



VIDYA VIKAS Educational Trust®
Institute of **Legal Studies**, Mysuru

ESTD : 1991

Affiliated to Karnataka State Law University, Hubballi & Approved by Bar Council of India, New Delhi

Vidya Vikas Institute of Legal Studies

Mysuru

Detailed Syllabus for 3Years LL.B 2018-19 Batch

1st Semester

Constitutional Law – I

Unit – I

Meaning & Definition of Constitution: Kinds of Constitution, Constitutionalism, Salient features of Indian Constitution.

Preamble: Meaning, Scope, Importance, Objectives and Values enshrined in the Preamble.

Citizenship – modes of acquisition & termination

Unit – II

State: Definition under Article 12, New Judicial trends on concept of state Action – need for widening the Definition.

Definition and Meaning of Law: Pre – Constitutional and Post – Constitutional Laws, Doctrine of Severability and Doctrine of eclipse, judicial Review and Article 13.

Equality and Social Justice: General Equality Clause under Article 14, New Concept of Equality, Judicial Interpretation on Equality.

Unit – III

Protective Discrimination and Social Justice under Articles 15 and 16, New Judicial trends on Social Justice, Constitutional Provision on Untouchability under Article 17.

Right to Freedom: Freedom of Speech and Expression, Different dimensions – Freedom of Assembly, Association, Movement and Residence, Profession, Occupation, Trade or business, Reasonable restrictions.

Unit – VI

Rights of the Accused : Ex-post facto Law – Double jeopardy – Right against Self incrimination (Article 20). Rights of the Arrested person, Preventive Detention Laws (Article 22), Right to Life and Personal Liberty, Various facets of Life and Liberty (Article 21), Right against Exploitation, Secularism – Freedom of Religion, Judicial interpretation, Restrictions on freedom of Religion

Unit – V

Cultural and Educational Rights of minorities – Recent trends – Right to Constitutional Remedies: Article 32 and 226 – Kinds of Writs – Right to Property (prior to 1978 and the present position), Directive Principles of State Policy and Fundamental Duties – inter relation between fundamental rights and directive principles.

Prescribed Book:

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

CONTRACT – I

UNIT- I

Formation of Contract – Agreement and Contract – Definition – Classification – Offer and Acceptance – Communication – Revocation – Essentials elements – Invitation to Offer – Tenders.

Consideration – Nudum Pactum – Essential elements – Privity of Contract and of Consideration – Exceptions – Unlawful Consideration and its effect – e – Contract.

UNIT – II

Capacity to Contract – Minor’s Agreements and its effects – Agreement of Persons of Unsound mind and Persons disqualified by Law.

Free Consent – Coercion – Undue influence – Misrepresentation – Fraud – Mistake – Legality of Object – Void Agreements – and Contingent Contracts.

UNIT – III

Modes of Discharge of Contracts – Time and Place of performance – Performance of reciprocal promises – Appropriation of Payments – Discharge by Agreement, operation of Law, frustration (Impossibility of Performance) and by Breach (Anticipatory and Actual).

UNIT – IV

Remedies for Breach of Contract – Damages – Kinds of Damages – Remoteness of damage – Ascertainment of damages – Quasi Contracts.

UNIT –V

The Specific Relief Act – Section 9-16, Section 21, Section 24, Section 36-42.

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.

Prescribed Books:

1. Avtarsingh Law of Contract and Specific Relief,
2. William Anson, Law of Contract

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 ibi Remedium*- Mental elements – Intention, Motive, Malice in Law and in Fact.

UNIT – II

General Defenses, Vicarious Liability.

UNIT – III

Negligence; Nuisance; Absolute and Strict Liability.

Legal Remedies – Awards – Remoteness of Damage.

UNIT – IV

Torts against person : Torts affecting body – Assaults, 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

Salient features of Consumer protection Act, 1986, Who is consumer, Defect in goods, Deficiency in services, Medical Services, Remedies to Consumers, Consumer Disputes Redressal Agencies, Limitation for filing Complaints, Penalties.

Salient features of MV Act, 1988, Liability without fault in certain cases, Insurance of motor Vehicles against third party risks, claims Tribunal, Offences, Penalties and Procedure.

Prescribed Books:

Ratanlal and Dhirajlal, The Law of Torts,

Safar D.N, Law of Consumer Protection in India.

FAMILY LAW – I HINDU LAW

UNIT – I

The concept of Dharma – Sources of Hindu Law – Ancient and Modern – Importance of Dharma Shastra on Legislation – Mitakshara and Dayabaga 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 – Hindu Succession Act, 1956. Stridhana – Woman’s Property – 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.

Prescribed Books:

Paras Diwan Modern Hindu Law

CRIMINAL LAW – I INDIAN PENAL CODE

UNIT – I

General Principles of Crime; Conceptions of Crime; Distinction between Crime and other wrongs under common Law.

Principles of Criminal Liability – *Actus reus and mens 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 : From Section 1 to 5, 6,7,Sections 21 to 30, 32 to 37 and Section 52 & 52A, Punishment : From Sections 53 to 55A, 63, 64, 65, Section 73 to 75.

UNIT – II

General Exceptions : Sections 76 – 106 ; Abetment : Sections 107 – 120; Criminal Conspiracy : Sections 120A & 120B ; Offences against State : Sections 121 – 130 ; Offences against the Public Tranquility : Sections 141 – 160 ; Difference between Section 34 & 149 – Offences relating to election : Contempt of Lawful Authority and Public Servants (Brief discussion) : Sections 172 -190.

False evidence : Sections 191 – 197, 208 – 212 Offences relating to coins and Government Stamps : Sections 230 to 240 & 263 A ; Public Nuisance & Private Nuisance : Offences relating to religion : Sections 295 -298.

UNIT – III

Offences affecting human life : (Section 299 to 311) – Hurt, Grievous Hurt – Wrongful restraint – Wrongful Confinement – Criminal force and Assault.

UNIT – IV

Kidnapping, Abduction – Sexual offences : Rape: Custodial rape, marital rape (Sections 375 – 377) – Offences against Property : Theft, Robbery and Dacoity – Criminal Misappropriation of Property – Criminal breach of Trust – Receiving of stolen property - Cheating – Fraudulent deeds and disposition of Property.

UNIT – V

Mischief – Criminal Trespass – Offences relating to Document and Property marks – Offences relating to marriage (Section 493 – 498 A) – Defamation (Section 499 – 502); Criminal intimidation and annoyance and attempt to commit such offences (Sections 506 – 511).

Prescribed Books:

Rathanlal and Dhirajlal, The Indian Penal Code

ENGLISH

UNIT – I

1. Law and Lawyers – M.K. Gandhi.

UNIT- II

1. Articles, Parts of Speech / their usage, same word used as different parts of speech.
2. Identification of errors.
3. Types of sentences, transformation of sentences.
4. Change of voice.
5. Reported Speech.
6. Idioms.
7. Legal words and their usage.

