

**COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY  
KOCHI - 22**



**3 Year. LL.B. (REGULAR) Course**

**SYLLABUS w.e.f 2020-21 Academic Year onwards**

SCHOOL OF LEGAL STUDIES, CUSAT, KOCHI – 22

## 3 Year. LL.B ( Regular ) Syllabus – 2020

Sl.No.	Subject	Subject Code	Duration of Examination	Marks Internal	Marks External	Total
<b>Semester I</b>						
1	Family Law – I	20-271-0101	3hours	50	50	100
2	General Principles of Contract (Law of Contract – I)	20-271-0102	3hours	50	50	100
3	Law of Crimes-I	20-271-0103	3hours	50	50	100
4	Law of Torts and Motor Vehicles Accidents	20-271-0104	3hours	50	50	100
<b>General Electives for Semester 1 (choose any 1 paper)</b>						
5	Criminology, Penology and Victimology	20-271-0105	3hours	50	50	100
6	Human Rights Law	20-271-0106	3hours	50	50	100
7	International Humanitarian and Refugee Law	20-271-0107	3hours	50	50	100
8	Law of Co-operative Societies	20-271-0108	3hours	50	50	100
	<b>TOTAL (5 Subjects)</b>			<b>250</b>	<b>250</b>	<b>500</b>
<b>Semester II</b>						
1	Administrative Law	20-271-0201	3hours	50	50	100
2	Constitutional Law – I	20-271-0202	3hours	50	50	100
3	Family Law – II	20-271-0203	3hours	50	50	100
4	Special Contracts (Law of Contract – II)	20-271-0204	3hours	50	50	100

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<b>General Electives for Semester II (choose any 1 paper)</b>						
Sl.No.	Subject	Subject Code	Duration of Examination	Marks Internal	Marks External	Total
5	Animal Protection Law	20-271-0205	3hours	50	50	100
6	Disability Law	20-271-0206	3hours	50	50	100
7	Law and Medicine	20-271-0207	3hours	50	50	100
8	Law of the Sea	20-271-0208	3hours	50	50	100
9	Laws Relating to Agriculture	20-271-0209	3hours	50	50	100
	<b>TOTAL (5 Subjects)</b>			<b>250</b>	<b>250</b>	<b>500</b>
<b>Semester III</b>						
1	Drafting, Pleading and Conveyance	20-271-0301		100	0	100
2	Constitutional Law – II	20-271-0302	3hours	50	50	100
3	Jurisprudence (Legal Method, Indian Legal System and Basic Theory of Law)	20-271-0303	3hours	50	50	100
4	Law of Evidence	20-271-0304	3hours	50	50	100
<b>General Electives for Semester III (choose any 1 paper)</b>						
5	Disaster Management Law	20-271-0305	3hours	50	50	100
6	Law on Building and Engineering Contracts	20-271-0306	3hours	50	50	100
7	Law, Poverty and Development	20-271-0307	3hours	50	50	100

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Sl.No.	Subject	Subject Code	Duration of Examination	Marks Internal	Marks External	Total
8	Laws Relating to Armed Forces	20-271-0308	3hours	50	50	100
9	Law Relating to Ships	20-271-0309	3hours	50	50	100
<b>TOTAL (5 Subjects)</b>				<b>300</b>	<b>200</b>	<b>500</b>
<b>Semester IV</b>						
1	Professional Ethics and Professional Accounting System	20-271-0401		100	0	100
2	Civil Procedure Code and Limitation Act	20-271-0402	3hours	50	50	100
3	Company Law	20-271-0403	3hours	50	50	100
4	Law of Criminal Procedure	20-271-0404	3hours	50	50	100
<b>General Electives for Semester IV (choose any 1 paper)</b>						
5	Interpretation of Statutes	20-271-0405	3hours	50	50	100
6	Land Utilization Law	20-271-0406	3hours	50	50	100
7	Law Relating to Child	20-271-0407	3hours	50	50	100
8	Marine Safety Law	20-271-0408	3hours	50	50	100
9	Women and Law	20-271-0409	3hours	50	50	100

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	<b>TOTAL (5 Subjects)</b>			<b>300</b>	<b>200</b>	<b>500</b>
<b>Semester V</b>						
Sl.No.	Subject	Subject Code	Duration of Examination	Marks Internal	Marks External	Total
1	Mediation, Conciliation and Arbitration	20-271-0501		100	0	100
2	Property Law	20-271-0502	3hours	50	50	100
3	Public International Law	20-271-0503	3hours	50	50	100
4	Labour Law – I (Trade Unions and Industrial Disputes)	20-271-0504	3hours	50	50	100
<b>General Electives for Semester V (choose any 1 paper)</b>						
5	Forensic Science and Medical Jurisprudence	20-271-0505	3hours	50	50	100
6	Healthcare Law	20-271-0506	3hours	50	50	100
7	Intellectual Property Laws	20-271-0507	3hours	50	50	100
8	Law Governing Scientific Research	20-271-0508	3hours	50	50	100
9	Science, Technology and Law	20-271-0509	3hours	50	50	100

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	<b>TOTAL (5 Subjects)</b>			<b>300</b>	<b>200</b>	<b>500</b>
<b>Semester VI</b>						
1	Moot Court Exercise and Internship	20-271-0601		0	100	100
<b>Sl.No.</b>	<b>Subject</b>	<b>Subject Code</b>	Duration of Examination	Marks Internal	Marks External	Total
2	Environmental Law	20-271-0602	3hours	50	50	100
3	Labour Law – II (Social Securities Law)	20-271-0603	3hours	50	50	100
4	Principles of Taxation Law	20-271-0604	3hours	50	50	100
<b>General Electives for Semester VI (choose any 1 paper)</b>						
5	Air and Space Law	20-271-0605	3hours	50	50	100
6	International Trade Law	20-271-0606	3hours	50	50	100
7	Law of Local Self Government	20-271-0607	3hours	50	50	100
8	Private International Law	20-271-0608	3hours	50	50	100
9	Securities Laws	20-271-0609	3hours	50	50	100
	<b>TOTAL (5 Subjects)</b>			<b>200</b>	<b>300</b>	<b>500</b>

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## **Semester - I**

### **1. Family Law- I (20-271-0101)**

#### **Course Objectives:**

The course intends to introduce students to Family law as a dynamic field of law concerning a basic social institution, the family. To explain the relevance of Family law in other areas of law such as contracts, constitutional law, conflicts of laws, criminal law, property, trusts and estates, and to illustrate as well as how family law draws on the social sciences. The course will focus on marriage, non-marital families, divorce and maintenance, pathways to becoming a parent and the parent-child relationship under different personal laws and statutes. The course intends to cover the contemporary judicial and legal trends in this area.

#### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To get insights about rights and duties of members of family towards each other, with special reference to spousal relationship and will develop knowledge and understanding of substantive family law as well its interaction with many other fields of law, such as contracts, constitutional law, conflicts of laws, criminal law, property, tax, torts, and trusts and estates.
- To be able to demonstrate the role of negotiation, mediation, and other forms of dispute resolution in the practice of family law and be able to practice as a specialized Matrimonial Lawyer with proper professional and ethical responsibilities.
- To be able to appreciate the working of organizations and institutions working on issues relating to women and children at domestic and international level.

#### **Course Contents:**

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## **Module I – Marriage and Divorce under Hindu Law**

Sources of Hindu law - Concept of marriage in general - Solemnization of Marriage under Hindu Marriage Act, 1955 – Validity of marriage – Registration Of Marriage - Restitution of Conjugal Rights - judicial separation – Theories of Divorce - Grounds of divorce -Maintenance under Hindu personal law and other Statutory law.

## **Module II – Marriage and Divorce under Muslim Law**

Sources and schools of Muslim law - Solemnization of marriage – Nikah –Classification of Marriage and its Validity – Kinds of dower - Divorce – Extra judicial and Judicial modes of Divorce – Maintenance under Muslim personal law and other statutory law.

## **Module III – Marriage and Divorce under Christian Law**

Sources of Christian law – Solemnization of marriage - Validity of marriage – Registration of Marriage – Divorce - Grounds of divorce - Maintenance under Christian personal law and other statutory law.

## **Module IV – Marriage under Special Marriages Act**

Procedure for marriage and matrimonial relief under the Special Marriages Act, 1955 Registration of marriage - Live in relationship – conflict between personal law and statutory law.

## **Module V – Legal Provisions of Adoption**



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Adoption - Inter country Adoptions-CARA guidelines 2017 – Adoption and maintenance Act, 1956  
– Minority And Guardianship Act 1956 - Prohibition of Child Marriage Act, 2006.

## **Reference:**

1. Mulla, Principles of Hindu Law (23rd Edition)
2. Paras Diwan, Family Law (2018)
3. Poonam Pradhan Saxena, Family Law Lectures, Family Law-I, (4th edition)
4. Mulla, Mohamedan Law. (5th Edition)
5. Prof. G V C Subbarao, Family Law in India (2018)
6. Tahir Mohamed, Muslim Law in India. (5th Edition)
7. Sebastian Champappilly, Christian Law. (2007 Edition)
8. E.D. Devadasan, Handbook of Christian Law. (1st Edition)
9. Ranganath Misra, Mayne's Treatise on Hindu Law & Usage (17th Edition, 2014)
10. Satyajee A. Desai, Mulla Principles of Hindu Law, Vol. I & II (21st Edition., 2011)

## **Statutes:**

1. Hindu Marriage Act, 1955
2. The Indian Christian Marriage Act, 1872
3. The Muslim Women (Protection of Rights on Divorce) Act, 1986
4. Indian Divorce Act, 1869
5. Hindu Adoption and Maintenance Act, 1956
6. Minority and Guardianship Act, 1956
7. Prohibition of Child Marriage Act, 2006

## **2. General Principles of Contract (Law of Contract – I) (20-271-0102)**

### **Course Objectives**

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The distinctive feature of this foundational course is that it is offered in two levels and is a consolidation of general principles of law of contracts. The focus of this course will be on the nature of agreement, the reason for non-enforceability of an agreement, the justification for non-performance of an agreement and the ground for awarding damages. The discussion will further entail the analysis of the law of obligations and specific reliefs for breach of contracts. The course also examines the practical applications of law relating to contracts to resolve issues posed by a technology driven commercial world. Being a foundation course the approach will be both theoretical and critical with emphasis on case law analysis. The course intends to cover the contemporary judicial and legal developments in this area.

### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To assess the norms for formation and discharge of contracts in India and role of courts in enforcing them.
- To apply the existing legal principles of contract law to solve issues posed by an evolving technology driven society.
- To appreciate the legal framework relating to law of contracts.

### **Course content**

#### **Module-I - Formation of Contract**

Nature of contractual obligation - Theories of contract – General classification of contracts – Electronic/ Smart Contracts – Government Contracts & International Contracts- offer-its Types, Intention to create legal relationship - Acceptance – Forms, essential elements and Promise.

#### **Module-II - Essentials of Contracts**

Capacity of parties – Legal Disqualification to enter into Contracts- Minors, Persons of Unsound mind – Effects of agreement with disqualified persons- Free consent - factors vitiating free consent - Misrepresentation, coercion - and undue influence – Fraud & Mistake

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## **Module-III - Objects of Contract**

Lawful object- Void transactions- Agreements against public policy-Agreement in restraint of trade, Marriage and legal proceedings – Uncertain and Wagering agreements.

## **Module-IV- Consideration**

Consideration- Types- Effect of contract without consideration-Exceptions

## **Module-V - Discharge of Contracts & Remedies**

Discharge of contracts -Performance of contracts – Breach of Contracts - Types of impossibility of performance - Alterations and novation - Accord and satisfaction - Quasi contracts- Remedies for breach - Damages –general and special - Specific performance – Types- Rescission and cancellation -Injunctions - Declaratory remedies

## **References**

1. Avatar Singh, Law of Contract and Specific Relief , Eastern Book Co.(2020)
2. Pollock &Mulla Indian Contract and Specific Relief Acts, Vol. 1, 12th edn. Butterworths, (2012).
3. W.R. Anson, Principles of Law of Contracts, Alpha edition (2019)
4. W.R. Anson, Principles of the English law of contract and of agency in its relation to contract (2019)
5. Trietal, The Law of Contract, Sweet& Maxwell, 13<sup>th</sup>edn(2011)
6. A.Burrows, Remedies for Tort and Breach of Contract. Butterworths (1994)
7. Beatson, J., Anson’s Law of Contract, Oxford University Press, (2002)
8. Fry, A Treatise on the Specific Performance of Contracts, 6th edn., Universal Law Publishing Co. Pvt. Ltd., 1997.

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9. McGregor, Harvey, Mayne and McGregor on Damages, 12th edn. Sweet and Maxwell, London, 1961.
10. Mc Meel, Gerard, The Modern Law of Unjust Enrichment and Restitution, Oxford University Press, 2003.

### **3. Law of Crimes- II**

**(20-271-0103)**

#### **Course Objectives**

This course provides insight on various categories of offences viz. those affecting the society, those affecting human body, specific offences against women. It helps in examining the legislative history behind the inclusion of certain Offences and identifying the offences which have become redundant in the Indian Penal Code in the light of judicial interpretations. It also helps in understanding the scope of amendments to be brought to the Indian Penal Code considering the changing needs of the society.

#### **Learning Outcomes:**

On successful completion of this course, the student will be able:

- To appreciate the definitions of certain offences in relation to the Indian Penal Code and special legislations.
- To illustrate a critical analysis of the components of the various offences of the Penal Code
- To analyse the judicial interpretation of the provisions of the Penal Code in the light of decided cases and appreciate its impact on the present day society.

#### **Course Contents:**

**Module I - Offences against Public Health, Safety, Decency and Morals**

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Offences against public order, health and morality- public nuisance –Spreading of infectious diseases - adulteration of food and drugs - negligent and dangerous driving - obstructing public ways - keeping dangerous animals – obscenity. Offences relating to religion- Mob Lynching

### **Module II - Offences Against Human Body and Sexual Offences**

Offences against human body - culpable homicide, murder- hurt- grievous hurt, simple hurt – wrongful restraint –wrongful confinement-assault- kidnapping and abduction- rape – infanticide - Rash & negligent act -Attempt to murder -Attempt & abetment to Suicide -Criminal force & assault - criminal intimidation--Injuries to unborn children -Exposure of infants and concealment of births -Sexual offences -Unnatural offences.

### **Module III - Offences Against Women & Offences Relating to Marriage**

Offences against Women - Outraging the Modesty of Women- Voyeurism- Stalking- Acid Attack - Rape -Causing miscarriage- Offences relating to marriage- bigamy-adultery-cruelty by husband.

### **Module IV - Offences Relating To Property And Property Marks**

Offences against property - theft, extortion- robbery and dacoity - criminal misappropriation- criminal breach of trust –stolen property- cheating – mischief criminal trespass- forgery- counterfeiting.

### **Module V - Offences against Public Justice**

Offences against public justice- preventing summoning by court -disobedience to honour orders of public servants – perjury-obstructing discharge of duties-defamation.

### **References:**

1. Kenny, Outlines of Criminal Law 19<sup>th</sup> edn
2. R.C. Nigam, Law of Crimes in India Vol.I & II
3. K.D.Gaur, Criminal Law: Cases & Materials (2015)
4. Glanville Williams, Text Book of Criminal Law (2015)
5. Smith and Hogan, Criminal Law (2018)

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6. Ratanlal& Dhirajlal, The Indian Penal Code, Lexis Nexis, 36<sup>th</sup> edn
7. Dr KN Chandrasekhara Pillai, General Principles of Criminal Law , Easter Book Company ( 2ndedition, Reprint in 2020)

### **4. Law of Torts and Motor Vehicles Accidents (20-271-0104)**

#### **Course Objectives**

This course is intended to give an idea about fundamentals of civil liability in India. It provides understanding about various specific torts, its essential ingredients, remedies and defences. It also deals with compensation under MV Act. The course intends to cover the contemporary judicial and legal trends in this area.

#### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To apply the legal principles in real life situations happening in and around him such as assault, battery and trespass etc.
- To identify whether there is a wrongful action and if so what remedies and defences is applicable to such cases.
- To practice as a successful lawyer in any civil courts in India.

#### **Course Content**

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## **Module I: Introduction**

Introduction - Definition, Nature and Scope of Law of Torts - Torts and Crime - Torts and Contract - Essential Elements of Law of Torts - Pigeon Hole Theory - Relevancy of Motive in Law of Torts – Specific Defences

## **Module II: Parties**

Capacity and Parties in Torts - Joint and Several Tort-feasors - Malfeasance, Misfeasance, Nonfeasance- Vicarious Liability - Master and Servant - Doctrine of Common Employment.

## **Module III: Specific Torts -1**

Nuisance – Essential Elements – Remedies – Defences - Negligence - Elements of Negligence - Res Ipsa Loquitur - Contributory Negligence – Defences - Nervous Shock – Its Meaning and Principles – Defamation - Malicious Prosecution

## **Module IV: Specific Torts - 2**

Trespass to Person: Assault, Battery – Mayhem & False Imprisonment - Trespass to Land - Trespass ab initio – Remedies - Defences - Strict Liability - Rule in Ryland's v. Fletcher- Dangerous thing – Escape of thing - Non-natural use of land - Exceptions - Its criticisms- Absolute Liability - Bhopal Gas Leak Disaster Case- Liability of Hazardous Industries

## **Module V: Economic Torts, Remedies and Motor Vehicles Act**

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Malicious Falsehood - Tort of Passing off – Intimidation – Conspiracy -Inducing breach of Contract - Detinue – Tort of Conversion (Trover) - Tort of Deciet - Slander of Title – Slander of Goods - Judicial Remedies – Extra-judicial Remedies - Liability under Motor Vehicles Act, 1988 - Compensation in Motor Vehicle Accidents - Nature and Extent of Insures Liability - Claims Tribunal - Award of Compensation

### **References**

1. W V H Rogers, Winfield & Jolowicz Tort, Sweet & Maxwell, London, 2010
2. RFV. Heuston & RA Buckley, Salmond and Heuston on Law of Torts, Universal Law Publishers, Delhi, 1996
3. SP Singh & Indrajith Singh, Law of Torts, Universal Law Publishers, Delhi, 2010
4. B M Gandhi, Law of Torts, EBC, Lucknow, 1997
5. Ratanlal & Dhirajlal, The Law of Torts, Wadhwa, Nagpur, 2016
6. Paula Giliker & Silas Beckwith, Tort, Sweet & Maxwell, London, 2000
7. Vivienne Harpwood, Principles of Tort Law, Cavendish Publishing Limited, London, 2009
8. A Laxminath & M. Sridhar, Ramaswamy Iyer: The Law of Torts, 19th Edn- 2007, Lexis Nexis, New Delhi
9. .Basu, Exhaustive Commentary on Motor Vehicles, Whytes & Co, 2020.

### **General Electives for Semester 1 (choose any 1 paper)**

#### **5. Criminology, Penology and Victimology (20-271-0105)**

##### **Course Objectives:**

This course aims at the interrelating the concepts of crime and punishment-understanding the concept of criminology and the various theories of criminology and its relevance in criminal law, explaining the



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concept of punishment, the theories of punishment and the philosophy underlying each theory. It also aims at acquiring knowledge regarding the classification of offences in the context of sentencing. The course throws light on understanding the concept of rehabilitation in the context of the various correction and rehabilitative techniques employed by the criminal justice system and the efficacy of such techniques in achieving its purpose. It also enables to identify the role of victim in criminal justice system and rights of victims in the criminal justice system.

### **Learning Outcomes:**

On successful completion of this course, the student should be able:

- To illustrate how the various factors as put forth by the various schools of criminology influence crime and to relate the crime to different factual situations
- To analyse the sentencing policy which influence a judge in imposing appropriate sentences and to evaluate the propriety of sentences imposed on the offenders
- To demonstrate the efficacy of the rehabilitative and correctional techniques as envisaged by the criminal justice system and to assess whether the state addresses the various rights of the victims.

### **Course Contents:**

#### **Module 1: Schools of Criminology and theories of causation of crime**

Criminology - nature, scope and its relevance in Criminal justice administration. Schools of criminology - classical, neo classical - positive school - sociological - cartographic - psychological – psycho analytical school - Radical school of criminology- Causation of crime- hereditary – different theories of causation- chromosomal factors - mental deficiency – environmental factors- economic and social factors-poverty - family - school - religion – media

#### **Module 2: Theories of Punishment, classification of offences and Sentencing Policy**

Concept of punishment - Theories of punishment - Sentencing – objectives- sentencing Process and policies- stages of Sentencing process- individualization of punishment- exceptions to concept of individualization of punishment- punitive treatment in socio economic offences- Punitive treatment for habitual offenders-mandatory death penalty- sentencing discretion- disparity in sentencing-soft sentencing- compounding of offences- Probation-case laws.

