

Syllabus For
3-Year UG Programme
in
Legal Studies

Bachelor of Legislative Law
[LLB]

as per

BAR COUNCIL OF INDIA (BCI, DELHI)



Aryavart School of Legal Studies
Aryavart International University
Tilthai, Dharmanagar, North Tripura-799260

Introduction

In the 21st century, law has emerged as a dynamic and multidisciplinary field, central to governance, commerce, human rights, and social justice in an increasingly complex world. The rapid transformation of legal practice through technology, alternative dispute resolution, and cross-border commercial engagement has made rigorous legal education an indispensable pillar of higher learning. The three-year Bachelor of Laws (LLB) Programme at Aryavart International University (AIU) is a professional undergraduate law programme, recognised by the Bar Council of India (BCI), designed to develop the doctrinal knowledge, advocacy skills, and professional and ethical grounding essential for legal practice and allied careers.

Aligned with the National Education Policy (NEP) 2020 and the Bar Council of India's Rules of Legal Education, the LLB Programme at AIU is a three-year (six-semester) programme that integrates rigorous doctrinal instruction with clinical legal education. The curriculum combines classroom teaching with moot court exercises, trial advocacy, legal aid clinics, drafting and pleading practice, and mandatory internships, preparing students for the Bar, the judiciary, corporate legal practice, and public service.

Programme Objectives

The objectives of the three-year LLB Programme are:

- To provide students with a strong foundation in constitutional, civil, criminal, and procedural law, along with emerging areas of legal practice.
- To develop analytical, argumentative, and case-analysis abilities required for effective legal reasoning and advocacy.
- To build practical courtroom and drafting skills through moot courts, trial advocacy, and clinical legal education as mandated by the Bar Council of India.
- To foster professional ethics, integrity, and a strong sense of social responsibility essential for legal practice.
- To equip students with skills in legal research, legal technology, and alternative dispute resolution (ADR) mechanisms.
- To expose students to real-world legal practice through mandatory internships with advocates, law firms, courts, and legal aid organisations.
- To prepare students for the All India Bar Examination, judicial services examinations, and postgraduate legal studies (LLM/Ph.D.).
- To develop effective communication, advocacy, and negotiation skills through seminars, moot courts, and client-counselling exercises.
- To promote research aptitude and scholarly writing through case comments, research papers, seminar papers, and moot court memorials.

Programme Learning Outcomes

On the completion of the LLB Programme, students will be able to:

- ✓ Demonstrate comprehensive understanding of constitutional, civil, criminal, and procedural law, and allied branches of legal study.
- ✓ Apply legal principles and precedents to analyse and resolve real-world legal problems.
- ✓ Draft pleadings, contracts, conveyances, and legal opinions with professional accuracy.
- ✓ Exhibit courtroom advocacy, negotiation, and client-counselling skills developed through moot courts and clinical legal education.
- ✓ Conduct independent legal research using statutes, case law, and legal databases.
- ✓ Demonstrate awareness of professional ethics, the Advocates Act, and rules of professional conduct.
- ✓ Apply alternative dispute resolution (ADR) mechanisms including arbitration, mediation, and conciliation.
- ✓ Qualify for the All India Bar Examination, judicial services examinations, and pursue postgraduate legal studies or research.

Need for Curriculum Development

The LLB curriculum at Aryavart International University is framed in alignment with the UGC guidelines, NEP 2020, and the Bar Council of India's Rules of Legal Education to produce competent, ethical, and practice-ready legal professionals. The following factors necessitate a contemporary and rigorous LLB curriculum:

Dynamic Legal and Regulatory Environment

Rapid changes in legislation, judicial interpretation, and regulatory frameworks — including data protection, cyber law, and corporate governance — demand that students be trained in both traditional and emerging areas of law. The curriculum integrates these evolving domains to bridge the gap between academia and legal practice.

Credit Transfer and Academic Mobility

In line with the UGC's credit transfer provisions under NEP 2020, and within the framework permitted by the Bar Council of India, the LLB Programme enables students to pursue interdisciplinary electives and vocational/skill enhancement courses through the Academic Bank of Credits (ABC), while maintaining full compliance with BCI's mandatory course and clinical requirements.

Skill Enhancement and Employability

The curriculum places strong emphasis on practice-oriented skill development through moot courts, trial advocacy, client counselling, legal aid clinics, and mandatory internships with advocates, law firms, courts, and legal aid organisations, as required under the Bar Council of India's Rules of Legal Education. Aryavart School of Legal Studies at AIU maintains active engagement with the Bar, judiciary, and legal aid institutions to ensure students are trained on the competencies demanded by the profession.

Career Options

The LLB Programme opens diverse and rewarding career pathways. Graduates of AIU's LLB Programme are equipped to pursue professional careers including:

- Advocate / Litigation Practice (Trial Courts, High Courts, Supreme Court)
- Judicial Services (Civil Judge / Magistrate, upon qualifying competitive examinations)
- Corporate Legal Advisor / In-house Counsel
- Public Prosecutor / Government Legal Officer
- Legal Researcher / Law Academician
- Legal Process Outsourcing (LPO) and Contract Management
- Arbitrator / Mediator (Alternative Dispute Resolution)
- Legal Journalist / Legal Content Analyst
- Compliance Officer / Regulatory Affairs Specialist
- Civil Services (Legal and Administrative Roles)

Pedagogy

The LLB pedagogy at Aryavart International University is designed to create ethical, practice-ready legal professionals through a blend of doctrinal instruction and clinical legal education, in keeping with Bar Council of India norms.

Integration of Theory and Practice

Each course balances conceptual and statutory foundations with hands-on application. Students engage in moot court exercises, trial advocacy, drafting and pleading practice, and case-law analysis to translate doctrinal knowledge into professional legal competencies.

Clinical Legal Education

As mandated by the Bar Council of India, the Programme includes compulsory clinical courses — Moot Court Exercises and Internship, Drafting, Pleading and Conveyancing, Professional Ethics and Professional Accounting System, and Legal Aid — delivered through practical exercises, legal aid camps, and courtroom simulations.

ICT-Enabled Teaching

Smart classrooms, legal research databases (SCC Online, Manupatra, AIR), moot court laboratories, and online legal-technology platforms are integrated into the instructional design to promote digital fluency and higher-order legal reasoning.

Research-Based Learning

Students undertake semester-wise case comments and research assignments, present seminar papers in Semesters II, IV and VI, and engage in advanced moot court exercises and written memorials under faculty supervision, fostering analytical rigour and a research temperament consistent with NEP 2020's emphasis on inquiry-based education.

Methods of Instruction

- Lectures by subject experts, practising advocates, and members of the judiciary
- Case-law discussions and Socratic-method classroom sessions
- Moot court exercises and trial advocacy sessions
- Client counselling, negotiation, and drafting workshops
- Legal aid camps and clinical placements
- Seminar presentations combining thematic clusters across semesters (Semesters II, IV and VI)
- Internships with advocates, law firms, courts, and legal aid organisations

Methods of Evaluation

- Internal Sessional Examinations (Internal Assessment Exams)
- End Semester Examinations (Theory)
- Moot court, trial advocacy, and clinical course performance
- Case comments, research papers, and drafting assignments
- Seminar presentation and viva-voce (Semesters II, IV and VI)
- Internship evaluation and viva-voce
- Attendance and class participation

Scheme of Evaluation**A. LLB — Scheme of Evaluation (Theory Courses)**

Component	Sub-component	Marks
Internal Assessment (30 Marks)	Continuous Mode	15
	Internal Assessment Examination (2 Hours)	15
End Semester Examination (Theory)	3 Hours Written Examination	70
TOTAL		100

B. Scheme of Evaluation (Clinical / Practical Courses)

Applicable to clinical courses of the LLB Programme, including Moot Court Exercises, Trial Advocacy, and Drafting, Pleading and Conveyancing:

Component	Sub-component	Mode of Evaluation	Marks
Internal Assessment (30 Marks)	Practice Sessions / Drafting Exercises	Continuous Evaluation	30
End Semester Examination	Moot Memorial / Practical Exercise	Viva-Voce	70
TOTAL			100

C. Moot Court Exercise and Internship — Scheme of Evaluation (100 Marks)

As mandated by the Bar Council of India's Rules of Legal Education, this compulsory clinical paper carries four components — three of 30 marks each and a viva-voce of 10 marks — covering moot court practice, court observation, and internship-based exposure to legal practice:

Component	Sub-component	Basis of Evaluation	Marks
(a) Moot Court (30 Marks)	Minimum three moot courts in a year (10 marks each) on an assigned problem	5 marks — Written Submissions; 5 marks — Oral Advocacy (per moot)	30
(b) Observance of Trial (30 Marks)	Attendance at two trials — one Civil and one Criminal — over the last two/three years of LLB study	Record maintained of the various steps observed during court attendance on different days	30
(c) Interviewing Techniques, Pre-Trial Preparation & Internship Diary (30 Marks)	Observation of two client-interviewing sessions at a Lawyer's Office/Legal Aid Office; observation of document/court-paper preparation and filing procedure	15 marks — Interviewing sessions recorded in diary; 15 marks — Document preparation & filing procedure recorded in diary	30
(d) Viva Voce (10 Marks)	Examination on all the above three components	Oral Examination	10
TOTAL			100

D. Seminar — Scheme of Evaluation (2 Credits / 50 Marks)

As per the approved Course Structure, Seminar is offered only in Semesters II, IV and VI as a 2-credit Ability Enhancement Course, with each paper combining two thematic clusters drawn from that semester and the one preceding it:

- Semester II — Seminar in: (a) Contract & Company Law; (b) Tort & Taxation Law
- Semester IV — Seminar in: (a) Criminal & Constitutional Law-I; (b) Family & Constitutional Law-II
- Semester VI — Seminar in: (a) Evidence & Property Law; (b) Procedural & Administrative Law

Component	Sub-component	Mode of Evaluation	Marks
Internal Assessment (15 Marks)	Continuous Mode / Topic Preparation	Continuous Evaluation	15
End-Semester Evaluation (35 Marks)	Seminar Presentation & Written Paper (covering both thematic clusters)	Presentation & Viva-Voce	35
TOTAL			50

Programme Duration and Degree Award

The LLB is a professional degree programme regulated by the Bar Council of India and is not structured on the multiple entry/exit framework applicable to general undergraduate programmes under NEP 2020. Students are required to complete all three years (six semesters) of the Programme, along with all mandatory clinical courses and the prescribed internship, to be awarded the degree:

Completion	Degree Awarded
Successful completion of all 3 Years (6 Semesters), including mandatory clinical courses and internship	Bachelor of Laws (LLB)

Note: Graduates become eligible to enrol with a State Bar Council and appear for the All India Bar Examination (AIBE) upon completion of the LLB degree, as per the Rules of the Bar Council of India.

Internal Assessment: Continuous Mode

The Internal Assessment for the LLB includes two components: (i) Internal Assessment Examinations and (ii) Continuous Mode Evaluation. The Continuous Mode constitutes 15 marks per theory course and is assessed on an ongoing basis throughout the semester as detailed below.

LLB — Continuous Mode Assessment (15 Marks)

The Continuous Mode Assessment for the LLB is conducted on an ongoing basis throughout the semester and comprises the following components, emphasising broad-based legal knowledge, regular engagement, and all-round participation across core legal disciplines:

Sl. No.	Component	Criteria / Basis	Marks
1	Attendance	≥95%: 5 94-90%: 4 85-89%: 3 80-84%: 2 75-79%: 1 <75%: 0	5
2	Assignment / Case Comment / Quiz	Written assignments, case analysis, or class quiz/test assigned by the course faculty	5
3	Teacher–Student Interaction / Presentation / Viva	Oral interaction, seminar/topic presentation, group discussion, or class participation	5
TOTAL			15

Note: Internal Assessment Examinations are conducted twice per semester. The average of the two sessional exams (each of 50 marks, averaged to 15) is taken for the purpose of Internal Assessment. The course faculty shall announce the schedule and modalities of Continuous Mode Assessment at the commencement of each semester.

Course Structure for Bachelor of Legislative Law (LL.B.) Programme as Per NEP 2020

Aryavart School of Legal Studies, Aryavart International University

Semester	Major Subject (Core Law Papers) (4 Credits)	Additional/ Interdisciplinary Subject/Multidisciplinary (4 Credits)	Skill Course/ Vocational Course (2/4 Credits)	Ability Enhancement Courses (4 Credits)	Discipline Specific/ Open Elective/Clinical (4 Credits)	Extracurricular Courses (2 Credits)	Value Added Courses/ VAC (2 Credits)	Total Credits
I	Jurisprudence (4) Law of Contract-I (4) Company Law (4)	Public International Law (4) Insurance Law (4)	Not Applicable	Not Applicable	Biodiversity Protection (4)	Not Applicable	Not Applicable	24
II	Special Contract (4) Law of Tort incl. MV Accident & Consumer Protection Laws (4) Principles of Taxation Law (4)	Environmental Law (4) Professional Ethics & Professional Accounting System (4) [Clinical]	Not Applicable	Seminar in: (a) Contract & Company Law (b) Tort & Taxation Law (2)	Drafting, Pleading and Conveyancing (4) [Clinical]	Not Applicable	Not Applicable	26
III	Family Law-I (4) Law of Crimes Paper I: Bharatiya Nyaya Sanhita (BNS) (4) Constitutional Law-I (4)	Alternate Dispute Resolution (4) [Clinical] Prison Administration (4)	Not Applicable	Not Applicable	Criminal Psychology (4)	Not Applicable	Not Applicable	24
IV	Family Law-II (4) Law of Crimes Paper II: Bharatiya Nagarik Suraksha Sanhita (BNSS) (4) Constitutional Law-II (4)	Women & Criminal Law (4) Offences Against Child & Juvenile Offence (4)	Not Applicable	Seminar in: (a) Criminal & Constitutional Law-I (b) Family & Constitutional Law-II (2)	Criminal Sociology (4)	Not Applicable	Not Applicable	26
V	Bharatiya Sakshya Adhinyam (BSA) (4) Property Law (4)	Forensic Science (4) Moot Court Exercise & Internship (4) [Clinical]	Information Technology Law (4)	Not Applicable	Right to Information (4)	Disaster Management (2)	Not Applicable	26
VI	Administrative Law (4) Civil Procedure Code & Limitation Act (4) Penology & Victimology (4)	Financial and Systemic Fraud (4)	Banking Law (4)	Seminar in (a) Evidence & Property Law (b) Procedural & Administrative Law (2)	Health Law (4)	Not Applicable	Drug Abuse, Road Safety & Traffic Rules (2)	28

Total Credits for the 3-Year LL.B. Programme (Semesters I–VI): 154

LLB

1st Semester

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Tilthai, Dharmanagar, North Tripura

Detailed Syllabus
JURISPRUDENCE

Code: 26LW101

Max Marks: 70

Course Objectives: The objective of this course is to: (i) provide comprehensive knowledge about jurisprudence – the philosophy of law which besides providing disciplinary knowledge further enhances power of analytical reasoning of the students; (ii) explore the philosophical implications of understanding law as a cognitive process to encourage the research orientation among students; and (iii) inculcate an understanding of vocabulary, concepts, doctrines and various principles used in contemporary jurisprudential debates as well as a nuanced understanding of ideological and philosophical approaches in legal argumentation.

UNIT I: Clarificatory Jurisprudence

(08 Hrs)

- a. What is jurisprudence, and why is jurisprudence?
- b. Descriptive, normative, and critical legal theory
- c. Concept of law - Classical Indian and Islamic schools
- d. Why obey the law, law as an Anarchy or an Obligation or Law as a Social Fact
- e. Law and Morality
 - i. Judicial morality, moral and semantic questions relating to the judge's duty and choice, moral realism
 - ii. Hart v Fuller and Hart v Devlin
 - iii. Natural Law v Legal Positivism

UNIT II: Jurisprudential Schools of Thought

(12 Hrs)

- a. Natural law
 - i. Classical natural law theory-Aristotle, Plato, St. Augustine, and Thomas Aquinas
 - ii. Hard and Soft natural law
 - iii. Natural law in political philosophy-Hobbes, Locke, Rousseau
 - iv. Decline of natural law
- b. Legal positivism
 - i. Classical legal positivism - Sir Jeremy Bentham and John Austin, their comparison.
 - ii. Modern legal positivism- H.L.A. Hart, Hans Kelsen, Joseph Raz
- c. Legal Realism

UNIT III: Law and Social Theory

(08 Hrs)

- a. The Sociological Perspective
 - i. Roscoe Pound, Eugene Ehrlich, Emile Durkheim (social solidarity and law)
 - ii. Max Weber (typology of law, theory of legitimate domination, capitalism and law)
 - iii. Karl Marx (ideology and legal fetishism); Jürgen Habermas (concept of modern state and law)
 - iv. Agreement on Subsidies and Countervailing Measures
- b. Anthropological/Historical Jurisprudence
- c. Feminist Jurisprudence
- d. Post Modernism
- e. Why do legal systems differ?
- f. Savigny, Sir Henry Maine, Max Gluckman.

UNIT IV: Concepts

(12 Hrs)

- a. Rights and duties
 - i. What is a Right? Theories of Rights
 - ii. Hohfeld's Analysis
 - iii. Human rights, Animal rights
- b. Personality
- c. Property, Possession, and Ownership
- d. Negligence
- e. Punishment: Retributivism-weak and strong, Consequentialism, restoration
- f. Theories of Justice- Utilitarianism, Libertarianism, Concept of equality, and Social justice
- g. Effectiveness of Precedents

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Tilthai, Dharmanagar, North Tripura

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- ❖ Jurisprudential analysis of one contemporary problem/issue
- ❖ Preparation of Biographies of an Eminent Jurist
- ❖ Watching the Movie Schindler's List about how a Sovereign becomes the one above the Law
- ❖ Discussions and debates on contemporary jurisprudential issues

Text Books:

1. RWM Dias, Jurisprudence, LexisNexis (2013) (5th Edition).
2. H.L.A. Hart, The Concept of Law, Oxford University Press, UK, 2012 (3rd Edn.)
3. Nigel Simmonds, Central Issues in Jurisprudence, Thomson Reuters, London, 2018(5th Edn.)
4. Brian Bix, Jurisprudence: Theory and Context, Sweet& Maxwell, London, 2019(8th Edn.)
5. Stephen Mulhall & Adam Swift, Liberals and Communitarians, Wiley Blackwell, USA, 1996(2nd Edn.)
6. Will Kymlicka, Contemporary Political Philosophy, Oxford University Press, Oxford, 2002(2nd Edn.)

Suggested Readings:

1. Joseph Raz, The Authority of Law, Oxford, 1979, (Chapter 1, a critique of Wolff's view)
2. Joseph Raz 'Government by Consent' in Ethics in the Public Domain, Oxford, 1994
3. John Mitchell Finnis, Natural Law and Natural Rights, Vol. I & II, OUP, UK, 2011 (2nd Edn.). Read for prominent defenses of view (1) read either chapter 11, or John Finnis, 'Law as Coordination', in 2 Ratio Juris 301, 1989
4. Ronald Dworkin, Law's Empire, Harvard University Press, Cambridge, pp.190-216, 1986 73
5. Christopher H. Wellman & John Simmons, Is There a Duty to Obey the Law?, Cambridge University Press, Cambridge, 2005
6. N.E. Simmonds, 'Protestant Jurisprudence and Modern Doctrinal Scholarship' in 60(2), Cambridge Law Journal, pp. 271-300, July 2001(Focus on the chapter called 'A watershed')
7. Robert Ladenson, 'In Defence of a Hobbesian Conception of the Law', in 9(2), Philosophy and Public Affairs, pp.134-159,1980
8. Jean Hampton, Hobbes and the Social Contract Tradition, Cambridge University Press, Cambridge, 1986(Read Chapter 4, pp. 97-113)
9. Hampton, 'Democracy and the Rule of Law' in The Rule of Law, Nomos XXXVI, pp. 13-45, Ian Shapiro (ed.), NYU Press, 1994
10. David Dyzenhaus, 'Hobbes and the Legitimacy of Law', in 20 Law and Philosophy, 2001, 483. <http://plato.stanford.edu/entries/hobbes-moral/>
11. Joseph Raz, Practical Reason and Norms, OUP, Oxford, pp. 129-48, 1990, (2nd Edn.)
12. A. Marmor, 'The Pure Theory of Law', Stanford Online Encyclopaedia of Philosophy. <http://plato.stanford.edu/entries/lawphil-theory/4. Law and Morality>
13. Neil MacCormick, Legal Reasoning and Legal Theory, H.L.A. Hart, Stanford, pp. 42-60, 2008 (2nd Edn.)
14. Hans Kelsen, General Theory of Law and State, Harvard University Press, Massachusetts, pp. 58-64, 123-36, 115-22, 1945
15. Hans Kelsen, Pure Theory of Law, Vol. I, (Translated by Knight), pp. 114-19, 221-36, 193-214, University of California Press, Berkeley, 1967, (2nd Edn.)
16. H.L.A. Hart, 'Positivism and the Separation of Law and Morals', 71(4), Harvard Law Review, pp.593-629, 1958
17. W.J. Waluchow, 'Herculean Positivism', 5 (2), Oxford Journal of Legal Studies, pp. 187-210, 1985
18. William A. Edmundson, An Introduction to Rights, Cambridge University Press, Cambridge, 2004
19. H.L.A. Hart, 'Are There Any Natural Rights?', in Philosophical Review, 64, pp/ 175-91, 1955
20. Matthew Kramer, Nigel Simmonds, Hillel Steiner, A Debate Over Rights, OUP, Oxford, 2000
21. Roger Cotterill, The Politics of Jurisprudence, University of Pennsylvania Press, US, 2009
22. Denis J. Galligan, Law in Modern Society, Oxford University Press, UK, 2007
23. Brian Tamanaha, A General Jurisprudence of Law and Society, Oxford University Press, Oxford, 2001
24. Kitty Calavita, Invitation to Law and Society, University of Chicago Press, Chicago, 2010
25. David Nelken's Law in Action or Living Law? Back to the Beginning in Sociology of Law', Legal Studies 4, pp. pp152-174, 1984
26. Marc Hertogh (ed.) Living Law: Reconsidering Eugen Ehrlich, Hart Publishing, London, 2008

List of Cases:

1. Deputy Commissioner of Income Taxv. Pahar Ganj Grih Nirman Sahkari (2006) 99 TTI JP 549
2. Union of India &Anrv. Raghbir Singh (Dead) By Lrs. Etc., AIR 1989 SC 1933: 1989 SCR (3) 316
3. Salar Jung Sugar Nulls Ltd. Etc v. State of Mysore & Ors., 1972 SCR (2) 228

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Tilthai, Dharmanagar, North Tripura

4. State of Gujarat v. Gordhandas Keshavji Gandhi AIR 1962 Guj 128: (1962) 0 GLR 269
5. Nishikanta Roy v. Monmohon Sen Gupta, AIR 1973 Cal 529, 77 CWN 424
6. Late Nawab Sir Mir Osman Ali Khan vv. Commissioner of Wealth Tax, 1987 AIR 522: 1986 SCR (3)1072
7. Bandhua Mukti Morchav. Union of India, AIR 1984 SC 802: 1984 SCR (2) 67
8. Queen-Empress. Maru and Anr. (1888) ILR 10 All 207
9. Debendra Narain Roy v. Jogendra Narain Deb and Ors., 167 Ind Cas 615
10. Kanizak Husain And Ors. v. Jadu Rai And Anr. (1886) ILR 8 All 576

LAW OF CONTRACT-I

Code: 26LW102

Max Marks: 70

Course Objective: This course aims to (i) develop understanding of conceptual and operational parameters of the general principles of contractual relations; (ii) trace the evolution of law of contract with a view to appreciate the relevance of widely used different forms of contracts such as tenders, auction, online contracts, etc.; (iii) understand the importance of concept of consideration and the necessity of the same to form a valid contract; (iv) analyze judicial reasoning to distill rules of contract law; (v) analyze the role of the state in regulating freedom of contract to understand the need for such interference; and (vi) examine the remedies available under the law of contract for the concerned violations.

