



ST. XAVIER'S UNIVERSITY, KOLKATA

SYLLABUS FOR B.COM. LL.B (H)

Academic Year (AY)[2024-25]

Action Area IIIB
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West Bengal, India
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Sem.	Paper Code	Classification	Paper Title	Full Marks	Pass Marks	CIA			End Sem. Marks	Credits
						WT	OTH	ATT		
I	BCHLCC110T	CC	Legal Methods	100	40	10	5	5	80	4
	BCHLCC120T	CC	Law of Contracts - I	100	40	10	5	5	80	4
	BCHLGE130T	GE	Fundamentals of Accounting	100	40	10	5	5	80	4
	BCHLGE140T	GE	Microeconomics	100	40	10	5	5	80	4
	BCHLGE150T	GE	Management Principles and Applications	100	40	10	5	5	80	4
	BCHLGE160T	GE	English - I	100	40	10	5	5	80	4
	BCHLFN170A	FN	Foundation Course - I*	50	20	–	15	5	30	1
Total				600	Total					24+1

Sem.	Paper Code	Classification	Paper Title	Full Marks	Pass Marks	CIA			End Sem. Marks	Credits
						WT	OTH	ATT		
III	BCHLCC310T	CC	Law of Tort including MV Accident and Consumer Protection Laws	100	40	10	5	5	80	4
	BCHLCC320T	CC	Constitutional Law - I	100	40	10	5	5	80	4
	BCHLCC330T	CC	Criminal Law - I (IPC)	100	40	10	5	5	80	4
	BCHLCC340T	CC	Family Law - II	100	40	10	5	5	80	4
	BCHLGE350T	GE	Auditing	100	40	10	5	5	80	4
	BCHLGE360T	GE	Indian Economy	100	40	10	5	5	80	4
	BCHLAE370T	AE	Environmental Studies	50	20	5	2.5	2.5	40	1
Total				650	Total					25

Sem.	Paper Code	Classification	Paper Title	Full Marks	Pass Marks	CIA			End Sem. Marks	Credits
						WT	OTH	ATT		
V	BCHLCC510T	CC	Law of Evidence	100	40	10	5	5	80	4
	BCHLCC520T	CC	Corporate Laws - I	100	40	10	5	5	80	4

	BCHLCC530T	CC	Public International Law	100	40	10	5	5	80	4
	BCHLCC540T	CC	Administrative Law	100	40	10	5	5	80	4
	BCHLCC550T	CC	Women and Criminal Law	100	40	10	5	5	80	4
	BCHLGE560T	GE	Fundamentals of Indirect Taxation	100	40	10	5	5	80	4
Total					600	Total			24	

Se m.	Paper Code	Classif ic-ation	Paper Title	Full Marks	Pass Marks	CIA			End Sem. Marks	Credits
						WT	OTH	ATT		
VII	BCHLCC710T	CC	Interpretation of Statutes	100	40	10	5	5	80	4
	BCHLCC720T	CC	Principles of Taxation Law	100	40	10	5	5	80	4
	BCHLCC730T	CC	Land Laws (Including Land Reform and Tenancy Laws)	100	40	10	5	5	80	4
	BCHLCC740T	CC	Laws Relating to IPR	100	40	10	5	5	80	4
	BCHLDS751T	DS	Media and Law	100	40	10	5	5	80	4
	BCHLDS752T	DS	Foreign Investment Law	100	40	10	5	5	80	4
	BCHLDS753T	DS	International Human Rights Law	100	40	10	5	5	80	4
Total				500	Total				20	

Sem.	Paper Code	Classific ation	Paper Title	Full Marks	Pass Marks	CIA			End Sem. Mar ks	Credits
						WT	OTH	ATT		
IX	BCHLCC910T	CC	Labour Law- I	100	40	10	5	5	80	4
	BCHLCC920T	CC	Alternate Dispute Resolution	100	40	10	5	5	80	4
	BCHLCC930T	CC	Cyber Law	100	40	10	5	5	80	4
	BCHLDS941T	DS	Citizenship Law	100	40	10	5	5	80	4
	BCHLDS951T	DS	Access to Justice	100	40	10	5	5	80	4
	BCHLDS942T	DS	Corporate Governance	100	40	10	5	5	80	4

	BCHLDS952T	DS	Laws relating to Bankruptcy and Insolvency	100	40	10	5	5	80	4
Total				500	Total					20

COURSE OUTLINE									
Sem	Paper Code	Course Title	Full Marks	Pass Marks	CIA Marks			End- Sem Marks	Credits
					WT	O	AT T		
II	BCHLCC210T	Law of Contracts – II	100	40	10	5	5	80	4
	BCHLCC220T	Family Law – I	100	40	10	5	5	80	4
	BCHLGE230T	Cost and Management Accounting	100	40	10	5	5	80	4
	BCHLGE240T	Macroeconomics	100	40	10	5	5	80	4
	BCHLGE250T	Principles of Marketing and Human Resource Management	100	40	10	5	5	80	4
	BCHLGE260T	English - II	100	40	10	5	5	80	4
	BCHLFN270A	Foundation Course - II*	50	15	–	15	5	30	1
	TOTAL		650	TOTAL					24+1
IV	BCHLCC410T	Jurisprudence	100	40	10	5	5	80	4
	BCHLCC420T	Constitutional Law - II	100	40	10	5	5	80	4
	BCHLCC430T	Criminal Law - II	100	40	10	5	5	80	4
	BCHLCC440T	Civil Procedure Code and Limitation Act	100	40	10	5	5	80	4
	BCHLGE450T	Fundamentals of Direct Taxation	100	40	10	5	5	80	4
	BCHLGE460T	International Economics	100	40	10	5	5	80	4
	TOTAL		600	TOTAL					24
VI	BCHLCC610 T	Law of Transfer of Property & Easement	100	40	10	5	5	80	4
	BCHLCC620 T	Corporate Laws - II	100	40	10	5	5	80	4
	BCHLCC630 T	Drafting, Pleading and Conveyancing	100	40	10	5	5	80	4
	BCHLDS641T	Federalism	100	40	10	5	5	80	4
	BCHLDS642T	Securities and Financial Market Regulations*	100	40	10	5	5	80	4
	BCHLDS643 T	International Organisations*	100	40	10	5	5	80	4

	BCHLDS644 T	Introduction To Crime And Criminology*	100	40	10	5	5	80	4
	BCHLGE650 T	E-Commerce and its Application in Business	100	40	10	5	5	80	4
	TOTAL		500	TOTAL				20	

Sem	Paper Code	Course Title	Full Marks	Pass Marks	CIA Marks			End-Sem Marks	Credits
					WT	OTH	AT T		
VIII	BCHLCC810T	Environmental Law	100	40	10	5	5	80	4
	BCHLCC820T	Banking and Insurance Laws	100	40	10	5	5	80	4
	BCHLCC830T	International Trade Law	100	40	10	5	5	80	4
	BCHLCC840T	Professional Ethics and Professional Accounting System	100	40	10	5	5	80	4
	BCHLDS851T	Health Laws*	100	40	10	5	5	80	4
	BCHLDS852T	Competition Law*	100	40	10	5	5	80	4
	BCHLDS853T	International Humanitarian and Refugee Law*	100	40	10	5	5	80	4
	TOTAL		500	TOTAL				20	
X	BCHLCC1010T	Labour Law- II	100	40	10	5	5	80	4
	BCHLCC1020T	Moot Court Exercise and Internship	100	40	0	90	0	10	4
	BCHLDS1031T	Law and Public Policy	100	40	10	5	5	80	4
	BCHLDS1041T	Comparative Constitutional Law	100	40	10	5	5	80	4
	BCHLDS1051T	Principles of Legislation and Legislative Drafting	100	40	10	5	5	80	4
	BCHLDS1032 T	Laws relating to Mergers and Acquisition	100	40	10	5	5	80	4
	BCHLDS1042 T	Laws of Corporate Finance	100	40	10	5	5	80	4
	BCHLDS1052T	International Commercial Arbitration	100	40	10	5	5	80	4
	TOTAL		500	TOTAL				20	

Colour Code Illustration :



* Students can choose any one from these two special papers

* Not considered for CGPA

ACRONYMS (AS APPLICABLE)

CC = Core,

GE = Generic Elective

P = Practical

A = Assignment

ATT = Attendance

O = Others (Seminar, Assignment, etc.)

T = Theory

AE = Ability Enhancement Compulsory Course

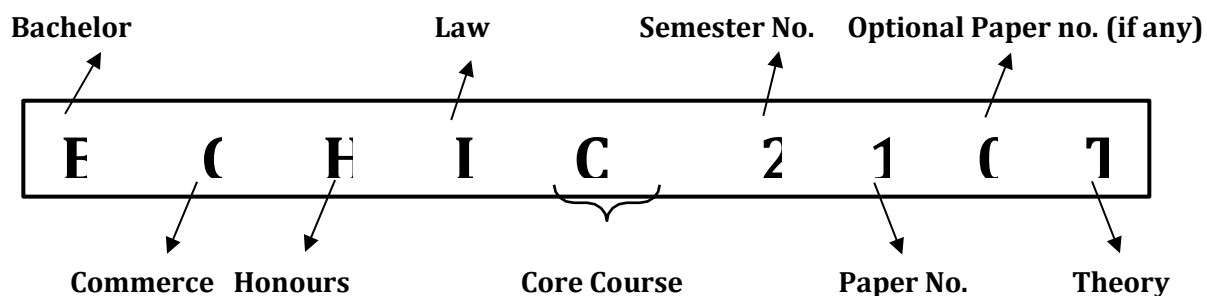
WT = Written Test

AC = Additional Compulsory Course

SE = Skill Enhancement Elective Course

DS = Discipline Specific Elective

PAPER CODE ILLUSTRATION



Signature
Professor In Charge

Signature
Dean (with Date)

Controller of Examinations,
St. Xavier's University, Kolkata

Approved by:

Vice Chancellor
St. Xavier's University, Kolkata

SEMESTER : I

Total Marks : 100

Paper Code: BCHLCC110T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
1	BCHLCC110T	Legal Methods	100	Core Course	4

LEGAL METHODS

- Module 1 :** **An Introduction to Law :** Meaning and definition of Law – Functions, Purpose, and Objects of Law – Advantages and disadvantages of law – Concept of Morality & Ethics – Concept of Law & Justice.
- Module 2 :** **Sources of Law & Classification of laws :** Sources of Law – Customs, Precedents and Legislations – Sources of International law (Treaties, Charters, and Conventions); Classification of Law – Public and Private Law – Civil Law and Common Law – Substantive and Procedural Law – Municipal and International Law.
- Module 3 :** **Fundamentals of Statutory Interpretations and Judgment Analysis :** Concept of Statute Law – Rules of Interpretation – Primary Rules – Literal rule, Golden rule, Mischief rule (rule in Heydon's case), Rule of harmonious construction – Secondary Rules – *Noscitur a sociis* (Associated words), *Ejusdem generis*, *Reddendo singula singulis* – Aid to Interpretation of Statutes – Defining Precedent – Studying Law under the Case Method – Determining the *ratio-decidenti* of a Case – Understanding Law Reports - Maxims related to statutory Interpretation: *Delegatus non potest delegare* – *Expressio unius exclusio alterius* – *Generalia specialibus non derogant*
- Module 4 :** **Legal Research and Using Law Library :** Meaning of Legal Research – Objectives of legal research; Types of Legal Research – Doctrinal and Non Doctrinal/Empirical Research – Descriptive and Exploratory Studies – Explanatory – Analytical and Critical – Historical and comparative studies; Techniques and methods of project & report writing.
- Module 5 :** **Legal Reasoning :** Distinction between 'Facts' and 'Law' – Various methods of reasoning: inductive, deductive, analogic, syllogistic – Application of reasoning in case studies and legal resources.
- Module 6 :** **Justice Delivery System :** Common Law Foundations; Judicial System in India – Hierarchy of Courts – Adversarial and Inquisitorial Justice system; Administration of Justice – Public and Private Law and Justice Administration – Criminal Justice system – Civil Justice Administration; Legal institutions and processes.

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Total Marks : 100

Paper Code: BCHLCC120T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
1	BCHLCC120T	Law of Contracts – I	100	Core Course	4

LAW OF CONTRACTS - I

Module 1 : Fundamental basis of Law of Contract (Ss. 2-9)

- a) Meaning and nature of contract
- b) Offer and Proposal, Definition, Communication, Revocation, General and Specific Offer
- c) Acceptance – Definition, Communication, Revocation
- d) Doctrine of Privity of Contract and Consideration

Module 2 : Essentials of forming a valid Contract

- a) Capacity to contract (s. 10, 11, 12, 68)
- b) Minor's position and effect of minors contract
- c) Free Consent (Ss. 13-22)
 - i) Coercion
 - ii) Undue influence
 - iii) Misrepresentation
 - iv) Fraud
 - v) Mistake
- d) Consideration – Past, Present and Future – Essential conditions, exception – Lawful: meaning, object and lawful consideration (Ss. 2(d), 23, 24 & 25)

Module 3 : Limitations on Freedom of Contract (Ss. 23-30, 31-36)

- a) Void and Voidable agreements
- b) Legality of Considerations and Objects – Agreements without consideration
- c) Unlawful and Illegal agreement
- d) Agreement in restraint of Marriage, Trade, Legal proceedings
- e) Wagering Agreements – Its exceptions – Contingent Contracts

Module 4 : Discharge of Contract

- a) Performance of Contract – Time as the essence of contract – Reciprocal Promise (Ss. 37-55, 57-61)
- b) Doctrine of Frustration – Impossibility of Performance, initial and subsequent impossibility (S. 56)
- c) Discharge by mutual agreement (Ss. 62-67)
 - Novation

- Alteration
- Recission
- Remittance

d) Discharge by Breach – Anticipatory and Actual (Ss. 39, 73, 74)

e) Doctrine of *Quantum Meruit*

Module 5 : Quasi Contracts (Ss. 68-72)

- Principle of Unjust Enrichment
- Liability for Necessaries Supplied to those incapable to contract
- Reimbursement of person paying money due by another
- Responsibility of Finder of Goods

Module 6 : Remedies and Damages (Ss. 73-75)

- Compensation: meaning and nature, Law relating to award of Compensation
- Principles of Measuring Damages – Remoteness test – Causal Relationship test – Mitigation test
- Liquidated damages and penalty

Module 7 : Specific Relief Act, 1963

Specific Relief (Amendment) Act, 2018

- Recovering possession of property (Ss. 5-8)
- Specific Performance (Ss. 9-24)
- Injunctions (Ss. 36-41) – Declaratory Decrees (Ss. 34-35) – Preventive Relief (Ss. 36-43)

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Total Marks : 100

Paper Code: BCHLGE130T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
1	BCHLGE130T	Fundamentals of Accounting	100	Generic Elective	4

FUNDAMENTALS OF ACCOUNTING

Module 1 : Theoretical Framework

- Accounting as an information system, the users of financial accounting information and their needs. Qualitative characteristics of accounting information. Functions, advantages and limitations of accounting. Branches of accounting. Bases of accounting: cash basis and accrual basis.
- The nature of financial accounting principles – Basic concepts and conventions: entity, money

measurement, going concern, cost, realization, accruals, periodicity, consistency, prudence (conservatism), materiality and full disclosures.

- Financial Accounting Standards: Concept, benefits, procedure for issuing accounting standards in India. International Financial Reporting Standards (IFRS) – Need and procedures.

Module 2 : Final Accounts : Preparation of financial statements of non-corporate business entities (Sole Proprietorship and Partnership).

Module 3 : Financial Statements of Non-Profit Organisation

Preparation of financial statements:

- from incomplete records
- of non-profit organisations

Module 4 : Preparation of Financial Statements of Corporate Entities with reference to existing Corporate Law and relevant AS

- Preparation of Profit and Loss Statement
- Balance Sheet
- Notes to Accounts
- Cash Flow Statement

Module 5 : Analysing Financial Statements : Objectives of Financial Statement Analysis; Sources of Information; Standards of Comparison; Techniques of Financial Statement Analysis – Horizontal Analysis and Vertical Analysis. Ratio Analysis: Meaning and Usefulness of Financial Ratios; Analysis of Financial Ratios from the perspective of different Stakeholders like Investors, Lenders, and Short- term Creditors; Profitability Ratios, Solvency Ratios, Liquidity Ratios, and Turnover Ratios; Limitations of Ratio Analysis.

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Total Marks : 100

Paper Code: BCHLGE140T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
1	BCHLGE140T	Microeconomics	100	Generic Elective	4

MICROECONOMICS

Module 1 : Introductory Concepts – Demand and Consumer Behaviour

[Minor modification in title approved by BOS members at the 12th BOS held on 07.06.2024]

Fundamentals of Economics – Introduction – the three problems of economic organization – market, command, and mixed economies – society's technological possibilities – how to read graphs – production possibility frontier – slopes and lines – shifts of and movement along curves – some special graph. Demand and consumer behaviour – choice and utility theory – marginal utility and law of diminishing marginal utility – equilibrium conditions – why demand curves slope downward – an alternative approach – substitution effect and income effect – basic elements of demand and supply – equilibrium – elasticities – from individual to market – consumer equilibrium theory – cardinal and ordinal approach – the indifference curve – budget constraint – changes in income and price.

Module 2: Production and Costs

[Minor modification in title approved by BOS members at the 12th BOS held on 07.06.2024]

Production and business organization – the basic concepts – the theory of production and marginal products – production function – total, average, and marginal product – the law of diminishing returns – returns to scale – short run and long-run – the nature of the firm. Economic analysis of costs – total cost: fixed and variable – definition of marginal cost – average cost – the link between production and costs – diminishing returns - choice of inputs by the firm – marginal product and least-cost rule – the law of diminishing product – least-cost factor combination for a given output.

Module 3: Market Organisation

[Minor modification in title approved by BOS members at the 12th BOS held on 07.06.2024]

Competitive markets – behaviour of the competitive firm – competitive supply where marginal cost equals price – total cost and the shutdown condition – behaviour in competitive industries – short-run and long-run equilibrium – evaluating the market mechanism – concept of efficiency – efficiency of competitive equilibrium with many market – special cases of competitive markets – imperfect competition and the monopoly problem – patterns of imperfect competition – varieties of imperfect competition – sources of market imperfections – marginal revenue and monopoly – concept of marginal revenue – how will a monopolist maximize profits – monopoly equilibrium in graph – perfect competition as a polar case of imperfect competition.

Module 4: Introduction to Law and Economics

[Minor modification were suggested in the content and approved by BOS members at the 12th BOS held on 07.06.2024]

Introduction to law and economics – what is law and economics – positive and normative analysis – some examples – the primacy of efficiency over distribution in analyzing private law – why should lawyers study economics – economic theory of contract – mutually beneficial contracts – enforcement of contracts – social welfare and welfare of contracting parties – contract formation – general justification of contract and its enforcement – economic theory of contract formation – Incompleteness of contracts – interpretation of contract – breach of contract – damages and remedies – economic theory of contract remedies – legal overriding of contracts – contract formation – production contracts.

Total Marks : 100

Paper Code: BCHLGE150T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
1	BCHLGE150T	Management Principles and Applications	100	Generic Elective	4

MANAGEMENT PRINCIPLES AND APPLICATIONS

Module 1 : Introduction to Management

- Management Concept: Significance, Managerial Functions – An overview
- Evolution of the Management Thought, Classical Approach – Taylor, Fayol, Weber. Neo-Classical and Human Relations Approaches – Mayo, Hawthorne Experiments, Behavioural Approach, Systems Approach, Contingency Approach
- Development of Management Thought: Contingency approach – Lawrence & Lorsch; MBO – Peter F. Drucker; Business Process Re-engineering – Hammer and Champy; ‘Fortune at the Bottom of the Pyramid’ – C. K. Prahalad

Module 2 : Planning

- Definition of planning and types of plan – strategic, tactical, operational, characteristics, importance
- Decision-making – Concept, importance; Committee and Group Decision-making, Process, Perfect rationality and bounded rationality, Techniques – qualitative and quantitative

Module 3 : Organising

- Concept and process of organising – An overview; Principles of Organising, departmentation; Span of management (concept, types: narrow and wide, factors deciding the nature of span, authority, responsibility, accountability, relationship); Different types of authority (line, staff and functional), Decentralisation (concept, centralization vs decentralisation); Delegation of authority (concept, principle, obstacles)
- Formal and Informal Structure of organization

Module 4 : Motivation, Leadership and Communication

- Motivation: Concept, Importance, extrinsic and intrinsic motivation; Major Motivation theories – Maslow’s Need-Hierarchy Theory; Herzberg’s Two-factor Theory, McGregor X and Y theory
- Leadership: Concept, Importance, Major theories of Leadership trait and behavioural theory; Leadership styles – Employee and Production orientation, Ohio-Michigan Theory, Blake and Mouton’s Managerial Grid theory, Tannenbaum & Schmidt Continuum Theory, Fielder’s

situational Leadership, Transactional leadership, Transformational Leadership, Charismatic Leadership

- Communication: Concept, purpose, process; Oral and written communication; communication network (formal and informal channel); Formal and informal communication networks, Barriers to communication, Overcoming barriers to communication

Module 5 : Co-ordination and Control

- Co-ordination: concept, types and techniques, essence of managing
- Control: Concept, Stages of Control, Limitations, Types; Principles of Effective Control, Techniques of Control (traditional vs. modern) – Ratio Analysis, ROI, Budgetary Control, EVA, PERT/CPM

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Total Marks : 100

Paper Code: BCHLGE160T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
1	BCHLGE160T	English – I	100	Generic Elective	4

ENGLISH - I

Module 1 : Parts of speech: Noun, Verb, Pronoun, Adjective, Adverb, Preposition, Conjunction, Interjection; Tense, Active and Passive voice, Interchange of Active and Passive Voice, Clause, Preposition, Degrees of Comparison, Antonyms, Synonyms, Identifying Grammatical Errors, Identifying Errors in Spelling and Punctuation, Homophones, One Word Substitution, Phrases and Idioms, Articles, Critical Thinking: Synthesis, Analysis and Evaluation, Structuring an Argument: Introduction, Interjection and Conclusion; Professional Case Studies --- Analysis and Interpretation.

Module 2 : Vocabulary Building, Comprehension, Textual Interpretation, Summarising, Paraphrasing. Speeches: *I have a Dream* -- Martin Luther King; *Blood, Toil, Tears and Sweat* -- Winston Churchill.

Module 3 : Letter writing – Various Parts of a Letter, Formal Letter Writing, Informal Letter Writing, Report Writing, Paragraph Writing, Precis Writing: Meaning of a Precis, Essential Features; Essay Writing, Proof Checking, Dialogue Writing.

Module 4 : Law and Language: Legal Language and Legal Writing, Importance of Legal Language, Meaning of Legal Language, Critical Value of Legal Language, Defects in Writing Legal Language, Hints for Effective Legal Writing, legal language in India; Law in Literature: *The Merchant of Venice* by William Shakespeare, *The Stranger* by Albert Camus, *Silence! The Court is in Session* by Vijay Tendulkar, *To Kill a Mockingbird* by Harper Lee, *Snow Falling on Cedars* – David Guterson, *The Trial* – Kafka.

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SEMESTER II

Sem.	Paper Code	Paper Title	Full Marks	Pass Marks	CIA			End Sem. Marks	Credits
					WT	OTH	ATT		
II	BCHLCC210T	Law of Contracts – II	100	40	10	5	5	80	4
	BCHLCC220T	Family Law – I	100	40	10	5	5	80	4
	BCHLGE230T	Cost and Management Accounting	100	40	10	5	5	80	4
	BCHLGE240T	Macroeconomics	100	40	10	5	5	80	4
	BCHLGE250T	Principles of Marketing and Human Resource Management	100	40	10	5	5	80	4
	BCHLGE260T	English - II	100	40	10	5	5	80	4
	BCHLFN270A	Foundation Course - II*	50	15	–	15	5	30	1
		Total	650					Total	24 + 1

PAPER NAME: LAW OF CONTRACTS-II

PAPER CODE: BCHLCC210T

CREDITS:04

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
2	BCHLCC210T	Law of Contracts – II	100	Core Course	4

Module I: Indemnity

Concept – Definition of Indemnity – Nature and extent of liability of the indemnifier – Commencement of liability of the indemnifier – Situations of various types of indemnity creations - Documents/agreements of indemnity - Nature of indemnity clauses.

Module II: Guarantee

The concept – Definition of guarantee: as distinguished from indemnity – Basic essentials for a valid guarantee contract – Position of minor and validity of guarantee when minor is the principal debtor, creditor or surety – Continuing guarantee – Nature of surety's liability – Duration and termination of such liability – Illustrative situations of existence of continuing guarantee - Creation and identification of continuing guarantees – Rights of surety – Position of surety in the eye of law

– Various judicial interpretations to protect the surety – Co-surety and manner of sharing liabilities and rights – Extent of surety's liability – Discharge of surety's liability.

Module III: Bailment

Definition of bailment – Kinds of bailees – Duties of Bailor and Bailee towards each other – Rights of bailor and bailee – Finder of goods as a bailee – Liability towards the true owner – Obligation to keep the goods safe – Right to dispose-off the goods

Module IV: Pledge

Comparison with bailment – Definition of pledge under the Indian contract Act – Rights of the pawner and pawnee – Pownee's right of sale as compared to that of an ordinary bailee – Pledge by certain specified persons mentioned in the Indian Contract Act

Module V: Agency

Kinds of agents and agencies – Distinction between agent and servant – Essentials of a agency transaction – Various methods of creation of agency – Delegation – Duties and rights of agent – Scope and extent of agent's authority – Liability of the principal for acts of the agent including misconduct and tort of the agent – Liability of the agent towards the principal – Personal liability towards the parties – Methods of termination of agency contract – Liability of the principal and agent before and after such termination.

Module VI: Sale of Goods

Concept of sale as a contract – Illustrative instances of sale of goods and the nature of such contracts – Essentials of contract of sale – Essential conditions in every contract of sale – Implied terms in contract of sale – The rule of caveat emptor and the exceptions thereto under the Sale of Goods Act – Changing concept of caveat emptor – Effect and meaning of implied warranties in a sale – Transfer of title and passing of risk – Delivery of goods: various rules regarding delivery of goods – Unpaid seller and his rights – Remedies for breach of contract

Module VII: Partnership

Nature of partnership – definition – Distinct advantages and disadvantages vis-à-vis partnership and private limited company – Mutual relationship between partners – Authority of partners – Admission of partners – Outgoing of partners – Registration of Partnership – Dissolution of Partnership

Module VII: Fundamentals of E-Contracts

Salient features of E-contract – Formation of E-contract and types – E-mail Contracting - Indian Approach on E-contracts Online Contracting – Digital Signature/Electronic Signature – E-payment, E-Banking – Jurisdiction Issue in E-Commerce

References:

- Avtar Singh's Law of Contract
- Mulla The Indian Contract Act Lexis Nexis
- Dr. SS Srivastava, Law of Contract I and II
- Prof. G.C.V. Subha Rao's Law of Contract I and II
- Pollock and Mulla, The Indian Partnership Act, Lexis Nexis, Eight Edition
- Mulla, the Sale of Goods Act and The Indian Partnership Act
- Law relating to E-Contracts, R.K Singh, Lexis Nexis

PAPER NAME: FAMILY LAW-I

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
2	BCHLCC220T	Family Law – I	100	Core Course	4

Module – I: Introduction¹

- a. Hinduism and the Evolution of Hindu Law
- b. Who is a Hindu
- c. Who are governed by Hindu Law
- d. Nature, origin, and application of Hindu Law

¹ 3rd BOS meeting: A few sub-topics added.

- e. Sources and School of Hindu Law
- f. Coparcenary under Mitakshara and Dayabhaga
- g. Karta of joint family, position, powers and privileges of Karta, Antecedent debt and Doctrine of pious obligation

Module – II: Marriage²

- a. Concept of Hindu Marriage
- b. Essentials of Valid Hindu Marriage
- c. Matrimonial Remedies
- d. Nullity of Marriage (void and voidable)
- e. Dissolution of marriages
 - i. Judicial Separation

ii. Grounds of Divorce

iii. Difference between Divorce and Judicial Separation

- f. Maintenance pendente lite, permanent Alimony, custody of children, and disposal of property

Module – III: Joint Hindu Family

- a. Origin, Nature of Joint Family and Coparcenary
- b. Characteristic features of Coparcenary,
- c. The distinction between Coparcenary and Joint Family
- d. Classification of Property: Joint Family Property and Separate Property,
- e. Karta: Position, Powers and Liabilities
- f. Debts

Module – IV: Adoption³

- a. Adoption, object, ceremonies, capability and effect and CARA guidelines
- b. Maintenance, it's meaning Maintenance when the wife lives with her husband and does not live with her husband
- c. Circumstances under which the wife shall not be entitled to separate residence and maintenance
- d. Minority and Guardianship
 - Kinds and Powers of Guardian
 - Appointment of Guardian

Module – V: Hindu Succession Act, 1956

- a. Object and Scope of Hindu Succession Act, 1956

- b. Features
- c. Inheritance and Succession
- d. Devolution of interest in Coparcenary Property
- e. Position of Daughter in Hindu Succession
- f. General Rule of Succession in the case of the property of Female Hindu

SUGGESTED READINGS:

Text Books:

1. Family Law in India, Prof. GCV Subba Rao
2. Family Law Lectures- Vol 1, Prof. Kusum
3. Family Law Lectures- Vol 2, Prof. Kusum
4. Family Law, Paras Diwan
5. Paras Diwan, Hindu Law, 2nd ed. 2006.
6. Law of Marriage and Divorce, Paras Diwan, 5th ed. 2008.
7. Family Law in India, HK Saharay
8. Redefining Family Law in India, Prof. Amita Dhanda

² 3rd BOS meeting: A few sub-topics added.

³ 3rd BOS meeting: Nomenclature of a few sub-topics changed.

9. Mulla Hindu Law, Satyajeet A Desai
10. Cases and Materials on Family Law, Kusum
11. Kumud Desai, Indian Law of Marriage & Divorce, 10th ed. 2017

Reference Books:

1. Hindu Law, beyond tradition and modernity, W F Menski
2. Muslim Law, Dr. M A Qureshi
3. Muslim Law in India and Abroad, Tahir Mahmood
4. Mohammedan Law, Ameer Ali
5. Outline of Muhammadan Law, A.A.A. Fyzee
6. Mayne's Hindu Law
7. A Critique of Modern Hindu Law, J.D.M. Derret

Reference Statutes:

1. The Hindu Marriage Act 1955
2. The Special Marriage Act 1954
3. The Indian Christian Marriage Act 1872
4. The Parsi Marriage and Divorce Act 1936
5. The Muslim Personal Law (Shariat) Application Act 1937
6. The Muslim Personal Law (Shariat) Application Act 1993
7. The Child Marriage Restraint Act 1929
8. The Prohibition of Child Marriage Act 2006
9. The Anand Marriage Act 1909
10. The Special Marriage Act 1954
11. The Dowry Prohibition Act 1961
12. The Indian Divorce Act 1869
13. The Dissolution of Muslim Marriage Act 1939
14. The Converts' Marriage Dissolution Act 1866
15. The Indian Evidence Act 1972
16. The Family Courts Act 1984
17. The Indian Penal Code 1860
18. The Legal Services Authority Act 1987
19. The Arbitration and Conciliation Act 1996
20. The Code of Civil Procedure 1908
21. The Assisted Reproductive Technology (Regulation) Bill, 2010
22. The Surrogacy Agreements Act 1985 (UK)
23. The Hindu Adoptions and Maintenance Act 1956 (Act No. 78 of 1956): (Sections 5-17)
24. The Juvenile Justice (Care and Protection of Children) Act 2000 (Act No. 56 of 2000): (Sections 40-45)
25. The Juvenile Justice (Care and Protection of Children) Rules 2007
26. The Muslim Women (Protection of Rights on Divorce) Act 1986
27. Code of Criminal Procedure 1973
28. The Protection of Women from Domestic Violence Act 2005
29. The Maintenance and Welfare of Parents and Senior Citizens Act 2007

Subject: Cost and Management Accounting

TOTAL MARKS- 100

PAPER CODE - BCHLGE230T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
2	BCHLGE230T	Cost and Management Accounting	100	Generic Elective	4

Syllabus:

1. Unit 1: Introduction (8 Lectures)

- Meaning, objectives and advantages of cost accounting; Difference between cost accounting and financial accounting; Cost concepts and classifications; Elements of cost; Installation of a costing system; Role of a cost accountant in an organisation.
- Meaning, objectives, nature and scope of management accounting; Difference between cost accounting and management accounting; Cost control and Cost reduction; Cost management.
- Preparation of Cost Sheet and estimation.

2. Unit 2: Material and Labour Costs (16 Lectures)

- Materials: Material/Inventory control techniques, Accounting and control of purchases, storage and issue of materials. Calculation of EOQ and different levels of inventory. Methods of pricing of materials issues. Treatment of Material Losses.
- Labour: Accounting and Control of labour cost. Time keeping and time booking. Concept and treatment of idle time, over time, and labour turnover. Methods of wage payment and the Incentive schemes – Halsey, Rowan, Taylor's Differential piece wage.

Unit 3: Overheads (8 Lectures)

Classification, allocation, apportionment and absorption of overheads; Under-absorption and over-absorption; Capacity Levels and Costs; Treatments of certain items in costing like interest on capital, packing expenses, bad debts, research and development expenses.

Unit 4: Budgetary Control (8 Lectures)

Budgeting and Budgetary Control: Concept of budget, budgeting and budgetary control, objectives, merits, and limitations. Budget administration. Functional budgets. Fixed and flexible budgets. Zero base budgeting.

Unit 5: Marginal Costing and Decision Making (20 Lectures)

- Absorption versus Variable Costing: Distinctive features and income determination. Cost-Volume-Profit Analysis, Profit/Volume ratio. Break- even analysis-algebraic and graphic methods. Angle of incidence, Margin of safety, Key factor analysis, Determination of cost indifference point.
- Steps in Decision Making Process, Concept of Relevant Costs and Benefits, Various short-term decision-making situations – profitable product-mix, Acceptance or Rejection of special/export offers, Make or buy, Addition or Elimination of a product line, sell or process further, operate or shut down. Pricing Decisions: Major factors influencing pricing decisions, various methods of pricing.

Suggested Readings

- B. Banerjee, Cost Accounting, PHI

- M.Y. Khan & P.K. Jain, Management Accounting, TMH
- Bhattacharyya, Ashish K., Cost Accounting for Business Managers, Elsevier
- Ravi M Kishore, Cost and management Accounting, Taxmann
- Mitra, J.K., Cost & Management Accounting I and II, Oxford
- Hanif, M., Cost & Management Accounting I and II, McGraw Hill
- Basu and Das, Cost & Management Accounting I and II, Rabindra Library
- Amitabha Basu, Cost & Management Accounting I and II, Tee Dee Publications

Macroeconomics

TOTAL MARKS- 100

PAPER CODE - BCHLGE240T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
2	BCHLGE240T	Macroeconomics	100	Generic Elective	4

Unit I: National Income Accounting Concept and measurement of GDP, NDP, GNP and PDI; Saving-investment identity in open economy; Real vs. Nominal GDP

Unit II: Keynesian Cross Model and IS-LM Model Business Cycle Theory and Income Determination; Simple Keynesian Model of Economic Fluctuation with Government spending and lump sum taxes; Concept of different forms of Multiplier: Government Expenditure, Investment Expenditure, Tax Multiplier and Balanced Budget Multiplier; Paradox of thrift Effect of interest rate on autonomous spending – IS curve; Income, interest rate and money demand function – LM curve; Economy's general equilibrium in terms of IS- LM model; Effectiveness of Fiscal and Monetary Policy in the IS-LM Model with specific reference to crowding out and liquidity trap

Unit III: Aggregate Demand and Aggregate Supply Flexible Prices and the aggregate demand (AD) curve; Effect of change in prices on LM curve and IS curve; Shifting the AD curve with monetary and fiscal policy; Alternative shapes of the Short Run Aggregate Supply Curve (SAS);

Models of Aggregate Supply — Sticky Prices, Sticky Wage Model; AD-AS model and impact of Fiscal/Monetary Policy.

Unit IV: Inflation and Unemployment Concept of inflation: Price indices: GDP deflator and CPI; inflation and interest rates; social cost of inflation; Unemployment: natural rate of unemployment; frictional and wait unemployment; labour market and its interaction with production system; Phillips Curve: trade-off between inflation and unemployment and Sacrifice Ratio

Unit V: Money and Banking System Measures of money supply; High powered money; Money multiplier and credit creation of the commercial banking system; demand for money; theories of demand for real balances and supply of money

Subject: Principles of Marketing and Human Resource Management

TOTAL MARKS- 100

PAPER CODE - BCHLGE250T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
2	BCHLGE250T	Macroeconomics	100	Generic Elective	4

Module I –Principles of Marketing

Unit 1: Introduction (6 Lectures)

Nature, scope and importance of marketing; Selling vs Marketing; Marketing mix, Marketing environment: concept, importance, and components (Economic, Demographic, Technological, Natural, Socio-Cultural and Legal).

Unit 2: Consumer Behaviour and Market segmentation (6 Lectures)

- a. Consumer Behaviour: Nature and Importance, Factors influencing consumer buying behaviour.
- b. Market segmentation: concept, importance and bases; Product differentiation vs. market segmentation.

Unit 3: Product (6 Lectures)

Concept and importance, Product classifications; Concept of product mix; Branding, packaging and labeling; Product life-cycle; New Product Development Process.

Unit 4: Pricing, Distribution Channels and Physical Distribution (6 Lectures)

- a. Pricing: Significance. Factors affecting price of a product. Pricing policies and strategies.
- b. Distribution Channels and Physical Distribution: Channels of distribution - meaning and importance; Types of distribution channels; Factors affecting choice of distribution channel.

Unit 5: Promotion and Recent developments in marketing (6 Lectures)

- a. Promotion: Nature and importance of promotion; Communication process; Types of promotion: advertising, personal selling, public relations & sales promotion, and their distinctive characteristics.
- b. Recent developments in marketing: Social Marketing, online marketing, direct marketing, services marketing, green marketing, Rural marketing; Consumerism.

Suggested Readings

- Kotler & Keller, Marketing Management, Pearson
- Ramaswamy and Namakumari, Marketing Management, McMillan
- Bhagwati, Pillai, Marketing Management, S. Chand
- Verma & Duggal, Marketing Management, Oxford
- Saxena, Marketing Management, McGraw Hill

Module II–Human Resource Management

Unit 1: Nature and Scope (6 Lectures)

Concept and meaning of HR, Understanding the Nature and Scope of HRM, Functions and importance.

Unit 2: Human Resource Planning (6 Lectures)

Definition, Need and Features of Human Resource Planning, factors affecting Human Resource Planning.

Unit 3: Recruitment and Selection (6 Lectures)

Definition of Recruitment, Source, need and importance of Recruitment, Recruitment Policy – process – sources of Recruitment Definition of Selection, Steps in selection.

Unit 4: Training and Development (6 Lectures)

Training and Development Meaning and purpose of training, Benefits of training to organisation and employees -Training methods.

Unit 5: Job Evaluation and Performance Appraisal (6 Lectures)

Job evaluation - objectives, scope, method, Job analysis, Job description, Job Specification - basic concept and significance, Performance Appraisal - Concept.

Suggested Readings

- Haldar & Sarkar, Human Resource Management, Oxford
- Sinha, Sekhar & Bala, Human Resource Management, Cengage
- Jyothi & Venkatesh, Human Resource Management, Oxford
- Wilton, N., An Introduction to Human Resource Management, Sage
- Dessler & Varkkey, Human Resource Management, Pearson

PAPER NAME: ENGLISH II

PAPER CODE: BCHLGE260T

CREDITS:4

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
2	BCHLGE250T	Principles of Marketing and Human Resource Management	100	Generic Elective	4

Module I: Communication skills and speaking skills.

Interactive Communication like Introducing Self, Greetings, Conversations, etc.; Pronunciation: appropriate stress, intonation, clarity, Impromptu Speech; Debate; Role Play; Presentations

Module II: Technical communication

Writing for web, preparing power point presentation, Press Release, e-Mails

Module III: Analysis and interpretation

Critical appreciation, writing agenda for meeting, Minutes drafting of meetings

Module IV: Legal Terms:

Legal Maxims; Usage of Legal Dictionary; legal words, phrases and Latin maxims.

Suggested Readings:

- Leo Jones, Richard Alexander: New International Business English (Communication Skills in English for Business Purposes), Cambridge University Press.
- NCERT, Knowing about English – A Book of Grammar & Phonology.
- NCERT, Working with English – A Workbook.
 - E. Augustine & K. V. Joseph: Macmillan Grammar – A Handbook, Macmillan.
- Krishna Mohan & N. P. Singh: Speaking English Effectively, Macmillan.
- N. Gupta (Ed.): English for All, Macmillan.
- K. Mohan & M. Banerjee: Developing Communication Skills, Macmillan.
- Learning the Law by Granville Williams.

SEMESTER : III

Total Marks : 100

Paper Code: BCHLCC310T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
2	BCHLCC310T	Law of Tort including MV Accident and Consumer Protection Laws	100	Core Course	4

LAW OF TORT INCLUDING MV ACCIDENT AND CONSUMER PROTECTION LAWS

Module 1 : Introduction :

- a) Definition, nature and scope of tort
- b) Constituents of tort and general principles of liability
 - Duty of care and remoteness
 - Damnum sine injuria and injuria sine damnum
 - Relevance of motive
 - Malfeasance, misfeasance and nonfeasance Tort distinguished from contract and crime

Module 2 : General defences :

- a) *Volenti non if injuria Vis major*
- b) Inevitable accident Necessity
- c) Private defence
- d) *Novus actus interveniens*
- e) Statutory authority
- f) Judicial and quasi-judicial authority Parental and quasi-parental authority

Module 3 : Parties :

Capacity to sue and be sued in tort Joint and several tort-feasors Vicarious liability Vicarious liability of State

Module 4 : Fault based liability :

- a) Nuisance
 - Definition and essential elements
 - Kinds of nuisance: Private, public and statutory
 - Defences
- b) Negligence
 - Definition and essential elements

- Res ipsa loquitur
- Defences
- Contributory

c) Negligence Trespass

- Trespass to person: Assault, battery, false imprisonment
- Trespass to land: Definition - trespass *ab initio*
- Defences

d) Defamation

- Definition
- Types of defamation: Libel and slander
- Defences

Module 5 : No-fault liability :

a) Strict liability

- Origins: *Rylands v. Fletcher*
- Essential elements
- Defences

b) Absolute liability

- Origins: Bhopal gas leak tragedy to *Oleum gas leak* case
- Essential elements

Module 6 : Remedies :

Judicial remedies

- Damages: Types and remoteness of damages
- Injunction
- Restitution
- Constitutional remedies Extra judicial remedies

Module 7 : Consumer Protection Act :

History, development and objectives - Comparison between the 1986 and 2019 Acts Key concepts:

Consumer, defect in goods, deficiency in services, unfair trade practices

a) Product liability Remedies

- Consumer Dispute Redressal Commissions at District, State and National levels - Composition and jurisdiction
- Mediation

b) Consumer Protection Councils at District, State and Central levels - Composition and functions

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Total Marks : 100

Paper Code: BCHLCC320T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
3	BCHLCC320T	Constitutional Law - I	100	Core Course	4

CONSTITUTIONAL LAW - I

Module 1 : Constitutional Law :

Constitution and the laws

Constitutionalism – constitutionality – constitutional, unconstitutional and extraconstitutional – constitutional morality, role of national constitution in governance of the country

Module 2 : Constitution of India :

Definition, Nature of Constitution, features of the Constitution of India as a social document, Rule of Law, Preamble – Scope and object

Module 3 : Formation of State and Citizenship :

Formation of State (Art. 2, 3, 4) Citizenships

Module 4 : Fundamental Rights :

- a) Concept of state and law under the Constitution Fundamental Rights – Role of Fundamental Rights in the Constitution of India Right to Freedom (Art. 19 – 22)
- b) Right to Freedom of Religion (Art. 25-28) Right against Exploitation (Art. 23-24) Cultural and Minorities Right (Art. 29-30) Constitutional Remedies

Module 5 : Directive Principles of State Policy :

Scope Welfare state Relation between Fundamental Rights and DPSP

Module 6 : Fundamental Duties :

Legislative history of the Constitution (42nd Amendment) Act, 1976 Respect for constitutional institutions Sovereignty, unity and integrity of India National service

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Total Marks : 100

Paper Code: BCHLCC330T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
3	BCHLCC330T	Criminal Law - I	100	Core Course	4

CRIMINAL LAW – I

Total Marks: 100

Credits: 4

Module I: Introduction

- Concept of crime
- Elements of crime: *Actus reus* and *mens rea*
- Concept of offence
- General Explanations
- Punishments

Module II: Criminal liability

- Stages of commission
- Commonality in intention, object and commission
- Abetment and criminal conspiracy

Module III: General Exceptions

- Guilt and innocence: Burden of proof
- Mistake of fact and mistake of law
- Accident during lawful act
- Necessity
- Age
- Unsoundness of mind
- Intoxication
- Consent and good faith
- Right to private defence - of person and property

Module IV: Offences against the State

- Waging war against the Government
- Assault on President or Governor
- Crime against State

Module V: Abetment and Criminal Conspiracy

- Common Intention
- Common Object
- Abetment
- Criminal Conspiracy

Module VI: Offences against the Human Body

- Offences affecting life
- Culpable homicide
- Murder
- Causing death by negligence
- Dowry death
- Offences causing hurt
- Hurt and grievous hurt
- Criminal force and assault
- Wrongful restraint and confinement

Module VII: Offences against Women and Children

- Rape and other sexual offences
- Assault on modesty, sexual harassment, voyeurism and stalking
- Kidnapping and abduction
- Slavery and forced labour
- Offences relating to marriage
- Causing miscarriage, injuries to unborn children, exposure of infants and concealment of births

Module VIII: Offences against property and documents (E-documents)

- Theft, extortion, robbery dacoity and Snatching
- Criminal breach of trust, criminal misappropriation and cheating
- Criminal trespass
- Offences relating to documents and property

Module IX: Defamation and Crime against Religion

- Defamation
- Offences relating to injuring or defiling place of worship with intent to insult religion
- Acts intended to outrage religious feelings
- Disturbing religious assembly

A COMPARATIVE STUDY OF INDIAN PENAL CODE 1860 AND BHARATIYA NYAYA SANHITA WILL BE COVERED AS PER BOARD OF STUDIES MEETING OF XAVIER LAW SCHOOL, ST.XAVIER UNIVERSITY AS HELD ON 7TH JUNE 2024.

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Total Marks : 100

Paper Code: BCHLCC340T

Sem	Paper Code	Paper Title	Full	Nature of the	Credit
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			Marks	Course	
3	BCHLCC340T	Family Law – II	100	Core Course	4

FAMILY LAW - II

Part I

Module 1 : Introduction :

Concept and background of Muslim law in India Who is a Muslim?

Module 2 : Principles of Islamic jurisprudence :

- a) Sources and schools of Islamic law
- b) General rules of interpretation in Hanafi law

Module 3 : Muslim law on marriage and dower :

Marriage

- Nature, form and essentials of marriage
- Capacity of parties: Minority and option of puberty
- Disabilities and prohibitions
- Classification: Legal effects of valid, irregular and void marriages Dower
- Nature and characteristics
- Classification
- Enforcement
- Wife's rights on non-payment of dower Acknowledgement

Module 4 : Muslim law on dissolution of marriage and maintenance :

Dissolution of marriage

- Talaq and talaq-e-tafweez
- Mubarat
- Khula
- Lian
- Faskh
- Dissolution of Muslim Marriage Act, 1939
- Muslim Women (Protection of Rights on Marriage) Act, 2019 Maintenance

- Wife: Maintenance during marriage; Maintenance post-divorce with special reference to Section 125 of Code of Criminal Procedure, 1973 and Muslim Women (Protection of Rights on Divorce) Act, 1986
- Children and descendants
- Other relations

Module 5 : Muslim law relating to property :

a) Inheritance

- General principles
- Competence to inherit
- Classification of heirs
- Determination of shares

b) Will

- Form and essentials
- Capacity of testator and legatee
- Limitations
- Abatement of legacy
- Revocation

c) Gift

- Definition and types of gift: Hiba and ariya
- Requisites of a valid gift
- Conditional gifts and gifts with condition
- Gift of mushaa
- Hiba-bil-ewaz and hiba-ba-shart-ul-ewaz
- Gifts during death illness

d) Wakf

- Definition and purpose of wakf
- Essentials of valid wakf

- Mutawalli: Mode of appointment, powers, functions and removal

e) Pre-emption

- Meaning and nature of right to pre-empt
- Persons entitled to pre-emption
- Requisites and formalities
- Subject of pre-emption
- Legal effects of pre-emption

Part II

Module 6 : Christian and Parsi Laws and Special Marriage Act :

- Special Marriage Act, 1954: Validity; procedure for solemnization and registration; grounds for nullity, judicial separation and divorce; alimony and maintenance
- Christian Marriage Act, 1872: Validity and registration
- Divorce Act, 1869: Grounds for nullity, judicial separation and divorce; alimony and maintenance
- Parsi Marriage and Divorce Act, 1936: Validity and registration; grounds for nullity, judicial separation and divorce; alimony and maintenance
- Indian Succession Act, 1925: Christian and Parsi laws of succession - Special provisions applicable parties marrying under Special Marriage Act.

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Total Marks : 100

Paper Code: BCHLGE350T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
3	BCHLGE350T	Auditing	100	Generic Elective	4

AUDITING

Module 1 : Concept, need and purpose of audit

- Definition – Nature – Scope and Objectives of Independent Financial Audit
- Concept of Auditor's Independence, Error and Fraud – Concepts, Means of doing Fraud, Auditor's Responsibility towards Detection and Prevention of Fraud
- Classification of Audit – Organization Structure-wise (Statutory, Non- statutory); Objective-wise (Internal and Independent Financial Audit); Periodicity wise (Periodical, Continuous,

Interim, Final); Technique wise (Balance Sheet, Standard, Systems, EDP)

d) Standards on Auditing (SA) – Concept and Purpose

(This module should be studied with SA 200 and SA 240)

Module 2 : Audit procedures and techniques

- a) Audit Activities, Auditing Engagement – Preparation by the Auditor – Audit Programme
- b) Documentation: Audit Working Paper, Ownership and Custody of Working Paper-Audit file (Permanent and Current) – Audit Note Book – Audit Memorandum.
- c) Audit Evidence – Concept, Need, Procedures to obtain Audit Evidence
- d) Routine Checking, Test Checking, Cut off procedures, Audit Flow Chart and Auditing in Depth
- e) Analytical Procedure and Substantive Testing in Auditing

(This module should be studied with SA 210, SA 230, SA 300, SA 500, SA 520, SA 530, SA 550 and 580)

Module 3 : Audit risk and internal control system

- a) Audit Risk – Concept and Types, Relationship with audit materiality
- b) Professional Skepticism
- c) Internal Control – Definition, Objectives, Evaluation, Internal Control Check List, Internal Control Questionnaire and COSO's Internal Control Framework
- d) Internal Check – Definition, Objectives and General Principles on Internal Check for selected transactions
- e) Internal Audit – Definition, Objectives, Regulatory Requirement, Use of Internal Auditor's Work by Statutory Auditor

Module 4 : Company audit

- a) Qualification, Disqualification, Appointment, Reappointment and Rotation, Casual Vacancy, Removal and Resignation, Ceiling, Remuneration, Rights, Duties and Liabilities of Company Auditor
- b) Audit Committee
- c) Branch Audit and Joint Audit
- d) Divisible Profit and Dividend (Final, Interim and Unclaimed/Unpaid): Provision of the Act and Legal Decisions and Auditor's Responsibility

Module 5 : Audit report and certificate

- a) Definition – Distinction between Report and Certificate- Different Types of Report Contents of Audit Report (As per Companies Act and Standards on Auditing)
- b) True and Fair View – Concept
- c) Materiality – Concept and Relevance

(This module should be studied with SA 315, 320, 330 and 700, 705 and 706)

Module 6 : Other Thrust Areas

- a) Cost Audit – Concepts, objectives, Relevant Provisions of Companies Act Management Audit – Concepts, Objectives, Advantages
- b) Tax Audit – Concepts, Objectives, Legal Provisions
- c) Social Audit – Propriety Audit – Performance Audit – Environment Audit (Concepts only)

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Total Marks : 100

Paper Code: BCHLGE360T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
3	BCHLGE360T	Indian Economy	100	Generic Elective	4

INDIAN ECONOMY

Module 1 : Basic Issues in Economic Development

Concept and Measures of Development and Underdevelopment; India's relative position in the world economy with reference to per capita income, Human Development Index (HDI), health, education and poverty; sources and importance of economic growth; concept of inclusive growth; Obstacles to Growth in India; India's position among BRICS.

Module 2 : Indian Economy at Independence – Basic features

Composition of national income and occupational structure, Growth and Structural Change since 1950 – the agrarian scene and industrial Structure.

Module 3 : Policy Regimes

Evolution of Economic Planning and State-dominated import substitution development strategy; the post 1991 globalization strategies based on stabilization and structural adjustment packages to stimulate growth through competition and trade; Shift in policy direction from prescriptive to indicative planning – deficit financed growth and redefined role of the State in recent years.

Module 4 : Growth, Development and Structural Change

- a) Growth and Distributional Issues; Unemployment (kinds of unemployment and measures)

and Poverty; Environmental concerns

- b) Demographic Constraints: Demographic Transition; Interaction between population change and economic development

Module 5 : Trends and Issues — Sector wise

- a) Agriculture: Agricultural Development in India from 50's till present day – Performance, Issues and Policies, Food Inflation in India: Diagnosis and Remedies, Reforms in Agricultural Sector; Rural distress (cause, impact, prescription)
- b) Industry: Industrial Development and Policies Since Independence: Growth without Employment, Dualism in Indian Manufacturing, Issues related to 'Make in India'
- c) Service Sector: Classification, growth and sectoral shares since 1991, growth drivers – Factors underlying the service sector growth, Liberalisation in Services, FDI in services, Recent trends.

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Total Marks : 50

Paper Code: BCHLAE370T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
3	BCHLAE370T	Environmental Studies	50	Ability Enhancement	4

ENVIRONMENTAL STUDIES

Learning Objectives :

1. To make students aware of the environment and its present status
2. To understand the impact of urbanization on the environment
3. To know more about the sustainable way of living and to use natural resources more efficiently.

Detailed Syllabus :

Module 1 : Introduction :

- a) Introduction to environmental studies
- b) Multidisciplinary nature of environmental studies, Scope and importance, the need for environmental education
- c) Concept of sustainability and sustainable development.

- d) Renewable and Non-renewable Resources

Module 2 : Ecosystems :

- a) Structure: food chains, food webs and function of ecosystem
- b) Energy flow in an ecosystem,
- c) Nutrient cycle
- d) Ecological succession.
- e) Ecological Pyramids.
- f) Ecological Interactions
- g) Case studies of the following ecosystems : Forest ecosystem, Grassland ecosystem, Desert ecosystem , Aquatic ecosystems (ponds, streams, lakes, rivers, oceans, estuaries)

Module 3 : Biodiversity and Conservation :

- a) Levels of biological diversity: genetic, species and ecosystem diversity
- b) Biogeographic zones of India, Biodiversity patterns and global biodiversity hot spots
- c) Threats to biodiversity: Habitat loss, poaching of wildlife, man-wildlife conflicts, biological invasions; Conservation of biodiversity: In-situ and Ex-situ conservation of biodiversity.
- d) Nature reserves, tribal populations and rights (Niyamgiri Vedanta, POSCO), and human wildlife conflicts in Indian context (Sundarban-Human-Tiger encounters). e. Ecosystem and biodiversity services: Ecological, economic, social, ethical, aesthetic and Informational value

Module 4 : Environmental Pollution and Global Environmental Issues :

- a) Environmental pollution: types, causes, effects and controls; Air, water, soil and noise pollution.
- b) Climate change, global warming, ozone layer depletion, acid rain photo-chemical smog and impacts on human communities and agriculture
- c) Nuclear hazards and human health risks (Chernobyl, 3 mile Island, Daiichi- Fukushima)
- d) Solid waste management : Control measures of urban and industrial waste, special reference to e-waste, Biomedical waste.
- e) Pollution Tragedies : Love canal, Bhopal Gas, Endosulfan, Minamata and Flint water.
- f) Natural disasters (Flood, Drought, Earthquake etc)

Module 5 : Environmental movements :

Chipko, Silent valley, Bishnoi, Narmada Bachao Andolan, Nava Danya movement

Module 6 : Environmental Ethics :

Environmental ethics: Role of Indian and other religions and cultures in environmental conservation. Green Politics, Earth Hour, Green Option Technologies, ISO standards: ISO 9000 and

14000. Environmental communication and public awareness, Role of National Green Tribunal; EIA Formulations, stages, Merits and demerits: case studies (e.g., CNG vehicles, Bharat IV stage)

Course Outcomes : On successful completion of the course the learner will be able to—

1. REMEMBERING :

- a) The various reasons for pollution, its control and effects.
- b) To know the various types of ecosystem and its structures.

2. UNDERSTANDING :

SUMMARIZE the various environmental disaster and its effect.

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SEMESTER IV

Sem.	Paper Code	Paper Title	Full Marks	Pass Marks	CIA			End Sem. Marks	Credits
					WT	OTH	ATT		
IV	BCHLCC410T	Jurisprudence	100	40	10	5	5	80	4
	BCHLCC420T	Constitutional Law - II	100	40	10	5	5	80	4
	BCHLCC430T	Criminal Law - II (CrPC)	100	40	10	5	5	80	4
	BCHLCC440T	Civil Procedure Code and Limitation Act	100	40	10	5	5	80	4
	BCHLGE450T	Fundamentals of Direct Taxation	100	40	10	5	5	80	4
	BCHLGE460T	International Economics	100	40	10	5	5	80	4
TOTAL			600	240					24

PAPER NAME: JURISPRUDENCE

PAPER CODE: BCHLCC410T

Credits: 4

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
4	BCHLCC410T	Jurisprudence	100	Coure Course	4

Module I: An Introduction to Law

Definition of Law – Idealistic, Positivistic, Sociological – Nature, Purpose & Function of Law – Kinds of Law – Classification of Law – Municipal & International Law
 Law & Morals – Ancient Times, Post Reformation & Modern Trends – Moral as Basis, Test & End of Law – R v. Dudley and Stephen's Case – Hart's view
 Justice – Concept – Socrates' idea about justice – Rawls theory of Justice – Justice in 21st century

Module II: Schools Of Thought

Natural Law: Ancient Theories – Medieval Theories – Renaissance Theory – Set-back in the 19th Century – Modern Theories;
 Positive Law: Bentham's Definition of Law – 'Utilitarian Individualism' – John Austin, Salmond's & Hart's concept of Law;
 Sociological School: implication of Duguit's theory – Social Solidarity – Rosco Pound's theory of Social Engineering – Jural Postulates;
 Historical School: background of the school – Savigny's theory – Henry Maine's contribution;
 Realistic School: Origin of the thought – Characteristics of the realist movement – concept of American Realism & Scandinavian Realism – Comparative analysis between the approaches; Pure Theory of Law: Kelson's Idea of Law – Grundnorm theory;

Module III: Sources of Law

Various sources of Law – Customs, Precedents & Legislation

Custom: origin of customs – recognition of customs – classification of customs – essentials of customs – when custom become law

Legislation: Comparative analysis of legislation and other sources of law – types of legislation: supreme and subordinate – delegated legislation.

Precedent: Importance of Precedent – Precedent in various legal system – operation of the doctrine of precedent – merits and demerits of the doctrine of precedent – judges role in law making

Module IV: Administration of Justice

Administration of Justice – Criminal Justice system – Civil Justice Administration

Theories of Punishment – Preventive, deterrent, Retributive, Reformatory & Expiatory

Module V: Legal Right

Meaning and definition of Rights – the Will Theory and the Interest theory – Hohfeldian

Analysis of Rights – Kinds of Rights

Concept of Duty – Classification of Duty

Relationship between Right and Duty

Module VI: Persons

Persons – Nature of Personality – Status of the unborn, minor, lunatic, drunken and dead persons;

Corporations: Sole and Aggregate – ingredients – examples;

Module VII: Property

Meaning and Concept of Property – Theories of Property (Metaphysical, Historical, Psychological, Functional)

Kinds of Property (Corporeal, Incorporeal, Movable, Immovable)

Module VIII: Possession and Ownership

Meaning of Possession – elements of possession – Corpus Possessionis and Animus Domini

– Kinds of Possession – Modes of acquiring possession – Rights of Possessor

Meaning and Concept of Ownership – Modes of Acquisition of Ownership

Kinds of Ownership

Difference between possession and ownership

SUGGESTED READINGS:

Textbooks:

1. Raymond Wacks, *Understanding Jurisprudence – An Introduction to Legal Theory* (OUP, 5th ed., 2017)
2. Brian Bix, *Jurisprudence: Theory and Context* (Sweet and Maxwell, 7th ed., 2018)
3. P. J. Fitzgerald, *Salmond on Jurisprudence*, (Sweet and Maxwell, 2016)
4. Michael Freeman, *Lloyd's Introduction to Jurisprudence*, (Sweet and Maxwell, 2014)

Reference Books:

Additional Readings:

1. Maurice Le Bel, Ernst Levy, *et.al.*, *Natural Law Institute Proceedings Vol. 2*, Notre Dame University, (1949), available at: https://scholarship.law.nd.edu/naturallaw_proceedings/2

2. Kelsen, Hans. "The Pure Theory of Law and Analytical Jurisprudence." *Harvard Law Review*, vol. 55, no. 1, The Harvard Law Review Association, 1941, pp. 44–70, <https://doi.org/10.2307/1334739>, available at: <https://www.jstor.org/stable/1334739>
3. Duke, George. "The Weak Natural Law Thesis and The Common Good." *Law and Philosophy*, vol. 35, no. 5, Springer, 2016, pp. 485–509, <http://www.jstor.org/stable/44981094>.
4. Nonet, Philippe. "What Is Positive Law?" *The Yale Law Journal*, vol. 100, no. 3, The Yale Law Journal Company, Inc., 1990, pp. 667–99, <https://doi.org/10.2307/796665>.
5. Maine, Henry Sumner. "Ancient Law and the Origins of Human Society." *New England Review (1990-)*, vol. 32, no. 1, Middlebury College Publications, 2011, pp. 184–87, <http://www.jstor.org/stable/23053382>.
6. Fuller, L. L. "American Legal Realism." *University of Pennsylvania Law Review and American Law Register*, vol. 82, no. 5, 1933-1934, p.
7. Meyer, Joel. "Reflections on Some Theories of Punishment." *The Journal of Criminal Law, Criminology, and Police Science*, vol. 59, no. 4, Northwestern University School of Law, 1968, pp. 595–99, <https://doi.org/10.2307/1141839>.
8. Rashdall, Hastings. "The Theory of Punishment." *International Journal of Ethics*, vol. 2, no. 1, University of Chicago Press, 1891, pp. 20–31, <http://www.jstor.org/stable/2375806>.
9. Goldman, Alan H. "Toward a New Theory of Punishment." *Law and Philosophy*, vol. 1, no. 1, Springer, 1982, pp. 57–76, <https://doi.org/10.2307/3504780>.
10. Raz, J. "Legal Rights." *Oxford Journal of Legal Studies*, vol. 4, no. 1, Oxford University Press, 1984, pp. 1–21, <http://www.jstor.org/stable/764353>.
11. Bingham, Joseph W. "The Nature of Legal Rights and Duties." *Michigan Law Review*, vol. 12, no. 1, The Michigan Law Review Association, 1913, pp. 1–26, <https://doi.org/10.2307/1274761>.
12. Lyons, David. "The Correlativity of Rights and Duties." *Noûs*, vol. 4, no. 1, Wiley, 1970, pp. 45–55, <https://doi.org/10.2307/2214291>.
13. Waldron, Jeremy, "Property and Ownership", *The Stanford Encyclopedia of Philosophy* (Summer 2020 Edition), Edward N. Zalta (ed.), URL = [<https://plato.stanford.edu/archives/sum2020/entries/property/>](https://plato.stanford.edu/archives/sum2020/entries/property/).

PAPER NAME: CONSTITUTIONAL LAW-II

PAPER CODE: BCHLCC420T

Credits: 4

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
4	BCHLCC420T	Constitutional Law - II	100	Coure Course	4

Module I: Introduction to Federalism

- ☐ What is Federalism?
- ☐ Origin, need and development of Federalism
- ☐ Theories of Federalism
- ☐ Indian Federalism
- ☐ Centre-state relations

Module II: Legislative Relations

Legislative Powers and its Distribution between Union and States- Articles 245-254.
 Extent of Legislative Powers
 Doctrine of territorial nexus

Colourable legislation Delegatus
non potest deligare
Interpretation of Subjects of Legislation Plenary
Power & Retroactive Legislative Power

Ancillary and Incidental Power
Public Interest Litigation and Power of Judicial Review
Doctrine of Pith and Substance
Doctrine of Repugnancy
Doctrine of Territorial Nexus
Doctrine of Severability Doctrine
of Eclipse
Doctrine of harmonious construction
Residuary Powers

Module III: Executive Power

Executive Power of the Union- Articles 53, 72- 75, 77
Executive Power of the States – Articles 154, 161-164, 166
Legislative Power of the Executive – Articles 123, 213
Judicial Power of the Executive- Articles 72, 161
Executive Power & Federalism- Articles 256-258A, 263, 365
Civil Services- Articles 309-311

Module IV: Judicial Power

Union and State Judiciary- Articles 32, 131-144, 226, 228, 233-237
Tribunals under Constitution, Articles 323A, 323B
Judicial Review and PIL
Res Judicata and Writ Jurisdiction
Laches

Module V: Local Self Government

Panchayats - Article 243- 243 (O)
Municipalities – Part IX A of the Constitution, Article 243 (P)-243ZG

Module VI: Constitutional Institutions

Finance Commission- Article 280 Election
Commission- Article 324- 329 Inter State
Council - Articles 263
Inter State Water Disputes- Article 262
Public Service Commission- Articles 315-323

Module VII: Emergency Provisions

Proclamation of Emergency - Articles 352-355.⁴ Failure
of Constitutional Machinery- Articles 356-357. Civil
Liberties and Emergency- Articles 358-359.
Financial Emergency- Article 360

Module VII: Trade Commerce and Intercourse

Interstate and Intra State Commerce- Articles 301-307.
Relation between Part III & Part XIII.
Commercial intercourse vis-à-vis Federalism.

Module IX: Amendment of the Constitution

Power & Procedure of Amendment- Article 368.

⁴ 11th BOS meeting: Substituting “National Emergency”.

Plenary & constituent powers.
Basic feature doctrine.

References:

Textbooks:

1. M.P. Jain (Justice Jasti Chelameshwar and Justice D.S. Naidu (eds.)), Indian Constitutional Law
2. V.N. Shukla (Mahendra Pal Singh (ed.)), Constitutional Law of India

Reference Books:

1. Sujit Choudhry, Madhav Khosla and Pratap Bhanu Mehta, The Oxford Handbook of the Indian Constitution
2. Rohit De, The People's Constitution

CRIMINAL LAW -II

PAPER CODE: BCHLCC430T

Credits: 4

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
4	BCHLCC430T	Criminal Law - II (CrPC)	100	Coure Course	4

Module I: Introduction

Nature and scope of criminal procedure
Functionaries in criminal justice administration
Constitution, jurisdiction and hierarchy of criminal courts
Cognizable and non-cognizable offences

Module II: Initiation of criminal proceedings

Information to police and power to investigate
Stages of investigation, the evidentiary value of statements, and investigative report
Complaints to Magistrates
Arrest: Procedure and rights of an arrested person
Processes to compel the appearance of persons: Summons and warrant (Secs 62-90)
Processes to compel production of things: Summons to produce, search and seizure

Module III: Bail

Grant of bail in bailable and non-bailable offences
Anticipatory bail
Cancellation of bail

Module IV: Pre-trial proceedings

Cognizance of offence
Committal proceedings
Framing of charges and joinder of charges

Module V: Trial

Warrant, summons and summary trials: Jurisdiction and procedure

Production of witnesses: Summons and warrants

Withdrawal of prosecution

Module VI: Judgement

Judgment

Discharge and acquittal
Conviction
Sentencing

Module VII: Alternative modes of disposal

Plea bargaining
Compounding of cases: Compoundable and non-compoundable offences

Module VIII: Maintenance of wife, children and parents

Scope and procedure

Module IX: Appeals, Reference, Revision, and Transfer and Withdrawal of cases

Jurisdiction and powers of Appellate Court: Supreme Court, High Court and Court of Sessions
Reference to High Court
Powers of revision: High Court and Sessions Judge
Transfer and withdrawal of cases

Module X: Preventive measures

Security for keeping the peace and good behaviour
Maintenance of public order and tranquility
Preventive action: Cognizable offences, injury to public property, and inspection of weights and measures

References:

BOOKS:

Ratanlal Dhirajlal, The Code of Criminal Procedure, LexisNexis
R.V. Kelkar's Criminal Procedure EBC Takwani
Criminal Procedure, LexisNexis
Durga Das Basu's Criminal Procedure, 1973, LexisNexis
Abhinav Prakash, Code of Criminal Procedure, Universal Law Publishing

CASES:

- State Of Gujarat v. Dermocare Laboratories Special Criminal Application No. 990 of 2009
- DEVENDER @ BOBBY v. STATE OF HARYANA Punjab & Haryana High Court (May 8, 2017) May 8, 2017
- Jhebar Mal v. State Of Rajasthan Rajasthan High Court (Mar 23, 1990) Mar 23, 1990
- Sunil Damodar Gaikwad v. State Of Maharashtra . Supreme Court Of India (Sep 10, 2013) Sep 10, 2013
- Rajnesh v. Neha, 2020 SCC OnLine SC 903, decided on 04.11.2020
- Minakshi Bala v. Sudhir Kumar And Others, Supreme Court Of India (May 10, 1994) May 10, 1994

- State Of Haryana And Ors vs Ch. Bhajan Lal And Ors on 21 November, 1990
- Arnesh Kumar vs State Of Bihar & Anr on 2 July, 2014
- Sushila Agarwal & Others v. State (NCT of Delhi) & Another SPECIAL LEAVE PETITION (CRIMINAL) NOS.7281•7282/2017
- Saravanan v. State represented by the Inspector of Police CRIMINAL APPEAL NOS. 681•682 OF 2020

CIVIL PROCEDURE CODE AND LIMITATION ACT

PAPER CODE: BCHLCC440T

Credits: 4

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
4	BCHLCC440T	Civil Procedure Code and Limitation Act	100	Coure Course	4

Module I: Introduction to Civil Procedure Code

History of the Code of Civil Procedure; An Overview & Scheme of the Code of Civil Procedure; Constitution of Civil Courts and their Hierarchy; Place of Suing & Jurisdiction; Res Subjudice & Res Judicata; Foreign Judgment

Module II: Suits in General

Cause of Action; Meaning and Nature; Parties to Suit, Mis-joinder, Non-joinder and Frame of Suit; Issuance of Summons to Opposite Parties and Service of Summons on them; Effect of non-appearance of the parties; Inherent power of Court

Module III: Suits of Special Nature

Representative Suits; Suits by or against Government and Public Servant; Suits by Indigent Persons; Suits by or against minors and persons of unsound mind; Interpleader Suits; Suits by or against Corporations and Firms; Summary Suits; Suits relating to Family Matters and Partition; Suit relating to mortgages of immovable property; Suit relating to Public Nuisance & Public Charities

Module IV: Pleadings

Pleadings – meaning and content; Plaint; Written Statement –Set Off and Counter Claim; Amendment of Pleadings; Discovery, Inspection and Interrogation; Production, Impounding & return of document

Module V: Trial of Suits

Examination of Parties and framing of Issues; Disposal of a suit at the first hearing; Summoning and attendance of witnesses; Withdrawal, Adjustment, and Compromise of a Suit; Adjournments; Hearing of Suit/Examination of witnesses; Judgment and Decree; Death of Parties

Module VI: Appeal, Review, Revision and Reference

Meaning; Appeal from Decrees; Appeal from Orders; Power of Appellate Courts; No Appeal in certain matters; Second Appeal; Appeal to Supreme Court; Review, Revision & Reference; Difference between Appeal, review, and reference; Restitution

Module VII: Execution

Meaning; Modes of Execution; Attachment & Sale; Arrest & Detention; Objection petitions – regarding Sale, Dispossession in Execution proceedings.

Questions regarding execution, discharge & Satisfaction of Decrees; Property exempted from Attachment; Rateable distribution of assets

Module VIII: Law of Limitation

Limitation: Meaning & Application; Bar of limitation; Mode of computation of the period of Limitation; Legal Disability; Continuous running of time; Exclusion of time in legal proceedings; Effect of acknowledgment & Part payment

References:

Statutes:

- The Civil Procedure Code, 1908
- The Limitation Act, 1963

Text Books:

- Mulla, Code of Civil Procedure, University, Delhi.
- C.K. Thakkar, Code of Civil Procedure, 2000 University, Delhi.
- M. P. Tandon, Code of Civil Procedure.
- C.K. Takwani, Civil Procedure
- Gunjan Rekhi, Commentary on Law on Limitation Act 1963, Delhi Law House
- Ranbir Singh, Arun Sharma, Law of Limitation - A Simple yet Exhaustive Commentary on the Limitation Act, 1963, Thomson Reuters

FUNDAMENTALS OF DIRECT TAXATION

PAPER CODE: BCHLGE450T

Credits: 4

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
4	BCHLGE450T	Fundamentals of Direct Taxation	100	Generic Elective	4

Unit 1: Introduction (10 Lectures)

Basic concepts: Income, agricultural income, person, assessee, assessment year, previous year, sources of income and heads of income; gross total income, total income, maximum marginal rate of tax; Permanent Account Number (PAN); Residential status; Scope of total income on the basis of residential status

(individual and firm); Exempted income under section 10.

Unit 2: Income from salaries (15 Lectures)

Introduction, Gratuity, Leave Encashment, Pension, Allowances, Provident Fund, Perquisites (valuation of accommodation, motor car, interest free loan, medical facilities, employee's obligation met by employer).

Unit 3: Income from house property (10 Lectures)

Unit 4: Capital gains (10 Lectures)

The following sections – Sec. 2(14), Sec. 2(29A), Sec. 2(42A), Sec. 2(47), 45, 47, 48, 49, 50C, 50D, 51, 55, 111A, 112; Sec. 54 to Sec. 54GB – Exemptions.

Unit 5: Computation of Total Income and Tax Liability (15 Lectures)

Income of other persons included in assessee's total income; Aggregation of income and set-off and carry forward of losses; Deductions from gross total income under Chapter VI-A (related to individual and firm only); Rebates and reliefs; Computation of total income of individuals and firms; Tax liability of an individual (including AMT u/s115JC).

Notes:

- a. Latest edition of text books must be used.
- b. Assessment Year to be followed for examination is the Assessment Year in which the exam is conducted.
- c. If new legislation(s) are enacted in place of the existing legislation(s), the

syllabus will accordingly include such new legislation(s) in the place of old legislation(s).

Suggested Readings

1. Singhanian, Vinod K. and Monica Singhanian. Students' Guide to Income Tax, University Edition. Taxmann Publications Pvt. Ltd., New Delhi.
2. Ahuja, Girish and Ravi Gupta. Systematic Approach to Income Tax. Bharat Law House, Delhi.
3. Roy, S. K., Principles and Practice of Direct and Indirect Taxes I & II: ABS Publishing House, Calcutta.
4. Sengupta, C.H., Law and Practice of Direct Taxes and Indirect Taxes I & II, Dey Book Concern.
5. Bandyopadhyay, Das, Banerjee, Taxation I & II, OUP.

Journals

1. Income Tax Reports. Company Law Institute of India Pvt. Ltd., Chennai.
2. Taxman. Taxman Allied Services Pvt. Ltd., New Delhi.
3. Current Tax Reporter. Current Tax Reporter, Jodhpur.

INTERNATIONAL ECONOMICS

PAPER CODE: BCHLGE460T

Credits: 4

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
4	BCHLGE460T	International Economics	100	Generic Elective	4

Unit I: Introduction

- What is international economics about?
- An overview of world trade: Why do countries trade?
- Pattern of trade, gains from trade.

Unit II: Theories of trade

- Absolute advantage theory of Adam Smith, Comparative advantage; Ricardian model of trade: a one factor economy, production possibility frontier, autarkic equilibrium, labour productivity and comparative advantage, terms of trade and gains from trade.
- H-O model of trade: basis of trade; New trade theories (introducing concepts)

Unit III: Trade Policy

- Commercial policies – Analysis of Tariff: cost–benefit, Quota, Quota-Tariff equivalence (using concept of social welfare), monopoly effects of quota,

subsidy and voluntary export restraint; arguments for free trade vs. arguments for protectionism- infant industry argument.

- Political economy of trade policy, controversies in trade policies.

Unit IV: International Finance and Financial environment

- Balance of Payment Accounting; Current Account and Capital Account, Current account and National Savings; Market for foreign exchange: fixed versus flexible exchange rates, concepts of depreciation and devaluation; BOP equilibrium.
- International Financial Institutions: World Bank and IMF (objectives and functions)

Unit V: International Organizations, Arrangements and Regional Blocs

WTO (objectives, structure and functioning); UNCTAD, OPEC, NAFTA, EU, ASEAN and SAARC (objectives and functioning).

SEMESTER : V

Total Marks : 100

Paper Code: BCHLCC510T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
5	BCHLCC510T	Law of Evidence	100	Core Course	4

LAW OF EVIDENCE [Which shall henceforth include the Indian Evidence Act, 1872 and the Bharatiya Sakshya Adhiniyam, 2023 (to be effective from 1st July, 2024.)]

Module 1 : Introduction

- a) Applicability and Nature of Evidence Law
- b) Interpretations: Facts, Relevant, Fact in issue, Document, Evidence
- c) Understanding and distinguishing the concept of Proved, Disproved, Not Proved
- d) The application of May Presume, Shall Presume and Conclusive Proof

[A Comparative analysis between the Indian Evidence Act, 1872 and the Bharatiya Sakshya Adhiniyam, 2023]

Module 2 : Relevancy of facts

- a) Res gestae
- b) Conspiracy
- c) Alibi
- d) The principles of application of the law in Civil matters and Criminal Matters
- e) Relevancy of Dying Declaration
- f) Character evidence and its implication in Civil and Criminal Law

[A Comparative analysis between the Indian Evidence Act, 1872 and the Bharatiya Sakshya Adhiniyam, 2023]

Module 3 : Expert Evidence

- a) Concept of Expert
- b) Applicability and value of Expert Evidence
- c) Role of DNA evidence in Determination of Paternity
- d) Fingerprint evidence and its importance
- e) Ballistic Evidence and its importance in criminal law
- f) Toxicology Evidence

[A Comparative analysis between the Indian Evidence Act, 1872 and the Bharatiya Sakshya Adhiniyam, 2023]

Module 4 : Means of Proving Facts

- a) Oral Evidence
- b) Documentary Evidence
- c) Electronic Evidence
- d) Probative value of Testimony
- e) Different modes of proving Documents
- f) Uniqueness in proving Electronic records

[A Comparative analysis between the Indian Evidence Act, 1872 and the Bharatiya Sakshya Adhiniyam, 2023]

Module 5 : Burden of Proof

- a) Principles of Burden of Proof in Criminal matters and Civil matters
- b) Burden of Proof as to particular fact
- c) Burden of Proof that case of accused comes under exceptions
- d) Burden of proving fact especially within knowledge

[A Comparative analysis between the Indian Evidence Act, 1872 and the Bharatiya Sakshya Adhiniyam, 2023]

Module 6 : Law on presumption and its implication

- a) Determination whether a person is alive or dead
- b) Presumption as to abetment of suicide
- c) Presumption as to dowry death
- d) On whom Burden of Proof lies in cases of may presumption
- e) Mode of proving document 30 years old
- f) The law relating to accomplice
- g) The understanding of approver
- h) Understanding of adverse Presumption
- i) Principle of Estoppel

[A Comparative analysis between the Indian Evidence Act, 1872 and the Bharatiya Sakshya Adhiniyam, 2023]

Module 7 : Law on witnesses & Other relevant topics

- a) Number of witnesses required to prove a case

- b) Testimony of dumb witness
- c) Privileged Communications
- d) Professional communications
- e) Various types of examinations and their implications
- f) Leading question and its implication
- g) Hostile Witness
- h) Judge's power to put questions or order production
- i) Consequence of improper admission or rejection of evidence

[A Comparative analysis between the Indian Evidence Act, 1872 and the Bharatiya Sakshya Adhiniyam, 2023]

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Total Marks : 100

Paper Code: BCHLCC520T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
5	BCHLCC520T	Corporate Laws - I	100	Core Course	4

CORPORATE LAWS - I

Module 1 : Introduction

- a) History of Company Legislation
- b) Corporate personality – Concept
- c) Nature and Features of a Corporate Body
- d) Classification of company
- e) Theories of corporate personality
- f) Lifting of corporate veil

Module 2 : Pre-Incorporation Phase and Role of Promoters

- a) Promoters - Promotion of company
- b) Promoters: Position, Duties and Liabilities
- c) Pre-incorporation contracts

Module 3 : Company formation

- a) Documents for incorporation
 - Memorandum of Association
 - Articles of Association
 - ◆ Doctrine of Ultra Vires
 - ◆ Doctrine of Indoor Management

◆ Doctrine of Constructive Notice

- b) Effects of incorporation
 - Registration of Company
- c) Understanding limited liability

Module 4 : Capital Raising by Share Capital

- a) Prospectus – Meaning, Issue and Contents
- b) Kinds of Prospectus – Abridge Prospectus, Statement in lieu of Prospectus; Shelf prospectus
- c) Liability of misstatements in Prospectus
- d) Shares / Share Capital – Meaning and Nature
- e) Kinds of Shares
 - Preferential Shares – Meaning and Types
 - Equity Shares
- f) Issue of shares – IPO, FPO, Rights issue, Bonus Issue, Sweat Equity
- g) Allotment, Transfer, Forfeiture, Buy-backs, Surrender of shares
- h) Membership of company: modes of acquisition, eligibility of shareholders; Rights and liabilities of shareholders; Cessation of Membership; Alteration & Reduction of share capital
- i) Dividend – declaration; payment; interim dividend

Module 5 : Debt capital

- a) Debenture – Meaning & characteristics
- b) Kinds of Debentures
- c) Debenture Trustees - Debenture Trust Deed
- d) Debenture Stock

Module 6 : Corporate Management

- a) Directors
- b) Concept and Definition
- c) Kinds of Directors
- d) Powers and Duties of Directors
- e) Qualification, Appointment, Removal

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Total Marks : 100

Paper Code: BCHLCC530T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
5	BCHLCC530T	Public International Law	100	Core Course	4

PUBLIC INTERNATIONAL LAW

Module 1 : Nature and function of international law

- a) Origin and development of international law
- b) The making of modern international law
- c) Is international law really a law?
- d) Contemporary international jurisprudence
- e) Concept of private and public international law

Module 2 : Sources of international law

- a) Primary sources and subsidiary sources
- b) Primacy debate between primary sources
- c) While several sources are in mutual conflict
- d) Relevant judgments
- e) Relationship between international law and municipal law
- f) Theories of International Law - Monistic Theory - Dualistic Theory - Specific Adoption Theory - Transformation Theory - Delegation Theory

Module 3 : Subjects of International Law

- a) The Concept of Subject of Law and of Legal Personality
- b) States: Definition and Conditions for Statehood, Recognition of States- De Facto and De Jure - Theories of Recognition - Recognition of Belligerency and Recognition of Insurgency - Collective Recognition, Territory and Underlying Principles, Sovereignty
- c) International Organizations: Legal Definition, Rights and Duties under International Law
- d) The Status of Individuals in International Legal Order - - Statelessness - Asylum - Territorial and Extra-territorial jurisdiction- Extradition - Rules relating to Extradition
- e) Other International Actors: Non-State Actors and International Regulations of their Activities

Module 4 : State responsibility and Succession

- a) Nature of International Responsibility - The Elements of State Responsibility
- b) State Responsibility for various Acts- Individual Acts, Mob Violence, Insurgency, etc.
- c) State Succession - Theories of State Succession - Rights and Duties arising out of State Succession

Module 5 : Law of treaties

- a) Historical background of treaty law - Treaty-making procedure as codified
- b) Relationship between treaty and custom
- c) Operation of the treaty law regime

Module 6 : Law of the Seas

- a) History of Law of Sea - Background of the Law of Sea Convention
- b) Concepts of Maritime Belt - Territorial Sea - The Contiguous Zone - Exclusive Economic Zone - Continental shelf - The High Seas - International Sea-Bed Area.

Module 7 : International Human Rights Law

- a) History of international human rights movement
- b) Emergence of modern international human rights

- c) Office of the High Commissioner for Human Rights
- d) Comparative study of Charter-bodies and treaty-bodies

Module 8 : Settlement of International Dispute

- a) Diplomatic Means of Dispute Settlement: Negotiation, Good Offices, Mediation, Inquiry, Conciliation
- b) Legal Means of Dispute Settlement: Arbitration and Permanent Courts
- c) The Law and Procedure of the International Court of Justice
- d) Settlement under UNO - Compulsive Means – Retortion, Reprisals, Embargo, Pacific Blockade, Intervention

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Total Marks : 100

Paper Code: BCHLCC540T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
5	BCHLCC540T	Administrative Law	100	Core Course	4

ADMINISTRATIVE LAW

Module 1 : Introduction

- a) Concept, scope and importance of administrative law
- b) Rule of law and common law origins of administrative law
- c) Relationship between constitutional law and administrative law
- d) Separation of powers and classification of administrative functions

Module 2 : Delegated legislation

- a) Concept and role in governance
- b) Classification
- c) Constitutionality
- d) Restraints on delegated legislation and doctrine of excessive delegation
- e) Control of delegated legislation: Legislative and judicial
- f) Administrative directions and delegated legislation

Module 3 : Public undertakings

- a) Concept and characteristics
- b) Classification of public undertakings
- c) Role of public undertakings in governance and commerce
- d) Functions, rights, duties, and liabilities of public undertakings
- e) Control over public undertakings: Governmental, judicial, and public

Module 4 : Administrative adjudication

- a) Concept and characteristics of administrative tribunals
- b) Administrative tribunals and doctrine of separation of powers
- c) Constitutional origins and reasons for growth – merits and demerits
- d) Composition, powers and procedure
- e) Judicial control over administrative tribunals

Module 5 : Principles of natural justice

- a) Concept and importance
- b) Requirement for notice
- c) *Audi alteram partem*
- d) *Nemo judex in causa sua*
- e) Reasoned decisions
- f) Exceptions to application of the principles of natural justice

Module 6 : Control of administrative action

- a) Ombudsman
 - Concept, characteristics and role
 - Lokpal and Lokayukta
 - Central and State Vigilance Commissions
- b) Judicial review of administrative action
 - Concept and necessity
 - Review jurisdictions of High Courts and the Supreme Court: Articles 226 and 32 of the Constitution
 - Writs: Concept, classification, and scope
 - Principles for exercise of judicial review
 - *Locus standi* and public interest litigation
 - Administrative discretion: Concept – Scope and extent for judicial review
 - Standards of review: Arbitrariness, reasonableness, proportionality and legitimate expectation
- c) Liability of the State in tort and contract
- d) Statutory remedies
 - Injunction
 - Declaration against the Government
 - Exclusion of civil suits
- e) Privileges and immunities of the State

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Total Marks : 100

Paper Code: BCHLCC550T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
5	BCHLCC550T	Women and Criminal Law	100	Core Course	4

WOMEN AND CRIMINAL LAW

Module 1 : Conceptualizing Offences against Women

Historical background, Constitutional provisions & guarantees, Provision under the Indian Penal Code, Statistical Realities.

Module 2 : International Instruments on Offences against Women

Convention on the Elimination of all forms of Discrimination against Women, 1979, First World Conference on Women in Mexico City, Mexico, 1975, Second World Conference on Women, Copenhagen, 1980, Third World Conference on Women, Nairobi, 1985, The Declaration on the Elimination of Violence against Women, 1993.

Module 3 : Penal Provisions of the Laws

[Relevant provisions from both the Indian Penal Code (IPC), 1860 and The Bharatiya Nyaya Sanhita (BNS), 2023 would be covered].

The Commission of Sati Prevention Act, 1987, Indian penal code, 1860 [Bigamy (Sec -494), Adultery (Sec-497), Rape (Sec-375,376), Cruelty to Wife (Sec -498-A) etc.], **[A Comparative Analysis between the IPC and the BNS, 2023 would be there against the applicable provisions]**

Criminal Procedure Code, 1973 [Information in Police, Protection in cases of Arrest and Detention of Women in Police Lockup, Search of place where women is residing and search of arrested female, Police Officers Power to require attendance of women witness; Trial in Camera], **[Relevant provisions from both the Criminal Procedure Code, 1973 (CrPC) and The Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) would be covered. Also a Comparative Analysis between (CrPC) and (BNSS) would be there against the applicable provisions]**, Dowry Prohibition Act, 1961, The Indecent Representation of Women (Prohibition) Act, 1986, Protection of Women from Domestic Violence Act, 2005, Immoral Traffic (Prevention) Act, 1986 & Amendment Bill, 2018, The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Information Technology Act, 2002.

Module 4 : Place of Women in the Criminal Justice System as Victims of Crimes

Procedural safeguards under the code of Criminal Procedure, the jurisprudence relating to victim compensation & appreciation of evidence, present scenario in India. **[Relevant provisions from both the Criminal Procedure Code, 1973 (CrPC) and The Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) would be covered. Also a Comparative Analysis between (CrPC) and (BNSS) would be there against the applicable provisions]**

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Total Marks : 100

Paper Code: BCHLGE560T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
5	BCHLGE560T	Fundamentals of Indirect Taxation	100	Generic Elective	4

FUNDAMENTALS OF INDIRECT TAXATION

Module 1 : GOODS AND SERVICES TAX

Unit 1: Basic concept indirect Tax and overview of GST

Concept of indirect Tax; Difference between direct tax and indirect tax; Concept, objectives, structure and types of GST; Taxes subsumed into GST; Application of SGST, CGST, UTGST and IGST; Non-applicability of GST, Rates of GST and Compensation Cess

Definitions : Aggregate turnover, Business, Capital goods, Casual taxable person, Goods, Input, Input tax, Input tax credit, Output tax, Person, Place of business, Registered Person, Services, Taxable Person, Turnover in state and union territory.

Unit 2: Taxable event in GST

Meaning of taxable event; Supply as per GST Law; Meaning of goods and services; Supply of goods and services; Supply of neither goods nor services i.e. negative list; Deemed supply of goods and services; Services provided by Govt/Local Authority; Different types of supply – Inward supply, outward supply, Non-taxable supply, Taxable supply, Exempt supply, Continuous supply of goods, composite supply, mixed supply, intrastate and interstate. supply of goods, zero rated supply

Unit 3: Levy of GST and Exemption from GST

Basic charge of GST; GST levied in intra/interstate supply of goods or services; Person liable for payment of GST under forward and reverse charge mechanism; Rates of GST; Brief idea of Exemption from GST; Practical questions.

Unit 4: Time of Supply

Need for determination of time of supply; statutory time for issue of invoice for taxable supply of goods or services; Time of supply when GST on goods or services payable on forward and reverse charge basis; Practical questions.

Unit 5: Place of Supply

Location of Supplier of goods or services – how to find out; Place of supply of goods (other than goods imported or exported); Place of supply of goods which are imported or exported; Place of supply of services (supplier and recipient are located in India).

Unit 6: Value of taxable Supply of Goods or Services or Both

Transaction value basis for valuation – when; Meaning of Consideration, Market Value, Related person; Inclusion and exclusion for computation of transaction value; Value of Supply where the consideration is not wholly in money; Value of supply in case of exchange or barter; Value of

supply between two distinct persons or related persons.

Unit 7: Composition Scheme

Meaning, applicability & rate, Eligible Person, Determination of aggregate turnover; Withdrawal from scheme of Composition levy; Switch over from normal scheme to composition scheme and vice versa (simple problems).

Unit 8: Input Tax Credit and GST Liability

Input Tax Credit (ITC) and Composition Scheme under GST Tax Invoice and Bill of Supply (Basic Concepts only)

ITC - Meaning, Conditions for enjoyment of ITC and time limit to avail ITC (Sec 16 only), utilisation for payment (simple problems).

Time of Payment of GST.

Unit 9: Registration

Requirement of registration; Persons liable to registered; Persons not required to be registered; Persons requiring registration without threshold limit; Procedure for registration; Voluntary registration; Unique registration number to UN Agencies; Registration of casual taxable person and non-resident taxable person; Cancellation of registration.

Module 2 : CUSTOMS DUTY

Unit 1: Basic concept and Definitions

Nature of Customs Duty; Definition as per Customs Act – Territorial Waters and Customs Waters, Indian Customs Waters, Indian Exclusive Economic Zone; High Seas, Customs Station, Customs Bonded Warehouse, Customs Area, India, Import, Export.

Unit 2: Different Types of Customs Duty

Unit 3: Valuation for Customs Duty

Find out the Value for the purpose of Customs Duty – Inclusions or Exclusions from Customs Value.

Unit 4: Baggage and Duty Drawback

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SEMESTER VI

Sem.	Paper Code	Paper Title	Full Marks	Pass Marks	CIA			End Sem. Marks	Credits
					WT	OTH	ATT		
VI	BCHLCC610T	Law of Transfer of Property & Easement	100	40	10	5	5	80	4
	BCHLCC620T	Corporate Laws - II	100	40	10	5	5	80	4
	BCHLCC630T	Drafting, Pleading and Conveyancing	100	40	10	5	5	80	4
	BCHLDS641T	Federalism	100	40	10	5	5	80	4
	BCHLDS642T	Securities and Financial Market Regulations*	100	40	10	5	5	80	4
	BCHLDS643T	International Organisations*	100	40	10	5	5	80	4
	BCHLDS644T	Introduction To Crime And Criminology	100	40	10	5	5	80	4
	BCHLGE650T	E-Commerce and its Application in Business	100	40	10	5	5	80	4

Total Marks : 100

Paper Code: BCHLCC610T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
6	BCHLCC610T	Law of Transfer of Property & Easement	100	Core Course	4

LAW OF TRANSFER OF PROPERTY & EASEMENT

Module I: Concept and meaning of property

Kinds of property - movable and immovable property - tangible and intangible property, private and public property. Importance of attestation; who may be a competent witness; mode of attestation; attestation by a Pardanashin woman; relevance of the doctrine of notice; actual and constructive notice

Module II: Meaning of 'Transfer of Property' under the Act

Transfer inter-vivos; what may be transferred; persons competent to transfer; operation of transfer; conditions restraining alienation; restrictions repugnant to interest created; transfer

for benefit of an unborn person; rule against perpetuity; vested interest and contingent interest, condition precedent and condition subsequent, transfer to unborn person and rule against perpetuity.

Module III: The doctrine of election

Restricted covenants; transfer by the ostensible owner, the doctrine of feeding the grant by estoppel, the doctrine of acquiescence, the doctrine of lis-pendens, fraudulent transfer, doctrine of part-performance.

Module IV: Sale of immovable property

Definition of sale and Contract to sell, Rights and liabilities of buyer and seller; Marshalling by a subsequent purchaser

Module V: Mortgage

Definition of Mortgage, kinds of mortgage, mortgagor, mortgage, mortgage money, mortgage deed; rights of mortgagor - right to redeem, clog on redemption, partial redemption, rights and of the mortgagee, right to foreclose or sale, right to sue for mortgage money, accession to the mortgaged property, rights of mortgages in possession, substituted securities, liabilities of a mortgagee in possession, marshalling and contribution, subrogation - legal subrogation and conventional, "redeem up and foreclose down"; charge; the difference between charge and mortgage.

Module VI: Lease; Gift

Definition, rights and liabilities of lessor and lessee, kinds of leases. tenancy-at-will, tenancy by-holding-over, tenancy-at-sufferance.

Gifts: definition, essentials, onerous gift, conditional gifts, universal donee, donation mortis causa.

Exchange of Properties and assignment of actionable claims.

Module VII: Easements

Definition, nature and characteristics of easements, acquisition or creation of easements, classification or kinds of easement, termination or determination of easements, the difference between easement and licence.

Suggested Readings/

References Text Books:

□ Saxena, Poonam, Mulla on Transfer of Property Act, 1882; Lexis Nexis; 2013 Ed.

- Saxena, Poonam; Property Law, Lexis Nexis,(3rd Ed. 2017).
- R. K. Sinha The Transfer of Property Act (12th ed., 2019)
- Ameen and shastry, “The Law of Easement” List of Cases

Reference Books:

- Ghosh, Rashbehary, Law of Mortgage (Tagore Law Lectures), Kamal Law House, 2013
- Sen Gupta (Rev.), Mitra’s Transfer of Property Act(18th, 2004)
- M. Lahiri, Transfer of Property Act (10th ed., 1986)
- Sir H.S. Gour’s Commentary on The Transfer of Property Act; 12th Ed, 2010.
- Darashaw Vakil’s Commentaries on the Transfer of Property Act, Lexis Nexis 2017
- C.V. Subba Rao’s Law of Transfer of Property, Rev. Vepa P. Sarathi; 2012
- Megarry & Wade, The Law of Real Property; Thomson S&M, 2012
- Vepa P. Sarathi; Law of Transfer of Property; EBC, 2011.

Statutes and Regulations:

- The Transfer of Property Act, 1882.
- The Indian Easement Act, 1882
- The Registration Act, 1908

List of cases (Indicative):

- Prem Nath Khanna vs State of Orrisa (2011 Orrisa HC)
- Jugal Kishore Saraf vs Raw cotton Mills (1955 SC)
- Mohar Singh (Dead By Lrs.) vs Devi Charan & Others (1988 SC)
- V N Sarin vs Major Ajit Kumar Poplai (1965 SC)
- Roshan Lal vs Resham Lal (P&H HC 2005)
- Sadhu madho das vs Pandit Mukund ram (1955 SC)
- C Beepathuma vs Vela Shankaranarayana Kadambolithaya (1965 SC 241)

- Lala Kundan lal v Mst. Mushrafi Begum (AIR, 1936 PC 207)
- Lloyds Bank Ltd. v P.F. Guzder & Co. (AIR 1930, Cal 22)
- Nageshar Prasad v Pateshri, 1915
- Ramcoomar kundoo v Macqueen 1872
- B. Narayanswami Raju v Krishnamurthy Mudaliar 1988
- Jumma Masjid v K Deviah 1962
- Achut v Shivaji Rao 1937
- Madison v Alderson 1883
- Mian Pir Bux v Mohammad Tahir 1934
- Subramaniam (Died) v Venkatachalam Pillai 2011
- Asha M Jain v The Canara Bank &ors 2011
- Delhi Development Authority v Skipper Construction Co. (P) Ltd. 2000
- State of Haryana v Navir Singh 2008
- Manjabai Krishna Patil (DECEASED) by LRs v Raghunath Revaji Patil and Anr 2007
- Mushir Mohammad Khan v Sajeda Bano 2000
- Anthony vs K. C. Ittoop and Sons and others (2000 SC)

- M/S Payal Vision Ltd vs Radhika Chaudhary (2011 SC)
- K. Balakrishnan v K.Kamalam 2004
- Renikuntla Rajamma (Deceased) By Lr v K.Sarwanamma 2014
- Associated Hotel of India v R. N. Kapoor (AIR 1959, SC 1262)

Total Marks : 100

Paper Code: BCHLCC620T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
6	BCHLCC620T	Corporate Laws - II	100	Core Course	4

CORPORATE LAWS - II

Module I: Meetings, Voting, Proxy

Annual General Meeting; Extraordinary General Meeting; Board Meetings; Specific Meetings of classes of shareholders and creditors; Voting Processes; Proxy

Module II: Oppression and Mismanagement, Class Action Suit, Investigation

Majority Rule and Minority Rights; Protection against Oppression; Protection against Mismanagement; Derivative Action; Class Action Suit; Investigation Powers; Role of Central Government

Module III: Corporate Breakdown

Winding up; Insolvency and Bankruptcy Code 2016; Initiation of Process; Insolvency Professional; Financial and Operational Creditors; Committee of Creditors

Module IV: Capital Markets and Securities and Exchange Board of India

Establishment and Jurisdiction; Role of SEBI in Capital Market; Powers and Functions; Role of the Securities Appellate Tribunal; Stock Exchanges;

Dematerialization and Depositories

Module V: Corporate Restructuring

Arrangements and Compromises; Amalgamations; Fast track Mergers; Merger in Public Interest; Cross border mergers; Acquisition under Takeover code 2011; Demergers

Module VI: Corporate Governance and Corporate Social Responsibility

Mechanisms of Corporate Governance; Independent Directors; Board Committees; Audit; Vigil Mechanism; Institutional Investors; Related Party Transactions; Corporate Social Responsibility Committees and Procedure

Suggested Readings/ References

Text Books:

1. Paul L. Davies & Sarah Worthington (eds.), *Gower: Principles of Modern Company Law*, Sweet & Maxwell (10th edn., 2016).
2. G.K. Kapoor & Sanjay Dhamija, *Company Law and Practice - A Comprehensive Text Book on Companies Act 2013*, Taxmann (24th edn. 2019).
3. Avtar Singh, *Company Law*, EBC (17th edn. 2018).

Reference Books:

1. A. Ramaiya, *Guide to the Companies Act*, Lexis Nexis (19th edn. 2020).
2. J. N. Gordon and W Ringe, *The Oxford Handbook of Corporate Law and Governance*, OUP (1st edn. 2018).
3. R. Kraakman et al, *The Anatomy of Corporate Law: A Comparative and Functional Approach*, OUP (3rd edn. 2017)

Statutes and Regulations:

1. Companies Act, 2013
2. SEBI Act, 1992
3. Securities Contract (Regulation) Act, 1956
4. Insolvency and Bankruptcy Code 2016
5. Depositories Act 1996
6. SEBI (Substantial Acquisitions of Shares and Takeovers) Regulations 2011
7. SEBI (Listing Obligations and Disclosure Requirements) Regulations 2015

List of cases:

1. Foss v. Harbottle (1843) 67 ER 189
2. Rajahmundry Electric Supply Co. v. Nageshwara Rao AIR 1956 SC 213
3. Bennet Coleman & Co. and Ors. v. Union of India & Ors., (1977) 47 Com Cases 92 (Bom)
4. Shanti Prasad Jain v. Kalinga Tubes, (1965) 1 Comp. L.J. 193
5. Tata Sons v Cyrus Mistry (2019) NCLT, NCLAT, Supreme Court
6. In the matter of Jai Kumar Arya v. Chhaya Devi, Delhi high Court, dated 07/11/2017
7. Miheer H. Mafatlal v Mafatlal Industries Ltd [1996] SC
8. Re Jaypee Cement Ltd [2004]
9. Re Maneckchowk & Ahmedabad Mfg Co Ltd [1970]
10. Re Kohinoor Mills Co Ltd
11. Subhkam Ventures [2010]
12. Re Kamat Hotels [2017]
13. Nirma Industries v SEBI [2013]
14. Committee of Creditors of Essar Steel India Limited v Satish Kumar Gupta & Ors.[2019] SC
15. Binani Industries Ltd. V. Bank of Baroda and Another [2018] SC
16. Arcelor Mittal India Pvt. Ltd. v. Satish Kumar Gupta and Ors [2018] Civil Appeal No. 9402-9405 of 2018.

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
6	BCHLCC630T	Drafting, Pleading and Conveyancing	100	Core Course	4

DRAFTING, PLEADING AND CONVEYANCING

Module I: Fundamentals Rules of Pleadings

- ☐ Meaning: Pleading and Conveyancing,
- ☐ Complaint structure,
- ☐ Written statement,
- ☐ Affidavit and
- ☐ Conveyancing,
- ☐ Verification of pleading,
- ☐ Object of verification,
- ☐ Amendment of Pleadings

Module II : General Principles of Civil Pleadings

- ☐ Suit for Part-performance of the contract ;
- ☐ Suit for specific performance of the contract ;
- ☐ Suit for recovery of money given on Interest (Money suit) ; Suit of damages ; Suit for restitution of conjugal rights ;
- ☐ Maintenance suit by wife ;
- ☐ Application under Section 13 Hindu Marriage Act (Divorce) ;
- ☐ Suit for recovery of rent or eviction of tenant ;
- ☐ Interpleader suit ;
- ☐ Suit for malicious prosecution ;
- ☐ Suit under Section 138 of Negotiable Instruments Act ;
- ☐ Application under Order 6 Rule 17 of Code of Civil Procedure (Amendment of Pleadings) ;
- ☐ Appeal (First) ;
- ☐ Execution Petition ;
- ☐ Revision ;
- ☐ Application for Temporary Injunction Order 39 Rule 2 of Code of Civil Procedure.

Module III General Principles of Criminal Pleadings

- Complaint;
- Application for Bail (Section 436, 437 of Code of Criminal Procedure) ;
- Application for Anticipatory Bail (Section 438 of Code of Criminal Procedure Code)
- Accused's reply;
- Criminal Appeal (Appeal against conviction).

Module IV: Conveyancing

- Notice and Reply to notice;
- General power of attorney;
- Special power of Attorney;
- Writ petitions: Habeas Corpus, Mandamus, Certiorari, Quo- warranto ;
- Sale deed;
- Partnership deed ;
- Lease deed/ Rent deed ;
- Promissory note ;
- Gift deed;
- Adoption deed;
- Will;
- Affidavit;
- Mortgage –deed.

Text & References:

1. R. N CHATURVEDI, Pleadings Drafting, and Conveyancing, Central Law publications.
2. Dr. Medha Kolhatkar, Drafting pleading, and conveyancing, Lexis Nexis.

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
6	BCHLDS641T	Federalism	100		4

Federalism

Module I . Introduction

Study of Different Patterns of Government with its merit and demerits; Democracy; Communism, Socialism, Oligarchy. Aristocracy, Monarchy, Theocracy, Colonialism etc. Evolution of a democratic government; Rule of law: Concept and new horizons Federation, Conditions requisite for federalism Patterns of federal government – Comparative Study of U.S.A., Australia, Canada.

Module II. Indian Constitution and Federalism

Constitution, Constitutional Law and Constitutionalism ,Historical evolution of the federal structure of Government in India and debate on federalism in Constituent Assembly , Freedom of Trade and Occupation, essential features and requisites of federal government, difference between confederation and federation, recent trend from Competitive to Co- operative federalism – from two to three tier government, from National to World federalism, Decentralization of power and federal structure, Role of Judiciary and power distribution’s debate.

Module III Distribution of Legislative and Administrative Powers: Constitutional Scheme Factors responsible for the management of supremacy of the Centre over the State-Debate and Discussion, Administrative relations,

Module IV Distribution of Fiscal Power and Tax, Revenue and Financial Equilibrium

Distribution of fiscal powers: Scheme of allocation of Taxing powers, Extent of Union Power of Taxation, Residuary Power, Restrictions of fiscal powers: Fundamental Rights; Restrictions on the State’s Power, Tax Immunities and various doctrines, Distribution of Tax, Revenue and Financial Equilibrium: Constitutional Perspective , Relation between Centre and State, GST,GST and its role on emergency period of financial Crisis

Module V: Niti Aayoga and Finance Commission: Constitution, Function and its role, Centre state relationship, Planning Commission:Constitution, Function and Jurisdiction, Niti Aayoga and Finance Commission and Planning Finance Commission-Centre State Coordination

Module VI Cooperative federalism :Development of Competitive to cooperative federalism; emerging trends; Full Faith and Credit Clause; Inter- State Council; Zonal Councils; Inter - State Water Dispute; National Integration Council.

Suggested Readings:

- Upendra Baxi, “Law, Democracy and Human Rights” – 5, Lokayan Bulletin 4 (1987)
- Salman Khurshid, Sidharth Luthra, et al. Judicial Review: Process, Powers, and Problems, Cambridge University Press; First edition(2020)
- V.M.Dandekar “Unitary Elements in a Federal Constitution” 22 E.P.W. 1965 (1988)
- Rajeev Dhavan, “the Press and the Constitutional Guarantee of Free Speech and Expression” 28 J.I.L.I. 299 (1986)
- M.P.Jain Indian Constitutional Law (1994), Wadhwa

- Rhett Ludkwikowski, “Judicial Review in the socialist Legal Systems: Current Development” 37 I.C.I.D. 89-108 (1988)
- H.M.Seervai, Constitutional Law of India (1993), Tripathi, Bombay
- Sudha Batnagar, Union-State Financial Relations and Finance Commissions, (1979)
- Ashok Chandra, Federalism in India, (1965)
- B D Dua, Indian Federalism in the New Millennium, Manohar Publishers and Distributors (2003)
- G.C.V.Subba Rao, Legislative Powers in Indian Constitution Law, Chs 37, 38, 39 (1982)
- Administrative Reforms Commission on Centre-State Relationship Ch.3 (1969)
- Constituent Assembly Debates Vol.9, 203, 240 and 302-349; Vol.10, 325-342
- Administrative Reforms Commission, Report of the Study Team on Central- State Relationship (1967) Vol1, Sections land 11, pp. IS-168
- Chanchal Kumar Sharma, Wilfried Swenden (ed.), Understanding Contemporary Indian Federalism Competing Perspectives, New Challenges and Future Directions, Routledge (2019)
- Louise Tillin, Indian Federalism: Oxford India Short Introductions (Oxford India Short Introductions Series), 2019
- Sarita, Federalism in India: A Quest for New Identity, Cambridge University Press (2009)
- K.C.Wheare, Federal Government (1963)

Case References:

- S.R. Bommai And Others Etc. vs Union Of India And Others Etc.(1994)
- Kuldip Nayar vs Union Of India & Ors (2006)
- K. Lakshminarayanan vs Union Of India (2018)
- Ranga Reddy District Sarpanches' ... vs Government Of A.P.(2004)
- State Of West Bengal & Ors vs Committee For Protection of Democratic Rights, West Bengal & Ors.(2010)
- Re: B.N. Ramakrishna Naidu And ... vs Unknown (1954)
- Kesavananda Bharati ... vs State Of Kerala And Anr (1973)

BCHLDS64	Securities and
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Total Marks : 100

Paper Code: BCHLDS642T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
6	BCHLDS642T	Securities and Financial Market Regulations*	100		4

SECURITIES AND FINANCIAL MARKET REGULATIONS*

Module I: Overview of Capital (Securities and Financial) Markets

1. Indian Capital Market
2. Authorities Governing Capital Markets in India
3. Profile of Securities Market
4. Securities Market Reforms and Regulatory Measures to Promote Investor Confidence
5. Features of Developed Capital Market: IOSCO
6. Overview of the Depository System in India

Module II: Market Infrastructure Institutions

1. Stock Exchanges
2. Functions and Significance of Stock Exchanges
3. Operations and Trading Mechanism of Stock Exchanges
4. Settlement of Securities
5. Surveillance Mechanism at Stock Exchanges
6. Demutualization of Stock Exchanges

Module III: Introduction to Securities Law

1. Securities Contracts (Regulation) Act, 1956
2. SEBI Act, 1992
3. Objective, Power and Functions of SEBI
4. Securities Appellate Tribunal

Module IV: Depositories Act, 1996

1. Role and Functions of Depository
2. Depository Participants
3. Admission of Securities
4. Dematerialization & Rematerialisation
5. Depository Process
6. Inspection and Penalties
7. Internal Audit and Concurrent Audit of Depository Participants

Module V: Issue and Listing of Securities

1. Listing of Securities
2. Issue of Capital and Disclosure Requirements (ICDR)
3. Procedure for Issue of Various Types of Shares and Debentures
4. Employee Stock Option Scheme and Employee Stock Purchase Scheme
5. Delisting of Securities

Module VI: Regulatory Framework relating to Securities Market Intermediaries

1. Primary Market and Secondary Market Intermediaries: Role and Functions
2. Merchant Bankers, Stock Brokers, Syndicate Members, Registrars, Underwriters, Bankers to an Issue, Portfolio Managers, Debenture Trustees, Foreign Institutional Investors, Custodians, Credit Rating Agencies, Venture Capitalists

Module VII: An Overview of Law relating to Insider Trading and Takeovers

1. SEBI (Prohibition of Insider Trading) Regulations 2015
2. SEBI (Substantial Acquisition of Shares and Takeovers) 2011

Module VIII: Investor Protection

1. Investors' Rights and Responsibilities
2. Investor Education and Protection Fund (IEPF) under SEBI Regulations and Companies Act, 2013
3. Financial Education
4. Investor Grievance Redressal Mechanism

Suggested Readings/

References Text Books:

- Raghvendra K. Singh and Shailendera K. Singh, Law and Regulation of Public Offering of Corporate Securities Oxford, 2016
- Marc I. Steinberg, Rethinking Securities Law, Oxford, 2021
- Chyil Sroff and UK Sinha, Cyril Amarchand Mangaldas's Treatise on Securities Law, Thomson, 2016
- Dr. Sudhanshu Kumar and Alok Verma, Guide to Capital Market and Securities Law
- Thomson Reuters 2021.

Reference Books:

- SEBI Manual, Taxman Publications.
- Dr. K.R Chandratre, Bipin S. Acharya, et.al. SEBI Compendium (A guide to listed Companies), Bharat, 4th Edition, 2011.
- Dr. V.A Avadhani, Investment and Securities Market in India, Himalaya Publishing House, Eighth edition, 2008.
- Securities Markets and Products, Indian Institute of Banking and Finance, 2011.
- K.Sekhar, Guide to SEBI Capital Issues, Debentures and Listing, 3rd edition, Lexis Nexis Butterworths Wadhwa Nagpur, 2003.
- S.R Myneni, Law of Investment and Securities, Asia Law House, 2006.
- Sumit Agarwal, Robin Joseph Baby, Amit Agarwal, Agarwal & Baby on SEBI Act, Taxmann, 2011.
- Dr. S. Gurusamy, Capital Markets, 2nd Edition, Tata McGraw-Hill publication.
- Rajesh Chakrabarti, Sankar De, Capital Markets in India, Sage Publications, 2010.

Total Marks : 100

Paper Code: BCHLDS643T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
6	BCHLDS643T	International Organisations*	100		4

SECURITIES AND FINANCIAL MARKET REGULATIONS*

Module I: GENESIS AND DEVELOPMENTS OF INTERNATIONAL ORGANIZATIONS

- Genesis, Nature of International Institutions and their place in the Contemporary World
- Definition and Classification of International Organisations Approaches to International Organisations
- Role and Functions in the Present Era, Indian Perspective
- Case study

Module II: PROCEDURES IN INTERNATIONAL ORGANIZATIONS

- Voting and Decision-Making.
- Membership, Representation & Withdrawal
- Withdrawal or Withholding of Financial Support
- Rule-making Powers
- Dispute Settlement and Interpretative Powers

Module III: POLITICAL AND LEGAL ORGANISATIONS

- League of Nations
- Constitutional Framework, Its functions and reason of failure.
- United Nations, UN Charter
- International Court of Justice, International Criminal Court, International Chamber of Commerce, Role of International Organisation in Arbitration
- International Law Commission
- Indian Perspective

Module IV: ECONOMIC, SOCIAL AND HEALTH RELATED ORGANISATIONS

- World Trade Organisation and its allied institutions
- UNHCR, UNEP, UNDP, ECOSOC, UNESCO, UNCTAD, WORLD BANK, IMF, OECD
- Indian Perspective, International Red Cross Committee

Module V: DIPLOMATIC AND SECURITY ORGANISATIONS, REGIONAL ORGANISATIONS

- United Nations Security Council, NATO, INTERPOL, IAEA
- Multilateralism and Regionalism; Regionalism versus Multilateralism: complementary or

competitive?

- Regional Trade Agreements (RTAs): meaning and objectives; Types of RTAs: PTA; FTA; Customs Union (CU); Common Market; Economic Union (EU); European and Third World regionalism
- Regional cooperation in South Asia, SAARC, ASEAN, SAFTA, SAPTA

Module VI: PROTECTING HUMAN RIGHTS THROUGH INTERNATIONAL ORGANIZATIONS

- Development of the UN Charter-Based Human Rights System and the New UN Human Rights Council
- The OAS & Inter-American Human Rights System
- The European Human Rights System

Text and References:

- The Year Book of International Organisations published by UIA (Available at <http://www.uia.org/yearbook>)
- International Organisations, Conferences and Treaties, Spectrum Publication, 4th Edition (2014)
- A Handbook on International Organisations by Sonu Trivedi, Atlantic Publication, 1st Edition (2005)
- The Law of International Organizations: Problems and Materials, 2nd ed. Michael P. Scharf (Carolina Academic Press 2007).
- International Organisations by Clive Archer, T&F Publication, 4th edition (2014)
- Abi-Saab, Georges (eds), The Concept of International Organisation (UNESCO, Paris, 1981).
- Archer, Clive, International Organisations (Routledge, London, 1992).
- Bennett, A. Le Roy, International Organisations: Principles and Issues (Prentice Hall, Englewood Cliffs, 1988).
- Stephen S. Goodspeed, Nature and Function of International Organisation, (1967)
- D.W. Bowett, Law of International Institutions, (1982)
- Hans Kelsen, Law of the United Nations (1954).
- Rahmathullah Khan, Implied Powers the United Nations (1954).
- M.S. Rajan, United Nations and Domestic Jurisdiction (1961)
- Leland M. Goodrich, Charter of the United Nations (1969)
- Journal of International Organization.
- C.F. Amerasinghe, Principles of International Organizations, Cambridge Publication

Total Marks : 100

Paper Code: BCHLDS644T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
6	BCHLDS644T	Introduction To Crime And Criminology*	100		4

INTRODUCTION TO CRIME AND CRIMINOLOGY

MODULE 1- INTRODUCTION TO CRIME

- 1.1 Crime: Nature and Definition
- 1.2 Characteristics of Crime in Modern Society
- 1.3 Causes of Crime

MODULE 2- SCHOOLS OF CRIMINOLOGY

- 2.1 Classical Theories of Criminology
- 2.2 Neo Classical Perspectives
- 2.3 Sociological School
- 2.4 Post Modern School

MODULE- 3- PERSPECTIVES OF CRIME

- 3.1 Functionalist Perspective:
- 3.2 Interactionist Perspective:
- 3.3 Feminist Perspective

MODULE 4- AIM, OBJECTIVE, PHILOSOPHY OF PUNISHMENT

- 4.1 Historical Development of Punishment
- 4.2 Theories of Punishment
- 4.3 Types of Punishment
- 4.4 Recent Trends

MODULE 5- HUMAN RIGHTS PERSPECTIVE

- 5.1 Prison reforms
- 5.2 Capital Punishment in Comparative Perspective
- 5.3 Gender and Crime
- 5.4 Green Criminology

SUGGESTED READING

- 1. Ahuja Ram. Criminology in India. Rawat Publications, Jaipur.
- 2. Ahuja Ram. Social Problems in India. Rawat Publications, Delhi and Jaipur.
- 3. Bhosale, Smriti. 2009. Female Crime in India. Kalpaz Publications, New Delhi.
- 4. Gill, S. S. 1998. The Pathology of Corruption. Harper Collins Publishers, New Delhi.
- 5. Haralambos and Holborn. 2007. Sociology: Themes and Perspectives. Collins, London.
- 6. Sutherland, Edwin and Donald R. Cressey. 11th Edn.. Principles of Criminology. Times of India Press, Bombay.
- 7. Giddens, Anthony. 2009. Sociology: 6th edition. Wiley INDIA edition.
- 8. Criminal Law, Criminology and Administration of Criminal Justice, K D Gaur, ISBN : 9789350355701, EDITION : 3rd, Lexis Nexis.
- 9. Larry Siegel, Criminology, 7 th Edition, Wadsworth Pub.. Australia 1999, pp. 4, 23

10. Katherine S. Williams, Textbook on Criminology, 3rd Edition, Universal Law Pub., New Delhi 1997, pp. 6 - 43
11. John Salmond, Jurisprudence: Responsibility and Criminal Liability, 11th Edition, Sweet and Maxwell Publication. London, 1989.
12. Nigel Walker Sentencing in a Rational Society by Nigel Walker

ARTICLES :

1. Greg Mantle, Darrell Fox and Mandeep K. Dhimi, Restorative Justice and Three Individual Theories of Crime, <http://www.intemetjournalofcriminology.com/Mantle> visited on 21st September, 2007
2. Barbara Perry, Where do we go from here: Researching Hate Crime, <http://www.intemetjournalofcriminology.com/Where>, visited on 21st September, 2007
3. G. Bensinger, Hate Crime - A New/Old Problem, Vol. 16 International Journal of Comparative and Applied Criminal Justice, (1992) p. 115

CASE LAWS:

- Pearson v. R., (1835) 168 All ER 1108 Pg 283
- Manindra Lai Das v. Emperor, AIR 1937 Cal 432 Pg 284
- Jethuram Sukhra Nagbanshi v. State of Madhya Pradesh, AIR 1960 MP 242 Pg 283
- Patrick Okeke v. State, (1966) All NLR 275 (Decided by Supreme Court of Nigeria) Pg 283
- R. v. Tandi, (1989) All ER 267 (AC) Pg 283
- State of Madhya Pradesh v. Chotelal, AIR 1959 MP 203
- Jai Lal v. Delhi Administration, AIR 1969 SC 15 Pg 68
- R. v. Clarke, (1972) 1 All. E. R. 21Pg 67

Total Marks : 100

Paper Code: BCHLGE650T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
6	BCHLGE650T	E-Commerce and its Application in Business	100		4

E-COMMERCE AND ITS APPLICATION IN BUSINESS

Module 1:

Overview of E-Commerce: Meaning, Importance in the context of today's business, Advantages of e-commerce as compared with traditional system of commerce, Difference between e-commerce and e-business, Internet and its relation to e-commerce, Mobile Commerce-Mobile phone as a device for M-Commerce.

Module 2:

Types of Business Models: Business to Consumer (B to C) model –Basic idea, major activities, major challenges. Essential components of B to C [portals, e-tailer, content provider, transaction broker], Real life example of B2C, Business to Business (B to B) model – Basic idea, major activities, types of B to B market [independent, buyer oriented, supplier oriented e-market place], Real life example of B2C, Concept of E-Governance.

Module 3:

E-CRM: Concept and definition, features, Goals of E-CRM business framework, Three phases of ECRM, Types of E-CRM, functional components of E-CRM, Strategies for E-CRM.

Module 4:

Introduction to ERP: Concept, Features, Modules of ERP, and Implementation phases of ERP with examples Data Warehousing.

Module 5:

E-Payment & E-Marketing: Describing concepts of Internet Banking and Inter-banking system such as NEFT & RTGS, Types of E-Payment –Payment card [Credit card, Debit card and Stored Value Card], Digital wallet, Role of Payment Gateway.

Module 6:

Security Issues: Security threats: Malicious Codes (Virus, Trojan Horse, Worm, Spyware) and remedial software, Hacking, Spoofing, Sniffing, Denial of Service (DoS) attacks. Security Concepts –Confidentiality (Data Encryption & Decryption, Symmetric and asymmetric encryption), Authentication (Digital Signature and Digital Certificate), Security Implementation Firewall, DMZ (De Militarized Zone), SSL, HTTPs, Significance of website auditing.

Module 7:

Tax Assessment Procedure and Filing: Meaning, Types, Different forms of Return under Income tax Act, 1961, who should file return under Income tax Act, 1961, concept of refund.

Module 8:

Application of Assessment Procedure and E-filing of Income Tax return: (a) Preparation and submission of the Income Tax Return (ITR) offline/online for individual taxpayer [e- filing without using DSC and with using DSC, EVC] (b) View form 26AS, Upload return, View e-file returns, e-verification (c) Use of e-tax calculator (including interest calculation u/s 234A, 234B, 234C) (d) E-Pay tax (Challan No./ITNS 280, ITNS 281) (e) Preparation and submission online form 10E [Relief u/s 89(1)]

Module 9:

Filing of GST: Filling of return: Meaning, Who should file Return, Types of GST Return Due dates for filling returns. (b) GSTR: Filing, Format and Rules (c) Different types of forms of return under GST (d) Preparation and filing of the GST Return [e-filing without using DSC and with using DSC, EVC]

Suggested Readings

1. Kenneth C. Laudon and Carlo Guercio Traver, E-Commerce, Pearson Education.
2. David Whiteley, E-commerce: Strategy, Technology and Applications, McGraw Hill Education
3. Bharat Bhaskar, Electronic Commerce: Framework, Technology and Application, 4th Ed., McGraw Hill Education

4. P T Joseph, E-Commerce: An Indian Perspective, PHI Learning
5. K K Bajaj and Debjani Nag, E-commerce, McGraw Hill Education
6. Sushila Madan, E-Commerce, Taxmann
7. Software: Singhania, V.K., E-Filing of Income Tax Returns and Computations of Tax, Taxmann
8. Software: “Excel Utility”, incometaxindiaefiling.gov.in

Total Marks : 100

Paper Code: BCHLCC710T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
7	BCHLCC710T	Interpretation of Statutes	100	Core Course	4

INTERPRETATION OF STATUTES

Section 1

1. Introduction
2. Nature and Extent of Programme in [Subject]
3. Aims of the Bachelor / Master Degree in Law
4. Graduate Attributes in the Subject (Optional)
5. Qualification Descriptors (Optional)
6. Programme Learning Outcomes (PLO)
7. Programme Structure (for all semester)

Course Name : Interpretation of Statutes; **Credit :** 4

8. Teaching - learning process
9. Assessment methods

Section 2

Course Learning Outcomes :

- CL01-** Understand the meaning of the statute, the kinds of statutes and the difference between interpretation and construction
- CL02-** Understand the various rules relating to the interpretation of statutes and analyse the techniques adopted by courts in construing statutes.
- CL03-** Evaluate the importance of the law-making process in the context of interpreting a statute
- CL04-** Understand and evaluate the matters to be reckoned with by legislature while enacting laws.
- CL05-** Analyse and evaluate the judicial interpretation.
- CL06-** Understand and analyse the Construction of words, phrases and expressions.

Module 1 : Principles of Legislation and Interpretation of Statutes

Topic : Law-making; Process of law-making; Meaning and Scope of "statute"; "interpretation" and "construction"; Purpose of Interpretation of Statutes. Judicial law-making- Judicial Activism

Description : Law-making - the Legislature, executive and the Judiciary; Process of law making- Relevancy of each step- draft- bill- Act-assent- Operation; Meaning of the term 'Statutes' - Its Commencement; Nature and Kinds of Indian Laws: Statutory, Non-statutory, Codified, Un-codified, State-made and State-recognised laws; Meaning and Scope of "statute". Meaning, Objects and Scope of "interpretation" and "construction". Legislative gap and Judicial Patchwork; Distinction between Morals and Legislation; Purpose of Interpretation of Statutes. Judicial law making- Judicial Activism- Judicial Restraint Basic Sources of Statutory Interpretation. Kinds of

Statutes; Different parts of a Statute.

Module 2 : Aids to Interpretation

Topic : Aids to Interpretation: internal and external aids

Description : Internal aids: Title; Preamble; Headings and marginal notes; Sections and sub-sections; Punctuation marks; Illustrations, exceptions, provisos and saving clauses; Schedules; Non-obstante clause.

External aids : Dictionaries; Translations; Travaux Preparatoires; Statutes in pari materia; Contemporanea Exposito; Debates, inquiry commission reports and Law Commission reports.

Module 3 : Rules of Statutory Interpretation

Topic : Primary Rules; Secondary Rules

Description : Primary Rules; Literal rule; Golden rule; Mischief rule (rule in the Heydon's case); Rule of harmonious construction; Secondary Rules; Noscitur a sociis; Ejusdem generis; Reddendo singula singulis

Module 4 : Presumptions in statutory interpretation

Topic : Statutes are valid; Statutes are territorial in operation; Presumption as to jurisdiction; Presumption against violation of international law; Presumption whether statutes affect the state; Presumption against impairing obligations or permitting advantage from one's own wrong; Prospective operation of statutes

Module 5 : Maxims of Statutory Interpretation and statutes in Pari Materia

Topic : Maxims of Statutory Interpretation; Delegatus non potest delegare; Expressio unius exclusio alterius; Generalia specialibus non derogant; In pari delicto potior est conditio possidentis; Utres valet potior quam pareat; Expressum facit cessare tacitum; In bonam partem; Statutes in pari material; Statutes in pari materia- meaning –need and relevancy; How to interpret statutes in pari material; Incorporation of earlier statutes into later and the interpretation thereof; Subsequent statutes are the parliamentary exposition of prior statutes

Module 6 : Interpretation with reference to the subject matter and purpose

Topic : Restrictive and beneficial construction; Interpretation of substantive and adjunctive statutes; of directory and mandatory provisions; enabling statutes; codifying and consolidating statutes; Interpretation of statutes conferring rights.

Description : Restrictive and beneficial construction: Taxing statutes; Penal statutes; Welfare legislation; Interpretation of substantive and adjunctive statutes; Interpretation of directory and mandatory provisions; Interpretation of enabling statutes; Interpretation of codifying and consolidating statutes; Interpretation of statutes conferring rights; Interpretation of statutes conferring powers

Module 7 : Principles of Constitutional Interpretation

Topic : Harmonious construction; Doctrine of pith and substance; Colourable legislation; Ancillary powers; "Occupied field"; Residuary power; Doctrine of repugnancy;

Module 8 : General Clauses Act, 1897

Topic : Important definitions- abet, act, immovable property, India, oath, person, rule, son, state, will, etc. Coming into operation of enactment; repeal- effect of repeal of Act making textual amendment in Act or Regulation; Revival of repealed enactments; Powers and functionaries; Provisions as orders rules, made under enactments

References :

- G.P.Singh, Principles of Statutory Interpretation, (7th Edition) 1999, Wadhwa, Nagpur.
- P. St. Langan (Ed.). Maxwell on The Interpretation of Statutes (1976) N.M.Tripathi, Bombay
- Narotam Singh Bindra; N.S. Bindra's Interpretation of Statutes, (2016) Lexis Nexis
- D. Neil MacCormick, Interpreting Statutes A Comparative Study, (2016) Routledge
- K.Shanmukham, N.S.Bindras's Interpretation of Statutes, (1997) The Law Book Co. Allahabad.
- V.Sarathi, Interpretation of Statutes, (1984) Eastern, Lucknow
- M.P.Jain, Constitutional Law of India, (1994) Wadhwa & Co.
- M.P.Singh, (Ed.) V.N.Sukla's Constitution of India, (1994) Eastern, Lucknow.
- U.Baxi, Introduction to Justice K.K.Mathew's, Democracy Equality and Freedom (1978) Eastern, Lucknow
- Prof. T Bhattacharya, The Interpretation of Statutes, Central Law Agency (2017)

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Total Marks : 100

Paper Code: BCHLCC720T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
7	BCHLCC720T	Principles of Taxation Law	100	Core Course	4

PRINCIPLES OF TAXATION LAW

Section 1

1. **Introduction :** As the country hurtles at full speed towards an era of renaissance period of social enlightenment and educational attainment, we depend on our fellow brothers and sisters to rise to the occasion and contribute towards this positive change. With our gaze constantly directed at the future, we aim to create atmosphere where the state is accountable to its citizens, and the citizens, to each other. Given that the Constitution of India forms the groundwork for the laws governing society, and therefore, society itself, it is truly desirable to not shroud the ground work behind a veil of legalese, but rather open it up to every man and woman under the sun.

We are poised at a turning point of history, one where every individual can feel ownership over his or her destiny, and this course will help bolster that. The law is the final bastion for beleaguered souls who are looking for protection from others' transgressions, and so it is but fitting that the law will be made accessible to all, not just in the form of lawyers, but also in the form of information.

Accordingly, three courses have been introduced under law as an optional subject in B.A.LL.B. / B.Com.LL.B. programmes to acquaint and enlighten the students with the basic principles of law. The optional course of law includes theoretical as well as practical approaches in its learning process. It is introduced to develop an understanding amongst the students about the evolution of the legal system prevalent in India. This course enables students to have an insight into the legal principles and their role in society. The course has been designed in such a manner as to explain to the students the legal concepts and principles so that they are well versed with the working of the legal system in the light of the Constitution of India. The role of justice in the legal system through the courts is highlighted in this course to enable the students to understand the importance of legal rights and remedies. The course thus would familiarize the students with the significant dynamics of the legal system and their day to day use in the society.

2. **Nature and Extent of Programme in [Subject]** : Law is referred as the subject of social sciences that studies rules and regulations that govern the behavior of human beings. It is a combination of philosophy, sociology, anthropology, political science, biology and all other allied streams in order to create an integrated system to ensure the just and equitable environment for the betterment of the society. It is thus, both the science of Justice and the art of Justice. It plays a crucial role in the systemisation and organization of human habitation. While it has a massive importance, its impact nevertheless has been crippled by lack of legal literacy which is one of the biggest hurdles towards the development and a smooth-functioning society. Considering the aforementioned significance of the subject, the course design will serve as a means to help the lay person conceptualise the quintessential aspects of the rule of law, empowering and uplifting the downtrodden.

The scope of law as a subject in B.A.LL.B./B.Com.LL.B. is very broad. The key areas of study within the disciplinary/subject area are: Introduction to Indian Legal System, General Principles of Law and Introduction to the Indian Constitution Course covers the topics that overlap with the areas outlined above and that address the interface so far with other subjects.

As part of the efforts to enhance the legal literacy, self-sufficiency and employability of B.A.LL.B. / B.Com.LL.B. graduates, the introduction of Law as an optional subject is expected to provide integrated learning experience towards actualisation of personal, professional and societal goals.

3. **Aims of the Bachelor / Master Degree in Principles of Taxation** : Introduction of Law as an optional subject in B.A.LL.B. / B.Com.LL.B. degree programme is aimed towards familiarizing the students with the law by enriching their understanding of the multi-faced role of law and to acquaint, train and equip students with a comprehensive knowledge of law, its origin, sources, foundations and its symbiotic relationship with the humans, society and institutions respectively.

The optional course aims to ensure that the knowledge of law, and the power that stems from such knowledge, is not concentrated in the hands of a small section of the society and thereby empower the common masses.

The course also aims towards enlightening the future generations with the reasons for the emergence of Constitution of India and its significance. It also aims to instill in the students the guiding values and philosophies envisioned by the founding fathers.

4. **Graduate Attributes in the Subject (Optional)** : Through the opportunities and training provided to students during the coursework, they are expected to be self-motivated and aspirational graduates, filled with confidence. They ought to possess the required skills and attitude to connect the knowledge of the legal discipline with complexities in the real world, to reflect their independent critical thinking and to transform them into skilled and equipped professionals with new perspectives by broadening their horizons.

The graduate attribute reflects the disciplinary knowledge and understanding of the students along with the skills and competencies that all students in different academic fields of study should acquire/attain and demonstrate. Some of the characteristic attributes that a graduate should demonstrate following areas:

Disciplinary Knowledge: Capable of demonstrating comprehensive knowledge and understanding of one or more disciplines that form a part of an under graduate programme of study.

Communication Skills: Ability to express thoughts and ideas effectively in writing and orally; Communicate with others using appropriate media; confidently share one's views and express herself/himself; demonstrate the ability to listen carefully, read and write analytically, and present complex information in a clear and concise manner to different groups.

Critical Thinking: Capability to analyse and evaluate evidence, arguments, claims, beliefs on the basis of empirical evidence; identify relevant assumptions or implications; formulate coherent arguments; critically evaluate practices, policies and theories to development knowledge and understanding.

Problem Solving: Capacity to extrapolate from what one has learned and apply their competencies to solve different kinds of non-familiar problems, rather than replicate curriculum content knowledge; and apply one's learning to real life situations.

Analytical Reasoning: Ability to evaluate the reliability and relevance of evidence; identify logical flaws and holes in the arguments of others; analyse and synthesize data from a variety of sources; draw valid conclusions and support them with evidence and examples, and addressing opposing view-points.

Research-related Skills: A sense of inquiry and capability for asking relevant/appropriate questions, synthesizing and articulating; Ability to recognize cause-and-effect relationships, define problems, formulate hypotheses, test hypotheses, analyse, interpret and draw conclusions from data, establish hypotheses, predict cause-and-effect relationships; ability to plan, execute and report the results of an experiment or investigation.

Cooperation/Team Work: Ability to work effectively and respectfully with diverse teams; facilitate cooperative or coordinated effort on the part of a group, and act together as a group or a team in the interests of a common cause and work efficiently as a member of a team.

Digital Literacy: Capability to use ICT in a variety of learning situations, demonstrate ability to access, evaluate, and use a variety of relevant information sources; and use appropriate software for analysis of data.

Self-directed Learning: Ability to work independently, identify appropriate resources required for a project, and manage a project through to completion.

Moral and Ethical Awareness/ Reasoning: Ability to embrace moral/ethical values in conducting one's life, formulate a position/argument about an ethical issue from multiple perspectives, and use ethical practices in all work. Capable of demonstrating the ability to identify ethical issues related to one's work, avoid unethical behaviour such as fabrication, falsification or misrepresentation of data or committing plagiarism, not adhering to intellectual property rights; appreciating environmental and sustainability issues; and adopting objective, unbiased and truthful actions in all aspects of work.

Leadership Readiness/Qualities: Capability for mapping out the tasks of a team or an organization, and setting direction, formulating an inspiring vision, building a team who can help achieve the vision, motivating and inspiring team members to engage with that vision, and using management skills to guide people to the right destination, in a smooth and efficient way.

5. **Qualification Descriptors (Optional) :** Students who complete five years of full time study of an undergraduate programme will be awarded bachelor's degree. Some of the expected learning outcomes that a student should be able to demonstrate upon the completion of the programme should include a coherent understanding of the subject and its related disciplinary areas. It should also include procedural knowledge and skills related in areas of one specialization and current developments. The graduate should be able to use his/her knowledge and skills to identify issues, collect data and evaluate it to formulate evidence based solutions.
6. **Programme Learning Outcomes (PLO) :** The programme is so designed as to acquaint, train and equip students with a comprehensive knowledge about the law, its bases and relationships with the human and institutional agencies. The students will be motivated to study the common principles and concepts of law to understand its reason, significance and emergence and also the ideological framework in the framers of the Constitution of India. Thus, the students are required to study these common principles and concepts of law so that they can form their own opinion as to how far the Constitution of India has incorporated the basic principles of law to ensure a just, equitable and secure environment for the protection of human rights, liberty and balancing the interests of the individuals and society at large.
Po1: Explore and Explain the Substantive and Procedural Laws in Which These Laws Are Drafted and How the Students Understand the Legislative, Administrative, Judicial and Quasi-Judicial Mechanism.
Po2: Ability to Communicate and Demonstrate Their Advocacy Skills; Pleading the Facts and Applicable Laws for The End of Justice.
Po3: Interpret and Analyze Socio-Legal and Technical Problems and Work for Resolution.
Po4: Promote Values of Rights and Duties and Apply These Values to Real Life Through Legal and Judicial Process for Promoting Community Welfare.
Po5: Apply Ethical Principles and Commit to Legal Professional Ethics, Responsibilities and Norms of The Established Legal Practice.
Po6: Understand the Impact of Solutions in Socio-Environmental Context and Demonstrate the Socio-Legal Knowledge of And Need for Sustainable Development.
Po7: Recognize the Need for And Have the Preparation and Ability to Engage in Independent and Lifelong

Learning in The Broader Context of The Changing Society.

7. **Programme Structure (for all semester)**

Course Name : Principles of Taxation Law; **Credit :** 4

8. Teaching - learning process

9. **Assessment methods :** Term-End Examinations, CIA, Assignments

Section 2

Course Learning Outcomes :

CL01- Students will understand the concepts and procedure of Taxation Law

CL02- Students will be able to determine tax liability of the assessee

CL03- Students will be well acquainted with the taxation mechanisms, both direct taxes and indirect taxes

CL04- Students will be able to analyze, synthesize, think critically, solve problems, and make decisions.

CL05- Students will be accustomed with the powers of the executive like income tax authorities, and know how to advise when an offence or penalty is committed.

CL06- To apply the Taxation Laws in various matters concerning taxation.

Module 1 : General Principles of Taxation Law

Topic : Fundamentals principles relating to Tax laws, Taxing powers and constitutional limitations, Tax Planning and tax management, Regulatory mechanism under Tax laws

Description : Preliminary Understanding of Tax Laws, Powers and Limitations under Constitution in regard to Taxes, Difference between Tax, Fee and Cess, Tax avoidance and tax evasion, Double taxation. Provisions for Appeals and Regulatory Mechanism under Tax Laws.

Module 2 : Basic Concepts of Income Tax

Topic : Definitions, Residential Status, Incomes not included in the Total Income, Income of Other Persons included in Assessee's Total Income, Income Tax Authorities, Offences and Penalties

Description Understanding of the various terms used in Income tax, Understanding of incomes not to be included in Total Income.

Module 3 : Tax on Sales and Services

Topic : Meaning of GST, Difference between VAT, Sales Tax and GST,

Description : Significance of GST, Pre-GST and Post-GST scenario, Offences and Penalties for non-compliance of GST

Module 4 : Excise and Custom

Topic : Structure of Excise and GST, Definitions in GST, Types of Duties

Description : Definition of Manufacture in GST, Classification of goods, Central Excise Act,

Customs Act in India, Goods under Customs Act, Various types of Duties

References :

- Iyengar, Sampath (Latest edition), Law of Income Tax new Delhi, Bharath Law House.
- Jain, Narayan (Latest edition), How to Handle Income Tax Problems , Book Corporation.
- Palkivala, N.A. (Latest edition), The Law & Practice of Income Tax , Nagpur : Wadha Publication.
- Parameswaran , K. (Latest edition) , Power of Taxation under the Constitution, Eastern Book Company
- Sharma, Remesh (Latest edition), Supreme Court on Direct Taxes, New Delhi : Bharath Law House.
- Singh S.D. (1973), Principles of Law of Sales Tax, Eastern Book Company.
- V. Ramachandran & T.A. Ramakrishnan (eds.) (Latest edition), A.N. Aiyar's Indian Tax Laws, Chennai: Company Law Institute of India Pvt. Ltd.
- Datey V.S., Indirect Tax, (Latest edition), Taxmann Publication
- Singhania And Singhania, (Latest edition), Student handbook on Income Tax including Service Tax and VAT

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Total Marks : 100

Paper Code: BCHLCC730T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
7	BCHLCC730T	Land Laws (Including Land Reform and Tenancy Laws)	100	Core Course	4

LAND LAWS

Section 1

1. Introduction
2. Nature and Extent of Programme in [Subject]
3. Aims of the Bachelor / Master Degree in Law
4. Graduate Attributes in the Subject (Optional)
5. Qualification Descriptors (Optional)
6. Programme Learning Outcomes (PLO)
7. Programme Structure (for all semester)

Course Name : Land Laws; **Credit :** 4

8. Teaching - learning process
9. Assessment methods

Section 2

Course Learning Outcomes :

CL01- To be suitable to become a good legal adjudicator in resolving land disputes

CL02- To understand the regulatory framework relating to land.

CL03- Understand the history of the land system in India

CL04- Have a fair idea about the West Bengal Land Reforms Act 1955

CL05- Have a fair idea of land acquisition and rehabilitation

CL06- Understand the modern trends of land legislation in India

Course Description : This course is an education offering to the global community of law professionals. Its purpose and content plans are centered on legal framework with specific emphasis to the land reforms and tenancy matters. This course is an introduction to legal industry specific disciplines. Law is a requisite to prepare legal documents and obtain the correct signatures of vesting property owners to ensure the document is legal and enforceable. This course provides an awareness of the disciplines involved in legal framework related to land.

Module 1 : Constitutional Perspectives

Topic : Fundamental Rights; Property as Legal Right; Agricultural Reform; Legislative Powers; The Union and the State Local Bodies; Constitutional Provisions on Agrarian Reform Legislation.

Description : History of Land revenue system in India; Doctrine of eminent domain: the doctrine of Escheat, Movement of Law reforms: Pre-Independent position; Agricultural Reform; Property as Legal Right; Fundamental Rights; Legislative Powers

The Union and the State Local Bodies; Constitutional Provisions on Agrarian Reform Legislation; Conflict between right to property & agrarian reform.

Module 2 : Post Independence Reforms

Topic : West Bengal Land Reforms Act, 1955

Description : Concept and definitions; Raiyats, restriction on alienation of land by persons belonging to Scheduled tribes, record of rights, ceiling on land held by a raiyat, bargadar, consolidation of lands- farming society, land revenue administration, dispute resolution mechanism

Module 3 : Changing Concepts of Land

Topic : Concept of Apartment and Flat; Benefits of Registration under the Act; Law Relating to Promoters & Developers

Description : The West Bengal Premises Tenancy Act, 1997; The West Bengal Apartment Ownership Act 1972, The Registration Act, 1908, The West Bengal Registration Rules, 1962

West Bengal Building (Regulation of Promotion of Construction and Transfer by Promoters) Act,

1993; Real Estate (Regulation & Development) Act 2016; West Bengal Housing Industry Act, 2017

Module 4 : Concept of Land Acquisition and Rehabilitation

Topic : West Bengal Estate Acquisition Act, 1953 with up-to-date amendments; West Bengal Urban Land (Ceiling & Regulation) Act, 1976; Land Acquisition, Rehabilitation and Resettlement Act, 2013; National Highways Act, 1956

Description : West Bengal Estate Acquisition Act, 1953 with up-to-date amendments; West Bengal Urban Land (Ceiling & Regulation) Act, 1976; Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013; Land Acquisition & the National Highways Act, 1956

References :

- Michael Lipton, Land Reform in Developing Countries: Property Rights and Property Wrongs, 2009, Routledge
- Michael Albertus, Property without Rights: Origins and Consequences of the Property Rights Gap, 2021, Cambridge University Press

Text Books :

- A. N Saha, The West Bengal Land Reforms Act, 1955, 9th Edition 2019, Eastern Law House, Kolkata
- Babu Sarkar; R. Cambray's Land Laws of West Bengal; 5th Edition 2022; R.Cambray & Co. Private Ltd.
- Justice M. R. Mallick, Kamal's Commentaries on West Bengal land Reforms Act, 1955, 11th Edition, 2020, Kamal Law House, Kolkata

Bare Acts (State Government Publications) :

- The West Bengal Apartment Ownership Act 1972
- Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
- West Bengal Estate Acquisition Act, 1953 with up-to-date amendments
- West Bengal Urban Land (Ceiling & Regulation) Act, 1976
- The West Bengal Building (Regulation of Promotion of Construction And Transfer by Promoters) Act, 1993
- Real Estate (Regulation & Development), 2016
- The West Bengal Premises Tenancy Act, 1997
- The Registration Act, 1908
- The West Bengal Registration Rules, 1962
- West Bengal Building (Regulation of Promotion of Construction and Transfer by Promoters) Act, 1993

- West Bengal Housing Industry Act, 2017
- National Highways Act, 1956

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Total Marks : 100

Paper Code: BCHLCC740T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
7	BCHLCC740T	Laws Relating to IPR	100	Core Course	4

LAWS RELATING TO INTELLECTUAL PROPERTY RIGHTS (IPR)

Module 1 : Introduction :

- What is intellectual property?: Jurisprudential origins and nature
- Basic concepts of intellectual property
- Types of intellectual property
- Intellectual property rights, economic development and social welfare: key issues
- International norms on intellectual property rights: India as a party to the Agreement on Trade Related Aspects of Intellectual Property Rights

Module 2 : Law relating to copyright (Copyright Act, 1957) :

- Meaning and characteristics of copyright – Originality and publication
- Subject matter of copyright
- Ownership of copyright
- Content of copyright – Broadcaster reproduction right and performer's right – Assignment and licencing
- Infringement and legal redress

Module 3 : Law relating to patents (Patents Act, 1970) :

- Meaning and characteristics of patent
- Subject matter of patent: Concept of invention – product patent and process patent

- Procedure for obtaining patent – provisional and complete specification
- Rights conferred on a patentee – Assignment and licencing of patent – Revocation and surrender of patents
- Infringement of patents and legal redress

Module 4 : Law relating to trade marks :

- Meaning and functions of trade mark
- Essentials – Features of distinctiveness
- Service Marks and Collective Marks
- Similar marks, nearly resembling marks and deceptively similar marks
- Registration of trade marks – Rights conferred
- Assignment, transmission and licencing of trade marks
- Infringement of trade marks and legal redress
- Goodwill and passing off

Module 5 : Law relating to industrial designs :

- *Designs Act, 2000*
- Definition of ‘design’ – novelty, originality and publication
- Registration of designs
- Rights conferred by registration
- Infringement and legal redress
- *Semiconductor Integrated Circuits Layout Design Act, 2000*
- Key concepts: Circuit, integrated circuit, semiconductors, transistor
- Registration of layout design
- Rights conferred by registration – Assignment and transmission
- Infringement and legal redress

Module 6 : Geographical indications and plant varieties :

- *Geographical Indications of Goods (Registration and Protection) Act, 1999*
- Meaning of geographical indication

- Registration
- Rights conferred on registration – assignment
- Protection of marks registered under the Trade Marks Act
- Infringement and legal redress
- *Protection of Plant Varieties and Farmers' Rights Act, 2001*
- Key concepts: Farmer, seed, breeder, variety, farmer's variety, extant variety, essential derived variety
- Registration of plant varieties – National Register of Plant Varieties
- Rights conferred in registration – Surrender and revocation
- Farmers' rights – rights of communities
- Compulsory licence

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Total Marks : 100

Paper Code: BCHLDS751T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
7	BCHLDS751T	Media and Law	100		4

MEDIA AND LAW

Section 1

1. Programme Structure (for all semester)

Course Name : Media and Law; **Credit :** 4

2. Teaching - learning process

The methodology is not a traditional lecture method but participatory teaching with discussion on socio-legal principles and precedents in the classroom. The students are informed in advance the topic for discussion and the topic of project / assignment they have to prepare. The students prepare their topics from the sources suggested to them. The students are also encouraged to do independent research on their respective assignments. In the classroom every student is required to present his /her topic / assignment and to have his / her doubt cleared through discussion. The teacher will be helping and guiding the students in their pursuits of learning.

9. Assessment methods

Section 2

Course Learning Outcomes :

- CL01-** Understand the concept of media along with various theories of media, historical background constitutional frame work etc.
- CL02-** Understand the relationship between media and law, media and human rights and the importance of regulation of media
- CL03-** Develop overall understanding of the various Legislative efforts on Broadcast sector, analyse the public policy issues on airwaves the evolution of internet as new media
- CL04-** Understand the concept of advertisement, advertisement and ethics and important legislations.

Module 1 : Media & Public Policy and ownership Pattern of Media

Topic : Origin, History, Constitutional framework and ownership Pattern of Media

Description : Disseminating the facets of Media, History of Media Legislation, Media in the Constitutional Framework, Different types of Media Owners.

Module 2 : Media - Regulatory Framework

Topic : Legal framework to regulate media

Description : Legal Dimensions of Media, Self-Regulation & Other Issues, Media Trials in India

Module 3 : Convergence & New Media

Topic : Understanding the new regime

Description : Understanding Broadcast Sector, Legislative efforts on Broadcast sector, Opening of Airwaves, The New Media of Internet

Module 4 : Media – Advertisement & Law

Topic : Advertisements, media ethics, representation of women

Description : Concept of Advertisement, Advertisement & Ethics, Advertisement Act of 1954, Indecent Representation of Women (Prohibition) Act, 1986, The Drugs and Magic Remedies (Objectionable Advertisement) Act of 1954, Issues of Consumer Protection, Competition Act 2002, Indian Penal Code and impact on Advertisements, International Theories on obscenity, Judicial tests on obscenity: Hicklin test to Community standards test, Media Terrorism

Module 5 : Cinema and Censorship and GAG order

Topic : GAG ORDER, Cinematograph Act 1952, Cinematograph Rule; Case Study

Description : GAG order; Critical Study of CBFC; Kind of Certifications; Case Study; Films Dhoom 2, Vishwaroopam, Urf professor, Inshallah Football, PK, Jolly LL.B

Module 6 : Media and other Contemporary Issues : Recent Controversial Issues

Topic : OTT, Social Media, Paid News, Opinion Polls, Radio Tapes,

Description : OTT & Censorship, Election Time- Paid News, Opinion Polls: Conflicting Paradigms, Privacy and Tapings.

Suggested Readings :

- Essays on press freedom, V R Krishna Iyer and Vinod Sethi, New Delhi, Capital Foundation Society, 1996
- Media Law, Peter Carey. 2nd ed., London, Sweet & Maxwell, 1996.
- Law of the Press, Durga Das Basu, 2nd ed., New Delhi, Prentice Hall Inc., 1986.
- Facets of Media Law- A mini encyclopedia covering multiple dimensions of Media Law, Madhavi Goradia Divan, 3rd ed., EBC Publications, 2022.
- Cases and materials on Media Law: Jethmalani, Ram and Chopra, D. S, Volume – 1, 1st ed., Thomson Reuters, 2012.
- Simon Gallant and Jennifer Epworth, Media Law: A Practical Guide to Managing Publication Risks, Sweet & Maxwell, 2000.

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Total Marks : 100

Paper Code: BCHLDS752T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
7	BCHLDS752T	Foreign Investment Law	100		4

FOREIGN INVESTMENT LAW

Module 1 : Origin and Development of International Investment Law :

Meaning of International Investment – Early History and Developments regarding international Investment – Calvo’s Doctrine – Hull’s Formula – Energy Charter Treaty – Origin of Bilateral Investment Treaties (BITs) and their dominant role in investment protection – New International Economic Order (NIEO) - Sources of International Investment Law – The Role of the World Bank and ICSID

Module 2 : Definition of Investment, Investor and Nationality :

Definition of investment in an IIA *with special reference to Fedex v. Venezuela & Salini v. Morocco* – Broad asset based definition v. narrow asset based definition of investment – Investment and Article 25 of ICSID Convention – FII as foreign investment – limitations of having FII in the definition of investment in an IIA – Arbitral award as investment – Definition of Investor – Private Foreign Investor – Nationality of investor - Individuals & Corporations – Article 25(2)(b) of ICSID Convention – Denial of Benefit Clause in Treaty - Shareholders as investors.

Module 3 : Regulatory rights and Protection of Foreign Investment :

Permanent sovereignty over natural resources - Concept of state’s exclusive jurisdiction over its territory and people - Different treaty models for admission and establishment - Positive and Negative list approach – Regulation of investment incentives – Prohibition of performance requirements - Conflict of interest between capital exporting and importing countries - Rights and

obligations of state regarding Natural Resources – The Charter of Economic Rights and Duties of States, proclaimed by U.N. General Assembly Resolution 3281 (XXIX).

Module 4 : Standard of treatment (MFN, National Treatment, FET) :

Most favoured nation treatment (MFN) - Introduction - Application of Most favoured nation treatment - Variation in MFN clause in treaty practice o Special legal relationship with investor and MFN treatment - Treaty shopping and the MFN rule in the procedural and substantive issues in the IIAs; what are the treaty based exceptions in the IIA – significance of the ‘like circumstances’ clause in the IIAs - National treatment (NT) - Introduction and general meaning of the concept - Application of National Treatment – Fair and equitable treatment (FET) - Concept - Nature and Origin of FET standard o FET and customary international law - Evolution of FET standard - Specific application of the FET standard – Legitimate expectation of investor and stability - Transparency – Due process as an element of FET.

Module 5 : Other standard of treatment (FPS, Access to Justice, MTP, Umbrella Clause and Non-Precluded Measures) :

Full protection and security - Concept - Standard of liability - Protection against physical violence and harassment – Legal protection - Relationship with customary international law – Access to justice, Fair procedure and Denial of Justice - Concept – Monetary Transfer Provisions – Concept – significance – types - Umbrella Clause – Concept – Significance - Non-precluded measures – General exception clauses in BITs – Significance of non-precluded measures clause – Interpretation by investment treaty arbitration tribunals *special reference to the Argentine economic crisis of 2001* - essential security interest clause in BITs.

Module 6 : Expropriation :

Expropriation as a principle in international law – difference with national law – understanding expropriation in international investment law - regulatory taking and direct taking – types of expropriation – Direct Expropriation – Creeping Expropriation – Partial Expropriation – linkages between expropriation and regulatory discretion - treaty exceptions in expropriation - relationship between expropriation and regulatory discretion - Court Actions as expropriation.

Module 7 : Investment arbitration :

State v. State dispute - Diplomatic Protection - Position under traditional international law - Conditions for diplomatic protection - Usefulness of diplomatic protection - Disadvantages of diplomatic protection - Direct disputes between states - Investor v. State dispute (ISDS) - role of domestic courts in ISDS - Arbitration institutions - ICSID - ICSID Additional Facility ▪ Non-ICSID investment arbitration – Limitations of ISDS – Fork in the Road clause – Exhaustion of Local Remedies Clause.

Readings :

- Dolzer, Rudolf and C. Schreuer (2012). Principles of International Investment Law (Oxford University Press: Oxford: 2nd edition),

- G Van Harten (2007) *Investment Treaty Arbitration and Public Law* (OUP: Oxford).
- J Salacuse (2010), *The Law of Investment Treaties*, (OUP: Oxford),
- K Vandevelde (2010) *Bilateral Investment Treaties: History, Policy and Interpretation* (OUP: New York)
- K Yannaca-Small (ed), *Arbitration Under International Investment Agreements* (Oxford University Press, Oxford/New York, 2010)
- M Sornarajah (2004). 'The International Law on Foreign Investment' (Cambridge University Press: 2nd edition: Cambridge)
- R Klager (2011) *Fair and Equitable Treatment in International Investment Law* (CUP: Cambridge).
- Stephan Schill, *Multilateralization of International Investment Law* (Cambridge University Press, Cambridge/New York, 2009)
- S Schill (ed), *International Investment Law and Comparative Public Law* (2010).
- Guzman, Andrew T., *Why LDCs Sign Treaties That Hurt Them: Explaining the Popularity of Bilateral Investment Treaties*, *Virginia Journal of International Law*, (1998).
- Hepburn, J., *Domestic Law in International Investment Arbitration* (OUP, 2017).
- Kim, C. M., *Issue Conflict in Investor-State Dispute Settlement: Focusing on the Challenges against Professor Francisco Orrego Vicuna in CC/Devas et al. v. India and Repsol v. Argentina*, 27 *Georgetown Journal of Legal Ethics* 621-641 (2014);
- Porterfield, Matthew C., *Exhaustion Of Local Remedies In Investor-State Dispute Settlement: An Idea Whose Time Has Come?*, 41 *Yale Journal of International Law* 1-12 (2015),
- Schill, S. W., *Enabling Private Ordering: Function, Scope and Effect of Umbrella Clauses in International Investment Treaties*, 18(1) *Minnesota Journal of International Law* 1 (2009);
- Small, K. Yannaca (eds.), *Arbitration under International Investment Agreements* (OUP, 2010)
- Subedi, S., *International Investment Law* (Hart Publishing: Oxford, 2008)
- Walde, T. W., *The "Umbrella" Clause in Investment Arbitration: A Comment on Original Intentions and Recent Cases*, 6 *Journal of World Investment & Trade* 183 (2005).
- Vandevelde, K.J., *Reshaping the Investor-State Dispute Settlement System: Journeys for the 21st Century* 23(3) *Transnational Corporations* 103-107 (2016)
- Brown, C. And K. Miles, *Evolution In Investment Treaty Law And Arbitration* (CUP 2011).
- Chaisse, Julien et.al. (eds.), *Asia's Changing International Investment Regime* (Springer, 2017)
- Cole, T., *The structure of investment arbitration*, (Routledge 2013).

- Dodge, W.S., Investor-State Dispute Settlement Between Developed Countries: Reflections on the Australia-United States Free Trade Agreement. 39(1) Vanderbilt Journal of Transnational Law 1-37 (2006).

Case References :

- People's Republic of Bangladesh, ICSID Case No ARB/05/07 (Decision on Jurisdiction)
- Fedax v. Venezuela, 37 ILM 1378 (1998)
- Salini v Morocco, Decision on Jurisdiction, 23 July 2001, 6 ICSID Reports 400;
- Malaysian Historical Slavers v Malaysia, Decision on Annulment, 16 April 2009.
- Saipem Spa v The People's Republic of Bangladesh, ICSID Case No ARB/05/07 (Decision on Jurisdiction) –
- White Industries Australia Limited v Republic of India, Final Award UNCITRAL (30 November 2011). - Petrobart Limited v Kyrgyzstan (Award) SCC Case No 126/2003 (29 March 2005); - AMTO LLC v Ukraine (Final Award), SCC Case No 080/2005 (26 March 2008)
- Maffezini v. Spain, ICSID Case No. ARB/97/7. Decision on Jurisdiction, 25 January 2000, 16 ICSID Rev-FILJ 212 (2001).
- Camuzzi International S.A. v. The Argentine Republic, ICISD Case
- CMS Gas Transmission Co v Argentina, ICISD Case No ARB/01/8;
- Enron Corporation v Argentina, ICSID Case No ARB/01/3;
- Enron Creditors Recovery Corp v Argentina ICSID Case No ARB/01/3 (Annulment Proceeding);
- Sempra Energy International v Argentina, ICSID Case No ARB/02/16;
- Sempra Energy International v Argentina, ICSID Case No ARB/02/16 (Annulment Proceedings);
- LG&E Energy Corporation v Argentina, ICISD Case No ARB/02/1; 7 ·
- Continental Casualty Company v Argentina, ICSID Case No ARB/03/9.
- Methanex v United States (Final Award), UNCITRAL-NAFTA, 3 August 2005
- SD Myers v. Canada, 40 ILM 1408 (2001).
- Metalclad v. Mexico ICSID Case No ARB (AF)/97/1 available on www.naftaclaims.com or 40 ILM 36 (2001).
- Santa Elena SA v. Costa Rica, ICSID Case No. ARB/96/1 Award 17 February 2000 available at www.worldbank.org/icsid/cases/santaelena_award.pdf or 15 ICSID RevFILJ 169 (2000).
- Methanex v United States (Final Award), UNCITRAL-NAFTA, 3 August 2005
- TECMED v Mexico, Award, 29 May 2003, 10 ICSID Reports 134.

- ADC Affiliate Ltd v Republic of Hungary, ICSID Case No ARB/03/16, 2 October 2006
- El Paso v Argentina, ICSID Case No. ARB/03/15, 31 October 2011
- Total SA v Argentina, ICSID Case No. ARB/04/01, 27 December 2010.

N.B. The above list of readings and cases are indicative and students are requested to refer further sources and cases.

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Total Marks : 100

Paper Code: BCHLDS753T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
7	BCHLDS753T	International Human Rights Law	100		4

INTERNATIONAL HUMAN RIGHTS LAW

1. Introduction to International Human Rights Law

Definition and nature of human rights
 Sources of international human rights law
 Human rights generations in the post-war world
 Classification of human rights

2. Fundamental Human Rights Documents

UDHR- Universal Declaration of Human Rights, 1948
 ICCPR- International Covenant of Civil and Political Rights, 1966
 ICESCR- International Covenant of Economic Social and Cultural Rights, 1966
 Regional human rights treaties

3. Human Rights Treaty-based Bodies

Nature of human rights treaty-based bodies
 Powers and functions of human rights treaty-based bodies
 Legislative, executive, and quasi-judicial role of human rights treaty-based bodies
 Impact assessment of human rights treaty-based bodies

4. International Human Rights Organizations

International organizations under the auspices of the UN System

Charter-based Human rights bodies

Treaty-based human rights bodies

Regional Human Rights organizations

5. Humanitarian Law

Definition and nature of the international humanitarian law

Sources of international humanitarian law

Core documents of international humanitarian law

ICRC- International Committee of Red Cross

6. Protection of the Internationally Vulnerable Groups

Vulnerable Groups: Refugees- Stateless population- victims of human trafficking

Vulnerable individuals under human rights treaties

Vulnerable under International humanitarian laws

Potential vulnerable: population of small-island states at high risk of inundation

Reference Books

- Philip Alston and Ryan Goodman, International Human Right: Texts and Materials (The Successor to International Human Rights in Context), Oxford University Press, 2013 (“Casebook”)
- Philip Alston, The Future of UN Human Rights Treaty Monitoring, Cambridge University Press, 2009.
- Bantekas and Oette, International Human Rights: Law and Practice (2013)
- Baxi, Upendra, The Future of Human Rights, New Delhi: OUP
- B.S. Chimni, International Refugee Law: A Reader, (Sage Publications: New Delhi).
- Robert Kolb, Advanced Introduction to International Humanitarian Law (Edward Elgar Publishing, 2014)

Total Marks : 100

Paper Code: BCHLDS753T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
7	BCHLDS754T	Comparative Criminal Law	100		4

COMPARATIVE CRIMINAL LAW

MODULE 1: Introduction to Criminal Justice Process

- Historical Evolution of Criminal Justice Systems
- Common Law System vs. Civil Law System
- Hybrid System vis-à-vis Contemporary justice system

MODULE 2: Machinery of the Criminal Justice System

- Role of the Police and its Obligations under the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) (India)
- Police Powers in England: Power of Stop, Entry, Search, Arrest, and Detention
- Police Powers in the USA: Rights of the Arrestee, Power to Stop, Frisk, Search, Seizure, and Arrest

MODULE 3: Investigation

- Framing of Charge under the BNSS (India)
- Charging Process and Case Management under the UK System, Prosecution of a Criminal Case
- Charging Process in the USA: Role of the Prosecutor and Charging Decision

MODULE 4: Role of Prosecution in the Criminal Justice System

- Prosecutor's role in a criminal trial
- Abuse of Process and Stay of Prosecution
- Witness Protection
- Stay of Proceedings

MODULE 5: Trial Procedure

- Trial Process in India under the BNSS
- System of Courts in the UK, Trial Process in the UK, Jury System
- Trial Process in the US: Preliminary Hearing, Grand Jury Hearing, Arraignment

MODULE 6: Sentencing and Correctional Administration

- Admonition, Probation, Open Prison, Community service and Parole

- Comparative Sentencing Principles
- Co-operating Prison administration
- Pre-Sentence Investigation and Sentencing
- Comparative Prison Administration

Suggestive Readings:

- K.N. Chandrasekharan Pillai (Rev.), R.V. Kelkar's Criminal Procedure (Latest edition)
- Robert L. Packer, The Limits of Criminal Sanction (1968)4.
- Glanville Williams, The Proof of Guilt (1963).5.
- Inbau, Thompson and Sowle, Criminal Justice Vol. II, Foundation Press (1968).6.
- Bloom, Robert M. ; Brodin, Mark S., Criminal Procedure: The Constitution and the Police ed.(2010)8.
- Singer, Richard G., Criminal Procedure II: From Bail to Jail, 2nd ed. (2011)10.
- Wakefield, Alison & Fleming, Jenny, The Sage Dictionary Of Policing 1st Ed.
- Damaska, M.R. The Faces of Justice and State Authority: A Comparative Approach to the Legal Process
- Delmas-Marty, M. European Criminal Procedures
- Bharatiya Nagarik Suraksha Sanhita, 2023
- Code of Practice for the Exercise by Police Officers of Statutory Powers of Stop and Search, UK
- American Civil Liberties Union (ACLU) reports on police practices
- Crown Prosecution Service (CPS) guidelines, UK
- U.S. Department of Justice guidelines on prosecution
- Indian Constitution articles related to fair trial
- Human Rights Act 1998, UK
- U.S. Supreme Court decisions on fair trial
- Judiciary of England and Wales guidelines
- Federal Rules of Criminal Procedure, USA
- Probation of Offenders Act, India
- Sentencing Council guidelines, UK
- U.S. Sentencing Commission guidelines

SEMESTER VIII

Sem.	Paper Code	Paper Title	Full Marks	Pass Marks	CIA			End Sem. Marks	Credits
					WT	OTH	ATT		
VIII	BCHLCC810T	Environmental Law	100	40	10	5	5	80	4
	BCHLCC820T	Banking and Insurance Laws	100	40	10	5	5	80	4
	BCHLCC830T	International Trade Law	100	40	10	5	5	80	4
	BCHLCC840T	Professional Ethics and Professional Accounting System	100	40	10	5	5	80	4
	BCHLDS851T	Health Laws*	100	40	10	5	5	80	4
	BCHLDS852T	Competition Law*	100	40	10	5	5	80	4
	BCHLDS853T	International Humanitarian and Refugee Law*	100	40	10	5	5	80	4
Total			500	Total					20

Total Marks : 100

Paper Code: BCHLCC810T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
8	BCHLCC810T	Environmental Law	100		4

ENVIRONMENTAL LAW

Modules I

Introduction of the environmental law

- Meaning, Definition, and Concept of Environment- Components of Environment, Biosphere, and Ecosystem
- Types of Environment
- Concept of Pollution– Sources of Pollution, Types of Pollution
- Effects of Pollution
- Nature and Scope of Environmental Law- Importance, Law as a tool for Environmental Protection
- Environmental Ethics and Politics on the Environment

Module II-

International Law and Environmental Protection

- History and Development of Environmental Protection under International Law-
- Major international instruments for environmental protection.
- Fundamental Principles of International Environmental Law

- United Nations Conference on Human Environment, 1972 (Stockholm Conference)
- Aims and Objectives of the Conference, Stockholm Declaration, 1972, Impact of Stockholm, UNEP- Vienna Convention & Montreal Protocol, World Charter for Nature, 1982.
- WCED- The Brundtland Commission, Brundtland Report 1987.
- United Nations Conference on Environment and Development (UNCED/Earth Summit)- Aims and Objectives of Conference, Rio Declaration 1992, Agenda 21, Convention on Biological Diversity, 1992, Statement of Forest Principles, UNFCCC
- Earth Summit Plus Five- Kyoto Protocol, 1997; Millennium Development Goals
- Johannesburg Conference 2002 (WSSD)- Johannesburg Declaration & Major Outcomes.

Module III-

History and Development of Environmental Law in India

- Environmental Protection in Ancient Indian tradition and Culture - Protection of Environment in ancient India and during the medieval period.
- Protection of Environment during the British Period- Major Legislations
- Protection of Environment during Post Independence Period- Pitambar Pant Committee, Tiwari Committee, NCEP, Department of Environment, MoEF.

Module IV⁵-

Legal Remedies

- Tortious and Criminal Liability
- Constitution and the environment

Indian Environmental Legislations (*Selected provisions with relevant case laws*)

- Pollution Control Acts
 - ✓ Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981
 - ✓ Water rights
- Protection of Forests and Wildlife Acts
 - ✓ Wildlife Protection Act
 - ✓ Indian Forest Act, 1927
 - ✓ The Forest (Conservation) Act, 1980
 - ✓ Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006
 - ✓ Protection of forests and climate change
- Environmental Protection Act
 - ✓ Hazardous materials
 - ✓ CRZ Notifications
 - ✓ Environmental Impact Assessment
- Biodiversity Act
 - ✓ Climate Change
- National Green Tribunal Act

Module V-

Indian Judiciary and Environment

- Sustainable development: Application
- Nuisance (Private and Public), negligence & strict liability

- Power of judicial review

Green Tribunal

- National Green Tribunal Act, 2010
- Some important decisions and controversy
- Climate change litigation

Module VI-

Emerging Issues in Environmental Law

- Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016
- Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2008
- Bio-medical Waste Management Rules, 2016.
- Industrial Accidents-Principle of 'No Fault' and 'Absolute' Liability.
- Public Interest Litigation
- Public Liability Insurance Act, 1991: Environment Relief Fund Scheme, 2008, Advisory Committee, Penalties.

⁵ 11th BOS- Module 4 and 5 has been merged together

- Noise Pollution: Articles 19(1) (a), 21 and 25 in relation to Noise Pollution.
- Noise Pollution under the Law of Torts, IPC and Cr.P.C

Suggested Readings:

1. P. Leelakrishnan, Environmental Law in India
2. Shyam Divan, Armin Rosencranz, Environmental Law and Policy in India: Cases, Materials and Statutes
3. S C Shastri, Environmental Law, 2022
4. P.B. Sahasranaman, Handbook of Environmental Law
5. S. Shanthakumar, Introduction to Environmental Law
6. Philippe Cullet (2011), Water Sector Reforms and Courts in India: Lessons from the Evolving Case Law.
7. Ramachandra Guha, Environmentalism: A Global History
8. Ramachandra Guha, Juan Martinez-alier, Varieties of Environmentalism: Essays North and South.
9. Lavanya Rajamani, The Oxford Handbook of International Environmental Law, Oxford University Press, 2021

Total Marks : 100

Paper Code: BCHLCC820T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
8	BCHLCC820T	Banking and Insurance Laws	100		4

Banking and Insurance Laws

Module I: Introduction to Banking law

Structure of Indian Banking - Origin of currency and Banking Industry - Definition of ‘bank’, ‘banker’, ‘banking’, ‘banking companies’ - Development of banking business and companies - Regulations and restrictions - Reserve Bank of India Powers and control exercised by the Reserve Bank of India - Role of RBI in stability of Indian Macro economy - Different Bank accounts and legal relation of Banker and customer

Module II: Recovery Process

Various laws governing Recovery actions: RDDBFI Act 1992, SARFAESI 2002, Insolvency and Bankruptcy Code 2016 - Bank Guarantees and letter of credit: laws governing and UCP guidelines - Issues in recovery laws and Bank Guarantees with respect to recent frauds in Banking Industry - FEMA in Banking Industry and issues involved in FEMA

Module III: Negotiable Instruments

Definition and Nature - Kinds of Negotiable Instruments - Promissory Note, Bill of Exchange, Cheque – Definition of Holder and Holder in Due Course - Rights of holder in due course;

Modes of Transfer of Negotiable Instruments – Negotiation, Assignment, Indorsement - Who can indorse - Kinds of Indorsement - Liability of Parties and Discharge of Parties from Liability on Promissory Note, bill of exchange and Cheque Liability of Maker, Drawer, Drawee and Indorser – Cancellation - Release - Payment - Material Alteration
 - Liabilities for Dishonour of Cheques - Dishonor of cheque for insufficiency of funds - cognizance of offences

Module IV: Introduction to Insurance Laws

Nature - History of Insurance in India - Insurance Regulatory & Development Authority Act, 1999: Its role and functions – Contract of Insurance: Classification of contract of Insurance – Nature of various Insurance – Insurance Contract, Insurable Interest, Premium: Definition, method of payment, days of grace, forfeiture, return of premium, Meaning and scope of risk, Causa Proxima – Types of insurance: Life Insurance, Fire Insurance, Marine Insurance

Module V: Laws relating to Life Insurance

Nature and scope of Life Insurance – Kinds of Life Insurance – The policy and formation of a life insurance contract – Event insured against Life Insurance contract – Circumstance affecting the risk – Amount recoverable under the Life Policy – Persons entitles to payment – Settlement of claim and payment of money, Life Insurance Act, 1956 – Insurance against third party rights.

Module VI: Laws relating to General Insurance

General Insurance Act, 1972, The Motor Vehicles Act, 1988 – Nature and scope – Absolute or no-fault liabilities – third party or compulsory insurance of motors vehicles
 – Claims Tribunal – Public Liability Insurance – Legal aspects of Motor Insurance – Claims Own Damages Claims – Third Party Liability Claims.
 Fire Insurance: Nature and scope of Fire Insurance – Basic Principles – Conditions & Warranties Right & Duties of Parties – Claims – Some Legal Aspects.
 Marine Insurance: Nature and Scope – Classification of Marine policies – Insurable interest – Insurable values – Marine insurance – and policy – Conditions and express warranties – Voyage deviation – Perils of sea.

Reference Books:

1. Tannan's Banking Law and Practice in India, 23rd edition, by M.L. Tannan, Publisher: Lexis Nexis, Butterworths Wadhwa, Nagpur (2010).
2. Insurance Law and Regulation: Cases and Materials, by Kenneth S. Abraham, Publisher: Foundation Press (2010).
3. Insurance Law: Doctrines and Principles, by Philip Rawlings, John P. Lowry, Publisher: Hart Publishing (UK) (2005).
4. Reforming Maritime and Commercial Insurance Law, by Dr Baris Soyer, Publisher: Lloyd's List (2012).
5. Tackling Insurance Fraud - Law and Practice, by Dexter Morse, Publisher: Lloyd's List (2004).
6. The Law of Banking and Financial Institutions by Richard Scott Carnell, Jonathan R. Macey, Geoffrey P. Miller, Publisher: Aspen

Publishers (2008). ·

7. Ellinger's Modern Banking Law 0005 Edition by C. V. M. Hare, E. P. Ellinger, E. Lomnicka, Publisher: Oxford University Press (2009).
8. Principles of Banking Law 0002 Edition by Ross Cranston, Publisher: Oxford University Press (2002).
9. Policies and Perceptions of Insurance Law in the Twenty-First Century New Ed Edition by Malcolm Clarke, Publisher: Oxford University Press, USA (2007).
10. Insurance and the Law of Obligations, by Jenny Steele, Rob Merkin, Publisher: Oxford University Press, USA (2013).
11. **Cases and Materials on Insurance Law** by Leo P. Martinez, Publisher: West (2010). · **Marine Insurance: Law and Practice** by F. D. Rose, Publisher: Lloyd's List (2012).
12. RBI's Instructions for Banks and Banking Operations 7th Edition by Taxmann, Publisher: Taxmann Publications Pvt. Ltd. (2010).

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
8	BCHLCC830T	International Trade Law	100		4

INTERNATIONAL TRADE LAW

Module 1: Introduction to GATT & WTO (UNCITRAL)

Concept and Nature of International Trade Law – Origins - Theories of International Trade - Globalization and International Trade - Trade and Sustainable Development Goals⁶ - Protectionism vs Free Trade – Development of GATT, 1947 – GATT Rounds of Negotiation Including Doha Round and After - WTO and GATT 1994 – WTO Framework and Covered Agreements – Plurilateral Trade Agreements – positions under GATT and WTO

Module 2: Non-Discrimination Principles and General Exceptions

Most-favoured-Nation Treatment (MFN) – background, history, meaning, scope, significance & advantages - Like products – scope and application – aim and effect test – the product and process National treatment principle (NT) – Origin & Scope, Meaning and significance - Exceptions to National Treatment Principle
Exceptions to MFN and National Treatment – General Exceptions – The Chapeau of GATT Article XX - Security Exceptions.

Module 3: Dispute Settlement Procedures (DSU Agreement)

Dispute settlement under GATT - merit & de-merit - Difference between the GATT and WTO dispute settlement procedures – Dispute Settlement Understanding (DSU) Agreement – Consultation – Dispute Panel Body – Appellate Body - Implementation of findings/decisions of WTO Dispute Settlement Body

Module 4: Agreement on Subsidies and Countervailing Measures

Identification of Subsidies that are subject to the SCM Agreement - Definition of Subsidy, Specificity - Regulation of Specific Subsidies - Prohibited Subsidies, Actionable Subsidies, Non- actionable Subsidies – Countervailing Measures - The Determination of Material Injury/Adverse Effects/Serious Prejudice.

Module 5: Agreement on Dumping and Anti-Dumping Duties

Understanding Dumping and Anti-dumping measures - Concept of Zeroing in Anti-Dumping investigations: Initiation, Evidence used in the Investigation, Key substantive issues: Dumping, injury and causation - Standard of review – Challenging AD measures in WTO Dispute Settlement

Module 6: Agreement on Safeguard Measures and Imposition of Technical Barrier to Trade

Relationship Between **Article XIX of GATT** and the Agreement on Safeguards - Conditions to be satisfied for imposition of Safeguard Measures - Injury requirement in safeguard measures -

Causation requirement - Characteristics of Safeguard measures
Requirement standards of the TBT Agreement - TBT Agreement Article 2.1 – National Treatment and Most Favoured Nation (meaning of ‘treatment no less favourable’) - TBT

⁶ ‘Trade and Sustainable Development’ was incorporated with the 11th BOS’s approval on 22 Dec 2023.

Agreement Article 2.2 – Obligation to base technical barriers to trade on international standards

Module 7: Export Trade transactions and International Commercial Contracts

Types of International Contracts - Standard Trade Terms: INCOTERMS (CIF, FOB, FAS) - Formation and Enforcement of International contracts - Rights Liabilities of Parties to Contracts – Introduction to Convention on Contracts for International Sale of Goods – Formation, Validity and performance of contracts - Bills of Exchange - Law Relating to Bills of Exchange - Letter of Credit: Types and the Law Relating to Commercial Credit

Module 8: General Agreement on Trade and Services (GATS)

The scope of GATS - General obligations and disciplines - MFN Principle (GATS Article II & Annex): Domestic regulations (GATS Article VI), Exceptions (GATS Article XIV) - Specific commitments (GATS Parts III-IV): Market access, National treatment, Additional commitments

List of Readings:

1. Bhala, Raj: Modern GATT Law: A Treatise on the General Agreement on Tariffs and Trade (Thompson, Sweet and Maxwell 2005)
2. Craig Van Grassek, The History and Future of the World Trade Organization, WTO Publications
3. Indira Carr: International Trade Law, Routledge-Cavendish; 3rd edition (12 July 2005)
4. Macrory, Patrick F.J. et al: The World Trade Organization: Legal, Economic and Political Analysis (Springer, 2005)
5. Matsushita, Mitsuo et al: The World Trade Organization: Law Practice and Policy (OUP, 2006)
6. Mavroidis, Petros C.: The General Agreement on Tariffs and Trade (OUP 2005)
7. Paul Krugman, Marc Melitz, Maurice Obstfeld: International Trade - Theory and Policy; Pearson, Edition: Tenth, 2017
8. Schnitzer, Simone: Understanding International Trade Law (Law Matters Publishing, 2006)

Total Marks : 100

Paper Code: BCHLCC840T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
8	BCHLCC840T	Professional Ethics and Professional Accounting System	100		4

PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM

Unit-1: Law and the Legal Profession:

Background, The Social Context of the Legal Profession, The Crisis of Legal Profession, Regulation of the Legal Profession, Self-regulation, Development of the Legal Profession in India before Independence, The Legal Profession in India after Independence, Legal Professionals and their Respective Roles, An Advocate's Right to Practice.

Unit-2: Professional Ethics in Law:

Core Values of the Legal Profession, Seven Lamps of Advocacy, Duty to Maintain Confidentiality, Duty to Address Conflicts of Interest.

Bar-Bench Relations, Judicial Accountability, Accountability of Judges, Accountability of Advocates, The Advocates Act, 1961.

Ethical and Professional Obligations of an Advocate, Standards of Professional Conduct and Etiquette for Advocates, An Advocate's Duty Towards the Society, An Advocate's Duty towards the Client, An Advocate's Duty towards the Court, An Advocate's Duty towards the Opponent, Rights of an Advocate.

Unit-3: Enrolment and Disenrollment:

Admission and Enrolment of Advocates, Disqualification for Enrolment, Professional Misconduct, Other Misconduct, Punishment for Professional and Other Misconduct.

Unit-4: Regulators and disciplinary proceedings:

Bar Council of India (BCI), Composition of BCI, Powers and Functions of BCI, Disciplinary Powers of BCI, Rule-making powers of BCI, State Bar Council (SBC), Composition of SBC, Powers and Functions of SBC, Disciplinary Powers of SBC, Rule-making Powers of SBC.

Unit- 5: Contempt

Contempt of Court, Origin, Development, Object and Constitutional Validity of Contempt Law, Basis and Extent of Contempt Jurisdiction, Contempt by Lawyers, Judges, State and Corporate Bodies, Contempt of Courts Act, Civil Contempt, Criminal Contempt, Punishment for Contempt, Defences to Contemnor, Contempt Cases.

Unit-6: Professional Accounting System:

Ethics of Accounting Regulation, Accountant as a Whistleblower, Taxation as an Ethical Issues, Ethics of Accounting and Auditing Bodies, Corporate Social Reporting. Accountancy for Lawyers, Types of Accounting, The Relevance of Book-keeping and Accountancy for Advocates, Single and Double-entry systems in Book-keeping, Maintenance of Balance Sheet.

Reading List:

1. Legal Ethics, Jonathan Herring, 2013, Oxford University Press.
2. Professional Ethics, Accountability for Lawyers and Bench-Bar Relations, D. N. Mathur, 2019, 1st Edition, Central Law Publications.
3. Legal Ethics and the Profession of Law, Yashomati Ghosh, 2014, LexisNexis.
4. Legal Ethics, Kailash Rai, 2013, 11th Edition, Central Law Publications.

Reference Books:

1. Dynamic Lawyering, V. R. Krishna Iyer, 2019, 1st Edition, LexisNexis.
2. Ethical Issues in Accounting, Catherine Gowthorpe and John Blake (edited), 2005, Taylor & Francis e-Library.

Total Marks : 100

Paper Code: BCHLDS851T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
8	BCHLDS851T	Health Laws*	100		4

Health Laws

Module I: Health as a Right

Concept of 'Health' in the Bill of Human Rights; The word 'Health' in the UN Charter; The 'Magna Carta' of Health; Constitution of the World Health Organization; Alma Ata Declaration; Health as a Human Right,

⁷ Some topics are removed and re- adjustment of modules are done and is recommended by 11th BOS held on 22nd December 2023

Module II: Medical Ethics

Development of concept of medical ethics, International conventions on medical ethics, . Code of Ethics Regulation

Module III: Overview of Legislations for the conduct of Medical Profession in India

Constitutional provisions relating to health, Overview of Legislations for the conduct of Medical Profession, The National Medical Commission Act, 2019

Module IV: General Laws pertaining to Health in India

Criminal law and health, Labor laws applicability to hospitals, Environment and health. Drugs and Cosmetics Act, Product liability for defective medicine – contractual liability, tortious liability, liabilities under the Consumer Protection Act. Laws pertaining to manufacture, sale, import, export and clinical research of drugs and cosmetics in India. The Epidemic Diseases Act, 1897.

Module V: Contemporary Challenges in Health Law in India

Reproductive health as a right; Termination of Pregnancy – Legal issues, Surrogacy and law, Disability and law, Legal protection of mentally ill persons with special reference to Mental Health Act, The Rights of Persons with Disability Act, 2016, Therapeutic and non-therapeutic research, Stem cell research; Transplantation of Human Organs and Tissues Act, 1994; Genomics and law

Prescribed Legislations:

- ❖ The Constitution of India
- ❖ Indian Penal Code, 1860
- ❖ Epidemic Diseases Act, 1897
- ❖ The Drugs and Cosmetics Act, 1940
- ❖ The Prevention of Food Adulteration Act, 1954
- ❖ The Maternity Benefit Act, 1961

- ❖ The Medical Termination of Pregnancy Act, 1971
- ❖ The Code of Criminal Procedure, 1973
- ❖ The Water (Prevention and Control of Pollution) Act, 1974
- ❖ The Narcotic Drugs and Psychotropic Substances Act, 1985
- ❖ The Environment (Protection) Act, 1986
- ❖ The Child Labour (Prohibition and Regulation) Act, 1986
- ❖ The Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992
- ❖ Pre-conception and Pre-Natal Diagnostic Techniques (Regulation and Prevention of misuse) Act, 1994
- ❖ The Transplantation of Human Organs Act, 1994
- ❖ The Food Safety and Standards Act, 2006
- ❖ The Clinical Establishments (Registration and Regulation) Act, 2010
- ❖ The Juvenile Justice (Care and Protection of Children) Act, 2015.
- ❖ The Rights of Persons with Disability Act, 2016
- ❖ The Mental Health Act, 2017
- ❖ The Consumer Protection Act, 2019
- ❖ The National Medical Commission Act, 2019
- ❖ The Surrogacy (Regulation) Act, 2021
- ❖ The Assisted Reproductive Technology (Regulation) Act, 2021

Prescribed Books:

- ❖ B. Sandeepa Bhat, Reflections on Medical Law and Ethics in India, Eastern Law House (2016)
- ❖ R. K. Bag; Law of Medical Negligence & Compensation, Eastern Law House (2015)
- ❖ Jaising P. Modi (Author), Justice K Kannan (Editor); A Textbook of Medical Jurisprudence and Toxicology, Lexis Nexis (2018)
- ❖ Sairam Bhat, Healthcare in India: An Introduction to Law and Legal System, Bloomsbury India, (2016).
- ❖ Sumeet Malik, Food Adulteration - Handbook of Food Adulteration and Safety Laws, Eastern Law House, 2nd Edition (2012).
- ❖ Bansal Ritika, Euthanasia - Appeal & Plea for Mercy Killing, Eastern Law House, (2013)
- ❖ Saman Naseem & Mohammad Naseem, Medical Law in India, Wolters Kluwer Law & Business (2014)
- ❖ Chaudhri, V. K. Medical Jurisprudence and Toxicology. Allahabad: Dwivedi Law Agency, 2007.
- ❖ Herring, Jonathan. Medical Law and Ethics. Oxford; New York: Oxford University Press, 2006.
- ❖ Chaudhri, V. K. Medical Jurisprudence and Toxicology. Allahabad: Dwivedi Law Agency, 2007.
- ❖ Dogra, T. D., and Rudra, Abhijit Lyon's Medical Jurisprudence and Toxicology. New Delhi: Delhi Law House, 2005.
- ❖ Herring, Jonathan. Medical Law and Ethics. Oxford; New York: Oxford University Press, 2006.

- ❖ Jackson, Emily. Medical Law. 2nd ed. London: Oxford University, Press, 2010.
- ❖ Kannan, Justice; Mathiharan.Dr. K. A. Textbook of Medical Jurisprudence and Toxicology. Nagpur: LexisNexis Butterworth Wadhwa, (1920).
- ❖ Lewis, Charles. Clinical Negligence: A Practical Guide. 6th ed. Haywards Heath: Tottel, 2006.
- ❖ Mason, J. K., et al. Mason &Mccall Smith's Law and Medical Ethics. 7th ed. Oxford: Oxford University Press, 2006.
- ❖ McLean, Sheila. Contemporary Issues in Law, Medicine and Ethics. Aldershot: Dartmouth, 1996.
- ❖ Miola, José. Medical Ethics and Medical Law: A Symbiotic Relationship. Oxford: Hart, 2007.

Case References:

- ❖ Samantha vs. State of Andhra Pradesh, AIR 1997 SC at 3326
- ❖ LIC of India vs. Consumer Education and Research Centre, AIR 1995 SC 1811
- ❖ Shantisar builders vs. Narayanan Khimalal Totame,(1990) 1 SCC 520
- ❖ People's Union for Rights vs. Union of India, AIR 1982 SC 1473
- ❖ Consumer Education and Research Centre vs. Union of India, AIR 1995 SC 923
- ❖ Lakshmi Kant Pandey vs. Union of India, AIR1984 SC 469
- ❖ Vincent Panikurlangara vs. Union of India, AIR 1987 SC 990
- ❖ Sukaroo Kabiraj vs. The Empress, I.L.R. 14 Cal. 566
- ❖ Sulaman Shamji vs. Emperor A.I.R. 1943 Bom 445
- ❖ Baishtab Charan Das vs. Upendra Nath Mitra, 3 C.W.N. 66
- ❖ Indian Medical Association V. V.P. Santha, (1995) SCC 651

Total Marks : 100

Paper Code: BCHLDS852T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
8	BCHLDS852T	Competition Law	100		4

COMPETITION LAW

Module I – Overview & Introduction

Evolution & Growth of competition law – Nature & Scope of competition law and policy – Theoretical foundations of competition law – Models of Competitive Market – Monopoly; Monopsony; Oligopoly; Monopolistic; Perfect Competition and Workable competition – Liberalization and Globalization – Raghavan Committee Report, Competition Act 2002; an Overview of Competition Law in India, Important Definitions and basic concepts under the Competition Act, 2002 – Efficiency; Allocative Efficiency; Productive Efficiency; Dynamic Efficiency; Market – Types of Market – Relevant Product market; Relevant Geographic Market – Enterprise – Agreement – Cartel – Consumer.

Module II – Regulation of Anti-Competitive Agreements

Anti- Competitive Agreements under the Competition Act, 2002. Appreciable Adverse Effect on competition in the Market. Determination of Relevant Market – Rule of Reason and Per se rule – Horizontal and Vertical restraints, Exemption, Penalties, Prohibition of Anti- Competitive Agreements – Cartel – Determination and Regulation of Cartel – Predatory Pricing, bid rigging.

Module III – Regulation of Abuse of Dominant Position

Introduction – Dominance in the Market – Difference between monopoly and dominant position – Relevant Market – Appreciable Adverse Effect on Competition in the Market (AAEC) – Abusive Conducts under the Competition Act 2002 – Penalties – Prevention of Abuse of Dominance - Refusal and abuse of dominant position - Pricing strategies and abuse of dominant position - Treatment of abuse of dominant position under USA, EU, UK, Australia.

Module IV – Regulation of Combinations

Combinations: Concept and regulatory framework in India – Merger, Acquisition, Amalgamation and Takeover – Horizontal, Vertical and Conglomerate Mergers – Different tests for studying the impacts of combinations in the market – Unilateral and co-ordinate effects of combinations – Foreclosure – Failing firm - Creeping acquisitions – Regulation of Cross- border combinations – Combinations covered under the Competition Act 2002 – Regulations, Penalties.

Module V – Enforcement Mechanisms

Enforcement Mechanisms under the Competition Act, 2002 – Competition Commission of India (CCI) – Constitution of the CCI – Powers and Functions – Jurisdiction of the CCI – adjudication and appeals – Director General – Removal of Competition Appellate Tribunal (CAT) – Introduction of NCLAT – Appellate Tribunal.

Module VI – Competition Advocacy and Emerging Trends in Competition Law

Competition Advocacy in India and other jurisdictions – Concept of Leniency Program – Possibility in India – Position in the US – Relation between Intellectual Property Rights and Competition Law - Relation between International Trade Law and Competition Law.

References:

1. Abir Roy & Jayant Kumar, Competition Law in India, Eastern Law House, New Delhi.
2. Competition Act, 2002 – Principles and Practices by Dr. V.K. Agarwal
3. Kristy Middleton, Barry Rodger & Angus Mac Culloch, Cases and Materials on UK and EC Competition Law, Oxford University Press, 2003.
4. Maher M. Dabbah, EC and UK Competition Law: Commentary, Cases and Materials, Cambridge University Press, 2004.
5. Mark Furse, Competition Law at the EC and UK, 6th – 2008, Oxford University Press
6. Richard Whish, Competition Law, Oxford University Press, 2008.
7. S.M. Dugar, Commentary on MRTP Law, Competition Law & Consumer Protection Law, 4th ed., 2006, Wadhwa Nagpur.
8. T Ramappa, Competition Law in India: Policy, Issues and Developments, 3rd ed. 2013, Oxford University Press, New Delhi.
9. Vinod Dhall (ed.), Competition Law Today, Oxford University Press, 2007.

Total Marks : 100

Paper Code: BCHLDS853T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
8	BCHLDS853T	International Humanitarian and Refugee Law	100		4

International Humanitarian and Refugee Law

Module I Introduction

Introduction and definition of International Humanitarian Law, Origin and development of International Humanitarian Law, Geneva convention, Hague Peace Conferences, Marten Clause and Jus ad bellum and jus in bello distinction

Module II
Application of International Humanitarian Law
Classification of armed conflicts into International and non-international, Additional Protocol I and its effects

Module III
Protection of Civilians, Occupation Law and Direct Participation in Hostilities Protection of Civilians, Balance between military necessity and humanity, Legal status of occupied territories, Rights & duties of occupying powers

Module IV

Means and Methods of Warfare

Means of combat, The principle of prohibition of unnecessary suffering , Explicit prohibitions or restrictions on certain weapons, Conventional weapons , Development of new weapons Methods of Combat Military objectives, Protection of civilian objects, Protection of works and installations containing dangerous forces, Protection of environment during armed conflicts, Protection of cultural property during armed conflicts

Module V

Combatants and Prisoners of War

Status of combatants and Prisoners of war, Grave breaches of Geneva Conventions & Additional Protocol I

Module VI

Introduction to International Refugee Law

Global Population Movements & Forced Migrations in Historical Retrospect. Status of Migrants Post-Colonial Approaches To Forced Migration

Module VII

Sources of International Refugee Law

The Global Standards of Human Rights, Evolutionary Development of 1951 UN Convention relating to the Status of Refugees (UNCSR) with its 1967 Additional Protocol (1967-AP), Regional Sources of IRL

Module VIII

The Institution of Asylum, Possibility of the expansionization of grounds of Asylum beyond durable solutions under International Refugee protection regime and Global compact on migration

Principles, Concept and Definition of Asylum, The Development of Asylum Policies; Deterrence and Interdiction Policies; Access to Asylum Procedure, Examination of Asylum Applications and Exploring the Possibility of Expanding the Grounds of Asylum. Human Rights Guarantees Governing Asylum Procedure; Non-refoulement, Non-discrimination, The Principle of Family Unity and the Right to Family Reunification,

Module IX

Internal Displacement, Statelessness, Forced Migration, Climate Change and Climate Refugees

Concept of Internal Displacement, Globalization, Forced Migration and Refugee Issues in Developmental Political and Historical Perspective, The Protection of Stateless Persons

Module X

The Contemporary issues in International Refugee Law & New Developments and Challenges to the protection of refugees and forced migrants and perspectives on the future.

International Refugee Law and Strategies towards Interpretative Harmony.A Comparative Analysis of the Applications of the 1951 Convention, Reforming the International Refugee Regime, Forced Migration, Refugee Trafficking and the Securitization of Migration in a Post- 9/11 World.

Suggested Readings for International Humanitarian Law:

- ❖ Dinstein, Yoram, The Conduct of Hostilities under the Law of International Armed Conflict (2nd edn, Cambridge University Press 2010)

- ❖ Fleck, Dieter (ed), *The Handbook of International Humanitarian Law* (2nd edn, OUP 2008)
- ❖ Frits Kalshoven and Liesbeth Zegveld, *Constraints on the Waging of War: An Introduction to International Humanitarian Law* (4th edn, ICRC, Geneva 2011)
- ❖ Kennedy, David, *Of Law and War*, (Princeton 2006)
- ❖ Mani, V.S. (ed), *Handbook of International Humanitarian Law in South Asia* (OUP 2007)
- ❖ Sassòli, Marco, Bouvier, Antoine A. and Quinti, Anne, *How does Law Protect in War? Cases, Documents and Teaching Materials on Contemporary Practice in International Humanitarian Law*, (3rd edn, ICRC, Geneva 2011)

Suggested Readings for International Refugee Law

- ❖ Chimni, B.S. *International Refugee Law: A Reader*, New Delhi: Sage Publications, 2000
- ❖ Chimni, B.S. *The Birth of a Discipline: From Refugee to Forced Migration Studies*, (2009) *Journal of Refugee Studies* 22 (1), pp. 11-29.
- ❖ Goodwin-Gill, Guy S., McAdam, Jane, *The Refugee in International Law*, Third Revised Edition, Oxford University Press, 2007
- ❖ James C. Hathaway (1990), *A Reconsideration of the Underlying Premise of Refugee Law*, *Harvard International Law Journal*, 31, pp. 129-83.
- ❖ M. Rafiqul Islam, Md. Jahid Hossain Bhuiyan, *An Introduction to International Refugee Law*, Martinus Nijhoff Publishers, April 2013, ISBN: 9004226168, 9789004226166

CORE TEXTS/INSTRUMENTS/DOCUMENTS:

- ❖ 1948 Universal Declaration of Human Rights [Article-14]
- ❖ 1951 UN Convention Relating to the Status of Refugees [Article-33 (1)]
- ❖ 1967 United Nations Declaration on Territorial Asylum
- ❖ 1984 UN Convention Torture (CAT) [Article-3]
- ❖ UNHCR Agenda for Protection, October 2003, pp. 68–75.
- ❖ UNHCR Handbook Voluntary Repatriation: International Protection, 1996, pp. 7–40
- ❖ 1950 UN Statute of the Office of the United Nations High Commissioner for Refugees
- ❖ 1951 UN Convention Relating to the Status of Refugees, 1951
- ❖ 1967 UN Additional Protocol UN Convention Relating to the Status of Refugees, 1951
- ❖ UNHCR Handbook for the Protection of Internally Displaced Persons.
- ❖ UNHCR, Agenda for Protection, October 2003, pp. 68–75.
- ❖ 1990 UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 18 December 1990
- ❖ 1990 UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, December 18, 1990 (Entered into force on 1 July 2003)
- ❖ Text-International Bill of Rights,
- ❖ Text-International Humanitarian Law (IHL)
- ❖ Text-International Organization Migration- (IOM)
- ❖ Text-International Refugee Organization- (IRO),
- ❖ Text-Nansen Passport-1922 (League of Nations),
- ❖ Text-Statute of the United Nations High Commissioner for Refugees-1950 (Statute of UNHCR)

- ❖ Text-UNHCR Executive Committee (EXCOM) Conclusions [Handouts]
- ❖ Text-United Nations Charter-1945 (UN Charter) [Preamble, Articles]
- ❖ Text-Universal Declaration of Human Rights-1948 (UDHR)
- ❖ Text-Works International Committee of Red Cross- (ICRC)

Case References:

- ❖ Peoples' Union For Civil Liberties [PUCL] v. Union Of India and Another, AIR 1997 SC 568
- ❖ D.K Basu v. State Of West Bengal, AIR 1997 SC 610
- ❖ Prem Shankar Shukla v. Delhi Administration, 1980 SCC 526
- ❖ Citizens for Democracy v. State of Assam, 1995 SCC 743
- ❖ R v Sec. of State for Home Dept. ex parte. Jeyakumaran [1985]
- ❖ Salibian v Minister of Employment and Immigration [1990]

- ❖ INS V Stevic
- ❖ INS v Cardoza-Fonseca
- ❖ Matter of Mogharrabi
- ❖ R v Sec. of St. for Home Dept ex p Sivakumaran:
- ❖ Matter of Chan
- ❖ Guo v Carroll
- ❖ Kovac v INS
- ❖ Borca v INS
- ❖ St. for Home Dept. v. Savchenkov (UK) - Claims based on Gender.
- ❖ Morato v Min for Immigration, Local Government and Ethnic Affairs (Australia)
- ❖ Matter of Acosta, 19 I&N Dec. 211 (BIA 1985),
- ❖ Matter of CA, 23 I&N 951(BIA 2006)
- ❖ Benitez Ramos v. Holder, 589 F.3d 426 (7th Cir. 2009),
- ❖ Islam (A.P.) v. Secretary of State for the Home Department; Regina v. Immigration Tribunal and Another Ex Parte Shah (A.P.), [1999] (H.L.)
- ❖ A. v. Minister for Immigration & Ethnic Affairs (1997) 142 A.L.R. 331 (Austl.)
- ❖ Secretary of State for the Home Department v K; Fornah v Secretary of State for the Home Department [2006] UKHL 46, 18 October 2006, para. 84.
- ❖ Golchin v Sec. of State for Home Dept
- ❖ Matter of Toboso-Alfonso
- ❖ In Re Inaudi
- ❖ Campos-Guardado v INS
- ❖ Lazo-Majano v INS
- ❖ Fatin v INS
- ❖ Fisher I
- ❖ Fisher II
- ❖ Matter of A and Z
- ❖ In Re Fauziya Kasinga, 21 I&N 357 (BIA 1996)
- ❖ Negusie v. Holder, 555 U.S. 511 (2009) □ Fedorenko v. United States, 449 U.S. 490 (1981)
- ❖ A. B. v. Refugee Appeals Tribunals and Minister for Justice, Equality and Law Reforms, [2011] I.E.H.C. 198 [2008] 667 Ir. Jur. Rep. (5th May, 2011) (H.Ct.) (Ir.)
- ❖ INS v. Elias-Zacarias, 502 US. 478 (1992)
- ❖ Eshonkulov v. Russia, ECtHR, Strasbourg, 15 January 2015

- ❖ S.M.H. v. The Netherlands, ECtHR, Strasbourg, 15 January 2015
- ❖ Hirsi Jamaa and Others v. Italy, ECtHR, Strasbourg, 23 February, 2012
- ❖ Mohammad Sediq v. Union of India (UoI) And Others, August 21, 1998
- ❖ National Human Rights Commission v. State Of Arunachal Pradesh & Another, 1996 AIR 1234, 1996 SCC (1) 742
- ❖ Sale v. Haitian Centers Council, 509 U.S. 155 (1993)
- ❖ State Of Arunachal Pradesh v. Khudiram Chakma, 1994 AIR 1461, 1993 SCR (3) 401
- ❖ U. Myat Kayew and Another v. State of Manipur and another, November 26, 1991
- ❖ Husayn (Abu Zubaydah) v. Poland, ECtHR, Strasbourg, 24 July 2014
- ❖ Karlsson v. Sweden (1988)
- ❖ M.S.S. v. Belgium and Greece, ECtHR, Strasbourg, 21 January, 2011
- ❖ Obst v. Germany, ECtHR, Strasbourg, 23 September, 2010
- ❖ Shuth v. Germany, ECtHR, Strasbourg, 23 September, 2010

SEMESTER : IX

Total Marks: 100

Paper Code: BCHLCC910T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
9	BCHLCC910T	Labour Law- I	100		4

COMPULSORY PAPER

LABOUR LAW I

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Learning Objectives:	L01- Students will possess knowledge and understanding with the provisions for settlement of industrial disputes in India;
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	L02: Students will familiarise with the importance of the basic concepts used in it and the social responsibilities imposed on the employer in certain situations in tune with constitutional mandate brought about by various amendments to the act in the post-constitutional period. L02- Students will possess the ability to perform: • Application of the legal principles regulating social security and welfare legislations. • Legal research and solve the legal problem regarding the industrial dispute, trade union and social security issues. • Problem solving • Written communication in the legal context • Oral communication in the legal context L03- Students will understand the various legal framework and different social security and welfare legislations for achieving higher economic growth tempered with social justice.
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Course Outcomes:	C01- To familiarize the students with the provisions for settlement of industrial disputes through conciliation, voluntary arbitration and compulsory adjudication and to bring home to the students the importance of the basic concepts used in it and the social responsibilities imposed on the employer in certain situations in tune with constitutional mandate brought about by various amendments to the act in the post-constitutional period.
	C02- To understand and analyse the need for enactment of the law related to Trade Unions, which declares trade unions as legitimate bodies, provides immunities to the registered trade unions, their members and office bearers against the general law liabilities, namely, restraint of trade and conspiracy, both civil and criminal, as long as the primary object is to further legitimate trade union objectives in a peaceful manner.
	C03- To familiarize the students with the need for providing uniform statutory conditions of service in the form of certified standing orders under the Industrial Employment (Standing Orders) Act, 1946.
	C04- To understand and analyse whether the present legal framework and various social security and welfare legislations provided by the state is adequate to meet the challenges of globalization and to keep the students abreast of the latest developments in the present economic order and discuss critically

	the resultant changes that need to be made in industrial relations law for achieving higher economic growth tempered with social justice.
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Module I: Historical Perspective on Labour:

Labour through the ages – slave labour – guild system – division on class basis – labour during feudal days; Labour – capital conflicts: Profit motive, exploitation of labour, poor working conditions, poor bargaining power, unorganized labour, surplus labour, division of labour and super-specialisation, lack of alternative employment; From Laissez faire to Welfare State: Transition from exploitation to protection and from contract to status.

Concept and Growth of Labour Jurisprudence in India: Evolution and Development of Labour Legislations in India in Pre-independence and Post-Independence phase; Constitution of India and Labour, Concept of Social Justice and Labour; International Labour Standards and their implementation in India.

Module II: Law Relating to Industrial Relations

Industrial Disputes Act, 1947 – Historical Development; Scope and applicability of Act; Definitions – Appropriate Government; Workman; Industry; Industrial Disputes; Award; Settlement; Public Utility Service; Strike; Lock Out; Retrenchment; Lay Off; Closure, etc.; Reference and Settlement of Industrial Disputes, Works Committee, Conciliation Officers, Board of Conciliation, Court of Inquiry, Labor Court, Industrial Tribunal, National Industrial Tribunal, Reference Power of Government, Voluntary Arbitration, Procedure and Powers and Duties of Authorities; Strikes; Lock Outs; Lay-Off; retrenchment; Unfair Labor Practices; Representation of Parties; Protection of Worker Representation; Industrial Employment (Standing Orders) Act, 1946: Draft Standing Order; conditions for certification of standing orders; appeals; Register of Standing Orders; Temporary application of model standing orders.

Module III: Trade Unionism in India

History of Trade Union Movement; Definitions; Registration of Trade Unions; Rights and Liabilities of Trade Unions; Immunities and Privileges of a Registered Trade Union; Trade Union Funds Trade Recognition of Union; Collective Bargaining; Amalgamation; Dissolution of Trade Unions; Concept of Collective Bargaining.

Module IV: Legislations relating to Social Security and Labour Welfare for Workers of the Organised Sector in India

Social Security: Concept, Origin and Development in India; Employees Compensation Act, 1923- Employees' Compensation – Employer's Liability – Commissioners – Rules; Employees' State Insurance Act, 1948-Objects, salient features, application and definitions, dependent, employment, employee, apprentice, family manufacturing process, factory, occupier, disablement, wages, expenses from ESI fund, contribution; recovery of contributions, benefits; Philosophy of Labour welfare in India; Welfare of Women and Child Labour; Factories Act, 1948- Introduction, Scope, Applicability, Definitions: factory, occupier, manufacturing process, hazardous process, worker, approval, Licensing and Registration of Factories, Notice by Occupier, Duties of Occupier and Manufacturer, Health, Safety and Welfare Measures, Working hours of Adults, Employment of Young Persons, Leaves and Wages, Special Provisions; Maternity Benefit (Amendment) Act, 2017- Objects, salient features, application and definitions, prohibition of employment during certain periods, right to payment of maternity benefit; powers and duties of inspectors; Equal Remuneration Act, 1976; Child Labour (Prohibition and Regulation) Amendment Act, 2016; Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Module V: Industrial Relations Code, 2020.

The laws relating to trade unions, conditions of employment in industrial establishment or undertaking, investigation and settlement of industrial disputes.

Teaching Pedagogy Used

Sl. No.	Description	Used (Yes/ No)
1	Lecture	Yes
2	Practical	Yes
3	Demonstration	No
4	Discussion	Yes
5	Assignments	Yes
6	Tests	Yes
7	Others (Please Specify):	Case studies, Illustrations, Problems and Mock Trials Audio/ Video relevant to the topic

Prescribed Legislation:

- ❖ The Industrial Disputes Act, 1947
- ❖ The Trade Unions Act, 1926
- ❖ The Factories Act, 1948
- ❖ The Maternity Benefits Act, 1961
- ❖ The Industrial Employment (Standing Orders) Act, 1946
- ❖ INDUSTRIAL RELATIONS CODE, 2020

Prescribed Books:

- ❖ B. Pai, Labour Law in India (2001)
- ❖ L. Malik, K.D. Srivastava's Law Relating to Trade Unions and Unfair Labour Practices in India (4th ed., 2002, with Supplement 2003)
- ❖ C. Srivastava (Rev.) Labour Law and Labour Relations : Cases and Materials (Indian Law Institute, 2007)
- ❖ M. Rao, O.P. Malhotra's The law of Industrial Disputes (6th ed., 2004)
- ❖ D. Srivastava, Industrial Employment (Standing Orders) Act, 1946 (4th ed., 1998 with Supplement 2003)
- ❖ P.L. Malik : Industrial Law; Eastern Book Company; 34, Lalbagh, Lucknow.
- ❖ N.D. Kapoor : Handbook of Industrial Law; Sultan Chand & Sons, 23, Darya Ganj, New Delhi – 110002.
- ❖ S.S. Gulshan & : Economic, Labour and Industrial Laws; Sultan Chand & Sons, 23, G.K. Kapoor Daryaganj, New Delhi- 2.
- ❖ P. L. Malik : Labour and Industrial Laws (Pocket Edition); Eastern Book Company, 34, Lalbagh, Lucknow- 226 001.
- ❖ H.L. Kumar : Labour Laws; Universal Laws Publishing Co. Pvt. Ltd., G.T. Karnal Road, Delhi – 110033.
- ❖ Labour & Industrial Laws (Legal Manual) : Universal Law Publishing Co. Pvt. Ltd., G.T. Karnal Road, Delhi – 110033.

Case References:

- ❖ People'S Union For Democratic ... vs Union Of India & Others (1982)
- ❖ All India Reporter Karamchari ... vs All India Reporter Limited And Ors (1988)
- ❖ Balwant Rai Saluja & Anr Etc.Etc vs Air India Ltd.& Ors (2013)

- ❖ Calcutta Chemical Co. Ltd. And ... vs D.K. Barman And Anr. (1968)
- ❖ Surendra Kumar Verma Etc vs The Central Government (1980)
- ❖ The Associated Cement Companies ... vs Its Workmen & Another (1959)
- ❖ Mumbai Kamgar Sabha, Bombay vs M/S Abdulbhai Faizullabhai & Ors (1976)
- ❖ Gurmail Singh And Ors. Etc. Etc vs State Of Punjab And Ors (1990)
- ❖ Secretary, Madras Gymkhana Club ... vs Management Of The Gymkhana Club (1967)
- ❖ Sambasivan & Ors vs State Of Kerala, (1988)
- ❖ Sabitri Motor Service Ltd. vs Asansol Bus Association (1950)
- ❖ Jay Engineering Works Ltd. And ... vs State Of West Bengal And Ors. (1967)
- ❖ Central Machine Tool Institute, ... vs Asst. Labour Commissioner And ors (1978)
- ❖ The B.E.S.T. Workers' Union vs P.B. Kerkar (1978)
- ❖ Santuram Khudai vs Kimatrai Printers & Processors (1977)
- ❖ E. Balanandan And Anr. vs State Of Kerala And Anr. (1978)

Total Marks: 100

Paper Code: BCHLCC920T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
9	BCHLCC920T	Alternate Dispute Resolution	100	Core Course	4

COMPULSORY CLINICAL PAPER

ALTERNATE DISPUTE RESOLUTION

L	T	P	C
4	1	0	4

Course Outcomes

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

CO -1	The purpose of alternative dispute resolution (ADR) is to develop skills related to various ADR mechanisms among the students
CO -2	Promote the ADR mechanisms among the students and Legal fraternity

	and to provide a platform of deliberations and discussion related to ADR
CO -3	The object of studying the given subject is to comply with the Directive Principles of the State Policy of securing for the entire citizen the operation of the legal system promoting justice & also for providing free legal aid as enshrined in Article 39 A read with Article 21 of the Constitution. To put it in simple words the object is to imbibe the sense that all irrespective of caste, creed, religion and economic condition have right of access to justice.
CO -4	Imparting the essence provisions of Section 89 Code of Civil Procedure
CO -5	The students will learn as to how the concept of Alternative Redressal System can be made meaningful.
CO -6	The Unit will help the students to get the practical knowledge about the methods learned in the Negotiation and Mediation.

Unit-1: Introduction:

Overview of the concept of Alternate Dispute Resolution, Key Concepts in Dispute Resolution, Kinds of Disputes, Justiciable dispute, Dispute Resolution in adversary system, Court structure and jurisdiction.

Unit-2: Arbitration & Conciliation Act 1996:

Arbitration & Conciliation Act 1996: UNCITRAL model law, Arbitration and conciliation, Arbitration and expert determination, Extent of judicial intervention, International commercial arbitration, Dispute Resolution at grass root level - Meaning, Nature and Genesis of Alternative Dispute Resolution, Forms of ADR Mechanism, Nyaya Panchayath, Ombudsman.

Unit-3: Legal Services Authorities Act, 1987

Legal Services Authorities Act, 1987, Historical background of Legal aid and legal services, Legal Service, NALSA, SLISA, DLSA, Legal Services Committees, Finality, PLA, Lok Adalats, Pre-Litigation, Entitlement of legal services, Court Annexed Mediation Centers, Legal services Clinic.

Unit-4: Part V Code of Civil Procedure

Unit-5: Arbitration and Conciliation

Stages of Arbitration Proceedings, Composition of Arbitral Tribunal, Extent of Judicial Intervention, Interim Measures, Power of Court to refer Parties to Arbitration, Jurisdiction of Arbitral Tribunal, Competence, Competence of Arbitral Tribunal, Conduct of Arbitral Proceedings, Place of Arbitration, Arbitral Award, Termination, Enforcement, Conciliation and its Mechanism

Unit-6: Negotiation and Mediation

Comparison & difference, Theories, Development and its types, Qualities & duties of Negotiator and Process for Negotiation, Qualities & duties of Mediators

Unit-7: Case studies

Keshvananda Bharti v. State of Kerala, Hossainara Khatun v. State of Bihar, Khatri v. State of Bihar, Sukhdas v. Union Territory

Teaching Methodology:

The methodology is not a traditional lecture method but participatory teaching with discussion on socio-legal principles and precedents in the classroom. The students are informed in advance the topic for discussion and the topic of project / assignment they have to prepare. The students prepare their topics from the sources suggested to them. The students are also encouraged to do independent research on their respective assignments. In the classroom every student is required to present his /her topic / assignment and to have his / her doubt cleared through discussion. The teacher will be helping and guiding the students in their pursuits of learning.

Suggested Readings:

1. O.P. Malothra, The law and practice of Arbitration & Conciliation (2nd ed., LexisNexis Butterworths, New Delhi 2006).
2. P.C. Rao & William Sheffield, ed., Alternative Disputes Resolution- What it is and how it works? (Universal Law Publishing Co. Pvt. Ltd., New Delhi, 2006).
3. P.C. Markanda, Law relating to Arbitration and Conciliation, (7th ed., LexisNexis Butterworths, Nagpur, 2009)
4. Basu. N.D, Law of Arbitration and Conciliation (9th ed., Universal Law Publishing Co. Pvt. Ltd., New Delhi, 2000).

Further Readings:

1. G. K. Kwatra, The Arbitration and Conciliation Law of India (Universal Law Publishing Co. Pvt. Ltd., New Delhi, 2000).
2. Surendra Malik, Supreme Court on Arbitration (Eastern Book Co, Lucknow, 2003).
3. Annual Survey of Indian Law, (ILI, New Delhi).
4. Redfern and M. Hunter, Law and Practice of International Commercial Arbitration (Student Edition, Sweet and Maxwell, London, 2003).

Statutes to be Referred:

1. Arbitration and Conciliation Act, 1940
2. Arbitration and Conciliation Act, 1996
3. Legal Services Authorities Act, 1987
4. Lokpal Bill
5. UNCITRAL Model Law

Total Marks: 100

Paper Code: BCHLCC930T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
9	BCHLCC930T	Cyber Law	100	Core Course	4

COMPULSORY PAPER

CYBER LAW (INFORMATION TECHNOLOGY LAWS)

L	T	P	C
4	1	0	4

1. Programme Structure (for all semesters):

Semester: IX									
Course Code	Course Name	Nature of the Course	FM	PM	CIA Marks			End Sem. Marks	Credit
					W T	OT H	AT T		
BAHLCC / BHLCC	Cyber Law (Information Technology Laws)	CC	100	34	10	5	5	80	4
Total =				Total =					
ACRONYMS (as applicable)									
CC: Core Courses			FM: Full Marks			PM: Pass Marks			
DS: Discipline-Specific Electives			T: Theory			P: Practical			
GE: Generic Electives			WT: Written Test			OTH: Other Component			
AE: Ability Enhancement Compulsory Courses			ATT: Attendance			V: Viva			
SE: Skill Enhancement Courses			J: Project			F: Field Work			
AC: Additional Compulsory Courses (Foundation)			A: Foundation Course						

Note: For all the Semester (Semesters in the programme)

Course Outcomes:

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

CO-1	Understand the basics of Information technology and the Internet as well the International scenario.
CO -2	The focus is to highlight the constitutional and human rights in cyberspace and the need to protect the right of the individual.
CO -3	It will discuss the importance of the Information Technology Act, of 2002, and help the student to understand the practical implications of the Act.
CO -4	The central focus of the Unit is the analysis of various kinds of cyber-crimes in Indian society and their prevention. The Unit will also concentrate on the importance of 'evidence' and 'computer forensic'.
CO -5	It will help the students to learn the interface between Cyber-crime and Intellectual Property rights and protection against violation. It will further help to understand the application of the Internet in business transactions including digital signatures.

Unit 1: Introduction

Computers and its Impact on Society, Overview of Computer and Web Technology, Generations of Computers and Artificial Intelligence (AI), Need for Cyber Law, Cyber Jurisprudence at International and Indian Level, Cyber Torts.

Cyber Law- International Perspectives: UN & International Telecommunication Union (ITU) Initiatives, Council of Europe- Budapest Convention on Cybercrime, Asia-Pacific Economic Cooperation (APEC), Organization for Economic Co-operation and Development (OECD), World Bank, Commonwealth of Nations, Jurisdiction, Concept of Jurisdiction, Indian Context of Jurisdiction and IT Act, 2000.

Unit 2: Constitutional & Human Rights Perspective: Issues and Challenges

Freedom of Speech and Expression in Cyberspace, Right to Access Cyberspace – Access to the Internet, Right to Privacy, Right to Data Protection.

Unit 3: Legislative Framework relating to Information Technology and E-Governance

Purpose and object of Information Technology Act, 2000, concept of Information Technology (use of computers to store, retrieve, transmit and manipulate data); understanding cyberspace, scope and regulation; internet, e-mail and worldwide web; use of- academics, e-commerce (B2B, B2C, C2C), social networking by individuals; Interface of information technology and law; current challenges- mobiles, cyber security, cloud computing and data privacy, misuse of social media, Electronic Governance, role of the Authorities, Penalties.

Unit 4: Cyber Crimes

Introduction to Cyber Crime, Cyber Crimes vs. Conventional Crime, Reasons for cybercrimes and cyber criminals, Classification of Cyber Crimes, Crime against Organisation (Govt., Firms, Companies and Society at large), Crime against Property, Crime against Persons. Hacking, Digital Forgery, Cyber Stalking/ Harassment, Cyber Pornography, Identity Theft & Fraud, Cyber terrorism, Cyber Defamation, other offenses under IT Act, 2000. Importance of Information Technology as evidence and other relevant aspects of- Indian Evidence Act, Computer Forensic, and Relevant provisions of Bharatiya Nyaya Sanhita (BNS) will be dealt with

Unit 5: Intellectual Property with reference to Information Technology and E-Commerce

Interface with Copyright Law, Interface with Patent Law, Trademarks & Domain Names Related issues, Dispute Resolution in Cyberspace; E-Commerce- Concept, E-commerce-Salient Features, Online contracts, Click Wrap Contracts, Applicability of Indian Contract Act, 1872, Digital Signature, International Law and Jurisdictional Issues in Cyberspace.

Text Books:

1. Vakul Sharma, Information Technology- Law and Practice, Universal Law Publishing Co., 2019.
2. Chris Reed & John Angel, Computer Law, OUP, New York, (2007).
3. Justice Yatindra Singh, Cyber Laws, Universal Law Publishing Co, New Delhi, (2012).
4. Verma S, K, Mittal Raman, Legal Dimensions of Cyber Space, Indian Law Institute, New Delhi, (2004).
5. Jonthan Rosenoer, Cyber Law, Springer, New York, (1997).
6. Sudhir Naib, The Information Technology Act, 2005: A Handbook, OUP, New York, (2011).
7. Vasu Deva, Cyber Crimes, and Law Enforcement, Commonwealth Publishers, New Delhi, (2003).
8. Apar Gupta, Commentary on Information Technology Act, with Rules, Regulations, Orders, Guidelines, Reports and Policy Documents, Lexis Nexis, 2015.
9. Pavan Duggal, Cyber Law- An exhaustive section wise Commentary on the Information Technology Act along with Rules, Regulations, Policies, Notifications etc., Universal Law Publishing, 2017.

Reference Book:

1. Cyber Crisis Management: Overcoming the Challenges in Cyberspace
2. Internet Law, by Ashwin Madhavan and Rodney D Ryde
3. S. R. Bhansali, Information Technology Act, 2000, University Book House Pvt. Ltd., Jaipur (2003).
4. The Information Technology Act, 2002
5. Indian Evidence Act, 1872
6. Digital Forensics and Cyber Crime: 10th International EAI Conference, ICDF2C 2018, New Orleans, LA, USA, September 10–12, 2018, Proceedings, Springer Publication.
7. Eoghan Case, Digital Evidence and Computer Crime: Forensic Science, Computers, and the Internet, Elsevier Inc., 3rd ed., 2011.

List of important judgments:

1. *Shreya Singhal v. Union of India*
2. *My Space Inc. v. Super Cassettes Industries Ltd.*
3. *Sanjay Dhande v. ICICI Bank and Vodafone*
4. *Google India Pvt. Ltd. v. M/s. Visaka Industries Ltd.*

Total Marks: 100

Paper Code: BCHLDS941T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
9	BCHLDS941T	Citizenship Law	100		4

CITIZENSHIP LAW

Module I	Introduction
	1. Basic concepts: Nationality and citizenship
	2. International human right to nationality
	3. Citizenship as a recognition of personhood before law
Module II	Citizenship in India and the Constitution
	1. Significance of citizenship in constitutional rights jurisprudence
	2. Constitutional provisions conferring citizenship: Partition migrants

	and persons of Indian origin
	3. Single citizenship: meaning and significance – Fundamental right to freedom of movement
Module III	Citizenship Act, 1955 and Citizenship Rules, 2009
	1. Acquisition of citizenship
	1.1 Citizenship by birth – Citizenship (Amendment) Act, 1986
	1.2 Citizenship by descent
	1.3 Citizenship by registration
	1.4 Citizenship by naturalisation – illegal migrant and Citizenship (Amendment) Act, 2003
	2. Hybrid nationality
	2.1 Overseas Citizens of India: Citizenship (Amendment) Acts of 2005 and 2015 – Registration and conferment of rights
	2.2 Persons of Indian Origin: significance and subsequent merger with the Overseas Citizens of India scheme
	3. Termination of citizenship
	3.1 Renunciation
	3.2 Acquisition of foreign citizenship
	3.3 Deprivation
	3.4 Termination of overseas citizenship – Renunciation, cancellation of registration
Module IV	Contemporary developments
	1. Assam Accord and National Register of Citizens
	2. Citizenship (Amendment) Act, 2019

Total Marks: 100

Paper Code: BCHLDS942T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
9	BCHLDS942T	Corporate Governance	100		4

SPECIALIZATION PAPER

CORPORATE GOVERNANCE

Module I	Introduction 1. Terminology 2. The Corporate Structure 3. Benefits and Problems of the Corporate Form
Module II	Theories of Corporate Governance 1. Transaction Costs 2. The Agency Problem and Agency Costs 3. The Separation of Ownership and Control 4. Stewardship Theory 5. Stakeholder Theory and Corporate Purpose
Module III	Introduction to Indian Corporate Governance 1. Evolution of Corporate Governance in India 2. Type II Agency Costs and the Transplant Problem 3. Role of SEBI 4. Role of Ministry of Corporate Affairs 5. Role of Industry 6. Comparison with UK and US

Module IV	The Board 1. Appointing and Removing the board 2. Types of Directors 3. Independent Directors 4. Directors Duties 5. Board Processes 6. Board Committees
Module V	Ownership Structures 1. Controlling Shareholders and Promoters 2. Shareholder Primacy v Director Primacy 3. Institutional Investors 4. Proxy Advisories 5. Debt v Equity 6. Minority Shareholders and Remedies
Module VI	Audit and Transparency 1. Auditor Independence 2. Powers and Duties of auditors 3. Size and Composition of Audit Committee 4. Role and Power of the Audit Committee 5. Disclosures
Module VII	Other Mechanisms 1. Executive Compensation 2. Market for Corporate Control 3. Insider Trading 4. Product Market Competition 5. Cross-Listings

Reading List (This list is indicative only).

Davis J H et al, 'Towards a Stewardship Theory of Management' [1997] 22 Academy of Management Review, 20-47

Donaldson T and Preston L, 'The Stakeholder Theory of the Corporation: Concepts, Evidence, and Implications', (1995) Vol. 20 The Academy of Management Review, 65

Fama E F 'Agency Problems and the Theory of the Firm', 1980, vol.88, no.2, Journal of Political Economy

Freeman, Phillips and Wicks, 'What Stakeholder Theory is Not', 2003, Volume 13, Issue 4, p479.

Jensen M C & Meckling W H, 'Theory of the Firm: Managerial Behavior, Agency Costs and Ownership Structure', (October 1976), V. 3, No. 4, *Journal of Financial Economics*, pp. 305-360

Afsharipour A, A Brief Overview of Corporate Governance Reforms in India, 2010

Shleifer, A. and Vishny, R. (1997), 'A Survey of Corporate Governance', *The Journal of Finance*, 52(2) 737-83.

Varottil U, A Cautionary Tale of the transplant effect on Indian Corporate Governance [2009] 21 *Nat'l L. Sch. India Rev.* 1

Sanjai Bhagat and Bernard Black, Independent Directors, as published in Peter Newman, ed. *The New Palgrave Dictionary of Economics and the Law*, volume 2, pages 283-287, (1998)

Navajyoti Samanta and Tirthankar Das, Role of auditors in Corporate Governance, 2009, WBNUJS

Robert A. G. Monks and Nell Minow, *Corporate Governance* (4th edition, Chichester, 2008), pp 132-153 (Institutional Investors), pp 306-325 (Executive Compensation)

Varottil U, 'Evolution and Effectiveness of Independent Directors in Indian Corporate Governance', [2010] 6 *Hastings Bus. L J* 281

Paranjape A & Shorewala, 'Institutional Investors, Corporate Governance and Global Standards: an Indian Perspective', [2011] *I.C.C.L.R* 135

Mavrommati S, 'The Dynamics of Gatekeepers, Corporate Culture and Whistle Blowers' 2005 1 *Corp. Governance L. Rev.* 385

Balsubramaniam N et al, 'Corporate governance Issues in Executive Compensation: The Indian experience (2008-2012)' 2013 *Working Paper No: 426*, IIM Bangalore

Lowenstein L, 'Financial Transparency and Corporate Governance: You manage what you measure' [1996] 96 *Columbia Law Review* 1335

Triantis G.G. & Daniels R.J., 'The Role of Debt in Interactive Corporate Governance', [1995] *California Law Review* 1073

Bradley C, 'Corporate Control: Markets and Rules' [1990] 53 *The Modern Law Review* 170

Manne H, 'Mergers and the Market for Corporate Control' [1965] 73 (2) *The Journal of Political Economy* 110

Allen F & Gale D, 'Corporate Governance and Competition', in *Corporate Governance: Theoretical and Empirical Perspectives*, edited by Xavier Vives [2000]

Zhao Y, 'Competing mechanisms in corporate governance: independent directors, institutional investors and market forces.' [2010] *I.C.C.L.R.* 338

John C. Coffee, Jr., 'Racing Towards the Top?: The Impact of Cross-Listings and Stock Market Competition on International Corporate Governance' [2002] 102 *Columbia Law Review* 1757

Fischel D & Carlton, 'The Regulation of Insider Trading' [1982] 35 *Stanford Law Review* 857

Total Marks: 100

Paper Code: BCHLDS951T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
9	BCHLDS951T	Access to Justice	100		4

SPECIALIZATION PAPER

ACCESS TO JUSTICE

L	T	P	C
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4	1	0	4
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Learning Objectives:	L01- To convey the concept of Justice to students. L02- To sensitize the students about the mechanisms to access Justice L03 – To convey to the students the roles of various forum in promoting Justice.
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Course Outcomes:	CO1- To make students well equipped with the means to uphold justice in the society.
	CO2- To educate students to act in the protection and promotion of Justice.
	CO3- To equip students with the mechanism to eradicate injustice in the society.

Module I: Introduction to Justice

- Justice: The Concept, Genesis of the term Justice, Historical Perspective towards development of the idea of Justice, Theory of Nyaya and modern theory of Justice by Rawls

Module II: Access to Justice

Concept, Factors that uphold access to justice, Factors deterring access to justice: docket explosion, failure to make judicial appointments, mounting arrears etc.

Module III: Constitutional Vision of Justice

The Preamble and justice, Justice and Basic features of the Indian Constitution, Importance of having an Independent Judiciary as a basic feature of the Indian Constitution, Judicial Activism as a step towards access to justice, Right to Legal Representation and Free Legal Aid

Module IV: Alternative Fora Promoting Access to Justice

Lok Adalats, Gram Nyayalayas, Mahila Courts, Mediation Wave, Mobile Courts, Role play by alternative fora in improving the state of Access to Justice, Online Dispute Resolution: The Origin and Growth of such forums, Reasons for success and growing of such forums, Legal Service Authorities Act, 1987, Alternative dispute resolution- forms and relevance

Module V: Informal justice systems

Indigenous practices in dispute resolution - Khap panchayats and dar-ul-qazas; Interaction with formal justice systems

Teaching Pedagogy Used

Sl.No.	Description	Used (Yes/ No)
1	Lecture	Yes
2	Practical	No
3	Demonstration	No
4	Discussion	Yes
5	Assignments	Yes
6	Tests	Yes
7	Others (Please Specify):	Audio/ Video relevant to the topic

Text & References:

- Daksh, Approaches to Justice in India, Eastern Book Company, 2017.
- Arun Mohan, Justice, Courts and Delays, Universal Law Publishing, 2009.
- Sukumar Ray, Alternative Dispute Resolution, Eastern Law House, 2020.

Total Marks: 100

Paper Code: BCHLDS952T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
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9	BCHLDS952T	Laws relating to Bankruptcy and Insolvency	100		4
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SPECIALIZATION PAPER
LAWS RELATING TO BANKRUPTCY AND INSOLVENCY

Module I	Concepts and Evolution: 1. Concept of Insolvency 2. Concept of Bankruptcy 3. Historical Developments of Insolvency Laws in India 4. A Brief on Historical Background on UK Insolvency Framework US Bankruptcy Laws.
Module II	Introduction to Insolvency and Bankruptcy Code: 1. Historical Background 2. Report of the Bankruptcy Law Reforms Committee 3. Overall scheme of the Insolvency and Bankruptcy Code 4. Important Definitions 5. Institutions under Insolvency and Bankruptcy Code, 2016.
Module III	Corporate Insolvency Resolution Process: 1. Legal Provisions 2. Committee of Creditors 3. Procedure 4. Documentation 5. Approval 6. Resolution Plan 7. Fast Track Corporation Insolvency Resolution Process
Module IV	Liquidation of Corporate Persons 1. Initiation of Liquidation 2. Powers and duties of Liquidator 3. Liquidation Estate 4. Distribution of assets 5. Dissolution of corporate debtor

SEMESTER X

Sem.	Paper Code	Paper Title	Full Marks	Pass Marks	CIA			End Sem. Marks	Credits
					WT	OTH	ATT		
X	BCHLCC1010T	Labour Law- II	100	40	10	5	5	80	4
	BCHLCC1020T	Moot Court Exercise and Internship	100	40	0	90	0	10	4
	BCHLDS1031T	Law and Public Policy	100	40	10	5	5	80	4
	BCHLDS1041T	Comparative Constitutional Law	100	40	10	5	5	80	4
	BCHLDS1051T	Principles of Legislation and Legislative Drafting	100	40	10	5	5	80	4
	BCHLDS1032T	Laws relating to Mergers and Acquisition	100	40	10	5	5	80	4
	BCHLDS1042T	Laws of Corporate Finance	100	40	10	5	5	80	4
	BCHLDS1052T	International Commercial Arbitration	100	40	10	5	5	80	4
Total			500		Total				20

Total Marks: 100

Paper Code: BCHLDS952T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
10	BCHLCC1010T	Labour Law- II	100	Core Course	4

LABOUR LAW- II

Module I

Laws relating to Wages and Bonus

Concepts of Minimum, Fair and Living Wages, Methods of Wages Fixation; Wage Differentials Allowances and other Fringe Benefits; ILO convention (Protection of Wages Convention); Minimum Wages Act, 1948 : Aims, Objectives and Scope, Fixation of Minimums Wages for time work and piece work procedure of fixation etc. in detail. Role of Advisory Boards; Procedural and Supplemental Provision under the Act; Report of the Expert Committee on Determining the Methodology for Fixing the National Minimum Wage; History of Payment of Wages; International Convention and Recommendations; Payment of Wages Act 1936: Aims, Objective and Scope; Definitions Wage period, Wage payment and Deductions under the Act; The Code on Wages, 2019 Bonus- Its historical background, present position and exemptions; Payment of Bonus Act, 1965; Payment of Bonus (Amendment) Act, 2007.

Module II

Laws relating to Retirement Benefits

Introduction to Social Security legislation and comparative study with U.K and U.S.A; Employees Provident Fund and Miscellaneous Provisions Act, 1952; Family Pension Scheme 1971 and Employees' Pension Scheme 1995; The changing rules regarding Employees Provident Fund and Pension Schemes; Payment of Gratuity Act, 1972 – Concept of gratuity; Eligibility for payment

of gratuity; Determination of gratuity; Forfeiture of gratuity

Module III

Laws Related to the Unorganized Sector of Labour

Historical backdrop of proposed bills on social security for unorganized sector (2003, 2004, 2005 & 2007); International Convention and Recommendations; Unorganized Sector Workers' Social Security Act, 2008; Problems of bonded labour, bidi workers, domestic workers, construction workers inter-state migrant workmen- Bonded Labour System

Abolition Act, 1976; Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.

Module IV

Contract Labour

Proposed amendment and its impact on the contract labour; Problems of contract labour; Process of contractualisation of labour; International Convention and Recommendations; Legal protection: Contract Labour (Regulation and Abolition) Act, 1970; Controversy regarding Abolition of contract labour and their absorption.

Module V

CODE ON SOCIAL SECURITY, 2020

the laws relating to social security with the goal to extend social security to all employees and workers either in the organised or unorganised sector.

Module VI

OCCUPATIONAL SAFETY, HEALTH AND WORKING CONDITIONS CODE, 2020

the laws regulating the occupational safety, health and working conditions of the persons employed in an establishment.

Prescribed Books:

- ❖ D. Srivastava, Industrial Employment (Standing Orders) Act, 1946 (4th ed., 1998 with Supplement 2003)
- ❖ P.L. Malik : Industrial Law; Eastern Book Company; 34, Lalbagh, Lucknow.
- ❖ N.D. Kapoor : Handbook of Industrial Law; Sultan Chand & Sons, 23, Darya Ganj, New Delhi – 110002.
- ❖ S.S. Gulshan & : Economic, Labour and Industrial Laws; Sultan Chand & Sons, 23, G.K. Kapoor Daryaganj, New Delhi- 2.
- ❖ P. L. Malik : Labour and Industrial Laws (Pocket Edition); Eastern Book Company, 34, Lalbagh, Lucknow-226 001.
- ❖ H.L. Kumar : Labour Laws; Universal Laws Publishing Co. Pvt. Ltd., G.T. Karnal Road, Delhi – 110033.
- ❖ Labour & Industrial Laws (Legal Manual) : Universal Law Publishing Co. Pvt. Ltd., G.T. Karnal Road, Delhi – 110033.
- ❖ S.C. Srivastava, Commentaries on Factories Act, 1948, Universal Law Publishing House, Delhi
- ❖ H.L. Kumar, Workmen's Compensation Act, 1923

- ❖ Dr. S.C. Srivastava, Labour Law and Industrial Relations
- ❖ Dr. S.K. Puri, Labour and Industrial Laws
- ❖ Dr. V.G. Goswami, Labour Law and Industrial Law
- ❖ S.N. Misra, Labour and Industrial Law

Case References:

Mahindra And Mahindra Ltd. vs General Employees' Union And Ors., 2006
 J.C. Mills Ltd. And Ors. vs Payment Of Wages Inspector And ... ors, 1997
 State vs L.C. Patel, 1959
 Radhakishan Ramnath vs State Of Bombay, 1958 Rakhi
 P.V. vs The State Of Kerala, 2017
 Indian Drugs And Pharmaceuticals ... vs State Of Jharkhand And Anr., 2004
 Rama Pandey vs Union Of India & Ors., 2015
 Nirmala P.N. vs State Of Kerala
 Smt. Sadhna Agrawal vs State Of Chhattisgarh, 2017
 Civil Writ Petition No.9968 Of ... vs State Of Punjab, 2013

Ganesh Ram vs State Of Jharkhand And Ors., 2006 State
Of U.P. vs Ram Chander, 2010
Bachpan Bachao Andolan vs Union Of India & Ors, 2011

Total Marks: 100

Paper Code: BCHLCC1020T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
10	BCHLCC1020T	Moot Court Exercise and Internship	100	Core Course	4

Moot Court Exercise and Internship

Part A – Moot Court Exercise

1. Moot Court Exercise shall contain 30 marks out of 100 marks.
2. Moot Court Exercise shall be conducted for two hours per week as practical classes. Attendance shall be recorded by the assigned Professor during the class and uploaded on the ERP on the same day.
3. Assessment of this Part by the Subject teacher shall take place in the following manner:
 - Three Moot Problems shall be provided to the students at the beginning of the semester, whereby each problem shall contain 10 marks.
 - Assessment shall take place based on continuous assessment of the students. The students shall submit three written memorials on the moot problem, whereby each memorial shall contain 5 marks. The Subject Teacher upon receiving the memorial shall conduct oral submission of the moot problems by the students. Each oral submissions (three moot problems) shall contain 5 marks.
 - Assessment shall be conducted during the practical hours assigned for the paper (2 hours per week).
4. The subject teacher shall ensure that **30 practical class hours** are conducted during the semester.

Part B – Trial Case Observation

1. This part shall contain 30 marks out of 100 marks.
2. The students shall be required to observe at least two trial cases (one civil trial and one criminal trial) in the courts of their choice and submit reports of the same.
3. The said exercise shall be conducted through field visits whereby the student will be required to attend court of their choice. A total of two hours per week shall be allotted for

the said purpose.

4. The student shall submit weekly reports of the progression of the trials to the subject teacher on the next working day. The subject teacher upon receiving the reports from the students shall record attendance and submit the same to the office of the Dean of XLS for the purpose of recording attendance. Any non-submission of reports by students on the next working day shall be treated as absent.
5. Assessment of this Part by the Subject teacher shall take place in the following manner:
 - Each trial case shall contain 15 marks (where the student has prepared report for two cases, otherwise for reports containing more than two cases the marks shall be proportionately distributed keeping 30 marks as the maximum allotted marks).
 - The subject teacher shall evaluate the final report submitted by the students. No separate marks for weekly reports shall be submitted by the subject teacher. Any marks assigned for the weekly reports are required to be submitted in a cumulative form at the end of the semester.
6. The subject teacher shall ensure that **30 practical hours of court visits** are conducted during the semester.

Part C – Internship

1. This part shall contain 30 marks out of 100 marks.
2. The students are required to take up compulsory two months of internship at the beginning of the semester. [Internship shall include internship in corporate/law firms, NGOs, international organizations, government bodies, research institutions, universities, or in like organizations.]
3. The students are required to attend a minimum of **240 hours** of internship during the span of two months.
4. The students upon joining the university on the stipulated date shall submit a document in support of the internship for the purpose of recording the attendance to the subject teacher, a copy of the same shall also be submitted to the internship coordinator of XLS. A valid document in this case shall mean a ‘certificate’ issued by the concerned corporate/law firms, NGOs, international organizations, government bodies, research institutions/Universities, or in like organizations where the student has interned during the said period.

5. Upon receiving the above document, the internship coordinator shall submit the same to the Office of the Dean for the purpose of recording of attendance. Attendance for 240 hours of internship shall be considered as 60 hours of practical classes conducted during the semester. Any student failing to meet the above requirement of 240 hours shall be considered absent from class.

6. Assessment of this part shall be done by the subject teacher on the basis of the documents submitted by the students. Weightage shall be fixed by the subject teacher on the basis of the submitted documents.

Assessment and evaluation of Part A, B and C consisting of 90 marks shall be considered as Continuous Internal Assessment for which, the prescribed rules for submission of CIA marks for other papers shall apply

CONSTITUTIONAL LAW HONOURS PAPER VI

Total Marks: 100

Paper Code: BCHLCC1020T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
10	BCHLDS1031T	Law and Public Policy	100		4

LAW AND PUBLIC POLICY

Module I: INTRODUCTION TO PUBLIC POLICY

- a. Definition of public policy
- b. features of public policy
- c. models of public policy: institutional theory, group theory, elite theory, public choice theory, etc.
- d. law as public policy

Module II: POLICY-MAKING IN INDIA

- a. Legislature
- b. Executive
- c. Judiciary
- d. Bureaucracy

Module III: DETERMINANTS OF PUBLIC POLICY

- a. political party
- b. international institution
- c. interest/pressure group
- d. mass media
- e. social movement
- f. Civil Society

Module IV: PUBLIC POLICY IN INDIA

- a. Education policy
- b. Health policy
- c. Rights based public policy : MGNREGA
- d. Foreign policy
- e. Fiscal policy

Module V: STATE POLICY IN INDIA

- a. Directive Principles of State policy: development policy, welfare policy, etc.
- b. Localizing governance : designing public policy at the grassroots grassroots
- c. State policy and public policy
- d. Enforceability of state policy.
- e. Fundamentality of state policy
- f. Applicability of state policy
- g. State policy and globalization

Module VI: LAW AS PUBLIC POLICY

- a. Legislation as public policy
- b. Government Order as public policy
- c. Judgment as public policy
- d. Limits of public policy

References:

Books:

1. Mathew J. Hirschland, Corporate Social Responsibility and the shaping of Public Policy, Palgrave Macmillan, 2006
2. Michael Moran, Martin Rein & Robert E. Goodin (ed), Oxford Handbook of Public Policy, OUP, 2006
3. Gedeon M. Mudacumura, Desta Mebratu & M. Shamsul Haque, Sustainable Development Policy and Administration, Taylor & Francis
4. Jeny Stewart (ed) , Public Policy Values, Palgrave Macmillan, 2009
5. Mukul G. Asher, David Newman & Thomas P. Synder (ed) , Public Policy in Asia, Quorum Books. 2002
6. Patricia Kennet(ed) , Governance, Globalization and Public Policy, Edward Elgar Publishing Ltd. 2008
7. Harrington J, Bryce, Players in the Public Policy Process, Palgrave Macmilla
8. Rajesh Chakrabarty & Kaushiki Sanyal, Public Policy in India, OUP
9. Michael Hill & Frederic Varone , The Public Policy Process, Routledge, 2021
10. Charles Wheelam, Introduction to Public Policy
11. Thomas R. Dye, Understanding Public Policy. Pearson
12. R.K. Sapru, Public Policy
13. James Anderson, Public Policy Learning, Cengage Learning
14. Bidyut Chakrabarty and Prakash Chand (2016), *Public Policy: Concept, Theory and Practice*. New Delhi: SAGE Publications, 2016.

Relevant Case laws: the following list is not exhaustive:

1. Gherulal Parakh v. Mahadeodas Maiya and Ors., 1959 AIR 781
2. The Central Inland Water Transport Corporation Limited v. Brojo Nath Ganguly, 1986 AIR 1571
3. Zoroastrian Co-operative Housing Society Ltd. v. District Registrar Co-operative Societies, 2005 (5) SCC 632
4. Associate Builders v. Delhi Development Authority, 2014 SCC OnLine SC 937
5. Vellore Citizens Welfare Forum v. Union of India, AIR 1996 SC 2715
6. Mohd. Ahmed Khan v. Shah Bano Begum and Ors., 1985 AIR 945
7. Vishaka v. State of Rajasthan (1997), 6 SCC 241
8. Apparel Export Promotion Council v. A.K. Chopra, (1999) 1 SCC 759
9. T.N. Godavarman Thirumalpad v. Union of India & Ors., [(2002) 10 SCC 606].
10. Delhi Domestic Working Women's Forum v. Union of India & Others, 1995 SCC 14

11. People's Union for Civil Liberties [PUCL] v. Union of India and another, AIR 1997 SC 568

12. D.K. Basu v. State of West Bengal, AIR 1997 SC 610

CONSTITUTIONAL LAW HONOURS PAPER VII

Total Marks: 100

Paper Code: BCHLDS1041T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
10	BCHLDS1041T	Comparative Constitutional Law	100		4

COMPARATIVE CONSTITUTIONAL LAW

Module I : Constitution as Supreme Law

Concept of Constitution – Constitutional Law –General

Constitutional Objectives; The Constitution and its relationship with Statehood, Territoriality and Citizenship; Types of Constitutions

- Federal – USA, India, Australia, Canada, Switzerland etc.
- Unitary – UK, France

Module II: Constitutionalism, Legal Pluralism and International Regimes

- Constitutionalism, Legal Pluralism and International Regimes. The Twilight of Comparative Liberal-Democratic Constitutionalism.
- The Contemporary Constitutionalism as the Law of the Peoples.
- Constitutionalism and Rule of Law: Rights Regime and their Protection
- General Principles of the Separation of Powers in the Westminster System. The Doctrine of the New Separation of Powers; Democratic Legitimacy, Functional Specialization, Fundamental Rights and the New Separations

Module III: The Judiciary, Law and the Comparative Constitutional Adjudication & Courts

- Docket Control and Institutional Success of Constitutional Courts;
- Meaning of Judicial Review; Evolution and Concept of Judicial Review; Courts and policy decision; Judicial review in US, UK and India; ,
- Political and Judicial Review
 - Centralized and Decentralized Judicial Review
 - Incidents and Principles of Judicial Review

(Reference will be made to the constitutions of France and Germany)

- Contemporary problems of Judicial review; Independence of Judiciary, Judicial Activism,

Constitutional Provision for the Protection of the Judiciary. Enforcement of Socio-Economic Rights, Governance in Transition to Democracy and Free Speech in a Global World. US, UK and Indian Experience

Module IV: Recent Developments in Constitutional Law and Conflicts of Interests

- Natural Justice; Concept of natural justice in India, UK, USA; Meaning of Natural Justice in recent Era
- European Union Constitution: Leading towards EU Federation.

- Human Rights
- Terrorism and Armed Conflicts
- Constitution in globalized world

Module V: State and Religion in Contemporary Constitutionalism.

- Concept of Secularism
- Religion and State in USA, Britain, India and South Asian States.

Prescribed Books:

- D.D.Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur, 2008).
- D.D.Basu, Comparative Federalism (Lexis Nexis, 2007).
- DD Basu, Introduction to the Constitution of India (Lexis-Nexis-ButterworthWadhwa, 1.2008).
- Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed., Aspen, 2006).
- Granville Austin, The Indian Constitution: Cornerstone of a Nation (OUP, 2008).
- M.P. Singh, Comparative Constitutional Law (Eastern Book Company, 2011).
- M. P. Jain, Indian Constitutional Law, (Wadhwa & Wadhwa, Nagpur, 2002)
- Khilani, Raghvan, Thiruvengadan, Comparative Constitutionalism in South Asia, (Oxford Publishers 2013)
- H. M. Seervai, A Critical Commentary on Constitutional Law of India, (Universal Law Publishing, Delhi, 1997)
- V. Dicey, Law of the Constitution, (Universal Law Publishing, Delhi, 2001)
- Allen, T.R.S (2001) 'Constitutional Justice: A liberal theory of Rule of Law' (Oxford University Press: Oxford)
- William N. Eskridge, Jr. "United States: Lawrence v. Texas and the imperative of comparative constitutionalism " 2 Int J Constitutional Law 555
- Benjamin Cardozo, The Nature of Judicial Process, 1921 Yale University Press (Regnery Publishing, 2005)
- Herbert Wechsler, Principles Politics and Fundamental Law (Harvard University Press, 1961)
- Khilani, Raghvan, Thiruvengadan, Comparative Constitutionalism in South Asia, (oxford Publishers 2013)

Case References:

- A.P. Pollution Control Boards V. Prof. MV Nayudu, AIR 1999 SC 822
- Anisminic Ltd vs. Foreign Compensation Commission, (1969) 2 AC 147
- Anwar Ali Sarkar V. State of West Bengal, AIR 1952 SC 75
- Article 143 of the Constitution of India, In Re, AIR 1965 SC 745, 791

- ArunaRamchandraShanbaug V. Union of India and Others, JT 2011 (3) SC 300
- Ashok Kumar vs. Union of India (2003) 6 SCC 1
- Barrios Altos V. Peru, IACHR Ser. C No. 75 (14 March 2001), para 189
- BhagwanDass V. State (NCT) of Delhi, 2011 (5) 498
- Bombay Hawkers Union V. B.M.C., (1985) 3 SCC 528
- Bowers v. Hardwick, 478 US 186 (1986)
- Boy Scouts of America v. Dale, 530 US 640 (2000)
- Brown vs. Board of Education, 347 US (1954)

- Budayeva V. Russia, [2008] ECHR
- C. Ravichandran Iyer v. Justice A. M. Bhattacharjee, (1995) 5 SCC 457
- Center for PIL V. Union of India, 1995 Sppl. (3) SCC 382
- Cerc V. Union of India, AIR 1995 SC 922
- Charles Shobhraj V. Delhi Admin., (1978) 4 SCC 104
- Cheatle V. The Queen (1993) 177 C.L.R. 541 (Austl.)
- Council of Civil Senice Union vs. Minister of Civil Services (1985) AC 374
- Cook V. Cook (1938) 162 C.L.R. 3760
- D.K. Basu V. State of West Bengal, (1997) 1 SCC 4116
- Dandridge V. Williams, 397 U.S. 471 (1970)
- Dr. Subramanian Swamy v. Rama Krishna Hegde, 2000 (10) SCC 331
- Dr. S. C. Saxena v. Hon'ble the Chief Justice of India, 1996 (5) SC 216
- Dred Scott v Sanford, 60 US 393 (1857)
- Edwards V. Attorney-General for Canada, [1930] A.C. 124 (P.C. 1929)- Persons Case
- Gherebi vs. Bush, 374 F727 (9* Cir, 2004)
- Griffin V. County School Board, Prince Edward County,
- Griswold V. Connecticut, 381U.S. 479
- Goodyear India V. State of Haryana, AIR 1990 SC 781
- Hamdi Case 542 US 507 (2004)
- Hammer V. Dagenhart, 247 U.S. 251 (1918)
- Holden V. Hardy, 169 U.S. 366 (1898)
- I.C. GolakNath V. State of Punjab, AIR 1967 SC 1643
- I.R. Coelho vs. State of T.N. (2007) 2 SCC 1
- Indira Nehru Gandhi V. Raj Narayan, AIR 1975 SC 2299
- Jatish Chandra Ghose V. Harisadhan Mukherjee, AIR 1961 SC 613
- Jacobson V. Massachusetts, 197 U.S. 11, 31-33 & n.1 (1905)
- Korematsu V. United States, 323 U.S. 214 (1944)
- Karamatsuvs. WS, 323 US 214 (1944)
- Keshvanand Bharti vs. State of Kerala (1973) 4 SCC 225
- Kindler V. Canada [1991] 2 S.C.R. 779
- Lawrence V. Texas: The Right that Dare Not Speak Its Name, 117 Harv. L. Rev. 1893 (2004)
- LeylaSahin V. Turkey
- Lochner V. New York, 198 U.S. 45 (1905)

- L. Chandra Kumar vs. Union of India (1997) 3 SCC 225
- Law Society of Upper Canada V. Skapinker, [1984] 1 S.C.R. 357, 366
- M. Nagarj vs. Union of India (2006) 8 SCC 261
- M v Home Office (1994) 1 AC 377
- Malloy V. Hogan, 378 U.S. 1(1964)
- Maneka Gandhi V. Union of India, AIR 1978 SC 593
- Marbury V. Madison, 5 U.S. 137 (1903)
- McCulloch V. Maryland, 17 U.S. (4 Wheat.) 316 (1819)
- Milk Board V. Clearview Dairy Farm Inc., 69 B.C.L.R. 220 (Sup. Ct. 1986)
- Miranda V. State of Arizona, 384 U.S. 436 (1966)
- M.S.M. Sharma V. Sri Krishna Sinha, AIR 1959 SC 395
- Murrays Lessee V. Hoboken Land and Improvement Co.

- Muller V. Oregon, 208 U.S. 412, 419-20, n.1 (1908)
- Official Liquidator V. Dayanand, (2008) 10 SCC 1
- P.A. Inamdar V. State of Maharashtra, (2005) 6 SCC 537
- PUCL v. VOI, AIR 2004 SC 456; (2204) 9 SCC 580
- Perspective Publications (P) Ltd. v. State of Maharashtra, (1969) 2 SCR 779
- Plessyvs. Ferguson, 5 US 537 (1896)
- Printz V. United States 521 US 897 (1997)
- R. v. Gray, (1900) 2 Q.B. 36,40
- R (Quintvalle) vs. Secretary' of State of Health [2002] 2 WLR 550
- R. V. Big M Drug Mart Ltd., [1985] 1 S.C.R. 295, 343-44 (Can.)
- Roe V. Wade, 410 U.S. 113 (1973)
- Romer v. Evans, 517 US 620 (1996)
- Roper V. Simmons 543 US 551 (2005)
- State of Karnataka V. Union of India, (1977) SCC 608.
- TejKiran V. Sajiva, AIR 1970 SC 1573
- Union of India V. Gopal, AIR 1978 SC 684
- X v. Sec. of State for Home Dept., [2004] UKHL 56

CONSTITUTIONAL LAW HONOURS PAPER VIII

Total Marks: 100

Paper Code: BCHLDS1051T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
10	BCHLDS1051T	Principles of Legislation and Legislative Drafting	100		4

PRINCIPLES OF LEGISLATION AND LEGISLATIVE DRAFTING

Module I: BASIC PRINCIPLES OF LEGISLATION

1. Legislation as a tool for
 - Power
 - Governance
 - Social change
2. Factors influencing legislative action

Module II: INSTRUMENTS OF LEGISLATION

1. Forms of legislative instruments
2. Classification of legislation
3. Limits of delegated legislation
4. Amending, consolidating, and codifying statutes

MODULE III: IDEALS OF LEGISLATIVE DRAFTING

1. Simplicity
2. Precision
3. Consistency
4. Alignment with existing law
5. Constitutional validity
6. Brevity
7. Prospectivity and retroactivity

MODULE IV: PROCESS OF LEGISLATIVE DRAFTING

1. General rules relating to syntax, style and punctuation
2. Reference to existing law
3. Use of special tools: Proviso, exception, marginal note, presumption, non-obstante clause, Explanation, Illustration
4. Types of provisions: Preliminary, substantive, administrative, supplementary, penal

References:

1. Helen Xanthaki, Thornton's Legislative Drafting
2. Robert Martineau and Justin Salerno, Legal, Legislative and Rule Drafting in Plain English
3. Rakesh Kumar Singh and Souvik Dhar, Legislation and Legislative Drafting
4. B.R. Atre, Legislative Drafting: Principles and Techniques

BUSINESS LAW HONOURS PAPER VI

Total Marks: 100

Paper Code: BCHLDS1032T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
10	BCHLDS1032T	Laws relating to Mergers and Acquisition	100		4

LAWS RELATING TO MERGERS AND ACQUISITION

Module I: Introduction to Mergers and Acquisitions (M&A)

Meaning of Corporate Restructuring – various forms of Corporate Restructuring – Due Diligence objectives and types, merger, amalgamation, compromise, arrangement, acquisitions, rearrangement, consolidation, absorption – Merger and Acquisition Process - Objectives of mergers - Theories of Merger - Success and failure of Merger & Acquisition.

Module II: Mergers and Acquisitions transactions

Types of mergers, Horizontal, Vertical, Conglomerate - De-merger - Spin offs - Split ups – Split offs – Reverse Merger – Difference between Demerger and Reverse Merger – structuring of transactions, regulatory approval, deal making in India, methods of payment in M&A, distinction between stock and cash transactions – Special kinds of M&A: Leveraged acquisitions, Acqui-hire arrangements, Joint Venture Structures, Private Investment in Public Equity (PIPE) Transactions.

Module III: Legal Framework

Role of the National Company Law Tribunal (NCLT) in sanctioning mergers - Role of Dissenting shareholders - Procedure for effecting mergers – Cross Border Mergers - Impact of SEBI Takeover Code, Competition Act, 2002 and FDI Regulations - Merger Aspects under Competition Law - Role of Merchant Bankers in Mergers & Acquisition.

Module IV: Taxation Aspects in M&A

Tax Implications: Tax Concession to amalgamated company, tax concession to amalgamating company in case of Merger & Acquisition - Tax aspects related to demergers - Stamp Duty issues in Asset Purchase Agreements, Business Transfer Agreements, Share Purchase Agreements, Court Approved Mergers

Module V: Transaction Lawyering in M&A Transactions

Meaning of corporate transaction law - Skill sets prerequisite for transaction law practice: Hard and Soft Skills - Transaction Lawyering and stages in investment transaction - Transaction Lawyering and specific agreements - Transaction Law, start-ups and technology law practice - Applications and Cases Descriptors/Topics Cases on Mergers and Acquisitions: Indian and International context -Post Merger Issues and Challenges.

List of Readings:

1. Handbook on Merger and Amalgamations and Takeover, Law and Practice, 5th Ed., Kluwer Publications, 2012.
2. A.K. Majumdar and G.K Kapoor, Company law and Practice, 15th edition, Taxman, 2010.
3. Reiner Kraakman, et al; The Anatomy of Corporate Law, A Comparative and Functional Approach, OUP, 3rd edition.
4. Gray Eaborn(edited), Butterworths Takeovers: Law and Practice, 1st edition, Lexis Nexis Butterworths
5. Gower and Davis, Principles of Modern Company law, 8th edition, Sweet and Maxwell, 2008.
6. J.C. Verma, Corporate Mergers Amalgamations & Takeovers(Concept, Practice & Procedure) 5th edition, Bharat Law House, 2008
7. J. Fred Weston and Samuel C. Weaver, Mergers and Acquisitions, Tata McGraw Hill, 2002.
8. Securities Exchange Board of India Act, 1992 (with relevant SEBI Manual)
9. Seth Dua and Associates, Joint Ventures and Mergers and Acquisitions in India Legal and Tax Aspects, Lexis Nexis Butterworths India, 2006.
10. S. Ramanunja, Mergers et al, 2nd edition reprint, Wadhwa Nagpur, 2007

BUSINESS LAW HONOURS PAPER VII

Total Marks: 100

Paper Code: BCHLDS1042T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
10	BCHLDS1042T	Laws of Corporate Finance	100		4

LAWS OF CORPORATE FINANCE

Module I: OVERVIEW OF CORPORATE FINANCE

- Meaning, Importance and Scope of Corporation Finance

- Important Terminology-Capital Needs - Capitalization - Working Capital - Securities-Borrowings Deposits Debentures
- Objectives of Corporation Finance - Profit Maximization and Wealth Maximization

Module II: CORPORATE FINANCE THEORY

- Relationship between Debt and Equity
- Relationship between debt and equity- financial and legal perspectives.
- Capital structure decisions- choice between equity and debt.
- Capital Asset Pricing Model- trade-offs between risk and return on capital markets.

Module III: ISSUING EQUITY AND DEBT

- Prospectus and Types of Securities
- Share Capital Prospectus
- Information Disclosure
- Issue and Allotment
- Shares without Monetary Consideration
- Non-Opting Equity Shares
- Debentures
- Nature, Issue and Class
- Deposits and Acceptance
- Charges
- Mortgages
- Convertible Debentures

Module IV: LEGAL CAPITAL AND DIVIDENDS

- Dividends and Buy Back
 - Initial Capital Requirements.
 - Dividends and Corporate Distributions
 - Buy backs
 - Reduction of Share Capital

Module V: CONSERVATION OF CORPORATE FINANCE AND CORPORATE FUND RAISING

- Regulation by Disclosure
- Control on Payment of Dividends
- Managerial Remuneration

- Protection of Creditors
- Need For Creditor Protection
- Preference in Payment
- Protection of Investors
- Individual Share Holder Right
- Corporate Membership Right
- Derivative Actions

Module VI: CROSS-JURISDICTIONAL CORPORATE FINANCE

- Depository Receipts
 - IDR (Indian Depository Receipts)
 - ADR (American Depository Receipts)
 - GDR (Global Depository Receipts)
 - Direct Listings in Overseas Stock Exchanges
 - Foreign Direct Investment
 - External Commercial Borrowing

Module VII: Other Financing Institutions

Other Sources of Corporate Finance

- Public Financing Institutions

- Collective Investment Schemes
- Institutional Investments
- Foreign Institutional Investments

Suggested Readings/ References

Reading List (This list is only indicative)

- R.A. Brealey, S.C. Myers and F. Allen, Principles of Corporate Finance (2014)
- Hundson Alastair.(1998) The Law On Financial Derivatives. London: Sweet & Maxwell
- Ferran, Eil's. (1999) Company Law and Corporate Finance. Oxford.
- E Ferran and LC Ho, Principles of Corporate Finance Law (2014)
- Charkham, Jonathan. (1999) Fair Shares: The Future of Shareholder Power and Responsibility. Oxford.
- Ramaiya A, (1998) Guide to the Companies Act Vol. I, II and III.
- Ford, H.A.J. And Austen, A.P.(1999) Fords' Principle of Corporations Law. Butterworths.
- Farrar J.H. And Hanniyan, B.M. (1998) Farrar's Company Law. Butterworths.
- Austen R.P. (1986) The Law of Public Company Finance. Lbc
- Goode, R. M. (1988) Legal Problems of Credit and Security. London: Sweet and Maxwell.

BUSINESS LAW HONOURS PAPER VIII

Total Marks: 100

Paper Code: BCHLDS1052T

Sem	Paper Code	Paper Title	Full Marks	Nature of the Course	Credit
10	BCHLDS1052T	International Commercial Arbitration	100		4

INTERNATIONAL COMMERCIAL ARBITRATION

Module I: Introduction into the Commercial Arbitration

Historical development and emergence of International Commercial Arbitration - Important terms used in international commercial arbitration - International Arbitration Institutions

Module II: Arbitration Agreement

Significance of agreement in arbitration - Forms of arbitration agreement - Functions of an arbitration agreement - Definition and Requirements of a valid arbitration agreement - Autonomy, Validity, Interpretation - Subjective and Objective Arbitrability

Module III: Applicable Laws

Applicable Procedural Law: *lex loci arbitri*, *lex fori*. Law Applicable to Arbitration Agreement - Applicable Substantive Law: Choice, Proof, Interpretation, Application - Conflict of Laws Rules in International Commercial Arbitration - Substantive National Law in International Commercial Arbitration - *lex mercatoria*, UNCITRAL Model Law - ICC Rules – New York Convention – LCIA Rules – United Nations Convention on Contracts for the International Sale of Goods

Module IV: Arbitration Procedures

Commencement of Arbitration - Selection and Appointment, Challenge and Removal of Arbitrators - Determination of Jurisdiction - Arbitration Procedure - Interim and Conservatory Measures - institutional versus ad-hoc rules of arbitration

Module V: Arbitral Award

Legal Framework for arbitral award - Definition – Reciprocity – UNCITRAL Model Law Article 34 – Annulment and Revision - Limits on Forums for Annulling Awards - Presumptive validity of awards – Grounds for Annulment of Awards

Module VI: Recognition and Enforcement of foreign award

The International Conventions for recognition and enforcement of arbitral awards - Indian law on enforcement and recognition of Foreign award – understanding foreign award – scope for review of foreign award in India - Grounds for refusal of recognition and enforcement - Recognition and enforcement of annulled awards

Module VII: Investment Treaty Arbitration

Understanding investment treaty arbitration – difference with commercial arbitration – public law perspective of investment treaty arbitration – introduction to ICSID – Scope of ICSID – understanding investor-state arbitration – limitations and restrictions in treaties – concept of state-state arbitration and diplomatic protection.

Reference/Readings:

- International Commercial Arbitration, Gary Born (2020)
- A Guide to the UNCITRAL Arbitration Rules, C. Croft, C. Kee and J. Waincymer (2013)
- A Guide to the ICC Rules of Arbitration, Y. Derains, E. Schwartz (2005)
- A Guide to the LCIA Arbitration Rules, P. Turner, R. Mohtashami (2009)
- A Practical Guide to International Arbitration in London, H. Heilbron (2008)

- Arbitrability: International & Comparative Perspective, L. Mistelis, S. Brekoulakis (2009)