



GOVERNOR'S SECRETARIAT, BIHAR  
RAJ BHAVAN, PATNA-800022

Letter No.-PPU(Regulation)-02/2024- /GS(I), Dated-  
From,

**Robert L. Chongthu,**  
Principal Secretary to Governor

To,

**The Vice-Chancellor**  
Patliputra University,  
Patna.

Subject:- **Regarding approval of the newly formulated Ordinance, Regulations and Syllabus of L.L.M. course of Patliputra University, Patna.**

Sir,

I am directed to invite a reference to letter No.-BSHEC/O&R/PPU/LLM/18/2023-542, dated-26.12.2023 received from the Member Secretary-cum-State Project Director, Bihar State Higher Education Council, Bihar, Patna on the subject mentioned above and to inform that the Hon'ble Chancellor after due consideration of the recommendation made by the Member Secretary-cum-State Project Director, Bihar State Higher Education Council, Bihar, Patna and in exercise of the powers conferred upon him under section 38(2) and 39(2)(ii) of the Bihar State Universities Act, 1976 (as amended up-to-date) has been pleased to approve the newly formulated Ordinance, Regulations and Syllabus of L.L.M. course of Patliputra University, Patna.

Yours faithfully

Encl:- As above.

Sd/-

**(Robert L. Chongthu)**

Principal Secretary to Governor

Memo No.-PPU(Regulation)-02/2024- /GS(I), Dated-

Copy alongwith copy of approved **newly formulated Ordinance, Regulations and Syllabus of L.L.M. course of Patliputra University, Patna** forwarded to the Secretary, Education Department, Govt. of Bihar for information and necessary action.

Encl:- As above.

Sd/-

Principal Secretary to Governor

Memo No.-PPU(Regulation)-02/2024- /GS(I), Dated-

Copy forwarded to the Member Secretary-cum-State Project Director, Bihar State Higher Education Council, Bihar, Patna for information.

Sd/-

Principal Secretary to Governor

Memo No.-PPU(Regulation)-02/2024-589/GS(I), Dated-22/04/2024

Copy alongwith copy of approved **newly formulated Ordinance, Regulations and Syllabus of L.L.M. course of Patliputra University, Patna** forwarded to the Deputy Director, NIC, Raj Bhavan, Patna for uploading on the website of Raj Bhavan, Patna.

Principal Secretary to Governor

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# PATLIPUTRA UNIVERSITY

## SEMESTER WISE DETAILED SYLLABUS

Adopted from Patna University

### MASTER OF LAW (LL.M.) COURSE

(As per UGC Guidelines)



**Prof. Arun Shrivastava**

(Dean, Faculty of Law)

Patliputra University



**Dr. Jitendra Kumar**

(Registrar)

Patliputra University



**Prof. R. K. Singh**

(Vice-Chancellor)

Patliputra University



**Admission Ordinance/Regulation for the Master of Laws (LL.M)**  
**Degree Course**  
**under Semester System Examination**  
**For Patliputra University, Patna**

**1. General**

1.1 These Regulations/Ordinance shall be called the Admission Ordinance/regulations for LL.M. Course of the Patliputra University, Patna.

1.2 These Regulations/Ordinance shall come into force from the Academic year 2023-2024.

1.3 The Admission in LL.M Course will be taken as follows -

1.3.1 Admission in LL.M course will be taken on the basis of merit list prepared after written test.

1.3.2 Written Test will be conducted by Department Concerned.

1.3.3 40% seats reserved for BIL, 35% seats reserved for PPU and 25% seats reserved for other universities.

1.3.4 Questions in admission test will be asked from the papers of Jurisprudence. The Constitution of India, Indian Penal Code, Law of Contract, International Law, Family Law (Hindu & Muslim Law), Environmental Law. Cyber Law. Admission Test will be of 100 marks (50 marks for subjective test and 50 marks for multiple choice questions)

1.3.5 The candidate must have qualification of Bachelor of Laws obtained from any university recognized by the UGC.

**2. Programme of Study**

2.1 The University shall offer LL.M degree in Bihar Institute of Law. Raja bazar. PPU. Patna.

2.2 The duration of LL.M. Course shall be of two Academic sessions.

2.3 The LL.M. Course shall consist of a total of 16 papers of 5 credits, each spread over in Four Semesters with four papers per semester. Each academic session shall have Two Semesters (July-December) and (January-June).

2.4 The Paper Comprises: theoretical, practical/project work/ field work. Dissertation etc., Course Structure of a subject and syllabus of all papers shall be determined by the Academic council on the recommendation of Board of Courses and Studies of Patliputra University time to time.

**3. Evaluation of Performance under Semester System**

3.1 The performance of a student in each paper shall be assessed on the basis of Continuous Internal Assessment (CIA) of 30 marks and End Semester I Examination (ESE) consisting of 70 marks.

3.2 The components of CIA shall be:

- (a) Two Mid- Semester Written Tests of one-hour duration — 15 marks
- (b) Seminar/Term paper/ Paper presentation — 5 marks
- (c) Home Assignments — 5 marks
- (d) Regularity and Behavior — 5 marks

**Total**

**30 marks**

3.3 The concerned teacher of the course/paper shall be responsible for conducting the mid-semester tests and other components of the CIA. In addition to CIA, the ESE, which will be written examination of 3-hours duration, will also form an integral component of evaluation.

#### 4. Examinations

4.1.1 The End-Semester Examination shall be conducted by the University.

4.1.2 A Viva-Voce Examination shall be conducted in the IV Semester and External Examiners shall be appointed by the University on the basis of recommendation done by the Department concerned, PPU, to conduct the Viva-Voce Examination.

4.1.3 The two Mid Semester Tests shall be conducted by the Department Concerned, PPU, and marked by the teacher concerned. The teacher will show the answer scripts of the Mid-Semester Tests to the students of his Class.

4.2 The End Semester Examination (ESE) shall be named as follows:

- (a) LL.M. Part -I- First Semester Examinational (I Semester Examination) and Second Semester Examination (II Semester Examination).
- (b) LL.M Part-II - Third Semester Examination-(III Semester Examination), Fourth Semester Examination-(IV Semester Examination)
- (c) Syllabus for each paper in each Semester shall be divided into unit. Appended in Schedule A, B, C and D of this Regulation. In every paper question paper pattern shall be as follow:

##### Part-A

Ten Questions (Compulsory)

10x2 = 20 marks

Two Questions from each Unit

##### Part - B

Five Questions (Four to be answered)

5 x 4 = 20 marks

3x10 = 30 marks

पटलपुत्रा विश्वविद्यालय, पटना  
संकाय, २२५-८०००२२

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One Question from each Unit

**Part-C**

Five Questions (Three to be answered) one question from each Unit

- 4.3 The Examination of I and III Semester, called Odd Semester, shall be generally held in the month of November-December and that of II and IV Semester called Even Semester, shall be held in the month of May-June.

## 5. Passing of Examination and Promotion Rules

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- 5.1 In order to be promoted from Semester I to Semester II, a student shall have to pass in at least 3 out of 4 papers of Semester I. In order to be promoted from Semester II to III i.e. 1<sup>st</sup> Year to II<sup>nd</sup> Year, a student shall have to pass in at least 6 papers out of 8 papers including Semesters I and II.
- 5.2 A student shall be allowed to appear in the failed papers/absent in paper, whenever the concerned semester examination is held.
- 5.3 The minimum pass marks for CIA shall be 40% of 30 marks, i.e., 12 marks. The pass marks for ESE shall be 40% out of 70 marks, i.e., 28 marks. In Semester IV, there will be no CIA in Dissertation and Viva-Voce paper.
- 5.4 Failed/Absent candidates in CIA shall be permitted to improve their CIA marks in the subsequent semester (2 chances will be given) by appearing in midterm tests and completing other components of CIA.
- 5.5 If a candidate clears a semester examination, he/she shall not be permitted to re-appear in the examination for the improvement of marks.
- 5.6 There shall be no Supplementary Examination on the provision of revaluation.
- 5.7 There shall be no grace marks of any kind in the LL.M. (Semester System).

## 6 Eligibility for Admission

- 6.1 Admission to LLM -II Semester. - No Students shall be admitted to LL.M-II Semester unless he has completed required no. of attendance in LL.M I Semester and satisfied the requirements detailed in CIA
- 6.2 Admission to LLM - III Semester - No Students shall be admitted to LL.M - III Semester unless he has completed required no. of attendance in LL.M II Semester and satisfied the requirement detailed in CIA.
- 6.3 Admission to LLM - IV Semester - No Students shall be admitted to LL.M-IV semester unless he has completed required no. of attendance in LL.M IIIrd semester and satisfied the requirement detailed in CIA

## 7 Semester Examination

- 7.1 LL.M- I Semester Examination - No students shall be allowed to appear in LL.M 1st

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Semester Examination of P.U., unless he has secured 40% of 30 marks detailed in CIA and completed required no. of classes for being sent up for the said examination.

7.2 LL.M- II Semester Examination:- No students shall be allowed to take up in LL.M IIrd Semester Examination of P.U., unless he has passed at least 3 papers of LL.M Ist Semester Examination and has secured 40% of 30 marks detailed in CIA in IIrd Semester and completed required no. of classes for being sent up in IIrd Semester.

7.3 LL.M- III Semester Examination:- No students shall be allowed to take up in LL.M IIIrd Semester Examination of P.U., unless he has passed at least 3 papers of LL.M IIrd Semester Examination and has secured 40% of 30 marks detailed in CIA in IIIrd Semester and completed required no. of classes for being sent up in IIIrd Semester.

7.4 LL.M- IV Semester Examination:- No students shall be allowed to take up in LL.M IVth Semester Examination of P.U., unless he has passed LL.M Ist Semester and LL.M IIIrd Semester Examination and has secured 40% of 30 marks detailed in CIA in IV Semester and completed required no. of classes for being sent up in IIIrd Semester.

## 8. Award of Class

8.1 Successful candidates shall be awarded the class at the end of Part-II Forth Semester Examination based on the aggregate marks obtained in Part - I and Part - II Examinations, out of 1600 marks and 80 credits, as follows;

8.2 (a) 75% and above	First Class with Distinction
8.3 (b) Less than 75% but more than 65%	First Class
8.4 (c) 50% or more than but less than 65%	Second Class
8.5 (d) Less than 50%	Fail

Each successful candidate of both the Part-I and Part-II examination taken together shall receive a Degree in the prescribed format specifying the subject in which he was examined and the class in which he was placed.

A candidate who is placed first in the First Class in order of merit without break i.e. in one stroke shall be awarded a gold medal.

## 9. REGULAR COURSE OF STUDY

### 9.1 Course of Study:

A candidate for the Degree of Master of Laws shall be required to :

- (i) Study one compulsory course in each semester from schedule A



- (ii) Study one optional Group in the First Semester from Schedule B, in semester II from Schedule C and in third Semester from Schedule D. Each optional Group shall be consisting of three papers.
- (iii) A Dissertation shall be compulsory in the Fourth Semester on a subject approved by the Head of the Department in consultation with the supervisor.