UNIT I: Formation of Contract

(10 Hrs)

- a. Meaning, Nature and Scope of Contract
- b. Offer / Proposal: Definition, Communication, Revocation, General/ Specific Offer
- c. Invitation to Treat
- d. Acceptance: Definition, Communication, Revocation, Tenders /Auctions
- e. Effect of Void, Voidable, Valid, Illegal, Unlawful Agreements
- f. Standard Form of Contract
- g. Online Contracts

UNIT II: Consideration and Capacity

(10 Hrs)

- a. Consideration- Definition, Kinds, Essentials, Privity of Contract
- b. Capacity to Enter into a Contract
- c. Minor's Position
- d. Nature/ Effect of Minor's Agreements

UNIT III: Validity, Discharge and Performance of Contract

(10 Hrs)

- a. Free Consent
- b. Coercion, Undue Influence, Misrepresentation, Fraud, Mistake
- c. Unlawful Consideration and Object
- d. Discharge of Contracts
- e. Performance, Impossibility of Performance and Frustration
- f. Breach: Anticipatory and Present

UNIT IV: Remedies and Quasi-Contracts

(10 Hrs)

- a. Breach
- b. Remedies:
 - i. Damages: Kinds
 - ii. Quantum Meruit
- c. Quasi Contracts

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PSDA (Professional Skill Development Activities)

1 Hr/Week

- Contract Formation Exercise – Impact of IT & E-Contract
- Judgement Analysis
- Drafting of a Contract
- A class-based Moot Court Competition in Contract Law

Text Books:

1. Anson, *Law of Contract*, Oxford University Press, 2010 (29th Edn.)
2. Pollock & Mulla, *The Indian Contract and Specific Relief Act*, Lexis Nexis, 2013 (14th Edn.)

Suggested Readings:

1. Avtar Singh, *Law of Contract and Specific Relief*, Eastern Book Company, 2013 (11th Edn.)
2. Pollock & Mulla, *The Indian Contract and Specific Relief Act*, Lexis Nexis, 2013 (14th Edn.)
3. Cheshire and Fifoot, *Law of Contract*, Lexis Nexis, 2010 (10th Edn.)

List of Cases:

1. *Carlill v. Carbolic Smoke Ball Co.* (1893) All ER Rep. 127
2. *Pharmaceutical Society of Great Britain v. Boots Cash Chemist (Southern) Ltd.* (1952) 2 All ER Rep. 456
3. *Balfour v. Balfour* (1918-19) All ER 860 (CA).
4. *Lalman Shukla v. Gauri Datt* (1913) XL ALJR 489 (All.).
5. *Bhagwandas Goverdhandas Kedia v. M/s. Girdharilal Parshottam Das & Co.* AIR 1966 SC 543.
6. *Harvey v. Facey* (1893) AC 552.
7. *Felthouse v. Bindley* (1862) 11 CB 869.
8. *Kedarnath Bhattacharji v. Gorie Mahomed* (1886) 7 I.D. 64 (Cal.)
9. *Mohori Bibee v. Dharmodas Ghose* (1903) 30 I.A. 114
10. *Khan Gul v. Lakha Singh*, AIR 1928 Lah. 609



COMPANY LAW

Code: 26LW103

Max Marks: 70

Course Objectives: This course aims to: (i) equip the students to get in-depth knowledge of various concepts, principles, procedures and statutory authorities in accordance with current legal requirements and professional standards under the Companies Act and other associated statutes; (ii) Define and demonstrate the basic concepts, nature and Doctrines of Corporate Law and understand the minimum standard for formation & incorporation of company; (iii) classify and analyse the fundamental, sources and classification of corporate financing; and (iv) critically evaluate the concept of Corporate Social Responsibility and Corporate Liquidation, and analyse the role of NCLT and IBC for winding up company.

UNIT I: Incorporation and Formation of Company

(10 Hrs)

- a. Definition, Nature, and Concept of Corporate Personality
- b. Advantages and Disadvantages of Incorporation, lifting of the corporate veil
- c. Different Kinds of Companies: One-person Company, Foreign Company, Multinational, Transnational Corporations, Companies not for profit, Family business.
- d. Mode of Incorporation
 - i. Memorandum of Association
 - ii. Articles of Association
 - iii. Promotion, Incorporation, registration, commencement of the company
- e. Doctrines
 - i. Doctrine of Constructive Notice
 - ii. Doctrine of Indoor Management
 - iii. Doctrine of Ultra Vires

UNIT II: Corporate Financing

(10 Hrs)

- a. Prospectus and its Kinds
- b. Classification of Company Securities
- c. Shares and Share Capital - Concept, Nature and Kinds of Shares and Share Capital, Issue and Allotment of Shares.
- d. Debentures- Concept, Nature and Kinds, Debenture Bond, remedies of debenture holders.
- e. Transfer and Transmission of shares.
- f. Borrowing and Lending- Inter-Corporate Loans
- g. Financial Fraud- A Case Study of Vijay Mallya, etc.
- h. Fraudulent Practices to Finance Family Business in India: A Case Study of Nirav Modi, Yes bank etc.
- i. Role of Court to Protect Interests of Creditors and Shareholders, Class Action Suits, Derivative Actions, Shareholders' Rights- A Case Study of Tata Cyrus Mistry etc.

UNIT III: Company Management and Corporate Governance

(12 Hrs)

- a. Company Management- Position, powers, duties of directors, appointment of directors, and removal of directors.
- b. kinds of directors- Independent Director, Women Director.
- c. Company Meetings- Kinds of Company Meetings and Procedure.
- d. Majority Rule, Prevention of Oppression and Mismanagement
- e. Investor Protection
- f. Insider Trading- Concept of Insider Dealings and its Prohibition
- g. Corporate Fraud
- h. Accounts and Audit, powers, duties and liabilities of auditors, appointment and removal of auditors.
- i. Corporate Governance- Meaning, Need, Current Developments, Corporate Governance in India.

UNIT IV: Corporate Social Responsibility and Corporate Liquidation

(08 Hrs)

- a. Corporate Social Responsibility
 - i. Concept, Evolution and Emerging Trends of CSR
 - ii. CSR under Company Act
 - iii. Corporate legal liability - civil, criminal and environmental.
- b. Winding up of Company
 - i. Concept of winding up and Dissolution of Company
 - ii. Compulsory winding up of company
 - iii. Winding up of company under Insolvency and Bankruptcy Code 2016
 - iv. Role of NCLT/ NCALT in winding up

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- v. Consequences of winding up order, Role of Liquidator
- vi. Liability of past members, preferential payments, unclaimed dividends

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- ❖ Preparation of the document of the registration of a Company
- ❖ One class-based Moot Court competition
- ❖ Visit to a Corporate office

Text Books:

1. A. K. Majumdar & G. K. Kapoor, Company Law and Practice, Taxmann Publications Pvt. Ltd., Delhi, 2019 (24th Ed).
2. Avtar Singh, Company Law, Eastern Book Company, Lucknow, 2018 (17th Ed).
3. Saleem Sheikh & William Rees, Corporate Governance and Corporate Control, Cavendish Publishing Ltd., London, 1995.
4. Taxmann, Companies Act, Taxmann Publication Pvt. Ltd., New Delhi, 2019 (1st Ed).
5. Taxmann, A Comparative Study of Companies Act, Taxmann Publication Pvt. Ltd., New Delhi, 2013.
6. Paul L. Davies, Gower and Davies: Principles of Modern Company Law, Sweet & Maxwell, 2016 (10th Ed).
7. C. R. Datta, Datta on the Company Law, Lexis Nexis, Butterworths Wadhwa, 2017(7th Ed).
8. Ramaiya, Guide to the Companies Act, Lexis Nexis, Butterworths Wadhwa, 2015(18th Ed).

Suggested Readings:

1. Brenda Hannigan, Company Law, Oxford University Press, UK, 2018 (5th Ed).
2. C. A. Kamal Garg, Bharat's Corporate and Allied Laws, Bharat Law House Pvt. Ltd., Delhi, 2018 (8th Ed).
3. Dr. Charles Wild & Dr. Stuart Weinstein Smith and Keenan, Company Law, Pearson, London, 2009.
4. David Kershaw, Company Law in Context, Oxford University Press, UK, 2012.
5. Institute of Company Secretaries of India, Companies Act, 2013, CCH Wolters Kluwer Business (The Netherlands), Delhi, 2015.
6. J. P. Sharma, An Easy Approach to Corporate Laws, Ane Books Pvt. Ltd., New Delhi, 2015.
7. J. Charlesworth & Geoffrey Morse, Charlesworth and Morse, Company Law, Sweet & Maxwell, London, 1995.
8. Lexis Nexis, Corporate Laws, 2013 (Palmtop Edition).
9. L. C. B. Gower, Principles of Company Law, R. Cambray & Co. Pvt. Ltd., Kolkata, 1997.
10. Munish Bhandari, Professional Approach to Corporate Laws and Practice, Bharat Law House, Jaipur, 2018.
11. S. Kannal & V. S. Sowrirajan, Company Law Procedure, Taxman's Allied Services (P) Ltd., New Delhi Year.
12. K. C. Garg, R. C. Chawla, Vijay Gupta: Company Law, Kalyani Publishers, New Delhi 2014.
13. V.S. Datey, Guide to Tax and Corporate Laws, Taxmann Publications Private Limited, Delhi, 2010.
14. M. C. Kuchhal, Modern Indian Company Law, Mahavir Publications, Delhi, 2015.
15. H. K. Saharay, Company Law; Universal Law Publishing Co., Delhi, 2016.

List of Cases:

1. Ganga Reddy v. MG-6 Wholesome Market (India) (P) Ltd. (2019) 4 Comp LJ 451 (NCLT)
2. Anant Rathi Commodities Ltd. v. Encore Natural Polymers (P) Ltd. (2019) 4 Comp LJ 508 (Bom).
3. Unitech Ltd. v. Registrar of Companies, Delhi and Haryana and Sunil Keswani (2019) 4 Comp LJ 537 (Del).
4. Atlas Cycles (Haryana) Ltd. and Ors. v. Vikram Kapur and Ors. (2019) Comp LJ 543 (NCLAT)
5. V.R.G. Healthcare (P) Ltd. and Ors. v. Ganesh Ramchandra Chakkarwar (2019) 4 Comp LJ 561 (NCLAT)
6. Shiv Kumar Agarwal v. Lal Chand Singhal and Moongipa Investments Ltd, and Others v. Lal Chand Singhal (2019) 4 Comp LJ 577 (NCLAT)
7. Man Industries (India) Ltd. v. State of Maharashtra (2019) 151 CLA 309 (Bom.)
8. SBI Global Factors Ltd. v. Official Liquidator of Minar International Ltd. (2019) 151 CLA 337 (Bom.)
9. Smiti Golyan and Anr. v. Nulon India Ltd. and Ors. (2019) 151 CLA (Snr.) 5 (NCLAT)
10. Manoj Bathla and Ors. v. Vishwanath Bathla and Anr. (2019) 151 CLA (Snr.) 5 (NCLAT)
11. Salomon v. Salomon & Co., Ltd. (1897) A.C. 22 (H.L.); (1895-95) All ER Rep. 33 11
12. Daimler Co., Ltd. v. Continental Tyre and Rubber Co. (Great Britain) Ltd., 1916 AC 307: (1916-17) All ER Rep. 191
13. Lee v. Lee's Air Farming, Ltd. (1960) 3 All E.R. 420
14. Workmen v. Associated Rubber Industries Ltd. (1985) 4 SCC 114: (1986) 59 Comp. Cas. 134 (SC) 65

ARYAVART INTERNATIONAL UNIVERSITY
Tilthai, Dharmanagar, North Tripura

15. Ashbury Railway Carriage and Iron Co. Ltd. v. Riche (1875) L.R.7 H. L.: (1874-80) All ER Rep. 2219 (HL) 79
16. Dr. A. Lakshmanaswami Mudaliar v. Life Insurance Corporation of India, AIR 1963 SC 1185
17. Royal British Bank v. Turquand (1856) 119 ER 886: (1843-60) All ER Rep. 435
18. Foss v. Harbottle (1843) 2 Hare 461: (1843) 67 ER 189 178
19. Shanti Prasad Jain v. Kalinga Tubes Ltd., AIR 1965 SC 1535 199

PUBLIC INTERNATIONAL LAW

Code: 26LW111

Max Marks: 70

Course Objectives: This paper aims to enable students to (i) develop knowledge of the nature of public international law and the structure of the international legal system; (ii) define and understand the implications of the basic elements of public international law - its sources and subjects, the recognition and jurisdiction of States in international law and principles of State responsibility; and (iii) appreciate the significant differences and similarities of international law and domestic law.

UNIT I: Introduction

(10 Hrs)

- a. Nature and Development of International Law
- b. Subject of International Law
- c. Concept of Subject of Law and of Legal Personality
- d. States: Condition of Statehood, Territory and Underlying Principles, Sovereignty
- e. International Organisation: Concept, Right and Duties under International Law
- f. Status of Individual
- g. Other Non-State Actors
- h. Relationship Between International Law and Municipal Law (UK, USA, India)
- i. Codification of International Law

UNIT II: Sources of International Law

(10 Hrs)

- a. Treaties
 - i. Nature, Scope and Types of Treaty
 - ii. Vienna Convention on Law of Treaties, 1969
 - iii. Accession to the treaty
 - iv. Ratification of Treaty
 - v. Reservation in the Treaty
 - vi. Termination of Treaty
- b. Custom
- c. General Principles of Law
- d. Jurist Works
- e. General Assembly Resolutions, Security Council Resolutions
- f. Other Sources

UNIT III: Recognition, Extradition and the Law of the Sea

(10 Hrs)

- a. Recognition
 - i. Theories of Recognition
 - ii. Defacto, Dejure Recognition
 - iii. Implied Recognition
 - iv. Withdrawal of Recognition
 - v. Retroactive Effects of Recognition
- b. Extradition and Asylum
 - i. State Jurisdiction
 - ii. Customary Law Basis
 - iii. Treaty Law
 - iv. The Nature of Obligation
- c. Law of The Sea
 - i. Territorial Sea
 - ii. Contiguous Zone
 - iii. Exclusive Economic Zone
 - iv. Continental Shelf

ARYAVART INTERNATIONAL UNIVERSITY
Tilthai, Dharmanagar, North Tripura

v. High Sea

UNIT IV: Contemporary International Issues

(10 Hrs)

- i. Prohibition of the Use of Force
- ii. Exceptions to the Prohibition: Individual and Collective Self Defence, Authorized or Recognized Military Actions
- iii. Responsibility to Protect
- iv. International Criminal Court

PSDA (Professional Skill Development Activities)

(1Hr/Week)

- ❖ Research Paper
- ❖ Moot Court
- ❖ Symposium on Contemporary Issues
- ❖ Analysis of International Treaties/Conventions
- ❖ Discussion Forums

Text Books:

1. Oppenheim, International Law, Biblio Bazaar, LIC, 2010
2. James Crawford Brownlie, Principles of International Law, Oxford University Press, UK, 2019 (9th Edn.)

Suggested Readings:

1. Starke, Introduction to International Law, Butterworths Law, UK, 2013(11th Edn.)
2. Shaw, International Law, Cambridge University Press, 2008 (6thEdn.)
3. A. Boyle & C. Chinkin, The Making of International Law, Foundations of Public International Law, Oxford University Press, New York, 2007
4. R.P. Dhokalia, The Codification of Public International Law, Manchester University Press, United Kingdom, 1970
5. Mark Villiger, 'The Factual Framework: Codification in Past and Present', in Customary International Law and Treaties, Mark Villiger, pp.63-113, Martinus Nijhoff, Netherlands, 1985
6. S.K. Kapoor, International Law, Human Rights, Central Law Agency, Allahabad, (8th Edn. 2018)
7. Brownlie, International Law and the Use of Force by States, Clarendon Press, Oxford, 1991

List of Cases:

1. S.S. Lotus (France v. Turkey), PCIJ
2. North Continental Shelf Case, ICJ Rep., 1969
3. Asylum Case, ICJ Rep., 1950
4. Right of Passage over Indian Territories (Portugal v. India), ICJ Rep., 1960
5. Anglo-Norwegian Fisheries Case, ICJ Rep., 1951
6. Vishaka v. State of Rajasthan, AIR 1997 SC 3011
7. Union of India v. Sukumar Sengupta, AIR 1990 SC 1692
8. Mubarak Ali Ahmed v. State of Bombay, AIR 1957 SC 857
9. Corfu Channel Case, ICJ Rep., 1949
10. Libya v. Tunisia Continental Shelf Case, ICJ Rep., 1982

विद्याधनं सर्वधनप्रधानं

ARYAVART INTERNATIONAL UNIVERSITY
Tilthai, Dharmanagar, North Tripura

INSURANCE LAW

Code: 26LW112

Max Marks: 70

Course Objectives: The insurance idea is an old institution of transactional trade. Even from olden days, merchants who made great adventures gave money by way of consideration to other persons who made assurance, against loss of their goods, merchandise ships and things adventured. The rates of money consideration were mutually agreed upon. Such an arrangement enabled other merchants more willingly and more freely to embark upon further trading adventures. The operational framework of insurance idea is provided by the general principles of contract. The insurance policy, being a contract, is subject to all the judicial interpretative techniques of rules of interpretation as propounded by the judiciary. Besides, the insurance idea has a compensatory justice component. This course is designed to acquaint the students with the conceptual and operational parameters, of insurance law.

UNIT I

(08 Hrs)

Introduction: Nature of insurance - Indemnity - Subrogation - Contribution - History of Insurance and development of Insurance in India- Benefits of insurance - Insurance Act, 1938: Appointment of Administrator– Tariff Advisory Committee – Insurance Association of India, Reinsurance. Insurance Regulatory Authority: Its role and functions.

UNIT II

(08 Hrs)

Contract of Insurance: Classification of contract of Insurance- Nature of various Insurance Contracts- Parties thereto - Principles of good faith – extent of duty- non-disclosure – Misrepresentation in Insurance Contract- Insurable Interest- Premium: Definition- method of payment, days of grace, forfeiture, return of premium, The risk – Meaning and scope of risk - Proximate Cause: Causa Proxima.

UNIT III

(12 Hrs)

Life Insurance: Nature and scope of Life Insurance- Kinds of Life Insurance in India. The policy and formation of a life insurance contract- Event insured against Life Insurance contract- Circumstance affecting the risk- Amount recoverable under the Life Policy- Persons entitles to payment- Settlement of claim and payment of money- Assignment and nomination- Insurance against third party rights- The Motor Vehicles Act, 1988 – Sec. (140-176), Nature and scope- Absolute or no fault liabilities, Third party or compulsory insurance of motors vehicles- Claims Tribunal- Own Damages Claims.

UNIT IV

(06 Hrs)

Fire Insurance: Nature and scope of Fire Insurance –Basic Principles – Conditions & Warranties – Right & Duties of Parties – Claims - Public Liability Insurance –. Introduction to Agriculture Insurance – History of Crop Insurance in India –Problems associated with Crop Insurance – Cattle Insurance in India.

UNIT V

(06 Hrs)

Marine Insurance: Nature and Scope- Classification of Marine policies- Insurable interest- Insurable values- Marine insurance and policy- Conditions and express warranties- Voyage deviation- Perils of sea- Loss- Kinds of Loss.

Suggested Readings:

1. K. S. N. Murthy and K. V. S. Sharma - Modern Law of Insurance in India.
2. M. H. Srinivasan - Principles of Insurance Law.
3. E. R. Hardy Ivamy - General Principles of Insurance Law, relevant Chapters.
4. Insurance Act, 1938.
5. The Marine Insurance Act, 1963.
6. General Insurance (Business) (Nationalisation) Act, 1972.
7. The Life Insurance Corporation Act, 1956.
8. Motor Vehicle Act, 1988.

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Tilthai, Dharmanagar, North Tripura

9. Collection, Brilliance Audio, 2014

BIODIVERSITY PROTECTION

Code: 26LW131

Max Marks:100

Course Objectives: Biodiversity protection has gained utmost importance due to several factors. There are many laws that talk about biodiversity protection and sustainable development. The main objective of this Course is to have a glance at significant law and policy developments in Indian and also at the global level for biodiversity protection and protection of Geographical Indications in India.

UNIT I

(10 Hrs)

Introduction: Definition of Genetics, Species, Ecosystem Diversity, Genetic diversity, Species diversity, Plant diversity, Ecosystem diversity, Bio Geographical classification of India, Value of Biodiversity: Consumptive, Productive Use, Social, Ethical, Aesthetic and Option values, Biodiversity Protection Act, 2002, Introduction to Biodiversity, Concept of Biodiversity and its types, Distribution of Biodiversity, Biodiversity and balance of Nature, Benefits of Biodiversity

UNIT II

(10 Hrs)

Threats to Biodiversity, Conservation of Biodiversity, Biodiversity of India, Conventions on Biodiversity, Biodiversity at Global, National and Local Levels, India as a mega Diversity, National Hotspots of Biodiversity, Habitat Loss, Poaching of Wildlife, Man-wildlife conflicts, Endangered and endemic species of India, Common Plant species, Common Animal species, Conservation of Biodiversity, In-situ conservation, Ex-situ conservation

UNIT III

(06 Hrs)

Restoration of Biodiversity, Imparting Environmental Education, Enacting, strengthening and enforcing Environmental Legislation, Population Control, Reviewing the agriculture practice, Controlling Urbanisation, Conservation through Biotechnology

UNIT IV

(07 Hrs)

Geographical Indications: Historical Background, International Evolution of Geographical Indication, Indication of Source, Appellations of Origin, Paris Convention, Madrid Agreement, Lisbon Agreement, NAFTA, TRIPs, Emerging Issues, Genericide of Geographical Indication

UNIT V

(07 Hrs)

TRIPs Article 23 Controversy, Registration of Geographical Indication, Effect of Registration, Infringement & Remedies, Infringement and Passing off of Geographical Indication, Remedies & Procedure, Comparative Analysis, Comparative Analysis of Geographical Indication Law in India & France

Suggested Readings:

1. Roy Sovan, Environmental Science, Publishing Syndicate, 2003, Kolkata.
2. Dara. S.S., Environmental chemistry and Pollution Control, S. Chand & company Ltd., New Delhi
3. Schulze Ernst- Detlef, Mooney Harold, Biodiversity and Ecosystem Function, Springer- Verlag, London
4. Mohapatra Pradipta Kumar, Textbook of Environmental Biotechnology, I.K. International Pub. House pvt. Ltd., 2006, New Delhi
5. Khan. T. I. Global Biodiversity and Environmental Conservation, Pointer Publishers, 2001, Jaipur
6. Narayanan P., Trademarks & Passing off, Eastern Law House, 6th edition, 2006.
7. Gravis Daniel, The TRIPS Agreement: Drafting History and Analysis, 2nd edition, Sweet & Maxwell.
8. Nair. R. Latha, Geographical Indications: A Search for Identity, Lexis Nexis, Butterworth, 2005
9. Guide to the International Registration of Industrial Designs under the Hague Agreement, WIPO.
10. R. Basant (1998), "Intellectual Property Rights: A Note", IIMA, Mimeo.

LLB

2nd Semester

Detailed Syllabus

SPECIAL CONTRACT

Code: 26LW201

Max Marks: 70

Course Objectives: This course is to be taught after students have been made familiar with the general principles of contract, with an emphasis on understanding and appreciating the essentials of a valid contract and on the existence of a contractual relationship in various instances. Obviously, a course on special contracts should initiate the students to different kinds of contracts with emphasis on the intricacies therein. This course also should provide an insight into the justification for special statutory provisions for certain kinds of contracts.

