



A.B.M.S. Parishad's  
**YASHWANTRAO CHAVAN LAW COLLEGE,**  
**PARVATI, PUNE – 411009**

ID No. PU/PN/LAW/038/1978, Affiliated to Savitribai Phule Pune University, Recognized by  
BCI and Accredited by NAAC, Bengaluru

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**SSR 2023 for Cycle IV**  
**2017-18 to 2021-2022**  
**Criterion 1 – Curricular Aspects**

Key Indicator – 1.2 Academic Flexibility

1.2.1 Percentage of Programmes in which Choice Based Credit System (CBCS)/ elective course system has been implemented

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<b>Sr. No.</b>	<b>Details</b>	<b>Page No.</b>
1.	List of elective courses	3-7
2.	Syllabus of elective courses (BALLB and LLB)	8-84
3.	Circulars issued by SPPU related to syllabus updation (BALLB and LLB)	85-96
4.	Syllabus of LLM course	97-166
5.	Circulars issued by SPPU related to syllabus updation (LLM Course)	167-170
6.	Credit System for Semester Pattern	171-196

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

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

<b>Subject Code</b>	<b>Semester I</b>
CE 0101	General English
BA 0102	General Principles of Political Science
BA 0103	General Principles of Economics
BA 0104	General Principles of Sociology

<b>Subject Code</b>	<b>Semester II</b>
CE 0201	English for Law
BA 0202	Political Theories
BA 0203	Macro Economics, Policies and Practice
BA 0204	Theoretical Perspectives of Sociology

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

<b>Subject Code</b>	<b>Semester I</b>
CE 0101	General English
BB 0102	Managerial Accounting
BB 0103	Principles of Management
BB 0104	Business Communications

<b>Subject Code</b>	<b>Semester II</b>
CE 0201	English for Law
BB 0202	Organisational Behaviors
BB 0203	Management Information System
BB 0204	Principles of Marketing

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

<b>Subject Code</b>	<b>Semester III</b>
CE 0301	Legal Language and Legal Reasoning
BA 0302	Public Policy and Public Administration
BA 0303	Theories of Development and Indian Economy
BA 0304	Society in India

<b>Subject Code</b>	<b>Semester IV</b>
CE 0401	Law and Literature
BA 0402	International Relations
BA 0403	Law and Economics
BA 0404	Social Research Methods



#### 4. Second Year B.B.A. LL.B. :

<b>Subject Code</b>	<b>Semester III</b>
CE 0301	Legal Language and Legal Reasoning
BB 0302	Basics of Finance
BB 0303	Managerial Economics
BB 0304	Business Ethics and Corporate Governance

<b>Subject Code</b>	<b>Semester IV</b>
CE 0401	Law and Literature
BB 0402	Human Resource Management
BB 0403	Case Studies in Business Environment
BB 0404	Business Research Methods

#### 5. Third Year B.A. LL.B., Third Year B.B.A. LL.B. and First Year LL.B. :

<b>Subject Code</b>	<b>Third Year B.A. LL.B. - Semester V</b> <b>Third Year B.B.A. LL.B. - Semester V</b> <b>First Year LL.B. - Semester I</b>
LC 0501	Legal and Constitutional History
LC 0502	Family Law I
LC 0503	Law of Contract I
LC 0504	Law of Crimes
	Optional Subject 1 (Any one from the following)
LO 0505	(a) Health and Food Law
LO 0506	(b) Equity and Trust Law
LO 0507	(c) Criminal Psychology and Criminal Sociology
LO 0508	(d) Agricultural Marketing Law
LO 0509	(e) Intellectual Property Rights I

<b>Subject Code</b>	<b>Third Year B.A. LL.B. - Semester VI</b> <b>Third Year B.B.A. LL.B. - Semester VI</b> <b>First Year LL.B. - Semester II</b>
LC 0601	Constitutional Law I
LC 0602	Family Law II
LC 0603	Law of Contract II
LC 0604	Tort and Consumer Protection Law
	Optional Subject 2 (Any one from the following)
LO 0605	(a) Media and Law
LO 0606	(b) Banking and Insurance Law
LO 0607	(c) Penology and Victimology
LO 0608	(d) Land Acquisition Law
LO 0609	(e) Intellectual Property Rights II



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

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

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

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

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

Year: 2019-2020  
Page - 411/000



LO 0906	(b) Principles of Taxation Law
LO 0907	(c) Law of Forensic Science
LO 0908	(d) Land Laws I
LO 0909	(e) International Law on Air, Space and Sea

<b>Subject Code</b>	<b>Fifth Year B.A. LL.B. - Semester X</b>
	<b>Fifth Year B.B.A. LL.B. - Semester X</b>
	<b>Third Year LL.B. - Semester VI</b>
LC 1001	Criminal Procedure Code
LC 1002	Administrative Law
LC 1003	Company Law
LP 1004	Practical Training Paper IV - Moot Court Exercise and Internship
	Optional Subject 6 (Any one from the following)
LO 1005	(a) Election Law
LO 1006	(b) Bankruptcy and Insolvency Law
LO 1007	(c) Comparative Criminal Justice System
LO 1008	(d) Land Laws II
LO 1009	(e) Humanitarian and Refugee Law

### 8. Abbreviations used in Subject Codes :

The abbreviations used in the subject codes in the course component of B.A. LL.B., B.B.A. LL.B. and LL.B. courses shall have meaning as under :

- CE means Compulsory English subject for B.A. LL.B. and B.B.A. LL.B. courses.
- BA means subject from discipline of Arts for B.A. LL.B. course.
- BB means subject from discipline of Business Administration for B.B.A. LL.B. course.
- LC means Compulsory Law subject for law courses.
- LP means Compulsory Practical Training subject for law courses.
- LO means Optional Law subject for law courses.

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7. J Snape and G Watt, *How to Moot - a Student Guide to Mooting*, Oxford University Press, 2005.
8. B Malik, *Art of a Lawyer - Cross Examination, Advocacy, Courtmanship*, Universal Law Publishing, 2014.
9. D Pope and D Hill, *Mooting and Advocacy Skills*, 1st South Asian edn, Sweet & Maxwells, 2014.

### **Optional Subject 6 (Any one from the following) :**

#### **LO 1005 Election Law :**

**Objectives of the Course :** This course aims to acquaint the students with the vital elements of democracy. It prescribes the students with the constitutional and legislative aspects of representation. The elections are conducted according to the constitutional provisions, supplemented by laws made by Parliament. Those major laws are : (a) the Representation of the People Act, 1950, which mainly deals with the preparation and revision of electoral rolls, (b) the Representation of the People Act, 1951 which deals, in detail, with all aspects of conduct of elections and post election disputes, (c) the Delimitation Act, 2002, which deals with the readjustment of the allocation of seats in the House of the People and the division of each State and each Union territory into territorial constituencies for elections to the House of the People and Legislative Assemblies of the States and Union territories, (d) the Presidential and Vice-Presidential Elections Act, 1952. The Course provides the students with the process of conduct of election and related aspects. It also provides the students with judicial perspectives on electoral reforms. It acquaints the students with redressal mechanism for election disputes.

#### **Module 01 Jurisprudential Aspects of Representation :**

1. Concept of representation and participation of people
2. Election and viability of democratic system
3. Historical perspectives of election in India under -
  - a) The Government of India Act, 1861
  - b) The Government of India Act, 1892
  - c) The Government of India Act, 1902
  - d) The Government of India Act, 1935
4. Election and its statutory significance under the Representation of People Act, 1951
5. Modes of election -
  - a) Single non transferable vote
  - b) Proportional representation

#### **Module 02 Conduct of Elections and Administrative Machinery :**

1. Establishment of Election Commission - a Constitutional Body
2. Powers and functions of Election Commission

3. Importance of Independence of Election Commission
4. Election Commission and Power of High Court under Article 226
5. Preparatory process for conduct of election
6. Conduct of elections under the Conduct of Election Rules, 1961

**Module 03 Election of President, Vice President and other Legislative Bodies :**

1. Election of President - Constitutional Provisions
2. Election of Vice President - Constitutional Provisions
3. Election to the House of People and the Council of States
4. Election to the Legislative Assembly and Legislative Council of State
5. Election to Local Authorities

**Module 04 Election Disputes :**

1. Election petition
2. Jurisdiction of High Court in election petitions
3. Qualification for setting aside elections
4. Disqualifications for setting aside elections
5. Statutory procedure : implications of non-compliance

**Module 05 Electoral Reform and Judicial Activism :**

1. Scope and ambit of Article 329 : *Mohinder Singh Gill v. Chief Election Commissioner, New Delhi*, AIR 1978 SC 851
2. Bar on jurisdiction of High Court : *Lakshmi Charan Sen v. A.K. M. Hassan Uzzaman*, AIR 1985 SC 1233
3. Corrupt electoral practice : *Indira Nehru Gandhi v. Raj Narain*, AIR 1975 SC 2299
4. Anti-defection Law : *Kihota Hollohon v. Zachilhu*, AIR 1993 SC 412
5. Office of profit and disqualification : *In Re Smt. Jaya Bachchan* (2006)
6. Transparency in election process : *People's Union for Civil Liberties v. Union of India*, (2003) 4 SCC 399
7. Disqualification of representative after conviction : *Lily Thomas v. Union of India*, (2013) 7 SCC 653

**Module 06 Constituencies and Delimitation :**

1. Delimitation – meaning
2. Bar to interfere by Court
3. Delimitation of Constituencies for House of People and State Assembly
4. Delimitation of Assembly Constituencies in Jammu and Kashmir

**Module 07 Electors and Electoral Rolls :**

1. Preparation and revision of electoral rolls
2. Electoral rolls for House of People and Assembly
3. Language, form and manner of preparation of electoral rolls
4. Claims and objections of electoral rolls

**Module 08 Nominations, Scrutiny and Withdrawal of Candidature :**

1. Nomination : form, proposer
2. Procedure for setting up by Political Parties
3. Disclosure of information by candidates and right to information : criminal

antecedents, assets, liabilities, educational qualifications

4. Scrutiny of nomination : date, time, place
5. Withdrawal of candidature : period for withdrawal, notice, authorized persons

**Module 09 Political Parties and Election Symbols :**

1. Evolution of symbol system
2. Registration of political parties
3. Recognition of political parties
4. Promulgation of Election Symbols (Reservation and Allotment ) Order, 1968
5. Splits and mergers of political parties and allotment of symbols
6. Disputes relating to allotment of symbols and role of Election Commission

**Module 10 Campaign, Poll and Result :**

1. Model code of conduct : evolution, application, violation
2. Use of media, loudspeaker vehicles
3. Opinion polls and exit polls
4. Poll : law and order, voting systems, voting procedure, adjournment, fresh Poll
5. Right to vote : in person, by post, preference votes, assistance to blind, illiterate or infirm
6. Declaration of result : uncontested returns, contested returns, publication of result, notification

**Recommended Readings :**

1. S.K. Mendiratta, *All You Want to Know About Indian Elections* (LexisNexis, 2009).
2. Herman Finer, *Theory and Practice of Modern Government*, (Greenwood, 1970).
3. Rajni Kothari, *Rethinking Democracy* (Orient Longman, 2005).
4. Manoranjan Mohanty, *Theorizing India's Democracy, in Indian Democracy: Meanings and Practices*, Rajendra Vohra, ed. et al., (Sage, 2004).
5. RajendraVora, Suhas Palshikar, *Indian Democracy Meaning and Practices* (Sage Publication, 2005).
6. V.S. Rama Devi & S.K. Mendiratta, *How India Votes - Election Laws Practice and Procedure* (LexisNexis, 2017).
7. Dobia & Dobia, *Law of Elections and Petitions* (Two vols) (LexisNexis, 2016).
8. B.S. Chowdhury, *Law of Elections in Indian Republic* (1967).
9. G.S. L. Srivastava, *Elections and Election Petitions* (1969).
10. I. Narain, *Election Studies in India : An Evaluation* (1978).
11. M. Krishnaan Nair, *The Law of Elections in India* (1981).
12. P.M. Bakshi (ed.), *Chawla's Elections : Law and Practice* (1985).
13. MW Fisher, JV Bondurant, John V, *Indian Experiences with Democratic Elections* (1956).
14. B. Holden, *Nature of Democracy* (1974).
15. Lakeman, Enid, *How Democracies Vote : a Study of Electoral Systems* (1974).
16. Z.M. Quraishi, *Struggle for Rashtrapatibhawan : a Study of Presidential Elections* (1973).
17. R. Kothari, *Party System and Election Studies* (1967).
18. S.C. Kashyap, *Election and Electoral Reforms in India* (1971).

## **LO 1006 Bankruptcy and Insolvency Law :**

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

### **Module 01 Introduction :**

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

### **Module 02 Insolvency Resolution and Liquidation Process for Corporate Persons :**

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

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

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

### **Module 04 Authorities under the Code :**

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

### **Module 05 Adjudicating Authorities under the Code :**

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

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

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

5. The Presidency Towns Insolvency Act, 1909, and the Provincial Insolvency Act, 1920

**Module 07 Offences and Penalties for Contravention of the Provisions :**

1. By the debtor
2. By the creditor
3. By the bankrupt

**Module 08 Cross Border Insolvency :**

1. UNCITRAL Model Law on Cross Border Insolvency
2. World Bank Principles for Effective Insolvency and Creditor Rights
3. Asian Development Bank Principles of Corporate Rescue and Rehabilitation

**Recommended Readings :**

1. UNCITRAL *Legislative Guide to Insolvency Law*.
2. Mulla, *The Law of Insolvency in India*, 6th ed., LexisNexis, 2017.
3. Sumant Batra, *Corporate Insolvency – Law and Practice*, Eastern Book Company, 2017.
4. *Guide to Insolvency and Bankruptcy Code*, Taxmann, 2016.
5. *The Report of the Bankruptcy Law Reforms Committee*, Nov 2015, available at [www.ibbi.gov.in/Reports.html](http://www.ibbi.gov.in/Reports.html).
6. *The Report of the Joint Committee on the Insolvency and Bankruptcy Code*, 2015, Lok Sabha, 2017, available at [www.ibbi.gov.in/Reports.html](http://www.ibbi.gov.in/Reports.html).

**LO 1007 Comparative Criminal Justice System :**

**Objectives of the Course :** Comparative research earlier was a luxury. It served to broaden one's horizons. Today, comparative research is a necessity. In the criminal justice system the only way to effectively prevent and combat crime on the world stage is via the harmonisation and the coordination of national and international efforts. That requires up-to-date and intimate knowledge of criminal justice arrangements abroad. This necessitates the appreciation of meaningful and valuable differences, stemming from culture, history and social discourse, which help shape criminal justice arrangements in places quite different from our own. The academic endeavour of comparative criminal justice requires detailed understanding of not just criminal justice process but also the actors involved in it and the society that forms the backdrop to these process.

**Module 01 Introduction :**

1. Meaning and Significance of Comparative Criminal Justice
2. A comparative perspective on criminal justice and its main components.
3. An overview of an impact of international criminal justice on comparative criminal justice
4. Impact of Comparative Criminal Justice on Indian Criminal Law

**Module 02 Comparative Policing :**

1. Police and policing
2. Policing and crime control:
  - a) Community policing

- b) Zero tolerance policing
- c) Policing corruption
- 3. Rise of private policing
- Module 03 Transnational and Global Policing :**
  - 1. Transnational policing
  - 2. International policing institutions:
    - a) Interpol
    - b) Europol
    - c) UNPOL (United Nations Police)
    - d) UN Office on drugs and crime (UNODC)
- Module 04 Prosecution and Pre-trial Justice :**
  - 1. UN Guidelines on role of prosecutors
  - 2. Prosecution :
    - a) England (Crown prosecution services)
    - b) Netherlands
    - c) America (Grand Juris)
    - d) India
  - 3. Pre-trial justice the role of magistrate
  - 4. Pre-trial custody in law and practice
- Module 05 System of Trial :**
  - 1. Inquisitorial trials in France
  - 2. Adversarial trials in England and India
  - 3. Trial in Islamic Legal Tradition
- Module 06 Jury System :**
  - 1. The English jury
  - 2. The American jury
  - 3. Jury system in India
  - 4. Juris in inquisitorial system
- Module 07 Sentencing :**
  - 1. Death penalty and Human Rights
  - 2. Death Penalty in USA and UK
  - 3. Death Penalty in India
  - 4. Suspended Sentence System
  - 5. Plea Bargaining System
- Module 08 Models of Criminal Justice Process :**
  - 1. Crime Control Model :
    - a) Rights of Victim
    - b) Rights of Accused Person
    - c) Power of investigation agencies
    - d) Role of Courts
  - 2. Due Process Model :
    - a) Rights of Victim
    - b) Rights of Accused Person

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

**Recommended Readings :**

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

**LO 1008 Land Laws II :**

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

**Module 01 The Maharashtra Land Revenue Code, 1966 - Introduction :**

1. Historical background of land revenue system
2. Object, application and definitions under the Code
3. Lands : Vesting, Extinction of rights, assignment for special purposes, pasturage, right to trees, trees and forests, recovery of value of natural products and trees etc, regulating cutting and supply of wood.
4. Grant of lands
5. Use of land
6. Encroachment on land
7. Relinquishment and Surrender of land

**Module 02 The Maharashtra Land Revenue Code, 1966 - Land Revenue :**

1. Land Revenue : Liability and assessment (Sections 64-78)
2. Assessment and settlement of land revenue of agricultural lands (Sections 90-107)
3. Assessment and settlement of land revenue of lands used for nonagricultural purposes (Sections 108-120)
4. Revenue Surveys: Procedure for survey, Survey numbers, Partitions, subdivisions, (Sections 79-88)
5. Boundary and boundary marks (Sections 132-146)

**Module 03 The Maharashtra Land Revenue Code, 1966 - Land Records :**

1. Record of rights (Sections 147-159)
2. Rights in unoccupied lands (Sections 160-167)
3. Realisation of land revenue and other revenue demands: Liability, priority of claim, time for payment, recovery, enforcement (Sections 168-184)

**Module 04 The Maharashtra Land Revenue Code, 1966 - Procedure before Revenue Officers, Appeals and Tribunal :**

1. Revenue Officers, their powers and duties
2. Procedure of Revenue Officers
3. Appeals, Revision and Review
4. Maharashtra Revenue Tribunal

**Module 05 The Maharashtra Tenancy and Agricultural Lands Act, 1948 - Holding and Use of land, Tenancies and Parties :**

1. Historical background, object and application of the Act
2. Concepts - Deemed tenants, Protected tenants, Ceiling area, Economic Holding, Irrigated land, Maximum and minimum rent, Certificated Landlord
3. Rights, liabilities, duties and disabilities of landlord
4. Rights, liabilities, duties and disabilities of tenant
5. Restriction on holding of lands, restrictions on transfer of lands
6. Management of estates

**Module 06 The Maharashtra Tenancy and Agricultural Lands Act, 1948 - Personal Cultivation, Termination of Tenancies and Enforcement :**

1. Termination of tenancies by parties -
  - a) Personal cultivation, non-agricultural use, by certificated landlord, on

default, Surrender

b) Relief against termination

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

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

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

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

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

**Module 09 The Mamlatdars' Courts Act, 1906 :**

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

**Recommended Readings :**

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

5. S Dighe, *Maharashtra Tenancy and Agricultural Lands Act with Rules, 1956*, Snow White, 2017.
6. K S Gupte and A K Gupte, *Maharashtra Tenancy and Agricultural Lands Act, 1948*, Hind Law House, 2015.
7. D M Parulekar, *The Bombay Tenancy and Agricultural Lands Act, 1948*, Chaudhari Publishers, 2008.
8. R M Tagare, *Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947*, Mukund Prakashan, 1991.
9. A R B Kher, *Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947*, Nasik Law House, 1999.
10. D R Chaudhari and A N Chaudhari, *Bombay Mamlatdars' Courts Act, 1906*, CTJ Publications, 2012.

### **LO 1009 Humanitarian and Refugee Law :**

**Objectives of the Course :** The objective of this course is to familiarize the student with the expanding horizons of a branch of international law. The law of war is today popularly referred to as International Humanitarian Law (IHL). A number of issues arise out of humanitarian consideration, which fixes responsibilities on the nation-states to discharge their traditional responsibility under International Law. In view of the expanding tenants of international law of human rights, war and the various issues and crimes of individuals have to be dealt in without violating the international norms. In this course, the student is presented an overview of various aspects and institutional mechanism that has been developed over the years by states parties.

The second part on Refugee Law is also critically important and again brings forth the responsibility on nation-states to discharge their obligations in the prevention of Statelessness and the resultant consequences that arise out of loss of nationality. In view of the compelling jurisprudence of Human Rights Law, the states have an onerous duty to extend protection to people who lose their nationality for no fault of us. In this area again the aspects of Human Rights highlights that Individuals being a subject and object of international law, the responsibility of the States to protect the rights that are guaranteed under various international legal instruments.

#### **Module 01 Introduction to International Humanitarian Law (IHL) :**

1. History and Development of IHL
2. Application of IHL - Martens Clause
3. Definition of Armed Conflict - International Armed Conflict and Non-international Armed Conflict - Common Articles 2-3
4. International Law and Humanitarian Law
5. IHL and Human Rights

#### **Module 02 Protected Persons and Conduct of Hostilities :**

1. Wounded, The Sick, The Shipwrecked

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

**Module 03 Implementation of IHL and Institutional Mechanisms :**

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

**Module 04 Contemporary Challenges :**

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

**Module 05 Introduction to International Refugee Law :**

1. Historical Background of Refugee Law
2. Meaning and Definition of Refugee under various International Documents
3. Difference between Refugees and Internally Displaced Persons
4. Human Rights and Refugees – an overview

**Module 06 International Framework for Refugee Protection :**

1. Asylum
2. Protection
3. Non-refoulement
4. Non-discrimination
5. Family Unity
6. Durable Solutions
7. International Cooperation, Burden Sharing, Extradition of Refugee, voluntary, Repatriation, Naturalization
8. Role of UNHCR in the Protection and Promotion of Refugee Rights - an Overview

**Module 07 Refugees in Indian Context :**

1. Legal and Constitutional Provisions
2. Reasons for non Signatory to Refugee Convention,
3. Role of Indian Government in Protecting Refugees
4. Role of NHRC and Judiciary

**Recommended Readings :**

1. Kavin M. Cahill, *Basics of International Humanitarian Missions* (2003).
2. V. K. Ahuja, *Public International Law*, LexisNexis (2016).
3. ICRC, *International Humanitarian Law : A Comprehensive Introduction* (2016) : Available at : <https://www.icrc.org/en/publication/4231-international-humanitarian-law-comprehensive-introduction>.
4. ICRC, *International Humanitarian Law : Answers to your questions*, (2015) Available at: <https://shop.icrc.org/droit-international-humanitaire-reponses-a-vos-questions-2616.html>
5. ICRC, *Summary of the Geneva Conventions of 12 August 1949 and their Additional Protocols* (Second Edition, 2012).
6. M.K. Balachandran and Rose Varghese, eds., *Introduction to International Humanitarian Law* (1997).
7. Fleck, Dieter, ed., *The Handbook of Humanitarian Law in Armed Conflicts* (1998).
8. Frits Kalshoven, Liesbeth Zegveld, *Constraints on the Waging of War : An Introduction to International Humanitarian Law* (2001).
9. Durham, Helen, McCormack, Timothy L. H., eds., *The Changing Face of Conflict and the Efficacy of International Humanitarian Law* (1999).
10. Lindsay Moir, *The Historical Development of the Application of Humanitarian Law in Non- International Armed Conflicts to 1949*, Vol. 47 *International and Comparative Law Quarterly*, 337-61 (1998).

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

**Note for Syllabus of all Subjects :**

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



20. P K Majumdar, *Law of Pleadings, Conveyancing & Advocacy*, 5th ed, Orient Publishing Company, 2013.
21. P S Narayana, *Civil Pleadings and Practice*, 11th ed, Asia Law House, 2017.
22. P S Narayana, *Pleadings and Practice (Civil and Criminal)*, 11th ed, Asia law House, 2017.
23. Hargopal's *Legal Draftsman - A Comprehensive Guide to Deeds and Documents*, 13th ed, Universal Law Publishing, 2013.
24. Kanya Chawla Gill, *Drafting Pleading and Conveyancing*, 2nd ed, Universal Law Publishing, 2016.
25. Murli Manohar's *Art of Conveyancing and Pleading*, 2nd ed, R Prakash (ed), Eastern Book Company, 2004.
26. P Butt and R Castle, *Modern Legal Drafting, (Guide to using clearer Language)*, Cambridge University Press, 2011.
27. S C Ghosh's *Principles and Forms of Pleadings*, 5th ed, Eastern Law House, 2011.

### **Optional Subject 5 (Any one from the following) :**

#### **LO 0905 Law on Education :**

**Objectives of the Course :** This course aims to acquaint the students with constitutional provisions guaranteeing the right to education and other statutory provisions. It also acquaints the students with the mechanism of regulation of education by Government. It provides the students with the judicial and legislative developments in the field of right to education. It introduces the students with the changing scenario in the field of higher education.

#### **Module 01 Constitutional Provisions – Introduction :**

1. Right to Education - Constitutional and Judicial Perspectives
2. Free and Compulsory Education for children
3. Equality of Opportunity in Admission in Educational Institutions
4. Right to Establish and Administer Educational Institutions of Minorities
5. The National Commission for Minority Educational Institutions Act, 2004 : an Overview
6. Educational Institutions and Article 12
7. Competency to make Law on Education – Concerned Entries in VII Schedule

#### **Module 02 The Right to Free and Compulsory Education Act, 2009 :**

1. Object, Application and Definitions under the Act
2. Nature of Right to free and compulsory education
3. Duties of Appropriate Govt., Local Authority and Parents
4. School Management Committees
5. Academic Responsibilities of Teacher
6. School Norms and Facilities
7. Completion of Curriculum and Learning Outcome

**Module 03 The Maharashtra Educational Institutions (Prohibition of Capitation Fee) Act, 1987 :**

1. Object, Application and Definitions under the Act
2. Prohibition of Demand or Collection of Capitation Fee
3. Regulation of Fees
4. Offences and Penalties
5. Offences by Companies
6. Procedure of Trial of Offences
7. Compensation for Accusation without Reasonable Cause

**Module 04 The University Grants Commission Act, 1956 :**

1. Object, Application and Definitions under the Act
2. Establishment of the Commission
3. Powers and Functions of the Commission
4. Right to confer degrees
5. Delegated legislation under the Act - Examples with an Overview

**Module 05 The Maharashtra Public Universities Act, 2016 :**

1. Kinds of University : Central universities, or Union universities, State Universities, Private Universities, Deemed University
2. Object, Application and basic Definitions under the Act
3. Salient Features of the Act - an Overview of Officers and Authorities of the University
4. Objects of the University (Section 4)
5. Board of Students' Development and its Powers and Duties (Sections 55-56)
6. Grievances of Teachers and Employees (Sections 79-85)
7. Delegated legislation under the Act - Examples with an Overview

**Module 06 Government Control over Universities and Educational Institutions :**

1. Governor - Chancellor of Universities
2. Appointment of Vice-Chancellor
3. Control of State Government on Universities
4. Rule making Power of Government under the Maharashtra Public Universities Act, 2016
5. Authorities of Government of Maharashtra in Higher Education - Powers and Role - an Overview
6. Funding to Education, Concessions, Scholarship, Freeship, etc.

