

**Syllabus
for
Law (LLM) (COQP14)**

Law (LLM) (COQP14)

Note:

- i. There will be one Question Paper which will have 100 questions.*
- ii. All questions will be compulsory.*
- iii. The Question Paper will have two Parts i.e. Part A and Part B:*
- iv. Part A will have 25 questions based on Language Comprehension/Verbal Ability, General Awareness, Mathematical/Quantitative ability and Analytical Skills.*
- v. Part B will have 75 questions based on Subject-Specific Knowledge.*

Law (LLM) (COQP14)

CONTRACT: GENERAL PRINCIPLES OF CONTRACTS

UNIT I - History – Formation of Contract – Agreement and Contract – Definitions – Classification - Offer and Acceptance – Communication – Revocation – Essential elements – Invitation to Offer – Tenders. Consideration – Nudum Pactum - Essential elements – Privity of Contract and of Consideration – Exceptions – Unlawful Consideration and its effect. Contractual Ability – Electronic Documents as Web Pages – Digital Certificates as Entry Passes – Time and Place of Contract – Secured Custody of Electronic Records.

UNIT II - Capacity to Contract – Minor's Agreements and its effects – Persons of unsound mind – Persons disqualified by Law. Free Consent – Coercion - Undue influence – Misrepresentation – Fraud – Mistake – Legality of Object – Void Agreements – Agreements against Public Policy – Wagering Agreements – Its exceptions – Contingent Contracts.

UNIT III - Discharge of Contracts and its various Modes – by performance – Time and place of performance Performance of reciprocal promises - Appropriation of Payments – Discharge by Agreement – By operation of Law – By frustration (Impossibility of Performance) – By Breach (Anticipatory and Actual).

UNIT IV - Remedies for Breach of Contracts – Damages – Remoteness of damages – Ascertainment of damages -Injunction – When granted and when refused– Restitution – Specific performance when granted Quasi Contracts.

UNIT V - The Specific Relief Act Nature of Specific Relief – Recovery of Possession of movable and immovable Property – Specific performance when granted and not granted – Who may obtain and against whom – Discretionary remedy – Power of Court to grant relief – Rectification of instruments – Cancellation Declaratory decrees – Preventive relief – Temporary injunctions – Perpetual and Mandatory Injunctions. Government as a contracting party: Constitutional provisions – Government powers to contract – Procedural requirements – Kinds of Government Contracts, their usual clauses, performance of such contract, settlement of disputes and remedies.

CONSTITUTION

UNIT I - Salient Features of the Indian Constitution, Preamble, Citizenship, Fundamental Rights.

UNIT II - Directive Principles of State Policy, Fundamental Duties, Parliamentary Government, Bicameralism, Legislative Process, Privileges, Council of Ministers, President of India, Governor.

UNIT III - Judicial process under the Constitution, Nature of Judicial Review, Judicial Review Arts.32, 226 and 227, Court system in India, Judges- Appointments, conditions of service, etc., Advisory Jurisdiction of the Supreme Court, Public Interest Litigation, Activism v. Restraint.

Law (LLM) (COQP14)

UNIT IV - Federalism, Center-State Relations, Freedom of Inter State Trade, Methods of Constitutional Amendment, Limitation on Constitutional Amendment.

UNIT V - Emergency provisions, Services under the State, State Liability.

LAW OF TORTS

UNIT-I Evolution of law of torts- Nature and scope of law of torts; Meaning; Torts distinguished from Contract; Crime- Development of Ubi jus ibis Remedios; Mental elements Intention, Motive, Malice in Law and in Fact.

UNIT-II General Defense, Vicarious Liability.

UNIT-III Negligence; Nuisance; Absolute and Strict liability. Legal Remedies-Awards-Remoteness of damage.

UNIT-IV Torts against person: Torts affecting body- Assault, Battery, Mayhem and False Imprisonment; Torts affecting reputation-Libel and Slander, Torts affecting freedom Malicious Prosecution, Malicious Civil Action and Abuse of Legal Process; Torts affecting domestic and other rights-Marital Rights, Parental Rights, Rights to Service, Contractual Rights, Intimidation and Conspiracy; Torts against property.

UNIT- V Consumer Protection Act, 1986

FAMILY LAW: HINDU LAW

UNIT – I Introduction - Concept of Dharma - Sources of Hindu Law – Modern and Ancient - Importance of Dharma Shastra on Legislation – Two Principal Schools of Hindu Law - Application of Hindu Law.

UNIT – II Marriage and Kinship - Evolution of the Institution of Marriage and Family- Law Prior to Hindu Marriage Act -A detailed study of Hindu Marriage Act, 1955 -Matrimonial Remedies - Maintenance and Alimony; Customary Practices and legislative provisions relating to dowry prohibition.

UNIT – III Hindu undivided family – Mitakshara Joint Family - Formation and Incidents - Property under both Schools – Kartha: His Position, Powers, Privileges and Obligations - Debts –Doctrine of Pious Obligation - Partition and Reunion –Religious and Charitable Endowment.

UNIT – IV Inheritance and Succession - Historical perspective of traditional Hindu Law relating to Inheritance - A detailed study of Hindu Succession Act, 1956. Stridhana- Woman’s Property - Recent State and Central Amendments to Hindu Succession Act; Gifts and Testamentary Succession – Wills.

UNIT – V Law relating to Hindu Minority and Guardianship: Kinds of Guardians; Duties & Powers of Guardians; A detailed study of Hindu Adoption and Maintenance Act, 1956; Maintenance: Traditional Rights and Rights under Hindu Adoption & Maintenance Act 1956.

CRIMINAL LAW: INDIAN PENAL CODE

UNIT – I General Principles of Crime; Conceptions of Crime; Distinction between Crime and other wrongs under common Law – Crime and morality distinction – Circumstances when morality amounts to crime - State’s responsibility to detect, control and punish crime. Principles of criminal liability – Actus reus and men’s rea (also statutory offences) and other maxims; Variations in liability – Mistake, intoxication, compulsion, legally abnormal persons; Possible parties to the crime: Principal in the I degree; Principal in the II degree; Accessories before the fact; Accessories after the fact. Indian Penal Code: General Explanation, Sections 6 – 33 and 39 – 52A; Punishment, Sections 53 – 75- Social relevance of Capital Punishment - Alternatives to Capital Punishment - Discretion in awarding punishment and minimum punishment in respect of certain offences with relevance to precedents (judgements).

