



**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 5Years BBA LL. B 2018-19 Batch

## 5 years B.B. A., LL.B. Syllabus

Sl.No.	Semester	Subject
1	I Semester	General English
2	I Semester	Business Environment
3	I Semester	Managerial Economics
4	I Semester	Financial Accounting
5	I Semester	Legal Methods
6	II Semester	Kannada/Kannada Kali
7	II Semester	Principles and Practice of Management
8	II Semester	Economic Development in India
9	II Semester	Entrepreneurship Development
10	II Semester	Law of Torts
11	III Semester	Business Communications
12	III Semester	Cost and Management Accounting
13	III Semester	Human Resources Management – Industrial Relations
14	III Semester	Business Statistics
15	III Semester	Constitutional Law - I
16	IV Semester	Financial Management
17	IV Semester	International Business
18	IV Semester	Constitutional Law – II
19	IV Semester	Law of Crimes – I
20	IV Semester	(Contract – I) Law of Contract
21	V Semester	Labor Law – I
22	V Semester	Jurisprudence
23	V Semester	Family Law – I
24	V Semester	Contract – II (Specific Contracts)
25	V Semester	Administrative Law
26	VI Semester	Labor Law – II
27	VI Semester	Company Law
28	VI Semester	Property Law
29	VI Semester	Family Law - II
30	VII Semester	Public International Law
31	VII Semester	Law of Taxation
32	VII Semester	Criminal Law – II (Cr. P.C.)
33	VII Semester	Clinical Course – I: Professional Ethics and Professional Accounting System
34	VIII Semester	Law of Evidence

35	VIII Semester	Optional I: Human Rights Law and Practice/ Insurance Law
36	VIII Semester	Optional – II: Banking Law/ Right to Information
37	VIII Semester	Clinical Course – II: Alternative Dispute Resolution Systems
38	IX Semester	Civil Procedure Code and Limitation Act
39	IX Semester	Optional – III: Intellectual Property Rights - I / Penology and Victimology
40	IX Semester	Optional – IV Interpretation of Statutes and Principles of Legislation/ Competition Law
41	IX Semester	Clinical Course – III: Drafting, Pleading and Conveyancing
42	X Semester	Environmental Law
43	X Semester	Optional – V: Intellectual Property Rights – II/ White Collar Crimes
44	X Semester	Optional – VI: Land Law /Law Relating to International trade Economics
45	X Semester	Clinical Course – IV: Moot Court Exercise and Internship
20	IV Semester	(Contract – I) Law of Contract
21	V Semester	Labor Law – I
22	V Semester	Jurisprudence
23	V Semester	Family Law – I
24	V Semester	Contract – II (Specific Contracts)
25	V Semester	Administrative Law
26	VI Semester	Labor Law – II
27	VI Semester	Company Law
28	VI Semester	Property Law
29	VI Semester	Family Law - II
30	VII Semester	Public International Law
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35	VIII Semester	Optional I: Human Rights Law and Practice/ Insurance Law
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### I - Semester

#### Course –I    General English

##### Prose

1. My search for truth –Excerpt from the autobiography of S. Radhakrishna.
2. Law and Lawyers –M.K.Gandhi

##### Grammar and Composition

1. Tenses , articles and prepositions / their usages
2. Types of sentences and transformation of sentences ( simple , complex, compound, interrogative , negative etc)
3. Active / passive voice
4. Reported speech
5. Idiomatic expressions
6. Formal correspondence “Letter of invitation, request, enquiry, complaint, job application, letters to the editor.
7. Comprehension of unseen passage
8. Legal words and their usage.

##### Text and Reference Books

- a) The law and layers by M.K Gandhi , compiled and edited by S.B.Kher , Navajivan Publishing House , Ahmadabad
- b) Radhakrishna Reader –An Anthology
- c) Contemporary English Grammar, David Green Mac millian Ltd.
- d) Development communication skills by Mohan and Banerji
- e) Legal Language, Legal Writing and General English by S.C. Tripathi , Central Law Publications

### **Detailed Syllabus**

1. Prose (Refer to the Contents in the precise syllabus)
2. List of Idiomatic expressions to be covered :

All and sundry, Alpha and Omega, Apple of discord, Apple of one's eye, As a matter of fact. At sixes and sevens, At ones finger tip, Bone of contention , Be a party to, Bear a grudge against, Beat about the bush , Blow hot and cold, Blow one's own trumpet, Bring to Books, Bring to the Ground , Bring to a standstill, Burn ones finger s, Burn the Midnight Oil, Build Castles in the air, by leaps and bounds, Cast a spell, Caught red handed, Every now and then , Fair and square, Fair and near, Far and wide, Fight tooth and nail, Get off scot free, Get rid of, Give Ones word , go astray, Hand in Hand, hand in glove, Hand in the balance , Heart and soul, In the nut shell, In black and white, In full swing , in the twinkling of an eye , Keep aloof from , keep in the dark, keep ones promise, Leave no stone unturned , Make a mountain out of a mole-hill, Make both ends meet, Move heaven and earth, Nip in the bud, Now and then, Null and void, Nook and corner , Of one's own accord, on the verge of, Over and over again, Part and parcel, Put on paper , Rain cats and dogs, Stand in ones way, Swim with the tide, Take a bird's eye view, Take up arms , to the best of one's ability, To the letter , To the Point, To turn a deaf ear, Turn a New leaf , under the pretext of, Under lock and key, Yeomans service

### **List of Legal words:**

Accused, Accomplice, Arrest, Amendment, Adjournment, Award, Arbitration, Agreement, Approver, Bail, Bench , Bond , Breach of Contract, Consent, Contract, Contempt, Counterclaim, Court, Counsel, Compromise, Coercion, Claim , Damages , Degree, Defamation, Defendant, Defense , Document, Distress, Divorce, Evidence, Estoppels, Equity, Execution , Fraud , Hearsay, Homicide , Injunction , Insolvency , Instrument, Issue, Judgment, Jurisdiction, Jurisprudence, Jury, Justice, Juvenile, Kidnap, Lawyer , Liability, Litigation, Maintenance, Minor, Murder, Mortgage, Negligence, Notification, Notice, Oath, Objection , Partnership, Partition, Perjury, Petition , Plaintiff ,Plaint, Pleading s, Privity, Pre-emption, Proviso, Prosecutor, Prosecution, Procedure, Presumption , Punishment, Right, Remedy , Remand, Redemption , Respondent, Regulation, Rule,

Sentence, Settlement , Statute, Summons , Summons , Surety , Title , Transfer, Tort, , Trespass, Trail, Vicarious , Verdict, Void , Voidable , Warrant, Witness , Will.

Words often confused ; Refer pages 281 to 287, Contemporary English Grammar, by David Green , Macmillan Ltd .

## **Course II: Business Environment**

### **UNIT – I**

Business –Meaning, Scope and Objectives of Business, Business Environment – Micro and Macro Environment of Business, Environment Analysis’s for Business Decision making.

### **UNIT –II**

Forms of Business organization -- Proprietorship, Partnership and Company –features, merit and demerit – Cooperatives, Public Enterprises –Features, Merits and Demerits.

### **UNIT –III**

Indian Business Environment Socio----- Cultural, Economic, Political, Natural and Legal Environment.

### **UNIT –IV**

Social Responsibility of Business, Business ethics and the concept of corporate governance, factors influencing work ethics and work culture.

### **UNIT—V**

Consumerism and Consumer Protection Act, 1986—Consumer movement in India, Role of Voluntary organizations.

### **UNIT—VI**

Technology and Business – Features of technology, impact of technology, technology and society economic effects of technology, Business Process outsourcing

### **Reference Books:**

Essential of Business Environment – by K. Ahwathappa

## **Course –III Managerial Economics**

### **UNIT –I**

Introduction to Managerial Economics –Definition – Scope – Fundamental Concepts of Managerial economics –Opportunity cost principle—Incremental cost and revenue principle – Time perspective –Equi –Marginal principles – Discounting principle (with mathematical illustrations and problems for opportunity cost and incremental principle).

#### **UNIT—II**

Demand analysis and demand forecasting: Meaning of demand—factors determining demand – laws of demand –Exception to the law of demand. Demand Forecasting –Survey and statistical methods;

Semi average, moving average and least square methods.

#### **UNIT – III**

Production and Cost Analysis: Concept of production function—laws of return to scale— Economics of Scale – Cost concepts of cost – Fixed and variable – Total , Marginal and average costs—Explicit and implicit costs.

#### **UNIT –IV**

Salient features of perfect competition –Monopoly and monopolistic competition; Price and output determination under oligopoly.

Introduction to Game theory—Analysis and equilibrium Pricing policies and practices –Meaning and methods –Cost plus or make –up pricing –Marginal costing (with problems) –Multiple product pricing –Transfer pricing –Skimming and penetration price.

#### **UNIT—V**

Capital Budgeting; Meaning and significance –Techniques –Pay back period method and net present value method (theory only)

#### **Reference Book;**

Business and Managerial Economics –P.L Mehta .

