

(CBCS BASED)

**ORDINANCE, REGULATION & SYLLABUS
For
LL.M. [2 YEAR COURSE]**



**NEHRU GRAM BHARATI
(DEEMED TO BE UNIVERSITY),
KOTWA-JAMUNIPUR-DUBAWAL
PRAYAGRAJ-221505
UTTAR PRADESH**

**Session:
From 2020–2021**

Preamble

The Nehru Gram Bharati (Deemed to be University) is one of the prestigious universities in the country. In 2020-21 session, the Nehru Gram Bharati (Deemed to be University) moved on from traditional marks and percentage system and introduced Choice Based Credit System. The talks on CBCS system went on for quite a long time created confusion among the Universities as to whether the syllabus, time tables and assessment procedures should be prepared as per the requirements of the CBCS or should they have continued with the previous marking system. But, the Nehru Gram Bharati (Deemed to be University) has been able to implement the CBCS system with relative ease, while the students are finally coming to terms with the changes introduced by the UGC. Let's get into the details of this system.

The ordinance prescribes LL.M Syllabus of Faculty of Law Nehru Gram Bharati (Deemed to be University) is designed in a way so that every aspect of law can be included in the three-year course of study. Various subjects like Indian Constitutional Law : The New Challenges, Jurisprudence, Law and Social Transformation in India, Research Methodology, Competition Law, Legislative and Quasi Judicial Powers of Administration, Dissertation, Communicative Skill and Personality Development (Skill Enhancement Course), to name a few forms a part of the course's curriculum and are mostly covered by all Top Universities providing admission into LL.M course.

The University Grants Commission has come up with the Choice Based Credit System (CBCS) programme in which the students have a choice to choose from the prescribed courses, which are referred as core, elective or minor or soft skill courses and they can learn at their own pace and the entire assessment is graded-based on a credit system. The basic idea is to look into the needs of the students so as to keep up-to-date with development of higher education in India and abroad. CBCS aims to redefine the curriculum keeping pace with the liberalization and globalization in education. CBCS allows students an easy mode of mobility to various educational institutions spread across the world along with the facility of transfer of credits earned by students.

The Faculty of Law was established in 2008 by Nehru Gram Bharati (Deemed to be University) and LL.M course started from 2010. Dr. K.P Mishra, was its first Vice Chancellor of the University. The Faculty of Law was initially located in Hanumanganj G.T Road, Prayagraj, Uttar Pradesh, India.

The LL.M course is revised periodically and new subjects are included in the course to keep pace with the national and international social, legal and policy changes, innovations and technology. In the year 2017 the LL.M Course was revised, keeping in view the new developments in the field.



(Deemed to be University U/s-3 of UGC Act 1956)
NEHRU GRAM BHARATI
(DEEMED TO BE UNIVERSITY)

Kotwa-Jamunipur-Dubawal, Prayagraj-221505, Uttar Pradesh (INDIA)

Administrative Office,
Hanumanganj Campus,
G.T. Road, Hanumanganj, Prayagraj-221505,
Uttar Pradesh
Email : info.ngbu@gmail.com

Ref: NGB(DU)-II/AC-4/3459

Date: 20.06.2020

29.07.2020

OFFICE ORDER

Sub: Constitution of Board of Studies in Law, Department of Law.

In pursuance of the Ordinance XIII of the NGB(DU), the Board of Studies of the subject Law, is constituted as below:

- | | |
|--|----------|
| 1. Dr. Swapnil Tripathi, Head, Dept. of Law. | Chairman |
| 2. Dr. Siya Ram Shukla, Associate Professor, Dept. of Law. | Member |
| 3. Dr. Mohammad Zafar, Assistant Professor, Dept. of Law. | Member |
| 4. Dr. Rajiv Nain Singh, Assistant Professor, Dept. of Law. | Member |
| 5. Dr. Ramesh Chandra Mishra, Associate Professor, Dept. of Political Science | Member |
| 6. Prof. R. K. Chaubey, Dean, Faculty of Law, A.U., Prayagraj | Member |
| 7. Dr. M. P. Tiwari, (Retd.), Associate Professor, Allahabad Degree College, Prayagraj | Member |

This office order is issued after the approval accorded on 20.06.2020 by the Vice Chancellor.

29/07/2020

(R. L. Vishwakarma)
Registrar

Copy to: The following for information and necessary action:

1. P.A. to VC/Pro-VC for kind information of the VC/Pro-VC. -By e-mail.
2. All members of the Board. -By e-mail.
3. Account Officer, NGB(DU), Prayagraj. -By e-mail.
4. Controller of examination, NGB(DU), Prayagraj. -By e-mail.
5. Guard File.

29/07
Registrar

अध्ययन परिषद् की कार्यवृत्त

विधि-विभाग की अध्ययन परिषद् की बैठक का कार्यवाही विवरण

दिनांक: 17.09.2020

स्थान: विधि-विभाग, हनुमानगंज परिसर,
नेहरू ग्राम भारती (मानित विश्वविद्यालय)

एजेण्डा बिन्दु:

1. परास्नातक कक्षा (एलएल.एम.) स्तर पर सी.बी.सी..एस. पद्धति आधारित पाठ्यक्रम (सत्र 2020-21) के अनुमोदन पर विचार।
2. विधि-विभाग द्वारा नये सर्टिफिकेट कोर्स "Advocate's Clerk (Munshi)" के अनुमोदन पर विचार।

कार्यवाही:

दिनांक 17.09.2020 को 15 दिन पूर्व की सूचना पर अध्ययन परिषद् की बैठक विधि-विभाग में आहूत की गई। बैठक में सर्वप्रथम माननीय अध्यक्ष, अध्ययन परिषद् महोदय ने अध्ययन परिषद् के सभी सदस्यों का स्वागत किया। माननीय अध्यक्ष महोदय ने सत्र 2019-20 की उपलब्धियों जिसमें कोविड-19 महामारी काल के दौरान विश्वविद्यालय द्वारा ऑनलाइन कक्षाओं तथा परीक्षा संबंधी गतिविधियों की जानकारी दी गई। तत्पश्चात एजेण्डा बिन्दु 1 तथा 2 को विचार हेतु प्रस्तुत किया।

निर्णय:

बैठक में एजेण्डा 1 तथा 2 के सभी बिन्दुओं पर विचार करने के पश्चात सर्वसम्मति से एलएल.एम. सत्र 2020-21 पाठ्यक्रम तथा "Advocate's Clerk (Munshi)" पर सर्टिफिकेट कोर्स को अनुमोदित किया।

डॉ० स्वप्निल त्रिपाठी

- (अध्यक्ष)

डॉ० सिया राम शुक्ल

- सदस्य

डॉ० मुहम्मद जफ़र

- सदस्य

डॉ० राजीव नयन सिंह

- सदस्य

डॉ० रमेश चन्द्र मिश्र

- सदस्य

डॉ० आर० के० चौबे

- सदस्य

डॉ० एम० पी० तिवारी

- सदस्य

Features of CBCS:

- This is a uniform CBCS for all central and state and other recognized Universities.
- There are three main courses: Core, Elective and Skill Enhancement.
- All the three main courses will be evaluated and accessed to provide for an effective and balanced result.

The LL.M Programme is aimed at:

- Familiarizing students with basic laws and judicial interpretations at the National and International level.
- Apprising students of the legal system, rule of law, and administration of justice.
- Imparting professionally and socially relevant legal education
- Sensitizing students towards the issues of access to justice of the deprived, marginalized and weaker sections of society.
- Producing internationally competent litigating lawyers, corporate lawyers, judges, judicial officers, legal officers, researchers, law reformers, law teachers, etc.
- Imparting skills of legal reasoning, problem solving, research, legal writing, oral and written communication, persuasion, leadership and teamwork.
- Promoting ethical practices in the profession of law.
- Promoting inter-disciplinary approach to legal profession.

Programme Specific Outcomes:

At the end of the LL.M course, the students will be able to:

- Demonstrate exhaustive understanding of variety of substantive; procedural laws including various legislations and connected rules & regulations in the area of their interest.
- Ability of the students to analyze the legal problems from scholarly and objective point of view and work towards finding solutions to the problems by application of laws and regulations.
- Learn the art of doing doctrinal and empirical research which covers knowledge and implementation of various tools and techniques of research.
- Developed organizational skills necessary for successful functioning of law office including art of categorizing and organizing documents including prioritizing work, managing time, using forms and maintaining bill data.
- Apply ethical principles and commit to legal professional ethics, responsibilities and norms of the established legal practices.
- Through compulsory research component in the form of Dissertation, the students learn to conduct research study.
- Recognize the need for and have the preparation and ability to engage in independent and life-long learning in the broader context of legal change.

Introduction to CBCS (Choice Based Credit System)

Choice Based Credit System:

The CBCS provides an opportunity for the students to choose courses from the prescribed courses comprising core, elective/minor or skill-based courses. The courses can be evaluated following the grading system, which is considered to be better than the conventional marks system. Grading system provides uniformity in the evaluation and computation of the Cumulative Grade Point Average (CGPA) based on student's performance in examinations which enables the student to move across institutions of higher learning. The uniformity in evaluation system also enables the potential employers in assessing the performance of the candidates.

