

**GONDWANA UNIVERSITY  
GADCHIROLI**

**FACULTY OF LAW**

**MASTER OF LAWS (LL.M)  
(CHOICE BASED CREDIT SYSTEM)**

**DETAILED SYLLABUS OF  
3<sup>RD</sup> AND 4<sup>TH</sup> SEMESTERS**

## **THIRD SEMESTER**

### **FOUNDATION COURSE-01**

#### **COURSE CODE: PLFC01**

#### **COMPUTER**

##### **Unit I**

##### **Computer Concepts & Number System**

History Of computers, Areas of Application, Computers and its components, Advantages and Disadvantages of Computer, Application Software and System Software, The Memory Hierarchy and Cache Memory, Non-Positional number systems, Positional number systems, Conversion from one number system to another.

##### **Unit II**

##### **IT & Computer Networks**

Brief history and development of internet, WWW, Internet Architecture – Servers, Browsers, URL; Service Providers – Shell Account, TCP/IP internet services and application – E Mail, education, financial service, e-Commerce, banking, shopping, advertising, e-governance. Application of Computer: Business and Industry, Virus - Types of Viruses, Anti-Virus, Firewall and Anti-Spy ware Utilities. Computer communication, wireless communication, need for networks, forms of data communication – analog, digital; data transmission modes, data transmission media (Twisted pair, co-axial, Fiber Optic, Microwave, Satellite communication), Types of network - LAN, WAN, MAN, concept of Network topology, types of topologies, advantages & limitations.

##### **Unit III**

##### **Cyber Forensic**

Cyber Forensic: Introduction, Conventional Crime, Cyber Crime, Reasons for Cyber Crime. Classification of Conventional and Cyber Crime, Distinction between Conventional and Cyber Crime, Cyber Criminal Mode and Manner of Committing Cyber Crime, Computer crime prevention measures.

Investigation of Cyber Crimes: Role of computer in crime, role of computer forensic investigator, responsibility of computer forensic investigator, Investigation of malicious applications, Agencies for investigation in India, their powers and their constitution as per Indian Laws, Procedures followed by First Responders; Evidence Collection and Seizure Procedures of Digital mediums, Evidence Collection and Transportation, Data Acquisition, Data Analysis, Reporting. Some Data Recovery Tools.

##### **Unit IV**

##### **Ethical Hacking & Mobile Security**

Introduction, Hacking impacts, Security Threats, Vulnerability, Vulnerability Analysis, Exploitation Detection, Example of Exploitation, Password Security – Types of Password, Setting up Password, Password Basics & Limitations Wireless Handheld Devices, Mobile Service Provider, Radio Communication, Wireless Access Point, Wireless Network (WLAN), Wi-Fi,

Bluetooth, Types of Mobile Virus, Worms and Trojan Horse, Mobile related crimes, Tools and Techniques for detecting mobile crime.

### **Unit V**

**Introduction to Disk Operating System (DOS):** File types, Directory Structure, Booting - Warm and Cold Booting, Types of DOS commands (Internal and External), Directory commands, Commands related to file management, General commands, batch commands, wild card characters & its use. **Introduction to Windows Operating System:** Advantages of windows operating system, GUI, use of help features, changing system settings, system tools, use of run command, setting peripherals, drivers, editing graphics in windows, new features in windows XP/Vista versions. **Introduction to UNIX Operating System:** History of UNIX File System: Pdp- 11 UNIX, Portable UNIX, Berkeley Unix, Standard Unix, Linux. Overview Of Unix, Processes In Unix Memory Management In Unix, I/O In Unix, Security In Unix.

<b>Internal Assessment :</b>	<b>20</b>
<b>Theory :</b>	<b>80</b>

CORE-9

COURSE CODE: PLC09A

PRIVATE INTERNATIONAL LAW-1

## Private International Law – I

1. Scope and Nature of Private International Law
2. Theories of Private International Law
3. Consecutive stages in conflicts, law proceedings, characterization, Renvoi and Choice of Law
4. Jurisdiction:
  - 1) Jurisdiction of Courts
  - 2) Domicile and Nationality
  - 3) Stay of suits and forum convenience clauses
5. Exclusion of Foreign Law and Sovereign Immunity
6. Recognition and Enforcement of Foreign Judgment and Foreign Arbitral Awards

### Books Suggested for Reading.

- 1) Dicey: Conflict of Laws.
- 2) Cheshire: Private International Law.
- 3) Paras Diwan : Private International Law, Indian & English.

<b>Internal Assessment :</b>	<b>20</b>
<b>Theory :</b>	<b>80</b>

CORE-10

COURSE CODE: PLC10A

## Private International Law – II

1. Family Law:
  - 1) Marriages
  - 2) Matrimonial Causes
  - 3) Legitimacy and Legitimization
  - 4) Adoption
  - 5) Guardianship and Custody
2. Law of Property:
  - 1) Movable and Immovable Property
  - 2) Transfer of Tangible Movables
  - 3) Assignment of Intangible Movables
  - 4) Insolvency
  - 5) Succession
3. Law of Obligations:
  - 1) Contracts
  - 2) Torts

### Books Suggested for Reading:

- 1) Dicey : Conflict of Laws.
- 2) Cheshire : Private International Law.
- 3) Paras Diwan : Private International Law, Indian & English.

<b>Internal Assessment :</b>	<b>20</b>
<b>Theory :</b>	<b>80</b>

**CORE-09**

**COURSE CODE: PLC09B**

**JUDICIAL CONTROL OF ADMINISTRATIVE POWERS.**

**UNIT I: Judicial Control of Administrative Powers through Writs :**

- 1) Court as the Primary instrument of control of administrative action.
- 2) Writ Jurisdiction of the High Courts and the Supreme Court.
- 3) Conditions necessary for the exercise of writ jurisdiction - writ of Habeas Corpus, Mandamus, Certiorari, Quo-warranto and Prohibition.
- 4) Public policy restraints on the exercise of power of judicial review under Arts 32 and 226-, exhaustion of remedies, Laches.
- 5) Public Interest Litigation , Doctrine of Locus Standi and Compensatory Justice.
- 6) Special Leave to Appeal to the Supreme Court and High Court's Power of Superintendence.

**UNIT II: Procedural Impropriety as a ground of Judicial Review of Administrative Action :**

- 1) Historical Development of the Concept of Natural Justice.
- 2) Principles of Natural Justice.
- 3) Essentials of Fair Hearing
- 4) Bias and Personal Interest
- 5) Failure of Natural Justice.
- 6) Exceptions to the Rule of Natural Justice .
- 7) Legitimate Expectation - Good Faith doctrine etc.

