



**SGT UNIVERSITY, GURGAON**  
**FACULTY OF LAW**

PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LL.B	I	Constitutional Law - I	12040101

**CONSTITUTIONAL LAW – I**

**Module – I**

**Introduction to Indian constitution**

- 1.1 Salient features of Indian Constitution
- 1.2 Nature of Indian Constitution- Unitary or Federal
- 1.3 Preamble of Constitution
- 1.4 Citizenship

**Module – II**

**Fundamental Rights - I**

- 2.1 Definition of State (Article 12)
- 2.2 Laws inconsistent with Fundamental Rights (Article 13)
- 2.3 Right to Equality (Article 14-18)

**Module – III**

**Fundamental Right – II**

- 3.1 Freedom of Speech & Expression (Art. 19)
- 3.2 Protection in respect of conviction of offences (Art. 20)
- 3.3 Protection of Life & Personal Liberty (Art. 21)
- 3.4 Safeguards against arbitrary arrest & detention (Art. 22)

**Module – IV**

**Fundamental Right – III**

- 4.1 Right against Exploitation (Art. 23-24)
- 4.2 Right to Freedom of Religion (Art. 25-28)
- 4.3 Cultural & Educational Right (Art. 29-30)
- 4.4 Right to Constitutional remedies (Art. 32- 35)

**Module – V**

**Directive Principles & Fundamental Duties**

- 5.1 Directive Principles of State Policy (Art. 36-51)
- 5.2 Fundamental Duties (Art. 51A)
- 5.3 Basic Features of Constitution & Procedure for Amendment of Constitution

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**Case Laws :**

- *Shankari Prasad vs Union of India* (AIR 1951 SC 455)
- *Sajjan Singh vs State Of Rajasthan* (AIR 1954 Raj 301)
- *Golak Nath vs. the State of Punjab* (1967 AIR 1643, 1967 SCR (2) 762)
- *Kesavananda Bharati vs State Of Kerala And Anr* (1973) 4 SCC 225)
- *Indira Gandhi v. Raj Narain* (1975 AIR 865, 1975 SCR (3) 333)
- *Minerva Mill v. Union of India* (AIR 1980 SC 1789)
- *Maneka Gandhi Vs Union of India* (1978 AIR 597 1978 SCR (2) 621 1978 SCC)
- *Justice K.S.Puttaswamy(Retd) vs Union Of India on 26 September, 2018 (WRIT PETITION (CIVIL) NO. 494 OF 2012)*
- *Indira Sawhney & Ors v. Union of India.* (AIR 1993 SC 477 : 1992 Supp (3)SCC 217)

**Suggested Reading:**

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 Indian Constitution of India, (20<sup>th</sup> Ed. 2009)
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
7. D.D. Basu, Shorter Constitution of India (14<sup>th</sup> Ed. 2008, reprint 2010)

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<b>PROGRAMME</b>	<b>SEMESTER</b>	<b>COURSE NAME</b>	<b>COURSE CODE</b>
LL.B (Hons.) 3 Year	I	Family Law - I	12040104

## FAMILY LAW - I

### Unit – I Introduction to Personal Laws

#### 1. Sources of Hindu Law

- 1.1 Ancient Sources - Shrutis & Smritis, Commentaries & Digest, Custom
- 1.2 Modern Sources - Judicial Decisions , Legislations, Equity, Justice and Good Conscience

#### 2. Sources of Muslim Law

- 2.1 Primary Sources – Quran, Sunnat, Ahadis, Ijma, Qiyas
- 2.2 Secondary Sources - Custom, Judicial Decision, Legislation, Equity, Justice and Good Conscience

#### 3. Schools of Hindu Law & Muslim Law

### Unit – II Marriage Laws

#### 1. Marriage under Hindu Law

- 1.1 Nature , Definition and Forms of Marriage
- 1.2 Conditions for Marriage & Registration of Marriage
- 1.3 Marriage Ceremonies and proof of Marriage
- 1.4 Degree of Prohibited relationship and Sapinda relationship
- 1.5 Grounds of Void & Voidable Marriage

#### 2. Marriage under Muslim Law

- 2.1 Definition, Nature and Scope of Muslim Marriage (Nikah)
- 2.2 Difference between Hindu & Muslim Marriage
- 2.3 Essential Conditions of Muslim Marriage
- 2.4 Classification of Muslim Marriage
- 2.5 Distinction between Shia & Sunni Law of Marriage

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### **Unit – III    Dissolution of Marriage**

- 1.    Judicial Separation & Restitution of Conjugal Rights**
- 2.    Dissolution of Marriage under Hindu Law**
  - 2.1    Nullity of Marriage
  - 2.2    Grounds of Divorce & Wife's Special Grounds for Divorce
  - 2.3    Divorce by Mutual Consent
  - 2.4    Irretrievable Breakdown of Marriage
- 3.    Dissolution of Marriage under Muslim Law**
  - 3.1    Essentials of Talaq
  - 3.2    Modes of Talaq
  - 3.3    Judicial Separation under The Dissolution of Muslim Marriage Act, 1939
  - 3.4    Distinction between Shia & Sunni Law of Divorce

### **Unit – IV    Maintenance and Adoption**

- 1.    Maintenance under Hindu Law**
  - 1.1    Provisions under the Hindu Marriage Act, 1955
  - 1.2    Provisions under the Hindu Adoption & Maintenance Act, 1956
  - 1.3    Provisions under the Cr.P.C, 1973
- 2.    Maintenance under Muslim Law**
  - 2.1    Maintenance to Muslim Wife
  - 2.2    Divorced Wife's Right to Maintenance under Muslim Women (Protection of Rights on Divorce) Act, 1986
  - 2.3    Maintenance to Muslim Children
- 3.    Adoption under Hindu Law**
  - 3.1    Who may adopt, who may give in adoption and who can be adopted
  - 3.2    Ceremonies of Adoption & Effects of Adoption
  - 3.3    Relationship of Adopted Child & Proof of Adoption

### **Unit – V    Guardianship**

- 1.    Guardianship of person-** Natural, Testamentary and Guardian appointed by court
- 2.    Guardianship of minors property**
- 3.    Defacto Guardian**
- 4.    Guardianship under Muslim Law**
  - 4.1    Meaning , Appointment and Removal of Guardianship
  - 4.2    Kinds of guardianship- guardianship in marriage, person and property



**Case Law:**

1. Bhaurao V. State of Maharashtra AIR 1965 SC 1564
2. P.Venkatakramana V. State AIR 1977 AP 43
3. P. V. K AIR 1982 Bom 400
4. N.G. Dastane V. S. Dastane AIR 1975 SC 1534
5. Sureshta Devi V. Om Prakash 1(1991) DMC 313 (SC)
6. Swaraj Garg V. K.M Garg AIR 1978 Del 296
7. Ghulam Kubra Bibi V. Mohd. Shafi AIR 1940 Pesh. 2
8. Ghulam Sakina V. Falak Sher AIR 1950 Lah 45
9. Saiyid Rashid Ahmad V. Mt. Anisa Khatoon AIR 1932 PC 25
10. Itwari V. Asghari AIR 1960 All. 684

**Suggested Reading:**

1. Paras Diwan, Modern Hindu Law, Allahabad Law Agency, 1993
2. Mulla, Principles of Hindu Law, Lexis Nexis, 2007
3. A.A.A. Fyzee, Outlines of Mohammadan Law, Oxford University Press, 1974
4. Afzal Qutb, A Treatise on Faith Oriented Family Norms, 1990
5. Kusum, Marriage and Divorce Law Manual, Universal Law Publishing Co. Pvt. Ltd., 2000
6. B.M. Gandhi, Family Law, Eastern Book Company, 2012
7. Tahir Mahmood, The Muslim Law of India, Law Book Company, 1980
8. Paras Diwan – Family Law, Allahabad Law Agency, 2001
9. Mulla, Principles of Mohammadan Law, Lexis Nexis, 1906

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	<b>SYLLABUS</b>	

PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB (Hons.) 3 Year	I	<b>Jurisprudence</b>	12040105

#### Unit- I

Nature and Scope of Jurisprudence, Various Schools of Jurisprudence: Historical School of Law and Jurisprudence, Theory of Analytical Positivism and Analytical school of law and Jurisprudence: Imperative theory of Law, Pure theory of Law

#### Unit -II

Sociological School of Law and Jurisprudence, Realist School or Functional School of Jurisprudence, Historical school of Law.

#### Unit- III

Custom as a Source of Law, Judicial precedent or Stare decisis and Legislation as a modern source of Law

#### Unit- IV

Legal Rights and Duties, Ownership and Possession; Title, Concept of Person and Nature of Legal Personality, Corporate Personality, Corporation Sole, Concept of Property, Obligation and Liability

#### Unit- V

Definition/concept, Nature and Scope of Comparative Law, Historical Development of Comparative Law and Utility of Comparative Law in Global and Indian context

  
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**Suggested Readings:**

1. R.W.M. Dias: Jurisprudence
2. Prof. (Mrs.) Nomita Aggarwal : Jurisprudence (Legal Theory)
3. Salmond: Jurisprudence
4. Mahajan, V.D.: Jurisprudence and Legal theory, 5th Ed. EBC, Lucknow
5. Dias, R W.: Dias on Jurisprudence, New Delhi, Aditya Book Law House
6. Jois, Rama: Seeds of Modern Public Law in Ancient Indian Jurisprudence, 2nd Ed., EBC, Lucknow





**SGT UNIVERSITY, GURGAON**  
**FACULTY OF LAW**

PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB	I	Law of Contract I	12040103

**Topic - I General Features**

- 1.1 History and development of the law
- 1.2 Definition of Agreement, Contract, Void Agreement, Voidable Agreement and Void Contract
- 1.3 Essential Elements of Contract
- 1.4 Intention to create Legal Relations

**Case Laws:**

1. Balfour v. Balfour (1918) All ER 860 (CA)
2. Merritt v. Merritt 1970 1. W.L.R. 1211
3. Edwards v Skyways 1964, 1 All ER 494
4. Rose and Frank Co. v Crompton & Bros. Ltd. 1925 A.C. 445
5. Simpkins v Pays, 3 All ER 10

**Topic - 2 Offer and Acceptance**

- 2.1 General Offer
- 2.2 Proposal and invitation to treat
- 2.3 Auction sale, Standing offer etc
- 2.4 Communication of offer
- 2.5 Acceptance of offer
- 2.6 Revocation of Proposal and Acceptance
- 2.7 Communication of Acceptance - Postal and other modes
- 2.8 Modes of Revocation

**Case Laws:**

1. Bhagwan Das Goverdhan Das Kedia v. Girdhari Lal Purushottam Das AIR 1966 SC
2. Entores Ltd. V. Miles Far East corporation 1955 2 Q.B. 326
3. Carlill v. Carbolic Smoke Ball Co. (1891) All ER Rep. 127
4. Lalman Shukla v. Gauri Dutt (1993) XL AIJR (All)
5. Adams v Lindsell 1818, 1B & Ald. 681
6. Harvey v. Facey 1893 AC 552
7. Pharmaceutical Society of Great Britain v. Boots Cash Chemists, Ltd. 1952 2 QB 795
8. Dickinson v Dodds 1876, 2 Ch. D. 463
9. Felthouse v Bindley 1862, 6 L.T. 157

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### **Topic - 3                      Consideration**

- 3.1 Doctrine of Consideration – Meaning, nature, need & adequacy
- 3.2 Doctrine of Privity in Consideration
- 3.3 Privity of contract
- 3.4 Lawful and Certain consideration
- 3.5 Present, Past and Future consideration
- 3.6 Agreement without Consideration
- 3.7 Promissory Estoppel

#### **Case Laws:**

- 1. Kedarnath v. Gorie Mohmad (1886) 71 D. 64 (Cal)
- 2. Khwaja Muhammad Khan v. Hussaini Begum (1910) 32 All ER 410
- 3. Dutton v Poole 1688, 89 E.R. 352
- 4. Beswick v Beswick 1968 A.C. 58
- 5. Chinnayya v Ramayya 1881, 4 Mad. 137
- 6. Tweddle v Atkinson 1861, 121 E.R. 762
- 7. Dunlop Tyre Co. v Selfridge & Col. 1915 A.C. 847
- 8. Union of India v Anglo Afghan Agencies AIR 1968 SC 718

### **Topic - 4                      Capacity to Contract**

- 4.1. Capacity to "Contract"
- 4.2. Contractual Incompetency
- 4.3. Effect of Minority on the Agreement
- 4.4. Contract for necessities
- 4.5. Restitution, Restoration of property, compensation etc

