



LALA LAJPATRAI COLLEGE OF LAW

(Affiliated to University of Mumbai and Approved Bar Council of India)

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Criteria 1: Curricular Aspects

Metric No.: 1.3.1

Metric Title: *Institution integrates cross-cutting issues relevant to Professional Ethics, Gender, Constitutional and Human Values, Environment and Sustainability etc. into the Curriculum*

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Programme: Bachelor of Law (LLB)				
Sr. No.	Course	Nature of Cross-cutting Issue	Sem.	Pg. No.
1.	Labour Laws	Professional Ethics	SEM-I	1-4
2.	Practical Training -I	Professional Ethics	SEM-I	5-6
3.	Law of Crimes	Human Values	SEM-II	7-9
4.	Constitutional Law-I	Gender Equity & Constitutional & Human Values	SEM-II	10-12
5.	Family Laws-I	Gender Equity	SEM-II	13-16
6.	Environmental Laws	Environment and Sustainability	SEM-II	17-19
7.	Administrative Laws	Constitutional and Human Values	SEM-III	20-23
8.	Constitutional Law-II	Constitutional Values	SEM-IV	24-27
9.	Human Rights Law	Gender Equity, Constitutional Values & Environment & Sustainability	SEM-IV	28-30
10.	Intellectual Property Laws	Constitutional & Human Values	SEM-VI	31-34
11.	Law Relating to Women and Children	Gender Equity	SEM-VI	35-37

UNIVERSITY OF MUMBAI



**Revised Syllabus for LL. B. (3 years) Sem – I to VI and
LL. B. (5yrs) Five Years Integrated Course Sem – I to X
(Choice Based Credit System)**

(With effect from the academic year 2022-23)

COURSE OUTLINE

PROGRAM: 5yr/3 Yr Professional Law

First-year BLS/LLB

Semester: V/I

Course Title:- LABOUR LAW AND INDUSTRIAL RELATIONS- I

Course Code:

Credits: 4

OBJECTIVES:

This course is designed to acquaint the students with the framework of Industrial relations in our country further, the importance of the maintenance of Industrial peace and efforts to reduce the incidence of Strikes and Lockout and Industrial Strike is to be emphasized. The main theme underlying the course is to critically understand the provisions of the Trade Unions, the types of machinery contemplated under the provisions of the Industrial Disputes Act for the prevention and settlement of industrial disputes Further, the objectives underlying the Industrial Employment (Standing Orders) Act, 1946 and Disciplinary Enquiry for Misconduct are to be studied to acquaint the students with misconduct and the procedure to be followed before punishing the misconduct alleged and established. Further, the students are to be acquainted with the social security framework prevailing in our country. It is necessary to know the concept of social security, its importance and the constitutional basis for the same in India. The importance of ensuring the health, safety and welfare of the workmen and social assistance and social Insurance Schemes under various legislations are to be emphasized. The main theme underlying the course is to critically examine the provisions in the Employee's Compensation Act-1923 and the machinery provided for protecting the interests of the workers. Further, the objectives underlying the Factories Act-1948, are to be studied to acquaint the students with various rights and benefits available to the workmen under the legislation. The course aims to impart knowledge about the social security of employees and workmen in industries and factories as per the Social Security Code, 2020. The course further aims to make the students well-versed with the occupational safety, health and working conditions of persons employed in establishments as per the Employees Compensation Act, 1923.

COURSE OUTCOMES:

After completing this course students should be able to:

1. Understand the provisions of the Trade Union Act.

2. Comprehend the standards and techniques of Collective Bargaining
3. Understand the technicalities and concepts of industrial dispute and apply the relevant provisions of law.
4. Know the legal provisions and concepts of Lay-Off and Lock-Out, Retrenchment, Strike, Wages and Workman.
5. To develop extensive knowledge regarding provisions relating to trade unionism
6. To understand the provisions relating to health, safety and welfare of the workers.
7. Understand in detail Laws related to Factories and Apprentices
8. Know the Powers and Duties of Authorities under the various Acts.

MODULE 1:

THE TRADE UNIONS ACT, 1926

- 1.1 Evolution and growth of Trade Union in India.
- 1.2 International Labor Organization (ILO) – its influence in bringing changes in the Constitution and national legislation.
- 1.3 Definition, Registration and Recognition.
- 1.4 Immunities in trade disputes: Criminal and Civil.
- 1.5 Collective Bargaining – Purpose and its types.
- 1.6 Collective Bargaining Process, Advantages and Disadvantages.

MODULE 2:

INDUSTRIAL DISPUTES ACT, 1947.

1. Industry – Conceptual Analysis.
2. Concept – Industrial Dispute, Workman etc.
3. Authorities under the Act.
4. Strike and Lockout.
5. Lay off, Retrenchment and Closure.
6. Award and Settlement.

MODULE 3:

MRTU & PULP, 1971

1. Concept – Industry, Labour Courts, Unfair Labour Practices etc.
2. Authorities within the Act.
3. Recognition of Union and its rights with obligations.
4. Illegal Strikes and Lockouts.
5. Unfair Labour Practices.
6. Power of Courts and Penalties.

MODULE 4:**FACTORIES ACT, 1948 AND APPRENTICES ACT, 1961**

1. Concept: Factory, Occupier, Hazardous Process, Apprentices etc.
2. Provision relating to health, safety and welfare of workers.
3. Provision relating to Hazardous Process and working conditions.
4. Penalties and Procedures.
5. Apprentices and their training with object and scope.
6. Authorities constituted and Penalties.

SUGGESTED READINGS:

1. S.C. Srivastava – Industrial Relations and Labour Laws.
2. Dr. V.G. Goswami – Labour Industrial Laws.
3. S.N. Mishra – Labour and Industrial Laws.
4. O.P. Malhotra – Law of Industrial Disputes.
5. Dr. Avatar Singh – Introduction to Labour and Industrial Laws.
6. Madhavan Pillai - Labour and Industrial Laws
7. Srivastava K D - Commentaries on Industrial Disputes Act, 1947 V
8. Giri - Labour problems in Indian Industry
9. Labour Law and Labour Relations Published by Indian Law Institute
10. S.C Srivastava - Social Security and Labour Laws, Universal, Delhi

LL.B Semester I/ Semester V BLS LLB

Practical Training – I Professional Ethics and Professional Accounting System

Course Objectives

Professional legal education cannot be sans practical aspects. This course is as prescribed by the Bar Council of India(BCI) as a compulsory clinical course. The objective of this course is to equip the students with the knowledge about the Bar, enrolment into the Bar, different terminology used to refer to practitioners of law, Bar Councils under the Advocates Act, qualities of a good lawyer, Right to practice and privileges, The course is designed to imbibe in students the values forming the basis of the profession so that they can live up to those standards in their professional life and hence includes BCI laid down professional ethics and the disciplinary powers of Bar Council over the advocates for misconduct in the teaching-learning of this course. The course aims at providing an insight into the Contempt of Courts Act, 1971 as prescribed by BCI. The course endeavors to teach the bar- bench relations and accountancy for lawyers.

