

Detailed Course Scheme
BA LL.B.
(Five years integrated Law Programme)

Semester VIII
(2020-2025)

DOC202112160025



RNB GLOBAL UNIVERSITY

RNB Global City, Ganganagar Road,

Bikaner, Rajasthan 334601.

OVERVIEW

RNB Global University follows Semester System along with Choice Based Credit System as per latest guidelines of University Grants Commission (UGC). Accordingly, each academic year is divided into two semesters, **Odd (July-December)** and **Even (January-June)**. Also, the university follows a system of continuous evaluation along with regular updating in course curricula and teaching pedagogy.

The curriculum for BA LL.B. program for Even (January-June) Semester, 2024 along with Examination pattern is as follows:

Semester -VIII

S. No.	Course Code	Course Name	L	T	P	Credits
1.	16008500	Drafting, Pleading and Conveyance	4	1	0	5
2.	16009100	Alternative Disputes Resolution	4	1	0	5
3.	16009200	Rent Control and Real Estate Laws (E4)	4	1	0	5
4.	16009300	Interpretation of Statutes (E5)	4	1	0	5
5.	16006900	Property Law	4	1	0	5
6.	16009400	Moot Court Exercise & Pre-Trial Preparations	2	0	2	3
7.	16010500	Effective Soft Skills development for Law Professionals (CLD-2)	2	0	0	2
8.	99002800	Workshops & Seminars	-	-	-	1
9.	99002700	Human Values & Social Service/NCC/NSS	-	-	-	1
Total			24	5	2	32

EVALUATION SCHEME

The evaluation of the BA LL.B. program would be based on Internal and External Assessments. Internal Assessment would consist of 50% of the marks (50 marks) and external assessment (in form of End Term Exam) would consist of remaining 50% marks (50 marks). Detailed scheme of Internal and External Assessments as follows:

Internal Assessment

Type	Details	Marks
Mid Term	One Mid-term Sessional (to be held along with the 2 nd Sessional Exams)	15
Marks obtained in various Tests, Assignments, Presentations, Quiz, Tutorials, etc.	Average of marks obtained	30
Attendance	75%+ : 5 marks	5
TOTAL	50	

External Assessment

Type	Marks
Theory	50

EVALUATION SCHEME- WORKSHOPS & SEMINARS & NCC/NSS

1. NCC/NSS will be completed from Semester I – Semester IV. It will be evaluated internally by the institute. The credit for this will be given at the end of Semester.
2. The students have to join club/clubs with the active participation in different activities of club. The students would be continuously assessed from Semester-I to Semester-IV and credits and marks would be given after the end of Semester.

CURRICULUM

Course Name: Drafting, Pleading and Conveyance

Course Code: 16008500

Course Outline

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

Unit-I: Fundamental Rules of Pleadings

- a) Pleadings (Order 6 CPC)
- b) Complaint Structure
- c) Written Statement and Affidavit
- d) Application under Section 5 of the Limitation Act
- e) Application for Setting aside *ex-parte* Decree
- f) Writ Petitions

Cases

1. *Amar Singh v. Union of India*, (2011) 7 SCC 69
2. *Prakash Chandra v. Commissioner & Secretary, Govt of India*, AIR 1986 SC 687
3. *Saraswati Oil Mills v. State of Gujarat*, (1967) 18 STC 163 (SC)
4. *Mohammad Yahya v. Rahim Ali*, 117 IC 813, AIR 1929 Lah 165
5. *Someshwar v. Tribhuvan*, AIR 1934 PC 130
6. *Ram Sarup Gupta v. Bishun Narain Inter College*, AIR 1987 SC 1242
7. *Ramesh Chandra Chandik v. Chunni Lal Sabbarwal*, AIR 1971 SC 1238
8. *Udhav Singh v. Madhav Rao Scindia*, (1977) 1 SCC 511: AIR 1976 SC 744

Unit-II: Civil Pleadings

- a) Suit for Recovery under Order XXXVII of CPC
- b) Suit for Permanent Injunction
- c) Suit for Dissolution of Partnership
- d) Application for Temporary Injunction Order XXXIX of CPC
- e) Appeal from Original Decree under Order 41 of CPC
- f) Revision Petition
- g) Review Petition

Cases

9. *Birad Mal Singhvi v. Anand Purohit*, AIR 1988SC 1796
10. *Afsar Sheikh v. Soleman Bibi*, (1976) 2 SCC 142
11. *Siddik Mahomed Shah v. Mst. Saran*, AIR 1930 PC 57
12. *Milak Brothers v. Union of India*, AIR 1990 SC 2256
13. *Raman Hosiery Factory v. J.K. Synthetics Ltd.*, AIR 1974 Delhi 207
14. *Satinder Singh v. Umrao Singh*, AIR 1961 SC 908
15. *Gopal Singh Hira Singh v. Punjab National Bank*, AIR 1976 Del 115
16. *Paramjit Singh v. Balwinder Kaur*, AIR 1985 P&H 255
17. *Roop Lal Sathi v. Nachhattar Singh*, AIR 1982 SC 1559
18. *National Institute of Mental Health & Neuro Sciences v. C. Parameshwara*, (2005) 2 SCC 256
19. *Joginder Singh v. Krishan Lal*, AIR 1977 P&H 180
20. *Grindlays Bank v. Central Government Industrial Tribunal*, AIR 1981 SC 606
21. *State of Maharashtra v. Pt. Prabhakar Bheemji Ingle*, (1996) 3SCC 463
22. *Chandrakanta v. S.K. Habib*, AIR 1975 SC 1500

Unit-III: General Principles of Criminal Pleadings

- a) Application for Bail
- b) Application under Section 125 CRPC
- c) Compounding of Offences by Way of Compromise under Section 320 (i) CRPC
- d) Complaint under Section 138, Negotiable Instruments Act, 1881
- e) Application under Section 482, CRPC

Cases

23. *Banares Bank v. Har Prasad*, AIR 1936 Lah 482 : 163 IC 69
24. *Bhimappa Basappa Bhau Sannavar v. Laxman Shivarayappa Samagouda & Ors.*, AIR 1970 SC 1153
25. *U.P. Pollution Control Board v. Modi Distilleries*, (1987) 3 SCC 684
26. *S.R. Sukumar v. S. Sunaad Raghuram*, (2015) 9 SCC 609
27. *Amol Shripal Sheth v. M/S. Hari Om Trading Co. & Ors.*, (2014) 6 Mh.L.J. 222
28. *N. Harihara Krishnan v. J. Thomas*, (2018) 13 SCC 663
29. *Usher Agro Ltd. & Ors. v. State of U.P. & Ors.*, 2018 (8) ADJ 336; (2018) 2 ACR 2252

Unit-IV: Conveyancing

- a) Notice to the Tenant under Section 106 of Transfer of Property Act
- b) Notice under Section 80 of CPC
- c) Notice under Section 434 of the Companies Act
- d) Reply to Notice
- e) General Power of Attorney
- f) Will
- g) Agreement to SELL
- h) Sale-Deed
- i) Lease-Deed
- j) Partnership Deed
- k) Mortgage Deed
- l) Relinquishment Deed
- m) Deed of Gift

Cases

- 30. *Sangram Singh v. Election Tribunal*, AIR 1955 SC 425
- 31. *Ghanshyamdas v. Dom. Of India*, (1984) 3SCC 46
- 32. *B.R. Sharma v. Nanak Chand*, AIR 1967 All 487
- 33. *K. Belchappada v. Vishnu Shanbhogue*, 1971 KLT 340
- 34. *Indumati v. Jhola*, AIR 1985 SC 369
- 35. *Mani Subrat Jain v. R.R. Vohra*, AIR 1980 SC 299
- 36. *S.P. Roy Choudhary v. K.B. Roy*, 1978) 2 SCC 89

Forms

- (a) Petition for Grant of Probate / Letters of Administration
- (b) Application for Appointment of Receiver/Local Commissioner
- (c) Application for Compromise of Suit
- (d) Application for Appointment of Guardian
- (e) Application to Sue as an Indigent Person under Order 33 CPC
- (f) Appeal from orders under order 43 of CPC
- (g) Application for execution
- (h) Application for caveat section 148A of CPC
- (i) Writ Petition
- (j) Special Power of Attorney
- (k) Reference to Arbitration and Deed of Arbitration
- (l) Notice for Specific Performance of Contract

PSDA (Professional Skill Development Activities)

- (a) Drafting of Different types of Legal Document and Deeds, etc. Drafting of Notices
- (b) Scrutiny of Documents
- (c) Survey of Cases due to Drafting Defects