### 9.2 Attendance :

9.2.1 To appear in ESE Examination, a Student is expected to attend 100% classes.

9.2.2. The student must attend 75% of the lectures delivered and satisfied the requirement detail in CIA.

9.2.3 A shortage of attendance up to 15% can be condoned by Vice- Chancellor as per the General Ordinance of the P.U.

9.2.4 Registration of the students in the Patna University is compulsory.

### 10 Tenure of LL.M. Course

A student is required to complete the course of LL.M in consecutive years and a maximum Four years from the date of admission. The maximum limit of four years shall not change for LL.M course.

11. The Dean, Faculty of Law with the consent of Vice Chancellor shall have right to remove all difficulties in Interpretation and/or application of these Regulation and shall be final.

### 12. CREDIT

The term 'Credit' refers to weightage given to a course in relation to the instructional hours assigned to it. Ten hours of instruction will count as one credit, which amounts to four/five hours per week. Each paper of the LL.M, program shall carry 5 credits. The total minimum credits required for completion of LL.M, degree shall be 80 credits.

Note- This regulation has been largely adopted from the regulation of Patna University, Patna.

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## SCHEDULE A

Two Year 4 Semester LL.M. Degree Course of Study

**First Semester:** 400 marks

Compulsory: 1. Indian Constitutional Law: 100 Marks -

2. One Group from the optional Groups mentioned in schedule B. Three Papers-100 marks each paper

**Second Semester:** 400 marks

1. Compulsory: Legal Education, Research Methodology and Writing: 100 marks

2. One Group from the optional Groups mentioned in schedule C. Three Papers - 100 marks/each paper.

**Third Semester:** 400 marks

1. Compulsory: Law and Social Transformation in India or Legal Philosophy: 100 Marks

2. One Group from the optional Groups mentioned in Schedule D. Three Papers: 100 marks each Paper

**Fourth Semester:** 400 marks

1. Compulsory: Judicial Process: 100 marks

2. Dissertation: 200 marks

3. Viva - Voce: 100 marks

Note:

1. With the prior permission of the P.G. Deptt. of Law, candidate shall be allowed to offer one of the optional groups in one semester for which teaching facilities are made available.
2. The provision for the teaching of an optional group shall not be available in both the semesters of the same Academic Year. The course will be conducted as per the availability of Teachers in the Department.

## SCHEDULE B: OPTIONAL GROUPS

### Group I: Constitutional Law:

Paper I: Constitutionalism and Constitutional Development in India and England

Paper II: Comparative and Cooperative Federalism

Paper III: Civil and Political Rights - Comparative Study of Select Constitutions

### Group II: Family Law:

Paper I: Hindu Law including Hindu Jurisprudence

Paper II: Muslim Law including Muslim Jurisprudence

Paper III: Christian and Parsi Laws and Jews Laws

### Group III: Torts:

Paper I: Development of Law of Torts and Tort actions generally

Paper II: Specific Torts I

Paper III: Specific Torts II

### Group IV: Crimes:

Paper I: Criminology and Penology/ Drug Addiction Criminal Justice and Human Rights

Paper II: Criminal Law in India/ Privileged Class Deviance

Paper III: Crimes against Social and Economic Security and Problems of their Control/ Cyber Crimes/ Collective Violence and Criminal Justice System.

  
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## SCHEDULE C : OPTIONAL GROUPS

### **Group V: International Law:**

Paper I: Law of Treaties/ Diplomatic and Consular Relations/ Law Relating to Outer Space

Paper II: International Court of Justice / Law of Seas/ International Arbitration

Paper III: India and International Law

### **Group VI: Contract and Insurance:**

Paper I General Principles of Contract/ Law of Export & Import Regulation

Paper II: Specific Contracts/ Corporate Finance

Paper III: Insurance/ Banking Law

### **Group VII: Administrative Law:**

Paper I: Administrative Law-I

Paper II: Administrative Law- II

Paper III: Comparative Administrative Law/ Local Self Government Law

### **Group VIII: Business Administration:**

Paper I: Business Organization

Paper II: Business Management (Company Management & Administration)

Paper III: Law Relating to Multinational Corporation.

## SCHEDULE D: OPTIONAL GROUPS

### **Group IX: Labour Management Relations:**

Paper I: Regulation of Labour Management Relations/Comparative Study of the Law Relating to Trade Unions

Paper II: Law Relating to Employment and Non-Employment

Paper III: Law Relating to Terms of Employment and Conditions of Service

### **Group X: Taxation:**

Paper I: Constitutional and Administrative Law Problems relating to Taxation

Paper II: Tax on Business and Industry

Paper III: Current Tax Problems/Tax Accountancy

### **Group XI: Regulated Economy**

Paper I: Legal Regulation of Economic Enterprise

Paper II: Regulation of Labour Management Relations

Paper III: Corporate Finance/Tax Accountancy

### **Group XII: Administration of Justice**

Paper I: Law relating to Jurisdiction and Systems of Courts in India

Paper II: Law relating to Procedure and Proof

Paper III: Law relating to Relief

### **Group XIII Human Rights**

Paper I: International Law of Human Rights

Paper II: International Humanitarian Law/ Human Rights and the Refugees

Paper III: Human Rights in India

### **Group XIV: Environmental Law**

Paper I: International Environmental Law

Paper II: Natural Resources and the Law in India

Paper III: Pollution Control Law in India

### **Group: XV: Intellectual Property**

Paper I: Copy Right: National and International Perspective

Paper II: Trade Marks, Designs and Geographical Indications

Paper III: Patents and Protection of Plant Varieties and Farmers' Rights

### **XVI: Law, Science and Technology**

Paper I: Law, Technology, Biotechnology and Medicine

Paper II: Information Technology and Legal Order

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Paper III: Nuclear Technology: Dilemmas of Legal Controls.

**Group XVII: Jurisprudence**

Paper I: Theories of Law (including Feminist Theory)

Paper II: Theories of Justice

Paper III: Theories of Rights

**Group XVIII: New Economic Law: WTO in Context**

Paper I: Development and Regulation of International Trade

Paper II: Legal Regulations of Economic Enterprises

Paper III: Legal Regulations of International Trade

**Group XIX: Alternate Dispute Resolution System**

Paper I: Domestic and International Commercial Arbitration.

Paper II: Enforcement of Foreign Award and Conciliation in India.

Paper III: Mediation, Lok Adalats and Consumer forum.

**SCHEDULE A: COMPULSORY PAPERS**

**First Semester**

**Compulsory Paper: Indian Constitutional Law**

**Unit I**

1. **Indian Federalism:** Conceptual position of Federalism. Nature of the Indian Constitution. Cooperative Federalism. Relationship of trust and faith between Centre and state. Challenges before the Indian Federalism.

**Unit II**

2. **Distribution of Legislative Powers:** The Scheme of the distribution of legislative powers in India the judicial approach and the present position. Recommendation of Sarkaria Commission & Venkatachaliah Commission.

**Unit-III**

3. **The Judiciary:** The Supreme Court of India. Jurisdiction and Powers. Its role as guardian of the Constitution.
4. **Right to Equality:** Scope of the right to Equality. New approach of Article 14. Equality of opportunity in matters of public employment and in admission to educational institutions.

**Unit-IV**

5. **Freedom of Speech and Expression:** The area of freedom and its limitation. Freedom of Press and challenges of new scientific development.
6. **Emerging regime of new Fundamental Rights:** The changing dimension of right to life and Personal Liberty. Incorporation of Directive Principles and Fundamental Duties into Fundamental rights.

**Unit -V**

7. **Right to Freedom of Religion:** The scope of the freedom and the State Control. Secularism and religious fanaticism its causes and remedies.
8. **Working of the Constitution:** Achievements and failures. Areas of concern and challenges before the Constitution. The perception of National Commission to Review the Working of the Constitution.

**Second Semester**

**Compulsory Paper: Legal Education, Research Methodology and Writing.**

**Unit-I**

**Part-A: Legal Education. (25%)**

Objective of Legal Education; Lecture method of teaching: Merits and Demerits; Discussion method and Seminar method of Teaching; Examination system and problems in evaluation.

**Unit -II: Research Methodology (75%)**

Introduction: Legal Research: Evolution, Changing Emphasis and Contemporary Trends in general and specific to India; Different Kinds of Legal Research: Doctrinal, Non-Doctrinal/Empirical/Socio-Legal,



Inter/Multidisciplinary, Historical.

### UNIT III

Research: Meaning, Objectives, Motivations, Types and Significance, Method and Methodology, Scientific Method, Research Process; Formulating Research Problem: Literature Review, Hypothesis, Research Design; Sampling Procedures: Probability and Non-Probability Sampling.

### UNIT IV:

Methods of Data Collection: Observation, Interview, Questionnaire, Schedules, Case-Study; Organisation, Interpretation and Analysis of Data; Report Writing: Use of Citations, Foot Notes, Reference, Bibliography, Indexes, Appendixes

### UNIT V:

Tools of Legal Research: Library, Books, Law Reports, Law Commission Reports, Legislative and Constitutional Assembly Reports, Computer/Internet; Plagiarism and Copyright Infringement; How to write a Dissertation/ Thesis

### Third Semester

#### Compulsory Paper: Law and Social Transformation in India.

##### Unit -I

##### 1. Law and Social Change

1.1 Law as an Instrument of Social Change

##### 2. Language and the Law

2.1 Constitutional Guarantees to linguistic minorities and to establish and administer educational institution.

##### Unit - II

##### 3. Community and the Law

3.1 Protective discrimination: Scheduled Castes, Tribes and backward classes.

3.2 Reservation, statutory commission, statutory provisions

3.3 Uniform Civil Code, Secularism and religious fanaticism its causes and remedies.

##### Unit -IV

##### 4. Women and the Law

4.1 Crimes against women

4.2 Women's commission.

4.3 Empowerment of Women: Constitutional and the other legal provisions

##### Unit -V

##### 5. Children and the Law

5.1 Child Labour

5.2 Sexual Exploitation

5.3 Adoption and related problems

##### 6. Modernisation and the Law

6.1 Criminal Laws: Plea Bargaining, Compounding and Payment of compensation to victims.

6.2 Prison reforms.

or

#### Legal Philosophy

##### Unit-I

Concept of Jurisprudence, Legal Theory & Legal Philosophy.

Sources of Law

(1) Custom (ii) Precedent (iii) Legislation

Implication of jurisprudential approach into Legal System of India

##### Unit-II

Schools

(i) Natural Law School

- (ii) Analytical Positivism (Bentham, Austin, Salmond, Kelson, Hart]
- (iii) Historical School (Savigny, H.S. Maine)
- (iv) Sociological School (Rosco Pound, Duguit, Ihering, Ehrlich]
- (v) Realist School

Legal Rights & Duties

### Unit- III

Ownership & Possession

### Unit IV

Legal Personality

Liability

### UnitV

Law and Morality: With Special Emphasis on Hart and Fuller Debate.

Theory of Punishment.

## Fourth Semester

### Compulsory Paper: Judicial Process

#### Unit -I

1. The concept of justice and relation between Law and Justice, the concept of 'Dharma' in Indian thought. 'Dharma' as the foundation of legal ordering. Various theories of justice in the Western thought.

#### Unit-II

2. The nature of Judicial Process. Judicial process as an instrument of social ordering. Judicial process and creativity in law. The tools and techniques of judicial creativity and precedents.
3. Judicial Process in India. Indian debate on the role of judges and on the notion of judicial review. New challenges before the Indian Judiciary.

#### Unit-III

4. Judicial independence and accountability. Attitude of confrontation with the Legislature & Executive. Appointment & transfer of judges and its effect on independence of judiciary.

