepts through the maxims.

1. *Actus non facit reum nisi mens sit rea* (The act itself does not constitute guilt unless done with a quality intent).
2. *Actio personalis moritur cum persona* (A personal right of action dies with the person).
3. *Audi Alteram Partem* (Non man shall bee condemned unheard).
4. *Communis error facit jus* (Common error sometimes posses current as law).
5. *Delegatus non potest delegare* (Delegate cannot further delegate) .
6. *Ex nudo pacto non oritur actio* (No causee of action arises from a bare promise).
7. *Ex turpi causa non oritur actio* (An action does not arise from a base cause).
8. *In pari delicto potior est condition defendentis* (Where the parties are equally at guilt, the defendant is better placed).
9. *Falsus in uno falsus in omnibus* (False in one particular in false in general).
10. *Generalia specialibus non derogant* (General things do not derogate from special things).
11. *Ignorantia facti excusat, ignorantia juris non excusat* (Ignorance of fact excuses, ignorance of law does not excuse).
12. *In jure non remote causa, sed pdroxima spectatur* (In law, the immediate, not the remote cause, of any event is regarded).
13. *Omina praesumuntur contra spoliatorem* (All things are presumed against a wrong doer).

14. *Qui facit per alium facit per se* (He who does an act through another is deemed in Law to do it himself).
15. *Respondeat superior* (Let the principal be held responsible).
16. *Res ipsa loquitur* (The thing itself speaks).
17. *Sic utere tu ut alienum non laedas* (Enjoy your property in such a manner as not to injure that of another person).
18. *Ubi jus ibi remedium* (Every right has a remedy).
19. *Volenti non fit injuria* (Damage suffered by consent is not a cause of action).
20. *Cessante ratione cessat lex ipsa* (If the reason of law ceases, the law itself will cease).
21. *Salus populi est suprema lex* (Regard for the public welfare is the highest law).
22. *Novus actus interveniens* (A new act intervening).
23. *Rex non-potest peccare* (The king can do no wrong).
24. *Vigilantibus non dormientibus, jura subveniunt* (The laws give help to those who are vigilant and not to those who sleep over their rights).
25. *Ut res magis valeat quam pereat* (It is better for a thing to have effect than to be made void).

MODULE 4. USE OF WORDS AND PHRASES IN LEGAL WRITING 7 Hrs.

Learning Outcome: On completion of this module students will be able to understand the legal meanings of certain terms and know how they differ from their meanings outside law.

MODULE 5. GENERAL PRINCIPLES GOVERNING LEGAL DRAFTING FRAMING ISSUES ETC. 3 Hrs.

Learning Outcome: On completion of this module students will be able to know the precision and clarity with which legal communication is to be made.

MODULE 6: NOTICES 2 Hrs.

Learning Outcome: On completion of this module students will be able to draft simple notices.

MODULE 7: PRINCIPLES OF DRAFTING OF PLEADINGS**3 Hrs.**

Learning Outcome: On completion of this module students will be able to write simple pleadings.

Plaints, Written Statements, Rent Control Petitions, Maintenance Petitions, and other applications and Petitions.

MODULE 8: DRAFTING OF CONTRACTS AND OTHER DEEDS**12 Hrs.**

Learning Outcome: On completion of this module students will be able to write simple deeds.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL	100%

SUGGESTED READINGS:

1. Abidi Ishitiaque. *Law and Language*. Aligarh: Univeristy Publishers, 1978.
2. Sengupta, Ajit K. *Maumdar's Law Relating to Notices*. Kolkata: Eastern Law House Pvt. Ltd., 2005.
3. Mogha G. C. *Mogha's Law of Pleadings in India with Precedents*. 17th ed. Lucknow: Eastern Book Company, 2006 (2009).
4. Shrivastava J. M. *Mogha's Indian Conveyancer*. 14th ed. Lucknow: Eastern Book Company, 2009.
5. *Broom's Legal Maxims*. 11th ed. New Delhi: Universal Publishing Ltd., 2011.
6. *Trayner's Legal Maxims*. New Delhi: Universal Publishing Ltd., 2010.

BAL365 CONTRACT – I

(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: This course is designed to acquaint a student with the conceptual and operational parameters of these various general principles of contractual relations. Specific enforcement of contract is an important aspect of the law of contracts. Analysis of the kinds of contracts that can be specifically enforced and the methods of enforcement forms a significant segment of this study.

To apply the basic principles in contractual relations, there need to be a clear understanding of the basic sources of law of contracts. As the major source of contract law being the principles of English common law, we need to discuss the evolution of law of contract and the similarities and dissimilarities with the English law of contract. To attain this objective **Module 1** of the syllabus deals with the historical perspective of the same. It also gives an introduction to the basic essentials of agreements and contracts. **Module 2** deals with consideration as an essential requirement of contract. It also analyses the consequence of unlawful consideration and the exceptional instances where consideration is not required. Thus the doctrine of consideration is discussed from different perspectives. **Module 3** deals with the capacity of parties to enter into a valid and enforceable contract. This mainly discusses about the parties who are disqualified to enter into contracts, basically dealing with the unenforceable aspect of the same. Major areas which are covered are minor's agreements and the different consequences of such agreements. It also covers other parties who are incapacitated viz. parties who are of unsound mind and other categories who are disqualified by law. **Module 4** on the requirement of free consent in a contract mainly discusses the vitiating factors of free consent viz. coercion, undue influence, fraud, misrepresentation and mistake. Emphasis is given on the voidable nature of such agreements. **Modules 5 and 6** deal with legality of objects and void agreements respectively. These modules illustrate the significance of legality of object in a contract. This also elaborates on different grounds in which a contract is expressly declared to be void. **Module 7** discusses the different ways by which a contract can be discharged and the remedies which are available to the parties aggrieved by such breach are included in **Module 8**. The different perspectives and the applicability of these principles learned in the above said modules will be understood in a better way with the discussions in **Module 9** relating to standard form of contracts and the remedies which are available to the weaker party in situations of exploitation. To provide a practical overview to the students specific relief which is available as a judicial remedy is included in **Module 10**.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: GENERAL PRINCIPLES OF LAW OF CONTRACT**5 Hrs.**

Learning Outcome: The development of law of contract as a common law and the basic principles should be appreciated by the students to get an introduction to the topic as such.

History and nature of contractual obligations; Agreement and contract: definitions, elements and kinds; Proposal and acceptance; forms, essential elements, communication and revocation; proposal and invitations for proposal; floating offers; tenders; Dumping of goods.

MODULE 2: CONSIDERATION**5 Hrs.**

Learning Outcome: To get an overview of the concept of consideration and the necessity of consideration to form a valid contract.

Need, Meaning, Kinds, Essential Elements; *nudum pactum*; Privity of contract and of consideration; Its exceptions; Adequacy of consideration; Present, past and adequate consideration; Unlawful consideration and its effects; Views of Law Commission of India on consideration; Evaluation of the doctrine of consideration.

MODULE 3: CAPACITY TO CONTRACT: MEANING**5 Hrs.**

Learning Outcome: To understand the privileges and immunities available to the weaker sections of the society.

Incapacity arising out of status and mental defect; Minor's agreements; Definition of 'minor'; Accessories supplied to a minor; agreements beneficial and detrimental to a minor; Affirmation; Restitution in cases of minor's agreements; Fraud by a minor; Agreements made on behalf of a minor; Minor's agreements and Estoppel; Evaluation of the law relating to minor's agreements; Other illustrations of incapacity to contract.

MODULE 4: FREE CONSENT**10 Hrs.**

Learning Outcome: Learning the basic concept of consent.

Its need and definition; Factors vitiating free consent; Coercion – Definition, Essential elements, duress and coercion; Doctrine of Economic Duress, effect of coercion; Undue Influence, definition, essential elements, between which parties can it exist? Who is to prove it? Illustrations of undue influence – independent advice, *pardahanashin* women, unconscionable bargains, effect of undue

influence; Misrepresentation, definition, misrepresentation of law and of fact, their effects and illustration; Fraud, definition, essential elements, *suggestio falsi* and *suppresio veri*, When does silence amounts to fraud? Active, concealment of truth, importance of intention; Mistake, definition, kinds, fundamental error, mistake of law and of fact, their effects, when does a mistake vitiate free consent and when does it not vitiate free consent?

MODULE 5: LEGALITY OF OBJECTS

5 Hrs.

Learning Outcome: Understanding object to a contract as an essential element.

Void agreements, lawful and unlawful considerations, and objects, void, voidable, illegal and unlawful agreements and their effects; Unlawful considerations and objects; Forbidden by law; Defeating the provision of any law; Fraudulent; Injurious to person or property; Immoral; Against public policy.

MODULE 6: VOID AGREEMENTS

5 Hrs.

Learning Outcome: To learn other kinds of agreements which are expressly declared as void under Indian Contract Act, 1872.

Agreements without consideration; Agreements in restraint of marriage; Agreements in restraint of trade, its exceptions, sale of goodwill, section 11 restrictions, under the partnership Act, trade combinations, exclusive dealing agreements, restraints on employees under agreements of service; Agreements in restraint of legal proceedings, its exceptions; Uncertain agreements; Wagering agreement, its exception.

MODULE 7: DISCHARGE OF A CONTRACT

5 Hrs.

Learning Outcome: Concept of discharge and conclusion of contractual liability on discharge are introduced to students.

By performance- conditions of valid tender of performance, How? By whom? Where? When? In what manner? Performance of reciprocal promises, time as essence of contract; By breach, anticipatory breach and present breach; Impossibility of performance, specific grounds of frustration, application to leases, theories of frustration, effect of frustration, frustration and restitution; By period of limitation; By agreement, rescission and alteration, their effect, remission and waiver of performance, extension of time, accord and satisfaction.

MODULE 8: REMEDIES AND QUASI-CONTRACTS**5 Hrs.**

Learning Outcome: To understand the remedies available in law of contract and to apply the conceptual understanding when the situation demands.

Damages, lands, remoteness of damages, ascertainment of damages; Injunction, when granted and when refused, Why? Refund and restitution; Specific performance, When? Why?

MODULE 9: STANDARD FORM CONTRACTS**5 Hrs.**

Learning Outcome: Understanding the common types of contracts, the situations in which the party who is not in a bargaining position is exploited and remedies for the same.

Nature, advantages, unilateral character, principles of protection against the possibility of exploitation, judicial approach to such contracts, exemption clauses; clash between two standard forms of contracts; Law Commission of India's views.

MODULE 10: SPECIFIC RELIEF**15 Hrs.**

Learning Outcome: After the completion of this module students will be conversant with the principles underlying the grant of specific reliefs and the different remedies provided under the 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 and Perpetual; Declaratory orders; Discretion and powers of court

SCHEME OF VALUATION

- | | |
|--|-------|
| 1. CIA I – Mid Semester Examination | – 25% |
| 2. CIA II – Class Test / Assignment / Presentation | – 10% |
| 3. CIA III – Research Topic | – 10% |
| 4. Attendance | – 05% |
| 5. End Semester Examination | – 50% |

TOTAL 100%

SUGGESTED READINGS

1. Bharuka, G. C. *Mulla on The Indian Contract Act*. 12th ed. Nagapur: LexisNexis Butterworths Wadhwa, 2009.
2. Beatson, Sir Jack, *et al. Anson's Law of Contract*. 29th ed. Oxford: Oxford University Press, 2010.
3. P. S. Atiyya, *Introduction to the Law of Contract*. Claredon Law Series, 1992 (reprint).
4. Markanda, P. C. *The Law of Contract*. 2 vol; New Delhi: Wadhwa and Company, 2006.
5. Singh, Avtar. *Law of Contract*. 10th ed. Lucknow: Eastern Book Company, 2008.
6. Cheshire, G. C., Fifoot H. S. and Furmston, M. P. *Law of Contract* ELBS with Butterworths, 1992.
7. Nair, M. Krishnan, *Law of Contracts*. Hyderabad: Orient Longman Private Limited, 1998.
8. Treitel, G. H. *Law of Contract*, Sweet & Maxwell, 1997 (reprint).
9. Abichandani, K. (Ed.), *Pollock and Mulla on the Indian Contract and the Specific Relief Act*. Tripathi, 1999.
10. Banerjee, S. C. *Law of Specific Relief* New Delhi: Universal Law Publishing, 1998.
11. Anson, *Law of Contract* New Delhi: Universal, 1998.
12. *Dutt on Contract* New Delhi: Universal Law Publishing, 2000.
13. Anand and Aiyer. *Law of Specific Relief* New Delhi: Universal Law Publishing, 1999.
14. Raman, A. *MLJ Law of Contract and Specific Relief*. 2 vol; 2nd ed. Nagapur: Lexis Nexis Wadhwa, 2009.
15. Mitra, S. C. *Law of Contracts*. 2 vol; 2nd ed. New Delhi: Orient Publishing Company, 2005.
16. Furmston, Michael, *et al.* (Eds.) *The Law of Contracts*. 3rd ed. U S A: LexisNexis Butterworths, 2007.
17. Atiyah, P. S., and Stephen A. Smith. *Atiyah's Introduction to the Law of Contract*. 6th ed. Oxford: Oxford University Press, 2007.
18. Rao, G. C. V. Subba. *Law of Specific Relief*. 6th ed. New Delhi: Orient Publishing Company, 2005.

BAL386
LAW OF FREEDOM OF INFORMATION AND PREVENTION OF
CORRUPTION
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: Right to information is *sine qua non* for a meaningful democracy. This course, while tracing the evolution of RTI movement, introduces the students to the relevance and mechanism of RTI. It enables them to analyze the constitutional ethos from multifarious angles.

Module 1 aims at giving national and international factors led to frame legislation on right to information in depth and also gives an overview of the objectives and operation of RTI Act, 2005 and the challenges in its application. **Modules 2** is designed to introduce students to the definition of public authorities and their obligations under the RTI Act. deal with legislative provisions in the Act and concepts related to the same which will give clarity to the students about the framework of the Act. **Modules 3** deals with the Offices of Information Commissioners. **Module 4** introduces the students to the other Acts which make similar provisions or adverse provisions. **Module 5** is to provide the students a wider perspective by connecting RTI to other legislations, human rights in a comparative perspective. **Module 6** introduces the students to the provisions of the Prevention of Corruption Act. **Module 7** gives the students an exposure to the various institutions established to combat corruption and their limitations.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

12 Hrs.

Learning Outcome: On completion of this module students will be able to narrate the evolution and development of concept of right to information. They will also be able to describe the legal framework under the Right to Information Act, 2005.

Historical background, Shift in attitudes – secrecy, privilege – Official Secrets Act – Open government, Citizens’ right to know, Campaign for freedom of information, Constitutional provisions, Technological revolution – Right to Information Act. 2005 – Overview, objects and reasons, Scope of the Act and Overall Scheme of the Act

MODULE 2: RIGHT TO INFORMATION AND OBLIGATIONS OF PUBLIC AUTHORITIES **8 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the definition of public authorities and explain their obligations under the Right to Information Act, 2005.

Right to information, Obligations of public authorities, Public information officers, Request for information, Disposal of request – Exemptions – Grounds for rejection to access in certain cases, severability, third party information, statutory exemptions

MODULE 3: CENTRAL AND STATE INFORMATION COMMISSIONS **8 Hrs.**

Learning Outcome: On completion of this module students will be able to talk about the appointment and tenure of CIC members and also their powers and functions.

Constitution of Central Information Commission, Terms of Office and Conditions of service, Removal of Information commissioner, State Information Commission – Powers and functions of Commission, Complaints, Appeals, Penalties

MODULE 4: RELATIONSHIP WITH ENACTMENTS **4 Hrs.**

Learning Outcome: On completion of this module students will be able to give opinion about the applicability of Right to Information Act *vis-a-vis* other laws and statutes related to it, such as environmental law.

Data protection, medical records – Whistle Blowing, Environment Protection Act, Freedom of information and commercial background, Freedom of information in commercial disputes

MODULE 5: PRIVACY, CONFIDENTIALITY AND HUMAN RIGHTS **8 Hrs.**

Learning Outcome: On completion of this module students will be able to present the interplay among the competing rights – right to information, right to privacy and human rights.

Right to privacy v right to information, Principles of confidentiality, Human Rights Act, Right to know in United States, United Kingdom and Australia – Relevant international instruments

MODULE 6: PREVENTION OF CORRUPTION**16 Hrs.**

Learning Outcome: On completion of this module students will be conversant with the provisions of the Prevention of Corruption Act, 1988 and the implementation of the same.

Public servants – Prevention of Corruption Act, 1988

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. MacDonald, John, and Clive H. Jones. *The Law of Freedom of Information*, OUP, 2003.
2. Mitra and Kataria, *Law Relating to Right to Information*, Orient Publishing Co, 2010.
3. Das, P. K. *Universal's Handbook on the Right to Information Act, 2005*. New Delhi: Universal Law Publishing Co., 2006.
4. Ryder, Rodney D. *Right to Information: Law, Policy and Practice*. New Delhi: Wadhwa and Company Nagpur, 2006.
5. Acharya, N. K. *Commentary on the Right to Information Act, 2005*, 8th ed. Hyderabad: Asia Law House, 2010.
6. Coppel, Philip. *Information Rights: Law and Practice*, 3rd ed. Oxford: Hart Publishing, 2010.
7. Flinn, Andrew ed. *Freedom of Information: Open Access, Empty Archives?* London: Routledge, 2009.
8. Sharma, Ashish ed. *Lawman's Right to Information Judgements*. 2 Vols. New Delhi: Kamal Publishers, 2009.
9. Macdonald, John. *Law of Freedom of Information*. Oxford : Oxford University Press, 2003.
10. Birkinshaw, Patrick. *Freedom of Information*. Cambridge: Cambridge University Press, 2010.

FOURTH SEMESTER

BAL411 INDIAN GOVERNMENT AND POLITICS - II (No. of Hrs. 40-60 Hrs)

COURSE OBJECTIVES: This course is designed to introduce the students to the working of the Indian polity and democracy, and the subtle role played by the three organs of the government. It looks at the socio-political impact of party politics on governance.

Module 1 deals the executive system in Indian democracy. **Module 2** deals with working of the parliament. **Module 3** deals with various institutions and commissions within the Indian administrative system. **Module 4** deals with political parties in India. **Module 5** deals with issues in Indian politics. **Module 6** deals with the process of planning and development in India. **Module 7** deals with local self government in India.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: THE EXECUTIVE SYSTEM IN THEORY AND PRACTICE 8 Hrs.

Learning outcome: understanding the functioning of the executive system.

President, Prime Minister and the Council of Ministers; Governor, Chief Minister and the State Council of Ministers, the Bureaucracy.

MODULE 2: ROLE AND FUNCTION OF THE PARLIAMENT AND PARLIAMENTARY COMMITTEES 10 Hrs.

Learning outcome: understanding the working of the Indian Parliament.

Lok Sabha and Rajya Sabha; Judicial Activism; PIL.

MODULE 3: STATUTORY INSTITUTIONS/COMMISSIONS 10 Hrs.

Learning outcome: understanding the composition and functioning of the government institutions.

UPSC Election Commission, Comptroller and Auditor General, Backward Classes Commission, National Commission for women; National Human Rights Commission; Minorities Commission.

MODULE 4: PARTY SYSTEM**8 Hrs.**

Learning outcome: understanding the functioning of political parties in India.

Ideology and social base of parties; fragmentation and regionalization. Pressure groups; patterns of coalition politics; trends in electoral behavior.

MODULE 5: CLASS, CASTE, ETHNICITY AND GENDER IN INDIAN POLITICS**8 Hrs.**

Learning outcome: understanding the social and cultural issues and its impact on Indian politics.

Politics of regionalism, communalism, backward class and Dalit movements, Tribal people movements, struggle for gender justice.

MODULE 6: PLANNING AND ECONOMIC DEVELOPMENT**8 Hrs.**

Learning outcome: understanding the role of economic reforms in India.

Role of the Planning Commission; Planning in the era of liberalization; political dimensions of economic reforms.

MODULE 7: GRASSROOTS DEMOCRACY**8 Hrs.**

Learning outcome: understanding the importance of local bodies in Indian politics.

Panchayati Raj and municipal government; significance of 73rd and 74th Amendments. Grass root movement and women's empowerment.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. Nandy, Ashis. *An Anti-secularist Manifesto*. India International Centre Quarterly, Vol. 22, No. 1, SECULARISM IN CRISIS (SPRING 1995), pp. 35-64.
2. Howard, Thomas. *Chance or Dance? A Critique of Modernist Secularism*. Ignatius Press, 1989.
3. Bilgrami, Akeel. *Two Concepts of Secularism*. Economic and Political Weekly, Vol. 29, No. 28 (Jul. 9, 1994), pp. 1749-1761.
4. Weiner, Myron. *India's Minorities: Who Are They? What do They Want?* In *Ashutosh Varshney*. New Delhi: Sage Publications, 1989.
5. Kothari, Rajni. *Rise of the Dalits and the Renewed Debate on Caste*. Economic and Political Weekly, Vol. 29, No. 26, pp. 1589-94.
6. Chandra, Bipan. *Communalism as False Consciousness*. Vani Educational Books, 1984.
7. Chatterjee, Partha. *State and Politics in India*. London: Oxford University Press, 1997.
8. Tharoor, Shashi, *India: From Midnight to Millennium*, Penguin Books, 1997.
9. Kothari, Rajni. *Politics and People: In search of a Humane India*. New Delhi: Ajantha, 1989.
10. Kothari, Rajni. *State Against Democracy*. New Delhi: Ajantha, 1988.
11. Nandy, Ashis. *Traditions, Tyrannies and Utopias*. New Delhi: Oxford University Press, 1987.
12. Kolhi, Atul. *Democracy and Discontent: Crisis of Governability*. London: Cambridge University Press, 1991.
13. Juergensmeyer, Mark. *Religious Nationalism Confronts the Secular State*. London: Oxford University Press, 1994.
14. Guha, Ramachandra. *India After Gandhi: The History of the World's Largest Democracy*. Macmillan, 1997.

BAL452
LAW AND ECONOMICS
(No. of Hrs. 40-60 Hrs)

COURSE OBJECTIVES: Economic policies and criteria have always been the citadel on which the edifice of law is built. This relationship is more pronounced in our country where welfarism is one of the features of the basic structure doctrine. This course is designed to introduce the students to this nexus between law and economic regulation and its need in the globalized world.

Module 1 is designed with the intention to show that Free Market economy alone is not solution for efficient allocation of resources. Market economy imperfections are reflected in Monopoly market. The student is made aware of the need for regulation of Monopoly. **Module 2** highlights the need for public utility regulation. It discuss about liberalization, privatization and competition. In **Module 3** the technique of Cost benefit analysis technique is introduced which is essential to evaluate feasibility of any project.. This module explains the technique and application of it to assess the global warning and other problems. **Module 4** attempts to integrate property law and economics in the context of property. The basis of modern economics is origin of private property, this module explains the evolution and importance of property rights in modern economy. **Module 5** aims at familiarising students with economic reasoning of tort damages, and gives practical insight into the different forms of liability. **Module 6** helps in understanding the factors behind increasing crime rate. It brings into light different techniques which can be used to control crime rate.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: PUBLIC REGULATION OF MARKET

7 Hrs.

<p>Learning Outcome: On completion of this module students will be able to discuss about price determination under monopoly and competition.</p>

Monopolies Restriction; Price and Output; Efficiency consequence of Monopoly, Economic Objections to Monopoly: Innovation and Cost Minimization, Competition Law; Competition for the Market and Durability.

MODULE 2: PUBLIC UTILITY AND REGULATION**6 Hrs.**

Learning Outcome: On completion of this module students will be able to analytically discuss the problems of Natural Monopoly, and understands the implications of liberalization, privatization etc.

Control of profits and the problem of reasonable return, Incentive regulation, Regulation of rate structures and entry, Demand for regulation, Deregulation: privatization.

MODULE 3: ECONOMICS OF REGULATORY REGIME**6 Hrs.**

Learning Outcome: On completion of this module students will be able to apply cost benefit analysis technique to given problems.

Cost benefit Analysis as a Regulatory tool; Cost benefit analysis and the problem of global warming; Consumer fraud; Mandated Disclosure; Safety and health; Direct regulation of pollution Traffic congestion; CIA for construction of Major Dams.

MODULE 4: ECONOMICS AND PROPERTY LAW**7 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the interrelation between economics and law.

Economic theory of property rights; Intellectual property rights and privacy; property rights in broadcasting rights and Airwave auctions; Incompatible Uses and right to future uses; Economics forest rights of forest dwellers; Pollution: Nuisance and easement approaches; Public land, trespass, eminent domain and valuation of property damages during "*bandh*".

MODULE 5: CIVIL WRONGS**7 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the method of computation of damages.

Economics of accidents and liability formula for negligence; victim fault: contributory and comparative negligence; computing damages and / or compensation; Damages for pain and suffering, mental agony and torture, human life; Risk of overcompensation.

MODULE 6: ECONOMICS AND CRIMINAL LAW**7 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the need for integrating economic reasoning in crime prevention.

Optimal Criminal Sanctions; Pardons; courts awarding compensation for offences committed, by its agent or third parties; Economics of Organized Crime; War on Drugs; Victim compensation; Defence of necessity; punishment of terrorists.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL	100%

SUGGESTED READINGS

1. Posner, Richard A. *Economic Analysis of Law* 7th ed., New York: Wolters Law & Business, Aspen Publishers, 2007.
2. Cotter, Robert, and Thomas Ulen. *Law & Economics* 5th ed. Delhi: First Indian Reprint, Eastern Book Company, 2004.

BAL463
FAMILY LAW – I
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: Till the arrival of Muslims in India, the term Hindu had no creedal connotation but had only territorial significance. But today everyone Indian belongs to some religious community; it may be Hindu, Muslim, Christian, Parsi or Jew and Hindus is the majority community. In personal matters every Indian is governed by his personal law. There is nothing like an Indian law in personal matters like marriage, divorce, adoption, succession etc. Hindu law is one of the most ancient systems of law. It has passed through various phases, initially serving the needs of a pastoral community to the present modern welfare society. The British were cautious to change Hindu law by legislation and introduced reforms and modification to in piecemeal manner. The Hindu Law Committee of pre-independent India recommended a uniform code of Hindu Law for the whole of the country. Due to the vocal opposition from various fronts the idea of a uniform code was abandoned and the code was split up into installments and the four major enactments of Hindu Law, viz., Hindu Marriage Act, 1955, Hindu Succession Act, 1956, Hindu Adoptions & Maintenance Act, 1956, and Hindu Minority & Guardianship Act., 1956 were enacted. Under this Unit the students will; be studying the salient features of the Hindu personal law evidenced in the above codified Acts. The syllabus will comprise of about 60 classes of one hour duration.