**Module 07 Prohibition of Ragging :**

1. The Maharashtra Prohibition of Ragging Act, 1999 :
  - a) Object, Application and Definitions under the Act
  - b) Offences, Abatement of Offences and Punishments
  - c) Dismissal, Suspension of Student
  - d) Procedure of Trial of Offences
2. The UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009 :
  - a) Object, Application and Definitions

- b) Salient Features of the Regulations
- c) Measures of Prevention of Ragging at Institutional Level

**Module 08 Prevention of Malpractices at Examination :**

The Maharashtra Prevention of Malpractices at Examination Act, 1982 :

1. Object, Application and Definitions under the Act
2. Offences, Abetment of Offences and Punishments
3. Procedure of Trial of Offences
4. Procedure of Investigation and taking Disciplinary Action (Section 48 of the Maharashtra Public Universities Act, 2016)
5. University Ordinances relating to unfair means or lapses (Malpractices at Examination)

**Recommended Readings :**

1. R.D. Agarwal, *Law of Education and Educational Institutions in India* (Law Book).
2. B.M. Sankudhar, *Encyclopedia of Education System in India* (Deep and Deep Publication).
3. P.L. Mehta, R. Poonga, *Free and Compulsory Education* (Deep and Deep Publication).
4. S.P. Sathe, *Fundamental Rights and Directive Principles of State Policy - Constitutional Developments Since Independence* (Indian Law Institute, 1974).
5. G.S. Sharma (ed.), *Educational Planning : Its Legal and Constitutional Implications in India*, (1967).
6. Sita Ram Sharma (ed.), *U.G.C. Schemes - A Manual for Universities, Colleges and Research Institutions* (Mangal Deep Publications, Jaipur, 2003).
7. N. Sudaarshan (ed.), *Right to Education Emerging Scenario* (The ICFAI University Press, Hyderabad, 2007).
8. Sumeet Malik, *Supreme Court Educational Institutions Cases* (Eastern Book Company, Lucknow, 2008).

**LO 0906 Principles of Taxation Law :**

**Objectives of the Course :** This course aims to acquaint the students with basic principles of taxation. It highlights the important principles of computation of income. It provides important tenets of calculation of income of natural and legal person. It also prescribes for powers and functions of various authorities under Income Tax Act. It provides the important features of the Central Goods and Services Tax Act and Integrated Goods and Services Tax Act.

**Module 01 Introduction and Basic Aspects of the Income Tax Act, 1961 :**

1. Importance and Significance of Taxation
2. Constitutional Provisions Relating to Taxation (Articles 265-289)
3. Types of Tax Laws – Direct and Indirect Taxes
4. Scope and Objectives of the Act
5. Some of the Basic Definitions -  
Agricultural Income, Advance Tax, Asset, Capital Asset, Divided-Income,

Person, Previous Year, Assessment Year, Revenue Receipts, Revenue Expenditure

6. Residential Status of Persons

**Module 02 Heads of Income and Computation of Income :**

1. Income from Salaries
2. Deductions from Salary and Computation of Salaries
3. Income from House Property: Self Occupied, Let Out
4. Exemption of property income from tax
5. Computation of Self Occupied Property
6. Capital Gains
7. Profits and gains of Business or Profession
8. Income from other Sources Clubbing of Income
9. Set off and carry forward of losses
10. Deductions from gross total income
11. Rebates and Reliefs
12. Advance tax
13. TDS
14. Tax rates

**Module 03 Taxation of Natural and Legal persons - an Overview :**

Individuals, Hindu Undivided Family, Companies and Firms, Association of Persons, Trust and Cooperative Societies, Charitable and Religious Institutions

**Module 04 Assessment and Appeal Procedures :**

1. Return of Income
2. Types of assessment
3. Appellate procedures
4. Authorities under the Income Tax Act:
  - a) Director General of Income Tax
  - b) Director of Income Tax-Additional Directors
  - c) Joint Director
  - d) Deputy Directors
  - e) Assistant Directors
  - f) Income Tax Officers
  - g) Tax Recovery Officers
  - h) Inspectors of Income Tax

**Module 05 Powers and Functions of Various Authorities :**

1. Concepts of Tax Avoidance, Tax Evasion and Tax Planning - Meaning and Distinction
2. Inspections Search Seizure
3. Penalties for Tax Evasion and Tax Avoidance

**Module 06 The Central Goods and Services Tax Act, 2017 - I :**

1. Scope and object of CGST
2. Important Definitions
  - a) Aggregate Turnover

- b) Business
  - c) Capital Goods
  - d) Casual Taxable Person
  - e) Composite Supply
  - f) Continuous Supply of goods and services
  - g) Input Tax
  - h) Output Tax
  - i) Outward Supply
  - j) Persons under GST
  - k) Place of Business
  - l) E- Contract
  - m) E- Filing
3. Levy and Collection of tax
  4. Tax liability on composite and mixed supplies
  5. Composition Levy

**Module 07 The Central Goods and Services Tax Act, 2017 - II :**

1. Time and value of supply
2. Input tax credit
3. Procedural Compliances
4. Registration
5. Accounts and records
6. Returns
7. Payment of tax
8. Refunds
9. Assessment
10. Audit
11. Offences and Penalties for certain offences under Section 122

**Module 08 The Integrated Goods and Service Tax Act, 2017 :**

1. Scope and Object of IGST
2. Important Definitions
3. Nature of Supply
4. Place of Supply
5. Zero rated Supply
6. Apportionment of Tax and Settlement of Funds
7. Powers and Functions of GST Council

**Recommended Readings:**

1. Kanga & Nani Palkhivala : *The Law and Practice of Income Tax*, 2014 Lexis Nexus.
2. Chaturvedi and Pithisaria : *Companion to Chaturvedi & Pithisaria's Income Tax Law - Wealth Tax Act, 1957*, 2016 Easter Book Company.
3. Dr. Girish Ahuja and Dr. Ravi Gupta : *Concise Commentary on Income Tax including Wealth Tax with Tax Planning / Problems & Solutions*, 2014, Eastern Book Company.

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

### **LO 0907 Law of Forensic Science :**

**Objectives of the Course :** Forensic science plays a very important role in criminal law justice system. It helps in determination of the guilt of a suspected criminal, and ascertains various facts in a case by scientifically testing various types of evidences collected during criminal investigation. A Prosecutor or a Judge is an expert in the field of law but may lack in-depth scientific knowledge, which may be necessary in different cases to ascertain the facts and circumstances of the case in order to prove the case “beyond reasonable doubts” and to attribute criminal liability to the accused person. Therefore, expert opinion of scientists and doctors are invited by the courts whenever evidences are scientifically examined.

The aim of this course is to explain the concept of forensic science and its role in criminal law. This course will give an overview as to what kind of evidences are collected and scientifically tested in various crimes, how the result of these tests and expert opinion are useful in investigations and trials and its evidentiary value.

### **Module 01 Constitutional Rights and Law of Forensic Science :**

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

## **Module 02 Criminal Psychology and Forensic Science :**

1. Brain Fingerprinting :
  - a) Meaning of brain mapping
  - b) Underlying principle behind brain mapping
  - c) Importance of brain mapping
  - d) Lie detection technique
  - e) Use of Brain fingerprinting in criminal investigation
  - f) Brain fingerprinting in India-Guidelines by Supreme Court and NHRC
  - g) Evidentiary Value in the court of law
2. Narcoanalysis :
  - a) Meaning of Narcoanalysis
  - b) Scientific Theory behind narcoanalysis
  - c) Precautions before conducting the tests
  - d) Presence of Experts
  - e) Narcoanalysis in India-Guidelines of Supreme Court, NHRC
  - f) Rights of the accused person
  - g) Importance of Narcoanalysis in criminal investigation
  - h) Evidentiary value in Court of Law
3. Polygraph Test :
  - a) Meaning of polygraph test
  - b) Theory behind polygraph test
  - c) Application and utility
  - d) Legal and Constitutional Status in India
  - e) Evidentiary Value
  - f) Judicial Precedents related to polygraph test
4. Handwriting Analysis:
  - a) Meaning of handwriting analysis
  - b) Underlying principles for handwriting analysis
  - c) Uses of Handwriting Analysis in understanding the character and personality traits of a criminal and ascertaining certain facts during investigation and as an alternative method for lie detection.
  - d) Evidentiary value of handwriting analysis
  - e) Judicial approach
  - f) Role of handwriting expert and evidentiary value of expert opinion on handwriting

## **Module 03 Role of Forensic Science in Investigation of Crime :**

1. Introduction :
  - a) Types of Crimes
  - b) Importance of forensics in various types of crimes
2. Legal Procedure after Commission of a Crime :
  - a) Inquest-by Police and Magistrate
  - b) Courts of Law
  - c) Summons

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

- c) Evidentiary value

**Module 04 Law Relating to Ballistics :**

1. Meaning and Scope
2. Firearms :
  - a) Definition of arms under the Arms Act, 1959;
  - b) Prohibited Arms under the Arms Act, 1959;
  - c) Definition of firearms;
  - d) Types of firearms;
  - e) Evidence collection
  - f) Evidentiary value of firearm examination
3. Ballistics Expert :
  - a) Role of a ballistics expert
  - b) Opinion
  - c) Reliability and admissibility of such opinion

**Module 05 Questioned Documents and Forensic Science :**

1. Meaning of questioned documents - (offences related to documents)
2. Sources of questioned documents
3. Proof of signature
4. Handwriting analysis with respect to the documents
5. Report of an expert
6. Evidentiary Value
7. Typewritten Documents

**Module 06 Modern Techniques for Collection of Evidences and Role of Forensic Science :**

1. Digital and Video Recordings
2. CCTV Cameras
3. Mobile Phone forensics
4. Voice Analysis
5. Evidentiary value of each of the above

**Module 07 Cyber Forensics :**

1. Meaning of cyber forensics
2. Role of cyber forensics
3. Importance of cyber forensics
4. Relevant Provisions under -
  - a) The Information Technology Act, 2000
  - b) The Indian Evidence Act, 1872
5. Cyber Crimes :
  - a) Pornography
  - b) Cyber Stalking
6. Crime Investigation
7. Digital Evidence Collection
8. Evidentiary Value of such Evidence
9. Judicial Approach - Landmark Cases

### **Recommended Readings :**

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

### **LO 0908 Land Laws I :**

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

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

#### **Module 01 The Maharashtra Ownership Flats Act, 1963 :**

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

#### **Module 02 The Maharashtra Apartment Ownership Act, 1970 :**

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

and facilities, common expenses, common profits, declaration, limited common areas and facilities, and property

3. Apartment as transferable property, its ownership, separate assessment
4. Declaration, its contents, formalities, registration; Amendment to Declaration
5. Common areas and facilities, encumbrances against apartments
6. Contribution to common expenses, charge
7. Rights, duties, liabilities and disabilities of an apartment owner, tenants and users
8. Bye-laws, Management of Apartments Condominium
9. Disposition of property, destruction or damage
10. Distinction between ownership of apartment, ownership of share in joint property, and holding of flat in a cooperative housing society

**Module 03 The Real Estate (Regulation and Development) Act, 2016, and the Maharashtra Real Estate Rules, 2017 - Introduction, Registration of Projects and Real Estate Agents :**

1. Objects and Application of the Act, Enactment scheme (Central and State) : Act, Rules and Regulations, Housing Policies of Governments
2. Meaning of the terms - advertisement, allottee, apartment, building, carpet area, commencement certificate, common areas, competent authority, completion certificate, development, development works, estimated cost of real estate project, garage, interest, occupancy certificate, promoter, prospectus, real estate agent, real estate project, sanctioned plan
3. Registration of real estate project, procedure, consequences of non registration
4. Registration of real estate agents, procedure and consequences of non registration
5. Functions, duties and liabilities of real estate agents

**Module 04 The Real Estate (Regulation and Development) Act, 2016, and the Maharashtra Real Estate Rules, 2017 - Relationship Between Parties :**

1. Functions, duties, obligations and liabilities of a promoter - from advertisement to completion of project
2. Publication on web-site, effect
3. Transfer of title, Agreement for sale
4. Rights, duties and liabilities of allottees

**Module 05 The Real Estate (Regulation and Development) Act, 2016 - Authorities, Tribunal, and Remedies :**

1. Real Estate Regulatory Authority: Establishment, Incorporation, Composition
2. Qualification of Chairpersons and members, Meetings, Powers and functions
3. Filing of complaints, Enforcement of orders, Appearance in person and legal representation (Sections 20-23, 29, 31, 32, 34-38, 40, 56)
4. Effect of the Act (Sections 88-89), Bar of jurisdiction (Section 79)
5. Appeals

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

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

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

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

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

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

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

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

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

**Recommended Readings:**

1. J V N Jaiswal, *Housing Law in India*, Eastern Book Company, 2007.

2. Abhay M Shah, *The Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management & Transfer) Act, 1963*, Current, 2010.
3. M C Jain and H M Bhatt, *Law Relating to Ownership of Flats and Apartments in the State of Maharashtra*, Noble Law House, 2014.
4. Sunil Dighe, *Maharashtra Housing (Regulation and Development) Act, 2012 and the Maharashtra Ownership of Flats Act, 1963*, Snow White Publications, 2016.
5. G M Divekar, *Law of Ownership Flats*, 2000.
6. K Goyal, *Guide to Real Estate (Regulation and Development) Act, 2016*, 2nd ed, Commercial Law Publishers, 2017.
7. A K Gupte, *Real Estate (Regulation and Development) Act, 2016*, Hind Law House, 2016.
8. A B Puranik, D R Choudhari, and A N Choudhari, *Maharashtra Regional and Town Planning Act, 1966*, CTJ Publications, 2017.
9. S Desai, *Maharashtra Regional and Town Planning Act, 1966*, Snow white, 2017.
10. S Dighe, *Maharashtra Rent Control Act, 1999*, Snow white, 2016.
11. A S Chandurkar, *Maharashtra Rent Control Act, 1999*, Shanti Law House, 2015.
12. J H Dalal, *Maharashtra Rent Control Act 1999*, Hind Law Publication, 2013.

#### **LO 0909 International Law on Air, Space and Sea :**

**Objectives of the Course :** International Law of Air, Space and Sea are the part of the jurisdictional perspective of a State. The aim of the course is to subtly introduce to the students, the significance of Air, Space and Law of the Sea as the basic components of International Law with a background of Indian perspective. Law of Air, Space and Sea constitutes as an important resource zones for the sustainability of nation states the course introduces the basic percept's of these areas with current developments.

#### **Module 01 Introduction to Air and Space Law :**

1. Development of Air Law
2. Definition, Nature, Scope and Sources of Air Law
3. Freedom of Air and Sovereignty over Air Space

#### **Module 02 Conventions relating to Aerial Navigation :**

1. The Paris Convention, 1910
2. The Paris Convention, 1919
3. The Havana Convention, 1928
4. The Warsaw Convention, 1929
5. The Chicago Convention, 1944

#### **Module 03 International Civil Aviation Organization(ICAO) :**

1. Organizational Structure
2. Legislative-Administrative and Judicial Functions
3. Dispute Settlement Mechanism of ICAO

#### **Module 04 Domestic Air Law :**

1. The Aircraft Act, 1934 and Related Amendments
2. The Aircraft Rules, 1937 (with updates)

**Module 05 Introduction to Space Law :**

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

**Module 06 Space Treaties :**

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

**Module 07 International and Inter-Governmental Organizations :**

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

**Module 08 Emerging Issues of Space Settlements and Property Rights :**

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

**Module 08 Law of Sea :**

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

**Recommended Readings :**

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

6. Mark J. Sundahal & V. Gopalakrishnan (eds.), *New Perspectives on Space Law*, Paris: International Institute of Space Law (2011).
7. Diederiks - Verschoor, I., *An Introduction to Air Law*, 9th ed., The Hague: Kluwer (2012).
8. Mani V.S. et al. (eds.), *Recent Trends in International Space and Policy*, New Delhi: Lancer Books (1997).
9. G. S. Sachdeva, *Outer Space : Law, Policy and Governance*, Delhi: KW Publisher (2013).
10. Ruwantissa Abeyratne, *Convention on International Civil Aviation: A Commentary*, Heidelberg: Springer (2014).
11. Francis Lyall & Paul B Larsen, *Space Law : A Treatise*, London: Ashgate (2009).
12. Gurdip Singh, *International Law*, 3<sup>rd</sup> ed., Eastern Book Company, (2015).
13. R. R. Churchill, A. V. Lowe, *The Law of the Sea*, 3rd ed., Manchester University Press: Manchester, (1999).
14. D. Freestone, R. Barnes, D. Ong (eds.), *The Law of the Sea: Progress and Prospects*, Oxford University Press: Oxford, (2006).

### **Recommended Readings :**

1. Justice R.P. Sethi, *Commentary on Arbitration and Conciliation Act as Amended in 2016*, 2<sup>nd</sup> Edition, Wytes and Co., 2016.
2. Madhusudan Saharay, *Textbook on Arbitration & Conciliation with Alternative Dispute Resolution*, 4th ed, Universal Law Publishing, 2017.
3. N V Paranjpe, *Law Relating to Arbitration and Conciliation in India*, 7th ed, Central Law Agency, 2016.
4. Avtar Singh, *Law of Arbitration and Conciliation*, 10th ed., Lucknow, 2013.
5. Mallika Taly, *Introduction to Arbitration*, Eastern Book Company, 2015.
6. Vishnu Warriar, *Arbitration, Conciliation and Mediation*, LexisNexis, 2015.
7. K V Satyanarayana, *Law of Arbitration and Conciliation in India*, Asia Law House, 2017.
8. Anirban Chakraborty, *Law and Practice of Alternative Dispute Resolution in India – a Detailed Analysis*, LexisNexis, 2016.
9. Ashwini Kumar Bansal, *Arbitration and ADR*, 5th ed, Universal Law Publication, 2016.
10. Shriram Panchu, *Mediation Practice and Law - The Path to Successful Dispute Resolution*, 2nd ed, LexisNexis, 2015.
11. Anuroom Omkar and Kritika Krishnamurthy, *The Art of Negotiation and Mediation*, LexisNexis, 2015.
12. P C Rao and William Sheffield, ed, *Alternative Disputes Resolution- What it is and How it Works?* Universal Law Publishing, New Delhi, 2015.
13. S B Malik, *Commentary on the Arbitration and Conciliation Act*, 6th ed, Universal Law Publishing, 2013.
14. N D Basu, *Law of Arbitration and Conciliation*, 13th ed, Orient, 2016.
15. U Pattabhi Ramian, *Arbitration & ADR Including Conciliation, Mediation & Negotiation*, Asia Law House, 2011.
16. R S Bachawat, *The Law of Arbitration and Conciliation*, 5th ed, LexisNexis, 2013.
17. P C Markanda, *Law Relating to Arbitration and Conciliation*, 9th edn, LexisNexis, 2016.
18. O P Malhotra, *The Law and Practice of Arbitration and Conciliation*, 2nd edn, LexisNexis Butterworths, 2006.
19. N D Basu, *Law of Arbitration and Conciliation*, P K Majumdar (ed), Orient, 2016.
20. G K Kwatra, *The Arbitration and Conciliation Law of India*, Universal Law Publishing, New Delhi, 2008.

### **Optional Subject 4 (Any one from the following) :**

#### **LO 0805 Human Rights Law and Practice :**

**Objectives of the Course :** The National Legal Systems recognized the rights of individuals from ancient periods and extended protection through various legal regulations. However, they could not provide an effective remedy for breaches outside the state and state violations. This scenario and other developments in the beginning of 20th century led the nation-states to bring the aspects of individual's rights under the purview of international law and appropriately titled them as Human Rights with the adoption of Charter of UN in 1945. In pursuance of the

directions of the preamble and other provisions of Charter, a plethora of international instruments have been agreed upon by the States Parties to Protect and promote the Human Rights of Individuals both at international and domestic levels. In view of the gaining significance of International Law of Human Rights, this course presents subtly an overview of the International and Domestic perspectives of Human Rights along with the redressal mechanism.

**Module 01 Introduction :**

1. Historical origins of Human Rights in International and National Scenario - Nature and an overview
2. Basic Components of Human rights – Value, Dignity, Equality, Justice, Morals and Ethics and Significance
3. Perspectives on Rights and Duties – Relationship between Rights and Duties
4. Provisions under the Charter of UN – Preamble, Articles 1(3), 13(1)(b), 55 and 56
5. International Bill of Human Rights (UDHR, ICCPR, ICESCR) - Nature and significance
6. Introduction to generation of Human Rights

**Module 02 First Generation Human Rights :**

The Civil and Political Rights – ICCPR, Part III of the Constitution of India and Landmark Cases :

1. Civil Rights: Freedom of Opinion - Freedom of Expression and Press, Right to Personal Security in relation to justice and police, Equality before Law, Right to Life and Liberty, Right to Privacy, Right to Religion
2. Political Rights: Equal access to Public, Participation in Governance, Right to Vote and Good Governance

**Module 03 Second Generation Human Rights :**

The Economic, Social and Cultural Rights : ICESCR, Part IV of the Constitution of India and Landmark Cases :

1. Economic and Social Rights: Labour Rights, Right to Property, Right to Education, Freedom of Association, Right to Social Security (Pension, Medical Services - Right to insurance for sickness, old age – Unemployment allowance etc.)
2. Cultural Rights: Right to develop Languages, Right to follow Customs, Folkways, Literature, and Traditions, Right to enjoy Scientific and Technological benefits

**Module 04 Third and Fourth Generation Human Rights :**

1. Group Rights (Third Generation Rights) : Right to Development, Right to Self-determination, Right to Peace and Happiness, Right to Safe and Decent Environment, Right to Human Assistance, Right to Adequate Food, Right to water - Landmark Cases
2. Right to Genetic Engineering (Fourth Generation Rights) : Right to Protect

Human Genome against unethical and unfair exploitation of genetic information (The UNESCO Declaration on Human Genome from 1997), Right to Genetic Identity, Right to impose restrictions on medical (Scientific and Technology) interference, Right to Die in Peace and Dignity, Right to Life of the Unborn (with reference to abortion and infanticide). Relationship of Science & Technology and Human Rights

3. Upcoming Human Rights –right to science, right to participate in science, right to benefit from science, right to benefit from a person's own contribution or invention, etc.

4. The Conflict Between Generations of Rights

**Module 05 Human Rights of Vulnerable and Disadvantaged Groups :**

1. Meaning and Definition of Vulnerable and Disadvantaged Groups

2. Social and Economic Status of Women and Children

3. Status of Socially and Economically Disadvantaged groups - Rights of Indigenous People (Scheduled Tribes), Scheduled Caste, Minorities, Aged and Disabled

4. Vulnerable Groups - Sex Workers, Domestic Workers, Stateless Persons, Migrant Workers, HIV/AIDS patients, LGBTQ and Prisoners

**Module 06 Enforcement Mechanism of International Human Rights - Constitution, Powers and Functions :**

1. The Human Rights Committee under ICCPR

2. The Committee on Economic, Social and Cultural Rights under ICESCR

3. The Committee on Elimination of Discrimination Against Women under CEDAW

4. The Committee on the Rights of the Child under CRC

5. Role of Human Rights Council and Office of the High Commissioner for Human Rights

**Module 07 Human Rights Enforcement in India :**

1. The Protection of Human Rights Act, 1993 – Object, Nature, Scheme, Definitions, Landmark cases

2. Constitution, Powers and Functions of -

a) National Human Rights Commission

b) National Commission for Women

c) National Commission for Protection of Child Rights

d) National Commissions for Scheduled Castes, Scheduled Tribes, Minorities and other disadvantaged groups

3. Role of Judiciary in Enforcement of Human Rights

4. Human Rights Courts and their importance

**Module 08 Significance of Human Rights Education :**

1. Meaning and Definition of Human Rights Education

2. Role of UN in the Promotion of Human Rights Education

3. Role of Government of India in the Promotion of Human Rights Education – UGC and Universities

### **Recommended Reading:**

1. V. K. Ahuja, *Public International Law*, LexisNexis, Noida, 2016.
2. Gurdip Singh, *International Law*, Eastern book company, Lucknow, 2016.
3. Editors, Eibe Riedgal, Gilles Giacca, Christophe Golay, *Economic social and Cultural Rights in International Law*, Oxford University Press, 2014
4. Walter Kailin and JorgKunzli, *The Law of International Human Rights Protection*, Oxford University Press, New York, 2010.
5. Peter N. Strarms, *Human Rights in World History*, Routledge, New York, 2010.
6. De Schutter, *International Human Rights Law*, Cases, Materials Commentary, Cambridge University Press, New Delhi, 2010.
7. V.R. Krishna Iyer, *The Dialectics and Dynamics of Human Rights in India - Yesterday, Today and Tomorrow*, Eastern Law House, New Delhi.
8. Manoj Kumar Sinha, *Implementation of Basic Human Rights*, LexisNexis.
9. Editors, Ian Brownlie and Guy S. Goodwin-Gill, *Basic Documents on Human Rights*, Oxford University Press.

### **LO 0806 Competition Law :**

**Objectives of the Course :** There is aggressive competition in today's market. New start-ups and entrepreneurs are emerging almost every day. With opening of Indian markets in almost all sectors, the study of Competition law becomes inevitable. It is a rapidly growing area of law, which reflects the free market economy and increasing world globalization. The course aims to give an overview on the basics of Competition Law in India through a comparison of the main jurisdictions (especially USA, UK and EU) and thus provide a solid background for further studies on this subject. The course will examine and compare the application of competition law to business agreements, the exercise of dominant position, the combinations between the firms and sellers and the enforcement mechanisms.

#### **Module 01 Introduction :**

1. Basic Concepts : Customer and Consumer, Market, Types of Market – Perfect Market, Monopoly, Oligopoly and Monopsony
2. Rationale behind Competition Law
3. Constitutional aspect of Competition Law with respect to Human Rights and Social Justice (Article 39 (b) and (c) of the Constitution of India)
4. Relation between Competition Policy and Competition Law
5. Objectives of Competition Law
6. Economic analysis of Competition Law

#### **Module 02 Historical Development of Competition Law :**

1. History and Development of Competition Law / Antitrust Law
2. Development of Competition Laws in USA, UK and EU
3. Sachar Committee Report, Raghavan Committee Report
4. Salient Features of the MRTP Act, 1969

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

**Module 03 Anti-Competitive Agreements :**

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

**Module 04 Regulation of Abuse of Dominant Position :**

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

**Module 05 Regulation of Combinations :**

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

**Module 06 Enforcement Mechanisms :**

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

## **Module 07 Interface of Competition Law with other Laws :**

1. Intellectual Property Rights and Competition Law
2. International Trade and Competition Law
3. Consumer Law and Competition Law

### **Recommended Readings :**

1. Richard Whish and David Bailey, *Competition Law*, Oxford University Press, 9th ed, 2018.
2. Avtar Singh, *Competition Law*, Eastern Book Company, 1st ed, 2012.
3. Vinod Dhall, *Competition Law Today*, Oxford University Press. 2nd ed, 2019.
4. Abir Roy, *Competition Law in India: A Practical Guide*, Kluwer Law International B. V., 2016.
5. Srinivasan Parthasarathy, *Competition Law in India*, Kluwer Law International B.V., 2017.
6. T. Ramappa, *Competition Law in India: Policy, Issues, and Developments*, Oxford University Press, 2014.
7. Alison Jones, Brenda Sufrin, *EU Competition Law: Text, Cases, and Materials*, Oxford University Press, 6th ed, 2016.
8. Barry Rodger, Angus MacCulloch, *Competition Law and Policy in the EU and UK*, Routledge, 5th ed, 2104.
9. Kirsty Middleton, Barry Rodger, Angus MacCulloch, *Cases and Materials on UK and EC Competition Law*, Oxford University Press, 2nd ed, 2009.
10. Maher M. Dabbah, *International and Comparative Competition Law*, Cambridge University Press, 2010.
11. Cedric Ryngert, *Jurisdiction Over Cross – Border Mergers : A US –EU perspective. Competition Law – Emerging Trends*, 94-124, P. Satyanarayana Prasad ed., The ICAFI University Press, Amicus Books, 1<sup>ST</sup> ed. 2007.

## **LO 0807 Vulnerable and Disadvantaged Groups and Criminal Law :**

**Objectives of the Course :** In India there are multiple socio-economic disadvantages that members of particular groups experience. The task of identifying the vulnerable groups is not an easy one. Besides there are multiple and complex factors of vulnerability with different layers and more often than once it cannot be analyzed in isolation. In this course the vulnerable groups that face discrimination include- Women, Scheduled Castes (SC), Scheduled Tribes (ST) and Children. Since the British era, criminal law was used to eradicate social evils. The fear of punishment was a tool of social change. In post-Independence period the modern State has used criminal law to bring social change. This Course will help students to understand the role of Criminal Law in protecting the vulnerable and disadvantaged groups in India.