#### **Case Laws:**

- 1. Mohari Bibee v. Dhurmods Ghose (1903) 30 I.A. 114
- 2. Khan Gul v. Lakha Singh AIR 1928 Lah 609
- 3. Leslie v Sheill 1914, 3 K.B. 607
- 4. Nash v Inman 1908, 2 K.B. 1
- 5. Raj Rani v Prem Adib AIR 1949 Bom. 2015

### **Topic - 5                      Free Consent**

- 5.1 Meaning of Free Consent – Factors vitiating "Free Consent"
- 5.2 Coercion, Undue Influence, Fraud, Misrepresentation, Mistake

#### **Case Laws:**

- 1. Raghunath Prasad v. Sarju Prasad (1923) 54 I.A. 101
- 2. Subhas Chandra Das Mushib v. Ganga Prasad Das Mushib, AIR 1967 SC 878
- 3. Lassmi Amma v. T. Narayana Bhatta, 1970 (3) SCC 159

### **Topic - 6                      Void Agreements**

- 6.1 Definition of Void Agreement, Difference between Void agreement & Void contract

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## 6.2 Statutory illustrations of void agreements

- Agreements in Restraint of Marriage
- Agreements in Restraint of Trade
- Agreements in Restraint of Judicial Proceedings
- Agreements void for uncertainty
- Agreement by Wav of Wager
- Agreement to do an impossible act

## Topic - 7 Contingent Contracts and Quasi contractual Obligation

### 7.1 Contingent contracts

### 7.2 Nature and Basis of Quasi Contract

### 7.3 Instances of Quasi contracts in India

#### Case Law:

1. Moses v. Macferlan [1760] All ER 581
2. Sinclair v. Brougham 1814 AC 398
3. New Marine Coal co. v. Union of India AIR 1964 SC 152
4. Bengal Coal Co. Ltd. v Union of India AIR 1971 Cal. 2019
5. Gilbert and Partners v Knight [ 1968] 2 All ER 248
6. Pannalal v Deputy Commissioner, Bhandara AIR 1973 SC 152
7. Hansraj Gupta and Company v. Union of India AIR 1973 SC 2724
8. Alop Parshad & Sons Ltd. v Union of India AIR 1960 SC 588
9. State of West Bengal v. B.K. Mondal & sons, AIR 1962 SC 779

## Topic - 8 Discharge of Contracts

### 8.1 Discharge by Performance

### 8.2 Discharge by Agreement

### 8.3 Discharge by Operation of Law

### 8.4 Discharge by Breach

### 8.5 Effect of Breach

### 8.6 Anticipatory Breach

### 8.7 Novation, Alteration and Rescission

### 8.8 Doctrine of Frustration/impossibility

### 8.9 Limitations to the doctrine

### 8.10 Basis of Frustration - implied term theory, theory of just solution and construction of contract.


#### Case Law

1. Kapurchand v Himayatalikhan AIR 1963 SC 250
2. Taylor v. Caldwell 1863 2 B & S 826
3. Krell v Hanry (1903) 2 KB 740
4. Hadley v. Baxendale (1843-60) All ER Rep. 461
5. AKAS Jamal v. Moolla Dawood, Sons & Co. (1915) XX C.W.N. 105
6. Karsandas H. Thacker v. M/s. The Saran Engineering co.ltd.
7. Maula Bux v. Union of India, AIR 1970 SE 1955

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**Suggested Reading:**

1. Avtar Singh, *Law of Contract and Specific Relief*, Eastern Book Company, 2013 (11th Edn)
2. Pollock & Mulla, *Indian Contract and Specific Relief Act*, Lexis Nexis, 2013(14<sup>th</sup> Edn)
3. Anson, *Law of Contract*, Oxford University Press, 2010 (29th Edn)
4. Cheshire and Fifoot, *Law of Contract*, Lexis Nexis, 2010 (10th Edn)
5. Dutt, *Contract- The Indian Contract Act, 1872*, Eastern Law House, 11<sup>th</sup> Edition, 2013
6. MLJ, *Law of Contract and Specific Relief*, Lexis Nexis, 2009

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PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LL.B. (Hons)	I	Law of Crime -I ;IPC	12040106

### Detailed Curriculum

#### UNIT-I INTRODUCTION

- **Concept of Crime:** Definition and meaning of crime,
- Distinction between crime and tort,
- Stages of crime
- Elements of Crime: *Actus Reus and Mensrea*,
- General Explanations,
- Punishments.
- General exceptions

#### UNIT-II ABETMENT, CONSPIRACY, RIOTING etc.

- Abetment and Criminal Conspiracy
- Offences against the State,
- Offences against public peace and Tranquility,
- Rioting and affray
- False evidences,
- Offences against public health and safety

  
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### **UNIT-III OFFENCES AGAINST HUMAN BODY INCLUDING WOMEN**

- **Offences Affecting Human Body:** (offences affecting human life) Culpable Homicide and Murder, Causing death by negligence, Hurt and Grievous Hurt, Wrongful restraint and Wrongful confinement, Criminal force and Assault, Kidnapping and abduction.
- **Offences relating to Marriage:** Bigamy, Cruelty by husband and relatives of husband
- **Offences against Women-** Rape, custodial rape, marital rape, Prevention of immoral traffic Prohibition of indecent representation of women.
- **Criminal Intimidation**

### **UNIT- IV OFFENCES RELATED TO PROPERTY**

- Theft, Extortion, Robbery, Dacoity
- Criminal Misappropriation of Property & Criminal Breach of Trust,
- Receiving Stolen Property and Cheating,
- Mischief and Criminal Trespass,
- Offences relating to Documents.

### **UNIT-V DEFAMATION & ATTEMPT TO COMMIT OFFENCES**

- Defamation
- Attempt to Commit Offences

### **CASE LAWS:-**

- Paras Ram v. State of Punjab, (1981) 2 SCC 508
- K.M. Nanavati v. State of Maharashtra, AIR 1962 SC 508
- Puran Singh v. State of Punjab, AIR 1975 SC 1674
- Wassan Singh v. state of Punjab, 1996 Cr. LJ 878 (SC)
- Rupan Deol Bajaj v. KPS Gill, AIR 1996 SC 309
- Jaidev v. State of Punjab, Air 1963 SC 612
- Pandurang tukia V. State of Hyderabad, AIR 1955 SC 216


- Kehar Singh v. state of Delhi administration, AIR 1988 Sc 1883
- State of Tamil Nadu v. Nalini, AIR 1999 Sc 2640
- CBI v. V. C. Shukla, AIR 1998 Sc 1406

Text Books	Author/Publication
The Indian Penal Code, 1860 (Bare Act)	Government of India Publication Universal Publication CLA
Indian Penal Code	S. N. Mishra/ CLP

Reference Books	Author/Publication
Criminal Law	P.S.A. Pillai/ Butterworth's
Principles of Criminal Law	Jeroma Hall/ The Law book Exchange Ltd.
Criminal Law	R.C. Nigam/ Asia Publication House
Indian Penal Code	Ratan Lal & Dhiraj Lal/ Wadhwa
Criminal law: Cases and Materials	K.D. Gaur/ Butterworth's
The Indian Penal Code	M.P. Tandon & Rajesh Tandon/ Jain Book Agency

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**SGT UNIVERSITY**

**SHREE GURU GOBIND SINGH TRICENTENARY UNIVERSITY**

**FACULTY OF LAW**

PROGRAM	Semester	COURSE NAME	COURSE CODE
LLB (Hons)	1	Law of Tort-I	12040102


## Law of Tort—1

### Unit-1 Nature and definition of tort

- Definition and essential conditions of tort
- Distinguishing tort from crime, contract, breach of trust and quasi-contract.
- Privity of contract and tortious liability
- Ubi jus ibi remedium and the pigeon hole theory
- Injuria sine damno and damnum sine injuria
- Mental element in tortious liability; malice in law and malice in fact
- Concepts of malfeasance, misfeasance and nonfeasance
- Fault as a basis of liability reasonable foresight
- Damages-liquidated and unliquidated
- Concept of Remoteness of damages
- Concepts of strict liability, absolute liability and vicarious liability

### UNIT-2 General Defences in Tort and Discharge of Torts

- Volenti-non-fit injuria, Plaintiff the wrongdoer, Inevitable accident, Act of God, Private Defence, Mistake, Necessity, Statutory Authority, volenti-non-fit-injuria and contributory negligence distinguished

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- Discharge of torts- waiver, accord and satisfaction, release, acquiescence, res judicata, limitation period, death of parties

### Unit-3 Negligence, Res ipsa loquitor and Nervous Shock

- Negligence-meaning and essentials of negligence
- Kinds of negligence-Contributory and composite
- Res ipsa loquitor
- Defences to negligence-medical and professional negligence
- Nervous Shock

### Unit-4 Rules of Strict Liability and Absolute Liability

- Strict liability/No faulty liability
- Rule in Rylands vs. Fletcher and its applicability in India
- Rule of absolute liability as laid down in the Oleum Gas Leak case( M.C. Mehta vs. Union of India, AIR 1987 S.C. 965)
- Mass and toxic torts-Bhopal, Uphaar tragedies, etc.

### Unit-5 Principle of Vicarious Liability

- Meaning and principles of Vicarious Liability
- Liability of Principal for the wrongful acts of his agent
- Liability of Partners of a firm
- Liability of master for wrongful act committed by the servant
- Liability of the employer for the acts of Independent contractors
- Vicarious liability of State

### Case Law

- Bhim Singh v. State of J & K and Others
- Rudul Sah v. State of Bihar
- Rylands v. Fletcher 1868 LR HL 330
- M.C. Mehta v. Union of India 1987 1 SCC 395



- Union Carbide Corporation v. Union of India AIR 1989 SC 248
- Donoghue v. Stevenson 1932 SC 31
- State of Rajasthan v. Mst. Vidyawati & Others AIR 1962 SC 1039
- M/s Kasturilal RaliaRam Jain v. State of U.P. AIR 1965 SC 1039
- Cassidy v. Daily Mirror Newspapers Ltd.
- Bird v. Jones 1845 7 QB 742
- Lucknow Development Authority v. M.K.Gupta, (1949) ISCC 243.
- A.C. Modagi v. cCrosswell Tailor, (1991) II CPJ 586
- Indian Medical Assn. v. V.P. Shantha (1995) 6 SCC 651
- Consumer Unity and Trust society v. St. of Rajasthan (1991) II CPJ 56 Raj.
- Poonam Verma v. Ashwin Patel (1996) 4SCC 332
- Laxmi Engg. Works v. P.S.G. Indutrial Institute, AIR (1995) SC 1428
- Spring Meadows Hospital v. Harjol Ahluwalia, AIR (1998) SC 1801
- Morgan Stanley Mutual Fund v. Kartick Das (1994) 4SCC 225.

#### Suggested Reading:

1. W.V.H. Rogers, Winfield and Jolowicz on Tort, Sweet & Maxwell, 2010 (18th Edn)
2. Ratanlal & Dhirajlal, The Law of Torts, Lexis Nexis, 2013 (26th Edn)
3. B.M. Gandhi, Law of Torts with Law of Statutory Compensation and Consumer Protection, Eastern Book Company, 2011 (4th Edn)
4. R.K. Bangia, Law of Torts including Compensation under the Motor Vehicles Act and Consumer Protection Laws, Allahabad Law Agency, 2013
5. Ramaswamy Iyer's , The Law of Torts, Lexis Nexis, 2007 (10th Edn)

 <b>SGT UNIVERSITY, GURGAON</b> <b>FACULTY OF LAW</b>			
PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB (Hons)	II	CONSTITUTIONAL LAW – II	12040201

## CONSTITUTIONAL LAW – II

### Module – I                      The Union & State Executive

#### 1. The President

- 1.1 Qualifications & Tenure
- 1.2 Privileges of President
- 1.3 Powers of President
- 1.4 Impeachment of President

#### 2. The Vice – President

- 2.1 Functions of Vice – President

#### 3. Council of Ministers

- 3.1 Appointment of Prime minister
- 3.2 Appointment of Minister

#### 4. Attorney General of India

#### 5. The State Executive


- 5.1 Appointment of Governor
- 5.2 Qualification of Governor
- 5.3 Tenure & Removal of Governor
- 5.4 Powers of Governor

#### 6. Council of Ministers

### Module – II                      Union & State Legislature

#### The Union – Parliament

- 1. Composition of Parliament (Lok Sabha, Rajya Sabha)
- 2. Qualification for Member of Parliament
- 3. Speaker & Deputy speaker of Lok Sabha


  
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4. Bills
5. Comptroller & Auditor General of India

### **The Staff Legislature**

1. Composition of State Legislature
2. Qualification of Member of State Legislature

### **Module – III                      Union & State Judiciary**

#### **1 The Union – Supreme Court**

- 1.1. Composition of Supreme court
- 1.2. Appointment of Judge of Supreme court
- 1.3. Removal of Judge of Supreme court
- 1.4. Jurisdiction of Supreme court

