



IBSAR[®] **School of Law**

Criteria 1

1.1: Curricular Planning and Implementation

1.1.1: The Institution ensures effective curriculum delivery through a well planned and documented process Help



1.1.1: The Institution ensures effective curriculum delivery through a well planned and documented process

IBSAR School of Law Karjat is affiliated to the University of Mumbai. The college was established in 2013. The college has run a program BLS-LLB 5 years and follows the rules, regulations, and curriculum of Mumbai University. The institution ensures effective curriculum delivery through well well-planned and documented process.

Academic calendar: Every year teaching schedules learning hours and internal exams an academic activity calendar. These events may include examination dates, spring break or reading week, and the last day of the semester.

Workload Time Table: The workload of every teacher according to the timetable is distributed their workload. Workload timetable increases their working hour.

Internal and External Evaluation: Internal and External planning of evaluation every month conduct the test, class test and internal assessment refers to the evaluation of the performance of students on the basis of their internal performance. On the other hand, external assessment refers to the evaluation of a student's performance by outside persons like boards

Curriculum and Co-Curricular Activity: Curricular activities are those activities that are a part of the curriculum. Co-curricular activities are those activities that are outside of but usually complement the regular curriculum.

Visits: We organize professional and academic visits to develop student's skills and ability. We conduct High Court Visits, Jail Visits, and Police Station Visits to give legal exposure to the students.

The college ensures effective curriculum delivery through its consistent efforts; the college undertakes to prepare the Academic calendar at the commencement of the Academic year. The teachers prepare their individual Academic and Teaching plan which is included in the Academic calendar.

The college teachers follow the teaching plan in the schedule of their working hours. The syllabus is already divided by the number of hours in which each teacher is supposed to engage. The periodic tutorial/class test/examination is conducted in order to assess the understanding of the students. The examination results are reviewed and the weaker students are taught again and also sometime consulted for their benefit. Teachers make the best of their efforts to ensure quality and enhance academic growth. The college teachers use PPT for elaborating principle concepts in the technique and discussion. Compliance of the curriculum is verified by the Head of the Department and the review is taken.

The compliance of the curriculum is communicated to the Principal through the Head of the Department and at the end of the term or year, the performance of the students is verified by examination and their feedback. Practical, theoretical & oral examinations are conducted to judge the understanding of the students. The University has changed the pattern of examination it is now both objective as well as subjective. The examination pattern is strictly followed by the college. The transparency in the examination is followed by the college. The curriculum compliance is integral to the responsibilities of the staff which is completely achieved by the college.



IBSAR SCHOOL OF LAW

Academic Calendar 2017-18

Opening Day of College	May 2017
International Yoga Day	21/06/2017
Admission	June/July 2017 as per university circular
Continue of Affiliation of university of Mumbai	August 2017
Teachers Day	05/09/2017
Semester End Exam	As per University Circular
Diwali Break	Oct 2017
Sports Festival	Nov/Dec 2017
Annual gathering	Dec 2017
Annual Prize Distribution	Dec 2017
Winter Break	As per university
Convocation Ceremony	Feb/March 2017
International Women's Day	08/03/2018
Second Terminal Examination	March 2018
Semester End Exam	As per University Circular

Note: rest or Holidays follows as per University circular.



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IBSAR SCHOOL OF LAW

Academic Calendar 2018-19

Opening Day of College	May 2018
International Yoga Day	21/06/2018
Admission	June/July 2018 as per university circular
Continue of Affiliation of university of Mumbai	August 2018
Teachers Day	05/09/2018
Semester End Exam	As per University Circular
Diwali Break	Nov 2018
Sports Festival	Dec/Jan 2018
Annual gathering	Jan 2018
Annual Prize Distribution	Jan 2018
Winter Break	As per university
Convocation Ceremony	Feb/March 2018
International Women's Day	08/03/2019
Second Terminal Examination	March 2019
Semester End Exam	As per University Circular

Note: rest or Holidays follows as per University circular.



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Academic Calendar 2019-20

Opening Day of College	May 2019
International Yoga Day	21/06/2019
Admission	June/July 2019 as per university circular
Continue of Affiliation of university of Mumbai	August 2019
Teachers Day	05/09/2019
Semester End Exam	As per University Circular
Diwali Break	Oct 2019
Sports Festival	Dec/Jan 2019
Annual gathering	Jan 2019
Annual Prize Distribution	Jan 2019
Winter Break	As per university
Convocation Ceremony	Feb/March 2020
International Women's Day	08/03/2020
Second Terminal Examination	March 2020
Semester End Exam	As per University Circular

Note: rest or Holidays follows as per University circular.



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Academic Calendar 2020-21

Opening Day of College	May 2020
International Yoga Day	21/06/2020
Admission	June/July 2020 as per university circular
Continue of Affiliation of university of Mumbai	August 2020
Teachers Day	05/09/2020
Semester End Exam	As per University Circular
Diwali Break	Nov 2020
Sports Festival	Dec/Jan 2020
Annual gathering	Jan 2020
Annual Prize Distribution	Jan 2020
Winter Break	As per university
Convocation Ceremony	Feb/March 2021
International Women's Day	08/03/2021
Second Terminal Examination	March 2021
Semester End Exam	As per University Circular

Note: rest or Holidays follows as per University circular.



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Academic Calendar 2021-22

Opening Day of College	May 2021
International Yoga Day	21/06/2021
Admission	June/July 2021 as per university circular
Continue of Affiliation of university of Mumbai	August 2021
Teachers Day	05/09/2021
Semester End Exam	As per University Circular
Diwali Break	Nov 2021
Sports Festival	Dec/Jan 2022
Annual gathering	Jan 2022
Annual Prize Distribution	Jan 2022
Winter Break	As per university
Convocation Ceremony	Feb/March 2022
International Women's Day	08/03/2022
Second Terminal Examination	March 2022
Semester End Exam	As per University Circular

Note: rest or Holidays follows as per University circular.



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Academic Calendar 2022-23

Opening Day of College	May 2022
International Yoga Day	21/06/2022
Admission	June/July 2022 as per university circular
Continue of Affiliation of university of Mumbai	August 2022
Teachers Day	05/09/2022
Semester End Exam	As per University Circular
Diwali Break	Oct 2022
Sports Festival	Dec/Jan 2023
Annual gathering	Jan 2023
Annual Prize Distribution	Jan 2023
Winter Break	As per university
Convocation Ceremony	Feb/March 2023
International Women's Day	08/03/2023
Second Terminal Examination	March 2023
Semester End Exam	As per University Circular

Note: rest or Holidays follows as per University circular.



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IBSAR School of Law, Karjat

Course Name: Drafting & pleading

Academic Year: 2018-2019

Date	Day	Time
15/06/2018	friday	10:30- 11:30
23/06/2018	Saturday	10:30- 11:30
30/06/2018	Saturday	10:30- 11:30
07/07/2018	Saturday	10:30- 11:30
14/07/2018	Saturday	10:30- 11:30
21/7/2018	Saturday	10:30- 11:30
28/07/2018	Saturday	10:30- 11:30
04/08/2018	Saturday	10:30- 11:30
11/08/2018	Saturday	10:30- 11:30
18/08/2018	Saturday	10:30- 11:30
25/08/2018	Saturday	10:30- 11:30
01/09/2018	Saturday	10:30- 11:30
08/09/2018	Saturday	10:30- 11:30
15/09/2018	Saturday	10:30- 11:30
22/09/2018	Saturday	10:30- 11:30
29/09/2018	Saturday	10:30- 11:30
06/10/2018	Saturday	10:30- 11:30
13/10/2018	Saturday	10:30- 11:30
20/10/2018	Saturday	10:30- 11:30
27/10/2018	Saturday	10:30- 11:30



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IBSAR School of Law, Karjat

Course Name: Drafting & pleading

Academic Year: 2019-2020

Date	Day	Time
20/07/2019	Saturday	10:30- 11:30
27/07/2019	Saturday	10:30- 11:30
03/08/2019	Saturday	10:30- 11:30
10/08/2019	Saturday	10:30- 11:30
17/08/2019	Saturday	10:30- 11:30
24/08/2019	Saturday	10:30- 11:30
31/08/2019	Saturday	10:30- 11:30
07/09/2019	Saturday	10:30- 11:30
14/09/2019	Saturday	10:30- 11:30
21/09/2019	Saturday	10:30- 11:30
28/09/2019	Saturday	10:30- 11:30
05/10/2019	Saturday	10:30- 11:30
12/11/2019	Saturday	10:30- 11:30
19/11/2019	Saturday	10:30- 11:30
26/11/2019	Saturday	10:30- 11:30
03/12/2019	Saturday	10:30- 11:30
10/12/2019	Saturday	10:30- 11:30
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24/12/2019	Saturday	10:30- 11:30
31/12/2019	Saturday	10:30- 11:30



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Course Name: Drafting & pleading

Academic Year: 2020-2021

Date	Day	Time
02/05/2020	Saturday	10:30- 11:30
09/05/2020	Saturday	10:30- 11:30
16/05/2020	Saturday	10:30- 11:30
23/05/2020	Saturday	10:30- 11:30
30/05/2020	Saturday	10:30- 11:30
06/06/2020	Saturday	10:30- 11:30
13/06/2020	Saturday	10:30- 11:30
20/06/2020	Saturday	10:30- 11:30
27/06/2020	Saturday	10:30- 11:30
04/07/2020	Saturday	10:30- 11:30
11/07/2020	Saturday	10:30- 11:30
18/07/2020	Saturday	10:30- 11:30
25/07/2020	Saturday	10:30- 11:30
08/08/2020	Saturday	10:30- 11:30
29/08/2020	Saturday	10:30- 11:30
05/09/2020	Saturday	10:30- 11:30
12/09/2020	Saturday	10:30- 11:30
19/09/2020	Saturday	10:30- 11:30
26/09/2020	Saturday	10:30- 11:30
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Course Name: Drafting & pleading

Academic Year: 2021-2022

Date	Day	Time
07/08/2021	Saturday	10:30- 11:30
14/08/2021	Saturday	10:30- 11:30
21/08/2021	Saturday	10:30- 11:30
28/08/2021	Saturday	10:30- 11:30
04/09/2021	Saturday	10:30- 11:30
11/09/2021	Saturday	10:30- 11:30
18/09/2021	Saturday	10:30- 11:30
25/09/2021	Saturday	10:30- 11:30
09/10/2021	Saturday	10:30- 11:30
16/10/2021	Saturday	10:30- 11:30
23/10/2021	Saturday	10:30- 11:30
30/10/2021	Saturday	10:30- 11:30
06/11/2021	Saturday	10:30- 11:30
13/11/2021	Saturday	10:30- 11:30
20/11/2021	Saturday	10:30- 11:30
27/11/2021	Saturday	10:30- 11:30
04/12/2021	Saturday	10:30- 11:30
11/12/2021	Saturday	10:30- 11:30
18/12/2021	Saturday	10:30- 11:30
24/12/2021	Friday	10:30- 11:30



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IBSAR School of Law, Karjat

Course Name: Drafting & pleading

Academic Year: 2022-2023

/Date	Day	Time
02/07/2022	Saturday	10:30- 11:30
09/07/2022	Saturday	10:30- 11:30
16/07/2022	Saturday	10:30- 11:30
23/07/2022	Saturday	10:30- 11:30
30/07/2022	Saturday	10:30- 11:30
06/08/2022	Saturday	10:30- 11:30
13/08/2022	Saturday	10:30- 11:30
20/08/2022	Saturday	10:30- 11:30
27/08/2022	Saturday	10:30- 11:30
03/09/2022	Saturday	10:30- 11:30
10/09/2022	Saturday	10:30- 11:30
17/09/2022	Saturday	10:30- 11:30
24/09/2022	Saturday	10:30- 11:30
01/10/2022	Saturday	10:30- 11:30
08/10/2022	Saturday	10:30- 11:30
15/10/2022	Saturday	10:30- 11:30
29/10/2022	Saturday	10:30- 11:30
05/11/2022	Saturday	10:30- 11:30
12/11/2022	Saturday	10:30- 11:30
19/11/2022	Saturday	10:30- 11:30



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IBSAR School of Law, Karjat

Course Name: Human Rights

Academic Year: 2018-2019

Date	Day	Time
15/06/2018	Saturday	11:30- 12:30
23/06/2018	Saturday	11:30- 12:30
30/06/2018	Saturday	11:30- 12:30
07/07/2018	Saturday	11:30- 12:30
14/07/2018	Saturday	11:30- 12:30
21/7/2018	Saturday	11:30- 12:30
28/07/2018	Saturday	11:30- 12:30
04/08/2018	Saturday	11:30- 12:30
11/08/2018	Saturday	11:30- 12:30
18/08/2018	Saturday	11:30- 12:30
25/08/2018	Saturday	11:30- 12:30
01/09/2018	Saturday	11:30- 12:30
08/09/2018	Saturday	11:30- 12:30
15/09/2018	Saturday	11:30- 12:30
22/09/2018	Saturday	11:30- 12:30
29/09/2018	Saturday	11:30- 12:30
06/10/2018	Saturday	11:30- 12:30
13/10/2018	Saturday	11:30- 12:30



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IBSAR School of Law, Karjat

Course Name: Human Rights

Academic Year: 2019-2020

Date	Day	Time
20/07/2019	Saturday	11:30- 12:30
27/07/2019	Saturday	11:30- 12:30
03/08/2019	Saturday	11:30- 12:30
10/08/2019	Saturday	11:30- 12:30
17/08/2019	Saturday	11:30- 12:30
24/08/2019	Saturday	11:30- 12:30
31/08/2019	Saturday	11:30- 12:30
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14/09/2019	Saturday	11:30- 12:30
21/09/2019	Saturday	11:30- 12:30
28/09/2019	Saturday	11:30- 12:30
05/10/2019	Saturday	11:30- 12:30
12/11/2019	Saturday	11:30- 12:30
19/11/2019	Saturday	11:30- 12:30
26/11/2019	Saturday	11:30- 12:30
03/12/2019	Saturday	11:30- 12:30
10/12/2019	Saturday	11:30- 12:30
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IBSAR School of Law, Karjat

Course Name: Human Rights

Academic Year: 2020-2021

Date	Day	Time
02/05/2020	Saturday	11:30- 12:30
09/05/2020	Saturday	11:30- 12:30
16/05/2020	Saturday	11:30- 12:30
23/05/2020	Saturday	11:30- 12:30
30/05/2020	Saturday	11:30- 12:30
06/06/2020	Saturday	11:30- 12:30
13/06/2020	Saturday	11:30- 12:30
20/06/2020	Saturday	11:30- 12:30
27/06/2020	Saturday	11:30- 12:30
04/07/2020	Saturday	11:30- 12:30
11/07/2020	Saturday	11:30- 12:30
18/07/2020	Saturday	11:30- 12:30
25/07/2020	Saturday	11:30- 12:30
08/08/2020	Saturday	11:30- 12:30
29/08/2020	Saturday	11:30- 12:30
05/09/2020	Saturday	11:30- 12:30
12/09/2020	Saturday	11:30- 12:30
19/09/2020	Saturday	11:30- 12:30



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IBSAR School of Law, Karjat

Course Name: Human Rights

Academic Year: 2021-2022

Date	Day	Time
07/08/2021	Saturday	11:30- 12:30
14/08/2021	Saturday	11:30- 12:30
21/08/2021	Saturday	11:30- 12:30
28/08/2021	Saturday	11:30- 12:30
04/09/2021	Saturday	11:30- 12:30
11/09/2021	Saturday	11:30- 12:30
18/09/2021	Saturday	11:30- 12:30
25/09/2021	Saturday	11:30- 12:30
09/10/2021	Saturday	11:30- 12:30
16/10/2021	Saturday	11:30- 12:30
23/10/2021	Saturday	11:30- 12:30
30/10/2021	Saturday	11:30- 12:30
06/11/2021	Saturday	11:30- 12:30
13/11/2021	Saturday	11:30- 12:30
20/11/2021	Saturday	11:30- 12:30
27/11/2021	Saturday	11:30- 12:30
04/12/2021	Saturday	11:30- 12:30
11/12/2021	Saturday	11:30- 12:30



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Course Name: Human Rights

Academic Year: 2022-2023

Date	Day	Time
02/07/2022	Saturday	11:30- 12:30
09/07/2022	Saturday	11:30- 12:30
16/07/2022	Saturday	11:30- 12:30
23/07/2022	Saturday	11:30- 12:30
30/07/2022	Saturday	11:30- 12:30
06/08/2022	Saturday	11:30- 12:30
13/08/2022	Saturday	11:30- 12:30
20/08/2022	Saturday	11:30- 12:30
27/08/2022	Saturday	11:30- 12:30
03/09/2022	Saturday	11:30- 12:30
10/09/2022	Saturday	11:30- 12:30
17/09/2022	Saturday	11:30- 12:30
24/09/2022	Saturday	11:30- 12:30
01/10/2022	Saturday	11:30- 12:30
08/10/2022	Saturday	11:30- 12:30
15/10/2022	Saturday	11:30- 12:30
29/10/2022	Saturday	11:30- 12:30
05/11/2022	Saturday	11:30- 12:30



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IBSAR School of Law, Karjat

Course Name: Cyber Law

Academic Year: 2018-2019

Date	Day	Time
15/06/2018	Saturday	01:30 - 02:30
23/06/2018	Saturday	01:30 - 02:30
30/06/2018	Saturday	01:30 - 02:30
07/07/2018	Saturday	01:30 - 02:30
14/07/2018	Saturday	01:30 - 02:30
21/7/2018	Saturday	01:30 - 02:30
28/07/2018	Saturday	01:30 - 02:30
04/08/2018	Saturday	01:30 - 02:30
11/08/2018	Saturday	01:30 - 02:30
18/08/2018	Saturday	01:30 - 02:30
25/08/2018	Saturday	01:30 - 02:30
01/09/2018	Saturday	01:30 - 02:30
08/09/2018	Saturday	01:30 - 02:30
15/09/2018	Saturday	01:30 - 02:30
22/09/2018	Saturday	01:30 - 02:30
29/09/2018	Saturday	01:30 - 02:30
06/10/2018	Saturday	01:30 - 02:30
13/10/2018	Saturday	01:30 - 02:30
20/10/2018	Saturday	01:30 - 02:30
27/10/2018	Saturday	01:30 - 02:30
03/11/2018	Saturday	01:30 - 02:30
10/11/2018	Saturday	01:30 - 02:30
17/11/2018	Saturday	01:30 - 02:30
24/11/2018	Saturday	01:30 - 02:30
01/12/2018	Saturday	01:30 - 02:30
08/12/2018	Saturday	01:30 - 02:30
15/12/2018	Saturday	01:30 - 02:30
22/12/2018	Saturday	01:30 - 02:30
29/12/2018	Saturday	01:30 - 02:30
05/01/2019	Saturday	01:30 - 02:30



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IBSAR School of Law, Karjat

Course Name: Cyber Law

Academic Year: 2019-2020

Date	Day	Time
20/07/2019	Saturday	01:30 - 02:30
27/07/2019	Saturday	01:30 - 02:30
03/08/2019	Saturday	01:30 - 02:30
10/08/2019	Saturday	01:30 - 02:30
17/08/2019	Saturday	01:30 - 02:30
24/08/2019	Saturday	01:30 - 02:30
31/08/2019	Saturday	01:30 - 02:30
07/09/2019	Saturday	01:30 - 02:30
14/09/2019	Saturday	01:30 - 02:30
21/09/2019	Saturday	01:30 - 02:30
28/09/2019	Saturday	01:30 - 02:30
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19/11/2019	Saturday	01:30 - 02:30
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03/12/2019	Saturday	01:30 - 02:30
10/12/2019	Saturday	01:30 - 02:30
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24/12/2019	Saturday	01:30 - 02:30
31/12/2019	Saturday	01:30 - 02:30
08/01/2020	Saturday	01:30 - 02:30
15/01/2020	Saturday	01:30 - 02:30
22/01/2020	Saturday	01:30 - 02:30
29/01/2020	Saturday	01:30 - 02:30
08/01/2020	Saturday	01:30 - 02:30
15/01/2020	Saturday	01:30 - 02:30
22/01/2020	Saturday	01:30 - 02:30
29/01/2020	Saturday	01:30 - 02:30
06/02/2020	Saturday	01:30 - 02:30
13/02/2020	Saturday	01:30 - 02:30



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DIST RAIGAD-410201

IBSAR School of Law, Karjat

Course Name: Cyber Law

Academic Year: 2020-2021

Date	Day	Time
02/05/2020	Saturday	01:30 - 02:30
09/05/2020	Saturday	01:30 - 02:30
16/05/2020	Saturday	01:30 - 02:30
23/05/2020	Saturday	01:30 - 02:30
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Vinita v. Pundir

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IBSAR School of Law, Karjat

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Vinita v. Purohit

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Course Name: Cyber Law

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Vinita v. Purohit

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IBSAR School of Law, Karjat

Course Name: Intellectual Property Law

Academic Year: 2018-2019

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Vinita V. Pundir

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IBSAR School of Law, Karjat

Course Name: Intellectual Property Law

Academic Year: 2019-2020

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Vinita v. Pundir

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Vinita v. Pundir

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Vinita Pundir

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Vinita v. Pundir

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Course Name: Corporate law

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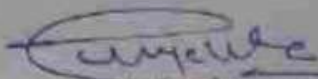
Appointment Unit, Examination Section,
Santacruz (East), Mumbai-400098

No.