### **Course –IV Financial Accounting**

#### **UNIT—I**

Accounting –Meaning and Definition –Accounting Concepts and Conventions, Accounting Standards – Meaning –a brief study of Indian Accounting standards only—Basic concepts of Double Entry System of Books –Keeping

#### **UNIT—II**

Preparation of Journal –leader –Subsidiary Books – (Problemson Purchase Book, Sales Book, Three Column cash Book ) Trail Balance.

### **UNIT—III**

Preparation of Final Accounts of Sole—Trading Concern (Manufacturing, Trading, P&L A/C and balance sheet)

### **UNIT—IV**

Bills Of Exchange –Meaning –Characteristics—kinds –Noting, Protest –Discounting, Endorsement, Dishonor—Rebate and Renewal of bills, Problem on Trade bills only .

### **UNIT—V**

Preparation of Final Accounts of Non-Trading –Concern Capital and Revenue Items – Difference between Receipts and Payment A/C and Income and Expenditure Accounts, Preparation of Income and Expenditure Account and Balance sheet from Receipt and Payment Account .

### **Reference Book;**

Advanced Accountancy –R.L Gupta

### **Legal methods**

Law is arguably an autonomous discipline and has its own materials and methods. However, Law is related to other processes in the society – social, political and cultural. This course is designed to familiarize the students with sources of legal materials, to find the law by the use of law library and to make the students to appreciate law in the context of other social processes. The course may help the students to think and act like a lawyer and respond to his law studies accordingly. Therefore, the course introduces the students to the basic concepts of law, sources of law, fundamentals of legal research and primary and secondary sources in legal research.

### **Unit – I**

What is law? Is Law necessary? Essential functions of Legal Process, Essence of Law.

### **Unit – II**

Typical Attributes of Law and legal Process; Legal Rules and Society;

### **Unit – III**



Divisions of the Law, Using Law Library – understanding how to find law, legal materials, Constituent Assembly Debates, law reports, statutes, gazettes, reports of commissions, etc., Methods of study – text books, technical terms.

#### **Unit – IV**

Case Law Techniques; Interpretation of Statutes.

#### **Unit – V**

Working out problems; Answering in examinations; application of law to facts, Legal Research; writing assignments, essays, dissertations; citation methods.

#### **Books Prescribed:**

1. Lloyd Dennis, Idea of Law, London; Penguin Books Chapters 1 and 9.
2. Williams Glanville, Learning the Law, London, Stevens & Sons 1982.
3. Watson Alen, The Nature of Law, Edinbure, University Press, 1977, Chapters 1, 2, 3, & 6
4. Anderaon Jonathan et. al., Thesis & Assignment Writing, New Delhi, Wiley Eastor Ltd., 1971.

## **II SEMESTER**

### **Course –IV Principles and Practice of Management**

#### **UNIT—I**

Concept of Management—Meaning, Nature, Scope and Importance – Evolution of Management thought—Taylor s Scientific management ---Fayol s Theory –Elton Mayo and How Throne experiments –Peter Drucker –Management process—Functions of Management.

#### **UNIT—II**

Planning –Concept and Significance –Planning Process—Types of Plans –Different approaches to planning—Strategies, Objectives and policies –Decision making –Forecasting.

#### **UNIT –III**

Organization –Line, Staff and Functional organization –Formal sand informal organization – Organizational structure –Authority and responsibility –Delegated and decentralization, division and Departmentalization –Span of control—Chain of Command –Co- ordination as essence of Management.

## **UNIT—IV**

Staffing process –Recruitment, Selection, training, promotion, transfer and demotion.

## **UNIT –V**

Leadership –Meaning and importance –Features –Styles---Motivation theories –Maslow’s theory, Mc. Grego s theory—Communication –Importance –Features of goods communication—Types –Barriers –Steps to overcome barriers. Management control –Need for control –Steps in Control –Features of effective control system.

## **Reference Book s;**

Principles of Management – C.B. Gupta

## **COURSE-IV PRINCIPLES AND PRACTICE OF MANAGEMENT**

The course intends to appreciate the importance of ‘Management’. The Planning, Monitoring and organization aspects are emphasized. Staffing and managerial controls along with recruitment techniques such as selection, training, promotion and penalties for dereliction are examined.

Course contents:

### **UNIT – I**

Concept of Management – Meaning, Nature, Scope and Importance – Evolution of Management thought – Taylor’s Scientific Management – Fayol’s theory – Elton Mayo and How throne experiments – Peter Drucker – Management process – Functions of Management.

### **UNIT – II**

Planning – Concept and Significance – Planning Process – Types of Plans – Different approaches to planning – Strategies, Objectives and policies – Decision making – Forecasting.

### **UNIT – III**

Organizing – Line, Staff and Functional organization – Formal and informal organization – Organizational structure – Authority and responsibility – Delegation and decentralization, divisionalisation and Departmentalization – Span of control – Chain of command – Co-ordination as an essence of Management.

### **UNIT – IV**

Staffing process – Recruitment, Selection, training, promotion, transfers, and demotion.

### **UNIT – V**

Leadership – Meaning and importance – Features - Styles –Motivation theories – Maslow’s theory, Mc Grego’s theory – Communication – Importance –Features of good communication – Types- Barriers – Steps to overcome barriers. Managerial control – Need for control – Steps in control – Features of effective control system.

Reference Books:

1. Essentials of Management – Hetald & Cyril O Donnel
2. Principles of Management – C. B. Gupta
3. Principles of Management – T. N. Chakravarthy
4. Principles of Management – L. M. Prasad
5. Principles of Management – Stoner

### **COURSE-III: ECONOMIC DEVELOPMENT IN INDIA**

The course is developed keeping in view the dynamics of economic principles in legal system. The Course intends to describe economic development in relation to Agriculture, Industry and Banking, the national income and the functions of the Central Bank i.e., RBI and the impact of globalization on the economy.

Course contents:

#### **UNIT – I**

Economic Development in India, in relation to Agriculture, Industry and Banking since 1990.

#### **UNIT – II**

National Income – meaning, measurement and difficulties, Parallel Economy – meaning, magnitude & consequences, Factors responsible for the generation of black money, Policy to control parallel economy.

#### **UNIT – III**

Functions and role of RBI and monetary policy, Quantitative and selective methods – working of the Indian monetary system – Chakravarty committee report.

#### **UNIT – IV**

New Industrial policy, changing role of public sector small sector industrial policy, Abid Hussein committee report on SSI.

#### **UNIT – V**

Globalization and its impact on Indian Economy, Emerging trends in India's Foreign Trade – Exim Policy – India and WTO, World Bank and IMF.

Reference Books:

1. Indian Economy – A. N. Agarwal
2. Indian Economics – Shankaran
3. Indian Economy – Rudradutt, KPM Sundaram
4. Indian Economy – S. M. Mishra, V. K. Puri

### **COURSE-IV: ENTREPRENEURSHIP DEVELOPMENT**

The course intends to elaborate on the Human Relations, aspects of entrepreneurship. It also highlights the legal requirements for establishment of new Units, licensing, clearance and other legal compliances. The Entrepreneur development programmes such as motivational aspects are highlighted.

Course contents:

#### **UNIT – I**

Entrepreneur – Meaning, Definition, Importance characteristics, Functions and types; Entrepreneurship – Meaning and Importance.

#### **UNIT – II**

Legal requirement for establishment of new Units, licensing, clearance, certificate from agencies, SIDBI.

#### **UNIT – III**

Entrepreneurship Development Programme – Meaning, objectives, phases in DP and operational Problems, Entrepreneurial Training Meaning, Importance and types.

#### **UNIT – IV**

Entrepreneurial Environments – Economic, Social, Cultural, Political and Legal Environment.

#### **UNIT – V**

Entrepreneurial Motivation – Motivating Factors – Compelling and Facilitating Factors; Entrepreneurial Ambition.

**Reference Books:**

1. Small Scale industries and entrepreneurial development-C. S. V. Murthy
2. Entrepreneurship and small business management- C. B.Gupta and Khanka.
3. Entrepreneurship Development- S. Anil Kumar, S. C.Poorinima, M. K. Abraham and K. Jayashree.

**COURSE-V: LAW OF TORTS**

Objectives:

This course is designed to study the principles of Tortious liability, the defences available in an action for torts, the capacity of parties to sue and be sued and matters connection there with. Further, this course is designed to study specific torts against the individual and property. With rapid industrialization, inadequacy of the law to protect the individual is exposed. An attempt shall be accorded to the individuals against mass torts and industrial torts. Keeping in the expensive character of judicial proceedings the students should reflect on the alternative forms, and also the remedies provided under the Consumer Protection Act, 1986.

Course contents:

**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 Defences, 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

Prescribed Books:

1. Ratanlal and Dhirajlal- Law of Torts.
2. Singh Gurubax- Law of Consumer Protection.
3. Reference Books:
4. Winfield and Jolowicz- Tort.
5. Hepple and Mathews- Tort: Cases and Materials
6. Baxi Upendra and Danda Amita- Valiant victims and Lethal
7. Litigation-The Bhopal Case, 1990 Salmond- On Torts.
8. Avtar Singh - The law of Torts.
9. D. N. Saraf - Law of Consumer Protection in India.

