

**Learning Outcomes-Based Curriculum Framework  
(LOCF)**

UB  
Sem 3 & 4

**For**

**BACHELOR OF LAWS (LL.B.) 3 YEARS  
(To be effective from the Academic session 2024-25)**



**FACULTY OF LAW  
GURUGRAM UNIVERSITY**

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## PROGRAMME EDUCATIONAL OBJECTIVES (PEO):

The LL.B. Programme is aimed at:

1. Enabling students explore substantive and procedural laws and learn drafting and pleading skills
2. Familiarising students with basic laws and judicial interpretations at the national and international level
3. Apprising students of the international legal system including rule of law and administration of justice.
4. Imparting professionally and socially relevant legal education.
5. Sensitising students towards the issues of access to justice of the deprived, marginalised and weaker sections of society.
6. Producing internationally competent litigating lawyers, corporate lawyers, judges, judicial officers, legal officers, researchers, law reformers, law teachers, etc.
7. Inculcate critical thinking to carry out research objectively without being biased with pre conceived notion.

## PROGRAM OUTCOMES (PO):

Law Graduates will be able to demonstrate

PO1: Knowledge of Law: The knowledge of fundamental principles of Law, basic legislations and leading cases relating to the subjects, that form part of an undergraduate programs of study;

PO2: Communication Skills: Ability to express thoughts and ideas effectively in writing and orally; communicate with others using appropriate media; confidently share one's views and express herself/ himself; demonstrate the ability to listen carefully, read and write analytically and present complex information in a clear and concise manner to different groups.

PO3: Critical Thinking: Capability to analyze and evaluate evidence, arguments, claims, beliefs on the basis of empirical evidence; identify relevant assumptions and implications; formulate coherent arguments; critically evaluate practices, policies and theories to development of knowledge and understanding.

PO4: Problem Solving: Capacity to extrapolate from what one has learned and apply their competencies to solve different kinds of legal problems, rather than replicate curriculum content knowledge; and apply one's learning to real life situations.

PO5: Analytical Reasoning: Ability to evaluate the reliability and relevance of evidence; identify logical flaws and holes in the arguments of others; analyze and synthesize data from a variety of sources; draw valid conclusions and support them with evidence and examples, and address opposing viewpoints.

PO6: Research-related Skills: A sense of inquiry and capability for asking relevant/appropriate questions, synthesizing and articulating; Ability to recognize cause-and-effect relationships, define problems, formulate hypotheses, test hypotheses, analyze, interpret and draw conclusions from data, establish hypotheses, predict cause-and-effect relationships; ability to plan, execute and report the results of an experiment or investigation.

PO7: Moral and Ethical Awareness: Ability to embrace moral/ethical values in conducting one's life, formulates a position/argument about an ethical issue from multiple perspectives, and use ethical

practices in all work. Capable of demonstrating the ability to identify ethical issues related to one's work; avoid unethical behaviour such as fabrication, falsification or misrepresentation of data or committing plagiarism, not adhering to intellectual property rights; appreciating environmental and sustainability issues; and adopting objective, unbiased and truthful actions in all aspects of work.

PO8: Professional Advocacy and Consultancy: Carry out advocacy and consultancy work in professional capacity and represent the matter of the client, before the court or any other appropriate forum in a professional manner.

PO9: Digital Literacy: Capability to use ICT in a variety of learning situations, demonstrate ability to access, evaluate, and use a variety of relevant information sources; and use appropriate software for analysis of data.

PO10: Self-directed Learning: Ability to work independently, identify appropriate resources required for a project, and manage a project through to completion.

**COURSE SCHEME 2024-24  
LL.B.**

S. NO	COURSE CODE	COURSE TITLE	TEACHING SCHEDULE			CREDITS	INT MARKS	EXT MARKS THEORY	EXT MARKS PRACTICAL	TOTAL MARKS	DURATION OF EXAM (Hrs)
			L	T	P						
<b>1st SEMESTER</b>											
1	LBC-111	Constitutional Law-1	3	1	-	4	30	70	-	100	3h
2	LBC-112	General Principles of Contract	3	1	-	4	30	70	-	100	3h
3	LBC-113	Family Law-1	3	1	-	4	30	70	-	100	3h
4	LBC-114	Law of Crimes-1: BNS	3	1	-	4	30	70	-	100	3h
4	LBC-115	Law of Torts	3	1	-	4	30	70	-	100	3h
6	LBC-116	Public International Law	3	1	-	4	30	70	-	100	3h
<b>2nd SEMESTER</b>											
7	LBC-211	Constitutional Law-2	3	1	-	4	30	70	-	100	3h
8	LBC-212	Family Law-2	3	1	-	4	30	70	-	100	3h
9	LBC-213	Law of Crimes-2: BNSS	3	1	-	4	30	70	-	100	3h
10	LBC-214	Property Law	3	1	-	4	30	70	-	100	3h
11	LBC-215	Bharatiya Sakshya	3	1	-	4	30	70	-	100	3h

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12	LBC-216	Special Contracts	3	1	-	4	30	70	-	100	3h
		<b>3rd SEMESTER</b>									
		<b>Compulsory</b>									
13	LBC-311	Jurisprudence	3	1	-	4	30	70	-	100	3h
14	LBC-312	Company Law	3	1	-	4	30	70	-	100	3h
14	LBC-313	Code of Civil Procedure and Limitation Act	3	1	-	4	30	70	-	100	3h
16	LBC-314	Environmental Law	3	1	-	4	30	70	-	100	3h
17	LBC-315	Labour and Industrial Law-1	3	1	-	4	30	70	-	100	3h
18		<b>Optional (opt any one of the following)</b>									
	LBE-316A	Information Technology Law	3	1	-	4	30	70	-	100	3h
	LBE-316B	Media & Law	3	1	-	4	30	70	-	100	3h
		<b>4th SEMESTER</b>									
		<b>Compulsory</b>									
19	LBC-411	Arbitration, Mediation & Conciliation	3	1	-	4	30	70	-	100	3h
20	LBC-412	Administrative Law	3	1	-	4	30	70	-	100	3h
21	LBC-413	Labour and Industrial Law-2	3	1	-	4	30	70	-	100	3h
22	LBC-414	Intellectual Property Law	3	1	-	4	30	70	-	100	3h
23		<b>Optional (opt any one of the following)</b>									
	LBE-415A	Competition Laws	3	1	-	4	30	70	-	100	3h
	LBE-415B	Criminology, Penology & Victimology	3	1	-	4	30	70	-	100	3h

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24		<b>Optional (opt any one of the following)</b>									
	LBE-416A	Banking Law & Negotiable Instruments Act	3	1	-	4	30	70	-	100	3h
	LBE-416B	Socio Economic Offences	3	1	-	4	30	70	-	100	3h
		<b>5th SEMESTER</b>									
		<b>Compulsory</b>									
24	LBC-511	Drafting, Pleading and Conveyancing	3	1	-	4	30	70	-	100	3h
26	LBC-512	Principles of Taxation Law	3	1	-	4	30	70	-	100	3h
27	LBC-513	Interpretation of Statutes and Principles of Legislation	3	1	-	4	30	70	-	100	3h
28	LBC-514	Land Laws	3	1	-	4	30	70	-	100	3h
29		<b>Optional (opt any one of the following)</b>									
	LBE-515A	Mergers and Acquisitions	3	1	-	4	30	70	-	100	3h
	LBE-515B	Human Rights Law	3	1	-	4	30	70	-	100	3h
30		<b>Optional (opt any one of the following)</b>									
	LBE-516A	International Trade Law	3	1	-	4	30	70	-	100	3h
	LBE-516B	Women & Child Laws	3	1	-	4	30	70	-	100	3h
		<b>6th SEMESTER</b>									
		<b>Compulsory</b>									
31	LBC-611	Professional Ethics and Accounting System	3	1	-	4	30	70	-	100	3h

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32	LBC-612	Moot Court Exercise and Internship	1	-	6	4	30	-	70	100	3h
33		<b>Optional (opt any one of the following)</b>									
	LBE-613A	Insolvency & Bankruptcy Law	3	1	-	4	30	70	-	100	3h
	LBE-613B	Humanitarian and Refugee Law	3	1	-	4	30	70	-	100	3h
<b>Total Credits</b>			<b>140</b>								
<b>Total Marks</b>			<b>3000</b>								
<b>Total Number of Courses</b>			<b>33</b>								

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**LLB 3 YEARS COURSE  
THIRD SEMESTER**

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**NAME OF THE COURSE: JURISPRUDENCE**

**COURSE CODE: LBC-311**

**Hours/Week: 4**

**Credits: 4**

**Max. Marks: 70**

**Time: 3 Hours**

**Note: Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 contains 10 short questions covering the entire syllabus; students need to attempt any 7 questions out of these 10 questions. Each question in section 5 carries two marks.**

**Course objective:**

1. To give an overview to the students about law and legal systems prevalent in the world and India in particular, so that they can understand the jurisprudence of all subjects taught to them over a span of three years.
  2. To learn the jurisprudential basis of various concepts which are continuously being dealt within law in all manifestations.
  3. To sensitize the students to adopt a pragmatic approach in studying all the subjects in the six semesters by teaching them how to read cases and ways to club theory with practice. It is a subject which forms the foundation of the law degree.
- To make the students trace the evolution of law and legal systems in different countries.

**Course outcome:**

After the completion of this course, the students will be able to:

- Acquainted with the basic ideas and fundamental principles of Law in the given society.
- Gain knowledge of law and legal precepts to face exigencies of life boldly and courageously.
- Analyze the standards of ideal for human conduct in terms of law for the maintenance of public conscience.
- Identify and evaluate such pressing demand or problems which require solution within the parameters of the law, justice and other social norms.

