

PES
Modern Law College,
Ganeshkhind, Pune

Academic Year 2016 – 2017

Sr. No.	CBCS/Elective course	Name of the Programme	Name of the course
1	CBCS	Master in Laws (LLM)- I & II	Sem I- - Cluster I- paper 4- Introduction to International Law - Cluster II- paper 4- Principles of Corporate Law Sem II- - Cluster I- paper 8- International Institution - Cluster II- paper 8- Law of Contract- General Principles Sem III- - Cluster I- part 11- Private International Law - Cluster II- paper 11- Consumer Law Optional papers- - Criminology and Penology Sem IV- - Cluster I- paper 13- International Economic Law - Cluster II- paper 13- Banking and Negotiable Instrument Optional papers- - Media Laws




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Elective Courses 2016-17

- Sr. No. LLB I**
- 1 Trust, Equity and fiduciary relationships
 - 2 Criminology and penology
 - 3 Women and law, and the law relating to the child
 - 4 international economic law
- Sr. No. LLB II**
- 1 Comparative Law
 - 2 Law of Insurance
 - 3 Conflict of law
 - 4 Intellectual property Law
- Sr. No. LLB III**
- 1 cooperative law
 - 2 banking law
 - 3 taxation law
- Sr. No. BALLB III**
- 1 Criminology and penology
 - 2 Trust and Equity
- Sr. No. BALLB IV**
- 1 IPR
 - 2 Insurance law
 - 3 International Economic law
- Sr. No. BALLB V**
- 1 cooperative law
 - 2 banking law
 - 3 taxation law


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Academic Year 2017 – 2018

Sr. No.	CBCS/Elective course	Name of the Programme	Name of the course
1	CBCS	Master in Laws (LLM)- I & II	Sem I- - Cluster I- paper 4- Introduction to International Law - Cluster II- paper 4- Principles of Corporate Law Sem II- - Cluster I- paper 8- International Institution - Cluster II- paper 8- Law of Contract- General Principles Sem III- - Cluster I- part 11- Private International Law - Cluster II- paper 11- Consumer Law Optional papers- - Criminology and Penology Sem IV- - Cluster I- paper 13- International Economic Law - Cluster II- paper 13- Banking and Negotiable Instrument Optional papers- - Media Laws


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Elective Courses 2017-18

Sr. No. LLB I

- 1 Equity and Trust Law
- 2 Criminal Psychology and Criminal Sociology
- 3 Intellectual Property Rights I
- 4 Banking and Insurance Law
- 5 Penology and Victimology
- 6 Intellectual Property Rights II

Sr. No. LLB II

- 1 Intellectual Property Rights
- 2 Insurance law

Sr. No. LLB III

- 1 cooperative law
- 2 banking law
- 3 taxation law

Sr. No. BALLB III

- 1 Criminology and penology
- 2 Trust and Equity

Sr. No. BALLB IV

- 1 Intellectual Property Rights
- 2 Insurance law

Sr. No. BALLB V

- 1 cooperative law
- 2 banking law
- 3 taxation law

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Academic Year 2018 – 2019

Sr. No.	CBCS/Elective course	Name of the Programme	Name of the course
1	CBCS	Master in Laws (LLM)- I & II	Sem I- - Cluster I- paper 4- Introduction to International Law - Cluster II- paper 4- Principles of Corporate Law Sem II- - Cluster I- paper 8- International Institution - Cluster II- paper 8- Law of Contract- General Principles Sem III- - Cluster I- part 11- Private International Law - Cluster II- paper 11- Consumer Law Optional papers- - Criminology and Penology Sem IV- - Cluster I- paper 13- International Economic Law - Cluster II- paper 13- Banking and Negotiable Instrument Optional papers- - Media Laws

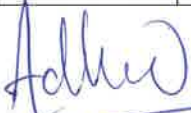

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Academic Year- 2018-19

Sr. No.	CBCS/ELECTIVE	Name of the Programme and Course
1	Elective	LLB I- Equity and Trust Law
2	Elective	LLB I- Criminal Psychology and Criminal psychology
3	Elective	LLB I- Intellectual Property Rights
4	Elective	LLB I- Banking and Insurance Law
5	Elective	LLB I- Penology and Victimology
6	Elective	LLB I- Intellectual Property Rights II
7	Elective	LLB II- Investment and Securities law
8	Elective	LLB II- Criminal Minor Acts
9	Elective	LLB II- Private International Law
10	Elective	LLB II- Competition Law
11	Elective	LLB II- Vulnerable and Disadvantaged Groups and Criminal law
12	Elective	LLB II- International Economic Law
13	Elective	LLB III- Cooperative law
14	Elective	LLB III- Banking Law
15	Elective	LLB III- Taxation Law
16	Elective	BALLB III- Criminology and penology
17	Elective	BALLB III- Trust and equity
18	Elective	BALLB IV- Intellectual Property Rights
19	Elective	BALLB IV- Insurance Law
20	Elective	BALLB V- Cooperative law
21	Elective	BALLB V- Banking law
22	Elective	BALLB V- Taxation Law


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Academic Year 2019 – 2020

Sr. No.	CBCS/Elective course	Name of the Programme	Name of the course
1	CBCS	Master in Laws (LLM)- I & II	Sem I- 1.Cluster I- paper 4- Introduction to International Law 2.Cluster II- paper 4- Principles of Corporate Law Sem II- 1.Cluster I- paper 8- International Institution 2.Cluster II- paper 8- Law of Contract- General Principles Sem III- 1.Cluster I- part 11- Private International Law 2.Cluster II- paper 11- Consumer Law Optional papers- 1. Criminology and Penology Sem IV- 1.Cluster I- paper 13- International Economic Law 2.Cluster II- paper 13- Banking and Negotiable Instrument Optional papers- 1.Media Laws



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Elective Courses 2019-20

- Sr. No. LLB I and BALLB III**
- 1 Equity and Trust Law
 - 2 Criminal Psychology and Criminal Sociology
 - 3 Intellectual Property Rights I
 - 4 Banking and Insurance Law
 - 5 Penology and Victimology
 - 6 Intellectual Property Rights II
- Sr. No. LLB II and BALLB IV**
- 1 Investment and Securities Law
 - 2 Criminal Minor Acts
 - 3 Private International Law
 - 4 Competition Law
 - 5 Vulnerable and Disadvantaged Groups and Criminal Law
 - 6 International Economic law
- Sr. No. LLB III**
- 1 Principles of Taxation Law
 - 2 Law of Forensic Science
 - 3 Land Laws I
 - 4 International Law on Air, Space and Sea
 - 5 Bankruptcy and Insolvency Law
 - 6 Comparative Criminal Justice System
 - 7 Land Laws II
 - 8 Humanitarian and Refugee Law
- Sr. No. BALLB V**
- 1 cooperative law
 - 2 banking law





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Academic Year 2020 – 2021

Sr. No.	CBCS/Elective course	Name of the Programme	Name of the course
1	CBCS	Master in Laws (LLM)- I & II	Sem I- 1.Cluster I- paper 4- Introduction to International Law 2.Cluster II- paper 4- Principles of Corporate Law Sem II- 1.Cluster I- paper 8- International Institution 2.Cluster II- paper 8- Law of Contract- General Principles Sem III- 1.Cluster I- part 11- Private International Law 2.Cluster II- paper 11- Consumer Law Optional papers- 1.Criminology and Penology Sem IV- 1.Cluster I- paper 13- International Economic Law 2.Cluster II- paper 13- Banking and Negotiable Instrument Optional papers- 1.Media Laws



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List of CBCS/ Elective courses 2020-21

Sr. No.	CBCS/Elective	Name of the programme and course
1	CBCS	Masters in Law (LLM)
2	Elective	LO 506 Equity and Trust Law
3	Elective	LO 507 Criminal Psychology and Criminal Sociology
4	Elective	LO 509 Intellectual Property Rights I
5	Elective	LO 606- Banking and Insurance Law
6	Elective	LO 607 Penology and Victimology
7	Elective	LO 609 Intellectual property Rights II
8	Elective	LO 706 Investment and Securities Law
9	Elective	LO 707 Criminal Minor Acts
10	Elective	LO 709- Private international Law
11	Elective	LO 807 Vulnerable and Disadvantaged Groups and Criminal Law
12	Elective	LO 809 International Economic Law
13	Elective	LO 907- Law of Forensic Science
14	Elective	LO 908 Land laws I
15	Elective	LO 909- International Law on Air, Space and Sea
16	Elective	LO 106 Bankruptcy and Insolvency Law
17	Elective	LO 1008- Land Laws II
18	Elective	LO 1009 Humanitarian and Refugee Law
19	Elective	Paper 37- banking laws
20	Elective	Paper 38- co-operative law



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शैक्षणिक वर्ष २०१०-११

अस्तित्वात असलेल्या महाविद्यालयात
नवीन अभ्यासक्रम / विषयांना मान्यता

महाराष्ट्र शासन

उच्च व तंत्र शिक्षण विभाग

शासन आदेश क्रमांक एनजीसी २०१०/(२२५/१०)/मशि-४

मंत्रालय विस्तार भवन, मुंबई ४०० ०३२

दिनांक : १४ जुलै २०१०

- पहा:- १) शासन निर्णय क्रमांक-एनजीसी २०१० / (७/१०) / मशि-४,
दि.१५.१.२०१०, व दि. ३.४.२०१० (Task Force)
२) शासन पत्र क्रमांक-एनजीसी २०१० / (७/१०) / मशि-४,
दि.१५.३.२०१०, (Task Force)
३) संचालक, उच्च शिक्षण यांचे पत्र क्र. अमवि २०१०/कोवि/ प्रस्ताव १०-११/
अ.क.ड. / मवि २-३ / १७४० दिनांक १९.६.२०१०

शासन आदेश

महाराष्ट्र विद्यापीठ अधिनियम, १९९४ मधील कलम ८२(४) नुसार राज्यातील विद्यापीठांनी शासनाकडे अस्तित्वात असलेल्या महाविद्यालयात नवीन अभ्यासक्रम / विषय मान्यतेसाठी प्रस्ताव सादर करावयाचे असतात, त्यानुसार शैक्षणिक वर्ष २०१०-११ साठी राज्यातील विद्यापीठांकडून प्राप्त झालेल्या प्रस्तावांची अनुक्रमे शासन निर्णय व शासन पत्र क्रमांक-एनजीसी २०१०/(७/१०) / मशि-४, दि. १५.१.२०१०, दि. ३.४.२०१० व दि. १५.३.२०१० अन्वये स्थापित कृतिसमितीद्वारे छाननी करण्यात आली. कृती समितीचे अभिप्राय / शिफारशी व विद्यापीठाच्या शिफारशी विचारात घेऊन महाराष्ट्र विद्यापीठ अधिनियम १९९४ मधील कलम ८२(५) व ८३(५) अन्वये शासनास प्राप्त अधिकारानुसार अस्तित्वात असलेल्या महाविद्यालयात पुढील विवरणात नमूद केल्यानुसार नवीन अभ्यासक्रम / विषयांना खालील अटी व शर्तीच्या अधिन राहून कायम विना अनुदान तत्वावर मंजूरी देण्यात येत आहे.

अ.क्र.	संस्थेचे / महाविद्यालयाचे नाव	मान्यता दिलेले नवीन अभ्यासक्रम/विषय
१.	२.	३.

मुंबई विद्यापीठ

१.	के. पी. बी. हिंदुजा वाणिज्य महाविद्यालय, ३१५, नवीन चर्नी रोड, मुंबई - ४०० ००४.	टी.वाय.बी. कॉम. (बिझनेस मॅनेजमेंट)
२.	श्रीमती कमलादेवी गौरीदत्त मित्तल कला आणि वाणिज्य महाविद्यालय, मालाड (प), मुंबई- ४०० ०६४.	एस. वाय. बी.कॉम. (कॉम्प्युटर प्रोग्रॅमिंग)
३.	दि गुल्शनक विद्यक सोयायटीचे, कला, वाणिज्य आणि विज्ञान महाविद्यालय, पंजाबी कॉलनी, जी. टी. बी. नगर, सायन, मुंबई - ४०० ०३७.	१. एस.वाय. बी.ए. (ट्रॅव्हल्स अँड टूरिझम) (एचसीक) २. टी.वाय. बी.एस्सी. (मॅथेमॅटिक्स) (६ युनिट)



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शासन आदेश क्रमांक एनजीसी २०१०/(२२५/१०)/मशि-४, दिनांक : १४ जुलै २०१०
(शैक्षणिक वर्ष २०१०-११- अस्तित्वात असलेल्या महाविद्यालयात नवीन अभ्यासक्रम / विषयांना मान्यता)

अ.क्र.	संस्थेचे / महाविद्यालयाचे नाव	मान्यता दिलेले नवीन अभ्यासक्रम/विषय
८८.	जे ए टी माहिला कॉलेज मालेगाव, मालेगाव	बी. एस्सी. कॉम्प्युटर सायन्स
८९.	कला वाणिज्य विज्ञान महाविद्यालय, लासलगाव	बी.एस्सी. - जिओग्राफी
९०.	क. का. वाघ कला, विज्ञान व वाणिज्य महाविद्यालय, मुंबई आगरा रोड लगत, पिंपळगांव ब. नाशिक	एम.एस्सी. - ऑर्गेनिक केमिस्ट्री
९१.	कला विज्ञान व वाणिज्य महाविद्यालय, मु.पो. सायखेडा. ता.निफाड, जि.नाशिक.	१. एम.ए. - इतिहास २. एम.ए. - मराठी ३. एम.कॉम. - बिझनेस अॅडमिनीस्ट्रेशन ४. एम.कॉम. - मॅनेजमेंट अकाउंटिंग ५. एम.कॉम. - स्टॅटिस्टिकल मॅनेजमेंट
९२.	कला, वाणिज्य व विद्या महाविद्यालय, कळवण, तालुका. कळवण, जिल्हा. नाशिक, कळवण, तालुका. कळवण, जिल्हा. नाशिक	बी. एस्सी. कॉम्प्युटर सायन्स
९३.	ताहाराबाद महाविद्यालय, कला व वाणिज्य महाविद्यालय ताहाराबाद.	बी.कॉम. - कारपोरेट अकाउंटिंग बी.कॉम. - बिझनेस रेग्युलॅटरी अँड फ्रेमवर्क
९४.	कर्मवीर गणपत दादा मोरे कला, वाणिज्य, विज्ञान महाविद्यालय, निफड जि. नाशिक.	१. एम.ए. - अर्थशास्त्र २. एम.कॉम. - बिझनेस अॅडमिनीस्ट्रेशन
९५.	के.टी.एच.एम महाविद्यालय, शिवाजीनगर, नाशिक.	एम.ए. - एम.ए.मानसशास्त्र
९६.	आरएनसी आर्ट्स जेडीबी कॉमर्स अँड एनएससी सायन्स महाविद्यालय, नाशिकरोड, नाशिक ४२२ १०१	१. बी.ए. - मानसशास्त्र २. एम.एस्सी. - ऑर्गेनिक केमिस्ट्री
९७.	एच पी टी आर्ट्स अँड आर वाय के सायन्स महाविद्यालय, प्राचार्य टी ए कुलकर्णी विद्या नगर, नाशिक	१. एम.ए. - भूगोल
९८.	कला वाणिज्य व विज्ञान महाविद्यालय नांदगाव, मालेगाव रोड ता नांदगाव	१. बी.ए. - उर्दू २. एम.ए. - इंग्रजी ३. एम.ए. - राज्यशास्त्र
९९.	आयएलएस विधी महाविद्यालय, चिपळूणकर रोड, पुणे	एल एल.एम. - मास्टर ऑफ लॉ
१००.	मॉडर्न कॉलेज, गणेश खिंड पुणे ५३	एल एल.एम. - मास्टर ऑफ लॉ
१०१.	डी.ई.एस. विधी महाविद्यालय, फर्युसन महाविद्यालय आवार, पुणे	एलएल.एम. - मास्टर ऑफ लॉ



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CLM

Savitribai Phule Pune University

LL.M. (2 year) Course Credit System

Applicable to all P.G. Courses of Law

(Affiliated to Savitribai Phule Pune University)

(2014-15)



[Signature]
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Internal Assessment as per Ordinance No. 134A & B.

6. While marks are given for all internal and external examinations for a maximum number of 50 each, they will be converted into grades by University. Semester end grade sheets will have only grades & final grade sheet and transcripts shall have grade points average and total percentage of marks. The final grade sheets will also indicate the P.G. Center to which the candidate belongs.
7. Internal marks remain unchanged and internal assessment cannot be repeated. If a student remain absent during internal assessment examination, he/she will have second chance with the permission of the competent authority. It will be under the discretion of the competent authority and internal departmental assessment committee. In case he/she wants to repeat Internal, he/she can do so only by registering for the said courses.

A. External Examination

1. External Examination for the 50% marks will be conducted by the Savitribai Phule Pune University.
2. The External examination programme will be scheduled as per the notifications and guidelines issued by the Examination section of Savitribai Phule Pune University.

B. Internal Examination:

Internal assessment for each course would be continuous and dates for each tutorials/practical tests etc. will be pre-notified in the time table for teaching or placed separately as a part of time table. The P. G. Department / College Internal Assessment Committee will coordinate this activity.

Internal Assessment:

1. It is a continuous evaluation process. The Internal marks will be evaluated on the basis of the following i.e. attendance, punctuality, practical skills, and oral skills etc.,
2. Assessment of internal work will be conducted before conducting External examination.
3. Longish Term Paper will be evaluated by the examiners the same college and the dissertation will be evaluated by one internal and one external examiner.



SEMESTER II

Number of credits for each paper	Internal Mark	External Marks	Total Marks
04	(50%)	(50%)	100

***Note: Out of 4 papers one paper will be on Practical Research Methodology which will carry 100 marks (No external examination for the same)**

Division of Internal Marks:

- a. The second semester consists of four papers out of which one paper will be Practical Research Methodology. Out of the remaining three papers, the student has to submit one Longish Term Paper on any of the subject of his/her choice and two Seminar papers for remaining two papers. The student not opting for LTP in a subject has to opt Seminar paper in that subject.

[Longish Term Paper – Total 15 marks]

(10 Marks for L.T. P. Project and 5 marks for viva voce of L.T. P)

OR

[Seminar Paper – Total 15 marks]

(10 marks for seminar paper submission and 5 marks for oral presentation on seminar topic)

- b. Tutorial – Maximum 5 tutorials in each subject and each tutorial carries 1 mark. (Total 5 marks)
- c. Assignment - Maximum 5 Assignments in each subject and each assignment carries 1 mark. (Total 5 marks)
- d. Group Discussion / An Open Book Test/ Library Research Work/ Extension Work (Total 5 marks)
- e. 2 Written Test in each subject (10 marks each and Total 20 marks)



SEMESTER IV

The fourth semester consists of four papers.

Note: Out of 4 papers two will be on Dissertation which will carry 200 marks (8 credits). Dissertation Project carries 150 marks and 50 marks for viva voce. The student has to carry the research work from 3rd semester onwards by selecting the topic and guide of the dissertation duly approved by the P.G. Departmental Committee. (No external examination for Dissertation)

Division of Internal Marks for remaining two papers:

Number of credits for each paper	Internal Marks	External Marks	Total Marks
04	(50%)	(50%)	100

- a. Tutorial – Maximum 5 tutorials in each subject and each tutorial carries 1 mark. (Total 5 marks)
- b. Assignment - Maximum 5 Assignments in each subject and each assignment carries 1 mark. (Total 5 marks)
- c. Group Discussion / Open Book Test/ Library Research Work/ Extension Work (Total 5 marks)
- d. 2 Written Test in each subject (10 marks each and Total 20 marks)
- e. Case study for the two subjects of the fourth semester. (10 marks for written submission and 5 marks for oral presentation on case study)

5. All the Internal Assessment written test papers/assignments duly checked will be issued to the students for perusal and return. A teacher may propose any other means towards Internal Assessment that may suit for a particular course and it only after the approval of the P. G. Departmental Committee of the College constituted by the Principal of the college.

6. If a student fails to gain the credits of any course (declared F grade in that course) then the student can reattempt the course with internal assessment (if the course is conducted in that semester) and External Examination both or with External Examination only (if one has scored 20 marks in Internal assessment) in the subsequent External Examination (max. two such attempts) within a period of 4 years from the date of admission for the first semester.



