

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

Sr.No.	Course Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
1	LLB-201	Law of Contract -II	3	1	0	4
2	LLB-202	Constitutional Law-II	3	1	0	4
3	LLB-203	Family Law II	3	1	0	4
4	LLB-204	Law of Crimes-II (Cr.P.C)	3	1	0	4
5	LLB-205	Administrative Law	3	1	0	4
6	LLB-206	Property Law including Transfer of Property Act and Easement Act.	3	1	0	4
7		Business Ethics & CSR	1	1	0	2
7	BSD-281	Skill Development-I	0	0	2	1
8	BSD-282	Seminar	0	0	2	1
9						
<b>Total Credit</b>			18	6	4	28

**LAW OF CONTRACTS – II**

**Module I- 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 – 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 II- 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 III -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 IV- 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

#### **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

#### **Suggested Readings:**

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

Anson, Anson's Law of Contract

## **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. Chinniah 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
  - a. Freedom of Speech and Expression [cases- National Anthem case, Bennett Coleman vs UOI, UOI v Navin Jindal, UOI v ADR]
  - b. Freedom of Assembly
  - c. Freedom to form Association [Cases- Dharam Dutt v UOI, O.K.A Nair v UOI, Delhi Police Non-Gazetted Karmachari Sangh v. UOI]
  - d. Freedom of Movement [Cases- CPI(Marxist) v Bharat Kumar]
  - e. Freedom of Residence
  - f. 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 Hura v. Ashok Hura, 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.

**PROPERTY LAW**  
**(Transfer of Property and Easement Act)**

**Module-I: General Principles pertaining to Movable and immovable property:**

- General Definitions:
  - Immovable Property.
  - Attestation.
  - Notice.
  - Transfer of property (Meaning- Section 5).
  - Meaning of Property in Non-Transferable Properties ((Section 6).
- The concept of Transfer:
  - Persons Competent to Transfer (Section- 7).
  - Incidents of Transfer (Section-8).
  - Oral Transfer (Sections- 9).
  - Conditions Restraining Alienation (Sections 10 to 12).
  - Transfer for Benefit of Unborn Person and Rule against Perpetuity (Sections 13 to 18).
  - Vested and Contingent Interests (Sections 19 and 21).
  - Conditional Transfers (Sections 25 to 29).
  - Doctrine of Election (Section 35).

**Module II: General Principles applicable to transfer of Immoveable Properties only:**

- Transfer by Transfer by ostensible owner (Sections 41)

- Doctrine of Feeding the Grant by Estoppel. (Section-43).
- Restrictive Covenant and Protection of Third Persons Rights (Sections 39 and 40).
- Lis Pendens (Section 52).
- Fraudulent Transfer (Section 53).
- Part-Performance (Section 53A).

### **Module III: Sale of Immovable Property:**

- Sale:
  - Essential features of Sale.
  - Definition:
    - ✓ Sale (Section- 54).
    - ✓ Exchange (Section-118).
  - Rights and liabilities of parties in Sale.
- Mortgages:
  - Definition:
    - ✓ Mortgage,
    - ✓ Mortgagor,
    - ✓ Mortgagee,
    - ✓ Mortgage Money,
    - ✓ Mortgage Deed (Section 58),
    - ✓ Charge (Section 100).
  - Kinds of Mortgage (Section 58).
  - Mode of Formalities for Creation of Mortgage (Section 59).
  - Rights and liabilities of mortgagor and mortgagee.
  - Right to Redeem, Partial Redemption, Clog on Redemption, (Section 60).
  - Marshalling and Contribution (Sections 81 and 82).
  - Subrogation (Sections 91 and 92).
  - Charge (Section-100).

### **Module-IV: Lease of Immovable Property:**

- Lease:
  - Definition:
    - ✓ Lease (Section-105).
    - ✓ License (Section-52 The Indian Easement Act, 1882).
  - Essential features.
  - Kinds of leases.
  - Rights and liabilities of lessor and lessee.
  - How lease is made (Section-107).
  - Determination/Termination of Lease (Section 111).
  - Forfeiture (Section-114).
  - Effect of Holding over (Section 116).
- Exchange (Section- 118).
- Gifts-Definition (Section 122).
  - Different types of gifts.
  - Registration of Gifts.
  - Transfer how affected ((Section 123).
  - Onerous Gift (Section 127).
  - Universal Donee (Section 128).

