

UNITARY LL.B (3 YEAR) DEGREE COURSE

1st Semester

CODE	SUBJECTS	INTERNAL EVALUATION MARKS	EXTERNAL EXAMINATION MARKS	TOTAL MARKS
UL-1	Law of Torts including M.V Act and Consumer Protection Laws	25	75	100
UL-2	Constitutional Law-1	25	75	100
UL-3	Law of Crimes: Paper 1- Penal Code	25	75	100
UL-4	Civil Procedure Code and Limitation Act	25	75	100
UL-5	Environmental Law	25	75	100
	Total			500

2nd Semester

CODE	SUBJECTS	INTERNAL EVALUATION MARKS	EXTERNAL EXAMINATION MARKS	TOTAL MARKS
UL-6	Constitutional Law-2	25	75	100
UL-7	Law of Contract	25	75	100
UL-8	Family Law-1	25	75	100
UL-9	Land Laws including Tenure & Tenancy System	25	75	100
UL-10	Jurisprudence	25	75	100
	Total			500

3rd Semester

CODE	SUBJECTS	INTERNAL EVALUATION MARKS	EXTERNAL EXAMINATION MARKS	TOTAL MARKS
UL-11	Specific Contract	25	75	100
UL-12	Family Law-2	25	75	100
UL-13	Law of Crimes: Paper 2-Criminal Procedure Code	25	75	100
UL-14	Property Law	25	75	100
UL-15	Compulsory Clinical Paper 1- Drafting, Pleading and Conveyance	100	-	100
	Total			500

4th Semester

CODE	SUBJECTS	INTERNAL EVALUATION MARKS	EXTERNAL EXAMINATION MARKS	TOTAL MARKS
UL-16	Law of Evidence	25	75	100
UL-17	Administrative Law	25	75	100
UL-18	Interpretation of Statutes and Principles of Legislation	25	75	100

UL-19	Labour and Industrial Law: Paper-1	25	75	100
UL-20	Compulsory Clinical Paper 2- Professional Ethics & Professional Accounting System	100	-	100
	Total			500

5th Semester

CODE	SUBJECT	INTERNAL EVALUATION MARKS	EXTERNAL EXAMINATION MARKS	TOTAL MARKS
UL-21	Labour and Industrial Law: Paper-2	25	75	100
UL-22	Information Technology Law	25	75	100
UL-23	Company Law	25	75	100
UL-24	Public International Law	25	75	100
UL-25	Compulsory Clinical Paper 3-Alternate Dispute Resolution	100	-	100
	Total			500

6th Semester

CODE	SUBJECTS	INTERNAL EVALUATION MARKS	EXTERNAL EXAMINATION MARKS	TOTAL MARKS
UL-26	Principles of Taxation Law	25	75	100
UL-27	Insurance Law	25	75	100
UL-28	Women & Criminal Law	25	75	100
UL-29	IPR Management	25	75	100
UL-30	Compulsory Clinical Paper 4-Moot Court and Internship	100	-	100
UL-31	Viva-voce Examination		100	100
	Total			600

1st Semester

UL – 1 Law of torts

Object of the course.

The course familiarize the student the tortious liability, distinguishing it from other branches of law. The general principles of tort along with specific torts are included in the course. The course also introduces liability arising in the MV Act and the liability in such cases. Consumer protection Act is included, so that the student can understand the definition and forums under the CP Act.

- Nature and definition of torts- Tort in India. Distribution between tort, crime, breach of contract, breach of trust, quasi contract-essential conditions- foundation of tortious liability-fault liability, strict liability, statutory liability, principle of insurance-General defences in tort

- General exception to liability in tort and vicarious liability - distinction between servant and independent contractor, course of employment, hospital cases, medical negligence, –master’s duties toward servant, servant’s duties to the master, Joint and independent tortfeasors, – Vicarious liability of the state

- General remedies-judicial and extra judicial remedies, damages, Remoteness and damages, Novus Actus interveniens.

- Specific torts

Trespass of the person – Assault, battery, mayham, false imprisonment
Trespass to property- Trespass to land, goods- remedies

Defamation -Innuendo, Libel, Slander –Defenses

Nuisance –Private and public-Defenses.

Negligence-contributory negligence-Nervous shock

Abuse of legal Procedure-malicious prosecution, deceit – Rule in

Derry Vs Peak

Strict liability, Absolute liability

- Consumer Protection Act - Definition- deficiency in services and goods –objectives of CP Act – Forum and jurisdiction of agencies-procedure on receipt of complaint – appeal

- MV Act, 1988-no fault liability-effect of death of parties in tort –compensation - insurance liability-effects of breaking laws.

Prescribed books

law of torts, R.K.Bangia, Allahabad Law Agencies.

The law of Tort and CP act –M.N.Shukla

Law of Torts-Dr.S.K.Kapoor, Central Law Agencies.

UL – 2 CONSTITUTIONAL LAW – 1

Objective: Acquaint the students with the fundamentals of the Indian Constitution- Basis-Structure and Salient Features with emphasis on Part III and Part IV of the Constitution

- Constitution, Meaning and nature- Different types of Constitution- Salient Features of the Constitution. Preamble and its Role in the Interpretation of the Indian Constitution.

- Concept of State and the Relationship between the Subject and the State – Genesis and Evolution of Fundamental Rights-State Action and Limitation on

State Action, Doctrine of Ultra vires, Judicial Review ,Doctrine of Severability

- Right to Equality(Art 14-18) Discriminatory Justice and Affirmative Action – Right to Freedom and Concept of Reasonable Restrictions(Art 19)-Right to Personal Freedoms(Art 20- 22)-Rights of the Accused - Right to Life and Personal Liberty -interrelationship between Articles 14,19 & 21- Right to Education(21A) –Safeguards of Arrested Person(22)-Right Against Exploitation(Art.23-24)
- Concept of Secularism-Religious Freedom(Art.25-28)- Minority Rights – Judicial Approach on Educational Rights of Minorities, Right to Property-Transition From Fundamental Right to Legal Right-Right to Constitutional Remedies-Nature and Scope of Writ Jurisdiction-Concept of Locus Standi-Public Interest Litigation
- Directive Principles of State Policy (Art 36-51)– Relationship between Fundamental Rights and Directive Principles –enforceability of Directive Principles –Nature and Scope of Fundamental Duties-Scope of Amending Power of Parliament-Doctrine of Basic Structure.

Suggested Reading:

M.P. Jain	<i>Indian Constitutional Law</i>
M.P. Singh	<i>V.N. Shukla's Indian Constitution</i>
J.N. Pandey	<i>The Constitution of India</i>
Granville Austin-	<i>The Indian Constitution-The Corner Stone of a Nation</i>
Granville Austin-	<i>Working of a Democratic Constitution: A History of Indian experience</i>
R.C.Lahoti	<i>Preamble-The Spirit and Backbone of Constitution of India</i>
Seervai H.M	<i>Constitutional Law of India</i>
P.M Bakshi	<i>Constitution of India</i>
Subhash Kashyap	<i>The Framing of Indian Constitution-Constitution making since 1950</i>
Shiva Rao	<i>Framing of India's Constitution</i>
Shukla V.N	<i>Constitution of India</i>

UL – 3 LAW OF CRIMES: PAPER 1- PENAL CODE

Objective

Indian Penal Code is a comprehensive piece of legislation which includes all the basic offences which are highlighted in the society.The object of designing this syllabus is

to enable the students to have a general evaluation and analysis of the basic offences and punishments

Unit I

Elements of criminal liability- Actus reus and mens rea –Statutory offences- Jurisdiction- Stages of Crime- Joint liability- Common intention and common object- Vicarious liability- Corporate liability.

Unit II

Definitions and General Explanations (Sec. 21-26, 33,34,39,40, 44, 52) - Punishment- Types of punishment(Sec. 53- Sec.75) Parties to crime- Inchoate offences- Attempt(Sec. 511), Abetment(Sec. 107-112) Conspiracy (Sec. 120A, 120 B) General Exceptions (Sec. 76- 106)

Unit III

Offences against State- Waging war against Government of India(Sec. 121, 121 A),- Assaulting High officials (Sec. 124), Sedition (Sec. 124A)- Offences relating to Army, Navy and Air force(Sec. 131, 132),- Offences against public tranquillity- Unlawful Assembly- Rioting- Promoting enmity between different classes – Affray(Sec. 141-160) - Offences relating to Coins and Stamps (Sec. 230-234, Sec. 255)-, Offences affecting public health – Public nuisance(Sec. 268-273),Sale etc. of obscene books (Sec. 292- Sec. 294), Offences relating to religion (Sec. 295-Sec.298), - Offences relating to documents- Forgery- Falsification of Accounts (Sec. 463-465, Sec.477A)

Unit IV

Offences affecting human body- Culpable homicide- Murder- Suicide- Dowry death- (Sec. 299- Sec.309)- Hurt, Grievous hurt (Sec. 319-Sec.338), - Wrongful restraint and wrongful confinement (Sec. 339-Sec 348) - Criminal force and assault (Sec. 349- Sec, 353), Assault or using Criminal force to dishonour persons(Sec. 355- Sec 358)- Kidnapping- Abduction, (Sec. 359- 374). Sexual offences- Rape and unnatural offences(Sec. 375- Sec. 377)- outraging the modesty of woman- Voyeurism-Stalking- Sexual harassment- Sexual assault- (Sec. 354, 354 A- 354D)Offences relating to marriage- (Sec. 493-498) Cruelty to married women(Sec. 498A)

Unit IV

Offences by or relating to public servants- Of contempt of lawful authority of public servants(Sec. 186- 190), Offences of giving false evidence and fabricating false evidence(Sec. 191-196)- Offences against property- Theft- Extortion- Robbery-

Dacoity- Criminal misappropriation of property- Criminal breach of trust- Cheating (Sec. 378-424)-Mischief (Sec. 425, 426, 435, 436, 440), Trespass (Sec.441- 462) Offences affecting reputation- Defamation-, (Sec 499-502)- Criminal intimidation, insult and annoyance (Sec. 503- 510)

Suggested Reading:

1. Ratanlal and Dhirajlal : The Indian Penal Code
2. K D Gaur : Criminal law: Cases and materials
3. T Bhattacharya : The Indian Penal Code
4. S N Misra : The Indian Penal Code
5. R C Nigam : Law of Crimes in India, Vol. I and II
6. P S Achuthan Pillai : Criminal Law
7. Glanville Williams : Criminal Law
8. The Law Commission Reports

UL – 4 CIVIL PROCEDURE CODE AND LIMITATION ACT

OBJECT-On of the most important aspect of learning law is learning the procedure and skills required to perform as a successful lawyer. Every lawyer, no matter what the field he or she chooses, needs to develop the basic skills for conducting litigations, mediations, negotiations and drafting skills. The Civil Procedure Code offers the rules of procedure in cases of civil disputes and also provide the basic lawyering skills

Unit- 1 : Suits in General- Civil Courts- Jurisdiction of Civil Courts- Suits of Civil Nature- Res *subjudice*- Res Judicata- Constructive res judicata- parties to the suit- Non joinder- mis joinder- proper parties and necessary parties- legal representatives- representative suits

Unit- 2 - Place of suing- objections- Institutions of suits – pleadings in general- Plaint and written statements- Amendment of pleadings- counter claim- set-off- framing of issues - Summons- Modes of serving summons- Consequences of non- appearance- Exparte procedure- Discovery and Inspection- Interrogatories – Admissions-Production and impounding of documents- Rejection and return of documents – affidavit – cost.