Course Outcomes

At the end of the course, the students will be able to:

1. Understand the eligibility and procedure for enrolment and required ethical standards of the legal profession.
2. Distinguish between the different kinds of lawyers and their roles
3. Know the qualities of a good lawyer, privileges of a lawyer and the right to practice
4. Know duties of advocates and the rules of legal professionalism
5. Know professional misconduct and powers and procedure for disciplinary action against erring advocates
6. Know and apply the contempt of court law and basic accountancy required for advocates

Module 1

- 1.1 Enrolment of Lawyers- Qualifications prescribed u/s 24 of the Advocates Act 1961 and procedure
- 1.2 Common Terminology: Solicitor, Advocate, Lawyer, Senior Counsel, Junior Counsel, Legal Practitioners, Barrister, AOR, Amicus Curie
- 1.3 Seven Lamps of Advocacy: Honesty, Courage, Industry, Wit, Eloquence, Judgment and Fellowship
- 1.4 The Bar Council of India and the State Bar Council- Constitution, Powers and Functions
- 1.5 Privileges of a lawyer- Salient features of the Advocates Act, 1961
- 1.6 Right to Practice
- 1.7 Designation as Senior Counsel: Indira Jaising v/s SC of India (SC 2017)

Module II

- 2.1 Professional Ethics- Power of Bar Council of India, Meaning and Standards of professional conduct and etiquette
- 2.2 Duties
 - A. Duty to the court

- B. Duty to the client
 - C. Duty to the opponent
 - D. Duty to the profession
 - E. Duty to the colleagues
 - F. Duty to public, state and society
- 2.3 Duty to Render Legal Aid

Module III

3.1 Professional Misconduct

3.2 Punishment for misconduct

3.3 Remedies against the order of punishment

- 3.4 Review by the State Bar Council of its own order
- 3.5 Disciplinary Committee of the State Bar Council- Organisation and powers and procedure
- 3.6 Disciplinary Committee of the Bar Council of India- Organisation and powers and procedure
- 3.7 Transfer of proceedings from the State Bar Council to the Bar Council of India
- 3.8 Selected opinions of the Disciplinary Committee of Bar Councils and Major Judgments of the Supreme Court on the subject.

Module IV

- 4.1 The Contempt Law and Practice- Articles 129 and 215 of the Constitution of India, Contempt of Courts Act, 1971
- 4.2 Bar Bench relations - Role of the Bar to Strengthen Bar-Bench Relations
- 4.3 Accountancy for Lawyers

- i. Amount due to the client or amount due by the client;
- ii. Penalty for not keeping Account Books;
- iii. Bar council Rules relating to accounting.
- iv. Basic principles of accounting, financial statements, balance sheet, income statement

Recommended Readings:

- Mr. Krishnamurthy Iyer's book on "Advocacy"
- Professional Conduct and Advocacy B S Raman
- Advocates Act, 1961
- Contempt of Courts Act, 1971
- N R Madhava Menon, (ed.) - Clinical Legal Education (1998), Dr B Malik, (Ed)
- Art of Lawyer (New Delhi, Universal Book Agency, 1999)

COURSE OUTLINE

PROGRAM: 5yr/3 Yr. Law

First-year BLS/LLB

Semester: VI/II

Course Title-: LAW OF CRIMES

Course Code:

Credits: 4

COURSE OBJECTIVES:

This course is designed to understand the meaning of crime, and the essential principles of criminal liability by a study of a range of offences under the Indian Penal Code 1860. It further aims to empower students to understand the fundamentals of criminal jurisprudence and analyse the various elements of the crime. The students will be equipped to understand the principles of culpability and punishment. The students will be well versed with the general scheme of the Indian Penal Code 1860 and be able to grasp the various terms and terminology used in the Indian Penal Code 1860. The students will be prepared to analyse the ingredients of various offences and study the punishments prescribed thereto. They will be able to identify the general exceptions under the penal law and understand the principles of joint criminal liability.

COURSE OUTCOMES:

After completing this course, the student will be able to:

1. Identify the various components of criminal culpability and an offence.
2. Appreciate the fundamentals of Criminal Jurisprudence.
3. Appreciate the fundamentals of culpability and the various kinds of punishment.
4. Understand criminal terms and terminology as per the Indian Penal Code.
5. Understand the extent and operation (jurisdiction) of the Indian Penal Code.
6. Identify various crimes from the point of view of the requirements of substantive criminal law.
7. Identify the punishment prescribed for various offences from a micro perspective as per IPC.
8. Appreciate and understand the aspects of joint criminal liability.
9. Identify whether a given case is covered under any of the general exceptions.

MODULE 1:

1.1 History of Criminal law

Difference between civil and criminal law

1.2 Concept of Crime, Components of Crime and Criminal Liability

1.3 Theories and Kinds of Punishment

(Includes IPC Chapter III: Sections 53 to 75)

1.4 Capital Punishment

1.5 Stages of Crime

1.6 Theories of Negligence

1.7 Introduction to Cyber Crimes

MODULE 2:

2.1 Extent and Operation -

IPC Chapter I: Sections 1 – 5

2.2 General Explanations

IPC Chapter II: Sections 6 - 52

2.3 General Exceptions

IPC Chapter IV: Sections 76 - 106

2.4 Abetment

IPC Chapter V: Sections 107 120

2.5 Criminal Conspiracy

IPC Chapter V-A: Sections 120 A & B

2.6 Attempts

IPC Chapter XXIII: Section 511

- 1. Unlawful Assembly, Gang Rape and Dacoity from point of view of Joint criminal liability**

MODULE 3:

3.1 Offences against the State

IPC Chapter VI: Sections 121 – 130

3.2 Offences relating to Army, Navy & Air force

IPC Chapter VII: Sections 131 – 140

3.3 Offences against public tranquillity

IPC Chapter VIII: Sections 141– 160

3.4 Offences relating to public servants

IPC Chapter IX: Sections 166 – 171

3.5 Contempt of Lawful Authority of Public Servants

IPC Chapter X: Sections 172 – 190

3.6 False Evidence and Offences against public justice

IPC Chapter XI: Sections 191 – 229A

3.7 Offences relating to coin and government stamps

IPC Chapter XII: Sections 230 –263A

3.8 Offences relating to weights and measures

IPC Chapter XIII: Sections 264 – 267

3.9 Offences affecting the human body

IPC Chapter XVI: Sections 299 – 377

MODULE 4:

4.1 Offences relating to elections

IPC Chapter I: Sections 171A – 171I

4.2 Offences affecting public health safety, convenience, decency and morals

IPC Chapter XIV: Sections 268 – 298

4.3 Offences relating to religion

IPC Chapter XV: Sections 295 – 298

4.4 Offences against property

IPC Chapter XVII: Sections 378 – 462

4.5 Offences relating to documents and property marks

IPC Chapter XVIII: Sections 463 – 499E

4.6 Offences relating to marriage

IPC Chapter XX: Sections 493 – 498

4.7 Cruelty by husband or relatives of the husband

IPC Chapter XX-A: Section 498A

4.8 Defamation

IPC Chapter XXI: Section 499

4.9 Criminal Intimidation, Insult and Annoyance

IPC Chapter XXII: Sections 503 – 505

SUGGESTED READINGS:

1. Criminal Law: Cases and Material by KD Gaur
2. Commentary on the Indian Penal Code by KD Gaur
3. Criminal Jurisprudence by Dr. V S Chitnis
4. Law of Crimes in India by R C Nigam
5. Textbook of Criminal Law by Glanville Williams
6. The Indian Penal Code by Ratanlal & Dhirajlal
7. Simplest book on Criminal Law by Dr. K K Shetty
8. Lectures on Criminal Law by Dr. Rega Surya Rao
9. The Criminal Law Manual – Mulla's IPC
10. Criminal Law by P S A Pillai
11. Law of Crimes and Criminology by R P Kathuri