#### **Module 3: Kinds of Punishment**

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Different methods of punishment-corporeal and incorporeal punishment-Solitary confinement-capital punishment-fine and compensation-emerging forms of punishment-community service, public shaming etc.

### **Module 4: Post Sentencing and Classification of Convicts**

Correctional & Rehabilitative techniques- institutional correction of the offenders-After care services for adult and juveniles-duty of the state to rehabilitate-corrective labour-duty of state to maintain dependents of convicts.

### **Module 5: Classification of Victims and Protection of victim Rights**

Victimology-conceptual meaning and scope-Primary, Secondary and Tertiary victims-need for protecting victims of crimes-International Law on Victim Justice-impact of Victimization-circumstantial victims-women and children as victims-special protection to woman and child victims- - victims of domestic crimes-victims of crime as witnesses- statutory provisions- Compensation to victims- Restitution-concept of Restorative justice-need for protection through legislation-

### **References**

1. Vernon Fox, Introduction to Criminology. (1985)
2. Tappen, Crimes, Justice and Correction. (1960)
3. Sethna, Society and the Criminal. (1989)
4. Sheldon Glueck, Unraveling Juvenile Delinquency. (1966)
5. Bhattacharya, Prisons. (1958)
6. Khatri B.D., Law of Probation in India. (1988 edn with supplement 1990)
7. Ahmed Siddique, Criminology- Problems and Perspectives (2009).
8. P., Madhava Somasundram, et. al., Crime Victims and Justice Serial Publication, (2008)
9. Singh Makkar S.P., Global Perspectives in Victimology (1995)
10. N.K. Chakraborti., Institutional Corrections in the Administration of Criminal Justice (2002)  
G.S. Bajpai & Shriya Gauba., Victim Justice (2016)

### **6. Human Rights Law**

20-271-0106

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## **Course Objective:**

The course provides an introduction to human rights philosophy, principles, instruments and institutions. The course introduces the main United Nations Conventions and legislations in India for protection of human rights. It also gives an overview of contemporary challenges, current issues and debates in human rights.

## **Learning Outcome:**

On successful completion of this course, the student will be able:

- To gain substantive knowledge of the international law and policy of human rights.
- To develop analytical skills to appraise human rights policies and practices.
- To analyze the contemporary challenges and trends in human rights theory and practice.

## **Course Content:**

### **Module I- Introduction**

The concept of Human Right - Theoretical Basis of Human Rights- Theoretical Foundation of Human Rights - Natural Law and Natural Rights- Origin and development- Ancient - Medieval – 17th & 18<sup>th</sup> Century, 19th & 20th Century – Modern Developments- Generations of Human Rights - Civil and Political Rights -Economic, Social and Cultural Rights.

### **Module II- International Human Rights Documents**

U.D.H.R-ICCPR-ICESCR-Optional Protocols-Implementation, enforcement, remedies under international human rights law- International Adjudication- Effectiveness of UN Human Rights System.

### **Module III-Human Rights in India**

Implementation of Human Rights in India-Limitations on and derogations from rights–Protection of Human Right Act 1993-Powers of NHRC-Role of judiciary in enforcing Human Rights-Role of NGOs and Human Rights activism in India.

### **Module IV-Human Rights of Vulnerable Groups**

International Human Rights Law on Women’s Rights- Refugee Rights-Child Rights- Rights of Differently Abled- Minority and Indigenous People Rights -Sexual Minorities- Legal Framework in India.

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## **Module V – Contemporary Challenges**

Contemporary Challenges to Human Rights - Science and Technology-Digital freedom- Terrorism- Business and Human Rights.

### **Reference**

1. IliasBantekas and LotzOette, International Human Rights Law and Practice, Cambridge,2013.
2. Kerry O'Halloran, Sexual Orientation, Gender Identity and International HumanRights Law, Routledge, 2019
3. Perry and Roda, Human Rights and Digital Economy, Palgrave Macmillan,2017.
4. Gayatri H. Patel, Women and International Human Rights Law, Routledge,2019.
5. Jack Donnelly, Universal Human Rights in Theory and Practice, Cornell University Press,2013.
6. Philip Alston and Ryan Goodman, International Human Rights, Oxford,2012.
7. Christian Tomuschat, Human Rights: Between Idealism and Realism, Oxford,2003.
8. Alston,Phillip,TheUnitedNationsandHumanRights,ClarendonPress,London,1995.
9. Sutton, The Protection of Vulnerable Groups under International Human Rights Law, Routledge,2017
10. Andrew Clapham, Human Rights Obligations of Non-State Actors, Oxford,2006.
11. Justice PalokBasu, Law Relating to Protection of Human Rights, Modern Law Publications, 2002.
12. Sircar, V.K., Protection of Human Right in India, Asia Law House2004.
13. Dr K P Saksena, Human Rights and the Constitution ,Gyan Publishing House,2003.

## **7. International Humanitarian Law and Refugee Law**

**20-271-0107**

### **Course Objectives:**

The primary objective of the course is to give insights about the main principles of international humanitarian law. It discusses the main issues in international humanitarian law. It enumerates

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the rights of prisoner of war and the role of international courts in providing redress to them. It helps the students to understand the problems in national implementation of humanitarian law. The course intends to cover the contemporary judicial and legal trends in this area.

### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To understand the scope and extend of international humanitarian law.
- To understand the human rights issues concerning prisoners of war and refugees.
- To work with NGO's working in the field of humanitarian law.

### **Course Contents:**

#### **Module I- Introduction**

Scope and extent of International Humanitarian Law –Origin of IHL- Sources of IHL-Use of force and IHL- Conflict status and Combatant status-Protection of Combatants in sea and land- Linkages between international Human rights law -IHRL, International humanitarian law -IHL and International refugee law-IRL.

#### **Module II- Armed Conflict**

Classification of Armed Conflict- Commencement and Termination of Hostilities-Rights and obligations of prisoners of war-Non- International armed Conflict -War Crimes-Terrorism - War tribunals- International Criminal Law-Protection of women, children and other vulnerable groups.

#### **Module III- Protection of Civilians and Objects of Cultural Importance**

Protected Persons- Civilian objects- Protected objects and property- Cultural Objects- Protection of natural environment- Enemy Property.

#### **Module IV- National Implementation of IHL**

National Implementation of International Humanitarian Law-Minimum Standards

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for Reception conditions -Response of national laws and national courts-Regional refugee protection frameworks- SAARC.

### **Module V- Refugees**

Refugee-Determination of refugee status- UN Convention - International mechanisms for the protection of refugees- Refugee and Migrant- Rights of Refugees- Non-refoulement-Gender related Persecution-Climate Refugees- Refugee with special needs-Exclusion and Cessation of Refugee status- Asylum-Statelessness.

#### **References**

- 1 Marco Sassoli, International Humanitarian Law, Edward Elgar Publications, 2019.
- 2 A.G. Noorani, (South Asian Human Rights Documentation Centre), Challenges to Civil Rights Guarantees in India (Oxford University Press, 2012).
- 3 V.S.Mani (Ed). Handbook of International Humanitarian Law (Oxford University Press, 2007).
- 4 James C. Hathaway, The Rights of Refugees Under International Law, Cambridge University Press, 2005
- 5 B S Chimni, International Refugee Law, Sage Publications, 2000.
- 6 Rajan Varghese & Rose Varghese (Ed.), Introduction to International Humanitarian Law, Indian Centre for Humanitarian Law and Reserach, New Delhi, 1997.
- 7 Feller (Ed.), Refugee Protection in International Law, Cambridge University Press, 2009.
- 8 Dauvergne, Catherine, Making People Illegal: What Globalization Means for Migration and Law, New York: Cambridge University Press, 2008.
- 9 David Weissbrodt, Refugees-The Human Rights of Non-citizens, Oxford, OUP, 2008,
- 10 Goodwin Gill, Guy S., McAdam, Jane, The Refugee in International Law, Third Revised Edition, Oxford University Press, 2007
- 11 Stephen Castles and Mark J. Miller, The Age of Migration: International Population Movements in the Modern World , 4th edition, Guilford Press, 2008.
- 12 Frances Nicholson and P.Twomey, Refugee Rights and Realities: Evolving International Concepts and Regimes, Cambridge University Press, 1999
- 13 Sanoj Rajan,” International Humanitarian Law in the Indian Civilian and Military Justice

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system ,” pp475-490 in Suzzannah Linton et al ( Eds) Asia- Pacific Perspectives on International Humanitarian Law, Cambridge University Press (2019)

14 Sanoj Rajan, Global Refugee Crisis- Contemporary Reflections , Thomsun Reuters (2018)

### **Websites :**

<https://www.unhcr.org/archives-and-records.html>

<https://www.icrc.org/en/icrc-databases-international-humanitarian-law>

## **14. Law of Co-operative Societies**

**20-271-0108**

### **Course Objectives:**

The course aims to provide an understanding about the concept of cooperatives- society. It enables to acquire knowledge about the evolution of the concept and imparting information about the historical development of co-operative Societies. It aims to acquaint the students with relevant provisions of the Co-operative Societies Act, 1969 and illustrating the structure and functioning of the Co-operative Societies. It also aims discussion on the procedures relating to settlement of disputes, winding up and amalgamation procedure. The course intends to cover the contemporary judicial and legal trends in this area.

### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To appreciate the advantages of forming a co-operative society
- To understand the structure & composition of a co-operative society and how a co-operative society functions
- To know the legal formalities regarding the formation, functioning, winding up & dissolution of a co-operative society

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

Course Content:

## **Module 1: Evolution and Historical Development of Co-operative Societies**

The concept of co-operation—definition, nature, values, objectives & principles- history and development of co-operatives –association & enterprise characteristics- different types of co-operatives - classification of co-operative societies-departmental set up.

## **Module 2: Co-operative Societies Law**

Selected provisions of Kerala Cooperative Societies Act, 1969—Registration- cancellation and suspension of registration- Powers of Registrar-amendment of byelaws -amalgamation & division-members-rights & liabilities

## **Module 3: Composition, Powers and Privileges of Co-operative Societies**

Management of societies— General body, Board of Directors, Chief Executive Officer—powers, election and nomination –privileges of societies

## **Module 4: Management of Funds**

Properties and funds of societies-disposal of net profit-cooperative education fund- maintenance of fluid resources

## **Module 5: Enforcement Mechanism & Winding Up**

Audit of societies-settlement of disputes-execution of awards & decrees- arbitration-winding up and dissolution of co-operative societies-liquidator, powers & liquidation procedure.

### **References:**

1. Sugathan, Law Relating to Co-operative Societies in India.
2. T.R.Sreenivasan, L.S.Sastri's Law and Practice of Co-operative Societies in India, Law Book Company, 1968.
3. Mohanan, P.N., Co-operative Laws in Kerala with Allied Laws, Kerala State Publication, 22<sup>nd</sup> Edition
4. Bedi R.D, Theory, History & Practice of Cooperation, Loyal Book depot, Meerut,



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2001.

5. Manuraj S, The Co-Operative Societies Act and The Co-Operative Societies Rules of Kerala, APT Academy Kottayam, 2019
6. S Parameswaran, Law Relating to Societies Registration, Universal Law Publishing, 2017

## **Semester - II**

### **1. Administrative Law 20-271-0201**

#### **Course Objectives:**

This course provides insight as to the structure, functions, powers and accountability of administrative authorities towards public. It provides knowledge on the basic principles on which administrative actions/decisions are taken and thus equips the students to know whom to approach when administration fails /deviates from its said legal obligations. It provides an account of remedies available to an individual against the administration and the modes of devolution of administrative powers. The course intends to cover the contemporary judicial and legal trends in this area.

#### **Learning Outcomes:**

On successful completion this course, the students will be able:

- To give client advice when the state fails in its legal obligations
- To apply law to challenging factual situations through constructive interpretation
- To adopt and suggest appropriate administrative choices when confronted with challenges.

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## **Course Contents:**

### **Module I- Basic Principles of Administrative Law**

Meaning - content and growth of administrative law in India - Rule of law and Constitution Doctrine of separation of powers- Classification of functions- rule making, adjudicating and pure administrative functions.

### **Module II- Forms of Administrative Functions**

Delegated Legislation - concept, procedure, validity- controls-Administrative decision making and principles of natural justice – doctrine of fairness- Wednesbury Reasonableness- legitimate expectation-proportionality- Promissory estoppel- administrative discretion- Judicial review of administrative action

### **Module III- Administrative Tribunals in India**

Statutory tribunals – Constitutionality- enquiries & commission- Ombudsman- Lokpal and Lokayukta- CVC

### **Module IV Administrative Privileges and Right to Information**

Privileges and liabilities of the administration -Statutory, Contractual, Tortious- Constitutional Protection to Civil Servants-Concept of governmental privilege - Open Government and right to information – Governmental Secrecy

### **Module V Local Self Government in India**

Democratic Decentralisation- development- Structure of local self government -growth- Constitutional- Statutory- Parliamentary-Administrative- Judicial-Controls

## **References:**

- 1 H.W.R. Wade & C.F. Forsyth, Administrative Law , 11th edn, (2014) OUP

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

- 2 Jain and Jain, Principles of Administrative Law, ( Vol1&2) Lexis Nexis (2017)
- 3 I.P. Massey, Administrative Law.(2017)Eastern Book Company
- 4 T.K. Takwani, Lectures on Administrative Law 6<sup>th</sup>edn ( 2017)Eastern Book Company
- 5 S.P. Sathe, Administrative Law , 7<sup>th</sup>edn, LexisNexis
- 6 Stanley De Smith & Rodney Brazier – Constitutional and Administrative Law , 8<sup>th</sup>edn
- 7 Foulkes – Administrative Law, 8<sup>th</sup>edn, OUP

### **2. Constitutional Law – I**

**20-271-0202**

#### **Course Objectives:**

Indian Constitution being the fundamental law of the land lays down the powers of the different organs of the government. Every action of the state is tested on the touchstone of the Constitution. Therefore, through this course it is intended to give an understanding of the structure, nature, working and limitations of the different institutions of governance i.e., executive, legislature and judiciary under the Constitutional order. It would familiarize one with the practical working of Centre-State relations in a federal scheme. It would throw light on judicial interventions in sustaining the Constitutional Supremacy. The course intends to cover the contemporary judicial and legal trends in this area.

#### **Learning Outcomes:**

- To normatively assess the developments in the area of law vis a-vis governance
- To examine the basis of Constitutional governance in India and also factual challenges it had faced in this endeavor.
- To evaluate the different institutions of governance and suggest concrete ideas so as to strengthen them.

#### **Course Contents:**

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## **Module I -Introduction to Indian Constitution**

Salient features of the Indian Constitution - State territory - Preamble-Parliamentary power to cede Indian Territory (Art. 1 - 4) -Citizenship-Parliament's power to lay down criteria – dual citizenship.

## **Module II - Centre- State Relationship**

Federalism-Centre-State relation- Legislative relations (Art 245-255)- Administrative relations Art (256-263) and Financial Relations (Art 268-291) between the Union and States- Conflicts- Principles of Interpretation.

## **Module III- The Executive in India**

Cabinet form of Government - Center and States Government - appointment –powers & functions- removal of President, Vice president, Governors – Emergency powers –Elections and Election Commission- All India Services- Public Service Commissions- Comptroller & Auditor General – Attorney General of India- Doctrine of Pleasure- Constitutional Safeguards of Civil servants.

## **Module IV- The Parliament and Judiciary in India**

Composition and terms of Houses of Parliament and State Legislatures- Offices of Parliament - powers and privileges of legislatures – Removal of members - -Amendment of the constitution - basic structure of the constitution-Union and State Judiciary-jurisdiction, appointment and removal - Independence of judiciary.

## **Module V - Interstate Trade and Commerce**

The right to free trade and commerce - Commerce clause and Federalism (Art 301-307).

### **References:**

1. D.D. Basu, Shorter Constitution of India. ( Vol1& 2) 15<sup>th</sup>edn (2018) Lexis Nexis
2. V.N. Shukla, Constitution of India, 15<sup>th</sup>Edn (2017) Eastern Book Company
3. V.D. Sebastian, Indian Federalism: the Legislative Conflicts (1985).

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

4. M.P. Jain, Indian Constitutional Law, ( Vol 1&2) 7<sup>th</sup> Edition, ( 2018) Lexis Nexis,
5. H. M. Seervai, Constitutional Law of India, Universal Law Publishing Co., Reprint, 2013
6. Glanville Austin, Indian Constitution-Cornerstone of the Nations, Oxford University Press, 1999
7. P.M. Bakshi, The Constitution of India, Lexis Nexis.,16<sup>th</sup>edn (2019)

### **3. Family Law- II 20-271-0203**

#### **Course Objective:**

The objective of the course is to introduce students to the laws relating to family matters governing succession, partition, gifts and religious endowments applicable to Hindus, Muslims and Christians. The course will focus on property relations in a family and the legal incidence of joint family, testamentary succession and intestate succession under the different personal laws marriage and statutes. The course will also give overview to the students and enhance their understanding on property rights of females and make them understand the lacunas in the law. The course intends to cover the contemporary judicial and legal trends in this area.

#### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To practice in the field of Succession Laws in the Law Courts.
- To work with NGO's and research houses on issues relating to rights of women in family property, inheritance and agricultural holdings.
- To help in amicable settlements of disputes relating to partition of joint Hindu family property and inheritance rights of Hindus and Muslims.

#### **Course Contents:**

##### **Module 1 – Coparcenary, Survivorship, Partition**

Concept of joint Hindu family - Coparcenary under Mitakshara and Dayabhaga law – Kinds and Sources of property – Karta – Status, powers and duties – Principle of survivorship and succession

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

–Daughter as a Coparcener - debts and pious obligations – Partition of Joint Hindu Family Property - Legislative and Judicial responses before and after 2005.

### **Module II – Inheritance under Hindu Law**

Application of Hindu Succession Act, 1956 - General principles of Inheritance - Disqualifications of heirs – Succession to the Property of male Intestate - Succession to the Property of female Intestate - Hindu Women’s estate - Dwelling house and Right of Pre-emption.

### **Module III – Inheritance under Christian & Muslim Law**

General rules of inheritance under Muslim law - Classification of heirs under Sunnis and Shias - Entitlement of heirs – General rules of inheritance under Christian law – diversity in inheritance laws - classification of heirs and their entitlement.

### **Module IV – Testamentary Succession**

Testamentary succession under Hindu, Muslim and Christian Law – Limitation to testamentary powers under various religious and statutory law – Will and administration of will – Codicil - Probate, letters of administration and succession certificate.

### **Module V – Gift and Religious Endowments**

Alienation of property by gift among Hindus, Muslims and Christians - Hindu religious endowments – Wakf –Types and administration of wakf – Mutawalli and his powers.

### **Reference:**

1. Mulla, Principles of Mohammedan Law. (21<sup>st</sup> Edition)
2. Munshi Tayyibji, Tayyibji Muslim Law.
3. Poonam Pradhan Saxena, Family Law Lectures, Family Law-II, (4<sup>th</sup> Edition)
4. Tahir Mohammed, The Muslim Law of India. (5<sup>th</sup> Edition)
5. Hidayatullah, M., and Arshad Hidayatullah. Mulla’s Principles of Mohamedan Law, 19<sup>th</sup> ed. New Delhi: LexisNexis Butterworths, 2006
6. Paras Diwan, Law of Marriage and Divorce. (7<sup>th</sup> Edition)
7. Sebastian Champapilly, Christian Law. (2007 Edition)
8. Paruck. The Indian Succession Act, 9<sup>th</sup> ed. New Delhi: LexisNexis Butterworths, 1995.
9. E.D. Devadasan, Handbook of Christian Law. (1<sup>st</sup> Edition)

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

10. Bakshi P. M. Law of Succession, 6th Edition, 1997.

## **Statutes to refer**

1. Hindu Succession Act, 1956
2. Indian Succession Act, 1925
3. The Wakf Act, 1995

## **4. Special Contracts (Law of Contract – II) (20-271-0204)**

### **Course Objectives:**

Modern businesses have deployed special contracts intensively in their day to day commercial ventures. Agreements incorporating indemnity principles are used to cover a wide array of risks arising from performance of contracts in different business dealings. Bank guarantees and transactions using negotiable instruments are a part of nearly all commercial transactions including sale of goods. Similarly, agency, pledge, bailment also have found great significance in day to day businesses. This course intends to provide a rigorous grasp of the legal principles that govern special contracts is for engaging with challenges in today's business forms the content of this course on special contracts. The course intends to cover the contemporary judicial and legal trends in this area.