## **Module 01 Introduction to Vulnerable and Disadvantage Groups :**

1. Meaning of Vulnerable and Disadvantaged groups
2. Structural discrimination and vulnerable groups
3. Role of law to overcome discrimination

4. Criminal law as a tool of social change

**Module 02 The Protection of Civil Rights Act, 1955 :**

1. Social menace of Untouchability
2. Legislative history, objectives, definitions and scope of the Act
3. Practices of Untouchability and Punishments
4. Presumption of courts in some cases
5. Power of court to impose collective fine
6. Non application of Probation of offenders Act

**Module 03 The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 :**

1. Legislative history, objectives, definitions and scope of the Act
2. Defining Atrocity against Scheduled Caste and Scheduled Tribes
3. Offences of Atrocities and punishments
4. Externment procedure
5. Collective Fine
6. Special Courts and Special Prosecutor
7. Presumption by courts in certain cases
8. Precautionary and Preventive measures under the Rules of 1995
9. Non application Anticipatory Bail and Probation of Offenders Act
10. Investigation and supervision
11. Personnel under the Act and their duties

**Module 04 The Dowry Prohibition Act, 1961 :**

1. Dowry a social menace
2. Legislative history, objectives, definitions and scope of the Act
3. Definition of Dowry
4. Penalty for giving and taking dowry
5. Dowry for benefit of wife or her heirs
6. Change in procedural law and Evidence Law
7. Dowry Prohibition officers

**Module 05 The Protection of Children from Sexual Offences (POCSO) Act, 2012 :**

1. Legislative history, Objective, definitions and Scope of the Act
2. Sexual offences against children
3. Using child for pornographic purpose
4. Abetment of an attempt to commit an offence
5. Procedure for reporting of cases
6. Procedure for recording statement of the child
7. Special courts: Procedure and powers of special courts and recording of evidence
8. Punishments under the Act

**Module 06 The Immoral Traffic (Prevention) Act, 1956 :**

1. Legislative history, Object, definitions and reasons of the Act
2. Social Landscape of Prostitution
3. Prostitute – Vaguely defined under the Act

4. Protection of Morals and Places of Residence
5. Ponce or Poncing under the Act
6. Corrective Institutions and Protective Homes
7. Personnel under the Act

**Module 07 The Pre-Conception and Prenatal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 :**

1. Legislative History, Object and Reasons, and Definitions under the Act
2. Regulation of Genetic Counselling Centres, Genetic Laboratories and Genetic Clinics
3. Regulation of pre-natal diagnostic techniques
4. Written consent of pregnant woman and prohibition of communicating the sex of foetus
5. Prohibition of Determination
6. Constitution, Tenure, Meetings, Vacancies, Authentication of orders, Disqualifications, and Functions of Central Supervisory Board
7. Appropriate Authority and Advisory Committee
8. Registration of Genetic Counselling Centres, Genetic Laboratories and Genetic Clinics
9. Offences and Penalties
10. Maintenance of records and Power to search and seize records

**Recommended Reading :**

1. P.S. Narayana, *Commentary on the Protection of Children from Sexual Offences Act, 2002 and Rules*, Universal Law Publishing, New Delhi.
2. B. R. Beotra's *the Immoral Traffic (Prevention) Act, 1956 (With State Rules)*, The Law Book Company (p) Ltd, Allahabad.
3. Laita Dhar Parihar, *Women & Law from Impoverishment to Empowerment- A Critique*, Eastern Book Company, Lucknow.
4. B.P. Beri, *Commentaries on the Dowry Prohibition Act, 1961*, Eastern Book Company.
5. *The Dowry Prohibition Act, 1961*, by SCC Editorial, Eastern Book Company.
6. Smita Narula, *Broken People : Caste violence against India's Untouchables*, Human Rights Watch.
7. K.B Saxena, *Report on Prevention of Atrocities against Scheduled Castes*, National Human Rights Commission, 2002.

**LO 0808 Civil Minor Acts :**

**Objectives of the Course :** This Course covers subjects that a civil practitioner needs to address very often. The aim of the course is to introduce the students the knowledge law with respect to Interest, Civil Courts, Suits Valuation, Court Fees, Registration of documents, Stamp duties and Negotiable Instruments.

**Module 01 The Interest Act, 1978 :**

1. Object, application and definitions under the Act
2. Power of court to allow interest
3. Effect of provisions relating to interest in other statutes
4. Section 34 of the Civil Procedure Code
5. Powers of an arbitrator to award interest

**Module 02 The Maharashtra Civil Courts Act, 1869 :**

1. Object, application and definitions under the Act
2. District Courts, Joint District Judges and Additional District Judges
3. Civil Judges - Appointment, Jurisdiction, Classes of Civil Judges, Transfer of Suits and Appeals
4. Temporary Vacancies

**Module 03 The Suits Valuation Act, 1887 :**

1. Object, application and definitions under the Act
2. Valuation for Suits relating to Land
3. Valuation in other Suits
4. Objections in Appeals to over valuation or under valuation

**Module 04 The Maharashtra Court Fees Act, 1959 :**

1. Object, application and definitions under the Act
2. Rule Regarding to the Valuation of Suits
3. Court fees, Nature of levy
4. Documents chargeable to court-fees, Plaintiff and counter-claims
5. Exempted documents, Mandatory nature of payment
6. Computation of court fees, Fixed fees and ad-valorem fees, Modes of collecting court fees, Cancellation of stamp
7. Decision of questions as to valuation
8. Refund of court fees
9. Multifarious suits

**Module 05 The Registration Act, 1908 :**

1. Object, application and definitions under the Act
2. Establishment of Authorities, their Powers and Duties, Register - Books
3. Registrable Documents - compulsory, optional, contents of documents
4. Time of Presentation and place for Registration
5. Procedure of Registration
6. Registration and Deposit of wills
7. Inspection and copies of Books and Indexes Registration
8. Effect of Registration and Non-registration
9. Refusal to Register, Grounds for refusal

**Module 06 The Maharashtra Stamp Act, 1958 :**

1. Object, application and definitions under the Act
2. Authorities under the Act and their powers and functions
3. Liability of Instruments to Duty
4. Stamps and mode of using them

5. Valuations for Duty
6. Duty by whom Payable
7. Adjudication as to Stamps
8. Instruments not duly Stamped
9. Offence, Penalties and Procedure

**Module 07 The Negotiable Instruments Act, 1881 :**

1. A negotiable instrument, types, definitions
2. Essential features of negotiable instruments, and type of instrument, Instruments payable to order or to bearer, payable at specified time or on demand
3. Maturity of an instrument
4. Parties to negotiable instruments, their rights and liabilities
5. Negotiation – Meaning, Requirements, Types of endorsements, Modes of negotiation, Who can negotiate?, Effect of negotiation by various modes, Negotiation in particular cases (Sections 57-59), Period of negotiation (Section 60)
6. Presentment - Purposes of presentment, Time for presentment, Place of presentment, Presented to whom? Effective presentment, Delay in presentment, When is presentment not necessary? Liability of banker for negligent dealing
7. Payment and Interest, Delivery of instrument, Immunity to bankers
8. Discharge from liability on negotiable instruments, Modes of discharge
9. Dishonour, Modes of dishonor, Notice of dishonor, Noting and protest
10. Acceptance and payment for honour and reference in case of need
11. Compensation
12. Rules of evidence, Presumptions and estoppel
13. Crossed cheques
14. Bills in sets
15. Penalties in case of dishonor, Criminal liability, Procedure

**Recommended Readings :**

1. Mulla, *The Registration Act*, 13th ed, K Kannan (ed), LexisNexis, 2016.
2. Malik's *Commentary on The Registration Act 1908 with State Amendments*, 4th ed, Delhi Law House, 2016.
3. Sanjiva Row, *Registration Act*, 15th ed, Law Publishers, 2015.
4. K Krishnamurthy's *The Indian Stamp Act*, 12th ed, M R Hariharan Nair and Boris Paul (ed), LexisNexis, 2017.
5. Sunil Dighe, *The Maharashtra Stamp Act*, Snow White Publications, 2017.
6. Mahendra Jain and H M Bhatt, *The Maharashtra Stamp Act 1958*, Law Times, 2017.
7. A N Khanna, *Law of Court Fees and Suits Valuation*, 8th ed, Universal Law Publishing, 2011.
8. MLJ *Manual on the Court Fees Act 1870*, LexisNexis, 2017.

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

### **LO 0809 International Economic Law :**

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

#### **Module 01 Introduction :**

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

#### **Module 02 Developments in the context of De-colonization :**

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

#### **Module 03 International and Regional Financial Institutions :**

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

#### **Module 04 International Trade Law :**

##### **1. GATT :**

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

**2. WTO and International Economic Law :**

- a) Historical origins of WTO
- b) Structure Powers and Functions
- c) Role and Responsibility of Secretariat
- d) Dispute Settlement System under WTO
- e) Impact of WTO Law on Domestic Law

**Module 05 International Investment Law :**

1. Foreign Investment: Meaning and Types
2. BITs
3. Dispute Settlement Regime (ICSID)
4. Indian Perspective

**Module 06 International Business Law :**

1. International Sale and Carriage of Goods
2. Rome Convention
3. CISG (UN Convention on Contracts for International Sale of Goods)

**Recommended Readings :**

1. Asif H. Qureshi, *International Economic Law* (London: Sweet & Maxwell, 1998).
2. John Jackson, William Davey and Alan Sykes, *International Economic Relations* (West Academic Publishing, 1995).
3. Matthias Herdegen, *Principles of International Economic Law* (Oxford University, 2016).
4. Hazel Fox (ed.), *International Economic Law and Developing States: Some Aspects* (British Institute of International, 1992).
5. I.Seidi, Hohenveldern, *International Economic Law* (Kluwer Law International, 1992).
6. Bhandari and Sykes, *Economic Dimensions in International Economic Law* (Cambridge University Press, 1999).
7. Van Meerhaeghe, *International Economic Institutions* (Springer, 1998).
8. O'Connell, *International Law*, Vol. I & II, Oxford University Press.
9. Harves D.D., *Cases and Materials on International Law*, (Sweet & Maxwell; 1991).
10. Schwazenberger, *Foreign Investment and International law*, Article published by Modern Law Review, November, 1969.

Comments on Linkage between Law and Practice. The concerned teacher may add in or modify the specified contents of report.

2. The case comment shall consists of : (a) Citation of the case, (b) Facts of the case, (c) Issues of facts and of laws, (d) Arguments advanced, (e) Decision of the Court, (f) Ratio of the case, and (g) Comments on the decision.

### **Recommended Readings :**

1. K.V. Krishnaswamy Iyer, *Professional Conduct and Advocacy*, Oxford University Press.
2. Dr. Kailash Rai, *Legal Ethics – Accountancy for Lawyers and Bench - Bar Relations* Central Law Publications, Allahabad, 2015.
3. B.R. Aggarwala, *Supreme Court Practice and Procedure*, Eastern Book Co.
4. P. Ramanath Iyer, *Advocate his Mind and Art*, Wadhwa Nagpur, 2003.
5. Dr. S.P.Gupta, *Professional Ethics, Accountancy for Lawyers and Bench-Bar Relations*, Central Law Agency, Allahabad, 2004.
6. M.P. Jain, *Outline of Indian Legal History, Chapter : Development of Legal Profession*, LexisNexis, 2014.
7. M.R. Mallick, *The Advocates Act, 1961 with Professional Ethics, Advocacy, and Bar-Bench Relationship*. Kamal Law House, Calcutta, 2000.
8. Dr B Malik, *The Art of a Lawyer* The University Book Agency, Allahabad, 1999.
9. Raju Ramachandran : *Professional Ethics for Lawyers, Changing Profession, Changing Ethics*, LexisNexis, 2004.
10. Saadiya Suleman, *Professional Ethics & Advertising by Lawyers*, Universal Law Publishing, New Delhi, 2014.
11. M.K. Gandhi, *The Law and the Lawyers*, Navjeevan Publication, Ahemadabad.
12. Law Commission of India, Report No.274 on Review of the Contempt of Courts Act, 1971, April 2018.

### **Optional Subject 3 (Any one from the following) :**

#### **LO 0705 Comparative Constitutions :**

**Objectives of the Course :** This course aims to acquaint the students with scope and significance of comparative study of the constitutional law from the point of view of its making and it's contemporary working. It will help the students to appreciate the constitutional developments from the national and international perspectives. It takes in its fold the basic principles of interpretation of Constitution. It will enhance the comprehension of Constitutional law as a branch of public law.

#### **Module 01 Scope and Significance of Comparative Study of Constitutional Law :**

1. Forms of Government - Parliamentary-Presidential-Monarchial
2. Types of Constitutions
3. Scope and significance of comparative study of Constitution in Constitution making

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

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

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

**Module 03 Federalism- Comparative Study :**

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

**Module 04 Judicial Review :**

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

**Module 05 Justification and Limitation of Written Constitution :**

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

**Module 06 Interpretation of Constitution :**

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

**Module 07 Constitution as Higher Law :**

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

## **Module 08 Role of Judiciary and Doctrine of State Action :**

1. Court as guardian of the Constitution
2. Exceptions to judicial review
3. Special functions of judiciary in federation
4. Constitutional Law as a branch of public law

### **Recommended Readings :**

1. D.D. Basu, *Comparative Constitutional Law*, LexisNexis Butterwoths Wadhwa, Nagpur.
2. D.D. Basu, *Comparative Federalism*, Wadhwa and Company, Nagpur.
3. Dr. Chakradhar Jha, *Judicial Review of Legislative Acts*, LexisNexis Butterwoths Wadhwa, Nagpur.
4. M. V. Paylee, *Constitutions of The World*, Universal Law Publishing, Delhi, Vol.1&2.
5. M.P. Jain, *Indian Constitutional Law*, Wadhwa and Company, Nagpur.
6. H.R. Khanna, *Making of India's Constitution*, Eastern Book Co., Lucknow.

## **LO 0706 Investment and Securities Law :**

**Objectives of the Course :** The securities market plays a very important role in the growth and development of Indian market economies. Mature and well-regulated securities market supports corporate initiatives and also facilitate the management of financial risks. Also, retail investors are investing an increasing proportion of their money in mutual funds and other collective investments which places the securities markets at the central of individual wealth. This course aims to introduce students to the various laws and regulations enacted by the competent legislative and regulating bodies governing the operation and movement of security market.

### **Module 01 Historical evolution of Investment and Securities Laws :**

1. Meaning and Definition of Investment and Securities
2. Historical origins of Investment and Securities law - International and National Perspective
3. History of Capital Markets in India
4. Need for securities legislation and investor protection

### **Module 02 Regulatory Framework to Govern Securities in India :**

1. Concept of Securities
2. Kinds of Securities - Ownership instruments, Shares, Stocks
3. Debt instruments - Debentures and Bonds
4. Offered Documents - Prospectus
5. Norms of disclosure under different laws - the Companies Act, 2013, the Securities Contracts (Regulation) Act, 1956 and the Securities Exchange Board of India Act, 1992 (only relevant provisions)

### **Module 03 Concept of Securities Market and Securities Market Intermediaries :**

1. Primary Market : Scheme of Primary Market, Advantages - Disadvantages to Companies and investors.

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

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

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

**Module 05 Stock Exchange and Investor Protection :**

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

**Module 06 Insider Trading and Takeover Code :**

**Insider Trading :**

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

2. Penalty for Insider Trading
3. Position in UK and USA

**Takeover Code :**

1. Meaning and definition of control, voting rights, shares, acquirer, target company, Person acting in concert, Deemed to be connected person, acquisition of shares, open offer, public announcement, offer letter, offer price
2. Shareholding thresholds / Triggers under Takeover Code
3. Procedure of public announcement and open offer
4. Exemptions (general and specific exemptions)

**Module 07 SEBI (Listing Obligations and Disclosure Requirement Regulations) :**

1. Meaning and purpose of listing and delisting, advantages and disadvantages
2. Principles governing disclosures and obligations of listed entity
3. Listing Agreement
4. Compliance Officer
5. Grievance Redressal Mechanism
6. Corporate Governance Norms - directors, women directors, independent directors, audit committee, risk management committee, remuneration committee, stakeholder relationship committee, maximum number of directorships, related party transactions, obligations of independent directors
7. Disclosure of event or information under SEBI Regulations
8. Re-classification of promoters into non-promoters
9. Annual report

**Module 08 Foreign Investment Laws :**

1. The Foreign Exchange Management Act, 1999 -
  - a) Regulation and management of Foreign Exchange
  - b) Contravention and Penalties
  - c) Adjudication and Appeal
  - d) Directorate of enforcement
  - e) Inbound and outbound investment in India (Foreign Direct Investment and Overseas Direct Investment)
  - f) Setting up of Joint Ventures and Wholly owned subsidiaries in India and outside India
2. Regulation of Foreign Institutional Investors (FII) / Foreign Portfolio Investor (FPI) in India
3. Participatory Note

**Recommended Readings :**

1. Sanjeev Agarwal, *Guide to Indian Capital Market*, Bharat Law House, 2009.
2. Imaad A Moosa, *Foreign Direct Investment: Theory Evidence and Practice*, Palgrave MacMillan, 2010.
3. Niti Bhasin, *FDI In India*, New Century Publication, 2008.

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

### **LO 0707 Criminal Minor Acts :**

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

#### **Module 01 The Maharashtra Police Act, 1951 :**

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

#### **Module 02 The Prevention of Corruption Act, 1988 :**

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

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

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

**Module 04 The Narcotic Drugs and Psychotropic Substances Act, 1985 :**

1. Legislative History, Object and Definitions
2. Authorities and Officers
3. Prohibition, Control and Regulation of Narcotic Drugs and Psychotropic Substances
4. Offences and Punishments
5. Procedure under Act

**Module 05 The Juvenile Justice (Care and Protection of Children) Act, 2015 :**

1. Object, Application and definitions under the Act
2. General Principles of Care and Protection of Children
3. Juvenile Justice Board
4. Procedure in Relation to Children in Conflict with Law
5. Child Welfare Committee
6. Procedure in Relation to Children in Need of Care and Protection
7. Rehabilitation and Social Re-integration
8. Adoption
9. Other Offences Against Children

**Module 06 Introduction to Cyber Crimes - Relevant provisions under the Information Technology Act, 2000 :**

1. Object, Application and Relevant Definitions under the Act
2. Salient Features of the Act
3. Offences, Punishment and Procedure of Investigation and Trial (Chapter XI - Sections 65 to 78)
4. Exemption from Liability of Intermediary in Certain Cases (Section 79)

**Recommended Readings:**

1. Sunil Dighe, *The Maharashtra Police Act 1951*, Snow White Publication, 2016.
2. D.R. Chaudhary & A.N. Choudhary, *The Maharashtra Control of Organized Crime Act 1999*, CTJ Publications.
3. A.S. Ramachandra Rao, *Commentary on the Prevention of Corruption Act*, Universal Publication Co., New Delhi.
4. R.P Kataria, *Law Relating to Narcotic Drugs and Psychotropic Substances in India*, Oriental Publication.
5. Taxmann on *Juvenile Justice (Care and Protection of Children) Act, 2015*.
6. Dr. R.K. Chaubey, '*An Introduction to Cyber Crime and Cyber Law*', Kamal Law House.
7. Dr. J.P. Mishra, *An Introduction to Cyber Laws*, Central Law Publications, 1st edn. 2012.
8. Rohatgi and Karkare, '*Guide to Cyber Law & Crimes*', 3rd edn. Whytes & Co. 2018.

**LO 0708 Cooperative Law :**

**Objectives of the Course :** This course enables a student a study of the form of organisation set up for mutual benefit. The first part of the course is about principles of cooperation, its history, growth and development and the characteristics of a cooperative society. The other

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

**Module 01 Theory and Principles of Co-operation :**

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

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

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

**Module 03 Nature of Co-operative Societies:**

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

**Module 04 Preliminary and Registration of Societies :**

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

**Module 05 Members of Society :**

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

3. Rights, privileges, duties, disabilities and liabilities of members, voting power of a member, expulsion of members

**Module 06 Incorporation, Duties and Privileges of Society :**

1. Effect of incorporation
2. Register of members, and its inspection and copies
3. Rights, privileges and immunities of a Society
4. Duties, disabilities, liabilities of, and restrictions on a Society

**Module 07 Elections and Management of a Society :**

1. Final authority of General Body
2. Election of the Managing Committee, Procedure, Supervision over elections, Elections to specified and notified societies, No-confidence against officers of societies
3. Managing Committee, Constitution, Who can be its member, Reservation of seats, its powers and functions, Liability of members of the managing committee
4. Appointment and nomination of members of committee, Disqualification of membership of the committee
5. Meetings of General Body and Managing Committee, Annual general meeting and special general meeting, Conduct of business at such meetings
6. Registrar's powers of supervision, inquiry, investigation and administration

**Module 08 Dispute Settlement and Liquidation :**

1. Types of disputes, and forums for redressal, Cooperative Court, Registrar
2. Exclusive jurisdiction of the Cooperative Court, Jurisdiction, Limitation period
3. Procedure for settlement of disputes and Powers of the Co-operative Court, its decision, Appeals against decisions,
4. Contempt of Co-operative Court and Cooperative Appellate Court
5. Constitution and powers of the Maharashtra State Co-operative Appellate Court
6. Appeal, Review and Revision
7. Disputes for recovery of money, Recovery certificate and its effect,
8. Liquidation of Cooperative Societies, Appointment of and Powers of Liquidator, Procedure for liquidation and winding up.
9. Offences and Penalties, Cognizance of offences

**Module 09 Finance, Accounts and Audit :**

1. State aid to societies, Role of apex societies.
2. Funds and their utilization, Restrictions on utilization of funds, Reserve Fund, Restriction on dividends, Investment of funds
3. Maintenance of account books and registers
4. Audit of cooperative societies, need for audit
5. Rectification of defects in accounts
6. Registrar's powers of inspection and supervision

### **Recommended Readings:**

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

### **LO 0709 Private International Law :**

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

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

#### **Module 01 Introduction :**

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

#### **Module 02 Characterization :**

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

- c) Characterization of proper law
- 4. Doctrine of *renvoi* : Meaning, process and theories of *renvoi*
  - a) The mutual disclaimer theory
  - b) The theory of *renvoi* proper
  - c) The foreign court theory

**Module 03 Domicile as a Connecting Factor :**

- 1. Meaning and definitions
- 2. Acquisition of domicile -
  - a) Domicile of independent persons : Domicile of origin; Domicile of choice: residence and intention, abandonment of domicile of choice, comparison between domicile of origin and choice; Domicile of refugees, fugitives
  - b) Domicile of dependents : married women, minor children, lunatics
  - c) Domicile of legal persons

**Module 04 Law of Property :**

- 1. Characterization - movable and immovable property
- 2. Transfer of immovable property, concept of *lex situs*, capacity and formal validity of transfer, the Mozambique rule and exceptions
- 3. Transfer of tangible and intangible movable property, meaning, Theories - *lex domicile*, *lex actus*, *lex situs* and proper law; Issues in transfer of tangible movables, Assignment of intangibles - debts and documents, voluntary and involuntary assignment

**Module 05 Law of Contractual Obligations :**

- 1. Proper law of contract - meaning and nature, freedom of choice, implied choice of law, Real and substantial connection theories
- 2. Validity and formation of contract - creation of contract, formal and material validity, capacity, contracts contrary to public policy and procedural law
- 3. Interpretation of contract
- 4. Discharge of contract - performance and impossibility of performance, *lex loci contractus* and *lex loci solutionis*

**Module 06 Law of Non-Contractual Obligations :**

- 1. Tortious act, and *lex loci delicti*
- 2. Theories - *lex fori*, *lex loci commissi* and proper law or social environment
- 3. Jurisdictional issues - cause of action and *locus delicti*, Choice of law - the English approach
- 4. Defences

**Module 07 Marriage and Dissolution of Marriage :**

- 1. Marriage - the nature of marriage and polygamous marriages, Characterization of marriage, Validity of marriage - material and formal validity; English and Indian law
- 2. Dissolution of marriage, grounds for divorce, jurisdiction - residence, choice of law, recognition of foreign divorce in India

**Module 08 Legitimacy, Legitimation and Adoption :**

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

**Module 09 Foreign Judgments :**

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

**Recommended Readings :**

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

**Conventions and Indian Statutes to be Referred :**

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

### **Recommended Readings:**

1. Ramaswamy Iyers's *The Law of Torts*, Lakshminath ed, 10<sup>th</sup> ed, 2007, LexisNexis.
2. Avatar Singh, *Introduction to the Law of Torts*, 2<sup>nd</sup> ed., Delhi Law House.
3. Ratanlal and Dhirajlal, *The Law of Torts*, Akshay Sapre ed., 27<sup>th</sup> ed., 2016, LexisNexis.
4. P.S. Achuthan Pillai, *The Law of Tort*, Abhinandan Malik ed., 9<sup>th</sup> ed (reprint 2017), Eastern Book Company.
5. B M Gandhi, *Law of Torts*, 4<sup>th</sup> ed (rep 2016), Eastern Book Company.
6. Sathya Narayan, *Tort Law in India*, Wolters Kluwer, Netherland, 2013.
7. *Wienfield and Jolowicz on Tort*, W V H Rogers ed, 18<sup>th</sup> ed, 2010, Sweet and Maxwell.
8. *Salmond and Heuston on the Law of Torts*, R F V Heuston and R A Buckley Eds, 21<sup>st</sup> ed, Sweet and Maxwell.
9. Tony Weir, *An Introduction to Tort Law*, 2<sup>nd</sup> ed, 2006, Oxford University Press.
10. John Murphy, *Street on Torts*, Eleventh Edi Oxford University Press 2006.
11. Avtar Singh and Harpreet Kaur, *Introduction to the Law of Torts and Consumer Protection*, 3<sup>rd</sup> ed, 2013, LexisNexis.
12. Garima Tiwari, *Understanding Laws – Consumer Rights 2014*, LexisNexis.
13. Anirban Chakraborty, *Law of Consumer Protection – Advocacy and Practice*, 2014, LexisNexis.
14. Claire Andrews, *Enforcement of Consumer Rights and Protections*, 2016, LexisNexis.
15. Avtar Singh, *Consumer Protection: Law and Practice*, 5<sup>th</sup> ed, 2015, Eastern Book Co.

### **Optional Subject 2 (Any one from the following) :**

#### **LO 0605 Media and Law :**

**Objectives of the Course :** Media is a social instrument which provides a platform to the people in the society to freely profess their right to freedom of speech and expression. The significance of media and its freedom can never be over emphasised in a participatory democratic setup like that of India, which regards 'Media' as the 'fourth estate' of democracy. The prima facie objective of this course is to study and analyse the historical background, present position and future prospects of the various privileges, rights and freedoms guaranteed by the state to media through various laws and judicial interventions.

#### **Module 01 Introduction:**

1. Introduction to Media and Communication
2. Importance of Media in Democracy
3. Kinds of Media
4. Functions of Media – Information, Surveillance, Service the economic system, Hold society together, Entertain, Act as a community forum, Service the political system, etc.