**UNIT III: Ordinary Remedies.**

- 1) Distinction between ordinary remedies and remedies under Arts 226 and 32.
- 2) Declaratory Judgments and Injunctions.
- 3) Specific Performance and Civil Suits for Compensation against government and public authorities.

**UNIT IV: Exclusion of Judicial Review and Ouster Clause :**

- 1) Formula of Exclusion clause or ouster clause.
- 2) Scope of outer clause.
- 3) Non-compliance with statutory provisions.

**UNIT V: Judicial Control of Discretionary Powers :**

- 1) Scope and Extent of Judicial Review in Discretionary Powers.
- 2) Duty to give reasons.
- 3) Surrender or abdication of discretionary power.
- 4) Non-compliance with Procedural Requirements.
- 5) Administrative Discrimination.
- 6) Limiting and Structuring Discretion.

**Books Suggested for Reading :**

- 1) M.P. Jain and S.M. Jain - Principles of Administrative Law (1987)
- 2) M.P. Jain - Cases and Material on Administrative Law in India, ( Wadhwa, 1994).
- 3) H.W.R. Wade - Administrative Law.
- 4) S.P. Sathe - Administrative Law in India. (5th Edn.)
- 5) I.P. Massey - Administrative Law (2001).
- 6) B.L. Hansaria - Writ Jurisdiction under the Constitution.

**Internal Assessment : 20**  
**Theory : 80**

**CORE-10**

**COURSE CODE: PLC10B**

**PUBLIC AUTHORITIES AND LIABILITY : CONTROLS ON  
MALADMINISTRATION**

**UNIT I: Liability of Government:**

- 1) Liability of Government and Public Authorities in Torts and Contract; Promissory Estoppel.
- 2) Government Privileges in Legal Proceedings.

**UNIT II: Right to Know and Information :**

- 1) Jurisprudential and Constitutional Perspectives.
- 2) American Freedom of Information Act, 1966 and English Official Secrets Act and Right to Know.
- 3) Indian Official Secrets Act, 1923, Right to Information Act, 2002 and Right to know.
- 4) Judicial Decisions.

**UNIT III: Ombudsman :**

- 1) The concept.
- 2) Comparative perspectives
- 3) Evolving Indian models - Lokpal, Lokayukta Institutions.

**UNIT IV: Fact Finding Commission and Inquiry :**

- 1) Commission of Inquiry
- 2) Vigilance Commission
- 3) Investigation Agencies : the CBI
- 4) Inquiries by Legislative Committees.
- 5) Legislative Control
- 6) Financial Control - Comptroller and Auditor General
- 7) Judicial Inquiries.

**UNIT V: Judicial Powers of Administration :**

- 1) Need for devolution of Adjudicatory power on Administration.
- 2) Administrative Tribunals and other Adjudicatory Authorities - Growth, Evolution and present Status.
- 3) Nature and Character of Tribunals - CAT and SAT

**UNIT VI: Public Undertaking and Corporation :**

- 1) Reasons for Autonomous Bodies.
- 2) Government Control, Parliamentary Control, Judicial Control.

**Books Suggested for Reading :**

- 1) M.P. Jain and S.N. Jain - Principles of Administrative Law (1987)
- 2) D.D.Basu - Comparative Administrative Law (1969)
- 3) H.W.R. Wade - Administrative Law.
- 4) De'Smith - Judicial Review of Administrative Action.
- 5) D.D. Basu \_ Administrative Law (1996)
- 6) M.P. Jain - Treaties in Administrative Law Vol. I (1996).

**Internal Assessment : 20**  
**Theory : 80**

CORE-09

COURSE CODE: PLC09C

**Law Relating to Designs and Geographical Indications**

**Part-A - (Industrial Designs)**

**Unit-I: Historical Background.**

- (a) Introduction
- (b) Industrial Designs before TRIPs
- (c) Industrial Designs after TRIPs
- (d) International Reciprocal Arrangement.
- (e) Legal framework for industrial designs in India

**Unit-II: Registration, Infringement and Remedies**

- (a) Registration of Designs.
- (b) Copyright in Registered Designs.
- (c) Refusal to Register a Designs.
- (d) Piracy of Registered Designs.
- (e) Remedies.
- (f) Power & Duties of Controller.

**Part-B- (Geographical Indications)**

**Unit III: Historical Background**

- (a) Introduction
- (b) International Evolution of Geographical Indication.
  - i. Indication of Source
  - ii. Appellations of Origin.
- (c) Paris Convention.
- (d) Madrid Agreement
- (e) Lisbon Agreement
- (f) NAFTA
- (g) TRIPs

**Unit-IV: Registration, Infringement & Remedies**

- (a) Registration of Geographical Indication
- (b) Effect of Registration
- (c) Infringement and Passing off of Geographical Indication.
- (d) Remedies & Procedure.

**Suggested Reading**

Narayanan P., Trademarks & Passing off, Eastern Law House, 6th edition, 2006. Gravis Daniel, The TRIPs Agreement: Drafting History and Analysis, 2nd edition, Sweet & Maxwell. Nair. R. Latha, Geographical Indications: A Search for Identity, Lexis Nexis, Butterworth, 2005  
Guide to the International Registration of Industrial Designs under the Hague Agreement, WIPO.  
R A Mashelkar "Intellectual Property Rights and the Third World". CSIR, New Delhi  
Review of Debate in the inter-governmental Panel on Access to Genetic Resources, Baker, Cecil. Roger, Flow Measurement Handbook: Industrial Designs, Operating Principles, Performance, and Applications, 2000.

**Internal Assessment : 20**  
**Theory : 80**



CORE-10

COURSE CODE: PLC10C

**Intellectual Property Rights: Emerging Areas**

**Unit—1: Patentability of Microorganisms:**

- Deposit of microorganisms
- Recognition and effect of the deposit
- Depositor
- Categories of inventions in Biotechnology
- Legal issues and concerns on patenting of microorganisms
- Position in India

**Unit—II: Traditional Knowledge:**

- Meaning of Traditional Knowledge
- Significance and Characteristics of Traditional Knowledge
- Economics of Traditional Knowledge
- Traditional Knowledge and Bio-diversity
- Indian Law on Traditional Knowledge
- Traditional Knowledge Protection and Promotion: Global and National Strategies

**Unit-III: Instances of bio-piracy:**

- (a) Patenting of Turmeric products
- (b) Neem controversy
- (c) Hoodia Cactus controversy
- (d) The case of Ayahuaska
- (e) Basmati Rice case
- (f) Other instances

**Unit – IVs: Protection of New Varieties of Plants:**

- Rights protected and Scope of Protection
- Period of Protection
- Position in U.S.A & U.K
- Position in India
- Protection of the Plant Varieties and Farmers' Rights Act 2001.

