



**Maratha Vidya Prasarak Samaj's  
Law College, Nashik**

**LL.B I ( SEM I )**

**BA.LL.B III ( SEM V )**

| Sr. No.   | Course Code | Course                                     | Activity  |          |          | Credit    | Evaluation Scheme |            |            |
|---|-------------|--|-----------|----------|----------|-----------|-------------------|------------|------------|
|   |             |  | L         | T        | P        |           | Internal          | External   | Total      |
| 1   | LCC 0501    | Constitutional Law – I                     | 3         | 1        | 0        | 4         | 30                | 70         | 100        |
| 2   | LCC 0502    | Law of Contract – I                        | 3         | 1        | 0        | 4         | 30                | 70         | 100        |
| 3   | LCC 0503    | Family Law - I                             | 3         | 1        | 0        | 4         | 30                | 70         | 100        |
| 4   | LCC 0504    | Law of Crimes                              | 3         | 1        | 0        | 4         | 30                | 70         | 100        |
| <b>Law Discipline Specific Elective Course (Any One from the following)</b> |             |  |           |          |          |           |                   |            |            |
| 5   | LDSE 0505   | Health and Food Law                        |           |          |          |           |                   |            |            |
| 6   | LDSE 0506   | Equity and Trust Law                       |           |          |          |           |                   |            |            |
| 7   | LDSE 0507   | Criminal Psychology and Criminal Sociology |           |          |          |           |                   |            |            |
| 8   | LDSE 0508   | Agricultural Marketing Law                 | 3         | 1        | 0        | 4         | 30                | 70         | 100        |
| <b>Law Generic Elective Course</b>  |             |  |           |          |          |           |                   |            |            |
| 9   | LGE 0509    | Intellectual property Rights               | 3         | 1        | 0        | 4         | 30                | 70         | 100        |
| 10  | EPM 0510    | English*                                   | -         | -        | -        | -         | -                 | -          | -          |
| <b>Total</b>  |             |  | <b>18</b> | <b>6</b> | <b>0</b> | <b>24</b> | <b>180</b>        | <b>420</b> | <b>600</b> |



**Objectives of the Course:**

This Course is designed to acquaint students with the basic principles of Constitution and Constitutionalism, the reasons and justification of the growth of Fundamental Rights in India as well as the operation of Fundamental Rights, Directive Principles in India. The basic norm of the land will be taught to the students with the help of appropriate judicial decisions.

***Module 01: Introduction to the Indian Constitution:***

1. Constituent Assembly in India and framing of the Constitution:
  - a) Formation of the Constituent Assembly of India
  - b) The issues before the Constituent Assembly
  - c) Passing of the Constitution
  - d) Dr. Ambedkar's warning and anxiety about the working of the Constitution
  - e) Date of Commencement of the Constitution
2. Concepts of Constitutional Law and Constitutionalism
3. Salient features of the Constitution of India
4. Preamble to the Constitution of India

***Module 02: Territory of India, Citizenship & General Principles Relating to Fundamental Rights (Articles 12 and 13):***

- 1) Union and its Territory (Articles 1 to 4):
- 2) Citizenship of India:
  1. Constitutional Provisions (Articles 5 to 11):
    - a) Importance of Citizenship under the Constitution of India
    - b) Citizens by Domicile
    - c) Citizens by Migration
    - d) Citizens by Registration
    - e) Termination of Citizenship
    - f) Dual Citizenship
  2. The Citizenship Act, 1955:
    - a) Acquisition of Citizenship



- b) Loss of Citizenship
- 3) General Principles Relating to Fundamental Rights (Articles 12 and 13):
  - 1. Concept of Fundamental Rights – Their Origin and Development
  - 2. State- Other Authorities, Local Authorities, The LPG and Article 12
  - 3. Law – Law and Law in force, Personal Law, Custom.
  - 4. Justifiability of Fundamental Rights -
    - a) Laws inconsistent with fundamental rights
    - b) Unconstitutionality of Statute
    - c) Doctrine of Eclipse
    - d) Doctrine of Severability
    - e) Waiver of Fundamental Rights
  - 5. Whether the Constitution Amendment Act is law under Article 13?
  - 6. Power and Procedure of Amendment
  - 7. Basic Structure Doctrine

***Module 03: Right to Equality (Article 14 to 18):***

- 1. Equality before law and Equal protection of Law
- 2. Permission of Reasonable Classification but prohibition of Class legislation
- 3. Article 14 Strikes at Arbitrariness
- 4. Prohibition of discrimination against citizens
- 5. Special provisions for women and children
- 6. Special provisions for Backward Classes, Impact of Privatization of Education
- 7. Equality of Opportunity in Matters of Public Employment, Impact of Privatization on Public Employment
- 8. Reservations in Promotion
- 9. Abolition of Untouchability
- 10. Abolition of Titles



***Module 04: Right to Freedom I (Article 19):***

1. Freedom of Speech and Expression and Reasonable Restrictions
2. Freedom of Assembly and Reasonable Restrictions
3. Freedom to form Association or Union and Reasonable Restrictions
4. Freedom of Movement and Reasonable Restrictions
5. Freedom of Residence and Settlement and Reasonable Restrictions
6. Freedom of Profession, Occupation, Trade and Business and Reasonable Restrictions
7. Right to Property -
  - a) Pre- 1978 Position - Article 19(f) and 19(5); Eminent Domain; Article 31; Inter-  
relation of Article 31, Article 14 and Article 19(1)(f)
  - b) Present Position - Article 31 A, Article 31 B, Article 31 C, Article 300 A

***Module 05: Right to Freedom II (Articles 20 to 22):***

1. Protection in Respect of Conviction for offences -
  - a) Protection against Ex-post Facto Law
  - b) Guarantee against Double Jeopardy
  - c) Privilege against Self-Incrimination
2. Protection of Right to Life and Personal Liberty -
  - a) A. K. Gopalan to Maneka Gandhi
  - b) Relationship between Articles 14, 19 and 21
  - c) Due Process of Law
  - d) Extended view in post Maneka Gandhi period
3. Right to Education - Evolution and Importance
4. Protection against Arrest and Detention -
  - a) Protection against Arrest
  - b) Protection against Preventive Detention
  - c) Laws Authorising Preventive Detention

***Module 06 Right against Exploitation (Articles 23 and 24):***

- 1) Right against Exploitation (Articles 23)
  - a) Traffic in Human Beings
  - b) Beggar and Similar forms of Forced Labours
  - c) Compulsory Services for Public Purpose
- 2) Prohibition of Employment of Children (**Articles 24**)



***Module 07 Right to Freedom of Religion (Articles 25 to 28) and Cultural and Educational Rights (Articles 29 to 30):***

- 1) Right to Freedom of Religion (Articles 25 to 28)
  - a) Concept of Secularism
  - b) Freedom of Conscience and right to Profess or Practice and Propagate religion
  - c) Freedom of Religion of Religious Denomination
  - d) Freedom from Paying of Taxes for Promotion of any Religion
  - e) Annual Payment to certain Devasworn Funds (Article 290A)
  - f) Prohibition of Religious Instructions in Educational Institutions
- 2) Cultural and Educational Rights
  - a) Concept of Minority
  - b) Protection of Interest of Minorities
  - c) Right of a Minority to Establish Educational Institution
  - d) Regulation of Minority Educational Institution

***Module 08: Right to Constitutional Remedies:***

- a) Enforcement of Fundamental Rights
- b) Procedure in Enforcement of Fundamental Rights
- c) Power to issue Writs, Directions or Orders – Types of Writs
- d) Comparison between Article 32 and Article 226
- e) Public Interest Litigation
- f) Fundamental Rights during Emergency