COURSE OUTLINE

PROGRAM: 5yr/3 Yr. Professional Law

First-year BLS LL B / LLB

Semester: VI/II

Course Title-: CONSTITUTIONAL LAW -I

Course Code:

Credits: 4

COURSE OBJECTIVES:

This course aims to comprehend the philosophy of the Indian Constitution, the Historical background of the Indian Constitution, objectives of the Indian Constitution through the Preamble and the provisions relating to fundamental rights and citizenship. The purpose of the course is to acquaint the students with the Basic Postulates of the Constitution like the Constitutional Supremacy, Rule of law, and Concept of Liberty. It further aspires to fathom the conceptually crafted Directive Principles of State Policy and Fundamental Duties. To develop amongst the students practical understanding of Constitutional provisions and to augment critical thinking skills related to the Constitution and various authorities and to give them a picture of Constitutional Parameters regarding the organization, Powers and Functions of the various Organs of the Government. The emphasis is also on the study of the nature of federal structure and its functioning. A critical analysis of the significant judicial decisions is offered to highlight judicial restraint, judicial passivity, judicial activism and judicial balancing. The students will be able to articulate their independent views over contemporary crucial constitutional issues. The course intends to provide students with tools for identifying Constitutional issues that may arise so that the issues can be anticipated and averted through proper planning and legal recourse. The course will also rely upon the legal case study method as a learning strategy for understanding the key principles of constitutional law. The course deals with both interpretation and implementation of the Indian Constitution.

COURSE OUTCOMES:

After completing this course, the students will be able to understand:

1. The Historical background and salient features of the Indian Constitution.
2. Concepts of Federalism and Secularism.
3. The importance of Preamble and various concepts envisaged under the same.
4. The definition of State with special reference to Fundamental Rights.
5. The importance of Fundamental Rights, Directive Principles of State Policy and Fundamental Duties and their justiciability and non-justiciability.
6. Implementation of Fundamental Rights through Articles 32 and 226.

MODULE 1**1.1- Philosophy of Constitution.**

Constitution as a basic norm.

Concept of Rule of Law and Constitutionalism.

Constitution as a living document.

Forms and Models of Constitution.

1.2- Historical background and framing of the Indian Constitution.

Legal system during East India Company's Rule in India.

Legal system during British Crown's Rule in India.

Freedom Struggle- Simon's Commission, Communal Award, Civil disobedience movement.

Mountbatten's Plan 1947 and Indian Independence Act 1947.

Framing and drafting of Indian Constitution by Constituent assembly.

1.3- Preamble

Socio-Legal Concepts under Preamble.

Preamble as a tool to interpret the Constitution.

Judicial Pronouncements on Preamble.

1.4- Salient Features of the Indian Constitution.**1.5- Provisions relating to Citizenship and Citizenship Act 1955 (Part II).****MODULE 2****2.1- Origin, Purpose and Significance of Fundamental Rights.**

Article 12- Definition of State and concept of State Instrumentalities and agencies.

Article 13 -Judicial Review, Pre-constitutional and Post Constitutional Laws, Doctrine of Ultra Vires, Doctrine of Eclipse, Doctrine of Severability and Doctrine of Waiver.

2.2- Article 14-18 – Right to Equality.**2.3- Article 19 – Six Fundamental Freedoms and Reasonable Restrictions.****2.4- Fundamental Rights under Articles 20 and 22.****2.5- Article 21 and 21A – Right to Life and Personal Liberty & Right to Education.****MODULE 3****3.1- Article 23 and 24 – Right against Exploitation.****3.2- Article 25-28 – Right to Religion.****3.3- Article 29 and 30 – Rights of Minorities.****3.4- Article 32- Right to Constitutional Remedies and Public Interest Litigation.****3.5– Saving of Certain Laws - Article 31, 33, 34, 35.****Module 4****1. – Directive Principles of State Policy.**

Relationship between Directive Principles of State Policy and Fundamental Rights

Judicial and Legislative trends on Directive Principles of State Policy.

1. – Historical Background of Fundamental Duties

Fundamental duties under the Constitution

1. – Judiciary – Supreme Court, High Court (Part V, Chapter IV and Part VI Chapter V)
1. – Tribunals (Part XIVA), Official languages (Part VII), Miscellaneous Provisions (Part XIX) and Commencement, Authoritative Texts and Repeals Part XXII

SUGGESTED READINGS

1. H.M. Seervai, Constitutional Law of India, Law and Justice Publishing Company
2. M.P. Jain, Indian Constitutional Law, Lexis Nexis
3. Narendra Kumar, Constitutional Law of India, Allahabad Law Agency
4. J.N. Pandey, Constitutional Law of India, Central Law Agency
5. P.M. Bakshi, The Constitution of India, Butterworth Lexis Nexis
6. D.D. Basu, Introduction to the Constitution of India, Lexis Nexis
7. Subhash Kashyap, Constitution of India, National Book Trust
8. Dr. Suresh Mane, Indian Constitutional Law, Dynamics and Challenges, Aarti & Co.
9. Mahendra Pal Singh, V. N. Shukla's Constitution of India, Eastern Book Company
10. Writings and speeches of Dr. Baba Saheb Ambedkar by the Government of Maharashtra
11. Arvind Datar, Commentary on Constitutional Law

PROGRAM: 5yr/3 Yr. Professional Law

First-year BLS LL B / LLB

Semester: VI/II

Course Title:- FAMILY LAW I

Course Code:

Credits: 4

COURSE OBJECTIVES:

This course is designed to equip the students of law about the institution of family, types of marriages and the matrimonial remedies inclusive of dissolution of marriages through customary practices as well as dissolution of marriage under personal laws of Parsis, Christians and Muslims and Special Marriages Act. Further, this course enables the students to understand the social evils and their effects on the family institution and update the student about new emerging trends and changing patterns of family in the present scenario of the society. Overall, this course is designed to endow the students with knowledge of both the codified and uncodified portions of Mohammedan Law. The course concerns itself with the sources, schools, institutions, succession, maintenance, the menace of dowry. In addition, the students shall be able to familiarize themselves with the provisions of the Indian Succession Act

COURSE OUTCOMES:

After completing this course, the students will be able to:

1. Recognize the Nature, Scope, Foundation and Sources of various personal laws of Parsis, Christians and Muslims.
2. Familiarize traditional and statutory legal system, which governs personal matters.
3. Understand the subject of family law not merely as a separate system of personal laws based upon religious beliefs, but as one cutting across religious lines, eventually enabling the fulfillment of the Constitutional directive of Uniform Civil Code.