**Suggested Readings:**

Elizabeth Verkey, *Law of Patents*, Eastern Book Company, 2005

T. Ramappa, *Intellectual Property Rights under WTO: Tasks before India*, Wheeler Publishing , 2000

W R Cornish, *Intellectual Property: Patents, copyright, Trademarks and allied rights* , London : Sweet & Maxwell, 1996

Mitta, D.P., *Indian Patents Law & Procedure*, 1st edition (2002)

-Reddy, G.B., *Intellectual Property Rights and the Law*, Gogia Law Publications, Hyd.  
Anil K.Gupta, 2002, *Traditional Knowledge, Benefit sharing and Folk lore protection*, WIPO,

Internal Assessment : 20  
Theory : 80

**CORE-09**

**COURSE CODE: PLC09D**

**International Trade Law**

**UNIT I: International Sale of Goods :**

1. Special trade terms in export sales - Definitions, kinds, Differences between Rights and duties of buyers and sellers.
2. Standardization of terms in International Sales : Uniform Conditions of Export Sales - Role of UNCITRAL, International Chamber of Commerce Publications, Standard contract forms applied to specified international transactions .
3. Offer and acceptance .
4. Performance of contract.
5. Rights of unpaid seller
6. Countertrade.
7. Frustration of contract
8. Conflict of laws
9. Unification of the Law of International Sales.

**UNIT II: Financing and Payment in International Trade.**

1. Meaning, types and control of foreign investment
2. Bill of Exchange - Meaning
3. Letters of Credit - Characteristics and kinds.
4. Bank guarantees and other contract guarantees.

**UNIT III: Transportation of Exports.**

1. Carriage of Goods by Sea- Unimodal and Multimodal Transport, Contract of Carriage by Sea, Bills of Lading, Charterparty Liability of shipowner for loss or damage to goods.
2. Container transport - Course of business in container Transport, Legal problems of container transport.
3. Carriage of Goods by Air
4. Carriage of Goods by Land.

**UNIT IV: Insurance of Exports –**

Marine and Aviation Insurances.

**UNIT V: Dispute Settlement**

Non-judicial dispute settlement : Arbitration and Conciliation .

**Suggested Readings:**

1. Carr and Kidner - Statutes and Conventions on International Trade Law, 1993.
2. Jason Chuah - International Trade Law, Cavendish Publishing Ltd, London, 1995.
3. Motiwal and Awasthi International Trade, 1st edn, 1995. Bhowmik and Co; New Delhi.
4. Clive M. Schmitthoff, Schmitthoff's, Export Trade, 8th Edn, 1986, Stevens and Sons, London.
5. Law of International Trade Transactions - ed. Rahmatullah Khan, Tripathi Pvt, Ltd, Bombay, 1973.
6. UNCITRAL Year Book, 1970-1995, United Nations, New York .
7. Dicey, Conflict of Laws.
8. Payne and Ivamy - Carriage of goods , 12th Edn., Butterworth.
9. B.C. Mitra - Law Relating to Bills of Lading and Charter party ( Air , Land and Sea) 1998.
10. Avtar Singh Law of Carriage ( Road , Rail , Air and Sea) 3rd Edn., Eastern Book Co.

**Internal Assessment : 20**  
**Theory : 80**

**CORE-10**

**COURSE CODE: PLC10D**

**International Economic Law**

**UNIT 1: Introduction:**

- i) Meaning and Nature of International Economic Law .
- ii) Sources of International Economic Law.
- iii) Development and evolution of IEL in pre and post World war periods.
- iv) Changing Dimensions of International Economic Law .
- v) Doctrine of sovereignty over wealth and natural resources.

**UNIT II: International Economic Agencies .**

- i) *International Monetary fund (IMF):*
  - a) Role and objectives, b) Structure, c) Resources, d) Special Drawing Rights.
  - e) Conditionality Clause,
- ii) *International Bank for Reconstruction and Development (IBRD) :*
  - a) Role and objectives, b) Structure, c) Resources, d) Appraisal of Performance.

**UNIT III: International Economic Institutions :**

- i) *United Nations and its specialised agencies* - Functions and role played in development of International Economic Law.
- ii) *United Nations conference on trade and Development (UNCTAD) :*
  - a) Institutional framework, b) Objectives and functions, c) Role and achievements
- iii) *United Nations Commission for International Trade Law ( UNCITRAL):*
  - a) Structure and functions, b) Role and Achievements

**UNIT IV: World Trade Organisation :**

- a) Historical background, b) Objectives, c) Structure, function and jurisdiction.
- d) Principles, e) Dispute Settlement,
- f) Select agreements of WTO.on following topics:
  - i. Rules of origin, ii. Subsidiary on agriculture, iii. Anti Dumping,
  - iv. E – commerce, v. Transfer of technology, vi. GATS
- g) Problem areas of WTO : i. Social clause, ii. Protection of environment

**Suggested Readings:**

1. Bandar Surendra, World Trade Organization and Developing Countries (1995) , Universal, Delhi.
2. Arun Goyal (ed.) WTO in the New Millenium (2000) , Academy of Business Studies, New Delhi
3. Jayanta Bagchi, World Trade Organization: An Indian Perspective (2000) Eastern Law House, Calcutta.
4. A. K. Kaul, - UNCED, Our Common Future (1986) Oxford.
5. Legal Framework of UNCTAD in World Trade 1977, N.M. Tripathi, Bombay.
6. Report of Peoples Commission on GATT, 1996, Centre for Study of Global Trade System and Development, New Delhi.
7. GATT Accord and India - Edited by K.R. Gupta , Atlantic Publishers and Distributors.

**JOURNALS / NEWSPAPERS.**

1. Corporate Law Cases
2. Company Law Journal.
3. Annual Reports of World Bank
4. Political and Economic Weekly
5. Economic Times
6. Financial Times.

**Internal Assessment : 20**  
**Theory : 80**

CORE-09

COURSE CODE: PLC09E

## Biological Diversity and Legal Order

### UNIT 1: Biodiversity and its necessity

1. Definitions
2. Meaning and Importance
3. Role of Flora and Fauna in maintaining Biodiversity
4. Threats to Biodiversity
5. Need for protection of Biodiversity
6. Biodiversity and Economic Valuation

### UNIT II: Laws, Policies and Measures for Biodiversity:

1. Convention on Biological Diversity, 1992
2. The Biological Diversity Act, 2002
3. Protection of Plant Varieties and Farmers Right Act, 2001 (relevant portion only )
4. The Geographical Indications (Regulation and Protection) Act, 1999 (relevant portion only )

### UNIT III: Biodiversity and Ethical Issues

1. Utilization of flora for Bio-Medical purposes
  - a) Cosmetic Plants
  - b) Medicinal Plants
2. Utilization of fauna/animals for Bio-Medical purposes
3. Genetic Mutation of Seeds
4. Experimentation on Animals
5. Genetically Modified Organisms
6. Genetic Engineering
7. Biodiversity and Intellectual Property Rights