**216-IBSAR School of Law
Updated Course list**

Sr No	Course Code	Course Name
1	3L00213	Second Year L.L.B/B.L.S (Five Year Course) (Semester-III)
2	3L00215	Third Year L.L.B/B.L.S (Five Year Course) (Semester-V)
3	3L00217	Fourth Year L.L.B/B.L.S (Five Year Course) (Semester-VII)
4	3L00219	Fifth Year L.L.B/B.L.S (Five Year Course) (Semester-IX)
5	3L00212	First Year L.L.B/B.L.S (Five Year Course) (Semester-II)
6	3L00218	Fourth Year L.L.B/B.L.S (Five Year Course) (Semester-VIII)
7	3L00210	Fifth Year L.L.B/B.L.S (Five Year Course) (Semester-X)
8	3L00211	First Year L.L.B/B.L.S (Five Year Course) (Semester-I)
9	3L00214	Second Year L.L.B/B.L.S (Five Year Course) (Semester-IV)
10	3L00216	Third Year L.L.B/B.L.S (Five Year Course) (Semester-VI)

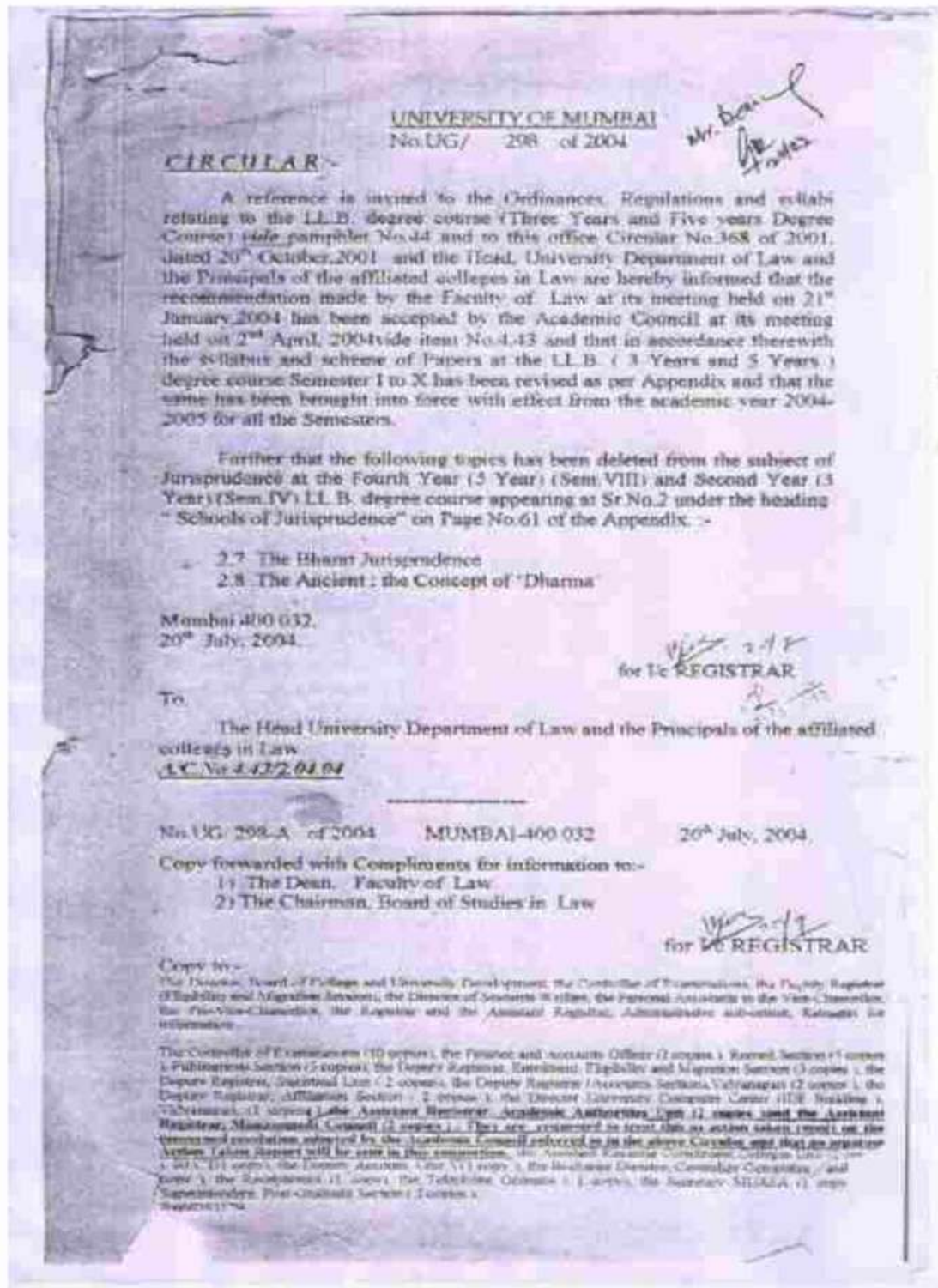
Mumbai -400098.
Date:24 Jan,2023.


Sunil Khatele 24/1/23
Deputy Registrar
(Appointment Unit)





PRINCIPAL
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DIST. RAIGAD-410201



Vinita V. Pundir

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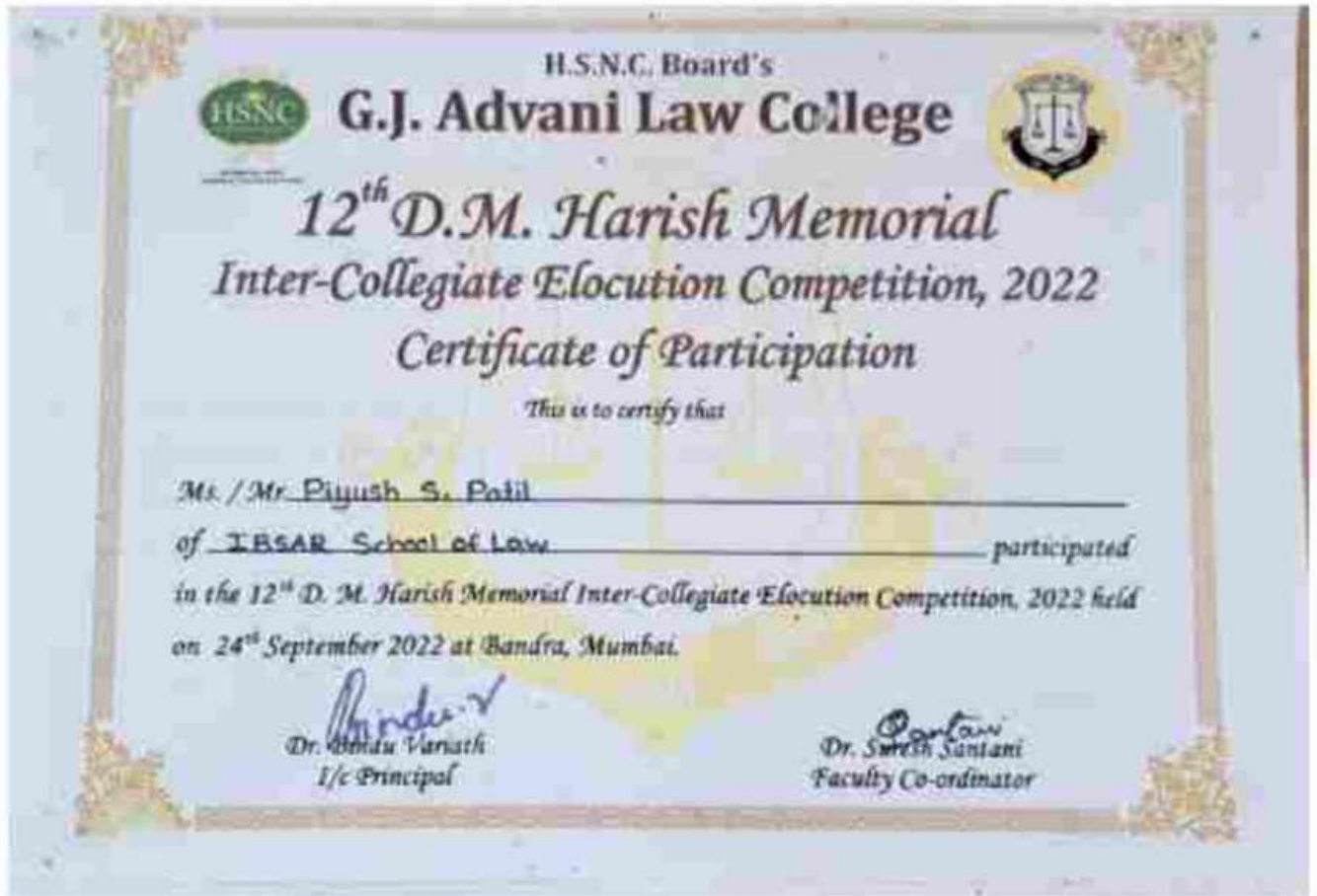
Nilima Chandiramani

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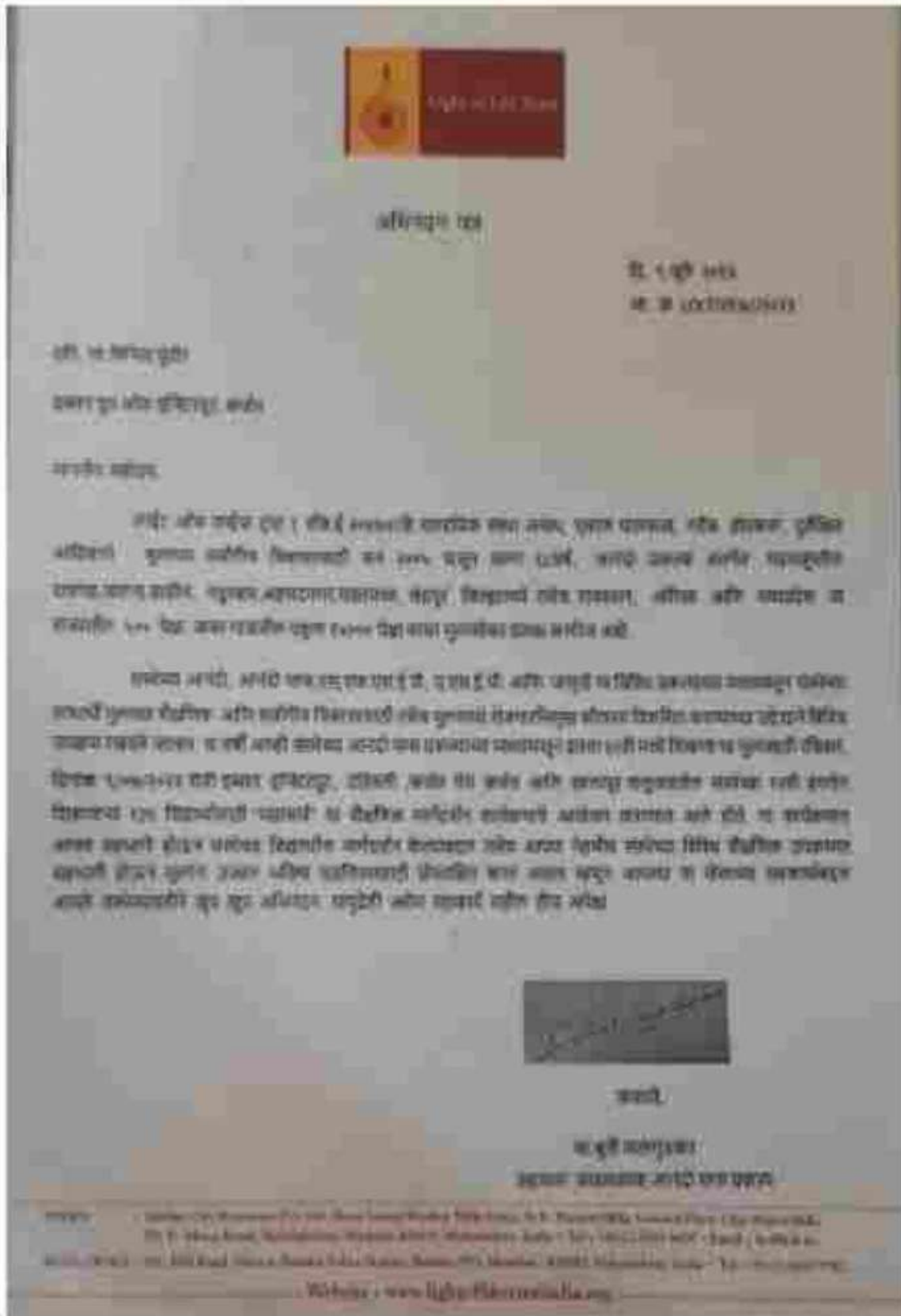
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UNIVERSITY OF MUMBAI



URGENT / ONLINE / BY HAND
AFFILIATION SECTION

No. : AF / ICE/2017-18/494

Date : 20-11-2017

To,

The Principal,
IBSAR SCHOOL OF LAW
Karjat Campus, Vill- Dahivali
Karjat, Dist. Raigad -410201
[ER139824]

Sir/Madam,

With reference to your application dated 31-08-2016 for continuation/extension of affiliation for teaching the course/s of study for the Law Degree course/s for the Academic year 2017-18. I am to inform you that the Academic Council at its meeting held on 11-10-2017 vide Item No. 3.10 resolved as under:

"It was resolved that the recommendations made by Board of Dean in its meeting dated 3/10/2017 on the basis of report of the Local Inquiry Committee be accepted and that in accordance therewith the Colleges/Institutes in the faculty of Architecture Engineering Management Law Pharmacy Education and Fine Arts for the academic year 2017-18 and previous years if any.

Further the conditions mentioned in the LIC report be communicated to the colleges for compliance of the same without which the Continuation/Extension of Affiliation in subsequent year be not considered. It was further resolved that the concerned Colleges/Institutes be asked to participate in the examination related work and the teachers be involved in the Central Assessment Scheme of the University in both halves of the examinations."

In pursuance of the above resolution of the Academic Council I am to inform you that the IBSAR SCHOOL OF LAW Karjat Campus Vill- Dahivali Tal. Karjat Dist, Raigad - 410201 has been granted continuation of affiliation for the teaching the course/s of study for Bachelor of Law [L.L.B.] [Five Years] with intake of 120 students for a period of 1 year from the Academic Year beginning from 2017-18 subject to conditions mentioned in the report that the college authorities gives an undertaking in writing that they will fulfill the conditions mentioned in the report to the satisfaction of the Academic Council. Also the concerned college will participate in the examinations related work and the teachers will involve in the Central Assessment Scheme of the University in both halves of the examinations..

The report of the Local Enquiry Committee is available in the college login online portal for your information & compliance accordingly.

Yours faithfully,



(Shri. Krushna Parwad)
DEPUTY REGISTRAR
AFFILIATION SECTION



Vinay V. Purohit

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DIST. RAIGAD-410201



No. Enrol./Elg./Admission/(2023-24/)87of 2023.

CIRCULAR:-

The Principals of all the Affiliated colleges of Arts, Science, Commerce, Director University Sub-campuses (Kalyan, Thane, Ratnagiri and Sindhudurg) are hereby informed to follow the procedure of admission.

1. The reservation for different reserved categories will be as per government norms mentioned below:-

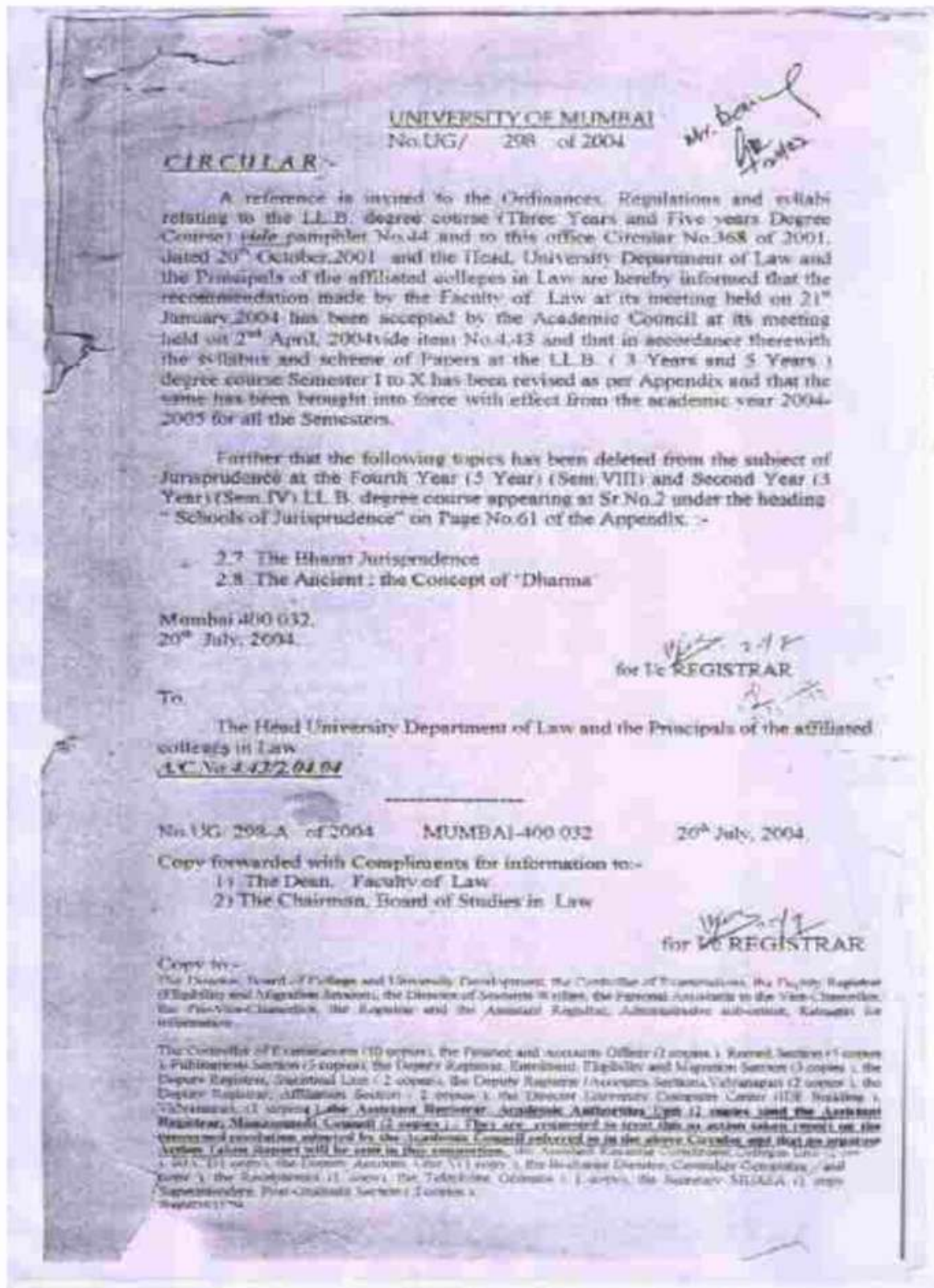
- | | | |
|-------|---|--|
| i) | 13% Seats | : S.C. |
| ii) | 7% Seats | : S.T. |
| iii) | 3% Seats | : D.T. (A) |
| iv) | 2.5% Seats | : N.T. (B) |
| v) | 3.5% Seats | : N.T. (C) |
| vi) | 2% Seats | : N.T. (D) |
| vii) | 19% Seats | : O.B.C. |
| viii) | 10% Seats | : EWS |
| ix) | A) Women | : As per circular No. Aff/Recog./322 of 2000 dated 7 th September, 2000 |
| | B) S.B.C. | : 2% As per circular No. BCC/29/334 of 1997 dated 25 th September, 1997 |
| | C) Physically Handicapped | : As per circular No. Spl. Cell/ICC/2021-22/02 dated 30 th August, 2021 |
| x) | 3% Seats | : स्थानीय संरक्षित (परिवर्तन क्रमांक मासपाल/साधना/निर्देश/२२१ दिनांक १६. १९९६ प्रमाणे) |
| | | १. बसणुम आरक्षित केन्द्र/ राज्य शासकिय न्यायदारी/ अधिकारी यांचे पाल्य |
| | | २. सरसमाजवादीय आदी/याची सैनिकीय पाल्य |
| | | ३. राष्ट्रीय/राज्य पाठ्यपत्र क्रिया व संस्कृतिय कार्यक्रमात विशेष वैयुक्त मिळविलेले विद्यार्थी |
| | | ४. विधवा/ परिवर्तना विद्यार्थीनी |
| | | ५. स्वातंत्र्य सैनिकीय पाल्य/न्यायदारी |
| xi) | Two supernumerary seats for students from Jammu & Kashmir as per University Circular No. Aff/ICC/2012-13/22 dated 8 th January, 2013 | |
| xii) | राज्यात व मराठपर विद्यार्थीय महाविद्यालय यांनी कसमन निर्णय क्रमांक १५३/१९ दिनांक १६/३/१९ व मुंबई -३२ दिनांक २३ नोव्हेंबर, २०२१ विशेष आरक्षणवाकळ अनुपालन करावे | |

...2/



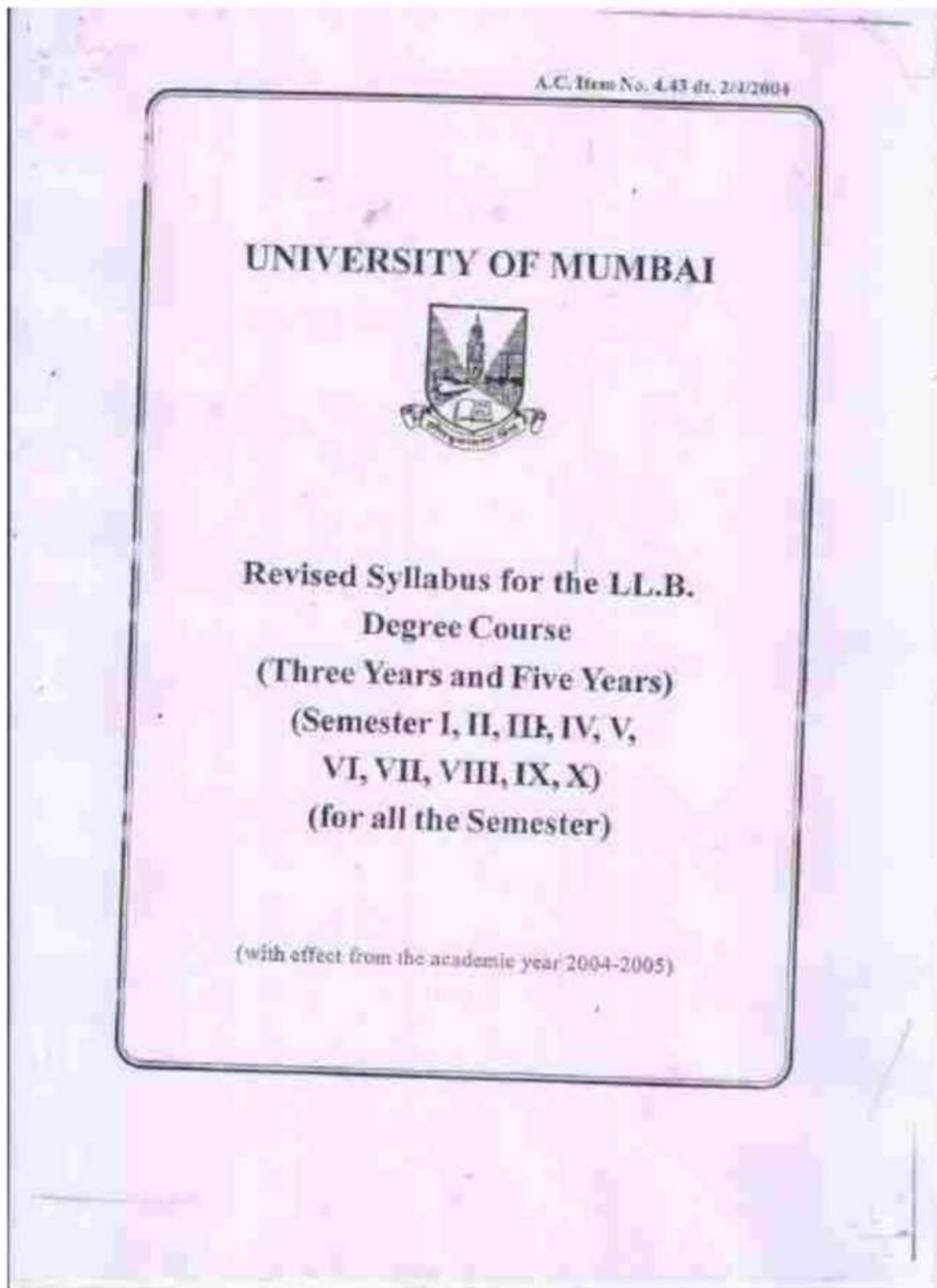
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Syllabus for the LL.B. degree Course (Three Years (Semesters I to VI) and Five Years (Semester I to X)) (Revised) with effect from the academic year 2004-2005 for all the Semesters:-

First Year (Five Years) (Sem. I)

Subject :-

- 1) English I
- 2) Logic I
- 3) Economics

First Year (Five Year) (Sem. II)

Subject :

- 1) History
- 2) Political Science I
- 3) Legal Writing and Legal Language

Second Year (Five Year) (Sem. III)

Subject :

- 1) Political Science II
- 2) Sociology
- 3) History of Courts



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Second Year (Five Year) (Sem. IV)

Subject :

- 1) English -II
- 2) Logic- II
- 3) Political Science III

Third Year (5 Year) (Sem V) and First Year (3 Year) (Sem. I)

1. Labour Laws
2. Contract - I
3. Tort & Consumer Protection Laws
4. Legal Language including Legal Writing & General English

Third Year (5 Year) (Sem. VI) and First Year (3 Year) (Sem. II)

1. Law of Crimes
2. Constitutional Law
3. Family Law - I
4. Environmental Laws
5. Practical Training - I

**Fourth Year (5 Year) (Sem.VII)
and
Second Year (3 Year) (Sem. III)**

1. Administrative Law
2. Family Law – II
3. Transfer of Property Act and Easement Act
4. Company Law

**Fourth Year (5 Year) (Sem.VIII)
and
Second Year (3 Year) (Sem. IV)**

1. Jurisprudence
2. Contract – II
3. Land Laws
4. Any One from the following :-
 1. Criminology and Correctional Administration
 2. Taxation Laws
 3. Bankruptcy Laws
5. Practical Training – II

**Fifth Year (5 Year) (Sem.IX)
and
Third Year (3 Year) (Sem. V)**

1. Civil Procedure Code & Limitation Act
2. Criminal Procedure Code , Juvenile Justice Act. 2000 & Probation of Offenders Act.
3. Interpretation of Statutes
4. Public International Law & Human Rights

**Fifth Year (5 Year) (Sem.X)
and
Third Year (3 Year) (Sem. VI)**

1. Alternate Dispute Resolution System
2. Law of Evidence
3. Optional Papers : Any Two from the following Six subjects
 1. Banking Laws and Negotiable Instruments Act
 2. Law of Insurance
 3. Intellectual Property Law
 4. Conflict of Laws
 5. Law Relating to Women & Children
 6. Law and Medicine
4. Practical Training - III
5. Practical Training - IV



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Revised Syllabus for the Five Year. (Sem I)
LL.B. degree course.