The **Module 1** will begin with a historical perspective on the concept of Hinduism and the origin and development of the religion and the various sources which lead to development of Hindu law. Based on the historical understanding and the development in Hindu law, various personal law matters will be eventually dealt with in the following modules. **Module 2** will elaborate on the Hindu Undivided family concept with emphasis on the two important schools of Hindu law. **Module 3** onwards the legislations will be looked into beginning from the Hindu Marriages. The concept will be analysed together with the provisions which makes a valid, void and voidable marriages, divorce and the various forms of divorce recognized under the hindu law, and maintenance law relating to wife, children and parents. **Module 4** will deal with the Hindu Adoption and Maintenance Act and the **Module 5** will look into the law relating to guardianship which is covered under the Hindu Minority and Guardianship Act. **Module 6** is devoted to study of property relations in the family. The law of succession and intestate succession under the Hindu Succession Act will be covered in this module.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: NATURE, ORIGIN AND SOURCES**4 Hrs.**

Learning Outcome: On completion of this module students will be able to connect the core concept relating to traditional law with the reformed modern Hindu law which is based on statutes.

Nature and Origin of Hindu Law & Sources of Hindu Law, Ancient Sources, Customs, Modern sources, legislation.

MODULE 2: JOINT HINDU FAMILY AND COPARCENERY**8 Hrs.**

Learning Outcome: On completion of this module students will be able to appraise on the nature of property transaction that exist in Hindu family relations and the importance of ancestral property and karta in Hindu family.

Hindu Joint Family & Hindu Undivided Family, Coparceners and Coparcenary property – Mithakshara Law and Dayabhaga Law, Karta, Debts, Partition, Gifts and Endowments.

MODULE 3: HINDU MARRIAGE ACT**8 Hrs.**

Learning Outcome: On completion of this module students will be able to analyse and critically understand the concept of marriage and relate it to the changing nature of marriage as is witnessed today such as live-in relationships and recognition of same sex marriages.

Concepts of Marriage & Divorce, Conditions for valid marriage, Void & Voidable marriages, Registration of marriage, Matrimonial home, Restitution of conjugal rights. Judicial Separation, separation agreements. Divorce, grounds for divorce, adultery, cruelty, desertion, conversion, unsound mind, virulent & incurable diseases, renouncing world, missing for more than 7 years etc. Divorce by mutual consent, Maintenance pending litigation and litigation expenses, Permanent alimony u/s 25, Maintenance under Criminal Procedure Code.

MODULE 4: HINDU ADOPTIONS AND MAINTENANCE ACT**8 Hrs.**

Learning Outcome: On completion of this module students will be able to show a better understanding the core concepts of Hindu adoption laws. The module will help students analyze it from sociological perspective thereby understanding the importance adoption law has in the development of child.

Application of the Act, definitions, Requisites of a valid adoption, Capacity of a Male /Female to take in adoption, persons who may be adopted, other conditions for a valid adoption, rights of adoptive parents. Maintenance under Hindu Adoptions & Maintenance Act

MODULE 5: HINDU MINORITY & GUARDIANSHIP ACT**8 Hrs.**

Learning Outcome: On completion of this module the students will be able to appraise the law relating to guardianship and the importance of guardian in matter relating to wards.

Position before the Act, Applicability of the Act & definitions, natural guardians of Hindu Minor and their powers, guardian's right over minor's property.

MODULE 6: HINDU SUCCESSION ACT, 1956**8 Hrs.**

Learning Outcome: The outcome of this study would be a critical understanding of the property relations in a family and understanding the legal incidence of joint family and testamentary succession and intestate succession under the Act.

Applicability of the Act and definitions, Sec.6: inclusion of daughter as coparcener, order of succession among males, distribution of property among heirs of Class I & Class II of the schedule. Property of Hindu Female and rules of succession in the case of Female Hindus, disqualifications, succession by survivorship

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%**SUGGESTED READINGS**

1. Diwan, Paras (Dr). *Dr. Paras Diwan on Hindu Law*, 2nd Ed. New Delhi: Orient Publishing Co. 2006.
2. Diwan, Paras (Dr). *Law of Marriage & Divorce*, 5th Ed. Delhi: Universal Law Publishing Co, 2008.
3. Diwan, Paras (Dr). *Law of Intestate and Testamentary Succession*. 3rd ed. New Delhi: Universal Law Publishing, 2006.
4. Mulla. *Hindu Law*, 20th ed. New Delhi: LexisNexis Butterworths, 2007.
5. Kusum. *Cases and Materials on Family Law*. New Delhi: Universal Law Publishing Co., 2007.

BAL464
JURISPRUDENCE
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: Jurisprudence in its etymological sense means the *science of law*. It is the foundation on which the entire edifice of law is structured. It is therefore imperative to have a clear understanding of jurisprudence as it is *sine qua non* for the study of any law subject. The subject acquaints the students with the complexities of laws and introduces them to the means of solving them based on sound jurisprudential principles. In spite of there being several schools of thought on this subject, there is a general convergence of the fundamental principles. The study of jurisprudence aids the lawyer in the analysis of legal concepts, sharpens his technique of logical thinking and aids in understanding the assumptions upon which a statute rests. It transcends technical aspects and moves more in the realm of law as a tool for social engineering. As J.G. Phillimore observes, “such is the exalted science of jurisprudence, the knowledge of which sends the students into civil life full of luminous precepts and notions, applicable to every exigency of human affairs.” Jurisprudence may therefore be perceived as the grammar of law.

As with any subject, it is imperative to understand the concepts involved and the inter-relation between the concepts themselves; which coupled with sound logic and good language go a long way in applying the knowledge of law to a given situation. The study of various concepts functions as a road map for law students and lawyers alike in developing skills of good advocacy.

The core syllabus of this paper is confined to the various concepts of law. The study of concepts concretizes the study of jurisprudence and reduces its abstractness to a large extent.

Module 1 provides a detailed understanding of concept of rights and its correlation with duty and freedom. The main objective of **Module 2** deal with the concept person. **Module 3** will give the students a better clarity of meaning and concept possession and ownership and **Module 4** about property and title and **Module 5** about liability. **Module 5** deal with obligations and kinds of obligations along with substantive and procedure laws connected to it.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: LEGAL RIGHTS**8 Hrs.**

Learning Outcome: At the end of this module students will get clarity about the concept of right and its jural correlatives

The concept and meaning: Kinds; Right and duty correlation; Natural Rights and Fundamental Rights.

MODULE 2: PERSONS**8 Hrs.**

Learning Outcome: At the end of this module students will get clarity of the concept “persons” – legal and natural and rights and obligations attached to it will become clear to the students.

Nature of personality; Status of the unborn, minor, lunatic, drunken and dead persons; Corporate personality; Dimensions of the modern legal personality: Legal personality of non-human beings

MODULE 3: POSSESSION AND OWNERSHIP**10 Hrs.**

Learning Outcome: After the completion of this module students will get clarity about ownership as a right, its components and rights attached to it

Possession: the Concept; Kinds of possession; Ownership: the Concept; Kinds of ownership; Difference between possession and ownership.

MODULE 4: PROPERTY AND TITLE**8 Hrs.**

Learning Outcome: At the completion of this module students will be clear about concept of property in law, kinds of property, rights& duties arising out of and attached to it

Property: the concept; Kinds of property; Title

MODULE 5: LIABILITY**10 Hrs.**

Learning Outcome: At the end of this module, various types of liabilities and how these arise and the degrees of liability will be clear to the students

Conditions for imposing liability; Wrongful act; *Damnum sine injuria*; Causation; *Mens rea*; Intention; Malice; Negligence and recklessness; Strict liability; Vicarious liability.

MODULE 6: OBLIGATION AND PROCEDURE**8 Hrs.**

Learning Outcome: After this module students get clarity about law relating to obligations, its nature and kinds

Nature and kinds; Sources of obligation; Substantive and procedural laws: difference; Evidence: Nature and kinds.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL	100%

SUGGESTED READINGS

1. Bodenheimer. *Jurisprudence—The Philosophy and Method of Law*. New Delhi: Universal, 1996.
2. Fitzgerald (ed.) *Salmond on Jurisprudence*. Bombay: Tripathi, 1999.
3. Friedmann, W. *Legal Theory*. New Delhi: Universal, 1999.
4. V.D. Mahajan, *Jurisprudence and Legal Theory*. Lucknow: Eastern Book Co., 1996 (reprint).
5. Freeman M. D. A. (ed.), *Lloyd's Introduction to Jurisprudence*, Sweet & Maxwell, 1994.
6. Paton G. W. *Jurisprudence*. Oxford: ELBS, OUP, 1972.
7. Hart, H. L. A. *The Concepts of Law*. Oxford: ELBS, OUP, 1970.
8. Pound, Roscoe. *Introduction to the Philosophy of Law*. New Delhi: Universal, 1996 (reprint).
9. Dias R. W. M. *Jurisprudence*. New Delhi: Adithya Books. 1994 (First Indian re-print).
10. Dhyani S. N. *Jurisprudence: A Study of Indian Legal Theory* New Delhi: Metropolitan, 1985.

BAL465
CONTRACT – II
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: This is to be taught after the students have been made familiar with the general principles of contract in which the emphases is on understanding and appreciating the basic essentials of a valid contract and on the existence of contractual relationship in various instances. Obviously, a course on special contracts should initiate the students to different kinds of contracts with emphasis on the intricacies therein. The course also should provide an insight into the justification for special statutory provisions for certain kinds of contracts.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INDEMNITY

2 Hrs.

Learning Outcome: Understanding the special relationship between the indemnifier and indemnity holder and the need and importance of contract of indemnity.

The concept; need for indemnity to facilitate commercial transactions; methods of creating indemnity obligations; definition, nature and extent of liability of indemnifier; commencement of liability of the indemnifier; Situations of various types; indemnity agreements, clauses; indemnity in international transactions; indemnity by governments during inter state transactions.

MODULE 2: GUARANTEE

5 Hrs.

Learning Outcome: Contract of guarantee play a very important role in protecting the position of creditor and principal debtor. It would enable the students to be familiar with the nature of guarantee contracts and relation between various parties.

Concept, definition; as distinguished from indemnity; basic essentials. The place of consideration and criteria for ascertaining the existence of consideration in guarantee contracts Position of minor and validity of guarantee when minor is the principal debtor, creditor or surety; continuing guarantee, nature of surety's liability. Duration and termination of such liability, illustrative situations of existence of continuing guarantee, creation and identification of continuing guarantees. Letters of credit and bank guarantees as instances of guarantee transactions. Rights of surety, position of surety in the eye of law, various judicial interpretations to protect the surety. Co-surety and manner of sharing liabilities and rights; extent of surety's liability, discharge of surety's liability.

MODULE 3: BAILMENT**5 Hrs.**

Learning Outcome: Students will understand the legal responsibilities and liabilities of bailor and bailee in a contract of bailment.

Identification of bailment contracts in day to- day life; manner of creation of such contracts. Commercial utility of bailment contracts. Definition of bailment; kinds of bailees; duties of bailor and bailee towards each other. Rights of bailor and bailee; finder of goods as a bailee. Liability towards the true owner, obligation to keep the goods safe, right to dispose off the goods.

MODULE 4: PLEDGE**4 Hrs.**

Learning Outcome: The need for security for payment of debt. Relation between parties to such contracts and their liabilities and responsibilities.

Pledge: comparison with bailment, commercial utility of pledge transactions. Definition of pledge under the Indian Contract Act, other statutory regulations under regarding pledge, reasons for the same. Rights of the pawner and pawnee. pawnee's right of sale as compared to that of an ordinary bailee. Pledge by certain specified persons mentioned in the Indian Contract Act.

MODULE 5: AGENCY**8 Hrs.**

Learning Outcome: Identification of certain kinds of agency transactions in commercial world. Methods, purpose and creation of agency contracts.

Identification of certain kinds of agency transactions in day to day life in the commercial world. Kinds of agents and agencies. Distinction between agent and servant; essentials of an agency transaction. Various methods of creation of agency. Delegation, duties and rights of agent. Scope and extent of agent's authority, liability of principal for acts of the agent. Misconduct and tort of the agent, liability of the agent towards the principal. Personal liability towards the parties. Methods of termination of agency. Liability of the principal and the agent.

MODULE 6: SALE OF GOODS**14 Hrs.**

Learning Outcome: Law governing sale of goods would enable the students to understand the essentials of a valid sale and the legal relationship between the parties to such contracts.

Concept of sale as a contract, instances, Essentials of contract of sale, Implied terms in contract of sale. The Rule of Caveat emptor, exceptions. Changing concept of caveat emptor; Effect and meaning of implied warranties in sale;

Transfer of title and passing of risk; Delivery of goods: various rules regarding delivery of goods; Unpaid seller and his rights; Remedies for breach of contract.

MODULE 7: PARTNERSHIP

12 Hrs.

Learning Outcome: Understanding various commercial associations. Legal regulation of partnership firms and joint and several liability of the partners.

Nature and definition of partnership; Distinct advantages and disadvantages *vis-à-vis* partnership and private limited company; Mutual relationship between partners; Authority of partners; Admission of partners; Outgoing partners; Registration of partnership; Dissolution of partnership.

MODULE 8: NEGOTIABLE INSTRUMENTS

10 Hrs.

Learning Outcome: To understand the concepts; kinds of instruments. Essential elements to make an instrument negotiable.

The concept; kinds of instruments. Essential elements to make an instrument negotiable. Competent parties to make an instrument negotiable; acceptance of the instrument Dishonour by non acceptance and remedies available to the holder. Holder and holder in due course. Rights and privileges of holder in due course. Endorsement from the holder in due course. Negotiation and presentment of the instrument. Cheques, rules regarding payment of cheque. Liability of the collecting banker and paying banker. Dishonour of cheque and its effect. Discharge from liability. Kinds of bills, evidence. Special rules of evidence regarding negotiable instruments.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. Abhichandani, R. K. (ed.), *Pollock and Mulla on Contracts and Specific Relief Acts*. Bombay: Tripathi, 1999.
2. Singh, Avtar. *Contract Act*. Lucknow: Eastern Book Co. 2000.
3. Nair, Krishnan. *Law of Contract*. Orient, 1999.

4. Singh, Avtar. *Principles of Law of Sale of Goods and Hire Purchase*, 1998.
5. Singh and Gupta, Verma J. P. (ed.). *The Law of Partnership in India*. New Delhi: Orient Law House, 1999.
6. Guest G. (ed.). *Benjamin's Sale of Goods*. Sweet & Maxwell, 1992.
7. Bhashyam, and Adiga. *The Negotiable Instruments Act*, Allahabad : Bharat, 1995.
8. Parthasarathy M. S. (ed.), *Benjamin's Sale of Goods*. Sweet & Maxwell, 1992.
9. Beatson, Sir Jack, *et al.* *Anson's Law of Contract*. 29th ed. Oxford: Oxford University Press, 2010.
10. Saharay, H. K. *Indian Partnership and Sale of Goods Act*. New Delhi: Universal Publishing Co., 2000.

BAL466
PROPERTY LAW
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: The course is designed to enable the readers to understand the basic philosophy of property law and its nuances. It introduces them to the modes of transfer and their ramifications.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION TO PROPERTY LAW

4 Hrs.

Learning Outcome: On completion of this module students will be able to analyse the various terms that appears in the enactment so as to understand the objective of this Act better as well as for better understanding.

Objectives of TP Act, Interpretation clause, Relation to Contract and Registration Act

MODULE 2: TRANSFER OF PROPERTY BY ACT OF PARTIES

10 Hrs.

Learning Outcome: This module will help the students to understand certain basic principles underlying any kind of transfers. The module also deals with certain cardinal principles which has to be followed regarding transfer.

Definition of Transfer of property, Subject matter and Persons competent to transfer, Operation of transfer, Conditions restraining alienation, Transfer for Benefit of Unborn, Sec.13 and 14, Transfer for the benefit of public in perpetuity, Conditional transfer

MODULE 3: ELECTION

4 Hrs.

Learning Outcome: This is an important concept of Transfer where the non owner of the property gives an option to the owner of the property to exchange his property for a benefit which is a peculiar rule as only the owners have the right sell their property.

Necessity of Election, Apportionment of Periodical Payments, Apportionment of benefit of obligation

MODULE 4: TRANSFER OF IMMOVABLE PROPERTY**6 Hrs.**

Learning Outcome: The module throws light on transfer for certain purposes and by certain owners.

Transfer by authorised person, Transfer for maintenance, Restriction on land use, Transfer by ostensible owner, Transfer by unauthorized persons and co-owners, Transfer of property pending suit, Fraudulent transfer, Part performance, Encumbrances and their discharges

MODULE 5: SALE AND EXCHANGE OF IMMOVABLE PROPERTY**6 Hrs.**

Learning Outcome: This module deals with specific type of transfer that is through Sale and exchange. The students will know the rights and duties of the seller and the buyer before and after sale.

Meaning of sale, Rights and Liabilities of buyer and Seller, Exchange,

MODULE 6: MORTGAGE OF IMMOVABLE PROPERTY**8 Hrs.**

Learning Outcome: On completion of this module students will be able to describe the different types of mortgage and their essentials, remedies available to the parties.

Definition of mortgage, mortgagor, mortgagee and other related terms, Mortgage assurance, Right of mortgagor to redeem, Charge.

MODULE 7: LEASE OF IMMOVABLE PROPERTY**6 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the essentials of lease and distinguish it from licence. They will be able to tell the rights and duties of the parties.

Definition and Essentials of Lease, Rights and Duties of Lessor and Lessee, Determination of Lease.

MODULE 8: GIFTS**4 Hrs.**

Learning Outcome: On completion of this module students will be able to

Definition and Essentials of Gift, *Donatio mortis causa*

MODULE 9: DEEDS AND CONVEYANCING**2 Hrs.**

Learning Outcome: On completion of this module students will be able to list the parts of a deed of transfer of property and the essential particulars to be written in such documents.

MODULE 10: EASEMENT ACT**10 Hrs.**

Learning Outcome: On completion of this module students will have a better underlying of easements and licences, the rights of parties, etc.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL	100%

SUGGESTED READINGS

1. Subbarao, G. C.V. *Law of Transfer of Property (Easement, Trust and Wills)* 2 Vols. Lucknow: Eastern Book Co., 2002.
2. Tripathi, G. P. *Transfer of Property Act*, 15th ed. Allahabad: Central Law Publications, 2006.
3. Shukla, S. N. *Transfer of Property Act*. Faridabad: Allahabad Law Agency, 2005.
4. Gour, Hari Singh. *Commentary on Transfer of Property Act, 1882*, 12th ed. Delhi: Delhi Law House, 2010.

FIFTH SEMESTER

BAL511

NATION STATES AND INTERNATIONAL TERRORISM

(No. of Hrs. 40-60 Hrs)

COURSE OBJECTIVES:

- To acquire an understanding of the historical foundations of contemporary international terrorism from the point of view of both international relations (between nations) and comparative politics (within nations)
- To understand political, social, and economic theories regarding the causes of terrorism, its control, and the consequences of implementing those controls.
- To identify geographical regions and states where the roots of terrorism are prevalent, precisely identifying those root causes where possible
- To analyze primary/umbrella terror groups, their organizational and inter-organizational characteristics, including their recruiting, financing, and operating strategies
- To articulate informed opinion about international terrorism, its interface with transnational organized crime, other socio-economic developments, and global impact
- To examine the roles of militancy, religion, ethnicity, and other interests in identity-based conflicts, intractable conflicts, uprisings, wars, and war-like situations
- To appreciate the challenges of international terrorism intelligence analysis, conflict de-escalation, and intervention

Module 1 will introduce the subject and the key concepts. It will also examine the factors that cause the growth of terrorism. **Module 2** will focus on European terrorist groups. **Module 3** will focus on the Middle East and the rise of Islamic fundamentalism. **Module 4** will focus on South Asia with special focus on India. **Module 5** will focus on Latin America with a special emphasis on narco-terrorism.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Guest lectures by officials from police and intelligence services, etc. as per the requirement of each module.

MODULE 1: CONCEPTUALIZING TERRORISM

Learning Outcome: Students will have conceptual clarity and an overview of the subject

What is terrorism? Why is it so difficult to define? Factors for the growth of terrorism. Types of Motivation-Rational, Psychological and Cultural. Patterns of terrorist behaviour.

MODULE 2: TERRORISM IN EUROPE

Learning Outcome: Students will have an understanding of the nature of european terrorism and also its rather unique urban form.

The Red Army Faction (RAF) of Germany-Socio-cultural origins, psychological factors, historical dimensions. State response

The Irish Republican Army (IRA)-Origins,objectives, structure. Roots of religious conflict in Northern Ireland. Tactics used by IRA

ETA- The Basque separatist movement- Historical background to nationalist tensions in Spain, origins of ETA, tactics employed. Spain's response

MODULE 3: TERRORISM IN MIDDLE EAST

Learning Outcome: Students will have an understanding of the complexities in the middle east and also an ability to comprehend the realities of the world post 9/11.

The Muslim Brotherhood of Egypt - Why is it so important? What was its Influence?

Israel/Palestine - The challenges posed by Hamas and PLO.

Hizballah - Origins, objectives, tactics. Effect on Israeli policies

Al Qaeda – Origins, objectives, tactics. Impact of 9/11 attacks. U.S counter-terrorism measures. The War on Terror

MODULE 4: TERRORISM IN SOUTH ASIA

Learning Outcome: Students will have a better understanding of the security scenario in south asia.

The Maoist movement in India-Origins, objectives, tactics. Counter insurgency measures of the Indian state;

The LTTE in Sri Lanka-Origins, Historical background of the Tamil-Sinhala conflict. Counter insurgency measures by the state;Islamic fundamentalism in Pakistan-Role of the Army, ISI.

MODULE 5: TERRORISM IN SOUTH AMERICA

Learning Outcome: The students will be able to appreciate the complexities of narco-terrorism and the measures to counter it.

The Shining path of Peru-Origins, objectives, tactics. Counter insurgency measures by the state.

The FARC of Colombia-Origins, objectives,tactics. Narcotics trade as an instrument of terror.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. O’Leary, Brendan, and John Tirman. *Terror, Insurgency, and the State: Ending Protracted Conflicts*. Pennsylvania: University of Pennsylvania Press, 2007.
2. Whittaker, David. *The Terrorism Reader*. 3rd edition: New York: Routledge, 2007.
3. Carpenter, William M., and David G. Wiencek, (Eds). *Asian Security Handbook: Terrorism and the New Security Environment*. 3rd edition. New York: M. E. Sharpe, 2005.
4. O’Neill Bard E. *Insurgency and Terrorism: From Revolution to Apocalypse*. 2nd edition. Potomac Books Inc., 2005.
5. Scheurer Michael. *Imperial Hubris: Why the West is Losing the War on Terror*. Potomac Books Inc., 2007.
6. Williams, Bernard. *The Crisis of Islam: Holy War and Unholy Terror*. Random House Trade Paperbacks, 2004.
7. Hoffman, Bruce. *Inside Terrorism*. Columbia: Columbia University Press, 2007.

BAL562
COMPANY LAW – I
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: The purpose of this course is to study the fundamental Concepts central to Company Law, with an overview of the History and Evolution of the Modern day developments in Company law.

Module 1 will provide the students an overview of regulatory framework for working of mercantile associations in India. **Module 2** will give clarity about company as a legal entity and types of companies. **Module 3** about the process of formation of a company. **Module 4** about the basic documents of a company- its framing and amendments. **Module 5** about irregular transactions of Companies and issues related to the same. **Module 6** will give a clear picture about membership in companies and de-mat accounts. **Module 7** make the students clear about the financial aspects of a company including capital, securities and charges.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION, HISTORY AND REGULATORY REGIME 8 Hrs.

Learning Outcome: On completion of this module students will be able to appreciate the importance of business associations, history and regulatory framework relating to the same.

Overview of the subject, Legal Vehicles available for business activities – Corporate Bodies, Un-incorporated associations, proprietary concerns and HUF – Characteristics of each, The corporate bodies governed by The Companies Act, 1956, Other Corporate Bodies including co-operative societies and LLPs

History of corporate law and recent developments, The Modern corporation, Its role and significance, comparison with other forms of business organization – Advantages and disadvantages of doing business through the corporate vehicle – The evolution of commercial corporations and its recent developments – History of Registered Companies in England and India – Twentieth Century developments, Emergence of mega multinationals, Stakeholders in the corporation, Organs of the corporation and the correlation between them – Corporate Governance –An overview

MODULE 2: COMPANY AS SEPARATE LEGAL ENTITY AND EXCEPTIONS**8 Hrs.**

Learning Outcome: On completion of this module students will get clarity about jurisprudential aspects of 'company' and classification of companies

Jurisprudential issues – Incidents of corporate personality, Lifting the corporate veil – Statutory and judicial inroads to corporate personality, Legal personality of group companies

Classification of companies – Chartered, Statutory and Registered Companies, Limited by Shares, Limited by Guarantee and Unlimited, Private and Public Companies, S. 25 Companies, Government Companies, Foreign Companies, Producer Companies, Group Companies

MODULE 3: PROMOTION ACTIVITY AND FORMATION OF COMPANIES**8 Hrs.**

Learning Outcome: On completion of this module the process of formation of different kinds of companies and commencement of business will be made clear to the students.

Company Promoters – Legal Position of Company Promoters, Remedies against breach of duties by promoters

Pre Incorporation Contracts – Ratification-Jurisprudential Issues, Scope of Sections 15 and 19 of Specific Relief Act, 1963, Rights and Liabilities of the Company, third parties and promoters in respect of pre incorporation Contracts, Comparison between Indian and English Law

Provisional Contracts – Meaning, Trading certificate –Distinction between private companies and Public companies, Effect of provisional contracts

Contracts made after the company is entitled to commence its business

Formation of Companies – Legal and procedural issues, Conclusiveness of the certificate of Incorporation.

Commencement of business – Distinction between Private and public company

MODULE 4: CONSTITUTIONAL DOCUMENTS AND THEIR AMENDMENT**8 Hrs.**

Learning Outcome: On completion of this module students will come to know about the law and procedure relating to the basic documents for a company, obligations arising out of these documents

Memorandum of Association and Articles of Association- nature and correlations

Contents of Memorandum and Articles of Association – Obligatory and non-obligatory provisions of the Memorandum of Association, Legal status of the non-obligatory provisions, Whether Articles of Association are mandatory-significance of Table A articles, Contractual effect of the Memorandum and the Articles of Association, Shareholders' Agreements and their effect on the company, Amendment of provisions in the Memorandum and the Articles of Association- Law & procedure.

MODULE 5: IRREGULAR COMPANY TRANSACTIONS

8 Hrs.

Learning Outcome: On completion of this module Students will get an understanding of about the *ultra vires* actions, consequences and remedies available to the companies and their agents.

Doctrine of '*Ultra Vires*' – Significance of the Object clause, Effect of Ultra Vires Transactions, Remedies

Doctrine of Constructive Notice and Indoor management – Legal protection of the Company and third parties prejudiced by the un-authorized transactions by the Companies Agents.

MODULE 6: MEMBERSHIP

5 Hrs.

Learning Outcome: On completion of this module students will have clarity about the membership in companies, requirements and procedures related to the same.