### UNIT IV: Biodiversity and Priority Sectors

Sanctuaries, Zoo and Parks, Biosphere Reserves, Protected Forest and Reserved Forests  
Conservation of Biodiversity:

1. Role of NGO
2. Role of Indigenous People
3. Role of Media and Publications

### Suggested Readings:

Arjun Prasad Nagore, Biological Diversity and International Environmental Law (1996) A.P.H. Publishing Corporation, New Delhi.  
Project Large, Plant Variety Protection and Plant Biotechnology - Options for India (1999), Allied.  
M.S. Swaminathan, Genetic Conservation: Microbes to Man, Presidential Address at XV International Congress of Genetics, New Delhi, India, December 12-21, 1983  
Wild Genetic Resources, Earthscan Press Briefing Document No.33, Earthscan, London (1982).  
K.L.Mehta and R.L. Arora, Plant Genetic Resources of India; their Diversity and Conservation (1982), National Bureau of Plant Genetic Resources, New Delhi.  
P.N. Bhat et.al., Animal Genetic Resources in India (1981)  
P.N. Bhat, "Conservation of Animal Genetic Resources in India, "Animal Genetic Resources, Conservation and Management FAO, Rome, (1981).

**Internal Assessment :** 20  
**Theory :** 80

**CORE-10**

**COURSE CODE: PLC10E**

**Conservation of Resources and Management of Environment**

**UNIT 1: Natural Resources Management**

1. Definition
2. Classification of Natural Resources
  - a) Inexhaustible
  - b) Exhaustible
3. Concept of Resource Conservation
4. Factors affecting resources
5. Conservation of Important Natural Resources
  - a) Methods of Forest Conservation
  - b) Methods of Soil Conservation
  - c) Methods of Water Conservation
  - d) Methods of Wildlife Conservation
6. Natural Resource Accounting and its Necessity

**UNIT II: Environment Impact Assessment and Auditing**

1. Definition, Nature and Importance
2. Guidelines of Environment Impact Assessment
3. Economic Assessment of Resources
4. Environmental Status Evaluation
5. Cost – Benefit Analysis
6. Concept of Capacity Building

**UNIT III: Environment and Emerging Concepts**

Eco-Mark, Eco-Audit-a) Pre-Audit Activities, b)Post-Audit Activities  
Benefits of Environmental Audits, Risk Assessment and Disaster Management Plan  
Management System Certification: IS / ISO 14001: 1996

**UNIT IV: Utilization of Renewable Energy Sources**

Solar Energy, Hydro-Power Energy, Ocean Energy,  
Geo-Thermal Energy, Bio-Energy

**UNIT V: Environment and Future Perspectives**

Development of Eco-Friendly Techniques, Public Participation and Decision Making  
Globalization and its impact on Environment, Role of NGO in protection of Environment  
Role of Media in protection of Environment

**Suggested Readings:**

Kailash Thakur, Environmental Protection: Law and Policy in India (1997), Deep & Deep Publications, New Delhi  
WCED, Our Forest, Our Future (1999), Cambridge  
Abraham C.M. Environmental Jurisprudence in India (1999), Cluwer.  
Diwedi, India's Environmental Policies, Programmes and Stewardship (1999), Mc.Millan.  
Leelakrishnan, P et. al. (eds.), Law and Environment (1990)  
Leelakrishnan, P, The Environmental Law in India (1999), Butterworths - India  
David Hughes, Environmental Law, (1999) Butterworths, London  
A.R.Bam and P.N.Gantam, Natural Heritage of India (1989), R.K. Publishers, Delhi.  
S.K.Jain and A.R.K.Sastry, Threatened Plants of India: A State of the Art Report (1980)  
Armin Rozencranz, et.al. (eds.), Environmental Policy and Law in India (1988), Butterworths, India.

**Internal Assessment : 20**  
**Theory : 80**

CORE-09

COURSE CODE: PLC09F

SOCIAL SECURITY LEGISLATION-I

**Unit 1: Introduction**

1. Meaning and Concept of Social Security.
2. Modality: Social prescription, Social assistance and Social insurance.
3. Distinction with Labour Welfare.

**Unit II: Constitutional Perspectives**

1. Fundamental Rights: Realization of the rights through meaningful social security measures :right to life , the wider dimensions.
2. Right to adequate means of livelihood, free legal aid, public assistance in cases of unemployment, old age, sickness and disablement, maternity relief benefits
3. Directive Principles of State Policy.

**Unit III: Origin and Development/ Comparative Perspectives of Social Security**

1. The United Kingdom.
2. The United States.
3. International Norms of Social Security-ILO & Human Rights Perspectives.

**Unit IV: The Workmen's Compensation Act –1923**

Employer's liability for compensation, Types of Injuries covered, Workmen-who can claim compensation, Amount of compensation in case of various injuries., Payment of Compensation, Commissioner for Workmen's Compensation – his duties, powers and procedures.

**Unit V: Employees State Insurance Act 1948**

Authorities under the Act –their powers and function, Employees State Insurance Fund- Contributions to the fund by the Employer and Employees, Grant by Central and State Government, Purposes for which the fund may be expended, Benefits available, conditions under which available, persons entitled, Corporation's right to recover damages or other amounts from employer, or to be indemnified in certain cases.

Adjudication of disputes and claims.

**The Maternity Benefit Act 1961**

Applicability, Nature of benefits and privileges available under the Act, Procedure for claiming payment, Inspectors – their powers and functions and Penalties.

**Books Suggested For Reading:**

1. Dr.Vivek Bhattacharya- Social Security Measures in India.
2. Bakshi and Mitra- Workmen's Compensation Act and other Social Insurance Legislation.
3. K.D. Shrivastava- Commentaries on Employees State Insurance Act.

4. Larson- Workmen's Compensation Law.
5. Dr. C. B. Mamoria- Principles of Social Security.
6. V.R. Bhattacharya, Some Aspects of Social Security Measures in India( 1970).
7. S.C.Shrivastava, Social Security and Labour Laws ( 1985).
8. R.N. Choudhary, Commentary on the Workmen's Compensation Act 1923  
(2000), Orient.
9. Munkman,Employer's Liability (1985), Chs. 1,2,3,22and 23.
10. Harry Calvert,Social Security Laws (1978).

**Internal Assessment : 20**  
**Theory : 80**

**CORE-10**

**COURSE CODE: PLC10F**

**SOCIAL SECURITY LEGISLATION –II**

**Unit I: Employee's Provident Fund Act 1952**

Applicability of the Act, Authorities, their powers and functions,  
Contributions of the fund, Recovery of money due,  
Penalties and Damages Recoverable, Offence by Companies,  
Exemptions.

