**LLB**

**5th Semester**

**Labour and Industrial Law**

**Paper I [Code – LB501C] Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of labour and industrial law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective**: *The objective of this paper is to focus on various aspects of management of labour relations and dispute settlement bodies.*

**Unit - I**

1. Changing Perspectives of Labour Law and Policy.
2. History of Trade Union Movement in India.
3. Definition of Trade Union and the Right to Form Trade Union.
4. Legal Control and Protection of Trade Union: Registration, Amalgamation, Rights, Immunities Liabilities and Dissolution, Trade Union Funds.

**Unit - II**

1. Problems: Multiplicity of Unions, Over Politicization- Intra-Union and Inter-Union Rivalry, Outside Leadership, Closed Shop and Union Shop, Recognition of Unions.
2. Collective Bargaining.
3. Theoretical Foundations of State Regulations of Industrial Relation: Social Justice, Labour Welfare, Public Interest, and Productivity.
4. The Conceptual Conundrum: Industry, Industrial Dispute, and Workmen.

**Unit - III**

1. Machinery for Settlement of Industrial Disputes and Power of Reference.
2. Strikes, Lock- Outs, Lay Off and Retrenchment Transfer and Closure.

**Unit - IV**

1. Unfair Labour Practices.
2. Disciplinary Proceedings.
3. Labour Welfare: Concept, Classification and Importance.
4. Obligations of Employer for Health, Safety and Welfare.
5. Working Hours of Adults and Annual Leave with Wages.

**Unit - V**

1. Liability for Hazardous and Inherently Dangerous Industries- Environmental Protection.
2. Employment of Young Persons: Prohibition of Employment of Children, Regulation of Employment of Young Persons.
3. Women and Labour Force: Equal Remuneration Law, Maternity Benefits, and Protective Provisions for Women under Factories Law.
4. Sexual Harassment of Women at Work Place.

**Recommended Readings**

1. Honey Ball, Text Book on Labour Law
2. O.P. Malhotra, The law of industrial Disputes
3. R.C. Saxena, Labour Problems and Social welfare
4. V.V. Giri, Labour Problems in Indian Industry
5. S.C. Srivastava, Commentary on Factories Act.
6. S.C. Srivastava, Industrial Relations and Labour Laws
7. S.N. Dhyani, Trade Unions and the Right to Strikes
8. G.Q. Mir, Women Workers and the Law
9. Report of the National Commission on Labour 1969.
10. Annual Survey of the Indian Law Institute, Indian Law Institute, New Delhi.

**Property Law**

**Paper II [Code – LB502C] Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of property law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective**: *The basic objective is to give a concise and clear exposition of legal principles underlying the various provisions of the Transfer of Property Act, 1882 and the Indian Easements Act.*

**Unit I**

1. **Concept of Property**
   1. Concept of Property: Ownership and Possession.
   2. Meaning of Property
   3. Kinds of Property - *Jura in re propria - Jura in re aliena -* Movable, Immovable, Intangible
   4. Theories of Property - Economic and Social Theories - Doctrine of Eminent Domain
   5. Right to Property under the Constitution of India
   6. Right to Property in Jammu and Kashmir
2. **General Principles of Transfer of Property Act.**
   1. What may be Transferred?
   2. Competency to Transfer Property
   3. Various Conditions relating to Transfer
   4. Rule against Perpetuity
   5. Vested and Contingent Interests
   6. Conditional Transfer
   7. Doctrine of Election
   8. Transfer under *lis pendens*
   9. Fraudulent Transfer
   10. Principle of Part Performance

**Unit II**

**Specific Modes of Absolute Transfer of Property:** Sale-definition, Agreement for Sale-Rights and Liabilities of the Buyer and the seller; Marshalling by subsequent purchaser; Discharge of encumbrances; Exchange-definition and mode; Exchange vis-à-vis Sale, Rights and liabilities of the parties; Gift-definition and mode of transfer, suspension and revocation, Onerous gift, universal donee; Transfer of Actionable Claims

**Unit III**

**Specific & Limited Transfer by way of creating Security Interest:** Mortgage-meaning and purpose, Types-Simple, English, Mortgage by Conditional Sale, Usufructuary, Mortgage by way of deposit of title Deeds, and anomalous mortgage; Rights and obligations of the mortgagor and mortgagee; Foreclosure, Deemed Foreclosure, Power of Sale, Priority right determination; Marshalling and Contribution, Redemption; Subrogation S.58-67, S.67A, Ss.81-85, Ss.91-96

**Unit IV**

1. Charge: Fixed and Floating charge; rights and obligations of the parties. Charge created on corporate properties S.100, S.101
2. Lease: Definition, modes of creating lease; Rights and liabilities of the parties; Determination of lease and lease terms; Waiver, forfeiture, Ss.105-108 &111
3. Lien: Possessory right, when applicable, ceasing of right of lien, types of lien.

