

SCHEME OF EXAMINATION

&

DETAILED SYLLABUS
ODD SEMESTER
AUGUST 2011 - DECEMBER 2011

for

BA LLB(H)
Five Year Integrated Course

AMITY LAW SCHOOL, DELHI

SECOND YEAR

Third Semester

Paper Code	SUBJECTS	L	Credit
LLB 201	Business Law	4	4
LLB 203	Family Law – I	4	4
LLB 205	Constitutional Law – I	4	4
LLB 207	Law of Crimes – I	4	4
LLB 209	Advocacy Skills	4	4
BA LLB 213	History – III (History of Modern Europe: 1740-1947)	4	4
BA LLB 215	Political Science – III	4	4
	Total	28	28

Objective: This paper is to provide understanding about the important statutes governing transfer of property in goods and negotiable instruments.

Unit – I: Sale of Goods: Definition, Conditions and Performance (Lectures – 08)

- a. Definition of ‘goods’ and ‘sale’
- b. Essentials of sale
- c. Conditions and Warranties
- d. Passing of property
- e. *Nemo Dat quod non habet*
- f. Performance of Contract

Unit – II: Sale of Goods Act: Right of parties and remedies (Lectures– 07)

- a. Rights of unpaid seller
- b. Remedies for breach of contract

Unit – III: Negotiable Instruments (Lectures – 08)

- a. Definition, essential kinds of negotiable instruments
- b. Holder and holder in due course
- c. Negotiation and assignment

Unit – IV: Negotiable Instruments: Presentation and Liability (Lectures– 07)

- a. Presentation of Negotiable Instruments
- b. Crossing of cheques
- c. Discharge from Liability
- d. Noting and Protest
- e. Dishonour of negotiable instruments

Text books:

1. Avtar Singh – Sale of Goods
2. Bhashyam and Adiga – Law of Negotiable Instruments

References:

1. Chalmers – Sale of Goods

2. Benjamin, Sale of Goods
3. Khergamwala - Law of Negotiable Instruments
4. Aithayah - Sale of Goods

Objective: The objective of the paper is to apprise the students with the laws relating to family matters applicable to different communities in India.

Unit – I: Marriage Laws

(Lectures– 10)

- a. Hindu Marriage Act, 1955
 - i. Evolution of the institution of marriage
 - ii. Concept of marriage
 - iii. Forms, validity, voidability
- b. *Nikah* (Muslim Marriage)
 - i. Definition, objects and nature
 - ii. Essentials and validity
 - iii. Obligations arising out of marriage – Mahr, Maintenance etc.
- c. Laws governing Christian and Parsi marriages
- d. Civil Marriages

Unit – II: Dissolution of Marriage

(Lectures– 10)

- a. Theories of Divorce
- b. Separation and Dissolution of Marriage under Hindu Law
 - i. Judicial separation
 - ii. Grounds of Divorce
 - iii. Divorce by mutual consent
 - iv. Jurisdiction and procedure
- c. Dissolution of Marriage under Muslim Law
 - i. By death
 - ii. By the act of either party
 - iii. By mutual consent
 - iv. By court
 - v. Indian Divorce Act and *Parsi* Marriage Act

Unit – III: Adoption and Maintenance

(Lectures – 10)

- a. Hindu Adoption and Maintenance Act, 1956
- b. Adoption
 - (i) Ceremonies
 - (ii) Capability
 - (iii) Effect
- c. Maintenance

- i. Entitlement
 - ii. Enforcement
- d. Muslim Women (Protection of Rights on Divorce) Act, 1986
- e. Maintenance under the Code of Criminal Procedure, 1973

Unit – IV: Guardianship

(Lectures – 10)

- a. Hindu Minority and Guardianship Act, 1956
- b. Guardianship – Meaning
- c. Kinds of Guardianship
- d. Right, obligations and disqualification of guardian
- e. Guardianship under Muslim Law
- f. Entitlement to guardianship
- g. Rights, obligations and disqualification of a guardian

Text books:

- 1. Hindu Law - Paras Diwan
- 2. Muslim Law of India - Tahir Mahmood
- 3. Paras Diwan – Family Laws

Objective: The Objective of this paper is to provide understanding of basic concepts of Indian Constitution and various organs created by the constitution including their functions.

Unit – I: Constitution

(Lectures – 10)

- a. Definition and Classification
- b. Sources of Constitution
- c. Constitutional Conventions
- d. Salient features of Indian Constitution
- e. Rule of Law
- f. Separation of powers

Unit – II: Distribution of Powers between Center and States

(Lectures – 10)

- a. Legislative Powers
- b. Administrative Powers
- c. Financial powers

Relevant Doctrines: (a) Territorial Nexus (b) Harmonious Construction (c) Pith and Substance (d) Repugnancy

Unit – III: Constitutional Organs

(Lectures – 10)

- a. Parliament
- b. Parliamentary Sovereignty
- c. Parliamentary Privileges
- d. Anti Defection Law
- e. Executive Power
- f. Collective Responsibility of Cabinet
- g. Judiciary - Jurisdiction of Supreme Court and High Courts
- h. Independence of Judiciary
- i. Public Interest Litigation
- j. Power of Judicial Review
- k. Doctrine of Political Question

Unit – IV: Emergency Provisions

(Lectures – 10)

Amendment of Constitution
Doctrine of Basic Structure

Text books:

- 1. V.N. Shukla, Constitution of India
- 2. M.P. Jain – Indian Constitutional Law.

3. Nutshells – Constitutional and Administrative Law.

Essential Case Law:

1. R.K. Dalmia v. Justice Tendulkar AIR 1958 S.C. 538
2. In Re Article 143, Constitutional of India AIR 1951 S.C. 332
3. Ram Jawaya Kapur v. State of Punjab AIR 1955 S.C. 549
4. Indira Gandhi v. Raj Narain AIR 1975 S.C. 2299
5. Scora v. U.O.I. 1993 (4) S.C.C. 441
6. State of H.P. v. Umed Ram Sharma AIR 1986 S.C. 847
7. S.R. Bommai v. Union of India, 1994(3) S.C.C. 1
8. A.D.M. Jabalpur v. Shiv Shankar Shukla, 1976 Suppl. S.C.R. 172
9. India Cements Ltd & Anr v. State of Tamil Nadu, 1990 (1) S.C.C. 12
10. A.P. Sampoorana Madhya Nished Samithi & Ors. v. State of A.P., AIR 1997 A.P. 312
11. U.N. Rao v. Indira Gandhi, AIR 1971 S.C. 1002
12. Keshavanad Bharati v. State of Kerala, 1976(2) S.C.R. 347, 523
13. National Human Rights Commission v. State of Arunachal Pradesh, AIR 1996 S.C. 1234
14. Minerla Mills v. Union of India AIR 1980 S.C. 1804
15. Samta Vedike v. State of Karnataka 2003 CR.L.J. 1003 Kar N.C.
16. Tikaramji v. State of U.P. AIR 1968 S.C. 1286
17. Calcutta Gas Co. v. State of W.B. AIR 1962 S.C. 1044
18. Gujarat University v. Sri Krishna AIR 1963 SC 702
19. DAV College v. State of Punjab AIR 1971 SC 1737
20. Prafulla Kumar v. Pramila of Commerce AIR 1947 P.C. 60
21. State of Rajasthan v. G.Chawla AIR 1959 SC 544
22. Union of India & Ors. V. Shah Govardhan Lal Kabra 2000 (7) Scale 435
23. Zayerbhai v. State of Bombay AIR 1954 SC 752
24. Union of India v. V.H.S. Dhillon AIR 1972 SC 1061
25. Jayanti Lal Amrit Lal Rana v. F.N. Rana AIR 1964 S.C. 648
26. State of Haryana v. Ram Kishan AIR 1988 SC 1301
27. K. Nagraj v. State of A.P. 1985 (1) SCC 527
28. K.T. Plantation v. State of Karnataka, AIR 2002 (Oct) Kar 365
29. Gunupati v. Nafisul Hasan AIR 1954 SC 636
30. Pandit MSM Sharma v. Sri Krishna Sinha AIR 1959 SC 395
31. In powers, privileges and Immunities of State Legislature Re: AIR 1965 SC 745
32. P.V. Narsimha Rao v. State 1998 (94) SCC 626
33. Tej Kiran v. Sanjiva Reddy AIR 1970 SC 1573
34. Roop Ashok Hurrah v. Ashok Hurrah 2002 (3) SCC 406
35. Tirupathi Balaji Developers (P) Ltd. v. State of Bihar AIR 2004 SC 2351
36. A.K. Roy V. UOI 1982 (2) SCR 272
37. State of Maharashtra v. A. Lakshmirutty AIR 1987 SC 331
38. Kihoto Hollohah v. Zachillu 1992 Suppl (2) SCC 651
39. Ravi Naik v. UOI AIR 1994 SC 1558
40. G. Vishwanathan v. Speaker T.N. Assembly 1996 (2) SCC 353
41. M. Kashinath Jalmi v. Speaker Legislative Assembly Goa 1993 (2) SCC 703
42. D.C. Wadhwa v. State of Bihar 1987 (1) SCC 379
43. Krishan Kumar v. State of Bihar 1998 (5) SCC 643