Final Grade:

(C)GPA	Grade
05.00-6.00	O
04.50-04.99	A
03.50-04.49	B
02.50-03.49	C
01.50-02.49	D
00.50-01.49	E
00.00-00.49	F

4.1 'B' Grade is equivalent to atleast 55% of the marks as per circular No. UGC-1298/[4619]UNI- 4 dated December 11, 1999.

4.2 If the (C)GPA is higher than the indicated upper limit in the three decimal digit, then higher final grade will be awarded (e.g. a student getting (C)GPA of 4.492 may be awarded 'A' grade).

4.3 There will be only final compilation and moderation at CGPA (Final) level. While declaring the result, the existing relevant ordinances are applicable. There is also a provision for verification and revaluation in case of verification, the existing rules will be applicable. The revaluation result will be adopted if there is a change of at least 10 % marks and in the grade of the course.

4.4 For grade improvement a student must reappear for External Examination for a minimum 20 credits. These courses will be from the parent Department (subject). A student can appear only once for the Grade Improvement Program only after the successful completion of PG Degree program and at the end of the next academic year after completion of the Degree and within two years of completion of the Degree.

4.5 The formula for (C) GPA will be based on Weighted Average. The final (C) GPA will not be printed unless a student earns minimum 64 credits.

The description for the grades is as follows:

O: Outstanding: Excellent analysis of the topic, (75% and above)

Accurate knowledge of the primary material, wide range of reading, logical development of ideas, originality in approaching the subject, Neat and systematic organization of content, elegant and lucid style;



V) Setting of Question Paper / Pattern of Question Paper

For core (compulsory) theory courses end-semester question papers will be set by the Savitribai Phule Pune University and centralized assessment for theory papers will be done as per the University instructions. Questions should be designed to test the conceptual knowledge and understanding of the basic concepts of the subject.

Duration of External Examination:

The Question paper pattern of the External Examination for a Paper shall be as follows: (This will not be applicable to those Papers for which there is no external examination)

Number of credits of a Paper	Internal Marks (50%)	External Marks (50%)	Total Marks	Duration For External Examination for 50 marks paper	Total Number of Questions	Total Questions to be Answered
04	50	50	100	3 hours	06	04

Note:

1. Each external question paper shall consist of total 6 questions and out of which 5 questions carry 12 marks each. The student has to answer any three questions from the choice of five questions. (Total $3 \times 12 = 36$ marks)
2. The Question No.6 is compulsory which consists of four short note of which any two has to be answered and carries 7 marks each (Total $2 \times 7 = 14$ marks).

7) Structure of Course

The Basic structure/pattern (Framework) of the postgraduate syllabus for the two year LL.M. course Credit system in the colleges affiliated to Savitribai Phule Pune University are given below.



Semester – IV			
Paper 13	Specialization Subject (as given below) Cluster I (International Law) – Paper 13-International Economic Law Cluster II (Business Law) – Paper 13- Banking and Negotiable instrument	Compulsory	04
Paper 14	Optional Paper to be chosen by the student*	Compulsory	04
	<i>(The students of both Clusters have to choose one paper from the options offered by the P.G. Department of the College or from any other Faculty (such as Arts, Commerce, and Management etc.) P. G. Departments of Affiliated Colleges of Savitribai Phule Pune University subject to condition that the optional paper chosen by the Student from other Faculties of P.G. Departments of Affiliated of Colleges should be relevant to the subject of their study and this can be done with the approval of College P.G. Departmental committee)</i>		
Paper 15 & Paper 16	Dissertation	Compulsory	08

***Note:** - For the Paper 12 & Paper 14, the students of both clusters can choose a paper from the below mentioned list of optional papers offered by the P. G. Department of college or can choose an optional paper from any other Department/college of any other faculty other than law i.e. relevant to the subject of their study with approval of P. G. Departmental committee of the college.

List of Optional Papers offered by P. G. Department of the college:-

(These Optional papers will be offered by the concerned P. G. Department of the college by considering the availability of the teacher having specialization of the subject.)

1. Introduction to Alternative Dispute Resolution
2. Introduction to Human Rights
3. Law of Insurance
4. Law and Medicine
5. Criminology and Penology
6. Mass Media Laws
7. Administrative Law
- ☒ 8. Criminal Law
9. Introduction to Intellectual Property Rights
10. Legal Theory and Feminist Jurisprudence II
11. Corporate Finance

12. Law in Science & Technology *



Semester-I
(Paper 1)

Compulsory Paper

Credits: 4

Introduction to Legal Theory

Objectives:

The course aims at developing and insight into the jur stic foundations of a legal system-an understanding of the law as it exists and functions in society. Furt er, this course gives a clear understanding about the nuances of law and its nature function. It gives a clear understanding about the impact of law on various other branches and its functioning and its relationship to ethics and justice.

Introduction

Meaning and concept of Jurisprudence

Relevance of Jurisprudence in the contemporary era

Meaning and definition of Law

Law and Morals, Value of Judgments

II Relevance of Natural Law: theoretical Perceptions

(a) The Origin and Significance of Natural Law

(b) Theoretical Perceptive of Natural Law

(C) ST Thomas Aquainas; Grotius; Hobbes; Locke; Rosseau

(D) German Transcendental Idealism-Immanuel Kant

(E) Revival of Natural Law-Stammler; Fuller: John. Finnis

(F) Semi-sociological Natural Law-H.L.A. Hart

(G) Liberty and Civil disobedience

III. Legal positivism:

(a) Austin's analytical theory of Law.

(b) Pure Theory of Law-Hans Kelson

IV. Post Modern Theories

(a) Hart's concept of Law

(b) Rawls theory of Justice

(c) Amartya Sen's theory of Justice

V Sociological Jurisprudence :

a) Prof. Pound-Social Engineering Theory.

b) Prof. Patterson.

c) Prof. Selznick.

VI American legal Realism:

a) Jerome Frank.

b) Karl Lewellyn.

c) Indian Judicial process & relevance to American legal realism.

Suggested Readings:

1. W. Friedmann – Legal Theory
2. Julius Stone – Social Dimension of Law & Justice.
3. C. K. Allen – Law In the Making.
4. Lloyd – Introduction to Jurisprudence.
5. Dias – Text on Jurisprudence.
6. H.L.A. Hart – Law, Liberty and Morality.
7. Lord Devlin – The Enforcement of moral.
8. Basi Mitchell – Law morality and religion in a secular society.



PAPER 2

Compulsory Paper

Credits: 4

Constitutional Law of India

Objectives :

According to keelson, constitution is the Grundnorm and all other norms flow from it constitution is the Supreme law of the land. Constitut being the fundamental law of any country, the objective of this paper is to introduce t fundamental concepts of the constitution of India and to make them aware some of the important aspects of the contemporary issues of the polity. This will enable the students to integrate the perspectives of the constitution in various other disciplines and bran hes that they study in their LL.M. programme.

1) Constitutional developments since 1858 – 1947

- Making of Indian constitution
- Debates of Constituent Assembly relating to drafting of constitution. - Constitutionalism
- Supremacy of constitution

2) Preamble – Reflection of constitution

- Significance of Preamble
- Source, aim and objective of Preamble.
- Amendments relating to preamble.

3) Fundamental rights and directive Principles

- Right to equality
- Equality and Social Justice
- Equality and rule of law
- Protective discrimination
- Special protection to SC/ST and backward classes, women

4) Freedoms and Social control

- Speech and expression
- Freedom of assembly, association, movement, to reside nd settle profession and business.
- Constraints on these freedoms

5) Personal Liberty

- a. Rights of an accused – double jeopardy – self- incrimination
- b. Right to life and personal liberty
- c. Due process of law
- d. Art 21 – ocean of rights.

6) Judiciary under the constitution.

- a. Judicial Process
- b. Separation of Powers
- c. Independence of Judiciary
- d. Judicial Activism
- e. Judicial Accountability

7) Jammu and Kashmir

- a. Special statutes under the constitution
- b. Legislative history of Art. 370.
- c. Special privileges of Permanent residents.
- d. Measures to combat terrorism in Jammu Kashmir



(Paper 3)

Compulsory Paper

Credits: 4

Legal Research Methodology

Objectives:

The main objective of this course is to acquaint the student of law with the scientific method of social science research. This course is expected to provide the knowledge of the technique of selection, collection and interpretation of primary and secondary data in socio-legal research. Emphasis would be laid on practical training in conducting research in this course.

I) Introduction

- a) Significance of Research
- b) Meaning and concept of research

II) Scientific Methods & Legal Research.

- a) The science of research and scientific methodology (Theory, facts, definition and concepts, variables etc. i.e. characteristics of scientific methodology)
- b) Socio-legal research and legal research models.
- c) Doctrinal and non-doctrinal research.
- d) What is a research problem? Formulation of research problem.

III) Research Design and its components :

- a) Hypothesis: Its role, definition, criteria of a workable hypothesis and its sources.
- b) Major steps of preparation of research design.

IV) Research tools:

- a) Observation, Interview, Questionnaire (Utility and limitations and methods of using these tools)

V) Research Techniques:

- a) Use of case studies and surveys.
- b) Sampling techniques:
 - i. Design of sample
 - ii. Its uses and advantages in research.
 - iii. Random sampling, simple random, stratified random, systematic random.
 - iv. Non-random sampling, haphazard, availability and purposive etc.
- c) Scaling Techniques – Types, utility, modus operandi (a) Elementary Statistics, design & stages in statistical investigation and interpretation and Preparing Diagrams & graphs.
- d) Content analysis.

VI) Data Processing:

- a) Data Collection, Data processing and analysis and interpretation of data.
- b) Socio-metrics and Jurimetrics.
- c) Inductions and deductions.

VII) Computerized research:

- a) A study of legal research programmes such as Lexis and west law coding.
- b) Online & offline sources and techniques of e-legal research

VIII) Report writing:

- a) Research report & techniques of writing research work.
- b) Citation rules and modes of legal writing.



Compulsory Paper

Credits 4

(Paper 4)

**Paper-4 of International Law for the International Law Cluster
Introduction to International Law**

**Paper-4 of the Business Law for Business Law cluster
Corporate Law**

For the Syllabi see the concerned Clusters



(Paper-6)

Compulsory Paper

Credits: 4

Comparative Constitutional Law

Objectives: A Constitution is being the supreme Law of the Land; it derives its directives from various aspects. Hence, it is obligatory on the part of a constituent assembly to refer the various customs and precedents that are in existence within an side the country. Hence an inquiry in the basic structural aspects and the differences that exist between the various constitutional perspectives need to be studies to give an understandi g of the significance of the dictums of a constitution. This being the prime aim of the paper, it introduces to the student the differences that exist in the basic structural patterns in the constitutional perspective in the world.

I. Introduction

- (a) The significance and importance of Study of Constituti n
- (b) Types of Constitutions
- (c) Forms of government-Parliamentary-Presidential-Monarchial forms

II Federalism – Comparative Study

- (a) Principles of federalism
- (b) Legal features of federalism.
- © Co-operative federalism
- (d) Transition from competitive federalism to co-operative federalism.
- (e) Distribution of legislative and financial power in a f deral system

III Judicial Review

- (a) Evolution and Concept of Judicial Review
- (b) Meaning of Judicial Review
- (c) Characteristics of Modern Constitutions and their impa t on Judicial Review
- (d) Constitutional growth in India under judicial Review and its impact

4. Impact of emergency under different constitutions

- (a) Express emergency provisions under constitutions
- (b) Justiciability of the proclamation of emergency.
- © Impact of Emergency on the rights

5. Parliamentary Privileges and judicial review

- (a) Parliamentary privileges-comparative study with different countries
- (b) Parliamentary privileges and anti-defection Law
- (c) Need for Legislation on Parliamentary privileges in India

6. Amenability of Constitution – a mendment under different constitutions

- Process of amendment
- Types of Amendment
- Judicial scrutiny of Amendments to the constitution.

Book suggested

1. Dr. Durga Das Basu – Comparative constitutional law , second edition Revised 2008 Wadhwa Nagpur.
2. Dr. Durga Das Basu – Comparative federalism, second edition revised 2008, Wadhwa Nagpur.
3. Dr. CD Jha's - Judicial review of Legislative Aots, second edition revised 2009 Lexis Nexis, butterworth, Wadhwa Nagpur.



(Paper-8)

Compulsory Paper

Credit 4

For International Law Cluster

International Institutions (Paper-8)

For Business Law Cluster

Law of Contract - General Principles (Paper-8)

For detail syllabus, please see the concerned cluster



- (d) Effectuation of Fundamental Duties
- (e) Concept of Gram Nayalas

Suggested Readings:

- Marc Glanter: Law and Society in Modern India, 1977
 - Indian Law Institute ; Law and Social Change
 - Ishwar Bhat: Land Social Transformation , 2009
 - University of Madras: Sarvodaya, 1972
 - Reports of the National Commission to Review the functioning of the Consitution Volu-II, Book-I 2002
 - Duncan Derret: The State, Religion and Law in India ,1999
 - Granville Austin: Working a Democratic Constitution: The Indian Experience, 2000
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(Paper-11)

Compulsory Paper

Credit 4

**For the International Law Cluster:
Private International Law (Paper-11)**

**For Business Law Cluster:
Consumer Law (Paper-11)**

For detail syllabus, please see the concerned cluster

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Semester-IV

(Paper-13)

Compulsory Paper

Credits: 4

In this semester the students will take one compulsory paper from their respective cluster..
International Law and Business Law (i.e. Paper-13 of the respective clusters).

Title of the paper for International Law Cluster : International Economic Laws

Title of the paper for the Business Law Cluster : Banking and Negotiable Instruments.

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(Paper-15 & 16)

Compulsory Paper

Credits : 8

Dissertation/Project work

A student of each branch is expected to submit a dissertation/project work in the respective branch in consultation with a guide allotted by the Department. The dissertation/project work should strictly adhere to the standard legal research pattern. Dissertation/project work should be hard bond not less than 100 pages and not exceeding 150 pag . The dissertation/project work will have double evaluation, one by the guide and other by the external examiner. In the credit pattern the written part of the dissertation /project work will have 6 credits and the viva-voce will have 2credit.

The dissertation /project work need to be commenced from the III semester onwards. In the IV semester before starting the dissertation/project work the students are expected to give an oral presentation and an oral presentation before the submi n of the dissertation /project work.



VII. The Settlement of Disputes by States : Peaceful Means

- (a) Diplomatic methods of Dispute Settlement: Negotiation, Good Offices and Mediation, Inquiry and conciliation
- (b) International Institutions and Settlement of Disputes
- (c) Judicial Settlement: Arbitration, Judicial Settlement

VIII. The Settlement of Disputes by States: Use of Force

- (a) Law of Force in Just war and Provisions of UN Charter
- (b) Intervention and Self Determination
- (c) International law and Terrorism
- (d) Armed conflict and Disarmament

Suggested Readings:

- Oppenheim: International Law (9th Edn) 1992, Vol.1
- Malcolm Shaw: International Law (5th Edn) 2005
- Ian Brownlie: Principles of International Law, 5th Edn 2009
- J.G. Strake Introduction to International Law, 12th Edn. 2008

American Journal of International Law, International Law and Comparative Law Quarterly; Indian Journal of International Law; International Legal Materials.



Suggested Readings:

- D.W. Bowett: International Institutions; 1982
- Good Rich and Hambro: Interpreting the Charter of UN, 1960
- L.B.sohn: Cases on United Nations Law 1967
- Malcom Shaw: International Law (5th edn) chapters on UN and International Institutions
- Journal of International Organizations
Foreign Affairs
- American Journal of International Law
- Indian Journal of International Law



- (c) Torts-common Law rules-Choice of Law Rules
- (d) Mixed issues of Tort and Contracts
- (e) Property- Choice of Law rules
- (f) Insolvency
- (g) Restitution

IV Jurisdiction of Courts

- (a) Jurisdiction of Courts traditional Rules
- (b) Jurisdiction under the Brussels-Lugano Convention
- (c) Immunity from suits-Position in England; Commonwealth and India
- (d) Jurisdiction in Personam and in Rem
- (e) Stay of suits –forum of Selection and Arbitration
- (f) Limitation on Jurisdiction

V Recognition and Enforcement of Foreign Judgments

- (a) Traditional Rules—Position under International Law and Conventions
- (b) Recognition and Enforcement Under common Law
- (c) Recognition and Enforcement of foreign Judgments-Position in England and India

VI Recognition and Enforcement of Arbitral Foreign Award

- (a) Traditional rules—Position in International Law
- (b) Position in Common Law and England
- (c) Position in India in General
- (d) Enforcement of Foreign Awards in suits
- (e) Enforcement of Awards Under Arbitration (Protocol and convention Act, 1937)
- (f) Enforcement of Awards Under the Foreign Awards (Recognition and Enforcement) Act 1961
- (g) Enforcement of Awards under the Arbitration and Conciliation Act 1996)

Suggested Readings:

- Diecy, Morris & Collins : Conflict of Laws (14th edn) 2005
- Cheshire and North: Private International Law 2006
- A.M.Setalvad: Conflict of Laws, 2nd Edn(2006)
- Ruth Hayward: Conflict of Laws (4th edn) 1999
- International Law and Comparative Law Quarterly
- Netherlands Year Book of International Law
- Journal of the Indian Law Institute
- Sir H. Lauterpacht: Private Analogies of Public International Law 1965



VII Impact of International Economic Law on Labour Relations

- (a) International Movement of Labour and Labour Standards
- (b) Trade Investment and Labour Movements
- (c) MNC and Labour Relations in Developing Nations
- (d) The role of UN and Human Rights in regulating the Labour Standards.

Suggested Readings:

- Asif. H. Qureshi :International Economic Law, 2007
 - M.J. Trebilcock and R. Howse, *The Regulation of International Trade*, 3rd ed., Routledge, 2005
 - C.Raja Gopal: International Law from below, 2008
 - R.A. Cases Economic Perspective in International Economic Law 2002
 - Journal of International Economic Law
-



Suggested Readings-

1. J.M. Thomson- Palmer's Company Law
 2. ✓ Gower- Principles of Modern Company Law
 3. Ramaiya- Guide to Companies Act
 4. ✓ Indian Law Institute- Current problems of Corporate Law
 5. Datta- Company Directors
 6. Compendium on SEBI, Capital Issues and Listing by Chandratre, Acharya, Israni, Sethuraman
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6. SALE OF GOODS

- a) Sale and agreement to sell
- b) Conditions and warranties
- c) Effects of the contract of sale
- d) Performance of contract
- e) Rights of an unpaid seller
- f) Suits for breach of contract
- g) Auction Sales

7. PARTNERSHIP

- a) Nature of Partnership
- b) Relations of partners to one another
- c) Relations of partners to third parties
- d) Incoming and outgoing partners
- e) Dissolution of firms
- f) Registration of firms

Suggested Readings:

- 1) A.G. Guest (ed): Anson's Law of Contract.
- 2) A.G. Guest : Law of Contract.
- 3) P.S. Atiya, Introduction to the Law of Contract.
- 4) Avtar Singh : Law of Contract.
- 5) G.C. Cheshire, H. S. Fifoot : Cases on the law of Contract.
- 6) Chitty : Chitty on Contracts, Vol. I General Principles Vol. 2 Specific Contracts.
- 7) Pollock and Mulla on the Indian Contract and Specific Relief Acts.
- 8) Cheshire and Fifoot, The Law of Contract.
- 9) Bowstead on Agency.
- 10) Lindley on Partnership.
- 11) Mull on Partnership Act and Sale of Goods Act.
- 12) K. Poonuswami & K. K. Puri, Cases and Materials on Contract.
- 13) G. M. Treitel : Law of Contract.
- 14) S. Venkataraman and K. Ramanamurthy, T. S. Venkatesa Iyer's Law of Contract.
- 15) R. S. Sim and S. V. Powell : Case book on Contract.



Suggested Readings:

1. Saraf, D.N., Law of Consumer Protection in India.
2. Avtar Singh, The Law of Consumer Protection: Principles and Practice.
3. J.N.Barowalia, Commentary on Consumer Protection Act 1986.
4. P.K.Majundar, The Law of Consumer Protection In India
5. D.P.Wadhwa & W.L.Rajah, The Law of Consumer Protection
6. R.N.P.Choudhary, Consumer Protection Law
7. V.Balakrishna Eradi, Consumer Protection Jurisprudence
8. Gupta S.N., Banks & Consumer Protection Law
9. Kaushal Anoop, Medical Negligence & Legal remedies
10. S.K.Verma & M.Afzal Wani, A Tretise on Consumer Protection Law
11. Landmark Judgement on Insurance & Consumer Protection t, NCDRC
12. Landmark Judgement on Consumer Protection, NCDRC.