- Transfer of Actionable Claims (Section-130).

### **Module V: Easements:**

- Definition of easement. (Section-4)
- Acquisition and Kinds of Easements.
- Distinction between Lease and License.
- Dominant and Servient Tenements.

### **Bare Acts:**

- 1) The Transfer of Property Act, 1882
- 2) The Indian Easement Act, 1882

### **Suggested Readings:**

1. Mulla, Transfer of Property Act.
2. Subba Rao, Transfer of Property Act.
3. V.P.Sarathy, Transfer of Property.
4. T.P.Tripathi, Transfer of Property Act.
5. S.N.Shukla, Transfer of Property Act.

## **ADMINISTRATIVE LAW**

### **Module-1: Introduction to Administrative Law**

- Nature and scope of administrative law
- The growth of administrative law
- Relationship between administrative law and constitutional law
- Rule of law
- Separation of powers
- Droit Administratif

### **Module-2: Classification of Administrative Action**

- Pure administrative action
- Quasi-legislative action
- Quasi-judicial action
- Ministerial action
- Administrative instructions
- Administrative discretion

### **Module-3: Rule-Making Power of the Administration/Delegated Legislation**

- Concept of delegated legislation and the need for administrative rule-making
- Classification of delegated legislation
- Restraints on delegation
- Constitutionality of delegated legislation
- Control over administrative rule-making: Parliamentary control – Procedural control – Judicial control

#### **Module-4: Decision-Making or Adjudicatory Power Of The Administration**

- Concept of administrative adjudication and tribunals
- Need for administrative adjudication
- Court of law and the administrative agency exercising adjudicatory powers
- Modes of administrative decision-making
- Problems of administrative decision-making

#### **Module-5: Principles of Natural Justice**

- Rule against bias
- *Audi Alteram Partem*
- Reasoned decisions or speaking orders
- Post-decisional hearing
- Exceptions to the rule of natural justice
- Effect of breach of natural justice

#### **Module-6: Judicial Review of Administrative Action**

- Jurisdiction of the Supreme Court & High Courts
- Public law review principles
- Doctrine of legitimate expectation
- Doctrine of public accountability
- Doctrine of proportionality
- Modes of judicial review
  - Public law review
  - Private law review

#### **Module-7: Governance & People**

- Principles of good governance
  - Transparency and public accountability
  - Right to know
- Remedies for maladministration
  - ✓ Ombudsman
  - ✓ Lokpal & Lokayukta
  - ✓ Central Vigilance Commission (CVC) & Central Bureau of Investigation (CBI)
  - ✓ Global administrative law

#### **Module-8: Liability of the Administration**

- Liability of the administration in contract
- Liability of the administration in tort
- Privileges and immunities of the administration in suits
  - Privilege of notice
  - Privilege to withhold documents
  - Immunity from statute operation
  - Doctrine of promissory estoppels

**Suggested Readings:**

1. M.P. Jain and S.N. Jain, Principals of Administrative Law, Wadhwa and Company, Nagpur.
2. Dr. S. P. Sathe , Administrative Law, Butterworths, New Delhi.
3. Durga Das Basu and A.K.Nandi, Administrative Law, Kamal Law House, Calcutta.
4. H.W.R. Wade and Christopher Forsyth, Administrative Law, Clarendon Press, Oxford
5. A. K. Shrivastav, Administrative Law (2 Vols.), Delhi Kamal Prakashan
6. Indian Law Institute, Cases and Materials on Administrative Law in India
7. J.C. Garner, Administrative Law, Butterworths, New Delhi