Suggested Books:

1. N.S. Bindra, *Conveyancing, Draftsmen and Interpretation of Dates*, Delhi Law House, 1985
2. G.C. Mogha & S. N. Dhingra, *Mogha's Law of Pleading in India with Precedents*, Eastern Law House, 18th Edn. 2013

References:

1. R.N. Chaturvedi, *Conveyancing*, Eastern Book Company, 2011 (7th Edn)
2. G.C. Mogha, *Indian Conveyancer*, Dwivedi Law, 2009 (14th Edn)
3. C. R. Datta & M.N. Das, *D'Souza's Form and Precedents of Conveyancing*, Eastern Law House, 2008 (13th Edn)

Course Name: Alternative Disputes Resolution**Course Code: 16009100****Course Outline**

Objectives: Alternative Dispute Resolution has become the primary means by which cases are resolved now days, especially commercial, business disputes. It has emerged as the preferred method for resolving civil cases, with litigation as a last resort. Alternative Dispute Resolution provides an overview of the statutory, procedural, and case law underlining these processes and their interplay with litigation. A significant theme is the evolving role of professional ethics for attorneys operating in non-adversarial settings. Clients and courts increasingly express a preference for attorneys who are skilled not only in litigation but in problem-solving, which costs the clients less in terms of time, money and relationship. The law of ADR also provides an introduction to negotiation and mediation theory.

Unit-I: Concept of ADR

- a) Meaning, Nature and Genesis of Alternative Dispute Resolution
- b) Forms of ADR Mechanism
- c) Legal Framework: Legal Services Authorities Act, 1987
- d) Legal Aid
- e) Lok Adalat

Case Laws:-

- 1) *Interior's India v. M/S Balmer Lawrie and Co. Ltd.*, AIR 2007 Del.16
- 2) *Salem Advocate Bar Association (II) v. Union of India*, AIR 2005 SC 3353
- 3) *Guru Nanak Foundation v. Rattan Singh & Sons*, AIR 19881 SC 2075
- 4) *P.T.Thomas v. Thomas Job*, 2005 (4) ALR 150 (SC) P
- 5) *Punjab National Bank v. Lakshmidhand Rah*, AIR 2000 M.P.301
- 6) *Sheel Barse v. Union of India & others*, AIR 1986 SC 1773

Unit-II: Negotiation and Mediation

- a) Negotiation
- b) Theories, Development and its types
- c) Qualities of Negotiator and Process for Negotiation
- d) International Negotiation
- e) Mediation
- f) Good Offices

Case Law:

- 7) *Dayawati v. Yogesh Kumar Gosain*, 243 (2017) Delhi Law Times 117 (DB)

Unit-III: Arbitration and Conciliation

- a) Arbitration Agreement, Essentials, Rule of Severability
- b) Composition of Arbitral Tribunal, Extent of Judicial Intervention, Interim Measures, Power of Court to refer Parties to Arbitration
- c) Jurisdiction of Arbitral Tribunal, Competence, Competence of Arbitral Tribunal, Conduct of Arbitral Proceedings, Place of Arbitration
- d) Arbitral Award, Termination, Enforcement
- e) Conciliation and its Mechanism

Case laws:

- 8) *Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. P. Ltd.* (2010) 8SCC 24
- 9) *Continental Construction Co. Ltd. V. The State of M.P.*, AIR 1988 SC 1166
- 10) *Haresh Dayaram Thakur v. State of Maharashtra*, AIR 2000SC 2281: 2000 (6) SCC 179
- 11) *Mysore cements Ltd. V. Suedala Barmac Lts.*, 2003 (3) Supreme 283
- 12) *Kiran Singh v. Chaman Paswan*, AIR 1954 SC 340, 342
- 13) *UOI V. M/S. Jagat Ram Trehan & Sons*, AIR 1996 Del, 194

UNIT-IV: International Perspective

- a) International Commercial Arbitration
- b) New-York and Geneva Convention
- c) UNCITRAL Model Law, Treaties etc.
- d) Enforcement of Foreign Award and Jurisdictional Issues

Case Law:

- 14) *R.M. Investments Trading Co. Pvt. Ltd. V. Boeing Co.* AIR 1994 SC 1136
- 15) *Serajuddin v. Michael Golodetz*, AIR 1960 Cal.49.
- 16) *M/S. Fuerst Day Lawson Ltd. V. Jindal Exports Ltd.*, 2001(4) Supreme 141.
- 17) *Ludwig Wumsche & Co. v. Raunaq International Ltd.*, AIR 1983 Del. 247
- 18) *Gas Authority of India Ltd. V. SPIE CAPAG SA*, AIR 1995 Del 86.
- 19) *O.N.G.C v. Western Co. of North America*, AIR 1987 SC 674
- 20) *Se Seoil v. Gorakhram*, 64 Bom. LR 113
- 21) *Societa Anonmina v. S. Gorakhram Gokalchand*, AIR 1964 Mad. 532.

PSDA (Professional Skill Development Activities)

- Mock Arbitration/Mediation/Negotiation Session
- Visit to Court/Mediation Centre/Arbitration Institute Community Services
- Representing Client in Mediation

Suggested Books:

1. J. G. Merrills, *International Dispute Settlement*. U.K : Cambridge University Press, 2005(Fifth Edn)
2. Avtar Singh, *Law of Arbitration and Conciliation*, Eastern Book Company, 2013(10th Edn)

References:

1. Robert J. Niemic, Donna Stienstra and Randall E. Ravitz, *Guide to Judicial Management of Cases in ADR*, Federal Judicial Centre, 2001
2. J. Auerbach, *Justice Without Law?* Oxford University Press, 1983
3. Abraham P. Ordover and Andrea Doneff, *Alternatives to Litigation : Mediation, Arbitration, and the Art of Dispute Resolution*, Notre Dame: National Institute for Trial Advocacy, 2002

Course Name: Rent Control and Real Estate Laws

Course Code: 16009200

Objective

Course Outline

Unit I- Tenancy under the Act

1. Definitions
 - a) Landlord
 - b) Lease
 - c) Premises
 - d) Tenant

Cases

1. *LRs of Late Shri Guru Bux Singh v. Khem Singh*, 2014(4) WLC (Raj.) 238 : AIR 2015(NOC) 326 (Raj.)
2. *Mohammed Aslam v. L.Rs. of Smt. Parwati Devi*, 2016(1) WLN 113(Raj.)
3. *M/S SC Boorugu Mahadev & Sons & Anr vs Sirigiri Narasing Rao & Ors.*, AIR 2016 SC 433
4. *SC Raval & Co vs K. C. Ramachandran & Ors*, AIR 1974 SC 818, 1974 SCR (2) 629
5. *SC Sriram Pasricha vs Jagannath*, AIR 1976 SC 2335, 1977 SCR (1) 395
6. *SC Kanta Goel vs B.P. Pathak & Ors*, AIR 1977 SC 1599, 1977 SCR (3) 412

7. *Anand Nivas (Private) Ltd vs Anandji Kalyanji Pedhi & Ors*, 1964 SCR (4) 892 : AIR 1965 SC 414
8. *Raval & Co v. K. C. Ramachandran & Ors*, AIR 1974 SC 818, 1974 SCR (2) 629

2. Rent to be as agreed

Cases

9. **M/s Zakia Begum v. Mrs. Sanaj Ali**, AIR 2010 SC 3385
 10. *Karnani Properties v. Miss Augustine*, AIR 1957 SC 309
 11. *Gulab Chand v. Radheshyam*, 1954 RLW 585
 12. *Lachoomal v. Shri Radhey Shyam*, 1971 RCJ 340 (SC)
3. Payment and remittance of rent by tenant
13. *Lakhpatt Jain v. Appellate Rent Tribunal*, 2016(3) WLN 251 (Raj) : 2015(2) DNJ 879 (Raj)
 14. *Smt. Krishna Bhasin v. Appellate Rent Tribunal*, 2017(8) WLC 340 (Raj)
4. Revision of rent

Cases

15. *Iqbal Singh v. Harbans Kaur*, 2015(2) WLC (Raj.) 395 : 2015(1) CDR 401 (Raj)
 16. *Daljeet Singh v. Appellate Rent Tribunal, Sri Ganga Nagar*, 2009(1) DNJ (Raj) 267
 17. *Om Prakash Gupta v. Dr. Jagdish Prakash Soni*, 2016(1) WLN 270 (Raj)
5. Eviction of Tenants and Recovery of possession
- a) Grounds for eviction of tenants

