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UNIVERSITY, AYODHYA (U.P.)**

SYLLABUS

OF

LL.B. (THREE YEAR COURSE)



LL.B. 6th SEMESTER

- I. ADMINISTRATIVE LAW-II**
- II. ENVIROMENTAL LAW INCLUDING LAWS FOR THE PROTECTION OF WILDLIFE AND OTHER LIVING CREATURES INCLUDING ANIMAL WELFARE**
- III. LAND LAWS INCLUDING CELLING AND OTHER LOCAL LAW-II**
- IV. INTERNATIONAL ORGANISATION**
- V. INTELLECTUAL PROPERTY RIGHT LAW**
- VI. WOMEN AND THE LAW**
- VII. PRACTICAL TRAINING: MOOT COURT, PRE-TRAIL PREPARATIONS AND PARTICIPATION IN TRAIL PROCEEDINGS**

UNIT-I

Evolution and Basic Concept of Administrative Law

Nature, definition, scope and development of Administrative Law and its Relation with Constitutional Law and Administrative Law

Rule of law – its applicability and relevance in India

Need of delamination of legislative power

Control on delegated legislation- Parliamentary, procedural & Judicial

UNIT-II

Natural Justice, Administrative Discretion, & Administrative Action

Definition, nature object and scope of justice

Principles of natural justice: (i) Rule against bias-meaning and type; real and likelihood of bias; and (ii) Audi alteram (Hear the side)- essentials of hearing process

Meaning and need for Administrative discretion

Judicial review of administrative discretion and its grounds

UNIT-III

Liability of State (Tortious and Contractual)

Tortious liability: Sovereign and Non-sovereign functions

Statutory immunity; contractual liability of Government

Government privilege in legal proceedings- Estoppel and waiver

Right to information Act-2005

UNIT-IV

Meacham of control on Administrative action

Judicial- writ, PIL, Appeal.

Quasi-Judicial-Public inquiries and Commission of Inquiry

Ombudsman: Lokpal, LokAyukta and Vigilance Commission

Quasi-Judicial and administrative functions; tribunals and court

Administrative Tribunal: constitution, powers and jurisdiction under the Administrative Tribunals Act, 1985

UNIT-V

Corporation

Definition, characteristics and classification of Public Corporations, Rights, duties and liabilities of Public Corporations & Control over Public Corporation- Judicial Governmental & Parliamentary

Act

Right to Information Act

BOOKs

Jain & Jain: principles of Administrative Law

Wade: Administrative Law

C.K. Thakar: Lectures on Administartive Law

S.P. Sathe: Administrative Law

M.P. Jain: Cases and Material on Indian Administrative Law

I.L.I. Cases and Material on Indian Administrative Law

LL.B. Sixth Semester

PAPER-II

Maximum Marks: 100

ENVIRONMENTAL LAW INCLUDING LAWS FOR THE PROTECTION OF WILDLIFE AND OTHER LIVING CREATURES INCLUDING ANIMAL WELFARE

UNIT-I

Concept of Environment and Pollution

Environment: meaning and contents

Pollution: meaning; causes of environmental pollution and effect thereof; kinds of pollution

Historical Perspectives; (i) Indian tradition- dharma of environment; British period- industrial development and exploitation of nature; (ii) Constitutional perspective- Environmental Rights; Directive Principles of State Policy; Fundamental Duties

Emerging principles: 'Polluter pays'; Precautionary principle; and 'Public trust doctrine'

International Regime: Stockholm Conference; Rio Conference; and Bio-diversity Convention

UNIT-II

Water and Air Pollution

Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981

Salient features of the Acts

Important definitions

Authorities- composition, powers and jurisdiction

Offences and penalties

Judicial approach

UNIT-III

Environmental Protection

Pollution control under the Environment (Protection) Act, 1986

Salient features of the Act

Important definitions

Power of the Central Government

Offences and Penalties under the Act

National Environment Tribunal and National Environment Appellate Authority
composition, powers and functions

Judicial approach- complex problems in the administration of environmental justice

UNIT-IV

Wild Life Protection

The Wild Life (Protection) Act, 1972

Salient features of the Act

Important definitions; animal; animal articles; closed area; trophy; wild animal; wild life; zoo; an sanctuary

Authorities under the Act: constitution; powers and functions

Prohibitions under the Act: hunting of wild animals and protection of specified plants

Protected Areas: Sanctuaries; national parks and closed areas

Trade and commerce in wild animals, animal articles, trophies and prohibitions thereof