Members of a Company and Their Legal Status – Register of Members – Membership in Respect of Shares in the Dematerialized Form – Service of Notice to Members, Company and ROC – Publicity Requirements with Regard to Membership

MODULE 7: CORPORATE FINANCE

5 Hrs.

Learning Outcome: On completion of this module students will be able to understand statutory requirements various financial funds and maintaining finance in a company.

Capital – Concept of Capital in Corporate Law – Quasi-capital Funds – share premium account and capital redemption reserve fund – Rules governing the raising and maintenance of capital – Buyback of shares – Reduction of capital

MODULE 8: CORPORATE SECURITIES

5 Hrs

Learning Outcome: On completion of this module students will get clarity about acquisition of corporate securities , types of shares and debentures.

Types of Corporate Securities – Shares, Debentures and Other Securities – Legal Nature of Shares and Debentures – Classes of Shares and Their Special Features – Variation of Class Rights – Shares as property – Trust and beneficial interest, Share certificate, Lien on shares, Forfeiture of shares – Shares as membership

Debentures – Types of debentures-secured and unsecured, Debenture trust deed and debenture trustees, Remedies of debenture holders, Redemption of preference shares and debentures, Distinction between equity shares, preference shares and debentures, Conversion of preference shares into equity and debentures

Modes of acquisition of Corporate securities – Allotment, Transfer, Transmission, Legal and Procedural aspects, Blank transfers, Transfers of securities in dematerialized form

MODULE 9: COMPANY CHARGES AND COMPANY DEPOSITS

5 Hrs.

Learning Outcome: On completion of this module students will be able to have clarity about the method of giving security for repayment of loan or other liabilities of a company will be made clear to the students.

Types of charge-fixed and floating charge – Registration of charges and effect of non-registration – Crystallization of floating charges – Theories of floating charges – Vulnerability of floating charges – Effect of negative covenants in winding up

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. Gower, L. C. B. *Principles of Modern Company Law*. London: Sweet and Maxwell, 1997.
2. Palmer. *Palmer's Company Law*. London: Stevens, 1987.
3. Pennington R. R. *Company Law*. Butterworths, 1990.
4. Ramaiya, *Guide to the Companies Act*. Wadha, 1998.
5. Sealy, L. S. *Cases and Materials in Company Law*. 2007.

BAL563
FAMILY LAW – II
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: In Family Law I, the students have studied the salient features of the codified Hindu laws. While the Hindus being the majority community in India. Muslims and Christians are significant minorities in India having millions of adherents who follow different laws in their personal matters. Family Law II will look into the important features of the personal laws of these communities. The courts of India apply Muslim or Christian personal laws to the followers of the respective communities in certain matters such as marriage, succession, inheritance etc. In an age when there are demands for a uniform civil code for all communities, it is important to know the fundamental differences in the way these communities view with rules of their communities.

First Part deals with Muslim law in which **Module 1** introduces students to the fundamentals of Mohammedan law. **Module 2** deals with the succession to and administration of the estate of a deceased Mohammedan. **Module 3** deals with wills and gifts under Mohammedan law. **Module 4** deals with wakfs. **Module 5** deals in depth with marriages under Mohammedan law. **Module 6** deals with dower and divorce. **Module 7** deals with parentage and acknowledgement of paternity.

Second Part deals with Christian Law and general laws relating to divorce, marriage and succession in India. **Module 8** introduces students to Christian law in India. **Module 9** deals with Divorce Act, **Module 10** deals with Special Marriage Act and **Module 11** deals with Indian Succession Act.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

Muslim Law

MODULE 1: INTRODUCTION TO MUSLIM LAW IN INDIA

3 Hrs.

Learning Outcome: On completion of this module students will be able to describe the sources of Mohammedan law and about the sects and sub-sects of Mohammedan law.

Sources of Mohammedan Law, Mohammedan sects and sub – sects. Shariat Act, 1937.

MODULE 2: SUCCESSION AND ADMINISTRATION**10 Hrs.**

Learning Outcome: On completion of this module students will be able to determine shares of a deceased Mohammedan and discuss the rules of administration of the estate of a deceased Mohammedan.

Administration of the estate of a deceased Mohammedan, Devolution of inheritance, alienation by heirs. Inheritance: general rules, Joint Family and joint family business. Exclusion of daughters from inheritance.

MODULE 3: WILLS AND GIFTS**4 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the essential requirements of wills and the limits of testamentary powers of a Mohammedan. They will also be able to enumerate the requirements of a gift and different types of gifts under Mohammedan law.

Bequest to heirs, limit of testamentary power, abatement of legacies, revocation. Gifts: Essentials of gifts, revocation of gifts. Deathbed gifts & acknowledgements.

MODULE 4: WAKFS**5 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss about wakfs.

Mussalman Wakf Validating Act, 1913. Subject and Object of Wakfs. Wakf by immemorial user. Family settlement by way of Wakf. Mutawallis.

MODULE 5: MARRIAGE**6 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss about the types of marriages under Mohammedan law and the essentials of valid marriages thereunder.

Essentials of marriage, valid, irregular and void marriages, Iddat, prohibitions on various grounds, effects of valid and void marriages, presumption of marriage, option of puberty, Maintenance of wives.

MODULE 6: DOWER AND DIVORCE**6 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss about the types and nature of dower and different forms of divorce under Mohammedan law and their aspects.

Dower, different types of dower, liability of heirs for dower debt. Different forms of divorce, *talaq, ila, zihar, khula, mubara*. Iddat. Effects of divorce. The Dissolution of Muslim Marriage Act, 1939.

MODULE 7: PARENTAGE**4 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss about parentage under Mohammedan law.

Legitimacy, conditions of acknowledgement and establishment of paternity, appointment of guardians, right of mother to custody of infants.

Christian Law**MODULE 8: INTRODUCTION TO CHRISTIAN LAW IN INDIA****6 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss about Christian marriages in India.

Indian Christian Marriage Act, 1872, Notice of Marriage, Marriage Registrars, Solemnization, Prohibited Degrees, Marriage with non-Christians.

MODULE 9: ORIGIN AND EVOLUTION OF THE LAW OF DIVORCE IN INDIA**4 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the rules of divorce under the Divorce Act.

Divorce Act, 1869, the Amendment of the Act, 2001. Grounds for Dissolution of Marriage, Dissolution by Mutual Consent. Petition for Nullity of Marriage, Effects of Judicial Separation, Restitution of Conjugal Rights, Rights of Separated Wife, Alimony, Custody of Children.

MODULE 10: SPECIAL MARRIAGE ACT, 1954**4 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the provisions of Special Marriage Act in comparison with the provisions of Hindu Marriage Act and Christian Marriage Act.

Applicability, Comparison with Hindu Marriage Act, 1956 and Christian Marriage Act, 1872.

MODULE 11: INDIAN SUCCESSION ACT, 1925**8 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the provisions of the Indian Succession Act and its applicability.

Legislative History and Application of Indian Succession Act, 1925, Domicile, Intestate succession & Testamentary Succession, Wills & Codicils, Legacies, Bequests, Letters of Administration, Probate, Executor & Administrator, Succession Certificate.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%**SUGGESTED READINGS**

1. Hidayatullah, M., and Arshad Hidayatullah. *Mulla's Principles of Mohamedan Law*, 19th ed. New Delhi: LexisNexis Butterworths, 2006.
2. Chmpappilly, Sebastian (Dr). *Marriage, Adoption and Guardianship and Canon Law on Marriage*, Cochin: Southern Law Publishers, 2003.
3. Champappilly Sebastian (Dr). *Christian Law of Divorce*. Cochin: Southern Law Publishers, 2007.
4. Bakshi P. M. *Law of Succession*, 6th Edition, 1997.
5. Paruck. *The Indian Succession Act*, 9th ed. New Delhi: LexisNexis Butterworths, 1995.

BAL564
CONSTITUTIONAL LAW – I
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: Constitutional Law Course is divided in to two parts. The objectives behind the distribution of powers between the centre and the states include division of powers between the national and provincial government within the parameters of the Constitution. Such a division also seeks to limit the powers of the each of the government, again with in the constitutional parameters. The Indian Constitution attempted a balanced approach in disturbing the powers between the centre and the states incorporating the future developments in mind as well. It is because of this, the constitution of India has been misunderstood by various writers forcing them to describe it in every form including ‘quasi federal’ without understanding the provision in context. A cursory look into the provisions of the Constitution, combined with historic evolution of federal principles in India would lead everyone come to the conclusion that the central government is all powerful and the states are only subservient to the centre. This conclusion probably would have been relevant in the initial stages of constitutional governance, though not absolutely right. As a consequence of this dynamic relationship, the federal principles started crystallizing during the past few decades. The reasons for such a positive growth in Indian federalism can be attributed to the role played by the party system, claim for state autonomy, liberalized language, policy, revenue sharing including grants in aid, coalition governments at the centre, judicial interpretations and the influences of globalization.

The students are guided through this evolutions, problems and perspectives in the relations between the centre and the states, judicial interpretations and in the globalised world. There are dynamics present within every federal system as well dynamics of moving towards the concept of one world. Federalism and its principles are to be understood in that context and not in the way the political parties guide the relations within India. In doing so, the students are also familiarized with the Reports of Rajamannar Committee and the Sarkaria Commission Report. The role played by the Finance Commission as well as the decentralized governance and the move towards the concept of good governance would be dealt in detail in this course.

The objective of **Module 1** is to give a clear picture about the concept of rule of law and constitutionalism in a historical point of view. Salient features of Indian constitution is also dealt in this module. **Module 2** will give clarity about the concept of equality, its origin, development and its place in Indian Constitution. Objective of **Module 3** is to provide in depth understanding about fundament rights enshrined in the constitution and ground for their restrictions. **Module 4** will narrate the importance of Directive Principles of State policy.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION**4 Hrs.**

Learning Outcome: On completion of this module students will get a historical perspective about the concepts of constitutionalism and rule of law

Constitutional Law; Constitutionalism; Rule of Law; Historical Perspective; Salient Features of the Indian Constitutions; Fundamental Law; Preamble.

MODULE 2: FUNDAMENTAL RIGHTS**18 Hrs.**

Learning Outcome: By the completion of this module the evolution and development of fundamental rights will be made clear to the students.

Introduction; Concept Origin and Development; *Magna Carta*; The English Bill of Rights of 1689; The American Bill of Rights of 1791 The French Declaration of Rights of Man; The Universal Declaration of Human Rights, 1948, Need Fundamental Rights in India; Classification; State and Fundamental Rights (Article 12); Justifiability of Fundamental Rights (Article 13); Unconstitutionality of a Statute; Doctrine of Eclipse; Doctrine of Severability; Waiver of Fundamental Rights; Right to Equality (Articles 14-18); Equality Before Law and Equal Protection of Law (Article 14); Rule of Law Under Article 14; Rule of Law Under Article 14; Reasonable Classification; Administrative Discretion and Article 14; Reservation in India; Mandal Commission and Its Effect

MODULE 3: FUNDAMENTAL RIGHTS**18 Hrs.**

Learning Outcome: On completion of this module the basic nature of fundamental rights in the constitution its origin etc., will become clear to the students.

Right to Freedom (Articles 19-22); Right to Freedom (Article 19); Protection Against Conviction (Article 20); *Ex Post Facto* Law; Double Jeopardy; Prohibition Against Self-Incrimination; Protection of Life and Personal Liberty (Article 21); Right to Education (Article 21-A); Safeguards Against Arbitrary Arrest and Detention (Article 25-28); Cultural and Educational Rights (Articles 29-30).

Right to Property - Article 19(1) (f) and 19 (5) Article 31; Inter-Relation of – Article 31, Article 14 and Article 19(1) (f); Article 31-A and the Saving Clause; Article 31-B and the Ninth Schedule; Article 31-C, Article 300-A.

MODULE 5: DIRECTIVE PRINCIPLES OF STATE POLICY**12 Hrs.**

Learning Outcome: On completion of this module the nature and status of directive principles, state's obligations and their significance will be clear to the students.

Object and Purpose Nature; Directive Principles and Fundamental Rights Distinguished; Directive Principles and Fundamental Rights – The Supremacy Factor; Fundamental Duties; Doctrine of Basic Structure; Amendment of the Constitution.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%**SUGGESTED READINGS**

1. Singh, M. P. *Shukla V. N. Constitution of India*, 10th ed. Lucknow: Eastern Book Co., 2001.
2. De, D. J. *Constitution of India*. 2 vols., 2nd ed. Hyderabad: Asia Law House, 2005.
3. Basu, D. D. *Constitutional Law of India*, 7th ed. Nagpur: Wadhwa, 1998.
4. Jain, M. P. *Indian Constitutional Law*, 5th ed. Nagpur: Wadhwa & Co., 2003.
5. Seervai, H. M. *Constitutional Law of India: A Critical Commentary*. 3 vols., 4th ed. New Delhi: Universal Law Publishers, 2006.
6. Lok Sabha Secretariat. *Constituent Assembly Debates*. 5 vols. New Delhi: Lok Sabha Secretariat.
7. Chandrachud, Y. V. *Durga Das Basu Shorter Constitution of India* 13th ed, Nagpur Wadhwa & Co. 2005.
8. Austin, Granville. *Working a Democratic Constitution: A History of the Indian Experience*. New Delhi: Oxford University Press, 1999.

9. Rao, Shiva. *The Framing of India's Constitution*. 6 vols New Delhi: Universal Law Publishing, 2004.
10. Tribe, Lawrence. *American Constitution*. 3rd ed. New York: Foundation Press, 2000.
11. Rao, Shiva. *The Framing of India's Constitution*. 6vols New Delhi: Universal Law Publishing, 2004.
12. Swarup, Jagdish. *Constitution of India*. 2 vols. 2nd ed. New Delhi: Modern Law Publications, 2006.

BAL585
PRINCIPLES OF CRIMINAL LAW
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: This paper aims at an understanding of the basic philosophy underlying the concept of crime, and categories of as well as parties to crime. It takes a look at the different theories of punishment and gives the students a broad overview of the subject.

Module 1 focuses on criminology, source and functions of criminal law. This will give an over view of object and purpose of criminal law. **Module 2** deals with behaviour of individuals involve in crimes and issues related to that. **Module 3** focuses on liability under criminal law, when and where it arises and third party's liability. Different types of crimes will be discussed in **Module 4**. **Module 5** deals with the parties to the crime, degree of liability etc. The theoretical aspects and basis of punishment will be the objective of including **Module 6**.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

6 Hrs.

Learning Outcome: On completion of this module students will clarity about 'crime' and concept of law relating to it.

Philosophy of criminology, Nature of crime, Definition and Policy, Crime and society, Place of criminal law in criminal science, Nature and functions of criminal law, Sources of criminal law, Theories of crime

MODULE 2: CRIMINALIZATION

10 Hrs.

Learning Outcome: On completion of this module students will learn about the behaviour of the persons involved in crimes for understanding criminal law in a better manner.

Principle of individual autonomy, principles of welfare, harm principle and public wrong, principle of respect for human rights, Right not be punished, Criminalization as a last resort, Principle of not criminalizing where this would be counter productive

MODULE 3: PRINCIPLES OF CRIMINAL LIABILITY**12 Hrs.**

Learning Outcome: On completion of this module students will get clarity about logical structure of criminal law.

Test for criminal liability, Criminal conduct – *Actus Reus*, Criminal capacity – *Mens rea*, Strict liability, Vicarious and corporate liability, Derivative liability – secondary participation, Variations in liability

MODULE 4: CLASSIFICATION OF CRIMES**10 Hrs.**

Learning Outcome: On completion of this module students will learn about the degree of crimes and the classifications of crimes.

Indictable crimes, Petty crimes, Felonies, Misdemeanours

MODULE 5: PARTIES TO CRIME**10 Hrs.**

Learning Outcome: On completion of this module students will be able to understand the liability of the persons involved in crimes depends on the nature and degree of their involvement. Students will understand about ‘parties to crime’

Introduction, Principals in first degree, Principals in second degree: aiders and abettors, Accessories before the fact, Accessories after the fact, Accomplices

MODULE 6: THEORIES OF PUNISHMENT**12 Hrs.**

Learning Outcome: The theoretical aspects of punishment give clarity to the students about the nature and purpose of punishment.

Deterrent, Retributive, Preventive, Reformative

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. *Kenny's Outlines of Criminal Law*, 19th Ed, New Delhi: Universal Law, 1966.
2. Simester, and Sullain, *Criminal Law Theory and Doctrine*, Oxford & Portland, 2007.
3. Molan, Mike. *Modern Criminal Law*, 5th Ed., Cavendish Publishing, 2003.
4. Ashworth, Andrew. *Principles of Criminal Law*, 6th Ed., OUP, 2009.
5. Christina Mcalhone, *Criminal Law*, Sweet & Maxwell, 2007.
6. Ahuja, Ram. *Criminology*. New Delhi: Rawat Publications, 2000.
7. Pranajape, N. V. *Criminology and Penology*. 12th ed. Allahabad: Central Law Publications, 2006.
8. Akers, Ronald L. *Criminological Theories: Introduction, Evaluation and Appreciation*. 4th ed. Jaipur: Rawat Publications, 2004.
9. Hagan, Frank E. *Introduction to Criminology: Theories, Methods and Criminal Behavior*. 7th ed. Los Angeles: Sage Publications, Inc., 2011.
10. Newburn, Tim, ed. *Key Readings in Criminology*. Oregon: Willan Publishing, 2009.
11. Walklate, Sandra. *Criminology: The Basics*. London: Routledge, 2005.
12. Walsh, Anthony. *Introduction to Criminology: A Text/Reader*. Los Angeles: Sage Publications, 2008.
13. Vold, George B. *Theoretical Criminology*. 5th ed. New York: Oxford University Press, 2002.
14. Maguire, Mike, Rod Morgan and Robert Reiner eds. *The Oxford Handbook of Criminology*. 4th ed. Oxford: Oxford University Press, 2007.
15. Hall, Jerome. *General Principles of Criminal Law*. 2nd ed. Indianapolis: the Bobbs-Merrill Company Inc., 2008.
16. Furst, Gennifer. *Contemporary Readings in Criminology*. Los Angeles: Sage Publications, 2009.
17. Siegel, Larry J. *Criminology*. 9th ed. Australia: Thomson Learning, 2006.
18. Hagan, Frank E. *Introduction to Criminology: Theories, Methods, and Criminal Behavior*. 6th ed. Los Angeles: Sage Publications, 2008.

BAL566
ENVIRONMENTAL LAW
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: The Environmental law programme, in contrast to other law curricula, has certain characteristics which make it unique and is one of the best instruments for breaking the ice of colonial legal education. Its uniqueness lies in the fact that the problems it raises do not relate merely to specific individuals but about such matters as national development, industrial policy, policies concerning natural resources, injustice to communities, inter generational equity and prevention of pollution. All these issues relate to problematic about construction of a just, humane and healthy society. Secondly, environmental law necessarily demands an inter-disciplinary approach. Thirdly, uniqueness of the subject is borne out by the new epistemological outlook which ecology-related knowledge has brought about in recent times. The development of ecological knowledge has necessitated an overall change not only in managerial studies but also in socio-legal explorations. This approach to the growing dimensions of environmental law is essential.

Module 1 introduces students to the concepts of environment and pollution, and impresses upon them the need to protect the environment. **Module 2** deals with the historical perspectives of the environmental law. **Module 3** deals with the constitutional perspective of the environmental law. **Module 4** is designed to give students a comprehensive idea of Water and Air Pollution Acts. **Module 5** deals with the Environment Protection Act. **Module 6** aims at giving the students a glimpse of Town and Country Planning Act. **Module 7** deals with forest and wildlife while **Module 8** deals with bio-diversity. **Module 9** introduces students to the international environment protection regime.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: CONCEPT OF ENVIRONMENT AND POLLUTION

3 Hrs.

Learning Outcome: On completion of this module students will be able to

- discuss the concept of the environment and that at the end, students should be able to ascribe meaning to the concept of environmental law both in India and other jurisdictions of the earth.
- explain the differing concepts of the environment

Environment, Meaning and contents, pollution, meaning, kinds of pollution, effects of pollution

MODULE 2: LEGAL CONTROL: HISTORICAL PERSPECTIVES**4 Hrs.**

Learning Outcome: Students must be made aware of the fact that environmental law is not of recent origin and hence the mention of dharma, Vedas and other ancient laws relating preservation of environment has to be made. The module also throws light on various other enactments speaking about environment protection.

Indian tradition: *dharma* of environment, British Raj – industrial development and exploitation of nature, Nuisance: penal code and procedural codes, Free India – continuance of British influence, Old laws and new interpretations.

MODULE 3: CONSTITUTIONAL PERSPECTIVES**10 Hrs.**

Learning Outcome: One of the reason behind development of various laws in India on the protection on environment has been our Constitution. The students will in this module be made aware of the fact that the Indian Constitution expressly and impliedly has laid emphasis on the protection of environment as a fundamental right as well as a duty.

Constitutional making – development and property oriented approach, Directive principles, Status, role and interrelationship with fundamental rights and fundamental duties, Fundamental Duty, Judicial approach, Fundamental Rights, Rights to clean and healthy environment, *Environment v. Development*, Enforcing agencies and remedies, Courts, Tribunal, Constitutional, statutory and judicial remedies, Emerging principles, polluter pays: public liability insurance, precautionary principle, Public trust doctrine, Sustainable development.

MODULE 4: WATER AND AIR POLLUTION ACTS**6 Hrs.**

Learning Outcome: The students will learn the provisions on Air and Water Act to know the permissible and non-permissible limits for waste disposal on one hand and the penalty for non-compliance on the other.

Meaning and standards, Culprits and victims, Offences and penalties, Judicial approach.

MODULE 5: ENVIRONMENT PROTECTION ACT, 1986**4 Hrs.**

Learning Outcome: Another important legislation which has comprehensively dealt with the protection of environment has been the Environment Protection Act 1986. It is the parent legislation for all the environmental laws. The students in detail have to know the provisions of this act and also if there is clash between two laws then Environment Protection Act shall prevail over the other.

Protection agencies: power and functions, Protection: means and sanctions, Emerging protection through delegated legislation, Hazardous waste, Bio-medical waste, Genetic engineering, Disaster emergency preparedness, Environment impact assessment, costal zone management, Environmental audit and eco mark, Judiciary: complex problems in administration of environmental justice, Climate change – Legal control, permissible and impermissible noise.

MODULE 6: TOWN AND COUNTRY PLANNING

15 Hrs.

Learning Outcome: One of the main reasons for pollution has been the process of urbanisation. The students will be sensitised about this issue and also look into the Town Planning Act as to whether the Act speaks about how they also create balance between development and protection of environment.

Law: enforcement and constrain Planning – management policies.

MODULE 7: FOREST AND WILDLIFE

2 Hrs.

Learning Outcome: Wildlife and forest are integral part of the environment and hence the study of these laws in relation to environment with relevant case laws and recent developments will help the students in better understanding of the issue.

Greenery conservation laws, Forest conservation, Conservation agencies, Prior approval and non-forest purpose, Symbiotic relationship and tribal people, Denudation of forest: judicial approach, Wild life, Sanctuaries and national parks, Licensing of zoos and parks, State monopoly in the sale of wild life and wild life articles, offences against wild life, Prevention of Cruelty to Animals Act, 1960.

MODULE 8: BIO-DIVERSITY

4 Hrs.

Learning Outcome: The recent laws are also of much importance because of the fact that now we are in the era of hybridisation. The module aims at sensitising the students about the positive and negative approaches to this process of hybridisation and emphasise on the fact that indigenous plant varieties have to be preserved and protected and how this in turn helps in the protection of environment.

Legal control, Convention on Biological Diversity, 1992, Biodiversity Act, 2002 Control of eco-unfriendly experimentation on animals, plants, seeds and micro organism.

MODULE 9: INTERNATIONAL REGIME**12 Hrs.**

Learning Outcome: The international regime is very important because much of the laws in India have developed and has been enforced due to the efforts at International Level. Hence a glance on the various conventions and protocols would throw a light on the developments happening at international level and how Indian laws can cope up in striking the balance between development and environment protection.

Stockholm conference, Green house effect and ozone depletion, Rio conference, Bio-diversity, U.N. declaration on right to development, conference on Wetlands, Climate Change

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL	100%

SUGGESTED READINGS

1. Rosencranz, Aarmin, et al., (eds.) *Environmental Law and Policy in India*. Oxford: OUP, 2000.
2. Singh, R. B., and Suresh Misra. *Environmental Law in India*. New Delhi: Concept Publishing Co., 1996.
3. Thakur, Kailash. *Environmental Protection Law and Policy in India* New Delhi: Deep and Deep Publications, 1997.
4. Riversz, Richard L., et.al. (eds.) *Environmental Law: The Economy and Sustainable Development*. Cambridge: CUP, 2000.
5. Stone, Christopher D. *Should Trees Have Standing and Other Essays on Law, Morals and the Environment*. Oceana, 1996.
6. Leelakrishnan, P., et.al. (eds.). *Law and Environment*. Lucknow: Eastern Book Co., 1990.
7. Leelakrishnan, P. *The Environmental Law in India*. New Delhi: Butterworths-India, 1999.
8. Government of India. Department of Science and Technology. *Report of the Committee for Recommending Legislative Measures and administrative*

Machinery for Ensuring Environmental Protection (Tiwari Committee Report).
New Delhi.1980.

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10. Centre for Science and Environment, The State of India's Environment 1982, The State of India's Environment 1984-85 and The State of Indian Environment 1999-2000.
11. World Commission on Environment and Development. *Our Common Future*. Oxford: Oxford University Press, 1987.

SIXTH SEMESTER

BAL611 INTERNATIONAL RELATIONS (No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: The course is designed to introduce the students to the basic ideas of the working of international relations. It emphasizes on the politics behind international diplomacy and highlights the gaping conflicts.

Module 1 is designed to introduce the students to the basics of the state system in juxtaposition with the promotion of national interest along with the various instruments to achieve the same. **Module 2** aims at an understanding of the inter-state relations with the UN as the focal point. **Module 3** is devised to appreciate the myriad hues of different global issues, ranging from terrorism to hunger and poverty, that nevertheless have a bearing on each other. **Module 4** is devoted to a threadbare discussion of the nitty-gritty of foreign policy aspects. It emphasizes on the foreign policy practices pursued by the US. **Module 5**, basically an extension of Module 4, harps upon the foreign policies of Russian Federation, India and China.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION TO INTERNATIONAL RELATIONS 15 Hrs.

Learning Outcome: At the end of this Module, students are expected to get a fundamental idea about the nuances of international relations.

The State system and its corollaries, National Power

Instruments for the Promotion of National Interest: Diplomacy, Propaganda as instrument of National Policy, Economic Instruments, Imperialism and Colonialism, War as an instrument of National Policy

MODULE 2: INTERSTATE RELATIONS 15 Hrs.

Learning Outcome: On studying this Module, students would be endowed with the equations of the states inter se, and the pivotal role played by the UN in this regard.

