

## B.A, LL.B (Honours) DEGREE COURSE (2018 Admission onwards)

### 1st Semester

CODE	SUBJECTS	INTERNAL EVALUATION MARKS	EXTERNAL EXAMINATION MARKS	TOTAL MARKS
FE-1	General English-1	25	75	100
FP-1	Political Science-1: Principles of Political Science	25	75	100
FP-2	Economics -1: Principles of Economics			
FP-3	History 1: History of Ancient and Medieval world	25	75	100
FL-1	Law of Torts including M.V Act and Consumer Protection Laws	25	75	100
FL-2	Constitutional Law-1	25	75	100
	Total			600

### 2nd Semester

CODE	SUBJECTS	INTERNAL EVALUATION MARKS	EXTERNAL EXAMINATION MARKS	TOTAL MARKS
FE-2	General English-2	25	75	100
FP-4	Political Science 2: Indian Political System	25	75	100
FP-5	Economics 2: Basic Economics Studies	25	75	100
FP-6	History 2: History of Modern World	25	75	100
FL-3	Constitutional Law-2	25	75	100
FL-4	Law of Contract	25	75	100
	Total			600

### 3rd Semester

CODE	SUBJECTS	INTERNAL EVALUATION MARKS	EXTERNAL EXAMINATION MARKS	TOTAL MARKS
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FE-3	General English-3	25	75	100
FP-7	Political Science 3: Understanding Political Theory	25	75	100
FP-8	Economics 3: Economics of Financial Markets	25	75	100
FL-5	Specific Contract	25	75	100
FL-6	Law of Crimes: Paper 1- Penal Code	25	75	100
FL-7	Health Law	25	75	100
	Total			600

#### 4th Semester

CODE	SUBJECTS	INTERNAL EVALUATION MARKS	EXTERNAL EXAMINATION MARKS	TOTAL MARKS
FM- 1 /FH-1	Malayalam-1/ Hindi-1	25	75	100
FP-9	Political Science 4: Political Thought- Western Tradition	25	75	100
FP-10	History 3: Social and Cultural History of India	25	75	100
FL-8	Family Law-1	25	75	100
FL-9	Land Laws including Tenure & Tenancy System	25	75	100
FL-10	Jurisprudence	25	75	100
	Total			600

#### 5th Semester

CODE	SUBJECTS	INTERNAL EVALUATION MARKS	EXTERNAL EXAMINATION MARKS	TOTAL MARKS
FM-2 /FH-2	Malayalam-2 / Hindi-2	25	75	100

FP-11	Political Science 5: Modern Indian Political Thought	25	75	100
FL-11	Family Law-2	25	75	100
FL-12	Property Law	25	75	100
FL-13	Civil Procedure Code and Limitation Act	25	75	100
FL-14	Law of Crimes: Paper 2-Criminal Procedure Code	25	75	100
	Total			600

### 6th Semester

CODE	SUBJECTS	INTERNAL EVALUATION MARKS	EXTERNAL EXAMINATION MARKS	TOTAL MARKS
FM-3 / FH-3	Malayalam-3 / Hindi-3	25	75	100
FP-12	Political Science 6: Society, State and Political Process in Kerala	25	75	100
FL-15	Interpretation of Statutes and Principles of Legislation	25	75	100
FL-16	Administrative Law	25	75	100
FL-17	Law of Evidence	25	75	100
FL-18	Labour Law and Industrial Law: Paper-1	25	75	100
	Total			600

### 7th Semester

CODE	SUBJECTS	INTERNAL EVALUATION MARKS	EXTERNAL EXAMINATION MARKS	TOTAL MARKS
FP-13	Political Science 7: Introduction to International Relations	25	75	100
FL-19	Labour and Industrial Law: Paper-2	25	75	100
FL-20	Company Law	25	75	100
FL-21	Local Self Government including Panchayath Administration	25	75	100
FL-22	Banking Law	25	75	100

FL-23	Compulsory Clinical Paper 1- Drafting, Pleading and Conveyance	100	-	100
	Total			600

### 8th Semester

CODE	SUBJECTS	INTERNAL EVALUATION MARKS	EXTERNAL EXAMINATION MARKS	TOTAL MARKS
FP-14	Political Science 8: Theories and Privileges of Public Administration.	25	75	100
FL-24	International Human Rights	25	75	100
FL-25	Principles of Taxation Law	25	75	100
FL-26	Insurance Law	25	75	100
FL-27	Women and Criminal Law	25	75	100
FL-28	Compulsory Clinical Paper 2- Professional Ethics & Professional Accounting System	100	-	100
	Total			600

### 9th Semester

CODE	SUBJECTS	INTERNAL EVALUATION MARKS	EXTERNAL EXAMINATION MARKS	TOTAL MARKS
FL-29	Public International Law	25	75	100
FL-30	Investment Law (Securities)	25	75	100
FL-31	Environmental Law	25	75	100
FL-32	Information Technology Law	25	75	100
FL-33	Compulsory Clinical Paper 3-Alternate Dispute Resolution	100	-	100
	Total			500

### 10th Semester

<b>CODE</b>	<b>SUBJECTS</b>	<b>INTERNAL EVALUATION MARKS</b>	<b>EXTERNAL EXAMINATION MARKS</b>	<b>TOTAL MARKS</b>
FL-34	Maritime Law	25	75	100
FL-35	Penology and Victimology	25	75	100
FL-36	Private International Law	25	75	100
FL-37	IPR Management	25	75	100
FL-38	Compulsory Clinical Paper 4-Moot Court and Internship	100	-	100
FL-39	Viva-voce Examination		100	100
	Total			600

## 1<sup>ST</sup> SEMESTER

<b>FE-I</b>	<b>English I – General English-I</b>

- *Grammar and usage (Communication skills):*
- Simple Sentence (one clause) their phrase structure:
- Tense and concord
- Noun modifies (determiners, propositional phrases, clauses)
- Basic transformations
- Passives
- Negatives
- Questions
- Complex and compound sentences (use of connectives)
- Conditionals
- Reported speech
- Question Tags and Short Responses
- Some Common Errors
- *Comprehension skills:*
- Reading Comprehension (Principles and Practice)
- Listening Comprehension

### Recommended Readings:

- For A : 1. David Green : Contemporary English Grammar, Structure and Composition  
2. J.E.Croften : Essay, Precis, Composition and Comprehension  
3. Wren & Martin : English Grammar and Composition  
4. T.E. Bery : The Most Common Mistakes in English

For B :

1. M.L.Tickoo and A.E.Subramonian : Current English for Language skills (Prose only)
2. Black's Law Dictionary of Legal Terms and Expression
3. Ishtiaque Abidi : Law and Language
4. Central Institute of English Reading : Indian Language Speech

## **F.P – 1 POLITICAL SCIENCE I– PRINCIPLES OF POLITICAL SCIENCE**

### **Module 1**

Meaning, Definition, Nature and Scope of Political Science

Approaches – Traditional, Modern - Behavioral, Post-Behavioral and Marxian

### **Module II**

State – Definition, Elements

Nature of State – Idealist, Capitalist, Socialist, Liberal, Marxian.

### **Module III**

Major Concepts in Political Science

Equality-Kinds of Equality

Justice – Kinds of Justice, Platonic Conception of Justice, Rawls Theory of Justice,

Liberty – Negative and Positive Concept of Liberty,

### **Module IV**

Ideologies: Marxism, Neo Marxism, Gandhism, Fascism, Liberalism, Neo-Liberalism

### **References:**

A. Appadorai (1989): Substance of Politics, World Press Ltd., New Delhi

Amal Ray and Mohit Bhattacharya (1988). Political Theory: Institutions and Ideas, The World Press Private Ltd., Calcutta. .

Andrew Heywood (2007): Political Ideologies (4e) Palgrave Macmillan, New York.

Andrew Heywood (2007): Politics (3e) Palgrave Macmillan, New York.

Baradat (2007) Political Ideologies; Their origins and impact PHI Publications, New Delhi.

Brij Kishore Sharma (2005): Introduction to the Constitution of India, Prentice Hall: New Delhi.

Dr. B.L. Fadia (2007): Indian Government and Politics, Sahitya Bhawan Publications, Agra.

H.J Laski (2000): Grammar of Politics, S. Chand & Company Ltd., New Delhi.

J.C. Johari (2007): Principles of Modern Political Science, Sterling Publishers PVT. Ltd, New Delhi.

John Hoffman and Paul Graliam (2007): Introduction to political theory, Pearson Education Ltd, New Delhi.

M. V. Pylee (1998): An Introduction to Constitution of India, Vikas Pub. New Delhi.

O.P. Gauba (2008): An Introduction to Political theory Macmillan India Ltd., New Delhi.

Perter Harris (1998) Foundations of Political Science, Oxford University Press, New York.

Prakash Chandr (1998): Indian Political System, Bookhives, New Delhi.

Prof. A.C Kapoor (2005): Principles of Political Science, Sterling Publishers PVT. Ltd., New Delhi.

Rajeev Bhargava and Asok Acharya (2008): Political Theory –An introduction, Pearson Education, New York.

Robert Dahl (2007): Modern political Analysis. OUP, New Delhi.



**F.P - 2**

**ECONOMICS I – PRINCIPLES OF ECONOMICS**

**Module I - Nature and Scope of Economics**

Definitions: Wealth, Welfare, Scarcity and Growth – Micro Economics and Macro Economics - Normative and Positive Economics

Basic economic problems - production possibilities- Basic features of prevalent economic systems- capitalism, socialism, mixed economy –Gandhian economic principles.

**Module II - Prices and Markets**

Demand – Individual demand and market demand - Demand curve- Law of demand – Exceptions to the Law of Demand – Law of Supply – Individual supply and market supply – Market equilibrium - shift in demand, supply and price – Elasticity of demand – meaning, degrees and measurement.

**Module III - Consumer Behaviour**

Consumption - meaning - Utility – Cardinal and Ordinal – Law of Diminishing Marginal Utility. Law of Equi-marginal Utility -Indifference Curve Analysis-consumers surplus.

**Module IV - Production, Product Pricing and Distribution**

Production – basic concepts of costs – opportunity cost - Production function – Short run and Long run – Returns to a factor-Law of variable proportions -Laws of returns to scale - economies and diseconomies of scale - internal and external economies of scale.

**Module V – Markets**

Main market forms - Perfect Competition, Monopoly, Monopolistic competition: Price and output determination under Perfect Competition and Monopoly - Oligopoly (features only).

## References

1. Samuelson. P.A. Nordhaus (2009), *Economics*, Tata McGraw Hill
2. Mankiw, Gregory (recent edition), *Principles of Economics*, Cengage Learning, Delhi
3. Case & Fair (2007), *Principles of Economics*, Pearson Education, Delhi
4. Koutsoyiannis (1979), *Modern Microeconomics*, Macmillan Press Ltd . London .

## F.P – 3

## HISTORY OF ANCIENT AND MEDIEVAL WORLD

- Evolution of Humankind – Paleolithic Age – Mesolithic Age – Neolithic Age – Bronze Age Civilizations – Mesopotamian, Chinese and Harappan Civilization – Nomadic groups in Central and West Asia.
- Iron Age – Ancient Greek and Roman Societies – Athenian Democracy – Roman Empire – Decline of Roman Empire - Monarchies in Africa and Asia.
- Feudal Dynamism in Europe – Crisis of Feudalism – Religion and Culture in Medieval Europe – Rise of Papacy, Monasticism
- Societies in Central Islamic World – Tribal background – Ummah, Caliphate – Rise of Sultanate and Religious developments – Urbanization and Trade – Development of Art and Architecture – Emergence of State in South East Asia

### Reading List

- G. Childe, *What happened in History?*
- Julian Thomas, *Understanding the Neolithic*, Routledge 1999
- L.H. Keeley, *War Before Civilization*, Oxford 1997
- P. Charvy, *Mesopotamia Before History* Rotledge
- S. Dally, A.T. Reges, et al, *Legacy of Mesopotamia*, OUP 1998
- J.G. Anderson, E. Clossen, *Children Of Yellow Earth: Studies in Prehistoric China*. Mc

Millan

- Willam Watson, *China before Han Dynasty*, Pager 1961
- A. Gardiner, *Egypt of Pharaohs-An Introduction*, OUP 1964
- AR. David, *Pyramid Bulders of Ancient Egypt*, Routledge 1996
- S. Ratnagar, *Understanding Harappa*, Tulika
- Dan A.H & V.MMassons edited, UNESCO, *History Of Civilization of Central Asia*
- W.V.Harris, *Demography, Geography and Source of Roman Slaves*
- C. Freeman, *The Greek Achievement: The Foundation of western world*, Penguin 2000
- A.M.M. Jones, *Athenian Democracy*, John Hopkins Press.
- D.Stockton, *Classical Athenian Democracy*, OUP
- P.A.Brunt, *Fall of Roman Republic and Related Essays*, Clarendon Press, 1988.
- E.Gibbon, *Fall and Decline Of Roman Empire*
- P.Kennedy, *Rise and Fall of Great Powers*.
- M.Tymowski, *The Origin and Structures of Political Institutions in Pre-colonial Black Africa*.
- M.Bloch, *Feudal Society*, Vol. 1&2
- P.Anderson, *Passages from Antiquity*.
- H.Pirrene, *Economic and Social history of Medieval Europe*.
- M.Dobb, *Studies in the Development of Capitalism*
- R.Hilton, ed, *The Transition from Feudalism to Capitalism*
- J.Gonzalez, *The Story of Christianity*
- G.Barracalough, *The Medieval Papacy*
- P.G.Maxwell and Stuart, *Chronichle of The Popes*
- K.S.Lartourette, *A History of Christianity*, Vol.1
- Philip K.Hitti *History of the Arabs*, Palgrave Mac Millan, New York, 2002
- Armstrong.K. Mohammed: *A Biography of Prophet*
- Bloom.J and Shiela Blair, *Islam: A Thousand years of Faith and Power*.
- Edward Said, *Orientalism*, Penguin Books, New Delhi, 1995
- Sardar.Z, *Orientalism*
- Mertin L Swantz, *Studies on Islam*
- John .F, *South East Asia: Its Historical Development*. MCgrawhill
- D.P.Sardesai, *South East Asia: Past and Present*, West View Press 1994
- R.S.Gupta, *History of China*

## **FL – 1 Law of torts**

### **Objective:**

The course familiarize the student the tortious liability, distinguishing it from other branches of law. The general principles of tort along with

specific torts are included in the course. The course also introduces liability arising in the MV Act and the liability in such cases. Consumer protection Act is included, so that the student can understand the definition and forums under the CP Act.

- Nature and definition of torts- Tort in India. Distribution between tort, crime, breach of contract, breach of trust, quasi contract-essential conditions- foundation of tortious liability-fault liability, strict liability, statutory liability, principle of insurance-General defences in tort

- General exception to liability in tort and vicarious liability - distinction between servant and independent contractor, course of employment, hospital cases, medical negligence, master's duties toward servant, servant's duties to the master, Joint and independent tortfeasors, Vicarious liability of the state

- General remedies-judicial and extra judicial remedies, damages, Remoteness and damages, Novus Actus interveniens.

- Specific torts

Trespass of the person – Assault, battery, mayham, false improvement

Trespass to property- Trespass to land, goods- remedies

Defamation -Innuendo, Libel, Slander –Defenses

Nuisance –Private and public-Defenses.

Negligence-contributory negligence-Nervous shock

Abuse of legal Procedure-malicious prosecution, deceit –Rule in

Derry Vs Peak

Strict liability, Absolute liability

- Consumer Protection Act - Definition- deficiency in services and goods –objectives of CP Act – Forum and jurisdiction of agencies- procedure on receipt of complaint –appeal
- MV Act,1988-no fault liability-effect of death of parties in tort – compensation -insurance liability-effects of breaking laws.

Prescribed books

law of torts, R.K.Bangia, Allahabad Law Agencies.

The law of Tort and CP act –M.N.Shukla

Law of Torts-Dr.S.K.Kapoor, Central Law Agencies.

## **FL – 2 CONSTITUTIONAL LAW – 1**

Objective: Acquaint the students with the fundamentals of the Indian Constitution- Basis-Structure and Salient Features with emphasis on Part III and Part IV of the Constitution

- Constitution, Meaning and nature- Different types of Constitution- Salient Features of the Constitution. Preamble and its Role in the Interpretation of the Indian Constitution.
- Concept of State and the Relationship between the Subject and the State –Genesis and Evolution of Fundamental Rights-State Action and Limitation on State Action, Doctrine of Ultra vires, Judicial Review ,Doctrine of Severability
- Right to Equality(Art 14-18) Discriminatory Justice and Affirmative Action – Right to Freedom and Concept of Reasonable Restrictions(Art 19)-Right to Personal Freedoms(Art 20- 22)-Rights of the Accused - Right to Life and Personal Liberty -interrelationship between Articles 14,19 & 21- Right to Education(21A) – Safeguards of Arrested Person(22)-Right Against Exploitation(Art.23-24)
- Concept of Secularism-Religious Freedom(Art.25-28)- Minority Rights – Judicial Approach on Educational Rights of Minorities, Right to Property-Transition From Fundamental Right to Legal Right-Right to Constitutional Remedies-Nature and Scope of Writ Jurisdiction-Concept of Locus Standi-Public Interest Litigation
- Directive Principles of State Policy (Art 36-51)– Relationship between Fundamental Rights and Directive Principles –enforceability of Directive Principles –Nature and Scope of Fundamental Duties-Scope of Amending Power of Parliament-Doctrine of Basic Structure.

### **Suggested Reading:**

M.P. Jain	<i>Indian Constitutional Law</i>
M.P. Singh	<i>V.N. Shukla's Indian Constitution</i>
J.N. Pandey	<i>The Constitution of India</i>
Granville Austin-	<i>The Indian Constitution-The Corner Stone of a Nation</i>
Granville Austin-	<i>Working of a Democratic Constitution: A History of Indian</i>
<i>experience</i>	



R.C.Lahoti *Preamble-The Spirit and Backbone of Constitution of India*  
Seervai H.M *Constitutional Law of India*  
P.M Bakshi *Constitution of India*  
Subhash Kashyap *The Framing of Indian Constitution-Constitution making since 1950*  
Shiva Rao *Framing of India's Constitution*  
Shukla V.N *Constitution of India*


## **2<sup>ND</sup> SEMESTER**

<b>FE- 2</b>	<b>ENGLISH II – GENERAL ENGLISH</b>

- Grammar: Articles Usage of ‘a’, ‘an’, ‘the’ –Errors in the use of Articles, Omission of Articles-Punctuations and Capitals-Conjunctions-Phrase Conjunctions, Co-ordinating Conjunctions, Subordinating Conjunctions, Co-relative conjunctions-Correct use of some Conjunctions.
- Composition: Formal Correspondence-Structure, Layout, Samples – Essay writing-Different types of essays-Characteristics of an essay-Hints on essay writing.
- Literature: Prose- ‘Of Truth’ by Francis Bacon-‘Spectator Club’ by Sir Richard Steele- ‘Dream Children: A Reverie’ by Charles Lamb.
- Poetry-‘On His Blindness’ by John Milton-‘Lines Written in Early Spring’ by William Wordsworth- ‘Ode to a Nightingale’ by John Keats-‘Mending Wall’ by Robert Frost-‘Hawk Roosting’ by Ted Hughes.
- Play (For non-detailed study)- ‘ The Merchant of Venice’ by William Shakespeare- Short Story ‘The Model Millionaire’ by Oscar Wilde- ‘ The Lottery Ticket’ by Antony Chekov- ‘A Cup of Tea’ by Katherine Mansfield- ‘ The Lost Child’ by Mulk Raj Anand- ‘The Portrait of a Lady’ by Khushwant Singh.