**UNIT I**

Concept, nature and province/scope of Jurisprudence, distinction between jurisprudence and legal theory, concept and sources of Law and its role in society,



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

Administration of Justice; Relation of Law and Morality

## UNIT II

Various Schools of Jurisprudence:

Natural Law- Its development and relevance in modern times, Imperative theory of Law, Pure theory of Law

Analytical School. (i) Austin's Theory of Law (ii) Kelsen's Pure Theory of Law (iii) Hart's Concept of Law

Historical School- Hindu concept of Law and Jurisprudence, Islamic concept of law and jurisprudence

Realist School

Sociological School

## UNIT III

Elements of Law and Jurisprudence:

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 IV

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

### Books Recommended:

- B. S. Mani Tripathi, The Legal Theory, (Allahabad Law Agency, Allahabad, 18th Ed. 2012)
- N.V. Paranjapai, Studies in Jurisprudence and Legal Theory, (Central Law Agency, Allahabad 7<sup>th</sup> Ed. 2013)
- Nomita Aggarwal, Jurisprudence, (Central Law Agency, Allahabad, 10th Ed. (rep)2016)
- S.P. Dwivedi, Jurisprudence & Legal Theory, (Central Law Agency, Allahabad 7th Ed. 2017)
- Salmond, John William, Sir, Jurisprudence or the theory of the law, (Hard Press Publishing 2013)
- R.W.M. Dias, Jurisprudence, (Jain Law Book Agency, Delhi, 12th Edition, 2014)
- Edgar Bodenheimer, Jurisprudence, (Harvard University Press, 1974 Revised Ed.)
- Amartya Sen, The Idea of Justice, (Cambridge, Mass.: Belknap Press/Harvard University Press, Ed. 2009)
- Granville Austin, Indian Constitution, (The Cornerstone of a Nation, New Delhi, Oxford University Press, Ed. 2007)

\*Students are advised to study latest edition of the books and case laws.

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**NAME OF THE COURSE: COMPANY LAW**

**COURSE CODE: LBC-312**

**Hours/Week: 4**

**Credits: 4**

**Max. Marks: 70**

**Time: 3 Hours**

**Note: Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 contains 10 short questions covering the entire syllabus; students need to attempt any 7 questions out of these 10 questions. Each question in section 5 carries two marks.**

**Course Objectives:**

In the present scenario, trade and commerce has become an integrate part of society. Every person is affected by trade related activities either directly or indirectly. Hence, with that aspect in mind this course has been designed with the purpose to familiarize the students with the basic tenants of Corporate Law and develop their legal acumen to analyze the provisions of law and to acquire basic Knowledge and principes of company law.

**Course Outcome:**

The proposed outcome of this course is as follows:

1. To acquaint the students with the legal provisions, guidelines and case laws on the subject of corporate law.
2. To familiarize them with the procedure of documentation for a company.
3. To inform the students of their rights and duties under the Companies Act.
4. To develop the ability to efficiently identify and apply the provisions of law in realistic scenarios.

**UNIT I**

History of Company Law in India and England, Nature Definition and characteristic of Company, Lifting the Corporate Veil, Kinds of Companies, Formation and incorporation of a Company, Promoter-status, position, function and remuneration, Objects and salient features of the Limited Liability Partnership Act, 2008.

**UNIT II**

Memorandum of association, various clauses, alteration therein, Doctrine of Ultravires, Articles of Association, binding force, alteration, its relation with memorandum of association, Doctrine of Constructive notice, Doctrine of Indoor management and its exceptions, Meeting- meaning, kinds, resolutions, quorum and voting

Leading Case: Ashbury Railway Carriage and Iron Co. Ltd.v. Riche, (1875) 44 LJ-185

**UNIT III**



Directors: position, appointment, qualification, vacation of office, Removal, Resignation, Powers and duties of Directors remuneration of directors, Role of nominee directors, Compensation for loss of office, Managing Director and other managerial personnel, Secretary: definition, qualification, position, appointment duties and qualities, Auditor, qualification, disqualification, appointment, tenure, Re-appointment and removal of an auditor

Leading Case: K.Venkat Rao v. Rockwool India Ltd. (2002) 108 Comp.Cases 494 A.P.

#### UNIT IV

Majority rules and minority protection, Prevention of Oppression and mis-management, Winding up: types, grounds, who can apply, procedure, Powers of Liquidator, consequences of winding up order, Members and Creditors winding up, Liability of past members-payment of Preferential payment, Winding up of unregistered company, Receiver: power, appointment, duties and liabilities

Leading cases:

Foss v. Harbottle (1843) 2 Hare 461

Kedia Industries Ltd. v. Star Chemical Ltd. (1999) 98 Co. Cases 233

#### Books Recommended:

- S.C. Tripathi, New Company Law, (Central Law Publication, Allhabad, 1st Ed. 2015)
- Dr. N.V. Pranjape, Company Law, (Central Law Agency, Allhabad, 7th Ed. 2016)
- A.K. Majumdar, Company Law and Practice, (Taxman's 18th Ed. 2013)
- G.K. Kapoor, Sultan Chand & Sons, Company Law, (9th Ed. 2015, Delhi)
- L.C.B. Gower, Principles of Modern Company Law (Latest Ed.)
- Dr. Avtar Singh. Indian Company Law (Eastern Book Company, Latest Ed. 2013)
- Dr. N.D. Kapoor. Company Law (Latest Ed.)
- Kailash Rai, Principles of Company Law (16th Ed. 2006)
- Pennington, Principles of Company Law (Latest Ed.)
- Dr. L.C. Dhingra, Principles of Company Law (Latest Ed.)
- ICSI's, Guide to Companies Act, 2013, Section-Wise Concise Commentary with Referencer. (Taxmann's, Master Guide to Companies Act 2013)
- Paul L. Davies, Principles of Modern Company Law , (8th edition, Sweet and Maxwell, 2008)
- A. Ramaiya, Guide to Companies Act, (17th edition Lexis Nexis Butterworths, Wadhwa, Nagpur, 2010.)
- Robert R. Pennigton, Company Law, (8th edition, Oxford University Press, 2006.)

\*Students are advised to study latest edition of the books and case laws.

**NAME OF THE COURSE: CODE OF CIVIL PROCEDURE AND LIMITATION ACT**

**COURSE CODE: LBC-313**

**Hours/Week: 4**

**Credits: 4**

**Max. Marks: 70**

**Time: 3 Hours**

**Note: Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 contains 10 short questions covering the entire syllabus; students need to attempt any 7 questions out of these 10 questions. Each question in section 5 carries two marks.**

**Course Objectives:**

1. To impart basic knowledge to the students of the difference between the civil laws and criminal laws by making them understand the key differences between the methodology of both the streams of law.
2. Having understood the same the students would be apprised of the key words used in civil laws for better understanding of the subject.
3. This course aims at making the students learn the procedure before the civil court and the mannerisms that needs to be followed in the court.
4. The course also aims at inculcating ethical values in the students by making them learn about those areas which they need to bear in mind to maintain legal propriety and ethics.

**Course Outcomes:**

1. The students will become well versed with the basic keywords used frequently in the civil courts such as plaint, written statement, summons, plaintiff, defendant, judgment, decree, and so on.
2. The students would be able to locate the jurisdiction of the various civil courts after reading this subject by knowing the various jurisdictions that are there at every level as per the hierarchy of civil courts.
3. Since this subject is taught to second year students, they would be better equipped to deal with the papers like Moot Court, ADR and Professional Ethics etc. which are being taught in the final year.
4. The major outcome of this course is that the students would showcase ethical values by being taught the concepts of res-judicata, splitting of claims, adjournments etc.

**UNIT I**

Definitions Clause (under Section-2), Courts to try all civil suits unless barred (Section- 9), Principle of Res-Sub-judice (Section-10), Principle of Res-Judicata (Section-11), Place of Suing (SS-15 to 20), Parties to the Suit (O-1), Framing of Suits (O-2), Institution of Suits (O-4), Summon (O-5) & (SS-27 to 32), Pleading (O-6).

Leading Cases:



1. State of UP v. Nawab Hussain AIR 1977 SC1680
2. NDMC v. Satish Chandra AIR 2003 SC3137
3. Reena Mehta v. R.R.Mehra AIR 2003 SC1002
4. Begam Sahiba Sultan v. Nawab Mohammad Mansoor Ali Khan (2007) 4 SCC343

## UNIT II

Plaint(O-7), Written Statement and Counter Claim(O-8), Appearance of Parties(O-9), Examination(O-10), Settlement of Issues (O-14), Commission(O-26) & (Ss 75 to 78), Suit by or against Govt. & Public Officer(SS-79 to 82), Examination of Witnesses(O- 16), Judgment and Decree (O-20 & S-33), Abatement of Suits(O-22), Withdrawal of Suits(O-23), Suits by or against Minor(O-33), Cost(Ss-35 A-35B)

Leading Cases:

1. Hasam Abbas Sayyad v. Usman Abbas Sayyad(2007) 2 SCC355.
2. Bar Association Tamil Nadu v. Union of India AIR 2003 SC179

## UNIT III

Execution of Decree(O-21 & Ss 36 to 42), Execution against Legal Representatives and Transfer (Ss-49 to 50), Stay of Executions, Modes of Execution (Ss 51 to 54), Arrest and Detention (Ss 55 to 59 & O-21 Rules 37 to 40), Attachment of Property (Ss-58 to 64), Sales of Attached Property (O-21 Rules 64 to 69), Appeal from Original Decree (O- 41) & (SS-96-99), Appeal from Appellate Decree (O-42) & (Ss-100 to 103), Appeal to the Supreme Court (O-45)

## UNIT IV

Injunction (Os-38 to 39), Appointment of Receiver (O-40), Reference (O-46) & (S-113),

Review (O-47 & S-114)

Limitation Act: Limitation of Suits, Appeal and Application (SS 3-9), Computation of period of limitation (Ss-12 to 20).