UNIT I: Indemnity and Guarantee

(10 Hrs)

- a. Indemnity : concept, Need for indemnity, definition
- b. Methods of creating indemnity obligations
- c. Commencement, Nature and extent of liability of the indemnifier
- d. Situations of various type of indemnity creations, Documents/
- e. agreements of indemnity, Nature of indemnity clauses
- f. 1.5 Guarantee: Concept, essentials for a valid guarantee contract
- g. Rights & Liabilities of Surety

UNIT II: Bailment, Pledge and Agency

(10 Hrs)

- a. Bailment: Essential Features, Rights & Duties of Bailor & Bailee
- b. Pledge: Definition, Rights and duties of Pawnee, who can pledge?
- c. Agency:
 - i. Definition, Essentials, kinds of agents, creation of Agency
 - ii. Relations of Principal and Agent: Rights and duties of Agent
 - iii. Relations of Principal with Third Parties
 - iv. Methods of termination of Agency Contract
 - v. Liabilities of Principal and Agent before and after termination of Agency Contract

UNIT III: Sale of Goods Act

(10 Hrs)

- a. Contract of sale: Concept, Essentials, Implied Terms
- b. Rule of Caveat Emptor
- c. Conditions and Warranties
- d. Transfer of title and passing of risk
- e. various rules regarding delivery of goods
- f. Unpaid Seller and his rights

UNIT IV: Partnership Act

(10 Hrs)

- a. Partnership: Nature, Scope, Definition, Kinds of Partnership
- b. Rights and duties of Partners, Liabilities of Partners
- c. Registration of Firm, Effect of non-Registration
- d. Dissolution of firm and its effects
- e. Liability of Partners under the Limited Liability Partnership Act

Suggested Reading:

1. Beasten (Ed), Anson's Law of Contract
2. P. S. Atiya, Introduction to the Law of Contract (Claredon Law Series)
3. Avtar Singh, Law of Contract, Eastern Lucknow
4. G. C. Cheshire, and H. S. Fifoot and M. P. Formston Law Contract ELBS with
5. Butterworths.
6. M. Krishnan Nair, Law of Contract,

ARYAVART INTERNATIONAL UNIVERSITY
Tilthai, Dharmanagar, North Tripura

7. G.H. Trinel , Law of Contract Sweet & Maxwell
8. R.K. Abichandani (ed), Pollock and Mulla on the Indian contract and the Specific Relief Act, Butterworths Publication
9. Benerjee S.C. Law of Specific Relief, Universal
10. Anson, Law of Contract, Universal
11. Dutt on Contract, Universal
12. Anand and Aiyer, Law of Specific Relief, Universal.
13. Pollok and Mulla, Partnership Act, Butterworths Publication
14. Mulla on Sale of Goods Act

LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENT & CONSUMER PROTECTION LAWS

Code: 26LW202

Max Marks: 70

Course Objectives: action is being used against service providers, manufacturers and industrial units for products which are injurious to human beings, wherein the emphasis is placed on extending the principles of torts not only to harmful acts but also failure to comply with changing standards and product specifications due to rapid advancements in science and technology. Product liability is now taking a new dimension in developed economies world over. The law of Torts finds significance in the emerging law of consumer protection in modern times of consumer concern about goods and services. It is applicable in cases of disputes concerning quality of goods supplied and services offered in cases of damage suffered by the consumers.

UNIT I: Introduction and Principles of Liability in Tort

(10 Hrs)

- a) Nature and Definition of Tort.
- b) Development of Tort action in England and India- Tort distinguished from Contract, Quasi-Contract and Crime.
- c) Constituent of Tort- Wrongful Act, Damage and Remedy.
- d) Liabilities- Strict Liability and Absolute Liability. Vicarious Liability: Scope and justification.
- e) Conditions of Liability including damnum sine injuria, injuria sine damno; Remoteness of Damages. Maxims: Ubi jus ibi remedium, Res ipsa loquitur, Volenti non fit injuria etc.
- f) Doctrine of Sovereign Immunity.

UNIT II: Justification in Tort/ General Defences

(10 Hrs)

- a) Volenti non-fit injuria.
- b) Necessity,
- c) Plaintiff's default. / Plaintiff the wrongdoer
- d) Act of God.
- e) Inevitable accidents.
- f) Private defences.
- g) Judicial and Quasi- Judicial Acts.
- h) Parental and Quasi-parental authority.

UNIT III: Specific Torts

(12 Hrs)

- a) Defamation- Libel, Slander, including Defences in an action for Defamation.
- b) Negligence, including Contributory Negligence and other defences.
- c) Nuisance.
- d) Assault, Battery and mayhem.
- e) False imprisonment and malicious prosecution.
- f) Nervous Shock.
- g) Trespass to Person and Property.

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Tilthai, Dharmanagar, North Tripura

- h) Domestic Violence as a crime and tort.
- i) Principles for the application of the rules and defences- Enterprises engaged in hazardous activities. (M.C. Mehta v. Union of India)
- j) Salient features of Motor Vehicle Act, Accident Claims, Motor Vehicle Tribunal, Noise and Air Pollution and Safety, Health and Environment issues.

UNIT IV: Consumer Protection Act, 1986

(04 Hrs)

- a) Aims and objectives of the Consumer Protection Act, 1986.
- b) Concept of a consumer and consumer dispute under the Consumer Protection Act, 1986.
- c) Shift from Caveat Emptor to Caveat Vendor.
- d) Consumer Protection Councils under the Consumer Protection Act, 1986.

UNIT V: Redressal Mechanism

(04 Hrs)

- a) Redressal mechanism under the Consumer Protection Act, 1986- District Forum, the State Commission and the National Commission.
- b) Initiation of Proceedings. Grievances Redressal Procedure of Consumer Disputes Redressal Agencies. Powers of CDRA's. Remedies available under the Consumer Protection Act, 1986.

Suggested Readings:

- 1. The Law of Torts--- Ratanlal & Dhirajlal
- 2. Tort--- Winfield and Jolowicz.
- 3. Law of Torts--- R.K. Bangia.
- 4. Law of Consumer Protection in India--- Dr D.N. Saraf.
- 5. Law of Consumer Protection in India--- Dr Avtar Singh.
- 6. The Law of Consumer Protection in India--- Dr Gurjeet Singh.
- 7. Law of Torts--- Salmond

Essential Case Laws:

- 1. Bhim Singh v. State of J & K and others.
- 2. Rudul Sah v. State of Bihar.
- 3. Rylands v. Fletcher 1868 LR HL, 330.
- 4. M.C. Mehta v. Union of India 1987 1 SCC 395.
- 5. Union Carbide Corporation v. Union of India AIR 1989 SC 248.
- 6. Donoghue v. Stevenson 1932 SC 31.
- 7. State of Rajasthan v. Mst. Vidyawati & Others AIR 1962 SC 1039.
- 8. M/s. Kasturilal Ralia Ram Jain v. State of U.P. AIR 1965 SC 1039.

विद्याधनं सर्वधनप्रधानं

ARYAVART INTERNATIONAL UNIVERSITY
Tilthai, Dharmanagar, North Tripura

PRINCIPLES OF TAXATION LAW

Code: 26LW203

Max Marks: 70

Course Objectives: The Course aims to introduce the basic concepts and principles of the Income Tax Act 1961 and their judicial interpretation, provide a broad understanding of the computation of tax liability of an individual, enable the students to at least file their income tax return, and inculcate in the students a citizen's responsibility to pay tax by emphasizing on the importance of tax and sensitize the students about the ways to curb evasion of tax and implications of evasion of tax.

UNIT I: Introduction

(07 Hours)

- a. Historical background of the Income Tax Legislation
- b. Basic concept of tax; how tax is different from cess, toll, and surcharge; direct and indirect taxes
- c. Meaning of terms: Income, persons, Assessee, Previous year, Assessment year [sections 2(24), 2(31), 2(7), 3, 2(9) of the Income Tax Act, 1961]
 - i. Understanding the concept of (i) 'application of income' and 'diversion of income'.
 - ii. 'capital receipts' and 'revenue receipts'; the differences between the two terms and their tax implications.
- d. New Act of 2025 – introduction

UNIT II: Agricultural Income

(03 Hours)

- a. Definition of 'agricultural income'[Section 2 (IA)]
- b. Exemption of agricultural income from Income Tax Act 1961[Section 10 (1)]

UNIT III: Residence and Scope of Total Income

(07 Hours)

- a. Determination of residential status of an Assessee (Section 6); Total Income of an Assessee (Section 4 and 5); Income deemed to accrue or arise in India (Section 9)
- b. Understanding Place of Effective Management in respect of Control and Management
- c. POEM Guidelines, Tax Jurisdictions in global perspective
- d. Double Tax Avoidance Agreement and Glimpse of DTAA in Indian Context

UNIT IV: Heads of Income

(14 Hours)

- a. Mutual exclusivity of each of the heads of income (Section 14)
- b. Income from 'Salary'(Sections 15 to 17), deductions applicable to salaried individuals
- c. Income from House Property (Sections 22 to 27)
- d. Income from Profits and Gains of Business or Profession (Sections 28 to 44)
- e. Income from Capital Gains (Sections 45 to 55)
- f. Income from Other Sources (Sections 56 to 59)

UNIT V: Income of Other Persons included in Assessee's Total Income

(03 Hours)

- a. Clubbing of Income (Sections 60 to 63)
- b. Clubbing of Income (Section 64)

UNIT VI: Assessment

(06 Hours)

- a. Filing of return, belated return, and revised return
- b. Types of assessment: Self-assessment, Scrutiny assessment. Best Judgment assessment (Sections 139 to 145)
- c. Income Escaping assessment (Sections 147 to 153)

PSDA (Professional Skill Development Activities)

- ❖ Registration of GST

Text Books:

1. Girish Ahuja and Ravi Gupta, Professional Approach to Direct Taxes, Law and Practice, Bharat Publishing House, Delhi, 2014
2. Vinod Singhania & Kapil Singhania, Direct Taxes Law and Practice, Taxmann, Delhi, 2018
3. Chaturvedi & Pithisaria, Income Tax Act with Relevant Tax Allied Acts, Lexis Nexis, Delhi, 2017

Suggested Readings:

1. Taxmann's Income Tax Act as amended by the Finance Act, Delhi, 2020
2. Reuven S.Avi-Yonah, Nicola Sartori, and Omri Marian, Global Perspective on Income Taxation Law, Oxford University Press, UK, 2011
3. B. B. Lal, Income Tax, Pearson, India, 2012

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Case Laws:

1. CIT v. G.R. Karthikeyan, 1993 Supp (3) SCC 222
2. CIT v. Sitaldas Tirathdas, (1961) 2 SCR 634
3. C.I.T. v. Sunil J. Kinariwala, (2003) ISCC 660 v. C.I.T., Bombay, AIR 1955 SC 74
4. S.C.I.T. v. Benoy Kumar Sahas Roy, AIR 1957 SC 768
5. C.I.T. v. Maddi Venkatasubbayya, (1951) XXITR151(Mad.)
6. Sakarlal Naranlal v. C.I.T., AIR 1965 Gui. 165
7. K. Lakshmanan & Co. v. C.I.T. (1999) 239 ITR 597(SC)
8. V. V. R. N. M. Subbayya Chettiar v. C.I.T., AIR 1951 SC 101
9. Narottam and Parekh Ltd. v. CIT. Bom. City, AIR 1954 Bom. 67
10. Vodafone International Holdings B.V. v Union of India (UOI) and Anr. (2012) 6 SCC 613
11. Ram Pershad v. C.I.T. (1972) 2 SCC 696 C.I.T. v. L. W. Russel, AIR 1965 SC 49177
12. Department of Law, University of Delhi
13. C.I.T., West Bengal v. Biman Behari Shaw. Shebait (1968) 68 ITR 815 (Cal.)
14. East India HOUSING & Land Development Trust Ltd. v. C.I.T. (1961) 12 ITR 19 (SC)
15. C.I.T., West Bengal v. Biman Behari Shaw, Shebait (1968) 68 ITR 815 (Cal.)
16. East India Housing & Land Development Trust Ltd. v. C.I.T. (1961) 12 ITR 19 (SC)
17. R. B. Jodhamal Kuthiala v. C.I.T., AIR 1972 SC 126
18. B. D. Bharucha v. C.I.T., AIR 1967 SC 1505
19. C.I.T. v. Mysore Sugar Co. Ltd., AIR 1967 SC 723
20. C.I.T. v. Travancore Sugar & Chemicals Ltd., AIR 1973 SC 982
21. Empire Jute Co. v. C.I.T., AIR 1980 SC 1946
22. L. B. Sugar Factory & Oil Mills (P.) Ltd. v. C.I.T., AIR 1981 SC 395
23. C.I.T. v. Jalan Trading Co. (Pvt.) Ltd. (1985) 155 ITR 536 (SC)
24. Bikaner Gypsums Ltd. v. C.I.T., AIR 1991 SC 227
25. C.I.T. v. General Insurance Corporation, 2007 (1) S CJ 800
26. N. Bagavathy Ammal v. C.I.T., Madurai, JT 2003 (1) SC 363
27. C.I.T. v. Rajendra Prasad Moody, (1978) 115 ITR 519 (SC)
28. Philip John Plasket Thomas v. C.I.T. AIR 1964 SC 587
29. Batta Kalyani v. Commissioner of Income Tax. (1985) 154 ITR 59
30. J. M. Mokashi v. Commissioner of Income Tax, (1994) 207 ITR 252 (Bom)
31. Mohini Thapar v. C.I.T. (1972) 4 SCC 493
32. State of Kerala v. C. Velkuty, (1966) 60 ITR 239 (SC) 16
33. C.I.T. v. Burlop Dealers Ltd. (1971) 79 ITR 609 (SC)
34. Gemini Leather Stores v. The Income-tax Officer, AIR 1975 SC 1268
35. The Income Tax Officer v. Lahkmani Mewal Das (1976) 3 SCC 757
36. Srikrishna (P) Ltd. v Income-Tax Officer (1996) 9 SCC 534

विद्याधनं सर्वधनप्रधानं

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ENVIRONMENTAL LAW

Code: 26LW211

Max Marks: 70

Course Objectives: This paper aims to enable the students to (i) generate sensitivity towards the environmental issues; (ii) critically evaluate the role of law, policy and institutions in the conservation and management of natural resources as well as pollution control; (iii) examine critically the environment laws and policies both at the national and international level; and (iv) interpret landmark rulings relating to environment.

UNIT I: Introduction to Environmental Studies & Legal Framework for Environmental Protection: International and National Perspective (10 Hrs)

- a. Introduction to Environmental Studies
 - i. Environment: Meaning & Concept
 - ii. Environment and human interface: An Overview
 - iii. Religion and Environment - An Overview
 - iv. Pollution, Environmental Pollution: Meaning, Kinds and Issues
- b. International Legal Framework
 - i. Environmental Law: Human Rights Perspective
 - ii. Stockholm Declaration & Rio Declaration: Brief Overview
 - iii. Introduction to Sustainable Development – SDGs -MDGs
 - iv. UNEP
- c. Introduction to Indian Legal Framework
 - i. Constitutional Guidelines
 - ii. Pre -Environmental Legislations - Law of Torts, Law of Crimes, Cr. P.C, etc.
 - iii. Emergence of Environmental Legislations

UNIT II: Prevention and Control of Water, Air, Noise and Land Pollution (10 Hrs)

- a. The Water (Prevention and Control of Pollution) Act, 1974
 - i. Water Pollution: Definition
 - ii. Central and State Pollution Control Boards: Constitution, Powers and Functions
 - iii. Water Pollution Control Areas
 - iv. Sample of effluents: Procedure; Restraint Order
 - v. Consent requirement: Procedure, Grant/Refusal, Withdrawal
 - vi. Citizen Suit Provision
- b. Air (Prevention and Control of Pollution) Act, 1981
 - i. Air Pollution: Definition
 - ii. Central and State Pollution Control Boards: Constitution, Powers and Functions
 - iii. Air Pollution Control Areas
 - iv. Consent Requirement: Procedure, Grant/Refusal, Withdrawal
 - v. Sample of Effluents: Procedure; Restraint Order
 - vi. Citizen Suit Provision
- c. Noise Pollution Control Order, 2000
- d. Land Pollution

UNIT III: General Environment Legislation and Protection of Forests and Wildlife & Remedies (10 Hrs)

- a. Environmental (Protection) Act, 1986
 - i. Meaning of “Environment”, “Environment Pollutant”, “Environment Pollution”
 - ii. Powers and Functions of the Central Govt.
 - iii. Important Notifications U/s 6: Hazardous Substance Regulation, Bio-Medical Waste Regulation, and Coastal Zone Management, EIA
 - iv. Public Participation & Citizen Suit Provision
- b. Laws Related to Forest
 - i. Forest Act, 1927: Kinds of forest – Permitted Activities – Authorities and Offences
 - ii. The Forest (Conservation) Act, 1980
 - iii. Forest Conservation vis-a-vis Tribals’ Rights – FRA, 2007
- c. The Wildlife (Protection) Act, 1972
 - i. Authorities to be Appointed and Constituted under the Act
 - ii. Hunting of Wild Animals
 - iii. Protection of Specified Plants
 - iv. Protected Area
 - v. Trade or Commerce in Wild Animals, Animal Articles and Trophies; Its Prohibition

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Tilthai, Dharmanagar, North Tripura

- d. National Green Tribunal
 - i. Constitution
 - ii. Functions and Powers

UNIT IV: Current Trends

(10 Hrs)

- a. Global Warming - Climate Change
- b. International Trade and Environment
- c. Sustainable Development
- d. Transboundary Pollution
- e. Natural Resources Conservation
- f. Waste management
- g. Green GDP
- h. Carbon Trading

PSDA (Professional Skill Development Activities)

(1Hr/Week)

- ❖ Field Trip to Ecologically Sensitive Places/Tribal Areas
- ❖ Visit to Pollution Control Boards/Yamuna Bank & Riverside Pollution/Biodiversity Park/Zoos/ NGT, Delhi and Preparation of Projects
- ❖ Preparation of plans for Water and Air Pollution
- ❖ Interaction with Eminent Environmental Activist /Invited Talks & Lectures

Text Books:

1. S. C. Shastri, Environmental Law, Eastern Book Company, Lucknow, 018 (6th Ed).
2. P. Leela Krishnan, Environmental Law in India, Lexis Nexis, India, 2018 (6th Ed).

Suggested Readings:

1. Shyam Diwan & Armin Rosencranz, Environmental Law and Policy in India, Oxford University Press, India, 2001 (2nd Ed.).
2. Gurdip Singh, Environmental Law in India, EBC, Lucknow, India, 2016.
3. Snehlata Verma, Environmental Problems: Awareness and Attitude, Academic Excellence Publishers & Distributors, Delhi, 2007.
4. Benny Joseph, Environment Studies, Tata McGraw-Hill, New Delhi, 2009.

List of Cases:

1. Municipal Council, Ratlam v. Shri Vardhichand & Ors., AIR 1980 SC 1622
2. Vellore Citizen Welfare Forum v. Union of India, AIR 1996 SC 2715
3. Subhash Kumar v. State of Bihar, AIR 1991 SC 420
4. M.C. Mehta v. Union of India, AIR 1987 SC 1086
5. M/s Abhilash Textiles v. Rajkot Municipal Corporation., AIR 1988 Guj. 57
6. M.C. Mehta v. Union of India, AIR 1988 SC 1115
7. M.C. Mehta v. Kamal Nath, AIR 2000 SC 1997
8. Indian Council for Enviro-Legal Action v. Union of India, AIR 1996 SC 1446
9. A.P. Pollution Control Board v. M.V. Nayudu (2001) SCC 62
10. Church of God [Full Gospel] in India v. KKR Majestic Colony Welfare Association, AIR 2000 SC 2773
11. Narmada Bachao Andolan v. Union of India, AIR 2000 SC 3751
12. T.N. Godavarman Thirumulpad v. Union of India (1997) 2 SCC 267
13. S. Jagannath v. Union of India, AIR 1997 SC 811
14. Sachidananda Pandey v. State of West Bengal & Ors, AIR 1987 SC 1109
15. The Goa Foundation and Another v. The Konkan Railway Corporation and Ors., AIR 1992 Bom. 471

PROFESSIONAL ETHICS & PROFESSIONAL ACCOUNTING SYSTEM
[CLINICAL]

Code: 26LW212

Max Marks: 70

Course Objectives: The objectives of the course are to understand the role of an Advocate in society, the importance of professional ethics in the legal profession, familiarize the students with the Advocates Act, 1961, which lays down the guidelines and rules for every Advocate, acquaint them with the role of the Bar Council of India and its regulatory bodies, comprehend the meaning and consequences of Professional Misconduct in the legal profession, understand the concept of Contempt of Court and its implications on the legal profession, and equip them with the basic concepts of professional accountancy.

UNIT I: Introduction

(07 Hrs)

- Law as a Profession
- Importance of Legal Ethics
- Professional Values of the Legal Profession
- The Seven Lamps of Advocacy
- History of the Legal Profession in India
- The Advocates Act, 1961 – An Overview

UNIT II: Regulations Governing Legal Practice in India

(05 Hrs)

- Bar Council of India
- State Bar Councils
- Admission and enrolment of advocates
- Disqualification for enrolment

UNIT III: The Lawyer and the Rules of Professional Conduct in India

(08 Hrs)

- Lawyers' duties to the Court
- Lawyers' duties to the Client
- Lawyers' duties to Opponent
- Lawyers' obligations towards other lawyers
- Lawyers' obligation towards the Public

UNIT IV: The Right to Practice Law as a Profession in India

(05 Hrs)

- The Advocates Act, 1961 (Chapter IV)
- Bar Council of India Rules (Part VI, Chapter III)
- Conditions for Right to Practice
- Dress Code of Advocates

UNIT V: Professional Misconduct of an Advocate

(10 Hrs)

- Professional misconduct – Meaning
- Disciplinary Committee and its Powers (Section 42)
- Disciplinary Powers – Bar Council of India (Section 36)
- Disciplinary Proceedings -State Bar Council
- Supreme Court and High Court – Disciplinary matters
- Bench-Bar Relationship
- Contempt of Courts Act, 1971

UNIT VI: Professional Accounting

(05 Hrs)

- Duties to the Client (Chapter II Rule 25-32 Bar Council of India Rules)
- Maintenance of books of accounts, cashbook, journal and ledger.

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Tilthai, Dharmanagar, North Tripura

Suggested Readings:

1. Yashomati Ghosh, Legal Ethics and the Profession of Law, Lexis Nexis.
2. P. Ramanatha Aiyer, Legal & Professional Ethics – Legal Ethics, Duties & Privileges of a Lawyer, Wadhwa Publications, Nagpur.
3. V. R. Krishna Iyer, Law, Lawyers and Justice, B.R. Publishing Corporation, Delhi.
4. Kailash Rai, Legal Ethics Accountability for Lawyers & Bar-Bench Relations, Central Law Publications.
5. M.K. Gandhi, The Law and the Lawyers, Navajivan Publishing House, Ahmedabad.
6. M.C. Chagla, Roses in December, Bharatiya Vidya Bhavan, (2012).
7. Selected Judgments on Professional Ethics, Vol 1&2 Bar Council of India Trust, New Delhi

Law Commission of India Reports

- 266th Report (2017) on "The Advocates Act, 1961; (Regulation of Legal Profession)"

Statutes:

- The Advocates Act, 1961
- Contempt of Courts Act, 1971

Cases:

1. Indian Council of Legal Aid and Advice v. Bar Council of India (1995) 1 SCC 732.
2. Narain Pandey Vs. Pannalal Pandey (2013) 11 SCC 435.
3. Bar Council of Maharashtra v. M.V. Dabholkar and Others AIR 1976 SC 242.
4. V.C. Rangadurai v. D. Gopalan and Others (1979) 1 SCC 308.
5. M. Veerabhadra Rao v. Tek Chand AIR 1985 SC 28.
6. Dhanraj Singh Choudhary v. Nathulal Vishwakarma (2012) 1 SCC 741.
7. Pandurang Dattatraya Khandekar vs. B.C. Maharashtra, AIR 1984 SC 110.
8. Mahipal Singh Rana vs. State of Uttar Pradesh (2016) 8 SCC 335.
9. E.M.Sankaran Namboodripad v. T.N. Nambiar AIR 1970 SC 2015.
10. State of Punjab v. Ram Singh AIR 1992 SC 2188.
11. Shambhu Ram Yadav v. Hanuman Das Khatry (2001) 6 SCC 1.
12. Noratanmal Chouraria v. M. R. Murli (2004) 5 SCC 689.
13. N.G. Dastane v. Shrikant S. Shinde AIR 2001 SC 2028.
14. SC Bar Association v. Union of India. 1998 4 SCC 409.
15. Ex-Captain Harish Uppal v. Union of India. AIR 2003 SC 739.
16. Baldev Singh Dhingra v. Madan Lal Gupta AIR 1999 SC 902.
17. Vijendar Kumar Satvawadi v. State of Punjab AIR 1956 SC 153.
18. Thakur Jugal Kishore Singh v. Sitamarhi Central Co-op. Bank Ltd AIR 1967 SC 1494.
19. Adi Pherozshah Gandhi v. H.M. Seervai, AG of Maharashtra AIR 1971 SC 385.
20. Supreme Court Bar Association vs Union of India & Another (1998) 4 SCC 409.
21. Indian Medical Association v. V.P. Shantha 1995 SCC (6) 651.
22. Dr. Haniraj J. Chulani v. Bar Council of Maharashtra and Goa (1996) 3 SCC 342.
23. Bar Council of Maharashtra v. M.V. Dabholkar & Others AIR 1976 SC 242.
24. Pravin C. Shah v. K.A. Mohd. Ali (2001) 8 SCC 650.
25. P.D. Gupta v. Ram Murti & Others AIR 1998 SC 283.
26. Yatin Narendra Oza v. High Court of Gujarat W.P.(C) No. 734/2020 (SC).