(With effect from the academic year 2004-2005)

ENGLISH - I

SECTION ONE: 40 Marks

A. GRAMMAR and USAGE (Communication Skills)

1. Simple sentences (one clause): Their phrase structure
 - (i) Tense and concord
 - (ii) Basic Transformation: (a) passive (b) negative (c) question

2. Compound and Complex Sentences: Use of connectives

3. Conditionals

4. Reported Speech

5. Some common errors in construction of sentences and sentence correction

B. VOCABULARY (Communication Skills)

- (i) Use of Legal terms (ii) idiomatic expressions

C. COMPREHENSION SKILLS

- (i) Reading Comprehension (Principles and Practice)
 - (ii) Listening Comprehension
- (As far as possible Short Legal Passages should be selected)

D. COMPOSITION SKILLS

- (i) Paragraph Writing
- (ii) Essay Writing
- (iii) Formal Correspondence:
 - (a) Letters of application for jobs (b) Letters of complaint

SECTION TWO (60 Marks)

The TEXTS for study is

- 1) The Due Process of Law
(2) Lord Deening (ONLY parts 1-5)
- 2) Roses in December - M.C. Chagla

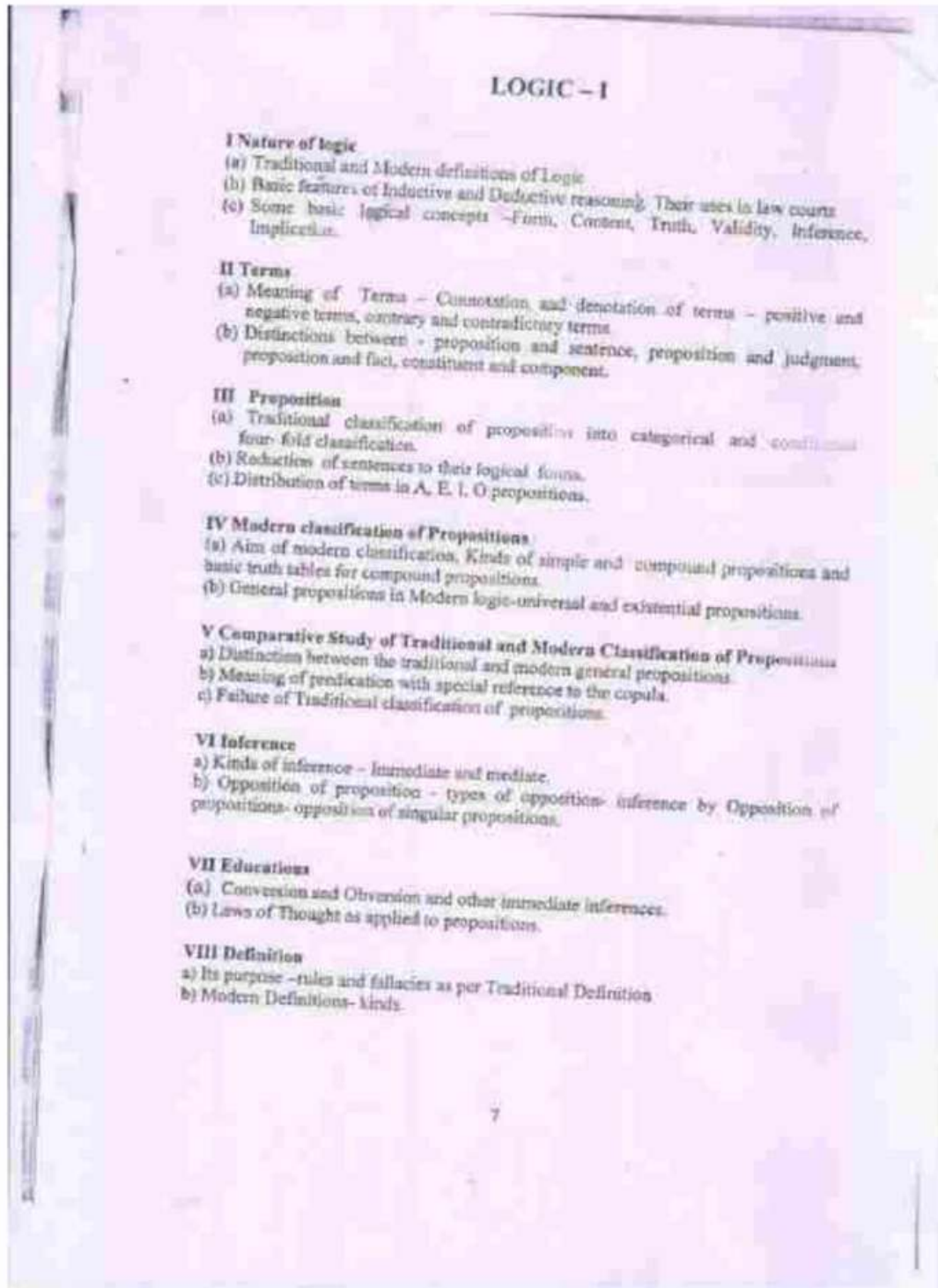
Recommended Readings:

- 1) English Grammar, Composition and Correspondence
By M.A. Pirk and S.E. Thomas
London : The Gregg Publishing Co.
- 2) English and American Business Letters
By C.E. Eekersley and W. Kauf Mann
London : Longman



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IX Definition and law

Precise definition with special reference to any specific definition- disablement, industry (Labour Law), private and public nuisance (Law of Torts), consent (Law of Contract), medical-intervention, physician, terminally-ill, reference (basic concepts only from Law books)

X Division

Logical division - rules and fallacies of division - division by dichotomy.

XI Induction

(a) Simple Enumeration as a form of induction.

(b) Analogy- characteristic of a good and bad analogy. Its use in law-circumstantial evidence.

Recommended Readings :

1. Introduction to Logic - K.T. Bhanutani -Basic Text-Book
2. An Introduction to Logic- Irving Copl. (Fourth edition)
3. Modern Introduction to Logic - I.S. Stebbing



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ECONOMICS

Section I – General Principles

Section – II – Indian Economy

Section - I

1. **Introduction**
 - (i) Economics as a science and its relevance to law
 - (ii) Positive and normative economics
 - (iii) Micro and macro economics
2. **Demand and Supply**
 - (i) Law of demand and Elasticity of demand
 - (ii) Law of supply
 - (iii) Determination of price
3. **Cost and Revenue Analysis**
 - (i) Cost concepts
 - (ii) Revenue concepts
4. **Market Structure**
 - (i) Features of perfect competition
 - (ii) Features of monopoly
 - (iii) Features of monopolistic competition
5. **Factors of production and their pricing**
 - (i) Land and rent
 - (ii) Labour and wages
 - (iii) Capital and interest
 - (iv) Entrepreneur and profit

Section – II

6. **Introduction**
 - (i) Salient Features of Indian economy and structural changes
 - (ii) National income trends
 - (iii) Problems of poverty, population growth and inequalities
7. **Agriculture**
 - (i) Agricultural production and agriculture productivity
 - (ii) Constraints in agriculture – institutional, financial, marketing and pricing
 - (iii) National Agricultural Policy – 2000



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8. **Industry**
 - (i) Growth and pattern of industrialization
 - (ii) New Industrial Policy 1991
 - (iii) Public sector and disinvestments policy
 - (iv) Small scale industries – Problems and policies
9. **Financial Markets**
 - (i) Indian money market – Features and Reforms
 - (ii) Indian capital market – Features and Growth
 - (iii) SEBI
10. **Fiscal System**
 - (i) Evaluation of Indian tax structure and tax reforms since 1990's
 - (ii) Public expenditure – Composition and growth
 - (iii) Public debt management
11. **External Sector**
 - (i) Structural changes in India's foreign trade since nineties
 - (ii) Balance of payments problem since 1990's
 - (iii) WTO

Recommended Readings:

1. Indian Economics for Law students
Dr. S.R. Myheri, Allahabad Law Agency, Faridabad
2. Legal Economics – K.C. Gopalkrishnan Eastern Book Company, Lucknow.
3. Economics for Law students – Dr. S.R. Myheri Allahabad, Law Agency.
4. Indian Economy – Raddar Dani and K.P.M. Sundhram S. Chand & Co. Ltd.,
New Delhi – 110 055, 2004.
5. Elementary Economic Theory – Dewett, Varma S. Chand & Company,
New Delhi – 110 055.

HISTORY

1. East India Company and its administration (1757-1857)
 - (a) Regulating Act of 1773.
 - (b) The Charter Acts from 1773 to 1853.
2. (a) The revolt of 1857: Its origin and causes.
(b) Consequences of the revolt with special reference to:
 - (i) Queen's Proclamation and (ii) Act for the Better Government of India, 1858.
- (c) Indian Councils Act of 1861.
3. Socio-religious reform Movements with reference to:
 - (a) Emancipation of women.
 - (b) Upliftment of depressed classes.
4. Struggle for freedom (1885-1909)
 - (a) (i) Establishment of the Indian National Congress and the work of the Moderates (1885-1905)
(ii) Indian Councils Act of 1892.
 - (b) (i) Rise of Extremists and Partition of Bengal (1905)
(ii) The Indian Councils Act of 1909.
5. Constitutional Developments (1917-1935)
 - (a) (i) August Declaration (1917) and Montague-Chelmsford Report (1918)
(ii) The Government of India Act, 1919 and its consequences.
 - (b) (i) Simon Commission (1927), Nehru Report (1928) and Round Table Conferences.
(ii) Civil Disobedience Movement and the Government of India Act, 1935.
6. The Road to Partition:
 - (a) Cripps Mission (1942), Cabinet Mission Plan (1946) and the Indian Independence Act (1947)
 - (b) Genesis and Growth of Communalism and Partition of India.
7. British Impact and major developments in India:
 - (a) Education
 - (b) Press
 - (c) Local self government
 - (d) Civil Services
8. Nehru Era (1947-1964)
 - (a) Making of the Constitution, its salient features and significance.
 - (b) Integration of the Indian States and the Kashmir issue.
 - (c) States Reorganization.

9. Contemporary India
- (a) Land Reforms and Modernization of Agriculture.
 - (b) Labour and Trade Union Movement.
 - (c) Hindu Code Bill and Emancipation of women.
 - (d) Upliftment of Scheduled Caste and Scheduled Tribes.
 - (e) Centre-State Relations.

Recommended Readings:

- 1) Mahajan, V.D. - Modern Indian History.
- 2) Majumdar, R.C., Raychaudhari, H.C., Dasgupta, Kalikrishna - An Advanced History of India.

BOOKS FOR REFERENCE:

- 1) Sarkar, Sumit - Modern India, Macmillan India Ltd., New Delhi, 1983.
- 2) Banerjee, Anil Chandra - Constitutional History of India Vol. II (1858-1919) and Vol. III (1919-1977)
- 3) Pyle, P.V. - Constitutional History of India (1600-1950), Bombay, Asia Publishing House, 1972.
- 4) Ambedkar, B.R. - Annihilation of Caste, Speeches and writings Vol. I.
- 5) Dadwell, H.H. (ed.), The Cambridge History of India, Vol. VI: The Indian Empire (1838-1930), with additional chapters on the Last Phase (1919-1947), Delhi, S. Chand and Co., 1983.
- 6) Mehta, V.P. - The story of Integration of States, Bombay, Orient Longman, 1956.

POLITICAL SCIENCE - I

SECTION - I (Political Theory)

1. Definition & Scope of Political Science
2. State (As the central theme and concept) - Meaning, Definition & Constituent Elements of State, State with reference to Society, Association & Government.
3. Sovereignty - Meaning, Definition & Characteristics of Sovereignty. Austinian (Monistic) Theory of Sovereignty, Pluralistic view of Sovereignty.
4. Main currents of Western Political Thought:
 - a) Plato's Ideal State, Aristotle's Classification of States (Governments)
 - b) Machiavelli's views on State Craft - "The Prince"

SECTION - II (Political Organisation)

5. Organisation of Government
 - a) Unitary & Federal Governments (Features, Merits & Demerits). Quasi - Federal, Is India a Quasi-Federal State?
 - b) Parliamentary & Presidential Forms of Governments (Features, Merits & Demerits)
6. Judiciary - Functions & Role, the Principle of Independence of Judiciary & the doctrine of Judicial Review.
7. Bases of Representation - Territorial & Functional, the System of Proportional Representation.
8. Montesquieu's Theory of the Separation of Powers (in brief)

Recommended Readings :

1. Anirvatham Eddy : Political Theory (Upper India Publishing House, Lucknow, 1971)
2. Barker Ernest : Principles of Social & Political Theory (Oxford, London, 1956)

3. Gokhale B. K.: Political Science [Theory and Governmental Machinery] (Himalaya Publishing House, Mumbai, 1994)
4. Jharia J. C.: Contemporary Political Theory (Sterling, New Delhi, 1985)
5. Rathore L.S. & Haqqi S.K.H. : Political Theory & Organisation (Eastern Book Company, Lucknow, 2002)

LEGAL WRITING AND LEGAL LANGUAGE

A. Essays

1. Uniform Civil Code -

10 Marks

Article 44 of the Constitution of India with relevant extracts from the Parliamentary Debate on the Subject.

Various personal legislations relating to the personal; rights in adoption, marriage and divorce, guardianship, maintenance and succession.

Desirability of Uniform Civil Code in the matter of Marriage, divorce, adoption, succession laws appearing herein after as applicable to different religions and community.

- a) Hindu Marriage Act 1955
- b) Divorce Act 1869
- c) Parsi Marriage and Divorce Act 1936
- d) Special Marriage Act 1954
- e) Dissolution of Muslim Marriage Act 1939
- f) Hindu Adoption and Maintenance Act 1956
- g) Indian Succession Act 1925
- h) Hindu Succession Act
- i) Law of Succession relating to Mohammedan

Judgments of the Supreme Court of India delivered from time to time recommending changes in personal laws to bring about uniformity amongst personal laws.

- a) *Ms. Jordan Dimgdel vs. S. S. Chopra* AIR 1985 SC 933
- b) *Mohamed Ahmed Khan vs. Shah Bano Begum and others* AIR 1985 SC 945
- c) *Smt. Sarla Mudgal, President Kalyani and other vs. Union of India* AIR 1995 SC 1531
- d) *Ahmedabad Women Action Group (AWAG) vs. Union of India* (1997) 3 SCC 573
- e) *Mrs. Pragati Varghese and etc. vs. Cyril George Varghese and etc.* AIR 1997 BOM 341

2. Reservation

Marks 15

Reservation under Constitution of India.

Articles 14, 15, 16(4), 17, 20(2), 46, 330, 331, 332 and 335 from the Constitution of India.

News items that have appeared and will continue to appear in the newspapers and magazines/journals from time to time on the subject of Reservation.

Judgments of the Supreme Court of India in particular the Judgment on Reservation after Mandal Commission Report.

Reservation of seats for women in decision-making body.
Articles from the News Papers and Periodicals on this issue of Reservation.

Views expressed by the Supreme Court of India in the Judgment of *Muslimani Modliar vs. Idol of Sri. Swaminatharwami Hirukals*. (1996) 8 SCC 525.

Constitution (Eighty First Amendment) Bill 1996 for Reservation of seats for women in the House of the People.

Reservation in Education, Employment and Promotion

Articles from the Newspapers and Periodicals on this issue.
Views expressed by the Supreme Court of India in the following Judgments.

- a) *K. C. Vasanth Kumar vs. State of Karnataka* 1985 Supp. SCC 714
- b) *Jarwal Prasad Parimon vs. State of J. & K.* (1973) SCC 420
- c) *Indra Sawhney vs. Union of India* 1992 Supp. (3) SCC 217 (Mandal Commission Case)
- d) *Chatter Singh vs. State of Rajasthan*. (1996) 11 SCC 742;
- e) *Ashok Kumar Gupta vs. State of U. P.* (1997) 5 SCC 201.
- f) *S. Rangaraja vs. P. Jagjivan Ram*. (1998) 2 SCC 574

3. Consumer Activism

Marks 15

Introduction to the Consumer Protection Act.

The Consumer Protection Act, 1986.

Sections 2 (6) Complainant

Section 2 (8) Who is a Consumer
Consumers of Housing Facilities, Banking Services, Medical Services, Insurance Services, Telephone Services and Miscellaneous Services.

Consumer Protection Movement.

Consumer, Consumerism and the Constitution of India

4. Public Interest Litigation

Marks 15

Concept of Public Interest Litigation

Public Interest Litigation in India

Constitution of India. Articles in Parts III and IV.

Philosophical Basis of Public Interest in India

Concept and Scope of Locus Standi

Procedural Law in Public Interest Litigation

Breach of Fundamental Rights vis-a-vis Public Interest Litigation

Breach of Directive Principles of State Policy vis-a-vis Public Interest Litigation

Breach of other Legal Rights vis-a-vis Public Interest Litigation

Socio-Economic Justice vis-a-vis Public Interest Litigation in India

Judicial Activism to Public Interest Litigation Act.

- (a) Judicial Activism-Genesis and Relevance
- (b) Critical Appraisal of Public Interest Litigation in India
- (c) Uses of Public Interest Litigation and Abuse of Public Interest Litigation

Role of Judiciary in enforcement of rights through Public Interest Litigation and Social Action Litigation

- (a) Atrocity over first part dwellers
- (b) Police atrocities. Some leading causes on custodial death, torture, handcuffing and illegal detention by police.
- (c) Environment and Pollution
- (d) Misuse of Public Property
- (e) Status and Rights of Women in Indian Society.

5) Introduction to the writing of eminent jurists. Marks 15

1. We the People. By N. A. Palkiwala.

Part III Constitutional Issues, Chapter 9 to 14. Pages 123 to 266.

Part IV Chapter 17 Pages 337 to 356

2. The Discipline of Law. By Lord Denning

Part one, the construction of documents, Chapter 1 to 4. Pages 5 to 53.

Part Three Pages 113 to 146

3. Learning the Law. By Granville Williams.

Chapter 1 The Division of the law.

Chapter 2 Common of the law

Chapter 3 The Mechanism of Scholarship

Chapter 4 Method of study.

Chapter 5 Technical Terms

Chapter 6 Case Law Techniques

Chapter 7 The Interpretation of Statutes

Chapter 8 Working out Problems

Chapter 9 Answering Book work Questions

Chapter 10 In the Examination rooms

In all the Chapters referred herein above referenced English system of judiciary is omitted.

6) Extracts from important Judgments.

Marks 15

Extracts would mean ratio of the Judgment as appearing in the Head Note and paragraphs of the Judgment wherein the law point is discussed. To also read the facts as set out in the Judgment.

- (1) Additional District Magistrate, Jabalpur vs. Shivkant Shukla. AIR 1976 SC 1207. This Judgment to be discussed from the book We the People also from the Judgment. To also briefly read other Judgments referred to therein.
- (2) P. V. Narasimha Rao vs. State. AIR 1998 SC 2120.
- (3) Indian Medical Association vs. V. P. Shantha. AIR 1996 SC 550
- (4) S. P. Gupta vs. Union of India OR Transfer of Judge's case. AIR 1982 SC 149. This Judgment is discussed from the book We the People as also from the Judgment. To also briefly read other Judgments referred to therein.

7) Accounts of Famous Trial

Marks 15

- 1) Trial of Bal Gangadhar Tilak under Section 124A and 153A of the Indian Penal Code.

The above Trial is taken from the book.

Trial of Independence Author: B. R. Agarwala. Publisher National Book Trust, India

Trial of Tilak Author: Publisher The Director, Publication Division, Ministry of Information and Broadcasting, Government of India.

Judgment reported in AIR 22 BOM 112.

- 2) Trial of Mahatma Gandhi under Section 124A of the Indian Penal Code.

The above Trial is taken from the book.

Trials of Independence Author B. R. Agarwala, Publisher National Book Trust, India

Fine made by Mahatma Gandhi for the severest penalty upon conviction for sedition taken from the book The World of Law, Volume II The Law AS Literature edited by Ephraim London At pages 459 to 466.

