

YEAR-5

Paper-I: ADMINISTRATIVE LAW

Course Description

The course will cover the general principles of administrative law as practiced in Pakistan. The theories of natural justice, delegated legislation, administrative discretion

and judicial review of administrative actions will be the main focus of the course. In addition to that students will learn about the civil service laws and rules. It will also look

at the mechanism of administrative rules of procedure relating to efficiency and discipline related matters and the functioning of civil service tribunal.

Course Contents

- Introduction Definition, Nature, Scope and Growth of Administrative Law
- The Classification of Administrative Action
- Judicial Review
- Judicial Review of Administrative Action
- Delegated Legislation
- Growth of Delegated Legislation
- Principles of Natural Justice
- Rule of Fair Hearing
- Rule Against bias
- Office of Ombudsman Powers and Functions
- The Law of Civil Service in Pakistan
- Civil Service Act 1973
- Civil Servants (E & D) Rules
- Service Tribunals & Service Tribunals Rules

Suggested Readings:

1. Cornelius, A.R. *Law and Judiciary in Pakistan* (SM Haider ed.) Lahore: Lahore Law Times, 1981. (Selected Topics on Administrative Law and Administrative Tribunals).
2. Karim, Justice (R) Fazal. *Judicial Control of Administrative Actions*. Islamabad: Pakistan Law House, 2006.
3. Khan, Hamid. *Principles of Administrative Law: A comparative Study*. Lahore: PLD, 2000.
4. Massey, I.P. *Administrative Law*, 7th edn. Delhi: Eastern, 2008.
5. Wade, H.W.R. and Forsyth, *Administrative Law*, 10th edn. Oxford: OUP, 2009.
6. Zafar, Emmanuel. *Administrative Law*. Lahore: Eastern, 1998.
7. The Text of Service Tribunal Act, 1973 with commentary.
8. The Text of the Civil Servants Act, 1973 with commentary.
9. The Text of the Government Servants (Efficiency and Discipline) Rules, 1973.

Paper-II: MINOR ACTS

Course Description

The Course of Minor Acts has been added to the list of core courses with a view to familiarize law students with practical knowledge of some important areas which fresh law graduates come across in their practical and professional field. These laws

include the Civil Court Ordinance, the rent related laws, the law of limitation, the court fee and suit valuation matters and the arbitration issues.

Course Contents

1. Civil Court Ordinance, 1962

- Classes of Courts
- Civil Districts
- District Judges
- Additional District Judges
- Original Jurisdiction of District Judges

2. The Rent Laws of the respective provinces/ areas.

- Definition
- Determination of fair rent
- Cases in which further Increase in fair rent admissible
- Increase of rent of non-residential building
- Landlord not to Interfere aweimtees enjoyed by tenant

3. The Limitation Act, 1908

- Dismissal of Suit
- Extension of Period
- Legal disability
- Continuous running of time
- Exclusion of time in legal proceedings

4. The Court Fees (1870) and Suit Valuation (1887) Acts

- Fees in High Court
- Fees in other Court
- Probates and letter of Ad
- Process Fees
- Mode of lernge Fees

5. The Arbitration Act, 1940

- Arbitration without Intervention of Court
- Arbitration with Intervention of Court
- Appeals
- General Provisions of Arbitration

Suggested Readings:

3. The Civil Court Ordinance, 1962
4. The Rent Laws of the respective provinces/ areas.
5. The Limitation Act, 1908
6. The Court Fees (1870) and Suit Valuation (1887) Acts
7. The Arbitration Act, 1940

Paper-III; INTERPRETATION OF STATUTES AND LEGISLATIVE DRAFTING

Course Description

The intent of legislature and the ends of law is something of fundamental importance in application of law. This course will be elaborating the fundamental rules of interpretation, the rules of construction, etc. It will also include a discussion on the prospective and retrospective effect of a statute. The course will also include the general principles of interpretation as laid down in the General Clauses Act 1897.

In addition legislative drafting is a process by which the policies of the governments are converted into legislation. The quality and accuracy of legislation is only derived from the way it is drafted.

Course Contents

- Meaning of interpretation
- Need for interpretation
- Rules/kinds of interpretation
- Linguistic rules of interpretation
- Parts of statute
- Intrinsic source to interpretation
- Extrinsic source to interpretation
- Kinds of statute
- Presumptions in interpretations
- All provisions of the general clauses act 1897
- Rules of grammar / punctuation
- Drafter to know interpretive material within the statute
- Certain legal terms that has been given general accepted meaning

Suggested Readings:

1. Crawford, Earl T. *The Construction of Statutes*. Karachi: Pakistan Law House, 1998.
2. Rao, M. N. and Dhanda, Amita. *Bindvas Interpretation of Statutes*, (10th edn) New Delhi: LexisNexis, 2007.
3. Sarathi, Vepa. *Interpretation of Statutes*, (4th edn) Lucknow: Eastern Book, 2003.
4. The General Clauses Act, 1897 with commentary.
5. Zafar, S. M. *Understanding Statutes: Canons of Construction*, (3rd edn) Lahore: PLD, 2008.