#### **Module 02 History of Press and Theories of Press :**

1. Historical Foundations of Media Laws in UK, USA and India (Pre and Post-Independence)

2. International Law and Freedom of Media (UDHR, ICCPR, ECOSOC etc.)
3. Theories of Press -
  - a) Authoritarian Theory
  - b) Libertarian Theory
  - c) Communist Theory
  - d) Theory of Social Responsibility
  - e) Development Media Theory
  - f) Democratic Participant Media Theory

**Module 03 Constitutional Framework of Freedom of Media in India :**

1. Free Speech and Constituent Assembly Debates in India
2. Freedom of Speech and Expression in Indian Constitution
3. Facets of Freedom of Speech and Expression
  - a) Freedom of Speech and Expression includes Freedom of Press
  - b) Right to Circulation
  - c) Right to Receive Information
  - d) Right to Advertise
  - e) Right to Telecast / Broadcast
  - f) Censorship
4. Law Commission of India : 101<sup>st</sup> Report on Freedom of Speech and Expression under Article 19 of the Constitution - an Overview
5. Reasonable Restrictions
6. Legislative Privileges and Media
7. Right to Privacy and Media
8. Freedom of Media during emergency

**Module 04 Legal Dimensions of Media :**

1. Media and Criminal Law (Sedition, Obscenity and Defamation)
2. Media and Law of Torts (Civil Law of Defamation and Negligence)
3. Media and Judiciary (Contempt of Court)
4. Media and Executive - an Overview (The Official Secrets Act, 1923, The Right to Information Act, 2005)
5. Media and Journalists - an Overview (The Working Journalists (Conditions of Service) Act, 1955)

**Module 05 Regulatory Framework of Media :**

1. Methods of Regulation (Self Regulation and Statutory Regulation)
2. The Cinematograph Act, 1952
3. The Cable Television Networks (Regulation) Act, 1955
4. The Prasar Bharti Act, 1990
5. The Press Council of India Act, 1978
6. The Telecom Regulatory Authority of India Act, 1997
7. Advertising Standards Council of India and its codes
8. The Indecent Representation of Women Act, 1986

**Module 06 Issues in Media Laws :**

1. Trial by Media (Law Commission of India : 200<sup>th</sup> Report on Trial by Media,

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

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

### **Recommended Readings:**

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

### **LO 0606 Banking and Insurance Law :**

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

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

regulated, the relationship between the insurer and insured is contractual. The objective of the course is to give insights into the principles of insurance as applied in such contracts, the need and nature of regulation of insurance, and a brief study of types of insurance and their features.

**Part I : Banking Law - Statutes :**

1. The Reserve Bank of India Act, 1934.
2. The Banking Regulation Act, 1949.
3. The Bankers' Books Evidence Act, 1891.
4. The Recovery of Debts due to Banks and Financial Institutions Act, 1993.
5. The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002.
6. The Limitation Act 1963.

**Module 01 Banking :**

1. Banking business : meaning and nature
2. Evolution and history of banking, and its growth in India
3. Types of banks and their functions : Central bank, Nationalised and Scheduled Banks, Regional rural banks, Local area banks, Non-scheduled banks, Cooperative banks, Foreign banks

**Module 02 Regulatory Framework :**

1. Reserve Bank of India : Its structure, primary and secondary functions; Control over banks in India.
2. Monetary and credit Policy
3. Cash Reserve Ratio, Statutory Liquidity Ratio, Currency Chests
4. Assets and liabilities of a bank, Permitted bank investments, Lending limits
5. Banking regulation, bank nationalisation and social control over banking - an overview

**Module 03 Banker - Customer Relations :**

1. Contractual nature of relationship -
  - a) Types of accounts
  - b) Services - Deposits, Discounting bills of exchange, Safe custody, Lockers, Foreign exchange, Demand drafts, Pay orders
2. Rights, duties and obligations of a banker
3. Instruments -
  - a) Cheques, definition, types, crossing, endorsement and types, Paying Banker - Obligations and protection, Collecting banker - duties and protection
  - b) Bank guarantees and Letters of credit
4. Interest, interest rates, usury
5. Death of depositors and effect, nominations
6. Remedies to the customer - Banking Ombudsman, Consumer Protection Act 1986

**Module 04 Lending by Banks :**

1. Parties in a contract of lending, their respective rights, duties and immunities;

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

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

**Module 05 Recovery of Loans and Procedure :**

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

**Part II : Insurance Law - Statutes :**

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

**Module 06 Nature of Insurance :**

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

**Module 07 Contract of Insurance :**

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

insurance contract

2. Formation of insurance contract - proposal and acceptance, documents involved in formation - proposal, cover note, slips, policy, certificate of insurance, the process of formation of the insurance contract until issuing of policy, the free-look provisions in life and health insurance
3. Insurance agents and insurance brokers, and their role in contract formation
4. Proposal, its contents in general, life, health insurance
5. Premium, calculation, return and forfeiture of premium, Tariff
6. Nomination and Assignments

**Module 08 General Principles of Insurance :**

1. Indemnity - Meaning, application in different types of insurance, double insurance, subrogation, contribution
2. Insurable interest, wagering agreements
3. Utmost Good Faith - Non-disclosure and misrepresentation, Representations, warranties and conditions, Types of conditions in insurance, Effect of breach, Waiver of breach, Application to different classes of insurance, Limitations on avoidance of life insurance policies under Section 45 of the Insurance Act
4. Doctrine of proximate cause

**Module 09 Compulsory Insurance under the Motor Vehicles Act, 1988 :**

1. Scheme of compulsory insurance
2. Certificate of insurance, Transfer of insurance policy
3. Duty to give information
4. Requirements of policy and limits of liability
5. Right of an insurer to defend  
Duty to satisfy judgments

**Module 10 Development of Insurance and Insurance Sector :**

1. History of insurance in India, Nationalisation of life and general insurance, Opening up of the insurance sector, Foreign investment in insurance
2. Insurance Regulatory and Development Authority of India, its constitution, role, powers and functions
3. The Life Insurance Corporation of India, the General Insurance Corporation of India, the General and the Life Insurance Councils
4. Registration of insurers, Capital and voting structure; Investments by insurers
6. Functions and benefits of insurance

**Recommended Readings - Banking :**

1. Tannan's Banking Law and Practice in India, Vinod Kothari ed, 26<sup>th</sup> edn, 2017, Lexis-Nexis.
2. Banking and Insurance: Law and Practice, 2010, Taxmann.
3. P N Varshney, Banking Law and Practice, 2013, Sultan Chand & Sons.
4. Avtar Singh, Banking and Negotiable Instruments, 3<sup>rd</sup> edn, 2016, Eastern Book Company.
5. IIBF, Legal and Regulatory Aspects of Banking, 2015, Macmillan.
6. Bimal N Patel et al, Banking Law, 2014, Eastern Book Company.

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

**Recommended Readings - Insurance :**

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

**LO 0607 Penology and Victimology :**

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

**Module 01 Penology - Introduction :**

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

**Module 02 Punishment :**

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

- d) Reformative Theory
- 3. Forms of Punishment
- 4. Penal Policy in India

**Module 03 Police System in India :**

- 1. Origin of Police
- 2. Development of Police Organization
- 3. Police Force in India
- 4. Nature and Objectives of Indian Police System
- 5. Police organization under the State Government
- 6. Police organization under the Central Government
- 7. Principles of Policing
- 8. Legal functions of police
- 9. Law Relating to Police Administration
- 10. Police Reforms
- 11. Legislative Trends
- 12. Judicial Approaches
- 13. NHRC guideline on Police-Public Relations

**Module 04 Prison System in India :**

- 1. History of Prison System
- 2. Prison in British India
- 3. Role of Prison in Modern Penology
- 4. Types of Prisons and Prisoners
- 5. Problems of Prisons -
  - a) Over Crowding
  - b) Basic Amenities
  - c) Prison Discipline
  - d) Prisoner's Health
  - e) Criminality in Prison
  - f) Problems of Under-trials
- 6. Prison Reforms -
  - a) Commission on Prison Reforms
  - b) Jurisprudence of Prison Reforms
  - c) Legislative Trends
  - d) Judicial Trends

**Module 05 Open Prisons :**

- 1. Definition and Origin of Open Prison
- 2. The Philosophy underlying the Open Prison
- 3. Main Characteristics of Open Prisons
- 4. Advantages of Open Prison
- 5. Critical Appreciation of the working of Open Prison

**Module 06 Parole :**

- 1. Meaning and Definition of Parole
- 2. Concept of Parole

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

**Module 07 Victimology - Victim and Victimization :**

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

**Module 08 Legal Perspectives of Victim Assistance :**

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

**Recommended Readings:**

1. J.M.J. Sethna, *Society and the Criminal*, N.M. Tripathi Private Limited, (1989).
2. Shukla Girjesh, *Criminology*, LexisNexis, New Delhi, (2013).
3. N.V. Paranjpe, *Criminology and Penology with Victimology*, Central Law Publication, Allahabad, (1998).
4. J.P.S. Sirohi, *Criminology and Penology*, Allahbad Law Agency.
5. Ahmad Siddique, *Criminology and Penology*, Eastern Book Company.
6. Davis Lurigo Herman, *Victims of Crime*, Sage Publications.

7. Schuffer S., *Victimology, The Victim and his Criminal*, Raston Publishing Co. Reston, Virginia.
8. Karmen Andrew, *Crime Victim: An Introduction to Victimology*, Wadsworth Publishing Company.
9. Rajan, V.N., *Victimology in India : An Introductory Study*, New Delhi, Allied Publisher.

### **LO 0608 Land Acquisition Law :**

**Objectives of the Course :** The much criticized Land Acquisition Act, 1894 was repealed and replaced by the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR Act 2013). The object of the Act is to provide a law, which will enable the State to acquire the land of citizens. However, the power of Government to acquire land is not absolute. The cardinal rule is that there should be compensation for acquisition of land. The power of the sovereign to take private property for public use and the consequent rights of the owner to compensation are well established in the Act of 2013. The syllabus is aimed to make aware the students (a) the historical foundation of land acquisition in India, (b) constitutional provisions relating to land acquisition in India, (c) the detailed outline and functioning of the Act, 2013, and (d) the major issues involved in Land Acquisition.

#### **Module 01 Historical Perspectives of Land Acquisition in India :**

1. Land Acquisition in colonial era
2. Salient features of the Land Acquisition Act, 1894
3. Limitations / Demerits of the Land Acquisition Act, 1894
4. Land Acquisition and Welfare State

#### **Module 02 Provisions under the Constitution of India :**

1. Right to property under the Constitution of India
2. Agrarian reforms and the First, Fourth and Seventeenth Amendment to the Constitution
3. Eminent Domain and Police Power
4. Concept of Public Purpose
5. Issues Regarding Compensation

#### **Module 03 Introduction of the RFCTLARR Act, 2013 :**

1. Object application and Reasons of the Act
2. Extent and Application of the Act
3. Interpretation clause under the Act

#### **Module 04 Determination of Social Impact and Public Purpose and Safeguard Food Security :**

1. Determination of Social Impact and Public Purpose :
  - a) Preliminary Investigation for Determination of Social Impact and Public Purpose
  - b) Appraisal of Social Impact Assessment Report by an Expert Group

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

2. Special provisions to safeguard Food Security

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

1. Notification and Acquisition

2. Rehabilitation and Resettlement Award

3. Procedure and Manner of Rehabilitation and Resettlement

**Module 06 Authorities, Apportionment Payment of Compensation :**

1. National Monitoring Committee for Rehabilitation and Resettlement

2. Establishment of Land Acquisition, Rehabilitation and Resettlement Authority

3. Apportionment of Compensation

4. Payment of Compensation

**Module 07 Temporary Occupation, Offences and Miscellaneous Provisions :**

1. Temporary Occupation of Land

2. Offences and Penalties

3. Miscellaneous Provisions under the Act (Sections 91 to 114)

**Recommended Readings:**

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

**LO 0609 Intellectual Property Rights II :**

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

**Module 01 The Copyright Act, 1957 :**

1. Definition of Copyright, Objectives of Copyright Protection, Nature of Copyright
2. Copyright and Socio-Economic Development
3. Copyright Law in India – History and Evolution
4. Works in which Copyright subsists – Subject matter of Copyright, Authorship and Ownership of Copyright
5. Authorities under the Copyright Act, 1957, Registration of Copyright, Term of Copyright, Provision for Appeals.
6. Rights Conferred by Copyright, Limitations and Exceptions to Copyright Protection
7. Assignment, Transmission, Licenses and Relinquishment of Copyright
8. Copyright Societies, International Copyright
9. Piracy and Infringement of Copyright, Test of Copyright Protection, Remedies against Infringement.
10. Related Rights - Rights of Performers and Broadcasting Organizations, Economic Rights and Moral Rights of Authors.

**Module 02 The Patent Act, 1970 :**

1. Historical Evolution of Patent System in India, Philosophy of Patent
2. Implementation of TRIPS agreement in India, Amendments to the Patent Act, 1970
3. Definitions, Patentability Criteria, Patentable Subject Matter, Non-Patentable Inventions
4. Procedure for obtaining a Patent, Opposition to the Patent Grant (Pre-grant and Post-grant opposition), Term of Patent
5. Convention Application, PCT International Application
6. Authorities under the Patent Act, 1970: Controller of Patents, IPAB, Patent Agent
7. Rights and Obligation of Patentee, Patent of Addition, Transfer of Patent Rights
8. Revocation and surrender of Patent
9. Compulsory Licenses, Governmental Use and Acquisition of inventions
10. Infringement of Patent and Remedies for Infringement

**Module 03 The Trade Marks Act, 1999 :**

1. Object and Functions of Trademark, Commercial and Non-Commercial Role of Trade Marks
2. Development of Trademark law in India
3. Definition of Mark, Trademark, under the Trade Mark Act, 1999, Essential Features and functions of Trademark, Kinds of Trademark, Registered Trade Mark and Unregistered Trade Mark
4. Conditions for Registration, Procedure of Registration, Grounds of Refusal for Registration
5. Protection of Trade Mark through International Registration under Madrid Protocol

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

**Module 04 The Designs Act, 2000 :**

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

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

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

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

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

**Recommended Readings :**

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

5. Gopalkrishnan N S, & Agitha T G, *Principles of Intellectual Property*. Luckhnow: Estern Book Company.
6. Kankanala K C, *Genetic Patent Law and Strategy*. Noida, India: Manupatra Information Solutions Pvt. Ltd.
7. Reddy G B, *Intellectual Property Rights and the Law*, Gogia Law Agency, Hyderabad.
8. Rama Sarma, *Commentary on Intellectual Property Laws*, Vol.2. Nagpur: LexisNexis Butterworths Wadhawa.
9. Prabudh Ganguli, *Gearing up for Patents - The Indian Scinario*, Universal Law Publishing.
10. Parmeswaran Narayanan, *Intellectual Property Law*, Eastern Law House.
11. B L Wadehra, *Law Relating to Intellectual Property: Patents, Trademarks, Designs and Geological Indications*.
12. Robert Merges & John Duffy, *Patent Law and Policy: Cases and Materials*, 2017.
13. Feroz Ali Khader, *The Law of Patents - With a special focus on Pharmaceuticals in India*, LexisNexis Butterworths Wadhwa, Nagpur.
14. Lionel Bently & Brad Sherman, *Intellectual Property Law*, Oxford University Press.
15. Gregory Stobbs, *Software Patents Worldwide*, Wolters Kluwer.
16. Ahuja V K, *Law Relating to Intellectual Property Rights*, LexisNexis, New Delhi, 2017.

2. Criminal Misappropriation, Criminal Breach of Trust, Stolen property, Cheating, Mischief, Criminal Trespass, House Trespass, Lurking House Trespass, House Breaking, House Breaking by Night
3. Defamation, Criminal Intimidation and Insult
4. Forgery and Making of False document, Falsification of accounts

**Recommended Readings :**

1. M.C. Setelvad, *Common Law in India* (Chapter III, Criminal Law, p. 124-176), Stevens.
2. Stephen, *A History of Criminal Law of England*, Vol. III (Last Chapter on Indian Penal Code), London, Macmillan.
3. Principles of Criminal Law by R C Nigam, *Law of Crimes in India*, Vol. I, Asia Publishing House, New York.
4. Glanville Williams, *Criminal Law*, Universal Law Publishing.
5. J.W. Cecil Turner, *Kenny's Outlines of Criminal Law*, Universal Law Publishing.
6. Smith and Hogan, *Criminal Law*, Oxford University Press.
7. Andrew Ashworth *Principles of Criminal Law*, Clarendon Law Series.
8. S.K. Savaria, *R. A. Nelson's Indian Penal Code* (4 Volumes), LexisNexis Delhi.
9. Hari Singh Gaur, *Penal Law of India* (4 volumes), EBC.
10. PSA Pillai's Criminal Law, 13th Ed. Revised by K.I. Vibhute, LexisNexis, New Delhi.
11. J.D. Mayne, *Indian Penal Code* (Ed. II 1901, p.242-249).
12. K.N. Chndranshekhar Pillai, *Essay's on Indian Penal Code*, Indian Law Institute.
13. R.C. Srivastava, *Law Relating to Crime and Punishment*, Manav Law House, Allahabad.
14. K.D. Gaur, *A Text Book on Indian Penal Code* Universal Law Publishing.
15. K.D. Gaur, *Criminal Law Cases and Material*, Buttersworth.
16. Ratanlal and Dhirajlal, *The Indian Penal Code*, Wadhwa and Company, Nagpur.

**Optional Subject 1 (Any one from the following) :**

**LO 0505 Health and Food Law :**

**Objectives of the Course :** The objectives of the course are : (1) To enable the students to acquire knowledge of constitutional protections with respect to health; (2) To impart knowledge to the students of basic laws relating to protection of health; (3) To impart knowledge about need and nature of right to food and nutrition in India; (4) To expose students to need and nature of programme on food safety and standards in India; (5) To expose students to need and nature of programme of national food security in India; (6) To enable the students to acquire sound knowledge of health and food regulatory mechanism in India.

**Module 01 Introduction :**

1. Concept and Importance of Health
2. Public Health in India - Ancient, medieval and modern perspectives
3. Human Rights Perspectives of Health - an Overview

**Module 02 Health and Constitutional Protections :**

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

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

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

**Module 04 Right to Food and Nutrition in India :**

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

**Module 05 The Food Safety and Standards Act, 2006 :**

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

**Module 06 The National Food Security Act, 2013 :**

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

**Recommended Readings :**

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

2. Pragya Kumar and Virendra Kumar, *Health as a Fundamental Human Right*, in Dilemmas in Health Policy, at C-1 C-8 (1986).
3. M.L. Bhargava, *Law of Food Safety and Standards Act, 2006*, Kamal Publishers; 2017.
4. Kiron Prabhakar, *A Practical Guide to Food Laws and Regulations*, Bloomsbury India, September 2016.
5. Bhatnagar, *Food Laws in India*, Ashoka Law House, 2011.
6. R.K. Gupta (Eds.), *Food Safety in 21<sup>st</sup> Century – Public health Perspectives*, Academic Press, 2016.
7. Law Commission of India, Report No. 264, On the Criminal Law (Amendment) Bill, 2017 (Provisions dealing with Food Adulteration), January, 2017.
8. *Food Security and Right to Food* : S. Mahendrs Dass, K.P. Khanna, 2003, Institute for Human Development, New Delhi.
9. George Ken, *Human Right to Food and Dignity*.
10. "Right to Food Act : Beyond Cheap Promises" Economic and Political Weekly, July 18, Vol.42, No.29.
11. R. Radhakrishna, in K. Parikh, *Food and Nutrition Security*, India Development Report 2002, Oxford University Press, New Delhi.

### **LO 0506 Equity and Trust Law :**

**Objectives of the Course :** Trust being an obligation connected with property, the law has to play a key role in protecting interests of persons for whose benefit trust is created and for balancing the rights and duties of persons connected with trust transactions. There are also instances where even in the absence of specific trust, law has to protect the beneficial interests of persons on equitable considerations. Trusts may also be created for public purposes of charitable and religious nature. The existing laws in respect of trusts, equitable and fiduciary relations connected with property are to be taught in detail. The objectives of the course are to enable the students to acquire knowledge of law on private and public trust and also the principles of equity.

#### **Part I The Indian Trusts Act, 1882 :**

##### **Module 01 Introduction to Private Trust :**

1. Objects, Basic Concepts, Kinds of Trusts
2. Private trust and Public trust
3. Comparison of Trust with other relationships - Trust and Ownership, Trust and Bailment, Trust and Agency, Trust and Contract, Trust and Equitable Charge, Trust and Mortgage, Trust and Administration

##### **Module 02 General Principles :**

1. Creation of Trusts
2. Appointment of Trustees
3. Vacating the Office of Trustee
4. Extinction of Trusts

##### **Module 03 Regulation of Relationship Between Trustee and Beneficiary :**

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

**Part II The Maharashtra Public Trusts Act, 1950 :**

**Module 04 Introduction to Public Trust :**

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

**Module 05 Supervision and Control of Public Trusts :**

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

**Module 06 Special Provisions under the Act :**

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

**Part III Principles of Equity :**

**Module 07 Development and Maxims of Equity :**

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

- j) Equity acts in personam
- k) Where the equities are equal the first in time shall prevail
- l) Where there is equal equity, the law shall prevail

**Recommended Readings :**

1. S. Krishnamurthy Aiyar and Harbans Lal Swin, *Principles and Digest of Trusts Laws* (1998), University Book Agency, Allahabad.
2. R.E. Megarry and P.V. Baker, *Snell's principles of Equity* (1964) ELBS, Snet and Maxwell.
3. Iyer N., *Indian Trust Act* (1997), Delhi Law House, New Delhi.
4. Rajarathnam, Natarajan and Thankaraj, *Commentary on Charitable Trusts and Religious Institutions* (2000) Universal, Delhi.
5. Rao. C.R, *The Indian Trust Act and Allied Laws*, Puliani and Puliani Booksellers, Bangalore (1999).
6. Rangacharya I V, *The Indian Trusts Act*, Madras Law Journal Office (1972).
7. B.M. Gandhi - Equity, Trusts and Specific Relief (Eastern Book Company, Lucknow)
8. Aggarwal O P, *The Indian Trusts Act*.
9. Tandon M P, *The Indian Trusts Act*, Allahabad Law Agency.
10. Chaudhari D H, *The Bombay Public Trusts Act, 1950*.
11. Shah K N, *The Bombay Public Trusts Act, 1950*.
12. Apte M S, *The Bombay Public Trusts Act, 1950*.
13. Gupte and Dighe - The Bombay Public Trust Act (Hind Law House Pune).
14. Philip H. Pettit, *Equity and Law of Trust*, Oxford University (2012).
15. Ahmad Aquil, *Equity, Trusts and Specific Relief*, Central Law Agency.
16. Basu Durga Das, *Equity, Trusts and Specific Relief*, Kamal Law House, 1996.

**LO 0507 Criminal Psychology and Criminal Sociology :**

**Objectives of the Course :** The course is designed to acquaint students with advances made by sociology and psychiatry in understanding human Behaviour, particularly, deviant Behaviour. The objective of the course is to provide in-depth understanding of crime causation and its prevention. Advancement in the science of psychiatry and sociology has changed the understanding of criminology as a science. At the end of the course, students would be able to understand the causation of crime in a better scientific and rational manner.

**Module 01 Crime, Criminal and Criminology :**

1. What is crime? Who is the criminal?
2. What is Criminology?
3. Schools of Criminology -
  - a) The Pre-Classical School
  - b) The Classical School
  - c) Neo-Classical School
  - d) Positivist Approach - Radical Positivism and Liberal Positivism

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

**Module 02 Psychology and Crime :**

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

**Module 03 Psychometric Test - Its use in Criminal Behaviour :**

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

**Module 04 Forensic Psychology - Concept and Importance :**

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

**Module 05 Sociological Theories - Crime and Social Structure :**

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

**Module 06 Subcultural Theories :**

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

**Module 07 Crime and Social Process :**

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

**Recommended Readings :**

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

2. Void, George B., Benard Thomas J., and Snipes, Jeffrey B. (2002), *Theoretical Criminology*, Oxford University Press, Oxford.
3. Siegel, L.J (2003) *Criminology*, (8<sup>th</sup> Edition) Wadsworth, USA.
4. Schmalleger Frank, *Criminology Today*, (1996) Prentice Hall, New Jersey.
5. Dennis Howitt, 2002, *Forensic and Criminal Psychology*, Prentice Hall.
6. *Encyclopedia of Criminal and Deviant Behaviour*, 2001, Clifton D. Pryart, Editor-in Chief, Burunner Routledge Taylor and Frances Group.
7. Barta, Curt R, 1999, *Criminal Behaviour: A Psychosocial Approach*, 5<sup>th</sup> edition, Prentice Hall, New Delhi.
8. Hollin, Clive R Routledge and Kegan Paul, 1989, *Psychology and Crime: An introduction to Criminal Psychology*, London.
9. Dartmouth Aldershot, 1987, *Criminal Detection and Psychology of Crime*.
10. Harvard LPC *Forensic Psychology*, 1981, Professor of Clinical Psychology, University of Surrey, Batsford Academic and Educational Ltd. London.
11. Adman Raine, 1983, *The Psychopathology of Crime, Criminal Disorder*, Academic Press, Inc.
12. Navin Kumar, (2015), *Criminal Psychology*, LexisNexis, New Delhi.
13. Shukla Girjesh, (2013), *Criminology*, LexisNexis, New Delhi.
14. McLaughlin Eugene and Newburn Tim (Ed) (2010), *the Sage Handbook of Criminological Theory*, Sage Publication Ltd, New Delhi.
15. Prof. N.V. Paranjape, *Criminology and Penology With Victiomology*, Central Law Publications.
16. S.M.A. Quadri, *Criminology And Penology*, Eastern Book Company.
17. Dr. Krishna Pal Malik, *Penology , Victimology And Correctional Administration In India*, Allahabad Law Agency.
18. J.P. Sirohi, *Criminology And Criminal Administration*, Allahabad Law Agency.

### **LO 0508 Agricultural Marketing Law :**

**Objectives of the Course :** The livelihood of majority of the country's population depends on agriculture. About 65 percent of the population depends on the agriculture and 70 percent live in the villages. The contribution of Indian agriculture to the national Gross Domestic Product (GDP) is also significant. The food being the crowning need of mankind, much emphasis has been made on commercializing agricultural production. In this era of globalisation adequate production, warehousing, distribution, marketing and export of agricultural produce has become a high priority. Agricultural marketing is mainly the buying and selling of agricultural products. The protection of farmers rights is also equally important. The objective of the course is to make the students well acquainted with the knowledge of law with respect to these matters.

#### **Module 01 Basic Concepts of Agricultural Marketing and Model Act :**

1. Concept of Agricultural Marketing and Market
2. Classification of Markets, Types of Marketing

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

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

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

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

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

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

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

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

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

**Module 06 Agricultural Insurance in India – an Overview :**

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

3. Unified Package Insurance Scheme :  
Pradhan Mantri Fasal Bima Yojana (PMFBY)
4. Past Experience with Crop Insurance Schemes in India :  
Comprehensive Crop Insurance Scheme(CCIS)  
Experimental Crop Insurance (ECI)  
Farm Income Insurance Scheme FIIS  
National Agriculture Insurance Scheme (NAIS)

### **Recommended Readings :**

1. Dr. C.S. Prasad: *Agriculture and Sustainable Development in India*, New Century Publications, New Delhi, India 2012.
2. A.K. Thaur and M.K. Sinha (ed.) : *Structural Reforms and Agriculture*, Deep and Deep Publications Pvt. Ltd. 2011.
3. Rais Ahamd : *Co-operative and Rural Development in India*, New Century Publications, New Delhi, India 2013.
4. *Law of Seeds* (Acts, Rules, Orders, Policy, Notifications, Varieties, Export and Import of Seeds etc.), 16th ed., Asia New House, 2012.
5. S.S China : *Agricultural Labour-Problems and Policy Implications*, Regal Publications, New Delhi.
6. Sudip Chakraborty : *Food Security and Child Labour*, Deep and Deep Publications PVT LTD. 2011.
7. Asian Development Bank : *Agriculture, Food Security and Rural Development*, Oxford University Press, 2010.
8. D. Narasimha Reddy and Srijit Mishra (ed) : *Agrarian Crisis in India*, Oxford University Press, 2010.
9. Dr. B.K Mohanty: *Agricultural Finance and Rural Development*, Regal Publications, New Delhi, 2010.
10. R. Datt and K.P.M Sundharm : *Indian Economics*, S. Chand, New Delhi, 2009.
11. Myneni : *Indian Economics* (For Law Course), Allahabad Law Agency, 2006.
12. B.B Mukharji : *Agricultural Marketing in India*, Thacker, Spink 1930.