<u>Suggested Readings:</u>			
1.	Wren, P.C. and H.Martin	..	High School English Grammar and Composition
2.	Green, David	..	Contemporary English Grammar, Structures and Composition.

## **F.P – 4      POLITICAL SCIENCE II – INDIAN POLITICAL SYSTEM**

### Module I

## Indian Federalism and its Dynamics:

The Evolution of Indian Federalism.

Government of India Act 1935, Indian Independence Act 1947 (A Brief Analysis)

Constitutional Provisions, Federal and Unitary.

Centre-State relations: Legislative, Administrative and Financial relations

Sarkaria Commission .

## Module II

### Party System

Indian Party System: Nature and Trends, National and Regional Parties (A brief study of Major National Parties) Coalition Politics.

Interest Groups and Pressure Groups.

The role of Media in Political Process.

## Module III

### Major Challenges to India's Democracy:

Regionalism, Linguism.

Casteism, Communalism, Religious Fundamentalism.

Criminalization of Politics.

Terrorism.

## Module IV

### New Social Movements

Environmental, Women, Human Rights and Dalit and Tribal Movements.

## **References:**

B.Vivekanandan, R.K.Suresh Kumar, P.Sukumaran Nair (ed.). (2014): India Today: Issues

Before the Nation: A Festschrift in Honour of Prof. (Dr.) K.Raman Pillai, New Delhi. Gyan Publishers

C. P. Bhambri (1999): The Indian State : Fifty years, New Delhi , Shipra,

M.P. Singh & Rekha Sexena (2008): Indian Politics: Contemporary Issues and Concerns, New Delhi, Prentice Hall.

N.P.Chaudhary & A.K.Ojha (2012): Indian Democracy: Contemporary Challenges, New Delhi Neha Publishers

Peu Ghosh. (2012): Indian Government and Politics, New Delhi PHI Pvt. Ltd

**F.P – 5**

**ECONOMICS II – BASIC ECONOMIC STUDIES**

## **Module I - Public Economics and International Trade**

Public Economics –Meaning and scope - private finance and public finance - sources of public revenue, taxation - public expenditure, public debt, fiscal policy, budget - meaning, objectives and instruments of fiscal policy.

Balance of trade and balance of payments - World Bank – IMF – WTO

## **Module II - Banking**

Practical Banking – Negotiable instruments – Credit instruments – Cheques, drafts, promissory notes, bills of exchange. Types of Credit – loans and advances – cash credit – overdraft – discounting of bills of exchange. Modes of crediting charges – lien, pledge, mortgage & hypothecation.

## **Module III - National Income**

Major concepts of National Income - Methods of calculating N.I - Product method – Income method, expenditure and combined methods – Difficulties in the estimation.NI estimation in India.

## **Module IV – Introduction to the Indian Economy**

Features of the Indian economy –Economic planning in India - achievements and shortfalls – New Economic Policy – Special Economic Zones (SEZ).

## **Module V - Basic Economic Issues of Kerala**

Features of Kerala economy - structural changes – self-reliance and self-help groups (SHGs) - Kerala model of development - impact of migration on Kerala economy.

## **References**

1. Samuelson. P.A., Nordhaus (2009), *Economics*, Tata McGraw Hill

## **Additional Readings**

1. Mankiw, Gregory, *Principles of Economics*, Cengage Learning, Delhi

2. Gaurav Datt and Ashwani Mahajan (recent edition) *Datt & Sundharam Indian Economy*, S. Chand & Co., Delhi

3. 5. K. Rajan (2009), *Kerala Economy Serials Publication*, New Delhi.

4. Meera Bai M. (ed) (2008), *Kerala Economy*, Serials Publication, New Delhi.

## **F.P – 6      HISTORY II – HISTORY OF MODERN WORLD**

**Module-I-** Colonialism and Imperialism- Trends before World War I – European Power Politics, European Colonization and Imperialism of Asia and Africa – US and Latin America – US and Japan in Asia & Pacific – World War I and its Impact – League Of Nations.

**Module-II** – Trends in Inter War years – Post War developments – Russian Revolution – The Great Depression of 1929-33 and its impact on the world – Fascism and Nazism.

**Module-III-**Anti-Colonial Struggles – East Asia between the World Wars – Anti-colonialism in the Middle East – Anti-Colonialism in Africa – Events leading to II World War – Collapse of Empires – UNO and its significance.

**Module-IV** – Post World War Settlements – Cold War and the International Relations – US and Latin America after the II World War – Middle EAST crisis and Israel-Palestinian Issue –Decline of Soviet Union and the Eastern Block – New International Economic Order – Post Cold War Era.

### **Reading List:**

- A.J.P.Taylor, *The First World War*, Penguin Books, New York, 1963
- E.H.Carr, *International Relations Between the Two World Wars 1919-1939*, Palgrave, New York, 2004
- Marx and Engels, *On Colonialism*
- Andrew Porter-*European Imperialism*.
- Anthony Wood-*History of Europe*
- E.J.Hobsbawn, *Nation and Nationalism*
- R.R.Palmer, *History of The Western World*.
- Carter.V.Findley and John Rothney, *Twentieth Century World*.
- James Joll, *Origins of First World War*.
- Richard Overy, *The Times Complete History Of The World*.
- W.H.G.Armitage, *The Rise of The Technocrats: A Social History*.
- J.J.Roth,ed.*World War I:A Turning Point*.

- A.Hourani,A History of The Arab People.
- Dilip Hiro,Inside The Middle East.
- E.Said,The Question of Palestine
- Peters Mansfield, The Arabs.
- Malise Ruthview, Islam in the World
- Basil Davidson, Africa in Modern History.
- Andre Gunder Frank,Capitalism and Under Development in Latin America.
- C.Gibson,The Aztecs Under Spanish Rule.



## FL – 3      CONSTITUTIONAL LAW – 2

Objectives: Give the students a deeper perspective about the types of Constitution with emphasis on the Centre-State Relations and the various functional authorities under the Constitution.

- Classifications of Constitutions – Types and features – Features of Indian Constitution –Unitary, Federal or Quasi Federal-The Power and Procedure for Altering Name and Boundaries of the States (Art.1-4), Citizenship and its Importance-Citizenship Act 1955.
- Centre –State Relations-Legislative Relations-Judicially Developed Doctrines-(Tools of interpretation) Residuary Powers-Administrative Relations-Financial Relations-Collection of Revenue and Taxes-, - 101<sup>st</sup> amendment –Freedom of trade, commerce and intercourse within the territory of India (Art 301-307) Services Under Centre and States-Doctrine of Pleasure-safeguards available to civil servant - Cooperative Federalism- Certain important Authorities and functionaries under Constitution-CAG, Election Commission, Inter State Water Tribunal-Finance Commission-Attorney General-Advocate General-Vice President, PSC, Administrative Tribunal .Emergency provisions and their impact on the Federal structure.
- Legislative powers under the Indian Constitution –Composition of Parliament and State Legislatures – Qualification of the members of the House- grounds for disqualification-Constitution of Parliament and State legislatures-duration- conduct of business-Defections-Tenth schedule-procedure relating to bills- Role of Speaker-Privileges of the House and Members – Officers of Parliament —Powers, privileges and immunities of the Houses and members
- Executive Powers under the Constitution –Nature of executive power –definition and extent- the President and the Governor – Appointment – Tenure – Removal – Powers – Comparison- Council of Ministers-Conduct of government business
- Judiciary under the Constitution – Union and State Judiciary – Appointment of

Judges – Tenure – Removal – Independence of Judiciary under the Constitution – jurisdiction of the Supreme Court and High Court- Role played by the judiciary – Relationship between Legislative, Executive and Judicial Powers under the Constitution – Law Declared by the Supreme Court law of the land- subordinate Judiciary and control over it

**Suggested Reading:**

M.P. Jain, *Constitution of India*  
M.P. Singh, *V.N. Shukla's Constitution of India*  
J.N. Pandey *The Constitution of India*  
Khanna H.R *Making of India's Constitution*  
Granville Austin- *The Indian Constitution-The Corner Stone of a Nation*  
Constituent Assembly Debates  
Shukla V.N *Constitution of India*  
Khanna H.R *Making of India's Constitution*  
Burton Adams George *Constitutional history of England*  
Colin Turpin *British Government and the Constitution-Texts ,Cases, materials*

## **FL – 4 LAW OF CONTRACT**

### **OBJECTIVES**

- To familiarise the law student with the basic principles of contract law- as to what agreements are contracts, how a contract is formed, what are its essentials and what are the remedies available in case of its breach.
- As the Indian law of contracts has its source in the English law of contracts, emphasis has been made on the common law of England comprising of judge made law and principles of equity. It is necessary that the students make a comparative study in the above regard.
- Students should be imparted knowledge about negotiation of terms in a contract and to acquire expertise in drafting a contract on the basis of prevailing law .
- Contract-meaning and concept--when agreement becomes contract-nature of contractual obligations-distinction between tort and contract-essentials of contract-intention to create legal obligations-classification of contracts- Standard form of contracts-government contracts-e-contracts.
- Formation of contract- rules regarding proposal and acceptance-essentials-kinds of offer-invitation to treat- communication and revocation of proposal and acceptance - conclusion of e-contracts - lapse of offer-Consideration-essentials-privity of contract and privity

of consideration-its exceptions-contracts without consideration-promissory estoppels.

- Capacity to contract-effect of minor's agreement-other disqualified persons-Free Consent-factors vitiating free consent and their effect-Coercion-Undue Influence-Misrepresentation-Fraud-Mistake-Legality of object-Unlawful Agreements-Agreements opposed to public policy-Void Agreements - Agreements in restraint of marriage, trade and legal proceedings- -Wagering agreements-Contingent contracts
- Discharge of contract-Modes of discharge-Performance of contract-rules regarding performance of contract- impossibility of performance –Discharge by breach-anticipatory breach- Discharge by agreement- novation, rescission, remission, alteration -Accord and satisfaction-Quasi contract.
- Remedies for breach of contract-rules regarding awarding of damages- general and special damages- Rule in Hadley v.Baxendale-remoteness of damage and measure of damages- Reliefs under the Specific Relief Act,1963-recovery of possession- Specific performance - rescission, rectification and cancellation of instruments - declaratory remedies- Injunctions.

### **Suggested Readings**

Avatar Singh, Contract and Specific Relief (12<sup>th</sup>edn)  
Pollock and Mulla, Indian Contract Act and Specific Relief Act.  
T.S Venkateshalyer's The Law of Contract and Tenders  
A.G.Guests, Anson's Law of Contract.  
Cheshire, Fifoot & Furmstone's Law of Contract.  
G.H.Trietal, The Law of Contract  
Chitty on Contracts  
Corbin on Contracts.  
Andrew Burrows, A casebook on Contract.

## 3<sup>RD</sup> SEMESTER

<b>FE-3</b>	<b>GENERAL ENGLISH III- LEGAL LANGUAGE &amp;LEGAL METHOD</b>
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- Major Legal systems of the world-Common Law and civil law systems-Concepts of State-Sovereignty-Separation of powers-Rule of Law-Meaning-Law-Equity-Morality-Nature of justice: Equality-Fairness-Access-Due process of law-Distinction and classification of law-Types of Laws-Public Law and Private Law-Substantive law and procedural law-International law and Municipal Law-Civil Law and Criminal Law-Accusatorial, Inquisitorial systems-Delegated legislation- Prize law.
- Origin and sources of law-Primary Sources/secondary sources of law-Custom-Precedent-Stare decisis-Ration decidendi and obiter dictum-Role of Legislation in modern societies-Static societies and progressive societies-Statute meaning-Parts-Need for interpretation-Basic rules of interpretation-Law and Fact-Questions of law/fact/judicial discretion-Legal Fiction-Estoppel.
- Legal Maxims-Volenti non fit injuria, Ignorantia facti excusat ignorantia juris non excusat, Actus non facit reum nisi mens sit rea, Generalia specialibus non derogant, Delegata potestas non potest delegari, Actio personalis moritur cum persona, Qui facit per alium facit per se, Ex turpi causa non oritur actio, Respondeat superior, Audi Alteram partem, Nemo debet esse iudex in propria causa. Ubi jus Ibi Remedium.
- Courts-Meaning of – Kinds-Classification-Civil, criminal Hierarchy-Jurisdiction of courts-Original, appellate, territorial, pecuniary, based on subject matter, writ jurisdiction-Origin-Types of writs-Types of Benches in higher courts-Law Library-Primary sources/secondary sources of data-Legislative material-Rules, orders, notifications-Official Reports-Private reports-Specialized law reports-Digests.
- Significance and methods of legal research-Types of research-Citations of newspaper articles, journal articles, books internet sources, case law-Bibliography-Cross references-Legal article writing-Drafting of representations-Importance of moot courts.

<u><i>Suggested Readings:</i></u>		
Glanville Williams	..	Learning the Law
Atul.M.Setalvad	..	Introduction to Law

**F.P – 7            POLITICAL SCIENCE III – UNDERSTANDING POLITICAL  
THEORY**

**Module I**

**Political Theory**

Meaning, Nature and Scope of Political Theory

Positivism, Empiricism

Political Modernization and Development, Political Socialization, Political Culture

**Module II**

**State & Sovereignty**

Theories of origin of State: Evolutionary Theory

Sovereignty-Attributes and Types

Monism and Pluralism

**Module III**

Concepts and Theories of Democracy

Meaning and Definition of democracy

Forms of Democracy

Contemporary and Recent theories of Democracy- Elitist Theory: Mosca, Pareto

Theories of Civil Society

**Module IV**

**Recent Trends in Political Theory**

Post Modernism: Michel Foucault

Feminism

Deconstruction: Derrida

**References:**

A. Appadorai (1989): Substance of Politics, New Delhi World Press Ltd.

Allan. R. Ball & B. Guy Peters (2008): Modern Politics and Government (7 e) New Delhi,  
Palgrave Macmillan

Amal Ray and Mohit Bhattacharya (1988): Political Theory: Institutions and Ideas,

Calcutta  
The World Press Private Ltd.

Andrew Heywood (2008): Politics- An Introduction, New Delhi, Palgrave, Macmillan

David Easton (1981): The Political System, Chicago, University of Chicago Press  
H.J Laski (2000): A Grammar of Politics, New Delhi S. Chand & Company Ltd.

Hoveyda Abbas & Ranajay Kumar (2012): Political Theory, New Delhi Pearson

J.C. Johari (2007): Principles of Modern Political Science, New Delhi, Sterling

John Hoffman and Paul Grialiam (2007): Introduction to political Theory New Delhi,  
Pearson Education Ltd

O.P Gauba (2008): An Introduction to Political theory, New Delhi Macmillan, India Ltd

Prof. A.C. Kapoor (2005): Principles of Political Science, New Delhi Sterling Publishers  
PVT.

R.C Agarwal (2000): Political Theory, Principles of Political Science, New Delhi, S.  
Chand & Company Ltd.

Rajeev Bhargava and Asok Acharya (2008): Political Theory –An Introduction New  
Delhi, Pearson Education

Robert Dahl (2007): Modern political Analysis, New Delhi OUP

Sushila Ramaswamy (2006): Political Theory Ideas & Concepts, New Delhi MacMillan  
India Ltd.

**F.P – 8      ECONOMICS III - ECONOMICS OF FINANCIAL  
MARKETS**



## **Module I – Financial systems, Financial Institutions and financial Securities**

Financial systems-financial intermediaries, markets and securities. Financial Intermediaries – Monetary and Non- monetary (Banking and non- Banking) concepts only. Insurance companies (life and general insurance), pension funds and provident funds, mutual funds, unit trusts, venture capital funds - primary security and secondary security - gilt-edged securities.

## **Module II – Money Market**

Financial markets-money and capital markets; Money market-meaning and structure-developed and underdeveloped money markets - London and New York money markets - Money market in India - rural money market in India - role of RBI and DFHI in Indian money market.

## **Module III – Capital Market (Concepts only)**

Capital market-meaning and composition-primary and secondary markets-major financial instruments-equity shares and preference shares, debentures and bonds - G.D.Rs and A.D.Rs - DFIs and FIIs-QIBs - Primary market-institutions in the primary market-underwriters, merchant bankers and managers to issue-public issue and methods of public issue, IPO and FPO-book building-private placement, ESOP, blue chip shares, right shares and bonus shares-listing of securities - physical shares and demat shares, depository participants-NSDL and CSDL-SEBI and capital market in India.

## **Module IV – Stock Exchanges and Trading (Concepts only)**

Stock exchanges - stock exchanges in India - BSE and NSE -auction trading and screen based trading system - BOLT-Stock indices in India and abroad - BSE Sensitive index and Nifty indices; Dow Jones, NASDAQ, FTSE, Nikkei-kerb trading – stock split-derivatives-option trading-stock futures - exchange traded funds (ETF)

## **Module V –Credit Rating Institutions**

Credit rating – objective-- CRISIL, ICRA and CARE.

**References**

1. S.B. Gupta (2001). Monetary Economics: Institutions, Theory and Policy, S. Chand &Co, New Delhi, Part I
2. V.A. Avadhani, Investment and Securities Market in India, Himalaya Publishing House, Bombay (recent edition)

**Additional Readings**

1. L.M. Bhole (recent edition). Financial Institutions and Markets, Tata McGraw Hill, New Delhi
2. Zvi Bodie, Robert C Merton et al. (2009), Financial Economics, Pearson Education (Ch.1 (1.1, 1.2), Ch.2 (2.1, 2.5, 2.7) only.
3. M.Y. Khan (recent edition) Indian Financial System, Tata McGraw Hill, New Delhi.

## **FL – 5            SPECIFIC CONTRACT**

Objectives: Teach the students in detail about the specific contracts in reference to their peculiarities.

- Contracts of Indemnity and Guarantee-essential features- distinction between Indemnity and Guarantee-rights and liabilities of the indemnifier and indemnified - Guarantee -specific guarantee and continuing guarantee --extent of surety's liability- rights of surety against the creditor, principal debtor and co-sureties - discharge of surety from liability-liability of co-sureties.
- Contract of Bailment –essentials- types of bailment-duties and rights of bailor and bailee –Lien-particular and general– Finder of lost goods as a bailee -Pledge-rights and duties of parties-pledge by non-owner's.
- Agency -essentials -kinds of agency – creation of agency –express and implied, by necessity-agency by ratification- essentials- rights, duties and liabilities of agents –sub-agent and substituted agent-liability of principal for act of agents –personal liability of agents-determination of agency.
- Partnership –distinction from company, HUF& co-ownership-nature and creation – types of partnerships - mutual relationship of partners –implied authority of partners - rights and liabilities of partners- incoming and outgoing partners– minor as a partner-partnership property - dissolution of partnership – effects of non-registration of partnership- concept of limited liability partnership-

registration formalities.