### **Learning Outcomes:**

On successful completion of this course, students will be able:

- To appreciate the need and role of special contractual relationships to cater to the intricate nuances of today's complex business transactions.
- To gain a conceptual understanding of special contracts with case law.
- To demonstrate an understanding of the legal framework and principles governing special contracts.

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## **Course Contents:**

### **Module-I - Contract of Indemnity and Guarantee**

Indemnity & Agency- Definition -Types- Rights and liabilities of the Indemnifier, Indemnified– Guarantor- Surety - Continuing guarantee –Nature and duration of liability –Discharge

### **Module-II - Contract of Agency and Bailment**

Agency – Kinds of agency – Types of agents- creation of agency – rights, duties and liabilities of agents – liability of principal for act of agents - Termination of agency – Contract of Bailment and Pledge- Definition- rights and liabilities of Bailor and Bailee- rights and liabilities of Pawner and Pawnee.

### **Module-III - Partnership Contracts**

Partnership - nature and creation – Types of partnership- Relationship of partners - authority of partners - Rights and liabilities of partners- Admission of new members – Partnership property - Registration & dissolution of partnership.

### **Module-IV - Contract for sale of Goods**

Sale of goods – goods-Types- Concept of sale – Subject matter of sale – Conditions and warranties – Passing of property and risk – Delivery of goods- rights of unpaid seller – Remedies for breach.

### **Module-V - Negotiable Instruments**



## **3 Year. LL.B ( Regular ) Syllabus – 2020**

Negotiable instruments - essential requirements – Promissory notes, Bill of Exchange and Cheques - Holder in due course.

### **References:**

1. Dr. Akhileshwar Pathak, Law Relating to Special Contracts, Lexis Nexis (2013)
2. Dr.S.R. Myneni, Contract-II (Special Contracts), Asia Law House (2018)
3. Mulla, The Sale of Goods Act and The Indian Partnership Act, 10 thedn (2012)
4. Pollock and Mulla, The Indian Partnership Act, 8 thedn(2019)
5. Friedman, Law of Agency, Butterworths(1996)
6. Geoiroy Morse, Partnership and LLP Law , Oxford University Press, 8 thedn(2015)Eighth Edition
7. Benjamin's, Sale of Goods, 10 thedn(2019)

### **General Electives for Semester II (choose any 1 paper)**

#### **5. Animal Protection Laws**

**20-271-0205**

#### **Course Objective:**

The course intends to discuss fundamental questions such as relationship between man and animal, role of culture and belief in protection and exploitation of animals and the status of animals as property. It introduces the students to the broad range of laws that deals with companion animals, farm animals, animals used for entertainment and animals used for scientific experimentation. The course intends to cover the contemporary judicial and legal trends in this area.

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## **Learning Outcome:**

On successful completion of this course, the student will be able:

- To appreciate the legal debates on relationship between man and animal.
- To understand the cultural, economic and legal context of animal use and exploitation.
- To analyse various laws dealing with protection of animals and their welfare.

## **Course Content:**

### **Module I: Introduction**

Animals- moral status- Different approaches- philosophic, religious scientific and historical- man and his relationship with animals-Humanism and compassion to animals- Position of animals in nature- feraenaturae and ferae mansuataenaturae- Kind of protection needed for animals.

### **Module II: Wild Life Protection**

Laws on Wildlife Protection- Ownership of wild life- Public trust doctrine-First man who possess it- Wild life protection legislations in India- National and international legal framework on wild life protection- Protection of endangered species- Critical wildlife habit under Forest Rights Act, 2006- Symbiotic relationship between wildlife and tribal people – human-wildlife conflict.

### **Module III: Law Relating to Work Animals**

Domestication- Farm animals-Use of animals for entertainment- Laws relating to zoo- Use of animals for agricultural purposes- Cruelty towards animals– Law on prohibition of cow slaughter- Street animals- Elimination of dangerous and wandering animals - judicial responses- Domestication and use of elephants in Kerala- Law relating to Pets.

### **Module IV: Law Relating to Experimentation in Animals**

Use of animals in scientific research-International and National framework regulating animal experimentation- Policies and guidelines.

### **Module V: Ecosystem and Animal Conservation**

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

Ecological awareness and new approach to animal rights- Ecosystem and its conservation- relevance of wildlife and animal conservation- Laws and judicial perspectives - Animal Welfare Board- Constitution and purposes – cruelty against animals – protection of endangered species.

### **Reference**

1. Carr and Broom, Tourism and Animal Welfare, CABI, 2018.
2. Favre, David S, Animal Law: Welfare, Interests and Rights, Wolters Kluwer, 2011.
3. P. Leelakrishnan, Environmental Law in India , Lexis Nexis,2016.
4. Sustain, Cass, Animal Rights: Current Debates and New Directions, Oxford, 2004.
5. Simon Brooman, Debbie Legge, Law Relating to Animals, Routledge, 1997.
6. Maneka Gandhi, Ozair Hussain et al, Animal Laws of India, 2004.
7. Tom Regan, The Case for Animal Rights, California Press, 1983
8. VipinDayal, Animal Laws in India.
9. Majumdar, Environment and Wildlife Laws in India, Lexis Nexis, 2013.
10. ShyamDiwan& Armin Rosencranz, Environmental Law & Policy in India, Oxford, 2002.
11. Gary Francione, Animals, Property and the Law, Temple University Press, 1995.
12. Satish C. Sastri, Environmental Law, EBC, 2015

### **6. Disability Law 20-271-0206**

#### **Course Objectives:**

This course enables the students to learn the problems faced by the disabled people and to identify the laws for the protection of disable populations is the main objective of this course. It will also help the students to analyse the competency of the laws internationally and nationally for addressing the rights of the disable population. The course aims at motivating the students to act with social commitment for the protection of the rights of the disabled populations and will make them to acquire expertise over the laws governing disabled people. Socially committed advocates will be able to help associations and NGOs on legal issues faced by disabled populations. The course intends to cover the contemporary judicial and legal trends in this area.

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## Learning Outcome:

On successful completion of this course, the students will be able:

- To improve research and improvise the knowledge over the area of disability law and make students socially committed and work for the rights of disabled people.
- To develop expertise among lawyers in the area of disability law.
- To assist or advice the government and policy makers for improving laws and policies for disabled people.

## Course Content

### **Module I: Disability – Meaning and Content**

Disability question in jurisprudence discourse–disability-meaning and kinds-the equality– justice – welfare models.

### **Module II: Human Rights of Disabled**

Human Rights approach to disability –UN Documents- Convention/Declaration on the Rights of Disabled Persons- Principles for the protection of persons with mental illness and Improvement of mental health care – Legal framework on disability in India- Rights of the Persons with Disability Act, 2016, Mental Health Care Act- Rehabilitation Council of India- RCI Act.

### **Module III: Medical Decisions by Disabled**

Medical decision making by disabled persons- judicial responses by various courts- UK &US comparative position.

### **Module IV: Discrimination of Disabled**

Disability - marginalization - oppression and discrimination - Accessibility to built environment and transport- judicial responses

### **Module V: Right to Education and Employment of Disabled**

Access to education - Equality of opportunity in employment – vulnerability to violence.

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## References

- 1 Dr.G.N.Karna, United States and Rights of Disabled Persons: A Study in Indian Perspective, A.P. H. Publications(1999).
- 2 JaynaKothari,TheFutureofDisabilityLawinIndia,OxfordUniversityPress(2012).
- 3 AnnaArstein(Ed.),Disability Human Rights Law, MDPI(2018).
- 4 Marck C.Webber, Understanding Disability Law, Lexis Nexis (2<sup>nd</sup>edn.,2012).
- 5 Jayna Kothari, The Future of Disability Law in India: A Critical Analysis of the Persons With Disabilities: A Critical Analysis of the Persons With Disabilities (Equal Opportunities), Oxford University Press,2012
- 6 Coomara Pyaneandee, International Disability Law: A Practical Approach to the United Nations ConventionontheRightsofPersonswithDisabilities,Routledge,2018

## **7. Law and Medicine 20-272-0207**

### Course Objectives:

The principal objective of the course is to provide a detailed overview of various medical laws to the students. It also intends to provide the students with the idea of right to health as a basic human right and its importance in the society. The course is also aims to identify and discuss various ethical issues involved in the area of medical law and to sensitize the students about the need for regulating medical profession and practices. It is thereby the laws regulating medical profession and education identified and put to analyse its competency in protecting the rights of the patient community. The socio-legal issues related to access to medicine is also an important concern of the society being analysed in this respect. The course intends to cover the contemporary judicial and legal trends in this area.

### Learning Outcomes:

On successful completion of this course, the students will be able:

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- To identify and argue over various ethical and social issues involved in medical practice.
- To identify the comparative legal positions in various medico-legal issues.
- To enable the students to tackle the ever emerging ethical and legal challenges in the area of medical law with the advancement of science.

### Course Contents:

#### **Module 1: Control over Medical Profession**

Control of medical profession through law - ethical code for medical professionals- Role of MCI Rules on professional conduct - liability of doctors under common law - criminal liability - consumer protection and medical profession- Regulating medical education.

#### **Module 2: Ethical Concerns involved in Medical Practice**

Laws bearing on medical practice-ensuring quality service-need for a comprehensive health policy and law- Ethical and legal issues relating to Abortion- ART, Surrogacy, PNDT Act- Euthanasia- control of epidemics and quarantine rule- relevant legal regulations on organ transplantation.

#### **Module 3: Control of Drugs**

Control of drugs - manufacture – distribution- Drugs and Cosmetics Act- Definition of Drugs- Import, Manufacture of Drugs and relevant rules- prohibition on magical remedies- IPC provisions.

#### **Module 4: Human Experimentation and Medical Science**

Human experimentation legal and ethical control - national and international regulations- Nuremberg Code, Helsinki Declaration, other relevant international guidelines- ICMR Guidelines and Rules on Clinical Trials-

#### **Module 5: Access to Health Care and Constitutional Framework**

Access to medical care and health services – public health emergencies- cost of health care - measures to make the facilities accessible - aspects of social justice in this regard- relevant Supreme Court Decisions- patent regime and its impact on health sector-compulsory licensing- access to

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medical records by patients.

### References

- 1 S.K.Varma(Ed.),LegalFrameworkforHealthCareinIndia,LexisNexis(2002)
- 2 George P. Smith, Human Rights and Biomedicine, Springer(2000).
- 3 William Roach, Medical Records and the Law, AHIMA(1985)
- 4 Richardson, Doctor Lawyer and the Courts, Anderson Co.(1965).
- 5 Shaun D. Pattison, Law and Medical Ethics, Sweet & Maxwell(5<sup>th</sup>edn,2017).
- 6 Jonathan Herring, Medical Law and Ethics, Oxford University Press(2018)
- 7 Tapas Kumar Koley, Medical Negligence and the Law in India: Duties, Responsibilities, Rights, Oxford University Press(2010).
- 8 Gillian Douglas, Law, Fertility and Reproduction, Thomas Professional(1992).
- 9 Vijay Malik (Ed.), Law Relating to Drugs and Cosmetics, Eastern Book Co.(2018).
- 10 Lily Srivastava, Law and Medicine, Universal Publishing Co.(2010).
- 11 Vani Kesari A, Saga of Life- Interface of Law & Genetics (2016)
- 12 SV Joga Rao, Current Issues in Criminal Justice and Medical Law ( 1999)

### **8. Law of the Sea 20-271-0208**

#### Course Objectives:

The course throws light on the governance regime established by both customary international law and UNCLOS framework in various maritime zones and international waters. The course will also draw attention to the management and conservation of living resources, the protection and preservation of marine environment and the dispute settlement mechanism of law of the sea. Knowledge of the jurisprudence of the international courts and tribunals would play a significant role in the clarification of the International scheme pertaining to emerging issues of law of the seas. The course intends to cover the contemporary judicial and legal trends in this area.

#### Learning Outcomes:

On successful completion of this course, the students will be able:

- To demonstrate extensive practical and theoretical familiarity with the provisions of the 1982 United Nations Convention on the Law of the Sea with regard to rights and obligations of states over the seas.

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

- The knowledge of the key concepts and principles of law of the sea enable students to appraise the prospects and limitations of coastal state's jurisdiction in its maritime zones.
- To explore the scope for carrying out research.

Course Content:

### **Module-I: Introduction To Law Of The Sea**

International Law of the sea - Historical overview - Mare clausum & Mare liberum, Sources

– customs - International conventions - UNCLOS framework - law making treaties adopted by IMO and International bodies – Decisions of ICJ, ITLOS and other international tribunals

### **Module-II: Internal Waters and Territorial Sea**

Internal waters - base line - Types - Access to ports and harbors – for foreign flag vessels, & ships in distress. Jurisdiction in maritime ports - civil and criminal, sanitary regulations. Territorial waters – coastal state jurisdiction & access to ships – Right of Innocent Passage - Contiguous zone.

### **Module-III: Exclusive Economic Zone And Continental Shelf**

Exclusive economic zone - continental shelf - international straits and archipelagos – transit passage. Delimitation of maritime boundaries - opposite and adjacent states.

### **Module-IV: Fisheries Jurisdiction**

International fisheries - conservation and exploitation of resources - Licensing of Fishing.

### **Module-V: High Seas and Sea Bed Area**

High seas - concept of patrimonial sea & common heritage – Piracy and hot pursuit  
International sea bed - exploration and exploitation – Role of Sea bed Authority

### **References**

1. R.R Churchill & A.V.Lowe, The Law of the Sea, Manchester, 2008
2. O.P. Sharma, The International Law of the Sea: Indian and UNCLOS 1982, Oxford 2009



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3. Christopher Hill, Maritime Law, Cambridge 2017
4. Gopalan Nair, Maritime Law of India, 1977
5. Myres S. McDougal, The Public Order of the Oceans, Yale University Press, 1962
6. Ronald. R. Rothwell, The International Law of the Sea, Hart Publishing, 2016

### **9. Law Relating to Agriculture**

**20-271-0209**

#### **Course Objectives:**

This course touches upon nearly every aspect of the law that regulates one of the most important and diverse sectors of our economy, Agriculture. It aims to familiarize the students with the history of agricultural law in India, the constitutional scheme and offers various characterizations of agricultural legislations, and policies impacting the industry and farmers' rights. Further, the course looks at India's commitments in terms of international legal frameworks pertaining to food and agriculture. The course intends to cover the contemporary judicial and legal trends in this area.

#### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To identify and locate the policy and legislations relating to agriculture in India.
- To apply the historical context of knowledge to address current issues in agriculture law and policy.
- To recognise how the national law interacts with international legal frameworks on agriculture.

#### **Course Content:**

### **Module - 1: Introduction To Agriculture Law And Policy**

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Historical context – Agricultural economy at the time of independence and post-independence – Constitutional Scheme – Five year plans and rural development – New Agricultural Policy – Concept of Sustainable Agriculture

### **Module - 2: Regulation Of Seed Industry And Plant Variety Rights**

Domestic laws applicable to crop seed industry – Supervisory authorities and agencies – Review of Seeds Act 1966 and the Seeds Rules 1968 – Seeds (Control) Order 1983 – Plant Quarantine (Regulation of Import Into India) Order 2003 – Farmers rights and Breeders rights – Protection of Plant Varieties and Farmers' Rights Act 2001 (PVR Act)

### **Module - 3: Agricultural Product Marketing, Safety And Liability**

Regulated markets system – Agricultural Produce Market Committee (APMC) Act, 2017 – Trade policy and export strategy – Food safety standard setting – Food Safety and Standards Act 2006 and FSSAI – Product Liability – **Farmer's Produce Trade and Commerce (Promotion and Facilitation) Act, 2020** – The Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act, 2020 – Essential Commodities Act with latest amendments

### **Module - 4: Agricultural Financing In India**

Rural credits and co-operatives in India – The role of NABARD – Informal credit system – Self help groups – Restructuring of rural financial institutions – Peasants and Diary co-operatives – Debt relief schemes

### **Module - 5: International Legal Standards On Agriculture**

Overview of WTO and Agriculture – UNIDROT and Agriculture – Contract Farming – Agricultural land investment contracts – International Plant Protection Convention (IPPC)

#### **References**

1. Christopher P Rodgers, Agricultural Law, Bloomsbury, 2016
2. Alabrese, M., et al, (eds.) Agricultural Law: Current Issues from a Global Perspective, Springer 2017
3. Shweta Mohan, Legal regulation of agricultural procurement and processing in India, Satyam Law International, 2013
4. Sukhbir Bhatnagar, Agricultural Law, Mittal publications, 2007

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

5. M.AChaudharyandGautamChaudhary,WTOandIndianAgriculture,GlobalVisionPublishingHouse 2019

## **Semester - III**

### **1. Drafting, Pleading and Conveyance**

**20-271-0301**

#### **Course Objective:**

The art of drafting a good pleading or conveyance can be acquired only through practice. A well drafted document is not simple for the defect of the practice but also assists the court in understanding the subject matter of the draft. This course provides a good start to the students for acquiring the skills of drafting pleadings and conveyance by familiarizing them with the fundamental rule. The students are acquainted with the nuances of drafting various pleading deeds and agreements.

#### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To apply fundamental rules of pleading and conveyancing while drafting
- To recall and apply the provision of specific status while drafting any petition/application under the said statute
- To drafting civil pleading, criminal pleading, matrimonial pleading and constitutional pleadings
- To comprehend pleadings and prepare written replies from the same

#### **Course Contents:**

##### **Module 1: Notice**

Notice under section 106 of the Transfer of property Act,1882

Notice under section 80 of the Civil Procedure code,1908

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Notice under section 138 of the Negotiable Instruments Act,1881

Reply to the legal notice

### **Module 2: Pleadings**

Suit for Recovery under Order XXXVIII of the civil code of Procedure

Draft Affidavit

Suit for Permanent Injunction

Application for Temporary Injunction under Order XXXIX Rule 1 and 2 of the Civil Code of Procedure,1908

Suit for Ejectment and Damages for Wrongful Use and Occupation

Written Statement

Caveat under section148 of Code of Civil Procedure

Transfer petition under Sec. 25 of CPC,1908

Application for the Execution of Degree

### **Module 3: Writ and SLP**

Writ Petition under 226 of the Constitution of the India

Special leave petition (Civil) under Article 13 of the constitution of India

Special leave petition (Criminal) under Article 13 of the constitution of India

### **Module 4 Pleading under criminal law**

Application for regular Bail

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

Application for Anticipatory bail

Complaint Sec.190, 200 Cr.P.C

Application under section 125 of the CrPC

### **Module 5: Conveyancing**

Will

General Power of attorney & Special Power of attorney

Agreement to sell

Sale of deed

Lease of deed

Mortgage Deed

Partnership deed

Relinquishment Deed

Gift Deed

### **Reference:**

1. R.N Chaturvedi, Pleading, Drafting and Conveyancing, vCentral law Publications, fifth Ed., 2018
2. H.K. Saharay, N.S Bindra's Pleading and Practice, Universal law Public, 2016
3. G.C. Mogha and S.N.Dhingra, Mogha's Law of Pleading in India with Precedents, Eastern Law House, 18th Ed., 2016
4. M.C Agarwal & G.C. Mogha, Indian conveyancer, Eastern Law House, 14th Ed., 2016
5. S.P.Agarwal, Pleadings :An Essential guide, LexisNexis, Haryana, 2016
6. S.P.Agarwal, Drafting and Conveyancing, LexisNexis, Haryana, 2015
7. Medha Kolhothra, Drafting, Pleading and Conveyancing, LexisNexis, Haryana, 2015

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

8. C.R.Datta & M.N.Das, De Souza's Forms and Precedent of Conveyancing, Eastern law House, 2006

### **Statutes:**

1. The Code of Civil Procedure,1908
2. The Code of Criminal Procedure,1973
3. The Specific Relief Act,1963
4. The Negotiable Instruments Act, 1881
5. The Indian Succession Act,1925
6. The Constitution of India,1950
7. The Transfer of Property Act,1882
8. The Registration Act,1908
9. The Indian Partition Act,1932
10. The Indian Stamp Act,1932

## **2. Constitutional Law II**

**20-271-0302**

### **Course Objectives:**

Constitutional Law governs the relationship between the individual and state power. This course intends to give an understanding of the conceptions of “State” and “law “as envisaged under the Indian Constitution and the extent to which Fundamental Rights are recognized and protected in India. It provides an insight as to how fundamental precepts of the Constitution gets recognized through Fundamental Rights, Directive principles and Fundamental Duties. The course also gives deeper understandings on how judiciary has played a decisive role in assuring the cherished ideals of the Constitution. The course intends to cover the contemporary judicial and legal trends in this area.

