



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: English I (General English)

Course Code: LB101

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

The language of the modern Indian law and legal profession is predominantly English. English is also increasingly the international language and the language of increasing globalization. The primary aim of the course is therefore to help the student understand the basics of English for studying the modern Indian law and international laws for preparing the student for joining the profession or pursuing further study in law.

Course Syllabus

1. Introduction to the English language, its nature and development
2. The English sentence: Subject and predicate, the phrase and the clause: Examples from the recommended English literature and class exercises
3. The English sentence contd.: Simple, compound and complex sentences: Examples from the recommended English literature and class exercises
4. Parts of English speech: Articles, definite and indefinite articles and their uses: Examples from the recommended English literature and class exercises
5. Parts of English speech contd.: The noun, pronouns, the adjective: Meanings and functions: Examples from the recommended English literature and class exercises
6. Parts of English speech contd.: The verb, the adverb: Meanings and functions: Examples from the recommended English literature and class exercises
7. Parts of English speech: The preposition, conjunctions, interjection: Meanings and functions: Examples from the recommended English literature and class exercises

8. English tense: Types of tenses, uses of the tenses, adjuncts of time, sequence of tenses: Examples from the recommended English literature and class exercises
9. Direct and indirect English speech: Meanings and functions: Examples from the recommended English literature and class exercises on reporting what people say or think
10. Transformation and synthesis of English sentences: Active and passive voice, examples from the recommended English literature and class exercises on combining information
11. Correct English usage: Spelling, using a dictionary: Examples from the recommended English literature and class exercises
12. Correct English usage contd.: Possessives, quantifiers, numbers, qualifiers and order of words: Examples from the recommended English literature and class exercises on making and varying the message
13. Correct English usage contd.: The verb and the subject: Examples from the recommended English literature and class exercises
14. Correct English usage contd.: Punctuation: Comma, semicolon, colon, dash: m-dash, n-dash, hyphen, signs of interrogation and interjection and their uses: Examples from the recommended English literature and class exercises
15. English idioms and figures of speech: Meaning and uses: Examples from the recommended English literature and class exercises
16. English composition: Paragraph writing: Examples from the recommended English literature and class exercises on making texts
17. English composition, contd.: Comprehension and paraphrasing: Examples from the recommended English literature and class exercises on making texts
18. Conclusion(s) of the instruction

Recommended Readings*

A. J. Thomson and A. V. Martinet, *A Practical English Grammar* (New Delhi: OUP, 1986).

* In addition to the readings already available in the Library and electronically accessible.

- B. A. Phythian, *A Concise Dictionary of Correct English* (London: Hodder and Stoughton, 1979).
- C. Dickens, *The Pickwick Papers* (London: Penguin, 2010).
- D. J. Enright and E. D. Chickera, *English Critical Texts: 16th to 20th Centuries* (New Delhi: OUP, 1997).
- E. Gower, *Fowlers' Modern English Usage* (London: OUP, 2001).
- E. Kurien, *Marigold Time: An Anthology of Indian Writings in English* (London: Cambridge University Press, 2008).
- E. Partridge, *Usage and Abusage* (London: Book Club, 1972).
- J. Galsworthy, *Justice* (London: Saland, 2011).
- J. Pearsall, *The New Oxford Dictionary of English* (London: OUP, 2009).
- J. Sinclair, ed., *English Grammar* (New Delhi: Harper-Collins, 2003).
- L. Blom-Cooper, *The Law as Literature* (London: The Bodley Head, 1961).
- M. R. Anand, *Untouchable* (New Delhi: Arnold, 1981).
- M. K. Gandhi, *An Autobiography—The Story of My Experiments with Truth* (London: Beacon Press, 1993).
- P. Tiersma and L. Solan, *The Oxford Handbook of Language and Law* (London: OUP, 2012).
- P. C. Wren and H. Martin, *English Grammar and Composition* (New Delhi: S. Chand, 1997).
- R. K. Narayan, *The Guide* (New Delhi: Penguin, 1988).
- R. N. Tagore, *Gitanjali* (New Delhi: Rupa & Co., 2004).
- S. Greenbaum, *The Oxford English Grammar* (New Delhi: OUP, 2005).
- W. Shakespeare, *The Merchant of Venice* (London: Cambridge University Press, 1998).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: History I (Legal History)

Course Code: LB103

Course Instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

History tells the past and can be a guide to the future. The course gives the student the basic knowledge of legal history for preparing the student for studying the particular branches of law.

Course Syllabus

1. Ancient Indian legal order: Introduction to *Dharma*, royal ordinance, types of litigation, types of offences, administration of justice
2. Medieval Indian legal order: Islamic legal tradition, sources of law, and dispensation of justice
3. Emergence of the East India Company: Development of authority under the Charters: From a trading body to a territorial power: Administration of justice in Madras, 1639–1726, Bombay, 1668–1726, and Calcutta, 1619–1726
4. The Regulating Act 1773: Salient features and major defects
5. Charter of 1774: Supreme Court of Calcutta: Issue of Raja Nandkumar (1775), The Patna case (1777–79), the Cossijurah case (1779–80),
6. Act of settlement 1781: Salient features and major defects
7. Judicial reforms of Cornwallis: Salient features and impact
8. Judicial reforms of Lord Bentinck: Salient features and major defects
9. Development of legislative authorities in India, 1861–1935

10. Growth of criminal law
11. Growth of the personal laws of Hindus and Muslims
12. Charters Act 1833
13. Influence of the English law in India
14. Prerogative writs in India: History, nature and growth
15. Racial discrimination
16. Growth of justice, equity and good conscience
17. Legal education: Constitutional and statutory basis
18. Conclusion(s) of the instruction

Recommended Readings*

- A. D. Mathur, *Medieval Hindu Law* (London: OUP, 2007).
- A. B. Keith, *A Constitutional History of India* (Allahabad: CBD, 1961).
- A. G. Noorani, *Indian Political Trials* (London: OUP, 2005).
- B. Harris, *The Literature of the Law* (London: OUP, 2003).
- B. Chandra, *India's Struggle for Independence* (New Delhi, Penguin, 2000).
- H. Cowell, *History and Constitution of the Courts and Legislative Authorities in India* (Calcutta: W. Press, 1936).
- K. Llewellyn, *The Bramble Bush: Classic Lectures on the Law and Law School* (London: OUP, 2008).
- M. P Jain, *Outlines of Legal and Constitutional History*, (Nagpur: Wadhwa, 2006).
- R. Jois, *Seeds of Modern Public Law in Ancient Indian Jurisprudence* (Lucknow: EBS, 2000).
- R. Lingat, *The Classical Law of India* (New Delhi: OUP, 1998).
- R. Singha, *A Despotism of Law: Crime and Justice in Early Colonial India* (New Delhi: Oxford University Press, 1998).
- R. Jois, *Legal and Constitutional History of India* (Mumbai: N. M Tripathi, 1990).
- S. N. Katz, *Oxford Encyclopaedia of Legal History* (London: OUP, 2009)

* In addition to the readings already available in the Library and electronically accessible.

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.

Gautam Buddha University



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Political Science I (Political Theory)

Course Code: LB105

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Political theory is the theory of political institutions, including theories of state, law and representation. When people reflect on such institutions, they often rely on the concepts, such as power, rights, liberty, equality, justice and democracy. The course makes the student understand these concepts before studying law.

Course Syllabus

1. The nature, scope and methods of political science
2. Approaches to the study of politics: Traditional and modern approaches: Philosophical approach, legal-institutional approach, Marxist approach, system approach, behavioural and post-behavioural approach
3. Nature and concept of state
4. Origin and development of state: Greek, Roman, medieval and modern periods, theories of the origin of state: Divine right theory, patriarchal and matriarchal theories, social contract theory, evolutionary theory, modern welfare state
5. Elements of state: Concept of sovereignty: Monist and pluralist theories, classification of sovereignty: Legal and political, Austin's theory of sovereignty
6. Power, authority and legitimacy: Difference between power and authority, Max Weber's classification, Jurgen Habermas views on the legitimacy crisis
7. Citizenship: Nature and components of citizenship, theories of citizenship, critique of citizenship

8. Rights: Concept of rights, theories of rights, natural rights, human rights, moral and legal rights, three generations of rights, rights and duties
9. Liberty: Negative and positive, freedom of thought and expression, dissent, toleration
10. Equality: Concept of equality, equality of status and equality of opportunity
11. Justice: Concept of justice, theories of justice, social, economic and political justice
12. Introduction to political obligation: Philosophical foundations of political obligation, types of political obligation, theories of political obligation, political obligation and consent, political obligation and social contract (Hobbes, Locke and Rousseau), D. D. Raphael and T. H. Green on political obligation
13. Democracy, representation and public interest: Classical notion, the concept of liberal democracy, theories of democracy and representation, consociational democracy, conditions for a successful working of democracy, civil society
14. Major political ideologies: Liberalism: Classical and contemporary
15. Marxism-Socialism
16. Fascism and Nazism
17. Nationalism and Multiculturalism
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Hacker, *Political Theory: Philosophy, Ideology and Science* (Toronto: Macmillan, 1961).
- A. Heywood, *Political Theory* (New York: Palgrave Macmillan, 2007).
- C. E. M. Joad, *An Introduction to Modern Political Theory* (London: OUP, 1924).
- C. Mckinnon, ed., *Issues in Political Theory* (New York: OUP, 2008).
- D. D. Raphael, *Problems of Political Philosophy* (London: Macmillan, 1976).
- D. Held, ed., *Political Theory Today* (Cambridge: Polity Press, 1991).

* In addition to the readings already available in the Library and electronically accessible.

- E. Barker, *Principles of Social and Political Theory* (Oxford: Oxford University Press, 1976).
- H. J. Laski, *A Grammar of Politics* (New Delhi: Anamica Publisher and Distributors, 2004).
- I. Berlin, *Two Concepts of Liberty* (Oxford: Clarendon Press, 1959).
- N. P. Barry, *An Introduction to Modern Political Theory* (London: Macmillan, 1988).
- O. P. Gauba, *An Introduction to Political Theory* (New Delhi: Macmillan, 2006).
- R. Bhargava and A. Acharya, ed., *Political Theory: An Introduction* (New Delhi: Pearson Education, 2008).
- R. Bhargava, *What is Political Theory and Why do We Need It?* (New Delhi: OUP, 2010).
- R. Bellamy and A. Mason, eds., *Political Concepts* (Manchester: Manchester University Press, 2003).
- S. P. Varma, *Modern Political Theory* (New Delhi: Vikas, 2000).
- S. Ramaswamy, *Political Theory: Ideas and Concepts* (New Delhi: Macmillan, 2003).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Jurisprudence I (Legal Method)

Course Code: LB107

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

This course introduces law to the student and aims at developing the skills of law-finding, legal analysis, legal problem-solving and legal research.

Course Syllabus

1. Meaning of the term "Law"
2. Sources of law: Custom: Meaning, growth, exponents, examples and evaluation
3. Sources of law contd.: Legislation: Meaning, history, exponents, growth, forms, examples and evaluation
4. Sources of law contd.: Precedent: Meaning, history, exponents, growth, examples and evaluation
5. Divisions of law: Crimes and civil wrongs (torts): Meaning and examples
6. Divisions of law contd.: Substantive and procedural law: Meaning and examples
7. Legal concepts: Persons, right and duties: Meaning and illustrations
8. Legal concepts contd.: Ownership, possession, liability, intention and negligence: Meaning and illustrations
9. Technical terms: Dictionaries, pronunciation and legal abbreviations
10. Methods of studying law: Textbooks and lectures, evaluation

11. Methods of studying law contd.: Case law method: Explanation, *ratio decidendi*, *obiter dictum*: Case studies and evaluation
12. Problem-solving: Fact-finding: Examples and class exercises
13. Problem-solving contd.: Legal rules and authorities: Examples and class exercises
14. Legal reasoning: Deductive: Meaning, examples and class exercises
15. Legal reasoning contd.: Inductive: Meaning, examples and class exercises
16. Legal research: Meaning and types: Doctrinal and non-doctrinal, meaning, examples, relevance and consideration of case law and statutes
17. Using the library: Law reports, methods of using a law dictionary and of finding a reference: Examples and exercises
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Denning, *The Discipline of Law* (New Delhi: Universal, 2005).
- B. N. Cardozo, *The Nature of the Judicial Process* (New Delhi: Universal Law Publication, 2001).
- B. Garner, *Black's Law Dictionary* (London: Sweet & Maxwell, 2006).
- C. F. Stychin and L. Mulcahy, *Legal Methods and Systems* (London: Sweet & Maxwell, 2010).
- C. Turner and Jo Boylan-Kemp, *Unlocking Legal Learning* (London: OUP, 2012).
- E. Bodenheimer, *Jurisprudence: The Philosophy and Method of Law* (New Delhi: Universal, 2001).
- E. H. Levi, *Introduction to Legal Reasoning* (Chicago: University of Chicago Press, 1962).
- F. J. Fitzgerald, *Salmond's Jurisprudence* (New Delhi: Universal, 2008).
- F. Schauer, *Thinking Like a Lawyer: A New Introduction to Legal Reasoning* (Cambridge, Mass.: Harvard University Press, 2009).
- G. C. V. Subba Rao, *Jurisprudence and Legal Theory* (Lucknow: EBC, 2008).
- G. Williams, *Learning the Law* (New Delhi: Universal, 2007).

* In addition to the readings already available in the Library and electronically accessible.

- H. L. A. Hart, *The Concept of Law* (New Delhi: Universal, 2000).
- J. H. Farrar and A. M. Dugdale, *Introduction to Legal Method* (London: Sweet & Maxwell, 1990).
- J. Paul Lomio, H. Spang-Hanssen and G. D. Wilson, *Legal Research Methods in a Modern World* (London: DJOF Publishing, 2011).
- J. Stelmach and B. Brozeck, *Methods of Legal Reasoning* (London: Springer-Verlag, 2011).
- J. Stone, *Legal System and Lawyers' Reasoning* (New Delhi: Universal, 2008).
- L. L. Weinreb, *Legal Reason: The Use of Analogy in Legal Argument* (New York: Cambridge University Press, 2005).
- M F. Fitzgerald, *Legal Problem Solving: Reasoning, Research and Writing* (Toronto: Butterworths, 2004).
- M. McConville and W. H. Chui, *Research Methods for Law* (Edinburgh: Edinburgh University Press, 2007).
- M. V. Hoecke, *Methodologies of Legal Research* (Oxford: Hart Publishing, 2011).
- N. Duxbury, *The Nature and Authority of Precedent* (London: Cambridge University Press, 2008).
- P. S. A. Pillai, *Jurisprudence and Legal Theory* (Lucknow: EBC, 2006).
- S. R. Letwin, *On the History of the Idea of Law* (London: Cambridge University Press, 2005).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Title of Course: Law of Tort I

Course Code: LB109

Course Instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Information: English

Course Aim(s)

Tort is a civil wrong, i.e. a legally harmful act or omission. The course aims at introducing the law of tort to the student so that the student can take it up for practice or further study.

Course Syllabus

1. Definition of tort and the nature of tort: Tort, contract and crime compared
2. Constituents of tort: Wrongful act, damage and remedy
3. General elements in torts: Act and omission, mental elements, fault
4. General principles of tortious liability
5. Vicarious liability: Liability by ratification, relation and abetment: Illustrations
6. Vicarious liability contd.: Master and servant, employer and independent contractor, principal and agent: Case studies
7. Vicarious liability contd.: Firm and partner, company and director, guardian and ward: Case studies
8. Trespass to person: Meaning, assault and battery, false imprisonment, defences: Case studies
9. Defamation: Meaning and forms: Libel and slander: Meaning, essentials and defences: Case studies

10. Malicious prosecution, malicious civil proceedings, abuse of legal process: Meaning, essentials and defences: Case studies
11. Wrongs relating to domestic rights, contract, trade, business or occupation: Case studies
12. Trespass to land: Trespass *ab initio*, dispossession, injuries to reversion, waste, wrongs to easementary rights: Meaning and essentials: Case studies
13. Trespass to goods: Conversion and detention: Meaning, distinctions, and case studies
14. Negligence: Meaning: Strict liability and its forms: Case studies
15. Negligence contd.: Liability of occupiers of premises and contributory negligence: Case studies
16. Nuisance: Meaning, essentials and case studies
17. Fraud or deceit: Meaning, essentials and case studies
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Singh, *P. S. A. Pillai's Law of Tort* (Lucknow: EBC, 2010).
- C. Walton, ed., *Charlesworth & Percy on Negligence* (London: Sweet & Maxwell, 2011).
- D. G. Owen, *The Philosophical Foundations of Tort Law* (London: OUP, 1999).
- F. V. Robert and R. A. Buckley, *Salmond and Heuston on the Law of Torts* (London: Sweet & Maxwell, 1996).
- J. Murphy, *The Law of Nuisance* (London: OUP, 2011).
- P. A. Dugdale, *Clerk & Lindsell on Torts* (London: Sweet & Maxwell, 2011).
- P. M. Gerhart, *Tort Law and Social Morality* (London: CUP, 2011).
- T. Weir, *An Introduction to Tort Law* (London: Oxford University Press, 2006).
- W. V. H. Rogers, *Winfield and Jolowicz on Tort* (Nagpur: Wadhwa, 2006).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

Y. V. Chandrachud and V. R. Manohar, *Ratanlal and Dhirajlal's Law of Torts* (Nagpur: Wadhwa: 2009).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.

Gautam Buddha University



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Title of Course: English II (Legal English and Communication Skills)

Course Code: LB102

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Legal English communicates legal meaning in the English language. The course aims at helping the student understand legal English and acquire the skills of communication in legal English.

Course Syllabus

1. Communication: Meaning, development and approaches
2. Forms of communication: Oral and written, differences and relationship, passive and active listening
3. The role of communication, generally
4. Language, linguistics, semantics and phonetics: Meaning and relationships
5. The relation of law to language: Meaning and explanation with reference to relevant legal texts
6. Origin of legal English: Examples from Latin: Legal maxims
7. Growth of legal English: Introduction to the legal and constitutional history of England, the emergence of plea roles and law reports
8. Manifestations of legal English: Legal terminology: Examples from legal texts: Constitution, statutes, treaties, judgments
9. Characteristics of legal English: Legal usage: Examples from legal texts: Constitution, statutes, treaties, judgments

10. Identifying legal English communication: Class exercises from legal texts: Constitution, statutes, treaties, judgments
11. Understanding legal English communication: Explanation of legal words and phrases from the discussion of legal texts: Constitution, statutes, treaties, judgments
12. The importance of communication in legal profession: Discussion of landmark pleadings and legal briefs
13. The importance of communication in legal profession contd.: Discussion of landmark judgments and advisory opinions
14. The importance of communication in legal profession contd.: Class exercises: Mock pleadings, judgments and legal briefs writing
15. Simplifying legal English communication: Analysis of legislation and judgments and class exercises
16. Simplifying legal English communication contd.: The role of grammar, select exercises
17. Simplifying legal English communication contd.: Legal writing exercises
18. Conclusion(s) of the instruction

Recommended Readings*

- A. A. Marmor and S. Soames, *Philosophical Foundations of Language in the Law* (London: OUP, 2011).
- B. Bix, *Law, Language and Legal Determinacy* (London: OUP, 1995).
- B. Garner, *Garner's Dictionary of Legal Usage* (London: OUP, 2011).
- C. Williams, *Tradition and Change in Legal English* (New York: Peter Lang, 2005).
- E. Finch and S. Falinski, *Legal Skills* (London: OUP, 2011).
- E. Mertz, *The Language of Law School* (London: OUP, 2007).
- F. W. Maitland, *The Constitutional History of England* (New Delhi: Vikas, 1987).
- G. Williams, "Language and the Law", 61 *Law Quarterly Review* (1945), 302.
- H. Brown, *A Selection of Legal Maxims* (London: Sweet and Maxwell, 1998).
- J. Pearsall, *The New Oxford Dictionary of English* (London: OUP, 2009).

* In addition to the readings already available in the Library and electronically accessible.

K. Dolin, *A Critical Introduction to Law and Language* (London: Cambridge University Press, 2007).

L. Blom-Cooper and E. Jackson, eds., *Language of the Law* (London: The Bodley Head, 1964).

M. Chartrand et al., *English for Contract and Company Law* (London: Sweet & Maxwell, 2009).

M. M. Asprey, *Plain Language for Lawyers* (New Delhi: Universal, 2011).

R. Haigh, *Legal English* (London: Routledge, 2004).

S. U. Philips, *Ideology in the Language of Judges* (London: OUP, 1998).

W. R. McKay and H. E. Charlton, *Legal English: How to Understand and Master the Language of Law* (London: Pearson, 2011).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: History of Modern World

Course Code: LB104

Course Instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

The course gives an understanding of the history of modern world with special reference to the modern Europe and the Indian national movement. It aims at making the student aware of the historic events of modern times.

Course Syllabus

1. Introduction: European states of rising power, rise of the power of the British Parliament, development of early science, industrialization, growing dominance of people-centric philosophy of political power, sense of being European
2. Renaissance and Reformation in Europe from 1450 to 1670, from Magna Carta to the Bill of Rights, history of domination of the British Parliament
3. Early history of industrialization in Europe
4. French Revolution: Causes, course and results, the era of Napoleon: Fall of monarchy and the rise of dictatorship
5. Napoleon III: Third Republic of France, unification of Italy and Germany
6. The continent in turmoil (1770 to 1815)—the Enlightenment—the transformation
7. American War of Independence and American civil war
8. Liberalism, Western economic expansion, democracy and socialism

9. Rise and growth of the Indian national movement, the revolt of 1857 and its impact, causes of the rise of the Indian nationalism, social basis of the Indian national movement, Indian National Congress: Its genesis and aims
10. Moderates and extremists in the Indian national movement, *Swadeshi* Movement, the rise of revolutionary terrorism
11. Soviet revolution and its aftermath
12. World War I, political and economic consequences, Treaty of Versailles, history of the League of Nations and its success and failure
13. Non-cooperation and *Khilafat* movements in India, 1919–1922, growth of communalism
14. Second World War: Causes and consequences, establishment of the United Nations: Historical and political reasons
15. Civil disobedience movement in India, 1930–1934, growth of socialist ideas
16. Quit India movement: Causes and consequences
17. Shimla Conference, Cabinet Mission, Mountbatten Plan, and Indian independence
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Raynal, *The Revolution of America* (London: Cambridge University Press, 2011).
- B. V. Rao, *History of Modern Europe 1789–1992* (New Delhi: Sterling, 2002).
- B. Chandra, A. Tripathi, B. De, *Freedom Struggle* (New Delhi: NBT, 1972).
- C. D. M. Ketelbey, *A History of Modern Times from 1789* (Chennai: Oxford University Press, 1997).
- C. J. H. Hayes, *Contemporary Europe Since A.D. 1870* (New Delhi: Surjeet Publications, 1981).
- I. Habib, *The National Movement* (New Delhi: Tulika Books, 2012).
- J. L. Nehru, *Glimpses of World History* (New York: Oxford, 1990).