MODULE 1

1.1 Sources of Muslim Law

Shariat Application Act, 1937

Sources of Mohammedan Law

Primary Source – Quran, Sunna, Ijma, Qiyas

Other Sources - Custom

Modern Sources – Judicial Precedents, Legislation, Equity, Justice, and Good Conscience

1.2 Schools of Muslim Law

Sunni Schools of Muslim Law - Hanafi School, Maliki School, Shafie School, Hanbali School

Shia Schools of Muslim Law - Zaidya School, Ismailiya School, Ithna Ashari School

1.3 Concept of Marriages and Mehr under Muslim Law

Essential requisites of Valid Muslim Marriage

Kinds of Muslim Marriage

Valid Marriage, Void Marriage, Irregular Marriage

Concept of Iddat

Muta Marriage

Doctrine of Puberty (Option of Puberty)

Concept of 'Halala Marriage'

Concept of Mehr and its Classification

1. Dissolution of Muslim Marriage

Kinds of dissolution of Muslim Marriage -Death of Spouse, By the Husband

Divorce - Necessity of Divorce, Conditions for the effectiveness of Talaq, Oral Talaq, Talaq in writing

Talaq-al-S -unna & Talaq-al-Biddat - By the wife,

Talaq-e-Tawfid

Divorce by Mutual Consent

Khula

Mubarrat

Judicial Divorce (Ila, Zihar, Lian)

Dissolution of Muslim Marriage Act, 1939

Criminalization of Triple Talaq

1.5 Maintenance

General Principles of Maintenance

Persons entitled for Maintenance under Personal Law

Maintenance under Section 125 (1) (a) of Cr. P. C., 1973

Muslim women (protection on right to divorce) Act, 1986

1.6 Paternity Legitimacy, Parentage and Acknowledgment

Parentage

The legitimacy of children, Presumption of Legitimacy

Acknowledgement of Paternity

Conditions of a valid acknowledgement

1.7 Guardianship

Custody (Wali) & Hijnat

Definition of Guardian

Classification of Guardianship

Power of Guardian

Disqualification of Guardian

MODULE 2

2.1 General Principles of Inheritance under Muslim Law

Definition of Inheritance

Conditions for Inheritance

Nature of property

Relinquishment of shares

Rights of Females

2.2 Sunni Law of Inheritance

Rules or General Principles of Sunni Law of Inheritance

Classes of Heirs in Sunni Law

2.3 Shia Law of Inheritance

Classification of Heirs

Principles or Rules of Succession

Principles or Doctrines of Distribution of Shares

2.4 Life Estate

2.5 Testamentary Succession/ Concept of Wills (Vasiyyat)

MODULE 3

3.1 The Parsi Marriage and Divorce Act 1936:

Parsi Marriage

Dissolution of Parsi Marriage

Alimony

Custody of Children

Parsi Matrimonial Courts

3.2 The Indian Christian Marriage Act, 1872

Essentials for solemnization of marriage - An authorized person for solemnization of marriage, Time, Place & Registration of Marriage

Registration of Marriage

Marriages of Indian Christian

Penalties and Miscellaneous provisions.

3.3 The Indian Divorce Act 1869

Dissolution of Marriage (Nullity of Marriage, Divorce, Judicial Separation, Restitution of Conjugal Rights)

Protection orders

Alimony, Settlements, custody of Children, remarriage

Court Procedure and Miscellaneous

MODULE 4:

Indian Succession Act, 1925

4.1 Introduction

Scheme of the Act

Application of the Act

4.2 Domicile

Kinds of Domicile

4.3 Inheritance (For other than Parsis)

Meaning of Intestacy.

Meaning of Consanguinity.

Rules of Inheritance.

4.4 Law of Inheritance for Parsis

Rules of Inheritance.

4.5 Testamentary Succession.

Wills

Residuary Legatees, Lapsing of Legacies

Bequest to Unborn Person or Non- Existing Person

Rule against Perpetuity

Onerous Gifts, Conditional Gifts

Kinds of Legacies

Ademption of Legacies

SUGGESTED READINGS:

1. Tahir Mahmood, The Muslim Law of India, Law Book Company
2. Mulla, Principles of Mohammadan Law, Lexis Nexis
3. A.A. Fyzee, Outlines of Mohammadan Law, Oxford University Press
4. Aquil Ahmed, Textbook of Mohammadan
5. Paras Divan, Family law
6. M.P. Tandon, Muslim Law in India
7. Prof. G. C. V. Subba Rao, Family law in India
8. B B Mitra - Indian Succession Act, 1925
9. A. A. A Fyzee - Outlines of Mohammedan Law
10. D. D Basu - Law of Succession
11. Paras Diwan - Family Law: Law of Marriage and Divorce in India
12. A. M Bhattachargee - Muslim Law and the Constitution.

COURSE OUTLINE

PROGRAM: 5yr/3 Yr. Professional Law

First-year BLS LL B / LLB

Semester: VI/II

Course Title:- ENVIRONMENTAL LAW

Course Code:

Credits: 4

COURSE OBJECTIVES:

The objective of this course is to enable the students to understand the legal protection of the environment through various laws. The course aims to shed vivid light on environmental jurisprudence and aspires to equip future lawyers with knowledge and skills to handle environmental matters. It further highlights the detailed understanding of emerging environmental issues, remedies for the same and the viability of potential solutions.

This course intends to develop an in-depth understanding of various environmental legislations available in India. The role of international and national environmental mechanisms & their involvement in promoting the cause of the environment is emphatically elucidated along with the outcome of various conferences and conventions. Environmental problems have attained alarming proportions. It is essential to sensitize the students to environmental issues and the laws. The important principles in the field like intergenerational equity, carrying capacity, sustainable development and precautionary, polluter pays principles are to be appreciated. The law in practice is to be analyzed and evaluated. The course is designed towards these objectives.

COURSE OUTCOMES:

After completing this course, the students should be able-

1. To develop a basic scientific understanding of environmental issues, their causes, effects, remedies and viable solutions.
2. To be able to apply disciplinary knowledge and enforce the same through available mechanisms.
3. To explore the developments in national & international environmental laws and their fundamental principles.
4. To have an in-depth understanding of various statutes and provisions in respect of environmental laws.
5. To know about the importance of Public Participation, Public Interest Litigation, and other remedies in preserving and protecting the environment.
6. To analyze areas concerning Global & transboundary environmental problems through better perspectives.

MODULE 1:

1. Environment, its components, and factors affecting the quality of environment including global warming, climate change and kinds of pollution.
2. Environmental Law – meaning and purpose.
3. Constitutional Provisions relating to rights and duties of people and government

Public Interest Litigation and Judicial Activism.

1.4 General Laws and Environment Protection- application of Tort law, Indian Penal Code and Criminal Procedure Code.

MODULE 2:

2.1 Environment Protection from International Perspectives-

Stockholm Conference, Rio Declaration and Johannesburg Declaration

Introduction to United Nations Framework Convention on Climate Change,

Kyoto Protocol, Montreal Protocol and Convention on Biological Diversity

2.2 Environment Protection-Significant Concepts and Principles-

Sustainable development

Polluter Pays Principle

Precautionary Principle

Environment Impact Assessment- CG Notification

Eco-mark

Intergenerational and Intragenerational Duty

Public Trust Doctrine

MODULE 3:

3.1 The Water (Prevention & Control of Pollution) Act 1974-

Definitions,

Establishments of - Central Pollution Control Board (S. 3)

The State Pollution Control Board (S. 4)

Joint Board (S. 13)

Functions of Central Pollution Control Board (S.16),

The State Pollution Control Board (S. 17)

Prevention & Control of Water Pollution (S.19 – S. 33),

Penalties & Procedure (S.41- S. 50)

3.2 The Air (Prevention & Control of Pollution) Act 1981-

Definitions,

Establishments of - Central Pollution Control Board (S. 3)

The State Pollution Control Board (S. 4)

Constitution of State Board (S. 5)

Functions of Central Board (S.16)

Functions of State Boards (S. 17)

Prevention and Control of Air Pollution (S.19- S. 33A)

Penalties and Procedure (S. 37- S.46)

3.3 The Environment (Protection) Act, 1986-

Definitions

General Powers of the Central Government (S.3)

Prevention, Control and Abatement of Environmental Pollution (S.7 – S.14)

Penal Provision (S.15-S.17)