#### Unit-IV

5. Judicial Activism, Judicial Overreach and Constitutional obligations of the court. Evolution of the concept. Reasons in defense of judicial activism. Constitution of India and judicial activism. The tools and techniques of the judicial activities: Need for care and caution.

#### Unit-V

6. Judicial Reasoning and Decision making in the Supreme Court of India: Nature of participation- Dissent, concurrence, unanimity and voted with majority etc.; Doctrine of *Stare Decisis* - *Ratio Decidendi* and *Obiter Dicta* of a case

## SCHEDULE B: OPTIONAL GROUPS

### Optional Group I: Constitutional Law

#### Paper I: Constitutionalism and Constitutional Development in India and England.

##### Unit -I

Constitution, Constitutional Law and Constitutionalism; Concept of Limited Government and limitations on government power. Law and Constitutional conventions. Historical evaluation of constitutional government in India and England.

##### Unit-II

Rule of Law. Concept and new horizons; Separation of powers. Concept and its applicability in India and England.

##### Unit - III

Sovereignty of British Parliament, Powers and Functions Privileges of the Parliament and Courts- Indian and British position.

##### Unit - IV

The King of England. Prerogatives of the Crown. Position of the King in England. Cabinet System of government in India and England.

##### Unit -V

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Patna University, Patna



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The Judicial system in "England. Crown Proceeding Act 1947. Judicial Review and Constitutionalism in India. Prerogative writs. Composition and Structure of Supreme Court in England.

**Paper II: Comparative and Cooperative Federalism.**

**Unit -I**

Concept of Federalism. Requisite conditions of federalism. Patterns of federal government of U.S.A, and Australia. Federal Control v. State Autonomy.

**Unit-II**

Historical Evolution of Federalism in India and Constituent Assembly Debates; Basis of Federal Structure of Indian Constitution its nature and its present shape;

**Unit -III**

The changing dimension of modern federal Constitutions: New trends in federalism. Union supremacy. Cooperative Federalism.

The scheme of the distribution of legislative powers in India and a comparative study of the scheme of U.S.A., Canada and Australia, Recommendations of Sarkaria Commission on Center State Relation.

**Unit-IV**

Emergency provisions. Effect of Emergency on the Fundamental rights and federal structure of Indian Constitution. Judicial approach: Indian and American experiences.

**Unit -V**

Judicial Review: Nature & scope of judicial review in the federal Constitutions. The approach of Indian & American Supreme Court.

Amendment of Indian Constitution: Its Process and Constituent Power. Judicial Interpretation of basic Structure of the Constitution; Coalition Government and its impact on Centre -State relations .

**Paper III: Civil and Political Rights: Comparative Study of Select Constitution (India, United States of America and United Kingdom)**

**Unit -I**

Constitutional basis for protection of Individual rights: To whom and against whom Rights are available. Balance between individual liberty and social needs. Suspension of Rights. Role of Courts as the protector of civil and political rights.

**Unit -II**

Right to Equality: General principles. Protective discrimination with special references to emerging judicial response to the problems of group inequalities. Comparative study of the decisions of the Indian and American courts.

Freedom of Speech and Expression: Special attention will be paid to the liberty of Press as interpreted by the Indian Supreme Court and to the interpretation of the freedom guaranteed by the First Amendment of the American Constitution.

**Unit-III**

Right to life and Personal Liberty: Judicial determination of the scope of the term "personal liberty", "procedure established by law" and the American expressions "liberty" and "due process". Radical changes in judicial thinking in this area.

**Unit IV**

Freedom of Religion: Judicial interpretation of the freedom under the Constitution of India and of the United States.

Amendment of Rights: Adaptability of the Constitutional law to the changing needs of the , society. Power and Procedure for amendments of these rights under the American and Indian constitution.

**Unit -V**

Elections and the Franchise: Constitutional foundation of the right to vote. Judicial supervision of Elections. Election Reforms in India and Judicial Approach.

**OPTIONAL GROUP II- Family Law**

**Paper I: Hindu Law including Hindu Jurisprudence**

**Unit I**

1. Basic Principle of Hindu Jurisprudence

2. Sources of Hindu Law
3. Concept of Marriage under Hindu Law

#### Unit II

4. Matrimonial Remedies
  - a) Nullity of Marriage
  - b) Restitution of Conjugal Rights
  - c) Judicial Separation
  - d) Divorce
5. Changing Concept of Adoption: From religious to secular

#### Unit -III

6. Inheritance
  - a) Historical perspective
  - b) Succession to property of a Hindu male dying intestate under the Hindu Succession Act, 1956.
  - c) Devolution of Interest in Mitakshara Coparcenary under the Hindu Succession Act, 1956.
  - d) Succession of property of Hindu female dying intestate.
  - e) General principle of Succession.
7. Minority & Guardianship under the Minority & Guardianship Act, 1956.

#### Unit IV

8. Maintenance of wife, children, Parents.

#### Unit V

9. Joint family & Coparcenary, Daughters as Coparcenary and its Judicial Interpretation.

### Paper II- Muslim Law including Muslim Jurisprudence

#### Unit I

1. Basic Principle of Muslim Jurisprudence
2. Sources of Muslim Law. Schools of Muslim Law.

#### Unit II

3. Schools of Muslim Law
4. Law of Marriage.
5. Law of Dower.

#### Unit III

6. Maintenance: section 125 Cr.P.C, 1973 & The Muslim Women (Protection of Rights on Divorce) Act, 1986.
7. Divorce under Muslim Law

#### Unit IV

8. Dissolution of Muslim Marriage Act, Hiba, Waqf
9. Paternity & legitimacy

#### Unit V

10. Law of Inheritance and Will

### Paper III Christian & Parsi and Jews Laws

Christian & Parsi Law of Marriage, Divorce and Successions

#### Unit I

1. Essentials of Marriage
2. Divorce

#### Unit II

3. Nullity of marriage
4. Judicial Separation

#### Unit III

5. Alimony

#### Unit IV

6. Custody of Children

#### Unit V



7. Intestate succession of Parsis  
8. Intestate succession other than Parsis

**Optional Group III: Law of Torts**

**Paper I: Development of Law of Torts and Tort actions generally.**

**Unit -I**

1. Evolution of Law of Torts
2. Definition, nature, scope and objects

**Unit II**

3. Principles of liability in torts
4. Justification in Tort

**Unit III**

5. Extinguishment of liability in certain situations
6. Standing

**Unit IV**

7. Vicarious liability
8. Doctrine of sovereignty and its relevance in India.

**Unit V**

9. Absolute Strict liability

10. Legal Remedies

**Paper II. Specific Torts-1**

**Unit I**

1. Assault, batter, mayhem False imprisonment

**Unit II**

2. False imprisonment
3. Defamation

**Unit III**

4. Malicious prosecution

**Unit IV**

5. Trespass to land, trespass to goods, detinue, conversion.

**UnitV**

6. Injurious falsehood, misstatements, passing off

**Paper III- Specific Torts II**

**Unit -I**

1. Negligence:

- [a] Basic concepts
- [b] Theories of negligence
- [c] Standards of care, duty to take care carelessness, inadvertence
- [d] Doctrine of contributory negligence
  - *Res ipsa loquitor* and its importance in contemporary law
  - Liability due to negligence-different professionals.
  - Liability of common causes for negligence.

**Unit II**

2. Nervous shock.

3. Nuisance: definition, essentials and types

**Unit III**

4. Acts which constitute nuisance-obstructions of highways, pollution of air, water, noise, and interference with light and air.

**Unit IV**

5. Liability due to negligence- different professions- under the consumer protection Act.

**Unit V**

6. Liability of manufacturers and business houses for their products under the consumer Protection Act.

**Group IV: Crimes:**

**Paper I: Criminology and Penology**

**Unit I**

I. Criminology- Definition, Nature, Scope and utility

II. Methods of Criminological Studies

**Unit II**

III. Schools of Criminology: Classical, Biological Cartographic, Sociological and Socialist.

**Unit III**

IV. Theorising Criminal aetiology : Lombroso and Neo- Lombrosian, Psycho-analysis, Differential Association, Anomie Tradition; Critical Criminology with reference to Labeling, Interactionism and Conflict Theory

V. A brief discussion on Modern Trends in Criminology: Phenomenology, Postmodernism and Feminism Crime and Feminism.

**Unit IV**

VI. Punishment: Concept and Theories

VII. Death Sentence

**Unit V**

VIII. Treatment of offenders: Prison, Probation and Parole

IX. Victimology.

**OR**

**Paper I: DRUG ADDICTION, CRIMINAL JUSTICE AND HUMAN RIGHTS**

**Unit I**

1. **Introductory** :Basic conceptions, Drugs "narcotics" "psychotropic substances", "dependence," "addiction", "Crimes without victims. "Trafficking" in "drugs" "Primary drug abuse".

2. **How Does One Study the Incidence of Drug Addiction and Abuse?**

Self reporting, Victim-studies, Problems of comparative studies <

**Unit II**

3. **Anagraphic and Social Characteristics of Drug Users** : Gender, Age, Religiousness, Single individuals/cohabitation, Socio-economic level of family, Residence patterns ( urban/rural/urban), Educational levels, Occupation, Age at first use, Type of drug use, Reasons given as cause of first use, Method of intake, Pattern of the - Use, Average Quantity and Coast, Consequences on addict's health ( physical/psychic)

NOTE: Since no detailed empirical studies exist in India, the students should be sensitized by comparative studies. The principal objective of this discussion is to orient the students to a whole variety of factors, which interact in the 'making' of a drug addict.

**Unit III**

4. **The International Legal Regime** : Analysis of the background, text and operation of the Single Convention on Narcotic Drugs, 1961, 1972, Analysis of the Convention on Psychotropic Substances, 1972, International collaboration in combating drug addiction. The SARC, and South-South Cooperation, Profile of international market for psychotropic substances.

**Unit IV**

5. **The Indian Regulatory System:** Approaches to narcotic trafficking during colonial India, Nationalist thought towards regulation of drug trafficking and usage, The penal provisions ( under the IPC and the Customs Act), India's role in the evolution of the two international conventions, Judicial approaches to sentencing in drug trafficking and abuse, the Narcotic Drugs and Psychotropic Substances Act, 1985,



(26)

Patterns of resource investment in India: policing adjudication, treatment, aftercare and rehabilitation.

6. **Human Rights Aspects:** Deployment of marginalized people as carrier of narcotics, The problem of juvenile drug use and legal approaches, Possibilities of misuse and abuse of investigative prosecutory powers, Bail, The problem of differential application of the Ugal Regimes, especially in relation to the resource less.

#### UnitV

7. **The Role of Community in Combating Drug Addiction :** Profile of Community initiatives in inhibition of dependence and addiction ( e.g. de addiction and aftercare), The role of educational systems, The role of medical profession, The role of mass media, Initiatives for compliance with regulatory systems, Law reform initiatives.

### Paper II: Criminal Law in India.

#### Unit I

1. Crime and Criminal Law
2. Elements of Crime: External and Internal Intention, Recklessness, Negligence; Relevance of Motive; Strict Liability.