Definitions:

- i. 'Academic Programme' means an entire course of study comprising its programme structure, course details, evaluation schemes etc. designed to be taught and evaluated in a teaching Department/Centre or jointly under more than one such Department/ Centre.
- ii. 'Course' means a segment of a subject that is part of an Academic Programme.
- iii. 'Programme Structure' means a list of courses (Core, Elective, Open Elective) that makes up an Academic Programme, specifying the syllabus, Credits, hours of teaching, evaluation and examination schemes, minimum number of credits required for successful completion of the programme etc. prepared in conformity to University Rules, eligibility criteria for admission.
- iv. 'Core Course' means a course that a student admitted to a particular programme must successfully complete to receive the degree and which cannot be substituted by any other course.
- v. 'Elective Course' means an optional course to be selected by a student out of such courses offered in the same or any other Department/Centre.
- vi. 'Open Elective' means an elective course which is available for students of all programmes, including students of same department. Students of other Department will opt these courses subject to fulfilling of eligibility of criteria as laid down by the Department offering the course.
- vii. 'Credit' means the value assigned to a course which indicates the level of instruction; One-hour lecture per week equals 1 Credit, 2 hours practical class per week equals 1 credit. Credit for a practical could be proposed as part of a course or as a separate practical course
- viii. 'SGPA' means Semester Grade Point Average calculated for individual semester.
- ix. 'CGPA' is Cumulative Grade Points Average calculated for all courses completed by the students at any point of time. CGPA is calculated each year for both the semesters clubbed together.
- x. 'Grand CGPA' is calculated in the last year of the course by clubbing together of CGPA of two years, i.e., Four semesters. Grand CGPA is being given in Transcript form. To benefit the student a formula for conversation of Grand CGPA into %age marks is given in the Transcript.

LL.M. Examinations-

1) Eligibility:

The LL.M. Degree Examination shall be open to a student who having been duly admitted to the LL.M. Degree course of Study, has prosecuted a regular course of study for the said examination.

2) Written Paper:

A candidate for the LL.M. Degree Examination shall be examined in papers as mentioned.

3) Dissertation:

- a) Candidate shall be required to submit the Dissertation at least two weeks before the commencement of Fourth Semester Examination.
- b) The candidate shall be required to secure at least 50% marks in the Dissertation to pass the Examination.
- c) The Examiner shall either –
 - i. Award at least 50% marks, or
 - ii. Return the Dissertation for revision, or
 - iii. Reject the Dissertation.
- d) The candidate who's Dissertation is returned for revision may revise the dissertation and re-submit it within a period of two months. Failure to submit in time shall result in a declaration that the candidate has failed at the relevant LL.M. Examination.
- e) A Dissertation can be revised only once. If the candidate fails to secure pass marks in the revised Dissertation he shall be declared failed in the LL.M. Examination.
- f) The candidate whose Dissertation is rejected, may with the approval of the Faculty of Law write a Dissertation on another topic and submit it within a period of six months. And if he fails to secure pass marks in respect of this Dissertation also, he shall be declared failed at LL.M. Degree Examination.
- g) A Dissertation shall be examined by a Board of two examiners at least one of them shall necessarily be an external examiner.
- h) The evaluation of the two examiners shall be coordinated as hereunder:
Each examiner shall award marks out of 50.
 - i) The students shall submit the title with synopsis for dissertation for approval in the 3rd semester in the month of October. The proposal shall be approved and notified within a reasonable time after completion of exams.
 - j) The student shall be entitled to submit the dissertation on 30 April and upto 30th June with the permission of Dean Faculty of Law, as a regular student.
 - k) The dissertation must have the PLAGIARISM CHECK CERTIFICATE duly signed by the Librarian of the Faculty of Law and the Supervisor.

- l) If the marks awarded by two examiners vary by 20 marks or more the Dissertation shall be examined by third examiner, whose decision shall be final.
- m) If one of the examiners return the Dissertation for revision or rejects the Dissertation, his decision shall prevail provided that if one of the examiners has rejected the Dissertation and another examiner has returned it for revision, the Dissertation shall be deemed to be rejected.

4) Viva Voce Examination:

- a) The Viva Voce Examination shall be conducted by a Board of Examiners.
- b) The Board shall consist of three members; at least one of them shall be an external member.
- c) The Viva-Voce Examination shall carry 50 marks.
- d) The candidate shall be required to obtain a minimum of 25 marks to pass the Viva Voce Examination.

Re-registration for Examination-

1. A candidate who having pursued a regular course of study in LL.M. First Semester or LL.M. Second Semester fails to appear at the main examination of the respective semester/semesters; or having appeared fails to pass in any of the papers comprising the said examination, may appear in subsequent examination of the concerned semester/semesters or paper or papers as the case may be along with the students of the next academic session within a period of four years from the date of his registration for the First Semester.
2. A candidate who having pursued a regular course of study in LL.M. Third Semester or LL.M. Fourth Semester fails to appear at the main examination of the respective semester/semesters; or having appeared fails to pass in any of the papers comprising the said examination, may appear in any subsequent supplementary examination conducted for the said semester/semesters or paper or papers as the case may be, within a period of four years from the date of his registration for the First Semester.
3. The supplementary examinations for Third and Fourth Semesters will normally be held after 30 days of the declaration of the results of the LL.M. Fourth Semester's main examination held for regular courses.
4. The marks obtained by the candidate at any examination in respect of which he/she has secured less than minimum pass marks shall be substituted by the marks obtained by him in the subsequent examination or supplementary examination in respect of the concerned paper or papers.

Scale of Marks, Divisions and Distinction-

Minimum Marks in each Paper: 100 Minimum Pass Marks in –

- i. Written Papers and Classroom performance: 50% in each paper;
- ii. Dissertation: 50% in the aggregate;
- iii. Viva Voce

First Division: 65% and above of the aggregate of marks. Second Division: 50% and above of the aggregate marks.

Distinction: A student who secures an average of 75% or more marks in the aggregate shall be declared to have obtained distinction.

Merit: The Order of Merit shall be determined on the basis of aggregate marks obtained in the prescribed course of study for the LL.M. Degree Examination by the candidates, irrespective of their optional who passed in first attempt within a period of two years from the year of their being admitted to the First Semester.

Distribution of Courses

Optional / Specialization:

1. Group A – Crime
2. Group B – Contract and Corporate Law
3. Group C – International Law and Human Rights

SEMESTER I					
COURSE CODE	COURSE TITLE	CREDIT	MARKS		
			IA	UE	TOTAL
101 C	Jurisprudence	4	40	60	100
102 C	Indian Constitutional Law: The New Challenges	4	40	60	100
103 C	Viva-Voce	4			100
104 E (Gr. A)	Criminal Law in India	3	30	45	75
104 E (Gr. B)	General Principles of Law of Contract	3	30	45	75
104 E (Gr. C)	Public International Law	3	30	45	75
105 (Inter)	Communication Skill and Personality Development (Skill Enhancement Course)	2	20	30	50
106 (Intra)	Right to Information (Not for law students)	3	30	45	75

SEMESTER II					
COURSE CODE	COURSE TITLE	CREDIT	MARKS		
			IA	UE	TOTAL
201 C	Interpretation of Statutes	4	40	60	100
202 C	Research Methodology I	4	40	60	100
203 C	Viva-Voce	4			100
204 E (Gr. A)	Criminology & Penology	3	30	45	75
204 E (Gr. B)	Specific Contract	3	30	45	75
204 E (Gr. C)	International Law and Human Rights	3	30	45	75
205 (Inter)	Yoga and Life Skill	2	20	30	50
206 (Intra)	Election Law	3	30	45	75

SEMESTER III					
COURSE CODE	COURSE TITLE	CREDIT	MARKS		
			IA	UE	TOTAL
301 C	Research Methodology II	4	40	60	100
302 C	Judicial Process	4	40	60	100
303 C	Viva-Voce	4			100
304 E (Gr. A)	Socio-Economic Offences	3	30	45	75
304 E (Gr. B)	Corporate Law	3	30	45	75
304 E (Gr. C)	Human Rights in India	3	30	45	75
305 (Inter)	Value Education and Human Rights (Skill Enhancement Course)	2	20	30	50
306 (Intra)	Law and Developments (Not for law students)	3	30	45	75

SEMESTER IV					
COURSE CODE	COURSE TITLE	CREDIT	MARKS		
			IA	UE	TOTAL
401 C	Law and Social Transformation	4	40	60	100
402 C	Intellectual Property Rights	4	40	60	100
403 C	Viva-Voce	4			
404 E (Gr. A)	Dissertation	3			75
404 E (Gr. B)	Dissertation	3			75
404 E (Gr. C)	Dissertation	3			75
405 (Inter)	Computer Application	2	20	30	50
406 (Intra)	Consumer Law	3	30	45	50

Here; C=core, IA=Internal Assessment, UE=University Examination, E=Elective course, Gr=Group

SEMESTER I

COURSE CODE: 101C

COURSE TITLE: JURISPRUDENCE

CREDIT: 4, MARKS: 100

(IA-40, UE-60)

UNIT I:

Nature and Meaning of Jurisprudence.

Relevance of Jurisprudence.

Concept of 'Legal Theory' and 'Jurisprudence'.

Concept and Philosophy of Law: The Definition of Law.

The Evolution of Law: Primitive Law, Middle Law, Classical Law, Post-Classical Law.

UNIT II:

Natural Law and its Re-emergence Philosophical Idealism of Ancient Era: Meaning and Origin- Greeks and Romans Philosophy Medieval Era: Renaissance and Reformation, Grotius and International Law, Philosophy of Social Contract. Natural Law in Nineteenth and Twentieth Century, Modern Value Philosophies and Revival of Natural Law Theories Indian Perspective of Natural Law School.

UNIT III:

Analytical Positivism: Bentham's English Positivism: Utilitarian Approach of Law, Pleasure and Pain Principle in Legislation, Bentham on Codification and Law Reforms.

Austin's Theory of Law the Pure Theory of Law Modern Trends in Analytical Jurisprudence: Hart's Concept of Law Indian Perspective of Analytical School

UNIT IV:

Historical School of Thought: The Romantic Reaction: Herder and Hegel, Savigny and Historical School in Germany Law and Anthropology Historical School in England, United States and India.

