

4th Year:

Paper-I: PUBLIC INTERNATIONAL LAW

Course Description

Public international law studies traditional topics of an international law course such as nature and origin, sources, subjects of Int. Law, recognition, territory, jurisdiction, state responsibility, interstate courts and tribunals, international personality, sovereignty, recognition, diplomatic immunity, extradition, state responsibility, dispute settlement, and the law of the sea.

This is the second module of Public International Law. This part will focus on Law of Treaties, International Institutions, International Criminal Law including the functioning of the ICC, International Human Rights Law and Enforcement Mechanism and International Humanitarian Law.

Course contents

- Nature, origin and Basis of International Law
- Material Sources of International Law
- Subjects of International Law
- Relation between International and State Law
- States in General
- Recognition
- State Territorial Sovereignty and State Jurisdiction
- State Responsibility
- Succession to Rights and obligations
- The State and the Individual
- The State and the economic interest
- Diplomatic Envoys, councils and other Representatives
- Important Case laws
- The Law and Practice as to Treaties
- The International Disputes
- War, Armed conflicts and other Hostilities
- Neutrality
- International Humanitarian Law
- International Institutions including International Criminal Court
- Important Case laws

Suggested Readings:

1. Brownlie, Ian. *Principles of Public International Law*, (7th edn) Oxford: Oxford University Press, 2008.
2. Cassese, Antonio. *International Law*, (2nd edn) Oxford: Oxford University Press, 2005.
3. Crawford, J. (comp.) *The International Law Commission's Articles on State Responsibility*, Cambridge: Cambridge University Press, 2002.
4. Harris, D. J. *Cases and Materials on International Law*, (7th edn) London: Sweet & Maxwell, 2010.
5. Higgins, Rosalyn. *Themes and Theories: Selected Essays, Speeches and Writings in International Law*. Oxford: Oxford University Press, 2009.
6. Murphy, Sean D. *Principles of International Law*. St. Paul: Thomson/West, 2006.
7. Shaw, Malcolm N. *International Law*, (6th edn) Cambridge: Cambridge University Press, 2008.
8. Steiner, Henery. Alston, Philip and Goodman Ryan. *International Human Rights in*

Context: Text and Materials, (3rd edn) Oxford: Oxford University Press, 2007.

1. Aust, Anthony. *Modern Treaty Law and Practice*, (2 nd edn) Cambridge: Cambridge University Press, 2007.
2. Cassese, Antonio, *International Criminal Law*, (2 nd edn) Oxford: Oxford University Press, 2008.
3. Cryer, Robert. et al, *An Introduction to International Criminal Law and Procedure*, (2 nd edn) Cambridge: Cambridge University Press, 2010.
4. Detter, Ingrid. *The Law of War*, (2 nd edn) Cambridge: Cambridge University Press, 2000.
5. Hingorani, R. C. (ed.) *Humanitarian Law*. New Delhi: Oxford & IBH, 1987.
6. Sands, Philippe. *Bowett's Law of International Institutions*, (6 th edn) London: Sweet & Maxwell, 2009.
7. Shah, Niaz A. *Islamic Law and the Law of Armed Conflict: The Conflict in Pakistan*, Oxen: Routledge, 2011.
8. Than, Claire D. & Shorts, Edwin. *International Criminal Law and Human Rights*. London: Sweet & Maxwell, 2003.
9. Yoram, Dinstein. *The Conduct of Hostilities under the Law of International Armed Conflict*, (2 nd edn) Cambridge: Cambridge University Press 2010.

Useful Websites:

1. History of International Law: <http://www.yale.edu/lawweb/avalon/avalon.htm> (Yale University Avalon Project)
2. Sources: <http://www.un.org/law/ilc/>
3. European Journal of International Law: [http:// www.ejil.org](http://www.ejil.org)
4. Air and Space Law: <http://www.iasl.mcgill.ca> (McGill University Institute of Air and Space Law)
5. Law of the Sea: <http://oceanlaw.org> (Council on Ocean Law)
1. International Humanitarian Law: <http://www.icrc.org/eng/war-and-law/index.jsp>
2. International Institutions: <http://un.org/>
3. Treaties: <http://treaties.un.org/Home.aspx>
4. ICC: <http://un.org/law/icc> and <http://untreaty.un.org/cod/icc/index.htm>

Paper-II: EQUITY AND SPECIFIC RELIEF

Course Description

The course is designed to teach students the maxims of equity and specific relief. The course discusses the Maxims of Equity in depth and along with doctrine and principles of Equity along the provisions of the Specific Relief Act, 1877 dealing with the specific performance of the contract, declaration decrees, injunctions and leading cases.