- Sale of goods – definition and essentials of a contract of sale– sale and agreement to sell-conditions and warranties – rule of *caveat emptor* – passing of property and risk –sale by non owners-principle of *nemo dat quod non habet*-delivery of goods- Unpaid seller –unpaid seller’s rights against goods and the buyer personally –buyer’s remedies against the seller.

**Suggested readings:**

Avtar Singh, Principles of Mercantile Law.

Friedman, Law of Agency.

Bowstead on Agency

P.S.Atiyah, The Sale of Goods

Benjamin's, Sale of Goods.

T.S Venkateshalyer, Sale of Goods and Partnership Act.

Avatar Singh, Law of Sale of Goods

Pollock and Mulla, Indian Partnership Act.

Geoirey Morse, Partnership Law

## **FL – 6 LAW OF CRIMES: PAPER 1- PENAL CODE**

### ***Objective***

*Indian Penal Code is a comprehensive piece of legislation which includes all the basic offences which are highlighted in the society. The object of designing this syllabus is to enable the students to have a general evaluation and analysis of the basic offences and punishments*

### **Unit I**

Elements of criminal liability- Actus reus and mens rea –Statutory offences-Jurisdiction- Stages of Crime- Joint liability- Common intention and common object- Vicarious liability- Corporate liability.

### **Unit II**

Definitions and General Explanations ( Sec. 21-26, 33,34,39,40, 44, 52) - Punishment- Types of punishment( Sec. 53- Sec.75) Parties to crime- Inchoate offences- Attempt( Sec. 511), Abetment( Sec. 107-112) Conspiracy ( Sec. 120A, 120 B) General Exceptions ( Sec. 76- 106)

### **Unit III**

Offences against State- Waging war against Government of India( Sec. 121, 121 A),- Assaulting High officials ( Sec. 124), Sedition (Sec. 124A)- Offences relating to Army,

Navy and Air force( Sec. 131, 132),- Offences against public tranquillity- Unlawful Assembly- Rioting- Promoting enmity between different classes – Affray( Sec. 141-160) - Offences relating to Coins and Stamps ( Sec. 230-234, Sec. 255)-, Offences affecting public health – Public nuisance( Sec. 268-273),Sale etc. of obscene books ( Sec. 292- Sec. 294), Offences relating to religion (Sec. 295-Sec.298), - Offences relating to documents- Forgery- Falsification of Accounts ( Sec. 463-465, Sec.477A)

#### **Unit IV**

Offences affecting human body- Culpable homicide- Murder- Suicide- Dowry death-(Sec. 299- Sec.309)- Hurt, Grievous hurt (Sec. 319-Sec.338), - Wrongful restraint and wrongful confinement (Sec. 339-Sec 348) - Criminal force and assault ( Sec. 349- Sec, 353), Assault or using Criminal force to dishonour persons( Sec. 355- Sec 358)- Kidnapping- Abduction, ( Sec. 359- 374). Sexual offences- Rape and unnatural offences( Sec. 375- Sec. 377)- outraging the modesty of woman- Voyeurism-Stalking- Sexual harassment- Sexual assault- (Sec. 354, 354 A- 354D)Offences relating to marriage- ( Sec. 493-498) Cruelty to married women( Sec. 498A)

#### **Unit IV**

Offences by or relating to public servants- Of contempt of lawful authority of public servants( Sec. 186- 190), Offences of giving false evidence and fabricating false evidence( Sec. 191-196)- Offences against property- Theft- Extortion- Robbery- Dacoity- Criminal misappropriation of property- Criminal breach of trust- Cheating ( Sec. 378-424)-Mischief ( Sec. 425, 426, 435, 436, 440), Trespass ( Sec.441- 462) Offences affecting reputation- Defamation-), ( Sec 499-502)- Criminal intimidation, insult and annoyance ( Sec. 503- 510)

#### **Suggested Reading:**

1. Ratanlal and Dhirajlal : The Indian Penal Code
2. K D Gaur : Criminal law: Cases and materials

3. T Bhattacharya : The Indian Penal Code
4. S N Misra : The Indian Penal Code
5. R C Nigam : Law of Crimes in India, Vol. I  
and II
6. P S Achuthan Pillai : Criminal Law
7. Glanville Williams : Criminal Law
8. The Law Commission Reports

## **FL – 7        HEALTH LAW**

### **OBJECTIVE**

The basic objective of the paper is as follows;

- To understand the interface between law and health
- To ascertain the rights and responsibilities of medical professionals and their patients
- To have a comprehensive idea about right to health and the role of state in realisation of right to health.
- To acquire basic understanding about the emerging issues relating to health

### **Unit I**

Introduction to Health Law - What is health law-interface between law and health - Role of the State in ensuring health- Recognition of Health as a human Right- international perspective.

### **Unit II**

Health Law in Indian Context- Indian Constitution and Health- Right to Health – Approach of Judiciary in realisation of right to health-Right to emergency care-- Regulation of public and private health care systems- Health delivery systems in India- Allopathy-Ayurveda- Homeopathy- Unnai and allied systems- Various statutory provisions pertaining to health delivery systems



### **Unit III**

Medical Profession and Law- Medical Ethics- professional values – autonomy justice – beneficence and non-maleficence in doctor patient relations - Patient's right- consent-informed consent in medical treatment- medical confidentiality and medical practice- access to medical records –electronic medical records- Regulation of medical profession- Medical negligence.

### **Unit IV**

Right to health of vulnerable population – Children - Elderly - Women- Tribal- Disabled- Mentally Challenged

### **Unit V**

Law and Health- Some emerging issues.- Euthanasia- Clinical research- Drug Trials- Assisted Conception- HIV/ AIDS and Indian Legal Scenario- Organ Transplantation – Medical Decision making relating to PVS patients- Telemedicine-

### ***Suggested Readings:***

- Jonathan Montgomery : Health care Law
- Shaun D Patterson : Medical Law and Ethics
- J K Mason and G T Laurie : Law and Medical Ethics
- Dr.Nandita Adhikari : Law and Medicine

## **4<sup>TH</sup> SEMESTER**

**FM –1 / FH-1**

**MALAYALAM - 1 / HINDI – 1**

**F.P – 9**

### **POLITICAL SCIENCE IV– POLITICAL THOUGHT: WESTERN TRADITION**

#### Module 1

Greek Political Thought:

Features of Greek political thought - Ideas and institutions.

Socrates: ‘Virtue is knowledge’

Plato: Concept of Justice, Theory of Education, Ideal State, Communism of Wives and Property and Concept of Forms and Ideas

Aristotle: Views on State, Revolution, Constitution, Citizenship and Slavery.

#### Module II

Medieval and Modern Political Thought

Mediaeval Political Thought. St Augustine, Thomas Aquinas

Machiavelli's notion of state

Social Contract Theory-Thomas Hobbes, John Locke, Jean Jacque Rousseau

Hegel - Idealism, Dialectics and state.

#### Module III

The Utilitarianism

(a) J. Bentham - Utilitarian principles

(b) J.S. Mill - Liberty, women's suffrage.

## Module IV

### The Socialist Tradition.

Karl Marx - Scientific socialism.

Lenin –Imperialism

Mao-Cultural Revolution

Neo Marxism-Gramsci, Althusser, Poulantaz and Lukacs

### References:

Ebenstein (2007): Great political Thinkers (Plato to Present), New Delhi, Sterling Publishers PVT. Ltd.

G. Sabine (2004): History of Political Theory, New Delhi, PHI.

J.C. Johari, (2004): Political Thought, Ancient; New Delhi, Sterling Publishers PVT. Ltd.

Dunning (2000) : History of Political Theories, New Delhi S. Chand & Company Ltd.

M.G. Gupta, History of Political Thought: Macmillan India Ltd.1998

Carew Hunt (1988): The Theory and practice of communism: Calcutta, The World Press Private Ltd.

M. Judel Harmen(1964) : Political Thought. From Plato to the present, McGraw - Hill Book company

Andrew Heywood (2007): Political Ideologies - An Introduction: New York, Palgrave Macmillan.

Brian R. Nelson (2008.): Western Political Thought, New York, Pearson Education

## **F.P - 10 HISTORY- III – SOCIAL AND CULTURAL HISTORY OF INDIA**

1. Ancient India – Indus Valley Civilization – Vedic age – Mahajanapadas – The Mauryas –Asoka – Sangam Age – The Guptas – Social, Cultural and Religions life in Ancient India –Feudal Society in Ancient India.
2. Medieval India – Delhi Sultanate – Vijayanagara Empire – Mughal Empire – Mughal Art and Architecture – Land reforms and religious policy of Akbar – Maratha Empire.
3. The advent of European powers – Mutiny of 1857 – British Raj – British Administrative Policies – Impact of British rule.
4. Indian National Movement – I.N.C –National leaders – The Role of Gandhi – I.N.A. – Subhash Chandra Bose – India Towards freedom.

Books recommended:

1.	Ancient Indian History	–	D. D. Kosambi
2.	Advanced Indian History	–	R. C. Majumdar
3.	A study of Indian History (Culture and Civilization of India)	–	H.V. Srinivas Murthy
4.	Social and Culture History of India	–	R.C. Raichoudhary
5.	Asoka and Decline of Mauryas	–	Romila Thappar
6.	Studies in Indian History and Culture	–	A. L. Basham
7.	History of Freedom Movement	–	Bipin Chaudra
8.	History of Freedom Movement	–	R. C. Majumdar
9.	Constitutional History of India	–	R.C. Raichoudhary
10.	Social Background of Indian Nationalism.	–	A.R. Desai
11.	Culture and Civilization of India	–	Kosambi

## **FL – 8            FAMILY LAW – 1**

Objectives: This paper focuses on the diversity in family law in reference to religion, caste, custom and usage. This paper also emphasises the importance of State law over and above these differences to minimise the element of discrimination and bringing in an element of harmony.

**UNIT- I Origin and Sources of personal laws in India**-Concept of Family – Types of Families - Concept of Personal Law vis a vis Secular Law - Application of Hindu Law- Sources of Hindu Law- Traditional sources –Modern sources- Sruti-Smriti- Commentaries and Digest - Custom- Legislation- Judicial Decision- Justice equity and good conscience- Schools of Hindu Law- Mithakshara and Dayabhaga- Application of Muslim Law- Sources of Muslim Law- Primary sources- Secondary sources-Quran-Sunnat- Ijma- Qiyas- Judicial decisions- Legislation- Origin and schools of Muslim Law – Sunni- Shia - Uniform Civil Code.

**Unit- II Law relating to Marriages** – Marriages under Hindu Law- concept under Old Hindu law - Hindu Marriage Act 1955- Essentials- formalities- void and voidable marriages- nullity – Restitution of Conjugal rights- Judicial separation- Divorce- mutual consent- proceedings for matrimonial reliefs – interim measures- maintenance pendent lite- permanent alimony-Law relating to marriages under Muslim Law- Concept and essentials of marriage under muslim law- Validity of marriages- valid – void and Irregular- Requirement of dower- Classification of dower and its enforcement - Divorce- Judicial and extra judicial- Talak- different forms- Special features of marriages under Special Marriage Act, including registration of marriage- Christian Marriages- its essentials – matrimonial remedies and the Family Courts Act, 1984.

**Unit- III Law Relating to Legitimacy of children and Guardian**

**ship-** Legitimate and Illegitimate child- relevant laws under Hindu Law , Muslim Law and Special Marriage Act – Acknowledgement of paternity under Muslim law-Minority and Guardian Ship under Hindu Law- Different kinds of Guardian and their powers- Provision dealing with appointment of guardian by the court- Guardian ship under Muslim law- Custody and guardian ship- Guardian ship for different purposes- General provisions relating to Guardian and Wards Act.

**Unit IV Law relating to adoption-** Meaning and concept of adoption under Hindu- Old Hindu Law and Hindu Adoption and Maintenance Act 1956- Essentials of Valid Adoption- Effects of adoption- Right of respective parties in an adoption- Formalities of adoption- Registration-Adoption under Juvenile Justice Care and Protection Act- Formalities – resource agencies- authorities .

**Unit- V Law Relating to Maintenance** –Meaning- Entitlement of maintenance – Provisions under Hindu Adoption and Maintenance Act- Maintenance under Muslim Personal law- ShahBano Begum case - The Muslim Women ( Protection of Right on Divorce ) Act-1986- maintenance of illegitimate children- General provisions for maintenance under the Code of Criminal Procedure- Fixation of maintenance amount – Alteration of maintenance- Enforcement of maintenance order – maintenance for elders and senior citizens –relevant provision of maintenance and welfare under senior citizenship Act 2007.

#### **Suggested Readings**

PARAS DIWAN- HINDU LAW

PARAS DIWAN- MUSLIM LAW

Mulla –Muslim Law

Paras Diwan –Family Law

Sebastian Champapilly-Christian Law

## **FL – 9 LAND LAWS INCLUDING TENURE & TENANCY SYSTEM**

### **LAND LAWS**

Objective: Land remains the substrata of man's activity. The relationship between man and land is very important in a society. The use values also differs in each locality. There are various interests involved in land. The course concerns itself with questions such as: What interests count as interests in land? How are they created? Exactly when will they affect third parties?

Land Law has a well- established set of principles, often regulated by statute, to govern it. In part this is because people dealing with land need to know with certainty what the result of a particular transaction will be in every realm. Even so, there are many areas of the subject which are currently being developed and still lacks legislation.

Land Law covers material in the “foundations of legal knowledge” and so must be taken by those seeking a professional qualification in law in India.

- Concept of land- scientific classification of land- legal definition of land in India- purview of land law- analysis of various interests under land- ownership of land- state ownership- concept of eminent domain- constitutional provisions

relating to land- from Art.19(1) (f) to Art. 300 A.

- Principles of land reforms- implementation of land reforms in India- The Kerala Land Reforms- various tenancies- deemed tenants- consolidation of rights and liabilities- kudikidappukars- rights and duties- small holder- ceiling area- authorities for implementation of land reforms- land assignment- procedure
- Principle of public purpose- land acquisition procedure- award of compensation- remedies available under the legislation- comparative approach of land acquisition by U.K. and U.S.A.
- Conservation of Government land – procedure of conservation- land use controls on private ownership- development of waste lands- conservation of cultivable lands- controls over changing the nature of use- protection of paddy fields- wetlands- costal zones
- Conservation of special areas- ecologically fragile land- tribal lands- forest lands

#### Legislations to be covered

- Constitution of India relevant articles , 19(1)(f), art. 31, art. 39, art. 300 A
- The Kerala Land Reforms Act, 1963
- The Assignment Act, 1971
- The Right to Fair Compensation and Transparency in *Land Acquisition, Rehabilitation and Resettlement Act, 2013*
- The Land Conservancy Act, 1957
- The Waste Land Development Schemes
- The Kerala Land Utilisation Order, 1967
- The Kerala Conservation of Paddy Land and Wetland Act, 2008
- The Kerala Scheduled Tribes( Restriction on Transfer by and Restoration of Lands to



Scheduled Tribes) Act, 1999

### Suggested Readings

- Sugathan : Land Laws of Kerala
- A. Gangadharan: Law of Land Reforms in Kerala
- A. Gangadharan : Laws on Land in Kerala
- George Johnson : Law of Land Reforms in Kerala

## **FL – 10 JURISPRUDENCE**

### **Objective**

A student of law has to necessarily create a fundamental understanding of law much before he ventures out to learn about ‘the Laws’ and Jurisprudence provides him the platform to get informed in a systematic manner. The approaches to understand ‘the laws’ have to be shaped from a careful and systematic build up of the approaches for its acquaintances, its evolution through its sources, its role and application and the intended results and the actual delivery of goods.

Unit – I - Meaning of legal theory and jurisprudence – Various schools of Jurisprudence – Classical era of Natural law, Historical school , Analytical School, Sociological School- Recent Trends-contemporary relevance –

Unit - II - Introduction to Law and Legal method- Law and Dharma compared - nature, function and techniques of law, Question of law and fact – Concept of legal system - Major Legal Systems - Classification of laws — Codification – Characteristics – Significance of comparative law

Unit – III – Sources of law– Custom – Legislation – Precedent – kinds –enforceability - Merits and Demerits – Rules pertaining to Interpretations of statutes

Unit – IV Justice – Concept-meaning- Different theories of Justice – Indian Perspective of Justice- Administration of Justice — functions of Courts, Tribunals and Dispute settlement mechanisms - Civil Justice – Criminal Justice — Theories of punishment – Palliatives to victims- Theoretical underpinnings.

Unit – V Legal concepts – Legal rights- Duties–Ownership - Possession – Titles- Property - Personality – Liability and Obligation

## Suggested Readings

1. Dr. N.K.Jayakumar, *Lectures on Jurisprudence*, (3<sup>rd</sup> edn., LexisNexis, 2015)
2. Dr. N.V.Paranjpe, *Jurisprudence and Legal Theory*, (CLA, 2016)
3. Dr. Avtar Singh, *Introduction to Jurisprudence*, (LexisNexis, 2013)
4. Raymond Whacks, *Understanding Jurisprudence: An Introduction to Legal Theory* (2018)
5. V.D. Mahajan's *Jurisprudence and Legal Theory* (5<sup>th</sup> edn., Reprint, 2016)
6. P.J.Fitzgerald, (ed.) *Salmond on Jurisprudence* (12<sup>th</sup> edn.,2012)
7. G.W.Paton, *A Textbook of Jurisprudence* (2007)
8. E. Bodenheimer, *Jurisprudence: The Philosophy and Method of the Law*, (Revised edn., 2007)
  
9. Michael Freeman, *Lloyd's Introduction to Jurisprudence*, (9<sup>th</sup> edn., Sweet & Maxwell, 2007)
10. Glanville L.Williams, *Learning the Law* (1973)
  
- 11 M. Justice M. Rama Jois, *Legal and Constitutional History of India - Ancient Legal, Judicial and Constitutional System*, (EBC, Reprint, 2016)
  
12. Rosco Pound, *Law and Morals*, (1926)
  
12. Herbert M. Kritzer, (Ed.), *Legal Systems of the World : A Political, Social, and Cultural Encyclopedia* (2002)
  
- 13 Wolfgang Friedmann, *Legal Theory* (1967)
  
14. Lon L. Fuller,*The Morality of Law* (1969)
  
15. Joseph Raz, *The Authority of Law: Essays on Law and Morality*, (2<sup>nd</sup> edn., 2009)
  
16. Richard A. Posner, *The Problems of Jurisprudence* (HUP, 1993)

## 5<sup>TH</sup> SEMESTER

FM –2 / FH-2

MALAYALAM - 2 / HINDI – 2

### F.P – 11                      **POLITICAL SCIENCE - VII– MODERN INDIAN POLITICAL THOUGHT**

#### Module 1

Introduction to the study of Modern Indian Political Thought.