Cases

18. *Girdhirlal v. Hukum Sigh*, AIR 1977 SC 129
19. *B. Banerjee v. Anitaben*, 1975 1 SCC 166
20. *Smt. Sharda v. Harji Lal Alike*, 2017(2) WLC 642 (Raj)
21. *Smt. Geeta Devi v. Surendramal Mertia*, 2015(3) CDR 1483 (Raj)
22. *Shri Ram Infrastructures Ltd. V. Curt Receiver*, AIR 2014 SC 2286
23. *Meera Mukherjee v. Presiding Officer, Rent Tribunal, Ajmer*, 2010(2) CDR 1122 (Raj) : 2010 WLC (Raj) UG 227
24. *Shri Jain Swetambar Terah Panthi Samaj v. Vijay Singh*, 2013(1) WLC (Raj) 88
25. *Raghuveer Prasad Sharma v. Smt. Manju Bansal*, 2016(2) WLC (Raj.) 71
26. *D. Raghunandan v. K.V. Verghese*, AIR 2005 SC 3680
27. *LRs of Sri Lalchand v. LRs of Smt. Kesar Devi*, 2015(4) WLC (Raj) 480

28. *Poosa Ram v. Madan Gopal*, 2005(5) WLC 559
29. *Munshi Ram v. Smt. Santosh*, AIR 2017 SC 1057
30. *Smt. Prem Lata Bai v. Sri Gani Mohammad*, 2014(1) CDR 96 (Raj.)

b) Right of landlord to recover immediate possession in certain cases

Unit II - Procedure of Eviction, Appeal and Execution

1. Constitution of Rent Tribunal
2. Jurisdiction of Rent Tribunal
3. Appellate Rent Tribunal, Appeals and limitation thereof
4. Execution of the orders
5. Appointment of Rent Authority
6. Revision of Rent in Certain Circumstances
7. Security Deposit
8. Amenities
9. Inspection of Premises

Unit III - Real Estate (Regulation and Development) Act, 2016

1. Registration of Real Estate Projects and Real Estate Agents
2. Functions and Duties of Promoters
3. Rights and Duties of Allottees

Cases

31. *Lavasa Corporation Ltd. V. Individual Allottees*, 2018 SCC Online 2074 : (2018) 5 AIR Bom R 553 : (2018) 6 Bom CR 172
32. *Sunil Gopal Chauhan v. State of Maharashtra*, 2016 SCC Online Mad 14656
33. *Neelkamal Realors Pvt. Ltd. V. Union of India*, 2017 SCC Online Bom 9302
34. *M/S Fortune Infrastructure v. Trivor Dlima*, (2018) 5 SCC 442

Unit IV - Authorities under Real Estate (Regulation and Development) Act, 2016

1. The Real Estate Regulatory Authority
2. The Real Estate Appellate Tribunal
3. Offences, Penalties and Adjudication

Cases

35. *Maharashtra Real Estate Regulatory Authority v. Sai Estate Consultant Chembur Pvt. Ltd.*, (2019) 14 SCC 504
36. *Pioneer Urban Land and Infrastructure Ltd. V. Union of India*, (2019) SCC 416

Books Recommended:

1. Dutt, S.K. Dutt, *The Rajasthan Rent Control Act, 2001*, Unique Traders, Jaipur, 2018
2. Karkara, G.S., *The Rajasthan Rent Control Act*, Bharat Law House, Jaipur, 2018

Leading Cases:

1. Ramswaroop vs Charanjeet Singh And Ors, RLW 2007 (4) Raj 3427
2. K Ramnarayan-Petitioner vs. Shri Pukhraj, Civil Writ Petition No.2581/2015 (Raj. H.C.)
3. Rajasthan Rajya Sahakari ... vs Rent Control Tribunal And Ors., RLW 2004 (4) Raj 2748
Kamla Devi Bohra v. State of Rajasthan, [2017 SCC OnLine Raj 2570](#), decided on 3.10.2017

Course Name: Interpretation of Statutes

Course Code: 16009300

Objectives: The paper is aimed to enhance the critical skills to equip the students with various aspects of interpretations.

Course Outline

Unit I: Introduction

- a) Meaning of Interpretation
- b) Need for Interpretation
- c) Act, Enactment, Statutes, Ordinances, Rules, etc.

1. *P. Ramachandra Rao v. State of Karnataka* (2002) 4 SCC 578
2. *Padma Sundara Rao v. State of Tamil Nadu* (2002) 3 SCC 533
3. *D.M., Aravali Golf Club v. Chander Hass*, 2007 (14) SCALE 1

Unit II: Internal Aids to Interpretation

- a) Title
- b) Preamble
- c) Heading

- d) Marginal Note
- e) Section
- f) Sub-section
- g) Punctuation
- h) Illustration
- i) Exception
- j) Proviso
- k) Explanation
- l) Saving Clause
- m) Schedule

- 4. *Biswambhar Singh v. State of Orissa*, AIR 1954 SC 139 : 1954 SCR 842
- 5. *M/s. Hira Lal Rattan Lal v. State of U.P.* (1973) 1 SCC 216 240
- 6. *Manohar Lal v. State of Punjab*, AIR 1961 SC 418 : (1961) 2 SCR 343

Unit III: External Aids to Interpretation

- a) Constituent Assembly Debates for Constitutional Interpretation
- b) Constitution of India
- c) Legislative History: Legislative Intention
- d) Statement of Objects and Reasons
- e) Legislative Debates
- f) Committee Reports, Law Commission Reports

- 7. *Shashi Kant Laxman Kale v. Union of India*, AIR 1990 SC 2114 : (1990) 4 SCC 366
- 8. *S.R. Chaudhary v. State of Punjab* (2001) 7 SCC 126
- 9. *State of Mysore v. R.V. Bidap*, AIR 1973 SC 255

Unit IV: Rules of Interpretation

a) Literal Rule

- 10. *Tej Kiran Jain v. N. Sanjiva Reddy* (1970) 2 SCC 272
- 11. *Jugalkishore v. Raw Cotton Co.* AIR 1955 SC 376
- 12. *B.N. Mutto v. T.K. Nandi (Dr.)* (1979) 1 SCC 361
- 13. *Ramavtar Budhai Prasad v. Assistant Sales Tax Officer*, AIR 1961 SC 1325
- 14. *M/s. Motipur Zamindary Co. (Private) Ltd. v. State of Bihar*, AIR 1962 SC 660
- 15. *State of West Bengal v. Wasi Ahmed* (1977) 2 SCC 246
- 16. *M.V. Joshi v. M.U. Shimpi*, AIR 1961 SC 1494
- 17. *The Queen v. Charles Arthur Hill Heaten Ellis* (1844) 6 Q.B. 499
- 18. *Matthews v. Dobbins* [1963] 1 ALL ER 417

b) Golden Rule

- 19. *Lee v. Knapp* (1967) 2 Q.B.442
- 20. *G. Narayanaswami v. Pannersevan* (1972) 3 SCC 717
- 21. *Union of India v. Filip Tiago De Gama of Vedem Vasco De Gama*, AIR 1980 SC 981 : (1990) 1 SCC 277
- 22. *Nokes v. Doncaster Amalgamated Collieries* (1940) AC 1014

c) Mischief Rule

23. *Heydon's case* (1584) 3 Co. Rep. 7
24. *R.M.D.C. v. Union of India*, AIR 1957 SC 628 92
25. *Commissioner of Income-tax. v. Smt. Sodra Devi*, AIR 1957 SC 832
26. *Utkal Contractors & Joinery (P) Ltd. v. State of Orissa*, AIR 1987 SC 1454
27. *Smith v. Hughes* (1960) 1 W.L.R.830

d) *Ejusdem generis*

28. *Calcutta Municipal Corporation v. East India Hotels Ltd.*, AIR 1996 SC 419
29. *Oswal Agro Mills Ltd. v. CCE*, 1993 Supp(3) SCC 716
30. *Ashbury Railway Carriage & Iron Co. v. Riche* (1875) LR 7 HL 653
31. *Browsea Havens Properties v. Poole Corpn.* (1958) 1 All ER 205

e) *Noscitur a sociis*

Suggested Readings

1. P. St. J. Langan, *Maxwell's on the Interpretation of Statutes*, Lexis Nexis, 12th Edition, 1969
2. V.P.Sarathi, *Interpretation of Statutes*, Eastern book Company, 5th Edition, 2010.
3. G.P. Singh, *Principles of Statutory Interpretation*, Lexis Nexis, 13th Edition, 2012
4. N.S. Bindra, *Interpretation of Statutes*, Lexis Nexis, 2013
5. Bakshi BM, *Interpretation of Statutes*, Orient Publisher, 2008
1. Avinsh Dhamir & Hans Raj Arora; *A Compendium of Interpretative Techniques*, 2010