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## **Learning Outcomes:**

On successful completion of this course, the student will be able:

- To appraise as to how the fundamental rights came to be recognized and protected in India and the different shades of its Constitutional Interpretation by the Courts
- To demonstrate the constructive role of the Constitution as a bearer of the fundamental rights and their role as a part of justice delivery system
- To develop and articulate appropriate techniques to be employed in Constitutional interpretations

## **Course Contents:**

### **Module I - State and Fundamental Rights**

Concept of limitation of State power - origin of Fundamental Rights and their incorporation in the Constitution. Definition of State - violation of Fundamental Rights by the State - non state agencies and fundamental rights - Judicial Review -Pre Constitutional Laws-doctrines -Doctrines of ultra vires- Amendments to the Fundamental Rights.

### **Module II- Equality and Personal Freedoms**

Rights of equality - reasonable classification - Arbitrariness and equality- - Protective discrimination -Right to freedoms - restriction on freedoms.

### **Module III- Basic Rights under the Constitution**

Right to life and personal liberty – Judicial Expansion of Rights to Education-Right against exploitation- Right to Fair trial- Secularism-Religious, cultural and educational right- Minority Rights

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## **Module IV- Directive Principles of State Policy**

Directive principles- the interrelationship between fundamental rights, directive principles of state policy and fundamental duties.

## **Module V – Constitutional Remedies**

Right to Constitutional Remedies – protection against violation of fundamental rights.

### **References:**

1. D.D Basu, Shorter Constitution of India. ( Vol1& 2) 15<sup>th</sup>edn (2018) Lexis Nexis
2. V.N. Shukla, Constitution of India, 15<sup>th</sup>Edn (2017) Eastern Book Company
3. M.P. Jain, Indian Constitutional Law, (Vol 1&2) 7<sup>th</sup> Edition, ( 2018) Lexis Nexis,
4. H. M. Seervai, Constitutional Law of India, Universal Law Publishing Co.,2013reprint
5. Glanville Austin, Indian Constitution-Cornerstone of the Nations, Oxford University Press, 1999
6. P.M. Bakshi, The Constitution of India, Universal Law Publishing Co., 2014
7. M P Jain , Indian Constitutional Law , 8<sup>th</sup>edn (2018) , Lexis Nexis

## **3. Jurisprudence**

**(Legal Method, Indian Legal System and Basic Theory of Law)**

**20-271-0303**

**Course Objectives: -**



## **3 Year. LL.B ( Regular ) Syllabus – 2020**

The course intends to provide a detailed idea about the composition and relevance of legal systems and to give the students a clear knowledge about various legal concepts. It intends to demonstrate an idea about the purpose of law in society through various legal theories. The course examines various sources of law in society and to experiment its relevance. The course provides insight as to how to make use of law as an interdisciplinary branch of study.

### **Learning Outcomes: -**

On successful completion of this course, the students will be able:

- To understand the basic idea of law and its role in society and to interpret law in different contexts
- To articulate law depending upon various premises in their professional life and interpret judicial pronouncements.
- To demonstrate various qualities of lawyering with a sound theoretical background

### **Course Contents:**

#### **Module 1- Concept and theories on law**

Law and its definition- jurisprudence- its meaning and scope- Nature and functions of law- Law & Morality-Law & Ethics- Law as a social Control- Law and Social change- territoriality- Procedural and Substantive Law- Comparative Law- major legal systems- Various Approaches to Law-Law & Justice- Conception of law in Ancient India- evolution and hierarchy of Courts in India.

#### **Module 2- Concept and theories on Justice**

Idea of Justice- Rawls theory- constitutional justice- balance between fundamental rights and directive principles of state policy- distributive justice- social, economic and political justice-brief introduction to idea of justice by Amartya Sen.

#### **Module 3- Legal Concepts**

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Legal Concepts- Right- Hohfeldian Analysis- liability-obligations-property- ownership and possession –Titles- Persons

### **Module 4- Sources of law**

Legal materials - primary - international legal materials, Constitution, legislation, delegated legislation, rules and regulations, customs, conventions and precedents - structure and content of legislation and delegated legislation-interpretations- Secondary sources of legal materials- Precedents to be given emphasis- ratio decidendi & obiter dicta, Doctrine of prospective overruling - reversing and distinguishing of cases, per incuriam, sub silentio, majority and minority opinions, dissenting judgment

### **Module 5 Legal Theories**

Legal theories- Natural Law (Ancient, Medieval and period of Social Contractarians- Revival of Natural Law) Positive Law (Austin & HLA Hart), Hart-Fuller Debate (Law and Morality)- Utilitarianism, Kant's Idealism- Pure Theory of Law, Historical and Sociological School- Emphasis to Maine, Savigny, Roscoe Pound- Dworkin's theory- Environmental jurisprudence-Critical legal theories- Feminist Jurisprudence- Hegel and Marxian idea of law- Legal Realism

### **References:**

- 1 Arthur T.Vonderbilt, Studying Law, New York University Press, Washington, Chapters 6, 8.
- 2 Glanville Williams, Learning the Law, Universal Law Publishing Co., Delhi, Chapters 4, 5, 6 & 12.
- 3 P. J. Fitzgerald, Salmond on Jurisprudence, Universal Law Publishing Co., New Delhi (2016).
4. R. W. M. Dias, Jurisprudence, Lexis Nexis, (5<sup>th</sup>edn., 2013).
5. M. D. A. Freeman, Lloyd's Introduction to Jurisprudence, Sweet & Maxwell (2014).

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

6. J. W. Harris, Legal Philosophies, Oxford University Press (1980)
7. V. D. Mahajan, Jurisprudence & Legal Theory, Eastern Book Company (2016).
8. Suri Ratnapala, Jurisprudence, Cambridge University Press (2016).
9. Richard A. Posner, The Problems of Jurisprudence, Harvard University Press (1993).
10. N. V. Paranjape, Studies in Jurisprudence and Legal Theory, Central Law Agency, (2019).
11. A. Lakshminath, Precedent in the Indian Legal System, Eastern Book Co. (1990)
12. G W Paton, A Textbook of Jurisprudence, OUP , Fourth Ed
13. Ronald Dworkin, Taking Rights Seriously, Harvard University Press (1977)
14. Roscoe Pound , Jurisprudence West Publishing Company (1959)

### **4. Law of Evidence**

**20-271-0304**

#### **Course Objectives:**

The adjective law of evidence housed in Indian Evidence Act, 1872 is the main stay in effective and purposive conduct of litigations in courts of law. The substantive and procedural parts in the statute provide a sensible understanding of the concept, content and application of rules of relevancy, admissibility and appreciation of evidence in the trial process. The interpretations given by the courts which give significant value addition to the perspective on tendering of evidence and evaluation of the value and applicability of evidence in particular contexts. The difference in the perspectives of admissibility of evidence maintained by the special legislations supplements a comprehensive understanding about the prevailing laws pertaining to the topic in India. The course intends to cover the contemporary judicial developments and legal changes in this area.

#### **Learning Outcomes:**

On successful completion of this course, the students will be able:

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- To understand the significance of trial process in a litigation.
- To sharpen their legal acumen in analytically approaching the fact finding process in a litigation
- To serve as a window to develop an orientation towards skills necessary in the conduct of litigations demanding adducing of evidence and better understanding of the case analysis and studies besides instilling an orientation towards profession.

### **Module I Basic Principles of Law of Evidence**

History and development of law of evidence- salient features- definition- legal and logical relevancy- Relevancy and Admissibility- Best evidence rule- Fact, fact in issue and relevant fact- Kinds of evidence- Evidence and proof- Concepts- Constitutional protections and adducing of evidence- Special legislations & Evidence Act

### **Module II Relevant Facts As Evidence**

Relevancy of facts- Res gestae –common intention- identity and identification- Facts otherwise irrelevant- proof of right or custom- Circumstantial evidence- principles –Motive, preparation, conduct, occasion, cause, opportunity, conduct, state of mind, body, bodily feeling- similar facts. Facts delineating accidental occurrences and intentional acts. Exclusion of hearsay evidence and exceptions- Admissions –Principles and applicability- Confessions- kinds of confessions, valid confession, principles, exceptions- Confession to Police and Police Custody – Recovery pursuant to authoring concealment - Applicability and evidentiary value- Co accused and approver- Declarations by persons who cannot be called into court as witnesses – Dying declaration – Relevance of judgements as evidence - General Principles- Exceptions to admissibility of judgements- Expert opinion- Opinion as to rights, custom, usages, tenets, relationships etc. Character evidence- civil and criminal cases- principles, applicability, exceptions and evidentiary value- Character of parties, accused, third parties, witnesses- evidence of character of victims of sexual offences pertaining to previous sexual experience regarding issues of consent

### **Module III Vehicles of Evidence**

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

Facts which not be proved-Judicial notice - Oral evidence- Rule against Hearsay Evidence- Documentary evidence- Primary evidence and secondary evidence- kinds – rules regarding admissibility- Proof of execution of documents- Attestation- Proof of Handwriting to prove execution – Exclusion of oral by documentary evidence- Kinds of documents- Ambiguity in documents- Presumption of documents-Cyber laws and appreciation of electronic evidence– Appreciation of scientific evidence – Judicial Trend.

### **Module IV Discharging the Onus**

Burden of proof- concept- Application at different levels- Standard of proof- General and special exceptions- Reversal of burden of proof in IPC and special legislations - Kinds of Presumptions – Presumption of law, fact and conclusive proof -Presumptions and burden of proof- - presumption as to matrimonial offences- dowry death – abetment to commit suicide by a married woman - Presumptions as to life and death- Presumptions as to absence of consent in rape – Presumption as to certain Offences - Estoppel- Scope, principle, kinds, applicability- Waiver and presumption.

### **Module V Dynamics in Trial Process**

Trial- Relevance of evidence taken before trial- competency and compellability of witnesses- Privileged communications- Categories, scope and exceptions- Examination of witnesses and various categories of examinations- Rules pertaining to the conduct of various examinations- Corroboration and contradiction- Principles and mechanics- Hostile witnesses- Witness protection programme- Leading questions- Refreshing memory- Compulsion to answer questions- Improper admission or rejection of evidence- Judge’s power to intervene in trial.

### **Suggested Readings**

1. B M Prasad & Manish Mohan, Sir John Woodroffe and Syed Amir Ali’s Law of Evidence ( 4 Volumes), (Lexis NexisButterworths , 20<sup>th</sup>edn., 2017)
2. Dr Shakil Ahmad Khan, Ratanlal and Dhirajlal’s Law of Evidence, (Lexis NexisButterworths 26<sup>th</sup>edn., 2017)
3. Abhinandan Malik, V.P.Sarathi’s, Law of Evidence, (Eastern Book Company, 7<sup>th</sup>edn., 2017)
4. Dr. V.Krishnamachari, Law of Evidence, (7<sup>th</sup>edn.,Gogia& Co., 2017)
5. Batuklal ,TheLaw of Evidence, (Central Law Agency, 21<sup>st</sup>edn., 2016)
6. Avtar Singh, Principles of The Law of Evidence, (CLP, 23<sup>rd</sup>edn., 2018)
7. K.D. Gaur, Text Book on the Indian Evidence Act, Universal Law Publications, 2016
8. R, Ramachandran, Digest of Indian Evidence Act, Taxmann’s, 2017

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

9. R, Ramachandran, Forensic Evidence, Taxmann's, 2019
10. Surendar Pal Singh, Art of Cross Examination, Kamal Publishers, 2019
11. Justice U.L. Bhat. Lectures on The Indian Evidence Act, (2016)
12. Justice U.L. Bhat, Relevancy, Proof and Evaluation of Evidence in Criminal Cases, (2013)
13. C.D. Field's Commentary on Law of Evidence (13th edn., 2013)
14. Law Commission, 198<sup>th</sup> Report on Witness Identity and Protection and Witness Protection Programme, (2006)
15. Dr.Jaisingh P. Modi, A Textbook of Medical jurisprudenceand Toxicology, (LexisNexis Butterworths, 25<sup>th</sup>edn., 2016)

### **General Electives for Semester III (choose any 1 paper)**

#### **5. Disaster Management Law 20-271-0305**

##### **Course Objectives:**

This course is intended to provide an idea about the danger of disasters and the need to manage those issues. It will give an overview about environmental issues and health issues arising from disasters. Further, it also provides an insight about various methods to deal with disasters and its effects and the legal mechanisms available to deal with issues related to disasters. The course intends to cover the contemporary judicial and legal developments in this arena.

##### **Learning Outcomes:**

On successful completion of this course, the student will be able:

- To gain knowledge on various man-made and natural disasters
- To analyse the impact of disasters on environment and health
- To develop an attitude to think the means and ways to respond very effectively in cases of disasters
- To equip the students to take lead role to deal such situation.

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## Course Content

### **Module I: Introduction**

Disaster - definition and scope of application- magnitude of disaster- preemptory measures- preparedness- international legal framework-- natural and man-made causes- Rescue, Relief & Rehabilitation

### **Module II: Effects of Disasters**

Consequences of disaster-socio political- economic - cultural -environmental issues– disruptions of basic amenities and essential services-efficiency of the disaster management systems to address & mitigate the consequences- addressing the cause of the vulnerable groups in disaster.

### **Module III: Health Care Management in Disasters**

Health issues –Disaster Induced Injuries & Casualties-eruption of diseases-communicable diseases- epidemics and pandemics- access to health care – trauma care-role of state machinery & other health care providers

### **Module IV: Legal Framework on Disaster Management**

Laws response to disasters – National and International Legal framework- Disaster management and conflict of rights- Constitutional dimensions- machinery for action – authorities constituted - powers and functions of authorities -

Co-ordination of central authorities and state authorities -role of police- health- revenue administration-other concerned agencies-judicial responses in varied contexts

### **Module V: Victim Centric Responses in Disaster Management**

Role of State and Not For Profit organization in post disaster management- Victims of disaster- ex-gratia payments and compensation- relief & rehabilitation- human rights perspectives

## References

1. Amita Singh, Disaster Law: Emerging Thresholds, Routledge,2018
2. S.L. Goel, Disaster Administration: Theory and Practice, Deep & Deep Publications, 2009
3. Kristian CedervallLauta, Disaster Law, Routledge,2015

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

4. Jack Pinkowski, Disaster Management Handbook, CRC Press, 2008.
5. Andrew E. Collins, Jones Samantha, Bernard Manyena, Janaka Jayawickrama, Hazards, Risks, and Disasters in Society, Elsevier, 2015
6. Vinod Shankar Mishra, Environment Disasters and the Law, Ashish Publishing House, 1994.
- 7.

### **6. Law on Building and Engineering Contracts**

**20-271-0306**

#### **Course Objectives:**

With the growth in population and industrial activity, construction activities is on an all-time rise. This calls not merely for qualified technical persons in abundance but also on lawyers with knowledge on how the sector works along with drafting agreements to suit the needs of the industry. The objective of this course is to introduce students to the nuances of building contracts, to familiarize them to the notions specific to this sector, the drafting and enforcement of such contracts. The course intends to cover contemporary developments in the judicial and legal position in this arena.

#### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To understand the procedure with regards to drafting of Engineering and Building Contracts
- To understand the role of different stakeholders
- To understand how to manage the interest of different stakeholder

#### **Course Contents:**

##### **Module I: Nature of Building and Engineering Contracts**

General principles of contract law – proposal- acceptance – withdrawal – words & phrases used – Build Operate Transfer contract – Builder – Building scheme – Defect Liability period – Estimate – prime cost sum; Tenders – requisites – negotiations – criteria for fixation of price-



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## **Module II: Actors Involved**

Architect – Engineer – Quality surveyor – project manager; definitions – qualifications – duties – powers – limitation of powers – liability towards – employer – contractor and 3<sup>rd</sup> parties; Subcontracts – relation between contractor, subcontractor and owner- Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996.

## **Module III: Performance**

Specific performance – obligation of employer & contractor – contracts where time is of essence – extension of time – extra – variations – alteration – additions – omissions – approval and certification – price and payment

## **Module IV: Defects & Breach**

Defect Liability Period – maintenance and defect clause – frustration of contract – novation of contract – waiver & estoppels; breach – anticipatory – theory of damages – standard of proof – calculation of damages – forfeiture – determination – vesting of materials

## **Module V: Interpretation**

Literal construction – harmonious construction – implied terms – non obstante clause – damages – arbitration clause – power to omit works – proper use of stipulated material – clauses prohibiting award of damages

## **Reference**

1. P. C. Markanda, Building and Engineering Contracts: Law & Practice Volumes 1 & 2, LexisNexis Butterworths, 2017.
2. G.T.Gajaria, Law Relating to Building and Engineering Contracts in India, LexisNexis Butterworths India, 2000.
3. Donald Keatings, Keating on Construction Contracts, Sweet & Maxwell, 2015.
4. M.A. Sujan, Law Relating to Building Contracts, Universal Law Publishing Co Ltd, 2004
6. W.T. Creswell, Law Relating to Building and Engineering Contracts, Pitman Publishing, 1957
7. Rangawala, Building Construction, Charotar Publishing House Pvt.

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## **7. Law Relating to Ships**

**20-271-0307**

### **Course Objective**

The objective of the course is to create awareness among law students to address legal issues innate to ownership of ships. Amongst the course content, substantive and procedural aspects of registration is one area prone to litigations and controversies that necessitate an in depth analysis in the course. Another inevitable component is the limitation of liability dealt with in the scheme. Acquiring of skills with drafting and interpretation of shipping contracts adds value to the course. The course intends to cover the contemporary judicial and legal trends in this area.

### **Learning Outcomes**

On successful completion of this course, the students will be able:

- To compare and contrast legal framework and practice for registration and ownership of ships –both domestic and international.
- To appreciate the international consensus for protection of seamen relating to employment of seamen on board ships.
- To demonstrate understanding of ancillary shipping contracts and its drafting.

### **Course Content**

#### **Module-1. Jurisdiction of states over ships**

Jurisdiction over ships - Civil, Criminal &Administrative- Internal Waters & Ports – Territorial waters, Exclusive Economic Zone and other maritime zones - Government ships- Sovereign Immunity - Merchant ships - Access to Ports – Regulatory Framework - - Arrest of Vessels and Safeguards

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## **Module-2. Ownership & Registration of ships**

Ownership & Registration of Merchant Ships, Fishing Vessels - Role of Mercantile Marine Department –Classification Societies- Concept of Genuine link - Inspection Survey and procedure for Registration

## **Module-3 Employment of Seamen**

Employment in ships –Seamen-meaning- Training for sea service - Rating of seamen -Continuous Discharge Certificate - Right to remuneration and other service conditions in ships.

## **Module-4 Ancillary Shipping Contracts**

Ancillary Shipping Contracts - Pilotage - Salvage – Wages – Towage

## **Module-5 Limitation of Liability**

Limitation of Ship owner's liability - Concept of Privacy – International convention on limitation of ship owners liability – Maritime safety-Safety of life- Security of Ports and Safety Management of Ships

## **References**

- 1 Halsbury's Laws of England, Volume 3 and 4.
- 2 Robert Grime, Shipping Law, Sweet & Maxwell,(1991)
- 3 Simon Baughen, Shipping Law, Routledge (2015).
- 4 Martin J. Norris, The Law of Salvage, Sweet & Maxwell (1958).
- 5 Geoffrey Brice, Maritime Law of Salvage (1984).
- 6 Francis Rose, The Modern Law of Pilotage, Sweet & Maxwell (1984).

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

- 7 Chorley and Giles, Shipping Law, (1987).
- 8 Narmada M. Agarwal, Merchant Shipping Legislation in India & U.K., University of Bombay (1973).
- 9 Robert Force , Admiralty and Maritime law, Beard Books (2008)

### **8. Law Relating to Armed Forces**

**20-271-0308**

#### **Course Objectives:**

The course gives a basic understanding on the defence laws of the nation. The course enables the student to analyse the different types of military offences and how the Court-martial system operates. The course throws light on the various legislative and constitutional protection given to Armed force and their liabilities/obligations. The course intends to cover the contemporary judicial and legal developments in this arena.

#### **Learning Outcome:**

On successful completion of this course, the students will be able:

- To acquire expertise over specialized area of armed forces law.
- To get preliminary knowledge in court martial proceedings.
- To achieve basic knowledge to research on law relating to armed forces.

#### **Course Content**

##### **Module I: Historical Background of Military Law**

The origin and development of Indian military Law. Discipline and Justice- International law on military laws- trial of prisoners of war.

##### **Module II: Indian Military Laws**

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Army Act- Navy Act - Air Force Act.

## **Module III: Military Offences**

Military Offences and punishment. Features of Military Court

## **Module IV: Court Martial System**

The Court Martial System-Role of prosecutors-judge-evidence system-evolution of court martial system

## **Module V: Military Laws Comparative Position**

Martial law – Constitutional position- Special powers to Armed Forces- Legislations-Acts of indemnity-comparison UK, USA-Judicial response to military interventions

### **References**

- 1 Dr. D.C. Jain, Military Law in India, 1984
- 2 Col. G.K. Sharma, Study and Practice of Military Law, 8<sup>th</sup> edn., 2019
- 3 Maj.Gen.Nilendera Kumar, Law Relating to Armed Forces in India, Universal Law Publication, 2005.
- 4 Uma Prasad T, Military History India, Rupa, 2018.
- 5 U. C. Jha, A Handbook of Military Law, Vij Publications, 2013.