UNIT – III

Applied writing.

1. Paragraph writing.
2. Report writing / Press report.
3. Precis writing, Summarizing.
4. Essay writing.
5. Cohesive devices.
6. Comprehension passages.
7. Letter writing.

UNIT – IV

Professional writing:

1. Petitions.
2. Notices.
3. Refutation.
4. Essay writing on topics of Legal interest
5. Comprehension legal content.
6. Legal words and their usage.
7. Use of Cohesive legal devices.

UNIT – V

Translation:

1. Principles of Translation.
2. Translation exercise (Translation from legal texts and decided cases.)

Text and reference books:

1. The law and lawyers by M.K. Gandhi , Compiled and edited by S.B. Kher
2. Contemporary English Grammar , David Green, Macmillan Ltd.
3. Legal Language, Legal Writing and General English by Dr. s.c. Tripathi.

SEMESTER – II

CONSTITUTIONAL LAW – II

UNIT – I

Federal system – Organization of State.

Relationship between the Centre and the State: Legislative, Financial and Administrative, Co – operative Federalism and recommendation of Commission.

Freedom of Trade and Commerce, Official Language, Local self – government with special emphasis on 73rd and 74th Amendment.

Constitutional provision of Jammu and Kashmir (Art. 370)

UNIT – II

Executive: Centre and State; President and Governor; powers and functions. Parliament and state Legislature: Bicameralism, Composition, powers and function.

Councils of ministers: Collective responsibility, Position of Prime Minister and Chief Minister.

UNIT – III

Speaker: Parliament and State Legislature, Powers and Functions, Privileges Anti defection Law.

Judiciary : Union and States, appointment , Powers, Jurisdiction and Transfer of Judges.

UNIT – IV

Subordinate Judiciary, Administrative Tribunals.

Public Service Commission: services under the centre and the state , Constitutional Protection of Civil Servants.

Election Commission : Powers and functions.

State liability for torts and Contract.

UNIT – V

Emergency: Types, and effects on Fundamental Rights.

Constitutional Interpretation

Amendment: Basic structure theory.

Schedules.

Review of working of the Constitution.

Prescribed Book:

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

CONTRACT – II

UNIT – I

Contract 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 – Extent of Surety’s Liability – Co – surety.

UNIT – II

Contract of Bailment – Definition – Kinds – Rights and Duties of Bailor and Bailee – Rights of Finder of goods as Bailee – Contract of pledge – Definition- Comparison with Bailment – Rights and Duties of Pawnor and Pawnee

UNIT – III

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 – IV

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 Partner with third parties – Types of Partner – Admission –Retirement , and Expulsion of partners Dissolution of Firm – Registration of Firms.

UNIT – V

Sale of Goods Act – The Contract of sale – Agreement to sell – Conditions and Warranties – Passing of Property – Transfer of title – Performance of the Contract – Rights of Unpaid Seller – Remedies for Breach of Contract.

Prescribed Book:

1. Avtar Singh, Law of Contract and Specific Relief
2. Sharay H.K. Indian Partnership and Sale of Goods Act,
3. Hire Purchase Act

LABOUR LAW – I

UNIT – I

Historical aspects – Master and Slave Relationship, Trade Unionism in India and UK – Enactment of the Trade Unions Act, 1926 – ILO Conventions relating to Trade Unions and relevant Constitutional provision.

A bird's eye view of the Act – Definition – Trade Union, Trade Dispute, etc. – Provisions relating to registration, withdrawal and cancellation of registration – Funds of Trade union, Immunities, Problems of Trade Union, Amalgamation of Trade Union – Recognition of Trade Unions – Methods, need and efforts in this regard, Collective Bargaining settlements, collective bargaining and liberalization.

UNIT – II

Historical Background and Introduction to the Industrial Dispute Act, 1947 – Definitions – Industry, Workman, Industrial Dispute, Appropriate Government, etc. – Authorities/ Industrial Dispute resolution machinery – Works Committee, Conciliation and Board of Conciliation – Powers and Functions, Court of Inquiry, Grievance Settlement Authority,

Voluntary Arbitration U/S 10-A Compulsory Adjudication – Government's Power of reference U/S – 10 – Critical analysis with reference to decided cases. Compulsory Adjudication – Composition, Qualification, Jurisdiction, Powers of adjudication authorities, Award and Settlement – Definition, Period of operation, binding nature and Juridical Review of Award.

UNIT – III

Law relating to regulation of Strikes and Lockouts – Definition of strikes and lockouts, Analysis with reference to Judicial Interpretations, Regulation U/Ss 22, 23, 10-A (4-A), and 10(3), illegal strikes and lockouts, penalties. – Regulation of Job losses – concepts of Lay-off, Retrenchment, Closure and Transfer of undertakings with reference to statutory definition and judicial Interpretations – Regulation of Job losses with reference to the provisions of chapter V A and V B of the ID Act, 1947 – Regulation of managerial prerogatives – Ss. 9A, 11A, 33 and 33A of ID Act, 1947 – Certified Standing Orders – Meaning and Procedure for Certification, Certifying officers – Powers and Functions, etc.

UNIT – IV

Concept and Importance of Social Security – Influence of I.L.O. – Constitutional Mandate. The Employees' Compensation Act, 1923 – Definition – employee, employer, dependent, partial disablement, total disablement, etc. – Employer's liability for compensation – conditions and Exceptions – Procedure for Claiming Compensation. Computation of Compensation. Commissioner – Jurisdiction, Powers, etc.

The Employees' State Insurance Act, 1948 – Definitions – Employment injury, contribution, dependent, employee, principal employer, etc. – Employees' State Insurance Funds – Contribution, Benefits available – Administrative Mechanism E.S.I. Corporation, Standing Committee, Medical Benefits Council – Composition, Power, Duties – Adjudication of Disputes – E.S.I Courts. Comparative analysis of the E.S.I. Act, 1948 with the Employees' Compensation Act, 1923

UNIT –V

The Payment of wages Act , 1936 – Definition – Employed person, factory, industrial and other establishment , wages, etc. – Deductions – Authorities – Inspectors and Payment of Wages Authority.

The Factories Act, 1948 – Definition – factory, manufacturing process, occupier, worker, hazardous process, etc. – Provisions of the Factories Act relating to health, safety and welfare of workers – Provisions relating to Hazardous process – Provisions relating to working conditions of employment – Working Hours, Weekly Leave, Annual leave facility – Provisions relating to regulation of employment of women, Children and Young persons.

