

REGULATION AND SYLLABUS FOR *B.B.A. LL.B (Hon's.) 5 YEAR INTEGRATED SEMESTER COURSE*

(WITH EFFECTIVE FROM THE ACADEMIC SESSION 2018-2019)

The B.B.A.LL.B.(Hon's) 5 year Integrated Semester course is a regular course under self financing scheme of the Sambalpur University.

1. Eligibility for Admission:

A candidate for admission to the B.B.A., LL.B. (Hon's) course must have obtained a +2 certificate from the Council of Higher Secondary Education, Odisha or any other Council or Board equivalent to the Council of Higher Secondary Education, Odisha or any other qualification which is equivalent to +2 certificates.

2. Qualifying Marks for Admission:

The minimum qualifying mark for admission in to the BBA.LL.B (H) Course is 45% in aggregate in +2 Examinations or equivalent examination in case of general candidate and 40% marks in case of SC & ST candidates. Securing minimum qualifying marks shall not automatically entitle a candidate to take admission. Admission should be strictly according to merit basis and as per the mark obtained in the qualifying +2 Examination of the candidates who have duly applied for admission. However the procedure for admission is subject to any change that may be prescribed by the University from time to time.

3. Intake and Reservation:

The maximum intake capacity is 40 students in the 1st semester. No new student can be admitted in to the course in any other semester than 1st Semester. However, the University may enhance seat if required at any time according to suitability.

Reservation: As per instruction of the Govt. from time to time.

4. Renewal of studentship:

There will be renewal of studentship of every student admitted to the 1st Semester B.B.A., LL.B. (Hon's) course every academic year i.e. on 3rd, 5th, 7th & 9th semester students will be required to pay the prescribed fee for renewal of their studentship within a period of 60 days after the college reopens after the summer vacation (within 20 days without fine, within 40 days with a fine of Rs.100/- within 60 days with a fine of 200/- . However late fine will not be imposed on defaulting SC and ST category students. Renewal of studentship is independent of the result of any semester examination. Students who do not renew their studentship within the prescribed time will not be regarded as a student of the institution and they will not be subsequently entertained.

5. Course Duration:

The duration of course shall be 5 academic years consisting of 10 semesters.

- (a) The first, third, fifth, seventh and ninth semester will commence from 1st July and continue up to 31st December every calendar year. Similarly the second, fourth, sixth, eighth and tenth semester will commence from 1st January and continue up to 30th June every calendar year.

- (b) At the end of every semester there shall be a University examination of 100 marks in each subject of study excluding practical papers. The examination in practical papers (clinical paper) as specified in, 5th 9th and 10th semester will be conducted by internal examiners out of a specific mark through viva-voce examination such apportionment of marks is specified in the detailed syllabus. The viva-voce examination shall be conducted by internal and external examiner duly appointed by the university.

6. Course Structure:

The Courses of Studies for 5 years B.B.A., LL.B. (Hon's) course shall comprise of the following paper each containing 100 marks.

First Year

First Semester

Paper	Subjects	Full Marks
Paper-I	Legal Method	100 (80 +20) Marks
Paper-II	Law of Contract-I	100 (80 +20) Marks
Paper-III	Legal Language Legal Writing	100 (80+20) Marks
Paper-IV	Principles of Management	100 (80 +20) Marks
Paper-V	Managerial Economics	100 (80 +20) Marks
Paper-VI	Indian Ethos and values	100 (80 +20) Marks
Paper-VII	Political Systems in India	100 (80 +20) Marks

Second Semester

Paper	Subjects	Full Marks
Paper-I	Legal History	100(80 +20) Marks
Paper-II	Law of Contract – II	100(80 +20) Marks
Paper-III	Techniques of Communication, Client Interviewing and Counseling	100(80 +20) Marks
Paper-IV	Accounting for Managers	100(80 +20) Marks
Paper-V	Operational Research in Management	100(80 +20) Marks
Paper-VI	Information Technology Fundamentals	100(80 +20) Marks
Paper-VII	Economic Environment of Business	100(80 +20) Marks

Second Year

Third Semester

Paper	Subjects	Full Marks
Paper-I	Business Law	100 (80 +20) Marks
Paper-II	Family Law – I	100(80 +20) Marks
Paper-III	Constitutional Law-I	100(80 +20) Marks
Paper-IV	Law of Crimes – I	100 (80 +20) Marks
Paper-V	Advocacy Skills	100(80 +20) Marks
Paper-VI	Financial Management	100(80 +20) Marks
Paper-VII	Organizational Behaviour	100(80 +20) Marks

Fourth Semester

Paper	Subjects	Full Marks
Paper-I	Law of Torts and Consumer Protection	100(80 +20) Marks
Paper-II	Family Law – II	100(80 +20) Marks
Paper-III	Constitutional Law-II	100(80 +20) Marks
Paper-IV	Law of Crimes-II	100 (80 +20) Marks
Paper-V	Administrative Law	100(80 +20) Marks
Paper-VI	Human Resources Management	100(80 +20) Marks
Paper-VII	Marketing Management	100(80 +20) Marks

Third Year

Fifth Semester

Paper	Subjects	Full Marks
Paper-I	Code of Civil Procedure-I	100(80 +20) Marks
Paper-II	Code of Criminal Procedure-I	100(80 +20) Marks
Paper-III	Law of Evidence	100 (80 +20) Marks
Paper-IV	Corporate Law	100 (80 +20) Marks
Paper-V	Jurisprudence-I	100 (80 +20) Marks
Paper-VI	Human Rights Law	100 (80 +20) Marks
Paper-VII	Training Project and Research Methodology	100 (50 +50) Marks

Sixth Semester

Paper	Subjects	Full Marks
Paper-I	Code of Civil Procedure-II	100 (80 +20) Marks
Paper-II	Code of Criminal Procedure-II	100 (80 +20) Marks
Paper-III	Public International Law	100 (80 +20) Marks
Paper-IV	Production Management	100 (80 +20) Marks
Paper-V	Property Law	100 (80 +20) Marks
Paper-VI	Jurisprudence – II	100 (80 +20) Marks
Paper-VII	Strategic Management	100 (80 +20) Marks

Fourth Year Seventh Semester

Paper	Subjects	Full Marks
Paper-I	Land Laws	100(80 +20) Marks
Paper-II	Law and Technology	100(80 +20) Marks
Paper-III	Law of Intellectual Property	100(80 +20) Marks
Paper-IV	Labour Law-I	100(80 +20) Marks
Paper-V	Environmental Law	100 (80 +20) Marks

Paper-VI	Investment and Competition Law	100 (80 +20) Marks
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Eighth Semester

Paper	Subjects	Full Marks
Paper-I	Alternative Dispute Resolution	100(80 +20) Marks
Paper-II	International Trade Law	100(80 +20) Marks
Paper-III	Law, Poverty and Development	100 (80 +20) Marks
Paper-IV	Labour Law-II	100(80 +20) Marks
Paper-V	Interpretation of Statutes	100(80 +20) Marks
Paper-VI	Optional Subjects (Any one of the following): a. Women and Law b. international refugee Law	100(80 +20) Marks

Fifth Year

Ninth Semester

Paper	Subjects	Full Marks
Paper-I	Legal Ethics and Court Craft	100(50+50) Marks
Paper-II	Drafting, Pleading and Conveyancing	100(50+50) Marks
Paper-III	Legal Writing and Research (Seminars and Research paper) Internal	100(50+50) Marks
Paper-IV, V	Optional Subjects (Any two of the following): a. Banking and Insurance Law b. Criminology c. Foreign Languages (French, German and Russian) - any one of the languages.	100 Marks (each paper) = 200 marks (80+20), (80+20)

Tenth Semester

Paper	Subjects	Full Marks
Paper-I	Dissertation	100(50+50) Marks
Paper-II	Internship (Lawyers / Law firms)	100 (50+50) Marks

7. Pass Mark:

- (a) 40 marks in each paper and 50% of total marks in aggregate in each semester examination. However in case of practical paper, the candidate has to secure 40% marks in aggregate in theory component and 50% marks in practical record and viva voce examination.
- (b) A candidate securing in all the ten semester examination taken together-
 - i. 50% or more marks but less than 60% marks shall be awarded 2nd Class. Such student will be awarded with B.B.A.,LL.B.(Hon's) 2nd class and
 - ii. A candidate securing 60% or above marks in aggregate shall be awarded 1st class. Such students will be awarded with B.B.A., LL.B. (Hon's) 1st class.

8. Back Paper/Improvement of marks:

(a) The Candidates who has failed in a semester examination can avail four successive chances to clear that examination. If a candidate has secured less than 50% marks in aggregate, he can appear in any paper to secure pass marks in aggregate.

(b) A candidate can improve / Repeat in any paper of a semester in four subsequent chances, subject to a maximum four papers.

9. Number of chances for clearing a particular semester and the course:

An unsuccessful candidate will be allowed 4 subsequent chances to clear a particular semester examination. A student admitted into 5 years integrated B.B.A.,LL.B.(H) course shall have to clear the course within 10 years from the date of admission.

10. Eligibility to obtain B.B.A.,LL.B.(Hon's) Degree:

- (a) A candidate shall be entitled to obtain B.B.A., LL.B. (Hon's) degree after passing all the semester examination of the course. A candidate shall not be allowed to seat in 10th semester examination unless he/ she clears 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th and 9th semesters. As the course is integrated one no student can claim either B.B.A. or LL.B. degree separately.
- (b) B.B.A., LL.B.(H) course shall be awarded to candidates on successful completion of examination in ten semester examination. The ten semester examinations shall consist of 61 papers. The course structure shall be as per the approved rule of the University

11. General Instructions:

- (a) A candidate shall be eligible to fill up final application form to appear at any semester examination if he/ she attended at least 75% of the classes in theory and practical papers. However, he/she may be admitted to the semester examination on production of a medical certificate to show his/ her illness if he/ she has attended at least 60% of classes.
- (b) Attendance in practical papers to at least 75% will be strictly adhered to and no medical relaxation will be allowed in case of practical or other internship as prescribed in syllabus.
- (c) The examination for 1st, 3rd, 5th, 7th and 9th semester shall be held in the month of December each year and the examination of 2nd, 4th, 6th, 8th and 10th semester shall be held in the month of June each year.
- (d) The theory examination shall be conducted by means of written papers of 3 hours duration carrying 80 marks and 20 marks shall be for internal assessment examination comprise of written test of 45 minutes of duration for each paper. The practical /clinical paper shall consist of 50 marks Witten test of two hours duration and practical examination shall be of 50 marks consist of 30 marks of preparation of record, court dairy etc and 20 marks of viva voce test.

The practical papers will be valued by internal and external assessment. The viva voce examination in practical papers shall be conducted with the assistance of internal and external examiners appointed on this behalf by the university.

- (e) The candidates are required to maintain practical records in each practical (Clinical papers according to the instruction given by the college).The practical examination date will be decided by HOD/Principal as the case may be.
- (f) The semester examination / academic schedule shall be framed by the University authorities according to the guidelines of BCI and may be modified if deems necessary , The Examination and confidential sections of the University will act accordingly,
- (g) The provisions of revaluation of exam paper will not be available; however, a student may apply for re-addition of marks, if any.
- (h) The office of the Controller of examination shall publish the results of the examination as early as possible.

DETAILED SYLLABUS

B.B.A. LL.B. (Hon's) Five year Integrated Course of Sambalpur University (To be effective from Academic Session 2018-19)

First Year – First Semester

Subject: Legal Method (Paper-I)

Unit – I: Meaning and Classification of Laws

- a. Meaning and definition
- b. Functions of law.
- c. Classification of laws:
 - i. Public and Private Law
 - ii. Substantive and Procedural Law
 - iii. Municipal and International Law

Unit – II: Sources of Law

- a. Custom
- b. Precedent
- c. Legislation

Unit – III: Basic Concepts of Indian Legal System

- a. Common Law
- b. Constitution as the Basic Law
- c. Rule of Law
- d. Separation of Powers
- e. Judicial system in India

Unit – IV: Legal Writing and Research

- a. Legal materials – Case law
- b. Statutes, Reports, Journals, Manuals, Digests etc.
- c. Importance of legal research
- d. Techniques of Legal Research
- e. Legal writings and citations

Text Books:

1. Glanville Williams – Learning the law
2. Nomita Aggarwal – Jurisprudence (Legal Theory)
3. B.N.M. Tripathi – An Introduction to Jurisprudence and Legal theory

References:

1. Benjamin N. Cardozo, The Nature of Judicial Process
2. ILI Publication – Indian Legal System
3. ILI Publication in Legal Research and Methodology

Objective: This paper focuses on orientation of students to legal studies from the point of view of basic concepts of law and legal system.

Subject: Law of Contract–I (Paper-II)

Unit – I: Formation of Contract

- a. Meaning and nature of contract
- b. Offer / Proposal
 - _ Definition
 - _ Communication
 - _ Revocation
 - _ General/ Specific offer
 - _ Invitation to treat
- c. Acceptance
 - _ Definition
 - _ Communication
 - _ Revocation
 - _ Tenders/Auctions

Unit – II: Consideration and Capacity

- a. Consideration
 - _ Definition
 - _ Essentials
 - _ Privity of contract
- b. Capacity to enter into a contract
 - _ Minor’s position
 - _ Nature / effect of minor’s agreements

Unit – III: Validity, Discharge and Performance of Contract

- a. Free Consent
- b. Coercion, undue influence, Misrepresentation, Fraud, Mistake
- c. Unlawful consideration and object
- d. Effect of void, voidable, valid, illegal, unlawful and uncertain agreements contracts
- e. Discharge of Contracts
- f. Performance
- g. Time and Place of performance
- h. Impossibility of performance and frustration
- i. Breach – Anticipatory & Present

Unit – IV: Remedies and Quasi Contracts

- a. Remedies
 - i Damages
 - ii Kinds
 - iii Remoteness etc.
 - iv Injunction
 - v Specific performance
 - vi Quantum Merit
- b. Quasi Contracts (Sections 68-72)

Objective: The objective of this paper is to make students familiar with various principles of contract formation enunciated in the Indian Contract Act, 1872.