44. Makhan Singh v. State of Punjab AIR 1964 SC 381
45. A.D.M. Jabalpur v. Shivshankar Shukla AIR 1976 SC 1207

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

Unit – I: Introduction to Substantive Criminal Law (Lectures – 10)

- a. Extent and operation of the Indian Penal Code
- b. Definition of Crime
- c. Fundamental elements of crime
- d. Stages in commission of a crime
- e. Intention, Preparation, Attempt

Unit – II: General Explanations and Exceptions (Lectures– 10)

- a. Definitions
- b. Constructive joint liability
- c. Mistake
- d. Judicial and Executive acts
- e. Accident
- f. Necessity
- g. Infancy
- h. Insanity
- i. Intoxication
- j. Consent
- k. Good faith
- l. Private defence

Unit – III: Abetment and Criminal Conspiracy (Lectures – 08)

Unit – IV: Punishment (Lectures– 08)

- a. Theories: Deterrent, Retributive, Preventive, Expiatory and Reformatory Theory
- b. Punishment under the IPC: Fine, Imprisonment, Capital Punishment

Text books:

- 1. Ratanlal & Dhirajlal – The Indian Penal Code
- 2. H.S. Gaur – Penal Law of India

References:

- 1. Glanville Williams – Textbook of criminal law
- 2. Russel on Crime

Essential Case Law:

1. Barendra Kumar Ghosh v. King Emperor – AIR 1925 PC
2. Moti Singh v. State of U.P. – AIR 1964 SC 900
3. Joginder Singh v. State of Punjab – AIR 1979 SC 1876
4. Basdev v. Stat of Pepsu – AIR 1956 SC 488
5. State of Gujrat v. Kousara Monilal – AIR 1964 SC 1893
6. State of Maharashtra v. M H George – AIR 1965 SC 722
7. Sarjoo Prasad v. State of U.P. – AIR 1961 SCC 631
8. State of West Bengal v. Shew Mangal Singh – AIR 1981 SC 1917
9. Sheo Narain v. State of rajasthan – 199(2) Crimes 169 (Raj)
10. Delhi Judicial Service Association, Tis Hazari Court v. State of Gujrat AIR 1991 SC 2176
11. M Naughton's Case – (1843) 4St Tr (NS) 847
12. Paras Ram v. State of Punjab – (1981) 2 SCC 508
13. Puran Singh v. State of Punjab – AIR 1975 SC 1674
14. Wassan Singh v. State of Punjab – 1996 Cr LJ 878 SC
15. Sukaroo Kabiraj v. Express – 1877 ILR (14) Cal 566
16. Rupan Deol Bajaj v. KPS Gill – AIR 1996 SC 309
17. Kanwar Singh v. Delhi Administration – AIR 1965 SC 871
18. Jaidev v. State of Punjab – AIR 1963 SC 612 (617)
19. Aryanand Misra v. State of Bihar – AIR 1961 SC 1698
20. Sudhir Kumar Mukherjee v. State of W.B. – AIR 1973 SC 2655
21. State of Maharashtra v. Mohd. Yahub
22. R v. shivpuri – 1986 2 All El 334
23. Mahaboob Shah v. King Emperor – AIR 1945 pc 118
24. B.N. Shreekantiah v. Mysore State AIR 1958 SC 672
25. Pandurang Tukia v. State of Hyberabad – AIR 1955 SC 216
26. Shreekantiah Ramayya v. State of Bombay - AIR 1955 SC 287
27. Haradhan Chakrabarty v. Union of India – AIR 1990 SC 1210
28. Bimbadhar Pradhan v. State of Orissa - AIR 1956 SC 469
29. Kehar Singh v. State (Delhi Administrator) – AIR 1988 SC 1883
30. State of T. N v. Nalini – AIR 1999 SC 2640
31. C.B.I. v. V.C. Shukla – AIR 1998 SC 1406

Objective: The paper seeks to develop personality of students as lawyers.

Unit – I: Personality: Meaning and Definition

(Lectures – 10)

- a. Determinants of personality
- b. Heredity, Environment and Situational Factors
- c. Theories of personality: Trait Theory, Type Theory, Psycho Analytic Theory, Meemastic Theory and Learning Theory

Unit – II: Attitude

(Lectures – 10)

- a. Meaning and Definition
- b. Types of Attitude
- c. Formation of Attitude
- d. Negative Attitude and objective
- e. Building positive attitude
- f. Situational Analysis of Attitude
- g. Perception
- h. Biases, Prejudices and blind Spots

Unit – III: Motivation

(Lectures – 10)

- a. Theories of Motivation
- b. Various motives: Biological and social Motives
- c. Motives to know and Be effective
- d. Frustration and conflict of Motives

Unit – IV: Leadership and Team- Building

(Lectures – 10)

- d. Definition
- e. Theories
- f. Characteristics of leadership
- g. Team Building

Text books:

1. Introduction to Psychology – Morgan's
2. Social Psychology – R.A. Baron
3. Psychology /: An Introduction – J.R. Gnow
4. Organizational Behaviour – Stephens P. Ronnins

Objective: The objective of this paper is to familiarize students of law with the history of Europe as many international laws/ human rights/ humanitarian laws emanate from developments in Europe.

UNIT – I: Europe from 1740-1815

(Lectures – 10)

- a. Industrial revolution in England
- b. The French Revolution: Reasons, Girondins and Jacobins, The Directory
- c. Napoleonic Era and Europe

UNIT - II: Europe from 1815-1850

(Lectures –

14)

- a. Vienna Settlement and the Concert of Europe : Role of Metternich
- b. The Democratic and Nationalist aspirations of Europe: Independence of Belgium,
- c. Developments in Great Britain, France, Portugal, Italy, Germany, Austria-Hungary
- d. Working Class Movement: Socialism and Marx
- e. Women's Movement

UNIT III: Europe from 1850-1871

(Lectures -

10)

- a. Crimean War (1853-56)
- b. Russia
- c. The Unification of Italy
- d. The Unification of Germany
- e. Near Eastern Question

UNIT IV: Europe from 1871-1945 (Imperialism and Colonialism)

(Lectures – 20)

- a. France after 1870: Third Republic and its Constitution
- b. German Empire
- c. Partition of Africa, Militant Nationalism and the armament race
- d. International Relations and event leading to First World War : League of Nations
- e. Interwar years and the Second World War
- f. Humanitarian Concerns and United Nations

Text Books:

1. Joll, James, *Europe since 1815*
2. Ketelby, C.D.M., *A History of Modern Times from 1789*
3. Thomson, David, *Europe Since Napoleon*

Reference:

1. Burns, Edward McNall, et.al, *World Civilizations*, Volumes B and C

1. This paper focuses on understanding international relations and emerging issues in the relations between states.

I. Power

- a. Concept
- b. Components of National Power – population, geography, resources, economic organization, technology and military force.
- c. Limitations on National Power- international morality, public opinion and international law
- d. Balance of power

(Lecture – 10)

II. United Nations

- a. UN- Six Principal Organs – General Assembly, Security Council, Economic and Social Council, Secretariat, Trusteeship Council and International Court of Justice
- b. Peaceful settlement and Disputes- Negotiations, mediation, conciliation, arbitration and judicial settlement.
- c. Collective Security Mechanism

(Lecture – 10)

III. Diplomacy

- a. Cold War diplomacy- Causes, Phases and Case Studies – Korean Crisis, Vietnam Crisis, Cuban Crisis, Afghanistan Crisis, Gulf War-I
- b. Post Cold War- Ongoing missions – Gulf War – II, Ethiopia, Somalia
- c. Foreign Policy – Alliances-NATO, CENTO, SEATO and WARSAW Pact and Non-Aligned Movement

(Lecture – 10)

IV. Contemporary Global concerns

- a. Non-State Actors –
 - i. NGOs
 - ii. Inter-Governmental Organizations (IGOs)-IMF, WTO, OPEC and OAU
- b. International Terrorism – Issues of Resources, Territorial Claims, Culture and Religion.

(Lecture – 10)

Compulsory Readings:

- 1. Rumki Basu, The United Nation: Structure and Function of an International Organisation, South Asia Books, 1993.
- 2. Chandra Prakash and Prem Arora, International Relations, Cosmos Bookhive, 2008.
- 3. E.H. Carr, International Relations Between Two World 1919 -1939, Macmillan, 2004
- 4. Shakti and Indrani Mukherjee, International Relations, World Press Pvt. Ltd., 2001

Further Readings:

- 1. Hans J.Morgenthau, Politics Among Nations: The Struggle for Power and Peace, Revised, (New York: Alfred A. Knopf), 1978.
- 2. J.G. Starke, An Introduction to International Law, Butterworths, (Revised 1993).
- 3. Prof. M.P. Tandon, International Law and Human Rights, Allahabad Law Agency, 2005.
- 4. Joshua S. Goldstein, International Relations, Sixth Edition, Person Education, 2008.
- 5. J.N. Dixit, India's Foreign Policy and its Neighbours, Gyan Books, 2001.