#### **2 The State – High Court**

- 1.1. Appointment, Transfer of Judge of High Court
- 1.2. Term & Removal of Judge of High Court
- 1.3. Power to issue writs

### **Module – IV                      Relation between Union & State**

1. Legislative Relations
2. Administrative Relations
3. Financial Relations

### **Module – V**

1. State Liability
2. Freedom of Trade, commerce & Intercourse
3. Services under the Union & States

### **Module – VI**

#### **1. Emergency Powers & Amendment of Constitution**

- 1.1. National Emergency
- 1.2. State Emergency
- 1.3. Financial Emergency

#### **2. Amendment of Constitution**

- 1.1. Amendment of Basic structure of Constitution

Suggested Reading:

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 Indian Constitution of India, (20<sup>th</sup> Ed. 2009)
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
7. D.D. Basu, Shorter Constitution of India (14<sup>th</sup> Ed. 2008, reprint 2010)





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**FACULTY OF LAW**

PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LL.B(Hons.)	II	Family Law - II	12040203

**FAMILY LAW- II**

**Module – I Hindu Joint Family and Coparcenary**

- 1.1 Meaning, Characteristics & Distinction between Hindu Joint Family and Coparcenary
- 1.2 Distinction between Mitakshara & Dayabhaga Coparcenary and Changes introduced by The Hindu Succession (Amendment) Act, 2005
- 1.3 Rights of Coparceners and Position of Female Coparceners
- 1.4 Karta – Position, Powers and Rights & Duties

**Module – II Property**

- 2.1 Classification of Joint Family Property – Ancestral, Doctrine of Accretion, Doctrine of Detriment, Doctrine of Blending
- 2.2 Separate or Self Acquired Property & its Sources
- 2.3 Property inherited from Maternal Grandfather, Gift of Self acquired property by Father to Son, property inherited from Father under Hindu Succession Act, 1956 and Concept of Gains of Learning
- 2.4 Alienation of Hindu Joint Family Property – Karta's & Coparcener's Power of Alienation & Right to Challenge unauthorised Alienation
- 2.5 General Rules of Inheritance & Classification of Heirs under the Shia Law & Sunni Law

**Module – III Partition**

- 3.1 Meaning of Partition, De Facto & De Jure Partition
- 3.2 Subject matter of Partition & properties not capable of partition
- 3.3 Persons having Right to partition & Persons entitled only to Share in Partition
- 3.4 Mode of partition & How Partition is effected

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- 3.5 Revocation, Re-opening and Re-union of Partition

**Module – IV Hindu Law of Succession**

- 4.1. Succession to Separate/ Divided property of a Hindu Male dying intestate – class I, class II heirs, Agnates & Cognates
- 4.2. Succession to Mitakshara Coparcener's undivided interest
- 4.3. Disqualifications under the Hindu Succession Act & its effect on Succession
- 4.4. Hindu Woman's Property under S.14(1), S.14(2), S.15(1), S.15(2) of Hindu Succession Act, 1956

**Module – V Gift (Hiba), Wills (Wasiyat) & Waqfs under Muslim Law**

- 5.1. Meaning & Essentials of a Valid Gift
- 5.2. Irregular Gift (Mushaa), Gift of Exchange ( Hiba-bil-iwaz) and Revocation of Gifts
- 5.3. Object & Essentials of a Valid Will under Muslim Law
- 5.4. Difference between Sunni Law & Shia Law on Will
- 5.5. Wakfs & Essentials of Waqfs under Shia & Sunni Law and Doctrine of Cypres


**Suggested Reading:**

1. Paras Diwan, Modern Hindu Law, Allahabad Law Agency, 1993
2. Mulla, Principles of Hindu Law, Lexis Nexis, 2007
3. A.A.A. Fyzee, Outlines of Mohammadan Law, Oxford University Press, 1974
4. Afzal Qutb, A Treatise on Faith Oriented Family Norms, 1990
5. Kusum, Marriage and Divorce Law Manual, Universal Law Publishing Co. Pvt. Ltd., 2000
6. B.M. Gandhi, Family Law, Eastern Book Company, 2012
7. Tahir Mahmood, The Muslim Law of India, Law Book Company, 1980
8. Paras Diwan – Family Law, Allahabad Law Agency, 2001
9. Mulla, Principles of Mohammadan Law, Lexis Nexis, 1906

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<b>PROGRAMME</b>	<b>SEMESTER</b>	<b>COURSE NAME</b>	<b>COURSE CODE</b>
LL.B (Hons.)	II	Law of Contract – II (Special Contract)	12040202

### **LAW OF CONTRACT – II (SPECIAL CONTRACT)**

#### **Module – I Contracts of Indemnity**

- 1.1 Meaning of Contract of Indemnity
- 1.2 Rights of Indemnity holder
- 1.3 Time of commencement of Indemnifier's Liability
- 1.4 Are Insurance Contracts the Contracts of Indemnity?

#### **Module – II Contracts of Guarantee**

- 2.1 Meaning & Features of Contract of Guarantee
- 2.2 Difference between a Contract of Indemnity & Contract of Guarantee
- 2.3 Nature & Extent of Surety's Liability
- 2.4 Meaning & Revocation of Continuing Guarantee      2.5  
Rights of Surety against Principal Debtor,  
Creditor & Co-Surety

#### **Module – III Contracts of Bailment**

- 3.1 Definition & Essentials of Contract of Bailment
- 3.2 Duties of Bailor
- 3.3 Duties of Bailee's
- 3.4 Rights of the Bailee & General & Particular Lien
- 3.5 Duties & Rights of Finder of Goods

#### **Module – IV Contracts of Pledge**

- 4.1 Definition of Pledge & Distinction between Bailment & Pledge
- 4.2 Rights of Pledgee
- 4.3 Pledging of goods by Non-Owners

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## **Module – V Contracts of Agency**

- 5.1 Meaning & Essentials of Contract of Agency
- 5.2 Different kinds of Agents- Auctioneers, Brokers & Del Credere Agents
- 5.3 Extent of Agent's Authority – Actual, Apparent, Authority in Emergency
- 5.4 Duties of Agent
- 5.5 Termination of Agency

## **Module – VI Specific Relief Act**


- 6.1 Recovering Possession of Property (S.5-8)
- 6.2 Specific Performance of Contracts (S.9-24)
- 6.3 Rectification of Instruments (S.26)
- 6.4 Rescission of Contracts (S.27-30)
- 6.5 Cancellation of Instruments (S.31-33)
- 6.6 Declaratory Decrees (S.34-35)
- 6.7 Preventive Relief or Injunctions (S. 36-44)

### **Suggested Reading:**

1. Avtar Singh, *Law of Contract and Specific Relief*, Eastern Book Company, 2013 (11th Edn)
2. Pollock & Mulla, *Indian Contract and Specific Relief Act*, Lexis Nexis, 2013(14<sup>th</sup> Edn)
3. Anson, *Law of Contract*, Oxford University Press, 2010 (29th Edn)
4. Cheshire and Fifoot, *Law of Contract*, Lexis Nexis, 2010 (10th Edn)
5. Dutt, *Contract- The Indian Contract Act, 1872*, Eastern Law House, 11<sup>th</sup> Edition, 2013
6. MLJ, *Law of Contract and Specific Relief*, Lexis Nexis, 2009
7. Dr. S.K Kapoor, *Contract – II*, Central Law Agency, 2015
8. Dr. Akhilekshwar Pathak, *Law relating to Special Contracts- Contracts of Bailment, Pledge, Hypothecation, Indemnity & Guarantee*, 1<sup>st</sup> Edition, 2013

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<b>PROGRAMME</b>	<b>SEMESTER</b>	<b>COURSE NAME</b>	<b>COURSE CODE</b>
LLB(Hons.)	II	Law of Crime – II (Cr.P.C)	12040206

### LAW OF CRIME – II (Criminal Procedure Code)

#### Module – I

#### Introduction

- 1.1 Definitions
- 1.2 Constitution & Powers of Criminal Courts & Offices
- 1.3 Arrest of Persons & Rights of arrested persons
- 1.4 Processes to Compel appearance of persons
  - a. Summons
  - b. Warrant
  - c. Proclamation & Attachment of Property
- 1.5 Processes to Compel production of things
  - a. Summons to Produce & Search Warrants
  - b. General provisions relating to Search

#### Module – II

#### Pre-Trial Proceedings

- 2.1 Information to Police & their Powers to investigate
- 2.2 Jurisdiction of Criminal Courts in Inquiries & Trials
- 2.3 Conditions requisite for Initiation of proceedings
- 2.4 Complaints to Magistrates
- 2.5 Commencement of proceedings before Magistrates
- 2.6 Provisions as to Bail & Bonds

#### Module – III

#### Trial Proceedings

- 3.1 Framing of Charge & Joinder of Charges
- 3.2 Trial before a Court of Session
- 3.3 Trial of Warrant cases by Magistrates
- 3.4 Trial of Summons cases by Magistrates
- 3.5 Summary Trials
- 3.6 Evidence in Inquiries & Trials & General provisions

#### Module – IV

#### Miscellaneous

- 4.1 Appeals
- 4.2 Reference & Revision

  
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- 4.3 Transfer of Criminal cases & Execution, Suspension, Remission & Commutation of Sentences
- 4.4 Irregular Proceedings & Limitation for taking Cognizance of certain offences
- 4.5 Plea Bargaining


**Suggested Reading:**

1. K.N. Chandrasekharan Pillai, *R.V. Kelkar's Lectures on Criminal Procedure*, Eastern Book Company, 2013
2. K.N. Chandrasekharan Pillai, *Criminal Procedure*, Eastern Book Company, 2004
3. Aiyer, Mitter, *Law of Bails- Practice and Procedure*, Law Publishers(India) Pvt. Ltd., 2012
4. P.V. Ramakrishna, *Law of Bail, Bonds, Arrest and Custody*, Lexis Nexis, 2008
5. P.K. Majumdar, *Law of Bails, Bonds and Arrest*, Orient Publication, 2012
6. Justice P.S. Narayana, *Code of Criminal Procedure*, ALT Publications, 2012
7. *Bare Act of Code of Criminal Procedure*, 1973
8. S.C. Sarkar, *The Law of Criminal Procedure*, Wadhawa& Co. , Nagpur, 2007
9. Ratanlal & Dhirajlal, *Criminal Procedure*, Lexis Nexis Butterworths Wadhwa,Nagpur, 2012



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	<b>PROGRAM</b>	<b>Semester</b>	<b>COURSE NAME</b> <b>COURSE CODE</b>
<b>LLB (Hons.)</b>	<b>II</b>	<b>Law of Tort II &amp; Consumer Protection Act</b> <b>12040204</b>	

## Law of Tort-II

### Unit-1 Trespass to person and property


- Trespass to person
- Assault and Battery-defences to an action for assault and battery
- False imprisonment, malicious prosecution
- Trespass to land, trespass to goods and conversion

### Unit-2 Tort of Nuisance and Defamation

- Nuisance-kinds of nuisance-public and private
- Defences to nuisance
- Meaning and essentials of defamation
- Defences to defamation

### Unit-3 Liability for dangerous premises, for making misstatements and for injury caused by animals

- Liability for dangerous premises
- Liability for dangerous animals


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- Liability for misstatements

#### Unit-4 Remedies under Law of Torts

- Remedies under Law of Torts-judicial and extra judicial remedies
- Remoteness of damage
- Compensation under the Motor Vehicles Act, 1988

#### Unit-5 Consumer Protection Law

- The history and development of consumer protection law
- The Consumer Protection Act, 1986
- Objective and scope of the Consumer Protection Act, 1986
- Unfair Trade Practices – General definition & specific unfair trade practices
- Consumer disputes Redressal agencies – Constitution, Power, Jurisdiction & remedies

**Case Law as discussed in class.**


**Suggested Reading:**

1. W.V.H. Rogers, Winfield and Jolowicz on Tort, Sweet & Maxwell, 2010 (18th Edn)
2. Ratanlal & Dhirajlal, The Law of Torts, Lexis Nexis, 2013 (26th Edn)
3. B.M. Gandhi, Law of Torts with Law of Statutory Compensation and Consumer Protection, Eastern Book Company, 2011 (4th Edn)
4. R.K. Bangia, Law of Torts including Compensation under the Motor Vehicles Act and Consumer Protection Laws, Allahabad Law Agency, 2013
5. Ramaswamy Iyer's , The Law of Torts, Lexis Nexis, 2007 (10th Edn)

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PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB (Hons.)	II	Property Law	12040205

## PROPERTY LAW

### Module – I

Meaning of: Immovable Property, Attestation, Registered, Actionable Claim and Notice

Definition of Transfer of Property; What may be transferred?; Persons competent to transfer; Operation of transfer; Conditions restraining alienation; Restrictions repugnant to interest created

Transfer for benefit of unborn person; Rule against perpetuity

Vested Interest and Contingent Interest.