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

Sr.No.	Course Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
1	LLB-401	Corporate Law-II	3	1	0	4
2	LLB-402	Labor Law-II	3	1	0	4
3	LLB-403	Interpretation of Statutes	3	1	0	4
4	LLB-404	Arbitration, Conciliation and Alternate Dispute Resolution Systems (Clinical II)	3	1	0	4
5	LLB-405	Law of Crimes- III (Evidence)	3	1	0	4
6	LLB-406	Public International Law	3	1	0	4
		Management Practices & Entrepreneurship	1	1	0	2
8	BSD-481	Skill Development	0	0	2	1
9	BSD-482	Seminar-IV	0	0	2	1
<b>Total</b>			18	6	4	28

**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

#### **Bare Acts:**

- The Companies Act, 2013

#### **Suggested Readings:**

1. Ashwin Labnnai Shah, Lectures on Company Law, Tripathi Pvt. Ltd.; Mumbai
2. Avtar Singh, Indian Company Law, Eastern Book Company, Luknow
3. Ramaiya, Guide to Companies Act (Vol. 1 & 2), Wadhwa & Company, Nagpur
4. S. M. Shah, Lectures on Company Law, Tripathi, Bombay
5. S.S. Gulshan, Company Law, Excel Books
6. Dr. N. V. Paranjape, Company Law, Central Law Agency
7. B.K. Sen Gupta, Company Law, Eastern Law House, Kolkata

## **PUBLIC INTERNATIONAL LAW**

#### **Module–I: Introduction**

- International Law- Origin, Nature and Concept
- Types and jurisprudence of International law
- Relationship between International and Municipal Laws

#### **Module–II Sources**

- Custom
- Treaties
- General Assembly Resolutions
- Juristic Works
- General Principles
- Other Sources

### **Module–III International Law: Nature and working**

- Recognition: Theories, types, withdrawal etc.
- Extradition
- Law of the sea
- Trade and Environment: International law

### **Module-IV: Legal Instruments**

- Vienna Convention on Law of Treaties : Comprehensive view
- Multilateral and bilateral agreements : Types, nature and applicability
- Conventions, protocol, treaties, agreements and other international instruments : Conceptual analysis

### **Module-V United Nations and other International Institution**

- United Nations : origin, nature, working and importance and other organs
- ICJ
- WTO

#### **Suggested Readings:**

1. Starke – Introduction to International Law
2. Oppenheim - International Law
3. H.O. Agarwal- Human Rights And International Law
- 4.S.K.Kapoor- International Law
5. S.K.Avesti And R.P.Kataria-Law Relating To Human Rights.
6. S.K.Verma – Public International Law
7. Nirmal .C.J (Ed.)- Human Rights In India
8. Brownlie – Principles Of International Law
9. Shaw - International Law

## **LABOUR LAW II**

### **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

### **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
- 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

### **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

**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
  - Ejusdem 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

## **CLINICAL PAPER II (ALTERNATIVE DISPUTE RESOLUTION)**

### **Module-I Concept of Arbitration**

- Arbitration: Meaning scope and types
- Arbitration Agreement- Essentials, Kinds
- Who can enter into arbitration agreement?
- Validity
- Reference to arbitration
- Interim measures by court

### **Module-II Arbitration Tribunal**

- Composition
- Jurisdiction
- Grounds of challenge
- Powers
- Procedure
- Court assistance
- Award, Rules of guidance, Form and content, Correction and interpretation
- Grounds of setting aside an award-Want of proper notice and hearing,
- Contravention of composition and procedure.
- Impartiality of the arbitrator
- Bar of limitations, *res-judicata*
- Consent of parties
- Enforcement
- Appeals

### **Module-III Conciliation**

- Distinction between “conciliation”, “mediation”, and “arbitration”.
- Appointment of conciliator
- Interaction between conciliator and parties
- Communication, disclosure and confidentiality
- Suggestions by parties
- Settlement agreement and its effect
- Resort to judicial proceedings, legal effect
- Costs and deposit

### **Module-IV International Arbitration**

- Enforcement of Foreign Award
- New York convention Award
- Geneva Convention Award

### **Module-V Rule making Power**

- Legal Service Authorities Act, 1987

- Lok Adalat
- Legal Litreacy and Legal Aid Camp.