Prescribed Books:

1. S.N. Mishra –Labour and Industrial Laws.

PROPERTY LAW

UNIT – I

General Principles of Transfer of Property by act of parties inter – vivos – Concept and meaning of immovable property – Transfer of 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, void conditions, Rule of acceleration, fulfillment of conditions subsequent.

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; Lease 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 Trustee – 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.

Prescribed Books:

1. Tripathi G.P. The Transfer of Property Act.

FAMILY LAW – II

UNIT – I

Development of Islamic Law – Advent of Islam & development of Muslim Law, Schools of Islamic law, Who is a Mohammeden; Conversion and its Consequences on family : Marriage, Guardianship, Succession; Child and Family : The Shariat Act, 1973; Sources of Islamic Law; Concept of Marriage : Definition, object, nature, essential requirements of a Muslim marriage, Classification of marriage – Legal effects of valid, void and irregular marriage – Muta marriage; Customary practices and State regulation : Polygamy ; Child marriage ; Option of Puberty ; Dower ; Kinds of Dower : Dower when confirmed; Widow’s Right of Retention

UNIT – II

Parentage Legitimacy, and Acknowledgement of Paternity Custody, Maintenance and education, Guardianship and paternal Rights. Matrimonial Remedies under Islamic Law and Indian Divorce Act, 1869 (Amended Act) – Modes of Talak – Effects of Talak – Iddat – 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 – III

Will –Meaning, Limitations on a Mohammeden in making a will; Difference between will and gift, Will made in Death bed or during illness; Gifts (Hiba): Essentials of valid Gift ; Kinds of Hiba ; Revocation of Gifts; Wakf ; Essentials of valid Wakf : Mutawalli – Appointment – Powers and Duties of Mutawalli ; Law relating Pre-emption ; Nature of right of Pre – emption ; Who can Pre – empt ; Formalities ; When the Right of Pre – emption is lost.

UNIT – IV

Muslim law of Inheritance – Shia and Sunni schools; Distribution of property under Indian Succession Act of 1925 (of Christians, Parsis) – Domicile – Kinds of Domicile – Modes of acquisition of 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; Specific and Demonstrative Legacy; Ademption of Legacies – Protection of property of the deceased ; Appointment of curator – Powers and Duties Family Courts Act, 1984 – Constitution, powers, and its functions ; Need for Uniform Civil Code – Article 44 of Indian Constitution.

Prescribed Books:

1. Mulla, Principles of Mohammedan Law
2. Paras diwan, Law of Intestate and Testamentary Succession

SEMESTER – III

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 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, mens rea, intention, malice, negligence and recklessness, strict liability, Vicarious liability, obligation. Substantive Law and Procedural Law.

Prescribed Books:

1. Fitzgerald, Salmond on Jurisprudence
2. Dias, R.W.M, Jurisprudence

LABOUR LAW – II

UNIT – I

Concept and Importance of Social Security – Influence of I.L.O. – Constitutional Mandate. The Employees' Compensation Act, 1923 – Definitions – employee, employer, dependent, partial disablement, total disablement, etc. Employer's liability for compensation – Conditions and Exceptions – Procedure for claiming compensation. Computation of Compensation. Commissioner – Jurisdiction, Powers, etc.

UNIT – II

The Employees' State Insurance Act, 1948 – Definitions – Employment injury, contribution, dependent, employee, principal employer, etc. – Employees' State Insurance Funds – Contribution, Benefits available – Administrative Mechanism E.S.I. Corporation, Standing Committee, Medical Benefits Council – Composition, Power, Duties – Adjudication of Disputes – E.S.I Courts. Comparative analysis of the E.S.I. Act, 1948 with the Employees' Compensation Act, 1923

UNIT – III

The Employees' Provident Fund (Family Pension Fund and Deposit Linked Insurance Fund) Act ,1952 – Definitions – Contribution, employee, employer, factory, fund, etc. – Provident Fund Scheme, Family Pension Scheme, Employees' Deposit Linked Insurance Scheme – Scope, Contributions – Benefits Available – Authorities under the Act – Powers.

The Maternity Benefit Act, 1961 – Object and Scope of the Act, Definitions – appropriate government, employer, establishment, factory, maternity benefit, etc. – Benefits available under the Act – Inspectors.

UNIT – IV

The Payment of Wages Act, 1936 – Definitions – employed person, factory, industrial and other establishment, wages, etc. – Deductions – Authorities – Inspectors and Payment of Wages Authority.

The Minimum Wages Act, 1948- Concept of Wages – Theories of wages and Kinds Definitions – appropriate government, employer, Scheduled employment, etc. – Fixation of Minimum rates of wages – methods – regulation of working conditions – Payment of Wages, Working Hours, etc.

The Factories Act, 1948 – Definition – factory, manufacturing process, occupier, worker, hazardous process, etc. – Provisions of the Factories Act relating to health, safety and welfare of workers – Provisions relating to Hazardous process – Provisions relating to working conditions of employment – Working Hours, Weekly Leave, Annual leave facility – Provisions relating to regulation of employment of women, Children and Young persons.

UNIT – V

The Unorganised Workers' Social Security Act , 2008 – Importance of Unorganised Sector, Definition – employer, home based worker, self employed worker, Un- organised sector, unorganized worker, wage worker etc. Scheme – Funding mechanism, Procedure , benefits available – Administrative Mechanism – Composition and Powers , etc.

Globalization, Privatization and Open Economy – Compulsions that led to Globalization policy – Effects of Globalization on Industry and Labour – Constitutional Mandate of Welfare State and effectiveness of Social Security and Social welfare legislations in India under new economic policy – Review of laws to meet new challenges – Legislative and Judicial response / trend towards application of Labour Laws – Emergence of Laws relating SEZ, etc.

Prescribed Books:

1. S.N.Mishra – Labour and Industrial Laws.

LAW OF TAXATION

UNIT – I

General:

Concept of Tax – Nature and Characteristics of different types of taxes – Direct and Indirect taxes – Distinction between tax and fees, tax and cess – Tax evasion, Tax Planning and tax avoidance – Retrospective taxation – Federal base of taxing power – Power of Taxation under the Constitution, Immunity of state agencies / Instrumentalities – Fundamental rights and the power of Taxation – Commerce clause, Inter – State Commerce and taxation, Scope of taxing powers of Parliament. Delegation of taxing power to state legislatures and Local bodies.

UNIT – II

Direct Tax Regime

The Income Tax Act – 1961 : Basic of Taxation of Income – Basic Concepts, Persons, Residential Status and incidence of Tax – Income from Salaries – Income from house property- Income from business or profession and vocation – Capital gains, Income from other sources – deemed assessee, Set off and carry forward loss; Incomes exempt from tax, permissible deductions, & Chapter VIA deductions, Assessment, Kinds of assessment , Income Tax Authorities, - Appointment, powers and Functions. Provisions relating to collection and recovery of Tax – Filing of returns. Electronic filing, I.T. portal working and Refund of Tax, appeal and revision provisions, offences and penalties.