**Unit II: Payment of Gratuity Act 1972**

Concept of Gratuity.  
Gratuity under the Payment of Gratuity Act,1972, Eligibility for Gratuity and amount payable ,Nomination by the employees.  
Duties of the employer, Procedure for settlement of disputes as to amount etc.  
Exemptions and penalties, Enforcement Machinery under the Act ,its powers and functions.

**Unit III : The Factories Act, 1948**

Applicability of the Act, Powers of the Inspectors.  
Health, Safety and Welfare Measures.  
Responsibility of the occupier in relation to hazardous processes.  
Working hours of adults.  
Employment of young children, prohibition of employment of children.  
Special provisions regarding the applicability of the Act to certain premises.  
Offences by workers, Penalties, Procedure and Exemption.

**Unit IV: Unorganised Labour and Social Security**

- A) Causes and Problems of Unorganised Labour – Emerging Trends.
- B) Unorganised Labour and Constitutional Perspectives.
- C) Agricultural Labour –
  - 1. Difficulty in deciding Social Security Schemes to Agricultural Labour.
  - 2. Need for State initiative and support.
- D) Protection of the Weaker Sections of Labour – Evolving Trends:
  - Tribal Labour
  - Domestic Servants. ( the Domestic Worker conditions of Service Bill, (1994)
    - Bonded Labour, Contract Labour.
- E) Protection of Women Labour and Right to Employment:



1. Equal Remuneration Act, 1976.
  2. The Plantation Labour Act, 1951 – Provisions relating to Women
  3. The Mines Act, 1952 – Provisions relating to Women
- F) Child Labour –
1. Human rights and child labour in Indian Industries.
  2. Child Labour Prohibition and Regulation Act, 1946.

**Unit V: Towards an Ideal Social Security Scheme—the Futuristic**

1. Comprehensive and integrated Social Security : an utopian concept or a pragmatic approach?
2. Funding.
3. Benefits and beneficiaries.
4. Role of Trade unions.
5. Social Security clauses in collective agreements.
6. Trade union schemes with its own fund.

**Books Suggested For Reading:**

1. State Legislations and other Welfare Schemes relating to Agricultural Labour.
2. Government of India, Agricultural Labour Enquiry.
3. Government of India , Report on the second Agricultural Labour Enquiry.
4. Government of India, Third Agricultural Enquiry.
5. Report of the National Commission on rural Labour (1991) New Delhi, Govt. of India, Ministry of Labour- Vol. II.
6. Encyclopedia of human rights and women’s development – Vol. V Vijay Kaushik and Bela Rani Sharma.
7. Lengthening Shadows Status of Women in India, Poonam and Chauhan.
8. Women in India- Legal and Human Rights SadiqAhamadJilane Syed
9. Human Right and Child Labour in Indian Industries, AnuSaksena.
10. Symposium on Women’s Rights at the workplace: Emerging Challenges and Legal Interventions, Asha Bajpai.

**Internal Assessment : 20**

**Theory : 80**

CORE-09

COURSE CODE: PLC09G

**ORGANISED CRIME, TERRORISM AND INTERNATIONAL CRIME:  
NEW CHALLENGES**

**UNIT I: Organized Crime & International Crimes**

Definition and Scope, Characteristics of organized crime  
Types of organized crime, Causes of organized crime  
Emerging Crimes of International Nature, Objectives of International Criminal Law  
Salient features of International Criminal Court.

**UNIT II: Classification of Organized Crimes**

**A) *International Perspective***

Transnational organized crime, Illicit Firearms trafficking, Drug trafficking  
Money laundering scams and frauds

**B) *Indian Perspective***

Smuggling, Money Laundering and Hawala, Terrorism, Counterfeiting of Currency  
Drug trafficking: NDPS Act penal provisions, Cyber Crimes and penal provisions in IT  
Act, 2000 (Sec.65, 66 & 67), Trafficking of women and children, Trafficking of Human  
Organs (penal provisions)

**UNIT III: Profiles of Criminal Gang / Investigation and Prosecution**

Criminal Intent and mensrea in such crimes, Modus operandi of organized crime  
Role of Police in Investigation of organized crime  
Role of Judiciary, Trial and Sentencing in organized crime

**UNIT IV: Legislative Provisions in India**

- 1) Maharashtra Control of Organized Crime Act, 1999
- 2) Relevant Provisions under IPC and Indian Evidence Act
- 3) Prevention, control and correctional strategies

**UNIT V: Laws relating to Transnational Organised Crime**

Organised crime and United Nations, Naples Declaration and Global Action Plan 24 Dec. 1994  
(Salient features), United Nations Conventions Against Organized Crime 15<sup>th</sup> Dec. 2000  
(Salient features), Extradition Treaty: Extradition Act 1962 (Relevant Provisions)

**Suggested Readings:**

**Bare Acts**

1. Narcotic Drugs and Psychotropic Substances Amendment (Act) 2001
2. Immoral Traffic (Prevention) Act, 1956
3. Maharashtra Control of Organised Crimes Act 1999
4. Naples Declaration and Global Action Plan, 1994
5. Extradition Treaty & Extradition Act, 1962

**Books:**

1. Mathur K.M., Crime, Human Rights and National Securities, Gian Publishing House, New Delhi -02
2. Nandan Kamat, Computer and Information Technology Law
3. Attra Chand, Terrorism Political Violence Security of Nation, Gian Publishing House, New Delhi -02.
4. William A Schabas, International Criminal Court, 1<sup>st</sup> Edition 2001, Cambridge University Press.

**Internal Assessment : 20 marks**  
**Theory : 80 marks**

**CORE-10**

**COURSE CODE: PLC10G**

**Juvenile delinquency**

**UNIT I: The Basic Concepts**

- 1.1. The conception of 'child' in Indian Constitution and Penal Code.
- 1.2. Delinquent juvenile
- 1.3. "Neglected" juvenile
- 1.4. The overall situation of children/young persons in India, also with reference to crime statistics (of crimes by and against children)

**UNIT II: Determining Factors of Juvenile Delinquency**

- 2.1. Differential association
- 2.2. Anomie
- 2.3. Economic pressure
- 2.4. Peer group influence
- 2.5. Gang sub-culture
- 2.6. Class differentials

**UNIT III: Legislative Approaches**

- 3.1. Legislative approaches during the late colonial era.
- 3.2. Children's Act
- 3.3. Legislative position in various States
- 3.4. The Juvenile Justice Act
  - 3.4.1. Constitutional aspects.
  - 3.4.2. Distinction between "Neglected" and "delinquent" juveniles.
  - 3.4.3. Competent authorities
  - 3.4.4. Procedural safeguards for juveniles
  - 3.4.5. . Institutions, bodies, personnel
  - 3.4.6. Powers given to government
  - 3.4.7. Community participation as envisaged under the Act

**UNIT IV: Judicial Contribution**

- 4.1. Social action litigation concerning juvenile justice
- 4.2. Salient judicial decisions
- 4.3. Role of legal profession in juvenile justice system.

