

Course Outline

MODULE I-GRAMMAR AND PHONETICS

- 1) Parts of Speech
 - a) Nouns
 - i. Common Noun
 - ii. Proper Noun
 - iii. Abstract Noun
 - iv. Collective
 - v. Countable and Uncountable
 - b) Pronouns
 - c) Adjectives
 - d) Verb
 - i. Different types of verb
 - ii. Helping verb
 - iii. Main verb
 - e) Adverb
- 2) Determiners
 - i. Numbers
 - ii. Ordinal
 - iii. Possessiveness
 - iv. Demonstrative and Quantifiers
- 3) Pronunciation
 - i. Communication Tree
 - ii. How are sounds produced
 - iii. Consonants sound
 - iv. Unvoiced and Voiced Consonants
 - v. Consonant Cluster
 - vi. Drill on consonants
- 4) Tenses
 - i. Present
 - ii. Past
 - iii. Future

MODULE II-GRAMMAR AND PHONETICS

- 1) Tenses Cont

- i. Simple Present Tense
 - ii. Present continuous Tense
 - iii. Present Perfect Tense
 - iv. Present Perfect Continuous Tense
 - v. Simple Past Tense
 - vi. Past continuous Tense
 - vii. Future tense
- 2) Vowels
- i. Types of Vowel
 - ii. Long Vowels
 - iii. Short Vowels
 - iv. Diphthongs
- 3) Articles
- i. Types of Articles
 - ii. Usage of Articles
- 4) Preposition
- i. Preposition of Time
 - ii. Preposition of Place
 - iii. Preposition of Movement
 - iv. Preposition *of Position*
- 5) Subject Verb Agreement
- i. Rules for Singular Subject
 - ii. Rules for Plural Subject
- 6) Articles
- i. Indefinite Article
 - ii. Definite Article

Recommended Readings

1. S. Pit Corder, An intermediate English Practice Book, Orient Longman, Hyderabad, 1996.
2. A.S.Hornby, Guide to Patterns and Usage in English, OUP, Delhi, 1999.

3. David Green, Contemporary English Grammar Structures and Composition, Macmillan, Chennai, 1999.
4. Geoffrey Leech and Jan Svartvik, A Communicative Grammar of English, Longman, Delhi, 2001.
5. Michael Swam ,Practical English Usage , Oxford University Press, Delhi , 2005
6. Wren Pc, H. Martin, High School English Grammar And Composition, S. Chand, 01-Jan-2007

MODULE III-LAW AND LITERATURE

- 1) The Merchant of Venice by William Shakespeare
 - i. Summary of the play
 - ii. Act IV

MODULE IV- LITERATURE

- 1) Short stories
 - i. The Lottery by Shirley Jackson
 - ii. The Mother of a Traitor by Maxim Gorky
 - iii. The Rocking Horse by D.H Lawrence
 - iv. The First Confession by Frank'O Connor
 - v. A Painful Case by James Joyce
- 2) Essays
 - i. Trailing Clouds of Glory by George Bernard Shaw
 - ii. Notes of a Native Son by James Baldwin
 - iii. Queer Customs by Clyde Kluckhohn
 - iv. An Argument about Beauty by Susan Sontag

MODULE V –ARTICLES AND LAW

- 1) Practice of Child Abuse
- 2) Role of Media
- 3) Surrogacy
- 4) Abolition of Capital Punishment

- 5) Criminalization of Politics
- 6) Sexual offences changing facets
- 7) Cyber Terrorism
- 8) Rape textual or Psychological Phenomena
- 9) Equal Status for Women
- 10) Judicial Activism

MODULE VI – SPEECHES

- 1) Mahatma Gandhi –on Quit India Movement
- 2) Martin Luther King on March on Washington
- 3) Jawahar Lal Nehru on Independence Day
- 4) The Apology – Plato on his execution

Recommended Readings for Module III to VI

Compiled course material provided to students

Raffles University
School of Law
B.B.A.LL.B / B.A.LL.B. (Integrated Law degree course)
Law of Torts



Course Outline

Module 1: Definition and Nature of the Law of Tort

Definition, nature and history of the law of torts. “Law of Tort” or “Law of Torts”. Difference between Tort and Contract. Basis of the tortious liability; Basic legal maxims for Determination of liability; viz

Ubi jus Ibi remedium, Injuria sine Damnum and Damnum sine Injuria.

Cases:

Ashby v. White (1703)2 LR 938;

Rudal Shah v. State of Bihar, AIR 1983 SC 1086

Saheli v. Commissioner of Police, Delhi AIR 1990 SC 513;

Gloucester Grammar School Case n(14190 V.B. Hill 11.;

Mayor of Bradford Corporation v. Pickles (1895) AC 587;

Bhim Singh v. State of Jammu and Kashmir AIR 1986 SC 494;

Usha Ben v. Bhagya Laxmi Chitra Mandir, AIR 1978 Guj.

Module 2: - Liability for the Wrong Committed by Other Person

A. Principle of Vicarious liability and its basis

- Master and Servants,
- Principle and Agent
- Partners of a Firm
- State’s Liability: Doctrine of Sovereign Immunity in reference to the Crown Proceedings Act 1947, Federal Tort Claims Act 1986 and Article 300 of the Indian Constitution.

B. Joint Tort Feasors, joint and several liabilities in payment of damages.

Cases:

Lucknow Development Authority v M. K. Gupta AIR 1994 1 SC 243;

State of Rajasthan v. Vidyawati Devi AIR 1962 SC 933;

Donoghue v. Stevenson, 1932, AC 562;

Kasturi Lal v. State of U.p. AIR 1965 SC 1039;

Nicholes v. marshland (1876) 2 Ex. D. 1;

Smith v. London and South Western Railways Co. (1870) LR;

Peninsular and Steam navigation Co. Secretary of State for India (1861) 5 Bom. H. C .R .App. 2;

Loyd v. Grame Smith and Co. (1912) AC 716

Module 3:- Negligence, Contributory Negligence and Nuisance

Negligence as a tort and its various dimensions in the present world viz. Professional Negligence, psychiatric damage; economic loss; Foresight of harm as test of the existence

of negligence, Proximate Cause and Intervening cause, concurring negligence of the third person Contributory negligence, Last Opportunity Rule, Res Ipsa Loquitur

Injury Caused by Plaintiff's negligence, Injury Caused by Defendant's negligence, Concurring Contributory negligence, Representation in Contributory Negligence and Imputed Negligence. History of Nuisance, Nuisance and interference with real right rights, Remedy for Nuisance, Nuisance in conduct of Business, Public Nuisance

Cases:

Jay Lakshmi Salt Works v. State of Gujarat 1994(4) SCC 1;

Dr. lakshman v. Dr. Trimbak AIR 1969 SC 128;
davis v. Radcliffe (1990) 2 AER 536;
F v. Birkshire health Authority (1989) 2AllER 545;
Maynard v. Midlands Health Authority 91985) 1 All ER 635 (HL);
Achutrao Haribhau Khodwa v. State of Maharashtra AIR 1966 SC 2377;
M.P. State Road Transport Corp. v. Basanti Bai (1971) MPLJ 706;
Indian Airlines v. Madhuri Chaudri AIR 1964 Cal 252;
Glasgow Corp. v. Muir (1943) AC 448;
Municipal Corp. of Delhi v. Subhagwanti AIR 1966 SC 1750;
Ratlam Municipality v. Vardichand (1980) 4 SCC 162

Module 4: - General Defenses for the Tortuous Liability

Volenti non fit injuria

Vis Major (Act of God)

Inevitable Accident

Necessity

Statutory Authority, Judicial and Quasi Judicial, Parental and Quasi- Parental Authorities

Act of Third Parties

Plaintiff's Default

Mistake

Cases:

Hall v. Brookaland Auto Racing Club;

Smith v. Backer (1981) AC 325;

Stanley v. Powell (1891) 11 Q.B;

heynes v. Harwood (1935) 1 KB 146

Module 5: -Torts Against Human Being and Property

Assault, Battery, Emotional Distress, malicious Prosecution and abuse of legal proceedings, Conspiracy, false Imprisonment, Defamation: Freedom of Speech and Expression and liability for Defamation in the civil and criminal law, different branches of Defamation: Libel, Slander and hybrid types of the Defamation; Defamation in Blogs and Cyberage; Privilage , fair Comment and Criticism, Malice and Right of privacy. Trespass to land, trespass to goods, conversion, passing off, injury to trademark, patent and copyrights.

Cases:

Leta Fay Ford v. Revlon, Inc. Supreme Court of Arizona (153 Ariz. 38, 734 P.2d 580) 198;

Noor Mohd v Mohd Jaiuddin AIR 1992 MP 244;

Hayward v Thompson (1981) 3 All E R 450;

M C Verhese v T.J. Poonam AIR 1970 SC 1876;

T.S Bhatt v A.K Bhatt AIR 1978 Ker 111;

Girija Prasad Sharma v Uma Shankar Pathak AIR 1973 MP 79;

Quinn v Leathem (1901) AC 495;

Municipal Board of Kanauj v Mohanlal AIR 1951 All 867 State v Gangadhar AIR 1967 Raj 199;

rajalingam v Lingaiah (1964) 1ALT 391; Sobha Ram v Tika Ram (1936) ILR 58 All 903

Module 6: Liabilities based on fault: No fault liability, Strict Liability and Absolute Liability

The central idea in tort law is that liability is based not so much on acting badly or wrongfully, but on committing a wrong. At the same time, a victim's claim to recover to harm to her depends on the wrong the injurer has committed being a wrong to her. It is not enough that the injurer has committed a wrong and that she (the victim) has suffered as a consequence. The defendant's liability to the victim and the victim's claim against the defendant depends on the defendants having breached a duty of care to the victim.

Principle of Strict Liability as laid down by Justice Blackburn in the famous case of *Reyland's Fletcher* and the exception thereof. The application of this doctrine in India and the changes occurred after the *M.C. Mehta's* case (The Principle of Absolute Liability)

Cases:

Reyland v Fletcher (1868) L.R H.L. 30;

M. C. Mehta v Union of India (1987)1SCC395

Module 7: Remoteness of Damage

Various principles for fixing the liability and to ascertain the damages for the wrong committed viz "Bit for Test", "Directness Test" (In *Re Polemise Case*) and the "Doctrine of Reasonable Foresight" (the *Wagon mound Case*)

Cases: *In Re Polemise Case (1921) 3 KB 560 CA;*

Wagon Mound Case (1961)AC 388 *Leisbosch Dredger v. Edison, (1933) AC 446 HL*

- **DEFAMATION**

1.1 Concept: In torts and Criminal Law

1.2 Types of defamation – Libel; Slander

1.3 Essentials of Defamation-

- Defamatory nature of the statement ; Concept of Innuendo

- Reference of defamatory statement to the plaintiff; Defamation of a class of persons
- Publication of defamatory statement – Injunction against such publication; Repetition of defamatory statement; Defamation in case of privileged communication- husband and wife, doctor and patient, client and counsel; Indemnity from supplier of wrong information.

1.4 Defences to defamation-

- Justification or truth
- Fair Comment
- Privileges – Absolute privilege, Qualified Privilege, State Communications

- **NEGLIGENCE**

1.1 Concept of negligence in Tort and Criminal Law.

1.2 Essentials of negligence –

- Duty to take care – Concept of reasonable foresight; Relation of this concept to duty to take care; Liability in case of unforeseen injury; Concept of remote possibility in relation to reasonable foreseeability.
- Breach of the duty to take care – Various standard of care required to avoid negligence.
- Consequential damages – The doctrine of *Res Ipsa Loquitur*: Proof of negligence to be provided; Applicability of this doctrine, instances when not applicable; Rebuttal of the presumption of negligence.

1.3 Nervous shock – Negligently causing nervous shock; Consequences of such negligence.

- **MEDICAL AND PROFESSIONAL NEGLIGENCE**

1.1 Concept of medical negligence and medical malpractice – Definition of a professional; Difference between a reasonable prudent man and a professional – the degree of expertise required.

1.2 Negligence in Medical Malpractice - all forms of carelessness arising in the care of patients, such as mistakes in diagnoses, surgery, office treatment, prescriptions, testing, surgical procedures, etc.; Medical negligence in Criminal Law; The rule laid down in *Bolam case* and *Jacob Mathew's case*.

1.2 Doctor's duty to take care – Comparison with the duty of a reasonable prudent man; Degree of care required.

1.3 Duty to take care in case of gratuitous services.

- **RULES OF STRICT AND ABSOLUTE LIABILITY**

1.1 Evolution of Strict Liability - The rule laid down in *Rylands v. Fletcher*; Necessity of such a rule.

1.2 Essential elements of Strict Liability – Dangerous thing on land, Escape of the dangerous thing, Non-natural use of land.

1.3 Exceptions to Strict Liability – Plaintiff's own default, Act of God, Consent of the plaintiff, Act of third party, Statutory authority.

1.4 Applicability of Strict Liability in India – The doctrine of *liability without fault*; Recognized in case of Motor Vehicle's Act 1988, The Indian Railway's Act 1890, The Carrier's Act 1865 etc.

1.5 Evolution of Absolute Liability- The rule laid down in *M.C Mehta v Union of India*, Liability in case of environment pollution; The *Bhopal Gas Leak Disaster case*; Liability under the Public Liability Insurance Act, 1991.

- **REMEDIES**

1.1 Damages – Meaning; Kinds of damages.

1.2 Measure of damages in case of personal injury; Interest on such damages.

1.3 Damages under the Fatal Accidents Act, 1885 – The Interest theory; The Multiplier theory.

1.4 Injunction – Meaning; Kinds of Injunction; Need of injunctions.

1.5 Specific restitution of property - Concept; Different ways for restitution of property; Concept in Criminal Law.

- **RIGHT TO INFORMATION ACT, 2005**

1.1 Object and scope of the Right to Information Act, 2005.

1.2 Essential Provisions of the RTIA.

1.3 Miscellaneous provisions of the RITA

1.4 Criticisms of the RTIA.

Readings:

- *Wienfield and Zolowicz, torts, 17th Edi., Sweet and Maxwell 2006*
- *Salmond, J W, Salmond's Law of Torts (8th edition, Sweet and Maxwell, London, 1934)*
- *Fleming, J G, The Law of Torts (9th edition, LBC Information Services, Sydney, 1998)*
- *Ratan Lal and Dhiraj Lal on Law of Torts*
- *A Lakshminath M Sridhar, Ramaswamy Iyer's, The Law of Tort, Lexis Nexis, tenth Edi 2007*
- *Tony Weir, An Introduction to Tort Law, 2nd Edi Oxford University Press 2006*
- *John Murphy, Street on torts, Eleventh Edi Oxford University Press 2006*
- *Tabez Ahmad "Cyberlaw, E-Commerce and M-Commerce". APH Pub.Corp. New Delhi 2003*
- *Lee B.Burgunder, Legal Aspects of managing Technology 2nd Edition West 2001*
- *Ramaswamy Iyer Law of Tort*
- *Bangia's Law of Torts*
- *Madden and Owen, on Product Liability, West Grou.*

Examples of Suggested Term Paper Preparation and Presentation

1. Product Liability
2. Polluter Pays
3. Medical Negligence
4. Hospital Waste Management
5. MV Accident Compensation Calculation
6. Industrial Negligence
7. Public Nuisance
8. Medical Termination of Pregnancy
9. Constitution Tort
10. Class Action
11. Deficiency of Professional Service
12. Common Employment

13. Public Utilities
14. Remoteness
15. Sound Pollution
16. Industrial Effluence
17. Privacy of the Public Men
18. Process Liability
19. Third Party Liability
20. Domestic Violence
21. Doctrine of Heavy Purse
22. Neighbour's liability
23. Ganga Pollution
24. Present Position of People Suffering in Bhopal Tragedy
25. Coastal Pollution
26. Vicarious Liability in Contract for Service and Contract of Service
27. Air Accident Compensation
28. Popularity of Tort Cases in India
29. Time Study for MVA Cases
30. Mental Element in Defamation

Raffles University
School of Law
B.B.A.LL.B / B.A.LL.B. (Integrated Law degree course)
Legal Methods & Research



COURSE OUTLINE

MODULE 1- NATURE OF LAW AND LEGAL METHODS

- Objective of the Course
- Scope of Different Legal Methods
- Scope of Law
- Nature and Character of Law
- Is Law a Social Science or Behavioral Science?
- Is law a system?
- Is Law a superstructure of relationships fundamental to Economics?

Recommended Readings

1. Farrar and Dugdale, “Introduction to Legal Methods”, Compiled Study materials, Chapter I
2. MDA Freemann, “Lloyd’s Introduction to Jurisprudence”, Sweet and Maxwell Publications, London, 6th Edition, 1996, Chapter I, Nature of Jurisprudence” pp. 01-46; Chapter II, Meaning of Law, pp. 47-78; Chapter III, Nature of Law, pp. 79-130
3. P J Fitzgerald, “Salmond on Jurisprudence”, Universal Law Publishing Company Private Limited, New Delhi, Twelfth Edition, 2002, Book I, pp. 01-53.
4. Chatrapathi Singh, “Law from Anarchy to Utopia”, Chapters II and III (Formal Requirements of a System and Law as a System), compiled materials in the Library.

MODULE 2 - FUNCTIONS OF LAW

- Maintenance of Social Order
- Influence Social Change

- Social Engineering
- Disputes Settlement
- Class Control and Class Reorientation

Recommended Readings

1. Farrar and Dugdale, “Introduction to Legal Methods”, (Compiled Study Materials) Chapter II 13-30
2. P J Fitzgerald, “Salmond Jurisprudence” Universal Law Publishing Company Private Limited, New Delhi, Twelfth Edition, 2002, Chapter XII

MODULE 3 - DIFFERENT SYSTEMS OF LAW

- Common Law
- Civil Law
- Ancient Indian Legal System

Recommended Readings

1. A K R Kiralfy (ed) “Potter’s Historical Introduction to English Law” (1999) 4th Edition, Universal Law Publishing Company Pvt. Limited, New Delhi, Part III, Chapter I pp. 263-292
2. Garg Slaer and David Kelly, “The English Legal System”, (2002) Chapter 3, Civil Courts Structure and Chapter 4 Criminal Courts Structure
3. Rene David and John E Brierley, “Major Legal Systems in the World Today”, Stevens & Sons, London, 3rd Edition, (1985) Chapter 2 and 3 pp.135-175
4. Rama Jois, Legal and Constitutional History of India, (1985 Edition, Part II)

MODULE 4 - LEGAL MATERIALS:

- Primary and Secondary Materials
- Statutes and Rules
- Bills and Legislations
- Judicial Decisions
- Law Reports and Digests
- Parliamentary Debates
- How to Use and find materials from Internet and Use of West Law and JSTOR

Recommended Readings:

1. Robert Watt, "Concise Legal Research", (2002) Chapter 2 Primary Sources 22-54; Chapter 5 Secondary Sources 93-122
2. A Bradney et.al., "How to Study Law" (2001), Universal Law Publishing Company Private Limited, New Delhi
3. Glanville Williams, "Learning the Law" (2000) Sweet & Maxwell/Universal Law Publishing Company Private Limited, New Delhi

MODULE 5 – LEGAL RESEARCH

- Scope and Objectives
- Distinction between Legal, Social and Scientific Research
- Methods and Techniques of Legal Research
- Architecturing of a project proposal
- Footnoting and Citation Styles
- Structure of a report

Recommended Readings

1. Robert Watt, "Concise Legal Research", (2001) 4th Edition, Universal Law Publishing company Limited, New Delhi, Chapter 1, pp. 01-21
2. David Scott, "Legal Research" (2001) Lawman (India) Private Limited 2nd Edition, New Delhi, pp. 022-040
3. Harvard Blue Book

MODULE 6 - TYPES OF LAW

- Civil and Criminal Law
- Public and Private Law
- Substantive and Procedural Law
- Penal and Remedial Laws

Recommended Readings

1. Farrar and Dugdale, "Introduction to Legal Methods", (Compiled Study Materials) Chapter 3, 31-46
2. Britannica Ready Reference Encyclopedia, (2004) Encyclopedia Britannica (India) Pvt Ltd., New Delhi

MODULE 7 - LEGAL REASONING AND FINDING OF RATIO

- Logical and Legal Reasoning
- Fallacies in Reasoning
- Application of Principles of Logic in legal Reasoning
- Scope of Ratio Decedendi and Obiter Dicta
- Finding of Ratio and Tests to Confirm Ratio - Exercises

Recommended Readings

1. Farrar and Dugdale, "Introduction to Legal Methods", (Compiled Study Materials) Chapter 4, 5,6 and 7, pp. 47107
2. Rupert Cross, "Precedent in England", Cross and Harris, Fourth Edition, Clarendon Law Series, Clarendon Press, Oxford, (1999) Chapters II and III pp. 39-124
3. Garg Slapper and David Kelly, "The English Legal System", (1999) Chapter 5,129-134
4. Irving M Copi and Carl Cohen, "Introduction to Logic," Ninth Edition, Prentice Hall of India, New Delhi, (2000), Chapter XV pp. 5

MODULE 8 - SOURCES OF LAW

- Custom
- Legislation
- Judicial Decisions
- Public Opinion
- Delegated Legislation and Rules enacted
- Process of Law Making
- Indian Judicial System and Hierarchy of Courts

Recommended Readings

1. Salmond on Jurisprudence, (2002) P T Fitzgerald, (Ed) 109-210

Study the following Judicial decisions of Supreme Court and Write an analysis on:

1. A G of India v Amritlal Prajivandas (1994) 5 SCC 54
2. Ahmedabad Rana Caste Association v CIT (1971) 3SCC 475
3. Ashok Kumar Srivastava v National Insurance Co. Ltd., AIR 1998 SC 2046
4. Bai Dosabai v Mathuradas and Mathuradas (1980) 3 SCC 545

5. C Chenga Reddy v State of Andhra Pradesh (1996) 10 SCC 193
6. Controller of Estate Duty v Alok Mitra AIR 1981 SC 102
7. Cotton Corporation of India Ltd., (v United Industrial Bk Ltd (1983) 4 SCC 625
8. DCM Cloth & General Mills Co. Ltd v Rajasthan SEB (1986) 2 SCC 431
9. DDA v Ravindra Mohan Agarwal & Another (1999) 3 SCC 172
10. DDA v Skipper Construction Company Private Limited (1996) 4 SCC 622
11. Delhi Administration v Nand Lal Pant (1997) 11 SCC 488
12. Deokinandan v Muralidhar AIR 1957 SC 133
13. East india Hotels Limited v Syndicate bank 1992 Supp (2) SCC 29 9
14. Fateh Chand v Balkishan Das AIR 1963 SC 1406
15. Gujarat Bottling Co. Ltd c Coca Cola Co., (1995) 5 SCC 545
16. Gujarat State Financial Corporation v Lotus Hotels (P) Ltd (1983) 3 SCC 379
17. H M Kamaluddin Ansari and Company v Union of India (1983) 4 SCC 417
18. Hanuman Cotton Mills v Tata Aircraft Limited AIR1970 SC 1986
19. Hungerford Investment Trust Limited v haridas Mundra (1972) 3 SCC 684
20. Indian Iron and Steel Co Ltd v Chhaganlal Marwari 1994 Supp (3) SCC 719
21. Jai Dayal v Krishna Lal Garg (1996) 11 SCC 588
22. Jaya Singh v Krishna AIR 1985 SC 1646
23. Jaydalal Poddar v Bibi Hazra (1974) 1 SCC 3
24. John D'Souza v Edward Ani (1994) 2 SCC 64
25. K P Subbarama Sastri v K S Raghavan (1987) 2 SCC 424
26. Krishna Kishore Firm v Government of Andhra pradesh (1991) 1 SCC 184
27. Lordu Mari David v Lous Chinnaya Aragiaswamy (1996) 5 SCC 589
28. M J Scindia v Sambhajirao Chandrajirao Angre (1988) 1 SCC 692
29. M L Devender Singh v Syed Khaja AIR 1973 SC 2457
30. M V Ramasubbier v Manicka Narsimachari AIR 1976 SC 671
31. Mahesh Chandra v Regional Manager, UP Financial Corporation (1993) 2SCC 279

32. Mansukhlal Dhanraj Jain v Eknath Vithal Ogale (1995) 2 SCC 665
33. Maula Bux v Union of India AIR 1970 SC 1955
34. Michel Habib v Sheikh Suleiman AIR 1941 PC 101
35. Mithilesh Kumariv Prem Bihari Khare AIR 1989 SC 1247
36. Mohammed Alimuddin v Waizuddin (1998) 9 SCC 108
37. MP Sugar Mills Co. Ltd v State of UP (1979) 2 SCC 409
38. Mrutyunjay v Narmada AIR 1961 SC 1353
39. Municipality of Taloda v Chairt Commissioner AIR 1968 SC 418
40. Nagar Palika v Jagat Singh (1995) 3 SCC 426
41. Nahar Singh v Karnak Singh (1996) 6 SCC 699
42. Namdeo Shreepati Nale v Bapu Ganapati Jagtap (1997) 5 SCC 185
43. Narandas Karasandas v S A Kamtam (1977) 3 SCC 247
44. Narayan B Gosavi v G V Gosavi AIR 1960 SC 100
45. Naresh Chandra v Calcutta Stock Exchange Ltd., AIR 1971 SC 422
46. Official Trustee of T N v Udavum Karankal 1993 Supp SCC 509
47. P V Sankara Kurup v Leelavathi Nambiar (1994) 6 SCC 68
48. Pandit Chunchun Jha v Sheikh Ebadatali (1955) 1 SCR 174
49. Bhasker Waman Joshi v N R Agarwal (1960) 2 SCR 327 1 0
50. Punjab UP & D A v Shiv Saraswati Iron and Steel Re-Rolling Mills (1998) 4 SCC 539
51. R S Nayak v A R Antulay (1986) 2SCC 716
52. Ram Baran v Ram Mohit AIR 1967 SC 744
53. Ram Prasad v State of M P AIR 1970 SC 1818
54. Ramankutty Guptan v Avara (1994) 2 SCC 642
55. Rambaran Prasad v Ram Mohit Hazara AIR 1967 1 SC 744
56. Ramjas Foundation v Union of India 1993 Supp (2) SCC 20
57. Ratilal Panachand v State of Bomaby AIR 1954 SC 388

58. S B Noronah v Union of India (1994) 1 SCC 372
59. Sach Deo Jha v Union of India (1992) 3 SCC 190
60. Sardar Mohan Singh v Mangilal (1997) 9 SCC 217
61. Satish Sabharwal v State of Maharashtra (1986) 2 SCC 362
62. SBI v Special Secretary Land, 1995 Supp (4) SCC 30
63. Simrathmull v Nanjalingaiah Gowder AIR 1963 SC 1182
64. Sova Ray v Gostha Gopal DEy (1988) 2 SCC 134
65. State of Kerala v Cochin Refines Ltd., AIR 1968 SC 1361
66. State of Kerala v M P Shanti Verma jain (1998) 5 SCC 63
67. State of MP v Mangilal Sharma (1998) 2 SCC 510
68. Subhas Chandra v Ganga Prasad AIR 1967 SC 878
69. Sunil Kumar v Ram prakash (1988) 2 SCC 77
70. Surya Narayan Upadhyaya Ram Roop Pandey 195 Supp (4) SCC 542
71. Surya Nath Singh v Khedu Singh 1994 Supp (1) SCC 561
72. Tamil Nadu Housing Board v A Viswam (1996) 8 SCC 259
73. Thakamma Mathew v M Azamathullah Khan 1993 Supp (4) SCC 492
74. Thakur Bhim Singh (dead) v Thakur Kan Singh (1980) 3 SCC 72
75. Union of India v Godfrey Phillips India Ltd., (1985) 4 SCC 369
76. Union of India v Kishorilal Bablani (1999) 1 SCC 729
77. Yeshoda v K Nagarajn (1996) 11 SCC 228
78. Lily Thomas v Union of India AIR 2000 SC 1650
79. Fertilizer Corporation Kamgar Union Sindri & Others v U o I & Others, AIR 1981 SC 844
80. People's Union for Democratic Rights v. Union of India AIR 1982 SC 1473
81. MC Mehta v Union of India AIR 1987 SC 1086
82. Bodhisattwa v Subha Chakraborty AIR 1996 SC 922
83. Gian Kaur V St of Panjab AIR 1996 SC 946

84. DK Basu v State of West Bengal AIR 1997 SC 610
85. Mr X v Hospital Z AIR 1999 SC 495 1 1
86. NHRC v Arunachal Pradesh AIR 1999 SC 343
87. R Rajgopal v St of TN AIR 1995 SC 264
88. Secretary, Ministry of Information & Broadcasting v CAB AIR 1995 SC 1236
89. Bharat Kumar K Palicha v State of Kerala AIR 1997 Ker 291
90. Peoples Union for Civil Liberties v Union of India AIR 1997 SC 568

Raffles University

School of Law



RAFFLES
UNIVERSITY

General Principles of Economics

COURSE OUTLINE

MODULE 1 - INTRODUCTION TO ECONOMICS

- Definition, Meaning and Scope of Economics
 - Micro and Macro economics
- Positive and Normative approach
 - Introduction to capitalist, mixed and socialist type of economies
- Economic Problems in Alternative Economic systems
 - Introduction to graphs and slopes
 - First order differentiation and its application

Recommended Readings

1. Gould JP and Lazear EP, Ferguson and Gould's Microeconomic Theory, Sixth Edition, Richard Irwin, Homewood, 1980, (pp 3-31)
2. Mankiw N. Gregory, Principles of Economics, Sixth Edition, Thomson, South-Western, 2004, (pp 3-19)
3. Melvin I Boyes, Microeconomics Eighth Edition, Houghton, Mifflin (pp 2-38)
4. Samuelson PA and Nordhaus WD, Economics, Seventeenth Edition, Tata McGraw Hill, New Delhi, 1998, (pp3-18 & 46-62)
5. Goel Ajay and GoelAlka(2002): Mathematics and Statistics, fourth ed. Taxman Allied Services Private limited New Delhi (pp 155-184,214-352).
6. Mehta BC and Madnani GMK, *Mathematics for Economists*, Ninth Edition, Sultan Chand & Sons, New Delhi, 2008.
7. Peterson Craig H., W.Cris. Lewis (2005): *Managerial Economics*, Prentice-Hall of India Private Limited, New Delhi. (pp 32-66)
8. Thomas and Maurice (2009), *Managerial Economics – Concepts and Applications*, Eighth Edition, Tata McGraw Hill, New Delhi, (pp 248-294)

MODULE 2 - MARKET, DEMAND, AND SUPPLY, AND THE PRICE SYSTEM

- Market System
- Demand and Supply
- Law of Demand, Demand Schedule and Demand Curve
- Law of Supply, Supply Schedule and Supply Curve
- Market Equilibrium
- Shifts in Demand and Supply Curves and Market equilibrium
- Price and Income Elasticity of Demand and applications
 - Price elasticity of Supply and applications

Recommended Readings

1. Mankiw N. Gregory, Principles of Economics, Eighth Edition, Thomson, South-Western, 2004, (pp 64-88)
2. Marshall A, Principles of Economics, Eight Edition, Macmillan, London, 1920, (pp 117-137)
3. Melvin I Boyes, Microeconomics Eight Edition, Houghton Mifflin, (pp 40-69)
4. Pindyck Robert S, Rubinfeld Daniel L. and Mehta Prem L., Microeconomics, Sixth Edition, Pearson Education, 2006, (pp 17-48)
5. Samuelson PA and Nordhaus WD, Economics, Seventeenth Edition, Tata McGraw Hill, New Delhi, 1998, (pp 46-62, 85-107)

MODULE 3 - DEMAND, UTILITY AND CONSUMER BEHAVIOR

- Choice and Utility Theory
- Cardinal and Ordinal Measurement of Utility
- Law of Diminishing Marginal Utility
- Law of Consumer Surplus
- Law of Equi-marginal Utility
- Indifference Curve Analysis
- Price Effect, Substitution Effect and Income Effect

Recommended Readings

1. Mankiw N. Gregory, Principles of Economics, Sixth Edition, Thomson, South-Western, 2004, (pp 64-88)
2. Maheshwari Yogesh, Managerial Economics, Second Edition, Prentice Hall, New Delhi, 2007, (pp 43-79)
3. Marshall A, Principles of Economics, Eight Edition, Macmillan, London, 1920 (pp 92-113)
4. Pindyck Robert S, Rubinfeld Daniel L. and Mehta Prem L., Microeconomics, Sixth Edition, Pearson Education, 2006, (pp 53-121)
5. Samuelson PA and Nordhaus WD, Economics, Seventeenth Edition, Tata McGraw Hill, New Delhi, 1998, (pp 67-75, 93-94)
6. Thomas and Maurice (2009), Managerial Economics – Concepts and Applications, Eighth Edition, Tata McGraw Hill, New Delhi

MODULE 4 - PRODUCTION AND COST ANALYSIS

- Production Function
- Production with One Variable Input – Law of Variable proportions
- Production with Two Variable Inputs – Returns to Scale
- Types of Costs and cost curves
- Economies and Diseconomies of Scale

Recommended Readings

1. Gould JP and Lazear EP, Ferguson and Gould's Microeconomic Theory, Sixth Edition, Richard Irwin, Homewood, 1980, (pp 32-126, 170-244)
2. Mankiw N. Gregory, Principles of Economics, Third Edition, Thomson, South-Western, 2004, (pp 53-179, 453-477)
3. Melvin I Boyes, Microeconomics, Eight Edition, Houghton, Mifflin (pp 122-171)
4. Pindyck Robert S, Rubinfeld Daniel L. and Mehta Prem L., Microeconomics, Sixth Edition, Pearson Education, 2006, (pp 131-180)
5. Samuelson PA and Nordhaus WD, Economics, Seventeenth Edition, Tata McGraw Hill, New Delhi, 1998, (pp 67-146)

MODULE 5 - PRICING AND OUTPUT DECISIONS IN DIFFERENT MARKET STRUCTURES

- Market Structure and Degree of Competition
- Perfect Competition – Characteristics, revenue curves, equilibrium of firm
- Monopoly
 - Characteristics, revenue curves, equilibrium of firm
 - Price Discrimination in Monopoly
- Monopolistic Competition
- Oligopoly - Types with special reference to OPEC
 - Kinked Demand Curve, Cartels, Price determination by dominant firm

Recommended Readings

1. Gould JP and Lazear EP, Ferguson and Gould's Microeconomic Theory, Sixth Edition, Richard Irwin, Homewood, 1980, (pp 247-410)
2. Mankiw N. Gregory, Principles of Economics, Sixth Edition, Thomson, South-Western, 2004, (pp 3-19)
3. Melvin I Boyes, Microeconomics, Eighth Edition, Houghton, Mifflin (pp 200-410)
4. Pindyck Robert S, Rubinfeld Daniel L. and Mehta Prem L., Microeconomics, Sixth Edition, Pearson Education, 2006, (pp 131-180)
5. Samuelson PA and Nordhaus WD, Economics, Seventeenth Edition, Tata McGraw Hill, New Delhi, 1998, (pp147-202)

MODULE 6 –WELFARE ECONOMICS & EFFICIENCY CRITERIA

- Concept of Welfare by V Pareto
- Theories of Second Best by Hicks & Kaldor
- Externalities
- Market failure
 - Private Cost & Private Benefit
 - Social Cost & Social Benefit

Recommended Readings

1. Samuelson PA and Nordhaus WD, Economics, Nineteenth Edition, Tata McGraw Hill, New Delhi, 1998, (pp 408 - 429)

2. Satija Kalpna , A textbook on Economics for law students, 2009 edition, Universal law publishing company,2009 (599 -623)

Other Recommended Readings

1. Dornbusch R, Fischer S and Startz R, Macroeconomics, Eight Edition, Tata McGraw Hill, New Delhi, 2002
2. Dwivedi DN, Managerial Economics, Seventh Edition, Vikas Publishing House, New Delhi, 2008
3. Froyen RT, Macroeconomics: Theories & Policies, Sixth Edition, Pearson Education Asia, Delhi, 2001
4. Gould JP and Lazear EP, Ferguson and Gould's Microeconomic Theory, Sixth Edition, Richard Irwin, Homewood, 1980
5. K.K.Dewett, Modern Economic Theory, S.Chand & Company LTD, New Delhi. (pp242-311)
6. Mankiw N. Gregory, Principles of Economics, Third Edition, Thomson, South-Western, 2004
7. Mehta BC and Madnani GMK, Mathematics for Economists, Ninth Edition, Sultan Chand & Sons, New Delhi, 2008.
8. Melvin I Boyes, Microeconomics, Eighth Edition, Houghton Mifflin
9. Pindyck Robert S, Rubinfeld Daniel L. and Mehta Prem L., Microeconomics, Sixth Edition, Pearson Education, 2006,
10. Samuelson PA and Nordhaus WD, Economics, Seventeenth Edition, Tata McGraw Hill, New Delhi, 1998

Raffles University

School of Law

B.A.LL.B. (Integrated Law degree course)

Political Science I - Introduction to Political Theory



COURSE OUTLINE

MODULE 1

What is Political Theory, Meaning, Nature and Scope

Relationship between Political Science and Law

RECOMMENDED READINGS

1. What is Political theory in Eddy Ashirvartham and K.K Misra Political Theory S.Chand & Co. New Delhi,2000
2. Bhargava, Rajeev and Ashok Acharya (eds), *Political Theory: An Introduction*. Pearson Longman, 2008.
3. Mckinnon, Catriona (ed), *Issues in Political Theory*, New York, Oxford University Press, 2008
4. What is Politics in Andrew Heywood Politics, New Delhi, Palgrave, 2004 (second Edition)

MODULE 2

Concept of State, Definition

Theories of State:

1. Divine Origin Theory
2. Force Theory
3. Organic Theory of State
4. Social Contract Theory of state with reference to Hobbes Locke Rousseau
5. Hindu Concept of State: Kautaliya's Saptang Theory

RECOMMENDED READINGS

1. State and definitions in Eddy Ashirvartham and K.K Misra Political Theory S.Chand & Co. New Delhi,2000
2. Origin of State in Eddy Ashirvartham and K.K Misra Political Theory S.Chand & Co. New Delhi,2000
3. Social contract theory of State in in Eddy Ashirvartham and K.K Misra Political Theory S.Chand & Co. New Delhi,2000
5. State in Andrew Heywood Politics, New Delhi, Palgrave, 2004 (second Edition)
6. Hindu and Islamic concept of State in L. S. Rathore and Haqqui, Political Theory and Organization, EBC, Lucknow, 1988 (reprint 2006)

MODULE 3

Citizenship, Sovereignty, Rights, Liberty, Equality , Justice and Indian Constitutional provision dealing with it. Concept of Political Obligation

RECOMMENDED READINGS

1. Citizenship in Bhargava, Rajeev and Ashok Acharya (eds) Pearson Longman, 2008.
2. Rights in Bhargava, Rajeev and Ashok Acharya (eds) Pearson Longman, 2008.