Leading Cases:

1. Union of India v. Adani Exports Ltd. AIR 2002 SC126
2. National Institute of Mental Health v. C Permeshwara AIR 2005 SC212

## Books Recommended:

- Mulla, Code of Civil Procedure, (Lexis Nexis 19th Ed.2011)
- MP Jain, Code of Civil Procedure, (Lexis Nexis 4th Ed.2016)
- JK Das, Code of Civil Procedure, (Prentice Hall India Learning Private Ltd. Ed.2013)
- DN Mathur, Code of Civil Procedure, (Central Law Publication 5th Ed.2017)
- C.K. Takwani, Code of Civil Procedure, (Eastern Book Co. 8th Ed.2016)
- Avtar Singh, Code of Civil Procedure, (Central Law Publication 4th Ed.2015)

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**NAME OF THE COURSE: ENVIRONMENTAL LAW**

**COURSE CODE: LBC-314**

**Hours/Week: 4**

**Credits: 4**

**Max. Marks: 70**

**Time: 3 Hours**

**Note: Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 contains 10 short questions covering the entire syllabus; students need to attempt any 7 questions out of these 10 questions. Each question in section 5 carries two marks.**

**Course Objectives:**

The objective of the course is to provide a basic level understanding of the legislative framework of environmental regulation, its implementation and adjudication. The objectives can be further put forth as follows:

- To enable students to identify core environmental issues and legal and institutional responses to them.
- To analyze the role of judiciary in environmental protection.
- To introduce the basic concepts and principles of environmental law and to analyze these principles as tools of environmental protection, where the laws and policies fall short.
- To understand development of environmental law in an international perspective, specifically developed and developing countries perspective.

**Course Outcomes:**

The course gives students the opportunity to grapple with contemporary legal debates in environment law. Therefore, the learning outcomes of this course can be encapsulated as follows:

- The primary learning outcome is to sensitize the students towards human activities that adversely affect the environment and the need for regulation of such activities.
- Students will develop a thorough understanding of practice and procedure followed by various environmental law enforcing agencies/bodies.
- Students will be able to pursue environmental litigation before the National Green Tribunal and assist the Tribunal as a researcher or in any other capacity.
- Students will be able to assist industries and projects in obtaining environmental clearance and compliances with other environmental law.

**UNIT 1: Introduction**

Meaning and Definition of environment, environmental pollution, factors responsible for environmental pollution.

Noise- Definition, Sources, Harmful effects, Remedies against noise pollution, Noise Pollution (Regulation and Control) Rules 2000

Development in International Environmental Law - From The Stockholm to Paris



Important Doctrines- Sustainable Development-Meaning and Scope, Precautionary Principle, Polluter pays, Public Trust Doctrine, Strict Liability, Principal of No Fault and Absolute Liability, Environment Impact Assessment (EIA).

#### **Case-laws**

- *Indian Council for Enviro Legal Action v. Union of India*, AIR 1996 SC 1446
- *M.C. Mehta v. Kamal Nath*, (1997) 1 SCC 388
- *Union Carbide Corporation v. Union of India*, 1989 SCC (2) 540
- *Church of God (Full Gospel) in India v. KKR Majestic Colony Welfare Association*, (2000) 7 SCC 28
- *In Re Noise Pollution Case*, AIR 2005 SC 3136
- *Rural Litigation and Entitlement v. State of U.P.*, AIR 1989 SC 594

### **UNIT 2: Constitutional Mandates and Environment**

Constitution and 42nd Amendment Act of 1976

Directive Principles of State Policy

Fundamental Duties

Right to Pollution Free Environment

Public Interest Litigation and Social Action Litigation

#### **Case-laws**

- *M.C. Mehta v. Union of India (Kanpur Tanneries)*, AIR 1988 SC 1115
- *M.C. Mehta v. Union of India (SFFI Case)*, AIR 1987 SC 965
- *Murli S. Deora v. Union of India*, (2001) 8 SCC 765
- *M.C. Mehta v. Union of India*, 2002 (CNG Vehicular Pollution Case)

### **UNIT 3: Prevention and Control of Water and Air Pollution**

The Environment (Protection) Act, 1986 and Rules

The Water (Prevention and Control of Pollution) Act, 1974

Air (Prevention and Control of Pollution) Act, 1981

#### **Case-laws**

- *Murli S. Deora v. Union of India*, (2001) 8 SCC 765
- *M.C. Mehta v. Union of India*, 2002 (CNG Vehicular Pollution Case)
- *M.C. Mehta v. Union of India*, (1997) 2 SCC 353 (Taj Trapezium Case)
- *M.C. Mehta v. Union of India*, (Kanpur Tanneries), AIR 1988 SC 1115
- *Narmada Bachao Andolan v. Union of India*, (2000) 10 SCC 664



#### **UNIT 4: Protection of Forests and Wild Life and General Environmental Legislations**

The Indian Forest Act, 1927 and The Forest (Conservation) Act, 1980

The Wild Life (Protection) Act, 1972

The Public Liability Insurance Act, 1991

The National Green Tribunal Act, 2010

Solid Waste Management Rules 2016

#### **Case-laws**

- Blackbuck and Chinkara Poaching Case (Salman Khan)
- *M.C. Mehta v. Union of India*, (2004) 11 SCC 582
- *Rural Litigation and Entitlement v. State of U.P.*, AIR 1989 SC 594
- *Tarun Bharat Sangh v. Union of India*, 1992 Supp (2) SCC 448

#### **Books Recommended:**

- P.S. Jaiswal, Environmental Law, (Allahabad Law Agency, 4th Edition, 2017)
- Leelakrishnan P, Environmental Law in India, (Lexis Nexis Butterworth, 4th Ed. 2016)
- Singh Gurdip, Environmental Law, (Eastern Book Company, Ed. 2016)
- Nanda, Sukanta K. Environmental law, (Central Publications, Allahabad, Ed. 2017)
- Bell Stuart & McGillivray Donald, Environmental Law, The Law and Policy Relating to The Protection of The Environment, (Universal Law Publishing Co. Pvt. Ltd. New Delhi, Ed. 2013)
- Dr. Tiwari H. N. Environmental Law, (Allahabad Law Agency Faridabad, Ed. 2017)
- Chandra Pal, Environmental Pollution & Development (Mittal Publication, Ed. 1999)
- Naresh Kumar, Environmental Pollution & Development (Mittal Publication, Ed. 1999)
- Shyam Divan and Armin Rosencranz, Environmental Law and Policy in India, (Oxford University Press, New Delhi, Ed. 2005 )

#### **Articles, Acts and Reports:**

- Krushna Chandra Jena, 'Ecological and Environmental Protection Movements: A Brief Conspectus', AIR 2005 Journal 288.
- Akshay Sarathi, 'Sustainable Development: Implementation Issues', A Socio-Political Journal of Symbiosis Society, Vol. 3, 2006.
- Annual Report 2014-15 (Ministry of Environment, Forests and Climate Change, Government of India)
- Evaluation of Central Pollution Control Board (Indian Institute of Management, Lucknow, 2010)
- Reforms in Environmental Governance with Special Reference to Establishment of National Environment Assessment and Monitoring Authority (Ministry of Environment and Forests, Government of India, 2010)



- The Water (Prevention and control of Pollution) Act, 1974 The AIR (Prevention and Control of Pollution) Act, 1981.
- The Environment (Protection) Act, 1986
- The Public Liability Insurance Act, 1991
- The National Environment Tribunals Act, 1995

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**NAME OF THE COURSE: LABOUR AND INDUSTRIAL LAW-1**

**COURSE CODE: LBC-315**

**Hours/Week: 4**

**Credits: 4**

**Max. Marks: 70**

**Time: 3 Hours**

**Note: Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 contains 10 short questions covering the entire syllabus; students need to attempt any 7 questions out of these 10 questions. Each question in section 5 carries two marks.**

**Course Objectives:**

The objective of the course is to provide a basic level understanding of the labour and Industrial law .The objectives can be further put forth as follows:

- To Familiarize the students with application of various laws for the raising of living standards of laborers and peaceful resolution of Industrial Disputes.
- In this regard the functions of Labour Court, Strike, Lockout, Role of Trade Unions and the Factories Act etc are explained in detail.

**Course Outcomes:**

The course gives students the opportunity to grapple with contemporary legal debates in environment law. Therefore, the learning outcomes of this course can be encapsulated as follows:

- The primary learning outcome is to apprise the students towards Labour and Industrial Law
- Students will develop a thorough understanding of practice and procedure followed by various law related to Industries and labour .
- Students will be able to pursue litigation before the Labour courts as a researcher or in any other capacity.
- Students will be able to assist industries and projects in compliances with Industries laws and labour laws.

**UNIT-I THE INDUSTRIAL DISPUTE ACT 1947**

Object and main features of the Act. Definitions: Appropriate Government, Employer, Industry, Industrial Dispute, Workmen, Public Utility Service, Industrial Establishment or Undertaking, Authorities under the Act (Section 3-9 and 11-15), Notice of Change (Section 9-A), Reference of Disputes to Boards, Court and Tribunal (section 10), Voluntary Reference of Disputes to Arbitration (section 10-A), Power of Labour Court and Tribunal to give relief in case of Discharge or Dismissal of Workmen (section 11-A), Awards and Settlements (section, 16-21)

Leading Case: Bangalore Water Supply v A. Rajappa (AIR 1978 SC 548)

**UNIT-II THE INDUSTRIAL DISPUTE ACT 1947**



Definition of Strike and Lockout (section-2), other Statutory Provisions of ID Act, 1947 relating to Strikes and Lockouts (section 22-28), Layoff and Retrenchment (section 2, 25A-26E and 25F- 25H), Compensation to Workmen in case of Transfer of Undertakings (section 25 FF), 60 Days Notice to be Given of Intention to Close Down the Undertaking (section 25 FFA), compensation to workmen in case of closing down of undertaking (section 25 FFF), special provisions relating to lay off, retrenchment and closure in certain establishments (section 25K-25S), unfair labour practice (section 25 I-25U), scope of section 33 and 36 of ID Act, 1947

Leading Case: Delhi Cloth and General Mills v Shambhu Nath (AIR 1978 SC 88)

### UNIT-III THE TRADE UNIONS ACT, 1926

Development of Trade Unions Law in India, Definition: Executive, Registrar, Trade Union, Registration of Trade Union, Registration of Trade Union (section 3-9), Cancellation of Registration (section-10), Appeals (section-II), Incorporation of Registered Trade Union (Section 13), Right and Liabilities of Registered Trade Union (section 15-18), Right to Inspect Books of Trade Union (section 20), Right of Minor to be Membership of Trade Union (section 21), Disqualification of Office Bearers of Trade Unions (section-21a), Proportion of Office Bearers to be connected with an Industry (section 22), Change of Name and Amalgamation of Trade Union (section 23 to 26) Dissolution and Returns (section 27 & 28)