THIRD YEAR

Fifth Semester

Paper Code	SUBJECTS	L	Credit
LLB 301	Code of Civil Procedure – I	4	4
LLB 303	Code of Criminal Procedure – I	4	4
LLB 305	Law of Evidence	4	4
LLB 307	Corporate Law	4	4
LLB 309	Jurisprudence – I	4	4
LLB 311	Human Rights Law	4	4
BA LLB 313	French / German	4	4
BA LLB 315	Summer Training Project*	-	4
	Total	28	32

*At the end of 2nd year, B.A. LL.B. Students shall undergo a summer training (during summer vacations) either with a corporate or a Law Firm. They will submit a Report at the end of it and the marks will be added in the 5th semester.

Objective: This paper is to help a law student to acquire a thorough knowledge of procedural aspects of working of civil courts and other machineries.

Unit – I: Introduction

(Lectures – 10)

- a. Definitions: Decree, Judgement, Order, Foreign Court, Foreign Judgement, Mesne, Profits, Affidavit, Suit, Complaint, Written Statement
- b. Important Concepts: Res Sub-Judice, Resjudicata, Restitution, Caveat, Inherent powers of courts

Unit – II: Initial steps in a suit

(Lectures – 10)

- a. Jurisdiction and place of suing
- b. Institution of suit
- c. Pleadings: Meaning, object, General rules, Amendment of pleadings
- d. Complaint and written statement
- e. Discovery, Inspection and production of documents
- f. Appearance and non-appearance of parties
- g. First hearing

Unit – III: Interim Orders

(Lectures – 10)

- a. Commissions
- b. Arrest before judgement
- c. Attachment before judgement
- d. Temporary Injunctions
- e. Interlocutory orders
- f. Receiver
- g. Security of costs

Unit – IV: Suits in Particular Cases

(Lectures – 10)

- c. Suits by or against Government
- d. Suits by Indigent persons
- e. Interpleader Suit
- f. Summary Procedure
- g. Suits relating to public nuisance

Text books:

- 1. Code of Civil Procedure, 1908 (Relevant Provisions)
- 2. C.K. Takwani, Code of Civil Procedure
- 3. Mulla – Code of Civil Procedure
- 4. Sarkar's Code of Civil Procedure

Reference:

1. Ganguly – Civil Court, Practice and Procedure
2. M.P. Tandon – Code of Civil Procedure

Essential Case Law:

1. Topandas V/s Gorakhram, AIR 1964 SC 1348
2. Dhulabhai V/s State of H.P., AIR 1969 SC 78
3. Premier Automobile V/s Kamlakar, 1976 (1) SCC 496
4. Rajasthan State Road Transport Corpn. V/s Krishna Kant – 1995 (5) SCC 75
5. Pandurang V/s Shantibai, AIR 1989 SC 2240
6. Workmen C.P. Trust V/s Board of Trustee, 1978 (3) SCC 119
7. Razia Begum V/s Anwar Begum, AIR 1958 SC 886 (895)
8. B.K.N. Pillai V/s P. Pillas, AIR 2000 SC 614
9. Sangram Singh V/s Election Tribunal, AIR 1955 SC 425
10. Martin Burn Ltd. V/s Banerjee, AIR 1958 SC 79
11. Dalpat V/s Prahlad, 1992 (1) SCC 719
12. Gujrat Battling Co. Ltd. Coca Cola Co., 1995 (5) SCC 545
13. Morgan Stanly V/s Kartick Das, 1994 (4) SCC 225
14. Bihari Chordhary V/s State of Bihar, 1984 (2) SCC 627
15. Raj Duggal V/s Ramesh Kumar, AIR 1990 SC 2218

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

Unit – I: Introduction

(Lectures– 06)

- a. Definitions
- b. Constitution and powers of Criminal Courts and Offices

Unit – II: Provisions for Investigations

(Lectures– 10)

- a. Arrest and Bail provisions
- b. Information to the Police and their powers to investigate

Unit – III: Process to Compel Appearance and Production of things (Lectures – 12)

- a. Summons for Appearance
- b. Warrant of arrest
- c. Proclamation and attachment
- d. Other rules regarding processes
- e. Summons procedure
- f. Search Warrants
- g. General provisions as to search
- h. Miscellaneous

Unit-III: Proceedings before Magistrate

(Lectures– 10)

- a. Conditions requisite for initiation of proceedings
- b. Complaints to Magistrates
- c. Commencement of proceedings before Magistrates
- d. Security Proceedings

Text Books:

1. Rattan Lal & Dhirajlal – Code of Criminal Procedure
2. R.V. Kelkar – Code of Criminal Procedure

References:

1. S.N. Mishra – Code of Criminal Procedure
2. Ganguly – Criminal Court, Practice and Procedure

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

Unit – I: Introduction and Relevancy (Lectures– 10)

- a. Evidence and its relationship with the substantive and procedural laws
- b. Definitions – Facts, facts in issue, relevant, evidence proved, disproved, not proved, oral and documentary evidence
- c. Relevancy and admissibility
- d. Doctrine of *res gestae*
- e. Conspiracy

Unit – II: Statement – Admissions / Confessions and Dying Declarations (Lectures – 10)

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

Unit – III: Method of proof of facts (Lectures – 12)

- a. Presumptions
- b. Expert opinion
- c. Character
- d. Oral and documentary evidence
- e. Rules relating to Burden of proof
- f. Estoppel
- g. Privileged Communications

Unit – IV: Presumptions regarding discharge of burden of proof (Lectures – 10)

- a. Evidence by accomplice
- b. Judicial notice
- c. Dowry Death
- d. Certain Offences

Text books:

- 1. Rattan Lal Dheeraj Lal – Evidence
- 2. Avtar Singh – Evidence
- 3. Monir – Evidence

Objective: The paper aims to provide insight into formation and winding up of companies besides Corporate Administration.

Unit-I: Formation, Registration and Incorporation of company (Lectures – 10)

- a. Nature and kinds of company
- b. Promoters: Position, duties and liabilities
- c. Mode and consequences of incorporation,
- d. Uses and abuses of the corporate form, lifting of corporate veil,
- e. Memorandum of Association, alteration and the doctrine of ultra vires,
- f. Articles of association, binding nature, alteration, relation with memorandum of association, doctrine of constructive notice and indoor management- exceptions.

Unit-II: Capital Formation (Lectures – 08)

1. Prospectus: Issues, contents, Kinds, liability for misstatements, statement in lieu of prospectus,
2. The nature and classification of company securities,
3. Shares and general principles of allotment,
4. Statutory share certificate, its objects and effects,
5. Transfer of shares,
6. Share capital, reduction of share capital,
7. Duties of court to protect interests of creditors and shareholders.
8. Debentures, kinds, remedies of debenture holders.

Unit – III: Corporate Administration (Lectures– 10)

- a. Directors – kinds, powers and duties,
- b. Insider trading,
- c. Meetings kinds and procedure,
- d. The balance of powers within companies - Majority control and minority protection, Prevention of oppression, and powers of court and central government,
- e. Emerging trends in Corporate social responsibility, legal liability of company - civil, criminal, tortuous and environmental.

Unit-IV: Winding up of Companies (Lectures – 08)

- a. Kinds, consequences and reasons of winding up,
- b. Role of the court,
- c. Liability of past members,

- d. Payment of liabilities,
- e. Reconstruction and amalgamation.

Text books:

1. Avtar Singh : Indian Company Law
2. Shah S. M : Lectures on Company Law

Further Readings:

1. Palmer - Company Law
2. Ramaiya: Guide to Companies Act
3. Gower: Principles of Modern Company Law

Objective: The course aims at developing an analytical approach to understand the nature of law, development of law and working of a legal system in different dimensions with reference to popular legal theorists.