**Unit V**

**Easement & Prescription:** Nature, Creation, Extinction Ss.4-7 Ss.37-48, Riparian Rights, Licenses.

**Books Recommended**

Mulla, Transfer of Property Act

Divekar, Law of Property Transactions

Ghosh, Law of Mortgage

Gour’s Transfer of Property Act

Lahiri, Transfer of Property Act

Narayana, Easement & Licenses

R.S. Bhalla, The Institution of Property: Legally, Historically and Philosophically Regarded

Sanjivi Row, Commentaries on Easements and Licenses

Sanjiva Row, Registration Act, Law Publishers.

Annual Survey of Indian Law, Indian Law Institute, New Delhi.

**Clinical Course – I**

**(Drafting, Pleading and Conveyancing)**

**Paper III [Code – LB503CL] Total Marks: 100**

**Time Duration: 2 Hours Theory: 60 Court Diary: 20**

**Viva voce: 20**

**Note:** The clinical paper on Drafting, Pleadingand Conveyancing shall have two parts- Part A and Part B.

Part A shall be a written examination of 60 marks, which shall have three sections and shall be distributed according to the following scheme:

*Section A shall contain 5 very short answer type questions, one from each unit carrying twomarks each. Section B will contain 5 short answer type questions, one from each unit carrying 6 marks each. And section C shall contain 5 long answer type questions, one from each unit carrying 10 marks each. All the questions from sections A and B and only two questions out of five from Section C shall have to be answered by the candidate.*

Part B shall be based on practical training in pleading, drafting and Conveyancing, during visits to Registrar and Sub-Registrar courts / executive authorities assigned the work of registration, valuation, and transfer of property under law. The candidate/s shall prepare a COURT DAIRYcontaining the Report about Documentation, Registration, Valuation etc. witnessed during the Court Visit, to be submitted to the HOD/Principal of the private affiliated law college or His/her Nominee at the completion of Programme/Visit, which shall carry 20 marks followed by the viva voce carrying 20 marks,

**The evaluation/assessment for these 40 marks shall be conducted internally by atleast two teachers, one nominated by the HOD/Principal of the affiliated private law college and the concerned teacher of the subject/course/clinic.**

**Objective:** *The objective of this paper is to train students in the art of drafting both for court purposes as well as for other legal forums.*

**Unit-I**

1. Pleadings Generally – Object and Scope.
2. Essentials of Plaint, Written Statement (Model Plaints/Written Statements).
3. Applications: Execution of Decree, Condonation of Delay, Setting Aside Ex Parte Orders, Appointing a Guardian, Caveat, Ad-interim Relief, Dispensation of Notice for Filing Suit against Government and Amendment of a Plaint.

**Unit-II**

1. Complaints under Various Provisions of Cr.P.C.
2. Application for Bail/Anticipatory Bail.
3. Application for Exemption from Appearing before Court.
4. Criminal Appeal against Acquittal/ Committal before High Court.

**Unit-III**

1. Petitions under Articles 32,136,226,227 of the Constitution.
2. Petitions before Special Courts, Tribunals.
3. Power of Attorney-General/Special.

**Unit-IV**

1. Conveyancing: Nature and Scope.
2. Deeds: Sale, Gift, Lease, Mortgage, Will and Relinquishment.
3. Negotiable Instruments, Agreements and Bonds.

**Unit-V**

1. Application for Withdrawal of Writ Petition before High Court.
2. Application for Claiming Compensation before MACT.
3. Application for Grant of Succession Certificate.
4. Writing of a Complaint under Section 133 Cr.P.C.
5. Translation of Legal Terms in Urdu from English and Vice Versa.
6. Application for Maintenance for Wife, Parent, Children etc.

**Recommended Readings**

1.  Gupta, A Guide to Conveyancing Drafting And Deeds (8 Vols) (with CD).

2. M G Gurha, A Guide to Deeds (in 2 Volumes).

3. Rodney D. Ryder, Drafting Corporate And Commercial Agreements.

5.Frank L. Politano, Michael A. Epstein, Drafting License Agreements (2 Volume Set).

6. R.K. Gupta, Guide To Deeds & Documentation (2 Volume Set).

9. P.K. Majumdar, Guide To The Deeds (The Most Comprehensive Coverage of Model Deeds).

11. R. W. Ramage, Kelly’s Legal Precedents.

12. N S Bindra, Pleadings And Practice with more than 1100 Model Forms of Plaints, Defences, Petitions, Writs, Appeals and much more (In 2 Vols.).