Leading Case: Jai Engineering Works V Staff, AIR 1968 Cal.407

### UNIT-IV THE FACTORIES ACT, 1948

Definitions: Adult, Adolescent, Child Hazardous Process, Manufacturing Process, Worker, Factory, Approval of Licensing and Registration of Factories (section 6), Notice by Occupier and Duties of Occupier (section 7), Inspector and Certifying Surgeons (section 8 to 10), Statutory Provisions relating to Health and Safety (section 11 to 41), Welfare (section 42 to 50), Working Hours of Adult (51 to 66), Employment of Young Persons (section 67 to 77), Annual Leave with Wages (section 78 to 84)

Leading Cases: Hathras Municipality v Union of India (AIR 1975

#### Books Recommended:

- C.B. Memoria and Satish Memoria. Dynamics of industrial Relations, (Himalaya Publishing House-Mumbai 2007 Part II and III. Latest Ed.)
- Dr. V.G. Goswani. Labour and Industrial law, (Central Law Agency Allahabad, 2005, Part VI. Latest Ed.)
- Nirmal Singh and S.K. Bhatia. Industrial Relations and Collective Bargaining, (Deep and Deep Publications Pvt. Ltd. – Delhi, Ed. 2000.)
- Srivastav K. Industrial Peace and Labour in India, (Kitab Mahal Allahabad, Ed. 2003)
- Indian Law Institute. Labour Law and Labour Relations, (Ed. 2002)
- KM Pillai. Labour and Industrial Law, (Allahabad Law Agency, Faridabad, Haryana, Ed. 2005 Part I)
- SN Mishra. Labour and Industrial Law, (Central Law Publications, Allahabad, Ed. 2004 Part I)

- HL Kumar. Labour problems and remedies, (Universal Book Traders, Delhi, Ed. 2006)
- Giri V V, Labour Problems in Indian Industry, (Asian Publishing House, Bombay, Ed. 1965)
- C.B. Memoria and Satish Memoria. Dynamics of industrial Relations, (Himalaya Publishing House-Mumbai Ed. 2007 Part VIII)
- Dr. V.G. Goswani. Labour and Industrial law, (Central Law Agency Allahabad, Ed. 2005 Part II, III, IV)
- KM Pillai. Labour and Industrial Law, (Allahabad Law Agency, Faridabad, Haryana, 2005 Part II, III Latest Ed. )
- SN Mishra. Labour and Industrial Law, (Central Law Publications, Allahabad, 2004, Part VII, VIII, XI Latest Ed. )
- HL Kumar. Labour problems and remedies, (Universal Book Traders, Delhi, 2006 Latest Ed. )
- Giri V V. Labour Problems in Indian Industry, (Asian Publishing House, Bombay, 1965 Lates Ed.)

\*Students are advised to study latest edition of the books and case laws.



**NAME OF THE COURSE: INFORMATION TECHNOLOGY LAW**

**COURSE CODE: LBE-316A**

**Hours/Week: 4**

**Credits: 4**

**Max. Marks: 70**

**Time: 3 Hours**

**Note: Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 contains 10 short questions covering the entire syllabus; students need to attempt any 7 questions out of these 10 questions. Each question in section 5 carries two marks.**

**Course Objectives:**

This syllabus endeavours to give an insightful understanding of fundamental nuances of this information technology ecosystem and its legal concerns. It covers the whole Information Technology Act and its amendments along with applicable rules. Apart from the statutory provisions related to cyberspace, this syllabus also gives due emphasis on the social, intellectual property issues and legal analysis of new emerging technologies of Cyberspace.

**Course Outcomes:**

The learning outcome of the course will be

1. To understand the provisions of Information Technology laws and its applicability on contemporary issues.
2. Demonstrate a sound knowledge and critical understanding of social and economic policy considerations arising in this area.
3. Apply the provisions of IT Act in relation to digital space transactions and the protection of intellectual property.
4. Critically analyze complex problems in relation to the use of information technology, apply the legal principles studied to these problems, evaluate the merits of alternative solutions to the same problem.

**UNIT-I Cyber Jurisprudence and Fundamentals of Information Technology**

Cyberspace and Information Technology; Overview of computer and Web Technology

Defining Cyberspace and its components

Regulation of Cyberspace: Issues and Challenges

UNICTRAL MODEL Law on Electronic Commerce, 1996

Introduction to Cyber law; E-governance; Convergence of technologies and legal issues

**UNIT-II E-Contracts, E-Commerce and E-banking**



E-contracts, Mail Box rule, Impact of IT Act on E-Contracts; Formation of e-contracts; Types of e-contracts: Shrink Wrap, Click Wrap, Browse Wrap

Introduction to e-commerce and regulatory paradigms for e-commerce; E-Commerce and IPRS; Protection of Commercial Data in Online medium

Taxation of e-commerce

E-Commerce and Consumer Protection; E-banking and Electronic Payment System, Legal Issues in E-banking

Jurisdictional issues in e-commerce and dispute resolution mechanism; Digital and electronic signature: Law and technology

### **UNIT-III Intellectual Property Issues in Cyberspace**

Protection of Copyright in cyberspace: Linking, Framing, Caching, digital piracy

Liability of ISPs for copyright violations

Protection of Neighbouring Rights in cyberspace; Protection of Multimedia works in cyber space; IP protection to computer software and computer-generated works

Protection of Trade Marks in cyberspace: Cyber Squatting; Domain name disputes and ICANN Dispute Resolution Policy and WIPO; Reverse domain hijacking; Meta-tagging,

Patents in the cyberspace; Protection of Trade Secret in cyberspace

### **UNIT-IV Cyber Wrongs, Cybercrimes and Jurisdiction in Cyberspace**

Defining cyber wrong and cybercrimes; Ingredients of cyber offences; Typology of cyber offences, Cyber offences against the persons; Cyber offences against the economy, Cyber offences against the countries, Cyber offences based on contents

Adjudication of cyber wrong and cybercrimes

Cyber Privacy, Electronic Surveillance and Legal Issues; International responses to cybercrime

Principles of jurisdiction; Jurisdiction in cyberspace

US approach towards cyberspace jurisdiction; Indian approach towards cyberspace Jurisdiction based on Procedure laws of India



### Books Recommended:

- 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 5th Ed. (2016)
- Karnika Seth, Computers Internet and New Technology Laws (2016)
- Kamlesh K Bajaj, Debjani Nag, E-commerce: the cutting edge of business, 2nd Ed. (2005)
- Apar Gupta, Commentary on Information Technology Act(2016)
- Aparna Viswanathan, Cyber Law (Indian & International Perspectives on key topics including Data Security, E-commerce, Cloud Computing and Cyber Crimes)(2012)
- Prashant Mali, Cyber Law and Cyber Crimes, 2nd Ed.(2015)
- Debrati Halder & H Jaishanker, Cyber Crimes Against Women, Sage Publications 1st Ed.(2017)
- Vakul Sharma, Information Technology Law & Practice 6 th Ed. (2018)
- Chris Reed, Internet Law Text and Materials (2010)
- Ferrera et al, Cyber Law Text and Cases 3rd Ed. (2012)
- Internet Law and Practice by International Contributors, West Thomson Reuters, South Asian Edition (2013)
- SK Verma and Raman Mittal (Eds.), Legal Dimensions of Cyberspace, (2004)
- Lawrence Lessig, Code and Other Laws of Cyberspace 1999, Code version 2.0, Basic Books Publication (2006)
- Pavan Duggal Cyber Law 3.0, Universal Law Publishing Company Private Limited (2014)

### Articles:

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>.

Robert Bond and Caroline Whiteley, "Untangling the Web: A review of certain secure e-commerce legal issues" 12(2) International Review of Law, Computers & Technology 349-370 (1998)

Tvisha Shroff and Katrin Kuhlmann, "A Legal Perspective on Digital Trade: Keeping the Internet Neutral" 8(2) Trade L. & Dev. 181 (2016)

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>

David R. Koepsell, "An emerging ontology of jurisdiction in cyberspace" 2 Ethics and Information Technology 99-104 (2000).

Hemali Shah and Aashish Srivastava "Signature Provisions in the Amended Indian Information Technology Act 2000: Legislative Chaos", 43 Comm. L. World Rev. 208 2014 available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2748441](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2748441)

**NAME OF THE COURSE: MEDIA & LAW**

**COURSE CODE: LBE-316B**

**Hours/Week: 4**

**Credits: 4**

**Max. Marks: 70**

**Time: 3 Hours**

**Note: Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 contains 10 short questions covering the entire syllabus; students need to attempt any 7 questions out of these 10 questions. Each question in section 5 carries two marks.**

**Course Objectives:**

- Enhance the student's awareness regarding ethical responsibilities of mass communication professionals.
- Identify the moral dimensions of issues that arise in professional practice.
- Examine the social, political, economic, legal and ethical dilemmas confronted by contemporary media practitioners in new digital settings.