UNIT V:

Sociological Jurisprudence and Sociology of Law: Comte and Sociology, Laissez Faire and Herbert Spencer, Ihering, Max Weber, Emile Durkheim, Eugen Ehrlich, Roscoe Pound. Sociological Jurisprudence since Pound and Towards Sociology of Law Indian Constitution and Sociological Jurisprudence American and Scandinavian Jurisprudence Concept of Morality and its Relationship with Law: Hart & Fuller's Controversy.

SUGGESTED READINGS:

1. Lloyd's Introduction to Jurisprudence.
2. R.W.N. Dass: Jurisprudence 5th edition, Aditya Books Private Ltd. New Delhi, 1994.
3. G.W. Paton: A Text Book of Jurisprudence.

4. Karl N Llewellyn: Jurisprudence Realism in Theory and Practice.
5. W. Friedman: Legal Theory 5th ed. London Stevens & Sons 1967.
6. Dhyani: Fundamentals of Jurisprudence and Jurisprudence and Legal Theory.
7. William Twining, General Jurisprudence: Understanding Law from a Global Perspective Cambridge.

SEMESTER I

COURSE CODE: 102C

**COURSE TITLE: INDIAN CONSTITUTIONAL LAW-THE NEW
CHALLENGES**

CREDIT: 4, MARKS: 100

(IA-40, UE-60)

UNIT I: Federalism

Creation of new states, the inter-state disputes on resources, Center's responsibility and internal disturbance within States, Federal comity: Relationship of trust and faith between Centre and State, Special status of certain States, Areas, Scheduled Areas.

UNIT II: State: Right to equality

Definition of state, Need for Widening the definition in the wake of Liberalization, privatization and its impact on affirmative Action Relating to quality.

UNIT III: Emerging regime of new rights and remedies

Reading Directive Principles and Fundamental Duties into Fundamental Rights, Compensation jurisprudence, Right to education, Commercialization of Education and its impact, Brain drain by foreign education market, Right of minorities to establish and administer educational institutions and state control.

UNIT IV: Separation of Powers: stresses and strain

Judicial activism and judicial restraint, PIL, Judicial Independence, Appointment, transfer and removal of judges, accountability: executive and judiciary, Tribunals.

UNIT V: Democratic Process

Nexus of politics with criminals and the business, Election process, Election commission: Status, Electoral reforms, Coalition government, stability, durability, corrupt practice, Grass root democracy,

SUGGESTED READINGS:

No specific bibliography is suggested for this course since the materials obviously depends upon the latest developments. These developments in the areas specified in the course can be gathered from the recent materials such as all standing Constitutional law Text books, case law, changes and amendments of laws, critical comments, studies and reports, articles and research papers and lastly contemporary emerging ethos impacting on constitutional values.

SEMESTER I

COURSE CODE: 104 E (Gr. - A)

COURSE TITLE: CRIMINAL LAW IN INDIA

CREDIT: 3, MARKS: 75

(IA-30, UE-45)

UNIT I:

History and Development of Criminal Law in India and England.

Crime and Criminal Law.

General Principle of Criminal Law: Meaning, Nature, Essentials and Stages of Offence & place of Criminal Law in Criminal Science.

Basic element of Crime: External and internal Intention, Recklessness, Negligence, Relevance of Motive and Strict Liability.

UNIT II:

Stages in Commission of Crime: Constructive Joint Criminality, Abetment and Criminal Conspiracy.

Offences against Women.

UNIT III:

Defences-

Mistake, Necessity, Intoxication.

Unsoundness of mind, Consent.

Compulsion by threat and Superior order.

Private Defense.

UNIT IV:

Offences against Human Body: Culpable Homicide and Murder, Kidnapping and Abduction.

Offences against Property: Theft and Robbery.

UNIT V:

Offences against Marriage: Bigamy and Adultery

Offences against Morals: Obscenity

Offences against State: Sedition

Defamation

SUGGESTED READINGS:

1. Outlines of Criminal Law: Kenny
2. History of Criminal Law in England: J.F. Stephen
3. General Principles of Crime: Jerome Hall
4. Principles and Practices of Criminal: Law Harrie

5. Law of Crimes: Ratan Lal & Dheeraj Lal
6. Principles of Criminal Law: R. C. Nigam
7. History of English Criminal Law: Redzinowicz
8. Criminal Law: G. Williams
9. Law of Crimes: Russel
10. Principle of Criminal Law: Sutherland
11. Criminology and Penology: N.V. Paranjape.

SEMESTER I

COURSE CODE: 104 E (Gr. - B)

COURSE TITLE: GENERAL PRINCIPLES OF LAW OF CONTRACT

CREDIT: 3, MARKS: 75

(IA-30, UE-45)

UNIT I:

History & Nature of Contractual Obligations.

Formation of contract: A critical study of offer and Acceptance.

Doctrine of Consideration and Privity of Contract.

Offer, Acceptance, and consideration. Standard form of Contract.

UNIT II:

Capacity of contract- nature of minor's agreement and the doctrine of restitution.

Capacity of contract- minor's contract.

Elements vitiating contract- mistake, fraud, misrepresentation, public policy.

Coercion, undue influence and the factors vitiating free consent with special reference to fraud and misrepresentation.

UNIT III:

Void agreement with the special reference to agreement related to restraint of trade and wagering agreements.

Discharge of contracts with special reference to the doctrine of frustration.

Relations resembling those created by contract.

Remedies in the form of compensation.

UNIT IV:

Specific Relief, specific performance of contract, Contracts that can be specifically enforced.

Persons against whom specific performance can be ordered.

UNIT V:

Rescission and cancellation.

Injunction - Temporary, Perpetual. Declaratory Orders.

SUGGESTED READINGS:

1. Anson's law of Contract.
2. Pollock and Mulla on Contract and Specific Relief Act Contract and Specific Relief Act
3. Avtar Singh, Contract and Specific Relief Act
4. Avtar Singh, Principles of law of Sale of Goods and Hire Purchase

5. S.K. Singh: Sale of Goods Act, C.L.A. Allahabad.
6. H. K. Saharay, Indian Partnership and Sale of Goods Acts, Universal, Delhi. Kailash Rai, Indian Contract Act

BARE ACTS:

1. Indian Contract Act, 1872
2. Specific Relief Act, 1963.
3. Cheshire & Fifoob on Contract
4. Chisly on Contract
5. Shannon & Shatton on Contract
6. Pollock Mulla- Sole of Goods Act& Partnership Act.

SEMESTER I

COURSE CODE: 104 E (Gr. - C)

COURSE TITLE: PUBLIC INTERNATIONAL LAW

CREDIT: 3, MARKS: 75

(IA-30, UE-45)

UNIT I:

International Law in ancient, medieval & British India.
Relationship between International Law & Municipal Law.
Sources of International Law.
Concept of Sovereignty and its relevance.

UNIT II:

Recognition of State & Government, Succession of State & Government.
Extradition, and Asylum.
Settlement of International dispute
Nationality & Status of Refugees.

UNIT III:

State Territory, State Jurisdiction, State Responsibility, Law of War crimes, Diplomatic Agent.

UNIT IV:

United Nations: Origin, Object, Principles and membership.
Main organ of the United Nation- General Assembly, Security Council, International Court of Justice.

UNIT V:

Role of United Nation Organization for the Development of Human Right Commission.
Role of International Court of Justice.
International Criminal Court of Justice.

SUGGESTED READINGS:

1. J. J. Stark International Law
2. S. K. Kapoor Public International Law
3. S.K. Varma International law & Human Rights
4. H.O. Agrawal International law & Human Rights
5. Oppenheim. International law & Human Rights & Peace Brierly

SEMESTER I

COURSE CODE: 105 (INTER)

**COURSE TITLE: COMMUNICATION SKILL AND PERSONALITY
DEVELOPMENT (SKILL ENHANCEMENT COURSE)**

CREDIT: 2, MARKS: 50

(IA-20, UE-30)

OBJECTIVE OF THE COURSE:

Effective Communication skills and a Groomed Personality are the stepping stones to success. Be it in your personal life or at your workplace, these skills make you stand out. Our team has relentlessly worked to identify certain principal objectives related to the different aspects of personality development and communication skill.

COURSE CONTENT:

1. Personality Augmentation
2. Classes on Soft Skills Development
3. Overview on Communication Skills and Personality Development
4. Workplace decorum
5. Body Language and Presentation Skills
6. Manners and Etiquettes
7. Time-Management

SEMESTER I

COURSE CODE: 106 (INTRA)
COURSE TITLE: RIGHT TO INFORMATION
CREDIT: 3, MARKS: 75
(IA-30, UE-45)

(Not For Law Students)

UNIT I:

Introduction of Right to Information Act 2005: History, Background, Objectives, Preamble of Right to Information Act 2005.

Obligation of Public Authorities (Section 3 to 11).

Right to Information in Global Perspective: (World right to Know).

United Nations and the Right to Information.

The Commonwealth and the Right to Information.

The Right to Information in USA and UK.

Rome Convention for the Protection of Human rights and Fundamental Freedoms, 1950.

UNIT II:

Right to Information as Constitutional rights: Protection of Article 19(1) (a), Right to privacy, Contempt of Court, Public Interest vis-à-vis Information.

The Central Information Commission: Constitutions, Eligibility criteria and Process of Appointment, Term of office and Condition of Service, Removal of Information Commissioner.

UNIT III:

The State Information Commission: Constitutions, Eligibility criteria and Process of Appointment, Term of office and Condition of Service, Removal of Information Commissioner.

Power and Function: Information Commission, Appeal and Penalties under Right to Information Act 2005.