Course Name: Property Law

Course Code: 16006900

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

- a) Concept of Property: Distinction between Movable and Immovable Property
- b) Conditions Restricting Transfer
- c) Definition of Transfer of Property
- d) Transferable and Non-Transferable Property
- e) Transfer to an Unborn Person and Rule against Perpetuity
- f) Vested and Contingent interest
- g) Rule of Election

1. *Shantabai v. State of Bombay*, AIR 1958 SC 532 : (1959) SCR 265
2. *State of Orissa v. Titaghur Paper Mills Company Limited*, AIR 1985 SC 1293 : (1985) Supp SCC 280
3. *Bamdev Panigrahi v. Monorama Raj*, AIR 1974 AP 226
4. *Duncans Industries Ltd. v. State of U.P.* (2000) (1) SCC 633

5. *V.N. Sarin v. Ajit Kumar Poplai*, AIR 1966 SC 432 :(1966) (1) SCR 349
6. *Kenneth Solomon v. Dan Singh Bawa*, AIR 1986 Del 1
7. *Mohar Singh v. Devi Charan*, AIR 1988 SC 1365 :(1988) (3) SCC 63
8. *N. Ramaiah v. Nagaraja*, AIR 2001 Kant. 395
9. *Ram Newaz v. Nankoo*, AIR 1926 All 283
10. *Ram Baran v. Ram Mohit*, AIR 1967 SC 744 : (1967) (1) SCR 293
11. *R. Kempraj v. Burton Son & Co*, AIR 1970 SC 1872 :(1969) (2) SCC 594
12. *Rajeh Kanta Roy v. Shanti Debi*, AIR 1957 SC 255 : 1957 SCR 77

Unit II: General Principles Governing Transfer of Immovable Property

- a) Transfer by Ostensible Owner
 - b) Rule of Feeding Grant by *Estoppel*
 - c) Rule of *Lis pendens*
 - d) Fraudulent Transfer
 - e) Rule of Art Performance
 - f) Actionable Claim
13. *Jumma Masjid, Mercara v. Kodimaniandra Deviah*, AIR 1962 SC 847: 1962 Supp (2) SCR 554
 14. *Kartar Singh v. Harbans Kaur* (1994) 4 SCC 730
 15. *Jayaram Mudaliar v. Ayyaswamy*, AIR 1973 SC 569 (1972) 2 SCC 200
 16. *Supreme General Films Exchange Ltd v. Maharaja Sir Brijnath Singhji Deo*, AIR 1975 SC 1810 : (1975) (2) SCC 530
 17. *Govinda Pillai Gopala Pillai v. Aiyyappan Krishnan*, AIR 1957 Ker. 10
 18. *Sri Jagannath Mahaprabhu v. Pravat Chandra Chatterjee*, AIR 1992 Ori. 47
 19. *Dalip Kaur v. Jeewan Ram*, AIR 1996 P & H 158

Unit III: Specific Transfers – I

- a) Mortgage: Definitions and Kinds, Rights and Liabilities of Mortgagor and Mortgagee
 - b) Charge
20. *Ganga Dhar v. Shankar Lal*, AIR 1958 SC 770
 21. *Pomal Kanji Govindji v. Vrajlal Karsandas Purohit*, AIR 1989 SC 436 : (1989) (1) SCC 458
 22. *Shivdev Singh v. Sucha Singh*, AIR 2000 SC 1935, (2000) 4 SCC 326
 23. *Sangar Gagu Dhula v. Shah Laxmiben Tejshi*, AIR 2001 Guj. 329

Unit IV: Specific Transfer – II

- a) Sale and Gift
 - b) Lease and License
24. *Associated Hotels of India v. R.N. Kapoor*, AIR 1959 SC 1262
 25. *Quality Cut Pieces v. M. Laxmi*, AIR 1986 Bom 359

26. *B.V. D'Souza v. Antonio Fausto Fernandes*, AIR 1989 SC 1816
27. *Samir Kumar Chatterjee v. Hirendra Nath Ghosh*, AIR 1992 Cal 129
28. *Delta International ltd. v. Shyam Sunder Ganeriwalla*, AIR 1999 SC 2607
29. *Tila Bewa v. Mana Bewa*, AIR 1962 Ori. 130
30. *Kartari v. Kewal Krishan*, AIR 1972 HP 117

PSDA (Professional Skill Development Activities)

- Drafting a Mortgage/Sale/Gift/Lease Deed Visit to Record Room
- Class Moot Court
- Awareness Camp

Suggested Readings:

1. Mulla, *Transfer of Property Act*, Lexis Nexis, 2013
2. Poonam Pradhan Saxena, *Property Law*, 2011
3. James Charles Smith, *Property and Sovereignty (Law, Property and Society)*, Ashgate, 2014
4. Avtar Singh, *Transfer of Property Act*, Universal Publishing Pvt Ltd., 2012

Sandeep Bhalla, *Digest of Cases on Transfer of Property in India*, Eastern Book Company, 2nd Edn., 2012

Course Name: Effective Soft Skills development for Law Professionals

Course Code: 16010500

Objectives

- To sensitize the need of effective soft skills in legal professionals, providing proper attribution to soft skills.
- To develop presentation skills and enhance ability of students to communicate effectively in groups and teams

Course Outline

Unit I: Communication Skills

Asking questions, handling responses to questions, giving feedback, receiving feedback.

Unit II: Interview / Viva Voce

Mock Interview- Questions pertaining to record at the school, college and university, and his/her character, personality, address, physique, general knowledge current affairs, present day problems, Indian dialects and customs.

Unit III: Moot Court Competition

Compulsory participation in National/International level moot court competition (evaluation for 15 marks will be done in continuous assessment).

Unit IV: Goal setting

Based on principle of SMART.

Unit V : Group Communication and Team Building

Importance of groups in organization, Interactions in group, Group Decision Taking, Team Building, Interaction with the Team, How to build a good team? Mock Presentations, GD and PI.

Suggested Readings:

1. Luthans F, Organisational Behaviour, IRWIN/McGRAW-HILL 1998.
2. Bovee, Courtland L, Thill, John V. and Abha Chatterjee (2011). *Business Communication Today*, 10/e; New Delhi: Pearson
3. Basic Managerial Skills for All by E. H. McGrath, S. J., PHI
4. Koneru Aruna Professional Communication , The McGraw Hill Company

Course Name: Moot Court Exercise & Pre-Trial Preparations

Course code: 16009400

Part -A Pre-Trial Preparations

The objectives Moot Court Exercise & Pre-Trial Preparations are to enable students:

1. To understand the social, legal and strategic context of the hearing or presentation (occasion of advocacy).

Role of advocate, standpoint objectives or purpose of hearing alternative resolutions

Evaluation of forum (status, implication)

Legal significance (precedent, test case etc.) Financial considerations (including costs)

Evaluation of success and failure

2. To prepare a suitable plan for the occasion.

Identify witnesses and other evidence identify relevant facts

Construct logical factual propositions evidence analysis and fact appraisal Identify legal elements

Outline case presentation

Identify procedural/evidential issues

3. To effectively present an oral case on behalf of a client.

Prepare client/witnesses/tribunal for occasion introduce parties and advocates

Summarise facts/law effectively and accurately organise witnesses and documents

Examine witnesses in chief (leading/non-leading)

Effectively produce documents/exhibits Re-examine witnesses when appropriate.

4. To effectively challenge a witness.

Appreciate methods/opportunities to discredit identify conflicting/prejudicial testimony effectively use questions in witness challenge identify alternative theory

Structure challenge to support theory Emphasise significant agreement with own case

Manage questioning economically

5. To deliver a persuasive oral argument and summation.

Summarise salient testimony and construct case appreciate evidential quantum/burden

Adopt style/demeanour appropriate for audience effectively engage in legal argument

Balance commitment to client and objectivity persuasively and assertively pursue case.

6. To conclude a hearing or presentation.

Receive and record decision

Inform tribunal of client's response/position Address forum on implications of decision Pursue consequential decisions (costs/ orders) Explain implications to client.