The balance of Power, Collective Security, Evolution of International Organization, The United Nations

Theoretical Approaches to International Relations: From the cold war to the war on terror, Realism, Liberalism, Neo-realism and Neo-liberalism, Marxist theories

MODULE 3: INTERNATIONAL ISSUES

10 Hrs.

Learning Outcome: Conclusion of this Module equips the students to appreciate the various distinct yet inter-related issues haunting the global spectrum.

Terrorism and Globalization, Nationalism, Nuclear Proliferation, Culture in World affairs, Humanitarian intervention in world politics, Poverty development and hunger, Human Rights

MODULE 4: UNDERSTANDING FOREIGN POLICY

10 Hrs.

Learning Outcome: Students, on the study of this Module, are enabled to get a proper blend of academic and pragmatic concepts of foreign policy, seen especially through the lens of the US foreign policy.

Origins and development of the concept, role of ideology, pragmatism, evolution of doctrines.

Foreign Policy of the United States of America: Structure of U.S. Government, Political system, Historical context of the evolution of American Foreign Policy(till 1945), Interventionism, Post world war foreign policy, The Cold War, The Korean Crisis, Vietnam War, the Iranian Revolution, the war on terror

MODULE 5: FOREIGN POLICY OF THE RUSSIAN FEDERATION

10 Hrs.

Learning Outcome: Students would be in a position to critically analyze the comparative perspectives of foreign policy pursued by different power-players.

Structure of The Russian Government, Political system, evolution of soviet foreign policy, reign of terror, the role of Comintern, control over eastern Europe, controlling the federation in the light of ethno-nationalistic tensions

Foreign Policy of India: Structure of the Indian Government, Political system, evolution of Indian Foreign Policy, NAM, Attitude towards Asian neighbors, Major conflicts – Indo-Chinese war, Intervention in Sri Lanka, Contemporary trends and shifts in doctrine.

Foreign Policy of China: Structure of the Chinese Government, Political system, the Chinese Revolution, evolution of Chinese Foreign Policy, Aspirations for hegemony in Asia, domination hi world economy, military doctrine, current trends

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL 100%	

SUGGESTED READINGS

1. L. Social Theory of International Politics. Cambridge: CUP, 1999.
2. *Handbook of International Relations*. Sage Publishing, 2002.
3. *Reliable Partners: How Democracies Have Made a Separate Peace*. Princeton, 2003.
4. *Huntingdon, Samuel*. Clash of Civilizations and the Remaking of World Order Simon & Schuster. 1996.
5. Keohane, Robert, and Joseph Nye. *Power and Interdependence*. Princeton. 1982.
6. Keohane, Robert. *After Hegemony*. Princeton. 1984.
7. Waltz, Kenneth. *Theory of International Politics*. Waveland Pr Inc., 2010.
8. Hans J. Morgenthau, *Politics Among Nations: The Struggle for Power and Peace*. 5th edition. New York: Alfred A. Knopf, 1978.
9. “Why a World State is Inevitable?” *European Journal of International Relations* 9 (2003), 491-542.
10. “Anarchy Is What States Make of It”. *International Organization* 46 (1992), 391-425.
11. “Why Economic Sanctions Do Not Work”. *International Security* 22 (Fall) 1997.
12. Deenberry, John (Ed.), *America Unrivaled* Cornell, 2002.
13. Ambrose, Stephen. *Rise to Globalism: American Foreign Policy Since 1938*. 9th revised edition. New York: Penguin Books, 2010.
14. Chang, L., and P. Kornbluh. *The Cuban Missile Crisis*, 1962.
15. Kornbluh P., and M. Byrne. *The Iran-Contra Scandal: The Declassified History*. New York: The New Press, 1993.
16. Lindeman M., and W. Rose. *The Role of the United States in a Changing World*. Dushkin Pub Group, 1994.

17. Kiasner, Stephen V. (Ed.) *International Regimes*. Cornell: Cornell University Press, 1983.
18. Jacques, Martin. *When China Rules the World: The End of the Western World and the Birth of a New Global Order*. 2010.
19. Robinson, Thomas W. *Chinese Foreign Policy: Theory and Practice*. New York: Oxford University Press, USA, 1996.
20. Dixit, J. N. *Makers of India's Foreign Policy*. New Delhi: HarperCollins India, 2004.
21. Cline, Ray *The CIA: Reality vs Myth—The Evolution of the Agency from Roosevelt to Reagan*. Washington, DC: Acropolis Books, 1982.

BAL662
CRIMINAL LAW – I
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: The primary objective of criminal law is to maintain law and order in the society and to protect the life and liberty of people. It is for this reason that the people place their ultimate reliance on this branch of law for protection against all injuries that human conduct can inflict on individuals and institutions. Due to these reasons, the penal law cannot afford to be weak, ambiguous or ineffective. Nor can it be harsh and arbitrary in its impact. The application of criminal law has to be uniform regardless of any discrimination on grounds of class, caste, religion, sex or creed etc. of either the criminal or the victim. The subject of Criminal Law-I has been so designed as to generate critical thinking among the students about the stated objectives of criminal law and enable them to scrutinize the recent developments and changes that have taken place in the field.

Module 1 is designed to impart to the students the conceptual foundations of crime laced with the basic underlying philosophy of the Indian Penal Code. **Module 2** dwells on the nature and significance of punishment for the effective implementation of criminal law. **Module 3** speaks of a very important, although not often emphasized, aspect of a crime viz. abetment. **Module 4** aims at dissemination of a concept that has gained importance of late, i.e., criminal conspiracy and offences against the State. **Module 5** emphasizes on the various offences affecting public tranquillity which is of vital importance for peace and order in the society. **Module 6** is designed to the understanding of the offences relating to human body, the most important aspect of criminal law. While **Module 7** deals with sexual offences, **Module 8** centres around offences relating to property. **Module 9** revolves around another segment of crimes having a bearing on the society, namely, offences relating to marriage, and **Module 10** is devoted to other offences.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: GENERAL INTRODUCTION

4 Hrs.

Learning Outcome: Students are expected, at the end of this Module, to underscore the relative importance of criminal law and of IPC in the light of their conceptual hues.

Nature and definition of crime, Constituent elements of crime, Extent and application of Indian Penal code, Structure of IPC, Understanding definitions, General Explanations

General Exceptions: Mistake, Principle of *ignorantia facti excusat*, Principle of *ignorantia juris*, Accident, Infancy, Insanity, Intoxication, Consent, Mistake, Private defence

MODULE 2: PUNISHMENTS

4 Hrs.

Learning Outcome: At the end of this Module, students would be in a position to examine the paramountcy of punishments as a means to achieve the stated ends of criminal law.

Fine; Imprisonment, Simple and Rigorous; Imprisonment for life; Solitary confinement; Capital Punishment.

MODULE 3: ABETMENT

4 Hrs.

Learning Outcome: This Module equips the students, at the end, with an understanding of the requirement to appreciate the role of abettors in a crime.

Meaning of abetment, Abettor, Punishment for abetment, harbouring.

MODULE 4: CRIMINAL CONSPIRACY AND OFFENCES AGAINST STATE

4 Hrs.

Learning Outcome: At the end of this Module, the students would learn the kernel of criminal conspiracy the importance of which can hardly be over-emphasized in a modern state.

Definition, Punishment, Offences against state, Waging war, Sedition, Responsibility of public servant, Offences relating Army, Navy and Air force

MODULE 5: OFFENCES AGAINST PUBLIC TRANQUILLITY

4 Hrs.

Learning Outcome: Students are expected to appreciate the nuances of public tranquility at the end of this Module.

Unlawful assembly, Rioting, Assaulting or obstructing public servant, Provocation and communal enmity, Affray

MODULE 6: OFFENCES RELATING TO HUMAN BODY

12 Hrs.

Learning Outcome: At the end of this Module, the students are expected to obtain a clearer understanding of one of the most vexed issues of life and liberty.

Homicide, Murder, Suicide, Causing Miscarriage, Hurt, Wrongful Restraint and Confinement, Force, Assault, Kidnapping, Abduction.

MODULE 7: SEXUAL OFFENCES**4 Hrs.**

Learning Outcome: Students would be privy to the complex issues pertaining to different kinds of injuries- physical to emotional- that may be inflicted on the human beings after studying this Module.

Rape, Unnatural offences.

MODULE 8: OFFENCES AGAINST PROPERTY**12 Hrs.**

Learning Outcome: Students are expected, on completion of this Module, to understand the different offences against property.

Theft, Extortion, Robbery, Dacoity, Misappropriation, Criminal Breach of Trust, Receiving Stolen Property, Cheating, Trespass, Forgery, Falsification of Accounts, False, Criminal Breach of Contract of Service

MODULE 9: OFFENCES RELATING TO MARRIAGES**8 Hrs.**

Learning Outcome: Study of this Module gives a holistic idea of different marital offences.

Bigamy, Adultery, Cruelty by Husband and Relatives, Dowry Death.

MODULE 10: OTHER OFFENCES**4 Hrs.**

Learning Outcome: Students would be in a position to learn the other offences that are detrimental to the health of society.

Defamation, Criminal intimidation, Insult and Annoyance, Attempt to Commit Offences.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. Gaur, K. D. *Criminal Law: Cases & Materials*. 4th ed. New Delhi: LexisNexis Butterworths, 2005.
2. Ashworth, Andrew. *Principles of Criminal Law*. 5th ed. New York: Oxford University Press, 2006.
3. Suresh, V., and D. Nagasaila. *P. S. A. Pillai's Criminal Law*. 9th ed. New Delhi: LexisNexis, 2006.
4. Pillai, K. N. Chandrashekhar. *General Principles of Criminal Law*. Lucknow: Eastern Book Co., 2005.
5. Gour, Hari Singh. *Commentaries on the Indian Penal Code*. 12th ed. Allahabad, Delhi Law Publishers, 2005.
6. Chandrachud, Y. V. *Ratanlal Dhirajlal's Indian Penal Code*. 31st ed. Nagpur: Wadhwa & Co., 2006.
7. Basu, N. D. *Indian Penal Code (Law of Crimes)*. New Delhi: Ashoka Law House, 2006.
8. Gaur, K. R. *A Textbook on the Indian Penal Code*. 3rd ed. New Delhi: Universal Law Publishing Co. 2004.
9. Turner, J. W. Cecil. *Kenny's Outlines of Criminal Law*. 19th ed. New Delhi: Universal Law Publishing, 2006.
10. Sarkar, S. C. *Commentary on the Indian Penal Code*. 4 Vols. Allahabad: Dwivedi Law Agency, 2006.
11. Williams, Glanville *Textbook on Criminal Law*. 2nd ed. Delhi: Universal Law Publishing, 1983.
12. Ormerod, David Smith, and Hogan. *Criminal Law*. 12th ed. London: Oxford University Press, 2008.
13. Sinester, A. P. *Criminal Law: Theory and Doctrine*. Oregon, Hart Publishing, 2007.
14. Thakker, C. K. *Ratanlal & Dhirajlal's Law of Crimes*. 2 Vols. 26th ed. New Delhi: Bharat Law House, 2007.
15. Huda, Syed Shamsul. *Principles of the Law of Crimes in British India*. Lucknow: Eastern Book Co., 1982.
16. Turner, Cecil J. W. *Russell on Crime*. 2 Vols. 12th ed. Delhi: Universal Law Publishing, 1964.
17. Card, Richard. *Card, Cross & Jones Criminal Law*. 18th ed. Oxford: Oxford University Press, 2008.
18. Dine, Janet. *Cases and Materials on Criminal Law*. New Delhi: Lawman, 1995.
19. Pal, Tejinder. *Supreme Court on Crimes*. Chandigarh, ICC Publications, 2004.

20. Fletcher, George P. *Grammar of Criminal Law: American, Comparative & International*. New York: Oxford University Press, 2007.
21. Allen, Michael. *Elliott and Wood's Cases & Materials on Criminal Law*. 9th ed. London: Sweet & Maxwell, 2006.
22. Guha, D. R., and Anil Kumar. *Words & Phrases under Criminal Law*. Hyderabad: Rajpal, 2006.

BAL663
COMPANY LAW – II
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: The purpose of this course is to study the internal functioning of a company. In the course of this programme the students will be introduced to the basic power structure in a company, the law regulating appointment of directors, the directors' duties, matters governing board meetings, matters governing company meetings, the concept of majority rule and its exceptions, modes of winding up of company and distribution of assets in the event of winding up.

In the light of the above, **Module 1** seeks to introduce the powers of a Board vis-a-vis a General Meeting in view of statutory provisions and precedents. **Module 2** gives a bird's eye view of the composition and power equation of a Board. **Module 3** is designed to give a comprehensive account of Meetings. **Module 4** aims at one of the oft debated issues, viz., accounts and audit. While **Module 5** speaks about the financial implications in light of dividends, **Module 6** deals with majority rule. **Module 7** emphasizes on the liquidation of a company and winding up.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: DIVISION OF POWERS BETWEEN THE GENERAL MEETING AND BOARD OF DIRECTORS **9 Hrs.**

Learning Outcome: At the end of this Module, students are expected to know the fundamentals of the working of Boards and General Meetings.

Powers of the Board: The rule in *Cunningham's* case, Restriction on the Powers of Board – Statutory & Contractual, Statutory Provisions Conferring powers on Board and General Meeting.

MODULE 2: BOARD OF DIRECTORS **9 Hrs.**

Learning Outcome: At the end of this Module, students would be in a position to critically analyze the composition, powers and functions of a Board of Directors.

Board of Directors – Legal nature of the office of directors, Composition of the board, Qualification, Disqualification of the Directors, Categories of Directors, Additional Directors, Alternate Directors, Directors who fill Casual Vacancies, Nominee Directors, Government Director, Executive and Non-executive Directors,

Whole Time & Part Time Directors, Independent Directors and Their Role, Shadow Directors. – Structure of the Board, Appointment of Directors and Allied matters, Qualifications and Disqualifications of Directors, Termination of Office of Directors – Publicity Regarding Directorship, Functioning of the Board – Remuneration of Directors Other Than Managerial Personnel – Committees of Board of Directors – Audit Committee, Remuneration Committee – Constituencies to which the directors owe duties, Fiduciary duty, Duty of care and skill, Statutory duties

MODULE 3: MEETINGS

8 Hrs.

Learning Outcome: This Module creates an understanding of the concept and modalities of General Meeting in students.

General Meeting as an Organ of the Company and its Operation, Types of Meetings, Transaction of the Business by the General Meeting. Procedural Requirements with regard to General Meeting.

MODULE 4: ACCOUNTS AND AUDIT

8 Hrs.

Learning Outcome: This Module teaches the students to conduct an audit of the Accounts and Audit of a company.

Accounts: Statutory books of accounts to be kept by the companies – Documents to be attached to Balance Sheet – Significance of Balance Sheet, Prescription of Accounting Standards – National Advisory Committee on Accounting Standards, Balance sheet and Profit and Loss Account – Authentication, Significance, Statements in the Balance Sheet, Legal Implications, Accounts of Branch Offices – Publicity with Respect to Account – Persons Having the Right to Inspect Books of Account – Directors’ Report and Responsibility statement.

Statutory Auditing: Position, powers and duties of statutory auditors – Fiduciary Duties – Duties of Care and skill, Constituencies to Which Statutory Auditors Owe Duties, Qualifications & Disqualifications of Statutory Auditors, Mode of Appointment and Removal, Tenure, Remuneration, Auditing of Government Companies

MODULE 5: DIVIDEND

8 Hrs.

Learning Outcome: Students, at the end of this Module, will learn the financial implications of a company by studying about dividends.

Meaning and Nature of Dividend – Entitlement to Dividend – Cumulative Dividend – Asset available for Declaration of Dividend – ‘Profits’ and ‘Distributable Profits’ – Declaration of Dividend – Interim Dividend – Effect of Declaration and Payment of Dividend not out of Distributable Profits – Effect of Non-payment of Dividend.

MODULE 6: MAJORITY RULE**8 Hrs.**

Learning Outcome: This Module makes the students appreciate the statutory as well as the judicial approaches towards majority rule.

Rule in *Foss v. Harbottle* and exceptions, Ratifiability of irregular acts

MODULE 7: COMPANY LIQUIDATION – COMPULSORY AND VOLUNTARY WINDING-UP ON OVERVIEW**10 Hrs.**

Learning Outcome: On the conclusion of this Module, students would get an idea of the how, why and what aftermath of winding up of a company.

Kinds of liquidation, Grounds for Compulsory Winding Up, Commencement and Consequences of Winding Up Order, Who can File Winding Up Petition, Position, Powers and Duties of Liquidator, The Role of Court in Compulsory Winding up.

Voluntary Winding up – Member’s Voluntary Winding up, Creditor’s Voluntary Winding up, Declaration of Solvency, Appointment of Liquidator, Committee of Inspectors, Powers and Duties of liquidators in Voluntary winding up

Fraudulent Trading, Misfeasance Proceedings, Public and Private examination, Effect of Winding Up on Antecedent Transactions, Realisation of Assets and Distributions of Assets in Winding Up Position of Secured Creditors, Government and Employees. – Contributory’s right to set off, Avoidance of transfers etc. Offences in winding up, Dissolution of companies through winding up, Defunct companies and Registrar’s power under section 560.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL	100%

SUGGESTED READINGS

1. Gower, L. C. B. *Principles of Modern Company Law*. London: Sweet and Maxwell, 1997.
2. Palmer. *Palmer’s Company Law*. London: Stevens, 1987.
3. Pennington R. R. *Company Law*. Butterworths, 1990.
4. Ramaiya, *Guide to the Companies Act*. Wadha, 1998.
5. Sealy, L. S. *Cases and Materials in Company Law*. 2007.

BAL664
CONSTITUTIONAL LAW – II
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: This course aims at a better understanding of the legal issues involved in the working of the Con. Law and the role played by the three organs in the same. It introduces the students to the stormy Centre-State relations and the conduct of elections.

Module 1 is designed to impart the students about the composition, powers and functions of the Union and State Executives. While **Module 2** aims at educating the students all about the Parliament and state legislatures **Module 3** throws light on the working of the Judiciary, Supreme Court and High Courts and their writ jurisdictions. **Module 4** discusses the most contentious issue of the Centre-State relations. **Module 5** is designed to discuss government contracts and **Module 6** the all important aspects of the power of amendment, emergency provisions and elections.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: EXECUTIVE

10 Hrs.

Learning Outcome: At the end of this Module, the students are expected to gain the basic inputs on the composition and significance of the union and state executive.

President of India – Election, Powers and Functions, Vice-President, Legislative Powers, Advisory Opinion of Judiciary – Governors – Appointment, Powers and Functions, Relationship Between State Government and Cabinet, Power to Make Laws – Relationship between Union and State Executives.

MODULE 2: LEGISLATURE

12 Hrs.

Learning Outcome: Students, at the end of this Module, are expected to learn about the law-making process among others.

Constitution, Compositions and Sessions, Powers and Privileges of Members of Parliament and state legislatures – Introduction and Passing of Bills, Joint Sitting, Money Bills, Budget.

MODULE 3: JUDICIARY**15 Hrs.**

Learning Outcome: On studying this Module, students would get the required analysis about the pivotal role played by the Supreme Court in dispensation of justice.

Supreme Court – Establishment and Constitution, Court of Record, Jurisdiction, Original and Appellate Jurisdiction, Special Leave Petition, Precedents.

High Courts – Establishment and composition, Writ jurisdiction, Power over lower courts

Prerogative Writs – *Habeas Corpus*, *Mandamus*, Prohibition, *Certiorari*, *Quo Warranto*. – Writ Jurisdictions of Supreme Court and High Courts.

MODULE 4: RELATIONSHIP BETWEEN CENTRAL & STATE GOVERNMENT**8 Hrs.**

Learning Outcome: The study of this Module is instrumental in students' understanding of the struggle for constitutional space by the two governments in federalism.

Federalism, Administrative Relations, Financial Relations, Finance Commission, Trade Relations.

MODULE 5: CONTRACTS AND SERVICES**8 Hrs.**

Learning Outcome: Students would be learning, at the end of this Module, the role of government as party to a contract and its implications as well as conditions affecting the services.

Government contracts, Recruitment and conditions of service, Doctrine of pleasure

MODULE 6: ELECTIONS, EMERGENCY AND AMENDMENT**7 Hrs.**

Learning Outcome: The study of this Module makes students appreciate the legal nuances of emergency and amendment powers as well as the manner of conducting of elections.

Election commission – Composition, Powers and Functions, Role of EC in the Superintendence of Elections, Anti-defection Law, Representation of Peoples Act, 1951.

Emergency – National, state and financial, Suspension of Fundamental rights, Amendment – power and necessary procedure, Basic structure of the Constitution, Ninth schedule of the Constitution

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%**SUGGESTED READINGS**

1. Singh, M. P., and V. N. Shukla. *Constitution of India*. 11th ed. Lucknow: Eastern Book Co., 2010.
2. De, D. J. *Constitution of India*. 2 Vols. 2nd ed. Hyderabad: Asia Law House, 2005.
3. Basu, D. D. *Constitutional Law of India*. 7th ed. Nagpur: Wadhwa, 1998.
4. Jain, M. P. *Indian Constitutional Law*. 6th ed. Nagpur: Lexis Nexis Butterworths Wadhwa, 2010.
5. Seervai, H. M. *Constitutional Law of India: A Critical Commentary*. 3 vols. 4th ed. New Delhi: Universal Law Publishers, 2006.
6. Lok Sabha Secretariat. *Constituent Assembly Debates*. 5 Vols. New Delhi: Lok Sabha Secretariat.
7. Chandrachud, Y. V. *Durga Das Basu Shorter Constitution of India*. 13th ed. Nagpur: Wadhwa & Co., 2005.
8. Austin, Granville. *Working a Democratic Constitution: A History of the Indian Experience*. New Delhi: Oxford University Press, 1999.
9. Basu, D. D. *Casebook on Indian Constitution*. 2nd ed. Kolkata: Kamal Law House, 2007.
10. Tribe, Lawrence. *American Constitution*. 3rd ed. New York: Foundation Press, 2000.
11. Rao, Shiva. *The Framing of India's Constitution*. 6 Vols. New Delhi: Universal Law Publishing, 2004.
12. Swarup, Jagdish. *Constitution of India*. 2 Vols. 2nd ed. New Delhi: Modern Law Publications, 2006.

BAL685
INTELLECTUAL PROPERTY LAW

(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: Intellectual property is an increasingly important generator of economic, social and cultural growth and development comprises not only valuable economic assets of private firms, but also the social and cultural assets of society. The potential impact of IP is so great that it is certain to have considerable effect on national and international economic development in the future.

A clear understudying of the intellectual property system has, therefore, become a necessity for all those associated with creative and innovative endeavour from policy makers, business executives to educators as well as artists and inventors themselves. This course seeks to provide a foundation for students to understand the enormous potential and power of IP and regulatory framework in India.

In light of the above, **Module 1** seeks to impart the underlying philosophy of IP and the fundamental notions of the major streams of IP laced with the international regime of IP. **Module 2** is designed to educate the students about, among others, the criteria for patents and patentee's rights. **Module 3** underscores the need for emphasizing on the conceptual hues of copyright and the different ways in which it can be transferred. **Module 4** is designed to appreciate, apart from the statutory provisions, the concept of Passing Off and Trade Secrets. **Module 5** aims at an understanding of the concept of designs and legal issues involved in the same. **Module 6** takes note of the emerging areas in the area of IP vis-a-vis biotechnology with reference to, especially, plant varieties & farmers' rights and biological diversity.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: BASIC PRINCIPLES AND ACQUISITION OF INTELLECTUAL PROPERTY RIGHTS **10 Hrs.**

Learning Outcome: At the end of this Module, students will be equipped to appreciate the philosophical undertones of IP coupled with the international IP regime.

Philosophical Aspects of Intellectual Property Laws, Basic principles of Patent Law, Understanding copyright Law, Basic Principles of trademark, Basic principles of deign rights, International background

MODULE 2: PATENTS**12 Hrs.**

Learning Outcome: This Module enables the students to understand the fundamental aspects of patents, especially the criteria for patentability and patentees' rights.

Patents – objectives, criteria for patent grant, Assignments, Application, Defences in case of infringement

MODULE 3: COPYRIGHT**12 Hrs.**

Learning Outcome: Students would be in a position to, post-Module, analyse the legal nitty-gritty of copyright in its various hues.

Objectives, Expression v Idea dichotomy, Transfer of ownership, Assignments, Copyright registration and copyright society, Infringement and defences

MODULE 4: TRADEMARK**12 Hrs.**

Learning Outcome: This Module makes the students understand the requisite conceptual as well as statutory provisions pertaining to trademarks, especially passing-off.

Objectives and importance of trademark in trade, Registration of trademarks and services

Grounds for refusal of registration of marks, Passing off, Infringement of trademark, Remedies for trademark infringement, Trade secrets

MODULE 5: DESIGNS**6 Hrs.**

Learning Outcome: Study of this Module gives a holistic view of the different facets of designs.

Objectives and rights, Assignment and transfer, Remedies for infringement, Defences

MODULE 6: EXPANDING HORIZONS OF IP**8 Hrs.**

Learning Outcome: This Module enables the students, at the end, to appreciate the myriad hues of IP with its different manifestations in the up and coming field of biotechnology.

Evolution of biotechnology and its relevance to and applications in IP; IP and revolutionary developments in plant varieties & farmers' rights , biodiversity and geographical indications; semi-conductors integrated circuits and layout designs

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL 100%	

SUGGESTED READINGS

1. Subram, N. R. *Demystifying Intellectual Property Rights*. New Delhi: LexisNexis – Butterworths Wadhwa, Nagpur, 2009.
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12. *Intellectual Property, The Many faces of Public Domain* Edward Elgar Publishing, 2007.
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15. May, Christopher. *Intellectual Property Rights, A Critical History*. Lynne Rienner Publishers (2006).
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18. Wilkof, Neil J., and Daniel Burkitt. *Trademark Licensing*. 2nd ed, Sweet & Maxwell, 2005.
19. Adeney, Elizabeth. *The Moral Rights of Authors and Performers: An International Comparative Analysis*. London: Oxford University Press, 2006.
20. Dutfield, Graham. *Intellectual Property Rights and the Life Science Industries*. 2nd ed, Ashgate Publishing, 2003.
21. Fairpo, Anne. *Taxation of Intellectual Property*. 2nd ed, Bloomsbury Professional, 2009.
22. Eastaway, Nigel, *et al.* *Intellectual Property Law and Taxation*, Thomson Reuters/Sweet & Maxwell, 2008.