Unit – I: Introduction (Lectures – 10)

- a. Nature and scope of Jurisprudence
- b. Need for study of Jurisprudence
- c. Linkage between Jurisprudence and other sciences

Unit – II: Schools of Jurisprudence – I (Lectures– 09)

- a. Natural Law
- b. Analytical positivism, Pure Theory
- c. Historical Jurisprudence

Unit – III: Schools of Jurisprudence – II (Lectures – 08)

- a. Sociology Jurisprudence
- b. Economic Approach
- c. Legal Realism

Unit – IV: Indian Perspectives in Jurisprudence (Lectures – 06)

- a. Classical Approach
- b. Medieval Influences
- c. Modern Trends

Text books:

1. R.W.M. Dias, Jurisprudence
2. Prof. (Mrs.) Nomita Aggarwal , Jurisprudence (Legal Theory)
3. B.N. Maini Tripathi, Legal Theory
4. Edger Bodenheimer, Jurisprudence

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

Unit – I: Introduction

(Lectures – 09)

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

Unit – II: UN Charter and Human Rights

(Lectures – 09)

- a. UDHR
- b. Covenants of 1966
- c. Optional Protocols

Unit – III: Human Rights under the Indian Constitution and their Enforcement
(Lectures– 10)

- a. Fundamental Rights
- b. Directive Principles of State Policy

Unit – IV: Role of Judiciary

(Lectures– 09)

- a. NHRC
- b. NGOs

Unit - V: Group Rights

(Lectures – 09)

- a. Prisoners
- b. Women and Children
- c. Indigenous People
- d. Disabled

Text books:

1. UN Charter
2. Constitution of India
3. Human Rights Act 1993
4. Sinha, M.K. – Implementation of Non-Derogation Human Rights (Delhi 1999)

References:

1. D.D. Basu – Human Rights
2. Upender Baxi – Human Rights
3. Thomas Buergenthal – Human Rights
4. Henry Steiner & Philip Alston – International Human Rights Law

5. B.G. Ramcharan – International Human Rights (Oxford, 1998)
6. Y.K. Tyagi – British Yearbook (2001).

Objective: The objective of this paper is to make students understand the French language so that they can easily understand the French legal system and the French terms generally used in law.

Unit – I: (1) Introduction in French

(Lectures – 12)

- a) Verb: S'appeler
Être
Avoir
Habiter
- b) Article / Préposition: à, en, au
- c) Name of some common Countries and Nationality
- d) To talk about different professions

(2) How to talk about one's liking and disliking

- a) Verb: Aimer
Adorer
Préférer
Detester
- b) Some common vocabularies like music, cinema, theatre etc.
- c) Article: un, une, des / le, la, les

Unit- II: (1) How to talk about the activities of week- end and vacations.... etc.

(Lectures – 10)

- a) Verb: Aller
Venir
Rester
Se reposer
Regarder
- b) Preposition / Article : au, à la,/ du, de laetc.

(2) How to talk about the activities of the day:

- a. Pronominal verb: Se réveiller
Se lever etc.

(3) To know about time and seasons:

- A) Verb: Faire
Être

**Unit – III: (1) How to take permission / express one's wishes:
(Lectures – 10)**

- a. Verb: vouloir
Pouvoir
Voir
- b. Pronoun: moi, toi, etc.

(2) How to locate some thing / some place or some person

- a. Préposition: à côté de , à gauche de , sur etc.

(3) How to ask questions / Different form of questions:

- a. Qu'est-ce que c'est?
- b. Qui est-ce?
- c. Comment, pourquoi, Où, Combien etc.

Unit – IV: (1) How to describe a person: (Lectures – 10)

- a. Adjective: tall / short
Fat / thin

(2) How to write Informal letter

Text: Nouveau Sans Frontières-1 (Only concerned lessons which cover the syllabus)

Reference book:

- (1) Le Francais du Droit – J. L. Penfornis
Campus – Jacky Girardet & Jacques Pecheur

Objective: To enable the students to converse, read and write in the language with the help of the basic rules of grammar, which will later help them to strengthen their language. To give the students an insight into the culture, geography, political situation and economic opportunities available in Germany.

Module – 1: Introduction

Self Introduction, Greetings, family tree

Module – 2: Articles

The definite and indefinite articles in masculine, feminine and neuter gender. Professions in both genders, countries and nationalities.

Module – 3: Numbers and Time

The counting, plural structures and the time.

Module – 4: More about time periods

Weekdays, months, seasons
Adverbs of time and time related prepositions.

Module – 5: Pronouns

Personal pronouns and the simple possessive pronouns, the use of my, your with the family members.

Module – 6: Irregular Verbs

Module – 7: Accusative Case, pronouns and prepositions

Module – 8: Translations

Text & References:

Moment Mal 1: Chapter 1 – 3

BA LLB
Subject: Summer Training Project

Paper Code: 315
L - C4

Each student shall undergo practical training of eight weeks during the vacations after fourth semester either with a corporate or a law firm and submit at least two copies of the Summer Training Report to the Dean/Director of the Institution within two weeks of the commencement of the Fifth Semester. It shall be evaluated by a Board of Members consisting of (i) Dean/ Director of the Institute (ii) two faculty members and an invitee from outside School/Institute.

FOURTH YEAR

Seventh Semester

Paper Code	SUBJECTS	L	Credit
LLB 401	Land Laws	4	4
LLB 403	Law and Technology	4	4
LLB 405	Intellectual Property Rights	4	4
LLB 407	Labour Law - I	4	4
LLB 409	Environmental Law	4	4
LLB 411	Tax Law	4	4
	Total	24	24

Objective: The object of this paper is to focus on land reforms besides land acquisition procedures enunciated in the Act of 1894 and the rent laws.

Unit – I: Land Reforms

(Lectures – 06)

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

Unit – II: Land Acquisition

(Lectures – 10)

- a. Purpose
- a. Procedure
- b. Compensation

Unit – III: Rent Law: Concepts, Terms and Processes

(Lectures – 07)

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

Unit – IV: Eviction and Dispute Settlement Mechanism

(Lectures – 07)

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

Text books:

- 1. Constitution of India – Mr. V.N. Shukla
- 2. Law of Acquisition of land in India – Mr. P.K. Sarkar
- 3. Delhi Rent Law – Jaspal Singh
- 4. Law of Rent Control in India – K.T.S. Tulsi

Objective: The object of this paper is to keep pace with legal developments in the context of emerging Technology in various fields.

Unit – I: E-COMMERCE

(Lectures– 09)

- a. Online contracting
- b. Online securities offering
- c. E-Banking

Unit – II: Cyber Crimes

(Lectures – 09)

- a. Obscenity
- b. Defamation
- c. Hacking and Cracking
- d. Crime through Mobile Phones

Unit – III: Genetic and Medical Technologies

(Lectures – 09)

- a. Regulation of Genetic Technology
- b. Laws on Medical Technology

Unit –IV: Broadcasting

(Lectures – 09)

- a. Regulation and Control of Broadcasting
- b. Law relating to Cable Television Network

Text books:

1. Relevant Legislations and Conventions
2. Information Technology Act - Prof. S.R.Bhansali
3. Cyber Law (Text and Cases), Gerald R. Ferrera, WEST THOMSON LEARNING
4. Cyber Crime - Vakul Sharma

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

Unit – I: Copyright (Lectures – 09)

- a. Nature and Meaning
- b. Scope of protection
- c. Procedure for protection
- d. Enforcement and Remedies

Unit – II: Patents (Lectures – 09)

- a. Nature and Meaning
- b. Scope of protection
- c. Procedure for protection
- d. Enforcement and Remedies

Unit –III: Trademarks (Lectures – 09)

- a. Nature and Meaning
- b. Scope of protection
- c. Procedure for protection
- d. Enforcement and Remedies

Unit –IV: Designs (Lectures – 09)

- a. Nature and Meaning
- b. Scope of protection
- c. Procedure for protection
- d. Enforcement and Remedies

Text books:

1. Paris Convention for the Protection of Industrial Property, 1883;
2. Berne Convention for the Protection of Literary and Artistic Works, 1886;
3. Indian Copyright Act, 1957;
4. Indian Patents Act, 1970;
5. Agreement on Trade-Related Aspects of Intellectual Property Rights, 1994 (the TRIPS Agreement);
6. Indian Trademarks Act, 1999;
7. Indian Designs Act, 2000.

References:

1. Cornish, W. R., *Intellectual Property* (London: Sweet & Maxwell, 1996);
2. Correa, Carlos M., *Intellectual Property Rights, the WTO and Developing Countries: The TRIPS Agreement and Policy Options* (Penang: Third World Network, 2000);
3. Pratap, Ravindra, *India at the WTO Dispute Settlement System* (New Delhi: Manak, 2004), Chapters 4 and 5.
4. Adelman, Martin J. and Baldia, Sonia, "Prospect and Limits of the Provision in the TRIPS Agreement: The Case of India", *Vanderbilt Journal of Transnational Law*, vol. 29, no. 3 (1996), 507.
5. Beier, Friedrich-Karl and Schricker, Gerhard, eds., *From GATT to TRIPS—The Agreement on Trade-Related Aspects of Intellectual Property Rights* (Weinheim: VCH, 1996).
6. Bronkers, Marco C. E. J., "The Impact of TRIPS: Intellectual Property Protection in Developing Countries", *Common Market Law Review*, vol. 31, (1994), 1245.
7. C. Wadlow, *Enforcement of Intellectual Property in European and International Law* (London: Sweet & Maxwell), 1998).
8. Canada – Patent Protection of Pharmaceutical Products, Report of WTO Panel, WT/DS114/R, adopted 7 April 2000.
9. Chimni, B. S., "The philosophy of patents: Strong regime unjustified", *Journal of Scientific & Industrial Research*, vol. 52 (1993), 234.
10. Chisum, Donald A, *Principles of Patent law* (New York: Foundation Press, 2001).
11. Damodaran, "EMR for Glivec: A TRIPS-dictated 'Cure'?", *Financial Express*, Jan. 9, 2004, I.
12. David Lange, Mary La France and Gary Mayers, *Intellectual Property: Cases and Materials* (St. Paul: West Group, 1998).
13. Dhar et al., *Regime of Intellectual Property Protection for Biodiversity: A Developing Country Perspective* (N. Delhi: RIS, 2001);
14. Dhavan, Rajeev, Harris, Lindsay and Jain, Gopal, "Conquest by Patent: The Paris Convention Revisited", 32 *Journal of Indian Law Institute* (1990), 131.