3. Liberty in Rajeev and Ashok Acharya (eds) Pearson Longman, 2008
4. Liberty in Mckinnon, Catriona (ed), *Issues in Political Theory*, New York, Oxford University Press, 2008
5. Equality in Rajeev and Ashok Acharya (eds) Pearson Longman, 2008
6. Equality in Mckinnon, Catriona (ed), *Issues in Political Theory*, New York, Oxford University Press, 2008
7. Justice in Rajeev and Ashok Acharya (eds) Pearson Longman, 2008
8. Justice in Mckinnon, Catriona (ed), *Issues in Political Theory*, New York, Oxford University Press, 2008
9. Sovereignty in L. S. Rathore and Haqqi, *Political Theory and Organization*, EBC, Lucknow, 1988 (reprint 2006)
10. Political Obligation in Eddy Ashirvartham and K.K Misra *Political Theory* S.Chand & Co. New Delhi,2000
11. Constitutional provisions from Indian Constitution, Bare Act, New Delhi, Universal Publishing House

MODULE 4

Ideologies: liberalism, Marxism, Totalitarianism, Fascism, Nazism, Gandhism

RECOMMENDED READINGS

1. Ideologies in Andrew Heywood *Politics*, New Delhi, Palgrave, 2004 (second Edition)
2. Liberalism in *Political Ideologies*, Andrew Heywood, New Delhi, Palgrave Foundation
3. Marxism in Eddy Ashirvartham and K.K Misra *Political Theory* S.Chand & Co. New Delhi,2000
4. Totalitarianism in *Political Ideologies*, Andrew Heywood, New Delhi, Palgrave Foundation
5. Totalitarianism in Eddy Ashirvartham and K.K Misra *Political Theory* S.Chand & Co. New Delhi,2000
6. Fascism in *Political Ideologies*, Andrew Heywood, New Delhi, Palgrave Foundation

7. Nazism in Political Ideologies, Andrew Heywood, New Delhi, Palgrave Foundation
8. Fascism and Nazism in Eddy Ashirvartham and K.K Misra Political Theory S.Chand & Co. New Delhi,2000
7. Totalitarianism in L. S. Rathore and Haqqi, Political Theory and Organization, EBC, Lucknow, 1988 (reprint 2006)
9. Gandhism in Eddy Ashirvartham and K.K Misra Political Theory S.Chand & Co. New Delhi,2000

MODULE 5

Written and unwritten constitution: Merits and Demerits

Unitary and Federal Government: Merits and Demerits

Parliamentary and Presidential Form of Government: Merits and Demerits

RECOMMENDED READINGS

1. Government, System and types in Andrew Heywood Politics, New Delhi, Palgrave, 2004 (second Edition)
2. Forms of Government in Eddy Ashirvartham and K.K Misra Political Theory S.Chand & Co. New Delhi,2000
3. Written and unwritten constitution in L. S. Rathore and Haqqi, Political Theory and Organization, EBC, Lucknow, 1988 (reprint 2006)
4. Unitary and Federal Constitution in L. S. Rathore and Haqqi, Political Theory and Organization, EBC, Lucknow, 1988 (reprint 2006)
5. Parliamentary and Presidential form of Government in L. S. Rathore and Haqqi, Political Theory and Organization, EBC, Lucknow, 1988 (reprint 2006)

Reference Books

1. A. C. Kapoor, Principles of Political Science, S. Chand & Co., New Delhi, 2008.
2. Eddy Ashirvartham and K.K Misra Political Theory S.Chand & Co. New Delhi,2000
3. L. S. Rathore and Haqqi, Political Theory and Organization, EBC, Lucknow, 1988 (reprint 2006)
4. Political Theory Bhargava, Rajeev and Ashok Acharya (eds) Pearson Longman, 2008.
5. Politics Andrew Heywood Politics, New Delhi, Palgrave, 2004 (second Edition)
6. Political Ideologies Andrew Heywood, New Delhi, Palgrave Foundation

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General English II



COURSE OUTLINE

Module I- LAW AND LITERATURE

- (1) Nature of Law
 - A) The Nature of Law
 - B) Custom , Morality, Law
 - a) Law is for guidance of human conduct.
 - b) Law is a body of rules.
 - c) Law is imposed
 - d) Enforcement

- e) The State
- f) Content of Law
- g) Justice and Law

Mode of Teaching : Discussion , Writing ,Debates

- (2) Crimes and Civil Wrong
 - A) Distinction between Crime and Civil Wrong
 - B) Terminology used in Crime and civil Wrong

Methods of Teaching : Discussion , Writing , Research on the subject with examples.

- (3) Command of Language in the Profession of the Law
 - A) The tools of trade
 - B) Acquiring skill
 - C) Addressing the court

- (4) Plain Language and the Law

- A) What is Plain English

Recommended Reading : Cutts,Martin. The Plain English Guide.New Delhi : Oxford University Press , 1995.3-4

- B) What is Plain Language. In Its annual report for 1991-1992 , the Plain Language Institute answered this question)

Recommended Reading :

<http://plainlanguage.com/Resources/whatisplain.html>

- C) Egg –bound

Recommended Reading :Mark

Adler,<http://www.alder.demon.co.uk/eggbound.html>

- (5) The Indian Constitution

- A) Broad Features
- B) Influence of other Countries constitution on our countries constitution.
- C) Some Characteristics of the Indian Constitution

Recommended Reading : Setalvad , M.C . The Common Law in India .

Recommended Readings

1. M.A. Yadugiri & Geetha Bhasker , English for Law, Foundation Books, Delhi, 2005
2. R.P.Bhatnagar, Law and Language, Macmillan, 2009
3. Michael McKeon, The Origins of the English Novel, John Hopkins University Press, USA, 2002.
4. .William J. Long, English Literature, A.I.T.B.S., Delhi, 2004.

Module II- LAW AND LITERATURE

- (1) The impact of Technology on the Practice of Law
 - A) Internet and the World Wide Web
 - B) Communication
 - a) Email
 - b) Mailing Lists or List servers
 - c) Newsgroups
 - C) Internet Relay Chat , Internet Phone and Video Teleconferencing
 - a) Internet Relay Chat
 - b) Internet Phone
 - c) Video Conferencing
 - D) Legal Research
 - a) Internet Legal Research
 - b) CD-ROM and Optical Storage
 - E) Dispute Settlement in Cyberspace

Recommended Reading : Georges, Richard M.*Future Lawyer Page. 22 April 2000*

<http://www.futurelawyer.com/flabar.html/>

- (2) The International Court of Justice
- A) Procedure
 - B) Jurisdiction
 - C) Enforcement
 - D) The 'Limited Appeal of the ICJ

Recommended Reading : <http://www.wvlia.org/icj.html>

31 October 2001.1-3

- (3) Application of Precedents
- A) Knowing the facts
 - a) Cases discussed

Recommended Reading Dias , R.W.M. Jurisprudence 5th ed London : Butterworths,1985.136-39

- (4) Legal Reasoning
- A) Induction
 - B) Analogy
 - C) Justification

Recommended Reading : Dias , R.W.M. Jurisprudence. London : Butterworths,1985.153-57

- (5) The Bet by Anton Chekhov
- A) Discussion on the difference between Russian Literature and Western Literature.
 - B) Analysis of the story.

Recommended Reading : www.eastoftheweb.com/short-stories/UBooks/Bet.shtml
[en.wikipedia.org/wiki/The_Bet_\(short_story\)](http://en.wikipedia.org/wiki/The_Bet_(short_story))

[The Project Gutenberg EBook of Best Russian Short Stories, including "The Bet"](#)

Recommended Readings

5. M.A. Yadugiri & Geetha Bhasker , English for Law, Foundation Books, Delhi, 2005
6. R.P.Bhatnagar, Law and Language, Macmillan, 2009
7. Michael McKeon, The Origins of the English Novel, John Hopkins University Press, USA, 2002.
8. William J. Long, English Literature, A.I.T.B.S., Delhi, 2004.

Module III-PHONETICS AND GRAMMAR

- (1) Phonetics (IPA) and Phonetic Break up .
 - A) Recap of sounds done in Semester I
 - a) Consonants and Vowels
 - b) Chart of Consonants and Vowels
 - B) Phonetic Break up of words
 - C) Commonly Mis pronounced Words
 - D) Syllable and Syllable Stress rules .
 - a) Syllable Break up
 - b) How to Stress a Syllable
 - c) Rules of Syllable stress on the basis of word ending
 - d) Stress Shift
 - E) Question Formation
 - a) Close ended
 - b) Open ended
 - c) Tag Questions
 - F) Modals
 - a) Modal of ability
 - b) Modal of Possibility
 - c) Modal of Permission
 - d) Other Modals

Recommended Readings

1. S. Pit Corder, An intermediate English Practice Book, Orient Longman, Hyderabad, 1996.

2. A.S.Hornby, Guide to Patterns and Usage in English, OUP, Delhi, 1999.
3. David Green, Contemporary English Grammar Structures and Composition, Macmillan, Chennai, 1999.
4. Geoffrey Leech and Jan Svartvik, A Communicative Grammar of English, Longman, Delhi, 2001.
5. Thomson and Martinet, A Practical English Grammar, OUP, Bombay, 1970

MODULE IV- BUSINESS COMMUNICATION

- 1) Report Writing on various current event topics
- 2) Letter Writing
 - a) Official
 - b) Complaint
- 3) C.V Writing
- 4) Job Application Writing
- 5) Goodwill Letters
 - a) Condolence letter
 - b) Promotion Letter
 - c) Motivational Letters

- 6) Notice
 - a) Legal Notice
 - b) Private Notice
 - c) Public Notice
- 7) Affidavit
 - a) Simple
 - b) Court

Recommended Readings

1. Chaturvedi & Chaturvedi, “Business Communication”, Pearson, 2004.
2. Rai & Rai, “Business Correspondence & Report Writing”, Himalaya Publishing House, 2001

3. Matthukutty M Monippally, "Business Communication Strategies" Tata Mc Graw Hill, 2001

4. Sharma & Mohan, "Business Correspondence and Report Writing", Tata Mc Graw Hill, 2002

MODULE V-ARTICLE AND LAW

A) Speeches of Mahatma Gandhi

Recommended Reading: (http://en.wikipedia.org/wiki/Quit_India_speech) and Martin Luthra King (<http://abcnews.go.com/Politics/martin-luther-kings-speech-dream-full-text>)

- a) Critical analysis of both the speeches
- b) Listening activity by playing the speeches in the class

B) Articles on current issues

- a) Delhi Gang Rape (Taken from Frontline January 25 ,2013 and Lawz January 2013 edition)
- b) Italy and its Maro' by Marina Forti (Taken from Economic and Political Weekly April 6,2013)

C) Articles on Law

- a) Norvartis Case . (The Hindu, Monday , April 15)
- b) Why Justice must be seen and heard (Indian Express, 20 Jan)
- c) JS Verma : Left behind little as inheritance , lot as legacy
- d) When Constitution got a Judicial Shield

Recommended Reading:

- 1) Frontline Magazine
- 2) Economic and Political Weekly
- 3) The Week
- 4) Outlook
- 5) Law Reports

SUGGESTED READING:

Text Books:

- The Law of Torts, Ratanlal and Dhirajlal
- The Law of Torts, Ramaswamy Iyer
- Ratanlal and Dhirajlal The Law of Torts Updated 26th Edition 2013, Justice G.P Singh
- Salmond on Law of Torts.
- Cases and Materials on Torts, 12th (University Casebook Series), William L. Prose, John W. Wade, Victor E. Schwartz, Kathryn Kelly, David F. Partlett.

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Macro Economics

COURSE OUTLINE

MODULE 1- Introduction to Macro Economics

- Introduction to Macro Economics
- Nature & Scope of Macro Economics
- Relation between Micro & Macro Economics
- Various macroeconomic concepts – stock, flow, endogenous and exogenous variables, models

Recommended Readings

1. Koutsoyiannis, A., Modern Economics, Mc Graw Hill, London, 1979
2. Shapiro, Edward., macro Economic Analysis, Galgotia Publications Private Limited, new Delhi, 2007
3. Samuelson PA and Nordhaus WD, Economics, Seventeenth Edition, Tata McGraw Hill, New Delhi, 1998.

MODULE 2 – NATIONAL INCOME ANALYSIS

- Various Concepts of National Income
- Methods of measurement of NI
- National income & Economic welfare
- Importance of NI concepts, difficulties in calculation etc
- Concept of Green accounting

Recommended Readings

1. Seth, M L., Macroeconomic Analysis, Lakshmi Narain Publications.
2. Samuelson PA and Nordhaus WD, Economics, Seventeenth Edition, Tata McGraw Hill, New Delhi, 1998.
3. Mithani, D M., Macroeconomics. Himalaya Publications
4. Dwivedi, D N., Macroeconomics: Theory & Policy, Tata Mc Graw Hill Publications

MODULE 3 – OUTPUT & EMPLOYMENT

- Concept of Aggregate Demand & Aggregate Supply
- Classical theory of income, output & employment
- Consumption function
 - APC, MPC, factors affecting MPC
- Investment Analysis
 - Meaning, Types, Factors determining Investment, analysis of MEC
- Keynesian theory of income & employment

Recommended Readings

- 1 Agarwal, Vanita., Pearson Education , India
2. Gupta, G ., Macro Economics, Tata Mc Graw Hill, 3rd edition, 2007
3. Mithani, D M., Macroeconomics. Himalaya Publications, 3rd edition,
4. Michl, Thomas R., Macroeconomic Theory: A Short Course, M E Sharpe Publications, 2002
5. Agarwal, Vanita, Deepashree., Macroeconomics, TaTa Mc Graw Hill, 1st edition, 2006

MODULE 4 – Rate of Interest & Multiplier

- Neo classical & Keynesian theories of Interest
- IS – LM Curve analysis
- Concept of Multiplier
 - Investment, balanced budget, Taxation multiplier
 - Multiplier in developing countries

- Concept of Accelerator
- Super Multiplier

Recommended Readings

1. Seth, M L., Macro Economic Analysis, Lakshmi Narain Publications, 29th edition, 2012
2. Gupta, G S., Tata Mc Graw Hill, 2nd edition, 2004.
3. Mithani, D M., Macroeconomics. Himalaya Publications, 3rd edition

MODULE 5 - Business Cycles

- Concept & phases of Business cycles
- Theories of Business cycle – Hawtrey, Keynes, Hicks & Samuelson
- Budget – Meaning , Types, Various concepts of deficits
- Current Budget analysis
- Inflation – Meaning, Types, Causes, Measures to control Inflation
- Phillip Curve analysis

Recommended Readings

1. Mithani, D M., Macroeconomics. Himalaya Publications
2. Agarwal, Vanita., Pearson Education , India
3. Samuelson PA and Nordhaus WD, Economics, Seventeenth Edition, Tata McGraw Hill, New Delhi

Other Recommended Readings

1. Dornbusch R, Fischer S and Startz R, Macroeconomics, Eight Edition, Tata McGraw Hill, New Delhi, 2002
2. Dwivedi D N, Managerial Economics, Seventh Edition, Vikas Publishing House, New Delhi, 2008

3. Froyen RT, Macroeconomics: Theories & Policies, Sixth Edition, Pearson Education Asia, Delhi, 2001
4. Gould JP and Lazear EP, Ferguson and Gould's Microeconomic Theory, Sixth Edition, Richard Irwin, Homewood, 1980
- 5..Dewett K.K, Modern Economic Theory, S.Chand & Company LTD, New Delhi,2005
6. Mankiw N. Gregory, Principles of Economics, Third Edition, Thomson, South-Western, 2004
7. Samuelson PA and Nordhaus WD, Economics, Seventeenth Edition, Tata McGraw Hill, New Delhi, 1998
8. Errol D'Souza., Macroeconomics., Pearson Education, India.

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Law of Contract - I

COURSE OUTLINE

MODULE 1-

General Introduction – History and Nature of Contractual Obligations

Formation of an Agreement

Intention to create legal relationship; offer and invitation to treat; kinds of offer, communication, acceptance and revocation of offer and acceptance; modes of revocation of offer; Tenders and Auctions , standard form of contracts- Indian Contract Act, 1872 - Indian Contract Act, 1872, sections 2 – 10

Case studies

1. Carlill v. Carbolic Smoke Ball Co. (1891-4) All ER Rep.127
2. Pharmaceutical Society of Great Britain v. Boots Cash Chemist (Southern) Ltd.(1952) 2 All ER Rep. 456
3. Balfour v. Balfour (1918-19) All ER 860 (CA)
4. Lalman Shukla v. Gauri Datt(1913) XL ALJR 489 (All.)



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5. Bhagwandas Goverdhandas Kedia v. M/s. Girdharilal Parshottamdas & Co., AIR 1966 SC 543
6. Harvey v. Facey (1893) AC 552
7. Felthouse v. Bindley (1862) 11 CB 869 29
8. Union of India v. Maddala Thathiah, AIR 1966 SC 1724
9. Rajendra Kumar Verma v. State of M.P., AIR 1972 MP 131
10. Kanhaiya Lal Aggarwal v. Union of India, AIR 2002 SC 2766
11. Haridwar Singh v. Bagun Sumbrui (1973) 3 SCC 889
12. Indian Airlines Corporation v. Sm. Madhuri Chowdhuri, AIR 1965 Cal. 252

MODULE 2

Consideration

Meaning; Basis and the nature of consideration; Doctrine of Privity of Contract and of consideration, its exceptions; Exceptions of consideration – Indian Contract Act, 1872, sections 2(d), 2(f), 23 and 25

Case Studies

13. Kedarnath Bhattacharji v. Gorie Mahomed (1886) 7 I.D. 64 (Cal.)
14. Doraswami Iyer v. Arunachala Ayyar (1935) 43 LW 259 (Mad.)
15. Abdul Aziz v. Masum Ali, AIR 1914 All. 22
16. Venkata Chinnaya Rau v. Venkataramaya Garu (1881) 1 ID 137 (Mad.)
17. Nawab Khwaja Muhammad Khan v. Nawab Husaini Begam (1910) LR 37 I.A. 152

MODULE 3

Capacity to Contract

Legal disability to enter into contract - Minors, persons of unsound mind ; person under legal disability; lunatics, idiots; Restitution in cases of minor's agreement; Liability for necessaries supplied to the minor - Indian Contract Act, 1872, sections 10, 11, 12, 64, 65, 68; Specific Relief Act, 1963, section 33; Indian Majority Act, 1875

Case Studies

18. Mohori Bibee v. Dhurmodas Ghose (1903) 30 I.A. 114
19. Khan Gul v. Lakha Singh, AIR 1928 Lah. 609
20. Ajudhia Prasad v. Chandan Lal, AIR 1937 All.

MODULE 4

Free Consent

- Indian Contract

Act, 1872, sections 13 – 22

Case Studies

21. Raghunath Prasad v. Sarju Prasad (1923) 51 I.A. 101
22. Subhas Chandra Das Mushib v. Ganga Prasad Das Mushib, AIR 1967 SC 878
23. Lakshmi Ammav. T. Narayana Bhatta, 1970 (3) SCC 159
24. Tarsem Singh v. Sukhminder Singh (1998) 3 SCC 471

MODULE 5

Limitations on Freedom of Contract

Circumstances in which agreements become void or voidable, Distinction between void and voidable agreements; Unlawful Agreements; Public policy; Agreements with unlawful consideration in part and objects; Agreements without consideration; Agreements in restraint of marriage; Agreements in restraint of trade; Agreements in restraint of legal proceedings;

Ambiguous and uncertain agreements & Wagering agreements - Indian Contract Act, 1872, sections 23 – 30

Case Studies

25. Gherulal Parakh v. Mahadeodas Maiya, AIR 1959 SC 781
26. Niranjana Shankar Golikar v. Century Spinning & Manufacturing Co. Ltd., AIR 1967 SC 1098
27. Central Inland Water Transport Corpn. Ltd. v. Brojo Nath Ganguly (1986) 3 SCC (Also see D.T.C. v. D.T.C. Mazdoor Congress, AIR 1991 SC; Bank of India v. O.P. Swarankar, AIR 2003 SC)

28. Dhurandhar Prasad Singhv. Jai Prakash University, AIR 2001 SC 2552

MODULE 6 -

Discharge of a Contract

Modes-Discharge by performance; Frustration; Supervening impossibility of performance; Grounds of Frustration and its effect; Discharge by Agreement and Novation - Indian Contract Act, 1872, sections 37 – 67

Case studies

29. Satyabrata Ghose v. Mugneeram Bangur & Co., AIR 1954 SC 44

30. M/s. Alopi Parshad & Sons Ltd. v. Union of India, AIR 1960 SC 588

31. Punj Sons Pvt. Ltd.v. Union of India, AIR 1986 Del. 158

32. Easun Engineering Co. Ltd.v. The Fertilizers & Chemicals Travancore Ltd., AIR 1991 Mad. 158

MODULE 7

Remedies for Breach of Contract (a) Damages; Types of Damages ; Basis of Assessment of Damages; Remoteness of Damages and Measures of Damages; Mitigation of Damages; Penalty & Liquidated Damages – Indian Contract Act, 1872, sections 73 – 74

Case Studies

33. Hadley v. Baxendale (1843-60) All ER Rep. 461

34. AKAS Jamalv. Moolla Dawood, Sons & Co. (1915) XX C.W.N.

35 Karsandas H. Thacker v. M/s. The Saran Engineering Co. Ltd., AIR 1965 SC 1981
178

36. Maula Buxv. Union of India, AIR 1970 SC 1955 182

37. Shri Hanuman Cotton Mills v. Tata Air Craft Ltd., 1969 (3) SCC 522

38. Ghaziabad Development Authorityv. Union of India, AIR 2000 SC 2003 196

39. Oil & Natural Gas Corporation Ltd. v. Saw Pipes Ltd.(2003) 4 SCALE 92

MODULE 8

Quasi – Contracts Obligations resembling those created by Contract (Quasi – Contracts)
: Concept and classification - Indian Contract Act, 1872, sections 68 – 72
40. State of West Bengal v. B.K. Mondal & Sons, AIR 1962 SC 779

MODULE 9

The Specific Relief Act

Nature of Specific Relief – Recovery of Possession of movable and immovable Property – Specific performance when granted and not granted – Who may obtain and against whom – Discretionary remedy – Power of Court to grant relief – Rectification of instruments – Cancellation – Declaratory decrees – Preventive relief – Temporary injunctions – Perpetual and Mandatory Injunctions.

Government as a contracting party: Constitutional provisions – Government powers to contract – Procedural requirements – Kinds of Government Contracts, their usual clauses, performance of such contract, settlement of disputes and remedies.

Text Book

Avtar Singh. “Contract and Specific Relief”, Eastern Book Company, 10th Edition, Lucknow, 2010

Reference Book

1. Cheshire & Fifoot, Cases on the Law of Contract, 7th Ed., London: Butterworths, 1977.
2. Sir G. H. Treitel, The Law of Contract, 12th Ed., London: Sweet & Maxwell, 2007.
3. Anson, Law of Contract, 28th Ed., Oxford University Press, 2002.
4. Cheshire & Fifoot, Law of Contract, Oxford University Press, 15th Ed., 2007.
5. Chitty, Contracts, Vol. 1, 29th Ed., Sweet & Maxwell, 2004.
6. V.K. Rao, Contract I - Cases and Materials, Butterworths, 2004.
7. M. Krishnan Nair, Law of Contracts, 1998.
8. Dutt on Contract, H.K. Saharay, Universal, 2000..
9. Sujan M.A, Frustration of Contract 2nd Ed. UPC 2001.
10. Mulla, Indian Contract Act and Specific Relief Acts, Lexis Nexis 13th Ed. 2006.
11. Avtar Singh, Law of Contract, Eastern, Lucknow. Eighth Edition.
12. Smith & Thomas , A Case Book on Contract 11th Edition

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Political Science II - Public Policy & Public Administration



COURSE OUTLINE

Module – I

Meaning, nature and scope of public policy - making of public policies - constitutional basis for making it

RECOMMENDED READINGS

1. Dwight Waldo, 1968, 'Public Administration', *International Encyclopedia of the Social Sciences*, Macmillan.
2. Richard Anderson, *Public Policy*

Module - II

Meaning, nature and scope of Public Administration in a State - Public & Private administration - Evolution of Public Administration in developed and developing countries.

RECOMMENDED READINGS

1. Mohit Bhattacharya, 2008, *New Horizons of Public Administration*, Jawahar Publishers, New Delhi, Fifth Revised Edition, Chapter 3.
2. Nicholas Henry, 2007, *Public Administration and Public Affairs*, Prentice Hall, New Delhi, 10th edition, Chapter 2.
3. Mohit Bhattacharya, Recent Advances in the Discipline of Public Administration

Module - III Theories of Organization - Scientific Management - Bureaucratic theory of organization - Classic theory of organization - Human Relations theory of organization.

RECOMMENDED READINGS

1. Max Weber, 1997, 'Rational-legal authority and bureaucracy' in Michael Hill (ed),
The Policy Process: A Reader, Prentice Hall, Harvester Wheatsheaf, London, pp. 323-37
2. F. W. Taylor, 'Scientific Management', in in Jay M. Shafritz & Albert C. Hyde (ed),
1997, *Classics of Public Administration*, Fourth Edition, Hartcourt Brace College
3. Givisheani, The Human Relation Doctrine,
4. Fredrickson and Smith, 2003, 'Decision Theory', in *The Public Administration Theory Primer*, Westview Press, Cambridge.

Module - IV Principles of Organization - Hierarchy - Span of Control - Unity of Command - Centralised and decentralised administration.

RECOMMENDED READINGS

Principles of Organization in Rumki Basu Public Administration, sterling Publishers,
New Delhi

Module - V Structure of Organization - I - Chief executive - functions of Chief Executive - Departments of fundamental units of administration - location of authority - Autonomy / independence and accountability of departments - Public enterprises/ Corporations as units of administration - Growth of public enterprises / Corporation in India - Autonomy and Accountability - Nature, scope and extent of ministerial control - Parliamentary Control, etc.

RECOMMENDED READINGS

1. Aspects of Indian Administration in B.L. Fadia Public Administration, Concepts and Theories , Sahitya Prakashan, 2012
2. Satyajit Singh and Pradeep Sharma (ed), 2007, 'Introduction' in *Decentralization: Institutions and Politics in Rural India*, Oxford University Press, Delhi.
3. James Manor, 1999, 'Defining Terms', in *The Political Economy of Democratic Decentralization*, The World Bank, Washington D.C.

Module- VI Structure of Organization - II - Boards and Commissions - Constitutional bodies – Finance Commission - UPSC - EC - BC / SC / ST Commissions - Field administration - Decentralized administration - 73rd & 74th ed.

RECOMMENDED READINGS

1. Indian Constitution : Bare Act: Universal Law publishing House, New Delhi

Module - VII Management issues / concepts - Participative Management - Planning – Planning Commission - NDC - Planning under 73rd & 74th Amendments - Coordination - delegation - Audit & Accountability - O & M – Right to Information

RECOMMENDED READINGS

1. Nicholas Henry, *Public Administration and Public Affairs*, Tenth Edition, PHI, New Delhi.
2. Indian Constitution : Bare Act: Universal Law publishing House, New Delhi
3. Public accountability, NGOs and peoples participation
 - (i) Social Audit, Nikhil Dey
 - (ii) Accounts and Accountability, Rob Jenkins and Anne Marie Goetz
 - (iii) Citizen enlargement in Institutions of Public-sector over right in India – Goetz and Jenkins
4. Right to information
 - (i) Pradeep K. Sharma & Mandalini Devasher, ‘Right to Information in India, in Satyajit Singh and Pradeep Sharma (ed), 2007, *Decentralization: Institutions and Politics in Rural India*, Oxford University Press, Delhi.

Module - VIII Developed legislation - Quasi judicial and administrative powers - Administrative Tribunals - contemporary developments - 323A & B - Control over public administration - Executive, legislative & judicial.

RECOMMENDED READINGS

1. Indian Constitution : Bare Act: Universal Law publishing House, New Delhi

Module- IX Independent Regulatory Commissions - Growth of Regulatory Commissions in India - Impact of Globalization on Administration - TRAI, IDRA, SEBI.

RECOMMENDED READINGS

1. Grindle, M. & Thomas, J. (1991), *Public Choice and Policy Change: The Political Economy of Reform in Developing Countries*.
2. www.trai.gov.in/
3. www.sebi.gov.in/
4. www.idra.org/

Module- X Contemporary challenges of Public Administration - Second administrative reforms commissions that deal with good governance

RECOMMENDED READINGS

1. arc.gov.in/3rdreport.pdf
2. What is Good Governance, UNESCAP

Books

1. Amreshwar Avasthi & Shriram Maheswari, Public Administration, New Delhi
2. Chaturvedi (Edited), Comparative Public Administration, I.I.P.A. New Delhi
3. Leonard D.White, Public Administration, Eurasia Publishing House, New Delhi
4. Nicholas Henry Public Administration

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B.A.LL.B. (Integrated Law degree course)
Sociology I - Essentials of Sociology

COURSE OUTLINE

MODULE 1

The Emergence of Sociology

- ❖ Transition from social philosophy to sociology
- ❖ Enlightenment- The Social , Economic and Political forces
- ❖ The French and Industrial Revolutions

MODULE 2

Nature and Scope of Sociology

- ❖ Relevance of Sociology
- ❖ Nature, Society and Culture
- ❖ Relationship with other social sciences ; social anthropology, history, psychology
- ❖ Study of groups
- ❖ Institutionalization
- ❖ Structure of Social System

References for Module 1&2:

- i. **James , B. Mckee** : Introduction to Sociology , New York: Holt , Rinehart and Winston.
- ii. **Robert Bierstedt** : The Social Order , New York: McGraw Hill.
- iii. **Sociosite – the Social Science Information System** : www.sociosite.net/index.php

MODULE 3

Social Anthropology

- ❖ Introduction to Social Anthropology
- ❖ Its development
- ❖ Social differentiation
- ❖ Differences between societies

MODULE 4

Culture and Socialization

- ❖ Sociological concepts and perspectives
- ❖ Individual, groups, socialization
- ❖ Structure, function and process
- ❖ Culture, Institutions and roles
- ❖ Order, Conflict and Contradiction, Change
- ❖ Difference and Inequality

References for Module 3 & 4:

- i. **Evans – Pritchard** : Social Anthropology
- ii. **Mair , L.** : An Introduction to Social Anthropology , London : OUP
- iii. **Worsley,P.** : Introducing Sociology , Harmonds Worth : Penguin
Books
- iv. **Young ,K.** : Human Society

MODULE 5

Role of Religion in Sociology

- ❖ Religious belief and rituals
- ❖ Religious groupings
- ❖ Religion in social structure

References :

- i. **Journal for Cultural and Religious Theory** (online) : www.jcrt.org
- ii. **Davie , Grace** : The Sociology of Religion , London : Sage
- iii. **Fenn K. Richard** : Blackwell Companion to the Sociology of Religion

MODULE 6

Kinship Groups and Systems

- ❖ Marriage and Family
- ❖ Forms of Marriage

- ❖ Unisexual and Bisexual Marriage
- ❖ Divorce
- ❖ Consanguineal Kin groups and Clans
- ❖ Dynamics in Kinship

References :

- i. **Newman M. David & Grauerholz Liz** : Sociology of Families , London: Sage
- ii. **J. T. Landis and M.G. Landis** : Readings in Marriage and the Family ,
Prentice Hall
- iii. **Murdock , G.P.** : Social Structure , Macmillan
- iv. **The Centre for Research on Families and Relationships :**
www.crfr.ac.uk/index.htm

MODULE 7

Social Stratification

- ❖ Nature of social classes
- ❖ Family as the unit of class
- ❖ Class Endogamy
- ❖ Ranking and Occupation
- ❖ Functions and Dysfunctions of Social Stratification

References :

- i. **Barber B.** : Social Stratification : A Comparative Analysis of Structure and
Process , Harcourt , Brace
- ii. **Bendix R. & Lipset S.M** : Class , Status and Power: A Reader in Social
Stratification

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Constitutional Law - I



COURSE OUTLINE

Module 1: Introduction

Concepts of Constitution, Constitutional Law and Constitutionalism, Is constitutional law a positive law or a positive morality – history of constitutional law – Forms and character of various models of constitution – written and unwritten – secondary rules of governance vis-à-vis Constitution – unitary vis-à-vis federal – rigid vis-à-vis flexible – Parliamentary vis-à-vis Presidential

Module 2: History of Constitution of India: Formation of Constituent Assembly, drafting of the Constitution of India and various interaction of forces, adoption of the Constitution of India and promulgation – 1946 through 1950.

Module 3: Preamble: Basic structure of the Constitution of India – is that in Preamble – various political framework of the Constitution of India – various interpretation of Sovereign democratic – republic – can preamble be amended – 42nd amendment, would it fall in basic structure – secular, various meaning and the constitutional interpretation in India – socialist, various forms and Indian interpretation

Functional concepts like Justice, social, economic and political – issues arising, Liberty, Equality of status and opportunity and Fraternity balancing dignity of the individual with the security of the country

[Keshavananda Bharati v. State of Kerala, AIR 1973 SC 1461; Excel Wear v. Union of India AIR 1979 SC 25; Bhim Singhji v. Union of India, AIR 1981 SC 234; State of Kerala v. N.M.Thomas AIR 1976 SC 490 Waman Rao v. Union of India AIR 1981 SC 271; Minerva Mills Ltd. V. Union of India AIR 1980 SC 1789, Dharwad Employees v. State of Karnataka, AIR 1990 SC 883]

Module 4: Citizenship: Citizenship at the commencement of the constitution – rights under migration due to partition – voluntary acquisition of citizenship – two basic character of citizenship rule, *jus soli*, and *jus sanguini* – acquisition and termination of citizenship, citizenship Act 1955, dual citizenship.