3) **Trial of Walter Rowland.**

The above Trial is from the book with the title referred herein above. It is a trial with an introduction and edited by Henry Cecil. The entire trial is published in a book running into 164 pages. Students were however given pages 9 to 58 which gives relevant evidence, extract of Judgment etc. The book is published under the series Celebrated Trials.

POLITICAL SCIENCE – II

Foundations of Political Obligation

1. Power, Authority, Legitimacy
2. Political Obligation – Meaning, Grounds & Theories, Problems of Obedience to Unjust laws
3. Theories of Punishment
4. Political Ideologies
 - a) Liberalism – Meaning, Basic Principles, Merits & Demerits
 - b) Socialism – Meaning, Basic Principles, Arguments in favor & against
 - c) Utilitarianism – Mill's Concept of Liberty
 - d) Communism – Marx's Conception of Communism
 - e) Democracy – Definitions, Conditions essential for its success
 - f) Gandhism
5. Indian Constitution
 - a) Salient Features of Indian Constitution
 - b) Preamble
 - c) Fundamental Rights & Duties
6. Political Parties, Features of Indian Political Parties

Recommended Readings :

1. Basu, Durga Das: An Introduction to the Constitution of India (Wadhwa & Company, Agra, 2002)
2. Berry, Norman: An Introduction to Modern Political Theory (MacMillan, London, 1981)
3. Cocker, F. W. : Recent Political Thought (The World Press, Calcutta, 1966)
4. Gokhale B. K.: Political Science [Theory and Governmental Machinery] (Himalaya Publishing House, Mumbai, 1994)
5. Sartori, Giovanni: Democratic Theory (Oxford UBE, Calcutta, 1965)

SOCIOLOGY

1. **Sociology as a Science**
 - a. Nature, definitions, scope
 - b. Sociology of law & legal profession

2. **Basic Concepts**
Society - community - social groups - culture - role and status - social norms, values and institutions

Following topics should be dealt with specific reference to the Indian society.

3. **Understanding Indian society**
 - a. Plurality
 - b. Unity in diversity
 - c. Indian ethos.

4. **Social stratification.**
 - a. Caste,
 - b. Class,
 - c. Gender,
 - d. Deprived sections of society

5. **Social conflict and social control**

6. **Social institutions (customs, law & problems regarding the same)**
 - a. Marriage and family
 - b. Education
 - c. Religion
 - d. Political
 - e. Economic

7. **Social change & the role of law, media, education & technology in society**

Recommended Readings:

- Ahuja Ram: India Social System
Ahuja Ram: Social Problems in India (Rawat Publications, 1992)
Dean Neera: Women in Modern India
Dr. Radha Krishnar: Hindu View of Life
Ghosh Biswanath: Contemporary Social Problems in India (Himalaya Publications 1988)
Gore M S & Chitras S: Sociology of Education
Hinton R. B & Hunt C. L: Sociology (McGraw Hill, Kogakaha, 6th Ed.)
Kuppuswamy B: Social Change in India
Perry J & Perry E: The Social Web (Harper & Row)
Sood Sushma: Violence Against Women
Srinivas M N: Caste in Modern India & other Essays
Yorburg Betty: Introduction to Sociology (Harper & Row, 1982)

HISTORY OF COURTS

- I. Administration of Justice in the Presidency Towns and Development of Courts under East India Company. (1600 - 1773)
 - From 1600 to 1726
 - Establishment of Mayor's court (1726)
 - Working of the Mayor's Court of 1726
 - Changes Introduced by the Charter of 1753
 - Warren Hastings Plan of 1772, Reforms under the Plan of 1774 and Reorganization in 1790
- II. Regulating Act of 1773
 - Provisions of the Act
 - Establishment of Supreme Court at Calcutta under Charter of 1774
 - Merits and Demerits of Act and the Charter
 - Working of the Supreme Court at Calcutta
 - Trial of Raja Nandkumar
 - Trial of Raja Churn
 - Patna Trial
 - Kamaluddin's Case
 - Conjurah Case
 - Saroopchand's Case
 - Gata Gopichand's Case
 - Settlement Act Of 1781
- III. JUDICIAL REFORMS OF LORD CORNWALLIS
 - Judicial Plan of 1787
 - Judicial Plan of 1790
 - Judicial Plan of 1793
 - Progress of Adalat System under Sir John Shore
- IV. CONFLICTS ARISING OUT OF THE DUAL JUDICIAL SYSTEM
 - Conflicts arising out of dual judicial system
 - Indian High Courts Act 1861
 - High Courts Under G.O.I. Act 1915
 - High Courts Under G.O.I Act 1935
 - High Courts under Constitution of India
- V. RULE OF LAW, INDEPENDENCE OF JUDICIARY AND SEPERATION OF POWERS
 - Before Independence
 - After Independence
- VI. JUDICIAL COMMITTEE OF THE PRIVY COUNCIL
 - Appeals to privy council between 1726 and 1860
 - Appeals to privy council between 1861 and 1949

- VI. JUDICIAL COMMITTEE OF THE PRIVY COUNCIL
- Appeals to privy council between 1726 and 1869
 - Appeals to privy council between 1861 and 1949
- VII. COURT SYSTEM UNDER THE CONSTITUTION OF INDIA
- A. SUPREME COURT
- Appt. of Judges
 - Qualification of Judges
 - Jurisdiction and Powers of the Supreme Court
- B. HIGH COURTS
- Appt. of Judges
 - Qualification of Judges
 - Jurisdiction and Powers of Judges
- C. WRITS
- Habeas Corpus
 - Mandamus
 - Certiorari
 - Prohibition
 - Quo Warranto
 - General principles of adjudication
- D. SUBORDINATE COURTS
- VIII. HISTORY OF LEGISLATURE
- Charter of 1600
 - Regulation Law and Charter of 1813
 - Charter Act of 1833
 - Indian Councils Act of 1861, 1892 and 1909
 - Govt. of India Acts 1919, 1935
 - Indian Independence Act 1947
 - Development of Criminal Law
 - Development of Criminal Law
 - Development of Civil Law
 - Codification of Law
 - Law Reforms
- IX. HISTORY OF LEGAL PROFESSION
- Legal profession in Pre-British India
 - Law Practitioners in the Mayor's Court of 1726
 - Legal Profession under Charter of 1774
 - Legal Profession in the Company's Courts and Legal Practitioners Act 1853
 - High Courts Act, 1861, and enrolment of Advocates under letters Patent issued
 - Legal Practitioner's Act, 1879 and Report of Indian Bar Committee, 1923

- Indian Bar Councils Act 1926 and All India Bar Committee (1951)
- ADVOCATES ACT OF 1961
- Law Reporting in India

Recommended Readings:

1. History of Courts, Legislative and Legal Profession - Kailash Rai
2. Indian Legal History - M.A. Jain
3. Indian Constitutional and Legal History - S. D. Kulkarni

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Vinita V. Pundir

PRINCIPAL
IBSAR SCHOOL OF LAW
DAHIVALI, KARJAT,
DIST. RAIGAD-410201

ENGLISH - II

SECTION - I : 40 Marks

A. COMPREHENSION SKILLS

Comprehension of legal texts, judgments and other passages of a more general nature

B. COMPOSITION SKILLS

- (i) Precise Writing and summarising
- (ii) Drafting of Minutes of General Meetings
- (iii) Essay Writing, especially on topics of legal interest
- (iv) Speeches and Debates
- (v) Varieties of sentence structures

C. VOCABULARY

- (i) Foreign words and phrases often used in legal texts
- (ii) Certain set expressions and phrases
- (iii) One-word substitution
- (iv) Similar sounding words which are often confused

D. SPEECH WRITING

- (i) Reading aloud (knowledge of proper pauses)
- (ii) Stress marking of words
- (iii) Consulting a Pronunciation Dictionary
- (iv) Drafting of Speeches for various occasions

SECTION TWO (60 Marks)

The Texts for study is:-

- (i) Fifty years of Supreme Court Of India its Growth and Reach
Edited by S.K Verma and Kumar . . Publish in India by Oxford University , Delhi
Indian Law Institute 2000, *chapters to be studied - 8, 13, 14, 17*

Recommended Readings :

1. Preparation and Practice in Precise Writing
By J.M. Charlton, London : Macmillan and Co.
2. Communication Skills in English
By Eunice Desouza and Govind Shahani
Bombay : Noble Publishing House.

LOGIC -II

I Mediate Inference

Enthymem - Figures and Mood- Testing the validity of arguments.

II Reduction

Aristotle's Dictum de omni et Nullo and the First Figure
Direct Reduction and Indirect Reduction

III Hypothetical and Disjunctive Arguments

Rules and fallacies in the arguments with special reference to Law,
Analysis of Rules of Inference and Rules of Replacement.

IV Dilemma

Types of Dilemma Refutation of Dilemma - Value of Dilemma in Law.

V Fallacies

Its kinds, Fallacies and Law.

VI Hypothesis

Conditions of a good hypothesis - kinds of hypothesis

VII Hypothesis

Deductive Method - stages of the method as used in Science,
Method of inquiry in Law.

VIII Causation

Conception, common sense and scientific notion, plurality of causes.

Maxims in relation to causation - causation in Legal Reasoning.

i) *In jure non remota causa sed proxima spectatur* - In law the immediate and not the remote cause is considered.

ii) *Vis major/Actus Dei nemini Facti injuriam* - Law holds no man responsible for the act of God.

iii) *Voluntati non - fit - injuria* - Damage suffered by consent is not a cause of action.

iv) *Respondent superior.*

IX Uses of Language

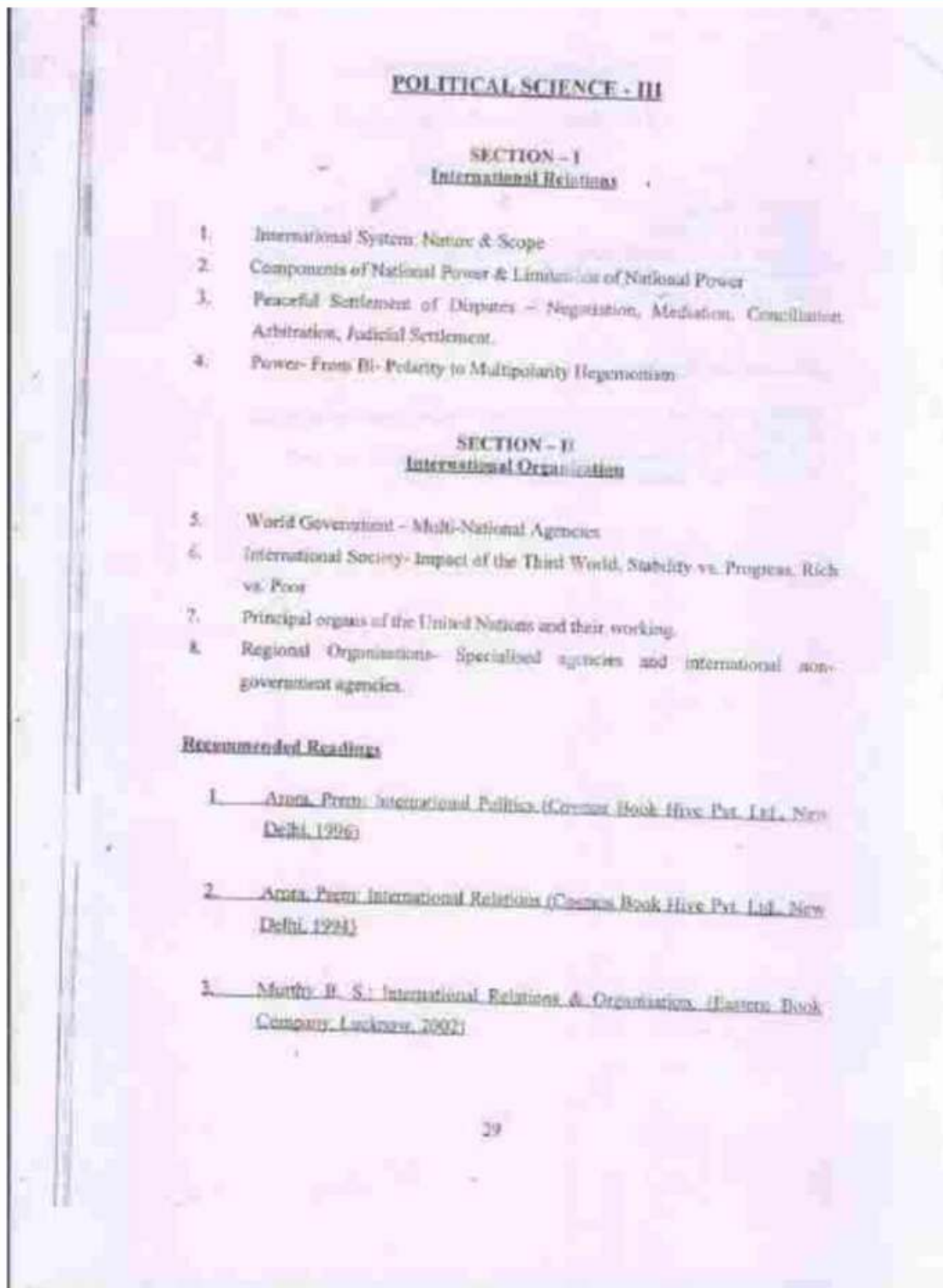
Emotive words - Emotively Neutral language - kinds of agreement and disagreement,
Impediments to good reasoning.

X Application of Logical Reasoning -

Equality and Its Implications (Chapter II)
Ends and Means (Chapter XI) - both the chapters are from the book *Practical Ethics* by Peter singer)

Recommended Readings:

1. Introduction to Logic-K.T. Basantani.
2. Modern Introduction to Logic- L. S. Stebbing.
3. An Introduction to Logic- Irving Copi.-(Ninth Edition).
4. Practical Ethics by Peter Singer. -Second Edition- Cambridge University Press.
5. Reason and Argument- Richard Feldman -Prentice Hall International USA.
6. A Selection of Legal Maxims - Herbert Broom. Tenth Edition.

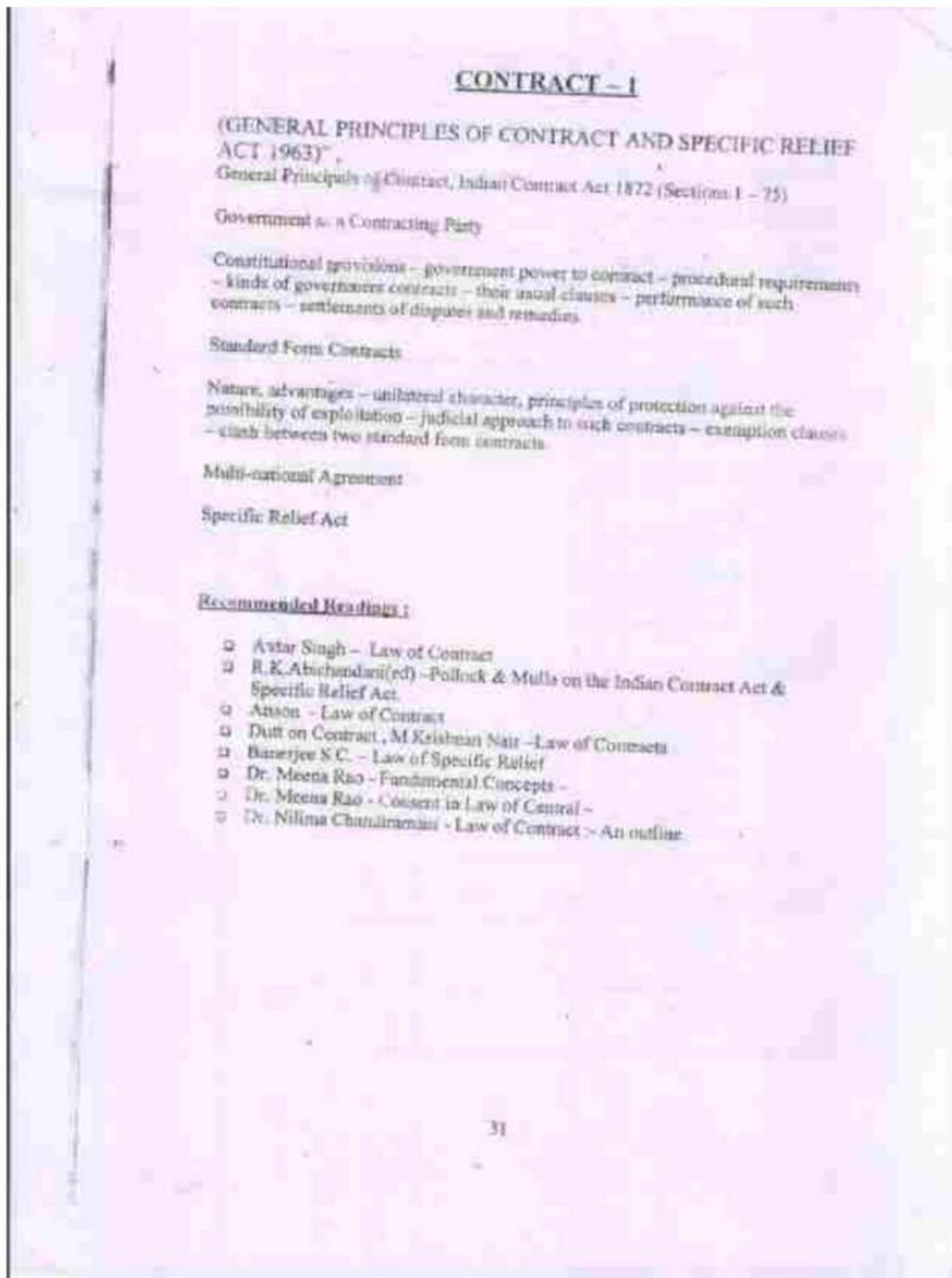


Third Year (Five Years) (Sem. V)
And
First Year (Three Years) (Sem. I)
LABOUR LAWS

Industrial Disputes Act 1947	40 marks
Collective Bargaining	10 marks
Industrial Employment (Standing Orders) Act 1946	15 marks
Workmen's Compensation Act 1923	15 marks
MRTU & PULP Act 1971	20 marks

Recommended Readings :

Indian Law Institute - Labour Law & Labour Relations cases and materials.
O.P. Malhotra - The Law of Industrial Disputes.
K.M. Desai - The Industrial Employment (Standing Orders) Act. 1946.
Dr. Avtar Singh - Introduction to Labours & Industrial Law.



TORTS AND CONSUMER PROTECTION LAWS

(Tort 70marks; Consumer Protection Law 30marks)

Introduction to Law of Torts

Definition, Nature, Scope and Objects

- a wrongful act - violation of duty imposed by law, duty which is owed to people generally (in rem) - *damnum sine injuria* and *injuria sine damnum*
- Tort distinguished from crime and breach of contract.
- The concept of unliquidated damages
- Changing scope of law of torts: expanding character of duties owed to the people generally due to complexities of modern society
- Objects - prescribing standards of human conduct, redressal of wrongs by payment of compensation, proscribing unlawful conduct by injunction.

Principles of Liability in Torts

- Fault
- Wrongful intent
- Negligence
- Liability without fault
- Statutory liability:
- Place of motive in torts

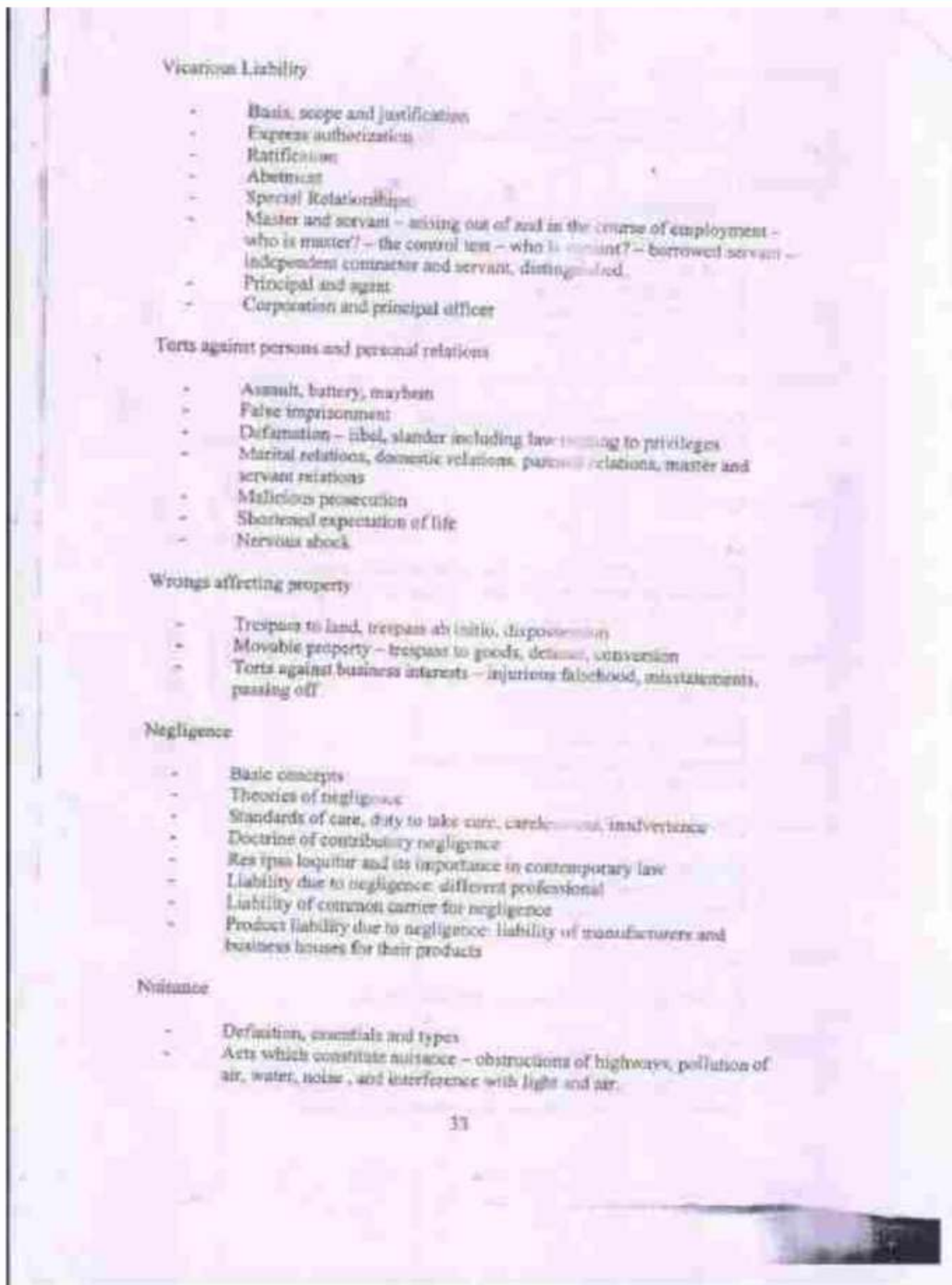
Justice in Tort

- *Volenti non fit injuria*
- Necessity, private and public
- Plaintiff's default
- Act of God
- Inevitable accident
- Private defense
- Statutory authority
- Judicial and quasi-judicial acts
- Parental and quasi-parental authority

Extinguishments of liability in certain situations

- *Actio personalis moritur cum persona* - exceptions
- Waiver and acquiescence
- Release
- Accord and satisfaction
- Limitation

Doctrine of sovereign immunity and its relevance in India.