### **LO 0509 Intellectual Property Rights I :**

**Objectives of the Course :** Intellectual Property has acquired tremendous role in the present technology driven economy throughout the world. The significant factors that contribute for the development of International Law of Intellectual Property Rights are expansion of voluminous trade; increasing interdependence of international commerce; the development of science and technology and the flow of communication. Due to the vastness of the subject it has been divided into two courses. Course-I gives a subtle back ground to the international perspective in a nutshell while the application of it in the National Regime is placed in course – II in a subtle manner. This course is designed with intend to familiarize the students with Concept, nature, characteristics and internationalization of Intellectual Property. It also

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

**Module 01 Introduction to Intellectual Property Rights :**

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

**Module 02 Law of Copyright and Neighboring Rights :**

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

**Module 03 Patent Law :**

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

**Module 04 Law of Trade Marks :**

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

**Module 05 Protection of Industrial Designs :**

1. Meaning and definition of Industrial Designs
2. Industrial Designs Vs. Copyright
3. Introduction to the Hague Agreement Concerning the International Registration of Industrial Designs, Benefits of Accession to the Hague Agreement
4. Protection of Industrial Designs under TRIPS

**Module 06 Conventions and Treaties relating to other Intellectual Properties :**

1. Definition and Concept of Geographical Indications, Layout Designs, Trade Secret, Plant Varieties, etc.
2. Lisbon Agreement for the Protection of Appellations of Origin
3. Protection of Geographical Indications, Layout Designs and Trade Secret under the TRIPS Agreement
4. The UPOV Convention

**Module 07 Current IP Issues :**

1. Access to Genetic Resources and Benefit Sharing
2. Intellectual Property and Human Rights
3. Protection of the rights of indigenous people
4. IP protection and its impact on right to food security and public health
5. Environmental Protection and Intellectual Property
6. Protection of Bio-diversity and Traditional Knowledge - Economic, Social, Cultural and Ethical Dimensions

**Recommended Readings :**

1. Kamil Idris, *Intellectual Property: A Power tool for Economic Growth*, WIPO.
2. Tzen Wong and Graham Dutfield, *Intellectual Property and Human Development – Current Trends and Future Scenarios*, Cambridge Press.
3. UNCTAD-ICTSD. (2005). *Resource Book on TRIPS and Development*. New York: Cambridge University Press.
4. William Cornish and David Llewelyn, *Intellectual Property : Patents, Copyright, Trade Marks, and Allied Rights*. London: Sweet and Maxwell.
5. Carlos Correa, *Implementing TRIPS in developing countries*. Third World Network.
6. Catherine Colston, *Principles of Intellectual Property Law*. London: Cavindish Publishing Ltd.
7. Choudhary D. N., *Evolution of patent Laws*. New Delhi: Capital Law House.
8. Epstein M A, *Epstein on Intellectual Property* (Indian Reprint). New Delhi: Wolters Kluwer Law and Business.
9. Feroz Ali Khader, *The Law of Patents - With a special focus on Pharmaceuticals in India*, LexisNexis Butterworths Wadhwa, Nagpur.
10. Ganguli Prabuddha, *Intellectual Property Rights - Unleashing the Knowledge Economy*. New Delhi: Tata McGrawh-hill Publishing Company Ltd.
11. Gopalkrishnan N S, and Agitha T G, *Principles of Intellectual property*. Luckhnow: Estern Book Company.

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

# सावित्रीबाई फुले पुणे विद्यापीठ (पूर्वीचे पुणे विद्यापीठ)

दूरध्वनी क्र.:

०२०-२५६९१२३३.

०२०-२५६०१२५७/५८/५९.

फॅक्स -: ०२०-२५६९१२३३

संदर्भ क्र.:सी.बी.एल./ ३२१



शैक्षणिक विभाग,

गणेशखिंड, पुणे ४११ ००७.

टेलिग्राफ -: युनिपुणे

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ई-मेल -: [boards@pun.unipune.ac.in](mailto:boards@pun.unipune.ac.in)

दिनांक -: ०५/०५/२०१५

परिपत्रक क्र. ८९/२०१७

विषय— : प्रथम वर्ष एल.एल.बी.(३वर्ष) या पदवीच्या विषयनिहाय सुधारित  
अभ्यासक्रमाबाबत....

विद्यापीठ अधिकार मंडळाने घेतलेल्या निर्णयानुसार सर्व संबंधितांस या परिपत्रकांद्वारे कळविण्यात येते की, मानवविज्ञान विद्याशाखेअंतर्गत प्रथम वर्ष एल.एल.बी. (३वर्ष) या पदवीच्या विषयनिहाय सुधारित अभ्यासक्रमास शैक्षणिक वर्ष २०१७-१८ पासून मान्यता देण्यात येत आहे.

सदरचा अभ्यासक्रम हा सावित्रीबाई फुले पुणे विद्यापीठच्या [www.unipune.ac.in](http://www.unipune.ac.in) या संकेतस्थळावर Syllabi या शीर्षकाखाली उपलब्ध आहे.

मा. प्राचार्य, सर्व संलग्न विधी महाविद्यालये यांना विनंती की, सदर परिपत्रकाचा आशय सर्व संबंधितांच्या निदर्शनास आणू द्यावा .

उपकुलसचिव,  
(शैक्षणिक विभाग)

प्रत माहिती व पुढील योग्य त्या कार्यवाहीसाठी — :

१. मा. अधिष्ठाता,विधी विद्याशाखा,सा.फु. पुणे विद्यापीठ,पुणे ७.
२. मा. संचालक, म.वि.वि.मं., सा.फु. पुणे विद्यापीठ,पुणे ७.
३. मा. विभागप्रमुख,विधी विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
४. मा. प्राचार्य,सर्व संलग्न विधी महाविद्यालये.
५. मा. संचालक, सर्व मान्यताप्राप्त संस्था.
६. मा. परीक्षा नियंत्रक, सा.फु. पुणे विद्यापीठ,पुणे ७
७. मा. संचालक, स्पर्धा परीक्षा केंद्र. सा.फु. पुणे विद्यापीठ,पुणे ७.
८. मा. प्रमुख,विद्यापीठ उपकेंद्र: अहमदनगर, नाशिक.
९. मा. संचालक, परदेशी विद्यार्थी केंद्र. सा.फु. पुणे विद्यापीठ,पुणे ७.
१०. वरिष्ठ कायदा अधिकारी, सा.फु. पुणे विद्यापीठ,पुणे ७.
११. उपकुलसचिव, परीक्षा १ व २ सा.फु. पुणे विद्यापीठ,पुणे ७.
१२. पद्धती विश्लेषक,व्यवस्थापन व माहिती विभाग,सा.फु. पुणे विद्यापीठ,पुणे ७.
१३. उपकुलसचिव,शैक्षणिक प्रवेश विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
१४. उपकुलसचिव, नियोजन व विकास विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
१५. उपकुलसचिव, शैक्षणिक पात्रता विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
१६. उपकुलसचिव, गोपनीय कक्ष, सा.फु. पुणे विद्यापीठ,पुणे ७.
१७. सहायक कुलसचिव,परीक्षा समन्वय, सा.फु. पुणे विद्यापीठ,पुणे ७.
१८. सहायक कुलसचिव,परीक्षा एस.अॅण्ड टी.विभाग,सा.फु.पुणे विद्यापीठ,पुणे ७.
१९. सहायक कुलसचिव, सभा व दफ्तर विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
२०. सहायक कुलसचिव, संलग्नता विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
२१. जनसंपर्क अधिकारी, सा.फु. पुणे विद्यापीठ,पुणे ७.
२२. कक्षाधिकारी, बहिःस्थ विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.

वि. प.क्र.ब ३२पीए/३२/२०१७, दिनांक २६ एप्रिल, २०१७

The above letter, dated in 2017, is issued by Savitribai Phule Pune University, to notify the changes in the syllabus of LLB Course. The changed syllabus is to be implemented in the academic year 2017-18 in the affiliated institutions.

# सावित्रीबाई फुले पुणे विद्यापीठ (पूर्वीचे पुणे विद्यापीठ)

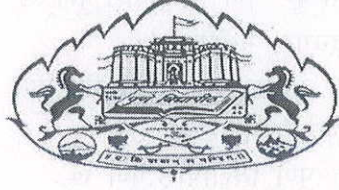
दूरध्वनी क्र.:

०२०-२५६९१२३३.

०२०-२५६०१२५७/५८/५९.

फॅक्स :- ०२०-२५६९१२३३

संदर्भ क्र.:सी.बी.एल ३२०



शैक्षणिक विभाग,

गणेशखिंड, पुणे ४११ ००७.

टेलिग्राफ :- युनिपुणे

वेबसाईट :- [www.unipune.ac.in](http://www.unipune.ac.in)

ई-मेल :- [boards@pun.unipune.ac.in](mailto:boards@pun.unipune.ac.in)

दिनांक :- ०५/०५/२०१७

परिपत्रक क्र. ८८/२०१७

विषय — : प्रथम वर्ष, द्वितीय वर्ष व तृतीय वर्ष बी.ए.एल.एल.बी.(५वर्ष) या पदवीच्या विषयनिहाय सुधारित अभ्यासक्रमाबाबत....

विद्यापीठ अधिकार मंडळाने घेतलेल्या निर्णयानुसार सर्व संबंधितांस या परिपत्रकाद्वारे कळविण्यात येते की, मानवविज्ञान विद्याशाखेअंतर्गत प्रथम वर्ष, द्वितीय वर्ष व तृतीय वर्ष बी.ए.एल.एल.बी. (५वर्ष) या पदवीच्या विषयनिहाय सुधारित अभ्यासक्रमास शैक्षणिक वर्ष २०१७-१८ पासून मान्यता देण्यात येत आहे.

सदरचा अभ्यासक्रम हा सावित्रीबाई फुले पुणे विद्यापीठच्या [www.unipune.ac.in](http://www.unipune.ac.in) या संकेतस्थळावर **Syllabi** या शीर्षकाखाली उपलब्ध आहे.

मा. प्राचार्य, सर्व संलग्न विधी महाविद्यालये यांना विनंती की, सदर परिपत्रकाचा आशय सर्व संबंधितांच्या निदर्शनास आणू द्यावा .

उपकुलसचिव,  
(शैक्षणिक विभाग)

प्रत माहिती व पुढील योग्य त्या कार्यवाहीसाठी — :

१. मा. अधिष्ठाता, विधी विद्याशाखा, सा.फु. पुणे विद्यापीठ, पुणे ७.
२. मा. संचालक, म.वि.वि.मं., सा.फु. पुणे विद्यापीठ, पुणे ७.

३. मा. विभागप्रमुख,विधी विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
४. मा. प्राचार्य,सर्व संलग्न विधी महाविद्यालये.
५. मा. संचालक, सर्व मान्यताप्राप्त संस्था.
६. मा. परीक्षा नियंत्रक, सा.फु. पुणे विद्यापीठ,पुणे ७
७. मा. संचालक, स्पर्धा परीक्षा केंद्र. सा.फु. पुणे विद्यापीठ,पुणे ७.
८. मा. प्रमुख,विद्यापीठ उपकेंद्र: अहमदनगर, नाशिक.
९. मा. संचालक, परदेशी विद्यार्थी केंद्र. सा.फु. पुणे विद्यापीठ,पुणे ७.
१०. वरिष्ठ कायदा अधिकारी, सा.फु. पुणे विद्यापीठ,पुणे ७.
११. उपकुलसचिव, परीक्षा १ व २ सा.फु. पुणे विद्यापीठ,पुणे ७.
१२. पद्धती विश्लेषक,व्यवस्थापन व माहिती विभाग,सा.फु. पुणे विद्यापीठ,पुणे ७.
१३. उपकुलसचिव,शैक्षणिक प्रवेश विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
१४. उपकुलसचिव, नियोजन व विकास विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
१५. उपकुलसचिव, शैक्षणिक पात्रता विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
१६. उपकुलसचिव, गोपनीय कक्ष, सा.फु. पुणे विद्यापीठ,पुणे ७.
१७. सहायक कुलसचिव,परीक्षा समन्वय, सा.फु. पुणे विद्यापीठ,पुणे ७.
१८. सहायक कुलसचिव,परीक्षा एस.अॅण्ड टी.विभाग,सा.फु.पुणे विद्यापीठ,पुणे ७.
१९. सहायक कुलसचिव, सभा व दफ्तर विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
२०. सहायक कुलसचिव, संलग्नता विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
२१. जनसंपर्क अधिकारी, सा.फु. पुणे विद्यापीठ,पुणे ७.
२२. कक्षाधिकारी, बहिःस्थ विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.

वि.प.क्र.ब ३०पीए/३०/२०१७, दिनांक २६ एप्रिल, २०१७

The above letter, dated in 2017, is issued by Savitribai Phule Pune University, to notify the changes in the syllabus of BA LLB Course. The changed syllabus is to be implemented in the academic year 2017-18 in the affiliated institutions.



शैक्षणिक विभाग

गणेशखिंड, पुणे-४११ ००७

दूरध्वनी क्र. : ०२०-२५६०१२५७/५८/५९

ई-मेल : boards@pun.unipune.ac.in

संकेतस्थळ : [www.unipune.ac.in](http://www.unipune.ac.in)

संदर्भ क्र : **सीबीएल/६७४**

सावित्रीबाई फुले पुणे विद्यापीठ  
(पूर्वीचे पुणे विद्यापीठ)

**Savitribai Phule Pune University**  
(Formerly University of Pune)

Academic Section

Ganeshkhind, Pune - 411 007

Phone : 020-25601257/58/59

E-mail : boards@pun.unipune.ac.in

Website : [www.unipune.ac.in](http://www.unipune.ac.in)

दिनांक : **१६/१०/२०१९**

परिपत्रक क्र. **१७४/२०१९**

विषय : मानवविज्ञान विद्याशाखेअंतर्गत विधी अभ्यासक्रमाच्या (२०१७ पॅटर्न) बी.ए.एलएल.बी. (५ वर्षे), बी.बी.ए.एलएल.बी. (५ वर्ष) आणि एल.एल.बी. (३ वर्ष) या पदवी अभ्यासक्रमातील दुरुस्तीबाबत..

विद्यापीठ अधिकार मंडळाने घेतलेल्या निर्णयानुसार सर्व संबंधितांस या परिपत्रकाद्वारे कळविण्यात येते की, मानवविज्ञान विद्याशाखेअंतर्गत विधी अभ्यासक्रमाच्या (२०१७ पॅटर्न) बी.ए.एलएल.बी., बी.बी.ए.एलएल.बी. (५ वर्ष) आणि एल.एल.बी. (३ वर्ष) या पदवी अभ्यासक्रमातील दुरुस्तीस शैक्षणिक वर्ष २०१९-२० पासून मान्यता देण्यात येत आहे.

सदरचा अभ्यासक्रम हा सावित्रीबाई फुले पुणे विद्यापीठाच्या [www.unipune.ac.in](http://www.unipune.ac.in) या संकेतस्थळावर **Syllabi** या शीर्षकाखाली उपलब्ध आहे.

मा. प्राचार्य, सर्व संलग्न विधी महाविद्यालये यांना विनंती की, सदर परिपत्रकाचा आशय सर्व संबंधितांच्या निदर्शनास आणू द्यावा.

**Dati**

उपकुलसचिव,

(शैक्षणिक विभाग)

प्रत माहिती व पुढील योग्य त्या कार्यवाहीसाठी — :

1. मा. अधिष्ठाता, विधी विद्याशाखा, सा.फु. पुणे विद्यापीठ, पुणे ७.
2. मा. विभागप्रमुख, विधी विभाग, सा.फु. पुणे विद्यापीठ, पुणे ७.
3. मा. प्राचार्य, सर्व संलग्न विधी महाविद्यालये.
4. मा. संचालक, सर्व मान्यताप्राप्त संस्था.
5. मा. संचालक, परीक्षा व मूल्यमापन मंडळ, सा.फु. पुणे विद्यापीठ, पुणे ७
6. मा. संचालक, स्पर्धा परीक्षा केंद्र. सा.फु. पुणे विद्यापीठ, पुणे ७
7. मा. प्रमुख, विद्यापीठ उपकेंद्र: अहमदनगर, नाशिक.
8. मा. संचालक, परदेशी विद्यार्थी केंद्र. सा.फु. पुणे विद्यापीठ, पुणे ७.
9. वरिष्ठ कायदा अधिकारी, सा.फु. पुणे विद्यापीठ, पुणे ७.
10. उपकुलसचिव, परीक्षा १ व २ सा.फु. पुणे विद्यापीठ, पुणे ७.
11. उपकुलसचिव, शैक्षणिक प्रवेश विभाग, सा.फु. पुणे विद्यापीठ, पुणे ७.
12. उपकुलसचिव, नियोजन व विकास विभाग, सा.फु. पुणे विद्यापीठ, पुणे ७.
13. उपकुलसचिव, शैक्षणिक पात्रता विभाग, सा.फु. पुणे विद्यापीठ, पुणे ७.
14. उपकुलसचिव, गोपनीय कक्ष, सा.फु. पुणे विद्यापीठ, पुणे ७.
15. सहायक कुलसचिव, परीक्षा समन्वय, सा.फु. पुणे विद्यापीठ, पुणे ७.
16. सहायक कुलसचिव, परीक्षा एस.अॅण्ड टी.विभाग, सा.फु. पुणे विद्यापीठ, पुणे ७.
17. सहायक कुलसचिव, सभा व दफ्तर विभाग, सा.फु. पुणे विद्यापीठ, पुणे ७.
18. सहायक कुलसचिव, संलग्नता विभाग, सा.फु. पुणे विद्यापीठ, पुणे ७.
19. जनसंपर्क अधिकारी, सा.फु. पुणे विद्यापीठ, पुणे ७.
20. कक्षाधिकारी, बहिःस्थ विभाग, सा.फु. पुणे विद्यापीठ, पुणे ७.
21. सहायक कुलसचिव प्र—कुलगुरू कार्यालय

टिपणी.क्र. व्हीसी. २९५३/१६.०७.२०१९

The above letter, dated in 2019, is issued by Savitribai Phule Pune University, to notify the corrections in the syllabus of LLB and BALLB Course which was updated in the academic year of 2017-18. Further updated syllabus would be implemented in the upcoming academic year.



शैक्षणिक विभाग

गणेशखिंड, पुणे-४११ ००७

दूरध्वनी क्र. : ०२०-२५६०१२५७/५८/५९

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संकेतस्थळ : www.unipune.ac.in

संदर्भ क्र : सीबीएल/७२२

सावित्रीबाई फुले पुणे विद्यापीठ  
(पूर्वीचे पुणे विद्यापीठ)

**Savitribai Phule Pune University**  
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दिनांक : ०२१०८/२०१९

सुधारित परिपत्रक क्र. १९४/२०१९

विषय : मानवविज्ञान विद्याशाखेअंतर्गत विधी अभ्यासक्रमाच्या (२०१७ पॅटर्न) बी.ए.एलएल.बी. (५ वर्षे), बी.बी.ए.एलएल.बी. (५ वर्ष) आणि एल.एल.बी. (३ वर्ष) या पदवी अभ्यासक्रमातील दुरुस्तीबाबत.

संदर्भ : विद्यापीठाचे परिपत्रक क्र. १७४/२०१९, दि. १७/७/२०१९ मधील दुरुस्तीबाबत...

विद्यापीठ अधिकार मंडळाने घेतलेल्या निर्णयानुसार सर्व संबंधितांस या परिपत्रकाद्वारे कळविण्यात येते की, मानवविज्ञान विद्याशाखेअंतर्गत विधी अभ्यासक्रमाच्या (२०१७ पॅटर्न) बी.ए.एलएल.बी., बी.बी.ए.एलएल.बी. (५ वर्ष) आणि एल.एल.बी. (३ वर्ष) या पदवी अभ्यासक्रमातील दुरुस्तीस शैक्षणिक वर्ष २०१९-२० पासून मान्यता देण्यात येत आहे.

शैक्षणिक वर्ष २०१७-१८ व २०१८-१९ मधील (Back-log) असणा-या विद्यार्थ्यांनाही सदर अभ्यासक्रमातील बदल लागू आहेत.

सदरचा अभ्यासक्रम हा सावित्रीबाई फुले पुणे विद्यापीठाच्या [www.unipune.ac.in](http://www.unipune.ac.in) या संकेतस्थळावर **Syllabi** या शीर्षकाखाली उपलब्ध आहे.

मा. प्राचार्य, सर्व संलग्न विधी महाविद्यालये यांना विनंती की, सदर परिपत्रकाचा आशय सर्व संबंधितांच्या निदर्शनास आणू द्यावा.

उपकुलसचिव  
(शैक्षणिक विभाग)

प्रत माहिती व पुढील योग्य त्या कार्यवाहीसाठी — :

1. मा. अधिष्ठाता,विधी विद्याशाखा,सा.फु. पुणे विद्यापीठ,पुणे ७.
2. मा. विभागप्रमुख, विधी विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
3. मा. प्राचार्य,सर्व संलग्न विधी महाविद्यालये.
4. मा. संचालक, सर्व मान्यताप्राप्त संस्था.
5. मा. संचालक,परीक्षा व मूल्यमापन मंडळ, सा.फु. पुणे विद्यापीठ,पुणे ७
6. मा. संचालक, स्पर्धा परीक्षा केंद्र. सा.फु. पुणे विद्यापीठ,पुणे ७
7. मा. प्रमुख, विद्यापीठ उपकेंद्र: अहमदनगर, नाशिक.
8. मा. संचालक, परदेशी विद्यार्थी केंद्र. सा.फु. पुणे विद्यापीठ,पुणे ७.
9. वरिष्ठ कायदा अधिकारी, सा.फु. पुणे विद्यापीठ,पुणे ७.
10. उपकुलसचिव, परीक्षा १ व २ सा.फु. पुणे विद्यापीठ,पुणे ७.
11. उपकुलसचिव,शैक्षणिक प्रवेश विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
12. उपकुलसचिव, नियोजन व विकास विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
13. उपकुलसचिव, शैक्षणिक पात्रता विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
14. उपकुलसचिव, गोपनीय कक्ष, सा.फु. पुणे विद्यापीठ,पुणे ७.
15. सहायक कुलसचिव,परीक्षा समन्वय, सा.फु. पुणे विद्यापीठ,पुणे ७.
16. सहायक कुलसचिव,परीक्षा एस.अॅण्ड टी.विभाग,सा.फु.पुणे विद्यापीठ,पुणे ७.
17. सहायक कुलसचिव, सभा व दफ्तर विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
18. सहायक कुलसचिव, संलग्ना विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
19. जनसंपर्क अधिकारी, सा.फु. पुणे विद्यापीठ,पुणे ७.
20. कक्षाधिकारी, बहिःस्थ विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
21. सहायक कुलसचिव प्र—कुलगुरू कार्यालय

टिपणी.क्र. व्हीसी. २९५३/१६.०७.२०१९



सावित्रीबाई फुले पुणे विद्यापीठ  
(पूर्वीचे पुणे विद्यापीठ)

शैक्षणिक विभाग

गणेशखिंड, पुणे-४११ ००७

दूरध्वनी क्र. : ०२०-२५६०१२५७/५८/५९

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**Savitribai Phule Pune University**  
(Formerly University of Pune)

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संदर्भ क्र : सीबीएल/०६६

दिनांक : २८/०८/२०१९

परिपत्रक क्र २२२/२०१९

विषय : मानवविज्ञान विद्याशाखेअंतर्गत विधी अभ्यासक्रमाच्या (२०१७ पॅटर्न) समकक्षतेबाबतच्या नियमातील बदलाबाबत....

विद्यापीठ अधिकार मंडळाने घेतलेल्या निर्णयानुसार सर्व संबंधितांस या परिपत्रकाद्वारे कळविण्यात येते की, मानवविज्ञान विद्याशाखेअंतर्गत विधी अभ्यासक्रमाच्या (२०१७ पॅटर्न) बी.ए.एलएल.बी., बी.बी.ए.एलएल.बी. (५ वर्ष) आणि एल.एल.बी. (३ वर्ष) या पदवी अभ्यासक्रमातील समकक्षतेबाबतच्या नियमातील बदलास शैक्षणिक वर्ष २०१९-२० पासून मान्यता देण्यात येत आहे.

सदरचा अभ्यासक्रम हा सावित्रीबाई फुले पुणे विद्यापीठाच्या [www.unipune.ac.in](http://www.unipune.ac.in) या संकेतस्थळावर **Syllabi** या शीर्षकाखाली उपलब्ध आहे.

मा. प्राचार्य, सर्व संलग्न विधी महाविद्यालये यांना विनंती की, सदर परिपत्रकाचा आशय सर्व संबंधितांच्या निदर्शनास आणून द्यावा.

उपकुलसचिव

(शैक्षणिक विभाग)

प्रत माहिती व पुढील योग्य त्या कार्यवाहीसाठी — :

1. मा. अधिष्ठाता,विधी विद्याशाखा,सा.फु. पुणे विद्यापीठ,पुणे ७.
2. मा. विभागप्रमुख, विधी विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
3. मा. प्राचार्य, सर्व संलग्न विधी महाविद्यालये.
4. मा. संचालक, सर्व मान्यताप्राप्त संस्था.
5. मा. संचालक,परीक्षा व मूल्यमापन मंडळ, सा.फु. पुणे विद्यापीठ,पुणे ७
6. मा. संचालक, स्पर्धा परीक्षा केंद्र. सा.फु. पुणे विद्यापीठ,पुणे ७
7. मा. प्रमुख, विद्यापीठ उपकेंद्र: अहमदनगर, नाशिक.
8. मा. संचालक, परदेशी विद्यार्थी केंद्र. सा.फु. पुणे विद्यापीठ,पुणे ७.
9. वरिष्ठ कायदा अधिकारी, सा.फु. पुणे विद्यापीठ,पुणे ७.
10. उपकुलसचिव, परीक्षा १ व २ सा.फु. पुणे विद्यापीठ,पुणे ७.
11. उपकुलसचिव, नियोजन व विकास विभाग
12. उपकुलसचिव,शैक्षणिक प्रवेश विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
13. उपकुलसचिव, नियोजन व विकास विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
14. उपकुलसचिव, शैक्षणिक पात्रता विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
15. उपकुलसचिव, गोपनीय कक्ष, सा.फु. पुणे विद्यापीठ,पुणे ७.
16. सहायक कुलसचिव,परीक्षा समन्वय, सा.फु. पुणे विद्यापीठ,पुणे ७.
17. सहायक कुलसचिव,परीक्षा एस.अॅण्ड टी.विभाग,सा.फु.पुणे विद्यापीठ,पुणे ७.
18. सहायक कुलसचिव, सभा व दफ्तर विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
19. सहायक कुलसचिव, संलग्नता विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
20. जनसंपर्क अधिकारी, सा.फु. पुणे विद्यापीठ,पुणे ७.
21. कक्षाधिकारी, बहिःस्थ विभाग, सा.फु. पुणे विद्यापीठ,पुणे ७.
22. प्र-कुलगुरू कार्यालय

टिपणी क्र. व्ही.सी. १८७३/दिनांक २७ ऑगस्ट, २०१९

The above letter, dated in 2019, is issued by Savitribai Phule Pune University, to notify the corrections in the syllabus of LLB and BALLB Course which was updated in the academic year of 2017-18. Further updated syllabus would be implemented in the upcoming academic year. The changed syllabus is also to be followed by Backlog students of the both course.



शैक्षणिक विभाग

गणेशखिंड, पुणे-४११ ००७

दुरध्वनी क्र.: ०२०-२५६०१२५७/५८

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सावित्रीबाई फुले पुणे विद्यापीठ

(पूर्वीचे पुणे विद्यापीठ)

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संदर्भ क्र. : सीबीएल/७७१

दिनांक : २३/०७/२०१८

सुधारित परिपत्रक क्र. १२७/२०१८

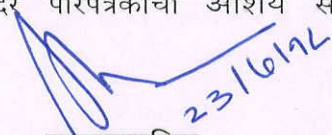
विषय : मानवविज्ञान विद्याशाखेतर्गत विधी अभ्यासक्रमांच्या नियमावलीबाबत.

संदर्भ : परिपत्रक क्र. ०३/२०१८, दि. १५/१/२०१८ व परिपत्रक क्र. १०४/२०१८, दि. ५/७/२०१८ मधील दुरुस्तीबाबत.

विद्यापीठ अधिकार मंडळाने घेतलेल्या निर्णयानुसार सर्व संबंधितांस या परिपत्रकाद्वारे कळविण्यात येते की, विधी विषयातील अभ्यासक्रमासाठीच्या खालील नियमावलीस मान्यता देण्यात येत आहे.