[Louis De Raedt v Union of India AIR 1991 SC 1886, Joshi v Madhya Bharat AIR 1955 SC 334, Kuldip Nayar v Union of India AIR 2006 SC 3127, Hari Shankar Jain v Sonia Gandhi AIR 2001 SC 3689, Hans Muller of Nuremberg v Superintendent Presidency Jail, Calcutta AIR 1955 SC 367, Sarbananda Sonowal v Union of India AIR 2005 SC 2920, State trading Corporation v Commercial taxation Officer AIR 1963 SC 1181, Bennet Coleman & Co. v Union of India AIR 1973 SC 106]

Module 5: Fundamental Right: Concept of fundamental rights against the state, concept of State, Laws in consistent with Fundamental Rights

[Lena Khan v. Union of India, AIR 1987 SC 1515, Bank of India v. O.P.Swarankar, AIR 2003 SC 858; Golak Nath v. State of Punjab, AIR 1967SC 1643, Ramana v. International Airport Authority AIR 1979 SC 1628, Rajasthan State Electricity Board v Mohanlal AIR 1967 SC 1857, Sukhdev v Bhagatram AIR 1975 SC 1331, R D Shetty v International Airport Authority AIR 1979 SC 1628, Som Prakash v Union of India AIR 1981 SC 212, Ajay Hasia v Khalid Mujib AIR 1981 SC 487, Pradeep Kumar Biswas v Indian Institute of Chemical Biology (2002) 5 SCC 111, Zee Telefilms v Union of India (2005) 4 SCC 649, S C Chandra v State of Jharkhand (2007) 8 SCC 279.] Keshavan Madhava Menon v. State of Bombay, AIR 1951 SC 128; State of Bombay v. F.N Balsara ,AIR 1951 SC 318; Bhikaji Narain Dhakras v. State of M.P, AIR 1955 SC 781; R.C Cooper v. Union of India, (1970) 1 SCC 248]

Module 6: Right to Equality (Article 14): General principles of the negative nature of the right – equality before the law – equal protection of law - arbitrary action and discretion- Executive action

[State of West Bengal v. Anwar Ali AIR 1951 SC 75; Charanjit Lal Chowdhury v. Union of India, AIR 1951 SC 41; Dharam Dutt v. Union of India, AIR 2004 SC 1295; State of West Bengal v. Anwar Ali Sarkar, AIR 1952 SC 75; Kedar Nath Bajoria v. State of West Bengal, AIR 1953 SC 404; Maganlal Chhaganlal (P) Ltd. V. Municipal Corporation of Greater Bombay, (1974) 2 SCC 402; Natural Resources Allocation, re, Special Reference no.1 of 2012, (2012) 10 SCC 1; Khyerbari Tea Co. Ltd. v. State of Assam, AIR 1964 SC 925; K.T. Moopil Nair v. State of Kerala 1961 SC 552; R.K.Garg v. Union of India, AIR 1981 SC 2138; E.P. Royappa v. State of Tamil Nadu, AIR 1974 SC 555; Mithu v. State of Punjab, AIR 1983 SC 473]

Module 7: Reservation (Article 15 & 16): General principle of reservation vis-à-vis affirmative action in US – Pull and push process of reservation – reservation vis-à-vis principle of equality and state special responsibility create of substantial basis of negative application of principle of equality – general principle of non-discrimination - special provision for women and children – state special responsibility for advancement of socially and educationally backward community or scheduled caste and scheduled tribes

[D.P Joshi v. State of Madhya Bharat, AIR 1955 SC 334; Saurabh Chaudri v. Union of India, AIR 2004 SC 361; Yusuf Abdul Aziz v. State of Bombay, AIR 1954 SC 321; State of Madras v. Champakam Dorairajan, AIR 1951 SC 226; M.R Balaji v. State of Mysore, AIR 1963 SC 649; R. Chitralakha v. State of Mysore, AIR 1964 SC 1823; P. Rajendran v. State of Madras, AIR 1968 SC 1012; K.C Vasanth Kumar v. State of Karnataka, AIR 1985 SC 1495; Indra Sawhney v. Union of India, AIR 1993 SC 477; Ashoka Kumar Thakur v. State of Union of India, (2008) 6 SCC 1; T. Devadasan v. Union of India, AIR 1964 SC 179; Akhil Bharatiya Soshit Karamchari Sangh (Railway) v. Union of India, (1981) 1 SCC 246; Preeti Srivastava v. State of M.P. , (1999) 7 SCC 120; Pradeep Jain v. Union of India, (1984) 3 SCC 654; Nishi Maghu v. State of J & K, AIR 1980 SC 1975; P.A. Inamdar v. State of Maharashtra, (2005) 6 SCC 537; E.V. Chinnaiiah v. State of Andhra Pradesh, AIR 2005 SC 162; State of Bihar v. Bal Mukund Shah, AIR 2000 SC 1296; M.Nagraj v. Union of India, AIR 2007 SC 71; Union of India v. Virpal Singh Chauhan, AIR 1996 SC 448; Dinesh Kumar v. Union of India, AIR; Dinesh Kumar v. Motilal Nehru Medical College, Allahabad, AIR 1985 SC 1059; Jagdish Saran v. Union of India, AIR 1980 SC 820; Faculty Association Of A.I.I.M.S v. Union Of India & Ors, CIVIL APPEAL NO. 4500 of 2002, decided on July 18, 2013]; A.I.I.M.S. Students Union v. A.I.I.M.S, AIR 2001 SC 3262; Dr. Sadhana Devi v. State of U.P, AIR 1997 SC1120; U.P Power Corporation v. Rajesh Kumar, (2012) 7 SCC 1]

Module 8: Protection of civil rights: freedom of speech and expression – assembly without arms, to form association and unions, freedom of movement, reside at any part of the country and freedom of practice any profession or to carry any occupation, trade or business – reasonable restriction – reasonableness in restriction on bandh, aid

patients, slaughter of bulls, business with government – criteria of validity of restriction

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[Romesh Thappar v. State of Madras, AIR 1950 SC 124; Sakal Papers Ltd. v. Union of India, AIR 1962 SC 305; Bennett Coleman & Co. v. Union of India, AIR 1973 SC 106; Tata Press Ltd. v. MTNL, AIR 1995 SC 2438; CPI(M) v. Bharat Kumar, AIR 1998 SC 184; K. Abbas v. Union of India, AIR 1971 SC 481; Menaka Gandhi v. Union of India, AIR 1978 SC 597; Prabha Dutt v. Union of India, AIR 1982 SC 6; Ministry of Information & Broadcasting, Govt. Of India v. Cricket Association of Bengal, AIR 1995 SC 1236; Union of India v. Naveen Jindal, AIR 2004 SC 1559; PUCL v. Union of India, AIR 2003 SC 2363; UOI v. Association of Democratic Reforms, AIR 2002 SC 2112; Kuldeep Nayar v. UOI, AIR 2006 SC 3127; Ranjit D. Udeshi v. State of Maharashtra, AIR 1965 SC 881; S.Khushboo v. Kanniammal, AIR 2010 SC 3196; State of Madhya Pradesh v. Bharat Singh, AIR 1967 SC 1170; Kharak Singh v. State of U.P, AIR 1963 SC 1295; A.K Gopalan v. State of Madras, AIR 1950 SC 27; Nashirwar v. State of M.P, AIR 1975 SC 360; Sodan Singh v. New Delhi Municipal Committee, AIR 1989 SC 1988; Chintamanrao v. State of M.P, AIR 1951 SC 118; State of Gujarat v. Mirzapur Moti Kureshi Kassab Jamat, (2005) 8 SCC 534; Excel Wear v. UOI, AIR 1979 SC 25; Hathisingh Co. Ltd. v. UOI; AIR 1960 SC 923]

Module 9: Protection to offenders: (a) not to be punished except for violation of a law in force, - no retrospective application, (b) penalty not greater than as prescribed by law on the date of causation (c) no double jeopardy (d) not to be self incriminated , (e) protection against arrest and detention (Article 22) 198 [State of Rajasthan v. Hat Singh AIR 2003 SC 791 Mr. X v. Hospital Z AIR 1999 SC 495 R.K.Dalmia v. Delhi Administration AIR 1962 SC 1821, Gopalan v. State of Madras, AIR 1950 SC 27, Rattan Lal v. State of Punjab, AIR 1965 SC 444; Zahira Habibullah H. Sheikh v. State of Guasjrat, (2004) 4 SC 158; Nandini Satpathy v. P.I. Dani, AIR 1978 SC 1025; State of Bombay v. Kathi Kalu Oghad, AIR 1961 SC 1808; Mohd. Dastagir v. State of Madras, AIR 1960 SC 756; Selvi v. State of Karnataka, AIR 2010 SC 1974; D.K Basu v. State of W.B, AIR 1997 SC 610; State of M.P v. Shobharam, AIR 1966 SC 1910; A.K Roy v. UOI, AIR 1982 SC 710]

Module 10: Protection of Life and liberty: Procedure established by law and due process – distinguished, Fair procedure, handcuffing, right to housing, right to property, legal aid, natural justice, duty to bring to trial, right to health, right to food, right to environment, preventive detention, right against torture, right to die

[Munn v. Illinois, 94 U.S 113 (1877); Francis Coralie v. UT of Delhi, AIR 1981 SC 746; Bandhua Mukti Morcha v. UOI, AIR 1984 SC 802; Unni Krishnan, J.P v. State of A.P, AIR 1993 SC 2178; Bodhisattwa Gautam v. Subra Chakraborty, (1996) SC 490; M.C Mehta v. UOI, AIR 2004 SC 4016; T.N. Godavarman Thirumulkpad v. UOI, AIR 1997 SC 1228; Gian Kaur v. State of Punjab, AIR 1996 SC 946; Gobind v. State of M.P, AIR 1975 SC 1378; State of Maharashtra v. Prabhakar Pandurang, AIR 1966 SC 424; ADM Jabalpur v. Shivakant Shukla, AIR 1976 SC 1207; Hussainara Khatoon v. State of Bihar, AIR 1979 SC 1369; Triveniben v. State of Gujrat, AIR 1989 SC 1335; Shatrughan Chauhan & Anr. v. Union Of India & Ors, (2014) 3 SCC 1; Devender Pal Singh Bhullar & Anr v. State Of NCT of Delhi, WRIT PETITION (CRIMINAL) D.NO. 16039 OF 2011, on 12 April, 2013 ; Society for Unaided Schools of Rajasthan v. UOI, AIR 2002 SC 3445; D.C Wadhawa v. State of Bihar, AIR 1987 SC 579; Bodhisattwa Gautam v. Subra Chakraborty, (1996) SC 490; Bandhua Mukti Morcha v. UOI, AIR 1984 SC 802; Nilabati Behera v. State of Orissa, AIR 1993 SC 1960; Vishaka v. State of Rajasthan, AIR 1997 SC 3011; Upendra Baxi v. State of U.P, AIR 1987 SC 191; Lakshmi Kant Pandey v. UOI, AIR 1984 SC 469; Bhim Singh v. State of J&K, AIR 1986 SC 494; Rudul Shah v. State of Bihar, AIR 1983 SC 1086.]

Module 11: Right to education: Free education upto 14 years of age- Freedom of Education Act

[J.P.Unnikrishnan v. State of Andhra Pradesh AIR 1993 SC 2178]

Module 12: Right against exploitation: prohibition against child labour, bonded labour, traffic of human being, beggar,

[Gaurav Jain v. Union of India AIR 1990 SC 1412; People's Union for Democratic Rights v. UOI, AIR 1982 SC 1473; Sanjit Roy v. State of Rajasthan, AIR 1983 SC 328; M.C Mehta v. State of T.N., AIR 1997 SC 699]

Module 13: Right to Freedom of Religion, and minority interest: Secularism in Indian constitution- restriction that can be imposed- freedom to manage religious affairs – profess, practice and propagate – controversy on conversion – protection of minority culture and educational right – minorities right to establish and administer educational Institution- regulatory requirements – need for standard setting and

[Bijoe Emmanuel v. State of Kerala, AIR 1987 SC 748; S.P Mittal v. UOI, AIR 1983 SC 1; Commissioner of Police v. Acharya Jagadishwarananda, AIR 2004 SC 2984; Rev. Stainislaus v. State of M.P, AIR 1977 SC 908; Lily Thomas v. UOI, AIR 2000 SC 1650; Syedna Taher Saifuddin Saheb v. State of Bombay, AIR 1962 SC 853; Shri Jaggannath Temple Puri Mgmt. Committee v. Chintamani Khuntia, AIR 1997 SC 3839; Bira Kishore Deb v. State of Orissa, AIR 1964 SC 1501; Shri Adi Visheshwara of Kashi Vishvanath Temple v. State of U.P, (1997) 4 SCC 606; Shastri Yaganapurushdasji v. M.B. Vaishya, AIR 1966 SC 1119; Seshammal v. State of T.N. , AIR 1972 SC 1586; St. Stephens College v. University of Delhi, AIR 1992 SC 355; State of Bombay v. Bombay Education Society, AIR 1954 SC 561; Pai Foundation v. State of Karnataka, AIR 2003 SC 355; Islamic Academy of Education v. State of Karnataka, (2003) 6 SCC 697; P.A. Inaamdar v. State of Maharashtra, AIR 2005 SC 3226; Secy, Malankara Syrian Catholic College v. T. Jose, (2007) 1 SCC 386; Society for Unaided Schools of Rajasthan v. UOI, AIR 2002 SC 3445; Keshvananda Bharati v. State of Kerala, AIR 1973 SC 1461; Bhim Singh Ji v. UOI, AIR 1981 SC 234; R.C Cooper v. UOI, AIR 1979 SC 248; State of Kerala v. Gwalior Rayon Silk Mfg. Co. Ltd, AIR 1973 SC 2734; Madhava Rao Scindia v.UOI, AIR 1971 SC 530;I.R Coelho v. State of T.N, AIR 2007 SC 861; Minerva Mills v. UOI, AIR 1986 SC 2030;]

Module 14: Right of Constitutional remedies: Nature and need for distinctive constitutional remedies distinguished from legal remedies – types of remedies – habeas corpus, mandamus, prohibition, quo warranto, and certiorari – nature and procedure of these writs – right to move to the Supreme Court is a fundamental right in itself – basic features – laches or unreasonable delay in instituting writ petition – limits of writ jurisdiction – natural justice – public interest litigation –

[Haji Esmail v. Competent Officer, AIR 1967 SC 1244; FCI Workers v. Food Corporation of India AIR 1990 SC 2178; Ratlam Municipality v. Vardichand, AIR 1980 SC 1622; M.C.Mehta v. Union of India AIR 1987 SC 1086, and AIR 1999 SC 2583; Pramod v. Medical Council, (1991) 2 SCC 179,]

Module 15 : Directive Principles of state policy: Non-binding character of the policies – social and welfare perspectives – positive aspects of DPSP – certain principles such as adequate livelihood, use of material resources to subserve the common good, economic system not to produce common detriment, equal pay for equal work, health and strength of workers not to be abused, opportunities to be given to children to develop, equal justice and free legal aid, - Cohesion of fundamental right and directive principles –

Module 16: Debate on Uniform Civil Code:

[Ahmedabad Women Action Group v. Union of India AIR 1997 SC 3614]

Module 17: Promotion of International Peace and security: Dualism as practiced in India- National Court to harmoniously interpret – Power to implement treaties to the Union -

[Civil Right Committee v. Union of India AIR 1983 Kant 85; In Re. Berubari AIR 1960 SC 845; Vishakha v. State of Rajasthan, AIR 1997 SC 3011]

Module 18: Local self government as a directive principle : Constitutional amendments and the present constitutional position of three tier governance

Module 19 : Other Principles: Fundamental principle is of social welfare, like, humane condition of work and maternity relief – workers participation in management - living wages, childhood care, promotion of economic and educational interest of scheduled caste and scheduled tribes

Module 20: Fundamental duties of the citizens

Reference Books

P.M.Bakshi, Constitution of India, Universal
M.P.Jain Indian Constitutional Law, Wadhwa
Granville Austin The Constitution of India, Oxford
Basu Constitutional Law of India, Prentice Hall of India 200
Kashyap Perspectives of the Constitution Shypra
J.N.Pandey, Constitution of India Central Law Agency,
Seervi Constitutional Law of India N.M.Tripathy

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Law of Contract - II



Course Outline:

Module – I

Contract of Indemnity – Documents/Agreements of Indemnity - Definition, Nature and Scope - Rights of indemnity holder – Commencement of the indemnifier’s liability – Contract of Guarantee – Definition, Nature and Scope – Difference between contract of indemnity and Guarantee – Rights of surety – Discharge of Surety – Extent of Surety’s liability – Co-surety.

Contract of Bailment – Definition – Kinds – Duties of Bailer and Bailee – Rights of Finder of goods as Bailee – Liability towards true owner – Rights to dispose of the goods.

Contract of pledge – Definition – Comparison with Bailment – Rights and duties of Pawnor and Pawnee

Case Studies:

1. New India Assurance Company Ltd. v. Kusumanchi Kamleshwar Rao and another 1997 (9) SCC 179
2. United India Insurance Company v. M/s. Aman Singh Munshilal A.I.R. 1994 P. &h. 206
3. Secretary of State v. The Bank Of India Ltd., A.I.R. 1938 P.C. 191.
4. Sham Sunder v. Chandu La, AIR 1935, Lahore 974
5. Gajanan Moreshwar v. Moreshwar Madan, A.I.R. 1942 Bom, 302, at 304.
6. Oriental Fire and General Insurance Co. Ltd. v. Murlidhar Gopikissen Pvt. Ltd. AIR 1985 Cal 301: 1985 Arbi LR 387
7. Nagpur N.S. Bank v. Union of India, A.I.R. 1981 A.p. 153, at 158.
8. EMCO Pressmaster Pvt. Ltd. v. Union of India AIR 2000 Del 37
9. National Building Construction Corporation Ltd. v. State Bank of Patiala AIR 1993 Del 89
10. Association of Corporation and Apex Societies of Handlooms v. State of Bihar AIR 2000 Del 106
11. DLF Cement Ltd. v. Inspector of Police AIR 1999 AP 359
12. Jagdish Chandra Trikha v. Punjab National Bank AIR 1998 Del. 266
13. National Bank of Lahore v. Sohan Lal AIR 1962 Punjab 534
14. Ram Gulam v. Govt. of U.P. AIR 1950 All 106
15. L.M. Co-operative Bank v. Prabhudas Hathibhai AIR 1966 Bom. 134
16. Standard Chartered Bank v. Custodian AIR 2000 sc 1488
17. K.S. Nagalmbika v. Corporation Bank, Virajpet AIR 2000 Kant. 201
18. Central Bank of India v. Kesharao Narayanrao Patil, (200%) (1) BC 58 (Ori)
19. Philips v. Brooks Ltd. (1919) 2 K.B. 243
20. Belgaum Pioner Urban Co-op. Credit Bank v. Satyapromoda AIR 1962 Mys. 48
21. M. R. Dhawan v. Madan Mohan AIR 1966 Delhi 313, 315
22. Dhani Ram & Sons v. Frontier Bank Ltd. AIR 1962 Punjab 321
23. KM Hidayathulla v. Bank of India AIR 2001 Mad. 251
24. Bank of Maharashtra v. Racman Auto (p.) Ltd. AIR 1991 Delhi 278
25. Central Bank of India v. Grains and Gunny Agencies AIR 1989 MP28

Module – II

Agency – Definition – Creation of Agency – Kinds of Agents – Distinction between Agent and Servant – Rights and Duties of Agent – Relation of Principal with third parties – Delegation – Duties and Rights of Agent – Extent of Agents authority – Personal liability of Agent – Termination of Agency.

Case Studies:

1. Keighley, Maxsted & Co. v. Durant (1901) AC 240
2. Kelner v. Baxter (1866) LR 2 CP 174
3. Badri Prasad v. State of Madhya Pradesh AIR 1966 SC 58
4. Saroj Kapur v. Nitin Casting Ltd. AIR 1987 Delhi 349
5. Keppel v. Wheeler (1927) 136 LT 203
6. National Bank of Lahore v. Sohanlal AIR 1962 Punjab 534

Text Book

1. Avtar Singh. “Contract and Specific Relief”, Eastern Book Company, 10th Edition, Lucknow, 2010.

Reference Book

2. B S Ramaswamy, “ Contracts and their Management, Lexis Nexis Butterworth, 3rd Edition, New Delhi 2008
3. H.K Saharay, “Dutt on Contract”, Eastern Law House, 10th Edition, Kolkata, 2006
4. G C Bharuka, “Mulla on The India Contract Act”, 12th Edition, Lexis Nexis Butterworths Wadhwa, Nagpur 2009
5. Venkoba Rao’s Law of Agency, 3rd Edition, Butterworths, New Delhi, 2001

Module – III

Indian Partnership Act – Definition – Nature, Mode of determining the existence of

Partnership – Relation of Partner to one another – Rights and duties of partner – Relation of partners with third parties – Types of partners – Admission of partners – Retirement – Expulsion – Dissolution of Firm – Registration of Firms.

Case Studies

1. Mahabir Cold Storage v. CIT, AIR 1991 SC 1357
2. C.I.T. v. Shah Mohandas Sadharam, AIR 1966 SC15
3. Sharad Vasant Kotak v. Ramniklal Mohanlal Chawda (1998) 2 SCC 171
4. Ganga Metal Refining Company v. Commissioner of Income-tax, West Bengal, AIR 1967 Cal. 434
5. Mahadeodas v. Gherulal Parekh, AIR 1958 Cal. 703
6. K. Jaggaiah v. Kokumanu AIR 1984 A.P. 149
7. Munishi Abdul Latif v. Gopeswar AIR 1933 Cal 204 : 56 Cal L.J 172
8. R.N. Kothare v. Hormasjee, AIR 1927 Bom 187
9. Dulichand Laxminarayan v. Commissioner of Income-Tax, (1956) 29 T.L.R. 535
10. Mahendra Kumar v. State of Madras, AIR 1968 Mad. 241
11. Sanganer Dal and Flour Mill v. F.C.I, AIR 1992 S.C 481
12. Dena Bank v. Bhikhabai Prabhudas Parekh and Co. and others, 2000 (5) SCC 694

Text Book

1. Pollock and Mulla, “ The Indian Partnership Act”, 7th Edition, Lexis Nexis Butterworths, New Delhi 2007

Reference Book

2. S.D. Singh, J.P. Gupta, “Law of Partnership in India”, 15th Edition, Orient Law House, New Delhi.
3. H.K. Saharay, “Indian Partnership and Sale of Goods Act”, R.Combray and Co. P.Ltd, Kolkata, 2004
4. V.S.Vadivel, “Partnership Firms”, 3rd Revised Edition, Snow white, Mumbai, 2008

5. Dr. Madhusudhan Saharay, “Indian Partnership Act”, Universal Law Publishing Co. New Delhi, 2010
6. Satyajeet Desai, “ The Law of Partnership in India”, 7th Edition, Wadhawa, Nagpur, 2009

Module – IV

Sale of Goods Act – The Contract of sale – Conditions and Warranties – Passing of Property – Transfer of title – Performance of the Contract – Rights of Unpaid Seller Against goods – Remedies for Breach of Contract

Case Studies:

1. Andhra Sugar Ltd. v. State of A.P AIR 1968 SC 599
2. Coffee Board, Karnataka v. Commissioner of Commercial Taxes, AIR 1988 SC 1487
3. M/s Mukesh Kumar Aggrawal and Co. v. State of M.P, AIR 1988 S.C 563
4. Associated Power Co. Ltd v. Ram Taran Roy, AIR 1970 Cal. 75
5. H. Anraj v. Govt of Tamil Nadu AIR 1986 SC 63
6. Vijay Minerals Pvt. Ltd v. Bikash Chandra Deb AIR 1996 Cal. 67
7. Aluminium Industries Ltd. v. Minerals and Metals Trading Corpn, AIR 1998 Mad. 239
8. Union of India v. Tarachand AIR 1976 M.P. 101
9. State of Gujarat v. Variety Body Builders AIR 1976 SC 2108
10. Jagdish Radhakisan v. Ramesh S. Wagh AIR 2001 Bom 152
11. In re Andrew Yule and Co. AIR 1932 Cal. 879

Text Book

1. P. Ramanath Aiyar, Law of Sale of Goods”, 8th Edition, Universal Law Publishing Co. Delhi, 2007

Reference Book

2. R.Chakraborty, “Law of Sale of Goods And Partnership”, 1st Edition, Orient Publishing Company, Allahabad, 2007
3. Dr. Madhusudan Saharay, “Sale of Goods and Hire Purchase”, Universal Law Publishing Co., New Delhi, 2010

4. Justice. P. Narayna, "Law of Caveats", First Edition, Asian Law House, Hyderabad, 2006
5. S.D. Singh, J.P. Gupta, "Law of Partnership in India", 15th Edition, Orient Law House, New Delhi.
6. H.K. Saharay, "Indian Partnership and Sale of Goods Act", R.Combray and Co. P.Ltd, Kolkata, 2004

Module – V

Hire Purchase Act 1972 – Rights and Obligation of the Hirer and Owner, Form and Contents of Hire Purchase Agreements, Warranties and Conditions - Standard Form of Contracts: 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.

Text Book

Hire Purchase Act, 1972

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Theories of Crime and Punishment

COURSE OUTLINE



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Module 1: General principles on criminal law

Nature, Definition and elements of crime

General Principles of Criminal Liability

Module 2: Criminological Theories

Pre classical, Classical, Neo-classical Thoughts Currents

Positive Theories

Psychological Theories

Sociological Theories

Radical Theories

Sociological theory of crime

Module 3: Crime and Justice

Restorative Justice

Theories of Punishment

Victimology

Plea Bargaining

Sentencing Policy in India

Prison Reforms

Alternatives to Punishment

Module 4: Crime against vulnerable groups

Domestic Violence

Juvenile Justice

Module 5: Socio-Economic Crimes: Origin and Development

White Collar Crimes

Socio- economic Crimes: Origin and Development

Socio-Economic Laws in India:

Narcotic Drugs and Psychotropic Substances Act, 1985

Prevention of Corruption Act, 1988

Module 6: Organized Crime:

Definition

Main characteristics

Anti terrorism laws

Suggested Readings*

BOOKS

1. Andrew Ashworth, Principles of Criminal Law (2009).
2. Baker Denis J., Glanville Williams, Text Book of Criminal Law (2012).
3. Jerome Hall, General Principles of Criminal Law (1960).
4. K.N.C. Pillai, General Principles of Criminal Law (2005).
5. R.C. Nigam, I Law of Crimes in India (1965).
6. Smith & Hogan's Criminal Law (2011)
7. V.B. Raju, Commentary on Indian Penal Code, 1860 (1982).
8. N.V. Paranjape, Criminology and Penology (2010).

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Money, Banking & Public Finance



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COURSE OUTLINE

MODULE 1- Introduction to Monetary Economics

- Money – Meaning, features, types and functions
- Money Supply – Meaning and types
- High Powered money & Money Multiplier
 - Exchange rate systems
- Depreciation and devaluation – concept & impact on economy.

Recommended Readings

1. Handa, Jagdish., Business & Economics, Routledge, 2008
2. Koutsoyiannis, A., Modern Economics, Mc GrawHill, London, 1979
3. Shapiro, Edward., macro Economic Analysis, Galgotia Publications Private Limited, new Delhi, 2007
4. Samuelson PA and Nordhaus WD, Economics, Seventeenth Edition, Tata McGraw Hill, New Delhi, 1998.
5. Bhatia, H L., Public finance, Vikas Publications, 16 edition.

MODULE 2 – Monetary Policy & Financial markets

- Monetary Policy – Meaning, & Objectives
- Tools of Monetary Policy
- Money Market – Meaning, Features & constituents
- Capital Market – Meaning, Features & constituents
- Quantity theory of money – Fisher & Cambridge Version
- Friedman approaches

Recommended Readings

1. Bruce Champ, Scott Freeman, Joseph Haslag., Modeling Monetary Economies., Cambridge University Press, 2011
2. William E. Gibson, George G. Kaufman., Monetary economics: readings on current issues, Tata McGraw Hill
3. Samuelson PA and Nordhaus WD, Economics, Seventeenth Edition, Tata McGraw Hill, New Delhi, 1998.
4. Musgrave, Richard., Public Finance – theory & practice., Tata Mc Graw Hill Publications, 5th edition.
5. Dwivedi, D N., Macro Economics: Theory & Policy, Tata Mc Graw Hill Publications
6. Pathak, Bharti V., Indian Financial system: Markets, Institutions & Services, Pearson Education, 7th edition.

MODULE 3 – Banking & Standards in banking

- Banking - Meaning & Classification
- Functions & Importance of Commercial Banks
- Position during pre & post nationalization
- Banking crisis & mitigation
- Central banking – functions, quantitative & qualitative credit control methods,
- Limitations & role of RBI
 - Introduction to Basel Norms

Recommended Readings

- 1 Mithani, D.M., Public Finance: Theory and Practice., Himalaya Publication, 2006
2. Agarwal, Vanita., Pearson Education , India
4. Michl, Thomas R., Macroeconomic Theory: A Short Course, M . E. Sharpe
5. Harvey S. Rosen., Public Finance, 2007

MODULE 4 – Public Finance

- Meaning, types, nature & scope of public finance

- Change in character of public finance through international financial instruments & issues involved
- Public & private finance
- Public revenue – meaning & sources
- Taxation – meaning & types
- Principles & canons of taxation
- Tax incentives
- Double tax relief

Recommended Readings

1. Seth, M L., Macroeconomic Analysis, Lakshmi Narain Publications, 29th edition, 2012
2. Gupta, G S., Tata Mc Graw Hill, 2nd edition, 2004
3. Chand S N, Public Finance., Atlantic Publishers & Distributors

MODULE 5 - Public finance

- Public expenditure – Meaning & principles of Public Expenditure
- Public Debt – Meaning & types
- Debt management – meaning & methods
- Debt restructuring – issues on sovereign debt restructuring during the past decades & methods to resolve the issues with appropriate mechanism.

❖ Discuss latest budget

Recommended Readings

1. Mithani, D M., Macroeconomics. Himalaya Publications
2. Agarwal, Vanita., Pearson Education , India
3. Samuelson PA and Nordhaus WD, Economics, Seventeenth Edition, Tata McGraw Hill, New Delhi

Other Recommended Readings

Rosen Harvey S., Gayer Ted, Public Finance., Tata McGraw Hill, 8th edition

Christoffersen, H., Beyeler, M., Eichenberger, R., Nannestad, P., Paldam, M., “The Good Society”., Springer Publishers.

Handa, Jagdish., “Monetary Economics” Routledge publications, 2008

Kumar Ravi T., “Indian Banking in Transition: Issues and Challenges”., Visison Books, 2000.

“The great crash: The meaning of Lehman” ; The Economist

Mid-Quarter Monetary Policy Review: September 2013; <http://www.rbi.org.in>

http://www.indg.in/financial-literacy/financial_quiz/relationship_between_banker_and_customer.pdf

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Human Resource Management

COURSE OUTLINE

MODULE 1- INTRODUCTION TO HUMAN RESOURCE MANAGEMENT

- Definition and concept of HRM and personnel Management.
- Importance of HRM.
- Activities and functions of HRM.
- Organization of H.R.M. department, Role of HRM Department.
- Limitations of HRM, Challenges before HRM.

Recommended Readings

1. K. Aswathappa, (2009): Human Resource Management- Text & Cases 5e, India, McGraw Hill.
2. Dessler & Varkkey, (2010): Human Resource Management 11e, India, Prentice Hall.

MODULE 2 – HUMAN RESOURCE PLANNING

- Definition and objectives of Human Resource Planning, Process of Human Resource Planning, Factors influencing estimation of Human Resources.
- Concept of Recruitment, Recruitment policy, Sources of Recruitment
- Selection and its procedure.

Recommended Readings

1. K. Aswathappa, (2009): Human Resource Management- Text & Cases 5e, India, McGraw Hill.
2. Dessler & Varkkey, (2010): Human Resource Management 11e, India, Prentice Hall.

MODULE 3 – PERFORMANCE APPRAISAL

- Concept and objectives of Performance Appraisal.
- Process of Performance Appraisal.



- Methods of Performance Appraisal.
- Uses and limitations of Performance Appraisal.

Recommended Readings

1. K. Aswathappa, (2009): Human Resource Management- Text & Cases 5e, India, McGraw Hill.
2. Dessler & Varkkey, (2010): Human Resource Management 11e, India, Prentice Hall.

MODULE 4 – TRAINING & DEVELOPMENT

- Meaning and Definition of Training.
- Need, objectives and importance of Training.
- Training Methods, Evaluation of Training Programme.
- Concept of Management Development, Management Development Process and methods.
- Evaluation of Management Development Programme.

Recommended Readings

1. K. Aswathappa, (2009): Human Resource Management- Text & Cases 5e, India, McGraw Hill.
2. Dessler & Varkkey, (2010): Human Resource Management 11e, India, Prentice Hall.

MODULE 5 – WAGE AND SALARY ADMINISTRATION

- Methods of wage payments.
- Employee Remuneration, factors determining the level of remuneration.
- Profit sharing, Fringe Benefits and Employee services.
- Wages & Salary Administration.

Recommended Readings

1. K. Aswathappa, (2009): Human Resource Management- Text & Cases 5e, India, McGraw Hill.
2. Dessler & Varkkey, (2010): Human Resource Management 11e, India, Prentice Hall.

Other Recommended Readings

1. Dessler & Varkkey, (2010): Human Resource Management 11e, India, Prentice Hall.
2. Decenzo & Robbins, (2006): Fundamentals of Human Resource Management, Wiley.
3. Dipak Kr. Bhattacharyya, (2010): Human Resource Management 2e, India, Excel Books.
4. Bernardin, (2007): Human Resource Management- An Experimental Approach, India, TATA McGraw Hill.
5. Snell & Bohlander, (2008): Human Resource Management, India, South- Western Cengage Learning

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Political Science III - International Relations



COURSE OUTLINE

MODULE 1

The science of International Relations, Methods to study International Relations various actors of International Relations: State, People, Resources, international Organizations, Non-Governmental Organization

RECOMMENDED READINGS

1. Introduction in John Baylis, Steve Smith & Patricia Owens, The Globalization of World Politics, OUP, London, 4th ed. 2008
2. Introduction in Norman D. Palmer & Howard C. Perkins, International Relations: The World Community in Transition, CBS Publishers & Distributors, ND, 1985
3. Introduction in Joshu Goldstein and Jon C. pevhouse in International relations Pearson, 10th Edition
4. State in B.S. Murthy International Relations and Organization, Eastern Book Company
5. People in B.S. Murthy International Relations and Organization, Eastern Book Company
6. International Organization in B.S. Murthy International Relations and Organization, Eastern Book Company

7. Non- Governmental Organization in B.S. Murthy International Relations and Organization, Eastern Book Company
8. Transnational Actors and International Organizations in John Baylis, Steve Smith & Patricia Owens, The Globalization of World Politics, OUP, London, 4th ed. 2008

MODULE 2

Concept of power, Limitations on State Power: International Morality, Law, Public opinion, Retaliation and War

1. Power in John Baylis, Steve Smith & Patricia Owens, The Globalization of World Politics, OUP, London, 4th ed. 2008
2. Hans J. Morgenthau, Politics Among Nations: The Struggle for Power & Peace, Kalyani Publishers (Indian Reprint), ND 1997
3. International Morality in B.S. Murthy International Relations and Organization, Eastern Book Company
4. Public Opinion in B.S. Murthy International Relations and Organization, Eastern Book Company
5. War in B.S. Murthy International Relations and Organization, Eastern Book Company
6. International Organization, Law and Human Rights in Joshu Goldstein and Jon C. pevhouse in International relations Pearson, 10th Edition

MODULE 3

The four instruments of diplomatic instruments: Ideological, Economic, Military and Collaboration, Competition & Conflict

1. B .S. MURTY, *The International Law of Diplomacy. The Diplomatic Instrument and World Public Order* (New Haven: New Haven Press, Dordrecht-Boston-London: Martinus Nijhoff Publishers, 1989)
2. International and Global Security in John Baylis, Steve Smith & Patricia Owens, The Globalization of World Politics, OUP, London, 4th ed. 2008

3. Military Force and Terrorism in Joshu Goldstein and Jon C. pevhouse in International relations Pearson, 10th Edition
4. International Finances in Joshu Goldstein and Jon C. pevhouse in International relations Pearson, 10th Edition

MODULE 4

United nations Organizations: General assembly, Security Council, International Court of Justice, World Trade Organization

1. United Nations by Rumki Basu Sterling Publication, 2004
2. United Nations in John Baylis, Steve Smith & Patricia Owens, The Globalization of World Politics, OUP, London, 4th ed. 2008

MODULE 5

Settlement of Disputes: Negotiations, Arbitration, Mediation, Conciliation, Judicial settlement, Collective security mechanism

1. Handbook of peaceful settlement of Disputes
<http://legal.un.org/cod/books/HandbookOnPSD.pdf>

Books

1. Hans J. Morgenthau, Politics Among Nations: The Struggle for Power & Peace, Kalyani Publishers (Indian Reprint), ND 1997
2. John Baylis, Steve Smit & Patricia Owens, The Globalization of World Politics, OUP, London, 4th ed. 2008.
3. Norman D. Palmer & Howard C. Perkins, International Relations: The World Community in Transition, CBS Publishers & Distributors, ND, 1985

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Sociology II - Society in India



COURSE OUTLINE

MODULE 1- Textual and Field View of Indian Society

- Indological Approach
- Orientalist Approach
- Structural – Functionalist Approach
- Marxist Approach

MODULE 2 – Family and Kinship

- Family and Kinship in India
- Wider ramifications of Family
- Fictive Kinship
- Family in the context of Social Change
- The Judicial background of Family and Inheritance
- Legislation on Marriage and Divorce

References for Module 1&2 :

- i. Dubey, Leela** : Sociology of Kinship (Chapt. 5),Bombay:Popular Prakashan
- ii. Karve , Irawati** : Kinship Organisation in India (Chapt. 3-8),Bombay: Asia Publishing House
- iii. Kapadia , K.M.** : Marriage and Family in India,Calcutta:OUP
- iv. Venkataraman ,S.** : A Treatise on Hindu Law(Chapt. 2,9,13),Madras: Orient Longmans Ltd.