Course Contents

- History and Growth of Equity in England
- Judicature Acts of 1973 and 1975
- Maxims of Equity
- The Trusts Act, 1882.
- The Specific Relief Act, 1877.

Suggested Readings:

1. Kersley, R. H. *Broom's Legal Maxims*, (10th edn) Karachi: Pakistan Law

House, 1998.

2. Khan, Raja Said Akbar. *The Specific Relief Act*. Lahore: PLD, 2009 (re).

3. Martin, Jill E. *Hanbury & Martin: Modern Equity*, (18

th edn) London: Sweet

& Maxwell, 2009.

4. McGhee, John. (ed.), *Snell's Equity: 2nd Supplement*. London: Sweet &

Maxwell, 2006.

5. Peloubet, S. S. (ed.), *A Collection of Legal Maxims in Law and Equity, with English Translation*. Littleton: Krauss, 2010.

5. The Text of the Specific Relief Act, 1877 with commentary.

Paper-III: CIVIL PROCEDURE

Course Description

The object of this course is to give students of LL.B a complete understanding about the procedure that is followed in civil courts in Pakistan. In view of the extensive civil procedure, the course is divided into two modules. The course contents will include the jurisdiction of civil courts, their functioning, rules of institution of civil suits, orders, decree and judgments; execution of decrees, and appeal, review and revision. It will include all provisions of the Code of Civil Procedure, 1908.

This is the second module of the Civil Procedure course. The course contents have been described under Civil Procedure-I. The component will also include the Limitation period for civil suits as laid down in the Limitation Act.

Course Contents

- Definitions
- Decree
- Order
- Courts to try civil suits
- Res Judicata,
- Res Sub Judice,
- Institution of Suits
- Jurisdiction
- Summons
- Judgment and Decree
- Costs and Compensatory Costs.
- Execution
- Commissions
- Suits by or against the Government
- Arbitration
- Public Nuisance
- Public Charities Definitions
- Appeals
- Joinder of Parties,
- Pauper Suits
- Reference
- Review
- Revision.

- Inherent powers of the courts
- Pliant and written statements
- Appearance of Parties
- Execution of Decrees and Orders
- Temporary Injunction
- Receiver order 40
- Appeals from Decrees and Orders
- Limitation Act

Topics

- Definitions
- Res Judicata,
- Res Sub Judice,
- Summons
- Jurisdiction
- Costs and Compensatory Costs.
- Suit by or against the Government
- Notice
- Joinder of Parties,
- Pauper Suits
- Reference
- Review
- Revision.
- Suit Interpleader
- Temporary Injunctions
- Receiver
- Appeals

Suggested Readings:

1. Chari, S. A. *Law of Summons and Notices*. Hyderabad: Asia Law House, 1996.
2. Khan, Aamer Raza. *Civil Procedure Code*, (10th edn) Lahore: Irfan Press, 2010.
3. Nizami, M. M. H. *The Code of Civil Procedure with Commentary*. Lahore: PLD, 2009.
4. Sial, Umer Farooq. *Law of Injunctions*. Lahore: Imran Law, 2010.
5. Hayat, Muhamad Aslam. *Commentary on the Limitation Act, 1908*. Lahore: Eastern Law Book, 2009.
6. Khan, Raja Said Akbar. *The Limitation Act*, (re.). Lahore: PLD, 2009.
7. Narayana, Justice P.S. *Law of Appeals*, (5th edn) Hyderabad: Asia Law House, 2006 (Chapter 1-12 dealing with Civil Appeals).
8. Rao, Y. Rama. *Treatise on Law of Execution*. Hyderabad: Asia Law House, 2008.
9. The Text of Limitation Act 1908 (as amended).