* In addition to the readings already available in the Library and electronically accessible.

J. A. Patrick, ed., *Renaissance and Reformation* (New York: Marshall Cavendish, 2007).

P. Heehs, *India's Freedom Struggle 1857–1947* (New Delhi: OUP, 1998).

S. K. Bose and S. Bose, *The Indian Struggle 1920–1942* (New Delhi: OUP, 1997).

V. D. Mahajan, *Modern Europe Since A.D.1789*, (New Delhi: S. Chand and Company Ltd. 1977).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Political Science II (Western Political Thought)

Course Code: LB106

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Western political thought is Western thoughts, theories and values that motivate Western policy and political behaviour. The course aims at introducing Western political thought to the student so that the student is able to understand its key ideas, theories and values, such as state, rights, freedom, justice, equality, democracy, and the relationship between state and the individual.

Course Syllabus

1. Introductory: Meaning and nature of political thought
2. Ancient political thought: Greek political thought: Socrates and Plato: Plato's theory of justice, ideal state, views on philosopher king, education and communism of wives and property, democracy, and law
3. Greek political thought contd.: Aristotle: Justification of slavery, classification of constitutions, views on citizenship, state, law, justice, democracy, and revolution
4. Ancient political thought contd.: Roman political thought: Polybius and Cicero: Polybius' views on integrity in public affairs, Cicero's views on civic responsibility and natural law
5. The beginnings of the medieval political thought: St. Augustine: Views on Justice
6. Medieval political thought: Conflict between church and state: St. Thomas Aquinas (law, reason, natural law, human law), Marsilio (authority based on elections, accountability of rulers)

7. The end of the medieval political thought: Machiavelli (morality and religion, human nature, state and real politics)
8. The beginnings of the modern political thought: Reformation: Luther (obedience to secular authority) and Calvin (the duty of subjects, resistance to tyranny)
9. Modern political thought: Bodin (sovereignty, law and minority rights) and Grotius (the law of nations)
10. Modern political thought contd.: Hobbes (political obligation: Social contract, civil law and natural law) and Locke (property, the limits of government, right to rebel)
11. Modern political thought contd.: Montesquieu (republican government and the laws relative to democracy, separation of powers) and Rousseau (critique of the Age of Enlightenment, social contract, popular sovereignty and general will, freedom and democracy, law)
12. Modern liberal thought: Thomas Paine (Republicanism and functions of government), Thomas Jefferson (freedom and democracy)
13. Modern liberal thought contd.: Jeremy Bentham (utilitarianism, law, liberty and government), J. S. Mill (liberty of thought and discussion, liberty and authority) and T. H. Green (state, general will, freedom, rights, and war)
14. German idealism: Nature: Kant (the metaphysics of morals and free moral will) and Hegel (dialectical idealism, civil society, freedom in nature and society, state)
15. Fascism: Mussolini (political and social ideas)
16. Democratic and evolutionary socialism: Karl Kautsky (socialism and democracy, the road to power), Bernstein (revisionism)
17. Marx and his legacy: Marx and Engels (dialectical materialism: Economic interpretation of history, introduction to the *Communist Manifesto*, class struggle, the dictatorship of the proletariat, theory of alienation), Lenin's concept of party, Stalinism, Rosa Luxemburg, Trotsky's theory of permanent revolution, Mao, Antonio Gramsci's concept of hegemony)
18. Conclusion(s) of the instruction

Recommended Readings*

* In addition to the readings already available in the Library and electronically accessible.

- A. K. Mukhopadhyay, *Western Political Thought: Plato to Marx* (Calcutta: K. P. Bagchi, 1980).
- B. Nelson, *Western Political Thought* (New Delhi: Pearson, 2008).
- C. Morris, *Western Political Thought: Plato to Augustine* (London: Taylor & Francis, 1967).
- D. Boucher and P. Kelly eds., *Political Thinkers: From Socrates to the Present* (New York: Oxford University Press, 2009).
- D. McLellan, *Marxism after Marx* (London: Macmillan, 1975).
- E. Barker, *Greek Political Theory: Plato and His Predecessors* (New Delhi: B. I. Publications, 1964).
- F. W. Coker, *Recent Political Thought* (Calcutta: World Press, 1966).
- G. H. Sabine, *History of Political Theory* (New Delhi, Oxford, 1973).
- H. J. Laski, *Political Thought from Locke to Bentham* (Oxford: Oxford University Press, 1920).
- M. B. Foster, W. T. Jones and L.W. Lancaster, *Masters of Political Thought* (London: George G. Harrap and Co. Ltd., 1942, 1947 and 1959), 3 Vols.
- M. Q. Sibley, *Political Ideas and Ideologies* (New Delhi: Surjeet Publications, 1981).
- R. G. Gettel, *History of Political Thought* (New York: Novell & Co, 1924).
- S. Mukherjee and S. Ramaswamy, *A History of Political Thought: Plato to Marx* (New Delhi: Prentice Hall, 1999).
- W. A. Dunning, *A History of Political Theories* (Allahabad: CBH, 1983), 3 Vols.
- W. Ebenstein, *Great Political Thinkers* (New Delhi: Oxford & IBH, 1969).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Jurisprudence II (Indian Legal System)

Course Code: LB110

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

The Indian legal system represents Indian laws, judicial institutions and legal traditions. The course introduces the Indian legal system to the student preparatory to studying particular branches of law.

Course Syllabus

1. The concept of legal system and main types of legal systems in the world
2. Nature and functions of a legal system
3. Legal system in the ancient India: The Hindu period
4. Legal system in the medieval India: The Mughal period
5. Origin of the modern Indian legal system: The colonial period
6. The Mayors' Courts: Genesis, working, defects
7. The *Adalat* System: Grant of *Diwani*, execution of *Diwani*, functions, reorganization of *Adalats* in 1780, the first civil code, reforms in the administrations of criminal justice
8. Supreme Courts at Calcutta, Madras and Bombay: Law and administration of justice
9. Establishment of the High Courts: The Indian High Courts Act 1861, Allahabad High Court, the Indian High Courts Act 1911, the Government of India Act 1915: Other High Courts, Government of India Act 1935: Jurisdiction of High Courts, post-constitutional developments

10. The Federal Court of India: Establishment of the Federal Court, jurisdiction, authority of law, expansion of jurisdiction, abolition of the Federal Court: Functioning and evaluation
11. Privy Council: Jurisdiction, appeals from India, evaluation
12. The Supreme Court of India: Origin, appointment of judges, jurisdiction and powers, doctrine of precedent, evaluation
13. Indian legal profession: British legacy, salient features of the Advocates Act, 1961, evaluation
14. *Nyaya Panchayat* in India: Rationale, the *Gram Nyayalayas* Act, 2008, functioning and evaluation
15. *Lok Adalat* in India: Rationale, functioning and evaluation
16. Legal aid in India: Constitutional basis, the Legal Services Authorities Act, 1987, object and reasons, evaluation
17. Contemporary issues: Judicial reforms: Judicial appointments, procedural transparency: E-filing and live telecast of court hearings, measures to curb systemic delays, judicial accountability
18. Conclusion(s) of the instruction

Recommended Readings*

- B. Abel-Smith and R. Stevens, *Lawyers and the Courts* (London: Heinemann, 1967).
J. A. G. Griffith, *The Politics of the Judiciary* (London: HarperCollins, 1997).
J. D. M. Derrett, *An Introduction to Legal Systems* (New Delhi: Universal, 2011).
J. Minattur, *Indian Legal System* (New Delhi: Oceana Publications, 2006).
J. Raz, *The Concept of a Legal System* (London: OUP, 1980).
K. Malleon and R. Moules, *The Legal System* (London: OUP, 2010).
M. Hidayatullah, *Democracy in India and Judicial Process* (New Delhi: Asia Publishing House, 1966).
M. P. Jain, *Outlines of Legal and Constitutional History* (Nagpur: Wadhwa, 2006).
R. Dworkin, *Justice in Robes* (Cambridge, Mass.: Harvard University Press, 2006).

* In addition to the readings already available in the Library and electronically accessible.

R. Jois, *Seeds of Modern Public Law in Ancient Indian Jurisprudence* (Lucknow: EBC, 2000).

R. Lingat, *The Classical Law of India* (New Delhi: Oxford University Press, 1998).

U. Baxi, *Crisis of Indian Legal System* (New Delhi: Vikas Publication, 1982).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Law of Tort II (Including the Motor Vehicles and Consumer Protection Acts)
Course Code: LB110
Course Instructor:
Course Duration: 18 weeks' semester
Course Credits: 05
Medium of Instruction: English

Course Aim(s)

The course completes the introduction to the law of tort and introduces to the student the law of motor vehicles and consumer protection, the two important areas concerning our routine activities.

Course Syllabus

1. Death in relation to torts: Common law, Indian law: Case studies
2. Justification of torts: Acts of state: Meaning and case studies
3. Justification of torts contd.: Judicial acts, executive acts, statutory authority: Case studies
4. Justification of torts contd.: Necessity, private defence: Case studies
5. Discharge of torts: Waiver, accord and satisfaction, statutory limitation: Meaning and case studies
6. Remedies: Damages: General principles: Case studies
7. Remedies contd.: Injunction: Meaning, nature and case studies
8. Remedies contd.: Restitution: Meaning, nature and case studies
9. The Motor Vehicles Act, 1988: Background, object and reasons, and salient features

10. The Motor Vehicles Act contd.: Insurance of motor vehicles, necessity for insurance, requirements of policies, rights of third parties, relevant provisions and case studies
11. The Motor Vehicles Act contd.: Bases of liability, liability to pay compensation: Relevant provisions and case studies
12. The Motor Vehicles Act contd.: Claims: Injury, permanent disablement, and death: Relevant provisions and case studies
13. The Motor Vehicles Act contd.: Claims tribunals: Application for compensation, award of the tribunal, award of interest, award of compensatory costs: Relevant provisions and case studies
14. The Consumer Protection Act, 1985: Background, object and reasons, and overview
15. The Consumer Protection Act contd.: Consumer, goods, manufacturer, defect, deficiency, service: Relevant provisions and case studies
16. The Consumer Protection Act contd.: Consumer Protection Councils: Relevant provisions and case studies
17. The Consumer Protection Act contd.: Consumer claims and consumer courts: Relevant provisions and case studies
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Singh, *P. S. A. Pillai's Law of Tort* (Lucknow: EBC, 2010).
- D. G. Owen, *The Philosophical Foundations of Tort Law* (London: OUP, 1999).
- D. P. Wadhwa and N. L. Rajah, *The Law of Consumer Protection* (Nagpur: Wadhwa, 2006).
- F. V. Robert and R. A. Buckley, *Salmond and Heuston on the Law of Torts* (London: Sweet & Maxwell, 1996).
- J. R. Jai, *Motor Accident Claims Law and Procedure* (New Delhi: Universal, 2010).
- P. A. Dugdale, *Clerk & Lindsell on Torts* (London: Sweet & Maxwell, 2011).
- T. Weir, *An Introduction to Tort Law* (London: Oxford University Press, 2006).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

W. V. H. Rogers, *Winfield and Jolowicz on Tort* (Nagpur: Wadhwa, 2006).

Y. V. Chandrachud and V. R. Manohar, *Ratanlal and Dhirajlal's Law of Torts* (Nagpur: Wadhwa: 2009).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Indian Language (Hindi Language)

Course Code: LB201

Course Instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: हिन्दी (Hindi)

Course Aim(s)

छात्रों को हिन्दी भाषा का ज्ञान कराना तथा लोअर कोर्ट में हिन्दी के अति प्रचलन के कारण छात्रों को न्यायालय संबंधी मौलिक कार्यों का ज्ञान हिन्दी भाषा में कराना।

Course Syllabus

1. हिन्दी भाषा संक्षिप्त परिचय
2. हिन्दी भाषा का न्यायालय एवं प्रशासन में महत्व
3. हिन्दी राष्ट्रभाषा व राज्यभाषा
4. हिन्दी भाषा की संवैधानिक स्थिति: आठवीं अनुसूची
5. वाक्य, वाक्यों का निर्माण, अभ्यास एवं संशोधन

6. हिन्दी व्याकरण वर्ण- विचार, शब्द विचार, सार्थक शब्द निरर्थक शब्द,
7. रूप विचार, लिंग, कारक, काल
8. संधि, वचन संज्ञा, सर्वनाम, क्रियाविशेषण याक्रि
9. सम्बन्धबोधक, समुच्चयबोधक, विस्मयादिबोधक, संयोजन
10. मुहावरे, अनेकार्थक शब्द , पर्यायवाची, विलोम शब्द,
11. उच्चारण संबंधी प्रयोग
12. अनुवाद: हिन्दी से अंग्रेजी, अंग्रेजी से हिन्दी नोटिस का विषयों संबंधी न्यायालय), निर्णय, याचिकाओं का अनुवाद
13. निबंध लेखन यिकन्या विषयों पर
14. कम्पोजीशन एवं प्रेसिज लिखना
15. सरकारी एवं कानूनी याचिका लेखन
16. कानूनी लेखन जिसमें प्राथमिकी पत्र (एफआईआर), विक्री पत्र आदि को हिंदी भाषा में लिखना
17. कार्यलय संबंधी शब्दावली जिसमें नोटिंग, ड्राफ्टिंग, मेमोरेण्डम तथा रिमाइंडर आदि को लिखना सिखाना
18. विधिक शब्दावली

Recommended Readings*

K. K. Goswami, *Anuprayogik Hindi* (Delhi: Arunodaya Prakashan, 2008).

* In addition to the readings already available in the Library and electronically accessible.

- S. C. Kapur, *Saral Nibandh* (New Delhi: Prabhat Prakashan, 2002).
- S. C. Kapur, *Vyavharik Hindi Vyakaran* (New Delhi: Prabhat Prakashan, 2004).
- S. Gupta, *Bolchal ki Hindi* (Allahabad: Lokbharati Prakashan, 2007).
- V. N. Prasad, *Aadhunik Hindi Byakaran Aur Rachana* (New Delhi: Bharti Bhawan, 2011).
- डॉ.गणेश पवार, *मानक हिन्दी भाषा व्याकरण – दर्शिका* (Kanpur: Aman Prakashan, 2010).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Indian Political Thought

Course Code: LB203

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Indian political thought is Indian thoughts, theories and values that motivate Indian policy and political behaviour. The course aims at introducing Indian political thought to the student so that the student is able to understand its key concepts, such as *dharmaniti*, *arthaniti*, *dandaniti*, religious tolerance, non-violence, and egalitarianism.

Course Syllabus

1. The nature of Indian political thought
2. Buddha: Non-violence and religious tolerance
3. Mahavir: Non-violence, religious tolerance, state, society and polity
4. Kautilya: *Arthashastra*: Marked departure from the usual *dharmaniti* and *dandaniti* to *arthaniti*: Duties of the king, maintenance of law and order, economic ideas
5. Ziauddin Barni: Ideal polity
6. Kabir: The idea of syncretism, social ideas
7. Raja Ram Mohan Roy: Political freedom, freedom of the press, judicial system of India, humanism, universal religion, educational and economic ideas
8. M. N. Roy: Scientific politics, new humanism, economic ideas
9. Sri Aurobindo Ghose: Nationalism and spirituality
10. Swami Vivekananda: Socio-political philosophy

11. B. G. Tilak: Social, political and educational ideas
12. M. K. Gandhi: *Sarvodaya, ahimsa, sarvabhutahita*, freedom
13. B. R. Ambedkar: Social and political ideas
14. Jawaharlal Nehru: Socialism, nationalism, democracy, internationalism: *panchashila*
15. Jyotiba Phule: Egalitarianism
16. Jay Prakash Narayan: Nationalism, socialism, total revolution
17. Ram Monohar Lohiya: Social and political ideas
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Appadorai, *Indian Political Thinking through the Ages* (New Delhi: Khanna Publishers, 1992).
- B. N. Ray, *Tradition and Innovation in Indian Political Thought: Politics and Vision* (Delhi: Ajanta Publications, 1998).
- B. Chakrabarti and R. K. Pandey, *Modern Indian Political Thought: Text and Context* (New Delhi: Sage Publications, 2009).
- J. Bandopadhyay, *Social and Political Thought of Gandhi* (Bombay: Allied Publishers, 1969).
- I. Habib, "Ziya Barni's Vision of the State", 2 *The Medieval History Journal* (1998), 19–36.
- J. N. Mohanty, *Reason and Tradition in Indian Thought* (London: OUP, 1993).
- L. Hess and S. Singh, *Introduction in the Bijak of Kabir* (New Delhi: Oxford University Press, 2002).
- M. Singh et al., *Jyotiba Phule* (New Delhi: Sarup and Sons, 2008).
- R. Boesche, *The First Great Political Realist: Kautilya and His Arthashastra* (Lanham: Lexington, 2002).
- V. P. Verma, *Ancient Indian Political Thought* (Agra: Lakshmi Narayan, 1982).
- V. P. Verma, *Modern Indian Political Thought* (Agra: Lakshmi Narayan, 1979).

* In addition to the readings already available in the Library and electronically accessible.

V. Rodreigues, ed., *The Essential Writings of B. R. Ambedkar* (Delhi: Oxford University Press, 2004).

V. R. Mehta, *Indian Political Thought* (New Delhi: Manohar, 1996).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Sociology I (Essentials of Sociology)

Course Code: LB205

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Sociology is the study of development, structure and functioning of human society. The course aims at making the student aware of the social settings and their systematic knowledge through the science of society with which law continues to bear important relationships.

Course Syllabus

1. Origins and development of sociology, the emergence of sociology as an independent discipline
2. Nature and scope of sociology: Definition, relationship with other social sciences: History, political science, economics, psychology, and law
3. Sociological perspective I: Individual and group, community, association and socialization, culture and society
4. Sociological perspective II: Norm and value, structure and function, status and role
5. Social institutions: Family, kinship and marriage
6. Social stratification II: Theoretical perspectives, bases of social stratification: Social versus natural inequalities, caste and class
7. Social control, order and stability: Meaning and importance of social control, means of social control, agencies of social control, meanings and representations of order and stability, religion, family and state

8. Social change: Meaning and factors, distinction between social and cultural change
9. Religion and society: Religion, culture and systems of collective representation, religious organisations, religious movements, communalism and secularism
10. Pioneers of social thought I: Auguste Comte: Law of three stages, positivism, religion of humanity
11. Pioneers of social thought II: Emile Durkheim: Social fact, social solidarity, theory of division of labour, theory of religion, suicide, concepts of repressive and restitutive laws
12. Pioneers of social thought III: Karl Marx: The concept of social change, class and class struggle, division of labour, communism
13. Pioneers of Social Thought IV: Max Weber: Methodologies of the social sciences, sociology of religion, class, status and party, the concept of authority, social action
14. Sociological theory I: Functionalism: Main ideas of Talcott Parsons and Robert K. Merton, critique of functionalism
15. Sociological theory II: Classical Marxism and Neo-Marxism: Main ideas of Karl Marx, Anthony Giddens, critique of Marxism
16. Sociological theory III: Symbolic interactionism and postmodernism: Main ideas of George Herbert Mead, Herbert Blumer, and Michel Foucault
17. Society and law: Introduction to legal sociology and sociology of law
18. Conclusion(s) of the instruction

Recommended Readings*

A. Inkeles, *What is sociology?* (New Delhi: Prentice-Hall, 1987).

A. Beteille, *Sociology: Essays in Approach and Method* (New Delhi: Oxford University Press, 2002).

A. Giddens, *Sociology* (New Delhi: Wiley India, 2010).

G. Ritzer, *Sociological Theory* (New York: Mc Graw Hill Companies, 1996).

* In addition to the readings already available in the Library and electronically accessible.

- L. A. Coser, *Masters of Sociological Thought* (New York: Harcourt Brace Jovanovich, 1979).
- L. Barnett, *The Place of Law: The Role and Limits of Law in Society* (London: Transaction Publishers, 2011).
- M. J. Henslin, *Essential of Sociology: A Down to Earth Approach* (Massachusetts: Allyn and Bacon, 1996).
- M. Freeman, *Law and Sociology* (New Delhi: Oxford University Press 2006).
- M. Travers, *Understanding Law and Society* (London: Routledge, 2009).
- R. Collins, *Four Sociological Traditions* (New Delhi: Oxford University Press, 1994).
- R. Fletcher, *The Making of Sociology* (Jaipur: Rawat Publications, 1994).
- T. K. Oommen and C. N. Venugopal, *Sociology for Law Students* (Lucknow: EBC, 2010).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: History III (Economic History of India)

Course Code: LB207

Course Instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

The economic history of India is the history of India's economic life. The course introduces to the student the economic history of India, including the economic impact of the colonial rule, as a necessary foundation for studying law in the era of economic liberalization and globalization.

Course Syllabus

1. Economic life in the ancient India: Occupational and institutional bases
2. Characteristics of the medieval Indian economy, revenue administration under Sultans and Mughals, decline of the Mughal empire and India's economy
3. Economic life under Marathas and their revenue administration
4. Indian economy in the mid-nineteenth century, growth of the empire and systems of land settlements in the colonial India
5. Modern India: Economic History since 1857, the problems of interpretation and representation
6. Impact of the British rule on the Indian economy: The drain theory
7. Impact of the World Wars I and II on the Indian economy
8. Growth of modern industry, middle class and the Indian economy
9. Indian economy on the eve of independence: An overview, railways and economic change

10. Colonial economic exploitation, impact on the labour force and the Indian economy
11. Transformation of the traditional village, commercialization of agriculture, its causes and consequences
12. Emergence of agricultural labour as a category, movement of agricultural wages and prices during the colonial period, rural indebtedness
13. The state of industrial development in India, the de-industrialization thesis, its statement and validity, emergence of modern capitalist industrial enterprise in India: Textile (jute and cotton), iron and steel, cement, coal, tea
14. Foreign capital in the colonial India, its extent and impact, foreign trade growth and composition, the 'guided underdevelopment' of India under the British rule
15. Evolution of provincial finance, the nature and problem of public debt, economic drain from India: Form, extent and consequences
16. Indian economy since independence: Nehru era, economic planning, five-year plans, evaluation
17. Indian economic reforms and new economic policy since 1991, salient features and consequences
18. Conclusion(s) of the instruction

Recommended Readings*

A. Shahid, *Sugarcane and Sugar in Gorakhpur: An Inquiry into Peasant Production for Capitalist Enterprise in Colonial India* (Delhi: Oxford University Press, 1984).

