

Detailed Course Scheme
Bachelor of Law
(LL.B.)

Semester- IV
(2016-19)

DOC201712080023



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 LL.B. program for (January-June) Even Semester, 2018 along with Examination pattern is as follows:

Course Scheme

Semester -IV

S. No	Subject Code	Course Name	Credits
1.	16004800	Constitutional Law - II	4
2.	16004900	Administrative Law	4
3.	16005000	Taxation Law	4
4.	16005100	Intellectual Property Rights Law-I	4
5.	16005200	Competition Law	4
6.	16002500	Ability & Skill Enhancement Module-IV	3
7.	99002000	NCC/NSS/Other Related Activities	-
8.	99002100	Club Activity	-
Total Credits			23

EVALUATION SCHEME

The evaluation of the 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	Two Mid-term Examinations	10+10

Marks obtained in various Tests, Assignments, Presentations, etc.	Average of marks obtained	15
Discipline	To be decided by concerned faculty	5
Attendance	80% - 5 marks and 0.25 percent for every one percent above 80 %	10
TOTAL	50	

External Assessment

Type	Marks
Theory	50

EVALUATION SCHEME- NCC/NSS AND CLUB ACTIVITIES

1. NCC/NSS will be completed from Semester I – Semester IVth. It will be evaluated internally by the institute. The credit for this will be given after IVth 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 IVth Semester.

CURRICULUM

Course Name: Constitutional Law- II

Course Code: 16004800

Course Outline:

Unit – I: Fundamental Rights – I

- a. Definition of ‘State’ for Enforcement of Fundamental Rights: Justifiability of Fundamental Rights, Doctrine of Eclipse, Severability, Waiver.
- b. Right to Equality (Articles14-18): Doctrine of Reasonable Classification and the Principle of Absence of Arbitrariness, Legitimate Expectations, Principle of Compensatory Discrimination.
- c. Fundamental Freedom (Article 19): Freedom of Speech and Expression, Freedom of Press and Media; Expansion by Judicial Interpretation of Article19; Reasonable Restrictions(Article19 clause (2)to(5).

Unit – II: Fundamental Rights – II

- a. Right to Life and Personal Liberty (Articles 20-22): Scope and Content (Expansive Interpretation- Right to Privacy, Gays’ Rights, Live-in Relationships, etc.)
- b. Right to Education (Article 21A): RTE Act, 2009
- c. Right against Exploitation (Articles 23-24): Forced Labour, Child Employment and Human Trafficking
- d. Freedom of Religion and Cultural and Educational Rights of Minorities (Articles 25-30)

Unit – III: Right to Constitutional Remedies

- a. Writs: *Habeas Corpus*, *Mandamus*, *Certiorari*, Prohibition and *Quo-warranto*
- b. Art. 32 and Art. 226
- c. Judicial Review
- d. Jurisdiction and Private Sector

Unit – IV: Directive Principles and Fundamental Duties

- a. Nature and Justifiability of the Directive Principles
- b. Detailed Analysis of Directive Principles (Articles 37-51)
- c. Fundamental Duties
- d. Inter-Relationship between Fundamental Rights and Directive Principles

Suggested Readings

1. V.N. Shukla, *Constitution of India*, Eastern Book Agency, 2014.
2. M.P. Jain, *Indian Constitutional Law*, Lexis Nexis, 2013.
3. D.D. Basu, *Introduction to the Constitution of India*, Lexis Nexis, 21stEdn., 2013.
4. H. M. Seervai, *Constitutional Law of India*, Universal Law Publishing Co., Reprint, 2013.
5. Glanville Austin, *Indian Constitution-Cornerstone of the Nations*, Oxford University Press, 1999.
6. P.M. Bakshi, *The Constitution of India*, Universal Law Publishing Co., 2014.