7. To practise an effective behaviour for advocacy.

Articulate clearly and confidently adopt appropriate stance and bearing employ a variety of oral techniques identify and observe ethical constraints

Appreciate significance of advocacy interaction understand professional and legal requirements

This part carries a total of 40 marks.

Part – B
Moot Court Exercises
(Judgment Writing)

1: Preliminary

1. What is a Judgment?
2. Need of Clearer Judgment Writing
3. Simplify paragraph and sentence structure and composition
4. Use of paragraph numbers, headings and subheadings
5. Use active rather than passive voice
6. Avoid Latin expressions and legalese
7. Avoid redundancy

2: Parts of Judgment – Discussion on facts

1. Summary of Prosecution/Plaintiff's Case
2. Summary of Defence/Defendant's Case
3. Issues to be determined
4. Evidence and Factual Findings
 - (a) Prosecution/Plaintiff's Allegation on Issue wise
 - (b) Prosecution evidence in support of the allegation
 - (c) Defence evidence on the allegation
 - (d) The Judge's evaluation of the evidence

3: Parts of Judgment II - Applicable Law

1. A Statement of the Law on Issue-wise
2. Statutory Law
3. Case Law
4. Deliberations
5. Connecting Facts and Law
6. Logically lead to this conclusion [judgement] **Judgement and Sentence (Criminal)**
 - (a) Finding of Guilt(or Acquittal)
 - (b) Aggravating or Mitigating Circumstances
 - (c) Sentence
 - (d) Order, Decision/ Findings (Civil)

4: Practice Sessions

1. Judgment Writing by Intermediate Appellate Court Judges
2. Judgment Writing in a Civil Proceedings
3. Distinction between judgment and order
4. Pronouncement of judgment

This part carries a total of 60 marks.

Course Name: Intellectual Property Rights (Trademark and Copyright)

Course Code: 16012200

Objective: The objective of the paper is to apprise the students with the law relating to copyright, licences, Performer's rights, Registration of Copyright and Infringement thereof. The law relating to the Trade Marks Act, 1999 shall be explained to them particularly with the provisions relating to registration of Trade Marks, procedure for and duration of registration, effect of registration, assignment and transmission, collective marks, certification Trade Marks' special provisions for textile goods, Offences, Penalties and Procedure for applying trade-marks and trade descriptions.

Course Outline:

UNIT I – Introduction of the Copyright Act, 1957

- a) **Definitions-** adaptation, artistic work, author, broadcast, commercial rental, communication to the public, composer, computer programme, dramatic work, exclusive licence, Indian work, literary work, musical work, performance, performer, Right Management Information, sound recording, work, visual recording.
- b) When work deemed to be first published in India
- c) Copyright Office and Appellate Board
- d) Powers and procedure of Appellate Board
- e) Meaning of Copyright
- f) Works in which copyright subsists
- g) Ownership of Copyright

Cases Recommended:

- h) R.G Anand vs M/S. Delux Films & Ors, Supreme Court, decided on 18 August, 1978
- i) Eastern Book Company & Ors vs D.B. Modak & Anr, Supreme Court, decided on 12 December, 2007
- j) M/S. Entertainment Network ... vs M/S. Super Cassette Industries, Supreme Court, decided on 16 May, 2008
- k) Krishika Lulla & Ors vs Shyam Vithalrao Devkatta & Anr, Supreme Court, decided on 15 October, 2015

UNIT II – Copyright and Licences

- (a) Rights of the Copyright Owner
- (b) Assignment of copyright
- (c) Transmission of copyright in manuscript by testamentary disposition
- (d) Right of author to relinquish copyright
- (e) Term of Copyright
- (f) Licences by owners of copyright
- (g) Compulsory licence
- (h) Statutory licence
- (i) Termination of licences
- (j) Broadcast reproduction right

- (k) Performer's right
- (l) Moral rights of the performer
- (m) International Copyright
- (n) Power to extend copyright to foreign works
- (o) Provisions as to works of certain international organisations

Cases Recommended:

- (a) Engineering Analysis Centre Of ... vs The Commissioner of Income Tax, Supreme Court, decided on 2 March, 2021
- (b) International Confederation Of ... vs Aditya Pandey & Ors, Supreme Court, decided on 20 September, 2016
Indian Performing Rights Society ... vs Sanjay Dalia & Anr, Supreme Court, decided on 1 July, 2015
A.P. State Electricity Board vs Mateti S.V.S.Ramachandra Rao, Supreme Court, decided on 1 July, 2015

Unit III - Registration of Copyright and Infringement thereof

- a) Registration of Copyright and Rectification of Register
- b) Infringement of Copyright and Importation of infringing copies
- c) Remedies for infringement of copyright
- d) Offence of infringement of copyright or other rights
- e) Power of police to seize infringing copies
- f) Protection of Rights Management Information
- g) Appeals against orders of Registrar of Copyrights and Appellate Board

Cases Recommended:

- h) Dabur India Ltd vs K.R. Industries, Supreme Court, decided on 16 May, 2008
- i) T.V. Venogopal vs Ushodaya Enterprises Ltd. & Anr on 3 March, 2011
- j) Inst.Of Chartered Accountants Of ... vs Shaunak H Sayta & Ors on 2 September, 2011
- k) Bajaj Auto Ltd vs TVS Motor Company Ltd, Supreme Court, decided on 16 September, 2009

UNIT IV - Introduction of the Trade Marks Act, 1999

- a) **Definitions-** collective mark, deceptively similar, false trade description, mark, package, permitted use, registered trade mark, service, trade description, well known trade mark, trade mark.
- b) Registration of Trade Marks
- c) Procedure for and Duration of Registration
- d) Effect of Registration
- e) Assignment and Transmission

Cases Recommended:

- f) Whirlpool Corporation vs Registrar Of Trade Marks, Mumbai, Supreme Court, decided on 26 October, 1998
- g) Express Newspapers (Private) ... vs The Union Of India And Others, Supreme Court, decided on 8 January, 1958
- h) Ramdhan vs Bhanwarlal, Rajasthan High Court, decided on 20 May, 1983

UNIT V - Certification Trade Marks

- a) Use of Trade Marks and Registered Users
- b) Rectification and Correction of the Register

- c) Collective Marks
- d) Certification Trade Marks
- e) Special Provisions for Textile Goods
- f) Offences, Penalties and Procedure for applying trade-marks and trade descriptions
- g) Falsifying and falsely applying trade marks**

Cases Recommended:

1. Hindustan Lever Limited vs Registrar Of Trade Marks And Anr., Intellectual Property Appellate Board, decided on 3 December, 2004

Suggested Readings

1. V.K. Ahuja, Prof., Archa Vashishtha, *Intellectual Property Rights, Contemporary Developments*, Thomson Reuters, Bangalore.
2. Virendra Kumar, *Law of Copyright and Neighbouring Rights- National and International Perspectives*, Law Publishers, Allahabad
3. P. Narayan, *Law of Copyright and Industrial Designs*, 4th Ed., Eastern Law House, Lucknow.
4. Govt. of India, *Handbook of Copyright Law*.
5. Jyoti Rattan Dr., *Bharat's Copyright Act*, Bharat
6. Jyoti Rattan Dr., *Bharat's Trade Marks Law*, Bharat
7. K.C. Kailasam & M.A. Panchamia, *Venkteswaran on Trade Mark & Passing Off*, Lexis Nexis, India.
8. P. Narayan, *Law of Trade Marks and Passing Off*, 6th Ed., Eastern Law House, Lucknow.
9. K.C. Kailasam, Ramu Vedaraman, Anuradha Ramu, *Law Of Trade Marks, including Registration under Madrid Protocol & Geographical Indications*, 4th Ed., Lexis Nexus, India
10. Morcom, Roughton & Malynicz, *The Modern Law of Trade Marks*, Lexis Nexis, India. (Indian Reprint).

Course: Gender Justice and Feminist Jurisprudence

Course Code: 16012000

Course Outline:

The course offers to examine the potential of law for delivering gender justice, empowerment and equality. It juxtaposes the myriad laws that claim to protect rights of women, within a Constitutional framework of right to life with dignity, equality and non-discrimination, with ground realities of gender-based violence and discrimination, institutional bias and apathy, and impunity embedded in law. By developing a foundational understanding of feminist theories, principles and politics, as well as the engagement of the Indian women's movement with law, an analysis of the current Indian context is discussed through scholarly writings, an examination of statutes, judgments, law reform initiatives and discourses on law. While critically examining normative standards set by law, the course also acknowledges the limits of law and explores feminist re-imaginings of gender justice through non-state laws.