**Course Outcomes:**

On Successful Completion of this course a student will be able to

1. Demonstrate an understanding of key ethical and legal issues facing journalists and practitioners in advertising public relations and entertainment media.
2. Identify and articulate media law and its applicability to the so called third pillar of Indian democracy.
3. Analyze the role of digital technology and its impact on legal and ethical challenges in journalism, advertising, public relation and entertainment media
4. Apply legal reasoning and research to respond to those issues, and to engage in critical analysis and make reasoned choices amongst alternative solutions

**UNIT- I**

Concept of media and it's revolution

Different forms of media – Print Media, Broadcast Media, social media

Constitutional Framework and Media (Freedom of Speech and expression)

Pre ad post censorship, Issues related to privacy, Parliamentary Privileges

Leading Case:

ABP Pvt. Ltd. v. Union of India, (2014)3 SCC 327

Justice K.S Puttaswamy(Retd.) v. Union of India, (2017)10 SCC 1

**UNIT -II**



Media and criminal Law: Sedition, Obscenity, defamation,

Media and Tort Law: Defamation, Media and contempt of courts, Media Trails and Administration Of Justice

Leading Case: Shreya Singhal V. Union Of India, (2015) SC 1523

### UNIT-III

Legislation in Broadcasting Sector: Prasar Bharti Act 1990, Cable Television Network Regulation Act 1995, Press Council Act 1978, Cinematography Act 1952,

Regulation Of Social Media: Emerging problems of Social Media

Information Technology ACT 2000

**Leading Case:** In re Destruction of Public and Private Properties v. State of A.P. & Ors, (2009) 5 SCC 119

### UNIT -IV

Concept of Advertisement: Legal regulation and self-Regulation of advertisement in India

Comparative and surrogate advertisement: Advertisement and Intellectual Property Rights( IPR's)

### Recommended Books:

1. M.P. Jain, Constitutional Law of India; Wadhwa, Nagpur;(1994)
2. H.M. Seervai, Constitutional Law of India 2002 Vol. 1; Universal Law Publishing Co Ltd 50
3. John B. Howard, "The Social Accountability of Public Enterprises" in Law and Community Controls in New Development Strategies (International Center for law in Development 1980)
4. Rodney D. Ryder, Brands, trademarks, and advertising, Lexis Nexis Butterworths, (2003).
5. Soli Sorabjee, Law of Press Censorship in India (1976).
6. Justice E.S. Venkaramiah, Freedom of Press: Some Recent Trends (1984).
7. D.D. Basu, The Law of Press of India (1980)
8. Venkat Iyerass, Media Laws And Regulations In India; Bahri Sons (India Research Press) (2000).
9. Monroe Edwin Price, Stefaan G. Verhulst, Broadcasting reform in India: media law from a globalperspective, Oxford University Press, (2000).
10. Kiran Prasad, Media Law in India, Kluwer Law International ;( 2011).
11. Daxton Stewart (ed.) Social Media and the Law: A Guidebook for Communication Students and Professionals, Routledge, (2013).
12. B. Manna, Mass Media and Related Laws in India, Academic Publishers, (2006).

**LLB 3 YEARS COURSE  
FOURTH SEMESTER**

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**NAME OF THE COURSE: ARBITRATION, MEDIATION & CONCILIATION**

**COURSE CODE: LBC-411**

**Hours/Week: 4**

**Credits: 4**

**Max. Marks: 70**

**Time: 3 Hours**

**Note: Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 contains 10 short questions covering the entire syllabus; students need to attempt any 7 questions out of these 10 questions. Each question in section 5 carries two marks.**

**Course Objectives:**

Indian Courts are burdened with litigation leading to excessive pendency of cases. Alternate Dispute Resolution methods like arbitration, mediation, and conciliation offer promising alternatives to litigation promoting party autonomy and expeditious disposal of cases. They have become a norm in commercial contracts and their importance is only going to grow. Therefore, this course aims to equip students with a comprehensive understanding of alternative dispute resolution mechanisms outside the traditional courtroom setting.

**Course Outcomes:**

This course will enable the students to:

1. Recall key concepts, terminologies, and types of ADR methods, including mediation, arbitration, negotiation, and conciliation.
2. Demonstrate an understanding of the principles, advantages, and processes involved in various ADR mechanisms and how they differ from traditional litigation.
3. Apply ADR techniques and procedures in simulated disputes or case studies to demonstrate their ability to resolve conflicts effectively outside the courtroom
4. Analyse the suitability and effectiveness of different ADR methods for various types of disputes, including commercial and family.

**Unit I**

Evolution of ADR in India, Objectives and Importance of ADR, Various kinds of ADR mechanisms: Arbitration, Mediation, Conciliation, Expert Determination, Negotiation, Constitution, Powers and Functions of the Legal Services Authorities, Access to Justice through Lok Adalat and Permanent Lok Adalat

**Unit II**

**Arbitration & Conciliation Act, 1996 (I)**



Arbitration agreements, Role of Courts in Reference to arbitration, Extent of judicial intervention, Composition and Jurisdiction of Arbitral Tribunals, Interim measures by Courts and Arbitral Tribunals, Conduct of Arbitral proceedings and place of arbitration, Arbitral Awards, Setting aside the arbitral awards and enforcement of domestic awards

### Unit III

#### Arbitration & Conciliation Act, 1996 (II)

International Commercial Arbitration, Enforcement of Foreign Awards, New York Convention Awards, Geneva Convention Awards, UNCITRAL Model Law

### Unit IV

#### Mediation Act, 2023

Applicability, Features of the Act, Pre-litigation Mediation, Mediators, Mediation Proceedings, Enforcement of Mediated Settlement Agreement, Mediation Council of India, Types of Mediation- Online Mediation and Community Mediation, Challenge to a Mediated Settlement Agreement

#### Books Recommended:

- Dr. N. V. Paranjape, Law Relating to Arbitration & Conciliation in India, Central Law Agency, Allahabad, 2016(9thEdn.)
- Avtar Singh, Arbitration & Conciliation Act, Eastern Book Company, New Delhi, 2014
- Redfern and Hunter on International Arbitration 6th edition

#### List of Cases:

- a) Bhatia International v. Bulk Trading SA, AIR 2002 SC 1432
- b) Bharat Aluminium Company v. Kaiser Aluminium Technical Service Inc., (2012) 9 SCC 522
- c) Salem Advocate Bar Association v. Union of India, AIR 2005 (6) SCC 344 (Section 89 CPC, 1908)
- d) Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. (P) Ltd., (2010) 8 SCC 24 (Section 89 CPC, 1908)
- e) Renu Sagar Power Plant Co. Ltd. v. General Electric Company, AIR 1994 SC 860
- f) ONGC v. Saw Pipes, (2003) 5 SCC 705
- g) Venture Global Engineering v. Satyam Computers Services Ltd. & Anr., (2008) 1SCALE 214 & (2010) 8 SCC 660



**NAME OF THE COURSE: ADMINISTRATIVE LAW**

**COURSE CODE: LBC-412**

**Hours/Week: 4**

**Credits: 4**

**Max. Marks: 70**

**Time: 3 Hours**

**Note: Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 contains 10 short questions covering the entire syllabus; students need to attempt any 7 questions out of these 10 questions. Each question in section 5 carries two marks.**

**Course Objectives:**

Administrative Law course is designed to prepare students for professions in law, government, or business. Administrative lawyers play a crucial role in ensuring that government agencies follow the law and make fair and just decisions. They may defend clients in disputes with government authorities, advise clients on how to comply with government regulations, or campaign for policy changes.

**Course Outcomes:**

1. Explain the concept and scope of administrative law.
2. Describe the legislative functions of administration and the role of delegated legislation.
3. Apply writ jurisdiction and analyze judicial control mechanisms on administrative discretion and the principles of natural justice.
4. Evaluate the privileges, immunities, and liabilities of the administration, including the role of ombudsman institutions.

**UNIT-I**

Meaning, Nature and Scope of Administrative Law: its reasons for growth and relation with the constitution; Doctrine of Rule of Law and Separation of Power; Administrative functions: its distinction from Judicial, Quasi-Judicial and Legislative Functions; Delegated Legislation: its meaning, necessity, scope and its control i.e Judicial and Legislative control: Excessive delegation, Permissible and impermissible Delegation, conditional and Sub-delegation Leading Case: Indira Nehru Gandhi vs Raj Narain AIR 1975 SC2299.

**UNIT-II**

Administrative Discretion: its Control, Principles of Natural Justice, Administrative Tribunals: its reasons for growth-concept, Composition, Powers, Procedure and Constitutional Validity, Distinction between Court and Tribunal, Administrative Tribunals How far Bound by Rule of Evidence. Leading Cases: L. Chandra Kumar vs Union of India and others, AIR 1997 SC 1125.

**UNIT-III**

Writ Jurisdiction under Article 32 and Article 226: Habeas Corpus-Mandamus-Certiorari Prohibition and Quo Warranto; Judicial Control of Administrative Actions: Constitutional Remedies and other



statutory remedies, Rule related to Locus Standi, Doctrine of Ultra Vires, Doctrine of Res Judicata, Public Interest Litigation, Public Undertakings. Leading Case: Transport Corporation Vs DTC Mazdoor Congress AIR 1991 SC 101

#### UNIT-IV

Privileges and Immunities of the Administration, Tortious Liability of State and Public Authority, Contractual Liability of the State: Doctrine of Promissory Estoppel, Institution of Ombudsman: Lokayukt -Lokpal, Central Vigilance Commission. LEADING CASES: Ramakrishna Hegde Vs State AIR 1993 KNT-54.

#### Books Recommended:

- M.P. Jain. Principles of Administrative Law (Lexis Nexis, 6th Ed.)
- I.P. Massey. Administrative Law, (Eastern Book Company, 9th Ed., 2017)
- C.K. Takwani. Lectures on Administrative Law, (Eastern Book Company, 6th Edition, 2017)
- U.P.D Kesari. Administrative Law, (Central Law Publication 21st Ed. 2016)
- H.W.R Wade. Administrative Law, (Oxford, 11th Ed., 2014)

#### Articles:

- J.K Shah, 'Administrative Law', [https://www.jkshahclasses.com/announcement/chapter\\_15.pdf](https://www.jkshahclasses.com/announcement/chapter_15.pdf)
- Ishwor Thapa, 'Administrative Law: Concept, Definition, Nature, Scope and Principle and its Sources', [https://www.researchgate.net/publication/347514733\\_Administrative\\_Law\\_Concept\\_Definition\\_Nature\\_Scope\\_and\\_Principle\\_and\\_its\\_Sources](https://www.researchgate.net/publication/347514733_Administrative_Law_Concept_Definition_Nature_Scope_and_Principle_and_its_Sources)
- Upendra Baxi, 'The Rule of Law in India', Sur vol.3 no.se São Paulo 2007, [http://socialsciences.scielo.org/pdf/s\\_sur/v3nse/scs\\_a01.pdf](http://socialsciences.scielo.org/pdf/s_sur/v3nse/scs_a01.pdf)
- Ananya Jain, 'Rule of Law and its Application in the Indian Polity', International Journal of Law Management & Humanities, 2018 IJLMH | Volume 1, Issue 3 | ISSN: 2581-5369, <https://www.ijlmh.com/wp-content/uploads/2019/03/Rule-of-Lawand-its-Application-in-the-Indian-Polity.pdf>
- CCHR Institutions Series, 'The Separation of Powers and the Rule of Law', Volume 1 – The Separation of Powers and the Rule of Law – June 2011, <http://www.a4id.org/wp-content/uploads/2016/04/The-Separation-of-Powersand-the-Rule-of-Law-.pdf>
- Jacob Finkelman, 'Separation of Powers: A Study in Administrative Law', University of Toronto Press, : <https://www.jstor.org/stable/824711>

**NAME OF THE COURSE: LABOUR AND INDUSTRIAL LAW-2**

**COURSE CODE: LBC-413**

**Hours/Week: 4**

**Credits: 4**

**Max. Marks: 70**

**Time: 3 Hours**

**Note: Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 contains 10 short questions covering the entire syllabus; students need to attempt any 7 questions out of these 10 questions. Each question in section 5 carries two marks.**

**Course Objectives:**

- To apprise the students with the application of various laws aimed at raising the living standards of labourers, including the Workmen's Compensation Act, 1923, the Minimum Wages Act, the Law of Gratuity, and the Equal Remuneration Act, 1976.
- To provide detailed knowledge on how these laws contribute to improving the working conditions, compensation, and benefits for workers.
- To help students understand the practical implementation and enforcement of these laws in the context of labour rights and employer obligations.