## **9.Law, Poverty and Development**

**20-271-0309**

### **Course Objectives:**

The objective of the course is to introduce to the students the basic understanding on Law, Poverty and development and their interrelationship in a changing society. The course will examine law as a tool for achieving socio- economic development of the weaker sections of society. The course aims to acquaint the students with various theories and perspectives of 'development' and to keep foremost the rights and interest of the poor and marginalized while examining developmental goals and policies. The course intends to cover the contemporary judicial and legal developments in this arena.

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To understand the basic problems of the socially and economically weaker sections of the society and the conflict of rights and interest of different sections/ class of people in contest of development.
- To critically analyse the beneficial schemes and welfare measures adopted by the state for alleviation of poverty and its effective implementation.
- To practice in Law Courts as legal aid counsels facilitating access to justice for the poor.
- To join organizations and institutions working on issues relating to weaker section of the society at domestic and international level.

## **Course Contents:**

### **Module I – Concept of Poverty and Development**

Socio economic philosophy reflected under the Indian constitutional scheme - conflicting socio-economic philosophies and their reconciliation - the feasibility of tying the nation's basic legal document with any economic philosophy.

### **Module II – International Principles and Goals**

Poverty reduction initiatives of ILO - United Nations Organisation- Sustainable Development Goals – WTO – UDHR

### **Module III – Welfare Schemes and Policies**

Social and Economic Welfare Schemes and Legislations on Poverty eradication - Employment – The Mahatma Gandhi National Rural *Employment Guarantee Act* 2005- Food and nutrition – National Food Security Act, 2013- Education – Right to Free and Compulsory Education Act 2009– Health – Housing

### **Module IV – Rights and Access to Justice of the Poor**

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

Right to free Legal Aid - Art. 21 of the Constitution of India - Section 304 of Criminal Procedure Code - Rights of the Indigent Person - Civil Procedure Code – Lok Adalats – Legal Services Authorities Act, 1987 – Right to Services

### **Module V – Conflict between Development and Poverty**

Land Acquisition and Displacement - Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 - Impact of forest legislations on tribal and other rural folk- right to livelihood and access to resources-fisheries regulation and the rights of traditional fishermen - environmental issues and the livelihood issues, Role of Law.

#### **References:**

1. Upendra Baxi ed., Law and Poverty: Critical Essays, (Tripathi, 1988)
2. Amartya Sen, Poverty and Famines: An Essay on Entitlement and Deprivation, (OUP, 1999)
3. Amartya Sen, Idea of Justice, (Allen Lane: 2009) 231-238, 253-260
4. Rehman Sobhan, Challenging the Injustice of Poverty: Agenda for Inclusive Development in South Asia, (Sage, 2011), 1-12
5. Michael Lipton, Land Reforms in Developing Countries: Property Rights and Property Wrongs, (Routledge, 2009), 1-5
6. Armin Rosencranz, The Forest Rights Act 2006: High Aspirations, Low Realization, 50 (4) ILI 656 (2008)
7. Upendra Baxi, The Avatars of Indian Judicial Activism: Explorations in the Geographies of (In)Justice in Fifty Years of the Supreme Court: Its Grasp and Reach (Verma, Kusum ed., Oxford, 2000), 156-165

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## **Semester - IV**

### **1. Professional Ethics and Professional Accounting System**

**20-271-0401**

#### **Course Objective:**

Professional ethics forms the foundation in the lives of the lawyer. Every person has been given the right to engage a lawyer of their choice to represent their case. It means that lawyers have the constitutional obligation to take up the case of every person who approaches them for legal representation. The lawyer has to adopt ethical practices in all spheres of their profession from meeting clients, giving them legal counselling, presenting their cases before appropriate bodies managing clients' accounts etc. The course covers the wide spectrum of lawyer conduct and specifically aim to familiarize the students with the legal provisions, guidelines and judicial decisions on the subject of professional conduct for lawyer and contempt of court. The course objective is to acquaint the students with the Bar Council of India Code on professional misconduct, train them the skill of client interview and counselling and teach them the basics of professional account.

#### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- Identify situations of Professional dilemma and of contempt
- Take appropriate decisions when faced with any professional dilemma
- Recall and apply the principle of professional ethics in their professional life
- Interview and counsel clients in a professional manner
- Apply the basic principle of professional accountancy

#### **Course Contents:**

##### **Module 1: Advocacy**



## **3 Year. LL.B ( Regular ) Syllabus – 2020**

Meaning: Professional-Occupation-Employment, Seven Lamp of advocacy, History of Legal Profession on India Advocate Act, 1961, Bar council of India and State of Councils, Composition and Functions: Senior Advocates and Disqualifications for employment, right to practice and Right to appearance, professional misconduct and disciplinary power of Bar council and appeals, Entry for foreign law firm in India

### **Module 2: Professional Ethics**

Meaning: Ethics and morals - Bar and Bench relations, Part VI of the Bar Council of India Rules, Rule as to govt. Advocates, Restriction on Senior Advocates, Duty related to courts, clients, opposites, colleagues, Duty to imparting training, render legal aid and section on the other employments, order of Disciplinary committee of Bar council of India/Judgments of Supreme Court on Professional misconduct.

### **Module 3: Contempt of Court**

The Contempt of Court Act, 1971 - Historical Background, Constitutional Provision, Definitions: Civil and Criminal contempt, Mens Rea in Contempt cases, Defence and Exceptions, Contempt by Judges and Magistrate, Punishment for contempt, Purgines of Punishment, Procedure for initiating action for contempt, Appeal provision

### **Module 4: Accountancy of Lawyers**

Importance of proper account by advocate, Fees and expense, Accountancy in Lawyers office/firm: basic financial Statements - Income & loss Account, Balance sheet – Interpretation. Thereof, Bar Council of Indian Rules, Duties to the client, Advocate on Record Rule

### **Module 5: Client in Interviewing and Counselling**

Meaning, Importance, Listening, Communication Techniques, type of quotations, Advising Counseling

### **Reference:**

#### **Statutory Materials**

1. The Advocate Act, 1971
2. The Contempt of Courts Act, 1971

#### **Reports**

1. Law of Commission of India, 266th Report on Advocate Act, 1961(Regulation of Legal

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

Profession), 2017

2. Law of Commission of India, 274th Report on the Review of the Contempt of Courts Act, 1971(Limites to sec.2 of the Act, 1971), 2018

### **Suggested Readings**

1. Ramachandran, Professional Ethics for Lawyers changing Professional changing Ethics, LexusNexis, 2014
2. Gosh, Legal Ethics and the Professional of Law ,LexisNexis,2014
3. G.C.Subbarao, Commentary on Contempt of Court Act,1971,ALT Publication,2013
4. Ranadhir Kumar, Contempt of Courts: Law and Practice, Wadhwa Book Company,2012
- 5.

## **2. Civil Procedure Code and Limitation Act**

**20-271-0402**

### **Course Objectives:**

The course intends to impart basic knowledge about the civil procedure followed in Indian courts and thereby enable one to get familiarized with the proceedings followed in civil courts. The course introduces and provides insights on practice and procedures followed in civil courts. It also facilitate the students to interact with the practicing lawyers and to share their experiences. The course intends to cover the contemporary judicial and legal trends in this area.

### **Learning Outcome:**

On the successful completion of this course, the students will be able:

- To handle proceedings happening in the civil court.
- To equipped for civil drafting process.
- To prepare and attend moot court and ADR competitions.
- To develop the skills and ethics required for a practicing lawyer

### **Course Contents:**

#### **Module –I: Fundamentals of Civil Procedure**

Suits in General a) Definition - Decree, decree holder, judgment, judgment debtor, legal representative, mesne profit, order and pleader, Cause of action. b) Jurisdiction of the Courts

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

(Subject matter, territorial and pecuniary) c) Res subjudice d) Res judicata e) Foreign Judgment – significance of section and order and rule- distinction

### **Module II: Civil Litigation**

Suits a) Parties to Suits. b) Framing of Suits. c) Pleadings generally (Order VI). d) Plaint – Order VII. e) Written Statement- Order VIII (Set-off & Counter-claim). f) Appearance of parties - Exparte Decree, dismiss for default. g) Costs and Interest h) Filing a Caveat

### **Module III: Civil Court Trials**

Trial of suits and Execution of Decrees a) Summons-Issue and Service of Summons. b) Summoning and Attendance of witnesses. c) Withdrawal and adjustment of Suits. d) Examination of parties by the court. e) Temporary & permanent injunction and Interlocutory Orders-Issue of commissions f) Arrest and Attachment before Judgment. g) Execution of Decrees - Executing Court, - Modes of Execution etc.

### **Module IV: Civil Appeals, Review and Revisions**

Appeals, Reference, Review and Revision a) General provisions relating to appeals b) First Appeal c) Second Appeal d) Appeals to the Supreme Court e) Appealable Orders f) Reference g) Review h) Revision i) Inherent Powers of Court- Special suits a) Suits by/and against minors and person of unsound mind. b) Suits by/ and against indigent person. c) Suit by/and against Government.

### **Module V: Limitation Act**

The Limitation Act, 1963 a) General Provisions as to the Bar of Limitation and Extension of the prescribed time (Sections 1-5) b) rules of exclusion (Sections 6-24) c) Acquisition and Extinguishment of Proprietary rights by the virtue of limitation (Sections 25-27)

### **References**

1. Dinshaw Fardauzi Mulla, Mulla's Code of Civil Procedure, Lexis Nexis (19<sup>th</sup> edn., 2017)
2. Sudipto Sarkar & M. L. Singhal, Sarkar's Code of Civil Procedure, (2 Vols), Lexis Nexis India (12<sup>th</sup> edn., 2017)
3. Universal's Code of Civil Procedure, 1908 (Bare Act)
4. C. K. Takwani, Civil Procedure with Limitation Act, Eastern Book Company (8<sup>th</sup> edn., 2017).
5. M.R. Malik, Ganguly's Civil Court, Practice and Procedure, Eastern Law House (2012).
6. M.P. Tandon, Code of Civil Procedure, Allahabad Law Agency (2005).

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

7. Advocate K. V. Siva Prasad, The Limitation Act, 1963, MJS Publication (2018).

### **3. Company Law**

**20-271-0403**

#### **Course Objective**

The course is intended to acquaint the students with fundamental principles of law relating to companies. It will help students to learn about concepts such as share capital and debt capital. It will help students familiarise with the governance process in companies and the rights of shareholders. It also discusses the administrative controls over companies and the winding up process. The course intends to cover the contemporary judicial and legal trends in this area.

#### **Learning Outcomes:**

On successful completion of this course, the student will be able:

- To understand the general principles relating to company law.
- To understand functioning of companies and regulatory controls over governance of companies.
- To practice in Company Law Tribunal and appellate courts on company matters.

#### **Course Contents:**

##### **Module I: Introduction to Company Law**

Corporate Personality - Advantages and Disadvantages of Incorporation- Formation of company - Promoters-Registration and incorporation of company - Memorandum and Articles of Association - Doctrine of ultravires, indoor management and constructive notice- Concept of Corporate Governance- Different Kinds of company

##### **Module II: Share Capital and Debt Capital**

Concept of Share-Issue of shares and securities- Role of SEBI- Prospectus - misrepresentation and remedies –Criminal liability - Allotments of shares – Alteration, reduction and further issue of share capital-Forfeiture, lien, Surrender of shares- Transfer of shares- Debentures – Registration of charges.

##### **Module III: Board of Directors**

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

Composition of board of directors-Position of Directors-appointment, removal and remuneration of directors- Independent Directors- Board Meetings –Duties of directors-Powers of Directors and Restrictions on powers-Board Committees- Borrowing powers of company- Loans and investments by companies- Distribution of Dividend- Key Managerial Persons.

### **Module IV: Shareholder Rights and Remedies**

Shareholders and Members-Powers of Company in General Meeting- Meetings of Shareholders-Resolutions-Majority Powers and Minority Rights - Shareholder remedies- Class action suits--Prevention of oppression and mismanagement.

### **Module V: Administrative Controls over Companies**

Maintenance of Accounts- Audit - Inspection and investigation – Role of NCLT, NCLAT-Winding up –Grounds – IBC Code 2016 - Defunct Company- Striking off names of company-Corporate Social Responsibilities

### **Reference:**

1. C R Datta on Company Law, Lexis Nexis, 2017.
2. L.C.B. Gower, Principles of Modern Company Law, Sweet and Maxwell, 2016.
3. Avtar Singh, Company Law, Eastern Book Company, 2018.
4. M C Bhandari , Company Law Procedures, Lexis Nexis, 2018
5. Palmer, Company Law, Stevens, 1987.
6. Robert R. Pennington, Company Law, Butterworths, 2001.
7. Robin Hollington, Shareholder's Rights, 5th Ed., Thomson: Sweet & Maxwell,2007
8. T. P Ghosh on Companies Act 2013, Taxmann, 2013.
9. Dr. G.K. Kapoor, Sanjay Dhamija, Company Law and Practice, Taxmann, 2015
10. Jonathan Charkham& Anne Simpson, Fair Shares – The future of shareholder power and responsibility, Oxford University Press, 1999.
11. K Sekhar, Guide to SEBI Capital Issues, Debentures, & Listing, 3rd Ed, Wadhwa, 2003.
12. K. Majumdar, Dr. G. K. Kapoor Company Law & Practice, Taxman, 2015.
13. S.M. Shah, Lecturers on Company Law, N M TripthiPvt Ltd, 1990.

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## **4. Law of Criminal Procedure**

**20-271-0404**

### **Course Objectives:**

This course aims at giving the students an insight into the philosophy of procedures prescribed in the Code of Criminal Procedure with respect to commission of crimes, investigation, trial, and conviction. It also aims at enabling them to understand the need to know the rights of the accused in every stage of criminal procedure which are cherished human rights. The course intends to cover the contemporary judicial and legal trends in this area.

### **Learning outcomes:**

On successful completion of this course, the students will be able:

- To get a clear picture about the various agencies involved in the crime prevention, detection, and punishment
- To start looking at the whole procedure as a facet of “fair just and reasonable procedure” enshrined under Article 21 of the Constitution of India
- To start getting the depth of these procedures through case laws
- To undertake a philosophical understanding of the various provisions of the Code of Criminal Procedure which will enable them to be good lawyers, prosecutors of judges

### **Course Contents:**

#### **Module I: Hierarchy of Courts**

Jurisdiction and hierarchy of criminal courts - Executive Magistrate and Judicial Magistrate

#### **Module II: Powers and functions of Police and Prosecutors**

Police - organization of police - hierarchy of police departments - powers and function of police- preventive action of Police- investigation- safeguards- judicial trends- Security for keeping peace - maintenance of public order and tranquility- Prosecution- Role of Prosecutor in Criminal Procedure

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## **Module III: Trials**

Trial - concept of fair trial –jurisdiction of various courts-complaints to Magistrate- trial before Magistrate of warrant cases and summons cases- trial before sessions court- trial before High Courts-summary trials-plea bargaining

## **Module IV: Judgment and further procedures**

Judgment- appeal- reference and revision- Execution, suspension, remission and commutation of sentences- bails and bonds- compensation to victims-case laws

## **Module V: Protection from vagrancy, inherent power**

Maintenance to wives, children and parents- case laws-inherent power of the High Court- judicial interpretations.

## **References:**

1. R.V. Kelkar, Criminal Procedure, Eastern Book Co., (6<sup>th</sup> Edn.-2018)
2. Ratanlal, The Code of Criminal Procedure, Lexis Nexus, 2011
3. Peter J. An Koppen et.al (Edrs.), Springer publications, (1<sup>st</sup>Edn.- 2003)
4. Kerstin Braun, Victim Participation Rights, Springer (e-book)
5. V. Sithannan, Police Investigation Powers, Tactics and Techniques, 2018
6. MathweLippman, Criminal Procedure, Sage Publications (4<sup>th</sup> Edn.-2019)
7. Jacqueline E. Ross, comparative criminal procedure, 2018
8. Code of Criminal Pcedure, Bare Act, Professional Book Publishers

## **General Electives for Semester IV (choose any 1 paper)**

### **5. Interpretation of Statutes**

**20-271-0405**

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## Course Objectives:

This course provides an idea about how a law can be interpreted in cases of ambiguity. It also enlightens the students about various rules and principles applicable while interpreting a legal provision. Further this course gives an idea about the importance of various tools for interpretation; the special rules applicable to interpretation of Constitution; and the special rules relating to legislative interpretations

## Learning Outcomes:

On successful completion of this course, students will be able:

- To understand the legal provisions and laws in its right perspective.
- To perform well in Courts as a lawyer by applying various principles relating to interpretation
- To perform well as a judge if they join in judicial service.

## Course Contents

### **Module I: Introduction**

Meaning of Interpretation - Need for Interpretation – Act – Enactment - Statutes – Ordinances - Rules, etc.

### **Module II: Internal Aids to Interpretation**

Title – Preamble – Heading - Marginal Note – Section - Sub-section – Punctuation – Illustration – Exception – Proviso – Explanation - Saving Clause – Schedule

### **Module III: External Aids to Interpretation**

Constituent Assembly Debates for Constitutional Interpretation - Constitution of India - Legislative History: Legislative Intention - Statement of Objects and Reasons - Legislative Debates - Committee Reports, Law Commission Reports

### **Module IV: Rules of Interpretation**

Literal Rule - Golden Rule - Mischief Rule - Legal Fiction - Ejusdem generis - Noscitur a sociis - Reddendo singula singulis - Generalia specialibus non derogant

### **Module V: Legislative Interpretations**



## **3 Year. LL.B ( Regular ) Syllabus – 2020**

Presumptions and Assumptions - Jurisdiction - repealing - Constitutionality of statutes - retrospective operation - Equitable construction - strict construction of penal laws -mandatory and directory provisions - Construction of words - maxims.

### **References**

1. N S Bindra's Interpretation of Statutes, Law Book Co, 2007
2. Kafaltiya A.B, Interpretation of Statutes, Universal Law Publishing Co., 2008
3. D. Neil MacCormick, Robert S. Summers, Interpreting Statutes: A Comparative Study, Rotledge, 2016.
4. Cameron Hutchison, Fundamentals of Statutory Interpretation, Lexis Nexis Canada, 2018.
5. P.S. Langan Maxwell on the Interpretation of Statutes, N.M.Tripathi Pvt. Ltd., Bombay, 1993
6. F.A.R. Benion, Statutory Interpretation: A Code, Butterworths, 2002
7. G.P. Singh, Principles of Statutory Interpretation, Wadhwa & Co., Nagpur, 2010.

### **6. Land Utilization Law**

**20-271-0406**

#### **Course Objective:**

The course seeks to explore the need and objectives of land use controls. It discusses the environmental issues relating to land use pattern. It enables students to get an overview of various laws governing land use, land acquisition and land reforms. It also helps to have an idea on the international norms on land use planning. The course intends to cover the contemporary judicial and legal trends in this area.

#### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To appreciate the laws governing land use pattern.

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- To analyse environmental issues related to land utilisation.
- To understand international norms on land use planning.

Course Contents:

## **Module I- Introduction**

Land use control –Objectives of land use planning and controls –Constitutional Perspectives- Land Management and Improvement of Land Quality-Land use conflicts.

## **Module II-Environmental Issues in Land Use**

Environmental issues relating to land use pattern – Zoning legislations and the environmental concerns- Paddy field reclamation -Wetlands – Costal Regulatory Zones- Reclaimed lands -Development Controls- Mining Controls.

## **Module III-Urban Land Use**

Town Planning -Sanitation- Building regulations-Solid waste Management-Mobility Planning- Regional Connectivity-Roads and railways - Land Pooling schemes- Squatter Settlements.

## **Module IV- Land Acquisition and Land Reforms**

Law relating to Land Acquisition – Agricultural Land Ceiling- Urban Land Ceiling- Land reform in Kerala- Law relating to Alienation and Assignment of land in Scheduled areas.

## **Module V- International Practice on Land Use**

International norms on land use and urban planning- International guidelines on territorial planning- sustainable urban development- Inclusive cities- Inclusive governance.

References

- 1 Barlow Burke, The Law of Zoning and Land Use Controls, LexisNexis, 2013.
- 2 Law Relating to Land Acquisition, Rehabilitation and Resettlement, Taxmann, 2014.
- 3 PK Sarkar, Law of Acquisition of Land in India, Eastern Law House, 2012.
- 4 Robert Ellickson, Land Use Controls – Cases and Materials, Wolters Kluwer, 2013.