UNIT – II General Exceptions: Sections 76 – 106; Criminal act by several persons or group: Sections 34 – 38; Abetment: Sections 107 – 120; Criminal Conspiracy: Sections 120A & 120B; Offences against

Law (LLM) (COQP14)

State: Sections 121 – 130; Offences against the public tranquility: Sections 141 – 160; Offences relating to election: Sections 171A – 171; Contempt of lawful authority and public servants: Sections 172 – 190; False evidence and offences against public trust: Sections 172 – 229; Offences relating to coins and Government Stamps: Sections 230 – 263A; Offences relating to weights and measures: Sections 260 – 294A; Offences relating to religion: Section 295 – 298.

UNIT – III Offences affecting human life, causing miscarriage, injuries to unborn children - Exposure of infants, concealment of birth - Hurt, Grievous Hurt- Wrongful restraint - Wrong confinement - Criminal force and Assault (Sections 299 – 358).

UNIT – IV Kidnapping, Abduction - Slavery and forced labor – Rape: custodial rape, marital rape - Prevention of immoral traffic - Prevention of sati - Prohibition of indecent representation of women - Unnatural offences, theft, robbery and dacoity - Criminal Misappropriation of property - Criminal breach of trust - Receiving of stolen property – Cheating - Fraudulent deeds and disposition of property (Sections 378 – 424).

UNIT – V Mischief (Sections 425 – 440) - Criminal Trespass (Sections 441 – 462) - Offences relating to document and property marks (Sections 463 – 480) - Offences relating to marriage (Sections 493 – 498 A) - Defamation (Sections 499 – 502); Criminal intimidation and annoyance and attempt to commit such offences (Sections 506 – 511).

CONTRACT-II

UNIT – I Contract of Indemnity – Documents/Agreements of Indemnity - Definition, Nature and Scope - Rights of indemnity holder – Commencement of the indemnifier’s liability – Contract of Guarantee – Definition, Nature and Scope – Difference between contract of indemnity and Guarantee – Rights of surety – Discharge of Surety – Extent of Surety’s liability – Co-surety. Contract of Bailment – Definition – Kinds – Duties of Bailer and Bailee – Rights of Finder of goods as Bailee – Liability towards true owner – Rights to dispose of the goods. Contract of pledge – Definition – Comparison with Bailment – Rights and duties of Pawn or and Pawnee

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

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

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

UNIT – IV Sale of Goods Act – The Contract of sale – Conditions and Warranties – Passing of property – Transfer of title – Performance of the Contract – Rights of Unpaid Seller against goods – Remedies for Breach of Contract

UNIT – V Hire Purchase Act 1972 – Rights and Obligation of the Hirer and Owner, Form and contents of Hire Purchase Agreements, Warranties and Conditions - Standard Form of Contracts: Nature, Advantages

– Unilateral Character, Principles of Protection against the possibility of exploitation – Judicial Approach to such Contracts – Exemption Clauses – Clash between two standard forms of contracts.

COMPANY LAW

UNIT – I The Companies Act, 1956 – Corporate Personality and its kinds – Promoters – Registration and Incorporation – M O A

UNIT – II AOA – Prospectus – Directors – Meetings – Role of Company Secretary – Dividends; Brief analysis of corporate ethics.

UNIT – III Issue of Shares – Types of Shares – Debentures – Procedure for allotment of shares and debentures – share capital – Rights and privileges of shareholders – Preventions of Oppression and

Law (LLM) (COQP14)

Mismanagement – Different modes of winding up of companies.

UNIT - IV SEBI Act, 1992; Securities Contracts (Regulation) Act, 1956 and Rules.

UNIT - V FEMA Act, 1999; Competition Act, 2002; Brief introduction to BPO & LPO

PROPERTY LAW

UNIT – I General principles of Transfer of Property by Act of parties inter- vivos- Concept and meaning of immovable property- Transferable Immovable Property- Persons Competent to transfer - Operation of Transfer- Conditions restraining alienation and restrictions repugnant to the interest created- rule against perpetuity and exceptions- Direction for accumulation- Vested and Contingent interest.

UNIT – II Doctrine of election- transfer by ostensible and co-owner- Apportionment- Priority of rights- Rent paid to holder under defective title- Improvements made by bonafide holder Doctrine of Lis pendens- Fraudulent transfer and part-performance.

UNIT – III Mortgages of Immovable property: Definition- Kinds of mortgages and their features Rights and liabilities of mortgagor and mortgagee- Priority of securities- Marshalling and contribution- Charges.

UNIT – IV Sale of immovable property: Rights and liabilities of seller and buyer before and after completion of sale- Difference between sale and contract for sale; Leases of immovable property: Definition- Scope- creation of lease- rights and liabilities of lessor and lessee Determination and holding over; Exchange: Definition and mode- Actionable Claims; Gifts: Scope- meaning- mode of transfer- universal gifts- onerous gifts.

UNIT – V Law of Trusts with Fiduciary Relations: Definitions of Trust and its comparison with other relationships like Debt, Ownership, Bailment, Agency and Contract; Kinds of Trusts- Creation of Trust- Appointment of Trustees- Duties and Liabilities of Trustees Rights and Powers of Trustees- Disabilities of Trustee- Rights and Liabilities of the Beneficiary- Vacating the office of trustee and Extinction of Trusts.

ADMINISTRATIVE LAW

UNIT – I Evolution- Nature and Scope of Administrative Law- Relation with Constitutional Law Separation of powers and concepts- Rule of law- Council d' Etate, (French system) - Classification of Administration Action- functions- Administrative direction and discretion.

