



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

**BA.LL.B IV ( SEM VIII )**

**LL.B II ( SEM IV )**

Sr. No.	Course Code	Subject	Activity			Credit	Evaluation Scheme		
			L	T	P		Internal	External	Total
1	LCC 0801	Civil Procedure Code and Limitation Act	3	1	0	4	30	70	100
2	LCC 0802	Company Law	3	1	0	4	30	70	100
3	LCC 0803	Law of Tort and Consumer Protection	3	1	0	4	30	70	100
4	LAEC 0804	Practical Training (II): Alternate Dispute Resolution System	2	0	2	4	30	70	100

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

5	LDSE 0805	Human Rights Law and Practice	3	1	0	4	30	70	100
6	LDSE 0806	Civil Minor Acts							
7	LDSE 0807	Competition Law							
8	LDSE 0808	International Economic Law							
<b>Total</b>			<b>14</b>	<b>4</b>	<b>4</b>	<b>2</b>	<b>150</b>	<b>350</b>	<b>500</b>



## LCC 0801 CIVIL PROCEDURE CODE

**Credits:** 4 Credits

**Medium of Instruction:** English

**Course Duration:** One Semester

### **Course Aims:**

The Code of Civil Procedure (CPC), 1908, also known as the Civil Procedure Code or CPC, is the law that regulates the procedures and practices to be followed in the Civil Courts. The term Code refers to a methodical collection of statutes arranged in such a way as to prevent overlapping or inconsistency.

Hence curriculum of this paper is aimed at aware the law students about the two parts of this Code. The first part comprises 158 sections. The second part consists of the First Schedule. This schedule includes 51 Orders and Rules. The first part specifies provisions concerned with the general principles of jurisdiction. The second part recommends methods and procedures that govern civil proceedings in the country.

<b>Teaching Scheme:</b> <ul style="list-style-type: none"><li>• Lecture method</li><li>• Cooperative Teaching,</li><li>• Class room presentation,</li><li>• Group Discussion</li><li>• Documentary screening and</li><li>• Data analytics.</li></ul>	<b>Continuous Evaluation Scheme:</b> <b>Total internal Marks:</b> 30 Marks <b>University End Semester Examination:</b> 70 Marks <p style="text-align: center;">➤ As per syllabus</p> <b>Remedial Classes:</b>
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### **Objectives:**

The Civil Procedure Code, 1906 is subject of daily use by the Civil Courts and lawyers. Students cannot afford to have scant knowledge of civil procedure when he goes out to practice as a lawyer. It is necessary to have good grounding in the subject before one enters the profession. The substantive law determines the rights of persons affected by action. The main objective of this course is to give to a student a thorough knowledge of procedural law especially related to working of civil courts and other adjudicating authorities.

### **Outcomes:**

- Students will be acquainted with the basic provisions under the Code of Civil Procedure i.e. procedural or adjective provisions.
- Students will be acquainted with the administering civil proceedings in the court.
- Students will be acquainted with the procedural part of enforcement of the liabilities and rights determined as per the regulations of the substantive law.
- Students will be realized that how the Code of Civil Procedure regulates the process to be followed in civil court, so that it is among the most important sections of procedural law.



## Detailed Syllabus

### Module 01

#### Introduction to CPC

1. Overview of the Code of Civil Procedure,
2. historical background, Principal features of the Civil Procedure Case.
3. Importance of State Amendments, Types of Procedures — Inquisitorial and Adversary
4. Importance of observance of procedure. objectives, and scope

### Module 02

#### Jurisdiction of Courts

1. Hierarchy of courts, Jurisdiction of civil courts,
2. Suits: Concept of Law Suit, Framing of Suit Order II,
3. Parties to Suit, Order I,
4. Institution of suits, Order IV,
5. Venue in civil suit as to valuation under the Bombay Stamp Court Act, Bombay Fee Act, Suit Valuation Act,
6. Bars & Suit: Doctrines of Sub Judice & Res Judicata,
7. Place of Suing (Section 15, 20) - Territorial Jurisdiction., "Cause of Action" and Jurisdictional Bars, Summons (Sections 27,28,31),
8. Service of Foreign Summons (Section 29),
9. Power for Order (Section 30 order XI).

### Module 03

#### Institution of Civil Suits

1. Pleadings, Pleadings: (Order VI), Material Facts, Forms of Pleading, Condition Precedent, Presumptions of Law, Striking Out/Amendment.
2. Plaint: (Order VII), Particulars (esp., in money suits/suits for immovable Property), Showing of defaulter's interest and liability, Ground of Limitation,
3. Concept of Limitation — Why limitation, General principles or limitation, Extension — sufficient causes — acknowledgment, Legal disability —
4. Condonation — when comes to an end, Limitation Act, 1963 (excluding Schedules),



## **Module 04**

### **Hearing and Trial of Civil Suits**

1. Complaint, Return of Complaint, Rejection of Complaint, Production and listing of Documents, Written statement, Written Statement, Counter Claim, Set off (Order VIII),
2. Appearance and Examination, Appearance, Ex-parte procedure, Default of Portion,
3. Summoning and attendance of witnesses, Examination, Admissions, production, importing, return of documents, hearing, affidavit;
4. Adjournments: Order XVII
5. Commissions: The Rationale of Commissions, Order XXVI,
6. Adjournment, Judicial Discretion & problems Arrears
7. Framing of issues (Order XIV)

## **Module 05**

### **Judgment and decree:**

1. Concepts of judgment, Decree, and Interim Orders and stay Injunctions, Appointment of Receivers, Costs.
2. Execution: (Order XXI), Concept of "Execution", General Principles of Execution, Power for Execution of Decrees (Section 38-46),
3. Procedure for Execution (Section 51-54),
4. Enforcement: Arrest and Detention (section 55-59),
5. Attachment (Section 60-64),
6. Sale (Section 65-67).

## **Module 06**

### **Suits in Particular Cases:**

1. Suits by or against Government (Section 79-82),
2. Suits by Aliens and by or Against Foreign Rulers, Ambassadors and (Section 91-93),
3. Suits relating to public matters, Incident and supplementary proceedings (Section 75-78, 94-95),
4. Suits against Minors, persons with unsound mind, indigent persons etc., Inter pleader suits.
5. Summary suits

## **Module 07**

### **Appeals, Revision, Review and Reference**

1. Appeals from Original Decrees (Section 96-99-A) and Order XLI.,
2. Appeals from Appellate Decrees (Sections 100-101),
3. Appeals from Orders (Sections 104-106) (Order XLII),
4. General Provisions Relating to Appeals (Section 107-108),
5. Appeals to the Supreme Court (Section 109).
6. Reference to High Court (Section 113)
7. Review and Revision (Section 114-115)



**Recommended Readings:**

1. Mulla, Code of Civil Procedure, Universal Law Publishing, Delhi.
2. S. Sarkar Code of Civil Procedure
3. C.K. Thakker, Code of Civil Procedure, Universal Law Publishing, Delhi.
4. Majumdar P.K. and Kataria R.P. Commentary on the Code of Civil Procedure, 1908, Universal Law Publishing, Delhi.
5. Shah A.N. The Code of Civil Procedure, Universal Law Publishing, Delhi.
6. Sarkar's Law of Civil Procedure, Universal Law Publishing, Delhi.
7. Sukumar Ray, Textbook on the Code of Civil Procedure, Universal Law Book Co.
8. Avtar Singh, Code of Civil Procedure, Central Law Publication, Allahabad.
9. Jain M P, The Code of Civil Procedure, Wadhwa, Nagpur.
10. Mathur D. N., The Code of Civil Procedure, Central Law Publication, Allahabad.
11. Shailendra Malik, Code Of Civil Procedure, 27 th Edition, 2011, Allahabad Law Agency.
12. Sarkars Commentary on The Civil Procedure Code, Dwivedi, Allahabad Law Agency.
13. Taxmann's, The Code of Civil Procedure 1908.
14. Medha Kolhatkar, M.P. Jain's Civil Procedure Code, 5th Edition, LexisNexis.
15. K. Takwani: Civil Procedure, 4th Edition, Eastern Book Co., Lucknow, 2007.
16. Mulla, Code of Civil Procedure : Tripathi (Abridged Edition), and (Student Edition).
17. Sanjiva Row : Code of Civil Procedure, 3 rd Edn, (in 4 Vols), Law Book Co., Allahabad.
18. U N Mitra, Tagore Law Lectures - Law of Limitation and Prescription, LexisNexis, 14th ed, 2016.
19. T R Desai, Commentary on the Limitation Act, 11th ed, Universal Law House, 2016.
20. Shriniwas Gupta, The Limitation Act, 3rd ed, Universal Law House, 2016.
21. B B Mitra's Limitation Act, 23rd ed, M R Mallick (ed), Eastern Law House, 2014.
22. S. R. Myneni, Law of Limitation, Asia Law House, Hyderabad 90 LL.B. Semeste.
23. P.K. Mukharjee, Limitation Act, Allahabad Law Agency.
24. Medha Kolhatkar, Commentary on Limitation Act by T.R. Desai, LexisNexis.
25. Sanjiva Row: Limitation Act, 7th Edn. (2 Vols), Law Book Co., Allahabad, 1973.
26. M.R. Mallik (ed), B.B. Mitra on Limitation Act (1998) Eastern, Lucknow.
27. AIR Commentaries on Limitation Act, W.W. Chitaley, AIR Ltd., Nagpur.
28. Bombay Stamp Court Act,
29. Bombay Fee Act,
30. Suit Valuation Act
31. Vepa P. Sarathi Code of Civil Procedure with Exhaustive Case Law
32. Limitation Act, 1963
33. Justice M.L. Singhal The Code of Civil Procedure with State Amendments