Text Books:

1. Avtar Singh – Law of Contract and Specific Relief
2. Mulla - Law of Contract and Specific Relief

References:

1. Anson's - Law of Contract
2. Bangia - Law of Contract and Specific Relief
3. Cheshire and Fifoot - Law of Contract

Subject: Legal Language and Legal Writing**(Paper-III)****UNIT-1 Legal Maxims**

Ubi jus Ibi remedium/ Damnum sine Injuria/ Injuria sine Damnum, Ignorantia Juris non-excusat, Ignorantia facti excusat, Nulla poena sine lege, Nulla crimina sine lege, Nemo debet bis vexari, pro eadem causa, Actus me invito factus non est meus actus, Rerum Suarum quilibet est moderator et arbiter (No one shall be Judge of his own), Accusare nemo se debet, nisi coram de (Self incrimination), De minimis non curat lex, Qui facit per alium facit per se, Action personalis moritur cum persona

UNIT-II Foreign words

Ab initio, Alibi, Amicus curiae, Sine die, Caveat emptor, , Status quo, Sui juris, Ultra vires, Inter vivos, Lex loci, Locus standi, De novo, Summum bonum, Ex-parte, Pendente lite, Ipso facto, Modus operandi, Mala fide, Prima facie, De jure

UNIT-III**Drafting of moot memorials**

- a) One on Constitutional Law
- b) One on any statutory Law

UNIT-IV Subject: Legal Language and Legal Writing**(Paper-III)****UNIT-1****Legal maxims**

Ubi jus Ibi remedium/ Damnum sine Injuria/ Injuria sine Damnum, Ignorantia Juris non-excusat, Ignorantia facti excusat, Nulla poena sine lege, Nulla crimina sine lege, Nemo debet bis vexari, pro eadem causa, Actus me invito factus non est meus actus, Rerum Suarum quilibet est moderator et arbiter (No one shall be Judge of his own), Accusare nemo se debet, nisi coram de (Self incrimination), De minimis non curat lex, Qui facit per alium facit per se, Action personalis moritur cum persona

UNIT-II**Foreign****words**

Ab initio, Alibi, Amicus curiae, Sine die, Caveat emptor, , Status quo, Sui juris, Ultra vires, Inter vivos, Lex loci, Locus standi, De novo, Summum bonum, Ex-parte, Pendente lite, Ipso facto, Modus operandi, Mala fide, Prima facie, De jure

UNIT-III**Drafting of moot memorials**

- c) One on Constitutional Law
- d) One on any statutory Law

UNIT-IV

IMPORTANT DOCTRINES

- a) Doctrine of Eclipse
- b) Doctrine of Stare Diesis
- c) Doctrine of Severability
- d) Doctrine of Colourable Legislation
- e) Doctrine of Pith and Substance

Text Books:

1. Legal Language and Legal Writing – P.K. Mishra

References:

1. Legal Language, Writing and General English – JS.Singh

Objective: The Objective of this course is to develop drafting skills.

IMPORTANT DOCTRINES

- f) Doctrine of Eclipse
- g) Doctrine of Stare Diesis
- h) Doctrine of Severability
- i) Doctrine of Colourable Legislation
- j) Doctrine of Pith and Substance

Text Books:

1. Legal Language and Legal Writing – P.K. Mishra

References:

1. Legal Language, Writing and General English – JS.Singh

Objective: The Objective of this course is to develop drafting skills.

Subject: Principles of Management (Paper-IV)

Unit I

Introduction: Concept, nature, process and significance of management; Managerial levels, skills, functions and roles; Management Vs. Administration; Coordination as essence of management; Development of management thought: classical, neo-classical, behavioral, systems and contingency approaches.

Unit II

Planning: Nature, scope and objectives of planning; Types of plans; Planning process; Business forecasting; MBO; Concept, types, process and techniques of decision-making; Bounded Rationality.

Organizing: Concept, nature, process and significance; Principles of an organization; Span of Control; Departmentation; Types of an organization; Authority-Responsibility; Delegation and Decentralization; Formal and Informal Organization.

Unit III

Staffing: Concept, Nature and Importance of Staffing.

Motivating and Leading: Nature and Importance of motivation; Types of motivation; Theories of motivation-Maslow, Herzberg, X, Y and Z; Leadership – meaning and importance; Traits of a leader; Leadership Styles – Likert’s Systems of Management, Tannenbaum & Schmidt Model and Managerial Grid.

Unit IV

Controlling: Nature and Scope of control; Types of Control; Control process; Control techniques – traditional and modern; Effective Control System.

Text Books:

1. Stoner, Freeman and Gilbert Jr.; *Management*, Prentice Hall of India, New Delhi, 2003.
2. Gupta, C.B.; *Management Concepts and Practices*, Sultan Chand and Sons, New Delhi, 2003.

Reference:

1. Koontz. O Donnel and Weirich (2001) – *Management*, Tata McGraw Hill Publishing Company, New Delhi.
2. Chopra, R.K. - *Principles & Practices of Management*, Sun India Publication, Latest Edition.
3. Tripathi P.C. and Reddy P.N., *Principles & Practices of Management*, 2nd Edition, Tata McGraw Hill.

Subject: Managerial Economics (Paper-V)

Unit I: Introduction to Managerial Economics

Nature, Scope, Definitions of Managerial Economics, Application of Managerial Economics to Business, Micro Vs. Macro Economics, , Market Forces and Equilibrium.

Unit II: Consumer Behavior and Demand Analysis

Cardinal Utility Approach: Diminishing Marginal Utility, Law of Equi-Marginal Utility, Ordinal Utility Approach: Indifference Curves, Marginal Rate of Substitution, Theory of Demand, Law of Demand, Movement along vs. Shift in Demand Curve, Concept of Measurement of Elasticity of Demand, Factors Affecting Elasticity of Demand, Income Elasticity of Demand, Cross Elasticity of Demand.

Unit II I: Theory of Production, Cost and Firm’s Behavior

Meaning and concept of Production, Factors of Production and Production Function, Fixed and Variable Factors, Law of Variable Proportion (Short Run Production Analysis), Law of Returns to a Scale (Long Analysis), Concept of Cost, Cost Function, Short Run Cost, Long Run Cost, Economics and Diseconomies of Scale, Explicit cost and Implicit Cost, Private and Social Cost, Pricing Under Perfect Competition, Monopoly, Monopolistic Competition, Oligopoly.

Unit IV: Macro Economic Analysis

Theory of income and employment, Classical, Modern (Keynesian), Approach. Macro-Economic Variables, Circular flow of income, National Income Concepts, definition and its measurement.

Text Books:

1. Dwivedi, D.N. (2003) *Managerial Economics*, Vikas Publishing House
2. Chaturvedi D.D. and S.L.Gupta (2003) *Business Economics*, Brijwasi Publishers.
3. Dwivedi, D.N. (2005), *Macro Economics*, Tata MC Graw Hill.

Reference:

1. Mehta, P.L. (2003); *Managerial Economics*, Sultan Chand & Sons
2. Koutsoyiannis, A. (2003) *Modern Micro-Economics*, Macmillan Press Ltd.
3. Salvatore, Dominick, *Managerial Economics*, Mc Graw- Hill Book Company, Latest Edition.

4. Mishra, S.K. and V.K. Puri (2003) *Modern Macro-Economics Theory*, Himalya Publishing House.
5. Edward Shapiro (2003); *Macro Economic Analysis*, Tata Mc. Graw Hill.

Subject: Indian Ethos and Values (Paper-VI)

Social Responsibility

Unit- I: Corporate Social responsibility

Social responsibility of a business firm; Social responsibility of business stakeholders (owners, employees, consumers and community); response of Indian firms towards CSR.

Unit – II: CSR and Consumer Protection

Consumerism, unethical issues in sales, marketing and technology; competitive strategy.

Unit-III: Corporate Ethics

Values concepts, types and formation; principles and concepts of managerial ethics; relevance of ethics and values in business; corruption in businesses; values of Indian managers; factors influencing business ethics.

Unit – IV: Knowledge and Wisdom

Meaning and difference between knowledge and wisdom; wisdom workers, wisdom based management; modern business ethics and dilemmas.

Text Books:

1. Velasquez (2002) – Business Ethics – Concepts and Cases, Prentice Hall, 5th edition.
2. Baxi C.V. and Prasad Ajit (2005): Corporate Social Responsibility, Excel Books.

References:

1. www.bite.org.uk
 2. Kaur Tripat, Values & Ethics in Management, Galgotia Publications.
 3. Chakraborty, S.K. Human Values for Managers.
 4. Badi, R.V. and Badi, N.V. Business Ethics, Vrinda Publications
- Objectives: The basic objective of this course is to make the students realize the importance of values and ethics in business and acquaint them with the latest trends in corporate social responsibility.

Subject: Political Systems in India (Paper-VII)

Unit - I: State and Government

1. Concept of State and its organs
 - a. Government and its relation with state
 - b. Constitution – features and classification
 - c. Legislature – Concept, types and functions
 - d. Executive: Concept and functions
 - e. Judiciary- functions, judicial review and independence of judiciary
2. Forms of Government
 - a. Democratic Government
 - b. Unitary and Federal Form of Government
 - c. Unitary form of Government – features, merits and demerits
 - d. Federal form of Government –features, merits and demerits
3. Parliamentary and Presidential form of Government
 - a. Parliamentary form - features, merits and demerits
 - b. Presidential form- features, merits and demerits

Unit - II

1. International Processes
 - a. Diplomacy
 - b. Role of UN in International Peace
2. a. International Organizations in Global Politics
- b. NGOs Political as Political Actor

Unit – III Modernization and political development

- a. Meaning and basic characteristics of Modernisation
- b. Political development and privatization
- c. Political culture and political socialization
- d. Traditional approaches and modern approaches

Unit – IV Social Issues and Politics

- a. (i) SCs and STs with special reference to reservation
(ii) Religion and secularism
- b. Socialism and Communism
- c. Issues of Terrorism
- d. Feminism and status of women in India

Text Books:

1. Harlambos (1980), M. Sociology: Themes and Perspectives, Oxford University Press
2. Bottomore, T. B. ((1971) Sociology: A Guide to Problems and Literature, Blackie and Sons India Ltd.
3. Horton. P. B. and C. L. Hunt (1984) Sociology, McCrewe - Hill Book Company, Singapore
4. Giddens, A. (1993) Sociology, Polity Press, UK.
5. Davis, K. (2000) Human Society, Surjeet Publications, India.
6. Eddy Asirvatham & K.K. Misra Political Theory; S. Chand & Company Ltd., Delhi
7. Kapur, A.C.; Principles of Political Science, S.Chand & Company Ltd., Delhi.
8. Baylism John and Smith, Steve; The Globalization of World Politics, Oxford University Press

Second Semester

Subject: Legal History (Paper-I)

Unit- I Evolution of Law and Legal Institutions

- a. Development of Personal Laws
- b. Development of Law in Presidency Towns
- c. Development of Civil law in Mufassil: Special Emphasis on Justice, Equity and Good Conscience

Unit – II

Codification of Laws

- a. Charter of 1833, The First Law Commission, the Charter of 1853, The Second Law Commission
- b. Establishment of High Courts, 1861
- c. Privy Council and Federal Court: Appeals and working of Privy Council, Appraisal of Privy Council, Features of Federal Court

d. Evaluation: Special Reference to Racial Discrimination, Merit and Demerits

Unit – III Legal Profession and Education

a. Early Developments though Major's Court, Supreme Court, Company's Adalat, High Court, Legal Practitioners Act of 1879, The Chamber and Indian Bar Committee of 1951

b. The Advocates Act of 1961: Provisions and Disciplinary powers

c. Law Reporting: Theory of Precedents, Features of Law reporting from 1773 to 1950

d. Legal Education: History and Basic Aims of Legal Education

Unit-IV Constitutional History

a. The Indian Councils Act, 1861

b. The Indian Councils Act, 1892

c. The Indian Councils Act, 1909

d. The Government of India Act 1919

e. The Government of India Act, 1935

Objective: The course is to develop understanding of evolution of modern legal system in India.

Text Books:

1. M.P. Jain – Outlines of Indian Legal History

2. V.D. Kulshretha – Landmarks of Indian Legal and Constitutional History

3. DR. N.V. Paranjape

References:

1. M.P. Singh – Outlines of Indian Legal History

2. Abdul Hamid – Constitutional History of India

Subject: Law of Contract – II (Paper-II)

Unit – I: Indemnity and Guarantee/Bailment and Pledge

a. Meaning, Distinction between Indemnity and Guarantee

b. Right / Duties of Indemnifier, Indemnified and Surety

c. Discharge of Surety

d. Kinds of Guarantee

e. Bailment and Pledge

_ Meaning and Distinction

_ Rights and Duties of Bailor/Bailee, Pawnor/Pawnee

_ Lien

_ Termination of Bailment

Unit – II: Agency

a. Definitions of Agent and Principal

b. Essentials of relationship of agency

c. Creation of agency: by agreement, ratification and law.

d. Relation of principal / agent, subagent and substituted agent

e. Termination of agency

Unit – III: Specific Relief Act, 1963

a. Recovery of property

b. Specific performance of contracts

c. Injunctions – Temporary and Perpetual, Mandatory

Unit – IV: The Indian Partnership Act, 1932

- a. Nature of partnership firm
- b. Relations of partners to one another and outsiders
 - i. Rights /Duties of partners inter se
 - ii. Partnership Property
 - iii. Relations of Partners to third parties
 - iv. Liability for holding out
 - v. Minor as a partner
- c. Incoming and outgoing partners
- d. Dissolution
 - i By consent,
 - ii By agreement,
 - iii compulsory dissolution,
 - iv contingent dissolution,
 - v By notice,
 - vi By Court.
 - vii Consequences of dissolution
 - viii Registration of firms and effects of non registration

Objective: This paper is to impart knowledge various special contract, law of agency and partnership and specific reliefs.

Text Books:

1. Avtar Singh, Law of Contract and Specific Relief
2. R.K. Bangia, Law of Contracts

References:

1. Pullock & Mulla, Indian Contract and Specific Relief Acts
2. Avtar Singh - Law of Partnership
3. K. Sukumaran, Pollock & Mulla - The Indian Partnership Act

Subject: Techniques of Communication, Client Interviewing and Counseling (Paper-III)

Unit – I: Communication

- a. Meaning
- b. Types and Directions to Communication
- c. Approaches to Communication
- d. Barriers to Communication
- e. Communication Process
- f. Channels of Communication

Unit – II: Client Interviewing

- a. Meaning and significance
- b. Different Components: listening, types of questions asked, Information gathering, Report formation, Ethical consideration

Unit – III: Legal Counseling

- a. Definition and its differentiation from general counseling
- b. Different types of counseling
- c. Approaches to Counseling

d. Training Skills: Simulated exercises

Unit – IV: Legal Reasoning

a. Legal Reasoning: Definition, Components of Legal Reasoning, Deductive and Inductive Reasoning, Levi's and Bodenheimer's Model of Legal Reasoning

b. Law and Logic: Aristotelian Logic and Syllogism

c. Significance of mootings to law students

Text Books:

1. N.R. Madhava Menon, Clinical Legal Education

References:

1. Jenny Chapman, Client Interviewing and Counselling

2. Stephens P. Robbins, Organizational Behaviour

3. Morgan, Introduction to Psychology

Objective: This paper is to develop in the student art of communication, client interviewing and counseling advocacy skill in them.

Subject: Accounting for Managers(Paper-IV)

Unit I

Principle of double entry book keeping: Importance & scope of accounting, Accounting concepts, conventions, GAAPs & accounting standards. Accounting, equations, Users of accounting statement, Preparation of books of original records: Journals, problems on cash book and petty cash book, Ledgers & trial balance.

Unit II

Preparation of final accounts/statement: Sole traders with basic adjustments, Preparation of final accounts / statement of companies, Depreciation & Inventory valuation: Concepts & methods of depreciation, Problems on straight line & WDV methods, Inventory-concepts & methods, Problems on LIFO, FIFO & weighted average.

Unit III

Nature and incidence of window dressing: Provisions of the companies act 2013: Provision affecting preparation, presentation & analysis of Audit reports & directors reports (Students should be exposed to reading of annual reports of companies both detailed & summarized version)

Unit IV

Analysis of financial performance of a firm: Different tools, Ratio analysis- Different types of ratios, Inter-relation between Ratios's.

Text Books:

1. Financial Accounting _ A Managerial Perspective -R.Narayanaswamy —Prentice Hall India,3/e

2. Financial Accounting For Management-N. Ramachandran & Ram Kumar Kakani- TMH Publications, 1/e,

3. Introduction to Financial Statement Analysis – Ashish K Bhatta charya – Elsevier India (P) Ltd, Recommended books for modules 5 & 7.

4. Financial Accounting-P.C.Tulsian–Pearson Education India, 1/e

References:

1. Financial Accounting for Management: An Analytical Perspective – Ambrish Gupta, Pearson Education, 1/e,
2. Financial Accounting: A Managerial Emphasis – Ashok Banerjee, Excel Books, 2003
3. Accounting For Managers – Maheswari & Maheswari – Vikas Publishing house (P) Ltd.
4. Financial Statement Analysis – Wild – Tomson Cengage Learning Ltd
5. Advanced Accountancy- R.L. Gupta & M. Radhaswamy –Sultan Chand Publications, 2002
6. Accounting for Managers-Bhattacharya- Vikas Publications, 3/e, 2004
7. Financial Accounting for Business Managers, Ashish KBhattacharya, PHI, 2/e, 2005
8. Accountancy – Vol I & Vol II, B.S. Raman –Universal Publishers, 2002
9. Accounting For Managers – Jawaralal –Himalaya Publishing House, 4/e, 2004
10. Accounting for Managers – Hendrikson.
11. Accounting for Managers – Anthony & Reece.

Subject: Operational Research in Management (Paper-V)

Unit – I

Linear Programming: Concept and uses in business decision making; linear programming problem: formulation, methods of solving: graphical and simplex method, problems with mixed constraints, duality: concept, significance, usage and application in business decision-making.

Unit – II

Transportation and assignment problems: General structure of transportation problem, solution procedure for transportation problem. Methods for finding initial solution, test for optimality, and maximization problem in transportation, assignment problem, approach of assignment model, solution methods of assignment problem, maximization in an assignment, unbalanced assignment problem, restriction on assignment.

Unit – III

Decision Analysis and Game Theory: Operation scheduling: Scheduling problems, shop floor control, Gantt Charts, Principles of work center scheduling, principles of job shop scheduling, personnel scheduling, Game Theory – Pure and mixed strategy, graphical dominance and algebraic method.

Unit – IV

Network Analysis Model and Queuing: PERT & CPM, Cost Analysis and Resource Allocation Queuing Model (M/M/1/∞/F1F0)

Text books:

1. Gupta, S.P. and Gupta, P.K., *Quantitative Techniques and Operations Research*, Sultan Chand & Son, Latest Edition.
2. Sharma, J.K. (2004), *Operation Research: Problems and Solutions*, MacMilan India Ltd. 2nd Edition.
3. Srivastava, U.K., Shenoy G.V. and Sharma S.C. (2002), *Quantitative Techniques for Managerial Decisions*, New Age International Pvt. Ltd., 2nd Edition.

References:

1. Sharma, S. D., *Operations Research*, New Edition
2. Vohra, N.D. (2003), *Quantitative Techniques in Management*

Subject: Information Technology Fundamentals (Paper-VI)

Unit – I: Basics of Computer and its evolution

Evolution of Computer, Data, Instruction and Information, Characteristics of computers, Various fields of application of computers, Various fields of computer (Hardware, Software, Human ware and Firmware), Advantages and Limitations of computer, Block diagram of computer, Function of different units of computer, Classification of computer (i) On the basis of technology (Digital, Analog and Hybrid) (ii) On the basis of processing speed and storage capacity (Micro, Mini, Mainframe and Super) (iii). On the basis of Purpose (General & Special) Different Generation of computes (I to V), Types of software (System and Application), Compiler and Interpreter, Generation of Language (Machine Level Assembly, High Level, 4GL), Number Systems and their Inter-conversion.

Unit – II: Input and Output Devices:

Keyboard, Mouse, Joystick, Digitizer, Scanner, MICR, OCR, OMR, Light Pen, Touch Screen, Bar Code Reader, Voice Input Device, Monitor and it's type (VGA, SVGA and XGA), Printer and it's type (Impact and Non-Impact with example), Plotter

Computer Memory:

Primary Memory (ROM and it's types – PROM, EPROM,EEPROM, RAM) Secondary memory- SASD, DASD Concept, Magnetic Disks – Floppy disks, Hard disks, Magnetic Tape, Optical disks – CD ROM and it's types (CD ROM, CD ROM-R, CD ROM-EO, DVD ROM Flash Memory

Unit III Operating System Concept:

Introduction to operating system; Function of OS, Types of operating systems, Booting Procedure, Start-up sequence, Details of basic system configuration, Important terms like Directory, File, Volume, Label, Drive name, etc. Introduction to GUI using Windows Operating System: All Directory Manipulation: Creating directory, Sub directory, Renaming, Copying and Deleting the directory File Manipulation: Creating a file, deleting, copying, renaming a file. Objectives: The aim of this course is to familiarize the students with the computers, operating system, networking, and use of computers in data processing.

Unit IV Concept of Data Communication and Networking:

Networking concepts, Types of Networks (LAN, MAN, WAN), Communication Media, Mode of Transmission (Simplex, Half Duplex and Full Duplex), Analog and Digital Transmission, Network Topologies, Internet, Intranets, Extranets, Inter-networking devices
Office Productivity Software: Introduction to Word Processing, Spreadsheets and Presentation Software; Database management concepts, Comparison with Traditional File systems, DBMS Models and Concept of keys; Data Security concepts

Text Books:

1. Turban, Rainer and Potter (2003). Introduction to Information Technology. John Wiley & Sons.
2. Saini, A.K. and Pradeep Kumar (2003). Computer Applications in Management, Anmol Publications, N. Delhi.
3. ITL Education Solutions Ltd. (2005), Introduction to Information Technology, Pearson Education.

References:

1. Sinha, Kr. Pradeep and Preeti Sinha; Foundations of Computing, BPB Publication, Latest Edition.
2. William Sawyer, Hutchinson. Using Information Technology, Tata McGraw Hill, Fifth Ed.

Subject: Economic Environment of Business (Paper-VII)

Unit – I: Business Environment:

Nature and Significance, interaction matrix of different environment factors, process of environmental scanning, basic philosophies of capitalism and socialism with their variants.

Unit- II Regulatory Business Laws:

Industrial and Licensing Policy (latest), Foreign Exchange Management Act, Consumer Protection Act, Environment Protection Act, , Securities and Exchange, Board of India and Investor’s Protection.

Unit- III New Economic Environment:

Liberalization, Privatization and Globalization of Indian Economy (trends and issues.)

Unit-IV Monetary and Fiscal Environment in India:

Monetary and Fiscal Policies (their working, latest trends and issues)

Text Books:

1. Bedi, Suresh (2004) *Business Environment*, Excel Books, New Delhi.
2. Mishra, S.K. and Puri, V.K. (2007) *Economic Environment of Business*, Himalaya Publishing House, New Delhi.
3. Paul, Justin (2006), *Business Environment (Text and Cases)*, Tata McGraw-Hill, New Delhi
4. Economic Survey, Government of India (Latest)
5. Monthly Bulletins, Reserve Bank of India, Mumbai

Third Semester

Subject: Business Law (Paper-I)

Unit – I: Sale of Goods: Definition, Conditions and Performance

- a. Definition of ‘goods’ and ‘sale’
- b. Essentials of sale
- c. Conditions and Warranties
- d. Passing of property
- e. Nemo Dat quod non habet
- f. Performance of Contract

Unit – II: Sale of Goods Act: Right of parties and remedies

- a. Rights of unpaid seller
- b. Remedies for breach of contract

Unit – III: Negotiable Instruments (Lectures – 08)

- a. Definition, essential kinds of negotiable instruments
- b. Holder and holder in due course
- c. Negotiation and assignment

Unit – IV: Negotiable Instruments: Presentation and Liability

- a. Presentation of Negotiable Instruments
- b. Crossing of cheques
- c. Discharge from Liability
- d. Noting and Protest

e. Dishonour of negotiable instruments

Text books:

1. Avtar Singh – Sale of Goods
2. Bhashyam and Adiga – Law of Negotiable Instruments

References:

1. Chalmers – Sale of Goods
2. Benjamin, Sale of Goods
3. Khergamwala - Law of Negotiable Instruments
4. Aithayah - Sale of Goods

Objective: This paper is to provide understanding about the important statutes governing transfer of property in goods and negotiable instruments.

Subject: Family Law – I (Paper-II)

Unit – I: Marriage Laws

- a. Hindu Marriage Act, 1955
 - i. Evolution of the institution of marriage
 - ii. Concept of marriage
 - iii. Forms, validity, voidability
- b. Nikah (Muslim Marriage)
 - i. Definition, objects and nature
 - ii. Essentials and validity
 - iii. Obligations arising out of marriage – Mahr, Maintenance etc.
- c. Laws governing Christian and Parsi marriages
- d. Civil Marriages

Unit – II: Dissolution of Marriage

- h. Theories of Divorce
 - i. Separation and Dissolution of Marriage under Hindu Law
 - i. Judicial separation
 - ii. Grounds of Divorce
 - iii. Divorce by mutual consent
 - iv. Jurisdiction and procedure
- c. Dissolution of Marriage under Muslim Law
 - i. By death
 - ii. By the act of either party
 - iii. By mutual consent
 - iv. By court
- v. Indian Divorce Act and Parsi Marriage Act

Unit – III: Adoption and Maintenance

- a. Hindu Adoption and Maintenance Act, 1956
- b. Adoption
 - (i) Ceremonies
 - (ii) Capability
 - (iii) Effect
- c. Maintenance
 - i. Entitlement
 - ii. Enforcement

d. Muslim Women (Protection of Rights on Divorce) Act, 1986

Objective: The objective of the paper is to apprise the students with the laws relating to family matters applicable to different communities in India.

e. Maintenance under the Code of Criminal Procedure, 1973

Unit – IV: Guardianship

a. Hindu Minority and Guardianship Act, 1956

b. Guardianship – Meaning

c. Kinds of Guardianship

d. Right, obligations and disqualification of guardian

e. Guardianship under Muslim Law

f. Entitlement to guardianship

g. Rights, obligations and disqualification of a guardian

Text books:

1. Hindu Law - Paras Diwan

2. Muslim Law of India - Tahir Mahmood

3. Paras Diwan – Family Laws

Subject: Constitutional Law – I (Paper-III)

Unit – I: Constitution

a. Definition and Classification

b. Sources of Constitution

c. Constitutional Conventions

d. Salient features of Indian Constitution

e. Rule of Law

f. Separation of powers

Unit – II: Distribution of Powers between Center and States

a. Legislative Powers

b. Administrative Powers

c. Financial powers

Relevant Doctrines: (a) Territorial Nexus (b) Harmonious Construction (c) Pith and Substance (d) Repugnancy

Unit – III: Constitutional Organs

a. Parliament

b. Parliamentary Sovereignty

c. Parliamentary Privileges

d. Anti Defection Law

e. Executive Power

f. Collective Responsibility of Cabinet

g. Judiciary - Jurisdiction of Supreme Court and High Courts

h. Independence of Judiciary

i. Public Interest Litigation

j. Power of Judicial Review

k. Doctrine of Political Question

Unit – IV: Emergency Provisions

Amendment of Constitution

Doctrine of Basic Structure

Text books:

1. V.N. Shukla, Constitution of India
2. M.P. Jain – Indian Constitutional Law.
3. Nutshells – Constitutional and Administrative Law.

Objective: The Objective of this paper is to provide understanding of basic concepts of Indian Constitution and various organs created by the constitution including their functions.

Subject: Law of Crimes – I (Paper-IV)

Unit – I: Introduction to Substantive Criminal Law

- a. Extent and operation of the Indian Penal Code
- b. Definition of Crime
- c. Fundamental elements of crime
- d. Stages in commission of a crime
- e. Intention, Preparation, Attempt

Unit – II: General Explanations and Exceptions

- a. Definitions
- b. Constructive joint liability
- c. Mistake
- d. Judicial and Executive acts
- e. Accident
- f. Necessity
- g. Infancy
- h. Insanity
- i. Intoxication
- j. Consent
- k. Good faith
- l. Private defence

Unit – III: Abetment and Criminal Conspiracy

Unit – IV: Punishment

- a. Theories: Deterrent, Retributive, Preventive, Expiatory and Reformatory Theory
- b. Punishment under the IPC: Fine, Imprisonment, Capital Punishment

Text books:

1. Ratanlal & Dhirajlal – The Indian Penal Code
2. H.S. Gaur – Penal Law of India

References:

1. Glanville Williams – Textbook of criminal law
2. Russel on Crime

Subject: Advocacy Skills (Paper-V)

Unit – I: Personality: Meaning and Definition

- a. Determinants of personality
- b. Heredity, Environment and Situational Factors

c. Theories of personality: Trait Theory, Type Theory, Psycho Analytic Theory, Meemastic Theory and Learning Theory

Unit – II: Attitude

- a. Meaning and Definition
- b. Types of Attitude
- c. Formation of Attitude
- d. Negative Attitude and objective
- e. Building positive attitude
- f. Situational Analysis of Attitude
- g. Perception
- h. Biases, Prejudices and blind Spots

Unit – III: Motivation

- a. Theories of Motivation
- b. Various motives: Biological and social Motives
- c. Motives to know and Be effective
- d. Frustration and conflict of Motives

Unit – IV: Leadership and Team- Building

- d. Definition
- e. Theories
- f. Characteristics of leadership
- g. Team Building

Text books:

1. Introduction to Psychology – Morgan’s
2. Social Psychology – R.A. Baron
3. Psychology /: An Introduction – J.R. Gnow
4. Organizational Behaviour – Stephens P. Ronnins

Objective: The paper seeks to develop personality of students as lawyers.

Subject: Financial Management (Paper-VI)

Unit I

Financial Management: Meaning, Scope, objectives of Financial Management – Profit Vs. Wealth Maximization, Financial Management and other Areas of Management – Liquidity Vs Profitability, Methods of Financial Management, Organization of Finance Function.

Sources of Financing: Classification of Sources of Finance, Security Financing, Loan Financing, Project Financing, Loan Syndication- Book Building, New Financial Institutions and Instruments (in brief) viz. Depositories, Factoring, Venture Capital, Credit Rating, Commercial Paper, Certificate of Deposit, Stock Invest, Global Depository Receipts.