**III SEMESTER:**

**COURSE-I: BUSINESS COMMUNICATIONS**

Objectives:

Students are to be equipped in the communication skills that are necessary for making one self a good business administrator. Students are also required to be trained in computer communication skills to the extent necessary for a graduate I business administration so that he will be able to handle e-business.

Course contents:

**UNIT – I**

Communication- meaning, history and importance communicators and subject matter of communication- models of communication- written, oral and body language- Benefit of communication.

**UNIT – II**

Business communication- need for business communication errors in communication namely wrong communication, partial communication and no communication- Pre-requisites of good business communication.

**UNIT – III**

Business Letters- enquiries, quotations, orders and complaints, response, Announcements- Characteristics of a good business letter.

**UNIT – IV**

Reports- Reports for publication, periodical reports- reports to shareholders, Board of Directors Reports- reports to Creditors- Auditors reports- Reports of investigations and enquiries.

**UNIT – V**

Press notes and speeches of the Chairperson in company meetings.

Reference Books:

1. M.S. Ramaiah & Puttanashatty- Business Communications (Himalaya Publishing House, Bangalore)

**COURSE-II COST AND MANAGEMENT ACCOUNTING**

Objectives:

The Course intends to examine the primordial concept of management i.e. 'Costing'. The objective of costing in its entirety is brought in with principles of budgetary aspects. The course also explains the management audit concepts with an emphasis on social audits.

Course contents:

**UNIT – I**

Budgetary Control : Objectives of Budgetary Control –Preparation of the Budget – Functional Budgets – Sales Budgets– Production Budget – Cost Budget – Plant Utilization Budget Capital Expenditure Budget – Selling & Distribution Cost Budget– Purchasing Budget & Cost Budget – The Master Budget –Operation of Budgetary Control Flexible Budgetary Control –Zero – Base Budgeting – Case Studies.

**UNIT – II**

Standard Costing: Objectives – Principles – Determination of Standards for Material – Labor – Direct Expenses & Overhead Costs – Variable and Fixed Costs – Case Studies.

**UNIT – III**

Variance Analysis: Material, Labor and Overhead Variances –Sales & Profit Variances – Disposition of Variances – Assessing the Significance of Standard Cost Variance – Standard Cost Accounting – Case Studies.

**UNIT – IV**

Uniform costing & Inter-firm Comparisons: Objectives and Purposes Underlying Uniform Costing – Development of Uniform Costing – Cost Audit – Meaning & Definition – Inclusion of Clause B to Sec.208 to Sub Sec.(d) to Sec. 209 – Indian Companies Act, 1956 – Appointment of Cost – Cost Audit Programme – Records Relating to Materials – Labour Overhead – Depreciation – stores & Spare Parts –work in – progress and Incomplete Contract Cost Auditor’s Report – Application of Cost  
– Audit Report Rules, 1963 – Sachar Committee’s Report – Case Studies.

#### **UNIT – V**

Management Audit: Meaning & Definition – Objectives & Criticisms – Types of Audits – Arguments for & Against Management Audit – Social Audit-Steps underlying Social Audit Programme – Social Audit Report – Limitations of Social Audits – Case Studies.

Reference Books:

1. Welsh, Glenn A. – Profit, Planning and Control (Prentice Hall)
2. J. Batty – Standard Costing
3. M. R. S. Murthy – Cost Analysis for Management Decisions, Tata M c. Graw Hill

### **COURSE-III: HUMAN RESOURCES MANAGEMENT – INDUSTRIAL RELATIONS**

Objectives:

The H.R management being the most difficult of all human relations is related to Industrial Relations. The course offers a complete picture of Human Resource Management. The H.R Development being the most crucial aspect in the management, due importance is given to all aspects of HRM

Course contents:

#### **UNIT – I**

Introduction:

Meaning and significance of HRM; Evolution and Development of HRM; Functions of HRM; Objectives of HRM; Organization design and HRM. Human Resource Planning; Integrated Strategic planning and Human Resource Planning; HR Planning at different levels; Process of HRM; Control and Review mechanism in HR planning.

#### **UNIT – II**

Recruitment:

Definition, Objectives and Complexity; Corporate Objectives and Recruitment; Sources and Techniques of Recruitment – Internal– External sources – Modern Sources and Techniques; Assessment of Recruitment Programme.

#### **UNIT – III**

Selection, Placement and Induction: Selection Procedure, Tests, Interviews; Placement and Induction.

#### **UNIT – IV**

Human Resource Development; Concept and Significance of HRD; HRD framework; Techniques of HRD; Functions of Human Resource Development; HRD tasks and Line Manager.

#### **UNIT – V**

Performance Appraisal:

Performance Evaluation to Performance Analysis and Development; Methods of Performance Development; System of Performance Appraisal; Counseling; Managerial Appraisal.

### **Books for Reference**

1. HRM- K.S. Ashwathappa
2. HRM- T.V. Rao
3. HRM- Subba Rao
4. HRM- L.M. Prasad
5. HRM- V.S.P. Rao
6. HRM- Fred Luthans
7. Personnel Management- C.B. Memoria

### **COURSE-IV BUSINESS STATISTICS**

#### **Objectives:**

The course intends to spell out the statistical methods of calculation and analysis with appropriate expressions. The fundamentals of the subjects such as data collection and classification are introduced. The measuring of Central Tendencies, Dispersion and Correlations are taught to enable the students for research activities.

#### **Course contents:**

##### **UNIT – I**

Meaning – Definition & Scope of statistics, collection of data –primary & secondary – Methods collecting primary data, classification & tabulation – Graphs – Histogram & Ogive curves, Pie & Bar diagrams (single dimensional only)

##### **UNIT – II**

Measures of central tendency – A. M. Median, Quartiles & Mode(without grouping), G. M. & H. M.

##### **UNIT – III**

Measures of Dispersion – Range, Quartile deviation, Mean deviation & standard deviation with coefficients, Skewness –Bowly's & Karl Pearson's methods only.

##### **UNIT – IV**

Correlation – Meaning, Utility, Karl Pearson's coefficient of correlation (without grouping), Spearman's Rank correlation, Regression & estimation

##### **UNIT – V**

Index Numbers: Meaning – Uses – Steps involved in computing index numbers – Methods – simple, weighted, Laspeyre's Index number, Pasche's Index Number, Fisher's Ideal Index Number(Including TRT & FRT), Consumer Price Index under family budget method.

### **Books for reference:**

1. Business Statistics – S. P. Gupta
2. Business Statistics – B. N. Gupta
3. Business Statistics – S. C. Gupta
4. Business Statistics – D. N. Elhance
5. Business Statistics for Business and Economics – Leonard JKazmier
6. Practical Business Statistics – Andrew F Siegel

### **COURSE-V CONSTITUTIONAL LAW - I**

The purpose of the course is to acquaint the students with the idea that the Indian Constitution is a normative Constitution with value aspirations. The Indian Constitutions envisages to establish a justice system with legal technique. The basic postulate of Constitution like the Constitutional Supremacy, Rule of Law and Concept of Liberty are emphasized in this paper. Exhaustive

analysis of Fundamental Rights and committed approach to Directive Principles would form the essence of the course.

#### UNIT – I

Meaning and 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 and 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

Positive Discrimination and Social Justice under Articles 15 and 16, New Judicial trends on Social Justice, Constitutional Provisions 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 – IV

Rights of the Accused: Ex-post facto Law – Double jeopardy – Right against self-incrimination (Article 20). Rights of arrested persons, Preventive Detention Laws (Article 22), Right to Life and Personal 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 Books:

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

#### **Reference Books:**

1. H.M. Seervai – Constitutional Law of India
  2. T.K. Tope – Constitutional Law
  3. D.D. Basu Shorter Constitution of India
  4. S. Shiva Rao – Framing of Indian Constitution
  5. Subhash. C. Kashyap – Parliamentary Procedure
  6. Subhash. C. Kashyap – History of Indian Parliament
  7. R.C. Agarwal – Constitutional Development and National Movement
  8. A.B. Keith – Constitutional History of India
- D.J.De – The Constitution of India Vol.I & II

## **IV SEMESTER**

### **COURSE-I: FINANCIAL MANAGEMENT**

Objectives:

The course intends to highlight capital structure and market with long term and short-term debts. The nerve center of every business set up is its financial management. Fundamentals of Financial



Management are examined in its entirety. The course also tries to explain the F.M. of MNCs besides, mergers and acquisitions.

Course contents:

#### **UNIT I**

Cost of Capital: Cost of Equity – Short and Long Term Debts – Cost of Short – Term Borrowing – Capital Market Hypothesis: Derivation of Sharpe Lintner – Empirical Evaluation of the Model.

#### **UNIT - II**

Capital Structure Hypothesis: Traditional Proposition V/s. Modigliani Proposition – Empirical Evaluation of Propositions – Dividend Policy Decisions – Factors Affecting Dividend Policy – Traditional Proposition V/s M Hypothesis – Empirical Evaluation of Different Hypothesis – Types of Dividend Policies.

#### **UNIT - III**

Working Capital Management: Optimal Investment in Short Term Assets like Inventory – Debtors – Securities and Cash – Determination of Optimal Sources of Funds.