**Semester III
Business Law Cluster**

(Paper-13)

Compulsory Paper

Credits: 4

Banking and Negotiable Instruments Act

Objectives

In any economy, banks play a vital role. The developmental aspects and the objects of the State to a greater extent are discharged by the banking companies through various services. In the contemporary era of the fourth phase of globalisation, the significance and role of the banking companies is increased in various ways and means. Taking into consideration of the significant role played by banks and the need to their regulation and the services offered by them need to study in detail. Hence this paper introduces to the student the various aspects relating to banking especially their social obligations and the legal regulation and the control of the state.

I. Introduction

- a) Nature and development of Banking
- b) Evolution of Banking in India
- c) Different kinds of banks, their functions

II. Social Control over Banking

- a) Nationalization—Liberalization
- b) Social Control Measure—Banking Regulation Act

III. Law Relating to Banking Companies in India

- a) Control by government and its agencies on Various aspects of Banking Management
- b) Reconstruction and reorganization
- c) Suspension and winding up

IV. Reserve Bank of India

- a) Origin and development of RBI as a Central Bank
- b) Powers-functions and objectives
- c) Regulation of monetary mechanism-Credit control
- d) Bank rate policy formulation

V. Relationship between Banker and customer

- a) Contract between banker and customer
- b) Banker's lien
- c) Protection of bankers
- d) Nature and type of accounts



(Paper-14)

Optional paper

Credits: 4

(The students of both Clusters have to choose one paper from the options offered by the P.G. Department of the College or from any other Faculty (such as Arts, Commerce, and Management etc.) P. G. Departments of Affiliated Colleges of Savitribai Phule Pune University subject to condition that the optional paper chosen by the Student from other Faculties of P.G. Departments of Affiliated of College should be relevant to the subject of their study and this can be done with the approval of College P.G. Departmental committee)



V ADR and Contemporary Issues

- (a) Information Technology and ADR
- (b) Dispute Resolution in Cyber space
- (c) ADR and Online Dispute Resolution
- (d) ADR and Scientific Issues-IPR and Bio-Technology

Suggested Readings:

Shiv Sahai Singh, *The Law of Intellectual Property Rights*, 2004.

Phillippe Culet, *Intellectual Property Protection and Sustainable Development*, 2004

W R Cornish, *Intellectual Property: Patents, copyright, Trademarks and allied rights*, 1996

Jayanti Bagachi, *World Trade organization; an Indian Perspective*(2000).

Narayanan, P., *Intellectual Property Rights*

Further readings

UNCTAD-ICTSD, *Resource book on TRIPs and Development*, Cambridge University Press, 2005

Surendra Bhandari, *World Trade organisation and Developing Countries*, 1998

Bleir, F.K., Crespi, R.S. and Straus, J. . *Biotechnology and Patent Protection- an international review*, OECD

Jayashreee Wata, *Intellectual Property rights in the WTO and Developing Countries*, 2003



V Problems and Perspectives of Human Rights and Duties

- (a) Poverty and Population
- (b) Illiteracy and Corruption
- (c) Sovereignty-State Jurisdiction-MNCs-Terrorism
- (d) Sustainable development-Need for Human Rights Education

Suggested Readings:

V.T. Patil and T.S.N.Sastry: Studies in Human Rights, 000

T.S.N.Sastry: Human Rights in India, 2006

O.P. Agrawal: Introduction to Human Rights 2007

Sinha S.P.: Conflict and Tension in Tribal Society, 1993

Kouwsha Rachana: Women and Human Rights in India, 2000

Blue Book Series of Oxford on Human Rights 2009

Indian Journal of International Law

American Journal of International Law

- Human Rights Quarterly



- d) Claims Tribunal- constitution, functions, application for compensation, procedure, powers and award

Suggested Readings-

- ✓ M. N. Sreenivasan- Law and the Life Insurance Contract
- JCB Gilmar and Mustill, Arnold- Law of Marine Insurance
- ✓ Birds- Modern Insurance Law
- ✓ Colinvaux's Law of Insurance
- ✓ KSN Murthy and Dr. KVS Sarma- Modern Law of Insurance
- Avtar Singh- Law of Insurance
- Mitra B.C.- Law relating to Marine Insurance



Paper 5

Criminology and Penology

Objectives:

The concept of crime is a changing dimension in any society or polity according to the changes in the social, political and economic and legal and cultural dimensions. Apart from this the development of science and technology also has a wider impact on the pattern of crimes that are committed by individuals depending upon socio-psychological factors. Hence it is important to impart the concepts and perspectives of crime and the remedial measures. This will equip the students with criminal etiology and sentencing policy in the given legal system.

1. Dimensions of Crime

Definition of Crime

- Nature and extent of crime in India
- Concept and causes of crime
- Theories relating to crime
- Criminology as a part of criminal justice system
- Schools of criminology

2. White collar crime

- Types of white collar crime
- Causes and growth of white collar in India
- Susserland's theory relating to white collar criminality.

3. Punishment and its kinds

- Ancient and discarded modes of punishment
- Capital punishments
- Imprisonment
- Rehabilitation and Reformation as a correction method.

4. Re-socialization processes

- Principles of parole
- Parole laws and procedure
- Concept and principles of probations
- Selection of offenders for parole and probation
- Judicial attitude towards Probation and parole
- Probation of offenders Act, 1958
- Evaluation of probation and parole

5. Victimology

- Declaration of United Nation General Assembly in 1985.
- Nature and Development
- Types of Victims
- Victim and criminal justice system in India
- Police and judicial attitude towards victims
- Legislation relating to victims.

6. Terrorism – Devastation of peace in the world

- Definition of Terrorism
- Contributory factor for the growth of terrorism
- Conventions and legislations enacted on terrorism
- Terrorism and cyber crimes
- Measure required to combat terrorism .



Paper 6

Mass Media Laws

Objectives:

Mass Media is divided into print and electronic such as Press, radio, television, films, internet etc. Media plays a vital role in this new era of Globalization, Privatization and liberalization. Communication through media has given access to literacy and development in the society. This will enable the students to understand the nuances of the fourth estate and its significance in the contemporary era.

1. Media Law

- Historical evolution of media
- Types of Media and its role in the society and Democracy in India
- Theories of freedom of speech
- Why liberty?
- Press as the fourth pillar of Democracy

2. Constitutional and other legal Provisions relating to Media

- Constitutional restraints U/Art 19
- Legal Provisions
- Defamations, obscenity, blasphemy and sedition under criminal law
- Censorship relating to electronic Media
- Restrictions during election on electronic Media
- Other legislations relating to print and electronic Media

3. Investigatory Journalism – Checks and Balances.

- Media Trials
- Media vis a vis right to privacy
- Information and technology Act
- Cyber crimes
- Tapping and law of Interception
- Interception of communication and privacy
- Telecommunication and Privacy laws
- Freedom of Press and challenges of new scientific development

4. Right to Information and Media

- official secrets Act 1923
- Struggle for right to information
- How far right to information aided in transparency of Govt administration

Books Suggested

- ✓ 1. Soli sorabjee, law of Press censorship in India (1976)
- ✓ 2. D. D. Basu, the Law of Press of India (1980)
- ✓ 3. Rajeev Dhavan, On the law of the Press in India
- ✓ 4. Justice E. S. Venkaramiah, Freedom of Press: some Recent trends (1984)



7. LIABILITY OF GOVERNMENT

Contractual Liability
Tortious Liability
Doctrine of
Estoppel

8. RIGHT TO INFORMATION

Historical perspective
Public Authority
Public Information Officer
Appellate Authority and Information Commission

Suggested Readings:

- ✓ 1) H. W. Wade- Administrative Law.
- 2) DeSmith- Judicial Review of Administrative Action.
- 3) Garner – Administrative Law.
- 4) D.D. Basu – Comparative Administrative Law.
- 5) Wade & Philips – Constitutional Law.
- 6) Dicey – Introduction to Law of the Constitution.
- 7) O Hood Philips – Constitutional Law & Administrative Law.
- ✓ 8) M. P. Jain, S. N. Jain – Principles of Administrative Law.
- 9) M. P. Jain – The Evolving Indian Administrative Law.
- 10) B. Schwartz – An Introduction to American Administrative Law.
- ✓ 11) M. P. Jain – Cases and materials on Administrative Law.
- 12) K. S. Shulka & S. S. Singh – Lokayukta – A Socio legal study.
- 13) Ivor Jennings – Law and the Constitution.
- 14) K. C. Davis – Discretionary Justice.
- 15) Neville L. Brown & J. F. Garner French Administrative Law.
- ✓ 16) Peter H. Schuck – Foundations of Administrative Law.
- ✓ 17) P. P. Craig – Administrative Law.
- 18) Alex Carol – Constitution & Administrative Law.
- 19) Neil Hawke & Neil Papworth – Introduction to Administrative Law.
- 20) Jaffe – Judicial Control of Administrative Law.



6. ECONOMIC OFFENCES

Tax Evasion
Money Laundering
Trade in Human Body parts
Illicit Drug Trafficking
Fraudulent Bankruptcy
Corruption & Bribery of public servants
Illegal Foreign Trade
Terrorist Activities
Computer crime/ Software piracy/Cyber crime
Company frauds

Suggested Readings:

- 1) Glanville Williams : Criminal Law (General Part)
- 2) J.W.C. Turner (ed) : Kenny's Outlines of Criminal Law.
- 3) J.W.C. Turner (ed) : Russel on Crime, Vol. I-II.
- 4) Nigam R.C.: Law of Crimes in India, Vol – I (Principles of Criminal Law)
- 5) Hari Singh Gour : Penal Law of India, Vol. I-IV.
- 6) K.D. Gaur: Criminal Law : Cases and Materials.
- 7) K.N.C. Pillai: General Principles of Criminal Law.
- 8) Sarkar : Sarkar on Evidence.
- 9) Chandrasekharan Pillai (ed) : Kellar's Outlines of Criminal Procedure.
- 10) Shumshul Huda : Principles of Law of Crimes.
- 11) J. Hall : General Principles of Criminal Law.
- 12) ILI : Essays on the I.P.C.
- 13) Law Commission of India : 14th, 42nd Reports.
- 14) Bhatt: Essays on Criminal Law.
- 15) Cross and Jones: Criminal Law.
- 16) Smith and Hogen: Criminal Law.
- 17) George Fletcher: Rethinking of Criminal Law.
- 18) Fitzgerald P.J.: Criminal Law and Punishment.
- 19) A. Ashworth: Principles of Criminal Law.
- 20) J. Dressler: Understanding Criminal Law



Paper 10

Legal Theory & Feminist Jurisprudence -II

Objectives:

The Objective of this study is to give a clear understanding of the nature, scope and function of Law. The study of any legal system at postgraduate level necessitates its basic foundations to enable students to acquaint with the nature of legal system and its role in the development of society.

An analysis of legal concepts in the context of societal development and changing socio-economic and political attitude and an appreciation of the purpose of Law and its relationship to ethics and Justice. This course aims at developing an insight into the juristic foundation of a legal system and understanding of Law as it exists in a given contemporary society.

The nature and foundation of Law has undergone changes in the recent past, the current trends and developments are essentially to be studied in the context of justice viz. gender, social and economic along with new challenges and its responses.

1. Doctrine of precedent:

- Nature and scope.
- Authority of precedent.
- Bindingness of precedent.
- Precedent in British legal system. - Ratio decidendi-obiterdicta. - Theories of ratio decidendi.
- Art 141 of the Indian Constitution. - Doctrine of Prospective overruling. - Advisory Jurisdiction and precedent.

2. Concept of Legal Right :

- Nature and definitions. - Theories of Rights.
- Fundamental legal conceptions of Right (Hohfeldian Analysis). - Kind of Rights.

3. Feminist Jurisprudence:

- Nature and Types of Feminism. - Gender justice and feminism.
- Indian Constitution of Feminist Jurisprudence.

4. Rawls Theory of Justice:

- Notion of Justice.
- Distributive Justice.
- Applicability of Rawls Theory to Indian Legal system.

5. Law and Enforcement of Morals:

- Basis and nature of morality. - Role of morality.
- Morality and Indian Legal system.

Suggested Readings:

1. W. Friedmann – Legal Theory
2. Julius Stone – Social Dimension of Law & Justice.
3. C. K. Allen – Law In the Making.
4. Lloyd – Introduction to Jurisprudence.
5. Dias – Text on Jurisprudence.
6. H.L.A. Hart – Law, Liberty and Morality.



Paper 11

Corporate Finance

Objectives-

In view of globalization and liberalization, there is a compelling pressure on the nation states to raise their economies substantially. However, since many of the developing nations are not able to meet the requirements of the old economy, they started opening their economies in order to encourage the corporate sector to bail the economies. Hence it became an important aspect that corporate finance plays a very vital role in various aspects of the development of a nation. Hence, this paper introduces to the student the various nuances of corporate finance and the legal implication

1. Introduction

Meaning, Importance, scope of corporate finance
Objectives of corporate finance

2. Types of Finance

Equity Finance- share capital, prospectus- information disclosure, issue and allotment
Debt finance – debentures, deposits, charges, mortgages

3. Protection of creditors

Need for creditor protection
Preference in payment
Creditor self protection
Control over corporate spending

4. Protection of Investors

Individual shareholder's rights
Corporate membership's rights
Derivative actions
Conversion, Consolidation, reorganization of shares
Dematerialization of securities

5. Corporate Fund Raising

Depositories-IDR, ADR, GDR
Public Financing Institutions- IDBI, ICICI, IFC, SFC
Mutual Fund and Other Collective Investment Schemes
Institutional Investments- LIC, UTI, banks
FDI, NRI investments

6. Administrative Regulation of Corporate Finance

Inspection of accounts
SEBI, RBI, Registrar of companies, Central Government

Bibliography-

Ramaiya A – Guide to the Companies Act
S.C. Kuchhal- Corporate Finance- Principles and problems
Y.D. Kulshreshtha, Government Regulation of Financial Management of private sector in India



	Paper 15 – Property Law Including Transfer of Property Act and Easement Act	33
	Paper 16 – Public Interest Lawyering, Legal Aid and Para-Legal Services	33
	Paper 17 – Law of Contract	35
	Paper 18 – Optional Paper (Any One) I	35
	a. Comparative Law	37
	b. Law of Insurance	39
	c. Conflict of Law	41
✓	d. Intellectual Property Law	45
V.	LL.B. (Semester – V)	47
✓	Paper 19 – Code of Civil Procedure and Limitation Act	47
✓	Paper 20 – Land Laws Including Ceiling and Other Local Laws	48
✓	Paper 21 – Interpretation of Statutes	48
W	Paper 22 - Legal Writing	49
CP	Paper 23 – Administrative Law	51
VI.	LL.B. (Semester –VI)	52
✓	Paper 24 – The Code of Criminal Procedure	52
21X	Paper 25 – Company Law	53
9	Paper 26 – Practical Training Paper- I Moot Court, Pre-Trial Preparations and Participation in Trial Proceedings	54
✓	Paper 27 – Drafting, Pleading and Convincing (Theory paper)	56
	Paper 28 – Optional Papers (Any one)	58
	a. Investment and Securities Laws	
	b. Law of Taxation	60
✓	c. Banking of Laws including Negotiable Instruments Act	61
	d. Co-operative Law	61



- | | | |
|----|--------------|------------------------------------|
| 2) | Gour | Penal Law of India Vol. 1 To 4 |
| 3) | Gaur, K.D. | Criminal Law – Cases and Materials |
| 4) | Jaspal Singh | Indian Penal Code |
| 5) | Kenny | Outlines of Criminal Law |
| 6) | Nigam, R.C. | Principles of Criminal Law |

Paper 15 – Labour Laws

(With latest amendments and case-law)

1. The Industrial Disputes Act, 1947
2. The Trade Unions Act, 1926
3. The Maharashtra Recognition of Trade Unions and Prevention of Unfair Trade Practices Act, 1971
4. The Factories Act, 1948
5. The Minimum Wages Act, 1948
6. The Workmen's Compensation Act, 1923
7. The Employees' state Insurance Act, 1945
8. The Employees' Provident Fund and Miscellaneous Provisions Act, 1952
9. The Payment of Wages Act, 1936

Recommended Books And Readings

- | | | |
|----|-------------------|--|
| 1. | Malik, P.C. | Labour Law of India |
| 2. | Malhotra, O.P. | Industrial Disputes Act, 1947 |
| 3. | Shrivastava, K.D. | Commentaries on all Labour Laws |
| 4. | Kothari, G.M. | A Study of Industrial Law |
| 5. | Sachedeva | Industrial and Labour Law |
| 6. | ---- | Reports of the National Commission on Labour |
| 7. | --- | Recommendation and convention of ILO |

Paper 16 – Optional Paper

(1) Trust, Equity and Fiduciary Relationships (With latest Amendments and Case-Law)

Division of Marks:--

- | | | |
|----|------------------------------------|----------|
| 1) | The Indian Trusts Act, 1882 | 40 Marks |
| 2) | Fiduciary Relations | 10 Marks |
| 3) | The Bombay Public Trusts Act, 1950 | 35 Marks |
| 4) | Principles of Equity and Maxims | 15 Marks |

A. The Indian Trusts Act, 1882

1. Preliminary



- a) Definitions – Trust, Author of the Trust, Trustee, Beneficiary, Trust property, Beneficial Interest, Instrument of Trust, Breach of Trust, *Cestui que trust*
- b) Comparison of Trust with other relationships
 - i. Private trust and public / charitable trust
 - ii. Trust and debt
 - iii. Trust and ownership
 - iv. Trust and bailment
 - v. Trust and agency
 - vi. Trust and contract
 - vii. Trust and conditions
 - viii. Trust and equitable charge
 - ix. Trust and mortgage
 - x. Trust and administration
- 2. Kinds of trusts
- 3. Creation of trusts
- 4. Appointment of trustees
- 5. Duties and Liabilities of trustees
- 6. Rights and Powers of trustees
- 7. Disabilities of trustees
- 8. Rights and liabilities of the beneficiary
- 9. Vacating the office of trustee
- 10. Extinction of trusts
- 11. Certain Obligations in the nature of the trusts

B. Fiduciary relations - Concepts and Kinds

C. The Bombay Public Trusts Act, 1950

- 1. Definitions – public trust, math, person having interest, temple, *wakf*, trustee
- 2. Establishments
- 3. Charitable purposes and validity of certain public trusts
- 4. Registration of public trust
- 5. Budget, Accounts and Audit
- 6. Powers and duties and restrictions on trustees etc.
- 7. Control, Powers and Functions of Charity Commissioner
- 8. Other functions and Powers of Charity Commissioner *dhormodo, cypress*
- 9. Special provision as respects religious and charitable institution and endowment
- 10. Public Trusts Administration Fund
- 11. Offences and penalties
- 12. Function of Charity Commissioners, Procedure, Jurisdiction and Appeals



D. Principles of equity and maxims

1. Concept and Definition of equity
2. Origin and development
3. Maxims of equity
 - a) Equity will not suffer a wrong to be without a remedy.
 - b) Equity follows the Law
 - c) Where there is equal equity, the law shall prevail.
 - d) Where the equities are equal, the first in the time shall prevail.
 - e) He who seeks equity must do equity.
 - f) He who comes into equity must come with clean hands.
 - g) Delay defeats equity.
 - h) Equality is equity.
 - i) Equity looks to the intent rather than to the form.
 - j) Equity looks on that as done which ought to be done.
 - k) Equity imputes an intention to fulfil an obligation.
 - l) Equity acts in *personam*

Recommended Books And Readings

- | | |
|-------------------------|-----------------------------------|
| 1) Iyer, Suryanarayanan | The Indian Trust Act |
| 2) Rangacharya, I.V. | The Indian Trust Act |
| 3) Agarwal, O.P. | The Indian Trust Act |
| 4) Tandon, M.P. | The Indian Trust Act |
| 5) Chaudhari, D.H. | The Bombay Public Trust Act, 1950 |
| 6) Shah, K.N. | The Bombay Public Trust Act, 1950 |
| 7) Apte, M.S. | The Bombay Public Trust Act, 1950 |
| 8) Gupta & Dighe | The Bombay Public Trust Act, 1950 |
| 9) ---- | Snell's Principles of Equity |
| 10) Ahmed, Aquil | Equity, Trust and Specific Relief |
| 11) Basu, D.D. | Equity, Trust and Specific Relief |

Paper 16– Optional Paper

(2) Criminology and Penology

1. Criminology

- A) Definition
- B) Nature and scope of criminology and penology and the nature extent of crime in India.
- C) The concept of crime and characteristic of Criminal Law.