Indian Renaissance.

Raja Ram Mohan Roy - Liberal thinker and social reformer.

Vivekananda - Social and political ideas.

#### Module II

Freedom Movement and Indian Politics

Gokhale - Political Liberalism.

Tilak- Nationalism.

Aurobindo-Spiritual Nationalism

M.K.Gandhi.-Non-violence, Ends and Means, Satyagraha .

#### Module III

Socialist Thinkers.

M.N. Roy - Radical Humanism Jawaharlal Nehru Secularism, Socialism

Ram Manohar Lohia - Indian socialism.

#### Module IV

Modern Social Thinkers

B.R.Ambedkar- Social Justice

Vinobha Bhave -Sarvodya

Jayaprakash Narayan - Total Revolution.

#### References:

Bhargava, Rajeev (ed.)(1999): Secularism and its Critics, Delhi: Oxford University Press.

Bhikhu, Parekh (1989): Gandhi's Political Philosophy, London, Macmillan Press.

Bhikhu,Parekh(1989): Colonialism, Tradition and Reform: An Analysis of Gandhi's Political

Discourse, New Delhi: Sage.

Bhikhu, Parekh and Thomas Pantham (eds.) (1987): Political Discourse: Explorations in Indian and Western Political Thought, New Delhi: Sage.

Chakrabarty, Bidyut and Rajendra Kumar Pandey (2009): Modern Indian Political Thought: Text and Context, New Delhi: Sage.

Chatterjee, Partha(1994): Nation and its Fragments, New Delhi:Oxford University Press.

Chatterjee, Partha (1986): Nationalist Thought and the Colonial World: A Derivative Discourse?, London: Zed Books.

Klosko, George (ed.) (2011): The Oxford Handbook of the History of Political Philosophy, Oxford: Oxford University Press.

Mehta, V.R. and Thomas Pantham,(ed.)(2006): Political Ideas in Modern India: Thematic Explorations, New Delhi: Sage.

Omvelt, Gail (1991): Dalits and the Democratic Revolutions: Dr. Ambedkar and the Dalit Movement in Colonial India, New Delhi: Sage.

Parel, Anthony J. (ed.)(2009): Gandhi: Hind Swaraj and Other Writings, Cambridge; Cambridge university Press.

Parel, Anthony J. (ed.)(2002): Gandhi, Freedom and Self-Rule, New Delhi, Vistaar Publications.

Shogimen, Takashi and C.J. Nederman(eds.) ( 2009): Western Political Thought in Dialogue with Asia, Plymouth,UK:Lexington Books.

Singh, Aakash, Silika Mohapatra (2010): Indian Political Thought, A Reader, New Delhi: Routledge.

Srinivas M.N.(1967): Social Change in Modern India, New Delhi: Orient Longman.

Rudolph L. and Susanne Rudolph (1984): The Modernity of Tradition: Political Development in India, Chicago: University of Chicago Press.

## **FL – 11            FAMILY LAW – 2**

Objective :To specifically teach the students the concept of succession and the law relating to inheritance under different personal laws and the method by which the Government has incorporated humanitarian concepts to balance the need of the society.

**Unit- I -Law applicable to Joint family-** Concept of Joint Family-Mithakshara and Dayabhaga- differences and features- Coparcenary – changes brought in 2005 - Coparcenary with in a coparcenary-Right s of coparceners- Karta – his duties and powers- Joint family property- Separate property - Incidence of joint family properties- Alienation of joint family properties- setting aside of alienation- - Partition of Joint family - person entitled to claim for partition and to get share- Impartible estates- Partial partition- Reopening of partition.

**Unit- II Succession under Hindu Law** - Succession under Hindu Law- Hindu Succession Act 1956- Succession of male died intestate and female died intestate- Class-1 , Class-2, Agnates and Cognates- Marumakkathayam- Stridhana and Women’s estate – Debts under Hindu Law – Doctrine of Pious obligation - Changes under the Act 1956- General provision and disqualification under the Act- Pre-emptory right under Hindu Law

**Unit III Law relating to Inheritance under Muslim Law, Christian law** - General principles- Application of doctrine of representation - Administration of estates- Sunni/Hanafi law – Quranic heirs/ sharers –application of doctrine of *aul and radd* –distribution among residuaries - Distant kindred-Succession under Shia law- Law relating to pre- emptory rights under Muslim law - Succession under Christian law - Relevant provisions under Indian Succession Act-.

**Unit IV Law Relating to Gifts and Wills under personal Laws** -Meaning of testamentary succession- gift under Hindu Law Muslim law – provisions under Transfer of Property Act- Hiba- Essentials of a valid Hiba – Conditional gift and

contingent gifts- *Hiba-biliwaz* – *Hiba-ba* – *Shartullwaz*- Revocation of Hiba-*Donatio mortis causa*- Wills under Muslim law-Essentials - restrictions/limits under Muslim law of will- bequeath able one- thirds- abatement of legacies - will under Indian Succession Act- Interpretation of a will- formalities- Revocation of wills.

**Unit- V Law Relating Religious and Charitable Endowments** –Conditions for a valid dedication- Types of endowments – Maths- Shebaiths- Types of endowments – Doctrine of Cypress – Wakf- meaning- objects- essentials- subject matter - Life interest in wakf- religious purposes- Public and private wakf- Mutawalli-his appointment- powers and control – Muslim religious endowments.

### **Suggested Readings**

PARAS DIWAN- HINDU LAW

PARAS DIWAN- MUSLIM LAW

Mulla –Muslim Law

Paras Diwan –Family Law

Sebastian Champapilly-Christian Law

**Objective**

The focus of this course is on the study of the concept of property, the nature of property rights and the general principles governing the transfer of property. A detailed study of the substantive law relating to particular transfers such as sale, mortgage, lease, exchange, gift and actionable claims will also be undertaken. The course includes an exposure in to the concept of easement.

**Course Content****Unit I**

General principles of transfer of property by act of parties *inter-vivos*- concept and meaning of immovable property- notice, kinds of notice, fixture and chattel, attestation- transferable and non-transferable immovable property- conditions restraining alienation and restrictions repugnant to the interest created- rule against perpetuity and exceptions, transfer in favour of unborn persons, and class transfer- direction for accumulation- vested and contingent interest- condition precedent and condition subsequent- doctrine of acceleration and the cypress Doctrine

**Unit II**

Covenants running with the land- doctrine of estoppels- doctrine of *lis pendens*- fraudulent transfer and part performance

**Unit III**

Mortgages of immovable property- rights and liabilities of mortgagor and mortgagee- marshalling and contribution, subrogation, tacking

**Unit IV**

Sale of immovable property- rights and liabilities of seller and buyer before

and after sale- difference between sale and contract for sale- leases of immovable property, kinds of lease, rights and liabilities of lessor and lessee, termination of lease- difference between lease and licence, charge and exchange.

## **Unit V**

Gifts- scope- meaning- mode of transfer- universal gifts- onerous gifts and *donatio mortis causa*- actionable claims- easements- definition- modes of acquisition of easement- easement by necessity- quasi easement- easement by prescription- termination of easements

### **Prescribed Books**

- Mulla Transfer of property Act, 1882

### **Reference Books**

- SubbaRao,                      Transfer of Property
- Thripathi,                      Transfer of property Act
- Shah,                              Principles of Law of Property
- Shukla,                              Transfer of Property Act



## **FL – 13            CIVIL PROCEDURE CODE AND LIMITATION ACT**

OBJECT- One of the most important aspects of learning law is learning the procedure and skills required to perform as a successful lawyer. Every lawyer, no matter what the field he or she chooses, needs to develop the basic skills for conducting litigations, mediations, negotiations and drafting skills. The Civil Procedure Code offers the rules of procedure in cases of civil disputes and also provides the basic lawyering skills

Unit- 1 : Suits in General- Civil Courts- Jurisdiction of Civil Courts- Suits of Civil Nature- *Res subjudice*- *Res Judicata*- Constructive *res judicata*- parties to the suit- Non joinder- mis joinder- proper parties and necessary parties- legal representatives- representative suits

Unit- 2 - Place of suing- objections- Institutions of suits – pleadings in general- Plaint and written statements- Amendment of pleadings- counter claim- set-off- framing of issues - Summons- Modes of serving summons- Consequences of non- appearance- Ex parte procedure- Discovery and Inspection- Interrogatories – Admissions- Production and impounding of documents- Rejection and return of documents – affidavit - cost

Unit – 3 Interim orders- Commissions - Receivers -their duties, powers and removal - Arrest before judgments- Attachment before judgments- Interest- - Inherent powers - Caveat- transfer of suits – Abatement of suits - withdrawal of suits- Special suits – suit by or against Government – Suit by or against minors and lunatics- Mortgage suits- Summary suits- Suits relating public trust and public nuisance – Suit by an indigent person- Inter pleader suits-

Unit- 4 Decree- judgement- order- Appeals- Appeals from original decree- preliminary decrees- second appeals- Appeals from orders- Appeal to Supreme courts- Stay of proceedings- Forms of appeals- Procedure of hearing of an appeals- Cross objections- powers and duties of appellate courts- Appeals by indigent persons - Reference – Revision- Review - Limitation Act- Nature- Object- Limitation of suits- Appeals and applications- Condonation- - Legal disability - Computations of the period of limitation - Acknowledgements and its effects- Effect of fraud or mistakes - acquisition of ownership by possession

Unit- 5 Execution- General Principles – Executing court- Application for execution- Questions to be determined by the executing court - Stay of execution- powers- Modes of execution- Precepts- Garnishee order- Delivery of property- Cross decrees and cross claims- Appointment of receiver- Arrest and detention- – civil imprisonment- Attachments- Sale of movables and

immovable property – Proclamation- setting aside of a sale

#### References

- Civil Procedure - C.K. Takwani
- Code of Civil Procedure – Mulla
- Commentaries on Code of Civil Procedure 1908 – Justice C.K. Thakker
- Commentaries on Code of Civil Procedure 1908 – Narayana Laxman Rao
- Bare Act – Code of civil procedure as amended
- Bare Act Limitation Act

## **FL – 14      LAW OF CRIMES: PAPER 2-CRIMINAL PROCEDURE CODE**

Objective: To teach the students the procedural implementation of the Indian Penal Code and other penal provisions.

**Unit 1.** Procedural law and justice- accusatorial and inquisitorial systems of prosecution- constitution, hierarchy, jurisdiction and powers of criminal courts-classification and functions of prosecutors – role of defence counsel- classification of offences- cognizable and non-cognizable, bailable and non-bailable, summons case and warrant cases, compoundable and non-compoundable cases.

**Unit 2.** Pre-trial procedure- initiation of criminal proceedings- duty of the public to give information and to assist the police and magistrate- steps to ensure accused's presence at the trial- arrest- rights of arrested person -proclamation and attachment- -production of documents- search and seizure. Investigation- FIR- case diary-Final report- cognizance of offences- transfer of cases- commitment and consolidation of cases- complaints to magistrate.

**Unit 3.** Trial procedures- inquiry and trial- concept of fair trial- bail- anticipatory bail- framing of charges –joinder of charges- trial of summons case and warrant cases- summary trial- trial before court of sessions- discharge – acquittal.

**Unit 4.** Disposal of cases without trial- withdrawal from prosecution- compounding of offences- - judgement- acquittal/conviction- protection against double jeopardy- appeal-revision- reference- transfer of criminal cases- execution, suspension and commutation of sentences.

**Unit 5.** Preventive and precautionary measures- dispersal of unlawful assemblies- removal of public nuisance – functions and powers of executive magistrates- security for keeping peace and good behaviour- habitual offenders and proceedings against them- maintenance of wife ,children and parents.

Reference-

- Ratanlal and Dhirajlai: the code of criminal procedure,1973
- K.N.Chandrasekharan Pillai(ed): R.V.Kelkar's Outline of Criminal Procedure.
- K.N.Chandrasekharan Pillai(ed): R.V.Kelkar's Lectures on Criminal Procedure.
- Code of Criminal Procedure,1973
- Indian Constitution.

## 6<sup>TH</sup> SEMESTER

FM –3 / FH-3

MALAYALAM - 3 / HINDI – 3

### F.P – 12 Political Science VI: SOCIETY, STATE AND POLITICAL PROCESSES IN KERALA

**Course Rationale:** The course seeks to give the students an insight into the Society and State structure of Kerala. It also provides a detailed analysis of the socio-political evolution political processes, structures & social movements in the state of Kerala and to equip the student's skills in analyzing key issues in Kerala politics and society.

#### **Module - I Genesis of Modern Kerala**

- i. Making of Modern Kerala- History of the State-Class and Caste Structure Colonialism, Capitalism and Social formation.
- ii. Role of Missionaries, Social Reform Movements and Reformers.
- iii. Nationalist Movement and Rise of Representative Institutions.

#### **Module – II Democratic Phase and Political Activism in Kerala**

- i. Aikya Kerala Movement, Abstention movement, Memorial Agitations.
- ii. Peasant and Communist Movements.
- iii. Political Parties and Coalition System, Factionalism and Voting Behaviour.
- iv. Grass Root Democracy-Decentralisation and People's Planning
- v. Poverty Alleviation-Kudumbasree and Self Help Group.

#### **Module – III Economy and State of Kerala**

- i. Economic Development: Pre-reform and Post-reform Periods.
- ii. Issues of Industrialization and Agricultural Backwardness, Problems of Land Reforms.
- iii. Kerala Model of Development: Concepts and Debate:- Dalit, Adivasi, Feminist and Environmental Critiques.
- iv. Neo-liberal Era and Socio-Political Crisis:- Migration, Crisis of Agriculture, Industrial Stagnation, Limitations of Land Reforms, Public Sphere and Civil Society.

#### **Module – IV Major Issues in Contemporary Kerala**

- i. Caste and Social Injustice- Dalits and Adivasis.
- ii. Communalism and Fundamentalism
- iii. Problems of Women and Transgenders.
- iv. Environmental Movements in Kerala.

## References

- A. K. Gopalan (1959): Kerala Past and Present, London: Lawrence and Wishart.
- A. R. Desai (2011): Social Background of Indian Nationalism, New Delhi: Popular Prakashan.
- A Sreedhara Menon (1987): Political History of Modern Kerala; Kottayam: DC Books.
- A Sreedhara Menon (2006): A Survey of Kerala History, Chennai: Viswanathan Publishers.
- C S Chandrika (2014) Keralathile Sthree Charithrangal, Sthree Munnetangal, Kottayam: D C Books.
- C.K Janu and M. Geethanandan. Adivasi Gramapanchayathum Swayambharanavum, Clan and Culture.
- D. Damodaran Namboodiri (1999): "Caste and Social Reformation Movements in Kerala", in P J Cherian ed., Perspectives on Kerala History, Trivandrum: KCHR.
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- E.. M. S Namboodirippadu (1984): Kerala Society and Politics –A historical survey. New Delhi: NBC.
- G. Gopakumar (1986): Regional Political Parties and State Politics, New Delhi, Deep and deep publishers.
- H D Malaviya (1958): Kerala A Report to the Nation, New Delhi: People's Pub. House.
- John P John (1983): Coalition Governments in Kerala, Institute for the Study of Public Policy and Management, Trivandrum.
- Jose Chander (1981): "Legislative process in Kerala", Trivandrum: KAPS.
- Joseph Tharamangalam ed., (2006) : Kerala: The Paradoxes of Public action and development, New Delhi, Orient Longman.
- K. K. Kochu (2013): Dalith Nerkazchakal, Raven Publications
- K. Raviraman ed., (2010): Development, Democracy and the State, Routledge
- K.N Ganesh (2003): Keralathinte Samoohika Prathissanthy, Centre for Social Studies
- K.N Panicker (2009): Colonialism, Culture and Resistance, OUP.
- M. Kunhaman (2002): Globalisation: A Subaltern Perspective, Center for Subaltern Studies.
- M.A Oommen (1971): "Land Reform and Socio- Economic Changes in Kerala".
- M.A. Oommen ed., (1999): Kerala Development Experiences vols. I & II, Institute of Social Sciences, New Delhi, Concept Publishing Company.
- M.R Biju (1997): Politics of Democracy and Decentralisation in India: A case study of Kerala, Delhi, Atlantic
- Mathew E.T ed., (2003): Dynamics of Migration in Kerala: Dimension, Differential and

Consequences, New Delhi, Orient Longman.

Nossiter J.R (1982): Communism in Kerala: A Study in Political Adaptation, New Delhi: Oxford University Press.

P F Gopakumar (2007): Keraleeya Navodhanam, Trivandrum: Chintha Pub.

P. F Gopa Kumar ed., (2016): Phases of Social Reforms in Kerala,

P. K. K Menon (1972): The History of Freedom Movement in Kerala, Government Press

P. Sanal Mohan (2015): Modernity of Slavery-Struggle against Caste Inequality in Colonial Kerala, New Delhi: OUP.

P.M Mammen (1981): Communism Vs Communalism; A study of socio –Religious Communities and Political Parties in Kerala-1892-1970, Minerva Pub.

Robin Jeffrey (1993): Politics, Women and Wellbeing, New Delhi, Oxford University Press.

T. P Kunhikannan (2013): Gadgil Reportum Kerala Vikasanavum, Kozhikode: Mathrubhoomi Books

T.H.P. Chentharassery (204): Ayyankali-Adhasthitharude Padathalavan, Trivandrum: Mythri Books.

T.M Joseph ed., (2009): Decentralised Governance and Development, Delhi: Deep and Deep.

Zachriach and E.T Mathew ed., (2006): Dynamics of Migration in Kerala: Dimensions, Differentials and Consequences, New Delhi: Orient Longman.

## **FL – 15      INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION**

### *Objective*

1. A student should be able to understand the inherent ambiguity of language and the need for interpretation.

2. A student should be able to critically evaluate the theories of interpretation and principles of legislation.

3. The course should equip the students to apply various canons of interpretation.

4. The student should be aware of alternative rules of interpretation.

5. The course should develop skills of legislative drafting.

### **Unit I**

Meaning of legislation- Statutes - Kinds, Parts of Statute -Meaning and Need of interpretation - Difference from construction Primary rules - Literal, Golden and Mischief rule.

### **Unit II**

Internal and external aids of construction -Use of *travaux preparatoires* - parliamentary discussion, parliamentary history, public opinion- Policies of construction - Beneficial construction, liberal construction, restrictive construction, construction to prevent abuse and evasion, equitable construction, *bonam partem*.

### **Unit III**

Construction of words and phrases - *eiusdem generis*, *noscitur a sociis*, *expressiouniusestexclusioalterius*, *reddendiosingulasingulis* -Interpretation of statutes on

the basis of nature - Penal, taxation laws, mandatory and directory laws, beneficial legislation, statutes conferring power- Special rules of interpretation of the Constitution.