UNIT – II Legislative power of the administration- Extent of delegation and control over delegated Legislation- Sub-delegation- Judicial- Parliamentary control over delegated Legislation.

UNIT - III Judicial power of Administration- Nature of procedure- Principles of Natural justice Effect of non-compliance with principles of Natural Justice- Exception to principles of Natural Justice.

UNIT – IV Judicial control of administrative action – Writs, Principles and Procedure - Public Law Review and Private Law Review of Administration action- Liability of State – Torts, Contract- Promissory Estoppel-Government Privileges- Right of information- Doctrine of Legitimate expectation- Doctrine of Accountability- Waiver- Doctrine of Proportionality.

UNIT – V Corporations and Public undertaking- Commission of Enquiry- Ombudsman in India (Lokpal and Lokayuktha) - Central Vigilance Commission- Parliamentary Committees Civil services in India- Accountability and responsibility- Problems and Prospective Administrative deviance- Corruption- Mal-administration- Control mechanism of Accountability.

FAMILY LAW –II: MOHAMMEDAN LAW AND INDIAN SUCCESSION ACT

UNIT-I Development of Islamic Law: Advent of Islam & development of Muslim Law, Schools of Islamic Law, the Shariat Act, 1937; Concept of Marriage: Definition, object, nature, essential

Law (LLM) (COQP14)

requirements of a Muslim marriage, classification of marriage - Legal effects of valid, void and irregular marriage - Muta marriage; Sources of Islamic law; Customary practices and State regulation: Polygamy; Child marriage; Pre-emption; Wakf; Dower.

UNIT-II Conversion and its consequences on family: Marriage, Guardianship, Succession; Child and Family: Legitimacy, Custody, maintenance and education, Guardianship and parental rights.

UNIT-III Matrimonial Remedies under Islamic Law and Indian Divorce Act, 1869(Amended Act) - Nullity of marriage - Bar to matrimonial relief; Alimony and Maintenance: Alimony and Maintenance as an independent remedy- A review under Muslim law, Indian Divorce Act, 1869, provisions under the Criminal Procedure Code, 1973; Maintenance of divorced Muslim Women under the Muslim Women (Protection of Rights on Divorce) Act, 1986.

UNIT-IV Will and Inheritance: Will- Meaning, difference between will and gift, Will made in death bed or during illness; Muslim law of Inheritance- Shia and Sunni schools; Distribution of property under Indian Succession Act of 1925(Of Christians, Parsis and Jews) - Domicile - Parsis Intestate succession and Non Parsis Intestate succession, Succession certificate, Probate and letters of administration, powers and duties of executor.

UNIT-V Wills – Privileged and unprivileged wills - Construction of Wills in brief - Void bequests, void wills, kinds of legacies - Protection of property of the deceased; Family Courts Act, 1984- Constitution, powers, and its functions; Need for Uniform Civil Code- Article 44 of Indian Constitution.

ENVIRONMENTAL LAW

UNIT – I The Idea of Environment: Ancient and Medieval Writings, Traditions, Natural and Biological Sciences – Perspectives: Modern concept, Conflicting dimensions, recent issues -Environment and sustainable development - National and International Perspectives - Population and Development.

UNIT– II Environmental Policy and Law: Environmental Policy : Pre & Post Independence Period; From Stockholm to Johannesburg Declaration (Rio) and Role of Government - Five year Plans - Forest Policy - Conservation strategy - Water Policy; Conservation of Natural Resources and its Management; Constitution and Environment: Right to Environment - Constitutional provisions on Environment and its Protection - Role of Judiciary on Environmental issues - Evolving of new Principles - Polluter pays principle
- Precautionary principle - Public trust doctrine.

UNIT - III International Law and Environmental Protection: International conventions in the development of Environmental Laws and its Policy - From Stockholm to recent conventions (Special Emphasis on Major conventions & Protocols) - Control on Marine Pollution; Common Law aspects of Environmental Protection; Remedies under other Laws (I.P.C., C.D.C., C.P.C.) - Riparian rights and prior-appropriation.

UNIT – IV Prevention and Control of Pollution: Pollution of Water, Sources, Legal Control, The Water Act, 1974 - Pollution of Air, Modalities of control, The Air Act, 1981 - Noise Pollution and its control, Noise Pollution control order - Disposal of Waste, laws on waste, disposal and its control - Trans-boundary Pollution hazards & Regulation; Biological Diversity and Legal Order: Bio-diversity and Legal regulation - Utilization of flora and fauna - Experimentation on animals - Legal and Ethical issues - Genetic Engineering
- Wildlife Protection Act, 1972 - Forest Conservation Act, 1980 - Prevention of Cruelty against animals - Problems in Legal regulation of medicinal plants - The Plant Varieties Act - Wetland Conservation.

UNIT - V Environment Protection Act, 1986 including, Environment Protection Rules, Coastal Zone Regulation, ECO-Mark, Environment Impact Assessment, Environmental Audit, Public Participation in Environmental decision making, Environment information, public hearing, Regulation on Bio-Medical Waste.

LABOUR LAW

UNIT- I Introduction to Law of Industrial Disputes Act, 1947: Historical Aspects-Master and slave

Law (LLM) (COQP14)

relationship-Industrial revolution-Laissez-faire state-Impact of Constitution on Labor provision; Definition and law relating to Appropriate Government- Award and settlement- Industry-Industrial Dispute- Workman. Strikes and Lock-out

UNIT –II Industrial Disputes Act, 1947: Lay-off –Retrenchment- Closure - Unfair Labor Practices and Role of Government; Authorities under the Act (Chapter II) to be read with chapters II B, III and IV Adjudication and Arbitration; Restrictions on the right of the employer- Chapter IIA-Notice of change, section 11-A and sections 33,33A; Recovery of money due from an employer. Industrial Employment (Standing Orders) Act, 1946 and Disciplinary Enquiry

UNIT-III Trade Unions Act, 1926: Salient features of the enactment and important definitions - Registration of Unions, Amalgamation of Unions, Cancellation and Registration of Trade Unions, Funds of the Union, Immunity enjoyed by the Union. Workmen's Compensation Act, 1923: Emergence of the legislation-Total and partial disablement –Dependent-Workman-Wages-Liability of the employer to pay compensation and right of the workman to receive compensation-Accident "Arising out of and in the course of employment" -Occupational Disease-Doctrine of 'Added peril'

UNIT –IV Labor Welfare Legislations: The Employees State Insurance Act, 1948: Corporation, Standing Committee and Medical Benefit Council; Contributions; Benefits; Adjudication of disputes and Claims; Penalties. The Employees Provident Fund Act, 1952: Employees Provident Fund Scheme and Authorities; Miscellaneous. The Maternity Benefit Act, 1961- object and its scope.