Paper-IV.....Elective-I Students will be required to take one of the elective courses laid down in the list of elective courses.

Paper-V.....Elective-II Students will be required to take one elective course from the elective courses laid down in the list of elective courses

Paper-VI: RESEARCH METHODOLOGY AND PROJECT

Course Description

This is a compulsory course for all students and is introduced to develop the writing, research and analytical skills of law students. The course will focus on basic research strategy and how to find and use primary and secondary legal sources. The objective of the course is to have a strong research-oriented ethos in law colleges/institutions to enable law students to undertake both theoretical and practical research in all fields of law and legal studies. The course is extremely useful, for law students will be required to submit their written work for each and every course.

All law students shall be required to take a research project and write a long dissertation of about 8000-10000 words on a legal topic. Students may take the project in groups or individually. Students will submit their research proposals well in time after completion of their 8th Semester and will be allotted a

supervisor under whose guidance students will work and complete their written work.

Course Contents

- Meaning, Objectives and significance of Research
- Research paradigms: Positivist, Interpretivist and Realist
- Types of research: Qualitative; Quantitative; Applied; Fundamental; Empirical etc.
- Research Approaches: Action Research, Case Study Methods, Experiments and Surveys.
- Research Methods and Research Methodology
- Research Strategies: Induction and deduction.
- Selecting, defining and refining a research topic
- Conducting a Systematic Literature Review
- Research Design
- Data collection: Primary and Secondary data
- Issues of values in research
- Report Writing

Suggested Readings:

1. Mckie, Suzanne. *Legal Research: How to find and Understand Law*. London: Cavendish, 1993.
2. Olson, Kent C. *Principles of Legal Research*. St. Paul: West, 2009.
3. Panneerselvam, R. *Research Methodology*. New Delhi: PHI Learning, 2009.
4. Pawar, Manohar. (ed.) *Data Collecting Methods and Experiences: A Guide for Social Researchers*. New Delhi: New Dawn, 2004.
5. Singh, Yogesh Kumar. *Research Methodology*. New Delhi: APH, 2010.
6. Sloan, Amy E. *Basic Legal Research: Tools and Strategies*, (4thedn) Austin: Wolters Kluwer, 2009.
7. Langah, Shahzad. *Civil Service Laws in Pakistan*. Islamabad: National Book Foundation, 2009.
8. Statsky, William P. *Legal, Research, Writing and Analysis*. (2ndedn) St. Paul; West Publishing, 1992.

DETAILS OF ELECTIVE COURSES

ELECTIVE :

MOOT CASES AND PROFESSIONAL ETHICS

Course Description

This is one of the compulsory courses for all law students. The objective of the course is to introduce students to basic trial techniques and skills, including the basics of presentations in court, mode of address, examination-in-chief and cross examination and submissions on facts. The practical skills learned in this module will complement those learned in earlier semesters. The course will give students a taste of the real world litigation practice

Course Contents

➤ Module 1

Session 1 Introduction—Moot Court

- Introduction
- What is Moot?
- Types of Moot Problem
 - Appeal level
 - Trial Court level
- Significance of Moot
- Why everybody should participate?
- Opportunity in legal profession
- Tools for excellence Advocacy skills
- Mock Trials

➤ Session 2 Moot Court—Practice and Procedure

- Moot Court Practice & Procedure
- Memorials
- Drafting Prosecution Memorial
- Drafting Defense Memorial
- How to crack the problem
- Oral submission
- Do's & Don'ts
- Judges for the Moot Court and the Organizing Committee
- Legal Ethics (Bar Councils Act, 1973)

Suggested Readings:

1. Hart, William and Blanchard, Roderick. *Litigation and Trial Practice*, (6 th edn) Clifton Park: Thomson/ Delmar, 2006.
2. Menon. N. R. Madhava, *Clinical Legal Education*. Lucknow: Eastern, 2006.
3. Snape, John and Watt, Gary. *How to Moot: A Student's Guide to Mooting*. Oxford: Oxford University Press, 2010.
4. Pakistan Bar Council's Canons of Professional Conduct and Etiquette, 1976.
5. UN Basic Principles on the Role of Lawyers, 1990.
<http://www1.umn.edu/humanrts/instree/i3bprl.htm>
1. UN Guidelines on the Role of Prosecutors, 1990.
<http://www1.umn.edu/humanrts/instree/i4grp.htm>
2. UN Basic Principles on the Independence of the Judiciary, 1985.
<http://www1.umn.edu/humanrts/instree/i5bpij.htm>

1.