BAL666
LABOUR AND INDUSTRIAL LAW – I
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: The twentieth century witnessed the development of Industrial jurisprudence in the country. The growth of industrial jurisprudence can significantly be noticed not only from increase in labour and industrial legislations but also from a large number of industrial law issues decided by the Supreme Court and High Courts. This has directly affected a large population of the country consisting of industrialists, workmen and their families. Protection of labour is a constitutional mandate. A Constitution inspired by the vision of social justice is committed to the cause of upliftment of labour. Well balanced industrial development leads to increased productivity which in turn is a factor of national progress. Labour makes significant contribution in this respect. Is labour merely a commodity? Is it only a factor in production? There may be different approaches towards this question. One fact is certain. Today's labour is engaged in a battle for position of honour and status equal with management. The law and practice relating to labour is the story of this battle. In this context, the study of labour law is not to be confined to mastering of the rules and regulations relating to the employment of the work force. Its wings spread wider. It has its aim on the societal impulses on, and state reactions to, the complex socio-economic, human and political problems arising out of the constant conflicts between different classes. The Globalization and Liberalization has posed many threats to the working condition of labour. The issues of Human Rights violation and standards of working hours have also affected the development of the labour.

In light of the above, **Module 1** is designed to take stock of the jurisprudential facets of labour policy and underscores the need for industrial peace. It lays stress on the role played by the judiciary, especially in India. **Module 2** examines the all important aspect of resolution of industrial disputes from different angles as a means of ensuring industrial harmony. **Module 3** looks into the paramount aspect of standing orders and the pragmatic requirements of domestic inquiry of workmen for misconduct. **Module 4** is designed to impart the growth of trade unions, collective bargaining process as an important tool of workers and the rights and immunities of trade unionists. **Module 5** underscores the judicial interpretation of doctrine of the notional extension of employment with respect to the liability of an employer to pay compensation under prescribed circumstances.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: GENERAL INTRODUCTION

10 Hrs.

Learning Outcome: At the end of this Module, students are expected to appreciate the evolution of industrial jurisprudence and the crusader's role played by our apex Court in this regard.

Industrial Jurisprudence; Labour Policy in India; Industrial Revolution in India; Evils of Industrialisation, Economic Evils, Social Evils; Labour Problems; Industrial Peace and Industrial Harmony; Industrial Relations; Principles of Labour Legislation; Social Justice; Social Equity; Social Security; Growth of Labour Legislation in India; Industrial Adjudication.

MODULE 2: INDUSTRIAL DISPUTES ACT, 1947

20 Hrs.

Learning Outcome: This Module makes the students understand the brooding omni potence of ID Act,1947, in resolution of industrial disputes as a means to ensure industrial peace.

Historical Development; Scope and applicability of Act; Definitions – Appropriate Government; Workman; Industry; Industrial Disputes; Award; Settlement; Public Utility Service; Strike; Lock Out; Retrenchment; Lay Off; Closure, etc.; Reference and Settlement of Industrial Disputes, Works Committee, Conciliation Officers, Board of Conciliation, Court of Inquiry, Labour Court, Industrial Tribunal, National Industrial Tribunal, Reference Power of Government, Voluntary Arbitration, Procedure and Powers and Duties of Authorities; Strikes; Lock Outs; Lay-Off; retrenchment; Unfair Labour Practices; Representation of Parties; Protection of Worker Representation.

MODULE 3: THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT, 1946

5 Hrs.

Learning Outcome: Students would get, after studying this Module, a comprehensive idea about the paramountcy of standing orders and domestic inquiry goaded by the principles of natural justice as an effective tool of ensuring workers' well being.

Draft Standing Order; conditions for certification of standing orders; appeals; Register of Standing Orders; Temporary application of model standing orders.

MODULE 4: TRADE UNIONS ACT, 1926

15 Hrs.

Learning Outcome: Study of this Module imbibes in the students the requisite knowledge of the significance of trade unionism and the crucial role played by collective bargaining in taking the labour philosophy to its logical conclusion.

History of Trade Union Movement; Definitions; Registration of Trade Unions; Rights and Liabilities of Trade Unions; Immunities and Privileges of a Registered Trade Union; Trade Union Funds Trade Recognition of Union; Collective Bargaining; Amalgamation; Dissolution of Trade Unions.

MODULE 5 – EMPLOYEES’ COMPENSATION ACT, 1923**10 Hrs.**

Learning Outcome: This Module enables the students to analyze the judicial delineation of an employer's liability, as against an accident arising out of and in the course of employment with special reference to the notional extension of employment, to pay compensation in certain cases.

Employees’ Compensation – Employer’s Liability – Commissioners – Rules.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL	100%

SUGGESTED READINGS

1. Bhatia, S. K. *Constructive Industrial Relations and Labour Laws*. New Delhi: Deep and Deep Publications, 2003.
2. Kumar, H. L. *Labour Problems and Remedies*. New Delhi: Universal Law Publishing, 2007.
3. Kumar, H. L. *Obligation of Employee Under Labour Law*. New Delhi: Universal Law Publishing, 2005.
4. Kumar, Sanjeev. *Industrial and Labour Laws*. New Delhi: Bharath Law House Private Limited, 2004.
5. Pillai, K. Madhavan. *Labour and Industrial Law*, Allahabad: Central Law Agency, 1998.
6. Maslhotra, O. P. *The Law of Industrial Dispute*, Vol. 1 & 2, Lexis Nexis, India, 2004.
7. Malik, P. L. *Handbook of Industrial Law*. 10th ed., Lucknow: Eastern Book Company, 2006.
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9. Rao, E. M. *Industrial Jurisprudence*, New Delhi: LexisNexis (India), 2004.
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11. Sharath, Babu. *Social Justice and Labour Jurisprudence*. New Delhi: Sage Publication, 2007.
12. Sharma, J. P. *Simplified Approach to Labour Laws*. New Delhi: Bharath Law House Private Limited, 2006.
13. Sharma, Usha. *Labour Movement in India: Pre-Independence Period*, Vols. 1 & 2 Cambridge: Vista Publications, 2006.
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15. Srivastava, S. C. *Labour Law & Labour Relations: Cases and Materials*. New Delhi: Indian Law Institute, 2007.
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SEVENTH SEMESTER

BAL781 CYBER LAW

(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: The course aims at appreciating one of the important emerging areas of law and the nitty-gritty involved in it. This introduces the students to the underlying philosophy of the subject and its relation to other areas focusing on human rights.

Module 1 is designed to introduce students to the role of law in technology, especially internet. **Module 2** is designed to give a brief overview of the historical aspects of internet. **Module 3** acquaints the students with the regulation of digital environment. Modules 4 to 8 deal with some specific legal issues related to the information technology. **Module 4** deals with human rights issues of information technology, while **Module 5** deals with tort of defamation through digital media. **Module 6** deals with privacy issues of information technology. **Module 7** deals with cyber crimes.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: LAW AND TECHNOLOGY – INFORMATION SOCIETY – MEANING OF INFORMATION 8 Hrs.

Learning Outcome: On completion of this module students will be able to explain the process of digitisation and distinguish between analog and digital technologies. They will also be able to discuss about the effect of digitisation on society and the related legal issues,

Introduction digitization, Analog v Digital content, Introduction to Internet – *ACLU v Reno*, Digitization and Society, Legal Challenges of the Information Society

MODULE 2: ADVENT OF INFORMATION TECHNOLOGY 6 Hrs.

Learning Outcome: On completion of this module students will be able to narrate development of internet technology.

Internet as source of regulatory arbitrage – Evolution of Information super highway – origin of cyberspace – ARPANET

MODULE 3: REGULATION OF DIGITAL ENVIRONMENT**8 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss about the need for regulation of information technology.

Cyber-liberarinism, Cyber-paternalism, Lessig's model of regulation, Regulators in cyberspace – state and private entities

MODULE 4: HUMAN RIGHTS AND INFORMATION TECHNOLOGY**10 Hrs.**

Learning Outcome: On completion of this module students will be able to express their views about the information technology issues related to privacy and decency, and discuss the legal provisions related to them.

Civil liberties – free speech and Art.19(1)(a) of the Constitution – Privacy and Art.21 of the Constitution – Data Collection and Storage, Freedom of Speech and Social Responsibility, Censorship – Indecency – Pornography – Determination of Standards for, Provisions of IPC and Information Technology Act, 2000

MODULE 5: DEFAMATION**10 Hrs.**

Learning Outcome: On completion of this module students will be able to explain defamation through information technology.

Tort of defamation, Digital defamation – publication and republication, Liability of Intermediary, Digital defamation and User Generated Content (UGC). Social Sites.

MODULE 6: PRIVACY IN CYBERSPACE**8 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss about the privacy issues of computer technology.

Digitization, personal data and data industry, Data Protection principles, Conditions for processing of personal data, CCTV, RFID Tracking, Data Retention and identity

MODULE 7: CYBER CRIMES**10 Hrs.**

Learning Outcome: On completion of this module students will be able to distinguish between ordinary crimes and cyber crimes and the prevention of cyber crimes.

Computer misuse – identity theft, grooming and harassment, Hacking, Viruses, criminal damage and mail bombing, Denial of service attack, Obscenity, child abuse, Stalking. Morphing, webjacking, phishing etc., Cyber terrorism, Bandwidth theft, Convention on cyber crime

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL 100%	

SUGGESTED READINGS

1. Senthil, Surya, and Lakshmi Devi. *Manual of Cyber Laws*. New Delhi: Aditya Book Company, 2010.
2. Singh, Ranbir and Ghanshyam Singh. *Cyber Space and the Law: Issues and Challenges*. Hyderabad: NALSAR University, 2004.
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10. Lakshminath A., and M. Sridhar. *Ramaswamy Iyer's, The Law of Torts*, 10th Ed. LexisNexis, Butterworths Wadhwa, 2007.
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15. Reed, Chris, and John Angel, *Computer Law*. New York: Oxford University Press, USA, 2004.
16. Bainbridge, David. *Data Protection Law*. Vol 1. 2nd ed. New Delhi: Universal Law Publishing, 2005.
17. Bainbridge, David. *Software Licensing*. Vol 2. 2nd ed. New Delhi: Universal Law Publishing, 1999.
18. Brennan, Paul. *Law For IT Professionals*. Vol 3. New Delhi: Universal Law Publishing, 2003.
19. Kevan, Tim. *E-mail, the Internet and the Law: Essential Knowledge for Safer Surfing*. Vol 4. New Delhi: Universal Law Publishing, 2001.
20. Mason, Stephen. *Networks Communications: A Concise to Compliance with the Law*. Vol 5. New Delhi ; Universal Law Publishing, 2007.
21. Ahmad, Tabrez, *et al.* *Cyberlaw, E-Commerce and M-Commerce*. New Delhi: A. P. H. Publishing Corporation, 2009.
22. Vidya, C. (Ed.) *Cyber Jurisdiction: A Legal Vision*. Hyderabad: The ICFAI University Press, 2006.
23. Augustine, Paul T. *Combating Cyber Crime*. New Delhi: Crescent Publishing Corporation, 2007.

BAL762
ADMINISTRATIVE LAW
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: Administration is an individual's interface with the State. Due to radical change in the philosophy regarding the role and function of the state (from laissez faire to welfare), the opportunities of interaction with administration have increased manifold and continue to increase further. The situation is such that administrative actions impinges on every aspect of an individual's life. Due to unprecedented rise in state intervention in an individual's (whether citizen or non-citizen) life, the possibilities of accumulation of uncontrolled power and of arbitrariness in its exercise too has 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. Its rapid growth in the 20th century is regarded as the most significant development in the field of law. It deals with legal framework governing public administration and the principles to control executive power to avoid arbitrariness.

Module 1 is the introductory module which seeks to introduce students to the fundamental concepts and doctrines and relationship between constitutional law and administrative law. **Module 2** acquaints students with the delegated legislation and quasi legislation and distinguish between them. **Module 3** deals with natural justice and its components and the effect of failure of natural justice. **Module 4** acquaints students with discretionary functions and the judicial review of the same. **Module 5** deals with judicial review of administrative actions. **Module 6** introduces the students to the quasi judicial functions and their importance. **Module 7** is designed to familiarise students with the different modes of judicial review of administrative action. **Module 8** exposes students to the remedies available against maladministration and the institutions of ombudsman, lokayukta, etc. **Module 9** introduces students to liabilities of government and the privileges claimed by government in suits and proceedings against it.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

6 Hrs.

Learning Outcome: On completion of this module students will be able to discuss the basic doctrines of administrative law and to distinguish between the various functions of administration.

Evolution, Nature and Scope of Administrative Law, Laissez-faire State, Social Welfare State, and Modern State, Comparative evolution, Definition, Nature and Scope, Relationship between Administrative Law and Constitutional Law.

Classification of Functions, Doctrine of rule of Law, Doctrine of Separation of powers.

MODULE 2: DELEGATED LEGISLATION AND QUASI LEGISLATION 12 Hrs.

Learning Outcome: On completion of this module students will be able to describe delegated legislation and quasi legislation and distinguish between them

Concept, Growth and Development, Classification, Comparative position – UK; USA; India, Excessive Delegation – Constitutional Limits, Control Mechanism

MODULE 3: NATURAL JUSTICE 12 Hrs.

Learning Outcome: On completion of this module students will be able to discuss the concept and components of natural justice and explain the effect of failure of natural justice.

Concept, Growth, *nemo iudex in causa sua* – Rule against bias, *audi alteram partem* – Right to be heard, Recent requirements of Natural Justice-Reasoned decision & Right to legal Representation, Expanding Horizon of Natural Justice, Duty to Act Fairly & Legitimate Expectation, Other procedural norms, Exclusion of Natural Justice, Exceptions to Principles of Natural Justice, Effect of failure to comply with principles of Natural Justice.

MODULE 4: ADMINISTRATIVE DISCRETIONARY POWERS 5 Hrs.

Learning Outcome: On completion of this module students will be able to explain the difference between discretionary functions and ministerial functions and the grounds for judicial review of discretionary functions.

Discretionary powers, Judicial Control over administrative discretion, Fundamental Right and administrative discretion, Reasonable Exercise of Power and *Wednesbury* principle.

MODULE 5: JUDICIAL REVIEW OF ADMINISTRATIVE ACTION 5 Hrs.

Learning Outcome: On completion of this module students will be able to enumerate grounds on which judiciary may review administrative actions and

explain the related doctrines.

Grounds of Judicial Review of Administrative Action, Writ Jurisdiction, Doctrine of Legitimate expectation, Doctrine of public accountability, Doctrine of Proportionality, Laches

MODULE 6: ADMINISTRATIVE ADJUDICATION

5 Hrs.

Learning Outcome: On completion of this module students will be able to discuss the importance, merits and demerits of quasi judicial bodies.

Concept of administration adjudication, Reason for the growth, Administrative Tribunals.

MODULE 7: REMEDIES AGAINST ADMINISTRATIVE ACTION INCLUDING WRIT JURISDICTION

8 Hrs.

Learning Outcome: On completion of this module students will be able to explain the grounds to obtain remedies against government.

Remedies, Private Law Remedies, Constitutional Remedies, Exclusion of Jurisdiction.

MODULE 8: MALADMINISTRATION & ALTERNATIVE REMEDIES

2 Hrs.

Learning Outcome: On completion of this module students will be able to discuss the functioning of different institutions for redressal against maladministration.

Concept and Need, Ombudsmen in India – Lokpal, Lokayukta in States, Central vigilance Commission, Ombudsman, Right to Information.

Cases – *Vineet Narain v. Union of India* (1998) 1 SCC 226

MODULE 9: GOVERNMENT AS A LITIGANT

5 Hrs.

Learning Outcome: On completion of this module students will be able to fix the liability of government on the basis of hypothetical facts and frame defence on the part of the government.

Development of the concept of state liability, tortuous liability, contractual liability, privileges of government, doctrine of estoppel and waiver

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
	TOTAL 100%

SUGGESTED READINGS

1. Jain M. P., and S. N. Jain, *Principles of Administrative Law*. Nagpur: Lexis Nexis, India, 2010.
2. Jain, M. P. *Cases and Materials on Indian Administrative Law*. Agra: Wadhwa and Company, 1999.
3. Basu, Durga Das. *Administrative Law*. Kamal Law House, 2006.
4. Sathe, S. P. *Administrative Law*. Lexis Nexis, India, 2004 (2010).
5. Massey, I. P. *Administrative Law*. Lucknow: Eastern Book Co., 2008.
6. Takwani, C. K. *Administrative Law*. Lucknow: Eastern Book Co., 1980.
7. Wade, H. R. W. *Administrative Law*. New York : Oxford University Press, 2000.

BAL783
LAW OF BANKING
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: Being one of the foremost areas, Law of Banking is sought to be dealt with in an exhaustive manner in this paper. It deals with both the regulatory and operational aspects of the same and gives the students an insight into the same.

Module 1 introduces students to the fundamental concepts of banking and banking law. **Module 2** deals with the provisions of Banking Regulation Act. **Module 3** introduces students to the different types of banking institutions in India. **Module 4** deals with the banker-customer relationship. **Module 5** deals with different forms of borrowing and their legal aspects. **Module 6** acquaints students with the banking operations. **Module 7** is to enlighten students about securing bank loans with guarantee while **Module 8** deals with collateral security. **Module 9** integrates students to the legal aspects of e-banking.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

6 Hrs.

Learning Outcome: On completion of this module students will have a clear understanding of banking in India and the law related to banking.

Evolution of banking institutions, services of banks – Functions of commercial banks, social control on banks, Nationalization of Banks, Institutional frame work of banking, Reserve Bank of India and its role – functions of the Reserve Bank of India – RBI and commercial banks

MODULE 2: BANKING REGULATION ACT, 1949

8 Hrs.

Learning Outcome: On completion of this module students will be able to describe the provisions of Banking Regulation Act, 1949.

Business of banking companies – National banks, management of national banks – Achievement of nationalized banks, control over management – Acquisitions of the undertakings of banking companies in certain cases, suspension of business and winding up of banking companies – Special provisions for speedy disposal of winding up proceedings

MODULE 3: BANKING ORGANIZATIONS**6 Hrs.**

Learning Outcome: On completion of this module students will have clarity about different banking institutions in India.

Private individuals, Partnership firms, Hindu Joint Family system – Banking corporations

MODULE 4: BANKER AND CUSTOMER**6 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the definitions of banker and customer and their relations with each other.

Definitions of banker and customer – General relation between banker and customer – special features of the relationship; statutory obligations on banks in India – banker’s general lien – banker obligation, Unremunerative accounts – Law of limitation and despots

MODULE 5: BORROWING**8 Hrs.**

Learning Outcome: On completion of this module students will be able to describe different forms of borrowing and the rules related to them.

Forms of borrowing, discounting bills – participation certificates, Bank deposits – fixed or time deposits –savings deposits – current deposits- attachment of deposits by Income Tax Authorities, Opening of new accounts – special types of customers: minors – married women – joint accounts, Insolvency of joint account holder- drawing of cheques – survivorship – nomination – power to overdraw – husband and wife – joint stock companies, Precautions to be taken in opening accounts – opening of partnership accounts – handling of companies accounts

MODULE 6: BANKING OPERATIONS**10 Hrs.**

Learning Outcome: On completion of this module students will be able to explain cheques as negotiable instruments and their role in banking transactions

Negotiable instruments and their characteristics, Payment of cheques – protection to the paying banker, Crossing of cheques – payment of customers cheques, Collecting banker and customer account

MODULE 7: GUARANTEE**6 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss securing bank loans by guarantee.

Guarantee, Obligations of the Banker – rights of baker against surety, Termination of guarantee, Letters of Credit and Bank Guarantee

MODULE 8: ADVANCES SECURED BY COLLATERAL SECURITIES**6 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the collateral securities to secure bank loans.

Modes of securing advances, Bankers lien, pledge and mortgage of movables, Hypothecation – advances against goods and document of title to goods

MODULE 9: ELECTRONIC BANKING**4 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the issues related to e-banking.

Regulation of credit and debit cards, RBI notifications and circulars; online banking – risks and management; Electronic Fund transfer

SCHEME OF VALUATION

- | | |
|--|-------|
| 1. CIA I – Mid Semester Examination | – 25% |
| 2. CIA II – Class Test / Assignment / Presentation | – 10% |
| 3. CIA III – Research Topic | – 10% |
| 4. Attendance | – 05% |
| 5. End Semester Examination | – 50% |

TOTAL 100%

SUGGESTED READINGS

1. Cranston, Ross. *Principles of Banking Law*. New York : Oxford University Press, 1997.
2. Tannan, M. L. *Tannan's Banking Law and Practice in India*. New Delhi: LexisNexis Butterworths Wadhwa, 2010.

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11. Gupta, R. K. *Banking Law and Practice*. Allahabad: Modern Law Publications, 2004.
12. Sen Gupta, S. P. *Commentaries on Negotiable Instruments Act, 1881*. 2nd ed. Kolkata, Kamal Law House, 2005.

BAL784
LAW OF INSURANCE
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: This course aims at an all encompassing view of the Insurance Law and introduces the students to the different aspects of the same. It is designed to enable them to appreciate the different types of insurance and update them with the emerging trends.

Module 1 introduces students to the concept of insurance and its evolution and emerging trends. **Module 2** acquaints students with the general principles of the law of insurance. **Module 3** deals with life insurance, **Module 4** deals with marine insurance and **Module 5** deals with fire insurance. **Module 6** deals with other types of insurance. **Module 7** is to introduce students to the insurance regulatory authorities. **Module 9** informs students about the registration requirements of insurance companies.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

6 Hrs.

Learning Outcome: On completion of this module students will have clear understanding of the business of insurance in India.

Meaning of insurance and its importance, Historical background, Development and growth of insurance industry in India, Nationalization of insurance business in India, Entry of private players, Emerging trends in insurance sector – burglary and theft insurance, aviation insurance, liability insurance, group insurance, agricultural insurance.

MODULE 2: GENERAL PRINCIPLES OF INSURANCE LAW

8 Hrs.

Learning Outcome: On completion of this module students will have detailed knowledge of the basic principles of law of insurance in India.

Essentials of insurance law, Provisions of the Constitution, obligations to the rural and social sector, Law relating insurance in India, Contract of insurance, Good faith, Misrepresentation, Warranties, Conditions, Indemnity and subrogation, Proximate cause, Insurance and consumer protection, Insurable interest, Commencement of insurance policy, Utmost good faith, Reinsurance, Proximate cause, Risks

MODULE 3: LIFE INSURANCE**10 Hrs.**

Learning Outcome: On completion of this module students will be able to describe the law relating to life insurance in India.

Introduction, Formation of Life insurance contract, General nature of Life Insurance Contract, LIC Policy and Art. 14, Mutual assent, Assignment and nominations, Risk covered in life insurance, Agents and employees, Termination of agency, Duty of care and duty to disclose

MODULE 4: MARINE INSURANCE**10 Hrs.**

Learning Outcome: On completion of this module students will be able to describe the law relating to marine insurance in India.

Scope of marine insurance, Marine Insurance Act, Mixed sea and land risks, Carriage of goods by sea

MODULE 5: FIRE INSURANCE**8 Hrs.**

Learning Outcome: On completion of this module students will be able to describe the law relating to fire insurance in India.

Condition precedent in fire insurance, Standard fire Policy, Fire claim and amount recoverable

MODULE 6: OTHER TYPES OF INSURANCE**6 Hrs.**

Learning Outcome: On completion of this module students will be able to describe the other types of insurance in India and the law relating to the.

Insurance of motor vehicles, Motor Accident Claims Tribunal, Accident Insurance.

MODULE 7: REGULATORY AUTHORITIES**6 Hrs.**

Learning Outcome: On completion of this module students will be able to describe the regulation of insurance business in India.

Insurance Regulatory and Development Authority, Tariff Advisory committee, Insurance Association of India, Councils and Committees, Ombudsmen, Insurance intermediaries – insurance agents, surveyors, loss assessors, third party administrators

MODULE 8: REGISTRATION OF INSURANCE COMPANY**6 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the requirements of registration of insurance companies.

General registration requirements, capital structure requirements, Certificate of Registration, renewal, cancellation and revival, deposits, investments, submission of returns, actuary, advertisements.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL	100%

SUGGESTED READINGS

1. Srinivasan, *Principles of Insurance Law*. 8th ed. Wadhwa & Co, 2006.
2. Jaiswal, J. V. N. *Law of Insurance*. Lucknow: Eastern Book Co., 2008.
3. Bhargava, B. P. (Ed.) *Rajiv Jain's Insurance Law & Practice*. 2nd ed. New Delhi: Vidhi Publishing Pvt. Ltd., 2006.
4. Singh, Avtar. *Law of Insurance*. Lucknow: Eastern Book Co., 2004.
5. Murthy, K. S. N. and K. V. S. Sarma. *Modern Law of Insurance*. 4th ed. New Delhi: LexisNexis Butterworths, 2002.
6. Srinivasan, M. N. *Srinivasan's Principles of Insurance Law*. 9th ed. Gurgaon: LexisNEXIS Butterworths Wadhwa Nagpur, 2009.

BAL765
PUBLIC INTERNATIONAL LAW
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: Public international law is the regime of legal rules which primarily seeks to regulate relations between sovereign states. For example, public international law defines the minimum standard of treatment which a sovereign state must accord the nationals of another state on its territory and the responsibility of one state to another for failure to observe the required standard of treatment. Individuals, to an increasing extent, also are a direct concern of public international law. Examples of this development include the international criminal responsibility of individuals for war crimes, crimes against humanity and genocide and the network of treaties which aspires to define and protect human rights.

This course is a general introduction to the sources and techniques of public international law with the objective of imparting to you an appreciation and understanding of the role of legal rules in regulating the conduct of states and individuals in international society. The course objective will be attained through a study of primary and secondary materials comprising the decided cases, treaty provisions, legislation and academic literature.

Module 1 introduces students to the international law and its basis. **Module 2** deals with the sources of international law. **Module 3** deals with the relationship between international law and municipal law. **Module 4** introduces the students to the concept of state and its attributes. **Module 5** deals with the rules of recognition of states. **Module 6** deals with rules of state succession. **Module 7** introduces students to the concepts of nationality and its aspects under the international law. **Module 8** deals with asylum and extradition. **Module 9** deals with settlement of disputes.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION TO INTERNATIONAL LAW

7 Hrs.

<p>Learning Outcome: On completion of this module students will have clear understanding of the definition and nature of international law and the different theories underlying it.</p>

Definition; Nature; Relationship and Difference between Public International Law and Private International Law; Importance of International Law

Theory of Law of Nature; Theory of Positivism; True Basis of International Law; Theory of Consent; Theory of Auto Limitation; *Pacta Sunt Servanda*; New trends.

MODULE 2: SOURCES OF INTERNATIONAL LAW**5 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the different sources of international law.

Customs; Conventions; General Principles of Law; Judicial Decisions; Works of Jurists; Other Sources

MODULE 3: RELATIONSHIP BETWEEN INTERNATIONAL LAW AND MUNICIPAL LAW**10 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the relationship between international law and municipal law.

Relationship between international law and municipal law – doctrines.

MODULE 4: STATE**5 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the concept of state and other subjects of international law.

Subjects of international law: Individuals, States; International Organizations; Non State Entities

Definition; Elements of State; Essentials and Non-Essential; Different Kinds of States; Functions of States; Rights and Duties of States

State Territory; Modes of Acquisition; Modes of Loss

MODULE 5: RECOGNITION**2 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the meaning, modes and effect of state recognition.