***Module 09 Directive Principles of State Policy (Articles 36 to 51) and Fundamental Duties (Article 51A):***

1. Nature and Importance of Directive Principles
2. Inter-relationship between Fundamental Rights and Directive Principles.
3. Directive Principles of State Policy
4. Fundamental Duties – Nature and Importance



***Recommended Readings:***

1. M. P. Jain, *Indian Constitutional Law*, LexisNexis (2015).
2. D.D. Basu, *Constitutional Law of India*, LexisNexis (2013).
3. Narendra Kumar, *Constitutional Law of India*, Allahabad Law Agency (2015).
4. H. M. Seervai, *Constitutional Law of India*, N.M. Tripathi.
5. Arvind Datar, *Commentary on Constitution of India (3 Vols)*, LexisNexis (2010).
6. Sathya Narayan (Ed), *Selected Work of S.P. Sathe (3 Vols)*, Oxford University Press (2015).
7. M.P. Singh, *V.N. Shukla's Constitution of India*, Eastern Book Company, (2013).
8. Sujit Chaudhry, Madhav Khosala and Pratap Bhanu Mehta, *The Oxford Handbook of the Indian Constitution*, Oxford University Press.
9. Granville Austin, *Working of a Democratic Constitution- The Indian Experience*, Oxford University Press.
10. Gautam Bhatia, *The Transformative Constitution: A Radical Biography in Nine Acts*, Harper Collins Publication, India. 2019.
11. Dr. Suresh Mane, *Indian Constitutional Law, Dynamics and Challenges*, Aarti & Co.
12. Madhav Khosala, *The Indian Constitution (Oxford India Short Introductions)*, Oxford University Press, 2012.
13. Sudhir Krishnaswamy, *Democracy and Constitutionalism in India – A Study of the Basic Structure Doctrine*, Oxford University Press.
14. S.B. Shiva Rao, *The Framing of the Indian Constitution*, Vols. I and V, the Indian Institute of Public Administration, New Delhi (1966).
15. H.R. Khanna, *Making of India's Constitution*, Eastern Book Co., Lucknow.



**Objectives of the Course:**

Individuals, organisations, institutions, governments make countless contracts for effecting their transactions. They enjoy considerable freedom in devising the terms of their transactions, which they will decide through negotiations. The general principles that affect these contracts, and that allow their enforcement in case of breach, are given in Sections 1 – 75 of the Indian Contract Act, 1872 (ICA). Contract remedies are also provided in the Specific Relief Act, 1963 (SRA). These two laws form the main course for this subject.

This course is designed to acquaint a student with the general conceptual and practical principles of contract, rules for formation of contract, performance, and enforcement of contract remedies.

***Module 01 Introduction & Formation of Contract:***

1. Meaning, Nature and Scope of Contract
2. Offer / Proposal: Definition, essential elements, Communication, Revocation, General/ Specific Offer, Invitation to Offer, Tenders and Auctions.
3. Acceptance: Definition, essential elements, Communication, Revocation.
4. Modes of Communication – Postal, Telephonic, Telex, E-mail and WhatsApp.
5. Essential elements of a Valid Contract & Effect of Void, Voidable, Valid, Illegal, Unlawful Agreements
6. Online Contracts and Standard & Printed Form of Contracts.



***Module 02 Competency of Parties – Section 10 to 12 of ICA, 1872:***

1. Age of majority under the Indian Majority Act 1875, Contracts with Minors, effect of contracting with a minor, the purpose of the law, liability for supply of necessaries: Section 68 of ICA, 1872.
2. Soundness of mind for the purpose of making contracts, effect of unsoundness of mind on the contract.
3. Legal disqualification – examples: Section 75 of the Patents Act, 1970, Section 75 of the Indian Forests Act, 1927, Section 130 of the Transfer of Property Act, 1882.
4. Competency of prisoners in jail, married women, aliens, insolvents.

***Module 03 Free Consent - Sections 13 to 22, 64, 65, 67 of ICA, 1872:***

1. Consent and Free Consent.
2. Coercion and its effect on the contract: Sections 15 and 19 of Indian Contract Act, 1872
3. Undue Influence and its effect on the contract, Pardanashin women unconscionable bargains: Sections 16 and 19A of Indian Contract Act, 1872.
4. Misrepresentation and its effect on the contract: Sections 18 and 19 of Indian Contract Act, 1872
5. Fraud and its effect on the contract: Sections 17 and 19 of Indian Contract Act, 1872.
6. Mistake, mutual and common mistake, unilateral mistake, mistake of law and fact, its effect on the contract: Sections 20 - 22 of ICA, Section 26 of SRA, 1963.
7. Remedies available to the party whose consent is not free: rescission, restoration - Sections 19, 19A, 67, 64, 65 of ICA, 1872, Loss of right of rescission - Sections 25 and 28 of SRA, 1963.





***Module 04 Consideration - Sections 2(d) ICA, 1872:***

1. Definitions, meaning, importance and essential elements of Consideration.
2. Act, forbearance and promise
3. Present, past and future consideration
4. Adequacy of consideration and effect of inadequacy
5. No consideration, no contract, and exceptions to the rule
6. Doctrine of Privity of Contract and its exceptions.

***Module 05 Void Agreements - Sections 23 – 30 of ICA, 1872:***

1. Unlawful agreements, circumstances in which agreements enforced even if unlawful:  
Sections 23-24, 57-58 of ICA,1872, Section 27 of SRA, 1963
2. Void agreements: Restraint of marriage, trade and legal proceedings, uncertain agreements, wagering agreements: Sections 26 – 30 & 56 of ICA, 1872
3. Effect of void and of unlawful agreements

***Module 06 Contingent Contracts and Quasi-Contracts:***

1. Contingent contracts and their enforcement - Sections 31 – 36 of ICA, 1872:
  - a) Definition of contingent contract, contingent and absolute obligations
  - b) Effect of happening & non-happening of event
  - c) Enforcement of contingent contracts
2. Quasi-contracts - Sections 68-72, 73(Para 3) of ICA, 1872:
  - a) Five kinds of quasi-contracts stated in the Act – Sections 68-72 of ICA, 1872
  - b) Doctrine of Restitution
  - c) Effect of breach of quasi-contractual obligations



***Module 07 Performance and Discharge of Contract:***

1. Obligation to perform or offer to perform; who must perform, effect of death on personal contracts, rights and liabilities under a contract: Sections 37-41 of ICA, 1872
2. Devolution of Joint rights and liabilities: Sections 42-45 of ICA
3. Time & Place of performance, right to terminate if time is of essence of contract: Sections 46- 50, 55 of ICA, 1872
4. Liability to pay interest for delay: under contract terms, under the Interest Act 1978
5. Performance of Reciprocal promises, effect of non-performance of one of reciprocal promises; unilateral and bilateral promises: Sections 51 - 54 of ICA, 1872
6. Appropriation of payments: Sections 59-61 of ICA, 1872.

***Discharge of a Contract:***

1. By performance; by offer of performance: Sections 38 of the ICA, 1872
2. By non-performance by one party: 54 of ICA, 1872
3. By breach of contract and rescission: Sections 39, 53, 55 of ICA, 1872
4. Doctrine of impossibility and its effect: Section 56 of ICA
5. By agreement: novation, alteration and rescission: Section 62 of ICA, 1872
6. By act of promisee: dispensing, remission and waiver, extension of time, accord and satisfaction: Section 63 of ICA, 1872
7. Termination or discharge under contract provisions.

***Module 08 Contract Remedies:***

1. Remedies under Contract Law:
  - a) Compensation (damages) Section 73-74 of ICA, 1872: - General and special, substantial and nominal, aggravated and punitive, liquidated and unliquidated and rules as to remoteness of damages



b) Claim in quantum meruit.