DRAFTING, PLEADING & CONVEYANCING [CLINICAL]

Code: 26LW231

Max Marks: 70

Course Objectives: This course aims at helping students: (i) to enhance their legal drafting skill which is one of the most intellectually demanding of all skills lawyers require; (ii) focus on the theory of effective drafting guidelines; (iii) emphasis on relevant formats to assist in understanding practical application of concepts and develop necessary skills for drafting legal documents; and (iv) to enable students to understand practical defects and difficulties in the legal drafting through critical assessment, scrutiny of documents and survey of cases.

UNIT I: Fundamental Pleadings

(10 Hrs)

- a. Pleadings (Order 6 CPC)
- b. Complaint Structure
- c. Written Statement and Affidavit
- d. Difference between Writ, Complaint and Written Statement
- e. Fundamental Rules of Drafting
- f. Application under Section 5 of the Limitation Act
- g. Application for Setting aside ex-parte Decree
- h. Application for execution
- i. Application for caveat section 148A of CPC
- j. Application for Compromise of Suit
- k. Writ Petitions

UNIT II: Civil Pleadings

(10 Hrs)

- a. Suit for Recovery under Order XXXVII of CPC
- b. Suit for Permanent Injunction
- c. Suit for Dissolution of Partnership
- d. Petition for dissolution of Marriage
- e. Application for Temporary Injunction Order XXXIX of CPC
- f. Appeal from Original Decree under Order 41 of CPC
- g. Revision Petition
- h. Review Petition

UNIT III: Criminal Pleadings

(10 Hrs)

- a. Application under Section 156 CRPC
- b. Application for Bail
- c. Application under Section 125 CRPC
- d. Compounding of Offences by Way of Compromise under Section 320 (i) CRPC
- e. Complaint under Section 138, Negotiable Instruments Act, 1881
- f. Application under Section 482, CRPC

UNIT IV: Conveyancing

(10 Hrs)

- a. Notice to the Tenant under Section 106 of Transfer of Property Act
- b. Notice under Section 80 of CPC
- c. Notice for Specific Performance of Contract
- d. Reply to Notice
- e. General Power of Attorney
- f. Special power of Attorney
- g. Will
- h. Agreement to SELL
- i. Sale-Deed
- j. Lease-Deed
- k. Partnership Deed
- l. Mortgage Deed
- m. Relinquishment Deed
- n. Deed of Gift

Model Drafts:

- i. Petition for Grant of Probate / Letters of Administration
- ii. Application for Appointment of Receiver/Local Commissioner

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Tilthai, Dharmanagar, North Tripura

- i. Application for Appointment of Guardian
- ii. Application to Sue as an Indigent Person under Order 33 CPC
- iii. Appeal from orders under order 43 of CPC
- iv. Appeal from appellate decree
- v. Reference to Arbitration and Deed of Arbitration

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- ❖ Drafting of Different types of Legal Document and Deeds, etc.
- ❖ Drafting of Notices
- ❖ Scrutiny of Documents
- ❖ Survey of Cases due to Drafting Defects

Text Books:

1. N.S. Bindra, Conveyancing, Draftsman and Interpretation of Dates, Delhi Law House, Delhi, 1985
2. G.C. Mogha & S. N. Dhingra, Mogha's Law of Pleading in India with Precedents, Eastern Law House, Delhi, 2013 (18th Edn.)

Suggested Readings:

1. R.N. Chaturvedi, Conveyancing, Eastern Book Company, Lucknow, 2011 (7th Edn.)
2. G.C. Mogha, Indian Conveyancer, Dwivedi Law, Allahabad, 2009 (14th Edn.)
3. C. R. Datta & M.N. Das, D'Souza's Form and Precedents of Conveyancing, Eastern Law House, Delhi, 2008 (13th Edn.)
4. Rodney D. Ryder, Corporate and Commercial Agreements Drafting Guidelines, Forms and Precedents, Universal Law Publishers, New Delhi, 2011
5. MC Agarwal & GC Mogha, Mogha's Pleading, EBC, Lucknow, 2017 (Latest Edn.)
6. KS Gopalakrishnans Pleadings and Practice, ALT Publications, Hyderabad, 2014

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Tilthai, Dharmanagar, North Tripura

SEMINAR/CONFERENCE

Code: 26PR102

Max Marks: 70

OBJECTIVE:

Seminars/Conferences and Presentations provide a platform to students where they can learn from what others are doing, engage with new ideas, and gain important insights related to emerging areas of law and legal practice. To foster awareness of developments in legislation, jurisprudence, and the evolving intersection of law with technology and society, the Institute must provide ample opportunity to students to learn and benefit from these advancements. Every student is expected to research a contemporary legal topic, write an article related to it, and present their findings before a panel.

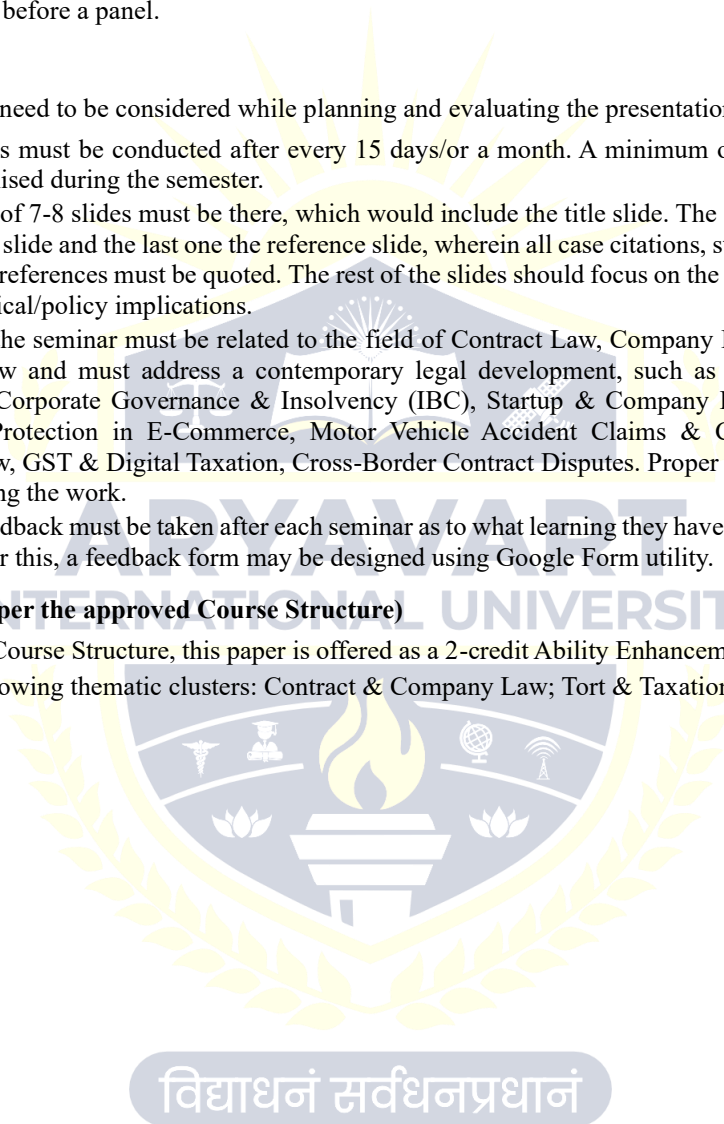
Guidelines

The following points need to be considered while planning and evaluating the presentation:

- The seminars must be conducted after every 15 days/or a month. A minimum of 3-4 seminar sessions can be organised during the semester.
- A minimum of 7-8 slides must be there, which would include the title slide. The first slide should be the Introduction slide and the last one the reference slide, wherein all case citations, statutory references, and book/article references must be quoted. The rest of the slides should focus on the legal issue, its analysis, and its practical/policy implications.
- The title of the seminar must be related to the field of Contract Law, Company Law, Law of Torts, and Taxation Law and must address a contemporary legal development, such as E-Contracts & Digital Signatures, Corporate Governance & Insolvency (IBC), Startup & Company Incorporation Reforms, Consumer Protection in E-Commerce, Motor Vehicle Accident Claims & Compensation, Product Liability Law, GST & Digital Taxation, Cross-Border Contract Disputes. Proper approval must be taken before starting the work.
- Student's feedback must be taken after each seminar as to what learning they have gathered after studying the topic. For this, a feedback form may be designed using Google Form utility.

Thematic Focus (as per the approved Course Structure)

As per the approved Course Structure, this paper is offered as a 2-credit Ability Enhancement Course in Semester II, combining the following thematic clusters: Contract & Company Law; Tort & Taxation Law.



LLB

3rd Semester

Detailed Syllabus

FAMILY LAW I

Code: 26LW301

Max Marks: 70

Course Objectives: This paper aims to enable students to (i) analyse and critically understand the concept of marriage as a social institution and compare and contrast it to its changing form such as live-in relationships and same sex marriages; (ii) critically examine the provisions related to judicial separation, divorce and maintenance with help of decided case laws both in Hindu and Muslim laws; and (iii) analyse it from sociological perspective thereby understanding the importance of adoption law.

UNIT I: Hindu Marriage and Dissolution

(10 Hrs)

- a. Institution of Marriage under Hindu Law
 - i. Evolution and Concept of the Institution of Marriage
 - ii. Forms, Validity, and Voidability of Marriage
- b. Matrimonial Remedies
 - i. Restitution of Conjugal Rights
 - ii. Judicial Separation
 - iii. Dissolution of Marriage: Theories, Forms of Divorce, Grounds
 - iv. Divorce by Mutual Consent
 - v. Irretrievable Breakdown as a Ground for Dissolution

UNIT II: Muslim Marriage and Dissolution of Marriage

(10 Hrs)

- a. Nikah (Muslim Marriage)
 - i. Definition, Object, and Nature
 - ii. Essentials for Validity
 - iii. Kinds, Restitution of Conjugal Rights, Muta Marriage, Distinction between Nikah and Muta
- b. Dissolution of Marriage
 - i. Talaq: Introduction, Conditions, Modes, Talaq-i-Ahsan, Talaq-i-Hasan, Talaq-i-Biddat, Ila, Zihar, Talaq-ul-Tafweez, Khulla, Mubarrat, Lian, Faskh
 - ii. Dissolution of the Muslim Marriage Act, 1939

UNIT III: Adoption, Maintenance and Guardianship

(10 Hrs)

- a. Adoption
 - i. Nature
 - ii. Law on adoption
 - iii. Conditions and Effect
 - iv. Ceremonies
 - v. Capability
 - vi. Effect
 - vii. Inter Country Adoption
- b. Maintenance Under Hindu Adoption and Maintenance Act, 1956
 - i. Definition
 - ii. Maintenance of Wife
 - iii. Maintenance of Widowed Daughter in law
 - iv. Maintenance of Children and aged parents, Dependents
 - v. Determining Amount of Maintenance
- c. Maintenance (Nafaqa)
 - i. Definition
 - ii. Maintenance of Wife
 - iii. Maintenance of Children and Parents
 - iv. Maintenance under the Bhartiya Nagarik Suraksha Sanhita, 2023
- d. Guardianship Under the Hindu Minority and Guardianship Act, 1956
 - i. Natural Guardian and his Powers
 - ii. Testamentary Guardians and Powers
 - iii. Certified Guardians and Powers
 - iv. Guardian by Affinity
 - v. De Facto Guardian
- e. Guardianship Under Muslim Law
 - i. Guardianship of Person (Walayat-e-Nafs)

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Tilthai, Dharmanagar, North Tripura

- ii. Guardianship during Marriage (Walayat-e-Nikah)
- iii. Guardianship of Property (Walayat-e-Mal)
- iv. Testamentary Guardian and Powers
- v. Certified Guardians and Powers
- vi. De Facto Guardian

UNIT IV: Civil Marriage and Emerging Trends in Family Law

(10 Hrs)

- a. Important Provisions of the Special Marriage Act, 1954
- b. Emerging Trends:
 - i. Surrogacy: Meaning and Types, Causes, Arguments against Surrogacy, Surrogacy Bill, Surrogacy throughout the world
 - ii. Live-in Relationship: Meaning, Reasons Associated, Live-in Relationship in India
 - iii. Domestic Violence: Definition, Causal Factors, Domestic Violence Act, 2005
 - iv. Same Sex Marriage: Historical Background, Homosexuality: For and Against, Same sex Marriage in India, Homosexuality, Homosexuality and Same sex Marriage in Other Countries

Text Books:

- 1. Paras Diwan, Modern Hindu Law, Allahabad Law Agency, 2019.
- 2. Mulla, Principles of Hindu Law, Lexis Nexis India, 2018.
- 3. Shivani Goswami, Family Law I, Central Law Publications, Allahabad, 2018.
- 4. Mulla, Principles of Mohammadan Law, Lexis Nexis India, 2017.

Suggested Readings:

- 1. M. Afzal Wani, Social Dynamics & Legal Control of Child Marriage in India, Fehmi Computers, Delhi, 2014.
- 2. Kanwal DP Singh and Shivani Goswami (ed.), Vulnerability of Women in Contemporary Times: A Socio-Legal Perspective, Satyam Law International, New Delhi, 2020.
- 3. Kumud Desai & Kusum, Indian Law of Marriage and Divorce, Lexis Nexis India, 2020.
- 4. B.M. Gandhi, Family Law, Eastern Book Company, Delhi, 2019.
- 5. Tahir Mahmood and Saif Mahmood, Introduction to Muslim Law, Universal Law Publishing, 2017.
- 6. Aqil Ahmad, Mohammedan Law, Central Law Agency, Allahabad, 2016.
- 7. Paras Diwan, Family Law, Allahabad Law Agency, 2018.



LAW OF CRIMES I: BHARATIYA NYAYA SANHITA (BNS)

Code: 26LW302

Max Marks: 70

Course Objectives: It aims to familiarize students with the newly enacted criminal law framework that replaces the Indian Penal Code, focusing on the substantive aspects of criminal law in India. The course is designed to help students understand the objectives, structure, and key provisions of the Bhartiya Nyay Samhita, including definitions of crimes, general exceptions, punishments, and classifications of offences. It encourages critical analysis of legal reforms, promotes awareness of contemporary criminal justice issues, and equips students with the foundational knowledge required to interpret and apply criminal law effectively in legal practice.

UNIT I

(05 Hrs)

Concept of Crime and Introduction to BNS

1. Nature, concept of crime, and relationship between Crime, Ethics, and Morality.
2. Stages of crime and essential elements of crime
3. Salient features of BNS
4. Definition (sec. 2)
5. Punishments (sec 4 to 13)

UNIT II

(05 Hrs)

General Exceptions (Sec. 14 to 44)

1. Mistake of Fact and Mistake of Law
2. Judicial act, and Accident
3. Act of a child, act of a person of unsound mind, and intoxication
4. Act in good faith and consent
5. Right of private defense

UNIT III

(05 Hrs)

Inchoate offences (sec. 45 to 62 and 189 to 191)

1. Logic behind criminalizing Inchoate offence
2. Abetment
3. Attempt
4. Criminal conspiracy
5. Unlawful assembly

UNIT IV

(05 Hrs)

Offences against Women and Children (sec. 63 to 99)

1. Rape (Sec. 63-71)
2. Sexual Harassment, Voyeurism, Stalking, and Insulting the modesty of a woman (Sec.75,77 to 79)
3. Dowry death and cruelty by husband and relatives (Sec. 80, 85 to 86)
4. Causing Miscarriage (Sec. 88 to 90)
5. Offences against children (Sec. 96 to 99)

UNIT V

(05 Hrs)

Offences Affecting the Human Body (Sec. 100 to 146)

1. Culpable Homicide and Murder
2. Organized Crime
3. Hurt and Grievous Hurt
4. Criminal Force and Assault
5. Kidnapping and Abduction

UNIT VI

(05 Hrs)

Offences relating to the State, Election, and public servants

1. Waging war against the Government of India (sec. 147 to 150)
2. Act endangering the sovereignty, unity, and integrity of India (Sec. 152)
3. Offences relating to election (Sec. 169 to 177)
4. Rioting (Sec. 191 to 193)
5. Offences by or relating to Public Servants (Sec. 198 to 205)

UNIT VII

(05 Hrs)

Offense against property (sec 303 to 334)

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1. Theft and extortion, Snatching
2. Robbery and Dacoity
3. Misappropriation of property and criminal breach of trust
4. Cheating and mischief
5. Criminal trespass, house trespass and house breaking

UNIT VIII

(05 Hrs)

Offences relating to Evidence, Reputation and Safety

1. Giving and Fabricating of False Evidence (Sec. 227 to 229)
2. Forgery and making of false documents (Sec. 335 to 337)
3. Defamation
4. Food and Drugs adulteration (Sec. 274 to 278)
5. Public Nuisance and Obscenity (Sec. 270 to 273 and 294 to 296)

Suggested Reading:

1. Bare Act of Bhartiya Nyaya Sanhita.

CONSTITUTIONAL LAW I

Code: 26LW303

Max Marks: 70

Course Objectives: This paper aims to: (i) provide an understanding of basic concepts of the Indian Constitution and various organs created by the Constitution and their functions; and (ii) undertake elaborate discussions on the preamble, constitutionalism, and constitutional organs to develop interpretive skills in understanding every aspect of the Constitution.

UNIT I: Meaning and Concept of Constitution and Constitutionalism

(10 Hrs)

- a. Definition of Constitution, Constitutionalism, and its Classification
- b. Sources and Framing of the Indian Constitution
- c. Preamble
- d. Salient features of the Indian Constitution
- e. Is the Indian Constitution Federal in nature?

UNIT II: Constitutional Organs of the Government

(10 Hrs)

- a. Parliament
 - i. Composition
 - ii. Parliamentary Sovereignty
 - iii. Parliamentary Privileges
- b. Executive Power: Position and Power of President and Governor
- c. Judiciary
 - ii. Jurisdiction of the Supreme Court and High Courts
 - iii. Appointment and Independence of Judiciary

UNIT III: Distribution of Powers between Union and States

(10 Hrs)

- a. Legislative Relations between the Union and the States
- b. Administrative Relations between Union and the States
- c. Financial Relations between the Union and the States
- d. Relevant Doctrines:
 - i. Territorial Nexus
 - ii. Harmonious Construction
 - iii. Pith and Substance
 - iv. Doctrine of Repugnancy
 - v. Colourable Legislation

UNIT IV: Emergency, Amendments and Freedom of Trade and Commerce, etc.

(10 Hrs)

- a. Freedom of Trade, Commerce, and Inter-course
- b. Emergency Provisions: Articles 352- 360
- c. Amendment of Constitution
 - i. Procedure of Amendment of the Constitution
 - ii. Doctrine of Basic Structure

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Tilthai, Dharmanagar, North Tripura

Text Books:

1. V. N. Shukla, Constitution of India, Eastern Book Agency, Lucknow, 2017 (13th Ed).
2. M. P. Jain, Indian Constitutional Law, Lexis Nexis, New Delhi, 2018.

Suggested Readings:

1. D. D. Basu, Introduction to the Indian Constitution of India, Prentice Hall of India Private Ltd., New Delhi, 2019.
2. H. M. Seervai, Constitutional Law of India, Universal Law Publishing Co., Delhi, 2016.
3. Glanville Austin, Indian Constitution-Corstone of the Nation, Oxford University Press, UK, 1999.
4. P. M. Bakshi, The Constitution of India, Universal Law Publishing Co., Delhi, 2015.

ALTERNATE DISPUTE RESOLUTION [CLINICAL]

Code: 26LW311

Max Marks: 70

Course Objectives: This course aims to (i) provide students theoretical and practical insight into the subtle art of dispute resolution; (ii) familiarize them with the use of available ADR models; (iii) train students in specialized techniques of mediation, arbitration and negotiation; (iv) introduce students to basic conceptual framework on which the entire edifice of ADR mechanism is founded; and (v) familiarize students to the contemporary needs of developing pragmatic approaches.

UNIT I: Introduction, Meaning, Objectives, and Importance of ADR (10 Hrs)

- a. Genesis and kinds of dispute resolution process
- b. Evolution of ADR in India, Objectives and Importance of ADR
- c. Various kinds of ADR mechanisms: Arbitration, Mediation, Conciliation, Expert Determination, Negotiation, Early Neutral Evaluation (ENE), Fact-finding, Med-Arb, or Mediation-Arbitration, Judge-hosted settlement conference, MEDOLA, Ombudsman, etc.
- d. Evolution of Legal Aid Movement in India
- e. Constitution, Powers and Functions of the Legal Services Authorities
- f. Salient features of Legal Services Authority Act
- g. Access to Justice through Lok Adalat and Permanent Lok Adalat

UNIT II: Mediation, Conciliation and Negotiation (10 Hrs)

- a. Concept of Mediation
- b. Evolution and Process of Mediation in India
- c. Conciliation
- d. Good Offices
- e. Negotiation theories, types, and strategies

UNIT III: Arbitration: Meaning, Agreement, Essentials, Appointment of Arbitrator (10 Hrs)

- a. Essentials and kinds of Arbitration Agreement, Rules of Severability
- b. Role of Courts in Reference to Arbitration
- c. Extent of judicial intervention
- d. Composition and Jurisdiction of Arbitral Tribunals
- e. Interim measures by Courts and Arbitral Tribunals
- f. Conduct of Arbitral proceedings and place of arbitration
- g. Arbitral Awards, Setting aside the arbitral awards and the enforcement of domestic awards

UNIT IV: Enforcement of Foreign Awards (10 Hrs)

- a. New York Convention awards
- b. Geneva Convention awards
- c. International Commercial Arbitration

PSDA (Professional Skill Development Activities) (1 Hr/Week)

- ❖ Mock Arbitration/Mediation/ Negotiation Session
- ❖ Visit to Court/ Mediation Centres
- ❖ Participation of students in Lok Adalats

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Tilthai, Dharmanagar, North Tripura

- ❖ Conducting Mediation Awareness Programmes in collaboration with DLSA (District Legal Services Authority) in rural areas.
- ❖ Community Outreach Programmes
- ❖ Drafting session on Arbitration agreements/Mediation agreements in association with industry experts
- ❖ Simulation exercises

Text Books:

1. Dr. N. V. Paranjape, Law Relating to Arbitration & Conciliation in India, Central Law Agency, Allahabad, 2016 (9th Edn.)
2. Avtar Singh, Arbitration & Conciliation Act, Eastern Book Company, New Delhi, 2014
3. Shriram Panchu, Mediation Practice Law: The Path to Successful Dispute Resolution, LexisNexis, 2015 (2nd Edn.)
4. S. Muraleedar, Law, Poverty and Legal Aid, Access to Criminal Justice, LexisNexis Butterworths, Nagpur, 2004
5. Madabhushi Sridhar, ADR Negotiation and Mediation, LexisNexis Butterworths, New Delhi, 2010(1st Edn.)
6. J. G. Merrills, International Dispute Settlement, Cambridge University Press, U.K., 2005(5th Edn.)
7. Henry J. Brown & Arthur Marriott, ADR Principle and Practice, Sweet & Maxwell, Thomson Reuters, 2013 (South Asian Edn)

Suggested Readings:

1. P. C. Markanda, Law Relating to Arbitration and Conciliation, LexisNexis, India 2013(8th Edn.)
2. B.P. Saraf and M. Jhunjhunwala, Law of Arbitration and Conciliation, Snow white, Mumbai, 2000
3. Gerald R. William (ed.), The New Arbitration and Conciliation Law of India, Indian Council of Arbitration, New Delhi, 1998
4. A.K. Bansal, Law of International Commercial Arbitration, Universal, Delhi, 1999
5. P.C. Rao & William Sheffield, Alternative Dispute Resolution- What it is and How it Works? Universal, Delhi, 2000
6. G.K. Kwatra, The Arbitration and Conciliation Law of India, Universal, Delhi, 2000
7. N. D. Basu, Law of Arbitration and Conciliation, Universal, Delhi, 2000 (Reprint 9th Edn.)
8. Johari, Commentary on Arbitration and Conciliation Act, Universal, Delhi, 1996 (Reprint 1999)
9. Carrie J. Menkel-Meadow et. al., Dispute Resolution: Beyond the Adversarial Model, Aspen Publishers, US, 2011
10. Jacqueline M. Nolan-Haley, Alternative Dispute Resolution in a Nutshell, Thomson West, US, 2013(4th Edn.)
11. Robert J. Niemic, Donna Stienstra, and Randall E. Ravitz (ed.) Guide to Judicial Management of Cases in ADR, Federal Judicial Centre, 2001, (Available at <https://www.fjc.gov/sites/default/files/2012/ADRGuide.pdf>)
12. J. Auerbach, Justice Without Law? Oxford University Press, New York, 1983
13. Abraham P. Ordover and Andrea Doneff, Alternatives to Litigation: Mediation, Arbitration, and the Art of Dispute Resolution, National Institute for Trial Advocacy, Notre Dame, 2002
14. R. S. Bachawat, Law of Arbitration & Conciliation, (5th Edn.), LexisNexis Butterworths Wadhwa, Nagpur, 2010
15. Indu Malhotra, The Commentary on the Law of Arbitration, Wolters Kluwer India Pvt. Ltd., Gurgaon, Haryana, 2019 (4th Edn.)