**Bare Acts:**

- Arbitration and Conciliation Act, 1996
- Legal Service Authorities Act, 1987

**Suggested Readings:**

1. Avtar Singh: Arbitration and Conciliation
2. Goyal: Arbitration and Conciliation Act
3. Shukla: Legal remedies

## **LAW OF CRIMES-III** **(EVIDENCE ACT)**

**Module-I Introduction to Law of Evidence**

- The main features of the Indian Evidence Act 1861
- Applicability of Evidence Act
- Administrative Tribunals
- Industrial Tribunals
- Commissions of enquiry
- Court- Martial

**Conceptions in Law of Evidence**

- Facts: section 3 definition: distinction - relevant facts/facts in issue
- Evidence: oral and documentary
- Circumstantial evidence and Direct evidence
- Presumption
- “Proving” “not proving” and “disproving”
- Witness
- Appreciation of evidence

**Module-II Facts: relevancy**

- The Doctrine of *res gestae*
- The problems of relevancy of “otherwise” irrelevant facts (section ii)
- Facts concerning bodies and mental state

**Admission and Confessions**

- General principles concerning admission
- Differences between “admission” and “confession”
- Non- admissibility of confessions caused by “any inducement, threat or promise”
- Inadmissibility of confession made before a police officer
- Admissibility of custodial confessions
- Admissibility of “information” received from accused person in custody; with special reference to discovery based on “joint statement”
- Confession by co-accused
- The problems with the judicial action based on a “retracted confession”

### **Module-III Dying Declarations**

- The justification for relevance of dying declarations
- The judicial standards for appreciation of evidentiary value of dying declarations
- Conclusive Evidence

### **Relevance of judgments**

- Admissibility of judgments in civil and criminal matters
- “Fraud” and “Collusion”.

### **Expert Testimony**

- Who is an expert? : types of expert evidence
- Opinion on relationship especially proof of marriage
- Judicial defence to expert testimony

### **Module-IV Oral Documentary Evidence**

- General principles concerning oral evidence, Primary / Secondary evidence.
- General principles concerning documentary evidence.
- General principles regarding exclusion of oral by documentary evidence, public & private documents.
- Special problems: re-hearing evidence
- Estoppel

**Witness Examination and cross Examinations:** Competency to testify – State privilege – Professional privilege – Approval testimony – General principles of examination and Cross examination – Leading questions – Lawful questions in Cross-examination – Reexamination – Compulsion to answer questions put to witness – Hostile witness – Impeaching of the standing or credit of witness

### **Module-V Burden of Proof**

- General principles conception of *onus-probans* and *onus-probandi*
- General and special exceptions to *onus probandi*
- The justification of presumption and of the doctrine of judicial notice
- Justification as to presumption as to certain offences
- Presumption as to dowry
- The scope of the doctrine of judicial notice

### **Estoppel**

- Why estoppel? The rationale
- Tenomacy Estoppel
- Estoppel, res-judicial and waiver and presumption
- Question of corroboration

Improper admission and of witness in civil and criminal cases

### **Bare Acts:**

- Indian Evidence Act, 1861

### **Suggested Readings:**

1. The Law of Evidence, Batuk Lal, Central law Agency
2. Sarkar and Manohar, Sarkar on evidence, Wadhwa & Co. Nagpur

3. Avtar Singh, Principles of Law of evidence, Central Law Agency, New Delhi
4. Ratanlal, Dhirajlal: Law of Evidence, Wadhwa Nagpur
5. Polein Murphy, Evidence, Universal Delhi
6. Albert S. Osborn, the Problem Proof. Universal Delhi

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

Sr.No.	Course Code	SUBJECT	PERIODS			CREDIT
			L	T	P	
1	LLB-601	Environmental Law including laws for the protection of the wild life and other living creatures including animal welfare	3	1	0	4
2	LLB-602	Optional- III	3	1	0	4
3	LLB-603	Clinical Paper IV (Moot Court & Trial Advocacy)	3	1	0	4
4	LLB-604	Optional- IV	3	1	0	4
5	LLB-605	Optional –V	3	1	0	4
6	LLB-606	Optional-VI	3	1	0	4
7	BSD-681	Skill Development-V	0	0	2	1
8	BSD-682	Project & Seminar-VI	0	0	2	1
<b>Total Credit</b>			18	6	4	26

#### **ENVIRONMENTAL LAW**

**(INCLUDING LAWS FOR THE PROTECTION OF THE WILD LIFE  
AND OTHER LIVING CREATURES INCLUDING ANIMAL WELFARE)**

##### **Module-I: Introductory**

- The meaning and definition of environment

Ecology – Ecosystems – Biosphere Biomes – Ozone depletion – Global Warning  
– Climatic changes

- Need for the preservation, conservation and protection of environment
- Ancient Indian approach to environment
- Environmental degradation and pollution
  - ✓ Kinds, causes and effects of pollution.