13. Hargopal, The Indian Draftsman, (A Practical Guide To Legal Drafting, in 2 Vols.).

14.  P.C. Mogha, J.M. Srivastava, G.C. Mogha, The Law Of Pleadings In India.

**Clinical Course – II**

**(Legal Ethics and Bar – Bench Relations)**

**Paper IV [Code – LB504CL] Total Marks: 100**

**Time Duration: 2 Hours Theory: 60 Case/Study: 10**

**Project/dissertation/Seminar report: 10**

**Viva voce: 20**

**Note:** The clinical paper on Legal Ethics and Bar- Bench Relations shall have two parts- Part A and Part B.

Part A shall be a written examination of 60 marks, which shall have three sections and shall be distributed according to the following scheme:

*Section A shall contain 5 very short answer type questions, one from each unit carrying two marks each. Section B will contain 5 short answer type questions, one from each unit carrying 6 marks each. And section C shall contain 5 long answer type questions, one from each unit carrying 10 marks each. All the questions from sections A and B and only two questions out of five from Section C shall have to be answered by the candidate.*

Part B shall be carrying 40 marks, theassessment/evaluation of the student for these 40 marks shall be conducted internally by atleast two teachers one nominated by the HOD/Principal of the affiliated private Law College and by the teacher of the subject through written test/case study/field survey/participation in seminars and projects/practical exercise/persuasive memoranda on the topic/s identified by the teacher concerned.

**The distribution of these 40 marks shall be as follows:**

1. **Case Study 10 marks ii. Project / dissertation / Seminar report 10 marks**

**iii. Viva voce examination 20 marks**

**Objective**: *The objective of this course is to acquaint the students with the principles of legal ethics and the relevant rules and legislations governing the conduct of advocates. It also looks into the intricacies of different aspects of bench-bar relations.*

**Unit-I**

1. Meaning, Nature and Scope of Legal Ethics.
2. Need and Scope of Ethical Code for Lawyers.
3. Powers and Functions of Bar Council of India/ State Bar Councils.

**Unit-II**

1. Bar-Bench Relationship - Nature and Extent.
2. Misconduct by Lawyers/Advocates.
3. Rights and Duties of Advocates.
4. Enrolment and Admission of Advocates.

**Unit-III**

1. Contempt of Court- Meaning, Classification and Scope.
2. Constitutional Validity of Contempt Law.
3. Punishment for Contempt of Court.

**Unit-IV**

1. Supreme Court Rules related to Conduct and Enrolment of Advocates.
2. High Court Rules relating to Conduct, Enrolment and Discipline of Advocates in J&K.
3. Civil and Criminal Rules for Subordinate Courts in J&K.

**Unit-V**

1. Supreme Court Cases:
   1. V.C. Rangadurai vs. D.Gopalan; AIR 1979 SC 281
   2. R.D.Saxena vs. Blaram Prasad Sharma; AIR 2000 SC 2912= (2000) 7 SCC 264
   3. New India Insurance Co. Ltd. vs. A.K.Saxena; AIR 2004 SC 311
   4. Daroga Singh and ors. vs. B.K.Pandey; (2004) 5 SCC 26
   5. Lalit Mohan Das vs. Advocate General, Orissa and Another; AIR 1957 SC 250
   6. Dinesh Chandra Pandey vs. H/C of M.P.; AIR 2010 SC 3055
   7. Indian Council of Legal Aid and Advice vs. BCI; AIR 1995 SC 691
   8. Harish Uppal Vs. U.O.I., 2003 AIR SCW 43
   9. In Re D.C.Saxena, AIR 1996 SC 2481
   10. RajendraNagrath vs. L.Vohra; AIR 2009 M.P 131
   11. A.S.Mohammad Rafi vs. State of T.N.; AIR 2011 SC 308
2. Disciplinary Committee Decisions:
   * 1. The Disciplinary Committee of the Bar Council of India D.C. Appeal No. 70/2008[ Indian Bar Review, vol.XXXVIII 2011]
     2. The Disciplinary Committee of the Bar Council of India BCI TR No. 88 of 1999[Indian Bar Revie , vol.XXXVIII 2011]
     3. The Disciplinary Committee of the Bar Council of India BCI TR CASE No. 122/2007 [ Indian Bar Review, vol.XXXVIII 2011]
     4. The Disciplinary Committee of the Bar Council of India –BCI TR case No 21/1987
     5. The Disciplinary Committee of the Bar Council of India BCI TR case no 40/1994
     6. The Disciplinary Committee of the Bar Council of India BCI TR case no 12/ 1990
     7. The Disciplinary Committee of the Bar Council of India DC Appeal no 55/ 98
     8. The Disciplinary Committee of the Bar Council of India BCI TR case no 44/1995
     9. The Disciplinary Committee of the Bar Council of India BCI TR case no 13/2006;
     10. The Disciplinary Committee of the Bar Council of India DC Appeal No 41/2008
     11. The Disciplinary Committee of the Bar Council of India DC Appeal No 21/2005;
     12. The Disciplinary Committee of the Bar Council of India BCI TR case no 145/2003 ;
     13. The Disciplinary Committee of the Bar Council of India BCI TR. Case No 171/2010
     14. The Disciplinary Committee of the Bar Council of India BCI TR. Case No 189/ 2008
     15. The Disciplinary Committee of the Bar Council of India DC Appeal No 1/2010.