Unit – 3 Interim orders- Commissions - Receivers -their duties, powers and removal - Arrest before judgments- Attachment before judgments- Interest- - Inherent powers - Caveat- transfer of suits – Abatement of suits - withdrawal of suits- Special suits – suit by or against Government – Suit by or against minors and lunatics-Mortgage suits- Summary suits-Suits relating public trust and public nuisance – Suit by an Indigent person- Inter pleader suits-

Unit- 4 Decree- judgement- order- Appeals-Appeals from original decree- preliminary decrees- second appeals- Appeals from orders- Appeal to Supreme courts- Stay of proceedings- Forms of appeals- Procedure of hearing of an appeals- Cross objections- powers and duties of appellate courts-Appeals by Indigent persons - Reference – Revision- Review - Limitation Act- Nature- Object- Limitation of suits- Appeals and applications- Condonation- - Legal disability -Computations of the period of limitation -

Acknowledgements and its effects-Effect of fraud or mistakes -acquisition of ownership by possession.

Unit- 5 Execution- General Principles – Executing court- Application for execution- Questions to be determined by the executing court -Stay of execution- powers- Modes of execution- Precepts- Garnishee order-Delivery of property- Cross decrees and cross claims- Appointment of receiver- Arrest and detention- – civil imprisonment- Attachments- Sale of movables and immovable property – Proclamation- setting aside of a sale

References

- Civil Procedure - C.K. Takwani
- Code of Civil Procedure – Mulla
- Commentaries on Code of Civil Procedure 1908 – Justice C.K. Thakker
- Commentaries on Code of Civil Procedure 1908 – Narayana Laxman Rao
- Bare Act – Code of civil procedure as amended
- Bare Act Limitation Act

UL – 5 ENVIRONMENTAL LAW

OBJECTIVES

- To enable the students understand the core ideas and principles surrounding the subject of environment protection and conservation.
- To equip students with the latest and futuristic developments about international and national legal framework, policies and court practices concerning environment protection.
- To inculcate in pupils a spirit of environmental consciousness by constantly stressing the need to balance sustainable development with ecological conservation.
- To prepare students and equip them to identify, assess, analyze and research sound environmental policies by engaging them through classroom activities, workshops and seminars.
- To make the students competent in understanding the role of decentralization in environment protection by specifically imparting them the workings of state legislations.

Unit 1

Environmental Protection – Need, Evolution, Relevance and Scope-Historical, Comparative and International Perspectives –U.S, U.K, Singapore State practices– International Initiatives, conventions, summits and its influence in evolving Environmental Jurisprudence in India - Constitutional Perspectives regarding environmental protection in India – Right to development *vis a vis* Sustainable Development– Polluter Pays principle- Precautionary principle- Public Trust doctrine- Inter-generational Equity and Intra-generational equity.

Unit II

Environment Pollution- types, causes –Environment Pollutant-Control of pollution under Environment Protection Act,1986, power of central government to improve environment-Statutory responsibilities of local self-government bodies in Pollution control including waste management with specific reference to chapter XX of Kerala Panchayat Raj Act, 1994 –Legal regulations of Environmental Pollution in India including water pollution, air pollution, noise pollution, marine pollution- nuclear wastes, hazardous substances- bio-medical wastes - Ground water control and regulation with special reference to Kerala Ground water Control and Regulation Act, 2002 -Pollution Control Boards – Powers, functions.

Unit III

Forest, Wildlife, Conservation of Bio-diversity – Principles, mechanisms and conservation – Forest Rights of Forest Dwelling Scheduled Tribes and other Forest Dwellers – Recognition, Restoration and Vesting of Forest Rights and authorities under Forest Rights Act,(2006) - Climate change and relevant legal frameworks – Prevention of cruelty against animals- Other than the General Act, Kerala Captive Elephant(Management and maintenance), Rules,2003, Norms for transportation, acts of cruelty – Coastal Regulation Zone, Classification of CRZ's– Eco-marking - Ecologically Fragile Land – vesting, power to declare ecologically fragile lands, deemed to be reserved forests under Kerala Act,2003.

Unit IV

Framing of environmental policies-Inter-relationship of Human Rights and Environment protection-Environment Impact Assessment, Methods and Models– Public participation, Consultative Process and Public Hearings– Sand Mining- Authorities, Powers and conditions for sand removal under the relevant Kerala Act, 2001 –Wet land Conservation- prohibition on reclamation of wetland under the relevant Kerala Act, 2008 -Emerging areas requiring attention –Green Energy - Environmental Advocacy - Global Warming- Environmental Displacement.

Unit V

Remedies in environmental wrongs- Constitutional law remedies, common law remedies, civil remedies - criminal sanctions - Public Interest litigation – Judicial approach to environmental protection and Judicially evolved principles and mechanisms through pivotal case laws- National Green Tribunal – Jurisdiction, Powers and Proceedings of the Tribunal- Public Liability Insurance Act, 1991, Remedies - Instances of Mass tort liability- mechanisms and strategies – Class Action - Pre and post Bhopal gas disaster.

In this Course the students are expected to get acquainted with the following Statutes, Rules, Regulations and Notifications.

STATUTES

Environment (Protection) Act 1986,
Prevention of Cruelty against Animals Act, 1960,
Water (Prevention and Control of Pollution) Act 1974,
Air (Prevention and Control of Pollution) Act 1981,
Wild Life (Protection) Act 1972,
Indian Forest Act, 1927,
Forest (Conservation) Act 1980 –
Public Liability Insurance Act 1991,
Biological Diversity Act 2002,
National Green Tribunal Act, 2010,
Kerala Panchayat Raj Act, 1994 (Chapter XX),
Indian Penal Code (Relevant Provisions),
Code of Criminal Procedure,
1973 (Relevant Provisions),
The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006
Panchayat (Extension to Scheduled Areas) Act, 1996 (relevant portions),
[The Kerala Forest \(Vesting and Management of Ecologically Fragile Lands\) Amendment Act, 2009](#),
The Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001,
The Kerala (Conservation of Paddy Land and Wetland) Act,
2008(Relevant Provisions), The Kerala Ground water Control and Regulation Act,
2002.

The **Rules, Regulations and Notifications** (with Amendments till date) include

Noise Pollution (Regulation and Control) Rules, 2000, E-Waste (Management) Rules 2016, Bio-Medical Waste Management Rules 2016, Construction and Demolition Waste Management Rules 2016, Hazardous and Other Waste (Management and Trans-boundary Movement) Rules 2016, Manufacture, Storage and Import of Hazardous Chemicals Rules 1989, Coastal Regulation Zone Notification 2011, Environment Impact Assessment Notification 2006, Plastic Waste Management Rules 2016, **Municipal Solid Wastes (Management and Handling) Rules, 2000**, **Bio-medical Waste (Management and Handling) Rules, 1998**, [The Kerala Captive Elephants \(Management and Maintenance\) Rules, 2003](#), [The Kerala Forests \(Vesting and Management of Ecologically Fragile Lands\) Rules 2007](#), Atomic Energy (Safe Disposal of Radioactive Wastes) Rules, 1987.

2nd SEMESTER

UL – 6 CONSTITUTIONAL LAW – 2

Objectives: Give the students a deeper perspective about the types of Constitution with emphasis on the Centre-State Relations and the various functional authorities under the Constitution.

- Classifications of Constitutions – Types and features – Features of Indian Constitution –Unitary, Federal or Quasi Federal-The Power and Procedure for Altering Name and Boundaries of the States (Art.1-4), Citizenship and its Importance-Citizenship Act 1955.

- Centre –State Relations-Legislative Relations-Judicially Developed Doctrines- (Tools of interpretation) Residuary Powers-Administrative Relations-Financial Relations-Collection of Revenue and Taxes-, - 101st amendment –Freedom of trade, commerce and intercourse within the territory of India (Art 301-307) Services Under Centre and States-Doctrine of Pleasure-safeguards available to civil servant -Cooperative Federalism- Certain important Authorities and functionaries under Constitution-CAG, Election Commission, Inter State Water Tribunal-Finance Commission-Attorney General-Advocate General-Vice President, PSC, Administrative Tribunal .Emergency provisions and their impact on the Federal structure.
- Legislative powers under the Indian Constitution –Composition of Parliament and State Legislatures – Qualification of the members of the House- grounds for disqualification-Constitution of Parliament and State legislatures-duration-conduct of business-Defections-Tenth schedule-procedure relating to bills- Role of Speaker-Privileges of the House and Members – Officers of Parliament — Powers, privileges and immunities of the Houses and members
- Executive Powers under the Constitution –Nature of executive power – definition and extent- the President and the Governor – Appointment – Tenure – Removal – Powers – Comparison- Council of Ministers-Conduct of government business
- Judiciary under the Constitution – Union and State Judiciary – Appointment of Judges – Tenure – Removal – Independence of Judiciary under the Constitution –jurisdiction of the Supreme Court and High Court- Role played by the judiciary – Relationship between Legislative, Executive and Judicial Powers under the Constitution – Law Declared by the Supreme Court law of the land-subordinate Judiciary and control over it

Suggested Reading:

M.P. Jain,	<i>Constitution of India</i>
M.P. Singh,	<i>V.N. Shukla's Constitution of India</i>
J.N. Pandey	<i>The Constitution of India</i>
Khanna H.R	<i>Making of India's Constitution</i>
Granville Austin-	<i>The Indian Constitution-The Corner Stone of a Nation</i>
Constituent Assembly Debates	
Shukla V.N	<i>Constitution of India</i>
Khanna H.R	<i>Making of India's Constitution</i>
Burton Adams George	<i>Constitutional history of England</i>
Colin Turpin	<i>British Government and the Constitution-Texts ,Cases,</i>

materials

UL – 7 LAW OF CONTRACT

OBJECTIVES

- To familiarise the law student with the basic principles of contract law- as to what agreements are contracts, how a contract is formed, what are its essentials and what are the remedies available in case of its breach.