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

- 5 A. Gangadharan, Law of Land Reforms in Kerala, Travancore Law House, 1976.
- 6 SK Kulshetra, Urban and Regional Planning in India, Sage publishers, 2012.
- 7 OmarIsmail, AspectsofLandManagementandDevelopment, LambertPublishing, 2015
- 8 KSamba Sivan, Disparities of Urban Land Valuesand Shiftin Land Use, Lambert Publishing, 2012.
- 9 Allen Abramson, Land Law, Environment and Mythical Land, 2000.
- 10 George Johnson, Law of Land Reforms in Kerala, Em Tee M Publications, 2008.

### **7. Law Relating to Child**

**20-271-0407**

#### **Course Objectives:**

This course aims to provide an insight in to the significance of giving special treatment to the children and to have special legislations to deal with children. This course is also aims to impart knowledge regarding the various UN conventions relating to Children and to analyse the Indian Legislations in comparison with the provisions of the UN convention. The course also gives an insight on the various facets of rights relating to children in the domestic laws. Understanding the philosophy of the Juvenile Justice (Care and Protection of Children) Act, 2015 and to distinguish between the children in conflict with law and children in need of care & Protection. Impart knowledge about the special legislations enacted to protect children from sexual offences.

#### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To appreciate the provisions of the Special legislations relating to children in the light of the objects of the legislation and the rights sought to be protected
- To develop critical thinking in analysing whether the Indian Legislations are in consonance with the UN Conventions and to critically analyse the efficacy of the various legislations, the existing gaps, if any, and to relate theory and practice
- To appreciate the judgments in the light of the philosophy underlying the various legislations relating to children

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## **Module 1: Evolution of Rights of Child and International laws**

Historical development of special treatment for children – concept of childhood –Constitutional Perspective-norms in national law - norms in international law – comparative analysis- Convention on the rights of the child.

## **Module 2: Protection of child Rights under Civil laws**

Rights and immunities of children under municipal law-contract-tort-crime–Personal Laws &child- inheritance - maintenance -adoption and guardianship.

## **Module 3: Child Welfare Legislations**

Child labour- prohibition-welfare legislations- Education- Constitutional position-Right to Free and Compulsory Education Act 2009- Child Marriage Prohibition

## **Module 4: Juvenile Delinquents and Children in need of care and Protection**

Juvenile Justice Act- Treatment of child in conflict of law- Special mechanisms envisaged under the Juvenile Justice Act - philosophy reflected under-Treatment of child in need of care and protection - provisions relating to adoption – domestic and inter country adoption.

## **Module 5: Special Legislation relating to sexual offences and exploitation**

Sexual offences against Children- POCSO- Trafficking of children–Child pornography.

## **References**

1. Mamta Rao, Law Relating to Women and Children(2018)
2. Paras Divan, Children and Legal Protection (1994)
3. Sunil Deshta, Law and Menace of Child Labour(2004)
4. Dalip Chand Manooja, Adoption Law and Practice(1993)
5. R.N. Choudhary, Law Relating to Juvenile Justice in India(2005)

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## **8. Marine Safety Law**

**20-271-0408**

### **Course Objectives:**

The course introduces the international legal framework for ensuring marine safety and prevention of pollution from ships. The course draws on measures adopted by IMO to address physical safety and stability of ships, manning standards, environmental protection and safety management schemes. The prevention of collision and shipping casualties and the power of authorities to initiate enquiries into casualties assumes relevance. The course intends to cover the contemporary judicial and legal trends in this area.

### **Learning Outcomes:**

After successful completion of the course, students will be able to:

- Demonstrate expertise with legal aspects of marine safety for ships like Construction standards, physical safety and safety management norms adopted by IMO.
- Understand and reflect on problems with enforcement of these standards by regulatory agencies.
- Suggest interventions for improvement of the existing scheme of Marinesafety.

### **Course Contents:**

#### **Module1: Introduction to Marine Safety**

Marine Safety-General principles governing safety of life and property at sea – prohibitions on sending unsafe ships to Sea - liability of owners and operators - duty to provide assistance ship in distress.

#### **Module 2: Construction and Manning Standards**

Construction and maintenance of ships - survey of ships - continuous survey obligations - IMO code for construction of ship - Indian ship construction rules. Manning of ships - Training, Certification & watch keeping – STCW Convention,1978, Employment Conditions of sea men – MLC 2006 -provisions of the Merchant Shipping Act, 1958 and Rules.

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## **Module 3: Physical Safety and Environmental safety**

Load line Conventions - loading of ships - unsafe goods – over loading. Safety appliances, radar, maps and charts - radio and telecommunication rules, lifeboats, buoys etc- Safety Management (ISM) - Environmental safety and Climate change Norms for ships

## **Module 4: Prevention of Collision**

Collision regulations - steering and signaling. Liability for collision -nominal and civil liability

## **Module 5: Shipping Casualties**

Investigation of shipping casualties – Authorities & Powers under Indian Law.

### **References**

- 1 Simon Baughen, Shipping Law, Routledge 2012
- 2 B.C. Mitra, Law Relating to Marine Insurance, Universal Publishing Co. 2012
- 3 Nagendra Singh (Ed.), British Shipping Laws , Sweet & Maxwell Vol.IV.1993
- 4 National Research Council, Crew Size and maritime safety, National Academic Press 1990
- 5 Iliana Christodoulou - Varotsi, Maritime Safety Law and Policies of the European Union and the United States of America: Antagonism or Synergy? Springer 2010
- 6 Ivane Abashidze, Maritime Safety & Classification Society – A Georgian Prospective, Lambert 2014

## **9. Women and Law**

**20-271-0409**

### **Course Objectives:**

The Course throws light on the different areas in which women, as a gender face violence and discrimination. It brings into light the special protection given to women by law with special emphasis on Criminal Law. It deals with different forms of crimes perpetrated against women and the response of criminal law to it. The course intends to throw light not only on the women as a victim but as well as an accused / detainee, hence adopts a multi facet approach. The course intends to cover the contemporary judicial and legal trends in this area.

### **Learning Outcomes:**

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

On successful completion of this course, the students will be able:

- To examine the different forms of gender-based violence against women and the sufficiency of the response of criminal law to it
- To engage actively in litigations involving crimes against women
- To play a decisive role in NGO's working for the interests of women

## **Module I – Protection of Women: National and International Perspectives**

Special Protection for women- Constitutional Perspective- International Dimensions- Obligations to make Special Provisions-Feminist Movements-Contributions of NGOs at National and International Level.

## **Module II- Specific offences against Women and Girl Child**

Prevention of Female Foeticide - Checkson Pre-Natal Diagnostic Techniques-International and National Perspectives-Women Rights in Relation to Offences of Miscarriage-Cruelty against Women-IPCProvisions

## **Module III – Response of Law against crimes against Women**

Crimes Against Women-Special Provisions-Offences of Rape- Marital Rapes-Adultery-Prostitution- Trafficking- Assault- Kidnapping – Abduction- Dowry Death – Sati- Indecent Representation of Women- Obscenity- Cyber Crimes

## **Module IV- Women in Criminal Trials**

Special Provisions in Trial of Offences involving Women-Women as Accused Criminality among women- and Victim- Arrest and Detention- In Camera Proceedings-Role of Court- Shifting of Burden of Proof.

## **Module V- Women as Victim in Crimes**

Compensation for Women Victims of Crime- Special Provisions in relation to Domestic Violence – Right to Maintenance-Special Protection of Women in Prison

References:

1. Mamta Rao, Law Relating to Women and Children, Eastern Book Company(2008)

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

2. Paras Divan, Women and Legal Protection, South Asia Books (1994)
3. N. Jayapalan, Women and Human Rights, Atlantic, (2001)
4. G.B. Reddy, Women and the Law, Gogia Law Agency (2014)
5. Paras Diwan & Piyush Diwan, Law Relating to Dowry, Death, Bride Burning, Rape and Related Offences. Universal Law Publishing Ltd, (2004)

### **Semester -V**

#### **1. Mediation, Conciliation and Arbitration**

**20-271-0501**

##### **Course Objective:**

Owing to the many drawbacks of the mainstream judicial dispute settlement, the understanding of alternative dispute resolution (ADR) is a necessity for any modern lawyer. Today, students of law must be equipped with the theoretical and practical knowledge of specialised mechanisms of dispute resolution which are both time and cost effective, and aids the disputing parties to reach settle the differences. The course, thus, explores the concept of alternative dispute resolution and the various established ADR mechanisms with an emphasis on Mediation. The course aims to provide training in practical skills apart from theory. The course intends to cover the contemporary judicial and legal trends in this area.

##### **Learning Outcomes:**

After the successful completion of the course, the students will be able to:

- Acquire the skills of settling a dispute at the pre-trial stage



## **3 Year. LL.B ( Regular ) Syllabus – 2020**

- Evaluate the procedures of dispute settlement outside formal court system
- Draft agreements for mediation including settlement agreements

### **Course contents**

#### **Module I – Introduction to Alternative Dispute Resolution**

Understanding Conflict and Disputes – Modes of Dispute Resolution – Advantages of ADR – Different forms of ADR – Legal framework in India

#### **Module II – Importance of Mediation and Key Concepts**

Theory of restorative Justice and Traditional Mediation Practice – New approaches to mediation – Essential elements and processes – role of the mediator

#### **Module III – Settlement agreements and mediation laws in India**

Decision making techniques - Drafting of agreements - sanctity of mediated agreements - enforcement laws and procedures.

#### **Module IV - Important Developments in Mediation**

Growth of virtual dispute resolution –Commercial mediation - UNCITRAL Model Law – Singapore Convention on Mediation.

#### **Module V – Conciliation and Arbitration**

Meaning of conciliation – conduct of proceedings – settlement agreement – relation to arbitral and judicial proceeding; Arbitration – meaning of – difference with other kinds of mechanisms – Arbitration agreement – Tribunal - Award

### **References:**

1. Christopher Moore, The Mediation Process: Practical Strategies for Resolving Conflict, (Wiley 2003)
2. Roger Fisher, William Ury and Bruce Patton, Getting to Yes: Negotiating Agreement Without Giving In, (Penguin 2011)

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

3. SriramPanchu, Mediation Practice & Law: The Path to Successful Dispute Resolution, (Lexis Nexis 2011)
4. Joel Lee and TehHweeHwee, An Asian Perspective on Mediation, (Singapore Academy of Law 2009)
5. P.C. Rao & William Sheffield, ed., Alternative Disputes Resolution- What it is and how itworks? (Universal Law Publishing 2015)
6. Shashank Garg, Alternative Dispute Resolution: The Indian Perspective, (Oxford University Press 2018)
7. O.P. Malothra, The Law and Practice of Arbitration & Conciliation, (Lexis Nexis Butterworths 2014)

### **2. Property Law**

**20-271-0502**

#### **Course objective:**

This course looks at the nature of property rights and the general principles governing the transfer of property under the Indian law. It delves into the study of the substantive law relating to specific transfers, such as sale, mortgage, lease, exchange, gift and actionable claims. It also explores how property rights are conferred, alienated and protected through law. The course further includes an exposure into the concept of easements in the Indian context. The course intends to cover the contemporary judicial and legal trends in this area.

#### **Learning outcomes:**

On successful completion of this course, the students will be able:

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- To understand the substantive rules and principles of transfer of property in India and apply this knowledge in the domestic context.
- To demonstrate their understanding of legal terminology and concepts relating to property and its transfer.
- To apply the principles property law to contemporary legal problems and critically examine its operation from a range of theoretical and social perspectives.

### **Course Contents:**

#### **Module – I: Concept of Property and General Principles of Transfer**

Concept of Property – Different kinds of Property – Meaning of Movable and Immovable Property – Definition of Transfer of Property – Persons competent to transfer – Operation of transfer – Conditions restraining alienation – Transfer for benefit of unborn persons – Rule against perpetuity – Vested Interest and Contingent Interest

#### **Module – II: General Principles Governing Transfer of Immovable Property**

Doctrine of Election – Transfer by ostensible owner – Transfer by limited owners – Fraudulent Transfer – Improvements made by person under defective title – Doctrine of lis pendens and part performance

#### **Module – III: Specific Transfers I**

Sale of immovable property – Definition of sale and Contract to sell – Rights and liabilities of seller and buyer — Definition of gift – Modes of creation of gift – Condition for valid gifts – Suspension and Revocation of gift – Exchange

#### **Module – IV: Specific Transfers II**

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

Mortgage – Different kinds of mortgages – Rights and liabilities of mortgagor and mortgagee – Charge and floating charge – Actionable claim – Lease – Modes of creation and determination of lease – Rights and liabilities of lessor and lessee

### **Module – V:Easements**

Indian Easement Act– Definition and essential features of easement – Kinds of easement – Easement of Necessity & Quasi easements – Imposition, Acquisition and Transfer of Easements – License.

### **References:**

1. Avtar Singh, Textbook on the Transfer of Property Act (Lexis Nexis 2019)
2. Poonam Pradhan Saxena, Mulla The Transfer of Property Act (Lexis Nexis 2018)
3. GCV Subba Rao, Law of Transfer of Property (2 Vols.) (ALT Publications 2019)
4. Vepa P. Sarathi and MallikaTaly, Law of Transfer of Property (Eastern Book Co 2017)
5. S.N. Shukla, Transfer of Property Act (Allahabad Law Agency 2015)
6. Akhileswar Pathak, Law of Sale, Lease and Mortgage (Lexis Nexis 2017)
7. B BKatlyar, Law of Easements & Licenses (Universal Law Publishing 2017)
8. AP Singh and AK Srivastava, Property Laws (Lexis Nexis 2015)

## **3. Public International Law**

**20-271-0503**

### **Course Objectives:**

The objective of this course is to give an in-depth understanding about the concept and scope of public international law. It provides a fair idea about relationship between states under international law and how their relationship is being regulated. It further provides an insight about the international law relating to states, individuals, treaties, sea and UNO.

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## **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To think globally about the activities of international community
- To understand the day to day working of world
- To understand the process of international law making, he can do more research in this area.
- To understand the process of international law making and different laws will enable the student to interpret the scope of national law in the light of such international law

## **Course Contents**

### **Module I: Introduction**

Introduction - Development of International Law – Definitions - Nature of International law - Positive Morality - Theories as to basis of International Law - Sources and Subjects of International Law

### **Module II: States**

International Law and Municipal Law - Monistic Theory- Dualistic Theory – Other Theories - UK Practice, American Practice and Indian Practice - Concept of State - Essential Ingredients of State - Different kinds of States - Territory of State - Recognition of States - State Jurisdiction -Territorial Sovereignty - Civil and Criminal Jurisdiction

### **Module III: State Responsibility and State Succession**

Responsibility of States – Original and Vicarious Responsibility -State Responsibility for various Acts- Individual Acts, Mob Violence, Insurgency, etc. -State Succession -Theories of State Succession -Rights and Duties arising out of State Succession

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## **Module IV: Individuals, Diplomatic Relations Formation and Implementation of Treaties**

Nationality – Asylum – Extradition- Meaning of Diplomacy -Law on Diplomatic Relations - Classification of Diplomatic Agents – Functions - Privileges and Immunities of Diplomatic Agents -Duties - Law of Treaties

## **Module V: Law of the Sea , Air And Outer Space : UN & International Law**

Historical Background -Maritime Belt -Territorial Sea -The Contiguous Zone -Exclusive Economic Zone -Continental shelf -The High Seas -International Sea Bed Area-Settlement of Disputes under Law of the Sea Convention – Settlement of International Disputes - UNO

## **References**

1. Malcolm Nathan Shaw, International Law, Cambridge University Press, 2017
2. Tim Hillier, Sourcebook on Public International Law, Routledge, 1998
3. James Crawford, Brownlie's Principles of Public International Law, Oxford University Press, 2019
4. Lassa Oppenheim, Robert Jennings and Arthur Watts, Oppenheim's International Law, Oxford University Press, USA, 1991
5. H.O. Agarwal, International Law & Human Rights, Central Law Publications, 2012
6. Samantha Besson&Jean d' Aspremont, The Oxford Handbook on the Sources of International Law, OUP, 2017
7. Jan Klabbbers, International Law, Cambridge University, 2013.

## **4. Labour Law- 1**

**20-271-0504**

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## **Course Objectives:**

Every country depends on its industrial structure for growth and development. This industrial sector is a playground for multiple stake holders. What is interesting to note is that though there are multiple stake holder, the sector does not operate on a level playing field. The part which is seen as the lopsided one is the labour class. The objective of this course is to sensitize the need for an understanding labour law regime. The course will introduce the students to the different stakeholders at play and the laws which enable them to maintain industrial peace and contribute to industrial development. The course intends to cover the contemporary judicial and legal trends in this area.

## **Learning Outcomes:**

On the successful completion of this course, the students will be able:

- To appraise the relevance of labour protection laws
- To evaluate and engage in different strategies and mechanisms available for resolution of industrial disputes
- To engage in practice and procedures for setting wages, safety mechanisms, etc.

## **Course Contents:**

### **Module I – Theoretical Basis**

Origin, nature and need – industrial relation – concept, objectives and significance – Constitutional framework – fundamental rights and directive principles – impact of globalization on labour policies.

### **Module II – Collective Bargaining**

Notion – meaning and scope – history of trade union movement in India – definition and objects of trade union – registration and its cancellation – powers and functions of Registrar of Trade Union – funds of trade unions – general and political – their immunities – nature and scope

### **Module III – Measures Relating To Safety**

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

Standing order – its certification, duration and modification – subsistence allowance; notion of factory – approval, license and registration – occupier – his general duties – maintenance of health, safety, welfare – provisions relating to hazardous processes – working hours – child employment

### **Module IV – Measures Relating To Wages**

Minimum wages – fixation & revision – procedure – overtime – exemptions and exceptions – responsibility for payment of wages – fixation of wage periods – deduction & fines – authorities & adjudication of claim; Bonus – meaning of allocable surplus, accounting year and bonus – computation of gross profit, available surplus and bonus – minimum and maximum bonus – set off and set on – disqualification and deduction

### **Module V – Industrial Disputes**

Concept of Industry, industrial disputes, employer and employee – coercive methods used by employees and employers – strike, lock out, lay off, retrenchment, transfers and closure – authorities for dispute resolution - Works Committee – Conciliation officer – Courts of Enquiry – Labour Courts – Tribunals – reference to arbitration – powers of Government – Procedure, Powers and Duties of Authorities

### **References:**

1. Taxmann's Labour Laws with Code on Wages, Taxmann, 2020
2. E.M. Rao, O.P. Malhotra's Law of Industrial Disputes, LexisNexis, 2015
3. P. L. Malik Handbook of Labour and Industrial Law, EBC, 2018
4. K.D. Srivastava, Commentaries on Industrial Employment (Standing Orders) Act,1946, EBC, 2012
5. K.D. Srivastava, Law Relating to Trade Unions and Unfair Labour Practices, EBC, 2003.
6. Alok Bhasin, Labour Laws: A Primer, EBC, 2011
7. Indian Law Institute, Labour Law and Labour Relations, 1968

### **General Electives for Semester V (choose any 1 paper)**



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## **5. Forensic Science and Medical Jurisprudence**

**20-271-0505**

### **Course Objectives:**

The course aims at giving the students the use of science as evidence in the courts of Law for proving the commission of crimes. It aims at giving the students the complete account of how science can help to prove commission of crime beyond doubt. The course is also aimed to find out how these evidences are accepted by courts in India. The course intends to cover the contemporary judicial and legal trends in this area.

### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To learn to see the amazing ways of science in which the students can offer an insight in to the criminal investigation and in proving a crime.
- To develop an interest in the link between science and crime
- To know how these evidences are used in court just as discretion of the court and the evidentiary value of these techniques.

### **Course Contents:**

#### **Module I: Origin and Development of Forensic Science**

Forensic science - origin and development - importance of forensic science in criminal investigation.

#### **Module II: Documents**

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Scientific examination of documents- signatures and handwritings- Forensic ballistics- finger printing/DNA printing - blood and body fluids-hair- rights of the accused- case laws

### **Module III: Modern scientific advancements**

Brain finger printing – Narco –analysis-polygraph-rights of the accused-case laws- evidentiary value expert opinion.

### **Module IV: Medical jurisprudence in criminal trials**

Medical jurisprudence - definitions, origin and development -importance and relevance in criminal trials.