### Module – II

Election and Apportionment; Restricted Covenants; Transfer by ostensible owner; Transfer by unauthorised person who subsequently acquires interest in property transferred

Fraudulent Transfer, Improvements made by person under defective Title,

Doctrine of *lis pendens*; Part performance.

### Module – III


Sale of immovable property; Definition of sale and Contract to sell, Rights and liabilities of buyer and seller; Marshalling by subsequent purchaser

Definition of Mortgage, Kinds of mortgage, mortgagor, mortgagee, mortgage money, mortgage deed

Right of redemption of mortgagor; Equity of redemption; Right to foreclosure or sale, Subrogation; Prohibition of Tacking; Marshalling and Contribution.

### Module – IV

Definition of Lease; kind of lease; Distinction between Lease and License, modes of creation and determination of lease, Exchange; Transfer of Actionable Claims,


  
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Definition of gift; Modes of creation of gift, Suspension and Revocation of gift; Onerous gift; Universal donee

## **Module – V**


Indian Easement Act, 1882.

Definition and essential features of easement; Kinds of easement; Imposition, Acquisition and Transfer of Easements  
Licenses.

### **Suggested Reading:**

1. Vepa P. Sarathi; Law of Transfer of Property; EBC, 2011.
2. Dr. Sir H.S. Gour's Commentary on The Transfer of Property Act; 12<sup>th</sup> Ed, 2010.
3. Saxena, Poonam, Mulla on Transfer of Property Act, 1882; Lexis Nexis; 2013 Ed.
4. G.C.V. Subba Rao's Law of Transfer of Property, Rev. Vepa P. Sarathi; 6<sup>th</sup> Ed. 2009
5. Saxena, Poonam; Property Law, Lexis Nexis, 2011.
6. Megarry & Wade, The Law of Real Property; Thomson S&M, 2012
7. Ghosh, Rashbehary, Law of Mortgage (Tagore Law Lectures), Kamal Law House, 2013
8. Sen Gupta (Rev.), Mitra's Transfer of Property Act( 18<sup>th</sup> ed., 2004)
9. S.M. Lahiri, Transfer of Property Act (10<sup>th</sup> ed., 1986)
10. Ameen and shastry, "The Law of Easement"

  
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PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB (Hons)	III	Administrative Law	12040305

**Detailed Curriculum**

**Unit – I Introduction**

- Nature & Definition of Administrative Law
- Rule of Law & Administrative Law
- Separation of Powers & its relevance
- Relationship between Constitutional Law & Administrative Law

**Unit – II Delegated Legislation**

- Meaning & Need of Delegated Legislation
- Types of Delegated Legislation
- Constitutionality of Delegated Legislation
- Delegatus Non Potest Delegare
- Sub-Delegation & Conditional Legislation

**Unit – III Control of Delegated Legislation**

- Parliamentary Control
- Procedural Control
- Judicial Control

**Unit – IV Administrative Discretion**

- Judicial control at the stage of Delegation of Administrative Discretion

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- Judicial control at the stage of Exercise of Administrative Discretion
- Abuse of Discretion
- Non Application of Mind
- General Limitations
- Locus Standi
- Ex Turpi Causa Non Oritur Actio
- Alternate Adequate Remedy
- Laches
- Res Judicata
- Ombudsmen
- Lokpal & Lokayukta

#### **Unit – V Principles of Natural Justice**

- Needs & Problems of Administrative Adjudication
- Administrative Tribunals
- Rules of Natural Justice
  - Rules against Bias
  - Rules of Fair Hearing (Audi Alteram Partem)
  - Post Decisional Hearing
- Exceptions to the Rules of Natural Justice

#### **CASE LAWS:-**

- A.N. Parsoraman v. State of Tamil Nadu, A IR 1990 SC 40
- State of Punjab v. V.K.Khanna, AIR 2001 SC 343
- A.V. Educational Society v. Govt. of A. P. Educational Department, AIR 2002 A.P. 348
- Kiran Gupta v. State of U.P., Air 2000 Sc 3299
- Indian National Congress v. Institute of Social welfare, AIR 2002 ScC2158
- S.N. Mukharjee v. Union of India, AIR 1990 SC 1986
- Kanhaiya Lal Sethia v. Union of I(ndia, AIR 1990 SC 365
- Ratlam Municipality v. Virdhi Chand, AIR 1980 SC 1622



- Union of India v. Cynamide India Ltd., 1987 SC 1802
- Union of India v. Tulsi Ram Patel, AIR 1985 Sc 1416

**SUGGESTED READING:**

- M.P Jain & S.N Jain, Principles of Administrative Law, Lexis Nexis, 2013 (7th Edition)
- C.K Takwani, Lectures on Administrative Law, Eastern Book Company (2012) 5th Edition
- S.P Sathe, Administrative Law, Lexis Nexis Butterworths, 2010, 7th Editio
- I.P Massey, Administrative Law, Eastern Book Co., 2012, 8th Edition
- Wade & C.F. Forsyth, Administrative Law, Oxford University Press, 2009 (12th Edition)

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**FACULTY OF LAW**  
**SYLLABUS**

PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB (Hons)	III	Corporate Law-I	12040304

**Corporate Law-I**

**Module I: Meaning, Nature & Classification of company**

- 1.1 Meaning & Definition of company
- 1.2 Classification of companies: OPC, Body corporate, Private and Public Companies,  
Government companies, Foreign and Multinational companies.
- 1.3 Advantages & Disadvantages of incorporation – Lifting of Corporate Veil
- 1.4 Formation of Company – Promoters, Legal position, Rights & Liabilities of Promoters.

**Module II: Memorandum of Association**

- 2.1 Definition & Purpose of Memorandum
- 2.2 Contents of Memorandum
- 2.3 Doctrine of Ultra Vires

**Module III: Articles of Association**

- 3.1 Content of Articles of Association
- 3.2 Distinction between MOA and AOA
- 3.3 Alteration of MOA and AOA
- 3.4 Doctrine of constructive Notice & Doctrine of Indoor Management

**Module IV: Prospectus and Share Capital**

- 4.1 Prospectus: Contents, Registration, liability for Mis-statements in prospectus, Civil and Criminal Liability.
- 4.2 Share capital: Kinds of capital and shares.
- 4.3 Member and Shareholders: Rights and Duties

**Module V: Company Directors, Managerial Persons and Company Meetings**

- 5.1 Company Directors: Appointment, Removal, Legal Position, Powers, duties, Liabilities, Audit Committee, Independent directors.
- 5.2 Company Secretary and Managing Director – Duties and Liabilities
- 5.3 Company Meetings: Kinds, Notice, quorum, Directors Meeting.

  
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**Module VI: Emerging Issues in Company Law**

- 6.1 Director Identity Number (DIN), Corporate Identity Number (CIN) Online Filing & Registration
- 6.2 Corporate Governance
- 6.3 Corporate Social Responsibility
- 6.4 Insider Trading
- 6.5 National Company Law Tribunal

**Suggested Readings:**

- 1) Avtar Singh , "Company Law", Eastern Book Company., Allahabad
- 2) A.K. Majumdar & Dr. G.K. Kapoor, "Company Law", 15<sup>th</sup> Edition, Taxmann Publication, New Delhi.
- 3) A Ramaiya's Guide to the COMPANIES ACT, LexisNexis Publication, Nagpur
- 4) Sharma J.P, " An easy Approach to Corporate Laws", Ane Books Pvt Ltd, New Delhi
- 5) Bharat Law House, New Delhi, " Manual of Companies Act, Corporate Laws and SEBI Guidelines"
- 6) Wadhwa and company," A Ramaiya Guide to Companies Act, Nagpur.
- 7) Kannal, S., & V.S. Sowrirajan. " Company law Proceedure", Taxman's Allied Services (P) Ltd., New Delhi
- 8) "Singh Harpal," Indian Company Act" Galgotia Publishing, Delhi
- 9) Charlsworth & Mores," Company Law", Sweet & Maxwell", London U.K.
- 10) Gower, LCB, " Principles of Modern Company Law", Stevens & Sons, London

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PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB	III	Code of Civil Procedure & Limitation Act	12040301

## **Code of Civil Procedures & Limitation Act**

### **Module-I Introduction**

**1.1.** Definitions: Decree, Judgement, Order, Foreign Court, Foreign Judgement, Mesne-Profits, Affidavit, Suit, Complaint, Written Statement

**1.2.** Important Concepts: Res Sub-Judice, Resjudicata, Restitution, Caveat, inherent power of court

**1.3.** Execution of Judgement and Decree

### **Module-II: Initial Steps in a Suit**

**2.1.** Jurisdiction and Place of Suing

**2.2.** Institution of Suit

**2.3.** Pleadings: Meaning, Object, General rules, Amendment of Pleadings

**2.4.** Complaint and Written Statement

**2.5.** Appearance and Non-Appearance of Parties

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### **Module-III: Interim Orders**

- 3.1. Commissions
- 3.2. Receiver
- 3.3. Temporary Injunctions
- 3.4. Summary Procedure
- 3.5. Suits by Indigent persons
- 3.6. Inter-pleader Suit

### **Module- IV: Appeal, Reference, Review and Revision**

- 4.1. Appeals from Original Decree
- 4.2. Appeals from Appellate Decrees
- 4.3. General Provisions relating to Appeals
- 4.4. Reference to High Court
- 4.5. Review
- 4.6. Revision

### **Module-V: Limitation Act 1963**

- 5.1. Limitation of Suits, Appeals and Applications
- 5.2. Computation of period of limitation
- 5.3. Acquisition of ownership of possession

### **Recommended Cases:**

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- ☐ Topandas v. Gorakhram, AIR 1964 SC 1348
- ☐ Rajasthan State Road Transport Corp. v. Krishna Kant 1995 (5) SCC 75
- ☐ Pandurang v. Shantibai, AIR 1989 SC 2240
- ☐ Workmen C.P. Trust v. Board of Trustee, 1978 (3) SCC 119
- ☐ Razia Begum v. Anwar Begum, AIR 1958 SC 886 (895)
- ☐ B.K.N. Pillai v. P. Pillai, AIR 2000 SC 614
- ☐ Dalpat v. Prahlad 1992 (1) SCC 719
- ☐ Gujrat Bottling Co. Ltd. v. Coca Cola Co. 1995 (5) SCC 545
- ☐ Morgan Stanly v. Kartik Das 1994 (4) SCC 225
- ☐ Raj Duggal v. Ramesh Kumar, AIR 1990 SC 2218

#### **Text Books:**

1. Dinshaw Firdauzi Mulla, Mulla's Code of Civil Procedure, Lexis Nexis (18th Edn)
2. Sudipto Sarkar & V.R. Manohar, Sarkar's Code of Civil Procedure (2 Vols), Lexis Nexis India (11th Edn)

#### **References:**

1. Universal's Code of Civil Procedure, 1908 (Bare Act)
2. C.K. Takwani, Code of Civil Procedure, Eastern Book Company, 2010
3. M.R. Malik, Ganguly's Civil Court, Practice and Procedure, Eastern Law House,

  
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2012.