**Any other information:**

1. The topics, cases and suggested readings given above are not exhaustive.
2. Teachers of the Course shall be at liberty to add the case/suggested readings.
3. Students are required to study/refer to the legislations as amended from time to time, and consult the latest editions of books on this course.



**Credits:** 4 Credits

**Medium of Instruction:** English    **Course Duration:** One Semester

**Course aims:**

This course aims at providing basic knowledge about the principles of company law and provisions governing companies in India. The corporate governance in India has evolved over a period of time and a number of reforms have been introduced by Companies Act, 2013. Hence the course also aims at acquainting the students with fundamental concepts in the said legislation. It also aims at giving an insight to the students into landmark English decisions on the subject.

**Teaching Scheme:**

- Lecture method
- Case Studies
- Research project
- Group Discussion
- Paper Presentation

**Continuous Evaluation Scheme:**

**Total internal Marks:** 30 Marks

**University End Semester**

**Examination:** 70 Marks

➤ As per syllabus

**Objectives:**

The main objective of the course is to provide an insight to the students into the corporate governance. The other objective is to acquaint the students with fundamental concepts in company law such as doctrine of ultra vires, indoor management, corporate social responsibility, insider trading and so on. One more objective of the course is to develop critical thinking among the students by dealing with landmark English and Indian decisions on Company law.

**Outcomes:**

- Students will be acquainted with the fundamental principles of Company Law.
- Students will be able to understand the conceptual framework of Companies Act, 2013
- Students will also get acquainted with the landmark decisions of English and Indian courts and Company Law Tribunals.
- Students will get knowledge about the overall working of Companies Act, 2013



## Detailed Syllabus

### Module 01

#### Preliminary

1. Definition of company, Advantages and disadvantages of incorporation of company
2. Doctrine of lifting corporate veil – Enemy character, detection of fraud, prevention of tax evasion, Holding & subsidiary company. Statutory grounds for lifting corporate veil
3. Kinds of company – Public and private companies, Limited and unlimited companies, small company, associate company, Holding and Subsidiary companies, Producer Company, Foreign company, Government company, One person company, defunct company
4. Distinction between company and partnership
5. Promoters- Definition, Legal position, functions & duties, rights & Civil and criminal liabilities of promoters regarding prospectus, Remedies available against the promoters for breach of duties, pre incorporation contracts

### Module 02

#### Registration of company & Company's Basic Documents:

1. Procedure of registration of company - Deciding on the nature of the company, application for seeking availability of names, preparation of memorandum and articles of association, particulars of subscribers to memorandum, consent of the directors, particulars of the manager, declaration by the subscribers, notice of registered address, statutory declaration of compliance, filing of documents with the ROC, issuance of certificate of incorporation, Conclusiveness of certificate of incorporation & effect of registration of company
2. Memorandum of Association –Meaning, purpose, contents of memorandum - Name clause, Registered office clause, Objects Clause, Liability Clause, Capital Clause and Subscription clause, Alteration of clauses in Memorandum
3. Articles of Association – Meaning, Contents, binding effect of memorandum and articles of Association, relationship between memorandum and articles of Association, Alteration of Articles
4. Doctrine of ultra vires- Meaning and evolution of doctrine in England, gradual dilution of doctrine, Abolition of doctrine in England, Doctrine as applied in India, Effects of ultra vires acts
5. Doctrine of Constructive Notice
6. Doctrine of Indoor Management and exceptions thereto



## **Module 03**

### **Prospectus and Securities in company**

1. Definition of prospectus, meaning of invitation to the public, legal requirements of prospectus kinds of prospectus, contents of prospectus & civil and criminal liabilities for misstatement in prospectus
2. Meaning of share, Nature of share as property, shares and stock, kinds of share capital, Kinds of shares, distinction between equity and preference shares, overview of SEBI (Issue of Capital and Disclosure Requirements) Regulations, 2018.
3. Allotment of shares, share certificate, calls on shares, lien on shares, bonus shares, sweat equity shares, buyback of shares, forfeiture of shares transfer of shares, reduction of share capital, dividend.
4. Shareholders & members comparison, modes of becoming a member, Who can be a member?, Rights of members, Duties and liabilities of members, Cessation of membership, Register of members.
5. Forfeiture of shares, Reissue of forfeited shares, surrender of shares, Employee Stock option Scheme, Alteration and Reduction of share capital
6. Dividend, Investor Education & Protection Fund
7. Debenture – Meaning of debenture and its types, rules relating to issue of debentures, rights of debenture holders, debenture trust deed,
8. Charge- meaning of charge, fixed and floating charge, crystallization of floating into fixed charge and registration of charges
9. Legal framework for Depository Systems- Introduction to Depository Act and role of SEBI as a regulator,
10. Safeguards on transfer of Securities in Dematerialized mode

## **Module 04**

### **Company Administration**

1. Definition of Director, Director Identification Number (DIN), Qualifications and disqualifications
2. Appointment of directors, Number of directorships, vacation of office of directors, removal of directors
3. Powers of Board of directors, Intervention of shareholders in powers of the board, Duties of directors and Liabilities of the directors & Legal Position of director, Insider trading and corporate social responsibility
4. Definition of key managerial personnel, definition of manager, definition of managing director, Independent director, Code of Professional conduct for independent director, women directors, interested director, Company Secretary
5. Company meetings - Board meetings, Annual General Meeting & Extraordinary General Meeting and detail procedure to conduct these meetings
6. Audit: Qualification & disqualifications of auditor, services that an auditor cannot provide, Appointment and removal of auditors, legal position of auditors, rights & duties of the auditors, Audit committee and vigil mechanism





## **Module 05**

### **Protection of Minority**

1. Majority rule and exceptions thereto
2. Prevention of oppression & mismanagement
3. National Company Law Tribunal & Appellate Tribunal

## **Module 06**

### **Winding up & Merger, Amalgamation, Reconstruction**

1. Winding up – Meaning, types,
2. Grounds for compulsory winding up of company, who can file petition for compulsory winding up, procedure for compulsory winding up , Role of liquidator, Consequences of winding up order
3. Powers of tribunal in compulsory winding up, position and liabilities of contributories
4. Compromise, Reconstruction, Merger & Amalgamation

## **Module 07**

### **Corporate Social Responsibility in India**

1. Historical context and global evolution of CSR, its theories and models, Definition and Evolution of CSR, Importance of CSR - Ethical, economic, and social dimensions, CSR and sustainable development, Stakeholder theory in CSR, Evolution from philanthropic activities to strategic CSR, Key drivers of CSR in India,
2. Legal Framework of CSR in India - Companies Act, 2013 - Section 135 of the Companies Act, 2013, CSR Committee: Formation and Functions, CSR Policy: Formulation and Disclosure Requirements, Calculation of CSR expenditure and compliance requirements,
3. Regulatory Guidelines and Reporting - CSR Reporting norms, SEBI Guidelines on CSR, National Voluntary Guidelines (NVGs) on Social, Environmental and Economic Responsibilities of Business, Recent amendments and notifications related to CSR, CSR Compliance and Governance - Role of Board of Directors in CSR, CSR Audit and Impact Assessment
4. Thematic Focus on CSR Thematic Areas in CSR - Education, Health, Environment, and Community Development, CSR in Rural Development, Role of CSR in addressing gender and social inequalities, Government and NGO Collaboration - Role of government in facilitating CSR, Partnerships with NGOs and community organizations, Public-Private Partnerships (PPPs) in CSR.
5. CSR in the era of globalization and digital transformation, Innovation and technology in CSR activities,
6. Legal and operational challenges, Cultural and regional issues in CSR execution, overcoming resistance and fostering a CSR culture within organizations
7. Evolving regulatory landscape, Strategic importance of CSR for future business sustainability, Predictions and future directions for CSR in India.