UNIT-V Minimum Wages Act, 1948- Fixation of minimum rates of wages - working hours and determination of wages and claims The Factories Act- its essential features, Safety, Health and Welfare measures. The Contract Labor (Regulation and Abolition) Act, 1970 - object and its essential features.

CRIMINAL LAW –II: CRIMINAL PROCEDURE CODE, 1973, JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2000 AND PROBATION OF OFFENDERS ACT, 1958.

UNIT – I Introductory and Pre-trial Process Meaning of procedure; The organization of the functionaries under the Code; their duties, functions and powers; First Information Report, complaint; Arrest; Types of trial and Features of a fair trial

UNIT - II Trial Process-I: Magisterial Powers to take cognizance; Commencement of proceedings; Dismissal of complaints; Charge; Processes to compel appearance and production of things; Bail; Preliminary plea to bar trial.

UNIT - III Trial Process-II: Provisions as to Inquiries and Trials; Judgment; Appeals, Revision and Reference; Security for keeping peace and good behavior; Maintenance.

UNIT - IV Miscellaneous: Transfer of cases; Execution, suspension, remission and commutation of sentences; Disposal of property; Preventive action of the police; Irregular proceedings; Limitation of taking cognizance; Compounding of offences and plea bargaining; Criminal Rules and Practice.

UNIT - V 1. Salient features of the Juvenile Justice (Care & Protection of Children) Act, 2000. 2. Salient features of the Probation of Offenders Act, 1958.

JURISPRUDENCE

UNIT – I Meaning and nature of 'Jurisprudence' - Purpose and value of Jurisprudence -Schools of Jurisprudence: Natural law, Imperative Theory, Legal Realism, Historical School, Sociological School.

UNIT – II Functions and purpose of law, questions of law, fact and discretion - Justice and its kinds - Civil and Criminal Administration of Justice - Theories of Punishment and Secondary functions of the Court.

UNIT – III Sources of Law: Legislation, Precedent and Custom - A Comparative study

UNIT – IV Legal Concepts: Right and Duty, Kinds, Meaning of Right in its wider sense; Possession: Idea

Law (LLM) (COQP14)

of Ownership, kinds of Ownership, Difference between Possession and Ownership; Nature of Personality, Status of the Unborn, Minor, Lunatic, Drunken and Dead Persons.

UNIT – V Liability: Conditions for imposing liability - Wrongful act: Damnum Sine Injuria, causation, mensrea, intention, malice, negligence and recklessness, strict liability, vicarious liability, obligation.

CLINICAL COURSE-I: PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM

UNIT-I The legal profession and its responsibilities; The equipment of the lawyer; Conduct in court; Professional conduct in general; Privileges of a lawyer; Salient features of the Advocates Act, 1961.

UNIT-II Duty to the court; Duty to the profession; Duty to the opponent; Duty to the client; Duty to the self; Duty to the public and the state;

UNIT-III Contempt of Court Act, 1972

Selected major judgments of the Supreme Court:

In the matter of D, An Advocate, AIR 1956 SC 102.

P. J. Ratnam v. D. Kanikaram, AIR1964 SC 244.

N. B. Mirza v. Disciplinary committee of Bar Council of Maharashtra and Another, AIR 1972 SC

Bar Council of Maharashtra v. M. V. Dabholkar, etc., AIR 1976 SC 242.

V. C. Rangadurai v. D. Golan and others, AIR 1979 SC 201.

Chandra Shekhar Soni v. Bar Council of Rajasthan and Others, AIR 1983 SC 1012.

In Re an Advocate, AIR 1989 SC 245.

In Re Vinay Chandra Mishra, 1995 (Vol-I) IBR 118.

Supreme Court Bar Association v. Union of India, AIR 1998 SC 1895.

Ex-Capt. Harish Uppal v. Union of India, AIR 2003 SC 739.

UNIT-IV Selected opinions of the Bar Council of India

UNIT-V Accountancy for lawyers: Need for maintenance of accounts- Books of accounts that need to be maintained- Cash Book, journal and ledger Elementary aspects of bookkeeping: Meaning, object, journal, double entry system, closing of accounts The cash and bulk transaction- The Cash book- Journal proper especially with reference to client's accounts- Ledger, Trial balance and final accounts- Commercial mathematics.

Mode of assessment: There shall be a written examination for this course for a maximum of 80 marks, and viva voce for 20 marks. The viva voce shall be conducted by the course teacher and the principal.

PUBLIC INTERNATIONAL LAW

UNIT-I Nature, definition, origin and basis of International Law; Sources of International Law; Relationship between Municipal and International Law; Subjects of International Law.

UNIT- II States as subjects of International Law: States in general; Recognition; State territorial sovereignty.

UNIT –III State Jurisdiction: Law of the sea; State Responsibility; Succession to rights and obligations.

UNIT – IV State and Individual - Extradition, Asylum and Nationality; the agents of international business; diplomatic envoys, consuls and other representatives; the law and practice as to treaties.

Law (LLM) (COQP14)

UNIT – V United Nations Organization - Principal organs and their functions; World Trade Organization- Main features; International Labor Organization.

HUMAN RIGHTS LAW AND PRACTICE

UNIT – I Jurisprudence of Human Rights; Nature, definition, origin and theories of human rights.

UNIT – II Universal protection of human rights- United Nations and Human Rights- Universal Declaration of Human Rights, 1948; International Covenant on Civil and Political Rights, 1966; International Covenant Economic, Social and Cultural Rights, 1966.