#### **Unit IV**

Presumption of statutory construction- jurisdiction, ouster of jurisdiction- effects of statutes on Government- Presumption regarding retrospective operation of statutes- Presumption against what is inconvenient and unreasonable- presumption against unjust consequences or absurdity- Presumption of interpretation of impairing obligations or allowing advantages from one's own wrongs.

#### **Unit V**

Principles of Legislation- Utilitarian theory-Pain Pleasure theory- Principles of legislative drafting- Qualities of a good Draftsman. Alternative rules of interpretation.

#### **Professional Skill Development Activities ( PSDA)**

- Judgement and Statute analysis
- Judgement Writing
- Problem Solving
- Exercise of Drafting a Statute

#### **Suggested Readings**

- Maxwell : Interpretation of Statutes
- G P Singh : Interpretation of Statutes
- Vepa P Sarathy : Interpretation of Statutes
- M N Rao MITA Dhanda :N S Bindra's interpretation of Statutes



## **FL – 16 ADMINISTRATIVE LAW**

Objective :Teaching the students the administrative procedures adopted by the Government functionaries.

### **Unit-I: Introduction**

Evolution, Nature Scope and development of Administrative Law - Red light and Green light theories - Global Administrative Law- Rule of Law and Administrative Law- Separation of Powers and its Relevance- Parliamentary Sovereignty-Relationship between Constitutional Law and Administrative Law- Impact of Structural Adjustment Programmes - Classification of Administrative functions.

### **Unit II- Legislative Powers and Functions of Administration**

Meaning and scope of Delegated Legislation – Kinds and forms of Delegated Legislations - Constitutionality of Delegated Legislation – Discussion on Article 309 as a constitutionally enabled provision for delegated legislation- Control of Delegated legislation - Parliamentary Control and Judicial Control of Delegated Legislation - Doctrine of ultra vires- Excessive delegation- Administrative Instructions.

### **Unit-III: Administrative Discretion, Public Accountability and Government liability in Tort and Contract**

Administrative Discretion- Nature and scope- - Judicial control of administrative discretion –Fundamental Rights as a Limitation on Conferment of Discretionary powers- Judicial control and exercise of administrative discretion- Abuse of Discretion - Failure to Exercise Discretion – Wrong exercise of discretion – Unreasonableness- Doctrine of proportionality and its nuances Good governance- Right to Information and Right to Services as catalysts of good governance- Public Accountability- Mis-feasence in public office–Grant of state largess- Constitutionalization of Government Contracts- Judicial review of awarding of contracts, tenders etc. - Govt. Liability in Tort and Contract- Judicial Trend- Promissory Estoppel- Judicial trend.

### **Unit-IV: Judicial Functions of Administration**

Need for Devolution of Adjudicatory Authority on Administration – Doctrine of Fairness

and Fair play in action- Principles of Natural Justice - Rule against Bias - Audi Alteram Partem - Speaking Order- Legal representation- Exceptions and Exclusions- Discussion on Article 311 as an illustration of nuances of natural justice principles- Doctrine of Legitimate Expectation- procedural and substantive applications- - Domestic Enquiry- New Regulatory Agencies and judicial powers

### **Unit-V: Remedies against Administrative Excesses and Inactions**

Principles of Judicial Review of Administrative Action - Scope and limitations- Judicial Review of policies - Administrative Law centric discussion in Article 32, Article 226, Article 227 and Article 136 and also prerogative Writs and Condition precedents for invoking Writ Jurisdiction- Public Interest Litigation as a remedy against governance excess - compensation in writ proceedings- Private Law Remedies- Injunction, Declaration and Damages-Tribunal system- Central and State Administrative Tribunals- Constitution, Powers, Procedures- Privileges of Government in Legal Proceedings- Remedies against mal-administration - Ombudsman and Lokayukta- Anti- corruption Mechanisms – Central Vigilance Commission, Central Bureau of Investigation- Changing Terrain of Public Corporations- Parliamentary and Judicial Control.

**Suggested Readings** include the following:

1. I.P. Massey, *Administrative Law*, (9<sup>th</sup> edn., Eastern Book Company, 2017)
2. S.P. Sathe, *Administrative Law*, (7<sup>th</sup> edn., LexisNexis Butterworths, 2004)
3. C.K.Thakker & M.C.Thakker, *Lectures in Administrative Law*, (EBC, 2017)
4. Amitha Dhanda, *M.P. Jain & S.P.Jain's Principles of Administrative Law*, (LexisNexis Butterworths, 2017)
5. N.K. Jayakumar, *Administrative Law*, (Prentice Hall, 2005)
6. Christopher Forsyth & William Wade, *Administrative Law*, (OUP, 2014)
7. Paul Craig, *Administrative Law*, (Sweet & Maxwell, 2016)
8. Second Administrative Reforms Commission Report, 2006, <https://darpg.gov.in/arc-reports>

## **FL – 17      LAW OF EVIDENCE**

Objectives: Acquainting the students with the methods of adducing evidence and its relevance in the criminal justice system

### **Unit I**

History and development of law of evidence- salient features- definition- legal and logical relevancy- Relevancy and Admissibility- Best evidence rule- Fact, fact in issue and relevant fact- Kinds of evidence- Evidence and proof- Concepts- Constitutional protections and adducing of evidence- Relevancy of facts- *Res gestae* –common intention- identity and identification- Facts otherwise irrelevant- proof of right or custom- Circumstantial evidence- principles –Motive, preparation, conduct, occasion, cause, opportunity, conduct, state of mind, body, bodily feeling- similar facts. Facts delineating accidental occurrences and intentional acts.

### **Unit II**

Exclusion of hearsay evidence and exceptions- Admissions –Principles and applicability- Confessions- kinds of confessions, valid confession, principles, exceptions- Confession to Police and Police Custody – Recovery pursuant to authoring concealment - Applicability and evidentiary value- Co accused and approver- Declarations by persons who cannot be called into court as witnesses – Dying declaration – Relevance of judgements as evidence - General Principles- Exceptions to admissibility of judgements- Expert opinion-Judicial attitude towards expert testimonies- Areas where expert testimonies are reckoned – Opinion as to rights, custom, usages, tenets, relationships etc.

### **Unit III**

Character evidence- civil and criminal cases- principles, applicability, exceptions and evidentiary value- Character of parties, accused, third parties, witnesses- evidence of character of victims of sexual offences pertaining to previous sexual experience regarding issues of consent—Facts admitted need not be proved- Judicial notice - Rule against Hearsay Evidence- Oral and documentary evidence- Primary evidence and secondary evidence- kinds – rules regarding admissibility- Proof of execution of documents-

Attestation- Proof of Handwriting to prove execution – Exclusion of oral by documentary evidence- Kinds of documents- Ambiguity in documents- Presumption of documents- Cyber laws and evidence- Science, technology and admissibility of evidence – Appreciation of scientific evidence – Judicial Trend.

## **Unit IV**

Burden of proof- concept- Application at different levels- Standard of proof- General and special exceptions- Kinds of Presumptions – Presumption of law, fact and conclusive proof -Presumptions and burden of proof- - Presumption as to legitimacy of child and presumption as to matrimonial offences- dowry death – abetment to commit suicide by a married woman - Presumptions as to life and death - Presumptions as to absence of consent in rape – Presumption as to certain Offences - Estoppel- Scope, principle, kinds, applicability- Waiver and presumption.

## **Unit V**

Trial- Relevance of evidence taken before trial- competency and compellability of witnesses- Privileged communications- Categories, scope and exceptions- Examination of witnesses and various categories of examinations- Rules pertaining to various examinations-Corroborator and contradiction- Principles and mechanics- Hostile witnesses- Witness protection programme- Leading questions- Refreshing memory- Compulsion to answer questions- Improper admission or rejection of evidence- Judge's power to intervene in trial.

### **Suggested readings include the following**

1. *B M Prasad & Manish Mohan, Sir John Woodroffe and Syed Amir Ali's Law of Evidence* ( 4 Volumes), (Lexis Nexis Butterworths , 20<sup>th</sup> edn., 2017)
2. *Dr Shakil Ahmad Khan, Ratanlal and Dhirajlal's Law of Evidence*, (Lexis Nexis Butterworths 26<sup>th</sup> edn., 2017)
3. Abhinandan Malik, *V.P. Sarathi's, Law of Evidence*, (Eastern Book Company, 7<sup>th</sup> edn., 2017)
4. Dr. V.Krishnamachari, *Law of Evidence*, (7<sup>th</sup> edn., Gogia & Co., 2017)

5. Batuklal ,*The Law of Evidence*, (Central Law Agency, 21<sup>st</sup> edn., 2016)
6. Avtar Singh, *Principles of The Law of Evidence*, (CLP, 23<sup>rd</sup> edn., 2018)
7. [Justice U.L. Bhat](#), [Lectures on The Indian Evidence Act](#), (2016)
8. [Justice U.L. Bhat](#), [Relevancy, Proof and Evaluation of Evidence in Criminal Cases](#), (2013)
9. C.D. Field's *Commentary on Law of Evidence* (13th edn., 2013)
10. Law Commission, *198<sup>th</sup> Report on Witness Identity and Protection and Witness Protection Programme*, (2006)
11. Dr.Jaisingh P. Modi, *A Textbook of Medical jurisprudence and Toxicology*, (LexisNexis Butterworths, 25<sup>th</sup> edn., 2016)

**Objectives:**

- To acquaint the students with the concept of trade unions, procedural formalities involved in registration of trade unions, powers and functions related with
- To equip the student with the concept of industry, industrial dispute and workman and also regarding the resolution of industrial disputes, methods and agencies related to
- To provide to the student the concept of labour welfare, social security and social duty of the employers and benefits available

**LABOUR & INDUSTRIAL LAW I : TRADE UNION & INDUSTRIAL DISPUTE**

- Trade union freedom under Indian Constitution-ILO and its influence on Indian Labour Laws-History of Trade union movement in India-Objectives of trade union-meaning and definition of trade union-Collective bargaining
- Registration of trade unions-Powers and functions of registrar of trade union-cancellation of registration-civil and criminal immunities-trade union funds
- Concept of Industry-Industrial dispute-workman-meaning and definition
- Dispute resolution-Methods and agencies-powers and functions-Governmental control

- Strikes, lockouts, lay-off, retrenchment and closure, compensation-legal control-protected workman

**Suggested Reading:**

- Dr. Goswami, Labour and Industrial Law, Central Law Agency (latest edn.)
- P.L.Malik, Industrial Law, Eastern Book Company(latest edn.)
- O.P. Malhotra, Law of Industrial Disputes
- Indian Law Institute, Labour Law and Labour Relations
- K.D. Srivastava, Law Relating to Trade Unions and Unfair Labour Practices
- Report of National Commission on Labour, 1969

## 7<sup>TH</sup> SEMESTER

### F.P – 13 POLITICAL SCIENCE VIII–INTRODUCTION TO INTERNATIONAL RELATIONS

#### Module I

#### **International Relations – Meaning and significance**

International Politics and International Relations, Meaning and significance, Idealist, Realist approaches to the study of IR

#### Module II

#### **Theories in International Relations**

Systems Theory

Decision making theory

Game theory

Communication Theory

#### Module III

#### **Basic concepts in IR**

National power: Elements and limitations

National Interest and Ideology

Collective security

Balance of power

#### Module IV

#### **Relations among Nations**

Foreign Policy: Meaning, objectives and determinants

Diplomacy: Functions and limitations

Emergence of the Third World

#### **References:**

Kelleher & Klein (2009): Global Perspectives: A Handbook for Understanding Global Issues, New Delhi, Longman.

Art & Jervis (2009): International Politics: Enduring Concepts and Contemporary Issues, New Delhi Longman.

Bull, H and Watson, A (eds.) (1984): The Expansion of International Society Oxford Clarendon Press, London (1995): The Anarchical Society a study of order in world politics, London Maxmillar.

Chris Brown & Kristen Ainely (2004): Understanding International Relations, New York Palgrave Macmillan.



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E.H. Carr (2004): International Relations between the Two World Wars 1919- 1939, New York Palgrave Macmillan,

Joshua Goldstein & Pevehouse (2009): Principles of International Relations, New Delhi, Longman.

Keohane R.O. (1989) International Institution and State Power. Essay in IR Theory New Delhi Boulder.

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Scott Burchill (ed) (2005): Theories of International Relations (2e) New York, Palgrave.

Morgenthau, Politics Among Nations, New Delhi, Sterling Publishers Pvt. Ltd.

Nye, JS, Jr. (1988): New Realism and Neo Liberalism, New Delhi, World Politics 2: 235 - 51

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R. Jackson and G. Sorensen (2007): Introduction to International Relations: Theories and Approaches, 3rd Edition, Oxford University Press.

S. Joshua. Goldstein and J. Pevehouse (2007): International Relations, New York: Pearson Longman.

Said & Lerche (1995): Concepts of International Politics in Global Perspective, New Delhi, Longman.

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Stubbs, R & Underhills GRD (eds)(1994): Political Economy and The Changing Global order, London Macmillan.

Tapan Biswal (2009): International Relations, NewDelhi Macmillan Publishers India Ltd.

Viotti & Kauppi (2009): International Relations Theory, NewDelhi,Longman,

Wallerstene, Emmanuel (1974): The Modern World System New York Academic Press.

Weight Martiu (1991): International Theory: The Three Traditional, New York Leicester Press.

## **FL – 19      LABOUR & INDUSTRIAL LAW II: SOCIAL SECURITIES LAW**

Objectives:Making the students aware of the specific labour legislations dealing with social security schemes

- Concept of social security, social insurance and social assistance- Compensation to workman against Industrial accidents and injuries- Employer's liability-nature and extent-Notional extension of time and place of employment-Powers of Employees' Compensation Commissioner
- Administration of ESI Scheme-benefits-ESI Corporation- Standing Committees-Medical Benefit Council-ESI Fund-Liability of employer
- Concept of wages-Responsibility for payment of wages-Fixation of wage periods-deduction and fines-Authorities and adjudication of claims-Fixation and revision of minimum wages-Powers of appropriate govt. advisory committee and Board-Payment of

minimum wages

- Approval, Licensing and Registration of factories-Health, safety and welfare of workers-working hours-Employment of women and Young Persons-Authorities and their powers-Maternity and Paternity benefits
- Bonus-meaning-Eligibility for bonus- Calculation of bonus-full bench formula-Forfeiture of bonus-Gratuity-meaning-Concept of deferred wages-Eligibility for gratuity-Determination and Forfeiture of gratuity-Employees Provident Fund Scheme-basic features-Industrial Employment Standing Orders

**Suggested Reading:**

- S.C. Srivastava, Treatise on Social Security and Labour Laws,
- Victor George, Social Security and Society
- Harry Calvert, Social Security Law
- Dr. Goswami, Labour and Industrial Law, Central Law Agency (latest edn)
- R.N. Choudhary, Commentary on the Workmen's Compensation Act, 1923, Orient Publishing Co.(latest edn.)
- R.G. Chaturved, Law of Employees Provident Funds, Bharat Law House
- K.D. Srivastava, The Payment of Bonus Act,1965, Eastern Book Co.(latest edn.)

## FL – 20      COMPANY LAW

### **Objectives:**

- To acquaint the students with the provisions of Companies Act,2013 and the intricacies related with
- Company-body corporate-shift from regulation to governance-types of companies-corporate personality-limited liability-lifting the corporate veil-registration and incorporation-procedures-promoters-Memorandum of Association-Articles of Association-Constructive Notice and Doctrine of Indoor Management-Corporate Social Responsibility
- Prospectus-misrepresentation and remedies-criminal responsibility-raising of capital-shares-types of shares-allotment of shares-calls on shares-share capital-preference share capital-equity share capital-alteration and reduction of share capital-buyback of shares-initial public offering-further issue of shares-member-shareholder distinction-dematerialisation of shares
- Borrowing-meaning-powers of Board of Directors-restrictions-*ultravires* borrowing-consequences-mortgages and charge loans-investments-

debentures-kinds of debentures

- Corporate governance-appointment of directors-position of directors-rights, duties and liabilities-meetings-minutes of meetings-accounts and audit-inspection and investigation- limitations-preventing oppression and mismanagement-corporate fraud-amalgamation-takeover-reorganization-powers and functions of National Company Law Tribunal and National Company Law Appellate Tribunal
- Winding up of companies-types-grounds-procedure-powers of liquidators-consequences of winding up-liability of member removal from register

**Suggested Reading:**

- Companies Act 2013
- Palmer, Palmer's Company Law
- L.C.B. Gower, Principles of Modern Company Law
- Avtar Singh, Company Law
- Taxmann, Company Law and Practice
- Ramaiya, Guide to Companies Act
- Adrian Cadbury, Corporate Governance and Chairmanship, Oxford University Press

## **FL – 21      LOCAL SELF GOVERNMENT INCLUDING      PANCHAYATH ADMINISTRATION**

Objective: making the students aware of the grass root level of Government functioning and importance of public participation.

- Unit – I      Evolution of Panchayat Raj System in India –a historical perspective – Village Panchayats in ancient India – Gandhiji's ideas on village Panchayat as a unit of Self Government – Response of the Constituent Assembly towards the Gandhian ideas – The nature, Scope and Spirit of Art.40 of the Constitution, Development of Panchayat Raj institutions in the post constitution period – Experiments in democratic decentralization – Reports of Belwant Raj Mehta Committee, Ashok Mehta committee, G.V.K Rao Committee and L.M.Singhui committee, Emergence of Panchayat Raj as part of the constitutional System – 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendments – its implications and Consequential developments.
- Unit – II      The Kerala Panchayat Raj Act,1994 – The structure of Panchayat Raj institutions at various levels – their composition –standing committees – Election Process- office bearers- meeting of the various bodies – powers and functions of the various Panchayat Institutions – Financial Powers – Finance Commission – Tax Collection – Welfare Activities – governmental and judicial control over Panchayat Raj Institutions-
- Unit – 111      The Kerala Municipalities Act, 1994 – Structure of Panchayat Raj Institutions, - their composition – office bearers – meeting – Powers and functions – various standing committees – finance and taxation – welfare activities – Governmental and Judicial

## Control

Unit – 1V Ombudsman for Local Self Government Institutions – Term of office and conditions of service – Removal of ombudsman – staff of the ombudsman – Functions and powers – Investigation – Enquiry – Initiation of prosecution – disposal of complaints – constitution of Tribunal for Local Self Government – Powers and functions.

Unit-V Gram Nyayalayas- Critical Evaluation of GramNyayalaya Act,2008

## Reference Books

- Bailey, Cross on principles of Local Government law
- O.Hord Philips, Constitutional and Administrative Laws Chapter (28)
- Decentralization power politics in India, A.K.Mannjumdar
- Ratna Ghosh, Panchayat System in India : Historical and constitutional perspective.
- R.P.Joshi, constitutionlaization of Panchayat Raj
- B.S.Khanna, New Panchayat Raj System
- The Kerala Panchayat Raj Act,1994
- The Kerala Municipality Act,1994

## **FL – 22      BANKING LAW**

Objectives: the syllabus focuses on the basic elements of banking and the various negotiable instruments.