### ***Recommended Readings:***

1. Krati Rajoria, 'Bangia's Company Law', Allahabad Law Agency (2022)
  2. N.D. Kapoor, 'Elements of Company Law', Sultan Chand & Sons (2019)
  3. S.C. Tripathi, 'New Company Law', 2nd edn. (2019) Reprinted (2023)
  4. M.C. Bhandari, 'Guide to Company Law & Procedures', 25th edn. LexisNexis (2022)
  5. Dr. V.N. Paranjape, 'Company Law', 11th edn. Central Law Agency (2022)
  6. Kamal Garg, 'Concise Commentary on Company Law', Wolters Kluwer (2020)
  7. Manoj Kumar Lalit Bhasin, 'Companies Act, 2013', Corporate Law Adviser (2024)
  8. Bharat's Companies Act with Rules, 41st edn.(2024) 14.Taxmann's Companies Act, 2013, 11<sup>th</sup> edn. (2024)
  9. Avtar Singh, Competition Law, Eastern Book Company, 1st ed, 2012
  10. Robert R. Pennington, 'Company Law', Oxford University Press, 8th edn. First Indian Reprint (2006)
  11. Charles Wild and Stuart Weinstein, 'Smith & Keenon's Company Law', 18<sup>th</sup> edn. Person Longman (2019)
  12. Bimal N. Patel, 'The Companies Act, 2013- Key Conceptual Transformation', Universal (2017)
  13. Gower and Davies, 'Principles of Modern Company Law,' Sweet & Maxwell (2008)
  14. A Ramaiya, 'Guide to the Companies Act', 19th edn. LexisNexis (2020)
  15. C.R. Dutta, 'Company Law', 7<sup>th</sup> edn. LexisNexis (2017)
  16. Dr. G.K. Kapoor & Dr. Sanjay Dhamija, 'Company Law', Taxmann 26th edn. (2024)
1. Nayan Mitra and Rene Schmidpeter - Corporate Social Responsibility in India: Cases and Developments After the Legal Mandate.
  2. Sanjay K. Agarwal - CSR in India: Steering Business Toward Social Change

### **Online Resources for CSR**

1. Ministry of Corporate Affairs, India - CSR
2. SEBI - Business Responsibility Reports
3. [CSR Times](#)

### **Note:**

1. The topics, cases and suggested readings given above are not exhaustive.
2. Teachers of the Course shall be at liberty to add the case/suggested readings.
3. Students are required to study/refer to the legislations as amended from time to time, and consult the latest editions of books on this course.



**Credits:** 4 Credits

**Medium of Instruction:** English      **Course Duration:** One Semester

**Course aims:**

The course enables study of the general principles of tortious liability and its difference from criminal and contractual liability. The course also covers specific torts, and remedies available for their redressal. This course also covers relevant provisions under the Consumer Protection Act, 1986, and the principles of liability in case of accidents under the Motor Vehicles Act, 1988.

**Teaching Scheme:**

- Lecture method shall be the main method of learning to be followed.
- Dialectic method of case study, mooted and argumentation plays a very convincing procedure of learning.
- The information sharing and flow of information among the teacher and students has to work as bonding of the entire course.

**Continuous Evaluation Scheme:**

**Total internal Marks:** 30 Marks

**University End Semester Examination:**

70 Marks

- As per SPPU, CBCS Syllabus of Law Course

**Remedial Classes:**

**Objective**

The objective of the course is to set out the law of private rights and remedies which is unique in nature as it is not covered under any statute. Students will be well acquainted with this branch of law governing actions for damages for injuries to certain kinds of rights, like the right to personal security, property, and reputation. The students will be able to conceptually understand the justifications of tort, discharge of torts, vicarious liability, strict liability, product and services liability and remedies. Students will be acquainted with the rules for Motor Vehicle Accident Claims and the rights and remedies under Consumer Protection Act, 2019.



**Outcomes:**

After completing this course, the students will be able to:

- Understand the Concept of Tort as a civil wrong and the remedies available to the aggrieved party.
- Understand Torts against persons, including Assault, Battery, Mayhem, False imprisonment.
- Understand Torts against property and the concept of Trespass.
- Understand the concepts of Defamation, Nuisance, Negligence, and Fraud.
- Understand the principles of vicarious and strict liability and the Judicial and extrajudicial remedies.
- Understand the concepts in the Consumer Protection Act, the importance of consumer protection law and its implementation through consumer dispute redressal commission.
- Identify and understand the some of the important elements of Motor Accident Claims under the Motor Vehicles Act.

**Detailed Syllabus****Module 01****Introduction and Principles of Liability in Tort :**

1. Development of tort actions in England and India
2. Meaning and definition of tort
3. Tort distinguished from contract, quasi-contract and crime
4. Constituents of tort – wrongful act, damage and remedy
5. Malfeasance, misfeasance and non-feasance

**Module 02****General Defences / Justifications in an action for Tort –**

1. *Volenti non fit injuria*, consent, voluntary assumption of risk, exclusion clauses
2. *Vis major* (act of God)
3. Inevitable accident
4. Act of third parties
5. *Novus actus interveniens*
6. Plaintiff's wrong or default
7. Self-defence and defence of property
8. Necessity
9. Statutory authority
10. Judicial and quasi-judicial acts
11. Parental and quasi-parental authorities
12. Illegality
13. Mistake



### **Module 03**

#### **Torts against Persons:**

1. Assault, Battery, Mayhem
2. Causing Emotional Distress
3. Malicious Prosecution and abuse of legal proceedings; False Imprisonment
4. Deceit and Conspiracy
5. Particular defences available in each of these types

### **Module 04**

#### **Torts against Reputation**

1. Defamation : Libel and slander; Freedom of speech and expression; Defamation in the civil and criminal law;
2. Different branches of Defamation Libel, Slander;
3. Cyber Defamation : Defamation in cyber space
4. Defences to defamation
5. Invasion of privacy and defences

### **Module 05**

#### **Torts against Property :**

1. Trespass to land
2. Trespass to personal property
3. Detention and conversion
4. Passing off; Injury to trademark, patent and copyrights
5. Public and private nuisance
6. Particular defences available in each of these types

### **Module 06**

#### **Unintentional Torts :**

1. Product Liability and defences
2. Negligence : Duty to take care and its breach; Foreseeability, causation; Contributory negligence and other defences to negligence; Occupier's liability; *res ipsa loquitur*  
Liability of driver and owner under the Motor Vehicles Act, 1988 for motor accidents : Liability on fault basis (negligence), no-fault basis (Section 140-144), structured formula basis (Section 163A, 163B and Schedule), compensation in hit-and-run cases (Section 161 and 163), Powers and jurisdiction of a Motor Accidents Claims Tribunal, Introduction only to the scheme of compulsory insurance under the Act (Sections 2 (30), 145(b), 146 (1) and (2), 147(1)(i) and (2), 149, 151(1), 158(1), 160, 196)



## **Module 07**

### **Liability for the Wrong Committed :**

1. Strict liability, absolute liability, no-fault liability; exceptions to these
2. Principle of vicarious liability - nature, scope and justification
3. Doctrine of sovereign immunity
4. Joint tort-feasors, joint and several liability

## **Module 08**

### **Remedies in Tort law :**

1. Judicial remedies:
  - a) Damages : Types - General and special, nominal, contemptuous, aggravated, exemplary, Compensatory damages - Principles of causation, foreseeability, certainty, assessment and calculation of damages - principles, personal injuries, death, loss of property, economic and non-economic losses
  - b) Injunction - permanent and temporary, quia timet action
  - c) Replevin
  - d) Ejectment
2. Extra - judicial remedies - Self-defence, re-entry on land, recapture of goods, abatement, distress damage feasant

## **Module 09**

### **Consumer Protection Law :**

1. Origin and development of consumer law
2. Basic Concepts - Consumer, complaint, complainant, service, goods, defect, deficiency, trader, consumer dispute, restrictive trade practice, unfair trade practice
3. Authorities under the Act - Consumer Councils, Redressal agencies and their composition and jurisdiction - substantive, territorial and pecuniary; Appeals, Additional remedy
4. Remedies available under the Act
5. Procedure for filing a complaint and of the redressal agency, Limitation; enforcement of orders, vexatious complaints