15. *Diamond v. Chakrabarty*, Supreme Court of the United States, 1980. 447 U.S. 303, 100 S. Ct. 2204, 65 L. Ed. 144, 206 USPQ 193.
16. Dutfield, G., *Intellectual Property Rights and the Life Science Industries* (London: Ashgate, 2002).
17. *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co. Ltd., et al.*, Supreme Court of the United States, May 28, 2002.
18. Gana, "Has Creativity Died in the Third World? Some Implications of the Internationalization of Intellectual Property", 24 *Denver J of Int. L. & Policy* (1995), 109;
19. Gervais, Daniel, *The TRIPS Agreement: Drafting History and Analysis* (London: Kluwer, 1998).
20. *Griffith v. Kanamaru*, US Court of Appeal for the Federal Circuit, 1987, 816 F. 2d 624.
21. Henderson, Elizabeth, "TRIPs and the Third World: The Example of Pharmaceutical Patents in India", *European Intellectual Property Review*, vol. 19, no. 11, (1997), 651.
22. Jayagovind, A., "The International Patent System and Developing Countries", *Indian Journal of International Law (IJIL)*, vol. 20, no. 1 (1980), 47;
23. Juma, C., "Intellectual Property Rights and Globalization: Implications for Developing Countries", *Science, Technology and Innovation*, Discussion Paper no. 4, Center for Int. Dev., Harvard Univ., (1999);
24. Maggs, P. B., et al., *Internet and Computer Law: Cases, Comments and Questions* (St. Paul, Minn.: West Group, 2001);
25. Menon, Usha, "The Convention on Biodiversity, Intellectual Property Rights and Policy Options", *Social Action*, vol. 40, no. 2 (1992), 120.
26. Mishra, "Biodiversity, Biotechnology and Intellectual Property Rights: Implications for Indian Agriculture", 3 *Journal of World Intellectual Property* (2000), 211;
27. Nair and Kumar, eds., *Intellectual Property Rights* (N. Delhi: Allied, 1994);
28. Narayanan, P., *Patent Law* (Kolkata: Eastern Law House, 1998);

29. Patel, Surendra J., "Intellectual Property Rights in the Uruguay Round: A Disaster for the South", EPW, May 6 (1989), 978;
30. Ravishankar A. and Sunil Archak, "Intellectual Property Rights and Agricultural Technology: Interplay and Implications for India", 35 EPW (2000), 2446.
31. Robert A. Gorman and Jane C. Ginsburg, Copyright: Cases and Materials (New York: Foundation Press, 2002).
32. Sahai, "TRIPS Review: Basic Rights Must be Restored", 36 Economic and Political Weekly (EPW) (2001), 2918;
33. Saxena, R. B., "Trade-Related Issues of Intellectual Property Rights and the Indian Patents Act—A Negotiating Strategy", World Competition, vol. 12, no. 2 (1988), 81;
34. Stewart, S.M., International Copyright and Neighbouring Rights (London: Butterworths, 1983);
35. Twinomukunzi, Charles, "The International Patent System—A Third World Perspective", Indian Journal of International Law, vol. 22 (1982), 31;
36. United States – Section 110(5) of the US Copyright Act, Report of WTO Panel, WT/DS160/R, adopted 27 July 2000.
37. Watal, Intellectual Property Rights in the WTO and Developing Countries (Delhi: OUP, 2001);
38. Zutschi, "Bringing TRIPS into the Multilateral Trading System", in Bhagwati and Hirsch, eds., The Uruguay Round and Beyond: Essays in Honour of Arthur Dunkel (Heidelberg: Springer, 1998), 37.

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

Unit – I: Trade Unions and Collective Bargaining (Lectures – 10)

- a. Trade Unionism in India
- b. Definition of trade union and trade dispute
- c. Registration of trade unions
 - i) Legal status of registered trade union
 - ii) Mode of registration
 - iii) Powers and duties of Registrar
 - iv) Cancellation and dissolution of trade union
 - v) Procedure for change of name
 - vi) Amalgamation and dissolution of trade union
- d. Disqualifications of office-bearers, Right and duties of office-bearers and members
- e. General and Political funds of trade union
- f. Civil and Criminal Immunities of Registered trade unions
- g. Recognition of trade union
- h. Collective bargaining

Unit – II: Standing Orders (Lectures – 09)

- a. Concept and nature of standing orders
- b. Scope and coverage of the Industrial Employment (Standing Orders) Act, 1946
- c. Certification process
 - i) procedure for certification
 - ii) appeals against certification
 - iii) Condition for certification
 - iv) Date of operation of standing orders
 - v) Building nature and effect of certified standing orders
 - vi) Posting of standing orders
- d. Modification and temporary application of model Standing Orders
- e. Interpretation and enforcement of Standing Orders
- f. Penalties and procedure

Unit – III: Resolution of Industrial Dispute (Lectures – 09)

- a. Industrial dispute and individual dispute
- b. Arena of interaction and Participants– Industry, workman and employer
- c. Settlement of industrial dispute
 - i) Works Committee

- ii) Conciliation Machinery
- iii) Court of Enquiry
- iv) Voluntary Arbitration
- v) Adjudication – Labour Court, Tribunal and National Tribunal
- d. Powers of the appropriate Government under the Industrial Disputes Act, 1947
- e. Unfair Labour Practice

Unit – IV: Instruments of Economic Coercion

(Lectures– 10)

- a. Concept of strike
 - i. Gherao
 - ii. Bandh and Lock-out
 - iii. Types of strike
 - iv. Rights to strike and Lock-out
 - v. General Prohibition of strikes and lock-outs
 - vi. Prohibition of strikes and lock-outs in public utility services
 - vii. Illegal strikes and lock-outs
 - viii. Justification of strikes and lock-outs
 - ix. Penalties for illegal strikes and Lock-outs
 - x. Wages for strikes and lock-outs
- b. Lay-off
 - i. Retrenchment
 - ii. Transfer and closure – Definition of lay-off and retrenchment compensation
 - iii. Compensation to workmen in case of transfer of undertaking closure
 - iv. Closure - Prevention and regulation
 - v. Conditions – precedent for retrenchment
 - vi. Special provisions relating to lay-off, retrenchment and closure in certain establishments
 - vii. Procedure for retrenchment and re-employment of retrenched workmen and penalty
- c. Disciplinary action and domestic enquiry
- d. Management's prerogative during the pendency of proceedings
- e. Notice of change

Text books:

1. Statutory Material - Trade Union Act, 1926, Industrial Employment (Standing Orders) Act, 1946 and Industrial Dispute Act, 1947
2. S.C. Srivastava, Industrial Relations and Labour Law, Vikas Publishing House, New Delhi

References:

1. O.P. Malhotra, Industrial Disputes Act, Vol. I & II

2. Indian Law Institute – Cases and Materials on Labour Law and Labour Relations

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

UNIT – I: Environmental Law: International and National Perspective
(Lectures – 10)

i. Introduction

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

b. International Norms

- i. Sustainable Development – Meaning and Scope
- ii. Precautionary Principle
- iii. Polluter pays Principle
- iv. Public Trust Doctrine

c. Constitutional Guidelines

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

d. Other Laws

- i. Law of Torts
- ii. Law of Crimes
- iii. Environmental Legislations

UNIT – II: Prevention and Control of Water and Air Pollution (Lectures – 10)

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

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

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

- i. Air Pollution – Definition

- ii. Central and State Pollution Control Boards – Constitution, Powers and functions
- iii. Air Pollution Control Areas
- iv. Consent Requirement – Procedure, Grant/Refusal, Withdrawal
 - v. Sample of effluents – Procedure; Restraint order
- vi. Citizen Suit Provision

UNIT – III: Protection of Forests and Wild Life

(Lectures – 08)

a. Indian Forest Act, 1927

- i. Kinds of forest – Private, Reserved, Protected and Village Forests
- ii. The Forest (Conservation) Act, 1980

b. The Wild Life (Protection) Act, 1972

- i. Authorities to be appointed and constituted under the Act
- ii. Hunting of Wild Animals
- iii. Protection of Specified Plants
- iv. Protected Area
- v. Trade or Commerce in wild animals, animal articles and trophies; Its prohibition.