A. Appadorai, ed., *The Social Life of Things: Commodities in Cultural Perspective* (Cambridge: Cambridge University Press, 1986).

D. Kumar, ed., *The Cambridge Economic History Of India, Volume II 1757–1970*, (Hyderabad: Orient Longman Ltd., 1982).

G. Balachandran, *India and the World Economy* (New Delhi: OUP, 2004).

N. C. Bandyopadhyay, *Economic Life and Progress in Ancient India* (Calcutta: K. P Bagchi, 1945).

N. Jayapalan, *Economic History of India: Ancient to Present day* (New Delhi Atlantic publishers and distributors, 2008).

* In addition to the readings already available in the Library and electronically accessible.

R. C. Dutt, *The Economic History of India under Early British Rule* (Delhi: Low Price Publications, 1950).

R. Chakravarti, *Trade in early India* (New Delhi: OUP, 2004).

R. S. Sharma, *Perspectives in the Social and Economic History of Early India* (New Delhi, 1983).

S. Sen, *Working Class of India: History of Emergence and Movement* (Calcutta: K. P. Bagchi, 1977).

T. Roy, *The Economic History of India* (Delhi: Oxford University Press, 2011).

V. B. Singh, ed., *Economic History of India 1857–1956* (Bombay: Allied Publications Private Limited, 1975).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Jurisprudence III (Major Theories of Law and Justice)

Course Code: LB209

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Law and justice remain closely related. The course introduces to the student major theories of law and justice which remain important for the student.

Course Syllabus

1. Introduction to the theories of law and justice and to the relationship between law and justice
2. Natural law theory: Main ideas of Aristotle (*Nichomachean Ethics*: Natural and legal justice), Cicero (*De Re Publica*: Law), Aquinas (*Summa Theologica*: Law in General)
3. Natural law theory contd.: Main ideas of Hobbes (*Leviathan*: Law of nature), Locke (*Two Treatises of Government*: The law of nature) and Rousseau (*The Social Contract*: General will)
4. Natural law theory contd.: Key ideas of Fuller (*The Morality of Law*: Law as a manifested fact of social order) and Finnis: (*Natural Law and Natural Rights*: A definition of law)
5. Positivist theory of law: Central ideas of Bentham (*Of Laws in General*: A law defined and distinguished) and Austin (*The Province of Jurisprudence Determined*: The definition of law, positive law and morality)
6. Positivist theory of law contd.: Main ideas of H. L. A. Hart ("Positivism and the Separation of Law and Morals", 71 *Harvard Law Review* (1958), 593)
7. Historical theory of law: Central ideas of Savigny (*System of Modern Roman Law*: Customary law) and Henry Maine (*Ancient Law*: Customary law)

8. Pure theory of law: Basic ideas of Kelsen (*The Pure Theory of Law*: Norm and norm creation, the hierarchical structure of the legal order, norm and justice)
9. Sociological theory of law: Main ideas of Jhering (*Law as Means to an End*), Ehrlich (*Principles of the Sociology of Law*), Pound (*Philosophy of Law*: The End or purpose of law; *Outlines of Jurisprudence*: The Programme of the Sociological School)
10. Realist theory of law: Key ideas of Oliver Wendell Holmes (“The Path of the Law”, 10 *Harvard Law Review* (1897), 457)
11. Marxist theory of law: Common ideas of Karl Marx (Preface to Contribution to Critique of Political Economy), Karl Renner (*The Institutions of Private Law and Their Social Functions*: Economic and Social Functions of the Legal Institutions), E. Pashukanis (*Law and Marxism*)
12. Distributive theory of justice: Essential ideas of John Rawls (two principles of justice, background institutions for distributive justice)
13. Entitlement theory of justice: Central ideas of Robert Nozick (*Anarchy, State and Utopia*)
14. Rights theory of justice: Basic ideas of Ronald Dworkin (A trump over utility, What is equality part 2: Equality of resources)
15. Feminist theory of justice: Main ideas of S. M. Okin (Justice as fairness: For whom?)
16. Economic theory of justice: Key ideas of Richard Posner (The ethical and political basis of wealth maximization)
17. Corrective theory of justice: Central ideas of J. Coleman (*Risks and Wrongs*), and E. J. Weinrib (*The Idea of Private Law*)
18. Conclusion(s) of the instruction

Recommended Readings*

A. Barron et al., *Introduction to Jurisprudence and Legal Theory* (London: OUP, 2005).

* In addition to the readings already available in the Library and electronically accessible.

- D. Patterson, *A Companion to Philosophy of Law and Legal Theory* (London: Blackwell, 2010).
- H. L. A. Hart, *The Concept of Law* (New Delhi: Universal, 2007).
- I. England, *Corrective and Distributive Justice: From Aristotle to Modern Times* (London: OUP, 2009).
- J. Rawls, *A Theory of Justice* (Cambridge, Mass.: CUP, New York, 1972).
- Lon L. Fuller, *The Morality of Law* (New Delhi: Universal, 2006).
- M. D. A Freeman, *Lloyd's Introduction to Jurisprudence* (London: Sweet & Maxwell, 2009).
- M. Walzer, *Spheres of Justice* (Oxford: Blackwell, 1983).
- P. J. Fitzgerald, *Salmond on Jurisprudence* (New Delhi: Universal, 2008).
- P. S. A. Pillai, *Jurisprudence and Legal Theory* (Lucknow: Eastern Book Co., 2006).
- R. Dworkin, *A Matter of Principle* (Cambridge, Mass.: Harvard University Press, 1985).
- R. Nozick, *Anarchy, State and Utopia* (New York: Basic Books, 1974).
- R. Posner, *The Economics of Justice* (Cambridge, Mass.: Harvard University Press, 1983).
- R. Wacks, *Understanding Jurisprudence: An Introduction to Legal Theory* (London: OUP, 2012).
- S. M. Okin, *Justice, Gender and the Family* (New York: Basic Books, 1989).
- S. P. Sinha, *Jurisprudence, Legal Philosophy, in a Nutshell* (St. Paul: West Group, 1993).
- T. Campbell and A. Mancilla, *Theories of Justice* (London: Ashgate, 2012).
- W. Friedmann, *Legal Theory* (New Delhi: Universal, 2008).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Political Science IV (Introduction to Governance)

Course Code: LB202

Course Instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Governance is the action or manner of governing. The course aims at introducing to the student the conduct of state policy, actions and affairs with special reference to a rule of law-cored constitutional democracy India.

Course Syllabus

1. The concept of governance: Government, governance, and public administration compared
2. Theoretical approaches to the study of governance: Public choice theory, principal-agent approach
3. Political system: Analysis of the Easton and Almond models
4. Classification and forms of government: Parliamentary and presidential, unitary and federal, democratic and authoritarian
5. Organs of government: Rule-making (legislature), rule-application (executive) and rule-adjudication (judiciary)
6. Constitution, constitutionalism, and the rule of law: Representations and relationships with special reference to India
7. Democratic state and the issues of governability: State capacity, adaptability, strength and weakness, the Indian case
8. Governance and the role of the executive: Political and non-political, and the governance role of the executive relative to the roles of the legislature and the judiciary in a constitutional democracy, the Indian case

9. Institutional setup for state policy design and goal formulation, the Indian example
10. State policy implementation and evaluation with special reference to India
11. Developmental governance: Concept, role of the state in economic development, development-induced displacement, evaluation of the Indian experience
12. Reinventing governance: New institutionalism and the concept of good governance, the Indian case
13. Public sector reforms for improving state policy outcome: Introduction, importance of the public sector, health and public distribution system, need for transparency and accountability, the challenges of economic liberalization and globalization, the Indian case and its evaluation
14. Corporate governance: Corporations and welfare state, corporate governance, the case of India, evaluation
15. E-Governance: Evolution, scope, and importance for India in state policy formulation, conduct of state affairs and administration of justice, evaluation
16. Governance and decentralization: Participatory governance: Theory and practice, citizenship versus community, Constitutional mandate, *Panchayat raj* institutions, evaluation of the Indian experience
17. Governance and the role of the civil society in state policy formulation, institutional arrangement for policy network, the Indian experience with particular reference to the *Lok Pal* Bill(s)
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Kohli, *State-directed Development: Political Power and Industrialization in the Global Periphery* (Cambridge: Cambridge University Press, 2004).
- B. Chakrabarty, *The Governance Discourse* (New Delhi: OUP, 2008).
- C. F. Strong, *Modern Political Constitutions* (London: ELBS, 1973).
- C. J. Friedrich, *Constitutional Government and Democracy* (Delhi, Oxford-IBH, 1968).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

- D. K. Denis, *Governance* (London: Edward Elgar: 2005).
- E. Vayunandan and D. Mathew, eds., *Good Governance Initiative in India* (New Delhi: Prentice Hall, 2003).
- F. Fukuyama, *State-Building: Governance and World Order in the 21st Century* (New York: Cornell University Press, 2004).
- G. C. Bharuka, *Rejuvenating Judicial System Through E-Governance and Attitudinal Change* (New Delhi: LexisNexis, 2003).
- H. Finer, *Theory and Practice of Modern Government* (London: Methuen, 1961).
- J. Lenoble and M. Maesschalck, *Toward A Theory of Governance: The Action of Norms* (London: Kluwer, 2003).
- J. W. Garner, *Political Science and Government* (Calcutta: World Press, 1951).
- K. Mathur, *From Government to Governance: A Brief Survey of the Indian Experience* (New Delhi: National Book Trust, 2008).
- P. Sharma, *E-Governance: The New Age Governance* (New Delhi: APH Publishing, 2004).
- P. Sahni and U. Medury, eds., *Governance for Development: Issues and Strategies* (New Delhi: Prentice-Hall, 2003).
- R. K. Sapru, *Public Policy, Formulation, Implementation and Evaluation* (New Delhi: Sterling, 2009).
- R. Wilkinson, *The Global Governance Reader* (London: Routledge, 2005).
- S. Munshi and B. P. Abraham, eds., *Good Governance, Democratic Societies and Globalization* (New Delhi: Sage Publication, 2004).
- S. Bhatnagar, *E-Government: From Vision to Implementation* (New Delhi: Sage, 2004).
- T. A. Birkland, *An Introduction to the Policy Process: Theories, Concepts, and Models of Public Policy Making* (New Delhi: Prentice-Hall, 2011).
- V. Chhotray and G. Stoker, *Governance Theory and Practice: A Cross Disciplinary Approach* (New Delhi: Palgrave-Macmillan, 2009).
- W. H. Morris-Jones, *The Government and Politics of India* (London: Hutchinson, 1971).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Constitutional Law I

Course Code: LB204

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

The constitutional law of a country is the fundamental law of the country. The course aims at giving the student the basic knowledge of the constitutional law of India, focussing on the Indian government, so that the student can take it up for practice, judicial service or further study.

Course Syllabus

1. Introduction, definition and classification of constitutions
2. History, making and philosophy of the Constitution of India
3. Government and constitutional government
4. Parliament: Constitution, composition and officers of Parliament
5. Parliament contd.: Functions and privileges, relevant provisions and case studies
6. The central executive: President, Vice President, Council of Ministers, relevant provisions and case studies
7. The central executive contd.: Functioning of the executive, functions and powers, Attorney-General for India
8. The Supreme Court: Composition, jurisdiction and powers, writ jurisdiction, writs, relevant provisions and case studies
9. The Supreme Court contd.: Doctrine of *stare decisis*, relevant provisions and case studies

10. States and Union Territories: Territory of India, recognition of states, cession of territory, scheduled areas, and tribal areas
11. The state legislature: Houses, functions and powers, privileges
12. The state executive: Governor, Council of Ministers, functions and powers, Advocate-General
13. The state judiciary: High Courts, composition, jurisdiction and powers, case studies
14. The state judiciary contd.: District courts, functions and powers
15. The federal system: Legislative, administrative and financial relations
16. The federal system contd.: Cooperative federalism, constitutional position of Jammu and Kashmir, emergency provisions
17. Constitutional amendment: Methods, amendability, major constitutional amendments, relevant provisions and case studies
18. Conclusion(s) of the instruction

Recommended Readings*

- A. S. Anand, *The Constitution of Jammu & Kashmir* (New Delhi: Universal, 2011).
- B. L. Hansaria, *Writ Jurisdiction* (New Delhi: Universal, 2008).
- C. F. Strong, *Modern Political Constitutions* (London: ELBS, 1973).
- C. Fried, *Saying What the Law is: The Constitution in the Supreme Court* (New Delhi: Universal, 2008).
- C. J. Friedrich, *Constitutional Government and Democracy* (New Delhi: Oxford-IBH, 1968).
- D. D. Basu, *Comparative Federalism* (New Delhi: Prentice-Hall, 1992).
- H. Finer, *Theory and Practice of Modern Government* (London: Methuen, 1961).
- H. M. Seervai, *Constitutional Law of India—A Critical Commentary* (New Delhi: Universal, 1999), 2 Vols.
- L. Woolf et al., *De Smith's Judicial Review* (London: Sweet & Maxwell, 2009).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

M. P. Jain, *Professor M. P. Jain Indian Constitutional Law* (New Delhi: LexisNexis, 2010).

M. P. Singh, *V. N. Shukla's Constitution of India* (Lucknow: Eastern, 2009).

M. V. Pylee, *Our Constitution, Government and Politics* (New Delhi: Universal, 2008).

O. Chinappa Reddy, *The Court and the Constitution of India* (New Delhi: OUP, 2009).

P. B. Banerjee, *Writ Remedies* (New Delhi: LexisNexis, 2010).

R. F. V. Heuston, *Essays in Constitutional Law* (New Delhi: Universal, 2011).

S. Snowiss, *Judicial Review and the Law of the Constitution* (New Delhi: Universal, 2008).

T. Ginsburg, *Judicial Review in New Democracies* (Cambridge: Cambridge University Press, 2003).

V. Bogdanor, *The Coalition and the Constitution* (Oxford: Hart Publishing, 2011).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Sociology II (Society in India)

Course Code: LB206

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Society in India is the aggregate of people living together in India. The course aims at making the student understand the basics of the Indian society, its institutions, functions and dysfunctions for understanding its relations with law and legal institutions.

Course Syllabus

1. Development of sociology in India, approaches to the study of the Indian society
2. Development of the Indian society: Historical moorings of the Indian society, Indian traditional order: *Ashram*, *Varna* system and *Sanskars*, Indian cultural values and their importance
3. Structure and composition of the Indian society: Rural and urban society: Village structure, towns and cities, rural-urban linkage, geographical determination
4. Institutions of the Indian society: Family system, kinship system and marriage system in India; family: Concept and forms; Marriages in Hindu, Muslims and Christians and other communities, regional variations in kinship system
5. Social stratification in India: Caste system and social stratification, transformation of caste system from early to modern period: Cultural, social, political and economic aspects, caste and class in India
6. Disadvantaged sections in the Indian society I: The scheduled castes: Social and cultural structure; *Dalits*, backward classes, legal and political framework
7. Disadvantaged sections in the Indian society II: Minorities and Tribes: Meaning, features, classification and problems

8. Religion and the Indian society: Religion and religious beliefs in India, social composition of religious groups, function and dysfunction of religions in India, communalism and secularism
9. Social change in India: Shift from tradition to modernity, process of sanskritization, Westernisation, modernisation and globalization, national building, social empowerment
10. Social control, order and stability: Means of social control, agencies of social control, order and stability: Religion, family and political organizations in India
11. Convergence and integration: Sharing of material traits, cultural space, language and regional ethos, evolution of the composite culture, change and transformation in the Indian society, issue of national identity
12. Rural social system: Socio-cultural dimensions of rural community, agrarian class structure, power structure: Tradition and change, human deprivation profile in rural India, effective local democracy, *Panchayat Raj*
13. Urban social organization: Concepts of urban, urbanisation and urbanism, rural-urban difference: Demographic and socio-cultural characteristics, stratification and social mobility in urban communities, problems of urban society
14. Movements in India I: Peasant movements, *Dalit* movements, women movements
15. Movements in India II: Environmental movements, civil society movements, movement against corruption
16. Social problems in India: Population, illiteracy, corruption, crime, ethnic unrests
17. Social perspectives of law in India: Legal system and social legitimacy, law and disadvantaged groups, issue of reservation, law and social change, role of Indian justice system
18. Conclusion(s) of the instruction

Recommended Readings*

A. Beteille, ed., *Social Inequality: Selected Readings* (Harmondsworth: Penguin Books, 1969).

* In addition to the readings already available in the Library and electronically accessible.

- D. Galligan, *Law in Modern Society* (London: OUP, 2006).
- D. G. Mandelbhaum, *Society in India* (Bombay: Popular Prakashan, 1970).
- D. Gupta, ed., *Social Stratification* (New Delhi: Oxford University Press, 1991).
- G. S. Ghurye, *Caste, Class and Occupation* (Bombay: Popular Book Depot, 1961).
- G. Shah, *Social Movements in India* (New Delhi: Sage, 2004).
- H. Gould, *The Caste System* (New Delhi: Chanakya Publications, 1987).
- I. Deva, *Sociology of Law* (New Delhi: Oxford University Press, 2005).
- I. Karve, *Hindu Society: An Interpretation* (Poona: Deccan College, 1961).
- K. M. Kapadia, *Marriage and Family in India* (Bombay: Oxford University Press, 1966).
- M. N. Srinivas, *India: Social Structure* (New Delhi: Hindustan Publishing Corporation, 1980).
- N. K. Bose, *Culture and Society in India* (Bombay: Asia Publishing House, 1967).
- P. Uberoi and S. Deshpande, eds., *Anthropology in the East: The founders of Indian Sociology and Anthropology* (New Delhi: Permanent Black, 2007).
- R. Ahuja, *Society in India* (Jaipur: Rawat Publications, 2007).
- S. C. Dube, *Society in India* (New Delhi: National Book Trust, 1990).
- V. Das, ed., *Handbook of Indian Sociology* (New Delhi: Oxford University Press, 2004).
- Y. Singh, *Modernisation of Indian Tradition* (New Delhi: Thomson Press, 1973).
- Y. Atal, *Changing Indian Society* (Jaipur: Rawat Publications, 2006).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Law of Contract I (Contract Act)

Course Code: LB208

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Contracts form the majority of commercial relationships. The course therefore aims at introducing to the students the law of contracts.

Course Syllabus

1. Meaning of contract, history and nature of the law of contract
2. The Indian Contract Act, 1872: An overview
3. Proposal: Communication, acceptance and revocation: Meaning, relevant provisions and case studies
4. Consideration: Meaning, relevant provisions, *nudum pactum*, case studies
5. Capacity to contract: Meaning, minor's agreement, relevant provisions and case studies
6. Free consent: Meaning, relevant provisions and case studies
7. Undue influence: Meaning, relevant provisions and case studies
8. Misrepresentation: Meaning, relevant provisions, essentials, and case studies
9. Fraud: Meaning, relevant provisions, essentials and case studies
10. Mistake: Meaning, relevant provisions and case studies
11. Public policy: Meaning, relevant provisions and case studies

12. Void agreements and voidable contracts: Meaning, relevant provisions and case studies
13. Contingent contracts: Meaning, kinds, relevant provisions and case studies
14. Contracts implied in law: Meaning, types, relevant provisions and case studies
15. Performance of contracts: Meaning, modes, relevant provisions and case studies
16. Breach of contract: Meaning, kinds, relevant provisions, defences, and case studies
17. Remedies for breach of contract: Meaning, types, relevant provisions and case studies
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Burrows, *A Casebook on Contracts* (Oxford: Hart Publishing, 2011).
A. Singh, *Mercantile Law* (Lucknow: EBC, 2008).
E. Peel, *Treitel: The Law of Contract* (London: Sweet & Maxwell, 2011).
H. Beale, *Chitty on Contracts* (London: Sweet & Maxwell, 2011).
H. K. Saharay, *Dutt on Contract* (New Delhi: LexisNexis, 2006).
J. Beatson, *Anson's Law of Contract* (London: ELBS, 2002).
M. Furmston, *Cheshire, Fifoot & Furmston's Law of Contract* (London: OUP, 2012).
S. A. Smith, *Contract Theory* (London: OUP, 2004).
S. Venkataraman, *The Law of Contracts* (Hyderabad: Asia Law House, 1987).
T. R. Desai, *The Indian Contract Act* (Calcutta: S. C. Sarkar, 1976).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.

Gautam Buddha University



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Criminal Law I (Law of Crimes)

Course Code: LB210

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

The law of crimes is the law governing acts and omissions considered as crimes by the statute or common law and punishable by the state. The course aims at introducing criminal law to the student so that the student can take it up for practice, judicial service or further study.

Course Syllabus

1. Meaning and nature of crime, constituents of crime, introduction to the Indian Penal Code, 1860
2. General defences: Ignorance or mistake, insanity or mental abnormality, drunkenness, judicial officers, infancy, accident, consent: Meaning, relevant provisions and case studies
3. Right of private defence: Meaning, necessity and proportionality: Relevant provisions and case studies
4. Principals, accessories, joint liability: Meaning, and common intention: Relevant provisions and case studies
5. Attempt and abetment: Meaning, essentials, relevant provisions and case studies
6. Criminal conspiracy: Meaning, kinds, relevant provisions and case studies
7. Sedition: Meaning, relevant provisions and case studies
8. Unlawful assembly, common object: Meaning, essentials, relevant provisions and case studies

9. Giving, fabricating and using false evidence: Meaning, essentials, relevant provisions and case studies
10. Public nuisance: Public health, public safety, public morals: Meaning, essentials, relevant provisions and case studies
11. Culpable homicide and murder: Meaning, essentials, differences, exceptions, relevant provisions and case studies
12. Hurt, grievous hurt, wrongful restraint, wrongful confinement, and assault: Meaning, essentials, relevant provisions and case studies
13. Kidnapping, abduction, and rape: Meaning, essentials, relevant provisions and case studies
14. Theft, extortion, robbery, dacoity, misappropriation, breach of trust, cheating, mischief: Meaning, essentials, relevant provisions and case studies
15. Forgery, making a false document, falsification of accounts: Meaning, essentials, relevant provisions and case studies
16. Adultery and cruelty: Meaning, essentials, relevant provisions and case studies, including with reference to the Protection of Women from Domestic Violence Act, 2005
17. Defamation, intimidation, insult, and annoyance: Meaning, essentials, relevant provisions and case studies
18. Conclusion(s) of the instruction

Recommended Readings*

- G. Williams, *Textbook of Criminal Law* (New Delhi: Universal, 2012).
- H. L. A. Hart, *The Morality of the Criminal Law: Two Lectures* (London: OUP, 1965).
- J. Gardner, *Offences and Defences: Selected Essays in the Philosophy of Criminal Law* (London: OUP, 2007).
- K. D. Gaur, *Criminal Law – Cases and Materials* (New Delhi: Butterworths, 2008).
- K. N. Chandrasekharan Pillai, *General Principles of Criminal Law* (Lucknow: EBC, 2008).
- P. S. Atchuthen Pillai, *Criminal Law* (New Delhi: LexisNexis, 2009).