UNIT - III Regional Protection of Human rights- European system- Inter American System- African System

UNIT – IV Protection of Human Rights at national level; Human rights and the Constitution; The Protection of Human rights Act, 1993.

UNIT - V Human Rights and Vulnerable Groups: Rights of Women, Children, Disabled, Tribals, Aged and Minorities - National and International Legal Developments

RIGHT TO INFORMATION

UNIT-I Right to Information before Right to Information Act, 2005; Significance in democracy; Constitutional basis; Supreme Court on right to information.

UNIT-II RTI Act- definitions; Right to information and obligations of public authorities.

UNIT-III Central Information Commission; State Information Commission; Powers and functions of information commissions; Appeals and penalties.

UNIT-IV Other related laws - The Official Secrets Act, 1923; The Public Records Act, 1993; The Public Records Rules, 1997; The Freedom of Information Act, 2002; The Commission of Inquiry Act, 1952; The Commission of Inquiry (Central) Rules, 1972.

UNIT-V Best practices- A study of decisions rendered by state commissions and central Commission in the following areas of – Police, Revenue, PWD, Irrigation, Secretariat, BSNL, Posts and Telegraphs, Scheduled Banks, CPWD, Income Tax Department, Central Excise Department, Local Authorities.

BANKING LAW

UNIT – I Indian Banking Structure - Origin – Evolution of Banking Institutions – Types and functions of banks - Commercial banks – Functions – Banking Companies in India – RBI - Constitution, Management and Functions - Banking Regulation Act, 1949 – State Bank of India- UTI, IDBI, RRBs'-Local banks

UNIT - II Employment of funds - Loans and Advances- Guarantees- Advances secured by Collateral securities- Agency Services- Financing of Exports- Special Banking Services – Advances to Priority Sectors and Credit Guarantee schemes- Securitization Act, 2002.

UNIT - III Law relating to Negotiable Instruments, 1881 Act (Read with the amended Act of 2002) - Negotiable Instruments - Kinds - Holder and holder in due course – Parties – Negotiation- Assignment – Presentment – Endorsement – Liability of parties – Payment in due course – Special rules of evidence - Material alteration – Noting and protest – Paying banker and collecting banker – Bills in sets – Penal provisions under NI Act - Banker's book evidence Act.

UNIT – IV Banker and customer Relationship - Definition of banker and customer – General relationship –Special relationship - Banker's duty of secrecy, banker's duty to honor cheques, banker's lien, and banker's right to set off - Appropriation of payments - Garnishee order - Customer's duties towards his banker. Opening of New Accounts – Special types of customers - Minor's A/C, Joint A/C, Partnership A/C, Company's A/C, Married women's A/C, Trust A/C, Joint Hindu family A/C - Illiterate persons, lunatics, executors - Precautions required in case of administrators, clubs, societies and charitable institutions to open an account

UNIT – V Ancillary Services and E- Banking: Remittances - General, DD, MT, TT, Traveler’s cheques, bank orders, credit card, debit/smart cards, safe deposit vaults, gift cheques, stock invest. E-Banking - Definition

– E-Banking includes - Internet banking, mobile banking, ATM banking, computerized banking –E-banking services – retail services – wholesale services – E- Cheque- authentication-Cyber Evidence-BankingOmbudsman.

INSURANCE LAW

UNIT – I Introduction: Nature- Definition- History of Insurance- History and development of Insurance in India- Insurance Act, 1938- (main sections) Insurance Regulatory Authority Act, 1999: Its role and functions.

UNIT – II Contract of Insurance: Classification of contract of Insurance- Nature of various Insurance Contracts- Parties there to- Principles of good faith – non disclosure – Misrepresentation in Insurance Contract- Insurable Interest- Premium: Definition method of payment, days of grace, forfeiture, return of premium, Mortality; The risk – Meaning and scope of risk, Causa Proxima, Assignment of the subject matter.

UNIT – III Life Insurance: Nature and scope of Life Insurance- Kinds of Life Insurance. The policy and formation of a life insurance contract- Event insured against Life Insurance contract- Circumstance affecting the risk- Amount recoverable under the Life Policy- Persons entitles to payment- Settlement of claim and payment of money- Life Insurance Act, 1956- Insurance against third party rights- General Insurance Act, 1972- The Motor Vehicles Act, 1988 – Sec. (140-176), Nature and scope- Absolute or no fault liabilities, Third party or compulsory insurance of motors vehicles- Claims Tribunal Public Liability Insurance –Legal aspects of Motor Insurance –Claims – Own Damages Claims – Third Party Liability Claims.

UNIT – IV Fire Insurance: Nature and scope of Fire Insurance –Basic Principles – Conditions & Warranties

– Right & Duties of Parties – Claims – Some Legal Aspects.

Introduction to Agriculture Insurance – History of Crop Insurance in India – Crop Insurance Underwriting, Claims, Problems associated with Crop Insurance – Cattle Insurance in India.

UNIT – V Marine Insurance: Nature and Scope- Classification of Marine policies- Insurable interest- Insurable values- Marine insurance and policy- Conditions and express warranties- Voyage deviation- Perils of sea- Loss- Kinds of Loss- The Marine Insurance Act, 1963 (Sections 1 to 91).

ALTERNATIVE DISPUTE RESOLUTION SYSTEMS

UNIT-I General; Different methods of dispute resolution; Inquisitorial method; Adversarial method; Other methods- both formal and informal- like Arbitration, Conciliation, Negotiation, Mediation, etc.; Advantages and disadvantages of above methods; Need for ADRs; International commitments; Domestic needs; Suitability of ADRs to particular types of disputes; Civil Procedure Code and ADRs

UNIT-II Arbitration: Meaning of arbitration; Attributes of arbitration; General principles of arbitration; Different kinds of arbitration; Qualities and qualifications of an arbitrator; Arbitration agreement and its drafting; Appointment of arbitrator; Principal steps in arbitration; Arbitral award; Arbitration under Arbitration and Conciliation Act, 1996.