**Recommended Readings**

* 1. Krishnamurthy on Advocacy
  2. C.L.Anand; Professional Ethics of the Bar, the law book Co. Pvt Ltd.
  3. D.V.Subbarao; The Advocates Act, 1961, Lexis Nexis, Butterworth.
  4. Dr. Kailas Rai; Legal Ethics: Accountability for lawyers and Bench –Bar Relations, Central Law Publications.
  5. J.P.S Sirohi; Professional Ethics, Accountability for Lawyers and Bench Bar Relation, Allahabad Law Agency.

**(Constitutional Law Group)**

**Gender Justice and Feminist Jurisprudence**

**Paper V [Code – LB505S] Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of gender justice.The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective:** *The object of this paper is to introduce the students with the various aspects of gender justice and feminist jurisprudence.*

**Unit-I**

1. Concept, Meaning and Nature of Gender Justice.
2. Feminism – Nature and Scope.
3. Women - Equality and Law.
4. Promise of Equality under the Constitution of India.
5. Protective Discrimination.
6. Women and Human Rights.
7. The Identification of Gender Bias and its Adjudication.
8. Gender – Neutral Attitudes and Skills.

**Unit-II - Crimes against Women**

1. Sexual Offences against Women and Emerging Judicial Trends.
2. Domestic Crimes and their Characteristics.
3. Law Commission Reports and Parliamentary Approach towards Amendment of Rape Laws.
4. Female Foeticide.

**Unit-III - Marriage Disputes and Matrimonial Adjudication**

1. Divorce and Separation.
2. Maintenance and Child Custody.
3. Socio-Legal Aspects of Matrimonial Issues.

**Unit-IV - Discrimination and Harassment of Women at Work-place**

1. Common Offences against Working Class Women.
2. Sexual Harassment of Women at Work-place.
3. Judicial Response towards Sexual Harassment of Women.
4. Bonded Bride System.

**Unit-V - Women Trafficking.**

1. Impact of Trafficking.
2. Magnitude of Trafficking.
3. Commercial sexual exploitation of Trafficked Women.
4. Judicial Response towards Women Trafficking.

**Recommended Readings**

1. Trafficking in Women and Children in India- A Research Document of Institute of Social Sciences Coordinated by SarkarSen
2. R.N. Chowdary, Crimes against Women.
3. S. Ram, Encyclopedia of Women and Social Change.
4. Gour, Empowerment of Women in India.

**(Constitutional Law Group)**

**Interpretation of Statutes**

**Paper VI [Code –LB506S]  Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of interpretation of statutes.The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective:** *The object of this paper is to introduce the students with the various aspects and methods of Interpretation of Statutes.*

**Unit- I**

1. Statute: Meaning and Classification.
2. Interpretation: Meaning, Object and Necessity.
3. General Principles of Interpretation: The Literal or Grammatical Interpretation; the Golden Rule and the Mischief Rule (Rule in the Heydon’s case).

**Unit-II**

1. Harmonious Construction.
2. The Statute should be read as a whole.
3. Construction ut res magisvaleat quam pereat.
4. Identical expressions to have same meaning.
5. Construction noscitur a sociis Construction ejusdem generis.
6. Construction expression uniusest exclusion alterius.
7. Construction contemporanea exposition est fortissimo in lege.

**Unit-III**

1. Beneficial Construction.
2. Construction of Penal Statutes.
3. Construction of Taxing Statutes.

**Unit-IV**

1. Aids to Interpretation of Statutes:
   1. Need to invoke Aids to Construction.
   2. Internal Aids to Construction.
   3. External Aids to Construction.
2. Commencement, Repeal, Savings and Revival of Statute.
3. Prospective and Retrospective Operation of Statutes

**Unit V - Doctrines of Constitutional Interpretation**

1. Doctrine of Eclipse.
2. Doctrine of Territorial Nexus.
3. Doctrine of Harmonious Construction.
4. Doctrine of Pith and Substance.
5. Doctrine of Repugnancy.
6. Doctrine of Colorable Legislation.