3.4 Indian Forest Act 1927 and Forest Conservation Act, 1980-

MODULE 4:

1. The National Green Tribunal Act, 2010-

Scope (sec 3-13),

Jurisdiction, Powers and Proceedings of the Tribunal (sec 14-25),

Penal Provisions (26-28)

1. The Wild Life (Protection) Act, 1972-

Definitions,

Hunting of Wild Animals (sec- 9,11 &12)

Protection of Specified Plants (sec 17A-H)

Protected Areas Sanctuaries, National Parks & Closed Area (sec 18 – 49C)

Offences Against Wildlife (sec 50 – 58Y)

4.3 Rules addressing some environmental problems-

Bio-Medical Waste Rules 2016

Hazardous wastes Rules 1989

Noise Pollution Rules 2000

Ozone Depleting Substances Rules 2014

Solid Waste Management Rules 2016

SUGGESTED READINGS:

1. P. Leelakrishnan, The Environmental Law in India, Butterworths – India
2. P. Leelakrishnan, Environmental Law in India, Lexis Nexis
3. Shyam Diwan& Armin Rosencranz, Environmental Law and Policy in India, Oxford University Press
4. S. C. Shastri, Environmental Law, Eastern Book Company.
5. Gurdip Singh, Environmental Law in India, MacMillan Publisher.
6. Benny Joseph, Environment Studies, Tata McGraw Hill, New Delhi.
7. Environmental & Pollution Laws in India by Justice T S Doabia, Lexis Nexis
8. Krishan Keshav, Law and Environment, Singhal Law Publications
9. Green Book: Pollution Control Act, Rules and Notifications Issued Thereunder
10. Book Corporation's Principles of Environmental Laws by Dr. Rabindra Kr. Pathak, Ms. Surbhi Singh
11. Asia Law House's Environmental Law by DR. S. R. Myneni
12. Environment, Energy and Climate Change Author: Nawneet Vibhaw, Lexis Nexis
13. All We Can Save: Truth, Courage, and Solutions for the Climate Crisis, by Ayana Elizabeth Johnson, Katharine K. Wilkinson
14. Dr. Paramjit Jaiswal et al Environmental Law. Allahabad Law Agency, 5th Edition 2021

PROGRAM: 3 Yr/5 yr Professional Law

Second year LLB / Fourth Year B.L.S.

Semester: III/VII

Course Title:- ADMINISTRATIVE LAW

Course Code:

Credits: 4

COURSE OBJECTIVES:

The objective of this course is to acquaint students with the basic principles of administrative law, its growth, and utility. This course will deal with the nature, scope and functions of Administrative Law, the nature and control of delegated legislative power, regulation of discretionary powers and general principles of administrative adjudication. This course will further deal with the role played by courts in the development of Administrative Law. The focus is on their role in protecting the rights of individuals against abuse of administration. In addition, adjudicatory powers of the administration and liability of administrative authorities are also studied in this course. This course aspires to educate students on comparative study of provisions of administrative law of France, England, America and India. It aims to provide an analysis of growing need of administrative law with special reference to civil services in India. The students will be equipped to examine the importance of delegated legislation and explore contractual and tortious liability of Government. Importance of public corporations and rules of natural justice too will to be imparted. Overall, this course intends to comprehensively familiarize students with Administrative Law which is concerned with controlling the misuse of public power, by laying down general norms of administrative behaviour.

COURSE OUTCOMES

After completing this course, the students will be able to:

1. Recognize and trace the evolution of the concept of Administrative Law and principles of Natural Justice.
2. Understand the role of Judiciary and Executive in the growth of Administrative Law as a new branch of Law.
3. Evaluate the powers of the three organs of the Government, Executive, Legislature and Judiciary, importance of separation of powers, rule of law and the theory of checks and balances.
4. Comprehend the role played by civil servants and public corporations in achieving the welfare of the citizens.
5. Study the Concept of Delegated Legislation as a necessary tool for smooth functioning of Government.
6. Understand the contractual and tortious liability of Government and also the western concept of Ombudsman in Indian context i.e. Lokpal and Lokayukta.

Module 1:**1.1 Introduction**

Transformation- Laissez-faire to welfare State

Definition, Nature and Scope of Administrative Law

Sources of Administrative Law

Reasons for growth of Administrative Law

Red Light Theory and Green Light Theory

Historical Growth and Development of Administrative Law (England, US, France and India)

Constitutional Law and Administrative Law

English Administrative Law and Indian Administrative Law

1.2 Basic Constitutional Principles

Rule of Law

Rule of Law under Indian Constitution

Separation of Powers

Separation of Powers in practice (US, England and India)

1.3 Classification of Administrative Functions

Tripartite functions of Administration

Legislative and Judicial Functions Distinction

Legislative and Executive Distinction

Judicial and Quasi-judicial Distinction

Module 2:**2.1 Delegated Legislation**

Reasons for growth of Delegated Legislation

Constitutional Validity of Delegated Legislation

Doctrine of Excessive Delegation-Permissible and Non- permissible Delegation

Forms/ Types of Delegated Legislation

2.2 Safeguards and Controls on Delegated Legislation

Judicial Control over Delegated Legislation

Legislative Control over Delegated Legislation

Other Controls over Delegated Legislation

2.3 Principles of Natural Justice

Definition, Nature and Scope

Rule against Bias

Audi Alteram Partem

Post Decisional Hearing

Reasoned Decisions

Effect of failure of Natural Justice

Exceptions to Principles of Natural Justice

Module 3:

3.1 Administrative Tribunals

Characteristics

Administrative Tribunal and Court- Distinction

Working of Tribunals

3.3 Tribalization and threat to independence of judiciary- Tribunals Reforms Act, 2021

3.2 Administrative Discretion & Judicial Control, Judicial Remedies against administrative Arbitrariness

Need for conferring discretion on Administrative Authorities

Grounds of Judicial Review- Abuse of Discretion and Failure to exercise Discretion

Doctrine of Legitimate Expectation

Doctrine of Proportionality, Public Accountability.

3.3 Liability of Government for wrongs

Tortious liability

Sovereign and non-sovereign functions

Contractual Liability

Statutory Immunity and privileges of Government - act of state, Govt. Privileges in legal proceedings, State secrets- public interest privilege, Estoppels, waiver , Doctrine of legitimate expectations and accountability

Module 4:

4.1 Corporations and Public Undertakings

Definition and Characteristics

Classification of Public Corporation

Liabilities of Public Corporation

Control over Public Corporation

4.2 Informal methods of settlement of disputes and Grievance Redressal Procedures

Conciliation and Mediation

Use of Media-Lobbying and Public Participation, Public Inquiries and Commissions of Inquiry,

Ombudsman: Lokpal and Lok Ayukta

Lokpal and Lokayukta Act, 2013

Maharashtra Lokayukta and Uplokayukta Act, 1971

Central Vigilance Commission

Congressional and Parliamentary Committees

4.3 Civil Services in India

Nature and Organization of Civil Services

Powers and Functions

Accountability and Responsiveness- Problems and Perspectives

Administrative Deviance- Corruption, Nepotism and Mal-administration- Prevention of Corruption Act, 1988

Whistleblowers' Protection Act, 2014

4.4 Right to Information Act, 2005

Transparency and Right to Information-Constitutional Imperative

Object, Application, Definitions and Salient Features of the Act

Right to Information and Obligations of Public Authorities, Central Information Commission, State Information Commission, Powers and Functions of the Information Commissions, Appeal and Penalties

Hurdles in the implementation

Suggested readings and References:

1. C. K. Takwani, Lectures on Administrative law, Third Edition, Eastern Book Company.S.P. Sathe, Administrative law, Seventh Edition, LexisNexis.
2. H.W.R. Wade And C.F .Forsyth, Administrative Law, Eleventh Edition, Oxford.
3. M.P. Jain and S.N. Jain, Principles of Administrative Law, Seventh Edition Volume 2, LexisNexis Butterworth's Wadhwa, Nagpur.
4. I.P.Massey, Administrative Law, Sixth Edition, Eastern Book Company.
5. M.P.Jain, The Evolving Indian Administrative Law, N. M. Tripathi Private Ltd,1983.
6. Prof. Saiyed I.A:-Administrative Law.