UNIT-I - Introduction to feminist jurisprudence

- a) Feminist theory, politics and jurisprudence
- b) Basic concepts, major schools of feminism
- a) Classical and contemporary feminist discourses, and their linkages with law
- b) Feminist critique of important institutions

UNIT-II = Gender equality and the law

- c) 'gender inclusion'
- d) 'gender blindness'
- e) 'gender neutrality'
- f) 'gender sensitivity'
- g) 'gender mainstreaming'
- h) gender justice
- i) Types of and approaches to gender equality
- j) Women's movements' engagement with the law in India
- k) Initiatives for law reform around gender justice in India
- l) India's obligations to gender justice under international law and the Indian Constitution

UNIT-III - Feminist doctrines and their application to laws on violence against women in India

- m) Feminist doctrines, concepts and principles
- n) Exploring the application of Feminist doctrines to statutory laws and judgments on violence against women in India

UNIT-IV - Limits of law and re-imagining gender justice

- a) Prospects of gender justice within state and non-state laws and mechanisms for legal redress.
- b) Limits of law and feminist re-imaginings of gender justice.
- c) Homogenous laws vs. plural laws
- d) Feminist Judgment Project initiative
- e) Non-state and alternative dispute resolution mechanisms for women
- f) Transformation of feminist knowledge into praxis,
- g) Access to justice, legitimacy and effectiveness of non-state mechanisms for grievance redress for advancing gender justice.

Judgments

1. *Air India and Others v. Nargesh Meerza* 1982 SCR (1) 438
2. *Apparel Export Promotion Council v. A.K.Chopra* AIR 1999 SC 625
3. *Arumugam Servai v. State of Tamil Nadu* (2011) 6 SCC 405
4. *C.B. Muthamma v. Union of India* 1979(4)SCC 260

5. *Javed and Others v. State of Haryana* 2003 (8) SCC 369
6. *Lata Singh v. State of UP* AIR 2006 SC 2522
7. *Mahmood Farooqui v. State* (judgment of Delhi High Court on Sep. 25, 2017, available at <http://lobis.nic.in/dhdc/ASK/judgement/25-09-2017/ASK25092017CRLA9442016.pdf>)
8. *Nyaydhar v. Union of India Ministry of Home Affairs and Others* (judgment of the Supreme Court on Nov. 29, 2017)
9. *P.Geetha v. Kerela Livestock Development Board* (2015) SCC Online Ker 71
10. *Rajesh Sharma v. State of Uttar Pradesh and Another* 2017 SCC OnLine SC 821
11. *Saroj Rani v. Sudarshan Kumar Chadha* AIR 1984 SC 1562
12. *Shiv Kumar v. Union of India* (Karnataka High Court judgment of 3 February 2014)
13. *Smt. Harvinder Kaur v. Harmander Singh Choudhry* AIR 1984 Del 66
14. *T.Sareetha v. T. Venkata Subbaiah* AIR 1983 AP 356
15. *Vasantha R v. Union of India and Others* 2001 II LLJ 843(Mad) 99
16. *Vishakha v. State of Rajasthan* (1997) 6 SCC 241
17. *Vishwa Lochan Madan v. Union of India* (2014) 7 SCC 70
18. *V.Revathi v. Union of India and Others* (1988) 2 SCC 72

Statutes

Statutes for Reference during the Course (Indicative list)

1. Constitution of India, 1950 (Jan. 26, 1950)
2. Criminal Law (Amendment) Act (2013), No. 13 of 2013 (Apr. 2, 2013)
3. Criminal Law (Amendment) Ordinance (2018), No. 2 of 2018 (Apr. 21, 2018)
4. Criminal Procedure Code (1973), No. 2 Of 1974 (Jan. 25, 1974)
5. Dissolution Of Muslim Marriages Act (1939), No. VIII of 1939 (Mar. 17, 1939)
6. Equal Remuneration Act (1976), No. 25 of 1976 (Feb. 11, 1976) along with its amendments
7. Guardian and Wards Act (1890), No. 8 of 1890 (Mar. 21, 1890)
8. Immoral Traffic (Prevention) Act (1956), No. 104 of 1956 (Dec. 30, 1956)
9. Indian Evidence Act (1872), No. 1 Of 1872 (Sep. 1, 1872)
10. Indian Penal Code (1860), No. 45 Of 1860 (Oct. 6, 1860)
11. Muslim Women (Protection of Rights on Divorce) Act (1986), No. 25 of 1986 (May 19, 1986)
12. Pre-conception and Pre-natal Diagnostic Techniques Act (1994), No. 57 of 1994 (Sep. 20, 1994) along with its amendments
13. Protection Of Children from Sexual Offences (POCSO) Act (2012), No. 32 of 2012 (June 19, 2012)
14. The Family Courts Act (1984), No. 66 of 1984 (Sep. 14, 1986)
15. The Hindu Marriage Act (1955), No. 25 of 1955 (May 18, 1955)
16. The Juvenile Justice (Care and Protection of Children) Act (2015), No. 2 of 2016 (Dec. 31, 2015)
17. The Maternity Benefit Act (1961), No. 53 of 1961 (Dec. 12, 1961) along with its amendments
18. The Medical Termination of Pregnancy Act (1971), No. 34 of 1971 (Aug. 10, 1971)
19. The Mental Healthcare Act (2017), No. 10 of 2017 (Apr. 7, 2017)
20. The Prohibition of Child Marriage Act (2006), No. 6 of 2007 (Jan. 10, 2007)
21. The Protection of Women From Domestic Violence Act (2005), Act No. 43 Of 2005 (Sep. 13, 2005)
22. The Rights Of Persons With Disabilities Act (2016), Act No. 49 Of 2016 (Dec. 27, 2016).
23. The Scheduled Castes and The Scheduled Tribes (Prevention Of Atrocities) Act (1989), No. 33 Of 1989 (Sep. 11, 1989)

24. The Scheduled Castes and The Scheduled Tribes (Prevention Of Atrocities) Amendment Act, (2015), No. 1 Of 2016 (Dec. 31, 2015)
25. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (2013), No. 14 of 2013 (Apr. 22, 2013)

Recommended Books

1. Shampa Dev, 'Gender Justice in India: A Feminist Jurisprudential Perspective', *Tattva Journal of Philosophy*, 2018, Vol. 10, 69-88, available at journals.christuniversity.in/index.php/tattva/article/download/1786/1524
2. Marie Powell, 'A Rights Based Approach to Gender Equality and Women's Rights', *Canadian Journal of Development Studies*, Vol. 26, 2005 – Issue sup 1: Gender and Development, 605-617
3. 'Towards Equality' – Report of the Committee on the Status of Women in India, Government of India, 1974, available at <http://pldindia.org/wp-content/uploads/2013/04/Towards-Equality-1974-Part-1.pdf>, and <http://pldindia.org/wp-content/uploads/2013/04/Towards-Equality-1974-Part-2.pdf>
4. Catharine A MacKinnon, 'Sex Equality under the Constitution of India: Problems, Prospects and Personal Laws', *International Journal of Constitutional Law*, Volume 4, Issue 2, 1 April 2006, 181–202.
5. Flavia Agnes, Protecting Women Against Violence – Review of a Decade of Legislation 1980-89, *Economic and Political Weekly*, Vol. 27, Issue No. 17, Apr. 25, 1992.
6. Sylvia Vatuk, 'The "Women's Court" in India: An Alternative Dispute Resolution Body for Women in Distress', in *The Journal of Legal Pluralism and Unofficial Law*, Vol. 45, 2013, Issue 1, 76-103
7. Saumya Uma, 'Access to Justice for Women: From Obligations to Outcomes', *National Law University Odisha (NLUO) Law Journal – Special Issue on 'Access to Justice'*, Vol. II, Issue 1, August 2015, 116-134

Course: Comparative Laws

Course Code: 16012100

Course Outlines:

Comparative law is a quite unique legal subject in that it does not concern, in and of itself, any established legal products (*corpus juris*) on its own, such as comparative rules or comparative jurisprudence. (This feature may distinguish comparative law from international law.) One cannot locate any statutes or court decisions citing or referencing comparative law per se. Rather, comparative law is a field of legal study related to a methodology, or an approach, in probing and understanding *other*, i.e., foreign, legal systems and/or legal cultures. While comparison is a means with which to explore otherness (differences) among different legal systems, it also reveals a varying degree of sameness or likeness among them. At the end of this exploration, you will probably be able to better comprehend *your* own legal system than before.

