

### **Suggested Readings:**

1. Gupta S.P., Professional Ethics, Accountancy for Lawyers & Bench Bar Relations
2. Rai Kailash, Professional Ethics, Accountancy for Lawyers & Bench Bar Relations
3. Sirohi (Dr.), Professional Ethics, Accountancy for Lawyers & Bench Bar Relations
4. Prasad Anirudh: Professional Ethics
5. Bhagwati P.N.: Legal Aid as a Human Right
6. Singh Sujana: Legal Aid – Human Right of Equality
7. Sharma S.S.: Legal Assistance to Poor
8. Bajpayee P.N.: Legal Aid & the Bar Council
9. Mr. Krishnamurthy Iyer's book on "Advocacy"
10. The Contempt Law and Practice
11. The Bar Council Code of Ethics

### **Semester –IV**

#### **Course Code- LL.B./401**

#### **Public International Law and International Human Rights**

#### **Unit-1 Introduction**

- A. Definition
- B. Distinction between Public International law and Private International law
- C. Nature and Basis of International law
- D. Sources of International Law
- E. Relationship between International law and Municipal law
- F. Codification of International law
- G. Subjects of International law

#### **Unit-2 State**

- A. Concept of State and its essential ingredients
- B. State Territory- Concept, Territory of State- Land, Water and Air, Acquisition and loss of state territory
- C. Law of the Sea: Maritime belt, Contiguous Zone, Continental Shelf,, Exclusive Economic Zone, The High Seas, Land Locked States, International Tribunal for the Law of the Sea, Piracy, and Outer space: Various theories, Aerial Navigation, Outer Space Treaty, 1967
- D. State Jurisdiction- Territorial and Extra -territorial jurisdiction and its limitations
- E. Recognition of State- Definition of State Recognition, Recognition of Government, Theories of Recognition, De Jure and De Facto Recognition, Legal effect of Recognition, Collective Recognition, Withdrawal of Recognition, Retroactive effect of Recognition, Recognition of Belligerency, Recognition of Insurgency
- F. State succession- Definition and Kinds of Succession, Consequences of State Succession, Succession in respect of International Organization
- G. State Responsibility- Kinds, Consequences

### **Unit-3 Individual and International Law**

- A. Place of Individual in International Law
- B. Extradition- Definition, Purpose, Legal duty, Extradition of Political Offenders, Doctrine of Double Criminality, Rule of Speciality
- C. Asylum- Meaning, Right of Asylum, Types of Asylum
- D. Human Rights- Concept of Human Rights, Convention and Covenant of Human Rights
- E. Nationality- Acquisition, Loss, Statelessness
- F. Individual Criminal Responsibility

### **Unit-4**

- A. Intervention- Definition, and its Prohibition, Grounds of Intervention, Intervention by Invitation
- B. Diplomatic Envoys, Consuls and other representatives- Classification, Function, Immunities, and Privileges, Waiver of Immunity
- C. U.N.O. - General Assembly, Security Council, International Court of Justice

- D. The Law and Practice as to Treaties- concept of treaties, kinds of treaties, Binding force of treaties, Pacta Sunt Servanda, Jus cogens, Rebus Sic Stantibus , Parties of a treaty, Formation of Treaty, Reservations, Invalidity and Termination of Treaties etc.
- E. Environment and International Law

### **Unit-5**

- A. War, Laws of War, War Crimes, Aggression
- B. Belligerent occupation: Neutrality, Blockade and central
- C. Settlement of Dispute
- D. International Terrorism
- E. Disarmament
- F. Air Craft hijack

### **Leading cases:**

1. United Kingdom v. Norway (Anglo Norwegian Case), ICJ Report 1951 p. 116.
2. The Nuremberg Judgment, International Military Tribunal Nuremberg 1946 AJIL Vol. 41, 1947 p. 12.
3. In Re Govt. of India and Mubarak Ali Ahmad, 1952 1 HER 2060.
4. Kutch Tribunal Award Case-Foreign Affairs Report Vol. XVII March 68.
5. Right to Passage over Indian Territory Case, ICJ Report p.06.