PROGRAM: 3 Yr/5 yr Professional Law

Second year LLB / Fourth Year B.L.S. LL B

Semester: IV/VIII

Course Title:- CONSTITUTIONAL LAW- II

Course Code:

Credits: 4

COURSE OBJECTIVES:

This course is the second course on Constitutional Law in the professional LL B programmes of the University. This is designed to enrich student's knowledge about the *Supreme Lex*. The course aspires to impart detailed understanding of various vital aspects of Indian Constitutional governance, federalism and Centre-State relations. The students will be intellectually armed with the exhaustive knowledge of the composition and jurisdiction of Supreme Court and High Courts. This course intends to highlight detailed understanding of the powers and functions of legislature and executive. At the same time, this course provides augmented acquaintance to students about concepts like independence of judiciary, judicial accountability and judicial activism in India. The students will gain in depth learning about provisions relating to Emergency and amenability of the Constitution. The Constitution and powers of various constitutional bodies will be analyzed in detail. Over all, this course emphatically prepares students to achieve intense knowledge and meticulous intricate details about imperative concepts of the Supreme law of the land. The course also encompasses study of interstate trade and commerce and cooperative societies.

COURSE OUTCOME:

After completing this course the students will be able to:

1. Understand the concept of Federalism and relationship and distribution of powers between Centre and State and analyse various doctrines to interpret the Union, State and Concurrent Lists
1. .Understand the procedure for appointment, removal and powers of President and Governor as well as various Constitutional bodies like Election Commission of India, Attorney General and Advocate generals, Comptroller and Auditor General of India.
1. Comprehend in detail the qualifications, disqualifications of members of legislatures and executives and powers and privileges of Centre and State Legislatures.
1. Understand and fathom the Composition and Jurisdiction of Supreme Court and High Court and the concepts of Independence of Judiciary, Judicial accountability and judicial activism.

1. Understand and identify the provisions relating to declaration of various emergencies and their interpretation
1. To know and appreciate the provisions of the Constitution as to the power, procedures and restrictions on amending the Constitution and their interpretation, including the Basic Structure Doctrine
1. To understand the provisions of the Constitution on interstate trade and commerce and cooperative societies

Module 1:

1. Federalism

Concept and Idea of Federalism

State and Union territories (Part-I and Part- VIII)

Features of Indian Federalism

Local self-governing Bodies: Panchayats and Municipalities (Part IX and IX-A)

Scheduled and Tribal Areas (Part X)

Special Status of some States (Part- XXI)

Forms of Government

1.2 Concept of Cooperative and Competitive Federalism

1.3 Centre-State Relations (Part-XI)

Legislative Relations

Administrative Relations

Finance, Property, Contract and Suits (Part-XII)

Special Provisions Relating to Certain Classes (Part-XVI)

MODULE 2:

2.1 Legislature and Executive under the Indian Constitution

Unicameral and bicameral Legislatures

Composition, Powers, and Functions of Union Legislature (Part-V, Chap-2)

Composition, Powers, and Functions of State Legislature (Part-VI, Chap-3)

1. Qualification, Disqualification and Privileges of-

Members of Parliament

Members of Legislative Assembly

Anti-Defection Law (Xth Schedule)

1. Law making procedure

Types of Bills- Ordinary, Financial, Money and Appropriation

Private Member Bills and Government / Public Bills

1. Qualification, Powers, and functions of-

President and Vice-president

Union Council of Ministers

Governor

State Council of Ministers

Module 3:

3.1 Judicial Activism

3.2 Independence of Judiciary

3.3 Judicial accountability

3.4 National Judicial Appointments Commission.

MODULE 4:

4.1 Emergency (Part XVIII)

Types of Emergencies

Grounds for proclamation

Consequences of Proclamation

Judicial Review of proclamation of emergencies

4.2 Amendment and the basic structure doctrine (Part XX)

4.3 Constitutional Bodies and Offices

Services (Part-XIV, Chap-1)

UPSC and State Public Service Commission (Part-XIV, Chap-2)

Election Commission of India (Part-XV)

Attorney General and Advocate Generals (Relevant Chapters from Part-V and Part-VI)

Comptroller and Auditor General of India (Chapter-V, Part-V)

Finance Commission (Art. 280, Art-281)

National Commissions for SC, ST and Backward Classes (Art.338, Art.338-A, Art.338-B)

4.4 Inter-state Trade and Commerce (Part-XIII)

Freedom of trade, commerce and inter course

Restrictions on the freedom

4.5 Co-operative Societies (Part-IX-B)

Recommended Resources :

1. H.M. Seervai, Constitutional Law of India, Law and Justice Publishing Company, 4th Edition 2021
2. M.P. Jain, Indian Constitutional Law, Lexis Nexis
3. Narendra Kumar, Constitutional Law of India, Allahabad Law Agency
4. J.N. Pandey, Constitutional Law of India, Central Law Agency
5. P.M. Bakshi, The Constitution of India, Butterworth Lexis Nexis
6. D.D. Basu, Introduction to the Constitution of India, Lexis Nexis
7. Subhash Kashyap, Constitution of India, National Book Trust
8. Dr. Suresh Mane, Indian Constitutional Law, Dynamics and Challenges, Aarti and Company
9. Mahendra Pal Singh, V. N. Shukla's Constitution of India, Eastern Book Company
10. Kailash Rai, The Constitutional Law of India, Central Law publication
11. Writing and speeches of Dr. Baba Saheb Ambedkar published by Government of Maharashtra.
12. Arvind Datar, Commentary on the Constitution of India, 3 volumes
13. K L Bhatia, Cases and Materials on Constitutional law of India, Universal Law Publishers

PROGRAM: 3 Yr/5 yr Professional Law

Second year LLB / Fourth Year B.L.S. LL B

Semester: IV/VIII

Course Title:- HUMAN RIGHTS LAW

Course Code:

Credits: 4

COURSE OBJECTIVES:

The objective of this course is to inculcate sense of responsibility amongst citizens and create awareness about Human Rights, democracy and development. This course aims to enlighten students about the Principles and Characteristics of Human Rights and its various Laws, Declaration and Covenants. Through this course the students will be able to understand the growth and development of Human Rights laws in India and across the globe. Education on national and international regime of Human Rights will be imparted. This course intends to reflect on the criticism of various theories of Human Rights. To study the classification of Human Rights-First, Second, Third generation rights with their historical development. To analyze Human Rights vis-à-vis Politics and Society and Third world perspective of Human Rights. Overall, this course intends to foster respect for international obligations for peace and development, to sensitize students to human suffering and promotion of human life with dignity, to develop skills on human rights advocacy and to appreciate the relationship between rights and duties and to foster respect for tolerance and compassion for all living creatures.