**Recommended Readings**

1. Maxwell on the Interpretation of Statutes.
2. G.P Singh, Principles of Statutory Interpretation.
3. V.P.Sarathi, Interpretation of Statutes.
4. T. Bhattacharyya, The Interpretation of Statutes.
5. D.N.Mathur, Interpretation of Statutes.
6. M.P Tandon and J. R. Tandon, Interpretation of Statutes and Legislation.
7. P.M.Bakshi, Interpretation of Statutes

**(Crime and Criminology Group)**

**Women and Criminal Law**

**Paper V [Code – LB507S]  Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of women and criminal law.The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective:** *The object of this paper is to introduce the students with the various aspects women and criminal law.*

**Unit I - Introduction**

1. Women and Indian Society – A Historical Perspective.
2. Socio-Psychological underpinnings of Women Issues.
3. Victimology and Women.
4. Feminism and Contemporary Notion of Gender Justice.

**Unit II – Contemporary Issues Related to Women**

1. Discrimination.
2. Sexual Harassment.
3. Domestic Violence.
4. Marital Rape.

**Unit III – Women and Criminal Law**

1. Provisions in the Constitution.
2. Provisions in the India Penal Code, 1860.
3. Welfare Legislations and Policies related to Women.

**Unit IV**

1. The Immoral traffic (Prevention) Act, 1956
2. The Dowry Prohibition Act, 1961

**Unit V**

1. The Indecent Representation of Women (Prohibition) Act, 1986.
2. The Commission of Sati (Prevention) Act, 1987

**Recommended Readings**

1. Trafficking in Women and Children in India- A Research Document of Institute of Social Sciences Coordinated by SarkarSen
2. R.N. Chowdary, Crimes against Women.
3. S. Ram, Encyclopedia of Women and Social Change.
4. Gour, Empowerment of Women in India.

**(Crime and Criminology Group)**

**Child Law and Juvenile Justice**

**Paper VI [Code – LB508S] Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of child and law.The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective:** *The object of this paper is to introduce the students with the various aspect of how law governs the concept of child rights as well as criminality and delinquency in children.*

**Unit I**

1. Understanding Children and Childhood – A Socio-Psychological Perspective.
2. Child Law in Practice.
   1. Child Rights as Human Rights
      1. International Human Rights and Humanitarian Law.
      2. Constitutional Provisions.
      3. Legislative Approaches.
      4. Position in Other Jurisdictions.
   2. Contemporary Issues Related to Child Welfare.
      1. Trafficking.
      2. Child Labour.
      3. Child Sex Abuse.

**Unit II**

1. The Concept of Juvenile Delinquency.
2. Determining Factors of Juvenile Delinquency.
3. Juvenile Justice.
   1. Jurisprudential and Philosophical Foundations of Juvenile Justice.
   2. The Evolution of Juvenile Justice in India.

**Unit III**

1. Definitions of Important Terms under the Juvenile Justice (Care and Protection of Children) Act, 2015.
2. General Principles of Care and Protection of Children [Section 3 of the 2015 Act].
3. Juvenile Justice Board.
4. Child Welfare Committee.

**Unit IV**

1. Rehabilitation and Social Reintegration under JJ Act, 2015.
2. Legal Mechanism in Relation to Orphans under JJ Act, 2015.
3. J&K Juvenile Justice (Care and Protection of Children) Act, 2013.

**Unit V**

1. Prevention of Juvenile Delinquency: Concept and Strategies.
2. Restorative Justice and Prevention of Juvenile Delinquency.
3. Role of Judiciary in Relation to Child Welfare with Focus on Social Interest Litigation Related to the Same.
4. Role of Family, Community and School Administration.
5. Role of NGOs and Media.

**Recommended Readings**

1. AparnaBhat, Supreme Court on Children, Human Rights Law Network, 2005.
2. ArunaimaBaruah, Crime Against Children, Kalpaz Publications, 2002.
3. AshaBajpai, Child Rights in India – Law, Policy and Practice, Oxford University Press, 2003.
4. Ashok Singh and S.P. Srivastava, Child Labour in Indi: An Overview, Shree Publishers 2007.
5. Awadhesh Kumar Singh, AtulPratap Singh and Parvez Ahmed Khan, Trafficking in Women and Children in India: Emerging Perspectives, Issues and Strategies, Serials Publications, New Delhi, 2012.
6. Awadhesh Kumar Singh and JayantaChoudhury, Violence Against Women and Children, Serials Publications, 2012
7. C.K. Shukla and S. Ali (Eds.), Child Labour and the Law, Sarup& Sons Publications, 2006.
8. Dolly Singh (Ed.), Child Rights and Social Wrongs: An Analysis of Contemporary Realities, Kanishka Publishers, 2001.
9. Dr. Altaf Ahmad Mir, Child Labour and Legal Control: A Socio-Legal Study, Knowledge Line Publishers, 2000.
10. Dr. NirmalkantiChakrabarti, Manabendra Kumar Nag and S.S. Chatterjee, Law and Child, R. Cambray& Co. Private Ltd, 2004.
11. J. Cyril Kanmony, Child Labour Rights and Violations, Mittal Publications, 2012.
12. Joseph W. Rogers and G. Larry Mays, Juvenile Delinquency and Juvenile Justice, John Wiley & Sons Publications, 1987.
13. K.D. Gaur, Criminal Law – Cases and Material, 8th Edition, Lexis Nexis, 2015.
14. M.P. Jain, Indian Constitutional Law, 7th Edition, Lexis Nexis, 2014.
15. NailaKabeer, Geetha B. Nambissan and Ramya Subramanian (Eds.), Child Labour and the Right to Education in South Asia: Needs versus Rights?,Sage Publications, New Delhi, 2003.
16. P.L. Mehta and S.S. Jaswal, Child Labour and the Law: Myth and Reality of Welfare Measures, Deep & Deep Publishers, 2001.
17. Preston Elrod and R. Scott Ryder, Juvenile Justice: A Social, Historical, and Legal Perspective, 2nd Edition, Jones and Bartlett Publishers, 2005.
18. S.K. Bhagat, Child Trafficking: An Unconscious Phenomenon, MD Publications Pvt. Ltd., 2009.
19. S.Wal (Ed.), Child Labour in Various Industries, Sarup& Sons Publications, 2006.
20. S.Wal (Ed.), Combating Child Labour: Legal Approach, Sarup& Sons Publications, 2006.
21. Subash Chandra Singh, Rights of Child, Serials Publications, New Delhi, 2007.
22. V.K. Dewan and Varsha Chandra, Child Labour: A Socio-Legal Perspective, Pentagon Press, 2009
23. VedKumari, Juvenile Justice System in India: From Welfare to Rights, Oxford University Press, 2004.
24. Y. Gurappa Naidu, Child Rights, Law and Development: Emerging Challenges, Serial Publications, 2012.

**(Business Law Group)**

**Information Technology Law**

**(Cyber Law)**

**Paper V [Code – LB509S]  Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of cyber law.The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective:** *Persuasiveness of impact of internet in all the branches of legal jurisprudence necessitated the inclusion of the cyber law in the curriculum as a full-fledged paper with an object to make students to understand the legal implications of ecommerce and e-governance and to prepare them to answer the legal challenges posed by constantly evolving new generation of crimes popularly called cyber crimes.*

**Unit I - Development of Internet**

1. History of Internet
2. Genesis of Internet.
3. Internet Functioning.
4. Access to Internet.
5. Modes of Communication.
6. E-mail.
7. Listserve.
8. Distributed Message Databases.
9. Real Time Text Based Communications.
10. Real Time Remote Computer Utilization.
11. Remote Retrieval of Information.
12. Information Technology Act 2000: History, Object and Scope.

**Unit-II - Authentication of Electronic Records and Electronic Governance**

1. Authentication of Electronic Records
2. Digital Signatures.
3. Hash Function.
4. Digital Signatures in Practice.
5. Secure Electronic Record and Secure Digital Signatures.
6. Electronic Signatures.
7. Electronic Governance.
8. Legal Recognition of Electronic Records.
9. Legal Recognition of Digital Signatures & Electronic Signatures.
10. Use of Electronic Records and Digital Signatures in Government and its Agencies.
11. Retention of Electronic Records.

**Unit-III - Certifying Authorities**

1. Need of Certifying Authority.
2. Functioning of the Certifying Authority.
3. Types of Certificates.
4. Identification Certificate.
5. Authorizing Certificate.
6. Transactional Certificate.
7. Digital Time Stamping Service.
8. Validity Period of Digital Signatures.
9. Certificate Chain.
10. Appointment of Controller.
11. Functions of Controller.
12. Controller to act as a Repository.
13. Powers of Controller.
14. Powers of Central Government.
15. Database of Certifying Authorities.
16. Who can be a Certifying Authority?
17. Application for License.
18. Certification Practice Statement.
19. Issuance of License.
20. Refusal of License.
21. Surrender of License.
22. Cross Certification.
23. Duties of Certifying Authorities.
24. Certifying Authority as an Indemnifier.
25. Commencement of commercial operation by licensed Certifying Authorities.
26. Requirements prior to Cessation as Certifying Authority.
27. Representation upon Issuance of Digital Signature Certificate.
28. Certificate Life Time.
29. Suspension of Digital Signature Certificate.
30. Revocation of Digital Signature Certificate.
31. Certification Revocation List (CRL).
32. Duties of Subscribers.

**Unit-IV - Electronic Commerce**

1. Introduction.
2. Formation of Electronic Contracts.
3. Contract by Electronic Data Interchange.
4. Cyber Contracts.
5. E-mail.
6. World Wide Web (www).
7. Validity of Electronic Transactions.
8. Dichotomy of Offer and Invitation to Treat.
9. Application of Mirror Image Rule.
10. Communication of Offer and Acceptance.
11. Revocation of Offer and Acceptance.
12. Incorporation of Terms by Reference.
13. Attribution of Electronic Records.
14. Time and Place of Dispatch and Receipt of Electronic Record.
15. Jurisdiction.

**Unit-V**

1. **Cyber Appellate Tribunal**
2. Establishment and Composition of Cyber Appellate Tribunal
3. Qualifications of Presiding Officer
4. Resignation, Removal and Filling up of Vacancies
5. Jurisdiction of Cyber Appellate Tribunal
6. Adjudicating Officer
7. Powers of the Adjudicating Officer
8. Factors to be taken into account by the Adjudicating Officer
9. Power to Award Compensation
10. Power of Adjudicating officer to impose penalty
11. Compounding of Contraventions
12. Appeal to Cyber Regulations Appellate Tribunal
13. Procedure and Powers of the Cyber Appellate Tribunal
14. **Computer Systems and Liability Issues (Cyber Crimes)**
15. Definition of Cyber Crimes.
16. Classification of Cyber Crimes.
17. Target of Computer Crime.
18. Challenges of Cyber Crime.
19. Indian Scheme of Offences and Punishment.
20. Damage to Computer, Computer System etc.
21. Unauthorized Access
22. Computer Contaminant or Computer Virus.
23. Virus.
24. Logic Bomb.
25. Worms.
26. Trojan HorseProgramme.
27. Denial of Service.
28. Tampering with Computer Source Documents.

# Recommended Readings

Cees J. Hamelink, The Ethics of Cyberspace (2001) Sage

MarkandeyKatiju, Law in the Scientific Era (2000), Universal, New Delhi.

Farooq Ahmad, Cyber Law in India, 4th Edition, 2011.

Chris Reed Computer Law, Universal, New Delhi.

Nandi Kamath The Law Relating to Computers

[Richard Raysman](http://en.wikipedia.org/wiki/Richard_Raysman) and Peter Brown. Computer Law: Drafting and Negotiating Forms and Agreements, by Law Journal Press, 1999–2008.

Krishna Kumar, Cyber Laws, intellectual property and e-commerce Security, (2011) Dominant Publishers and Distributors , New Delhi;

S.K. Bansal, Cyber Crime, A P H Publishing Corporation , New Delhi

RajanNagia, Cyber Laws and Computer Crimes,(2009) Cyber Tech Publications, New Delhi

S. R. Sharma, encyclopedia of Cyber Laws and Crime, Anmol Publications Pvt. Ltd. New Delhi.

**(Business Law Group)**

**Law on Corporate Finance**

**Paper VI [Code – LB510S] Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of law on corporate finance. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective:** *The object of this paper is to introduce the students with the various aspects of laws governing corporate finance.*

**Unit I – Introduction**

1. Basics of Corporate Law.
2. Meaning, Importance and Scope of Corporate Finance.

**Unit II – Corporate Finance**

1. Concepts of Corporate Finance.
   1. Relationship between Risk and Return.
   2. Time Value of Money
2. Objectives of Corporate Finance: Profit Maximization and Wealth Maximization.
3. Various Instruments for Raising Finance.
4. Capital Investment: Needs and Factors affecting Capital Investment.

**Unit III**

1. Prospectus and Statement in lieu of Prospectus.
2. Shares, Share Capital and Debenture, Debenture Bond.
3. Classification of Company Securities.
4. Inter-Corporate Loans.
5. Role of Court to Protect Interests of Creditors and Shareholders, Class Action Suits, Derivative Actions

**Unit IV – Equity Finance**

1. Share Capital
2. Public Issue
   1. Initial Public Offer (IPO)
   2. Further Public Offer (FPO)
3. Rights Issue.
4. Bonus Issue.
5. Prospectus – Information and Disclosure Requirements.

**Unit V – SEBI**

1. Role of SEBI and Salient Features of SEBI Act.
2. SEBI Regulations.
3. Important Decisions.

**Recommended Readings**

* + - 1. Altman and Subramanian, Recent Advances in Corporate Finance.
      2. Alastair Hundson, The Law on Financial Derivatives, Sweet & Maxwell.
      3. BabbyDutta, Indian Financial Markets - The Regulations Framework, ICFAI.
      4. Board of Editors, Financial Strategy Conceptual Issue, ICFAI.
      5. Denzil Watson and Anthony Head, Corporate Finance Principles and Practice, P.S. Arson Education Ltd.
      6. Diana R. Harrington-Corporate Financial Analysis.
      7. Donald H. Chew, Studies in International Corporate Financial System, Oxford
      8. Eil’sFeran, Company Law and Corporate Finance, Oxford.
      9. Frank.B. Cross & Robert A. Prentice- Law and Corporate Finance, Edward Elgar Publishing Limited-U.K.

**Intellectual Property Law (Optional)**

**Paper VII [Code – LB511OP] Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:**The subject includes a comprehensive and up to date study of various aspects of Intellectual Property Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section. 30 percent of the questions will be problem based.

**Objective:** *The course aims at in-depth study of the copyrights and industrial property regime of copyright, patents, trademarks and geographical indications in the context of developing countries with special reference to India.*

**Unit-I**

* 1. Copyright – Definition and Meaning
  2. Nature and Scope of Copyright - Types
  3. Assignment & Licensing

**Unit-II**

1. Infringement of Copyright
2. Remedies
3. Copyrights and Technology

**Unit-III**

* 1. Trademarks – Definition and Meaning
  2. Nature, Purpose & Transmission
  3. Infringement of Trade Mark & Passing off
  4. Remedies
  5. Domain Name Disputes

**Unit-IV**

* + - * 1. Patents
        2. Nature & Scope of Patents
        3. Types of Patents
        4. Rights and obligations of a Patentee
        5. Infringement
        6. Relevant Provisions of TRIPS

**Unit-V**

Geographical Indications

Definitions

Registration

Infringement

Remedies

International Legal Regime

Protection of Plant Breeder’s Rights and Framer’s Rights

**Recommended Readings**

1. W.R. Cornish, Intellectual property: patents Copyright, Trade Marks and Allied Rights, Sweet and Maxwell Lord.

2. Michael F. Flint, A User’s Guide to Copyright, Butterworth London.

3. Jeremy Phillips and Alison Firth, Introduction to Intellectual Property Law, Butterworth, London

4. P. Narayanan, Copyright and Industrial Designs, Eastern Law House.

5. V.J. Taraporevala, Intellectual Property in India, Tarapore Publications, Mumbai

6. F.A Rafiqi, Copyright Protection and Information Technology: An Indian Perspective, Law Publishers of India (Pvt) Ltd. Allahabad

7. Wadera, Intellectual Property of India.

8. Chris Reed, Computer Law

9. Encyclopaedia of Intellectual Property Law.

9. Annual Survey of Indian Law, Indian Law Institute, New Delhi.

**Law and Society (Optional)**

**Paper VII [Code – LB512OP] Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of law and society. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective:** *The objective of this paper is to introduce the students to the interaction between law and society with focus on how law needs to be created, understood and implemented in the context of what is happening in the society.*

**Unit I – Law and Poverty**

* + - * 1. Legal Aid
        2. Lawyering for Poor

**Unit II – Bonded Labour**

* 1. Modern Form of Bondage.
  2. Globalization, Privatization and Labour

**Unit III – Women and Law - I**

* + 1. Constitutional Protection
    2. Dowry and Related Crimes

**Unit IV – Women and Law – II**

1. Harassment of Women at Workplaces.
2. Female Infanticide and Female Foeticide
3. Women in Conflict Situations.

**Unit V – Child and Law**

1. Child Labour
2. Child Marriage
3. Children as Victims of Conflict.

**Recommended Readings**

* + - 1. UpenderaBaxi, Law and Poverty, N.M. Tripathi Pvt. Ltd., Bombay
      2. Altaf Ahmed Mir, Child Labour and Legal Control – A Socio-Legal Study.
      3. HilalNajar and HeenaBasharat, Law and Society, A.P.H. Publishing House, New Delhi.
      4. A.T. Singh, Poverty and Social Change.
      5. M.G. Chutkaram, P.L. Mehta, Law and Poverty – A Socio-Legal Study.
      6. K. Kumar and Poonam Ravi, Offences against Women – A Soico-Legal Prespective.
      7. ParasDiwan, Dowry and Protection to Married Women, Deep and Deep Publications.