#### Unit II

3. Joint and Constructive Liability
4. Preliminary offences: Attempt; Criminal conspiracy; Abetment

#### Unit-III

5. Defenses:
- i) Mistake
  - ii) Necessity
  - iii) Intoxication
  - iv) Unsoundness of mind
  - v) Consent
  - vi) Compulsion by Threat
  - vii) Superior order
  - viii) Private Defence

#### Unit IV

6. Offences Against Human Body
  - 1) Culpable Homicide and Murder ii) Kidnapping and Abduction
7. Offences Against Property:
  - 1) Theft ii) Robbery

#### UnitV

8. Offences Against Marriage:
  - 1) Bigamy ii) Adultery
9. Offence against Morals: Obscenity.
10. Offence against state: Sedition.

OR

### Paper II: Privileged Class Deviance

#### Unit I

##### 1. Introduction:

1. Conceptions of white-collar crimes
2. Indian approaches to socio-economic offences
3. Notions of privileged class deviance as providing a wider categorization of understanding Indian development.
4. Typical forms of such deviance
5. Official deviance (deviance by legislators, judges, bureaucrats)
6. Professional deviance: journalists, teachers, doctors, lawyers, engineers, architects and publishers
7. Trade union deviance (including teachers, lawyers/urban property owners)
8. Landlord deviance (class/caste based deviance)
9. Police deviance
10. Deviance on electoral process (rigging, booth capturing, impersonation, corrupt \* practices)
11. Gender-based aggression by socially, economically and politically powerful.

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## Unit II

### 2. Official Deviance

1. Conception of Official deviance- permissible limit of discretionary powers.
2. The Chambal valley dacoit Vinoba Mission and Jai Prakash Narain Mission- in 1959 and 1971.
3. The Chagla Commission Report on LIC-Mundhra Affair
4. The Das Commission Report on Pratap Singh Kairon
5. The Grover Commission Report on Dev Raj Urs
6. The Maruti Commission Report
7. The Ibakkar-Natarajan Commission Report on Fairfax.

## Unit III

### 3. Police Deviance

1. Structures of legal restraint on police powers in India
2. Unconstitutionality of "third-degree" methods and use of fatal force by police.
3. "Encounter" killings
4. Police atrocities
5. The plea of superior orders
6. Rape and related forms of gender-based aggression by police and para-military forces.
7. Reform suggestions especially by the National Police Commission

## Unit IV

### 4. Professional Deviance

1. Unethical practices at the Indian bar
2. The Lentin Commission Report
3. The Press Council on Unprofessional and Unethical journalism
4. Medical malpractice.

## Unit V

### 5. Response of Indian Legal Order to the Deviance of Privileged Classes

1. Vigilance Commission
2. Public Accounts Committee
3. Ombudsman
4. Commissions of Enquiry
5. Prevention of Corruption Act, 1947
6. The Antulay Case.

## Paper III: Crimes Against Social & Economic Security and Problems of their Control.

### Unit I

The concept of Social and Economic Offences.

### Unit II

The Distinction between Traditional Offences and the Socio Economic Offences.

- a. Principles of Traditional Criminal Jurisprudence.
- b. Special features of Socio-Economic
- c. Offences. Socio Economic offences and white collar crimes.

Prevention of Socio Economic Crimes and Major constraints in the Implementation of Law Relating to Socio Economic Offences.

### Unit III

Dowry As a Social Evil.

- i. Origin and Social causes of Dowry in Indian Subcontinent.
- ii. Post Independence phenomenon. Expansion and growth of Dowry system in India.
- iii. Criminal off shoots of Dowry - Dowry Crimes.

### Unit IV

5. The Dowry (Prohibition Act 1961.)
  - i. Definition of Dowry
  - ii. Offence of Giving and Taping Dowry
  - iii. Offence of Demanding Dowry
  - iv. Offences of Non-transfer of Dowry



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- v. Dowry Agreements,
  - vi. Nature of Dowry Offences under the Act.
  6. Dowry Prohibition (Gift to Bride & Bride Groom) Rules 1985.

#### Unit V

7. Problems of Control of Dowry System in India
- (1) Socio Economic Factors
- (2) Failure of Legislative Enactments.

OR

#### Paper III: Cyber Crimes

##### Unit I

1. Meaning, Definition, Nature of Cyber crimes
2. Historical Genesis and Evolution of Cyber Crimes

##### Unit II

3. Statutory Laws pertaining to Cyber Crimes in India:
  - a) Indian Penal Code
  - b) Indian Evidence Act.
  - c) Information Technology Act.

##### Unit III

4. Cyber Crimes Laws of USA, U.K. and Canada: A Comparative Study.

##### Unit IV

5. Specific Cyber crimes
  - a) Cyber Stalking
  - b) Cyber Terrorism
  - c) Child Pornography
  - d) Computer viruses

##### Unit V

6. Investigation and Jurisdiction over Cyber crimes.

OR

#### Paper III: Collective Violence and Criminal Justice System Unit I

##### 1. Introductory

- 1.1. Notions of "force", "coercion", "violence"
- 1.2. Distinction: "Symbolic" violence, "Institutionalized" violence, "Structural violence"
- 1.3. Legal order as a coercive normative order
- 1.4. Force-monopoly of modern law
- 1.5. "Constitutional" and "criminal" speech: Speech as incitement to violence
- 1.6. "Collective political violence" and legal order
- 1.7. Notion of legal and extra-legal "repression"

##### Unit II

##### 2. Approaches to Violence in India

- 2.1. Religiously sanctioned structural violence: Caste and gender based.
- 2.2. Ahimsa in Hindu, Jain, Buddhist, Christian, and Islamic traditions in India.
- 2.3. Gandhiji's approach to non-violence
- 2.4. Discourse on political violence and terrorism during colonial struggle

- 2.5. Attitudes towards legal order as possessed of legitimate monopoly over violence during the colonial period.

##### Unit III

##### 3. Agrarian Violence and Repression

- 3.1. The nature and scope of agrarian violence in the 18-19 centuries India.
- 3.2. Colonial legal order as a causative factor of collective political (agrarian) violence
- 3.3. The Telangana struggle and the legal order
- 3.4. The Report of the Indian Human Rights Commission on Arwal Massacre
- 3.5. Violence against the Scheduled Castes

##### Unit IV

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#### 4. Violence against the Scheduled Castes

- 4.1. Notion of Atrocities
- 4.2. Incidence of Atrocities
- 4.3. Uses of Criminal Law to combat Atrocities or contain aftermath of Atrocities
- 4.4. Violence Against Women.

#### Unit V

#### 5. Communal Violence

- 5.1. Incidence and courses of "communal" violence
- 5.2. Findings of various commissions of enquiry
- 5.3. The role of police and para-military systems in dealing with communal violence
- 5.4. Operation of criminal justice system tiring, and in relation to, communal violence.

**Note:** Choice of further areas will have to be made by the teacher and the taught.

#### Group V: International Law

#### Paper I: Law of Treaties

##### Unit I

Concept of treaty in International Law; Nature, Scope and Importance of treaty; Historical Background of the Law of Treaty.

##### Unit II

Capacity

Conclusion and Entry into Force.

##### Unit III

Reservation

Problem of Unequal Treaty

Interpretation

##### Unit IV

Jus cogens

Amendment

Invalidity

##### Unit V

Termination and Suspension

Rebus Sic Stantibus

Succession.

OR

#### Paper I: Diplomatic and Consular Relations

##### Unit I

1. Meaning, definition, evolution and development of diplomatic and consular law.
2. The Vienna Convention on Diplomatic Relations, 1961.
  - (a) The inviolability of the premises of the diplomatic mission.
  - (b) Diplomatic immunities- personal and property.
  - (c) Waiver of immunity.

##### Unit II

3. Consular privileges and immunities: The Vienna Convention on Consular Relations, 1963.
4. The Convention on Special Missions, 1969.

##### Unit III

5. The Vienna Convention on the Representation of States in their Relations with International Organizations of a Universal Character.
6. The Immunities of international organizations.

##### Unit IV

7. Internationally protected persons.

##### Unit V

8. Diplomatic law and Indian State practice

OR

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### Paper I- Law Relating to Outer Space

The Course shall comprise of the following:

#### Unit I

1. The concept, substance and subject matter of International space law.
2. The History and development of space law.

#### Unit II

3. Sources of international space law.
4. Fundamental principles of International space law.

#### Unit III

5. Legal statue of space objects
6. Liability convention.

#### Unit IV

7. The Moon Treaty.
8. The regulation of various aspects of space activities include remote sensing, space communication, dire of television broadcasting satellites.

#### Unit V

9. Protection of the outer space environment
10. Outer space law and India.

### Paper II- International Court of Justice

#### Unit I

1. International adjudication in a historical perspective.
2. International Court of Justice- a principal organ and principal judicial organ of the United Nations.

#### Unit II

3. Organization and Structure of the ICJ.
4. The jurisdiction of the Court-general

#### Unit III

5. Contentions jurisdiction voluntary of jurisdiction compulsory jurisdiction, reservation and reciprocity. Transferred jurisdiction, forum prorogatum.
6. Sources of law, propriety and legal interest.

#### Unit IV

7. Provisional measures, non-appearance, and third party intervention.
8. The advisory jurisdiction of the ICJ.

#### Unit V

9. Enforcement of the judgments and advisory opinions.
10. The Role of the Court.

OR

### Paper II: International Arbitration

#### Unit I

Growth of the idea of international arbitration and justice, difficulties of its realization.  
History of the institution of international arbitration (since 1875).

#### Unit II

The composition of arbitral Tribunals, types of disputes submitted to arbitral tribunals, procedure and rules applied by arbitral tribunals, admissibility or in admissibility of appeal.

#### Unit III

Diverse fields of arbitral awards: state territory, the individual, international delinquencies, treaties.  
The efficacy of arbitral awards.

#### Unit IV

The Immunities of international Organizations.  
Internationally protected persons.

#### Unit V

Diplomatic Law and Indian State practice.

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## Paper II Law of Seas

### Unit I

1. Evolution and Recent Developments
2. Territorial Sea and Contiguous Zone

### Unit II

3. Continental Shelf
4. Exclusive Economic Zone (EEZ)

### Unit III

5. High Seas

### Unit IV

6. Landlocked States
7. Exploration, Exploitation and Management of the Resources of the International Sea-bed Area

### Unit V

8. Protection and Preservation of Marine Environment

## Paper III- India and International Law

The course is designed to acquaint the student with the Indian state practice on major aspects of international law. It comprises the following:

### Unit I

1. International law in ancient, medieval and British India.
2. Relationship between International law and municipal law.

### Unit II

3. Recognition.
4. Territorial and boundary disputes.

### Unit III

5. Human rights, humanitarian law and refugee protection.

### Unit IV

6. International crimes including terrorism.

### Unit V

7. Use offeree: validity of Indian's actions in Kashmir, Goa and Bangladesh.
8. India and WTO.

## Group VI - Contract and Insurance

### Paper I: General Principles of Contract.

#### Unit I

1. Formation of Contract: A critical study of offer and acceptance.
2. Doctrine of Consideration and Privity of Contract

#### Unit II

3. Capacity to contract: Nature of minor's agreements and the doctrine of restitution.

#### Unit III

4. Consent: Meaning, importance and the factors vitiating free consent with special reference to Fraud and Misrepresentation.
5. Standard form Contracts.

#### Unit IV

6. Void Agreements: With special reference to agreements relating to restraint of trade and wagering agreements.
7. Discharge of contracts with special reference to the doctrine of frustration.