Course Name: Administrative Law

Course Code: 16004900

Course Outline

Unit – I: Evolution and Scope of Administrative Law

- a. Nature, Scope and Development of Administrative Law

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

Unit – II: Legislative Functions of Administration

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

Unit – III: Judicial Functions of Administration

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

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

A. Administrative Discretion

- i) Need and its relationship with rule of law
- ii) Constitutional imperatives and exercise of discretion
- iii) Grounds of judicial review i. Abuse of discretion ii. Failure to exercise discretion
- iv) Doctrine of legitimate expectations Objective

B. Judicial Control of Administrative Action

- i) Introduction
- ii) Court as the final authority to determine the legality of administrative action
- iii) Exhaustion of Administrative remedies
- iv) Laches
- v) Res judicata
- vi) Judicial review and its extent

C. Methods of judicial review

- i) Statutory appeals
- ii) Writs
- iii) Declaratory judgements and injunctions
- iv) Civil Suits for Compensation.

D. Ombudsman, lokpal and lokayukta.

LEADING CASES

1. Ram Jawaya v. State of Punjab. AIR 1955 SC 539
2. Ratlam Municipality v. Varadhi Chand. AIR 1980 SC 1622
3. G. Nageshwara Rao v. A, P. Road Tr. Com. AIR 1959 SC 308
4. Gwalior Rayon v. Assistant Commissioner of Sales Tax. AIR 1974 SC 1660
5. Shyam Sunder v. State of Rajasthan. AIR 1974 SC 890 19
6. BhikrajJaipuria v. Union of India, AIR 1962 SC 133

Suggested Readings:

1. Foulkes - Introduction to Administrative law, Butterworth.
2. Wade - Administrative law (Indian Rep.) Universal Delhi.
3. J.C. Garner - Administrative law, Butterworth (1990).
4. D.D. Basu - Comparative Administrative law (Prentice Hall).
5. I.P. Massey - Administrative law EBC, Lucknow. (1996).
6. M.P. Jain - Cases and material on Indian Administrative law (Vol. I & II) 1998 Universal book traders Delhi.
7. S.P. Sathe - Administrative law (1998), Butterworth (India), Delhi.
8. De Smith - Judicial review of Administrative Action (1995) with supplement, Sweet & Maxwell.
9. M.A. Fazal - Judicial control of administrative action in India Pakistan & Bangladesh (2000), Butterworth India.
10. Indian law institute - Cases and material on Administrative law in India vol. I (1996), Delhi.
11. D.R. Saxena - Ombudsman, Deep & Deep Delhi.
12. Tusharkanti Saha - Administrative law - Kanishk Publication, New Delhi.
13. V.G. Ramchandran - Administrative law, Eastern Book Co., Lucknow.
14. Bhagwati Prasad Banerjee - Writ Remedies (1999) Wadhwa, Nagpur.
15. M.P. Jain - The evolving Indian Administrative law (1983) Tripathi, Bombay.

Course Name: Taxation Law

Course Code: 16005000

Course Outline:

Unit I History of Tax Law in India, Constitutional provisions relating to Taxation Nature and Scope of Tax, Definition: Persons, Assesses, Tax Pays, Previous year, Assessment years, Financial year, Income, Gross Taxable Income, Taxable Income, Agricultural Income, Tax Evasion and Tax Avoidance.

Unit II Direct Tax Income Tax, Residential Status: Rules (Sec.6), Tax Liability Exemption (Sec.10), Deduction (Sec.80), related to individual, Expenses & Income, Rebate (Sec.88 & 88 B), Deemed income and clubbing of income, Carried Forward and Set of losses.

Unit III Income Tax Heads of Income: Income from Salary, House property, Business and Profession, Capital Gain and other sources Calculation of Gross Total and Taxable income, Tax rebate and Computation of Tax Liability, Tax Collection at source and Advance Tax

Unit IV: Assessment Procedure, Types of Assessment Income Tax Authority: Their function, Duties and Powers, Appeal, Offences, Fines and Penalties, Settlement of grievances and Prosecution, Income Tax Act, 1961, Income Tax Rules

LEADING CASES:

1. CIT West Bengal v. Benoy Kumar Saha Roy, AIR 1957SC 768
2. Pingle Industries Ltd. v. CIT, AIR 1960 SC 1034
3. P. Krishna Menon v. CIT, AIR 1956 SC 75
4. MalaRam& Sons v. CIT AIR 1956 SC 367
5. Banaras Cloth Dealers Syndicate v. ITO Banaras, (1964)ITR 507
6. Kala Khan Mohammed Haniff v. CIT, 50 ITR 1
7. CIT v. Kothari, (1963) 40 ITR 107 (SC)

Course Name: Intellectual Property Rights Law-I

Course Code: 16005100

Course Outline:

Unit-I:

- a) Meaning of Intellectual Property:
- b) International Instruments: Paris Union, TRIPS, WIPO, UNESCO
- c) The Patents Act, 1970 Introduction, Aims, Objective, Features & Principles,
- d) Inventions (Sec.2j)
- e) Invention not patentable (Sec.3 to 5)
- f) Application (Sec.6 to 8)
- g) Specification (Sec.9 to 10)
- h) Opposition (Sec.25)
- i) Grant & Sealing of Patent (Sec.43)
- j) Conditions for grant of patent (Sec.47)

Unit II:

- a) Rights of Patents (Sec.47)
- b) Term of Patent (Sec.53).
- c) Patents of Addition (Sec.54 & 55)
- d) Surrender & Revocation (Sec. 63 to 66)
- e) Patents Office (Sec. 73 to 74 r.4(2))
- f) Compulsory Licenses (Sec.84)
- g) License of right (Sec.86 to 88)
- h) Government use (Sec. 99)
- i) infringement (Sec.104 to 115)
- j) Patent Agents (Sec.125 to 132)
- k) International Arrangements (Sec.133 to 139)
- l) Paris convention, 1999 Amendment Act, 17 of 1999, Sec.5 amended, Exclusive Marketing Right (Sec.24A-24F).

Unit III:

- a) The Trade Marks Act, 1999 Introduction (Sec.2)
- b) Registration (Sec.4 to 17)
- c) Procedure (Sec.18 to 26)
- d) Effect of Registration (Sec.27 to 32)
- e) Deceptive Similarity
- f) Infringement
- g) Passing off Intellectual Property in Trade Mark

Unit IV:

- a) Law relating to Geographical Indications
- b) Introduction, meaning and salient features of Geographical Indication of Goods under the Geographical Indication of Goods (Registration and Protection) Act, 1999
- c) Procedure for Registration,
- d) Duration and Renewal,

- e) Right conferred by registration,
- f) Infringement of Geographical Indication,
- g) Remedies,
- h) Offences and Penalties under various Acts-
 1. The Patents Act, 1970
 2. The Trade Marks Act, 1999
 3. Geographical Indication of Goods (Registration and Protection) Act, 1999

LEADING CASES:

1. Bishwanath Prasad RadheyShyam v. Hindustan Metal Industries, AIR 1982 SC 1444.
2. R.G. Anand v. M/s. Deluxe Films, AIR 1978 SC 1613,
3. S.M. Dyechem Ltd. v. Cadbury (India) Ltd. (2400) 5 SCC 573
4. Nav Sahitya Prakashan v. Anand Kumar, AIR 1981 All
5. R.C. Anand v. Manager, Deluxe Films, AIR 1978 SC 1513

Suggested Readings:

1. W.R. Cornish, Intellectual Property, Sweet & Maxwell, London (2000)
2. Kerly's Law of Trade Marks and Trade Names, 14th Edition, Thomson, Sweet & Maxwell.
3. A. K. BanSal, Law of Trade Marks in India (2009 Edition) Institution of Constitutional and Parliamentary Studies and Centre for Law, Intellectual Property and Trade, New Delhi.
4. Christo her Wadlow, The Law of Passing Off, 1995
5. Marsha A. Echols, Geographical Indications for Food Products, International Legal and Regulatory Perspectives (2008), Wolters Kluwer.
6. N.S. Gopala krishnan & T.G. Agitha, Principles of Intellectual Property (2009), Eastern Book Company, Lucknow.