Absolute / Strict Liability

- The rule in *Rylands v. Fletcher*
- Liability for harm caused by inherently dangerous industries

Legal remedies

- Legal remedies:
- Award of damages – simple, special, punitive
- Remoteness of damage – foreseeability and directness
- Injunction
- Specific restitution of property
- Extra-legal remedies – self-help, re-entry on land, re-capture of goods, distress damage feasant and abatement of nuisance.

Consumer movements: historical perspectives

- Common law protection: contract and torts
- Consumerism in India: food adulteration, drugs and cosmetics – essential commodities

Consumer, the concept

- General Perspectives
- Statutory and government services: to be included or not?
- Definition and scope: the Consumer Protection Act 1986 (CPA)
- Who is not a consumer?

Unfair Trade Practices

- Misleading and false advertising
- Unsafe and hazardous products
- Disparaging competitors
- Business ethics and business self-regulation
- Falsification of trade marks

Consumer of goods

- Meaning of defects in goods
- Standards of purity, quality, quantity and potency
- Statutes: food and drugs, engineering and electrical goods

Supply of essential commodities

- Prescribing standards of quality – BIS and Agmark

Consumer Safety

- Storing, distribution and handling of unsafe and hazardous products
- Insecticides and pesticides and other poisonous substances

Service

- Deficiency - meaning
- Professional services
- Medical services
- How to determine negligence
- Violation of statute
- Denial of medical service: violation of human rights
- Lawyering services: duty-towards-court and duty-to-client dilemma, break of confidentiality - negligence and misconduct.
- Public Utilities
- Supply of electricity
- Telecommunication and postal services
- Housing
- Banking

Commercial services

- Hiring
- Financing
- Agency Services

Enforcement of consumer rights

- Consumer for a under CPA : jurisdiction, powers and functions
- Execution of orders
- Judicial review
- PIL
- Class action
- Remedies
- Administrative remedies

Recommended Readings :

Ratanlal and Dhirajlal - The Law of Torts

P.S. Acharian Pillai - The Law of Torts, Salmond and Heuston on the Law of Torts

Avtar Singh - The Law of Consumer Protection, Principles and Practice

Saeef Dal - Law of Consumer Protection in India

J.N. Bhowalia - commentary on CP Act, 1986.

LEGAL LANGUAGE INCLUDING LEGAL WRITING & GENERAL ENGLISH

- 1) Grammar Usage – 15 marks

Brief Revision of rules of grammar & punctuation.

- 2) Comprehension, and Composition and Communication Skills 20 marks

- 3) LEGAL MAXIMS 15 marks

SALUS POPULI EST SUPREMA LEX

Regard for the public welfare is the highest law.

REX NON POTEST PECCARE

The king can do no wrong

AUDI ALTERAM PARTEM

No man shall be condemned unheard

NEMO DEBET ESSE JUDEX IN PROPRIA SUA CAUSA

No man can be judge in his own cause

DE MINIMIS NON CURAT LEX

The law does not concern itself about trifles

**QUOD AB INITIO NON VALET IN TRACTU TEMPORIS NON
CONVALESCEIT**

That which was originally void does not by lapse of time become valid.

UBI JUS IBI REMEDIUM

There is not wrong without a remedy

IN JURE NON REMOTA CAUSA SED PROXIMA SPECTATUR.

In law the immediate, not the remote, cause of any event is regarded

ACTUS DEI NEMINI FACIT INIURIAM

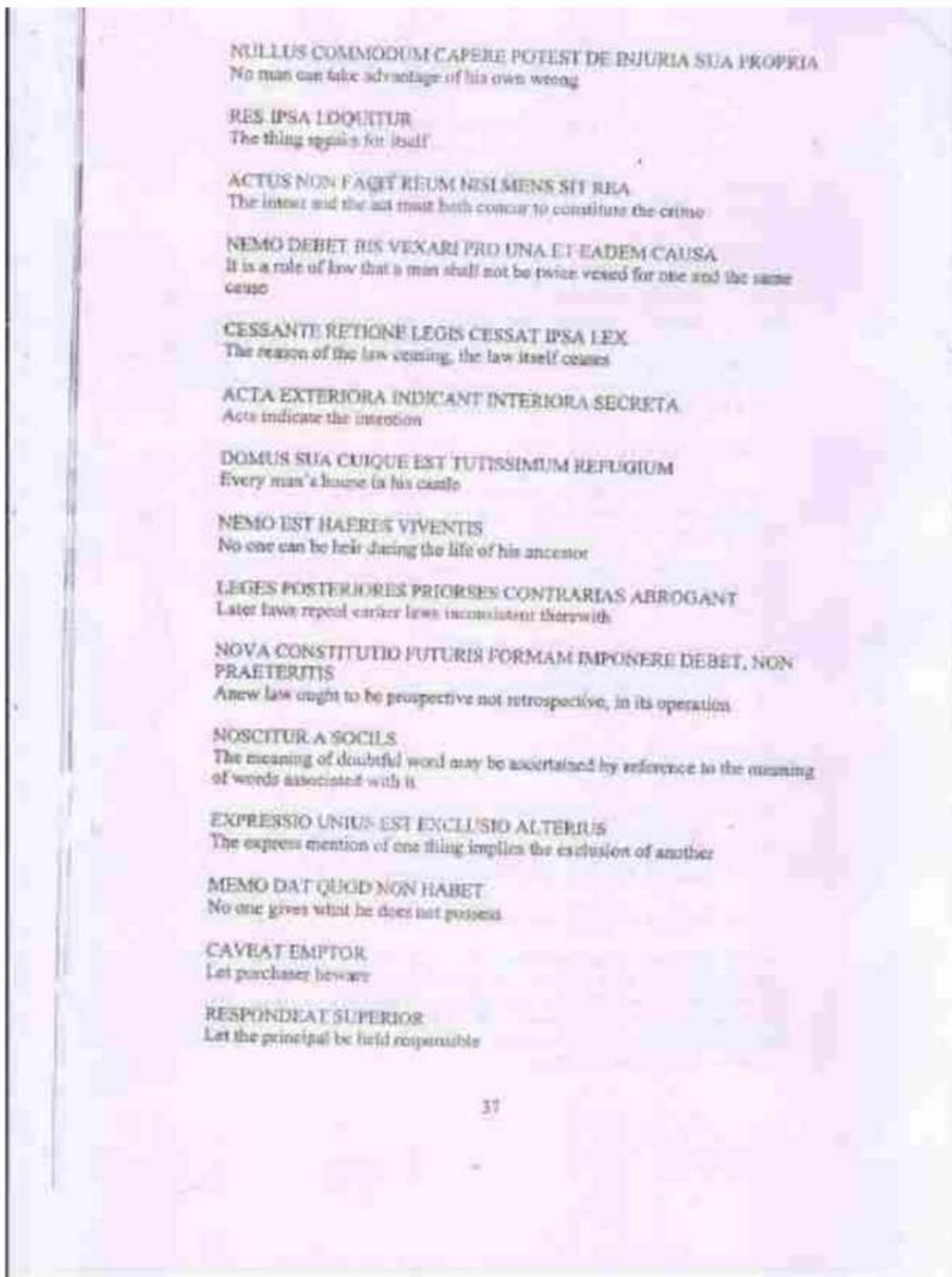
The law holds no man responsible for the act of God.

IGNORANTIA FACTI EXCUSAT-IGNORANTIA JURIS NON XCUSAT

Ignorance of fact excuse – ignorance of law does not excuse.

VOLENTI NON FIT INIURIA

Damage suffered by consent is not a cause of action



VEGILANTIBUS, NON DORMIENTIBUS, URS SUBVENIUNT

The law assist those who are vigilant, not those who sleep over their rights

ACTIO PERSONALIS MORITUR CUM PERSONA

A personal right of action dies with the person

NEMO TENTUR SEIPSUM ACCUSARE

No man can be compelled to criminate himself

4) Legal Concepts 5 marks

Law - Custom-Justice-Right-Duty-Wrong-Civil Wrong-Criminal Wrong
Remedy-Fact-Person-Offence-Person-State-Plaint-Complaint-Suit-Affidavit
Judgment-Appeal-Review-Revision-Reference-Writ-Stay order-Injunction
Adjournment Cause of Action-Issue-Charge-Bail Ex Parte-Discharge-Acquittal-
Conviction-Legal heirs-Legal Representative-Power of Attorney-International
law-Arbitration-Jurisdiction-Amicus Curiae

5) Legislative Materials 10 marks

Brief introduction to the various parts of an Act - Intent (aim & objects) short title -
Long title - Date of Assent - Section Subsection - marginal note - date of
commencement - schedule or Table

Exposure to Current Indian Statutes - AIR Manual Civil Court Manual - Criminal
Court Manual - Maharashtra Local Acts - Gazette of India - Maharashtra State
Gazette

The above may be taught with reference to the following Acts:

1. Maternity Benefit Act 1961
2. Medical Termination of Preg. Act 1971
3. Protection of Human Rights Act

6) Judicial Material 10 marks

Introduction to precedent - Ratio

The following cases for study (Facts - Issues - Arguments - decision)

1. M.C. Mehta V/ Union of India AIR 1987 SC 965
2. Vishalika & ors. V/ State of Rajasthan & Ors. AIR 1997 SC 3011
3. Dilip K. Basu V/ State of West Bengal 1997 AIR SOW 213

7) Official Reports - Specified Law Reports 10 marks

Exposure to official Reports and Private Reports - Supreme Court Reports - Indian
Law Reports - All India Reporter - All India High Court cases - Judgment Today
Bombay Law Reporter - Bombay cases Reporter - Maharashtra Law Journal, Supreme
Court cases - Criminal Law Journal - Labour & Industrial cases - Company cases -
Madras Law Journal - All Maharashtra Law Reporter Marriage & Divorce cases -
Consumer, All England Law Reporter.

8) Journals, Periodicals & Law Magazines & abbreviation 5 marks

Exposure to Lawyers collective insight – One India One People – Journal of the Indian Law Institute – India Bar Review – The Indian Advocate, Journal of the Bar Council of India – India Quarterly – Modern Law Review – Law Quarterly Review.

9) Citations & References 5 marks

Importance of citations
Understanding a given citation
Citations in respect of official Reports & specified Law reports – (listed earlier)
Standard References in respect of the various Laws & Acts taught at I.L.B. and Legal Dictionaries.

10) Search of case Law 5 marks

Third Year (Five Years) (Sem. VI)
And First Year (Three Years) (Sem. II) LL.B. degree course

LAW OF CRIMES

A. CRIMINAL JURISPRUDENCE 30 Marks

1. Administration of Justice
 - What is administration of justice
 - Necessity for administration of justice
 - Historical background to administration of justice
 - Difference between civil and criminal justice

2. Elements of Criminal Liability
 - Nature of Criminal Liability
 - Mens rea and its importance
 - Intention
 - Knowledge
 - Negligence
 - Doctrine of Mens Rea under the I.P.C.
 - Exceptions of Mens Rea
 - Vicarious liability in crimes
 - Actus reus
 - Act and omission
 - Injury to another

3. Stages of Crime
 - Intention
 - Preparation
 - Attempt
 - Commission of Crime

4. Theories of Punishment
 - Deterrent
 - Preventive
 - Retributive
 - Reformatory
 - Compensation

5. Kinds of Punishment
 - Death Sentence
 - Social Reference of Capital Punishment
 - Alternative to Capital Punishment
 - Imprisonment
 - Simple
 - Rigorous
 - For Life

- Solitary Confinement
- Forfeiture of Property
- Fine
- Sentencing Discretion

B. INDIAN PENAL CODE 1860

70 Marks

Recommended Readings:

K.D. Gaur, Criminal Law : Cases and Materials (1999), Butterworths, India

Ratanlal - Dhirajlal's Indian Penal Code (1994 reprint)

K.D. Gaur, A Text Book on the Indian Penal Code (1998), Universal, Delhi.

P.S. Achuthan Pillai, Criminal Law (1995) Eastern, Lucknow.

Hidayathullah, M., et.al., Ratanlal and Dhirajlal's The Indian Penal Code (1994 reprint), Wadhwa & Co., Nagpur.

B.M. Gandhi, Indian Penal Code (1996), Eastern, Nagpur.

CONSTITUTIONAL LAW

1. Historical and Constitutional developments between 1858-1947
Forming of Indian Constitution
Nature and Features
A broad overview of the constitution of India, 1950.
Historical genesis of Indian Constitution should be part of the syllabus particularly the transfer of power in 1857, introduction of bicameralism, federalism by 1935 Act, freedom struggle, Indian Independence Act, 1947 and the drafting of our constitution.
2. Fundamental Rights and judicial activism
Equality and Social Justice (Arts 14-18 & Part IV & Part XVI)
Secularism and religious freedom
Life, Liberty other rights and freedoms
3. Directive Principles and Fundamental Duties (Parts IV, IV A)
4. Indian Federalism – idea of federalism – Indian federal features – strong centre – cooperative spirit – centre – relations – Special status to J & K (Parts XI, XII, XIII, XIV, XXI)
5. Indian Parliament – Name, Composition, powers and privileges and state legislatures.
6. Cabinet form of govt
Parliamentary form at the Centre and states – head of State – Council of Ministers – Attorney General and Advocate generals
7. Indian Judiciary : Supreme Court and High Courts, composition, powers and Judicial Independence – subordinate courts
8. Law making under Indian Constitution
Kinds of bills, passing of bills, Ordinances
Citizenship Act 1955, Representation of peoples Act 1951, comptroller and Auditor General Act, 1971.
Legislation made in pursuance of the constitution like the (1) Bonded Labour Abolition Act (2) Civil Rights Protection, Act, 1955, (3) Scheduled castes and Scheduled Tribes (Prevention of atrocities) Act 1989 should be duly referred to.
9. Emergency (Part XVIII)
Kinds, Legal requirements, Legal effects
10. Amendment and the basic structure doctrine (Part XX)

11. Services under Indian Constitution (Part IV)
Services under Union / State – All Indian Services, Doctrine of pleasure and exceptions
12. Democracy and Election Commission of India (Part XV)
13. Introduce the following
 1. Civil Rights Protection Act, 1950
 2. Citizenship : Part II
 3. Parts IX, IX A, X Panchayats, Municipalities and Scheduled & Tribal Areas
 4. Part XIV A Tribunals (Covered in administrative Law, Semester III)
 5. Part XVII official language
 6. Part XIX Miscellaneous

Recommended Readings :

- 1) D.D. Basu Shorter Constitution of (1996) Prentice Hall of India, Delhi.
- 2) Constituent Assembly Debates Vol. 1 to 12 (1989)
- 3) H. M. Seervai, Constitution of India, Vol. 1-3 (1992), Tripathi
- 4) M.P. Singh (ed.), V.N. Shukla, Constitutional Law of India (200) Oxford.
- 5) G. Austin, Indian Constitution, Conception of a Nation (1970)
- 6) M. Gallanter, Competing Equalities – Law and the Backward Classes in India (1984) Oxford
- 7) B. Sivaramayya, Inequalities and the Law (1984) Eastern, Kuchknow.
- 8) S.C. Kashyap, Human Right & Parliament (1978) Metropolitan, New Delhi.
- 9) D.D. Basu, Introduction to Constitution

FAMILY LAW - I

- | | | |
|----|--|----------|
| A) | Mohammedan Law | 35 marks |
| | 1) Sources | |
| | 2) Schools | |
| | 3) Shariah Act, 1937 | |
| | 4) Marriage | |
| | 5) Dowry | |
| | 6) Divorce | |
| | 7) Maintenance | |
| | 8) Legitimacy & Parentage | |
| | 9) Guardianship | |
| B) | Indian Divorces Act & Christian Marriage Act | 15 marks |
| C) | Indian Succession Act (Sec. 1-166 only) | 35 marks |
| D) | Parsi Marriage and Divorce Act | 15 marks |

Recommended Readings :

- Paras Diwan, Law of Intestate and Testamentary Succession (1998), Universal
- Basu, N.D., Law of Succession (2000), Universal
- Kuzem, Marriage and Divorce Law Manual (2000) Universal
- Machunda S.C., Law and Practice of Divorce in India (2000) Universal
- F.V.Kaww, History of Dharmasastras Vol.2 pt. 1 at 624-632 (1974)
- A. Kuppaswami (ed.) Mayne's Hindu Law and Usage Ch.4 ("1986)
- B. Sivaramayya, Inequalities and the Law, (1985)
- K.C. Datta, "Population control through family planning in India," Indian Journal of Legal Studies, 85 (1979)
- J.D.M. Derrett, Hindu Law: Past and Present
- J.D.M. Derrett, Death of Marriage Law
- A.A.A. Fyze, Outline of Muhammadan Law, (1998)
- Siladi Kuppaswami, (ed.) Mayne's Hindu Law and Usage, (1986)
- J.D.M. Derrett, A Critique of Modern Hindu Law, (1970)
- Paras Diwan, Hindu Law (1985)
- S.T. Desai (ed.) Mulla's Principles of Hindu Law, (1998)- Butterworths-India.
- Paras Diwan, Family Law- Law of Marriage and Divorce in India, (1984)
- A.M. Bhattacharjee, Muslim Law and Constitution (1994) Eastern Law House, Calcutta
- A.M. Bhattacharjee, Hindu Law and the Constitution (1994) Eastern Law House, Calcutta
- Paras Diwan, Law of Adoption, Ministry, Guardianship and Custody (2000), Universal.

ENVIRONMENTAL LAWS

- 1) Concept of environment and pollution or introduction to problem of Environmental protection
 - (i) Environment
 - (ii) Meaning and contents
 - (iii) Pollution
 - (iv) Meaning
 - (v) Kinds of Pollution
 - (vi) Causes of pollution
 - (vii) Effects of pollution
- 2) Constitutional provisions regarding environmental protection including
 - (i) Directive principles
 - (ii) Fundamental rights and duties
 - (iii) Right to clean and healthy environment
 - (iv) Right to education
 - (v) Right to information
- 3) Environmental protection under the general Laws: Nuisance, Penal Code, Procedural Code
- 4) General introduction the enforcing agencies and remedies
 - (i) Courts
 - (ii) Tribunals
- 5) Polluter Pays principle :-
Public liability insurance
- 6) Precautionary Principle
- 7) Sustainable development
- 8) Water Pollution Act 1974 and Air Pollution Acts 1981
 - (i) Meaning and Air Standards
 - (ii) Culprits and victims
 - (iii) Procedures for sampling
 - (iv) Formation of Boards and their functions or Protection agencies: their powers and functions
 - (v) Offences and penalties
 - (vi) Judicial approach
- 9) Noise Pollution
- 10) Environmental Protection Act 1986
- 11) Bio Medical waste

- 12) Hazardous waste
- 13) Environment impact assessment
- 14) Coastal zone management
- 15) Environmental audit and eco mark
- 16) Disaster emergency preparedness
- 17) Town and country planning

18) Forest

- (i) Crude conservation laws
- (ii) Forest conservation
- (iii) Conservation agencies
- (iv) Forest Act - 1980 (Chapters 1-5) Section 50

19) Wild Life Protection Act 1972

- (i) Sanctuaries and national parks
- (ii) Licensing of zoos and parks
- (iii) State monopoly in the sale of wild life and wild life
- (iv) Offences against wild life

20) International Regime

- (i) Stockholm conference
- (ii) Green house effect and ozone depletion
- (iii) Rio conference
- (iv) U.N. declaration on right to development

Recommended Readings :

Aarmin Rosenblatt, et al., (eds.) Environmental Law and Policy in India, (2000), Oxford
R.H. Singh & Suresh Mishra, Environmental Law in India (1996), Concept Publishing Co., New Delhi
Kailash Thakur, Environmental Protection Law and Policy in India (1977), Deep & Deep publications, New Delhi
Richard L. Rivezz, et al. (eds.) Environmental Law, the Economy and Sustainable Development, (2000), Cambridge
Christopher D. Stone Should Trees Have Standing and other Essays on Law, Morals and the Environmental (1996), Oceana,
Leelakrishnan, P. et al. (eds.), Law and Environment (1990), Eastern, Lucknow
Leelakrishnan, P. The Environmental Law in India (1999), Butterworths-India
Department of Science and Technology, Government of India, Report of the Committee for Recommending Legislative Measures and Administrative

Machinery for Ensuring Environmental Protection (1980) (Tiwari Committee Report).

Indian Journal of Public Administration, Special Number on Environment and Administration, July, September 1988, Vol. XXXV, No.2, pp.353-80.

Centre for Science and Environment, The State of India's Environment 1982, The State of India's Environment 1984-85 and The State of India Environment 1989-2000.

World Commission on Environment and Development, Our Common Future (1987), Oxford.



Vinita V. Pundir

PRINCIPAL
IBSAR SCHOOL OF LAW
DAHIVALI, KARJAT,
DIST. RAIGAD-410201

Practical Training - I

- (i) Professional Ethics
- (ii) Advocacy for Lawyers
- (iii) Bar Bench relations.
- (iv) The Contempt Law and Practice
- (v) Selected opinions of the Disciplinary Committee of Bar Councils and Major Judgment of the Supreme Court on the subject.

Recommended Readings

Mr. Krishnamurthy Iyer's book on "Advocacy"

Fourth Year (5 Year) (Sem. VII) And
Second Year (3 Year) (Sem. III) LL.B. degree course

ADMINISTRATIVE LAW

- I. **Evolutions, Nature and Scope of Administrative Law**
 - 1.1. From a Laissez-faire to a social welfare state
 - 1.1.1. State as regulator of private interest
 - 1.1.2. State as provider of services
 - 1.1.3. Other functions of modern state: relief, welfare
 - 1.2. Evolution of administration as the fourth branch of government necessity for delegation of powers on administration.
 - 1.3. Evolution of agencies and procedures for settlement of disputes between individual and administration
 - 1.3.1. Regulatory agencies on the United States
 - 1.3.2. Conseil d'Etat
 - 1.3.3. Tribunalization in England and India
 - 1.4. Definition and scope of administrative law
 - 1.5. Relationship between constitutional law and administrative law
 - 1.6. Separation of powers
 - 1.7. Rule of law
2. **Civil Service in India**
 - 2.1. Nature and organization of civil service: from colonial relics to democratic aspiration
 - 2.2. Powers and functions
 - 2.3. Accountability and responsiveness: problems and perspectives
 - 2.4. Administrative deviance – corruption, nepotism, mal-administration.
3. **Legislative Powers of Administration**
 - 3.1. Necessity for delegation of legislative power
 - 3.2. Constitutionality of delegated legislation – powers of exclusion and inclusion and power to modify nature.
 - 3.3. Requirements for the validity of delegated legislation.
 - 3.3.1. Consultation of affected interests and public participation in rule-making.
 - 3.3.2. Publication of delegated legislation.