Unit II

Concept in Valuation: Time Value of Money, Valuation Concepts, Valuation of Securities viz., Debentures, Preference shares and Equity Shares.

Capital Structure: Meaning, Capital Structure and Financial Structure, Patterns of Capital Structure, Optimum Capital Structure, Capital Structure Theories, Factors Determining Capital Structure, Capital Structure Practices in India.

Cost of Capital: Concept, Importance, Classification and Determination of Cost of Capital.

Leverages: Concept, Types of leverages and their significance.

Unit III

Capital Budgeting: Concept, Importance And Appraisal Methods: Pay back period, DCF techniques, Accounting rate of return, Capital Rationing, Concept of Risk, Incorporation of Risk Factor, General Techniques: Risk adjusted discount return, certainty equivalent coefficient and Quantitative Techniques: Sensitivity analysis, Probability assignment, Standard deviation, Coefficient of variation, Decision tree.

Unit IV

Working Capital Management: Concept, Management of Cash, Management of Inventories, Management of Accounts Receivable and Accounts Payable, over and under Trading.

Dividend, Bonus and Rights: Dividend Policy, Relevance and Irrelevance Concepts of Dividend, Corporate Dividend Practices in India.

Text Books: -

1. Maheshwari S.N. (2004), *Financial Management:Principles and Practice*, Sultan Chand & Sons, 9th Edition.
2. Khan M.Y, Jain P.K. (2001), *Financial Management*, Tata McGraw Hill, 3rd Edition.
3. Pandey I. M. (2003), *Financial Management*, Vikas Publishing House, Revised Ed.

References: -

1. Hampton, Joh. J (1998), *Financial Decision Making*, Prentice Hall of India, 4th Edition.
2. Horne Van C. & Wachowich M. (2002), *Fundamentals of Financial Management*, Prentice Hall of India, 11th Edition

Subject: Organizational Behaviour (Paper-VII)

Unit I

Introduction: Concept and nature of Organizational behavior; contributing disciplines to the field of O.B.; O.B. Models; Need to understand human behavior; Challenges and Opportunities.

Unit II

Individual & Interpersonal Behavior: Biographical Characteristics; Ability; Values; Attitudes-Formation, Theories, Organization related attitude, Relationship between attitude and behavior; Personality – determinants and traits; Emotions; Learning-Theories and reinforcement schedules, Perception –Process and errors. Interpersonal Behavior: Johari Window; Transactional Analysis – ego states, types of transactions, life positions, applications of T.A.

Unit III

Group Behavior & Team Development: Concept of Group and Group Dynamics; Types of Groups; Formal and Informal Groups; Stages of Group Development, Theories of Group Formation; Group Norms, Group Cohesiveness; Group Think and Group Shift. Group Decision Making; Inter Group Behavior; Concept of Team Vs. Group; Types of teams; Building and managing effective teams.

Unit IV

Organization Culture and Conflict Management: Organizational Culture-Concept, Functions, Socialization; Creating and sustaining culture; Managing Conflict – Sources, types, process and resolution of conflict; Managing Change; Managing across Cultures; Empowerment and Participation.

Text Books:

1. Prasad, L.M.(2003), *Organizational Behaviour*, Sultan Chand & Sons.
2. Stephen P., Robbins (2003), *Organizational Behaviour*; “Prentice Hall of India Pvt. Ltd.”, New Delhi.

Reference Books:

1. Luthans, Fred (2003); *Organizational Behaviour*, Tata McGraw Hill, New Delhi
2. Chhabra,T.N. & Singh,B.P., *Organization Behavior*,Sultan Chand & Sons.
3. Khanka, S.S.; *Organizational Behaviour*, Sultan Chand and Sons, New Delhi, Latest Edition.
4. Joseph, Weiss (2004); *Organization Behaviour and Change*, Vikas Publishing house.

Fourth Semester

Subject: Law of Torts and Consumer Protection (Paper-I)

Unit – I : Introduction and Principles of Liability in Tort

- a. Definition of Tort
- b. Development of Tort actions in England and India – Tort distinguished from contract, Quasi-contract and crime
- c. Constituents of Tort – Wrongful Act, Damage and Remedy
- d. Strict Liability and Absolute Liability
- e. Vicarious Liability – Scope and Justification
- f. Doctrine of Sovereign Immunity

Unit – II: Justification in Tort

- a. Volenti non-fit Injuria
- b. Necessity, Plaintiff's default
- c. Act of God
- d. Inevitable accidents
- e. Private defences
- f. Judicial and Quasi – Judicial Acts
- g. Parental and quasi-parental authority

Unit – III: Specific Torts

- a. Defamation
- b. Negligence
- c. Nuisance
- d. Assault, battery and mayhem
- e. False imprisonment and malicious prosecution
- f. Nervous Shock

Unit - IV: Consumer Protection

- a. Basic Concepts: Consumer, Service, Goods
 - i. Authorities for consumer protection
 - ii. Remedies

Text books:

1. Tort: Winfield and Jolowicz
2. The Law of Torts: Ratanlal & Dhirajlal

Objective: This paper is to make students understand the nature of tort and conditions of liability with reference to established case law. Further, it covers the Consumer Protection Act, 1986.

Subject: Family Law – II (Paper-II)

Unit – I: Joint Hindu Family

- a. Mitakshara and Dayabhaga
- b. Formation and Incident under the coparcenary property under Dayabhaga and Mitakshara
- c. Karta of Joint Family: Position, Powers and privileges; Alienation of property by Karta
- d. Debts – Doctrine of pious obligation and antecedent debts

Unit – II: Partition

- a. Meaning, Division of right and division of property
- b. Persons entitled to demand partition
- c. Partition how effected; Suit for partition
- d. Re-opening of partition; Re-union
- e. Points of similarity and distinction between the Mitakshara and the Dayabhaga Laws

Unit – III: Principles of Inheritance

- a. The Hindu Succession Act, 1956 General rules of succession of a Hindu male and female dying intestate under the Hindu Succession Act
- b. Stridhan and Women's estate
- c. Principles of inheritance under Muslim Law (Sunni Law)

Unit – IV: Religious and Charitable Endowments

- a. Endowments
 - iii. Meaning, kinds and essentials.
 - iv. Math – Kinds, Powers and obligations of Mahant and Shefait
 - v. Removal and replacement of Idol
- b. Waqf
 - i. Meaning, Kinds, Rights and Characteristics,
 - ii Advantages and disadvantages
 - c. Objects and purpose
 - iii. Mosques – objects, kind, requisites
 - iv. Methods of creation of waqf
- d. Pre-emption – Origin, Definition, Classification, Subject matter, formalities, effects, constitutional validity

Text books:

1. Modern Hindu Law – Paras Diwan
2. Outlines of Mohammadan Law – AAA Fyzee

Objective: The objective of the paper is to apprise the students with the laws relating to family matters governing succession, partition and religious endowments.

Subject: Constitutional Law – II (Paper-III)

Unit – I Fundamental Rights – I

- a. Definition of 'State' for enforcement of fundamental rights – Justifiability of fundamental rights – Doctrine of eclipse, severability, waiver. Distinction between pre-constitutional law and post-constitutional law
- b. Right to equality – Doctrine of Reasonable classification and the principle of absence of arbitrariness
- c. Fundamental freedom: Freedom of speech and expression, freedom of association, freedom of movement, freedom to reside and settle, freedom of trade, business and profession – expansion by judicial interpretation – reasonable restrictions

Unit – II: Fundamental Rights – II

- a. Right to life and personal liberty – scope and content – (expensive interpretation)
- b. Preventive detention under the Constitution – Policy and safeguards – Judicial review
- c. Right against exploitation – Forced labour and child employment
- d. Freedom of religion

Unit – III: Right to Constitutional Remedies

1. Right to Constitutional Remedies – Judicial Review – Writs – Habeas Corpus, Mandamus, Certiorari, Prohibition and Quo-warranto – Art 32 and 226

Unit – IV: Directive Principles, Fundamental Duties and Social Justice

- a. Directive Principles of State Policy – Nature and justiciability of the Directive Principles – Inter-relationship between Fundamental Rights and Directive Principles – Fundamental Duties
- b. Social justice under the Indian Constitution – Compensatory discrimination for backward classes – Mandal Commission's case and other cases – Protective discrimination doctrine

Text books:

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

Objective: This paper is to orient students with constitutional rights and duties: perspective as well as remedies.

Subject: Law of Crimes– II (Paper-IV)

Unit – I : Offences affecting the Human body

- a. Offences affecting life, causing miscarriage, or injuries to unborn children
- b. Offences of hurt, of wrongful restraint and wrongful confinement
- c. Offences of criminal force and Assault, offences of kidnapping and Abduction

Unit – II: Offences against Women

- a. Obscene acts and songs
- b. Outraging the modesty of women
- c. Rape
- d. Cruelty by husband or relatives of husband
- e. Offences relating to marriage

Unit – III: Offences against Property

- a. Theft, Extortion, robbery and decoity
- b. Criminal misappropriation and criminal breach of trust

- c. Cheating
 - d. Mischief
 - e. Criminal trespass
- Unit- IV: Defamation and offences relating to documents and property marks
- a. Defamation
 - b. Forgery
 - c. Counterfeiting

Text books:

1. Ratanlal and Dhirajlal – The Indian Penal Code
2. H.S. Gaur – Penal Law of India

Subject: Administrative Law (Paper-V)

Unit – I: Evolution and Scope of Administrative Law

- a. Nature, Scope and Development of Administrative Law
- b. Rule of law and Administrative Law
- c. Separation of powers and its relevance
- d. Relationship between Constitutional law and Administrative Law
- e. Administrative Law vis-à-vis privatization
- f. Classification of functions of Administration

Unit – II: Legislative Functions of Administration

- a. Necessity and Constitutionality
- b. Forms and requirements
- c. Control
 - i. Legislative
 - ii. Judicial
 - iii. Procedural
- d. Sub-delegation

Unit-III: Judicial Functions of Administration

- a. Need for devolution of adjudicatory authority on administration
- b. Nature of tribunals – Constitution, powers, procedures, rules of evidence
- c. Administrative Tribunals
- d. Principles of Natural Justice
 - i. Rule against bias
 - ii. Audi Alteram Partem
 - iii. Reasoned decisions
- e. Rules of evidence – no evidence, some evidence and substantial evidence
- f. Institutional Decisions

Unit – IV: Administrative Discretion and Judicial Control of Administrative Action

- A. Administrative Discretion
 - a. Need and its relationship with rule of law
 - b. Constitutional imperatives and exercise of discretion
 - c. Grounds of judicial review
 - i. Abuse of discretion
 - ii. Failure to exercise discretion
 - d. Doctrine of legitimate expectations

Objective: The purpose of this paper is make students aware of various aspects of administrative law including quasi-legislative, quasi-judicial and other ministerial functions of administration and

control thereof.

B. Judicial Control of Administrative Action

i. Introduction

ii. Court as the final authority to determine the legality of administrative action

iii. Exhaustion of Administrative remedies

iv. Locus standi

v. Laches

vi. Res judicata

vii. Judicial review and its extent

C. Methods of judicial review

i. Statutory appeals

ii. Writs

iii. Declaratory judgements and injunctions

iv. Civil Suits for Compensation

Text books:

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

2. Administrative Law – I.P. Massey

References:

1. Administrative Law – Wade

2. Lectures on Administrative Law – C.K. Takwani

3. Administrative Law – S.P. Sathe

Subject: Human Resource Management (Paper-VI)

Unit – I

Introduction: Concept, nature, scope, objectives and importance of HRM; Evolution of HRM; Challenges of HRM; Personnel Management vs HRM. Strategies for the New Millennium: Role of HRM in strategic management; human capital; emotional quotient; mentoring; ESOP; flexi-time; quality circles; Kaizen TQM and Six Sigma.

Unit – II

Acquisition of Human Resources: HR Planning; Job analysis – job description and job specification; recruitment – sources and process; selection process – tests and interviews; placement and induction. Job changes – transfers, promotions/demotions, separations.

Unit – III

Training and Development: Concept and importance of training; types of training; methods of training; design of training programme; evaluation of training effectiveness; executive development – process and techniques; career planning and development.

Unit – IV

Compensation and Maintenance: Compensation: job evaluation – concept, process and significance; components of employee remuneration – base and supplementary; Performance and Potential appraisal – concept and objectives; traditional and modern methods, limitations of performance appraisal

methods, 360 degree appraisal technique; Maintenance: overview of employee welfare, health and safety, social security.

Text Books:

1. Chhabra, T. N (2003), *Human Resource Management*; Dhanpati Rai and Co. Pvt. Ltd New Delhi.
2. Dr. Gupta, C. B. (2003); *Human Resource Management*, Sultan Chand and Sons, New Delhi.

References:

1. Flippo, Edwin B., *Personnel Management*, Tata McGraw Hill, latest edition.
2. Rao, V.S. P. (2004), *Human Resource Management, Test and Cases*, Excel Books.
3. Aswathappa, K. (2003), *Human Resource and Personnel Management (Text and Cases)*, Tata McGraw Hill Publishing Company, New Delhi
4. Desler, Gary, *Human Resource Management*, Prentice Hall, latest edition.
5. D’Cenzo, David, A & Stephen P. Robbin, *Personnel Human Resource Management*, Prentice Hall of India, latest edition.
6. Beardwell, Ian & Len Holden, *Human Resource Management*, Macmillan, Delhi, latest edition.

Subject: Marketing Management (Paper-VII)

Unit- I Introduction to Marketing

Meaning, Nature and Scope of Marketing; Marketing Philosophies; Marketing Management Process; Concept of Marketing Mix; Understanding Marketing Environment; Consumer and Organization Buyer Behavior; Market Segmentation, Targeting and Positioning.

Unit –II Product Planning and Pricing

Product Concept; Types of Products; Major Product Decisions; Brand Management; Product Life Cycle, New Product Development Process; Pricing Decisions; Determinants of Price; Pricing Process, Policies and Strategies.

Unit – III Promotion and Distribution decisions

Communication Process; Promotion Tools-Advertising, Personal Selling, Publicity and Sales Promotion; Distribution Channel Decisions-Types and Functions of Intermediaries, Selection and Management of Intermediaries.

Unit –IV Marketing Organization and Control

Emerging Trends and Issues in Marketing – Consumerism, Rural Marketing, Social Marketing; Direct and Online Marketing; Green Marketing.

Text Books:

1. Kotler, Philip. (2003), *Marketing Management: Analysis, Planning, Implementation & Control*, Prentice Hall of India.

2. Michael, J. E., Bruce, J. W. and William, J. S. (2004). *Marketing Management*, Tata McGrawHill, New Delhi. 13th Edition

References:

1. Louis E. Boone and David L. Kurtz (2001). *Contemporary Marketing*. Harcourt Collye Publishers.
2. Douglas, J. Darymple & Leonard J. Parsons (2002). *Marketing Management: Text and Cases*. Seventh Edition, John Wiley and Sons.
3. Pride, William, M., and O.C. Ferrell (2005). *Marketing: Concepts and Strategies*. Biztantra, New Delhi.