UNIT-III Conciliation: Meaning; Different kinds of conciliation- facilitative, evaluative, court annexed, voluntary and compulsory; Qualities of a conciliator; Duties of a conciliator; Role of a conciliator; Stages of conciliation; Procedure; Conciliation under statutes Industrial Disputes Act, 1947; Family Courts Act, 1984; Hindu Marriage Act, 1955; Arbitration and Conciliation Act, 1996.

UNIT-IV Negotiation: Meaning; Different styles of negotiation; Different approaches to negotiation;

Phases of negotiation; Qualities of a negotiator; Power to negotiate.

UNIT-V Mediation: Meaning; Qualities of mediator; Role of mediator; Essential characteristics of the mediation process – voluntary, collaborative, controlled, confidential, informal, impartial & neutral, self-responsible; Different models of mediation; Code of conduct for mediators.

CIVIL PROCEDURE CODE AND LIMITATION ACT

UNIT – I Civil Procedure Code Introduction; Distinction between procedural law and substantive law- History of the code, extent and its application, definition; Suits: Jurisdiction of the civil courts- Kinds of jurisdiction-Bar on suits- Suits of civil nature (Sec.9); Doctrine of Res sub judice and Res judicata (Sec. 10, 11 and 12); Foreign Judgment (Sec. 13, 14); Place of Suits (Ss. 15 to 20); Transfer of Cases (Ss. 22 to 25).

UNIT – II Institution of suits and summons: (Sec. 26, 0.4 and Sec. 27, 28, 31 and O.5); Interest and Costs (Sec. 34, 35, 35A, B); Pleading: Fundamental rules of pleadings- Plaint and Written Statement- Return and rejection of plaint- Defenses- Set off- Counter claim; Parties to the suit (O. 1): Joinder, misjoinder and non-joinder of parties- Misjoinder of causes of action- Multifariousness.

UNIT – III Appearance and examination of parties (O.9, O.18) - Discovery, inspection and production of documents (O.11 & O.13) - First hearing and framing of issues (O.10 and O.14) - Admission and affidavit (O.12 and O.19) - Adjournment (O.17) - Death, marriage-Insolvency of the parties (O.22) - Withdrawal and compromise of suits (O.23) - Judgment and Decree (O.20); Execution (Sec. 30 to 74, O.21): General principal of execution- Power of executing court- Transfer of decrees for execution- Mode of execution- a) Arrest and detention, b) Attachment, c) Sale.

UNIT – IV Suits in particular cases; Suits by or against Governments (Sec. 79 to 82, O.27); Suits by aliens and by or against foreign rulers, ambassadors (Sec. 85 to 87); Suits relating to public matters (Sec. 91 to 93); Suits by or against firms (O.30); Suits by or against minors and unsound persons (O.32); Suits by indigent persons (O.33); Inter-pleader suits (Sec. 88, O.35); Interim Orders; Commissions (Sec. 75, O.26); Arrest before judgment and attachments before judgment (O.38); Temporary injunctions (O.39); Appointment of receivers (O.40); Appeals (Ss. 90 to 109, O.41, 42, 43, 45); Reference- Review and Revision(Ss. 113, 114, 115, O.46, O.46); Caveat (Sec. 144.A)- Inherent powers of the court (Ss. 148, 149, 151).

UNIT –V Limitation Act

INTELLECTUAL PROPERTY RIGHTS-I

UNIT I Introductory Aspects: Overview of the concept of property; Industrial property and non-industrial property; Historical background of IPR; Importance of human creativity in present scenario; Different forms of IP and its conceptual analysis. Patents: Introduction and overview of patent protection; History of Patent protections; What is patent and definition of patent; Object of patent; Scope and salient features of patent; How to obtain patent; Product patent and Process patent; Specification – Provisional and complete specification; Procedure for patent applications; Register of patents and Patent Office; Rights and obligations of patentee; Transfer of Patent Rights; Government use of inventions; Biotech patents and patentability of life forms; Infringement of Patents; Offences and Penalties.

UNIT II Trade Marks: Introduction and overview of trade mark; Evolution of trade mark law; Object of trade mark; Features of good trade mark; Different forms of trade mark; Trade mark registry and register of trademarks; Property in a trade mark; Registrable and non-registrable marks; Basic principles of registration of trade mark; Deceptive similarity; Assignment and transmission; Rectification of register; Infringement of trade mark; Passing off; Domain name protection and registration; Offences and penalties.

UNIT III Introduction and overview of Cyber Intellectual Property; Intellectual property and cyberspace; Emergence of cyber-crime; Grant in software patent and Copyright in software; Software piracy;

Law (LLM) (COQP14)

Trademarks issues related to Internet (Domain name); Data protection in cyberspace; E-commerce and E-contract; Salient features of Information Technology Act; IPR provisions in IT Act; Internet policy of Government of India.

UNIT IV Geographical Indications: Introduction and overview of geographical indications; Meaning and scope of geographical indications; Important geographical indications of India and their features; Salient features of the Protection of Geographical Indications Act; Protection of geographical indications; Misleading use of geographical indications; Registration of geographical indications; Right to use geographical indications; Infringement; Remedies against infringement; Role and functions of Registrar of Geographical indication; Conflict between Trade mark and geographical indications.

UNIT V International Convention and Treaties: Paris Convention: Background; Salient features of Paris Convention; Governing rules of Paris Convention; Patent Cooperation Treaty: Background; Objectives of PCT; Salient features of PCT; Madrid Convention: Salient features; International registration of marks; World Intellectual Property Organization: Background; Salient features WIPO; Organization of WIPO.

PENOLOGY & VICTIMOLOGY

UNIT – I Introduction: Notion of punishment in law; Difference between crime prevention and control; Theories of punishments.

UNIT - II Kinds of punishment; Sentencing policies and processes; the riddle of capital punishment.

UNIT - III Prison reforms; Alternatives to imprisonment; Victimology- Introduction, history and philosophy.

UNIT – IV Victimology- European experience; American experience; Victim witness assistance programmed; Restitution.

