

**DETAILED SYLLABUS FOR LAW PAPERS IN  
SEMESTER II**

S.No.	Course Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
1	LLB-201	Law of Contract II	3	1	0	4
2	LLB-202	Law of Torts & Consumer Protection Act	3	1	0	4
3	LLB203	Legal English and Legal Language	3	1	0	4
4	BBA202	Human Resource Management	2	1	0	3
5	BBA203	Marketing Management	2	1	0	3
6	BBL102	Cost Accounting	2	1	0	3
7		Business Ethics & CSR	1	1	0	2
8	BSD281	Skill Development I	0	0	2	1
9	BSD282	Project & Seminar	0	0	2	1
<b>TOTAL CREDIT</b>						
			26			

**LAW OF CONTRACTS – II**

**Module 1- The Contract Act, 1872**

- Indemnity
  - Definition and nature
  - Extent of liability
  - Commencement of liabilities
- Guarantees
  - Definitions and essential features
  - Extent of Surety's liability
  - Discharge of surety from liability
  - Rights of surety
- Bailment
  - Definition and essential features
  - Duties of bailer and bailee
  - Rights of bailee.
- Agency
  - Definition and essentials
  - Creation of Agency
  - Relation of Principal and Agent – Rights and Duties of agents
  - Relation of Principal with third party – Agent's Authority
  - Rights and liabilities of undisclosed principal
  - Personal liability of Agent – rectification
  - Determination of Agency

**Module 2- The Specific Relief Act, 1963**

- Nature of specific reliefs
- Recovering possession of property

- Specific performance of contracts
- Contracts which can and which cannot be specifically performed
- Rescission of contract
- Cancellation of instruments
- Rectification of instruments
- Declaratory Decrees
- Injunction
  - Preventive relief- temporary and perpetual injunctions
  - Mandatory injunction

### **Module 3 -The Partnership Act, 1932**

- General
  - Definition and nature of Partnership.
  - Essential elements of Partnership.
- Formation of Partnership
  - Partnership Deed.
  - Registration of firm – Consequences of non-registration.
- Rights and Liabilities of Partners
  - Mutual relationship between partners
  - Authority of Partner
- Admission and Outgoing of Partners
- Dissolution of Firms
  - Grounds
  - Consequences

### **Module 4- The Sale of Goods Act, 1930**

- General
  - Definitions – Buyer, Seller, Goods.
  - Essentials of Sale, Sale and Agreement to sell.
- Conditions and Warranties – Doctrine of Caveat Emptor.
- Transfer of ownership
  - Passing of property
  - Transfer of title by non – owner
- Performance of Contract of Sale – Delivery
- Rights and liabilities of Buyers and Sellers.
  - Right of Unpaid Seller of goods

## **LAW OF TORTS INCLUDING CONSUMER PROTECTION LAWS AND MOTOR VEHICLES ACT**

### **Module I: An Introduction to the Law of Torts**

- Definition of Tort
- Distinction between Tort and other branches of law
- Interests protected by the Law of Torts
- Common Elements of Wrong doing:
  - ✓ Act,
  - ✓ Omission,

- ✓ Malice,
- ✓ Motive,
- ✓ Recklessness etc
- Legal Principles:
  - ✓ Damnum Sine Injuria,
  - ✓ Injuria Sine Damno,
  - ✓ Ubi Jus Ibi Remedium.

### **Module II: General Defences**

- Volenti Non Fit Injuria
- Plaintiff is Wrongdoer
- Inevitable Accident
- Act of God
- Private Defence
- Mistake Necessity
- Statutory Authority
- Act of State

### **Module III: Liability under Tort**

- Fault Liability
- Strict Liability
- Absolute Liability
- Vicarious Liability
- State Liability- Constitutional Torts

### **Module IV: Specific Torts: Trespass, Nuisance and Negligence**

- Tort of Trespass- to Person, Land and Goods
- Tort of Nuisance- Private and Public
- Tort of Negligence- Duty of Care and Breach of Duty, Causation and Remoteness of Damage, Professional Negligence.

### **Module V: Dignitary Torts**

- Defamation- Basic principles and defenses
- Breach of Confidence
- Privacy- an emerging tort

### **Module VI: Remedies under Torts**

- Damages
- Injunction
- Specific Restitution of Property

### **Module VII: Consumer Protection under Tort Law**

1. Introduction to Consumer Protection Act, 1986
2. Structure of Consumer Forum- National, State and District Fora
3. Who is a 'consumer' under CPA? What are their rights?
4. What are 'Services' under CPA? What is known as 'Deficiency in Services'?