- D) Determination and differential of Crime.
- E) The criminal – Who is a Criminal ?
- F) Whether criminology is a science ?
- G) Objective of criminal justice system

2. Schools of Criminology

- A) Classical school and neo-classical school
- B) Cartographic
- C) Socialist
- D) Typological
- E) Lombrosian
- F) Psychiatric
- G) Sociological and socio-psychological

- 3.**
- I. Prevalence of crime
 - II. Study of crime and criminal justice
 - III. Identification of the causes of crime - Theories
 - IV. Approaches to crime problem
 - V. Focus on individual and environment

4. Role and Function of Police

- A) In action
- B) Police goals, objectives and functions
- C) National Police Commission (Recommendations)
- D) Appointment of Police Commissioner
- E) Judicial Powers (Executive)
- F) Organised crimes
- G) Rights of Victims
- H) Protection of the accused

5. A. Imprisonment – History of Prisons

- a) Aims and objectives, and conditions
- b) Types of prisons
- c) I. Success and failure of prisons
- II. Discipline and control
- D) Open an instructions

- B.**
- 1. Prison work
 - 2. Education
 - 3. Prison reform – schools and reformations
 - 4. Rights of prisoners (Contribution of the Supreme Court)

6. Presentation of crime and definquency

- A) Punitive approach
- B) Defence approach



- C) Interventionist approach – Prevention policies, recidivism, intervention, mechanical approach, comical approach

7. White Collar Crime

- A) Nature and definition
- B) Types of white collar crime and development
- C) Some Legislation to meet white collar crimes
- D) Judicial trends

Recommended Books And Readings

- | | | |
|-----|------------------|---|
| 1. | Siddique, Ahmed | Criminology |
| 2. | Sethna, M.J. | Society and Criminal |
| 3. | Sirohi, P.S. | Criminology and Criminal Administration |
| 4. | Paranjpe, N.V. | Criminology and Penology |
| 5. | Mehta, Rohinton | Crime and Criminology |
| 6. | Sutherland, E.H. | Principles of Criminology |
| 7. | Sutherland, E.H. | White collar crime |
| 8. | Reckless, W.C. | The crime problem |
| 9. | Bhudhan, Vidya | Prison System in India |
| 10. | Mulla | Mulla Committee Report |

Paper 16– Optional Paper

(3) Woman and Law, and Law relating to the Child

Division of marks

- a. Woman and Law – 50 marks
- b. Law relating to the child – 50 marks

A. Woman and Law (50 marks)

1. Constitution of India (Provisions regarding women)

- 1. Constitution of India – Articles 14, 15(1), 15(3), 16 (1), 23 and (2), 39 (d), 51
- 2. Reservation of seats for women in local bodies – Article 243.

2. Violence against women

- A) Domestic Violence
 - i. Protection against cruelty
 - ii. Harassment for dowry
 - iii. Forced prostitution
 - iv. State intervention



Recommended Books and Readings

- | | |
|-------------------------|-----------------------------------|
| 1) Iyer, Suryanarayanan | The Indian Trust Act |
| 2) Rangacharya, I.V. | The Indian Trust Act |
| 3) Agarwal, O.P. | The Indian Trust Act |
| 4) Tandon, M.P. | The Indian Trust Act |
| 5) Chaudhari, D.H. | The Bombay Public Trust Act, 1950 |
| 6) Shah, K.N. | The Bombay Public Trust Act, 1950 |
| 7) Apte, M.S. | The Bombay Public Trust Act, 1950 |
| 8) Gupte & Dighe | The Bombay Public Trust Act, 1950 |
| 9) ---- | Snell's Principles of Equity |
| 10) Ahmed, Aquil | Equity, Trust and Specific Relief |
| 11) Basu, D.D. | Equity, Trust and Specific Relief |

Paper 4 – Optional Paper

✓ (b) Criminology and Penology

1. Criminology

- A) Definition
- B) Nature and scope of criminology and penology and the nature extent of crime in India.
- C) The concept of crime and characteristic of Criminal Law.
- D) Determination and differential of Crime.
- E) The criminal – Who is a Criminal ?
- F) Whether criminology is a science ?
- G) Objective of criminal justice system

2. Schools of Criminology

- A) Classical school and neo-classical school
- B) Cartographic
- C) Socialist
- D) Typological
- E) Lombrosian
- F) Psychiatric
- G) Sociological and socio-psychological

- 3. I. Prevalence of crime
- II. Study of crime and criminal justice
- III. Identification of the causes of crime - Theories
- IV. Approaches to crime problem
- V. Focus on individual and environment



- | | | |
|-----|----------------|------------------------|
| 9. | Bhudhan, Vidya | Prison System in India |
| 10. | Mulla | Mulla Committee Report |

Paper 4 – Optional Paper

(c) Woman and Law, and Law relating to the Child

Division of marks

- a. Woman and Law – 50 marks
- b. Law relating to the child – 50 marks

A. Woman and Law (50 marks)

1. Constitution of India (Provisions regarding women)

1. Constitution of India – Articles 14, 15(1), 15(3), 16 (1), 23 and (2), 39 (d), 51
2. Reservation of seats for women in local bodies – Article 243.

2. Violence against women

A) Domestic Violence

- i. Protection against cruelty
- ii. Harassment for dowry
- iii. Forced prostitution
- iv. State intervention

B) Relevant provisions of

- i. The Indian Penal Code 1890.
- ii. The Criminal Procedure Code 1973.
- iii. The Indian Evidence Act. 1872.
- iv. The Dowry Prohibition Act. 1961.
- v. The Immoral Traffic (Prevention) Act. 1956.

3. Women and Labour laws

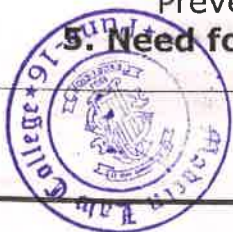
Relevant provisions of

1. The Equal Remuneration Act. 1976.
2. The Maternity Benefits Act. 1961.
3. The Factories Act. 1948.
4. The Mines Act. 1952.
5. The Employee's State Insurance Act. 1948.

4. Other protective legislations

1. The National Commission for Women Act. 1990.
2. The Indecent Representation of Women (Prohibition) Act.
3. The Commission of Sati (Prevention) Act. 1987
4. The Medical Termination of Pregnancy Act. 1971.
5. The Pre-natal Diagnostics Techniques (Regulation and Prevention of Misuse) Act. 1994.

5. Need for gender justice, Uniform Civil Code.



Law.

- a. International Law – is it true law?
 - b. Theories of international law, private international law and public international law.
2. International institutions, their functions and role in International Economic law.
- a. New International Economic Order (NIEO), Charter on Economic Rights and Duties of States (ERDS).
 - b. United Nations Conference on Trade and Development (UNCTAD).
 - c. United Nations Conference on International Trade Law (UNCITRAL).
 - d. World Intellectual Property Organization (WIPRO).
 - e. Paris Convention, Berne Convention.
 - f. International Bank for Reconstruction and Development (BRD).
 - g. International Finance Corporation (IFC).
 - h. International Development Association (IDA).
 - i. United Nations Development Programme (UNDP).
 - j. World Trade Organization (WTO).
 - k. Organization for Economic Co-operation and Development (OECD).
3. Foreign Investment
- a. Types and role of foreign investment.
 - b. Measures to regulate and control foreign investment.
 - c. World Bank guideline.
 - d. Introduction to International Finance.
4. International Trade.
- Unification of the law of International Sale of Goods.
 - Uniform Customs and Practice for Documentary Credits and the International Chamber of Commerce.
 - Conventions for Enforcement of Arbitration Awards.
Geneva Protocol and Convention.
New York Convention 1958.
UNCITRAL model law on International Commercial Arbitration.
 - International Convention governing Bill of Lading.
Brussels Convention
 - The Hague Draft Convention on the Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters Recognition and enforcement
5. A. General Agreement on Tariffs and Trade.
- The legal and institutional aspects of GATT.
 - Historical evolution of the GATT.



National Treatment, Tariffs and Quotas.

- a. Belgium - I Unity Allowances: G/32 adopted on 7 November 1952, IS/39.
- b. Spain-Tariff Treatment of Unfrosted Coffee from Brazil, L/5:35, adopted on 11 June 1981 288/02.
- c. United States - Denial of Most Favored Nation Treatment as to Non-rubber Footwear from Brazil, DS/18/R adopted on 19 June 1992, 39S/I28.
- d. Japan-Tariff on Import of Spruce-Pine-Fir ("Dimension Lumber") adopted 19 July 1989, 36S/167.
- e. Thailand-Restrictions on Importation of and Internal Taxes on Cigare BISD 37s/200.
- f. US-Section 337 of the Tariff Act of 1930, BISD 36s/345.
- g. Japan-Taxes on Alcoholic Beverages, WT/DSS/AB/R, WTO Panel report issued 11 July 1996, appeal filed by Japan, 8 August 1996.
- h. Japan- Taxes on Alcoholic Beverage, WT/DS8/R, WTO Appellate Body report circulated 4 October 1996.
- i. United States- taxes on Petroleum and Certain Imported Substances, BISD 34s/136:27 ILM (1988, pp. 1596-1616) Trade and Environment.
- j. United States- Prohibition of Import of Tuna and Tuna Products from Canada, Report of the Panel adopted on 22 February 1982, BISD/29s/91.
- k. United States- Taxes on Petroleum and Certain Imported Substances, Report of the Panel adopted on 17 June 1987, BISD/34S/160.
- l. Canada- Measures affecting Exports of Unprocessed Herring and Salmon, Report of the Panel adopted on 22 March 1988, BISD/35/98.
- m. United States- Section 337 of the Tariff Act of 1930. Report of the Panel adopted on 7 November 1989, BISD/36S/345.
- n. EEC-Regulation on Imports of Parts and Components (Screwdriver Case), Report of the Panel adopted on 16 May 1990, BISD/37S/132.
- o. Thailand-Restrictions on Importation of and Internal Taxes on Cigarettes, Report of the Panel adopted on 7 November 1990, BISD/37S/200.
- p. United States-Restrictions on Imports of Tuna from Mexico, Report of the Panel. GATT DOCUMENT ds21/R, 3 September 1991, 30 ILM 91991 1594.
- q. United States- Standards for Reformulated and Conventional Gasoline. WT/DS2/AB/R, AB-1996-1, 29 April 1996.

2. Topic: ICJ

- a. Anglo-Iranian Oil Co Case, ICJ Reports 1952, P.93: 19ILR 507.
- b. Monetary Gold Case (Preliminary Question), ICJ Reports, 1954 p.29: 20 IL 441.
- c. Norwegian Loans Case, ICJ Reports 1957, p.9: 24 ILR 782.
- d. Barcelona Traction Case, (New Application).



Recommended books and reading

1. Zweigart and Kotz - Introduction to Comparative Law
2. Gutteridge - Comparative Law
3. Rene, David - Major Legal Systems in the World Today, an Introduction to the Comparative Study of Law
4. Baxi and Markensinis - Foreign Law and Comparative Methodology – A Subject and a Thesis

Paper 28- Optional Paper (b) Law of Insurance

Division of marks:

1. General Principles of Insurance – (40 marks)
2. The Insurance Act 1938, Public Liability Insurance Act 1991, Personal Injuries (Compensation Insurance) Act 1963, Insurance regulatory and Development Authority Act 1999, Life Insurance Corporation Act 1956 and General Insurance Business (Nationalization) Act 1972 – (45marks)
3. Insurance under the Motor Vehicles Act 1988 – 15 (Marks)
(With latest amendments and up-to date case law)

1. General Principles of Insurance – (40 Marks)

- A. **Insurance:** What is insurance: Functions and benefits of insurance: Double Insurance (See also s 34 of the Marine Insurance Act 1963): Reinsurance: Under-insurance: Classes of insurance-voluntary, commercial, compulsory, social
- B. **Risk:** insurable and other risks: handling risks, spreading risks, mathematical value or risk: rating of risks: Extent of risk: loss caused by insured own act, commencement and duration of risk, termination of risk, period of risk and time of loss, peril and proximate cause.

C. Insurance Contracts:

- i. What is a contract of insurance?
- ii. Subject matter of insurance- physical object, chose-in-action, liability:
- iii. Types – Life, property, marine, fidelity, employer's liability, motor accident. Railway accident, miscellaneous
- iv. Formation of an insurance contract: S 23 to 26 of the Marine Insurance Act 1963, s 64 VB of the Insurance Act.
- v. Representation and warranties.
- vi. Duty of disclosure, material facts, duty of insured and insurer, breach of duty, remedy Ss 19 to 22 of the Marine Insurance Act 1963, S 45 of Insurance Act 1938.
- vii. Documents- proposal, policy, slip cover note, certificate of insurance]



2. Public Debt Act
3. Reserve Bank of India Act

In addition to above in order to get the latest information regarding this law students can go through the following website.

[http // www.sebi.com](http://www.sebi.com)

Paper 37 - Optional Paper

(b) Law of Taxation

For this paper the following Statutes are Prescribed :

- i. **The Income Tax Act, 1961 { Up-to-date } 60 Marks**
- ii. **The Wealth Tax Act, 1958 { Up-to-date } 15 Marks**
- iii. **The Central Excise Act, 1944 {Up-to-date} 25 Marks**

Books Recommended:-

- | | |
|--------------------|-------------------------------|
| 1. V.K. Singhania | Student guide to Direct Taxes |
| 2. Nani Palkhiwala | Income Tax Law & Practice |
| 3. Taxman | Taxation Law |

Paper 37 - Optional Paper

(c) Banking Laws including Negotiable Instruments Act

For this paper the following Statutes are Prescribed :

1. **The Reserve Bank of India Act, 1934 35 Marks**
2. **The Banking Regulations Act, 1949 30 Marks**
3. **The Negotiable Instruments Act, 1981 35 Marks**

Books Recommended :-

- | | |
|---|---|
| 1. K.B. Dawra and Alok Mishra | Banking Laws [Vinod Laws Publications, Lucknow] |
| 2. Seth's Commentaries on Banking Regulation Act - 1949 | (Law Publishers India Pvt. Ltd) |



- viii. Conditions of policy- conditions implied in a contract of insurance, conditions precedent and subsequent to validity of policy, condition precedent to liability of insurer, effect of breach, waiver of breach
- ix. Indemnity, extent
- x. Assignment of policy and its effect, S38 of the Insurance Act 1938, s 52, 53 of the Marine Insurance Act 1963
- xi. Premium, calculation, return: s 33, 54 of the Marine Insurance Act 1963
- xii. Insurable interest, contractual and statutory, time when it must exist, insurance and wagering agreement: Ss6 to 9, 16, 17 of the Marine Insurance Act 1963

D. **Doctrine of subrogation**, limits on the doctrine: rights and remedies of insured, exercise of the right, subrogation and abandonment

E. **Contribution**, conditions for exercise of right, methods of contribution

2. The Insurance Act 1938, The Public Liability Insurance Act 1991, The Personal Injuries (Compensation Insurance Act 1963, The Insurance Regulatory and development Authority Act 1999, The Life Insurance Corporation Act 1956 and The General Insurance Business (Nationalization) Act 1972- (45 marks)

1. Insurance Act 1938

- I. Terms and definitions-
 - i. Policy-holder, insurer, Authority
 - ii. Chief agent, insurance agent, principal agent, special agent
 - iii. Insurance company, Indian insurance company, insurance co-operative society.
 - iv. Life insurance business, fire insurance business, general insurance business, marine insurance business, miscellaneous insurance business
- II. Provisions applicable to insurers-Sections 2C, 3, 3B, 4, 5, 6, 6A, 6AA, 10, 29
- III. Assignment or transfer of policies, nominations-Sections 38-39
- IV. Licensing of agents, commission and rebates – Ss 40, 40A, 42, 42A, 42B, 42C, 43, 44.
- V. Special provisions- Ss 45, 46, 47, 4A
- VI. Tariff Advisory Committee and Control of Tariff Rates – Ss 64U, 64UA, 64UC, 64UE, 64UM
- VII. Provident Societies- Ss 65, 65A, 66, 67, 69

2. Public Liability Insurance Act 1991

- I. Objects and Reasons for the statute
- II. Sections 2-18, Schedule



- | | |
|-----------------------|---------------------------------|
| 3. Bhashyam and Adiga | Negotiable Instrument Act, 1881 |
| 4. Khergamvala | Negotiable Instrument Act, 1881 |
| 5. Bangia, R.K. | Negotiable Instrument Act, 1881 |
| 6. Avtar Singh | Negotiable Instrument Act, 1881 |

**Paper 38 - Optional Paper
(d) Co-operative Law**

- 1. Theory and Definition of Co-operation**
- 2. Principles of Co-operation**
- 3. History and Growth of Co-operative movement in India**
 - A) Before independence
 - B) After independence through five year plans

15 Marks

4. History of Co-operative Legislation.

This topic consists of the study of –

[A] The Maharashtra Co-operative Societies Act, 1960 and
and Rules 1961. **60 Marks**

[B] (a) The Maharashtra Ownership Flats { Regulation,
Promotion, Construction and Sale } Management and
Transfer Act, 1963.

(b) The Maharashtra Apartment Ownership Act, 1970.

25 Marks

Recommended Reference Books : -

1. A.D. Chaudhari & D.H. Chaudhari Co-operative Societies Act, 1960
with Rules of 1961.
2. K.S. Gupta



3. Personal Injuries (Compensation Insurance) Act 1963

- I. Objects and Reasons for the statute
- II. Sections 2- employer, partial disablement, total disablement, wages, workman
- III. Compensation payable under the Act-Ss 3, 4, 7

4. Insurance Regulatory and Development Authority Act 1999

- I. Composition of Authority- Ss 4,5,8,10
- II. Duties, powers and functions of the Authority-S 14.
- III. Powers of the Authority under the Insurance Act 1938

5. Life Insurance Corporation Act 1956

- I. Functions of the Corporation – S 6
- II. Exclusive privilege of life insurance business – Ss 30, 30A; opening of life insurance sector to private participants.
- III. Application of Insurance Act – Section 43 (1)

6. General Insurance Business (Nationalization) Act 1972

- I. Transfer of shares of Indian insurance companies- Section 4,
- II. General Insurance Corporation of India- Section 9, 10, 10A,
- III. Functions of the General Insurance Corporation – Section 18
- IV. Exclusive privilege of carrying on general insurance business – Ss 24, 24 A: opening of insurance sector to private participants.

3. Insurance under the Motor Vehicles Act 1988 – (15 marks)

- 1. Compulsory Insurance of Motor vehicles under the Motor Vehicles Act 1988 public place s 146.
- 2. Requirement of policy and limits of liability- Section 147,
- 3. Duty of insurer to satisfy judgment and settlement with insured – Section 149,152,155
- 4. Information about insurance- Sections 151,158,159,160
- 5. Certificate of insurance- Sections 156, 157.
- 6. Liability of insurer in the case of no-fault liability, hit and run motor accidents and for payment of compensation on structured formula basis-Ss 140, 142, 161, 163, 163A.

Recommended books and readings

Srinivasan, M.N.- Principles of Insurance Law (7 th ed 2002, ed Avatar Singh)

Ivamy - General Principles of Insurance Law

Paper 28- Optional Paper

(c) Conflict of Laws

a. General Details

- 1. Introductory Details-
 - a. What is Pr. I. L.? Its function, bases



Note:- The Syllabus should be taught with necessary reference to Indian Law and Judicial decisions.
Conflict of Laws within Indian Personal Laws with reference to
1. Marriage 2. Property.