#### Unit V

8. Relations resembling those created by contract.
9. Remedy in the form of compensation.

OR

### Paper-I: Law of Export and Import Regulation

#### Unit I

1. **Introduction:** State control over import and export of goods- from rigidity to liberalization, Impact of regulation on economy.



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## 2. The Basic Needs of Export and Import Trade: Goods, Services, and Transportation

### Unit II

3. **International Regime:** WTO agreement, WTO and Tariff restrictions, WTO and nontariff restrictions, Investment and transfer of technology, Quota restriction and antidumping. Permissible regulations. Quarantine regulation. Dumping of discarded technology and goods in international market, Reduction of subsidies and counter measures.

4. **General Law on Control of Imports and Exports:** General scheme Legislative control, Power of control : Central Government and RBI, Foreign Trade Development and Regulation Act 1992, Restrictions under customs law, Prohibition and penalties, Exportimport formulation: guiding features, Control under FEMA, Foreign exchange and currency, Import of goods, Export promotion councils, Export oriented units and export processing zones.

5. **Control of Exports:** Quality control, Regulation on goods, Conservation of foreign • exchange, Foreign exchange management, Currency transfer, Investment in foreign countries.

### Unit III

6. **Exim Policy:** Changing Dimensions: Investment Policy: NRIs, Fils (foreign institutional investors), FDIs, Joint venture, Promotion of foreign trade, Agricultural products, textile and cloths, Jewellery, Service sector.

7. **Law Relating to Customs;** Prohibition on important and exportation of goods, Control of Smuggling activities in export-import trade, Levy of and exemption from, customs duties, Clearance of imported goods and export goods, Conveyance and warehousing of goods

### Unit IV

8. **Regulation on Investment:** Borrowing and lending of money and foreign currency, Securities abroad- issue of, Immovable property- purchase abroad, Establishment of business outside, Issue of derivatives and foreign securities- GDR (global depositories receipts), ADR (American Depository receipts and Euro, Investment in Indian banks, Repatriation and surrender of foreign securities.

### Unit V

9. **Technology Transfer:** Restrictive terms in technology transfer agreements, Automatic approval schemes.

## Paper II: Specific Contracts

### Unit I

Contract of Indemnity: Definition and nature of contract of indemnity. Extent and commencement of liability

### Unit II

Contract of Guarantee: Meaning and Essentials of Contract of Guarantee, Extent of Surety's Liability, Discharge of Surety's Liability, Rights of Surety

### Unit III

Contract of Bailment & Pledge: Meaning and Essentials of Contract of Bailment, Duties of Bailer and Bailee, Rights of Bailee, Meaning and Essentials of Pledge and persons entitled to pledge.

### Unit IV

Contract of Agency: Nature and Essentials of Contract of Agency; Creation of Agency: Implied Agency and Agency of Necessity.

### Unit V

Agency by Ratification, Termination of Agency.

OR

## Paper II- Corporate Finance

### Unit I

1. **Introduction:** Meaning, importance and scope of corporation fiance, Capital needs- capitalization- working capital - securities-borrowings-deposits debentures, Objectives corporation finance- profit maximization and wealth maximization, Constitutional perspectives- the entries 37, 38, 43, 44, 45, 46, 47,

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52, 82, 85 and 86 of List 1- Union List, entry 24 of List 11- State List.

2. **Equity Finance:** Share capital, Prospectus- information disclosure, Issue and allotment. Shares without monetary consideration, Non-opting equity shares

**Unit II**

3. **Debt Finance:** Debenture, Nature, issue and class, Deposits and acceptance, Creation charges, Fixed and floating charges, Mortgages, Convertible debentures.

**Unit III**

4. **Conservation of Corporate Finance:** Regulation by disclosure, Control on payment of dividends, Managerial remuneration, Payment of commissions and brokerage, Inter corporate loans and investment, Payback of shares, Other corporate spending.

**Unit IV**

5. **Protection of creditors:** Need for creditor protection, Preference in payment, Rights in making company decisions affecting creditor interests, Creditor self-protection, Incorporation of favourable terms in lending contracts. Right to nominate directors, Control over corporate spending.

**Unit V**

6. **Protection of Investors:** Individual share holder right, corporate membership right, Derivative actions, Qualified membership right, Conversion, consolidation and reorganization of shares, Transfer and transmission of securities, Dematerialization of securities.

**Paper III: Laws of Insurance**

**Unit I**

1. Nature and definition of Contract of Insurance. Definition of Contract of Insurance. Contract is 'Aleatory', Contract of utmost good faith.

**Unit II**

Contract of indemnity.

Contract of Wager.

**Unit III**

2. Insurable interest:

- (a) Nature of insurable interest
- (b) Time or duration of interest
- (c) Insurable interest and Life insurance.
- (d) Insurable interest and Fire insurance.

**Unit IV**

3. The Risk:

- a) Meaning of risk
- b) Scope of risk
- c) Application of rule in various classes of insurance
- d) The elements of risk
- e) The alteration of the risk

**Unit V**

4. The Insurance Regulatory and Development Authority:

- a) Establishment
- b) Composition
- c) Duties, powers and functions.

OR

**Paper-III: Banking Law**

**Unit I**

1. **Introduction:** Nature and development of banking. History of banking in India and elsewhere-indigenous banking-evolution of banking in India-different kinds of banks and their functions, Multi-functional banks- growth and legal issues.

2. **Law relating to Banking Companies in India:** Controls by government and its agencies. On management, On accounts and audit, Lending, Credit policy, Reconstruction and reorganization, Suspension



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and winding up, Contract between banker and customer; their rights and duties.

## Unit II

3. **Social Control over Banking:** Nationalization, Evaluation: private ownership, nationalization and disinvestments, Protection depositors, Priority lending, Promotion of under privileged classes.

4. **Deposit Insurance:** The Deposit Insurance Corporation Act 1961: Objects and Reasons, Establishment of Capital of DIC, Registration of banking companies insured banks, liability of DIC to depositors, Relations between insured banks, DIC the Reserve Bank of India.

## Unit III

5. **The Central Bank:** Evolution of Central Bank, Characteristic and functions, Economic and social objectives, The Central Bank and the State as bankers' bank, The Reserve Bank of India as the central Bank, Organizational structure, Functions of the RBI, Regulation monetary mechanism of the economy, Credit control, Exchange control, Monopoly of currency issue, Bank rate policy formulation, Control of RBI over non-banking companies, Financial companies, Non-financial companies.

6. **Relationship of Banker and Customer:** Legal character, Contract between banker and customer, Banker's lien, Protection of bankers, Customers, Nature and type of accounts, Special classes of customers-lunatics, minor, partnership, corporations, local authorities Banking duty to customers, Consumer protection: banking as service.

## Unit IV

7. **Negotiable Instruments:** meaning and kinds, Transfer and negotiations, Holder and holder in due course. Presentment and payment, Liabilities of parties.

8. **Lending by Banks:** Good lending principles, Lending to poor masses, Securities for advances. Kinds and their merits and demerits. Repayment of loans: rate of interest, protection against penalty, Default and recovery, Debt recovery tribunal.

## Unit V

9. **Recent Trends of Banking System in India:** New technology, Information technology, Automation and legal aspects, Automatic teller machine and use of internet, Smart card. Use of expert system, Credit cards.

10. **Reforms in Indian Banking Law:** Recommendations of committees: a review

## GROUP VII: Administrative Law

### Paper I: Administrative Law I

#### Unit I

Historical Development of Administrative Law: USA, UK, France and India; Importance and Scope of Administrative Law with special reference to India; Growth of Administrative Law in India; Difference between administrative law and constitutional law

#### Unit II

Concept of Rule of Law: Historical Evolution with reference to UK & India; Rule of Law under Indian Constitution; Concept of Droit Administratif; Evolution of Doctrine of Separation of Powers; Comparative Study of Separation of Power in USA, UK, India & France

#### Unit III

Classification of Administrative Action, Administrative Instruction and Administrative Discretion, Needs for Classification; General Distinction between Legislative, Executive and Judicial Functions; Quasi-Judicial Functions.

#### Unit IV

Delegated Legislation: Historical Growth and General Principles; Forms of Delegated Legislation: Title based, Discretion based, Purpose based and Authority based classifications; Delegated Legislation in India: Pre Constitutional & Post Constitutional Period;

Constitutionality of Delegated Legislation, Excessive Delegation; Controls Mechanism of Delegated Legislation: Judicial Control, Parliamentary Control, Procedural Control.

#### Unit V

The Lokpal & Lokayukats Act, 2013: Institution of Lokayukat and Working of Lokayukats in State; Concept of Ombudsman in India, USA & United Kingdom; The Commission of Inquiry Act, 1952; Central Vigilance



Commission.

## **Paper II: Administrative Law-II**

### **Unit I:**

Principles of Judicial Review of Administrative Functions; Locus Standi to Challenge Administrative Actions; Doctrine of Legitimate Expectation: India & United Kingdom; Doctrine of Public Accountability, Doctrine of Proportionality: UK & India.

### **Unit II**

Modes of Judicial Review of Administrative Action: Writ of Mandamus, Writ of Certiorari, Writ of Prohibition, Writ of Quo-warranto; Grounds of Judicial Review of Administrative: Illegality, Irrationality, Procedural Impropriety & Proportionality; Other Constitutional Remedies: PIL or Social Action Litigation, Special Leave Petitions, Concept of Review and Curative Petition.

### **Unit III**

Rule of Nature Justice in Administrative Law; Rule of Bias, Types of Bias: Pecuniary, Personal, Official & Judicial Bias; Doctrine of Audi Alteram Partem, Speaking Orders or Reasoned Decisions; Effects of Breach of Natural Justice: Void or Voidable.

### **Unit IV**

Constitutional Protection to Civil Servants: Service Rules & Procedural Safeguards; Administrative Tribunals: History & Reasons for growth of administrative tribunals; Distinction between Administrative Tribunals & Courts; Working of Administrative Tribunals: Industrial Tribunals, Income Tax Tribunals, Central Administrative Tribunal (CAT), Consumer Commission & Bar Council; Constitutional Validity of Administrative Tribunal Act, 1985

### **Unit V**

Domestic Inquiries; Administrative Finality; Role of Declaratory Decree as Public Law Remedy; Role of Injunction as Public Law Remedy.

## **Paper III: Comparative Administrative Law**

### **Unit I**

Merits of French Administrative Law, Remedies available under French Administrative Law; Availability of Judicial Review in the United States- Doctrine of Primary Jurisdiction; Doctrine of Exhaustion of Administrative Remedies; Doctrine of Standing; Doctrine of Ripeness;

### **Unit II**

Government liability for torts committed by its employees in Great Britain, France and India; Liability of the Administration in Contracts: Constitutional Provisions; Promissory Estoppel in Great Britain and India; Statutory Public Corporations.

### **Unit III**

Statutory Public Corporation: Chief Characteristics, its Classification, Liability in Tort and Contracts, Control of Statutory Corporation; Privileges and Immunities of the Administration in Suits: Provisions of CPC s. 79-83; Immunity from Statutes Operations.

### **Unit IV**

Right to Know: a constitutional right or fundamental right; Right to Information Act, 2005; State privilege to refuse Production of documents in Courts in Great Britain and India; The Official Secrets Act, 1923 (Indian); The Freedom of Information Act, 2002.