Offences and penalties

UNIT-V

Cruelty to Animals

The Prevention of Cruelty to Animals Act, 1960

Salient features, aims and objects of the Act

Important definitions

Authorities under the Act: composition, powers and jurisdiction

Offences and penalties

Act

Water (Prevention and Control of Pollution) Act, 1974

Air (Prevention and Control of Pollution) Act, 1981

Environment (Protection) Act, 1986

Wild Life (Protection) Act, 1972

Prevention of Cruelty of Animals Act, 1960

BOOKs

R.B. Singh & Suresh Mishra: Environment Law in India

Kailash Thakur: Environmental Protection Law and Policy in India

Leelakrishna. P: Law and Environment

Leelakrishna. P: The Environment Law in India

LL.B. Sixth Semester

PAPER-III

Maximum Marks: 100

LAND LAWS INCLUDING CELLING AND OTHER LOCAL LAW-II

UNIT-I

U.P. Consolidation of Holdings Act, 1953

UNIT-II

U.P. Panchayat Raj Act, 1947

U.P. Imposition of ceiling on Land Holdings Act, 1960

UNIT-III

U.P. Urban Building (Regulation of Letting, Rent and Eviction) Act, 1947

UNIT-IV

U.P. Urban Planning and Development Act, 1973

UNIT-V

U.P. Municipalities Act, 1916

Act

U.P Consolidation of Holdings Act, 1953

U.P. Panchayat Raj Act, 1947

U.P. Imposition of Ceiling on Land Holdings Act, 1960

U.P. Urban Building (Regulation of Letting, Rent and Eviction) Act, 1947

U.P. Urban Planning and Development Act, 1973

U.P. Municipalities Act, 1916

LL.B. Sixth Semester
PAPER-IV
INTERNATIONAL ORGANIZATION

Maximum Marks: 100

UNIT-I

Evolution of international Organization

Concept, nature and development of international organization

Progress of mankind towards international organization

The Concept of Europe

The League of Nations- genesis and creation provisions; its organs

Causes of its failure

The United Nations- genesis and creation provisions

Purpose and principles of the U.N.; Membership; Legal Capacity; privileges and immunities

Achievements and limitations of the U.N.

The future role of the U.N.

UNIT-II

Structure/ Organs of the U.N.

The General Assembly- composition, voting, procedure, powers and functions

The Security Council- compositions, voting, procedure, powers and functions

The Economic and Social Council- composition, voting, procedure, powers and functions

The Trusteeship Council- the Trusteeship system, the Trusteeship Agreement, objectives, and the forms of supervision

The Secretary- Appointment of the Secretary General; powers and functions of the Secretary General

The International Court of Justice- composition jurisdiction

UNIT-III

Political Process

A Comparative view of the League of Nations and U.N. Charter

International Personality- Nature and consequences of the concept

Treaty- making process

Privileges and immunities

Achievements of the United Nations- Advancement of human welfare; settlement of disputes; U.N. peace-keeping functions; problems of peace enforcement through of the U.N.; disarmament and human right; progressive development of international law

UNIT-IV

Specialized Agencies

International Labour Organization (ILO)

International Monetary Fund (IMF)

Food and Agriculture Organization (FAO)

U.N. Educational, Scientific and Cultural Organization (UNESCO)

World Health Organization (WHO)

UNIT-V

Regional Institutions

The Council of Europe

The Organization of American States (OAS)

The Association of South East Asian Nations (ASEAN)

The Warsa Treaty Organization

SAARC

BOOKs

D.W. Bowett: The Law Of International Institutions

Stephen S. Goodspeed: Nature and Function of International Organization

D.W. Bowett : United Nations Forces: A Legal Study

Rahamatullah Khan: Implied Powers of the United Nations

M.S. Rajan: United Nations and Domestic Jurisdiction

RumkiBasu: The United Nations: Structure and Functions of International Organization

LL.B. Sixth Semester
PAPER-V
INTELLECTUAL PROPERTY RIGHT LAW

Maximum Marks: 100

UNIT-I

Introductory

Intellectual Property: meaning, definition, nature and importance

Rationale of the legal regimes for the protection of intellectual property

Kinds of intellectual property

Rationale of protection of rights in-

Copyright

Trade marks

Patents

Designs

Trade Secrets and Geographical Indications

Introduction to the leading international instrument concerning IPR: Paris Convention; Berne Convention; World Trade Organization (WTO); World Intellectual Property Organization (WIPO) and TRIPS Agreement