ALTERNATE DISPUTE RESOLUTION

Course Description

The Object of this course is to equip the students of LL.B with extra judicial settlement of disputes. Normal court procedures are time consuming and involve financial obligations, before coming to courts, there are to be other mechanisms of dispute resolution which is prompt, less cost effective and easily accessible. Alternate dispute resolution will reduce burden of the courts. This subject consists of perspective on alternate dispute resolution, informal justice, dispute, conflict, decision making process, negotiation, mediation, umpiring and arbitration.

Course Contents

- Arbitration
- Mediation,

- Conciliation

Suggested Readings:

1.
Auerbach, J., *Justice without Law?* New York: Oxford University Press 1983.
2.
Gulliver, P; *Disputes and Negotiations*, London, Academic Press, 1979.
3.
Ellickson, Robert C, *Order without Law; How Neighbors Settle Disputes*, Cambridge, Harvard University Press, 1991.
4.
Boule, Lourence and Miryana Nesic, *Mediation: Principles, Process and Practice*, London, Butterworths:2001.
5.
Raiffa, H, *The art and Science of negotiation as in Goldberg*, 1992 originally 1982.
6.
Genn, Hazel. *Paths to justice: what people do and think about going to law*, London, Hant Publishing Oxford 1999.

2.

BANKING LAW

Course Description

This course contains, financial system and banking, financial instruments & banking laws and practices, The Banks (Nationalization) Act 1974, Banking Companies Ordinance, 1962, State Bank of Pakistan Act, 1956, SBP Banking Services Corporation Ordinance, 2001, Pakistan Banking and Finance Services Commission Act, 1992, Banker-Customer Relationship, the Banking Tribunal Ordinance 1984, and the Banking Companies (Recovery of Loans, Advances, Credits and Finance) Act 1997.

Suggested Readings:

1. Chaudhri. N Justice (RETD) Muhammad Naseem Chaudhri. *Complete Banking Laws in Pakistan*, Revised Edition 2011.
2. Siddiqui, A, Asrar H Siddiqui *Practice and Law of Banking in Pakistan*, Revised Edition 2011.
3. Saalim Salam Ansari Advocate *Manual of Banking with Leading Cases* (Reference book, Ansari.S, Revised Edition 2011.
4. Shaukat Mahmood, Nadeem Shaukat, *The Law of Banks*, 2012).

3.

CONSUMER PROTECTION LAWS

Course Description

In the present era, greater importance has been assigned to consumer law at a global basis. The basic purpose of making these acts a part of our legislation is to establish a prosperous society where all the consumers should feel themselves secured and where there is no room for fraud. There is a great emphasis on the need for teaching consumer law very seriously to present generation law students for making them equipped to handle issues relating to this branch of law. In this background the present course will aim to introduce the students to the existing law and practice relating to consumer protection.

Course Contents

- Concept of Consumer Sovereignty
- Need of Consumer Protection
- Consumer Protection & Doctrine of Negligence
- Consumer Protection Law
- Salient Features and the Relationship of the Act with Other Consumer Protection Legislations
- Consumer Protection Act 1997
- Important Definitions
- Consumer's Rights
- liability of principal for acts of an agent
- Consumer Protection Councils : Objective, Composition and Procedures
- Consumer Dispute Redressal Agencies - Their Constitution, Jurisdiction and Procedure, Enforcement of Decrees and Order, reliefs to a consumer.
- Dismissal of Frivolous or Vexatious Complaints, Limitation.

Suggested Readings:

1. The NWFP *Consumer Protection (Amendment) Act* 2005.
2. Munir Ahmad Mughal, *Law of Consumer Protection*, Lahore, Muneeb Book House, 2010.
3. V.K. Agarwal, *Consumer Protection in India*, New Delhi, Deep and Deep

4. INSURANCE LAWS

Course Description

Insurance basically is a policy which is offered to an individual with intent to protect him from potential losses and thereafter to compensate policyholders from defined predetermined catastrophic events in exchange of periodic payments made by him in the form of premiums. This course intends to look into insurance conditions and methods as well as supervision of insurance activities from legal perspective.

Course Contents

- introduction
- Nature of Insurance Contract
- Theory of Cooperation
- Theory of Probability
- Principles of Insurance
- registration of insurer
- Contract between Insurer and Agent
- Agency Legal Issues,
- Special Legal Doctrines
- Regulating Insurance
- Insurance Interests
- mode of making reinsurance arrangements
- Double Insurance
- Insurance & Wages
- Types of Insurance
- Indemnity
- Subrogation
- CausaProxima
- Mitigation of Loss

- Attachment of Risk
- various special requirements for life insurance companies
- solvency requirements
- lapse of insurance policies
- winding up of insurance companies
- composition and powers of insurance tribunals.