MODULE 3 – Caste and Class

- Varna and Caste
- Scheduled Castes and Tribes – Their Place in Indian Society – Reasons for their deprived status
- Ritual ranking in the caste system
- Caste and social mobility
- Sanskritisation
- Class in India

References :

- i. Bottomore,T.B.** : A Guide to problems and Literature (Chapt. 11),India: Blackie and Sons
- ii. Ghurye, G.S.** : Caste and Race in India, Bombay:Popular Prakashan
- iii. Srinivas,M.N.** : Caste in Modern India and Other Essays, Bombay: Asia Publishing House
- iv. Tumin , Melville** : Social Stratification(Chapt. 1,2&3),New Delhi: Prentice-Hall India Pvt.Ltd.

MODULE 4 - Economy and Society

- The Jajmani System : Form and Content
- Dynamics of the Jajmani System : Social Adaptation and Change
- Caste and Landownership
- Agrarian Reforms in India: Permanent Landlords , Tenants and Land Revenue
- Industrial Development in India

- The Post – Independence Period : Income and Employment

References :

- i. Belshaw,C.S.** : Tradition and Exchange and Modern Markets, New Delhi: Prentice-Hall of India Pvt.Ltd.
- ii. Joshi,P.C.** : “Land Reforms in India and Pakistan”, Economic and Political Weekly,Vol.V,No. 52 , December 26,1970
- iii. Mandelbaum, David** : Society in India , Mumbai: Popular Prakashan
- iv. Singh,V.B.(Ed.)** : Economic History of India,1857-1956,Mumbai:Allied Publishers

MODULE 5 – Polity and Society

- ❖ Primitive , Agrarian and Industrial Political Systems
- Agrarian States
- Industrial States
- Local Polity in India : Factions , Caste Councils and Village Panchayats
- The Rise of New Pressure Group
- The Social Bases of Political Mobilisation in Free India
- Political Parties and Political Behaviour – Formal Processes

References :

- i. Harrison, Selig** : India the Most Dangerous Decades(pp.246-340),OUP
- ii. Mandelbaum, David** : Society in India, Mumbai: Popular Prakashan
- iii. Oommen,T.K.** : Social Structure and Politics(pp.90-110),Delhi: Hindustan Publishing Corporation

MODULE 6 – Education and Society

- Education in Pre-Independent India
- Education in the Post – Independent India
- Higher Education
- Education and Social Structure

References :

- i. **Gore,M.S. , Chitnis,Suma and Desai , I.P.(edn.)** : Papers in the Sociology of Education (NCERT) , New Delhi
- ii. **Siddhanta, Ranjan** : Education(Chapt.12) , New Delhi: Allied Publishers

MODULE 7 – Urban, Peasant and Tribal Communities

- Characteristics of Urban Community
- Coexistence of Rural and Urban Traits
- Distinction between Peasant and Tribal Communities
- The Core Features of Peasant Society
- Rural – Urban Disparities

References:

- i. **Bailey,F.G.** : Caste and Economic Frontier,Bombay:Oxford University Press
- ii. **Ishwaran, K.(ed.)** : Change and Continuity in Indian Villages, New York: Columbia University Press
- iii. **Oommen,T.K.** : Social Transformation in Rural India: Mobilisation and State Intervention
- iv. **Sinha,Surjit** : “Tribe-Caste and Tribe-peasant continue in Central India”, Man in India , Man in India, Vol. 45(1),1965

MODULE 8 – Women and Society

- Gender , Biology and Culture
- The Feminist Perspective
- The Social Framework
- The Political Context
- The Legislative Weapon
- The Status of Women in India

References:

- i.* **Oakley, Ann** : Sex, Gender and Society, New York: Harper and Row Publishers
- ii.* **Srinivas,M.N.** : The Changing Position of Indian Women, Delhi: OUP
- iii.* **Ombedt, Gail** : We Will Smash this Prison, New Delhi: Orient Longman

MODULE 9 – Religious Pluralism

- Religions of India
- Jainism and Buddhism
- Sikhism
- The Jews, Zoroastrians and the Bahais
- Christianity
- Islam
- Hinduism
- State and Religious Pluralism

References:

- i.* **Brass, Paul R.** : Language, Religion and Politics in North India, Cambridge : At the University Press
- ii.* **Oddie, G.A.(ed.)** : Religion in South Asia, Manohar: New Delhi
- iii.* **O’Dea, Thomas** : The Sociology of Religion, New Delhi: Prentice Hall of India

MODULE 10 – Linguistic Diversity

- Language and the Social Context
- Linguistic Pluralism of India
- Mother Tongues of India
- Linguistic Regions
- Language and Dialect
- Religion and Language
- The Official Language and Unity of India

References :

- i. **Ambedkar, B.R.** : Thoughts on Linguistic States, Bombay: Ramakrishna Press
- ii. **Gandhi, M.K.** : Thoughts on National Language, Ahmedabad, Navjivan Publishing House

MODULE 11 – Social Movements

- Emergence of Social Movements
- Religious Movements
- Caste Movements
- Tribal Movements
- Agrarian Movements
- Indian National Movement
- Labour Movement
- Student Movement
- Women's Movement

References:

- **Desai, A.R.** : The Social Background of Indian Nationalism, Mumbai: Popular Prakashan
- **Malik, S.C.** : Dissent, Protest and Reform in Indian Civilisation, Shimla: Institute of Advanced Study
- **Rao, MSA** : Social Movement and Social Transformation in India, New Delhi : Macmillan Company of India

MODULE 12 – Social Change in Independent India

- Sources of Social Change
- Cultural Interaction
- Planning
- Legislation
- Industrial – Urbanisation
- Consequences of Change
- The Direction of Change

MODULE 13 – Law and Society

- Evolution of Legal Systems
- The Significance of Law in the Continuance of Human Society
- Some Sociological Approaches to Law
- Law in Relation to Social Order in India: The interplay between Values or Norms and the Law
- Law as a means of Social Control: Micro and Macro levels in Operation
- Law and Social Change in India
- State Initiated Legal Measures
- People's Participation in Legal Change

References for Module 12 & 13:

- i. **Dube , S.C. :** Explanation and Management of Change, New Delhi :Tata McGraw Hill
- ii. **Yogendra Singh :** Modernisation of Indian Tradition ,New Delhi: Thompson Press
- iii. **Baxi , Upendra :** The Crisis of the Indian Legal System(Chapt. 3,9,10 and 11),New Delhi: Vikas Publishing House
- iv. **Iyer , Krishna :** Law and the People (A Collection of Essays),New Delhi: People's Publishing House

Recommended Reading :

- Bose, N.K. 1967, *Culture and Society in India.* (Bombay : Asia Publishing House)**
- Bose ,N.K. 1975: *Structure of Hindu Society.* (New Delhi)**
- Dube S.C.1990 :*Society in India* (New Delhi: National Book Trust)**
- Dube S.C.1995 :*Indian Village* (London : Routledge)**
- Dube S.C.1958: *India's Changing Villages* (London: Routledge and Kegan Paul)**
- Indra Deva, 2005: *Sociology of Law* (New Delhi: Oxford University Press)**
- Karve, Irawate, 1961 :*Hindu Society : An Interpretation* (Poona : Deccan College)**
- Lannoy, Richard, 1971 :*The Speaking Tree : A Study of Indian Society and Culture* (Delhi : Oxford University Press)**

Mandelbaum, D.G., 1970 :*Society in India* (Bombay:Popular Prakasham)

Srinivas, M.N., 1980 :*India : Social Structure* (New Delhi : Hindustan Publishing Corporation)

Srinivas, M.N., 1963 *Social Change in Modern India* (California, Berkeley : University of California Press)

Singh, Yogendra, 1973: *Modernization of Indian Tradition* (Delhi : Thomson Press)

Shah, Ghanshyam , 2004 : *Social Movements in India* (Sage: New Delhi)

Uberoi, Patricia, 1993 :*Family, Kinship and Marriage in India* (New Delhi : Oxford University Press)

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Constitutional law - II

COURSE OUTLINE

Module: 1: Nature of Federalism in India: Essential character of Indian Federalism, Indian Federalism distinguished from US Federalism, Is Federalism a basic structure – Is center-State relation within the Constitutional framework is the basic structure, Framework of Centre – State Relation within the contour of Articles 245 & 246 – Separation of power and Doctrine of Pith and Substance, power of delegation, Center – State Council

[Keshavananda Bharati v State of Kerala, AIR 1973 SC 1461; Indira Gandhi Nehru v. Raj Narain AIR 1975 SC 2299; State of Bihar v. Bal Mukund Sah AIR 2000 SC 1296;Valsamma Paul v. Cochin University]



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Module 2: The President of India and the character of the Republic: Presidential vis-à-vis Parliamentary form of governance – manner in which executive power is to be vested and exercised, Election of President and Vice President, term of office, qualification and eligibility, Impeachment, Oath of office, Power of the President to be exercised, power to grant pardon, Conduct of Business of the Government of India, Office of Vice President – election procedure, power and functions

[*Rao v. Indira AIR 1971 SC 1002; Ram Jawaya v. State of Punjab, AIR 1955 SC 549; State of Punjab v. Joginder Singh AIR 1990 SC 1396; Keher Singh v. Union of India AIR 1989 SC 653, Garg v Union of India AIR 1981 SC 2138, T.Venkata Reddy v State of Andhra Pradesh AIR 1985 SC 551*]

Module 3: Union Cabinet: Constitutional provision on formation of Council of Ministers – advisory function, Collective responsibility – Confidentiality of Cabinet Decisions – Other provisions – Duties of PM

[*Samsher v. State of Punjab AIR 1974 SC 2192; S.P.Gupta v. Union of India AIR 1982 SC 149; K.M.Sharma v. Devi Lal AIR 1990 SC 528; State of Karnataka v. Union of India AIR 1978 SC 68*]

Module 4: The Parliament: Bicameral Character and constitution, Composition of the House of States and House of the People, Duration, Qualification and disqualification of members, Office of Profit, sessions, Right of President to address, Special address, Officers of the Parliament and their duties, vacation including removal of, Conduct of Business, principle debarring holders of Power, Privileges and Immunities of Parliament and its Members office of profit, Salaries and allowances of members, Special procedure on Money Bill and Financial matters

[*Rao v Indira, AIR 1971 SC 1002, Indira v Rajnarayan AIR 1975 SC 2299 Pashupati v Nem AIR 1984 SC 399, Dilip v State of MP AIR 1976 SC 133, Bhagwati v. Rajeev AIR 1986 SC 1534, Union v. Gopal AIR 1978 SC 694, Kiran v Sanjiva, AIR 1970 SC 1573,*]

Module 5: Union Judiciary: Nature of Indian Judicial System with its distinctive feature, Supreme Court of India, its various powers, Judicial Appointment, Special Leave appeals, Officers of SCI

[*In Re Presidential Reference*, AIR 1999 SC 1, *S.P.Gupta v Union* AIR 1982 AIR SC 149, *Pedda Narayana v UP* AIR 1975 SC 1252, *Rajan v State of Bihar* AIR 1991 SC 1377, *Mahesh v State of Delhi* AIR 1991 SC 1108, *Balakrishna v Matha* (1991)2 SCC 203, *J.Ranga Swamy v AP* AIR 1990 SC 535

Module 6: State Executive: Governor of a state, Qualification, Appointment, term, Executive & legislative power and function; Council of Ministers

[*State of Punjab v Joginder* AIR 1990 SC 1396, *Satpal v State of Hariyana* AIR 2000 SC 1702, *Bharat Coal v State of Bihar* (1990) 4 SCC 557, *Pratap Singh Rane v Government of Goa* AIR 1999 Bom 53 *Rai Sahib Ram Jawaya Kapurv State of Punjab* (1955) 2 SCR 225, *A Sanjeeva naidu v State of Madras* AIR 1979SC 1102

Module 7: State Legislature: Constitution under Unicameral and Bicameral Legislative system, qualification of members, sessions, Officers of Legislature, power and function, Conduct of business, disqualification, Special Procedure on Money Bill & Financial matters

[*Sushil Kumar v Rakesh Kumar* AIR 2004 SC 230, *SR Bommai v Union* AIR 1994 SC 1918, *Election Commission v Subramaniam Swamy* AIR 1996 SC 810 *Purushotham v State of Kerala*, AIR 1962 SC 694, *Bharat Seva Asharam v State of Gujarat* AIR 1987 SC 494, *State of Bihar v Kameswar Singh* AIR 1952 SC 252

Module 8: High Courts & Subordinate Courts: Judicial system in the States, Appointment and conditions of office, Various Powers, Establishment of Common High Court, Constitution of Bench, Transfer of a judge

[*Ashish Handa v Chief Justice, P & H High Court*, AIR 1996 SC 1308, *K Asoka Reddy v Government of India* AIR 1994 SC 1207, *Sodhi v Union of India* (1991) 2 SCC 382,

A.K.Roy v Union of India AIR 1982 SC 710, Kanu Sanyal v District Magistrate AIR 1973 SC 2684, S.P.Gupta v Union of India AIR 1982 Sc 149, Fertilizer Corporation v Union of India AIR 1981 SC 344]

Module 9: Macro Economic Management under the Constitution of India: Fiscal responsibility, Taxation planning and management, financial accountability, state actor in business, trade and industry, State as a party in a Contract, revenue distribution, Borrowing (Article 263 – 300)

[CIT v. Shelly Products AIR 2003 SC 2532; New India Industries v Union AIR 1990 Bom 239, Secretary, Govt. of Madras v Sriramulu AIR 1996 SC676, Goodyear India v.State of Haryana, AIR 1990 SC781, Union v. State of Punjab AIR 1990 P&H 183, Associated Cement v C.S.T. AIR 1991 SC 1122]

Model 10: Emergency power: Proclamation, effect, grounds, failure of constitutional breakdown

[State of Rajasthan v Union AIR 1977 SC 1361, A.N.Ray v Union of India AIR 1982 SC 710, S.R.Bomma V Union of India AIR 1994 SC 1918]

Module 11: Amendment: Comparison constitutional position from US, France and Indian position, When can some provision not amendable – basic structure philosophy and the strength and weakness of the argument.

[Indira Gandhi v Raj Narayan AIR 1975 SC 2299, Keshavananda Bharati v State of Kerala, AIR 1973 SC 1461, Sampath Kumar v Union AIR 1987 SC 386, Waman Rao v Union AIR 1981 SC 271, Bhim Singh v Union AIR 1981 SC 234]

Model 12: Local Self Government: Structures and bodies, power and functions, composition

[B. Krishnaiah v State Election Commission, A.P. AIR 1996 SC 1595]

Model 13: Constitutional Institutions: Election Commission, Finance Commission, Comptroller and Auditor General, Attorney General of India, Public Service Commission, National Commission for SC and ST, Inter-state River Dispute Resolution Tribunals, Central and State Service Tribunals

[*K.Vasudavan Nair v. Union AIR 1990 SC 2295*, *T.N.Cauvery Sangam v. Union AIR 1990 SC 1316*, *Comptroller & Auditor General of India v. Mohan AIR 1991 SC 2788*, *Om Prakash v. State of UP AIR 1991 SC 425*, *Ram E.Sharma v. State of Bihar AIR 1990 SC 1368*, *Jai Sankar Prasad v. State of Bihar AIR 1993 SC 1906*, *Sampath Kumar v Union AIR 1987 SC 386*, *KMI v Pandurang AIR 1993 SC 392*, *Dhanoa v. Union AIR 1991 SC 1745*]

Reference Books

P.M.Bakshi, Constitution of India, Universal
M.P.Jain Indian Constitutional Law, Wadhwa
Granville Austin The Constitution of India, Oxford
Basu Constitutional Law of India, Prentice Hall of India
Kashyap Perspectives of the Constitution Shypra
J.N.Pandey, Constitution of India Central Law Agency,
Seervi Constitutional Law of India N.M.Tripathy

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Indian Penal Code

MODULE I:

- The nature and concept of crime (historical outline) ; Definition of crime; Crime and Civil wrong; Theories of crime; Schools of thought - Classical School, Neo



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classical School, Positivist School; Theories of Punishment; Criminal Law since ancient India to modern times.

Reading Reference:

Books:

- Vibhute, K.I 1956, 'Chapter 1: Introduction', (10th Edition), *P.S.A Pillai's Criminal Law*, Lexis Nexis Butterworths Wadhwa, Nagpur, pp 1-20.
- Turner, J.W Cecil 1902, 'Chapter 1: Crime and Criminal Law', (19th Edition), *Kenny's Outlines of Criminal Law*, Universal Law Publishing Co., New Delhi, pp 1-6
- Gaur, K.D 2009, 'Chapter 2: Crime and Criminal Law', (6th Edition), *Criminal Law: Cases and Materials*, Lexis Nexis Butterworths Wadhwa, Nagpur, pp 1-5, 33-45.

Article/s:

- Amin George Forji (2010) The correlation between Law and Human Behavior as pillars of Human Society, *International Journal of Punishment and Sentencing*, Vol 6 No 3 pp 89 – 94.

Statute:

- The Indian Penal Code 1860 (Bare Act). Section 40.

MODULE 2:

- Causation in Crime
- Essential elements of crime - *Actus Reus, Mens Reus*.
- IPC- sections 34 – 38, (General Explanation, Chapter II – Common intention – constructive criminality – distinction between common and similar intention.)
 - ✓ ***Reg v. Cruise 1838 SC 541*** (Doctrine of Joint Liability evolved)
 - ✓ ***Barendra Kumar Ghosh v. King Emperor*** AIR 1925 PC 1.
 - ✓ ***Pandurang v. The State of Hyderabad*** AIR 1955 SC 216 (common intention explained)
 - ✓ ***Shyamlal Ghosh v. State of West Bengal*** AIR 2012 SC3 539 (common intention explained)
 - ✓ ***Mahaboob Shah v. Emperor*** AIR 1945 PC 118 (difference between common and similar intention)

- ✓ *Dukhmochan Pandey v. State of Bihar* AIR 1998 SC 40 (difference between common and similar intention)
- General Exceptions, Chapter IV – *excusable* acts (ss.76 – 94), *justifiable* acts (ss. 95 – 106)

Reading Reference:

Books:

- Gaur, K.D 2009, ‘Chapter 2: Crime and Criminal Law’, (6th Edition), *Criminal Law: Cases and Materials*, Lexis Nexis Butterworths Wadhwa, Nagpur, pp 46 – 81.
- Vibhute, K.I 1956, ‘Chapter 1: Introduction’, (10th Edition), *P.S.A Pillai’s Criminal Law*, Lexis Nexis Butterworths Wadhwa, Nagpur, pp , 42-51,54 – 80.
- CMV Clarkson & HM Keating 2003, ‘Chapter 2: The General Principles of Criminal Liability’, (5th Edition), *Criminal Law Text and Materials*, Thomson Sweet& Maxwell, pp 82-266.

MODULE 3:

- Offences against public Tranquility (Chapter VIII - sections 141- 160), The concept of common object; Members of unlawful assembly acting in furtherance of the common object (Comparison between common intention and common object)
- ✓ *Sukha v. State of Rajasthan* AIR 1956 SC 513 – difference between common intention and common object.
- ✓ *Rajagopal v. State of Kerala* [MANU/KE/1740/2012](#)
- ✓ *State of Maharashtra v. Haribabu alias Bhausahab Dinkar* 2011(113)BOMLR 583
- ✓ *Jaswant Singh vs. State of Haryana* AIR2000 SC 1833 (difference and similarity between section 34 & 141)
- ✓ *Ghansa Singh & Ors v. State* AIR 1958 Raj 226, 1958 CriLJ 1231.
- Chapter II – General Explanations – (Sections 6 – 52A)
- Chapter IX – Offences by or relating to public servants (sections 166 – 171)
- Chapter IXA – Offences relating to elections (sections 171G – 171I)

- Chapter X – Contempt of the lawful authority and of public servants (sections 172 – 190)

Reading Reference:

Books:

- Indian Penal Code bare Act.
- Gaur, K.D 2009, ‘Chapter 2: Crime and Criminal Law’, (6th Edition), *Criminal Law: Cases and Materials*, Lexis Nexis Butterworths Wadhwa, Nagpur.
- Vibhute, K.I 1956, ‘Chapter 1: Introduction’, (10th Edition), *P.S.A Pillai’s Criminal Law*, Lexis Nexis Butterworths Wadhwa, Nagpur.

MODULE 4:

- The law of Inchoate offences - Stages in the commission of a Crime, Concept of inchoate offences – Types of inchoate offences:
 - **Attempt:** (Chapter XXIII section 511) – the law of attempt; stages in the commission of an offence;; offences where preparation is punishable; test to classify an act as mere preparation or attempt –
 - The *proximity rule*
 - Doctrine of *Locus Paenitentiae*
 - *Impossibility test*.
 - ✓ *R v. Scofield* (1784) Clad Cas 397
 - ✓ *R v. Higgins* (1801) 2 East 5.
 - ✓ *R v. Taylor* 1895 (IF & F 511)
 - ✓ *R v. Raisat Ali* 1881 (7) Cal 352
 - ✓ *Malkiat Singh v. State of Punjab* AIR 1970 SC 713
 - ✓ *R v. Shivpuri* 1986 2 ALL ER 334
- **Abatement** – (Chapter V – sections 107 – 120, IPC) - essentials and principal underlying abatement; ingredients of abatement; difference between sections 34,109 and 120 B.

Judicial Pronouncements:

- ✓ *Noor Mohammad Yusuf Momin v. State of Maharashtra* AIR 1971 SC 885 (difference)
- ✓ *Kartar Singh v. State of Punjab* 1994 Cri LJ 3139

- **Criminal Conspiracy** – (Chapter VA – sections 120A & 120B) – essentials and principal underlying criminal conspiracy; difference between conspiracy mention u/s 107 and criminal conspiracy.

Judicial Pronouncements:

- ✓ *State of Tamil Nadu v. Nalini* AIR 1999 SC 2640 (Rajiv Gandhi assassination case)

Reading Reference:

Books:

- Indian Penal Code bare Act.
- Gaur, K.D 2009, 'Chapter 2: Crime and Criminal Law', (6th Edition), *Criminal Law: Cases and Materials*, Lexis Nexis Butterworths Wadhwa, Nagpur.
- Vibhute, K.I 1956, 'Chapter 1: Introduction', (10th Edition), *P.S.A Pillai's Criminal Law*, Lexis Nexis Butterworths Wadhwa, Nagpur.

MODULE 5:

- Chapter VI – (sections 121-130) of offences against the State.
- Chapter VII – (sections VII) of offences relating to the Army, Navy and Air Force.
- Chapter XII – (sections 230 – 263A) of offences relating to coin and government stamps
- Chapter XIII – (sections 264 – 267) of offences relating to weights and measures
- Chapter XIV – (sections 268 – 294A) of offences affecting the public health, safety, convenience, decency and morals.
- Chapter XV – (sections 295 – 298) of offences relating to religion.
- Chapter XXI – (sections 499 – 502)

Reading Reference:

Books:

- Indian Penal Code bare Act.
- Gaur, K.D 2009, 'Chapter 2: Crime and Criminal Law', (6th Edition), *Criminal Law: Cases and Materials*, Lexis Nexis Butterworths Wadhwa, Nagpur.
- Vibhute, K.I 1956, 'Chapter 1: Introduction', (10th Edition), *P.S.A Pillai's Criminal Law*, Lexis Nexis Butterworths Wadhwa, Nagpur.

MODULE 6:

- Offences affecting human body - chapter XVI
 - **Offences affecting life:** - sections 299 – 311; principle underlying sec 299 & 300, difference between sec 299 & 300; rarest of rare case doctrine

Judicial Pronouncements:

- ✓ *R v. Govinda*
- ✓ *Versa Singh v. State of Punjab* AIR 1958 SC 465 (injury sufficient to cause death)
- ✓ *Bacchan Singh v. State of Punjab* AIR 1980 SC 898
- ✓ *Machhi Singh v. State of Punjab* AIR 1983 SC 957
- ✓ *Nathu Ram Godse v. The Crorum* AIR 1983 Punjab 321
- ✓ *K.M Nanavati v. State of Maharashtra* AIR 1962 SC 605
- ✓ *Kehar Singh v. Delhi Administration* AIR 1988 SC 1883
- ✓ *Augustine Saldanha Vs. State of Karnataka* AIR 2003 SC 3843
- ✓ *Muther v. State of Tamil Nadu* 2007 September (act of sodomy)
- ✓ *Naveen Chandra v. State of Uttaranchal* AIR 2007 SC 363
- ✓ *Pappu v. State of Madhya Pradesh* AIR 2006 SC 2659
- ✓ *Mithu v. State of Punjab* AIR 1983 SC 473
- ✓ *Somling Ramanna Patrigida , vs . The State of Maharashtra through Akkalkot South Police Station (18 . 08 . 2011 - BOMHC)* (difference between culpable homicide & murder)
- ✓ *Siri Kishan and Ors. vs. The State of Haryana (27 . 04 . 2009 - SC)*
- ✓ *State of Andhra Pradesh v. Rayavarapu Punnayya & Anr* AIR 1977 45 (difference between culpable homicide and murder)

- **Hurt, Wrongful restraint & wrongful confinement and Criminal force and assault, kidnapping, abduction, slavery & forced labour:** - sections (329 – 374)

Judicial Pronouncements:

- ✓ *S. Vardarajan v. State of Madras* AIR 1965 SC 942
 - ✓ *Thakorilal D Vadgana v. State of Gujarat* AIR 1973 SC 2313
 - ✓ *Abdul Karim v. State of Karnataka* AIR 2001 SC 116
- Offences relating to women: (sections 304B, 354, 509, 375-376ABCD, 363 – 373)
 - **Dowry death, abatement of suicide, attempt to commit suicide:**
sec 304 B, 306, 309

Judicial Pronouncements:

- ✓ *Shanti v. State of Haryana* AIR 1991 SC 1226
 - ✓ *State of Punjab v. Prem Chand* AIR 1989 SC
 - ✓ *Shekhar Tiwari v. State of U.P* AIR 1989 SC 733
 - ✓ *Gian Kaur v. State of Punjab* AIR 1996 SC 946 (constitutionality of euthanasia & mercy killing to be discussed)
 - ✓ *Sanjay v. State of Maharashtra* AIR 2007 SC 1368
 - ✓ *State of Punjab v. Iqbal Singh* AIR 1991 SC 1532
 - ✓ *Muruti Sripati Dubal v. State of Maharashtra* 1987 LJ 743
 - ✓ *P. Rathinam v. Union of India* AIR 1994 SC 1844
- **Sexual offences:** rape (section 375 – 376 ABCD)
 - **Insulting the modesty of a woman:** (sec 509)

Judicial Pronouncements:

- ✓ *Vishakha v. State of Rajasthan* AIR 1997 SC 3011
 - ✓ *Tukaram v. State of Maharashtra* AIR 1979 SC 185
 - ✓ *Bodhisatva Gutam v. Miss Shubhra Chakraborty* AIR 1996 SC 922
 - ✓ *Priya Patel v. State of OGP* AIR 2006 SC 2639
 - ✓ *Brother John Anthony v. State of Tamil Nadu* 1992 Cr Lj 1352
 - ✓ *State of Karnataka v. Gauri Shankar Swammy* 2004
- Unnatural offences: (sec 377)

- Offences relating to marriage : Chapter XX (sec 493 – 498) -
- Cruelty by husband or relatives of husband : Chapter XXA (sec 498 A)

Acts/Books:

- Indian Penal Code bare Act.
- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
- The Dowry prohibition Act, 1961
- The Immoral Traffic (prevention) Act, 1956
- The Indecent Representation of Women (prohibition) Act, 1986
- Prevention of women from domestic violence Act, 2005.
- Law Commission Report on RAPE, HOMOSEXUALITY
- Gaur, K.D 2009, ‘Chapter 2: Crime and Criminal Law’, (6th Edition), *Criminal Law: Cases and Materials*, Lexis Nexis Butterworths Wadhwa, Nagpur.
- Vibhute, K.I 1956, ‘Chapter 1: Introduction’, (10th Edition), *P.S.A Pillai’s Criminal Law*, Lexis Nexis Butterworths Wadhwa, Nagpur.

MODULE 7:

- Offences against property – chapter XVII
 - Theft, extortion robbery and dacoity – (sections 378 – 402) – principles underlying these sections; essential ingredients; difference between the mentioned offences.
 - Criminal breach of trust, criminal misappropriation of property, receiving stolen property, cheating – (sections 403 – 424) - principles underlying these sections; essential ingredients; difference between the mentioned offences.
 - Mischief, criminal trespass – (sections 425 – 462) – essential ingredients and basic principles underlying the said offences.
 - Criminal trespass – (sections 441 – 462)

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Theories of Development & Economic Environment



COURSE OUTLINE

MODULE 1- Concept of economic Growth & Development

- Introduction to the concepts of growth & Development
- Factors affecting development
- Indicators of growth – HDI, PQLI, & others
- Features of Indian economy as underdeveloped & developing economy
- Vicious cycle of poverty & determination of BPL in India
- Unemployment – types & problems in India

Recommended Readings

1. Meier G M and James E Rauch, Leading issues in Economic Development, Oxford University Press, New York.
2. Jhingan, M L, The Economics of Development & Planning, Vrinda Publications Private Limited, New Delhi.
3. Ghosh, B N, Contemporary Issues in Development Economics, Routledge Publishers, New Delhi.

MODULE 2 – Theories of Economic Development

- Lewis theory of surplus labour
- Critical minimum effort thesis –Leibenstein
- Concept of Balanced & Unbalanced Growth
- Theories of Balanced & Unbalanced Growth
- Theory of Big push

Recommended Readings

1. Jhingan, M L, The Economics of Development & Planning, Vrinda Publications Private Limited, New Delhi.
2. Todaro, Michael P and Stephen C Smith ., Economic Development, Pearson Education, London.
3. Ray, Debraj., Development Economics, Princeton University Press, New Jersey.
4. Taneja M L and R M Myer., Economics of Development & Planning, Shoban Lal N Chand and Company Educational Publishers, Jalandhar,

MODULE 3 – Economic Environment of Business

- Business Environment
 - meaning, nature & features
- Internal Business Environment
 - Value system of organization, financial capabilities, human resources
 - Marketing Capabilities, Core competencies
- External Business Environment
 - Demographic Environment, Economic Environment, Political & Legal Environment
 - Socio – cultural Environment , Technological Environment, Global Environment
- Indian economic environment – concept, types, components & importance
- New economic policy approach
- Recent Industrial Policy.
- Micro, Small & Medium Industries
- Industrial Sickness

Recommended Readings

1. Cherrunillam, Francis., Economic Environment of Business, Himalaya Publications Limited.
2. Dutt Ruddar and K P M Sundharam., Indian Economy, S Chand and Company Limited, New Delhi.

3. Myneni, S R ., Indian Economics for Law students, Allahabad law Agency, Faridabad.

4. Lekhi, R K., The Economics of Development and Planning, Kalyani Publishers, Ludhiana.

MODULE 4 – Economic Reforms in India

- Globalization – Meaning, causes & effects
- Liberalization – Meaning, impact
- Privatization - Meaning, impact
- Disinvestment
 - Meaning & Types, Impact
- Foreign Direct investment
 - Meaning , Types, Methodology in India & Impact
- Multinational Corporations - Meaning, Types & Impact
- Special Economic Zones – various consideration & issues.

Recommended Readings

1. Aggarwal, A N., Indian Economy: Problems of Development & Planning, New Age International Publishers, New Delhi
2. Misra, S K and V K Puri., Indian Economy : Its Development Experience, Himalaya Publishing house, Mumbai.
3. Cherrunillam, Francis., Economic Environment of Business, Himalaya Publications Limited.
4. Dutt Ruddar and K P M Sundharam., Indian Economy, S Chand and Company Limited, New Delhi.

MODULE 5 – Issues in India

- Black money & corruption
- Issues of food security & PDS in India
- Planning in India – Various five year plans – success & failures

- 12th five year plan & its evaluation.
- Centre State financial relations

Recommended Readings

1. Agarwal, A N., Indian Economy: Problems of Development & Planning, New Age International Publishers, New Delhi
2. Misra, S K and V K Puri., Indian Economy : Its Development Experience, Himalaya Publishing house, Mumbai.
3. Cherrunillam, Francis., Economic Environment of Business, Himalaya Publications Limited.
4. Dutt Ruddar and K P M Sundharam., Indian Economy, S Chand and Company Limited, New Delhi.

Other Recommended Readings

1. Dobson, Wendy., Human Capital Formation and Economic Growth in Asia and the Pacific, Routledge, 2013
2. Worthington, Ian , Britton, Chriss., The Business Environment, Pearson Education, 2009, sixth edition.
3. Gopal, Namita., Business Environment., Tata Mc Graw Hill, 2nd edition, 2009.
4. Paul, Justin., Business Environment : Text & cases, Tata Mc Graw Hill, 3rd edition, 2010.
5. Palmer Adrian, Hartley, Bob ., The Business Environment, Tata Mc Graw Hill, 1st edition, 2010
6. Todaro, Michael, Smith, Stephen., Economic Development, Pearson Education, 11th edition.

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Transfer of Property Rights

COURSE OUTLINE

MODULE 1 – Introduction

Concept of Property and General Principles Relating to Transfer of Property:

Concept of property: distinction between moveable and immovable property

Definition clause: Immoveable property, Attestation, Notice, Actionable claim,

Definition to transfer of property Transfer and non-transfer property, Transfer to an unborn person and rule against perpetuity Vested and Contingent interest, Conditional Transfer, Rule of Election

General Principles Governing Transfer of Immoveable Property: Transfer by ostensible owner

Rule of feeding the grant by estoppels,

Rule of Lis pendens, Fraudulent transfer, Rule of part performance, Vested and contingent interest Conditional transfer

MODULE 2 - Specific Transfers

Sale, Mortgage, Charge, Lease, Gift, Actionable claim

Indian Easement Act, 1882

MODULE 3 – Trust



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Concept of Trust: Its comparison with other analogous relations. Kinds of Trust- Simple Trust, Special Trust, Private Trust, Public Trust, Express Trust, implied Trust Constructive Trust, Resulting Trust, Precatory Trust, Secret Trust, Voluntary Trust, Illusory

Trust, Discretionary Trust, Charitable Trust, Distinction between express and constructive trust, implied trust,

Creation of Trust Duties and Liabilities of Trustees: Rights and Powers of Trustees Disabilities of Trustees. Rights of beneficiaries, Liabilities of beneficiaries Remedies open to beneficiaries.