1. Definition of Banking—Functions of Bank—Multifunctional banks—Core banking—Merchant banking—Investment banking—Scheduled banks—Co-operative banks—Agricultural bank—E-banking—Letter of credit—Banker and customer: General relationship between banker and customer—Special relationship—Banker's lien—Business aspects of banking: Opening of new account, kinds of accounts; current account, savings account, deposit account, joint account, accounts of special customers.(Minor, partnership, company, trust, married women etc.) Payments of customer's cheque—Protection of paying and collecting banker—Garnishee order.

2. Central Banking—Functions of Central Banks—Banker to Government—Credit card monetary policy—Banker's Bank—Reserve Bank—Functions—Supervision over commercial Banks—Control over non-banking financial institutions—Licensing—Permitted functions—Control over management—Account and audit of Banks—Amalgamation, Liquidation and reconstruction of Banks—Bank Nationalization—Government control over banks.

3. Lending by Banks—Principles of good lending—Security for loans—Contractual security—Immovable property and intangible property as security—Recovery of Debts—Constitutional principles—Limitation Act—Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act—Debt Recovery Tribunal.

4. Definition of Negotiable instrument—Essential features of negotiable instruments, difference between negotiability and assign ability, Promissory note—Bill of exchange, cheque and other analogous instruments(Bankers draft, travellers



cheque, dividend warrant). Cheque: Kinds of cheques—Crossing of cheques, endorsements and its kinds—Holder and older in due course—Payment in due course—Marking of cheques—Presentment—Material alteration.

5. Negotiable Instruments—Liabilities of the parties to the negotiable instruments—Dishonor of Negotiable Instruments—Paying banker and statutory protection—Collecting banker and statutory protection—Noting and Protest—Discharge of Parties—Presumptions—Criminal Liability in dishonour of Cheque.

Suggested Reading:

Paget	: Law of Banking
Sheldon	: Practice and Law of Banking
Tannan	: Law of Banking
Avtar Singh	: Law of Negotiable Instruments

**FL – 23      COMPULSORY CLINICAL PAPER 1- DRAFTING,  
PLEADING AND CONVEYANCE**

**Drafting, Pleading and Conveyance**

Outline of the Course :(a) Drafting:- General principles of drafting and relevant substantive rules shall be taught

(b) Pleadings:-

(i) Civil: Plaint, written statement, interlocutory Application, Original petition, Affidavit, Execution petition, memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.

(ii) Criminal: Complaint, Criminal Miscellaneous petition, Bail Application, Memorandum of Appeal and Revision.

(iii) Conveyance: Sale, Mortgage Deed, lease Deed, Gift Deed, promissory Note, Power of Attorney, Will, Trust Deed

(iv) Drafting of writ petition and PIL petition.

The course will be taught class instructions and simulation exercise, preferably with assistance of practising lawyers/retired judges.

Examination and allocation of marks:

- 1 Each Student shall undertake 15 practical exercises in drafting of Pleadings carrying 45 marks (3 marks for each exercise).
- 2 Each student shall undertake 15 practical exercises in Conveyancing, which carries 45 marks (3 marks each).
- 3 The above-mentioned drafting of Pleadings and Conveyancing exercises shall be in the handwriting of the students on one side of the bond size papers. The papers shall be bound accompanied by a certificate signed by the course teacher and the principal to the effect that it is the bonafide work of the concerned candidate.

4 The cover shall indicate the name of the examination, subject, seat number, and the center code number.

5 There shall be a contents page.

At the end of the semester, the student shall appear for a viva voce, which shall carry 10 marks. Viva- to be conducted by the Principal and the course teacher.

**1 Drafting:-** General principles of drafting and relevant substantive rules.

**2. Pleadings:**

a. Pleadings in General

b. Object of pleadings

c. Fundamental Rules of Pleadings

A. Civil :

1. Complaint
2. Written Statement
3. Interlocutory Application
4. Original Petition
5. Affidavit
6. Execution Petition
7. Memorandum of Appeal
8. Memorandum of Revision

B. Petition under

1. Article 226 and
2. Article 32 of the Constitution of India.

C. Criminal :

1. Complaints
2. Criminal Miscellaneous petition ,
3. Bail Application and
4. Memorandum of Appeal and Revision.

D. Forms of Pleadings: Practical exercise on the following topics:

1. Suit for recovery under Order XXXVII of the Code of Civil Procedure 1908
2. Suit for Permanent Injunction
3. Application for Temporary Injunction Under Order 39 Rules 1 and 2 of the Code of Civil Procedure, 1908
4. Application under Order 39, rule 2-A of the Code of Civil Procedure, 1908

5. Suit for Ejectment and Damages for Wrongful Use and Occupation.
6. Petition for Restitution of Conjugal Rights under S. 9 of the Hindu Marriage Act, 1955
7. Petition for Judicial Separation under S. 10 of the Hindu Marriage Act, 1955
8. Petition for Dissolution of Marriage by Decree of Divorce under S. 13 of the Hindu Marriage Act, 1955
9. Petition for Dissolution of Marriage by Decree of Divorce under S. 13B(1) of the Hindu Marriage Act, 1955
10. Petition for Grant of Probate in High Court
11. Petition for Grant of Letters of Administration
12. Contempt Petition under Ss. 11 and 12 of the Contempt of Courts Act, 1971 before the High Court
13. Writ Petition under Article 226 of Constitution of India
14. Caveat under s. 148-A of the Code of Civil Procedure, 1908
15. Special Leave Petition (Civil) under Article 136 of the Constitution of India
16. Counter Affidavit in Special Leave Petition (Civil)
18. Application for Bail
19. Application for Grant of Anticipatory Bail
20. Complaint under Section 138 of the Negotiable Instruments Act, 1881
21. Application U/S. 125 of the Code of Criminal Procedure, 1973
22. Special Leave Petition (Criminal) under Article 136 of the Constitution of India
25. Complaint under Section 12 of the Consumer Protection Act, 1986
26. Written Statement to the Complaint under the Consumer Protection Act, 1986

### **3. Conveyancing:**

- A. Conveyancing in General
  - Object of Conveyancing
  - Component parts of a deed
- B. Forms of deeds and notices: practical exercise on the following topics:

(any fifteen)

1. Agreement
2. Exchange
3. Sale Deed
4. Mortgage Deeds
5. Lease Deed,
6. Gift Deed
7. Promissory Note
8. Receipt
9. Licence
10. Power of Attorney- General and Special Power of Attorney
11. Will.
12. Relinquishment Deed
- 13 Partnership Deed
- 14 Deed of Dissolution of Partnership
- 15 Hire-Purchase Agreement
16. Settlement Deed
17. Notice
19. Partition
20. Rectification deed
21. Trust.

#### **4. Viva-Voce examination**

Viva voce examination will test the understanding of legal practice in relation to Drafting,

Pleading and Conveyancing.

Students shall keep a record for the practical work done by hem

#### **Prescribed Legislation:**

The Code of Civil Procedure, 1908,  
CrPC 1976

#### **Prescribed Book:**

1. M.C. Agarwal and G.C. Mogha, *Mogha's The Law of Pleadings in India*
2. J.M. Srivastava and G.C. Mogha, *Mogha's The Indian Conveyancer*
3. K.Mony and K.Usha Legal Drafting (2010)

#### **Recommended Books**

1. M.R. Mallick, Ganguly's, *Civil Court: Practice and Procedure*
2. C.R. Datta and M.N. Das, *De Souza's, Forms and Precedents of*

*Conveyancing*

3. N.S. Bindra, *Conveyancing*, Vol 1-5, Law Publisher, Allahabad

## **8<sup>TH</sup> SEMESTER**

### **F.P – 14 POLITICAL SCIENCE VIII: THEORIES AND PRINCIPLES OF PUBLIC ADMINISTRATION.**

**Course Rationale:** The course provides basic understanding of the discipline of public administration. The major importance is on administrative theory, including non-western developing country's perspectives. Another emphasis is on the classical theories of administration which endows with some practical knowledge which is a link to the public policy. The course explores some contemporary social values and how they call for greater democratization and how far it is restructuring the realm of public administration. The course will also attempt to provide the student some practical hands-on understanding on contemporary administration and policy concerns.

#### **Module I**

Public Administration: Meaning nature and scope

Private and Public Administration

Politics administration dichotomy

Theories of Administration: Scientific Management; Human Relations; Bureaucratic

theories.

### **Module II**

Bases of Organization; Principles of Organisation; Hierarchy, Span of Control, Unity of Command, Centralization and Decentralization

Chief Executive: Types and Functions.

Line, Staff and Auxiliary Agencies.

### **Module III**

Personnel Administration;

Bureaucracy and Civil Service: Recruitment, Training and Promotion of Conduct, Discipline and Morale.

Grievance Redressal Mechanism. Ombudsman, Lok Pal and Lok Ayukta.

Right to Information Act 2005.

Financial Administration: Budget; Principles and process

### **Module IV**

Recent trends in Public Administration;

New Public Administration,

Comparative Administration,

Development Administration.

Public Administration in the age of Globalization.

New Public Management and E - Governance.

### **Suggested Reading:**

A.R Tyagi (2002): Public Administration, New Delhi: Atmaram and Company

Avasti and Maheswari - Public Administration, New Delhi: Sterling Publishers Pvt. Ltd.

Bidyut Chakravarty and Mohit Bhattacharya, Advanced Public Administration, The World Press, Calcutta.

C.P. Bhambri, Public Administration, New Delhi: Sterling Publishers Pvt. Ltd.

Buck Cox & Morgan, Public Administration in Theory and Practice, Longman

Dresang and Huddleston (2009): Public Administration Workbook, Longman.

Kobrak (2002): Political Environment of Public Management, Longman.

L. D White (1998): Introduction to the study of Public Administration, Mac Millan, New York.

M.P. Sharma & B. L. Sadana (1999): Public Administration Theory and Practice, Kitab Mahal, Allahabad.

Rukmi Basu, Public Administration Concepts and Theories, New Delhi: Sterling Publishers Pvt. Ltd.

S.L Goel, Public Administration, New Delhi: Sterling Publishers Pvt. Ltd.

S.P Naidu (1998): Public Administration; Concepts and Theories, New Delhi: S. Chand & Company.

Russell Shafritz and Borick (2009): *Introducing Public Administration*, Longman.  
V.N. Viswanathan, *Comparative Public Administration*, New Delhi: Sterling Publishers Pvt. Ltd.

Watson (2002): *Public Administration: Cases in Managerial Role-Playing*, Longman

## **FL – 24      INTERNATIONAL HUMAN RIGHTS**

### **Course Objective-**

The course objective is to provide a solid grounding in the historical development of international human rights law and related institutions as well as the contemporary development. It also discusses the challenges in the system ,both regional and international.

### **Unit I**

Meaning –concept of human rights-Theoretical foundation of human rights-natural law and Natural Rights- Cultural relativism and Universal ground for Human rights .History and evolution of human rights-Ancient-Medieval and Modern-Generation of Human rights-civil and political, social-economic and cultural,-group rights

### **Unit II**

Evolution of Human rights through international documents-Magna Carta Petition of

Rights-Habeas Corpus Act- Bill of Rights- American Declaration- French Declaration- Russian Revolution- League of Nations and its role- UN Charter -UDHR, The two International Covenants –Specialised Agencies

### **Unit III**

Implementation, enforcement, remedies of international human rights law- the role of the International Court of Justice in the protection of human rights; human rights as obligations under the UN Charter – the principle of humanitarian intervention; • the General Assembly and the implementation of human rights standards: ECOSOC, the Commission on Human Rights, the Sub-commission on the Prevention of Discrimination and Protection of Minorities, Commission on Status of women- the UN High Commissioner on Human Rights; • the specificity of human rights agreements; International procedures for making human rights complaints within the UN system: • The Human Rights Committee – the individual complaint under the Optional Protocol to the ICCPR –Human Rights Council-Committee on Economic ,Social and Cultural Rights- Other treaty bodies and their procedures: the Committee against Torture, the Committee on the Elimination of Racial Discrimination, the Commission on the Status of Women, the Committee on the Rights of the Child. • the International Criminal Court- International NGOs and their role

### **Unit IV**

Regional Arrangements-European Convention on Human rights-The Inter-American Human rights System-African Human rights System-objectives ,parties involved, procedure ,implementation and methods of sanctions applied

### **Unit V**

Human Rights of the Vulnerable Group-Women –Declaration and Convention on the Elimination of Discrimination against Women- Children –The Declaration and the Convention on Rights of Children- Disabled/Aged -Indigenous-The Convention on the Rights of Persons with Disabilities and the optional Protocols-international standards and principles-United Nations Declaration on the Rights of Indigenous Peoples-Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities-Universal Declaration on Cultural Diversity



## References

- Jack Donnelly, [\*Universal Human Rights in Theory and Practice\*](#) (3<sup>rd</sup> Ed., 2013) i
- Olivier De Schutter, *International Human Rights Law: Cases, Materials, Commentary*,(2<sup>nd</sup> ed,2014)
- Rowan Cruft; S. Matthew Liao; Massimo Renzo, *Philosophical Foundation of Human Rights*(Oxford university Press,2015)
- Peter N. Stearns ,*Human rights in World History* (Routledge, 2012)
- Jack Donnelly,*International Human Rights*,(Westview Press,4<sup>th</sup> edition,2013)
- Universal declaration of Human Rights-Origins,drafting and Intent(University of pennsylvania Press,1999)
- Rhona Smith, *International Human Rights law*(8<sup>th</sup> Ed,2017)
- Alston and Steiner, *Human Rights in Context-Law, Politics and Morals*(Oxford University Press,2000)
- Alston and Goodman ,*International Human rights*,(Oxford university Press,2<sup>nd</sup> Ed,2013)
- Kathleen E.Mahoney and Paul Mahoney,Human Rights in the 21<sup>st</sup> Century(1993)
- P. Alston, (ed), *Non-State Actors and Human Rights*, (Oxford: Oxford University Press, 2005)
- R. K. M. Smith, *Textbook on International Human Rights*, 3rd ed., Oxford: OUP (2007)
- W. Kälin and J. Künzli, *The Law of International Human Rights Protection*, Oxford: OUP (2009)
- C. Krause and M. Scheinin, (eds), *International Protection of Human Rights: A Textbook*, (Turku: Abo Akademi Institute for Human Rights, 2009)
- Professor Rebecca Wallace (Author), Kenneth Dale-Risk (Editor) *International Human*

*Rights: Text & Materials,*( Sweet & Maxwell; 2nd edition , 2001)

## **FL – 25      PRINCIPLES OF TAXATION LAW**

Objective: The syllabus is designed to enable the students to have conceptual understanding of the provisions of both direct and indirect tax laws in India. It also equips them well with the procedures of tax collection, thereby inculcating the feeling of responsibility to contribute and protect national finance.

- Tax- Definition, Meaning- Canons of Taxation-Distinction between Tax and Fee- Tax and Cess- Tax and duty- Tax and toll and Tax and Surcharge-

Different kinds of Tax- Direct Tax and Indirect Tax- basic Features and distinction- Constitutional Basis of Taxation- Constitution (101st Amendment) Act, 2016-Distribution of taxing power between union and State- Fundamental Rights and Taxing powers- Inter Governmental Tax immunities. Finance Commission.

- Direct Tax regime-Income Tax Act- Mutual Relation between Income Tax Act with Finance Act- Definitions- Person ,Assessee, Previous Year, Assessment Year and Agricultural Income- Concept of Income- Basis of charge in Income Tax- scope of total income - Residential Status- Income which do not form part of total income.
- Heads of Income under Income Tax Act- Computation of Income under each head--Set Off and Carry Forward of Losses- Representative Assessee-Concept of Tax Planning- Tax Evasion- Tax Avoidance- double Taxation
- Advance payment of tax and Tax deducted at source-Assessment of Income Tax- Collection and recovery of Tax- Income Tax authorities-Settlement of Cases-Appeals and Revision-Penalties, Offences and prosecution.
- Indirect Tax regime-Goods and Service Tax( GST)-Concept of VAT- Input Tax- Output Tax- Origin and Evolution of GST- Framework of GST in India- CGST, SGST and Integrated GST-GST administration in India-GST Council- Functions and Challenges- GST Network- Objectives, structure, administration and functions-GST exemptions-levy and Collection of GST-registration, documentation- Filing of return-payment of tax- Offences and Penalties.

**Suggested Readings:**

- Vinod K Singhania & Kapil Singhania, Taxmann's Direct Taxes Law and

Practice, 2018.

- Dr.Girish Ahuja and Dr.Ravi Gupta, Systematic Approach to Taxation, Bharat 32<sup>nd</sup> Edition,2014-2015
- Bomi F Daruwala, Bharat's Handbook to Direct Taxes,27<sup>th</sup>edn , 2018.
- The Central Goods and Services Tax, 2017
- 4. The Constitution (One hundred and First Amendment) Act, 2016
- 5. R.K Jha and P.K. Singh, A Birds Eye view of GST, 1<sup>st</sup>edn, ( Asia Law House) Hyderabad, 2017.
- 6. V.S Datey, Taxmann's GST Law and Praticce with customs and FTP, 2017.
- 7. S. Gupta, GST- Law and Practice, Taxmanns Publications, New Delhi.
- 8. T.N. Manoharan and G.R. Hari, students Handbook on Taxation (includes Income Tax Law and Goods and Service Law), 2017.
- 9. Dr N K Gupta & Vineet Gupta, Goods and Service Tax (Law, practice and Procedures), Bharat Law House, 2<sup>nd</sup>edn, 2018.
- 10. The Budget Speech of the finance minister (2007-2008)-“VAT, CST and a Road Map towards GST”
- 11. The First Discussion Paper on Goods and Service Tax in India- The Empowered Committee of State Finance Ministers, New Delhi, dated 10.11.2009
- The comments of the Department of Revenue on the First Discussion Paper on Goods and Service Tax in India- The Empowered Committee of State Finance Ministers, New Delhi, dated 10.11.2009
- Thirteenth Finance Commission Report(2010-2015)
- The Report of the Task Force on Goods and Service Tax in India(13<sup>th</sup> Law Commission)
- The IT strategy for GST submitted by Empowered Group on IT

Infrastructure on GST headed by Shri Nandan Nilekani in 2010

- GST Council recommendations from time to time.

## **FL – 26      INSURANCE LAW**

Objective: The syllabus deals with mainly the different types of insurance and their essential features.

	<p>1. Nature and definition of insurance—powers—General principles of Insurance—interest—Indemnity—Subrogation</p> <p>2. Marine Insurance—Scope and nature—Insured perils—Implied terms—Indemnity.</p> <p>3. Life Insurance—Formation—Insurable interest—misrepresentation—Assignment</p> <p>4. Fire Insurance—Standard fire policy—Insurance and Liability Insurance—Public liability insurance.</p> <p>5. Motor insurance and Accident Insurance—Security Insurance—Sickness—Old age</p> <p>Suggested Reading:</p> <p>Hardy Ivamy : Law of Insurance</p> <p>B.N.Banerji : Law of Insurance</p> <p>M.N.Sreenivasan : Principles of Insurance</p> <p>Mishra M.N. : Insurance Law</p>
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**FL – 27 WOMEN AND CRIMINAL LAW**

This course takes an interdisciplinary approach to the study of Women and

Criminal law. The concept of gender justice and of neutrality and the need of reservation in some areas for the promotion of women. It elaborates upon the criminal law aspects and the protection it affords to women in different areas ranging from personal life to her career and work field and into her social life.