### **Unit V**

Doctrine of Legitimate Expectation in India and Great Britain, Global Administrative Law.

OR

## **Paper III Local Self Government Law**

### **Unit I**

1. Historical Perspectives: Early period, Gram Swaraj-the Gandhian concept
2. Constitutional Scheme: Directive Principles, Structure and powers of local bodies **Unit II**
3. Legislative Powers: Direct democracy and grass root planning, Municipalities and corporation, gram Sabha

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4. Quasi-legislative Powers: Rule making power of the State Government, Regulations and Bye-laws  
5. Financial Powers: Levying taxes, Licensing power, Financial resources and powers **Unit III**  
6. Judicial and Quasi-judicial powers of the Local Bodies

**Unit IV**

7. Election to Local Bodies

**Unit V**

8. Conduct of Meetings - Corporation, Municipal Council, Panchayat Committee and Gram Sabha  
9. Institutional and Judicial Control

**Group VIII: Business Administration**

**Paper I: Business Organisation**

**Unit I**

1. Introduction: History of Company Legislation, Characteristic features of a company and Lifting the corporate veil.

2. Kinds of Companies

**Unit II**

3. Promoter- Definition and his legal position and effects of Pre-incorporation Contracts.

4. Memorandum of Association: Contents and relation with Articles of Association, Alteration of Memorandum.

**Unit III**

5. Prospectus; Meaning and consequences of Misstatements in prospectus.

**Unit IV**

6. Shares: Meaning, kinds and general principles and statutory provisions regarding Allotment of shares. Effect of irregular Allotment.

**Unit V**

7. Membership of company.

**Paper II: Business Management (Company Management & Administration)**

**Unit I**

- Qualifications, Appointment and Removal of Directors, Managing Directors and Managers.

**Unit II**

- Remuneration of Directors, Managing Directors and Managers.

**Unit III**

- Legal position of Directors and Criminal Liability of the Officers of the Company.

**Unit IV**

- Meetings of the Company- Statutory Meeting, Annual General Meeting and Extra-ordinary Meeting.

**Unit V**

- Division of powers between Company-in-General Meeting and Board of Directors. Remedies in cases of oppression and Mismanagement

- Investigations into the affairs of the Company; Company Secretary- Appointments and his Legal position; National Company Law Tribunal and Appellate Tribunal

**Paper III: Law Relating to Multinational Corporation.**

**Unit I**

- Meaning and Definition of Multinational Corporation: Problems of Definitions and Criteria of Determination.

**Unit II**

- Historical perspectives of MNC in India.

**Unit III**

- The Concept of Doctrine of Ultra-vires: a) In India b) In England and c) U.S.A. - Consequences of Doctrine of Ultra-vires.

**Unit IV**

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U.N. Commission on Transactional Corporation - 1975.

**Unit V**

5. National Regulation of MNC in India.
- a) Regulation through Company Law- 1956.
- b) Regulation through Taxation Law
- c) Regulation through FEMA-1999.

**Group-IX: Labour Management Relations**

**Paper I: Regulation of Labour Management Relations.**

**Unit I**

1. Meaning, Nature and Philosophy of Labour Management Relations.
2. An Historical and Constitutional perspective of Labour Management Relations

**Unit II**

3. State Regulatory process of Labour Management Relations in India.
4. Labour Management Regulatory processes in U.K. and USA- Its impact on India.

**Unit III**

5. Labour Management Relations and collective Bargaining.

**Unit IV**

6. The New Economic policy and its impact on Labour Management Relations in India

**Unit V**

7. Some recent trends to regulate the Labour Management Relations.

OR

**Paper I: Comparative Study of the Law Relating to Trade Unions.**

**Unit I**

1. Meaning, Concept and Nature of Trade Unions.
2. Evolution origin and growth of Trade Unions
- a) U.S.A, b) U.K. c) India

**Unit II**

3. Legal Basis of Trade Unions
- a) U.S.A. b) U.K. c) India

**Unit III**

4. Collective Bargaining and its Status
- a) U.S.A, b) U.K. c) India

**Unit IV**

5. Trade Unions and the Right to Strike

**Unit V**

6. Recent Judicial trends in the Law Relating to Trade Unions
7. Globalisation, privatization and its impact on the working of the Trade Unions.

**Paper II: Law Relating to Employment and Non Employment**

**Unit I**

1. Meaning and Concept of Employment

**Unit II**

2. Wages and Conditions of Service

**Unit III**

3. Termination of Employment

**Unit IV**

4. Termination of other than Dismissal

**Unit V**

5. Dismissal for Misconduct

  
  
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**Paper III: Law Relating to terms of Employment and Conditions of Service**

**Unit I**

1. Meaning and concept of terms of Employment and conditions of service
2. The term of employment or the conditions of labour of any person.
  - a) continuity of service
  - b) per permanency of tenure of service
  - c) Transfer

**Unit II**

3. Hours of Work
4. Work loads

**Unit III**

5. Shifts
6. Promotions

**Unit IV**

7. Increments
8. Fringe benefits

**Unit V**

9. Refusal benefits

**Group X: Taxation**

**Paper I: Constitutional and Administrative Law Problems Relating to Taxation:**

**Unit I**

1. Distinction between Tax and Fee
2. Power to levy taxes on income
3. Power to levy Excise Duties

**Unit II**

4. Taxes on Sale or Purchase of Goods
5. Residuary Power of Taxation Under Entry 97 of the Union List

**Unit III**

6. Role of Taxation in achieving the Objectives of Directive Principles
7. Taxation and Right to Equality

**Unit IV**

8. Taxation and Freedom of Trade, Commerce and Intercourse
9. Distribution of Tax Revenues
10. Inter-Governmental Tax Immunities

**Unit V**

11. Delegation of Taxing Powers
12. Judicial Review of the Orders of Tax Authorities.

**Paper II - Tax on Business & Industry**

**Unit I**

- (1) Residence of Firms
- (2) Residence of Company

**Unit II**

- (3) Business Connection
- (4) Profits and gains from business or Profession

**Unit III**

- (5) Depreciation allowance
- (6) Business Expenditure Capital Gains

**Unit IV**

- (7) Income-tax authorities & their powers with special reference to search & Seizure

**Unit V**

- (8) Procedure for assessment
- (9) Appeal & Revision.

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**Paper III- Current Tax Problems:**

**Unit I**

- (1) Assessment of Charitable Trusts
- (2) Service Tax

**Unit II**

- (3) Tax on Agricultural income.

**Unit III**

- (4) Canons of Taxation & characteristics of a good tax system.

Tax evasion & Black money- Causes & effects of Tax Evasion, Tax evasion distinguished \* with Tax Avoidance and Tax Planning.

**Unit IV**

- (6) Problems of Double Taxation.

**Unit V**

- (7) Sales Tax- its effect & desirability - Value Added Tax.

**OR**

**Paper III: Tax Accountancy**

**Unit I**

1. **Introduction:** Gross Total Income; Capital and Revenue Receipts; Methods of Accounting

**Unit II**

2. **Computation of Income under the head Salaries;**

- (i) Meaning of salary
- (ii) Deductions under Section 16
- (hi) Valuation of Perquisites:
  - (a) Valuation of Rent free accommodations
  - (b) Valuation of Accommodation provided on concessional rates
  - (c) Valuation of Motor Car facilities provided by the employer
- (d) ) Perquisites and Allowances exempted from taxation
- (v) Taxation of Gratuity and Terminal payments:
  - (a) Received by Government employees
  - (b) Received under the Payment of Gratuity Act, 1972.
  - (c) Compensations received under Industrial Disputes Act.

**Unit III**

3. **Computation of Income under the Head Income from House Property:**

- (i) Determination of Annual Value
- (ii) Concessions for newly constructed properties
- (hi) Annual value of self occupied House Property.
- (iv) Deductions from income from House Property.

4. **Computation of Income under the head Profits and Gains of Business or Profession:.**

- (i) General principles governing assessment of business income
- (ii) Basic principles governing admissibility of deductions under Sections 30 to 40 D
- (iii) Computation of some specific deductions:
  - (a) Rent, rates, taxes, repairs and insurance of building (S.30)
  - (b) Repairs and insurance of machinery, plant and furniture (S.31)
  - (c) Depreciation Allowance (S.32)
  - (d) Rehabilitation Allowance
  - (e) Expenditure on Scientific Research
  - (f) Expenditure on acquisition of patent rights or copy rights.

**Unit IV**

5. **Computation of Income under the head Capital Gains:**

- (i) Computation of Long term and short term capital gains on transfer of capital assets.
- (ii) Exemptions from capital gains.

**Unit V**

6. **Computation of income under the head Income from other sources:**

- (i) Receipts which are taxable under the head income from other sources



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- (ii) Taxation of winning from lotteries, crossword puzzles, races, card games etc.
  - (iii) Deductions under the head Income from other sources.

**Group XI: Regulated Economy:**

**Paper I: Legal Regulation of Economic Enterprises**

**Unit I**

**1. The Rationale of Government Regulation.**

1.1. Constitutional Perspectives

1.2. The new economic policy- Industrial policy resolutions, declarations and statements

1.3. The place of public, small scale, cooperative, corporate, private and joint sectors in the changing context.

1.4. Regulation of economic activities

1.5. Disclosure of information

1.6. Fairness in competition

1.7. Emphasis on consumerism

**2. Development and Regulation of Industries**

**3. Take-over of Management and Control of Industrial Units**

**Unit II**

**4. Sici Undertakings: Nationalisation or Winding Up?**

**5. Licensing Policy and Legal Process- Growing Trends of Liberalization**

**6. Deregulation of essential commodities: developmental sign or a social mishap ?**

**7. Financial Services: Changing Techniques of Regulation.**

**Unit III**

**8. Critical Issues Regarding the Capital Issues**

8.2. Equity and debt finance

8.3. Global depositories

8.4. De-materialised securities

**Unit IV**

**9. Problems of Control and Accountability: Regulation of Hazardous Activity.**

9.2. Mass disaster and environmental degradation: legal liability and legal remedies.

9.3. Public Liability Insurance: adequacy

9.4. Issues in zoning and location of industrial units.

**10. Special Aspects of Legal Regulation of Select Public Enterprises**

(Universities may select some such representative public enterprises for transport, mining and energy).

10.2. Telecom Regulatory Authority

10.3. Insurance Regulatory Authority

10.4. Broadcasting Regulatory Authority

**Unit V**

**11. Legal Regulation of Multinationals**

11.2. Collaboration agreements for technology transfer

11.3. Development and regulation of foreign investments

11.4. Investment in India: FDIs and NRIs

11.5. Investment abroad

**Paper II: Regulation of Labour Management Relations.**

**Unit I**

**1. Meaning, Nature and Philosophy of Labour Management Relations.**

**2. An Historical and Constitutional perspective of Labour Management Relations**

**Unit II**

**3. State Regulatory process of Labour Management Relations in India.**

**4. Labour Management Regulatory processes in U.K. and USA- Its impact on India.**

**Unit III**

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5. Labour Management Relations and collective Bargaining.