### **Module VIII: Motor Vehicles Act, 1988**

- Liability without fault in certain cases
- Insurance of Motor Vehicles against third party risks

- Offences, Penalties and Procedures

**Bare Act:**

1. The Indian Contract Act 1872
2. The Sale of Goods Act 1930
3. The Specific Relief Act 1963
4. The Partnership Act 1932
5. The Consumer Protection Act, 1986
6. The Motor Vehicles Act, 1988

**Suggested Readings:**

1. Avtar Singh - Law of Contract
2. Pollock and Mulla - Indian Contract Act
3. N D Kapoor – The Mercantile Law
4. Anson, Anson's Law of Contract

**LEGAL LANGUAGE**

**MODULE -I – Characteristics of Legal Language**

- Meaning of Legal Language
- Scope and Domain of Legal Language
- Problems of Legal Language
- Legal Language in India
- Official Language- the Constitutional Position (Articles 343to 347,348,350,351)

**MODULE -II – Legal Terminology** Ad hoc, Ad interim, Animo attestandi, Alibi, Ad valorem, Ambiguitas – patent, Ambiguitas – latents, Amicus Curiae, Animus possidenti, Bona Fide(s), Corpus juris civilis, Caveat emptor, De facto, De jure, Detenu, En masse, Ex officio, Ex-cathedra, Ex-parte, Ex-gratia, En-route, Ens legis, Ex post facto, Factum valent, In pari delicto, In pari material, In lieu of, In personam, In rem, Inter se, Impasse, In situ, Inter alia, In toto, Ipso facto, Intra vires, Jure Divino, Jus in rem, Jus ad rem, Jus tertii, Jus in re aliena, Jus in re propria, Jus gentium, Jus natural, Laissez faire, Legalis homo, Lex loci, Locus standi, Magnum bonum, Magnum opus, Mala fides, Modus operandi, Mutatis and mutandis, Note bene, Novus homo, Onus probandi, Obiter dictum, Prima facie, Quid pro quo, Res integra, Res nullius, Sine qua non, Socius criminis, Sans, Status quo, Suo motu, Ultra vires, Vox populi vox dei.

**MODULE -III – Legal Maxims**

Actus dei nemini facit injuriam , Actus non facit reum nisi mens sit rea , Actus personalis moritur cum persona , Audi alteram partem , Communis error facit jus , Damnum sine injuria ,Delegates non potest delegare , Ex turpi causa non oritur action ,Falsus in uno falsus in omnibus ,Generalia specialibus non derogant ,Ignorantia facit excusat ignorantia juris non excusat ,Injuria sine damno ,Nemo dat quod non habet ,Novus actus interveniens or nova causa interveniens ,

Noscitur a sociis ,Par in partem imperium non habet ,Qui facit per alium facit per se ,  
Respondeat superior ,Res ipsa loquitur , Res non potest peccare , Ubi jus ibi idem remedium  
,Vigilantibuset non domientibus, jura subveniunt ,Volenti non fit injura

#### **MODULE -IV – Fundamental Principles of Legal Writing**

Concision, clarity and cogency ,Simplicity of structure, Title, Heading, Use of italics, Numbers,  
Definition of terms, Contractions, Use of first person, Ellipses & alterations, Citations,  
references and foot notes

#### **MODULE-V – Legal Drafting in English**

Notices, Affidavit, Agreement, Complaint, Written statement,

#### **MODULE -VII – Figure of Speech**

Simile, Metaphor, Personification, Apostrophe, Hyperbole, Euphemism, Antithesis, Oxymoron,  
Epigram, Irony, Pun, Metonymy, Synecdoche, Transferred epithet, Litotes, Interrogation,  
Exclamation, Climax, Anti-climax.

#### **MODULE VIII**

Generalia specialibus non derogant, Ignorantia facit excusat ignorantia juris non excusat, Injuria  
sine damno, Nemo dat quod non habet, Novus actus interveniens or nova causa interveniens,  
Noscitur a sociis, Par in partem imperium non habet, Qui facit per alium facit per se ,  
Respondeat superior , Res ipsa loquitur, Res non potest peccare, Ubi jus ibi idem remedium,  
Vigilantibuset non domientibus, jura subveniunt, Volenti non fit injura

#### **Reference Books**

- a. Legal Language – Dr. Madabhishi Sridhar
- b. Legal Language and Legal Writing – S. K. Mishra
- c. Legal Language, Legal writing and general English – Prof. Dr. Saria Gupta and B. P. Agrawal
- d. Outline of Legal language in India – Dr. Anirudh Prashad
- e. Legal Language and Legal rights – S. N. Mishra
- f. Legal language and Legal rights – Tandon
- g. English Grammar – Wren and Martin