- १) विधी अभ्यासक्रमाच्या प्रथम वर्षाच्या (३ वर्षे व ५ वर्षे) परीक्षा शैक्षणिक वर्ष २०१८-१९ पासून संबंधित महाविद्यालयानेच घ्याव्यात. ज्या विद्यार्थ्यांचे प्रथम वर्षाचे विषय (Backlog) राहिले असतील अशा विद्यार्थ्यांच्या परीक्षा देखील महाविद्यालयानेच घ्याव्यात.
- २) २०१७ पॅटर्न प्रमाणे राबविण्यात येणा-या अभ्यासक्रमासाठी विद्यार्थ्यांना प्रश्नपेढी (Question Bank) शैक्षणिक वर्ष २०१८-१९ पासून विद्यापीठामार्फत उपलब्ध करून देण्यात यावी.
- ३) नवीन विधी अभ्यासक्रम २०१७ पॅटर्न : शैक्षणिक वर्ष २०१७-१८ पासून व त्यानंतर नवीन विधी अभ्यासक्रम २०१७ पॅटर्न प्रथम वर्षास प्रवेशित विद्यार्थ्यांना पदवी स्तरावरील अभ्यासक्रमाच्या (३ वर्ष व ५ वर्ष) सर्व वर्गांच्या परीक्षेमध्ये प्रत्येक विषयात उत्तीर्ण होणेसाठी किमान ४० गुण ही अट कायम ठेवण्यात आलेली असून एकूण गुणांची किमान टक्केवारी ५०% ही अट काढून टाकण्यात येत आहे.
- ४) विधी अभ्यासक्रम २००३ पॅटर्न : विधी अभ्यासक्रम २००३ पॅटर्न नुसार शैक्षणिक वर्ष २०१८-१९ मध्ये व तदनंतर होणा-या परीक्षेमध्ये (३ वर्ष व ५ वर्ष अभ्यासक्रम) प्रत्येक विषयात उत्तीर्ण होणेसाठी किमान ४० गुण ही अट करण्यात आली असून एकूण गुणांची किमान टक्केवारी ५०% ही अट काढून टाकण्यात येत आहे.
- ५) विधी पदविका अभ्यासक्रम : शैक्षणिक वर्ष २०१८-१९ पासून व त्यानंतर सर्व विधी पदविका अभ्यासक्रमास प्रवेशित होणा-या विद्यार्थ्यांना परीक्षेमध्ये प्रत्येक विषयात उत्तीर्ण होणेसाठी किमान ४० गुण ही अट करण्यात आली असून एकूण गुणांची किमान टक्केवारी ५०% ही अट काढून टाकण्यात येत आहे.
- ६) शैक्षणिक वर्ष २०१८-१९ पासून बी.ए.एल.एल.बी./बी.एस.एल.एल.एल.बी. (५ वर्षे ) आणि एल.एल.बी. (३ वर्ष) या पदवी अभ्यासक्रमाच्या २००३ पॅटर्नला २०१७ पॅटर्नप्रमाणे समकक्षता देण्यात येत आहे.
- ७) २००३ पॅटर्नच्या ज्या विद्यार्थ्यांचे विषय (Backlog) राहिले असतील अशा विद्यार्थ्यांच्या परीक्षा विद्यापीठामार्फत घेतल्या जातील.

मा. प्राचार्य, सर्व संलग्न विधी महाविद्यालय यांना विनंती की, सदर परिपत्रकाचा आशय सर्व संबंधितांच्या निदर्शनास आणून द्यावा.

  
उपकुलसचिव  
(शैक्षणिक विभाग)

प्रत माहिती व पुढील योग्य त्या कार्यवाहीसाठी :

१. मा. अंधिष्ठाता, मानवविज्ञान विद्याशाखा, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
२. मा. विभागप्रमुख, विधी विभाग, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
३. मा. प्राचार्य, सर्व संलग्न विधी महाविद्यालये.
४. मा. संचालक, सर्व मान्यताप्राप्त संस्था.
५. मा. संचालक, परीक्षा व मूल्यमापन मंडळ, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७
६. मा. संचालक, स्पर्धा परीक्षा केंद्र, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७
७. मा. प्रमुख, विद्यापीठ उपकेंद्र : अहमदनगर, नाशिक.
८. मा. संचालक, परदेशी विद्यार्थी केंद्र, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
९. वरिष्ठ कायदा अधिकारी, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
१०. उपकुलसचिव, परीक्षा १ व २ सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
११. पद्धती विश्लेषक, व्यवस्थापन व माहिती विभाग, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
१२. उपकुलसचिव, शैक्षणिक प्रवेश विभाग, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
१३. उपकुलसचिव, नियोजन व विकास विभाग, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
१४. उपकुलसचिव, शैक्षणिक पात्रता विभाग, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
१५. उपकुलसचिव, गोपनीय कक्ष, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
१६. सहायक कुलसचिव, परीक्षा समन्वय, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
१७. सहायक कुलसचिव, परीक्षा एस.अॅण्ड टी. विभाग, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
१८. सहायक कुलसचिव, सभा व दफ्तर विभाग, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
१९. सहायक कुलसचिव, संलग्नता विभाग, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
२०. जनसंपर्क अधिकारी, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
२१. कक्षाधिकारी, बहिःस्थ विभाग, सावित्रीबाई फुले पुणे विद्यापीठ, पुणे ७.
२२. सहायक कुलसचिव प्र-कुलगुरू कार्यालय

वि. प. क्र. व १८पीए/१८/२०१८, दिनांक ७ जून, २०१८

The above letter dated in 2018, has made changes in the required passing percentage for BALLB and LLB students. The percentage has been changed from 50 to 40 percent and is to be implemented in the academic year of 2018-19

**Savitribai Phule Pune University**

**LL.M. (2 year) Course Credit System**

**Applicable to all P.G. Courses of Law  
(Affiliated to Savitribai Phule Pune University)  
(2014-15)**



Page 1 of 70

884

PRINCIPAL  
Savitribai Phule Pune University  
Faculty of Law  
Pune-411 004

## RULES AND REGULATIONS

### 1) Title of the Course:

LL.M. Course

### 2) Preamble of the Syllabus:

Master of Law is a Post-Graduation course of Savitribai Phule Pune University. The credit system to be implemented through this curriculum, would allow students to develop a strong footing in the fundamentals and specialize in the disciplines of his/her liking and abilities. The students pursuing this course would have to develop in depth understanding of various aspects of the subject.

### 3) Eligibility:

The candidate should have completed B.A.LL.B. /LL.B. (Bachelor Degree of Law).

### 4) Admission:

Admissions will be given as per the selection procedure / policies adopted by the respective college, in accordance with conditions laid down by the Savitribai Phule Pune University. Reservation and relaxation will be as per the university rules.

### 5) Instructions for the Students:

The students seeking admission to Master of Laws course is hereby informed that they are supposed to adhere to the following rules:

1. A minimum of 75 % attendance for lectures / practicals is the pre-requisite for grant of term.
2. The students are supposed to attend all the Internal Assessment Activities, Workshops / Seminars / Training Programme/ symposia/ study tour organized by the P. G. Department/college.

### 6) Examination

#### 1) Evaluation Method:

1. The Internal and External examinations will have equal weightage of 50% each.
2. A Student has to obtain 50% marks in both examinations of Internal and External with minimum passing of 40% in both of these examinations separately.
3. A student cannot register for third semester, if he/she fails to complete any 6 papers consisting of 24 credits, out of total 8 papers of first and second semester consisting of 32 credits in total.
4. The external examination answer papers shall be evaluated by Central Assessment Programme.
5. There shall be a revaluation of the answer scripts of External

nation but not of

Page 2 of 70



Internal Assessment as per Ordinance No. 134A & B.

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

#### **A. External Examination**

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

#### **B. Internal Examination:**

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

#### **Internal Assessment:**

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

4. Semester wise Evaluation:

**SEMESTER I**

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

**Division of Internal Marks :**

- a. The first semester consists of four papers; a student has to submit two Longish Term Paper on any two subjects of his/her choice, out of which one Longish Term Paper should be on Legal Research Methodology subject. **The students not opting for L.T.P. in a subject have to opt Seminar paper in that subject.**

[Longish Term Paper – Total 15 marks]

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

**OR**

[Seminar Paper – Total 15 marks]

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

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

## SEMESTER II

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

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

### Division of Internal Marks:

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

[ Longish Term Paper – Total 15 marks]

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

### **OR**

[ Seminar Paper – Total 15 marks]

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

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

### SEMESTER III

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

#### **Division of Internal Marks:**

The third semester consists of four papers and for every paper, the division of internal marks will be as follows :

- a.** Tutorial – Maximum 5 tutorials in each subject and each tutorial carries 1 mark. (Total 5 marks)
- b.** Assignment - Maximum 5 Assignments in each subject and each assignment carries 1 mark. (Total 5 marks)
- c.** Group Discussion / An Open Book Test/ Library Research Work/ Extension work. (Total 5 marks)
- d.** 2 Written Test in each subject (10 marks each and Total 20 marks)
- e.** Book review/article review on every subject of the third semester. (10 marks for written submission and 5 marks for oral presentation on Book Review/article review)

## SEMESTER IV

The fourth semester consists of four papers.

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

### Division of Internal Marks for remaining two papers:

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

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

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

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

7. In case a student fails to earn the minimum number of credits required for obtaining a degree within the stipulated period of 4 years, then such a student will be declared INCOMPLETE EXIT and in such a case the student can seek a fresh admission as per the admission rules prevailing at that time.

## II) ATKT Rules

A student cannot register for third/fourth semester, if he/she fails to complete six papers consist of 24 % credits of total eight papers consist of 32 credits and he/ she is expected ordinarily to complete within two semesters.

## III) Award of Class

Grades will be awarded from grade point average (GPA) of the credits.

## IV) Assessment and Grade point average

- a. The system of evaluation will be as follows: Each internal assessment and External Examination will be evaluated in terms of marks. The marks for internal assessment and External Examination will be added together and then converted into a grade and later a grade point average.
- b. Results will be declared for each semester.
- c. After the gain of minimum number of credits towards a completion of a PG programme, a student will get a grade sheet with total grades earned and a grade point average.
- d. Marks/Grade/Grade Point

Marks/	Grade	Grade Point
100 to 75	O: Outstanding	06
74 to 65	A: Very Good	05
64 to 55	B: Good	04
54 to 50	C: Average	03
49 to 45	D: Satisfactory	02
44 to 40	E: Pass	01
39 to 0	F: Fail	00

**Final Grade:**

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

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

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

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

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

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

**The description for the grades is as follows:****O: Outstanding: Excellent analysis of the topic, (75% and above)**

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

**A: Very Good: Excellent analysis of the topic (65 to 74%)**

Accurate knowledge of the primary material, acquaintance with seminal publications, logical development of ideas, Neat and systematic organization of content, effective and clear expression;

**B: Good: Good analysis and treatment of the topic (55 %)**

Basic knowledge of the primary material, logical development of ideas, Neat and systematic organization of content, effective and clear expression;

**C: Average: Some important points covered (50 to 54%)**

Basic knowledge of the primary material, logical development of ideas, Neat and systematic organization of content, good language or expression;

**D: Satisfactory: Some points discussed (45 to 49%)**

Basic knowledge of the primary material, some organization, acceptable language or expression;

**E: Pass: Any two of the above (40 to 44%)**

**F: Fail: None of the above (0 to 39%)**

### V) Setting of Question Paper / Pattern of Question Paper

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

#### **Duration of External Examination:**

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

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

Note:

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

### 7) Structure of Course

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

**Savitribai Phule Pune University**  
**Post Graduate Teaching Department of Law**  
**Two Year LL.M. Credit System Syllabus**  
**(Applicable to all P.G. Centres of Affiliated Law Colleges from 2014-15 onwards)**

Paper No.	Name of the Paper	Category	No. of Credits
<b>Semester - I</b>			
Paper 1	Introduction to Legal Theory	Compulsory	04
Paper 2	Constitution Law of India.	Compulsory	04
Paper 3	Legal Research Methodology	Compulsory	04
Paper 4	Specialisation Subject (as given below)		
	<i>(Students should opt any one among the following two clusters as their specialisation subject)</i>	Compulsory	04
	<b>Cluster I (International Law)</b> – Paper 4- Introduction to International Law		
	<b>Cluster II (Business Law)</b> – Paper 4 - Principles of Corporate Law		
	<i>(Students once they opt any one Clusters as their specialization, they are bound to continue the papers mentioned under the same cluster in semester II, III and IV)</i>		
<b>Semester - II</b>			
Paper 5	Practical Research Methodology	Compulsory	04
Paper 6	Comparative Constitutional Law	Compulsory	04
Paper 7	Law Making in Indian Polity & Statutory Interpretation	Compulsory	04
Paper 8	Specialisation Subject (as given below)	Compulsory	04
	<b>Cluster I (International Law)</b> – Paper 8-International Institution		
	<b>Cluster II (Business Law)</b> – Paper 8- Law of Contract-General Principles		
<b>Semester-III</b>			
Paper 9	Law and Social Transformation in India	Compulsory	04
Paper 10	Law, Science and Technology	Compulsory	04
Paper 11	Specialisation Subject (as given below)	Compulsory	04
	<b>Cluster I (International Law)</b> – Paper 11-Private International Law		
	<b>Cluster II (Business Law)</b> – Paper 11- Consumer Law		
Paper 12	Optional Paper to be chosen by the student*	Optional	04
	<i>(The students of both Clusters have to choose one paper from the options offered by the P.G. Department of the College or from any other Faculty (such as Arts, Commerce, and Management etc.) P. G. Departments of Affiliated Colleges of Savitribai Phule Pune University subject to condition that the optional paper chosen by the Student from other Faculties of P.G. Departments of Affiliated of Colleges should be relevant to the subject of their study and this can be done with the approval of College P.G. Departmental committee)</i>		

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

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

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

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

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

As the students are going to be admitted on the basis of branch specialization at the time of application itself, the students should necessarily finalize the dissertation topic in the end of the first semester and finalize the synopsis with tentative cauterization in the first month of the second semester. If any student fails to adhere to the rules such cases may be decided by the P.G. Departmental Committee of the college whether such student may be permitted/ whether to submit the dissertation in the fourth semester or in the subsequent semester. This rule has to be used only in exceptional circumstances not as a general norm. The decision of the departmental committee shall be final and no further appeal is entertain.

The P. G. Department of the college will display the attendance of each student two weeks before the final examination. If any student secures less than the prescribed attendance by the University such students are not eligible to take the examination in that semester. They have to redo such course in which they have shortage of attendance only when the semester repeats. Only in exceptional cases the P. G. Departmental Committee of the college may permit such genuine students if they have more than 70% of attendance in such subject.

**Semester-I**  
**(Paper 1)**

**Compulsory Paper**

**Credits: 4**

**Introduction to Legal Theory**

**Objectives:**

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

**Introduction**

Meaning and concept of Jurisprudence

Relevance of Jurisprudence in the contemporary era

Meaning and definition of Law

Law and Morals, Value of Judgments

**II Relevance of Natural Law: theoretical Perceptions**

(a ) The Origin and Significance of Natural Law

(b) Theoretical Perceptive of Natural Law

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

(D) German Transcendental Idealism-Immanuel Kant

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

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

(G) Liberty and Civil disobedience

**III. Legal positivism:**

(a) Austin’s analytical theory of Law.

(b) Pure Theory of Law-Hans Kelson

**IV. Post Modern Theories**

(a) Hart’s concept of Law

(b) Rawls theory of Justice

(c) Amartya Sen’s theory of Justice

**V Sociological Jurisprudence :**

a) Prof. Pound-Social Engineering Theory.

b) Prof. Patterson.

c) Prof. Selznick.

**VI American legal Realism:**

a) Jerome Frank.

b) Karl Lewellyn.

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

**Suggested Readings:**

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

9. Prof. Julius Stone – Human Law and Human Justice.
  10. Prof. Julius Stone – Province & functions of Law.
  11. Prof. Roscoe Pound – Jurisprudence Vol. I to IV.
  12. R. Warrenton – Post modern Jurisprudence.
  13. J. M. Balkin – The Legal Subject and the Problem of Legal Coherence.
  14. Ronald Dworkin – Laws Empire.
  15. Ronald Dworkin – Morality principle.
  16. Patton – Text on Jurisprudence.
  17. Hohfeld – Fundamental Legal Conceptions.
  18. John Rawls – Theory of Justice.
  19. John Rawls – Political Liberalism.
  20. Catherine Mackinnon – Difference & Dominance on sex discrimination.
  21. Catherine Mackinnon – Towards a Feminist Theory of State.
  22. K. Barlett & Kennedy Feminist Legal Theory.
  23. K. Weis Berg – Feminist Legal Theory Foundation.
  24. Precedent in Indian Legal System - Prof. A. Lakshminath.
- .....

Constitutional Law of India

**Objectives :**

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

**1) Constitutional developments since 1858 – 1947**

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

**2) Preamble – Reflection of constitution**

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

**3) Fundamental rights and directive Principles**

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

**4) Freedoms and Social control**

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

**5) Personal Liberty**

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

**6) Judiciary under the constitution.**

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

**7) Jammu and Kashmir**

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

**8) Secularism**

- a. Freedom of Religion in India
- b. Uniform Civil code, Personal laws and Minority Rights.

**9) Emerging regime of new rights and remedies**

- Compensatory jurisprudence
- Right to education.
- Reservation for Women.

**Books Suggested**

Constituent Assembly Debates vol. 1 to 12 (1989)

H M Seervai, constitution of India vol. 1-3 (1992), Tripathi, Bombay

G. Austin, History of Democratic constitution, the Indian Expenditure (2000), Oxford.

- G. Austin, Indian constitution: cornerstone of a Natio (1972)
- M. Galanter, competing equalities – law and the backward classes in India (1984), Oxford.
- D.D. Basu, Shorted constitution of India (1996), Prentice Hall of India Delhi.
- M.P. Singh (ed.) V.N. Shukla, constitutional Law India (2000), Oxford.

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**(Paper 3)**

**Compulsory Paper**

**Credits: 4**

**Legal Research Methodology**

**Objectives:**

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

**I) Introduction**

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

**II) Scientific Methods & Legal Research.**

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

**III) Research Design and its components :**

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

**IV) Research tools:**

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

**V) Research Techniques:**

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

**VI) Data Processing:**

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

**VII) Computerized research:**

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

**VIII) Report writing:**

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

**Suggested reading:**

- 1) Wilkinson – Bhandarkar – Research Methodology.
  - 2) Young, Pauline V. – Scientific Social Survey and Research.
  - 3) Berelson B : Content Analysis in Communication Research.
  - 4) Jain S. N. : Legal Research and Methodology.
  - 5) Earl Babi – Research Methodology.
  - 6) Good & Halt : Research Methodology (*And relevant Websites*)
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**Compulsory Paper**

**Credits 4**

**(Paper 4)**

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

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

**For the Syllabi see the concerned Clusters**

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**Semester – II**  
**(Paper-5)**

**Compulsory paper**

**Credits: 4**

**Practical Research Methodology**

**Objectives:** The Practical Examination shall be held at the end of the second semester on Research methodology, Law Teaching and Clinical work. There shall be 25 marks each for doctrinal research and non-doctrinal research and 25 marks each for law teaching and clinical work. How the component practical shall be evaluated is left to individual faculties of law. They can formulate their models of assessment. However, for making the practical examination objective and meaningful, the following guidelines shall be adhere to.

**1. Research Methodology**

**(i) Doctrinal Research ( 25 marks )**

Each student is assigned in advance a separate topic and asked to collect materials. A period of 5-7 days can be set apart for carrying out this assignment in the library. The materials indicated or collected during the assignment shall be evaluated a group of faculty members.

**(ii) Non-doctrinal Research (25 marks)**

Here the students are asked to go out the class room and library and make empirical study of a problem which has social, economic, moral or political dimension field data can be collected through any model of data collection. The results are to assessed by a team of faculty members.

**2. Clinical Work (25 marks)**

The modalities can be evolved by the law school. One method is that the legal clinic of the law school can involve itself with other legal aid programmers in the area, Students are encouraged not only to work with the clinic but also to acquaint themselves with court proceedings, working of a business organization, tackling of labour dispute drafting of business or other deeds and public interest litigation. The initiative is potential of the student and the actual work out by him shall be assessed by the faculty.

**3. Law Teaching, Legal drafting, Commercial Legal drafting, Legal aid with the help of**

**ADR mechanism ( 25 marks )**

In the above areas the departmental committee will decide to allot the work in various areas in the interest of the students each time whatever is important. In case if the departmental committee decides one or two areas in which the students are suppose to work the marks will be allotted accordingly.

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**(Paper-6)**

**Compulsory Paper**

**Credits: 4**

**Comparative Constitutional Law**

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

**1. Introduction**

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

**II Federalism – Comparative Study**

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

**III Judicial Review**

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

**4. Impact of emergency under different constitutions**

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

**5. Parliamentary Privileges and judicial review**

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

**6. Amenability of Constitution – a amendment under different constitutions**

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

**Book suggested**

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

**LAW MAKING IN INDIAN POLITY & STATUTORY INTERPRETATION**

**Objectives:**

The students shall learn the skills and techniques of understanding the intention and objective of the law and the factors that contribute towards making of the law. Statutory interpretation is intended to imbibe in the students the ability to understand the philosophy behind the law for proper application of the law in the given society.

**I) Introduction:**

- a) Significance, utility, scope and objective of the course, its theoretical and practical relevance

**II) Law Making Processes:**

- a) Constitutional Law making
- b) Statutory Law making & general scheme of legislative drafting.
- c) Objectives of civil, criminal, commercial and international law.
- d) Sub-ordinate Law making.
- e) Judicial Law making.  
(Its interrelation and significance in delivery of justice and social mobilization)

**III) Anticipated Goals and Obstacles in implementation of law:**

- a) Law and morals.
- b) Law and Public Opinion.
- c) Law and Politico-Economic structure.
- d) Law and administrative machineries.

**IV) General Principles of Statutory Interpretation:**

- a) Primary rules, literal rule Golden rule, Mischief rule, rule of harmonious construction, Secondary Rules – Noscitur a sociis, Ejusdem generis, Reddendo singulari singularis.

**V) External sources and Internal aids**

- a) Dictionaries, statutes in para materia, contemporaneous position, debates, inquiry commission reports and law commission reports.
- b) Title, Preamble, Headings, Marginal notes, section and subsections, punctuation marks, illustrations exceptions, provisos, savings clauses, schedules and non obstante clause.

**VI) Classification of Statutes and Subject wise Interpretation**

- a) Interpretation of Constitutional Law, International Law incorporated in municipal Law, Penal statutes and Tax Laws

**VII) Other Rules of Interpretation**

- a) Presumption in statutory interpretation, Maxims and statutory interpretation.
- b) Leading cases relating to interpretation of Statute

**Suggested Readings:**

- 1) W. Friedmann, Law in a changing Society
  - 2) C. K. Allen: Law in Making
  - 3) J. Bentham, Principles of Legislation Upendra Baxi (ed)
  - 4) Law, Liberty, and Morality by Basil Mitchell
  - 5) Law and Public opinion in England: A. V. Dicey
  - 6) Interpretation of Statutes: Bindra N.S.
- .....

**(Paper-8)**

**Compulsory Paper**

**Credit 4**

**For International Law Cluster  
International Institutions (Paper-8 )**

**For Business Law Cluster  
Law of Contract – General Principles (Paper-8 )**

**For detail syllabus, please see the concerned cluster**

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## Semester-III

### (Paper-9)

Compulsory Paper

Credits: 4

#### LAW AND SOCIAL TRANSFORMATION IN INDIA

**Objectives of the Course:** This course is designed to create awareness in the students who are the future generations of India about the Indian approaches to social and economic problems and to address the remedial measures through Law as an instrument of social control and change. Further, it aims to create awareness in the minds of the students and taught to explore and exploit the significance of law and legal institutions as a means of development within the framework of law. Such an approach certainly creates not only an in depth understanding about the mechanism of law but also able to appreciate the nuances of the constitution of India and the philosophy with which the Constitutional Framers made a Sovereign, Democratic and, Republic.

#### **I Introduction**

- (a) Meaning and concept of Social Transformation
- (b) Law as an Instrument of Social Change
- (c) Law as the product of traditions and culture

#### **II Tools of Social Transformation**

- (a) Religion as a divisive factor – Secularism as a solution
- (b) Language Policy of India
- (c) Linguistic States-Problems and Perspectives
- (d) Regionalism-Problems and perceptions-Constitutional Philosophy

#### **III Constitution and Protective Groups**

- (a) Concessions to Women and Children
- (b) Reservations to Scheduled Castes and Tribes
- (c) Status of Physically Challenged People
- (d) Religious Minorities
- (e) Legislative Measures to uplift the Protective Groups

#### **IV Social Transformation and Democratic Process**

- (a) Political Parties -Constitutional and Legal Position
- (b) Trends in the Growth and Functioning of Political Parties
- (c) Problems in the Functioning of Political Parties \_Corruption-Nexus with anti-social elements-Inner Party Democracy
- (d) Role of the Election Commission
- (e) Democratic Decentralization and Role of Local Self Government

#### **V Role of Legal Institutions, Law and Social Transformation**

- (a) The Role of Law Commission in Transforming the Law
- (b) The Role of Judiciary in Expanding the horizons of Law-New Rights Philosophy-Public Interest Litigation
- (c) Role of Legislature and Executive in reforming the Law-Agrarian Reforms-Industrial Reforms-Prison Reforms-Plea Bargaining
- (f) Lok Adalats and Legal Aid Cells
- (g) Right to Information-Problems and Perspectives

#### **VI Alternative Approaches to Law**

- (a) The Jurisprudence of Sarvodaya-Gandhiji, Vinoba Bhave, Jayaprakash Narayanan
- (b) Socialist Thought on Law and Justice-The Philosophy of M.N. Roy
- (c) Naxalite and Anti Insurgent Movements-Causes and Cure

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

**Suggested Readings:**

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

**(Paper-10)**

**Compulsory Paper**

**Credits: 4**

**LAW, SCIENCE AND TECHNOLOGY**

**Objectives:** The aim of the course is to introduce in brief to the student about the developments in the field of Science and Technology and the relationship between Law and Science and Technology. The paper further seeks to explore some specific aspects to test the possible interactions, controversies and their interrelationships between both the aspects. Further, it focuses on the relationship between Human Rights and Science and Technology and the need to regulate science and technology in order to preserve the basic concept of sustainable development.

**I) Introduction:**

- a) Developments in Science and Technology
- b) Science & Technology Vis a Vis Sustainable and equitable development.
- c) Impact of Human Rights on Science & Technology
- d) Human Rights and preservation of human health

**II Science - Technology and Relationship with Law**

- a) Nexus between science technology and law
- b) Problems and Perspectives between Law and Science
- d) The need for legal control of Science and Technology.
- e) Clinical Trials and the Need Professional responsibility and ethical principles.

**III) Privacy, Law and technology:**

- a) Origin and Development of Law of Privacy
- b) Concept and Nature and Law of Privacy
- c) Law of Privacy Vis-a Vis Science and Technology

**V) Use of Science and Technology in Judicial Investigations:**

- (a) The Significance of Science and Technology in the Legal Proceedings.
- (b) The Significance of Forensic science in the Criminal Matters
- C) The Indian Judiciary on the Use of Science and Technology

**VI) Biotechnology & Law:**

- a) Origin and Development of Bio Technology
- b) Debatable issues in biotechnological innovations
- c) Ethical and Moral implications on the use of Genetic Engineering

**VII) Nuclear Technology and Law:**

- a) Uses & misuses.
- b) Legal control- national and international scenario.
- c) Human Rights Vis-avis Nuclear Technology

**Suggested bibliography**

The material for the course shall be traces on relevant websites of the universities and research institutes at the national and international levels.