Suggested Readings:

1. Insurance Ordinance 2000.
2. C. Rangarajan, *Handbook of Insurance and Allied Laws*.
3. M. Farani, *The Insurance Laws*, Lahore, Pakistan Legal Publications, 1968.
4. Muhammad Younaus, *Manual of Insurance Laws*, Lahore, Nadeem Law Book House, 1996.

5. INTELLECTUAL PROPERTY LAWS

Course Description

The objective of this course is to acquaint the students with basics of intellectual property rights with special reference to domestic law and practice.

This Course consists of four components in relation to the laws relating to Copyrights, Patents, Designs and Trade Marks:

Course Contents

- Introduction to Intellectual Property Law
- COPYRIGHT LAW
- ownership of copyright and rights of the owner
- Works in which copyright subsists
- first owner of copyright
- Procedure of making an assignment and licenses
- infringement of copyright and exceptions to it
- powers and functions of Copyright Board.
- PATENT
- elements of patent
- procedure for obtaining patent
- Assignment and Licensing
- Revocation of patent
- Infringement proceedings and remedies.
- DESIGN LAW
- Registration of design
- Privileges of acquiring design rights
- infringement proceedings.
- TRADE MARK
- Procedure for obtaining Registration of a Trade Mark
- distinctiveness of a trade mark and prohibition as to registration; opposition and rectification proceedings
- duration and renewal of registration
- Enforcement of Trade Mark Rights
- Infringement proceedings and passing off action
- Assignment and licensing of registered and unregistered trademarks
- International Treaties and Conventions: TRIPS Agreement, Paris Convention,

Patents Cooperation Treaty, Universal Convention on Copyrights, Berne Convention, Leading cases.

Suggested Readings:

1. Bronkers, Marco C. E. J., “*The Impact of TRIPS: The Intellectual Property Protection in Developing Countries*”, Common Market Law Review, Vol 31, (1994), 1245.
2. Correa Carlos M, *Intellectual Property Rights, the WTO and Developing Countries, the TRIPS Agreement and Policy Options*, Penang: Third World Network 2000.
3. P. Narayanan, *Copyright Law*, Calcutta, Published by Eastern Law House.
4. Stewart; “*International Copyright and neighboring rights*”, London: Butterworth, 1997.
5. T.A. Blanco White, “*Patents for inventions*”, (5th edn).
6. Cornish, W.R., “*Intellectual Property: Patent, Copyright, Trade Marks and Allied Rights*” New York, Universal Law Publishing Co Ltd, 2005.
7. Narayanan, P., “*Patents Law (with supplement-1999)*” (3rd edition) New Delhi: Eastern Law House, 1990.
8. Relevant Domestic Legislation
9. Chisum, Donald A, *Principles of Patent law* (New York: Foundation Press, 2001).
10. Beier, Friedrich-Karl and Schricker, Gerhard, eds., From GATT to TRIPS—*The Agreement on Trade-Related Aspects of Intellectual Property Rights* Weinheim: VCH, 1996.
11. David Lange, Mary La France and Gary Mayers, *Intellectual Property: Cases and Materials* (St. Paul: West Group, 1998).
12. Jayagovind, A., “*The International Patent System and Developing Countries*”, Indian Journal of International Law (IJIL), vol. 20, no. 1 (1980), 47.
13. Robert A. Gorman and Jane C. Ginsburg, *Copyright: Cases and Materials*, New York: Foundation Press, 2002.

6. INTERNATIONAL HUMANITARIAN LAW

Course Description

The subject aims to equip students on legal matters pertaining to rights and duties during armed conflicts. It includes topics on international armed conflict, non international armed conflict, sick and wounded in the battlefield, sick and wounded and shipwreck, status of the prisoners of war, status of civilians, grave breaches and humane treatment.

Course Contents

- Geneva Convention regarding Sick and wounded in the battlefield.
- Geneva Convention regarding shipwrecked sick and wounded.
- Geneva Convention regarding Prisoners of War.
- Geneva Convention regarding Civilians.
- Three Additional Protocols regarding the Law of War.

Suggested Readings:

1. Geneva Convention 1949 with additional Protocols.
2. Sassoli, Marco; *How Does Law Protect in War*, International Committee of the Red Cross, Geneva, 2011.
3. Schindler / Toman; *Laws of Armed Conflict*, Geneva: Henery Dunant Institute, 1988.

4. Anna Sehgal; *Punishing Violation of International Humanitarian law at national level*. International Committee of the Red Cross, 2001.

7. ISLAMIC COMMERCIAL LAWS

Course Description

This subject contains concepts, principles and applications of Islamic law (Shariah) in relation to the financial system; and to examine the applications of Islamic contracts in financial institutions. In addition, it covers the Shariah standards issued by the Accounting, Auditing Organization of Islamic Financial Institutions (AAOIFI) and provides students with an overview of the practice of Islamic Finance.