2. Remedies under Specific Relief Act, 1963:

**a) *Specific performance:***

- Cases in which it can and cannot be granted- Sections 10 and 14 of SRA, 1963
- Personal bars to relief - Section 16 of SRA, 1963
- Discretionary relief - Section 20 of SRA, 1963
- Who can claim specific performance - Section 15 of SRA, 1963
- Against whom can specific performance be claimed - Section 19 of SRA, 1963
- Claim for compensation and other reliefs in a suit for specific performance - Sections 21–24, 29 of SRA, 1963
- Defenses in suits of specific performance - Section 9 of SRA, 1963
- Rescission of a contract of which specific performance has been decreed - Section 28 of SRA, 1963

**b) *Injunctions in suits relating to contract:***

- Discretionary relief - Section 36 of SRA, 1963
- Kinds - Temporary and perpetual, prohibitory and mandatory: Section 36- 37, 39 of SRA, 1963
- When can injunction be granted? - Section 38(1) and (2) of the SRA, 1963
- When will injunction not be granted? - Section 41 clauses (a), (b), (e), (g), (i), (j) of SRA, 1963
- Injunction to enforce negative covenants - Section 42 of SRA, 1963
- Claim for compensation in a suit for injunction. - Section 40 of SRA, 1963

c) Rescission - Sections 27, 30 of SRA, 1963

d) Rectification of instruments - Section 26 of SRA, 1963

e) Cancellation of instruments - Sections 31, 33 of SRA, 1963.



***Recommended Readings:***

1. Avtar Singh, *Law of Contract and Specific Relief*, 12th ed, 2017, Eastern Book Company.
2. V. Kesava Rao, *Contract I: Cases and Materials*, 2nd ed, 2014, LexisNexis.
3. Ritu Gupta, *Law of Contract – includes the Specific Relief Act 1963*, 2015, LexisNexis.
4. Mulla, *The Indian Contract Act*, Anirudh Wadhwa ed., 15th ed., 2015, LexisNexis.
5. M. Krishnan Nair, *Law of Contracts*, 1998.
6. Garima Tiwari, *Understanding Laws – Contracts*, 2014, LexisNexis.
7. Anson's *Law of Contract*, Beatson and Burrows ed. 29th ed., 2010, Oxford University Press.
8. G.H. Treitel, *Outline of Law of Contract*, 6th rev ed, 2005, Oxford University Press.
9. Atiyah's *Introduction to the Law of Contract*, Stephen Smith ed., 2nd ed, 1997 Oxford University Press.
10. Cheshire, Fifoot and Furmston's *Law of Contract*, Michael Furmston ed., 16th ed, 2012, Oxford University Press.
11. Pollock and Mulla's *Indian Contract Act*, Nilima Bhadbhade ed., 14th updated edition, 2014, LexisNexis.
12. Nilima Bhadbhade, *Contract Law of India*, 2nd ed 2009, Kluwer, available free on google books.
13. Pollock and Mulla's *Specific Relief Act*, Nilima Bhadbhade ed., 14th updated edition, 2014, LexisNexis.
14. Nilima Bhadbhade, *Specific Performance of Contracts: The Tests of Inadequacy and Effective Enforcement*, 2014, LexisNexis.
15. S C Banerjee, *Law of Specific Relief: Tagore Law Lectures*, 13th ed, 2015, LexisNexis.
16. Sarkar on *Specific Relief*, Sudipto Sarkar and R Yasho Vardhan eds, 17th ed, 2016, LexisNexis.
17. R K Singh, *Law Relating to Electronic Contracts*, 2nd ed, 2015, LexisNexis.



**Objectives of the Course:**

The personal law applicable to Hindus, Muslims, Christians, Parsis and other denominations is not fully codified. While these personal laws are similar in their essential broad underlying principles, they are much different in their details. Personal law is applicable not only to aspects of family relations, viz. marriage and divorce, support and maintenance, children and their custody and guardianship, adoption and the like, but also to law relating to property, viz. joint family systems, devolution to property upon death of a person. The differences in the provisions applicable to different denominations arise from the history and growth of these laws over centuries.

This course covers the history and development of the principles and provisions of different personal laws, and the sources from which these laws are derived. It primarily comprises the laws applicable to family relations: marriage and divorce, maintenance, alimony, adoption and guardianship. It also lays emphasis on the general law applicable to all persons: the Special Marriage Act, 1963 and the Foreign Marriages Act, 1969. The course familiarizes the students to the differences in the various systems, and to understand the reasons, merits and demerits of the various provisions. Study of this subject should enable the students to view family law not merely as a separate system of personal laws based upon religious beliefs, but as one cutting across religious lines, eventually enabling fulfillment of the Constitutional directive of Uniform Civil Code.

***Module 01 Introduction to Hindu and Muslim Law:***

1. Nature of Hindu law, Application of Hindu law
2. Sources of Hindu law - Ancient to Modern
3. Schools of Hindu law
4. Development and nature of Muslim law, Application of Muslim law
5. Sources of Muslim law
6. Schools of Muslim law



***Module 02 Marriage and Matrimonial Reliefs under Hindu law:***

1. Evolution and concept of the institution of marriage, nature and forms of marriage under ancient Hindu law
2. Essentials of a valid marriage under the Hindu Marriage Act, 1955; ceremonies of marriage; valid, void and voidable marriages; importance of custom; marriage with a non-Hindu; registration of marriage; effect on legitimacy of children
3. Divorce, theories of divorce, grounds of divorce, customary divorce, effect of divorce, emerging trends; Bar to remarriage after a divorce
4. Other matrimonial reliefs: Nullity of marriage; Judicial separation; Repudiation of marriage; Restitution of conjugal rights; Other reliefs granted by a court in matrimonial proceedings (other than maintenance); Bar to matrimonial reliefs
5. Jurisdiction of courts: under the Hindu Marriage Act, 1955 and the Family Courts Act, 1984

***Module 03 Marriage and Matrimonial Reliefs under Muslim law:***

1. Muslim marriage: pre-Qur'anic background, definition of nikah, nature and classification of marriages
2. Essentials and formalities of a valid marriage, legal effects of a valid marriage, mut'a marriage, stipulation in marriage contract; guardianship in marriage with reference to Shias and Sunnis
3. Mehr / Dower, nature and kinds of dower, rights of wife in case of unpaid dower
4. Nullity of marriage; restitution of conjugal rights; option of puberty (khair-ul- bulugh)
5. Talaq, kinds of talaq, divorce under the Dissolution of Muslim Marriage Act, 1939
6. Remarriage; Iddat : its rationale, utility and periods; prohibition to marry in certain cases



***Module 04 Marriage and Matrimonial Reliefs among Parsis, Christians and under the Special Marriage Act, 1954:***

1. Marriage under the Parsi Marriage and Divorce Act, 1936: Essentials of a valid marriage; Solemnization of marriage and its registration; Dissolution of marriage, divorce, nullity, judicial separation, restitution of conjugal rights; Remarriage; Parsi Matrimonial Courts and procedures
2. Marriage under the Indian Christian Marriage Act, 1872; Essentials of a valid marriage; Solemnization of marriage and its registration; Marriage of Indian Christians; Provisions under the Indian Divorce Act, 1869: relating to dissolution of marriage, judicial separation, nullity, restitution of conjugal rights; Remarriage; Jurisdiction of courts and procedures
3. Marriage under the Special Marriage Act, 1954: Essentials of a valid marriage, Solemnization of marriage and procedure, its registration and certificate; Registration of existing marriages, procedure and registration; Effect and consequences of such marriages; Void and voidable marriages; Remedies of divorce, judicial separation, restitution of conjugal rights; Remarriage; Jurisdiction of courts and procedures
4. Marriages of citizens outside India under the Foreign Marriages Act, 1969: Essentials, Solemnization of marriage, procedure and certificate, Effect of such marriage, Divorce of foreign marriages
5. Comparative analysis of marriage and matrimonial reliefs in different laws.
6. Relationship in the nature of marriage: live-in relationship, same-sex relationships