This course has three goals: First, it seeks to expose students to a broad overview of the major legal systems of the world. Second, this course aims to provide students with the tools to carry out an efficient comparison between different legal systems. Third, this course invites students to consider the impact of recent developments (including global and regional integration, as well as the emergence of transnational business law) upon the traditional comparative method.

UNIT-I - - Introduction

- a) The traditional comparative method - the structure of a comparative paper
- b) The traditional comparative method- functionalism and critical evaluation
- c) Postmodern comparative law
- d) Numerical comparative law
- e) Comparative Law as an open subject

UNIT-II - Classification of the legal systems

- a) Civil Law and common law – general comparison
- b) Civil Law and common law - The civil law tradition
- c) Civil Law and common law - Critical analysis

UNIT-III - Globalization, International law, supranational law, global law, transnational law

- a) The law of Russia
- b) The law of China
- c) Traditional and religious law
- d) Legal transplants
- e) Convergence of law
- f) Regionalization

UNIT-IV - Global Law

- a) Internationalization
- b) Transnational Law

Recommended Books

1. Mathias Siems, Comparative Law, 2nd edition, 2018 (ISBN-13: 978-1316633557; ISBN-10: 1316633551)
2. John Anthony Eaton, Wrongful Life Claims: A Comparative Analysis, 35 Hong Kong L.J. 671 (2005), Introduction and pp. 677- 693 (“Wrongful Life Jurisprudence and Legislation-end)
3. Kyu Ho Youm, The Interaction Between American and Foreign Libel Law: US Courts Refuse to Enforce English Libel Judgments, 49 Int'l & Comp. L.Q. 131 (2000)

4. Rainer Grote, Comparative Law and Teaching Law through the Case Method in the Civil Law Tradition - a German Perspective; 82 U. Det. Mercy L. Rev. 163 (2005), Victor Ferreres Comella, Courts in Latin America and the Constraints of the Civil Law Tradition, 89 Tex. L. Rev. 1967 (2011)
5. Mark Van Hoecke; Mark Warrington, Legal Cultures, Legal Paradigms and Legal Doctrine: Towards a New Model for Comparative Law, 47 Int'l & Comp. L.Q. 495 (1998)
6. Jeffrey Kahn, The Search for the Rule of Law in Russia, 37 Geo. J. Int'l L. 353 (2006), pp. 375 ff.; Jeffrey Waggoner, Discretion and Valor at the Russian Constitutional Court: Adjudicating the Russian Constitutions in the Civil-Law Tradition, 8 Ind. Int'l & Comp. L. Rev. 189 (1997),
7. Chen Lei, The Historical Development of the Civil Law Tradition in China: A Private Law Perspective, 78 Tijdschrift voor Rechtsgeschiedenis 159 (2010); Bui Ngoc Son, The Law of China and Vietnam in Comparative Law, 41 Fordham Int'l L.J. 135 (2017),
8. Salvatore Mancuso, African Law in Action, 58 J. Afr. L. 1 (2014); Abdullah Saad Alarefi, Overview of Islamic Law, 9 Int'l Crim. L. Rev. 707 (2009), pp. 17-22
9. William Twining, Globalization and Comparative Law, 6 Maastricht J. Eur. & Comp. L. 217 (1999)
10. William P. Alford, *Introduction, in Raising the Bar: The Emerging Legal Profession in East Asia* (William P. Alford ed. 2004)
11. Sang-Hyun Song, *The Education and Training of the Legal Profession in Korea: Problems and Prospects for Reform, in Raising the Bar: The Emerging Legal Profession in East Asia* (William P. Alford ed. 2004)
12. Eu Jin Chua, *The Laws of the People's Republic of China: An Introduction for International Investors*, 7 Chi. J. Int'l L. 133 (2006)
13. David J. Gerber, System Dynamics: Toward a Language of Comparative Law, 46 Am. J. Comp. L. 719 (1998).
14. David J. Gerber, *Globalization and Legal Knowledge: Implications for Comparative Law*, 75 Tul. L. Rev. 949 (2001)

Course: Health Care Law

Course Code: 16011900

Course Outlines:

Upon completion of this course, the student will be able to:

1. Critically discuss healthcare institutional, professional provider and staff liability issues, including civil and criminal liability, Good Samaritan laws and legal, ethical and cultural considerations of diverse populations.
2. Evaluate selected exemplars of medical malpractice and antitrust issues.
3. Describe the legal, ethical, legislative and regulatory issues relevant to healthcare facilities (e.g., laws, regulations, accreditation, licensure, as well as, human resources,

information and risk management) and service providers (e.g., licensure, insurance, and staff privileges).

4. Analyse legal, ethical, legislative, and evidence-based practice guidelines, affecting patient-provider relationships, communication strategies, and inter-professional provider relationships including: healthcare decision-making issues, beginning/end of life issues and handling of patient information.

UNIT-I - Basic of Health Law

- a) Legal Aspects of Health Law
- b) Contemporary Challenges in Health Law
- c) Hospital And Health Care Management
- d) Access to Care
- e) Common law obligations to provide care
- f) Statutory exceptions

UNIT-II – Legal Aspects of Hospital Administration

- a) Consumer Protection in Health Law
- b) Ensuring Quality
- c) Regulating Professionals
- d) Regulating Institutions
- e) Privacy, Confidentiality, and Informed Consent

UNIT-III - Medical Insurance

- a) State regulation of private insurance
- b) State liability of managed care organizations
- c) Tax Exempt Organizations
- d) Charitable tax exemption
- e) Public health insurance
- f) Private health insurance
- g) Fraud and Abuse

UNIT-IV - Medical ethics - Issues and challenges

- a) Euthanasia
- b) Reproductive technology – surrogate motherhood
- c) Medical termination of pregnancy
- d) Prenatal diagnostic techniques
- e) Ethical issues at the end of life
- f) Ethical issues at the beginning of life
- g) Reproductive medicine and ethics
- h) Contemporary issues in bioethics
- i) Antitrust
- j) Boycotts

k) Price Fixing and Monopolization

Recommended Books

1. Henry T. Greely, Some Thoughts on Academic Health Law, 391 to bottom of 399
2. Timothy S. Jost, Our Broken Health Care System, 537-55 {555-73}
3. Understanding health insurance (254-263, Nutshell 9-15, 17-19)

Course: Indirect Taxes (GST)

Course Code: 16012700

Course Outline:

The Goods and Services Tax was among the biggest tax changes India has ever seen. A shift in tax paradigm materialised when the country implemented GST on the 1st of July, 2017. The aim of the course is to help businessmen, accountants, Chartered Accountants (CAs) Certified Management Accountants (CMAs), Company Secretaries (CSs), and other professionals to enhance their knowledge regarding the Goods and Services Tax by offering specialised, updated knowledge systematically, improving their problem-solving and analytical skills to enhance decision making, and imparting skills and knowledge required for self-employment and employment in the industry.

UNIT-I – Introduction to Goods and Services Tax

- a) Direct tax and Indirect tax – meaning
- b) Subsuming of taxes
- c) Benefits of implementation of GST
- d) Structure of GST – CGST, SGST, UTGST & IGST
- e) GSTN – Structure, features and functions
- f) GST Council and its Structure
- g) Important concepts and definitions under CGST Act and IGST Act

UNIT-II – Levy and Collection of Tax and place of supply

- a) Levy and Collection of Tax
- b) Rates of GST
- c) Scope of Supply
- d) Composite and Mixed Supplies and e-commerce under GST regime
- e) Liability to pay tax
- f) Time of Supply of Goods
- g) Cascading Effect of Taxation
- h) Input Tax Credit
- i) Manner of claiming input tax credit in different situations
- j) Input Service Distribution

- k) Reversal of credit
- l) Unauthorised Collection of Tax
- m) Tax Invoice – Credit notes, Debit Notes, Bill of Supply
- n) Electronic Cash register, Credit Ledger, Liability Ledger

UNIT-III - Registration and payment of Tax

- a) Compulsory Registration
- b) Procedure For Registration
- c) GSTIN and its structure
- d) Amendment of Registration – Cancellation of Registration
- e) Returns – Furnishing Details of Supplies
- f) Payment of Tax, Interest, Penalty
- g) Tax Deduction at Source
- h) Collection of Tax at Source
- i) Refunds

UNIT-IV Assessment, Audit and Appeals

- a) Assessment – meaning
- b) Types of Assessment – Summary Assessment – Best Judgment Assessment – Assessment of Non Filers – Assessment of Unregistered Persons
- c) Audit
- d) Search and Seizure
- e) Inspection of Goods in Movement
- f) Power of Authorities
- g) Demand and Recovery
- h) Fraud and Suppression of Facts
- i) Liabilities
- j) Provisional Attachment
- k) Appeals
- l) Appellate Authorities – Powers
- m) Appeals before Tribunal
- n) Revision by Commissioner (CGST/SGST)
- o) High Court
- p) Supreme Court

Recommended Books

1. H.C Mehrotra, Indirect Taxes, SahityaBhavan Publications, New Delhi, 2018.
2. Vinod K Singania, Indirect Taxes, Taxmann's Publications, New Delhi, 2018
3. Rakesh Kumar, Goods and Services Tax, Diamond Pocket Books Pvt Ltd.
4. Bare Act CGST
5. Bare Act SGST
6. Bare Act IGST

Course: Election Law
Course Code: 16012400

Course Outline:

Elections are considered to be a process to achieve democracy and as an indispensable element in the establishment and continuation of any democracy. India is having a constitution that guarantees a democratic republic to its citizens. This is based unmistakably on adult franchise, though the question remains about the nature of right to vote whether fundamental or statutory.