**Course Outcomes:**

Students will be able to

1. Understand the fundamental rights related to competition law and their impact on business practices.
2. Critically analyze and assess the provisions and enforcement mechanisms under the Competition Act, 2002.
3. Understand the role and powers of the Competition Commission of India in regulating anti-competitive practices.
4. Evaluate the interplay between competition law and other regulatory frameworks, including consumer protection and corporate governance.

**UNIT-I**

The Workmen's Compensation Act, 1923 Main Features of the Act, Definitions Compensation, Dependent, Employer, Workman, Partial Disablement, Total Disablement, Employer's Liability for Compensation(section-8), Notice and claims of the Accident (section-10), Commissioner (Section 19 to 29), Appeals (section 30), Medical Examination (Section 11)

Leading Case: Partap Narain Singh v. Srinivas Sabhata, AIR 1976 SC 222

**UNIT-II**

The Minimum Wages Act, 1948: Objects and Constitutional Validity of the Act, Salient Features, Definitions: Employer, Cost of Living Index, Scheduled Employment, Wages, Minimum Wages,



Fair Wage and Living Wage, Fixation and Revision of Minimum Rates of Wages, Working Hours, Determination of Wages and Claims (section 3, 20 and 21), Payment of Wages Act, 1936: Definitions: Employer, Industrial and other Establishment, Wages, Payment and Deduction from Wages (section 3-13), Inspector (section 14), Authority to Hear claims (section 15) , Appeal (section-17)

Leading Case: Bijoy Cotton Mills Ltd. v. State of Ajmer AIR 1995 SC 33

### UNIT-III

The Industrial Employment (Standing Orders) Act, 1946, Procedure for Certification & Adoption of Standing Orders. Certifying Officer, The Employeez' State Insurance Act, 1948- Employees State Insurance Corporation, Standing Committee, Medical Benefit Council, Contributions, Benefits, Employees Insurance Court.

Leading Case: Associated Cement Co. Ltd. v. Shri T.C. Srivastava & Others, (1984) II LLJ 105(SC)

### UNIT-IV

The Equal Remuneration Act, 1976-Definitions, Payment of Remuneration at Equal Rates (section 4 to7)Inspector, Penalties and Cognizance of Offences under the Act , The Payment of Bonus Act, 1965 – Eligibility, Disqualification for Bonus (section 8,9) Minimum & Maximum Bonus (5,10,11); Proportionate Reduction (5, 13) Recovery of Bonus Due (5, 21) Customary Bonus, Productivity Bonus. The Payment of Gratuity Act, 1972. Definitions, Eligibility, Payment, Determination, Recovery and Protection of Gratuity, Sec. 2-A, 4, 7, 8, and 13.

Leading Cases:

M/s Mackinon Mackenzie & Co. Ltd. v. Adnrey D' Cost and Another, (1987) 1 LJ 536 (SC)

Jalan Trading Co. v. Mill Mazdoor Sangh, AIR 1967 SC 691

### Books Recommended:

- C.B. Memoria and Satish Memoria. Dynamics of industrial Relations, (Himalaya Publishing House-Mumbai Part II and III. Ed. 2007)
- Dr. V.G. Goswani. Labour and Industrial law, (Central Law Agency Allahabad, , Part VI. Ed. 2005)
- Nirmal Singh and S.K. Bhatia. Industrial Relations and Collective Bargaining, (Deep and Deep Publications Pvt. Ltd. – Delhi, Ed. 2000.)
- Srivastav K. Industrial Peace and Labour in India, (Kitab Mahal Allahabad, Ed. 2003)
- Indian Law Institute. Labour Law and Labour Relations, (Ed. 2002)
- KM Pillai. Labour and Industrial Law, (Allahabad Law Agency, Faridabad Haryana, Part I. Ed. 2005)
- S.N. Mishra. Labour and Industrial Law, (Central Law Publications, Allahabad, Part I. Ed. 2004)
- HL Kumar. Labour problems and remedies, (Universal Book Traders, Delhi, Ed. 2006)
- Giri V V, Labour Problems in Indian Industry, (Asian Publishing House, Bombay, Ed. 1965)

- C.B. Memoria and Satish Memoria. Dynamics of industrial Relations, (Himalaya Publishing House-Mumbai Part VIII. Ed. 2007)
- Dr. V.G. Goswami. Labour and Industrial law, (Central Law Agency Allahabad, Part II, III, IV. Ed. 2005)
- KM Pillai. Labour and Industrial Law, (Allahabad Law Agency, Faridabad, Haryana, Part II, III Ed. 2005) 13. SN Mishra. Labour and Industrial Law, (Central Law Publications, Allahabad, Part VII, VIII, XI Ed. 2004) 14. HL Kumar. Labour problems and remedies, (Universal Book Traders, Delhi, Ed. 2006) 15. Giri V V. Labour Problems in Indian Industry, (Asian Publishing House, Bombay, Ed. 1965)

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**NAME OF THE COURSE: INTELLECTUAL PROPERTY LAW**

**COURSE CODE: LBC-414**

**Hours/Week: 4**

**Credits: 4**

**Max. Marks: 70**

**Time: 3 Hours**

**Note: Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 contains 10 short questions covering the entire syllabus; students need to attempt any 7 questions out of these 10 questions. Each question in section 5 carries two marks.**

**Course Objectives:**

- To enable the students to analyze the various forms of Intellectual Property Rights (IPR) and understand the intricacies of patent law in India.
- To provide the students with a comprehensive understanding of copyright law, including its scope, protection, and enforcement in India.
- To enable the students to learn about the Design Act, focusing on the registration, protection, and infringement of industrial designs.
- To equip the students with a thorough understanding of trademark law within the framework of IPR, covering the registration process, protection, and enforcement of trademarks.

**Course Outcomes:**

The students will be able to

1. Understand the meaning and scope of Intellectual Property Rights (IPR) and Patent law both in India and at the international level.
2. Have the knowledge and interpretation of Copyright law in India, including its protection, infringement, and remedies.
3. Understand the Design Act, focusing on the legal provisions related to the registration and protection of industrial designs.
4. Evaluate and analyze the Trademark Act and gain insights into other related intellectual properties, including their registration, protection, and enforcement.

**UNIT 1- The Copyrights (Indian Copyright Act, 1957)**

1. Introduction to Copyright Law & Idea Expression Dichotomy
2. Brief Introduction to related International Treaties and Conventions
3. Subject Matter of Copyright, i.e., works in which copyright subsists (Section 13)
4. Economic and Moral Rights (Sections 2,14,15,16, 57)
5. Authorship and Ownership (Section 17), Term of Copyright and Assignment-Licensing (Sections 18-31)
6. Infringement and Remedies (Sections 50-61)
7. Exceptions: Fair Dealing (Section 52)



*Case-laws:*

1. *R.G.Anand v. Deluxe Films* [AIR (1978) SC 1613]
2. *Eastern Book Company & Ors. v. D.B. Modak & Anr.* [(2008) 1 SCC 1]
3. *D.U. Photocopy Case - The Chancellor, Masters & Scholars of the University of Oxford & Ors. v. Rameshwari Photocopy Services & Anr* (dated 16<sup>th</sup> September, 2016)

**UNIT 2- Trademarks (The Trademarks Act, 1999)**

1. Introduction to Trademark Law
2. Brief Introduction to related International Treaties and Conventions
3. Definitions (Section 2), Registration of Trademarks, Procedure, Grounds of Refusal and Well Known Trademarks (Sections 9-12, Sections 18-23 and Section 33)
4. Passing Off, Infringement and Exceptions to Infringement Actions, Remedies (Sections 27-30, Section 34, Sections 134-135)
5. Assignment and Licensing (Sections 48-53)

*Case-laws:*

1. *Cadila Health Care v Cadila Pharmaceutical Ltd* [2001 PTC (SC) 561]:
2. *Yahoo!, Inc. v Akash Arora & Anr* [1999 (19) PTC 201 (Del)]
3. *The Coca-Cola Company v. Bisleri International Pvt. Ltd* [Manu/ DE/ 2698/ 2009]
4. *Société Des Produits Nestlé S.A v Cadbury UK Ltd* [2013] EWCA Civ 1174
5. *Bata India Limited v. Pyare Lal & Co.* AIR 1985 All 242

**UNIT 3- Patent (The Patents Act, 1970)**

1. Introduction to Patent Law
2. Brief Introduction to related International Treaties and Conventions
3. Definitions (Section 2), Criteria for Patents, Patentable Inventions
4. Non-Patentable Inventions (Section 3)
5. Procedure for Filing Patent Application (Section 6-53)
6. Revocation of Patent (Section 64), Licensing, Compulsory Licensing (Section 82-92A)
7. Parallel Import (Section 107A)
8. Rights of Patentee, Patent Infringement and Defences (Sections 47-48, Section 104 and Section 107)