Suggested Readings:

1. *Accounting and Auditing Organization of Islamic Financial Institutions (AAOIFI)*, Accounting and Auditing of Islamic Financial Institution, Bahrain, Shari'ah Standards, 2008.
2. Zuhayli, W., "*Financial Transactions in Islamic Jurisprudence*", 2 vols., Damascus: Dar al-Fikr, 2003.
3. El-Gamal, M. "*Islamic Finance: Law, Economics, and Practice*", Cambridge University, 2005.
4. Hallaq, W., "*A History of Islamic Legal Theories: An Introduction to Sunni Usul alFiqh*", Cambridge: Cambridge University Press, 2005.
5. IFQ Institute, "*Islamic Finance Qualification*", (the official workbook), Edition 2, Securities & Investment Institute, 2007.
6. Kamali, M., "*Islamic commercial law: an analysis of futures and options*", Islamic Texts Society, 2001.
7. Kamali, M., "*Principles of Islamic Jurisprudence*", Islamic Texts Society, 1991.
8. Thomas, A., "*Interest in Islamic Economics: Understanding riba*", London: 2006.
9. Routledge. Usmani, M., "*An Introduction to Islamic Finance*", Leiden: Brill Academic Publishing, 2001.

Websites:

Accounting and Auditing Organization of Islamic Financial Institutions
www.aoifi.com
Islamic Financial Services Board www.ifsb.org
Institute of Islamic Banking and Insurance, London www.islamic-banking.com

8. LABOUR LAWSF.O.S.S

Course Description

Labour Law is an area that deals with the rights of employers, employees and Labour organizations. The primary function of labour laws is to provide equal opportunity and pay, employee's physical and mental wellbeing and safety at work place. This course consists of the Charter of International Labour Organization (ILO), the Khyber Pakhtunkhwa Industrial Relations Act, 2010 and the Khyber Pakhtunkhwa Commercial Employment (Standing Orders) Act, 2013.

Course Contents

International Labor Organization (ILO)

1) Industrial Relations Act 2010 (Khyber Pakhtunkhwa)

- Charter
- Administrative machinery
- Mission

- Industrial Relations Act 2010
- Definitions
- Trade unions
- Registration
- Registrar, its powers and functions
- Unfair labor practices on part of employers
- Unfair labor practices on part of workmen
- Immunity from civil suit in certain cases
- Federation of trade unions
- Confederation of trade union
- Collective bargaining agent
- Collective bargaining unit
- Shop steward
- Joint management board
- Inspector
- Works council
- Consultative
- Arbitration
- Strike and lock out
- Labor court
- Labor appellate tribunal
- Penalties

2) West Pakistan Employment and standing order

- Deification
- Classification of workmen
- Tickets
- Terms and condition of service
- Wage rates
- Shift working
- Leave
- Group incentive schemes
- Compulsory group insurance
- Bonus
- Stoppage of work
- Close of establishment
- Termination of employment
- Special provision for construction worker
- Punishments
- Ejection from residential accommodation
- Liability of employer

Suggested Readings:

1. Blanpain, R. *Comparative Labor Law and Industrial Relations* Kluwer, (3rd edn).
2. Nisar Ahmed Pannoun; “*Industrial Relation Ordinance 1969*” Lahore: Mansoor Book House, (latest edition).
3. ‘*The Industrial Relation Ordinance, 2002 with Labor Policy, 2002*’ Lahore: Irfan Law Book House, 2002.
4. Mubsher Hussain; “*The Industrial and Commercial Employment (Standing Order) Ordinance 1968*” Lahore: Irfan Book House, 2002.

5. Mubashir Hussain; “*The Workmen Compensation Act 1923*” Lahore: Irfan Law Book House, 1998.

3. Relevant Statutes and Cases

9. LAW AND DEVELOPMENT

Course Description

This subject covers laws on development of different schemes pertaining to land zoning, industrial zones, mega structures and housing schemes in urban and rural areas from viewpoints of decision making processes, regulation, and effects of such development on the environment and economy of the country.

Suggested Readings:

1. Michael J. Trebilcock, Mariana Mota Prado “*Introduction to Law and Development*” Cambridge, Edward Elgar Publications, 2014.

2. John C Maxwell, *Invaluable Laws of Growth*, London, Center Street, 2014

4. Relevant Domestic Legislation.

10. LAW AND ENERGY

Course Description

The scope of this subject is extended to include regulating matters pertaining to energy production, distribution, claims and disputes of producers and consumers, rights and duties of different stakeholders, and rights to natural resource utilization.