- As the Indian law of contracts has its source in the English law of contracts, emphasis has been made on the common law of England comprising of judge made law and principles of equity. It is necessary that the students make a comparative study in the above regard.
- Students should be imparted knowledge about negotiation of terms in a contract and to acquire expertise in drafting a contract on the basis of prevailing law .
- Contract-meaning and concept--when agreement becomes contract-nature of contractual obligations-distinction between tort and contract-essentials of contract-intention to create legal obligations-classification of contracts- Standard form of contracts-government contracts-e-contracts.
- Formation of contract- rules regarding proposal and acceptance-essentials-kinds of offer-invitation to treat- communication and revocation of proposal and acceptance - conclusion of e-contracts - lapse of offer-Consideration-essentials-privity of contract and privity of consideration-its exceptions-contracts without consideration-promissory estoppels.
- Capacity to contract-effect of minor's agreement-other disqualified persons-Free Consent-factors vitiating free consent and their effect-Coercion-Undue Influence-Misrepresentation-Fraud–Mistake-Legality of object-Unlawful Agreements-Agreements opposed to public policy-Void Agreements - Agreements in restraint of marriage, trade and legal proceedings- -Wagering agreements-Contingent contracts
- Discharge of contract-Modes of discharge-Performance of contract-rules regarding performance of contract- impossibility of performance –Discharge by breach-anticipatory breach- Discharge by agreement- novation, rescission, remission, alteration - Accord

and satisfaction-Quasi contract.

- Remedies for breach of contract-rules regarding awarding of damages- general and special damages- Rule in Hadley v.Baxendale-remoteness of damage and measure of damages- Reliefs under the Specific Relief Act,1963-recovery of possession- Specific performance - rescission, rectification and cancellation of instruments - declaratory remedies- Injunctions.

Suggested Readings

Avatar Singh, Contract and Specific Relief (12thedn)
Pollock and Mulla, Indian Contract Act and Specific Relief Act.
T.S Venkateshalyer's The Law of Contract and Tenders
A.G.Guests, Anson's Law of Contract.
Cheshire,Fifoot&Furmstone's Law of Contract.
G.H.Trietal, The Law of Contract
Chitty on Contracts
Corbin on Contracts.
Andrew Burrows, A casebook on Contract.

UL – 8 FAMILY LAW – 1

Objectives: This paper focuses on the diversity in family law in reference to religion, caste, custom and usage. This paper also emphasises the importance of State law

over and above these differences to minimise the element of discrimination and bringing in an element of harmony.

UNIT- I Origin and Sources of personal laws in India-Concept of Family – Types of Families - Concept of Personal Law vis a vis Secular Law - Application of Hindu Law- Sources of Hindu Law- Traditional sources –Modern sources- Sruti- Smriti- Commentaries and Digest - Custom- Legislation- Judicial Decision- Justice equity and good conscience- Schools of Hindu Law- Mithakshara and Dayabhaga- Application of Muslim Law- Sources of Muslim Law- Primary sources- Secondary sources-Quran- Sunnat- Ijma- Qiyas- Judicial decisions- Legislation- Origin and schools of Muslim Law – Sunni- Shia - Uniform Civil Code.

Unit- II Law relating to Marriages – Marriages under Hindu Law- concept under Old Hindu law - Hindu Marriage Act 1955- Essentials- formalities- void and voidable marriages- nullity – Restitution of Conjugal rights- Judicial separation- Divorce- mutual consent- proceedings for matrimonial reliefs – interim measures- maintenance pendent lite- permanent alimony-Law relating to marriages under Muslim Law- Concept and essentials of marriage under muslim law- Validity of marriages- valid – void and Irregular- Requirement of dower- Classification of dower and its enforcement - Divorce- Judicial and extra judicial- Talak- different forms- Special features of marriages under Special Marriage Act, including registration of marriage- Christian Marriages- its essentials – matrimonial remedies and the Family Courts Act, 1984.

Unit- III Law Relating to Legitimacy of children and Guardian ship- Legitimate and Illegitimate child- relevant laws under Hindu Law , Muslim Law and Special Marriage Act – Acknowledgement of paternity under Muslim law- Minority and Guardian Ship under Hindu Law- Different kinds of Guardian and their powers- Provision dealing with appointment of guardian by the court- Guardian ship under Muslim law- Custody and guardian ship- Guardian ship for different purposes- General provisions relating to Guardian and Wards Act.

Unit IV Law relating to adoption- Meaning and concept of adoption under Hindu- Old Hindu Law and Hindu Adoption and Maintenance Act 1956- Essentials of Valid Adoption- Effects of adoption- Right of respective parties in an adoption- Formalities of adoption- Registration-Adoption under Juvenile Justice Care and Protection Act- Formalities – resource agencies- authorities .

Unit- V Law Relating to Maintenance –Meaning- Entitlement of maintenance – Provisions under Hindu Adoption and Maintenance Act- Maintenance

under Muslim Personal law- ShahBano Begum case - The Muslim Women (Protection of Right on Divorce) Act-1986- maintenance of illegitimate children- General provisions for maintenance under the Code of Criminal Procedure- Fixation of maintenance amount – Alteration of maintenance- Enforcement of maintenance order – maintenance for elders and senior citizens –relevant provision of maintenance and welfare under senior citizenship Act 2007.

Suggested Readings

PARAS DIWAN- HINDU LAW

PARAS DIWAN- MUSLIM LAW

Mulla –Muslim Law

Paras Diwan –Family Law

Sebastian Champapilly-Christian Law

UL – 9LAND LAWS INCLUDING TENURE &TENANCY SYSTEM

LAND LAWS

Land remains the substrata of man's activity. The relationship between man and land is very important in a society. The use values also differs in each locality. There are various interests involved in land. The course concerns itself with questions such as: What interests count as interests in land? How are they created? Exactly when will they affect third parties?

Land Law has a well- established set of principles, often regulated by statute, to govern it. In part this is because people dealing with land need to know with certainty what the result of a particular transaction will be in every realm. Even so, there are many areas of the subject which are currently being developed and still lacks legislation.

Land Law covers material in the “foundations of legal knowledge” and so must be taken by those seeking a professional qualification in law in India.

- Concept of land- scientific classification of land- legal definition of land in India- purview of land law- analysis of various interests under land- ownership of land- state ownership- concept of eminent domain- constitutional provisions relating to land- from Art.19(1) (f) to Art. 300 A.
- Principles of land reforms- implementation of land reforms in India- The Kerala Land Reforms- various tenancies- deemed tenants- consolidation of rights and liabilities- kudikidappukars- rights and duties- small holder- ceiling area- authorities for implementation of land reforms- land assignment- procedure
- Principle of public purpose- land acquisition procedure- award of compensation- remedies available under the legislation- comparative approach

of land acquisition by U.K. and U.S.A.

- Conservation of Government land – procedure of conservation- land use controls on private ownership- development of waste lands- conservation of cultivable lands- controls over changing the nature of use- protection of paddy fields- wetlands- costal zones
- Conservation of special areas- ecologically fragile land- tribal lands- forest lands

Legislations to be covered

- Constitution of India relevant articles , 19(1)(f), art. 31, art. 39, art. 300 A
- The Kerala Land Reforms Act, 1963
- The Assignment Act, 1971
- The Right to Fair Compensation and Transparency in *Land Acquisition, Rehabilitation and Resettlement Act, 2013*
- The Land Conservancy Act, 1957
- The Waste Land Development Schemes
- The Kerala Land Utilisation Order, 1967
- The Kerala Conservation of Paddy Land and Wetland Act, 2008
- The Kerala Scheduled Tribes(Restriction on Transfer by and Restoration of Lands to Scheduled Tribes) Act, 1999

Suggested Readings

- Sugathan : Land Laws of Kerala
- A. Gangadharan: Law of Land Reforms in Kerala
- A. Gangadharan : Laws on Land in Kerala
- George Johnson : Law of Land Reforms in Kerala

UL – 10 JURISPRUDENCE

Objective

A student of law has to necessarily create a fundamental understanding of law much before he ventures out to learn about ‘the Laws’ and Jurisprudence provides him the platform to get informed in a systematic manner. The approaches to understand ‘the laws’ have to be shaped from a careful and systematic build up of the approaches for its acquaintances, its evolution through its sources, its role and application and the intended results and the actual delivery of goods.

Unit – I - Meaning of legal theory and jurisprudence – Various schools of Jurisprudence – Classical era of Natural law, Historical school, Analytical School, Sociological School- Recent Trends-contemporary relevance –

Unit - II - Introduction to Law and Legal method- Law and Dharma compared - nature, function and techniques of law, Question of law and fact – Concept of legal system - Major Legal Systems - Classification of laws -- Codification – Characteristics – Significance of comparative law

Unit – III – Sources of law– Custom – Legislation – Precedent – kinds – enforceability - Merits and Demerits – Rules pertaining to Interpretations of statutes

Unit – IV Justice – Concept-meaning- Different theories of Justice – Indian Perspective of Justice- Administration of Justice -- functions of Courts, Tribunals and Dispute settlement mechanisms - Civil Justice – Criminal Justice — Theories of punishment – Palliatives to victims- Theoretical underpinnings.

Unit – V Legal concepts – Legal rights- Duties–Ownership - Possession – Titles- Property - Personality – Liability and Obligation

Suggested Readings

1. Dr. N.K.Jayakumar, *Lectures on Jurisprudence*, (3rd edn., LexisNexis, 2015)
2. Dr. N.V.Paranjpe, *Jurisprudence and Legal Theory*, (CLA, 2016)
3. Dr. Avtar Singh, *Introduction to Jurisprudence*, (LexisNexis, 2013)
4. Raymond Whacks, *Understanding Jurisprudence: An Introduction to Legal*

Theory (2018)

5. V.D. Mahajan's *Jurisprudence and Legal Theory* (5th edn., Reprint, 2016)

6. P.J.Fitzgerald, (ed.) *Salmond on Jurisprudence* (12th edn.,2012)

7. G.W.Paton, *A Textbook of Jurisprudence* (2007)

8. E. Bodenheimer, *Jurisprudence: The Philosophy and Method of the Law*, (Revised edn., 2007)

9. Michael Freeman, *Lloyd's Introduction to Jurisprudence*, (9th edn., Sweet & Maxwell, 2007)

10. Glanville L.Williams, *Learning the Law* (1973)

11 M. Justice M. Rama Jois, *Legal and Constitutional History of India - Ancient Legal, Judicial and Constitutional System*, (EBC, Reprint, 2016)

12. Rosco Pound, *Law and Morals*, (1926)

12. Herbert M. Kritzer, (Ed.), *Legal Systems of the World : A Political, Social, and Cultural Encyclopedia* (2002)

13 Wolfgang Friedmann, *Legal Theory* (1967)

14. Lon L. Fuller, *The Morality of Law* (1969)

15. Joseph Raz, *The Authority of Law: Essays on Law and Morality*, (2nd edn., 2009)

16. Richard A. Posner, *The Problems of Jurisprudence* (HUP, 1993)

3rd SEMESTER

UL – 11 SPECIFIC CONTRACT

Objectives: Teach the students in detail about the specific contracts in reference to their peculiarities.