Meaning; Theories; Modes; Effects of Recognition

MODULE 6: STATE SUCCESSION**3 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the meaning, kinds, theories and effects of state succession.

Definition; Kinds; Theories; Rights and Duties Arising out of State Succession (Consequences of State Succession)

MODULE 7: NATIONALITY**5 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the meaning and aspects of nationality and distinguish between nationality and citizenship and domicile.

Meaning; Modes of Acquisition of Nationality; Loss of Nationality; Double Nationality; Nationality of Married Women; Statelessness; Difference between Nationality and Domicile; Difference between Nationality and Citizenship

MODULE 8: ASYLUM AND EXTRADITION**7 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the meaning of asylum and extradition with reference to important cases.

Meaning; Basic Principles; Conditions; Treaties between India and Other Countries; Important Cases.

Meaning and Definition; Right to Asylum; Kinds of Asylum; Relationship between Asylum and Extradition.

MODULE 9: SETTLEMENT OF INTERNATIONAL DISPUTES**8 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the different modes of settlement of international disputes.

Means of Settlement; Arbitration; Negotiation; Good Offices; Mediation; Conciliation; Retortion; Reprisals; Enquiry; Settlement of International Disputes under the United Nations

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. Brownlie, Ian. *Principles of Public International Law*. 6th ed. London: Oxford Publications, 2003.
2. Shearer, I. A. *Starke's International Law*. 11th ed. Lucknow: Eastern Book Co., 2007.
3. Shaw, Malcolm N. *International Law*. 6th ed. Cambridge: Cambridge University Press, 2008.
4. Malanczuk, Peter, *Akehurst's Modern Introduction to International Law.*, 7th Rev. ed. London: Routledge, 1997.
5. Evans, Malcolm D. (Ed.) *International Law*. 2nd ed. Oxford: Oxford University Press, 2006.
6. Dixon, Martin. *Textbook on International Law*. 6th ed. Oxford: Oxford University Press, 2007.
7. Harris, D. J. *Cases and Materials on International Law*. 6th ed. London: Sweet & Maxwell, 2004.
8. Carter, Barry E., Philip R. Trimble, and Allen S Weiner. *International Law*. 5th ed. New York: Wolters Kluwer, 2007.
9. Dixon, Martin. *Cases and Materials on International Law*. 4th ed. Oxford: Oxford University Press, 2003.
10. Brownlie, Ian. *Principles of Public International Law*. 7th ed. Oxford: Oxford University Press, 2008.
11. Janis, Mark Weston. *International Law*. 5th ed. New York: Wolters Kluwer, 2008.
12. Anton, Donald K., Penelope Mathew, and Wayne Morgan. *International Law: Cases and Materials*. Oxford: Oxford University Press, 2005.
13. Aust, Anthony. *Handbook of International Law*. Cambridge: Cambridge University Press, 2005.
14. Jennings, Sir Robert (Ed.) *Oppenheim's International Law*. Vol 1. 9th ed. Oxford: Oxford University Press, 1992.
15. Crawford, James. *The Creation of States in International Law*. 2nd ed. Oxford: Oxford University Press, 2006.
16. Patel, Bimal N. (Ed.) *India and International Law*. Leiden: Martinus Nijhoff Publishers, 2005.
17. Krieken, Peter J., and David Mckay, *The Hague: Legal Capital of the World*. The Hague: T. M. C. Asser Press, 2005.

BAL766
LABOUR AND INDUSTRIAL LAW – II
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: Popularly referred to as the Social Security Law, this course aims to introduce the students to the concept of welfare of workers which is all the more important in the era of privatization. The course attempts this by way of reference to various statutes.

In this context, **Module 1** is designed to introduce the students to the concept of social security for workmen with reference, inter alia, to the constitutional foundations. **Module 2** aims at the rationale behind and the need for minimum wage, and the study of the relevant statutory provisions. **Module 3** underscores the concept of payment of wages and the legal regime for it while **Module 4** dwells upon payment of bonus for workers. **Module 5** looks into social security for women workers with reference to maternity benefit and the winds of change envisaged therein. **Module 6** is designed to look into the all important provisions of health, safety and welfare provisions for workers in factories that have assumed centre-stage in the wake of Globalisation. **Module 7** is a study of another significant aspect of the lives of labour, i.e., the need and provision for insurance. **Module 8** talks about the necessity and provisions for provident fund and miscellaneous matters.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

4 Hrs.

LEARNING OUTCOME: At the end of this Module, students would be able to analyze the philosophical undercurrents of social security, laced with the constitutional and international ethos.

The concept of Social Security, constitutional foundations and the role of ILO.

MODULE 2: MINIMUM WAGES ACT, 1948

8 Hrs.

Learning Outcome: By studying this Module, students would be able to appreciate the *raison d'etre* behind the constitutional and societal craving for minimum wage.

Objects, salient features, applications and definition of the Act, 'scheduled employment', minimum wages and fixation of minimum wages, employee, overtime, piece work, claims, offences and penalties, exemptions and exceptions;

MODULE 3: THE PAYMENT OF WAGES ACT, 1936**8 Hrs.**

Learning Outcome: At the end of this Module, students will be able to discuss the intricacies involved in the payment of wages, especially the deductions.

Objects, salient features, application and definitions, Payment of wages and deductions from wages, authorities under the Act and procedures, penalty for offences under the Act.

MODULE 4: THE PAYMENT OF BONUS ACT, 1965**8 Hrs.**

Learning Outcome: This Module enables the students to comprehend the legal nuances involved in the payment of bonus in terms of time and quantum.

Objects, salient features, application and definitions; establishment, profits, eligibility and disqualification for bonus; payment of minimum and maximum bonus; time limit for payment of bonus; reference under the Act; offences by companies;

MODULE 5: MATERNITY BENEFIT ACT, 1961**8 Hrs.**

Learning Outcome: Study of this Module cajoles the students to appreciate the maternity benefit in a holistic perspective.

Objects, salient features, application and definitions, prohibition of employment during certain periods, right to payment of maternity benefit; powers and duties of inspectors;

MODULE 6: FACTORIES ACT, 1948**8 Hrs.**

Learning Outcome: This Module enables the students to view the health, safety and welfare measures contemplated for workers in a comprehensive manner, especially in light of the LPG, and to take stock of the reforms needed.

Introduction, Scope, Applicability, Definitions: factory, occupier, manufacturing process, hazardous process, worker, approval, Licensing and Registration of Factories, Notice by Occupier, Duties of Occupier and Manufacturer, Health, Safety and Welfare Measures, Working hours of Adults, Employment of Young Persons, Leaves and Wages, Special Provisions

MODULE 7: EMPLOYEES STATE INSURANCE ACT, 1948**8 Hrs.**

Learning Outcome: Students would be invigorated to analyze the insurance requirements of the workers from a multifarious perspective after studying this Module.

Objects, salient features, application and definitions, dependent, employment, employee, apprentice, family manufacturing process, factory, occupier, disablement, wages, expenses from ESI fund, contribution; recovery of contributions, benefits

MODULE 8: THE EMPLOYEES' PROVIDENT FUND & MISCELLANEOUS PROVISIONS ACT, 1952**8 Hrs.**

Learning Outcome: Study of this Module will enable the students to discuss, apart from the legal provisions, the contemporary debate on EPF and workers' vulnerability in this regard.

Objects, salient features, application and definitions; EPF Scheme; employees pension scheme, Protection against attachment, priority of payment if contributions over other debts, penalties, offences by companies, establishment exempted from EPF Act, Transfer of Account and liability in case of transfer of establishment

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. Bhatia. *Constructive Industrial Relations and Labour Laws*, 2003.
2. Kumar, *Labour Problems and Remedies*, 2007.
3. Kumar, H. L. *Obligations of Employer Under Labour Law*, Delhi 2005.
4. Kumar, Sanjeev. *Industrial and Labour Laws*, 2004.

5. Pillai, Madhavan. *Labour and Industrial Law*, 1998.
6. Pai G. B. *Labour Law in India*, 2001.
7. Sharath Babu. *Social Justice and Labour Jurisprudence*, 2007.
8. Sharma, J. P. *Simplified Approach to Labour Laws*, 2006.
9. Srivastava. *Commentaries on the Factories Act, 1948*.
10. Srivastava. *Labour Law & Labour Realuiobs: Cases and Materials*, 2007.

EIGHTH SEMESTER

BAL811 LAW OF INTERNATIONAL INSTITUTIONS

(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: The course aims at understanding of the nature and working of different international institutions. It helps the students in analyzing the international law better and relate the same to the contemporary issues.

Module 1 deals with the historical evolution and classification of international institutions. **Module 2** deals with some important international and regional institutions. **Module 3** deals with the functions of international institutions. **Module 4** highlights some of the problems related to international institutions. **Module 5** is to introduce the students to the important aspects of global governance. **Module 6** acquaints students with the dispute settlement by international institutions.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

10 Hrs.

Learning Outcome: On completion of this module students will be able to discuss the historical evolution of international institutions.

Historical survey – Private and Public international institutions, League of Nations, Nature of international institutional law, Classification of organization

MODULE 2: INTERNATIONAL INSTITUTIONS

10 Hrs.

Learning Outcome: On completion of this module students will be able to exhibit familiarity with important international and regional institutions.

UN, UNICEF-UNHCR-UNITAR-UNCTAD, UNCITRAL, UNEP_WFP, UN Specialized Agencies, Autonomous organization, Regional Institutions – EU, America, Caribbean, ASIA, Middle-East, Africa

MODULE 3: FUNCTIONS OF INTERNATIONAL INSTITUTIONS 10 Hrs.

Learning Outcome: On completion of this module students will be able to discuss the functioning of international institutions.

Legislative Function, Executive and Administrative Functions, Judicial and Quasi-Judicial Function

MODULE 4: COMMON INSTITUTIONAL PROBLEMS 10 Hrs.

Learning Outcome: On completion of this module students will be able to discuss about the common problems related to international institutions.

Law governing international institutions, Legal Personality, Membership and Representation of Members, Financial aspects

MODULE 5: GLOBAL GOVERNANCE 10 Hrs.

Learning Outcome: On completion of this module students will be able to explain different aspects of global governance.

Challenges, Theoretical foundations, Need for Global Governance, Promotion of Human-Development, Protecting Environment, Dilemmas of Global Governance

MODULE 6: DISPUTE SETTLEMENT 10 Hrs.

Learning Outcome: On completion of this module students will be able to tell the different forums and aspects of dispute settlement by international institutions.

ICJ, Treaty making by international institutions, Issues of responsibility, Dissolution and succession

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. Sands, Phillippe. *Bowett's Law of International Institutions*, Sweet & Maxwell, 2001.
2. Karns, Margaret P., and Karen A. Mingst. *International Organizations*. Viva Books, 2005.
3. Klabbers, Jan. *An Introduction to International Institutional Law*. London: Cambridge University Press, 2009.

BAL882
TELECOMMUNICATION LAW AND REGULATION
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: This course aims at providing the overall knowledge necessary for a student to be a telecommunication professional, viz, the knowledge of concerned technology, issues related to economics and competition, policy, regulation, law and constitution.

Module 1 is designed to introduce students to the area of the telecommunications the various aspects of telecommunication – technological, economical, legal and regulatory – and the need for its regulation. **Module 2** is to introduce students to various laws and authorities in India related to the regulation of telecommunication. **Module 3** introduces the students to the various issues related to telecommunications. **Module 4** introduces the students to the various transactions made in the field of telecommunications. **Module 5** is to acquaint students with decency and privacy issues of telecommunication. **Module 7** is to introduce students to the international institutions related to the regulation of telecommunications. **Module 8** to make the students aware of the telecommunications reforms in developing countries.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

10 Hrs.

Learning Outcome: On completion of this module students will be able to enumerate the different telecommunication services and explain technologies used in providing the services. They should also be able to explain the different features of economics of the telecommunication and of telecommunication regulation.

Telecommunication law and regulation, communication technologies, services and markets, economics of telecommunications regulation, Telecommunication Policy of India, Historical evolution of telecommunication law and policy, Constitutional aspects of communication law

MODULE 2: REGULATORY FRAMEWORK

10 Hrs.

Learning Outcome: On completion of this module students will be able to discuss important provisions of the various regulatory laws and the powers and functions of various regulatory authorities in India.

Important Acts and regulatory authorities - Indian Telegraph Act, 1885, Indian Wireless Telegraphy Act, 1933, Telecom Regulatory Authority of India Act, 1997, Telecom Commission, TRAI, Telecom Dispute Settlement and Appellate Tribunal, Telecommunication law in UK, US and European Union

MODULE 3: KEY REGULATORY ISSUES

8 Hrs.

Learning Outcome: On completion of this module students will be able to discuss the issues such as authorization, interconnection, standards, competition and radio spectrum management with reference to both international as well as Indian regulatory framework.

Authorization and Licensing, Access and Interconnection, Competition Law in Telecommunication, Telecommunications standards and intellectual property issues, Cellular and mobile services, Internet services, Regulatory framework for spectrum management.

MODULE 4: TELECOMMUNICATIONS TRANSACTIONS

10 Hrs.

Learning Outcome: On completion of this module students will be able to read, understand and assess capacity agreements, outsourcing agreements and service level agreements.

Capacity Agreements, Types of Capacity agreements, Key contractual issues, Regulatory issues, Emerging Trends, Communication Outsourcing – Types, specific issues, guaranteeing service level

MODULE 5: COMMUNICATIONS CONTENT

10 Hrs.

Learning Outcome: On completion of this module students will be able to discuss the privacy issues of telecommunication and the laws relating to the same.

Interception, monitoring and recording of communications, Communication privacy, electronic surveillance and seizure, EC Directive on Privacy and Electronic communications, Line identification, Data protection, Content Regulation, Regulation of content UK, US and India, Regulatory framework for television and radio, Regulation of sound broadcasting

MODULE 6: INTERNATIONAL REGULATORY REGIME**7 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the areas, functions and powers of the different international institutions in regulating telecommunication.

International Telecommunications Law, International Network Infrastructure, International Telecommunication Union, World Trade Organization

MODULE 7: TELECOMMUNICATION REFORM IN DEVELOPING COUNTRIES**5 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the various aspects of telecommunications reform process in developing countries.

Government objectives, content reform process, modernization, attracting new entrants – managing disputes in the aftermath of privatization and liberalization.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL	100%

SUGGESTED READINGS

1. Walden, Ian (Ed.) *Telecommunications Law and Regulation*. 3rd ed. London: Oxford University Press, 2009.
2. Raghava, Vikram. *Communications Law in India: Legal Aspects of Telecommunications, Broadcasting, and Cable Services*. New Delhi: LexisNexis Butterworths, 2007.
3. Price, Monroe. *Broadcasting Reform in India*. New Delhi: Oxford University Press, 2000.
4. TDSAT. *Telecom Broadcasting and Cable Laws*. TDSAT, 2008.
5. Prasad, R.U.S. *Resolving Disputes in Telecommunications: Global Practices and Challenges*. New Delhi: Oxford University Press, 2011.

6. Chakravartty, Paula. *Media Policy and Globalization*. Jaipur: Rawat Publications, 2007.
7. Koenig, Christian ed. *EC Competition and Telecommunications Law*. 2nd ed. Austin: Wolters Kluwer, 2009.
8. Blackshaw, Ian ed. *TV Rights and Sport: Legal Aspects*. The Hague: T.M.C. Asser Press, 2009.
9. Cable Television Networks (Regulation) Act, 1995.
10. Cinematograph Act, 1952.
11. Media, Press & Telecommunications Laws. Lucknow, Eastern Book Company, 2007.
12. Buckley, Steve, Toby Mendel and Sean O Siochru. *Broadcasting Voice and Accountability: A Public Interest Approach to Policy, Law and Regulation*. Washington: The World Bank Group, 2008.
13. Geradin, Damien ed. *The WTO and Global Convergence in Telecommunications and Audio-Visual Services*. Cambridge: Cambridge University Press, 2004.
14. Rajagopal, Arvind ed. *The Indian Public Sphere*. New Delhi: Oxford University Press, 2009.

BAL883
LAW OF E-COMMERCE
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: This subject aims at an understanding of the basic principles of E-Commerce and gives an insight into the application of this important area. It also analyses the impact of other areas such as IP and attempts a holistic view. It would make the students aspiring for corporate jobs more up-to-date.

Module 1 introduces students to the technology and legal regime of e-commerce. **Module 2** deals with the special contractual issues of e-commerce. **Module 3** is in respect of consumer related issues of e-commerce. **Module 4** deals with online payment and the risks involved therewith. **Module 5** deals with digital signatures and secured electronic documents. **Module 6** is designed to make the students aware of the intellectual property in digital media. **Module 7** deals with the taxation related issues of e-commerce, while **Module 8** deals with jurisdictional problems related to e-commerce.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: E-COMMERCE

8 Hrs.

<p>Learning Outcome: On completion of this module students will be able to discuss the technology and legal regime of e-commerce.</p>
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Introduction, The medium and Transactions, Features of internet and WWW, Effect of WWW on B@B, Effect of WWW B2C, WWW and the Law, Overview of UNCITRAL Model Law on e-commerce, Information Technology Act,2000

MODULE 2: CONTRACTUAL ISSUES

8 Hrs.

<p>Learning Outcome: On completion of this module students will be able to discuss the contractual issues related to e-commerce and distinguish them from ordinary contracts.</p>
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E-contracts – concept, offer and acceptance, Acceptance of contract: applicability of postal rule, E-commerce directives and Regulations, Incorporation of terms, Identity of contracting parties, E-contracts : extent of details

MODULE 3: CONSUMER PROTECTION ISSUES**6 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the consumer related issues of e-commerce.

Consumer Protection Act, EC Directive on distance selling, E-commerce Directive

MODULE 4: PAYMENT ISSUES**6 Hrs.**

Learning Outcome: On completion of this module students will be able to identify risks involved in online payments and the legal provisions related to the same.

Fraud Risk and Protection, Breach of contract, Credit cards,, debit cards and Digital Cash

Charge back agreements, EDI and electronic fund transfer

MODULE 5: ELECTRONIC SIGNATURES**8 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the differences between secured and unsecured electronic documents, encryption of documents and the provisions of law related thereto.

Provisions under IT Act, Certifying authorities, Issuing authorities, PKI, Electronic Signature Certificate, Grant, Revocation and withdrawal of ESC

MODULE 6: INTELLECTUAL PROPERTY RIGHTS AND RELATED ISSUES**8 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the intellectual property in digital media.

Digital copyright, linking, caching, Digital rights management, DMCA, Patents, Trademarks and domain names, Brand identities, search engines and secondary market, ICANN, Database Right – Digital Copyrights, Open Source, Software Patents

MODULE 7: TAXATION RELATED ISSUES**8 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the taxation related issues of e-commerce.

MODULE 8: JURISDICTION**8 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the problems of jurisdiction in respect of e-commerce and the related case law.

Addressing multiple jurisdiction, Application of International law, Zippo Test, Current trends

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%**SUGGESTED READINGS**

1. Paul Todd. *Law of E-commerce*. London: Cavendish, 2008.
2. Sharma, Vakul. *Information Technology: Law and Practice*. 2nd ed. New Delhi: Universal Law Publishing Co., 2007.
3. Ramappa, T. *Legal Issues in Electronic Commerce*. Delhi: Macmillan, 2003.
4. Schellekens, M. H. M. *Electronic Signatures: Authentication Technology from a Legal Perspective*. The Hague: T. M. C. Asser Press, 2004.
5. Ahmad, Tabrez. *Cyberlaws, e-commerce & m-commerces*. New Delhi: A. P. H. Publishing Corporation, 2009.
6. Phillips, Jeremy. *Butterworths E-commerce and IT Law Handbook*. 4th ed. London: LexisNexis Butterworths, 2007.
7. Seth, Karnika. *Cyber Laws in the Information Technology Age*. New Delhi: LexisNexis Butterworths Wadhwa, 2009.
8. Ryder, Rodney. *Guide to Cyber Laws*. 3rd ed. New Delhi: Wadhwa & Co., 2007.

BAL884
INTERPRETATION OF STATUTES

(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: A massive corpus of principles to understand statutes, evolved by the Common Law Courts basically over several decades, Interpretation of Statutes has assumed a very important place. No study of law would be complete without appreciating this branch, and hence, this Paper certainly is a must for students. It is devised to appeal to the inquisitive mind of the students.

Module 1 is designed to introduce students to the parts of a statute and the meaning of the term 'interpretation of statutes'. To acquaint the students with the fundamental rules of interpretation of statutes. **Module 2** acquaints the students with the role of different parts of a statutes in interpreting the same. **Module 3** is to acquaint the students with the materials which can be used to interpret a statute and their respective roles. **Module 4** introduces students with the presumptions applicable during the interpretation of statutes and their applicability. **Module 5** is to introduce students to the provisions excluding the jurisdiction of courts.. **Module 6** introduces students to the general and special statutes and provisions and the interpretation of their respective provisions. **Module 7** introduces students to the difference in interpretation of substantive and procedural laws. **Module 8** is to introduce the students to interpretation of taxation statutes. **Module 9** introduces students to the strict interpretation of penal law. **Module 10** is to acquaint students with the application of rules of interpretation of statutes to rules.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

8 Hrs.

Learning Outcome: On completion of this module students will be able to explain the circumstances in which different rules of interpretation are applied.

Different parts of legislation – intention of the legislature – importance of interpretation – general principles of interpretation – guiding rules of interpretation – subsidiary rules of interpretation – special rules of interpretation for Constitution – Golden rule – Mischief rule

MODULE 2: INTERNAL AIDS TO INTERPRETATION**8 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the effect of different parts of a statute in its interpretation.

Context – object of statute – marginal notes – technical meaning – distinction between proviso, exception and saving clauses – schedules

MODULE 3: EXTERNAL AIDS TO INTERPRETATION**10 Hrs.**

Learning Outcome: On completion of this module students will be able to enumerate the material which can be used to interpret a statute, the circumstances in which they may be used for interpretation and their weights.

Parliamentary History – English Practice – American Practice – Historical facts and later developments – References to other Statutes, dictionaries and foreign decisions

MODULE 4: PRESUMPTIONS IN INTERPRETATION**6 Hrs.**

Learning Outcome: On completion of this module students will be able to apply the presumptions to the interpretation of statutes.

Presumption in favour of statutes – validity – territorial operation – presumption in favour of legislature – presumed to know the law, judicial decisions and general principles of law- how for statute affect the crown or state – the rule of common law – the rule in India – construction most agreeable to justice and reason – absurdity, unreasonableness, injustice, hardship, inconvenience and anomaly

MODULE 5: STATUTES AFFECTING JURISDICTION OF COURTS**4 Hrs.**

Learning Outcome: On completion of this module students will be able to the effect of exclusionary provisions in a statute.

General Principles – the extent of exclusion – exclusion of jurisdiction of superior courts

MODULE 6: GENERAL AND SPECIAL STATUTES – CLASSIFICATION 4 Hrs.

Learning Outcome: On completion of this module students will be able to interpret the conflicting provisions of statutes.

Presumption – conflict – repeal by necessary implication – strict construction

MODULE 7: SUBSTANTIVE AND ADJECTIVE LAW 4 Hrs.

Learning Outcome: On completion of this module students will be able to distinguish between interpretation of substantive and procedural laws.

Rules of construction – Procedure law – retrospective effect – *Res Judicata* in procedural law – general principles

MODULE 8: INTERPRETATION OF FISCAL STATUTES 4 Hrs.

Learning Outcome: On completion of this module students will be able to distinguish between avoiding and evading tax and the techniques used by courts to discourage evasion.

Taxation only by law – Rule to determine tax liability – cannons of construction – Exemptions from taxation – Taxing legislation subject to fundamental rights and other constitutional provisions – Partial invalidity

MODULE 9: INTERPRETATION OF PENAL STATUTES 4 Hrs.

Learning Outcome: On completion of this module students will be able to interpret penal statutes and fix liabilities under penal statutes.

Criminal Law – principles of construction – old and new concept when two interpretations possible – proper view – rational view – Maxwell's view

MODULE 10: SUBORDINATE LEGISLATION 6 Hrs.

Learning Outcome: On completion of this module students will be able to explain the application of rules of interpretation of statutes to rules.

Scope of construction – interpretation of rules, regulations, proclamations, executive instructions, notifications etc, doctrine of severability

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%**SUGGESTED READINGS**

1. Sarkar, K. L. *Mimansa Rules of Interpretation*. 3rd ed. New Delhi: Modern Law Publications, 2008.
2. Gandhi, B. M. *Interpretation of Statutes*. Lucknow: Eastern Book Co., 2006.
3. Singh, Guru Prasanna. *Principles of Statutory Interpretation*. 12th ed. New Delhi: Lexis Nexis Butterworth Wadhwa Nagpur, 2010.
4. Rao, M. N., and Amita Dhanda. *N. S. Bindra's Interpretation of Statutes*. 10th ed. New Delhi: Lexis Nexis, 2007.
5. Narayana, P. S. *Law of Statutory Interpretation*. Hyderabad: Asia Law House, 2007.
6. Bennion, F. A. R. *Bennion on Statutory Interpretation: A Code*. 5th ed. London: Lexis Nexis, 2008
7. Langan, P. St. J. *Maxwell on the Interpretation of Statutes*. 12th ed. New Delhi: Lexis Nexis, 2006.

BAL865
CRIMINAL LAW – II
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: The course is devised to deal with the basic procedural aspects with regard to criminal law in action. Indeed, understanding of the same is a must for any aspiring litigation lawyer, and so it is aimed at satisfying this requirement. CrPC is indispensable for effective implementation of criminal law.

Module 1 is designed to introduce students to the basic aspects of criminal procedure. **Module 2** acquaints students with the constitution and powers of criminal courts. **Module 3** introduces students to powers and duties of police officers in respect of criminal matters. **Module 4** is designed to acquaint students with the various processes issued by criminal courts. **Module 5** is designed to impart knowledge about maintenance cases under CrPC. **Module 6** deals with jurisdiction of criminal courts and different types of trials. **Module 7** is to introduce the students to the enquiries in criminal trials. **Module 8** acquaints students with the judgements in criminal cases while **Module 9** deals with the remedies available to the person aggrieved by the order of a criminal case. **Module 10** deals with miscellaneous matters such as limitation in criminal cases, High Court's supervisory powers.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

6 Hrs.

Learning Outcome: On completion of this module students will be able to mention the scope and extent of the Code and the definitions of important terms

Scope and extent of the Code, Definitions

MODULE 2: CONSTITUTION OF CRIMINAL COURTS AND OFFICES

6 Hrs.

Learning Outcome: On completion of this module students will be able to explain the hierarchy of criminal courts and their powers

Classes of Criminal Courts, Territorial division, Executive Magistrate, Public Prosecutors, Directorate of Prosecution, Powers of Courts

MODULE 3: POLICE POWERS**6 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss the powers of police officers

Powers of superior officers of police, Aid to the magistrate and police, Arrest of persons, Preventive actions, Information to the police and their powers to investigate, Maintenance of public order and tranquillity

MODULE 4: PROCESSES**6 Hrs.**

Learning Outcome: On completion of this module students will be able to explain processes issued by criminal courts.