Appointment: Rules for selecting new trustees Discharge of Trustees Extinction of trust, its revocation, obligations is the nature of trust, Fiduciary relationship -Definition, Nature, objects and its kinds Trust under Indian Law The Religious Endowment Act, 1863 The Charitable

Endowments Act, 1890 the Charitable and Religious Trusts Act, 1920

MODULE 4 – Concept of Equity

Concept, Definition, Historical background of Equity. Equity relation with common law and the Judicature Act, 1873, Equitable rights, Interests, Nature and Classification Election, conversion, Performance, Satisfaction and Mistake, Ademption Fraud, Accident and Liens.

The maxims of equity, Meaning, Its application and cases, Limitations of the maxim, recognition in India, The Maxims of Equity.

Recommended Readings

Transfer of Property Act, 1872 (Bare Act)

Indian Easement Act, 1882 (Bare Act)

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Administrative Law

COURSE OUTLINE

Module I: Evolution and Scope of Administrative Law: Nature, Scope and Development of Administrative Law, Rule of law and Administrative Law, Separation of powers and its relevance, Relationship between Constitutional law and Administrative Law, Administrative Law vis-à-vis privatization, Classification of functions of Administration

Module 2: Legislative Functions of Administration: Necessity and Constitutionality, Forms and requirements, Comparative position – U.K., USA & India, Control- i. Legislative ii. Judicial, Sub-delegation

Module 3: Judicial Functions of Administration: Need for devolution of adjudicatory authority on administration, Administrative Tribunals– Constitution, powers, procedures, rules of evidence, Principles of Natural Justice - Rule against bias, *Audi AlteramPartem*, Essentials of hearing process, Cross examination, Legal representation - right to counsel, Pre and post - decisional hearing, Reasoned decisions, Exceptions to Principle of Natural Justice, Effect of failure - Rules of evidence – no evidence, some evidence and substantial evidence, Institutional Decisions

Module 4: Administrative Discretion and Judicial Control of Administrative Action: Need for conferring discretion on administrative authorities and its relationship with rule of law, Rule of law and administrative discretion, Constitutional imperatives and exercise of discretion, Grounds of judicial review - i. Abuse of discretion, ii. Failure to exercise discretion, Doctrine of legitimate expectations, Doctrine of Proportionality, Public Accountability

Module 5: Judicial Control of Administrative Action: Introduction, Court as the final authority to determine the legality of administrative action, Exhaustion of Administrative remedies, Locus standi, Laches, Res judicata, Judicial review and its extent

Module 5: Methods of judicial review: Statutory appeals, Writs – Habeas Corpus, Mandamus, Certiorari, Prohibition and Quo warranto, Declaratory judgments and injunctions, Civil Suits for Compensation

Module 6: Personal Liability

Module 7: Ombudsman: Concept and need, Lokpal and Lokayukta

Recommended Readings

Jain M.P & Jain S.N., Principles of Administrative Law; sixth edition; Lexis Nexis; (2013)

Massey I.P., Administrative Law ., seventh edition; Eastern book Company; (2008)

Wade William, Forsyth Christopher., Administrative Law ; tenth edition; Oxford Publications; (2009)

Takwani C.K., Lectures on Administrative Law ; fifth edition; Eastern Book Co.,(2012)

Sathe S.P., Administrative Law ; fifth edition; N.M.Tripathi & Co; (1991).

Case Law:

Ram Jawaya v. State of Punjab (AIR 1955 SC 549)

AsifHameed v. State of J & K (AIR 1989 SC 1899)

A.N. Parasoraman v. State of Tamil Nadu AIR 1990 SC 40, (Administrative discretion)

State of Punjab v. V.K. Khanna, AIR 2001 SC 343 (Mala fide exercise of power)

State of Bombay v. K.P. Krishnan AIR 1960 SC 1322 (irrelevant considerations)

ShrilekhaVidyarthi v. State of U.P. (AIR 1991 SC 537) (Reasonableness)

Delhi Laws Act case, AIR 1951 SC 332

LachmiNarain v. Union of India AIR 1976 SC 714 (Modification)

A.V. Educational Society v. Govt. of A.P. Educational Department (AIR 2002 A.P. 348)
(Judicial Control of delegated Legislation)

M/s Atlar Cycle Industry Ltd. v. State of Haryana (Legislative Control)

GovindLalChaggaLal Patel v. The Agriculture Produce Market Committee (AIR 1976 SC 236) (Procedural Control)

Kiran Gupta v. State of U.P. (AIR 2000 SC 3299) (Delegated Legislation)

Indian National Congress (1) v. Institute of Social Welfare (AIR 2002 SC 2158)
(Classification of Administrative Action)

A.K. Kraipak v. Union of India (AIR 1950 SC 150)

HiraNath v. Rajendra Medical College (AIR 1973 SC 1260)

Maneka Gandhi v. Union of India (AIR 1978 SC 597)

S.N.Mukherjee v. Union of India (AIR 1990 SC1986)

KumaonMandalVikas Nigam Ltd. v. Girja Shankar Pant (AIR 2001 SC 24) (Natural Justice, Test of Bias)

State of U.P. v. Johrimal (AIR 2004 SC 3800) (Judicial Review) Johri Mal

SayedYakoob v. RadhaKrishan (AIR 1974 SC 477) (Writ Jurisdiction)

ShriAnadiMuktaSadguru Trust v. V.R. Rudani (AIR 1989 SC 1607) (Mondemus)

R.K. Singh v. Union of India (AIR 2001 Delhi 12) (Mandemm)

KanhaiyaLalSethia v. Union of India (AIR 1998 SC 365) (Judicial review cannot be on policy matters)

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Sociology III - Theoretical Perspectives of Sociology **COURSE OUTLINE**

MODULE 1

Auguste Comte's Theory of Positivism

- Early development of Sociology through Observation , Experiment and Comparison
- The Law of Human Progress
- Social Statics and Social Dynamics
- Impact of Science on the Society

References :

- Bogardus , Emory, S. :** The Development of Social Thought, New York: Longmans
- Jones , Pip :** Introducing Social Theory, Cambridge :Polity

MODULE 2

Emil Durkheim's Theory of Functionality

- Social Structure and Social Facts
- Individual and Society
- Mechanical and Organic Solidarity
- Collective Conscience and Collective Representation

References :

- Best , Shaun :** A Beginner's Guide to Social Theory, London:Sage
- Layder, Derek :** Understanding Social Theory , London: Sage

MODULE 3

Max Weberian Theory of Interpretation and Understanding:

- Social Action and Ideal Type
- Class, Status and Power
- Types of Authority and Bureaucracy
- Rationalization , Modernity and Disenchantment

Reference :

Ritzer , George : Sociological Theory,Maidenhead:McGraw-Hill

MODULE 4

Marxian Theory of Class Conflict and Alienation

- Alienation from the product of labour, and from the act of production , alienation from nature and from others in the capitalist's market economy
- Class Consciousness and Class Conflict
- Means of Production , Forces of Production and Relations of Production
- Dialectical and Historical Materialism
- Dynamics of Social Change

References:

- i. Harrington , Austin :** Modern Social Theory: An Introduction, Buckingham : Open University Press
- ii. Morrison , Kenneth :** Marx , Weber , Durkheim: Formations of Modern Social Thought, London : Sage

MODULE 5

Globalization and the Changing World

- Types of Society
- Social Change & Globalization
- Post structuralism and post modernity

References:

- i. **Cowan's Noel** : Global History: A Short Overview, Cambridge : Polity
- ii. **Scholte , Aart Jan** : Globalisation : A Critical Introduction , Basingstoke : Palgrave

MODULE 6

Social Interaction and Everyday Life

- Non – verbal communication
- The social – rules of interaction
- Face , body and speech in interaction
- Interaction in time and space

References :

- i. **Bennett, Tony & Watson , Diane** : Understanding Everyday Life, Oxford: Blackwell
- ii. **Jenkin, Richard** : Social Identity , London : Routledge

MODULE 7

The Media

- Media in a global age
- Theorizing the media
- Audiences and media representations
- Controlling the global media

References :

- i. **Thompson , John** : The Media and Modernity : A Social Theory of the Media ,Cambridge :Polity
- ii. **William , Kevin** : Understanding Media Theory, London : Hodder Arnold

MODULE 8

Crime and Deviance

- Explaining crime and deviance : sociological theories
- Victims and perpetrators of crime
- Crime in global context
- Prisons and punishment

References :

- White D. Robert & Haines Fiona** : Crime and Criminology: An Introduction ,Oxford :OUP
- Burke Hopkins Roger** : An Introduction to Criminological Theory, Devon: William Publishing
- Downes David & Rock Paul** : Understanding Deviance , Oxford:OUP

Recommended Reading

1. Coser, Lewis A 1979. Masters of Sociological Thought. New York: Harcourt Brace Jovanovich.
2. Fletcher, Ronald. 1994. The Making of Sociology (2 volumes) Jaipur: Rawat
3. Internet Links :
 - a. **The Global Site – social science thinking on globalization**
www.theglobalsite.ac.uk/globalization
 - b. **An introduction to symbolic Interactionism based at Grinnell College , USA :**
<http://web.grinnell.edu/courses/soc/s00/soc111-01/IntroTheories/Symbolic.html>
 - c. **Theory.org – playful postmodern site on links between media and identities:**
www.theory.org.uk/
 - d. **The British Journal of Criminology – one of the world’s top criminology journals:**
<http://bjc.oxfordjournals.org>

- e. **United Nations Office on Drugs and Crime – coverage of crime internationally :**
www.unodc.org/unodc/crime_cicp_sitemap.html

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Corporate Law - I



COURSE OUTLINE

.

Module I

Introduction, Historical Development of Concept of Corporate Law in India, Company-Definition, Meaning, Nature and its Characteristics, Nature and Forms of Business, Company vis-à-vis other Forms of Business, Concept of Corporate Personality, Corporate Veil, Limited Liability and Citizenship

Case Studies:

1. *Salomon v. Salomon & Co., Ltd.* (1897) A.C. 22 (H.L.) :(1895-95) All ER Rep. 33
2. *R.C. Cooper v. Union of India* (1970) 3 SCR 530

Module II

Incorporation and its Consequences, Types of Companies and their incorporation

Formation of Companies - Procedural Aspects, Memorandum of Association & Articles of Association and their Alteration, Doctrine of Ultra-Vires, Constructive Notice, Indoor Management, Prospectus, Public issues, Contents of prospectus and formalities of issues, Shelf prospectus, information memorandum, issuing houses and deemed prospectus, Misrepresentation and penalties.

Case Studies

1. *Kelner v Baxter* (1866) LR 2 CP 174
2. *Ashbury Railway Carriage and Iron Co Ltd v Riche* (1875) LR 7 HL 653

3. *Royal British Bank v Turquand* (1856) 6 E&B 327

Module III

Promoters-Meaning, Position, Duties, Rights, Responsibilities, Alter Ego Promoters-Meaning, Position, Duties, Rights, Responsibilities- General Principles and Statutory Provisions related to Allotment; Minimum Subscription; Irregular Allotment; Procedure of Issue of Share Certificates and Warrants, Membership in a Company, Modes of Acquiring Membership, Rights and Privileges of Members, Register of Members, Dematerialisation and Rematerialisation of Securities, Transfer and Transmission of Securities in Physical and Dematerialized forms, Nomination

Module IV

Directors-Types, Director's Identification Number (DIN), Appointment/Reappointment, Qualifications, Disqualifications, Vacation of Office, Retirement, Resignation and Removal of Managing and Whole-Time Directors and Manager, Role and Responsibilities of Directors Powers and Duties, Loans to Directors, Remuneration of Directors, Office or Place of Profit Contracts in which Directors are Interested, Board of Directors and its Committees

Case Studies

1. *Regal Hastings Ltd. V. Gulliver*, [1942] 1 All ER 378

Module V

Oppression & Mismanagement and Investigation (Sections 397 to 408; Sections 235 to 251) Rule in *Foss v. Harbottle*, Prevention of Oppression & Prevention of Mismanagement

Winding up of Companies: Mode of winding up of the companies, Compulsory Winding up under the Order of the Tribunal, Voluntary winding up, Contributories , Payment of liabilities

Case Studies

2. *Foss v. Harbottle* (1843) 2 Hare 461 : (1843) 67 ER 189
3. *Nagappa Chettiar V. Madras Race Club*, ILR 1949 Mad 808
4. *Jones V. Ahman Son* (1970) 70 Col LR 1079

Text Book

1. Avtar Singh, Company Law, 2007 Eastern Book Company, Lucknow

Reference Book

2. Smith and Keenan's, Company Law (2002)
3. Andrew Lidbetter, Company Investigations and Public Law (1999)
4. Saleem Sheikh & William Rees, Corporate Governance & Corporate Control (2002).
5. Gower's Principles of Company Law 8th Edition 2008, R. Cambray & Co. Pvt. Ltd.
6. Smith and Keenan's Company Law.
7. S. K. Verma & Suman Gupta, Corporate Governance and Corporate Law Reform in India. (2005).
8. Companies Act, 1956
9. Suman Gupta: Shareholder's Democracy: Fact or Fiction. (1992)
10. Paul L. Davies, Gower and Davies Principles of Modern Company Law (8th ed., 2008)
11. Avtar Singh, Indian Company Law (2008), Eastern, Lucknow.
12. L.C.B. Gower, Principles of Modern Company Law (1997) Sweet and Maxwell, London
13. A. Ramaiya, Guide to the Companies Act, (2007), Wadha.

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Family Law - I

COURSE OUTLINE



PART I – HINDU LAW

Module 1: Concept of Hindu law & Sources of law:

- Philosophy & Concept of Hindu law,
- Schools of Hindu law,
- Sources of Hindu law,
- Development from un codified general law to codified law
- Who is Hindu & Application of Hindu law

Module 2: Hindu Marriage & Marital Relief

- **Marriage**
 - Evolution and Nature and forms of Marriage
 - Conditions for the validity of marriage (sections 3 and 5)
 - Solemnization of marriage (section 7)

- Registration of Marriage (section 8)
- Void and Voidable marriages (sections 11 and 12)
- **Marital Reliefs**
- Restitution of Conjugal Rights (Section 9)
- Judicial Separation
- Divorce: Theories, Forms and Grounds of Divorce
- Irretrievable Breakdown as a Ground for Dissolution: 71st & 217th Report of Law Commission of 1978 and 2009 respectively on Irretrievable Breakdown of Marriage

Cases:

- *Dr. Surajmani Stella Kujur v. Durga Charan Hansdah* AIR 2001 SC 938
- *S. Nagalingam v. Sivagami* (2001) 7 SCC 487 4
- *Bhaurao Shankar Lokhandev. State of Maharashtra*, AIR 1965 SC 1564 8
- *Lily Thomas v. Union of India*, AIR 2000 SC 1650 12
- *Pinninti Venkataraman v. State*, AIR 1977 AP 43 23
- *Asha Qureshi v. Afaq Qureshi*, AIR 2002 MP 263 33
- *P. v. K.*, AIR 1982 Bom. 400 37
- *Babui Panmato Kuer v. Ram Agya Singh*, AIR 1968 Pat. 190 47
- *Seemav. Ashwani Kumar* (2006) 2 SCC 578 51
- *Javed & Ors. v. State of Haryana & Ors.* AIR 2003 SC 3057
- *Kailashwati v. Ayudhia Parkash*, 1977 C.L.J. 109 (P. & H.) 55
- *Swaraj Garg v. K.M. Garg*, AIR 1978 Del. 296 66
- *Saroj Rani v. Sudarshan Kumar*, AIR 1984 SC 1562 74
- *N.G. Dastane v. S. Dastane*, AIR 1975 SC 1534 81
- *Samar Ghosh v. Jaya Ghosh*, 2007 (3) SCJ 253 101
- *Bipin Chandra Jaisingh Bai Shah v. Prabhavati*, AIR 1957 SC 176 122
- *Dharmendra Kumar v. Usha Kumar*, AIR 1977 SC 2213 139
- *T. Srinivasan v. T. Varalakshmi*, 1 (1991) DMC 20 (Mad.) 142
- *Hirachand Srinivas Managaonkar v. Sunanda*, AIR 2001 SC 1285 149
- *Sureshta Devi v. Om Prakash*, 1 (1991) DMC 313 (SC) 155

Module 4: Adoption & Maintenance (The Hindu Adoptions and Maintenance Act, 1956)

1. Adoption

➤ **Law on adoption**

- Legitimacy of children of void and voidable marriage and the rights of such children
- Issues relating to custody of the children

➤ **Requisite of valid adoption**

- Conditions for giving in, taking of person adopted procedure and conditionality
- when adoption is complete
- Effect of adoption

➤ **Inter-country adoption**

- Adoption in different religious groups

2. Maintenance

- Maintenance during pendency of the suit
- Maintenance after the dissolution of marriage and conditions
- Permanent alimony
- Maintenance under Criminal Procedure Code (Section 125)

Cases:

- *Brijendrav. State of M.P.*, AIR 2008 SC 1058 164
- *Amar KantaSenv. SovanaSen*, AIR 1960 Cal. 438 159
- *Padmja Sharma v. RatanLal Sharma*, AIR 2000 SC 1398 162

Module 6: The Hindu Minority and Guardianship Act, 1956

- Guardian under the Guardian and Wards Act
- Who can be appointed
- Procedure of application – who can apply – what are powers – what matters court would consider for appointment of a guardian – cessation of authority
- General and special liability of a guardian
- Natural guardian and his/her power

Cases:

- *Githa Hariharan v. Reserve Bank of India* (1999) 2 SCC 228 169

Module 7: Family Courts

- Structure of family courts,
- procedure to be adopted
- jurisdiction

PART II – MUSLIM LAW**Module 1: Muslim Marriage & Dissolution**

- Sources and Schools of Muslim Law
- Nikah Solemnization of Marriage –
 - Definition & Nature
 - Essential conditions for marriage
 - Obligations arising out of wedlock
- Divorce (Talaq)
 - Concept and types of Talaq

Module 2: Maintenance (Nafaqa) Parentage & Guardianship (Hizanat)**PART III: OTHER ISSUES****Module 1: Emerging Issues and Civil Marriages**

- Special Marriage Act, 1954
- Unisex Marriage
- Live in relationship
- Matrimonial home- Issues to monogamy and polygamy
- Surrogacy

Recommended Readings

Aqil Ahmad, *Mohammedan Law*, (Central Law Agency, 24th ed. 2011)

R.K. Agarwala, *Hindu Law*(Central Law Agency, 22nd ed. 2007)

ParasDiwan, *Law of Intestate and Testamentary Succession* (1998), Universal

Basu, N.D., *Law of Succession* (2000), Universal

Kusem, *Marriage and Divorce Law Manual* (2000) Universal

Machanda.S.C.,*Law and Practice of Divorce in India* (2000) Universal

P.V.Kane, *History of Dharmasastras* Vol.2 pt.1 at 624-632 (1974)

A.Kuppuswami (ed.) *Mayne's Hindu Law and Usage*Ch.4(1986)

B.Sivaramayys, *Inequalities and the Law*, (1985)

K.C.Daiya, "Population control through family planning in India, " *Indian Journal of Legal Studies*,85 (1979)

J.D.M. Derrett, *Hindu Law: Past and Present*

J.D.M. Derrett, *Death of Marriage Law*

A.A.A.Fyze, *Outline of Muhammadan Law*, (1998)

AlladiKuppuswami,(ed.) *Mayne's Hindu Law and Usage*, (1986)

J.D.M.Derret, *A Critique of Modern Hindu Law*, (1970)

ParasDiwan, *Hindu Law* (1985) Law 45

S.T.Desai (ed.) *Mulla's Principles of Hindu Law*, (1998) -Butterorths-India.

Pares Diwan, *Family Law: Law of Marriage and Divorce in India*, (1984).

A.M.Bhattachargee, *Muslim Law and the Constitution* (1994) Eastern Law House, Calcutta.

A.M.Bhattachargee, *Hindu Law and the Constitution* (1994) Eastern Law House, Calcutta.

Paras Diwan, *Law of Adoption, Ministry, Guardianship and Custody* (2000), Universal

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Interpretation of Statutes

COURSE OUTLINE

Module 1: Introduction

- Meaning of Interpretation
- Need for Interpretation

Module 2: What is a Statute

- Legislative Process



- Different parts of a Statute
- Classification of Statute

Module 3: Principles

- Statute must be read as a whole in its context
- Ut res magis valeat quam pareat
- Intention of legislature
- If meaning plain effect must be given to it irrespective of consequences
- Ejusdem Generis
- Noscitur a Sociis
- Expressio
- Generalia
- Contemporanea
- Precedent

Module 4: Rules of Interpretation

- Literal Rule
- Golden Rule
- Beneficial Construction
- Purposive Construction
- Mischief Rule
- Mimansa Rules of Interpretations

Module 5: Aids or Tools of Construction

- Internal aids
- External aids

Module 6: Construction of different statutes

- Penal Statute
- Taxing Statute
- Expropriatory Statute
- Constitution

- Harmonious Construction
- Pith and Substance
- Eclipse
- Severability
- Colourable legislation

Module 7: Presumptions

Recommended Readings

G.P. Singh's Interpretation

Maxwell's on Interpretation

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Law And Economics



COURSE OUTLINE

MODULE 1 – Basic concepts of Economics & Law

- Basic concepts of law – the common law & civil law tradition
- Basic concepts of economics – Review of Price theory
- Concepts of Economic Efficiency – Pareto Optimum, Theory of Second Best

- The theory of markets
- Market failure - Externalities, Monopoly, Public goods & information
- The Game Theory

Recommended Readings

Cooter and Ulen: chapter 2; A Review of Microeconomic theory

Cooter and Ulen: chapter 3; An Introduction to Law and Legal Economics

Kenneth Gillingham , James Sweeney : “Market Failure and the Structure of Externalities” ; 2010

Vani K. Borooah: “Market Failure :An Economic Analysis of its Causes and Consequences” ; 2003

Game Theory : the library of Economics & Liberty,
www.econlib.org/library/Enc/GameTheory.html

MODULE 2 – Economic Analysis of Property Law

- The Coase theorem
- Bargaining Theory
- The economic concept of property rights and its allocation : to lubricate or allocate
- How are property rights established & verified
- The Economic aspects of what can be privately owned
- Intellectual property as public goods (Patents, copyrights, trademarks)
- Remedies of violation of property rights

Recommended Readings

Cooter and Ulen: chapter 4 & 5 : An Economic theory of Property

Gary North “The Coase theorem : A STUDY IN ECONOMIC EPISTEMOLOGY”. 1992

Posner, Richard A. (2005) “Intellectual Property: The Law and Economics Approach”.

Web Notes Cooter & Ulen

Matt Rognlie , “Understanding the Coase theorem” 2011,
mattrognlie.com/2011/05/04/understanding-the-coase-theorem/

Christopher K. Eppich, *Patenting Dilemma: Drugs for Profit Versus Drugs for Health*, 43 Santa Clara L. Rev. 289 (2002).

MODULE 3 – Economics of Law of Contract

- Bargain Theory – Introduction to Contract
- Economic theory of Contract
- Perfect Contracts and market Failures
- Remedies as Incentives
- Specific Performance
- Models of Remedies

Recommended Readings

Cooter and Ulen: chapter 6 & 7 : An Economic theory of Contracts

Steven Shavell, “Economic Analysis of Contract law” ; the national bureau of Economic Research, 2003.

MODULE 4 – Economics of Law of Torts

- Economics of torts: Calabresi’s minimum social cost rule
- Drivers & pedestrians: *Caveat Emptor* or negligence or strict liability?
 1. Caveats: activity levels; extent of precaution, administrative costs, court errors.
 2. The Learned Hand rule
- Product liability: privity to negligence to strict liability to absolute liability
- Consumer Product Injuries
- Extension of Economic Model in Law of torts

Recommended Readings

Cooter and Ulen: chapter 8 & 9 : An Economic theory of Tort Law

Winand Emons, “An Introduction to the Legal & Economic Theories of torts” 1993.

Richard A Posner, “Instrumental and Non Instrumental Theories of Tort Law” 2013.

MODULE 5 – Economic theory of Legal Process

- Computing the value of a legal claim
- Settlement Bargaining
- Economics of Trials
- Economic Aspects of Appeals

Recommended Readings

Cooter and Ulen: chapter 10 : An Economic theory of Legal Process

Richard A Posner, “An Economic Approach to Legal Procedure & Judicial Administration” ; *The Journal of Legal Studies* : Vol 2, 1973

Cooter, Robert (1991) “Economic Theories of Legal Liability.” *Journal of Economic Perspectives* 5(3).

MODULE 6 - The Economics of Crime and Punishment

- The theory of criminal law
- The concept of Rational Crime
- Optimal Amount of Crime Deterrence and of Efficient Punishment
- Social Cost of Crime
- The Deterrence effect of Imprisonment and capital punishment
- The Economics of addictive drugs and crime

Recommended Readings

Cooter and Ulen: chapter 11 & 12 : An economics of Crime & Punishment

Gary S. Becker , “Crime and Punishment: An Economic Approach”; *National Bureau of Economic Research*, Vol 1, 1974.

M.A.Cohen, “Environmental Crime & Punishment : Legal / Economic

Theory”Farmer, Amy and Dek Terrell (2001) “Crime versus Justice: Is There a Trade-off?” *The Journal of Law and Economics*, Vol. XLIV

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Public International Law



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COURSE OUTLINE

MODULE 1 Introduction

Definition and nature, General and Regional rules of International Law, Distinction between Public International Law and Private International Law, Hugo Grotius, Is International Law true Law? Sanctions of observance of International Law, Sources of International Law (Article 38, Statute of the International Court of Justice), Relationship between international law and municipal law (Monism, Dualism, British, American and Indian Practice), Subject of international law (Various Theories), Individual as subject of international law, The essential characteristics of a State in International Law, Micro States, Sovereignty of States, Condominium, Vassal States and protectorates, Holy See, Commonwealth of Nations.

MODULE 2 Recognition

Definition of State Recognition, Recognition of Government, Theories of Recognition, Recognition De Jure and De Facto, The Duty to Recognize, Legal Effect of Recognition, Withdrawal of Recognition, Retroactive effect of Recognition. States Succession: Definition and Kinds of Succession, consequences of state succession, Succession in respect of International Organization.

Intervention: Definition and its Prohibition, Grounds of Intervention. Intervention by invitation, State Jurisdiction-**Jurisdiction:** Territorial Jurisdiction and its limitations.

State Responsibility: Kinds of State Responsibility, Consequences of State Responsibility

MODULE 3 State Territory

Concept, modes of acquisition, International Rivers Air Space: Various Theories, Aerial Navigation (Five freedom of Air), Outer Space Treaty, 1967 Law of Sea: Territorial Sea, Contiguous Zone, Continental Shelf, Exclusive Economic Zone, The High Seas, Land Locked States, International Tribunal for the Law of the Sea, Piracy., International Seabed Mining- Parallel System of Mining

MODULE 4 Extradition

Definition, Purpose of Extradition, Legal Duty, Extradition of Political Offenders, Doctrine of Double Criminality,

Rule of Specialty Asylum: Meaning, Right of Asylum, Types of Asylum Diplomatic Agents: Who are Diplomatic Agent? Classification of Heads of Mission, Function of

Diplomatic Agents: The basis of Immunities and Privileges, Privileges and Immunities, Waiver of Immunity, Termination of Diplomatic Mission. Consuls: Classification, function, privileges and Immunities. **International Treaties:** Meaning, kind's formation, Pacta Sunt Servanda, Rebus Sic Stantibus, Jus Cogens, Reservations and Termination.

Recommended Readings

- United Nations Charter (Bare Act) Universal Publication CLA
- "International Law" Gurdip Singh/Macmillan India Ltd.
- "International Law" J.G. Starke
- "Cases and materials in International Law" Harris
- "Principles of International Law" Brownlie/ Universal Publication
- "Principles of International Law" S.K Kapoor / CLA
- "International Law" Charles G. Fenwick/Oxford University Press
- "WTO and International Trade" M. B Rao and Manjula Guru
- "Understanding International Trade Law" Simone Scitzer/Universal Publishing House
- "The Law and Policy of the World Trade Organization" Peter Van den Bossche/ Werner Zdouc Paperback
- "International Trade Law" Indira Carr/Cavendish Publishing House

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Criminal Procedure Code

MODULE 1 Introductory

Concept and types of criminal justice system, Meaning of procedure: The functionaries under the Code; their duties, functions and powers; First Information Report, complaint; Arrest; Types of trial, Powers of criminal courts. An overview of criminal justice process.

MODULE 2 Provision for Investigation

Arrest, Search and Seizure

Processes to Compel Appearance

Information to Police

Power to Investigate

Preventive action by the police

MODULE 3 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 and seizure
- h. Miscellaneous

MODULE 4 Proceedings before Magistrate

- a. Conditions requisite for initiation of proceedings
- b. Complaints to Magistrates
- c. Commencement of proceedings before Magistrates
- d. Provisions as to enquiry and Trial
- e. Security Proceedings

MODULE 5 Trials and Execution Proceedings

- a. Trial before a court of session
- b. Trial of warrant cases by magistrates
- c. Trial of summons cases by Magistrates
- d. Summary Trials
- e. Provision as to Bail
- f. Submission of death sentences for confirmation
- g. Execution, suspension, remission and commutation of sentences

MODULE 6 Review Procedures

- a. Appeals
- b. Reference and Revisions

MODULE 7 Miscellaneous

- a. Maintenance of wives, children and parents
- b. Transfer of criminal cases
- c. Irregular proceedings
- d. Limitations for taking cognizance
- e. Compounding of Offences and Plea-bargaining
- f. Security for peace and good behavior
- g. Transfer of cases
- h. Maintenance of Public order and Tranquility

MODULE 8 Probation of Offenders Act, 1958

- a. Concept of Probation system-Origin and Development in India
- b. Admonition under the P.O. Act (5.3)
- c. Release of offenders on Probation (5.4)
- d. Release of young offenders (5.6)
- e. Removal of Disqualification in attached to probation (5.12)
- f. Appeal & Revision (s.11)
- g. Removal of disqualification attached to conviction (s.12)

MODULE 9 Maintenance of Public order and Tranquility

XJuvenile Justice(Care and Protection of Children) Act,2000

- a. Power, composition ,functions and procedure to be followed by the Juvenile Justice Board. (ss. 4-14)
- b. Order that may or may not be passed regarding or against juvenile (sc. 15-16)
- c. Offences against Children (Sc. 21-28)
- d. Institutions under J. J. Act
 - Observation Home (5.8)
 - Special Home (5.9)
 - Children Home (5.34)
 - Shelter Home (5.37)
- e. Child Welfare Committee – its power, functions and procedures; persons entitled to produce a child in need of care and protection (ss. 29-33)
- f. Rehabilitation and Social Rehabilitation of ‘child in need of Care and Protection’ (ss. 40-44)

Text Books:

1. Rattan Lal & Dhirajlal- Code of Criminal Procedure
2. R.V. Kelkar - Code of Criminal Procedure
3. Chandrasekharan Pillai, Kelkar Lecturer on Criminal Procedure, 1998 Eastern Book Co.
4. Woodroffe, Commentaries on Criminal .Procedure Code, 2000 Universal
5. Sarkar on Criminal Procedure Code
- 6.N.K. Chakrabarti- Probation System in the Administration of Criminal Justice
7. Ved Kumari- Juvenile Justice System s – (sections 441 – 462)

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Corporate Law II



COURSE OUTLINE

Module I: Corporate Governance and Social Responsibility

- Importance of Corporate Governance
- Different system of Corporate Governance
- Impact of Legal Traditions and the Rule of Law on Corporate Governance
- Legal Reforms of Corporate Governance in India
- Reports of the various Committees on Corporate Governance
- Emerging Trend based on the recommendation of the Committees in the Companies Act 1956 and the Listing Agreement with Special reference to Clause 49.
- Corporate Social and Environmental Responsibility

MODULEII: Corporate Finance and Regulatory Framework

- Security Contract (Regulation) Act, 1956
- SEBI Act, 1992
- Depositories Act, 1996
- The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002

ModuleIII: Regulatory Framework for Foreign Trade, Multinational Companies

- Foreign Trade (Development & Regulation) Act, 1992
- UNCTAD Draft Model on Trans-national Corporations
- Control and Regulation of foreign companies in India

- Foreign collaborations and joint ventures.

ModuleIV: Foreign Exchange Management and money Laundering

- Foreign Exchange Management Act, 1999
- Prevention of Money Laundering Act, 2002

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Family Law - II



MUSLIM LAW

Module 1: Sources and Schools of Muslim Law, Schools of Muslim Law

Module 2: Nikah - Solemnization of Marriage – conditions for validity, classification and types;

Module 3: Dower (Mahr)

Module 4: Divorce (Talaq)

(a) Extra-judicial - Talaq, Khula, Mubarat

(b) Judicial - The Dissolution of Muslim Marriages Act, 1939

Module 5: Maintenance (Nafaqa)

Module 6: Parentage, Legitimacy, Acknowledgement of Paternity

Module 7: Guardianship (Hizanat)

Cases:

- *Mt. Ghulam Kubra Bibiv. Mohd. Shafi Mohd. Din*, AIR 1940 Pesh. 2 181
- *Chand Patel v. Bismillah Begum*, 1 (2008) DMC 588 (SC) 183

- *Saiyid Rashid Ahmad v. Mt. Anisa Khatun*, AIR 1932 PC 25 191
- *Shamim Arav. State of U.P.*, 2002 Cr LJ 4726 (SC) 195
- *Masroor Ahmed v. Delhi* (NCT) 2008 (103) DRJ 137 (Del.) 200
- *Ghulam Sakinav. Falak Sher Allah Baksh*, AIR 1950 Lah. 45 213
- *A. Yousuf Rawther v. Sowramma*, AIR 1971 Ker. 261 217
- *Itwariv. Asghari*, AIR 1960 All. 684 227
- *Danial Latif v. Union of India* (2001) 7 SCC 740 234
- *Noor Saba Khatoon v. Mohd. Quasim*, AIR 1997 SC 3280 249
- *Mohd. Ahmed Khan vs. Shah Bano Begum & Ors.* AIR 1985 SC 945

Important Note:

The topics, legislations and cases given above are not exhaustive. The students are required to study the legislations as amended up-to-date and consult the latest editions of books.

Recommended Readings

Aqil Ahmad, *Mohammedan Law*, (Central Law Agency, 24th ed. 2011)

R.K. Agarwala, *Hindu Law* (Central Law Agency, 22nd ed. 2007)

Paras Diwan, *Law of Intestate and Testamentary Succession* (1998), Universal

Basu, N.D., *Law of Succession* (2000), Universal

Kusem, *Marriage and Divorce Law Manual* (2000) Universal

Machanda.S.C., *Law and Practice of Divorce in India* (2000) Universal

P.V.Kane, *History of Dharmasastras* Vol.2 pt.1 at 624-632 (1974)

A.Kuppuswami (ed.) *Mayne's Hindu Law and Usage* Ch.4 (1986)

B.Sivaramayys, *Inequalities and the Law*, (1985)

K.C.Daiya, "*Population control through family planning in India*, "Indian Journal of Legal Studies,85 (1979)

J.D.M. Derrett, *Hindu Law: Past and Present*

J.D.M. Derrett, *Death of Marriage Law*

A.A.A.Fyzee, *Outline of Muhammadan Law*, (1998)

AlladiKuppuswami,(ed.) *Mayne's Hindu Law and Usage*, (1986)

J.D.M.Derret, *A Critique of Modern Hindu Law*, (1970)

ParasDiwan, *Hindu Law* (1985) Law 45

S.T.Desai (ed.) *Mulla's Principles of Hindu Law*, (1998) -Butterorths-India.

Pares Diwan, *Family Law: Law of Marriage and Divorce in India*, (1984).