- Contracts of Indemnity and Guarantee-essential features- distinction between Indemnity and Guarantee-rights and liabilities of the indemnifier and indemnified - Guarantee -specific guarantee and continuing guarantee --extent of surety's liability- rights of surety against the creditor, principal debtor and co-sureties - discharge of surety from liability-liability of co-sureties.
- Contract of Bailment –essentials- types of bailment-duties and rights of bailor and bailee –Lien-particular and general– Finder of lost goods as a bailee -Pledge-rights and duties of parties-pledge by non-owner's.
- Agency -essentials -kinds of agency – creation of agency – express and implied, by necessity-agency by ratification-essentials- rights, duties and liabilities of agents –sub-agent and substituted agent- liability of principal for act of agents – personal liability of agents-determination of agency.
- Partnership –distinction from company, HUF& co-ownership- nature and creation – types of partnerships - mutual relationship of partners –implied authority of partners - rights and liabilities of

partners- incoming and outgoing partners– minor as a partner- partnership property - dissolution of partnership – effects of non-registration of partnership- concept of limited liability partnership- registration formalities.

- Sale of goods – definition and essentials of a contract of sale– sale and agreement to sell-conditions and warranties – rule of *caveat emptor* – passing of property and risk –sale by non owners- principle of *nemo dat quod non habet*-delivery of goods- Unpaid seller –unpaid seller’s rights against goods and the buyer personally –buyer’s remedies against the seller.

Suggested readings:

Avtar Singh, Principles of Mercantile Law.

Friedman, Law of Agency.

Bowstead on Agency

P.S.Atiyah, The Sale of Goods

Benjamin's, Sale of Goods.

T.S Venkateshalyer, Sale of Goods and Partnership Act.

Avatar Singh, Law of Sale of Goods

Pollock and Mulla, Indian Partnership Act.

Geoirey Morse, Partnership Law

UL – 12

FAMILY LAW – 2

Objective :To specifically teach the students the concept of succession and the law relating to inheritance under different personal laws and the method by which the Government has incorporated humanitarian concepts to balance the need of the society.

Unit- I -Law applicable to Joint family- Concept of Joint Family- Mithakshara and Dayabhaga- differences and features- Coparcenary – changes brought in 2005 - Coparcenary with in a coparcenary-Right s of coparceners- Karta – his duties and powers- Joint family property- Separate property - Incidence of joint family properties- Alienation of joint family properties- setting aside of alienation- - Partition of Joint family - person entitled to claim for partition and to get share- Impartible estates- Partial partition- Reopening of partition.

Unit- II Succession under Hindu Law - Succession under Hindu Law- Hindu Succession Act 1956- Succession of male died intestate and female died intestate- Class-1 , Class-2, Agnates and Cognates- Marumakkathayam- Stridhana and Women’s estate – Debts under Hindu Law – Doctrine of Pious obligation - Changes under the Act 1956- General provision and disqualification under the Act- Pre-emptory right under Hindu Law

Unit III Law relating to Inheritance under Muslim Law, Christian law - General principles- Application of doctrine of representation - Administration of estates- Sunni/Hanafi law – Quranic heirs/ sharers –application

of doctrine of *aul and radd* –distribution among residuaries - Distant kindred- Succession under Shia law- Law relating to pre- emptory rights under Muslim law - Succession under Christian law - Relevant provisions under Indian Succession Act-.

Unit IV Law Relating to Gifts and Wills under personal Laws -
Meaning of testamentary succession- gift under Hindu Law Muslim law – provisions under Transfer of Property Act- Hiba- Essentials of a valid Hiba – Conditional gift and contingent gifts- *Hiba-biliwaz* – *Hiba-ba* – *Shartullwaz*- Revocation of Hiba- *Donatio mortis causa*- Wills under Muslim law-Essentials - restrictions/limits under Muslim law of will- bequeath able one- thirds- abatement of legacies - will under Indian Succession Act- Interpretation of a will- formalities- Revocation of wills.

Unit- V Law Relating Religious and Charitable Endowments –
Conditions for a valid dedication- Types of endowments – Maths- Shebaiths- Types of endowments – Doctrine of Cypriss – Wakf- meaning- objects- essentials- subject matter - Life interest in wakf- religious purposes- Public and private wakf- Mutawalli-his appointment- powers and control – Muslim religious endowments.

Suggested Readings

PARAS DIWAN- HINDU LAW

PARAS DIWAN- MUSLIM LAW

Mulla –Muslim Law

Paras Diwan –Family Law

Sebastian Champapilly-Christian Law

UL – 13 LAW OF CRIMES: PAPER 2-CRIMINAL PROCEDURE CODE

Objective: To teach the students the procedural implementation of the Indian Penal Code and other penal provisions.

Unit 1. Procedural law and justice- accusatorial and inquisitorial systems of prosecution- constitution, hierarchy, jurisdiction and powers of criminal courts-classification and functions of prosecutors – role of defence counsel- classification of offences- cognizable and non-cognizable, bailable and non-bailable, summons case and warrant cases, compoundable and non- compoundable cases.

Unit 2. Pre-trial procedure- initiation of criminal proceedings- duty of the public to give information and to assist the police and magistrate- steps to ensure accused's presence at the trial- arrest- rights of arrested person -proclamation and attachment- -production of documents- search and seizure. Investigation- FIR- case diary-Final report- cognizance of offences- transfer of cases- commitment and consolidation of cases- complaints to magistrate.

Unit 3. Trial procedures- inquiry and trial- concept of fair trial- bail- anticipatory bail- framing of charges –joinder of charges- trial of summons case and warrant cases- summary trial- trial before court of sessions- discharge – acquittal.

Unit 4. Disposal of cases without trial- withdrawal from prosecution- compounding of offences- - judgement- acquittal/conviction- protection against double jeopardy- appeal- revision- reference- transfer of criminal cases- execution, suspension and commutation of

sentences.

Unit 5. Preventive and precautionary measures- dispersal of unlawful assemblies- removal of public nuisance – functions and powers of executive magistrates- security for keeping peace and good behaviour- habitual offenders and proceedings against them- maintenance of wife ,children and parents.

Reference-

- Ratanlal and Dhirajlai: the code of criminal procedure,1973
- K.N.Chandrasekharan Pillai(ed): R.V.Kelkar's Outline of Criminal Procedure.
- K.N.Chandrasekharan Pillai(ed): R.V.Kelkar's Lectures on Criminal Procedure.
- Code of Criminal Procedure,1973
- Indian Constitution.

UL – 14 PROPERTY LAW

Objective

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 includes an exposure in to the concept of easement.

Course Content

Unit1

General principles of transfer of property by act of parties *inter-vivos*- concept and meaning of immovable property- notice, kinds of notice, fixture and chattel, attestation- transferable and non-transferable immovable property- conditions restraining alienation and restrictions repugnant to the interest created- rule against perpetuity and exceptions, transfer in favour of unborn persons, and class transfer- direction for

accumulation- vested and contingent interest- condition precedent and condition subsequent- doctrine of acceleration and the cypress Doctrine

Unit II

Covenants running with the land- doctrine of estoppels- doctrine of *lis pendens*- fraudulent transfer and part performance

Unit III

Mortgages of immovable property- rights and liabilities of mortgagor and mortgagee- marshalling and contribution, subrogation, tacking

Unit IV

Sale of immovable property- rights and liabilities of seller and buyer before and after sale- difference between sale and contract for sale- leases of immovable property, kinds of lease, rights and liabilities of lessor and lessee, termination of lease- difference between lease and licence, charge and exchange.

Unit V

Gifts- scope- meaning- mode of transfer- universal gifts- onerous gifts and *donatio mortis causa*- actionable claims- easements- definition- modes of acquisition of easement- easement by necessity- quasi easement- easement by prescription- termination of easements

Prescribed Books

- Mulla Transfer of property Act, 1882

Reference Books

- SubbaRao, Transfer of Property
- Thripathi, Transfer of property Act
- Shah, Principles of Law of Property
- Shukla, Transfer of Property Act

**UL – 15 COMPULSORY CLINICAL PAPER 1- DRAFTING, PLEADING
AND CONVEYANCE**

Drafting, Pleading and Conveyance

Outline of the Course : (a) Drafting:- General principles of drafting and relevant substantive rules shall be taught

(b) Pleadings:-

(i) Civil: Complaint, written statement, interlocutory Application, Original petition, Affidavit, Execution petition, memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.

(ii) Criminal: Complaint, Criminal Miscellaneous petition, Bail Application, Memorandum of Appeal and Revision.

(iii) Conveyance: Sale, Mortgage Deed, lease Deed, Gift Deed, promissory Note, Power of Attorney, Will, Trust Deed

(iv) Drafting of writ petition and PIL petition.

The course will be taught class instructions and simulation exercise, preferably with assistance of practising lawyers/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 center 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.