**Recommended Readings:**

1. Ramaswamy Iyers's *The Law of Torts*, Lakshminath ed, 10<sup>th</sup> ed, 2007, LexisNexis.
2. Avatar Singh, *Introduction to the Law of Torts*, 2<sup>nd</sup> ed., Delhi Law House.
3. Ratanlal and Dhirajlal, *The Law of Torts*, Akshay Sapre ed., 27<sup>th</sup> ed., 2016, LexisNexis.
4. P.S. Achuthan Pillai, *The Law of Tort*, Abhinandan Malik ed., 9<sup>th</sup> ed (reprint 2017), Eastern Book Company.
5. B M Gandhi, *Law of Torts*, 4<sup>th</sup> ed (rep 2016), Eastern Book Company.
6. Sathya Narayan, *Tort Law in India*, Wolters Kluwer, Netherland, 2013.
7. *Wienfield and Jolowicz on Tort*, W V H Rogers ed, 18<sup>th</sup> ed, 2010, Sweet and Maxwell.
8. *Salmond and Heuston on the Law of Torts*, R F V Heuston and R A Buckley Eds, 21<sup>st</sup> ed, Sweet and Maxwell.
9. Tony Weir, *An Introduction to Tort Law*, 2<sup>nd</sup> ed, 2006, Oxford University Press.
10. John Murphy, *Street on Torts*, Eleventh Edi Oxford University Press 2006.
11. Avtar Singh and Harpreet Kaur, *Introduction to the Law of Torts and Consumer Protection*, 3<sup>rd</sup> ed, 2013, LexisNexis.
12. Garima Tiwari, *Understanding Laws – Consumer Rights* 2014, LexisNexis.
13. Anirban Chakraborty, *Law of Consumer Protection – Advocacy and Practice*, 2014, LexisNexis.
14. Claire Andrews, *Enforcement of Consumer Rights and Protections*, 2016, LexisNexis
15. Avtar Singh and Harpreet Kaur, *Introduction to the Law of Torts and Consumer Protection*, 3rd ed, 2013, LexisNexis.
16. Medha Kolhatkar: *Textbook on Torts and Consumer Protection* LexisNexis 1<sup>st</sup> Edt 2022

**Any other information:**

1. The topics, cases and suggested readings given above are not exhaustive.
2. Teachers of the Course shall be at liberty to add the case/suggested readings.
3. Students are required to study/refer to the legislations as amended from time to time, and consult the latest editions of books on this course.



## PRACTICAL TRAINING II

### LAEC 0804 ALTERNATIVE DISPUTE RESOLUTION SYSTEM

**Credits:** 4 Credits

**Medium of Instruction:** English      **Course Duration:** One Semester

#### **Course aims:**

This course aims to provide opportunity to the students to understand alternatives to traditional courtroom litigation for resolving disputes such as negotiations, mediations, conciliations, arbitration, Lok Adalat at domestic as well as at international level. The ADR mechanism is less bound by procedural formalities and speedy in giving results, having involved experts for resolving disputes and having potential to preserve relationships between parties in a dispute. For this reason, ADR is appreciated by many countries around the world. The course is designed to give the students insightful knowledge about this emerging area. The course covers study of the Arbitration and Conciliation Act, 1996, Mediation Act, 2023, the Legal Services Authority Act, 1987, other statutory provisions and few international perspectives and enforcement of foreign awards. It equips students with valuable negotiation, mediation, and conflict resolution skills that are increasingly in demand across various industries.

#### **Teaching Scheme:**

- Lecture method
- Group Discussion and debates appreciating different ADR modes
- Role play activities for different ADR modes
- Problem solving methods by organizing mediation competitions
- Preparing drafts under ADR 9 for domestic and International ADR modes)
- Para Legal Volunteering for Lok Adalat
- Visit to Lok Adalat and Permanent Lok Adalat

#### **Continuous Evaluation Scheme:**

**Total internal Marks:** 30 Marks

**University End Semester Examination:** 70 Marks

As per SPPU, CBCS Syllabus of Law Course

**Remedial Classes and Revision Lectures**

#### **Objectives:**

This course develops collaborative approach amongst the students and budding advocates pertaining to dispute resolution. This course is designed with two-fold objectives, to aware students with domestic and international legal framework for ADR and to develop required skills for ADR. This course aims to inculcate human values by training them with negotiation and mediation techniques relating to our Indian traditional knowledge system.

Nowadays commercial entities prefer ADR over traditional courtroom litigation as ADR has potential to provide mutually acceptable solutions by requiring more active participation of the parties and by keeping their privacy intact. Thus, this course aims to provide a lucrative career option for law graduates





**Outcomes:**

- To acquaint with present national and international ADR legal arena with landmark case studies.
- To develop collaborative perspective and learn communication skills for adapting ADR techniques.
- To acquaint with drafting of national and international arbitration agreement/clauses
- To grasp role of judiciary in domestic and international ADR mechanism
- To adopt human values of prioritizing collaboration and communication by maintaining positive working relationships even amid disagreements

**Detailed Syllabus****Module 01****Introduction**

1. Alternate Dispute Resolution Mechanisms: Meaning, Definitions, Concept, Forms and History
2. Difference between Negotiation-Mediation-Conciliation-Arbitration
3. Structure Powers and Functions of the Authorities under the Legal Services Authority Act, 1987 Lok Adalat and Permanent Lok Adalat
4. Legislative and judicial sanction for ADR and development of ODR in ADR
5. Other legal provisions dealing with ADR:
  - i. Section 89 of Civil Procedure Code 1908
  - ii. Family Courts: Section 9 of Family Courts Act, 1984 and The Maharashtra Family Courts Rules, 1987
  - iii. MSME Laws: Section 18 to 21 of The Micro Small and Medium Enterprises Development Act 2006
  - iv. Labour and Industrial Laws: Industrial Dispute Act 1987
  - v. Section 32(g) of Real Estate (Regulation and Development) Act, 2016
  - vi. Section 74 to 81 of Consumer Protection Act, 2019
  - vii. Section 442 of Companies Act 2013

**Module 02****Negotiation and Mediation:**

1. Meaning, features, theories, types of negotiation
2. Appointment, role and qualities of the negotiator, Process of negotiation, International negotiation
3. Meaning, features, theories and role of Mediation, Mediation Skills
4. Applicability of the Mediation Act, 2023, Appointment and role of mediator,
5. Mediation proceedings, conduct, and time limit for completion of mediation, Confidentiality, online mediation
6. Mediation settlement agreement and registration, its enforcement and non- settlement report
7. Mediation Council of India, constitution, powers and functions
8. Mediation Service Providers and Mediation Institutes, institutional Mediation,
9. Community Mediation, Mediation fund



### **Module 03**

#### **Conciliation:**

1. Meaning, features and modes of Conciliation
2. Conciliation under the Arbitration and Conciliation Act, 1996
3. Appointment and role of conciliator
4. Techniques of conciliation and Termination of conciliation proceedings
5. Contractual provisions about conciliation

### **Module 04**

#### **Arbitration:**

1. Meaning, features, theories and types of arbitration
2. Types of Arbitration - Domestic and International arbitration, Institutional arbitration
3. Advantages and disadvantages of arbitration
4. The arbitration agreement, formation, its essentials
5. Validity of arbitration agreement
6. Rule of severability, Effect of death, insolvency, etc. on agreement
7. Parties to arbitration agreement, Agreement as binding on third parties
8. Power of Court to refer parties to arbitration
9. Jurisdiction of Courts

### **Module 05**

#### **Structure, Powers and Functions of Arbitral Tribunal:**

1. Constitution of Arbitral Tribunal - qualifications to act as arbitrator
2. Disclosures by arbitrator, Disqualification of arbitrators
3. Grounds to challenge appointment and procedure of Arbitrators
4. Powers of Courts to appoint Arbitrators
5. Jurisdiction of arbitral tribunal - Power to rule on its own jurisdiction: Doctrine of “compétence-compétence”
6. Interim measures ordered by arbitral tribunal
7. Interim measures by Court



## **Module 06**

### **Arbitration Proceedings and Award:**

1. Conduct of arbitral proceedings, procedure, rules of procedure
2. Language, impartiality of arbitrator, equal treatment of parties
3. Procedure before arbitral tribunal, claim, defence, hearing, evidence, experts, confidentiality, application of the Law of Evidence and Limitation
4. Court's assistance in taking evidence, fast track procedure
5. Arbitral award - Types of award - Form and Content - Finality of award - Interpretation of award
6. Correction in award - Stamp duty - Registration - Additional Award Costs - Termination of proceedings
7. Time limits for award, extension of time
8. Recourse against award, Grounds of setting aside award, Court's role, Enforcement of award