Fifth Semester

Subject: Code of Civil Procedure – I (Paper-I)

Unit – I: Introduction

- a. Definitions: Decree, Judgement, Order, Foreign Court, Foreign Judgement, Mesne, Profits, Affidavit, Suit, Complaint, Written Statement
- b. Important Concepts: Res Sub-Judice, Resjudicata, Restitution, Caveat, Inherent powers of courts

Unit – II: Initial steps in a suit

- a. Jurisdiction and place of suing
- b. Institution of suit
- c. Pleadings: Meaning, object, General rules, Amendment of pleadings
- d. Complaint and written statement
- e. Discovery, Inspection and production of documents
- f. Appearance and non-appearance of parties
- g. First hearing

Unit – III: Interim Orders

- a. Commissions
- b. Arrest before judgement
- c. Attachment before judgement
- d. Temporary Injunctions
- e. Interlocutory orders
- f. Receiver
- g. Security of costs

Unit – IV: Suits in Particular Cases

- c. Suits by or against Government
- d. Suits by Indigent persons
- e. Interpleader Suit
- f. Summary Procedure
- g. Suits relating to public nuisance

Text books:

1. Code of Civil Procedure, 1908 (Relevant Provisions)
2. C.K. Takwani, Code of Civil Procedure
3. Mulla – Code of Civil Procedure
4. Sarkar's Code of Civil Procedure

Reference:

1. Ganguly – Civil Court, Practice and Procedure
2. M.P. Tandon – Code of Civil Procedure

Objective: This paper is to help a law student to acquire a thorough knowledge of procedural aspects of working of civil courts and other machineries.

Subject: Code of Criminal Procedure – I (Paper-II)

Unit – I: Introduction

- a. Definitions
- b. Constitution and powers of Criminal Courts and Offices

Unit – II: Provisions for Investigations

- a. Arrest and Bail provisions
- b. Information to the Police and their powers to investigate

Unit – III: Process to Compel Appearance and Production of things

- a. Summons for Appearance
- b. Warrant of arrest
- c. Proclamation and attachment
- d. Other rules regarding processes
- e. Summons procedure
- f. Search Warrants
- g. General provisions as to search
- h. Miscellaneous

Unit-IV: Proceedings before Magistrate

- a. Conditions requisite for initiation of proceedings
- b. Complaints to Magistrates
- c. Commencement of proceedings before Magistrates
- d. Security Proceedings

Text Books:

1. Rattan Lal & Dhirajlal – Code of Criminal Procedure
2. R.V. Kelkar – Code of Criminal Procedure

References:

1. S.N. Mishra – Code of Criminal Procedure
2. Ganguly – Criminal Court, Practice and Procedure

Objective: This paper is to give students thorough knowledge of procedural aspects of working of criminal courts and other machineries.

Subject: Law of Evidence (Paper-III)

Unit – I: Introduction and Relevancy

- a. Evidence and its relationship with the substantive and procedural laws
- b. Definitions – Facts, facts in issue, relevant, evidence proved, disproved, not proved, oral and documentary evidence
- c. Relevancy and admissibility
- d. Doctrine of res gestae
- e. Conspiracy

Unit – II: Statement – Admissions / Confessions and Dying Declarations

- a. Admissions
- b. Confessions
- c. Dying Declarations

Unit – III: Method of proof of facts

- a. Presumptions
- b. Expert opinion
- c. Character
- d. Oral and documentary evidence
- e. Rules relating to Burden of proof
- f. Estoppel
- g. Privileged Communications

Unit – IV: Presumptions regarding discharge of burden of proof

- a. Evidence by accomplice
- b. Judicial notice
- c. Dowry Death
- d. Certain Offences

Text books:

- 1. Rattan Lal Dheeraj Lal – Evidence
- 2. Avtar Singh – Evidence
- 3. Monir – Evidence

Objective: This paper is to orient students with importance of evidence for establishment of claims and the related rules and principles.

Subject: Corporate Law (Paper-IV)

Unit-I: Formation, Registration and Incorporation of company

- a. Nature and kinds of company
- b. Promoters: Position, duties and liabilities
- c. Mode and consequences of incorporation,
- d. Uses and abuses of the corporate form, lifting of corporate veil,
- e. Memorandum of Association, alteration and the doctrine of ultra vires,
- f. Articles of association, binding nature, alteration, relation with memorandum of association, doctrine of constructive notice and indoor management- exceptions.

Unit-II: Capital Formation

- 1. Prospectus: Issues, contents, Kinds, liability for misstatements, statement in lieu of prospectus,
- 2. The nature and classification of company securities,
- 3. Shares and general principles of allotment,
- 4. Statutory share certificate, its objects and effects,
- 5. Transfer of shares,
- 6. Share capital, reduction of share capital,
- 7. Duties of court to protect interests of creditors and shareholders.
- 8. Debentures, kinds, remedies of debenture holders.

Unit – III: Corporate Administration

- a. Directors – kinds, powers and duties,
- b. Insider trading,
- c. Meetings kinds and procedure,
- d. The balance of powers within companies - Majority control and minority protection, Prevention of oppression, and powers of court and central government,
- e. Emerging trends in Corporate social responsibility, legal liability of company - civil, criminal, tortuous and environmental.

Unit-IV: Winding up of Companies

- a. Kinds, consequences and reasons of winding up,
- b. Role of the court,
- c. Liability of past members,
- d. Payment of liabilities,
- e. Reconstruction and amalgamation.

Objective: The paper aims to provide insight into formation and winding up of companies besides Corporate Administration.

Text books:

1. Avtar Singh : Indian Company Law
2. Shah S. M : Lectures on Company Law

Further Readings:

1. Palmer - Company Law
2. Ramiya: Guide to Companies Act
3. Gower: Principles of Modern Company Law

Subject: Jurisprudence - I (Paper-V)

Unit – I: Introduction

- a. Nature and scope of Jurisprudence
- b. Need for study of Jurisprudence
- c. Linkage between Jurisprudence and other sciences

Unit – II: Schools of Jurisprudence – I

- a. Natural Law
- b. Analytical positivism, Pure Theory
- c. Historical Jurisprudence

Unit – III: Schools of Jurisprudence – II

- a. Sociology Jurisprudence
- b. Economic Approach
- c. Legal Realism

Unit – IV: Indian Perspectives in Jurisprudence

- a. Classical Approach
- b. Medieval Influences
- c. Modern Trends

Text books:

1. R.W.M. Dias, Jurisprudence
2. Prof. (Mrs.) Nomita Aggarwal , Jurisprudence (Legal Theory)

3. B.N. Maini Tripathi, Legal Theory
4. Edger Bodenheimer, Jurisprudence

Objective: The course aims at developing an analytical approach to understand the nature of law, development of law and working of a legal system in different dimensions with reference to popular legal theorists.

Subject: Human Rights Law (Paper-VI)

Unit – I: Introduction

- a. History
- b. Evolution
- c. Growth

Unit – II: UN Charter and Human Rights

- a. UDHR
- b. Covenants of 1966
- c. Optional Protocols

Unit – III: Human Rights under the Indian Constitution and their Enforcement

- a. Fundamental Rights
- b. Directive Principles of State Policy

Unit – IV: Role of Judiciary

- a. NHRC
- b. NGOs
- c. Group Rights
 - (i) Prisoners (ii) Women and Children (iii) Indigenous People (iv) Disabled

Text books:

1. UN Charter
2. Constitution of India
3. Human Rights Act 1993
4. Sinha, M.K. – Implementation of Non-Derogation Human Rights (Delhi 1999)

References:

1. D.D. Basu – Human Rights
2. Upendar Baxi – Human Rights
3. Thomas Buergenthal – Human Rights
4. Henry Steiner & Philip Alston – International Human Rights Law
5. B.G. Ramcharan – International Human Rights (Oxford, 1998)
6. Y.K. Tyagi – British Yearbook (2001).

Objective: The objective of this course is to lay the foundation of the Human Rights law and acquaint the students with basic human rights institutions.

Subject: Training Project and Research Methodology (Paper-VII) (50+50)

Each student shall undergo practical training of 4 weeks, either with a corporate or a law firm and submit at least two copies of the training report to the *Dean/Director/Principal of the Institution before the examination. It shall be evaluated by a board of members consisting of (i)*

Dean/Director/Principal of the Institute (ii) two faculty member and an invitee from outside School/Institute.

RESEARCH METHODOLOGY

Unit – I

INTRODUCTION: Definition of Research, Qualities of Researcher, Components of Research Problem, Various Steps in Scientific Research, Types of Research; Hypotheses Research Purposes - Research Design - Survey Research - Case Study Research.

Unit-II

DATA COLLECTION: Sources of Data: Primary Data, Secondary Data; Procedure Questionnaire - Sampling Merits and Demerits - Experiments - Kinds - Procedure; Control Observation - Merits - Demerits - Kinds - Procedure - Sampling Errors - Type-I Error - Type-II Error.

RESEARCH REPORTS: Structure and Components of Research Report, Types of Report, Good Research Report, Pictures and Graphs

Text Books:

1. Wilkinson & Bhandarkar: Methodology and techniques of social research.
2. Pauline Vyoung: *Scientific social surveys and research*.
3. Panneerselvam, R., *Research methodology*, Prentice Hall of India, New Delhi, 2004.
4. Kothari: *Research methodology*.
5. Festinger. L & D. Katz: *Research methods in behavioral science*.
6. Sellitz, et al: *Research methods in social relations*.

Sixth Semester

Subject: Code of Civil Procedure – II (Paper-I)

Unit –I: Judgment and Decree

- a. Judgment : Definition, Essentials, Pronouncement, Contents, and Alteration
- b. Decree : Definition, Essentials, Types, Drawing up of a decree, Contents, and Decree in particular cases
- c. Interest
- d. Costs

Unit-II: Execution

- a. Courts by which decree may be executed
- b. Payment under decree
- c. Application for Execution
- d. Mode of Execution
- e. Stay of Execution
- f. Questions to be determined by executing court

Unit-III: Appeals

- a. Appeals from original decree
- b. Appeals from appellate decrees
- c. General provisions relating to appeals
- d. Appeals to the Supreme Court
- e. Appeals by Indigent persons

Unit-IV: Reference, Review and Revision

- a. reference to High Court
- b. review
- c. revision

Text books:

1. Mulla – Code of Civil Procedure
2. Sarkar’s Code of Civil Procedure

References:

1. Code of Civil Procedure, 1908 (Relevant Provision)
2. M.P. Tandon – Code of Civil Procedure

Objective: This paper is to give to a law student a thorough knowledge of procedural aspects of working of civil courts and other machineries.

Subject: Code of Criminal Procedure – II (Paper-II)

Unit-I: Introduction to Trial Procedures

- a. The charge
 - i. Form of charges
 - ii. Joinder of charges
- b. Evidence in inquiries and trials
- c. General provisions as to inquiries and trials
- d. Provisions as to accused persons of unsound mind.

Unit-II: Trials and Execution Proceedings

- a. Trial before a court of session
- b. Trial of warrant cases by magistrates
- c. Trial of summons – cases by Magistrates
- d. Summary Trials
- e. Judgement
- f. Submission of death sentences for confirmation
- g. Execution, suspension, remission and commutation of sentences

Unit-III: Review Procedures

- a. Appeals
- b. Reference and Revisions

Unit-IV: Miscellaneous

- a. Maintenance of wives, children and parents
- b. Transfer of criminal cases
- c. Irregular proceedings
- d. Limitations for taking cognizance

Text books:

1. Rattan Lal & Dhirajlal – Code of Criminal Procedure
2. R.V. Kelkar – Code of Criminal Procedure

References:

1. S.N. Mishra – Code of Criminal Procedure
2. Ganguly – Criminal Court, Practice and Procedure

Objective: This paper focuses on procedures dealing with criminal cases.

Subject: Public International Law (Paper-III)

Unit – I: Introduction

- a. Nature of International Law
- b. Subjects of International Law
- c. Relationship between International Law and Municipal Law

Unit –II: Sources of International law

- a. Custom
- b. Treaties
- c. General Assembly Resolutions
- d. General Principles
- e. Juristic Works
- f. Other Sources

Unit-III: Recognition, Extradition and Law of the Sea

- a. Recognition
 - (i) Theories of Recognition
 - (ii) De facto, De jure recognition
 - (iii) Implied Recognition
 - (iv) Withdrawal of Recognition
 - (v) Retroactive Effects of Recognition
- b. Extradition
 - i. State Jurisdiction
 - ii. Customary Law basis
 - iii. Treaty Law
 - iv. The nature of obligation
- c. Law of the Sea
 - i. Territorial Sea
 - ii. Contiguous Zone
 - iii. Exclusive Economic Zone
 - iv. Continental Shelf
 - v. High Sea

Unit – IV. International Organizations

- a. UN
- b. ICJ
- c. IMF and IBRD
- d. WTO
- e. ICAO
- f. IAEA
- g. UNEP

Objective: The objective of this paper is to acquaint the students with the basics of Public International Law and practice.

Text books:

- 1. Starke – Introduction to International Law
- 2. Oppenheim - International Law

References:

- 1. Brownlie – Principles of International Law

2. Shaw - International Law

Subject: Production Management (Paper-IV)

Unit I

Transformation process model: Inputs, process and outputs; Classification of operations; Responsibilities of Operations Manager; New Product Development, Selection and Design of Product / Services. Process types in manufacturing: project, jobbing, batch, line, mass, continuous; Process types in services: professional services, services shops, mass services; Plant location; Layout planning.

Unit II

Production Planning & Control: Production planning techniques for various process choices, techniques of production control, aggregate planning techniques,

Unit III

Quality management: Introduction; Meaning; Quality characteristics of goods and services; Tools and techniques for quality improvement: check sheet, histogram, scatter diagram, cause and effect diagram, Pareto chart, process diagram, statistical process control chart; Quality assurance; Total quality management (TQM) model; Service quality, concept of Six Sigma and its application.

Unit IV

Productivity Improvement Techniques: Work study; Method study; Work measurement: time study: stop watch time study; Work sampling. Maintenance: maintenance policies for facilities and equipment; Time of failure; Preventive versus breakdown maintenance; Procedure for maintenance, total productive maintenance (TPM)

Text Books

- 1) Adam Jr Everetl E. R J – Production and Operations Management (Prentice-Hall, 1992), 2000 5th ed.
- 2) Chary- Production and Operations Management (Tata McGraw-Hill, 1997 9th ed.)
- 3) Hill T- Operations Management (Palgrave, 2000)
- 4) Johnston R et al – Cases in Operations Management (Pitman, 1993)
- 5) McGregor D – Operations Management (McGraw-Hill, 1960)
- 6) Morton- Production and Operations Management (Vikas)
- 7) Haleem A- Production and Operations Management (Galgotia books, 2004)
- 8) Shanker Ravi- Industrial Engineering (Galgotia)

9) Chase & Production and operation Management, Richard Irwin London; 1995, 7th ed.