#### **UNIT - IV**

Financial Management of Multi-national Corporations: Factors Peculiar to Multi-Nationals – Decision Areas – Working Capital – Management Accounting – Capital Budgeting – Capital Structure and Dividend Policies – Case Studies.

#### **UNIT - V**

Mergers and Acquisitions: Types of Characteristics – Valuation – Deed Structuring – Managerial State- Regulation – Environment – case Studies.

Reference Books:

1. Mao, James C. T – Quantitative Analysis of Financial Decisions – (Mc. Milan)
2. Khan, M. V. and Jain – Financial Management – Tata McGraw Hill
3. Paney. I. M. – Financial Management – Delhi, Vikas Publishing House.

### **COURSE-II: INTERNATIONAL BUSINESS**

The course intends to focus on ‘International Marketing’. The onset of globalization and its inevitable legal consequences are required to be appreciated by legal fraternity. The concepts of MNCs and the global market with international business environment and the intricacies involved with it are highlighted.

Course contents:

#### **UNIT – I**

Introduction: International Marketing – Trends in International Trade – Reasons for going International – Global Sourcing and Production Sharing – International Orientations – Internationalization Stages and Orientations – Growing Economic Power of Developing Countries – International Decision – Case Studies.

#### **UNIT – II**

International Business Environment: Trading Environment – Commodity Agreements – Cartels – State Trading – Trading Blocks and Growing Intra-Regional Trade – Other Regional Groupings – SAARC – GATT/WTO and Trade Liberalization – The Uruguay Round – Evaluation – UNCITRAL.

#### **UNIT – III**

Multinational Corporations: Definition – Organizational Structures – Dominance of MNC’s – Recent Trends – Code of Conduct – Multinationals in India – Case Studies.

#### **UNIT – IV**

India in the Global Setting: India an Emerging Market – India in the Global Trade – Liberalization and Integration with Global Economy – Obstacles in Globalization –Factors Globalization – Globalization Strategies – Case Studies.

#### **UNIT – V**

Trade Policy and Regulation in India: Trade Strategies – Trade Strategy of India – Export – Import Policy – An Evaluation of the Policies – Regulation and Promotion of Foreign Trade in India – Export Incentive –Product Assistance/Facilities –Marketing Assistance – Import Facilities for Exporters – Export Units and Export Processing Zones– Export Houses and Trading Houses– Case Studies.

Reference Books:

1. Chanda. G. K. – WTO and Indian Economy
2. G. S. Batra& R. C. Dangwal – International Business: New Trends
3. Jean Pierre & H. David Hennessay – Global Marketing Strategies

#### **COURSE-III: CONSTITUTIONAL LAW - II**

This course gives the students a picture of Constitutional Parameters regarding the organization, powers and functions of the various organs of the Government. The emphasis is also on the study of the nature of federal structure and its functioning. A critical analysis of the significant judicial decisions is offered to highlight judicial restraint, judicial activism and judicial balancing. Finally, the students should be able to articulate their independent views over contemporary crucial Constitutional issues.

#### **UNIT – I**

Federal System: Organization of State, Relationship between the Centre and the State: Legislative, Financial and Administrative, Co-operative Federalism and recommendations of the Commission.

Freedom of Trade and Commerce, Official Language, Local self-government with special reference on 73rd& 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 functions, Council of Ministers: Collective responsibility, Position of Prime Minister and Chief Minister.

#### **UNIT – III**

Speaker: Parliament and State Legislature, Powers and functions, Privileges and 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 to Civil Servants Election Commission: Powers and functions State Liability for Torts and Contract

#### **UNIT – V**

Emergency: Types, Effects and effects on Fundamental Rights Constitutional Interpretation Amendment: Basic Structure Theory, Schedules, Review of working of the Constitution

#### **Prescribed Books:**

1. M.P.Jain – Indian Constitutional Law Vol I & II

#### **Reference Books:**

1. H.M. Seervai – Constitutional Law of India
2. V.N. Shukla – Constitution of India
3. T.K. Tope – Constitutional Law
4. S. Shiva Rao – Framing of Indian Constitution
5. Subhash. C. Kashyap – Parliamentary Procedure
6. Subhash. C. Kashyap – Constitution of India
7. D.J.De – The Constitution of India Vol.I & II
8. J.N. Pandey – Constitutional Law of India
9. D.D. Basu Shorter Constitution of India

#### **COURSE-IV: LAW OF CRIMES - I**

This course is designed to understand the meaning of crime, methods of controlling them and the essential principles of criminal liability by a study of a range of offences under the 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 – Actusreus and mensrea (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 (judgments).

##### **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 State: Sections 121 – 130; Offences against the public tranquillity: 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**

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##### **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).

Prescribed Books:

Rathanlal and Dhirajlal: Indian Penal Code. Kenny's Outlines of English Criminal Law.

References Books:

K. D. Gaur - A Text Book on the Indian Penal Code

P. S. Achuthan Pillai - Criminal Law.

Glanville Williams – Criminal Law

### **COURSE-V: CONTRACT – I (GENERAL PRINCIPLES OF CONTRACTS)**

Contracts are at the basis of majority of transactions especially transactions dealing with the property. Whether the transaction is in the ordinary course of life or in the electronic world (e-commerce) the general principles governing contracts remain same. For this reason it is very important to introduce the students to the basic principles governing contracts and lay a powerful foundation for their study of other transactional and related laws in higher semesters.

Course contents:

#### **UNIT – I**

History – Formation of Contract – Agreement and Contract –Definitions – Classification - Offer and Acceptance –Communication – Revocation – Essential elements – Invitation to Offer – Tenders. Consideration – NudumPactum - Essential elements – Privity of Contract and of Consideration – Exceptions – Unlawful Consideration and its effect. Contractual Ability – 31

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.

Prescribed Books:

1. Avtar Singh- Law of Contracts
2. Avtar Singh- Specific Relief Act

Reference Books:

1. Pollock &Mulla- Indian Contract Act
2. P. S. Atiya- Introduction to the Law of Contract
3. G. C. Cheshire- Law of Contract
4. William Anson- Law of Contract
5. Henry Maine- Ancient Law

### **V SEMESTER: COURSE-I: LABOR LAW – I**

Objectives:

In this course, the students are to be acquainted with the industrial relations framework. Further, the importance of the maintenance of industrial peace and efforts to reduce the incidence of strikes and lockouts are to be emphasized. The main objective is to critically examine the provisions in the Trade Unions Act 1926; the machineries contemplated under the Industrial Disputes Act 1947, for the prevention and settlement of industrial disputes and other matters. Further, the objectives underlying the Industrial Employment (Standing Orders) Act 1946, and Disciplinary Enquiry for misconduct are to be studied with a view to acquaint misconduct alleged and established.

Referring wherever necessary to the Constitutional provisions and the ILO Conventions and recommendations will do learning of these legislations. We will be looking at the judicial response, legislative response and probable amendments required to the industrial relations laws to meet the challenges posed by economic liberalization. In order to understand the above – mentioned legislations in their proper perspective, a brief historical background of these legislations will also be examined.

In this course, students shall also acquaint with legal frame-work relating to social security and welfare. The concept of social security, its importance and also Constitutional basis for the same are introduced. The importance of ensuring health, safety and welfare of the workmen, social assistance and social insurance schemes and the regulation of wages under various legislations are to be emphasized. The objective is also to understand the provisions of the Employees Compensation Act 1923, the Employees State Insurance Act 1948. These Legislations are to be studied with a view to acquaint the students regarding various rights and benefits available to the workman there under. Legislations are to be analyzed by examining historical background, objectives underlying these legislations, judicial interpretations and effectiveness of these legislations in the changed economic policies.

#### **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 provisions.

A bird's eye view of the Act – Definitions – 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 and liberalization.

#### **UNIT – II**

Historical Background and Introduction to the Industrial Disputes 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 & V B of the 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 ILO – Constitutional Mandate. The Employee's Compensation Act 1923 – Definitions – employee, employer, dependent, partial 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, Powers, 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 – Definitions – employed person, factory, industrial and other establishment, wages, etc. – Deductions – Authorities – Inspectors and Payment of wages Authority.

The Factories Act 1948 – Definitions – 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 facility – Provisions relating to regulation of employment of women, children and young persons.

#### **Books Prescribed:**

1. S.C. Srivastava – Industrial Relations and Labor Laws
2. Dr. V.G. Goswami – Labor Industrial Laws
3. S.N. Mishra – Labor and Industrial Laws
4. S.C. Srivastava – Treatise on Social Security
5. The trade Unions Act 1926
6. The Industrial Disputes Act 1947
7. The Industrial Employment (Standing Orders) Act 1946

### **COURSE-II JURISPRUDENCE**

Any academic discipline, worthy of the name, must develop in the student the capacity for critical thought. Legal education needs to teach both law and its context- social, political and theoretical. At the heart of legal enterprise is the concept of law. Without deep understanding of this concept neither legal practice nor legal education can be a purposive activity. This course in Jurisprudence is designed, primarily, to induct students into an realm of questions concerning nature of law. Therefore, the first part of the course is concerned with important questions like, what is law, what are the purposes of law?, the relationship between law and justice and the like. The second part is concerned with the important sources of law. The emphasis is on important issues concerning law with reference to ancient and modern Indian Legal Thought. One important branch of Jurisprudence consists in analysis of legal concepts. The law of contract and tort is concerned with different rights which one person may have against another. Jurisprudence, on the other hand, studies the meaning of the term “rights” in the abstract and seeks to distinguish various kinds of rights which are in theory possible under a legal system. Similarly, it investigates other legal concepts and tries to build up a general and more comprehensive picture of each concept as a whole. This course is designed primarily on English model but native India Orientation is given wherever possible.