UNIT – III

Indirect Tax Regime

Concept of Goods and Services Tax (GST) – The Constitution (122nd Amendment) Act, 2017. The General Goods and Services Tax Act, 2017 - Dual GST Model taxation – GST Council – Central GST (CGST); GST Levy on transactions Sale, Transfer, purchase, barter, lease or import of goods and Services . IGST/SGST/UTGST/ Compensation Law to State governments GSTN – Goods and Services tax Network Portal ; Tax invoice, GST on imports and exports, benefits of GST to trade, Industry, E-commerce and service sector and the consumers at large, impact of GST on GDP of India and inflation.

UNIT – IV

Indirect Tax Regime:

IGST – Integrated GST (IGST) levied by the Central Government – Inter state transactions and imported goods or Services – State GST (SGST) ; the State Goods and Service Tax Law, power of Central government to levy tax on interstate taxable supply, impact of GST on state revenue; indemnifying State Revenue Loss; UTGST – Union Territory Goods and Services Tax Law – GST exemption on the sale and purchase of securities, Securities Transaction tax (STT)

UNIT – V

Legislative background of the levy – Ports – warehouse – 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 from the port, including baggage – Goods imported or exported by post, and stores and goods in transit – Duty drawback provisions – Authorities – Powers and Functions and SEZ Units.

Prescribed Book:

1. Taxmann's Income Tax Act
2. Sumit Dutt Majumder, GST in India

CRIMINAL LAW – II (Cr.P.C & JJ Act)

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; Inquest, Inquiry, Investigation and Trial ; Features of a fair trial

UNIT – II

Trial Process – I

1. Magisterial Powers to take cognizance.
2. Commencement of proceedings.
3. Dismissal of complaints.
4. Charges.
5. Processes to compel appearance and production of things
6. Bail.
7. Preliminary pleas to bar trial.
8. Security for keeping peace and good behavior

UNIT – III

Trial Process – II

1. Provisions as to Inquiries and Trials.
2. Types of Trial
3. Judgment
4. Appeals, Revision and Reference.
5. Maintenance.

UNIT –IV

Miscellaneous

1. Transfer of cases.
2. Execution, suspension, remission and commutation of sentences.
3. Disposal of Property
4. Irregular proceedings.
5. Limitation of taking cognizance.
6. Compounding of offences and plea bargaining.

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.

Prescribed Books:

1. Ratanlal & Dhiraj Lal – The Code of Criminal Procedure.
2. Juvenile Justice (Care & Protection of Children) Bare Act 2000

ADMINISTRATIVE LAW

UNIT – I

Definition of Administrative law; Nature and Scope: The Impact and Implication of the Doctrine of Separation of power and The Rule of Law on Administrative law, Classification of Administrative Action – the necessity.

UNIT – II

Legislative power of the administration – Doctrine of Vice of excessive delegation –judicial and parliamentary control over Delegative legislation – Advantages and disadvantage of delegated legislation – Exclusion of judicial Review of Delegated Legislation, Administrative directions.

UNIT – III

Judicial power of Administration – Tests to determine when administrative authority required to act judicially- Doctrine of Bias- Doctrine of Audi Altrem partem- Reasoned decision – Exceptions of Natural Justice-Effect of non-compliance with rules of Natural Justice- grounds on which decision of quasi –judicial authority can be flaged before Supreme Court.

UNIT – IV

Administrative Discretion – Grant and exercise of discretion – Judicial review of Administrative Discretion , Control of Administrative Action – Judicial Control – Public Law and private Law Remedies – distinction, Writs – Theory practice and Procedure – ouster clause , liabilities of the state in the province

of contract and Tort – constitutional Tort Doctrine of Promissory Estoppels – Doctrine of Legitimate expectation – Doctrine of proportionality.

UNIT – V

Corporations and Public undertaking –Control of statutory corporations and public undertakings- Administrative deviance- Corruption and mal administration – Control Mechanism –

Ombudsman in India (Lokpal and Lokayuktha) – Central Vigilance Commission – Parliamentary Committees – Commissions of enquiry.

Prescribed Book:

1. M.P.Jain & S.N. Jain – Principles of Administrative Law
2. Kailash rai – Administrative Law

SEMESTER - IV

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.

UNIT- V

The United Nations Organization – Principal organs and their functions; World Trade Organization – Main features; International Labour Organization.

Prescribed Books :

1. S.K. Kapoor , International Law, Human Rights

OPTIONAL – I HUMAN RIGHTS & 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, Tribunal, Aged and Minorities – National and International Legal Developments.

Prescribed Books :

S.K. Kapoor , International Law and Human Rights

OPTIONAL – I- INSURANCE LAW

UNIT – I

Introduction : Nature – Definition – History of Insurance – History and Development of Insurance in India, Contract of Insurance : Classification of Contract of Insurance : (Life Insurance – General Insurance and Re- Insurance – A brief overview), Nature of Insurance Contract , Overview of Insurance laws in India : Insurance Act, 1938 – Insurance Regulatory and Development Authority Act, 1999 : Its role and functions.

UNIT – II

Principles of Insurance law : Principles of good faith – Non disclosure – Misrepresentation in Insurance Contract , Insurable Interest, Principle of Indemnity – Difference between Indemnity and Guarantee, Principle of Contribution, Principle of Subrogation, Principle of Loss Minimization, The risk Meaning and scope of Risk, Causa Proxima, Premium : Definition – Method of Payment – Days of Grace – Forfeiture – Return of premium, 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, Circumstances affecting the risk, Amount recoverable under the life policy – Persons entitled to Payment – Settlement of Claim and Payment of money – Life Insurance Corporation Act,1956 (Overview) – General Insurance Business (Nationalization) Act,1972 (Overview) – Health and Medical Insurance , The Motor Vehicle Act, 1988 – Sec. (140 – 176) – Nature and Scope – Absolute or no Fault liabilities, Third party or compulsory Insurance of Motors Vehicles Claims Tribunal – Legal aspects of Motor Insurance.

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, Micro Insurance, Public Liability Insurance : Public Liability Insurance Act,1991 (Overview) – Claims, Consumer courts and Insurance Ombudsman.

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 (Section 1 to 91).

Prescribed Books :

Murthy K.S.N and K.V.S. Sharma, Modern Law of Insurance in India

OPTIONAL – II BANKING LAW

UNIT – I

Nature and Development of Banking - History of Banking in India and elsewhere- indigenous banking – evolution of banking in India-different kinds of banks and their functions-Multi—Functional banks - Growth and legal issues

Law relating to Banking Companies in India ; Controls by government and its agencies ;On management --On accounts and audit –Lending – Credit policy-Reconstruction and reorganization -Suspension and Winding –up .