10) Production & Operations Management.- Kanishka Bedi, (Oxford University Press)

Subject: Property Law (Paper-V)

Unit-I: Concept of Property and General Principles Relating to Transfer of Property

- a. Concept of property – distinction between movable and immovable property
- b. Transferability of property
- c. Compartment transfer
- d. Conditions restricting transfer
- e. Definition of transfer of property
- f. Transfer and non-transfer property
- g. Transfer to an unborn person and rule against perpetuity
- h. Vested and Contingent interest
- i. Rule of Election

Unit-II: General Principles Governing Transfer of Immoveable Property

- a. Transfer by ostensible owner
- b. Rule of feeding grant by estoppel
- c. Rule of Lis pendens
- d. Fraudulent transfer
- e. Rule of part performance

Unit – III: Specific Transfers – I

- a. Sale and gift
- b. Mortgage and charge

Unit – IV: Specific Transfer – II

- a. Lease and License
- b. Easements

Text books:

1. Mulla D.F. – Transfer of property
2. H.N. Tiwari – Transfer of property Act

Objective: The Objective of this paper is to focus on concept and classification of property as well as principles governing transfer of immoveable property.

Subject: Jurisprudence - II (Paper-VI)

Unit-I: State, Sovereignty and Law

- a. Nature and functions of a State and its relationship with law
- b. Nature and development of Sovereignty
- c. Nature and kinds of law and theories of justice

Unit-II: Sources of Law

- a. Custom
 - b. Precedent
 - c. Legislation
- (Emphasis on Indian perspective)

Unit – III: Concepts of Law

- a. Rights and Duties
- b. Personality
- c. Possession, Ownership and Property

Unit-IV: Principles of Liability

- a. Liability and Negligence
- b. Immunity
- c. Compensatory Jurisprudence
- d. Legal aid and access to justice

Text books:

1. Salmond's Jurisprudence
2. R.W.D. Dias, Jurisprudence
3. Prof.(Mrs.) Nomita Aggarwal, Jurisprudence (Legal Theory)

Objective: The objective of the course is to create an understanding of basic legal concepts like state, sover

Subject: Strategic Management (Paper-VII)

Unit – I

Introduction: Strategic Management, Strategic planning, evolution of strategic management, Strategic Planning and Strategic Management.

Strategic Management Process: Formulation Phase, vision, mission, environmental scanning, objectives and strategy; implementation phase – strategic activities, strategy, evaluation and control and corporate governance.

Unit – II

Environmental Analysis: Need, Characteristics and categorization of environmental factors, approaches to the environmental scanning process – structural analysis of competitive environment; ETOP a diagnosis tool.

Analysis of Internal Resources: Strengths and Weaknesses; Resource Audit; Strategic Advantage Analysis; Value-Chain Approach to Internal Analysis' Methods of Analysis and diagnosing Corporate Capabilities – Functional Area Profile and Resource Deployment Matrix, Strategic Advantage Profile; SWOT Analysis

Unit – III

Formulation of Strategy: Approaches to Strategy formation; Major Strategy Options – Stability, Growth and Expansion, Diversification, Retrenchment, Mixed Strategy; Choice of Strategy – BCG Model; Stop-Light Strategy Model; Directional Policy Matrix (DPM) Model, Product/Market Evolution – Matrix and Profit Impact of Market Strategy (PIMS) Model; Legal Framework for Mergers and Acquisitions.

Unit – IV

Major Issues involved in the implementation of strategy: Organization Structure; Leadership and Resource Allocation. Implementation, Strategic Evaluation and Control, Operational Controls and Strategic Controls.

Text Books

1. Ghose, P.K (2000).; *Strategic Planning and Management*, Sultan Chand and Sons, New Delhi, 8th Edition
2. Kazmi, Azhar (2000), *Business Policy*, Tata McGraw Hill, New Delhi
3. Suri, R. K. (2005), *Business Policy and Strategic Management*, Brijwasi Publisher & Distributor.

Reference Books

1. Thompson, Arthur A., and Strickland, A.J. (1999), *Strategic Management*, McGraw Hill, New York
2. Ansoff, H. Igor, *Corporate Strategy*, Penguin
Jauch and Glueck; *Business Policy and Strateg*

Seventh Semester

Subject: Land Laws (Paper-I)

Unit – I: Land Reforms

- a. Constitutional Provisions on Agrarian Reform Legislation
- b. Abolition of private landlordism
- c. Land Ceiling Legislation
- d. State enactments prohibiting alienation of land by tribals to non-tribals
- e. Consolidation of holdings

Unit – II: Land Acquisition

- a. Purpose
- b. Procedure
- c. Compensation

Unit – III: Rent Law: Concepts, Terms and Processes

- a. Rent Legislation in India
- b. Definitions, Land Lord, Tenant, Land and Fair Rent.
- c. Fixation of fair rent

Unit – IV: Eviction and Dispute Settlement Mechanism

- a. Grounds of eviction : Non-payment of Rent, Sub-letting, Change of user, Material, alterations, Non-occupancy, Nuisance, Dilapidation, Bonafide requirement of the landlord, Alternative accommodation, Building and re-construction and Limited Tenancy
- b. Settlement of rent disputes

Text books:

1. Constitution of India – Mr. V.N. Shukla
2. Law of Acquisition of land in India – Mr. P.K. Sarkar
3. Delhi Rent Law – Jaspal Singh
4. Law of Rent Control in India – K.T.S. Tulsi

Objective: The object of this paper is to focus on land reforms besides land acquisition procedures enunciated in the Act of 1894 and the rent laws.

Subject: Law and Technology (Paper-II)

Unit – I: E-COMMERCE

- a. Online contracting
- b. Online securities offering
- c. E-Banking

Unit – II: Cyber Crimes

- a. Obscenity
- b. Defamation
- c. Hacking and Cracking
- d. Crime through Mobile Phones

Unit – III: Genetic and Medical Technologies

- a. Regulation of Genetic Technology
- b. Laws on Medical Technology

Unit –IV: Broadcasting

- a. Regulation and Control of Broadcasting
- b. Law relating to Cable Television Network

Text books:

- 1. Relevant Legislations and Conventions
- 2. Information Technology Act - Prof. S.R.Bhansali
- 3. Cyber Law (Text and Cases), Gerald R. Ferrera, WEST THOMSON LEARNING
- 4. Cyber Crime - Vakul Sharma

Objective: The object of this paper is to keep pace with legal developments in the context of emerging Technology in various fields.

Subject: Law of Intellectual Property (Paper-III)

Unit – I: Copyright

- a. Nature and Meaning
- b. Scope of protection
- c. Procedure for protection
- d. Enforcement and Remedies

Unit – II: Patents

- a. Nature and Meaning
- b. Scope of protection
- c. Procedure for protection
- d. Enforcement and Remedies

Unit –III: Trademarks

- a. Nature and Meaning
- b. Scope of protection
- c. Procedure for protection
- d. Enforcement and Remedies

Unit –IV: Designs

- a. Nature and Meaning
- b. Scope of protection
- c. Procedure for protection
- d. Enforcement and Remedies

Text books:

- 1. Paris Convention for the Protection of Industrial Property, 1883;

2. Berne Convention for the Protection of Literary and Artistic Works, 1886;
3. Indian Copyright Act, 1957;
4. Indian Patents Act, 1970;
5. Agreement on Trade-Related Aspects of Intellectual Property Rights, 1994 (the TRIPS Agreement);
6. Indian Trademarks Act, 1999;
7. Indian Designs Act, 2000.

Objective: The objective of this course is to acquaint the students with basics of intellectual property rights with special reference to Indian law and practice.

References:

1. Cornish, W. R., *Intellectual Property* (London: Sweet & Maxwell, 1996);
2. Correa, Carlos M., *Intellectual Property Rights, the WTO and Developing Countries: The TRIPS Agreement and Policy Options* (Penang: Third World Network, 2000);
3. Pratap, Ravindra, *India at the WTO Dispute Settlement System* (New Delhi: Manak, 2004), Chapters 4 and 5.
4. Adelman, Martin J. and Baldia, Sonia, "Prospect and Limits of the Provision in the TRIPS Agreement: The Case of India", *Vanderbilt Journal of Transnational Law*, vol. 29, no. 3 (1996), 507.
5. Beier, Friedrich-Karl and Schricker, Gerhard, eds., *From GATT to TRIPS—The Agreement on Trade-Related Aspects of Intellectual Property Rights* (Weinheim: VCH, 1996).
6. Bronkers, Marco C. E. J., "The Impact of TRIPS: Intellectual Property Protection in Developing Countries", *Common Market Law Review*, vol. 31, (1994), 1245.
7. C. Wadlow, *Enforcement of Intellectual Property in European and International Law* (London: Sweet & Maxwell), 1998).
8. Canada – Patent Protection of Pharmaceutical Products, Report of WTO Panel, WT/DS114/R, adopted 7 April 2000.
9. Chimni, B. S., "The philosophy of patents: Strong regime unjustified", *Journal of Scientific & Industrial Research*, vol. 52 (1993), 234.
10. Chisum, Donald A, *Principles of Patent law* (New York: Foundation Press, 2001).
11. Damodaran, "EMR for Glivec: A TRIPS-dictated 'Cure'?", *Financial Express*, Jan. 9, 2004, I.
12. David Lange, Mary La France and Gary Mayers, *Intellectual Property: Cases and Materials* (St. Paul: West Group, 1998).
13. Dhar et al., *Regime of Intellectual Property Protection for Biodiversity: A Developing Country Perspective* (N. Delhi: RIS, 2001);
14. Dhavan, Rajeev, Harris, Lindsay and Jain, Gopal, "Conquest by Patent: The Paris Convention Revisited", *32 Journal of Indian Law Institute* (1990), 131.
15. *Diamond v. Chakrabarty*, Supreme Court of the United States, 1980. 447 U.S. 303, 100 S. Ct. 2204, 65 L. Ed. 144, 206 USPQ 193.
16. Dutfield, G., *Intellectual Property Rights and the Life Science Industries* (London: Ashgate, 2002).
17. *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co. Ltd., et al.*, Supreme Court of the United States, May 28, 2002.
18. Gana, "Has Creativity Died in the Third World? Some Implications of the Internationalization of Intellectual Property", *24 Denver J of Int. L. & Policy* (1995), 109;
19. Gervais, Daniel, *The TRIPS Agreement: Drafting History and Analysis* (London: Kluwer, 1998).
20. *Griffith v. Kanamaru*, US Court of Appeal for the Federal Circuit, 1987, 816 F. 2d 624.
21. Henderson, Elizabeth, "TRIPs and the Third World: The Example of Pharmaceutical Patents in India", *European Intellectual Property Review*, vol. 19, no. 11, (1997), 651.

22. Jayagovind, A., "The International Patent System and Developing Countries", Indian Journal of International Law (IJIL), vol. 20, no. 1 (1980), 47;
23. Juma, C., "Intellectual Property Rights and Globalization: Implications for Developing Countries", Science, Technology and Innovation, Discussion Paper no. 4, Center for Int. Dev., Harvard Univ., (1999);
24. Maggs, P. B., et al., Internet and Computer Law: Cases, Comments and Questions (St. Paul, Minn.: West Group, 2001);
25. Menon, Usha, "The Convention on Biodiversity, Intellectual Property Rights and Policy Options", Social Action, vol. 40, no. 2 (1992), 120.
26. Mishra, "Biodiversity, Biotechnology and Intellectual Property Rights: Implications for Indian Agriculture", 3 Journal of World Intellectual Property (2000), 211;
27. Nair and Kumar, eds., Intellectual Property Rights (N. Delhi: Allied, 1994);
28. Narayanan, P., Patent Law (Kolkata: Eastern Law House, 1998);
29. Patel, Surendra J., "Intellectual Property Rights in the Uruguay Round: A Disaster for the South", EPW, May 6 (1989), 978;
30. Ravishankar A. and Sunil Archak, "Intellectual Property Rights and Agricultural Technology: Interplay and Implications for India", 35 EPW (2000), 2446.
31. Robert A. Gorman and Jane C. Ginsburg, Copyright: Cases and Materials (New York: Foundation Press, 2002).
32. Sahai, "TRIPS Review: Basic Rights Must be Restored", 36 Economic and Political Weekly (EPW) (2001), 2918;
33. Saxena, R. B., "Trade-Related Issues of Intellectual Property Rights and the Indian Patents Act—A Negotiating Strategy", World Competition, vol. 12, no. 2 (1988), 81; (With effect from the Academic Session 2008-2009) **79**
34. Stewart, S.M., International Copyright and Neighbouring Rights (London: Butterworths, 1983);
35. Twinomukunzi, Charles, "The International Patent System—A Third World Perspective", Indian Journal of International Law, vol. 22 (1982), 31;
36. United States – Section 110(5) of the US Copyright Act, Report of WTO Panel, WT/DS160/R, adopted 27 July 2000.
37. Watal, Intellectual Property Rights in the WTO and Developing Countries (Delhi: OUP, 2001);
38. Zutschi, "Bringing TRIPS into the Multilateral Trading System", in Bhagwati and Hirsch, eds., The Uruguay Round and Beyond: Essays in Honour of Arthur Dunkel (Heidelberg: Springer, 1998), 37.

Subject: Labour Law - I (Paper-IV)

Unit – I: Trade Unions and Collective Bargaining

- a. Trade Unionism in India
- b. Definition of trade union and trade dispute
- c. Registration of trade unions
 - i) Legal status of registered trade union
 - ii) Mode of registration
 - iii) Powers and duties of Registrar
 - iv) Cancellation and dissolution of trade union
 - v) Procedure for change of name
 - vi) Amalgamation and dissolution of trade union
- d. Disqualifications of office-bearers, Right and duties of office-bearers and members
- e. General and Political funds of trade union
- f. Civil and Criminal Immunities of Registered trade unions
- g. Recognition of trade union

h. Collective bargaining

Unit – II: Standing Orders

- a. Concept and nature of standing orders
- b. Scope and coverage of the Industrial Employment (Standing Orders) Act, 1946
- c. Certification process
 - i) procedure for certification
 - ii) appeals against certification
 - iii) Condition for certification
 - iv) Date of operation of standing orders
 - v) Building nature and effect of certified standing orders
 - vi) Posting of standing orders
- d. Modification and temporary application of model Standing Orders
- e. Interpretation and enforcement of Standing Orders
- f. Penalties and procedure

Unit – III: Resolution of Industrial Dispute

- a. Industrial dispute and individual dispute
- b. Arena of interaction and Participants– Industry, workman and employer
- c. Settlement of industrial dispute
 - i) Works Committee
 - ii) Conciliation Machinery
 - iii) Court of Enquiry
 - iv) Voluntary Arbitration
 - v) Adjudication – Labour Court, Tribunal and National Tribunal
- d. Powers of the appropriate Government under the Industrial Disputes Act, 1947
- e. Unfair Labour Practice

Objective: This paper focuses on various aspect of management of labour relation and dispute settlement bodies and techniques.