* In addition to the readings already available in the Library and electronically accessible.

Y. V. Chandrachud and V. R. Manohar, *Ratan Lal and Dhiraj Lal's Indian Penal Code* (Nagpur: Wadhwa, 2009).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.

Gautam Buddha University



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Political Science V (Social Justice)

Course Code: LB301

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Justice has acquired various forms. Preamble to the Indian Constitution, which resolves to first secure justice to all Indian citizens, resolves to first secure it in social form. The course therefore offers to the student an understanding of social justice.

Course Syllabus

1. Social justice: Meaning and nature
2. Introduction to the Western theories of social justice: Utilitarian theory; Marxian Theory; Rawls' justice as fairness; Nozick's entitlement theory; Walzer's resource-based principles; Miller's desert-based principles; Feminists' principles
3. Indian perspectives on social justice I: Buddhism in ancient India, pioneers of the social awakening in the colonial India
4. Indian perspectives on social justice II: Gandhian notion of social justice, Ambedkar's theory of graded inequality, introduction to the Constitutional perspective
5. Causes of social injustice: Individual, institutional and structural causes of social injustice, social injustice across different societies
6. Indian society and social injustice: Causes and consequences I: Caste as a discriminatory social structure, class as a discriminatory economic structure
7. Indian society and social injustice: Causes and consequences II: Gender bias as a tool of domination and oppression, racism, religious discrimination

8. Politics and social justice: Overview of the political structure of the society and social justice
9. Affirmative action as a positive discrimination in the developed societies: Experience of the American society, Europe, developed Asian societies
10. Affirmative action in developing societies: African societies, West Asia, South Asian societies
11. Affirmative action in India: Introduction, policy of reservation: An evaluation, implementation of the Mandal Commission report
12. Empowerment and inclusion in India: Measures of social, political and economic empowerment of the marginalized, policy of social and economic inclusion
13. Rise of *Dalit* and backward class consciousness: Identity-based movements in India, ascendance of the *Dalit* consciousness, backward class awareness
14. Interrogating relationship between caste, religion and politics in India: Caste-politics nexus, religion-politics nexus, devolution of power and democratic decentralisation
15. Institutional measures to accomplish social justice I: Global perspective, efforts of the international community through various multilateral forums and the wings of the United Nations, such as UNDP, HRC, and UNICEF
16. Institutional measures to accomplish social justice II: Indian Perspective: National Commissions for SCs, STs, minorities, women and children, National Human Rights Commission (NHRC)
17. Legal framework and social justice in India: An inquiry into law and justice as mutually reinforcing concepts and legal measures supporting the cause of social justice
18. Conclusion(s) of the instruction

Recommended Readings*

B. R. Purohit and S. Joshi, *Social Justice in India* (Jaipur: Rawat Publications, 2003).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

- B. G. Stanley, et al., *Discrimination, Affirmative Action and Equal Opportunity: An Economic and Social Perspective* (Calgary: Fraser Institute, 1991).
- B. Barry, *A Treatise on Social Justice* (New York: Columbia University Press, 1992).
- B. M. Barry, *Why Social Justice Matters* (London: Polity Press, 2005).
- D. Miller, *Principles of Social Justice* (Cambridge: Harvard University Press, 1999).
- G. Mahajan, *Democracy, Difference and Social Justice* (Delhi: OUP, 1999).
- J. Massey, *Dr. B. R. Ambedkar: A Study in Just Society* (New Delhi: Manohar Publications, 2003).
- M. Galanter, *Competing Equalities: Law and the Backward Classes in India* (New Delhi: OUP, 1992).
- M. Walzer, *Spheres of Justice: A Defence of Pluralism and Equality* (New York: Basic Books, 1983).
- R. Bhargava, M. Dusche and H. Reifeld, *Justice: Political, Social, Juridical* (New Delhi: Sage Publications, 2008).
- R. Samaddar, *State of Justice in India: Issues of Social Justice*, Volume 1 (Delhi: Sage Publications, 2009).
- S. P. Sathe, *Social Justice, Public Law, and Jurisprudence in India* (New Delhi: Oxford University Press, 2008).
- S. Shankar, *Scaling Justice: India's Supreme Courts, Social Rights and Civil Liberties* (New Delhi: Oxford University Press, 2009).
- S. Yadav, *Social Justice: Ambedkar's Vision* (New Delhi: IIPA, 2006).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Constitutional Law II

Course Code: LB303

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

The constitutional law of a country is the fundamental law of the country. The course aims at giving the student the basic knowledge of the constitutional law of India, focussing on civil and political rights, so that the student can take it up for practice, judicial service or further study.

Course Syllabus

1. The concept of rights and the meaning of civil and political rights
2. Philosophy and nature of civil and political rights under the Indian Constitution
3. Citizenship: Constitutional provisions, the Citizenship Act, 1955
4. Elections: General principles, Election Commission, introduction to the Representation of the People Act, 1950
5. The concept of fundamental rights, definition and scope of the Indian state, law, justifiability of fundamental rights
6. Right to equality: Equality before the law, non-discrimination, reservation, public employment, abolition of untouchability and of titles, case studies
7. Right to freedom: Freedom of speech and expression, freedom to assemble and form associations, freedom of movement and residence, right to property, freedom of trade and commerce, case studies
8. Protection against *ex post facto* law, guarantee against double jeopardy, privilege against self-incrimination, case studies

9. Right to life and personal liberty: *Gopalan to Maneka Cases*, *Maneka Case* and its significance, death sentence, case studies
10. Protection against arrest, preventive detention, judicial review, case studies
11. Right against exploitation, freedom of religion, cultural and educational rights, case studies
12. Right to property: Nature and relationships, saving and validation of certain laws, case studies
13. Right to constitutional remedies: *Res judicata*, laches, public interest litigation, military law, martial law, emergency, case studies
14. Directive Principles of State Policy: Nature, principles and justiciability, case studies
15. Fundamental Duties: Nature, scope and relationships, case studies
16. Safeguards to minorities, scheduled castes, scheduled tribes and backward classes
17. Government services: Legislative Power, doctrine of pleasure, removal and dismissal, reasonable opportunity, case studies
18. Conclusion(s) of the instruction

Recommended Readings*

- A. G. Noorani, *Constitutional Questions and Citizens' Rights* (New Delhi: OUP, 2005).
- A. Pasayat and C. K. Thakker, *Dr C. D. Jha's Judicial Review of Legislative Acts* (New Delhi: LexisNexis, 2009).
- A. V. Dicey, *An Introduction to the Study of the Law of Constitutions* (New Delhi: Universal, 2008).
- D. D. Basu, *Constitutional Law of India* (New Delhi: LexisNexis, 2008).
- E. M. Borchard, *The Relation between "State" and "Law"* (New Haven: Yale University Press, 1927).
- G. Austin, *Indian Constitution: Cornerstone of a Nation* (London: OUP, 1999).
- H. H. Wellington, *Interpreting the Constitution* (New Delhi: Universal, 2008).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

- H. M. Seervai, *Constitutional Law of India – A Critical Commentary* (New Delhi: Universal, 1999), 2 Vols.
- L. H. Tribe, *Constitutional Choices* (New Delhi Universal, 2012).
- L. Woolf et al., *De Smith's Judicial Review* (London: Sweet & Maxwell, 2009).
- M. P. Jain, *Professor M. P. Jain Indian Constitutional Law* (New Delhi: LexisNexis, 2010).
- M. P. Singh, *V. N. Shukla's Constitution of India* (Lucknow: Eastern, 2009).
- M. Tushnet, *Why the Constitution Matters?* (New Delhi: Universal, 2011).
- O. Chinappa Reddy, *The Court and the Constitution of India* (New Delhi: OUP, 2009).
- P. Eleftheriadis, *Legal Rights* (London: OUP, 2008).
- R. F. V. Heuston, *Essays in Constitutional Law* (New Delhi: Universal, 2011).
- S. Snowiss, *Judicial Review and the Law of the Constitution* (New Delhi: Universal, 2008).
- T. R. Andhyarujina, *The Kesavananda Bharati Case* (New Delhi: Universal, 2012).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Sociology III (Political Sociology)

Course Code: LB305

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Political sociology views the substance of politics, power, in its social context/form. The course aims at introducing to the student this linkage between politics and society to which law bears a complex relationship.

Course Syllabus

1. Meaning, nature and scope of political sociology: Sociology of politics or political sociology: Non-political politics
2. Political system: Meaning, nature, kinds and characteristics
3. Social systems: Meaning, nature, kinds and characteristics
4. Political and social systems: A comparative overview
5. Democracy and social classes: Role of civil society in deepening democracy, political elite and masses, characteristics of political elites, role of political elites in political system, elite versus masses
6. Nationalism and development: Representation of the relationship with reference to Capitalism, Socialism, and the Third World
7. Distribution of political power: Form and criteria, state, provincial and local levels
8. Influence of power: Meaning, extent, and impact, the Indian case
9. Authority: Meaning and sources of authority, Weberian notion of power and authority, the question of legitimacy

10. Bureaucracy: Meaning, growth, role in democracy, political control of bureaucracy
11. Political culture: Meaning, social influence, effect on political system, Indian political culture
12. Political parties: Meaning, structure, social base, sources of funding, the nature of functioning in India
13. Pressure groups: Meaning, nature, functions in a democracy with special reference to India
14. Political participation: Social factors affecting political participation in the political system: Class, caste, religion, political participation in India
15. Political socialization: Meaning, relationship and comparison with political participation, political socialization in India
16. Social movements, political parties and political action: Types of social movements, political bases of social movements, the role of political parties, relationship of social movements with political parties and political action in India
17. The politics of change: Coalition politics, political mobilization, democratic decentralization, conflict: Meaning and causes of conflict, conflict as a vehicle of change, Indian experience
18. Conclusion (s) of the instruction

Recommended Readings*

- A. K. Mukhopadhyay, *Political Sociology* (Calcutta: K. P. Bagchi, 1987).
- D. Gupta, *Political Sociology in India* (New Delhi: South Asia Books, 1995).
- D. Matthews, *The Social Background of Political Decision-Makers* (New York: Random House, 1961).
- G. Almond and J. S. Coleman, *The Politics of the Developing Areas* (Princeton: Princeton University Press, 1960).
- I. L. Horowitz, *Foundations of Political Sociology* (New York: Harper and Row, 1972).

* In addition to the readings already available in the Library and electronically accessible.

L. N. Sharma and Ali Ashraf, *Political Sociology: A New Grammar of Politics* (New Delhi: Orient Blackswan, 2000).

L. Lindelfield, ed., *Reader in Political Sociology* (New York: Funck and Wagnalls, 1968).

M. Gluckman, *Politics, Law and Ritual in Tribal Society* (Oxford: Basil Blackwell, 1965).

M. Mann, *States, War and Capitalism: Studies in Political Sociology* (Oxford: Blackwell, 1988).

R. Bendix, *State and Society: A Reader in Comparative Political Sociology* (Boston: Little Brown & Co., 1968).

S. N. Eisenstadt, ed., *Political Sociology: A Reader* (New York: Basic Books, 1971).

T. Bottomore, *Political Sociology* (New Delhi: Skylark: 1979).

W. H. Morris-Jones, *The Government and Politics of India* (London: Hutchinson, 1971).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Law of Contract II (Sale of Goods and Partnership Acts)

Course Code: LB307

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Sale of goods and partnership involve many a contractual aspect of commercial activities and are governed by statutes. The course completes the introduction to the law of contract and introduces to the student the law of sale of goods and partnership.

Course Syllabus

1. Contract of indemnity: Meaning, essentials, and commencement of indemnifier's liability: Meaning and case studies
2. Rights of indemnity-holder: Relevant provisions and case studies
3. Contract of guarantee: Meaning, surety, principal debtor and creditor: Difference between a contract of indemnity and that of guarantee, consideration for guarantee: Relevant provisions and case studies
4. Continuing guarantee: Meaning, revocation of continuing guarantee: Relevant provisions and case studies
5. Discharge of surety: Meaning, relevant provisions and case studies
6. Bailment: Meaning, nature and kinds
7. Bailor and bailee: Hotel-keeper, common carriers, railways and airways: Illustrations
8. Liability of bailor and bailee: Nature and scope: Relevant provisions and case studies

9. Pledge: Meaning and essentials: Pawnor and pawnee: The difference between mortgage and pledge and pledge and lien: Case studies
10. Rights and duties of pawnor and pawnee: Nature and scope: Relevant provisions and case studies
11. Agency: Meaning and essentials: Principal, agent, broker, factor, auctioneer, commission agent, *del credere* agent, sub-agent, co-agent: Illustrations; termination of agency and its legal consequences
12. Authority and duties of principal and agent: Nature and scope: Relevant provisions and case studies
13. Contracts for sale of goods: Meaning, nature and essentials
14. Conditions and warranties in sale of goods: Meaning, essentials, differences, relevant provisions and case studies
15. Rights and duties of buyer and seller, unpaid seller: Nature and scope: The doctrine of *caveat emptor* and its exception, the doctrine of *nemo dat quod non habet*: Relevant provisions and case studies
16. Partnership: Meaning, essentials and kinds: Limited liability partnership, distinction between a partnership, a limited liability partnership and a company
17. Rights and duties of partners and partnership firm: Nature and scope: Relevant provisions and case studies
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Burrows, *A Casebook on Contracts* (Oxford: Hart Publishing, 2011).
 A. Singh, *Mercantile Law* (Lucknow: EBC, 2008).
 B. S. Ramaswamy, *Contracts and their Management* (New Delhi: LexisNexis, 2009).
 E. Peel, *Treitel: The Law of Contract* (London: Sweet & Maxwell, 2011).
 H. Beale, *Chitty on Contracts* (London: Sweet & Maxwell, 2011).
 H. K. Saharay, *Dutt on Contract* (New Delhi: LexisNexis, 2006).
 J. Beatson, *Anson's Law of Contract* (London: ELBS, 2002).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

M. Furmston, *Cheshire, Fifoot & Furmston's Law of Contract* (London: OUP, 2012).
P. Ramanath Aiyar, *Law of Sale of Goods* (New Delhi: Universal, 2007).
Pollock and Mulla, *The Indian Partnership Act* (New Delhi: LexisNexis, 2007).
S. A. Smith, *Contract Theory* (London: OUP, 2004).
S. Venkataraman, *The Law of Contracts* (Hyderabad: Asia Law House, 1987).
T. R. Desai, *The Indian Contract Act* (Calcutta: S. C. Sarkar, 1976).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Criminal Law II (Criminal Procedure Code)

Course Code: LB309

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Procedure, it is often said, is the handmaid of justice. Criminal procedure may therefore be said to be the handmaid of criminal justice. The course introduces criminal procedure to the student so that the student can take it up for practice, judicial service or further study.

Course Syllabus

1. Objects and reasons of the Criminal Procedure Code, 1974
2. Police, prosecutors, defence counsels, courts, and other authorities: Meaning with reference to the relevant provisions
3. Jurisdiction of the courts and police: Relevant provisions and case studies
4. Arrest of persons: Meaning and purpose, rights of arrested person: Relevant provisions and case studies
5. Bail: Meaning, purpose, kinds, requirements, discretion, surety: Relevant provisions and case studies
6. Search and seizure: Summons: Relevant provisions and case studies
7. Investigation: Meaning and purpose, the First Information Report (FIR), powers of police and magistrate: Relevant provisions and case studies
8. Cognizance of offence: Meaning, complaint, issue of process, limitations: Relevant provisions and case studies
9. Charge: Meaning, form, content, alteration: Relevant provisions and case studies

10. Trial of warrant cases: Meaning, court of sessions and magistrate, evidence, arguments: Relevant provisions and case studies
11. Trial of summons cases and summary trial: meaning, evidence, arguments: Relevant provisions and case studies
12. Disposal of cases without full trial: Limitation of time, *autrefois acquit* and *autrefois convict*, issue-estoppel, compounding of offences, withdrawal of complaint, and death of the accused: Relevant provisions and case studies
13. Judgment: Meaning, form, contents and pronouncement: Relevant provisions
14. Appeals: Meaning, kinds, procedure: Relevant provisions and case studies
15. Reference, revision and transfer: Meaning, nature, scope, and distinction: Relevant provisions and case studies
16. Execution of sentence: Relevant provisions and case studies
17. Preventive measures: Relevant provisions and case studies
18. Conclusion(s) of the instruction

Recommended Readings*

- H. O. Maratha, *Law of Speedy Trial: "Justice Delayed is Justice Denied"* (New Delhi: LexisNexis, 2008).
- J. Adhikary, *DNA Technology in the Administration of Justice* (New Delhi: LexisNexis: 2007).
- K. D. Gaur, *Criminal Law – Cases and Materials* (New Delhi: Butterworths, 2008).
- K. I. Vibhute, *Criminal Justice: A Human Rights Perspective of the Criminal Justice Process in India* (Lucknow: EBC, 2004).
- K. N. Chandrasekharan Pillai, *R. V. Kelkar's Lectures on Criminal Procedures* (New Delhi: Eastern Book Company, 2009).
- L. May and P. Morrow, *Procedural Justice* (London: Ashgate, 2012).
- M. Batra, *Protection of Human Rights in Criminal Justice Administration: Rights of Accused in Pre-trial Stage* (New Delhi: Deep & Deep Publications, 1989).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

P. H. Robinson and M. T. Cahill, *Law without Justice* (London: OUP, 2005).

Ratanlal and Dhirajlal's Code of Criminal Procedure (New Delhi: LexisNexis, 2011).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Political Science VI (India's Foreign Policy and Relations)

Course Code: LB302

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

India's foreign policy and relations are India's policy towards, and relations with, countries and entities external to India. The course aims at giving the student the basic knowledge of India's key policies towards and relations with such countries and entities as part of the integration of the student's learning of social science and law.

Course Syllabus

1. Meaning and theories of foreign policy and relations
2. Determinants of India's foreign policy: National interest, geography, economic development, political tradition
3. Institutions and agencies of India's foreign policy formulation and execution: Parliament, Council of Ministers, public opinion, political parties, pressure groups, diplomacy, propaganda, intelligence, policy and personnel planning
4. India's policy of *Panchsheel* and non-alignment: Genesis, evaluation and contemporary relevance
5. India's nuclear policy: Meaning, peaceful nuclear explosion, non-discrimination, deterrence, no first use, comprehensive nuclear disarmament
6. India's economic policy: Meaning, importance, permanent sovereignty of natural resources, new international economic order, special and differential treatment to developing and least-developed countries
7. India's climate change policy: Meaning of climate change, significance, record of India's participation in the climate change summits and meetings

8. India's relations with Pakistan: Partition, the Kashmir and Bangladesh problems, and the water dispute
9. India's relations with China: The border problem, challenges of globalization
10. India and Russia: History, defence and cultural relations
11. India and the United States: Trade, investment, civil-nuclear cooperation
12. India and the European Union: Trade, investment, education, cultural exchange, defence cooperation
13. India and West Asia: Historical ties, oil, gas, cultural relations
14. India and South Asia: Common history, trade relations, cultural relations, territorial problems, food security, India and SAARC
15. India, South-East Asia and Far East: History, trade, investment, technology transfer, cultural relations, India and ASEAN
16. India, Brazil and South Africa: History, importance, trade and investment agreements
17. India and the Indian diaspora: History, importance, educational and cultural relations
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Appadorai and M. S. Rajan, *India's Foreign Policy and Relations* (New Delhi: South Asia Publishers, 1985).
- A. Kapur, *Pokhran and Beyond* (London: OUP, 2001).
- B. Prasad, *The Origins of India's Foreign Policy: The Indian National Congress and World Affairs* (Calcutta: Bookland, 1962).
- H. Harding and F. R. Frankel, *The India-China Relationship* (New Delhi: OUP, 2004).
- H. V. Pant, *The US-India Nuclear Pact* (New Delhi: OUP, 2011).
- J. Bandyopadhyay, *The Making of India's Foreign Policy* (New Delhi: Allied Publishers, 1979).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

- J. Bandyopadhyay, *North Over South* (New Delhi: South Asia Publishers, 1982).
- J. S. Bains, *India's International Disputes: A Legal Study* (Bombay: Asia Publishing House, 1962).
- J. M. Brown, *Global South Asians: Introducing the Modern Diaspora* (New Delhi: Cambridge University Press, 2006).
- M. Singh and S. D. Singh, eds., *Indians Abroad* (Gurgaon: Hope India, 2003).
- O. V. Nandimath, *Handbook of Environmental Decision-making in India* (New Delhi: Oxford, 2008).
- P. Swami, *India, Pakistan and the Secret Jihad—The Covert War in Kashmir 1947–2004* (London: Routledge, 2007).
- P. Calvocoressi, *World Since 1945* (London: Pearson, 2001).
- R. Khan, ed. *Perspectives on Non-Alignment* (New Delhi: Kalamkar Prakashan, 1981).
- S. D. Muni, *India's Foreign Policy—The Democracy Dimension* (Delhi: Foundation Books, 2009).
- S. D. Sharma, *China and India in the Age of Globalization* (New Delhi: Cambridge University Press, 2009).
- S. Gupta, *India and Regional Integration in Asia* (Bombay: Asia Publishing House, 1964).
- S. P. Subedi, *Dynamics of Foreign Policy and Law: A Study of India-Nepal Relations* (London: OUP, 2005).
- S. S. Harrison, *India and Pakistan—The First Fifty Years* (New Delhi: Cambridge University Press, 1999).
- S. Ganguly, *India's Foreign Policy* (New Delhi: OUP, 2009).
- T. Engelmeier, *Nation-Building and Foreign Policy in India: An Identity-Strategy Conflict* (New Delhi: Cambridge University Press, 2009).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Family Law I

Course Code: LB304

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Family is the basic unit of society and is regulated by law in many ways. The course aims at introducing family law to the student, covering some key aspects of the family law of Indians.