***Module 05 Alimony and Maintenance:***

1. Maintenance pendente lite and permanent maintenance; Maintenance of wives, children and parents under the Hindu law, Muslim law, Christian law and Parsi law; Maintenance in matrimonial proceedings under these laws



2. Alimony and maintenance under the Special Marriage Act, 1954, the Protection of Women from Domestic Violence Act, 2005, the Code of Criminal Procedure, 1973, and the Maintenance and Welfare of Parents and Senior Citizens Act, 2007

***Module 06 Law on Adoption and Guardianship:***

1. Adoption: Essentials of valid adoption with reference to the person adopted, the person adopting and other conditions; Procedure; When adoption is complete; Effect of adoption; Right of adoptive parents to dispose of their property

2. Inter-country adoption, CARA guidelines; Recognition of foreign adoptions; Adoption by foreign parents

3. Guardianship under the Hindu and Muslim law, and under the Guardian and Wards Act, 1890: Kinds of Guardians; Procedure for appointment of a guardian; Guardian's powers over the person and property of children; Rights, obligations, duties; liabilities, disqualifications and disabilities of guardians

4. Powers of Court

5. Custody of Minor and Minor's property; Powers of courts in matrimonial proceedings to pass orders about custody and well-being of children





***Recommended Readings:***

1. Kusum, Family Law Lectures: Family Law I, LexisNexis, New Delhi.
2. Satyajeet A Desai, Mulla's, Hindu Law, LexisNexis, New Delhi.
3. Justice Ranganath Mishra, Mayne's Hindu Law and Usage, Bharat Law House, New Delhi.
4. H. K. Saharay, Family Law in India, Eastern Law House, New Delhi.
5. Flavia Agnis, Family Law Vol I and II, Oxford University Press, New Delhi.
6. Tahir Mahmood, Principles of Hindu Law, Universal Law Publishing, New Delhi.
7. Mulla, Principles of Mohammedan Law, LexisNexis, Nagpur.
8. Asaf A A Fyzee, Outline of Mohammedan Law, Oxford University Press, New Delhi.
9. Amer Ali, Mohammedan Law, Vol. I and II, Eastern Book Company.
10. Bharatiya V P, Sayyad Khalid Rashid's Muslim Law, Eastern Book Company, Lucknow.
11. Derrett, Introduction to Modern Hindu Law, Universal.



**Objectives of the Course:**

**Objectives of the Course:** This course provides an in-depth understanding of the fundamental principles of criminal law in India. It focuses on the substantive aspects of criminal law as encapsulated in the Bhartiya Nyaya Sanhita 2023 (BNS). It aims to equip students with the knowledge of various offenses, their classifications, and the corresponding punishments as defined under the BNS and other relevant statutes. The objectives of this course are - to understand the historical background and the structure of the Bhartiya Nyaya Sanhita, to analyse the essential elements of various offenses under the BNS, to examine the classifications of offenses and corresponding punishments, to critically evaluate judicial interpretations and their impact on criminal law, to develop analytical and problem-solving skills through the study of case laws.

**Module I: Introduction to Bhartiya Nyaya Sanhita 2023**

1. Historical background and development of the Criminal Law in India
2. Structure and classification of the BNS
3. Jurisdiction under Bhartiya Nyaya Sanhita 2023 (Section 1)
4. Definitions and General Explanations (Section 2& 3)
5. Principles of criminal liability and elements of crime

**Module II: General Exceptions (Sections 4 – 44)**

1. Mistake of fact (Sections 14 & 17)
2. Judicial acts (Sections 15-16)
3. Accident (Section 18)
4. Absence of criminal intent (Sections 19-24)
5. Consent (Sections 25-30)
6. Communication in Good Faith (Section 31)
7. Act compelled by threats (Section 32)
8. Trifling acts (Section 33)
9. Right of private defense of body and property (Sections 34-44)

**Module III: Inchoate Crimes (Sections 45-62)**

1. Definition and nature of inchoate crimes.
2. Abetment (Sections 45- 60)
3. Conspiracy (Section 61)
4. Attempt (Section 62)



***Module IV: Offenses Against the Human Body***

1. Culpable homicide and murder (Sections 100- 105)
2. Death by negligence (Section 106)
3. Attempt to murder (Section 109)
4. Hurt and grievous hurt (Sections 114-125)
5. Organized Crime (Sections 111 -112)
6. Terrorist Acts (Section 113)
7. Wrongful restraint and confinement (Sections 126-127)
8. Force and Assault (Sections 128-136)
9. Kidnapping , abduction, slavery and forced labour (Sections 137-146)
10. Defamation (Section 356)

***Module V: Offenses Against Women***

1. Rape (Sections 63-73)
2. Sexual harassment (Section 75)
3. Assault or criminal force with intent to disrobe (Section 76)
4. Voyeurism (Section 77)
5. Stalking (Section 78)
6. Dowry Death (Section 80)
7. Cruelty by Husband or relatives ( 85 -86)

***Module VI: Offenses Against Property***

1. Theft (Sections 303-307)
2. Extortion (Sections 308)
3. Robbery and dacoity (Sections 309-313)
4. Criminal misappropriation of property (Sections 314-315)
5. Criminal breach of trust (Sections 316)
6. Receiving stolen property (Sections 317)
7. Cheating (Sections 318-323)
8. Mischief (Sections 324-328)
9. Criminal trespass (Sections 329-334)



***Module VII : Offenses Against Public Tranquility***

1. Unlawful assembly (Sections 189)
2. Rioting (Sections 191)
3. Affray (Section 194)
4. Promoting enmity between different groups (Section 196)
5. Imputations and assertions prejudicial to national integration (Section 197)

***Module VIII: Offences against the State.***

1. Waging, attempting to wage, or abetting waging of war against the Government (Sections 147-150)
2. Assaulting President, Governor, etc., with intent to compel or restrain the exercise of any lawful power (Section 151)
3. Sedition (Section 152)
  - a. Definition and scope
  - b. Historical background and recent judicial trends
4. Waging war against any Asiatic Power in alliance with the Government (Section 153)
5. Depredation on territories of power at peace with the Government (Section 154)
6. Receiving property taken during war or depredation (Section 155)
7. Public servant voluntarily allowing prisoner of State or war to escape (Section 156)

***Recommended Readings:***

1. M.C. Setelvad, Common Law in India (Chapter III, Criminal Law, p. 124-176),
2. Stevens Stephen, A History of Criminal Law of England, Vol. III (Last Chapter on Indian Penal Code), London, Macmillan.
3. R C Nigam, Law of Crimes in India, Vol. I, Asia Publishing House, New York.
4. Glanville Williams, Criminal Law, Universal Law Publishing.
5. J.W. Cecil Turner, Kenny's Outlines of Criminal Law, Universal Law Publishing.
6. Smith and Hogan, Criminal Law, Oxford University Press.
7. Andrew Ashworth Principles of Criminal Law, Clarendon Law Series.
8. S.K. Savaria, R. A. Nelson's Indian Penal Code (4 Volumes), LexisNexis Delhi.
9. Hari Singh Gaur, Penal Law of India (4 volumes), EBC.
10. PSA Pillai's Criminal Law, 13th Ed. Revised by K.I. Vibhute, LexisNexis, New Delhi.
11. J.D. Mayne, Indian Penal Code (Ed. II 1901, p.242-249).
12. K.N. Chandrashekhar Pillai, Essay's on Indian Penal Code, Indian Law Institute.
13. R.C. Srivastava, Law Relating to Crime and Punishment, Manav Law House, Allahabad.
14. K.D. Gaur, A Text Book on Indian Penal Code Universal Law Publishing.
15. K.D. Gaur, Criminal Law Cases and Material, Butterworth.
16. Ratanlal and Dhirajlal, The Indian Penal Code, Wadhwa and Company, Nagpur.