**DETAILED SYLLABUS FOR LAW  
PAPERS IN  
SEMESTER IV**

S.No.	Course Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
1	LLB401	Constitutional Law II	3	1	0	4
2	LLB402	Family Law II	3	1	0	4
3	LLB403	Law of Crimes II	3	1	0	4
4	BBA401	Statics for Management	2	1	0	3
5	BBA402	E- Commerce and WT	2	1	0	3
6	BBL403	International Trade And Commerce	2	1	0	3
7		Management Practices & Entrepreneurship	1	1	0	2
8		Skill Development II	0	0	2	1
9	BSD481	Seminar	0	0	2	1
<b>TOTAL CREDIT</b>						25

**CONSTITUTIONAL LAW-II**

**Module-I: Introduction to Citizenship**

- Meaning of Citizenship
- Citizenship at the commencement of the constitution (Article 5,6,7)
- Citizenship under the Citizenship Act, 1955
- Issues related to citizenship

**Module-II: Fundamental Rights (General)**

- Origin and development of Fundamental Rights
- Widest interpretation of Provision of Part III
- Suspension of Fundamental Rights
- Definition of “state” (Article 12)
  - ✓ Judicial interpretation in defining the scope and ambit of state
  - ✓ Is Judiciary included in the word “state”

[Cases- University of Madras v Santa Bai, Electricity Board, Rajasthan v. Mohan Lal, Sukhdev Singh v. Bhagatram, R.D. Shetty v The International Airport Authority of India, Ajay Hasia v Khalid Mujib, Pradeep Kumar Biswas v. Indian Institute of Chemical Biology, Zee Telefilms Ltd v. UOI, Naresh v. State of Maharashtra, A.R. Antulay v. R.S.Nayak]

**Module- III: Interpretation of Constitution**

- Law inconsistent with Fundamental Rights (Article- 13)
- Meaning and Basis of Judicial Review
- Conceptual analysis and comparison with US model
- Application and Rules of Interpretation of Article 13
  - ✓ Voidness arising out of Lack of Legislative Competence

- ✓ Doctrine of Severability
- ✓ Doctrine of Eclipse
- ✓ Doctrine of waiver
- Is Constitutional amendment a 'law' under Article- 13

[Cases- Marbury v Madison, A.K. Gopalan v. State of Madras, State of Bombay v Balsara, R.M.D.C v. Union of India, Bhikaji v State of M.P, Shankari Prasad v UOI, GolakNath v State of Punjab, Kesavananda Bharti v State of Kerala]

#### **Module- IV: Right to Equality (Article 14-18) and Right to Freedom (19-22)**

- Introduction
- Conceptual Analysis of Equality before Law and Equal Protection of Law
- Article 14 permits classification but prohibits class legislation
- Test of Reasonable Classification
  - [Cases- Ramkrishna Dalmia v Justice Tendulkar, E.P. Royappa v. State of Tamil Nadu, Maneka Gandhi v UOI, R.D. Shetty v. Airport Authority]
- Article 14 and Legitimate expectation
  - [Cases- Council of Civil Services Unions v. Minister for the Civil Services, Navjyoti Co-op. Group Housing Society v. UOI, FCI v M/s Kamdhenu Cattle Feed Industries, National Building Construction Corporation v. S. Ranghu Nattam)
- Non- Discrimination on the Grounds of Religion, Race, Caste, Sex or Place of Birth (Article- 15)
 

[State of U.P v Pradeep Tandon, Dr. Priti Shrivastav v. State of M.P]
- Equality of Opport Moduley in Public Employment (Article- 16) [Case: State of Kerala v N.M. Thomas]
  - ✓ The Mandal Case
  - ✓ Position after Mandal case
  - ✓ Creamy Layer Concept

[Indira Sawhney v Union of India, Post Graduate Institute of Med. Ed. & Res. V. Faculty Association, E.V. Chinnaiah v state of A.P, Ashok Kumar Thakur v. UOI, M. Nagraj v UOI]

  - ✓ Reservation in Promotions (77<sup>th</sup> Amendment, 81<sup>st</sup> Amendment, 85<sup>th</sup> Amendment)
- Abolition of Untouchability (Article- 17) [case- PUDR v UOI]
- Abolition of Titles (Article- 18)

#### **Right to Freedom (19-22)**

- Introduction
- The Six Freedom
  - ✓ Freedom of Speech and Expression
 

[cases- National Anthem case, Bennett Coleman vs UOI, UOI v Navin Jindal, UOI v ADR]
  - ✓ Freedom of Assembly
  - ✓ Freedom to form Association
 

[Cases- Dharam Dutt v UOI, O.K.A Nair v UOI, Delhi Police Non-Gazetted Karmachari Sangh v. UOI]
  - ✓ Freedom of Movement [Cases- CPI(Marxist) v Bharat Kumar]
  - ✓ Freedom of Residence
  - ✓ Freedom of Profession, Occupation, Trade or Business
 