Process to compel appearance, Arrest warrant, Proclamation and attachment, Process to compel production of things, Attachment and forfeiture of property

MODULE 5: MAINTENANCE**6 Hrs.**

Learning Outcome: On completion of this module students will be able to advice as to maintenance matters in hypothetical cases.

Maintenance orders for wives, children and parents

MODULE 6: JURISDICTION OF COURTS AND TRIAL**6 Hrs.**

Learning Outcome: On completion of this module students will be able to fix jurisdiction in hypothetical cases, and explain nature and procedure in trial in those cases.

Criminal courts in inquiries and trials, conditions requisite for initiation of proceedings, complaints to magistrate, commencement of proceedings before magistrate, The charge, Trial before the court of session, Trial of warrant cases by Magistrate, Trial of summons cases by magistrate, Summary trial, Plea bargaining, Prisoners

MODULE 7: ENQUIRIES**6 Hrs.**

Learning Outcome: On completion of this module students will be able to explain procedural aspect of enquiries in trials.

Recording of evidence, General provisions, Accused persons of unsound mind, Offences affecting administration of justice

MODULE 8: JUDGEMENT**6 Hrs.**

Learning Outcome: On completion of this module students will be able to describe procedures relating to judgements in criminal cases.

Provisions relating to judgement, Submission of death sentences for confirmation

MODULE 9: APPEAL, REVISION AND TRANSFER OF CASES**6 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss remedies available to the aggrieved party in a criminal case.

Appeals, references and revisions, Transfer of Criminal Cases

MODULE 10: EXECUTION AND MISCELLANEOUS PROVISIONS**6 Hrs.**

Learning Outcome: On completion of this module students will be able to describe the procedure for execution of sentences.

Execution, suspension, remission and commutation of sentences, Bail and Bonds, Disposal of property, Irregular proceedings, Limitation for taking cognizance of certain offences, Trial before High Court, Duty of HC to exercise continuous superintendence over courts of Judicial magistrates

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%**SUGGESTED READINGS**

1. Ratanlal and Dheerajlal. *Criminal Procedure Code*. Nagpur: Wadhwa, 2006.
2. Mitra, B. B.. *Criminal Procedure Code*. Kolkata: Kamal Law House, 2005.

BAL866
CIVIL PROCEDURE CODE AND LIMITATION ACT
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: Civil Procedure Code is a subject of daily use by the courts and lawyers and a student cannot afford to have scant knowledge of civil procedure when he goes out to practise as a lawyer. True that it is through experience one gets expert knowledge of civil procedure. However, it is necessary to have good grounding in the subject before one enters the profession. While the substantive law determines the rights of parties, procedural law sets down the norms for enforcement. Whenever civil rights of persons are affected by action, judicial decisions will supply the omissions in the law.

The Code of Civil Procedure in India has a chequered history and lays down the details of procedure for redressal of civil rights. Many questions may prop up when one goes to indicate one's civil rights. The court where the suit is to be filed, the essential forms and procedure for institution of suit, the documents in support and against, evidence taking and trial, dimensions of an interim order, the peculiar nature of the suits, the complexities of executing a decree and provisions for appeal and revision are all matters which a lawyer for any side is to be familiar with.

A delay in filing the suit, besides indicating the negligence of the plaintiff in effectively agitating the matter on time, may place courts in a precarious situation. They may not be in a position to appreciate the evidence correctly. Evidence might have been obliterated. Hence, the statute of limitation fixes a period within which a case has to be filed.

Module 1 is designed to make the students conversant with the basic terminology **Module 2** is to acquaint students with the jurisdiction of civil courts. **Module 3** is to introduce students to the rules of pleadings in civil matters. **Module 4** is designed to equip students with the knowledge of different stages in a civil proceeding and the procedure at each of these stages. **Module 5** is to introduce students to the execution proceedings. **Module 6** acquaints students with remedies available to a party aggrieved by the order of a court. **Module 7** is to make the students aware of some special suits. **Module 8** introduces students to the miscellaneous matters such as inter-pleader suits, caveats, inherent powers of the courts, etc. **Module 9** is to equip students with the knowledge of the important provisions of Limitation Act.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION**3 Hrs.**

Learning Outcome: On completion of this module students will be able to explain the basic terms used in civil proceedings.

Concepts, affidavit, order, judgement, decree, plaint, restitution, execution, decree-holder, judgement-debtor, *mesne* profits, written statement, Distinction between decree and judgement and between decree and order.

MODULE 2: JURISDICTION**7 Hrs.**

Learning Outcome: On completion of this module students will be able to identify the rank of a court in the hierarchy of courts and discuss the jurisdiction of various courts. They will also be able to tell in which court a case with hypothetical facts may be instituted.

Kinds, Hierarchy of courts, Suit of civil nature – scope and limits, *Res subjudice* and *Res judicata*, Foreign judgement – enforcement, Place of suing, Institution of suit, Parties to suit: joinder, mis-joinder or non-joinder of parties : representative suit, Frame of suit: cause of action, Alternative disputes resolution (ADR), Summons

MODULE 3: PLEADINGS**7 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss about what may and what may not be pleaded. They will be able to enumerate different pleadings and their nature and essential contents.

Rules of pleading, signing and verification, Alternative pleadings, Construction of pleadings, Plaint: particulars, Admission, return and rejection. Written statement: particulars, rules of evidence, Set off and counter claim: distinction, Discovery, inspection and production of documents, Interrogatories, Privileged documents, Affidavits

MODULE 4: APPEARANCE, EXAMINATION AND TRIAL**5 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss about the preliminary stages as well as trial stage in a civil proceeding.

Appearance, *Ex-parte* procedure, Summary and attendance of witnesses, Trial, Adjournments, Interim orders: commission, arrest or attachment before judgement, injunction and appointment of receiver, Interests and costs

MODULE 5: EXECUTION**8 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss about different modes of execution, powers of executing courts and properties is exempt from execution.

The concept, General principles, Power for execution of decrees, Procedure for execution, Enforcement, arrest and detection, Attachment, Sale, Delivery of property, Stay of execution

MODULE 6: SUITS IN PARTICULAR CASES**7 Hrs.**

Learning Outcome: On completion of this module students will be able to discuss about special suits.

By or against government, By aliens and by or against foreign rulers or ambassadors, Public nuisance, Suits by or against firm, Suits in *forma pauperis*, Mortgages, Interpleader suits, Suits relating to public charities

MODULE 7: APPEALS REVIEW, REFERENCE AND REVISION**8 Hrs.**

Learning Outcome: On completion of this module students will be able to suggest remedies available to a party aggrieved by the order of a court.

Appeals from original decree. Appeals from appellate decree, Appeals from orders, General Provisions relating to appeal, Appeal to the Supreme Court

MODULE 8: MISCELLANEOUS**5 Hrs.**

Learning Outcome: On completion of this module students will be able to advice in respect of transfers of cases, caveats, invoking the inherent powers of courts and similar miscellaneous matters.

Transfer of Cases, Restitution, Caveat, Inherent powers of courts, Law Reform: Law Commission on Civil Procedure – Amendments

MODULE 9: LAW OF LIMITATION**10 Hrs.**

Learning Outcome: On completion of this module students will be able to compute the periods of limitation in a given hypothetical case.

The concept – the law assists the vigilant and not those who sleep over the rights, Object, Distinction with laches, acquiescence, prescription, Extension and suspension of limitation, Sufficient cause for not filing the proceedings, Illness, Mistaken legal advise, Mistaken view of law, Poverty, minority and Purdha, Imprisonment, Defective vakalatnama, Legal liabilities, Foreign rule of limitation: contract entered into under a foreign law, Acknowledgement – essential requisites, Continuing tort and continuing breach of contract.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL 100%	

SUGGESTED READINGS

1. Mulla. *Code of Civil Procedure*. New Delhi: Universal Publishing Co., 1999.
2. Thacker, C. K. *Code of Civil Procedure*. New Delhi: Universal Publishing Co., 2000.
3. Mallick M. R. (Ed.). *B. B. Mitra on Limitation Act*. Lucknow: Eastern Book Co., 1998.
4. Majumdar P. K., and Kataria R. P. *Commentary on the Code of Civil Procedure, 1908*. New Delhi: Universal Publishing Co., 1998.
5. Saha A. N. *The Code of Civil Procedure*. New Delhi: Universal Publishing Co., 2000.
6. *Sarkar's Law of Civil Procedure*. New Delhi: Universal Publishing Co., 2000.
7. *Universal's Code of Civil Procedure*. New Delhi: Universal Publishing Co., 2000.

NINTH SEMESTER

BAL961 LAW OF TAXATION (No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: This subject is basically divided into two broad parts, i.e. Direct and Indirect taxes. While giving a practical orientation of the subject, this Paper specially alludes to VAT as well as Central Sales Tax to take the subject to its logical end. It is devised to help students understand the significant aspects of Taxation.

In this context, **Module 1** is designed to provide a historical account of taxation in India and constitutional footing for the same to set the necessary tone. **Module 2** provides the fundamental notions of the Income Tax Act, 1961 and its underlying concepts. **Module 3** deals with the most crucial aspect of the computation of income for the purpose of taxing. **Module 4** aims at an appreciation of determination of tax liability as an important component of tax regime. **Module 5** deals with Service Tax and statutory requirements pertaining to the same. **Module 6** is designed to teach the recent but well-entrenched Value Added Tax with all its hues. **Module 7** deals with the different aspects of the Central Sales Tax.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

6 Hrs.

Learning Outcome: At the end of this Module, students will be firmly ensconced in the historical and constitutional footings of taxation.

Historical background of taxation in India, Reasons for taxation, Types of Taxes, Constitutional Provisions for Taxing

DIRECT TAX LAWS

MODULE 2: INTRODUCTION

6 Hrs.

Learning Outcome: Students would be firmly rooted in the conceptual tone of taxation at the end of this Module.

Legislative history of income tax in India, Overview of Income tax Act, 1961 and Rules

Basic concepts – definitions, concept of income, previous year, assessment year, persons, residential status, Distinction between capital and revenue receipts, expenditure and losses, Basis of charge and scope of total income, Incomes which do not form part of the total income

MODULE 3: COMPUTATION OF INCOME UNDER VARIOUS HEADS

12 Hrs.

Learning Outcome: This Module makes the students appreciate the computation of income in its proper perspective.

salaries, income from house property, profit and gains of business or profession, capital gains, income from other sources, Income from other persons included in assessee's total income; aggregation of income and set off or carry forward of losses; various deductions to be made in computing total income, rebates and reliefs; applicable rates of taxes and tax liability

MODULE 4: TAXATION OF PERSONS AND DETERMINATION OF TAX LIABILITY

8 Hrs.

Learning Outcome: At the end of this Module, students would be in a position to appreciate the ways and means of determining tax liability and the incidental concepts.

Provisions concerning procedure for filing returns, signatures, e-filing, assessment and reassessment

Tax deducted at source, collection, recovery and refund of tax; provisions of advance tax

Income tax authorities

Wealth –Tax – concept of wealth, charge of wealth tax; assets, deemed assets and assets exempt from tax; valuation of assets; computation of net wealth, return of wealth and provisions concerning assessment

INDIRECT TAXES

MODULE 5: SERVICE TAX

8 Hrs.

Learning Outcome: At the end of this Module, students would get the requisite knowledge about Service Tax with all its incidents.

Background, statutory provisions, taxable services, valuation, administrative mechanism and procedural aspects, rate and computation of tax

Assessment of service tax, levy, collection and payment of service tax, exemptions, CENVAT, returns, appeals, revisions, advance rulings

MODULE 6: VALUE ADDED TAX

10 Hrs.

Learning Outcome: The study of this Module gives the students all the cogent information and knowledge about the relevance and desirability of VAT.

Legislative background, concept of VAT, white paper on VAT, Report of Empowered committee of State Finance Ministers, constitutional provisions, relationship of VAT with interstate commerce and works contact tax

Computation and procedural aspects including registration under VAT; filing of returns, rates of tax, assessment, returns, revisions, appeals and authorities, powers and functions; International taxation, DTAA and Transfer Pricing

MODULE 7: CENTRAL SALES TAX

10 Hrs.

Learning Outcome: This Module on Central Sales Tax furnishes the students, at the end of the study, a complete view of the relevant statutory provisions.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
TOTAL	100%

SUGGESTED READINGS

1. Datar. *Guide to Central Excise Law and Practice*. 6th ed. Nagpur: Wadhwa, 2006.
2. Amatncei, Andrea. *International Tax Law*. New Delhi : Wolters Kluwer Pvt. Ltd, 2006.
3. Jain, Indu. *Taxation of Income*. New Delhi: Manohar, 2003.

4. Wood, Philip *Law & Practice of International Finance*. London : Thomson/Sweet & Maxwell , 2007.
5. Aggarwal, Rohini. *Service Tax: Law and Practice*. Lucknow: Eastern Book Company, 2009.
6. Subramanian, P. L. *Central Sales Tax Law and Practice*. Mumbai: Snow White, 2008.
7. Ahuja, Girish. *Direct Taxes Law and Practice*. New Delhi: Bharath Law House, 2008.

BAL982
MEDICAL AND HEALTH LAW
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: The matters relating to medicine and health are as ancient as human civilization itself, giving rise to many legal and moral issues of varying degree at different stages of advancement in the sphere of medical science. The advancement in the field of medical technology, though a boon to the mankind, has its own flip side. The invention of pre-natal diagnostic techniques, transplantation of human organs, assisted reproduction techniques and other medical procedures have forced new legal challenges. Law must address properly the intricate legal and moral issues associated with the administration of treatment and performance of medical procedures. Medicine and health are inter-related aspects. Administration of treatment is a joint endeavour of doctors, para-medical staff, state and private agencies, which calls for effective legal control to protect the interest of medical and para-medical professionals as well as the patients. The objective of this course is to impart the students knowledge of the relation between law and medicine with special emphasis on legal and moral issues surrounding administration of treatment and performance of medical procedures in the backdrop of advancement in the sphere of medical technology.

Module 1 introduces students to the relationship between law and medicine. **Module 2** deals with the regulatory framework relating to medicine and pharmaceuticals. **Module 3** acquaints students with the medico-legal concepts of death, injury, etc. **Module 4** gives a detailed insight in the professional liabilities of doctors. **Module 5** introduces students to legal regime in mental health sector. **Module 6** introduces students to the technological aspects of medical profession and the legal regulation of the same. **Module 7** deals with the sensitive issue of medical termination of pregnancy and the legal regulation of the same. **Module 8** deals with another sensitive issue of bio-medical research.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

6 Hrs.

<p>Learning Outcome: At the end of this Module, students will have a clear understanding of the nexus between law and medicine.</p>
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The relation between law and medicine – Forensic medicine – the significance of forensic medicine and forensic evidence – Hippocrat’s oath – Medical ethics, Indian Medical Council Act, 1956, Bio-ethics, Medical Council

MODULE 2: REGULATORY FRAMEWORK**6 Hrs.**

Learning Outcome: At the end of this Module, students will have clear picture of the need for legal control regime in the field of medicine.

Legal control of drugs and cosmetics – Drugs and Cosmetics Act and Rules – Product liability for defective medicine – contractual liability, tortuous liability, liabilities under the English and Indian Consumer Protection Acts, English Medicines Act.

MODULE 3: MEDICO-LEGAL CONCEPTS**6 Hrs.**

Learning Outcome: At the end of this module, students will be able to exhibit familiarity with the medico-legal concepts of death, injury, etc. and will be in a position to distinguish between medical and legal treatment of these concepts.

Medico-legal concept of death, asphyxia death, legal consequences of death, injuries under medicine (abrasion, bruise (contused wound), laceration, incised wound and stab wound) and their medico-legal significance – *Post mortem* report – inquest – Aids and medico-legal issues.

MODULE 4: PROFESSIONAL LIABILITY OF DOCTORS**8 Hrs.**

Learning Outcome: At the end of this module the students will be in a position to fix the liability of a doctor on a set of given hypothetical facts.

The requirement of consent for medical treatment – competency to give consent – liability for non-consensual treatment, exceptions – Contractual liability of doctors for medical negligence – Tortuous liability of doctors for medical negligence – Concept of medical negligence, standard of care, Bolan principle, circumstances amounting to medical negligence – Doctrine of informed consent, liability for lack of informed consent, exceptions – Liability for breach of medical confidentiality and disclosure of genetic information – Liability of doctors for criminal negligence

MODULE 5: INSANITY AND MENTALLY ILL PERSONS**8 Hrs.**

Learning Outcome: At the end of this module students will be able to explain different types of insanity and their place in legal proceedings.

Medical insanity – Types, medical and legal insanity, the watershed of medical and legal insanity – McNaughten’s case – Legal protection of mentally ill persons with special reference to Mental Health Act.

MODULE 6: MEDICAL TECHNOLOGY AND LAW**8 Hrs.**

Learning Outcome: At the end of this module students will have basic knowledge of the latest techniques used by the medical persons using the latest technology, and the legal implications of the same.

Assisted reproduction, artificial insemination, IVF, reproductive cloning, surrogacy – Transplantation of organs, Transplantation of Human Organs Act, 1994, cadaver donor, live donor, xenotransplantation – Legal control of pre-natal diagnostic techniques

MODULE 7: TERMINATION OF PREGNANCY**10 Hrs.**

Learning Outcome: At the end of this module students will be able to discuss critically and analytically the sensitive issue of medical termination of pregnancy.

Abortion, right to abortion, legal status of foetus – Medical Termination of Pregnancy Act, 1971 – Regulation of miscarriage under the Indian Penal Code

MODULE 8: BIO-MEDICAL RESEARCH**10 Hrs.**

Learning Outcome: At the end of this module students will be able to discuss critically and analytically the sensitive issue of bio-medical research and explain the legal regulation of the same.

Therapeutic and non-therapeutic research, International Convention – Stem cell research

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. Cameron, Cecily, and Elizabeth-Anne Gumbel. *Clinical Negligence: A Practitioner's Handbook*. Oxford: Oxford University Press, 2007. Print.
2. Chaudhri, V. K. *Medical Jurisprudence and Toxicology*. Allahabad: Dwivedi Law Agency, 2007.
3. Dogra, T. D., and Rudra, Abhijit *Lyons Medical Jurisprudence and Toxicology*. New Delhi: Delhi Law House, 2005.
4. Herring, Jonathan. *Medical Law and Ethics*. Oxford ; New York: Oxford University Press, 2006.
5. Jackson, Emily. *Medical Law*. 2nd ed. London: Oxford University, Press, 2010.
6. Kannan, Justice; Mathiharan.Dr. K. A. *Textbook of Medical Jurisprudence and Toxicology*. Nagpur: LexisNexis Butterworth Wadhwa, (1920).
7. Lewis, Charles. *Clinical Negligence : A Practical Guide*. 6th ed. Haywards Heath: Tottel, 2006.
8. Mason, J. K., et al. *Mason & Mccall Smith's Law and Medical Ethics*. 7th ed. Oxford: Oxford University Press, 2006.
9. McLean, Sheila. *Contemporary Issues in Law, Medicine and Ethics*. Aldershot: Dartmouth, 1996.
10. Miola, José. *Medical Ethics and Medical Law: A Symbiotic Relationship*. Oxford: Hart, 2007.
11. Morgan, Derek. *Issues in Medical Law and Ethics*. London: Cavendish, 2001.
12. Patnaik, Amrit K., and Mathiharan, K. (Eds). *Modi's Textbook of Medical Jurisprudence and Toxicology*. Nagpur: LexisNexis Butterworths., 2005.
13. Pattinson, Shaun D. *Medical Law and Ethics*. 2nd Ed.. London: Sweet & Maxwell ; Thomson Reuters, 2009.
14. Plomer, Aurora. *The Law and Ethics of Medical Research: International Bioethics and Human Rights*. London: Cavendish, 2004.
15. Powers, Michael J., and Nigel H. Harris. *Clinical Negligence*. 3rd ed. London: Edinburgh ; Dublin: Butterworths, 2000.
16. Thomson. *Medical Law and Ethics (Law Library)*. Sweet & Maxwell, 2006.
17. Veitch, Kenneth. *The Jurisdiction of Medical Law*. Aldershot: Ashgate, 2007.

BAL963
LAW OF EVIDENCE
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: Sir James Fitzjames Stephen (1829-1894) played a significant part in drafting Indian Evidence Act, 1872. He was a student of Bentham and Austin as well as a judge. His aim was to adopt and to codify English Law of Evidence with some modifications necessary for the peculiar circumstances of India. The Indian Evidence Act was intended to be the complete code of evidence for India. The ultimate aim of producing evidence is to facilitate the judge to arrive at a rational conclusion with respect to the matters disputed before him. For this, Indian Evidence Act has within its fold four fundamental principles best evidence, relevancy, admissibility and appreciation.

Module 1 is designed to familiarise students with the basic terms of law of evidence. **Module 2** acquaints students with the concept of relevancy of facts. **Module 3** deals with admissions and confessions and their relevance in proving a case. **Module 4** deals with the proof of facts on evidence of persons who cannot be called to court to give evidence. **Module 5** is to make the students understand the relevance of judgements and orders of courts in other cases to prove facts in the current case. **Module 6** clarifies the circumstances in which character can be proved. **Module 7** generally deals with witnesses and proof of facts. **Module 8** is to give students knowledge of oral evidence and the rules governing production of oral evidence, while **Module 9** introduces the students to documentary evidence. **Module 10** deals exhaustively with the rules regarding burden of proof.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

6 Hrs.

Learning Outcome: At the end of this module students will be able to define the basic terms and show familiarity with their usage.

Objects and Reasons of India Evidence the Act 1972, definitions of: “fact”, “facts in issue”, “relevant”, “document”, “evidence”, “proved”, “disproved” and “not proved”, “may presume”, “shall presume” and “conclusive proof”.

MODULE 2: RELEVANCY OF FACTS

10 Hrs.

Learning Outcome: At the end of this module students will be able to give their opinions as to whether a fact is relevant as evidence.

Motive, preparation, previous or subsequent conduct, role of motive in an offence, facts necessary to explain or introduce relevant facts, identification of accused, existence of conspiracy, significance of common intention etc.

MODULE 3: ADMISSIONS AND CONFESSION

8 Hrs.

Learning Outcome: At the end of this module students will be able to give opinion as to the relevancy and effect of an admission or a confession as evidence in a case.

Admission defined. Oral admissions, admission in civil cases, confession, information received from accused etc.

MODULE 4: STATEMENTS BY PERSONS WHO CANNOT BE CALLED AS WITNESS

4 Hrs.

Learning Outcome: At the end of this module students will be able to advise as to the course available where the persons who have made statements relevant in a case cannot be produced before the court to give evidence.

Who is dead or cannot be found: Statements made under special circumstances
Entries in books of account, public record or electronic record, maps, charts & plans, law contained in law books.

MODULE 5: JUDGMENT AND OPINIONS

8 Hrs.

Learning Outcome: At the end of this module students will be able to form opinion as to the admissibility of judgements and orders as evidence.

Previous judgements, judgements in probate etc, fraud or collusion in obtaining judgement or incompetence of court may be proved.

Opinion of experts, handwriting, digital signature, existence of right or custom, usages, tenets, opinion on relationship, grounds or opinion.

MODULE 6: CHARACTER

4 Hrs.

Learning Outcome: At the end of this module students will be able to tell when character may be proved and when it cannot be proved.

Civil cases and criminal case, previous bad character, character as affecting damages.

MODULE 7: WITNESSES AND PROOF OF FACTS**6 Hrs.**

Learning Outcome: At the end of this module students will be able to tell who may be a witness in a case, what is the weight of his evidence and how the evidence may be recorded. They will also be able to tell whether a particular fact needs to be proved.

Witnesses, who may testify, judges and magistrates, communication during marriage, professional communications, confidential communication, accomplice.

Facts judicially noticeable, facts admitted

MODULE 8: ORAL EVIDENCE**4 Hrs.**

Learning Outcome: At the end of this module students will be able to explain the rules of Evidence Act in respect of oral evidence.

Proof of facts by oral evidence. Direct and Hearsay Evidence. Exclusion of Oral by Documentary Evidence, Evidence of Terms of Contracts, Grants Etc.

Examination of Witness: Examination-in-chief, leading questions, cross examination, indecent and scandalous questions, impeaching credit of witnesses, refreshing memory, production of documents, judge's power to put questions etc. Improper admission and rejection of evidence.

MODULE 9: DOCUMENTARY EVIDENCE**4 Hrs.**

Learning Outcome: At the end of this module students will be able to explain the rules of Evidence Act in respect of documentary evidence.

Contents of documents, primary & Secondary evidence, proof of signature, attesting witness – public & private documents, certified copies, official documents – Presumption as to Documents: Genuineness of certified copies, record of evidence, gazettes, books, collection of laws and report of decisions, powers-of-attorney, digital signature, foreign judicial records, maps, charts, telegraphic messages, documents 30 years old & electronic records 5 years old.

MODULE 10: BURDEN OF PROOF**6 Hrs.**

Learning Outcome: At the end of this module students will be able to explain the rules of Evidence Act in respect of burden of proof.

On whom burden of proof lies, burden of proving fact to be proved to make evidence admissible, exceptions, presumption as to dowry death, presumptions in cases of rape.

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%**SUGGESTED READINGS**

1. *Indian Evidence Act, 1872.*
2. Nandi. *Indian Evidence Act*, Kolkata: Kamal Law House, 2005.
3. Mishra, Ranganath. *Supreme Court on Evidence Act*. New Delhi: Bharat Law House 2009.
4. Field. *Field's Commentary on Law of Evidence*. Delhi: D. L. House, 2006.
5. Woodroffe, Sir John, and Syed Amir Ali. *Sir John Woodroffe and Syed Amir Ali's Law of Evidence*. New Delhi: Universal Publishing Co., 2001.
6. Monir M., *Text Book on the Law of Evidence*. New Delhi: Universal Law Publishing, 2006.
7. Singh, Avtar. *Principles of the Law of Evidence*. Allahabad: Central law Publication, 2005.
8. Lal, Batuk. *Batuk Lal's Law of Evidence*. Allahabad: Orient Publishing Company 2004.

BAL984
COMPETITION LAW
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: The process of globalization and liberalization have brought a considerable awareness towards improving the competitive process in developing economies such as India. Until recently most of the developing countries operated without a structured competition policy, and have justified the intervention by the state over economic activities. India owing to its WTO obligations enacted Competition Act, 2002. The course seeks provide fundamentals of market economy and extensive knowledge of application of competition policy in India.