### **Suggested Readings:**

1. Stark: An Introduction to International Law.
2. Oppenheim: International Law, Vol. I &U.
3. Breirly: The Law of Nations.
4. Dr. Kusum Jam: Foundation of Human Rights.
5. S.K.Kapur: International Law (English & Hindi)
6. M.P. Tendon: International Law (English &Hindi)
7. Nagendra Singh :Lectures on International Law

### **Semester –IV**

### **Course Code- LL.B./402** **Company Law**

## **UNIT 1 : Company Act, 2013**

- A. Introduction, Historical background and Salient features of the Companies Act, 2013.
- B. Definition and Nature of Company.
- C. Classification of companies.
- D. Formation promotion and incorporation of companies

## **UNIT 2 :**

- A. Memorandum of Association.
- B. Doctrine of ultra-virus.
- C. Articles of Association.
- D. doctrine of indoor management.
- E. prospectus of a company.

## **UNIT 3 :**

- A. Promoters and preliminary Contract.
- B. Share capital issue and allotment of shares.
- C. Members, share holders.
- D. Dividends, interest and commission.
- E. Borrowing powers, charges, mortgages and debentures.

## **UNIT 4 :**

- A. Directors, other managerial persons.
- B. Accounts and Audit.
- C. Meetings, majority powers and rights of minorities.
- D. Protection of a company from oppressions and mismanagement.
- E. Investigation of company's affairs

## **UNIT 5 :**

- A. Reconstruction and amalgamation of company.
- B. Winding up and Dissolution.
- C. Illegal Association and Defunct Companies.

### **Leading Cases:**

1. Aron Soloman v. Soloman and Co., (1897) AC 22.
2. Royal British Bank v. Turquand, (1856) 119ER 886.
3. Deputy Secretary to Government of India, Ministry of Finance v. S.N. Das Gupta, AIR 1956 Cal, 414
4. Tata Engg. and Locomotive Co. , Ltd, v. State of Bihar AIR 1965 SC 40.
5. Shanti Pd. Jain v. Kalinga TubeLtd. AIR 1965 SC 1535.
6. Vasudev Ram Chandra Shetal v. PJ. Shanker, AIR1974SC1728.
7. Bajaj Auto Ltd. v. N.K, Farodia & Others, AIR1971 SC 321
8. Bell Houses ltd. v. City Wall Properties Ltd., (1966)2 WLR 1323.
9. Seth Mohan Lal v. Grain Chambers Ltd., AIR1968 SC777
10. Bharat Commerce and Industries Ltd. v. Registrar of Companies, West Bengal, (1973)43 Co. cases275

### **Suggested Readings:**

1. Indian Companies Act, 1956 with upto date amendments.
2. Shah: Lectures on Company Law.
3. Avtar Singh : Company Law (English & Hindi)
4. Ramayya: A Guide to Company Law
5. N.V. Paranjpe: Company Law (English & Hindi)

### **Semester –IV**

#### **Course Code- LL.B./403**

#### **Laws Relating to Intellectual Property Rights**

#### **UNIT 1:**

- A. Intellectual Property rights: Meaning and scope of Intellectual property rights
- B. International and Regional Influence, TRIPS
- C. Intellectual Property Rights in India.
- D. Foundation of Patent Law, Patents: Meaning and history of Patents, Product Patent and Process Patent, not patentable Inventions, Patent searching process, Ownership Rights and Transfer

## **UNIT 2:**

- A. Copyright: Introduction to copyright, nature and Objectives of Copyright, Law
- B. Copy rights vs. Public Interest, Neighbouring and related Rights, Subject Matter, Ownership and Term of Copyright
- C. Economic Rights of Copyright owner, Assignment of Copyright and Licenses
- D. Role of Copyright Societies in the Administration of Copyright, Copyright Office, Copyright Board and Registration of Copyright, Infringement of Copyright.