UNIT-II

Law of Copyright in India

Historical evolution of law

Subject-matter and meaning of copyright

Copyright in literary, dramatic, musical and artistic works

Copyright in cinematograph film and sound recording

Ownership of copyright

Terms of copyright

Assignment of copyright

Licensing of copyright and compulsory licensing

Author's Special Rights

Infringement of copyright; exceptions

Video piracy and piracy in Internet

Remedies

UNIT-III

Intellectual Property in Trade marks

Rationale of protection of trademarks as (a) an aspect of commercial rights, and (b) of consumer rights

Definition and concept of trade marks

Distinction between trade mark and property mark: trade mark and service mark

Registration of trade marks

The doctrine of deceptive similarity

The doctrine of honest concurrent user

Protection of well-known marks

Infringement and passing off

Remedies

UNIT-IV

Intellectual property in Patents

Patent: meaning, definition and importance

Patentable inventions

Patent protection for computer programme

Process of obtaining a patent: application, examination, opposition and sealing of patent

Procedure for filing patent, Patent Co-operation Treaty (PCT)

Rights and obligations of a patentee

Duration of patent

Compulsory licenses

Infringement

Remedies

UNIT-V

Intellectual Property in Designs and Geographical Indications

Important definitions: design; article; mechanical device; geographical indication

Registration of designs: application for registration of designs; procedure for registration of designs; cancellation registration

Rights conferred by registration

Restoration of lapsed design

Infringement and remedies

Characteristics and functions of design

Distinction between 'geographical indication' and 'trademark'; geographical indication' and 'collective marks'

Procedure for registration of GI

Infringement and remedies

Acts

Copyright Act, 1957

Trademarks Act, 1999

Patents Act, 1970

Designs Act, 2000

Geographical Indications of Goods (Registration and Protection) Act, 1999

BOOKS

Cornish W.R.: Intellectual Property, Patents Trademarks, Copyright and Allied Rights

P. Narayanan: Intellectual Property Law

S.K. Singh: Intellectual Property Rights Law

VikasVashishth: Law and Practice of Intellectual Property

BibeckDebroy (ed.) Intellectual Property Rights

LL.B. Sixth Semester
PAPER-VI
Women and the Law

Maximum Marks: 100

UNIT-I

Women in India:

Pre-Independence period: social and legal inequality in ancient and medieval India

Social reforms movement in India

Post-independence period: preamble of the Constitution; equality provisions in Fundamental Rights and Directive Principles of State Policy

Personal laws-unequal position of women

International Conventions and National Commission for Women

UNIT-II

Gender Inequality in Personal Laws:

Inheritance and succession: position of women in Hindu law and Muslim law

Matrimonial property

Maintenance under personal laws and under Section 125 of the Cr. P.C.

Guardianship: right of women to adopt a child; problems of women guardianing

Domestic violence; causes and cure

UNIT-III

Women and Criminal Law:

Insulting the modesty of woman

Dowry death

Rape

Adultery

Cruelty by husband or his relative for dowry

Dowry prohibition

Female foeticide

UNIT-IV

Women and Employment:

Women in employment: causes, extent and importance

Equal remuneration for men and women

Maternity benefit

Other provisions for welfare and safety of women in industrial laws

Exploitation and harassment of women in work places

UNIT-V

Protection and Enforcement Agencies:

Courts

Family Courts

National and State Commission for Women

NGOs

BOOKS

A.S. Altekar: The position of Women in Hindu Civilisation

Revasia&Revasia: Women, Social Justice and Human Rights

Agnes, Flavia: Law and Gender Inequality

Balram: Women Workers, the Labour Legislation in India

Towards Equality-Report of the Committee on the Status of Women (Govt. of India)

LL.B. Sixth Semester

PAPER-VII

Maximum Marks: 100

**PRACTICAL TRAINING: MOOT COURT, PRE-TRAIL PREPARATIONS
AND PARTICIPATION IN TRAIL PROCEEDINGS**

This paper will have three components of 30 marks each a viva-voce for 10 marks.

(a) Moot court (30 marks)

Every student will do at least three moot courts in a year with 10 marks for each. The moot court will be assigned problem and it will be evolution for 5 marks for written submissions and 5 marks for oral advocacy.

(b) Observation of trial in two cases, one civil and one criminal (30 marks). Students will attend two trials in the course of the last two or three years of LL.B studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

(c) Interviewing techniques and Pre-trail Preparations: Each student will observe two interviewing sessions of clients at the lawyer's office/legal aid office and record the proceedings in a diary which will 15 marks. Each student will further observe the preparation of documents and court papers by the advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary which will carry 15 marks.

(d) The fourth component of this paper will viva voce examination on all the above three aspect. This will carry 10 marks. The viva voce examination will be conducted by on external examiner and one internal examiner duly appointed by the concerned University.