## **Module 07**

### **International Perspectives and Enforcement of Foreign Awards - International Perspectives:**

1. UNCITRAL Model Law on International Commercial Arbitration
2. The Geneva Protocol on Arbitration Clauses, 1923
3. The Geneva Convention on the Execution of Foreign Arbitral Awards 1927
4. The New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 1958
5. Foreign awards – meaning and definition (New York Convention Awards and Geneva Convention Awards)
6. Referring parties to arbitration
7. Binding nature of foreign awards,
8. Enforcement of foreign award, Proof of award, Conditions for enforcement, The role of national courts in the international arbitration process
9. Jurisdictional issues
10. India International Arbitration Centre Act, 2019



## Recommended Readings:

1. Rajiv Sinha, *Arbitration in Indian & Comparative Jurisdictions*, Commercial Law Publishers, 2024
2. Mediation Rules of Bombay High Court
3. The India International Arbitration Centre Manual
4. Mukta Mahajani, *Lets Talk Negotiation and communication at Workplace*, 2<sup>nd</sup> Edition, Jaico Publishing House, 2013
5. 222<sup>nd</sup> Law Commission Report on Need for justice dispensation through ADR Publishing, 2017.
7. Justice R.P. Sethi, *Commentary on Arbitration and Conciliation Act New Revised*, 4th Edition, Whytes and Co., 2023.
8. P C Rao and William Sheffield, ed, *Alternative Disputes Resolution- What it is and How it Works?* Universal Law Publishing, New Delhi, 2015.
9. Anuroom Omkar and Kritika Krishnamurthy, *The Art of Negotiation and Mediation*, LexisNexis, 2015.
10. Anirban Chakraborty, *Law and Practice of Alternative Dispute Resolution in India – a Detailed Analysis*, LexisNexis, 2016.
11. Shriram Panchu, *Mediation Practice and Law - The Path to Successful Dispute Resolution*, 2nd ed, LexisNexis, 2015.
12. Report of the Working Group/ Committee Constituted for Drafting of Rules, Regulations and Standards of Mediation in India under the Mediation Bill, 2023
13. Mediation Training Manual of India
14. <https://main.sci.gov.in/pdf/mediation/MT%20MANUAL%20OF%20INDIA.pdf>
15. P Malhotra, *The Law and Practice of Arbitration and Conciliation*, 2nd edn, LexisNexis Butterworths, 2006.
16. U Pattabhi Ramian, *Arbitration & ADR Including Conciliation, Mediation & Negotiation*, Asia Law House, 2011.
17. Madhusudan Saharay, *Textbook on Arbitration & Conciliation with Alternative Dispute Resolution*, 4th ed, Universal Law Publishing, 2017.
18. Avtar Singh, *Law of Arbitration and Conciliation*, 10th ed., Lucknow, 2013
19. Mallika Taly, *Introduction to Arbitration*, Eastern Book Company, 2015.
20. K V Satyanarayana, *Law of Arbitration and Conciliation in India*, 2<sup>nd</sup> Edition, Asia Law House, 2020.
21. R S Bachawat, *The Law of Arbitration and Conciliation*, 6th ed, LexisNexis, 2017.
22. N V Paranjpe, *Law Relating to Arbitration and Conciliation in India*, 7th ed, Central Law Agency, 2016.



23. Vishnu Warriar, *Arbitration, Conciliation and Mediation*, LexisNexis, 2015.
24. Ashwini Kumar Bansal, *Arbitration and ADR*, 5th ed, Universal Law Publication, 2016.
25. N D Basu, *Law of Arbitration and Conciliation*, 13th ed, Orient, 2016.
26. P C Markanda, *Law Relating to Arbitration and Conciliation*, 9th edn, LexisNexis, 2016.
27. G K Kwatra, *The Arbitration and Conciliation Law of India*, Universal Law Publishing, New Delhi, 2008.

**Any other information:**

1. The topics, cases and suggested readings given above are not exhaustive.
2. Teachers of the Course shall be at liberty to add the case/suggested readings.
3. Students are required to study/refer to the legislations as amended from time to time, and consult the latest editions of books on this course.

**Note:**

1. The college shall also organize a visit of students to State Legal Services Authority / District Legal Services Authority / Taluka Legal Services Committee / Local Legal Aid Centre to observe actual working of the Authority. Alternatively, the college may organize an interaction session(s) of experts in the concerned area with the students.
2. The purpose of the visit / interaction session should be to provide or to enhance the practical knowledge of the students with respect to the course.
3. The concerned teacher is advised to orient the students, before organization of visit / interaction session, as to purpose of visit / interaction, concerned legal provisions, etc.

***Part B: Contents of Written Submissions (Journal) :***

The Written Submissions (Journal) shall contain the following:

1. Draft of a domestic arbitration agreement after a commercial dispute has arisen between parties.
2. Draft of an application to the Court for setting aside an arbitration award.
3. Draft of an application to the appropriate court to appoint an arbitrator when parties have failed in their attempts to appoint one according to the arbitration agreement.
4. Report on interaction session(s) on Alternate Dispute Resolution System.
5. Report on visit to State Legal Services Authority / District Legal Services Authority / Taluk Legal Services Committee / Local Legal Aid Centre or on Interaction Session(s).

***Note:***

1. A concerned teacher may change topics for writing of drafts by considering the objectives of the course.
2. A Report on visit / interaction session shall consists :
  - (1) Purpose of the Visit / Interaction,
  - (2) Observations / Information Collected by the student,
  - (3) Relevant Provisions of Law,
  - (4) Comments on Linkage between Law and Practice. A concerned teacher may add in or modify the specified contents of report.



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

***LDSE 0805 HUMAN RIGHTS LAW AND PRACTICE***

**Credits:** 4 Credits

**Medium of Instruction:** English

**Course Duration:** One Semester

**Course aims:**

This course identifies the historical origin of Human Rights at International and National level. This course also creates an understanding of basic components of Human rights such as Value, Dignity, Equality, Justice, Morals and Ethics and Significance. Its vastly covers the First, Second, Third & Fourth Generation Human Rights along with Human Rights of Vulnerable and Disadvantaged Groups. Further this paper gives us knowledge about the Enforcement Mechanism of human rights at national and international level and also provides us importance of human rights education in India.

So, this paper will gives an overview to the students about human rights and enforcement mechanism in Indian legal system as well as at international level so that they can understand the concept of human rights in its full sense.

**Teaching Scheme:**

- Lecture method
- Cooperative Teaching,
- Class room presentation,
- Group Discussion
- Documentary screening and
- Data analytics.

**Continuous Evaluation Scheme:**

**Total internal Marks:** 30 Marks

**University End Semester**

**Examination:** 70 Marks

- As per SPPU, CBCS Syllabus of Law Course

**Remedial Classes:**

**Objectives:**

Human Rights Education is an indispensable part of the right to education and has gained larger recognition as a human right itself. The key stone of human rights education is that the education should not only aim at producing trained professional workers but also inculcating values of peace and tolerance for higher purpose. Human rights education aims at providing people and students with the abilities to accomplish and produce societal changes and respond social reality for realization of a sense of social justice for poor, marginalized and weaker section of society and to know more about the Social and Economic Status of Women and Children, Status of Socially and Economically Disadvantaged groups - Rights of Indigenous People (Scheduled Tribes), Scheduled Caste, Minorities, Aged and Disabled, Vulnerable Groups - Sex Workers, Domestic Workers, Stateless Persons, Migrant Workers, HIV/AIDS patients, LGBTQ and Prisoners etc. In view of the gaining significance of International Law of Human Rights, this course presents subtly an overview of the International and National perspectives of Human Rights along with the redressal mechanism.