## **UNIT 3:**

- A. Trade Marks: Meaning and Definition, Functions and Objectives of Trade Marks, Historical Background of Trade Marks in India
- B. Certification Trade Mark, Collective Marks and Well known Trade Mark
- C. Trade Mark and Property Mark, Trade Mark and Goodwill, Domain Name, Territoriality of Trade Mark

## **UNIT 4:**

- A. Geographical Indication: Definition and function of Geographical Indication, Rational of protecting geographical Indication, Distinction between Trade Mark and Geographical Indication
- B. Historical Background of Law on Geographical Indication in India, Geographical Indication Registry, Condition for registration and effect of Registration, Infringement and Passing off
- C. Designs: Meaning of Design, Historical Background of Design Law, Protection of Industrial Design, Introduction to Industrial designs, Registration of designs, Copyright in Registered Design, Piracy of Registered Design and Remedies.

## **UNIT 5:**

- A. Plant Varieties and Farmers ‘Rights: Meaning of Plant varieties, Objectives of the Plant varieties Act, Advantages
- B. Farmer’s Rights, Researcher’s Rights and Public Interest
- C. National Gene Fund and Benefit sharing, Registration, Effect of registration and Benefit sharing
- D. Biological Diversity: Meaning of Biodiversity, Objectives of Law on Biological diversity, National Biodiversity Authority, Functions and Powers of National Biodiversity Authority, State Biodiversity Authority,

### **Leading Cases:**

1. Novartis v. Union of India CIVIL APPEAL Nos. 2706-2716 OF 2013 (ARISING OUT OF SLP(C) Nos. 20539-20549 OF 2009)
2. RG Anand v. Delux Films, (AIR 1978 SC 1613)
3. Yahoo!, Inc. v Akash Arora & Anr [1999 (19) PTC 201 (Del)]
4. The Coca-Cola Company Vs. Bisleri International Pvt.Ltd [Manu/DE/2698/2009]
5. Eastern Book Company & Ors vs D.B. Modak & Anr Appeal (civil) 6472 of 2004 decided by The Supreme court of India on 12 December, 2007

### **Suggested Readings:**

1. Bentley, L & Sherman, B: Intellectual Property Law, Oxford University Press
2. K. Bansal, Law of Trademark In India, Thomson & Reuter, 2014
3. V.K. Ahuja, Law Relating to Intellectual Property Law, Lexis Nexis, 2013 (2nd Edn)
4. Elizabeth Verkey, Law of Patents, Eastern India Company, 2012 (2nd Edn)
5. Jayashree Watal, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press, 2001
6. P. Narayanan, Law of Trademarks (The Trademarks Act 1999) and Passing Off, Eastern Law, Calcutta, 2006
7. W.R. Cornish, Intellectual Property: Patents, Copyright, Trademark and Allied Rights, Universal Law Publishing 2001
8. C.S. Lal, Intellectual Property Handbook: Copyright, Designs, Patents & Trademarks, Law Publishers, Allahabad, 2000

**Semester –IV**

**Course Code- LL.B./404**

**Right to Information and Minor Acts**

**Unit I:**

- A. Right to Information: Concept, Origin and Development
- B. Right to Information Act, 2005: Salient features and Definitions, Obligations of Public Authorities
- C. Central Information Commission: Constitution, Term of Office and Condition of Service, Removal of Central Chief Information Commissioner and Information Commissioner
- D. State Information Commission: Constitution, Term of Office and Condition of Service, Removal of State Chief Information Commissioner and Information Commissioner

**Unit II:**

- A. Power and Functions of The Commission, Appeals and Penalties
- B. The Rajasthan Guaranteed Delivery of Public Services Act, 2011
- C. Rajasthan Right to Hearing Act, 2005

**Unit III:**

- A. The Protection of Women From Domestic Violence Act, 2005  
Background, Preliminary, Definitions: Aggrieved Person, Compensation Order, Custody Order, Domestic Relationship, Domestic Violence, Protection Officer, Protection Order, Respondent, Service Provider, Shared Household, Shelter Home; Powers and Duties of Protection Officers, Service Providers etc.
- B. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 - Background, Preliminary, Definitions; Offences of atrocities, Punishment for Neglect of Duties, Externment, Special Courts etc.