Course contents:

#### **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, mensrea, intention, malice, negligence and recklessness, strict liability, vicarious liability, obligation.

Prescribed Books:

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

Reference Books:

1. W. Friedman – Legal Theory
2. V. D. Mahajan – Jurisprudence and Legal Theory
3. Paton – Jurisprudence
4. Edgar Bodenheimer – Jurisprudence

### **COURSE-III: FAMILY LAW-I: HINDU LAW**

Objectives:

The knowledge of family laws is important for lawyers. This course is designed to endow the students with knowledge of both the codified and un codified portions of Hindu law. The course concerns itself with the sources, schools, institutions, succession, maintenance, menace of dowry, etc.

#### **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.

#### **Prescribed Books:**

Paras Diwan – Modern Hindu Law

Reference Books:

John D. Mayne – Hindu Law Usages

Mulla – Principles of Hindu Law

Paras Diwan – Law of Adoption, Ministry Guardianship's custody

J. D. M. Derrett – Hindu Law – Past and Present

### **COURSE-IV CONTRACT-II (SPECIFIC CONTRACTS)**

Objectives:

In the society wherein all major ventures are getting corporatized, a law student should acquaint himself with the knowledge of special contracts apart from equipping himself with general principles of contract. This law is contained in several legislations apart from the Indian Contract Act. This course equips the students to better appreciate the legal services required in a corporate office so that he can enhance his relevance as a lawyer in society.

Course contents:

#### **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 Pawnor 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 their possibility of exploitation – Judicial Approach to such Contracts – Exemption Clauses – Clash between two standard forms of contracts.

### **Prescribed Books:**

1. Avtar Singh - Law of Contract
2. J. P. Verma - The Law of Partnership in India
3. Saharay H. K - Indian Partnership and Sale of Goods Act
4. Krishnan Nair - Law of Contract Hire Purchase Act
5. Reference Books:
6. Pollock and Mulla– Indian Contract Act
7. Anson - Law of Contract
8. Avtar Singh - Sale of Goods Act

## **COURSE-V ADMINISTRATIVE LAW**

### **Objectives:**

One of the perennial problems of the civilized society is to control the exercise of public power. Administrative Law is concerned with controlling the misuse of public power, by laying down general norms of administrative behavior. This course will deal with the nature, scope and functions of Administrative Law, the nature and control of delegated legislative power, regulation of discretionary powers and general principles of Administrative adjudication. This course further deals with the role played by courts in the development of Administrative Law. The Focus is on their role in protecting the rights of individuals against abuse of administration. In addition adjudicatory powers of the administration and liability of administrative authorities are also studied in this course.

### **Course contents:**

#### **UNIT – I**

Evolution- Nature and Scope of Administrative Law- Relation with Constitutional Law- Separation of powers and concepts-Rule of law- Council d' Eate, (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- Maladministration-Control mechanism of Accountability.

**Prescribed Books:**

1. M. P. Jain & S. N. Jain - Principles of Administrative Law.
2. Reference Books:
3. Wade - Administrative Law.
4. De Smith - Judicial Review of Administrative Action.
5. S. P. Sathe - Administrative Law.
6. P. Massey - Administrative Law.

**VI SEMESTER:  
COURSE-I: LABOR LAW - II**

**Objectives:**

In this course, students are to be acquainted with legal frame – work relating to social security and welfare. It is necessary to know the concept of social security, its importance and also Constitutional basis for the same. The importance of ensuring health, safety and welfare of the workmen and social assistance and social insurance schemes under various legislations are to be emphasized. The main theme underlying the programme is to critically examine provisions of the Employees Compensation Act 1923, the Payment of Wages Act 1936, the Factories Act 1948, the Employees State Insurance Act 1948, The Minimum Wages Act 1948, the Employees Provident Fund Act (Family Pension Fund and Deposit Linked Insurance Fund) 1952, the Maternity Benefit Act 1961, the Unorganized Sector Workers’ Social Security Act 2008. These Legislations are to be studied with a view to acquaint the students regarding various rights and benefits available to the workmen the re-under. Legislations are to be analyzed by examining historical background, objectives underlying these legislations, judicial interpretations and effectiveness of these legislations in the changed economic policies.

**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.

### **COURSE-II: COMPANY LAW**

#### **Objectives:**

The course is designed to understand the formation, management and other activities of the companies. In view of the important developments that have taken place in the corporate sector. Important regulations pertaining to the issue of shares and the capital raising have come into force. This course aims to impart the students, the corporate management, control, possible abuses, the remedies and government regulation of corporate business and winding up of companies.

#### **Course contents:**

#### **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 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

### **Prescribed Books:**

1. Taxman's Corporate Laws.
2. Avtar Singh - Company Law.
3. Reference Books:
4. Ramaiah- Companies Act, Parts I and II.
5. Shah - Lectures on Company Law.
6. Taxman's Company Law.
7. S. C. Kuchal- Corporation Finance: Principles and problems.
8. Y. D. Kulshreshta- Government regulation of financial management of private corporate sector in India.
9. S. K. Roy- Corporate Image in India.
10. Gower - Company Law.
11. Sen – New Horizons in company law.
12. D. L. Majumdar- Towards a philosophy of Modern Corporation.
13. Pennington - Company Law.
14. Rajiv Jain - Guide on foreign collaboration – Policies & Procedures.
15. C. Singhania – Foreign collaborations and Investments in India– Law and procedures.
16. Joyant M Thakur – Comparative Analysis of FEMA – FEMA Act, 1999 with FERA.
17. Sanjiv Agarwal - Bharat's guide to Indian capital.

### **COURSE-III: PROPERTY LAW**

#### **Objectives:**

The focus of this course is on the study of the concept of Property, the 'nature of property rights' and the general principles governing the transfer of property. A detailed study of the substantive law relating to particular transfers, such as sale, mortgage, lease, exchange, gift and actionable claims will also be undertaken. The course also includes an exposure into the concept of trust.

#### **Course contents:**

### **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 bona-fide holder- Doctrine of Lispendens- 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.

### **Prescribed Books:**

1. Mulla – Transfer of Property Act, 1882.
2. M. P. Tandon – Indian Trust Act.
3. Reference Books:
4. Subbarao – Transfer of Property
5. Shah – Principles of the Law of Property
6. Shukla – Transfer of Property Act
7. Menon – Property Law
8. M. P. Tandon – Indian Trust Act.

## **COURSE-IV: FAMILY LAW - II**

### **MOHAMMEDAN LAW AND INDIAN SUCCESSION ACT**

Objectives: The knowledge of family laws is important for lawyers. This course is designed to endow the students with knowledge of both the codified and uncodified portions of Mohammedan Law. The course concerns itself with the sources, schools, institutions, succession, maintenance, menace of dowry, etc. In addition the students have to familiarize themselves with the provisions of the Indian Succession Act.

Course contents:

#### **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 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.

### **Prescribed Books:**

1. Mulla - Principles of Mohammedan Law.
2. Paras Diwan - Law of Intestate and Testamentary Succession.
3. Reference Books:
4. B. B. Mitra - Indian Succession Act, 1925.
- A. A. A Fyzee - Outlines of Mohammedan Law.
5. D. D. Basu - Law of Succession.
6. Paras Diwan - Family Law: Law of Marriage and Divorce in India.
7. M. Bhattachargee - Muslim Law and the Constitution.
8. Tahir Mohamood - Mohammedan Law.
9. Indian Divorce Act, 1869 – Bare Act

### **VII SEMESTER:**

### **COURSE-I: PUBLIC INTERNATIONAL LAW**

Objectives:

The course includes the study of general principles of international law including law of peace. Third world concerns in respect of security and development and the role of U.N. and International Agencies in structuring solutions in the context of changing balance of power are also to be appreciated.

Course contents:

### **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 Labor Organization.

#### **Prescribed Books:**

1. J. G. Starke- An Introduction to International Law.
2. P.W. Bowett- International Institutions.
3. Reference Books:
4. J. B. Brierly - The Law of Nations.
5. D. H. Harris - International Law (Cases and Materials).
6. Oppenheim - International Law (Volume I, Peace)
7. S. K. Kapoor - International Law.
8. Bhagirathlal Das – World Trade Organization.