UNIT - II

Banking Regulation Act 1949; Evolution of Central Bank, Characteristics and functions, Economic and social objectives, the Central bank and the State as bank, the Reserve Bank of India as the Central Bank. Organizational Structure - Functions of the RBI -Regulation of monetary mechanism of the economy - Credit control—exchange control-Monopoly of currency issue - Banking rate policy formation. Control of RBI over non-banking companies, Financial companies, Non-financial companies.

The Deposit Insurance Corporation Act 1961: Objects and reasons establishment of Capital of DIC, Registration of banking companies insured banks, liability of DIC to depositors. relations between insured banks , DIC and Reserve Bank of India.

Unit- III

Relationship of banker and customer: Legal character , Control between banker and customer, Banker s lien , Protection of bankers , Customers –Nature and type of accounts –Special classes of customers— Lunatics , minor , partnership, corporations, local authorities , right and duties of banker and customer. Consumer protection –banking as service.

Unit - IV

Law relating to Negotiable Instruments, 1881 Act (read with the amended act of 2002) Negotiable Instrument—Kinds –Holders and holder in due course - Parties - Negotiable - 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 - V

Lending by Banks : Goods lending principles - Lending to poor masses Securities for advances - Kinds and their merits and demerits - Repayment of loans : rate of interest, protection against penalty—Default and recovery - debt recovery tribunal .

Recent trends of Banking system in India: New Technology, Information technology, Automation and legal aspects, Automatic teller machine and use of interest, Smart cars, Use of expert system, Credit cards.

Prescribed Books:

Tannan M.L. -Banking Law and Practice (Lexis Nexis, 2014)

Optional – II: RIGHT TO INFORMATION

Unit –I

Historical development of Freedom OF Information in Sweden , USA and UK , Right to information before Right to information Act , 2005 in India. Significance in democracy ; Constitutional basis; Supreme court on right to information .

Unit - II

RTI Act -Definition; 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

RTI Judicial response ; Supreme Court and High Court decisions on RTI ; 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 Exercise Department , Local Authorities

Prescribed Books; J.H Barowalia, Commentary on the right to Information Act (Universal Law Publications)

Clinical Course - II: Alternative Dispute Resolution System

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 the 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 court 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 and neutral, self – responsible; Different models of mediation; Code of conduct for mediators.

Prescribed Books:

Madabhushi, Sridhar, Alternative Dispute Resolution, (New Delhi; Lexis Nexis, 2006)

Mode of Assessment : The scheme of evaluation for Clinical Course –

II : Alternative Dispute Resolution Systems shall be as under;

- a. Two Written Tests shall be conducted for 30 marks each
- b. The questions in the test papers should be spread over whole syllabus.
- c. I. Test shall be at the end of 9 weeks of the semester and the II test shall be by the end of the semester.

There shall be four simulation exercises conducted for marks each (one exercise each in negotiation, mediation, arbitration and conciliation).

Clinical Course—1 Professional Ethics and Professional Accounting System**Unit I**

The legal professional 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 judgment of the Supreme Court :

1. In the matter of D. An Advocate , AIR 1956 SC 102.
2. P.J Ratnam V D. Kanikaram , AIR 1964 SC 244.
3. N.B Mirzan v. The disciplinary committee of Bar Council of Maharashtra and Another , AIR 1972 SC 46.
4. Bar Council of Maharashtra v. M.V. Dabholkar , etc , AIR 1976 SC 242
5. V.C.Rangadurai v. D. Gopalan and others, AIR 1979 SC 201
6. Chandra Shekar Soni v. Bar Council of Rajasthan and others, AIR 1983 SC 1012
7. In Re an Advocate , AIR 1989 SC 245
8. In Re Vinay Chandra Mishra , 1995 (Vol-1) IBR 118.
9. Supreme Court Bar Association v. Union of India , AIR 1998 SC 1895.
10. Ex-Capt. Harish Uppal v. Union of India , AIR 2003 SC 739

Unit - IV

Select opinions of the Bar council of India

1	DC Appeal No. 16/93	1998	Vol.1	IBR 135
	BCI Tr. Case No. 40/91	1998	Vol.1	IBR 139
3	DC Appeal No. 8/94	1998	Vol.1	IBR 153
4	DC Appeal No. 20/94	1997	Vol . 3 &4	IBR 193
5	BCI Tr. Case No. 76/95	1997	Vol 3 & 4	IBR 201
6	DC Appeal No. 43/96	1997	Vol 3 & 4	IBR 207
7	DC Appeal No. 18/91	1997	Vol 1 & 2	IBR 271
8	DC Appeal No. 24/90	1996	Vol .1	IBR 135
9	DC Appeal No. 19/93	1996	Vol 1	IBR 152
10	BCI Tr. Case No. 104/ 90	1996	Vol 1	IBR 155
11	BCI Tr. Case No. 52/ 89	1994	Vol.1	IBR 187
12	BCI Tr. Case No. 127/88	1992	Vol. 3&4	IBR 125
13	BCI Tr. Case No. 39/87	1992	Vol 3& 4	IBR 147
14	BCI Tr. Case No. 39/89	1992	(Vol.3& 4	IBR 149
15	BCI Tr. Case No.16/88	1989	(Vol.1)	IBR 99
16	BCI Tr. Case No. 2/88	1989	(Vol .1)	IBR 102
17	BCI Tr. Case No. 52/88	1989	(Vol.2)	IBR 110
18	DC Appeal No. 41/87	1989	(Vol.2)	IBR 122
19	BCI Tr. Case No. 29/81	1989	(Vol. 2)	IBR 245
20	DC Appeal No.14/88	1989	(Vol.2)	IBR 248
21	BCI Tr. Case No. 14/80	1989	(Vol.2)	IBR 264
22	DC Appeal No. 24/87	1989	(Vol .2)	IBR 273
23	DC Appeal No. 46/86	1989	(Vol.2)	IBR 280
24	DC Appeal No.3/88	1989	(Vol.2)	IBR285
25	BCI Tr. Case No.2/80	1989	(Vol.2)	IBR 289
26	BCI Tr. Case No. 10/86	1989	(vol. &4)	IBR 520
27	BCI Tr. Case No. 101 /88	1989	(Vol &4)	IBR 524
28	DC Appeal No.23/88	1989	(Vol 3 & 4)	IBR 532
29	DC Appeal No. 35/87	1989	(Vol 3 & 4)	IBR 536
30	BCI Tr. Case No. 27/88	1989	(Vol. 3 & 4)	IBR 542
31	BCI Tr. Case No.6/84	1989	(Vol 3 &4)	IBR 560
32	BCI Tr. Case No.24/86	1989	(Vol 3 &4)	IBR 563
33	DC Appeal No.10/88	1989	(Vol.3 &4)	IBR 572
34	DC Appeal No. 45/74	1988	(Vol.1& 2)	IBR 182
35	DC Appeal No. 23/87	1989	(Vol. 1&2)	IBR187
36	DC Appeal NO. 6/81	1988	(Vol. 1 & 2)	IBR 193
37	BCI Tr. Case No. 16/86	1988	(Vol 1&2)	IBR 197
38	DC Appeal No. 41/86	1988	(Vol.1&2)	IBR 200
39	DC Appeal No. 33/86	1988	(Vol . 3 & 4)	IBR 354
40	DC Appeal No. 21/85	1988	(Vol 3& 4)	IBR 359
41	BCI Tr. Case No.43/82	1988	(Vol 3&4)	IBR 364
42	DC Appeal No.28/86	1988	(Vol.3&4)	IBR 374
43	DC Appeal No. 64/74	1987	(Vol .2)	IBR314
44	DC Appeal No.30/84	1987	(Vol .2)	IBR319
45	DC Appeal No. 40/86	1987	(Vol 3)	IBR488
46	DC Appeal No.10/86&10A/86	1987	(Vol .3)	IBR 491
47	DC Appeal No. 7/86	1987	(Vol 3)	IBR 496
48	DC Appeal No.7/81	1987	(Vol .4)	IBR735