Course Syllabus

1. Marriage and kinship units: Evolution of the institution of marriage and family, role of religious rituals and practices in moulding the rules regulating marital relations, *maitri sambandh* and divided home
2. State regulation of polygamy, concubinage, child marriage, *sati*, dowry: Salient features of the relevant legislations and case studies
3. Conversion and its effect on marriage, adoption, guardianship and succession: Case studies
4. Joint family: *Mitakshara* and *Dayabhaga* coparcenaries: Formation and incidents
5. Joint family property: *Dayabhaga* and *Mitakshara* laws
6. Joint family karta: Position, powers, privileges and obligations
7. Alienation of joint family property: Separate and coparcenary: Case studies
8. Joint family debts: Doctrines of pious obligations and antecedent debt
9. Joint family partition and reunion: Case studies

10. Hindu inheritance: Historical perspective of traditional Hindu law as a background to the study of Hindu Succession Act 1956
11. Succession to property of a Hindu male dying intestate under the provisions of Hindu Succession Act 1956, devolution of interest in Mitakshara coparcenary with reference to the provisions of Hindu Succession Act 1956: Relevant provisions and case studies
12. Succession to property of Hindu female dying intestate under the Hindu Succession Act 1956, general rules of succession, *Marumakkattayam* and *Aliyasantana* laws governing people living in Travancore, Cochin and the districts of Malabar and South Kanara: Relevant provisions and case studies
13. Classification of heirs under the *Hanafi* and *Ithna Ashria* schools of Muslims and their shares and distribution of property
14. Heirs and their shares and distribution of property under the Indian Succession Act of 1925 in respect of Christians, Parsis and Jews
15. Matrimonial remedies: Nullity of marriage, option of puberty
16. Matrimonial remedies contd.: Restitution of conjugal rights, judicial separation, desertion, cruelty, adultery as grounds for matrimonial relief, other grounds for matrimonial relief, divorce by mutual consent under the Special Marriage Act 1954 and the Hindu Marriage Act 1955: Relevant provisions and case studies
17. Matrimonial remedies contd.: Muslim law (*Khula* and *Mubaraat*), Bar to matrimonial relief: Case studies
18. Conclusion(s) of the course

Recommended Readings*

- A. Dhanda and A. Parashar, *Engendering Law: Treatise on Women and Law* (Lucknow: EBC, 2007).
- F. Agnes, *Family Law* (New Delhi: OUP, 2011), Vols. 1 and 2.
- K. B. Agrawal, *Family Law in India* (London: Kluwer, 2010).
- K. Desai, *Indian Law of Marriage and Divorce* (New Delhi: LexisNexis: 2011).
- K. M. Kapadia, *Marriage and Family in India* (Bombay: OUP, 1966).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

Kusum, *Family Law Lectures* (New Delhi: LexisNexis: 2011).

M. Hidayatullah and A. Hidayatullah, *Mulla's Principles of Mahomedan Law* (New Delhi: LexisNexis: 1990).

P. L. Paruck, *Indian Succession Act* (New Delhi: LexisNexis: 2011).

P. Uberoi, *Family, Kinship and Marriage in India* (New Delhi: OUP, 1993).

S. A. Desai, *Mulla Hindu Law* (New Delhi: LexisNexis: 2010).

S. M. Okin, *Justice, Gender and the Family* (New York: Basic Books, 1989).

W. Menski, *Hindu Law Beyond Tradition and Modernity* (London: OUP, 2009).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Administrative Law

Course Code: LB306

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Administrative law is essentially the law that exercises control over state functionaries which have increased over time for assumption of increased state responsibilities. The course aims at giving the student the basic knowledge of administrative law for taking it up for practice, judicial service or further study.

Course Syllabus

1. Origin and development of administrative law
2. Relationship between constitutional law and administrative law: Separation of powers, relevant provisions and case law
3. Relationship between constitutional law and administrative law, contd.: Rule of Law, relevant provisions and case law
4. Indian civil service: Powers, accountability and deviance, case law
5. Administrative discretion: Meaning, necessity, grounds, case law
6. Administrative discretion contd.: Considerations, limitations, relevant provisions of the Prevention of Corruption Act, 1988, and case studies
7. Administrative rule-making: Meaning, necessity, constitutionality, requirements, case law
8. Administrative rule-making contd.: Legislative control, relevant provisions and case law
9. Administrative adjudication: Meaning, necessity, constitutionality, requirements

10. Administrative adjudication contd.: Administrative tribunals, relevant provisions and case law
11. Judicial control of administrative action: Meaning, standing, grounds, case studies
12. Judicial control of administrative action contd.: Remedies, case studies
13. Judicial control of administrative action contd.: Appeals, case studies
14. Administrative liability: Tort: Case studies
15. Administrative liability contd.: Statutes, act of state: Case studies
16. Administrative responsibility: Transparency, right to information: Relevant provisions of the Right to Information Act, 2005, *Lokayukta* and *Lok Pal*, case law
17. Administrative responsibility contd.: Whistleblower protection
18. Conclusion(s) of the instruction

Recommended Readings*

- A. T. Markose, *Judicial Control of Administrative Action in India* (Nagpur: Wadhwa, 1956).
- De Smith, *Judicial Review of Administrative Action* (London: Sweet & Maxwell, 1995).
- H. H. Marshall, *Natural Justice* (New Delhi: Universal, 2000).
- H. K. Saharay, *Administrative Law and Tribunal* (New Delhi: Eastern Law House, 1999).
- K. P. Chakravarti, *Administrative Tribunal Law & Procedure* (New Delhi: Eastern Law House, 1989).
- M. C. Jain Kagzi, *The Indian Administrative Law* (New Delhi: Universal, 2012).
- M. P. Jain and S. N. Jain, *Principles of Administrative Law* (New Delhi: LexisNexis, 2011).
- M. P. Jain, *Cases and Materials on Indian Administrative Law* (Nagpur: Wadhwa, 1996).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

P. B. Banerjee, *Judicial Control of Administrative Action* (New Delhi: LexisNexis, 2012).

P. B. Banerjee, *Writ Remedies* (Nagpur: Wadhwa, 2007).

P. Cane, *Administrative Law* (London: OUP, 2011).

P. Craig, *Administrative Law* (London: Sweet & Maxwell, 2008).

S. P. Sathe, *Administrative Law* (New Delhi: LexisNexis, 2010).

W. Wade and C. Forsyth, *Administrative Law* (New Delhi: OUP, 2005).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Public International Law

Course Code: LB308

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Public international law is mostly the law between sovereign states (nations/countries). The course aims at giving the student the basic knowledge of public international law as a necessary complement to the student's knowledge of domestic law for equipping the student to take it up for further study or practice.

Course Syllabus

1. Origin, nature and development of public international law, approaches to international law, including the Third World approach
2. Sources of public international law: Introduction, Statute of the International Court of Justice, International Custom, law-making treaties and other material sources, case studies
3. Sources of public international law contd.: General principles of law, judicial decisions and juristic opinion, case studies
4. Sources of public international law contd.: General principles of international law, equity, considerations of humanity, legitimate interests, case studies
5. The relation of municipal and international law: Theories, obligations of states and municipal law
6. The relation of municipal and international law contd.: Issues of municipal law before international courts and tribunals, issues of international law before municipal courts, case studies
7. Subjects of public international law: Meaning, established, special, and controversial subjects

8. Recognition of states and governments: Meaning, consequences, duty, *de jure* and *de facto*, retroactivity, implied, collective, non-recognition, state practice, case studies
9. Territory: Land boundaries, airspace, outer space, polar regions
10. State Jurisdiction: Sovereignty, equality of states, and jurisdictional competence, privileges and immunities of foreign states, diplomatic and consular relations, case studies
11. Introduction to state responsibility: Basis, nature and scope, abuse of rights, compensation, defences, *locus standi*
12. Law of the sea: History, baselines, territorial sea, innocent passage, right of hot pursuit, high sea, contiguous zone, exclusive economic zones and continental shelf, case studies
13. The protection of individuals and groups: Introduction to human rights, self-determination and to international criminal justice
14. Law of treaties: Conclusion, reservations, entry into force, interpretation, invalidity, suspension, and termination, case studies
15. State succession: Treaty, acquiescence and estoppel, disintegration of federal states, case studies
16. Use of force by states: United Nations Charter, humanitarian intervention and force to counter terrorism, case studies
17. Settlement of international disputes: Peaceful settlement of disputes, arbitration, judicial settlement, introduction to the law and practice of the International Court of Justice, case studies
18. Conclusion(s) of the instruction

Recommended Readings*

A. Aust, *Handbook of International Law* (Cambridge: Cambridge University Press, 2010).

A. Cassese, *International Law* (London: OUP, 2005).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

- B. N. Patel, ed., *India and International Law* (The Hague: Brill, 2005), Vol. 1.
- B. Rajagopal, *International Law from Below: Development, Social Movements and Third World Resistance* (Cambridge: Cambridge University Press, 2003).
- B. S. Chimni, *International Law and World Order: A Critique of Contemporary Approaches* (New Delhi: Sage, 1993).
- C. G. Weeramantry, *Universal International Law* (The Hague: Kluwer, 2001).
- D. Shelton, *International Law and Domestic Legal Systems* (London: OUP, 2011).
- I. Brownlie, *Principles of Public International Law* (London: OUP, 2008).
- I. Shearer, *Starke's International Law* (New Delhi: Universal, 2000).
- J. Dahlitz, ed., *Secession and International Law* (New Delhi: CUP, 2006).
- J. F. Murphy, *The Evolving Dimensions of International Law: Hard Choices for the World Community* (Cambridge: Cambridge University Press, 2010).
- K. Parlett, *The Individual in International Legal System* (New Delhi: CUP, 2003).
- M. K. Nawaz, *The Changing Law of Nations* (New Delhi: Eastern Law House, 2000).
- M. N. Shaw, *International Law* (Cambridge: Cambridge University Press, 2010).
- N. Stürchler, *The Threat of Force in International Law* (Cambridge: Cambridge University Press, 2009).
- R. Falk, *Legality and Legitimacy in Global Affairs* (London: OUP, 2012).
- R. P. Anand, *New States and International Law* (New Delhi: Vikas, 1972).
- R. S. Pathak and R. P. Dhokalia, eds., *International Law in Transition: Essays in Memory of Judge Nagendra Singh* (Dordrecht: Nijhoff, 1992).
- R. Y. Jennings, and A. Watts, *Oppenheim's International Law* (London: Longman, 1992), Vols. 1 and 2.
- S. M. Schwebel, *Justice in International Law* (London: CUP, 1997).
- S. Pahuja, *Decolonizing International Law: Development, Economic Growth, and the Politics of Universality* (Cambridge: Cambridge University Press, 2012).
- V. S. Mani, *Basic Principles of Modern International Law* (New Delhi: Lancer, 1993).
- Y. Tyagi, *The UN Human Rights Committee: Practice and Procedure* (Cambridge: Cambridge University Press, 2011).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Criminology
Course Code: LB310
Course Instructor:
Course Duration: 18 Weeks' semester
Course Credits: 05
Medium of Instruction: English

Course Aim(s)

Criminology is the scientific study of crime and criminals. The course aims at giving the student its basic knowledge so that the student can enrich the knowledge of criminal law for criminal law practice or take it up for further study.

Course Syllabus

1. Meaning and nature of criminology
2. Nature and extent of crime in India
3. Crimes of the powerful: Organized crime: Smuggling, traffic in narcotics, white collar crime: Corruption in public life, socio-economic crime: Adulteration of foods and drugs and fraudulent trade practices, crimes in the professions: Medical, legal, engineering, criminality by state agencies
4. Typology of criminals: The situational criminal, the chronic offender, criminality of women, criminal gangs: Case studies
5. Typology of criminals: Young offenders: Case studies
6. Causes of criminal behaviour: Theories: The constitutional school of criminology, sociological theories, economic theories, evaluation
7. Causes of criminal behaviour contd.: Environment: Home and community influences, broken homes, the effect of motion pictures, video, press, narcotics and alcohol, caste and community tensions, and emotional disturbance
8. Causes of criminal behaviour contd.: Multiple causation approach to crime

9. Police: Organization of police, recruitment and training, powers and duties, methods of police investigation, third degree methods, relationship between police and prosecution, liability of police for custodial violence, police public relations, salient features of the National Police Commission report
10. Punishment of offenders: Some discarded modes of punishment, corporal punishment: Whipping and flogging: Mutilation and branding, transportation, public execution
11. Punishment of offenders contd.: Punishments under the Indian criminal law, capital punishment, imprisonment, fine, cancellation or withdrawal of licences
12. Punishment of offenders contd.: The prison system: Organization of prisons, recruitment and training, powers of prison officials, the Jail Manual, Constitutional imperatives and prison reforms
13. Treatment or correction of offenders: The need for reformation and rehabilitation of offenders undergoing punishment/imprisonment
14. Treatment or correction of offenders contd.: Classification of offenders through modern diagnostic techniques, the role of psychiatrists, psychoanalysts and social workers in the prison, the vocational and religious education, group counselling, re-socialisation, participation of inmates in community services
15. Treatment or correction of offenders: Efficacy of imprisonment as a measure to combat criminality and the search for substitutes
16. Re-socialization processes parole: Nature of parole, authority for granting parole, supervision of parolees, parole and conditional release
17. Re-socialization processes contd.: Release of the offender: Problems of the released, attitudes of the community towards released offender, prisoner aid societies and other voluntary organizations, governmental action
18. Conclusion(s) of the instruction

Recommended Readings^{*}

A. P. Simester and A. Von Hirsch, *Crimes Harms & Wrongs* (Oxford: Hart Publishing 2011).

A. Siddique, *Criminology & Penology* (Lucknow: EBC, 2009).

^{*} In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

- B. S. Godfrey et al., *Criminal Lives: Family Life, Employment, and Offending* (London: OUP, 2007).
- C. Hale et al., *Criminology* (London: OUP, 2009).
- D. Downes, *Understanding Deviance* (London: OUP, 2011).
- D. P. Farrington, *Saving Children from a Life of Crime* (London: Oxford University Press, 2008).
- K. D. Gaur, *Criminology & Penology* (Delhi: Deep & Deep Publications, 2005).
- K. I. Vibhute, *Criminal Justice: A Human Rights Perspective of the Criminal Justice Process in India* (Lucknow: EBC, 2004).
- K. S. Williams, *Textbook of Criminology* (London: OUP, 2008).
- K. V. Thomas, *Policing in the 21st Century* (New Delhi: Kaveri Books, 2012).
- M. Bosworth, *What is Criminology* (London: Oxford University Press, 2011).
- R. Ahuja, *Sociological Criminology* (Delhi: New Age International Publishers, 1996).
- S. Jones, *Criminology* (London: OUP, 2009).
- S. Karstedt et al., *Emotions, Crime and Justice* (London: Hart Publishing, 2011).
- S. T. Reid, *Crime and Criminology* (London: OUP, 2010).
- W. Katherine, *Textbook of Criminology* (New Delhi: Universal, 2001).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Title of Course: Family Law II
Course Code: LB401
Course Instructor:
Course Duration: 18 Weeks' semester
Course Credits: 05
Medium of Instruction: English

Course Aim (s)

Family is the basic unit of society and is governed by law in important part. The course aims at completing the key aspects of the family law of Indians.

Course Syllabus

1. Alimony and maintenance of neglected wives, divorced wives, minor children, disabled children, and parents who are unable to support themselves: Provisions under the Code of Criminal Procedure 1973: Case studies
2. Alimony and maintenance of divorced Muslim women under the Muslim Women (Protection of Rights on Divorce) Act 1986: A critical review: Case studies
3. Alimony and maintenance as an independent remedy: A review under different personal laws: Need for reforming the law
4. Alimony and maintenance as an ancillary relief
5. Child and the family: Legitimacy: Case studies
6. Child and the family contd.: Adoption: Case studies
7. Child and the family contd.: Custody, maintenance and education: Case studies
8. Child and the family contd.: Guardianship and parental rights: Welfare of the child principle: Case studies
9. Family and its changing patterns: Factors affecting the family: Demographic, social, religious, environmental, legislative and judicial

10. Family and its changing patterns contd.: Working women and their impact on spousal relationship: Composition of family, status and role of women
11. Family and its changing patterns contd.: New property concepts, such as skill and job as new forms of property
12. Non-judicial resolution of marital conflicts: Customary dissolution of marriage: Unilateral divorce, divorce by mutual consent, and other modes of dissolution, divorce under Muslim personal law: *Talaq* and *talaq-e-tafweez*
13. Judicial resolution of marital conflicts: Family court
14. Family Courts: Constitution, power and functions: Case studies
15. Family Courts contd.: Administration of gender justice: Case studies
16. Settlement of spousal property: Means and methods, need for development of law
17. Uniform Civil Code: Religious pluralism and its implications, connotations of the directive contained in Article 44 of the Constitution, impediments to the formulation of the Uniform Civil Code: Case studies
18. Conclusion(s) of the course

Recommended Readings*

- A. Bottomley and S. Wong, *Changing Contours of Domestic Life, Family and Law: Caring and Sharing* (London: Hart Publishing, 2009).
- C. G. Bowman, *Unmarried Couples: Law and Public Policy* (London: OUP, 2010).
- C. Lind et al., *Taking Responsibility: Law and the Changing Family* (London: Ashgate, 2010).
- F. Agnes, *Family Law* (New Delhi: OUP, 2011), Vols. 1 and 2.
- K. B. Agrawal, *Family Law in India* (London: Kluwer, 2010).
- K. Desai, *Indian Law of Marriage and Divorce* (New Delhi: LexisNexis: 2011).
- K. M. Kapadia, *Marriage and Family in India* (Bombay: OUP, 1966).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

M. Hidayatullah and A. Hidayatullah, *Mulla's Principles of Mahomedan Law* (New Delhi: LexisNexis: 1990).

M. Rao, *Law Relating to Women and Children* (Lucknow: EBC, 2010).

P. de Cruz, *Family Law Sex & Society: A Comparative Study of Family Law* (London: Routledge, 2010).

P. L. Paruck, *Indian Succession Act* (New Delhi: LexisNexis: 2011).

P. P. Saxena, *Family Law Lectures* (New Delhi: LexisNexis: 2011).

P. Uberoi, *Family, Kinship and Marriage in India* (New Delhi: OUP, 1993).

S. M. Okin, *Justice, Gender and the Family* (New York: Basic Books, 1989).

W. Menski, *Hindu Law Beyond Tradition and Modernity* (London: OUP, 2009).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Title of Course: Law of Property

Course Code: LB403

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim (s)

Property in this course refers to anything that can be owned (real, personal and tangible property) and excludes intellectual property (intangible property). The course aims at giving the student the basic knowledge of property law to prepare the student for practice, judicial service or further study.

Course Syllabus

1. The meaning and theories of property
2. Kinds of property: Movable and immovable property
3. Immovable property: Pre-colonial position
4. Immovable property contd.: Position under colonial administration
5. Immovable property contd.: Effects of colonial revenue administration
6. Immovable property requisitioning and acquisition of immovable property: Legal provisions and case studies
7. Post-constitutional developments concerning agricultural land: "Land to the tiller", land ceiling legislation, salient features of the U.P. land laws
8. Urban property rights: Housing, shelter and rent control
9. Transfer of property general principles of transfer of property under the Transfer of Property Act, 1882

10. Transfer of property specific transfers: Charges, leases, exchange, gifts: Relevant provisions and case studies
11. Transfer of property actionable claims: Relevant provisions and case studies
12. Trusts: Definition and classification
13. Trust distinguished from agency, bailment and a *wakf*
14. Charitable, resulting and constructive trusts
15. Easement: Nature and characteristics: Salient features of the Indian Easements Act, 1882
16. Creation and extinction of easements: Relevant provisions and case studies
17. Easementary rights: Riparian rights, licenses: relevant provisions and case studies
18. Conclusion(s) of the instruction

Recommended Readings*

- B. Sivaramayya, *The equalities and the law* (Lucknow: EBC, 1997).
- D. Sheehan, *The Principles of Personal Property Law* (Oxford: Hart Publishing, 2011).
- G. C. Bharuka, *Mulla Transfer of Property Act* (New Delhi: LexisNexis, 2006).
- H. Beverley, *Commentary on the Land Acquisition Act, 1894* (Nagpur: Wadhwa, 2010).
- H. S. Gour, *Transfer of Property Act* (Nagpur: Wadhwa, 2010), 2 Vols.
- J. Penner, *The Idea of Property in Law* (London: OUP, 2000).
- M. Davies, *Property: Meanings, Histories and Theories* (London: Routledge, 2007).
- P. C. Joshi, *Land Reforms in India* (New Delhi: Allied Publishers, 1975).
- P. P. Saxena, *Dr Poonam Pradhan Saxena Property Law* (New Delhi: LexisNexis, 2011).
- S. Malik, *Supreme Court on Tenancy & Law* (Lucknow: EBC, 1991).
- V. P. Sarathy, *Transfer of Property* (New Delhi: EBC, 1995).

Course requirements

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.

Gautam Buddha University



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Environmental Law

Course Code: LB405

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Simply put, the environment is the nature's endowment to the earth. The course aims at making the student aware of the growing importance of the environment and its expanding linkages and giving the basic knowledge of environmental law for preparing the student for practice or further study.

Course Syllabus

1. *Dharma* and the environment: Meaning and illustrations from the ancient Indian texts
2. The environment and environmental pollution: Concept, meaning and effect
3. Water and air pollution: Meaning, consequences, relevant provisions: Case studies
4. Noise pollution: Meaning, consequences, relevant provisions, case studies
5. Climate change: Concept, relevant instruments, remedial measures, problem of verification, contemporary developments
6. International concern for the environment: Stockholm Conference, Rio Conference, and other important international conferences and meetings
7. The environment and fundamental rights, case studies
8. The environment, the Directive Principles and fundamental duties, case studies
9. The Environment (Protection) Act, 1986: Object and reasons, salient features

10. Environmental impact assessment: Meaning, legal basis and case studies
11. Town and country planning: Introduction, effect on the environment, importance for the environment, evaluation, environmental wastes management and disposal
12. Forest and greenery: Meaning and importance for the environment and eco-system, conservation agencies and their role, relevant provisions of the Indian Forest Act, 1927, the Forest (Conservation) Act, 1980, and case studies
13. Wild life: Meaning and importance for the environment and eco-system: Relevant provisions of the Wildlife Protection Act 1972, its 2002 and 2006 amendments, and case studies
14. Biodiversity: Meaning and importance for the environment and eco-system, relevant provisions of the Biological Diversity Act, 2002, case studies
15. The environment and development: Sustainable development: Precautionary principle, polluter-pays principle, intergenerational equity, common but differentiated responsibility, contemporary developments
16. Ordinary remedies for protection of the environment: Relevant provisions and case studies
17. Constitutional remedies for protection of the environment: Relevant provisions and case studies
18. Conclusion(s) of the instruction

Recommended Readings^{*}

- A. Dobson, *Justice and the Environment* (London: OUP, 1999).
- B. H. Desai, *Environmental Laws of India: Basic Documents* (New Delhi: Lancers, 1994).
- C. D. Stone, *Should Trees Have Standing? Law, Morals, and the Environment* (London: OUP, 2010).
- C. H. Hanumantha Rao, *Agriculture, Food Security, Poverty and Environment* (New Delhi: OUP, 2006).
- C. M. Abraham, *Environment Jurisprudence in India* (The Hague: Brill, 1999).