### **COURSE-II: 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 assesses, 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 (122<sup>nd</sup> 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 – Interstate 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

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

Objectives:

Procedural Law providing for a fair procedure is significant for a just society. The course is aimed at driving home the student shows the pre-trial, trial and the subsequent process are geared up to make the administration of criminal justice effective. The course will acquaint the student with organization of the functionaries under the Code, their power and functions at various stages and the procedure according to which these powers and functions are to be exercised. The students will also undertake the study of two cognate Acts as a part of this course viz.; Juvenile Justice Act and Probation of Offenders Act. In additions the course teacher shall endeavor to familiarize the students with the case paper like FIR, Police statement, charge sheet, etc. 48

Course contents:

**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:

1. Magisterial Powers to take cognizance.
2. Commencement of proceedings.
3. Dismissal of complaints.
4. Charge.
5. Processes to compel appearance and production of things.
6. Bail.
7. Preliminary pleas to bar trial.

**UNIT - III**

Trail Process-II

1. Provisions as to Inquiries and Trials.
2. Judgment.
3. Appeals, Revision and Reference.
4. Security for keeping peace and good behavior.
5. Maintenance.

**UNIT - IV**

Miscellaneous

1. Transfer of cases.
2. Execution, suspension, remission and commutation of sentences.
3. Disposal of property.
4. Preventive action of the police.
5. Irregular proceedings.
6. Limitation of taking cognizance.
7. Compounding of offences and plea bargaining.
8. 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.

**Prescribed Books:**

1. Ratanlal & DhirajLal- The Code of Criminal Procedure.
2. Juvenile Justice (Care & Protection of Children) Act, 2000 –Bare Act
3. Probation of Offenders’ Act, 1958-Bare Act
4. Reference Books:
5. R.V.Kelkar- Criminal Procedure.
6. Report of the Committee on Reforms of Criminal Justice System.

## **COURSE -IV: CLINICAL COURSE-I: PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM**

### **Objective:**

Professions are noble. The movement of all professions, hitherto, has been from chaos to organization, organization to consolidation and consolidation to autonomy and monopoly. Same is true of the law profession also. The prime reason for conferring autonomy and monopoly by the society on the professionals is the fact that they are a body of learned persons and the interest of society and individuals is safe in their hands. The Bar should set enviable standards of ethics and scrupulously adhere to them as also enforce them. It is too good of the society to trust the learned body of the professionals to regulate themselves and not to empower an outsider to sit in judgment over their activities. The trust reposed by the society in profession is to be zealously guarded. The Bar should live up to the expectations of the society. The society has a right to expect of the professionals such ideal behavior. The course is designed to imbue students with these high values forming the basis of the profession so that they can live up to those standards in their professional life.

### **Course contents:**

#### **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:

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.Goplan and others, AIR 1979 SC 201.
6. Chandra Shekhar 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-I) 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**

Selected opinions of the Bar council of India

1. DC Appeal No. 16/93 1998 (Vol.1) IBR 1352. BCI Tr. Case No.40/91 1998 (Vol.1) IBR 139
3. DC Appeal No. 8/94 1998 (Vol. 1) IBR 1534. DC Appeal No. 20/94 1997 (Vol. 3 &4) IBR 193
- 5 BCI Tr. Case No. 76/95 1997 (Vol. 3 &4) IBR 2016 DC Appeal No.43/96 1997 (Vol. 3 &4) IBR 207
- 7 DC Appeal No.18/91 1997 (Vol. 1 & 2) IBR 2718 DC Appeal No.24/90 1996 (Vol.1) IBR 135
- 9 DC Appeal No.19/93 1996 (Vol.1) IBR 15210 BCI Tr. Case No.104/90 1996 (Vol.1) IBR 155

11 BCI Tr. Case No.52/89 1994 (Vol.1) IBR 18712 BCI Tr. Case No.127/88 1992 (Vol. 3 &4) IBR 125  
 13 BCI Tr. Case No.39/87 1992 (Vol. 3 &4) IBR 14714 BCI Tr. Case No.39/89 1992 (Vol. 3 &4) IBR 149  
 15 BCI Tr. Case No.16/88 1989 (Vol.1) IBR 9916 BCI Tr. Case No.2/88 1989 (Vol.1) IBR 102  
 17 BCI Tr. Case No.52/88 1989 (Vol.2) IBR 11018 DC Appeal No.41/87 1989 (Vol.2) IBR 122  
 19 BCI Tr. Case No.29/81 1989 (Vol.2) IBR 24520 DC Appeal No.14/88 1989 (Vol.2) IBR 258  
 21 BCI Tr. Case No.14/80 1989 (Vol.2) IBR 26422 DC Appeal No.24/87 1989 (Vol.2) IBR 273  
 23 DC Appeal No.46/86 1989 (Vol.2) IBR 28024 DC Appeal No.3/88 1989 (Vol.2) IBR 285  
 25 BCI Tr. Case No.2/80 1989 (Vol.2) IBR 28926 BCI Tr. Case No.10/86 1989 (Vol. 3 &4) IBR 520  
 27 BCI Tr. Case No.101/88 1989 (Vol. 3 &4) IBR 52428 DC Appeal No.23/88 1989 (Vol. 3 &4) IBR 532  
 29 DC Appeal No.35/87 1989 (Vol. 3 &4) IBR 53630 BCI Tr. Case No.27/88 1989 (Vol. 3 &4) IBR 542  
 31 BCI Tr. Case No.6/84 1989 (Vol. 3 &4) IBR 56032 BCI Tr. Case No.24/86 1989 (Vol. 3 &4) IBR 563  
 33 DC Appeal No.10/88 1989 (Vol. 3 &4) IBR 57234 DC Appeal No.45/74 1988 (Vol. 1 &2) IBR 182  
 35 DC Appeal No.23/87 1989 (Vol.1& 2) IBR 18736 DC Appeal No.6/81 1988 (Vol.1& 2) IBR 193  
 37 BCI Tr. Case No.16/86 1988 (Vol.1& 2) IBR 19738 DC Appeal No.41/86 1988 (Vol.1& 2) IBR 200  
 39 DC Appeal No.33/86 1988 (Vol. 3 &4) IBR 35440 DC Appeal No.21/85 1988 (Vol. 3 &4) IBR 359  
 41 BCI Tr. Case No.43/82 1988 (Vol. 3 &4) IBR 36442 DC Appeal No.28/86 1988 (Vol.3& 4) IBR 374  
 43 DC Appeal No.64/74 1987 (Vol.2) IBR 31444 DC Appeal No.30/84 1987 (Vol.2) IBR 319  
 45 DC Appeal No.40/86 1987 (Vol.3) IBR 48846 DC Appeal No.10/86 &10A/861987 (Vol.3) IBR 491  
 47 DC Appeal No.7/86 1987 (Vol.3) IBR 49648 DC Appeal No.7/81 1987 (Vol.4) IBR 735  
 49 DC Appeal No.12/86 1987 (Vol.4) IBR 74550 BCI Tr. Case No.57/87 1987 (Vol.4) IBR 753

#### **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 book keeping: 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.

#### **Prescribed Books:**

1. K.V.KrishnaswamyIyer- Professional Conduct and Advocacy.
2. B.S.Raman- Accountancy.
3. Reference Books:
4. N. R. MadhavaMenon- Clinical Legal Education.

5. Dr. B. Malik- Art of Lawyer (New Delhi, Universal Book Agency, 1999) - Relevant articles
6. Contempt of Court Act, 1971

**VIII SEMESTER:  
COURSE-I: LAW OF EVIDENCE**

**Objectives:**

The law of Evidence has its own significance amongst Procedural Laws. The knowledge of law of Evidence is indispensable for a lawyer. The course is designed to acquaint the students with the rules of evidence in relation to relevancy of facts and proof. In addition, they are introduced to law relating to production of evidence. The course teacher shall familiarize the students with appreciation of evidence and use innovative techniques like simulation exercises wherever necessary.

**Course contents:**

**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, Cr.P.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-Section10, Relevancy or otherwise irrelevant facts- Facts to prove right or custom (Section13)-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 (1) 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(Sections102-106)- 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.

#### **Prescribed Book:**

1. Ratanlal and Dhirajlal - Law of Evidence.
2. Reference Books:
3. Best - Law of Evidence.
4. Sarkar - Law of Evidence.
5. M. Rama Jois - Legal and Constitutional History of India.
6. Batuklal - Law of Evidence.

### **COURSE - II**

#### **OPTIONAL – I HUMAN RIGHTS LAW AND PRACTICE / INSURANCE LAW**

##### **COURSE-II: OPTIONAL-I: HUMAN RIGHTS LAW AND PRACTICE**

Objectives: The objectives of the course are to prepare for responsible citizenship with awareness of the relationship between Human rights, democracy and development; to foster respect for international obligations for peace and development; to impart education on national and international regime of Human Rights; to sensitize students to human suffering and promotion of human life with dignity; to develop skills on human rights advocacy and to appreciate the relationship between rights and duties and to foster respect for tolerance and compassion for all living creatures.

Course contents:

#### **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.

#### **Prescribed Books:**

1. Meron Theodor- Human Rights and International Law: Legal and Policy Issues, 2 Vols.
2. S.K.Kapoor- Human rights Under International Law and Indian Law.
3. Reference Books:
4. Henkin Luis- Rights of Man Today.
5. Singh Nagendra- Enforcement of Human Rights in Peace and
6. War and the future of humanity.
7. Relevant International Instruments.
8. United Nations Charter, 1945.
9. Universal Declaration of Human Rights, 1948.
10. International Convention on the Elimination of All Forms of Racial Discrimination, 1948.
11. International covenant on civil and Political Rights, 1966.
12. International covenant on Economic and Cultural Rights, 1966.
13. Convention on Elimination of All forms of Discrimination against Women, 1979.
14. Convention on the Rights of the Child, 1989.