Paper-IV: CRIMINAL Law-II

Course Description

The course is expected to guide and prepare students in the procedure that is

followed in criminal cases by courts in Pakistan. This is designed to give students a rigorous coaching in criminal procedure. The course will include all provisions of the Criminal Procedure Code 1898. This is the second module of the course and is expected to guide and prepare

students in the procedure that is followed in criminal cases by courts in Pakistan.

Like the course of Civil Procedure, this course is also divided into two modules to give students a rigorous coaching in criminal procedure. The component will also include Medical Jurisprudence with reference to autopsy and physical injuries.

The course will be conducted by qualified medical doctors, preferably by surgeons.

Course Contents

- Background, history
- Introduction, Definitions
- Criminal Courts
- Powers of courts
- Arrest, Escape and retaking
- Process for compelling the appearance
- Process for the production of documents, moveable property and the discovery of persons wrongfully confined
- Public Nuisance
- Complaints to magistrate
- FIR
- Investigation
- Pre-challan proceedings
- Submission of challan
- Charge
- Mode of taking evidence
- Judgment
- Confirmation, suspension and remissions of sentences
- Appeal and revisions
- Law of Bails
- Transfer of criminal cases
- Irregular proceedings
- Miscellaneous
- Important Case laws

Medical Jurisprudence

- Introduction
- Medecolegal General aspects
- Medical Evidence
- Post Mortem
- Legal Presumption of death
- Examination of body
- Examination in Motuary
- Opinions on the cause of death
- Exhumation
- Asphyxial deaths
- Injuries

- Abrasions, bruises and incised wounds
- Burns, Scalds and cold

Suggested Readings:

1. Karim, Jutice (R) Fazal. *The Law of Criminal Procedure*. Karachi: Pakistan Law House, 2010.
2. Khan, Munir Ahmad. *Murder Trial*, Lahore: Law Book Land, 2007.
3. Narayana, Justice P.S. *Law of Appeals*, (5th edn) Hyderabad: Asia Law House, 2006 (Chapter 13, dealing with Criminal Appeals).
4. Nizami, M. M. H. *The Code of Criminal Procedure with Commentary*. Lahore: PLD, 2009.
5. The Text of Criminal Procedure Code 1898 (as amended) with commentary.
6. Turner, J. W. Cecil. *Kenny's Outlines of Criminal Law*, (19th edn) New Delhi: Universal, 2010 (I rpt.).
1. Davies, Michael. *Textbook on Medical Law*, (2nd edn) London: Blackstone, 1998.
2. Dogra, Prof. T. D. *Lyon's Medical Jurisprudence & Toxicology*, (11th edn) Delhi: Delhi Law House, 2010.
3. Howard, Philip and Bogle, James. *Medical Law and Ethics*. Oxford: Blackwell, 2005.
4. Koehler, Steven A. and Wecht, Cyril H. *Postmortem: Establishing the Cause of Death*. Buffalo: Firefly Books, 2006.
5. Subrahmanyam, B. V. (ed.), *Modi's Medical Jurisprudence and Toxicology*, New Delhi: Butterworths, 2001.

PAPER-V: LAW OF EVIDENCE AND PROFESSIONAL ETHICS

Course Description

This is an important course for law students to understand the principles and rules of evidence and its application to cases and inquiries. The course will cover both the substantive as well as procedural rules of evidence; theories, principles and provisions of the Law of Evidence. It will cover relevancy and admissibility of evidence, modes of proof and the production and effect of evidence. The objectives are to inculcate a critical appreciation of the issues and to prepare students for professional practice. The course is necessary for students to grasp the rules of evidence before joining legal profession.

The second part of the course deals with professional ethics which will lay emphasis on adherence to basic legal ethics that is generally required for students who wish to practice law. The course will cover the rules of legal ethics as laid down in Legal Practitioners and Bar Councils Act, 1973 and other relevant rules. Senior practicing lawyers will be invited to deliver lectures on legal ethics

Course Contents

- Definition of Evidence
- Kinds of Evidence
- Qualifications of Witness
- Privileged Communications
- Relevancy of Facts

- Admission and Confession
- Dying Declaration
- Relevancy of Character
- Primary and Secondary Evidence
- Presumptions as to Facts
- Exclusion of Oral Evidence
- Facts judicially Noticeable
- Estoppel and its Kinds
- Rules of Burden of Proof
- Examination of Witness
- Admissibility of Evidence made available by use of modern devices