Suggested Readings:

1. Joshua Fershee, *Energy Law A Context and Practice Casebook*, Carolina Academic Press, 2014.

2. Joseph Tomain & Richard Cudahy, *Energy Law in a Nutshell*, (2nd edn), West Academic Publishing, Oxford, 2011.

3. Raphael J. Heffron, *Energy Law an Introduction*, London: Springer 2015.

4. Relevant Domestic Statutes.

11. MEDIA LAWS

Course Description

This course covers statutes and rules governing media, both print and electronic in Pakistan with focus on liberty of speech, national interest, public moral and ideology within constitutional framework of the country.

Suggested Readings:

1. Yasmeen Aftab Ali, *A comparative analysis of Media Laws in Pakistan*, SMP, 2012.

2. M. Abdul Basit, *Media Laws*, Federal Law House, 2011.

3. Qazi Javed Jabbar, *Mass Media Laws and Regulations in Pakistan*, Asian Media Information and Communication Center 1998.

12. MEDICAL AND FORENSIC LAW

Course Description

This course is restricted to autopsy, injuries and types of injuries.

Suggested Readings:

1.

- Chief: Byard & Payne-James, *Encyclopedia of Forensic and Legal Medicine*, (2nd edn), Elsevier and London, 2015
2. C.K. Parikh, *Text Book of Medical Jurisprudence and Toxicology*, (5th edn) Lahore C & C, 1989.
3. Jaising, P. Mooodi, *Medical Jurisprudence and Toxicology*, (10th edn) Bombay: Thi Pati, 1949.
5. Lyon, S. Simla, *Medical Jurisprudence*, Thacker Spink & Co, 1914.

13. ISLAMIC LEGAL MAXIMS

Course Description

Legal maxims replicate established principles of law to which jurists appeal when confronting new legal cases. The rules of the Shariah specify the set of principles which Muslim jurists derived from the Holy Qur'an and the Sunnah. This subject encapsulates the selection of largely accepted legal maxims that are relevant in contemporary situations, reflecting the economic activities of individuals and society and its application. The broad classification of these legal maxims sets out certain rules from the Fiqha, construed in accordance with intention, the applicable legal theories which are normative legal maxims, guided by the textual injunctions of the Quran and the Sunnah. Although various researches have been conducted and discussed in all major works of jurisprudence, these great works have been confined mostly to rituals or citing of the precedents. The current study shall attempt to articulate the application of certain applicable maxims to contemporary economic activities.

Suggested Readings:

1. Nyazee, Imran A. *Islamic Legal Maxims*, Advanced Legal Studies Institute, (Revised edition) Islamabad: the Federal Law, 2013.
2. Faruki, Kemal A. *Islamic Jurisprudence*. Karachi: Royal Books, 2003 (rpt.).
3. Hassan, Ahmad. *The Early Development of Islamic Jurisprudence*, Islamabad: International Islamic University Islamic Research Institute, 1970.
4. Khadduri, Majid. (Tr.) Al-Shafi'i's Risala (*Treatise on the Foundations of Islamic Jurisprudence*) Cambridge: Islamic Text Society, 2008 (rpt.).
5. Nyazee, Imran A. *Theories of Islamic Law*, Islamabad: Advanced Legal Studies Institute, 2007.
6. Rahim, Abdur. *The Principles of Islamic Jurisprudence*. New Delhi: Kitab Bhavan 2006. (rpt.).
7. Hamidullah, M. *The Muslim Conduct of State*, Kazi Pubns Inc. 1992.
8. Schacht, Joseph. *An Introduction to Islamic Law*, Oxford: Oxford University Press, 1983.

14. PUBLIC INTEREST LITIGATION

Course Description

The course deals with the evolution of Public Interest Litigation in Pakistan. This course will examine the practice of public interest litigations. Case law will be analyzed to understand the progressive transition of the judiciary in upholding the rights of the common man, via the mode of public interest litigation. The course will consider how public interest litigators identify problems to address through litigation. Readings will include articles, legal pleadings, and case studies that allow analysis and exploration of the tensions and challenges that exist within the legal system for

public interest practitioners. The course involves discussions revolving around the jurisprudential

authority of public interest litigations as well as critically analyzing the arguments against and in favor of a system where Public Interest Litigations are promoted.

Suggested Readings:

1. Brohi, A. K., *Fundamental Law of Pakistan*, Karachi: Din Muhammadi Press, 1958.
2. Chaudhry, Barrister A. G. *Lectures on Constitutional Law*, (1st edn), Lahore: Irfan Law Book House, [1998].
3. Khan, Hamid. *Constitutional and Political History of Pakistan*, Karachi: Oxford University Press, 2007
4. .Mahajan, V. D. *Constitutional Law of India*, (7th edn), Lucknow: Eastern Book Company, 1991.
5. Mahmood, M. *The Constitution of Islamic Republic of Pakistan, 1973*, Lahore: Pakistan Law Times Publications, 2013.
6. Baum, Robert A., *Public Interest Law: Where Law Meets Social Action*, London: Oceana Publications, 1987.
7. Karim, justice (retired) Fazal, *Judicial Review of Public Actions*, Universal Law Publishing Co.
5. Relevant case laws