- 3.4. Administrative directions, circulars and policy statements
- 3.5. Legislative control of delegated legislation
 - 3.5.1. Laying procedures and their efficacy.
 - 3.5.2. Committees on delegated legislation – their constitution, function and effectiveness.
 - 3.5.3. Hearings (active legislative committees)
- 3.6. Judicial control of delegated legislation.
- 3.7. Sub-delegation of legislative powers.

- 4. **Judicial Powers of Administration**
 - 4.1. Need for devolution of adjudicator authority on administration.
 - 4.2. Administrative tribunals and other adjudicating authorities : their ad-hoc character.
 - 4.3. Tribunals – need, name, constitution, jurisdiction and procedure.
 - 4.4. Jurisdiction of administrative tribunals and other authorities
 - 4.5. Distinction between quasi-judicial and administrative functions.
 - 4.6. The right to hearing – essentials of hearing process
 - 4.6.1. No man shall be judge in his own cause
 - 4.6.2. No man shall be condemned unheard
 - 4.7. Rule of evidence – no evidence, some evidence and substantial evidence rules
 - 4.8. Reasoned decisions.
 - 4.9. The right to counsel.
 - 4.10. Institutional decisions
 - 4.11. Administrative appeals

- 5. **Judicial Control of Administrative Action**
 - 5.1. Exhaustion of administrative remedies
 - 5.2. Standing : standing for Public Interest litigation (social action litigation), collusion, bias
 - 5.3. Laches
 - 5.4. Res judicata
 - 5.5. Grounds

- 5.5.1. Jurisdictional error/ultra vires
- 5.5.2. Abuse and non exercise of jurisdiction
- 5.5.3. Error apparent on the face of the record
- 5.5.4. Violation of principles of natural justice.
- 5.5.5. Violation of public policy
- 5.5.6. Unreasonableness
- 5.5.7. Legitimate expectation.

- 5.8. Remedies in judicial Review:
 - 5.8.1. Statutory appeals
 - 5.8.2. Mandamus
 - 5.8.3. Certiorari
 - 5.8.4. Prohibition
 - 5.8.5. Quo-Warranto
 - 5.8.6. Habeas Corpus
 - 5.8.7. Declaratory judgments and injunctions
 - 5.8.8. Specific performance and civil suits for compensation.

- 6. Administrative discretion
 - 6.1. Need for administrative discretion
 - 6.2. Administrative discretion and rule of law
 - 6.3. Limitations on exercise of discretion
 - 6.3.1. Mala fide exercise of discretion
 - 6.3.2. Constitutional imperative and use of discretionary authority
 - 6.3.3. Irrelevant considerations
 - 6.3.4. Non-exercise of discretionary power

- 7. Liability for Wrongs (Tortious and Contractual)
 - 7.1. Tortious liability - sovereign and non-sovereign functions.
 - 7.2. Statutory immunity
 - 7.3. Act of state
 - 7.4. Contractual liability of government.
 - 7.5. Government privilege in legal proceedings - state secrets, public interest
 - 7.6. Transparency and right to information
 - 7.7. Estoppels and waiver

- 8. Corporations and Public Undertakings
 - 8.1. State monopoly-remedies against arbitrary action or for acting against public policy.
 - 8.2. Liability of public and private corporations - departmental undertakings
 - 8.3. Legislative and governmental control.
 - 8.3. Legal remedies
 - 8.4. Accountability - Committee on Public Undertaking, Estimates Committee etc.

9. Informal Methods of Settlement of Disputes and Grievance Redressal Procedures

- 9.1 Conciliation and mediation through social action groups
- 9.2 Use of media, lobbying and public participation
- 9.3 Public inquiries and commissions of inquiry
- 9.4 Ombudsman - Lok Pal, Lok Ayukt
- 9.5 Vigilance Commission
- 9.6 Congressional and Parliamentary Committees

Recommended Readings:

- C.K. Allen, Law & Orders (1985)
- D.D. Basu, Comparative Administrative Law (1978)
- M.A. Fazel, Judicial Control of Administrative Action in India, Pakistan and Bangladesh (2003) Butterworths - India
- Franks, Report of the Committee on Administrative Tribunals and Inquiries, HMSO, 1959
- Peter Cass, An Introduction to Administrative Law (1996) Oxford
- Wade, Administrative Law (Seventh Edition, Indian print 1997), Universal Delhi.
- J.C. Garner, Administrative Law (1989), Butterworths (ed. B.L. Jones)
- M.P. Jain, Cases and Materials on Indian Administrative Law, Vol. I and II (1996), Universal, Delhi
- Jain & Jain, Principles of Administrative Law (1997), Universal, Delhi.
- S.P. Sathe, Administrative Law (1998) Butterworths- India, Delhi.
- De Smith, Judicial Review of Administrative Action (1993) Sweet and Maxwell with Supplement
- B. Schwartz, An Introduction to American Administrative Law
- Indian Law Institute, Cases and Materials on Administrative Law in India, Vol. I (1996), Delhi.

FAMILY LAW - II

1. **Marriage and Kinship**
 - 1.1. Evolution of the institution of marriage and family
 - 1.2. Role of religious rituals and practices in moulding the rules regulating to marital relations.
 - 1.3. Types of family based upon.
 - 1.3.1. Lineage – patrilineal, matrilineal
 - 1.3.2. Authority structure patriarchal and matriarchal
 - 1.3.3. Location- patrilocal and matrilocal
 - 1.3.4. Number of conjugal units-nuclear, extended, joint and composite.
 - 1.4. Emerging concepts : multi-sambhath and divided home.
2. **Customary practices and State regulation**
 - 2.1. Polygamy
 - 2.2. Concubinage
 - 2.3. Child marriage
 - 2.4. Sati
 - 2.5. Dowry
3. **Conversion and its effect on family**
 - 3.1. Marriage
 - 3.2. Adoption
 - 3.3. Guardianship
 - 3.4. Succession
4. **Joint Family**
 - 4.1. Mitakshara joint family
 - 4.2. Mitakshara coparcenary-formation and incidents
 - 4.3. Property under Mitakshara law-separate property and coparcenary property.
 - 4.4. Dayabhaga coparcenary-formation and incidents
 - 4.5. Property under Dayabhaga law.
 - 4.6. Karta of the joint family-his position, powers, privileges and obligations.
 - 4.7. Alienation of property-separate and coparcenary
 - 4.8. Debta-doctrine of pious obligations and antecessent debt
 - 4.9. Partition and re-union.
 - 4.10. Joint hindu family as a social security institution and impact of Hindu Gains of Learning Act and various tax laws on it.
 - 4.11. Matrilineal joint family.

5. Inheritance

5.1. Hindus

- 5.1.1. Historical perspective of traditional Hindu law as a background to the study of Hindu Succession Act 1956.
- 5.1.2. Succession to property of a Hindu male dying intestate under the provisions of Hindu Succession Act 1956.
- 5.1.3. Devolution of interest in Mitakshara coparcenary with reference to the provisions of Hindu Succession Act 1956.
- 5.1.4. Succession to property of Hindu female dying intestate under the Hindu Succession Act 1956.
- 5.1.5. Disqualification relating to succession.
- 5.1.6. General rules of succession.
- 5.1.7. Marumakkattayam and Aliyasantana laws governing people living in Thiruvananthapuram, Cochin and other districts of Malabar and South Kanara.

5.2. General rules of succession and exclusion from succession.

- 5.2.1. Classification of heirs under Hanafi and Ithna Ashria schools and their shares and distribution of property."

5.3. Christians, Parsis and Jews

6. Matrimonial Remedies

6.1. Non-judicial resolution of marital conflicts:

- a. Customary dissolution of marriage-unilateral divorce, divorce by mutual consent and other modes of dissolution.

6.2. Judicial resolution of marital conflicts: the family court

6.3. Nullity of marriage

6.4. Option of puberty – Condition of Valid Marriage – Section 5 of Hindu Marriage Act wherein conditions of valid marriage are given.

6.5. Restitution of conjugal rights

6.6. Judicial separation

6.7. Desertion a ground for matrimonial relief

6.8. Cruelty: a ground for matrimonial relief

6.9. Adultery: a ground for matrimonial relief

6.10. Other grounds for matrimonial relief

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- 5.1.2. Succession to property of a Hindu male dying intestate under the provisions of Hindu Succession Act 1956.
- 5.1.3. Devolution of interest in Mitakshara coparcenary with reference to the provisions of Hindu Succession Act 1956.
- 5.1.4. Succession to property of Hindu female dying intestate under the Hindu Succession Act 1956.
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- 5.1.6. General rules of succession.
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6. Matrimonial Remedies

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6.2. Judicial resolution of marital conflicts: the family court

6.3. Nullity of marriage

6.4. Option of puberty – Condition of Valid Marriage – Section 5 of Hindu Marriage Act wherein conditions of valid marriage are given.

6.5. Restitution of conjugal rights

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6. Matrimonial Remedies

6.1. Non-judicial resolution of marital conflicts:

a. Customary dissolution of marriage-unilateral divorce, divorce by mutual consent and other modes of dissolution.

6.2. Judicial resolution of marital conflicts: the family court

6.3. Nullity of marriage

6.4. Option of puberty – Condition of Valid Marriage – Section 5 of Hindu Marriage Act wherein conditions of valid marriage are given.

6.5. Restitution of conjugal rights

6.6. Judicial separation

6.7. Desertion a ground for matrimonial relief

6.8. Cruelty: a ground for matrimonial relief

6.9. Adultery: a ground for matrimonial relief

6.10. Other grounds for matrimonial relief

- 6.11. Bar to matrimonial relief:
 - 6.11.1. Doctrine of strict proof
 - 6.11.2. Taking advantage of one's own wrong or disability
 - 6.11.3. Accessory
 - 6.11.4. Connivance
 - 6.11.5. Collusion
 - 6.11.6. Condonation
 - 6.11.7. Improper or unnecessary delay
 - 6.11.8. Residuary clause-no other legal ground exists for refusing the matrimonial relief.

7. Alimony and maintenance

- 7.1.1. Alimony and maintenance as an independent remedy: a review under different personal laws – need for reforming the law.
- 7.1.2. Alimony and maintenance as an ancillary relief.

8. Child and the Family

- 8.1. Legitimacy
- 8.2. Adoption
- 8.3. Custody, maintenance and education
- 8.4. Guardianship and parental rights –welfare of the child principle.

9. Family and its changing patterns –(looked from Socio-Economic view, point)

- 9.1. New emerging trends:
 - 9.1.1. Attenuation of family ties
 - 9.1.2. Working women and their impact on spousal relationship :composition of family, status and role of women.
 - 9.1.3. New property concepts, such as skill and job as new forms of property
- 9.2. Factors affecting the family :demographic, environmental, religious and legislative
- 9.3. Processes of social change in India : sanskritization, westernization, secularization, universalization, parochialization, modernization, industrialization and urbanization.

10. Settlement of spousal property

- 10.1. Need for development of law

11. Establishment of family Courts

- 11.1. Constitution, power and functions
- 11.2. Administration of gender justice

12. Uniform Civil Code
- 12.1 Religious pluralism and its implications.
- 12.2 Contentions of the directive contained in Article 44 of the Constitution.
- 12.3 Impediments to the formulation of the Uniform Civil Code
- 12.4 The idea of Optional Uniform Civil Code.

Recommended Readings :

- Paras Diwan, Law of Intestate and Testamentary Succession (1998), Universal
- Basu, N.D., Law of Succession (2000), Universal
- Kusum, Marriage and Divorce Law Manual (2000) Universal
- Machanda, S.C., Law and Practice of Divorce in Indian (2000) Universal
- P.V. Kane, History of Dharmasatras Vol 2 pt.1 at 624-632 (1974)
- A. Kuppaswami (ed.) Mayne's Hindu Law and Usage Ch.4 (1986)
- B. Sivaramayya, Inequalities and the Law, (1985)
- K.C. Dasg, "Population control through family planning in India," Indian Journal of Legal Studies, 85 (1979)
- J.D.M. Derrett, Hindu Law : Past and Present
- J.D.M. Derrett, Death of Marriage Law
- A.A.A. Fyzee, Outline of Muslim Law (1998)
- Alladi Kuppaswami, (ed.) Mayne's Hindu Law and Usage, (1985)
- J.D.M. Derrett, A Critique of Modern Hindu Law, (1979)
- Paras Diwan, Hindu Law (1985)
- S.T. Desai Ed.) Mulla's Principles of Hindu Law, (1998) - Butterworths-India.
- Paras Diwan, Family Law : Law of Marriage and Divorce in India, (1984)
- A.M. Bhattacharjee, Muslim Law and the Constitution (1994) Eastern Law House, Calcutta.
- A.M. Bhattacharjee, Hindu Law and the Constitution (1994) Eastern Law House, Calcutta.
- Paras Diwan, Law of Adoption, Ministry, Guardianship and Custody (2000), Universal.

TRANSFER OF PROPERTY ACT AND EASEMENT ACT

1. Jurisprudential Controls of Property and Law relating to Transfer of Property Act, 1882	... 85 Marks
2. Easement Act 1882	... 15 Marks

Syllabus

- 1. Jurisprudential Controls of Property**
 - 1.1. Concept and meaning of property
 - 1.2. Kinds of property – movable and immovable property – tangible and intangible property – intellectual property – copyright-patents and designs-trademarks – geographical indications.
- 2. Law Relating to Transfer of Property Act.**
 - 2.1. General principles of transfer of property
 - 2.2. Specific transfers
 - 2.2.1. Sales
 - 2.2.2. Mortgages
 - 2.3. Charges
 - 2.4. Leases
 - 2.5. Exchange
 - 2.6. Gifts
 - 2.7. Actioalim claims
- 3. Easement Act.**
 - 4.1. Nature, characteristics and extinction
 - 4.2. Creation of easements
 - 4.3. Riparian rights
 - 4.4. Licenses

Recommended Readings:

Mulla, Transfer of Property Act, (1969) Universal, Delhi
Subbarao, Transfer of Property Act (1994), C. Subbiah Chetty, Madras
V.P. Sarathy, Transfer of Property (1995), Eastern, Lucknow

57

COMPANY LAW

1. **Meaning of Corporation**
 - 1.1 Theories of corporate personhood
 - 1.2 Creation and extinction of corporations.
2. **Forms of Corporate and Non-Corporate Organisation**
 - 2.1 Corporations, partnerships and other associations of persons, state corporations, Small scale, co-operative, corporate and joint sectors.
 - 2.2 Kinds of Companies - Public Companies - Private Companies-nature and advantages - Government Companies Holding and Subsidiary Companies.
3. **Law relating to companies- public and private-companies (Company Act 1956)**
 - 3.1 Need of company for development - formation of company-registration and incorporation.
 - 3.2 Memorandum of association - various clauses-alteration therein-doctrine of ultra vires.
 - 3.3 Articles of association - binding force - alteration - its relation with memorandum of association - doctrine of constructive notice and indoor management - exceptions.
 - 3.3.1 Prospectus - issue - contents - liability for misstatements - statement in lieu of prospectus - self prospectus.
 - 3.4 Promoters - position - duties and liabilities
 - 3.4.1. Shares - general principles of allotment-statutory restrictions - share certificate - its objects and effects- transfer of shares - restrictions on transfer-procedure for transfer - refusal of transfer - role of public finance institutions - relationship between transferor and transferee - issue of shares at premium and discount - depository receipts - dematerialized shares (DEMAT) - Buy-back shares.
 - 3.4.2. Shareholder - who can be and who cannot be a shareholder - modes of becoming a shareholder - calls on shares - forfeiture and surrender of shares - lien on shares.
 - 3.4.3. Share capital - kinds - alteration and reduction of share capital - further issue of capital - conversion of loans and debentures into capital- duties of courts to protect the interests of creditors and share holders
 - 3.5. Directors - position - appointment - qualifications- vacation of office - removal - resignation - powers and duties of directors- loans - remuneration of directors- role of nominee directors - managing directors - other managerial personnel - compensation for loss of office.

- 3.5.1 Meetings - kinds - procedure - voting
- 3.5.2 Dividends - Meaning - payment - capitalization - profit
- 3.6 Audit and accounts
- 3.7 Borrowing powers - effect of unauthorised borrowing - charges and mortgages - loans to other companies - investments - contracts by companies
- 3.8 Debentures - meaning - fixed and floating charge - kinds of debentures - share-holder and debenture holder - remedies of debenture holders
- 3.9 Majority powers - Protection of minority rights
- 3.10 Prevention of oppression and mismanagement - who can apply ? - Powers of the company, the court and the central government
- 3.11 Investigation - powers
- 3.12 Reconstruction and amalgamation
- 3.13 Winding up - types - by court - reasons - grounds - who can apply - procedure - powers of liquidator - powers of court - liability of past members - payment of liabilities - preferential payment, unclaimed dividends - winding up of unregistered company, Defunct Company - consequences of winding up order - voluntary winding up by members and creditors - winding up subject to supervision of courts
- 4. Law and Multinational Companies
- 4.1 International norms for control
- 4.2 National law FEMA (Foreign Exchange Management Act, 1999) controls joint - ventures - investment of funds - repatriation of profit.
- 4.3 Collaboration agreements for technology transfer.
- 5. Corporate Liability

Latest Editions of Books

- 5.1 Legal liability of companies - civil and criminal
- 5.2 Remedies against companies - civil, criminal and tortious - Specific Relief Act, writs liability under special statutes.

All Latest Amendments at the commencement of academic year must be taught.

Recommended Readings :

Avtar Singh, Indian Company Law, Eastern, Lucknow.

L.C.B. Gower, Principles of Modern Company Law Sweet and Maxwell, London

Palmer, Palmer's Company Law, Stevens, London.

R.R. Pennington, Company Law, Butterworths.

A. Ramaiya, Guide to the Companies Act, Wadia.

Fourth Year (5 Year) (Sem. VIII) And
Second Year (3 Year) (Sem. IV) L.L.B. degree course

JURISPRUDENCE

1. Introduction

1.1 Meaning of the term jurisprudence

1.2 Norms and the normative system

1.2.1 Different types of normative system such as of games, languages, religious orders, unions, clubs and customary practice.

1.2.2 Legal system as a normative order similarities and differences of the legal system with other normative system.

1.3. Nature and definition of law

2. Schools of Jurisprudence

2.1 Analytical positivism

2.2 Natural law

2.3 Historical school

2.4 Sociological school

~~2.5 Economic interpretation of law~~ *Deliberate Intentions Realism*

~~2.6 The Modern PIL, social justice, comparative jurisprudence.~~ *Socio economic*

~~2.7 The Bharat jurisprudence~~

~~2.8 The Ancient - the concept of 'Dharma'~~

3. Purpose of Law

3.1 Justice

3.1.1 Meaning and kinds

3.1.2 Justice and law approaches of different schools

3.1.3 Power of the Supreme Court of India, to do complete justice in a case. Article 147.

3.1.4 Critical studies *in relation to*

3.1.5 Feminist jurisprudence *in respect of 3.1.3*

4. Sources of Law

4.1. Legislation

4.2. Precedents: concept of stare decisis

4.3. Customs

4.4. juristic writings

~~4.5. Agreements~~

5. Legal Rights: the concept
 - 5.1 Rights kinds
 - 5.2 Right duty correlation
6. Persons
 - 6.1 Nature of personality
 - 6.2 Status of the unborn, minor, lunatic drunk and deaf persons
 - 6.3 Corporate personality
 - 6.4 Dimensions of the modern legal personality Legal personality of non-human beings
7. Possession :the concept
 - 7.1 kinds of possession
8. Ownership : the concept
 - 8.1 kinds of ownership
 - 8.2 Difference between possession and ownership
9. Title
10. Property : the concept

11. Obligation: ~~...~~
Recommended Readings:

Bodenheimer Jurisprudence – The Philosophy and Method of Law (1996), Universal, Delhi.
Fitzerald (ed.) Salmond on Jurisprudence (1999) Tripathi, Bombay
W. Friedmann, Legal Theory (1999) Universal, Delhi.
V.D. Mahajan: Jurisprudence and Legal Theory (1996 re-print) Eastern, Lucknow.
M.D.A. Freeman (ed.) Lloyd's Introduction Jurisprudence, (1994), Sweet & Maxwell
Paton G.W. Jurisprudence (1972) Oxford, ELBS
Roscoe Pound: Introduction to the Philosophy of Law (1998 Re-print)
Das: Jurisprudence (1994 First Indian re-print), Aditya Books
Dhyani S.N. Jurisprudence A study of Indian Legal Theory (1985)

LANDLAWS

(Central Legislation on Land Laws will be allocated 20 Marks, whereas State Legislation allocated 80 marks.)

- (i) Central Legislation, inter alia to include:
- (ii) Urban Land (Ceiling & Regulation) Act, 1976 – although it stands repealed by the Centre, it continues to remain in force in Maharashtra.
- (iii) Land Acquisition Act, 1894.
- (iv) Indian Registration Act, 1908
- (v) Environment Protection Act, 1986.

1. State Legislation, inter alia to include:

- (i) Maharashtra Land Revenue Code 1966
- (ii) Bombay Tenancy & Agricultural Lands Act, 1948
- (iii) Maharashtra Regional Development Planning Act, 1969 s
- (iv) Maharashtra Housing Area Development Authority Act, 1976.
- (v) Development Control Regulations, 1991 for Mumbai.
- (vi) Maharashtra Agricultural Land Ceiling Act, 1961.
- (vii) Bombay Stamp Act.

Object of Act
General Scheme of Act

2. ULC Act

- (i) Definitions
- (ii) Ceiling Limit – S/4,
- (iii) Power to Exempt & Schemes – S/20 to 22

Informative
Concept of
Ceiling

Land Acquisition Act

- (i) Definitions
- (ii) Acquisition – S/4 to 17.
- (iii) Reference to Court – S/18 to 28 A.

Indian Registration Act.

- | | | |
|---|---|------|
| (i) Compulsory Regn. Of Documents | - | S/17 |
| (ii) Optional Regn. Of Documents | - | S/18 |
| (iii) Time for Regn. Of Documents | - | S/23 |
| (iv) Delay in Regn. Of Documents | - | S/25 |
| (v) Time from which Regd. Document operates | - | S/47 |
| (vi) Effect of Non-Regn. Of documents required to be registered | - | S/49 |

Environment Protection Act, 1986

- (i) S/3 - and concepts of CRZ - Coastal Regulation Zone.

Maharashtra Land Revenue Code, 1946.

- (i) Use of Land - S/41 to 54A.
- (ii) Record of Rights S/147 to 167.
- (iii) Appeals, Revision & Review - S/246 - 259.
- (iv) Special Provisions for Land Revenue in the City of Bombay - S/290 to 307.

Bombay Tenancy & Agricultural Lands Act, 1948.

- (i) Definitions
- (ii) Restriction on Transfer of Agricultural Lands - S/63 to 66.