UNIT IV:

Breach of Confidentiality and Privacy: The Indian perspective an 'offence' under the Indian Information Technologies Act 2000.

Public Authority vis-à-vis Right to Information Act 2005: Origin, History, Public Authority, Right to Information, Breach of Duty to disclose by Public Authority.

UNIT V:

Right to Information and E-Governance: Electronic Information Dissemination, need for regulation, Jurisdiction in Cyberspace: Problem and perspective.

Right to Information and Other Acts, Reports, Bill.

The Official Secrets Act, 1923.

Public records Act 1993, Public records rules 1997.

The Freedom of Information Act 2002.

Reports of National Commission to Review the working of the Constitution, 2002 (relevant provisions).

179th Report of Law Commissions of India on Public Interest Disclosure and protection of Informer, 2001(relevant provisions).

The Public Interest Discloser (Protection of Informer Bill) 2002.

SUGGESTED READINGS:

1. The Right to Information Act Book, By Shruti Desai
2. The Right to Information Act,2005 By Dheera Khanawal & Krishna K. Khanawal
3. The Right to Information: Law-Policy-Practice By Rodney D Ryder
4. Handbook on The Right to Information Act By P.K. Das
5. Treaties on The Right to Information Act 2005 By Dr. Hiraj Kumar

SEMESTER II

COURSE CODE: 201 C

COURSE TITLE: INTERPRETATION OF STATUTE

CREDIT: 4, MARKS: 100

(IA-40, UE-60)

UNIT I:

Interpretation, meaning, Purpose, Main Rules of Interpretation, Subsidiary rules of interpretation.

External and internal rules of interpretation.

Interpretation of the Constitution and Penal Statutes.

UNIT II:

Delegatus non protest deliegare.

Expression unious exclusio alterious.

Genrelia specialibus non derogant.

In Pari delecto potior est condition possidentis

Utres valet potior quam pareat.

Expressum facite cessare tacitum.

In Bonam Partem.

UNIT III:

The concept of justice and relation between law and justice.

The concept of dharma in Indian thought, 'Dharma as a foundation of legal ordering.'

Various theories of justice in western thought. Judicial process in India.

Indian debates on role of Judges and on the Notion of the Judicial review. Dangerous signals and new challenges before Indian judiciary.

UNIT IV:

Independency of judiciary and the nature of judicial process.

Judicial process under the Indian Constitution.

Confrontation with the legislature and executive.

UNIT V:

Appointment and transfer of the Judges and its effect on independency of judiciary. Judicial Activism and Constitutional obligation of the Courts.

Defense of judicial activism & evolution. Constitution of India and Judicial Activism, Role played by the Supreme Court of India.

Need for care and caution with judicial accountability.

SUGGESTED READINGS:

1. Law and public opinion by A.V Dicey.
2. Theories of Legislation by Bentham.
3. Nature of Judicial Process by Cardozo.
4. Judicial Process by Henry J. Abraham.
5. Principles of Statutory Interpretation by J. Swaroop.
6. The interpretation of Statutes by G.P. Singh.
7. Interpretation of Statutes by Maxwell.
8. V. Sarathi. Interpretation of Statutes.
9. Theory of Legislation by N.S. Brinda.

SEMESTER II

COURSE CODE: 202 C

COURSE TITLE: RESEARCH METHODOLOGY I

CREDIT: 4, MARKS: 100

(IA-40, UE-60)

UNIT I:

Introduction, Significance of Research.

Meaning and concept of research, Scientific Methods & Legal Research. The science of research and scientific methodology (Theory, facts, definition and concepts, variables etc. i.e, characteristics of scientific methodology) Socio-legal research and legal research models. Doctrinal and non-doctrinal research. What is research problem? Formulation of research problem.

UNIT II:

Research, Design and its components.

Hypothesis: Its role, definition, criteria of a workable hypothesis and its sources.

Major steps of preparation of research design.

Research tools Observation, Interview, Questionnaire (Utility and limitations and methods of using these tools).

UNIT III:

Research Techniques and use of case studies and surveys.

Sampling techniques:

- i. Design of sample
- ii. Its uses and advantages in research.
- iii. Random sampling, simple random, stratified random, systematic random.
- iv. Non-random sampling, haphazard, availability and purposive etc.

Scaling Techniques -Types, utility, modus operandi - Elementary Statistics, design & stages in statistical investigation and interpretation and Preparing Diagrams & graphs. Content analysis.

UNIT IV:

Data Processing and Data Collection.

Data processing, analysis and interpretation of data.

Socio-metrics and Jurimetrics - Inductions and deduction.

Computerized research - A study of legal research programmes such as Lexis and west law coding.

Online & offline sources and techniques of e-legal research.

UNIT V:

Report writing - Research report & techniques of writing research work.
Citation rules and modes of legal writing.

SUGGESTED READINGS:

1. Wilkinson – Bhandarkar –Research Methodology.
2. Young, Pauline V. –Scientific Social Survey and Research.
3. Berelson B: Content Analysis in Communication Research.
4. Jain S.N.: Legal Research and Methodology.
5. Earl Babi – Research Methodology.
6. Good & Halt: Research Methodology (And relevant Websites)

SEMESTER II

COURSE CODE: 204 E (Gr. - A)

COURSE TITLE: CRIMINOLOGY & PENOLOGY

CREDIT: 3, MARKS: 75

(IA-30, UE-45)

UNIT I: Introduction of Criminology

Definition, Nature and extent of crime in India.

Definition, Nature and importance of criminology, Relationship between crime, criminal law and criminology.

Schools of Criminology, Methods of criminological Studies.

Classical, Biological, Cartographic, Sociological and Socialist.

UNIT II: Theories of criminal etiology

Lombroso, and Neo-Lombrosian,

Psycho-analysis, Differential Association,

Anomic Tradition: critical criminology with reference to Labeling, Intractionism and Conflicts theory.

A brief discussion on modern trends in Criminology: Phenomenology, Postmodernism and Feminism Crime.

UNIT III: Penology

Various Theories of Punishment.

Capital Punishment - Judicial Attitude towards Capital Punishment in India.

Constitutional validity of capital punishment

Probation, Parole, Distinction between probation and parole.

UNIT IV: Victimology & Factors responsible for Causation of Crime.

Victimology & compensation to the victims of crime.

Environment, home and community influences,

Urban and rural crimes.

The ghetto, broken homes, effect of TV, Video, Press, Narcotics and Alcohol.

Wars and Communal riots-their causes and demoralizing effects,

UNIT V: Police and Prison system

Role and function of police

National Police Commission (recommendations)

Malimath committee report

History of Prisons

Aims, objectives and conditions of prison

Types of prisons

Prison work, Education, Prison reform (schools and reformations)

Rights of prisoners (contribution of the Supreme Court)

SUGGESTED READINGS:

1. Catherine & Williams: Text book on Criminology.
2. Sutherland and Cressy: Principles of Criminology.
3. J. M. Sethana: Society and the Criminal.
4. Siddique: Criminology-Problems and Perspectives.
5. Sutherland: White Collar Crime, Criminology.
6. W.C. Reckless: The Prevention and Juvenile Delinquency.
7. S. Rao: Crime in our society.
8. N.V.Paranjape: Criminology and Penology.

SEMESTER II

COURSE CODE: 204 E (Gr. - B)
COURSE TITLE: SPECIFIC CONTRACT
CREDIT: 3, MARKS: 75
(IA-30, UE-45)

UNIT I:

Contract of Indemnity-

- i. Definition and Nature of Contract of Indemnity.
- ii. Extent and commencement of liability.

Contract of Guarantee-

- i. Meaning and essentials of contract of guarantee.
- ii. Extent of surety's Liability
- iii. Discharge of surety's Liability.
- iv. Rights of Surety.

UNIT II:

Contract of Bailment & Pledge-

- i. Meaning and essentials of Contract of Bailment.
- ii. Duties of Bailor and Bailee.
- iii. Rights of Bailor and Bailee.
- iv. Meaning and essentials of contract of Pledge and persons entitled to pledge.

UNIT III:

Contract of Agency-

- i. Nature and essentials of contract of Agency.
- ii. Creation of Agency: Implied, Agency and Agency of necessity. Agency by ratification, Termination of Agency.

UNIT IV:

Contract of Sale-

- i. Definition and essentials of Contract of sale.
- ii. The rule of caveat emptor and the exceptions thereto under the Sale of Goods Act.
- iii. Transfer of Title and passing of risk.
- iv. Unpaid seller and his rights. Remedies for breach of contract.

UNIT V:

Partnership-

- i. Definition, essential and nature of Partnership.
- ii. Distinct advantages and disadvantages vis-a vis, partnership and private limited company. Mutual relationship between partners,
- iii. Authority of partners, admission of partners, outgoing of partners, Registration of partnership, and dissolution of partnership.

BARE ACT:

1. Indian Contract Act, 1872.
2. Sale of Goods Act, 1930
3. Indian Partnership Act, 1932.

SUGGESTED READINGS:

1. Avtar Singh: Principles of law of Sale of Goods and Hire Purchase.
2. S.K. Singh: Sale of Goods Act, C.L.A. Allahabad.
3. H. K. Saharay: Indian Partnership and Sale of Goods Acts, Universal, Delhi.
4. Kailash Rai: Law of Specific Contract.
5. T.R. Desai: Contract Act.

SEMESTER II

COURSE CODE: 204 E (Gr. - C)

COURSE TITLE: INTERNATIONAL LAW AND HUMAN RIGHTS

CREDIT: 3, MARKS: 75

(IA-30, UE-45)

UNIT I: International Concern

Protection of individual in international law, League of Nation, War Crime Trials, Human Rights & United Nation Charter.

Normative and institutional framework of U.N. Role of permanent organs.