***Law Discipline Specific Elective Course (Any One from the following):***

***LDSE 0505 Health and Food Law:***

**Objectives of the Course**

The objectives of the course are :

- (1) To enable the students to acquire knowledge of constitutional protections with respect to health;
- (2) To impart knowledge to the students of basic laws relating to protection of health;
- (3) To impart knowledge about need and nature of right to food and nutrition in India;
- (4) To expose students to need and nature of programme on food safety and standards in India;
- (5) To expose students to need and nature of programme of national food security in India;
- (6) To enable the students to acquire sound knowledge of health and food regulatory mechanism in India

***Module 01 Introduction:***

1. Concept and Importance of Health
2. Public Health in India - Ancient, medieval and modern perspectives
3. Human Rights Perspectives of Health - an Overview

***Module 02 Health and Constitutional Protections:***

1. Fundamental Rights - Right to Health, Right to Decent Environment, Right to Shelter, Reproductive Rights of Women
2. Directive Principles of State Policy and Health

***Module 03 Health and Legal Protection - Relevant Provisions under following Laws:***

1. The Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994
2. The Factories Act, 1948
3. Law on Mental Health
4. The Maternity Benefit Act, 1961



5. The Infant Milk Substitutes, Feeding Bottles and Infant Foods Act, 1992
6. The Transplantation of Human Organs Act, 1994
7. The Indian Penal Code, 1860 - Chapter XIV (Sections 269 to 278)

***Module 04 Right to Food and Nutrition in India:***

1. Fundamental Rights - Right to Food and Nutrition
2. Directive Principle of State Policy on Food and Nutrition
3. Human Rights Perspectives of Food and Nutrition - an Overview

***Module 05 The Food Safety and Standards Act, 2006:***

1. Need, Objects and Basic Concepts
2. Food Safety and Standards Authority of India
3. General Principles of Food Safety
4. General Provisions as to Articles of Food
5. Provisions Relating to Import
6. Enforcement of the Act
7. Analysis of Food
8. Offences and Penalties
9. Adjudication and Food Safety Appellate Tribunal

***Module 06 The National Food Security Act, 2013:***

1. Need, Objects and Basic Concepts
2. Provisions for Food Security and Food Security Allowance
3. Identification of Eligible Households
4. Reforms in Targeted Public Distribution System.



5. Women Empowerment
6. Grievance Redressal Mechanism
7. Obligations of Central Government for Food Security
8. Obligations of State Government for Food Security
9. Obligations of Local Authorities
10. Transparency and Accountability
11. Provisions for Advancing Food Security

***Recommended Readings:***

1. R.K. Nayak (ed.), The Indian Law Institute, Global Health Law, (1998), World Health Organization, Regional Office for South East Asia, New Delhi.
2. Pragya Kumar and Virendra Kumar, Health as a Fundamental Human Right, in Dilemmas in Health Policy, at C-1 C-8 (1986).
3. M.L. Bhargava, Law of Food Safety and Standards Act, 2006, Kamal Publishers; 2017.
4. Kiron Prabhakar, A Practical Guide to Food Laws and Regulations, Bloomsbury India, September 2016.
5. Bhatnagar, Food Laws in India, Ashoka Law House, 2011.
6. R.K. Gupta (Eds.), Food Safety in 21st Century – Public health Perspectives, Academic Press, 2016.  
(Provisions dealing with Food Adulteration), January, 2017.
7. Food Security and Right to Food: S. Mahendra Dass, K.P. Khanna, 2003, Institute for Human Development, New Delhi.



8. George Ken, Human Right to Food and Dignity.
9. "Right to Food Act: Beyond Cheap Promises" Economic and Political Weekly, July 18, Vol.42, No.29.
10. R. Radhakrishna, in K. Parikh, Food and Nutrition Security, India Development Report 2002, Oxford University Press, New Delhi.





**Objectives of the Course:**

Trust being an obligation connected with property, the law has to play a key role in protecting interests of persons for whose benefit trust is created and for balancing the rights and duties of persons connected with trust transactions. There are also instances where even in the absence of specific trust, law has to protect the beneficial interests of persons on equitable considerations. Trusts may also be created for public purposes of charitable and religious nature. The existing laws in respect of trusts, equitable and fiduciary relations connected with property are to be taught in detail. The objectives of the course are to enable the students to acquire knowledge of law on private and public trust and also the principles of equity.

**Part I**

**The Indian Trusts Act, 1882:**

**Module 01 Introduction to Private Trust:**

1. Objects, Basic Concepts, Kinds of Trusts
2. Private trust and Public trust
3. Comparison of Trust with other relationships - Trust and Ownership, Trust and Bailment, Trust and Agency, Trust and Contract, Trust and Equitable Charge, Trust and Mortgage, Trust and Administration

***Module 02 General Principles:***

1. Creation of Trusts
2. Appointment of Trustees
3. Vacating the Office of Trustee
4. Extinction of Trusts



***Module 03 Regulation of Relationship Between Trustee and Beneficiary:***

1. Duties and Liabilities of Trustees
2. Rights and Powers of Trustees
3. Disabilities of Trustees
4. Rights and Liabilities of the Beneficiary
5. Certain Obligations in the Nature of Trusts
6. Fiduciary Relationship - Meaning, Express and Constructive Trusts, Application of the Principle of fiduciary Relations and Exceptions.

**Part II**

**The Maharashtra Public Trusts Act, 1950:**

**Module 04 Introduction to Public Trust:**

1. Objects, Application, Basic Concepts / Definitions, and Kinds of Trusts
2. Establishment
3. Charitable Purposes and Validity of Certain Public Trusts
4. Registration of Public Trusts
5. Change Reports
6. Framing of Schemes

***Module 05 Supervision and Control of Public Trusts:***

1. Budget, Accounts and Audit
2. Powers and Duties of, and Restriction on Trustees
3. Control of Public Trusts - Powers and Functions of Charity Commissioner
4. Other Functions and Powers of Charity Commissioner



***Module 06 Special Provisions under the Act:***

1. Special Provision as Respects Religious and Charitable Institutions and Endowments
2. Public Trusts Administration Fund
3. Offences and Penalties
4. Function of Charity Commissioner, Procedure, Jurisdiction and Appeals

**Part III**

**Principles of Equity:**

**Module 07 Development and Maxims of Equity:**

1. Concept of Common Law and Common Law Courts
2. Concept and Definition of Equity
3. Origin and Development of Equity
4. Fusion of Common Law and Equity
5. Recognition of Equity under Indian Legal System - Overview
6. Maxims of Equity -
  - a) Equity will not suffer a wrong to be without a remedy
  - b) Equity follows the law
  - c) He who seeks equity must do equity
  - d) He who comes to equity must come with clean hands
  - e) Delay defects equity
  - f) Equality is equity
  - g) Equity looks upon that has done which ought to have been done
  - h) Equity looks to the intent rather to the form
  - i) Equity imputes an intention to fulfill an obligation
  - j) Equity acts in personam
  - k) Where the equities are equal the first in time shall prevail