**UNIT V: Preventive Strategies**

- 5.1. State Welfare programmes health, nutrition, ICWS, grants-in-aid
- 5.2. Compulsory education
- 5.3. Role of community, family, voluntary, bodies, individuals.

**Suggested Readings:**

National institute of Social Defence, Model Rules under the Juvenile Justice Act, 1986, (1986)  
K.S. Shukla, Adolescent Offender (1985)  
United Nations, Beijing Rules on Treatment of Young Offenders (1985)  
Myron Weiner, The Child and State in India (1990)  
The United Nations Declaration on the Rights of Children  
UNICEF periodic materials

**Internal Assessment : 20 marks**

**Theory : 80 marks**

**CORE ELECTIVE-01**  
**COURSE CODE: PLEC1A**  
**COMPARATIVE LAW**

**Unit I: Introduction**

The nature and scope of Comparative Law,	Historical Development
Notions of 'Comparison',	Methods of comparison
Types of comparison,	Problems of method

**Unit II: Major Legal Systems: An Overview**

Roman law,	Jewish law,	Islamic law,	Hindu law
Chinese law,	African law,	Common law,	Civil law

**Unit III: Contemporary Traditions of Law**

Capitalist/bourgeois law,          Socialist law,          'Third World' law

**Unit IV: Trends in Unification of World Law**

Principle unification agencies at work: a survey,          The international law commission  
UNICITRAL,          The World Intellectual Property Organization (WIPO)  
The International Labour Organization,          The U. N. Human Rights Agencies  
The World Trade Organization

**Unit V: Certain Comparable Areas in 'Third World' Law and Jurisprudence**

Comparative studies of emergency and constitutionalism,	Comparative judicial process
Comparative study of legal professions ,	Comparative study of law reform
Comparative studies of environmental law,	Comparative studies of gender justice
Comparative analyses of contract law,	Comparative family law
Comparative studies to access to law,	Religion, tradition and custom
Comparative legislative process,	Comparative criminal justice system.

**Suggested Reading**

1. Werner F. Menski, *Comparative Law in a Global Context*, - The Legal Systems of Asia and Africa, (2000), Platinum Publishing ltd, London.
2. O. Khan Freund, *Collected Essays* (1978)
3. Indian Law Institute, *An Introduction to Study of Comparative Law* Reprint (1979)
4. J. D. M. Derrett (ed.) *An Introduction to Legal Systems*
5. G. Eorsi, *Comparative Civil Law* (1979)
6. Y. Ghai, et. Al. (ed.), *The Political Economy of Law: A Third World Reader* 559-648 (1987)
7. H. C. Gutteridge, *Comparative Law*
8. Eric Stokes, *The English Utilitarian and India* (1992) Oxford, Delhi

**Internal Assessment : 20 marks**

**Theory : 80 marks**

**CORE ELECTIVE-01**  
**COURSE CODE: PLEC1B**  
**BANKING LAW**

**Unit I: Introduction**

- 1) Evolution of banking and its history in India. Role of banking institutions in the socio-economic development of the country.
- 2) Structure and functions of different banking institutions- viz. Central Bank, Commercial Banks, Merchant Banks, Co-operative Bank, Specialized Banks, Financial Institutions.
- 3) Banker and Customer- nature and relationship, rights and duties, banker's lien, banking instruments, consumer protection: banking as service.

**Unit II: Law of Banking Regulations - Banking Regulation Act,1949**

- 1) Social control over banking institutions, National Credit Council, loan melas.
- 2) Control by RBI and central government over business activities of banking institutions.
- 3) Control over accounts and audit.
- 4) Reconstruction and reorganization
- 5) Suspension and winding up.
- 6) Control over non-banking financial institutions.
- 7) Nationalization of banks, critical analysis of banks before and after nationalization. Liberalization policy and its impact on banking sector, disinvestment.

**Unit III. Reserve Bank Of India Act, 1934**

- 1) Evolution of Central Bank- constitutional background.
- 2) Characteristics and functions of RBI.
- 3) Legal status and organizational structure of RBI.
- 4) Regulating mechanism of RBI over other Banks

**Unit IV: Recovery of Loans**

- 1) Default in Repayment of Loans
- 2) Recovery of Debts Due to Banks and Financial Institution Act, 1993
- 3) The Securitization Act 2002

**Unit V: Current Trends and use of latest Technology in Banking**

- 1) Internet Banking
- 2) ATM
- 3) Credit Cards, Debit Cards and Smart -Cards

**Books Suggested for Reading :**

1. Tannan's Banking Law and Practice in India 19th Edn. Vol. I & II ( 1999).

2. S.N. Gupta - The Banking Law in Theory and Practice 3rd Edn. Vol I & II (1999).
3. J. Milnes Holdens- The Law and Practice of Banking Vol. I & II 8th Edn. Univerial Law Publishing Co.Prt.Ltd.
4. L.C. Goyle - Law of Banking and Bankers, 1995, Eastern Law House, New Delhi.
5. B.R. Sharma - Bank Frauds - Prevention and Detection 2nd Edn. Universal.
6. P.S. Narayana's Law of Negotiable Instruments and Dishonour of Cheques , 1997, Asia Law House.
7. Richardson - A Guide to Negotiable Instruments 7th Edn. 1983 Butterworth
8. Tripathi ,Digest of Dishonour of Cheques 2000 Edn, Singh and Co, Allah.
9. Dr. R.G. Chaturvedi , MadhusudanChaturvedi - Law of State Financial Corporations , 1998, Bharat Law Publications.

**Internal Assessment : 20 marks**

**Theory : 80 marks**

**CORE PRACTICAL-03**

**COURSE CODE: PLP03**

**SOCIO-LEGAL PROJECT & VIVA VOCE**

This is a Practical Paper which contains preparation and submission of Socio-Legal Project on a given topic and viva-voce examination.

The Students are expected to be familiar with social science research methods and techniques and the basic research skills for conducting empirical research and preparation of research designs. The students will be required to process and interpret the research data based upon such empirical research surveys in select areas of law as might be assigned to them by the Supervisor in consultation with the Head of the Department. The projects/research work will be assigned to the students in the Second Semester. Students are expected to write a project report incorporating the data gathered on the basis of field studies and interviews. Students will be examined at viva-voce on the basis of written material or project report by external examiner in consultation with the Head of the Deptt. and/or Internal Examiner. The Marks Distribution is as follows:

Project Work (External Examiner ) 50 Marks

Viva –Voce (External Examiner ) 25 Marks

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Total = 75 Marks

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**GUIDELINES FOR SOCIO-LEGAL RESEARCH .**

A student will be required to submit two copies of the research project to the Head of the Department one month before the examination of Third Semester. Viva examination will be held before or after Third Semester Examination.