1 Drafting:- General principles of drafting and relevant substantive rules.

2. Pleadings:

- a. Pleadings in General
- b. Object of pleadings
- c. Fundamental Rules of Pleadings

A. Civil :

1. Complaint
2. Written Statement
3. Interlocutory Application
4. Original Petition
5. Affidavit
6. Execution Petition
7. Memorandum of Appeal
8. Memorandum of Revision

B. Petition under

1. Article 226 and
2. Article 32 of the Constitution of India.

C. Criminal :

1. Complaints
2. Criminal Miscellaneous petition ,
3. Bail Application and
4. Memorandum of Appeal and Revision.

D. Forms of Pleadings: Practical exercise on the following topics:

1. Suit for recovery under Order XXXVII of the Code of Civil Procedure 1908

2. Suit for Permanent Injunction

3. Application for Temporary Injunction Under Order 39 Rules 1 and 2 of the

Code of Civil Procedure, 1908

4. Application under Order 39, rule 2-A of the Code of Civil Procedure, 1908

5. Suit for Ejectment and Damages for Wrongful Use and Occupation.

6. Petition for Restitution of Conjugal Rights under S. 9 of the Hindu Marriage

Act, 1955

7. Petition for Judicial Separation under S. 10 of the Hindu Marriage Act, 1955

8. Petition for Dissolution of Marriage by Decree of Divorce under S. 13 of the Hindu Marriage Act, 1955

9. Petition for Dissolution of Marriage by Decree of Divorce under S. 13B(1) of the Hindu Marriage Act, 1955

10. Petition for Grant of Probate in High Court

11. Petition for Grant of Letters of Administration

12. Contempt Petition under Ss. 11 and 12 of the Contempt of Courts Act, 1971 before the High Court

13. Writ Petition under Article 226 of Constitution of India

14. Caveat under s. 148-A of the Code of Civil Procedure, 1908

15. Special Leave Petition (Civil) under Article 136 of the Constitution of India

16. Counter Affidavit in Special Leave Petition (Civil)

18. Application for Bail

19. Application for Grant of Anticipatory Bail

20. Complaint under Section 138 of the Negotiable Instruments Act, 1881

21. Application U/S. 125 of the Code of Criminal Procedure, 1973

22. Special Leave Petition (Criminal) under Article 136 of the Constitution of India

25. Complaint under Section 12 of the Consumer Protection Act, 1986

26. Written Statement to the Complaint under the Consumer Protection Act, 1986

3. Conveyancing:

A. Conveyancing in General

Object of Conveyancing

Component parts of a deed

B. Forms of deeds and notices: practical exercise on the following topics: (any fifteen)

1. Agreement
2. Exchange
3. Sale Deed
4. Mortgage Deeds
5. Lease Deed,
6. Gift Deed
7. Promissory Note
8. Receipt
9. Licence
10. Power of Attorney- General and Special Power of Attorney
11. Will.
12. Relinquishment Deed
- 13 Partnership Deed
- 14 Deed of Dissolution of Partnership
- 15 Hire-Purchase Agreement
16. Settlement Deed
17. Notice
19. Partition
20. Rectification deed
21. Trust.

5. Viva-Voce examination

Viva voce examination will test the understanding of legal practice in relation to Drafting,

Pleading and Conveyancing.

Students shall keep a record for the practical work done by hem

Prescribed Legislation:

The Code of Civil Procedure, 1908,
CrPC 1976

Prescribed Book:

1. M.C. Agarwal and G.C. Mogha, *Mogha's The Law of Pleadings in*

India

2. J.M. Srivastava and G.C. Mogha, *Mogha's The Indian Conveyancer*
3. K.Mony and K.Usha Legal Drafting (2010)

Recommended Books

1. M.R. Mallick, Ganguly's, *Civil Court: Practice and Procedure*
2. C.R. Datta and M.N. Das, *De Souza's, Forms and Precedents of Conveyancing*
3. N.S. Bindra, *Conveyancing*, Vol 1-5, Law Publisher, Allahabad

4TH SEMESTER

UL – 16 LAW OF EVIDENCE

Objectives: Acquainting the students with the methods of adducing evidence and its relevance in the criminal justice system

Unit I

History and development of law of evidence- salient features- definition- legal and logical relevancy- Relevancy and Admissibility- Best evidence rule- Fact, fact in issue and relevant fact- Kinds of evidence- Evidence and proof- Concepts- Constitutional protections and adducing of evidence- Relevancy of facts- *Res gestae* –common intention- identity and identification- Facts otherwise irrelevant- proof of right or custom- Circumstantial evidence- principles –Motive, preparation, conduct, occasion, cause, opportunity, conduct, state of mind, body, bodily feeling- similar facts. Facts delineating accidental occurrences and intentional acts.

Unit II

Exclusion of hearsay evidence and exceptions- Admissions –Principles and applicability- Confessions- kinds of confessions, valid confession, principles, exceptions- Confession to Police and Police Custody – Recovery pursuant to authoring concealment - Applicability and evidentiary value- Co accused and approver- Declarations by persons who cannot be called into court as witnesses – Dying declaration – Relevance of judgements as evidence - General Principles- Exceptions to admissibility of judgements- Expert opinion-Judicial attitude towards expert testimonies- Areas where expert testimonies are reckoned – Opinion as to rights, custom, usages, tenets, relationships etc.

Unit III

Character evidence- civil and criminal cases- principles, applicability, exceptions and evidentiary value- Character of parties, accused, third parties, witnesses- evidence of character of victims of sexual offences pertaining to previous sexual experience regarding issues of consent—Facts admitted need not be proved- Judicial notice - Rule against Hearsay Evidence- Oral and documentary evidence- Primary evidence and secondary evidence- kinds – rules regarding admissibility- Proof of execution of documents- Attestation- Proof of Handwriting to prove execution – Exclusion of oral

by documentary evidence- Kinds of documents- Ambiguity in documents- Presumption of documents-Cyber laws and evidence- Science, technology and admissibility of evidence – Appreciation of scientific evidence – Judicial Trend.

Unit IV

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

Unit V

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

Suggested readings include the following

1. *B M Prasad & Manish Mohan, Sir John Woodroffe and Syed Amir Ali's Law of Evidence* (4 Volumes), (Lexis Nexis Butterworths , 20th edn., 2017)
2. *Dr Shakil Ahmad Khan, Ratanlal and Dhirajlal's Law of Evidence*, (Lexis Nexis Butterworths 26th edn., 2017)
3. Abhinandan Malik, *V.P. Sarathi's, Law of Evidence*, (Eastern Book Company, 7th edn., 2017)
4. Dr. V.Krishnamachari, *Law of Evidence*, (7th edn., Gogia & Co., 2017)
5. *Batuklal ,The Law of Evidence*, (Central Law Agency, 21st edn., 2016)
6. Avtar Singh, *Principles of The Law of Evidence*, (CLP, 23rd edn., 2018)
7. [Justice U.L. Bhat. *Lectures on The Indian Evidence Act*, \(2016\)](#)
8. [Justice U.L. Bhat, *Relevancy, Proof and Evaluation of Evidence in Criminal Cases*, \(2013\)](#)

9. *C.D. Field's Commentary on Law of Evidence (13th edn., 2013)*

10. *Law Commission, 198th Report on Witness Identity and Protection and Witness Protection Programme, (2006)*

11. *Dr.Jaisingh P. Modi, A Textbook of Medical jurisprudence and Toxicology, (LexisNexis Butterworths, 25th edn., 2016)*

UL – 17 ADMINISTRATIVE LAW

Objective :Teaching the students the administrative procedures adopted by the Government functionaries

Unit-I: Introduction

Evolution, Nature Scope and development of Administrative Law - Red light and Green light theories - Global Administrative Law- Rule of Law and Administrative Law- Separation of Powers and its Relevance- Parliamentary Sovereignty- Relationship between Constitutional Law and Administrative Law- Impact of Structural Adjustment Programmes - Classification of Administrative functions.

Unit II- Legislative Powers and Functions of Administration

Meaning and scope of Delegated Legislation – Kinds and forms of Delegated Legislations - Constitutionality of Delegated Legislation – Discussion on Article 309 as a constitutionally enabled provision for delegated legislation- Control of Delegated legislation - Parliamentary Control and Judicial Control of Delegated Legislation - Doctrine of ultra vires- Excessive delegation- Administrative Instructions.

Unit-III: Administrative Discretion, Public Accountability and Government liability in Tort and Contract

Administrative Discretion- Nature and scope- - Judicial control of administrative discretion –Fundamental Rights as a Limitation on Conferment of Discretionary powers- Judicial control and exercise of administrative discretion- Abuse of Discretion - Failure to Exercise Discretion – Wrong exercise of discretion – Unreasonableness- Doctrine of proportionality and its nuances Good governance- Right to Information and Right to Services as catalysts of good governance- Public

Accountability- Mis-feasence in public office–Grant of state largess- Constitutionalization of Government Contracts- Judicial review of awarding of contracts, tenders etc. - Govt. Liability in Tort and Contract- Judicial Trend- Promissory Estoppel- Judicial trend.

Unit-IV: Judicial Functions of Administration

Need for Devolution of Adjudicatory Authority on Administration – Doctrine of Fairness and Fair play in action- Principles of Natural Justice - Rule against Bias - Audi Alteram Partem - Speaking Order– Legal representation- Exceptions and Exclusions- Discussion on Article 311 as an illustration of nuances of natural justice principles- Doctrine of Legitimate Expectation- procedural and substantive applications- - Domestic Enquiry- New Regulatory Agencies and judicial powers

Unit-V: Remedies against Administrative Excesses and Inactions

Principles of Judicial Review of Administrative Action - Scope and limitations– Judicial Review of policies - Administrative Law centric discussion in Article 32, Article 226, Article 227 and Article 136 and also prerogative Writs and Condition precedents for invoking Writ Jurisdiction- Public Interest Litigation as a remedy against governance excess - compensation in writ proceedings- Private Law Remedies- Injunction, Declaration and Damages-Tribunal system- Central and State Administrative Tribunals- Constitution, Powers, Procedures- Privileges of Government in Legal Proceedings- Remedies against mal-administration - Ombudsman and Lokayukta- Anti- corruption Mechanisms – Central Vigilance Commission, Central Bureau of Investigation- Changing Terrain of Public Corporations- Parliamentary and Judicial Control.

Suggested Readings include the following:

1. I.P. Massey, *Administrative Law*, (9th edn., Eastern Book Company, 2017)
2. S.P. Sathe, *Administrative Law*, (7th edn., LexisNexis Butterworths, 2004)
3. C.K.Thakker & M.C.Thakker, *Lectures in Administrative Law*, (EBC, 2017)
4. Amitha Dhanda, *M.P. Jain & S.P.Jain's Principles of Administrative Law*, (LexisNexis Butterworths, 2017)
5. N.K. Jayakumar, *Administrative Law*, (Prentice Hall, 2005)
6. Christopher Forsyth & William Wade, *Administrative Law*, (OUP, 2014)
7. Paul Craig, *Administrative Law*, (Sweet & Maxwell, 2016)
8. Second Administrative Reforms Commission Report, 2006,

UL – 18 INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION

Objective

- 1. A student should be able to understand the inherent ambiguity of language and the need for interpretation.*
- 2. A student should be able to critically evaluate the theories of interpretation and principles of legislation.*
- 3. The course should equip the students to apply various canons of interpretation.*
- 4. The student should be aware of alternative rules of interpretation.*
- 5. The course should develop skills of legislative drafting.*

Unit I

Meaning of legislation- Statutes - Kinds, Parts of Statute -Meaning and Need of interpretation - Difference from construction Primary rules - Literal, Golden and Mischief rule.

Unit II

Internal and external aids of construction -Use of *travaux preparatoires* - parliamentary discussion, parliamentary history, public opinion- Policies of construction - Beneficial construction, liberal construction, restrictive construction, construction to prevent abuse and evasion, equitable construction, *bonam partem*.