COURSE OUTCOMES:

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

1. Understand, evaluate and analyze the historical perspectives and philosophical aspects of human rights jurisprudence across the globe.
2. Understand working of international organizations dedicated to the protection of human rights.
3. Have in depth knowledge of various statutory safeguards available for protection of human rights in India and role of judiciary.
4. Comprehend ideals of constitution and functions of commissions and bodies set up for protecting human rights in India.
5. Fathom the global steps taken for protection of human rights of vulnerable persons.
6. Understand, appreciate and evaluate the promotion of human life with dignity, especially with respect to the various regional arrangements and recognized measures to protect the rights of the meek and subjugated.

Module1:

History and Philosophy of Human Rights

1. **Human Rights: Concept, Definition, Evolution, Characteristics, Need, Limitations, Theories of Development of Natural Rights, Theories of Utilitarianism, Idealism, Socialism and Positivism;**

2. Human Rights in India, the tradition of Human Rights in Indian context: ancient, medieval and modern;
3. First, Second and Third Generation Human Rights: Their Meaning, Historical Development and evolution, distinguishing factors and essential characteristics;
4. Universality of Human Rights.
5. Human Rights in Western tradition, Normative Foundation of International Human Rights;
6. The American Declaration of Independence and the Bill of Rights & the French Declaration of the Rights of Man.
7. The UN Human Rights System and UDHR.

Module 2:

International Conventions and Protocols

- 2.1 International Covenant on Civil and Political Rights, First Optional Protocol, Second Optional Protocol, International Covenant on Economic, Social and Cultural Rights
- 2.2 Role of ILO, UNESCO, UNICEF and WHO
- 2.3 UN SDG's, Right to Environment, Role of NGOs in protection of Human Rights.

Module 3:

Human Rights and the Indian Constitution and Commissions

3.1 Indian Constitution and Human Rights: Fundamental Rights and Directive Principles of State policy under the Indian Constitution, Fundamental Duties under the Indian Constitution, Relationship Between Rights and Duties in relation to State and Society.

3.2 The Protection of Human Rights Act, 1993

3.3 National Commission for Women: Constitution, Role and Responsibilities;

3.4 National Commission for Minorities: Constitution, Role and Responsibilities;

3.5 National Commission for Scheduled Castes: Constitution, Role and Responsibilities;

3.6 National Commission for Scheduled Tribes: Constitution, Role and Responsibilities

3.7 Role of Judiciary in Protection of Human Rights in India

Module 4:

Human Rights Protection of Vulnerable Groups & Regional Arrangements

4.1. Human Rights Protection of Vulnerable Groups The

Convention on Elimination of all forms of Discrimination

Against Women (CEDAW), 1979

The Convention on the Rights of Child (CRC),

The Convention on Rights of Persons with Disabilities (CRPD), 2008

International Convention on the Rights of Older Persons, 2020

4.2 Human Rights: LGBT, Refugees and Aliens.

4.3 Regional Arrangements:

European Regional Arrangement

American Regional Arrangement

African Regional Arrangement

Suggested Readings

1. Theodor, Meron, Human Rights and International Law: Legal and Policy Issues
 2. Kapoor, S.K., International Law and Human Rights, Central Law Agency
 3. Luis, Henkin, "The Rights of Man Today", University of Miami Inter-American Law Review,
 4. Singh, Nagendra, Enforcement of Human Rights in Peace and War and the future of humanity
1. The Module ed., Nations and Human Rights (Clarendon Press, Oxford)
 1. Agarwal, H.O., Implementation of Human Rights Covenants with Special Reference of India {Kitab Mahal, Allahabad}
 1. D.D. Basu Human Rights in Constitutional Law (Lexis Nexis)
 1. B.P. Singh Seghal, (Human Rights in India)
 1. International Refugee Law: A Reader, Edited by B.S. Chimni

PROGRAM: 3 yr/5 yr Professional Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: VI/X

Course Title:- INTELLECTUAL PROPERTY LAWS

Course Code:

Credits: 4

COURSE OBJECTIVES

Intellectual Property Law has assumed immense importance in the contemporary era as a result of the recognition that "knowledge is property" The course is designed with a view to create IPR consciousness and to familiarize the learners about the documentation and administrative procedures relating to IPR in India. The course is designed to understand the basic concepts of different types of intellectual property and the laws relating to intellectual property rights with special reference to Indian law and practice. The students will also be educated on the technical aspects of patent system and the patent régime in India. The course aims to impart knowledge on trademarks and their relevance in trade and commerce. It will disseminate knowledge on copyright and related rights and their economic significance. The students will understand the legal system governing intellectual property rights and their administration. The course will also focus on the current trends and give an over-all understanding about economic, social and cultural benefits of intellectual property to the society.

COURSE OUTCOME

After completing this course, the students will be able to:

1. Comprehend the fundamental aspects of intellectual property rights law in the special statutes and judicial interpretations.
2. Understand the international conventions and institutions in this subject
3. Grasp and apply the Patent Act by learning the evolution of the law, registration of patents, rights and remedies of patentees
4. Understand the law and practice of trade marks registration, rights and remedies in the matter of use and breach of rights
5. Understand and apply the copyright law in India encompassing the law on the nature and term of copy rights, copy right societies, rights and remedies
6. Understand the assignments, licensing, revocation and fair use of the Patents, Trademarks and copy rights under the relevant statutes

MODULE 1: General Principles of Intellectual Property

- 1.1 Concept and meaning of Intellectual Property
- 1.2 Nature and characteristics of Intellectual Property Rights
- 1.3 Origin and development of Intellectual Property Rights

1.4 Kinds of Intellectual Property.

- a. Patents
- b. Trade Marks
- c. Copyrights
- d. Industrial Designs
- e. Trade Secrets/ Undisclosed Information
- f. Geographical Indications
- g. Layout Designs of Integrated Circuits

1.5 Economic analysis of Intellectual Property Rights.

1.6 Advantages and disadvantages of Intellectual Property Rights.

1.7 Basic International Conventions and International Institutions relating to Intellectual Property:

- Paris Convention for the Protection of Industrial Property, 1883.
- The Berne Convention, 1886.
- Trips Agreement, 1994.
- GATT and WTO.
- WIPO.

MODULE 2: Law of Patents [The Indian Patents Act, 1970

2.1 Evolution of Patent law in India

2.2 Patentable and Non-Patentable inventions

2.3 Prerequisites – Novelty, Inventive Step and Industrial Application

2.4 Concept of Prior art, Anticipation and Person skilled in the art

2.5 Specifications – Provisional and Complete Specifications

2.6 Pre-Grant and Post Grant Opposition

2.7 Grant/Sealing of Patents and Term of Patents

2.8 Rights of Patentee

2.9 Surrender and Revocation

2.10 Assignment and Licensing

2.11 Fair use

2.12 Infringement, Remedies and Defences

2.13 Patent Agents

MODULE 3: Law of Trademarks [The Trade Marks Act, 1999]

- 3.1 Introduction to Trademarks and their Evolution in India
- 3.2 Need for protection of Trademarks
- 3.3 Kinds of Trademarks: Registered and Unregistered, Conventional and Non-conventional Trademarks, Service Marks, Collective Marks, Certification Marks, Well-Known Trademarks
- 3.4 Procedure for Registration
- 3.5 Grounds for Refusal of Registration
 - Absolute grounds
 - Relative grounds
- 3.6 Opposition to Registration
- 3.7 Rights of Proprietor of Trademark
- 3.8 Assignment and Licensing of Trademark
- 3.9 Infringement and Passing Off
- 3.10 Remedies and Defences for Infringement and Passing Off