49	DC Appeal No. 12/86	1987	(Vol .4)	IBR745
50	BCI Tr. Case No. 57/87	1987	(Vol .4)	IBR 753

Unit-V

Accountancy for lawyer :

Need for maintenance of accounts --Books of account S 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 clients accounts ---ledger , Trail balance and final accounts ----commercial mathematics

Mode of assessment: there shall be 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.

Prescribed Books:

K.V Krishnaswamy Iyer--- Professional Conduct and Advocacy

V SEMESTER

COURSE –I Civil Procedure Code and Limitation Act

UNIT –I

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, 12) : Foreign Judgment (sec 13, 14) ; place of Suits (sec 15 to 20) ; Transfer of cases (sec 22 to 25)

UNIT –II

Institution of suits and summons ;(sec 26, 0.4 and sec 27, 28, 31 and 0.5) ; Interest and costs (Sec 34, 35, 35A,B) ; Pleading; Fundamental rules of pleading –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 (0.9, O.18) –Discovery, inspection and production of documents (0.11 & o.13) –First hearing and framing of issues (0.10and 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 degree (O.20); Execution (Section 30 to 74, O.21) ;

General principal of execution –Power of executing Court—Transfer of degrees for execution –Mode of execution a) Arrest and detention , b) Attachment , c) Sale .

UNIT - IV

Suits in particular cases : Suits by or against Government (Section 79 to 82, O .27); Suits by aliens and by against foreign rulers, ambassadors (section 85 to 87) ; Suits relating to public matters (section 91 to 93) ; Suits by or against firms (O.30); Suits by or against minor or unsound person(O.32) ; Suits by indigent persons (O.33) ; Inter –pleader suits (sec88, O35) ; Interim orders ; Commissions (sec 75, O26); Arrest before judgment and attachment before judgment (O.38) ; Temporary injunctions (O.39) ; Appointment of receivers (O.40); Appeals(section 90, to 109, O 41, 43, 45) ; Reference –Review and Revision (section 113,114, 115, O.46,); caveat (sec 144-A) –Inherent powers of the court (section 148, 149 , 151)

UNIT—V

Limitation Act 1963.

Prescribed Book

Bakshi, P.M., Mulla s Civil Procedure Code, 12 th Edition (Bombay: Tripathi, 1990)

Course –II Optional –III ;

INTELLECTUAL PROPERTY RIGHTS –I

UNIT –1

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 Intellectual Property and its conceptual analysis .

Patent ; Introduction and overview of patent protection; History of patent protection s; Meaning and definition of patent ; Object of patent ; Scope and salient features of Patent Act; How to obtain a patent; Product patent and Process patent ; Specification—Provisional and complete specifications ; Opposition proceedings to grant of patents ; Register of patents and Patent Office ; Rights and obligations of Patentee; Transfer of patent Rights ; Compulsory licenses ; Government use of inventions; Revocation and surrender of patents ; Infringement of patents ; Offences and penalties .

Unit - II

Trade Marks : Introduction and overview of trademark; Evolution of trade mark law; Meaning and definition of trade mark ; Object of Trade mark ; Features of good trade mark; Different forms of Trademarks ; trade mark registry and register of trademarks; property in 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 cyber space; Emergency of cyber crime; Grant in software patent and Copyright in Software ; Software piracy ; Trademarks Issues related to Internet (Domain name) ; Data protection in cyber space; E-Commerce and E- contract ; Salient features of Information Technology Act, IPR Provision 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; Rights to use geographical indications ; Infringement ; Remedies against infringement ; Role and functions of registrar of geographical indications ; 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

Prescribed Books:

Narayana, S. , Intellectual Property Law in India, (Hyderabad: Gogia Law Agency , 2005)

Course --II Optional—III 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 polices and processes; the riddle of capital punishment .

UNIT –III

Prison reforms; Alternatives to imprisonment; Victim logy –Introduction, history and philosophy.

UNIT --IV

Victim logy ---European experience; American experience; Victim Witness assistance programmes s, Restitution.

UNIT –V

Victimology – Indian experiences; Legal Framework; Role of Courts; Role of NHRC

Prescribed Book:

Qadri, Syed .M.Afzal, Ahmad Siddique s Criminology and Penology, (Eastern Book Co., 2009)

COURSE –III: Optional –IV: Interpretation of Statutes and Principles of Legislation

UNIT –I

Interpretation of Statutes

Meaning of the term “Statutes “, Commencement , operation and repeal of Statutes , Purpose of interpretation of statutes , Restrictive and beneficial construction , Taxing statutes, Penal statutes , Welfare legislation Law , Interpretation of substantive and adjunctival statutes, Interpretation of directory and mandatory provisions , Interpretation of enabling statutes, Interpretation of codifying and consolidating statutes , Interpretation of statutes conferring rights, Interpretation of statutes conferring powers .

UNIT –II

Aids to Interpretation

Internal Aids Title, Preamble , Headings and marginal notes , Sections and sub-sections , Punctuation marks , Illustrations , exceptions , provisos and saving clauses, Schedules , Non –Obstante clause

External aids, Dictionaries, Translations, Travaux Preparations, Statutes in ParimateriaL, Contemporanea Exposito, Debates, Inquiry commission reports and Law Commission reports.