### **Module V:Basic Principles and evidentiary value**

Basic principles and rules on evidentiary value of conclusions of medical personnel - medical jurisprudence in India and the courts

### **References**

1. A. Keith Mant, Principles & Practice of Medical Toxicology Jurisprudence 1984
2. Suzane Bell, Forensic Science an introduction to investigative techniques, CRC Press, 2019.
3. Helen Whitwell, Mason's,Forensic Medicine for Lawyers, Bloomsbury Academics, 2015
4. J.P. Modi, Medical Jurisprudence and Toxicology for India, Butterworth Publications, 2017
5. Jay A. Siegel, Forensic Science the Basics, CRC Press, (2<sup>nd</sup>Edn.- 2006)
6. Alfred Swaine Tailor, A Manual of Medical Jurisprudence, (10<sup>th</sup>Edn.- 1879)

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

7. Lisa Yount, Forensic Science form fibers to fingerprints, Chelsea House, 2007

### **6. Health Care Laws 20-271-0506**

#### **Course Objectives:**

Health is undoubtedly the most important aspect of any meaningful life. The principal aim of this course is to enable the students to understand the various institutions involved in health care and the extent of state regulation over them. This course will also give students a theoretical perception about the concept of “right to health” as different from state obligation to provide healthcare, through case laws and help them understand the various remedies available against the healthcare institutions in case of lapses on their part. Thus, it will enable students to have an overall view about the laws in India relating to healthcare. The course intends to cover the contemporary judicial and legal trends in this area.

#### **Learning Outcome:**

On successful completion of this course the students should be able:

- To develop a clear idea about the laws regulating professionals and healthcare institutions in India
- To imbibe the capacity to read judgments and to find out the ratio decidendi of the case so as to check how one judgment will act as a precedent for the others.
- To develop a capacity to render legal advice to those who either are victims of negligence from the side of hospitals, or cases of food adulteration, or other activities due to which the health of a person is in danger, or to doctors of health care institutions who are victims of attack from the patients or their relatives

#### **Course Contents**

#### **Module I: Health – Basic understandings**

Meaning and concept- Distinction between health and disease-Development of health care in India- Pre British, British and post british period- The various health care systems-Ayurveda, Yoga, Unani, Sidha, Homoeopathy, naturopathy, acupuncture and Allopathic.

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## **Module II: Right To Health Care Service**

International obligations of state - constitutional provisions - judicial approach -Common law - medical ethics - Patient rights - consent for treatment - right to medical records

## **Module III: Liability For Professional Negligence**

Tort of negligence and trespass-standard of care-Liability under consumer law–liability under criminal law

## **Module IV: Regulation Of Institutions**

Medical and para medical institutions – other medical institution - corporative position. Registration of medical professionals - regulatory authorities, Medical Council, Dental Councils, Pharmacy Council, Nursing Councils - Registration under different system of medicines - Regulation of manufacture and storage of medicine - sale - advertisement-transportofmedicines,DrugsandCosmeticAct,andrules-drugprice controlorders.

## **Module V: Emerging Issues**

Special provisions relating to mental healthcare-shift in the Mental Healthcare Act, 2016-International Human Rights norms–transplantation of human organs-pre-natal diagnostic techniques - AIDS controls - medical termination of pregnancy and euthanasia. - Medical waste disposal- Disputes relating to medical insurance.

## **Reference**

1. DrSairamBhat,HealthcareinIndia:AnIntroductiontoLawandLegalSystem,BloomsburyIndia, 2016
2. Joel B. Teitelbaumand Sara E. Wilensky, Essentials of Health Policy and Law (Essential Public Health),Jones&BartlettLearning,2017
3. Barry Furrow, et.al., Health Law: Cases, Materials and Problems, Abridged (American Casebook Series),WestAcademicPublishing,2018
4. DeanHarris,ContemporaryIssuesinHealthcareLawandEthics,HealthAdministrationPress,2014
5. Anita SikandBakshi, Hippocratic Oath or Hypocrisy?: Doctors at Crossroads, SAGE Publications Pvt. Ltd,2018

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## **7. Intellectual Property Laws 20-271-0507**

### **Course Objectives:**

With the tremendous growth in technology and communication devices, information and related product have become the most valuable assets. The objective of this course is to identify what elements of such information and newly created products can be protected under law. This course also identifies the different kinds of intellectual properties that are protectable under the Indian law, what subject matter is protected under the different kind of IP, who can own these kinds of properties and what their rights are. More importantly the course will help students appreciate how the rights of public are balanced against this private right. The course intends to cover the contemporary judicial and legal trends in this area.

### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To understand the nuances of IP legislations and its protection
- To appreciate the need and technique of protection of larger public interest
- To file the different forms of IP

### **Course Contents:**

#### **Module I: Overview of Intellectual Property**

Concept of Intellectual Property – its relation vis-à-vis property – Limited Monopoly - rationale of its protection- considerations – social, economic and political dimensions of IP – its role in industrial and other developments- Interface between IP and Competition Law

#### **Module II: Copyright**

History and evolution – standard of ‘originality’ – ‘works’ that are protected – duration of protection – procedure for registration – meaning of copyright – assignment and licensing of rights – infringement – permitted uses of copyrighted works and its significance – remedies

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against infringement; Neighbouring rights – Performers rights – rights of Broadcasting organisations; International IP norms – Berne Convention – TRIPS – TRIPS Plus

### **Module III: Patent**

History and evolution – meaning of inventions– standards of novelty, inventive step and utility – category of patentable inventions –procedure for registration and duration of protection –rights – assignment and licensing of rights – infringement – permitted uses and its significance– remedies against infringement; International IP norms – Paris Convention– TRIPS – PCT.

### **Module IV: Trademarks**

History and evolution – meaning of mark – concept of distinctiveness and deceptive similarity– prohibition of registration of marks–procedure for registration and duration of protection– rights–assignment and licensing of rights–infringement–permitted uses and its significance – remedies against infringement; protection of well-known marks – certification marks– collective marks; remedy of passing off; International IP norms–Paris Convention – TRIPS – Madrid System

### **Module V: Others Forms Of IP**

Industrial design, geographical indication, new varieties of plants, semiconductor integrated circuits, trade secrets, protection of domain names, traditional knowledge, traditional cultural expressions – their history and evolution – standards of protection – subject matter rights– infringement of rights and its remedies; International IP norms–Paris Convention TRIPS – Hague System

### **References**

1. W. R. Cornish, Intellectual Property: Patents, Copyrights, Trademarks and Allied Rights, Sweet and Maxwell, 9<sup>th</sup> Edition 2019
2. Siva Vidhyathan, Intellectual Property: A Very Short Understanding, Oxford University Press, 2<sup>nd</sup> Edition 2017
3. Elizabeth Varkey, Intellectual Property, Eastern Book Company, 2015
4. V. K. Ahuja, Law Relating to Intellectual Property Rights, LexisNexis, 3<sup>rd</sup> Edition 2017
5. Dr. B.L. Wadehra, Relating to Intellectual Property, Universal Law Publishing Company, 5<sup>th</sup> Edition 2018(Reprint)
6. Dr. Mathew Thomas, Understanding Intellectual Property, Eastern Book Company, 2016
7. Dr. B.L. Wadehra, Relating to Intellectual Property, Universal Law Publishing Company, 5<sup>th</sup> Edition 2012

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

8. K.D. Raju, The Intellectual Property Rights & Competition Law - A Comparative Analysis, Eastern Law House,2015
9. S.B. Verma, Intellectual Property Rights, Mittal Publication,2013
- 10.P. Narayanan, Intellectual Property Law, Jain Book Depot,2015

### **8. Law Governing Scientific Research 20-271-0508**

#### **Course Objectives:**

The course provides the base for understanding the niche areas of interface between law and scientific research. It provides an overview of the contemporary developments in the area of scientific research and the existing national and international norms for the same. It delves into ethical, legal and social issues and challenges in different types of scientific research. The course intends to cover the contemporary judicial and legal trends in this area.

#### **Learning Outcomes:**

On successful completion of this course, the students will learn:

- To familiarize with the contemporary developments in the areas of scientific research and law
- To equip the students to handle technology based litigations
- To analyze critically the gaps in the international and national norms and thereby accentuates their analytical skills

#### **Course Contents:**

#### **Module I- Scientific Research and their Different Forms**

Aspects of Scientific research - Funding for research programmes– Types- Military research - Incentives for research - Monopoly for outcome of research - Research for Community interest - Agricultural and Horticultural Research.

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## **Module II- Legal Response to Marine and Space Research**

Marine Scientific Research and Atmospheric - space research - Limitations under Customary international law - UNCLOS III Provisions - Research in inland waters, territorial sea, Economic Zone, Continental Shelf and High sea, weapon testing in sea-NTBT and Law of the sea-Research in outer space and atmosphere.

## **Module III- Human Subject Research : Legal & Ethical Concerns**

Research on Human subjects - Types of research – Embryo research and Human genetics for research - research ethic committees and license requirements - Consent to research - Confidentiality in health care research – Informed Consent- Bioethics- Problems of applied research - prenataldiagnostics,HIV identification.

## **Module IV Pharmaceutical Research and the Law**

Research relating to Drugs and Pharmaceutical products – New Drug licensing - Clinical trials guidelines by WHO – European Convention - Drug licensing procedures in India, U.K. and U.S.A.

## **Module V- Biological Resources and Scientific Research**

Research on Biological Resources- International and National Approaches-Protection of research animals - Rules under PCA, Biotechnological research - Rules relating to DNA research, guidelines by Bio Safety Commission - Cloning of Human beings. Human rights and ethical issues.

### **References**

- 1 John de la Mothe (Ed.), Science, Technology and Governance, Chap.9., Cassell, London1999
- 2 World Drug Report, UN International Drug Control Programme.
- 3 Casino Marco Mazzoni, Ethics and Law in Biological Research, Kluwer Law International,2002
- 4 Ted Peters, Playing God? Genetic Determinism and Human Freedom, Routledge,2014



## **3 Year. LL.B ( Regular ) Syllabus – 2020**

- 5 Michael Freeman (Ed.), Science in Court, Routledge,1998
- 6 Ziman, The World of Science &the Rule of Law,OUP,1986

### **9. SCIENCE, TECHNOLOGY AND LAW 20-271-0509**

#### **Course Objectives**

This course aims at critically evaluating the challenges for Law in the wake of scientific advancements and the resultant technologies. As science challenges a lot of conventional concepts, ethics and morality, Law has to create a balance between restricting the misuse of the same, while to allow its use for the welfare of mankind. This course aims at having a vivid idea of the international as well as national norms in this regard, having the human rights overtones as the basis. The course intends to cover the contemporary judicial and legal trends in this area.

#### **Learning outcomes**

After completing the course, the students should be able:

- To understand the conflict between ethics, and morality on the one hand, and scientific advancement on the other and the role of Law in balancing them.
- To develop the capacity to be balanced while approaching the conflict between ethics which is often a religious conviction and use of technologies.
- To realize the importance and the need for a law student to have adequate knowledge in all fields of knowledge including in science.

#### **Module 1- Science and Social Conflicts**

Impact of science on society – Scientific Advancement and Traditional Values–Role of law in balancing conflict between science and customary values- rule of social acceptance of norms.

#### **Module 2- Ethics and scientific research**

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Scientific research and its social implications – science and ethics-human and animal research-ethical and legal concerns- privacy, autonomy, self-determination and other human rights in scientific research.

### **Module 3- Scientific Advancements and Law**

Science and problem of human civilization-application of scientific knowledge environmental hazards–Nuclear disaster-impact of scientific developments on environment -Law's response– State liability- limitations by Law.

### **Module 4- Biotechnology and Law**

Problems raised by developments in biological sciences–knowledge in genetics and its social-regulation on research over human body materials- human body as property- implications - ethical problems in human genetics- judicial responses- patenting living organisms.

### **Module 5- Newer Technologies and the Law**

Replacing human intelligence by artificial intelligence- legal and ethical challenges- artificial intelligence in healthcare settings- doctor-patient relationship- impact on socialization process and limitations- national and international legal measures- block chains.

#### **References**

- 1 Robin Feldman, Role of Science in Law, Oxford University Press, (1<sup>st</sup> Edn.-2009)
- 2 Rohan J. Hardcastle, Law and the Human Body- Property, ownership and control, Hart Publishing,2009
- 3 Kevin D. Ashley, Artificial Intelligence and Legal Analytics: New Tools for the legal practice in the Digital Age, Cambridge University Press,2017.
- 4 Joseph L. Daleiden, The Science of Morality: The Individual, Community, and Future Generations, Prometheus Publications, 1998.
- 5 Katri Lohmus, Caring Autonomy: European Human Rights Law and the challenge of individualism, Cambridge University Press, 2015.
- 6 Sarah Devaney, Stem Cell Research and the Collaborative Regulation of Innovation, Routledge Publishers,2017.
- 7 Rajeev Kuman Singh, Patenting of life forms: Ethical dimensions and judicial trends, Lap Lambert Academic Publishing, 2013
- 8 Dr. Gurmanpreet Kaur, Nuclear Policy and Law, Sathyam Law International,2018.
- 9 ICRIER Health Policy Initiative, Challenges and Prospects for Clinical Trials in India: A Regulatory Perspective, Academic Foundaiton,2018
- 10 Russell Sandberg, Religion, Law and Society, Cambridge University Press, 2014.

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## **Semester - VI**

### **1. Moot Court Exercise and Internship 20-271-0601**

#### **Course Objectives:**

Moot courts are simulation exercises intended to develop advocacy skills in students. Through this course, it is intended to impart practical skills of research, case analyses and strategy, witness handling, and presentation of arguments at the trial and appellate stages of a case. The course is divided into four components dealing with the moot court, mock trial, court visit, and viva voce/attendance. The course exposes the students to the system of administration of justice through court visits, chamber visits and internships. The students shall work in teams. All students are required to be present in all the classes to maximise the learning opportunities.

#### **Learning Outcome:**

On successful completion of this course, the student will be able:

- To articulate and communicate logical and legal arguments.
- To develop analytical, research, writing and public speaking skills.
- To learn skill of doing client interview, preparing a case and conducting trial in courts and other judicial forums.

#### **Course Contents:**

##### **I. Moot Court Exercise (30 marks)**

The course teacher will assign three moot court problems to the students and they have to work on all three problems assigned. Students should prepare written submission and present arguments in a moot court setting. Written submission, judgment and oral arguments shall carry 5 marks each. Each student will prepare a case only on one side. The memorial specification given by course teacher should be strictly followed. The oral performance will be evaluated on the basis

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of communication skills, application of facts, persuasion, use of authorities, and response to questions.

### **II. Mock Trial and Case Analysis (30 marks)**

The students are required to do the mock trial and case analysis of two cases, one civil and one criminal. Each student will be required to function as lawyer and witness in the mock trials simulated in the classroom. Case analysis, written submission, examination-in-chief, cross-examination, performance as witnesses and final arguments shall carry 5 marks each.

### **III. Court visit/Chamber visits, Internship(30 marks)**

Chamber Visit- Every student shall attend a practicing lawyer's office. The lawyers should have a minimum of 10 years standing at the Bar. A minimum of two hours are to be spent daily with the lawyer observing client dealings, drafting, conducting fact investigations, etc., for at least twenty-four days in the semester. At the end of internship, a certificate confirming the student's attendance at the lawyer's office will have to be produced.

In the chamber visit they are required to do and record the following:

- a. Draft minimum of two documents in an ongoing case.
- b. Read minimum four case files to learn how files are prepared and maintained.
- c. Learn how to maintain records and accounts.
- d. Do legal research in at least two cases.
- e. Observe client interview and counselling with the permission of the lawyer and client in at least two cases.

Court Visit- During the court visit, the students shall observe the trial of one civil and one criminal case. Students may be required to attend two trials in the course of the last two or three years of LL.B. course. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. They should maintain a record and write a report of their observation of the following stages:

- a. Framing of charge or issue
- b. Examination in chief
- c. Cross Examination
- d. Final arguments

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Internship Diary -Students are required to maintain a record of their field visit,work done during internship. Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office, the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. **This will be recorded in the diary, which will carry 15 marks.** The diary should contain two parts:

1. Information about work done during their internship.
2. Two legal documents drafted by them during internship should be attached.

The record shall be an integral part of the course and it will be evaluated in terms of reflection about the learning experiences of the student. The record must be written in their own words. If two or more students are found to have copied each other's language,both/all the students who are found to have copied will be given zero marks for the work.

#### **IV. Viva Voce.**

The last component of this course will be a viva voce on all the above three components. This will carry 10 marks.

#### **Reference:**

1. Dr. Kailash Rai, Moot Court, Pre - Trial Preparation and Trial Proceedings and Viva - Voce, Asia Law House, 2018.
2. John Korzen,Make Your Argument: Succeeding in Moot Court and Mock Trial, Kaplan Publishing, 2010.
3. Dr. Kailash Rai, Moot Court - Pre-Trial Preparations and Participation in Trial Proceedings,Central Law Publications, 2015.
4. David Pope & Dan Hill,Mooting and Advocacy Skills, Sweet and Maxwell, 2011.
5. Abhinandan Malik,Moot Courts & Mooting, Eastern Book Company,2015.
6. NR Madhava Menon, Clinical Legal Education, EBC, 1998.

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## **2. Environmental Law**

**20-271-0602**

### **Course Objectives:**

The primary objective of the course is to explain the role of law, policy and institution in the Protection, conservation and management of environment and natural resources. The various multilateral environmental agreements and doctrines are taught to the students. The course introduces the students to the environmental jurisprudence in India and also equip them with the skills needed for interpreting laws, policies and judicial decisions. The course intends to cover the contemporary judicial and legal trends in this area.

### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To acquire the ability to evaluate the role of law and policy in conservation and management of natural resources and prevention of pollution.
- To acquire overview of the major environmental statutes as well as relevant common law doctrines.
- To develop understanding of the variety of regulatory techniques that have been applied to deal with environmental problems and the attributes, advantages and disadvantages of each.

### **Course Contents:**

#### **Module I: Introduction to Environmental Law**

Environment: meaning and scope –History and Development of Environmental Law in India  
- provisions in the Indian Constitution - Indian Penal Code - Criminal Procedure Code.

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## **Module II: Multilateral Environmental Agreements and Doctrines**

Environmental Protection under International Law - Sustainable Development - Precautionary Principle, Polluter Pays Principle, Public Trust Doctrine – Montreal protocol- Framework convention on climate change.

## **Module III: Protection of Forest Protection and Wildlife**

Protection of Forest - Forest Laws and policies in India – Judicial approach to forest conservation – Rights of forest dwellers – Wildlife Protection – Bio-diversity Conservation.

## **Module IV: General and Specific Environmental Protection Laws**

Protection of Land, Water, Air and Environment–machinery for control of pollution–wetland conservation–Noise Pollution–Environmental Impact Assessment–Marine Environment- Coastal Regulation Zone

## **Module V:Judiciary and Environment**

Liability for Environmental hazards - Public Liability Insurance Act 1991 - Judicial review of environmental decisions - evolution of right to environment – National Green Tribunal.

### **Reference:**

- 1 Rodgers, Environmental Law. (1994)
- 2 P. Leelakrishnan, Environmental Law in India. (5<sup>th</sup> Edition,2018)
- 3 P. Leelakrishnan, Environmental Law Case Book. (2<sup>nd</sup> Edition)
- 4 Armin Rosencranz, et.al. - Environmental Law and Policy in India. (2<sup>nd</sup> Edition,2002)
- 5 Satish C. Sastri, Environmental Law (5<sup>th</sup> Edition,2015)
- 6 Ashok A. Desai, Environmental Jurisprudence (2<sup>nd</sup> Edition,2002)
- 7 Jaswal, P. S. and Jaswal, N., Environmental Law (2017)
- 8 Dr S Shantha Kumar, Introduction to Environmental Law, Eastern Book Company, (2<sup>nd</sup> Edition)

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

### **Statutes :**

1. Water (Prevention and Control of Pollution) Act,1974
2. Air (Prevention and Control of Pollution) Act,1981
3. Environmental Protection Act,1986
4. Wildlife Protection Act,1972
5. Biological Diversity Act,2002
6. National Green Tribunal Act,2010
7. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act,2006
8. The Forest Conservation Act,1980
9. Public Liability Insurance Act,1991
10. Coastal Regulation Zone Notification
11. Environmental Impact Assessment Notification

### **3. Labour Law II (Social Securities Law)**

**20-271-0603**

### **Course Objectives**

Uncertainties are a part of life and, in most cases, beyond the withstanding capacity of an ordinary labourer. Such situation calls for the assistance of certain person with deeper pockets or the society as a whole so that we can function smoothly. This course introduces the students with the concept of social security and its different forms by which the society at large take care of its employees at their vulnerable periods. The course intends to cover the contemporary judicial and legal trends in this area.