MODULE 4: Law of Copyright [The Copyright Act, 1957]

- 4.1 Evolution of Copyright Law in India
- 4.2 Nature and scope of Copyright
- 4.3 Term of Copyright
- 4.4 Works in which Copyright subsists: Literary Works, Dramatic Works, Musical Works and Artistic Works, Sound Recordings, Cinematograph Films
- 4.5 **Neighbouring Rights**: Performers Rights, Rights of Broadcasting Organizations and Rights of the Producers of Phonograms
- 4.6 Authorship and Ownership of Copyright
- 4.7 Copyrights: **Economic and Moral Rights**
- 4.8 Assignment and Licensing
- 4.9 Fair Use Provisions
- 4.10 Infringement of Copyrights and Remedies
- 4.11 Copyright Societies
- 4.12 Powers of the Copyright Board
- 4.13 **Copyright issues in Digital Environment**

SUGGESTED READING:

1. P. Narayanan, “*Intellectual Property Law*”, Eastern Law House
2. P. Narayanan, “*Patent Law*”, Eastern Law House
3. B. L. Wadehra, “*Law Relating to Patents, Trademarks, Copyright, Designs and*

Geographical Indications”, Universal Law Publishing

4. B. L. Wadehra, “Law Relating to Intellectual Property”, Universal Law Publishing
5. N. S. Gopalakrishnan and T. G. Agitha, “*Principles of Intellectual Property*”, Eastern Book Company
6. Ganguly, “*Intellectual Property Rights*”, Tata McGraw
7. W.R.Cornish “*Intellectual Property*”, Sweet and Maxwell
8. David I. Bainbridge, “*Intellectual Property*”, Long Man
9. Nithyananda, K. V., “*Intellectual Property Rights: Protection and Management*”, Cengage Learning India Pvt. Ltd.
10. Neeraj P. &Khusdeep D., “*Intellectual Property Rights*”, PHI Learning Pvt. Ltd.
11. V. K. Ahuja, “*Law Relating to Intellectual Property Rights*”, LexisNexis

WEBSITES:

1. Cell for IPR Promotion & Management (<http://cipam.gov.in/>)
2. World Intellectual Property Organization (<https://www.wipo.int/about-ip/en/>)

Office of the Controller General of Patents, Designs and Trademarks
(<http://www.ipindia.nic.in>)

PROGRAM: 3 yr/5 yr Professional Law

Third Year LLB/ Fifth Year B.L.S LL B

Semester: VI/X

Course Title:- LAW RELATING TO WOMEN AND CHILDREN

Course Code:

Credits: 4

COURSE OBJECTIVES

This elective course is to facilitate learning of special laws to protect women and children. Identified as vulnerable by the international community of states, a few international instruments have been adopted for the protection of the rights of women and children. There are various national efforts also to protect women and children. This course offers an opportunity to substantially learn the international and national law on protection of women and children from human rights perspectives.

COURSE OUTCOME

After completing this course, the students will be able to:

1. Understand the status of women and children nationally and internationally.in the human rights perspectives
2. Appreciate and apply the international conventions on women and children.
3. Identify and analyse the constitutional provisions safeguarding the woman and the child
4. Understand the specific Laws related to women and children in India.
- 4 Comprehend the State initiatives, and judicial pronouncements on issues relating to gender justice and justice for children

MODULE 1: Social, Constitutional and International legal status of Women.

1.1. Status of Women in India- Pre-Independence period, Social and legal inequality, Social Reform Movement in India, Karachi Congress , Fundamental Rights Resolution, Equality of Sexes

1.2 Constitution of India and Women- Preamble, Fundamental Rights, Directive Principles of State Policy, Reservation for women in local bodies ,

1.3. Personal Laws relating to marriage, divorce, succession and maintenance with special emphasis on discrimination of women, Uniform Civil Code towards gender justice, Special Marriage Act, 1954

1.4. Criminal Laws and Women:

Provisions to protect women under Indian Penal Code 1860, Code of Criminal Procedure, 1973 and Indian Evidence Act, 1872

1.5 Position of Women under International instruments - Salient features of Convention for Elimination of all forms of Discrimination against Women (CEDAW) and optional protocols to the Convention

MODULE 2:- Women Welfare Laws

2.1 Pre-conception and pre-natal diagnostic techniques (Prohibition of Sex Selection) Act, 1994 and Medical Termination of Pregnancy Act, 1971

2.2. Indecent Representation of Women (Prohibition) Act, 1986

2.3. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal Act, 2013

2.4. Dowry Prohibition Act, 1961

2.5 Protection of Women from Domestic Violence Act, 2005

2.6 Immoral Traffic (Prevention) Act, 1956

2.7. Maternity Benefit Act, 1961 and Factories Act, 1948

2.8 National Commission for Women Act, 1990

Module III: Social, Constitutional and International legal status of Child

3.1- Socio Legal Issues

Deferred infanticide through biased nutritional discrimination, Regulation of the employment; Child Labour, Recommendations of the National Commission of Labour, Female Foeticide

3.2. Constitutional concern – Article 15(3), Article 21A, Articles 23, 24, 28, 29 Article 39 (e) and (f) and Article 45, Article 243(G) Schedule XI, Article 350A State responsibility for the education of children, Constitutional safeguards to Children

3.3 Safeguards under Indian Penal Code, 1860, Hindu Adoptions and Maintenance Act, Hindu Minority and Guardianship Act, Tort law, Contract law and partnership law

3.3 International concern and endeavour for the welfare of the Children:

Minimum Age Convention, 1973

U.N. Declaration of the Rights of the Child, 1959

Role of UNESCO, UNICEF and ILO

UN Convention on Rights of a Child, 1989

MODULE 4: Special Legislation for the Protection of Children

4.1 Prohibition of Child Marriage Act, 2006

4.2 The Right of Children to Free and Compulsory Education Act, 2009

4.3 National Food Security Act, 2013

4.4, Child Labour (Prohibition and Regulation) Act 1986

4.5 Commissions for the Protection of Child Rights Act, 2005

4.6 Young Persons Harmful Publications Act, 1956 –

4.7 Immoral Traffic (Prevention) Act, 1956

4.8 Bombay Prevention of Begging Act, 1959

Recommended Readings:

1. S.P. Sathe: Towards Gender Justice.
2. Dr. Vijay Sharma: Protection to woman in Matrimonial home
3. Dr. Sarojini Saxena: Femijuris(Law relating to Women in India)
4. Dr. Archana Parsher: Women and Social Reform
5. Dr. Paras Diwan: Dowry and protection to married women

6. Mary Wollstonecraft: A Vindication of the rights of women.
7. Dr. G.B.Reddy: Women and Law, 2nd Edn. Gogia Law Agency, Hyderabad, 1998.
8. Dr. Anjali Hastak, Empowerment of women through Property Rights in Hindu Law, SPARC publication, Chandrapur
9. Flavia Agnes – Law and Gender inequality
10. Ajit Ray – Widows are not for burning
11. A.S.Altekar – Position of Women in Hindu Civilization
12. Flavia Agnes – State, Gender and Rhetorics of Law of Reforms
13. S.N.Jain (Ed) – Child and the Law (ILI)
14. Asha Bajpai – Child Rights in India: Law, Policy and Practice.Oxford 2003 New Delhi.
15. Encyclopaedia of Laws of the Child in India. S.P.Shaw. Alia Law Agency