**Outcomes:**

- Students will be acquainted with the basic ideas and fundamental principles of Human Rights and the protection given at national as well as International level.
- Strengthening of respect for human rights and fundamental freedoms;
- Full development of human personality and the sense of its dignity;
- Promotion of understanding, tolerance, gender equality and friendship among all nations, indigenous people, marginal groups, Scheduled Tribes, Scheduled Caste, Minorities, Aged and Disabled, Vulnerable Groups - Sex Workers, Domestic Workers, Stateless Persons, Migrant Workers, HIV/AIDS patients, LGBTQ and Prisoners etc

**Detailed Syllabus****Module 1****Introduction -**

1. Historical origins of Human Rights in International and National Scenario  
-Nature and an overview
2. Basic Components of Human rights – Value, Dignity, Equality, Justice, Morals and Ethics and Significance
3. Perspectives on Rights and Duties – Relationship between Rights and Duties
4. Provisions under the Charter of UN – Preamble, Articles 1(3), 13(1)(b), 55 and 56
5. International Bill of Human Rights (UDHR, ICCPR, ICESCR) - Nature and significance
6. Introduction to generation of Human Rights

**Module 2****First Generation Human Rights**

1. The Civil and Political Rights – ICCPR, Part III of the Constitution of India and Landmark Cases :
2. Civil Rights: Freedom of Opinion - Freedom of Expression and Press,
3. Right to Personal Security in relation to justice and police, Equality before
4. Law, Right to Life and Liberty, Right to Privacy, Right to Religion
5. Political Rights: Equal access to Public, Participation in Governance, Right to Vote and Good Governance



### **Module 3**

#### **Second Generation Human Rights**

1. The Economic, Social and Cultural Rights: ICESCR, Part IV of the Constitution of India and Landmark Cases:
2. Economic and Social Rights: Labour Rights, Right to Property, Right to Education, Freedom of Association, Right to Social Security (Pension, Medical Services - Right to insurance for sickness, old age –Unemployment allowance etc.)
3. 3. Cultural Rights: Right to develop Languages, Right to follow Customs, Folkways, Literature, and Traditions, Right to enjoy Scientific and Technological benefits

### **Module 4**

#### **Third And Fourth Generation Human Rights**

1. Group Rights (Third Generation Rights): Right to Development, Right to Self-determination, Right to Peace and Happiness, Right to Safe and Decent Environment, Right to Human Assistance, Right to Adequate Food, Right to water - Landmark Cases
2. Right to Genetic Engineering (Fourth Generation Rights): Right to Protect
3. Human Genome against unethical and unfair exploitation of genetic information (The UNESCO Declaration on Human Genome from 1997), Right to Genetic Identity, Right to impose restrictions on medical (Scientific and Technology) interference, Right to Die in Peace and Dignity, Right to Life of the Unborn (with reference to abortion and infanticide). Relationship of Science & Technology and Human Rights

### **Module 5**

#### **Human Rights of Vulnerable and Disadvantaged Groups:**

1. Meaning and Definition of Vulnerable and Disadvantaged Groups
2. Social and Economic Status of Women and Children
3. Status of Socially and Economically Disadvantaged groups - Rights of Indigenous People (Scheduled Tribes), Scheduled Caste, Minorities, Aged and Disabled
4. Vulnerable Groups - Sex Workers, Domestic Workers, Stateless Persons,
5. Migrant Workers, HIV/AIDS patients, LGBTQ and Prisoners

### **Module 6**

#### **Enforcement Mechanism of International Human Rights - Constitution**

1. Powers and Functions: The Human Rights Committee under ICCPR
2. The Committee on Economic, Social and Cultural Rights under ICESCR
3. The Committee on Elimination of Discrimination Against Women under CEDAW
4. The Committee on the Rights of the Child under CRC
5. Role of Human Rights Council and Office of the High Commissioner for Human Rights





## Module 7

### Human Rights Enforcement In India :

1. The Protection of Human Rights Act, 1993 – Object, Nature, Scheme, Definitions, Landmark cases
2. Constitution, Powers and Functions of –
  - a) National Human Rights Commission
  - b) National Commission for Women
  - c) National Commission for Protection of Child Rights
  - d) National Commissions for Scheduled Castes, Scheduled Tribes, Minorities and other disadvantaged groups
- 3 Role of Judiciary in Enforcement of Human Rights

## Module 8

### Significance Of Human Rights Education :

1. Meaning and Definition of Human Rights Education
2. Role of UN in the Promotion of Human Rights Education
- 3 Role of Government of India in the Promotion of Human Rights Education- UGC and Universities

### Recommended Readings:

1. V. K. Ahuja, *Public International Law*, LexisNexis, Noida, 2016.
2. Gurdip Singh, *International Law*, Eastern book company, Lucknow, 2016.
3. Editors, Eibe Riedgal, Gilles Giacca, Christophe Golay, *Economic social and Cultural Rights in International Law*, Oxford University Press, 2014
4. Walter Kailin and JorgKunzli, *The Law of International Human Rights Protection*, Oxford University Press, New York, 2010.
5. Peter N. Strarms, *Human Rights in World History*, Routledge, New York, 2010.
6. De Schutter, *International Human Rights Law*, Cases, Materials Commentary, Cambridge University Press, New Delhi, 2010.
7. V.R. Krishna Iyer, *The Dialectics and Dynamics of Human Rights in India - Yesterday, Today and Tomorrow*, Eastern Law House, New Delhi.
8. Manoj Kumar Sinha, *Implementation of Basic Human Rights*, LexisNexis.
9. Editors, Ian Brownlie and Guy S. Goodwin-Gill, *Basic Documents on Human Rights*, Oxford University Press.
10. Indian Constitutional law– M. P. Jain
11. Constitutional law of India- H. M. Seervai
12. Society for the Protection of Unborn Children Response to Draft General Comment 36 on Article 6 of the ICCPR- on website of ohchr
13. Indigenous Peoples and Human Rights: International and regional jurisprudence- Author—Ben Saul- Publisher Bloomsbury- ISBN 9781901362404
14. Human Rights of Indigenous Peoples (Comparative Analysis of Indigenous Peoples) - by Aman Gupta- Isha Publication - ISBN-10: 8182052769



15. Social Equity and LGBTQ Rights: Dismantling Discrimination and Expanding Civil Rights (Public Administration and Public Policy) Hardcover – Import, 31 December 2020 by Lorenda A. Naylor (Author)
16. Publisher : Routledge; 1st edition ISBN-10 : 0815380304.
17. Human Rights and Abuse on Elderly People Hardcover – Big Book, 1 May 2012 by S. T. Janetius Publisher Discovery Publishing Pvt. Ltd; First Edition (1 May 2012) ISBN-10 : 9350560984

**Any other information:**

1. The topics, cases and suggested readings given above are not exhaustive.
2. Teachers of the Course shall be at liberty to add the case/suggested readings.
3. Students are required to study/refer to the legislations as amended from time to time, and consult the latest editions of books on this course



## LDSC 0806 CIVIL MINOR ACTS

**Credits:** 4 Credits

**Medium of Instruction:** English    **Course Duration:** One Semester

### **Course aims:**

This course aims to help students understand important parts of civil law, like interest, how civil courts work, figuring out the value of lawsuits, paying court fees, registering documents, and paying stamp duties. By studying these topics closely, students will get better at analyzing things and solving tough legal problems they might face in civil cases. The course also wants to teach students to think critically and solve problems well, so they can handle the complicated parts of civil lawsuits confidently. Plus, it wants to make sure students learn to be ethical and responsible professionals who always do what's right and fair in their legal work.

### **Teaching Scheme:**

- Lecture method
- Cooperative Teaching,
- Class room presentation,
- Group Discussion

### **Continuous Evaluation Scheme:**

**Total internal Marks:** 30 Marks

**University End Semester**

**Examination:** 70 Marks

- As per SPPU, CBCS Syllabus of Law Course

**Remedial Classes:**

### **Objectives:**

This course aims to equip students with essential knowledge of civil law, focusing on key areas such as interests, civil court procedures, suits valuation, court fees, registration of documents, and stamp duties. By delving into these subjects, students will gain a comprehensive understanding of the legal framework governing civil matters, enabling them to navigate the complexities of civil practice effectively. The advanced objective is to empower students with the expertise needed to competently handle a wide range of civil cases, ensuring they can provide efficient legal services while upholding principles of justice and fairness.

### **Outcomes:** Students will:

- Develop a comprehensive understanding of minor acts' significance in civil law, tracing their historical evolution and comparing them across different states.
- Analyze the purpose and implications of the Interest Act, 1978, including court discretion, factors influencing interest rates, and its interaction with related statutes.
- Examine the structure and functioning of Maharashtra Civil Courts under the 1869 Act, addressing emerging trends like digitalization and temporary vacancies.
- Evaluate the relevance and application of the Suits Valuation Act, 1887, in contemporary legal contexts, including valuation discrepancies' impact on the appeal process.



- Assess the Maharashtra Court Fees Act, 1959, understanding valuation rules, fee computation,
- and procedures for seeking refunds.
- Comprehend the Registration Act, 1908, focusing on registrable documents, registration procedures, and legal implications of registration/non-registration.
- Analyze the Maharashtra Stamp Act, 1958, regarding liability, stamp usage, duty payment, adjudication, penalties, and compliance for financial institutions.