UNIT – IV: General Environmental Legislations

(Lectures – 10)

i. Environmental (Protection) Act, 1986

- i. Meaning of ‘Environment’, ‘Environment Pollutant’, ‘Environment Pollution’
- ii. Powers and Functions of Central Govt.
- iii. Citizen Suit Provision

b. Principle of ‘No fault’ and ‘Absolute Liability’

- i. Public Liability Insurance Act, 1991
- ii. The National Environment Tribunal Act, 1995

c. The National Appellate Environmental Authority Act, 1997

- i. Constitution, powers and functions

Text Books

1. Environmental Law & Policy in India – Shyam Diwan, Armin Rosencranz
2. Environmental Law in India – P. Leelakrishnan

Statutes

1. The Water (Prevention and Control of Pollution) Act, 1974
2. The Air (Prevention and Control of Pollution) Act, 1981
3. The Indian Forest Act, 1927
4. The Forest (Conservation) Act, 1980
5. The Wild Life Protection Act, 1972
6. The Environment (Protection) Act, 1986
7. The Public Liability Insurance Act, 1991
8. The National Environment Tribunal Act, 1995
9. The National Environment Appellate Authority Act, 1997

References:

1. Environmental Law in India – Gurdip Singh
2. Environmental Administration, Law and Judicial Attitude – Paras Diwan, Peeyushi Diwan

Essential Case Law:

1. Subhash Kumar v. State of Bihar, AIR 1991 SC 420
2. M.C. Mehta v. Union of India, AIR 1997 SC 734
3. M.C. Mehta v. Kamal Nath, AIR 2000 SC 1997
4. M/s Abhilash Textiles v. Rajkot Municipal Corpn., AIR 1988 Guj. 57
5. Indian Council for Enviro-Legal Action v. Union of India, AIR 1996 SC 1446
6. Vellore Citizen Welfare Forum v. Union of India, AIR 1996 SC 2715
7. A.P. Pollution Control Board v. M.V. Nayudu, AIR 1999 SC 812
8. Narmada Bachao Andolen v. Union of India, AIR 2000 SC 3751
9. M.C. Mehta v. Union of India, AIR 2002 SC 1696
10. M.C. Mehta v. Union of India, AIR 1988 SC 1037
11. M.c. Mehta v. Union of India, AIR 1988 SC 1115
12. M/S. Delhi Bottling Co. Pvt. Ltd. v. Central Board for the Prevention and Control of Water Pollution, AIR 1986 Del. 152
13. Tata Tea Ltd. v. State of Kerala, 1984 K.L.T. 645
14. M.C. Mehta v. Union of India, AIR 2001 SC 1948
15. M.C. Mehta v. Union of India, 1998 (4) SCALE 196
16. Orissa State Pollution Control Board v. M/s. Orient paper Mills, AIR 2003 SC 1966
17. Tarun Bharat Singh v. Union of India (1994) 2 SCALE 68
18. T.N. Godavarman Thirumulkpad v. Union of India, AIR 1998 SC 769
19. Vellore Citizens Welfare Forum v. Union of India, AIR 1996 SC 2715
20. S. Jagannath v. Union of India, AIR 1997 SC 811
21. M.C. Mehta v. Union of India, AIR 2002 SC 1696
22. M.C. Mehta v. Union of India, AIR 1987 SC 965
23. M.C. Mehta v. Union of India, AIR 1987 SC 982
24. M.C. Mehta v. Union of India, AIR 1987 SC 1086
25. M.C. Mehta v. Union of India, (Relocation of Industries in Delhi), AIR 1996 SC 2231
26. A.P. Pollution Control Board v. M.V. Nayudu, AIR 1999 SC 812

Objective: Concept of income tax, heads of income, including foreign income assessment procedures, adjudication and settlement of tax disputes are the focus points of study in this

Unit – I: Introduction

(Lectures – 09)

- a. Definitions
- b. Basis of Income
 - Charge of Income Tax
 - Scope of total Income
 - Residential status of an assessee
 - Dividend Income
 - Income deemed to accrue or arise in India
 - Foreign income and its taxability

Unit – II: Incomes which do not form part of total Income

(Lectures – 09)

- a. Incomes not included in total income
- b. Special provision in respect of newly established industrial undertaking in free trade zones
- c. Special provision in respect of newly established hundred per cent export-oriented undertaking
- d. Income from property held for charitable or religious purpose
- e. Income of trusts or institutions from contributions
- f. Conditions as to registration of trusts, etc.
- g. Section 11 not to apply in certain cases
- h. Special provision relating to incomes of political parties

Unit – III: Heads of Income

(Lectures –

09)

- a. Salaries
- b. Income from house property
- c. Profits and gains of business or profession
- d. Capital gains
- e. Income from other sources

Unit – IV: Tax Authorities

(Lectures – 10)

- a. Powers
- b. Procedure for Adjudication and Settlement

Text books:

1. Dinesh Ahuja and Ravi Gupta, Systematic approach to Income Tax, (Latest Edition)

2. Singhania, Student Guide to Income Tax, Taxmann (Latest Edition).

References:

1. N.A. Palkwllah's Income Tax Act (Two Volume)
2. Iyer's Income Tax Act
3. Chaturvedi's Direct Tax Act (Three Volume)

FIFTH YEAR

Ninth Semester

Code No.	SUBJECTS	L	T / P	Credit
501	Legal Ethics and Court Craft	4	1	5
503	Drafting, Pleading and Conveyancing	4	1	5
505	Optional Subjects (Any two of the following):			
	a. Banking and Insurance Law	3	1	4
	b. International Humanitarian Law	3	1	4
	c. Indirect Taxes	3	1	4
	d. International Refugee Law	3	1	4
	e. Criminology	3	1	4
	f. Socio-Economic Offences	3	1	4
	g. International Economic Law	3	1	4
	h. Private International Law	3	1	4
	i. Law of International Organisations	3	1	4
	j. Health Care Law	3	1	4

1. The paper aims to imbue students with importance of Ethics in Legal profession. It also focuses on Court craft as part of Legal Profession.
2. **Pattern of Question Paper:** The question paper shall have Parts 'A' and 'B'. In part 'A' there shall be one compulsory question based on objective or short answer type questions carrying 25 marks and covering the entire course. In part 'B', two questions of 12.5 marks each shall be asked from every unit asking the candidates to attempt one question from each unit.

3. Supreme Court Rules, 1966
 Delhi High Court Rules, 1967 (Number of hours – 10)
4. Limitation Act, 1963
 Indian registration Act, 1908 (Number of hours – 08)
5. Bench – Bar Relations
 - a. Reciprocity as Partners in Administration of Justice
 - b. Professional Misconduct
 - c. Rights and Privileges of Advocates (Number of hours – 08)
6. Legal Ethics
 - a. Ethics in present Era
 - b. Ethics and statutory sanctions
 - c. Ethics and Professional Duty
 - d. Conflicts between Internet and duty
 - e. Duty to court
 - f. Duty to client
 - g. Duty to opponent
 - h. Duty to colleague
 - i. Duty towards society and obligation to render legal aid (Number of hours – 08)

Text books / Compulsory Readings (Latest editions only):

1. Dr. Kailash Rai - Legal Ethics – Accountancy for lawyers and bench and Bar relations
2. B.R. Aggarwala – Supreme Court Practice and Procedure

Further Readings :

- P. Ramanatha Iyer- Legal and Professional Ethics
 B.B. Mitra – The Limitation Act

Essential Case Law:

1. A.M. Mathur v. Pramod Kumar Gupta, 1990 (2) SCC 533
2. Bar Council of Maharashtra v. M.V. Dabhulkar 1976(1) SCR 306 also 1976 (2) SCR 48
3. Hanraj L. Chulani v. Bar Council of Maharashtra, 1996 (3) SCC 342
4. K. Daniel v. Hymavathy Amma, AIR 1985 Ker. 233
5. Advocate Genl Bihar v. Patna High Court, 1986 (2) SCC 577
6. P.D. Gupta v. Ram Murti, 1997(7) SCC 147
7. H.D. Srivastava v. G.N. Verma 1977(2) SCR 6011
8. Mangilal v. State of M.P. 1994(4) SCC 564
9. Harish Uppal v. Union of India, AIR 2003 SC 739
10. Copeland v. Smith 2000(1) All. E.R. 457
11. In the matter of 'P' an advocate AIR 1963 SC 1313
12. R.D. Saxena v. Balram Prasad AIR 2000 SC 2912
13. Indian Council of Legal Aid v. Bar Council of India, AIR 1995 SC 691
14. In Re Sanjiv Dutta 1995 (3) SCC 619
15. Vikas Deshpande v. Bar Council AIR 2003 SC 309

1. The object of this paper is to train students in the art of drafting both for court purposes as well as for other legal forums.
2. **Pattern of Question Paper:** The question paper shall have Parts 'A' and 'B'. In part 'A' there shall be one compulsory question based on objective or short answer type questions carrying 25 marks and covering the entire course. In part 'B', two questions of 12.5 marks each shall be asked from every unit asking the candidates to attempt one question from each unit.