U.N. Human Right Commission, U.N. High Commissioner for Human Rights.

UNIT II: Universal Declaration on Human Rights

History of Declaration.

Structure of Declaration.

Legal Significance.

UNIT III: International Covenants

ICCPR, ICESCR, Nature and characteristic Optional Protocols

Regional Instruments-

- i. European Convention on Human Rights,
- ii. American Convention on Human Rights,
- iii. African Charter on Human Rights & People's Rights
- iv. Asia and Human Rights

UNIT IV:

Introduction: Nature, Basic Principles, Historical Development since 1899. Protection of Victim of War:

Wounded, Sick, Shipwrecked and Prisoners of war

Implementation of International Humanitarian law,

Role of International Committee of Red Cross in Implementation of International Humanitarian Law.

UNIT V:

Human Rights, Humanitarian Law Protection of marginalized Group:- Women, Children, Minorities and Refugee. International Crimes including Terrorism.

BOOKS:

International Law / Human Right-

1. S. K. Kapoor International law & Human Rights
2. H.O. Agrawal Bare Act, of N.H.R.C.
3. Dr. U. Chandra: Human Rights & Practice

4. Charter of Declaration of Human Rights.

SEMESTER II

COURSE CODE: 205 (Inter)

**COURSE TITLE: YOGA AND LIFE SKILLS EDUCATION (SKILL
ENHANCEMENT COURSE)**

CREDIT: 2, MARKS: 50

(IA-20, UE-30)

COURSE OBJECTIVE:

Yoga is a form of comprehensive education that can be utilized to develop physical stamina and flexibility, emotional stability, intellectual and creative talents. A close study of the processes reveals that the yoga tradition cannot be confined to only the physical or the postural; it enters into a deeper engagement and exploration of the psychological and emotional domains.

UNIT I:

Origin of Yoga & its brief development.
Meaning of Yoga & its importance.
Yoga as a Science of Art (Yoga Philosophy).
Meaning of meditation and its types and principles.

UNIT II:

Classification of Yoga/Types of Yoga.
Hatha Yoga , Raja Yoga, Laya Yoga, Bhakti Yoga, Gyan Yoga, Karma Yoga, Asthang Yoga.

UNIT III:

Principles of Yogic Practices.
Meaning of Asana, its types and principles.
Meaning of Pranayama, its types and principles.
Meaning of Kriya its types and principles.

UNIT IV:

Yogic therapies and modern concept of Yoga
Naturopathy, Hydrotherapy, Electrotherapy, Messotherapy,
Acupressure, acupuncture.

UNIT V:

Meaning and importance of prayer.
Psychology of mantras.
Different mudras during prayers.

SEMESTER II

COURSE CODE: 206 (INTRA)
COURSE TITLE: ELECTION LAW
CREDIT: 3, MARKS: 75
(IA-30, UE-45)

Course Objectives:

The primary objective of this Course is to acquaint the students with the laws governing elections to both Houses of the Parliament and the State Legislatures, and to the offices of the President and the Vice-President of India. They will also be familiarized with the qualifications and disqualifications for candidates desirous of contesting these elections and the legal remedies for various electoral malpractices that candidates often resort to, in order to win elections. The role of the Election Commission of India, an independent constitutional authority, in ensuring a level playing field for all candidates will also be discussed.

Course Learning Outcomes:

(List of outcomes in terms of learning which student will be able to acquire due to this course)

On successful completion of this Course the students will be able to:

- Identify the laws relating to elections to the Parliament, State Legislatures and to the offices of the President and Vice President of India.
- Explain the qualifications and disqualifications for Members of Parliament and State Legislatures in India.
- Recognize the corrupt practices that candidates often resort to in order to win elections to the Legislatures in India.
- Know the ambit of the right of voters' to know the antecedents of candidates at elections to Legislatures in India.

Teaching Methodology:

The teaching methodology for this Course will include lectures, case study method, presentations and discussions, use of multi-media, moot courts and quizzes.

UNIT I: Introduction - Meaning of Election and Disputes Regarding Elections to Parliament and State Legislatures.

- i. Meaning of election.
- ii. Election petition- forum, presentation, grounds and relief that may be claimed by the petitioner; time for presentation of an election petition- section 81 read with section 86(1), The Representation of the People Act, 1951 (R.P. Act, 1951).
- iii. Contents of an election petition-material facts and particulars- section 83, R.P. Act, 1951.
- iv. Parties to an election petition- sections 82 read with sections 84, 86, R.P. Act, 1951.
- v. Recriminatory petition- sections 33A, 33B, 97 125A R.P. Act, 1951.

- vi. R.P. Act 1951 -
- vii. Withdrawal (sections 109-111, R.P. Act, 1951), abatement (sections 112, 116, R.P. Act, 1951) and dismissal (section 86, R.P. Act, 1951) of election petitions; appeal (sections 116A, 116B, 116C, R.P. Act, 1951).

UNIT II: Composition of Parliament and Election of President and Vice-President.

- i. Composition and dissolution of Parliament and State Legislatures: The Constitution of India - Articles 79-83, 85, 168-172, 174, 330-334.
- ii. Delimitation of constituencies: The Constitution of India - Articles 329(a), 81, 82, 170, 330, 332.
- iii. R.P. Act, 1950- sections 3-13; The Delimitation Act, 2002
- iv. Election of President and Vice-President of India: The Constitution of India, Articles 52, 54- 59, 62-68, 71.
- v. The Presidential and Vice-Presidential Elections Act, 1952.

UNIT III: Composition, Powers and Functions of the Election Commission.

- i. Composition of the Election Commission: The Constitution of India – Article 324.
- ii. The Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991.
- iii. Powers and functions of the Election Commission: The Constitution of India – Articles 324- 328, 103(2), 192(2); R.P. Act, 1951- sections 8A, 10A, 11, 11A, 11B, 28A(read with section 13CC, R. P. Act, 1950), 29A, 77, 78, 146, 146A, 146B, 146C.
- iv. The Election Symbols (Reservation and Allotment) Order, 1968.

UNIT IV: Qualifications and Disqualifications of Candidates.

- i. The Constitution of India - Articles 84, Articles 101 to 104, Article 173, Articles 190 to 193.
- ii. R.P. Act, 1951- sections 3-6,7, 8, 8A, 9, 9A, 10, 10A, 11, 100(1)(a).
 - Disqualification for holding an office of profit:
 - The Constitution of India- Articles 102(1)(a), 191(1)(a)
 - R.P. Act, 1951- section 10.

The Parliament (Prevention of Disqualification) Act, 1959.

- Disqualification for government contracts:
 - The Constitution of India- Article 299.
 - R.P. Act, 1951-section 9A.
- Disqualification on conviction for certain offences:
 - R.P. Act, 1951-section 8
 - Law Commission of India, 244th Report on Electoral Disqualifications (February, 2014).

Anti-Defection Law.

- i. The Constitution (Fifty-second Amendment) Act, 1985.
- ii. The Constitution of India - Tenth Schedule, Articles 101(3), 102(2), 190(3), 191(2).
- iii. The Constitution (Ninety-first Amendment) Act, 2003.
- iv. The Constitution of India- Articles 75(1A), 75(1B), 164(1A), 164(1B), 361B.

UNIT V: Nominations.

Requirements of valid nomination of candidates for election- procedure for filing nomination paper, number of proposers, security deposit, scrutiny of nomination papers, grounds of rejection of nomination papers, withdrawal of nomination papers etc.

R.P. Act, 1951- sections 30-39, 100 (1) (c), 100 (1) (d) (i)

Consequences of improper rejection and improper acceptance of nomination papers

R.P. Act, 1951- sections 100 (1) (c), 100 (1)(d)(i)

Corrupt Practices.

Distinction between corrupt practices (section 123, R.P. Act, 1951) and electoral offences: Chapter IXA-sections 171A- 171 I, Indian Penal Code, 1860 and sections 125-136, R.P. Act, 1951.

Corrupt Practices: R.P. Act, 1951 – section 123 read with sections 8A, 79, 98, 99, 100(1)(b), 100(1)(d)(ii), 100(2), 101

Bribery: section 123(1), R.P. Act, 1951

Undue influence: section 123(2), R.P. Act, 1951

Appeal on the grounds of religion, race, caste, community or language etc.; promotion of feelings of enmity or hatred between different classes of the citizens of India on grounds of religion, race, caste, community or language: sections 123(3), 123(3A), R.P. Act, 1951

Publication of false statement of fact in relation to the personal character or conduct of any candidate: section 123(4), R.P. Act, 1951

Free conveyance of voters: section 123(5), R.P. Act, 1951

Incurring or authorizing expenditure in excess of the permissible limit: section 123(6), R.P. Act, 1951

Booth capturing: section 123(8), R.P. Act, 1951

Obtaining or procuring the assistance of a government servant: section 123(7), R.P. Act, 1951

SUGGESTED READINGS:

Prescribed Legislations:

1. The Constitution of India, 1950
2. The Representation of the People Act, 1950.
3. The Representation of the People Act, 1951.
4. The Delimitation Act, 2002.
5. The Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991.
6. The Indian Penal Code, 1860 (Selected Relevant Provisions).
7. The Parliament (Prevention of Disqualification) Act, 1959.

8. The Presidential and Vice-Presidential Elections Act, 1952.

BOOKS:

1. V.S. Rama Devi and S.K. Mendiratta, How India Votes – Election Laws, Practice and Procedure (3rd edition 2013).
2. Kiran Gupta and P.C. Jain, Chawla's Elections - Law & Practice (9th ed., 2009).