4.. M.P. Tandon, Code of Civil Procedure, Allahabad Law Agency, 2005

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PROGRAMME	SEMESTER	COURSE NAME	COURSE
LLB	III	Principles of Taxation	12040306

**Unit – I Basic Concept**

1. Types of Taxes and Distinction between Direct and Indirect tax
2. Previous Year and Assessment Year
3. Definition of Certain Terms: Persons, Assessee, Income, Application of Income and Diversion of Income by overriding Titles
4. Assessee and Assessment
5. Capital Receipt and Revenue Receipt

**Unit – II Residential Status, Chargeability**

1. Agricultural Income
2. Meaning and Rules for Determining Residential status of an Assessee
3. Income Exempted from Tax and Deduction under Income Tax Law
4. Income under the head salary
5. Tax Treatment to Income from House property

**Unit – III Heads of Income and Rules of Tax**

1. Income under other sources
2. Clubbing of Income
3. Set off and Carry Forward of Losses
4. Deductions, Refund and Tax Authorities
5. Penalty and Prosecution for Tax Evasion

**Unit – IV Miscellaneous**

1. Income Tax authorities
2. Tax deduction at source(TDS)
3. Return
4. Appeals, Reference and revision

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**Unit – V Indirect Tax**

1. GST Act- Features, Objectives, Advantages and Disadvantages, SGST & CGST

2. Insolvency Act – Definition, objective, Advantages and Disadvantages

**Case Laws:-**

1. CIT V Raja Benoy Kumar Sahars Roy (1957) 32 ITR 466 (SC)
2. Pradeep J. Mehta V CIT; (2002) 256 ITR 647 (Guj.)
3. CIT V Madhukant M. Mehta (2001) 247 ITS 805 (SC)
4. K.C. Builders and Another V Asstt. Commissioner Income Tax (2004) 265 ITR 562 (SC)

**Suggested Reading:**

1. Vinod Singhania & Kapil Singhania, Direct Taxes Law and Practice, Taxmann, 2014 Edition
2. Chaturvedi & Pithisaria, Income Tax Act with Relevant Tax Allied Acts, Lexis Nexis, 2013
3. B.B. Lal, Income Tax, Pearson, 2010 (1st Edition)
4. Taxmann's Income Tax Act as Amended by Finance Act, 2014
5. Kailash Rai, Taxation Law, (Allhabad Law Agency 16th Ed. 2017)

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PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB	III	Labour & Industrial Law – I	12040303

**LABOUR LAW- I**

**Part – A :**

**INDUSTRIAL RELATIONS: THE TRADE UNIONS ACT, 1926.**

**Unit :1: Trade Union – Definition, Registration and Recognition**

Definitions of 'trade union', 'workman' and 'trade dispute' - The Trade Unions Act, 1926, sections 2 (g) and (h), 3-13, 15, 22

**Unit :2: Immunities in trade disputes : Criminal and Civil**

2.1 The Trade Unions Act, 1926, sections 17 and 18

2.2 The Indian Penal Code, sections 120-A, 120 -B

**Part B**

**INDUSTRIAL RELATIONS : THE INDUSTRIAL DISPUTES ACT**

**Unit : 3 : 'Industry' – Conceptual Analysis**

The Industrial Disputes Act, 1947, section 2 (j)

**Industrial Dispute v. Individual Dispute – Contrast**

The Industrial Disputes Act, 1947, section 2 (k), 2A

**Unit : 4 : Concept of 'Workman'**

4.1 Distinction between contract for services and contract of service

4.2 Due control and super-vision test

4.3 Predominant nature of duty test

4.4 The Industrial Dispute Act, 1947, section 2 (s)

**Unit : 5 : 'Strike' & 'Lock out'**

5.1 Concepts, legality and justification

5.2 The Industrial Disputes Act - Sections 2(q), 2(l), 2(n), 10 (3),  
A (3A), 22-28

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5.3 The Industrial Employment (Standing Orders) Act, 1946

5.4 The Essential Services Maintenance Act, 1981

**'Lay off' 'Retrenchment' & 'Closure'**

5.5 Analysis of the Concepts, Pre-requisites

5.6 The Industrial Disputes Act, 1947, sections 2(cc), 2(kkk), 2(oo),  
VA, VB

Chapters

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## 5.7 The Industrial Employment(Standing Orders) Act, 1946

### General Reading:

1. Report of the National Commission on Labour(1969)
2. Report of the Second National Commission on Labour (2002)

### Prescribed Legislation: Industrial Relations are governed by the following enactment:

1. The Trade Unions Act, 1926
2. The Industrial Disputes Act. 1947
3. The Industrial Employment (Standing Orders) Act, 1946


### Case Law :

1. Rangaswami V. Registrar of Trade Unions AIR 1962 Mad 231.
2. In Re Inland Steam Navigation Worker's Union AIR 1936 Cal 59.
3. Rohtas Industries Staff Union V. State of Bihar AIR 1963 Pat 170.
4. Bangalore Water Supply and Sewerage Board V. A. Rajappa AIR 1978 SC 548.
5. A. Sundarmbal V. Govt of Goa. Air 1988 SC 1700.
6. H.R. Adyanthaya V. Sandoz (India) Ltd. (1994) 5 SCC 737.
7. Syndicate Bank V. K. Umesh Nayak (1994) 5 SCC 572.
8. Punjab Land Development and Reclamation Corp Ltd. V. P.O. Labour Court (1990) 3 SCC 682.
9. The Workman of Firestone Tyre and Rubber Co. Pvt. Ltd. V. FTRCO AIR 1976 SC 1775.
10. Workman of Dimakuchi Tea Estate V. Management AIR 198 SC 353.

### Prescribed Books:

1. G.B. Pai, Labour Law in India (2001)
2. P.L.Malik, K.D. Srivastava's Law Relating to Trade Unions and Unfair Labour Practices in India (4<sup>th</sup> ed., 2002, with Supplement 2003)
3. S.C. Srivastava (Rev.)Labour Law and Labour Relations : Cases and Materials (Indian Law Institute, 2007)
4. E.M. Rao, O.P. Malhotra's The law of Industrial Disputes(6<sup>th</sup> ed., 2004)
5. K.D. Srivastava, Industrial Employment (Standing Orders) Act, 1946 (4<sup>th</sup> ed., 1998 with Supplement 2003)

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	FACULTY OF LAW		
	SYLLABUS		
PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB (Hons.)	III	Public International Law and Human Rights	12040302

## PUBLIC INTERNATIONAL LAW

### Module I Definition & Scope of International Law

- 1.1 Definition & Scope of International Law
- 1.2 Nature of International Law
- 1.3 International Law is a Weak Law
- 1.4 Differences between Public & Private International Law

### Module II Subjects and Sources of International Law

- 2.1 Status of International Organizations
- 2.2 Place of Individuals in International Law
  - Holder of Rights
  - Duties of Individuals
  - Procedural Capacity of Individuals
- 2.3 Relationship between International Law & Municipal Law
- 2.4 International Customs and Treaties
- 2.5 General Principles of Law

### Module III Recognition, Law of the Sea

- 3.1 Meaning & Theories of Recognition
- 3.2 De Facto & De Jure Recognition
- 3.3 Express, Implied & Conditional Recognition
- 3.4 Territorial Sea, Contiguous Zone, Continental Shelf & Exclusive Economic Zone, High Seas

### Module IV International Organizations

- 4.1 The United Nations & its Organs
- 4.2 The International Court of Justice
- 4.3 International Criminal Court

  
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- 5.1 Concept of Human Rights and provisions of U.N. Charter relating to Human Rights,
- 5.2 Universal Declaration of Human Rights, 1948 and its Legal Significance,
- 5.3 Covenant on Civil and Political Rights, 1966 and
- 5.4 Covenant on Economic, Social and Cultural Rights,
- 5.5 National Commission on Human Rights

#### Case Laws -

- *The Charming Betsy and The Paquete Habana* (1804 and 1900)
- *Island of Palmas (Netherlands v United States of America)* (1928)
- *North Sea Continental Shelf (Federal Republic of Germany v Netherlands; Federal Republic of Germany v Denmark)* (1969)
- *Barcelona Traction, Light and Power Company (Belgium v Spain)* (1970)
- *The Nuclear Weapons Advisory Opinions* (1996)
- *The West rand Central Gold mining Company v The King* (1905)
- *SS Lotus (France v Turkey)* (1927)

#### Suggested Readings :

1. Oppenheim, *International Law*, Biblio Bazaar, LIC, 2010
2. James Crawford Brownlie, *Principles of International Law*, Oxford University Press, 2013
3. Starke, *Introduction to International Law*, Oxford University Press, 2013
4. Shaw, *International Law*, Cambridge University Press, 2008 (6th Edn)
5. A. Boyle & C. Chinkin, *The Making of International Law, Foundations of Public International Law*, Oxford University Press, 2007
6. R. P. Dhokalia, *The Codification of Public International Law*, United Kingdom: Manchester University Press, 1970
7. Mark Villiger, "The Factual Framework: Codification in Past and Present", in *Customary International Law and Treaties*, Mark Villiger, pp.63-113, The Netherlands: MartinusNijhoff, 1985
8. S.K. Kapoor, *International Law, Human Rights*, Central Law Agency, 2009
9. Brownlie, *International Law and the Use of Force by States*, Oxford: Clarendon Press, 1991
10. H.O. Agarwal, *International Law & Human Rights*, Central Law Agency 1<sup>st</sup> Ed. (Rep) 2014

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**SYLLABUS**

PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB (Hons.)	IV	Corporate Law-II	12040403

**Corporate Law-II**

**Module-I: Share Capital**

- 1.1 Issue and allotment of shares
- 1.2 Transfer and transmission of shares
- 1.3 Forfeiture and buyback of shares
- 1.4 Share certificate and share warrant

**Module-II: Debentures & Charges**

- 2.1 Borrowing Powers, effect of unauthorized borrowings
- 2.2 Debentures: Definition, Kinds, Distinction between Debenture and share.
- 2.3 Company Charges : Kinds of Charges, Crystallisation
- 2.4 Inter-corporate Loans (S-186)
- 2.5 Dividend: Rules & Procedure

**Module-III: Company Auditors, Investigation and Inspection**

- 3.1 Legal Position, Appointment, Removal, Duties and Powers.
- 3.2 Distinction between Investigation and Inspection, Power of Inspection

**Module - IV: Majority Rule and Rights of Minority shareholder.**

- 4.1 The Rule in Foss v Harbottle, exceptions
- 4.2 Prevention of Oppression and Mismanagement

**Module- V: Winding up of Companies.**

- 5.1 Modes of Winding up, who may file petition of Winding up.
- 5.2 Winding up by Tribunal
- 5.3 Voluntary Winding up
- 5.4 Liability of past members

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**Suggested Readings:**

- 1) Avtar Singh , "Company Law", Eastern Book Company., Allahabad
- 2) A.K. Majumdar & Dr. G.K. Kapoor, "Company Law", 15<sup>th</sup> Edition, Taxmann Publication, New Delhi.
- 3) A Ramaiya's Guide to the COMPANIES ACT, LexisNexis Publication, Nagpur
- 4) Sharma J.P, " An easy Approach to Corporate Laws", Ane Books Pvt Ltd, New Delhi
- 5) Bharat Law House, New Delhi, " Manual of Companies Act, Corporate Laws and SEBI Guidelines"
- 6) Wadhwa and company," A Ramaiya Guide to Companies Act, Nagpur.



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PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB (Hons.)	II	Environmental Law	12040401

**ENVIRONMENTAL LAW**

**Module - I**

- 1.1. Environmental Protection: Issues and Problems
- 1.2. Key International Efforts for Environmental Protection with special reference to the following:
  - (a) Stockholm and Rio Declaration
  - (b) Agenda 21
  - (c) Sustainable Development: Salient Features
  - (d) Convention on Biological Diversity, 1992
  - (e) UN Framework Convention on Climate Change, 1992
  - (f) Kyoto Protocol, 1997
  - (g) Post - Kyoto Developments.

**Module - II**

- 2.1. Indian Constitution and Environmental Protection
- 2.2. Judicial Response towards Environmental Protection
- 2.3. Environmental (Protection) Act, 1986
- 2.4. Hazardous Wastes (Management, Handling & Trans boundary) Rules, 2008
- 2.5. Disposal of Nuclear waste

**Module - III**

- 3.1. Water (Prevention and Control of Pollution) Act, 1974 (Relevant Provisions)
- 3.2. Air (Prevention and Control of Pollution) Act, 1981 (Relevant Provisions)
- 3.3. Noise Pollution (Regulation and Control) Rules, 2000
- 3.4. Corporate Responsibility in Environmental Matters.

**Module - IV**

- 4.1. Forest Conservation Act, 1986
- 4.2. Biological Diversity Act, 2002
- 4.3. Wildlife (Protection) Act, 1972


  
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**Suggested Readings:**

1. S. Diwan and A. Rosencranj, Environmental Law and Policy in India, Oxford Pub.
2. P. Leelakrishnan, Environmental Law in India, ButterworthsKladhira (2008)
3. P.S. Jaswal, Environmental Law (Pioneer Publications)
4. S. Lal Commentaries on Water, Air and Environmental Pollution
5. D.S. Senegar, Environmental Law, Transnational Pub.