UNIT –III

Rules and Principles of Statutory Interpretation

Primary Rules , Literal rule , Golden rules , Mischief rule(rule in the Heydon s case), Rule of Harmonious construction , Secondary Rules , Noscitur a sociis, Ejusdem generis , Reddendosingulasingulis

Principles of Constitutional Interpretation, Harmonious construction , Doctrine of pith and substance

Colourable legislation, ancillary powers, “Occupied field”, residuary power, Doctrine of repugnancy

UNIT –IV

Presumption s in statutory Interpretation

Statutes are valid , Statutes are territorial in operation, Presumption as to jurisdiction, Presumption against what is inconvenient or absurd, Presumption against intending injustice , Presumption against impairing obligations or permitting advantage from one’s own wrong , Prospective operation of statutes.

UNIT –V :

Principles of Legislation

Law making – the legislation , executive and the judiciary , Principles of utility , Operation of these principles upon legislation, Distinction between morals and legislation

Prescribed Book:

G.P.Singh, Principles of Statutory Interpretation, (7TH Edition) 1999, Wadhwa, Nagpur.

Course—III : Optional –IV : 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

The Competition Act , 2002: Preliminary ; Prohibition of certain agreements , abuse of dominant position and regulation of combinations.

UNIT –IV

Competition Commission of India : Duties , Powers and Functions

UNIT –V

Duties of Director general: Penalties: Competition advocacy; Important judgments of the Supreme Court.

Prescribed Books:

Adi .P. Talati& Nahar S Mahala: Competition Act 2002: Law, Practice and Procedure

COURSE –IV : Clinical Course –III : Drafting , Pleading and Conveyance

Course Contents:

1. General principles of drafting and relevant substantive rules.
2. Pleading –Civil; plaint, written statement, interlocutory application, original petition, affidavit, execution petition, memorandum of appeal and revision, petition under Art. 226 and Art. 32 of the Constitution of India
3. Pleadings—criminal: complaint, criminal miscellaneous petition, bail application, memorandum of appeal and revision.
4. Conveyance : sale deed , mortgage deed, lease deed, gift deed , promissory note , power of attorney , will, trust deed , partition deed ,etc.
5. Drafting of writ petition and public Interest Litigation petition .

This course shall be taught through class room instructions and simulation exercise preferably with the assistance of practicing lawyers or retired judges.

Examination and allocation of marks :

1. Each Students shall under 15 practical exercises in drafting of Pleadings carrying 45 marks (3 marks for each exercise)
2. Each student shall under take 15 practical exercise in Conveyance , which carries 45 marks (3 marks each)
3. The above – mentioned drafting of pleadings and conveyance exercises shall be in the handwriting of the students on one side of the bond size papers. The papers shall be bound accompanied by a certificate signed by the course teacher and the principal to the effect that it is the bonafide work of the concerned candidate .
4. The Cover shall indicate the name of the examination, subject, seat number , and the center code number.
5. There shall be a content page.

At the end of the semester , the student shall appear for viva voce, which shall carry 10 marks . VIV – to be conducted by the Principal and the course teacher.

Course –II: COMPANY LAW

UNIT –I

Introduction and Concept

Company –History development –nature and Characteristics of Company –kinds of Company –Corporate personality –limited liability—lifting of corporate veil –Promoters –duties and liability of promoters

UNIT –II

Incorporation

Procedure of Incorporation –certificate of incorporation --- MOA –AOA—Doctrine of indoor management ---Prospectus

UNIT –III

Management and Control of Companies

Board of Directors –powers and Functions : Distribution of powers between Board of Directors and General Meetings

Directors : Appointment –Qualification –Position of Directors –Types of Directors –Powers and duties of directors – remuneration –removal

Meetings : Meetings of Board AND Committes—Kinda of meetings –procedure relating to convening and proceedings at General and other meetings – resolutions – Prevention of Oppression and Mismanagement

Corporate Social Responsibility

UNIT –IV

Financial structure of Company

Sources of capital: Shares –Types –allotment –transfer of shares – rights and privilege of shareholders – dividends –declaration and payment of dividends, prohibition of buy back ---Private placement

Debentures –Floating charge –appointment of debentures trustees and their duties –kinds –remedies of debentures holders –Redemption

Acceptance of deposit by companies, Charge on assets

UNIT –V

Reconstruction and Amalgamation and Winding –Up

Reconstruction, rehabilitation and amalgamation: Concept –Jurisdiction and Powers of Courts and NCLT –vesting of rights and transfer of Obligations Takeover and Acquisition of Minority interest

Winding-up : Concept –Modes of Winding Up –who can apply –procedure under different modes .

Prescribed Books:

Taxman, Companies Act 2013

VI Semester

Land Law

UNIT –I

The Right to fair Compensation and Transparency in Land Acquisition , Rehabilitation and Resettlement Act , 2013 –Determination of social impact and public purpose : provision to safeguard food security : notification and acquisition , rehabilitation and resettlement award and procedure

UNIT –II

The Right to Fair Compensation and Transparency in Land Acquisition ,Rehabilitation and Resettlement Act, 2013 –Utilization , conversion : National Monitoring Committee; Acquisition , Rehabilitation and Resettlement Authority ; apportionment of compensation and payment of compensation.

UNIT –III

The Karnataka Land Revenue Act 1964—Revenue officers and their procedure , Revenue Appellate Tribunal , Appeal and Revision , Land and Land revenue , Record of rights , realization of land revenue .

UNIT –IV

The Karnataka Scheduled Caste and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act 1978 and Rules 1979.

THE Karnataka Land Reforms Act 1961—general provisions regarding tenancies , conferment of ownership on tenants , ceiling on land holdings , restrictions on holding or transfer of agricultural lands, co-operative farms , fragmentation and consolidation of holdings.

UNIT --V

The Real Estate (Regulation and Development) Act , 2016—registration of real estate project and registration of real estate agents, functions and duties of promoter, rights and duties of allottees, the real estate regulatory authority , the real estate appellate tribunal , offences , penalties and adjudication.

Prescribed Books:

S.G.Biradar, Land Acquisition –A Paradigm Shift, KAS Officers Research and Training Institute , Bangalore .