##### **Module-II: Remedies and reliefs under Indian Law**

- Common Law remedies against pollution
  - ✓ Trespass,
  - ✓ negligence, and
  - ✓ Theories of Strict Liability & Absolute Liability

Relevant provisions of I.P.C. and Cr.P.C. and C.P.C., for the abatement of public nuisance in pollution cases

- Remedies under Specific Relief Act
  - ✓ Reliefs against smoke and noise
  - ✓ Noise Pollution.

### **Module-III: Specific Laws**

- Law relating to the preservation, conservation and protection of forests, wild life and endangered species, marine life, coastal ecosystems and lakes etc.
  - ✓ Prevention of cruelty towards animals.
  - ✓ The law relating to prevention and control of water pollution.
  - ✓ Air Pollution.
  - ✓ Environment pollution control mechanism.
  - ✓ Law relating to environment
- protection. National Green Tribunal

### **Module-IV: Constitutional Provisions in regards to environment in India**

- Art. 48A and Art. 51A(g) of the Constitution of India
  - ✓ Right to wholesome environment
  - ✓ Right to development
  - ✓ Restriction on freedom of trade, profession, occupation for the protection of environment
  - ✓ Immunity of Environment legislation from judicial
- scrutiny(Art.31C) Legislative powers of the Centre and State Government

- ✓ Writ jurisdiction

**Module-V : Role of Indian Judiciary in the evolution of environmental jurisprudence. Module-VI International gatherings for Environment**

- International Environmental Regime
  - ✓ Transactional Pollution - State Liability
  - ✓ Customary International Law
  - ✓ Liability of Multinational
- Corporations/Companies Stockholm
- Declaration on Human Environment, 1972
- The role of UNEP for the protection of environment Ramsar Convention 1971
- Bonn Convention (Migratory Birds)
- 1992 Nairobi Convention, 1982
- (CFCC) – Biodiversity Convention
- (Earth Summit), 1992 Kyoto Protocol 1997,
- Johannesburg
- Convention 2002.  
Rio+20,2012

**Bare Acts:**

- Environment (Protection) Act, 1986.
- Air (Prevention and Control of Pollution) Act, 1981.
- Water (Prevention and Control of Pollution) Act, 1974.
- Indian Forest Act, 1927.
- Forest (Conservation) Act, 1980.
- Wild Life Protection Act, 1972.

**Suggested Readings:**

1. Paras Diwan : Environmental Law and Policy in India,



2. S.N. Jain (ed.): Pollution Control and the Law.
3. Armin Rosencranz and Shyam Divan: Environmental Law and Policy in India.
4. A. Agarwal (ed.): Legal Control of Environmental Pollution
5. Chetan Singh Mehta: Environmental Protection and Law
6. V.K. Krishna Iyer: Environment Pollution and Law
7. Paras Diwan: Studies on Environmental Cases.
8. Shah : Environmental Law
9. Dr. N. Maheshwara Swamy, Environmental Law, Asia Law House, Hyderabad.

### **CLINICAL PAPER IV** **(MOOT COURT AND TRIAL ADVOCACY)**

#### **Module-I: Moot Court (20 + 20 = 40) Marks:**

- Every student is required to participate in at least **2** moot courts in the V Semester with **20** marks for each. The moot court work will be on an assigned problem and it will be evaluated for **10** marks for written submissions and **10** marks for oral advocacy. Marks will be given on the basis of written submission and oral advocacy.
  - ✓ Written submissions shall include brief summary of facts, issues involved, provisions of laws and arguments, citation, prayer, etc.
  - ✓ Marks for oral advocacy may be awarded for communication skills, presentations, language, provisions of law; authorities quoted, court manners, etc.
  - ✓ Written Memorials submitted by the students shall be kept by the College for Further Verification.
  - ✓ The performance of student in the moot court shall be evaluated by a committee consisting of
    - HoD of the School of Juridical Science
    - An Advocate with 10 years experience at the Bar; and
    - The teacher concerned.