**A. Research scholars are required to follow the steps given below for preparation of Socio-Legal Research**

**Research Methodology:**

Title of the Study  
Problem of the study  
Rationale of the study  
Objectives of the study  
Hypothesis  
Review of Literature  
Operational concepts & Variables of the study  
Research Design  
Nature/ Type of the study  
Universe

- \* Population
- \* Sample and Sample size.
- \* Sampling Method

Method of Data Collection  
Sources of Data Collection  
Tools of Data collection  
Limitations of Study  
Time Schedule  
Possible contribution of the study  
Chapterisation

**B. Socio-Legal Research shall have the following structure :**

- Cover
- Cover page
- Certificate
- Acknowledgement
- List of Case Laws.
- List of Tables
- List of Maps
- Abbreviations
- Contents
- Chapter I Theoretical Background
- Chapter II Research Methodology ( As given in A )
- Chapter III Analysis and Interpretation of Data
- Chapter IV Major Findings, Conclusions and Suggestion.

**Bibliography**

**Annexures:**

Interview Schedules / Questionnaires, Master Charts, Acts, Bills, Maps, etc.



## **FOURTH SEMESTER**

### **FOUNDATION COURSE-02**

#### **COURSE CODE: PLFC02**

#### **JUDICIAL PROCESS**

##### **Unit I: Nature of judicial process**

- 1.1. Judicial process as an instrument of social ordering
- 1.2. Judicial process and creativity in law - common law model - Legal Reasoning and growth of law - change and stability.
- 1.3. The tools and techniques of judicial creativity and precedent.
- 1.4. Legal development and creativity through legal reasoning under statutory and codified systems.

##### **Unit II: Special Dimensions of Judicial Process in Constitutional Adjudications.**

- 2.1. Notions of judicial review
- 2.2. 'Role' in constitutional adjudication - various theories of judicial role. Law 203
- 2.3. Tools and techniques in policy-making and creativity in constitutional adjudication.
- 2.4. Varieties of judicial and juristic activism
- 2.5. Problems of accountability and judicial law-making.

##### **Unit II: Judicial Process in India**

- 3.1. Indian debate on the role of judges and on the notion of judicial review.
- 3.2. The "independence" of judiciary and the "political" nature of judicial process
- 3.3. Judicial activism and creativity of the Supreme Court - the tools and techniques of creativity.
- 3.4. Judicial process in pursuit of constitutional goals and values - new dimensions of judicial activism and structural challenges
- 3.5. Institutional liability of courts and judicial activism - scope and limits.

##### **Unit IV: The Concepts of Justice**

- 4.1. The concept of justice or Dharma in Indian thought
- 4.2. Dharma as the foundation of legal ordering in Indian thought.
- 4.3. The concept and various theories of justice in the western thought.
- 4.4. Various theoretical bases of justice: the liberal contractual tradition, the liberal-utilitarian tradition and the liberal moral tradition.

##### **Unit V: Relation between Law and Justice**

- 5.1. Equivalence Theories - Justice as nothing more than the positive law of the stronger class
- 5.2. Dependency theories - For its realisation justice depends on law, but justice is not the same as law.
- 5.3. The independence of justice theories - means to end relationship of law and justice - The relationship in the context of the Indian constitutional ordering.
- 5.4. Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice.

##### **Select Bibliography**

- Julius Stone, The Province and Function of Law, Part II, Chs. 1. 8-16 (2000), Universal, New Delhi.
- Cardozo, The Nature of Judicial Process (1995) Universal, New Delhi
- Henry J. Abraham, The Judicial Process (1998), Oxford.
- J. Stone, Precedent and the Law: Dynamics of Common Law Growth (1985) Butterworths.
- W. Friedmann, Legal Theory (1960), Stevens, London

Bodenheimer, Jurisprudence - the Philosophy and Method of the Law(1997), Universal, Delhi  
J..Stone, Legal System and Lawyers' Reasonings(1999), Universal, Delhi  
U.Baxi, The Indian Supreme Court and Politics(1980), Eastern,Lucknow.  
Rajeev Dhavan, The Supreme Court of India - A Socio -Legal Critique of its Juristic Techniques (1977), Tripathi, Bombay.  
John Rawls, A Theory of Justice(2000), Universal, Delhi  
Edward H.Levi, An Introduction to Legal Reasoning(1970), University of Chicago.

**Internal Assessment : 20**

**Theory : 80**

**CORE-11**

**COURSE CODE: PLC11**

**Human rights and duties under Indian legal system**

**UNIT I: The Constitution and Human Rights and Duties :**

- Evolution of composite culture of India, contribution of diverse religions.
- Impact of Universal Declaration of Human Rights on the drafting of Part - III and Part - IV of the Constitution.
- Human Rights Norms and Constitutional perspective, Preamble, Fundamental Duties, Directive Principles of State Policy.
- Inter- relationship between Fundamental Rights and Directive Principles of State Policy.

**UNIT II: Legislative Framework for Human Rights Norms in India:**

- a) Protection of Civil Rights Act, 1955.
- b) Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- c) Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993.

**UNIT III: National Commission of Human Rights in India&Other Commissions:**

- a) Background of the Protection of Human Rights Act, 1993.
- b) National Human Rights Commission-Powers, Functions, Structure and Composition.
- c) Human Rights Courts
- d) Evaluation of the working of the Commission.
- e) National Commission for Women.
- f) National Commission for Minorities.
- g) National Commission for S C/ ST.

**UNIT V: Judicial Activism and Human Rights Jurisprudence:**

- a) Expansion of basic needs- Judicial interpretation on widening of the Directive Principles.
- b) Role of judiciary in protecting human rights in India, Legal Aid
- c) Judicial activism in the field of protection of human rights of women, children, bonded labour and prisoners, in the light of leading cases

**UNIT VII: Contemporary Indian Problem and Human Rights.**

- a) Reservations and Right to Equality
- b) Uniform Civil Code and Personal Laws.
- c) Protection of Minorities.
- d) Health and violation of human rights: problems of health and environmental protection, population control, family planning, HIV/ AIDS.

**Suggested Readings:**

D.D.Basu, Human Rights in Indian Constitutional Law, (1994).  
Vijay Chitnis,(et.al.). Human Rights and the Law: National and Global Perspectives, (1997).  
B.P.SinghSeghal, Law, Judiciary and Justice in India, (1993).  
James Vadakkumchery, Human Rights and the Politics in India, (1996).  
D.R.Saxena, Tribals and the Law, (1997).  
PoornimaAdvani, Indian Judiciary : A Tribute, (1997).  
Justice Venkataramiah, Human Rights in the Changing World, (1998).