Unit – IV: Instruments of Economic Coercion

- a. Concept of strike
 - i. Gherao
 - ii. Bandh and Lock-out
 - iii. Types of strike
 - iv. Rights to strike and Lock-out
 - v. General Prohibition of strikes and lock-outs
 - vi. Prohibition of strikes and lock-outs in public utility services
 - vii. Illegal strikes and lock-outs
 - viii. Justification of strikes and lock-pouts
 - ix. Penalties for illegal strikes and Lock-outs
 - x. Wages for strikes and lock-outs
- b. Lay-off
 - i. Retrenchment
 - ii. Transfer and closure – Definition of lay-off and retrenchment compensation
 - iii. Compensation to workmen in case of transfer of undertaking closure
 - iv. Closure - Prevention and regulation
 - v. Conditions – precedent for retrenchment
 - vi. Special provisions relating to lay-off, retrenchment and closure in certain establishments

- vii. Procedure for retrenchment and re-employment of retrenched workmen and penalty
- c. Disciplinary action and domestic enquiry
- d. Management's prerogative during the pendency of proceedings
- e. Notice of change

Text books:

1. Statutory Material - Trade Union Act, 1926, Industrial Employment (Standing Orders) Act, 1946 and Industrial Dispute Act, 1947
 2. S.C. Srivastava, Industrial Relations and Labour Law, Vikas Publishing House, New Delhi
- References:
1. O.P. Malhotra, Industrial Disputes Act, Vol. I & II
 2. Indian Law Institute – Cases and Materials on Labour Law and Labour Relations

Subject: Environmental Law (Paper-V)

UNIT – I: Environmental Law: International and National Perspective

- i. Introduction
 - i. Environment – Meaning
 - ii. Environment Pollution – Meaning and Issues
- b. International Norms
 - i. Sustainable Development – Meaning and Scope
 - ii. Precautionary Principle
 - iii. Polluter pays Principle
- iv. Public Trust Doctrine
- c. Constitutional Guidelines
 - i. Right to Wholesome Environment – Evolution and Application
 - ii. Relevant Provisions – Art. 14, 19 (1) (g), 21, 48-A, 51-A(g)
 - iii. Environment Protection through Public Interest Litigation

UNIT – II: Prevention and Control of Water and Air Pollution

Objective and scope of the Water (Prevention and Control of Pollution) Act, 1974

- i. Water Pollution - Definition
- ii. Central and State Pollution Control Boards – Constitution, Powers and Functions
- b. Objective and scope of the Air (Prevention and Control of Pollution) Act, 1981
 - i. Air Pollution – Definition
 - ii. Central and State Pollution Control Boards – Constitution, Powers and functions

Objective: The objective of this paper is to acquaint the students with the environmental issues and the measures taken for its protection alongwith the norms prevailing at international and national level.

UNIT – III: Protection of Forests and Wild Life

- a. Indian Forest Act, 1927
 - i. Kinds of forest – Private, Reserved, Protected and Village Forests
- b. The Wild Life (Protection) Act, 1972
 - i. Authorities to be appointed and constituted under the Act
 - ii. Hunting of Wild Animals
 - iii. Trade or Commerce in wild animals, animal articles and trophies; Its prohibition.

UNIT – IV: General Environmental Legislations

- i. Environmental (Protection) Act, 1986
- i. Meaning of 'Environment', 'Environment Pollutant', 'Environment Pollution'
- ii. Powers and Functions of Central Govt.
- iii. Citizen Suit Provision

Text Books

- 1. Environmental Law & Policy in India – Shyam Diwan, Armin Rosencranz
- 2. Environmental Law in India – P. Leelakrishnan

Statutes

- 1. The Water (Prevention and Control of Pollution) Act, 1974
- 2. The Air (Prevention and Control of Pollution) Act, 1981
- 3. The Indian Forest Act, 1927
- 4. The Forest (Conservation) Act, 1980
- 5. The Wild Life Protection Act, 1972
- 6. The Environment (Protection) Act, 1986
- 7. The Public Liability Insurance Act, 1991
- 8. The National Environment Tribunal Act, 1995
- 9. The National Environment Appellate Authority Act, 1997

References:

- 1. Environmental Law in India – Gurdip Singh
- 2. Environmental Administration, Law and Judicial Attitude – Paras Diwan, Peeyushi Diwan

Subject: Investment and Competition Law (Paper-VI)

Unit – I: Competition Law

- a. Background
- b. Prohibitions
- c. Competition Commission of India

Unit-II: Corporate Finance and regulatory framework

- a. Security Contract (Regulation) Act 1956
- b. SEBI Act 1992
- c. Depositories Act 1996
- d. The Securitisation and Reconstruction of Financial Assets and enforcement of security Interest Act, 2002

Unit-III: Regulatory framework for foreign trade, multinational companies,

- a. Foreign Trade (Development & Regulation) Act 1992,
- b. UNCTAD Draft Model on Trans – national Corporations
- c. Control and regulation of foreign companies in India,
- d. Foreign collaborations and joint ventures

Unit – IV: Foreign Exchange Management

- a. Background
- b. Policies
- c. Authorities

Text books:

- 1. Competition Act 2002
- 2. Security Contract (Regulation) Act 1956

3. SEBI Act 1992
4. Depositories Act 1996
5. Foreign Trade (Development & Regulation) Act 1992,
6. Foreign Exchange Management Act, 1999
7. Taxman's Student's Guide to Economic Laws

Objective: This paper focuses on the investment and competition laws of India in the contest of new economic order.

Eighth Semester

Subject: Alternative Dispute Resolution (Paper-I)

Unit – I: Introduction

- a. Alternative Dispute Resolution (ADR): Concept and Need
- b. Legal Aid:
 - Concept, Dimensions and Practice
 - Constitutional Provisions
 - Legal Services Authority Act, 1987
 - Legal Literacy Mission

Unit – II: Techniques of ADR – I

- Negotiation / Consultation
- Mediation
- Good offices

Unit – III: Techniques of ADR – II

- Conciliation: Nature, Scope and Methods
- Arbitration – Arbitration agreement / Clause, Jurisdiction of the arbitral tribunal, Applicable Law; IIC, UNCITRAL, KSID.
- The Arbitration and Conciliation Act 1996

Unit- IV: Recognition and Enforcement

- a. Indian Practice
- b. International Practice

Text books:

1. International Dispute Settlement – J.G. Merrills
2. Legal Services Authority Act, 1987

Objective: The objective of this paper is to acquaint students with various modes of ADR.

Subject: International Trade Law (Paper-II)

Unit – I: Trade in Goods I

- a. General Agreement on Tariffs and Trade (GATT)
- b. Agreement on Agriculture
- c. Agreement on Sanitary and Phytosanitary Measures
- d. Agreement on Technical Barriers to Trade

Unit-II: Trade in Goods II

- a. Agreement on Trade-Related Investment Measures

- b. Agreement on Subsidies and Countervailing Measures
- c. Anti-dumping Agreement
- d. Agreement on Safeguards

Unit – III: Trade in Services

- a. General Agreement on Trade in Services
- b. Ongoing Multilateral Negotiations

Unit – IV: International Trade Dispute Resolution

- a. Nullification or impairment
- b. Dispute settlement
- c. Enforcement and Remedies

Text books:

1. Results of the Uruguay Round of Multilateral Trade Negotiations: The Legal Texts (Geneva: GATT Secretariat, 1994).

References:

1. Hudec, Robert E., Developing Countries in the GATT Legal System (London: Gower Press for the Trade Policy Research Centre, 1987).
 2. Jackson, John H., World Trade and the Law of GATT (Indianapolis: Bobbs-Merrill, 1969).
 3. Pratap, Ravindra, India at the WTO Dispute Settlement System (New Delhi: Manak Publications, 2004).
 4. Srinivasan, T. N., Developing Countries and the Multilateral Trading System: From the GATT to the Uruguay Round and the Future (Delhi: Oxford University Press, 1998).
- Objective:** The objective of the course is to introduce the subject to the students with special reference to India's role and place in the multilateral trading represented by the WTO.
5. Akakwam, Philip A., "The Standard of Review in the 1994 Antidumping Code: Circumscribing the Role of GATT Panels in Reviewing National Antidumping Determination", Minnesota Journal of Global Trade, vol. 5, no. 2 (1996), p 277.
 6. Bhagwati, Jagdish and Hudec, Robert E, Fair Trade and Harmonization: Prerequisites for Free Trade (Cambridge, Mass.: MIT Press, 1996) vol. 2 (Legal Analysis).
 7. Bierwagen, Rainer M., GATT Article VI and the Protectionist Bias in Anti-Dumping Law (Deventer: Kluwer, 1990).
 8. Chimni, B. S., "WTO Dispute Settlement and Sustainable Development", World Wide Fund for Nature-India, Discussion Paper, May 1999, p 1.
 9. Chua, Adrian T. L., "Reasonable Expectations and Non-Violation Complaints in GATT/WTO Jurisprudence", JWT, vol. 32, no. 2 (1998), p 27.
 10. Cortés, Claudia Jiménez, GATT, WTO and the Regulation of International Trade in Textiles (Dartmouth: Ashgate, 1997) (translated by Christopher D. Tulloch).
 11. Covelli, Nick, "Public International Law and Third Party Participation in WTO Panel Proceedings", JWT, vol. 33, no. 2 (1999), p 125.
 12. Croome, John, Reshaping the World Trading System: A History of the Uruguay Round (The Hague: Kluwer, 1999).
 13. Dam, Kenneth. W., The GATT: Law and International Economic Organization (Chicago: University of Chicago Press, 1970).
 14. Eglin, Richard, "Surveillance of Balance-of-Payments Measures in the GATT", World Economy, vol. 10, no. 1 (1987), p 1.
 15. Frank, Isaiah, Import Quotas, the Balance of Payments, and the GATT", World Economy, vol. 10, no. 3 (1987), p 307.

16. Hoekman, Bernard and Kostecki, Michel, *The Political Economy of the World Trading System: From GATT to WTO* (Oxford: OUP, 1995).
17. Hudec, Robert E., *The GATT Legal System and World Trade Diplomacy* (London: Praeger, 1975).
18. Jackson, John H., *The World Trading System, Law and Policy of International Economic Relations* (Cambridge, Mass.: MIT Press, 1997).
19. Junichi, G., "The Multifibre Arrangement and Its Effects on Developing Countries", *World Bank Research Observer*, vol. 5, no. 2 (1989), p 203.
20. Krueger, A. O., ed., *The WTO as an International Organization* (Chicago: University of Chicago Press, 1997).
21. Lawrence, Robert Z., *Regionalism, Multilateralism, and Deeper Integration* (Washington, D.C.: Brookings Institution, 1996).
22. Long, Olivier, *Law and its Limitations in the GATT Multilateral Trade System* (Dordrecht: Martinus Nijhoff, 1985).
23. Martha, Silvestre J., "Precedent in World Trade Law", *Netherlands International Law Review*, vol. 44, no. 3 (1997), p 346.
24. Martin, W. and Winters, L. Alan, *The Uruguay Round and the Developing Countries* (Cambridge: Cambridge University Press, 1996).
25. Onyejekwe, Kelé, "GATT, Agriculture and Developing Countries", *Hamline Law Review*, vol. 17, no. 1 (1993), p 77.
26. Palmeter, David and Petros C. Mavroidis, *Dispute Settlement in the World Trade Organization: Practice and Procedure* (The Hague: Kluwer, 1999).
27. Pauwelyn, Joost, "Evidence, Proof and Persuasion in WTO Dispute Settlement: Who Bears the Burden", *Journal of International Economic Law*, vol. 1 (1998), p 227.
28. Pescatore, Pierre, Davey, William J. and Lowenfeld, Andreas F., *Handbook of WTO/GATT Dispute Settlement* (Deventer: Nijhoff, 1991).
29. Petersmann, E-U., "Violation Complaints and Non-violation Complaints in Public International Trade Law", *German Yearbook of International Law*, vol. 34 (1991), p 175.
30. Pratap, Ravindra, "WTO and Tariff Preferences: India Wins case, EC the law", *39 Economic and Political Weekly (EPW)*, (2004), p. 1788;
 - "WTO: The Cancún Ministerial", *43 Indian Journal of International Law (IJIL)* (2003), 758;
 - "WTO and Rules of Origin: Issues for India", *38 EPW* (2003), p. 3454;
 - "WTO Panel Report on Indian Steel Plate, Issues of Interpretation", *38 EPW* (2003), p. 1021;
 - "Trade and Environment: Trends in International Dispute Settlement", *42 IJIL* (2002), p. 451;
 - "Carriage of Goods and Documentation in International Transactions", in *Participants' Review*, (Turin: University Institute of European Studies, 2000), p. 61;
 - "Remedial Jurisprudence of the Multilateral Trading System: A Perspective", *39 IJIL* (1999), p.251;
31. Qureshi, Asif H., "Extraterritorial Shrimps, NGOs and the WTO Appellate Body", *ICLQ*, vol. 48 (1999), p 199.
32. Rege, Vinod, "GATT Law and Environment-Related Issues Affecting the Trade of Developing Countries", *JWT*, vol. 28, no. 3 (1994), p 95.
33. Sacerdoti, Giorgio, "Appeal and Judicial Review in International Arbitration: The Case of the WTO Appellate Review", in Petersmann, ed., *International Trade Law and the GATT/WTO Dispute Settlement System* (The Hague: Kluwer, 1997), p 247.
34. Schede, C., "The Strengthening of the Multilateral System: Article 23 of the WTO Dispute Settlement Understanding: Dismantling Unilateral Retaliation under Section 301 of the 1974 Trade Act?", *World Competition*, vol. 20, no. 1 (1996), p 109.
35. Sinjela, A. Mpazi, "Developing Countries Perceptions of Environmental Protection and Economic Development", *IJIL*, vol. 24 (1984), p 489.
36. Steinberg, Richard H., *The Uruguay Round: A Legal Analysis of the Final Act* (Berkeley, 1994).

37. Stewart, Terence P., *The GATT Uruguay Round: A Negotiating History 1986–1992* (Deventer: Kluwer, 1993), vol. 1.
38. Trachtman, Joel P., “The Domain of WTO Dispute Resolution”, *Harvard International Law Journal*, vol. 40, no. 2 (1999), p 333.
39. Trela, I. and Whalley, J., “Global Effects of Developed Country Trade Restrictions on Textiles and Apparel”, *Economic Journal*, no. 100 (1990), p 1190.
40. Valles, Cherise M. and McGivern, Brendan P., “The Right to Retaliate under the WTO Agreement: The “Sequencing” Problem”, *JWT*, vol. 34, no. 2 (2000), p 63.
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42. Weiss, Friedl, “Third Parties in GATT/WTO Dispute Settlement Proceedings”, in Denters and Schrijver, *Reflections on International Law from Low Countries* (The Hague: Kluwer, 1998), p 458.
43. Yusuf, Abdulgawi, *Legal Aspects of Trade Preferences for Developing States* (The Hague: Kluwer, 1982).
44. Zeiler, Thomas W., *Free Trade, Free World: The Advent of GATT* (Chapel Hill: University of North Carolina Press, 1999).