A.M.Bhattachargee, *Muslim Law and the Constitution* (1994) Eastern Law House, Calcutta.

A.M.Bhattachargee, *Hindu Law and the Constitution* (1994) Eastern Law House, Calcutta.

ParasDiwan, *Law of Adoption, Ministry, Guardianship and Custody* (2000), Universal

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Civil Procedure Code

COURSE OUTLINE

MODULE 1 – Introduction

Definitions: Suits in general: Jurisdiction; Res- subjudice, Res-Judicata, Foreign Judgment; Judgment and decree.

MODULE 2 - Place of Suing

Summons and Discovery; Costs; Parties to suits; Framing of suit; Issue of summons; Pleadings; Plaintiff; Written Statement; Set-off; Counter Claim;

MODULE 3 – Appearance of Parties

Summoning and Attendance of Witnesses; Execution of Decree; Incidental Proceedings; Commissions; Suits in a particular cases; Suits by Indigent Persons.

MODULE 4 – Special Proceedings

Suits relating to Public Matters, Supplementary Proceedings:



Arrest and Attachment before Judgment, Temporary Injunction and Interlocutory, orders, Receivers; Appeal, Reference, Review and Revision, Miscellaneous Sections 132 to 153B.

The Limitations Act, 1963

MODULE 5 – Concepts of Law:

Rights and Duties

Personality

Possession, Ownership and Property

Recommended Readings

Civil Procedure C.K. Takwani/ Eastern Book Co.

Civil Procedure Code T.P.Tripathi/ CLA

Civil Procedure Code D.F. Mulla/ Lexis Nexis

The Code of Civil Procedure M.P. Jain/ Buterworth's

Code of Civil Procedure Justice T.S. Doabia/ Jain Book Depot

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International Trade

COURSE OUTLINE

MODULE 1- Theories of International Trade

Theories of absolute advantage, comparative advantage; Heckscher - Ohlin Theory; Factor price equalization theory , Role of International trade in Economic development – Direct and Indirect benefits or Gains ,Measurement and distribution of gains , The contribution of trade to growth and development

MODULE 2 - Terms of Trade and Commercial Policy

Meaning & Importance of Terms of Trade , Types of terms of trade – Factors Influencing Terms of trade , Free trade Vs Protection – Arguments for and against protection , Tariffs – Types , Quotes – Types, Tariff versus Quota; Other non tariff barriers; Customs Union – Trade Creation & Trade Diversion.



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MODULE 3 Balance of Trade and Balance of Payments & Foreign Trade in India

Balance of trade and balance of payments – Balance of payment always balances – Equilibrium and Disequilibrium in balance of payments – Measures to correct disequilibrium. Volume, Composition and Direction of India's Foreign Trade, Trade Policy before and after reforms

MODULE 4 Foreign Exchange Market and Exchange Control

Functions and Transactions – Meaning of exchange rate – Determination of exchange rate – Purchasing power parity theory – Fixed exchange rate – Flexible or Floating exchange rate – Causes for fluctuations in exchange rate – Exchange Control – Meaning – Objectives – Direct and Indirect methods – Merits & Demerits

MODULE 5 International Financial Institutions and Trade Agreements

IBRD or World Bank – Functions – Objectives and its working, India & World Bank, IMF – Functions , Objectives and its working, India & IMF - GATT-WTO, Their impact on India – European Union – Constitution, Objectives, Functions , United Nations , SAARC , ASEAN

Essential Readings:

1. Salvatore, D.L., 1997, International Economics, Prentice Hall, Upper Saddle River, N.J.
2. Vaish, M.C. & S. Singh, 1995, International Economics.
3. Rana & Verma, International Economics, Vishal Publishing Co.

References:

1. Cherunilam Francis, International Economics (5th edition), Tata McGraw Hill Education Private Ltd, New Delhi.
2. Mithani, D.M., Money, Banking, International Trade & Public Finance, Himalaya Publisher.
3. Sundaram, K.P.M., Money, Banking, & International Trade, Sultan Chand.
4. Kindleberger, C.P., 1973, International Economics, R.D. Iruim, Homewood.

5. Sodersten, B.O. 1991, International Economics, McMillan Press Ltd. London.
6. Lindert, International Economics, All India Traveller Book Seller.
7. Chacholiades, M., International Trade- Theory & Policy, McGraw Hill, Kogabusha, Japan.

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Jurisprudence



COURSE OUTLINE

MODULE 1 – Introduction

Nature and Scope of Jurisprudence
Need for study of Jurisprudence
Linkage between Jurisprudence and other sciences

Sources of Law: Custom

Legislation

Precedent

MODULE 2 - Schools of Jurisprudence

Natural Law with Indian Perspective

Analytical Positivism, Pure Theory, Legal Realism

Historical Jurisprudence

Sociological Jurisprudence with Indian Perspective

MODULE 3 – State, Sovereignty and Law

Nature and functions of a State and its relationship with law

Nature and development of Sovereignty

MODULE 4 – Nature and Kinds of law

Theories of Justice and Punishment

Law and Legislation

Law and Morality

Law and Religion

Law and Social change

MODULE 5 – Concepts of Law:

Rights and Duties

Personality

Possession, Ownership and Property

Recommended Readings

L.M. Singhvi, Freedom on Trial, (1991), Vikar, N.Delhi.

Verinder Grover (Ed.) Political Process and Role of Courts, (1997) Deep & Deep Publications, N.

Delhi.

B.P.Sigh Seghal (Ed.) Law, Judiciary and Justice (1993) Deep & Deep, N.Delhi.

Max Gluckman, Judicial Processes Among the Barotse of northern Rhodesia (1967).

Paul Bohanan, Justice and Judgment Among the Tiv (1957)

E. Adamson Hoebel, The Law of the Primitive Man (1968)

Catherine Newman, Law and Economic Organization: A Comparative Study of Pre-industrial

Law 306 Societies (1983)

Upendra Baxi, Towards the Sociology of Indian Law (1986)

Harold J. Berman, Law and Revolutions the Formation of the Western Legal Tradition (1983).

Yash Ghai, The Political Economy of Law. A Third World Reader (1986)

Henry J. Abraham, The Judicial Process (1995), Universal

Ronald Dworkin, Taking Rights Seriously (1996), Universal

Ronald Dworkin, A Matter of Principle (1985)

John Hart Ely, Democracy and Distrust. A Theory of Juridical Review (1980)

J. Stone, Precedent and the Law: Dynamics of Common Law Growth (1985)

Supreme Court of India, Third International Conferences of Appellate Judges Conference Papers and Proceedings (1985).

Upendra Baxi, The Indian Supreme Court and Politics (1980)

Upendra Baxi, Courage, Craft and Contention: The Indian Supreme Court in Mid-Eighties (1986), Tripathi, Bombay

Rajeev Dhavan, The Supreme Court of India: A Study of its Socio-Juristic Techniques (1977), Tripathi, Bombay

Rajeev Dhavan, and Alice Jacob, Selection and Appointment of Supreme Court Judges : A Case Study (1978)

Rajeev Dhavan and P. Kalpakam, The Supreme Court under Strain: The Challenge of Arrears (1979)

Simon Shetret & Jules Descheness (Ed.), Judicial Independence: A Contemporary Debate, Martinus

Highoff Pub., Dercbrecht, (1985)

Martin Shapiro, Courts: A Comparative and Political Analysis (1981), University of Chicago

H.R.Khanna, Judiciary in India and Judicial Process, (1985), S.C. Sarkar and Sons, Calcutta

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Law of Evidence

COURSE OUTLINE

MODULE 1: GENERAL ISSUES RELATING TO LAW OF EVIDENCE

- History of statutory Evidence Law in India – Pre and post Indian Evidence Act, 1872 realities – Role of Judiciary, particularly the appellate judiciary in updating the Evidence Law rules by judicial creativity.
- The main features of the Indian Evidence Act 1861.



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- Relationship between law of Evidence and substantive laws (Criminal and Civil laws) and procedural laws (Code of Criminal Procedure and Civil Procedure Code)
- Problem of applicability of Evidence Act
- Why rules of evidence have different significance under the Adversarial System and Inquisitorial System of Justice?
- Understanding the general concepts : ‘Facts’, ‘Facts in issue’, ‘Relevant Fact’, ‘Evidence-Oral and Documentary’, ‘Direct and Circumstantial’, ‘Proved’, ‘Disproved’ and ‘Not Proved’.

MODULE 2: RELEVANCY AND ADMISSIBILITY OF FACTS

- Logically relevant facts:
 - The Doctrine of Res gestae (Section 6,7,8)
 - Special class of relevant facts relating to Conspiracy – section 10
 - The problems of relevancy of “Otherwise" irrelevant facts (Section 11)
 - Relevant facts for proof of custom (Section 13)
 - Facts concerning bodies & mental state (Section 14, 15)
- Stated relevant facts
 - Admissions and confessions
 - General principles concerning admission (Section 17, 23)
 - Differences between "admission" and "confession"
 - The problems of non-admissibility of confessions caused by "any inducement, threat or promise" (Section 24)
 - Inadmissibility of confession made before a police officer (Section 25)
 - Admissibility of custodial confessions (Section 26)
 - Admissibility of "information" received from accused person in custody; with special reference to the problem of discovery based on "joint statement" (Section 27)
 - Confession by co-accused (Section 30)
 - The problems with the judicial action based on a "retracted confession"

- Dying Declarations
 - The justification for relevance on dying declarations (Section 32)
 - The judicial standards for appreciation of evidentiary value of dying declarations.
- Opinion of Third Person when relevant (Expert Opinion) - sections 45-51

Cases:

- State of Maharashtra v. Prafulla B. Desai (Dr.) (2003) 4 SCC 601
- R. M. Malkani v. State of Maharashtra, AIR 1973 SC 157
- Mirza Akbar v. Emperor, AIR 1940 PC 176
- Badri Rai v. State of Bihar, AIR 1958 SC 953
- Mohd. Khalid v. State of W.B. (2002) 7 SCC 334
- Jayantibhai Bhenkerbhai v. State of Gujarat (2002) 8 SCC 165
- Bishwanath Prasad v. Dwarka Prasad, AIR 1974 SC 117
- Central Bureau of Investigation v. V.C. Shukla, AIR 1998 SC 1406
- Veera Ibrahim v. State of Maharashtra, AIR 1976 SC 1167
- Pakala Narayana Swami v. Emperor PC 1939
- Aghnoo Nagesia v. State of Bihar, AIR 1966 SC 119 64
- Pulukuri Kottaya v. Emperor, AIR 1947 PC 67
- Bodhraj v. State of J. & K. (2002) 8 SCC 45
- Khushal Rao v. State of Bombay, AIR 1958 SC 22
- Sudhakar v. State of Maharashtra (2000) 6 SCC 671
- Patel Hiralal Joitaram v. State of Gujarat (2002) 1 SCC 22
- Laxman v. State of Maharashtra (2002) 6 SCC 710
- Ram Narain v. State of U.P., AIR 1973 SC 2200, (1973) 2 SCC 86
- Santosh Kumar Singh v. State Th. Cbi, 2010 SC
- State Tr.P.S.Lodhi Colony, New v. Sanjeev Nanda, 2012 Del. HC
- Vikas Yadav v. State of U.P & Anr, 2009 Del. HC
- Manu Sharma vs. State (NCT of Delhi) (2010) 6 SCC 1
- Rabindra Kr. Pal @ Dara Singh v. Republic of India, 2011 SC

MODULE 3: ON PROOF

- Facts which need not be proved – sections 56-58
- Facts which the parties are prohibited from proving
- Doctrine of Estoppel – sections 115-117
- Privileged communications – sections 122-129
- Oral and documentary evidence – sections 59-78
- Exclusion of oral by documentary evidence – sections 91-92

Cases:

- R. S. Maddanappa v. Chandramma (1965) 3 SCR 283
- Madhuri Patel v. Addl. Commissioner, Tribal Development, AIR 1995 SC 94
- SanatanGauda v. Berhampur University, AIR 1990 SC 1075
- M.C. Vergheese v. T.J. Ponnann, AIR 1970 SC 1876 136
- State of U.P. v. Raj Narain, AIR 1975 SC 865

MODULE 4: ACCOMPLICE EVIDENCE – section 133 read with section 114 illustrations (b)

Cases:

- BhuboniSahu v. The King, AIR 1949, PC 257
- Haroon Haji Abdulla v. State of Maharastra, AIR 1975 SC 856
- Ravinder Singh v. State of Haryana, AIR 1975 SC 856

MODULE 5: WITNESSES, COMPETENCE AND EXAMINATIONS

- Child Witness – section 118
 - Dumb Witness – section 119
 - Hostile Witness – section 154
- General principles of examination cross examination and re-examination (Section 135-166)
- Leading questions (Section 141-143)
 - Lawful questions in cross-examination (Section 146)

- Compulsion to answer questions put to witness
- Impeaching of the standing or credit of witness (Section 155)

Cases:

- State of Bihar v. Laloo Prasad (2002) 9 SCC 626 176

MODULE 6: BURDEN OF PROOF

- The general conception of onus probandi (Section 101)
- General and special exceptions to onus probandi
- The justification of presumption and of the doctrine of judicial notice
- Justification as to presumptions as to certain offences (Section 111A)
- Presumption as to dowry death (Section 113-B)
- The scope of the doctrine of judicial notice (Section 114)

MODULE 7: PRESUMPTIONS

- Sections 4, 41, 105, 111-A, 112, 113, 113-A, 113-B, 114 and 114-A

Cases:

- GoutamKundu v. State of West Bengal, AIR 1993 SC 2295 178

IMPORTANT NOTE:

The topics and cases given above are not exhaustive. The students are required to study the legislations as amended up-to-date and consult the latest editions of books.

Prescribed Books:

- Rattan Lal, Dhiraj Law: Law of Evidence
- Sarkar and Manohar, Sarkar on Evidence
- Vepa P. Sarathi, Law of Evidence
- M. Monir, Law of Evidence
- Avtar Singh, Principles of the Law of Evidence, Central Law Publication

- Albert S.Osborn, The Problem of Proof

Prescribed Legislation: The Indian Evidence Act, 1872, Indian Penal Code, 1860, Code of Criminal Procedure, 1970

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Labour Law I



COURSE OUTLINE

MODULE 1 – Historical perspectives on Labour

- Labour through the ages - slave labour - guild system - division on caste basis - labour during feudal days.
- Colonial labour law and policy
- Labour capital conflicts: exploitation of labour, profit motive, poor bargaining power, poor working conditions, unorganised labour, bonded labour, surplus labour, division of labour and super-specialisation - lack of alternative employment.
- Theories of labour and surplus value
- From laissez faire to welfarism and to globalisation: transition from exploitation to protection and from contract to status : changing perspectives on labour.

MODULE 2 - Trade unionism

- Labour movement as a counter measure to exploitation - history of trade union movement in India.
- Right to trade union as part of human right to freedom of association - international norms and the Indian Constitution.
- Legal control and protection of trade union: registration, amalgamation, rights,

immunities, liabilities and dissolution.

- Problems: multiplicity of unions, over politicisation – intra union and inter-union rivalry, outside leadership, closed shop and union-shop, recognition of unions.

MODULE 3 - Collective bargaining

- The concept
- International norms - conditions precedent - merits and demerits.
- Bargaining process
- Negotiation
- Techniques of pressurization : strike and lockout, go-slow, work to rule, gherao, bundh
- Structure of bargaining : plant, industry and national levels
- Duration and enforcement of bipartite agreement
- Reforms in law

MODULE 4 - State Regulation of Industrial Relations

- Theoretical foundations: social justice, labour welfare, public interest, productivity, industrial peace and development and price control.
- Methods of regulation:
- Recognition of mutual arrangements
- Assistance to bipartite settlement: conciliation, voluntary arbitration, formulation of standing orders.
- State prescription of machinery: reference for adjudication (the political overtones), the adjudicatory mechanisms (How do they differ from courts?), award and its binding nature, judicial review of awards.
- State prescription of standards in lay off, strike, lockout, retrenchment, closure and transfer of undertakings

- The conceptual conundrum: industry, industrial dispute, workmen.
- Unfair labour practices.

MODULE 5 - Discipline in industry

- Doctrine of hire and fire - history of management's prerogative.
- Fairness in disciplinary process:
- Punishment for misconduct - meaning of misconduct
- The right to know : the charge sheet
- The right to defend : domestic enquiry, notice, evidence, cross-examination, Representation, unbiased inquiry officer and reasoned decision.
- Prenatal (permission) and postnatal (approval) control during pendency of proceedings (S.33 of the I.D. Act.)
- Role of management and labour

References

- John Bowers and Simon Honeyball, Text Book on Labour Law (1996), Blackstone, London
- Srivastava K.D., Commentaries on Payment of Wages Act 1936 (1998), Eastern, Lucknow
- Srivastava K.D., Commentaries on Minimum Wages Act 1948 (1995), Eastern, Lucknow
- Rao.S.B., Law and Practice on Minimum Wages (1999) , Law Publishing House, Allahabad
- Seth.D.D., Commentaries on Industrial Disputes Act 1947 (1998), Law Publishing House, Allahabad
- Srivastava K.D., Disciplinary Action against Industrial Employees and Its Remedies (1990), Eastern, Lucknow
- Srivastava. K .D., Commentaries on Factories Act 1948 (2000), Eastern, Lucknow
- R.C. Saxena, Labour Problems and Social Welfare Chapters 1, 5 and 6.(1974)
- V.V. Giri, Labour Problems in Indian Industry Chs. 1 and 15, (1972).
- Indian Law Institute, Labour Law and Labour Relations (1987)

- (1982) Cochin University Law Review, Vol. 6 pp. 153-210.
- Report of the National Commission on Labour. Ch. 14-17, 22, 23 and 24.
- O.P. Malhotra, The Law of Industrial Disputes (1998), Universal, Delhi.
- S.C. Srivastava, Social Security and Labour Laws Pts. 5 and 6 (1985). Universal, Delhi.
- S.C. Srivastava, Commentary on the Factories Act 1948 (1999) Universal, Delhi.

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Environmental Law



COURSE OUTLINE

Module-I

Dimensions of Environmental Problems, Pollution & its Kinds, Sustainable development,

Constitutional Provisions & Judicial Activism (Principles-Precautionary principle, Polluter pays principle, public trust doctrine)

Module-II

The Water (Prevention & Control of Pollution) Act, 1974 ; Definition, Central and State Pollution

Control Boards: Constitution, power and function; Sample of effluents, Citizen Suit Provision

The Air (Prevention & Control of Pollution) Act, 1981; Definition, Central and State Pollution

Control Boards: Constitution, power and function; Sample of effluents, Citizen Suit Provision

Module-III

The Environment (Protection) Act, 1986, The National Environment Tribunal Act, 1955 and The National Environment Appellate Authority Act, 1997

Module-IV

Indian Forest Act, 1927

Kinds of forest-private, Reserved, Protected and Village Forest, The Forest (Conservation) Act, 1980

The Wild Life (Protection) Act, 1972; Authorities to be appointed and constituted under the Act, Hunting of wild animals, Protection of Specified Plants, Trade or Commerce in Wild Animals, animals articles and trophies; Its prohibition.

Acts

1. The Water (Prevention and Control of Pollution) Act, 1974
2. The Air ((Prevention and Control of Pollution) Act, 1981
3. The Environment (Protection) Act, 1986
4. The National Environment Tribunal Act, 1955
5. The National Environment Appellate Authority Act, 1997

Recommended Readings

- Shyam Diwan, Armin Rosencranz, Environmental Law & Policy in India
- P. Leelakrishnan, The Environmental Law in India
- Dr.P.S.Jaswal, Environmental Law
- S.K.Nanda, Environmental Law, 2007
- C.M. Abraham, Environmental Jurisprudence in India (1999), Kluwer
- Madhav Gadgil and Ramachandra Guha, This Fissured Island: An Ecological History of India (1996), Oxford.
- R.B. Singh & Suresh Misra, Environmental Law in India (1996), Concept Publishing Co., New Delhi.

- Kailash Thakur, Environmental Protection: Law and Policy in India (1997), Deep & Deep Publications, New Delhi.
- Richard L. Riversz, et. al. (eds.), Environmental Law, the Economy and Sustainable Development (2000), Cambridge.
- Christopher D.Stone, Should Trees Have Standing and other Essays on Law, Morals and the Environment (1996), Oceana
- Stuart Bell and Donald McGillivray, Environmental Law (2000), Blackstone Press.
- Charles A.R. Webster, Environmental Health Law (1981)
- Leelakrishnan, P et. al. (eds.) Law and Environment (1990), Eastern
- Leelakrishnan, P, The Environmental Law in India (1999), Butterworths-India
- Department of Science and Technology, Government of India, Report of the Committee for Recommending Legislative Measures and Administrative Machinery for Ensuring Environmental Protection (1980) (Tiwari Committee Report).
- Thomas J. Schoenbaum, Environmental Policy Law (1992), Foundation Press, Inc. Westbury,New York.
- Darryl D'Monte, Temples or Tombs Industry versus Environment: Three Controversies (1985),Centre for Science and Environment, New Delhi
- Indian Journal of Public Administration, Special Number on Environment and Administration, July-September 1988, Vol. XXXV, No.3, pp.353-801
- Khosho, Environmental Concerns and Strategies (1988), Ashish, Delhi
- 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.
- World Commission on Environment and Development, Our Common Future (1987), Oxford.
- Garrett Hardin, The Ostrich Factor: Our Population Myopia (1998), Oxford

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Taxation Law I



COURSE OUTLINE

- History of Tax Law in India,
- Constitutional provisions relating to Taxation Nature and Scope of Tax,
- Definition: Persons, Assesses, Tax Pays, Previous year, Assessment years, Financial year, Income, Gross Taxable Income, Taxable Income, Agricultural Income, Tax Evasion and Tax Avoidance

Module II: Direct Tax

- Income Tax, Residential Status: Rules (Sec.6)
- Exemption ,
- Heads of Income: Income from Salary, House property, Business and Profession, Capital Gain and other sources

Module III: Income Tax

- Clubbing &Aggregation of Income,
- Carried forward and Set of losses.
- Calculation of Gross Total
- Deduction from Gross Total Income
- Tax Collection at source and Advance Tax

Module IV

- Filing of return
- Assessment Procedure, Types of Assessment
- Income Tax Authority: Their function, Duties and Powers, Appeal, Offences and Penalties,
- Settlement of grievances and Prosecution, Income Tax Act, 1961, Income Tax Rules

Acts

- Bare Acts (Income-tax Act, 1961)
- [Income Tax Rules, 1962](#)

Recommended Readings:

- Ramesh Sharma, Supreme Court on Direct Taxes, (1998)
- Sampat Iyengar, Law of Income Tax, (1998)
- Kanga and Palkiwala, The Law and Practice of Income Tax
Kanga and Palkiwala, The Law and Practice of Income Tax (1999), Wadha, Nagpur.
- K. Parameswaran, Power of Taxation under the Constitution (1987), Eastern, Lucknow
- V. Ramachandran & T.A. Ramakrishnan (eds.) A.N.Aiyar's Indian Tax Laws (2000) Company Law Institute of India Pvt. Ltd. Chennai.
- S.Bhattacharya & H.R. Garg, Handbook of Direct Taxes (1990) Eastern Law House, Calcutta.
 - Girish Ahuja & Ravi Gupta
- Dinesh Ahuja and Ravi Gupta, Systematic approach to Income Tax, (Latest Edition)
- N.A. Palkwllah's Income Tax Act (Two Volume)
- Iyer's Income Tax Act 3. Chaturvedi's Direct Tax Act (Three Volume)

- **Taxmann Publications:**

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

- **Snowwhite Publications (P) Ltd.-** DirectTax Laws- T.N. Manoharan

- **Bharat Law House Pvt. Ltd.,** New Delhi- Professional Approach to Direct Taxes

Website:

- https://www.taxmanagementindia.com/Site-Map/home_category.asp?id=1

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Land & Agricultural Laws



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COURSE OUTLINE

Module 1 : Rajasthan Tenancy Act, 1955

Rajasthan Tenancy Act, 1955. Preliminary : Objects and Reasons, definition, Khudkasht (Sections I to 130), Ijredars, Grove Holder (section Sec.94 to 205) : Classes of tenants (Section 14 to 17-A) : Conferment of rights on sub-tenants or tenants of KbudKasht (Sec.19), Primary right of tenants— (Section 31 to 37) : Surrender, Abandonment and Extinction of tenancies of tenancles (Sections 55 to 64), Improvements and Trees (Sec.65 to 87), Declaratory suits (Sec. 88-92): Determination and modification of rent (Sec. 93-129), payment and recovery of Rent (Sec. 130-160) : grounds for Ejectment of Tenants, Remedies for wrongful ejectment (Sections 169 to 188).

Procedure and Jurisdiction of Courts (Sec 216 to 221). Provision for injunction and appointment of Receiver (Section 212). Appeal. Review, Revision (Sc. 222-232): Reference, Question of Proprietary Rights in Revenue Courts (S. 239) : Question of Tenancy Right in Civil Court (S. 242). Conflict of Jurisdiction (Sec. 243).

Module 2 : The Rajasthan Land Revenue Act, 1956

The Rajasthan Land Revenue Act, 1956 : The Board of Revenue, Revenue Courts and Officers(Sc 4—30) Appeal. Reference, Revision and Review (Sc. 74-87); Land (Sc. 88 to 105) survey (Sc. 100- 112)

Record of Rights. Maintenance of maps and record, Annual Registers (SS. 113—137); Settlement operations; Rent Ratio. Determination of rent, Term Of settlement (Sec.142-177); Collection or Revenue (ss. 224 to 257).

Module 3 : Rajasthan Rent Control Act, 2002

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Comparative Constitution



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Module 1. Salient features of

- Constitution of U.K.,
- Constitution of USA, and
- Constitution of India
- Doctrine of Separation of Power under the Constitution of-
- U.K
- USA and
- India

Module 2. Comparative study on the

- Methods of amendment under the Constitution of – USA & India
- Composition and jurisdiction of
- USA Judicial System
- Indian Judicial System
- Provisions of trade, commerce and intercourse under the
- Constitution of India and
- Constitution of USA

Module 3. Rule of Law

- Meaning
- Exception to the rule of law
- Rule of law under the Constitution., USA and India

Module 4 : Natural Justice

- Natural Justice
- Principles
- Applicability of natural justice principles under the Constitution of
- U.K.

- USA and
- India

Module 5 : Doctrine of Judicial Review in

- U.K.,
- USA and
- India

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Indian Federalism



COURSE OUTLINE

Module 1 : Federalism

- Definition and characteristics of federalism
- Backgrounds of federal principle under the Indian Constitution
- Advantage & Disadvantage
- Advantages and disadvantages of Federal Constitution
- Advantages and disadvantages of Unitary Constitution

Module 2 : Modification of the strict federal principle under Indian Constitution

- Governor's role
- Centre's powers over the State Emergency
- Jammu and Kashmir Special status

Module 3 : Comparative study on federalism in

- India
- U.K. and
- USA

Module 4 : Centre-State Relations

- Legislative Relation
- Administrative Relation
- Financial Relation

Module 5 : Types of Federalism

- Confederation
- Co-operative Federalism

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B.B.A.LL.B./ B.A. LL.B (Integrated Law degree course)

Merger & Acquisitions



Module 1 : Corporate Restructuring

- a) Why Restructuring
- b) How Restructuring(Implication for society / Economy)
- c) Type of Restructuring

Module 2: Introduction of Merger and Acquisition

Merger and Acquisition –Definition

History related to Mergers and Acquisitions in India

Types of Merger and Acquisition

- a) Non Banking Companies
- b) Banking Companies

Difference between Merger and Acquisition

Module 3: Law of Merger and Acquisition

- a) Company Act 2013
- b) Competition Act
- c) Take Over Code
- d) Foreign Exchange Law
- e) Taxation
- f) SEBI Guidelines

Module 4: Due Diligence in Merger and Acquisition

Documentation Issues in Merger and Acquisition

Module 5 : Case Studies in Merger and Acquisition

- a) Indian Case Studies
- b) International Case Studies

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Information Technology Law

COURSE OUTLINE



Module 1: Meaning of Cyber Law

- Cyber World, Cyber Space and Cyber Law
- The internet and online resources
- Network Concept and Fundamentals
- Information Security management System(ISMS)
- Criminology Concept with cyber law

Module 2: Regulation of cyber space

- About ICANN(International corporation of Assigned Names and Numbers)
- UNCITRAL Model of Mobile Commerce 1996
- IPR concept including WIPO and UDRP

Module 3: Information Technology Act-2000

- Preliminary of the Act
- Digital signature
- Electronic Governance
- Attribution, Acknowledgement and Dispatch of Electronic Records
- Secure Electronic Records and Secure Digital Signatures
- Regulation of Certifying Authorities
- Digital Signature Certificates
- Duties of Subscriber
- Penalties and Adjudications
- The Cyber Regulations Appellate Tribunal

- Offences
- Network Service Providers not to be liable in certain cases
- Miscellaneous

Module 4: The Evidence Aspect in Cyber Law

- Investigation and Evidence Collection
- Biometric Security and Cyber Forensic
- Electronic Copy Right Management System (ECMS)
- Copyrights and Patents Act on Soft Propriety Works
- Patents Act on Soft Propriety Works

Module 5: The global trends in Cyber Law

Prescribed Legislations:

- Information Technology (Amendment) Act, 2008
- Information Technology Rules, 2013
- Cyber Regulation Appellate Tribunal Rules
- The Indian Penal Code, 1860
- The Indian Evidence Act, 1872
- Bankers Book Evidence Act.1891
- Reserve Bank of India Act, 1934
- Recent Case Studies

Module 6: Lab Based Practical work

- Network Topology (Model and Protocol)
- Internet Concept with protocol
- Encryption Model Technique
- Ethical hacking and cracking

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B.B.A.LL.B./ B.A. LL.B (Integrated Law degree course)
Administration of Criminal Justice



COURSE OUTLINE

.Module I

Nature and Extent of Crime in India, Criminology, Criminal Law and Criminology
General Approaches to Crime control organized Crime (Smuggling in Narcotics etc),
White Collor Crime-Corruption in Public Life Socio-Economic Crime-Adulteration of
Foods and Drugs
Crime in the Profession Perpetrators of Ordinary Crime

Module II

The Constitutional School of Criminology, Lombroso and others, Hereditary and mental
retardation as causes of Crime, Sociological theories Anomies, Modern Sociological
Theories: Sutherland's differential Association theory, Reckless Social vulnerable
theory. Multiple Causation Theories

Module III

Factor Responsible for Causation of Crime, Environment, home and community
influences, urban and rural crimes. The ghetto, broken homes, effect of TV, Video,
Press, Narcotics and Alcohol, Caste community tension-Case, Wars and Communal
riots-their causes and demoralizing effects, Atrocities against Scheduled Cadres.
Criminal Justice Structure, Criminal law and its administration, The Police System,
Structural Organization of Police and the States, Power and Duties of Police under the
Police Act and Cr.P.C, Arrest, Search and Seizure and Constitutional imperatives,

Liability of Police for Custodial Violence, Select Aspects of National Police
Commission Report

Module IV

Theories of Punishment: (i) Deterrent Theory (ii) Retributive Theory (iii) Preventive Theory (iv) Reformative Theory

Re-socialization Process (Probation and Parole)

Definition, Nature, Duties of Probation Officers, Difference between Parole and Probation, Parole : Nature of Parole, Authority for granting Parole, Supervisor of Parole, Problems of the released offender, Attitude of the community towards released offender, Prisoner Aid Society and other Voluntary Organization governmental Action.

Reference Book

- Katherine S Williams, Textbook on Criminology, 1999
- Loveland, Frontiers of Criminality, 1995
- Manheim H, comparative Criminology, 1965
- Walker, N. Crime and Criminology, 1987

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School of Law

B.B.A.LL.B./ B.A. LL.B (Integrated Law degree course)
Trademark, Geographical Indication & Trade Secret



Course Outline:

Module I: Introduction

- Evolution, Objective, Definition of Trade Mark;
- Kinds of Trade Mark: Certification Marks and Collective Marks;
- International Regime Governing Trademark: TRIPS on Trademarks; Madrid Agreement for The Repression of False or Deceptive Indications of Source on Goods; 1891- Madrid Agreement for the International Registration of Marks, 1891 and Protocol relating to that Agreement 1989;
- Trade Mark in India: The Trade Marks Act 1999

Module II: Trade Mark and Registration

- Procedure for Registration;
- Grounds of Refusal: Absolute and Relative;
- Well Known Trade Mark

Module III: Infringement, Passing Off , Transmission and Licensing

- Difference between Infringement and Passing Off;
- Infringement of Trademark;
- Comparative Advertising;

- Transmission and Licensing of Trademarks;
- Penalties and Remedies ;
- Domain Name Disputes

Unit IV: (Geographical Indication)

1. Historical Background

- (a) Introduction
- (b) International Evolution of Geographical Indication.
 - i. Indication of Source
 - ii. Appellations of Origin.
- (c) Paris Convention.
- (d) Madrid Agreement
- (e) Lisbon Agreement
- (f) NAFTA
- (g) TRIPs

2. Emerging Issues

- (a) Genericide of Geographical Indication.
- (b) TRIPs Article 23 Controversy

Unit-V

1. Registration

- (a) Registration of Geographical Indication
- (b) Effect of Registration

2. Infringement & Remedies

- (a) Infringement and Passing off of Geographical Indication.
- (b) Remedies & Procedure.

3. Comparative Analysis

- (a) Comparative Analysis of Geographical Indication Law in India & France

Module VI: Trade Secrets

- Meaning, Definition and Importance of Trade Secret;
- History of Trade Secrets;
- Trade Secret Characteristics;
- Subject matter of Trade Secret;
- Extent of Secrecy;
- Difference between Trade Secret and Confidential Information;
- Trade Secret vis-à-vis Trade Knowledge;
- Trade Secrets and Intellectual Property: The Patent-Trade Secret Interface;
- Trade Secret Licenses

Module VII: Misappropriation of Trade Secret & Its Protection

- Need for Protection of Trade Secret as Intellectual Property
- Conditions for Protection: Protectable Subject Matter, Economic Value, Secrets versus Public Knowledge, Reasonable Effort to Maintain Secrecy;
- Theory of Protection and Conflict with Patent Law;
- Legal Tools to Protect Trade Secrets: Unfair Competition Law/ Principles of Tort, Contract law, Criminal law;
- International Legal Protection: NAFTA, GATT & TRIPS Agreement;
- Protection in Different Countries: The United States, the United Kingdom, the European Union and China;
- Protection of Trade Secret in India: Legal Protection & Judicial Response;
- Trade Secret Licensing: Non-Disclosure Agreement (NDA); License Grant, Prohibitions, Improvements;
- Protective Safeguards and Confidentiality Policy;
- Challenges and Limitations of Trade Secret Protection

Module VIII: Violation of Trade Secret and Remedies

- Stealing Trade Secret-Industrial Espionage, Insider Trading;
- Establishing Trade Secret Violation: Improper Means, Duty of Confidentiality, Restrictive Covenants;
- Legal Remedies;
- Exemplary Trade Secret Cases

Text and References:

- Cornish, W. R., *Intellectual Property* (London: Sweet & Maxwell, 1996)
- Cornish, Llewelyn & Aplin, *Intellectual Property* (Sweet & Maxwell, 2013)
- David W. Quinto & Stuart H. Singer, *Trade Secrets-Law & Practice* (New York: Oxford University Press, 2012)
- Robert L. Brielmaier, *Trade Secret* (U.K., Authorhouse, 2012)
- Darin W. Synder & David S. Almeing, *Keeping Secret: A Practical Introduction to Trade Secret Law and Strategy* (Oxford University Press, 2012)
- Goel Cohen, *Technology Transfer: Strategic Management in Developing Countries* (SAGE Publications Pvt. Ltd., 2004)
- Annamaria Inzelt & Jan Hilton (Eds.), *Technology Transfer: From Invention to Innovation* (Dordrecht: Kluwer Academic Publishers; 1999)
- B.L. Wadera, *Patents, Trademarks, Copyright, Designs and Geographical Indications* (Delhi: Universal Law Publishing Co. Pvt. Ltd.)