Suggested Readings:

1. Chaturvedi, Gopal. *S Field's Law on Oral and Documentary Evidence*, (2 nd edn) Delhi: Delhi Law House, 2002.
2. Chaturvedi, Gopal. *S. Field's Law Relating to Estoppel* (3 rd edn) Delhi: Delhi Law House, 2003.
3. Chaturvedi, Gopal. *S. Field's Law on Admissions and Confessions*, (2nd edn) Delhi: Delhi Law House, 2003.
4. Mahmood, Shaikat. *The Law of Evidence: An exhaustive commentary on Qanun-e-Shahadat Order, 1984*, (2 nd edn) Lahore: Legal Research Centre, 1991.
5. Murphy, Peter. *Murphy on Evidence*. Oxford: Oxford University Press, 2009.
6. Rahman, Justice Khalilur. *Principles & Digest of the Qanun-e Shahadat, Commentary adapted from Justice Monir's Principles and Digest of the Law of Evidence*, (6 th edn) Lahore: PLD, 1993.
7. Rao, Kesava. *Law of Evidence*, (18th edn) Nagpur: LexisNexis, 2009.
8. The Text of the Qanun-e-Shahadat Order, 1984 with commentary.
9. Zafar, Emmanuel. *Art of Cross Examination*. Lahore: Eastern Law Book, 1995.

Paper-VI: LEGAL DRAFTING

Course Description

Legal Writing and Drafting is unquestionably essential for law students before joining professional practice. The course will focus on developing writing and drafting skills of students to formulate cogent arguments for their clients' positions and to provide legal support for such positions. Legal drafting is central to professional practice hence the course has been divided into two modules. In this component of the course, students will learn about the drafting of complaints, written statements, drafting contracts and agreements and other legal instruments.

The students will learn about drafting legal instruments such as Deeds of Sale, Agreements, Affidavits, Gifts, Guarantee, Notices, Mortgages and Leases. Instructions will be given on effective legal drafting skills through lectures and written exercises.

Course Contents

- Introduction
- Object of pleadings
- Principles of pleadings
- Amendment of pleadings
- Complaint
- Essentials of complaint
- Return of complaint
- Rejection of complaint
- Drafting complaints
- Written statement
- Essentials of written statement
- Set off
- Drafting written statement
- Component parts of conveyancing
- Deeds
- Sale deed
- Will Deed
- Gift Deed
- Divorce deed
- Dower deed
- Power of attorney
- Promissory note
- Bill of exchange
- Bond
- Lease Deed
- Exchange Deed
- Mortgage Deed
- Agreements
- Notice
- Receipt

Suggested Readings:

1. Gopal, Shiva. *Conveyancing, Precedents and Forms*, (6 th edn) Lucknow: Eastern, 2007 (rpt.).
2. Inayatullah, M. *Law of Conveyancing: Law and Precedents*, (4 th edn) Lahore: PLD, 2009.
3. Inayatullah, M. *Law of Pleadings: Law and Precedents*. Lahore: PLD, (Latest ed.).
4. Kothari, G. M. *Drafting, Conveyancing and Pleadings*. Bombay: Tripathi, 2003.
5. Narayana, Justice P. S. *Pleadings and Practice*, (6 th edn) Hyderabad: Asia Law, 2010.
1. Bhandari. M. C. *Practical Approach to Deeds and Documents*, (2 nd edn) New Delhi: Ashoka Law House, 2008.
2. Chaudhry, Nasim Sabir. *The Art of Pleadings and Conveyancing (English and Urdu)*. Lahore: Imran Law, n.d.
3. Kumar, H. L. *Legal Drafting*. New Delhi: Universal, 2010.

4. To enhance the practical skills of students and improve theoretical knowledge acquired during semester VII and VIII, compulsory court-visits will be arranged under the proper supervision of faculty-members. The institutions shall maintain proper record of such visits and suitable amount of weighting/ credit shall be given for such visits.

INTERNSHIP: is compulsory: After Completion Of the 4th Year (During summer vacations)

A practical experience at legal offices of 10 to 12 weeks will be compulsory for all students.

This is one of the compulsory course 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 years. The course will give students a taste of the real world litigation practice