#### **Unit IV:**

- A. Juvenile Justice ( Care And Protection of Children) Act, 2015  
Background, Preliminary
- B. Definitions: Abandoned Child, Adoption, Adoption regulations, Aftercare, Authorised foreign adoption agency, Begging, Best interest of children, Child in conflict with law, Children in need of care and protection, fit person, Foster care, Guardian, Heinous offences, Juvenile, Orphan, Petty offences, Place of safety, Probation officer, Serious offences, Special home, Specialised adoption agency, Sponsorship, Surrendered child
- C. General principles of Care and Protection of Children, Juvenile Justice Board

#### **Unit V:**

- A. Procedure in relation to children in conflict with law, Child Welfare Committee
- B. Procedure in relation to children in need of care and protection, Rehabilitation and Social Re-integration
- C. Adoption, Other offences against children, Miscellaneous provisions

#### **Leading Cases:**

1. People's Union For Civil Liberties (PUCL) And Another, Petitioner V. Union of India And Another, With Lok Satta And Others, V. Union Of India, 2003(001) SCW 2353 SC
2. Union Of India V. Association For Democratic Reforms And Another, With People's Union For Civil Liberties (PUCL) And Another, V. Union Of India And Another, 2002(005) SCC 0361SC
3. Sampurna Behura v. Union of India and Others(2018) 4 SCC 433
4. Ram Prasad Sahu v. State of Bihar 1980 AIR 83, 1980 SCR (1) 927
5. S.R. Batra vs. Smt. Taruna Batra decided on 15. 12. 2006
6. D. Velusamy v. D. Patchaiammal, (2010) 10 SCC 469
7. Ajay Kumar vs Lata@ Sharuti. 2019 SCC OnLine SC 726

### **Suggested Readings:**

1. Bhansali, S.R.; the Right to Information Act, 2005
2. Jain, P.; Suchna ka adhikar: Vidhiavam Vyavahar (Hindi)
3. Hand-Book on Right to Information Act, 2005
4. Protection of Women from Domestic Violence Act, N.K.Acharya, 6<sup>th</sup> Ed. 2013, Asia Law House
5. Atrocities Against Scheduled Castes and Scheduled Tribes, G.S. Narwani, 2011, Rawat Publishers
6. Commentary on the Juvenile Justice Act, Nalwa Suman & Kohli Hari Dev, Universal Law Publishing - An imprint of LexisNexis (2011)

### **Course Code- LL.B./405**

### **Alternative Dispute Resolution** **(Clinical Course)**

#### **Unit-I:**

- A. Concept of Alternate Dispute Resolution, Meaning and Characteristics of Alternate Dispute Resolution
- B. Legislative recognition of Alternate Dispute Resolution
- C. Advantages and Limitations of Alternate Dispute Resolution
- D. Negotiation: Meaning and Scope
- E. Mediation: Meaning, Basic rules of Mediation, Selecting Mediator, Restrictions of Mediator
- F. Conciliation: Meaning, Scope and Difference between Mediation and Conciliation
- G. Arbitration: Meaning, Scope, Types, International Arbitration
- H. Distinction between Arbitration and Conciliation

#### **Unit-II:**

- A. The Arbitration and Conciliation Act, 1996 —Historical Background and Objectives of the Act
- B. Domestic Arbitration: Definitions of Arbitration, Arbitrator, Arbitration Agreement
- C. Composition of Arbitral Tribunal; Competence of Arbitral Tribunal, Jurisdiction of Arbitral Tribunal
- D. Conduct of Arbitral Proceedings
- E. Making of Arbitral Award and Termination of Proceedings; Setting aside of Arbitral Award; Finality and Enforcement of Award; Appeals