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PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LL.B (Hons.)	II	Interpretation of Statutes	12040402

### **INTERPRETATION OF STATUTES**

#### **Module – I            Introduction to Interpretation of Statutes**

1.        Meaning of Interpretation of Statutes
2.        Objects & Kinds of Interpretation of Statutes
- 1.3        General theories of Interpretation of Statutes

#### **Module – II            Rules of Statutory Interpretation**

- 2.1        Primary Rules
  - Literal or Grammatical Rule
  - Golden Rule
  - Mischief Rule (Rule in the Heydon's case)
  - Purposive Rule
- 2.2        Secondary Rules or Subsidiary Rules of Interpretation
  - Noscitur a Sociis*
  - Ejusdem Generis*
  - Reddendo Singula Singulis*

#### **Module – III            Aids to Interpretation**

- 3.1        Internal Aids
  - Definitions; Interpretation clauses General Clauses Act
  - Proviso
  - Exceptions and saving clauses
- 3.2        External Aids
  - General
  - Travaux preparatoires or surrounding circumstances
  - Parliamentary History

#### **Module – IV            Commencement of Statutes; Retrospective effect of Statutes, Repeals and Temporary Statutes**

- 4.1        Commencement of Statutes
- 4.2        Retrospective effect of Statutes
- 4.3        Consequences of Repeals
- 4.4        Temporary Statutes

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**Module – V                      Interpretation with reference to the subject matter of Statutes**

- 5.1                      Taxing Statutes
- 5.2                      Penal Statutes
- 5.3                      Remedial and Beneficial Statutes

**Module – VI                      Interpretation of Constitutional**

- 6.1                      Harmonious Construction – *Generalis Specialibus Non Derogant*
- 6.2                      Interpretation of Fundamental Rights
  - The rule of Severability
  - Doctrine of Eclipse
  - Doctrine of Waiver

**Suggested Readings**

1. G.P. Singh "Principles of Statutory Interpretation, (9<sup>th</sup> Edition) 2008, Wadhwa, Nagpur.
2. P. St. Langan (Ed.) Maxwell on The Interpretation of Statutes (1976), Lexis Nexis Butterworths, New Delhi.
3. N.S. Bindras's Interpretation of Statutes, 2007, Lexis Nexis Butterworths, New Delhi.
4. Vepa. P, Interpretation of Statutes, (2008) Orient Publishing, New Delhi.
5. Bakshi, P.M. Interpretation of Statutes. (2008) Orient Publishing, New Delhi.
6. Dias – Jurisprudence – chapt. 7, 8, and 15

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**SYLLABUS**

PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB (Hons.)	IV	Labour & Industrial Law-II	12040406

**Part – A: THE INDUSTRIAL DISPUTES ACT**

**Module I: Aims and Objects of the Industrial Disputes Act. 1947**

- 1.1 Investigation & Settlement of Industrial Disputes – General (section 3-15)
- 1.2 Dispute Settlement Machinery: Conciliation and Adjudication
  - I. Conciliation/Mediation as a Dispute Settlement Mechanism
  - II. Adjudication : Voluntary Adjudication/Arbitration and Compulsory Adjudication

**Module II: Reference of the Industrial Dispute**

- 2.1 Nature & Scope of the Power of the Appropriate Government under section 10, 10A
- 2.2 Jurisdiction of Adjudicatory Authorities.

**Module III: Awards and Settlements**

- 3.1 Settlement: Nature, Duration and Termination
- 3.2 Awards: Nature and Duration
- 3.3 Judicial Review of Industrial Awards

**Module IV: Managerial Prerogative**

Domestic Enquiry and Disciplinary actions with special reference to the Industrial employment (Standing Orders) Act, 1946

**Module V: Powers of the Adjudicatory Authorities**

Power in cases of Discharge/Dismissal (section 11A)

**Module VI: Restraints on Managerial Prerogatives (section 33, 33A)**

**General Reading:**

1. Report of the National Commission on Labour (1969)
2. Report of the Second National Commission on Labour (2002)
3. Report of the Committee on Fair Wages (1948)

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**PART - B WAGES****Module-VII (i) The Minimum Wages Act, 1948**

Concept; kinds- (a) Minimum wage; (b) Fair Wage; (c) Living Wage  
Machinery under the Act for the Fixation of Minimum Wage

**(ii) The Payment of Wages Act, 1936**

Salient Features, Authorised deductions (sec. 7-13), Authority for Adjudication  
of claims: (sec 17- 18), Penalty for offences under the Act.

**Module VIII: Social Security; The Workmen's Compensation Act, 1923  
(Sec.1-10, 12, 14, 14A, 17, 20 & 25)**

The Workmen's Compensation Act, 1923: Definitions, Aims & Object, Liability of  
Employer, Notional Extension & Defences, Determination of Amount of  
compensation, Compensation when due-Penalty for default, Contracting Out  
(Sec.17), Appointment & Powers of Commissioner (Sec.19-31)

**Prescribed Books:**

1. O.P. Malhotra, *The Law of Industrial Disputes* (6<sup>th</sup> ed., 2004)
2. G.B. Pai, *Labour law in India* (2001)
3. P.L. Malik (Rev.), *K.D. Srivastava's Industrial Employment (Standing Orders) Act.*  
1946 (4<sup>th</sup> ed., 2000)
4. P.L. Malik's *Industrial Law* (21<sup>st</sup> ed., 2008)
5. S.C. Srivastava (Rev.) *Labour Law and Labour Relation : Cases and Materials*  
(3<sup>rd</sup> ed., 2007)
6. K.D. Srivastava, *Minimum Wages Act, 1948* (1995)
7. P.L. Malik, K.D. Srivastava's *Commentaries on Payment of Wages Act, 1936* (5<sup>th</sup>  
ed., 1998)

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**FACULTY OF LAW**

PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB (Hons.) 3 year	IV	Law of Evidence	12040404

**LAW OF EVIDENCE**

**Module – I**

**Introduction**

- 1.1 Definitions – Court, Fact, Fact in Issue, Relevant Facts, Evidence, Document, Proved, Disproved & Not Proved, Oral, Documentary & Hearsay Evidence
- 1.2 Standard or Degree of Proof in Civil / Criminal Proceeding
- 1.3 May presume, Shall Presume & Conclusive Proof

**Module – II**

**Relevancy of Facts**

- 2.1 Res Gestae
- 2.2 Facts which are Occasion, Cause & Effect
- 2.3 Motive, Preparation & Conduct
- 2.4 Explanatory or Introductory facts & Test Identification Parade
- 2.5 Evidence to Prove Conspiracy
- 2.6 Inconsistent Facts (Plea of Alibi)

**Module – III**


**Admissions & Confessions**

- 3.1 Definition of Admission
- 3.2 Persons whose Admissions are Relevant & Against Whom Admission may be Proved
- 3.3 Admissions how far Relevant & Evidentiary Value of Admissions
- 3.4 Definition & Evidentiary Value of Confession
- 3.5 Confessions carrying Inculpatory & Exculpatory Statements
- 3.6 Extra Judicial Confession, Confession caused by Threat, Confession to Police & Confession of Co-accused

**Module – IV**

**Statements by Persons who cannot be called as Witnesses**

- 4.1 Dying Declaration – Essentials & Evidentiary Value
- 4.2 Relevancy of Evidence in Prior Judicial Proceeding
- 4.3 Statements made under Special Circumstances

  
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- 4.4 Judgments of Court when Relevant
- 4.5 Opinions of third persons when Relevant
- 4.6 Character when Relevant

**Module – V Proof**


- 5.1 Facts which need not be proved
- 5.2 Oral Evidence
- 5.3 Documentary Evidence
- 5.4 Admissibility of Electronic Record
- 5.5 Exclusion of Oral by Documentary Evidence

**Module – VI Production & Effect of Evidence**

- 6.1 Burden of Proof
- 6.2 Survivorship & Death
- 6.3 Presumptions
- 6.4 Estoppel
- 6.5 Witnesses & Privileged Communications
- 6.6 Examination of Witnesses

**Suggested Reading:**

1. M. Monir, *Law of Evidence*, Universal Law Publishing Co. Pvt. Ltd, 2006
2. Rattan Lal Dheeraj Lal, *Law of Evidence*, Lexis Nexis, 2011
3. GS Pande, *Indian Evidence Act*, Allahabad Law Agency, 1996
4. Avtar Singh, *Principles of Law of Evidence*, Central Law Publications, 2013
5. Dr. Satish Chandra, *Indian Evidence Act*, Allahabad Law Agency, 2007
6. Batuk Lal, *Law of Evidence*, Central Law Agency, 1990

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<b>PROGRAMME</b>	<b>SEMESTER</b>	<b>COURSE NAME</b>	<b>COURSE CODE</b>
LLB	IV	Private International Law	<b>12040405</b>

### **Unit – I: General Principles**

- 1.1 Nature and Scope of Private International Law
- 1.2. Distinction with Public International Law
- 1.3 Characterization and Theories of Characterization
- 1.4 Concept of Renvoi
- 1.5 Application of Foreign Law

### **Unit II: Domicile and Jurisdiction of Courts**

- 2.1 Domicile under private international law
- 2.2 Jurisdiction Clauses
- 2.3 Forum Shopping
- 2.4 Lis alibi pendens

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### **Unit III: Family Law matters**

- 3.1 Material and Formal Validity of Marriage under Indian and English Law
- 3.2 Choice of Law and Jurisdiction of Courts in Matrimonial Causes
- 3.3 Dissolution of Marriage, Grounds of Divorce,

### **Unit IV: Adoption**

- 4.1 Recognition of Foreign Adoptions
- 4.2 Adoption by foreign Parents
- 4.3 Jurisdiction under Indian and English Law

### **Unit – V: Foreign Judgments**

- 5.1 Recognition of Foreign Judgment
- 5.2 Enforcement of Foreign Judgment in India
- 5.3 Position at Common Law
- 5.4 International Conventions

### **Recommended Literature**

- (1) North P M & Cheshire G C, "Private International Law", Butterworths, New Delhi, 13th edn. 2004.
- (2) Dicey A V & Morris J H C, "Conflict of Laws", Sweet & Maxwell, London, 14th edn, 2006.
- (3) Collier J G, "Conflict of Laws", Cambridge University Press, Cambridge, 2004.
- (4) Atul M Setalwad, "Conflict of Laws", Lexis Nexis, New Delhi, 2007



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PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB	V	Alternate Dispute Resolution	12040501

**ALTERNATE DISPUTE RESOLUTION (ADRs)**

**Unit – I**

Evolution of ADR, ADR in India, Advantages & disadvantages of ADR, ADR Processes Pretial Difference: Mediation, Mediation, Negotiation, Conciliation, ADR in family disputes.

**Unit – II**

Concept, Meaning & Growth of Lok Adalats, Lok Adalats under Legal Services Authorities Act, 1987,, Advantages of Nyaya Panchayats, Composition & Jurisdictionof Nyaya Panchayats

**Unit – III**


Arbitration & Conciliation Act (Section 1-43); Definition of Arbitration, International Commercial Arbitration; Objectives of the Act, Arbitration Agreement, Composition and jurisdiction of Arbitral Tribunal, Conduct of Arbitral Proceedings,

**Unit -IV**

Making of Arbitral Awards and Termination of Proceedings, Recourse Against Arbitral Award, Finality and Endorsement of Arbitral Award, Appealable orders, Lien on Arbitral Awards and Deposits as to costs, Effect on Arbitration Agreement of Death and of parties humiliation.

**Unit – V**

Arbitration & Conciliation Act (Section 44-60), Foreign Awards-Definition, Enforcement of Certain Foreign Awards, New York Convention Awards, Geneva Convention Awards, Convention on recognition and Enforcement of Foreign Arbitral Awards (Schedule I),), Conciliation under Arbitration and Conciliation Act, 1996(Sections 61-81), Role of Conciliator, Confidentiality in conciliation.

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**Leading Cases:-**

- i) Food Corporation of India V Joginder Pal Mohinder Pal AIR 1989 SC 1263
- ii) Renusagar & Co. V V.E.C. AIR 1994 SC 860

**Suggested Readings:**

- 1. P.C. Rao : Alternative Dispute Resolution Universal Delhi, 1997
- 2. N.D. Basu : Law of Arbitration and Conciliation
- 3. G.K. Kwatra : The Arbitration and Conciliation Law of India
- 4. A.K. Bansal : Law of International Commercial Arbitration
- 5. B.P. Saraf & M. Jhunjhunwala : Arbitration and Conciliation
- 6. O.P. Malhotra : The Law and Practice of Arbitration and Conciliation

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**UNIVERSITY**  
**FACULTY OF LAW**

PROGRAM	Semester	COURSE NAME	COURSE CODE
LL.B	V	Banking law includ. NI Act	12040504

**PART-A: NEGOTIABLE INSTRUMENTS**

**Unit-I Introduction**

- 1.1 History and definition of negotiable instruments
- 1.2 Kinds of negotiable instruments
- 1.3 Holder and holder in due course

**Unit-II Transfer of Negotiable Instruments**

- 2.1 Endorsement and its kinds
- 2.2 Liability of Maker, Drawer, Drawee and Endorser
- 2.3 Modes- Cancellation, Release, Payment, Material Alteration

**Unit-III Cheque**

- 3.1 Object of Crossing
- 3.2 Kinds of Crossing
- 3.3 Dishonour of Cheque

**PART-B: BANKING**

**Unit-IV Evolution of Banking Services and its History in India**

- 4.1 History of Banking in India
- 4.2 Bank Nationalization and social control over banking
- 4.3 Types of Banks and their Role and functions

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#### 4.4 Contract between banker and customer: their rights and duties

### Unit-V Laws Regulating the Business of Banking

5.1 Banking Companies Act, 1949

5.2 Reserve Bank of India Act, 1934

5.3 Foreign Exchange Management Act, 1998


#### Suggested Cases:

1. Dayawati v. Yogesh Kumar Gosain (Delhi High Court) 243 (2017) Delhi Law Times 117 (DB), decided on October 17, 2017
2. Rule Vijayan v. Baby, (2012) 1 SCC 260
3. Damodar S. Prabhu v. Sayed Babalal H, (2010)50 SCC 663
4. Sajjan Bank (Pvt.) Ltd. v. Reserve Bank of India, AIR 1961 Mad. 8
5. Canara Bank v. P.R.N. Upadhyaya (1998) 6 SCC 526

#### Suggested Readings:

1. R.K Gupta- Banking Law and Practice (latest edition)
2. Avtar Singh- Negotiable Instruments
3. R.K. Bangia- Negotiable Instruments Act
4. Tannen M.L- Banking Law and Practice in India.
5. Gupta S.N-The Banking Law and Practice in India.