LAW COMMISSION REPORTS:

1. Law Commission of India, 170th Report on Reform of the Electoral Laws (May, 1999).
2. Law Commission of India, 244th Report on Electoral Disqualifications (February, 2014).
3. Law Commission of India, 255th Report on Electoral Reforms (March, 2015).

REPORTS:

1. The Goswami Committee Report on Electoral Reforms, 1990.
 2. The Vohra Committee Report on Criminalization of Politics, 1993.

SEMESTER III

COURSE CODE: 301C

COURSE TITLE: RESEARCH METHODOLOGY II (PRACTICAL)

CREDIT: 4, MARKS: 100

(IA-40, UE-60)

UNIT I: Doctrinal research

Each student is assigned in advance a separate topic and asked to collect materials. A period of 5-7 days can be set apart for carrying out this assignment in the library. The assignment shall be evaluated internally by a designated faculty member who are engaging LL.M. Classes regularly.

UNIT II: Non-Doctrinal research

Here the students are asked to go out of the class room and library and make an empirical study of a problem which has social, economic, moral or political dimension. Field data can be collected through any model of data collection. The results are to be assessed internally by a designated faculty member who are engaging LL.M. Classes regularly.

UNIT III: Clinical work

The method is that the Legal Aid Clinic of the Department of Law can involve itself with other legal aid programmes in the area. Students are encouraged not only to work with the clinic but also to acquaint themselves with court proceedings, working of a business organization, tackling of labour disputes, drafting of business or other deeds and with public interest litigation. The initiative and potential of the student and the actual submission of report turned out by him/her shall be assessed by the team of senior faculty who are engaging LL.M. Classes regularly. Focus, priority and weightage shall be for the research being done by the students in the above areas.

UNIT IV: Law Teaching

A topic is assigned to the student in advance. He is required to handle a class for 25 to 30 minutes. The students may be asked to teach the LL.M Semester I students. They can select any of the methods of teaching. In law teaching practical, the LL.M students are to be evaluated internally. The average marks shall be reckoned. Internal evaluation shall be by a group of senior faculty who are regularly engaged in handling LL.M. classes.

UNIT V: Research project work

Formulation of one research problem.

Preparation of Research project work.

Involvement of research methodology

SEMESTER III

COURSE CODE: 302C

COURSE TITLE: JUDICIAL PROCESS

CREDIT: 4, MARKS: 100

(IA-40, UE-60)

UNIT I:

Nature of Judicial process and its role in constitutional adjudication Judicial process as an instrument of social ordering judicial process and creativity in law–common law model–legal reasoning and the growth of law–change and stability The tools and techniques of judicial review and judicial creativity Analysis of the doctrine of Stare Decisis in India

UNIT II:

Special Dimensions of Judicial Process in Constitutional adjudication. Notions of Judicial Review. Is Judicial Review the same as Judicial Activism? Judicial Activism and Judicial Self Restraint Problem of Accountability in judicial law–making

UNIT III:

Judicial Process in India The Indian Debate on the role of the Judges and on the notion of Judicial review The “Independence” of Judiciary and ‘Political’ nature of Judicial Process Judicial Activism and Creativity of the Indian Supreme Court ; the new dimension Institutional liability of Courts and Judicial activism–Scope and Limits

UNIT IV:

Judicial Process and Constitutional Amendments Evolution of the Concept of Basic Structure Philosophy of the doctrine of Basic Structure The Recent Developments: The “essence of rights” test and “rights test” to determine Basic structure Basic Structure and Constitutionalism

UNIT V:

The Concepts of Justice The concept of justice or Dharma in Indian thought Dharma as the foundation of legal ordering in Indian thought The concept and various theories of justice in the western thought Various theoretical bases of justice: the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition.

SUGGESTED READINGS:

1. Cordozo: The Nature of Judicial Process (1995). Universal Law Publishing Co., New Delhi.
2. Julius Stone: The Province and Function of Law (2000). Universal Law Publishing Co., New Delhi.
3. Julius Stone: Precedent and the Law: Dynamics of Common Law Growth (1985).

SEMESTER III

COURSE CODE: 302C

COURSE TITLE: SOCIO ECONOMIC OFFENCES IN INDIA

CREDIT: 3, MARKS: 75

(IA-30, UE-45)

UNIT I:

Crime against Social & Economical Security and Problems of their control.

The concept of social and economic Offences.

The distinction between traditional offences and socio economic offences.

Principles of traditional criminal jurisprudence.

Special feature of social Economic offences.

Offences of socio- economic and white collar crime.

Prevention of socio economic crimes and major constraints in the implementation of law relating to socio-economic offences.

UNIT II:

Dowry Prohibition Act, 1961 as amended in 1984 & 1986.

Definition of dowry.

Offence of taking, giving dowry and penalties.

Offence of demanding dowry and penalty

Ban on advertisement.

Dowry to be for the benefit of bride & penalties for non-transfer of dowry.

Agreement for giving & taking dowry to be void.

Contingence of Offence's.

Offence's to be cognizable for certain purposes and nature of offences & the act non bailable and non compoundable. Burden of proof.

Power of the Central and State's Governments, to make for rules.

UNIT III:

Crime against Women.

Crime relating to women historical retrospect, Obscenity & indecent

Female Feticide and Female infanticide.

Prostitution, Rape, Dowry Death, Domestic Violence, Sexual Harassment at work places.

Reason of crime causation and their solution.

UNIT IV:

Prevention of Food Adulteration Act 1954:

Definitions, Machinery for implementation, Penalties.

Defenses available on prosecution.

Food Safety Officer- Powers, Functions & Liabilities

Licensing and Registration of food business.

Cognizance and trial of offences.

Application of probation of offenders Act, 1958 and Section 360 of the Cr.P.C.

Power of the Central Government to give direction.

Rule making power of Central and State Government.

UNIT V:

The Prevention of Corruption Act, 1988- Definitions, Appointment of Special Judges, Offences & Penalties, Investigations into cases under the act.

The Prevention of Money Laundering Act, 2002-

Definitions, Offences of money laundering.

Need for combating money laundering.

Adjudication & attachment.

Cognizance of offences, Summons, searches & seizures.

Appellate Tribunals, Special Courts.

Authorities, Agreements with foreign countries.

BOOKS:

1. Dowry prohibition Act, 1961 as amended in 1984 & 1986.
2. Food Adulteration Act, 1954.
3. The Prevention of Corruption Act, 1988.
4. Gender Justice- Women and law in India by Monika Chawla & Vinay Sharma.
5. Crime against women by S. Banerjee.
6. Legal Status and Remedies for women in India, Ratan Lal & Dhiraj Lal (A.S.Altakar).
7. Gender Justice by Flavia Alves.

SEMESTER III

COURSE CODE: 304E (Gr. - B)

COURSE TITLE: CORPORATE LAW

CREDIT: 3, MARKS: 75

(IA- 30, UE- 45)

UNIT I:

Introduction Origin and Development of Corporate Law Essential ingredients in establishment of Corporation Shares and share capital Concept of shares, share capital Kinds of share Debentures, Issue, Allotment, Transfer and forfeiture of shares.

UNIT II:

Legal Aspects governing corporate management Meetings, Majority Rule and minority protection Prevention of oppression, mismanagement Role of central government, Company Registrar, Company Law Board/ Tribunal.

UNIT III:

Amalgamation, Reconstruction, Mergers, take-over of Companies.

Meaning of the terms Statutory provisions Powers of court/ tribunal Reconstruction/ amalgamation by sale of shares/sale of undertakings Procedures of Winding up a Company.

UNIT IV:

Corporate Governance Concept, Significance, Dimensions, Legal framework Impact of globalization.

UNIT V:

Corporate Social Responsibility Evolution of the concept, Dimensions of CSR Legislations and CSR.

SUGGESTED READINGS:

1. J.M. Thomson: Palmer's Company Law.
2. Gower: Principles of Modern Company Law.
3. Ramaiya: Guide to Companies Act.
4. Indian Law Institute: Current problems of Corporate Law.

SEMESTER III

COURSE CODE: 304E (Gr. - C)

COURSE TITLE: HUMAN RIGHTS IN INDIA

CREDIT: 3, MARKS: 75

(IA-30, UE-45)

UNIT I:

History, Concept and development of Human Rights in Indian Constitution. Constitutional Philosophy.

Human Rights in Indian Tradition: Ancient, Medieval and Modern. Human Rights in Western Tradition, Concept of Natural Law, Natural Rights and Human Rights.

Human Rights in Legal Tradition- International Law and National Law.

UNIT II:

General: Preamble, Fundamental Rights.

Right to equality: Gender Justice, and Empowerment of Women. Special Provisions for the Weaker Sections of Society, Reservation Policy under the Constitution.

Freedom of Speech & Expression: Freedom of Press, Limitations, Right to Information.

Right to Life and Personnel Liberty. New Dimension. Judicial Approach.

Right to Freedom of Religion, Secularism, Protection of Minorities under the Constitution.

UNIT III:

Implementation and Enforcement Mechanism of Human Rights in India.

Remedies provided by the judiciary and National Human Right Commission. Fundamental Duties, Article 51- A of the Constitution.

Concept and need of Fundamental Duties. Enforcement and effectuation of Fundamental Duties. Judicial Activism, and Protection of Human Right in India. Role of Non-Governmental Organization.

UNIT IV:

Emerging regime of new Human Rights in India.

Taking Guidance from Directive Principle of State Policy and Fundamental Duties

New Approach.

UNIT V:

Societal Problems of Human Rights in India-

Core problems: poverty, illiteracy, unemployment, socio-cultural-religious practices resulting in grave human rights deprivations.

Domestic Violence and intimate partner's violence.

Corruption and Terrorism.

Labour welfare legislation in India.

Problems of bonded labour, exploitation of child labour, female labour and unorganized

labour.