Course Name: Competition Law

Course Code: 16005200

Course Outline:

Unit I:

- a) Introduction, Basic Concepts
- b) Constitutional aspect of Elimination of Concentration of Wealth and Distribution of Resources Article 39 (b) & (c)
- c) Relation between Competition Policy and Competition Law
- d) Objectives of Competition Law, History and Development of Competition Law
- e) Liberalization and Globalization - Raghavan Committee Report
- f) Competition Act 2002;
- g) Difference between MRTP Act and Competition Act,

- h) Salient feature of Competition Act,
- i) Important Definitions under the Competition Act, 2002.

Unit II:

- a) Anti-Competitive Agreements
- b) Horizontal and Vertical agreement,
- c) Rule of Perse and Reason,
- d) Appreciable Adverse Effect on Competition (AAEC) in India,
- e) Exemption, Prohibition of Anti-competitive agreement/ Cartel/bid rigging.

Unit III:

- a) Regulation of Abuse of Dominant Position Enterprise,
- b) Relevant Market,
- c) Dominance in Relevant Market,
- d) Abuse of dominance,
- e) Predatory Pricing.
- f) Regulation of Combinations
- g) Merger, Acquisition, Amalgamation and Takeover - Horizontal, Vertical and Conglomerate Mergers - Combinations covered under the Competition Act, 2002 – Regulations, Penalties.

Unit IV:

- a) Enforcement Mechanisms
- b) Establishment and Constitution of Competition Commission of India,
- c) Powers and Functions- Jurisdiction of the CCI –
- d) adjudication and appeals, -Competition Appellate Tribunal (CompAT),
- e) Director General of Investigation (DGI)-
- f) Penalties and Enforcement.
- g) Competition Advocacy in India and other foreign jurisdictions

Suggested Readings:

1. International Review of Competition Law
2. Journal of Competition Law and Economics (JCLE)
3. Competition Policy International (CPI)
4. The Competition Law Review (CompLRev)
5. P. Satyanarayana Prasad, Competition Law and Cartels, Amicus Books, ICFAI University Press, 2007.
6. Kristy Middleton, Barry Rodger & Angus Mac Culloch, Cases and Materials on UK and EC Competition Law, Oxford University Press, 2003.
7. VinodDhall (ed.), Competition Law Today, Oxford University Press, 2007.
8. Maher M. Dabbah, EC and UK Competition Law: Commentary, Cases and Materials, Cambridge University Press, 2004.

9. Piet Jan Slot and Angus Johnston, An Introduction to Competition Law, Oxford and Portland, Oregon, 2006
10. Suresh T. Vishwanathan, Law and Practice of Competition Act, Bharat.
11. Richard Whish, Competition Law, Oxford University Press, 2008.
12. Mark Furse, Competition Law of the EC and UK, 6thed. – 2008, Oxford University Press.
13. S.M. Dugar, Commentary on MRTP Law, Competition Law & Consumer Protection Law, 4thed.- 2006, Wadhwa Nagpur
14. Abir Roy & Jayant Kumar, Competition Law in India, Eastern Law House, New Delhi.

Course Name: Ability & Skill Enhancement Module- IV

Course Code: 16002500

Course Outline - Final Assessment – Mock Interviews & PI Kit Submission

Unit I - Tele – Etiquettes Receiving Calls, Placing a call, Ending Calls, Transferring calls, Taking Message/ Voice Mails, Placing call on hold, Handling Complaints.

Unit II – Confidence Building & Brain Storming How to build confidence by positive thinking, identifying negative thoughts, how to control negative thoughts entering our mind, identifying personal talents, and its ways to improve, how to develop good habits and having principles and follow them at all times.

Need to learn new things, ideas and skills, what is brain storming, why do we need it, what are the different ways of brain storming through logics and reasoning, Brain Storming Session.

Unit III – PI Kit What is resume, Format of Resume, Formatting, Resume Preparation, Covering Letter, PI Kit.

Unit IV - Interview Skills Mastering the art of giving interviews in - selection or placement interviews, web /video conferencing, Mock Interview, HR Expert Mock Interview, Telephonic Interviews.

Unit V – Internship Preparation: Company Specific Research and Presentation Identifying domain specific industries, researching the industry, Industry analysis, Presentation on specific industry/company.

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.

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