15. CIVIL SERVICE LAWS IN PAKISTAN

Course Description

The civil Bureaucracy is a colonial legacy in this part of the world. The British used to rule the native population through Indian Civil Service (ICS) and most of the officers in ICS were British themselves. It was in the early 20th Century that the Indians also started competing against the British and many Indians eventually made it to the ICS. With the partition of India in 1947, the term 'Central Superior Services' was used in Pakistan and the concept of All-Pakistan Services continued. The latter consisted of the Civil Service of Pakistan and the Police Service of Pakistan, whereas the Central Services included the Pakistan Foreign Service and a broad category of Finance and other services. The Finance category included the Pakistan Audit and Accounts Service, Pakistan Railway Accounts Service, Pakistan Military Accounts Service, Pakistan Taxation Service, and the Pakistan Customs and Excise Service. The Central Services other than these included the Pakistan Postal Service, Pakistan Military Land and Cantonment Service, Central Secretariat Service, and Central Information Service. Each of these services had its own cadre and composition rules, specifying the total cadre strength in terms of its number of positions.

The structure of civil service in Pakistan is established under Article 240 of the Constitution of Islamic Republic of Pakistan, 1973. The Constitution lays down separate service for federation and Provinces. Federal and Provincial Governments are required to regulate their civil services through Act of parliament in case of federation, and by Act of Provincial Assembly for subjects in Legislative List of provinces. The civil service scheme established by British Raj during the colonial period was reformed under the administrative reforms in 1973. The Civil Servants Act, 1973 and each province enacted its own Civil Servants Acts. The law allow civil service of federation, and of provinces, to be regulated as per rules notified under these enactments. Consequently, both sets of governments have notified Civil Servants (Appointment, Transfer and Promotion) Rules, 1974. The qualification and method (the way) of filling of all posts is regulated by these rules.

Suggested Readings:

1. H.W.R Wade, *Administrative Law*;
2. Griffith, J.A.G, *Principles of Administrative Law*;
3. Hamid Khan, *Principles of Administrative Law*;
4. Yardley, D.C.M, *Principles of Administrative Law*,.
5. Foulkes David, *Administrative Law*;
6. Masud ul Hassan, *Civil Services Law and Practice*;
7. Janjua, Z.I, *Manual of Civil Services*;
8. Nisar Ahmad, *Civil Services Laws*,.

16. REFUGEES LAW**Course Description**

The purpose of this course is to train the students of LL.B in the modern Refugees Law and to equip them to be able to distinguish between a Refugee and an IDP. It deals with the definition of refugee, principles and standards as envisaged in international conventions on the subject of refugee. There is no specific law on this subject in Pakistan, however, the provisions of Citizenship Act, 1951, and the Foreigners Act 1946 closely deals with issues pertaining to refugees and the same are to be part of the course.

Course Contents

- Geneva Convention 1951.
- OAU Convention 1969.
- Cartagena Declaration.
- Citizenship Act, 1951,
- Foreigners Act 1946

Suggested Readings:

1. M. Rafiqul Islam Md. Jahid Hossain Bhuiyan, *An Introduction to International Refugees Law*, Brill Nijhoff, 2013.
2. Guy Goodwin-Gill and Jane McAdam, *The Refugee in International Law* (3rd edn), London, Oxford Publication, 2010.
3. James C. Hathaway and Michelle Foster, *The Law of Refugee Status* (2nd edn), London, Cambridge Publication, 2013.
4. James C. Hathaway, *The Rights of Refugees under International Law*, London, Oxford Publication, 2010.
5. The Foreigners Act 1946.
6. The Citizenship Act 1951

17. WOMEN LAW**Course Description**

The Object of this course is to teach the Students of LL.B the basics of Women Rights and Gender discrimination laws at the International as well as at the National level. The Main Purpose of this course is to create awareness about United Nations Convention on Elimination of All Forms of Discrimination Against Women, 1979, International Commission on Status of Women and the Beijing Conference. National Women Protection Act.