Unit III

Construction of words and phrases - *ejusdem generis*, *noscitur a sociis*, *expressio unius est exclusio alterius*, *reddendiosingulasingulis* -Interpretation of statutes on the basis of nature - Penal, taxation laws, mandatory and directory laws, beneficial legislation, statutes conferring power- Special rules of interpretation of the Constitution.

Unit IV

Presumption of statutory construction- jurisdiction, ouster of jurisdiction- effects of statutes on Government- Presumption regarding retrospective operation of statutes- Presumption against what is inconvenient and unreasonable- presumption against unjust consequences or absurdity- Presumption of interpretation of impairing obligations or allowing advantages from one's own wrongs.

Unit V

Principles of Legislation- Utilitarian theory-Pain Pleasure theory- Principles of legislative drafting- Qualities of a good Draftsman. Alternative rules of interpretation.

Professional Skill Development Activities (PSDA)

- Judgement and Statute analysis
- Judgement Writing
- Problem Solving
- Exercise of Drafting a Statute

Suggested Readings

- Maxwell : Interpretation of Statutes
- G P Singh : Interpretation of Statutes
- Vepa P Sarathy : Interpretation of Statutes

• M N Rao MITA Dhanda

:N S Bindra's interpretation of Statutes

UL – 19 LABOUR LAW AND INDUSTRIAL LAW: PAPER – 1

Objectives:

- To acquaint the students with the concept of trade unions, procedural formalities involved in registration of trade unions, powers and functions related with
- To equip the student with the concept of industry, industrial

dispute and workman and also regarding the resolution of industrial disputes, methods and agencies related to

- To provide to the student the concept of labour welfare, social security and social duty of the employers and benefits available
- Trade union freedom under Indian Constitution-ILO and its influence on Indian Labour Laws-History of Trade union movement in India-Objectives of trade union-meaning and definition of trade union-Collective bargaining
- Registration of trade unions-Powers and functions of registrar of trade union-cancellation of registration-civil and criminal immunities-trade union funds
- Concept of Industry-Industrial dispute-workman-meaning and definition
- Dispute resolution-Methods and agencies-powers and functions-Governmental control
- Strikes, lockouts, lay-off, retrenchment and closure, compensation-legal control-protected workman

Suggested Reading:

- Dr. Goswami, Labour and Industrial Law, Central Law Agency (latest edn.)
- P.L.Malik, Industrial Law, Eastern Book Company(latest edn.)
- O.P. Malhpra, Law of Industrial Disputes
- Indian Law Institute, Labour Law and Labour Relations
- K.D. Srivastava, Law Relating to Trade Unions and Unfair Labour Practices
- Report of National Commission on Labour, 1969

UL – 20 COMPULSORY CLINICAL PAPER 2- PROFESSIONAL ETHICS & PROFESSIONAL ACCOUNTING SYSTEM

UNIT-I

Advocates as professionals:

Introduction, Importance of legal profession, Lawyers's Role in Accelerating and facilitating the social change visualized by the Indian Constitution, Categories of Advocates, Restrictions imposed on Senior Advocates, Admission and enrolment of advocates, Professional opportunities, Women Lawyers, Opportunities and Handicaps Advocates' right to practise, to act and to plead - The right of pre-audience Advocates' duty to society, to render legal aid, to educate and to accept public office.

Restrictions on other employment and penalty for illegal practice Trial Advocacy- Important tools of successful advocacy- Study, preparation and presentation of case- Art of examination (chief, cross and re-examination), Arguments on facts and law- How to address the court. Appellate advocacy- Original side Advocates- Supreme Court Advocates-

Advocates on record- Mofussil Advocates- Retired Judges as Advocates.

UNIT-II

Professional ethics - Advocate and Client:

Acceptance of brief, withdrawal from engagement, advocate's role as potential witness- Duty of advocate to make full and frank disclosure to client- Breach of obligation to client- Advocate to act only on the instruction of the client- Contingent fee- Advocate's lien for fee- Share in claim or purchase of property sold in execution- Financial dealing between advocate and client- Prohibition on lending or borrowing money- Prohibition on changing of sides- Legal Profession and Strike.

UNIT-III

Bar-Bench relationship-Duty towards Court:

Duty to conduct himself with dignity and self-respect and not to commit contempt of court, Avoidance of illegal and improper means to influence decisions, Advocate not to be mere mouth piece of client- Dress code- Prohibition on practising before relatives, Other duties, powers and obligations of Notary public.

Duty of advocates towards colleagues in the profession:

Bar council of India Rules governing professional conduct and etiquette, Soliciting and advertising, Professional services and name not to be used for unauthorised practice of law, Fees not less than fees taxable under the rules, Restriction on entering appearance without the consent of the advocate already engaged, Advocates not to demand fees for imparting training to juniors, Advocate's duty to opponent counsel, Advocates duty to report disqualification.

UNIT-IV

Law of contempt of court: Meaning, nature and categories of contempt of court, Constitutional validity of the Contempt of Court Act, 1972, Salient features of the Act, Contempt jurisdiction of Supreme Court, High Court and Subordinate Courts- Contempt by lawyers, judges and by State- Contempt procedure- Punishment for contempt- Defence open to contemnor and remedies against punishment.

UNIT-V

Accountancy for lawyers:

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

Examination rules of the University shall include assessment through case-study, viva, and periodical problem solution besides the written tests. There shall be an internal written examination, based on the above syllabus, for a maximum of 60 marks, 20 marks for Project work or dissertation; 10 marks for presentation of case comment and viva voce examination for a maximum of 10 marks. The viva-voce shall be conducted by two senior law teachers.

Prescribed Books:

1. N. R. Madhava Menon, (ed,) - Clinical Legal Education(1998), Code of Ethics for

Advocates published in the Appendix-II and other relevant articles

2. Judgements of Supreme Court on professional ethics

3. Decisions of the Disciplinary committee of the Bar Council of India reports

in the

Indian Bar Review

4. Dr. B. Malik, (Ed.) - Art of Lawyer (New Delhi, Universal Book Agency, 1999)-

Relevant articles

5. Contempt of Court Act, 1971

This course will be taught in association with practising lawyers on the basis of the following materials.

- Mr. Krishnamurthy Iyer,s book on 'Advocacy'
- The Contempt Law and Practice
- The Bar Council Code of Ethics
- 50 selected opinion of the Disciplinary Committees of Bar Councils and 10 major judgments of the Supreme Court on the subject
- Other reading materials as may be prescribed by the University

5TH SEMESTER

UL – 21 LABOUR LAW AND INDUSTRIAL LAW: PAPER – 2

Objectives: Making the students aware of the specific labour legislations dealing with social security schemes

- Concept of social security, social insurance and social assistance-Compensation to workman against Industrial accidents and injuries-Employer's liability-nature and extent-Notional extension of time and place of employment-Powers of Employees' Compensation Commissioner
- Administration of ESI Scheme-benefits-ESI Corporation-Standing Committees-Medical Benefit Council-ESI Fund-Liability of employer
- Concept of wages-Responsibility for payment of wages-Fixation of wage periods-deduction and fines-Authorities and adjudication of claims-Fixation and revision of minimum wages-Powers of appropriate govt. advisory committee and Board-Payment of minimum wages
- Approval, Licensing and Registration of factories-Health, safety and welfare of workers-working hours-Employment of women and Young Persons-Authorities and their powers-Maternity and Paternity benefits
- Bonus-meaning-Eligibility for bonus- Calculation of bonus-full bench formula-Forfeiture of bonus-Gratuity-meaning-Concept of

deferred wages-Eligibility for gratuity-Determination and Forfeiture of gratuity-Employees Provident Fund Scheme-basic features-Industrial Employment Standing Orders

Suggested Reading:

- S.C. Srivastava, Treatise on Social Security and Labour Laws,
- Victor George, Social Security and Society
- Harry Calvert, Social Security Law
- Dr. Goswami, Labour and Industrial Law, Central Law Agency (latest edn)
- R.N. Choudhary, Commentary on the Workmen's Compensation Act, 1923, Orient Publishing Co.(latest edn.)
- R.G. Chaturved, Law of Employees Provident Funds, Bharat Law House
- K.D. Srivastava, The Payment of Bonus Act,1965, Eastern Book Co.(latest edn.)

UL – 22 INFORMATION TECHNOLOGY LAW

Objective

In this age of globalization, it is important to learn about regulations on cyber issues. Technological developments are inevitable but an every development possess some hurdles, cybercrime is also increased. To control such crime IT, Act was introduced.

The objective of IT, Act is to provide legal recognition for transaction carried out by means of electronic data interchanged and other means of electronic communications. The main objective of the discipline is to equip the students with basic principles of IT Law. Being the emerging and developing, discipline the faculty must prepare the curriculum in each semester for the betterments of developing the legal education in the spear of Information Technology.

Unit-1

Origin, Meaning and Scope Cyber law – classification of cybercrime-distinction between conventional and cybercrimes-cyber space –software licensing-shrink-wrap- internet protocol- source code-escrow-fundamentals of cyber space, internet and online resources –UNCITRAL- International approaches-net neutrality- Evolution of information technology act in India. – Salient features of Information technology Act, 2000. Information technology rules 2000

Unit-2

Concepts and importance of Jurisdiction in cyber space - statutory – subject matter- internet jurisdiction- judicial, legislative, and administrative competence- Territorial and Extra territorial application- online contracts- e-commerce – e-contract – e-governance – taxation disputes-appellate jurisdiction- the right and power of authorities to administer justice- concurrent jurisdiction- appellate jurisdiction- jurisdictional review- residual jurisdiction-

Unit-3

Digital/ electronic signature – standards- certifying authorities – submission- fee-cross certification- validity- suspension-renewal-issue and refusal- revocation- recognition of electronic document –access to confidential information- evidentiary

value of electronic document – amendments in other legislations [Indian penal code, evidence Act, banker’s book, RBI Act, etc.