List of Cases:

1. Hussainara Khatoon v. State of Bihar (1980) 1 SCC 81 (Legal Aid)
2. Salem Advocate Bar Association v. Union of India, AIR 2005 (6) SCC 344 (Section 89 CPC, 1908)
3. Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. (P) Ltd., (2010) 8 SCC 24 (Section 89 CPC, 1908)
4. Mr Krishna Murthiv. New India Assurance Co. Ltd., Civil Appeal No. 2476-2477 of 2019 (Mediation)
5. Haresh Dayaram Thakur v. State of Maharashtra, AIR 2000 SC 2281 (Conciliation)
6. Food Corporation of India v. Joginderlal Mohinderpal, 1989 (2) SCC 347
7. Sukanya Holding Pvt. Ltd. v. Jayesh H. Pandya, JT 2003 (4) SC 58
8. Renusagar Power Plant Co. Ltd. v. General Electric Company, AIR 1994 SC 860
9. Bharat Aluminium Company v. Kaiser Aluminium Technical Service, (2012) 9 SCC 522 (Domestic award)
10. Oriental Insurance Company Limited v. M/s Narbheram Power and Steel Pvt. Ltd., Civil Appeal No. 2268 of 2018 (Arbitral Clause to be strictly constructed)
11. Bhatia International v. Bulk Trading SA, AIR 2002 SC 1432

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12. ONGC v. Saw Pipes, (2003) 5 SCC 705
13. Venture Global Engineering v. Satyam Computers Services Ltd. &Anr., (2008) 1SCALE 214 & (2010) 8 SCC 660
14. Shri Lal Mahal Ltd. v. Progetta Grano Sp, (2013) (3) ARB LR 1 (SC)
15. Vijay Kariav. Prysmian Cavi E, 2020 SCC OnLine SC 177

PRISON ADMINISTRATION

Code: 26LW312

Max Marks: 100

Course Objectives: The course aims to evaluate the problems relating to the prison administration, examine the role of functionary bodies of Prison departments, and fathom out and construe the role of speedy trial system, so as to facilitate future policy making as per existing International, Constitutional, Legal and judicial measures.

UNIT I: Introduction

(10 Hrs)

- History, meaning and philosophy of Punishment
- Types of punishment in ancient, medieval and modern times
- Theories of punishment
- Recent approach to punishment

UNIT II: Prison System

(10 Hrs)

- Evolution of the prison system
- Classification of prisoners
- Rights of Prisoners
- Prison reforms

UNIT III: Prison Legislations

(10 Hrs)

- Historical development of prison legislation in India
- Prison Act, 1894 and Transfer of Prisoners Act, 1950
- The Juvenile Justice (Care and Protection of Children) Act, 2000
- Model Prison Manual prepared by BPRD, 2003

UNIT IV: Institutional & non-institutional treatment

(10 Hrs)

- Adult, Juvenile and Women's Prison Institutions
- Probation, Parole and aftercare rehabilitation
- Role of NGOs in supervision and rehabilitation

Suggestive Readings:

1. N.R. Chowdhury, Indian Prison Laws and Correction of Prisoners, EBC Publishers, 2002
2. Sunil Kumar Gupta, A Compendium of Prison Laws, Thomson Reuters, 2021
3. Girjesh Kathpalia, Criminology and Prison Reforms, EBC Publishers, 2014
4. Clark Boardman Callaghan, Prisoners and the Law, Thomson Reuters, 2000

CRIMINAL PSYCHOLOGY

Code: 26LW331

Max Marks: 70

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

UNIT I: Crime, Criminal and Criminology

(10 Hours)

- a. What is crime? Who is the criminal?
- b. What is Criminology?
- c. Schools of Criminology -
 - i. The Pre-Classical School
 - ii. The Classical School
 - iii. Neo-Classical School
- d. Positivist Approach - Radical Positivism and Liberal Positivism
 - i. Cesare Lombroso
 - ii. Enrico Ferri
 - iii. Raffaele Garofalo
 - iv. Gabriel Tarde

UNIT II: Psychology and Crime

(10 Hours)

- a. Meaning, purpose, and scope of criminal psychology
- b. Psychological vs. Psycho - analytical approach to crime
- c. Behaviourist approach to crime
- d. Definition of criminal Behaviour - Psychodynamics of criminal Behaviour.
- e. Mental illness and crime
- f. Human aggression and violence in crime

UNIT III: Psychometric Test-Its Use in Criminal Behaviour

(10 Hours)

- a. Measurement of criminal Behaviour - Psychological test to measure criminal Behaviour
- b. Criminal profiling: Definition and process of profiling criminal personality
- c. Factors underlying criminal profiling
- d. Merit and demerit of criminal profiling

UNIT IV: Forensic Psychology-Concept and Importance

(10 Hours)

- a. Definition, meaning, and scope of forensic psychology
- b. Historical background of forensic psychology in India and abroad
- c. Role of forensic psychology in the investigation of crime
- d. Psychology and the police
- e. Application of psychology in court
- f. Application of psychology in prison

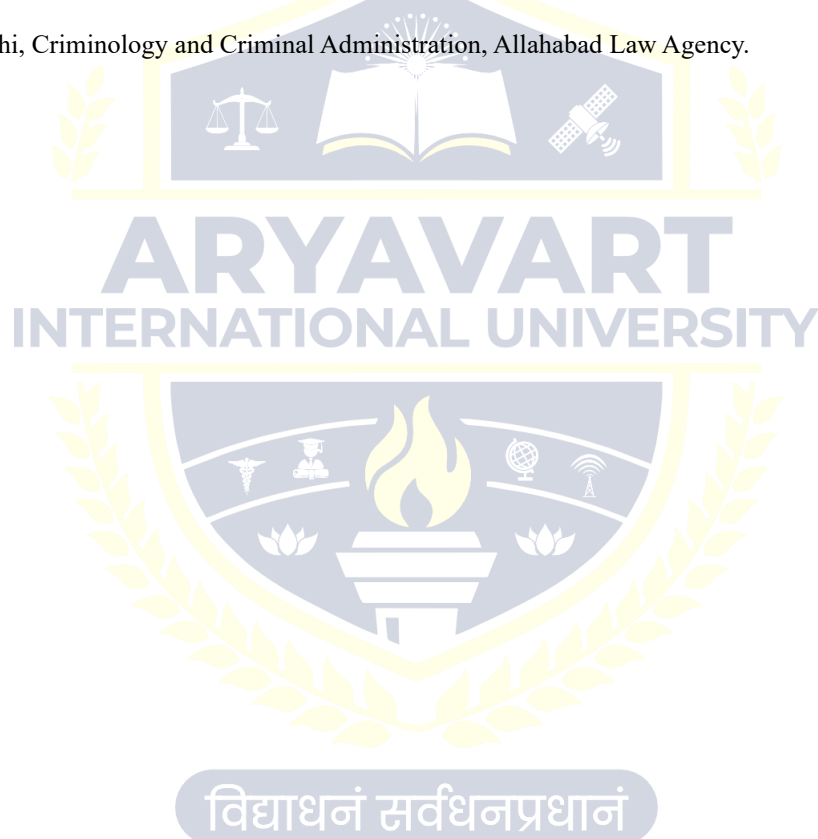
Text Books:

1. Akers, Ronald. L. and Sellers, Christin, S. (2004) Criminological Theories (4th Edition) Rawat Publication, New Delhi.
2. Void, George B., Bernard Thomas J., and Snipes, Jeffrey B. (2002), Theoretical Criminology, Oxford University Press, Oxford.
3. Siegel, L.J (2003) Criminology, (8th Edition) Wadsworth, USA.
4. Schmalleger Frank, Criminology Today, (1996) Prentice Hall, New Jersey.
5. Dennis Howitt, 2002, Forensic and Criminal Psychology, Prentice Hall.

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Suggested Readings:

1. Encyclopedia of Criminal and Deviant Behaviour, 2001, Clifton D. Part, Editor-in-Chief, Brunner Routledge Taylor and Frances Group.
2. Bartal, Curt R., 1999, Criminal Behaviour: A Psychosocial Approach, 5th edition, Prentice Hall, New Delhi.
3. Hollin, Clive R Routledge and Kegan Paul, 1989, Psychology and Crime: Introduction to Criminal Psychology, London.
4. Dartmouth Aldershot, 1987, Criminal Detection and Psychology of Crime.
5. Harvard LPC Forensic Psychology, 1981, Professor of Clinical Psychology, University of Surrey, Batsford Academic and Educational Ltd., London.
6. Adman Raine, 1983, The Psychopathology of Crime, Criminal Disorder, Academic Press, Inc.
7. Navin Kumar (2015), Criminal Psychology, LexisNexis, New Delhi.
8. Shukla Girjesh, (2013), Criminology, LexisNexis, New Delhi.
9. McLaughlin Eugene and Newburn Tim (Ed) (2010), The Sage Handbook of Criminological Theory, Sage Publication Ltd, New Delhi.
10. Prof. N.V. Paranjape, Criminology and Penology with Victimology, Central Law Publications.
11. S.M.A. Qadri, Criminology and Penology, Eastern Book Company.
12. Dr. Krishna Pal Malik, Penology, Victimology, and Correctional Administration in India, Allahabad Law Agency.
13. J.P. Sirohi, Criminology and Criminal Administration, Allahabad Law Agency.



LLB

4th Semester

Detailed Syllabus

FAMILY LAW II

Code: 26LW401

Max Marks: 70

Course Objectives: This paper aims to enable the students to (i) critically analyse both codified and uncoded portions of Hindu Law and Mohammedan Law relating to inheritance, intestate and testamentary succession, gifts, wills etc. in India; (ii) appraise the nature of property transaction that exist in Hindu family relations and the importance of ancestral property and Karta in Hindu family; and (iii) develop critical understanding of the property relations in a family, legal incidence of joint family and testamentary succession and intestate succession according to the Personal Law of different communities with practical approach.

UNIT I: Joint Hindu Family (10 Hrs)

- Mitakshara* and *Dayabhaga* Schools
- Formation and Incident under the Coparcenary Property under *Dayabhaga* and *Mitakshara*
- Karta of Joint Family: Position, Powers and Privileges
- Debts: Doctrine of Pious Obligation and Antecedent Debts

UNIT II: Partition (10 Hrs)

- Meaning, Division of Right and Division of Property
- Persons Entitled to Demand Partition
- Partition how Affected; Suit for Partition
- Re-opening of the Partition; Re-union

UNIT III: Principles of Inheritance under Hindu and Muslim Law (10 Hrs)

- The Hindu Succession Act, 1956, General Rules of Succession of a Hindu Male and Female dying Intestate under the Hindu Succession Act, 1956, Hindu Succession (Amendment) Act, 2005
- Stridhan* and Women's Estate
- Principles of Inheritance under Muslim Law (Sunni Law)

UNIT IV: Muslim Law of Property (10 Hrs)

- Hiba*: Concept, Formalities, Capacity, Revocability
- Wasiyat*: Concept, Formalities.
- Marz-ul- Maut*

PSDA (Professional Skill Development Activities) (1 Hrs/Week)

- Exercises on Distribution of Property
- Drafting a Deed of *Hiba*/*Wasiyat*
- Preparation of Pleading for a Partition Suit

Text Books:

- Paras Diwan, Modern Hindu Law, Allahabad Law Agency, 2019.
- Mulla, Principles of Hindu Law, Lexis Nexis India, 2018.
- Tahir Mahmood and Saif Mahmood, Introduction to Muslim Law, Universal Law Publishing, 2017.
- Paras Diwan, Muslim Law in Modern India, Allahabad Law Agency, 2016.

Suggested Readings:

- RK Aggarwal, Hindu Law, Central Law Agency, 2019.
- Paras Diwan, *Family Law*, Allahabad Law Agency, 2018.
- Mulla, *Principle of Mahomedan Law*, Lexis Nexis, 2017.
- Poonam Pradhan Saxena, *Family Law- II Lectures*, Lexis Nexis, 4th Edn., 2018.
- U.P.D. Kesari, *Modern Hindu Law*, Central Law Publications, 2018.
- Kanwal DP Singh and Shivani Goswami (ed.), *Vulnerability of Women in Contemporary Times: A Socio-Legal Perspective*, Satyam Law International, 2020.

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LAW OF CRIMES II: BHARATIYA NAGARIK SURAKSHA SANHITA (BNSS)

Code: 26LW402

Max Marks: 70

Course Objectives: The course aims to acquaint students with the importance of Nagarik Suraksha Sanhita, provide knowledge about the procedural aspect of the justice delivery system in India, explain the power, function and jurisdiction of different courts in the country, acquaint students with the knowledge of the investigation process and the power of the police, and develop an understanding of all the stages of criminal trials.

UNIT I

(10 Hrs)

1. Introduction and Overview
 - a. Preamble
 - b. Preliminary (Sec. 1 to 5)
2. Constitution and Powers of Criminal Courts and Offices (Sec. 6 to 34)
3. Pre-Trial Procedures
 - a. Arrest Process and Rights of an Individual (Sec. 35 to 62)
 - The distinction between cognizable and non-cognizable offences: relevance and adequacy problem
 - Arrest with and without warrant
 - The absconder status
 - Rights of the arrested person
 - Steps to ensure the accused's presence
 - Steps to ensure the accused's presence
 - b. Processes to Compel Appearances (Sec. 63 to 93)
 - Summons
 - Warrant of Arrest
 - Proclamation and Attachment
 - c. Processes to Compel the Production of Things (Sec. 94 to 110)
 - Summons to produce
 - Search warrant and searches without warrant
 - General Principles of Searches
 - Seizure
 - Constitutional aspects of the validity of search and seizure proceedings
 - d. Information to the Police and Their Powers to Investigate (Sec. 173 to 196)
 - F.I.R. (Sec. 173)
 - Evidentiary Value of F.I.R. (Sec. 174 and 176)

UNIT II

(10 Hrs)

1. Trial Procedures
 - a. Jurisdiction of the Criminal Courts in Inquiries and Trials (Sec. 197 to 209)
 - b. Conditions Requisite for Initiation of Proceedings (Sec. 210 to 222)
 - c. Complaints to Magistrates (Sec. 223 to 226)
 - d. Commencement of Proceedings before Magistrates (Sec. 227 to 233)
2. Charge (Sec. 234 to 247)
 - a. Framing of Charge
 - b. Form of Charges
 - c. Joinder of Charges
3. Trial Procedures — Procedural Steps and Substantive Rights
 - a. Trial before a Court of Session (Sec. 248 to 260)
 - b. Trial of Warrant — Cases by Magistrates
 - Cases instituted on a police report (Sec. 261 to 266)

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- Cases instituted otherwise than on a police report (Sec. 267 to 270)
- Conclusion of Trial (Sec. 271 to 273)
- c. Trial of Summons - Cases by Magistrates (Sec. 274 to 282)
- d. Summary Trials (Sec. 283 to 288)
- e. Plea Bargaining (Sec. 289 to 300)
- 4. Inquiries and Trials
 - a. Attendance of Persons Confined or Detained In Prisons (Sec. 301 to 306)
 - b. Evidence in Inquiries and Trials
 - Mode of taking and recording evidence (Sec. 307 to 318)
 - Commissions for the examination of witnesses (Sec. 319 to 336)
 - c. General Provisions as to Inquiries and Trials (Sec. 337 to 366)

UNIT III

(10 Hrs)

- 1. Judgment (Sec. 392 to 406)
 - a. Form and content
 - b. Post-conviction orders instead of punishment
 - c. Compensation and cost
 - d. Modes of providing judgment
- 2. Appeal, Reference, Revision and Transfer
 - a. Appeals (Sec. 413 to 435)
 - b. Reference and Revision (Sec. 436 to 445)
 - c. Transfer of Criminal Cases (Sec. 446 to 452)
- 3. Sentences
 - a. Submission of Death Sentences for Confirmation (Sec. 407 to 412)
 - b. Execution, Suspension, remission and commutation of sentences
 - Death Sentences (Sec. 453 to 456)
 - Imprisonment (Sec. 457 to 460)
 - Levy of Fine (Sec. 461 to 464)
 - General provisions regarding execution (Sec. 465 to 471)
 - Suspension, remission and commutation of sentences (Sec. 472 to 477)
- 4. Bail and Bonds (Sec. 478 to 496)
 - a. Bailable and non-Bailable offences
 - b. Cancellation of bail
 - c. Anticipatory bail
 - d. Appellate bail powers
 - e. General principles concerning the bond

UNIT IV

(10 Hrs)

- 1. Fair Trial
 - a. Conception of fair trial
 - b. Presumption of innocence.
 - c. Venue of trial
 - d. Right of the accused to know the accusation
 - e. The right must generally be held in the accused's presence
 - f. Right of cross-examination and offering evidence in defence: The accused's statement
 - g. Right to a speedy trial
- 2. Other Provisions
 - a. Reciprocal Arrangements for Assistance in Certain Matters and Procedure for Attachment and Forfeiture of Property (Sec. 111 to 124)
 - b. Security for Keeping the Peace and for Good Behaviour (Sec. 125 to 143)
 - c. Order for Maintenance of Wives, Children and Parents (Sec. 144 to 147)
 - d. Maintenance of Public Order and Tranquillity (Sec. 148 to 167)

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- e. Preventive Action of the Police (Sec. 165 to 172)
- f. Provisions as to Accused Persons of Unsound Mind (Sec. 367 to 378)
- g. Provisions as to Offences Affecting the Administration of Justice (Sec. 379 to 391)
- h. Disposal of Property (Sec. 497 to 505)
- i. Irregular Proceedings (Sec. 506 to 512)
- j. Limitation of Taking Cognisance of Certain Offences (Sec. 513 to 519)
- k. Miscellaneous (Sec. 520 to 531)

Suggested Readings:

1. S. R. Myneni, The Bharatiya Nagarik Suraksha Sanhita, 2023, Allahabad Law Agency
2. Dr J. K. Verma, Bharatiya Nagarik Suraksha Sanhita, 2023 (Criminal Procedure): A Commentary, Eastern Book Company
3. Ratanlal & Dhirajlal, Code of Criminal Procedure, Lexis Nexis-Butterworth Wadhwa, Nagpur
4. Chandrasekharan Pillai (Ed), Kelkar's Lecture on Criminal Procedure, Eastern, Lucknow.
5. Principles, Commentaries on the Code of Criminal Procedure, 2 Vol., Universal
6. Wood Roffe: Commentaries on the Code of Criminal Procedure, 2 Vol., Universal Chandrasekharan Pillai (Ed), Kelkar's Outlines of Criminal Procedure, Eastern, Lucknow.
7. AIR's Criminal Major Act, AIR, Nagpur
8. R.V. Kelkar, Criminal Procedure, Eastern Book Co.
9. C.K. Thakkar, Criminal Procedure Code, Eastern Book Co.
10. S.N. Mishra, Code of Criminal Procedure, 1973 with Probation of Offenders Act and Juvenile Justice (Care & Protection of Children) Act, 2000, Central Law Publication
11. D.A. Sen, Criminal Major Act, Bharat Publication

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विद्याधनं सर्वधनप्रधानं

CONSTITUTIONAL LAW- II

Code: 26LW403

Max Marks: 70

Course Objectives: This paper aims to: (i) orient students on constitutional rights and duties, including expansive judicial interpretation of various rights, enforcement, and remedies for their violations; (ii) enable students to critically appreciate the interface between fundamental rights and directive principles of state policies; and (iii) develop rational thinking while dealing with the various Constitutional issues.

UNIT I: Fundamental Rights – I

(12 Hrs)

- a. Evolution of the Concept of Fundamental Rights
- b. Definition of 'State' for Enforcement of Fundamental Rights: Justifiability of Fundamental Rights, Doctrine of Eclipse, Severability, Waiver
- c. Right to Equality (Articles 14-18): Doctrine of Reasonable Classification and the Principle of Absence of Arbitrariness, Legitimate Expectations, Principle of Compensatory Discrimination
- d. Fundamental Freedom (Article 19): Freedom of Speech and Expression, Freedom of Press, Judicial Interpretation of Article 19; Reasonable Restrictions (Article 19 clause (2) to (6))

UNIT II: Fundamental Rights – II

(15 Hrs)

- a. Right to Life and Personal Liberty (Articles 20-22): Scope and Content
- b. Right to Education (Article 21A): RTE Act, 2009
- c. Right against Exploitation (Articles 23-24): Forced Labour, Child Employment, and Human Trafficking
- d. Freedom of Religion (Articles 26-28)
- e. Educational Rights of Minorities (Articles 29-30)

UNIT III: Right to Constitutional Remedies

(07 Hrs)

- a. Article 32 and Article 226
- b. Writ Jurisdiction, Its Genesis
- c. Writs: *Habeas Corpus*, *Mandamus*, *Certiorari*, Prohibition, and *Quo Warranto*
- d. Public Interest Litigation

UNIT IV: Directive Principles and Fundamental Duties

(06 Hrs)

- a. Nature and Justifiability of the Directive Principles of State Policies
- b. Detailed Analysis of Directive Principles (Articles 37-51)
- c. Fundamental Duties

Text Books:

1. V.N. Shukla, Constitution of India, Eastern Book Agency, Lucknow & Delhi, 2017.
2. M.P. Jain, Indian Constitutional Law, Lexis Nexis. New Delhi, 2018.

Suggested Readings:

1. D.D. Basu, Introduction to the Indian Constitution of India, Prentice Hall of India Private Ltd., New Delhi, 2019.
2. H. M. Seervai, Constitutional Law of India, Universal Law Publishing Co., Delhi, 2016.
3. Glanville Austin, Indian Constitution: Cornerstone of the Nation, Oxford University Press, UK, 1999.
4. P.M. Bakshi, The Constitution of India, Universal Law Publishing Co., Delhi, 2015.

विद्याधनं सर्वधनप्रधानं

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WOMEN & CRIMINAL LAW

Code: 26LW411

Max Marks: 70

Course Objectives: The objective of the course is to (i) expose students to the complex and multidisciplinary - social, political, economic, religious and legal problems women face in a male dominated society with focus on the issues specific to India; (ii) develop a critical understanding of the historical discrimination and victimization of women; (iii) make them to critically appreciate rights and protection provided for the women in the Constitution and in various laws and schemes - personal and general; and (iv) sensitize students on gender issues, to introspect on their attitudes and beliefs and question the gender discrimination.