Where there is equal equity, the law shall prevail



***Recommended Readings:***

1. S. Krishnamurthy Aiyar and Harbans Lal Swin, Principles and Digest of Trusts Laws (1998), University Book Agency, Allahabad.
2. R.E. Megarry and P.V. Baker, Snell's principles of Equity (1964) ELBS, Sneyd and Maxwell.
3. Iyer N., Indian Trust Act (1997), Delhi Law House, New Delhi.
4. Rajarathnam, Natarajan and Thankaraj, Commentary on Charitable Trusts and Religious Institutions (2000) Universal, Delhi.
5. Rao. C.R, The Indian Trust Act and Allied Laws, Puliani and Puliani Booksellers, Bangalore (1999).
6. Rangacharya I V, The Indian Trusts Act, Madras Law Journal Office (1972).
7. B.M. Gandhi - Equity, Trusts and Specific Relief (Eastern Book Company, Lucknow)
8. Aggarwal O P, The Indian Trusts Act.
9. Tandon M P, The Indian Trusts Act, Allahabad Law Agency.
10. Chaudhari D H, The Bombay Public Trusts Act, 1950.
11. Shah K N, The Bombay Public Trusts Act, 1950.
12. Apte M S, The Bombay Public Trusts Act, 1950.
13. Gupte and Dighe - The Bombay Public Trust Act (Hind Law House Pune).
14. Philip H. Pettit, Equity and Law of Trust, Oxford University (2012).
15. Ahmad Aquil, Equity, Trusts and Specific Relief, Central Law Agency.
16. Basu Durga Das, Equity, Trusts and Specific Relief, Kamal Law House, 1996.



**Objectives of the Course:**

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

***Module 01 Crime, Criminal and Criminology:***

1. What is crime? Who is the criminal?
2. What is Criminology?
3. Schools of Criminology -
  - a) The Pre-Classical School
  - b) The Classical School
  - c) Neo-Classical School
4. Positivist Approach - Radical Positivism and Liberal Positivism
  - a) Cesare Lombroso
  - b) Enrico Ferri
  - c) Raffaele Garofalo
  - d) Gabriel Tarde

***Module 02 Psychology and Crime:***

1. Meaning, purpose and scope of criminal psychology
2. Psychological vs. Psycho - analytical approach to crime
3. Behaviourist approach to crime
4. Definition of criminal Behaviour - Psychodynamics of criminal Behaviour.
5. Mental illness and crime
6. Human aggression and violence to crime



***Module 03 Psychometric Test - Its use in Criminal Behaviour:***

1. Measurement of criminal Behaviour - Psychological test to measure criminal Behaviour
2. Criminal profiling: Definition and process of profiling criminal personality
3. Factors underling criminal profiling
4. Merit and demerit of criminal profiling

***Module 04 Forensic Psychology - Concept and Importance:***

1. Definition, meaning and scope of forensic psychology
2. Historical background of forensic psychology in India and abroad
3. Role of forensic psychology in the investigation of crime
4. Psychology and the police
5. Application of psychology in court
6. Application of psychology in prison

***Module 05 Sociological Theories - Crime and Social Structure:***

1. Social structure theory
2. Social disorganization theory
3. Merton, anomie and strain

***Module 06 Subcultural Theories:***

1. Cohen's theory of the delinquent subculture
2. Miller's lower-class gang delinquency

***Module 07 Crime and Social Process:***

1. Socialization and Crime - Differential association theory
2. Differential reinforcement theory
3. Neutralization and rift theory
4. Hirsch's Social Control or Social Bond Theory
5. Becker's Labelling theory
6. Self-Control and Self Esteem as related to crime



***Recommended Readings:***

1. Akers, Ronald. L. and Sellers, Christin, S. (2004) Criminological Theories (4th Edition) Rawat Publication, New Delhi.
- 2 SPP University • Revised Curriculum • Degree Courses in Law • B.A. LL.B., B.B.A. LL.B. and LL.B.
2. Void, George B., Bernard Thomas J., and Snipes, Jeffrey B. (2002), Theoretical Criminology, Oxford University Press, Oxford.
3. Siegel, L.J (2003) Criminology, (8th Edition) Wadsworth, USA.
4. Schmallegger Frank, Criminology Today, (1996) Prentice Hall, New Jersey.
5. Dennis Howitt, 2002, Forensic and Criminal Psychology, Prentice Hall.
6. Encyclopedia of Criminal and Deviant Behaviour, 2001, Clifton D. Part, Editor-in Chief, Brunner Routledge Taylor and Frances Group.
7. Barta, Curt R, 1999, Criminal Behaviour: A Psychosocial Approach, 5th edition, Prentice Hall, New Delhi.
8. Hollin, Clive R Routledge and Kegan Paul, 1989, Psychology and Crime: An introduction to Criminal Psychology, London.
9. Dartmouth Aldershot, 1987, Criminal Detection and Psychology of Crime.
10. Harvard LPC Forensic Psychology, 1981, Professor of Clinical Psychology, University of Surrey, Batsford Academic and Educational Ltd. London.
11. Adman Raine, 1983, The Psychopathology of Crime, Criminal Disorder, Academic Press, Inc.
12. Navin Kumar, (2015), Criminal Psychology, LexisNexis, New Delhi.
13. Shukla Girjesh, (2013), Criminology, LexisNexis, New Delhi.
14. McLaughlin Eugene and Newburn Tim (Ed) (2010), the Sage Handbook of Criminological Theory, Sage Publication Ltd, New Delhi.
15. Prof. N.V. Paranjape, Criminology and Penology with Victimology, Central Law Publications.
16. S.M.A. Qadri, Criminology and Penology, Eastern Book Company.
17. Dr. Krishna Pal Malik, Penology, Victimology and Correctional Administration in India, Allahabad Law Agency.
18. J.P. Sirohi, Criminology and Criminal Administration, Allahabad Law Agency.



**Objectives of the Course:**

The livelihood of the majority of the country's population depends on agriculture. About 65 percent of the population depends on agriculture and 70 percent live in the villages. The contribution of Indian agriculture to the national Gross Domestic Product (GDP) is also significant. The food being the crowning need of mankind, much emphasis has been made on commercializing agricultural production. In this era of globalization adequate production, warehousing, distribution, marketing and export of agricultural produce has become a high priority. Agricultural marketing is mainly the buying and selling of agricultural products. The protection of farmers rights is also equally important. The objective of the course is to make the students well acquainted with the knowledge of law with respect to these matters.

***Module 01 Basic Concepts of Agricultural Marketing and Model Act:***

1. Concept of Agricultural Marketing and Market
2. Classification of Markets, Types of Marketing
3. Background, Objects and Reasons and Salient Features of the Model Act on the State Agricultural Produce Marketing (The State Agricultural Produce Marketing (Development and Regulation) Act, 2016)

***Module 02 The Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963:***

1. Objects, Application and Definitions under the Act
2. Establishment of National Integrated Produce Market
3. Direct Marketing, Establishment of Private Market and Farmer - Consumer Market
4. Contract Farming Agreement
5. Marketing of Agricultural Produce
6. Constitution of Market Committees
7. Powers and Duties of Market Committee
8. Cost of Supervision
9. Officers and Servants of Market committee
10. Market fund





11. Trade Allowances Prohibited
12. State Agricultural Marketing Board
13. Control of Market committee
14. Penalties for Contravention of Provisions under the Act

***Module 03 Legislation on Warehousing, Food Product Export, Grading and Marketing - Introduction, Objects and Reasons and Salient Features of the Laws:***

1. The Warehousing Corporations Act, 1962
2. The Agricultural and Processed Food Products Export Development Authority Act, 1985
3. The Agricultural Produce (Grading and Marking) Act, 1937

***Module 04 The Protection of Plant Varieties and Farmers Rights Act, 2001:***

1. Objects and Definitions under the Act
2. Protection of Plant Varieties and Farmers Rights Authority and Registry
3. Registration of Plant Varieties and Essentially Derived Variety
4. Duration and Effect of Registration and Benefit Sharing
5. Surrender and Revocation of Certificate and Rectification and Correction of Register
6. Farmers' Rights
7. Compulsory License
8. Plant Varieties Protection Appellate Tribunal