UNIT – V Victimology - Indian experience; Legal framework; Role of Courts; Role of NHRC.

INTERPRETATION OF STATUTES & PRINCIPLES OF LEGISLATION

UNIT-I Basic Principles; Guiding Rules; Internal aids to construction.

UNIT-II External aids to construction.

UNIT-III Subsidiary rules; Operation of statutes; Expiry and repeal of statutes.

UNIT-IV Statutes affecting the state; Statutes affecting the jurisdiction of courts. Construction of taxing statutes and evasion of statutes; Remedial and penal statutes.

UNIT-V Principles of Legislation.

COMPETITION LAW

UNIT-I Constitutional provisions regulating trade; Salient features of MRTP Act, 1986; Salient features of Consumer Protection Act, 1986.

UNIT-II Sherman Antitrust Act, 1890; Relevant provisions of Clayton Act, 1914; Relevant provisions of the Federal Trade Commission Act; Salient features of U.K. Competition Act, 1998.

UNIT-III Competition Act, 2002; Preliminary; Prohibition of certain agreements, abuse of dominant position and regulation of combinations. **UNIT-III** Competition Commission of India; Duties, powers and functions. **UNIT-III** Duties of Director general; Penalties; Competition advocacy; Important judgments of the Supreme Court.

LAW OF EVIDENCE

UNIT-I Introduction: Distinction between substantive and procedural law- Conceptions of evidence in classical Hindu and Islamic Jurisprudence- Evidence in customary law systems (Non-state law)- Introduction to the British 'Principles of Evidence'- Legislations dealing with evidence (other than Indian Evidence Act) with special reference to CPC, C.D.C., Bankers Book Evidence Act, Commercial Document Evidence Act, Fiscal and revenue Laws- Salient features of the Indian Evidence Act, 1861, Applicability of the Indian Evidence Act. Central Conceptions in Law of Evidence – Facts - Facts in issue and relevant facts-Evidence- Circumstantial and direct evidence Presumptions, proved, disproved, not proved- Witness- Appreciation of evidence. Relevancy of Facts- Facts connected with facts in issue- Doctrine of Res gestae; Sections 6, 7, 8 and 9 of Evidence Act- Evidence of Common Intention- Section 10, Relevancy or otherwise irrelevant facts- Facts to prove right or custom (Section 13) Facts concerning state of mind/state of body or bodily feelings (Sections 14 and 15) - Relevancy and admissibility of admissions, privileged admissions-evidentiary value of admissions (Sections 17 to 23).

UNIT-II Relevancy and admissibility of confessions- Admissibility of information received from an accused person in custody- Confession of co-accused (Sections 24 to 30) - Admitted facts need not be proved (Section 58); Dying declaration- Justification for relevance Judicial standards for appreciation of evidentiary value-Section 32 with reference to English Law -Other statements by persons who cannot be called as witnesses- (Sections 32(2) to (8), 33)- Statement under special, circumstances (Sections 34 to 39); Relevance of judgments- General principles – Fraud and collusion (Sections 40 to Sec. 44); Expert testimony: General principles (Sections 45-50) - Who is an expert- Types of expert evidence – Problems of judicial defense to expert testimony.

UNIT-III Character evidence- Meaning – Evidence in Civil Criminal cases; English Law (Sections 52-55) - Oral and documentary Evidence -Introduction on Proof of facts General principles concerning oral; Evidence (Sections 59-60) - General principles concerning documentary; Evidence (Sections 61-90) - General principles regarding exclusion by evidence (Sections 91-100).

UNIT-IV Burden of Proof- The general conception of onus probandi (Section 101) - General and special exception to onus probandi (Sections 102-106) - The justification of presumption and burden of proof (Sections 107 to 114) with special reference to presumption to legitimacy of child and presumption as to dowry death- Doctrine of judicial notice and presumptions. Estoppel: Scope of Estoppel - Introduction as to its rationale (Section 115) Estoppel distinguished from Res judicata - Waiver and Presumption- Kinds of Estoppel- Equitable and Promissory Estoppel- Tenancy Estoppel (Section 116).

UNIT-V Witness, Examination and Cross Examination: Competence to testify (Sections 118 to 120) - Privileged communications (Sections 121 to 128) - General principles of examination and cross examination (Sections 135 to 166) - Leading questions (Sections 141- 145) - Approver's testimony (Section 133) - Hostile witnesses (Section 154) - Compulsion to answer questions (Sections 147, 153) - Questions of corroboration (Sections 156-157) - Improper admission of evidence.

TAXATION

UNIT – I Concept of Tax- Nature and characteristics of taxes- Distinction between tax and fee, tax and cess- Direct and Indirect taxes- Tax evasion and tax avoidance- Scope of taxing powers of Parliament, State Legislatures and Local bodies. The Income Tax Act: Basis of taxation of Income- Incomes exempted from tax- Income from salaries- Income from house property- Income from business or profession and vocation- Income from other sources- Taxation of individuals, HUF, firms, association of persons, Co- operative Societies and Non- Residents.

UNIT- II Income Tax Authorities- Their appointment- Jurisdiction- Powers and functions Provisions relating to collection and recovery of tax- Refund of tax, appeal and revision provisions, offences and penalties. Wealth Tax: Charge of Wealth tax, assets, deemed assets, and assets exempted from tax Wealth tax Authorities- Offences and penalties.

UNIT- III Central Excise Laws: Nature, scope and basis of levy of Central Excise duty- Meaning of goods- Manufacture and manufacturer- Classification and valuation of goods- Duty payment and

Law (LLM) (COQP14)

exemption provisions- Provisions and procedure dealing with registration and clearance of goods- An overview of set-off of duty scheme.

UNIT- IV Customs Laws: Legislative background of the levy- Appointment of Customs officers Ports-warehouses- Nature and restrictions on exports and imports- Levy, exemption and collection of customs duties, and overview of law and procedure - Clearance of goods from the port, including baggage- Goods imported or exported by post, and stores and goods in transit- Duty drawback provisions.