Communal and caste conflicts and tensions.

Violence against women and children, both inside and outside homes.

Custodial violence

ACTS:

1. The Charter of United Nation Organization.
2. Universal Declaration of Human Rights 1948.
3. The Protection of Human Rights Act 1993.
4. Child Labour (Prohibition and Regulation) Act 1986.
5. Juvenile Justice Acts 1986 and 2000.

SUGGESTED READINGS:

1. Law relating to Human Rights: S.K. Awasthi & R.P. Katariya.
2. International Law and Human Rights: S.K. Kapoor.
3. Human Rights (Children & Women): H.O. Agrawal.

SEMESTER III

COURSE CODE: 305 (INTER)

COURSE TITLE: VALUE EDUCATION & HUMAN RIGHTS (SKILL ENHANCEMENT COURSE)

CREDIT: 2, MARKS: 50

(IA-10, UE-40)

UNIT I:

Concept and nature of Value Education. Need and importance of Value Education in contemporary social context. Concept of human value with special reference to Indian tradition and culture. Different types and components of value education.

UNIT II:

Moral education vis-à-vis religious education. Moral judgment and moral action. Concept of moral development of child. Approaches of moral development: Social theory approach and cognitive development approach.

UNIT III:

Human Rights – Universal Declaration of Human Rights Human Rights violations – National Integration – Peace and non-violence Dr. A P J Kalam’s ten points for enlightened citizenship Social Values and Welfare of the citizen. The role of media in value building.

UNIT IV:

Environment and Ecological balance, Constitutional or national values - Democracy, socialism, secularism, equality, justice, liberty, freedom and fraternity and different social values.

UNIT V:

Emerging Concept of Human Rights-

- i. Human rights: human sufferings.
- ii. Human rights movements and human rights markets.
- iii. Emergence of an alternative paradigm: trade related market friendly human rights.

SUGGESTED READINGS:

1. Allport, G.W., Vernon, P.E., and Lindzey, G. (1970) *study of values*, Buston: Houghton Mifflin.
2. Central Board of Secondary Education (1997), *Value Education: A Handbook for Teachers*, Delhi: Central Board of Secondary Education.
3. Delors, J. (1996), *Learning: The Treasure within-* Report of the International Commission on Education for the Twenty-First Century, Paris.

4. Karan Singh (1996) *Education for global society*, in Delors, J., *Learning: The Treasure Within*, Paris: UNESCO. Kohlberg, L. (1964), *Development of moral character and ideology*, in M.K. Hoffman and L.W. Hoffman (eds) *Review of Child Development Research*, Vol.1, New York: Russell Sage.
5. Kohlberg, L.(1969), *Stage and sequence*, in D.A. Goslin (ed) *Handbook of Socialization Theory and Research*, Chicago: Rand Mc Nally.
6. Morris, Charles W. (1956). *Varieties of Human Values*. Chicago: University of Chicago Press.

SEMESTER III

COURSE CODE: 306 (INTRA)

COURSE TITLE: LAW AND DEVELOPMENT

CREDIT: 3, MARKS: 75

(IA-30, UE-45)

(Not For Law Students)

TARGET GROUP:

Students of Economics, Sociology, Social Work, Political Science, Anthropology, Officials working in Public Sector Units, Private Organizations involved in developmental activities.

ABOUT THE COURSE:

‘Law and Development’ is an interdisciplinary course which looks at the relationship of law, economics and social development. The course will examine how law can be used as a tool for achieving socio-economic development of the weaker sections of the society.

FOR WHOM IS THIS COURSE:

Law and Development is an Open Elective Course which can be offered to students from different disciplines, such as Law, Economics, Sociology, Social Work, Political Science, Anthropology etc. The course can also be opened to officials who are working in Public Sector Units (NHPC, ONGC, NTPC, Coal India Ltd. etc.) and private organizations involved in developmental activities.

COURSE OBJECTIVES:

The objectives of the course are to –

1. make students aware of the significance of law in development;
2. acquaint the students with various theories and perspectives of ‘development’;
3. sensitize them about the conflict of rights and interest of different sections/class of people in the context of development, and the need to protect the socio-economically weaker sections;
4. provide students hands on experience regarding development and its impact;
5. inculcate in the students to keep foremost the rights and interest of the poor and marginalized while examining developmental goals and policies.

COURSE OUTCOME:

At the end of the course, it is expected that the students shall -

1. be aware of the different perspectives of ‘development’ and have fair knowledge about the theories of development;
2. understand how law can be used as a tool to ensure that the fruits of development reaches the poor and marginalized;
3. be enabled to critique developmental policy or projects proposals;

4. be able to advise and assist PSUs and private companies to see to it that the benefit of development reaches the socio-economically weaker sections;
5. be able to advocate for and advise the development affected people and file petitions before the court for the sake of socio-economic justice for them.

TEACHING METHODOLOGY:

The teaching methodology for this course shall consist of -

1. lectures, seminars, group discussions, class presentations etc. which will be within the setting of the Centre/institute;
2. fieldwork, drafting of project proposals and research component will be included to provide hands on experience to the students.

COURSE CONTENT:

i. INTRODUCTION

- a) Concept of Development From Constitutional Perspective
- b) Preamble of the Constitution of India
- c) Fundamental Rights of the Constitution of India
- d) Directive Principles of State Policy of the Constitution of India
- e) Schedule V and VI of the Constitution of India
- f) Concept of sustainable development: International perspective

ii. THEORIES OF DEVELOPMENT

- a) Economic theories of development
- b) Cultural theories of development
- c) Legal theories of development

iii. LAW AND DEVELOPMENT RELATION

- a) Legislations relating to development
- b) Conflict of rights and interest of peoples
- c) Redressal mechanisms

iv. DEVELOPMENT AND ITS IMPACT

- a) Land acquisition for development and Displacement
- b) Humanising displacement through effective Rehabilitation & Resettlement
- c) Other impacts of development

v. ASSESSMENT OF DEVELOPMENT PROJECTS

- a) Environmental Impact Assessment
- b) Social Impact Assessment

SEMESTER IV

COURSE CODE: 401C

COURSE TITLE: LAW AND SOCIAL TRANSFORMATION

CREDIT: 4, MARKS: 100

(IA-40, UE-60)

COURSE OBJECTIVE:

This course is designed to study – (a) awareness of Indian approaches to social and economic problems in the context of law as a means of social control and change and (b) to examine how law and legal institutions can be used to combat social oppression and inequalities in Indian Society.

UNIT I:

Law and Social Transformation-

- i. Law as an instrument of social change
- ii. Law as the product of traditions and culture. Criticism and evaluation.

UNIT II:

Law and its Inter-relationships with Religion, Language, Community and Regionalism

Religion, language, community and regionalism as divisive factors

Responses of law to-

- i. Religion - Secularism as a solution to the problem.
- ii. Language - through constitutional guarantees
- iii. Community - through non-discrimination
- iv. Regionalism - through unity
- v. Non-discrimination and protective discrimination (reservation)

UNIT III:

Gender Justice

Women and the Law-

- i. Crimes against woman
- ii. Empowerment of woman: Constitutional and other legal provisions
- iii. Surrogacy

UNIT IV:

Third gender and law

Children and the Law-

- i. Child labour
- ii. Child abuse
- iii. Children and education

UNIT V:

Reform of court processes- Criminal law Plea bargaining; compounding and payment of compensation to victims, Prison reforms.

Alternative approaches to law

The jurisprudence of Sarvodaya- Gandhi, Vinoba Bhave; concept of grama nyayalayas

SUGGESTED READINGS:

1. Oliver Mendelsohn, Law and Social Transformation in India (Oxford University Press, 2015).
2. P. Ishwara Bhat, Law and social transformation in India (Eastern Book Co., 1st ed., 2009).
3. Krishna Pal Malik and Dr. Kaushik C Raval, Law and Social Transformation in India (Allahabad Law agency, 2014).
4. Durga Dass Basu, Commentary on The Constitution of India (Lexis Nexis, wadhwa, Nagpur, 2011).
5. Flavia Agnes, Law and Gender Inequality: The Politics of Women's Rights in India (Oxford University Press, 2001).
6. Sunil Deshta and Kiran Deshta, Law and Menace of Child Labour (Arnol Publications, Delhi, 2000)
7. Marc Galanter (ed.), Law and Society in Modern India (Oxford Uni. Press, 1997).
8. Robert Lingat, The Classical Law of India (Oxford Uni. Press, 1998).
9. Upendra Baxi, The Crisis of the Indian Legal System (Vikas Publishing House, New Delhi, 1982).
10. Upendra Baxi (ed.), Law and Poverty Critical Essays (N M Tripathi, Bombay, 1988).
11. Duncan Derret, The State, Religion and Law in India (1999). Oxford University Press, New Delhi.
12. Indian Law Institute, Law and Social Change : Indo-American Reflections (Tripathi, Bombay, 1988).

SEMESTER IV

COURSE CODE: 402C

COURSE TITLE: INTELLECTUAL PROPERTY RIGHTS

CREDIT: 4, MARKS: 100

(IA-40, UE-60)

COURSE OBJECTIVE:

(a) to examine the definition and legal basis of IPRs in its broadest sense including patents, copyrights, trademarks, geographical indications, and designs; (b) to study the evolution of IPRs as an international legal norm and its implications at the global level with specific focus on the concerns of developing countries, including India. (c) to study the emerging new interpretations and consequent implementation issues relating to IPRs within multilateral and regional treaty framework and to examine and identify the conceptual and jurisprudential aspects with specific focus on cases and case studies at the national and international level. (d) to understand the implications of emerging global IPR regime on frontier research areas such as traditional knowledge, biodiversity, biotechnology, digital/computer technology, internet and domain name.