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PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB	V	Competition Law	12040507

### COMPETITION LAW

#### **Module – I                      Introduction**

1. Evolution of Competition Law in India
2. Difference between Competition Law & MRTP Act
3. Role of Competition Act in post LPG era
4. Raghavan Committee Report
5. National Competition Policy

#### **Module – II                      Anti Competitive Agreements**

1. Horizontal Agreements
2. Vertical Agreements
3. Anti Competitive Agreements
4. Rule of Reason or 'Per Se Rule' is applicable
5. Report on Raghavan high level committee on Competition Policy and Law
6. Cartels
7. Bid Rigging

#### **Module – III                      Abuse of Dominance**

1. Dominant Position
2. Distinction between Dominance & its Abuse
3. Abuse of Dominant Position
4. Consequences of Abuse of Dominance
5. Predatory Pricing

#### **Module – IV                      Combinations and its Regulations**

1. Meaning of Combination and Regulation of Combinations
2. Relevant Market explained

  
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3. Two stage test for evaluating effects of combination
4. Type of Mergers & Acquisitions
5. Combination notice
6. Procedure for Investigation of Combination
7. Appeals
8. New regulatory Framework for combinations(w.e.f. june 1,2011)
9. Effects Doctrine

**Module – V                      Competition Commission of India (CCI)**

1. Composition of CCI
2. Powers & Functions of CCI
3. Duties of CCI
4. Appellate Authorities
5. Brief concept of the development of Competition Laws in USA & UK

**Suggested Readings:**

1. Richard Whish & David Bailey, Competition Law, Oxford University Press, 2012 (7<sup>th</sup> Edition)
2. Avtar Singh, Competition Law, Eastern Book Company (Latest Edition)
3. Hari Krishna, 'A Review of Mergers & Acquisitions in india', Intern-CCI, September, 2012
4. S.M Dugar, Commentary on the MRTP Law, Competition Law and Consumer Protection Law (Latest Edition)
5. Vinod Dhal led – Competition Law, Concepts & Practices relevant for India
6. T. Ramappa, Competition Law in India: Policy, Issue and Developments (2009)


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7. Dr. S. Chakravarthy, Advisor / Consultant to Government on  
Competition Policy and Law

8. Taxmann's Competition Act, 2002

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PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB (Hons)	V	Drafting, Pleading & Conveyance	12040502

### **DRAFTING, PLEADING & CONVEYANCE**

#### **Module – I Fundamental Rules of Pleadings**

1. Pleadings (Order 6 CPC)
2. Complaint Structure
3. Written Statement and Affidavit
4. Application under Section 5 of the Limitation Act
5. Application for setting aside *ex-parte* Decree
6. Writ Petitions

#### **Module – II Civil Pleadings**

1. Suit for Recovery under Order XXXVII of CPC
2. Suit for Permanent Injunction
3. Suit for Dissolution of Partnership
4. Application for Temporary Injunction Order XXXIX of CPC
5. Appeal from Original Decree under Order 41 of CPC
6. Revision Petition
7. Review Petition

#### **Module – III General Principles of Criminal Pleadings**

1. Application for Bail
2. Application under Section 125 CRPC

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3. Compounding of Offences by Way of Compromise under Section 320 (i) CRPC
4. Complaint under Section 138, Negotiable Instruments Act, 1881
5. Application under Section 482, CRPC

#### **Module – IV CONVEYANCE**

- 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, Will, Agreement to Sell, Sale-Deed, Lease-Deed, Partnership Deed, Mortgage Deed, Relinquishment Deed, Deed of Gift

#### **Module – V FORMS OF DRAFTING**

1. Petition for Grant of Probate / Letters of Administration
2. Application for Appointment of Receiver/Local Commissioner
3. Application for Compromise of Suit
4. Application for Appointment of Guardian
5. Application to Sue as an Indigent Person under Order 33 CPC
6. Appeal from orders under order 43 of CPC
7. Application for execution
8. Application for caveat section 148A of CPC
9. Writ Petition
10. Special Power of Attorney
11. Reference to Arbitration and Deed of Arbitration
12. Notice for Specific Performance of Contract

#### **Suggested Readings:**

1. N.S. Bindra, Conveyancing, Draftsman 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
3. R.N. Chaturvedi, Conveyancing, Eastern Book Company, 2011 (7th Edn)



4. G.C. Mogha, Indian Conveyancer, Dwivedi Law, 2009 (14th Edn)
5. C. R. Datta & M.N. Das, D'Souza's Form and Precedents of Conveyancing, Eastern Law House, 2008 (13th Edn)

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	<b>SGT UNIVERSITY, GURGAON</b> <b>FACULTY OF LAW</b>		
PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
.LL.B.	V	Legal Research	12040503

### Detailed Curriculum

#### **UNIT I Introduction to Research**

Research: Meaning, Objectives of research and advantages of research.

Types/Kinds of Research

Approaches to Legal Research (Doctrinal and Empirical/Socio-Legal), Relevance of empirical research/Socio-Legal Research.

#### **Unit – II Legal Research: Meaning & Objective**

Legal research: Meaning, Objectives of research and advantages of research.

Legal research by whom- Legislator, Judge, Lawyer, Law Teacher and students

Legal Research & Law Reforms

#### **Unit – III Research Designs**

Identification and Formulation of Research Problem

Hypothesis (Characteristics & Content)

Database for Legal Research: Legislations, Judicial Decisions, Juristic Writings and traditional and online database

#### **Unit – IV Research Techniques**

Methodology tools and techniques for collection of data, collection of case materials and juristic literature,

Census and survey,

Sampling- types merits and demerits

Observation

Interview and Questionnaire

#### **Unit – V Data Processing Report Writing**

Data Analysis and interpretation

Report writing


Supervision

Guidelines of researchers, Research ethics



Text Books	Author/Publication
Legal Education in India	S.K.Agrawal/ Eastern Book House
A Handbook of Clinical Legal Education	N.R. Madhava Menon/ TMH
Research Methodology	C.R. Kothari
Reference Books	Author/Publication
Effective Legal Research	M.O.Price/ H.Bitner and Bysiewicz
Scientific Social Survey and Research	Pauline V. Young
Methods in Social Research	Methods in Social Research/ TMH
Legal Research and Methodology	ILI Publication

  
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	<b>SGT UNIVERSITY, GURGAON</b> <b>FACULTY OF LAW</b>		
PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB (Hons.)		Cyber Law	

### **CYBER LAW**

#### **Unit1: Introduction to Cyber Law**

Meaning: Cyber Space, Computer, Computer Network, Computer System, Communication Device.

Jurisdictional Aspects: Passive/Interactive Websites, Hague convention on Choice of court agreements, 2005, Section 20 The Civil Procedure Code.

Regulation and Scope: The Information Technology Act, 2000 (Section 2)

Electronic Contracts: Types of Electronic Contracts, Issues of Security /Issues of Privacy/ Technical Issues Legal issues in Cyber Contracts, Clickwrap, Shrinkwrap.

#### **Unit2: Cyber Law and Constitution**

Freedom of Speech and Expression:

Censorship: Blocking of Content, Hate Speech, National Security

Privacy: Information Privacy, Monitoring, Interception

Computer emergency response team (CERT): Mandate, Objective and Issues

#### **Unit3: Cyber Law and National Security**

Cyber Space and National Security: Threat, opportunity and power of virtual world

Case Studies: Estonia Case, Georgia Case, Stuxnet & Iranian Nuclear Program

Legal Framework in India and UK (Section 66F Information Technology Act, 2000 and Section 1 of U.K. Terrorism Act, 2000)

International principles of *jus ad bellum* and *jus in bello*

#### **Unit4: Intellectual Property and Cyber Law**

Copyright: Fair Dealing, WIPO Treaties

Trademark: Infringement and Passing Off, Sale of Keywords by web portals, Cybersquatting, Typosquatting

Data: Right to be Forgotten

Preservation of information by intermediaries and its implication.

  
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## Unit V: Cyber Crime

Kinds of Cyber Crime: Fraud, Stalking, Identity Theft, Obscenity and Pornography

Issues Relating to Investigation, Evidence and Jurisdiction

Cyber Forensics: Scope and Usage

Cyber Terrorism and National Sovereignty

### Case:

#### • Unit 1:

- ☐ Syed Asifuddin v. State of Andhra Pradesh, 2006 (1) ALD (CrL.) 96, 2005
- ☐ Diebold Systems Pvt. Ltd. v. Commissioner of commercial taxes, ILR 2005 Kar 2210
- ☐ Routermania Technologies v. ITO, Income Tax Appellate Tribunal Mumbai

#### • Unit 2:

- ☐ Shreya Singhal v U.O.I, SC decided on 24/03/2015
- ☐ Justice K S Puttaswamy (Retd.) v. Union of India, WRIT PETITION (CIVIL) NO 494 OF 2012 (SC)

#### • Unit 4:

- ☐ Myspace Inc. v. Super Cassettes Industries Ltd, FAO(OS) 540/2011
- ☐ Star India Pvt. Limited v. HaneethUjwal, I.A. iv No.13873/2014 (Del) in CS(OS) 2243 of 2014
- ☐ Super Cassettes Industries Ltd. v Mr. Wang Zhi Zhu Ce Yong Hu, MANU/DE/2000/2008.
- ☐ Aqua Minerals v. Pramod Barse, 2001 PTC 619 (Del).
- ☐ Yahoo Inc. v. Manoj Taslani, 2015(61) PTC 263 (Del).
- ☐ Google Inc v. Agencia Española de Protección de Datos; Mario Costeja González, Court of Justice of the European Communities (Grand Chamber), Case C-131/12, [2014] E.M.L.R. 27.

#### • Unit 5:

- ☐ SMC Pneumatics (India) Pvt. Ltd. v. JogeshKwatra, suit no. 1201/2001, New Suit No. 65/14.
- ☐ State of Tamil Nadu v. SuhasKatt (2004).
- ☐ Kamlesh Vaswani v Union of India and others (2016)

### Statue:

- Constitution of India
- Information Technology Act, 2000
- Indian Penal Code, 1861
- The Copyright Act, 1957
- Trademark Act, 1999

### Suggested Reading:


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- Kamath Nandan, Law Relating to Computers Internet & E-commerce - A Guide to Cyberlaws & The Information Technology Act, Rules, Regulations and Notifications along with Latest Case Laws 2016.
- Kamlesh K Bajaj, Debjani Nag, E-commerce: the cutting edge of business, 2<sup>nd</sup> ed. 2017.
- Vakul Sharma, Information Technology Law & Practice, 6<sup>th</sup> ed. 2018
- Karnika Seth, Computers Internet and New Technology Laws, 2nd ed. 2016
- Apar Gupta Commentary on Information Technology Act, 3rd ed. 2015
- Richard Kemp, "Legal Aspects of Artificial Intelligence", (Kemp IT Law, v.2.0, Nov 2016) available at <https://www.lexology.com/library/detail.aspx?g=25d955d3-9421-42fd-a7b1-8a54f0b9b235>.
- Justice S. Muralidhar, "Jurisdictional Issues in Cyberspace", 6 Indian Journal of Law and Technology 1 (2010) [NSUI- Bangalore] available at Westlaw India, <http://ijlt.in/archive/volume6/1.pdf>.

**Note:** The cases/readings/topics mentioned above are not exhaustive. The teachers teaching the course shall have liberty to add new cases/readings/topics. The students are required to study the legislations as amended from time to time and consult the latest editions of the book.