## **Detailed Syllabus**

### **Module 01**

#### **Introduction to Civil Minor Acts:**

1. Overview of minor acts and their significance in civil law.
2. Historical context and evolution of minor acts in India.  
Comparative study of minor acts across different states

### **Module 02**

#### **The Interest Act, 1978**

1. Understanding the purpose and intent of the Interest Act, 1978.
2. Court's Discretion in Allowing Interest
3. Factors considered by the court when determining interest rates.
4. Effect of Provisions Relating to Interest in Other Laws
5. Comparative study of interest provisions in related statutes (e.g., negotiable instruments, contracts)
6. Interaction between the Interest Act and Section 34 of the CPC.
7. Arbitrator's Authority to Award Interest
8. Impact of digitalization on interest calculations

### **Module 03**

#### **The Maharashtra Civil Courts Act, 1869**

1. Understanding the historical context and enactment of the Maharashtra Civil Courts Act, 1869.
2. Structure of District Courts, Specialized Courts and Tribunals
3. Role of the Maharashtra Public Service Commission (MPSC).
4. Emerging Trends and Challenges, E-Courts and Digitalization
5. Temporary Vacancies



## **Module 04**

### **The Suits Valuation Act, 1887**

1. Understanding the historical context and enactment of the Suits Valuation Act, 1887.
2. Analyzing its relevance in the contemporary legal landscape.
3. Valuation for Suits Relating to Land
4. Power for State Government to Make Rules Determining Value of Land for Jurisdictional Purposes
5. Valuation in Other Suits
6. Objections in Appeals Regarding Overvaluation or Undervaluation
7. Analyze scenarios where valuation discrepancies impact the appeal process.

## **Module 05**

### **The Maharashtra Court Fees Act, 1959**

1. Understanding the historical context and enactment of the Maharashtra Court Fees Act, 1959.
2. Valuation of Suits and Court Fees Rules
3. Comparative study of valuation rules across different states.
4. Nature of Levy and Types of Court Fee
5. Documents Chargeable to Court Fees, Differentiating between plaints, counter-claims, and other legal filings, Exempted Documents and Mandatory Payment
6. Computation of Court Fees and Modes of Collection,
7. Cancellation of Stamps, Procedures for cancelling unused or defective stamps.
8. Decision of Questions as to Valuation, Role of courts in determining the correct valuation.
9. Legal provisions for seeking refunds.

## **Module 06**

### **The Registration Act, 1908**

1. Understanding the historical context and enactment of the Registration Act, 1908.
2. Establishment of Authorities, Their Powers, and Duties
3. Roles and responsibilities of Registrars and Sub-Registrars.
4. Registrable Documents, Identifying documents that require mandatory registration, Understanding the consequences of non-registration, Optional Registration
5. Procedure of Registration, Role of the registering officer, Ensuring proper registration and preservation of wills
6. Effect of Registration and Non-Registration, Legal implications of registering vs. not registering documents
7. Grounds for refusal and remedies available to parties



## **Module 07**

### **The Maharashtra Stamp Act, 1958**

1. Understanding the purpose and intent of the the Maharashtra Stamp Act, 1958
2. Authorities -Collector, Adjudication Officers , Appellate Authorities, Powers and functions of Authorities
3. Liability of Instruments to Duty
4. Stamps and mode of using them
5. Valuations for Duty
6. Duty to pay stamp duty, Financial institutions have their own obligations regarding stamp duty payment
7. Adjudication as to Stamps
8. Instruments not duly Stamped
9. Offence, Penalties and Procedure

### ***Recommended Readings:***

1. Mulla, The Registration Act, 13th ed, K Kannan (ed), LexisNexis, 2016.
2. Malik's Commentary on The Registration Act 1908 with State Amendments, 4th ed, Delhi Law House, 2016.
3. Sanjiva Row, Registration Act, 15th ed, Law Publishers, 2015.
4. K Krishnamurthy's The Indian Stamp Act, 12th ed, M R Hariharan Nair and Boris Paul (ed), LexisNexis, 2017.
5. Sunil Dighe, The Maharashtra Stamp Act, Snow White Publications, 2017.
6. Mahendra Jain and H M Bhatt, The Maharashtra Stamp Act 1958, Law Times, 2017.
7. A N Khanna, Law of Court Fees and Suits Valuation, 8th ed, Universal Law Publishing, 2011.
8. MLJ Manual on the Court Fees Act 1870, LexisNexis, 2017.
9. Khergamvala on the Negotiable Instruments Act as amended by Negotiable Instruments (Amendment) Act 2015, S Abdul Khader Kunju ed., 22nd ed, LexisNexis, 2017.
- 10 D S Chopra, A Commentary on Sale of Goods, Partnership and Negotiable Instruments, Thomson Reuters, 2016.

### **Any other information:**

1. The topics, cases and suggested readings given above are not exhaustive.
2. Teachers of the Course shall be at liberty to add the case/suggested readings.
3. Students are required to study/refer to the legislations as amended from time to time, and consult the latest editions of books on this course.



## LDSC 0807 COMPETITION LAW

**Credits:** 4 Credits

**Medium of Instruction:** English      **Course Duration:** One Semester

### **Course aims:**

The course intends to equip students with thorough understanding of the key concepts and principles of Competition Law in India. It aims to give an overview on the basics of Competition Law in India through a comparison of the main jurisdictions (especially USA, UK and EU) and thus provide a solid background for further studies on this subject. The course will examine and compare the application of competition law to business agreements, the exercise of a dominant position, the combinations between the firms and sellers, and the enforcement mechanisms.

### **Teaching Scheme:**

- Lecture method
- Cooperative Teaching,
- Classroom presentation,
- Group Discussion
- Documentary screening and
- Data analytics.

### **Continuous Evaluation Scheme:**

**Total internal Marks:** 30 Marks

**University End Semester Examination:**  
70 Marks

- As per SPPU, CBCS Syllabus of Law Course

### **Remedial Classes:**

### **Objectives:**

The course intends to make students understand the economic and social justifications of competition law. The course will encourage students to critically analyze competition law principles and their application in different contexts. It aims to develop an analytical approach to identify potential competition law violations and assess the impact of competition law regulations on business decisions.

### **Outcomes:**

- Students will be acquainted with the basic ideas and fundamental principles of Competition Law in Indian society.
- Students will evaluate the role of competition authorities and will appreciate the impact of competition law on business decisions.
- Students will develop analytical skills to identify and assess anti-competitive practices
- Students will be able to understand the importance of Competition Law in a globalised world and will explore the relationship between Competition Law and other legal frameworks.



## Detailed Syllabus

### Module 01

#### Introduction :

1. Basic Concepts: Customer and Consumer, Market, Types of Market – Perfect Market, Monopoly, Oligopoly and Monopsony
2. Rationale behind Competition Law
3. Constitutional aspect of Competition Law with respect to Human Rights and Social Justice (Article 39 (b) and (c) of the Constitution of India)
4. Relation between Competition Policy and Competition Law
5. Objectives of Competition Law
6. Economic analysis of Competition Law

### Module 02

#### Historical Development of Competition Law:

1. History and Development of Competition Law / Antitrust Law
2. Development of Competition Laws in the USA, UK, and EU
3. Brief overview of Competition Law in USA, UK and EU
4. Hazari Commission Report, MRTP Commission Report, Sachar Committee Report, Raghavan Committee Report
5. Salient Features of the MRTP Act, 1969
6. The Competition Act, 2002 – Objectives and Salient Features
7. The Competition Act, 2002 vis a vis the MRTP Act, 1969
8. Important Definitions under the Competition Act, 2002

### Module 03

#### Anti-Competitive Agreements:

1. Anti-Competitive Agreements: Meaning and Scope
2. Types of Anti-competitive agreements - Horizontal and Vertical agreement
3. Per se Illegal Practices and Rule of Reason
4. Exemption from anti-competitive agreements
5. Prohibition of anti-competitive agreement/cartel / bid rigging
6. Practices, decisions, and agreements resulting in cartels
7. Pro-competitive and anti-competitive effects of joint ventures
8. Pro-competitive and anti-competitive effects of vertical agreements
8. Prevention of anti-competitive agreements in the USA, UK and EU





## **Module 04**

### **Regulation of Abuse of Dominant Position:**

1. Economics of abuse of dominance
2. Types of Abuse by a Dominant Player: Exploitative Abuses (Vertical restraints and Excessive pricing), Exclusionary Abuses (price discrimination, discounts, and predation enterprise, price parallelism)
3. Relevant Market and Relevant Geographical Market
4. Dominance in Relevant Market
5. Relevance of sector-specific competitive dynamics on the dominant position
6. Predatory Pricing
7. Defences against abuse of dominance, Doctrine of Necessity
8. The remedies in case of abuse of dominance  
Prevention of Abuse of Dominant Position in UK and USA