^{*} In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

- E. Desmet, *Indigenous Rights Entwined with Nature Conservation* (Oxford: Hart Publishing, 2011).
- J. Holder and M. Lee, *Environment Protection: Law and Policy* (London: CUP, 2009).
- J. MacLaughlin and E. G. Bellinger, *Environmental Pollution Control* (London: Kluwer, 2001).
- J. McAdam, *Climate Change and Displacement* (Oxford: Hart Publishing, 2010).
- K. Thakur, *Environmental Protection Law and Policy in India* (New Delhi: Deep & Deep publications, 1997).
- L. J. Kotze and A. Paterson, *The Role of Judiciary in Environmental Governance* (London: Kluwer, 2009).
- P. B. Sahasranaman, *Handbook of Environmental Law* (New Delhi: OUP, 2009).
- P. Birnie and A. Boyle, *International Law and the Environment* (Lucknow: EBC, 2004).
- P. Leelakrishnan, *The Environmental Law in India* (New Delhi: LexisNexis, 2008).
- R. G. Chaturvedi, *Ancient Law of Environment* (New Delhi: Universal, 2010).
- R. Moules, *Environmental Judicial Review* (Oxford: Hart Publishing, 2011).
- R. Riversz et al., eds., *Environmental Law, the Economy and Sustainable Development* (Cambridge: CUP, 2000).
- S. Divan and A. Rosencranz, *Environmental Law and Policy in India* (New Delhi: OUP, 2002).
- S. Turner, *A Substantive Environmental Right* (London: Kluwer, 2012).
- T. S. Doabia, *Environmental & Pollution Laws in India* (Nagpur: Wadhwa, 2005).
- Y. Shigeta, *International Judicial Control of Environment Protection* (London: Kluwer, 2010).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: International Trade Law

Course Code: LB407

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

International trade law is the law of trade between sovereign states (nations/countries), supranational entities, and other persons in different states. The course aims at giving the student the basic knowledge of international trade law for equipping the student to take it up for practice or further study.

Course Syllabus

1. Introduction: Origin, development, and nature of international trade law
2. Formation of international sale contracts: Introduction, applicable law, rights and obligations of buyers and sellers: Case studies
3. Financing of and delivery under international sale contracts: Letters of credit, bills of lading, and incoterms: Case studies
4. General Agreement on Tariffs and Trade (GATT) and the World Trade Organization (WTO): History, evolution, structure, and functions
5. Principle of non-discrimination in international trade in goods and its exceptions: introduction, most-favoured-nation treatment, national treatment, general exceptions, regional trade agreements, including SAFTA: Case studies
6. Dumping and anti-dumping measures: Introduction, injury, dumping margin, anti-dumping duties, safeguards, Indian practice: Case studies
7. Subsidies: Prohibited subsidies, actionable subsidies, countervailing measures, developing countries, Indian policy and practice: Case studies
8. Agriculture trade: Introduction, market access, domestic support, subsidies,

sanitary and phytosanitary measures, technical barriers to trade, case studies, India's agriculture trade policies and concerns, current developments

9. International trade-relatedness of intellectual property: Patents, trademarks, designs, copyrights, geographical indications, special & differential treatment for developing and least-developed countries: Case studies
10. Services trade: WTO Agreement on Trade in Services: Introduction, scope and definition of services, air transport services, financial services, maritime transport services, telecommunications services, movement of natural persons, case studies
11. Non-discrimination in services trade: Most-favoured nation treatment and exemptions, case studies
12. Non-discrimination in services trade contd.: Market Access, national treatment and additional commitments, schedules of specific commitments, India, U.S. and EU, case studies
13. WTO dispute settlement: WTO Understanding on Rules and Procedures Governing the Settlement of Disputes: Nullification or impairment, violation and non-violation complaints, case studies
14. WTO dispute settlement procedures: Consultations, panel process, appellate review: Case studies and reform proposals
15. WTO remedies: Withdrawal, compensation, and suspension of concessions: Case studies and reform proposals
16. WTO compliance: Reasonable period of time and determination of the reasonable period of time, determination of compliance and non-compliance: Case studies and reform proposals
17. International commercial arbitration: Meaning, arbitrability, jurisdiction, applicable law, annulment and enforcement of awards: Case studies
18. Conclusion(s) of the instruction

Recommended Readings*

A. Redfern, M. Hunter, N. Blackaby and C. Partasides, C., *Law & Practice of International Commercial Arbitration* (London: Sweet & Maxwell, 2004).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

- A. A. Yusuf and C. M. Correa, *Intellectual Property and International Trade: TRIPS Agreement* (London: Kluwer, 2008).
- B. Hoekman and M. Kostecki, *The Political Economy of the World Trading System: From GATT to WTO* (Oxford: OUP, 1995).
- C. Murray, et al, *Schmitthoff's Export Trade* (London: Sweet & Maxwell, 2012).
- D. C. K. Chaw and T. J. Schoenbaum, *International Trade Law: Problems, Cases and Materials* (London: Kluwer, 2008).
- D. Palmetier and P. C. Mavroidis, *Dispute Settlement in the World Trade Organization: Practice and Procedure* (The Hague: Kluwer, 1999).
- J. Bhagwati and R. E. Hudec, *Fair Trade and Harmonization: Prerequisites for Free Trade* (Cambridge, Mass.: MIT Press, 1996), Vol. 2.
- J. H. Jackson, *The World Trading System, Law and Policy of International Economic Relations* (Cambridge, Mass.: MIT Press, 1989).
- K. W. Bagwell and P. C. Mavroidis, eds., *Preferential Trade Agreements: Law, Policy and Economics* (London: CUP, 2009).
- K. Byttebier & Kim Van der Borght, eds., *WTO Obligations and Opportunities: Challenges of Implementation* (London: Cameron May, 2007).
- M. Blakeney et al., *International Trade Law and Regulation* (London: Sweet & Maxwell, 2010).
- M. D. Ingco and L. A. Winters, eds., *Agriculture and the New Trade Agenda* (London: CUP, 2009).
- M. Matsushita, T. Schoenbaum, and P. C. Mavroidis, *The World Trade Organization: Law, Practice and Policy* (London: Oxford University Press, 2006).
- N. F. Diebold, *Non-Discrimination in International Trade in Services: 'Likeness' in WTO/GATS* (Cambridge: Cambridge University Press, 2010).
- P. Delimatsis, *International Trade in Services and Domestic Regulations* (London: OUP, 2008).
- R. Goode, et al., *Transnational Commercial Law* (London: OUP, 2007).
- R. Pratap, *India at the WTO Dispute Settlement System* (New Delhi: Manak, 2004).
- R. Raslan, *Antidumping: A Developing Country Perspective* (London: Kluwer, 2009).
- R. Wolfrum, P.-T. Stoll and C. Feinäugle, eds., *WTO-Trade in Services: Max-Planck Commentaries on World Trade Law* (The Hague: Brill Publishers, 2008).
- S. P. Finizio and D. Speller, *Practical Guide to International Commercial Arbitration* (London: Sweet & Maxwell, 2010).
- S. Lester and B. Mercurio et al., *World Trade Law: Texts, Materials & Commentary* (The Hague: Kluwer, 2008).
- T. N. Srinivasan, *Developing Countries and the Multilateral Trading System: From the GATT to the Uruguay Round and the Future* (Delhi: Oxford University Press, 1998).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.

Gautam Buddha University



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Clinic I (Moot Court Exercise)

Course Code: LB409

Course Instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Moot court exercise is a practical aspect of the curriculum. The primary object of the course is to provide an opportunity to the student to participate in simulated court proceedings, which usually include drafting briefs and arguments. The course also facilitates the student to observe trials.

Course Syllabus

1. Meaning and importance of the moot court exercise
2. Moot court exercise I: Records
3. Moot court exercise II: Records
4. Moot Court exercise III: Records
5. Observance of civil trial: Records
6. Observance of civil trial contd.: Proof of observing various steps
7. Observance of criminal trial: Records
8. Observance of criminal trial: Proof of observing various steps
9. Meaning and object of interviewing
10. Interviewing session I: Records
11. Interviewing session I: Proof of various steps of interviewing

12. Interviewing session II: Records
13. Interviewing session II: Proof of various steps of interviewing
14. Pre-trial preparation: Proof of observing preparation of documents
15. Pre-trial preparation contd.: Proof of observing preparation of court papers
16. Pre-trial preparation contd.: Proof of observing the procedure for the filing of the suit/petition
17. Conclusion(s) of the exercise
18. Viva Voce

Recommended Readings*

- C. Kee, *The Art of Argument: A Guide to Mooting* (New Delhi: CUP, 2004).
- B. Ord, G. Shaw and T. Green, *Investigating Interviewing Explained* (London: LexisNexis Butterworths, 2011).
- C. Maughan and J. Webb, *Lawyering Skills and the Legal Process* (New Delhi: CUP, 2007).
- G. Williams, *Learning the Law* (New Delhi: Universal, 2007).
- K. Kerrigan and V. Murray, eds., *A Student Guide to Clinical Legal Education and Pro Bono* (London: Palgrave Macmillan, 2011).
- N. R. Madhava Menon, *Clinical Legal Education* (New Delhi: Eastern Book Company, 2011).
- N. Shaw, *Effective Advocacy* (London: Sweet & Maxwell, 1996).
- R. Siltala, *Law, Truth and Reason: A Treatise on Legal Argumentation* (London: Springer-Verlag, 2011).
- S. Hugh, *Advocacy: Preparation and Performance* (New Delhi: Universal, 2011).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement.

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

Accordingly, the three moot court exercises will be of 10 marks each, observance of the two trials will be of 15 marks each, and interviewing and pre-trial preparation combined will be of 30 marks, and the viva voce will be of 10 marks.

Gautam Buddha University



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Company Law

Course Code: LB402

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Company is a creation of law and company law is the law governing companies. The course aims at giving the student the basic knowledge of company law so that the student can take it up for practice or further study.

Course Syllabus

1. Origin and development of companies, their inception and regulation in India before the Companies Act, 1956
2. The Companies Act: Surrounding circumstances, object and reasons, preamble
3. Definitions of company, private and public companies, holding and subsidiary companies, relevant provisions, case studies
4. Formation of incorporated company, memorandum, articles of association, relevant provisions, case studies
5. Prospectus and allotment of shares, requirements, relevant provisions, case studies
6. Share capital and debentures, relevant provisions, case studies
7. Registration of charges, certificate, penalties, relevant provisions, case studies
8. Management and administration, directors, managing agents, secretaries and treasurers, managers, relevant provisions, case studies
9. Management and administration contd., registered office, annual returns, meetings, conduct of business, relevant provisions, case studies

10. Prevention of oppression and mismanagement, relevant provisions, case studies
11. Board of company law administration, constitution, powers and functions, appeals from order of the Board, dissolution, relevant provisions, case studies
12. National company law tribunal, composition, powers and functions, appeals from orders of the tribunal, case studies
13. Advisory committee, constitution, powers, relevant provisions and case studies
14. Winding up of a company, voluntary winding up, winding up by the court, liabilities, liquidator, relevant provisions and case studies
15. Companies incorporated outside India and multinational companies, registration, accounts, civil liability, relevant provisions and case studies
16. Liability of companies: Civil and criminal, remedies: Case studies
17. Arbitration and other dispute resolution methods: Relevant provisions and case studies
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Ramaiya, *Guide to Companies Act* (New Delhi: LexisNexis, 2010).
- A. Singh, *Company Law* (Lucknow: EBC, 2009).
- C. R. Datta, *CR Datta on Company Law* (New Delhi: LexisNexis, 2009).
- F. B. Palmer, *Palmer's Company Law* (London: Stevens, 1987).
- F. S. Kieff and T. A. Paredes, eds., *Perspectives on Corporate Governance* (New Delhi: CUP, 1999).
- J. Dine, *Company Law* (London: Sweet & Maxwell, 2001).
- K. R. Chandratre, *Company Meetings: Law, Practice and Procedure* (New Delhi: LexisNexis, 2009).
- L. C. B. Gower, *Principles of Modern Company Law* (London: Sweet and Maxwell, 1997).
- R. R. Pennington, *Company Law* (London: Butterworths, 1990).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

S. Girvin et al. *Charles worth's Company Law* (London: Sweet & Maxwell, 2010).

S. Vayttaden, *Shishir Vayttaden SEBI's Takeover Regulations* (New Delhi: LexisNexis, 2010).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Labour and Industrial Law

Course Code: LB404

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aims(s)

Labour, a key factor of production, is a human being. The course aims at giving the student the basic knowledge of labour and industrial law for sensitizing about a Constitutional concern and an individual and collective social responsibility and for preparing for practice or further study.

Course Syllabus

1. Labour through the ages: Slave labour, colonial labour, unorganized labour, bonded labour, surplus labour, division of labour
2. Theories of labour and surplus value: From *laissez faire* to welfarism and to globalization: Transition from exploitation to protection and from contract to status: Changing perspectives on labour
3. Labour movement as a counter measure to exploitation: History of trade union movement in India
4. Right to trade union as part of human right to freedom of association: International norms and the Indian Constitution, legal control and protection of trade union: Relevant provisions of the Trade Unions Act, 1926 and case studies
5. Collective bargaining: The concept, international norms, process: Negotiation, strike and lockout, go-slow, work to rule, *gherao*, *bundh*, reforms in law
6. State regulation of industrial relations: Theoretical basis: Social justice, labour welfare, public interest, productivity, industrial peace and development
7. Methods of state regulation of industrial relations: Salient features of the Factories Act, 1948

8. Industrial discipline: Doctrine of hire and fire, relevant provisions of the Industrial Disputes Act, 1947 and case studies
9. Industrial discipline contd.: Fairness in disciplinary process: Right to know: the charge sheet and the right to defend: domestic enquiry, notice, evidence, cross-examination: Case studies
10. Remuneration for labour: Theories of wages: Marginal productivity, subsistence, wages fund, supply, concepts of wages, minimum wages, fair wages, living wages, dearness allowance, principle of fixation, disparity in wages in different sectors: Need for rationalization and national approach
11. Remuneration for labour: Wage determining process: Modes and modalities: Unilateral, bilateral, conciliation, arbitration and adjudication, Wage Board and Pay Commission, protection of wages: Relevant provisions of the Payment of Wages Act, 1936 and the Minimum Wages Act, 1948 and case studies
12. Labour health and safety: Obligations, legislative controls: factory, mines and plantations
13. Labour health and safety: Employer's liability: Workmen's compensation, state insurance, liability for hazardous and inherently dangerous industries, environmental protection: Relevant provisions of the Workmen's Compensation Act, 1923 and case studies
14. Labour welfare: Bipartite agreements, provident fund, gratuity, insurance, regulation of employment and conditions of service: Relevant provisions of the Employees' State Insurance Act, 1948, the Employees' Provident Funds Scheme, 1952, the Employees' Family Pension Scheme, 1971, and case studies
15. Labour welfare contd.: Employment of young persons: prohibition of employment of children, regulation of employment of young persons
16. Labour welfare contd.: Women and equal remuneration law, maternity benefits, and protective provisions for women under factories, plantations and mines laws: Relevant provisions of the Maternity Benefit Act, 1961 and case studies
17. Protection of the weaker sectors of labour: Tribal labour, unorganised labour, bonded labour, contract labour, daily wage workers: Relevant provisions and case studies
18. Conclusion(s) of the instruction

Recommended Readings^{*}

- A. C. L. Davies, *Perspectives on Labour Law* (New Delhi: CUP, 2001).
- A. R. Lakshmanan, *On Service and Labour Laws* (New Delhi: Universal, 2011).
- A. Singh, *Introduction to Labour and Industrial Law* (New Delhi: LexisNexis, 2008).
- B. Datta, *Commentaries on Employees' State Insurance Act* (Nagpur: Wadhwa, 2007).
- G. Nesi, L. Nogler, M. Pertile, eds., *Child Labour in a Globalized World: A Legal Analysis of ILO Action* (Aldershot/Burlington: Ashgate, 2008).
- H. L. Kumar, *Labour Problems and Remedies* (New Delhi: Universal, 2012).
- O. P. Malhotra, *The Law of Industrial Disputes*, (New Delhi: Universal, 2010).
- P. L. Malik, *Handbook of Labour & Industrial Law* (Lucknow: EBC, 2009).
- S. N. Mishra, *Labour and Industrial Laws* (Allahabad: Central Law Agency, 2009).
- S. C. Srivastava, *Industrial Relations and Labour Law* (New Delhi: Vikas, 2000).
- V. G. Goswami, *Labour and Industrial Law* (Allahabad: Central Law Agency, 2005).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.

^{*} In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Intellectual Property Law

Course Code: LB406

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Intellectual property law is the law of intangible property, e.g. patents, copyright, trademark. The course aims at giving the student the basic knowledge of intellectual property law to enable the student to take it up for practice or further study.

Course Syllabus

1. Nature, emergence and development of intellectual property, sources of intellectual property law and administering international institutions: International instruments, including the Paris and Berne Conventions, the TRIPS Agreement, WIPO and WTO
2. Patents law: Concept of patent and patentable subject matter: Legal provisions, including the Indian Patents Act, 1970, and case studies
3. Patents law contd.: Requisites for obtaining a patent, patent application, claims, anticipation, opposition and grant, convention countries, patent rights, public health: Legal provisions and case studies
4. Patents law contd.: Compulsory licences, infringement and remedies: Legal provisions and case studies
5. Trademarks law: Meaning, distinctiveness, similarity, trademarks and other marks, including domain names: Legal provisions, including the Indian Trade Marks Act, 1999, and case studies
6. Trademarks law contd.: Registration, grounds for refusal of registration, trademark rights: Legal provisions and case studies

7. Trademarks law contd.: Infringement, passing off, and remedies: Legal provisions and case studies
8. Law of industrial designs: Meaning, ornamentality v functionality: Legal provisions, including the Designs Act, 2000, and case studies
9. Law of industrial designs contd.: Registration and grounds for refusal of registration, rights conferred upon registration: Legal provisions and case studies
10. Law of industrial designs contd.: Infringement and remedies: Legal provisions and case studies
11. Copyright law: Concept, the idea-expression dichotomy and the subject-matter of copyright, copyright and neighbouring rights: Legal provisions, including the Copyright Act, 1957, and case studies
12. Copyright law contd.: Registration and grounds for refusal of registration, ownership of copyright, copyright societies, rights of broadcasting organizations, performers' rights: Legal provisions and case studies
13. Copyright law contd.: Fair use, violation, and remedies: Legal provisions and case studies
14. Law of geographical indications: Concept, essentials, distinction from and co-existence with trademarks, enforcement and remedies: Legal provisions, including the Geographical Indications of Goods (Registration and Protection) Act, 1999, and case studies
15. Protection of the layout-designs of integrated circuits and undisclosed information: Concepts and essentials: Legal provisions, including the Semiconductor Integrated Circuits Layout-Design Act, 2000, and case studies
16. Protection of plant variety and farmers' rights: Introduction, the Protection of Plant Varieties and Farmers' Rights Act, 2001: Registration of plant varieties, farmers' rights, breeders' rights, researchers' rights, compulsory licence, infringement and remedies: Legal provisions and case studies
17. Traditional knowledge and biological diversity: Introduction, importance for developing countries: Legal provisions, including the Biological Diversity Act, 2002, case studies, and contemporary developments
18. Conclusion(s) of the instruction

Recommended Readings^{*}

- B. W. Gray and E. Bouzalas, *Industrial Design Rights: An International Perspective* (London: Kluwer, 2001).
- C. M. Correa, *Intellectual Property Rights, the WTO and Developing Countries: The TRIPS Agreement and Policy Options* (Penang: Third World Network, 2000).
- D. Bainbridge, *Intellectual Property* (London: Pearson, 2003).
- D. Lange, M. La France and G. Mayers, *Intellectual Property: Cases and Materials* (St. Paul: West Group, 1998).
- D. A. Chisum, *Principles of Patent law* (New York: Foundation Press, 2001).
- F. A. Khader, *The Law of Patents with a Special Focus on Pharmaceuticals in India* (New Delhi: LexisNexis, 2011).
- H. Yamane, *Interpreting TRIPS* (Oxford: Hart Publishing, 2011).
- J. Watal, *Intellectual Property Rights in the WTO and Developing Countries* (Delhi: OUP, 2001).
- K. C. Kailasam and R. Vedaraman, *Law of Trade Marks & Geographical Indications* (Nagpur: Wadhwa, 2007).
- K. C. Kankanala et al., *Indian Patent Law and Practice* (New Delhi: OUP, 2010).
- L. Bently and B. Sherman, *Intellectual Property Law* (London: OUP, 2001).
- M. A. Echols, *Geographical Indications for Food Products* (London: Kluwer, 2008).
- M. A. Epstein, *Epstein on Intellectual Property* (London: Kluwer, 2005).
- N. P. de Carvalho, *The TRIPS Regime of Antitrust and Undisclosed Information* (London: Kluwer, 2007).
- N. S. Gopalakrishnan and T. G. Agitha, *Principles of Intellectual Property* (Lucknow: EBC, 2009).
- P. Cullet, *Intellectual Property Protection and Sustainable Development* (New Delhi: LexisNexis, 2005).
- P. W. Grubb, *Patents for Chemicals, Pharmaceuticals and Biotechnology* (London: OUP, 2010).
- R. D. Blair and T. F. Cotter, *Intellectual property: Economic and Legal Dimensions of Rights and Remedies* (London: CUP, 2009).
- R. A. Gorman and Jane C. Ginsburg, *Copyright: Cases and Materials* (New York: Foundation Press, 2002).

^{*} In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

S. M. Stewart, *International Copyright and Neighbouring Rights* (London: Butterworths, 1983).

S. von Lewinski, *Indigenous Heritage and Intellectual Property* (London: Kluwer, 2008).

T. Calame and M. Sterpi, *Patent Litigation* (London: Sweet & Maxwell, 2011).

V. Dhar et al., *Regime of Intellectual Property Protection for Biodiversity: A Developing Country Perspective* (N. Delhi: RIS, 2001).

V. Elizabeth, *Law of Plant Variety Protection* (Lucknow: EBC, 2007).

W. Cornish et al., *Intellectual Property: Patents, Copyrights, Trade marks and Allied Rights* (London: Sweet & Maxwell, 2010).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Civil Procedure Code and the Law of Limitation

Course Code: LB408

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

The Civil Procedure Code and the law of limitation are statutory norms relating to the procedure of civil courts and the period for enforcement of civil rights. The course aims at giving the student the basic knowledge of the Civil Procedure Code and the law of limitation to enable the student to take it up for practice, judicial service or further study.