I. Fundamental Rules of Pleadings

- a. Complaint Structure
 - b. Description of Parties
 - c. Written Statement and affidavit
 - d. Application for setting aside ex-parte decree
- (Number of hours – 06)**

II. Ordinary suit for Recovery

- b. Suit under Order XXXVII of CPC and the difference between the two suits
 - b. Suit for Permanent Injunction
 - c. Application for temporary injunction Order XXXIX of CPC
 - d. Suit for Specific Performance
 - e. Petition for eviction under the Delhi Rent Control Act
- (Number of hours – 06)**

III. General Principles of Criminal Pleadings

- a. Application for bail
 - b. Application under Section 125 Cr.P.C.
 - c. F.I.R. – under Section 154 Cr.P.C.
- (Number of hours – 06)**

IV. Model Draft

Forms

Notice to the tenant under section 106 of Transfer of Property Act
 Notice under section 80 of CPC
 Reply to notice
 General Power of Attorney
 Will
 Agreement to SELL
 Sale – deed
 Suit for Dissolution of Partnership
 Petition for grant of probate / Letters of Administration
 Application for appointment of receiver/Local Commissioner
 Application for Compromise of Suit
 Application for Appointment of Guardian
 Application to sue as an indigent person under Order 33 CPC
 Appeal from original decree under Order 41 of CPC
 Appeal from orders under order 43 of CPC
 Revision Petition
 Review Petition
 Application under section 5 of Limitation Act
 Application for execution

Application for caveat section 148A of CPC
Writ Petition
Application under section 482 of CPC
Compounding of offences by way of compromise under section 320(i) Cr.P.C.
Lease deed
Special Power of Attorney
Relinquishment Deed
Partnership Deed
Mortgage Deed
Reference to Arbitration and Deed of Arbitration
Deed of gift
Notice under section 434 of the Companies Act
Notice for Specific Performance of Contract

(Number of hours – 15)

Text books / Compulsory Readings (Latest editions only):

- a. Conveyancing – N.S. Bindra
- b. Conveyancing – A.N. Chaturvedi
- c. Mogha's Law of Pleading
- d. Conveyancing – D'Souza

Paper Code: LL.B. 505 (a)

L T Credit

Paper: Banking and Insurance Law

3 1 4

1. In this paper the students will be taught the kinds of banks, their functions, and relationship with customers and the banking frauds. The problem of the banks in recovery of debts has also been given special attention. Kinds of insurance and the body regulating the insurance sector will also be taught.

2. **Pattern of Question Paper:** The question paper shall have Parts 'A' and 'B'. In part 'A' there shall be one compulsory question based on objective or short answer type questions carrying 25 marks and covering the entire course. In part 'B', two questions of 12.5 marks each shall be asked from every unit asking the candidates to attempt one question from each unit.

I. Banking System in India

- a. Kinds of banks and their functions
 - b. Banking Regulation Laws
 - (i) Reserve Bank of India Act, 1934
 - (ii) Banking Regulation Act, 1949
 - c. Relationship between banker and customer
 - Legal Character
 - Contract between banker & customer
 - Banking duty to customers
 - The Banking Ombudsman Scheme, 1995
 - Liability under Consumer Protection Act, 1986
- (Number of hours – 09)**

II. Lending, Securities and Recovery by Banks

1. Principles of Lending
 2. Position of Weaker Sections
 3. Nature of Securities and Risks Involved
 4. Recovery of debts with and without intervention of courts / tribunal:
 - (i) Recovery of Debts due to Banks and Financial Institutions Act, 1993
 - (ii) Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002.
- (Number of hours – 09)**

III. Banking Frauds

- a. Nature of Banking Frauds
 - b. Legal Regime to Control Banking Frauds
 - c. Recent Trends in Banking: Automatic Teller Machine and Internet Banking, Smart Cards, Credit Cards
- (Number of hours – 06)**

IV. Insurance Law

- a. Nature of Insurance Contracts
- b. Kinds of Insurance:
 - (iii) Life Insurance
 - (iv) Mediclaim
 - (v) Property Insurance
 - (vi) Fire Insurance
 - (vii) Motor Vehicles Insurance (with special reference to third party insurance.
- c. Constitution, Functions and Powers of Insurance Regulatory and Development Authority
- d. Application of Consumer Protection Act, 1986 (Number of hours – 10)

Text books / Compulsory Readings (Latest editions only):

1. Banking Law & Negotiable Instruments Act – Sharma and Nainta
2. Banking System, Frauds and Legal Control – R.P. Namita
3. Law of Insurance – M.N. Mishra
4. Handbook of Insurance and Allied Laws – C. Rangarajan

Further Reading:

1. Banking Law & Practice in India – M.L. Tannan

Paper Code: LL.B. 505 (b)

L T Credit

Paper: International Humanitarian Law

3 1 4

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

2. **Pattern of Question Paper:** The question paper shall have Parts 'A' and 'B'. In part 'A' there shall be one compulsory question based on objective or short answer type questions carrying 25 marks and covering the entire course. In part 'B', two questions of 12.5 marks each shall be asked from every unit asking the candidates to attempt one question from each unit.

i. Introduction

- b. History
- c. Evolution
- d. Growth

(Number of hours – 08)

ii. Geneva Conventions Systems

- d. Geneva Convention I, II, III, IV

(Number of hours – 08)

iii. Armed Conflicts

- 1. Internal armed conflict
- 2. International armed conflicts
- 3. Non-international armed conflicts

(Number of hours – 08)

iv. Enforcement Machinery

- a. International Criminal Court
- b. ICRC

(Number of hours – 08)

Text books / Compulsory Readings (Latest editions only):

1. Ingrid Detter, The Law of War, (Cambridge, 2000)
2. A. Roberts and R. Guelff, eds., Documents on the Laws of War (Oxford, 2000)
3. Legality of the Threat or Use of nuclear weapons, Advisory Opinion, ICJ Reports (1996)
4. M.K. Balachandran and Rose Verghese (eds.) – International Humanitarian Law ICRC (1997)
5. Ravindra Pratap, "India's Attitude towards IHL", in Mani (ed.) International Humanitarian Law in South Asia (Genava: ICRC, 2003)

Optional

Paper Code: LL.B. 505 (c)

L	T	Credit
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Paper: Indirect Taxes

3	1	4
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1. Focus of this paper is to orient students with various indirect taxes such as central excise, customs and sales Tax. This optional paper will enable students to specialise in tax laws.
2. **Pattern of Question Paper:** The question paper shall have Parts 'A' and 'B'. In part 'A' there shall be one compulsory question based on objective or short answer type questions carrying 25 marks and covering the entire course. In part 'B', two questions of 12.5 marks each shall be asked from every unit asking the candidates to attempt one question from each unit.

I. Central Excise

- a. Background and introduction to Excise Law in India
- b. Structure of Excise Law in India
- c. Meaning of 'Manufacture' under section 2(f) and 'Manufacturer' under section 2(f)
- d. Classification of goods :
 - Central Excise Tariff Act 1985
 - Rules for Interpretation of CETA
 - Other aspects of Classification
- e. Valuation
 - Study of section 4 and section 4 A alongwith Rules for Valuation
- f. CENVAT
 - Basic meaning
 - MODVAT
 - CENVAT on inputs
 - CENVAT on Capitals goods
- g. Administration structure of excise department (**Number of hours – 08**)

II. Customs

Background and Introduction to Customs Law in India
 Structure of Customs Law in India
 Administrative structure of Customs department Sections 3 to 6
 Territorial Waters of India
 'Goods' under Customs Act
 Types of Duties
 Valuation:

- Section 14
- Rules for valuation

 Restrictions on import and export under the Customs Act 1962
 Introduction to Duty Drawback

Introduction to Baggage Rules and Import by Post and Courier
(Number of hours – 08)

III. Sales Tax & Vat

Introduction to Central Sales Tax
Constitutional Provisions on taxes on Sales of Goods
Charging Section
Inter-state sale
Movement of Goods
Stock Transfer
Meaning of goods and Sales
Introduction to VAT

(Number of hours – 08)

IV. Service Tax

- a. Introduction and Background
- b. Constitutional Validity
- c. Provisions regarding :
 - Registration
 - Records
 - Self Assessment and verification
 - Interest on Delayed Payment
 - List Services included

(Number of hours – 08)

Text books / Compulsory Readings (Latest editions only):

- 3. V.S. Dubey – Taxman
- 4. R.K. Gupta – Excise Law
- 5. S.S. Gupta – Service Tax : How to meet your obligation

Further Readings :

- 1. Rakesh Bhargava Mukesh Bhargava – Central Excise Tariff
- 2. D.N. Kohli – Mannual of Central Excise Law and Procedure in India

Optional

Paper Code: LL.B. 505 (d)

Paper: International Refugee Law

L	T	Credit
3	1	4

1. The objective of the paper is to enable the students specialising in human rights to be acquainted with laws governing the refugees.
2. **Pattern of Question Paper:** The question paper shall have Parts 'A' and 'B'. In part 'A' there shall be one compulsory question based on objective or short answer type questions carrying 25 marks and covering the entire course. In part 'B', two questions of 12.5 marks each shall be asked from every unit asking the candidates to attempt one question from each unit.