**Internal Assessment : 20**

**Theory : 80**

## CORE-12

### COURSE CODE: PLC12

#### Dissertation

Candidates are required to submit a dissertation of about 150-200 pages on a topic from the optional group offered by them. The dissertation is expected to be an indepth and critical analysis of a legal problem of contemporary significance in the field chosen by the candidate and must incorporate copious reference to judicial decisions, law review articles, books, monographs relevant to the topic in the form of footnotes and bibliographical references.

The candidates will be examined at an oral examination (viva) on the strength of the dissertation (written work.) The dissertation will carry 200 marks and it should be submitted (two copies) to Head of the Department one month before the Semester ends i.e. the Fourth Semester. The viva exam will be held in the month of May - June every year. The supervisor for dissertation shall be the teaching member of the Deptt. of Law., and affiliated colleges where LL.M. courses are taught. The students will be assigned the topic for dissertation by their supervisor in consultation with the Head of the Department within a month after the Semester has started.

After the dissertations have been submitted they shall be evaluated by the external examiner along with the Head of the Department and/or internal examiner. The examiner will evaluate the dissertation taking into account the following points:

- a) Coverage of subject matter.
- b) Arrangement and presentation.
- c) Research Methodology
- d) Nature of references and materials used.
- e) Critical appreciation and *original contribution* of the candidate.

Written Work –Ext. Examiner: 150 Marks  
Viva Voce – Ext.Examiner: 50 Marks

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Total= 200 Marks

**Note :** *The students have to write their dissertations as per the guidelines of Research*

**Methodology given below.**

#### **GUIDELINES FOR DOCTRINAL RESEARCH.**

**A. Research scholars are required to follow the steps given below for preparation of Doctrinal Research**

#### **Research Methodology:**

1. Title of the Study
2. Problem of the study
3. Rationale of the study
4. Objectives of the study

5. Hypothesis
6. Review of Literature
7. Operational concepts & Variables of the study
8. Research Design
  - i) Nature/ Type of the study
  - ii) Method of Data Collection
  - iii) Sources of Data Collection
9. Limitations of Study
10. Time Schedule
11. Possible contribution of the study
12. Chapterisation

**B. Doctrinal Research shall have the following structure :**

- |                      |                    |
|----------------------|--------------------|
| a. Cover             | b. Cover page      |
| c. Certificate       | d. Acknowledgement |
| e. List of Case Laws | f. List of Tables  |
| g. Abbreviations     | h. Contents        |

Chapter I: Introduction

A. Theoretical Background

B. Research Methodology ( As given in A. )

Chapter II

Chapter III

Chapter IV

Chapter V: Conclusions and Suggestion.

Bibliography

Annexures: Acts, Bills, Maps, etc.

**CORE ELECTIVE-02**  
**COURSE CODE: PLEC2A**  
**CYBER LAW**

**Unit I**

Information Technology Act :Definitions, Electronic record and digital signature authentication, Electronic governance, various authorities under IT Act and their powers, Penalties, Offences, Miscellaneous. Impact on other related Acts (Amendments) - Amendments to Indian Penal Code, Amendments to Evidence Act., Amendments to Bankers Book Evidence Act., Amendments to Reserve Bank of India Act.

**Unit II**

Intellectual Property Issues and Cyber Space – Indian Perspective. Copyright, Understanding Computer Software, Computer Software & Copyright Law, Software Licenses, Computer Databases & the Law, Domain Names & the Law, Trademark issues in Cyberspace, Semiconductor Layout & Design Law

**Unit III**

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

**Unit IV**

Cyber Crime and Cyber Torts Cyber Crimes against Individuals, Institution and State, Hacking, Digital Forgery, Cyber Stalking/Harassment, Cyber Pornography, Identity Theft & Fraud, Cyber terrorism, Cyber Defamation, Cyber Defamation, Different Types of Civil Wrongs under the IT Act, 2000

**Unit V**

E-commerce and Laws in India Digital / Electronic Signature in Indian Laws, E-Commerce - Issues and provisions in Indian Law, E-Governance - concept and practicality in India, E-Taxation issues in Cyberspace, E-Contracts and its validity in India, Cyber Tribunal & Appellate Tribunal, Cyber Regulations

**Internal Assessment : 20**

**Theory : 80**

**CORE ELECTIVE-02**

**COURSE CODE: PLEC2B**

**TAXATION LAW**

- Unit-I**
- i) History of Taxation in India
  - ii) Constitutional Basis of Power of Taxation
  - iii) Tax, Fee and Commission
  - iv) Capital Receipt and Revenue Receipt
  - v) Tax evasion and tax avoidance
  - vi) Scheme of Taxation
  - vii) Basic concepts of Income Tax
  - viii) Residential Status
- Unit-II**
- i) Income exempt from tax
  - ii) Heads of Income
  - iii) Income of other persons included in assessor's total income
  - iv) Set off and carry forward of losses
  - v) Deductions from gross total Income
- Unit-III**
- i) Income Tax Authorities- hierarchy, powers and functions
  - ii) Return of Income
  - iii) Permanent Account number
  - iv) Assessment Procedure –Meaning and kind
  - v) Advance payment of tax
  - vi) Deduction and collection of tax at source
  - vii) Rebate and Reliefs of Income Tax
  - viii) Settlement of cases
  - ix) Penalties and Prosecution
  - x) Appeals and Revision
- Unit-IV**
- i) Goods and Services Act,2016
  - ii) History of GST,) Salient features of the 122<sup>nd</sup> Constitutional Amendment Bill, Benefits of GST, Taxes to be subsumed after GST, Components of GST
  - iii) Definition, Meaning and Scope , Administration under GST
  - iv) Levy of and Exemption from tax under GST, Input Tax Credit
  - v) Registration Procedure under GST, Return Filling Procedure,
  - vi) Collection of tax at source, Assessment Procedures,
  - vii) Demand and recovery provisions under GST, Inspection, Search, seizure and arrest provisions under GST
  - viii) Prosecution and compounding of offence, Appeal and Revision
- Unit-V**
- i) Customs Act,1962
  - ii) Basic concepts of customs law
  - iii) Types of custom duty
  - iv) Valuation of Custom duty
  - v) Custom procedures, baggage and exemption from custom duty.

**Suggested Reading-**

- 1) Students Guide to Income Tax - Dr.VinodSinghaniya&Dr.MonicaSinghaniya
- 2) Guide to Goods and Service Act- Dr. Sanjiv Agrawal
- 3) Taxman's Basics of GST- Nitya Tax Associates

**Internal Assessment : 20**

**Theory : 80**