Course –III Optional –V: White Collar Crimes (Privileged Class Deviance)

Unit –I

Introduction –Concept of White Collar Crimes – Indian Approaches to social –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 the Bar Council of India

Unit –V

Gender based deviance –Sexual Harassment, Offences against Scheduled castes and scheduled tribes

Prescribed Books;

Ahmad Siddique –Criminology

Course—IV: O optional –VI: Relating to International Trade Economics

UNIT –I

Historical perspective of International Trade, Institutions – UNCTAD, UNCITRAL , GATT(1947-1994): World Trade Organization –Objectives , Structure , Powers ; Most Favored Nation Treatment and National Treatment; Tariffs and Safe guard 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, Frustrations 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 Polices ; Foreign Institutional Investors (FIIs) ; Investment by Non- Residence Indians(NRIs) and Overseas Corporate Bodies (OCBs) ; Foreign Collaboration Agreement—Foreign Technology Agreement ; Foreign Companies and Foreign Nationals in India

Prescribed Books:

Kaul A.K, Guide to the WTO and GATT; Economics, Law and Politics Kluwer Law International, 2006)

Course –V: Clinical Course –VI: Moot Court Excise and Internship

Course Contents:

- 1.1 Each student shall participate in at least 3 moot courts. Each Moot court Excersie shall carry 10 marks, which shall be divided as under :
 - For oral advocacy : 5 Marks and
 - Written submission: 5 marks.
- 1.2 The Student shall make written submission on behalf of the Party for whom he makes oral advocacy as assigned by the course teacher.
- 1.3 The written submissions for the three moot courts shall be neatly written on one side of the bond size papers and bound together with a certificate signed by the course teacher and the principal to the effect that it is the bonafide work of the concerned student.
- 1.4 The cover shall indicate the name of the examination, subject , seat number and the centre code number.

Observation of Trail (30 marks)

- 2.1 Each student shall attend trail in two cases one civil and one criminal in the course of last two or three years.
- 2.2 The student shall maintain a record and enter the various steps observed during their attendance on different days in the Court.

2.3 The record shall be neatly written on one side of the bond size paper and bound. It will carry a certificate by the course teacher and principal to the effect that it is the bonafide work of the concerned student.

2.4 The record shall be valued for 30 Marks.

2.5 The cover page shall indicate the names of the examination, subject, seat number and the center code number.

Client interviewing (30 marks)

Each student shall observe two sessions of client interviewing at the Lawyers Office/ Legal Aid Office and Record the proceedings in a diary, which shall carry 15 Marks.

Each student shall further observe the preparation of documents and Court papers by the Advocate and the procedure for the filing of the suit / petition.

This shall be recorded in a diary, which shall carry 15 marks.

The Diaries shall be neatly written on one side of the bond size papers and bound with a certificate signed by the course teacher and the principal to the effect that it is the bonafide work of the concerned student.

The Cover page of the diary shall indicate the name of the examination, subject, seat number, and the centre code number.

Viva (10 marks)

At the end of the semester, the student shall appear for a viva voce, which shall carry 10 marks.

Method of assessment: The submissions of Moot courts shall be valued by the course teacher. The diaries relating to trail observation and client interviewing and pre –trail preparation shall be valued by the professional under whose supervision the student has completed internship and the course teacher if it is so planned. If internship is with an authority wherein trail observation and client interviewing is not possible, the student shall undertake these exercise separately and it shall be evaluated by the course teacher. The viva shall be conducted by principal of the college and course teacher.

Law of Evidence

Unit -1

Introduction: Distinction between substantive and procedural law –Salient features of the Indian Evidence Act, 1861.

Facts – Facts in issue and relevant facts-Evidence –Circumstantial and direct evidence –Presumptions, proved , disproved , non proved –Witness-Appreciation of evidence . relevancy of Facts –Facts connected with facts in issue –Doctrine of *Res-gestae* ; Section 6,7,and 9 of the 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 the body or bodily feelings (Section 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 (Section 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 (1) with reference to English Law –Other statements by persons who cannot be called as witness—(Section 32(2) to (8), 33) –Statements under special circumstances (Section 34 to 39) ; Relevance of judgement –General principles- Fraud and collusion(Section 40 to sec 44) ; Expert testimony : General principles (Section s 45 to 50) –Who is an expert ---types of expert evidence – Problems of judicial defence to expert testimony .

Unit –III

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

Unit –IV

Burden of proof –The general conception of onus probandi (Section 101) –General and special exception to onus probandi (Section 102-106)—The justification of presumption and burden of proof (Section 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 (Section 118 to 129) –Privileged communications (Section s 121 to 128) –General principles of examination and cross examination (Section s 135 to 166) –Leading questions (Sections 141 to 145) –Approver s testimony (Sections 133)-Hostile witness (Section 154) –Compulsion to answer questions (Sections 147, 153) – Questions of corroboration (Section 156 -157) –Improper admission of evidence.

Prescribed Books:

Ratanlal and Dhirajlal , Law of Evidence , (New Delhi : Lexis Nexis , 2011) .

Reference Books:

Sarkar , Law of Evidence , 18th Edition (Lexis Nexis Butterworths, 2014)

Lal, Batuk , Law of Evidence , (Central Law Agency , 1990) .

Environmental Law

Unit –I

The Idea of Environmental:

Environmental: meaning and components –Pollution: meaning, sources, Kinds and effects of pollution- Ancient and Medieval Writing –Environmental jurisprudence –National environmental policy .

Unit –II

Environment Policy and Law : Pre & Post Independence Period –Constitutional provisions on Environment and its Protection: Right to Environment-Duty to protect environment –Public interest litigation and environment-Role of Judiciary on Environmental issues –Doctrines of Environmental Pollution : Evolving new Principles –Absolute Liability –Polluter pays principles –Precautionary principles –Inter generational equity principles –Public trust doctrine.

Unit –III

International Law and Environmental Protection : Sustainable Development – International conventions in the development of Environmental Laws and its Policy: Stockholm –Rio & Johannesburg Declaration –Trans – boundary Pollution hazards & Regulation; Common Law aspects of environmental Protection – Criminal Law and environment .

Unit –IV

Prevention and Control of Water & Air Pollution : Water Act , 1974 and Air Act , 1981—Pollution Control Boards and its powers and functions –Offences and penalties –Remedies in case of water and air pollution-Noise Pollution and its control : Noise Pollution (Regulation & Control) Rules , 2000— Wildlife Protection Act 1972 : Hunting –Trade in Animal articles –Authorities under wild life protection Act –Role of Judiciary on wild life protection—Forest Conservation Act , 1980—Judicial approach .

Unit –V

Environment Protection Act 1986- EC0 –Mark, Environmental Audit –Coastal Regulation Zone, Environment Impact Assessment: Discretionary Model and Mandatory Model, -Regulation on Bio – Medical Waste –Disposal of Solid Waste.

Prescribed Books:

1. P. Leela Krishnan , Environmental Law in India , Third Edition , Lexis Nexis Armin Rosencranz –Environmental Law and its Policy in India .
2. S.C Shastri , Environmental Law , Third Edition , Eastern Book Company .

Reference Books

1. Lal s Encyclopedia on Environment Protection and Pollution laws , Ffth Edition , Volume 1 & 2 , Delhi Law House .
2. Shyam Divan and Armin Rosencranz , Environmental Law and Policy in India . (Cases , Materials and Statutes) , Second Edition, Oxford University Press.
3. Relevant Bare Acts /Notifications.