Unit-4

Cybercrimes and cyber security- reasons for cybercrime- cyber criminals- social problems and preventions- (Norton cybercrime report)- cellphone security-impact of cybercrime-types-(ransome ware- unauthorized access,theft, email bombing,salami attacks,virus,logicbombs,web jacking,emotional impact- cybercrime over youth- (friend ship,writing,cyber bullying, sexual soliciting)-information technology act – offences and penalties under the act, investigation – adjudication officer – controller – cyber applet tribunal – international regulations – jus cogens– enforcements and its failures -future trends

Unit-5

Intellectual property aspects in cyber law – customary law and IP law- WIPO – rectification-GIIinitiative-ECMS- domain name and trade mark issues – copy right – patents – software piracy – database protection-sui generis extraction rights- security features and risk – cyber forensic tools – security policies- sui generis extraction right

Suggested readings

- Information technology act 2000.
- Information technology rules 2000.
- Indian evidence act 1872.
- Indian penal code 1860.
- Banker’s book.
- RBI act
- Farooq Ahamed, Cyber law in India- Pioneer books, New Delhi 110009
- Rahul Sharma, Information Technology law and practice universal Delhi.
- B.B Batra, Information Technology, Kalapr Publications Delhi.
- NandanKamanth - Guide to Information Technology Act, University LawPUB.CO.Delhi-33.
- P. Narayan - Intellectual Property Law, Eastern Law House, New Delhi.
- Roderick Broad Hurst and Peter Grabosky – Cybercrimes- The challenges in Asia

- Comish and Llewelyn – Intellectual Property: Patents copy right, trademark and allied rights.
- Stephen Saxby – encyclopedia of information technology law.
- Grahams Smith – internet law and regulation.
- Richard Morgan and Kit Burden – Morgan and Burden on computer contracts
- Laurent Garzanita and Mathew O’Regan – telecommunication broadcasting and internet.
- Major USAF Bonnie N. Adkins– the spectrum of cyber conflicts from hacking to information warfare
- Ernesto U Savona – Crime and Technology: New founders for regulation, Law Enforcement and Research.

UL – 23 COMPANY LAW

Objectives:

- To acquaint the students with the provisions of Companies Act,2013 and the intricacies related with
- Company-body corporate-shift from regulation to governance-types of companies-corporate personality-limited liability-lifting the corporate veil-registration and incorporation-procedures-promoters-Memorandum of Association-Articles of Association-Constructive Notice and Doctrine of Indoor Management-Corporate Social Responsibility
- Prospectus-misrepresentation and remedies-criminal responsibility-

raising of capital-shares-types of shares-allotment of shares-calls on shares-share capital-preference share capital-equity share capital-alteration and reduction of share capital-buyback of shares-initial public offering-further issue of shares-member-shareholder distinction-dematerialisation of shares

- Borrowing-meaning-powers of Board of Directors-restrictions-*ultravires* borrowing-consequences-mortgages and charge loans-investments-debentures-kinds of debentures
- Corporate governance-appointment of directors-position of directors-rights, duties and liabilities-meetings-minutes of meetings-accounts and audit-inspection and investigation- limitations-preventing oppression and mismanagement-corporate fraud-amalgamation-takeover-reorganization-powers and functions of National Company Law Tribunal and National Company Law Appellate Tribunal
- Winding up of companies-types-grounds-procedure-powers of liquidators-consequences of winding up-liability of member removal from register

Suggested Reading:

- Companies Act 2013
- Palmer, Palmer's Company Law
- L.C.B. Gower, Principles of Modern Company Law
- Avtar Singh, Company Law
- Taxmann, Company Law and Practice
- Ramaiya, Guide to Companies Act
- Adrian Cadbury, Corporate Governance and Chairmanship, Oxford University Press

UL – 24 PUBLIC INTERNATIONAL LAW

Public International Law is becoming more and more important in recent times. Globalisation has not only increased the *importance of international law* but

also the complexity of *international* legal issues. The acceleration of global trade, growth of international communications ,the escalation of international armed conflict ,the deterioration of environment ,global war on terror and increased awareness about human rights necessitates the evolution of public international law to meet these challenges

OBJECTIVE OF THE SYLLABUS:

The Syllabus aims at providing thorough knowledge of various aspects of Public International Law .The students must be equipped to understand the law's function and effectiveness in addressing international challenges and threats .This will help the students in the area of academics and advocacy.

MODULE-I

Basic aspects of International Law—nature and basis of international law-Definition of International Law—sources of international law -Subjects of International Law— Relationship between Municipal Law and International Law.

MODULE-II

State-Different types of States-State as subject of international law: essentials of statehood- modes of acquisition and loss of state territory - state responsibility - Recognition, Concept of recognition, theories, kinds and consequences of recognition - state succession – Individual as a subject of International Law: Nationality-extradition – asylum - State jurisdiction - sovereign immunity – waiver of immunity-diplomatic privileges and immunities.

MODULE-III

Law of the Sea-Historical background- Maritime Belt-Territorial Sea-The Contiguous Zone -Exclusive Economic Zone -Continental shelf -The High Seas -International Sea Bed Area-Law of the Sea Conventions-Piracy- Antarctica- Artic Council Act –Air and Space Law-

MODULE-IV

Concept of Treaty - Kinds of Treaties - Binding Force of Treaties – Pacta Sunt Servanda - Jus Cogens -Rebus Suc Stantibus - Parties of a Treaty - Formation of a Treaty – Reservations - Invalidity and Termination of Treaties – modification of

treaties- Interpretation of treaties – international conventions

MODULE-V

UNO—Principles and purposes of UNO, Security Council (Composition, Power & Function)—General Assembly(Composition -Power-Function)—Trusteeship Council (Composition-Power-Function)—ICJ (Composition, Types of Jurisdiction)—International Criminal Court. UN and Peace Enforcement Measures- Dispute Settlement Mechanism-Peaceful settlement of disputes-Arbitration—Negotiation—Mediation—Good Offices—Conciliation—Settlement under UNO. -Coercive Means—Retortion - Reprisals – Embargo - Pacific Blockade - Intervention.

References:

- Malcolm Nathan Shaw, *International Law*, Cambridge University Press, 2003
- Tim Hillier, *Sourcebook on Public International Law*, Routledge, 1998
- Ian Brownlie, *Principles of Public International Law*, Oxford University Press, 2008
- Joseph Gabriel Starke, Ivan Anthony Shearer, *Starke's International Law*, Butterworths, 1994
- Lassa Oppenheim, Robert Jennings and Arthur Watts, *Oppenheim's International Law*, Oxford University Press, USA, 2008
- S K Kapoor, *International Law and Human Rights*, Central Law Agency, Allahabad, (14th Edn.- 2002)
- H.O. Agarwal, *International Law & Human Rights*, Central Law Publications, 2000
- Ian Brownlie, *Basic Documents in International Law*, Oxford University Press, 2008
- A K Ahuja, *Public Internatonal Law*, Lexis Nexis 2015
- Cameron Miles and EirikBjorge (eds.), *Landmark Cases in Public International Law*, Hart Publishing 2018

- D.J Harris, *Cases and Materials on International Law*

UL – 25 COMPULSORY CLINICAL PAPER 3-ALTERNATE DISPUTE RESOLUTION

Outline of the course

- Negotiation skills to be learned with simulated program
 - (j) Conciliation skills
 - (k) Arbitration law and Practice including International arbitration and Arbitration rules.

The course is required to be conducted by senior legal practitioners through simulation and case studies. Evaluation may also be conducted in practical exercises at least for a significant part of evaluation.

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.

Scheme of Evaluation: There shall be an internal written examination, based on the above syllabus, for a maximum of 60 marks, 20 marks for simulation exercises like Role play (Report of the Role play shall be submitted in writing), 10 marks for participation in Lok Adalat conducted by KELSA OR Legal clinic of the College and viva voce examination for a maximum of 10 marks. The viva-voce shall be conducted by two senior law teachers.

Prescribed Books:

1. Sridhar Madabhushi, *Alternative Dispute Resolution*, 2006, Lexis Nexis Butterworths,

New Delhi.

2. Rajan R.D., *A Primer on Alternative Dispute Resolution*, 2005, Barathi Law Publications, Tirunelveli.

Reference Books:

1. Sampath D.K., *Mediation*, National Law School, Bangalore.
2. Gold Neil, et.al., *Learning Lawyers Skills*, (Chapter-7)
3. Michael Noone, *Mediation*, (Chapters-1,2&3)

6TH SEMESTER

UL – 26 PRINCIPLES OF TAXATION LAW

Objective: The syllabus is designed to enable the students to have conceptual understanding of the provisions of both direct and indirect tax laws in India. It also equips them well with the procedures of tax collection, thereby inculcating the feeling of responsibility to contribute and protect national finance.

- Tax- Definition, Meaning- Canons of Taxation-Distinction between Tax and Fee- Tax and Cess- Tax and duty- Tax and toll and Tax and Surcharge- Different kinds of Tax- Direct Tax and Indirect Tax- basic Features and distinction- Constitutional Basis of Taxation- Constitution (101st

Amendment) Act, 2016-Distribution of taxing power between union and State- Fundamental Rights and Taxing powers- Inter Governmental Tax immunities. Finance Commission.

- Direct Tax regime-Income Tax Act- Mutual Relation between Income Tax Act with Finance Act- Definitions- Person, Assessee, Previous Year, Assessment Year and Agricultural Income- Concept of Income- Basis of charge in Income Tax- scope of total income - Residential Status- Income which do not form part of total income.
- Heads of Income under Income Tax Act- Computation of Income under each head--Set Off and Carry Forward of Losses- Representative Assessee- Concept of Tax Planning- Tax Evasion- Tax Avoidance- double Taxation.
- Advance payment of tax and Tax deducted at source-Assessment of Income Tax- Collection and recovery of Tax- Income Tax authorities-Settlement of Cases-Appeals and Revision-Penalties, Offences and prosecution.
- Indirect Tax regime-Goods and Service Tax(GST)-Concept of VAT- Input Tax- Output Tax- Origin and Evolution of GST- Framework of GST in India-CGST, SGST and Integrated GST-GST administration in India-GST Council- Functions and Challenges- GST Network- Objectives, structure, administration and functions-GST exemptions-levy and Collection of GST- registration, documentation- Filing of return-payment of tax- Offences and Penalties.

Suggested Readings:

- Vinod K Singhania & Kapil Singhania, Taxmann's Direct Taxes Law and Practice, 2018.