[P. A. Inamder v State of Maharastra, B.R. Enterprises v State of U.P, Noise Pollution, *In re* , T.M.A.Pai Foundation v State of Karnataka

- Conceptual clarity of Reasonable Restriction.
- Instance of Reasonable Restrictions.
- Instances of Unreasonable Restrictions.
- Protection in Respect of Conviction for offences (Article 20)
  - ✓ Ex-post Facto law
  - ✓ Double Jeopardy
  - ✓ Protection against Self-Incrimination

[Cases- Nandani Sathpathy v. P.L. Dani, Sampath Kumar v E.O. Enforcement Directorate, Madras]

### **Protection of Life and Personal Liberty (Article 21)**

- Introduction
- Prior to Maneka Gandhi Decision
- Maneka Gandhi's Case- A new Dimension
- Post Maneka Gandhi Case

[Cases- A.K. Gopalan case, Kharak Singh Case v State of Punjab, Maneka Gandhi v. UOI, Francis Coralie v. Delhi Administration, Sunil Batra case, Hussainara Khatoon case, Olga Tellis v Bombay Municipal Corporation, M.C Mehta v UOI, PUDR v UOI, PUCL v UOI]

- Judicial Activism with Article 21
- Right to Education (Article- 21A) (Cases- Mohini Jain and Unni Krishnan case v State of A.P)
- Safeguards Against Arbitrary Arrest and Detention (Article- 22)

[Cases- Joginder Kumar v State of U.P, D.K.Basu v State of W.B]

### **Module-V: Right against Exploitation (Article 23-24) and Right to Freedom of Religion (Article 25-28)**

- Prohibition of 'Traffic in Human Beings' and Forced Labour
- Prohibition of employment of Children in Factories

[Cases- PUDR v UOI, Gaurav Jain v UOI, M.C Mehta v State of T.N, Bandhua Mukti Morcha v UOI]

### **Right to Freedom of Religion (Article 25-28)**

- India is a Secular State
  - ✓ Secularism meaning and respect for different Religion
  - ✓ What is Religion
- Restriction on Freedom of Religion
- Freedom to manage religious affairs
- Right to establish and maintain Institution for Religious and Charitable purpose
- Right to manage 'matter of Religion'

[Cases- S. R. Bommai v UOI, M. Ismail Faruqui v UOI, Bijoe Emmanuel v State of Kerala, Bramachari Sidheswarshai v State of W.B, Aruna Roy v UOI]

### **Module VI: Cultural and Educational Rights (Article- 29-30)**

- Distinction between Article 29(2) and Article 15(1)
- Relationship between Article 29(1) and 30(1)
- Unaided minority educational institutions
- Unni Krishnan and St. Stephen's Decision partly overruled

[Cases- Unni Krishnan v. state of A.P, St. Stephen college v University of Delhi, Frank Anthony Public School Employees Association v UOI, T.M.A PAI foundation v state of Karnataka, P.A. Inamdar v State of Maharashtra]



### **Module VII: Right to Constitutional Remedies (Article 32-35)**

- Introduction
- Who can apply
- A Dynamic approach- Origin of Public Interest Litigation
- Abuse of PIL- Guideline by Supreme Court
- Judicial Activism vis-a- vis Judicial Restrain

[Rupa Ashok Hurra v. Ashok Hurra, A.B.S.K Sang (Rly) v. UOI, PUDR v. UOI, Bandhua Mukti Morcha case, Sheela Barse v. UOI, Shiram Food and Fertilizer case, etc]

### **Module VIII: Directive Principle of State Policy (Article 36-51)**

- Introduction
- Objective of DPSP
- Modes of DPSP
  - ✓ Social and Economic Charter [cases-M.C. Mehta case I,II]
  - ✓ Social Security Charter [Unni Krishnan Case, Centre of Legal Research v State of Kerala]
  - ✓ Comm Moduley Welfare Charter [Sarala Mudgal v UOI, Danial Latif v UOI,
- Relation between DPSP and FR
- DPSP given status of FR

### **Module IX: Fundamental Duties (Article 51A)**

- Needs for Fundamental Duties
- Sources of Fundamental Duties
- Fundamental Duties- An aid to Interpretation of constitutional Provisions

[Cases- AIIMS student union v. AIIMS, Aruna Roy v UOI]

### **Bare Acts:**

- The Constitution of India

### **Suggested Readings:-**

1. M.P.Jain, *Indian Constitutional Law*, Wadhwa & Co, Nagpur
2. V.N.Shukla, *Constitution of India*, Eastern Book Company, Lucknow
3. Granville Austin, *Indian Constitution-Cornerstone of a Nation*, OUP, New Delhi
4. H.M.Seervai, *Constitutional Law of India* (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.Subba Rao, *Indian Constitutional Law*, S.Gogia & Co., Hyderabad