Maharashtra Regional & Town Planning Act, 1969.

- (i) Definitions
- (ii) Control of Development - S/43 to 51
- (iii) Unauthorised Development - S/52 to 58
- (iv) Land Acquisition - S/125 to 129

Maharashtra Housing & Area Development Act, 1976.

- (ii) Definitions
- (iii) Repairs & Reconstruction of Dilapidated buildings - S/74 to 103
- (iv) Acquisition of Ceased Properties - Chapter VIII A

Development Control Regulations, 1991 (Mumbai)

- (ii) Concept F.S.I. (Floor Space Index)
- (iii) Concept of T.D.R. (Transfer of Development Rights)

Recommended Readings:

- (i) ULC Act - Sarkar Vol. I
- (ii) Land Acqtn Act - Sarkar
- (iii) Registration Act - Sanjeev Row
- (iv) Environment P. Act - M.C. Mehra (Editor)
- (v) M.R. Code - Gupta & Tighe
- (vi) B.L.A. Lands Act - Gupta
- (vii) MRTP Act - Gupta & Dighe
- (viii) MHADA - Rao Act
- (ix) DC Regulations - Shri A. Desai

Environment Protection Act, 1986

- (i) S/3 - and concept of CRZ - Coastal Regulation Zone.

Maharashtra Land Revenue Code, 1966.

- (i) Use of Land - S/41 to 54A.
- (ii) Record of Rights S/147 to 167.
- (iii) Appeals, Revision & Review - S/246 - 259.
- (iv) Special Provisions for Land Revenue in the City of Bombay - S/293 to 307.

Bombay Tenancy & Agricultural Lands Act, 1948.

- (i) Definitions
- (ii) Restriction on Transfer of Agricultural Lands - S/63 to 65.

Maharashtra Regional & Town Planning Act, 1969.

- (i) Definitions
- (ii) Control of Development - S/43 to 51
- (iii) Unauthorised Development - S/52 to 58
- (iv) Land Acquisition - S/125 to 129

Maharashtra Housing & Area Development Act, 1976.

- (i) Definitions
- (ii) Repairs & Reconstruction of Dilapidated buildings - S/74 to 103
- (iv) Acquisition of Ceased Properties - Chapter VIII A

Development Control Regulations, 1991 (Mumbai)

- (ii) Concept F.S.I. (Floor Space Index)
- (iii) Concept of T.D.R. (Transfer of Development Rights)

Recommended Readings:

- | | | | |
|--------|--------------------|---|---------------------|
| (i) | U.L.C. Act | - | Sarkar Vol. I |
| (ii) | Land Acqn Act | - | Sarkar |
| (iii) | Registration Act | - | Sanjay Row |
| (iv) | Environment P. Act | - | N.C. Mehta (Editor) |
| (v) | MLR Code | - | Gupte & Tighe |
| (vi) | B.L.A. Lands Act | - | Gupte |
| (vii) | MRTF Act | - | Gupte & Dighe |
| (viii) | MHADA | - | Raze Act |
| (ix) | DC Regulations | - | Shruti A. Desai |

Optional Papers

Criminology and Correctional Administration

1. Dimensions of Crime in India

- 1.1. Nature and extent of crime in India
- 1.2. General approaches to crime control
- 1.3. Crimes of the powerful
 - 1.3.1. Organised of the smuggling traffic in narcotics
 - 1.3.2. White collar crime : corruption in public life
 - 1.3.3. Socio-Economic crime adulteration of foods and drugs; fraudulent trade practice
 - 1.3.4. Crimes in the profession – medical, legal, engineering
 - 1.3.5. Commensality by agencies of the state
- 1.4. Perpetrators of ordinary crime
 - 1.4.1. The situations criminal
 - 1.4.2. The chronic Tander
 - 1.4.3. Criminality of women
 - 1.4.4. Young offenders
 - 1.4.5. Criminal gangs
 - 1.4.6. Cyber Crimes

2. Causes of Criminal Behavior

- 2.1. Nature of the problem : some unscientific theories
- 2.2. The constitutional School of Criminology-Lombroso and others (heredity and mental retardation as causes of crime)
- 2.3. Sociological theories Anomus
- 2.4. Modern sociological theories – Sutherland's differential association theory. Rckless social vulnerable theory
- 2.5. Economic theories and their relevance
- 2.6. Environment home and community influences, urban and rural crimes.
- 2.7. The ghettis, broken homes, the effect of motion picture T.V. and video, press narcotics and alcohol.
- 2.8. Caste and community tensions caste wars and communal riots – their causes demoralising effects, atrocities against scheduled cadres.
- 2.9. Emotional disturbance and other psychological factors.
- 2.10. Multiple causation approach to crime.

3. Police and the Criminal Justice

- 3.1. The police system
- 3.2. Structural organization of police at the centre and the states
- 3.3. Mode of recruitment and training
- 3.4. Powers and duties of police under the police acts, Criminal Procedure Code and other laws.
- 3.5. Arrest, search and seizure and constructional imperatives

- 3.6 Methods of police investigation
- 3.7 Third degree methods
- 3.8 Corruption in police
- 3.9 Relationship between police and prosecution
- 3.10 Liability of police for custodial violence
- 3.11 Police public relations
- 3.12 Select aspects of National Police Commission report

- 4. Punishment of Offenders**
- 4.1 Some discarded modes of punishment
- 4.1.1 Corporal punishment : whipping and flogging : mutilation and branding
- 4.1.2 Transportation
- 4.1.3 Public execution
- 4.2 Punishments under the Indian criminal law
- 4.2.1 Capital Punishment
- 4.2.2 Imprisonment
- 4.2.3 Fine
- 4.2.4 Cancellation or withdrawal of licences
- 4.3 The prison system
- 4.3.1 Administrative organization of prisons
- 4.3.2 Mode of recruitment and training
- 4.3.3 The Jail Manual
- 4.3.4 Powers of prison officials
- 4.3.5 Prisoners classification - male, female : juvenile and adult : undertrial and convicted prisoners
- 4.3.6 Constitutional imperatives and prison reforms
- 4.3.7 Prison management : prisoners right and security compulsions.
- 4.3.8 Open prisons
- 4.3.9 Prison labour
- 4.3.10 Violation of prison code and its consequences.
- 4.4 Appraisal of imprisonment as a mode of punishment

- 5. Victimology**
- 5.1 Demographic characteristics of the victims
- 5.2 Compensation to the victims
- 5.3 Rehabilitation

- 6. Treatment or Correction of Offenders**
- 6.1 The need for reformation and rehabilitation of offenders undergoing punishment/imprisonment.
- 6.2 Classification of offenders through modern diagnostic techniques
- 6.3 The role of psychoanalysts and social workers in the prison
- 6.4 Vocational and religious education and apprenticeship programmes for the offenders.

- 6.5. Group counseling and re-socialisation programmes
- 6.6. Prisoners organizations for self-government.
- 6.7. Participation of inmates in community services.
- 6.8. An appraisal of reformative techniques.
- 6.9. Efficacy of imprisonment as a measure to combat criminality and the search for substitutes.
- 7. **Re-socialisation processes**
 - 7.1 Parole
 - 7.1.1 Nature of parole
 - 7.1.2. Authority for granting parole
 - 7.1.3 Supervision of parolees
 - 7.1.4. Parole and conditional release
 - 7.2 Release of the offender
 - 7.2.1 Problems of the released offender
 - 7.2.2 Attitudes of the community towards released offender
 - 7.2.3 Prisoner and societies and other voluntary organizations
 - 7.2.4 Governmental action
 - 7.2.5 An appraisal

Recommended Readings :

- Katherine S. Williams, Text Book on Criminology (1997), Blackstone, London
Loveland, The Frontiers of Criminality (1995) Sweet & Maxwell
Martin Wasik, Eminence on Sentencing (1998), Blackstone, London
Hall, J. Law, Social Science and Criminal Theory (1982)
Manheim, H. Comparative Criminology : A Text Book (1965)
Ross, H. (Lawrence Ed.) Law and Deviance (1981)
Sutherland, E. and Cressey, Principles of Criminology (1978)
Walker, N. Crime and Criminology : A Critical Introduction (1987)
S. Rao, Crime in Our Society (1983)
J.M. Sethna, Society and the Criminal (1980)
A. Siddique, Criminology : Problems and Perspectives (1997)
E. Sutherland, White Collar Crime (1949)
S. Kaldane, Society, Delinquent and Juvenile Courts (1982)
W.C. Beckless, The Prevention of Juvenile Delinquency (1972)
D.C. Pasdey, Habitual Offenders and the Law (1983)
D. Abrahamson, David: Crime and the Human Mind (1979)
Contad John P. : Crime and its Correction : An international survey of Attitudes and Practices.
Krishna Iyer Report on Female Prisoners (1988)
Som Titus Raib : Criminology
Mulla Committee Report, (1983)
P. Jaggopal, Violence and Response : A Critique of Indian Criminal Justice System (1988)

2. TAXATION LAW

Income Tax Act 1961

Wealth Tax Act, 1957

Taxation Law

(i) Income Tax Act 1961	55 marks
(ii) Wealth Tax Act, 1957	15 marks
(iii) Bombay Sales Tax Act	15 marks
(iv) Central Sales Tax	15 marks

Assessment for the year

Recommended Readings :

Income Tax - Kanga & Palkhivala - Volume I
Chaturvedi & Pithisaria - Volumes I - VII
Wealth Tax - Chaturvedi & Pithisaria - Volume VIII

B.BANKRUPTCY LAWS

1. **Introductory**
 - 1.1. The concept : inability to pay debt
 - 1.2. Comparative perspectives
 - 1.2.1. England : Insolvency Act, Bankruptcy Act
 - 1.2.2. United States of America
 - 1.3. India : concurrent jurisdiction the central and state legislation.
2. **Insolvency jurisdiction**
 - 2.1. Courts
 - 2.2. Powers of court
3. **Acts of Insolvency**
 - 3.1. Transfer of property to a third person for benefit of creditors generally
 - 3.2. Transfer with intent to defraud creditors
 - 3.3. Fraudulent preferences in transfer of property
 - 3.4. Absconding with intent to defraud the creditors
 - 3.5. Sale of property in execution of decree of court
 - 3.6. Adjudication of insolvent
 - 3.7. Notice to creditors about suspension of payment of debt.
 - 3.8. Imprisonment in execution of a decree of a court
 - 3.9. Notice by creditors.
4. **Insolvency petition**
 - 4.1. By creditor
 - 4.2. By debtor
 - 4.3. Contents of the petition
 - 4.4. Admission
 - 4.5. Procedure
5. **Appointment of interim receiver**
6. **Interim proceedings against the debtor**
7. **Duties of Debtors**
8. **Release of debtor**
9. **Procedure at hearing**
10. **Dismissal of petition filed by a creditor**

11. **Order of adjudication**
 - 11.1. Effect
 - 11.2. Publication of order
12. **Proceedings consequent on order of adjudication**
 - 12.1. Protection order from arrest or detention
 - 12.2. Power to arrest after adjudication per attempt abscond
 - 12.3. Schedule of creditors
 - 12.4. Burden of creditors to prove the debt.
13. **Annulment of adjudication**
 - 13.1. Power annul
 - 13.2. Effect
 - 13.3. Failure to apply for discharge
14. **Post adjudicatory scheme for satisfaction of the debt**
15. **Discharge of debtor**
16. **Effect of insolvency on antecedent transaction**
 - 16.1. On rights of creditor under execution
 - 16.2. Duties of court executing decree on the property taken in execution
 - 16.3. Avoidance of voluntary transfer
 - 16.4. Avoidance of preference
17. **Realization of property**
 - 17.1. Appointment of receiver
 - 17.1.1. Duties and powers
 - 17.1.2. Appeal against receiver
18. **Distribution of property**
 - 18.1. Priority of debts
 - 18.2. Dividends
19. **Offences by debtors**
20. **Disqualification of insolvent**
21. **Appeal**

- 22. Indigent persons
- 22.1 Suit by indigent persons
- 23. Chapter XI (Bankruptcy Law of USA)

Recommended Readings:

The Provincial Insolvency Act 1920
Insolvency Acts of various States
Halliburton's Laws of England, Vol. 3(2) on Bankruptcy and Insolvency (1989)
Henry R. Chesebrough, Business Laws Ch. 28(1998), Prentice Hall, New Jersey
C.K. Thakker, Code of Civil Procedure (2000) Eastern, Lucknow.
Aryar S.K. Law of Bankruptcy (1998), Universal, Delhi.

- 22. Indigent persons
- 22.1 Suit by indigent persons
- 23. Chapter XI (Bankruptcy Law of USA)

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Insolvency Acts of various States

Halsbury's Laws of England, Vol. 3(2) on Bankruptcy and Insolvency (1989)

Henry R. Coesman, Business Laws Ch. 28(1998), Prentice Hall, New Jersey

C.K. Thakker, Code of Civil Procedure (2000) Eastern, Lucknow.

Aryar S.K. Law of Bankruptcy (1998), Universal, Delhi.

Fifth Year (5 Years) (Sem. IX)
And
Third Year (3 Years) (Sem. V)

CIVIL PROCEDURE CODE AND LIMITATION ACT

Civil Procedure Code (15 Marks)
Indian Limitation Act (15 Marks)

Recommended Readings :

Mulla,.... Code of Civil Procedure.

C.K.Thacker,.... Code of Civil Procedure.

M.R. Mallick (ed) B.B. Mitra of Limitation Act 1998

Majumdar P.K. and Kataria R.P. (Commentary on C.P.C.)

Saha A.N. C.P.C. (2000)

Sarkar's Law of Civil procedure (2000).

**CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE ACT
AND PROBATION OF OFFENDERS ACT**

Criminal Procedure Code 1973	(70 Marks)
Juvenile Justice care and protection of children Act 2000	(15 Marks)
Probation of Offenders Act 1958	(15 Marks)

Recommended Readings :

- Ratanlal Dhirajlal ... Criminal Procedure Code
- Chandrashekhur Pillai ... Kelkar lectures on Criminal procedure.
- Woodroffe-Commentaries on Code of Criminal procedures.

INTERPRETATION OF STATUTES

- I. 1) Meaning of the term statute.
2) Commencement, operation and repeal of statutes.
3) Purpose of interpretation of statutes.

II. **Aids to Interpretation (Internal Aids).**

- 1) Title
- 2) Preamble
- 3) Headings and marginal notes.
- 4) Sections and sub sections.
- 5) Punctuation marks.
- 6) Illustrations, inceptions, provision and saving clauses.
- 7) Schedules.
- 8) Non obstante Clause.

External Aids :

- 1) Dictionaries
- 2) Translations
- 3) R Travaux preparation
- 4) Statutes in pari
- 5) Contemporanea expositis
- 6) Debates, inquiry commission reports and law commission reports.

III. **Rules of Statutory Interpretation:**

- 1) Primary rules.
- 2) Literal rule
- 3) Golden rule
- 4) Mischief rule.
- 5) Rule of harmonious construction.
- 6) Secondary rule.
- 7) Noscitur a sociis.
- 8) Ejusdem generis
- 9) Reddendo singula Singulis

IV. **Presumptions in Statutory interpretation:**

Statutes are valid.
Statutes are territorial in operation.
Presumption as to jurisdiction.
Presumption as to what is inconvenient or absurd.
Presumption against intending injustice.
Presumption against impairing obligation
of permitting advantage from one's own wrong.
Prospective operation of statutes.

V. Maxims of statutory interpretation

Delegatus non potest delegare.
Expressio Unius, Exclusio alterius.
In pari delicto potior est conditio possidentis.
Utiens valet potior est conditio possidentis.
Expressum facit cessare tacitum.
Generalis specialibus non derogat.
In bonam partem.

VI. Interpretation with reference to the subject matter and the purpose.

- 1) Restrictive and beneficial construction.
- 2) Taxing structures.
- 3) Penal statutes.
- 4) Welfare legislation.
- 5) Interpretation of directory and mandatory provisions.
- 6) Interpretation of substantive and adjunctive statutes.
- 7) Interpretation of enabling statutes.
- 8) Interpretation of statutes conferring rights.
- 9) Interpretation of statutes conferring powers.

VII. Principles of constitutional interpretation:

- 1) Harmonious construction.
- 2) Doctrine of pith and substance.
- 3) Colourable legislation.
- 4) Ancillary Powers.
- 5) Occupied field.
- 6) Residuary power.
- 7) Doctrine of prospective overruling.
- 8) Doctrine of repugnancy.
- 9) Doctrine of eclipse.

VIII. General clauses act:

Recommended Readings:

J.P. Singh ... Principles of Statutory interpretation
Maxwell on Interpretation of Statutes.
K. Shanmukham, N.S. Bindra's Interpretation of Statutes.
V. Jaithy, Interpretation of Statutes
M.P. Jain, Constitutional law of India
V.N. Shukla's Constitution of India
Avatar Singh Interpretation of Statutes.

PUBLIC INTERNATIONAL LAW AND HUMAN RIGHTS

This paper is divided into three sections.

1. Human Rights 30 marks
2. Public International Law 30 marks
3. Human Rights in International Law 40 marks

Human Rights:

National view on the basis of the Indian constitution and judicial expositions.
Human Rights and Child Abuse
Human Rights and Women
Human Rights and Workers
Human Rights and accused Convicts and Prisoners.
Human Rights and Environment

Public International Law:

- 1) Introduction
- 2) Custom
- 3) Treaties
- 4) State territories
- 5) Recognition of states and government.
- 6) Law and practice of treaties.
- 7) The law of Sea.

Human Rights in International Law :

Theoretical Foundation, human rights and International law.

Basic principles

Sovereign equality of states, non intervention, non use of force,
Peaceful settlement of dispute
Individuals as subjects of international law.
Treatment of aliens.

Historical development of human rights

Human rights in Indian tradition and western tradition
U.N. and human rights
Covenant on political and civil rights (1948)
Covenant on Economic, Social, and cultural rights.
ILO and other conventions and protocols dealing with human rights.
International HR commission.
Mandates to state
Right to development.

Role in regional organizations:

- European convention on human rights
- American convention of human rights.

Protection agencies and mechanisms:

- 1) International commission of human rights.
- 2) Amnesty international law.
- 3) NGO's in India only.
- 4) European commission of human rights.
- 5) U.N. declaration of human rights.
- 6) International labour organization.
- 7) UNESCO.
- 8) UNICEF.

Impact and implementation of international human rights norms in India.

Human rights norms reflected in fundamental rights in the constitution.

Directive principles, Legislative and administrative implementation of international human rights.

Implementation of human rights norms through judicial process.

Enforcement of human rights:

Role of courts, the Supreme Court, the high court and the other courts.

Statutory Commission- Human rights, Women's minority and backward class.

Recommended Readings :

S.K. Aiyari & R.P. Kohli... Law relating to human rights

S.K. Verma Public International Law

Peter J Van kirkken - The Exclusion of clauses.

Human Rights and Global Diversity

Nirmal C.J. - Human Rights in India

Nirmal B.C. - The right to self-determination in International law.

P.R. Gandhi - International human rights documents.

5th Year (Five Year) (Sem. XI)
And
3rd Year (Three Year) (Sem. VI)

ALTERNATE DISPUTE RESOLUTION SYSTEM

Arbitration: meaning, scope and types

- Distinctions
- 1940 law and 1996 law; UNCITRAL model law
- Arbitration and Conciliation
- Arbitration and expert determination
- Extent of judicial intervention
- International commercial arbitration

Arbitration agreement

- Essentials
- Kinds
- Who can enter into arbitration agreement
- Validity
- Reference to arbitration
- Interim measures by court

Arbitration Tribunal

- Appointment
- Challenge
- Jurisdiction of arbitral tribunal
- Powers
- Grounds of challenge
- Procedure
- Court assistance

Award

- Rules of guidance
- Form and content
- Correction and interpretation
- Grounds of setting aside an award
- Can misconduct be a ground?
- Incapacity of a party, invalidity of arbitration agreement
- Want of proper notice and hearing
- Beyond the scope of reference
- Contravention of composition and procedure
- Breach of confidentiality
- Impartiality of the arbitrator
- Bar of limitation, res judicata
- Consent of parties
- Enforcement

Appeal and revision

Enforcement of foreign awards

- New York convention awards
- Geneva Convention awards

Conciliation

- Distinction between 'Conciliation', 'Negotiation', 'mediation' and 'arbitration'
- Appointment
- Statements to conciliator
- Interaction between conciliator and parties
- Communication
- Duty of parties to cooperate
- Suggestions by parties
- Confidentiality
- Resort to judicial proceedings
- Costs

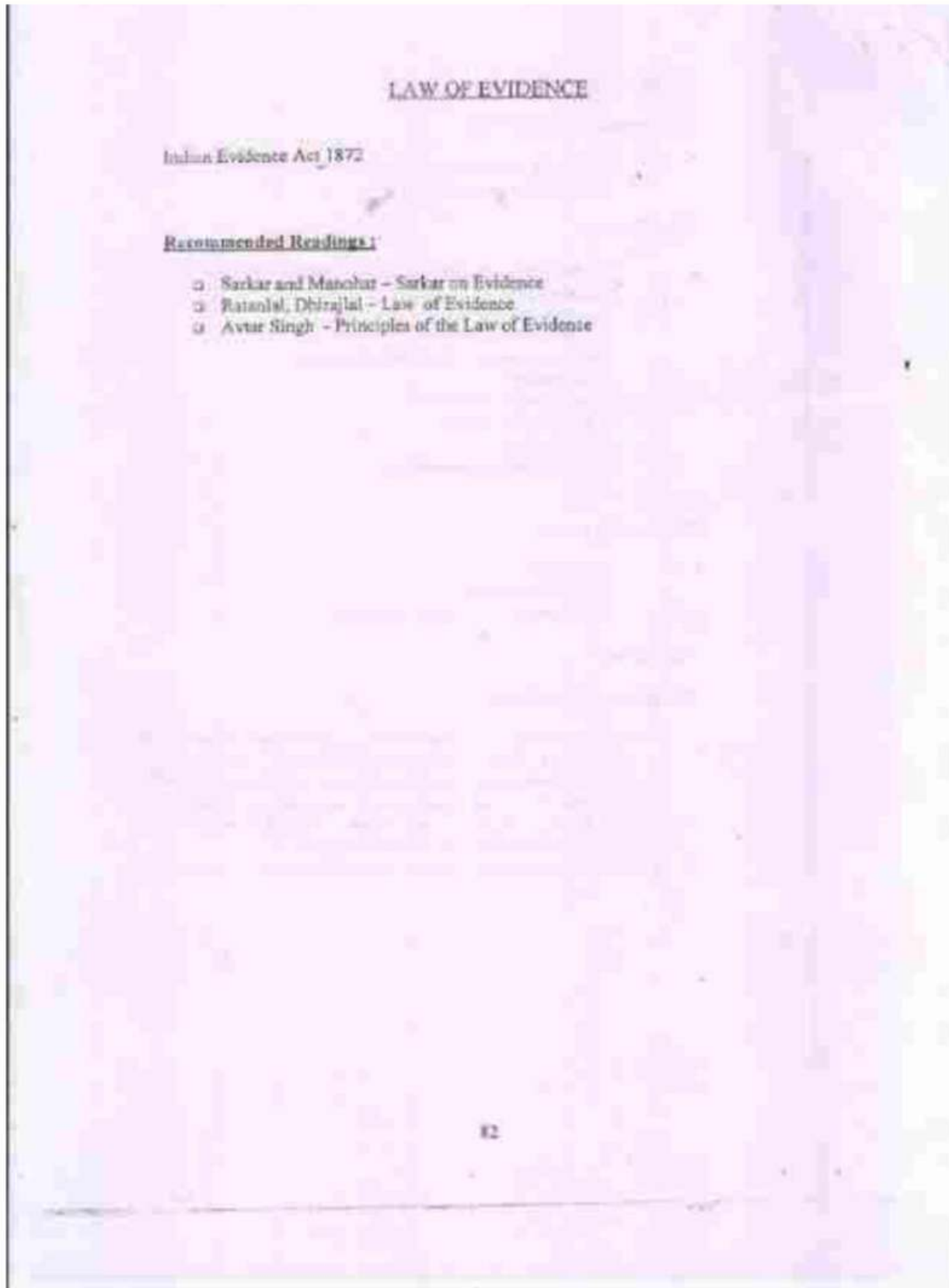
Rule-making power

- High Court
- Central Government
- Legal Service Authorities Act, 1987

Lok Adalats

Recommended Readings:

- B.P. Saraf and M. Hunjburwala – Law of Arbitration and Conciliation
- G.R. Kwatra – The Arbitration and Conciliation, Law of India
- Johari - Commentary on Arbitration and Conciliation Act 1996
- Markanda P.C. – Law relating to arbitration and conciliation
- G. K. Kwatra – Arbitration and Alternate Dispute Resolution ITC/UNCTAD/WTO/ICA, New Delhi, 2004.
- Reports and Journals of Indian Council of Arbitration, New Delhi.