Course Syllabus

1. The object of procedure and the meaning of civil procedure
2. Introduction to the Civil Procedure Code, 1908, object and reasons, overview
3. Affidavit, order, judgment, decree, plaint, restitution, execution, decree-holder, Judgment-debtors, mesne profits, written statement
4. Distinction between decree and judgment and between decree and order
5. Jurisdiction: Civil suit, *res subjudice* and *res judicata*, foreign judgment, place of suing, institution of suit, parties to suit, alternative disputes resolution (ADR), summons
6. Pleadings: Rules of pleading, signing and verification, alternative pleadings
Construction of pleadings
7. Plaint: Particulars, admission, return and rejection
8. Written statement: Particulars, rules of evidence, set off and counterclaim
9. Discovery, inspection and production of documents.

10. Appearance, examination and trial: *Ex-parte* procedure, summary and attendance of witnesses, trial, adjournments, interim orders: commission, arrest or attachment before judgment, injunction and appointment of receiver, interests and costs
11. Execution: Concept, general principles, power for execution of decrees, Procedure for execution, enforcement, arrest and detection, attachment, sale, Delivery of property, stay of execution
12. Suits in particular cases: by or against government, by aliens and by or against foreign rulers or ambassadors, suits by or against firm, suits in *forma pauperis*, mortgages, interpleader suits, suits relating to public charities
13. Appeals: Concept and kinds
14. Review, reference and revision
15. Miscellaneous: Transfer of cases, restitution, caveat, inherent powers of courts
16. Law reform: Law Commission on civil procedure code amendments
17. Law of limitation: Concept, object, the Limitation Act, 1963, legal liabilities, foreign rule of limitation
18. Conclusion(s) of the instruction

Recommended Readings*

C. K. Thakker, *Code of Civil Procedure* (New Delhi: Universal, 2008).

M. P. Jain, *The Code of Civil Procedure* (New Delhi: LexisNexis, 2011).

L. May and P. Morrow, *Procedural Justice* (London: Ashgate, 2012).

P. K. Majumdar and R. P. Kataria, *Commentary on the Code of Civil Procedure*, 1908 (New Delhi: Universal, 2008).

S. Dodson, *Civil Procedure* (London: OUP, 2011).

S. Sarkar and V. R. Manohar, *Sarkar on the Code of Civil Procedure* (New Delhi: LexisNexis, 2006).

V. K. Gupta, *Mulla Code of Civil Procedure* (New Delhi: LexisNexis, 2005).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.

Gautam Buddha University



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Clinic II (Drafting, Pleading and Conveyance)

Course Code: LB410

Course Instructor:

Course Duration: 18 Weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aims(s)

Drafting, pleading and conveyance refer to the making of documents. The course aims at developing the drafting, pleading and conveyance skills in the student so that the student can take up law for practice.

Course Syllabus

1. Drafting, pleading and conveyance: General principles and relevant provisions
2. One affidavit-drafting exercise
3. One written statement-drafting exercise
4. One interlocutory application-drafting exercise
5. One complaint-drafting exercise
6. One criminal miscellaneous petition-drafting exercise
7. One bail application-drafting exercise
8. One memorandum of appeal-drafting exercise
9. One revision-drafting exercise
10. Three writ petitions and two PIL writ petitions-drafting exercises
11. Two sale deeds and two mortgage deeds-drafting exercises
12. Two lease deeds and two gift deeds-drafting exercises

13. Two promissory notes-drafting exercises
14. Two power of attorney-drafting exercises
15. Two wills-drafting exercises
16. One trust deed-drafting exercise
17. Conclusion(s) of the instruction and exercises
18. Viva voce

Recommended Readings*

- A. Goodman, *Effective Written Advocacy* (London: Wildy, Simmonds and Hill, 2012).
- E. W. Daigneault, *Drafting International Agreements in Legal English* (London: Kluwer, 2009).
- G. Williams, *Learning the Law* (New Delhi: Universal, 2007).
- H. Darmstadter, *Hereof, Thereof and Everywhereof: A Contrarian Guide to Legal Drafting* (New York: American Bar Association, 2008).
- J. C. Raymond, *Writing for the Court* (London: Carswell, 2011).
- K. Kerrigan and V. Murray, eds., *A Student Guide to Clinical Legal Education and Pro Bono* (London: Palgrave Macmillan, 2011).
- M. C. Agarwal and G. C. Mogha, *Mogha's Law of Pleadings in India with Precedents* (Calcutta: Eastern Law House, 2009).
- N. R. Madhava Menon, *Clinical Legal Education* (New Delhi: Eastern Book Company, 2011).
- N. S. Bindra, *Conveyancing* (Delhi: Delhi Law House, 2008).
- P. Butt and R. Castle, *Modern Legal Drafting: A Guide to Using Clearer Language* (New Delhi: CUP, 1997).
- P. M. Bakshi, *The Law of Affidavits* (New Delhi: LexisNexis, 2000).
- P. Rylance, *Legal Writing and Drafting* (New Delhi: Universal, 2000).
- S. P. Aggarwal, *Pleadings* (New Delhi: LexisNexis, 2004).
- S. Sarkar, *Sarkar's Civil Court Practice and Procedure Manual* (New Delhi: LexisNexis, 2009).

* In addition to the readings already available in the Library and electronically accessible.

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, the thirty drafting exercises will be of 03 marks each and the viva voce will be of 10 marks.

Gautam Buddha University



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Law of Evidence

Course Code: LB501

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Evidence is probative of facts, and the law of evidence at its core is the law relating to the proof of facts. The course aims at giving the student the basic knowledge of the law of evidence so that the student can take it up for practice and judicial service.

Course Syllabus

1. The main features of the Indian Evidence Act 1872
2. Other Acts which deal with evidence (special reference to C.P.C., Cr. P.C.)
3. Problem of the applicability of the Evidence Act: Administrative, administrative tribunals, industrial tribunals, commissions of enquiry, court-martial, disciplinary authorities in educational institutions
4. Central conceptions in the law of evidence: Facts: Meaning, legal facts and facts in issue, evidence: Oral and documentary, circumstantial evidence, direct evidence, appreciation of evidence, witness, presumption, "proving", "not proving" and "disproving"
5. Facts and relevancy: Meaning and the doctrine of *res gestae*, evidence of common intention, the problems of relevancy of "otherwise" irrelevant facts, relevant facts for proof of custom, facts concerning bodies and mental state
6. Admissions: Meaning and general principles concerning admission
7. Confessions: Meaning, differences between "admission" and "confession", the problems of non-admissibility of confessions caused by "any inducement, threat or promise", inadmissibility of confession made before a police officer, admissibility of custodial confessions, admissibility of "information" received

from accused person in custody; with special reference to the problem of discovery based on “joint statement”, confession by co-accused, the problems with the judicial action based on a “retracted confession”

8. Dying declarations: Meaning, justification for the relevance of dying declarations, judicial standards for appreciation of the evidentiary value of dying declarations
9. Other statements by persons who cannot be called as witnesses: General principles, special problems concerning violation of women’s rights in marriage in the law of evidence
10. Relevance of judgments: General principles, admissibility of judgments in civil and criminal matters, “fraud” and “collusion”
11. Burden of proof: Meaning, general conception of *onus probandi*, general and special exceptions to *onus probandi*, the justification of presumption and of the doctrine of judicial notice, justification as to presumptions as to certain offences, presumption as to dowry death, the scope of the doctrine of judicial notice
12. Oral evidence: Meaning, general principles concerning oral evidence
13. Documentary evidence: Meaning, general principles regarding exclusion of oral by documentary evidence, special problems: re-hearing evidence, Issue estoppel, Tenancy estoppel
14. Witnesses: Meaning, competence to testify, state privilege, professional privilege, approval testimony
15. Examination and cross examination: Meaning, general principles of examination and cross examination, leading questions, lawful questions in cross-examination, compulsion to answer questions put to witness, hostile witness, impeaching of the standing or credit of witness
16. Expert evidence: Meaning, general principles, definition of expert, types of expert evidence, opinion on relationship especially proof of marriage, the problems of judicial defence to expert testimony
17. Estoppel: Meaning, the rationale, estoppel, *res judicata* and waiver and presumption compared, estoppel by deed, estoppel by conduct, equitable and promissory estoppel, questions of corroboration, improper admission and of witness in civil and criminal cases
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Keane, *The Modern Law of Evidence* (London: OUP, 2012).
- D. Auchie, *Evidence Law Basics* (London: Sweet & Maxwell, 2008).
- D. Dwyer, *The Judicial Assessment of Expert Evidence* (New Delhi: Cambridge University Press, 2009).
- E. Beecher-Monas, *Evaluating Scientific Evidence* (New Delhi: Cambridge University Press, 2007).
- H. M. Malek, *Phipson on Evidence* (London: Sweet & Maxwell, 2011).
- M. Munir, *Law of Evidence* (New Delhi: Universal, 2010), 2 Vols.
- P. R. Aiyer and N. S. R. Aiyer, *Cross-examination: Principles and Precedents* (Nagpur: Wadhwa, 2007).
- V. Nageshwara Rao, *The Indian Evidence Act* (New Delhi: LexisNexis, 2012).
- V. R. Manohar, *Ratan Lal and Dhiraj Lal: The Law of Evidence* (New Delhi: LexisNexis, 2011).
- W. Twining, *Rethinking Evidence* (New Delhi: Cambridge University Press, 2006).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Banking and Insurance Law

Course Code: LB503

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Banking and insurance law regulates banking and insurance services and our relationships with banking and insurance institutions. The course aims at giving the student the basic knowledge of banking and insurance law so that the student can take it up for practice or further study.

Course Syllabus

1. Introductory: Meaning, origin and development of banks and banking system
2. Banking in India: The Banking Regulation Acts, 1949 and 1979, salient features
3. Lending by banks: General principles, securities, pledge, mortgage, charge, documents of title, insurance policies, debentures: Statutory provisions and case law
4. Merchant banking: History, SEBI regulations, relevant provisions and case law
5. Letter of credit, demand guarantees: Fundamental principles, rights and obligations of parties, risks, frauds, relevant provisions and case studies
6. Electronic and Internet banking: Fundamental principles, rights and obligations of parties, risks, frauds, relevant provisions and case studies
7. Negotiable instruments: Meaning, types, functions, holder and holder in due course, negotiation, presentation, dishonour, liability: Relevant provisions and case studies
8. Banker-customer relationship: Meaning, scope, relevant provisions, case studies

9. Reserve Bank of India and reforms in the Indian banking system: Salient features, relevant provisions and case law
10. Meaning, origin and development of insurance
11. Insurance in India: The Insurance Act, 1938, salient features
12. Types of insurance: Life insurance, insurance against accidents, property insurance, medical insurance, relevant provisions and case law
13. Basic principles of insurance: Relevant provisions, case law
14. Contracts of insurance: Types, relevant provisions, case studies
15. Social insurance: Meaning, objectives, relevant provisions and case law
16. Insurance and the Consumer Protection Act, 1986: Relevant provisions and case studies
17. Reforms in the Indian insurance sector: Salient features, relevant provisions and case law
18. Conclusion(s) of the instruction

Recommended Readings*

- A. N. Berger, *The Oxford Handbook of Banking* (London; OUP, 2012).
- A. Singh, *Law of Insurance* (Lucknow: EBC, 2010).
- A. Singh, *Laws of Banking and Negotiable Instruments* (Lucknow: EBC, 2007).
- B. Datta, *Commentaries on Employees' State Insurance Act* (Nagpur: Wadhwa, 2007).
- J. Birds et al., *MacGillivray on Insurance Law* (London: Sweet & Maxwell, 2011).
- J. Lowry et al., *Insurance Law* (Oxford: Hart Publishing, 2011).
- J. S. Rogers, *The End of Negotiable Instruments* (London: OUP, 2011).
- M. A. Rashid, *Law Relating to Electronic Transfer of Money* (New Delhi: LexisNexis, 2010).
- M. Clarke, *Policies and Principles of Insurance Law in the Twenty-First Century* (London: OUP, 2007).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

M. L. Tannan, *Tannan's Banking Law and Practice in India* (New Delhi: LexisNexis, 2010).

R. Cranston, *Principles of Banking Law* (London: OUP, 2002).

R. J. Maniloff and J. W. Stempel, *General Liability Insurance Coverage* (London: OUP, 2012).

S. N. Gupta, *The Banking Law in Theory and Practice* (New Delhi: Universal, 2010).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Information Technology Law

Course Code: LB505

Course Instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Ours is the age of information, and the technology, which has made it possible, is information technology. The course aims at giving the student the basic knowledge of information technology law so that the student can it up for practice or further study.

Course Syllabus

1. Meaning of information and information technology
2. Main terminology of information technology: "Cyberworld"/"cybersphere", computer, drive, the Internet, ip protocol, server, blue tooth, wi-fi, satellite
3. Introduction to information technology law: Salient features of the Information Technology Act, 2000
4. Digital signature: Meaning, authentication of records, relevant provisions and illustrations
5. Electronic governance: Legal recognition of electronic records and of digital signatures, central government's power to make rules
6. Attribution of electronic records: Acknowledgment of receipt of electronic records: Relevant provisions and case studies
7. Attribution of electronic records contd.: Security procedure
8. Duties of subscribers: Acceptance of digital signature certificate and control of private key
9. Certifying authorities: Controller and other officers, powers and functions:

10. Cyber Regulation Appellate Tribunal: Establishment, composition, powers and functions
11. Penalties and adjudication: Penalty for damage to computer and computer system, failure to furnish information
12. Cyber offences: General provisions, amendments to the Indian Penal Code, 1860, and the Evidence Act, 1872
13. Cyber offences: Tampering with computer source documents: Relevant provisions and case studies
14. Cyber offences contd.: Hacking with computer system: Relevant provisions and case studies
15. Cyber offences contd.: Publishing of obscene information: Relevant provisions and case studies
16. Cyber offences contd.: Misrepresentation, breach of confidentiality and privacy, publishing digital Signature Certificate false in certain particulars, publication for fraudulent purpose, publishing digital signature certificate false in certain particulars: Relevant provisions and case studies
17. Powers of the police: Entry and search
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Davidson, *Law of Electronic Commerce* (London: Cambridge University Press, 2010).
- A. Murray, *Information Technology Law: The Law and Society* (London: OUP, 2010).
- D. Bainbridge, *Introduction to Information Technology Law* (London: Pearson, 2012).
- D. Rowland et al., *Information Technology Law* (London: Routledge, 2011).
- I. J. Lloyd, *Information Technology Law* (London: OUP, 2011).
- L. Edwards and C. Waelde, eds., *Law and the Internet* ((Oxford: Hart Publishing, 2009).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

K. W. Grewlich, *Governance in Cyberspace, Access and Public Interest in Global Communications* (London: Kluwer, 2000).

P. B. Maggs, et al., *Internet and Computer Law: Cases, Comments and Questions* (St. Paul, Minn.: West Group, 2001).

R. Brownsword and M. Goodwin, *Law and the Technologies of the Twenty-First Century: Text and Materials* (London: Pearson, 2012).

R. Shapira, *Law, Information and Information Technology* (London: Kluwer, 2011).

S. Brenner, *Law in an Era of Smart Technology* (London: OUP, 2007).

S. V. Joga Rao, *Computer Contracts and Information Technology Law* (Nagpur: Wadhwa, 2005).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Interpretation of Statutes and Principles of Legislation

Course Code: LB507

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Statutes are enacted legislation, and interpretation of statutes is the meaning of statutes. The course aims at giving the student the basic knowledge of interpretation of statutes and principles of legislation to enable the student to take it up for practice or further study.

Course Syllabus

1. Introductory: Legislation, statutes, statutory interpretation, need for statutory interpretation, case studies
2. Parts of a statute: Title, long title, short title, preamble, interpretation clause, case studies
3. Parts of a statute contd.: Title of chapter, headings, sections, punctuation, marginal notes, legal fictions, case studies
4. Parts of a statute contd.: Non-obstante clause, explanation, exceptions, proviso, saving clause, case studies
5. Parts of a statute contd.: Illustrations, schedules, forms, erratum, case studies
6. Harmonious construction: Meaning, nature and scope, case studies
7. Mischievous Rule of interpretation: Meaning, nature and scope, case studies
8. Literal Rule of interpretation: Meaning, nature and scope, case studies
9. Golden Rule of interpretation: Meaning, nature and scope, case studies

10. Strict interpretation: Meaning, nature and scope, case studies
11. Liberal interpretation: Meaning, nature and scope, case studies
12. Beneficial interpretation: Meaning, nature and scope, case studies
13. Equitable interpretation: Meaning, nature and scope, case studies
14. Internal aids to interpretation: Meaning and forms: *Expressio unis est exclusio alterius*, same words, same meaning, *surplusage*, *casus omissus*, case studies
15. Internal aids to interpretation contd.: *Noscitur a sociis*, *ejusdem generis*, case studies
16. External aids to interpretation: Meaning and forms: Surrounding circumstances, parliamentary proceedings, statement of object and reasons, *contemporanea exposito est optima et fortissimo in lege*, case studies
17. External aids to interpretation contd.: Later developments, books, dictionaries, international law, foreign judgments, *stare decisis*, case studies
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Scalia, *A Matter of Interpretation: Federal Courts and the Law* (New York: Translational, 1997).
- D. Greenberg, *Craies on Legislation* (London: Sweet & Maxwell, 2010).
- F. Bennion, *Bennion on Interpretation* (London: LexisNexis, 2008).
- F. Bennion, *Understanding Common Law Legislation: Drafting and Interpretation* (Lucknow: EBC, 2004).
- G. P. Singh, *Principles of Statutory Interpretation* (New Delhi: LexisNexis, 2012).
- H. Hart Jr. and A. M. Sacks, *The Legal Process: Basic Problems in the Making and Application of Law* (London: OUP, 1994).
- J. Bentham, *Theory of Legislation* (New Delhi: LexisNexis, 1976).
- J. Waldron, *The Dignity of Legislation* (London: Cambridge University Press, 1999).
- K. Greenawalt, *Legal Interpretation* (London: OUP, 2010).
- L. Epstein and J. Knight, *The Choices Justices Make* (London, OUP, 1998).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

M. Katju and S. K. Kaushik, eds., *N. S. Bindra's Interpretation of Statutes* (New Delhi: LexisNexis, 2008).

P. K. Tripathi, *Spotlights on Constitutional Interpretation* (Bombay: Tripathi, 1972).

P. St. Langan, *Maxwell on the Interpretation of Statutes* (New Delhi: LexisNexis, 1999).

R. Dworkin, *Law's Empire* (New Delhi: Universal, 2002).

R. Pratap, *Interpretation of Statutes: A Reader* (Delhi: Manak, 2010).

W. N. Eskridge, Jr., *Dynamic Statutory Interpretation* (Princeton: Princeton University Press, 1981).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Clinic III (Professional Ethics and Professional Accounting System)

Course Code: LB511

Course Instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Lawyering is a profession but lawyers are officers of the court. Advocates are therefore required to observe the ethics of their profession. The course aims at making the student aware of professional ethics and professional accounting system for properly training the student for the profession.

Course Syllabus

1. Origin and development of the legal profession
2. The Indian Advocates Act, 1961: Statement of object and reasons, salient features
3. The advocate and the client: Duties and privileges
4. The Bar-Bench Relations: Duties and privileges
5. The Contempt of Courts Act, 1971: Statement of object and reasons, salient features
6. The Bar council Code of Legal Ethics
7. Fifty (50) selected opinions of the disciplinary Committees of Bar Councils
8. Prahlad Saran Gupta Vs Bar Council of India AIR 1997 SC 1338
9. *Vinay Chandra Mishra, In re* (1995) 2 SCC 54
10. *C. Ravichandran Iyer v Justice A.M. Bhattacharjee* (1995) 5 SCC 547

11. *P. D. Gupta v Ram Murti* (1997) 7 SCC 147
12. *R. D. Saxena v Balram Prasad Sharma* (2000) 7SCC 264
13. *D. P. Chadha v Triyugi Narain Mishra* (2001) 2SCC 221
14. *Shambhu Ram Yadav v Hanuman Das Khatri* (2001) 6 SCC 1
15. *Pravin C. Shah v K. A. Mohd. Ali* (2001) 8SCC 650
16. *Bhupinder Kumar Sharma v Bar Assn. Pathankot* (2002) SCC 47
17. *Ex. Capt. Harish Uppal v Union of India* (2003) 2 SCC 45
18. Conclusion(s) of the instruction

Recommended Readings*

- C. P. Nemeth, *Acquinas in the Courtroom: Lawyers, Judges and Judicial Conduct* (London: Greenwood Press, 2001).
- C. Parker, *Just Lawyers: Regulation and Access to Justice* (London: OUP, 1991).
- D. Eddy and A. T. H. Smith, *Arlidge, Eddy and Smith on Contempt* (London: Sweet & Maxwell, 2011).
- D. Luban, *Lawyers and Justice: An Ethical Study* (Princeton: Princeton University Press, 1988).
- D. Nicolson and J. Webb, *Professional Legal Ethics* (London: OUP, 2000).
- M. Seneviratne, *The Legal Profession: Regulation and the Consumer* (London: Sweet & Maxwell, 1999).
- K. Kerrigan and V. Murray, eds., *A Student Guide to Clinical Legal Education and Pro Bono* (London: Palgrave Macmillan, 2011).
- N. R. Madhava Menon, *Clinical Legal Education* (New Delhi: Eastern Book Company, 2011).
- P. Camp, *Solicitors and the Accounts Rules* (Nagpur: Wadhwa, 2011).
- P. R. Aiyer and N. S. R. Aiyer's *Professional Ethics: Duties and Privileges of a Lawyer* (Nagpur: Wadhwa, 2003).
- R. Cranston, *Legal Ethics and Professional Responsibility* (London: OUP, 1996).
- S. Parker and C. Sampford, *Legal Ethics and Legal Practice* (London: OUP, 1996).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.

Gautam Buddha University



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Law of Taxation

Course Code: LB502

Course Instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Tax is a source of revenue. But the purpose of tax is not merely to raise revenue. The power to tax is a state power. The nature of taxation is therefore a measure of the nature of the state. The course aims at giving the student the basic knowledge of the law of taxation so that the student can take it up for practice or further study.