Objective

**To enable the students to critically analyze laws from a gender justice perspective and thereby further a deeper discussion on women's equality and women's rights and protection afforded under Indian Law drawing parallels from the International scenario.**

### **Unit I (Introduction- Concept of Woman & Gender Discrimination)**

What is meant by the term 'Woman', 'Gender' - notions of sex and gender - distinction between the biological and cultural concept of gender - deconstructing "man", "women", "other" - LGBT - Private sphere - public sphere dichotomy - understanding patriarchy. Distinction between gender justice and feminism. Historical & Current status of women - indicators of status - survival, female foeticide, control over property, working condition - unpaid work, possession over one's body and symbolic representations. Gender inequality index - position of India in comparison to other nations; Sustainable Development Goals and Women.

### **Unit II (Gender Justice & Feminist Jurisprudence)**

Schools of feminism - liberal feminism - radical feminism - Marxist Feminism Gender Justice in India: An overview - formal and substantive equality - sameness, correctionist and protectionist approach of state (emphasizing gender justice and judiciary). Personal laws vis-a-vis Gender Justice - disparity among religions - Review of the Prohibition of Child Marriage Act 2006 - Commission of Sati (Prevention) Act, 1987 - Khap Panchayat & Honour killing. Right to Reproductive Choices - Population Control and Reproductive Rights - MTP Act, 1971 - Comparing the Indian law with US & Inter-American position on abortion - Pre-conception and

Pre-natal Diagnostics Techniques (Prohibition of Sex Selection) Act, 1994.

### **Unit III - Women & Criminal Law Jurisprudence**

Protection for women in criminal law-the Jurisprudence of law making- CrPC- 125 -Dowry death – Development of rape law- bigamy- adultery- changes made according to criminal law Amendment Act, 2013 – Prisons Act – Immoral Traffic (Prevention) Act, 1956 – Indecent Representation of Women (Prohibition) Act, 1986.

### **Unit IV–Women and Criminal law – New Changes**

Justice Verma Commission Report 2013-Criminal Law Amendment Act 2013- New Offences-Stalking, voyeurism and other cyber-crimes. Domestic Violence Act , 2005- Scope , Role of protection officers , Reliefs under the Act. Law relating to Sexual harassment at Work place Act, 2013 – review of case laws.Review of cases and live cases.

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### **Unit V- Role of International and National agencies**

UDHR, ICCPR, ICSE, CEDAW, Beijing Declaration. Female Criminality- Sentencing policies – Comparative study- Role of NGO- Mother as the center of a family- Community Help -U.K, U.S.A. National Commission on women in India – Law Commission reports



## Suggested Reading

- Amita Dhanda, Archana Parashar (ed) **ENGENDERING LAW: ESSAYS IN HONOUR OF LOTIKA SARKAR** (1999). Eastern Book Depot.
- Ratna Kapur and Brenda Cossman, **SUBVERSIVE SITES: FEMINIST ENGAGEMENTS WITH LAW IN INDIA** (1996).
- **TOWARDS EQUALITY** Report of the Committee of Status in India Government of India (1974).
- Kalpana Kannabhiran (ed), **WOMEN AND LAW: CRITICAL FEMINIST PERSPECTIVES** (Sage Publications India 2014).
- Kamla Bhasin, **What is Patriarchy**, Kali/Women Unlimited (2004).
- Catharine A. MacKinnon, **Sex Equality under the Constitution of India: Problems, Prospects and Personal Laws**, available at <https://academic.oup.com/icon/article/4/2/181/722101>
- Usha Tandon (ed), **Gender Justice: A reality or fragile myth** (2015).
- **India Report under CEDAW 2011**.
- Sarla Gopalan, **TOWARDS EQUALITY – THE UNFINISHED AGENDA – STATUS OF WOMEN IN INDIA 2001**. National Commission for Women.
- Nivedita Menon, “The disappearing body and feminist thought” (2011) available at <https://criticalencounters.net/2011/02/19/the-disappearing-body-and-feminist-thought/>
- Usha Tandon and Sidharth Luthra, “Rape: Violation of the Chastity or Dignity of Woman? A Feminist Critique of Indian Law”, FICHL Policy Brief Series No. 51 (2016) available at <http://www.toaep.org/pbs-pdf/51-tandon-luthra>

- Sivaramayya B, Matrimonial Property Law in India
- Sathe, S.P., Towards Gender Justice
- G. Rajashekar Nair, Gender Justice and Criminal Justice System
- Mamata Rao, Women and Law
- Falvia Agnes, Law and Gender Inequality
- Lotika Sarkar, “Women’s Movement and the Legal Process” Occasional Paper 24, CWDS, Available at <http://www.cwds.ac.in/wpcontent/uploads/2016/09/WomensMovement.pdf>

## **PROFESSIONAL ACCOUNTING SYSTEM**

### **PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM**

#### **UNIT-I**

Advocates as professionals:

Introduction, Importance of legal profession, Lawyers's Role in Accelerating and facilitating the social change visualized by the Indian Constitution, Categories of Advocates, Restrictions imposed on Senior Advocates, Admission and enrolment of advocates, Professional opportunities, Women Lawyers, Opportunities and Handicaps Advocates' right to practise, to act and to plead - The right of pre-audience Advocates' duty to society, to render legal aid, to educate and to accept public office.

Restrictions on other employment and penalty for illegal practice Trial Advocacy- Important tools of successful advocacy- Study, preparation and presentation of case- Art of examination (chief, cross and re-examination), Arguments on facts and law- How to address the court. Appellate advocacy- Original side Advocates- Supreme Court Advocates-

Advocates on record- Mofussil Advocates- Retired Judges as Advocates.

#### **UNIT-II**

Professional ethics - Advocate and Client:

Acceptance of brief, withdrawal from engagement, advocate's role as potential witness- Duty of advocate to make full and frank disclosure to client- Breach of obligation to client- Advocate to act only on the instruction of the client- Contingent fee- Advocate's lien for fee- Share in claim or purchase of property sold in execution- Financial dealing between advocate and client- Prohibition on lending or borrowing money- Prohibition on changing of sides- Legal Profession and Strike.

#### **UNIT-III**

Bar-Bench relationship-Duty towards Court:

Duty to conduct himself with dignity and self-respect and not to commit contempt of court, Avoidance of illegal and improper means to influence decisions, Advocate not to be mere mouth piece of client- Dress code- Prohibition on

practising before relatives, Other duties, powers and obligations of Notary public.

Duty of advocates towards colleagues in the profession:

Bar council of India Rules governing professional conduct and etiquette, Soliciting and advertising, Professional services and name not to be used for unauthorised practice of law, Fees not less than fees taxable under the rules, Restriction on entering appearance without the consent of the advocate already engaged, Advocates not to demand fees for imparting training to juniors, Advocate's duty to opponent counsel, Advocates duty to report disqualification.

#### **UNIT-IV**

Law of contempt of court: Meaning, nature and categories of contempt of court, Constitutional validity of the Contempt of Court Act, 1972, Salient features of the Act, Contempt jurisdiction of Supreme Court, High Court and Subordinate Courts- Contempt by lawyers, judges and by State- Contempt procedure- Punishment for contempt- Defence open to contemnor and remedies against punishment.

#### **UNIT-V**

Accountancy for lawyers:

Need for maintenance of accounts- Books of accounts that need to be maintained- Cash Book, journal and ledger Elementary aspects of bookkeeping: Meaning, object, journal, double entry system, closing of accounts. The cash and bulk transaction: The Cash book, Journal proper especially with reference to client's accounts, Ledger, Trial balance and final accounts, Commercial mathematics.

Examination rules of the University shall include assessment through case-study, viva, and periodical problem solution besides the written tests. There shall be an internal written examination, based on the above syllabus, for a maximum of 60 marks, 20 marks for Project work or dissertation; 10 marks for presentation of case comment and viva voce examination for a maximum of 10 marks. The viva-voce shall be conducted by two senior law teachers.

***Prescribed Books:***

1. N. R. Madhava Menon, (ed,) - Clinical Legal Education(1998), Code of Ethics for

Advocates published in the Appendix-II and other relevant articles

2. Judgements of Supreme Court on professional ethics

3. Decisions of the Disciplinary committee of the Bar Council of India reports in the

Indian Bar Review

4. Dr. B. Malik, (Ed.) - Art of Lawyer (New Delhi, Universal Book Agency, 1999)-

Relevant articles

5. Contempt of Court Act, 1971

This course will be taught in association with practising lawyers on the basis of the following materials.

- Mr. Krishnamurthy Iyer,s book on ‘Advocacy’
- The Contempt Law and Practice
- The Bar Council Code of Ethics
- 50 selected opinion of the Disciplinary Committees of Bar Councils and 10 major judgments of the Supreme Court on the subject.
- Other reading materials as may be prescribed by the University

## 9<sup>TH</sup> SEMESTER

### FL – 29 PUBLIC INTERNATIONAL LAW

Public International Law is becoming more and more important in recent times. Globalisation has not only increased the *importance of international law* but also the complexity of *international legal issues*. The acceleration of global trade, growth of international communications ,the escalation of international armed conflict ,the deterioration of environment ,global war on terror and increased awareness about human rights necessitates the evolution of public international law to meet these challenges

#### **OBJECTIVE OF THE SYLLABUS:**

The Syllabus aims at providing thorough knowledge of various aspects of Public International Law .The students must be equipped to understand the law's function and effectiveness in addressing international challenges and threats .This will help the students in the area of academics and advocacy.

#### **MODULE-I**

Basic aspects of International Law—nature and basis of international law-Definition of International Law—sources of international law -Subjects of International Law—Relationship between Municipal Law and International Law.

#### **MODULE-II**

State-Different types of States-State as subject of international law: essentials of statehood- modes of acquisition and loss of state territory - state responsibility - Recognition, Concept of recognition, theories, kinds and consequences of recognition - state succession – Individual as a subject of International Law: Nationality-extradition – asylum - State jurisdiction - sovereign immunity – waiver of immunity-diplomatic privileges and immunities.

### **MODULE-III**

Law of the Sea-Historical background- Maritime Belt-Territorial Sea-The Contiguous Zone -Exclusive Economic Zone -Continental shelf -The High Seas -International Sea Bed Area-Law of the Sea Conventions-Piracy- Antarctica- Arctic Council Act –Air and Space Law-

### **MODULE-IV**

Concept of Treaty - Kinds of Treaties - Binding Force of Treaties – Pacta Sunt Servanda - Jus Cogens -Rebus Sic Stantibus - Parties of a Treaty - Formation of a Treaty – Reservations - Invalidity and Termination of Treaties – modification of treaties- Interpretation of treaties – international conventions

### **MODULE-V**

UNO—Principles and purposes of UNO, Security Council (Composition, Power & Function)—General Assembly(Composition -Power-Function)—Trusteeship Council (Composition-Power-Function)—ICJ (Composition, Types of Jurisdiction)—International Criminal Court. UN and Peace Enforcement Measures- Dispute Settlement Mechanism-Peaceful settlement of disputes-Arbitration—Negotiation—Mediation—Good Offices—Conciliation—Settlement under UNO. -Coercive Means—Retortion - Reprisals – Embargo - Pacific Blockade - Intervention.

### **References:**

- Malcolm Nathan Shaw, *International Law*, Cambridge University Press, 2003
- Tim Hillier, *Sourcebook on Public International Law*, Routledge, 1998
- Ian Brownlie, *Principles of Public International Law*, Oxford University Press, 2008

- Joseph Gabriel Starke, Ivan Anthony Shearer, *Starke's International Law*, Butterworths, 1994
- Lassa Oppenheim, Robert Jennings and Arthur Watts, *Oppenheim's International Law*, Oxford University Press, USA, 2008
- S K Kapoor, *International Law and Human Rights*, Central Law Agency, Allahabad, (14th Edn.- 2002)
- H.O. Agarwal, *International Law & Human Rights*, Central Law Publications, 2000
- Ian Brownlie, *Basic Documents in International Law*, Oxford University Press, 2008
- A K Ahuja, *Public International Law*, Lexis Nexis 2015
- Cameron Miles and Eirik Bjorge (eds.), *Landmark Cases in Public International Law*, Hart Publishing 2018
- D.J Harris, *Cases and Materials on International Law*



## FL – 30 INVESTMENT LAW (SECURITIES)

**Objectives:** Students should have general understanding of the Capital Markets and investment laws in India. They should be able to give a clarification as to any investment decisions posed before them. They should appreciate the broader economic objectives and purposefulness of the nature, forms and extent of regulation of the capital markets.

- Capital market-role, development and significance of capital market in national development-introduction to various components of capital market-primary market, secondary market, stock exchanges-regulation of capital market in India-Securities contract act 1956-SEBI Act and role of SEBI-Depositories Act 1996 (10 hrs)
- Meaning and concept of Securities-kinds of securities-government securities-securities issued by banks-securities issued by corporations-mutual funds-collective investment units-depository receipts-ADR,GDR,IDR-bonds issued by government and public institutions-treasury receipts-dematerialised securities-listing and de-listing of securities –external borrowing-IMF- World Bank-ADB (20)
- Securities issued by banks-bank notes-changing functions of bank from directing lending to modern system-merchant Banking-role and functions-corporate securities-shares ,debentures-control over corporate securities-central government, NCLT, SEBI ICDR regulations, RBI- Investor protection-administrative regulation, disclosure regulation ,and protection by criminal sanctions-SEBI guidelines(20)
- Collective investments- UTI-Mutual funds-Venture capital funds-Other collective investment units-Rating control-Regulating agencies-Depositories-SEBI guidelines on depositories –concept of foreign direct investment- role of RBI and FDI policy-insider trading-(15hrs)

- Security markets-stock exchanges-control by SEBI-control over corporate securities by stock exchanges-public issue of shares-IPO-control by SEBI (10hrs)

**References:**

- SEBI ACT 1992
- Securities Contract Act 1956
- Depositories Act,1996
- Gautam H. Parikh, Handbook of Indian Securities,
- Taxmans capital Market and Securities Law, 3<sup>rd</sup> ed.
- Vinod Kothari, Securitization: The financial instrument of the new millennium
- 2. Ross Cranston, Principles of Banking Law
- 3. Ford Law of Corporations
- 4. Gower, Principles of Company Law
- Guruswamy, *Capital Market*, Tata McGraw Education, 2009
- E Gordon & H Nataraj, *Capital Market in India*, Himalaya Publishing House, 2013
- *Deepening India's Capital Market: The Way Forward*, USAID, November 2007
- *The Consolidated FDI Policy Circular of 2014*, Ministry of Commerce & Industry Department of Industrial Policy & Promotion, Government of India
- *ICSID Convention – A Commentary*, C. Schreuer, 2nd Edition 2009
- Sanjeev Agarwal, *Guide to Indian Capital Market*, Bharat Law House, 2009
- Imaad A Moosa, *Foreign Direct Investment: Theory Evidence and Practice*, Palgrave MacMillan, 2010.
- Niti Bhasin, *FDI In India*, New Century Publication, 2008.

## **FL – 31 ENVIRONMENTAL LAW**

### **OBJECTIVES**

- To enable the students understand the core ideas and principles surrounding the subject of environment protection and conservation.
- To equip students with the latest and futuristic developments about international and national legal framework, policies and court practices concerning environment protection.
- To inculcate in pupils a spirit of environmental consciousness by constantly stressing the need to balance sustainable development with ecological conservation.
- To prepare students and equip them to identify, assess, analyze and research sound environmental policies by engaging them through classroom activities, workshops and seminars.
- To make the students competent in understanding the role of decentralization in environment protection by specifically imparting them the workings of state legislations.

### **Unit 1**

Environmental Protection – Need, Evolution, Relevance and Scope-Historical, Comparative and International Perspectives –U.S, U.K, Singapore State practices– International Initiatives, conventions, summits and its influence in evolving

Environmental Jurisprudence in India - Constitutional Perspectives regarding environmental protection in India – Right to development *vis a vis* Sustainable Development– Polluter Pays principle- Precautionary principle- Public Trust doctrine- Inter-generational Equity and Intra-generational equity.

## **Unit II**

Environment Pollution- types, causes –Environment Pollutant-Control of pollution under Environment Protection Act,1986, power of central government to improve environment- Statutory responsibilities of local self-government bodies in Pollution control including waste management with specific reference to chapter XX of Kerala Panchayat Raj Act, 1994 –Legal regulations of Environmental Pollution in India including water pollution, air pollution, noise pollution, marine pollution- nuclear wastes, hazardous substances- bio-medical wastes - Ground water control and regulation with special reference to Kerala Ground water Control and Regulation Act, 2002 -Pollution Control Boards – Powers, functions.

## **Unit III**

Forest, Wildlife, Conservation of Bio-diversity – Principles, mechanisms and conservation – Forest Rights of Forest Dwelling Scheduled Tribes and other Forest Dwellers – Recognition, Restoration and Vesting of Forest Rights and authorities under Forest Rights Act,(2006) - Climate change and relevant legal frameworks – Prevention of cruelty against animals- Other than the General Act, Kerala Captive Elephant(Management and maintenance), Rules,2003, Norms for transportation, acts of cruelty – Coastal Regulation Zone, Classification of CRZ's– Eco-marking - Ecologically Fragile Land – vesting, power to declare ecologically fragile lands, deemed to be reserved forests under Kerala Act,2003.

## **Unit IV**

Framing of environmental policies-Inter-relationship of Human Rights and Environment protection-Environment Impact Assessment, Methods and Models–Public participation, Consultative Process and Public Hearings– Sand Mining- Authorities, Powers and conditions for sand removal under the relevant Kerala Act, 2001 –Wet land Conservation- prohibition on reclamation of wetland under the relevant Kerala Act, 2008 -Emerging areas requiring attention –Green Energy - Environmental Advocacy - Global Warming- Environmental Displacement.

## Unit V

Remedies in environmental wrongs- Constitutional law remedies, common law remedies, civil remedies - criminal sanctions - Public Interest litigation – Judicial approach to environmental protection and Judicially evolved principles and mechanisms through pivotal case laws- National Green Tribunal – Jurisdiction, Powers and Proceedings of the Tribunal- Public Liability Insurance Act, 1991, Remedies - Instances of Mass tort liability- mechanisms and strategies – Class Action - Pre and post Bhopal gas disaster.

In this Course the students are expected to get acquainted with the following Statutes, Rules, Regulations and Notifications.