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Optional papers

1) BANKING LAWS AND NEGOTIABLE INSTRUMENTS ACT

Reserve Bank of India Act 1934)
Banking Regulation Act 1944) (50 Marks)
Bankers' Book of Evidence Act 1891)

- Recovery of Debts Due to Banks and Financial Institutions Act, 1993
- Establishment of debt recovery tribunals – constitution and functioning
- Role of SEBI in Controlling Financial Institutions

Negotiable Instruments Act 1881 (50 Marks)

Recommended Readings:

Pandharanthy M.S. (Ed.) - Khergarvals on the Negotiable Instruments Act.
Tannen M.L. - Tannen's Banking Law & Practice in India
Mukerjee T.K. - Banking Law and Practice
Ayar Singh - Negotiable Instruments Act.
Dr. Nilima Chandiraman - Law of Negotiable Instrument - Basic Concepts



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2) LAW OF INSURANCE

Introduction

- Definition, nature and history of insurance
- Concept of insurance and law of contract and law of torts; future of insurance in globalized economy
- History and development of insurance in India
- Insurance Regulatory Authority – role and functions

General principles of law of insurance

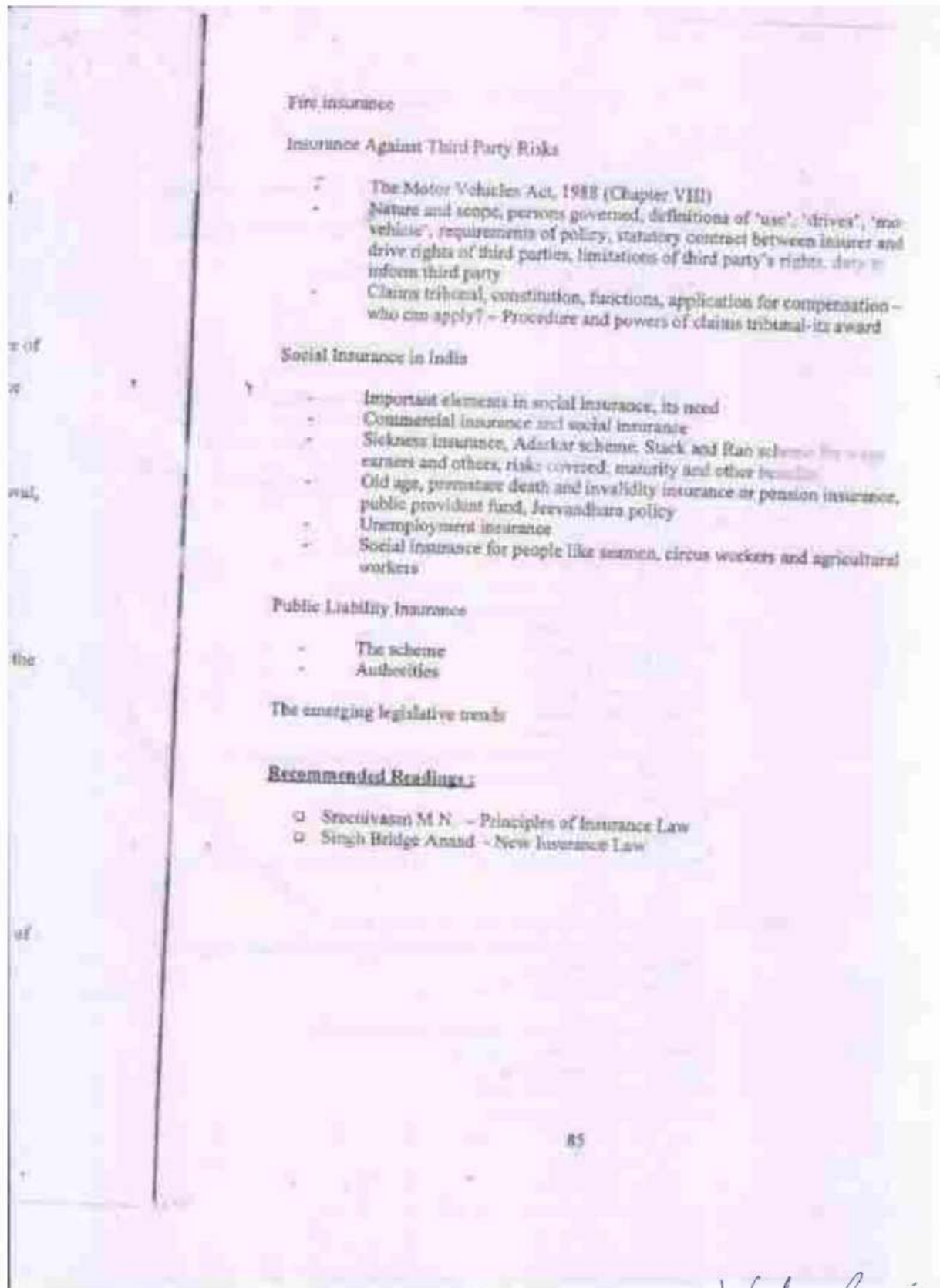
- Contract of insurance – classification of contract of insurance, nature of various insurance contracts, parties thereto
- Principle of good faith- non-disclosure-misrepresentation in insurance contract
- Insurable interest
- The risk
- The policy – classification of policies-its form and contents, its commencement, duration, cancellation, alteration, rectification, renewal, assignment, construction
- Conditions of the policy
- Alteration of the risk
- Assignment of the subject matter

Life Insurance

- Nature and scope of life insurance, definition, kinds of life insurance, the policy and formation of a life insurance contract
- Event insured against life insurance contract
- Circumstances affecting the risk
- Amounts recoverable under life policy
- Persons entitled to payment
- Settlement of claim and payment of money

Marine Insurance

- Nature and scope
- Classification of marine policies
- The Marine Insurance Act 1963
- Insurable interest, insurable value
- Marine insurance policy – conditions – express warranties construction of terms of policy
- Voyage – deviation
- Perils of the sea
- Partial loss of ship and of freight, salvage general average, particular charges
- Measure of indemnity, total valuation, liability to third parties



3) INTELLECTUAL PROPERTY LAW

Introductory

- The meaning of Intellectual property
- Competing rationales of the legal regimes for the protection of intellectual property
- The main forms of intellectual property: copyright, trademarks, patents, designs
- The competing rationales for protection of rights in:
 - Copyright
 - Trademarks
 - Patents
 - Designs
 - Trade secrets
- Other new forms such as plant varieties and geographical indications
- Introduction to the leading international instruments concerning intellectual property rights: the Berne Convention, Rome Convention, Universal Copyright Convention, TRIPs Paris Convention
- International Organization relating to IPRS – WIPO, WTO

Select aspects of the law of Copyright in India

- Historical evolution of the Copyright Act 1957
- Meaning of Copyright
- Copyright in literary, dramatic and musical works
- Copyright in sound records and cinematographic films
- Copyright in computer programmes
- Ownership of copyright
- Assignment of copyright
- Author's special rights
- Notion of infringement
- Criteria of infringement
- Infringement of copyright by films of literary and dramatic works
- Importation and infringement
- Fair use provisions
- Piracy in internet
- Aspects of copyright justice
- Remedies, especially, the possibility of Anton pillar injunctive relief in India

Intellectual Property in Trade Marks (Trade Marks Act 1999)

- The rationale of protection of Trade marks as (a) an aspect of commercial and (b) of consumer rights
- Definition and concept of Trade marks
- Registration
- Distinction between Trade mark and property mark
- The doctrine of honest Current User
- The doctrine of deceptive similarity
- Protection of well-known marks
- Passing off and infringement

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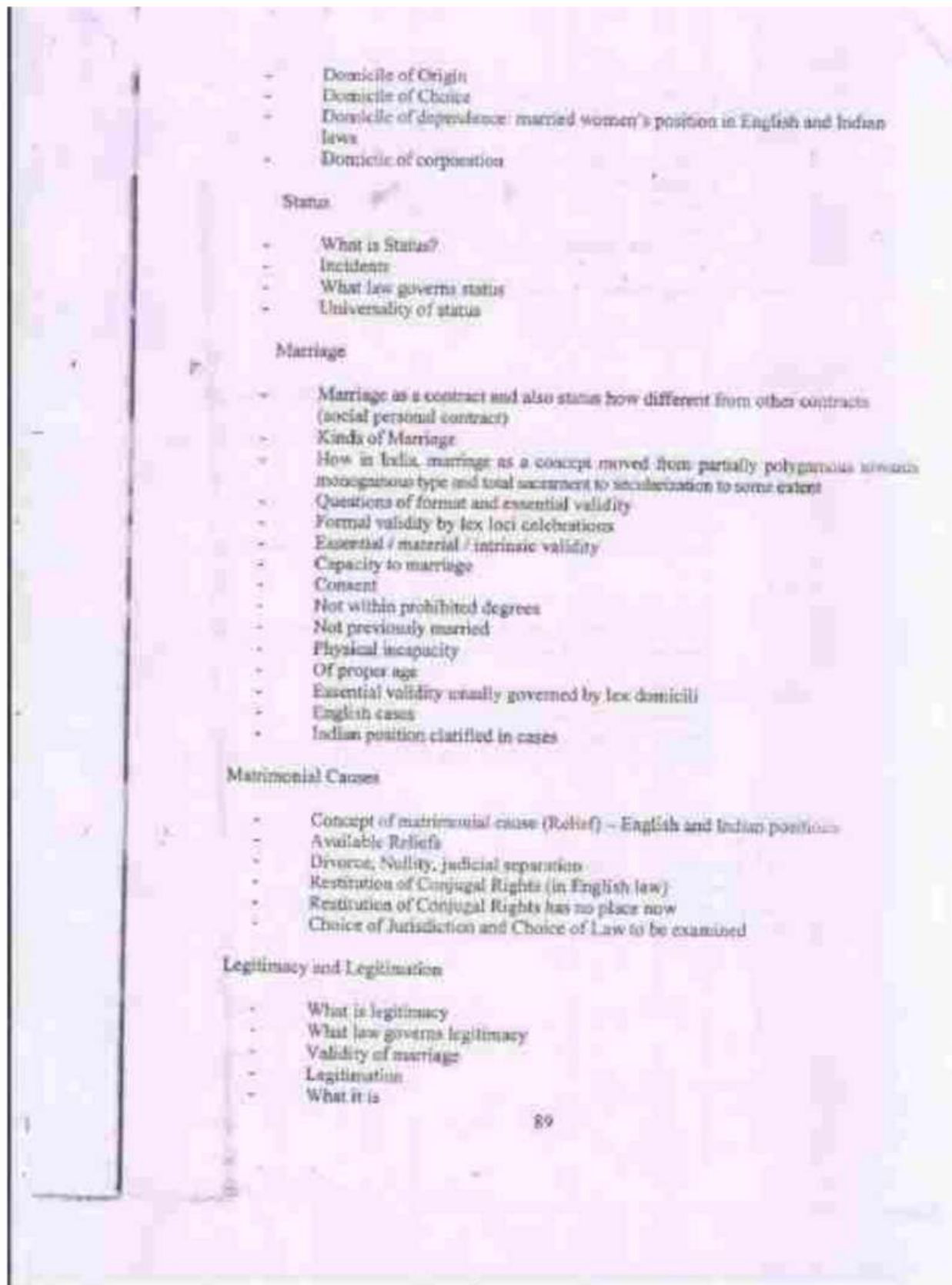
Vinita V. Pundir

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- Criteria of infringement
- Standards of proof in passing off action
- Remedies
- Patents
 - Patent Act 1970
 - Concept of Patent
 - Historical view of patents law in India
 - Patentable inventions with special reference to biotechnology products entailing creation of new forms of life
 - Patent protection for computer programmes
 - Process of obtaining a patent: application, examination, opposition and sealing of patents: general introduction
 - Procedure for filing patents: Patent Co-operation Treaty
 - Some grounds for Opposition
 - The problem of limited locus standi to oppose, specially in relation to inventions having potential of ecological and mass disasters
 - Wrongfully obtaining the invention
 - Prior publication or anticipation
 - Obviousness and the lack of inventive step
 - Insufficient description
 - Rights and obligations of a patentee
 - Patents as chose in action
 - Duration of patents: law and policy considerations
 - Use and exercise rights
 - Right to secrecy
 - The notion of 'abuse' of patent rights
 - Compulsory license
 - Remedies
 - Infringement
 - Criteria of infringement
 - Standards of proof
 - Modes of infringement; the Doctrine of Colourable Variation
 - Defences in suits of infringement
 - Injunctions and related remedies

Recommended Readings:

- Cornish W.R. - Intellectual Property Patents, Trade Marks, Copyrights and Allied Rights
- P. Narayanan - Intellectual Property Law
- Waithers - Intellectual Property Law



- How affected
- Legitimation and Succession
- Adoption
 - Purpose of adoption
 - Common law
 - Indian law
 - Hindu law
 - Recognition of foreign adoption
- Custody and Guardianship
 - Purpose
 - Adoption and succession
- Contracts
 - Contract – a leading relationship in private international law system
 - Validity of contracts
 - Capacity to contract – Main four theories Lex Loci, Lex Domicilii, Lex situs and proper law
 - Formal validity – lex loci contractus governs
 - Essential validity – proper law is usually accepted as governing
 - Discharge of contract – Lex loci solutions governing
 - Doctrine of “proper law” of contract subjective and objective Theories
- Torts
 - Traditional theories
 - Ideas of tort of recent importance in private International Law such as drugs, environments, transport and satellite communication
- Recognition and Enforcement of Foreign Judgments
 - Need recognizing foreign judgments
 - Limitations in recognising and enforcement
 - Section 13,14 and 444 of C.P.C. and S. 41 of the Indian Evidence Act

Recommended Readings :

- Farza Diwan - Private International Law
- Cheshire – Private International Law
- Dicey A.V. – Conflict of Laws

5) LAW RELATING TO WOMEN & CHILDREN

International concerns and conventions

- specify conventions

Women in India

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

Women in post-Independence India

- Preamble of the Constitution: equality provisions in Fundamental Rights and Directive Principles of State Policy
- Personal laws – unequal position of women
- Uniform Civil Code towards gender justice

Sex inequality in Inheritance Rights

- Feudal institution of joint family – women's inheritance position
- Hindu Law
- Muslim Law
- Matrimonial property
- Movement towards Uniform Civil Code

Guardianship

- Right of women to adopt a child
- Problems of women guardianship

Divorce

- Indian Divorce Act
- Christian Law
- Muslim Law

Criminal Law

- Adultery
- Rape

Social Legislation

- Laws relating to Dowry, A moral traffic, Female Feticide, Sati, A moral representation etc.

Women and Employment

- Labour force
- Protective laws
- Exploitation and harassment in workplaces

Protection and enforcement agencies

- Courts
- Family Courts
- Commission for women
- NGOs

Social Constitutional and International Legal Status of Child

- Magnitude of the problem
- Special status of child – national policies
- Constitutional concern – Article 15(3), Article 24 and Article 43
- International concern and endeavour for the welfare of the children
- Minimum Age conventions
- Child rights conventions
- U.N. Declaration of the rights of the child, 1924, 1959

Problems of conception, birth and nourishment and health of the child

- Legal status of child in work
- Tortious liability against injuries to unborn children
- Coparcenary and property rights of the unborn children
- Law relating to maternity benefit and relief
- Lack of legal protection of children of impoverished parentage

State responsibility for the education of children

- Evaluation of the efforts of the State towards the provision of education to children
- Pre-primary and nursery education – elementary education
- Contributions by International Organizations for elementary education – UNESCO, UNICEF

Legal Control of Child Labour

- Regulation of the employment: protection of the health and well-being
- International conventions and recommendations of the ILO
- Recommendations of the National Commission of Labour
- Legislation relating to factories, plantation labour, mines, merchant shipping, motor-transport workers, apprentices, shop & establishments and child labour

Family Relations and Child

- The status of a child in matters of marriage, legitimacy, guardianship, adoption, maintenance and custody
- Provisions in the statutes relating to Hindu marriages, restraint on child marriage, guardians and wards, Hindu minority end guardianship, Hindu adoption and maintenance and in the Indian Evidence Act 1872

Child and Contractual Liability

- Minors Agreements
- Testimony of children
- Suits by and against minors

Child and Criminal Liability

- Crimes committed by child; crimes committed by others in relation to children
- Implementation of social policy through criminal sanctions in relation to child
- Variation of procedure in case of child offenders
- Judicial proceedings in criminal cases relating to children
- Statutory provisions – Sections 82, 83, 299 Exp. 3, 363A, 372 and 376 of IPC – Suppression of Immoral Traffic Act 1956 (SITA) – penal provisions contained in Child Marriage Restraint Act 1929 as amended in 1978 – Young Persons Harmful Publications Act 1956 – The Children Act 1960 – Section 27 of the Cr.P.C. – Reformatory Schools Act 1897 – Juvenile Delinquency Act

Law and Offences Against Child

- Protection of neglected children
- Institutions for the protection of neglected children
- Juvenile Justice Act 2000
- Juvenile delinquency; law and offences against child
- Contribution by parents; licensing
- Protection of girls from immoral traffic
- Prevention of vagrancy and beggary

Discrimination Against Female Children

- Amniocentesis
- Deferred infanticide through based nutritional discrimination
- Termination of pregnancy

Recommended Readings :

Flavia Agnes - Law and Gender inequality
S.N. Jain (Ed) - Child and the Law (ILD)
Aji Ray - Widows are not for burning
A. S. Altekar - Position of Women in Hindu Civilization
Flavia Agnes - State, Gender and Rhetorics of Law Reform
Towards Equality, Report of Committee on the status of women
Rama Kapur and Brenda Grossman, Women, Equality and the Constitution
Engendering Law, Lectures in Honor of Lotika Sarkar
Shobha Saxena, Crimes Against Women and Protective laws.
Asha Bajpai - Child Rights in India : Law, Policy and Practice.
Oxford 2003 New Delhi.
Encyclopedia of Laws of the Child in India. S. P. Shaw. Alia Law Agency

G) LAW AND MEDICINE

- Right to Health under the Constitution of India
- The varieties of Medical Professions in India
- Self-regulation through Codes of Conduct
- The Doctrine of "Informed Consent"
- Experimentation on Foetuses and Children
- Experimentation on People in Custody, including Psychiatric Custody
- The Doctors - Patient Relationship
- Confidentiality and Privilege
- Patient's right of full disclosure of course of therapy including side effects of drugs
- Medical Malpractice
- Medical Profession and the Consumer Protection Act.
- Law Relating to Medico-Legal Cases, with special reference to:
 - Road Accidents
 - Sexual Assaults and
 - Mass Disaster (e.g. Bhopal)
- Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954 (section 1 to 6 only)
- The Transplantation of Human Organs Act, 1994 (Section 1 to 12 only)
- The Prenatal Diagnostic Techniques (Regulations and Prevention of Misuse) Act, 1994 (Section 1 to 5 only)

Recommended Readings :

- R.K Bag: Law of Medical Negligence and compensation

PRACTICAL TRAINING - III

Drafting, Pleading and Conveyancing

This course will be taught through class instructions and simulation exercises, preferably with assistance of practicing lawyers/retired judges. Apart from teaching the relevant provisions of law, the course will include 15 exercises in Drafting carrying a total of 45 marks and 15 exercises in conveyancing carrying another 45 marks. (3 marks for each exercise).

NOTE : a) **Drafting :**

General principles of drafting and relevant substantive rules shall be taught.

b) **Pleading :**

1. Civil : i) Plaint, ii) Written statement, iii) Interlocutory Application, iv) Original Petition, v) Affidavit, vi) Execution Petition and vii) Memorandum of Appeal and Revision, viii) Petition under Article 226 and 32 of the Constitution of India.

2. Criminal : i) Complaints, ii) Criminal Miscellaneous Petition, iii) Bail Application and iv) Memorandum of Appeal and Revision.

c) **Conveyancing**

(i) Sale Deed (ii) Mortgage Deeds (iii) Lease Deed
(iv) Gift Deed (v) Promissory Note (vi) Power of Attorney (vii) Will

PRACTICAL TRAINING - IV

MOOT COURT, PRE TRIAL PREPARATION AND PARTICIPATION IN TRIAL PROCEDURES

This paper will have three components of 30 marks each and a viva of 10 marks.

- a) Moot Court (30 marks)
Every student will do at least three moot court in a year with 10 marks for each the moot court work will be on assigned problems and it will be evaluative i.e. 5 marks for written submission and 5 marks for oral advocacy.
- b) Observance of Trial in two cases, one civil and one criminal (30 marks)
Students will attend two trials. They will maintain a record and observe in various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.
- c) Interviewing techniques and Pre-trial preparations (30 marks)
Each student will observe two interviewing sessions of clients at the Lawyers office/Legal Aid office and record the Proceedings in a diary which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the advocate and procedure for the filing of the suit/petition. This will be recorded in the diary which will carry 15 marks.
- d) The fourth component of this paper will be viva voce examination on all the above three aspects. This will carry 10 marks (10 marks)