#### **Module-II: Observance of Trial in two cases, one Civil and one Criminal (10 + 10 = 20) Marks:**

- Students are required to attend courts to observe at least one civil and one criminal case. They shall maintain a record and enter the various steps observed during their attendance on different days in the court assignment.
- The Court Observation Record submitted by the students should be evaluated by a committee consisting of
  - HoD of the School of Juridical Science/the concerned teacher
  - External Examiner appointed by the University and
  - An Advocate with 10 years experience at the Bar.

#### **Module-III: Court attendance (10) Marks:**

- Court Attendance shall be compulsory and details shall be recorded in a Record Book kept therefore.
- This may be carried under the supervision of a teacher of the college.

**Module-IV: Interviewing Techniques and Pre-Trial Preparations and Internship/Court Visit Diary (10) Marks:**

- Each student should observe two 'interview sessions' of clients either in the Lawyer's Office or in the Legal Aid Office and record the proceedings in a diary, which will carry - 5 marks.
- Each student has to further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit / petition. This shall be recorded in the diary which will carry 5 marks.
- The diary shall clearly indicate the dates on which the above observations are made and they shall be authenticated by the advocate concerned.
- Evaluation of the above diary shall be made by the committee consisting of
  - (i) Principal of the College/the concerned teacher
  - (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, Board of Studies in Law, JIS; and
  - (iii) An Advocate with 10 years experience at the Bar and average be taken.

**Module-IV: Viva-voce (20) Marks:**

- There shall be viva-voce examination on all the above three components.
- The Viva-voce Board consisting of
  - (i) Principal of the College/the concerned teacher University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law; and
  - (ii) An advocate with 10 years experience at the Bar shall evaluate the student in the Viva. The proceedings of the viva-voce shall be recorded.

**Suggested Readings:**

1. Dr. Kailash Rai: Moot Court Pre-Trial Preparation and Participation in Trial Proceedings, Central Law Publication.
  2. Amita Danda: Moot Court for Interactive Legal Education, Gogia Law Agency, Hyderabad.
  3. Blackstone's: Books of Moots, Oxford University Press
- Mishra: Moot Court Pre-Trial Preparation and Participation in Trial Proceedings, Central Law, Allahabad.

**Optional -III**  
**HUMAN RIGHTS**

**Module-1:Theoretical Foundations of Human Rights and International Law**

- Basic principles : sovereign equality of states - non-intervention - non use of force

- international co-operation - peaceful settlement of disputes
  - Individuals as subjects of international law
  - State jurisdiction on terrorism, hijacking, narcotics, war crimes and crimes against peace
  - Treatment of aliens

**Module-2: Historical development of the concept of human rights**

- Human rights in Indian tradition : ancient, medieval and modern
- Human rights in Western tradition
  - Concept of natural law
  - Concept of natural rights
  - Human rights in legal tradition: International Law and National Law

**Module-3: UN and Human Rights**

- Universal Declaration of Human Rights (1948) - individual and group rights
- Covenant on Political and Civil Rights (1966)
- Covenant on Economic, Social and Cultural Rights (1966)
- I L O and other Conventions and Protocols dealing with human rights
- Solidarity rights
- Disarmament: threat to human rights
- International HR Commission
  - Mandates to States
- Right to development

**Module-4: Role of Regional Organizations**

- European Convention on Human Rights
- American Convention on Human Rights
- African Convention on Human Rights
- SAARC

**Module-5: Protection agencies and mechanisms**

- International Commission of Human Rights
  - Amnesty International
  - Non-Governmental Organizations (NGOs)
- European Commission on Human Rights/Court of Human Rights.
- U.N. Division of Human Rights
- International Labour Organization
- UNESCO
- UNICEF