## **COURSE-II: OPTIONAL-II: INSURANCE LAW**

### Objectives:

The insurance idea is an old-institution of transactional trade. Even from olden days merchants who made great adventures gave money by way of consideration, to other persons whom ade assurance, against loss of their goods, merchandise ships and things adventured. The rates of money consideration were mutually agreed upon. Such an arrangement enabled other merchants more willingly and more freely to embark upon further trading adventures. The operational framework of insurance idea is provided by the general principles of contract. The insurance policy, being a contract, is subject to all the judicial interpretative techniques of rules of interpretation as propounded by the judiciary. Besides, the insurance idea has a compensatory justice component. This course is designed to acquaint the students with the conceptual and operational parameters, of insurance law.

### Course contents:

#### **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 entitled 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 motor 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).

#### **Prescribed Books:**

1. K. S. N. Murthy and K. V. S. Sharma - Modern Law of Insurance in India.
2. M. H. Srinivasan - Principles of Insurance Law.
3. Reference Books:
4. E. R. Hardy Ivamy - General Principles of Insurance Law, relevant Chapters.
5. Insurance Act, 1938.
6. The Marine Insurance Act, 1963.
7. General Insurance (Business) (Nationalization) Act, 1972.
8. The Life Insurance Corporation Act, 1956.
9. Motor Vehicle Act, 1988.

### **COURSE – III OPTIONAL - II BANKING LAW / RIGHT TO INFORMATION BANKING LAW**

Objectives:

Banking Institutions have become important players in the present-day economy. They play a pivotal role in the growth of trade, commerce and industry. Several policy initiatives and legislative amendments have changed the role of Banks from being mere economic institutions to agents of social change. Appreciating the importance, the Government has enacted several enactments to direct, regulate and control the banks and banking operations, through Reserve Bank of India and Ministry of Finance. The course is designed to primarily acquaint the students with operational parameters of banking law, and to teach the general principles of banking law and to develop appreciative faculties of the students in statutory as well as case –law in this area.

Course contents:

#### **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, Traveller's cheques, bank orders, credit card, debit/smartcards, 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-Banking Ombudsman.

### **Prescribed Books:**

1. M. L. Tannan- Law of Banking.
2. M. S. Parthasarathy (Ed.), Khergamvala– Negotiable Instruments Act.
3. Justice Bhaghabati Prasad Banerjee- Guide to Securitization and
4. Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.
5. Reference Books:
6. Avtar Singh – Negotiable Instruments Act.
7. Basu - Review of Current Banking: Theory and Practice.
8. Paget- Law of Banking.
9. L. C. Goyle- The Law of Banking and Bankers.
10. Relevant provisions of Information Technology Act, 2000

### **RIGHT TO INFORMATION**

#### **Objectives:**

Free exchange of ideas is a basic pillar of democratic society. Corruption thrives in sacred places; therefore, it is stated that sunlight is the best disinfectant. There should be governance in sunshine. The course is designed to convince the students how the right to information infuses transparency and accountability in governance, preventing abuse of power.

#### **Course contents:**

#### **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.

#### **Prescribed Books:**

1. J.H.Barowalia- Commentary on the Right to Information Act.
2. Reference Books:
3. J.N.Barowalia- Commentary on the Right to Information Act.
4. S.V.Joga Rao- Law Relating to Right to Information, vol.1

### **COURSE – IV**

#### **CLINICAL COURSE – II: ALTERNATIVE DISPUTE RESOLUTION SYSTEMS**

Objectives:

Today alternative disputes resolution systems have become more relevant than before both at local, national and international levels. Certain of the disputes, by nature are fit to be resolved through specific method of resolution. Each of these dispute resolution systems involves different style of planning and execution. The skills involved are also different as also preparation. This course trains the students in ADRs. The course teacher shall administer simulation exercises for each of the methods.

Course contents:

#### **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.

#### **Prescribed Books:**

1. Sridhar Madabhushi- Alternative Dispute Resolution.
2. Rajan R.D. - A Primer on Alternative Dispute Resolution.
3. Reference Books:
4. Sampath D.K. - Mediation.
5. Gold Neil, et.al. - Learning Lawyers Skills (Chapter-7).
6. Michael Noone- Mediation, (Chapters-1, 2&3) Mode of Assessment: There will be an end of the semester examination for 60 marks and 40 marks to be awarded by the course teacher for four exercises at the rate of 10 marks for each of the exercise.

### **IX SEMESTER:**

#### **COURSE-I: CIVIL PROCEDURE CODE AND LIMITATION ACT**

Objectives:

Study of procedural law is important for a Law student. This course is designed to acquaint the students with the various stages through which a civil case passes through, and the connected matters. The course also includes law of limitation. The course teacher shall endeavor to familiarize the students with the case papers (like plaints, written statements, Interlocutory applications, etc.) involved in civil cases and touch upon the provisions of Evidence Act wherever necessary.

Course contents:

#### **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, 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 61

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 originations, 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.

#### **Prescribed Books:**

1. Mulla - Civil Procedure Code.
2. Sanjiwa Rao - Civil Procedure Code.
3. Karnataka Civil Rules of Practice – Bare Act.
4. Reference Books:
5. P. M. Bakshi - Civil Procedure Code.
- B. K. Takwani - Civil Procedure Code.

### **COURSE – II OPTIONAL – III**

#### **INTELLECTUAL PROPERTY RIGHTS – I / PENOLOGY & VICTIMOLOGY**

#### **INTELLECTUAL PROPERTY RIGHTS - I**

Objectives:

Intellectual Property Law has assumed a great importance in recent times as a result of the recognition that “knowledge is property”. The creations of the human brain as IP are required to be understood and protected. The syllabi encompassing all relevant IP legislations in India with a view to understand and adjust with changing needs of the society because creative work is useful to society and law relating to innovation/creativity i.e. Intellectual Property is one of the fastest growing subjects all over the globe because of its significance and importance in the present era. Disseminate information on national and international IPR issues. The course is designed with a view to create IPR consciousness; and familiarize the learners about the documentation and administrative procedures relating to IPR in India. The subject Intellectual Property Law divided into two Papers namely Paper – I and Paper - II of 100 marks each.

Course contents:

#### **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 cybercrimes; Grant in software patent and Copyright in software; Software piracy; 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.

#### **Prescribed Books:**

1. P. Narayanan – Intellectual Property Law.
2. Cornish William – Intellectual Property.

#### **Reference Books:**

1. Ganguli – Intellectual Property Rights: Unleashed the knowledge economy.
2. Copinger & Skine James – Copyright.
3. Pal P. – Intellectual Property Rights in India.
4. Unni – Trade Mark, Design and Cyber Property Rights.
5. Rodney Ryder – Intellectual Property and the Internet.
6. Rahul Matthan – The law relating to Computers and the Internet.
7. Elizabeth Verkey – Law of Plant Varieties Protection.
8. Pavan Duggal – Cyber Law: the Indian Perspective.
9. D. P. Mittal - Law of Information Technology.

## **PENOLOGY & VICTIMOLOGY**

Objectives:

This course offers a specialist understanding of criminal policies including theories of punishment, their supposed philosophical and sociological justifications and the problem of exercise of discretion in sentencing. In addition, the course introduces students to the discipline of victimology which will shift the study from accused centric approach to much needed victim centric approach.

Course contents:

### **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 programmes; Restitution.

### **UNIT – V**

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

### **Prescribed Books:**

1. Edwin H. Sutherland- Criminology.
2. Ahmad Siddique- Criminology.
3. V.N.Rajan- Victimology in India.
4. Reference Books:
5. H.L.A. Hart- Punishment and Responsibility.
6. S. Chabra- Quantum of Punishment in Criminal Law.
7. Herbert L. Packer- the Limits of Criminal sanctions.

## **OPTIONAL – IV:**

### **COURSE-III: INTERPRETATION OF STATUTES &PRINCIPLES OF LEGISLATION**

Objectives:

Enacted laws, i.e. Acts and Rules are drafted by legal experts. Language used will leave little or no room for interpretation or construction. But the experience of all those who have to bear and share the task of application of the law has been different. Courts and lawyers are busy in unfolding the meaning of ambiguous words and phrases and resolving inconsistencies. The statute is to be construed according 'to the intent of them that make it.' To ascertain the true meaning, intent of the maker, numerous rules of interpretation were formulated by courts and jurists. The objective of this course is to make the student familiar with various rules of interpretation.

Course contents:

### **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.

**Prescribed Book:**

1. G. P. Singh – Principles of Statutory Interpretation.
2. Upendra Baxi- Bentham's theory of Legislation.
3. Reference Books:
4. Maxwell on the Interpretation of Statutes.
5. V. P. Sarathi – Interpretation of Statute – General Clauses Act 1897.
6. Bindra- Interpretation of Statutes.