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## **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To appreciate the protection of social security measures
- To appraise the situations in which different types of social security measures can be invoked and by whom.
- To assess the lacunae in the law in practice as opposed to the concept of social security

## **Course Contents:**

### **Module I: Social Security**

Concept, meaning and significance – relation with notion of welfare State – Constitutional perspective of social justice – international norms on social security – role of ILO – its Conventions and Recommendations on social security

### **Module II: Employees Compensation**

Notions of employee, compensation, dependent, wages, total and partial disablement – doctrine of notional extension – employer's liability to pay compensation – cases of personal injury and occupational disease – amount of compensation, duration and return – authority for determination of compensation

### **Module III: Employees State Insurance**

Notions of employer, employee, dependant, employment injury, disablement and its – ESI Funds – contributions – benefits under the Act kinds – ESI Corporation – its constitution, appointment and termination of members, their tenure – Standing Committee – Medical Benefits Council – establishment of hospitals by Corporation

### **Module IV: Gratuity**

Meaning of employer, employee, continuous service and gratuity – payment and forfeiture of gratuity – determination of the amount of gratuity – exemption to pay gratuity – authorities under the Act

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## **Module V: Other measures**

Maternity Benefit – scope of the Act – meaning of employer, maternity benefit, miscarriage and wages – right to payment of maternity benefit – available benefits – restrictions on employer; Provident Fund – notion – common provident fund –; Pension – notion; other kinds of benefits – old age – unemployment

## **Reference**

1. S.C. Srivastava, Social Security Laws, Eastern Book Co., 2005
2. Victor George, Social Security and Society, 2018.
3. Harry Calverty, Social Security Law, 1974.
4. R.N. Choudhary, Commentary on the Employees Compensation Act,1923, Orient Publishing Co., 2019.
5. KD. Srivastava, The Payment of Bonus Act,1965, Eastern Book Company, 2003.
6. R.G. Chaturved, Law of Employees Provident Funds, Bharat Law House, West Thomson Reuters, 2017

## **4. Principles of Taxation Law**

**20-271-0604**

### **Course Objective:**

The primary objective of the course is to explain the principles of taxation law. It discusses the constitutional scheme of taxation in India and legislations pertaining to direct and indirect taxes. The course will help them understand the principles governing assessment of tax and the remedies available under various taxation statutes. The course intends to cover the contemporary judicial and legal trends in this area.

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## **Learning Outcome:**

On successful completion of this course, the students will be able:

- To understand the general principles relating to taxation law.
- To identify different kinds of tax and the deductions.
- To analyse the main tax legislations, the assessment method, the powers and functions of statutory authorities.

## **Course Contents:**

### **Module I: Introduction**

Concept of tax- Canons of tax –Elements of taxation and principles of an optimal tax system - Taxation power and constitutional scheme of taxation in India -Classification of taxes- Concept of fee, cess and surcharge- Concept of regulatory tax- Concept of compensatory tax.

### **Module II- Direct Tax**

Direct Tax and Indirect taxes- Fundamental differences-Tax on income of individual- corporation tax- Capital gain tax- Agricultural income tax- Deductions and exemptions under Income Tax Act- Tax planning, tax avoidance and tax evasion- Deduction of tax at source- Double taxation avoidance agreement.

### **Module III- Indirect Tax**

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

Kinds of Indirect taxes- Unification of indirect taxation system-Taxation and co-operative federalism, Avoidance of cascading effect in indirect taxes- Concepts of input tax, output tax, presumptive tax and reverse tax- Tax on sale and supply of Goods and Services -GST – Customs Duties- Tax on sales of specified goods like petroleum products and liquor- Tax on E-commerce.

### **Module IV- Other Kinds of Tax**

Tax on motor vehicles- Tax on Land and Buildings- Taxes collected by the local authorities- Property tax, Entertainment tax- Professional tax.

### **Module V- Tax Assessment**

Assessment and remedies under various taxation statutes-Appellate and revisional forums and its hierarchy- Settlement commission- Compounding of offences- Penalties and prosecutions for non-compliance.

### **Reference:**

1. Dr.Girish Ahuja, Systematic Approach to Income Tax, Wolters Kluwer, 2020.
2. Dr.Girish Ahuja and Dr.Ravi Gupta, Systematic Approach to Taxation, Bharats, 2014-2015
3. Vinod Singhania, Direct Taxes Law and Practice, Taxmann, 2020-21.
4. Vinod Singhania, Deduction of Tax at Source, Taxmann, 2019.
5. Bomi F Daruwala, Bharat's Handbook to Direct Taxes, 2018.
6. R.K Jha and P.K. Singh, A Birds Eye view of GST, (Asia Law House) Hyderabad, 2017.
7. V.S Datey, GST Law and Praticce with Customs and FTP, Taxmann, 2017.
8. India's Income Tax Laws, India Law Series, 2013.
9. Justice Dimampao, Tax principles and Remedies, Rex Books.

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

10. S. Gupta, GST- Law and Practice, Taxmanns Publications, New Delhi.
11. Double Taxation Avoidance Agreement, Snowwhite, 2014.
12. T.N. Manoharan and G.R. Hari, Handbook on Taxation (includes Income Tax Law and Goods and Service Law), 2017.
13. Dr N K Gupta & Vineet Gupta, Goods and Service Tax (Law, practice and Procedures), Bharat Law House, 2018.
14. Aravind P Datar , The Law and Practice of Income Tax , Lexis Nexis, 11<sup>th</sup> edition

### **General Electives for Semester VI (choose any 1 paper)**

#### **5. Air and Space Law**

**20-271-0605**

##### **Course Objectives:**

This course is intended to provide an idea about the need for protection of outer-space as well as law relating to regulation of various activities in outer-space. This course also provides an insight about international laws regulating air traffic management, civil aviation and laws to prevent and control to environmental pollution by space objects and aircrafts. The course intends to cover the contemporary judicial and legal trends in this area.

##### **Learning Outcomes:**

On successful completion of this course, the students should be able:

- To understand fundamental principles for the regulation of activities in space.
- To find a solution for various disputes arises between nations in relation to activities in space.

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- To understand the basics of air traffic management and civil aviation
- To pursue higher studies in air and space law as it is an emerging branch of law.

### Course Contents:

#### **Module I: Introduction**

Definition of Air law - Nature, scope and source - Development of air laws (Paris Convention 1910, Paris Convention 1919, Madrid Convention 1926, Havana Convention 1928, Warsaw Convention and Chicago Convention 1944) - Freedom of the air and sovereignty in the air

#### **Module II: Air Traffic Management**

Legal regime - State obligation to provide air navigation services - ICAO - Membership and organs of ICAO -Legislative, administrative and judicial functions - Economic and technical regulations

#### **Module III: Safety and Security in Civil Aviation**

Liability in international civil aviation - Manufacturers, operators, operators' agents and maintenance contractors - Third party liability for surface damage - Rights and Privileges of air passengers – Rules relating to Air Cargo - Aviation related Environmental Problems - Aviation Insurance - Aviation terrorism - International norms: conventions, protocols and regulations - Regulations in India - Air safety provisions - Settlement of Aviation Related Disputes

#### **Module IV: Space Law and International Treaties**

Definition, nature, scope and development – Sources - International and Intergovernmental Organizations - Non-governmental Organizations and Space Activities - UN and Outer Space The Law of Outer Space - principle of res communism– UN General Assembly resolution 1962 (XVII) adopted in 1963 – The treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies 1967

- Convention on International Liability for Damage Caused by Space Objects, 1972 - Convention on the Registration of Objects Launched into Outer Space 1974 -Principles Relevant to the Use of Nuclear Power Sources in Outer Space 1993 - The Agreement on the

Return of Objects Launched into Outer Space 1968 - Agreement Governing the Activities of States and other Celestial Bodies 1979 - Declaration of Guiding Principles on the Use of Satellite Broadcasting (UNESCO) 1972 - Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting 1983 - Principles on Remote Sensing 1986 -Geostationary orbit - Bogota Declaration 1976.

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## **Module V: Use of Space technology**

Peaceful and non-peaceful - Remote sensing - Environmental protection - Commercialization of Space Activities – Settlement of Space Disputes

### **References**

1. Frans G. von der Dunk, Harvey and Susan Perlman Alumni, Handbook of Space Law, Edward Elgar,2015.
2. Ludwig Weber, International Civil Aviation Organization, Wolters Kluwer,2017
3. Rao, Venkata, Gopalakrishnan, V., Abhijeet, Kumar (Eds.), Recent Developments in Space Law: Opportunities & Challenges, Springer,2017.
4. Hofmann Mahulena and Tanja Masson-Zwaan, Introduction to Space Law, Fourth Edition - Wolters Kluwer,2019
5. Brian F. Havel and Gabriel S. Sanchez, The Principles and Practice of International Aviation Law,2014
6. Ram S. Jakhu, Paul Stephen Dempsey, Routledge Handbook of Space Law,2016
7. Azbeyratne,RIR,LegalandRegulatoryIssuesinInternationalAviation,Transnational Publishers, NY,1997
8. Kenneth Button, Airline Deregulation: International Experiences, New York University Press,1996
9. F.G. Von Der Dunk, the International Space Station: Commercial Utilization from an European Legal Perspective, Martinus Nijhoff Publishers,2006
10. Gbenga Oduntan, Sovereignty and Jurisdiction in the Air Space and Outer Space, Routledge,2016.

# **3 Year. LL.B ( Regular ) Syllabus – 2020**

## **6. International Trade Law**

**20-271-0606**

### **Course objectives:**

This course discusses the legal system governing international trade, with particular emphasis on the law of the World Trade Organization (WTO) and the Indian legal framework on the regulation of foreign trade. The objective of this course is to give students a comprehensive overview of the world trading system, with in-depth knowledge of selected segments in this increasingly influential branch of international law. This course is designed for students who may practice in the subject area, either at private firms, think-tanks or in government, or generally for any student who would like to understand the world trading system for personal or scholarly reasons. The course intends to cover the contemporary judicial and legal trends in this area.

### **Learning outcomes:**

On successful completion of this course, the students will be able

- To explain the institutional set up of the WTO and analyze the legal structure of international trading system
- To describe and distinguish the general rules governing WTO law and the covered agreements such as GATT, GATS and TRIPS and relate it with the WTO dispute settlement mechanism
- To recognize the relevance of the regionalization of trade and identify major regional organizations establishing free trade areas and customs unions

### **Course contents:**

#### **Module I: Introduction to International Trade Law**

Basics of international trade and commerce–Historical background of the General Agreement



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on Tariffs and Trade (GATT1947)–The role of international trade in the global development – Sources of international trade law – International economic institutions

### **Module II: The WTO System**

Evolution of WTO – Legal Structure – Principles and working of WTO – Understanding the structures of the Covered Agreements – Trade in Services (GATS) – Trade related aspects of Intellectual Property Rights (TRIPS) – Dispute settlement understanding

### **Module III: General principles of non-discrimination**

Most-favored Nation Treatment (MFN) – History and Basic issues – GATT/WTO cases concerning MFN–National treatmentscopeandapplication–HistoryandBasicissues–Likeproducts – GATT/WTO cases concerning National Treatment

### **Module IV: Exceptions and trade remedies**

General exceptions – Security exceptions – Anti-dumping – Subsidies and countervailing duties – Safeguards – Protection of domestic market and India’s commitments to free trade

### **Module V: Regional Integration and trade**

Preferential trade agreements – Free Trade Areas – Customs Union – WTO Committee on Regional Trade Agreements (CRTA) – Transparency mechanism – Dispute Settlement

#### **References:**

1. Raj Bhalla, International Trade Law: A Comprehensive Textbook (4 vols.) (Carolina Academic Press2019)
2. JohnHJackson, ThejurisprudenceofGATTandtheWTO(CambridgeUniversityPress 2000)
3. MitsuoMatsushita,etal.TheWorldTradeOrganization:law,practice,andpolicy (Oxford University Press, 2015).
4. Hoekman, Bernard M., and Petros C. Mavroidis. World Trade Organization (WTO): Law, Economics, and Politics (Routledge,2007)

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5. Lester, Simon, Bryan Mercurio, and Arwel Davies. World trade law: text, materials and commentary (Hart Publishing,2018)
6. AKKoul,GuidetotheWTOandGATT:Economics,LawandPolitics(Springer2018)
7. Marceau Gabrielle Zoe ( University of Geneva) and Marquet Clement Zoe (University of Geneva) , Practices and Ways of Doing Things in the World Trade Organisation ( WTO) Law in International Law and Litigation : A look into Procedure( Ruiz- Fabri ,H., Eds) Baden- Baden ( Nomos) 2019

### **7. Law of Local Self Government**

**20-271-0607**

#### **Course Objectives:**

The course provides an understanding on the operation of the democratic process at the grass root level in India. It gives an understanding as to how the Panchayati Raj System has evolved and how governmental power devolves and operates through these institutions. The course intends to cover the contemporary judicial and legal trends in this area.

#### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To differentiate between the different levels of decision making involved in the democratic process
- To undertake social audit to evaluate the performance of these institutions and their effectiveness
- To make a critical analysis of the policies and programs initiated by these institutions

#### **Course Contents**

#### **Module I- Basic Understandings on Democratic Decentralisation**

Local Government system in the legal structure - powers and functions – governmental and

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judicial control over local government

### **Module II- Development of Panchayati Raj Institutions in India**

Evolution of Panchayati Raj System in India - a historical perspective - village panchayats in ancient India - Gandhiji's idea on village panchayat as a unit of self government

-Response of the Constituent Assembly towards the Gandhian idea - The nature, scope and spirit of Art. 40 of the Constitution.

### **Module III- Constitutional Position of Panchayati Raj Institutions**

Development of Panchayati Raj institutions in the post constitution period - Experiments in democratic decentralisation - Reports of Belwant Raj Mehta Committee, Ashok Mehta

Committee etc. Emergence of Panchayati raj with constitutional system - 73<sup>rd</sup> Constitutional Amendment - its implications and consequential developments.

### **Module IV- Functioning of Panchayati Raj Institutions**

Powers and functions of the various Panchayati Raj institutions - financial powers - finance commission - tax collection - welfare activities - Governmental and Judicial control over Panchayati Raj institutions - Local Self Ombudsman

### **Module V- Institutions of Local Self Government in the State of Kerala**

The Kerala Panchayati Raj Act, 1994 - The structure of Panchayati Raj institutions at various levels - their composition - election office bearers - meetings of the various bodies.

#### **References**

- 1 Venkata Rangaiya (Ed.), Local Government in India, Allied Publishers, 1969
- 2 William A. Robson, Local Government in Crisis, Allen & Unwin, 2<sup>nd</sup> edn, 1968
- 3 Radhakumud Mookerly, Local Government in Ancient India, Nabu Press 2012
- 4 IIPA, Proposal for Model Legislation for Municipal Corporations
- 5 K Padmanabhan Nair et al (eds), Panchayath Laws in Kerala, Swamy Law House, 1<sup>st</sup> edn 2017

## **3 Year. LL.B ( Regular ) Syllabus – 2020**

6 Dr.S.RMyneni,LocalSelfGovernment,AllahabadLawAgency,2016

7 Rahul Mudgal, LocalSelf-GovernmentinIndia,BookEnclave,1998

### **8. Private International Law 20-271-0608**

#### **Course Objectives:**

The objective of the course is to kindle academic interest in Private International Law so as to benefit future legal practice and further pursuit of legal studies. The entire gamut of Indian and English Private International Law, the theories and rules which are in consonance with the need of our contemporary society and modern thought will be the principal focus of this course. The course intends to cover the contemporary judicial and legal trends in this area.

#### **Learning Outcomes:**

On successful completion of this course, the students will be able:

- To familiarize with legal terms, significant theories, and basic legal rules and principles of Private International Law and the ways in which PIL cases are dealt in India
- To analyse the different personal laws in relation to problems that arise when courts are dealing with persons domiciled in India with foreign nexus
- To understand the problems of persons living abroad in the field of contracts, companies and insolvency arising out of international trade and cross border investment.

#### **Course Contents:**

#### **Module I – Introduction to Private International Law**

Nature and scope of private international law – Theories and fundamental concepts -

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Codification of Private International Law – Distinction between Public International Law and Private International Law - Choice of Law – Renvoi – Concept of Domicile

## **Module II – Jurisdiction**

Jurisdiction involving foreign elements – persons – status and capacity - Jurisdiction over Corporations – Forum shopping – Forum non-convenience – Anti-suit injunctions

## **Module III – Family and Property Law**

Family Law matters - validity and effect of marriage - divorce - legitimacy - adoption – Recognition of Foreign Adoptions - Adoption by foreign Parents - guardianship and maintenance - property - transfer - succession - administration of estates.

## **Module IV – Contractual Relations and Tortious Liability**

Contract – formation – Interpretation - Illegality and discharge – Torts – Double Action ability rule – Insolvency Jurisdiction and effects of foreign insolvency proceedings.

## **Module V – Foreign Judgement, Decrees and Awards**

Foreign judgment – Recognition - Procedure and evidence – Stay of Proceeding – Proof of foreign law – Enforcement of foreign judgments, decrees and Foreign Arbitral Awards

### **References**

1. R.S. Chavan, Indian Private International Law, Sterling Publishers Pvt. Ltd.,1982.
2. Dicey A V & Morris J H C Conflict of Laws (Sweet & Maxwell2018)
3. North and Fawcett, Cheshire and North's Private International Law, OUP2017
4. Aba Mayss, Principles of Conflict of Laws, 3<sup>rd</sup> ed. Cavendish Publishing Ltd., U.K., 1999.
5. John O'Brien, Smith's Conflict of Laws, Cavendish Publishing Ltd., U.K.,1999.
6. Atul M. Setalvad, Conflict of Laws, Lexis Nexis, Nagpur,2009
7. Paras Diwan and Peeyushi Diwan, Private International Law, Deep and Deep Publications, Delhi,1998.
8. V. C. Govindaraj, The conflict of Laws in India, Oxford University Press,2019

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## **9. SECURITIES LAW 20-271-0609**

### **Learning Objectives:**

The primary objective of the course is to identify different kinds of 'securities' and examine the features of different kinds of securities. It enumerates the functioning of securities market. It analyses the role of regulators in securities market and securities market intermediaries. It helps the students in understanding the role and functioning of stock exchanges. It introduces various kinds of alternate investment funds available in the market. The course intends to cover the contemporary judicial and legal trends in this area.

### **Learning Outcome:**

On successful completion of this course, the students will be able:

- To develop an idea about securities market and its effect on economy
- To understand the law governing securities market
- To acquire knowledge about legal compliances to be satisfied for issue of securities

### **Course Contents:**

#### **Module I: Introduction**

Meaning of 'securities' - Kind of securities - Shares and debentures - Hybrid securities - Government securities-Depository Receipts- Need for securities market regulation- Securities Market and Economic growth-Securities market reforms- International organization of securities commissions (IOSCO)

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## **Module II: Securities Market**

Securities markets regulation- Jurisdiction, powers and functions of SEBI- Control over stock exchanges- Primary market-secondary market - Governance of stock exchanges-Corporatization and demutualization of Stock exchanges- Depositories– dematerialization - Stock Exchanges in International Financial Service Centres.

## **Module III: Role of Market Intermediaries**

Securities market intermediaries- Regulatory controls- Stock exchanges- merchant bankers- credit rating agencies – Underwriters -share transfer agents-Clearing corporations, Credit Rating agencies-Self-regulatory organizations (SRO).

## **Module IV: Trading in Securities**

Sale and Purchase of securities-Investor Protection- Role of SEBI- Redressal of grievances- Prohibition of fraudulent trade practices–Market manipulation-Insider Trading.

## **Module V: Alternate Investment Funds**

Mutual funds, venture capital funds, angel funds, collective investment schemes - Hedge Funds- Real Estate Investment funds - Private Equity.

## **References**

1. Taxmanns, Securities Laws & Capital Markets,2019.
2. Timothy Spangler, Law of Private Investment Funds, Oxford,2018.
3. Raghvendra K. Singh and Shailendera K. Singh, Law and Regulation of Public Offering of Corporate Securities, Oxford,2016.
4. Kondaiah Jonnalagadda, Securities Law, Lexis Nexis,2015.

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5. Sumit Agrawal & Robin Baby, SEBI Act- A Legal Commentary, Taxmann,2011.
6. Niamh Moloney, Oxford Handbook of Financial Regulation, OUP,2014
7. Nicholas L. Georgakopoulos, The Logic of Securities Law, Cambridge,2017.
8. Cumming & Johan,Venture Capital and Private Equity Contracting, Elsevier,2013
9. Henry Conac & Gelter, Global Securities Litigation and Enforcement, Cambridge, 2019.
10. Jonathan Fisher, Law on Investor Protection, Sweet and Maxwell,2003
11. Ajay Goel, Capital Markets and Securities Laws, Bharat Law House,2015.
12. Neha Bhuwania, Guide to Private Equity, Taxmann, 2014.

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