Subject: Law, Poverty and Development (Paper-III)

Unit – I: Understanding Poverty and Development

(a) Poverty

- i. Meaning and Concept
- ii. Relative Dimensions
- iii. Measurement and Determinants
- iv. Issues related to Poverty in India

(b) Development

- i. Perspectives
- ii. Developmental index

Unit – II: Constitutional Guarantees for the Poor

- a. Equality and Protective Discrimination
- b. Right to Basic Needs and Welfare
- c. Abolition of Untouchability and Protection of Civil Rights
- d. Right to Development

Unit – III: Criminal Justice System and the Poor

- a. Treatment of the poor by Police
- b. Inability to get Bail
- c. Problems of Poor Undertrials
- d. Working of free legal aid schemes

Unit – IV: Impoverishment of Women, Children and Disabled Persons

- a. Deprivations of women under family laws
- b. Problems of women workers in organized and unorganized sectors
- c. Child labour
- d. Approaches to disability and rights of the disabled persons
- e. Right to education and dignity

Text books:

1. *Law, Poverty and Development* – Upendra Baxi
2. *State and Poverty in India* – Atul Kohli

3. The Poverty Question (Search for Solution) – Yogesh Atal
4. Poverty, Rural Development and Public Policy - Amarendra

Objective: The Objective of this paper is to provide an understanding of basic concepts of poverty and development and their relationship with law.

Subject: Labour Law-II (Paper-IV)

Unit – I: Minimum Wages Act , 1948

- a. Concept of minimum wage, fair wage, living wage and need based minimum wage
- a. Constitutional validity of the Minimum wages Act, 1948
- b. Procedure for fixation and revision of minimum wages
- c. Fixation of minimum rates of wage by time rate or by piece rate
- d. Procedure for hearing and deciding claims

Unit-II: Payment of Wages Act, 1936

- a. Object, scope and application of the Act
- b. Definition of wage
- c. Responsibility for payment of wages
- d. Fixation of wage period
- e. Time of payment of wage
- f. Deductions which may be made from wages
- g. Maximum amount of deduction

Unit –III: Workmen’s Compensation Act, 1923

- a. Definition of dependant, workman, partial disablement and total disablement
- b. Employer’s liability for compensation
 - Scope of arising out of and in the course of employment
 - Doctrine of notional extension
 - When employer is not liable
- c. Employer’s Liability when contract or is engaged
- d. Amount of compensation
- e. Distribution of Compensation
- f. Procedure in proceedings before Commissioner
- g. Appeals

Unit – IV: Factories Act, 1948

- a. Concept of “factory”, “manufacturing process” “worker” and “occupier”
- b. General duties of occupier
- c. Measures to be taken in factories for health, safety and welfare of workers
- d. Working hours of adults
- e. Employment of young person and children
- f. Annual leave with wages
- g. Additional provisions regulating employment of women in factory

Text books:

1. S.C. Srivastava, Commentaries on factories Act, 1948, Universal Law Publishing House, Delhi
2. H.L. Kumar, Workmen’s Compensation Act, 1923

Objective: The paper is to focus on wage policies, compensation for learn caused during the course of employment and working conditions of employees.

Subject: Interpretation of Statutes (Paper-V)

Unit – I: Introduction

- a. Meaning of Interpretation
- b. Need for Interpretation

Unit – II: Different parts of a Statute

Unit – III: Rules of Interpretation

- a. Literal Rule
- b. Golden Rule
- c. Mischief Rule

Unit – IV: External and Internal aids of construction

Text books:

1. Maxwell's on Interpretation
2. G.P. Singh's Interpretation

References:

1. Craies on Interpretation
2. Crawford on Interpretation

Objective: The paper is to equip the students with various tools of interpretation of statutes.

Optional Subject (Paper-VI)

(Any one of the following)

A. Women and Law

Unit - I. A. Introduction

- i. Status of Women in India
- ii. Status of Women – Position abroad

B. Constitution of India & Women

- i. Preamble
- ii. Equality Provision

Unit – II: Personal Laws and Women

- a. Unequal position of women – different personal laws and Directive principles of State Policy
- b. Uniform Civil Code towards gender justice
- c. Sex inequality in inheritance
- d. Guardianship

Unit – III: Criminal Laws and Women

- a. Adultery
- b. Rape
- c. Outraging Modesty
- d. Domestic Violence

Unit – IV: Women Welfare Laws

- a. The Dowry Prohibition Act, 1961
- b. Pre-conception and pre-natal diagnostic techniques (Prohibition of Sex Selection)

Act, 1994

c. Indecent Representation of Women (Prohibition) Act, 1986

d. Immoral Traffic (Prevention) Act, 1987

e. Family Courts Act, 1984

f. Labour Welfare Legislations: Maternity Benefit Act, Factories Act, Equal Remuneration Act, Implementation of Wage Laws and Legislation on Women Employment

Text books:

1. Law relating to Women – Dr. Sayed Maqsood

2. Law relating to Women – Dr. S.C. Tripathi

Further Readings :

1. Women and Law – Prof. Nomita Aggarwal

2. Women and Law – Dr. Manjula Batra

3. Women and Law – G.P. Reddy

Objective: The paper aims at creating awareness as to importance and role of women in society through the medium of law. It also focuses on women welfare laws.

B. International Refugee Law

Unit – I: Introduction

a. Position of refugees under Universal Declaration of Human Rights

Unit – II: Rights, obligations and privileges of refugees under the Refugee Convention 1951

a. Who is a refugee?

b. Judicial Status

c. Administrative Measures

d. The 1967 Protocol

Unit – III: The Refugee problem in Asia and Africa

a. The AALCC Principles 1966

b. The OAU convention 1969

Unit – IV: Implementation & Monitoring

a. Statute of the UNHCR 1950

b. Cartagena Declaration 1984

Text books:

1. Guy S. Goodwin – The Refugee in International Law (Oxford, 2000)

2. A. Vibeke Egli, Mass Refugee Influx and the Limits of Public International Law (The Hague : Nijhoff, 2002)

Objective: The objective of the paper is to enable the students specializing in human rights to be acquainted with laws governing the refugees.

Ninth Semester

Subject: Legal Ethics and Court Craft (Paper-I) (50+50)

Unit – I (a) Supreme Court Rules, 1966

(b) Odisha High Court Rules, 1967

Unit – II (a) Limitation Act, 1963

(b) Indian Registration Act, 1908

Unit – III Bench – Bar Relations

- a. Reciprocity as Partners in Administration of Justice
- b. Professional Misconduct
- c. Rights and Privileges of Advocates
- d. Ethics and Professional Duty
- e. Duty to court, client, and opponent

Text books:

1. Dr. Kailash Rai - Legal Ethics – Accountancy for lawyers and bench and Bar relations
2. B.R. Aggarwala – Supreme Court Practice and Procedure

References:

1. P. Ramanatha Iyer- Legal and Professional Ethics
2. B.B. Mitra – The Limitation Act

Subject: Drafting, Pleading and Conveyancing (Paper-II) (50+50)

Unit – I: Fundamental Rules of Pleadings

- a. Plaint
- b. Written Statement and affidavit
- c. Application for setting aside ex-part decree
- d. Suit for Dissolution of Partnership
- e. Ordinary suit for Recovery
- f. Revision Petition and Review Petition
- g. Application for execution

Unit – II:

General Principles of Drafting, Pleadings and Conveyance

- a. Application for bail
- b. Application under Section 125 Cr. P.C.
- c. Model Draft OF sale deed, Mortgage Deed, Lease deed, Gift deed, Will Power of Attorney.
- d. Writ Petition and counter Petition.
- e. Notices- Notice under Section 80 CPC, Pleader Notice etc.
- f. Application for Compromise of Suit
- g. Provision of Legal Aid and Public Interest Lawering

Objective: The object of this paper is to train students in the art of drafting both for court purposes as well as for other legal forums.

Text books:

1. Conveyancing – N.S. Bindra
2. Conveyancing – A.N. Chaturvedi
3. Mogha’s Law of Pleading
4. Conveyancing – D’Souza

Subject: Legal Writing and Research (Paper-III) (50+50)

(Seminars and Research paper) Internal

In this paper the students will be required to write a Research Paper on any current topic of legal importance as may be decided by the School Research Committee. Each student will have to work under the supervision of respective supervisors.

Unit- I

1. Introduction-

- a. Importance of legal writing and Research
- b. Meaning and Definition of legal writing and Research
- c. Characteristics of Legal writing and Research
- d. Types of Legal writing and Research
 - (i) Predictive Legal analysis
 - (ii) Persuasive Legal analysis
 - (iii) Doctrinal and Non-Doctrinal

Unit- II

The basics of article writing and Research

- a. Introduction
- b. Explain facts of legal issues
- c. Write the body and justify your claim
- d. Connect of broader issues and Subsidiary issues
- e. Conclusion and Suggestion
- f. Organize the reference

Text Books

1. Legal Research and methodology, Indian Law Institute, New Delhi
2. D.r. Bikram kumar Das- Legal Education and Research Methodology, Mangalam Publication New Delhi

Optional Subjects (Paper-IV,V)

(Any two of the following)

(A-Banking and Insurance Law, B- Criminology, C- Foreign Language)

A. Banking and Insurance Law

Unit – I: Banking System in India

- a. Kinds of banks and their functions
- b. Banking Regulation Laws
 - i Reserve Bank of India Act, 1934
 - ii Banking Regulation Act, 1949
- c. Relationship between banker and customer
 - Legal Character
 - Contract between banker & customer
 - Banks duty to customers
 - The Banking Ombudsman Scheme, 1995
 - Liability under Consumer Protection Act, 1986

Unit – II: Lending, Securities and Recovery by Banks

- a. Principles of Lending
- b. Position of Weaker Sections
- c. Nature of Securities and Risks Involved
- d. Recovery of debts with and without intervention of courts / tribunal:
 - i Recovery of Debts due to Banks and Financial Institutions Act, 1993
 - ii Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002.

Unit – III: Banking Frauds

- a. Nature of Banking Frauds
- b. Legal Regime to Control Banking Frauds
- c. Recent Trends in Banking: Automatic Teller Machine and Internet Banking, Smart Cards, Credit Cards

Unit – IV: : Insurance Law

- a. Nature of Insurance Contracts
- b. Kinds of Insurance:
 - (i) Life Insurance
 - (ii) Medi claim
 - (iii) Property Insurance
 - (iv) Fire Insurance
 - (v) Motor Vehicles Insurance (with special reference to third party insurance.
- c. Constitution, Functions and Powers of Insurance Regulatory and Development Authority

Objective: In this paper the students will be taught the kinds of banks, their functions, and relationship with customers and the banking frauds, law relating to recovery of debts due to banks recovery of debts. Kinds of insurance and the body regulating the insurance sector will also be taught.

Optional

- (i) Application of Consumer Protection Act, 1986

Text books:

1. Banking Law & Negotiable Instruments Act – Sharma and Nainta
2. Banking System, Frauds and Legal Control – R.P. Namita
3. Law of Insurance – M.N. Mishra
4. Handbook of Insurance and Allied Laws – C. Rangarajan

References:

1. Banking Law & Practice in India – M.L. Tannan

B. Criminology

Unit – I: Understanding Crime

- a. Crime: Definition and Concept
- b. Causal approaches to explanations and difficulties of applications of casual analysis to human behaviour
- c. Specific Theories : Biophysical explanations, Psychodynamic approaches, Social learning theories of Crime causation, Social learning through sub-cultures of deviance, Social disorganization theories, and Economistic approaches

Unit – II: Deviations

- a. Legislation
 - b. Treatment
 - c. Judicial Approach
- Socio-Economic Crimes
- a. White collar crimes
 - b. Drug Abuse

Unit – III: Punishment

- a. Theories of Punishment : Deterrent, Retributive, Preventive and Reformative
- b. Alternatives to imprisonment : Probation, Open jail, Parole etc.

- c. Prison reform and the Judicial Response
- d. Capital Punishment

Unit – IV: Victimology

- a. Compensation, Restitution, Assistance and Rehabilitation
- b. Compensation as a mode of punishment
- c. Constitutional perspective of compensation

Text books:

1. Sutherland and Crssey – Criminology
2. Ahmed Siddique – Criminology
3. Mrs. Vedkumari – Juvenile Justice

Objective: The object of this paper is to discuss the causative factors of crime and treatment of criminals and victims.

C. Foreign Languages (French, German and Russian)

Tenth Semester

Subject: Dissertation (Papar-I) (100 marks) (50 + 50 Viva) Internal

Evaluation Pattern:

The Dean/Directors/Principle will propose a panel of examiners to the Controller of Examination for evaluation of the dissertation and for conducting the viva. The examiners approved by the university will evaluate dissertation in consultation with the supervisor followed by a viva t be conducted by a Board consisting of: (i) The External Examiner; (ii) Dean/Director of the Institute; (iii) Supervisor of the candidate; (iv) one faculty member of the institute.

Unit- I

Nature and Scope of Dissertation

- (i) Meaning of dissertation
- (ii) Characteristics of dissertation
- (iii) Objectives of dissertation
- (iv) Importance of dissertation

Unit- II

Steps of Dissertation

- (i) Criteria for finding Research problem
- (ii) Meaning and Concept of Hypothesis
- (iii) Research Design
- (iv) Analysis and Interpretation of data
- (v) Writing of Research Report

Text Books

1. Hans Raj- Theory and Practice in Social Research
2. Kothari: Research methodology

Subject: Internship (Lawyers / Law firms) (Paper-II) (100 marks) (50 + 50 Viva) Internal

Unit-I Law office Management-

- (i) Maintenance of records
- (II) Advocate client Relationship
- (III) Interviewing Techniques
- (IV) Legal Writing skills.
- (v) Use of computer and other technology.

Unit-II

- i. Application for caveat section 148A of CPC
- ii. Writ Petition
- iii. Application under section 482 of CPC
- iv. Compounding of offences by way of compromise under section 320(i) Cr.P.C.
- v. Reference to Arbitration and Deed of Arbitration
- vi. Complaints of Consumer Protection
- vii. Notice under section 434 of the Companies Act
- viii. Notice for Specific Performance of Contract

Evaluation Pattern:

As regards the internship, after the completion of internship by the students, the work done by the candidate as recorded in his/her daily diary along with a consolidated placement report would be evaluated by a Board of examiners consisting of (i) Dean/Director/Principle of the Institute; (ii) two faculty members and; (iii) an invitee from outside school/institute. The same Board would also conduct the viva on internship also.

Text Books

1. Dr S. R. Myneni – PIL, Legal Aid and Paralegal Services
2. Prof. Kailash Rai – PIL, Legal Aid and Paralegal Services
3. Gade Veera Reddy – Public Interest Lawyering, Legal Aid, and Paralegal Services