## **FAMILY LAW-II**

### **Module- I: Principles of Inheritance under Hindu Law**

- Property Mitakshara and Dayabhaga Schools
- Principles of Inheritance: The Hindu Succession Act, 1956;
- General Rules of Succession of a Hindu Male and Female dying Intestate under the Hindu Succession Act;
  - ✓ Stridhan and Women's Estate;
  - ✓ Gifts and
  - ✓ Testamentary Succession-Wills.
- Formation and Incident under the Coparcenary Property under Dayabhaga and Mitakshara:
  - ✓ Extent and Mode of Succession

- ✓ Karta of Joint Family: Position, Powers and Privileges
- ✓ Debts: Doctrine of Pious Obligation and Antecedent Debts

### **Module- II: Partition under Hindu Law**

- Meaning,
- Division of Right and Division of Property
  - ✓ Persons Entitled to Demand Partition
  - ✓ Partition how Effected
  - ✓ Suit for Partition
  - ✓ Re-opening of Partition
  - ✓ Reunion

### **Module: III Principles of Inheritance under Muslim Law**

- Shia and Sunni schools; Distribution of property
- Muslim Law of Property
  - ✓ Meaning and Concept of Will (Wasiyat),
  - ✓ Formalities,
  - ✓ Will (Wasiyat) made in deathbed or during illness

### **Module: IV: Gift (Hiba)**

- Concept,
- Formality,
- Capacity,
- Revocability

### **Module: V: Wakf**

- Concept of wakf
  - ✓ Essential conditions
  - ✓ Kinds of Wakf
  - ✓ Creation of Wakf and its essentialities
  - ✓ completion
  - ✓ Legal consequences
  - ✓ Difference between conditional Wakf and Contingent Wakf
  - ✓ Revocation
- Mutawali
  - ✓ Definition
  - ✓ Competency and Incompetency of Mutawali
  - ✓ Appointment
  - ✓ Removal
  - ✓ Procedure of Removal

### **Bare Acts**

1. *The Hindu Marriage Act, 1955*
2. *The Hindu Adoption and Maintenance Act, 1956*
3. *The Hindu Succession Act, 1956*
4. *The Special Marriage Act, 1954*
5. *The Dissolution of Muslim Marriages Act 1939*
6. *The Muslim Women (Protection of Rights on Divorce) Act 1986*

### **Suggested Readings:**

1. Paras Diwan - Family Law ,Allahabad Law Agency, Faridabad

2. Mulla -Hindu Law, Butterworth Publication
  3. Mulla- Mohammedan Law Butterworth co.
  4. Myneni, S R, Muslim Law(other Muslim Law, Family Law II)
  5. A.A.A Fyzee- Outline of Mohammedan Law.
  6. Hidayatulla, M, Principles of Mohammedan Law.
  7. A.M Bhattacharjee-Muslim Law and Constitution, Easter Law House, Calcutta.
- Subzari's, Hindu Law(ancient &modified).Ashok Grover & Sons ,Aurangabad

**CRIMINAL LAW PAPER-II**  
**(CRIMINAL PROCEDURE CODE, and**  
**Probation of offenders act and Juvenile Justice Act)**

**Module I: Introduction**

- The Code of Criminal Procedure, 1973: Object, Scope and Extent of Cr.P.C.
- Definitions.
- Constitution of criminal courts and their powers.
- The importance of fair trial.
- The organization of Police, Prosecutor and Defence Counsel
- Distinction between cognizable and non-cognizable offences.
- Warrant and Arrest:
  - Power to Investigate
  - Steps to ensure presence of accused at trial :
    - ✓ Warrant and Summons cases.
    - ✓ Arrest with and without Warrant (Section 70-73 and 41).
    - ✓ The absconder status (section 82, 83, and 85).
    - ✓ Rights of arrested persons under Cr.P.C, and Article 22 (2) of the Constitution of India.

**Module II: - Pre-Trial Process:**

- Search and Seizure:
  - Search Warrant (section 83, 94,97, 98) and Search without warrant:
  - Police search during investigation (section 165, 166, 153).
  - General Principles of Search (Section-100) and Seizure (Section-102):  
Constitutional aspects of validity of Search and Seizure proceedings.
  - F.I.R (Section-154).
- Commencement of Proceedings (section 200, 201, 202).
- Dismissal of Complaint (section 203, 204).
- Bail, Bailable and Non-bailable Offences (section 436, 437, 438):
  - Cancellation of Bails (section 437 (5)).
  - Anticipatory Bail (section 438).
  - Appellate bail powers (section 389 (1), 395 (1), 437 (5)).
  - General Principles concerning Bail Bond (section 441 - 450).