***Module 05 Relevant Provisions under the National Food Securities Act, 2013:***

1. Midday Meal Scheme (MMS)
2. Integrated Child Development Services (ICDS)
3. Public Distribution System (PDS), etc.



***Module 06 Agricultural Insurance in India – an Overview:***

1. Characteristic Features of Indian Agriculture and Farmers' Community
2. Risk Perceptions of Indian Farmers
3. Unified Package Insurance Scheme:
  - Pradhan Mantri Fasal Bima Yojana (PMFBY)
4. Past Experience with Crop Insurance Schemes in India:
  - Comprehensive Crop Insurance Scheme (CCIS)
  - Experimental Crop Insurance (ECI)
  - Farm Income Insurance Scheme FIIS
  - National Agriculture Insurance Scheme (NAIS)



***Recommended Readings:***

1. Dr. C.S. Prasad: Agriculture and Sustainable Development in India, New Century Publications, New Delhi, India 2012.
2. A.K. Thaur and M.K. Sinha (ed.): Structural Reforms and Agriculture, Deep and Deep Publications Pvt. Ltd. 2011.
3. Rais Ahamd: Co-operative and Rural Development in India, New Century Publications, New Delhi, India 2013.
4. Law of Seeds (Acts, Rules, Orders, Policy, Notifications, Varieties, Export and Import of Seeds etc.), 16th ed., Asia New House, 2012.
5. S.S China: Agricultural Labour-Problems and Policy Implications, Regal Publications, New Delhi.
6. Sudip Chakraborty: Food Security and Child Labour, Deep and Deep Publications PVT LTD. 2011.
7. Asian Development Bank: Agriculture, Food Security and Rural Development, Oxford University Press, 2010.
8. D. Narasimha Reddy and Srijit Mishra (ed): Agrarian Crisis in India, Oxford University Press, 2010.
9. Dr. B.K Mohanty: Agricultural Finance and Rural Development, Regal Publications, New Delhi, 2010.
10. R. Datt and K.P.M Sundharm : Indian Economics, S. Chand, New Delhi, 2009.
11. Myneni: Indian Economics (For Law Course), Allahabad Law Agency, 2006.
12. B.B Mukharji : Agricultural Marketing in India, Thacker, Spink 1930



***Law Generic Elective (Open Elective) Course:***

***LGE 0509 Intellectual Property Rights:***

This course is designed with the objective to acquaint the students with the basic understanding of intellectual properties and the laws created for their protection. It will also discuss the impact of international instruments on intellectual properties on our domestic laws and aims at sensitizing the students about the current legal issues in the field of intellectual property at national level.

***Module 01: Understanding Intellectual Property***

1. Meaning and Theories for Justification of Intellectual Property
2. History and Origins of Intellectual Property
3. Internationalization of IP Protection: Paris Convention for Protection of Industrial Property, Berne Convention for Protection of Literary and Artistic Works, and the TRIPS Agreement
4. International Agencies for Coordination of IP Protection: WIPO and WTO

***Module 02: Copyright and Neighbouring Rights***

1. Understanding Copyright: Meaning of Originality, and the Idea Expression Dichotomy
2. Understanding Neighbouring Rights: Performers' Rights and Broadcasting Organizations' rights under the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (1961) and the WIPO Performances and Phonograms Treaty
3. Copyright and Neighbouring Rights under the TRIPS Agreement: Article 9 - 14
4. The Indian Copyright Act, 1957: Definitions, Subject matter of Copyright, Authorship and Ownership of Copyright. Registration of Copyright, Term of Copyright, Assignment, Transmission, Licenses (Compulsory, Statutory, and Voluntary)
5. Copyright Societies and Recognition of International Copyright under the Indian Copyright Act
6. Economic and Moral Rights Conferred by Copyright, Exceptions to Copyright Protection



7. Direct and Indirect Infringement of Copyright, Technological Protection Measures and Digital Rights Management, Plagiarism vs Copyright infringement, Remedies against Infringement

8. Rights of Performers, Phonograms & Broadcasts, Moral Rights of Author

***Module 03: Patents***

1. Understanding Patents: Meaning and Eligibility Criteria (Patentable and Non-Patentable Inventions)

2. TRIPS Agreement on Patents: Article 27 - 34,

3. Convention Application, PCT International Application, and Budapest Treaty

4. The Patents Act, 1970: Procedure for Grant of a Patent, Pre and Post grant opposition, term of patent, Patent of Addition

5. Rights and Obligation of Patentee, Revocation and surrender of Patent.

6. Assignments and Licensing of Patents including Compulsory Licenses, Governmental Use of Patents

7. Infringement of Patent & Remedies

8. Controller of Patents, Patent Agents

***Module 04: Trademarks***

1. Understanding Trademark: Meaning and Eligibility Criteria

2. TRIPS Agreement on Trademark: Article 15 - 21

3. Madrid Agreement Concerning the International Registration of Trademark and Nice Classification

4. Trademarks Act 1999: Absolute and Relative Grounds of Refusal, Procedure of Registration, Duration, Renewal, Removal & Restoration of Trademark

5. Non-conventional trademarks, Protection of Domain Names

6. Effect of Registration, Infringement & Passing-off, Exceptions and Remedies

7. Parallel Importation

8. Licenses, Assignment and Transmission



***Module 05: Industrial Designs***

1. Understanding Industrial Designs: Meaning and Eligibility Criteria
2. TRIPS Agreement on Industrial Designs: Articles 25 and 26
3. Hague Agreement Concerning International Registration of Industrial Designs
4. The Designs Act 2000: Registration of Designs, Procedure of Registration, Term of Designs
5. Restoration & Cancellation of Registered Registration
6. Rights of Design Holders, Piracy of Registered Designs & Remedies

***Module 06: Geographical Indications***

1. Understanding GI: Meaning, Definition, and Eligibility Criteria
2. TRIPS Agreement on GI: Article 22 - 24
3. Lisbon Agreement for the Protection of Appellations of Origin and their International Registration 1958
4. Distinction between Geographical Indications and Trademarks
5. Registration of GI, Effect of Registration, Rights and Remedies

***Module 07: Protection of other Types of Intellectual Property Rights***

1. Layout Designs/Topographies Integrated Circuits
2. Protection of Plant Varieties and Farmers' Rights
3. Protection of Confidential Information & Trade Secrets
4. Protection of Traditional Knowledge and Biodiversity



***Suggested Readings:***

1. *Trade Related Aspects of Intellectual Property Rights (2nd Edition): A Commentary on the TRIPS Agreement*, Carlos Maria Correa, Oxford University Press, (2020).
2. *Intellectual Property Rights in the WTO and Developing Countries*, Jayashree Watal, Kluwer Law International, (2002).
3. *Overlapping Intellectual Property Rights*, by Neil Wilkof, Shamnad Basheer, Oxford University Press, (2013)
4. *Diversity in Intellectual Property: Identities, Interests, and Intersections*, Srividhya Raghavan, Cambridge University Press, (2015)
5. Tamali Sen Gupta, *Intellectual Property Law in India*, Wolters Kluwer, Law & Business (2011)
6. Brainbridge, *Intellectual property*. New Delhi: Pearson Education (Singapore) Pvt. Ltd.
7. Choudhary D. N., *Evolution of patent Laws*. New Delhi: Capital Law House.
8. William Cornish & David Llewelyn, *Intellectual Property: Patents, Copyright, Trade Marks, and Allied Rights*. London: Sweet and Maxwell.
9. Epstein M A, *Epstein on Intellectual property (Indian Reprint)*. New Delhi: Wolters Kluwer Law and Business.
10. *Intellectual Property*, Elizabeth Verkey and Jithin Saji Isaac, Eastern Book Company, 2021.
11. Gopalkrishnan N S, & Agitha T G, *Principles of Intellectual property*. Lucknow: Eastern Book Company.
12. Kankanala K C, *Genetic Patent Law and Strategy*. Noida, India: Manupatra Information Solutions Pvt. Ltd.
13. Rama Sarma, *Commentary on Intellectual property Laws, Vol.2*. Nagpur: Lexis Nexis Butterworths Wadhawa.
14. Prabuddha Ganguli, *Gearing up for Patents - The Indian Scenario*, The Universal Law Publishing.