Paper 28- Optional Paper (d) Intellectual Property Laws

Division of Marks

- I. The Patents Act 1970 (25 marks)
 - II. The Copyright Act 1957 (25 marks)
 - III. The Trade and Merchandise Marks Act 1958/ The Trade Marks Act 1999 (25 marks)
 - IV. The Designs Act 2000 (25 marks)
 - V. Other types of intellectual property (25 marks)
 - VI. Intellectual Property in general (25 marks)
- (All laws with latest amendments and up-to-date case law)

A. The Patents Act-1970.

1. Object of the statute, definitions, invention, patentable inventions, inventor and his rights.
2. Procedure for grant of patent from its application to the grant of patent, including who may apply for the patent, specification, opposition to grant of patent: Patent of addition: Product patent and process patent: Effect of grant of patent, Term of patent, Renewal of patent: Lapse of patent and its restoration
3. Patentee, his rights and obligations: Limitations on patentee's rights- government use: Compulsory licenses: Government use of Invention and its acquisition: Assignment and license of patent, and avoidance of restrictive conditions.
4. Revocation and Surrender of Patents
5. Infringement of Patents, and remedies: Threat of Infringement Proceedings
6. Exclusive Marketing Rights, Patent Agents: International Arrangements

B. The Copyright Act 1957.

1. Nature and purpose of copyright: Works in which copyright subsist: Author and First owner of copyright: Owner of copyright: Broadcast reproduction right and Performer's rights: Term of copyright: Registration of copyright and its effect.
2. Rights conferred by copyright, Broadcast reproduction right and Performer's right: Assignment, transmission and relinquishment of copyright: Licenses of copyright – voluntary and compulsory:



Note:- The Syllabus should be taught with necessary reference to Indian Law and Judicial decisions.
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2. Rights conferred by copyright, Broadcast reproduction right and Performer's right: Assignment, transmission and relinquishment of copyright: Licenses of copyright – voluntary and compulsory:



3. Infringement of copyright: Remedies for infringement: Offences and criminal proceedings: Acts not constituting infringement: Groundless threat of legal proceedings:
4. Copyright Societies: International copyright

C. The Trade and Merchandise Marks Act 1958 / The Trade Marks Act 1999*

(* The Act of 1999 will be taught after it has come into force, but it shall not be part of an examination unless it is brought into force at least three months before the examination).

1. Object and purpose of the Act: Definitions: Mark: Trade Mark: Certification Mark: Associated Trade Marks: Collective Marks: Deceptive similarity: Well – known marks
2. Procedure and duration of registration, including classification of goods, refusal of registration, Limitations: which marks can be registered: Registration of trade marks, certification marks and associated marks, and its effect and advantages: Rights conferred by registration: Consequences of non-registration: Renewal, removal and restoration of registration: Effect of non-use:
3. Rights of a proprietor of a trade mark, Assignment and Transaction of various types of trade marks: Restrictions on assignment: Use of trade marks and Registered Users.
4. Rectification and correction of register:
5. Infringement and Passing off: jurisdiction of Courts: Groundless threat of legal proceedings: Remedies: Appellate Board, its jurisdiction and procedure (under the Act of 1999): Offences and penalties: Marking of goods

D. The Designs Act 2000

1. Object and Purpose of the Act : Definitions
2. Design: Registrable design
3. Procedure for registration of design: copyright in design : Term of a registered design: Making of goods and its effect.
4. Rights of a proprietor of a registered design: Assignment and transmission and avoidance of restrictive conditions
5. Piracy of registered design: remedies and procedure: groundless threat of legal proceedings:

E. Other types of intellectual property

(* These will be taught after the respective statutes concerning them have come into force, but these shall not be part of an examination unless the relevant statute is brought into force at least three months before the examination).



Concept, definition, nature of these rights, including when these are Registrable, and when they cannot be registered, in respect of the following types of intellectual property

- a. Geographical indications
- b. Semi-conductor integrated Circuits Layout Design
- c. Plant varieties

F. Intellectual Property in general:

A special type of property, its nature and characteristics., Comparison of types of intellectual property. The object and purpose of protection of each of them: International nature of intellectual property.

Text Books:

1. Intellectual Property Law – P Narayanan
2. Patents, Trade Marks, Copyright, Designs and Geographical Indications – B L Wadhera
3. Management of Intellectual Property – Satyawrat Ponkshe.

Reference books:

1. Patent Law – P Narayanan
2. Copyright and Industrial Designs- P Narayanan
3. Trade Marks an Passing Off- P Narayanan
4. Iyengar's Copyright Act – R G Chaturvedi
5. Intellectual Property – W R Cornish
6. Cases and Materials on Intellectual Property – W R Cornish
7. Intellectual Property Rights – Unleashing the Knowledge Economy – Prabuddha Ganguli.



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- 5. Intellectual Property – W R Cornish
- 6. Cases and Materials on Intellectual Property – W R Cornish
- 7. Intellectual Property Rights – Unleashing the Knowledge Economy – Prabuddha Ganguli.



- iii. as a component of legal education by adopting it in curriculum in the universities
 - iv. as a tool for unification of law
5. Types of legal systems
- Different grouping by different jurists
- A.
 - i. Romanistic family
 - ii. Germanic family
 - iii. Nordic family
 - iv. Common law family
 - B.
 - 1) Civil Law system continental system
 - 2) Common law system

Factors decisive for classification

Historical development

Mode of legal thinking

Distinctive characters of legal institutions

Choice of sources of law

Ideology of each legal system
6. Method of studying comparative law
- Comparative law as it is practiced today (process of comparison)
- Its functionality
- Imagination and discipline
- Comparativist must look outside the law
- Choice of legal system for comparison (depends on the topic of research)
- Build a system
- Critical evaluation of what has been discovered
7. Reference of comparison between different legal systems
- Value of judicial decision in civil law system and common law system
- Statute law and its importance under different legal systems
- Legal system having mixed features
- Difference in legal terminology in various legal systems
8. Comparative dimensions of
- i. Contracts – formation of contracts, offer and acceptance, formal requirements, illegality and immorality
 - ii. Torts, in general, vicarious liability, strict liability
 - iii. Invasions against right of personality
 - iv. Judges and courts, training and recruitment of judges
 - v. Method of deciding cases
 - vi. Manner of writing opinions and decisions, jury trial

Recommended books and reading

1. Zweigart and Kotz - Introduction to Comparative Law

policy, condition precedent to liability of insurer, effect of breach, waiver of breach

- ix. Indemnity, extent
- x. Assignment of policy and its effect, S38 of the Insurance Act 1938, s 52, 53 of the Marine Insurance Act 1963
- xi. Premium, calculation, return: s 33, 54 of the Marine Insurance Act 1963
- xii. Insurable interest, contractual and statutory, time when it must exist, insurance and wagering agreement: Ss 6 to 9, 16, 17 of the Marine Insurance Act 1963

D. **Doctrine of subrogation**, limits on the doctrine: rights and remedies of insured, exercise of the right, subrogation and abandonment

E. **Contribution**, conditions for exercise of right, methods of contribution

The Insurance Act 1938, The Public Liability Insurance Act 1991,

The Personal Injuries (Compensation Insurance Act 1963, The Insurance Regulatory and development Authority Act 1999, The Life Insurance Corporation Act 1956 and The General Insurance Business (Nationalization) Act 1972- (45 marks)

1. Insurance Act 1938

- I. Terms and definitions-
 - i. Policy-holder, insurer, Authority
 - ii. Chief agent, insurance agent, principal agent, special agent
 - iii. Insurance company, Indian insurance company, insurance co-operative society.
 - iv. Life insurance business, fire insurance business, general insurance business, marine insurance business, miscellaneous insurance business
- II. Provisions applicable to insurers-Sections 2C, 3, 3B, 4, 5, 6, 6A, 6AA, 10, 29
- III. Assignment or transfer of policies, nominations-Sections 38-39
- IV. Licensing of agents, commission and rebates - Ss 40, 40A, 42, 42A, 42B, 42C, 43, 44.
- V. Special provisions- Ss 45, 46, 47, 4A
- VI. Tariff Advisory Committee and Control of Tariff Rates - Ss 64U, 64UA, 64UC, 64UE, 64UM
- VII. Provident Societies- Ss 65, 65A, 66, 67, 69

2. Public Liability Insurance Act 1991

- I. Objects and Reasons for the statute
- II. Sections 2-18, Schedule

3. Personal Injuries (Compensation Insurance) Act 1963

- I. Objects and Reasons for the statute



- c. Unification Efforts
- d. Modern Theories
- e. Stages in a 'Conflicts of Laws' Case
 - Choice of law
 - Choice of Jurisdiction
 - Recognition and Enforcement of Foreign Judgments/ Awards
- 2. Choice of Jurisdiction (First Stage)
 - A. Meaning, Bases of Jurisdiction, Limitations
 - B. Kinds of Jurisdiction
 - In person am
 - In rem
 - Admiralty Action
 - Stay of Proceedings / Actions
 - Assumed Jurisdictions
- 3. Classification / Characterization
 - a. Necessity for classifications
 - b. Various theories
 - c. Leading cases illustrative of theories
 - i. (Re Cohn, Apt V. Apt, Shehnaz V. Rizwan, Ogden V. Odgen De Nicols V. Curlier. Re Berehtold. Re Maldonade)
- 4. Choice of law- Lex Cases
(Two parts of this stage)
 - I. Connecting factor (First Part)
 - Why connecting factor
 - Selection of lex causes (applicable law)
 - II. Application of lex causes (Second Part)
 - Three meanings of I.C.
 - Renvoi - Partial
 - Renvoi - Total Foreign Court Theory
 - Critical Analysis of Renvoi
 - III. Leading Cases
 - Collier V. Rivaz. Re Duke of Willington.
 - Bremer V. Freeman. Re. Askev Re Annesly
 - Re Ross. Forege's Case.
- 5. Limitations on application or exclusion of foreign law
- 6. Incidental Question and Time Factor
- 7. Concept of Domicile
 - General Principles**
 - Elements of Domicile: Intention & Residence
 - Winavas V. Att. Gen. Ramay V. Liverpool
 - Royal Infirmary



- Normal and essential validity
- 3. Negotiable Instrument
 - 1) Negotiability
 - 2) What law governs
- 4. Succession

Testate and In testate

 - In testate succession- of movable
 - General Rule – lex domicile governs in exceptional circumstances lex situs
 - In testate succession to immovable – general rule lex situs governs
 - Testate succession – wills- capacity – lex domicile In case of succession to immovable by will, generally lex situs governs
- 5. Formal Validity

Lex domicile in case of movable and lex situs in case of immovable.
- 6. A) Essential Validity

B) Same as formal validity

Part IV- Law of Obligation
Contracts-

- ❖ Validity of Contracts
- ❖ Capacity to contract
- ❖ Formal Validity
- ❖ Essential Validity
- ❖ Proper Law of contract – Subjective and objective theories
- ❖ Torts
- ❖ Various theories
- ❖ Lex fori, lex loci, proper law etc.
- ❖ Philips v. Eyre, Boys v. Chaplin

Part V. – Recognition and Enforcement of foreign Judgments theories – **Limitation**

Book recommended this has been R.H. Graveson

Now following books may be prescribed-

- Private International Law – R.H. Graveson
- The Conflict of Law – J.H. C. Morris
- Indian Private Int. Law – S.S. Chavan
- Private International Law – Nath and Cheshire
- Paras Diwan- Indian Private International Law



2. Rights conferred by copyright, Broadcast reproduction right and Performer's right: Assignment, transmission and relinquishment of copyright: Licenses of copyright – voluntary and compulsory:
3. Infringement of copyright: Remedies for infringement: Offences and criminal proceedings: Acts not constituting infringement: Groundless threat of legal proceedings:
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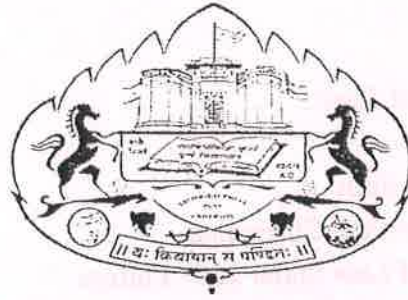
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Elective Courses.
(LLB/BAUB)



Elective
Courses
(LLB &
BALB)

SAVITRIBAI PHULE PUNE UNIVERSITY

(FORMERLY UNIVERSITY OF PUNE)

GANESHKHIND PUNE 411007

FACULTY OF HUMANITIES

REVISED CURRICULUM

OF

UNDERGRADUATE DEGREE COURSES OF LAW 2017-18

(As Amended in July 2019)

Courses of Law, Eligibility for Admission, Course Component,
Curriculum, Examination Pattern, Standard of Passing, and
Rules of Equivalence

for



PRINCIPAL
P. E. Society's
Modern Law College
Ganeshkhind, Pune-16.

B.A. LL.B. (Bachelor of Arts and Bachelor of Laws)

B.B.A. LL.B. (Bachelor of Business Administration and Bachelor of Laws)

LL.B. (Bachelor of Laws)





Progressive Education Society's

Modern Law College,

Ganeshkhind, University Circle, Pune- 411016

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Syllabus

Ist, IInd & IIIrd Year of LL.B.

(Three Year Course)

(From 2003-2004)



पुणे विद्यापीठ

दूरध्वनी क्रमांक :

०२०-२५६९१२३३

२५६०१२५७

२५६०१२५८

२५६०१२५९



शैक्षणिक विभाग

गणेशखिंड, पुणे-४११००७.

टेलिग्राफ : 'युनिपुणे'

फॅक्स : ०२०-२५६९१२३३

वेबसाइट : www.unipune.ernet.in

ई-मेल : dyracademic@unipune.ernet.in

दिनांक : २५/८/२०१०

संदर्भ क्र. : शीए/३४४२

प्रति,

मा. प्राचार्य,

प्रोग्रेसिव्ह एज्युकेशन सोसायटीचे

मॉडर्न विधी महाविद्यालय,

गणेशखिंड, पुणे-५३.

विषय : शैक्षणिक वर्ष २०१०-११ या एका वर्षाकरिता नवीन अभ्यासक्रम सुरू करण्यास परवानगी देण्याबाबत...

संदर्भ : शासन निर्णय क्र. एनजीसी २०१०/ (२२५/१०)मशि-४,
दि. १४.७.२०१०.

महोदय,

वरील विषयाच्या संदर्भात प्राप्त झालेल्या आदेशानुसार आपणास कळविण्यात येते की, आपल्या महाविद्यालयास शैक्षणिक वर्ष २०१०-११ या एका वर्षाकरिता १) एल.एल.एम. (६० विद्यार्थी संख्या) हा नवीन अभ्यासक्रम कायम विना अनुदान तत्त्वावर सुरू करण्यास अहवालातील अटी व शर्तीची पूर्तता पत्र निर्गमित झाल्यापासून तीन महिन्यांच्या आत पूर्ण करण्याच्या अटीवर परवानगी देण्यात येत आहे. तसेच पुणे विद्यापीठ व महाराष्ट्र शासनाद्वारे वेळोवेळी अस्तित्वात येणारे नियम आपणास बंधनकारक राहतील, याची कृपया नोंद घ्यावी.

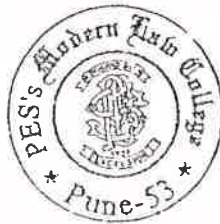
कळावे,

Adhikari

PRINCIPAL

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Modern Vidya College
Ganes...



आपला विश्वास,



PART III
Course Component of
B.A. LL.B., B.B.A. LL.B. and LL.B.

1. First Year B.A. LL.B. :

Subject Code	Semester I
CE 0101	General English
BA 0102	General Principles of Political Science
BA 0103	General Principles of Economics
BA 0104	General Principles of Sociology
Subject Code	Semester II
CE 0201	English for Law
BA 0202	Political Theories
BA 0203	Macro Economics, Policies and Practice
BA 0204	Theoretical Perspectives of Sociology

2. First Year B.B.A. LL.B. :

Subject Code	Semester I
CE 0101	General English
BB 0102	Managerial Accounting
BB 0103	Principles of Management
BB 0104	Business Communications
Subject Code	Semester II
CE 0201	English for Law
BB 0202	Organisational Behaviors
BB 0203	Management Information System
BB 0204	Principles of Marketing

3. Second Year B.A. LL.B. :

Subject Code	Semester III
CE 0301	Legal Language and Legal Reasoning
BA 0302	Public Policy and Public Administration
BA 0303	Theories of Development and Indian Economy
BA 0304	Society in India
Subject Code	Semester IV
CE 0401	Law and Literature
BA 0402	International Relations
BA 0403	Law and Economics
BA 0404	Social Research Methods



6. Fourth Year B.A. LL.B., Fourth Year B.B.A. LL.B. and Second Year LL.B. :

Subject Code	Fourth Year B.A. LL.B. - Semester VII Fourth Year B.B.A. LL.B. - Semester VII Second Year LL.B. - Semester III
LC 0701	Constitutional Law II
LC 0702	Property Law and Easement
LC 0703	Public International Law
LP 0704	Practical Training Paper I - Professional Ethics and Contempt of Court Law
	Optional Subject 3 (Any one from the following)
LO 0705	(a) Comparative Constitutions
LO 0706	(b) Investment and Securities Law
LO 0707	(c) Criminal Minor Acts
LO 0708	(d) Cooperative Law
LO 0709	(e) Private International Law

Subject Code	Fourth Year B.A. LL.B. - Semester VIII Fourth Year B.B.A. LL.B. - Semester VIII Second Year LL.B. - Semester IV
LC 0801	Labour and Industrial Law
LC 0802	Jurisprudence
LC 0803	Law of Evidence
LP 0804	Practical Training Paper II - Alternate Dispute Resolution System
	Optional Subject 4 (Any one from the following)
LO 0805	(a) Human Rights Law and Practice
LO 0806	(b) Competition Law
LO 0807	(c) Vulnerable and Disadvantaged Groups and Criminal Law
LO 0808	(d) Civil Minor Acts
LO 0809	(e) International Economic Law

7. Fifth Year B.A. LL.B., Fifth Year B.B.A. LL.B. and Third Year LL.B. :

Subject Code	Fifth Year B.A. LL.B. - Semester IX Fifth Year B.B.A. LL.B. - Semester IX Third Year LL.B. - Semester V
LC 0901	Civil Procedure Code
LC 0902	Interpretation of Statutes
LC 0903	Environmental Law
LP 0904	Practical Training Paper III - Drafting, Pleading and Conveyance
	Optional Subject 5 (Any one from the following)
LO 0905	(a) Law on Education



Module 02 Health and Constitutional Protections :

1. Fundamental Rights - Right to Health, Right to Decent Environment, Right to Shelter, Reproductive Rights of Women
2. Directive Principles of State Policy and Health

Module 03 Health and Legal Protection - Relevant Provisions under following Laws :

1. The Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994
2. The Factories Act, 1948
3. Law on Mental Health
4. The Maternity Benefit Act, 1961
5. The Infant Milk Substitutes, Feeding Bottles and Infant Foods Act, 1992
6. The Transplantation of Human Organs Act, 1994
7. The Indian Penal Code, 1860 - Chapter XIV (Sections 269 to 278)

Module 04 Right to Food and Nutrition in India :

1. Fundamental Rights - Right to Food and Nutrition
2. Directive Principle of State Policy on Food and Nutrition
3. Human Rights Perspectives of Food and Nutrition - an Overview

Module 05 The Food Safety and Standards Act, 2006 :

1. Need, Objects and Basic Concepts
2. Food Safety and Standards Authority of India
3. General Principles of Food Safety
4. General Provisions as to Articles of Food
5. Provisions Relating to Import
6. Enforcement of the Act
7. Analysis of Food
8. Offences and Penalties
9. Adjudication and Food Safety Appellate Tribunal

Module 06 The National Food Security Act, 2013 :

1. Need, Objects and Basic Concepts
2. Provisions for Food Security and Food Security Allowance
3. Identification of Eligible Households
4. Reforms in Targeted Public Distribution System.
5. Women Empowerment
6. Grievance Redressal Mechanism
7. Obligations of Central Government for Food Security
8. Obligations of State Government for Food Security
9. Obligations of Local Authorities
10. Transparency and Accountability
11. Provisions for Advancing Food Security

Recommended Readings :

1. R.K. Nayak (ed.), The Indian Law Institute, *Global Health Law*, (1998), World Health Organization, Regional Office for South East Asia, New Delhi.



1. Duties and Liabilities of Trustees
2. Rights and Powers of Trustees
3. Disabilities of Trustees
4. Rights and Liabilities of the Beneficiary
5. Certain Obligations in the Nature of Trusts
6. Fiduciary Relationship - Meaning, Express and Constructive Trusts, Application of the Principle of fiduciary Relations and Exceptions.