The proposed course would offer both these perspectives, needless to say that both are having points of convergence than divergence. The subtle difference is that the Constitutional foundation gives a rights axis and the political perspective gives the philosophical position. The introduction of the course will be done on the political structure of democracy and will proceed to the postulate of free and fair elections.

1. To familiarize the students with the existing legal framework of elections to various democratic bodies/ posts
2. To critically analyse the present regime of laws with reference to the postulate of free and fair elections as the fundamental point of democracy
3. To learn the process of development/reforms in the field of election laws by parallel forces
 - a. Legislations/ Amendments
 - b. Judicial contributions
 - c. interventions
4. To sketch the probable future developments by studying the report of the National Commission on the Review of the Working of the Constitution and Law Commission of India.

UNIT-I - State and Democracy - Indian Perspective

- a) Theories of State
- b) Theories of Democracy
- c) Democracy and Power
- d) Government and Politics in India
- e) Issues in Indian Democracy

UNIT-II - Frame Work of Elections and Process of Election

- a) Right to Democracy
- b) Electoral System
- c) Constitutional framework of Election Commission
- d) Democratic Bodies
- e) Reservation in Legislative Bodies
- f) Defection
- g) Process of Election

- i. Election to the Parliament
- ii. The Presidential and the Vice Presidential Elections
- iii. The Voting System

UNIT-III - Election Disputes and Issues

- a) Jurisdiction
- b) Registration of Political Parties
- c) Allotment of Symbols
- d) Criminalisation of Politics
- e) Right to Information vis-à-vis Election
- f) Election Expenditure
- g) Electoral Offences
- h) Exit Polls and Opinion Polls

Cases

1. Common Cause- A Registered Society v. UOI (1996) 2 SCC 752
2. Union of India v. Assn. for Democratic Reforms (2002) 5 SCC 294
3. Lakshmi Charan Sen v. A K M Hassam Uzzaman AIR 1985 SC 1233
4. K. Venketachalam v. A Swamickan AIR 1999 SC 1723
5. Gajanan Krishnaji Bapat v. D R Meg AIR 1995 SC 2284
6. Rajendra Prasad v. Sheel Bhadra AIR 1967 SC 1445
7. Bhanu Kumar v. M. Sukhadia AIR 1971 SC 2025
8. R Y Prabhoo v. P.K Kunte AIR 1996 SC 1113
9. B. R. Kapur v. State of Tamil Nadu (2001) 7 SCC 231
10. K.Prabhakaran v. Jayarajan Judgment dated 11/01/2005 in CIVIL APPEAL NO. 6691 OF 2002

UNIT-IV - Development in Election Laws

- a) Legislative Endeavours
- b) Judicial Efforts
- c) Contribution of Civil Society
- d) Recommendations and Efforts by Election Commission
- e) Report of the NCRWC
- f) Law Commission Report on Reform of Electoral Laws

Recommended Books

1. Herman Finer, Theory and Practice of Modern Government, (Greenwood: 1970) pp 67- 93
2. Thomas Feliner and Lidija R. Basta, Constitutional Democracy in a Multicultural Globalised World, (Springer: 2009), pp 373- 397
3. B.C. Chowdhury, Political Theory Traditional and Modern Theory, (National Publishing House: 1999) pp 66-118
4. David Held, Political Theory and the Modern State, (Worldwide Publication: 1998) pp 11 – 118

5. Austin Ranney, *Governing: An Introduction to Political Science*, 5th edn., (Prentice Hall: 1990) pp 111- 117, 173- 199
6. Rajni Kothari, *Rethinking Democracy* (Orient Longman: 2005) pp 1-70, 90 –153
7. Manoranjan Mohanty, *Theorizing India's Democracy*, in *Indian Democracy: Meanings and Practices*, Rajendra Vohra, ed. et al., (Sage: 2004) p 99
8. Atul Kohli, *The Success of India's Democracy*, (Foundation Books : 2005)
9. Sunil Khilnani, *India's Democratic Career in Democracy, The Unfinished Journey 508 BC to AD 1993*, John Dunn, ed., (OUP: 1992) pp 189-206
10. Niraja Gopal Jayal, *Democracy and the State, Welfare, Secularism and Development in Contemporary India* (OUP: 2001) pp 9-30
11. Suhas Palshikar, *Whose Democracy Are We Talking About*, in *Indian Democracy: Meanings and Practices*, Rajendra Vohra, ed. et al., (Sage: 2004) pp 127
12. Ramesh Thakur, *Government and Politics of India*, (Palgrave Macmillan: 1995), pp 326- 351
13. V.S Ramadevi and S.K. Mediratta, *How India Votes: Election Laws Practice and Procedure*, 2nd Ed., (LexisNexis : 2006) pp. 1127 - 1140
14. P Bhanu Mehta, *Reform Political Parties First*, available at
15. Trilochan Sastry, *Electoral Reform and Citizens Initiatives- Some Breakthrough*, EPW Perspectives, March 27, 2004
16. Madhav Godbole, *Reform of Political System Growing Concern after election 2004*, EPW Perspectives, July 10, 2004
17. Bikash Chandra Dash, *Civil Society Initiatives in Electoral Reforms*, EPW Commentary, Sept.11, 2004
18. Jagdeep S. Chhokar, *Reforming the Electoral System*, 521 Seminar, p. 61 (2003)
19. Vinod Bhanu, *Right to Recall Legislator – The Chhattisgarh Experience*, EPW Vol. 43, No.40 15 (2008)
20. Bhaskar Dutta, *The Fragmented Lok Sabha – A Case for Electoral Engineering*, Vol. 44 No. 17 p. 93 (2009)
21. Patrick Dunlevy and Helen Margetts, *Understanding the Dynamics of Electoral Reform*, *International Political Science Review* Vo. 16, No. 1, 9-29 (1995)

Note: The review of Syllabus happens on periodic basis for the benefit of the students. In case there are changes in curriculum due to review, students would be intimated in writing.

List of Electives

Electives	Course Code	Course Name
Elective I	16011000	Media & Law
	16011100	Insurance Law
	16000100	Legal Methods
	16011200	Law, Poverty And development
Elective II	16011300	International Trade in Service of Emigration Law
	16011400	Law Relating to Patent Drafting and Specification Writing *
	16006400	Criminology
	16011500	Telecommunication Law
Elective III	16011600	Right to Information Act,2005 *
	16009000	Human Right Law
	16011700	Women and Criminal Law
	16011800	Socio-Legal Dimensions of Gender
Elective IV	16009200	Rent Control & Real Estate Laws
	16012200	IPR (Trademark and Copyright) *
	16012000	Gender Justice and Feminist Jurisprudence
	16012100	Comparative Laws
Elective V	16011900	Health Care Laws
	16012700	Indirect Taxes (GST)
	16009300	Interpretation of Statutes
	16012400	Election Law
Elective VI	16012500	Competition Law
	16009700	Art of writing Judgement *
	16012600	International Humanitarian Law
	16013800	Insurance and Banking Laws
Elective VII	16012800	Equity and Trust *
	16013900	Gender Justice
	16012900	International Refugee Law
	16013000	International Economic Law
Elective VIII	16013100	International Commercial Law
	16009900	Reformative Treatment of Persons in Conflict with Law (Juvenile Justice) *
	16013200	Socio Economic Offences
	16013300	Forensic Sciences

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