**Suggested Readings:**

- 1) Markandey Katju, Law in scientific Era (2000) Universal, New Delhi
- 2) Cees J.Hamelink, the ethics of cyber space(2001)sage.
- 3) Jonh Zinian et.al(ed) World of Science and Rule of Law (1986) Oxford
- 4) U.Baxi,Biotechnology and Legal Order: Dilemmas of the future of Law and Human nature.(1993)

Journal of national and international repute on the subject. (Print and electronic)

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**(Paper-11)**

**Compulsory Paper**

**Credit 4**

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

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

**For detail syllabus, please see the concerned cluster**

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**(Paper-12)**

**Optional Paper**

**Credits: 4**

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

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**Semester-IV**

**(Paper-13)**

**Compulsory Paper**

**Credits: 4**

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

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

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

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**(Paper-14)**

**Optional Paper**

**Credits: 4**

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

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**(Paper-15 & 16)**

**Compulsory Paper**

**Credits : 8**

**Dissertation/Project work**

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

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

**Papers of the International Law Cluster:**  
**Semester I**  
**International Law Cluster**  
**(Paper-4)**

**INTRODUCTION TO INTERNATIONAL LAW**

**Objectives of the Course:**

International law commonly is defined as the rules, principles, and norms which govern the interaction among states. Many scholars of international relations view international law as a meaningful tool for providing order to world politics and for minimizing global conflict. Other scholars of international relations dismiss international law as insignificant. According to these scholars, state interests-- not internationally agreed-upon rules, principles, and norms--guide interaction among states. This course, will investigate the basic question underlying this debate over the utility of international law: does international law act as a constraint on state autonomy, or is it merely used by states when it is in their self-interest? In an effort to address this question, the main focus of the paper is on the fundamental principle of international law, sovereignty and non-intervention, and will consider whether these principles have been eroded in recent decades as a result of growing support for new international legal norms, including human rights.

**I Introduction**

- (a) Origin and Development
- (b) Scope and basis of International Law
- (c) Theories of International Law
- (d) Sources of International Law-Treaties, Custom, General Principles of International Law, Judicial Decisions and Writings of Publicists; UN General Assembly Resolutions

**II Relationship between International Law and Municipal Law**

- (a) Theoretical Perspectives
- (b) The role of Municipal rules in International Law
- (c) International Law before Municipal Courts
- (d) Practices of the few States: U.K., USA and India with respect to Treaties and Customary Norms

**III Subjects of International Law**

- (a) States and different types of States
- (b) International Organisations
- (c) Individuals
- (d) MNC's and other Private Entities

**IV Recognition of States and Governments and State Succession**

- (a) States and their Territory in general
- (b) Theories and Types of Recognition
- (c) Meaning and concept of State Succession

**V. Jurisdiction of States**

- (a) Civil and Criminal Jurisdiction (b) Basic Principle (c) Diplomatic Immunities and Privileges
- (d) Law of the Sea- General Introduction (e) Law of Air and Outer Space-General Perspective
- (f) Sovereign Immunity and Act of State

**VI. State Responsibility**

- (a) Permanent Sovereignty over Natural Resources
- (b) Draft Articles of the ILC
- (c) Protection of Individuals and Groups
- (d) Human rights-Calvo Clause
- (e) Protection of Environment

**VII. The Settlement of Disputes by States : Peaceful Means**

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

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

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

**Suggested Readings:**

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

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

**Semester II**  
**International Law Cluster**  
**(Paper-8)**

**INTRODUCTION TO INTERNATIONAL INSTITUTIONS**

**Objectives of the Course**

This course explores the institutional structures, political processes, and impact of international organizations within the larger context of world politics. International organizations, play an important role in the contemporary international scenario in addressing the contemporary international problems. This course covers the UN system and the other regional organizations and the contemporary issue of their handling with the contemporary problems.

**I Introduction**

- (a) Global Governance significance of International Organizations
- (b) Organizational Culture, Organizational Adaptation and Learning
- (c) Inter-organizational Relations
- (d) League of the Nations an Over View

**II The United Nations System**

- (a) The UN System\_ Brief over view of the charter
- (b) The Security Council ; the General Assembly; The Economic and Social Council; The Trusteeship System; The Secretariat
- (c) Important Specialized Agencies-ILO;WHO;UNESCO;FAO
- (d) Peace Keeping and Peace Making role of the UN
- (e) The collective Security System

**III International Institutions**

- (a) North Atlantic Treaty Organization
- (b) The Western European Union
- (c) The European Union
- (d) The Organization of American States
- (e) The Arab League and the OPEC
- (f) Common Wealth of Independent States
- (g) ASEAN and SAARC

**V International Judicial Organisations**

- (a) The International Court of Arbitration
- (b) The International Court of Justice—Jurisdictional aspects
- (c) The International Criminal Court
- (d) The International Tribunal for the Law of the Sea

**V Legal Status of International Organizations**

- (a) Legal Personality of International Organizations in International Law
- (b) Powers and functions and the constituent instruments
- (c) Privileges and Immunities
- (d) Liability of Member States
- (e) Dissolution and Succession

### **Suggested Readings:**

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

**Semester III**  
**International Law Cluster**  
**(Paper-11)**

**Private International Law**

**Objectives of the Course:**

Private international Law or otherwise popularly referred to as conflict of Laws is an auxiliary component part of Public International Law. In this area, the Laws and regulations deal with private aspects in which Public International Law is not able to deal with them individually. In the era of the fourth phase of globalization and the expanding horizons of science and technology, it is almost certain that nation-states and their individuals cannot live in isolation.

Every state is interested to compete in the international arena especially in the economic and commercial front. In such case, mostly the states and their individuals try to expand their trading relations across the World. When such individualist and corporate and states join together to compete in the promotion of their economic might through commerce, it is inevitable that disputes may arise on many issue . With that objective keeping in mind and the futuristic trading perspectives of the world especially that of India, the syllabi in this paper is concentrating only on the commercial front and the problems connected to it.

Though traditionally Private International Law deals all aspects including the family and personal relations of the individuals, the syllabi is restricted to give a touch to the student with the commercial aspects in tune with the policy of department to offer only International Law and Business Law Branches.

**I Introduction:**

- (a) Significance of Private International Law
- (b) Connecting aspects Between Private and Public International Law
- (c) Definition and Name of Private International Law
- (d) Historical development of Private International Law
- (e) Concept and Sources of Private International Law

**II Classification and Characterization and Incidental Issues**

- (a) Meaning and Process of Characterisation
- (b) Position in English and Indian Laws
- (c) Classification and cause of action
- (d) Incidental questions and the theory of Renvoi
- (e) Proof of foreign Law and Exclusion of Foreign Law
- (f) Domicile, Nationality and Residence

**III The Law of Obligations**

- (a) Trusts-Corporations
- (b) Contracts-Rome convention

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

#### **IV Jurisdiction of Courts**

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

#### **V Recognition and Enforcement of Foreign Judgments**

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

#### **VI Recognition and Enforcement of Arbitral Foreign Award**

- (a) Traditional rules—Position in International Law
- (b) Position in Common Law and England
- (c) Position in India in General
- (d) Enforcement of Foreign Awards in suits
- (e) Enforcement of Awards Under Arbitration (Protocol and convention Act, 1937)
- (f) Enforcement of Awards Under the Foreign Awards (Recognition and Enforcement) Act1961
- (g) Enforcement of Awards under the Arbitration and Conciliation Act 1996)

#### **Suggested Readings:**

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

**Semester IV**  
**International Law Cluster**  
**(Paper-13)**

**PRINCIPLES OF INTERNATIONAL ECONOMIC LAW**

**Objectives of the Course:**

In this fourth phase of globalization, the significance of International Economic Law is increasingly directly concerned with the individual, the trader and the investor and the international financiers. Hence in order to equip the student with the policy perspectives and political nuances of the international regime the object of the course to introduce the student to know the fundamental implications Economics and its impact on Law and the functioning of the International Economic Institutions, policy perspectives.

**I Introduction**

- (a) Inter relationship between law and Economics
- (b) Historical back ground of International Economic Order
- (c) The Significance of International Monetary Relations

**II Nature and Scope of International Economic Law**

- (a) Definition and Concept of International Economic Law
- (b) Sources of International Economic Law
- (c) Economic Sovereignty and the significance of Permanent Sovereignty over natural Resources
- (d) Relationships between National and International Economic Law

**III International Monetary System**

- (a) The Bretton Woods System
- (b) The International Monetary Fund-SDR and Balance of Payments
- (c) The World Bank
- (d) Asian Development Bank

**IV New International Economic Order and International Monetary System**

- (a) Origin and Development of NIEO
- (b) Impact of NIEO on the Economic Relations
- (c) Common Heritage of Mankind and Economic Relations

**V Significance of International Investment**

- (a) International Investment Law Treatment and Protection
- (b) Bilateral Investment Treaties
- (c) The World Bank Guidelines
- (d) Attempts for a Multilateral Investment Agreement
- (e) Role of ICSID

**VI International Trade Law**

- (a) Origin and Development of International Trade
- (b) GATT and Trading System
- (c) WTO and the Trading system
- (d) The Significance of GATS
- (e) Dispute settlement system under GATT/WTO

## **VII Impact of International Economic Law on Labour Relations**

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

### **Suggested Readings:**

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

**Semester I**  
**Business Law Cluster**  
**(Paper-4)**  
**Principles of Corporate Law**

**Objectives:**

In view of the changing niceties of global governance especially from the point of view of good governance, corporate governance plays a vital role in the development of an economy both nationally and internationally. Taking this into consideration, the paper aims to introduce to the students the nuance of corporate law and the obligations of it towards society in discharging its trading relations and to be a good corporate citizen.

**I. Introduction**

a) Origin and Development of Corporate Law

b) Essential ingredients in establishment of Corporation  
**II. Shares and share capital**

a) Concept of shares, share capital

b) Kinds of shares

c) Debentures,

d) Issue , Allotment , transfer and forfeiture of shares

**III. Legal Aspects governing corporate management-**

a) Meetings, Majority Rule and minority protection

b) Prevention of oppression, mismanagement

c) Role of central government, Company Registrar, Company Law Board/ Tribunal,

**IV. Amalgamation, Reconstruction, Mergers, take-over of Companies**

a) Meaning of the terms

b) Statutory provisions

c) Powers of court/ tribunal

d) Reconstruction/ amalgamation by sale of shares/sale of undertakings

e) Procedures of Winding up a Company

**V. Corporate Governance**

a) Concept,

b) Significance,

c) Dimensions,

d) Legal framework

e) Impact of globalization

**VI. Corporate Social Responsibility**

a) Evolution of the concept,

b) Dimensions of CSR

c) Legislations and CSR

**Suggested Readings-**

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

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**Semester II**  
**Papers of Business Law Cluster**

**(Paper-8)**

**Compulsory Paper**

**Credits:4**

**LAW OF CONTRACTS-GENERAL PRINCIPLES**

**Objectives :**

To study the general principles of Law of Contracts and Special Contracts in India in context of their judicial development and interpretation .

To give an appreciation of the emerging trends necessitated by modern trade and commerce, change in nature and functions of the State and planned economy taking into account the recent developments like globalization.

To develop the capacity to evaluate the law and judicial decisions in the light of changing needs of industrialized planned and welfare society.

**Topics for Study:**

1. INTRODUCTION
  - a) Proposal
  - b) Acceptance
  - c) Agreement & Contract
  - d) Tenders
  - e) Standard form contracts
  - f) E-contracts
  - g) Government contracts
2. CONSIDERATION
  - a) Definition
  - b) Privity of contract and of consideration
  - c) Exceptions to consideration
3. FREE CONSENT
  - a) Vitiating factors and their effect
  - b) Coercion
  - c) Undue influence
  - d) Misrepresentation
  - e) Fraud
  - f) Mistake
4. PERFORMANCE & DISCHARGE OF CONTRACT
  - a) Modes of discharge
  - b) Discharge by performance
  - c) Discharge by agreement
  - d) Discharge by frustration
  - e) Discharge by breach
5. REMEDIES FOR BREACH OF CONTRACT
  - a) Damages
  - b) Specific performance & Injunction
  - c) Limitation of actions
  - d) Restitution

## 6. SALE OF GOODS

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

## 7. PARTNERSHIP

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

### **Suggested Readings:**

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

**Semester III**  
**Business Law Cluster**

**(Paper-11)**

Compulsory Paper

Credits : 4

**CONSUMER LAW**

**Objective:** To obtain an insight into the provisions and working of the Consumer Protection law.

**Topics for Study:**

1. INTRODUCTION
  - a) Historical perspective of consumer protection in India
  - b) United Nations & consumer Protection
  - c) Laws dealing with consumer complaints
  - d) Caveat Emptor
  
2. CONSUMER PROTECTION ACT
  - a) Aims & Objects of the Act
  - b) Consumers
  - c) Consumer Dispute
  - d) Defect in Goods and Services
  - e) Unfair Trade Practices
  
3. DEFICIENCY IN SERVICES
  - a) Meaning & Instances
  - b) Negligence
  - c) Deficiency in service in various professions: Insurance services, Banking and Financial services, Housing etc.
  
4. PROCEDURAL PROVISIONS
  - a) National Commission
  - b) State Commission
  
5. CONSUMER PROTECTION ACT & CONFLICT WITH OTHER ENACTMENTS
  
6. CONSUMER PROTECTION COUNCILS
  
7. CONSUMER DISPUTES REDRESSAL AGENCIES

**Suggested Readings:**

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

**(Paper-12)**

**Optional paper**

**Credits: 4**

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

**Semester III**  
**Business Law Cluster**

**(Paper-13)**

**Compulsory Paper**

**Credits: 4**

**Banking and Negotiable Instruments Act**

**Objectives**

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

**I. Introduction**

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

**II. Social Control over Banking**

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

**III. Law Relating to Banking Companies in India**

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

**IV. Reserve Bank of India**

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

**V. Relationship between Banker and customer**

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

- e) Special classes of customer- lunatics, minor, partnership, corporations, local authorities
- f) Consumer protection- banking as a service

**VI. Negotiable instruments**

- a) Meaning and kinds of Negotiable Instruments
- b) Holder and holder in due course
- c) Negotiation and its significance
- d) Presentment and payment of an Instrument
- e) Liabilities of parties- Dishonor of cheques-Recent Trends

**VII. Recent Trends in Banking System in India**

- a) Impact of Science and Technology on Banking
- b) Automation and Legal Aspects
- c) Information Technology

**Suggested Readings:**

Basu A.- Review of Current Banking Theory and Practice  
 L.C. Goyle- The Law of Banking and Bankers  
 M.L.Tannan- Tannan 's Banking Law and Practice in India  
 K.C. Shekhar- Banking Theory and Practice  
 K. Subrahmanyam- Banking Reforms in India  
 Ross Cranston- Principles of Banking law  
 R. Goode- Commercial Law  
 M. Hapgood (ed), Pagets' Law of Banking  
 OP.Faizi and Ashish Aggarwal- Khergamwala on 'The Negotiable Instruments Act'  
 Datta on Negotiable Instruments Act  
 Bhashyam and Adiga- Negotiable Instruments Act

**(Paper-14)**

**Optional paper**

**Credits: 4**

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

**All the following Optional Papers will have 4 credits each and the student should choose any one of the following paper for Paper 12 and Paper 14**

**Paper 1**

**INTRODUCTION TO ALTERNATIVE DISPUTES RESOLUTION**

**Objectives:**

In the era of globalization where time and resources are precious, the main aim and objective of the course is to equip a candidate in the alternative disputes resolution that exists both nationally and internationally. The significant aspect of the course is that it vastly covers all the potential issues relating to ADR and helps a candidate in whatever profession or filed works to help the organization in resolving the disputes with in the organization in an amicable manner in a judicious way in the possible shortest time than awaiting long time for a judicial settlement.

**I Evolution and concept of Disputes**

- (a) Historical Perspectives of ADR in the International Perspective
- (b) Meaning and Conceptual Perspectives of a Dispute
- (c) Types of disputes-Justiciable and Non-justiciable disputes
- (d) Players involved in Disputes-Individuals-Organizations-States-Inter-state-Multilateral and Legal Disputes
- (e) Impact of Disputes on Socio-Economic –Political-Legal and Cultural Issues

**II Methods adopted in Dispute Resolution**

- (a) Traditional methods of dispute resolution
- (b) Methods adopted in dispute resolution-Judicial and Non-Judicial methods
- (c) Role of Law in Settling Disputes—National and International Legal aspects
- (d) Disputes settlement at the Gross roots and local level

**III Meaning and philosophy of ADR**

- (a) The significance of ADR-Current Trends
- (b) Over view of the Process of ADR
- (c) Planning and Strategies of ADR
- (d) Legal Recognition to ADR
- (e) Comparative perspective of ADR-USA-UK-India-EEC

**IV Process and Procedures of ADR**

- (a) Procedural Aspects of ADR
- (b) Types of ADR-Negotiation-Mediation-Conciliation-Arbitration
- (c) Theoretical perspectives of ADR
- (d) Significance of Private International Law –Choice of Law Rules

## **V ADR and Contemporary Issues**

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

### **Suggested Readings:**

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

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

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

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

Narayanan, P., *Intellectual Property Rights*

### **Further readings**

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

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

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

\_ Jayashree Watal, *Intellectual Property rights in the WTO and Developing Countries* ,2003

## **Paper-2**

### **Introduction to Human Rights**

#### **Objectives:**

The main objective of the course is to introduce to the students the significance of Human Rights in the contemporary era with a theoretical perspective and the problematic groups who needs special protection. Another important objective is that rights are only there to realize the duties that are casted with them and to signify the importance of the Human Rights Education not in the enjoyment of these rights but to find out the way and means to help the vulnerable groups of the world.

#### **I Nature and Concept of Human Rights:**

- (a) Historical Perspective of Human Rights
- (b) Important Declarations on Human Rights-Magna Carta-British Bill of Rights-French Declaration of Rights of Man and Citizen-American Bill of Rights-Indian Bill of Rights
- (c) Impact of Human Rights on International Law
- (d) Sources of Human Rights-International Law and Indian Perspective

#### **II Concept and Theories of Human Rights**

- (a) Meaning-nature and Scope
- (b) Classification of Rights
- (c) Theories of Rights and Duties-Natural Rights Theory-Liberal Theory-Marxist Theory-Sociological and Cultural Theories
- (d) Classification of Rights under the Indian Constitution

#### **III Human Duties –Responsibilities**

- (a) Moral, Ethical, Social, Economic , Political and Cultural
- (b) Inter-Relationship between Rights and duties
- (c) Rights and Duties-Areas of Harmony –conflict

#### **IV Human Rights and Vulnerable Groups**

- (a) Definition and Concept of Vulnerable Groups
- (b) Women and Children's Rights
- (c) Aged and Disabled rights
- (d) Minorities and Unorganized Labour
- (e) Tribal and Indigenous Population
- (f) HIV and AIDS Victims
- (g) Refugees

## **V Problems and Perspectives of Human Rights and Duties**

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

### **Suggested Readings:**

- V.T. Patil and T.S.N.Sastry: Studies in Human Rights, 000
- T.S.N.Sastry: Human Rights in India, 2006
- O.P. Agrawal: Introduction to Human Rights 2007
- Sinha S.P.: Conflict and Tension in Tribal Society, 1993
- Kouwsha Rachana: Women and Human Rights in India, 2000
- Blue Book Series of Oxford on Human Rights 2009
- Indian Journal of International Law
- American Journal of International Law
- Human Rights Quarterly

**Paper -3**  
**Law of Insurance**

**Objectives:**

Insurance is one of the sectors both financially and socially. It acts as cover to the individual investors and as a money spinning organization for the State. In India, in the beginning it was confined only to public sector. However, after the expanding tenets of globalization, prompted the government of India too, to open the insurance regime to the private sector. This necessitated structural changes in the insurance sector and brought competition in the sector and emerged an important organization to play its role. Taking into consideration, an attempt will be made in this paper to introduce the importance of insurance and the various socio-legislative aspects of it in the contemporary era.

**I. Introduction**

- a) Origin and Development of the Concept of Insurance
- b) Theoretical Perspectives of Insurance
- c) Types of Insurance—Parties to Insurance
- d) Rights and liabilities of Insurer and Insured
- e) Insurance policy- law of contract and law of torts
- f) Need and importance of insurance

**II. General Principles of Law of Insurance**

- a) Contract of insurance- definition, nature of contract
- b) The Insurable interest
- c) Premium
- d) The risk- commencement, attachment, duration
- e) Assignment and alteration
- f) Warranties and disclosures
- g) Insurance intermediaries

**III. Life Insurance**

- a) Nature and scope
- b) Event insured against in Life Insurance
- c) Circumstances affecting the risk
- d) Amount recoverable under life policy
- e) Persons entitled to payment
- f) Settlement of claim and payment of money 47

**IV. Marine Insurance**

- a) Nature and scope
- b) Classification of marine policies
- c) Insurable interest, insurable value
- d) Voyage- deviation
- e) Perils at sea
- f) Warranties in marine insurance
- g) Loss

**V. Insurance against Third Party Risk**

- a) Motor Vehicle Act 1988
- b) Nature and scope
- c) Effect of insolvency or death on claims

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

**Suggested Readings-**

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

## Paper 4

### **Law and Medicine**

#### **Objectives :**

This course seeks to explore the areas of medicine and paramedical branches of science where the law plays its role to regulate them. The course design aims to give comprehensive and practical approach to the students to make them aware of the developments in medical sciences, to explore various issues and to enable them to be equipped to face the recent challenges raised by the modern issues in the contemporary era.

#### **I. Introduction**

- (a) Origin and Development of Medical Profession
- (b) Various kinds of Medicinal Practices
- (c) Ethical and Moral Values of Medical Profession

#### **II. The Physician- Patient Relationship**

- a) Nature and concept of Physician-Patient relationship of relationship
- b) Rights and obligations of doctors and Patients to each other
- c) Legal regulations governing the relations between doctor and patient
- d) Role of Judiciary in regulating the relationship

#### **III. Legal Aspects of Medical Law**

- (a) International Provisions-role of WHO
- (b) Constitutional Provisions-Regulation of Public health
- (c) Medical Council of India-Structure-Powers and Functions
- (d) Important Legislations dealing with Law and Medicine

#### **IV. Pharmaceutical industries**

- a) Brief overview – Drugs (control) Act, Pharmacy Act
- b) Drugs and Magic Remedies Act, Drugs and Cosmetic Act
- c) Impact of patent laws on Indian pharmaceutical industries
- d) Dumping of unsafe drugs

#### **V. Bio-ethics- Issues and Regulations**

- a) Prenatal diagnostic techniques
- b) Medical termination of pregnancy
- c) Artificial insemination- surrogate motherhood
- d) Euthanasia, physician assisted suicide
- e) Organ transplantation

#### **Suggested Readings---**

1. Freeman- law and Medicine
2. Michael Davies- Textbook on Medical Law
3. Lyon's Medical Jurisprudence for India
4. Anoop Kaushal- Medical Negligence and Legal Remedies
5. Modi's Medical Jurisprudence
6. S.V. Jogarao- Current Issues in Criminal Justice and Medical Law
7. R.K. Bag- Medical Negligence and Compensation
8. Mason and Mc Call Smith- Law and Medical Ethics

## Paper 5

### **Criminology and Penology**

#### **Objectives:**

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

#### **1. Dimensions of Crime**

##### Definition of Crime

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

#### **2. White collar crime**

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

#### **3. Punishment and its kinds**

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

#### **4. Re-socialization processes**

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

#### **5. Victimology**

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

#### **6. Terrorism – Devastation of peace in the world**

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

### **Book Suggested**

1. Walker, N. Crime and criminology: A Critical introduction (1987)
2. S. Rao, Crime in Our Society, (1983)
3. A. Siddique, Criminology: Problem and perspectives (19 )
4. E. Sutherland, White Collar Crime (1949)
5. Mulla Committee Report (1983)
6. J.P.S.Sirohi,Criminology and Penology(2004)

## Paper 6

### **Mass Media Laws**

#### **Objectives:**

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

#### **1. Media Law**

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

#### **2. Constitutional and other legal Provisions relating to Media**

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

#### **3. Investigatory Journalism – Checks and Balances.**

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

#### **4. Right to Information and Media**

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

#### **Books Suggested**

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

## Paper 7

### ADMINISTRATIVE LAW

#### **Objectives:**

With the emergence of a State as a welfare institution its administration and administrative law have become all pervading feature across the world. The objective of this course is to study the structure, governance, organization, powers and functions of public authorities in India. The expansion of the powers of the state necessitates to undertake a scrutiny of its various functions viz. Legislative, executive, as well as judiciary. Indian Administrative law is essentially a judge made law and therefore students are expected to be familiar and acquainted with the development of the subject.

#### **Topics for Study:**

##### 1. INTRODUCTION

Definition of Administrative Law Nature and scope of Administrative Law

Historical growth & development of Administrative Law- England, USA, France&India.

##### 2. PRINCIPLES OF NATURAL JUSTICE

Doctrine of Bias

AudiAlteramPartem

Reasoned Decisions

##### 3. ADMINISTRATIVE TRIBUNALS

Administrative Tribunal Act

National Environment Tribunal

Telecom Disputes Settlement and Appellate

Tribunal Appellate Tribunal for Electricity

##### 4. COMMISSIONS

Election Commission

Commissions of

Inquiry

National Commission on Human Rights

##### 5. REGULATORY

AUTHORITIES Competition

Commission Electricity

Regulatory Commission

Telecom Regulatory Authority of India

Insurance Regulatory and Development Authority

##### 6. JUDICIAL REVIEW OF ADMINISTRATIVE DISCRETION

Failure to exercise discretion

Abuse of discretion

Doctrine of Legitimate expectation

## 7. LIABILITY OF GOVERNMENT

Contractual Liability  
Tortious Liability  
Doctrine of  
Estoppel

## 8. RIGHT TO INFORMATION

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

### **Suggested Readings:**

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

## Paper 8

### CRIMINAL LAW

#### **Objectives :**

To study the general principles of criminal law and their development to acquaint the students with modern trends in criminal law in Indian and England. To explain the principles as applied in India and as elaborated through judicial pronouncement.

The application of the general principles would be illustrated with reference to specific offences in extensor. The emphasis in the course would be on an understanding of the modern trends and developments in criminal law and the need for change in Indian criminal law in the present socio-economic context.

#### **Topics for study:**

##### 1. INTRODUCTION

- Nature and Scope of Criminal Law
- Theoretical Perspectives of Criminal Law
- Types of Crimes
- Principles of criminal liability
- Common Intention & Object
- Stages of commission of crime
- Criminal liability of corporation

##### 2. PRELIMINARY CRIMES

- Abetment
- Criminal conspiracy Attempt

##### 3. GENERAL EXCEPTIONS

- Introduction
- Mistake
- Necessity
- Insanity
- Intoxication
- Consent
- Duress

##### 4. PRIVATE DEFENCE

- Right of private defence of body
- Right of private defence of property

##### 5. OFFENCES AGAINST WOMEN

- Rape
- Prevention of Immoral Traffic
- Prohibition of Indecent representation of women
- Dowry deaths
- Sexual Harassment

## 6. ECONOMIC OFFENCES

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

### **Suggested Readings:**

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

## Paper 9

### INTRODUCTION TO INTELLECTUAL PROPERTY RIGHTS

Objectives: The main objective of the paper is to introduce to the students the basic concepts of IPR and their relationship with other subjects especially, economic law, and other technological aspects . Apart from the above, the paper covers the approaches of International Institutions and introduces the various aspects that are form part of the province of IPR

#### **I INTRODUCTION:**

- (a) Origin and Genesis of IPR
- (b) The Ways and Means of Creation of IPR
- (c) Sources of IPR-Custom, Treaties, Judicial Decision, Juristic Writings, General Principles of Law, Resolutions of International Organizations

#### **II Concept and Theoretical Perspectives**

- a) Meaning and Definition of IPR
- b) Theories – Marxist – Western – Indian
- c) International Trade and IPR – GATT and UNCTAD – IMF – World Bank – WTO

#### **III Economic and Technological Approaches**

- a) International Economic Law and IPR
- b) Information and Technological perspectives
- c) Computers and Cyber Crimes – WIPO and Perspectives
- d) Bio-technology and IPR

#### **IV Approaches of International Institutions and IPR**

- a) UN and IPR
- b) ECOSOC – UNESCO – WHO – FAO – ILO – WIPO – Human Rights Council

#### **V SUBJECT PROVINCE OF IPR**

- a) Patents – Basic aspects
- b) Trade Marks – Basic principles
- c) Copy Right – Basic Issues
- d) Industrial Designs and Geographical Indications

#### **Suggested Readings:**

Peter Drahos: A Philosophy of Intellectual Property, 1996

Commons J.R.: International Economics, 1934

Narayan: Intellectual Property rights, 2007

Gopalakrishnan.N.S, Cases And Materials On Intellectual Property Law : Along With Objectives, Methodology, And Course Outline Bangalore : National Law School of India University, 1992

- International Legal Instruments, D.K. Agencies 1998
- Intellectual Property Rights CSIR Journal
- International Legal Materials.; Journal of the Indian Law Institute

Journal of the Indian Society of International Law ; American Journal of International Law ; Apart from the above, the students may be informed about the other materials by the concerned teacher.