**Module III: -Fair Trial:**

- Concept of fair trial.
- Presumption of innocence.
- Venue of trial Jurisdiction of Criminal Courts.
- Rights of accused (Section-221-224)-Constitutional Interpretation of Article 21 as a right to speedy trial.

- Charge.
- Form and content of Charge (section 211, 212, and 216).
- Separate charge for distinct offence (section 218, 219, 220, 221, 223).
- Discharge – pre- charge evidence.
- Preliminary pleas to bar trial.
  - Jurisdiction (section 26, 177- 189, 461, 462, 479).
  - Time Limitation (section 468 - 473).
  - Pleas of *Autrefois Acquit and Autrefois Convict* (section 300 and Art 22d).
- Compounding of offences.
- Trial before a Court of Session: Procedural steps and substantive rights.
- Summary trial (Sec 260-265).

#### **Module IV: Judgment:**

- Form and content (section 354).
- Post conviction orders in lieu of punishment(section 360, 361, 31):
  - Emerging penal policy of Plea Bargaining.
- Modes of providing judgment (section 353, 362, and 363).
- Compensation and cost (section 357,358).
- Appeals, review and revisions-Reforms in Criminal Procedure Code:
  - Appeal before Supreme Court of India and High Courts (section 374, 379) and (Article 31,132, 134, 136 of constitution of India)
  - Appeal to Sessions Court (section 374)
  - Special right to appeal (section 380)
  - Government appeal against sentencing (section 377, 378)
  - Judicial power in disposal of appeal (section 368)
  - Legal aid in appeals
  - Revisional jurisdiction (section 397- 405)
  - Transfer of cases (section 406, 407)

#### **Module V: Preventive Measures:**

- Removal of Public Nuisance.
- Security Provisions.
- Maintenance of wife, children & parents.

#### **MODULE -VI: Probation and Parole:**

- Authority granting Parole.
- Supervision.
- Conditional release.
- Suspension of sentence.
- Procedure under Probation of Offenders Act, 1958:
  - Salient features of the Act.
- Juvenile Justice System:
  - Juvenile Justice (Care and Protection of Children) Act of 2000.
  - Procedure under Juvenile Justice Act.
  - Treatment and Rehabilitation of Juveniles.
  - Protection of Juvenile Offenders.
  - Legislative and Judicial Role.

**Bare Acts:**

- The Code of Criminal Procedure, 1973.
- The Probation of Offenders Act, 1958.
- Juvenile Justice (Care and Protection of Children) Act, 2000.

**Suggested Readings:-**

1. Ratanlal & Dhirajlal- Criminal procedure Code.
2. Chandrashekar Pillai, Kelkar Lectures on Criminal Procedure Code.
3. S.N.Mishra, The Code of Criminal Procedure
4. Shaileendra Malik, The Code Of Criminal Procedure.
5. R.N. Choudhari, Juvenile Justice in India.
6. K.L.Sethi, The Probation of offender Act, 1958.
7. Woodroffe, Commentaries on Cr.P.C.

**DETAILED SYLLABUS FOR LAW PAPERS IN  
SEMESTER VI**

S.No.	Course Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
1		Interpretation of Statutes	3	1	0	4
2		Intellectual Property Rights	3	1	0	4
3		Corporate Law-II	3	1	0	4
4		Labour Law-II	3	1	0	4
5		Project Management	2	1	0	3
6		Consumer Analysis	2	1	0	3
7		Organizational Development and Knowledge Management	2	1	0	3
8	BSD-681	Skill Development	0	0	2	1
9	BSD-682	Seminar	0	0	2	1
<b>TOTAL CREDIT</b>						
			27			

**Module-1: The Minimum Wages Act, 1948**

- Concept of Minimum Wage, Fair Wage, Living Wage and Need Based Minimum Wage
- Constitutional Validity of the Minimum Wages Act, 1948
- Procedure for Fixation and Revision of Minimum Wages
- Fixation of Minimum Rates of Wage by Time Rate or by Piece Rate

- Procedure for Hearing and Deciding Claims

### **Module -2: The Payment of Wages Act, 1936**

- Object, Scope and Application of the Act
- Definition of Wage
- Responsibility for Payment of Wages
- Fixation of Wage Period
- Time of Payment of Wage
- Deductions which may be made from Wages
- Maximum Amount of Deduction

### **Module -3: The Factories Act, 1948**

- Approval, Licensing and Registration of Factories
- Concept of “Factory”, “Manufacturing Process”, “Worker”, and “Occupier”
- General Duties of Occupier
- Measures to be taken in Factories for Health, Safety and Welfare of Workers
- Working Hours of Adults
- Employment of Young Person and Children
- Annual Leave with Wages
- Additional Provisions Regulating Employment of Women in Factory

### **Module-4: the Employee’s Compensation Act, 1923**

- Definition of Dependant, Workman, Partial Disablement and Total Disablement
- 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
- Amount of Compensation
- Distribution of Compensation
- Procedure in Proceedings before Commissioner
- Appeals