UNIT I:

Understanding Intellectual Property Rights.

Concept, Kinds and Evolution of IPR, Changing Dimensions of IPR, Globalization and IPR. TRIPs and IPR Regime – the context, genesis and implementation issues.

WTO and Dispute Settlement Mechanism.

Enforcement of IPRs – civil, criminal and administrative remedies.

UNIT II:

Law of Trademarks and Geographical Indication

Introduction to Trade Marks Law

Registrations of Trade Marks: Requirements for Registration, Refusal for Registrations

Goodwill, Doctrine of Passing-off – actions and its development in India

Domain Names Dispute and Cyber squatting

Geographical Indications

UNIT III:

Law of Copyright and Industrial Design

Fundamentals of Copyright, Subject Matter of Copyright, International Treaties and Conventions

Economic Rights and Moral Rights

Doctrine of Fair Dealing

Neighboring Rights

Infringement of Copyright and Remedies

Industrial Design: International Regime; Salient features of Design Act, 2000

UNIT IV:

Law of Patents including Law on Protection of Bio-Diversity, Farmers Rights and Traditional Knowledge

Evolution of Patent Law in India, Salient Features of Patent Act, 1970

Patentability criteria, Remedies for infringement, Term of protection

Patent in International Regime: Conventions and Treatise (Relevant Provisions under TRIPS Agreement, 1994)

UNIT V:

Protection of Traditional Knowledge, Issues of Bio-piracy – Infringements & Remedies

Bio-Diversity Act, 2002 (Salient Features and other Relevant Sections)

Salient Features of Protection of Plant Varieties & Farmer's Rights Act, 2000

SUGGESTED READINGS:

1. V.K. Ahuja, Intellectual Property Rights in India (Lexis Nexis, Butterworths, Wadhwa, Nagpur, 2015).
2. Alka Chawla, Copyright and Related Rights: National and International Perspectives (Macmillan India Ltd., Delhi, 2007).
3. Alka Chawla, Law of Copyright: Comparative Perspectives India (Lexis Nexis, Butterworths, New Delhi, 2013).
4. David Bainbridge, Intellectual Property, 9th Edition (Pearson Education, Delhi, 2012).
5. Elizabeth Verkey, Law of Patent (Eastern Book Company, Lucknow, 2005).
6. Holyoak & Torremans, Intellectual Property Law (Oxford University Press, NY, 2016).
7. Kailasam & Vedaraman, Law of Trade Marks & Geographical Indications (Wadhwa, Nagpur, 2009).
8. Latha R Nair and Rajendra Kumar, Geographical Indications: A Search for Identity (Lexis Nexis, New Delhi, 2005).
9. Lionel Bentley and Brad Sherman, Intellectual Property Law (Oxford University Press, New Delhi, 2003).
10. Rami M. Olwan , Intellectual Property Rights and Development: Theory and Practice (Springer, 2013).
11. Srividhya Ragavan, Patent and Trade Disparities and Developing Countries (Oxford University Press, 2012).
12. Tanya Aplin & Jennifer Davis, Intellectual Property Rights Law (Oxford University Press, New York, 2009).

SEMESTER IV

COURSE CODE: 404E (Gr.-A, B & C)

COURSE TITLE: DISSERTATION

CREDIT: 4, MARKS: 75

Dissertation (Submission of Research Paper): 75 Marks

Dissertation of each student should be on topics from the area of specialization chosen, and approved by the Departmental Committee. The dissertation is expected to be an in depth and critical analysis of a legal problem of contemporary significance in the field chosen by the candidate and must incorporate copious reference to judicial decisions, articles and books relevant to the topic in the form of footnotes and bibliographical references. Typed and bound dissertations shall be of uniform pattern. Font size 12, New Times Roman, single space, margin 1", A4 paper, minimum 80 and maximum 100 pages. 4 copies of the Dissertation shall be submitted to the University prior to submitting the form of Semester IV Examination of LL.M Course.

LL.M students are required to follow the steps given below for preparation of Dissertation:

1. Title of the study
2. Problem of the study
3. Objectives of the study
4. Hypothesis
5. Review of Literature
6. Operational concepts and variables of the study
7. Research Design-
 - a. Nature / Type of the study
 - b. Method of data collection
 - c. Sources of data collection
8. Limitations of the study
9. Possible contribution of the study
10. Chapterisation

LL.M students are required to follow the following structure:

1. Cover
2. Cover Page, Certificate, Acknowledgement, List of Case Laws, List of Tables, Abbreviations, Contents.
3. Chapter I: Introduction (Theoretical Background and Research Methodology)
4. Chapter II to Chapter V
5. Chapter VI: Conclusions (Major Findings and Suggestion)
6. Bibliography (Books, Journals, News papers, Websites, Research Reports, Magazines etc.

7. Annexures (Interview Schedules, Questionnaires, Master Charts, Acts, Bills, Maps etc.)

SEMESTER IV

COURSE CODE: 405 (INTER)

COURSE TITLE: APPLICATION OF COMPUTER IN LAW

CREDIT: 2, MARKS: 50

(IA-20, UE-30)

(Not For Law Students)

NOTE:

- a) Nine questions shall be set in all, two questions from each unit I-IV and one compulsory question from unit-V.
- b) The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- c) The Candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question no. 9 in Unit- V shall be compulsory.
- d) Each question in Unit I-IV shall carry 15 marks and question no. 9 in Unit -V shall carry 20 Marks.

UNIT I:

Elements of Computer Processing System, Hardware CPU, Storage Device & Media VDU, I/O Device, Disk concepts-formatting, booting, Partitioning, DAT, Directory, Data Communication Equipment.

Software, System Software, Application Software, DBMS, RDBMS< And ERP package.

UNIT II:

Operating System: Concept as A Resource Manager and Coordinator of Processor, Device and Memory, Concept of Priorities, Protection and Parallelism, Command Interpreter, Typical Command of DOS & Unix GUI Windows.

UNIT III:

Computer and Communication: Single User, Multi-user, Workstation, Client Server System, computer Network, Network Protocols, LAN, MAN

UNIT IV:

Internet: Structure of Internet, Connectivity, Methods, Internet Service- E-mail, WWW, Mailing

List, Usenet, DTP, Telnet, Chatting, Conferencing, Telephony.

UNIT V:

Practical

Microsoft Office 2000

SUGGESTED READINGS:

1. Rajaraman V.: Fundamentals of Computers (3rd ed.) Prentice hall of India, New Delhi, 1999.
2. Sander D.H.: Computers today Mc. Graw Hill, 1988.
3. Trainer: Computers (4th ed.) Mc. Graw Hill, 1994.
4. P.K. Sinha: Fundamental in Computing.
5. Sushil Goel: Computer Fundamental.
6. S. Jaiswal: Basic in Computers.
7. S. Dasgupta: Computer Fundamental.
8. Suresh K. Basandra: Computers Today.
9. Peter- Notron's: Computers Today.
10. A.K. Sharma: Fundamentals in Compters.
11. Complete Reference in MS-Office.

SEMESTER IV

COURSE CODE: 406 (INTRA)

COURSE TITLE: CONSUMER PROTECTION LAWS

CREDIT: 3, MARKS: 50

(IA-30, UE-45)

UNIT I:

Consumer movements:

- i. Historical perspectives
- ii. Common law protection
- iii. Consumerism in India: food adulteration drugs and cosmetics essential commodities.
- iv. Criminal Sanction: Sale of noxious and adulterated substances false weights and measures.

The concept of Consumer:

- i. Use of unsafe carriers.
- ii. General perspectives
- iii. Statutory and Government Services to be included or not?
- iv. Definition and Scope: the Consumer Protection Act, 1986 (C.P.A)
- v. Who is not a consumer?

UNIT II:

Unfair Trade Practices:

- i. Misleading and false advertising
- ii. Unsafe and hazardous products.
- iii. Disparaging competitors
- iv. Business ethics and business self-regulation.
- v. Falsification of trade marks.

Consumable goods:

- i. Meaning of defects in goods.
- ii. Standards of purity, quality, quantity, and potency.
- iii. Statutes: food and drugs, engineering and electrical goods.
- iv. Common law: decision of courts.
- v. Price control.
- vi. Administrative fixation.
- vii. Supply and distribution of goods.

UNIT III:

Supply of essential commodities:

- i. Quality control

- ii. Sale of goods and hire purchase Law
- iii. Prescribing standards of quality- BIS and Agmark, Essential commodities Laws.

Consumer safety:

- i. Starting distribution and handling of unsafe and hazardous products.
- ii. Insecticides and pesticides and other poisonous substances.

UNIT IV:

Services:

- i. Deficiency- meaning
- ii. Professional services
 - a) Medicals Services
 - b) How to determine negligence
 - c) Violation of Statute
 - d) Denial of medical service: violation of human rights
 - e) Lawyering services: duty – towards - court and duty to client dilemma break of confidentiality- negligence and misconduct.
- iii. Public Utilities
 - a) Supply of electricity
 - b) Telecommunication and postal services
 - c) Housing
 - d) Banking

Commercial Services:

- i. Hiring
- ii. Financing
- iii. Agency services

UNIT V:

Enforcement of Consumer Rights, and Evolution of Consumer

Rights and Redressal of Consumer Grievances:

- i. Different Consumer forum under C.P.A.: Jurisdiction, powers, and functions
- ii. Execution of order
- iii. Judicial review
- iv. PIL
- v. Class action
- vi. Remedies

RECOMMENDED BOOKS:

1. D.N. Saraf: Law of Consumer Protection in India.
2. R.M. Vats: Consumer and the Law.
3. S.K. Singh: Consumer Protection in India.
4. M.N. Shukla: Law of Torts and Consumer Protection Act.