UNIT I: Women and Constitution

(10 Hrs)

- a. Status of Women in India
 - i. Women in India during different periods: Vedic Period, Post-Vedic Period, Medieval Period, British Period, Post-Independent India
- a. Women under different Religions
 - i. Women in Hindu Religion
 - ii. Women in Islam
 - iii. Women in Christianity
 - iv. Women in Parsi Religion
- b. International Instruments on the Rights of Women
 - i. Introduction
 - i. Preamble of the United Nations Charter
 - ii. Convention on the Political Rights of Women, 1953
 - iii. Convention on the Nationality of Married Women, 1957
 - iv. Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, 1962
 - v. Convention on Elimination of All Forms of Discrimination against Women, 1979
 - vi. Format of the Convention
 - vii. Reservations
 - viii. Optional Protocol
 - ix. Declaration on Elimination of Violence against Women, 1993
 - x. Other Instruments
- c. Women and the Constitution of India
 - i. Preamble,
 - i. Equality Provisions and Fundamental Rights
 - ii. Equality and Directive Principles of State Policy
 - iii. Fundamental Duties related to Equality
 - iv. Panchayat, Cooperative Societies, Reservation of seats: 73rd and 74th Constitutional

UNIT II: Women and Personal Laws

(10 Hrs)

- a. Inequality Provisions Pertaining to Divorce and Guardianship between Men and Women
- b. Inequality Provisions Pertaining to Adoption and Maintenance
- c. Inequality Provisions Pertaining to Inheritance
- d. Uniform Civil Code
 - i. Historical Background and Constitutional Aspects
 - ii. Uniform Civil Code and women under personal laws
 - iii. Judicial Trends
 - iv. Compulsory registration of Marriages
 - v. Opinion of the Law Commission

UNIT III: Women and Law of Crimes

(10 Hrs)

- a. Laws related to Adultery
 - i. Historical Perspective
 - ii. Scenario Before the Joseph shine Judgment
 - iii. Analysis of Joseph Shine v. Union of India
- b. Rape related Laws
 - i. Meaning, Scope, Judicial pronouncements
 - ii. Notable Changes in Rape laws after 2013
 - iii. Difference between Rape and Attempt to Rape
 - iv. Observation of Judiciary with Special Reference to Character of Victim

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- c. Outraging the Modesty of Women
 - i. Section 509 and Section 354 of the IPC
 - ii. What constitutes outraging the Modesty of women
 - iii. Related Case Laws

UNIT IV: Women and Special Enactments/Legislations

(10 Hrs)

- a. The Immoral Traffic (Prevention) Act, 1956
 - i. The Scheme of the Act
 - ii. Important Provisions
 - iii. Recent Developments
- b. Sexual Harassment at Workplace
 - i. Position before the Act
 - ii. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
 - iv. Recent Litigations
 - v. IPC on Sexual Harassment
- c. Domestic Violence
 - i. Definition, Meaning, Type, and Effects of Domestic Violence
 - ii. Important provisions and Related Case Laws
- d. Government Schemes Related to Women in India
 - i. Introduction

National Perspective Plan for Women 1988 – 2000, Support to Training and Employment Programme for Women (STEP), Rashtriya Mahila Kosh – (National Credit Fund for Women, Indira Gandhi Matritva Sahyog Yojana (IGMSY) –Conditional Maternity Benefit (CMB) Scheme, SWADHAR (A Scheme for Women in Difficult Circumstances), Mother and Child Tracking System (MCTS), Pradhan Mantri Matritva Vandana Yojana (PMMVY), Rajiv Gandhi Scheme for Empowerment of Adolescent Girls – Sabla, Mahila E-haat, Beti Bachao Beti Padhao Scheme (BBBP. One Stop Centre Scheme (OSC), Working Women Hostels, Swayamsiddha Scheme, Development of Women and Children in Rural Areas (DWCRA), Nai Roshni, Digital Gender Atlas, Nand-Ghar Yojana

PSDA (Professional Skill Development Activities)

(1Hr/Week)

- ❖ Visit to NCW/State Commission for Women
- ❖ Writing Judgement Analysis
- ❖ Writing a Research Paper

Text Books:

1. Mamta Rao, Law Relating to Women and Children, EBC, Delhi, 2019
2. Shivani Goswami & Neelu Mehra, Women & Law, Satyam Law Internationals, Delhi, 2020

Suggested Readings:

1. Monica Chawla. Gender Justice Women and Law in India. New Delhi: Deep & Deep Publications Pvt. Ltd., 2006
2. Flavia Agnes, Women and Law in India, Oxford, 2016
3. Dr S.C. Tripathi and Vibha Arora, Law Relating to Women & Children, Central Law Publications, Allahabad, 2017
3. Dr Anjani Kant, Law Relating to Women and Children, Central Law Publications, Allahabad, 2020
4. Dr SC Tripathi, Women and Criminal Law, Central Law Publications, Allahabad, 2014

List of Cases:

1. Indian Young Lawyers Association v. State of Kerala, 2018 SCC OnLine SC 1690
2. Joseph Shine v. Union of India, 2018 SCC OnLine SC 1676
3. Gita Hariharan v. Reserve Bank of India, AIR 1999 SC 1149
4. Vineeta Sharma v. Rakesh Sharma and Others, SLP Nos. 17661767 of 2020
5. Mohd. Ahmed Khan v. Shah Bano Begum, (1985) 2 SCC 556
6. Shayara Bano v. Union of India and others, 1985 (2) SCC 556.
7. Danial Latifi v. Union of India (2001) 7 SCC 740
8. Vishaka and Others v. The State of Rajasthan, AIR 1997 SC 3011
9. Sarla Mudgal v. Union of India, 1995 AIR 1531
10. Air India v Nargesh Mirza, (2011) 11 SCC 538

OFFENCES AGAINST CHILD & JUVENILE OFFENCES

Code: 26LW412

Max Marks: 70

Course Objectives: The objectives of the course is to understand the meaning of Juvenile Delinquency and the factors responsible for its causation, to enable the students to understand the meaning of crime related to children, to introduce the student to various aspects of criminal liability and the logical classification of offences according to their gravity to acquaint them to available National and International legal regimes on child protection.

UNIT I: Constitutional and International Legal Status of the Child (10 Hours)

- a. Constitutional Concern-Articles 15(3), 21(A), 24, 39(e) & (f) and 45
- b. International concern and endeavour for the welfare of children:
- c. Minimum Age conventions
- d. Child rights conventions
- e. U.N. Declaration of the Rights of the Child, 1924,1959
- f. Contributions – UNESCO, UNICEF, CEDAW

UNIT II: Legal Control of Child Labour (10 Hours)

- a. International conventions and recommendations of the ILO
- b. The Factories Act, 1948
- c. The Child Labour (Prohibition and Regulation) Act, 1986

UNIT III: Child and Criminal Liability: Statutory provisions (10 Hours)

- a. Sections 82, 83,299 (Explanation 3), 312, 313,314, 315,316, 317, 318, 363A, 372,376, and 377 of IPC.
- b. Section 27 of the Cr.P.C.
- c. The Prohibition of Child Marriage Act,2006
- d. The Children Act, 1960
- e. The Child Abuse Prevention and Treatment Act, 1974

UNIT IV: Juvenile Offence, Juvenile Delinquency and Sexual Abuse of Children (10 Hours)

- a. Concept of Juvenile Delinquency

Legal Position in India

1. The Juvenile Justice (Care and Protection of Children) Act, 2015
2. General Principles of Care and Protection of Children
3. Juvenile Justice Board: Procedure, Powers, and Functions
4. Procedure in relation to children in conflict with the law
5. Children's Court and its Powers
6. Child Welfare Committee: Procedure, Powers, and Functions
7. Procedure in relation to children in need of Care and Protection
8. Rehabilitation and Social Re-Integration. - Offences against Children.
9. Probation of Offenders Act, 1958 (benefit of Section 6 of the Act)

Sexual Abuse of Children

1. Meaning, Definition, Nature and Different Types of Sexual Abuses
2. Protection of Children from Sexual Offences Act, 2013
3. Preventive Sexual Assault and Aggravated Penetrative Sexual Assault (3 to 6)
4. Sexual Assault and Aggravated Sexual Assault (7 to 10)
5. Sexual Harassment (11, 12)
6. Using a Child for Pornographic Purposes (13 to 15)
7. Abetment and Attempt to commit an offence (16 to 18)
8. Procedure for Reporting Case (19 to 23) - Procedure for recording Statement (24 to 27)
9. Special Courts and Procedure and Powers of Special Courts (28 to 38)

Text Books:

1. S.C. Tripathi and Vibha Arora, Law relating to Women & Children, Central Law Publications, 2017
2. R.N. Choudhary, Law relating to Juvenile Justice in India, Orient Publishing House, 2015
3. Mamta Rao, Law relating to Women & Children, Eastern Book Company,2018
4. S.N. Jain (Ed.), Child and Law, Indian Law Institute,1979

Suggested Readings:

1. K.D. Gaur, Textbook on Indian Penal Code, Universal Law Publishing Co.,2012

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2. K.I. Vibhuti, PSA Pillai's Criminal Law, LexisNexis, Butterworths Wadhwa, 2012
3. S.R. Myneni, Offences against Children and Juvenile Offences, New Era Law Publication, 2018
4. S.K. Chatterjee, Offences against Child and Juvenile Offences, Central Law Publication, Allahabad, 2012
5. Ved Kumari, The Juvenile Justice System in India: From Welfare to Rights, Oxford University Press India, 2010
6. M.S. Sabnis, Juvenile Justice and Juvenile Correction, Somaiya Publications Pvt. Ltd., 1996 edition, 1996
7. N.K. Chakrabarty, Juvenile Justice in the Administration of Criminal Justice, Deep & Deep Publications, N 2000

CRIMINAL SOCIOLOGY

Code: 26LW431

Max Marks: 70

Course Objectives: This course aims to develop among the law students a sociological understanding of crime and criminals, an understanding of the social structures and social processes which give rise to crime and criminal behaviour, equip the law students with sociological inputs on the systems of correction and theories of punishment, and enable them to develop critical thinking, an ability to absorb and utilize abstract ideas, concepts and theories.

UNIT I: Conceptions of Crime

(10 Hours)

- Understanding deviance: nature and meaning
- Legal, Behavioural, Political and Sociological
- Deviant events and social control, Becoming deviant

UNIT II: Types of Crime

(10 Hours)

- Corporate Crimes,
- White-Collar Crime,
- Crimes Of Interpersonal Violence
- Assault and murder,
- Domestic Violence,
- Forcible Rape
- Non-Violent Crime,
- Drug Use and Addiction
- Drunkenness And Alcoholism
- Sexual Deviance
- Suicide

UNIT III: Sociological Explanations of Criminal Behaviour

(10 Hours)

- Functionalist perspective of Crime and deviance
- Interactionist Perspective of Crime and Deviance
- Differential Association
- Delinquent Subculture
- Differential opportunity,
- Social Structure - Anomie
- The Conflict Perspective,
- The Labelling Theory
- Ecological School and Crime
- Cultural conflict,
- Cultural transmission,
- Control theory

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- Marxist perspective of crime and deviance

UNIT IV: Correction

(10 Hours)

- Concept & types of punishment,
- Prison-based,
- Prisonisation,
- Community-based,
- Probation,
- Parole,
- Open – Prison

Suggested Readings:

1. Ahuja, Ram, Criminology, Rawat Publications, Jaipur, 2008, Ch1, pp- 19-26, Ch 2, pp – 43-46, 55-78, Ch 4, pp- 102- 131, Ch 5, pp – 132- 149, Ch 6, pp – 156 – 171, Ch 7, pp – 172-190, Ch 8, pp - 191-198, Ch 12, pp – 266-288, Ch 14, pp – 303- 325, Ch 15, pp- 335- 360.
2. Chapman Steve and Swann Fionnuala, OCR A2 Sociology, Harper Collins Publishers Ltd., London, 2011, pp – 4 - 5, 16 – 43.
3. Swale Jill, Sociology of Crime & Deviance, Philip Allan Updates, Oxfordshire, 2007, Ch 1, pp- 4-17, Ch 2, pp- 20-32, Ch 3, pp- 34-49, Ch 4, pp- 51- 68, Ch 5, pp- 71-88, Ch 6, pp- 90 – 100, Ch 7, pp- 102 - 117
4. Kelly Delos H., Deviant Behaviour: A Text Reader In: “The Sociology of Deviance”, St. Martin’s Press, New York, 1993, Pa- 2, Pp-51- 200,
5. Clinard Marshall B., Robert F. Meier, Sociology of Deviant Behaviour, Wadsworth/Thomson Learning, California, 2006
6. Giddens, Anthony, Sociology, Wiley India Pvt. Ltd., New Delhi, 2010, Ch 14, pp -575624, Ch 21, pp. 935–955, 960-982.
7. Haralambos, M. & Holborn, M., Sociology: Themes and Perspectives, Harper Collins Publishers Ltd., London, 2008.



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SEMINAR/CONFERENCE

Code: 26PR102

Max Marks: 70

OBJECTIVE:

Seminars/Conferences and Presentations provide a platform to students where they can learn from what others are doing, engage with new ideas, and gain important insights related to emerging areas of law and legal practice. To foster awareness of developments in legislation, jurisprudence, and the evolving intersection of law with technology and society, the Institute must provide ample opportunity to students to learn and benefit from these advancements. Every student is expected to research a contemporary legal topic, write an article related to it, and present their findings before a panel.

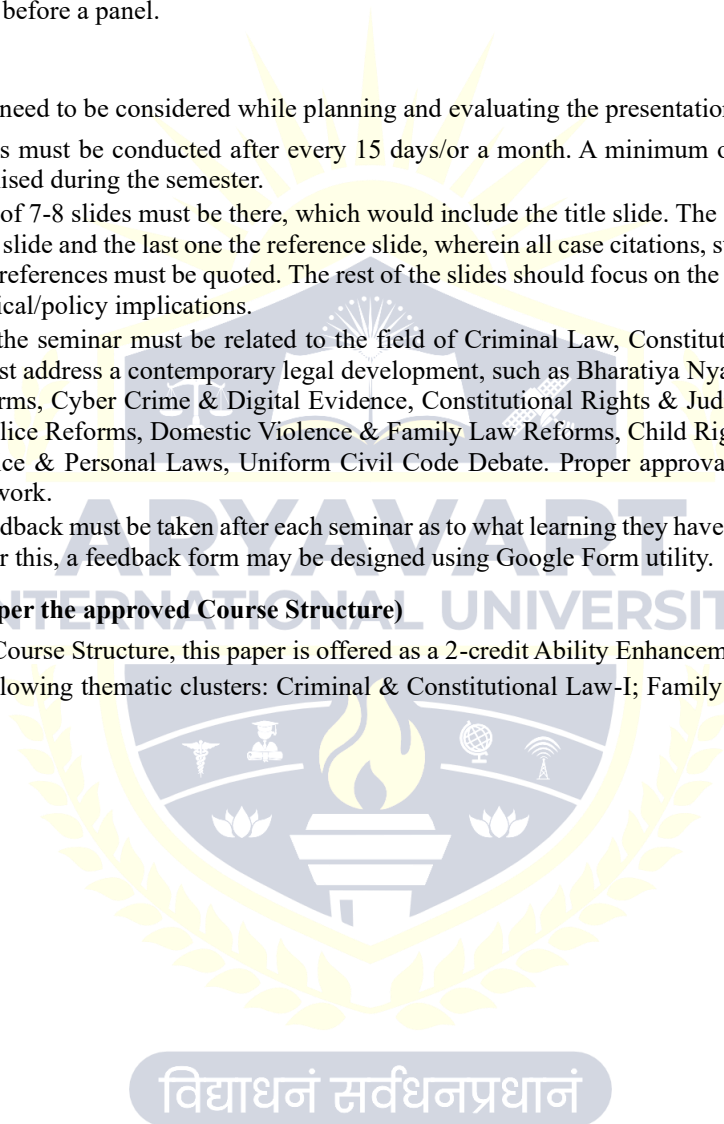
Guidelines

The following points need to be considered while planning and evaluating the presentation:

- The seminars must be conducted after every 15 days/or a month. A minimum of 3-4 seminar sessions can be organised during the semester.
- A minimum of 7-8 slides must be there, which would include the title slide. The first slide should be the Introduction slide and the last one the reference slide, wherein all case citations, statutory references, and book/article references must be quoted. The rest of the slides should focus on the legal issue, its analysis, and its practical/policy implications.
- The title of the seminar must be related to the field of Criminal Law, Constitutional Law, and Family Law and must address a contemporary legal development, such as Bharatiya Nyaya Sanhita & Criminal Justice Reforms, Cyber Crime & Digital Evidence, Constitutional Rights & Judicial Review, Custodial Justice & Police Reforms, Domestic Violence & Family Law Reforms, Child Rights & Juvenile Justice, Gender Justice & Personal Laws, Uniform Civil Code Debate. Proper approval must be taken before starting the work.
- Student's feedback must be taken after each seminar as to what learning they have gathered after studying the topic. For this, a feedback form may be designed using Google Form utility.

Thematic Focus (as per the approved Course Structure)

As per the approved Course Structure, this paper is offered as a 2-credit Ability Enhancement Course in Semester IV, combining the following thematic clusters: Criminal & Constitutional Law-I; Family & Constitutional Law-II.



LLB

5th Semester

Detailed Syllabus

BHARATIYA SAKSHYA ADHINIYAM (BSA)

Code: 26LW501

Max Marks: 70

Course Objectives: This paper's objective is to (i) orient students with importance of evidence for establishment of claims and the related rules and principles on contemporary basis;(ii) enable students learn and understand the basic nuances of evidence collection, assessment of its nature and most importantly its appreciation using practical approach; and(ii)understand the difference between quantitative and qualitative analysis of piece of evidence for deciding a matter.

UNIT I: Introduction and Relevancy

(10 Hrs)

- Evidence and Its Relationship with the Substantive and Procedural Laws
- Definitions clause in Bharatiya Sakshya Adhiniyam,2023
- Principle of res gestae; Section 4 to 14 of Bharatiya Sakshya Adhiniyam,2023; Relationship between proof and evidence
- Types of Evidence, Theory of Relevancy, Admissibility, Reliability & Appreciation of Evidence in Court of Law, factum probandum and factum probans, Evidence procured through illegal means
- Plea of Alibi, Test Identification Parade, Proving Conspiracy

UNIT II: Statement (confessions and Admissions) and its proof

(10 Hrs)

- Admissions (types, nature, characteristics)
- Confessions (types, nature, characteristics)
- Oral Evidence, Documentary Evidence (Primary & Secondary Evidence).
- Electronic evidence -Applications & Issues as per Bharatiya Sakshya Adhiniyam,2023.
- Dying Declarations.

UNIT III: Method of proof of facts

(10 Hrs)

- Presumptions (Nature, classifications)
- Burden of Proof, Reverse Burden of Proof, Estoppel.
- Expert Opinion
- Facts which need not be proved
- Privileged Communications.

UNIT IV: Emerging Areas in the Law of Evidence

(10 Hrs)

- Evidence by Accomplice [Rule of corroboration, Categories of accomplice]
- Definition of Witness, Witness Protection Scheme, Hostile Witness, Trap Witness
- Examination of Witness, Cross-Examination, Leading Questions, Refreshing Memory

PSDA (Professional Skill Development Activities)

(1 Hrs/Week)

- ❖ Visit to Court
- ❖ Case Study
- ❖ Visit to Forensic Lab
- ❖ Interaction with Stakeholders

Text Books:

- M. Monir, Law of Evidence, LexisNexis, 2021
- Rattan Lal Dheeraj Lal, The Law of Evidence, LexisNexis, 26th Edition, 2021.
- Dr. V. Nageswara Rao, The Indian Evidence Act, LexisNexis Publication, 3rdEdition, 2023
- Dr. S.R Myneni, The Law of Evidence, Asia Law House,2023.

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Suggested Readings:

1. Sudipto Sarkar & Prof. V. Kesava Rao, Law of Evidence, LexisNexis, 20th Edition, 2022
2. Avtar Singh, Principles of Law of Evidence, Central Law Publications, 2023.
3. Batuk Lal, Law of Evidence, Central Law Agency, 24th Edition, 2023.
4. S. S. Wagh, Basic Law of Evidence: The Bharatiya Sakshya Adhinyam, Vinod Publication (P) Ltd., 2024
5. C D Field, Commentary on Law on Oral and Documentary Evidence, Delhi Law House, 4th Edition, 2024.

PROPERTY LAW

Code: 26LW502

Max Marks: 70

Course Objectives: The objective of this paper is to: (i) focus on the study of classification of property and various related concepts in light of principles governing the transfer thereof; (ii) make them aware about the amendments and the interpretation of certain legal provisions by the courts taking place in property law regime through study of relevant case laws; and (iii) generate understanding and skills among students by acquainting them about ideals of transfer of property for critical assessment of wide range of property related issues..

UNIT I: Concept of Property and General Principles Relating to Transfer of Property Interpretation Clause
(10 Hrs)

- a. Definition of Transfer of Property
- b. Transferable and Non-Transferable Property
- c. Condition Restraining Transfer
- d. Transfer to an Unborn Person
- e. Rule against Perpetuity
- f. Vested and Contingent Interest
- g. Rule of Election

UNIT II: General Principles Governing Transfer of Immovable Property
(10 Hrs)

- a. Transfer by Ostensible Owner
- b. Rule of Feeding Grant by Estoppel
- c. Rule of Priority
- d. Rule of Lis Pendens
- e. Fraudulent Transfer
- f. Rule of Part Performance
- g. Conditional transfer

UNIT III: Specific Transfer-I
(10 Hrs)

- a. Mortgage
 - i. Definitions and Kinds of Mortgage
 - ii. Redemption and Foreclosure
 - iii. Contribution and Subrogation
- b. Sale
 - i. Meaning and Essentials of Sale
 - ii. Rights and Liabilities of Buyer and Seller
- c. Charge

UNIT IV: Specific Transfer-II
(10 Hrs)

- a. Gift
- b. Lease
 - i. Meaning and Essential
 - ii. Types of Lease
 - iii. Duration of Lease
 - iv. Formation of Lease
 - v. Determination of Lease
 - vi. Provision as to 'Notice'
 - vii. Rights and duties of lessor and lessee
- c. Easement
 - i. Meaning and Essential

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ii. Classification of Easement

PSDA (Professional Skill Development Activities)

(1Hr/Week)

- ❖ Drafting a Mortgage/Sale/Gift/Lease Deed
- ❖ Visit to Record Room
- ❖ Class Moot Court
- ❖ Awareness Camp

Text Books:

1. A.P. Singh and Ashish Kumar Srivastava, Property Laws, Lexis Nexis India, 2015.
2. Rajni Malhotra Dhingra, Transfer of Property Act, 1882 and Indian Easement Act, 1882, Central Law Publication, Allahabad, 2017.

Suggested Readings:

1. Mulla, Transfer of Property Act, Lexis Nexis, India, 2018.
2. Poonam Pradhan Saxena, Property Law, Lexis Nexis, India, 2017.
3. Vepa. P. Sarthi, (Rev.), G.C.V. Subha Rao, Law of Transfer of Property Act, Eastern Book Company, Lucknow & Delhi, 2012.

List of Cases:

1. Smt. Shanta bai. V. State of Bombay, AIR 1958 SC 532: (1959) SCR 265
2. Jumma Masjid, Mercara v. Kodimaniandra Deviah, AIR 1962 SC 847
3. T. G. Ashok Kumar v. Govindammal, (2010) 14 SCC 370
4. Sardar Govind Rao v. Devi Sahai, AIR 1982 SC 989
5. Seth Ganga Dhar v. Shankar Lal, (1959) SCR 509
6. Pomal Kanji Govinji v. Vrajlal, (1989) 1 SCC 458
7. J.P Builders v. A Ramadas Rao, (2011) 1 SCC 429
8. Suraj Lamp & Industries Pvt Ltd. v. State of Haryana, (2012) 1 SCC 656
9. Associated Hotels of India v. R. N. Kapoor, AIR 1989 SC 1262
10. Delta Int. Ltd. v. Shyam Sunder Ganeriwalla, AIR 1999 SC 2607

FORENSIC SCIENCE

Code: 26LW511

Max Marks: 70

Course Objectives: This course aims to discuss the fundamentals of Forensic Science, the principles of Forensic Science and its applications in Law, the Forensic Science Lab setup and its organisation in India, the significance of crime scene and forensic evidence in crime investigation, and discuss various forensic investigation techniques in brief.

UNIT I: Forensic Science & Criminal Jurisprudence

(10 Hrs)

- Significance, History & Development of Forensic Science in Criminal Jurisprudence;
- Basic Principles of Forensic Science and Their Applicability in Investigation;
- Branches of Forensic Science;
- Relationship between Law and Forensic Science and Role of Forensic Science in Administration of Justice;
- Organisational Structure of Forensic Science Labs and Forensic Science Set Up at Central / State Level in India.

UNIT II: Crime Scene and Forensic Evidence

(10 Hrs)

- Scene of Crime and Forensic Investigation
- Managing Crime Scene & Its Hierarchy: Documentation, Photography/Videography
- Search Patterns of Crime Scene: Collection, Packaging, Labelling & Forwarding of Exhibit to Forensic Laboratories;
- Preservation of Samples Collected from Crime Scene, Relevance of Samples Collected and Significance of Chain of Custody of Evidence Collected from Crime Scene;

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- Types of Forensic Evidence: Physical, Biological, Chemical and Psychological.