Module 1 deals with the factors led to passing the enactment Competition law and shift from MRTP Act along with the salient features of Competition Act, 2002. **Module 2** deals with the market definition its important an dimensions. Abuse of market power is regarded as an anti-competitive practice and the law relating to the same is narrated in **Module 3**. **Module 4** covers the anti-competitive agreements and its prevention. **Module 5** deals with another anti competitive practice of abuse of dominant position. **Module 6** aims at controlling combinations . The institutions framed under the Act will be discussed elaborately in **Module 7**. Interconnection between IPR and competition law will be covered by **Module 9** and in **Module 10** international perspective of competition law will be dealt with.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: COMPETITION POLICY AND BACKGROUND

6 Hrs.

Learning Outcome: On the competition of this module students will have clarity about evolution, object and functions of Competition law

Introduction, competition policy objectives, competition growth and prosperity, theory of competition, evolution of competition law, functions of competition law, MRTP and Competition Act, 2002, Raghavan Committee on competition law, Completion Act – overview, definitions and interpretations

MODULE 2: KEY ISSUES ASSOCIATED WITH MARKET DEFINITION

6 Hrs.

Learning Outcome: On the competition of this module students will be able to exhibit knowledge about importance of market definition in competition law its significance in finding out anti-competitive practices.

Why is market definition necessary, Nature of markets – the purposive nature of market definition, Market delineation – SSNIP test, role of facts & competition at margin, Application to products and geographic dimensions of market, Functions of market, Time dimensions of markets

MODULE 3: MISUSE OF MARKET POWER

6 Hrs.

Learning Outcome: On the completion of this module students will be able to discuss about the rationale behind market power and competition test.

What is market power, identifying substantial degree of market power, use of market power- competition test; business rationale, proscribed test, predatory pricing

MODULE 4: CONTRACTS, AGREEMENTS AND UNDERSTANDINGS

6 Hrs.

Learning Outcome: On the completion of this module students will have clarity about the types of anti-competitive agreements and testing its validity.

Cartels and parallel products, horizontal agreements, vertical agreements, anti-competitive agreements, bid rigging, art.81 of EC Treaty

MODULE 5: ABUSE OF DOMINANT POSITION

6 Hrs.

Learning Outcome: On the completion of this module students will have a clear understanding about the practices covered by abuse of dominant position.

Dominant position, relevant market, market share, prohibition of dominant position, predatory pricing, predatory behaviour and legitimate competition, discriminatory pricing- rebates, discounts etc., limiting production, refusal to supply to deal, supply, art.82 of EC Treaty

MODULE 6: MERGERS, ACQUISITIONS AND AMALGAMATIONS

6 Hrs.

Learning Outcome: On the completion of this module students will have an in-depth knowledge about the different types of combinations causing anti-competitive effects.

Lessening competition by mergers, reasons for mergers, types of mergers, unilateral vs. co-ordinated conduct, efficiency benefits from mergers, mergers issues – failing firm, creeping acquisitions, conglomerate mergers

MODULE 7: COMPETITION COMMISSION OF INDIA**6 Hrs.**

Learning Outcome: On the completion of this module students will be able to describe the powers and functions of CCI and discuss the effectiveness of institution constituted under the Act.

Establishment and constitution of CCI, powers and functions of CCI, Appellate Tribunal

MODULE 8: AUTHORIZATION AND NOTIFICATION**6 Hrs.**

Learning Outcome: On the completion of this module students will be able to critically discuss about the authorisation process and its necessity.

Justification for authorization – market failure, authorization process, public benefits

MODULE 9: INTELLECTUAL PROPERTY AND COMPETITION LAW**6 Hrs.**

Learning Outcome: On the completion of this module students will be able to show a better understanding of the interplay between the competition law and IPR.

IP and application of competition law, Cases : Magill and Microsoft

MODULE 10: INTERNATIONAL DIMENSIONS OF COMPETITION LAW**6 Hrs.**

Learning Outcome: On the completion of this module students will know in general about the international dimensions of competition law.

Globalization and competition law, competition rules of WTO, international enforcement and judicial assistance, emerging principles of international competition law

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. Whish, Richard. *Competition Law*. London: Oxford University Press, 2009.
2. Furse, Mark. *Competition Law of the EC and UK*. London: Oxford University Press, 2008.
3. Rijn, Alphen aan den. *The Reform of EC Competition Law: New Challenges*, Austin. Austin [Tex.] : Wolters Kluwer Law & Business, 2010.
4. Chao, Yang-Ching. *International and Comparative Competition Law and Policies India*. Kluwer Law International, 2008.
5. Rodriguez, A. E. *The Limits of Competition Policy: The Shortcomings of Antitrust in Developing and Reforming Economies*. Aspen Pub, 2010.
6. Dugar, S. M. *Guide to Competition Law: Containing Commentary on Competition Act, MRTP Act and Consumer Protection Act*. LexisNexis-Butterworths Wadhwa Nagpur, 2010.
7. Smith, Martin. *Competition Law: Enforcement and Procedure*. London: Oxford University Press, 2001.
8. Woude, Van Der Jones. *EC Competition Law Handbook*. London: Sweet & Maxwell, 2003.
9. Haracoglou, Irina. *Competition Law and Patents: A Follow-On Innovation Perspective in the Biopharmaceutical Industry*. Cheltenham, UK, 2008.
10. *Competition Law-Emerging Trends*. Hyderabad: ICFAI University, 2007.
 - a. *Competition Law and Cartels*. Hyderabad: ICFAI University, 2006.
11. *Telecommunications, Broadcasting and the Internet EU Competition Law and Regulation*. London: Thomson Reuters Limited, 2010.
12. Dhall, Vinod. *Competition Law Today: Concepts, Issues, and the Law in Practice*. New Delhi: Oxford University Press, 2007.
13. Ritter, Lennart. *European, Competition Law: A Practitioners Guide*. Netherlands: Kluwer Law International, 2004.
14. Rodger, Barry J. *Competition Law and Policy in the EC and UK*. London: Cavendish, 1999.
15. Dabbah, Maher M. *EC and UK Competition Law: Commentary, Cases, and Materials*. London: Cambridge University Press, 2004.
16. Mittal, D. P. *Competition Law and Practice*. New Delhi: Taxmanns Allied Services, 2008.
17. Ramapp, T. *Competition Law in India: Policy, Issues, and Developments*. New Delhi: Oxford University Press, 2006.
18. Ioannis, N. Kessides. *Reforming Infrastructure: Privatization, Regulation, and Competition*. Washington D. C.: World Bank, 2004.
19. Karmerling, Alexandra. *Restrictive Covenants Under Common and Competition Law*. London: Sweet and Maxwell, 2007.
20. Nazzini, Renato. *Concurrent Proceedings in Competition Law*. London: Oxford University Press, 2007.

BAL975
DRAFTING, PLEADING AND CONVEYANCING

(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: One of the practicals, this Paper aims at giving the students an opportunity to peep into the working of law by referring to various practical aspects of civil and criminal laws. It also emphasizes on the conveyancing aspects and imparts the students the requisites of various deeds that go to make the theoretical law complete.

In view of the above, **Module 1** is designed to disseminate the fundamental principles of drafting which are very crucial with regard to the propriety of the cases to be filed. **Module 2** goes on to deal with the particular application of the said rules with respect to pleadings in civil matters. **Module 3** seeks to achieve the above with reference to criminal matters. **Module 4** aims at discussing the principles of conveyancing with reference to different deeds. **Module 5** teaches the students the skills of scrutiny of reports. **Module 6** imparts the basic rules of Judgment Writing.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: DRAFTING

Learning Outcome: At the end of this Module, students would be in a position to appreciate the quintessential norms of drafting deviation from which would scuttle the prospects of a case.

General principles of drafting, Substantive rules

MODULE 2: PLEADINGS (CIVIL)

Learning Outcome: On studying this Module, students will be able to write complaints as well as other civil pleadings.

Plaint, written statement, IA, OP, Affidavit, Execution Petition, Memorandum of Appeal and Revision Petition, petitions under Art. 226 and Art. 32 of the Constitution

MODULE 3: PLEADINGS (CRIMINAL)

Learning Outcome: This Module enables the students to understand the prerequisites of the criminal pleadings.

Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision Petition.

MODULE 4: CONVEYANCE

Learning Outcome: At the end of this Module, students would have an understanding of the principles of conveyancing and in fact draft some.

Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed

MODULE 5: LEGAL SCRUTINY REPORTS

Learning Outcome: This Module enables the students to acquire the relevant strategies for scrutinizing the reports.

MODULE 6: JUDGEMENT WRITING

Learning Outcome: At the end of this Module, students would be honing the skills of judgment writing.

The course will be taught through class instructions and simulation exercises, preferably with assistance of practising lawyers/retired judges.

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

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
	TOTAL 100%

SUGGESTED READINGS

1. Sengupta, Ajit K. *Maumdar's Law Relating to Notices*. Kolkata: Eastern Law House Pvt. Ltd., 2005.
2. Mogha G. C. *Mogha's Law of Pleadings in India with Precedents*. 17th ed. Lucknow: Eastern Book Company, 2006 (2009).
3. Shrivastava J. M. *Mogha's Indian Conveyancer*. 14th ed. Lucknow: Eastern Book Company, 2009.
4. Bindra, M. S. *Bindra's Pleading & Practice* Vol. 1 & 2. New Delhi: Universal Law Publishing, 2010.
5. Parimeswaran, S. *Law of Affidavit*. New Delhi: Universal Law Publishing, 2003.
6. Rathwade, Rajaram S. *Legal Drafting*, Pune:Hind Law House, 2010.

BAL976
ALTERNATIVE DISPUTE RESOLUTION
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: Considered as one of the innovations of the process of Continuing Legal Education, ADRS is regarded as a must-study for the students. As such, the subject aims at dealing with the major ADR methods and giving the students a real opportunity to reflect on the alternatives in law to usher in justice.

In this context, **Module 1** dwells on teaching Negotiation Skills with the help of simulation exercises. **Module 2** is designed to teach the various Mediation and Conciliation skills. **Module 3** seeks to teach the law and practice regarding Arbitration.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: NEGOTIATION SKILLS

20 Marks

Learning Outcome: At the end of this Module, students would acquire the conceptual as well as the necessary practical approach to the art of Negotiation.

To be taught through simulated program

MODULE 2: MEDIATION AND CONCILIATION SKILLS

20 Marks

Learning Outcome: This Module enables the students to learn the A-Z of Mediation and Conciliation skills.

MODULE 3: ARBITRATION

60 Marks

Learning Outcome: Upon studying this Module, students would get the required knowledge about the national and international legal regime on Arbitration.

Arbitration law and practice including international arbitration and arbitration rules.

The course is required to be conducted by senior legal practitioners through simulation and case studies.

SCHEME OF EVALUATION

1. Negotiation skills	– 20%
2. Mediation skills	– 10%
3. Conciliation skills	– 10%
4. Arbitration and Conciliation Act	– 60%

SUGGESTED READING:

1. Nolan-Haley, Jacqueline M. *Alternative dispute resolution*. St Paul, Minn : West Group, 2001.
2. Markanda, P.C. 7th ed. *Law relating to arbitration and conciliation: commentary on the arbitration and conciliation act, 1996*. New Delhi : LexisNexis Butterworths Wadhwa Nagpur, 2009.
3. Malhotra, O.P. *The law and practice of arbitration and conciliation*. 2nd ed. New Delhi : LexisNexis Butterworths, 2006.
4. Chawla, S.K. *Law of Arbitration & Conciliation: Practice and Procedure*. 2nd ed. Kolkata : Eastern law House, 2004.
5. Bansal, Ashwinie K. *Arbitration: Procedure and Practice*. New Delhi : LexisNexis Butterworths Wadhwa, 2009.

TENTH SEMESTER

BAL1061 HUMAN RIGHTS (No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: The course is designed to inform the students about the evolution of human rights and the way they are read into our Constitution. That apart, it explores the different vistas of Human Rights with reference to crime, health, IP, etc. The students are imparted the essential aspects of all the said issues.

In this connection, **Module 1** covers the conceptual and constitutional aspects along with the provisions about the National and State Human Rights Commissions. **Module 2** looks into the societal expectations in terms of human rights. **Module 3** provides an analysis of criminal infractions and the resultant rights abuse. **Module 4** is designed to study state action in juxtaposition with human rights. **Module 5** looks into workers' rights from the view point of human rights. **Module 6** takes stock of the pivotal role attributed to media in furthering of human rights. **Module 7** aims at a study of various international instruments in the field of human rights.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION

6 Hrs.

Learning Outcome: At the end of the Module, students would be able to comprehend the conceptual and constitutional grounding of human rights along with the role played by Human Rights Commissions.

Concept of human rights, historical background, meaning of human rights, constitutional provisions, Human Rights Act – objectives and framework, National Human Rights Commission, State Commission

MODULE 2: HUMAN RIGHTS AND COMMUNITY

8 Hrs.

Learning Outcome: After studying this Module, students will be able to discuss the community expectations in terms of human rights and the relevance of the latter for a meaningful life.

Human rights and democracy, disability, environmental, air and water pollution, education, freedom of speech and expression, religion, marriage, reservation in favour of SC/ST

MODULE 3: HUMAN RIGHTS AND CRIME

10 Hrs.

Learning Outcome: At the conclusion of this Module, the students will be able to appreciate the deprivation of essential rights of victims of crimes and the remedies available for the same.

Crime against women and children, juvenile reformatory institutions, terrorized areas, communal riots, role of criminal courts

MODULE 4: HUMAN RIGHTS AND STATE

10 Hrs.

Learning Outcome: Study of this Module enables the students to discuss the infringement of human rights through state action and the constitutional guarantees as well as the judicial assurances to rid of such an infringement.

Right to bail, role of police, PIL, prisoners, writ jurisdiction, pre-censorship, judiciary

MODULE 5: LABOUR AND HEALTH

10 Hrs.

Learning Outcome: This Module influences the students to grasp the human rights of workers and discuss the concretisation of the same in view of the underlying philosophies.

Child labour, bonded labour, access to medicine, right of hawkers, freedom of movement

MODULE 6: MEDIA AND JOURNALISM

10 Hrs.

Learning Outcome: Study of this Module engages the rapt attention of the students in deliberating on the critical role played by the Fourth Estate in exposing the state of human rights generally and in the wake of IP and consumerism particularly.

Intellectual property and human rights, human rights and consumer culture

MODULE 7: INTERNATIONAL CONVENTIONS ON HUMAN RIGHTS 6 Hrs.

Learning Outcome: This Module prepares the students for an analytical comprehension of the influence of international instruments in realisation of human rights.

Human Rights Committee, UDHR, ICCPR, ICESCR, Convention Against Torture, Convention on Elimination of All Discrimination, Child Right Convention

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%

TOTAL 100%

SUGGESTED READINGS

1. Stone, Julius. *Human Law and Human Justice*. New Delhi: Universal Law Publishing, 1965.
2. Kataria, Awasthi S. (Dr.). *Law Relating to Protection of Human Rights*. New Delhi : Orient Pub. Co., 2000.
3. Sircar, V. K. *Protection of Human Rights in India*. New Delhi : Asia Law House, 2005.
4. Schutter, Olivier De. *International Human Rights Law: Case, Materials, Commentary*. Cambridge. Cambridge: Cambridge University Press, 2010.
5. Subramanian, S. (Dr.). *Human Rights: International Challenges*. 2 Vol. New Delhi: Manas Publications, 2004.
6. Symeonides, Symeon C. *Human Rights: Concept and Standards*. UNESCO, 2001.
7. Patel, Bimal N. *Comprehensive Guide of Law of Human Rights in Common Wealth Countries*. Delhi: Oscar Publications, 2007.
8. Naikar, Lohit D. *Law Relating to Human Rights*. Bangalore: Puliani and Puliani, 2003.
9. Baxi, Upendra. *The Future of Human Rights*. 2nd ed. Oxford: Oxford University Press, 2006.
10. Agarwal, H. O. (Dr.). *International Law & Human Rights*. 19th edition. Allahabad: Central Law Publications, 2013.
11. Brownlie, Ian (Ed.) *Basic Documents on Human Rights*. 5th ed. Oxford: Oxford University Press, 2006.

BAL1082
CONFLICT OF LAWS
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: This subject is designed to prepare the students for a clearer understanding of transnational transactions in the light of the domestic law. The study of the same is essential, especially in view of the liberal policies currently being adopted. It is devised to make the students aware of the basic concepts governing this field.

Module 1 aims at the basic understanding of the conceptual facets of the subject and the fundamental interpretations governing the field. **Module 2** is an account of the different personal factors dominating the trans-national activities. **Module 3** is designed to study the very crucial jurisdictional issues in the light of English rules. **Module 4** aims to impart the issues relating to sovereign immunity and the status of foreign judgements. **Module 5** looks into the marital status and child care in the wake of various transactions across the borders. **Module 6** envisages the commercial and tortuous liability with reference to trans-national omissions and commissions. **Module 7** is devised to study the vignettes of international litigation.

TEACHING METHODOLOGY: Lecture, Group Discussion, PowerPoint Presentation, Simulation Exercise, etc. as per the requirement of each module.

MODULE 1: INTRODUCTION TO CONFLICT OF LAWS

8 Hrs.

Learning Outcome: Students would be able to discuss at the end of the Module the conceptual necessity, contextual inevitability, and the legal adaptability of trans-national transactions.

Meaning of conflict of laws, definition of country, need to plead and prove foreign law, characterization, challenges, public policy

MODULE 2: PERSONAL FACTORS

8 Hrs.

Learning Outcome: At the Module's end, students would be able to critically appraise the compelling influence of different personal factors over beyond-the-boundaries transactions.

Residence, domicile, domicile of corporations, domicile and nationality, persons liable for deportation and mentally disordered persons

MODULE 3: JURISDICTION**8 Hrs.**

Learning Outcome: This Module enables the students for a threadbare deliberation on the most crucial aspect affecting the activities sans frontiers viz., jurisdictional issues.

Traditional English rules, principles and European rules

MODULE 4: SOVEREIGN AND DIPLOMATIC IMMUNITY**10 Hrs.**

Learning Outcome: Study of this Module makes the students discuss the desirability and effectiveness of sovereign immunity and the impact of foreign judgements.

Foreign state, foreign diplomat, recognition and enforcement of foreign judgement, foreign arbitral awards

MODULE 5: MARRIAGE AND CHILD**10 Hrs.**

Learning Outcome: This Module invigorates the students' analytical ability to comprehend the complex issues arising out of trans-national marriages and child-births.

Formalities of marriage, capacity to marry, consanguinity and affinity, polygamous marriages, matrimonial causes, recognition of divorces, separations and annulments, financial relief, child care and child abduction, child adoption

MODULE 6: TORTS, CONTRACTS AND PROPERTY**10 Hrs.**

Learning Outcome: This Module supplants the students' abilities in understanding the extension of the horizons of contractual and tortuous liability beyond the domestic frontiers.

Rome Conventions I and II, product liability, unfair competition, environmental damage, defamation, consumer contracts, jurisdiction over immovable property, governmental seizure of property

MODULE 7: INTERNATIONAL LITIGATION**6 Hrs.**

Learning Outcome: This Module reinvents the substantive and procedural aspects of litigation at the global level for the students.

Substance and procedure, parties and service of process, evidence, remedy

SCHEME OF VALUATION

1. CIA I – Mid Semester Examination	– 25%
2. CIA II – Class Test / Assignment / Presentation	– 10%
3. CIA III – Research Topic	– 10%
4. Attendance	– 05%
5. End Semester Examination	– 50%
	TOTAL 100%

SUGGESTED READINGS

1. Setalvad, Atul M. *Conflict of Laws*. 2nd ed. New Delhi: LexisNexis Butterworths Wadhwa Nagpur, 2009.
2. Briggs, Adrian. *The Conflict of Laws*. Oxford: Oxford University Press, 2002.
3. McClean, David and Kisch Beevers. *The Conflict of Laws*. London: Sweet & Maxwell, 2009.
4. Hood, Kirsty J. *Conflict of Laws within the U.K.* Oxford: Oxford University Press, 2007.
5. Collins, Sir Lawrence. *Dicey, Morris & Collins on the Conflict of Laws*. 2 Vols. 14th ed. London: Sweet & Maxwell, 2006.
6. Mayss, Abla. *Principles of Conflict of Laws*. 3rd ed. London: Cavendish Publishing Limited, 1998.
7. Collier, J. G. *Conflict of Laws*. 3rd ed. London: Cambridge University Press, 2001.
8. Symeonides, Symeon C. *Conflict of Laws: American, Comparative, International*. St. Paul Minn: West Group, 1998.

BAL1083 DISSERTATION

COURSE OBJECTIVES: This Paper is designed to test the research prowess of the students and their analytical skills. It is aimed at enabling the students to hone their skills as a researcher that would be of immense help to them in their career.

Students are required to select their dissertation topic at the beginning of the academic year (9th Semester) and register with a faculty member for Guidance.

Dissertation work carries 100 marks in total and research report has to be submitted before the commencement of the examination of 10th semester.

Learning Outcome: While taking the Paper to its logical end viz., submission of the thesis, the students will be cajoled to make an introspection about their research prowess and the acquisition of the analytical skills which the profession of law assiduously demands.

EVALUATION

1. Research Report – 70%
2. *Viva voce* – 30%

BAL1074
PUBLIC INTEREST LITIGATION, LEGAL AID AND PARA
LEGAL SERVICES

(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: This course is designed to give the students an exposure to the socio-legal aspects and sensitise them to the problems of the downtrodden and weaker sections of the society, and to inculcate social responsibilities in the students.

Module 1 is designed to give students an exposure to public interest lawyering and the cases in which courts have made deviation from strict formalities to uphold the rights of common man. **Module 2** is designed to introduce students to the provisions of the Legal Services Authorities Act, 1987 as a precursor to **Module 3** which gives a real life experience to the students about the implementation of the benevolent objects of the Act.

MODULE 1 CONCEPT OF PUBLIC INTEREST LITIGATION

30 Marks

Learning Outcome: After completing this module, students will be able to discuss the different standings on which PILs are admitted and will be able to explain the differences between the adversarial and inquisitorial procedures.

Liberalisation of *locus standi*, *suo motu* intervention by the court – Epistolary jurisdiction, creeping jurisdiction – Adversarial and inquisitorial procedures – Research in support of public interest litigation.

MODULE 2 LEGAL AID AND PARA LEGAL SERVICES

30 Marks

Learning Outcome: After completing this module students will be able to describe the objects of Legal Services Authorities Act and the provisions of the Act which seek to realise these objects.

Legal Services Authorities Act, 1987.

MODULE 3 EXTENSION PROGRAMME

30 Marks

Learning Outcome: After completing this module students will have sufficient exposure to the real life conditions of the society and the problems of the common people.

The students shall take part in extension programmes like Lok Adalats, Legal Aid Camps, Legal Literacy Camps, etc., under the guidance of the Course Teacher. Each student shall maintain a journal containing the details of his participation in the extension programmes.

SCHEME OF VALUATION

1. Theory	- 30%
2. Survey and Report Writing	- 60%
3. <i>Viva voce</i>	- 10%
TOTAL 100%	

SUGGESTED READINGS

1. Agrawala, S. K. *Public Interest Litigation in India*, Bombay: N. M. Tripathi, 2000.
2. Menon, N. R. Madhava, *Clinical Legal Education*. Allahabad: Eastern Book Co., 2008.
3. Brinder, David A. and Susan C. Price, *Legal Interviewing and Counselling: A Client Centred Approach*, St. Paul, Minn.: West Publishing Co., 1977.
4. Gold, Neil. *Learning Lawyers Skills*, Chap. 3. London: Butterworths Law, 1989.
5. Sherr, Averom. *Client Interviewing for Lawyers*, London: Sweet and Maxwell, 1999.
6. Chapman, Jenny and Julie Macfarlane. *Interviewing and Counselling (Legal Skills Series)* London: Cavendish Publishing, 2000.

BAL1075 MOOT COURT AND INTERNSHIP

COURSE OBJECTIVES: This Paper is designed to introduce the students to the practical aspects of the profession by organizing moot courts and sending them to courts for a personal experience of the functioning of courts. It enables them to obtain a first-hand information of the practicalities of the working of courts.

In this connection, **Module 1** is designed to provide the necessary feel of the court room environment to the students by arranging moot courts. **Module 2** aims at taking the students to Courts, periodically, to witness first hand the judicial proceedings. **Module 3** provides an opportunity to the students to visit the Lawyers' Chambers regularly and acquaint themselves with the techniques of client interviewing. **Module 4** is a culmination of the above three in the form of viva voce.

MODULE 1: MOOT COURT

30 Marks

Learning Outcome: On the conclusion of this Module, the students would be able to appreciate the research, oratorical and articulation skills required of a lawyer.

Every student is required to present argument in at least three moot courts in the semester. The moot court problem will be assigned to the student by the course teacher and the student will be required to make a written submission for 5 marks and also make oral submission for 5 marks.

MODULE 2: COURT ATTENDANCE, INTERVIEWING TECHNIQUES, PRE-TRIAL PREPARATIONS

20 Marks

Learning Outcome: On completing this Module, students will be able to comprehend the practicalities of the justice system and the pivotal role the courts play in dispensation of justice.

They will also get a practical exposure to the techniques of client interviewing and the substantive as well as procedural steps involved in preparation of a brief by lawyers.

Students are required to attend two trials, one civil and one criminal, in the course of last year of the course. They are required to maintain a record and enter the various steps observed by them during their attendance on different days in the court assignment. Records maintained in respect of each trial will be valued for 10 marks.

Each student will observe two interviewing sessions of clients at a lawyer's office or at the Legal Aid Office and record the proceedings in a diary, which will carry 5 marks.

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 which will carry 5 marks.

MODULE 3: INTERNSHIP**40 Marks**

Learning Outcome: Students will have practical experience of the professional aspects of the subjects they have studied.

MODULE 4: *VIVA VOCE***10 Marks**

Learning Outcome: This Module helps students unearth their potential for the profession and the desirable improvements for the same.

A *viva voce* test will be conducted on the above three aspects.

BAL1076
PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING
SYSTEM
(No. of Hrs. 60-80 Hrs)

COURSE OBJECTIVES: This Paper aims at appreciating the avowed duties of advocates as well as the Bar-Bench relation. Designed to be taught with the assistance of practitioners, it will impart to the students their role and responsibilities as professionals.

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

1. K. V. Krishnaswami Aiyar *Professional Conduct and Advocacy*
2. The Contempt Law and Practice
3. Bar Council Code of Ethics
4. 50 selected opinions of the Disciplinary Committees of Bar Council and 10 Major Judgements of the Supreme Court on the Subject
5. Other Reading Materials Prescribed by the University
6. Accountancy for Advocates

Examination rules of the University shall include assessment through case study, *viva voce* and periodical solution besides, the written tests.

SCHEME OF EVALUATION

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|--|-------|
| 1. Professional Ethics and Advocacy | – 25% |
| 2. Contempt Law and Accountancy | – 25% |
| 3. Report of 50 Selected Opinions of BCI and 10 SC Cases | – 45% |
| 3. Attendance | – 05% |

Learning Outcome: This Paper enables the students to discuss the crucial ethical standards advocates are to imbibe in themselves to uphold the dignity and integrity of the profession and the much ordained professionalism.