- Dr.Girish Ahuja and Dr.Ravi Gupta, Systematic Approach to Taxation, Bharat 32nd Edition,2014-2015
- Bomi F Daruwala, Bharat's Handbook to Direct Taxes,27thedn , 2018.
- The Central Goods and Services Tax, 2017
- 4. The Constitution (One hundred and First Amendment) Act, 2016
- 5. R.K Jha and P.K. Singh, A Birds Eye view of GST, 1stedn, (Asia Law House) Hyderabad, 2017.
- 6. V.S Datey, Taxmann's GST Law and Praticce with customs and FTP, 2017.
- 7. S. Gupta, GST- Law and Practice, Taxmanns Publications, New Delhi.
- 8. T.N. Manoharan and G.R. Hari, students Handbook on Taxation (includes Income Tax Law and Goods and Service Law), 2017.
- 9. Dr N K Gupta & Vineet Gupta, Goods and Service Tax (Law, practice and Procedures), Bharat Law House, 2ndedn, 2018.
- 10. The Budget Speech of the finance minister (2007-2008)-“VAT, CST and a Road Map towards GST”
- 11. The First Discussion Paper on Goods and Service Tax in India- The Empowered Committee of State Finance Ministers, New Delhi, dated 10.11.2009
- The comments of the Department of Revenue on the First Discussion Paper on Goods and Service Tax in India- The Empowered Committee of State Finance Ministers, New Delhi, dated 10.11.2009
- Thirteenth Finance Commission Report(2010-2015)
- The Report of the Task Force on Goods and Service Tax in India(13th Law Commission)
- The IT strategy for GST submitted by Empowered Group on IT Infrastructure on GST headed by Shri Nandan Nilekani in 2010
- GST Council recommendations from time to time.

UL – 27 INSURANCE LAW

Objective: The syllabus deals with mainly the different types of insurance and their essential features.

1. Nature and definition of insurance—History of Insurance business in India—Regulation of Insurance business—IRDA—Function and powers—General principles of Insurance law—Principles of good faith—Disclosure—Non-representation—Utmost good faith—Insurable interest—Indemnity—Subrogation—And contribution—The risk—The premium—Proximate cause.
2. Marine Insurance—Scope and nature—Disclosure and representation—Warranties—
Insured perils—Implied terms in marine policy—Partial loss and total loss—Measure of Indemnity.
3. Life Insurance—Formation—Insurable interest—Proposal and Policy—Non-disclosure and misrepresentation—Assignment—Nomination—Claims of policy.
4. Fire Insurance—Standard fire policy—Proximate cause—Fire claims—Subrogation Double Insurance contribution and Average—Property Insurance and Liability Insurance—Risk insured—Contractors risk insurance—Employer’s liability insurance—Goods in transit insurance—Public liability insurance.
5. Motor insurance and Accident insurance—Scope—Compulsory Insurance of Motor Vehicles—Motor Accident Claims Tribunal —Social Security Insurance—Sickness—Old age and unemployment—ESI—Insurance for sea men.

Suggested Reading:

- | | |
|-----------------|--------------------------------------|
| Hardy Ivamy | : Law of Insurance |
| B.N.Banerji | : Law of Insurance |
| M.N.Sreenivasan | : Principles of Insurance Law |
| Mishra M.N. | : Insurance—Principles and Practices |

This course takes an interdisciplinary approach to the study of Women and Criminal law. The concept of gender justice and of neutrality and the need of reservation in some areas for the promotion of women. It elaborates upon the criminal law aspects and the protection it affords to women in different areas ranging from personal life to her career and work field and into her social life.

Objective

To enable the students to critically analyze laws from a gender justice perspective and thereby further a deeper discussion on women's equality and women's rights and protection afforded under Indian Law drawing parallels from the International scenario.

Unit I (Introduction- Concept of Woman & Gender Discrimination)

What is meant by the term 'Woman', 'Gender'- notions of sex and gender- distinction between the biological and cultural concept of gender - deconstructing "man", "women", "other" –LGBT – Private sphere- public sphere dichotomy – understanding patriarchy. Distinction between gender justice and feminism. Historical & Current status of women- indicators of status- survival, female foeticide, control over property, working condition - unpaid work, possession over one's body and symbolic representations .Gender inequality index- position of India in comparison to other nations; Sustainable Development Goals and Women.

Unit II (Gender Justice & Feminist Jurisprudence)

Schools of feminism – liberal feminism- radical feminism- Marxist

Feminism Gender Justice in India: An overview- formal and substantive equality- sameness, correctionist and protectionist approach of state (emphasizing gender justice and judiciary). Personal laws vis-a-vis Gender Justice – disparity among religions -Review of the Prohibition of Child Marriage Act 2006 – Commission of Sati (Prevention) Act, 1987 - Khap Panchayat & Honour killing. Right to Reproductive Choices – Population Control and Reproductive Rights - MTP Act, 1971– Comparing the Indian law with US & Inter-American position on abortion - Pre-conception and Pre-natal Diagnostics Techniques (Prohibition of Sex Selection) Act, 1994.

Unit III - Women & Criminal Law Jurisprudence

Protection for women in criminal law-the Jurisprudence of law making-CrPC- 125 -Dowry death – Development of rape law- bigamy- adultery- changes made according to criminal law Amendment Act, 2013 – Prisons Act – Immoral Traffic (Prevention) Act, 1956 – Indecent Representation of Women (Prohibition) Act, 1986.

Unit IV–Women and Criminal law – New Changes

Justice Verma Commission Report 2013-Criminal Law Amendment Act 2013- New Offences-Stalking, voyeurism and other cyber-crimes. Domestic Violence Act , 2005- Scope , Role of protection officers , Reliefs under the Act. Law relating to Sexual harassment at Work place Act, 2013 – review of case laws.Review of cases and live cases.

Unit V- Role of International and National agencies

UDHR, ICCPR, ICESCR, CEDAW, Beijing Declaration. Female Criminality- Sentencing policies – Comparative study- Role of NGO- Mother as the center of a family- Community Help -U.K, U.S.A. National Commission on women in India – Law Commission reports

Suggested Reading

- Amita Dhanda, Archana Parashar (ed) ENGENDERING LAW:

ESSAYS IN HONOUR OF LOTIKA SARKAR (1999). Eastern Book Depot.

- RatnaKapur and BrendiaCossman, SUBVERSIVE SITES: FEMINIST ENGAGEMENTS WITH LAW IN INDIA (1996).

- TOWARDS EQUALITY Report of the Committee of Status in India Government of India (1974).

- KalapanaKannabhiran (ed), WOMEN AND LAW: CRITICAL FEMINIST PERSPECTIVES (Sage Publications India 2014).

- KamlaBhasin, What is Patriarchy, Kali/Women Unlimited (2004).

- Catharine A. MacKinnon, Sex Equality under the Constitution of India: Problems, Prospects and Personal Laws, available at <https://academic.oup.com/icon/article/4/2/181/722101>

- Usha Tandon (ed), Gender Justice: A reality or fragile myth (2015).

- India Report under CEDAW 2011.

- SarlaGopalan, TOWARDS EQUALITY – THE UNFINISHED AGENDA – STATUS OF WOMEN IN INDIA 2001. National Commission for Women.

- Nivedita Menon, “The disappearing body and feminist thought” (2011) available at <https://criticalencounters.net/2011/02/19/the-disappearing-body-and-feminist-thought/>

- Usha Tandon and Sidharth Luthra, “Rape: Violation of the Chastity or Dignity of Woman? A Feminist Critique of Indian Law”, FICHL Policy Brief Series No. 51 (2016) available at <http://www.toaep.org/pbs-pdf/51-tandon-luthra>

- Sivaramayya B, Matrimonial Property Law in India

- Sathe, S.P., Towards Gender Justice

- G. Rajashekar Nair, Gender Justice and Criminal Justice System
- Mamata Rao, Women and Law
- Falvia Agnes, Law and Gender Inequality
- Lotika Sarkar, “Women’s Movement and the Legal Process” Occasional Paper 24, CWDS, Available at <<http://www.cwds.ac.in/wpcontent/uploads/2016/09/WomensMovement.pdf>>

UL – 29 IPR MANAGEMENT

Objectives

- To enhance the ability of law students to instill the concepts of Intellectual Property.
- To articulate the different Intellectual Property Rights and understand the intricacies of the IP laws.
- To equip the students in all aspects of IP lawyering

Unit 1.

Concept of Intellectual property – its meaning and characteristics – different types of

Intellectual property -Importance and need for legal protection-International instruments and institutions for protection of IP-an overview.

Unit 2.

Patent –Concept and objectives-Patentable and non-patentable inventions-procedure for obtaining patent –Specifications- opposition to grant of patent- Register of patents

Unit 3.

Rights and obligations of patentee-Limitation of patent Rights-Government use of Patent-Compulsory License -Revocation for non working – Transfer of patents. Surrender and revocation of patents- Infringement of patents- Offences and remedies-patent agent.

Unit 4.

Copyright-Concept-Subject matter-ownership-registration-term-Rights: Economic, moral, performer's, broadcasting-Assignment-Infringement-Remedies- Offences and Penalties

Unit 5.

Trademarks-Concepts-functions-different types-domain name-deceptive similarities disinctiveness-Goodwill-Registration-Infringement-Passing off-Remedies

Reference

- 1.Elizabeth Verkey-*Intellectual Property law and Practice* EBC 2015 Edition:1st ; Lucknow
- 2.P.S.Narayana- *Intellectual Property Law in India* GLA-2017Edition:1st ; Hyderabad
- 3.B.L.Wadhera-*Law relating to Intellectual property* –ULP-2007 Edition: 4th ;New Delhi
- 4.William Cornish-*Intellectual Property* -Sweet and Maxwell-2003 Edition:5th ;London.

Suggested Readings

- 1.Catherine Kirsty, *Modern Intellectual Property Law*
- 2.Craig Allen Nard, David W Barns and Michael Madison, *The Law of Intellectual Property*
- 3.David Brainbridge, *Intellectual Property*
- 4.Doris Estelle Antony ,A course book in International Intellectual Property

5. Narayanan.P, *Intellectual Property*.
- 6 Narayanan.P, *Patent Law*
7. Narayanan.P, *Law of Copyright and Industrial Designs*
- 8 Narayanan.P, *Trademarks and Passing off*
- 9 Peter G Growes, *Sourcebook and Intellectual Property*
- 10 W.R.Cornish, *Cases and Materials on Intellectual Property*
- 11 W.R.Cornish, *Intellectual Property: Patents, Copyrights, Trademarks & Allied Rights*
- 12 Watal, Jayasree, *Intellectual Property Rights in the WTO and the Developing Countries*
- 13 Lionel Bentley and Brad Sherman – *Intellectual Property Law*

**UL – 30 COMPULSORY CLINICAL PAPER 4-MOOT COURT AND
INTERNSHIP**

Moot Court exercise and Internship

This paper may have three components of 30 marks each and viva for 10 marks.

- Moot Court (30 marks) Every student may be required to do at least three moot court in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.
- Observance of Trial in two cases, one Civil and one Criminal(30 marks):
Students may be required to attend two trials in the course of the last two or three years of LL.B studies. They will Maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.
- Interviewing techniques and Pre-trial preparations and Internship diary (30 marks)
Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.
- The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10marks

External Viva-voce Examination for 100 marks at the end of the 6th semester shall be conducted by a board appointed by the University. The Board shall consists of Law teachers, advocate and external expert. Candidates must bring records on clinical papers and internship