UNIT III: Admissibility and Evidentiary Value of Forensic Evidence

(10 Hrs)

- Forensic Evidence and Its Admissibility in Law;
- Expert Opinion and Forensic Evidence;
- Admissibility of Expert Evidence in the Court of Law;
- Relevance and Admissibility of Forensic Evidence in Medico-Legal Cases;
- Evidentiary Value of Forensic Evidence.

UNIT IV: Recent Advances in Forensic Science Techniques

(10 Hrs)

- Cyber Crimes and Cyber Forensics, Offences under IT Act, 2000;
- Study of Extortion Calls, Hoax Calls, and Drug Transactions through Cyber Forensics and Voice Identification Techniques;
- Narco Analysis and its Significance, Admissibility of Narco- Analysis test results in the Court, Brain Mapping, Limitations of Brain Mapping Technique, Admissibility in the Court, Polygraph test, Polygraph as Forensic Investigative Tool, NHRC Guidelines for Polygraph Test;
- Use of Biometric Methods for Personal Identification Information;
- DNA Fingerprinting Techniques.

Suggested Readings:

1. Ramachandran, Forensic Evidence, Lawmann's, 2023.
2. G Chatterjee, Scientific Criminal Investigation Legalities, Procedures and Case Studies, Lexmann, 2023.
3. K.S. Narayan Reddy, The Essentials of Forensic Medicine & Toxicology, 35th ed., 2022.
4. B.S. Nabar, Forensic Science in Crime Investigation, Asia Law House, 3rd ed.Reprint 2023.
5. US Department of Justice, Handbook of Forensic Science, Manas Publications, 2010.

Suggested Legislations:

1. Indian Evidence Act, 1872.
2. Criminal Procedure (Identification) Act, 2022.

Suggested Reports:

1. BOOK OF ABSTRACTS 24th All India Forensic Science Conference, Theme: Harnessing New Vistas in Academics & Forensic Science.
2. Guidelines for Forensic Medical Examination in Sexual Assault cases (2018).
3. The (Malimath) Committee Report on Reforms of the Criminal Justice System, 2003.

विद्याधनं सर्वधनप्रधानं

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MOOT COURT EXERCISE & INTERNSHIP

Code: 26LW512

Max Marks: 70

Course Objectives: The course aims to (a) develop students' written and oral advocacy skills, (b) enable them to conduct proper research to prepare written submissions and present briefs, (c) give guidance and practical training about the court practices and etiquettes and (d) Familiarize students with the working of an actual court.

The course shall comprise the following:

A. Moot Court: The Maximum Marks for this Paper will be 100. Each student will do at least two Moot Courts in a Semester with 10 Marks each. The Moot Court work will be on an assigned problem and will be evaluated for 5 Marks for written submissions (to be recorded in the Sessional Diary) and 5 Marks for Oral Advocacy.

Guidelines: For Moot Court, groups will be formed of 8/10 students and cases involving several issues shall be assigned in Court practice, i.e. Operation of Courts and legal professionals on the panel of the College / University may be sought, especially in the matter of getting copies of paper books of cases which have been decided by various Courts.

The Course shall emphasize points of Court craft and decorum. The male students shall wear white pants – shirt and a Black Tie, and female students shall wear a white dress with a black scarf while addressing a Moot Court and during their visits to the Court / Advocates' chambers and other practical training programmes.

Practice Moots shall be held as a routine in the class itself, and the three compulsory test Moots for examination shall be held after such practice Moots near the end of the semester. Attendance at such practice Moot Courts shall be counted. Each student shall be required to maintain a regular record of his / her preparation for all the Moot Courts attended by him/her in the Sessional Diary. **The Sessional Diary will carry 15 Marks (5 Marks for each Test Moot).**

B. Court Assignments: Observation of Trial in **Four Cases**, i.e., **Two Cases in Civil** and **Two in Criminal**. Each student will attend **Four Trial Courts during the Semester**. He/She will maintain a record of his / her visits in his / her Diary of Sessional Work and enter the various steps observed during his/her attendance on different days in the Court assignment. This Scheme will carry **25 Marks**.

C. Interviewing Techniques and Pre-Trial Preparation:

- i. Each student will observe for Interviewing Sessions of Clients at the Lawyer's Office / Legal Aid. Office and record the proceedings in the Diary of Sessional Work, which will carry **10 Marks**.
- ii. Each student will further observe the preparation of documents and Court Papers by the Advocate and procedure for filing the Suit / Petition. This will be recorded in the Sessional Diary, which will carry **10 Marks**.

Guidelines: To make the training meaningful, students have to visit and be organized for a continuous period, sufficiently long to observe and understand the process taking place in their proper context. Efforts should be directed to acquaint the students with the different branches of legal practice, including **Civil, Criminal, Revenue, and Labour Court Practice**. Besides the legal Professionals on the College/University Panel, the students should regularly be supervised and helped by the subject teacher/tutor. It is desirable that, besides Advocates Chambers, the students are taken to the academic Family Court / Revenue Court / Income Tax & Sales Tax Offices and other venues where judicial administrative proceedings are held. The **Indian Law Institute, Parliament, Supreme Court, High Courts, Tribunals, etc.**, may be visited to make the training academically multifarious. This programme can be intellectually and professionally challenging if properly organized and integrated with the Curriculum.

D. Viva-voce: The **Fourth Component** of this Paper will be a **Viva-voce examination** by the **consensus of the Board of Practical/Viva-voce Examiners (Internal & External Examiners)** on the above three aspects. This will carry **10 Marks**.

Suggested Readings:

1. Rai Kailash (Dr.), Moot Court, Pre-Trial Preparations & Participation in Trial Proceedings.
2. Awasthi S.K. (Prof.), Practical Training of Law, Moot Court & Viva-Voce.

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Tilthai, Dharmanagar, North Tripura

INTERNSHIP

It is a mode of Clinical Legal education, a specified period to be spent by the student with a law firm/court/Commissions/NGO's and like institutions working with the realm of law or connected therewith. The reports, both by the student and the office, together with the diary, where applicable to be certified will be submitted for evaluation.

The Internship during the summer break is a compulsory course. There is an Internship Data form where students fill in the details of where they are interning, with complete address and phone numbers. Customized Legal Reference /Diary is provided to the students on payment. They maintain a day-to-day record of the work that they do at the place where they are interning. They are expected to intern for a minimum of 90 days. They submit their completed diary, certificate from the employer, and a report of their experience at work. After submission, there is a Viva by the concerned faculty. They assess the student on the kind of work they have done during the internship, the presentation of the work they have done, and also on the practical knowledge they have gained.

The Paper is marked out of 100 marks. The breakup of the marks is as follows:

- | | |
|--|-------------|
| 1. Diary submission | : 25 Marks |
| 2. Report and certificate | : 25 Marks |
| 3. Viva (Panel of External Examiners) | : 40 Marks |
| 4. Attendance (Regularity in meeting the supervisor) | : 10 Marks |
| Total | : 100 Marks |

INFORMATION TECHNOLOGY LAW

Code: 26LW521

Max Marks: 70

Course Objectives: The course aims to provide knowledge and develop understanding of various cybercrimes and regulatory frameworks at the national and international levels, and to understand how new threats to network and information security have emerged and the ever-growing vulnerability to cybercrime.

UNIT I

(08 Hrs)

Introduction to Information Technology Law

- Interrelation between IT Law and IPC
- The role of IPRs, International Law, Contract Law and Evidence Law
- Regulatory competence over the internet
- Basic introduction to cybercrimes
- Introduction to jurisdictional issues of private international law

Need for a Uniform Law

- Lex Loci Delicti
- Lex loci contractus and Lex loci solutionis
- UNCITRAL Model Law on e-commerce
- Jurisdictional issues in the case of cyber offences

UNIT II

(08 Hrs)

Introduction to the definition clause of the IT Act

- Legal definitions of computers, computer systems, computer networks, and electronic records. Originator, subscriber, intermediary, ESC, DSC and key pair

Understanding Internet Protocols

- Understanding the types of Internet Protocols: TCP, TEL, NET, FTP, HTTPS
- Surface Web, Deep Web, Dark Web
- The Cyberspace
- Search Engines, SEO ratings, Meta Tags and SERPs.

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Cryptography

- Encryption
- Symmetric Encryption
- Asymmetric Encryption
- Electronic Signature Certificates and Digital Signature Certificates
- Role of Certifying Authorities
- Role of the Controller

UNIT III

(08 Hrs)

Electronic Contracts and their Legality

- Models of e-commerce and e-governance
- Click Wrap, Shrink Wrap, Browse Wrap, Outsourcing contracts, Hardware contracts
- E-commerce and Torts

Domain Names and Licensing

- Interactions between IT Laws and IPRs
- Domain Name Disputes
- Protection of copyrights in cyberspace
- Licensing and Ownership of copyrights
- Copyright issues in cyberspace, including software piracy
- Legal protection of copyrights in the International Framework

UNIT IV

(08 Hrs)

Intermediary Liability

- IT Rules 2021 and the Digital Media Ethics Code for OTT Platforms
- A detailed analysis of case laws in the light of the IT Rules
- Safe Harbour Protection
- Liabilities under Section 85

Cyber Attacks

- ID Theft, Phishing
- Cyberstalking
- Cyberterrorism
- DDoS attacks
- Email bombing
- Salami attacks
- Cheating and fraud
- Violation of privacy
- Voyeurism and cyber pornography
- Cybercrimes in Metaverse

UNIT V

(08 Hrs)

Obscenity and Pornography

- Computer pornography
- Harassment and incitement: consensual and non-consensual pornography
- Child pornography, Obscenity Laws
- Revenge Pornography
- DeepFakes

Privacy and Data Protection

- An analysis of the K. S. Puttaswamy judgement
- Data Protection Act, 2023 and its salient features
- Digital Footprint and Right to be Forgotten on Social Media

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Tilthai, Dharmanagar, North Tripura

- GDPR and Judicial interpretation
- Data Surveillance and Data Retention Laws
- CERT and Cyber Security

Emerging Technologies and the Legal Problems Associated with them

- Artificial Intelligence
- Hacking and Data Privacy Violations
- Liability Framework for an Automated AI system
- Blockchain
- Big Data and AI: Algorithmic Bias

Suggested Readings:

1. Karnika Seth, "Computer, Internet and New Technology Laws", forwarded by Justice D. Y. Chandrachud, Lexis Nexis, 3rd Edition, 2022.
2. Dr. Pawan Duggal, "Cyber Law", Lexis Nexis, Universal, 3rd Edition.
3. Justice Yatindra Singh, "Cyber Laws", Universal Law Publishing, 6th Edition.
4. Dr. Karnika Seth, "Protection of Children on Internet", Universal Law Publishing.

RIGHT TO INFORMATION

Code: 26LW531

Max Marks: 70

Course Objectives: The course aims to conceptualise the need, importance, and various dimensions of the right to information; develop insight into the right to information regime in India; provide an application-based approach to the Right to Information Act; and appraise access to information in order to promote transparency and accountability.

UNIT I: ACCESS TO INFORMATION: TRANSPARENCY AND ACCOUNTABILITY (10 Hrs)

- i. Historical Evolution of Right to Information
- ii. RTI and its relationship with Good Governance in democracy
- iii. Conceptualisation of RTI: A Comparative Study
- iv. Right to Information and the Indian Constitution

UNIT II: RIGHT TO INFORMATION LAW (10 Hrs)

- i. Legislating the right to information- History
- ii. Salient features of the RTI Act
- iii. Public Authorities and obligations
- iv. Composition, powers and functions of Information Commissions

UNIT III: IMPLEMENTATION OF RTI (10 Hrs)

- i. Procedure to obtain Information
- ii. Exemption, limitation and restrictions on disclosure of Information
- iii. Appeal and penalties
- iv. Third Party Information and Procedure

UNIT IV: APPLICATION OF RTI IN CERTAIN CASES (10 Hrs)

- i. RTI and Environment
- ii. RTI and Educational Institution (Examination-related matters and other issues)
- iii. RTI and Private Institutions, NGOs etc.
- iv. Drafting of RTI application and appeals

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Tilthai, Dharmanagar, North Tripura

Text Books:

1. Rao, Law relating to right to information, Jurisprudential and philosophical foundations, Pentagon Press, Vol. 1, 2009.
2. Sharma S. D. Sharma and Saxena, Priti, Right to Information: Implementation Problems and Solutions, Jain Book Agency, New Delhi, 2013.

DISASTER MANAGEMENT

Code: 26GN102

Max Marks: 70

Course Objective: The course aims to provide a basic conceptual understanding of disasters, to understand approaches to disaster management and to build skills to respond to disasters.

UNIT I: Definition and types of disaster

(05 Hrs)

Hazards and Disasters, Risk and Vulnerability in Disasters, Natural and Man-made disasters, earthquakes, floods, drought, landslides, land subsidence, cyclones, volcanoes, tsunami, avalanches, global climate extremes. Man-made disasters: Terrorism, gas and radiation leaks, toxic waste disposal, oil spills, forest fires.

UNIT II: Study of Important Disasters

(05 Hrs)

Earthquakes and their types, magnitude and intensity, seismic zones of India, major fault systems of India plate, flood types and their management, drought types and its management, landslide and its management, case studies of disasters in Sikkim (e.g., earthquakes, landslides). Social Economics and Environmental impact of disasters.

UNIT III: Mitigation and Management Techniques of Disaster

(05 Hrs)

Basic principles of disaster management, Disaster Management cycle, Disaster management policy, National and State Bodies for Disaster Management, Early Warning Systems, building design and construction in highly seismic zones, retrofitting of buildings.

UNIT IV: Training, awareness program and project on disaster management

(05 Hrs)

Training and drills for disaster preparedness, Awareness generation program, usage of GIS and Remote sensing techniques in disaster management, Mini project on disaster risk assessment and preparedness for disasters with reference to disasters in Sikkim and its surrounding areas.

Suggested Readings:

1. Disaster Management Guidelines, GOI-UND Disaster Risk Program (2009-2012)
2. Damon, P. Copola, (2006) Introduction to International Disaster Management, Butterworth Heinemann.
3. Gupta A.K., Niar S.S and Chatterjee S. (2013) Disaster management and Risk Reduction, Role of Environmental Knowledge, Narosa Publishing House, Delhi.
4. Murthy D.B.N. (2012) Disaster Management, Deep and Deep Publication PVT. Ltd. New Delhi.
5. Modh S. (2010) Managing Natural Disasters, Macmillan Publishers India LTD.

विद्याधनं सर्वधनप्रधानं

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HUMAN VALUES & ETHICS

Code: 26GN302

Max Marks: 70

Course Objectives: The course aims to develop ethical reasoning and awareness of human values, promoting responsible behaviour in personal, professional, and societal contexts.

UNIT I: Introduction to human values

(05 Hrs)

- Understanding the need, Basic guidelines, Process of Value Education.
- Understanding the thought-provoking issues- Continuous happiness and Prosperity.
- Right understanding- relationship and physical facilities, Choice making- choosing, Cherishing and Acting.
- Understanding values- Personal Values, Social values, Moral values and Spiritual values, Self-Exploration and Awareness leading to Self-Satisfaction; Tools for Self-Exploration.

UNIT II: Harmony and role of values in family, society and human relations

(05 Hrs)

- Understanding harmony in the Family- the basic unit of human interaction; Understanding values in human-human relationships; Understanding harmony in society-human relations.
- Interconnectedness and mutual fulfilment; Coexistence in nature.
- Holistic perception of harmony at all levels of existence, universal harmonious order in society.
- Visualising a universal harmonious order in society- undivided society (Akhand Samaj), universal order (Sarvabhaum Vyawastha)- from family to world family.

UNIT III: Coexistence and role of Indian Ethos

(05 Hrs)

- Interconnectedness and mutual fulfilment among the four orders of nature: recyclability and self-regulation in nature.
- Ethos of Vedanta; Application of Indian Ethos in organisations in management; Relevance of Ethics and Values in organisations in current times.

UNIT IV: Professional ethics

(05 Hrs)

- Understanding about Professional Integrity, respect and equality, Privacy, Building Trusting relationships, Co-operation, and Respecting the competence of other professions.
- Understanding about taking initiative, Promoting the culture of openness, and Demonstrating loyalty towards goals and objectives.
- Ethics at the workplace: - cybercrime, plagiarism, sexual misconduct, fraudulent use of institutional resources, etc.
- Ability to utilise professional competence for augmenting the universal human order.

Text Books:

1. A Textbook on Professional Ethics and Human Values by R S Naagarazan.
2. A Foundation Course in Human Values and Professional Ethics by R.R. Gaur, R. Sangal, G.P. Bagaria.
3. Indian Ethos and Modern Management by B L Bajpai, New Royal Book Co., Lucknow, 2004, Reprinted 2008.

Suggested Readings:

1. A N Tripathy, 2003, Human Values, New Age International Publishers
2. Human Values and Professional Ethics by Vaishali R Khosla, Kavita Bhagat
3. I.C. Sharma. Ethical Philosophy of India, Nagin & Co., Julundhar

LLB

6th Semester

Detailed Syllabus

ADMINISTRATIVE LAW

Code: 26LW601

Max Marks: 70

Course Objectives: This paper aims to enable the students to (i) understand how administrative law relates to other areas of public law; (ii) apply advanced principles of administrative law in complex legal and factual situations; (iii) understand the scope and operation of delegated power in governance and its control mechanisms; (iv) critically evaluate government accountability for the exercise of public power; and (v) critically appreciate the practice of judicial review of administrative action by courts and tribunals.

UNIT I: Meaning and Concept of Administrative Law (10 Hrs)

- a. Nature, Scope, and Development of Administrative Law
- b. Relationship between Constitutional Law and Administrative Law
- c. Classification of Administrative Law
- d. Rule of Law and Administrative Law
- e. Separation of Powers and Its Relevance

UNIT II: Delegated Legislation, Constitutionality and Control Mechanism (10 Hrs)

- a. Meaning and Concept of Delegated Legislation
- b. Constitutionality of Delegated Legislation
- c. Control Mechanism
 - i. Parliamentary Control of Delegated Legislation
 - ii. Judicial Control of Delegated Legislation
 - iii. Procedural control of Delegated Legislation

UNIT III: Judicial Functions of Administration and Principles of Natural Justice (10 Hrs)

- a. Need for Devolution of Adjudicatory Authority on Administration
- b. Problems of Administrative Decision Making
- c. Nature of Administrative Tribunals: Constitution, Powers, Procedures, Rules of Evidence
- d. Principles of Natural Justice
 - i. Rule against Bias
 - ii. Audi Alteram Partem
 - iii. Speaking Order (Reasoned Decisions)

UNIT IV: Administrative Discretion and Judicial Control of Administrative Action (10 Hrs)

- a. Meaning and Concept of Administrative Discretion
- b. Judicial Review of Administrative Action and Grounds of Judicial Review
 - i. Abuse of Discretion
 - ii. Failure to Exercise Discretion
 - iii. Illegality, Irrationality, Procedure Impropriety
 - iv. Doctrine of Legitimate Expectations, Law of Estoppel
 - v. Evolution of Concept of Ombudsmen
 - vi. Lokpal and Lokayukta Act and other Anti-Corruption Bodies and their Administrative Procedures

PSDA (Professional Skill Development Activities) (1 Hr/Week)

1. Application for seeking relief from the government, its agencies, and instrumentalities
2. Writs (all five)
3. Application before CCI, SEBI, and TRAI for filing cases
4. Application for issuing a visa and cases of rejection of visas

Text Books:

1. I.P. Massey, Administrative Law, Eastern Book Company, Lucknow, 2020 (9th Ed).
2. C. K. Takwani, Lectures on Administrative Law, Eastern Book Company, Lucknow, 2014, (4th Ed).
3. S.P. Sathe, Administrative Law, Lexis Nexis Butterworths Wadhwa, Nagpur, 2004.

Suggested Readings:

1. H.W.R. Wade & C.F. Forsyth, Administrative Law, Oxford University Press, UK, 2000.
2. M.P. Jain & S.N. Jain, Principles of Administrative Law, Lexis Nexis, Delhi, 2013.

CIVIL PROCEDURE CODE & LIMITATION ACT

Code: 26LW602

Max Marks: 70

Course Objectives: Study of procedural law is important for a Law student. This course is designed to acquaint the students with the various stages through which a civil case passes through, and the connected matters. The course also includes law of limitation. The course teacher shall endeavour to familiarize the students with the case papers (like plaints, written statements, Interlocutory applications, etc.) involved in civil cases and touch upon the provisions of the Evidence Act wherever necessary.

UNIT I

(07 Hrs)

Civil Procedure Code Introduction; Distinction between procedural law and substantive law- History of the code, extent and its application, definition; Suits: Jurisdiction of the civil courts- Kinds of jurisdiction Bar on suits- Suits of civil nature (Sec.9); Doctrine of Res sub judice and Res judicata (Sec. 10, 11 and 12); Foreign Judgment (Sec. 13, 14); Place of Suits (Ss. 15 to 20); Transfer of Cases (Ss. 22 to 25).

UNIT II

(07 Hrs)

Institution of suits and summons: (Sec. 26, O.4 and Sec. 27, 28, 31 and O.5); Interest and Costs (Sec. 34, 35, 35A, B); Pleading: Fundamental rules of pleadings- Plaint and Written Statement- Return and rejection of plaint- Defences- Set off- Counter claim; Parties to the suit (O. 1): Joinder, misjoinder and non-joinder of parties- Misjoinder of causes of action- Multifariousness.

UNIT III

(10 Hrs)

Appearance and examination of parties (O.9, O.18) - Discovery, inspection and production of documents (O.11 & O.13) - First hearing and framing of issues (O.10 and O.14) - Admission and affidavit (O.12 and O.19) - Adjournment (O.17) - Death, marriage-Insolvency of the parties (O.22) - Withdrawal and compromise of suits (O.23) - Judgment and Decree (O.20); Execution (Sec. 30 to 74, O.21): General principal of execution- Power of executing court- Transfer of decrees for execution- Mode of execution- a) Arrest and detention, b) Attachment, c) Sale.

UNIT IV

(12 Hrs)

Suits in particular cases; Suits by or against Governments (Sec. 79 to 82, O.27); Suits by aliens and by or against foreign rulers, ambassadors (Sec. 85 to 87); Suits relating to public matters (Sec. 91 to 93); Suits by or against firms (O.30); Suits by or against minors and unsound persons (O.32); Suits by indigent persons (O.33); Interpleader suits (Sec. 88, O.35); Interim Orders; Commissions (Sec. 75, O.26); Arrest before judgment and attachments before judgment (O.38); Temporary injunctions (O.39); Appointment of receivers (O.40); Appeals (Ss. 90 to 109, O.41, 42, 43, 45); Reference- Review and Revision (Ss. 113, 114, 115, O.46, O.46); Caveat (Sec. 144.A)- Inherent powers of the court (Ss. 148, 149, 151).

UNIT V

(04 Hrs)

Limitation Act, 1963.

विद्याधनं सर्वधनप्रधानं

Suggested Readings:

1. Mulla - Civil Procedure Code.
2. Sanjiwa Rao - Civil Procedure Code. Limitation Act, 1963.
3. P. M. Bakshi - Civil Procedure Code.
4. Tandon & Tandon, The Code of Civil Procedure, Allahabad: Allahabad Law Agency.

ARYAVART INTERNATIONAL UNIVERSITY
Tilthai, Dharmanagar, North Tripura

PENOLOGY & VICTIMOLOGY

Code: 26LW603

Max Marks: 70

Course Objectives: This paper aims to enable the students to: (i) understand the nature and causes of crime, theoretical approaches of criminology, victimology, victimization process and penology; (ii) analyse and reciprocate the key criminological concepts, principles, theories and tools to tackle issues related to criminal behaviour; (iii) understand inter-related working of different wings of criminal justice system and their individual and collective impact on crime rate and prevention; (iv) develop an understanding about the anatomy of varied crimes and the related legal provisions; (v) deduce varied research areas in the subject and their future scope.