**Unit-III:**

- A. Conciliation: Appointment of Conciliators; Procedure of Conciliation; Settlement of disputes through Conciliation; Termination of Conciliation Proceedings
- B. Negotiation: Meaning and theories, Problem solving approach, competitive theory, Structure, strategy, style and skills of negotiation, Types, Appointment, Role and qualities of the negotiator, Process of Negotiation, International negotiation
- C. Mediation- Meaning, Features, Theories, Role of Mediation, Models of Mediation, rights based, interest based, facilitative, evaluative, settlement oriented, transformative etc., Role of mediator and the party's attorney, Good offices, skills of client interviewing/legal counseling, Stages of mediation, Mediation agreement, Civil and commercial mediation

**Unit-IV:**

- A. The Legal Services Authority Act, 1987: Historical Developments and Objectives
- B. Legal Service Authorities: National, State, District and Taluka Level: Composition, Functions etc.
- C. Role of Committees in implementation of Legal Aid Schemes, Lok Adalats

**Unit-V:**

- A. Other Alternative Dispute Resolution Systems: Online Dispute Resolution, Gram Nyayalayas, Role of Grama Sabhas, Lokpal, Lakayukta, Ombudsman
- B. Family Courts; Section 89 and Order X, Rules 1A, 1B and 1C of The Civil Procedure Code,
- C. Enforcement of Certain Foreign Awards
- D. International Commercial Arbitration, New York Convention ; Geneva Protocol

**Internal Assessment:**

- a) **Each student is required to participate in simulations relating to Arbitration, Conciliation, Mediation and Negotiation. Participation in each such simulation proceeding will be evaluated for maximum 3 marks (4 x 3 = 12)**
- b) **Each student is required to attend and observe the proceedings of Lok Adalats, Mediation Centres and/or other ADR systems and to record the observations in a Diary which will be evaluated for 8 marks**

#### **Leading Cases:**

1. Sundaram Finance Ltd. vs. NEPC India Ltd. (1999) 2 SCC479, AIR 1999 SC 565.
2. State of U.P. vs. Harishchandran & Co., Arbitration Power to grant interest. AIR 1976, 1430
3. Union of India & Others v. Girdhari Lal, 1999 Rajasthan 106.
4. MMTCL Ltd. vs. Starlight Industries Ltd., 1996(4) CCS 219 (S) appointment of arbitrator 7, 10, 11.
5. Lotus Investment and Securities v. Pramod S. Tiberwal, 1996(4) CCS 219 (s).
6. State of Rajasthan v. Nav Bharat Construction Col., 1998(4) CCS 172(Raj.)

#### **Suggested Readings:**

1. B.P. Saraf and M. Jhunjhunwala, Law of Arbitration and Conciliation (2000), Snow white, Mumbai
2. Gerald R. Williams, The New Arbitration and Conciliation Law of India, Indian Council of Arbitration (1998), New Delhi
3. A.K. Bansal, Law of International Commercial Arbitration (1999) Universal Law Publications, Delhi
4. P.C. Rao & William Sheffield, Alternative Disputes Resolution-what it is And How it works? (1997) Universal Law Publications, Delhi
5. G.K. Kwatra, The Arbitration and Conciliation Law of India (2000) Universal Law Publications, Delhi
6. Basu N.D., Law of Arbitration and Conciliation (9th edition reprint (2000) Universal Law Publications, Delhi
7. Johari, Commentary on Arbitration and Conciliation Act 1996 (1999) Universal Law Publications, Delhi
8. Markanda. P.C, Law Relating to Arbitration and Conciliation, 7thEd. (2009) Lexis Nexis Butterworths & Wadhwa, Nagpur
9. Ajay Gulati & Jasmeet Gulati, Public Interest Lawyering, Legal Aid & Para-Legal Services (2009), Central Law Agency, Allahabad
10. Charles Chatterjee and Anna Lefkovich, Alternative Dispute Resolution: A Practical Guide, Routledge (2008)

11. Henry Brown and Arthur Marriot, ADR Principles and Practice, Sweet and Maxwell (2013)
12. Madabhushi Sridhar, Alternative Dispute Resolution, Negotiation and Mediation, Lexis Nexis and Butterworths (2006)

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