Part II The Maharashtra Public Trusts Act, 1950 :

Module 04 Introduction to Public Trust :

1. Objects, Application, Basic Concepts / Definitions, and Kinds of Trusts
2. Establishment
3. Charitable Purposes and Validity of Certain Public Trusts
4. Registration of Public Trusts
5. Change Reports
6. Framing of Schemes

Module 05 Supervision and Control of Public Trusts :

1. Budget, Accounts and Audit
2. Powers and Duties of, and Restriction on Trustees
3. Control of Public Trusts - Powers and Functions of Charity Commissioner
4. Other Functions and Powers of Charity Commissioner

Module 06 Special Provisions under the Act :

1. Special Provision as Respects Religious and Charitable Institutions and Endowments
2. Public Trusts Administration Fund
3. Offences and Penalties
4. Function of Charity Commissioner, Procedure, Jurisdiction and Appeals

Part III Principles of Equity :

Module 07 Development and Maxims of Equity :

1. Concept of Common Law and Common Law Courts
2. Concept and Definition of Equity
3. Origin and Development of Equity
4. Fusion of Common Law and Equity
5. Recognition of Equity under Indian Legal System - Overview
6. Maxims of Equity -
 - a) Equity will not suffer a wrong to be without a remedy
 - b) Equity follows the law
 - c) He who seeks equity must do equity
 - d) He who comes to equity must come with clean hands
 - e) Delay defeats equity
 - f) Equality is equity
 - g) Equity looks upon that as done which ought to have been done
 - h) Equity looks to the intent rather to the form
 - i) Equity imputes an intention to fulfill an obligation



- Cesare Lombroso
- Enrico Ferri
- Raffaele Garofalo
- Gabriel Tarde

Module 02 Psychology and Crime :

1. Meaning, purpose and scope of criminal psychology
2. Psychological vs. Psycho - analytical approach to crime
3. Behaviourist approach to crime
4. Definition of criminal Behaviour - Psychodynamics of criminal Behaviour.
5. Mental illness and crime
6. Human aggression and violence to crime

Module 03 Psychometric Test - Its use in Criminal Behaviour :

1. Measurement of criminal Behaviour - Psychological test to measure criminal Behaviour
2. Criminal profiling: Definition and process of profiling criminal personality
3. Factors underling criminal profiling
4. Merit and demerit of criminal profiling

Module 04 Forensic Psychology - Concept and Importance :

1. Definition, meaning and scope of forensic psychology
2. Historical background of forensic psychology in India and abroad
3. Role of forensic psychology in the investigation of crime
4. Psychology and the police
5. Application of psychology in court
6. Application of psychology in prison

Module 05 Sociological Theories - Crime and Social Structure :

1. Social structure theory
2. Social disorganization theory
3. Merton, anomie and strain

Module 06 Subcultural Theories :

1. Cohen's theory of the delinquent subculture
2. Miller's lower class gang delinquency

Module 07 Crime and Social Process :

1. Socialization and Crime - Differential association theory
2. Differential reinforcement theory
3. Neutralization and rift theory
4. Hirsch's Social Control or Social Bond Theory
5. Becker's Labelling theory
6. Self-Control and Self Esteem as related to crime

Recommended Readings :

1. Akers, Ronald.L. and Sellers, Christin, S. (2004) *Criminological Theories* (4th Edition) Rawat Publication, New Delhi.



3. Background, Objects and Reasons and Salient Features of the Model Act on the State Agricultural Produce Marketing (The State Agricultural Produce Marketing (Development and Regulation) Act, 2016)

Module 02 The Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963 :

1. Objects, Application and Definitions under the Act
2. Establishment of National Integrated Produce Market
3. Direct Marketing, Establishment of Private Market and Farmer - Consumer Market
4. Contract Farming Agreement
5. Marketing of Agricultural Produce
6. Constitution of Market Committees
7. Powers and Duties of Market Committee
8. Cost of Supervision
9. Officers and Servants of Market committee
10. Market fund
11. Trade Allowances Prohibited
12. State Agricultural Marketing Board
13. Control of Market committee
14. Penalties for Contravention of Provisions under the Act

Module 03 Legislation on Warehousing, Food Product Export, Grading and Marketing - Introduction, Objects and Reasons and Salient Features of the Laws :

1. The Warehousing Corporations Act, 1962
2. The Agricultural and Processed Food Products Export Development Authority Act, 1985
3. The Agricultural Produce (Grading and Marking) Act, 1937

Module 04 The Protection of Plant Varieties and Farmers Rights Act, 2001 :

1. Objects and Definitions under the Act
2. Protection of Plant Varieties and Farmers Rights Authority and Registry
3. Registration of Plant Varieties and Essentially Derived Variety
4. Duration and Effect of Registration and Benefit Sharing
5. Surrender and Revocation of Certificate and Rectification and Correction of Register
6. Farmers' Rights
7. Compulsory License
8. Plant Varieties Protection Appellate Tribunal

Module 05 Relevant Provisions under the National Food Securities Act, 2013 :

1. Midday Meal Scheme (MMS)
2. Integrated Child Development Services (ICDS)
3. Public Distribution Systems (PDS), etc.

Module 06 Agricultural Insurance in India – an Overview :

1. Characteristic Features of Indian Agriculture and Farmers' Community
2. Risk Perceptions of Indian Farmers



involves the study of important international instruments in the field of Intellectual Property with more emphasis on TRIPS agreement and the current issues.

Module 01 Introduction to Intellectual Property Rights :

1. Definition, Concept and Nature of Intellectual Property, Theories of Intellectual Property, Distinction between Intellectual Property and other tangible and intangible properties, Non-rivalrous nature of Intellectual Property, Kinds of Intellectual Property
2. Need for Protecting Intellectual Property- Policy Consideration, Importance of Intellectual Property in the present era, Monopoly v. Public Interest
3. Origin and Development of Intellectual Property, Internationalization of Intellectual Property Rights
4. Pre-TRIPS Scenario, Formulation of TRIPS, Basic Principles and Objectives of TRIPS, TRIPS and WIPO-WTO Cooperation, Transfer of Technology and TRIPS, The TRIPS Agenda, Critique of TRIPS
5. The Paris Convention for the Protection of Industrial Property, History, features and General Provisions

Module 02 Law of Copyright and Neighboring Rights :

1. Meaning and definition of Copyright, Neighboring rights (Related rights) and Secondary Rights
2. The Berne Convention for the Protection of Literary and Artistic Works - History, General Provisions, Developing Countries and the Berne Convention.
3. TRIPS provisions related to protection of Copyright.
4. Protection of technology-based works (such as computer programs and electronic databases), Secondary rights, Broadcasting rights

Module 03 Patent Law :

1. Meaning, Concept and Nature of Patent
2. The Patent Cooperation Treaty (PCT), History, Objectives of the PCT, Functioning of the PCT System, Advantages of the PCT System
3. Patent law harmonisation under TRIPS Agreement – Patentable subject Matter, Patentability Criteria, Non-Patentable inventions, Exceptions to Patent Rights, Compulsory Licences, Local working condition, Importation of patented goods, etc.
4. The Doha Ministerial Conference 2001
5. Introduction to the Budapest Treaty
6. Doctrine of Equivalents, Public dedication Rule, Patent Exhaustion, Patent Misuse, Enforceability of Patent Rights

Module 04 Law of Trade Marks :

1. Meaning and Nature of Trade Marks, Kinds of Marks, Well Known Marks
2. The Madrid Agreement Concerning the International Registration of Marks, Objectives, the Madrid System, Basic Features, Advantages of the System
3. Trademarks and the TRIPS Agreement



12. Gregory Stobbs, *Software Patents Worldwide*, Wolters Kluwer.
13. Jayshree Watal, *Intellectual Property in WTO and Developing Countries*. New Delhi: Oxford University Press.
14. Michael Blakeney, *Trade Related Aspects of Intellectual Property Rights: A concise Guide to the TRIPS Agreement*.
15. Parmeswaran Narayanan, *Intellectual Property Law*, Eastern Law House.
16. Rao M B and Guru M, *Understanding Trips Managing Knowledge in Developing Countries*. New Delhi: Response Books
17. Robert Merges and John Duffy, *Patent Law and Policy: Cases and Materials*, 2017.



Free Speech and Fair Trial under Criminal Procedure Code, 1973 - an Overview)

2. String Operation and Media
3. Broadcasting Rights
4. Taxation and Media
5. Media and Convergence
6. Infringement of Intellectual Property Rights
7. Internet and freedom of media
8. Violence against Media persons and Law
9. Role of media in electoral process (Press Council of India, Report on Paid News, 2010, Ministry of Law and Justice, Report of the Committee on Electoral Reforms, 2010 - an Overview)

Recommended Readings:

1. P.M. Bakshi - *"Press Law – An Introduction"* BTRFI Publications, 1985.
2. D.D. Basu - *"Law of the Press"*, LexisNexis Butterworth's Wadhwa, Nagpur.
3. Fred Seaton Siebert, Theodore Peterson and Wilbur Schramm, *"Four Theories of Press: The Authoritarian, Libertarian, Social Responsibility, and Soviet Communist Concepts of what the Press should be and Do"*, University of Illinois Press, 1963.
4. Madhavi Goradia - Divan - *"Facets of Media Law"* Eastern Book Company.
5. M.P. Jain *"Indian Constitutional Law"* LexisNexis, Butterworths, Wadhwa, Nagpur.
6. Ram Jethmalani and D. S. Chopra - *"Cases and Material on Media Law"*, Thomson Reuters, New Delhi.
7. P.M. Bakshi, *"Law of Defamation - Some Aspects"*, N.M. Tripathi, Bombay.
8. Ursula Smartt, *"Media and Entertainment Law"*, Routledge, First Edition.
9. Kiran Prasad, *Media Law in India*, Kluwer Law International.
10. Vidisha Barua, *Press and Media Law Manual*, Universal Law Publishing, New Delhi.
11. B. N. Ahuja, *"History of Press, Press Laws and Communications"*, Surjeet Publications, Delhi.
12. Gokhale, S. D., Sadhu, A., and Kuvalekar, V, (Eds). *"Press in India: On the Threshold of 21st Century"*, Sakal Paper Trust, Pune.
13. M. E. Price (Ed) *"Routledge Handbook of Media Law"*, Routledge, London.

LO 0606 Banking and Insurance Law :

Objectives of the Course : The modern society functions on monetary transactions. The services banks render to the public have a significant contribution in the development of any economy. The security of assets, money and other valuable belonging to individuals, families, businesses is assured through the service that banks provide. The process of the working of the banks, legal control over them, and protection to consumers of banking services, are areas with which a law student must become familiar.

Insurance industry provides risk cover to individuals and businesses. It is growing, especially after the industry became open for private investments. While the business of insurance is

Categories of customers : Individual, Company, Partnership firm, Trust, Joint Account holders, Minors, Joint Hindu Family, Illiterate persons, Unincorporated bodies, Consortium finance

2. Types of loans and advances and their features
3. Security for repayment of debt : Types of securities and their nature - guarantees, immovable property, stocks-shares-debentures, goods, life policies, book debts, Mortgage, charge, pledge, hypothecation, lien, Registration of mortgages and charges
4. Lending in priority sectors - agriculture, housing, education, MSMEs, export credit, weaker Sections, women
5. Lender's liability and the Fair Practice Code

Module 05 Recovery of Loans and Procedure :

1. Limitation period for enforcing payment and securities
2. Default and recovery of debts and enforcement of securities -
 - a) The Recovery of Debts due to Banks and Financial Institutions Act, 1993 - Chapters III, IV and V, and related definitions in Section 2
 - b) Procedure in aid of recovery of loans and debts and enforcement of securities under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002 - Chapter III, and related definitions in Section 2

Part II : Insurance Law - Statutes :

1. The Indian Contract Act, 1872 - Sections 17-19, 30, 31-35, 64.
2. The Insurance Act, 1938 - Sections 2(2), 2(6A), 2(6B), 2(6C), 2(7A), 2(7B), 2(8) 2(9), 2(10), 2(11), 2(13A), 2(13B), 2(16B), 2C, 3, 3A, 3B, 6, 10, 27, 27A-27E, 38-40, 42, 42A, 45, 64VB, 103.
3. The Insurance Regulatory and Development Authority of India Act, 1999 - Sections 3-5, 8, 18, 19.
4. The Marine Insurance Act, 1963 - Sections 3, 6-9, 16-17, 19-26, 33-37, 52-54, 67-68.
5. The Motor Vehicles Act, 1988 - Sections 2 (28), 2(30), 2(34), 140-143, 145-163B, 174, 177, 196.
6. The Transfer of Property Act, 1882 - Sections 130, 130A, 135, 135A.
7. Regulations made by the IRDA relating to Appointment of Insurance Agents, Protection of Policy Holders' Interests, Surrender and Paid-up Value, Investments, Health Insurance, Life Insurance, General Insurance, Reinsurance.

Module 06 Nature of Insurance :

1. What is insurance? Classes of insurance, Voluntary and compulsory insurance
2. Risks, Risk-handling, spreading, and transfer, Mathematical value, Insurable and other risks, Extent, commencement, duration and termination of risks - Period of risk, Time of loss
3. Perils, insurable perils, Hazard, moral hazard and adverse selection
Re-insurance

Module 07 Contract of Insurance :

1. Contract of insurance, subject-matter of insurance; Contingent nature of the

7. R K Gupta, Banking Law and Practice in 3 Vols., 2012, Modern Law Publications.
8. Sukhvinder Mishra, Banking Law and Practice, 2014, Sultan Chand & Sons.
9. R K Bangia, Banking Law and Negotiable Instruments Act, 5th ed, 2015, Allahabad Law Agency.

Recommended Readings - Insurance :

1. Sachin Rastogi, Insurance Law and Principles, 2014, LexisNexis.
2. Gaurav Varshney, Insurance Laws, 2017, LexisNexis.
3. Birds' Modern Insurance Law, 9th ed, 2013, Sweet and Maxwell.
4. Avtar Singh, Law of Insurance, 3rd edn, 2017, Eastern Book Company.
5. McGee, The Modern Law of Insurance, 2011, Lexis-Nexis.
6. J V N Jaiswal's Law of Insurance, Sumeet Malik ed, 2nd edn, 2017, Eastern Book Company.
7. B C Mitra, Law Relating to Marine Insurance, 2012, Universal Law Publishing.
8. N P Tripathi, Insurance: Theory and Practice, 2005, Prentice Hall India.
9. Marshall Wilson, Insurance: Concepts and Coverage, 2012, Friesen Press.
10. MacGillivray on Insurance Law, Prof John Birds et al ed, 13th ed + Supplement, 2016, Sweet and Maxwell.
11. Insurance: Principles, Applications and Practices, 2009, Cyber Tech Publications.
12. John Lowry et al, Insurance Law: Doctrines and Principles, 3rd ed, 2011, Hart Publishing.
13. KSN Murthy and KVS Sharma, Modern Law of Insurance in India, 5th edn, 2014, LexisNexis.

LO 0607 Penology and Victimology :

Objectives of the Course : The objectives of the course is to acquaint students with the penal policies including theories of punishment, their supposed philosophical and sociological justifications. This course also offers a specialized understanding of the functioning of the penal institutions along with rehabilitation and protection of victims of crime.

Module 01 Penology - Introduction :

1. Definition, nature and scope of Penology
2. Crime Control Mechanism -
 - a) Police
 - b) Court
 - c) Public Prosecutor
 - d) Jail Administration
 - e) Open Prison

Module 02 Punishment :

1. Concept of Punishment
2. Theories of Punishment -
 - a) Deterrent Theory
 - b) Retributive Theory
 - c) Preventive Theory



3. Distinction between Parole and Indeterminate Sentence
4. Distinction between Parole and Furlough
5. Comparison between Parole and Probation
6. Parole in India
7. Structural setup of Parole Boards and their Functions
8. Conditions of Parole
9. Essentials of an Ideal Parole System
10. Judicial Trend in India
11. Parole Violation

Module 07 Victimology - Victim and Victimization :

1. Victim – Meaning and Kinds
2. Impact of Victimization - Physical, Economic and Psychological
3. Double / Secondary victimization
4. Victimology - Definition, Nature and Scope
5. Theories of Victimology -
 - a) The Precipitation Theory
 - b) Life-style Theory
 - c) Deviant Place Theory
 - d) Routine Activity Theory

Module 08 Legal Perspectives of Victim Assistance :

1. Victim Assistance Program -
 - a) Evolution of Concept of Victim and Victimology
 - b) Victim's Rights - Approach at International and Municipal Jurisdiction.
 - c) Declaration of United Nations on Victims' Rights
 - d) Constitution of India and Rights of Victims
 - e) Statutory Provisions - Code of Criminal Procedure, Probation of Offenders Act
2. Access to Justice -
 - a) Compensation to victims of crime
 - b) Rights of victims during trial
 - c) Legal assistance to the victims
 - d) Role of victim at time of granting bail
 - e) Right of victim to appeal

Recommended Readings:

1. J.M.J. Sethna, *Society and the Criminal*, N.M. Tripathi Private Limited, (1980).
2. Shukla Girjesh, *Criminology*, LexisNexis, New Delhi, (2013).
3. N.V. Paranjpe, *Criminology and Penology with Victimology*, Central Law Publication, Allahabad, (1998).
4. J.P.S. Sirohi, *Criminology and Penology*, Allahbad Law Agency.
5. Ahmad Siddique, *Criminology and Penology*, Eastern Book Company.
6. Davis Lurigo Herman, *Victims of Crime*, Sage Publications.



c) Examination of Proposal by a Committee Constituted by the Appropriate Government

2. Special provisions to safeguard Food Security

Module 05 Notification, Acquisition, Rehabilitation, Resettlement and Procedure :

1. Notification and Acquisition
2. Rehabilitation and Resettlement Award
3. Procedure and Manner of Rehabilitation and Resettlement

Module 06 Authorities, Apportionment Payment of Compensation :

1. National Monitoring Committee for Rehabilitation and Resettlement
2. Establishment of Land Acquisition, Rehabilitation and Resettlement Authority
3. Apportionment of Compensation
4. Payment of Compensation

Module 07 Temporary Occupation, Offences and Miscellaneous Provisions :

1. Temporary Occupation of Land
2. Offences and Penalties
3. Miscellaneous Provisions under the Act (Sections 91 to 114)

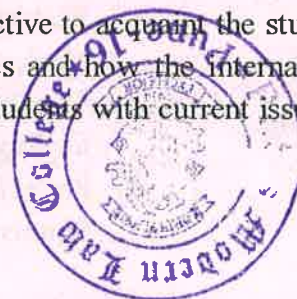
Recommended Readings:

1. Manoj Kumar Srivastava, *Agricultural Labour and the Law: Socio-Economic Problems and Legal Protection*: (Deep & Deep Publications, 1993).
2. Om Prakash Aggarwala, (2008), *Commentary on Land Acquisition Act*, Universal Law Publishing Co. P. Ltd, New Delhi.
3. L. M. Singhvi, *Land Reforms - Law and Poverty*, Pages 103-114, 116-121, 127-136.
4. Choudary, D R and Choudary, A N; *Land Laws in Maharashtra*, CTJ Publications.
5. Ramchandran, V G; *The law of Land Acquisition, and Compensation*, Eastern Book Company.
6. Choudhari, *The Land Acquisition Act*, Orient Law Agency, Allahabad.
7. V.N. Shukla, *Constitution of India*, Eastern Book Agency, 2014.
8. N.K Acharya, *Commentary on the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013*, Asia Law House, 2014.
9. M.L. Upadhyaya, Law, *Poverty and Development*, Taxmann Allied Publishers Pvt. Ltd, 2000.

LO 0609 Intellectual Property Rights II :

Objectives of the Course : This course is designed with an objective to acquaint the students with the laws for the protection of various intellectual properties and how the international instruments implemented in India. It also aims at sensitizing the students with current issues in the field of Intellectual Property at National Level.