*Case-laws:*

1. *Novartis AG v. Union of India* (2013) 6 SCC 1
2. *Koninklijke Phillips Electronics NV v. Remington Consumer Products Ltd.* [2001] All ER (D) 301]
3. *Bajaj Auto Limited v. TVS Motor Company Limited* JT 2009 (12) SC 103
4. *F. Hoffmann-La Roche Ltd v. Cipla Ltd., Mumbai Central* 148 (2008) DLT 598



5. *Bayer Corporation v. Union of India*

#### UNIT 4- Other forms of IP

1. Geographical Indication
2. Designs
3. Trade dress and Trade secret

#### Case-laws-

1. *Case Study on Darjeelig Tea and Basmati Rice*
2. *Microfibers v. Girdhar* [2006 (32) PTC 157 Del]
3. *Aga Medical Corporation v. Mr. Faisal Kapadi And Anr* [2003 (26) PTC 349 Del]
4. *Rajesh Masrani v. Tahiliani Design Pvt. Ltd.* on 28 November, 2008
5. *Colgate Palmolive Company v. Anchor Health And Beauty Care Pvt Ltd* 2003 (27) PTC 478 (Del]
6. *Gorbatschow Wodka KG v. John Distilleries Ltd.* (2011 (47) PTC 100 (Bom.)
7. *Coca Cola Trade Secret Case Study*

#### Recommended Books:

- W.R. Cornish, *Intellectual Property*, Sweet & Maxwell, London (2000).
- N.S. Gopalakrishnan & T.G. Agitha, *Principles of Intellectual Property* (2009), Eastern Book Company, Lucknow.
- *Intellectual Property Rights (IPRs): TRIPS Agreement & Indian Laws*, New Century Publication, 1<sup>st</sup> edition, (2012).
- Ashwani Bansal, *Law of Trade Marks in India with introduction to Intellectual Property Laws* (Institute of Constitutional and Parliamentary Studies, New Delhi, 2009).
- Dr. Raghbir Singh, *Law Relating to Intellectual Property (A Complete Comprehensive Material on Intellectual Property Covering Acts, Rules, Conventions, Treatise, Agreements, Digest of Cases and much more)* (In 3 Volumes), Universal Law Publishing, 3<sup>rd</sup> edition, (2013).
- P. Narayanan; *Intellectual Property Law*

**NAME OF THE COURSE: COMPETITION LAWS**

**COURSE CODE: LBE-415A**

**Hours/Week: 4**

**Credits: 4**

**Max. Marks: 70**

**Time: 3 Hours**

**Note: Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 contains 10 short questions covering the entire syllabus; students need to attempt any 7 questions out of these 10 questions. Each question in section 5 carries two marks.**

**Course Objectives:**

The purpose of this Course is to acquire knowledge and develop understanding of the different types of commercial behaviour that are subject to competition law scrutiny by EU and UK authorities, to understand the relationship between UK and EU competition law and enforcement bodies and to evaluate the effectiveness of EU and UK competition law in achieving the stated objectives. Companies increasingly operate in global markets with little regard for the boundaries of the nation state, and yet commercial behaviour in one part of the world can cause ripple effects in many jurisdictions due to economic integration. This Course would further acquaint students with the rationale for competition law and would give an understanding of key statutory provisions and case law to provide practical understanding of competition law and policy.

**Course Outcomes:**

Students will be able to

1. Identify and understand various types of markets and their applicability under competition law.
2. Analyze competition law and anti-competition practices, including anti-competitive agreements and abuse of dominance.
3. Critically assess and interpret landmark judicial decisions of the Competition Commission of India (CCI) and appellate authorities.
4. Propose reforms and policy changes to enhance the effectiveness of competition law in addressing new challenges.

**UNIT I Introduction and Development of Competition Law**

Concept of Competition; Classification of Markets: Pure and Perfect Competitions, Monopolistic and Imperfect Competition, Monopoly, Oligopoly; Constitutional aspect; Objectives of Competition Law. History and Development of Competition Law/ Antitrust Law, the Sacher Committee Report, the Raghavan Committee Report, Difference between the MRTP Act and the Competition Act.

**UNIT II Important Definitions and Anti-Competitive Agreements**

Relevant definitions and concepts – agreement, undertaking, enterprise, relevant market, de minimis, parallel behaviour, appreciable adverse effect on Competition Anti- Competitive Agreements under the Competition Act, 2002 - Appreciable Adverse Effect on Competition in the Market, Rule of Reason and perse Illegal Rule; Horizontal and Vertical restraints; Exemptions; Penalties; Prohibition



of Anti-competitive agreement/ Cartel/bid rigging. Prohibition of Anti- Competitive Agreements under EU and US Laws.

### UNIT III Regulation of Abuse of Dominant Position

Abuse of Dominance in the Market – Concept of dominance, relevant market; Appreciable Adverse Effect on Competition in the Market; Abusive Conduct under the Competition Act, 2002; Penalties; Predatory Pricing; Prevention of Abuse of Dominance under EU and US Laws. Combinations: Merger, Acquisition, Amalgamation and Takeover; Horizontal, Vertical and Conglomerate Mergers - Combinations covered under the Competition Act, 2002; Regulations; Penalties; Regulation of Combinations under EU and US Laws.

### UNIT IV

Enforcement Mechanisms under the Competition Act, 2002 - Competition Commission of India - Constitution of the CCI - Powers and Functions- Jurisdiction of the CCI – adjudication and appeals - Director General – NCLAT Private Enforcement; Competition Advocacy

### Case-laws:

1. *Aamir Khan Productions Private Limited v Union of India*, (2010) 4 CompLJ 580 (Bom)
2. *Builders Association of India v Cement Manufacturers*, Case No. 29/2010, CCI.
3. *All India Tyres Dealers Federation v Tyres Manufacturers*, 2013 COMP LR 92 (CCI)
4. *Exclusive Motors Pvt Ltd v Automobile Lamborghini SPA*, Case No. 52/2012
5. *CCI Express Industry Council of India v Jet Airways Ltd & Ors*, Case No. 30/2013, CCI
6. *Shamsher Kataria v Honda Siel Cars India Ltd*, 2014 Comp LR 1 (CCI)
7. *Belaire Apartment Owners' Association v DLF Ltd & HUDA and DLF Ltd v CCI*, 2014 Comp LR 01 (CompAT)
8. *Jagmohan Chhabra and Shalini Chhabra v Unitech*, 2011 Comp LR 31 (CCI)
9. *Surinder Singh v Board of Control for Cricket in India*, [2013] 113CLA579(CCI)
10. *Dhanraj Pillay v M/s Hockey India*, 2013 Comp LR 543 (CCI)
11. *MCX Stock Exchange v National Stock Exchange Ltd*, 2011 Comp LR 129 (CCI)
12. *National Stock Exchange Ltd v MCX Stock Exchange*, 2014 Comp LR 304 (CompAT)
13. *Indian Exhibition Industry Association v Ministry of Commerce and Industry and Indian Trade Promotion Organisation*, 2014 Comp LR 87 (CCI)
14. *Etihad Airways and Jet Airways Combination Order*, CCI Order dated November 12, 2013.
15. *Sun Pharma and Ranbaxy Combination Order*, CCI Orders dated December 5, 2014 and March 17, 2015
16. *PVR and DT Cinemas Combination Order*, CCI Order dated May 4, 2016
17. *Brahm Dutt v Union of India*, AIR 2005 SC 730
18. *CCI v Steel Authority of India Ltd & Anr*, (2010) 10 SCC 744
19. *Google Inc. & Ors v. Competition Commission of India & Anr.*, [2015] 127CLA367(Delhi)
20. *Telefonaktiebolaget LM Ericsson (PUBL) v. Competition Commission of India & Anr*, [Writ Petition (Civil) No. 464/2014, Decision dated March 30, 2016]

**Recommended Books:**

- Ramappa T, *Competition Law in India* (Oxford University Press 2006)
- Dugar SM, *Commentary on MRTP Law, Competition Law & Consumer Protection Law* (Wadhwa Nagpur 2006)
- Roy A and Kumar J, *Competition Law in India* (Eastern Law House 2008)
- Prasad PS, *Competition Law and Cartels* (ICFAI University Press 2007)
- Middleton K, Rodger B & Culloch AM, *Cases and Materials on UK and EC Competition Law* (Oxford University Press 2003)
- Dhall V, *Competition Law Today* (Oxford University Press 2007)
- Areeda PE and Hovenkoup H, *Fundamentals of Anti-Trust Law* (ASPEAN Publications 2006)
- Vahini V, *Indian Competition Law* (Lexis Nexis 2016)
- Saharay HK, *Competition Law* (Universal Law Publishing Co. 2012)
- Aurora RS, Shetty K and Kale SR, *Mergers and Acquisitions* (First Published 2011, Oxford University Press 2018)
- Gopalakrishnan KC and Ramdass, *Economics for Law Students – A Project of the National Law School of India University in association with Bar Council of India Trust* (Eastern Book Company 2011)
- Gopalakrishnan KC, *Legal Economics – Interactional Dimensions of Economics and Law* (Eastern Book Company 2010)



**NAME OF THE COURSE: CRIMINOLOGY, PENOLOGY & VICTIMOLOGY**

**COURSE CODE: LBE-415B**

**Hours/Week: 4**

**Credits: 4**

**Max. Marks: 70**

**Time: 3 Hours**

**Note: Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 contains 10 short questions covering the entire syllabus; students need to attempt any 7 questions out of these 10 questions. Each question in section 5 carries two marks.**

**Course Objectives:**

- To provide students with a comprehensive understanding of the concept of crime, including its nature, causes, and various criminological theories.
- To analyze white-collar and organized crimes, examining their impact on society and legal frameworks for their prevention and control.
- To explore the role of criminal justice institutions in crime prevention, control, and the administration of justice.
- To impart knowledge on victimology, focusing on the compensation and rehabilitation of crime victims, and enhancing awareness of their rights and welfare.