I. Introduction

- a. Position of refugees under Universal Declaration of Human Rights

(Number of hours – 06)

II. Rights, obligations and privileges of refugees under the Refugee Convention 1951

- a. Who is a refugee?
Judicial Status
Administrative Measures
The 1967 Protocol

(Number of hours – 08)

III. The Refugee problem in Asia and Africa

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

(Number of hours – 09)

IV. Implementation & Monitoring

- e. Statute of the UNHCR 1950
Cartegena Declaration 1984

(Number of hours – 09)

Text books / Compulsory Readings (Latest editions only):

4. Guy S. Goodwin – The Refugee in International Law (Oxford, 2000)
5. A. Vibeke Eggli, Mass Refugee Influx and the Limits of Public International Law (The Hague : Nijhoff, 2002)

Optional

Paper Code: LL.B. 505 (e)
Paper: Criminology

L	T	Credit
3	1	4

1. The object of this paper is to discuss the causative factors of crime and treatment of criminals and victims.
2. **Pattern of Question Paper:** The question paper shall have Parts 'A' and 'B'. In part 'A' there shall be one compulsory question based on objective or short answer type questions carrying 25 marks and covering the entire course. In part 'B', two questions of 12.5 marks each shall be asked from every unit asking the candidates to attempt one question from each unit

I. Understanding Crime

- a. Conceptions/ Definitions of Crime
- b. Causal approaches to explanations and difficulties of applications of casual analysis to human behaviour
- c. Specific Theories : Biophysical explanations, Psychodynamic approaches, Social learning theories of Crime causation, Social learning through sub-cultures of deviance, Social disorganization theories, and Economistic approaches

(Number of hours – 08)

II. Deviations

- a. Legislation
- b. Treatment
- c. Judicial Approach

Socio-Economic Crimes

- a. White collar crimes
- b. Drug Abuse

(Number of hours – 09)

III. Punishment

- a. Theories of Punishment : Deterrent, Retributive, Preventive and Reformative
- b. Alternatives to imprisonment : Probation, Open jail, Parole etc.
- c. Prison reform and the Judicial Response
- d. Capital Punishment

(Number of hours – 08)

IV. Victimology

- a. Need for compensation
- b. Compensation and Rehabilitation
- c. Compensation as a mode of punishment
- d. Constitutional perspective of compensation

(Number of hours – 06)

Text books / Compulsory Readings (Latest editions only):

1. Sutherland and Crssey – Criminology
2. Ahmed Siddique – Criminology
3. Mrs. Vedkumari – Juvenile Justice

Paper Code: LL.B. 505 (f)
Paper: Socio-Economic Offences

L	T	Credit
3	1	4

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

2. **Pattern of Question Paper:** The question paper shall have Parts 'A' and 'B'. In part 'A' there shall be one compulsory question based on objective or short answer type questions carrying 25 marks and covering the entire course. In part 'B', two questions of 12.5 marks each shall be asked

I. Hoarding and Profiteering

- a. Laws relating to maintenance of essential supplies
- b. Laws on maintenance of standards of weights and measures (Number of hours – 08)

II. Adulteration

- a. Prevention of food adulteration
- b. Control of Spurious Drugs (Number of hours – 08)

III. Corruption

- a. Practice and Dimensions of corruption
- b. Anti Corruption Laws (Number of hours – 08)

IV. Investigation and Prosecution

1. Central Vigilance Commission (CVC)
2. Central Bureau of Investigation (CBI)
3. Criminal Investigation Department (CID)
4. Other organizations (Number of hours – 08)

Text books / Compulsory Readings (Latest editions only):

1. Prevention of Corruption Act, 1988
2. Central Vigilance Commission Act, 2003
3. Essential Commodities Act, 1955
4. Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980
5. Drugs and Cosmetics Act, 1940
6. Standards of Weight and Measures Act, 1976
7. Bureau of Indian Standards, 1986

Optional

Paper Code: LL.B. 505(g)

Paper: International Economic Law

L	T	Credit
3	1	4

1. The objective⁴ of this course is to make students aware of the importance of international economic laws and governing principles with special references to India.
2. **Pattern of Question Paper:** The question paper shall have Parts 'A' and 'B'. In part 'A' there shall be one compulsory question based on objective or short answer type questions carrying 25 marks and covering the entire course. In part 'B', two questions of 12.5 marks each shall be asked from every unit asking the candidates to attempt one question from each unit.

I. Introduction

- c. Definition
- d. New International Economic Order

(Number of hours – 06)

II. Subjects of International Economic Law

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

(Number of hours – 08)

III. Major Economic Rights of States

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

(Number of hours – 08)

IV. Dispute Settlements in International Economic Law

- c. International Organisations
 - IMF
 - WTO
 - EC
- d. Between States and Foreign Investors
 - ICC
 - ICSID

(Number of hours – 08)

Text books / Compulsory Readings (Latest editions only):

1. A.F. Lowenfeld – International Economic Law (New York Mathew Bender, 1979)
2. M. Bedjaoui – Towards a New International Economic order (Paris : UNESCO, 1979)
3. I.F.I.. Shihata – Legal Treatment of foreign Investment (Dordrecht: Nijhoff, 1993)

1. The objective of this course is to study the basic principles governing conflict of laws in their application to various situations.
2. **Pattern of Question Paper:** The question paper shall have Parts 'A' and 'B'. In part 'A' there shall be one compulsory question based on objective or short answer type questions carrying 25 marks and covering the entire course. In part 'B', two questions of 12.5 marks each shall be asked from every unit asking the candidates to attempt one question from each unit.

I. Introduction

Application and subject matter of Private International Law,
Distinction with Public International Law,
Characterization and theories of characterization,
Concept of Renvoi,
Application of foreign law.
Domicile,
Jurisdiction of courts

(Number of hours – 09)

II. Family Law matters,

Material and formal validity of marriage under Indian and English law
Choice of law and jurisdiction of courts in matrimonial causes : dissolution of marriage,
grounds of divorce, restitution of conjugal rights, recognition of foreign judgments

(Number of hours – 09)

III. Adoption:

Recognition of foreign adoptions,
Adoption by foreign parents,
Jurisdiction under Indian and English law. **(Number of hours – 09)**

IV. Indian Law relating to foreign judgment

Basis of recognition, recognition,
Finality, Failure
Direct execution of foreign decrees, **(Number of hours – 09)**

Text books / Compulsory Readings (Latest editions only):

❖ Statutes

- *Civil Procedure Code, 1973*
- *Hindu Succession Act, 1925*
- *The Hague Draft Convention on the Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters*
- *Guidelines for Inter Country Adoptions, 1994*

❖ Books

- Dr. Paras Diwan. *Private International Law*

❖ Further Readings:

- Cheshire
- Morris

Optional

Paper Code: LL.B. 505 (i)

Paper: Law of International Organizations

L

3

T

1

Credit

4

1. The paper is to enable students of international laws to specialise in the subject by having a detailed study of the structure, purpose and functioning of international organisations.

2. **Pattern of Question Paper:** The question paper shall have Parts 'A' and 'B'. In part 'A' there shall be one compulsory question based on objective or short answer type questions carrying 25 marks and covering the entire course. In part 'B', two questions of 12.5 marks each shall be asked from every unit asking the candidates to attempt one question from each unit.

I. Introduction

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

(Number of hours – 09)

II. Legal Personality

The Reparations case (ICJ Report 1949)

(Number of hours – 08)

III. Relations with States

- e. Members
- Non-members
- Municipal Law

(Number of hours – 08)

IV. Law – Making and Enforcement

- h. UN
- WTO
- EU

(Number of hours – 08)

Text books / Compulsory Readings (Latest editions only):

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

Paper Code: LL.B. 505 (j)

L T Credit

Paper: Health Care Law

3 1 4

1. This paper focuses on various aspects of health care law including the constitutional perspective, obligations and negligence of medical professionals and remedies available to consumers of health care.
2. **Pattern of Question Paper:** The question paper shall have Parts 'A' and 'B'. In part 'A' there shall be one compulsory question based on objective or short answer type questions carrying 25 marks and covering the entire course. In part 'B', two questions of 12.5 marks each shall be asked from every unit asking the candidates to attempt one question from each unit.

I. Medicine and Healthcare

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

(Number of hours – 09)

II. Professional Obligations of Doctors

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

(Number of hours – 09)

III. Medical Negligence

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

(Number of hours – 09)

IV. Remedies for Medical negligence

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

(Number of hours – 09)

Text books / Compulsory Readings (Latest editions only):

1. Vijay Malik – Drug and Cosmetic Act, 1940
2. Anoop K. Kaushal – Medical Negligence & Legal Remedies

Further Readings :

1. Dr. Jagdish Singh – Medical negligence Compensation
2. B.K. Dutta – Drug Contro