Module 01 The Copyright Act, 1957 :



6. Duration, Renewal, Removal and Restoration of Trademark
7. Rights and liabilities of Trademark Holder, Limitations on rights, Honest and concurrent use
8. Effect of Registration of Trade Mark, Infringement and Passing off Remedies, Deceptive Similarity
9. Change of Ownership, Assignment and Transmission, Licenses
10. Contemporary Developments - Effects of Information Technology, Protection of Trade Names and Domain Names

Module 04 The Designs Act, 2000 :

1. Development of Designs Law in India
2. Definitions, Controller of designs, Registration of designs - Essential requirements, Non-registrable designs, Procedure of registration, Term of copyright in designs
3. Cancellation of registration, Restoration of lapsed designs
4. Rights of design holders, Assignment and Transmission
5. Piracy (Infringement) of registered designs and Remedies for Infringement

Module 05 The Geographical Indications of Goods (Registration and Protection) Act, 1999 :

1. Historical background of law of Geographical Indications in India
2. Meaning and Definition, Functions and Characteristics of Geographical Indication
3. Distinction between Geographical Indications and Trade Mark
4. The Register and Conditions for Registration of Geographical Indication
5. Procedure for Registration, Duration of Protection, Rights conferred by Registration, Infringement of Geographical Indications and Remedies
6. Powers of the Registrar of Geographical Indications

Module 06 Protection of other Types of Intellectual Property Rights in India :

1. Protection of Plant Varieties and Farmer's Rights in India
2. Layout Designs/Topographies Integrated Circuits
3. Protection of Confidential Information and Trade Secrets
4. Protection of Traditional Knowledge
5. Protection of Bio-diversity
6. Semiconductor Integrated Circuits and Layout Designs
7. Protection against Unfair Competition

Recommended Readings :

1. Tamali Sen Gupta, *Intellectual Property Law in India*, Wolters Kluwer Law & Business (2011).
2. Brainbridge, *Intellectual property*. New Delhi: Pearson Education (Singapore) Pvt. Ltd.
3. Choudhary D. N., *Evolution of Patent Laws*. New Delhi: Capital Law House.
4. Epstein M A, *Epstein on Intellectual property (Indian Reprint)*. New Delhi: Wolters Kluwer Law and Business.



4. Significance of comparative study of Constitution in interpretation
5. Common law of England
6. American Constitution
7. The Common law heritage
8. Indian position

Module 02 History of Constitution Making and its Development in India :

1. Applicability of foreign precedents in interpretation of the Constitution of India
2. Fundamental Rights : Bill of Rights
3. Instances of application of foreign precedents
4. Instances of departures from foreign precedents
5. Forms of Government : Article 74 and 75

Module 03 Federalism- Comparative Study :

1. Principles of federalism
2. Legal features of federalism
3. Co-operative federalism
4. Transition from comparative federalism to co-operative federalism
5. Distribution of legislative and financial power in a federal system
6. Federalism - Indo-U.S. comparative perspectives
7. Separation of power : Checks and balance mechanism
8. Amending power in India, U.S. and Australia: comparative perspective

Module 04 Judicial Review :

1. Evolution and concept of judicial review
2. Meaning of judicial review
3. Characteristics of modern Constitutions and their impact on Judicial Review
4. Constitutional growth in India under judicial review and its impact

Module 05 Justification and Limitation of Written Constitution :

1. Incidents of written Constitution - a legal instrument
2. Justiciability of written Constitution
3. Written Constitutions which are not justiciable : France, U.S.S.R., China
4. Indian Constitution : Justiciability and non-justiciability

Module 06 Interpretation of Constitution :

1. Interpretation as a legal instrument
2. Limitations of liberal interpretation
3. Spirit of Constitution
4. Indian Constitution and instances of interpretation

Module 07 Constitution as Higher Law :

1. Higher law distinguished from 'Rule of Law'
2. Elements of Rule of Law
3. Parliamentary supremacy under the Indian Constitution
4. Distinction between Constitutional Law and Ordinary law



2. Provisions relating to IPO, FPO, Private placement, bonus issue, Qualified Institutional Placement under the SEBI (Issue of Capital and Disclosure Requirement) Regulations, 2018
3. Primary Market intermediaries - Merchant Banker, Managers to issue, Registrar and Share Transfer Agent, Bankers to the issue, Brokers, Syndicate Members
4. Secondary Market intermediaries - Registrar and Share Transfer Agent, Brokers / sub-brokers, Portfolio Managers, Investment Advisers, Research Analyst, Credit Rating Intermediaries, Clearing Corporations

Module 04 Securities and Exchange Board of India and the Depositories Act, 1996 :

1. Background and Introduction, Constitution of SEBI
2. SEBI - Power and Functions, Role of SEBI in securities market.
3. SEBI - Power to issue Informal Guidance
4. SEBI - Power to issue Regulations, Rules under Securities Market
5. Constitution of Securities Appellate Tribunal (SAT), SAT - Power and Functions
6. The Depositories Act, 1996 - Rights and Obligations of depositories, Depository Participants, Issuers and beneficial owners, Penalties. Dematerialisation and Rematerialisation of securities (Procedure, Advantages and Disadvantages)
7. Relevant provisions of the Companies Act, 2013

Module 05 Stock Exchange and Investor Protection :

1. The Securities Contracts (Regulation) Act, 1956 - Recognized stock exchanges, listing of securities, penalties and procedure
2. Procedure for a stock exchange to be a recognized Stock Exchange, Power of Government, procedure for de-recognition of a stock exchange
3. Concept of Demutualization of stock exchanges and its impact on the Indian economy and the Regional stock exchanges
4. Minimum public shareholding and its advantages to shareholders and stakeholders
5. Trading, Spot delivery contract, Badla Contract, Future contracts, Options,
6. Derivatives, Listing of Shares
7. Investors Protection mechanism under various statutes - Role and functions of SEBI Tribunal, the Companies Act, 2013 - Acceptance of deposits, Misstatement in prospectus, fraudulently inducing person to invest money, non-payment of dividend, Right to demand financial statement, Investor Education and Protection Fund, class action suits

Module 06 Insider Trading and Takeover Code :

Insider Trading :

1. Insider Trading : Meaning and Definition of Insider Trading. Insider, Connected person, deemed to be connected, trading, Unpublished price sensitive information, generally available information, Chinese wall, Compliance Officer, Trading Window, Pre-clearance, Code of Conduct

Module 05 Introduction to Space Law :

1. Nature, Definition and Scope of Space Law
2. Development of the Space Law
3. Fundamental Principles of Space Law

Module 06 Space Treaties :

1. The Space Treaty, 1967
2. The Rescue Agreement, 1968
3. The Liability Convention, 1975
4. The Registration Convention, 1975
5. The Moon Treaty, 1979
6. The Partial Test Ban Treaty, 1963

Module 07 International and Inter-Governmental Organizations :

1. Bilateral Agreement in Space Activity
2. Organization of Space Activities
3. Department of Space (DOS)
4. Indian Space Research Organisation (ISRO)

Module 08 Emerging Issues of Space Settlements and Property Rights :

1. Question of State Sovereignty and Claim of Property Rights
2. Human Habitation on the Moon and Other Celestial Bodies
3. Protection of the Space Environment
4. Demilitarization of the Outer Space
5. International Space Station
6. Inventions in Outer Space

Module 08 Law of Sea :

1. Historical background of Law of Sea
2. UN Conferences on the Law of the Sea
3. Territorial Sea
4. Passage through International Straits
5. Contiguous Zone
6. Continental Shelf
7. Exclusive Economic Zone
8. High Seas
9. Seabed Mining



Recommended Readings :

1. Ranbir Singh et.al (eds) : *Current Developments in Air and Space Law* (NLU Delhi, 2012) online edition available at <http://nludelhi.ac.in/download/publication/2015/Current%20Developments%20in%20Air%20and%20Space%20Law.pdf>
2. Shawcross and Beaumont, *Air Law*, Vol 1. Butterworths (1977).
3. Bin Cheng, *Studies in International Space Law*, Clarendon Press, Oxford, (1997).
4. B. Sandeep Bhat (Ed), *Space Law: The Emerging Trends*, Eastern Law House, (2018).
5. Thomas Gangale, *The Development of Outer Space*, ABC-CLIO, Inc, California (2009)

4. V.A. Avdhani, *Investment and Securities Market in India*, Himalaya Publishing House, 2011.
5. Vishal Saraogi : *Capital Markets and Securities Laws Simplified*, Lawpoint Publication.
6. E. Gordon & K. Natarajan: *Capital Market in India*; Himalaya Publishing House.
7. V.L. Iyer : *SEBI Practice Manual*; Taxmann Allied Service (P) Ltd.

LO 0707 Criminal Minor Acts :

Objectives of the Course : The Indian Penal Code, 1860 is not the only criminal law in India, though it is one of the major criminal law. Apart from Indian Penal Code there are many other criminal legislations. In a post-independence period many legislations were enacted by the Centre and State to control crime and criminal behavior. These special legislations redefined crime and the criminal procedure to be followed. These legislations are rampantly been used by police and courts in day to day life. The course is designed to acquaint the students with few important criminal laws, which are essential for all criminal law lawyers.

Module 01 The Maharashtra Police Act, 1951 :

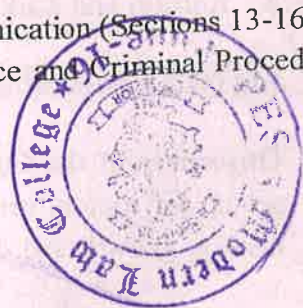
1. Historical background, Objects, Scope and Definitions under the Act
2. Superintendence, control and organization of the Police Force
3. Regulation, Control and Discipline of the Police Force
4. Police Regulations
5. Special measures for Maintenance of Public Order and Safety of State
6. Executive Powers and Duties of the Police
7. Offences and Punishments

Module 02 The Prevention of Corruption Act, 1988 :

1. Legislative History, Object and Scope of the Act, Definitions of Public Servant and Public Duty
2. Appointment of Special Judges
3. Offences and Punishments
4. Investigation into cases
5. Sanction for Prosecution Special Procedure : Change in Rules of Evidence and Criminal Procedure (Sections 20-24)

Module 03 The Maharashtra Control of Organized Crime Act, 1999 :

1. Legislative History, Object and Scope of the Act
2. Organized Crime : Definition and Scope, Punishments
3. Courts and Public Prosecutor (Sections 6-12)
4. Interception of Wire, Electronic or Oral Communication (Sections 13-16)
5. Special Procedure : Change in Rules of Evidence and Criminal Procedure (Sections 17- 23)



part of the course is a detailed study of the Maharashtra Co-operative Societies Act 1960 (the MCS Act, 1960) which will enable a student to know about the process of formation, management and control of cooperative societies, their relations with third parties and its members, and settlement of disputes between the society and its members. This study will equip a student to understand this special law, and to specialize in this branch of law.

Module 01 Theory and Principles of Co-operation :

1. Capitalist, socialist and co-operative forms of organisation
2. Definition of co-operation
3. Fundamental principles of co-operation
4. Importance, advantages and limitations of co-operation
5. Advantages of co-operative organization in the society and the economy
6. Social, economic and moral benefits of co-operation

Module 02 History, Growth and Development of Co-operation :

1. History, growth and development of co-operative movement in India
2. Growth and development through Five-Year Plans
3. Role of the State in development of co-operation, State aid to societies
4. Role of National Co-operative Development Corporation, NABARD
5. Co-operative legislations, particularly the State cooperative laws and Multi State Cooperative law, with special reference to Maharashtra
6. Constitutional Provisions – Freedom to form Co-operative Societies and Restrictions (Article 19) and Provisions relating to Co-operative Societies (Articles 243ZH to 243 ZT)

Module 03 Nature of Co-operative Societies:

1. Characteristics of a co-operative society
2. Comparison with other forms of organization, viz., company, trust and partnership firms
3. Role and functions of different kinds of co-operative societies: Credit, finance, banking; Producers, farmers, dairy; Consumers; Housing; Marketing
4. Salient features of the Multi-State Cooperative Societies Act, 2002

Module 04 Preliminary and Registration of Societies :

1. Objects and Definitions under the MCS Act, 1960
2. Societies that can be registered, limited liability or unlimited liability, Classification of societies, Conditions of registration, Name of society, Procedure for registration
3. Bye-laws, important features of Model Bye-laws
4. Cancellation of registration, De-registration
5. Amalgamation, Transfer, Division or Conversion Societies

Module 05 Members of Society :

1. Who can become a member, types of members, open membership
2. Procedure for admission, continuation and cessation of membership, Removal and expulsion of a member



Recommended Readings:

1. B B Goel, *Cooperative Legislation – Trends and Dimensions*, Deep and Deep Publications.
2. Rish Pal Nainta, *Laws Relating to Cooperative Societies – A Commentary*, 2004.
3. Sunil Dighe: *Maharashtra Co-Operative Societies Act, 1960 and Rules, 1961*, Snow White.
4. S Desai, *Commentary on Co-operative Housing Societies*, Snow White Publications, 2009.
5. V V Ghanekar, *Co-Operative Movement in India*, Institute of Rural Development & Education, 2004.
6. A K Gupte and S D Dighe, *Maharashtra Co-operative Societies Act 1960 with Rules 1961*. Hind Law House, 2008.
7. M C Jain and H M Bhatt, *Maharashtra Co-Operative Societies Act, 1960*, Law Times.
8. A E Karmali, *Maharashtra Co-operative Societies Act, 1960 and Rules, 1961*, Snow White Publications, 1997.
9. H A Mehta, *Guide to Co-Operative Housing Societies*, 7th ed Reprint, Snow White Publications, 2012.
10. R K Pillai, *Maharashtra Co-Operative Societies Act, 1960*, Current Publications, 2014.
11. A M Shah, *Maharashtra Co-Operative Societies Act, 1960*, Snow White Publications, 2004.
12. *Guide to Co-Operative Housing Societies*, Snow White Publications, 2017.

LO 0709 Private International Law :

Objectives of the Course : Private International Law, also known as conflict of laws, is a national law, consisting of rules that enable finding that law of that country which will govern disputes among private parties that involve a foreign element.

This course is important for every student interested in developing civil and commercial practice relating to cross border issues involving contracts, property, succession, marriage, divorce, and adoption. Study of this law will also give an international and comparative perspective to the study of different laws required in practice of civil law.

Module 01 Introduction :

1. Meaning and definition of Private International Law
2. Historical development of Private International Law and Indian Private International Law
3. Nature, scope, theories and sources of Private International Law
4. Relationship between Public International Law and Private International Law

Module 02 Characterization :

1. Meaning, and nature of problem requiring characterization
2. Concept and theories of characterization - based on *lex fori*, *lex causae*:
Two-fold characterization (primary and secondary), Comparative Law
3. Process and stages of characterization -
 - a) Characterization of factual situation
 - b) Characterization of connecting factor



Module 08 Legitimacy, Legitimation and Adoption :

1. Legitimacy and legitimation - meaning, English law and Indian law, Choice of law
2. Adoption - position in Indian and English law, Hague Conference on Private International Law

Module 09 Foreign Judgments :

1. Recognition and enforcement of foreign judgments - Theories - comity, obligation, judicial reason, harmony, Indian Law
2. Recognition of foreign judgments - Conclusive and final judgment, Defences against enforcement of foreign judgments, Rule of *res judicata*, Reciprocity
3. Execution of foreign judgments by Indian courts

Recommended Readings :

1. Dicey, Morris & Collins, *Conflict of Laws*, Sweet and Maxwell 15th ed., 2016.
2. James Fawcett and Janeen M Carruthers, *Cheshire and North's Private International Law* Oxford University Press, 14th ed., 2008.
3. Setalvad, Atul M., *Conflict of Laws*, Lexis Nexis, 2014.
4. Paras Diwan, *Private International Law : Indian and English*; Deep & Deep, 2008.
5. K.B. Agraawal & Vandana Singh, *Private International Law in India*, Wolters Kluwer International, 2010.
6. Universal Law Series, *Private International Law*, Universal Law Publishing, 2016.
7. V. C. Govindraj, *The Conflict of Laws in India- Inter-Territorial and Inter-Personal Conflict* Oxford University Press, 2011.

Conventions and Indian Statutes to be Referred :

1. Hague Codification Convention on Private International Law.
2. Convention of 15 June 1955 relating to the settlement of the conflicts between the law of nationality and the law of domicile.
3. Convention of 1 June 1956 concerning the recognition of the legal personality of foreign companies, associations and institutions.
4. Convention of 24 October 1956 on the law applicable to maintenance obligations towards children.
5. Convention of 15 November 1965 on Jurisdiction, Applicable Law and Recognition of Decrees Relating to Adoptions.
6. Convention of 1 June 1970 on the Recognition of Divorces and Legal Separations.
7. Convention of 14 March 1978 on Celebration and Recognition of the Validity of Marriages.
8. Principles on Choice of Law in International Commercial Contracts 2015
9. Convention of 1 February 1971 on the Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters.
10. Relevant Indian Legislative provisions under Law of Contract, Civil Procedure Code, Family Law and Law of Property.



5. The Competition Act, 2002 vis a vis the MRTP Act, 1969
6. The Competition Act, 2002 – Objectives and Salient Features
7. Important Definitions under the Competition Act, 2002
8. Brief overview of Competition Law in USA, UK and EU

Module 03 Anti-Competitive Agreements :

1. Anti-Competitive Agreements : Meaning and Scope
2. Types of Anti-competitive agreements - Horizontal and Vertical agreement
3. Per se Illegal Practices and Rule of Reason
4. Exemption from anti-competitive agreements
5. Prohibition of anti-competitive agreement / cartel / bid rigging
6. Practices, decisions and agreements resulting into cartels
7. Pro-competitive and anti-competitive effects of joint ventures
8. Pro-competitive and anti-competitive effects of vertical agreements
9. Prevention of anti-competitive agreements in USA, UK and EU

Module 04 Regulation of Abuse of Dominant Position :

1. Economics of abuse of dominance
2. Types of Abuse by a Dominant Player : Exploitative Abuses : Vertical restraints and Excessive pricing: Exclusionary Abuses - Price discrimination, discounts and predation Enterprise
3. Relevant Market
4. Dominance in Relevant Market
5. Relevance of sector specific competitive dynamics on dominant position
6. Predatory Pricing
7. Defenses against abuse of dominance
8. The remedies in case of abuse of dominance
9. Prevention of Abuse of Dominant Position in UK and USA

Module 05 Regulation of Combinations :

1. Combinations : Merger, Acquisition, Amalgamation and Takeover
2. Jurisprudence of Horizontal, Vertical and Conglomerate Mergers
3. Private Equity Investments
4. Notification of combinations
5. Jurisdictional test : Turn over, Asset, Domestic nexus, Exemptions
6. Regulations and Penalties
7. Position in USA, UK and EU

Module 06 Enforcement Mechanisms :

1. Establishment and Constitution of Competition Commission of India, Powers and Functions
2. Jurisdiction of the CCI
3. Director General of Investigation (DGI) - Penalties and Enforcement
4. Competition Appellate Tribunal
5. Adjudication and appeals
6. Competition Advocacy in India and International Perspective



4. Criminal law as a tool of social change
- Module 02 The Protection of Civil Rights Act, 1955 :**
1. Social menace of Untouchability
 2. Legislative history, objectives, definitions and scope of the Act
 3. Practices of Untouchability and Punishments
 4. Presumption of courts in some cases
 5. Power of court to impose collective fine
 6. Non application of Probation of offenders Act
- Module 03 The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 :**
1. Legislative history, objectives, definitions and scope of the Act
 2. Defining Atrocity against Scheduled Caste and Scheduled Tribes
 3. Offences of Atrocities and punishments
 4. Externment procedure
 5. Collective Fine
 6. Special Courts and Special Prosecutor
 7. Presumption by courts in certain cases
 8. Precautionary and Preventive measures under the Rules of 1995
 9. Non application Anticipatory Bail and Probation of Offenders Act
 10. Investigation and supervision
 11. Personnel under the Act and their duties
- Module 04 The Dowry Prohibition Act, 1961 :**
1. Dowry a social menace
 2. Legislative history, objectives, definitions and scope of the Act
 3. Definition of Dowry
 4. Penalty for giving and taking dowry
 5. Dowry for benefit of wife or her heirs
 6. Change in procedural law and Evidence Law
 7. Dowry Prohibition officers
- Module 05 The Protection of Children from Sexual Offences (POCSO) Act, 2012 :**
1. Legislative history, Objective, definitions and Scope of the Act
 2. Sexual offences against children
 3. Using child for pornographic purpose
 4. Abetment of an attempt to commit an offence
 5. Procedure for reporting of cases
 6. Procedure for recording statement of the child
 7. Special courts: Procedure and powers of special courts and recording of evidence
 8. Punishments under the Act
- Module 06 The Immoral Traffic (Prevention) Act, 1956 :**
1. Legislative history, Object, definitions and reasons of the Act
 2. Social Landscape of Prostitution
 3. Prostitute – Vaguely defined under the Act



9. *Khergamvala on the Negotiable Instruments Act as amended by Negotiable Instruments (Amendment) Act 2015*, S Abdul Khader Kunju ed., 22nd ed, LexisNexis, 2017.
10. D S Chopra, *A Commentary on Sale of Goods, Partnership and Negotiable Instruments*, Thomson Reuters, 2016.