**OPTIONAL – IV COURSE-III: COMPETITION LAW**

Objectives:

It is necessary to introduce students to the laws that are designed from time to time in keeping with the policy of the government to prevent unfair trade competition and protection of consumers. These laws have changed over a period of time in accordance with the demands of changing times. The laws are to be geared up to pass on the benefit of competition to consumers. These laws are to be reviewed and appreciated in this course.

Course contents:

**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:**

Adip, Talati & Nahar S. Mahala- Competition Act, 2002: Law, Practice and Procedure.

**Reference books:**

**COURSE – IV**

**CLINICAL COURSE – III: DRAFTING, PLEADING AND CONVEYANCING**

Objectives:

Translation of thoughts into words- spoken and written is an essential ingredient of an effective lawyer. The students should be trained in drafting of pleadings and conveyances and other essential documents. The skill of drafting can be acquired and sharpened by undertaking the exercises under the supervision of an expert in the field. The course aims at equipping the students with drafting skills.

Course contents:

1. General principles of drafting and relevant substantive rules.
2. Pleadings- 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 exercises preferably with the assistance of practicing lawyers or retired judges.

**Examination and allocation of marks:**

- 1 Each Student shall undertake 15 practical exercises in drafting of Pleadings carrying 45 marks (3 marks for each exercise).
- 2 Each student shall undertake 15 practical exercises in Conveyancing, which carries 45 marks (3 marks each).
- 3 The above-mentioned drafting of Pleadings and Conveyancing 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 centre code number.
- 5 There shall be a contents page. At the end of the semester, the student shall appear for a viva-voce, which shall carry 10 marks. Viva- to be conducted by the Principal and the course teacher.

**X SEMESTER:**

**COURSE-I: ENVIRONMENTAL LAW**

Objective:

Environmental problems have attained alarming proportions. It is essential to sensitize the students to environmental issues and the laws. The important principles in the field like intergeneration equity, carrying capacity, sustainable development and precautionary principle, polluter pay principles are to be appreciated. The law in practice is to be analyzed and evaluated. The course is designed towards these objectives.

Course contents:

**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., Cr.P.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.

#### **Prescribed Books:**

1. Armin Rosencranz - Environmental Law and Its Policy in India.
2. P. Leelakrishnan - Environmental Law in India /Cases.
3. Lal's commentaries on Water and Air Pollution laws along with Environment (Protection) Act and Rules, 1986.

#### **Reference Books:**

1. Simon Ball Stuart Bell - Environmental Law.
2. Sanjay Upadhyay and Videh Upadhyay - Handbook on Environmental Laws.
3. S. Shantha Kumar- Introduction to Environmental Law.
4. Relevant Bare Acts/Notifications.

## **COURSE – II**

### **OPTIONAL – V INTELLECTUAL PROPERTY RIGHTS – II / WHITE COLLAR CRIMES**

#### **COURSE – II INTELLECTUAL PROPERTY RIGHTS – II**

#### **Objectives:**

Intellectual Property Law has assumed a great importance in recent times as a result of the recognition that “knowledge is property”. The creations of the human brain as IP are required to be understood and protected. The syllabi encompassing all relevant IP legislations in India with a view to understand and adjust with changing needs of the society because creative works useful

to society and law relating to innovation/creativity i.e. intellectual property is one of the fastest growing subjects all over the globe because of its significance and importance in the present era. Disseminate information on national and international IPR issues. The course is designed with a view to create IPR consciousness; and familiarize the learners about the documentation and administrative procedures relating to IPR in India. The subject Intellectual Property Law divided into two Papers namely Paper– I and Paper - II of 100 marks each.

Course contents:

### **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 licence; 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**

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.

### **Prescribed Books:**

1. Indu Prakash Singh- Women, Law and Social Change in India.
2. Paras Dewan- Dowry and Protection to Married Women.
3. S.P.Sathe- Towards Gender Justice.
4. Dwarka Nath Mitter- Position of Women in Hindu Law.
5. Shaikat Nasir- Muslim Women and their Rights.

### **Reference material:**

1. Relevant Provisions of Constitution of India.
2. Relevant Provisions of Indian Penal Code.
3. S.125, Criminal Procedure Code.
4. National Commission on Women Act, 1990.
5. Matrimonial Property- Private Members Bill Introduced in Parliament.
6. Towards Equality- Report of Committee on the Status of Women (Govt. of India) Chapter IV and Section IV. General Conclusions and Recommendations.

**COURSE – II OPTIONAL – VWHITE COLLAR CRIMES  
(PRIVILAGED CLASS DEVIANCE)**

**Objectives:**

This course focuses on the criminality of the privileged classes – the wielders of all forms of state and social power. The course focuses on the relation between privilege power deviant behaviours. The traditional approaches which highlight white collar offences, socio economic offences or crimes of powerful deal mainly deal with the deviance of the economically resourceful. The dimension of deviance associated with the bureaucracy the new rich, religious leaders and organizations; professional classes are to be addressed. In teaching this course, current developments in deviants reflected in press and media, law reports and legislative proceedings are to be focused.

**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 Lenin Commission Report; Legal profession Options of Disciplinary Committee of Bar Council of India

**UNIT – V**

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

**Prescribed Books:**

1. Edwin H. Sutherland, Criminology
2. Ahmed Siddique Criminology
3. Reference Books:
4. Upendra Baxi, the crisis of Indian Legal System
5. Upendra Baxi Law and Poverty
6. Upendra Baxi Liberty and Corruption
7. A.R. Desai, Violation of Democratic Rights in India

**COURSE – III OPTINAL – VI  
LAND LAW / LAW RELATING TO INTERNATIONAL TRADE ECONOMICS**

### **COURSE – III OPTIONAL – VI LAND LAW**

Land plays an important role in the lives of individuals because of which it is elevated to the level of a constitutional status. Of late there is a shift in the approach of the State towards land which is reflected in the laws and their interpretation. Apart from introducing the students to the basic legal regime applicable to land, it is important to introduce them to diverse aspects of land dealings like land revenue etc. This course is designed towards this end.

#### **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, conservation; 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 Castes 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. The Karnataka Real Estate (Regulation and Development) Rules, 2017

#### **Books Prescribed:**

1. S. G. Biradar, Land Acquisition – A Paradigm Shift, KAS Officers' Research and Training Institute, Bangalore.
2. Relevant Statutes and Rules

### **COURSE – III OPTIONAL – VI**

#### **LAW RELATING TO INTERNATIONAL TRADE ECONOMICS**

Objectives:

International trade has assumed great importance in 21st century and its regulation under law has become a necessity to prevent exploitation of the weaker people. A new legal regime to regulate international trade is emerging. Students of law should have understanding of these developments. This course is worked out to provide the future lawyers basic inputs in the area of International Trade Law.

Course contents:

#### **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 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, 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.

#### **Prescribed Books:**

1. Indira Carr- Peter Stone - International Trade Law.
  2. Myneni S.R. - The World Trade Organization.
  3. Clive M Schmith off- Export Trade: The Law and Practice of International Trade.
  4. Rajiv Jain- Guide on Foreign Collaboration: Policies and Procedures.
  5. C. Singhanian- Foreign Collaborations and Investment in India: Law and Procedures.
  6. Jayanta Bagachi – World Trade Organization: An Indian Perspective, Eastern Law House
- Note: The course teacher should down load the latest materials from the net and impart the information to the students.

### **COURSE – IV CLINICAL COURSE – IV MOOT COURT EXERCISE AND INTERNSHIP**

Objectives:

This course is designed to hone advocacy skills in the students. Moot Courts are simulation exercises geared up to endow students with facility in preparation of written submissions and planning, organizing and marshalling arguments in the given time so as to convince the presiding officer. The students should familiarize themselves with the various stages of trial in civil and criminal cases. They should be exposed to real court experience. Further they should imbibe the skills of client interviewing. This component may be planned to be part of the internship. Each student enrolled in 3 year course shall undergo an internship for minimum 12 weeks (20 weeks for 5-year LL.B. course) during the entire course under NGO, trial and appellate advocates, legal regulatory authorities, legislatures and parliament, other legal functionaries, market institutions, law firms, companies, local self-government and other such bodies as the university may

stipulate. However, the internship shall not be for a period of more than four weeks continuously in an academic year.

Course contents:

**Moot Court (30 marks)**

1.1 Each student shall participate in at least 3 moot courts. Each Moot court exercise 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 bona-fide 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 Trial (30 marks)**

1.1 Each student shall attend trial in two cases one civil anyone criminal in the course of last two or three years.

1.2 The student shall maintain a record and enter the various steps observed during their attendance on different days in the court.

1.3 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 bona-fide work of the concerned student.

1.4 The record shall be valued for 30 marks.

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

**Client Interviewing (30 marks):**

1.1 Each student shall observe two session of client interviewing at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which shall carry 15marks.

1.2 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.

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

1.4 The cover page of the diary shall indicate the name of the examination, subject, seat number, and the center 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 trial observation and client interviewing and pre-trial preparations 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 trial observation and client interviewing is not possible, the student shall undertake these exercises separately and it shall be evaluated by the course teacher. The viva shall be conducted by the Principal of the college and the course teacher.