### **Module-5: Retirement Benefits**

- Employee’s Provident fund and miscellaneous provisions Act, 1952
- Employees’ Pension Scheme, 1995 and Family Pension Scheme
- Social Security for the unorganized Sector

### **Bare Acts:**

- The Minimum Wages Act, 1948
- The Payment of Wages Act, 1936
- The Factories Act, 1948
- The Employee’s Compensation Act, 1923

- Employee's Provident fund and miscellaneous provisions Act, 1952

### **Suggested Readings:**

1. Indian Law Institute, *Cases and Materials on Labour Law and Labour Relations*, 1963
2. PL Malik, *Industrial Law*, Eastern Book Company, 2013
3. Dr. Goswami, *Labour and Industrial Law*, Central Law Agency, 2011
4. Surya Narayan Misra, *An Introduction to Labour and Industrial Law*, Allahabad Law Agency, 1978
5. S.C. Srivastava, *Industrial Relations and Labour Law*, Vikas Publishing House, New Delhi, 6<sup>th</sup> Edn., 2012
6. Chaturvedi, *Labour and Industrial Law*, Central Law Agency, 2004
7. S.C. Srivastava, *Commentaries on the Factories Act, 1948*, Universal Law Publishing House, Delhi, 2002
8. H.L. Kumar, *Workmen's Compensation Act, 192*, Universal Law Publishing, 2009

## **CORPORATE LAW- II**

### **Module I: An Introduction to Securities Market**

- Capital Market Intermediaries – Stock broker – Sub-broker – Merchant Bankers – Under writers – Debenture trustees, Debenture Trust Deed – Credit Rating Agencies.
- Regulatory Framework – SEBI – Objective, Power, Functions,
- Securities Appellate Tribunal, Appeal and Appearance before SAT

### **Module II: Declaration & Payment of Dividends**

- Meaning of dividend
- Declaration of dividend u/s 123 of the Companies Act 2013
- Rights of Dividend – rights shares – bonus shares
- Punishment for failure to distribute dividends

### **Module III:**

- ICDR Regulations 2009
- IPO, FPO, Rights Issue, Bonus Issue, Preferential Issue
- Insider trading – SEBI (Prohibition of Insider Trading) Regulations 1992, Objective, Connected Person, Price sensitive information
- Securities Contract (Regulation) Act and Rules
- Listing & Delisting of securities
- Derivatives

### **Module IV: Depository System**

- Depositories Act 1996 – Concept and Benefits,
- Difference between Depository and Custodian,

- NSDL and CDSL
- Dematerialization of securities
- Indian Depository Receipts (ICDR Reg-96 to 106) & American Depository Receipts

### **Module V: Compromises, Arrangements, Reconstruction and Amalgamations**

- Compromise and Arrangement
- Introduction to reconstruction
- Acquisition and Amalgamation by shares purchase
- Power of the Central Government to provide amalgamation of companies in public interest

### **Module VI: Prevention of Oppression and Mismanagement**

- Shareholders Democracy
- Majority Powers and Minority Rights
- Principle of Non-Interference (Rule established in Foss v. Harbottle)
- Protection against Oppression
- Protection against Mismanagement
- Compromise and Arrangement

## **INTERPRETATION OF STATUES**

### **(INTERPRETATION OF STATUTES AND PRINCIPLE OF LEGISLATION)**

#### **MODULE-1 Principles of Legislation**

- Law-making - the legislature, executive and the judiciary
- Principle of utility
- Relevance of John Rawls and Robert Nozick - individual interest to community Interest
- Operation of these principles upon legislation
- Distinction between morals and legislation

#### **MODULE-2 Interpretation of Statutes units 8**

- Meaning of the term 'statutes'
- Commencement, operation and repeal of statutes
- Purpose of interpretation of statutes.

#### **MODULE-3 Aids to Interpretation units 12**

- **Internal aids**
  - Title
  - Preamble
  - Headings and marginal notes.
  - Sections and sub-sections
  - Punctuation marks.
  - Illustrations, exceptions, provisos and saving clauses
  - Schedules



- Non-obstante clause.
- **External aids**
- Dictionaries
- Translations
- Travaux Preparatoires
- Statutes in pari material
- Contemporanea Exposito
- Debates, inquiry commission reports and Law Commission reports

#### **MODULE-4 Rules of Statutory Interpretation**

- Primary Rules
- Literal rule
- Golden rule
- Mischief rule (rule in the Heydon's case)
- Rule of harmonious construction
- **Secondary Rules**
- Noscitur a sociis
- Eiusdem generis
- Reddendo singula singulis