LO 0809 International Economic Law :

Objectives of the Course : With the Changing dimensions of Globalisation and the increasing dependence on economic relations by the nation states, the significance of international law has grown considerably in the contemporary era. The relations of nation-states are mostly depending on economic cooperation than on political perspectives as compared to yester years. In order to have a broad outlook of the nation-state relations in the field of economic era, this course equips the student to get an overview of economic legal scenario of states.

Module 01 Introduction :

1. Definition and Nature of International Economic Law
2. Sources of International Economic Law
3. Relationship between national and international economic laws

Module 02 Developments in the context of De-colonization :

1. Origin and Development of International Economic Law - Bretton Woods Conference
2. Concern of Developing States: New International Economic Order (NIEO)
3. Significance of Resolution on Permanent sovereignty Over Natural Resources
4. The Charter of Economic Rights and Duties Law
5. Sustainable Development under United Nations

Module 03 International and Regional Financial Institutions :

1. IBRD Structure Powers and Functions - Significance of IRO
2. Structure Powers and functions of IMF
3. Structure Powers and Functions of World Bank
4. Structure powers and Functions of Asian Development Bank
5. Structure Powers and Functions of G-20
6. Structure Powers and functions of BRICS

Module 04 International Trade Law :

1. GATT :

- a) Historical origin
- b) Organs
- c) Uruguay round and its impact on International Economic Law
- d) Significance of most Favoured Nations Clause and National Treatment
- e) Objective Principles of GATT 1994 –Reduction of Tariff and Non-Tariff Barriers to Trade.
- f) General Exceptions to Article XX and XXI of GATT 1994
- g) Safe Guard Measures under XIX of GATT 1994



4. Dr. Girish Ahuja and Dr. Ravi Gupta : *A Compendium of Issues on Income Tax & Wealth Tax* (in 2 Vols.), 2010 Eastern Book Company.
5. CA Atul Kumar Gupta : *Goods and Services Tax – Law, Practice and Procedures*, LexisNexis 2017.
6. Dr Girish Ahuja & Dr Ravi Gupta : *Systematic Approach to Income Tax*, 37th Paperback - 2016, Walters Kluwer.
7. Taxmann : *Latest Edition on Income Tax*.
8. V.S. Datey : *GST Ready Reckoner*, Taxmann 2017.

LO 0907 Law of Forensic Science :

Objectives of the Course : Forensic science plays a very important role in criminal law justice system. It helps in determination of the guilt of a suspected criminal, and ascertains various facts in a case by scientifically testing various types of evidences collected during criminal investigation. A Prosecutor or a Judge is an expert in the field of law but may lack in-depth scientific knowledge, which may be necessary in different cases to ascertain the facts and circumstances of the case in order to prove the case “beyond reasonable doubts” and to attribute criminal liability to the accused person. Therefore, expert opinion of scientists and doctors are invited by the courts whenever evidences are scientifically examined. The aim of this course is to explain the concept of forensic science and its role in criminal law. This course will give an overview as to what kind of evidences are collected and scientifically tested in various crimes, how the result of these tests and expert opinion are useful in investigations and trials and its evidentiary value.

Module 01 Constitutional Rights and Law of Forensic Science :

1. Right to Privacy and Right against Self Incrimination - with leading cases
2. Meaning of Forensic Science
3. Development of forensic science
4. Scope of forensic science
5. Importance of forensic science in Criminal Law
 - a) Role of forensic science in understanding criminal psychology
 - b) Role of forensic science in criminal investigation
 - c) Role of forensic science in court of law
 - d) Role of forensic science with respect to questioned documents
 - e) Digital evidences and forensic science
 - f) Role of forensic science in cyber crimes
6. Forensic Experts and Relevancy of their opinion:
 - a) Crime scene investigator
 - b) Firearms Examiner
 - c) Document Examiner
 - d) Forensic Anthropologist
 - e) Computer Forensics Expert
 - f) Psychiatrist and behavioural scientist, etc.



- d) Record of evidence
- e) Medical evidences - certificates, reports, dying declaration, etc.
- f) Witnesses - common, experts, conduct and duties of doctors
- g) Preservation of medico - legal evidence at the crime scene
- 3. Autopsy :
 - a) Objectives of Autopsy
 - b) Requirements
 - c) Protocol
 - d) Exhumation
 - e) Identification
 - f) Time of death
 - g) Sudden unexpected deaths
 - h) Instantaneous psychological deaths
 - i) Autopsy in traffic accidents
 - j) Age estimation
 - k) Starvation deaths
 - l) Burns
 - m) Asphyxial deaths
 - n) Rape
 - o) Abortion
 - p) Poison
- 4. DNA Finger Printing :
 - a) Meaning of DNA fingerprinting
 - b) Principles
 - c) Status of DNA fingerprinting in India
 - d) Powers of Investigating agency
 - e) Role in crime investigation
 - f) Judicial Approach
 - g) Evidentiary Value
- 5. Fingerprint Forensics :
 - a) Meaning of fingerprint forensics
 - b) Importance and role in criminal investigation
 - c) Techniques for collection
 - d) Law relating to fingerprints
 - e) Power of investigating officers
 - f) Power of Courts
 - g) Provisions under Criminal Procedure Code, and Indian Evidence Act - Section 45
 - h) Judicial Approach
 - i) Evidentiary Value
- 6. Forensic Detection Dogs :
 - a) Concept of sniffer dogs
 - b) Role of such dogs



Recommended Readings :

1. Martin D'Souza and R.P Kataria, *Forensic Science in Criminal Trial and Investigation*, Orient Publishing Co.
2. Kevin J. Strom and Mathew J. Hiceman, *Forensic Science and the Administration of Justice - Critical Issues and Directions*, SAGE Publications, (Chapters: 1, 7, 8, 9, 11 and 13).
3. *Modi's Medical Jurisprudence and Toxicology*, 23rd Ed. Publisher - LexisNexis Butterworths Wadhwa.
4. C.K Parikh, *Parikh's Textbook of Medical Jurisprudence, Forensic Medicine and Toxicology*, CBS Publishers and Distributors.
5. B.R Sharma, *Forensic Science in Criminal Investigation and Trials*, Universal Law Publication,
6. Dr R. Krishnamurti, *Forensic Science in Crime Investigation*.
7. B.S Nabar, *Forensic Science in Crime Investigation*, Asia Law House.
8. Medico-Legal Manuals.

LO 0908 Land Laws I :

Objectives of the Course : Land rights refer to the inalienable ability of individual to freely obtain, use, and possess land at their discretion, as long as their activities on the land do not impede on other individuals' rights. The purpose of the course, divided in two semesters, is to acquaint the students about laws that govern the use and dealing with land and buildings, and regulation and control of activities concerning land.

This course deals with laws that mainly affect urban properties, their development and dealings. With a sound background of law of transfer of property, this course equips the student with all other laws that affect use and dealings of land, and activities that enable its best use. Although much of course content involves laws in force in the State of Maharashtra, the principles governing these laws are common across laws on the subjects in other states.

Module 01 The Maharashtra Ownership Flats Act, 1963 :

1. Objects and Application of the Act
2. Definitions : flat, construct a block or building of flats or apartments, and promoter
3. Duties, liabilities, responsibilities and disabilities of a promoter
4. Alterations, additions and defects to structure and building
5. Flat purchase agreement, and its registration
6. Rights, liabilities of a flat-taker
7. Essential supplies and services
8. Offences by promoters and by companies

Module 02 The Maharashtra Apartment Ownership Act, 1970 :

1. Objects and Application of the Act
2. Definitions of - apartment, apartment owner, building, common areas



6. Real Estate Appellate Tribunal, Establishment, Composition
7. Application to Tribunal, Powers, Execution of orders (Sections 43- 45, 53-54)
8. High Court (Section 58)
9. Offences and Penalties by promoter, allottee and real estate agents (Sections 59-68)
10. Power to adjudicate compensation (Sections 71-72)

Module 06 The Maharashtra Regional and Town Planning Act, 1966 :

1. Object, Application, and General Scheme of the Act
2. Development Plan, its contents and implementation (Sections 21, 22 and 42)
3. Control of Development and use of Land included in Development Plans (Sections 43-58)

Module 07 The Maharashtra Rent Control Act, 1999 - Forfeiture and Recovery of Possession :

1. Rent Control in urban areas, Object and Historical background of the Act
2. Application of the Act and Exemptions
3. Definitions : Landlord, legal representative, licensee, paying guest, premises, tenant
4. Relief against forfeiture
5. Recovery of possession by landlord (Sections 16, 18-22)
6. Landlord's rights, duties and liabilities : enter for inspection, essential supplies, conversion of use, receipt for rent, registration of agreements, lawful charges
7. Jurisdiction of courts, Appeals

Module 08 The Maharashtra Rent Control Act, 1999 - Standard Rent, Repairs, Sub-Tenancies :

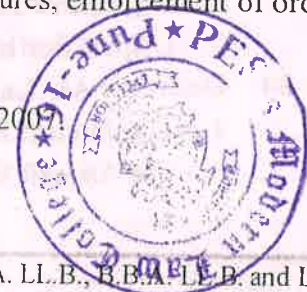
1. Definition: standard rent, permitted increase
2. Standard rent: its concept, components, increase in rent, liability to pay standard rent, Application for fixing standard rent, Court's power to fix standard rent
3. Landlord's duty to repair, Recovery or possession for repairs (Sections 16(1)(h), 17)
4. Prohibition on sub-letting, assignment or transfer; Sub-tenants to become tenants

Module 09 The Maharashtra Rent Control Act, 1999 - Special Cases and Licenses :

1. Special provisions for recover of possession by licensors, effect of non registration of agreement
2. Special provisions for recover of possession by members of armed forces
3. Competent Authority, its powers and functions, bar of jurisdiction, no appeal, summary disposal of applications, special procedures, enforcement of orders

Recommended Readings:

1. J V N Jaiswal, *Housing Law in India*, Eastern Book Company, 2009.



LO 1006 Bankruptcy and Insolvency Law :

Objectives of the Course : The Insolvency and Bankruptcy Code, 2016 consolidated and amended the law relating to reorganization and insolvency resolution of corporations, partnership firms, and individuals. The Course will give the student an overview of the new law that not only opens opportunities for specialized practice in this area, but also in the course of transacting, and due diligence investigation. The student will apprise of the Insolvency resolution process, the distinction between Insolvency and Bankruptcy, the function of regulation in this area, the functioning of various authorities.

Module 01 Introduction :

1. Historical perspectives of insolvency and bankruptcy laws
2. Need, objects and application of the Code
3. Definitions of the terms: claim, charge, corporate person, corporate debtor, core services, creditor, debt, default, financial information, financial institution, financial product, financial service, financial sector regulator, insolvency professional, person, property, security interest
4. Concepts of - insolvency and bankruptcy, debtors and creditors

Module 02 Insolvency Resolution and Liquidation Process for Corporate Persons :

1. Corporate insolvency resolution process
2. Liquidation process
3. Fast track insolvency resolution process

Module 03 Insolvency Resolution and Bankruptcy for Individuals and Partnership Firms :

1. Insolvency resolution process
2. Bankruptcy order for individuals and partnership firms
3. Administration and distribution of the estate of the bankrupt

Module 04 Authorities under the Code :

1. Insolvency and Bankruptcy Board of India
2. Powers and functions of the Board
3. Insolvency professional agencies
4. Information utilities
5. Inspection and investigation

Module 05 Adjudicating Authorities under the Code :

1. Adjudicating Authorities for Corporate Persons
2. Adjudicating Authorities for Individuals and Partnership Firms
3. Appeals

Module 06 Insolvency and Bankruptcy Code vis-à-vis Other Legislations :

1. The Companies Act, 2013
2. The Sick Industrial Companies (Special Provisions) Repeal Act, 2003
3. The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002
4. The Recovery of Debts Due to Banks and Financial Institutions Act. 1993



- c) Power of investigation agencies
- d) Role of Courts

Recommended Readings :

1. Nelken D (2010) *Comparative Criminal Justice Making Sense of Difference*, London Sage.
2. Nelken D (ed) (2011) *Comparative Criminal Justice and Globalisation*, Farnham Ashgate.
3. Crawford A (ed) (2011) *International and Comparative Criminal Justice and Urban Governance Cambridge*, Cambridge University Press.
4. Haberfeld M.R. & Cerrah İ (ed) (2008) *Comparative Policing : the Struggle for Democratization*, London, Sage.
5. Jones J & Newturn I (ed) (2006) *Plural Policing a Comparative example* London, Routledge.
6. Andreas P and Nadelmann E (2006) *Policing the Globe: Criminalization and Crime Control in International Relations*, New York, Oxford University Press.
7. Bowling B, Sheptyck J (2012) *Global Policing*, London: Sage.
8. Choe D.H. (2013) *Discretion at Pretrial Stage - A Comparative Study*, European Journal of Criminal Policy and Research, 20.
9. Schonteich M. (2008) *The Scale and Consequences of Pretrial Detention Around the World in : Open Society Foundations* (Ed) Justice Initiatives London.
10. Terrill R.J. (2012) *World Criminal Justice Systems: A Comparative Survey*, Oxford Newness.
11. Vogler R (2005) *A World View on Criminal Justice* Aldershot, Ashgate.
12. Van Koppen P.J. and Penrod S.D. (eds) (2003) *Adversarial Versus Inquisitorial Justice*, New York, Kluwer.
13. Hans V (2008) *Jury System around the World*, Annual Review of Law and Social Science.
14. Vidmar N (ed) (2001) *World Jury System*, Oxford University Press.
15. Garland D (2001) *The Culture of Control, Crime and Order in Contemporary Society*, University of Chicago.
16. Pratt J Brown, D Brown, S Hallsworth, and W Morrison, (eds) (2013) *The New Punitiveness*, London, Routledge.
17. Zimring F (2003) *The Contradictions of American Capital Punishment*, Oxford University.
18. Francis Pakes, (2015), *Comparative Criminal Justice*, Routledge, London.
19. Mark Findlay, (2013) *International and Comparative Criminal Justice*, Routledge.

LO 1008 Land Laws II :

Objectives of the Course : This course deals with laws dealing with agricultural and other lands, their use, holding, management and dealings. With a sound background of law of transfer of property, this course will equip the student with all other laws that affect use and dealings of land, and activities that enable its best use. Agricultural land is subject to such control and regulation as would enable its most effective and efficient use. Although much of course content involves laws in force in the State of Maharashtra, the principles governing these laws are common across laws on the subjects in other states.



- default, Surrender
- b) Relief against termination
- 2. Termination of tenancy by operation of law, Tiller's day
- 3. Purchase of land by tenants, procedure for purchase
- 4. Right of tenant to exchange land
- 5. Collector, Mamlatdar and Tribunal - powers and functions
- 6. Jurisdiction and bar of jurisdiction, Appeals and Revision

Module 07 The Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act, 1947 :

- 1. Historical background, object, application and definitions under the Act
- 2. Determination of local and standard areas, entry in record of rights
- 3. Restrictions and prohibitions on transfer and partition of fragments including court sales, exceptions, penalty, transfer of fragment to Government and compensation
- 4. Consolidation, procedure, Reservation of land for public purpose,
- 5. Scheme - its preparation and enforcement, and compensation and apportionment, Certificate of transfer, Rights in holdings, Transfer of encumbrances
- 6. Consolidation Officer, Settlement Commissioner, their powers and functions
- 7. Bar of jurisdiction

Module 08 The Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 :

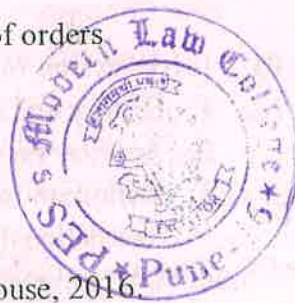
- 1. Historical background, object, application and definitions under the Act
- 2. Ceiling on holding of land, Exempted land, Prohibition on holding land beyond ceiling limits
- 3. Restrictions on transfers and acquisitions, and consequences of contravention
- 4. Surplus land, Submitting returns, Selection of land, Procedure of determining surplus land, Declaration of surplus land, Compensation
- 5. Distribution of surplus land
- 6. Collector and Maharashtra Revenue Tribunal, Powers and functions,
- 7. Appeals

Module 09 The Mamlatdars' Courts Act, 1906 :

- 1. Historical background, object, application and definitions under the Act
- 2. Mamlatdar and Joint Mamlatdars, their appointment and powers
- 3. Cause of action and limitation
- 4. Procedure from filing of plaint till enforcement of orders
- 5. Injunction and its disobedience
- 6. Collector and his powers and functions

Recommended Readings :

- 1. S Dighe, *Land Laws in Maharashtra*, Snow White, 2016.
- 2. A K Gupte, G Sethi, *Land Laws in Maharashtra*, Hind Law House, 2016.
- 3. A K Gupte, G Sethi, *Maharashtra Land Revenue Code, 1966*, Hind Law House, 2017.
- 4. S Dighe, *Maharashtra Land Revenue Code, 1966*, Snow White, 2016.



2. Prisoners of War
3. Medical, Religious and Relief Personnel
4. Protection of Civilians
5. Protection of Women and Protection of Children
6. Protection of Cultural Property
7. Means of Warfare
8. Methods of Warfare

Module 03 Implementation of IHL and Institutional Mechanisms :

1. Basic issues involved in Implementation of IHL
2. Implementation of Law at National Level
3. Grave Breaches of Geneva Conventions and Additional Protocols
4. Role of ICRC
5. War Crimes Tribunals - an Overview
6. International Criminal Court - Jurisdiction, Powers and Functions
7. Conventions and Protocols to be covered in this area :
 - a) The First Geneva Convention Protects Wounded and Sick Soldiers on Land During War, 1949
 - b) The Second Geneva Convention Protects Wounded, Sick and Shipwrecked Military Personnel at Sea During War, 1949
 - c) The Third Geneva Convention Applies to Prisoners of War
 - d) The Fourth Geneva Convention Affords Protection to Civilians, Including in Occupied Territory
 - e) Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977
 - f) Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977
 - g) Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to Adoption of an Additional Distinctive Emblem, (Protocol III), 8 December, 2005
8. Judicial Decisions :
 - a) International Military Tribunal at Nuremberg
 - b) International Military Tribunal for the Far East (Tokyo)
 - c) International Criminal Tribunal for the Former Yugoslavia (ICTY)
 - d) International Criminal Tribunal for Rwanda (ICTR)
 - e) Special Court for Sierra Leone

Module 04 Contemporary Challenges :

1. Respect for IHL
2. IHL and Terrorism
3. Private Military Contractors
4. New Methods of Warfare – Drones, Cyber Warfare, Autonomous Weapon Systems



11. R. K. Dixit, R. K. P. Shankardass, C. Jayaraj, and Manoj K. Sinha, *International Criminal Law: Issues and Challenges* (2009), Indian Society of International Law.
12. B.S. Chimni, ed., *International Refugee Law : A Reader* (2000), Sage Publications.
13. Carlier, Jean Yves, et. al., *Who is a Refugee? A Comparative Case Law Study* (1997).
14. Goodwin, Gill, Guy S., McAdam, Jane, *The Refugee in International Law* (3rd edn,) 2014, Oxford.
15. James C. Hathaway, *The Rights of Refugees Status under International Law* (2014) Cambridge.
16. Arjun Nair, *National Refugee Law for India : Benefits and Roadblocks* (2007).
17. South Asia Human Rights Documentation Centre (SAHRDC), *Human Rights and Humanitarian Law: Developments in Indian and International Law* (2008).
18. UNHCR and IPU, *Refugee Protection : A Guide to International Refugee Law* (2001).
19. Ragini Trakroo, et. al., *Refugee and the Law* (2005).
20. Bimal N. Patel : *The State Practice of India and International Law* (2016).

Note for Syllabus of all Subjects :

1. The students are advised to refer latest editions of the books / readings recommended. The list of recommended readings is given for the general information and understanding of the students. However, students are advised to refer any other standard book or other material available. In case student finds no recommended readings for any topic of the syllabus, the students may refer any standard book or other material available. The students are also advised to refer E-Resources.
2. The students shall also refer and study the latest amendments in the concerned law. Such amendment in law shall become a part of a syllabus of concerned subject and shall be operative with effect from the academic year immediately next to the academic year in which amendment in the concerned law becomes operative.

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