- Law Relating to Intellectual Property Rights by V. K. Ahuja (latest 2013)

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B.B.A.LL.B./ B.A. LL.B (Integrated Law degree course)

Copyright & Design



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Course Contents

Module I: Introduction

- Introduction to IPR
- Origin, Development and Relevance of Copyright;
- Classification of Copyright;
- International Development of Copyright: International Copyright Regime: Berne Convention, Universal Copyright Convention - WIPO Copyright Treaty, WIPO Phonograms and Performances Treaty, TRIPS with respect to Copyright and Neighboring rights; Beijing Treaty, 2012.
- Indian Copyright Act 1957 and Amendments

Module II: Subject Matter of Copyright and Conditions for Granting of Copyright

- Literary, Dramatic and Musical Work, Cinematograph, Computer Software and Databases;
- Idea-Expression Dichotomy;

- Conditions for the Grant of Copyright: Originality, Creativity and Other Formalities;
- Ownership and Authorship;
- Term of Protection

Module III: Rights of Authors and Others

- Moral Rights and Economic Rights;
- Neighboring Rights;
- Extent of Rights and Exceptions to Copyright Protection;
- Fair use provision
- Copyright societies

Module IV: Copyright Procedure, Infringement and Remedies

- Assignment and Licensing;
- Compulsory Licensing and Statutory Licensing;
- Infringement Penalties and Remedies;
- Appeals

Module V: Designs Act of 2000

- Meaning of Design
- Conditions for grant of protection
- Ambit of Protection
- Exceptions
- Registration of Designs; Rights Conferred;
- Assignment and Licensing
- Cancellation
- Copyright in Registered Designs
- Enforcement
- Infringement and Remedies
- Powers and Duties of Controller

Text and References:

- Cornish, W. R., *Intellectual Property* (London: Sweet & Maxwell, 1996);
- Cornish, Llewelyn & Aplin, *Intellectual Property* (Sweet & Maxwell, 2013)

- Alka Chawla, Law of Copyright, Comparative Perspectives, Lexis Nexis.
 - Dr. M.K. Bhandari, Law relating to Intellectual Property Rights, Central Law Publications.
 - B.L. Wadera, *Patents, trademarks, copyright, Designs and Geographical Indications*.
 - Bently and Sherman, *Intellectual Property Law* (OUP, latest edition (currently 2008)
 - Law Relating to Intellectual Property Rights by V. K. Ahuja (latest 2013)
 - Journal of Intellectual Property Rights (NISCAIR)
 - The WIPO Journal
 - Oxford Journal of Intellectual Property Law & Practice
-

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B.B.A.LL.B./ B.A. LL.B (Integrated Law degree course)

Labour Law II



COURSE OUTLINE

Module-I: Workmen's Compensation Act, 1923 (Sec.1-10, 12, 14, 14A, 17 & 20)

- Conceptual frame work of Social Security-Evolution and concept of Social Security, Scheme of Social Security, Workmen's Compensation Act, 1923: Definitions, Aims & Object, Liability of Employer,
- Notional Extension & Defences, Determination of Amount of Compensation, Compensation when due-Penalty for default, Contracting Out (Sec.17), Appointment & Powers of Commissioner (Sec.19-31)

Module-II: Maternity Benefit Act, 1961 (Sec.3-18)

- Aims & Object, Definitions, Restriction on employment,
- Right to Maternity Benefit, Medical Bonus,
- Leave Dismissal during Pregnancy (Sec.10-16), forfeiture of Maternity benefit, Leave for Miscarriage, Penalty for contravention of Act by Employer, Cognizance of offences.

- The Payment of Gratuity Act, 1972: Aims and Objects of Act, Definition, Controlling Authority,
- Payment of Gratuity, Recovery of Gratuity, Determination of the amount of Gratuity
- Conceptual frame work of Social Security-Evolution and concept of Social Security, Scheme of Social Security, Workmen's Compensation Act, 1923: Definitions, Aims & Object, Liability of Employer,
- Notional Extension & Defences, Determination of Amount of Compensation, Compensation when due-Penalty for default, Contracting Out (Sec.17), Appointment & Powers of Commissioner (Sec.19-31)

Module-III: Minimum Wages Act, 1948

Theories and Concept of Wages , Aims & Objects of Act, Definition, Fixation & Revision of rates of Wages, Working Hours and Determination of Wages and Claim etc. Authority- Appointment & Powers of the Authority.

The Equal Remuneration Act, 1976, Payment of Remuneration at equal rates to Men and Women workers and other matters.

Module-IV: Payment of Wages Act, 1936

Aims & Object, Responsibility of Payment of Wages, Time of Payment of Wages & Fixation of Wage Period, Authorized Deductions (Sec.7 to 13), Appointment & Powers of Inspectors and Authority for Adjudication of Claims (Sec.15-18), Penalty for offences under the Act. The Payment of Bonus Act: Scope and Application, Definition, Computation of Gross profit and available surplus, Eligibility for Bonus, Disqualification for Bonus, Minimum and Maximum Bonus.

Acts

1. Workmen's Compensation Act, 1923
2. Maternity Benefit Act, 1961
3. Payment of Wages Act, 1936
4. Minimum Wages Act, 1948

Books

1. K.D.Srivastava, Commentaries on Minimum Wages Act, 1995, Eastern Book Co.
2. K.D.Srivastava, Commentaries on Payment of Wages Act, 1998, Eastern Book Co.
3. S.B.Rao, Law and Practice on Minimum Wages, 1999

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B.B.A.LL.B./ B.A. LL.B (Integrated Law degree course)

Law of Taxation II



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COURSE OUTLINE

Module I: Central Sales Tax Act

- Historical background of Central Sales Tax Law in India
- Definition: Business , Place of Business, Dealer, Place of Business, Sale, Sale Price , Goods (Sec.2)
- Formulation of Principles for determining when a sale or purchase takes place in the course of interstate Trade of Commerce or outside a State or in the Course of Import Export (Sec.3 to 5),
- Liability to Tax on interstate Sales (Sec.6),
- Registration & Cancellation
- Penalties.

Module II: Customs

- Historical background and Introduction to Customs Law in India
- Administrative structure of Customs department Sections 3 to 6
- Basic functions / objectives of the Customs Administration
- 'Goods' under Customs Act
- Territorial Waters and Customs Waters of India
- Types Custom of Duties
- Valuation of Goods
- Introduction to Duty Drawback

- Introduction to Baggage Rules and Import by Post and Courier

Module III: Central Excise

- Historical background and introduction to Excise Law in India
- Definition: Goods ,Excisable goods , Manufacture, Manufacturer
- Valuation o
 - Study of section 4 and section 4 A alongwith Rules for Valuation
- Introduction of CENVAT

Module IV: Service Tax

- Historical background and introduction of Service Tax Law in India.
- Meaning of Service
- Taxable service,
- Negative list of Services
- Exempted Services
- Valuation of Taxable Service for Charging Service Tax
- Registration
- Penalties under Service Tax
-

Module IV: Goods and Service Tax (GST)

- Introduction and Salient Features of Goods and Service Tax(Proposed GST Model in India)

Acts

- The Central Sales Tax Act, 1956
- The Central Excise act,1944
- The Central Excise Tariff Act, 1985
- The Customs Act, 1962
- The Customs Tariff Act, 1975
- Chapter V and VA of the Finance Act, 1994(Service Tax)
- Constitutional amendment bill 2014(for GST)

Recommended Readings

- V. Ramachandran & T.A. Ramakrishnan (eds.) A.N.Aiyar's Indian Tax Laws (2000) Company Law
- Institute of India Pvt. Ltd. Chennai.
- S.Bhattacharya & H.R. Garg, Handbook of Direct Taxes (1990) Eastern Law House, Calcutta.
- C.A. Gularickar, Law and Practice of Wealth Tax and Valuation (1998), Gularikar, Mumbai.
- Walter R. Mahler, Sales and Excise Taxation in India (1970) Orient Longman, Delhi.

- R.V.Pattel, The Central Sales Tax Act (1966) Thripathi, Bombay.
- S.D. Singh, Principles of Law of Sales Tax (1973), Eastern, Lucknow
- Ahuja, Grish, : Direct Taxes Law and Practice, Bharat's Law House,
- 2010.
- Gabawala, Sunil.B, : Treatise on Service Tax, Bharat's Law House Pvt. Ltd.
- 2010.
- Jyoti Rattan, : WT, ST, CST, VAT, GST, Bharat's Law House Pvt. Ltd.
- 2010
- Kailash Rai, : Taxation Laws, Bharat's Law House Pvt. Ltd. 2010.
- N.A.Palkhivala : Income Tax Law, Modern Law House
- Vinod K. Sighania : Law and Practice of Income Tax, Taxmann Pub. (Pvt.) Ltd.
- V.S. Datey : Indirect Taxes Law and Practice (Taxmann's)
- V.S. Dubey – Taxman
- R.K. Gupta – Excise Law
- S.S. Gupta – Service Tax: How to meet your obligation

References:

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

Website:

- <https://www.taxmanagementindia.com>

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School of Law

B.B.A.LL.B./ B.A. LL.B (Integrated Law degree course)
Human Rights & Humanitarian Law



COURSE OUTLINE

Module 1 : Theoretical Foundations of Human Rights and International Law

- Basic principles : sovereign equality of states - non-intervention - non use of force
 - international co-operation - peaceful settlement of disputes
- Individuals as subjects of international law
- State jurisdiction on terrorism, hijacking, narcotics, war crimes and crimes against peace
- Treatment of aliens

Module 2 : Historical development of the concept of human rights

- Human rights in Indian tradition : ancient, medieval and modern
- Human rights in Western tradition
- Concept of natural law
- Concept of natural rights
- Human rights in legal tradition: International Law and National Law

Module 3 : . UN and Human Rights

- Universal Declaration of Human Rights (1948) - individual and group rights
- Covenant on Political and Civil Rights (1966)
- Covenant on Economic, Social and Cultural Rights (1966)
- I L O and other Conventions and Protocols dealing with human rights
- Solidarity rights
- Disarmament: threat to human rights
- International HR Commission
- Mandates to States
- Right to development

Module 4 :. Role of Regional Organizations

- European Convention on Human Rights
- American Convention on Human Rights
- African Convention on Human Rights
- SAARC

Module 5 : Protection agencies and mechanisms

- International Commission of Human Rights
- Amnesty International
- Non-Governmental Organizations (NGOs)
- European Commission on Human Rights/Court of Human Rights.
- U.N. Division of Human Rights
- International Labour Organization
- UNESCO
- UNICEF

Module :6 Impact and implementation of international human rights norms in India

- Human rights norms reflected in fundamental rights in the Constitution
- Directive Principles: legislative and administrative implementation of international human rights norms
- Implementation of international human rights norms through judicial process

Module 7 :. Enforcement of Human Rights in India

- Role of courts: the Supreme Court, High Courts and other courts
- Statutory commissions- human rights, women's, minority and backward class

Recommended Readings

- S.K.Avesti and R.P.Kataria, Law Relating to Human Rights, Chh IV, V, VIII, XIV, XXIX and XXXIX (2000) Orient, New Delhi
- S.K.Varma, Public International Law (1998), Prentice-Hall, New Delhi
- Peter J. Van Krieken (ed.), The Exclusion on Clause (1999), Kluwer
- Human Rights Watch Women's Rights Project, The Human Rights Watch Global Report on Women's Human Rights (2000), Oxford
- Ermacora, Nowak and Tretter, International Human Rights (1993), Sweet & Maxwell.
- Wallace, International Human Rights: Text & Materials (1996), Sweet & Maxwell
- Muntarhorn, The Status of Refugees in Asia (1992), Oxford.
- Human Rights and Global Diversity (2001), Frank Cass, London
- Nirmal.C.J. (ed.), Human Rights in India (2000), Oxford
- Nirmal.B.C., The Right to Self determination in International Law (1995), Deep & Deep.
- P.R.Gandhi, International Human Rights Documents (1999) Universal, Delhi.
- S.K.Kapoor, Human Right under Int.Law & Indian Law

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Banking & Insurance Law



COURSE OUTLINE

Module I Banking Regulation Act, 1949

- Concept of Bank and Banker, Functions of Banks, Classification of Banks, Relationship between
- Bank and Customer,
- Control by government and its agencies,
- Management of Banking companies,
- On account and audit, Reconstruction and reorganization of banking companies, Suspension and
- winding up of business of banking companies,
- Social control over banking, Banking
- Ombudsman, Recent Trends in Banking: Automatic Teller Machine and Internet Banking, Smart
- Credit Cards, Banking Frauds.

Module II: Reserve Bank of India Act, 1934

- Incorporation, Capital, Management and Business of Banking Company, Central Banking
- function of Reserve Bank of India, Collection and furnishing of Credit Information, Control of

- Reserve Bank of India over Non-banking Institutions and Financial Institutions, Credit Control by Reserve Bank of India, General provisions and penalties.

Module III: Negotiable Instrument Act, 1881

- Definition and characteristic of Negotiable Instruments, Types of Negotiable Instruments,
- Definition and Essentials of Promissory Note, Bill of Exchange and Cheque, Liabilities and
- Capacity of Parties of Negotiable Instrument, Holder and Holder in due course, Transfer and
- Negotiation of Negotiable Instrument.

Module IV: Cheques

Crossing of Cheques and payment, Dishonour of Cheques, Presentment and Payment, Dishonour, Noting and Protest of Negotiable Instrument, Endorsement: Definition, Essential of a valid endorsement and its kinds, Rules of evidence and compensation.

Module V Insurance

Introduction, Meaning of Insurance, Historical Aspect, Characteristic of Insurance, Nature of Insurance Contract

Theory of Cooperation, Theory of Probability, Principles of Insurance, Utmost Good Faith, Insurance Interest

Module VI

- Re-Insurance, Double Insurance, Insurance & Wages, Types of Insurance:
- Life Insurance
- Marine Insurance
- Fire Insurance &
- Miscellaneous Insurance

Module VII

- Indemnity, Subrogation, Causa Proxima, Mitigation of Loss, Attachment of Risk, Contribution
- Constitution, Function and Powers of Insurance Regulatory and Development Authority
- Application of Consumer Protection Act, 1986

Recommended Readings

- M.N.Mishra, Law of Insurance
- C.Rangarajan, Handbook of Insurance and Allied Laws
- Bashyam and Adiga, The Negotiable Instrument Act, 1997
- M.L.Tannen, Jannen's Banking Law & Practice in India, 2000
- Dr. Avtar Singh, Negotiable Instrument Act.
- S.N. Gupta, The Banking Law in Theory & Practice, 1999
- Sharma and Nainta, Banking Law & Negotiable Instruments Actira
Carr/Cavendish Publishing House

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B.B.A.LL.B./ B.A. LL.B (Integrated Law degree course)
Media and Law



COURSE OUTLINE

Module I - Media & Public Policy

- Disseminating the facets of Media
- Understanding the concept of Media History of Media Theories of Media Evolution of Media
- History of Media Legislation
- Media Legislation - British experience Media Legislation in U.S. Media Legislation in Indian Context
- Media in the Constitutional Framework
- Freedom of Expression in Indian Constitution Interpretation of Media freedom Issues of Privacy Right to Information Case studies on Media and Free expression

Module II - Media - Regulatory Framework

- Legal Dimensions of Media
- Media & Criminal Law (Defamation / Obscenity/Sedition) Media & Tort Law (Defamation & Negligence) Media & Legislature – Privileges of the Legislature Media & Judiciary – Contempt of Court Media & Executive – Official Secrets Act Media & Journalists – Working Journalists (Conditions of Service) Act & Press Council Act
- Self Regulation & Other Issues
- Media and Ethics Self-Regulation Vs Legal regulation Media & Human Rights Issues relating to entry of Foreign Print Media

Module III - Convergence & New Media

- Understanding Broadcast Sector
- Evolution of Broadcast Sector Airwaves and Government control Open Skies policy Licensing issues in Broadcast Sector
- Legislative efforts on Broadcast sector
- Prasar Bharti Act 1990 Broadcasting Bill Cinematography Act 1952 Cable T.V. Networks (regulation) Act of 1995
- Opening of Airwaves
- Public policy issues on Airwaves Community Radio Advocacy Telegraph Act and Broadcast interface
- The New Media of Internet
- Evolution of Internet as New Media Regulating the Internet IT Act of 2000 and media Convergence Bill (to be enacted) Regulatory commissions of new media Indian Telegraph Act of 1885

Module IV - Media – Advertisement & Law

- Concept of Advertisement Advertisement & Ethics Advertisement Act of 1954
- Indecent Representation (prohibition) Act, 1986
- The Drugs and Magic Remedies (objectionable) Advertisements Act of 1954
- Issues of Consumer Protection Competition Bill and impact on Advertisements

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Service Law



COURSE OUTLINE

Module I: Preliminary Matters

- Scope of the treatise
- Constitutional Provisions
- Historical Background
- Dominance of Rules
 - Relationship governed rules etc.
 - Article 309 and other Sources of Rule Making
 - Administrative instructions

Module 2 : Creation of Relationship

- Recruitment
- Process of Selection
- Public Service Commission
- Reservation
- Appointment
- Probationer
- Temporary Appointment
- Regularisation
- Absorption
- Re-Employment

Module 3 : Incidents of Relationship

- Lien
- Remuneration Pay and Pension
- Transfer
- Seniority
- Confidential Reports
- Promotion
- Deputation
- Reversion
- Reduction in Rank
- Leave
- Break in Service

Module 4 : Disciplinary Control

- Introductory Overview
- Suspension
- Disciplinary Proceedings
- Natural Justice and Disciplinary Proceedings
- Punishment in Disciplinary Proceedings
- Corruption and Criminal Liability of Public Servants

Module 5 : End of Relationship

- General Overview
- Termination of Permanent Employee For Reasons other than Misconduct
- Termination of Service of Probationers Temporary Employees and Tenure Employees
- Termination by way of Punishment for Misconduct
- Compulsory / Premature Retirement
- Superannuation
- Voluntary Retirement
- Resignation
- Abolition of Post
- Abandonment of Service

Module 6 : Judicial Remedies

- Judicial Review and Public Interest Litigation

Text Books:

Pal, S. (2011). *Law Relating to Public Service*. Third Edition: LexisNexis.

Pancholi, D. P. (2012). *Public Interest Litigation Legal Aid And Para Legal Services*. Neha Publishers & Distributors.

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B.B.A.LL.B./ B.A. LL.B (Integrated Law degree course)
Comparative Competition Law



COURSE OUTLINE

Module I - Introduction:

- Basic Concepts –Customer and Consumer - Market – Types of Market - Perfect Market,
- Monopoly, Oligopoly and Monopsony - Cartel - Predatory Pricing - Resale Price Maintenance
- Competition – Models of Competition - Competition Policy - Competition Law - Goals of
- Competition Law.

Unit II - History and Development of Competition Law:

- History and Development of Competition Law - History and Development in UK and US -
- An Overview of Legal Framework in USA – UK and EC Competition Law - History and
- Development of Competition Law in India - Constitutional vision of social justice - Sachar
- Committee, MRTP Act - Salient features and its amendment in 1991 - Liberalization and
- Globalization - Raghavan Committee Report -Competition Act 2002 - An Overview of
- Competition Law in India - Important Definitions under the Competition Act, 2002

Unit III - Regulation of Collusion in the Market:

- Anti- Competitive Agreements under the Competition Act, 2002 - Appreciable Adverse
- Effect on Competition in the Market - Determination of Relevant Market - Rule of Reason
- and *Perse* Illegal Rule - Horizontal and Vertical restraints – Exemptions – Penalties -
- Prohibition of Anti- Competitive Agreements in EU, UK and US Laws.

Unit IV - Regulation of Abuse of Dominant Position:

- Introduction - Dominance in the Market - Relevant Market - Appreciable Adverse Effect on

- Competition in the Market - Abusive Conducts under the Competition Act, 2002 – Penalties -
- Prevention of Abuse of Dominance under EU, UK and US Laws.

Unit VI - Enforcement Mechanisms:

- Enforcement Mechanisms under the Competition Act, 2002 - Competition Commission of
- India - Constitution of the CCI - Powers and Functions- Jurisdiction of the CCI - adjudication
- and appeals - Director General – Competition Appellate Tribunal- Enforcement Mechanisms
- under the EU, UK and US Laws.

Unit VII - Competition Advocacy and Emerging Trends in Competition Law:

- Competition Advocacy in India and other foreign jurisdictions - Intellectual Property Rights
- and Competition Law - International Trade Law and Competition Law - International
- Competition Law

Important Statutes to be referred:

1. The Sherman Anti-Trust Act, 1890
2. The Clayton Act, 1914
3. The Robinson-Patman Act, 1936
4. Federal Trade Commission Act, 1914
5. Celler-Kefauver Antimerger Act, 1950
6. Competition Act, 2002 (India)
7. Competition Act, 1998 (UK)
8. Enterprise Act, 2002 (UK)
9. MRTP Act, 1969 (India)
10. Consumer Protection Act, 1986

References:

1. Maher M. Dabbah, *EC and UK Competition Law: Commentary, Cases and Materials*,
2. Cambridge University Press, 2004, Chapter 1
3. Piet Jan Slot and Angus Johnston, *An Introduction to Competition Law*, Oxford and
4. Portland, Oregon, 2006, Chapter 1.
5. Jonathan Faull and Ali Nikpay, *The EC Law of Competition*, 2nd Edn. – 2007,
6. University Press, Chapter 1
7. 4. Suresh T. Vishwanathan, *Law and Practice of Competition Act*, Bharat, Chapter's 2, 3
8. & 4

9. 5. Richard Whish, *Competition Law*, Oxford University Press, 2008, Chapters 1 & 2
10. Einer Elhauge and Damien Geradin, *Global Competition Law and Economics*, Oxford
11. and Portland, Oregon, 2007, Chapter 1
 - i. Mark Furse, *Competition Law of the EC and UK*, 6th Edn. – 2008, Oxford University
12. Press, Chapters 2
 - i. Suresh T. Vishwanathan, *Law and Practice of Competition Act*, Bharat, Chapter 2
 - ii. T. Ramappa, *Competition Law in India*, Oxford University Press, 2006, Chapter 1
13. Ramappa, *Competition Law in India*, Oxford University Press, 2006. Chapter 2.
14. Mark Furse, *Competition Law of the EC and UK*, 6th Edn. – 2008, Oxford University Press,
15. Chapters 8, 9 & 11.
16. Jonathan Faull and Ali Nikpay, *The EC Law of Competition*, 2nd Edn. – 2007, University
17. Press, Part 1 & 2
18. Maher M. Dabbah, *EC and UK Competition Law: Commentary, Cases and Materials*,
19. Cambridge University Press, 2004, Chapters 2-5 & 7-8
20. Richard Whish, *Competition Law*, Oxford University Press, 2008, Chapters 3 & 16

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B.B.A.LL.B./ B.A. LL.B (Integrated Law degree course)
Law of Carriage & Transportation



COURSE OUTLINE

Module I - Definition of a Contract of Carriage and Classification of Carriers :

- common carriers
- private carriers
- gratuitous carriers
- Introduction to various Acts
The Carriers Act, 1865. (i) The Railways Act, 1989.
(ii) The (Indian) Bills of Lading Act, 1856. (iii) The Carriage of Goods by Sea Act, 1925.
(iv) The Merchant Shipping Act, 1958. (v) The Marine Insurance Act, 1963.
The Carriage by Air Act, 1972

Module II - Carriage of Goods by Land

- The Carriers Act, 1865
- **Rights & Duties & Liabilities of a Common Carrier**

Module III - Carriage of Goods by Rail

- Railways Act, 1989
- **Responsibility of a Railway Administration as a Carrier of Goods.**
- **Liability & Rights**

Module IV- Carriage of Goods by Sea

- Contract of Affreightment
- (Indian) Bills of Lading Act, 1856
- The Carriage of Goods by Sea Act, 1925.
- Bill of Lading

Raffles University
School of Law
B.B.A.LL.B./ B.A. LL.B (Integrated Law degree course)
Offences Against Child & Juvenile Offence



COURSE OUTLINE

Module I

Offences against Children Under I.P.C.

The Causing of Miscarriage and of injuries to Unborn Child.

Kidnapping

Trafficking in Children

Sexual Offences:

- Prostitution
- Rape
- Sodomy
- Pornography

Module II

Offences against Children under Labour Laws and Child Marriage Act.

Prohibition of employment of Children

Working Hours for Children

Economic Exploitation and Abuse of Children

Child Marriage

Module III

- Preventive Sexual Assault and Aggravated Penetrative Sexual Assault (3 to 6)
- Sexual Assault and Aggravated Sexual Assault (7 to 10)
- Sexual Harassment (11, 12)
- Using Child for Pornographic Purpose (13 to 15)
- Abetment and Attempt to commit an offence (16 to 18)

- Procedure for Reporting Case (19 to 23)
- Procedure for recording Statement (24 to 27)

- Special Courts and Procedure and Powers of Special Courts (28 to 38)

Module IV

- Preventive Sexual Assault and Aggravated Penetrative Sexual Assault (3 to 6)
- Sexual Assault and Aggravated Sexual Assault (7 to 10)
- Sexual Harassment (11, 12)
- Using Child for Pornographic Purpose (13 to 15)
- Abetment and Attempt to commit an offence (16 to 18)
- Procedure for Reporting Case (19 to 23)
- Procedure for recording Statement (24 to 27)
- Special Courts and Procedure and Powers of Special Courts (28 to 38)

Reference Book

1. Katherine S Williams, Textbook on Criminology, 1999
2. Loveland, Frontiers of Criminality, 1995
3. Manheim H, comparative Criminology, 1965
4. Walker, N. Crime and Criminology, 1987

Raffles University
School of Law
B.B.A.LL.B./ B.A. LL.B (Integrated Law degree course)
Cyber Crime & Investigation



COURSE OUTLINE

Module 1

Basic Theory:

Types of Networks, Peer-Peer Networks, Client/Server Networks, Host Terminal Network, Wireless Network, Wi-Fi Network, Virtual Private Network, Internet, Intranet.

Protocols:

Network Protocols, TCP/IP (IP4 & IP6), SPX/IPX, NETBEUI, Tunneling Protocols PPTP, L2TP, IP SEC, Application Protocols FTP, TELNET, HTTP, HTTPS, Mail Protocols, SMTP, POP, IMAP, Frame Formats & Standards, Ethernet 802.2, 802.3, Wireless 802.11a, 802.11g.

Module 2

Network Components & Topologies:

Connectivity Components, Connectors RG45, CAT Cables, Ethernet Cards, HUBS, Switches, Routers Modems, Dial-up Modem, ISDN Modem, DSL(Cable) Modem, Using Ethernet Card for Accessing, Internet, Bus, Star, Ring and Wireless loop topologies.

Microsoft Network Technology:

Features of Microsoft Windows Server 2003.

Server Roles, File and print server, Web server and Mail server Web application services, Terminal server Remote access and VPN server, DNS, Dynamic Host Configuration, Protocol server, and Windows Internet Naming Service.

Features of various types of Servers.

Standard Server, Enterprise Server, Data Center Server, Web Server, Small Business Server.

LINUX Network Technology:

Concepts:

Linux File System and structure, Default directories, Network services, http, https, ftp, nfs, BOOTP, DHCP, Basic commands, User Management, File Management, Process Management, Printer and Device Management, Network Management, Package Management

Module 3

Introduction Medium access control - Telecommunication systems - Satellite systems – Broadcast systems.

Adhoc Networks Characteristics - Performance issues - Routing in mobile hosts.

Network issues Mobile IP - DHCP - Mobile transport layer - Indirect TCP - Snooping TCP - Mobile TCP - Transmission / timeout freezing - Selective retransmission - Transaction oriented TCP.

Practical: Installing and configuring various services of Server 2003 and Linux.

Module 4

- **Cyber Crimes:**

Meaning Nature & Classification, kinds of Cyber Crimes.

- **Jurisdictional Issues:**

Definition: Jurisdiction to prescribe/Legislative Jurisdiction; Jurisdiction to adjudicate to enforce; Cyber Jurisdiction in Civil, Criminal & International Cases.

- **Laws & Acts:**

Unictral Model Law, Information Technology Act, 2000, Relevant Rules Notifications, Information Technology (Amendment) Act, 2008.

Module 5

- **Cyber Slacker:**

Ethics and Etiquette in Cyber World

Potential Liability of Intermediaries, Service Providers and Network Users, Cyber Stalking.

- **Intellectual Property:** Piracy, Insider Threat, Corporate Espionage, Monitoring– Eavesdropping, Traffic Analysis, Surveillance. Defensive Information Warfare Telecommunication Security; Computer Network Security, Computer Break-Ins, Cryptographic Techniques, Steganography;

- Relevant Court Case:
- Pune Citibank Mphasis Call Center Fraud
- Baze.com case
- State of Tamil Nadu vs. Suhas Katti
- The bank NSP Case
- SMC Pneumatics (India) Pvt. Ltd. V. Jogesh Kwatra
- Parliament Attack Case
- Andhra Pradesh Tax case
- Sony.sambandh.com case
- Nasscom vs. Ajay Sood & others

➤ Infinity e-Search BPO Case

Raffles University
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B.B.A.LL.B./ B.A. LL.B (Integrated Law degree course)
Patent Law



COURSE OUTLINE

Module I: Basic Principles:

Evolution of the Patent System;

Basis for Protection –

Criteria of Patentability;

Invention;

Novelty;

Utility;

Inventive step/ Non-obviousness;

Non-patentable Inventions;

Module II: International Regime Of Patents:

Paris Convention;

TRIPS Agreement;

Budapest Treaty;

Patent Cooperation Treaty I P.

Module III: Patenting Biotechnological Inventions

Concept of Novelty in Biotechnological Inventions;

Concept of Inventive Step in Biotechnological Inventions;

Utility;

Microorganisms as Biotechnological Inventions;

Moral Issues in Patenting Biotechnological Inventions;

Module IV: Patent Procedure in India:

Main Steps for prosecution of the application;

Applications; Preliminary scrutiny of the document;

Publication of Patent Application;

Publication: time Limit;

Consequences of Publication;

Examination, Request for Examination;

Request for Examination in respect of WTO applications field u/s.5(2);

Application in which secrecy direction is imposed;

In case of divisional application;

Examination of application;

Compliance with the Requirements as stated in FER\;

Pre-grant Opposition;

Grounds for filing representation;

Grant and Sealing of Patent;

Post-Grant Opposition;

Notice of Opposition;

Grounds of Opposition;

Procedure for Opposition;

Module V: Patent Cooperation Treaty:

Patent Cooperation Treaty;

Intention of the Contracting States;

Legal Texts of Regulation the International Procedure;

International Application;

What is PCT- EASY; What is PCTSAFE;

International Search Authorities;

An Overview of the Patent Procedure

Module VI: An Introduction to European Patent Convention

Module VII: Drafting of a Patent Specification;

What is a patent specification;

Kinds of patent specification;

Provisional specification & complete specification;

Parts of the complete specification;

Patentable aspects of the invention to be considered in the specification;

Module VIII: Rights and Infringement of Patent:

Rights of a Patent Owner;

Assignment of Patent Rights;

Infringement of Patents;

Defences in Case of Patent Infringement;

Module IX: Computer Software and Intellectual Property Protection:

Patent Protection;

Patenting of Business Models

Text and References:

- Cornish, W. R., *Intellectual Property* (London: Sweet & Maxwell, 1996);
- Cornish, Llewelyn & Aplin, *Intellectual Property* (Sweet & Maxwell, 2013)
- Dr. M.K. Bhandari, *Law relating to Intellectual Property Rights*, Central Law Publications.
- Bently and Sherman, *Intellectual Property Law* (OUP, latest edition (currently 2008))
- *Law Relating to Intellectual Property Rights* by V. K. Ahuja (latest 2013)
- Prabudh Ganguli, *Gearing up for Patents*
- Prabudh Ganguli, *Intellectual Property Rights*
- Kalyan C. Kanaknala, Arun K. Narasani & Others, *Indian Patent Law and Practice*, (New Delhi; Oxford University Press, 2010)

Raffles University
School of Law
B.B.A.LL.B./ B.A. LL.B (Integrated Law degree course)
Biodiversity Protection



COURSE OUTLINE

Module I: Introduction

Concept of Biodiversity, Biological resources and Bio- technology;
Types of biodiversity;
The Technological Value of Biodiversity for Biotechnology;
Inter-relationship between biodiversity, biotechnology and intellectual Property Rights;
Traditional Knowledge and Biodiversity
Conservation and Sustainable Use of Biological Diversity

Module II: Biodiversity Protection: International Perspective

- The Convention on Biological Diversity;
- Bonn Guidelines; Bio safety Protocol
- Sovereign Rights over Biological Resources and Intellectual Property Rights;
- Access to Genetic Resources, Informed Consent and equitable benefit sharing;
- Protection of Traditional Knowledge under CBD;
- Relevance of Technology Transfer;
 - TRIPs: Article 27
 - Conflict between CBD and TRIPS
 - UPOV Convention

Module III: Bio piracy and Bio prospecting

- Bio piracy in the name of Bio prospecting;
- Bio piracy of Genetic Resources and Traditional Knowledge;
- Bio piracy and Extension of Intellectual Property Protection to Genetic Resources;
- Bio piracy Cases

Module IV: Protection of Biodiversity in India

- The Biological Diversity Act 2000: Aims and Objectives;
- Regulation of Access to Biological Diversity;
- Fair and Equitable Benefit Sharing;
- National Biodiversity Authority;
- Transfer of Biological Resource or Knowledge and Approval by National Biodiversity Authority;
- Biodiversity Prospecting Contracts
- State Biodiversity Board;
- Penalties

Module V: Plant Varieties Protection

- Plant Varieties Protection Act, 2000;
- Objectives and Rationale behind the Act;
- Registry;
- Official machinery;
- Registration, Criteria of fulfillment, Exclusions;
- Benefit sharing, Farmers rights, Community Rights;
- Compulsory License;
- Redressal Fora, Appellate Tribunal;
- Infringement, Offences and Penalties

Text and References:

- Graham Dutfield, Intellectual Property, Biogenetic Resources and Traditional Knowledge (Earthscan, U.K)
- Vandana Shiva, Protect or Plunder?: Understanding Intellectual Property Rights (Global Issues) (Zed Books)
- Vandana Shiva, Myth and Reality (Penguin Books, 2001)
- M. B. Rao and Manjula Guru, Biotechnology, IPRs and Biodiversity, (Pearson Education India, 2012)
- Daniel F. Robinson, Confronting Biopiracy: Challenges, Cases and International Debates, Earthscan; London, 2010)
- The Convention on Biological Diversity
- Agreement Relating to Trade Related Aspects of Intellectual Property Rights (TRIPS)
- The Biological Diversity Act 2000
- Journal of Intellectual Property Rights (NISCAIR)
- The WIPO Journal
- Oxford Journal of Intellectual Property Law & Practice

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B.B.A.LL.B./ B.A.LL.B (Integrated Law degree course)
Alternative Dispute Resolution



COURSE OUTLINE

MODULE 1 – Alternative Dispute Resolution (ADR)

- Introduction to Alternative Dispute Resolution
- Key Concepts in Dispute Resolution
- Disputes - Kinds of Disputes - Justiciable dispute- Dispute Resolution in adversary system, court structure and jurisdiction.
- Dispute Resolution at grass root level, Lok Adalats, Nyaya Panchayath, Legal Aid, Preventive and Strategic legal aid.
- ADR - Meaning and philosophy, overview of ADR processes,
- Legal counseling, case - planning strategy,
- ADR Information, Technology, Internet - Cyber space, online, cyberspace dispute resolution.

MODULE 2- Negotiation

- Theories and Frameworks.
- Skills and Behaviour
- Barriers to Agreements
- Rule of law; Ethics and Policies.

MODULE 3- Arbitration

- Introduction - Arbitral Proceedings, commencement Roots of procedural evidence, "Fast Track" arbitration, statement of claim and defence, hearing and return proceedings-interim measures by Court and by Arbitral Tribunal.
- The law of binding Arbitration.
- Skills and Ethics of Arbitration.

- Arbitral Tribunal - Composition, eligibility and qualifications of arbitrators. Termination or a mandate of arbitral Tribunal's and of arbitrators, appointment of arbitrators and filling up of vacancies, powers and functions of Arbitral Tribunal's competence of arbitral Tribunal to rule on its own jurisdiction etc.
- Practice and Legal issues; "compulsory" arbitration in courts and contracts.