## Paper 10

### **Legal Theory & Feminist Jurisprudence -II**

#### **Objectives:**

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

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

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

#### **1. Doctrine of precedent:**

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

#### **2. Concept of Legal Right :**

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

#### **3. Feminist Jurisprudence:**

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

#### **4. Rawls Theory of Justice:**

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

#### **5. Law and Enforcement of Morals:**

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

#### **Suggested Readings:**

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

7. Lord Devlin – The Enforcement of moral.
8. Basimitchell – Law morality and religion in a secular society.
9. Prof. Julius Stone – Human Law and Human Justice.
10. Prof. Julius Stone – Province & functions of Law.
11. Prof. Roscoe Pound – Jurisprudence Vol. I to IV.
12. R. Warrenton – Post modern Jurisprudence.
13. J. M. Balkin – The Legal Subject and the Problem of Legal Coherence.
14. Ronald Dworkin – Laws Empire.
15. Ronald Dworkin – Morality principle.
16. Patton – Text on Jurisprudence.
17. Hohfeld – Fundamental Legal Conceptions.
18. John Rawls – Theory of Justice.
19. John Rawls – Political Liberalism.
20. Catherine Mackinnon – Difference & Dominance on sex discrimination.
21. Catherine Mackinnon – Towards a Feminist Theory of State.
22. K. Barlett & Kennedy Feminist Legal Theory.
23. K. Weis Berg – Feminist Legal Theory Foundation.
24. Precedent in Indian Legal System - Prof. A. Lakshminath.

## Paper 11

### **Corporate Finance**

#### **Objectives-**

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

#### **1. Introduction**

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

#### **2. Types of Finance**

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

#### **3. Protection of creditors**

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

#### **4. Protection of Investors**

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

#### **5. Corporate Fund Raising**

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

#### **6. Administrative Regulation of Corporate Finance**

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

#### **Bibliography-**

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

**Semester IV**  
**Paper 15 & Paper-16**

**Compulsory Paper**

**Credits: 8**

**Dissertation/Project work**

A student of each Cluster is expected to submit a dissertation/project work in the Respective Cluster in consultation with a guide allotted by the P.G. Department. The dissertation/project work should strictly be adhered to the standard legal research pattern.

The Dissertation/project work should be hard bound not less than 100 pages and not exceeding 150 pages. The dissertation/project work will have double evaluation, one by the guide and other by the external examiner. In the credit pattern the written part of the dissertation /project work will have 6 credits and the viva-voce will have 2 credits. The dissertation /project work need to be commenced from the III semester onwards. In the IV semester before starting the dissertation/project work the students are expected to give an oral presentation before the submission of the dissertation /project work.

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A.B.M.S.P.S. LAW COLLEGE  
Pune-411 006

# Savitribai Phule Pune University

LL.M. (2 year) Course Credit System

Applicable to all P.G. Courses of Law

(Affiliated to Savitribai Phule Pune University)

(2014-15)

The Syllabus of Credit pattern of LL.M.(2Year) Course applicable to all the Post Graduate Centres of Law affiliated to Savitribai -Phule Pune University from 2014-15 onwards has already been uploaded on the website of the University. In this regard, it is hereby notified to all the concerned that certain points relating to the Internal Assessment Work and duration of External Examinations in the syllabus have been clarified as under:

- 1. Clarification of Internal Assessment Work:-**(Refer Point No. 4 at page No. 4 of already uploaded syllabus on the website of S.P.P. University for LL.M (2 year) Course Credit System)

## SEMESTER I

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

### **Division of Internal Marks :**

- a. The first semester consists of four papers; a student has to submit two Longish Term Paper on any two subjects of his/her choice, out of which one Longish Term Paper should be on Legal Research Methodology subject. The students not opting for L.T.P. in a subject have to opt Seminar paper in that subject.

[Longish Term Paper – Total 15 marks]

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

[Seminar Paper – Total 15 marks]

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

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

## SEMESTER II

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

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

### Division of Internal Marks:

- a. The second semester consists of four papers out of which one paper will be Practical Research Methodology .Out of the remaining three papers, the student has to submit one Longish Term Paper on any of the subject of his/her choice and two Seminar papers for remaining two papers. It means that the student not opting for LTP in a subject has to opt Seminar paper in that subject.
  - [ Longish Term Paper – Total 15 marks]
  - (10 Marks for L.T. P. Project and 5 marks for viva voce of L.T. P)
  - [ Seminar Paper – Total 15 marks]
  - (10 marks for seminar paper submission and 5 marks for oral presentation on seminar topic)
- b. Tutorial – Maximum 5 tutorials in each subject and each tutorial carries 1 mark. (Total 5 marks)
- c. Assignment - Maximum 5 Assignments in each subject and each assignment carries 1 mark. (Total 5 marks)
- d. Group Discussion / An Open Book Test/ Library Research Work/ Extension Work (Total 5 marks)
- e. 2 Written Test in each subject (10 marks each and Total 20 marks)



### SEMESTER III

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

#### Division of Internal Marks :

The third semester consists of four papers and for every paper, the division of internal marks will be as follows :

- Tutorial – Maximum 5 tutorials in each subject and each tutorial carries 1 mark. ( Total 5 marks)
- Assignment - Maximum 5 Assignments in each subject and each assignment carries 1 mark. (Total 5 marks)
- Group Discussion / An Open Book Test/ Library Research Work/ Extension Work (Total 5 marks)
- 2 Written Test in each subject (10 marks each and Total 20 marks)
- Book review/article review on every subject of the third semester. (10 marks for written submission and 5 marks for oral presentation on Book Review/article review)

### SEMESTER IV

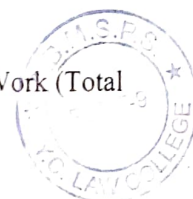
The fourth semester consists of four papers

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

#### Division of Internal Marks for remaining two papers:

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

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



- e. Case study for the two subjects of the fourth semester. (10 marks for written submission and 5 marks for oral presentation on case study)

2. **Duration of External Examination** (Change on Page .no. 7 of already uploaded syllabus)

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

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

**Note:**

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



361

PRINCIPAL  
Yashwantrao Chavan Law College  
Pune-411 009

SAVITRIBAI PHULE PUNE UNIVERSITY  
(SPPU)



CREDIT SYSTEM (CS)  
For  
SEMESTER PATTERN  
Post Graduate Programs

# Handbook

(Updated Version)

Prepared by

Professor Vilas Kharat

Dr. V. B. Gaikwad

MESSAGE FROM  
HON. VICE CHANCELLOR, SPPU

The world of today is full of competition in each and every field. In order to cop-up with the needs of the time it has become necessary to prepare ourselves in tune with the norms and practices accepted and implemented across the globe. As such, one of the important aspects is to add a value to a postgraduate degree by imparting a knowledge based and hands-on experience training to the students. This very aspect demands the choice based credit system for the PG programs. The Credit System (CS) not only nurtures a student to put his best efforts for touching the heights of excellent education based knowledge but also allows to carry the credits earned from one University to the other in India and abroad as well. In fact, there are as many aspects that are of great importance in the CS but *CONTINUOUS ASSESSMENT* is the backbone and so it has to be handled with care so as to visualize a student with potential for excellence. Our University has jumped into this well of 21<sup>st</sup> century education with a firm footing of CS from the academic year 2013-14. I am confident that the teachers involved in the implementation part would shoulder the responsibility & add values to it.

This handbook of CS is prepared to facilitate the aims and objectives of the system and the teachers as well as students would testimony the lucidity and essence of it.

Dr. W. N. Gade



## PREAMBLE

*In pursuance of the decision to implement Credit System at the Post Graduate level and ensure continuous assessment, the SPPU has decided to incorporate the Credit System (CS) under Semester Pattern in all its affiliated colleges and recognized institutions where postgraduate programs are conducted.*

*The Hon. Vice-Chancellor and the authorities of University of Pune, namely, the members of the Management Council, the*

*Deans of Faculties, the Members of the Academic Council, and the chairmen of the board of studies are the pillars in shaping the system for the cause of the benefit to the students.*

*Of course, all the teachers are committed to handle the credit system for the better and result oriented output in the enhancement of knowledge level of each and every student.*

*Down the line of every 2/3 years, the University is keen to inculcate the system and observe the overall development of its students.*

## CONTENTS

1. *General administration*
2. *Conduct of the Credit System*
3. *Examination Rules*
4. *Assessment and Grade point average*
5. *Modus Operandi of Evaluation under Credit System- 2 years programs*
6. *Modus Operandi of Evaluation under Credit System- 3 years programs*

## 1. General administration

1.1 These rules and regulations shall be applicable for the conduct of CS for the Departments on the Campus of SPPU (implemented in AY 2001-02) as well as for the affiliated colleges and institutes (implemented in AY 2013-14).

1.2 As per the UGC directives, 10 point scale is applicable from the academic year AY 2015-16 (not applicable to the students admitted before the AY 2015-16).

1.3 CS Coordination Committee.

1. *Director, BCUD – Chairman*
2. *Deans of faculties - Members*
3. *HoDs from Campus(02) - Members*
4. *Professors from Campus(02) - Members*

This Committee shall take all decisions arising pertain to these rules and the implementation of CS.

## 2. Conduct of the Credit System

2.1 The Post-Graduate Degree will be awarded to those students who earn the minimum number of credits as follows:

Name of the Faculty	Total credits	Average credits per semester
<i>Science, Engineering, Pharmacy, Management, Technology</i>	100	25
<i>Arts &amp; Fine Arts, Social Sciences, Commerce, Law, Education*, Physical Education*</i>	64	16

(\* - will be as per the directives of Education Council)

- In a case, where the PG program duration is of one year, such a program shall consist of minimum 40 credits.
- Except the credits for practical courses, wherever applicable, a student can register for less number of courses in a semester subject to the condition that such a student will have to complete the degree in a maximum of four (five) years for 2 years (3 years) program. This facility will be available subject to the availability of concerned courses in a given semester and with a maximum variation of 25 % credits (in case of fresh credits) per semester.

2.2 The proportion of Laboratory courses shall be around 40 % of the total credits of a PG program. Project work, if included, shall consist of NOT more than 10 % of the total number credits for PG programs in Science, Engineering, Technology, Management, Pharmacy and 05 % of the total number of credits for other PG programs.

2.3 One credit will be equivalent to 15 clock hours of teacher-student classroom contact in a semester. There will be no mid-way change allowed from Credit System to Non-credit (external) System or vice versa.

2.4 A post graduate teacher in a subject shall be affiliated to only ONE post graduate center at any given time and for only one subject.

2.5 For the routine conduct of the CS in a PG Department on the campus of SPPU, HoD will be the Chairperson and the teachers (employees of SPPU) in the Department will be the members.

While for a PG Department in colleges/institutes, Dean of the concerned faculty shall be the Chairperson and the constitution of faculty wise committee shall be as follows:

1. *Dean of the Faculty – Chairman*
2. *Two HoD's of the Post Graduate centers from the respective faculty nominated by the Hon. Vice Chancellor*
3. *One HoD/Professor/Subject expert from the Post Graduate Department of the University Campus nominated by the Hon. Vice Chancellor*
4. *Director, BCUD - Coordinator*

2.6 Among the minimum number of credits to be earned by a student to complete a Post Graduate Degree program (100/64 credits), the student will have to earn minimum 75% credits from the parent Department (subject) and the remaining up to 25 % credits could be earned from the parent Department (subject) or any subject/s of any faculty conducted at other PG Department/ PG Center. In any case, a student will have to earn compulsory credits from the parent Department (subject) over and above.

### 3. Examination Rules

3.1 Assessment shall consist of CA-Continuous assessment and ESE(ETE)-End of Semester(Term) Examination with an equal weightage of 50%.

3.2 The concerned teacher is responsible for conduct and evaluation towards CA and shall announce at the beginning of the course about the mechanisms under which CA would take place. However, the ESE (ETE) shall cover the entire syllabus prescribed for that course.

3.3 The CA towards 50% marks will be a continuous activity and at least two written tests (for 60-80% marks out of CA marks) must be conducted in addition to at least two following mechanisms (for 20-40% marks out of CA marks) for a full course of 4/5 credits.

Journal/Lecture/Library notes, Short Quizzes, Seminar presentation, Assignments, Extension Work, An Open Book Test (book to be decided by the concerned teacher), Mini Research Project by an individual student or a group of students

A teacher may devise a mechanism other than written test in addition to above in order to flourish the course contents.

a) It is mandatory for a teacher to hand over the assessed answer sheets to the respective students well before the commencement of the ESE (ETE).

b) It is also mandatory to declare the score gained by all the students in a course towards CA on the notice board duly signed by the concerned teacher of the course and the HoD/Principal/Director.

- 3.4 ESE (ETE) for the remaining 50% marks will be conducted by SPPU.
- 3.5 A student has to obtain 40 % marks taken together of CA and ESE (ETE) with a minimum of 30% in each of these separately.
- 3.6 A student will have to obtain a minimum aggregate of 40% marks in each course to be counted for the minimum number of credits required for the completion of the program.
- 3.7 If a student misses an internal assessment examination he/she will have a second chance with the endorsement of the HoD/Principal/Director in consultation with the concerned teacher. Such a second chance shall not be the right of the student.
- 3.8 a) If a student is declared as “PASS” in a course (Grade other than F), then the student cannot choose/reappear that course unless appearing under “CLASS/GRADE IMPROVEMENT” for ESE (ETE) only.  
CA is not available for a course in which the student has been declared as “PASS”.
- b) If a student is declared as “FAIL” (Grade F) in a course, then the student is allowed to choose such a course, with CA and ESE (ETE) both, only in a semester in which the course is conducted, irrespective of the previous score in CA.

Otherwise, the student may appear only for ESE (ETE) in that course in any of the following/forthcoming semester, provided that the student has scored at least 15% of the total 100% (or 30% of the 50% of the total marks) in CA.

Explanation:

X = 100%

CA score	ESE/ ETE Score	CA+ ESE/ETE	Result
≥15% of X	≥15% of X	≥40% of X	PASS/Earned Credits with Grade
≥15% of X	≥15% of X	<40% of X	FAIL/No Credits Earned

Y = Course,

Odd-Sem = First Half/Semester of an Academic Year

Even-Sem = Second Half/Semester of an Academic Year

Semester in which Y is conducted	Status of the Y for a student	Future scope for improvement in Y
Odd-Sem	PASS	Under CLASS IMPROVEMENT only
	FAIL	The student can appear for ESE (ETE) in any subsequent semester, provided the student has scored ≥ 15% of X. OR The student can choose/register Y with CA and ESE (ETE) both in an Odd-Sem.
Even-Sem	PASS	Under CLASS IMPROVEMENT only
	FAIL	The student can appear for ESE (ETE) in any subsequent semester, provided the student has scored ≥ 15% of X. OR The student can choose/register Y with CA and ESE (ETE) both in an Even-Sem.

c) In case of 3.8(b), the maximum duration available to register/reappear for a course will be as follows.

# 2 years PG Program – Up to 4 (four) years  
(i.e. if a student is registered/admitted for first semester in 2013-14, then the student is allowed to register/reappear up to second semester in 2016-17)

# 3 years PG Program – Up to 5 (five) years  
(i.e. if a student is registered/admitted for first semester in 2013-14, then the student is allowed to register/reappear up to second semester in 2017-18)

d) In the case of 3.8(b), the number of attempts (excluding registered for first time) available to register/reappear for the course would be 3(three) only, subject to 3.8(c).

e) In an exceptional case, if there are sufficient number of students who wish to register for a course for CA and ESE (ETE) both in which they are failed, then such a course can be conducted in the immediate following semester only, in addition to the courses conducted in that semester. However, there cannot be more than two such courses at a time in that semester.

3.9 The student will be finally declared as failed if the minimum numbers of credits are not earned within a total period of Four and Five years respectively for 2 years PG Program and 3 years PG Program. After that, such a student will have

to seek fresh admission as per the admission rules prevailing at that time.

- 3.10 A student cannot register for the third/fourth semester, if she/he fails to complete 50% credits of the total credits expected to be ordinarily completed within two semesters.
- 3.11 There shall be a revaluation of the answer scripts of ESE (ETE) as per Ordinance No.134 A & B, but not of CA.
- 3.12 While marks will be given for all examinations, they will be converted into grades. The Semester End Grade sheets will be generated by using marks and grades and the final grade sheets and transcripts shall have grade points average and total percentage of marks (up to two decimal points). The final grade sheet will also indicate the PG Department/Center to which the candidate is registered.

## 4. Assessment and Grade Point Average

- 4.1 The system of evaluation will be as follows: Each CA and ESE (ETE) will be evaluated in terms of marks. The marks for CA and ESE (ETE) will be added to convert into a grade and later a grade point average. There is no grade independently for CA or ESE (ETE).
- 4.2 Result of a student will be declared for each semester after the ESE (ETE) only.
- 4.3 The student will get a Grade Sheet with total grades earned and a Grade Point Average, after earning the minimum number of credits towards the completion of a PG program (subject to 3.9).

### 4.4 Marks/Grade/Grade Point w.e.f. AY 2015-16 (10 Point Scale):

Marks	Grade	Grade Point
80-100	O: Outstanding	10
70-79	A+: Excellent	9
60-69	A: Very Good	8
55-59	B+: Good	7
50-54	B: Above Average	6
45-49	C: Average	5
40-44	P: Pass	4
0-39	F: Fail	0
-	Ab: Absent	0

Following will be applicable for all those who are admitted before the AY 2015-16 till they complete the PG program (subject to 3.9).

Marks	Grade	Grade Point
100 to 75	O: Outstanding	06
74 to 65	A: Very Good	05
64 to 55	B: Good	04
54 to 50	C: Average	03
49 to 45	D: Satisfactory	02
44 to 40	E: Pass	01
39 to 0	F: Fail	00

#### 4.5 Final Grade w.e.f. the AY 2015-16 (10 Point Scale):

Grade Point Average	Grade
09.00 – 10.00	O
08.50 – 08.99	A+
07.50 – 08.49	A
06.50 – 07.49	B+
05.50 – 06.49	B
04.25 – 05.49	C
04.00 – 04.24	P
00.00 – 03.99	F

Remark: B+ is equivalent to 55% marks and B is equivalent to 50% marks.

Following will be applicable for all those who are admitted before the AY 2015-16 till they complete the PG program (subject to 3.9).

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

- 4.7 'B' Grade is equivalent to atleast 55% of the marks as per circular No.UGC- 1298/[4619]UNI-4. (Not applicable for 10 point scale)
- 4.8 A seven point grade system [guided by the Government of Maharashtra Resolution No. NGV-1298/[4619]/UNI.4 and the University regulations] will be followed uniformly for Science, Arts, Mental, Moral and Social Sciences. The corresponding grade table is detailed above.(not applicable for 10 point scale)
- 4.9 If the GPA is higher than the indicated upper limit in the three decimal digit, then higher final

grade will be awarded (e.g. a student getting GPA of 4.492 may be awarded 'A' grade). (Not applicable for 10 point scale)

- 4.10 There will be only final compilation and moderation at GPA (Final) level done at the Department. While declaring the result, the existing relevant ordinances are applicable. There is also a provision for verification and revaluation, subject to the applicable rules at that point of time.
- 4.11 For grade improvement, 2 year program student will have to reappear for ESE (ETE) only in the courses comprising a minimum of 30 credits in case of Science, Engineering, Technology, Management and Pharmacy; 20 credits for other faculties and 12 credits in case of one year degree program. These courses will be from the parent Department only in which the student has earned the credits. A student can opt for the Grade Improvement Program only after the declaration of earning minimum number of credits and completion of the PG Program (subject to 3.9) within the period of two years from the completion of program.
- 4.12 The formula for GPA will be based on Weighted Average. The final GPA will not be printed unless a student passes courses for the minimum 100 credits, 80 credits or 64 credits as the case may be.

4.13 The description for the grades is as follows:

O: Outstanding: Excellent analysis of the topic, (80% and above)

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

A+ : Excellent : Excellent analysis of the topic (70 to 79%) Accurate knowledge of the primary material, acquaintance with seminal publications, logical development of ideas, Neat and systematic organization of content, effective and clear expression;

A: Very Good: Good analysis and treatment of the topic (60 to 69%) Almost accurate knowledge of the primary material, acquaintance with seminal publications, logical development of ideas, Fair and systematic organization of content, effective and clear expression;

B+: Good: Good analysis and treatment of the topic (55 to 59%)

Basic knowledge of the primary material, logical development of ideas, Neat and systematic organization of content, effective and clear expression;

B: Above Average: Some important points covered (50 to 54%)

Basic knowledge of the primary material, logical development of ideas, Neat and systematic organization of content, good language or expression;

C: Average: Some points discussed (45 to 49%)

Basic knowledge of the primary material, some organization, acceptable language or expression;

P: Pass: Any two of the above (40 to 44%)

F: Fail: None of the above (0 to 39%)

4.14 One credit is equivalent to 20-25 marks for evaluation purpose.

4.15 There will be an evaluation of each course by students at the end of every semester. (Sample format enclosed for course evaluation by students)

Relevant circulars from which these rules are compiled and modified

- 187/2001 (12-7-2001) for both M. A. and M. Sc.
- 168/2002 (14-6-2002) & CBH/5422 of 29-8-2002 in continuation of 168/2002 for Social sciences and Humanities
- 125/2004 (22-3-2004) addition to 168 of 2002
- 296/ 2006 (5-8-2006) for all departments
- UGC D.O. No. F. 1-1/2014(Secy) Dated 12<sup>th</sup> Nov. 2014

## 5. Modus Operandi of Evaluation under Credit System-2 years programs

- 5.1 Each regular student will normally appear for all the 25% credits in a semester out of the minimum number of credits required to obtain a degree.
- 5.2 A student who wishes to register to the third /fourth semester should have gained at least 50% credits out of the total number of credits offered at the first and second semester of the first year.
- 5.3 Evaluation of each credit will be in two parts, namely CA and ESE (ETE).
- 5.4 A course may be of 1 or 2 or 3 or 4 or 5 credits.
- 5.5 The evaluation of a course means the evaluation of total number of credits of that course. As such, all the credits taken together of a particular course will be evaluated in two parts CA and ESE (ETE).
- 5.6 Weightage for CA would be 50% and for ESE (ETE) would be 50%.
- 5.7 A course will be evaluated in the form of 50 marks for CA and 50 marks for ESE (ETE).
- 5.8 A student will gain all the credits of a course after having obtained minimum 40 marks from CA (minimum 15 out of 50) and ESE (ETE) (minimum 15 out of 50) taken together and will get the

respective grade and grade points in the respective course. Otherwise, a student will get grade F (Fail) in that respective course and will not gain any credits or grade points towards that course.

- 5.9 CA:** The teacher would evaluate a student towards a course through interaction throughout the semester which would include one or more (but not less than 4 including compulsory written test/s) of the following mechanisms with their maximum weightage out of 50 marks and this essentially enables the teacher to get positive feedback about a student's overall understanding/ability and in nutshell enhances the teaching-learning process.
- a. Written test – Max 2 with not more than 15 marks for each
  - b. Assignment – Max 2 with not more than 5 marks for each
  - c. Seminar presentation – 5 marks (not for all the students)
  - d. Group discussion – 5 marks (not for all the students)
  - e. Extension work – 5 marks (not for all the students)
  - f. An open book test – 10 marks ( to be conducted in a classroom for not more than 3 questions)
  - g. Report/Note on research paper/s or study tours – 5 marks (not for all the students and to be presented in the respective class)

- A teacher may propose any other mean towards CA (other than written test) that may suit for a particular course and implement only after the approval of the Departmental Committee constituted and approved by the HoD/Principal/Director.

5.10 If a student could not attend the CA written test due to some unavoidable reasons then the teacher may consider a request for retest in writing with furnishing the reason of absence.

5.11 If a student failed to gain the credits of any course (declared F grade in that course) then the student can reattempt the course with CA (if the course is conducted in that semester) and ESE (ETE) both or with ESE (ETE) only (if one has scored 15 in CA) in the subsequent ESEs (ETEs) (max. two such attempts) within a period of 4 years (5 for 3 years programs) from the date of admission for the first semester (subject to 3.9).

5.12 In case a student failed to earn the minimum number of credits required for obtaining a degree within the stipulated period of 4 years (5 years for 3 years programs) then such a student will be declared **INCOMPLETE EXIT** and in such a case the student can seek a fresh admission as per the admission rules prevailing at that time.

5.13 The policies and procedures determined by the SPPU from time to time will be followed for the

conduct of examinations and declaration of the result of a candidate.

**5.14 ESE (ETE):** Each credit will be evaluated for a maximum period of 45 minutes. The following would be an outline for setting the question paper for ESE(ETE).

Credits	Duration	Questions to be attempted	Number of Subquestions	Marks for subquestions
1	45 min	1 out of 2	3 (for 2 questions)	4+3+3 or 5+3+2 or 4+4+2
2	90 min	3 out of 5	3 (for 3 questions)	4+3+3 or 5+3+2 or 4+4+2
			2 (for 2 questions)	5+5
3	150 min	4 out of 6	2 (for 4 questions)	4+3+3 or 5+3+2 or 4+4+2
			2 (for 2 questions)	5+5
4/5	180 min	5 out of 8	3 (for 6 questions)	4+3+3 or 5+3+2 or 4+4+2
			2 (for 2 questions)	5+5

**Note:** A question paper for PG program course of 3/4/5 credits under any Faculty other than Science, Engineering, Technology, Management and Pharmacy may contain a question of 10 marks(1 out of 2) without a subquestion.

### 5.15 PRACTICAL EXAMINATION:

- a. The duration for the conduct of ESE (ETE) of a practical course would be same as stipulated in 5.13.
- b. The outline of the distribution of maximum marks for various aspects/mechanisms towards CA is as follows:
  - *Journal – 10 marks*
  - *Viva-voce at the time of submission of each practical – 20 marks*
  - *Group discussion of 5/6 students for testing the understanding level of a student – 10 marks*
  - *Attendance – 5 marks*
  - *Additional practical work of indisciplinary approach – 5 marks*
- c. At least three experiments should be asked for the full course of 4/5 credits and at least two for 2/3 credits.
- d. Certified Journal would be compulsory to appear for the ESE (ETE) practical course.
- e. There shall be two experts from the parent Department and two examiners (one of which will be external) per batch.

5.16 If a student failed to obtain a grade other than F in a course then such a course will not be taken into account for calculating GPA and overall grade. In fact, all the courses in which a student has passed will be taken into account for calculating the GPA and overall grade.

## **6 Modus Operandi of Evaluation under Credit System-3years programs**

### **MCA/MSc(IMCA)/3-year Programs:**

- 6.0 All the points other than 5.1 and 5.2 above are applicable to these programs also.
- 6.1 Each regular student will normally appear for all the 25 credits in a semester. (For the program of 150 credits in Six semesters)
- 6.2 A student who wishes to register to the third semester/fourth semester should have gained at least 25 credits. (In case 50 credits offered per year)
- 6.3 A student will be considered to have “Completed” the Internship/Industrial Training upon the submission of certificate of completion, duly signed and sealed, from the Organization where the candidate worked during the Internship period. In case a student failed to submit the required certificate of completion duly signed by mentor/Organization then the student will be considered to have “Not Completed” the required internship/industrial training at the time of the declaration of the result. And hence such student will have to undergo the complete training.