UNIT I: Criminology – Definition, Terminology and Criminal Process (12 Hrs)

- a. Definition and Extent of Crime, Crime and Deviance, Public Conception and Misconception of Crime
- b. Schools of Criminology- Pre-classical school, Classical school, Positive and Neo-classical school
- c. Theories of Crime causation: Psychological Explanation (Learning behavior, Psycho-analytical approach, mental disorder and criminality), Sociological Explanation (Ecological theory, Culture – conflict theory, Differential association, Anomie and strain, Labeling), Economic explanations of crime causation

UNIT II: Understanding Typology of Crimes and Related Legal Provisions (12 Hrs)

- a. Typology of violent crimes and Legal & Judicial Interventions: Homicide, Honor Killing, Mob Lynching
- b. Typology of Crime against Women and Children in physical and cyber space: Legal & Judicial Interventions
- c. Juvenile Delinquency: Nature, form, and Etiology of delinquency, legal and institutional framework, Preventing and controlling juvenile delinquency
- d. Positivist explanation of female criminality

UNIT III: Penology– Evolution and Latest Trends (08 Hrs)

- a. Theories of Punishments: legal and judicial incorporations
- b. Substantive Penal Policy of India: Punishments, their execution, commutation and remission
- c. Alternative Punishments – Nature and Scope
- d. Prison and Police Reforms

UNIT IV: Victimology (08 Hrs)

- a. Definition, Nature, Scope and Theories of Victimology
- b. Victims of Crime and Abuse of Power
- c. Victims' Access to Justice.
- d. Victim Assistance Initiatives: national and international

PSDA (Professional Skill Development Activities) (3 Hrs/Week)

- ❖ Jail visits.
- ❖ Visits to shelter houses for women and children.
- ❖ Comparative analysis of sentencing Policies in Common law countries.
- ❖ Workshop/ Talk by members of the District Legal Services Authority for understanding the application and ground realities of Victim Assistance Initiatives.

Text Books:

1. Roger Hopkin Burke, An Introduction to Criminological Theory, Willian Publishing, 2001
2. Katherine S. Williams, Textbook on Criminology, Oxford Press, Oxford, 2004

Suggested Readings:

1. Frank A. Hagan, Introduction to Criminology: Theories, Methods and Criminal Behavior, Sage Publications Ltd., London, 1978
2. Larry Siegel, Criminology, Thomson Wadsworth, Canada, 2008
3. Sue Titus Reid, Crime and Criminology, Oxford University Press, Oxford, 2008
4. Mark Tunic, Punishment: Theory and Practice, University of California Press, Berkeley, 1992
5. Robert Elias, Victims Still: Political Manipulation of Crime Victims, Sage Publications Inc., 1993
6. R. I. Mawby & S. Walkate, Critical Victimology, Sage Publications Ltd., London, 1995

List of Cases:

1. The National Human Rights Commission v. State of Gujarat (2009) 6 SCC 342.
2. Arvind Yadav v. Ramesh Kumar, 2003 Cr. L. J. 2552.

ARYAVART INTERNATIONAL UNIVERSITY
Tilthai, Dharmanagar, North Tripura

3. Delhi Domestic Working Women's Forum v. Union of India (1995) 1 SCC 14.
4. Rudal Sah v. State of Bihar, AIR 1983 SC 1086.
5. Nilabati Behera v. State of Orissa (1993) 2 SCC 746.
6. Shri D.K. Basu v. State of West Bengal (1997) 1 SCC 416.
7. Vishakha & Ors. v. State of Rajasthan, AIR 1997 SC 3011.
8. Shatrughan Chauhan & Anrv. Union of India & Ors., Writ Petition (Criminal) NO. 55 OF 2013.
9. Dannjay Chatterjee v. State of West Bengal (2004) 9 SCC 757.
10. Macchi Singh v. State of Punjab, AIR 1983 SC 957.

FINANCIAL & SYSTEMIC FRAUD

Code: 26LW611

Max Marks: 70

Course Objectives: The objectives of the course are: i. To familiarise the students with the concept of Financial and Systemic Frauds. ii. To study the impact of Financial and Systemic frauds on society. iii. To develop a comprehensive understanding of the various legislations dealing with Financial and Systemic Frauds in India. iv. To understand the lacunas in the laws addressing these crimes, Financial and Systemic Frauds. v. To analyse the underlying causes contributing to the increasing trend of these crimes in India to identify the existing financial crimes and the new crimes emerging in the contemporary world. vi. To enable the students to understand Financial and Systemic Frauds and the legal control mechanisms to combat such offences, thereby making them skilled in interpreting the provisions and applying them in cases. vii. To inculcate critical thinking and awareness pertaining to key issues concerning Financial and Systemic Frauds.

UNIT I: Financial Crimes

(10 Hours)

- Socio-Economic Offences
- Santhanam Committee Report
- White Collar crimes
- Economic Crimes: Report of Committee on Reforms of Criminal Justice System (2003)
- Types of Financial Frauds
- Corporate Frauds and Banking Frauds
- Enforcement Agencies: Police; Serious Fraud Investigation Office; CBI.

UNIT II: Regulatory provisions and legislation governing financial frauds in India

(10 Hours)

- Prevention of Money Laundering Act, 2002
- The Fugitive Economic Offenders Act, 2018
 - a. Objectives of the Acts
 - b. Definitions
 - c. Presumptions
 - d. Burden of Proof
 - e. Offences
 - f. Punishment
 - g. Enforcement Authorities
 - h. Adjudication
 - i. Appeal
 - j. Scheduled Offences.

UNIT III: Prosecution, punishment and penalties for Financial Frauds

(10 Hours)

Prosecution, punishment and penalties for Financial Frauds under

- the Prevention of Corruption Act, 1988.
- The Essential Commodities Act, 1955.
- Income Tax Act, 1961.
- Companies Act 2013.

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Tilthai, Dharmanagar, North Tripura

- Securities and Exchange Board of India Act, 1992.
- Foreign Exchange Management Act, 1999.

UNIT IV: Major Corporate and Banking Frauds

(10 Hours)

- Enron Scandal (2001)
- Bernard Madoff (2008)
- Saradha Group Financial Scam (2013)
- Coalgate Scam (2012)
- Commonwealth games Scam (2010)
- Augusta Westland VVIP Helicopters Bribery Scandal (2013)
- Satyam Scam (2009)
- 2G Spectrum Scam (2008)
- Telgi Scam (2002)
- Bihar Fodder Scam (1996)
- Hawala Scandal (1996)
- Harshad Mehta & Ketan Parekh Stock Market Scam (1992)
- Global Trust Bank Scam
- Bofors Scam
- Mining Scam of Odisha
- Indian Black Money Scam
- Wakf Board Land Scam
- Adarsh Housing Society Scam
- Andhra Pradesh Emmar Scam
- Punjab National Bank Scam
- Kingfisher Airlines
- DHFL

Students are required to keep abreast with the latest financial frauds and scams around in India and other countries in the world.

Suggested Readings:

1. Debashish Basu, Sucheta Dalal, The Scam: From Harshad Mehta to Ketan Parekh Also Includes JPC Fiasco & Global Trust Bank Scam, (KenSource; 11th Edition 2016).
2. Furquan Moharkan, The Banker who Crushed his Diamonds: The Yes Bank Story, (India Penguin, 2021)
3. Edwin H. Sutherland, White Collar Crime – The Uncut Version (Yale University Press, Reprint, 1985)
4. Edwin H. Sutherland, The Professional Thief (Chicago: University of Chicago Press, 1937).
5. J. Kelly Strader, Understanding White Collar Crime (LexisNexis, 3rd ed. 2011).
6. Howard E. Williams, Investigating White Collar Crime, (Charles C. Thomas, 2nd ed.)
7. Nuzhat Parveen Khan, Law Relating to Socio-Economic Offences, (Universal Law Publishing, 2015)
8. J. Kelly Strader, Understanding White Collar Crime, (Lexis Nexis, 3rd ed. 2011).
9. Howard E. Williams, Investigating White Collar Crime, (2nd ed., Charles C. Thomas)
10. Mahesh Chandra, Socio-Economics Crimes, (N. M. Tripathi Private Ltd., Bombay 1979)
11. J.S.P. Singh, Socio- Economic Offences, (New Era Law Publication, Rep.2018)
12. Seth and Capoor's, Anti- Corruption Laws with Commentaries on Prevention of Corruption Act, (Law Publishers (India) Pvt Ltd. 2018)
13. Simon Obidiaro, Transnational Corruption and Corporations: Regulating Bribery through Corporate Liability (Taylor & Francis Group, London & New York, 2016)
14. M. C. Mehanathan, Law on Prevention of Money Laundering in India: Commentary on Prevention of Money-laundering Act, 2002: Related Regulations, International Conventions and Provisions of NDPS Act, 1985, (Lexis Nexis, 1st edn. Rep.2015)
15. Shailendra Kumar, It's Raining Black! Chronicles of Black Money, Tax Havens & Policy Response, (Lexis Nexis, 1st edn. 2015)

ARYAVART INTERNATIONAL UNIVERSITY
Tilthai, Dharmanagar, North Tripura

16. Jonathan E. Turner, Money Laundering prevention: deterring, detecting and resolving financial fraud, John Wiley & Sons, Inc., New Jersey (2011)
17. Ernesto Savona, Responding to Money Laundering: International perspectives, (Harwood Academic Publishers, 1997)
18. William C. Gilmore, "Money laundering: the international aspect", David Hume Institute, Money Laundering; Hume Papers on Public Policy, vol. 1, No. 2; (Edinburgh University Press, Edinburgh 1993)
19. Howard Schilit and Jeremy Perler, Financial Shenanigans: How to Detect Accounting Gimmicks and Fraud in Financial Reports, (New York: McGraw-Hill, 3rd ed. 2010)
20. Ed Chancellor, Devil Take the Hindmost. New York: Plume, 2000
21. Peter Gottschalk, Policing Financial Crime: Intelligence Strategy Implementation, Universal Publishers, 2009
22. Peter Gottschalk, White Collar Crime: Detection, Prevention and Strategy in Business Enterprises, Universal Publishers, 2009.
23. H.S. Gour, Penal Law of India (As Amended by Criminal Law Amendment Act, 2018), Vol II (Law Publishers (India) Pvt. Ltd, Allahabad, 11th edn 2018)

NOTE: Students are required to read the latest journals, periodicals, reports and articles to keep abreast of the developments in this area of law.

Statutes:

- The Indian Penal Code, 1860
- The Code of Criminal Procedure, 1973
- The Food Safety and Standards Act, 2006
- The Essential Commodities Act, 1955
- Prevention of Corruption Act, 1988.
- Foreign Exchange Management Act, 1999.
- Income-Tax Act, 1961
- Drugs and Cosmetics Act, 1940
- Foreign Exchange Management Act, 1999
- Prevention of Money Laundering Act, 2002
- The Fugitive Economic Offenders Act, 2018
- Companies Act, 1960
- Benami Transactions (Prohibition) Act, 1988
- The Prize Chits and Money Circulation Schemes (Banning) Act, 1978
- Chit Funds Act, 1982

Law Commission of India Reports:

- 29th Report (1966) on "Proposal to include certain Social and Economic Offences in the Indian Penal Code".
- 47th Report (1972) on "The Trial and Punishment of Social and Economic Offences."
- Santhanam Committee Report of 1964.

Cases:

- Sakhawant Ali v. State of Orissa AIR 1955 SC 166.
- Centre for Public Interest Litigation v. Union of India and Ors AIR 2014 SC 49.
- Swami Achyutanand Tirth & Ors. v. Union of India & Ors. (2016) 9 SCC 699.
- Hoechst Pharmaceuticals Ltd. & Ors v. State of Bihar & Ors 1983 AIR SC 1019.
- Suraj Pal Sahu v. State of Maharashtra & Ors., 1986 AIR SC 2177.
- Shambu Dayal Agarwal v. State of West Bengal & Anr (1990) 3 SCC 549.
- Atiabari Tea Co. Ltd v. State of Assam and Ors AIR 1961 SC 232.
- Dashrath Singh Chauhan v. Central Bureau of Investigation, Criminal Appeal No. 1276 of 2010 (SC).
- Y.S Jagan Mohan Reddy v. Central Bureau of Investigation AIR 2014 SC 1933.

ARYAVART INTERNATIONAL UNIVERSITY
Tilthai, Dharmanagar, North Tripura

- State of Punjab v. Karnail Singh AIR 2009 SC 372.
- Dr. Subhramaniam Swamy v. Dr. Manmohan Singh and Anr. AIR 2012 SC 1185.
- Soma Chakravarty v. State 2007 (5) SCC 403.
- Kanwarjit Singh Kakkar v. State of Punjab and Anr (2011) 6 SCR 895.
- State of Maharashtra v. Dyaneshwar Laxaman Rao Wankhede (2010) 2 SC C (Cri.) 385.
- C.M. Girish Babu v. CBI, Cochin, High Court of Kerala (2009) 3 SCC 779.
- Pareena Swarup v. Union of India (2008) 14 SCC 107.
- Union of India vs. Hassan Ali Khan & Anr. (2011) 10 SCC 235.
- Directorate of Enforcement v. Hari Narayan Rai (Jharkhand) W.P. (Cr.) No. 325 of 2010.
- Abdul Karim Telgi & Anr V. Union of India, through CBI 2014(2) JLJ 136.
- Directorate of Enforcement Vs. Arun Kumar Mishra (2015 SCC OnLine Del 8658).
- Uday Shankar Awasthi Vs State of UP& Anr (2013) 2 SCC 435.
- Attorney General for India v. Amratlal Prajivandas (1994)5 SCC 54.
- Gautam Kundu vs Manoj Kumar Assistant Director (SC) Criminal Appeal No. 1706 of 2015
- P. Chidambaram vs Directorate of Enforcement (SC) Criminal Appeal No. 1340 of 2019.

BANKING LAW

Code: 26LW621

Max Marks: 70

Course Objectives: This Paper aims at imparting knowledge to the students about the developments of the banking sector and its operational process in India and the legal coverage relating to its operation and functioning. The main purpose of this paper is to make the law students acquainted with the fundamental aspects of banking laws.

UNIT I: Introduction **(10 Hrs)**

- Definition of Banks, nature and scope as financial institutions,
- History of Banking in India, Kinds of Banks and their Functions,
- Liberalisation: E-Banking, Internet Banking, Mobile Banking, ATM Banking, Computerised Banking,
- E-Banking Services: retail services, wholesale services, E-Cheque authentication, profitability and productivity in Commercial banks, Multi-dimensional Development,
- Nationalisation of Major Banks and social control over Banking, Privatisation of Banks.

UNIT II: Banker and Customer **(10 Hrs)**

- Definition of Banker and Customer, Legal character, Contract between Banker and Customer, Special Types of Bankers, Bank's Duty to Customers, Liability under Consumer Protection Laws;
- Special Types of Customers- Minors, Lunatics, Illiterates, Executors, Hindu Joint Family, Partnership Firms, Joint Stock Companies, Clubs, Societies, Charitable associations, Trustees, etc.,
- 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);
- 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 Liabilities.

UNIT III: Law Relating to Banking Companies in India **(10 Hrs)**

- Banking Companies Act, 1949: extent and application, business of Banking companies;
- Control and management by Reserve Bank; Suspension of business and winding up of Banking Companies;
- Special provisions for speedy disposal of Winding-up proceedings; The Reserve Bank of India Act, 1934

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Tilthai, Dharmanagar, North Tripura

- Characteristics, Functions and its Roles; The Banking Regulation Act, 1949

UNIT IV: Laws Relating to Loans, Advances, Securities and Recovery by Banks (10 Hrs)

- Principles of Lending, Nature of Securities and Risks involved;
- Liability of Banker in case of Bank Robberies and fraud by Bank Employees, vicarious Liability of the Bank Employees, Vicarious Liability of the Bank, Recovery of Loans and Advances with or without Intervention of Courts/ Tribunal
- Recovery of Debts due to Banks and Financial Institutions Act, 1993;
- Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002 (Ss. 13 and 17); Important Provisions of the Negotiable Instruments Act;
- Necessity of Indian Banking Law to meet global challenges;
- Banking Ombudsman.

Suggested Readings:

1. Basu, A. (1998), Review of Current Banking Theory and Practice, Macmillan.
2. M. L. Tannan (1997), Banking Law and Practice in India, India Law House, New Delhi, 2 Volumes 36
3. Shekhar, K. C. (1998), Banking Theory and Practice, UBS Publishers' Distributors Ltd., New Delhi.
4. Ross Cranston (1997), Principles of Banking Law, Oxford.
5. R. Goode (1995), Commercial Law, Penguin, London.
6. Goyle, L.C. (1995), The Law of Banking and Bankers, Eastern

Code: 26LW631

Max Marks: 70

Course Objectives: This paper aims to focus (i) on various aspects of health care law; and (ii) discuss the constitutional perspective; (iii) highlight the obligations and negligence of medical professionals; and (iv) remedies available to consumers of health care.

UNIT I: Medicine and Healthcare (10 Hrs)

- a. Emerging Health issues: National and International perspective
- b. Constitutional Provisions
 - i. Right to Health be expressly made Fundamental Right by Constitutional Amendment
 - ii. Remedies Available under the Indian Constitution
 - iii. Right to Information vis-à-vis the Right to Confidentiality
 - iv. Clinical trials and Human Rights of participants undergoing clinical trials

UNIT II: Legal dimensions of Healthcare and Medical ethics (10 Hrs)

- a. Transplantation of Human Organs Act, 1994
- b. Pre-Conception and Pre Natal-Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994
- c. The International Code of Medical Ethics
- d. Mental Healthcare Act, 2017.
- e. The Drugs and Cosmetics Act, 1940

UNIT III: Medical Negligence (10 Hrs)

- a. Ingredients
- b. Role of Consent in Medical Practice
- c. Error of Judgment and Gross Negligence
- d. Wrongful Diagnosis and Negligent Diagnosis

UNIT IV: Remedies for Medical Negligence (10 Hrs)

1. Remedies:
 - a. Law of Torts
 - b. Law of Crimes
 - c. Consumer Protection Law
2. Lifesaving drugs: Balancing a private and public interest

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Tilthai, Dharmanagar, North Tripura

PSDA (Professional Skill Development Activities)

(1 Hr/Week)

- ❖ Research paper / Project work on emerging health issues
- ❖ Drafting RTI seeking information from Government hospitals
- ❖ Visit rehabilitation centres or mental asylums
- ❖ Observation of Consumer court proceedings in the cases of Medical Negligence

Text Books:

1. Anoop K. Kaushal, Medical Negligence & Legal Remedies, Universal Law Publications, Delhi, 2004
2. Dr. Jagdish Singh, Medical Negligence Compensation, Bharat Law Publications, Delhi, 2014

Suggested Readings:

1. Transplantation of Human Organs Act, 1994
2. PNDT Act, 1994
3. Indian Medicine Central Council Act, 1970
4. Dentists Act, 1948
5. The Drugs and Cosmetics Act, 1940
6. Mental Health Care Act, 2017

List of Cases:

1. Javed v. State of Haryana, AIR 2003 SC 3057.
2. Spring Meadow Hospital v. Harijol Ahluwalia, AIR 1988 SC 180.
3. Paschim Bangal Khet Mazdoor Samity & Others v. State of West Bengal & Other, AIR 1996 SC 2426.
4. State of Punjab v. Ram Lubhaya Bagga, AIR 1988 SC 117.
5. Pramanand Katara v. Union of India & Other, AIR 1989 SC 2039.
6. State of Karnataka v. Manjanna, AIR 2000 SC 2231.
7. CESE Ltd v. Subhash Chandra Bose, AIR 1992 SC 573.
8. Vincent v. Union of India, AIR 1987 SC 990.
9. Consumer Education & Research Centre & others v. Union of India, AIR 1995 SC 42.
10. In Re: Contagion of Covid 19 Virus in Prisons Petitioner v. Respondents, Suo Motu Writ Petition (Civil) No.1/2020, https://main.sci.gov.in/pdf/LU/16032020_100611.pdf

DRUG ABUSE, ROAD SAFETY & TRAFFIC RULES

Code: 24GN402

Max Marks: 70

Course Objectives: This course aims to create awareness about the harmful effects of drug abuse, the importance of road safety, and the need to follow traffic rules. It seeks to help learners understand the physical, mental, social, and legal consequences of substance abuse, while also developing responsible attitudes and decision-making skills to avoid peer pressure and risky behaviour. The course further intends to build knowledge of traffic signals, road signs, and safe road use practices, so that learners can behave responsibly as pedestrians, cyclists, passengers, and drivers.

UNIT I:

(10 Hrs)

Problem of Drug Abuse

- a) Concept and overview
- b) Types of drugs often abused and their effects (Stimulants, Depressants, Narcotics, Hallucinogens, and Miscellaneous).

Causes of consequences of drug abuse

- a) Theories of drug abuse: Physiological theory. Psychological theory. Sociological theory.
- b) Consequences of drug abuse: For individuals, families, society and the economy.

Extent and nature of the problem

- a) Magnitude of the menace of drug abuse.
- b) Vulnerable age groups.
- c) Characteristic and features of proneness.
- d) Signs and symptoms of drug abuse (Physical indicators, Academic indicators, Behavioural and psychological indicators).

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Tilthai, Dharmanagar, North Tripura

Prevention and management of drug abuse

- a) Legislation, public policies and programs for the prevention and cure of drug abuse.
- b) Prevention and Management of drug abuse. Medical management.
- c) Working of drug De-addiction Centres. Role of Family, School and Media.

UNIT II:

(10 Hrs)

- a) Concept and Significance of Road Safety.
- b) Role of Traffic Police in Road Safety.
- c) Traffic Engineering – Concept & Significance.
- d) Traffic Rules & Traffic Signs.
- e) How to obtain a driving license.
- f) Traffic Offences, Penalties and Procedures.
- g) Common Driving mistakes.
- h) Significance of First-aid in Road Safety.
- i) Role of Civil Society in Road Safety.
- j) Traffic Police-Public Relationship.

Suggested Readings:

1. Clayton, J.M., and Scott, M.A (2014). Drugs and Drug Policy: the control of consciousness alteration. New Delhi: Sage Publications India Pvt. Ltd.
2. Kapoor, T. (1985). Drug epidemic among Indian Youth, New Delhi: Mittal Pub
3. Modi, I and Modi, S. (1997). Drugs: Addiction and prevention, Jaipur: Rawat Publication.
4. 2003 National Household Survey of Alcohol and Drug Abuse. New Delhi, Clinical Epidemiological Unit, AIIMS, 2004
5. World Drug Report (updated every year), United Nations office of Drug and Crime.
6. Extent, pattern and Trend of Drug use in India, Ministry of Social Justice and Empowerment, Government of India, 2004.
7. The Narcotic Drugs and Psychotropic Substances Act, 1985. (New Delhi: Universal, 2012).
8. Government of India (2015). Scheme of assistance for prevention and alcoholism and substance (Drugs) abuse and for social defence services-Guidelines. Ministry of social Justice and Empowerment. New Delhi.
9. NCERT (2010). Training Resource Materials (Adolescence Education Programme).
10. The Motor Vehicle Act, 1988 (2010), Universal Law Publishing Co. Pvt. Ltd., New Delhi.
11. Road Safety Signage and Signs (2011), Ministry of Road Transport and Highways, Government of India.

विद्याधनं सर्वधनप्रधानं

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SEMINAR/CONFERENCE

Code: 26PR102

Max Marks: 70

OBJECTIVE:

Seminars/Conferences and Presentations provide a platform to students where they can learn from what others are doing, engage with new ideas, and gain important insights related to emerging areas of law and legal practice. To foster awareness of developments in legislation, jurisprudence, and the evolving intersection of law with technology and society, the Institute must provide ample opportunity to students to learn and benefit from these advancements. Every student is expected to research a contemporary legal topic, write an article related to it, and present their findings before a panel.

Guidelines

The following points need to be considered while planning and evaluating the presentation:

- The seminars must be conducted after every 15 days/or a month. A minimum of 3-4 seminar sessions can be organised during the semester.
- A minimum of 7-8 slides must be there, which would include the title slide. The first slide should be the Introduction slide and the last one the reference slide, wherein all case citations, statutory references, and book/article references must be quoted. The rest of the slides should focus on the legal issue, its analysis, and its practical/policy implications.
- The title of the seminar must be related to the field of Law of Evidence, Property Law, Civil Procedure, and Administrative Law and must address a contemporary legal development, such as Bharatiya Sakshya Adhiniyam & Digital/Electronic Evidence, Real Estate Regulation (RERA) & Property Disputes, Administrative Tribunals & Judicial Review, Civil Procedure Reforms & Case Management, Land Acquisition & Compensation Law, E-Governance & Administrative Law, Right to Information in Practice. Proper approval must be taken before starting the work.
- Student's feedback must be taken after each seminar as to what learning they have gathered after studying the topic. For this, a feedback form may be designed using Google Form utility.

Thematic Focus (as per the approved Course Structure)

As per the approved Course Structure, this paper is offered as a 2-credit Ability Enhancement Course in Semester VI, combining the following thematic clusters: Evidence & Property Law; Procedural & Administrative Law.