Course Syllabus

1. Tax: Meaning and rationales
2. History of tax law in India: Fundamental principles relating to tax laws: Governmental financial policy, tax structure and their role in the national economy
3. Concept of tax: Nature and characteristics of taxes, distinction between tax and fee, tax and cess, direct and indirect taxes, tax evasion and tax avoidance, reference to double taxation avoidance treaties
4. Scope of taxing powers of Parliament, state legislatures and local bodies
5. Income tax: Meaning, and basic concepts and salient provisions of the Income Tax Act, 1961: Income, total income, income not included in total income, deemed income, clubbing of income
6. Income tax: Assessee: Meaning, relevant provisions and case studies
7. Income tax contd.: Person: Meaning, relevant provisions and case studies
8. Income tax contd.: Tax Planning: Meaning, relevant provisions and case studies

9. Income tax contd.: Chargeable income, heads of income, salaries, income from house property, income from business or profession, capital gains, income from other sources, deductions, relief and exemptions, rate of income tax: Relevant provisions and case studies
10. Income tax contd.: Income tax authorities: Power and functions
11. Income tax contd.: Offences and penal sanctions: Relevant provisions and case studies
12. Income tax contd.: Settlement of grievances: Authorities, powers and functions
13. Sales tax: Meaning and salient features of the Central Sales Tax Act, 1956, sale or purchase of goods: Meaning of sale, sale in the course of inter-state trade and commerce, sale to take place outside a state, sale in the course of export or import: Relevant provisions and case studies
14. Sales tax contd.: Charge of tax, exemption and rebate, sales tax authorities, offences and penalties: Meaning, relevant provisions and case studies
15. Wealth Tax: Meaning, and salient features of the Wealth Tax Act, 1957, taxable wealth, determination of value of assets, exemptions and rate of wealth tax, wealth tax authorities, offences and penalties
16. Service tax: Meaning, taxable service, meaning and importance of service tax
17. Service tax contd.: Constitutional perspective, salient provisions of the service tax law, valuation of taxable service, offences and penalties, case studies
18. Conclusion(s) of the instruction

Recommended Readings*

- A. M. Setalvad, *Law of Sales and Principles of VAT* (New Delhi: LexisNexis, 2009).
- A. P. Datar, *Guide to Central Excise Law and Practice* (New Delhi: LexisNexis, 2006).
- C. Evans et al., *The Delicate Balance: Tax Discretion and the Rule of Law* (Amsterdam: IBFD, 2011).
- E. Albi and J. Martinez-Vazquez, *The Elgar Guide to Tax Systems* (London: Edward Elgar, 2011).
- K. Chaturvedi, *Central Sales Tax Laws* (New Delhi: LexisNexis, 2002).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

K. Sonntag and C. S. Mathur, *Principles of International Taxation* (New Delhi: LexisNexis, 2006).

Kanga, Palkhivala and Vyas, *The Law and Practice of Income Tax* (New Delhi: LexisNexis, 2004).

K. Prosser and R. Murray, *Tax Avoidance* (London: Sweet & Maxwell, 2012).

N. Lee, *Revenue Law: Principles and Practice* (London: Bloomsbury, 2011).

Pithisaria and Pithisaria, *Service Tax Law* (New Delhi: LexisNexis, 2007).

R. Avi-Yonah, *Global Perspectives on Income Taxation Law* (London: OUP, 2011).

R. Maas, *Taxation of Employments* (London: Bloomsbury, 2012).

Seth, Dua & Associates, *Joint Ventures, Mergers and Acquisitions in India: Legal and Tax Aspects* (New Delhi: LexisNexis, 2006).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Private International Law

Course Code: LB504

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Private international law (also known as the conflict of laws) is that part of domestic law which comes into operation when a domestic court is faced with a claim involving a foreign/"international" element. The course aims at giving the student the basic knowledge of private international law for preparing the student to take it up for practice or further study.

Course Syllabus

1. Introduction to private international law: Origin, development and scope
2. Connecting factors: Domicil, nationality and residence: Meaning and significance
3. Exclusion of foreign law: Public laws, public policy, mandatory rules: Meaning and case studies
4. Jurisdiction: Traditional rules, actions in personam, actions in rem: Meaning and case studies
5. Limitations on jurisdiction: Sovereign and diplomatic immunity, foreign property, parties, statutory limitations, case studies
6. Recognition and enforcement of foreign judgments and arbitral awards: Traditional rules and international conventions, case studies
7. Marriage: Meaning, formalities, capacity, case studies
8. Matrimonial causes: Introduction, divorce, nullity, judicial separation, case studies

9. Children: Residence, guardians, choice of law, the Hague Conventions, case studies
10. Legitimacy, legitimation and adoption: Meaning and studies
11. Contracts: Introduction, the Rome Convention, case studies
12. Torts: Common law rules, statutory rules, mixed questions of tort and contract, case studies
13. Immovable property: Jurisdiction and choice of law, succession, case studies
14. Movable property: Introduction, theories and modern law, succession, case studies
15. Matrimonial property: introduction, assignment, case studies
16. Trusts: Choice of law, recognition, mandatory rules, case studies
17. Problems of characterization in private international law, incidental question and renvoi, case studies
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Briggs, *The Conflict of Laws* (London: OUP, 2008).
- A. M. Setalvad, *Conflict of Laws* (New Delhi: LexisNexis, 2007).
- A. Lowenfeld, *International Litigation and the Quest for Reasonableness: Essays in Private International Law* (London: OUP, 1996).
- A. Mills, *The Confluence of Public and Private International Law: Justice, Pluralism and Subsidiarity in the International Constitutional Ordering of Private Law* (Cambridge: Cambridge University Press, 2009).
- C. M. V. Clarkson and J. Hill, *The Conflict of Laws* (London: OUP, 2011).
- E. Gottschalk et al., eds., *Conflict of Laws in a Globalized World* (New Delhi: Cambridge University Press, 2007).
- J. H. C. Morris, *The Conflict of Laws* (London: Sweet & Maxwell, 2009).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

K. B. Agrawal and Vandana Singh, *Private International Law in India* (London: Kluwer, 2010).

L. Collins et al., *Dicey and Morris on the Conflict of Laws* (London: Sweet & Maxwell, 2004).

P. North and J. J. Fawcett, *Private International Law* (New Delhi: LexisNexis, 2004).

R. Garnett, *Substance and Procedure in Private International Law* (London: OUP, 2012).

T. Kruger, *International Child Abduction* (London: Hart Publishing, 2011).

V. C. Govindraj, *The Conflict of Laws in India* (London: OUP, 2011).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Competition Law

Course Code: LB506

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Competition law is mainly that law which prevents practices affecting competition and promotes and sustains competition in markets. The course aims at giving the student the basic knowledge of competition law so that the student can take it up for practice or further study.

Course Syllabus

1. Introductory: Market, competition, economic rationales of competition, global trends
2. Competition law in India before the Competition Act, 2002: Monopolies and Restrictive Trade Practices (MRTP) Act, 1969, experience and shortcomings, repeal of the MRTP Act
3. The Competition Act: Surrounding circumstances, statement of object and reasons, preamble, case law
4. Relevant market: Meaning, statutory provisions, case studies
5. Relevant geographic market: Meaning, statutory provisions, relevant provisions and case studies
6. Relevant product market: Meaning, statutory provisions, relevant provisions and case studies
7. Anti-competitive agreements: Bid rigging, statutory provisions, case studies
8. Dominant position: Meaning, division of dominant position, statutory provisions, case studies

9. Abuse of dominant position: Predatory price, statutory provisions, case studies
10. Acquisitions and mergers: Meaning, types, statutory provisions, case studies
11. Regulation of acquisitions and mergers, statutory provisions and case studies
12. Competition law and intellectual property protection: Interaction, statutory provisions, harmonization, problems, case studies
13. Competition Commission of India: Establishment, composition, statutory provisions and case studies
14. Duties of and inquiries by the Commission: Statutory provisions and statutory provisions case studies
15. Orders and penalties by the Commission: Statutory provisions and statutory provisions and case law
16. Appeals from orders of the Commission: Grounds, statutory provisions and case law
17. Contemporary developments in competition law and policy: European Union, India, Japan, United States, World Trade Organization
18. Conclusion(s) of the instruction

Recommended Readings*

C. Noonan, *Emerging Principles of International Competition Law* (London: OUP, 2008).

C. R. Leslie, *Antitrust Law and Intellectual Property Rights: Cases and Materials* (London: OUP, 2010).

D. Gerber, *Global Competition* (London: OUP, 2012).

H. H. Lidgard, *National Developments in the Intersection of IPR and Competition Law* (Oxford: Hart Publishing, 2011).

J. Goyder and A. Albersliorens, *Goyder's EC Competition Law* (London: OUP, 2009).

K. S. Anantharaman, *Lectures on Company Law & Competition Act* (Nagpur: Wadhwa, 2005).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

- P. Hughes and P. Burbidge, *Competition Law* (London: Sweet & Maxwell, 2012).
- R. J. R. Peritz, *Competition Policy in America* (London: OUP, 2001).
- R. Whish, *Competition Law* (London: OUP, 2008).
- S. D. Anderman, *The Interface between Intellectual Property Rights and Competition Policy* (Cambridge: Cambridge University Press, 2007).
- S. Parthasarathy, *Competition Law in India* (London: Kluwer, 2011).
- Seth, Dua & Associates, *Joint Ventures, Mergers and Acquisitions in India: Legal and Tax Aspects* (New Delhi: LexisNexis, 2006).
- T. Prosser, *The Limits of Competition Law* (London: OUP, 2005).
- T. Ramappa, *Competition Law in India: Policy, Issues and Developments* (London: OUP, 2009).
- V. Dhall, *Competition Law* (New Delhi: OUP, 2007).
- V. Korah and I. Lianos, *Competition Law: Texts, Cases and Materials* (London: Hart Publishing, 2012).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Clinic IV (Alternative Dispute Resolution)

Course Code: LB508

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

Alternative dispute resolution is dispute resolution other than through court procedures. The course aims at making the student aware of the necessity for importance of alternative dispute resolution and giving the student its basic knowledge for taking it up for practice or further study.

Course Syllabus

1. Origin, development and importance of alternative dispute resolution
2. Introduction to alternative dispute resolution methods: Negotiation, arbitration and conciliation
3. Negotiation: Skills and simulation exercises
4. Indian law of arbitration: Introduction, historical development and background to the Arbitration and Conciliation Act, 1996
5. The Arbitration and Conciliation Act, 1996: Object and reasons, salient features
6. Arbitration agreement: Essentials and kinds
7. Arbitration agreement contd.: Competence of parties and validity, case studies
8. Arbitration agreement contd.: Reference to arbitration and interim measures, case studies
9. Arbitration tribunal: Appointment, challenge, jurisdiction, case studies
10. Arbitration tribunal contd.: Powers and procedures, case studies

11. Arbitration award contd.: Form and contents, case study
12. Arbitration award: Grounds for setting aside, enforcement, case studies
13. Arbitration award contd.: Appeal and revision, case studies
14. Arbitration award contd.: Enforcement of foreign awards, New York and Geneva Convention award, case studies
15. Conciliation: Appointment of conciliator, communication between conciliator and parties, resort to judicial proceedings, case studies
16. Conciliation: Skills and simulation exercises
17. High Court, Central Government, and the Legal Services Authority Act
18. Conclusion(s) of the instruction

Recommended Readings*

- A. Ingen-Housz, *ADR in Business: Practice and Issues Across Countries and Cultures* (London: Kluwer, 2011).
- A. Redfern et al., *Law & Practice of International Commercial Arbitration* (London: Sweet & Maxwell, 2004).
- A. J. Van den Berg, *Arbitration Advocacy in Changing Times* (London: Kluwer, 2011).
- A. R. Lakshmanan, *Arbitration Business and Commercial Laws* (New Delhi: Universal, 2010).
- C. R. Dutta, *Law of Arbitration and Conciliation* (New Delhi: LexisNexis, 2007).
- D. Campbell, *Dispute Resolutions Methods* (London: Kluwer, 1996).
- G. B. Born, *International Commercial Arbitration* (London: Kluwer, 2009).
- J. W. Rowley, *Arbitration World* (London: Sweet & Maxwell, 2010).
- L. A. Mistelis and S. L. Brekoulakis, *Arbitrability: International and Comparative Perspective* (London: Kluwer, 2009).
- M. Saharay, *Textbook on Arbitration & Conciliation with Alternative Dispute Resolution* (New Delhi: Universal, 2011).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

K. Kerrigan and V. Murray, eds., *A Student Guide to Clinical Legal Education and Pro Bono* (London: Palgrave Macmillan, 2011).

N. R. Madhava Menon, *Clinical Legal Education* (New Delhi: Eastern Book Company, 2011).

P. Binder, *International Commercial Arbitration & Conciliation in UNCITRAL Model Law* (London: Sweet & Maxwell, 2009).

P. C. Markanda, *Law Relating to Arbitration & Conciliation* (New Delhi: LexisNexis, 2009).

P. C. Rao and W. Sheffield, *Alternative Dispute Resolution* (New Delhi: Universal, 2011).

S. B. Malik, *Commentary on the Arbitration and Conciliation Act* (New Delhi: Universal, 2011).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: International Humanitarian and Refugee Law

Course Code: LB510

Course instructor:

Course Duration: 18 weeks' semester

Course Credits: 05

Medium of Instruction: English

Course Aim(s)

International humanitarian and refugee law is the law relating to armed conflict and to persons who are outside of their countries for a well-founded fear of persecution. The course aims at giving the student the basic knowledge of international humanitarian and refugee law as a complement to the student's knowledge of domestic law and for equipping the student to take it up for practice or further study.

Course Syllabus

1. Origin and development of international humanitarian law, including its South Asian approach, sources of international humanitarian law: Customary law, Geneva conventions and its additional protocols
2. Concept of armed conflict: International and non-international armed conflicts and fundamental principles of international humanitarian law: The principle of military necessity, the principle of proportionality, the principle of distinction between combatants and non-combatants, case studies
3. Relationship between international humanitarian law and international human rights law, operational problems, case studies
4. Protection of persons I: General obligation of humane treatment of wounded, sick and shipwrecked persons, prisoners of war, the role the International Committee of the Red Cross
5. Protection of persons II: Protection of medical personnel and protection of women and children, case studies
6. Limitation on the means and methods of armed conflict: General limitations, conventional weapons, chemical, biological and nuclear weapons, anti-

personnel landmines

7. Protection of cultural property and the environment
8. Non-international armed conflict I: The common Article 3, and the Additional Protocol II, case studies
9. Non-international armed conflict II: Internal disturbances and violence, implementation of the law, role of national law, including military law and the Geneva Conventions Act, 1960, war crimes, grave breaches of the Geneva Conventions, introduction to international criminal law, including the International Criminal Court, case studies
10. Origin and development of international refugee law, the 1951 Convention and its 1967 protocol
11. Asylum, the principle of non-refoulement, internally displaced persons, safe haven and the principle of family unity
12. Vulnerable groups of refugees: Women, children and victims of torture
13. Role of the United Nations: UNHCR, overview of refugee assistance programmes, case studies
14. Concept of temporary refugee, problems of statelessness, irregular movement of refugees, case studies
15. Refugees and South Asia: Security concerns, SAARC law, case studies
16. Refugees and India: Ratification of international instruments by India, issues relating to accession to the 1951 Convention
17. Refugees and India contd.: National framework, constitutional provisions, role of the judiciary, NHRC, case studies
18. Conclusion(s) of the instruction

Recommended Readings*

A. Cullen, *The Concept of Non-International Armed Conflict in International Humanitarian Law* (London: CUP, 2010).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

- A. P. V. Rogers, *Law on Battlefield* (Manchester: Manchester University Press, 2004).
- B. S. Chimni, *International Refugee Law: A Reader* (New Delhi: Sage, 2000).
- C. Meloni, *Command Responsibility in International Criminal Law* (Cambridge: Cambridge University Press, 2010).
- F. Kalshoven, *Constraints on the Waging of War: An Introduction to International Humanitarian Law* (Cambridge: Cambridge University Press, 2011).
- Guy S. Goodwin-Gill, *The Refugee in International Law* (London: OUP, 2007).
- J. Henckaerts, *Customary International Humanitarian Law* (Cambridge: Cambridge University Press, 2005).
- J. C. Hathaway, *The Law of Refugee Status* (Toronto: Butterworths, 1996).
- J. Pictet, *Development and Principles of International Humanitarian Law* (The Hague: Martinus Nijhoff, 1985).
- L. C. Green, *The Contemporary Law of Armed Conflict* (Manchester: Manchester University Press, 2000).
- L. Zegveld, *Accountability of Armed Opposition Groups in International Law* (Cambridge: Cambridge University Press, 2002).
- M. C. Bassiouni, *International Criminal Law* (Leiden: Martinus, 2008), Vols. 1 and 2.
- N. Singh, *The Role and Record of the UN High Commissioner for Refugees* (New Delhi: Macmillan, 1994).
- O. Ben-Naftali, *International Humanitarian Law and International Human Rights Law* (London: OUP, 2011).
- O. Mishra, ed., *Forced Migration in the South Asian Region* (Delhi: Manak, 2004).
- R. Cryer, *An Introduction to International Criminal Law and Procedure* (Cambridge: Cambridge University Press, 2011).
- T. Gammeltoft-Hansen, *Access to Asylum: International Refugee Law and Globalization of Migration Control* (Cambridge: Cambridge University Press, 2011).
- V. S. Mani, *Handbook of International Humanitarian Law in South Asia* (New Delhi: OUP, 2007).

Course requirements

Students are encouraged to read the readings and participate in the class discussion. Evaluation is based on student performance evaluated in examinations and other notified methods of assessment upon fulfilment of the attendance requirement. Accordingly, there will be a 25 marks' continuous class assessment through written test, project work, moot court and/or simulation exercise, a 25 marks' mid-term examination, and a 50 marks' end-term examination.



Gautam Buddha University
SCHOOL OF LAW, JUSTICE & GOVERNANCE
Course Information

Course Title: Comparative Law
Course Code: LB512
Course instructor:
Course Duration: 18 weeks' semester
Course Credits: 05
Medium of Instruction: English

Course Aim(s)

Comparative law is the study of legal systems and traditions. The course aims at enabling the student to set a standard of judgment for creating “ideal” types of legal institutions and for finding solutions to comparable legal problems in the era of increasing global governance.

Course Syllabus

1. The concept, functions and aims of comparative law
2. Chthonic or African legal tradition: Sources: Orality, *fomba*, *fady*, marriage, family, justice, colonization, need for new law, reform of customary law, role of native courts, role of modern law courts
3. Talmudic or Jewish legal tradition: Sources: Genesis, Exodus, Leviticus, Numbers, and Deuteronomy, Misnah, property, God, doctrine of individual obligation, rights, justice
4. Hindu legal tradition: Concept; sources: *Sruti*, *smiriti*, *Dharma Sutras* and their rules of law, *Dharma Sastras*, *Commentaries and Digest*
5. Hindu legal tradition contd.: Divine regulation, sin, dharma and royal ordinance, types of litigation, types of offences, solution to private disputes, *mimansa* rules of interpretation
6. Chinese legal tradition: Cosmic order, role of law, the concept of *giri*, mediation and conciliation
7. Romanistic legal tradition: Public law, private law, the concept of the legal rule; legislation, treaties, codes, statutes, regulation and decrees, administrative

directives, legislative style, interpretation, precedent, custom, jurisprudence, legal writings

8. Romanistic legal tradition: Code Civil and its reception beyond France, the nature of litigation, protection of illegitimate children
9. Germanic legal tradition: Pandectists; Civil Code: the idea of legal act, law of obligations, law of property, family law, law of succession, the doctrine of abstract legal contract
10. Nordic or Scandinavian legal tradition: Origin, legislation, contract, family law; civil law tradition beyond Europe
11. Islamic legal tradition: *Shari'a* and *fikh*, sources and schools, dispensation of justice, adaptation to modern world
12. English legal tradition: Barbarian laws before 1066, common law, equity, court decisions, statute law, custom, reason, the concept and variants of trust; reception of common law beyond Europe
13. United States' legal system: Common law origins, federal law, state law, courts, the place and nature of *stare decisis*
14. Capitalist approach to law: Meaning, origins, and development; Weber and Hayek; evaluation
15. Socialist approach to law: Meaning, origins, and development; Rousseau and Marx; evaluation
16. Third World approach to law: Meaning and origins: Colonization; Alexandowicz and Anand; evaluation
17. Trends of convergence, reconciliation and transitions in the legal traditions
18. Conclusion(s) of the instruction

Recommended Readings*

A. Fransworth, *An Introduction to the Legal System of the United States* (Dobbs Ferry, N.Y.: Oceana, 1996).

B. Dickson, *Introduction to French Law* (London: Pitman, 1994).

* In addition to Acts/treaties, case law, books, and articles already available in the Library and electronically accessible.

- C. H., Alexandrowicz, "The Afro-Asian World and the Law of Nations (Historical Aspects)", 123 Hague *Recueil* (1968), 117.
- C. G. Weeramanantary, *Islamic Jurisprudence: An International Perspective* (London: Oxford University Press, 1998).
- E. Örucü, et al., eds., *Studies in Legal Systems: Mixed and Mixing* (The Hague: Kluwer Law International, 1996).
- H. C. Stephen, *Understanding China's Legal System* (New York: New York University Press, 2003).
- H. P. Glenn, *Legal Traditions of the World* (Oxford: Oxford University Press, 2004).
- J. D. M. Derret, *An Introduction to Legal Systems* (New Delhi: Universal: 2011).
- J. H. Merryman, *The Civil Law Tradition* (Stanford: St. Paul, 1985).
- K. Zweigert, and H. Kötz, *An Introduction to Comparative Law* (Oxford: Oxford University Press, 1998), Tony Weir (Translation).
- M. Reimann and R. Zimmermann, *The Oxford Handbook of Comparative Law* (Oxford: Oxford University Press, 2006).
- N. Foster and S. Sule, *German Legal System and Laws* (London: Oxford University Press, 2002).
- N. Hecht, et al., eds., *An Introduction to the History and Sources of Jewish Law* (Oxford: Clarendon Press, 1996).
- O. W. Holmes, *Common Law* (Cambridge, Mass.: Belknap Press, 1963).
- P. Legrand and R. Munday, eds., *Comparative Legal Studies: Traditions and Transitions* (Cambridge: Cambridge University Press, 2003).
- R. David and J. E. C. Brierly, *Major Legal Systems in the World Today* (London: Stevens & Sons, 1985).
- R. Lingat, *The Classical Law of India* (New Delhi: Oxford University Press, 1998), J. D. M. Derrett (Translation).
- R. P. Anand, *New States and International Law* (New Delhi: Vikas, 1972).
- W. Menski, *Hindu Law Beyond Tradition and Modernity* (London: OUP, 2009).
- Y. Ghai, et al., *Political Economy of the Law: A Third World Reader* (New York: Transnational, 1987).

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