15. Parmeswaran Narayanan, *Intellectual Property Law*, Eastern Law House.
16. *Intellectual Property Rights - A Textbook on IPR (Intellectual Property Rights)*, by Dr. Rakesh Kumar Singh, Arunabha Banerjee, LexWorth (2022).
17. B L Wadehra, *Law Relating to Intellectual Property: Patents, Trademarks, Designs and Geological Indications*, etc.
18. Robert Merges & John Duffy, *Patent Law and Policy: Cases and Materials*, 2017.
19. Feroz Ali Khader, *The Law of Patents - With a special focus on Pharmaceuticals in India*, Lexis Nexis Butterworths Wadhwa, Nagpur.
20. Lionel Bentley & Brad Sherman, *Intellectual Property Law*, Oxford University Press.
21. Gregory Stobbs, *Software Patents Worldwide*, Wolters Kluwer.
22. Ahuja V K, *Law Relating to Intellectual Property Rights* (LexisNexis, New Delhi, 2017)
23. Reddy G B, *Intellectual Property Rights and the Law* (Gogia Law Agency, Hyderabad)





**Objectives of the Course:** The purpose of the course is to acquaint the students with the nature of English language and its grammatical concepts. This course focuses on strengthening the students' linguistic competence so as to bring quality and correct grammatical constructions in their writing and it is also meant to train them in translation skills to understand legal texts.

***Module 01 Language and Meaning:***

- a. Defining Language
- b. Nature of Language
- c. Law and Language
- d. Bilingual Competence
- e. Concept of meaning
- f. Lexical Relations (Synonymy, Antonymy, Hyponymy, Homophones and Homographs, Polysemy)

***Module 02 Grammar and Usage:***

- a. Tenses
- b. Articles and Prepositions
- c. Simple, Complex, and Compound Sentences
- d. Active and Passive Voice
- e. Making Questions
- f. Reported Speech
- g. Syntactic Ambiguity

***Module 03 Vocabulary Skills:***

- a. Idioms and phrases
- b. Legal Terms
- c. Foreign Terminology in Law
- d. Legal Maxims



***Module 04 Legal Translation:***

- a. Meaning of Legal Translation
- b. Nature and Scope of Legal Translation
- c. Indian Legal System and Use of English and Regional Language (Marathi)
- d. Use of Bilingual Vocabulary
- e. Translation of Different Legal Texts (English and Marathi)

***Module 05 Writing Skills:***

- a. Paragraph Writing
- b. Precis Writing
- c. Formal Correspondence
- d. Essay Writing
- e. Notices of general nature

**List of Legal Terms (100) (Unit 3):**

1. Abduction
2. Abetment
3. Abscond
4. Accomplice
5. Accused
6. Acquittal
7. Act of God
8. Adoption
9. Admission
10. Adverse Witness



11. Affidavit
12. Aggrieved
13. Alibi
14. Alimony
15. Amendment
16. Appeal
17. Approver
18. Bail
19. Bankrupt
20. Cause of action
21. Charge sheet
22. Claimant
23. Coercion
24. Cognizable
25. Confession
26. Conviction
27. Copyright
28. Culpable
29. Damages
30. Decree
31. Deed
32. Defamation
33. Defendant
34. Deponent
35. Detention
36. Discharge
37. Encumbrance
38. Endowment
39. Eviction
40. Evidence
41. Exonerate
42. Extortion
43. Extradition
44. Felony
45. Fraud
46. Heir
47. Homicide
48. Injunction
49. Intellectual Property
50. Intestate
51. Investigation
52. Judgment
53. Jurisdiction



54. Justice
55. Juvenile
56. Legacy
57. Liability
58. Libel
59. Lien
60. Misappropriation
61. Mortgage
62. Naturalization
63. Negligence



64. Oath
65. Overrule
66. Ownership
67. Parole
68. Partition
69. Perjury
70. Perpetrator
71. Petition
72. Plaintiff
73. Pleadings
74. Precedent
75. Promissory Note
76. Prosecute
77. Probation
78. Proviso
79. Public Interest
80. Quash
81. Rebuttal
82. Recidivism
83. Redemption
84. Remission
85. Restitution
86. Remand
87. Revocation
88. Sabotage
89. Sedition
90. Slander
91. Succession
92. Summons
93. Testator
94. Testimony
95. Trial
96. Trespass
97. Usurpation
98. Verdict
99. Voluntarily
100. Will



***List of Foreign Words (50) (Unit 3):***

1. a fortiori- With strong reason
2. ab initio - From the beginning.
3. actus reus- Wrongful act
4. ad hoc- Established for a particular purpose.
5. ad valorem - According to value.
6. amicus curiae - An impartial Advisor.
7. bona fide- Genuine
8. bona vacantia - Ownerless property.
9. caveat emptor- Let the buyer beware
10. caveat venditor- Let the seller beware
11. compos mentis - of sound mind.
12. de facto - In actual fact.
13. de jure - In law, By legal right.
14. ex gratia- As a matter of favour or grace
15. ex- officio- By virtue of an office
16. ex parte - One side only.
17. fait accompli- Something already done and irreversible
18. fauxpas - Blunder.
19. in limine - At the outset.
20. in memorium - In memory of.
21. in pari delicto- When both parties are equally at fault
22. in personam - Personally.
23. in situ- In its own place
24. inter alia - Among other things.
25. inter se - Among themselves.
26. lis pendens - During the pendency in any court.
27. locus standi- Right to speak or intervene in a matter.
28. mala fide - In bad faith.
29. mens rea- Criminal intention or guilty mind.



30. mesne profit- Intermediate profits
31. modus operandi - Mode or Method of working.
32. non compos mentis- Not of sound mind
33. nudum pactum - A bare promise.
34. null and void- Of no legal effect
35. onus probandi - The burden of proof.
36. par excellence - Without comparison.
37. prima facie - At first sight.
38. pro rata- In proportion
39. pro tempore- For the time being
40. ratio decidendi - The reasons for decisions.
41. res integra- A matter not yet decided
42. sine die - To a date not at the moment fixed.
43. status quo- The former state or decision
44. sub judice - Under judicial consideration.
45. sub rosa-Secretly, Confidentially
46. suo moto - By itself.
47. ultra vires - Beyond powers.
48. vice versa- with the order changed
49. vis-à-vis-In relation to
50. vox populi - The voice of people.



***List of Legal Maxims (20) (Unit 3):***

1. A spoliatus debet ante omnia restitui
2. Actus dei nemini facit injuriam
3. Actus non facit reum nisi mens sit rea
4. Audi alteram partem
5. Benignius leges interpretande sunt quo voluntas earum conservatur
6. Boni judicis est judicium sine dilatione mandare executioni
7. Causa proxima non remota spectator
8. Culpa poena par esto
9. Delegatus non potest delegare
10. Ex nudo pacto non oritur action
11. Falsus in uno falsus in omnibus
12. Ignorantia facti excusat; ignorantia juris non excusat
13. Nemo dat quod non habet
14. Omnia praesumuntur contra spoitorem
15. Qui facit per alium facit per se
16. Respondeat superior
17. Res ipsa loquitur
18. Salus populi est suprema lex
19. Ubi jus ibi remedium
20. Volenti non-fit injuria





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