MODULE 4 - Mediation

- Introduction Overview, Purposes and Uses.
- Roles of Mediators, Parties, Lawyers.
- Ethics, Fairness, Neutrality, Confidentiality and Personal values - policies, Controversies.
- Practical skills of client interviewing/legal counseling.
- Arbitral Tribunal - Composition, eligibility and qualifications of arbitrators. Termination or a mandate of arbitral Tribunal's and of arbitrators, appointment of arbitrators and filling up of vacancies, powers and functions of Arbitral Tribunal's competence of arbitral Tribunal to rule on its own jurisdiction etc.

MODULE 5 - Conciliation

- Introduction Overview, Purposes and Uses.
- Roles of Conciliators, Parties, Lawyers
- Evolution of mediation/conciliation as a mode of settlement of disputes, distinction between mediation, conciliation, negotiation and good offices - definition and scope of conciliation, advantages of conciliation and the Arbitration and Conciliation Act of 1996 - Appointment of conciliators, commencement of conciliation, proceedings - submission of statements - communication between conciliator and parties, suggestions for settlement - confidentiality of information - Admissibility of evidence in other proceedings - settlement agreement-status and effect. Termination of conciliation proceedings; costs and deposits.

MODULE 6- Practical Application of ADR Methods in Different Fields and Areas

- Labour and Industrial Disputes
- Commercial and Financial Disputes
- Family and Matrimonial Disputes
- Consumer Disputes
- Accident Claims

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Private International Law



COURSE OUTLINE

Module 1: Introduction

- Origin and development of Private International Law
- Nature and basis of Private International Law
- - Choice of jurisdiction
- - Choice of law
- - Recognition and enforcement of foreign judgment
- Distinction between Private International Law and Public International Law
- Theories of Conflict of Laws

Module 2: Domicile - Nationality - Residence – Property

- Fundamental Principles of Domicile - Nationality
- Property
- - Assignment of movable property
- - Testamentary Succession (Wills)
- - Trusts

Module 3 : Matrimonial

- Marriage- Assignment of property on marriage
- Matrimonial causes and Disputes
- - Divorce
- - Nullity of Marriage
- - Judicial Separation
- - Restitution of Conjugal Rights
- Legitimacy – Legitimation and Adoption
-

Module 4 : Doctrine of Renvoi

- Theories of Renvoi
- - Partial Renvoi
- - Foreign Court Theory

Module 4 : Foreign Law

- Recognition and Enforcement of
- - Foreign Judgments
- - Arbitral Award
- The limits of Application of Foreign Law

Recommended Readings

- R.H. Graveson, Conflict of Laws
- S.L. Khanna, Conflict of Laws
- Paras Diwan, Private International Law
- G.C.Cheshire, Private International Law

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Election Law



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

- Challenge to Election: Whom and How to Made
- Forum for filing Election Petition
- Parties to Election Petition
- Contents of Election Petition
- Grounds of Challenge to Election
- Trial of Election Petition
- Recriminatory Petition
- Withdrawal, Abatement and Appeal
- Election to President and Vice President
- Composition and Powers of Election Commission (Part XV-Article 324-329 of the Constitution of India)

UNIT-II: Qualification and Disqualification of Candidates

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

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

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

UNIT-IV: Corrupt Practices

- Meaning and Distinction between Corrupt Practices and Electoral Offences
- Substantive Corrupt Practice: Bribery, Undue Influence, Character, Assassination of Candidates, Appeal on the Grounds of Religion, Race, Caste, etc.
- 106
- Needs of Educational Qualification for Candidates
- Criminalization of Politics

- Election Expenses
- Model Code of Conduct
- Use of Government/Private Electronic Media and Social Media by Political Parties
- Opinion and Exit Polls
- Defacement of Public and Private Properties
- Reservation for Women in Parliament and State Legislatures

Text Books:

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

References:

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

Raffles University
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B.B.A.LL.B./ B.A. LL.B (Integrated Law degree course)
Affirmative Action and Discriminative Justice



COURSE OUTLINE

MODULE 1 – Historical Aspect

- Introduction
- Origin of Affirmative Action
- Need for Affirmative Action
- Reverse Discrimination

MODULE 2- International Position regarding Affirmative Action

- Position in USA
- Comparison between caste in India and Race in USA
- Position in UK
- Position in Canada

MODULE 3- National Position

- Position of OBC, SC and ST in India
- Caste as basis for affirmative action in India
- Gender as basis for affirmative action in India
- Minority as basis for affirmative action in India
- Constitution of India
- Article 14, Article 15, Article 16, Article 29 and Article 41
- Kalekar Commission
- Mandal Commission
- Rangnath Commission
- Sachar Committee
- Reasonable classification

MODULE 4- Affirmative Action in Practice

- Reservation in promotion
- Implementation of affirmative action
- Role played by Judiciary
- Strengths and Weaknesses of the Affirmative Action Program in India

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B.B.A.LL.B/ B.A.LL.B. (Integrated Law degree course)
Bankruptcy & Insolvency Laws



COURSE OUTLINE

Module 1: Insolvency Petition

- Acts of insolvency (section 6)
- General Conditions for filing Petition (sections 7-8)
- Conditions for filing petition by creditor (sections 9 and 25)
- Conditions for filing petition by debtor (sections 10 and 25)

Module 2. Who can be Adjudged Insolvent

- Whether a partnership firm, a minor, joint Hindu Family firm, can be adjudged insolvent
- Effect of order of adjudication (sections 2(d), 28, 28-A) - vesting of property in the receiver

Module 3 : Powers of Court

- The scope of powers and jurisdiction of insolvency court to decide question of title etc. in matters in insolvency (section 4)
- Consequences of annulment of adjudication of insolvency (sections 35, 37) and order of discharge (sections 41-44)

Module 4 :

- Avoidance of certain transfers (sections 53-54)
- Appointment, Powers and Duties of Official Receivers (sections 56-59A)

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Laws of Infrastructure Development



UNIT-I

The Electricity Act, 2003

Definitions

National Electricity Policy and Plan

Generation, Transmission and Distribution of Electricity

Licensing and Tariff

Central Electricity Authority and Regulatory Commissions

Offences and Penalties

UNIT-II

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

Determination of Social Impact and Public Purpose

Special Provision to Safeguard Food Security

Rehabilitation and Resettlement Award

Procedure and Manner of Rehabilitation and Resettlement

National Monitoring Committee for Rehabilitation and Resettlement

Establishment of Land Acquisition, Rehabilitation and Resettlement Authority

Apportionment of Compensation

Temporary occupation of Land

Offences and Penalties

UNIT-III

The Special Economic Zones Act, 2005

Definitions

Establishment of Special Economic Zone

Constitution of Board of Approval

Development Commissioner

Single Window Clearance

Special Fiscal Provisions for Special Economic Zones

Special Economic Zone Authority

UNIT-IV

Legal framework of specific infrastructure sector of:-

* Telecom

* Roads and National Highways

* Water

* Airports

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Comparative Criminal Law



Course Outline

Module 1:

- Organization of courts and prosecuting Agencies: Hierarchy of criminal courts and their jurisdiction, organization of prosecuting agencies, prosecution and the policy.

Module 2: Pre Trial Procedure

- Arrest and questioning of the accused
- Rights of the accused
- Evidential value of statements or articles collected by police.
- Role of prosecutor and judicial officer in investigation.

Module 3: Trial Procedure

- The accusatory system of trial and the inquisitorial system
- Role of judge, prosecutor and defense attorney in the trial main features of session's trial, wasn't
- Trial and summons trial
- Summary trial and plea bargaining.

Module 4:

- Appeals : Reference and revisions.
- Provision as to Bails and Bail Bonds

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Socio Economic Offences



COURSE OUTLINE

Unit – I: Hoarding and Profiteering

- a. Laws relating to maintenance of essential supplies
- b. Laws on maintenance of standards of weights and measures

Unit – II: Adulteration

- a. Prevention of food adulteration
- b. Control of Spurious Drugs

Unit – III: Corruption

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

Unit – IV: Investigation and Prosecution

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

Unit V : Modern Crimes

- Corporate Criminal Liability (CCL) -the origin
- The development of the concept of CCL in India;
- White Collar Crimes;
- Natures and Features of White Collar Crimes;
- Types of White Collar Crimes;
- Impact of White Collar Crimes on the Society and Economy, International effort to curb White Collar Crimes, Adequacy or Inadequacy of the measures to prevent White Collar Crimes at national and international level;

- Money Laundering; Black money and its circulation, Global and National efforts to curb them;
- Terrorist Funding

Text books:

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

Raffles University
School of Law
B.B.A.LL.B/ B.A.LL.B. (Integrated Law degree course)
Biotechnology and Patent Law



Course Outline

Module I: Biotechnology and Patent Law: A Conceptual Framework

- Nature, Evolution and Development of Biotechnology;
- Definition, Scope and Application of Biotechnology;
- Economic Significance of Biotechnology Industry;
- Conjunction of Biotechnology and Patent Law: Patenting of Living Forms (Unicellular and Multi-cellular Organisms);
- Ethical Issues relating to Biotechnology Patents

Module II: Biotechnology and Patent Law: International and Comparative Position

- Patentability of Biotechnology under TRIPS: Art. 27.3 (b);
- Uncertainty as to the Scope of Certain Terms: Invention, Microorganisms, Microbiological Processes, Essentially Biological Processes, Plant Variety;
- Exceptions under TRIPS: Order Public and Other Exceptions;
- Review under Art. 27.3 (b);
- Patentability of Biotechnology in the United States: Statutory Criterion for Patentable Subject Matter, Patenting Life Forms-Diamond v. Chakrabarty Case; Patenting of microorganisms, plants, animals, human chimera and humanoid and human gene; Other Statutory Criteria for Patenting;
- Patentability of Biotechnology in European Union: European Patent Convention, European Directive on the Legal protection of Biotechnology; Microorganisms, Plants, Animals, Gene, Human Organisms; Other Statutory Requirements; Exceptions

Module III: Biotechnology and Patent Law: Indian Perspective

- Biotechnology in India: Evolution and Development;
- Patentability of Biotechnology Inventions in India;
- *Dimminaco* Case;
- Other policy framework relating to biotechnology
- Status of Biotechnology Patents in India;
- Biotechnology Patents and The Biological Diversity Act 2002 of India

Module IV: Implications of Biotechnology Patents on Biological Resources (Genetic Resources)

- Biotechnology and Biological Resources;
- Extension of Patents to Biological Resources;
- Implications of Biotechnology Patents on Non-Human Genetic Resources and Genetic Resources;
- Biotechnology Patents and Traditional Knowledge

Text and References:

- Matthew Rimmer, *Intellectual Property and Biotechnology-Biological Inventions* (Massachusetts; Edward Elgar Publishing Ltd., 2008)
- C. B. Raju & N.S. Sreenivasulu, *Biotechnology and Patent Law* (NOIDA: Manupatra Information Solutions Pvt. Ltd., 2008)
- Cornish, W. R., *Intellectual Property* (London: Sweet & Maxwell, 1996);
- Cornish, Llewelyn & Aplin, *Intellectual Property* (Sweet & Maxwell, 2013)
- Dr. M.K. Bhandari, *Law relating to Intellectual Property Rights*, Central Law Publications

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Intellectual Property Rights & Bioethics



Course Outline

Module I: Introduction

- Concept of Property
- Tangible and Intangible Property,
- Intellectual Property-Origin Development and Objectives,
- Classification of Intellectual Property-Patents, Copyright, Trademark, Industrial Design, Geographical Indications, *sui-generis* rights (Protection of Plant Varieties and Traditional Knowledge),
- Relevance of Intellectual Property Rights for Science and Technology

Module II: International Intellectual Property Law and Indian IPR

Legislations

- International Conventions relating to Intellectual Property;
- General Agreement on Trade and Tariff (GATT);
- Trade Related Aspects of Intellectual Property Rights (TRIPS);
- Establishment of WIPO – Mission and Activities;
- Indian Position on WTO Regime – Indian IPR legislations – Commitments to WTO- National Intellectual Property Policy and Unfair Competition

Module III Patents

- Nature, Origin and Scope of Patents;
- Essentials of Patents- Patentability Criterion-Discovery and Invention, Patentable Subject Matters; Novelty, Utility (Industrial Applicability), Non-Obviousness (Inventive Step) and Written Description, Product Patents vis-à-vis Process Patents;
- Patentability of Biotechnology Inventions;
- Patent Laws in Indian and International Perspective;
- Indian Patent Act 1970 (Patent Amendment Acts-1999, 2002 and 2005)
- -Patentable Inventions, Patenting of Biotechnology in India, Patent acquisition, Infringement of Patents, Patent Application Procedure, Patent Claims and Specifications;
- Patent Case study: Basmati Case, Neem Controversy, Turmeric Case

Module IV Biosafety

- Biosafety: Definition and requirement;

- Biosafety in relation to human health, environment, transgenic research and applications; International Legal Instruments on Biosafety-Cartagena Protocol on Biosafety, Nagoya Protocol
- Laws relating to Biosafety in India: The Biological Diversity Act, 2002, Biosafety procedures, rules and guidelines under Environment (Protection) Act 1986 and Rules 1989;
- Biosafety Regulation: Principles and Practices in Microbial and Biomedical Labs;
- Guidelines for research involving DNA molecule;
- Regulatory bodies at National and International level

Module V Biopiracy

- Nature, Concept and Relevance of Bioethics;
- Basic Principles of Bioethics;
- Legal, Social and Economic Impacts of the Products and Techniques in Biotechnology;
- Bioethics in Plants, Animals and Microbial Genetic Engineering;
- Ethical issues in Healthcare;
- Biopiracy and Bioethics: Application of IPR regime to Biological Resources and Biopiracy, Access to Biological Resources, Benefit Sharing and Informed Consent

Text & References

- Cornish, W. R., *Intellectual Property* (Latest Edition)
 - *Intellectual Property Rights* by Paul Goldstein
 - *Intellectual Property Rights* by K. R. G. Nair, Ashok Kumar, K. R. G. Nair
 - Kilner, John, et.al, eds., *Cutting-Edge Bioethics*. Eerdmans 2002.
 - B.L. Wadera, *Patents, Trademarks, Copyright, Designs and Geographical Indications*
 - S. Ignacimuthu, *Bioethics*, Alpha Science International, Limited (2009)
 - Matthew Rimmer, *Intellectual Property and Biotechnology: Biological Inventions* (2008)
 - Arthur L. Caplan, Robert Arp, *Contemporary Issues in Bioethics* (2014)
 - Kshitij Kumar Singh, *Biotechnology and Intellectual Property Rights: Legal and Social Implications* Springer (India) (2014) (in press)
 - Refer to Periodicals, Industry directories, Articles and report in journals on the regulatory issues,
 - “Biotechnology” series by Rehm & Reed.
 - Nuffield Council on *Bioethics* (2002), *The Ethics of Patenting DNA*, A Discussion Paper, London: Nuffield Council on *Bioethics*
 - Kshitij Kumar Singh “Human Genome and Human Rights: An Overview”, *Journal of Indian Law Institute (JILI)*, Vol. 50 No.1 (Jan-Mar) 2008 pp. 67-80;
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**B.B.A.LL.B/ B.A.LL.B. (Integrated Law degree course)
Seminar I**



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PROFESSIONAL ETHICS



COURSE OUTLINE

MODULE 1 – HISTORY OF LEGAL PROFESSION IN INDIA:

Ancient legal texts including Manusmriti, Arthashastra, Quran refers to the law, advocates, judges and courts. Law and lawyers existed and played an important role at all times, even in ancient period. The system underwent certain changes during medieval and the period British rule. Our present legal system including the judicial is to a large extent based upon the British legal and judicial system. This module contains the study of legal profession in India in ancient, medieval and especially the changes which the profession underwent during British rule and other related aspects essential to understand the history of legal profession in India.

MODULE 2 - LEGAL EDUCATION IN INDIA:

The system of legal education, as existed in India during various periods, the changes it underwent during British rule, the introduction of three and five year courses making the system more qualitative, the impact of globalization upon the legal system, particularly upon the legal education, etc will be the issues covered under this module. The role played by Bar Council, UGC and other bodies in regulating legal education in India, the suggestions made by Law Commission of India in its 184th Report will also be discussed.

MODULE 3 - PROFESSIONAL ETHICS AND DUTIES OF LAWYERS:

“Ethics is basis of a civilized and organized society. Ethics is a system, a philosophy of conduct of principles practiced by a person or group of persons. Every profession has its code of conduct, pertaining to right and wrong in conduct based on the principles of morality.” The need and necessity of ethics in the legal profession, relevant theories explaining its value and relevance in legal profession will be the core issue of discussion under this module. In addition, duties of lawyers towards his clients, court, public, his fellow attorneys, self, society, etc., will also be undertaken for discussion. Indian code of ethics will be discussed in

comparison with that of American Code and other countries will be taken up for discussion. An advocate should practice law for the purpose of administering justice and making a living afterwards. The module will also include role played by a lawyer in the administration of justice. The discussion will also cover issues like an advocate's duty towards legal reform, duty to provide legal aid, etc.

MODULE 4 - ESSENTIAL SKILLS OF A LAWYER:

“The good lawyer is not the man who has an eye to every side and angle of contingency, and qualifies all his qualifications, but who throws himself on your part so heartily, that can get you out of a scrape.”

The skills essential for a lawyer to have a good practice and profession will be discussed in brief. According to J. Abbot Parry, in his ‘The Seven Lamps of Advocacy’, a lawyer must have seven qualities to succeed in his profession, viz., honesty, courage, industry, wit, eloquence, judgment and fellowship. All these and other skills and other qualities expected by an advocate including his character, tact, patience, perseverance and the need of these for a successful professional career will be covered in the module.

MODULE 5 – OTHER PROFESSIONAL:

This module will cover in brief the other aspect which needs to be known by a lawyer like the following:

- ‘management’ of time, men, resources, his office, etc
- ‘accountancy’ knowledge for lawyers [like evidentiary aspects, interpreting financial accounting statements in the process of lawyering, etc]
- Lawyers in the court – court etiquette, duty in the court

MODULE 6 – RIGHTS & INTERESTS LIMITATIONS OF SUCH RIGHTS:

The rights to practice, right to argue his case, right over his professional fees, etc will be the core contents of this module. Decisions of courts on ‘Advocate’s right to strike’ will be subject of deliberation.

Conflicts of interests [lawyer –v- client’s interests] and limitations of the rights of lawyers including restrictions on advertising, bar from carrying on other professions, etc will also be taken up for discussion.

MODULE 7: REGULATION OF LEGAL PROFESSION:

“Nobody has a more sacred obligation to obey the law than those who make the law”.

A lawyer, being one involved with the process of law-making and interpretation is also bound by law. This module will cover issues relating to regulation of legal profession in India, focusing more on topics like - the nature, composition, constitution, power, responsibilities and other related topics relating to the Bar Councils, etc. The enrolment of advocates, disciplining of advocates, etc will also be covered.

MODULE 8: OTHER IMPORTANT ISSUES:

The following topics of importance will be taken up for class discussion during the course:

- Impact of Globalization on legal profession
- Legal outsourcing in India.
- Role of advocate in providing legal aid services.
- Advocate’s role in outside court / informal settlement of disputes.
- Age bar and entry into practice

Selected References

- 1.. Raju Ramachandran, Professional Ethics: Changing Profession and Changing Ethics (LexisNexis,Butterworths).
2. Dr. P. B. Mukharji, Professional Ethics of The Advocate (University of Burdwan).
3. P. Ramanatha Aiyer,Legal & Professional Ethics – Legal Ethics, Duties & Privileges of a Lawyer (Wadhwa Publications, Nagpur).
4. Justice V. R. Krishna Iyer, Law, Lawyers and Justice(b. R. Publishing Corpn, Delhi).
5. Stephen Gillers, Regulation of Lawyers: Problems of Law & Ethics(Little, Brown & Com Boston Toronto, London).
6. Ross Grauston (ed.), Legal Ethics & Professional Responsibility(Clarendon Press, Oxford).

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Moot Court Exercises



COURSE OUTLINE

The Paper will have following components:

a) Moot Court: Every student may be required to do at least three moot courts in a year. The moot court work will be on assigned problem.

b) Observance of Trial in two cases, one Civil and one Criminal.

Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment.

c) Interviewing techniques and Pre-trial preparations and Internship diary.

Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition.

d) The fourth component of this paper will be Viva Voce examination on all the above three aspects.

e) Student will be required to undertake legal awareness programme in association with N.S.S. and other authorities as directed by the Faculty

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Health Law



COURSE OUTLINE

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

Unit – II: Professional Obligations of Doctors

Transplantation of Human Organs Act, 1994

- b. Pre Conception & Pre Natal Diagnostic Techniques (Prohibition of sex selection) Act, 1994
- c. 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

Unit – III: Medical Negligence

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

Unit – IV: Remedies for Medical negligence

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

Text books:

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

References: 1. Dr. Jagdish Singh – Medical negligence Compensation

2. B.K. Dutta – Drug Control

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Gender Justice and Feminist Jurisprudence



COURSE OUTLINE

MODULE 1 – Women in Pre-Independence India

- Social and legal inequality
- Social reform movement in India
- Gandhian movement.
- Nehru's views – joint family etc.
- Karachi congress – Fundamental Rights Resolution.
- Equality of sexes.

MODULE 2- Women in Post-Independence India

- Preamble of the Constitution – Equality provisions in fundamental Rights and Directive Principles of State Policy.
- Negative Aspects of the Constitution – Exploitation of sex not mentioned in Article 23.
- Different personal laws – unequal position of women.
- Uniform Civil Code towards gender justice.
- Indian tradition and family ideology: growth of feminism and schools of feminism.

MODULE 3 - Sex Inequality in Inheritance Rights

- Continuance of feudal Institutions of joint family – women's inheritance position under Hindu Law.
- Inheritance right of women under Christian law.
- Inheritance right of women under Parsi law.
- Inheritance right of women under Muslim law.
- Movement towards uniform Civil Code.

MODULE 4- Matrimonial relations and its consequences

- Matrimonial Property
- Separation of property
- Maintenance of different system of personal law
- Division of assets on divorce.

MODULE 5- Social Welfare Laws for Women and Non-implementation of protective labour legislation.

- Maternity benefits Act
- Equal remuneration Act
- Factories Act
- Inequality in the work place.
- Additional burden of domestic responsibilities.

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B.B.A.LL.B/ B.A.LL.B. (Integrated Law degree course)

Corporate Governance



Unit - I: Corporate Incorporation and Management

- (i) Certificate of Incorporation
- (ii) Memorandum and Articles of Association
- (iii) Doctrine of Ultra Vires
- (iv) Doctrine of Indoor Management

- (i) Directors: Appointment, Removal, Position, Powers and Duties of Directors.
- (ii) Audit Committee: Its Role.
- (iii) Company Secretary: Qualification, Appointment and Duties
- (iv) Officer who is in default: Definition of Officer who is in default
- (v) Liability of independent directors.

- (i) Types of Meetings
- (ii) Procedure of calling meeting
- (iii) Company's resolutions and its kinds

Unit -2 : Oppression & Mismanagement and Investigation (Sections 397 to 408; Sections 235 to 251)

- (i) Rule in Foss v. Harbottle
- (ii) Prevention of Oppression
- (iii) Prevention of Mismanagement
- (iv) Role & Powers of the Company Law Board
- (v) Role & Powers of Central Government

- (i) Company Investigation

Unit – 3: Corporate Liquidation

- (i). Winding up of Companies
- (ii). Mode of winding up of the companies
- (iii). Compulsory Winding up under the Order of the Tribunal
- (iv). Voluntary winding up
- (v). Contributories
- (vi). Payment of liabilities

Unit -4 : Corporate Governance and Social Responsibility

- (i) Importance of Corporate Governance
- (ii) Different system of Corporate Governance
- (iii) Impact of Legal Traditions and the Rule of Law on Corporate Governance
- (iv) Legal Reforms of Corporate Governance in India
- (v) Reports of the various Committees on Corporate Governance
- (vi) Emerging Trend based on the recommendation of the Committees in the

Companies Act 1956 and the Listing Agreement with Special reference to Clause 49.

(i) Corporate Social and Environmental Responsibility

Selected Bibliography:

1. Smith and Keenan's, *Company Law* (2002)
2. Andrew Lidbetter, *Company Investigations ad Public Law* (1999)
3. Saleem Sheikh & William Rees, *Corporate Governance & Corporate Control* (2002).
4. Avtar Singh, *Company Law*, 2007 Eastern Book Company, Lucknow.
5. Gower's *Principles of Company Law* 8th Edition 2008, R. Cambray & Co. Pvt. Ltd.
6. Smith and Keenan's *Company Law*.
7. S. K. Verma & Suman Gupta, *Corporate Governance and Corporate Law Reform in India*. (2005).
8. Companies Act, 1956
9. Suman Gupta: *Shareholder's Democracy: Fact or Fiction*. (1992)

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Equity & Trust



Unit I

Concept and definition of Equity

- Historical Background
- Definition, nature and scope of equity
- Equity as a branch of law
- Equity under the Indian Legal System
- Classification of Equity Jurisdiction.
- Exclusive Jurisdiction
- Concurrent Jurisdiction
- Auxilliary Jurisdiction

Unit II

Nature of Equitable Rights and Interests

- Evolution of Equitable Interests
- Difference between Legal and Equitable Estate " Choose in Action and" Choose in Possession"

Maxims of Equity.

- Equity will not suffer a wrong to be without a remedy
- Equity follows the Law
- He who seeks Equity must do Equity
- He who comes to Equity must come with clean hands
- Delay defeats equities
- Equality is Equity
- Equity looks to the Intent rather to the Form
- Equity looks on that as done which ought to have been done
- Equity imputes an intention to fulfil an obligation
- Equity acts in personam
- Where the Equities are equal, the first in time shall prevail
- Where there is equal Equity, the Law shall prevail

Unit III

General View of Trust

- Introduction, Origin, Development and definition of Trust.
- Creation of Trust
- Rights and Power, duties and Liability of Trustees
- Disabilities of the Trustees
- Rights and Liabilities of the beneficiary

Unit IV

Religious Endowments

- Definition and nature of religious endowments

Essentials of Valid Endowments

Object and Scope of Religious Endowment

Maths

- Shebaitship,
- Power and duties of shebait.

Wakf

- Definition
- Object of Wakf
- Essentials of Wakf

Suggested Readings :

Equity by Hanbury

Trust and Trustees : Cases and Materials, R.H.Maudsley and E.H.Burn

Aqil Ahmad , Equity Trust and Fiduciary Relations

The Indian Trust Act, 1982

The Religious Endowments Act, 1863

The Wakf Act, 1995

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Women & Criminal Law



COURSE OUTLINE

Module I

Women in Pre-Constitution Period: Social and Legal Inequality; Social Reform Movement in India; Legislative response in India.

Women & children in Post-Constitution Period.

Provisions of Constitution of India

Preamble, Art.14, 15, 23, and Part IV

Legal Measures in relating to Child Labour

Women and Political Representation.

Module II

Different Personal Laws- Unequal Position of Indian Women-Uniform Civil Code; Sex Inequality in Inheritance Rights: Right of Inheritance by birth for Sons and not for Daughters; Inheritance under Christian Law; Inheritance under Muslim Law; Matrimonial Property Law; Right of Women to be Guardian of her minor sons and daughters.

Module III

Different Personal Laws- Unequal Position of Indian Women-Uniform Civil Code; Sex Inequality in Inheritance Rights: Right of Inheritance by birth for Sons and not for Daughters; Inheritance under Christian Law; Inheritance under Muslim Law; Matrimonial Property Law; Right of Women to be Guardian of her minor sons and daughters.

Module IV

Women and Criminal Law: Adultery; Rape; Outraging the Modesty of Women; Kidnapping; Sati Prohibition Law; Law relating to Domestic Violence; Law relating Eve-Teasing; Indecent Representation of Women Act.

Module V

Women and Employment: Factories Act- Provisions relating to women; Maternity Benefit Act; Equal Remuneration Act; Law Relating to Sexual Harassment at Working Place; N.C.W-Aims, Functions and Performance.

Reference Book

1. Relevant Provisions of Constitution of India.
2. Relevant Provisions of Indian Penal Code.
3. S.125, Criminal Procedure Code.
4. National Commission on Women Act, 1990.
5. Matrimonial Property- Private Members Bill Introduced in Parliament.
6. Towards Equality- Report of Committee on the Status of Women (Govt. of India) Chapter IV and Section IV. General Conclusions and Recommendations.

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Forensic Science



Course Outline

Module-I

- Objective and Introduction
- Legal Procedure in Criminal Courts: Criminal Courts & their powers, Examination in Chief, Cross Examination, Re-Examination, Court Questions.
- Evidence-(a) Documentary Evidence: Medial Certificates, Medico-Legal Reports, Dying Declaration, Death Certificate. (B) Oral Evidence: Dying Declaration-Deposition of a Medial Witness taken in a Lower Court.

Module-II

- Personal Identity : Definition, Race, Sex Determination, Anthropometry, Dactylography, Foot Prints, Scars, Deformities, Tattoo Marks, Occupational Marks, Hand Writing, Clothes Personal Articles, Speech & Voices, DNA, Finger Printing Gait.
- Post Mortem Examination : Objectives, Rules, External Examination, Internal Examination, Cause of Death
- Examination of the Biological Stains & Hairs: Blood, Semen, Saliva Stains, Hairs & Fibers

Module III

- Death and its Medico-Legal Aspect-Definition, Mode of Death, Sudden Death, Sign of Death, Time since Death, Presumption of Death, Presumption of Survivorship
- Deaths from Asphyxia : Introduction, Hanging, Strangulation, Suffocation, Drowning.
- Injuries by Mechanical Violence: Introduction, Business & Contusions, Abrasions, Wounds, Introduction to Fire Arms & ammunitions

- Medico-Legal aspect of Wounds : Nature of injury, Examination of Injured Persons, Cause of Death from Wounds, Power of Volitional, Acts after receiving a Fatal injury, Difference between wounds inflicted during life & after
- Difference between Suicidal, Homicidal & Accidental Wounds

Module IV

- Insanity in its Medico-Legal Aspect: Introduction, Cause of Mental ill Health, Indication of Mental Health, Classification of Mental Diseases, Feigned Mental ill health, Criminal Responsibility
- Torture & Medicine : Introduction & Definition, Reasons for Torture, Types of Torture, Medico- Legal Aspects of Torture, Post Mortem Detection of Torture.
- Toxicology : Law relating to Poisons, Action of Poisons, Asphyxiates (Irrespirable Cases), Carbon di-Oxide, Carbon mono-Oxide, War Gases

Text

Modi: Medical Jurisprudence

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Intellectual Property Rights & Pharma Industry



Course Outline:

Module I: Introduction

- Nature and Scope of Pharmaceutical Industry;
- Pharmaceutical Industry in India: Background, Importance and Current Status;
- A Brief Introduction of Intellectual Property Rights;
- IPRs and Pharmaceutical Industry;
- The Role of Intellectual Property Rights in Pharmaceutical Research and Development

Module II: Patentability of Pharmaceuticals: A Comparative Study

- Nature, Scope and Essentials of Patent;
- Patentability of Chemical, Biotechnological and Pharmaceutical Inventions;
- Other Criteria of Patenting: Novelty, Non-Obviousness (Inventive Step), Utility (Industrial Applicability) and Written Description;
- Product Patent and Process Patent;
- Patentability of Pharmaceuticals in the United States and United Kingdom ;
- Pharmaceutical Patents in India:
- Patentability of Pharmaceuticals under Indian Patent Act 1970,
- Status of Pharmaceutical Patents Before 1995,
- Pre-Product Patent Regime (Grace Period: 1995-2005),
- Product Patent Regime: Patentability Aspect of Innovations,
- Section 3(d) - Defining the Enhanced Therapeutic Efficacy of Pharmaceutical Products and Ever-greening-Novartis Case,
- India's Position on Doctrine of Equivalents (DOE) and Examining its Link to Infringement

Module III: Pharmaceutical Patents under International Patent Regime and India's Obligations to TRIPS

- International Patent Regime: GATT, WTO and TRIPS, Doha Declaration
- Patentability of Pharmaceuticals under TRIIPS
- Patent Term Extension
- Mail Box and Exclusive Marketing Rights

- Generic Medicine and Grace Period
- TRIPS Plus-Free Trade Agreements
- India's Obligations to TRIPS
- Implications of TRIPS on Indian Pharmaceutical Industry

Module IV: Implications of Pharmaceutical Patents on Access to Essential Medicines and Health

- IP Related Issues in Access to Essential Medicines;
- Implications of Pharmaceutical Patents on Innovators;
- The Doha Declaration on TRIPS and Public Health;
- Negotiations on TRIPS Agreement and Public Health: From Seattle to Doha;
- Trade Disputes Relating to Pharmaceutical Patents;
- Role of Compulsory Licensing in Ensuring Access to Essential Medicine;
- Compulsory Licensing Relating to Pharmaceuticals and Health

Text and References:

Sudip Chaudhari, *The WTO and India's Pharmaceutical Industry* (Oxford University Press, 2005)

Kenneth C. Shadlen, Samira Guennif et.al, *Intellectual Property Pharmaceuticals and Public Health-Access to Drugs in Developing Countries* (Cheltenham, Edward Elgar Publishing Ltd., 2011)

Subba Rao Chaganti, *Pharmaceutical in India* (New Delhi, Gitam Institute of Foreign Trade in Association with Excel Books Pvt. Ltd., 2005)

Jakkrit Kuanpoth, *Patent Rights in Pharmaceuticals in Developing Countries-Major Challenges for the Future* (Cheltenham, Edward Elgar Publishing Ltd, 2010)

Philip W. Grubb, Peter L. Thomsen et. al., "Patents for Chemicals, Pharmaceuticals and Biotechnology-Fundamentals of Global Law, Practice and Strategy (Oxford University Press, 2010)

Journal of Intellectual Property Rights (NISCAIR)

The WIPO Journal

Oxford Journal of Intellectual Property Law & Practice

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Patent Drafting and Specification Writing



Course Outline:

Module I: Introduction

- Indian Patent Act 1970 (As Amended in 1999, 2002 and 2005): An Overview;
- Patent Rules and Patent Manual
- Patent Filing and Grants ;
- Patent Information System
- Patent Agent, their Role and qualification
- Patentable Invention/Non-Patentable Inventions
- Conditions for Patent: Novelty, Inventive Step, Utility, Written Description and Best Mode

Module II: Application for Patent

- Who can file an application?;
- Types of Application:
 - Ordinary Application,
 - Convention Application,
 - International Patent Application
- Documents for Submission: Declaration as to Inventorship
- Statement and Undertaking
- Proof of right to make an application;
- The Authorization of an Agent;
- Substitution of Applications;
- Compulsory Licenses;
- Unity of invention and divisional applications

Module III: Specification Writing

- Nature and Scope of Specification;
- Provisional and Complete Specification;
- Content of the Specification: Field of Invention
- State of the Art in the Field
- Object of the Invention
- Detailed Description of the Invention
- Enablement and best mode
- Claims;
- Patent of Addition;

Module IV: Claim Construction

- Claim Sets:
 - Independent Claims
 - Dependent Claims;
 - Multiple Dependent Claims;
- Claim Construction:
 - Parts of the Claim,
 - Claim Punctuation,
 - Antecedent Basis,
 - Specific Types of Claims:
 - Process or method claim,
 - Product Claim,
 - Product by Process Claim,
 - Composition Claim
- Interpretation and Analysis of Claims

Text and References:

- Ronald D. Slusky, *Invention Analysis and Claiming-A Patent Lawyers Guide* (Chicago, American Bar Association, 2007)
- Morgan D. Rosenberg, *The Essentials of Patent Claim Drafting* (New York, Oxford University Press, 2012)
- Gwilym Roberts, *A Practical Guide to Drafting Patents* (Sweet & Maxwell, 2007)
- Kalyan C. Kanaknala, Arun K. Narasani & Others, *Indian Patent Law and Practice*, (New Delhi; Oxford University Press, 2010)
- Shail jain & R.K. Jain, *Patents Procedures & Practices* (New Delhi, Universal Law Publishing Co. Pvt. Ltd., 2011)
- Dr. M.K. Bhandari, *Law relating to Intellectual Property Rights*, Central Law Publications