UNIT V Central Sales Tax Laws: Evolution and scope of levy of Central Sales tax- Inter- State sale outside a State and sale in the course of import and export- Basic principles Registration of dealers and determination of taxable turnover; Service Tax – Main features of Service Tax; VAT- Introduction to Value Added Tax.

INTELLECTUAL PROPERTY RIGHTS-II

UNIT I Indian Copyright Law: Introduction and overview of copyright: History of the concept of copyright and related rights; Nature of copyright: Salient features of Copyright Act; Subject matter of copyright; Literary work; Dramatic work; Musical works; Artistic works; Cinematographic films; Sound recordings; Term of copyright; Computer software and copyright protection; Author and ownership of copyright; Rights conferred by copyright; Assignment, transmission and relinquishment of copyright; Infringement of copyright; Remedies against infringement of copyright

UNIT II Biological Diversity Law: Introduction and overview of Biological Diversity; Meaning and scope of Biological Diversity; Biological resources and traditional knowledge; Salient features of Biological Diversity Act; Biological Diversity concerns and issues; Bio piracy; Regulation of access to Biological Diversity; National Biodiversity Authority; Functions and powers of Biodiversity Authority; State Biodiversity Board; Biodiversity Management Committee and its functions.

UNIT III Protection of Plant Varieties and Farmers Rights Law: Legal concepts relating to the protection of plant varieties rights; Legal concepts relating to the protection of plant breeders rights; IPR in new plant varieties; Policy and objectives of protection of plant varieties and farmers rights act; Plant varieties and Farmers rights protection authority; National register of plant varieties; Procedure for registration; Rights and privileges; Benefit sharing; Compensation to communities; Compulsory license; Relief against infringement; National Gene Fund.

UNIT IV Designs Law: Introduction and overview of Designs Law; Salient features of Designs Law; Procedure for registration; Rights conferred by registration; Copyright in registered designs; Infringement; Powers and duties and Controller; Distinction between design, trade mark, copyright & patent.

UNIT V International Treaties / Conventions on IPR: TRIPS Agreement: Background; Salient Features of TRIPS; TRIPS and Indian IPR; Berne Convention: Background; Salient features of Paris Convention; Convention of Bio-Diversity: Objectives of CBD; Salient features of CBD; International IPR agreements affecting protection of plant varieties: The WTO Doha round of trade negotiations; International Treaty on Plant Genetic Resources (“ITPGR”)

WHITE COLLAR CRIMES (PRIVILEGED CLASS DEVIANCE)

UNIT – I Introduction - Concept of white-collar crime – Indian approaches to socio-economic offences- forms of privileged class deviance – official deviance (Legislators, judges and bureaucrats), professional deviance, trade union deviants, land law deviance, upper class deviance, police deviance, gender-based deviance, deviance by religious leaders and organizations.

UNIT - II Official deviance; Prevention of Corruption Act, 1988.

UNIT - III Police and politicians’ deviance; N. N. Vohra Committee Report; Lokpal and Lokayukta institutions.

UNIT – IV Professional deviance; Medical profession - The Lentin Commission Report; Legal profession – Opinions of Disciplinary Committee of Bar Council of India.

Law (LLM) (COQP14)

UNIT – V Gender based deviance – sexual harassment; Offences against scheduled castes and scheduled tribes

WOMEN AND CRIMINAL LAW & LAW RELATING TO CHILD

UNIT-I Women in Pre-Constitution Period: Social and Legal Inequality; Social Reform Movement in India; Legislative response in India. Women & children in Post-Constitution Period. Provisions of Constitution of India Preamble, Art. 14, 15, 23, and Part IV Legal Measures in relating to Child Labor Women and Political Representation.

UNIT-II Different Personal Laws- Unequal Position of Indian Women-Uniform Civil Code; Sex Inequality in Inheritance Rights: Right of Inheritance by birth for Sons and not for Daughters; Inheritance under Christian Law; Inheritance under Muslim Law; Matrimonial Property Law; Right of Women to be Guardian of her minor sons and daughters.

UNIT-III Law of Divorce - Christian Law-Discriminatory Provision; Muslim Law- Inheritance divorce. Women and Social Legislation: Dowry Prohibition Law; Sex Determination Test, Law relating to Prevention of Immoral Trafficking in Women Act.

UNIT-IV Women and Criminal Law: Adultery; Rape; Outraging the Modesty of Women; Kidnapping; Sati Prohibition Law; Law relating to Domestic Violence; Law relating to Eve Teasing; Indecent Representation of Women Act.

UNIT-V Women and Employment: Factories Act- Provisions relating to women; Maternity Benefit Act; Equal Remuneration Act; Law Relating to Sexual Harassment at Working Place; N.C.W-Aims, Functions and Performance.

LAW RELATING TO INTERNATIONAL TRADE

UNIT I Historical perspectives of International Trade, Institutions – UNCTAD, UNCITRAL, GATT (1947- 1994); World Trade Organization-Objectives, Structure, Power; Most Favored Nation Treatment and National Treatment; Tariffs and Safeguard measures.

UNIT II Technical Barriers to Trade; Sanitary and Phyto- sanitary measures; Trade Related Investment Measures (TRIMs); Anti- Dumping, Subsidies and Countervailing Measures; Dispute Settlement Process.

UNIT III International Sales of Goods Formation and Performance of International Contracts, Various Forms and Standardization of Terms; Acceptance and Rejection of Goods, Frustration of Contract, Invoices and packing, Product liability.

UNIT IV Exports – Insurance of Goods in Transit; Marine Insurance and kinds; Law on Carriage of goods by sea, land and air, Container transport, Pre-Shipment Inspection; Licensing of Export and Imports.

UNIT V Laws Governing Finance and Investments; Foreign Collaboration and Investment Policy; Foreign Direct Investment in Industries and Governing Policies; Foreign Institutional Investors (FIIs); Investment by Non-resident Indians (NRIs) and Overseas Corporate Bodies (OCBs); Foreign Collaboration Agreement-Foreign Technology Agreement; Foreign Companies and Foreign Nationals in India.