#### Unit IV

6. The New Economic policy and its impact on Labour Management Relations in India

#### Unit V

7. Some recent trends to regulate the Labour Management Relations.

### Paper III- Corporate Finance

#### Unit I

1. Introduction: Meaning, importance and scope of corporation finance, Capital needs- capitalization- working capital securities-borrowings-deposits debentures, Objectives corporation finance- profit maximization and wealth maximization Constitutional perspectives- the entries 37, 38, 43, 44, 45, 46, 47, 52, 82, 85 and 86 of List I- Union List, entry 24 of List 11- State List.
2. **Equity Finance:** Share; Capital, Prospectus information disclosure, Issue and allotment, shares without monetary consideration, non-opting equity shares.

#### Unit II

3. Debenture, nature issue and class, Deposits and acceptance, Creation charges, fixed and floating charges, Mortgages, Convertible debentures.
4. Managerial remuneration, Payment of commissions and brokerage, Inter-corporate loans and investment, Pay-back of shares, Other corporate spending.

#### Unit III

5. **Protection of creditors:** Need for creditor protection, Preference in payment, Rights in making company decisions affecting creditor interests, Creditor Self-protection, Incorporation of favourable terms in lending contracts, Right to nominate directors, Control over corporate spending.

#### Unit IV

6. **Protection of Investors:** Individual share holder right, Corporate membership right, Derivative actions, Qualified membership right, Conversion, consolidation and reorganization of shares, Transfer and transmission of securities. Dematerialization of securities.
7. **Corporate Fund Raising:** Depositories- IDR (Indian depository receipts), ADR (American depository receipts), GDR (Global depository receipts) Public financing institutions IDBI, ICICI, IFC and SFC, Mutual fund and other collective investment schemes, Intitutional investments LIC, UTI and Bank, FDI and NR1 investment- Foreign institutional investments (IMF and World Bank)

#### Unit V

8. **Administrative Regulation on Corporate Finance:** Inspection of accounts, SEBI, Central government control, Control by register of companies, RBI control.

### Group XII: Administration of Justice:

#### Paper I: Law Relating to Jurisdiction and Systems of Courts in India.

##### Unit I

1. Administration of Justice in Madras, Bombay and Calcutta up to 1726.
2. Mayor's Court, 1726.
3. Adalat System and its Re-organization.

##### Unit II

4. Supreme Court created under the Regulating Act, 1773.
5. High Courts created under the Indian High Courts Act, 1861.

##### Unit III

6. Privy Council
7. Federal Court under the Govt. of India Act, 1935.

##### Unit IV

8. High Court and Supreme court under the Constitution of India.
9. Sub-ordinate Civil Judicature and Criminal Judicature.



**Unit V**

10. Village Panchayat Courts
11. Revenue Courts
12. New Dispute Redressal Machinery: Lok-Adalats, Family Courts and Tribunals, e.g. CAT

**Paper II: Law Relating to Procedure and Proof:****A. Civil:****Unit I**

1. Jurisdiction of Civil Courts and Place of Suing
2. Res Sub-judice, Res Judicata and Foreign Judgment
3. Suit - Institution of, Essentials of, Parties of; Representative Suit and Special Suits e.g. against Government, Minors lunatics and indigent

**Unit II**

4. Pleadings - Complaint and Written Statement
5. Issue - Meaning, Framing, kinds and importance
6. Withdrawal and Compromise of Suits

**Unit III**

7. Effect of Death, Marriage and Insolvency of Parties
8. Trial, Judgment, Decree and its execution
9. Appeal, Reference, Review and Revision
8. Inherent Powers of Courts

**Unit IV****B. Criminal:**

1. General principles relating to Fair Trial
2. Classes of Criminal Courts and Powers
3. Arrest, Search and seizure
4. Investigation by Police
5. Local Jurisdiction of Courts and cognizance
6. Bail
7. Withdrawal of Criminal Case
8. Charge and Trial
9. Appeal, Reference and Revision
10. Execution, Suspension, Remission and Commutation of Sentence

**Unit V****C. Proof:**

1. Nature and Function of Law of Evidence
2. Relevancy of Facts and Admissibility
3. Proof and Burden of Proof

**Paper III: Law Relating to Relief****Unit I**

1. Constitutional Relief: writs- Habeas, corpus, Mandamus, certiorari Prohibition and Quo-warranto.

**Unit II**

2. Recovery of Possession- Movable and immovable property.
3. Specific Performance of Contract

**Unit III**

4. Rescission of contract
5. Rectification & cancellation of Instruments

**Unit IV**

6. Declaration Decree
7. Preventive Relief- Injunctions

**Unit V**

8. Damages: Types, Remoteness and Measure of Damages
9. Bar on Relief: General Law relating to limitation

### GROUP XIII: Human Rights

#### Paper I: International Law of Human Rights

The course shall comprise of the following:

##### Unit I

1. **International Concern:** Protection of Individual in International LaW; League of Nations; War Crime Trials.

##### Unit II

2. Human Rights and the United Nations Charter:
  - (a) Normative and Institutional Framework of the UN
  - (b) Role of the permanent organs of the UN, Human Rights Commissions, UN High Commissioner for Human Rights

##### Unit III

3. Universal Declaration on Human Rights:
  - (a) History of the Declaration
  - (b) Structure of the Declaration
  - (c) Legal Significance

##### Unit IV

4. International Covenants: ICCPR and ICESCR
  - (a) Nature and Characteristic
  - (b) Optional Protocols

##### Unit V

5. Regional Instruments
  - (a) European Convention on Human Rights
  - (b) American Convention on Human Rights
  - (c) African Charter on Human and People's Rights
  - (d) Asia and Human Rights

#### Paper II: International Humanitarian Law

The course shall comprise of the following:

##### Unit I

1. **Introduction :** Nature, Basic Principles; Historical Development since 1899

##### Unit II

2. Protection of Victim of War- Wounded, Sick;

##### Unit III

Shipwrecked; and Prisoners of War

##### Unit IV

3. Implementation of International Humanitarian Law

##### Unit V

4. Role of the International Committee of the Red Cross in Implementation of International Humanitarian Law.

  
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OR

**Paper II: Human Rights and the Refugees**

The course shall comprise of the following:

**Unit I**

1. **Introduction** : Determination of Refugee Status under the Refugee Convention of 1951 and Protocol of 1967.

**Unit II**

2. Human Rights of the Refugees

**Unit III**

3. Solution to Refugee Problem:
  - (a) Resettlement in Third Country
  - (b) Local Integration
  - (c) Voluntary or Forced Repatriation
  - (d) Comprehensive Responses

**Unit IV**

4. Contemporary Developments in Refugee Law
  - (a) International Burden Sharing
  - (b) International Safe Countries Burden
  - (c) Temporary Protection
  - (d) Environmental refugees
  - (e) Safety Zones

**Unit V**

5. Internally Displaced Persons: UN Guiding Principles on Internal Displacement 1998.
6. Refugee Law and Policy in India.

**Paper III: Human Rights in India**

**Unit I**

1. History and Development of Human Rights in Indian Constitution. Constitutional Philosophy. Preamble, Fundamental Rights- General.

**Unit II**

2. Right to Equality: Gender Justice and Empowerment of Women. Special provisions for Weaker Sections of society Reservation Policy under the Constitution.

**Unit III**

3. Freedom of Speech and Expression. Freedom of Press. Limitations, Right to Information.
4. Right to Life and Personal Liberty. New Dimension. Judicial approach.
5. Right to Freedom of Religion. Secularism. Protection to Minorities under the Constitution.

**Unit IV**

6. Implementation and Enforcement Mechanism of Human Rights in India. Remedies provided by the Judiciary and National Human Rights Commission.
7. Fundamental Duties. Article 51-A of the Constitution concept and need of Fundamental Duties. Enforcement and Effectuation of Fundamental Duties.

**Unit V**

8. Emerging regime of new human rights in India. Taking guidance from Directive Principles of State Policy and Fundamental Duties. New Approach.

**Group XIV: Environmental Law**

**Paper I International Environmental Law**

**Unit I**

1. Basic features of International Environmental Law and its evolution.

**Unit II**

2. The landmarks in International Environmental Law- a Journey from Stockholm to Johannesburg

**Unit III**

3. Important conventions concerning Protection and Conservation of Environment: Vienna Convention and Protocol on the Depletion of Ozone Layer, Convention and Protocol on Climate Change,

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Chemical Weapons convention, Basel Convention,, and Regulation of Hazardous Waste Convention on Biological Diversity

#### Unit IV

4. Regulation of Transboundary pollution with special reference to Industrial Accidents and Air Pollution.

#### Unit V

5. Impact of International Environmental Law on Indian Law with special reference to Principles of Environmental Protection.

### Paper II: Natural Resource and the Law in India

#### Unit I

1. Protection of Wild Life- with special reference to authorities, sanction and remedies under Wild Life (Protection) Act, 1972.

#### Unit II

2. Protection and conservation of Forest- with special reference to Authorities, sanctions and remedies under Forest Act, 1927 and Forest Conservation Act, 1980. ]

#### Unit III

3. Conservation of Fresh water and Ground water. Coastal Zone Management under the Environment (Protection) Act, 1986 and other relevant Statutes.

#### Unit IV

4. Protection and Conservation of Biodiversity with special reference to Biodiversity Act 2002.

#### Unit V

5. The scope and Limit of PIL to protect the natural resources- (Special emphasis shall be placed on directions issued by the Supreme Court of India from time to time).

### Paper III: Pollution Control Laws in India

#### Unit I

1. Constitutional Mandate and Environment with special reference to Article 32 and 226. (emphasis shall be given on use of PIL as a tool to provide environmental justice)

#### Unit II

2. Comparative Study of Water Act, 1974, the Air Act, 1981 and the Environment (Protection) Act, 1986 with special reference to authorities mechanism and sanctions

#### Unit III

3. Efficacy of Remedies - Section 133 Criminal Procedure Code, Public Liability Insurance Act, 1991, National Environmental Tribunal Act, 1995, National Environment Appellate Authority Act, 1997, Citizens' Suit provisions, remedies under Civil Procedure Code, 1908.

#### Unit IV

4. Specific Environmental Problems and Legal Responses- special emphasis shall be placed on rules and notification framed under the Environment (Protection) Act, 1986. (Rules and Notifications shall be prescribed each year)

#### Unit V

5. Environment Impact Assessment and People's Participation, EIA and Public Hearing under the Environment Protection Act, 1986.

### Group XV: Intellectual Property

#### Paper I. Copy Right: National and International Perspective — \*1 Q Unit I

1. Aims, Objectives and Range of Copy Right
2. Works in which Copy Right Subsists

#### Unit II

3. Infringement of Copy Right
4. Property Rights and Exploitation

#### Unit III

5. Copy Right: particular cases

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**Unit IV**

6. Statutory Laws in India

**Unit V**

7. International Conventions.

**Paper 2. Trade Marks, Design and Geographical Indications****Unit I**

1. Underlying Themes
2. Historical Development

**Unit II**

3. The purpose of protection
4. Common Law Liability

**Unit III**

5. Registration, its procedure, its implications

**Unit IV**

6. Statutory Laws in India

**Unit V**

7. International Conventions

**Paper 3. Patents and Protection of Plant Varieties and Farmers' Rights —\* 3»o'7- Unit I**

1. Growth and Purpose
2. Grant and Content

**Unit II**

3. Validity
4. Scope of Monopoly

**Unit III**

5. Property Rights and Exploitation

**Unit IV**

6. Statutory Laws in India

**Unit V**

7. International Conventions

**Group XVI: Law Science and Technology****Paper I: Law, Technology Biotechnology and Medicine****Unit I**

1. Interface of science and technology with law. Frontiers of New Technologies

**Unit II**

2. Science, Technology and Human Rights.

**Unit III**

3. Legal aspects of Medicine and Medical Technology

- 3.1 Organ Transplantation
- 3.2 Medical Termination of Pregnancy.
- 3.3 Surrogate motherhood
- 3.4 Euthanasia
- 3.5 Sex- determination Techniques.