## **Module 05**

### **Regulation of Combinations :**

1. Combinations: Merger, Acquisition, Amalgamation and Takeover
2. Jurisprudence of Horizontal, Vertical, and Conglomerate Mergers
3. Private Equity Investments
4. Notification of combinations
5. Jurisdictional test: Turnover, Asset, Domestic nexus, Exemptions
6. Regulations and Penalties
7. Position in USA, UK and EU

## **Module 06**

### **Enforcement Mechanisms:**

1. Establishment and Constitution of Competition Commission of India, Powers and Functions
2. Jurisdiction of the CCI
3. Director General of Investigation (DGI) - Penalties and Enforcement
4. Competition Appellate Tribunal
5. Adjudication and Appeals
6. Competition Advocacy in India and International Perspective

## **Module 07**

### **The interface of Competition Law with other Laws:**

1. Intellectual Property Rights and Competition Law
2. International Trade and Competition Law
3. Consumer Protection Law and Competition Law



***Recommended Readings:***

1. Vinod Dhall, Competition Law Today, Oxford University Press. 2<sup>nd</sup> ed, 2019.
2. Abir Roy, Competition Law in India: A Practical Guide, Kluwer Law International B. V., 2016.
3. T. Ramappa, Competition Law in India: Policy, Issues, and Developments, Oxford University Press, 2014. 7. Alison Jones, Brenda Sufrin, EU Competition Law: Text, Cases, and Materials, Oxford University Press, 6<sup>th</sup> ed, 2016.
4. Barry Rodger, Angus MacCulloch, Competition Law and Policy in the EU and UK, Routledge, 5<sup>th</sup> ed, 2104.
5. Kirsty Middleton, Barry Rodger, Angus MacCulloch, Cases and Materials on UK and EC Competition Law, Oxford University Press, 2<sup>nd</sup> ed, 2009.
6. Maher M. Dabbah, International and Comparative Competition Law, Cambridge University Press, 2010.
7. Cedric Ryngert, Jurisdiction Over Cross – Border Mergers : A US –EU perspective. Competition Law – Emerging Trends, 94-124, P. Satyanarayana Prasad ed., The ICFAI University Press, Amicus Books, 1<sup>ST</sup> ed. 2007.
8. Richard Whish and David Bailey, Competition Law, Oxford University Press, 9<sup>th</sup> ed, 2018.
9. Abir Roy, Competition Law in India: A Practical Guide, Kluwer Law International B. V., 2016.
10. Richard Whish and David Bailey, Competition Law, Oxford University Press, 9<sup>th</sup> ed, 2018.
11. Abir Roy, Competition Law in India: A Practical Guide, Kluwer Law International B. V., 2016.
12. Srinivasan Parthasarathy, Competition Law in India, Kluwer Law International B.V., 2017.
13. Alison Jones, Brenda Sufrin, EU Competition Law: Text, Cases, and Materials, Oxford University Press, 6<sup>th</sup> ed, 2016

**Any other information:**

1. The topics, cases and suggested readings given above are not exhaustive.
2. Teachers of the Course shall be at liberty to add the case/suggested readings.
3. Students are required to study/refer to the legislations as amended from time to time, and consult the latest editions of books on this course.



**Credits:** 4 Credits

**Medium of Instruction:** English      **Course Duration:** One Semester

**Course aims:**

This course aims to provide a comprehensive understanding of International Economic Law, covering its definition, sources, and the interplay between national and international economic laws. It explores significant historical developments such as the Bretton Woods Conference and the New International Economic Order, as well as the roles of key institutions like the IBRD, IMF, and WTO. Through modules dedicated to international trade, investment, and business law, the course equips learners with the knowledge to navigate complex legal frameworks governing global economic relations, fostering a nuanced understanding of contemporary issues and challenges in the field.

**Teaching Scheme:**

- Lecture method
- Projects
- Classroom presentation
- Group Discussion
- Documentary screening

**Continuous Evaluation Scheme:**

**Total internal Marks:** 30 Marks

**University End Semester Examination:**  
70 Marks

- As per SPPU, CBCS Syllabus of Law Course

**Remedial Classes:**

**Objectives:**

The subject of International Economic Law aims to explore the legal frameworks governing economic interactions between nations on a global scale. Its objectives encompass understanding the rules and regulations that govern international trade, investment, finance, and economic development. By delving into the intricate web of treaties, agreements, and institutions, students of International Economic Law seek to comprehend how nations navigate economic challenges, foster cooperation, and resolve disputes. Moreover, the subject endeavors to analyze the impact of globalization on economic policies and the balance between promoting economic growth and ensuring equitable distribution of benefits across borders.

**Outcomes:**

- Students will gain a comprehensive understanding of the intricate legal frameworks governing international trade, investment, and finance
- They will develop critical analytical skills to assess the impact of international economic policies and agreements on various stakeholders, including governments, businesses, and individuals.
- By exploring the intersection of economics, politics, and law, students will broaden their perspectives and appreciate the multifaceted nature of global economic governance, preparing them for careers in law, diplomacy, international organizations, and academia.
- With a deep understanding of International Economic Law, students will be equipped to contribute meaningfully to debates on pressing global economic issues, advocate for policy reforms, and promote sustainable and inclusive economic development worldwide



## Detailed Syllabus

### Module 01

#### Introduction to International Economic Law

1. Understanding the content of International Economic Law
  - a. Definition and Nature of International Economic Law
  - b. Sources of International Economic Law
  - c. Relationship between national and international economic law
2. Historical Foundations of International Economic Law:
  - a. Gold Standard to the Bretton Woods System
  - b. Economic Sovereignty
  - c. Developing States and International Economic Relations –
    - i. Resolution on Permanent Sovereignty over Natural Resources
    - ii. Declaration on the New International Economic Order;
    - iii. the Charter of Economic Rights and Duties
    - iv. Sustainable Development under the United Nations

### Module 02

#### World Events that shaped the Global Financial Order

1. The Paris Peace Conference, 1918
2. The Cold War Era & its Politics
3. African Independence
4. The Suez Canal Crisis
5. The Vietnam War and The Oil Shock, 1970's
6. Asian Financial Crisis, 1997
7. The Collapse of Communism – Fall of Berlin Wall & Dissolution of Soviet Union.
8. The Covid-19 – Worst recession since the Global depression – impact and strategies implemented by the world financial leaders.

### Module 03

#### International Monetary and Development Law :

1. Institutional Aspects of IMF
2. International Liquidity and the SDR
3. Balance of Payments Adjustment and the IMF Resources
4. The World Bank Group - structure, power and functions
5. BRICS



## **Module 04**

### **International Trade Law I**

1. Theories of trade : Absolute Advantage, Comparative Advantage and Hecksher-Ohlin
2. Origin of GATT and Evolution of World Trade Organization – 1947 to 1995
3. Institutional Framework of WTO
4. Most-Favored Nation (MFN) Treatment and National Treatment of GATT
5. Market Access
6. Safeguard Measures
7. General and Security Exceptions
8. Dispute Settlement Understanding (DSU)

## **Module 05**

### **International Trade Law II**

1. Sanitary and Phyto-Sanitary (SPS) Measures
2. Technical Barriers to Trade (TBT)
3. Trade in Services (GATS)
4. Trade Related Aspects of Intellectual Property Rights (TRIPS)
5. Trade Related Investment Measures (TRIMS)
6. Agreement on Agriculture
7. Emerging Trends in WTO

## **Module 06**

### **International Investment Law :**

1. Introduction : Meaning and Types of foreign investment
2. Bilateral Investment Treaties
3. Investment Treaty Arbitration
4. Important Cases pertaining to the South Asian region

## **Module 07**

### **International Business Law**

1. International Sales of Goods with special focus on CISG
2. International Carriage of Goods by Sea : Hague-Visby, Hamburg and Rotterdam Rules



***Recommended Readings:***

1. Andreas F. Lowenfeld, International Economic Law, 2nd Edition, Oxford University Press.
2. Matthias Herdegen, Principles of International Economic Law, 2nd Edition, Oxford University Press.
3. Asif H Qureshi and Andreas R. Ziegler, International Economic Law, 2009, Thomson Reuters.
4. Raj Bhala, International Trade Law: An Interdisciplinary Non-Western Textbook, 4th ed. Lexis-Nexis (2015)
5. Mitsuo Matsushita et al., The World Trade Organization: Law, Practice, and Policy, 3rd Edition, Oxford University Press
6. John H. Jackson, Jurisprudence of GATT and WTO, Cambridge University Press (2000)
7. Prabhash Ranjan, 'India and Bilateral Investment Treaties – A Changing Landscape', 29 (2) ICSID REVIEW – FOREIGN INVESTMENT LAW JOURNAL (Oxford University Press) (2014) 419-450

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