**Module-6: Impact and implementation of international human rights norms in India**

- Human rights norms reflected in fundamental rights in the Constitution
- Directive Principles: legislative and administrative implementation of international human rights norms
  - Implementation of international human rights norms through judicial process

**Module-7: Enforcement of Human Rights in India**

- Role of courts: the Supreme Court, High Courts and other courts
- Statutory commissions- human rights, women's, minority and backward class

**Suggested Readings:**

1. S.K.Avesti and R.P.Kataria, Law Relating to Human Rights, Chh IV, V, VIII, XIV, XXIX and XXXIX (2000) Orient, New Delhi
2. S.K.Varma, Public International Law (1998), Prentice-Hall, New Delhi
3. Peter J. Van Krieken (ed.), The Exclusion on Clause (1999), Kluwer
4. Human Rights Watch Women's Rights Project, The Human Rights Watch Global Report on Women's Human Rights (2000), Oxford
5. Ermacora, Nowak and Tretter, International Human Rights (1993), Sweet & Maxwell.
6. Wallace, International Human Rights: Text & Materials (1996), Sweet & Maxwell
7. Muntarhorn, The Status of Refugees in Asia (1992), Oxford.
8. Human Rights and Global Diversity (2001), Frank Cass, London
9. Nirmal.C.J. (ed.), Human Rights in India (2000), Oxford
10. Nirmal.B.C., The Right to Self determination in International Law (1995), Deep & Deep.
- 11.P.R.Gandhi, International Human Rights Documents (1999) Universal, Delhi.

**OPTIONAL-IV****WOMEN AND LAW****Module-I: Constitutional perspective**

- Equality provisions in the Constitution of India - Preamble,
- Fundamental Rights and Directive Principles.
- Personal laws – Unequal position of the women
- Uniform Civil Code towards gender justice
- Growth of feminism and Feminist Jurisprudence

**Module-II: International Commitments**

- Universal Declaration of Human Rights
- Convention on the Elimination of all Forms of Discrimination against Women, 1979
- Declaration on the Elimination of Violence against Women, 1993

**Module-III Women and Inheritance Rights**

- Women's inheritance under the Hindu Joint Family System
- Right to inheritance by birth for sons only.
- Women's inheritance rights under Muslim Law
- Women's inheritance rights under Christian Law
- Women's inheritance rights under Parsi Law
- Matrimonial Property

**Module-IV: Women and Adoption and Guardianship rights**

- Right of women to adopt a child
- Women and guardianship of minor

## **Module-V: Women and Matrimonial Law - Concept, Divorce, and issue**

- Women and Maintenance Rights
- Women and criminal law
  - ✓ Adultery
  - ✓ Rape
  - ✓ Dowry death
  - ✓ Cruelty to married woman
  - ✓ Bigamy
- Outraging the modesty of a woman
- Domestic violence (Domestic Violence Act , 2005)
- Miscarriage
- Social Legislations
  - The Dowry Prohibition Act,
  - Prevention of Immoral Traffic
  - Amniocentesis and foeticide
- Women and Employment
  - ✓ Labour force
  - ✓ Protective laws
  - ✓ Exploitation and harassment at workplace
- Woman Participation in Democratic Government
  - ✓ Parliament, State Legislatures and Local Bodies

### **Bare Acts:**

- The Indecent Representation of Women (Prohibition) Act, 1986.
- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
- The Dowry Prohibition Act, 1961.
- Protection of Women from Domestic Violence Act, 2005.

### **Suggested Readings:**

1. Indian Penal Code- Ralanlal Dhirajlal-Wadhwa
2. SITA (Supression of Immoral Trafficking in Women)
3. Domestic Violence Act, 2005 – Dr. Preeti Mishra
4. Vishaka’s Case, Chandrima Das Case.
5. Indira Jaising, Hand book on law of Domestic Violence.
6. Lawyers collective, Law relating to sexual harassment at work place- Universal Delhi.
7. Krishna Pal Malik, Women & Law, Allahabad Law Agency
8. Manjula Batra, Women and Law, Allahabad Law Agency.