**Unit IV**

4. Law and Biotechnology, Bio- technology and Human Health

- 4.1 Genetic Markers: Diagnostic biotechnology
- 4.2 Conquest of disease
- 4.3 Genetic screening: Prevention of genetic disease and mental retardation
- 4.4 Genetic screening: Uses and abuses of amniocentesis
- 4.5 Cloning of human beings.
- 4.6 Obsolescence and resilience of law.

**Legal Regulation of Biotechnology**

1. Regulation of government sponsored research

2. Regulation of Private R & D
3. Regulation of deliberate release of genetically mutated micro-organisms
4. Regulation of accidental release of genetically mutated micro-organisms
5. Comparative perspective
6. U.S.A.

#### Unit V

#### 5. Law and Medicine

### Paper II: Information Technology and Legal Order

#### Unit I

1. Introductory:
2. Interface between laws information technology

#### Unit II

3. Printing, Radio & Television.
4. Remote Sensing

#### Unit III

5. Growth of Computer Science and Television.
6. Artificial intelligence and Human Resources
7. The Law: Intellectual Property

#### Unit IV

8. Law relating to protection of computer software
9. Information Technology Act.
10. Law Relating to patenting of hardware
11. Regulation of Transfer of computer technology (Unfair Means, Restrictive Trade

#### Unit V

12. Computer fraud
13. Computer non-feasance and liability for damages
14. Computer Systems and Renovation of Legal Order

### Paper III- Nuclear Technology: Dilemmas of Legal Controls.

#### Unit I

1. Introduction
2. Nuclear Fission/Fusion.
3. Radioactivity
4. Fission product and half-life measure
5. "Thermal" and "Fast" reactors
6. Heavy-water reactors.

#### Unit II

7. Nuclear fuel
8. Development in Civilian Uses of Nuclear Energy
9. "Atoms for Peace" and International Atomic Energy Commission (IAEA)
10. The European Atomic Energy Community (EUROTAM)
11. Development of nuclear industry at a global level.
12. India's Atomic Energy Programme
13. India's overall energy needs and planning
14. India's Nuclear Energy Programme
15. The Atomic Energy Commission Act
16. Technology transfer and India's nuclear programme

#### Unit III

1. Hazard Aspects of Nuclear Power
2. Plant Location: Problems of Sites
3. Uranium mining associated hazards
4. Accidents Potential: e.g. fuel failure recirculation pump failures, control valve leaks, failure of shut-down device, metal failure, of electronic monitoring and control systems.
5. Containment facilities



6. Occupational hazards for workers at research institutes and nuclear plants

#### **Unit IV**

1. The Regime of legal liability including:
2. Right to information as to levels of radioactivity
3. Right to compensation
4. Right to meaningful "rehabilitation"

#### **Other Associated Hazards and Other Management**

1. The nature and magnitude of nuclear wastes
2. Reprocessing
3. Entombment
4. Low level wastes and High Level Wastes
5. Reprocessing of wastes
6. Vitrification
7. Dumping

#### **Unit V**

##### **Legal Aspects**

1. Secrecy
2. Minimum public participation
3. Right to information
4. Regimes of liability for mass disasters and personal injuries
5. Environmental: Law regulation of the hazardous aspects of nuclear energy production.

#### **Group XVII: Jurisprudence**

##### **Paper I: Theories of Law (including Feminist Theory)**

The course shall comprise of the following:

##### **Unit I**

1. Definition, nature and scope of legal Theory Importance of the study of legal theory.
2. Analytical positivism- Austin: Keisen and Hart

##### **Unit II**

3. Savigny's Theory of Volk-geist, and Maine's Theory of status to contract
4. National Law theory

##### **Unit III**

5. Philosophical theory- Kant and Hegel
6. A Theory of social engineering

##### **Unit IV**

7. American Realism
8. Relationship between law and morality

##### **Unit V**

9. Feminist theories- liberal, socialist and Radical feminism.
10. Marxian they of law.

##### **Paper II: Theories of Justice**

##### **Unit I**

The concept of justice: Meaning, Nature and varieties of justice- views of Marx, Austin, Kelson, Allen and Karl Renner

##### **Unit II**

The basis of justice: The liberal Contractual tradition,

##### **Unit III**

The liberal utilitarian tradition- the liberal moral tradition, the socialist tradition.

##### **Unit IV**

Relation between law and justice and Law & Morality

##### **Unit V**

Equivalence theories  
Dependency theories  
The Independence on Justice theories

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### Paper III Theories of Rights

The course shall comprise of the following:

#### Unit I

1. Classification and categorization of Rights types of rights, correlation of rights with duties

#### Unit II

2. History of legal discourse on rights

#### Unit III

3. Nature of rights: views of Dworkin, David Lyons, Robert Nozick, Allen Buchanan. Concepts of natural and absolute rights.

#### Unit IV

4. Structure of rights; correlation of rights with other legal concept, generation of rights.

#### Unit V

5. The basis of rights.

### Group XVIII: New Economic Law: W.T.O. in Context

#### Paper I Development and Regulation of International Trade Unit I

1. W.T.O. Its Birth and Background
2. W.T.O. The Structural Dimension

#### Unit II

3. W.T.O. Dispute Settlement Mechanisms
4. Legal Frame Work of GATT 1994.

#### Unit III

5. W.T.O. Agreement on Agriculture
6. W.T.O. Agreement on Textile and Clothing "

#### Unit IV

7. Agreement on Sanitary and Phyto sanitary Measures.
8. Agreement on Technical Barriers to Trade

#### Unit V

9. TRIPS Agreement
10. General Agreement on Trade in Service

### Paper II: Legal Regulation of Economic Enterprises

#### Unit I

##### 1. The Rationale of Government Regulation.

- 1.1. Constitutional Perspectives
- 1.2. The new economic policy- Industrial policy resolutions, declarations and statements
- 1.3. The place of public, small scale, cooperative, corporate, private and joint sectors in the changing context.
- 1.4. Regulation of economic activities
- 1.5. Disclosure of information
- 1.6. Fairness in competition
- 1.7. Emphasis on consumerism

2. Development and Regulation of Industries
3. Take-over of Management and Control of Industrial Units
4. Sic Undertakings: Nationalisation or Winding Up?

#### Unit II

5. Licensing Policy and Legal Process- Growing Trends of Liberalization
6. Deregulation of essential commodities: developmental sign or a social mishap ?
7. Financial Services: Changing Techniques of Regulation.
8. Critical Issues Regarding the Capital Issues
1. Equity and debt finance
2. Global depositories



3. De-materialised securities

#### Unit IV

9. Problems of Control and Accountability: Regulation of Hazardous Activity.

9.1. Mass disaster and environmental degradation: legal liability and legal remedies.

9.2. Public Liability Insurance: adequacy

9.3. Issues in zoning and location of industrial units.

10. Special Aspects of Legal Regulation of Select Public Enterprises: One or two Authorities shall be prescribed each year from the following:

10.1. Telecom Regulatory Authority

10.2. Insurance Regulatory Authority

10.3. Broadcasting Regulatory Authority

#### Unit V

11. Legal Regulation of Multinationals

11.1. Collaboration agreements for technology transfer

11.2. Development and regulation of foreign investments

11.3. Investment in India: FDIs and NRIs

11.4. Investment abroad

### Paper III: Legal Regulations of International Trade

#### Unit I

1. W.T.O. Competition Policy

2. W.T.O. and Labour Standards

#### Unit II

3. Trade and Environment Issues in the WTO

#### Unit III

4. WTO Trade and Investment

5. Agreement on Import-Licensing Proceeding

#### Unit IV

6. Agreement on Pre-shipment Inspection

#### Unit V

7. Developing Countries in the GATT/WTO

### Group XIX: Alternate Dispute Resolution System

#### Paper I: Domestic and International Commercial Arbitration.

##### Unit I

(i) Existing Justice Delivery System in India- Effectiveness and Menances

(ii) Reform in the Legal System for Achieving Effective and Speedy Resolution of Dispute.

(iii) Historical Background of the Arbitration Arbitration Agreement

##### Unit II

(iv) Composition & Jurisdiction of Arbitral Tribunal

(v) Conduct of Arbitral Proceedings

##### Unit III

(vi) Making of Arbitral Award and Termination of Proceedings

##### Unit IV

(vii) Recourse Against Arbitral Award.

(viii) Finality & Enforceability of Arbitral Award.

##### Unit V

(ix) Appealable Orders & Miscellaneous provisions.

#### Paper II: Enforcement of Foreign Award and Conciliation in India.

##### Unit I

(i) Enforcement of Foreign Award under New York Convention Award.

- (ii) Enforcement of Foreign Award under Geneva Convention Award.

## Unit II

(iii) Meaning of Conciliation Commencement of Conciliation Proceedings and appointment of Conciliator.

(iv) Statements to Conciliation(s)

## Unit III

(iv) Role of Conciliator(s)

(v) Conduct of Conciliation Proceeding

## Unit IV

(vi) Settlement agreement & its Status and Effect.

(vii) Protection for conciliation Proceeding

## Unit V

(viii) Public Interest Litigation.

(a) Liberalization of Locus Standi Doctrine

(b) Dilution of Ubi Jus Ibi Remedium Doctrine

## Paper III: Mediation, Lok Adalats and Consumer Forums etc.

### Unit I

(i) Various Modes and Processes of Alternative Dispute Resolution System.

(ii) Meaning of Mediation- Distinction between Arbitration, Conciliation and Mediation and negotiation. Interest Based Versus Right Based Mediation.

### Unit II

(hi) Conduct of Mediation Proceeding

(a) Opening Statement of Mediator

(b) Opening Statement of Party.

### Unit III

(iv) Mediation Agreement or Termination of Mediation Proceeding.

(v) Common Error of Mediation Advocacy.

### Unit IV

(vi) Lok Adalats: Temporary and Permanent.

(a) Constitution, Jurisdiction, Powers

(b) Procedure Remedy Provided.

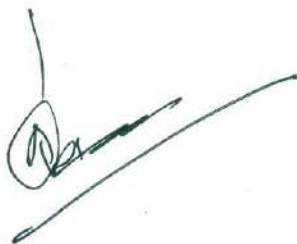
### Unit V

(vii) Consumer Forums under the Consumer Protection Act.

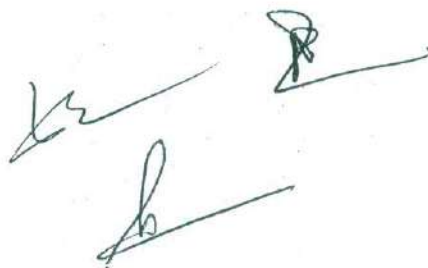
(a) Constitution, Jurisdiction, Power and Procedure.

(b) Remedy Provided.

(viii) Administrative Tribunals.



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