#### **MODULE-5 Presumptions in statutory interpretation units 7**

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

#### **MODULE-6 Maxims of Statutory Interpretation**

- Delegatus non potest delegare
- Expressio unius exclusio alterius
- Generalia specialibus non derogant
- In pari delicto potior est conditio possidentis
- Utres valet potior quam pareat
- Expressum facit cessare tacitum
- In bonam partem

#### **MODULE-7 Interpretation with reference to the subject matter and purpose units 10**

- Restrictive and beneficial construction
  - Taxing statutes
  - Penal statutes
  - Welfare legislation
- Interpretation of substantive and adjunctival statutes
- Interpretation of directory and mandatory provisions
- Interpretation of enabling statutes
- Interpretation of codifying and consolidating statutes
- Interpretation of statutes conferring rights

- Interpretation of statutes conferring powers.

### **MODULE-8 Principles of Constitutional Interpretation**

- Harmonious construction
- Doctrine of pith and substance
- Colourable legislation
- Ancillary powers
- Occupied field
- Residuary power
- Doctrine of repugnancy

#### **Suggested Readings:**

- G.P.Singh, Principles of Statutory Interpretation, (7th Edition) 1999, Wadhwa, Nagpur.
- P. St. Langan (Ed.). Maxwell on The Interpretation of Statutes (1976) N.M.Tripathi, Bombay
- K.Shanmukham, N.S.Bindras's Interpretation of Statutes, (1997) The Law Book Co. Allahabad.
- V.Sarathi, Interpretation of Statutes, (1984) Eastern, Lucknow
- M.P.Jain, Constitutional Law of India, (1994) Wadhwa & Co.
- M.P.Singh, (Ed.) V.N.Sukla's Constitution of India, (1994) Eastern, Lucknow.
- U.Baxi, Introduction to Justice K.K.Mathew's, Democracy Equality and Freedom (1978) Eastern, Lucknow

## **INTELLECTUAL PROPERTY RIGHTS**

### **Module-I Introduction**

- The meaning of intellectual property
- Forms of intellectual property: copyright, trademarks, patents and designs
- New forms as plant varieties and geographical indications
- Introduction to the leading international instruments concerning intellectual property rights: the Berne Convention, Universal Copyright, Convention, the Paris Convention, Trips, the World Intellectual Property Rights Organization (WIPO) and the UNESCO

### **Module-II Law of copyright in India**

- Historical evolution of the copyright law
- Meaning of copyright
- Copyright in literacy, dramatic and musical works
- Copyright in sound records and cinematograph films
- Ownership of copyright
- Assignment and licence
- Copyright authorities
- Infringement of Copy right and remedies including Anton Pillor injunctive relief in

India

### **Module-III Trademarks**

- The rationale of protection of trademarks as an aspect of commercial and of consumer rights, Dilution Theories of trade mark
- Definition and concept of trademarks
- Registration of trademark- authorities under the trademark Act
- Passing off and infringement
- Remedies

### **Module-IV Design**

- The Designs Act, 2000
  - ✓ Definition and characteristics of Design
- Law in India
  - ✓ Protection and rights of design holders
  - ✓ Copyright in design
  - ✓ Registration
  - ✓ Remedies for infringement.
- Trademark and Domain Name Interface

### **Module-V Patents**

- Concepts and Historical view of the patents
- Process of obtaining a patent, authorities
- Procedure for filling patents: patent co-operation treaty
- Prior publication or anticipation
- Rights and obligations of a patentee
- Compulsory licences
- Infringement; defences
- Injunctions and related remedies

### **Module-VI Miscellaneous**

- Geographical indication,
- Plant varieties
  - ✓ Traditional knowledge
  - ✓ Bio piracy,
- Patentability of Biotechnology and micro organize
- New plant culture and breeds Act

### **Bare Acts:**

- The Trademarks Act, 1999.
- The Patents Act, 1970.
- The Copyright Act, 1957.
- The Designs Act, 2000.
- The Geographical Indications of Goods (Registration and Protection), 1999.
- The Protection of Plant Varieties and Farmers Rights Act, 2001.
- The Biodiversity Act, 2002.

**Suggested Readings:**

1. Cornish W.R. Intellectual Property, Patents, Trade Marks, Copy Right and Allied Right, Asia Law House, Hyderabad.
2. Vikas Vashishth, Law and practice of Intellectual Property, Bharat Law House Delhi.
3. P. Narayanan, Intellectual Property Law, (ed) Eastern Law House, Calcutta
4. Bibeck Debroy (ed). Intellectual Property Right, Rajiv Gandhi Foundation, Delhi
5. U.I.F. Anderfelt, International Patent Legislation and Developing Countries
6. W.R. Cornish, Intellectual Property (3rd ed) Sweet and Maxwell
7. K. Thairani, copyright: The Indian Experience.