### STATUTES

Environment (Protection) Act 1986,  
Prevention of Cruelty against Animals Act, 1960,  
Water (Prevention and Control of Pollution) Act 1974,  
Air (Prevention and Control of Pollution) Act 1981,  
Wild Life (Protection) Act 1972,  
Indian Forest Act, 1927,  
Forest (Conservation) Act 1980 –  
Public Liability Insurance Act 1991,  
Biological Diversity Act 2002,  
National Green Tribunal Act, 2010,  
Kerala Panchayat Raj Act, 1994 (Chapter XX),  
Indian Penal Code (Relevant Provisions),  
Code of Criminal Procedure,  
1973 (Relevant Provisions),  
The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006  
Panchayat (Extension to Scheduled Areas) Act, 1996 (relevant portions),  
[The Kerala Forest \(Vesting and Management of Ecologically Fragile Lands\) Amendment Act, 2009](#),  
The Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001,  
The Kerala (Conservation of Paddy Land and Wetland) Act,  
2008( Relevant Provisions),  
The Kerala Ground water Control and Regulation Act, 2002.

The **Rules, Regulations and Notifications** (with Amendments till date) include

Noise Pollution (Regulation and Control) Rules, 2000, E-Waste (Management) Rules

2016, Bio-Medical Waste Management Rules 2016, Construction and Demolition Waste Management Rules 2016, Hazardous and Other Waste (Management and Trans-boundary Movement) Rules 2016, Manufacture, Storage and Import of Hazardous Chemicals Rules 1989, Coastal Regulation Zone Notification 2011, Environment Impact Assessment Notification 2006, Plastic Waste Management Rules 2016, **Municipal Solid Wastes (Management and Handling) Rules, 2000**, **Bio-medical Waste (Management and Handling) Rules, 1998**, The Kerala Captive Elephants (Management and Maintenance) Rules, 2003, The Kerala Forests (Vesting and Management of Ecologically Fragile Lands) Rules 2007, Atomic Energy (Safe Disposal of Radioactive Wastes) Rules, 1987.

.

## Suggested Readings

### BOOKS

1. Dr. P. Leelakrishnan, *Environmental Law in India*, (4<sup>th</sup>edn., LexisNexis, 2016)
2. Dr. P. Leelakrishnan, *Environmental Law Case Book* (2<sup>nd</sup>edn., LexisNexis, 2006)
2. Prof. S.C. Shastri, *Environmental Law*, (5<sup>th</sup>edn., EBC, 2015)
3. S. Shanthakumar, *Introduction to Environmental Law*, (LexisNexis Butterworths Wadhwa, 2<sup>nd</sup>edn., 2007)
4. [Rosencranz Armin](#) & [Divan Shyam](#), *Environmental Law and Policy in India: Cases, Material & Statutes* (2002)
5. S.R. Myneni, *Environmental Law*, (Asia Law House, 2017)
6. P.S. Jaiswal, *Environmental Law*, (ALA, 1<sup>st</sup> edn. 2016)
7. N.V. Paranjpe, *Environmental Law*, (CLA, 1<sup>st</sup> edn. 2016)
8. Dr. Furqan Ahmed, *Legal Regulation of Hazardous Substance* (2009)
9. [Rachel Carson](#), *Silent Spring*, (1962)
10. [Ian Cowan](#); [Josephine Norris](#), et al., (eds.), *Encyclopaedia of Environmental Law*, (Sweet & Maxwell, 2018)
11. Patricia Birnie, Alan Boyle, & Catherine Redgwell, *International Law and the Environment*, (2009)
12. [Louiz J. Katz](#), *Global Environmental Constitutionalism in the Anthropocene*, (Hart Publishing, 1<sup>st</sup> edn. 2016)
13. Ludwig Krämer & Emanuela Orlando, *Principles of Environmental Law*, (Edward Edgar Publishing, 2018)

### Articles

- Vivian O. Adler, "The Viability of Class Actions in Environmental Litigation", *Ecology Law Quarterly*, Vol. 2, Issue 3, (1972).
- Environmental advocacy: challenges to environmental groups right to assemble, associate and

express their opinions, vol 7, issue 1,(2016), International Center for Not for Profit Law.

- Ashish Kothari &Anuprita Patel, “Environment and Human Rights”,National Human Rights Commission, (2006).
- Agrawal, Reema, “ Environment Protection through Public Interest Litigation- A judicial Approach, International Journal of Applied Social Science, Vol 1, Issue 1,(2014).
- Francine M. Madden, “The growing Conflict between humans and wildlife”: Law and Policy as contributing and mitigating factors”,Journal of International Wildlife Law and Policy, (2009).
- Aditi Pandey, Ashish Oberoi, Aman Sharma, AvdeshBhardawaj, “Analysis of Human-Wildlife conflict Management”, vol 5, Engineering Sciences International Research Journal, (2017).
- Indias National Wildlife Action Plan 2017-2031, Ministry of Environment, forest anc Climate Change,(2017).
- Josef Leitmann, “Integrating the Environment in Urban Development: Singapore as a model of Good Practice, World Bank- working paper series, (2000).
- Edith Brown Weiss, “The evolution of International EnvironmentalLaw, Georgetown University Law Center, (2011).
- Edith Brown Weiss, “Climate Change, Intergenerational Equity, and International Law, Georgetown University Law Center, (2008).
- Edith Brown Weiss, “Intergenerational Equity: A Legal framework for global environmental change”, Environmental change and international law: new challenges and dimensions, United Nations University Press, (1992).

## **Journals**

### **1. Indian Journal of Environmental Law**

2. Environmental Law and Practice Review
3. Harward Environmental Law Review
4. Journal of Environmental Law, Oxford.
5. Stanford Environmental Law Journal-
6. Ecology Law Quarterly
7. New York University Environmental Law Journal
8. Hastings Environmental Law Journal

## **FL – 32 INFORMATION TECHNOLOGY LAW**

### **Objective**

In this age of globalization, it is important to learn about regulations on cyber issues. Technological developments are inevitable but an every development possess some hurdles, cybercrime is also increased. To control such crime IT, Act was introduced.

The objective of IT, Act is to provide legal recognition for transaction carried out by means of electronic data interchanged and other means of electronic communications. The main objective of the discipline is to equip the students with basic principles of IT Law. Being the emerging and developing, discipline the faculty must prepare the curriculum in each semester for the betterments of developing the legal education in the spear of Information Technology.

## **Unit-1**

Origin, Meaning and Scope Cyber law – classification of cybercrime-distinction between conventional and cybercrimes-cyber space –software licensing-shrink- wrap- internet protocol- source code-escrow-fundamentals of cyber space, internet and online resources –UNCITRAL- International approaches-net neutrality- Evolution of information technology act in India. – Salient features of Information technology Act, 2000.Information technology rules 2000

## **Unit-2**

Concepts and importance of Jurisdiction in cyber space - statutory – subject matter-internet jurisdiction- judicial, legislative, and administrative competence- Territorial and Extra territorial application- online contracts- e-commerce – e-contract – e-governance – taxation disputes-appellate jurisdiction- the right and power of authorities to administer justice- concurrent jurisdiction- appellate jurisdiction- jurisdictional review- residual jurisdiction-

## **Unit-3**

Digital/ electronic signature – standards- certifying authorities – submission- fee- cross certification- validity- suspension-renewal-issue and refusal- revocation- recognition of electronic document –access to confidential information- evidentiary value of electronic document – amendments in other legislations [Indian penal code, evidence Act, banker's book, RBI Act, etc.

## **Unit-4**

Cybercrimes and cyber security- reasons for cybercrime- cyber criminals- social problems and preventions- (Norton cybercrime report)- cellphone security-impact of cybercrime-types-(ransome ware- unauthorized access,theft, email bombing,salami attacks,virus,logicbombs,web jacking,emotional impact- cybercrime over youth- (friend ship,writing,cyber bullying, sexual soliciting)-information technology act – offences and penalties under the act, investigation – adjudication officer – controller – cyber applet tribunal – international regulations – jus cogens– enforcements and its failures -future trends

## **Unit-5**

Intellectual property aspects in cyber law – customary law and IP law- WIPO – rectification-GII initiative-ECMS- domain name and trade mark issues – copy right – patents – software piracy – database protection-sui generis extraction rights- security features and risk – cyber forensic tools – security policies- sui generis extraction right

### Suggested readings

- Information technology act 2000.



- Information technology rules 2000.
- Indian evidence act 1872.
- Indian penal code 1860.
- Banker's book.
- RBI act
- Farooq Ahamed, Cyber law in India- Pioneer books, New Delhi 110009
- Rahul Sharma, Information Technology law and practice universal Delhi.
- B.B Batra, Information Technology, Kalapr Publications Delhi.
- NandanKamanth - Guide to Information Technology Act, University LawPUB.CO.Delhi-33.
- P. Narayan - Intellectual Property Law, Eastern Law House, New Delhi.
- Roderick Broad Hurst and Peter Grabosky – Cybercrimes- The challenges in Asia
- Comish and Llewelyn – Intellectual Property: Patents copy right, trademark and allied rights.
- Stephen Saxby – encyclopedia of information technology law.
- Grahams Smith – internet law and regulation.
- Richard Morgan and Kit Burden – Morgan and Burden on computer contracts
- Laurent Garzanita and Mathew O'Regan – telecommunication broadcasting and internet.
- Major USAF Bonnie N. Adkins– the spectrum of cyber conflicts from hacking to information warfare
- Ernesto U Savona – Crime and Technology: New founders for regulation, Law Enforcement and Research.

**FL – 33            COMPULSORY CLINICAL PAPER 3-ALTERNATE DISPUTE  
RESOLUTION**

**ALTERNATIVE DISPUTE RESOLUTION SYSTEMS**

Outline of the course

- Negotiation skills to be learned with simulated program
  - (j) Conciliation skills
  - (k) Arbitration law and Practice including International arbitration and Arbitration rules.

The course is required to be conducted by senior legal practitioners through simulation and case studies. Evaluation may also be conducted in practical exercises at least for a significant part of evaluation.

## **UNIT-I**

General; Different methods of dispute resolution; Inquisitorial method; Adversarial method; Other methods- both formal and informal- like Arbitration, Conciliation, Negotiation, Mediation, etc.; Advantages and disadvantages of above methods; Need for ADRs; International commitments; Domestic needs; Suitability of ADRs to particular types of disputes; Civil Procedure Code and ADRs

## **UNIT-II**

Arbitration: Meaning of arbitration; Attributes of arbitration; General principles of arbitration; Different kinds of arbitration; Qualities and qualifications of an arbitrator; Arbitration agreement and its drafting; Appointment of arbitrator; Principal steps in arbitration; Arbitral award; Arbitration under Arbitration and Conciliation Act, 1996.

## **UNIT-III**

Conciliation: Meaning; Different kinds of conciliation- facilitative, evaluative, court-annexed, voluntary and compulsory; Qualities of a conciliator; Duties of a conciliator; Role of a conciliator; Stages of conciliation; Procedure; Conciliation under statutes- Industrial Disputes Act, 1947; Family Courts Act, 1984; Hindu Marriage Act, 1955; Arbitration and Conciliation Act, 1996.

## **UNIT-IV**

Negotiation: Meaning; Different styles of negotiation; Different approaches to negotiation; Phases of negotiation; Qualities of a negotiator; Power to negotiate.

## **UNIT-V**

Mediation: Meaning; Qualities of mediator; Role of mediator; Essential characteristics of the mediation process – voluntary, collaborative, controlled, confidential, informal, impartial & neutral, self-responsible; Different models of mediation; Code of conduct for mediators.

Scheme of Evaluation: There shall be an internal written examination, based on

the above syllabus, for a maximum of 60 marks, 20 marks for simulation exercises like Role play (Report of the Role play shall be submitted in writing), 10 marks for participation in Lok Adalat conducted by KELSA OR Legal clinic of the College and viva voce examination for a maximum of 10 marks. The viva-voce shall be conducted by two senior law teachers.

***Prescribed Books:***

1. Sridhar Madabhushi, *Alternative Dispute Resolution*, 2006, Lexis Nexis Butterworths,

New Delhi.

2. Rajan R.D., *A Primer on Alternative Dispute Resolution*, 2005, Barathi Law Publications, Tirunelveli.

***Reference Books:***

1. Sampath D.K., *Mediation*, National Law School, Bangalore.

2. Gold Neil, et.al., *Learning Lawyers Skills*, (Chapter-7)

3. Michael Noone, *Mediation*, (Chapters-1,2&3)

## **10<sup>TH</sup> SEMESTER**



## **FL – 35 PENOLOGY AND VICTIMOLOGY**

### **Objective of the Paper**

*Incorporation of this subject is essential for understanding the basics of substantive and procedural criminal law, background of imposing sentences, understanding the behaviour of the accused etc. Our aim is to well equip the students to confront with unique cases in their practising field.*

### **Unit I**

Criminology- Nature, scope and relevance- Schools of criminology- Social institutions and causation of crime- Different theories of causation.

### **Unit II**

Punishments- Objectives and theories- Recent approaches to punishments- Individualisation of punishments- Alternatives to punishments-Concept of remission and commutation- Sentencing- Principles, policies and procedures- Pre sentence hearing- Determinate and indeterminate sentencing- Role of Judiciary.

### **Unit III**

Administration of justice-Prison system- Historical perspective- Prison system in India and Kerala- Role of Central and state governments in correctional administration- Correctional institutions of men, women, juvenile and open prison.

### **Unit IV**

Correctional and rehabilitative techniques- Probation, parole- Aftercare services for adults and juvenile offenders- Juvenile in conflict with law and in need of care and protection- Duty of State to rehabilitate.

### **Unit V**

Victimology- concept and philosophy- Restorative justice- accused oriented/ victim/ witness oriented- Impact of victimisation- Rights of victims- Compensation to the victims/ witness/ dependants- rehabilitation of victims- State liability- Duty of the state to

maintain the dependants.

**Suggested Readings:**

- J L Gillian : Criminology and penology
- Sutherland and Cressey : The Principles of Criminology
- J P S Sirohi :Criminology and penology
- Prof. N V Paranjape :Criminology and penology
- M. Ponnaian :Criminology and penology

## **FL – 36 PRIVATE INTERNATIONAL LAW**

### *Objectives*

*Private international law is a national law with international objectives. In the modern world with the increasing interaction of individuals and institutions of different countries leads to conflict between different systems of law. The objective of this paper is to understand and explain different concepts in dealing with and solving dispute containing a foreign element.*

### **Unit I**

Nature, scope and general principles of private international law- Distinction between public and private international law. Theories of Private international law- Codification of Private international law- Hague Convention.

### **Unit II**

Classification of cause of action- Renvoi- Jurisdiction of courts-immunity enjoyed by the sovereign- Assumed jurisdiction- Proof of foreign law.-Exclusion of foreign law.

### **Unit III**

Domicile- kinds of domicile- General Principles of domicile- Presence, residence, domicile and nationality of corporations- Recognition and enforcement of Foreign Judgements- Arbitral Awards- Law of limitation- Stay of action.

### **Unit IV**

Principles of Private international law relating to contract, e contract, e- commerce, e-consumer, negotiable instruments, intellectual property, satellite communication, tort, movable and immovable property, insolvency, succession.

## Unit V

Principles of private international law relating to marriage, matrimonial causes, legitimacy and legitimation adoption, guardianship and custody of minors and children.

### Suggested readings

- Cheshire : Private international law
- K Sreekantan : Private international law
- Paras Diwan and Peeyushi Diwan :Private international law
- Morris J H C : Cases and materials on Private international Law
- Graveson RH : Conflict of Laws
- Dicey and Morris : Conflict of Laws
- Atul M Setalvad : Conflict of Laws
- V C Govind Raj : Conflict of laws , Cases and materials



## **FL – 37      IPR MANAGEMENT**

### Objectives

- To enhance the ability of law students to instill the concepts of Intellectual Property.
- To articulate the different Intellectual Property Rights and understand the intricacies of the IP laws.
- To equip the students in all aspects of IP lawyering

### Unit 1.

Concept of Intellectual property – its meaning and characteristics – different types of Intellectual property -Importance and need for legal protection-International instruments and institutions for protection of IP-an overview.

### Unit 2.

Patent –Concept and objectives-Patentable and non-patentable inventions-procedure for obtaining patent –Specifications- opposition to grant of patent- Register of patents

### Unit 3.

Rights and obligations of patentee-Limitation of patent Rights-Government use of Patent-Compulsory License -Revocation for non working – Transfer of patents. Surrender and revocation of patents- Infringement of patents- Offences and remedies-patent agent.

### Unit 4.

Copyright-Concept-Subject matter-ownership-registration-term-Rights: Economic, moral, performer's, broadcasting-Assignment-Infringement-Remedies- Offences and Penalties

## Unit 5.

Trademarks-Concepts-functions-different types-domain name-deceptive similarities  
disinctiveness-Goodwill-Registration-Infringement-Passing off-Remedies

### Reference

- 1.Elizabeth Verkey-*Intellectual Property law and Practice* EBC 2015 Edition:1<sup>st</sup> ; Lucknow
- 2.P.S.Narayana- *Intellectual Property Law in India* GLA-2017Edition:1<sup>st</sup> ; Hyderabad
- 3.B.L.Wadhera-*Law relating to Intellectual property* –ULP-2007 Edition: 4<sup>th</sup> ;New Delhi
- 4.William Cornish-*Intellectual Property* -Sweet and Maxwell-2003 Edition:5<sup>th</sup> ;London.

### Suggested Readings

- 1.Catherine Kirsty, *Modern Intellectual Property Law*
- 2.Craig Allen Nard, David W Barns and Michael Madison, *The Law of Intellectual Property*
- 3.David Brainbridge, *Intellectual Property*
- 4.Doris Estelle Antony ,A course book in International Intellectual Property
- 5.Narayanan.P, *Intellectual Property*.
- 6 Narayanan.P, *Patent Law*
7. Narayanan.P, *Law of Copyright and Industrial Designs*
- 8 Narayanan.P, *Trademarks and Passing off*
- 9 Peter G Growes, *Sourcebook and Intellectual Property*
- 10 W.R.Cornish, *Cases and Materials on Intellectual Property*
- 11 W.R.Cornish, *Intellectual Property:Patents,Copyrights,Trademarks & Allied Rights*
- 12Watal,Jayasree, *Intellectual Property Rights in the WTO and the Developing Countries*
- 13 Lionel Bentley and Brad Sherman –*Intellectual Property Law*

**FL – 38            COMPULSORY CLINICAL PAPER 4-MOOT COURT AND  
INTERNSHIP**

**Moot Court exercise and Internship**

This paper may have three components of 30 marks each and viva for 10 marks.

- Moot Court (30 marks) Every student may be required to do at least three moot court 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.

- 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.

- Interviewing techniques and Pre-trial preparations and Internship diary (30 marks)

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.

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

**FL – 39      VIVA – VOCE EXAMINATION**

**External Viva-voce Examination for 100 marks at the end of the 10<sup>th</sup> semester shall be conducted by a board appointed by the University. The Board shall consists of Law teachers, advocate and external expert. Candidates must bring records on clinical papers and internship.**