**Course Outcomes:**

The students will be able to

1. Explain the concept, nature, and scope of crime, along with various criminological theories.
2. Describe the characteristics of white-collar and organized crimes, and their impact on society.
3. Analyze various crime prevention and control mechanisms, including the role of criminal justice institutions.
4. Evaluate victim compensation schemes, rehabilitation processes, and the legal provisions for protecting victims' rights.

**UNIT-I**

Concept of Crime, Concept of Criminology: its nature, extent and scope in global and Indian context; various theories of Crime Causation: pre-classical, classical and neo-classical; Sociological, economic, tentative and multiple factors' theories of crime causation

**UNIT-II**

Major crimes: Organised crimes, white collar crimes, Socio-economic offences, sexual offences, traffic in human beings, alcoholism and drug addition, cyber-crimes, terrorism, juvenile delinquency, Recidivism and Cannibalism

**UNIT-III**

Concept of Penology: Prevention and Control of Crimes, Various Theories of Punishment, Police System in Indian and Global Context, Administrative Reforms and concerned Commission Reports;



Modes and Forms of Punishments, Sentencing of offenders, Capital Punishment and its Relevance, Prison System and Reforms, Open Prisons.

#### UNIT-IV

Concept and provisions for Bail, Probation and Parole; Concept and Scope of Victimology, Concept of Compensation and Rehabilitation of Victims of crimes; Statutory Provisions and Judicial Decisions on Compensation and Rehabilitation of Victims in India. Leading Cases: i) Sheela Barse V Union of India, AIR 1986 SC 1773 ii) Sunil Batra V Delhi Administration, AIR 1978 SC 1675 iii) Bachan Singh V State of Punjab, AIR 1980 SC 898.

#### Books Recommended:

- S.M. Sethna. Society and Criminology (Ed. 2016)
- N.V. Paranjape. Criminology and Penology (Central Law Publication, Ed. 2017)
- Sutherland, E. and Cressy. Introduction to Criminology & Penology (LAP LAMPERT Academic Publishing, 2nd Ed. 2017)
- Ahmed Siddique. Criminology & Penology (Eastern Book Company, 6th Ed. 2013)
- N.V. Paranjape. Criminology, Penology and Victimology (Central Law Publication, 2nd Ed. 2014)



**NAME OF THE COURSE: BANKING LAW & NEGOTIABLE INSTRUMENTS ACT**

**COURSE CODE: LBE-416A**

**Hours/Week: 4**

**Credits: 4**

**Max. Marks: 70**

**Time: 3 Hours**

**Note: Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 contains 10 short questions covering the entire syllabus; students need to attempt any 7 questions out of these 10 questions. Each question in section 5 carries two marks.**

**Course Objectives:**

- To make students understand the constitutional framework and regulatory environment for banking law.
- To enable students to comprehend the key principles and provisions of the Negotiable Instruments Act, 1881.
- To provide insight into the types of negotiable instruments, their usage, and their legal significance in banking transactions.
- To examine the roles and responsibilities of banks and financial institutions under banking law.
- To analyze legal remedies and enforcement mechanisms available under banking and negotiable instruments law.
- To explore recent developments and trends in banking regulation and their impact on financial transactions.

**Course Outcomes:**

Students will be able to

1. Understand the constitutional framework and regulatory environment governing banking law.
2. Assess and interpret the key principles and provisions of the Negotiable Instruments Act, 1881 and their legal significance in banking transactions.
3. Analyze the roles and responsibilities of banks and financial institutions under banking law and enforcement mechanisms available against them.
4. Explore recent developments and trends in banking regulation and their implications for financial transactions.

**UNIT-I**

Banking Definition, Meaning, Bank, Banker Banking Company, Commercial Banks and Functions, Essential Functions, Agency Services, General Utility Services, Information Service, Emergence of Multi-Functional Dimensions, System of Banking-Unit Banking, Branch Banking, Group Banking and Chain Banking, Banking Companies in India

Leading Case: Sajjan Bank (P) Ltd v. R.B.I., 30 Comp. Cases 146



## UNIT-II

Customer: Meaning, Legal Character of Banker-Customer Relationship, Rights and Obligation of Banks, Right of Set Off, Bankers Lien, Duty of Confidentiality, Exceptions to the Duty, Current Accounts, Deposits Accounts, Joint Accounts and Trust Accounts, Special Type of Customers: Lunatics, Minors, Agents, Administrators and Executors, Partnership Firms and Companies

Leading Case: Great Western Railway v. London and Country Banking Company, 1901 AC-414

## UNIT-III

Control by Government and its Agencies, Need for Elimination of Systematic Risk, Avoidance Money Laundering, Control by Ombudsman, R.B.I., R.B.I. AS Central Bank of India, Evolution of Central Bank, Characteristics and Functions of Central Banks, Central Bank as Banker and Advisor of the State, Central Bank as Bankers Bank, Objectives and Organizational Structure of R.B.I., Regulations of the Monetary system, Monopoly of Note Issue, Credit Control, Determination of Bank Rate Policy, Control over Non-Banking Financial Institutions, Control and Supervision of other Banks, Life Insurance Policies as Security, Debenture as Security, Guarantee as Security

Leading Case: Lloyd v. Grace Smith & Company, 1912 AC 716

## UNIT-IV

Negotiable Instrument and its Kinds, Holder and Holder in Due Course, Parties, Payment in Due Course, Negotiation, Presentment and Discharge from Liability, Dishonour, Civil Liability, Procedure for Prosecution, Extent of Penalty, The Paying Bankers, Duty to Honour Customers Cheques, Exceptions to the Duty to Honour Cheques, Money Paid by Mistake, Good Faith and Statutory Protection to the Collecting Banker

Leading Cases:

- Bank of Bihar v. Damodar Parsad, AIR 1969 SC 297
- Canara Bank v. Canara Sales Corporation, AIR 1987 SC 1603
- Bengal Bank v. Satinder Nath, AIR 1952 Calcutta 385

### Books Recommended:

- M.L. Tannen. Banking Law and Practice in India (Eastern Book. 2 nd Ed. 2014)
- S.N. Gupta. The Banking Law and Practice in India (Allahbad Law Agency Ed. 2013)
- S.N. Gupta. Banks and the Customer Protection Law (Allahbad Law Agency Ed. 2017)
- Maurice Megrah & F.R. Ryder. Pagets Law of Banking (Ed. 2014)
- Lord Chorley. Law of Banking (Central Law Agency 6th Ed. 2011)
- O.P.Faizi. The Negotiable Instrument Act (Butterworth) (Latest Ed. )
- M.S. Parthasarathy. Negotiable Instrument Act (Latest Ed. )
- Avtar Singh. Negotiable Instrument Act (Central Law Agency, 9 th Ed. 2015)
- R.K. Bangia. Negotiable Instrument Act (Latest Ed.)

**NAME OF THE COURSE: SOCIO ECONOMIC OFFENCES**

**COURSE CODE: LBE-416B**

**Hours/Week: 4**

**Credits: 4**

**Max. Marks: 70**

**Time: 3 Hours**

**Note: Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 contains 10 short questions covering the entire syllabus; students need to attempt any 7 questions out of these 10 questions. Each question in section 5 carries two marks.**

**Course Objectives:**

This course aims to provide students with a comprehensive understanding of socio-economic offences in India. It covers laws designed to address crimes that affect society at large, focusing on white-collar crimes, corruption, financial fraud, and laws dealing with economic offences.

**Course Outcomes:**

- Understanding the scope and nature of socio-economic offences.
- Knowledge of relevant statutory provisions and their judicial interpretations.
- Awareness of various socio-economic offences, including corruption, money laundering, and tax evasion.
- Critical analysis of legal mechanisms and policy approaches to curb socio-economic offences.

**Unit I: Introduction to Socio-Economic Offences**

Definition and nature of socio-economic offences.

Difference between traditional crimes and socio-economic offences.

Scope and types of socio-economic offences in India.

Legislative framework: Overview of key statutes dealing with socio-economic offences (e.g., Indian Penal Code, Prevention of Corruption Act, Benami Transactions Act).

Role of international conventions and treaties in combating socio-economic offences.

**Unit II: White-Collar Crimes**

Concept and characteristics of white-collar crimes.

Types of white-collar crimes: Tax evasion, corporate fraud, insider trading, banking fraud, etc.

Judicial response to white-collar crimes.

Corporate liability and penal provisions.

Case laws and examples of notable white-collar crimes in India.



### **Unit III: Corruption and Money Laundering**

The Prevention of Corruption Act, 1988.

Offences related to corruption: Bribery, abuse of office, criminal misconduct.

Institutions combating corruption: Central Vigilance Commission, Lokpal, Lokayuktas.

Money Laundering Act, 2002: Definition and scope of money laundering.

Enforcement agencies: Enforcement Directorate, Financial Intelligence Unit (FIU-IND).

Recent trends and case laws related to corruption and money laundering.

### **Unit IV: Economic Offences and Regulatory Mechanisms**

Economic Offences (e.g., smuggling, black money, counterfeit currency, tax evasion).

Role of agencies like the Directorate of Revenue Intelligence (DRI), Income Tax Department, and the Serious Fraud Investigation Office (SFIO).

The role of RBI and SEBI in curbing financial frauds.

Legal framework: The Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015, Fugitive Economic Offenders Act, 2018.

Recent reforms and policy recommendations to tackle socio-economic offences.

### **Recommended Books:**

- Mahesh Chandra, Socio- Economic Offences (1979)
- J.S.P. Singh, Socio- Economic Offences (1st Ed., 2005, Reprint 2015)
- Ahmed Siddiqui, Criminology: Problems and Perspectives (4th Ed., 1997)
- B.R. Boetra, The Immoral Traffic (Prevention) Act 1956 (with state rules) (4th Ed., 1988)
- P.S. Narayan, Commentary on Immoral Traffic Prevention Act, 1956 (2nd Ed., 2013)
- 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)
- Seth and Kapoor, Prevention of Corruption Act with a treatise on AntiCorruption Laws (3rd Ed., 2000) M. C. Mehanathan, Law on Prevention of
- Money Laundering in India (2014)