Course Contents

- Social and legal inequalities

- Social reform movement in sub-continent
- Position of women in pre and post-independence Pakistan
- Constitutional safeguards for the protection of women, personal laws
- unequal position of women
- Women rights regarding marriage, divorce, property and maintenance
- adultery, rape, Exploitation and harassment at workplaces
- Role of enforcement agencies, courts, family courts
- Commission for Women

Suggested Readings:

1. Protection of Women (Criminal Laws Amendment) Act 2006.
2. The protection Against Harassment of Women at the Workplace Act 2010.
3. The Criminal Law (Amendment) Act, 2004 (on 'honour' crimes).
4. Protection of Women (Criminal Laws Amendment) Act 2006.
5. Criminal Law (Amendment) Act 2010 (on Sexual Harassment).
6. The Protection against Harassment of Women at the Workplace Act 2010.
7. Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011.
8. The Acid Control and Acid Crime Prevention Act 2010.
9. The Women in Distress and Detention Fund (Amendment) Act 2011.
10. Other relevant domestic legislations.
11. Barbara Allen Babcock, Anne E. Freedman, Eleanor Holmes Norton, Susan C. Ross, *“Sex Discrimination and the Law Cases and Remedies”*, Toronto, Little, Brown and Company, 1975.
12. Nancy E. McGlen, Karen O’ Connor, *“Women’s Rights The Struggle for Equality in the Nineteenth and Twentieth Centuries”*, Praeger Publishers, 1983.
13. Katarina Tomasevski, *“Women and Human Rights”*, London: Zed Books Ltd. 1993.
14. Lynne Brydon, Sylvia Chant, *“Women In the Third World, Gender issues in Rural and Urban Areas”*, Rutgers University Press, 1989
15. Rashida Patel, *Women and Law in Pakistan*, Lahore: Faiza Publishers, 1979.
16. Wessi, A. *“Interpreting Islam, Modernity, and Women’s Right in Pakistan”*, Washington: Palgrave Macmillan. 2014.
17. Parveen Shaukat Ali, *“Legal status of women in the third world”*, Lahore: Aziz Publishers, 2003.
18. Asghar Ali Engineer, *“The Rights of Women in Islam”*, London: C. Hurst and Company.

18. CLINICAL LEGAL EDUCATION

Course Description

This course enables the students to effectively practice and promote access to justice to marginalized groups and to provide legal aid pro bono. It consists professional rules of ethics and liability, legal information, presentation skills, case analyses, communication with client, legal advice, negotiation, client interview, and presentation to non-lawyers on different legal matters.

Suggested Readings:

1. David, F. Chawkin, *Clinical Legal Education*, Washington, LexisNexis, 2015.
2. Kevin Kerrigan, Victoria Murray, *A Student Guide to Clinical Legal Education and Pro Bono*, North Umbria, Palgrave Macmillan, 2011.
3. Shuvro Prusen Sarkar, *Clinical Legal Education in Asia*, Washington,

Palgrave Macmillan, 2015.

4. Legal Practitioner's and Bar Council Act 1973.

19. CYBER LAWS

Course Description

Cyber laws or, less colloquially, Internet law, is a term that encapsulates the legal issues related to use of communicative, transactional, and distributive aspects of networked information devices and technologies. The course includes fundamentals of cyber space, definition and understanding of cyber space, jurisdiction in cyber space, legal issues in cyber contracts, the UNCITRAL Model law on Electronic Commerce, intellectual property issues and cyberspace, crime in context of internet, types of crime in internet, computing damage in Internet crime, fraud, hacking, mischief, trespass, defamation, stalking, spam, law on obscenity and pornography and digital evidence.

Course Contents

- Fundamentals of Cyber Space
- Interface of Technology and Law Defining Cyber Laws
- Jurisdiction in Cyber Space
- Concept of Jurisdiction **and** Internet Jurisdiction
- International position of Internet Jurisdiction
- Cases if any, in Cyber Jurisdiction
- E-commerce- Legal issues and Legal Issues in Cyber Contracts
- The UNCITRAL Model law on Electronic Commerce
- Intellectual Property Issues and Cyberspace
- Defining Crime
- Crime in context of Internet –Actus Rea/ Mens Rea
- Types of crime in Internet
- Computing damage in Internet crime
- Penal laws and cybercrime: Fraud, Hacking, Mischief, Trespass, Defamation, Stalking, Spam, Internet and Potential of Obscenity
- Law on Obscenity & Pornography
- International efforts
- Investigation & adjudication issues
- Digital evidence

Suggested Readings:

1. Prevention of Electronic Crimes Ordinance, 2008.
2. Electronic Transaction Ordinance 2002.
3. Electronic Crimes Bill 2007.
4. Electronic Communications Act 2000 (ECA).
5. Electronic Signatures Regulations 2002 (ESR).
6. Electronic Signatures in Global and National Commerce Act 2000 (E-Sign Act).
7. Computer Misuse Act, 1990.
8. Regulation of Investigatory Powers Act 2000 (RIPA).
9. Hubbard, ITU WSIS Thematic *Meeting on Cyber Security*, Geneva, 2005.
10. Asian School of Cyber Laws, *Cyber Crime Cases*, Emerging Jurisprudence, www.asianlaws.org/cyberlaw/library/cc/cc_caselaw.htm.
11. Convention on Cyber-crime, 2001.
12. Raymond Wacks, *Privacy and Press Freedom*, London: Blackstone Press Limited, 1995