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PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB (Hons.)		Dissertation	

### Dissertation


#### Course Objective:

The major objective of a Dissertation is to enable the students to develop deeper knowledge, understanding, capabilities and attitudes in the context of the programme of study. It provides students with the opportunity to develop their research expertise and knowledge in an area of particular interest. The dissertation is written at the end of the programme which offers the students an opportunity to examine deeply into and synthesise knowledge acquired in previous studies

**Course Outcome** - This course contributes to the achievement of the following Learning Outcomes: -

- Providing students in-depth knowledge of the major subject or field of study.  
including deeper insight into current research and development work.
- Providing students, a capability to contribute to research and development work.
- Enhancing the capability to plan and use adequate methods to conduct qualified tasks in given frameworks
- Developing their critical and analytical skills in a scientific and professional manner.
- Providing the students with the capability to clearly present and discuss the conclusions as well as the knowledge and arguments that form the basis for these findings

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	<b>SGT UNIVERSITY, GURGAON FACULTY OF LAW</b>		
PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LL.B. (Hons.)	VI	Intellectual Property Rights	12040602

### UNIT I Introduction to IPR

1. General Principles of Intellectual Property
2. Brief evolution of IPR and its importance
3. Types of Intellectual Property
4. Overview of International Conventions

### UNIT II The Trade Marks Act, 1999

1. What is a Trade Mark, Functions of a Trade Mark
2. Trade Mark Registry and Register of Trade Mark
3. Registration of Trade Marks, Effects of Registration
4. Assignment and Transmission of Trade Marks,
5. Rectification and Correction of Register
6. Passing Off and Infringement Action

### UNIT III The Copy Right Act, 1970

1. Meaning and Basis of Copy Right
2. Copy Right Office and Copy Right Board
3. Subject matter of Copy Right, Ownership
4. Assignment and Infringement of Copy Right, Remedies for Infringement,
5. Abridgement of the Work and Term of Copy Right, Rights of Broadcasting Authorities

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#### UNIT IV Patents Act 1970, & the Patents (Amendment) Act, 2002


1. Object of Patent Law, Value of Patent System,
2. Inventions-Patentable and Non-Patentable, Process Patent and product Patent
3. Procedure for obtaining a Patent, Rights and Obligations of a Patentee
4. Revocation and Surrender of Patents
5. Infringement of Patent

#### UNIT V Industrial Design Laws

1. Introduction to Industrial Designs Law in India,
2. Need for protection of industrial designs
3. Subject matter of Protection
4. Copyright in Design, Piracy or Infringement of copyright in Designs

#### Suggested Reading:

1. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2014 (2nd Edn)
2. B.L. Wadhera, Law Relating to Intellectual Property, Universal Law Publishing, 2014 (5th Edn)
3. S. Narayan, Intellectual Property Law in India, Gogia Law Agency, Hyderabad, 2005 (3rd Edn)
4. A. K. Bansal, Law of Trademark In India, Thomson & Reuter, 2014
5. V.K. Ahuja, Law Relating to Intellectual Property Law, Lexis Nexis, 2013 (2nd Edn)
6. Ashwani Kr Bansal, Law of Designs, Gls, (2011)
7. P. Narayanan, Law of Trade Marks and Passing off (6th ed., 2004)
8. P. Narayanan, Copyright and Industrial Designs (2007)

	<b>SGT UNIVERSITY, GURGAON FACULTY OF LAW</b>		
PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
BA LL.B. (Hons.)/ BBA LL.B.(Hons.)/ LL.B (Hons.)		Media & Law	

## MEDIA & LAW

### UNIT 1: INTRODUCTION

History and Evolution of Media

Role of Media in Indian Freedom Struggle

Types of Media: Print media, Social Media, Broadcast Media

Legislative Underpinning of Media Laws in India

### UNIT 2: CONSTITUTION OF INDIA & MEDIA

Article 19(1)(a): Freedom of Speech

Article 19(2): Reasonable Restrictions

Article 361 as an Exception to Fundamental Rights

Contempt of Court: Unverified reporting; Fair comment and criticism

### UNIT 3: MEDIA & REGULATION

Print Media: Press council of India Act

Broadcasting Sector: Importance of Self Regulations, NBSA Regulations, NBA

Code of Ethics

Right to Information Act, 2005

3.4 Cinematography Act 1952: Section 5D

3.5 Social Media: Section 6,7,8 of IT Act 2001

### UNIT 4: MEDIA & CENSORSHIP

4.1 Pre- and Post-Restraint

4.2 Cinema and censorship

4.3 Variable obscenity - differing standards for obscenity - adults/minors;

4.4 Restraint on reporting of judicial proceedings

### UNIT 5: CONTEMPORARY ISSUES

Paid News

Poll Survey

Cross Ownership

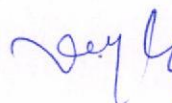
Media Trial: Pre-trial Publicity, Restrictive orders.


**Suggested Reading:**

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- Basu, Dr. Durga Das, *Law of The Press*, 5th Ed, Lexis Nexis, 2010
- Bloy, Duncan & Hadwin, Sara, *Law and the Media*, 2nd Ed., Sweet & Maxwell, 2013
- Divan, Madhavi Goradia, *Facets of Media Law*, Eastern Book Company, 2010
- Paul, Sebastian, *Ethics and The Media*, 3rd Ed., Lexis Nexis, 2015
- Prasad, Kiran, *Media Law in India*, Kluwer Law International, 2011
- Shukla, V.N., *Constitution of India*, 11th Ed., Eastern Book Company, 2011
- Sorabjee, Soli J., "Constitution, Courts and Freedom of the Press and the Media", B.N. Tirpak et al (eds.), *Supreme but Not Infallible: Essays in Honour of The Supreme Court of India*, 2000

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	<b>SGT UNIVERSITY, GURGAON</b> <b>FACULTY OF LAW</b>		
PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LLB (Hons.)	VI	Moot Court Exercise and Internship	12040606

### **Moot Court Exercise and Internship**

#### **Course Objective-**

The term 'moot', according to Oxford and Chambers dictionary means, to propose for discussion; argue for practice; a matter about which there may be disagreement or uncertainty. The Course will help in developing fluency and clear assertion, and also gives one experience in the art of persuasion, and of putting a case concisely and intelligibly. The course not only gives one a picture of practice in court procedures but also helps to develop the self-confidence that every advocate should possess. This paper may have three components of 30 marks each and a viva for 10 marks.

#### **(a) Moot Court (30 marks).**

Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

#### **(b) Observance of Trial in two cases, one Civil and one Criminal (30 marks).**

Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

#### **(c) Interviewing techniques and Pre-trial preparations and Internship diary**

**(30 marks).**

(d) Each student will observe two interviewing sessions of clients at the Lawyer's Office/ Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.

(e) The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.


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**Course Outcome** - After the completion of the course the students will be able to:

1. Enhance analytical as well as critical thinking of Students over interesting and contemporary legal issues,
2. Demonstrate a thorough and contextual knowledge of the various laws particularly in its application to real and hypothetical legal problems.
3. Acquire skill in advocacy, legal research and writing skills.
4. Gain interest in advocacy and competence as an advocate.

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	<b>SGT UNIVERSITY, GURGAON FAULTY OF LAW</b>		
PROGRAMME	SEMESTER	COURSE NAME E	COURSE CODE
LL.B. (Hons.)	VI	Professional Ethics & Bar Bench Relationship	12040601

### Professional Ethics & Bar Bench Relationship

#### Unit - 1

1. History of Legal Profession in India, Nature of Legal Profession, Advocates Act 1961
2. Bar Council of India - Constitution and functions
3. Advocates - Enrolment, qualifications and disqualification, classification of Advocates.

#### Unit-II

1. Committees of Bar Council of India and State Bar Councils.
2. Disciplinary Committees of Bar Council of India - Constitution, Powers and functions.
3. State Bar Councils - Constitution, Powers and functions.

#### Unit-III

1. Rules of Professional Conduct: A study of code of Ethics of the Bar Council of India
2. Bar Bench relation: Meaning and Difference
3. Independence and Integrity: Bar and Bench
4. Accountability of Lawyers: Courts, Clients and Society

#### Unit-IV

1. Contempt of Courts Act: Nature and Scope.
2. Civil and Criminal Contempt
3. Legal Profession and Contempt of Court
4. Freedom of speech and expression vis-à-vis Contempt of court
5. Procedure including defences and punishment for Contempt.

#### Unit -V A Detailed Study of following cases:

1. In re, Vinay Chandra Mishra AIR 1995 SC 2348
2. Supreme Court Bar Association v. Union of India AIR 1998 SC 1875
3. In re, Ajay Kumar Pandey, AIR 1997 SC 260

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4. In re, Arundhati Roy, AIR 2002 SC 1375
5. Delhi Judicial Service Association v. State of Gujrat, AIR 1991 SC
6. E.M.S. Namboodripad v. T. Narayana Nambias, AIR 1970 SC 2015
7. P.N. Duda v. P. Shiv Shanker, AIR 1988 SC 1208
8. M. Veerabhadhra Rao v. Tek Chand, AIR 1985 SC 28
9. Shambhu Ram Yadav v. Hanuman Das Khatry, AIR 2001 SC 2508
10. Perspective publication (P) Ltd. V. Sate of Maharashtra AIR 1971 SC 221

Suggested Readings:

1. Raju Ramachandran, Professional Ethics: Changing Profession and Changing Ethics (LexisNexis, Butterworths).
2. Dr. P. B. Mukharji, Professional Ethics of the Advocate (University of Burdwan
3. P. Ramanatha Aiyer, Legal & Professional Ethics - Legal Ethics, Duties & Privileges of a lawyer (Wadhwa Publications, Nagpur).
4. Justice V. R. Krishna Iyer, Law, Lawyers and Justice(b. R. Publishing Corpn, Delhi).
5. Stephen Gillers, Regulation of Lawyers: Problems of Law & Ethics(Little, Brown & Com Boston Toronto, London).
6. Ross Grauston (ed.), Legal Ethics & Professional Responsibility (Clarendon Press, Oxford).
7. Gary Bellow & Bea Moulton, The Lawyering Process: Ethics and Professional Responsibility, (The Foundation Press, Inc.).
8. D.V. Subba Rao, Sanjiva Row's The Advocates Act, 1961 (LexisNexis, Butterworths).
9. Nicolson and Webb, Professional Legal Ethics (OUP).
- 10.S.C. Sarkar, Moder Advocacy and Professional Ethics

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PROGRAMME	SEMESTER	COURSE NAME	COURSE CODE
LL.B (Hons.)	VI	Socio Economic offences	08040622

**Unit: I Introduction**

- Concept and Evolution of 'Socio-Economic Offences.
- Nature and Extent of Socio-Economic Offences.
- Mens Rea, Nature of Liability, Burden of Proof and Sentencing Policy.
- Distinction among Socio-Economic Offences, White Collar Crimes and Traditional Crimes.

**Unit: II The Immoral Traffic (Prevention) Act, 1956**

- History, Development and Magnitude of Human Trafficking
- Constitutional Provisions and Sections 370-373 of the Indian Penal Code, 1860
- The Immoral Traffic (Prevention) Act, 1956

**Unit: III The Prevention of Corruption Act, 1988**

- Need of the Act (read with Santhanam Committee Report)
- The Prevention of Corruption Act, 1988
- Sanction for prosecution (Section 19 r/w Section 197 of the Code of Criminal Procedure,

**Unit : IV The Prevention of Money Laundering Act, 2002**

- Salient features of the Act
- Definition & Scope of Money Laundering
  - Survey, Search & Seizure, Attachment
  - Powers to arrest under the Act
  - Adjudication by the Adjudicating authorities & Special

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- Obligation of banking companies, financial institutions and Intermediaries

#### **Unit-V The Food Safety and Standards Act, 2006**

- The Food Safety and Standards Act, 2006: Definitions of 'food', 'Adulterant', 'contaminant', 'food business', 'misbranded food'
- Food Safety and Standards Authorities of India & State Food Safety and Standards Authorities: Establishment and functions
- Food Safety Officer- Power, Function and liabilities Food Analyst  
General Principles to be followed for food safety under the Act
- Licensing and Registration of food business

#### **Suggested Reading:**

1. Mahesh Chandra, Socio- Economic Offences (1979)
2. J.S.P. Singh, Socio- Economic Offences (1st Ed., 2005, Reprint 2015)
3. Ahmed Siddiqui, Criminology: Problems and Perspectives (4th Ed., 1997)
4. B.R. Boetra, The Immoral Traffic (Prevention) Act 1956 (with state rules) (4th Ed., 1988)
5. P.S. Narayan, Commentary on Immoral Traffic Prevention Act, 1956 (2nd Ed., 2013)
6. Kumar (Revised by Justice A.B. Srivastava and C.S. Lal),  
Commentaries on Prevention of Food Adulteration Act, 1954 with  
Central and States Rules alongwith Food Safety and Standards Act,  
2006 (3rd Ed., 2009)
7. Seth and Kapoor, Prevention of Corruption Act with a treatise on  
Anti- Corruption Laws (3rd Ed., 2000) M. C. Mehanathan, Law on  
Prevention of Money Laundering in India (2014)

  
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