



**SEMESTER VIII | B.A.LL.B. (HONS.)  
SYLLABUS (SESSION: JAN-JUN)**

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**DRAFTING, PLEADING AND CONVEYANCING (COMPULSORY)**  
**SEMESTER VIII | B.A.LL.B. (HONS.)**  
**SYLLABUS (SESSION: JAN-**  
**JUNE)**

<b>Faculty Name</b>	Dr. Parvesh Kumar Rajput and Mr. Sagar Chandrakar	<b>Year/ Semester</b>	4/VIII
<b>Course Name</b>	Drafting, Pleading and Conveyancing	<b>No. of Credits</b>	06
<b>Course Code</b>	NA	<b>Session</b> <b>Duration</b>	1 hour
<b>No of Contact Hours</b>	60 hours	<b>Pre-requisite</b>	None
<b>Introduction, Course Objective &amp; Pedagogy</b>	<p>By the art of legal drafting (also commonly called the legal composition) we mean the art of composing or writing all documents which are either expressly intended to be, or which frequently become the subject of legal interpretation. It is concerned chiefly therefore, although not exclusively, with the documents which declare or regulate rights. This at once distinguishes the art of legal composition from the art of ordinary composition or literature, which deals not with rights but with thoughts or facts. Of course, the bases of literary composition and legal composition are all the same, grammar and logic. The latter, perhaps, more strictly than the former kind of composition is bound by the rules of the grammarian and logician but we do not intend, except incidentally, to touch on the rules of grammar or logic. It is composition as legal - as dealing with or affecting rights - which we have in view.</p> <p>This course is an attempt towards imparting knowledge of various aspects of law related to drafting, pleading and conveyancing. The main objectives are:</p> <p><b>CO1</b>-Providing an understanding of concept of drafting, pleading and conveyancing.</p>		

	<p><b>CO2</b>-To elucidate the principles of good drafting.</p> <p><b>CO3</b>-Developing skills with regards to the art of pleading and conveyancing.</p> <p><b>CO4</b>-Improving the students' level of comprehension and interest in the subject by considering the essential aspects and principles of pleading.</p> <p><b>CO5</b>-Providing an understanding to other related aspects of drafting, pleading and conveyancing.</p> <p>The enrolled students will be encouraged to participate in classes via minor assignments in the form of quiz and by drafting applications on several topics. Workshops would be would be organized for students by experts from different fields to enlighten them about professional aspects of the subject.</p>
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**LEARNING OUTCOMES:** