

**DEPARTMENT OF LEGAL STUDIES  
CHENNAI**



**3 YEAR LL.B., BACHELOR OF  
LAW DEGREE COURSE**

**SYLLABUS**

**I to VI Semester**

*(for all Three years)*

*Compiled by*

**Dr. N. Kayalvizhi M.L., Ph.D.,**

Associate Professor of Law,

Chennai Dr. Ambedkar Govt. Law College,

Pudupakkam - 603 103.

## NOTE

For the Students admitted from the Academic Year 2017 - 2018 onwards the Examination pattern is 70 : 30 (70 Marks for University External examination and 30 marks for Internal Assessment Component as given below)

1. Mid Term Test	:	10 Marks
2. (a) Submission of Assignment / Project	:	07 Marks
(b) Presentation of Assignment /Project	:	03 Marks
3. Comprehensive Viva-voce	:	05 Marks
4. Attendance	:	05 Marks
Total	:	30 Marks

(The Four Clinical Courses given in the index will have only Internal Components for full 100 Marks.)

## INDEX

S.No	Exam code	Subject	Page No
<b>FIRST YEAR SEMESTER - I</b>			
1.	<b>TA1A</b>	English -1	<b>5</b>
2.	<b>TA1B</b>	Jurisprudence	<b>7</b>
3.	<b>TA1C</b>	Law of Contracts - I	<b>8</b>
4.	<b>TA1D</b>	Law of Torts	<b>11</b>
5.	<b>TA1E</b>	Family Law - I	<b>13</b>
6.	<b>TA1F</b>	Law of Crimes	<b>15</b>
<b>SEMESTER - II</b>			
1.	<b>TA2A</b>	Law of Contracts - II	<b>17</b>
2.	<b>TA2B</b>	Property Law	<b>21</b>
3.	<b>TA2C</b>	Constitutional Law - I	<b>24</b>
4.	<b>TA2D</b>	Family Law - II	<b>26</b>
5.	<b>TA2E</b>	Clinical Course - I	<b>27</b>
<b>SECOND YEAR SEMESTER - III</b>			
1.	<b>TA3A</b>	Constitutional Law - II	<b>31</b>
2.	<b>TA3B</b>	Land Laws	<b>33</b>
3.	<b>TA3C</b>	Interpretation of Statutes	<b>35</b>
4.	<b>TA3D</b>	Company Law	<b>37</b>
5.	<b>TA3E</b>	Banking Law	<b>39</b>
<b>SEMESTER - IV</b>			
1.	<b>TA4A</b>	Law of Evidence	<b>43</b>
2.	<b>TA4B</b>	Administrative Law	<b>45</b>
3.	<b>TA4C</b>	Labour Law - I	<b>48</b>
4.	<b>TA4D</b>	International Law	<b>50</b>
5.	<b>TA4E</b>	Clinical Course - II	<b>52</b>

S.No	Exam code	Subject	Page No
<b>THIRD YEAR SEMESTER - V</b>			
1.	<b>TA5A</b>	Civil Procedure Code	<b>55</b>
2.	<b>TA5B</b>	Criminal Procedure Code,	<b>57</b>
3.	<b>TA5C</b>	Environmental Law	<b>60</b>
4.	<b>TA5D</b>	Labour Law - II	<b>63</b>
5.	<b>TA5E</b>	Taxation Law	<b>65</b>
6.	<b>TA5F</b>	Clinical Course - III	<b>68</b>
<b>SEMESTER - VI</b>			
1.	<b>TA6A</b>	Human Rights Law	<b>70</b>
2.	<b>TA6B</b>	Criminology and Penology	<b>74</b>
3.	<b>TA6C</b>	Intellectual Property Law	<b>76</b>
4.	<b>TA6D</b>	Clinical Course - IV	<b>79</b>

**FIRST YEAR  
I - Semester  
1. ENGLISH (TA1A)**

**Unit - I Prose**

1. The Divisions of the Law
2. Mechanism of Scholarship
3. Methods of Study
4. Case Law Technique
5. Working out Problems
6. Moots and Mock Trials  
from Learning the Law by Glanville Williams
7. Part-I: Keeping the streams of Justice Clear and Pure from  
The Due Process of Law by Lord Denning

**Unit - II Linguistics**

1. Phonetics - Speech Sounds - Vowels,  
Diphthongs & Consonants  
Transcription
2. Language Acquisition - Uses and  
Problems, Language Register, Jargon,  
Dialectal Variation of Language

### Unit - III Logic

General Principles of Logic - Deductive and Inductive Logic, Syllogism, Rules of Syllogism; Proposition, Distribution of Terms and Fallacies.

### Unit - IV Essays

Essay Writing on topics of Legal Interest

### Books for Reference

1. Glanville Williams : Learning the Law (14<sup>th</sup> Edition)
2. Lord Denning ; The Due Process of Law
3. David Annousamy ; Answers to Language problems
4. K. Sreedhara Variar ; Logic
5. W. Bedford Soloman ; Pre-University Logic
6. Daniel Jones ; English Pronouncing Dictionary
7. Sasikumar V. and P.V. Dhamija, 1993 ; Spoken English: A Self-earning Guide to Conversation Practice. 34<sup>th</sup> Reprint Tata McGraw Hill, New Delhi.
8. Lewis, Norma, 1991 ; Word Power Made Easy - Pocket Books

\*\*\*\*\*

## 2. JURISPRUDENCE (TA1B)

**Unit - I** Nature and definition of Jurisprudence.

**Unit - II** The various schools of jurisprudence and their methodology.

**Unit - III** Nature and definitions of law - Different kinds, and classification, Imperative theory of law - Constitutional law and International law - their nature.

**Unit - IV** The concept of State and Sovereignty - a general outline.

**Unit - V** Sources of law - Legislation, Precedent and Custom.

**Unit - VI** Administration of Justice.

**Unit - VII** Juristic Concepts of Rights and Duties, Title, Persons, Liability, Ownership, Possession, Property and Obligation.

### Books for Reference :

1. Salmond - Jurisprudence
2. Paton - Jurisprudence.
3. Monica David - Jurisprudence.
4. G.C.V. Subba Rao - Jurisprudence.
5. Avatar Singh - Jurisprudence
6. Mahajan - Jurisprudence

\*\*\*\*\*

### 3. LAW OF CONTRACT- I (TA1C)

**Unit - I Introduction to General Principles of contract :** Basis and Nature of Contracts.

**Unit - II Privity of Contract -** Development of Contract - Development of Specialised Contract.

**Unit - III Types of Contract -** Void, Voidable and Unenforceable Contracts: Express and Implied Contracts, Unilateral and Bilateral Contracts - e - Contracts - Analysis of Contract - Theory Consensus - Essential Elements of a Contract.

**Unit - IV Formation:** Offer and Acceptance - Offer and Invitation to Treat - Fact of Acceptance - acceptance in case of tender - communication of acceptance - Acceptance in Person, By Post, Telephone, Telegram etc. - Revocation of Acceptance, termination of offer.

**Unit - V Terms Of Contract:** Warranty, Condition, Fundamental Obligation - Ticket Cases.

**Unit - VI Consideration -** Definition Indian and English, Executed - Executory and Past - must move from the promises - Adequacy and Reality of Consideration - Performance of Existing Duty - Consideration in Discharge of Contract - Rule in Pinnels case, High Trees case, Composition with Creditors - Difference between English and Indian Law.

**Unit - VII Intention to Create Legal Obligation**

**Unit - VIII Capacity to Contract:** (i) Infants; (ii) Lunatic; (iii) Drunken Persons; (iv) Alien Enemies; (v) Corporation; (vi) Foreign Sovereigns and Ambassadors; (vii) Married Women, Contract of Necessaries - Basis of such Contracts - Infant Relief Act of 1874 - Beneficial Contracts of Service Equitable Doctrine of Restitution - Delictual Liability - English and Indian Law.

**Unit - IX Flaw in Consent:** Mistakes of Fact and Law - As to identify As to title - As to the existence the Non-Subject matter - As to 'quality - As to written contract (non est factum) Error in Verbis-Error in 'Causa' difference between English and Indian Law.

**Unit - X Misrepresentation:** Innocent or Fraudulent - Elements of an Effective Representation - Can Silence Amount to Representation which is a Term of Contract or Mere Representation - Condition or Warranty.

**Unit - XI Limits or Rights to Rescind.**

**Unit - XII Coercion -** Duress, Undue Influence, Unconscionable bargains.

**Unit - XIII Unlawful Agreements:** By Common Law (Public Policy) Stiffing of Prosecution, Maintenance, Champerty - Agreements which tend to affect the Freedom or Security of Marriage - Immoral - Agreement - Outside, The Jurisdiction of Courts - Restraint of Trade - Wagering Contracts Restraint of Parental Right, Restraint of Personal Liberty, Consequences of Illegality Impari Delicto - Difference between illegal and Void Contract.

**Unit - XIV Limits of Contractual Obligation :** Privity of Contract - Strangers to a Contract sue or cannot be bound by its terms. Agreement of Contractual Rights and Liabilities.

**Unit - XV Discharge of Contracts:** By Performance - Tender by express Agreement - Accord and Satisfaction - Bilateral and Unilateral Discharge - The Doctrine of Frustration - Theories of Frustration-Operation of Doctrine, Effect of Doctrine-Difference between English and Indian Law.

**Unit - XVI By Breach:** Anticipatory Breach.

**Unit - XVII. Remedies for Breach of Contract -** Measure of Damages, Remoteness of Damages, Penalty and Liquidated Damages, Mitigation of Damages.

**Unit - XVIII Quasi Contract:** Definition - Historical Basis - Quantum Meruit, Obligation, Resembling those created by Contract under Indian Act.

**Unit - XIX Miscellaneous:** Contingent Contracts - Appropriation of Payments - Time and Place of Performance - Joint Promises and Reciprocal Promises.

**Unit - XX Specific Relief Act:** Recovering Possession of Property specific performance of contracts - Contracts which can be specifically enforced contracts which can be specifically enforced - Persons for or against whom contracts may be specifically enforced - Discretionary Powers of Court, Ratification or Instruments - Rescission of Contract, Cancellation of Instruments - Declaratory Degree - Preventive Relief - Injunction Generally - Perpetual Injunction.

### **Statutory Materials with Amendments**

1. The Indian Contract Act. 1872
2. Specific Relief Act, 1963.
3. Information Technology Act,2000

### **Books for Reference**

1. Anson - Contracts
2. Pollock and Mulla - Contracts (Students Edition)
3. Prof. Subba Rao, G.C.V. - Specific Relief Act.
4. Avtar Singh - Law of Contracts.
5. Cheshire - Law of Contracts
6. Venkatesan - Law of Contracts
7. Krishna Nair - Law of Contracts
8. N.D. Kapoor - Mercantile law

\*\*\*\*\*

## **4. LAW OF TORTS (TA1D)**

### **Unit - I General Principles**

Origin and Development of Torts Definition of Tort-distinction between Tort and Crime - Tort and Contract, Tort and breach of Trust - Foundation of Tortious Liability - Fault as a condition of liability. Essential condition of liability in Tort - Duty of Care - Damnum sine injuria, Injuria sine damno-Relevance of malice - The impact of Insurance on Tort Liability - Individual and Collective - Motor Accidents Claims.

### **Unit - II General Defences**

Volenti - Non fit injuria - Inevitable Accident, Necessity - Private Defence - Mistake, Statutory Authority - Act of God.

### **Unit - III Parties and their capacity**

The State and its Subordinate Officers of State- Minors, Lunatic and Drunkards - Married Women, Corporation Union Corporate Bodies - Foreign Ambassadors.

### **Unit - IV Masters and Servants**

Servant Independent Contractors, Course Employment and Common Employment - Master's Duties to Servant and vice versa.

### **Unit - V Joint Tortfeasors.**

### **Unit - VI Remedies.**

**Unit - VII Remoteness of Damage** - Novus Actus Interveniens.

**Unit - VIII Successive actions on the same facts** - Effect of Merger and Death.

## Unit - IX Specific Torts:

- (a) Wrong to Persons and Reputation - Death, Assault, Battery false, Imprisonment, Nervous shock, Defamation, Status.
- (b) Wrongs to Property to Land and Chattels.
- (c) Negligence.
- (d) Nuisance - Nuisance and Injury of Servitude's Highways etc.
- (e) Strict & Absolute Liability - Liability for dangerous chattels animals and structures or Premises.
- (f) Conspiracy, Interference with freedom of contractual and Business relationship - Injurious falsehood slander of title or of goods - Passing off - Abuse of legal procedure.
- (g) Foreign Torts - Miscellaneous and Doubtful Torts Invasion of Privacy.

## Unit -X Discharge of Torts.

### Books for Reference

1. Winfield : Law of Torts.
2. Salmond : Law of Torts.
3. Ramasamy Iyer. S : Law of Torts.
4. Mitra : Motor Vehicles Act.
5. V.N.Shukla : Law of Torts.
6. B.M.Gandhi : Law of Torts.
7. P.S.A.Pillai : Law of Torts.
8. Ratanlal Dhirajlal : Law of Torts.
9. R.K.Bangia : Law of Torts.

\*\*\*\*\*

## 5. FAMILY LAW - I (TA1E)

### Unit - I

**Source:** Traditional and modern sources of personal Laws. Evolution of the Hindu Joint Family - The Classical schools.

### Unit - II

**Law of Marriage:** Hindu, Muslim and Christian Laws of marriage and divorce. The nature of the institution of Marriage and its development, the capacity, nuptial rights and the effect of void and voidable marriage under the aforesaid systems of law. Hindu law of marriage and divorce with reference to the changes brought about by modern legislation. Muslim law of marriage and divorce will include Law of Dower.

### Unit - III

**Law of Adoption:** Hindu law of Adoption with special reference to the juristic concept and development of case laws and changes brought about by the Hindu Adoption and Maintenance Act, 1956. The Muslim Laws of Legitimacy. Parentage and the Doctrine of Acknowledgement of paternity.

### Unit - IV

**The Law of Guardianship:** The Hindu Law of Minority and Guardianship and Maintenance and changes brought about by modern legislation. Muslim Law of minority and Guardianship and Maintenance.

### Unit - V

**Maintenance:** The Hindu, Muslim and Christian law relating to Maintenance.

## Statutory Materials with Amendments

1. Hindu Widows Re Marriage Act, 1956.
2. Child Marriage Restraint Act, 1929.
3. Special Marriage Act, 1954.
4. Hindu Marriage Act, 1955.
5. Hindu Adoptions and Maintenance Act, 1956.
6. Hindu Minority and Guardianship Act, 1956.
7. Hindu Women's Right to separate Residence Act, 1956.
8. Prohibition of Child Marriages Act, 2006
9. Guardianship and Wards Act, 1890.
10. Guardianship Act.
11. Personal laws (Amendment Act) 2010.
12. Indian Majority Act, 1875.
13. The dissolution of Muslim Marriage Act, 1939.
14. The Christian Marriage Act, 1872.
15. Indian Divorce Act, 1896.

## Books for Reference

1. Mulla - Hindu Law
2. N.R. Raghavachari - Hindu Law
3. Mulla - Mohammedan Law
4. A.A. Fyzee - Outlines of Mohammedan Law
5. S.N. Gupta - Maintenance and Guardianship Act
6. M.N. Srinivasan - Hindu Law

\*\*\*\*\*

## 6. LAW OF CRIMES (TA1F)

**Unit - I Crime Introduction** Crime - Concept - Constituent Elements of Crime - Actus reas and mensrea - Types - Strict Responsibility in Criminal Law - Mensrea in Statutory Offences.

**Unit - II General Defences** - Conditions - Negative Criminal Responsibility, Mistake of Fact, Judicial Acts, Accident, Doctrine of Necessity, Infancy, Insanity, Intoxication, Consent, Compulsion, Duress, Triviality, Right of private Defence.

**Unit - III Parties to a Crime** - Joint and Constructive Liability - Group Liability - Abetment - Conspiracy, Attempt - Corporate Liability Accessories after the fact.

**Unit - IV Jurisdiction** - Personal, Territorial, Extra - Territorial, Admiralty.

**Unit - V Punishment** - Objective, Basis and Types.

### Unit - VI Specific Crimes

(a) Offences affecting public.

(i) Against State (Sedition)

(ii) Against Public Peace - Unlawful Assembly, Rioting, Affray.

(iii) Against Public Administration - Bribery, Personation.

(b) Offence against Administration of Justice Giving and Fabricating false statement

(c) Offences against Persons - Homicide (murder, culpable-homicide and negligent homicide), Hurt and grievous hurt, Wrongful restraint and confinement, Kidnapping and abduction Sexual assault, rape, stalking, voyeurism, etc.,

(d) Offences against Property- Theft, Extortion, Robbery, Dacoity, Criminal misappropriation and Breach of trust, Cheating, Forgery, Mischief and Criminal Trespass.

- (e) Offences relating to Marriage and Religion.
- (f) Defamation, Criminal insult, Criminal intimidation etc.,
- (g) Cyber crimes

**Unit - VII Law of Attempt.**

**Statutory Materials with Amendments**

1. The Indian Penal Code, 1860.
2. Criminal Law Amendment Act, 2010 & 2013.

**Books for Reference:**

1. Kenny : Outlines of Criminal Law (Chapters relating to General Principles).
2. Ratanlal : The Indian Penal Code.
3. Gour, K.D. : Criminal Law
4. Dr.H.S.Gour : Penal Law of India
5. Raghavan V.V. : Law of crimes
6. Atchutham Pillai : Criminal law
7. B.M.Gandhi : Indian Penal Code.
8. Glanavile Williams : Criminal law crimes.
9. Russel : Criminal law
10. Ejaz : Law of crimes
11. Nigam : Law of crime

\*\*\*\*\*

**II - Semester**

**1. LAW OF CONTRACTS - II (TA2A)**

**Unit - I Indemnity**

1. Definition - English and Indian
- 2.. Rights of the Indemnity holder
3. Rights of the Indemnifier.
4. Rights of Indemnity dealt with Sections 59,145,164 and 222 of the Contract Act.
5. Codification not exhaustive - principles of equity applicable

**Unit - II Guarantee**

1. Definition - English and Indian definitions
2. Essentials and nature of guarantee
3. Distinction between guarantee and indemnity - guarantee and Insurance
4. Elements of consideration in a contract of guarantee
5. Nature and quantum of surety's liability
6. Kinds of guarantee and their incidents
7. Suretyship arises on contract and not on notice-position in English Law
8. Duty of disclosure in guarantee
9. Rights of surety against principal debtor - credit or - co - sureties - difference in English Law - Circumstances which a surety discharges

**Unit - III Bailment**

1. Definition - Indian and English definitions
2. Essentials of bailment and classification of bailment
3. Distinction between bailment and pledge - deposit - sale - agency
4. Rights and duties of the bailor and bailee - difference in English Law
5. Pledge - definition - Rights of the Pawner and Pawnee
6. Pledge by non - pawners
7. Lien - kinds of lien - their nature and incidents - how lost

## Unit -IV Sale Of Goods

1. Definition of sale and agreement to sell - distinction between sale and agreement to self -contract of work and layout. Hire purchase agreement - Bailment - Exchange - Gift.
2. Definitions - goods - specific goods - future goods - Mercantile agent - Documents of title of goods.
3. How is sale made - rules for fixing price and effect of goods getting damages or perished in a contract of sale.
4. Stipulation as to time and other stipulation
5. Conditions and warranties - effect of breach - ex - post facto Warrantly - when condition is treated as warranty
6. Implied conditions and warranties - in a contract of sale - Exemption clauses - effect of fundamental breach
7. Rule as to passing off property
8. Sale by non - owners - exception to Nemo data quod non habet.
9. Rules as to delivery
10. Unpaid vendor - His rights or lien and stoppage in transit
11. Remedies available to seller and buyer
12. Auction sales
13. Competition law

## Unit -V Agency

1. Definition of contract of agency - Creation of agency - kinds of agency
2. Distinction between Agent and servant and independent contractor
3. Who may be an agent - kinds of Agents - Authority of the different kinds of Agents - authority of Agents - Ostensible and emergency - delegation of authority - delegatus non potest delegare - sub agent - substituted agent
4. Essentials of ratification and its effect
5. Effect to notice to agent - necessary conditions to bind Principal
6. Principal and third parties - The doctrine of undisclosed - Principal and concealed Principal
7. Termination of agency and when it becomes irrevocable

## Unit -VI Partnership

1. Definition of partnership - Essentials of partnership - Joint Hindu - partner ship
2. Distinction between partnership and co-ownership - Joint Hindu family - Incorporation companies - contract of service - legal notion and mercantile notion
3. Kinds of partners and duration of partnership
4. Natural rights and duties of partnership.
5. Minor as a partner - difference in English Law
6. Rights of Legal Representative and surviving partners
7. Authority of partners implied and emergency
8. Liability of the partners for the acts of the firm and for the wrongful acts of other partner - nature of liability - limited liability partnership.
9. Principles of agency in partnership
10. Partnership property - Tests
11. Settlement of accounts - Goodwill and its disposal - distribution of assets
12. Retirement of partners
13. Dissolution of firm and modes and circumstances
14. Effect of non - registration of firm

## Unit -VII Consumer Protection

1. History of Consumer Protection movement in India
2. Consumer Protection Act. Definition of Complainant, Complaint, Consumer, Goods Restrictive Trade practice, Service, unfair Trade Practice
3. Consumer Protection councils - its organization, objects and procedure
4. Consumer disputes redressal agencies - kinds, establishment, composition, jurisdiction
5. Complaint - manner in which made, procedure on receipt of Appeals, Limitation period, dismissal of frivolous or vexatious complaints.
6. Orders of the Consumer Disputes Redressal Agencies - findings of the forum - finality of orders, enforcement of orders, penalties.

## Statutory Materials with Amendments

1. Indian Contract Act, 1872
2. Sale of goods Act 1930
3. Indian Partnership Act, 1932
4. Consumer Protection Act, 1986
5. Limited liability of Partnership Act, 2008
6. Indian Partnership (Tamil Nadu Amendment Act No. 21 of 1959)
7. Competition Act, 2002

## Books for Reference

1. Avatar Singh - The Law of Contracts
2. Mulla - Sale of goods
3. Krishna Nair - Law of Contracts
4. Anson - Law of Contracts
5. Avatar Singh - Competition Law
6. Avtar Singh - Law of Consumer Protection (Principles & Practice)
7. P.K. Majumdar - Law of Consumer Protection in India
8. S.S. Gulshan - Consumer Protection & Satisfaction
9. Leela Krishnan - Consumer Protection & Legal Control
10. Avtar Singh - Law of Contracts (Indemnity, Guarantee, Bailment & Agency)

\*\*\*\*\*

## 2. PROPERTY LAW (TA2B)

### Unit - I Introduction

General principles relating to transfer of property in India  
Nature and interest in property, subject matter of transfer restrictive covenants, future interest, conditional transfers - transfer to unborn persons, capacity to transfer, doctrines of elections, holding out, holders under defective titles, lis pendens part, performance - Fraudulent transfer, Benami Transactions Doctrine of priority

**Unit - II Specific Transfers** Specific transfers - Sales, Mortgage, lease, exchange, gift and actionable claims

- (a) Definition of Sale
- (b) Difference between sale and contract for sale, in English Law and Indian Law with reference to decide cases, rights and liabilities of buyers and seller
- (c) Doctrine of marshalling in English and Indian Law
- (d) Different types of mortgages - simple mortgages, mortgages by conditional sale, usufructory mortgage, English Law and Indian Law with reference to decided cases.
- (e) Mortgage when to be by assurance
- (f) Rights and liabilities of mortgagator
- (g) Rights and liabilities of mortgages both with reference to English Law and Indian Law
- (h) Doctrine of clog, clog on the equity of redemption in English Law and Indian Law
- (i) Doctrine of redemption and mortgagor's right therein.
- (j) Accession to mortgage properties in English and Indian Law
- (k) Doctrine of priority in English Law and Indian Law.
- (l) Doctrine of marshalling and doctrine of contribution in English Law and Indian Law.
- (m) Redemption by persons other than the mortgagator.
- (n) Doctrine of subrogation
- (o) Doctrine of tackling in English Law and Indian Law

### **Unit - III Charge**

- (a) Definition of charge
- (b) Doctrine of notice and tender

### **Unit - IV Lease**

- (a) Definition of lease
- (b) Definition of lessor, lessor premium and rent.
- (c) Leases - how made and kinds of leases - Distinction between a lease and license
- (d) Right and liabilities of lessor
- (e) Rights and liabilities of the lessee both in English law and Indian Law with reference to decided cases

### **Unit - V Gift And Exchange**

- (a) Definition of Exchange, rights and liabilities of parties - Exchange of money in Indian and English Law
- (b) Definition of gifts - its ingredients
- (c) Gift of existing and future property. Gift to several of whom one does not accept.
- (d) Suspension and revocation of gifts. Onerous gifts, Universal donee. Donatio mortis causa and Mohammedan Law. Application in English and Indian Law.
- (e) Transfer of policy of marine insurance with reference to Indian and English Law.

**Unit - VI** Easements - Easements generally - imposition - acquisition and transfer of easement - incidence of easement - Disturbance, extinction, suspension, revival of easements.

**Unit - VII** Licences - Difference between Easements and Licences.

### **Statutory Materials with Amendments**

1. The Transfer of Property Act, 1882.
2. The Indian Easement Act, 1882.
3. Benami Transactions Prohibition Act, 1988

### **Books for Reference:**

1. G.Sanjiva Row - Commentaries on Easements and license
2. Vepa Sarathi - Law of Transfer of Property Act
3. Shah - Principle of Transfer.
4. Mulla - The Transfer of Property
5. Krishna Menon - The Transfer of Property
6. G.C.V. Subba Rao - The Transfer of Property
7. A.I.R. Commentaries - The Transfer of Property
8. W.Friedmann - Law in a changing society
9. Mitra - Transfer of Property
10. Goyle - Transfer of Property
11. C.L.Gupta - Law of Transfer of Property
12. Khatiar - Law of Easements
13. AIR Commentaries

\*\*\*\*\*

### 3. CONSTITUTIONAL LAW - 1 (TA2C)

**Unit - I Constitution** -• Definition - Constitutional Law - Classification of Constitution \* Difference between Constitutional Law and Administrative Law.

**Unit - II Historical Background** - Framing of the Constitution of India.

**Unit - III Outstanding Features of the Indian Constitution** - Nature of the Indian Constitution.

**Unit - IV The Philosophy of the Constitution** - Preamble and The Objective Resolution.

**Unit - V The Union and its Territory** - Territory of India - 35th & 36th Amendment - Formation of New States and Alteration of Boundaries, etc. - Procedure for Reorganization of States - Cession of Territory.

**Unit - VI Citizenship** - Meaning - Citizenship of India - Citizenship under the Citizenship Act, 1955 - Loss of Indian Citizenship.

**Unit - VII Fundamental Rights** - General Individual Rights and Fundamental Rights - Origin and Development of Fundamental Rights - Difference between Fundamental Rights and Rights secured by other provisions of the Constitution. Fundamental Rights in England and in the USA - Exceptions to Fundamental Rights - Amendability of Fundamental Rights -Suspension of Fundamental Rights - Classification of Fundamental Rights -Parliament's Power to Modify or Restrict Fundamental Rights - Enforcement of Fundamental Rights - A Guarantee against State Action - Definition of State (Article 12) - Laws Inconsistent with Fundamental Rights - Power of Judicial Review - Effect of Pre-Constitutional Laws - Waiver of Fundamental Rights.

**Unit - VIII Fundamental Rights** - Part III of the Constitution of India - Right to Equality - Right to Freedoms - The Six Freedoms - Protection in respect of Conviction for Offences - Protection of the Life and Personal Liberty - Safeguards against Arbitrary Arrest and Detention - Right against Exploitation - Right to Freedom of Religion - Culture and Educational Rights - History of Right to Property under the Constitution of India - The 44th Amendment, 1978 - Vestiges of the Right to Property - Right to Constitutional Remedies.

**Unit - IX Directive Principles of State Policy** - Object of the Directives-Scope of the Directives - Directives compared with Fundamental Rights - Non-Justiciability - Conflict between Fundamental Rights and Directive Principles - Sanction behind the Directives - Utility of the Directives - Implementation of the Directives - Directives contained in other parts of the Constitution - Classification of the Directives - Social and Economic Charter - Social Security Charter - Community Welfare Charter.

**Unit - X Fundamental Duties** - Need for Fundamental Duties - Source of Fundamental Duties - Enforcement of Fundamental Duties.

#### Statutory Materials with Amendments

1. Constitution of India, 1950

#### Books for Reference:

1. V.N. Shukla - Constitutional Law of India
2. V.N. Panday - Constitutional Law of India
3. P.M. Bakshi - Constitutional Law of India
4. Seervai H.M. - Constitutional Law of India
5. D.D. Basu - Shorter Constitution of India
6. M.P. Jain - Indian Constitutional Law
7. Kashyap S.C. - Basic Constitutional Values.
8. Tope T.K. - Constitution of India.

\*\*\*\*\*

## 4. FAMILY LAW - II (TA2D)

**Unit - I** Inheritance, succession, survivorship and management of Joint Family property and Marumakkathayam law - Law of Hindu joint family, Legal problems relating to debts and partition and impact of Modern Legislation - Law of Stridhana and changes brought about by legislation on Hindu joint Family system - Law of inheritance in Mithakshara and Dayabhaga Schools and changes brought about by modern legislation. Mohammedan law of inheritance with special reference to Shia and Sunni Schools - Hindu and Muslim Law of Wills - Relevant Portions of Indian Succession Act. Dealing with intestate succession of Christians Charitable and Religious Endowments and Wakfs - Gifts and Preemption.

**Unit - II** Administration of Estates in Mohammedan Law.

### Statutory Materials with Amendments

1. Hindu Inheritance Disabilities Removal Act, 1928.
2. Hindu Law of Inheritance (Amendment) Act, 1929.
3. Hindu Gains of Learning Act, 1930.
4. Hindu Women's Right to Property Act, 1937.
5. Hindu Succession Act, 1956. as amended in 2005.
6. Hindu Succession Act, 1925.
7. The Wakf Act, 1954, as amended in 1995, 2013.
8. The Hindu Married Woman Right to Separate Residence and Maintenance Act, 1946
9. Hindu Succession (TamilNadu Amendment Act,)1989

### Books for Reference:

1. Dr.Paras Diwan - Family law
2. Paruk - Indian Succession Act
3. R.Swaroop - Hindu Law Of Succession
4. Mulla - Hindu Law
5. N.R. Raghavachari - Hindu Law
6. Mulla - Mohammedan Law
7. A.A. Fyzee - Outlines of Mohammedan Law
8. K. Sreedhara Variar - Marumakkathayam Law
9. Mitra - Indian Succession Act

\*\*\*\*\*

## 5. CLINICAL COURSE - I (TA2E)

(INTERNAL)

### PROFESSIONAL ETHICS, AND PROFESSIONAL ACCOUNTING SYSTEM

#### Assessment Scheme

- i. Project on Professional Ethics  
(Written Submission) : 25 Marks
  - ii. Case Study  
(BCI, High Court and SC Judgements) : 25 Marks
  - iii. Tests (Internal) : 25 Marks
  - iv. Viva Voce on Project and Case Study : 25 Marks
- TOTAL 100 Marks**

#### Unit - I Professional Ethics :

Professional Ethics - meaning and nature - Professional misconduct - meaning and ambit - Organisation, powers and jurisdiction of State Bar Councils and Bar Council of India - Disciplinary Committee of state Bar Councils and Bar Council of India - Organisation, procedure and powers - Remedies against order of punishment.

#### Unit - II Bar Bench Relations:

Contempt of Courts Act - Contempt of Court - Meaning and Nature - Categories of contempt of Court - Contempt Jurisdiction of the Subordinate Courts, High Courts and Supreme Court - Procedure - Punishment for contempt of Court - Remedies against Punishment.

**Selected opinions of the disciplinary Committee of the Bar Council of India on Professional Misconduct:**

1. Jagdish Singh and others v. T. C. Sharma.
2. Babulal v. Subash Jain
3. Balswaroop soni v. Babulal soni
4. Indure Ltd v. Deo Raj Guptha.
5. Commissioner of Civil Supplies and Consumer Protection Department v. V. Balakrishnan.
6. A. Banumurthy v. Bar Council of Andhra Pradesh
7. Dr. D. V. P. Raja v. D. Jayabalan
8. G. M. Hirmani v. Ishwarappa.
9. N. S. (Appellant) v. N. V. (Respondent)
10. P. R. (Complainant) v. V. I. (Respondent)
11. Ashok Kumar Yadhav v. Bar Council of India (19/1/2015).
12. C.Ravichandran Iyer v. Justice A.M.Bhattarcharjee (Disciplinary Power of Bar Council-Conduct of a Judge).
13. Supreme Court Bar Association v. Union of India and others (17 th April 1998)
14. An Advocate v. Bar Council of India and another on 29 th September 1998.
15. D.P.Chadha v. Tiryugi Narain Mishra and others December 2000

**Selected Cases relating to Professional Misconduct and Contempt of Court:**

1. Pawan Kumar Sharma v. Gurdial Singh (A.I.R. 1999 S.C. 98)
2. Mahabir Prasad Singh v. M/S Jacks Aviation Pvt. Ltd. (A.I.R. 1999 S.C. 287)
3. Supreme Court Bar Association v. Union of India (A.I.R. 1998 S.C. 1895)
4. P. D. Gupta v. Ramamurthy (A.I.R. 1998 S.C. 283)
5. Robtas Singh v. Commissioner Agra Division (A.I.R. 1997 S.C. 278)
6. Harish Chander Singh v. S. N. Tripathi (A.I.R. 1997 S.C. 879)
7. Hikmatali Khan v. Ishwar Prasad Aiyar (A.I.R 1997 S.C. 864)
8. Prahalad Saran Gupta v. Bar Council of India (A.I.R 1997 S.C. 1338)
9. Dr. Haniraj L. Chusani v. Bar Council of Maharashtra (A.I.R 1996 S.C. 1708)
10. Inre Dr. D. C. Saxend and. U. Saxena v. Hon'ble Chief Justice of India (A.I.R. 1996 S.C. 2491).
11. Sambhu Ram Yadhav v. Hanuman Das Khatry (2001 16 SCC 165 ).
12. B.M.Verma v. Uttarkhand Regulatory Commission (Appeal No.156 of 2007).
13. R.K.Anand v. Registrar of Delhi High Court (2009 85 SCC 106).
14. Harish Uppal v. Union of India (2003 (1) ACC MR (SC) 1169).
15. J.S. Jadhav Mustafa v. Haji Mohammed Yusuf (AIR 1993 SC 1608).

## Accountancy For Lawyers:

Accountancy for lawyers - Purpose of keeping accounts - Important aspects relating to accountancy - Legal requirements for maintaining books of accounts - Accounts of Professionals.

## Statutory Materials with Amendments

1. Advocate Act, 1961
2. Contempt of Courts Act, 1971
3. The Bar Council Code of Ethics.
4. Bar Council of India Rules 1975.

## Books for Reference:

1. K. V. Krishnaswami Aiyar - "Professional conduct and Advocacy".
2. Dr. Kailash Rai - Legal Ethics, Accountancy for Lawyers and Bar Bench Relations.
3. Nabhi's Publications - Business and Professional Accounts.
4. Prof. B.N.B. Aliga - Traditions of the Bar - A. I. R. 1991 Journal 161
5. Mr. Justice M. M. Ismail - Professional Ethics and Etiquette Madras High Court Centenary Celebration
6. Professional Ethics, M.C.Setalvad.
7. Judicial Accountability, K.K.Venugopal
8. Professional Conduct, Taikad Subramanilyer.
9. The Lawyer's Strike And The Duty Of The Supreme Court, H.M.Seervai.
10. Role of Bar, H.R.Khanna.
11. The Indian Bar, P.P.Rao.
12. The American Bar Association Organization And Activities.
13. Bench-Bar Relations-Crisis Of Credibility, P.P.Rao.
14. Temper on The Bench, C.P.Singh.

\*\*\*\*\*

## SECOND YEAR

### III - Semester

## 1. CONSTITUTIONAL LAW - II (TA3A)

**Unit - I Organization of Executive Power** - The President - Governors - Powers and Functions - Immunities - Pardoning Power - Ordinance Making Power - Judicial Decisions.

**Unit - II Organization of Legislative Power** - Parliament and the State Legislatures - Office of the Speaker - Chairperson of Rajya Sabha and Legislative Councils - Legislative Privileges - Judicial Interpretations - Qualifications and Disqualifications - X Schedule.

**Unit - III Organization of Judicial Power** - Supreme Court - High Courts - Appointment, Transfer and Removal - Independence of Judiciary - Tribunals.

**Unit - IV Organization, Powers and Functions** of the CAG, ECI and the Public Service Commissions - Constitutional Safeguards for Civil Servants.

**Unit - V Constitutional Review** - Need and extent of Review - Constitutional Review Committee's Report

**Unit - VI Concept of Federalism** - Necessity and Justification for Federal Governments - Essential Features of Federal Form of Government.

**Unit - VII Legislative Relations under Indian Constitution** - Doctrine of Territorial Nexus - Doctrine of Pith and Substance - Colourable Legislation - Implied and Residuary Powers - Central Control over State Legislation - Areas of Conflict.

**Unit - VIII Administrative Relations between Union and States** - "Full Faith and Credit Clause" - Central and Inter-State Conflict Management.

**Unit - IX Fiscal Relations between the Centre and States** - Sharing of Taxes and Grants in Aid - Restrictions on the Power of State Legislature as Fiscal Powers - Doctrine of Immunity of Instrumentality - Role of Finance Commission - Borrowing Powers - Constitutional Limitations.

**Unit - X Freedom of Trade and Commerce** -  
Exceptions - Implications of the Concept of Federation.

**Unit - XI Federalism and Emergency Situations** -  
Types of Emergency and their Impact on the Federal Structure.

**Unit - XII Amendment of the Constitution** - Powers and  
Procedure for Amendment.

### **Statutory Materials with Amendments**

1. Constitution of India, 1950.

#### **Books for reference:**

1. Dr. V. N. Shukla - Constitution of India
2. P. M. Bakshi - Constitution of India
3. Pandey - Constitution of India
4. Constituent Assembly Debates
5. Palanidurai .G - Dynamics of New Panchayatraj systems
6. D.N.Banerjee Some aspects of Indian constitution
7. Seervai H.M. - Constitutional Law of India
8. D.D. Basu - Shorter Constitution of India
9. M.P. Jain - Indian Constitutional Law
10. Dr. Anirudh Prasad - Centre - State Relations in India
11. S.N. Jain, Subash C. Kashyap and N. Srinivasan - The Union and the States
12. Dr. K.P. Krishna Shetty - The Law of Union-State Relations and India Federalism
13. Kashyap S.C. - Our Parliament
14. A.G. Noorani - The Presidential System: The Indian Debate
15. Venkatraman R. - My Presidential Years
16. Verinder Grover - Federal System, Centre - State Relations and State Autonomy
17. Kashyap S.C. - Basic Constitutional Values
18. Tope T.K. - Constitution of India

\*\*\*\*\*

## **2. LAND LAWS (TA3B)**

### **Unit – I Historical Sketch of Land Reforms/land laws:**

Concept of land : Kinds, Ownership and Possession of land – land reforms and constitutional history : Eminent domain –Right to Property under Article 31A,31B,31C of the constitution-Article 300A:Protection of personal property - Nineth Schedule-Early Revenue Administration in Tamil Nadu-Grants-Inams-Zamindari system: Permanent settlement-Ryotwari:Rights and liabilities Of Ryotwari Pattadar –Tamil Nadu Estates (Abolition and Conversion into Ryotwari)Act,1948.

### **Unit – II Acquisition of Land**

Land Acquisition Act,1894(repealed )-Right to Fair Compensation and Transparency in land Acquisition , Rehabilitation and Resettlement act,2013(LARR Act,2013)-Need for new land acquisition law- Definitions:affected family land, landowner, holding of land etc.,Safeguards against indiscriminate land acquisition –Compensation-Rehabilitation and Resettlement-LARR Authority- Apportionment of compensation-Payment of compensation-Temporary Occupation of Land-Amendment Ordinance 2014- Time to time amendments.

### **Unit – III Enactments and Cultivating Tenants**

The Tamil Nadu Cultivating Tenants Protection Act,1955:Definitions-landlord not entitled to evict the tenant-Right to restoration of Possession-Special provision for member of armed forces-Bar of Jurisdiction of Civil Courts-Revision by Highcourts – The Tamil Nadu Cultivating Tenants arrears of rent relief Act,1972,1980-Tamil Nadu Cultivating Tenants Protection from Eviction Act,1983,1989.

The Tamil Nadu Cultivating Tenants(Payment of Fair Rent) Act,1956:Definitions- Interpretations-Right and liabilities of cultivating tenants and land owner-Fair rent-Alteration or Revision of Fair Rent- Kaiaeruvaramdar and Mattuvaramdar- Rent Court and Rent Tribunals-Exception-Powers of High Court.

The Tamil Nadu Agricultural Land Record of Tenancy Right Act,1969:Definition-Preparation of Records of Tenancy Rights-Record Officer-Advisory Committee- Modification of entries in the draft and approved record of tenancy rights.Appeals –Revision-Penalty for failure to furnish information-cognizance of offence.

The Tamil Nadu Occupants of Kudiyruppu and Conferment of Ownership Act, 1971: Definitions - Occupant - Conferment of Ownership - Alternative Site - Prohibition of alienation - authorised Officer - compensation - Offences by companies.

#### **Unit – IV Law and Land Ceiling**

Tamil Nadu Land Reforms Fixation of Ceiling on Land Act, 1961 and Amended act 1971: Preliminary – Definitions: Ceiling area, Family, Stridhana Property, Standard Acre, etc., Fixation of Ceiling on land holdings - Land Board - Industrial undertakings – Publication of statement - Land Tribunal - Authorised officer - Determination of Compensation – Exemptions - Special Appellate Tribunal - Courts - Penal Provisions.

#### **Unit – V Law and Buildings**

Tenancy law: The Tamil Nadu Buildings (lease and rent control) Act, 1960: Introduction - Definitions - Fixation of Fair rent - Changes in Fair Rent - Agreed rent - Procedure for avoid default in payment of rent - Grounds for eviction of tenant - Jurisdiction of the Rent Controller – Execution Proceedings by Legal representatives or against Legal representatives - Appeal.

Tamil Nadu Apartment Ownership Act, 1994: Definition - Ownership, Heritability and transferability of Apartment – Deeds of Apartment and its Registration - Societies or Association of Apartment Owners, its bye-laws and Functions.

(Note: Statutory Materials with Amendments All Acts specified in the above units.)

#### **Books for Reference**

1. K. Venkata Rao - The Tamil Nadu Land Reforms Act.
2. V.N. Krishnamoorthy - The Tamil Nadu Building Lease and Rent Control Act, 1960.
3. Prof.A.Chandrasekar - Land Laws of Tamil Nadu
4. Beverly.H - Commentaries on the Land Acquisition Acts
5. Maheswaraswamy - “Land Laws”
6. Maheswaraswamy - Land Law Under the Constitution of India
7. V.G.Ramachandran - Land of Land Acquisition and Compensation.

\*\*\*\*\*

### **3. INTERPRETATION OF STATUTES (TA3C)**

#### **Unit - I**

**Introduction:** What is a Statute? - Different parts of a Statute - Commencement, Repeal & Revival of Legislation - Codification & Consolidation.

#### **Unit- II**

**Interpretation:** Meaning - Significance of Interpretation - Need for interpretation - Object of Interpretation - General principles of Interpretation - Literal or Grammatical - Logical Interpretation - Rules of Interpretation - Literal or Plain Reading Rule - Mischief Rule - Golden Rule - Subsidiary Rules.

#### **Unit -III Construction:**

Beneficial Construction - Restrictive Construction - internal Aids & External Aids - The Different Parts of the Statutes in Interpretation.

**Unit -IV Interpretation of Taxing Statutes-** Strict Construction - Beneficial Construction.

**Unit -V Construction of Penal Statutes** - Strict & Beneficial Interpretation - Interpretation Regarding Punishments - Mensrea.

**Unit -VI Interpretation of Imperative Statutes and Directory Statutes.**

#### **Unit - VII Constitutional Interpretation**

- a) **Interpretation of Constitution:** Preamble as a tool for Interpretation - In re Berubari Union & Exchange of Enclaves case - Doctrine of Pith & Substance - Doctrine of Colourable Legislation - Presumption in favour of Constitutional Validity of Legislation.
- b) **Interpretation of Fundamental Rights:** Menaka Gandhi's case - E.R Royappa's case - Keshavanada Bharati's case etc. - Fundamental Rights & Directive Principles - Harmonious Construction - Human Rights & Fundamental Rights.

## Unit - VIII

**General Clauses Act 1897:** Definition - General Rules of Construction - Provisions relating to Order & Rules.

### Books for Reference :

1. M .P Tandon : Interpretation of Statutes and Legislation
2. Maxwell : Interpretation of Statutes
3. Singh G. P. : Interpretation of Statutes
4. Vepa P. Sarathi : Interpretation of Statutes
5. Cross : Interpretation of Statutes
6. Craires : Statutory Interpretation.
7. Bindra : Interpretation of Statutes
8. T. Bhattacharyas : Interpretation of Statutes
9. General Clauses Act : Bare Act.
10. D. D. Basu : Shorter Constitution of India (2 Vols.)

\*\*\*\*\*

## 4. COMPANY LAW (TA3D)

### Unit - I Introduction

**Corporate personality-** Definition of a Company - Characteristic of a Company and other types of Associations - Illegal Association - Classes of companies- Lifting or Piercing the Corporate Veil - One Person company

### Unit - II Formation:

Formation- Formation of a Company- Promoters,Registration Incorporation,Memorandum of Association,Articles of Association, Prospectus and deposits - application for registration.

### Unit - III Corporate Financing

Shares-Application and allotment of shares, members and share holders, share and shares capital, debentures, charges and debentures holders, dividends, borrowings, lending investments , contracts.

### Unit - IV Corporate Governance

Directors-Independent directors,woman directors and managerial personnel, meetings, accounts and audits , internal auditing,National Financial Reporting Authority, e-filing and Information Technology Act,2000,corporate social responsibility,majority powers and minority rights ,prevention of oppression and mismanagement, investigation, powers of inspectors , powers of NCLT, Insider trading.

### Unit - V Compromises, Arrangements and winding up

Compromises, Arrangements and Amalgamations-Mergers and acquisitions, winding up and kinds of winding up –Administration of NCLT and CLAT and Special courts –Powers of liquidators, removal of names of companies from Register of companies, Defunct companies and restoration, revival and rehabilitation of sick companies.

## Unit - VI Securities Exchange Board of India

Securities Exchange Board of India (SEBI) Act,1992 - Amendments 2014-Establishment of Securities Board of India – Powers and Functions of Board – Prohibition of Manipulative and Deceptive Devices,Insider Trading and Substantial Acquisition of Securities or control - Penalties and Adjudication-Securities Appellate Tribunal-Miscellaneous

### Statutory Materials with Amendments

1. The Companies Act, 2013.
2. Information Technology Act 2002.
3. Securities Exchange Board of India,1992.

### Books for Reference :

1. Shah's Lectures on - Company Law.
2. Gower - Company Law.
3. Basu N.D. - Company Law.
4. Dutt - Company Law.

\*\*\*\*\*

## 5. BANKING LAW (TA3E)

### Unit - I Nature and Development of Banking :

History of Banking in India and England - Different types of Banks and specific laws relating to them - Banking by individuals, Partnership firms, Cooperatives, Companies, Foreign Companies; Scheduled and Non scheduled Banks - Nationalization of Banks.

### Unit- II Banker and Customer:

Definition of 'Banker' - Business permitted and prohibited for a Banking Company.

Definition of 'Customer'- General Relationship between Banker and Customer.

Special types of Bankers, Customers - Minors, Lunatics, illiterates, Executors, Hindu Joint Family, Partnership firms, Joint Stock companies, clubs, Societies, Charitable Associations, Trustees etc

Banker as Borrower - Forms of Borrowing, Discounting of bills, Different types of deposits, payment before due date and Repayment of different types of deposits, attachment of deposits by the Courts and income tax authorities.

Different types of accounts - Formalities involved for opening accounts, operating accounts, legal aspects of entries in pass books, effect of false entries, closing of a bank account.

Duties of a Banker: To honour Cheques, To maintain secrecy, To disclose information, Countermanding of Cheques by customers.

Rights of a Banker- General lien, set off, to combine accounts, to charge interest and service charges, appropriation (Rule in Clayton's case)

Banking instruments: Bank notes, Banker's drafts, deposit receipts, letters of credit, indemnities, travelers Cheques, postal orders, dividend warrants, bonds.

### **Unit - III Paying Banker:**

Precautions to be taken by the paying banker-when banker must refuse payment, statutory protection given to the paying banker, Banker as payer of domiciled bills, Recovery of money paid by mistake.

### **Unit - IV Collecting Banker:**

Collecting banker as Holder for value - collecting banker as agent, conversion by collecting banker; duties and liabilities of a collecting banker; statutory protection given to the collecting banker.

### **Unit - V Laws Relating To Loans, Advances And Investments By Banks :**

Subsidiary business operations of bankers with special reference to Safety Deposit Lockers - Liability of banker in case of bank robberies and fraud by bank employees - Vicarious liability of the bank - Recovery of loans and advances - Recovery of debts due to banks, Financial Institutions Act, 1993. The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002-Debt Recovery Tribunal-Banking and Insurance ombudsman.

### **Unit - VI Miscellaneous:**

RBI's control over commercial banks - Special Status of RBI and State Bank of India - Subsidiary Banks - Effect of winding up of Banking companies - Rights of customers on winding up of companies - Necessity for reforms in Indian Banking Law to meet global challenges. E-Banking- ATM-CDM-Smart Cards-Net Banking-Electronic clearance system-Legal Issues,Regulating E-transactions, Reserve Bank of India's contribution,e-bank issues,International transactions, credit cards and internet related laws,secure electronic transactions

### **Negotiable Instruments :**

#### **Unit - VII Definition And Characteristics:**

Definition, Characteristics and categories of Negotiable Instruments, Definition and Characteristics of Promissory Note, Bill of Exchange and Cheques, Distinctions between them, Different Kinds of Bills, Hundis, Letters of Credit.

### **Unit - VIII Parties to Negotiable Instruments:**

Holder, holder in due course, Rights and Privileges of a Holder in Due Course, Capacity of parties.

### **Unit - IX Presentation:**

Presentation for Acceptance, Types of Acceptance, Presentation for payment; Maturity, when presentation is excused and when is it unnecessary. Effects of non presentation.

### **Unit - X Negotiation:**

Negotiation of Negotiable instruments, Negotiation distinguished from Assignment. Modes of Negotiation, kinds of Endorsements, negotiation by unauthorized persons.

### **Unit - XI Discharge And Dishonour :**

Discharge of instrument, Modes in which parties are discharged, Material alterations, dishonour of a bill of exchange; Modes of dishonour, Notice of Dishonour, Effect of dishonour, Noting, Protest, Compensation, Acceptance for Honour, Payment for Honour, Drawee in case of need.

### **Unit - XII Liability:**

Liability of various parties -Drawer, Maker, Drawee, Endorser; Liability for unjustified dishonour. When a banker is justified in refusing payments on a Cheque. Liability of transfer by delivery. Liability under Accommodation bills, Liability on Foreign instruments.

### **Unit - XIII Presumptions in favour of Negotiable Instruments.**

### **Unit - XIV Cheques :**

Crossing of a Cheque, Different types of crossing, who may cross, payment of crossed Cheques, Rights of Holder against Banker.

### **Unit - XV Dishonour of Cheques**

Civil and Criminal Liability for dishonour of Cheques under section 138 to section 142 of the Amended Negotiable Instruments Act.

## Statutory Materials with Amendments

1. Consumer Protection judgements Act, 1986
2. The Banking Regulation Act, 1949
3. The Reserve Bank of India Act, 1934
4. The State Bank of India Act, 1955- The State Bank of India (Subsidiary Banks) Act, 1959
5. Negotiable Instruments Act, 1881
6. Bill of Exchange Act, 1882
7. The Cheques Act, 1957
8. Limitation Act, 1963
9. Information Technology Act, 2002
10. The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002

## Books for Reference:

1. Tannan's - Banking law and Practice in India (India law house, New Delhi)
2. Banking law and Practice - PN. Varshney (Sultan Chand & Sons, New Delhi-110 002)
3. Negotiable Instruments - By Bhashyan & Adiga (Bharat law house pvt. Ltd. New Delhi)
4. The Negotiable instruments Act. - Khergamvala - Edited by M.S. Parthasarathy (N.M. Tripathi Private Ltd, Bombay)
5. Dishonour of Cheques, Liability Civil & Criminal By S. N. Gupta (Universal law publishing Co. Pvt. Ltd. G. T. Karnal Road, Delhi -110 033)
6. Negotiable Instruments By Avtar Singh (Eastern Book Co. 34 Zallagh, Lucknow -226 001)
7. Sir John Paget - Law of Banking
8. H. P. Sheldon - The practice and law of Banking.

\*\*\*\*\*

## IV - Semester

### 1. LAW OF EVIDENCE (TA4A)

#### Unit - I Introduction

The Indian Evidence Act, 1872-Applicability and exclusion. Lex Fori- Statutory definitions - The Indian Law of Evidence compared with the English Law of Evidence - Exceptions same; rules of evidence applicable to civil and criminal proceedings - Doctrine of corpus delict - presumptions of laws - and presumptions of fact.

#### Unit - II

Matters of which proof is allowed - Relevancy and admissibility- Resgesta - Motive preparation, opportunity and subsequent conduct - introductory and explanatory facts of relevant facts - Acts of conspirators - facts otherwise relevant -Facts determining quantum of damages - Existence or exercise of custom- Statement of bodily or mental condition similar facts-course of business-Admission and confession statement of persons who cannot be called as witnesses. Disposition of former proceedings relevant in public records, maps, charts, Act or notifications, Law books and law reports - judgment opinions of witnesses - Character of parties - Civil and Criminal cases - Previous conviction of parties - General reputation of parties.

Matters of which proof is not required - Judicial Notice - Law and Custom - Public Administration - Common knowledge -Facts formerly admitted presumptions - Rebuttal of presumptions.

Matters of which proof is not allowed - Facts which parties are stopped from proving - stopped by record, deed and conduct.

#### Unit -III

Proof - oral evidence - Rule against hearsay - The evidence rule - Admissions, confessions, declaration statement in Public documents - Documentary evidence, primary and secondary evidence - Digital evidence - Genuiness of documents - Proof of public documents by certified copies or by records of the documents, etc. Presumptions as to documents - parol Evidence respecting. Documents as substitute for documents - variation or contradiction or contradiction in aid of interpretation.

## Unit - IV

### Production and Effect of Evidence :

Burden of proof - quantum of proof - cogency of evidence- competency of witness - compellability - oath or affirmation - Examination in chief cross examinations questions in cross Examination - re-examination. Hostile witness - Discredit of opposing witness - contradiction of witness- dental privilege - Affairs of State- Information Legal Professional Communications between spouses accomplices - Discretion of witness - Admissibility of evidence - witness called by judge - corroborations - Refreshing memory - Judges power to put questions - Appeal against improper admission and rejection of evidence.

### Statutory Materials with Amendments

1. The Indian Evidence Act, 1872.
2. Criminal Law (Amendment) Act, 2013.
3. Information Technology Act, 2000.

### Books for Reference

1. Ratanlal - The Law of Evidence.
2. Sarkar - Law of Evidence
3. R.D.Agarwal - Commentaries on Indian Evidence Act.
4. Sir James Fitz Stephen - An Introduction to the Indian Evidence Act.
5. Abhinav Mishra's - Indian Evidence Act.

\*\*\*\*\*

## 2. ADMINISTRATIVE LAW (TA4B)

### Unit -I Introduction

Definition, Nature, Scope-Origin and Development in UK., U.S.A., France and India – Sources- Administrative Law and Constitutional law -Rule of Law Concept, Evaluation Of Dicey's concept of Rule of Law, Modern conception of Rule of Law, Rule of Law IN U.K., U.S.A, and India, Rule of Law vis-à-vis Administrative Law- Doctrine of Separation of Powers-Meaning, Origin, Montesquieu's Doctrine of Separation of Powers, System of Checks and Balances, Position in U.K., U.S.A., and India- Parliamentary Sovereignty in U.K., Limited Legislative Powers in U.S.A. and India- Classification of Administrative Action..

- A. Nature of Powers – Executive , Legislative and Judicial
- B. Legislative Function-Quasi Legislative Functions-Administrative Directions
- C. Judicial Function – Quasi Judicial Function – Tribunals and Administrative Justice. Executive Function-Ministerial Functions and Discretionary Functions

### Unit - II Delegated Legislation:

Meaning , Nature, Origin , Development and Growth of Delegated Legislation, Types of Delegated Legislation and Constitutionality of Delegated Legislation-Delegated Legislation and Conditional Legislation, Sub-Delegation –Restraints on Delegation of Legislative Power, Doctrine of Excessive Delegation- Control over Delegated Legislation-Judicial, Procedural and Legislative Control-Administrative Directions and Delegated Legislations.

### Unit -III Procedural Fairness and Judicial Review

Principles of Natural Justice- Concept, Parameters and Application of the Principles of Natural Justice-Rule against Bias-Audi Alteram Partem or the Rule of Fair Hearing-Meaning, Object, Ambit and ingredients of Fair hearing, Institutional Decision, Post decision hearing –Reasoned decisions-Exceptions to the rule of Natural Justice-Effects of Breach of Natural Justice.

Administrative Process and Judicial Review –Meaning and need for Judicial Review-Scope of Judicial Review, Jurisdiction of Supreme Court-Writ Jurisdiction-Appeal by Special Leave (Art. 136)-Scope and Object of Article 136-Jurisdiction of the High Court- Judicial Review of Administrative Action through writs-Scope of the Writ Jurisdiction – against whom the writ lies-Territorial extent of Writ Jurisdiction-Relief against an Interim order –Interim Relief (Art.226 (3)- - Locus standi – Kinds of Writ-Grounds for issue of Writs-Principles for the exercise of Writ Jurisdiction, Alternative Remedy Laches or Delay-Res Judicata-Public Interest Litigation and Locus Standi-Doctrine of Legitimate Expectation and Doctrine of Proportionality.

Statutory Remedies- Injunction-Declaration against the Government-Exclusion of Civil Suits:

Privileges and Immunities of Government in legal Proceedings-Privilege to withhold documents-Miscellaneous Privileges of the Government–Notice, Limitation, enforcement of court order- Binding nature of Statutes over the states action-Promissory Estoppel- Right to information

Judicial Control of Administrative Discretion- Meaning , Nature and Need of administrative Discretion-Ground and Extent of Judicial Review- Fundamental Rights and Discretionary Power

Liability of the state –Liability of the State in Torts and Contracts.

#### **Unit- IV Ombudsman, Lokpal, Lokayakta and Central Vigilance Commission**

Meaning, Object, Main Characteristics, Need and Utility –Origin and Development of the Institution-Ombudsman in New Zealand – Ombudsman in England (Parliamentary Commissioner)-Ombudsman in India- Lokpal-Lokayukta in States-Central Vigilance Commission.

#### **Unit - V Administrative Tribunals and Public Undertaking :**

Administrative Tribunals-Meaning, Nature, Main Characteristics ,Origin and Development (U.S.A, U.K, and India)-Franks Committee-Tribunal and court, similarity and difference- Reason for growth of Administrative Tribunals-Merit and Demerits of Administrative tribunals-Procedure and Powers of Administrative Tribunal (U.K., U.S.A. and India) Tribunal under Constitution-High Court's Superintendence over Tribunals-Appeal to Supreme Court by Special Leave- Working of the Administrative Tribunal-Administrative Tribunals under Administrative Tribunals Act, 1985-Administrative Procedure Act in U.S.A-Domestic Tribunal.

Public Undertaking- Object, Importance, Characteristics, Classification, Reason for the growth-Working of Public Corporation- Rights ,Duties and Liabilities of Public Corporations-Control over Public Corporations, Government Control, Parliamentary Control, Judicial Control, Public Control-Role of Ombudsman in Public Undertaking.

#### **Books for Reference**

1. M.P.Jain and S.N.Jain - Principles of Administrative law.
2. S.P.Sathe - Administrative
3. I.P.Massey - Administrative Law
4. C.K.Takwani - Administrative Law
5. Kailash Rai - Administrative Law
6. Wade - Administrative Law
7. De Smith - Administrative Law
8. Foulkes - Administrative Law
9. Indian Law Institute - Cases and Material of Administrative Law.
10. Markose - Judicial Control of Administrative Action
11. Griffith and Street - Administrative Law.
12. Report of the Law Commission - First Report, Second Report, Fourteenth Report
13. Report on the committee of Minister's Power - Franks Committee Report.

\*\*\*\*\*

### 3. LABOUR LAW - I (TA4C)

#### Unit I Introduction

Labour Legislation: Origin and Development of Labour legislation- Object and Nature of Labour Legislation- Evolution of concept of Master and Servant relationship-Theory of Laissez Faire and State Regulation of Labour Legislation and Its Special Features-Role of International Labour Organization in setting Labour Standards. Liberalization-Privitization and Globalization(LPG).

#### Unit II Trade Union Act,1926

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

#### Unit III Industrial Disputes Act,1947

Scope,Applicability and Definitions - Appropriate government: Workmen:Industry:Industrial Disputes:Award:Settlement:Public Utility Services: Strike: LockOut Retrenchment:Lay Off:Closure-Machinery for Settlement of Industrial Disputes-Work Committees, Conciliation Officers-Board of Conciliation,Court of Inquiry-Labour Court, Industrial Tribunal National Industrial Tribunal-Reference Power of the Government Voluntary Arbitration-Unfair Labour Practices.

#### Unit IV Industrial Employment (Standing Orders) Act, 1946:

Scope and Definitions - Procedure for Certification of Standing Orders - Duration; Modification of Certified Standing Orders - Domestic Enquiry and disciplinary proceedings.

#### Unit V Law Relating to Wages

Minimum Wages Act,1948:Theories of Wages and Wage Policy - Concept of Wages - Living Wage,Fair Wage and Minimum Wage - Fixation of Minimum Rates of Wages-Methodology, Procedure: Advisory Boards-Inspectors, Powers, Claims - Exceptions and Offences - Equal Remuneration Act

Payment of Wages Act,1936:Definitions-Deductions-Authorities under the Act- Inspectors and their powers-Penalty.

#### Statutory Materials with Amendments

1. Industrial Disputes Act,1947.
2. Trade Union Act,1926
3. Industrial Employment (Standing Orders)Act,1946
4. Minimum Wages Act,1948
5. Payment of Wages Act,1936.

#### Books for Reference

1. Madavan Pillai - Labour and Industrial Law
2. S.N.Mishra - Labour and Industrial Law
3. V.G.Goswami - Labour Law
4. O.P.Malhotra - Industrial Disputes Act
5. K.D.Srivatsava - Law Relating to Trade Union
6. K.D.Srivatsava - Payment of Wages Act,1936.
7. K.D.Srivatsava - Payment of Minimum Wages Act,1948.

\*\*\*\*\*

## 4. INTERNATIONAL LAW (TA4D)

### Unit - I Introduction :

International Law- Definition; Basis; nature and Weakness  
-Differences between Public International Law and Private  
International Law - Codification.

**Unit - II** Sources of International Law.

**Unit - III** International Law and Municipal Law- Relationship.

### Unit-IV Subjects of International Law :

State as a Subject - Rights and Duties or Responsibilities of  
State - Individual as a Subject of International Law.

**Unit - V** State Succession and Liability.

**Unit - VI** Territorial Sovereignty - Modes of Acquisition and  
Loss of Territory; Jurisdiction; Law of Sea; law of the Air.

**Unit - VII** Extradition and Asylum; Nationality Acquisition and  
Loss Related Problems - Refugees - Nuremberg Trial - Disarmament  
Weapons of Mass destruction - Peaceful use of chemistry.

**Unit - VIII** Diplomatic Agents - Consular Missions - their  
Position, Privileges and Immunities.

**Unit - IX** International Treaties - Negotiations - Conclusion of  
Treaties - Various Stages - Reservation; Observance of Treaties  
- Interpretation of Treaties - Suspension and Termination of Treaties.

**Unit - X** International Organizations - UNO - General Assembly;  
Security Council; International Court of Justice - International  
Tribunals.

### Books for Reference :

1. Starke - International Law
2. S.K. Kapoor - International Law
3. K.K. Bhattacharya - International Law
4. Agarwal - International Law
5. Oppenheim - International Law
6. Briely - International Law
7. Schwarzenegger - International Law

\*\*\*\*\*

## 5. CLINICAL COURSE-II (TA4E) (Internal) ALTERNATIVE DISPUTE RESOLUTION

### Unit - I - Domestic Arbitration

1. General Provisions - Definition Clause - Meaning of Arbitration, Valuer, Experts, Valuation, Dispute, Dispute of Civil Nature, Tort matters, Contract of Apprenticeship, Assignment, Powers under agreement - Arbitration and litigation - Reference under Arbitration Agreements.
2. Arbitration agreement - Agreement to be in writing - No prescribed form of agreement-Tenders containing arbitration clauses - Telex - Fax - Arbitration Agreement and reference clauses having the effect of arbitration agreement - Rent review clause. Agreement of reference in the shape of option - Reference of time - Barred claim etc.
3. Composition of Arbitral Tribunal - and all its attendant provisions.
4. Jurisdiction of Tribunal
5. Conduct of Arbitral Proceeding.
6. Making of Arbitral Award and Termination of Proceedings.
7. Recourse against Arbitral awards - Finality and enforcement of Arbitral awards.
8. Appeals and Miscellaneous Provisions.

### Unit - II : Enforcement of Certain Foreign Awards

- a. **International and Commercial Arbitration** : Commercial choice of place and proper law of Arbitration - Governing law of arbitration - Foreign award - International arbitration - New York convention awards - Binding force of foreign awards - enforcement of foreign awards-Appealable orders.

- b. **Geneva Convention Awards**: Foreign awards for purposes of this convention - II Schedule & III Schedule - All Implications Relating to the Geneva Convention Awards.

### Unit- III : Conciliation

- a. Meaning - Number and qualification of conciliators - Appointment of conciliators - Principles of Procedure - Procedure of Conciliation.
- b. Settlement : Settlement of Disputes - Status and effect of settlement agreement - Restrictions on the role of conciliators -Termination of Conciliation Proceedings - Resort to Arbitral or Judicial Proceedings - Costs - Deposits.

### Unit IV Mediation:

#### Unit V Schedules

- a. First Schedule : Convention on the Recognition and Enforcement of Foreign Arbitral awards.
- b. Second Schedule : Protocol on Arbitration Clauses.
- c. Third Schedule : Convention on the Execution of Foreign Arbitral Awards.

### Statutory Materials with Amendments

1. The Arbitration and Conciliation Act, 1996.
2. Arbitration(Amendment )Act, 2011.
3. United Nations Convention of Recognition and enforcement of Foreign awards (New York 1958).
4. Brussels Convention.
5. European Convention on International Commercial Arbitration.
6. Tamil Nadu Mediation Rules, 2010.

## Books for Reference :

1. Law of Arbitration and Conciliation by Dr. Avtar Singh - Published by Eastern Book Co. Lucknow.
2. The Arbitration and Conciliation Act, 1996 (Act 26 of 1996) by P. S. Narayana, Advocate, Published by ALT Publications, High Court Premises, Gate No. 2, High Court of A. P. Hyderabad - 2 (A. P.)
3. Mani's- Digest on Arbitration and Conciliation (1996-2014)
4. Justice.Saraf- The Arbitration and Conciliation (2012 Edition)
5. P.C.Markanda,&Sri Ram Panchu's Mediation Practise and the law
6. Law relating to Arbitration and Conciliation (II Volumes) by M.A. Sujana Published by Universal Law Publishing Pvt. Ltd, Delhi.
7. Law of Arbitration and Conciliation by S. K. Roy Chowdhury and H. K. Saharay (4th Edition 1996) published by Eastern Law House, New Delhi.

## Assessment Scheme

- |  |   |                  |
|--|---|------------------|
| 1. Case Study in Arbitration Centre<br>(Practical /Simulation Exercises) |   |                  |
| 3 exercises - 20 Marks each  | : | 60 Marks         |
| 2. Tests (Written)   | : | 20Marks          |
| 3. Presentation / Viva Voce  | : | 20 Marks         |
| <b>TOTAL</b>   |   | <b>100 Marks</b> |

\*\*\*\*\*

## THIRD YEAR

### V - Semester

## 1. CIVIL PROCEDURE CODE (TA5A)

### Unit - I Introduction

The Law relating to procedure in civil courts as enacted in the Civil Procedure Code of 1908 read with the orders and rules made there under as amended upto date, by High Court of Madras with emphasis on the following:

### Unit - II Jurisdiction

Jurisdiction of Civil Courts, the choice of the forums of action and the doctrine of resjudicata.

### Unit - III Institution of suits

Institution of suits and framing of the pleadings with reference to the general rules relating to pleadings under Orders VI to VIII and Rules relating to misjoinder of parties and cause of action as laid down in Orders I and II.

### Unit - IV Procedure - Conduct of a suit

A brief survey of the procedure followed in the conduct of a suit commencing from service of summons, appearance of parties and consequences of non-appearance, discovery and inspection, production of documents, settlements of issues, summoning of witnesses and the pronouncement of judgement and contents of a decree.

### Unit - V Modes of Execution

Modes of execution of decrees passed by Civil courts and the outline of the procedure to be followed relating to execution as laid down in Order XXI.

### Unit - VI Suits against the Government

Procedure to be followed in instituting suits against the Government or Public Officers, suits by aliens and by or against foreign Rulers and Dignitaries and suits relating to Public matters.

## **Unit - VII Procedure - Filing appeals**

Procedure to be followed in filing appeals against original decrees: Appellate decrees, Appealable orders and Appeals to the Supreme Court.

## **Unit - VIII Reference, Review and Revisions.**

## **Unit - IX Procedure - Interlocutory proceedings**

Procedure and law relating to interlocutory proceedings for issuing commissions, arrest and attachment before judgement, temporary injunction and interlocutory order, appointment of Receivers as laid down in orders, XXVI, XXVIII, XXXIX & XLI and preparation affidavits.

## **Unit - X Suits appeals by indigent person.**

Suits and appeals by indigent person.

## **Unit - XI Suits minors and persons of unsound mind**

Suits by or against minors and persons of unsound mind.

## **Unit - XII Inter pleader suits.**

## **Unit - XIII Summary suits on negotiable instruments.**

## **Unit - XIV Abatement of suits**

Abatement of suits and bringing on record legal representatives of the parties to a suit.

## **Unit - XV Limitation Act :**

Limitation Act Definitions, limitations of Suits Appeals, Computation of Period of Limitation - acquisition of ownership by possession

## **Statutory Materials with Amendments**

1. Civil Procedure Code, 1908.
2. Limitation Act, 1963.

## **Books for Reference :**

1. Mulla - Civil Procedure Code
2. Takwani - Civil Procedure Code
3. Tandon - Civil Procedure Code
4. S. N. Singh - Civil Procedure Code
5. Bare Act - Limitation

\*\*\*\*\*

## **2. CRIMINAL PROCEDURE CODE (TA5B)**

### **Unit - I**

Important definitions under the Code of Criminal Procedure, 1973 (Act 2 of 1974). Constitution of Criminal Courts and Officers - Court of Session - Assistant Sessions Judges - Judicial Magistrates & Executive Magistrates - Public Prosecutors - Assistant Public Prosecutors.

Powers of Police Officers - Aid and information by Public.

Arrests of persons without warrant by Magistrate - by private persons - search - pursuit of offenders - seizure of offensive weapons - Medical examination of arrested persons - Procedure to be followed on arrest.

### **Unit - II Pre - trial Processes :**

Processes to compel appearance summons -service of summons -warrant of arrest - Search warrant - proclamation and attachment - bond for appearance - impounding documents - process to compel the production of things.

### **Unit - III**

Information to the police and their powers to investigate - procedure on investigation - and recording of statements - recording of confession and statement - powers of Police officers on investigation - inquiry by Magistrate into cause of death.

### **Unit - IV**

Jurisdiction of the criminal courts in inquiries and trials - conditions requisite for initiation of proceedings - cognizance of offences by Courts of Sessions - Prosecution in special cases. Complaints - Procedure on receipt of complaints.

### **Unit - V**

The charge form and contents of charge - effects of errors - joinder of charges.

### **Unit - VI Trial Procedure :**

Trial before a court of session- framing of charge - discharge - acquittal - judgement of acquittal or conviction - trial of warrant cases by Magistrates - Upon Police Report or otherwise Procedure-Trial of summons cases - Withdrawals - Summary trials - attendance of persons confined in prison.

## Unit - VII

Evidence in enquiries and trials - commission for examination - record of evidence in absence of accused - General provisions as to enquiries and trials - legal aid to accused at State expense in certain case - tendering pardon to accomplice - power to examine the accused - competence of accused to be a witness - compounding of offences - withdrawals from prosecution.

## Unit - VIII Preventive provisions in the Criminal Procedure Code:

Security for keeping the peace and for good behavior - Suspected persons - habitual offenders - imprisonment in default of security - Order for maintenance of wives, children and parents - Procedure - Alteration in allowance - enforcement of order of maintenance - maintenance of public nuisance - injunction pending enquiry - urgent cases of nuisance or apprehended danger. Disputes regarding immovable property - procedure for local enquiry - preventive action to the police - cognizable offences.

## Unit - IX Miscellaneous and Legal Aid:

Special provisions as to accused persons of unsound mind - provisions as to offences affecting the administration of justice - judgement -order to pay compensation - confirmation of death sentences.

## Unit - X

Appeals, Reference and Revision - Transfer of Criminal cases.

## Unit - XI

Execution, suspension, Remission and commutation of sentence - Death sentences - Imprisonment - levy of fine. Provisions as to bail and bonds - disposal of property - Limitation for taking cognizance of certain offences - inherent powers of the criminal courts.

## Unit - XII The Probation of Offenders Act, 1958.

Object of Probation of offenders Act - Power of Court to release offenders after admonition and on probation of good conduct - Procedure in case of offenders failing to observe conditions of bond - Appointment and duties of probation officers - Probation officers to be Public servants - Sec. 360 of CRPC not to apply in certain areas.

## Unit XIII The Juvenile Justice (Care and Protection of Children Act, 2000)

Object of Juvenile Justice (Care and Protection of Children Act, 2000)

Juvenile Justice Board - Procedure - Powers.

Observation Homes - Special Homes.

Bail of Juvenile.

Orders that may be passed regarding Juvenile - Orders that may not be passed against Juvenile.

Child in need of care and protection.

Rehabilitation and Social Re-Integration

## Statutory Materials with Amendments

1. The Code of Criminal Procedure 1973
2. The Probation of Offenders Act, 1958
3. The Juvenile Justice (Care and Protection of Children) Act, 2000
4. T.N. Victim Comparisation scheme 30th Nov 2013.
5. Criminal Law (Amendment) Act, 2013.

## Books for Reference :

1. Sohoni's The Code of Criminal Procedure, 1973 (5 Volumes) (Act 2 of 1974) by R. Nagaratnam, Advocate, Published by the Law book Company (P) Ltd.
2. B. B. Mitra on the Code of Criminal Procedure, 1973 (2 Vol) Edited by S. R. Roy Judge, (Retd) High Court, Published by Kamal Law House 8/2, K.S. Roy Rd, Calcutta.
3. Outlines of Criminal Procedure - R. V. Kelkar.
4. The Code of Criminal Procedure, 1973 - Ratanlal
5. Criminal Procedure Code, 1973 - Durga Das Basu.
6. The Juvenile Justice Act, 1986 with important Judgements (Acts 53 of 1986) by Dr. S. K. Awasthi, Advocate, Published by Law vision 971/1, Tulsipur, Allahabad -211003
7. Juvenile Justice Act. - S. Sambandam.

\*\*\*\*\*

### 3. ENVIRONMENTAL LAW (TA5C)

#### Unit - I

Bio - Geographical aspects of our Environment.

#### Unit - II

Socio - Economic dimensions of our Environment.

#### Unit - III

Problems affecting the Environment and factors responsible for environmental degradation.

#### Unit - IV

Policies of the State for abatement of Pollution and for conservation.

#### Unit - V

Constitutional obligation to protect the natural environment.

#### Unit - VI

Right to live in a healthy environment - Evolution and principles / Doctrines propounded by the Judiciary.

#### Unit - VII

History of evolution of law to handle pollution and other environmental problems in India.

#### Unit -VIII

Remedies for environmental pollution available under common law and Statute law (Remedies under law of torts, Indian Penal Code, Criminal Procedure Code, Civil Procedure Code)

#### Unit - IX

Laws relating to control of pollution:

#### Unit - X

National Green Tribunal

#### Unit - XI

Water pollution - meaning - authorities under the water act. - powers and functions of Central and State Pollution Control Boards - activities prohibited and regulated under the Air Act. - Penalties for violation

#### Unit - XII

Air Pollution - meaning - authorities under the Air Act - Powers and functions of Central and State Pollution Control Boards - activities prohibited and regulated under the Air Act. - Penalties for violation.

#### Unit - XIII

Noise Pollution - Law relating to noise pollution - provisions under the Police Act - Noise Rules 2000.

#### Unit - XIV

Pollution of Land - waste management - issues relating to use of plastics - Hazardous waste management rules - Bio-medical waste Management Rules.

#### Unit - XV

Ground water pollution - management of ground water resources - Madras Metropolitan area Ground water Regulation Act. 1987.

#### Unit - XVI

Law relating to Conservation of Forest and Wild Life.

#### Unit - XVII

Law relating to Prevention of Cruelty to Animals.

#### Unit - XVIII

Environmental Protection Act and Rules made there under- Notifications issued under the Act.

#### Unit - XIX

Role of Social movements in Environmental Management.

#### Unit - XX

International Environmental Law - Significance of various international convention to protect the environment and the principles declared in the Conventions.

#### Unit - XXI

Region Specific environmental problems - Status report of environmental problems in the state of Tamil Nadu.

## Statutory Materials with Amendments

1. Wild life (Protection) Act. 1972.
2. Prevention of cruelty to Animals Act, 1960.
3. The Water (Prevention and Control of Pollution) Act,1974.
4. Forest (Conservation) Act. 1980.
5. The Air (Prevention and Control of Pollution) Act,1981.
6. Environmental (Protection) Act, 1986.
7. Public Liability Insurance Act, 1991.
8. National Green Tribunal Act, 2010

### Books for Reference :

1. Armin Rosencranz Etal (ED), Environmental Law and Policy in India. - Tripathi, Bombay.
2. Armin Rosencranz Etal (ED), Environmental Law and Policy in India: Cases, Materials and Statutes, Tripathi, Bombay.
3. Centre for Science and Environment, The State of India's Environment - A Citizens' Report, Delhi.
4. Indian Law Institute, Environmental Protection Act: An Agenda for Implementation, Tripathi, Bombay.
5. Jaswal Ps.and Nishtha Jaswal, Environmental Law , Pioneer Publications, Faridabad, Harayana.
6. Lal's Commentaries on Water, Air Pollution and Environment (Protection) Law, Law Publishers (India) Pvt. Ltd.
7. Sahasranaman, Pb, Law of Environment Protection (1997) Classic Publications, Bangalore.
8. W.Bernie, Patricia and Boyle, Alan, Basis Documents on International Law and the Environment (1995), Oxford University Press.
9. Paras Diwan, Environmental Law Volume (1,2,3).
10. P. Leelakrishnan - Environmental law in India.
11. S. K. Shukla - Environmental protection laws.
12. L. Agarwal - Legal control and Environmental pollutions.
13. S. Shanthakumar - Environmental law

\*\*\*\*\*

## 4. LABOUR LAW-II (TA5D)

### Unit - I Introduction: Social Security and Labour Welfare

Concept, Evolution and Constituents of Social Security - Object of Social Security Laws - Social Security and Constitution - ILO on Social Security.

### Unit - II Social Security: Industrial Injuries

The Employees' Compensation Act, 1923: Scope, Objects, Coverage and Definitions- Liability of the Employer to Pay Compensation - Personal Injury, Accident arising out of and in the Course of Employment, Doctrine of Notional Extension and Occupational Diseases - Determination and Distribution of Compensation - Principal Employer's Right of Indemnity - Commissioner's Powers and Functions.

### Unit - III Social Security: Social Insurance

The Employee's State Insurance Act, 1948: Objects, Applications and 'Seasonal Factory' - Definitions - E.S.I. Corporation - E.S.I. Funds, Payment of Contributions - E.S.I. Benefits - Adjudication of Disputes - E.S.I. Court - Penalties.

### Unit - IV Other Social Security Legislations

The Maternity Benefits Act, 1961: Object and Application - Eligibility and Maternity Benefits - Notice of Claim Prohibition against Dismissal, Wage Deduction - Powers and Duties of Inspectors.

The Employee's Provident Funds and Miscellaneous Provisions Act, 1952: Scope, Coverage, Application and Definitions - Authorities, their Powers and Functions Contributions - Employees Provident Fund Scheme, Employees' Pension Scheme and Deposit Linked Insurance Scheme -Penalties.

The Payment of Bonus Act, 1965: Bonus Commission - Definitions and Coverage - Kinds of Bonus - Eligibility and Extent of Bonus - Calculation of Bonus - Available Surplus, Allocable Surplus, Set On Set Off - Forfeiture of Bonus - Prior Charges - Machinery.

Payment of Gratuity Act, 1972: Background, Object and Definitions - Eligibility for Payment of Gratuity - Forfeiture, Exemption, Determination - Controlling Authority -Penalties.

### **Unit - V Labour Welfare Legislations**

Factories Act, 1948: Background and Definitions - Formalities to start a Factory - Health, Safety and Welfare Measures - Working Hours - Employment of Young Persons - Annual Leave with Wages - Special Provisions.

The Tamil Nadu Shops and Establishment Act, 1947: Applicability and Person covered by this Act, - Opening and Closing Hours - Employment of Young Persons - Working Hours, Public Holiday, Safety, and Cleanliness - Leave and Annual Leave with Wages.

### **Statutory Materials with Amendments**

1. The Employees' Compensation Act, 1923
2. The Employees' State Insurance Act, 1948
3. The Maternity Benefit Act, 1961.
4. The Payment of Bonus Act, 1965.
5. Payment of Gratuity, 1972.
6. Factories Act, 1948.
7. The T.N. Shops and Establishment Act, 1947.

### **Books for Reference**

1. S.N.Mishra - Labour and Industrial Law
2. V.G.Goswami - Labour Law
3. Madhavan Pillai - Labour and Industrial Law
4. S.C.Srivastava - Social Security and Labour Laws
5. K. D. Srivastava - The Employees' Compensation Act, 1923
6. K.D. Srivastava - The Employees' State Insurance Act, 1948
7. K. D. Srivastava - The Employees' Provident Funds and Miscellaneous Provisions Act, 1961.
8. K. D. Srivastava - The Payment of Bonus Act, 1965
9. K. D. Srivastava - Payment of Gratuity, 1972
10. K. D. Srivastava - Factories Act, 1948

\*\*\*\*\*

## **5. TAXATION LAW (TA5E)**

### **Unit - I**

#### **General Principles of Taxation**

(a) Definition- Concept - Purpose of Taxation-Nature and Characteristics of Taxation - Distinction between tax, fee and fine- Mutual relationship between Tax laws and Finance Act (Amended Act) –Canons of Taxation- Kinds of Taxes- Progressive- Proportional- Regressive and Digressive- Eminent Domain Principle- Theory and Basis of Taxation-Scope and Limitations of Taxation- Inherent limitations-Requisites of a Valid tax (b) Double taxation- Sec-90 and Sec.91 of the I.T. Act.- Importance of OECD guidelines in International Taxation- Black money – Causes and Effect.

### **Unit - II**

#### **Constitutional basis and Taxing powers:**

(a) Constitutional Taxing Powers - Constitutional Amendment 101- Amendment of Art.246A - Amendment of Art.248A- Art.249 and Art.250– Art.243H-Art. 243Z - Art.250- Art.268-Art.269- Art.269A – Amendment of Art.270-271-Art.286- Amendment of Seventh Schedule- Art.366- Art.368- Amendment of Sixth Schedule and Seventh schedule-Constitutional amendment 101- Art. 279 A- GST Council- Constitutional Limitations.- Significance of Union Territory Goods and Services Act, 2017- Significance of the Goods and Services Tax (Compensation to States) Act, 2017.

(b) Historical Development of Tax on supply of Goods and services -Exemptions to the levy of Goods and Services Tax to petroleum products- alcoholic liquor for human consumption-Powers of the GST Council to regulate these goods by notification.- Present status of Central Sales Tax Act,1957 and Central Excise Act-Customs Act and Tamil Nadu Value Added Tax Act 2006.

### **Unit - III**

#### **Direct Taxation:**

#### **Income Tax Act, 1961.**

Preliminary concepts; Income, 'Agricultural Income ' Casual Income,' person – Assessee Residential Status- Previous year- Assessment year – General Charging Section- and Specific Charging

Section- Income- Received- Arising – Accrual- Scope and Total Income – Exempted Income : Tax Liability under Specific Heads i) Income from Salaries ii) Income from House Property iii) Income from Business or Profession iv) Income from Capital Gains. V) Income from other sources : Clubbing of Income: Income of other persons in assessee's total Income – Treatment of Losses- Set off and carry forward of losses-Procedure for assessment- Deduction allowed in certain cases- Chapter VI A Deductions- Assessment of Special Class of Assessee.

## Unit - IV

### Indirect Taxation:

A) The Taxation Laws (Amendment) Act, 2017- Customs tariff- Central excise – Central Sales Tax- Miscellaneous – Schedule.

a) Central Goods and Services Tax Act, 2017 – Definition clauses-Administration-Levy and Collection of Tax-Time and Value of Supply-Input Tax Credit-Registration-Tax Invoice credit and debit notes.-Accounts and records>Returns- Payment of Tax-Refunds-Assessment- Audit-Inspection- Search Seizure and Arrest-Demands and Recovery- Liability to pay in certain cases-Advance – Appeals and Revision-Offences and Penalties

b). Tamil Nadu Goods and Services Tax Act, 2017- Definition-commencement- Officers under the Act- Powers and functions-Levy and collection of Taxes- Chap III-XI scope of supply- Tax liability on composite and mixed supplies- Levy and Collection-Composition Levy-Power to grant exemption from tax. Time and value of supply- input credit tax- Registration-Tax invoice – debit and credit notes- Accounts and Records- Returns- Payment of Tax – Refunds-Assessment – Audit- Inspection – Search- Seizure and Arrest- Demands and Recovery- Liability to pay in certain cases- Chap XII-XIX-Advance Ruling-Appeals and Revision-Offence and Penalties – Transitional Provisions- Miscellaneous Provisions-Schedules.

c) Integrated Goods Services Tax and Rules of States and Union : Collection and Levy of Integrated General Services Tax- Determination of Nature of Supply -Cross Utilization of credit-Utilization of IGST credit. Inter- state supply and Intra-state supply- Location of supply- Place of supply of goods and services or both. Refund of integrated tax to International tourist.- Zero rated supply- Apportionment of tax and settlement of funds-Miscellaneous Provisions.

## Unit - V

Customs Act -1962 with amendments -Role of customs in international trade important terms and definitions– Assessable value Baggage – Bill of entry Dutiable goods Duty Exporter – Foreign going vessel – Aircraft goods – import – import Manifest – Importer – Prohibited goods – Shipping bill – Store – Bill of lading – export manifest – Letter of Credit – Kinds of duties – Basics auxiliary - Basics of levy – Advalorem – Specific duties – Prohibition of export and import of goods and provisions regarding notified and specified goods – Import of goods - Free import and restricted imports – Type of import – import of cargo, import of personal baggage, import of stores..

\*\*\*\*\*

### Statutory Materials, Relevant acts with Amendments :

(Note: Students to prepare answer for illustrative problems)

Bare Acts of all statutory materials.

1. Back ground Material on GST Acts and Draft rules 2017.
2. Black Money (undisclosed foreign income and assets) and Imposition of Tax Act, 2015.
3. Mohammed Rafi - Indirect Taxation.
4. Manoharan - Income Tax Act
5. Singhanni Guide to Income Tax Act.
6. Bhagawathi Prasad Income Tax Law and Practice
7. N.A.Phalkiwala- Income Tax.
8. Sukumar Bhattacharya - Income Tax Law Practice
9. Wolters Kluwer - Step by Step guide to GST
10. Wolters Kluwer - GST Acts ,Rules and Forms.
11. Sita Raman and Company - GST Law and Practice.
12. Bharat - GST rates of Tax and Compensation CES
13. Bharat - Central GST Laws
14. Bharat - GST Ready reckoner .
15. V. Nagarajan - Indirect Taxes
16. D.P. Mittal - Indian double Taxation Agreement.

## 6. CLINICAL COURSE - III (TA5F)

(Internal)

### DRAFTING, PLEADING AND CONVEYANCING

#### Assessment Scheme

- |   |                  |
|---|------------------|
| i. 15 Practical exercises in drafting of pleadings (2 Marks for each) | : 30 Marks       |
| ii. 15 exercises in drafting of conveyancing                          | : 30 Marks       |
| iii. Internal Tests   | : 30 Marks       |
| iv. Viva Voce Examination   | : 10 Marks       |
| <b>TOTAL</b>  | <b>100 Marks</b> |

#### Unit - I Drafting :

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

#### Unit - II Pleading:

Civil: I). Plaint ii) Written Statement iii) Interlocutory Application iv) Original petition v) Affidavit vi) Execution petition and vii) Memorandum of Appeal and Revision viii) petition under Article 226 and 32 of the Constitution of India.

#### Unit - III Conveyancing:

1. Sale Deed 2. Mortgage Deeds. 3. Lease Deed 4. Gift Deed 5. Promissory note. 6. Power of Attorney 7. Will.

#### Unit - IV Original side and Appellate side Rules of High court.

Unit - V The Indian Registration 1908 Act With Amendments

Unit - VI The Indian Stamp Act 1899 With Amendment

#### Books for Reference

1. Shivgopal - Conveyancing Precedents & Forms.
2. Mogha (P. C .) - The Law of Pleading in India.
3. Mogha (P. C .) - The Indian Conveyances
4. Desouza's - Forms and Precedents of Conveyancing.

\*\*\*\*\*

## VI - Semester

### 1. HUMAN RIGHTS LAW (TA6A)

#### Unit - I Human Rights - Origin and Development

General - Origin and development - The middle ages - The Magna Carta - Bill of right - Petition of right - The social contract theory - American Revolution - The French Revolution - Opposition to the concept of natural rights - Universalization of human rights - The Atlantic Charter - Nature, Meaning and Concept of Human Rights - Philosophical approach - Pragmatic approach - Classification of Human Rights - The right to self determination - The right to development - The right to peace - Interdependence of three categories of Human Rights - Right to information.

#### Unit - II The United Nations and Human Rights

United Nations Charter based institutions - Centre for Human Rights United Nations specialized agencies - Origin and preparation of international bill of Human Rights - Adoption of the International Covenants on Human Rights and Protocols thereto - Universal declaration of Human Rights - International covenant on economic, social and cultural rights - International covenant on civil and political rights - Instrumentality of enforcement of the covenants.

#### Unit - III Civil and Political Rights - International Instruments - Part- III of the Constitution of India

- A. The right to life, liberty and security of person - Provision of the United Nations Instruments - Right to life does not include right to die - Meaning and content of personal liberty in Article 21 - Second optional protocol to the international covenant on civil and political rights - Problem of extralegal execution - Provisions of Human Rights Instruments - Constitution and Powers of Designated Court - Procedure and power of the Designated Court - Power to grant bill - Maintainability of Writ Petition in High Court - The Nuclear Arms Race and Right to life and liberty.
- B. Abolition of slavery and slavery-life practice - Abolition of certain types - forced or compulsory - Provisions of the United Nations Instruments - ILO Forced Labour Convention 1930 and 1957 - Exploitation of Children: Article 24 of the Constitution.
- C. Protection against torture and other forms of cruelty inhuman or degrading treatment or punishment -Constitution of the committee against torture - Protection of prisoners in India.

- D. Protection against arbitrary arrest and detention - Provisions of International Human Rights Instruments - Indian Constitution - Right to be produced before a Magistrate within 24 hours of his arrest - Right not to be detained beyond twenty four hours without the authority of Magistrate - Prevention detention - Communication of the grounds of detention - Detenu's right of representation - Subjective satisfaction of the detaining authority.
- E. Freedom of thought, Conscience and Religion or Belief Provisions of the United Nations Instruments -Conscientious objection to military service - Conscientious objection to military or police service which were used to enforce apartheid - Elimination of intolerance and discrimination based on religion or belief - Freedom to manage religious affairs.
- F. Freedom of association including trade union rights - Provisions of the United Nations Human Rights Instruments. - The International Covenant on Civil and Political Rights - The Convention on the right of the child - Provisions of ILO Instruments - Scope of right to form association - Freedom to form association vis-a-vis armed forces and police - reasonable restrictions.
- G. The right of everyone to take part in the Government of his country - Right to vote - Right to contest election - Election Commission - Representation of the People's Act -Elections to Local self-Government.
- H. Human Rights in the administration of Justice - United Nations standards and norms - Strategies for effective implementations - Guidelines on the role of prosecutions - Declaration of basic principles of justice for victims of crime and abuse of power - Equality before the law and equal protection of laws - Prohibition of discrimination on certain grounds - Prohibition of discrimination in the matter of public employment - Gender equality in the matter of public appointment - Equal pay for equal work - Exceptions to the rule of equal opportunity in the matter of public employment - Enabling provisions for weaker section of the society - Special provisions, for women and children - Special provisions for advancement of socially and educationally backward classes and Scheduled case and Scheduled tribes.

- I. The right of everyone to leave any country including his own and to return to his country - Externment orders an freedom of movement - Deportation of Indian citizens - Police surveillance - The inalienable right of all displaced inhabitants to return to their homes.

#### **Unit - IV Social, Economic and Cultural Rights - International Instruments**

- A. Right to work - Provisions on ILO Instruments International Covenants - The declaration of elimination of discrimination against women.
- B. Right to education - UNESCO - Conventions - Educational rights of women and children.
- C. Right to health - WHO - Global Strategy - Health and women and children - Vulnerable groups - International Instruments - World Medical Association - Declaration of Helsinki - CIOMS : Proposed International Guidelines for Bio-Medical research involving human subjects - Council of Europe :Recommendation No. R(90) 3 concerning Medical Research on human beings.
- D. Right to culture - Declaration of the principles of cultural co-operation - UNESCO recommendations.
- E. Right of family - Fractured societies.

#### **Unit - V Human Rights and Vulnerable Groups**

- A. Rights of women - Objective equality - UN Development Fund for Women - World Conferences on Women - Nairobi Strategy.
- B. Rights of the Child - 1959 Declaration - UN Children's Fund - UNICEF - Convention of right of the child - Right against exploitation -1990 Declaration.
- C. Rights of the Disabled persons - Mentally retarded persons - Aged persons etc.
- D. Rights of Minorities - National, ethnic, religious, linguistic etc.

#### **Unit -VI Enforcement of Human Rights- Adjudication and Enforcement**

- A. How and by whom are human rights violations identified - By whom and how are human rights cases judged (1) Global level (2) Regional level (UN: Africa) and (3) Country level.
- B. By whom and how are decisions and judgements about human rights enforced - National sovereignty: The ultimate issue.

- C. Inter-state complaint-mechanism and individual complaint mechanism.
- D. European Court of Human Rights - Jurisdiction - Procedure etc.
- E. Human Rights Act, 1993 - National Human Rights Commission - India - Powers, Functions, Officers, Staff etc.

#### **Unit - VII International Humanitarian Law**

Origin and development of International Humanitarian Law - Geneva Conventions - Defenseless persons, wounded, sick, medical personnel etc. - Repatriation - Prisoners of War - International armed conflicts - Obstacles.

#### **Unit - VIII Refugee Law**

Origin and development - Rights, responsibilities of refugees - Juridical status - UNRWA and UNHCR - Legal status of refugees in India - Resettlement.

#### **References:**

Human Rights (Major source documents) - The United Nations Charter, The Universal Declaration of Human Rights - The 1947 Principles of Nuremberg - The Geneva Conventions of 1949 - UN Covenant on Civil and Political Rights - UN Covenant on Economic, Social and Cultural Rights - The European and American Conventions on Human Rights. United Nations Charter.

#### **Statutory Materials with Amendments**

1. The Human Rights Act,1993.
2. Human Rights (Amendment )Act,2006

#### **Books for Reference**

- |                           |   |   |
|---------------------------|---|---|
| 1. Gransten               | - | Human Rights Today                              |
| 2. Galus Esejoifer        | - | Protection of Human Rights under the Law        |
| 3. John Locke             | - | Civil Government                                |
| 4. Richte                 | - | Natural Rights                                  |
| 5. Raphael D.D., McMillan | - | Human Rights old and new                        |
| 6. R. Dworkin             | - | Taking rights seriously                         |
| 7. Dr. U. Chandra         | - | Human Rights, Allahabad Law Agency Publications |
| 8. Paras Diwan            | - | Human Rights and Law, Universal Publications.   |

\*\*\*\*\*

## 2. CRIMINOLOGY AND PENOLOGY (TA6B)

### Unit- I Introduction

Meaning and Significance of Crime-Concept of Crime and basis of Criminalization- Definition of Crime -Criminology-Criminological Reminiscence: Global Scenario-Renaissance-Modern Age-Focus on the need for Criminological Study -Ingredients of Crime-Distinguish Crime from Non-Crime - Classification of Crimes -Development of Criminal Law-Sources of Crime Data-Crime Reporting-Uses of Crime Data-Schools of Criminology.

### Unit- II Crime Causation

Individual Centric Causes -Societal Centric Causes- Theories on Crime Causation- Juvenile Delinquency-Legislation- Juvenile Justice (Care and Protection of Children) Act, 2000- Statutory Bodies and Procedure-Reformatory Institutions under the Act- Rehabilitation Process-Case Law.

### Unit - III Types of Crime

White-Collar Crime and Blue-Collar Crime: Implications of White Collar Crimes- White Collar Crimes in India-Santhanam Committee Report- Wanchoo Committee Report - 47th Law Commission Report- Detection and Investigation-Trial of White-Collar Crimes-Case Law.

Crime and Women: Dowry Prohibition (Amendment) Act, 1986 - Female Criminality-Crimes of Passion-New Legislation-Prostitution -Immoral Traffic Offender (Prevention) Act- Medical Termination of Pregnancy Act- Pre Conception and Pre Natal Diagnosis Techniques (Regulation) Act- Domestic Violence Act- Criminal Law Amendment Act,2013.

Terrorism: Definition- Nature of Terrorism-Causative Factors - Funds for Terrorism-Kinds of Terrorism-Terroristic Spectrum-Punishments and Measures for Coping with TADA-POTA-Criticism-Anti-Terrorist Measures-Communal Violence-Causes and Cures.

Marginal and Victimless Crimes: Social Deviance and Marginal Crimes-Kinds of Marginal Crimes -Victimless Crimes-Hidden victims-Drug and Crime-Depiction of Offences and Punishments-NDPS Act.

Modern Crimes and International Crimes: Computer Crime -Kinds of Computer Crimes - Definition of Computer Crime-Information Technology Act, 2000-Human Organ Crimes-International Crime-Environmental Crimes.

### Unit - IV The Police and Criminal Justice System

Police: Organizational Structure of Indian Police-Police Bureaucracy -Police Setup-Custodial Deaths-Modernization in Police-Crime Records Management - Traditional Vis-a-Vis Modern Crime Records Management - Police Community Relations-Thana Level Committee-Police Advisory Committees-Media and Police-Discipline and Lawlessness-Interpol.

Criminal Justice System: Objectives of Criminal Justice System-Rights of Accused and Arrested person-Plea Bargaining-Human Rights and Administration of Criminal Justice.

### Unit - V Correctional Institution and Crime Prevention

Probation and Parole: Origin -Salient features of Probation of Offenders Act, 1958 -Parole -Parole Regulations-Parole Recommendations.

Prison: Prison System in India- Problems of Prisoners-Organised Setup -Prison Discipline-Prison Labour-Prison Education-Open Prison-The Prison Community-Prison Reform in India-Dr. Wreckless Committee Report-International Perspective.

Crime Prevention: Theories of Punishment-Kinds of Punishment-Recidivism-Various forms of Recidivist- Prevention of Crime and Delinquency.

### Books for Reference

1. Ahamed Siddique - Criminology Problems and Perspectives
2. Dr. M. Ponnian - Criminology and Penology
3. Dr. Rajendra K. Sharma - Criminology and Penology
4. Dr. Sirohi - Criminology
5. Paranjape - Criminology
6. Bames and Teeters - New Horizons of Criminology
7. Sutherland - Criminology
8. Taft and England - Criminology
9. Siegel - Criminology

\*\*\*\*\*

### 3. INTELLECTUAL PROPERTY LAW (TA6C)

#### Unit - I Introduction:

Property - tangible and Intangible property - meaning of intellectual property - concept of intellectual property - need to protect intellectual property - protection against unfair competition - various kinds of intellectual property and their difference.

#### Unit - II Copy Right (Indian Copy Right Act 1957 with amendments)

Definition of copy right - meaning of publication - subject matter of copy right literary, Dramatic & Musical works, Artistic works and cinematography - Author and ownership of copyright - Right conferred by copy right - Term of copy right - Assignment; Transmission and Relinquishment of copy right - Licenses.

#### Unit - III Patent Right (Indian Patents Act 1970 with amendments)

Definition - Concept of patents - Basic principles underlying patent law in India - Inventions patentable and not patentable.

Procedure to obtain patent specifications - opposition - Examination and disposal of application for patent power of the controller.

Secrecy of inventions grant and sealing of patents lapse and restoration of patents - Right and obligations of patentee.

Working of patents - Revocation and surrender of patents - Licenses - Compulsory License and acquisition of invention by Government.

Infringement of patents and the remedies therefore.

Patent agents - Loss or destruction of patents.

#### Unit - IV Industrial Designs Act, 2000 with amendments

Introduction - Registrable and Non- registrable design - novelty and originality - publication.

Infringement of copyright in a design - civil remedies against piracy defences - Action for groundless threat.

#### Unit -V Confidential Information.

Introduction - Principles of law - Employer and employee relationship - Industrial and trade secrets - know how - Remedies.

#### Unit - VI Trade and Merchandise Marks

- a. Rational of Protection of Trade Mark as (a) and aspect of commercial and (b) of Consumer rights.
- b. Definition - Concepts of Trade Marks.
- c. Marks registrable and not registrable.- Geographical indications of goods-conditions for registration-prohibition of registration of certain geographical indications-
- d. Registration of trade marks - opposition - Disclaimer- Defensive Registration Certification - Duration of registration - Effect of Registration.
- e. Distinctiveness - Deceptive similarity - concurrent registration - Rectification-Assignment and Transmission - Registered Users.
- f. Infringement - Action for infringement Remedies - Passing off action - offence and penalties.

#### Unit - VII Global Trends

Origin and functions of World Trade Organisation (WTO) - Agreement of Trade related Intellectual property rights (TRIPS) - Effects of Trips on Trade mark, patent and copyright law in India.

#### Statutory Materials with Amendments

1. Indian Copyright Act, 1957 as amended in 1999.
2. Indian Patents Act, 1970 as amended in 1999.
3. Trade and Merchandise Marks Act, 1958.
4. The Design Act, 2000.
5. Berne Copy right convention.
6. International convention for the protection of Industrial Property (Paris Convention).

## Books for Reference :

1. P. Narayanan - Trade marks and Passing off
2. P. Narayanan. - Copyright and Industrial designs
3. Lal's - Commentary on Copyright Law
4. P. Narayanan - Patent Law
5. P. Narayanan - Intellectual Property Law
6. W.R.Cornish - Intellectual Property, Patents , Copyrights trademarks and allied rights
7. Dr. B. L.Wadehra - Law relating to patents, trademarks, copyright, design and geographical indications
8. Dr.S.R.Myeni - law of Intellectual Property
9. P.S.Narayana - Intelluctual Property law in India.
10. Vikas Vashisht - Law and practice of Intellectual Property in India.
11. W.R.Cornish - Intellectual Property, Patents, Copyrights trademarks and allied rights
12. Arad Sherman and Lionel Bently - The making of modern Intellectual Property Law
13. David I.Bainbridge - International Property.
14. Allison Coleman - The legal Protection of Trade Secrets
15. W.R.Cornish - Cases and materials on Intellectual Property.
16. Indian Patent system and Paris convention - legal perspectives - Sangal PS.
17. Anderfelt - International Patent legislation and developing countries
18. Miller & Davis. - Intellectual Property



## 4. CLINICAL COURSE - IV (TA6D) (INTERNAL)

### MOOT COURT EXERCISE AND INTERNSHIP

- i. Moot Court  
(Atleast 3 Moot Problems one each in Constitutional Law ; Criminal law & Civil Law with 10 marks each i.e. 5 marks for written submission & 5 marks for oral advocacy) 30 Marks
  - ii. Observance of Trial (Atleast 2 Cases: Civil - 1; Criminal - 1)(Student shall Attend two trials in the Course of the Last two or three years of B.A.B.L., Degree Course and Maintain a record and enter the various steps observed during their attendance of different days in the court assignment.) 30 Marks
  - iii. Interviewing Techniques and Pre-Trial Preparations and Internship Diary (Student shall observe two interviewing sessions of clients at Lawyer's Office/Legal Aid Office and record proceedings in a diary, Which will carry 15 marks. Further, student shall observe the preparation of documents and court papers by the Advocate and the procedure for the filling of the suit / petition and record the same in the diary, which will carry 15 marks) 30 Marks
  - iv. Viva Voce Examination (on all the above 3 aspects) 10 Marks
- TOTAL 100 Marks**

\*\*\*\*\*

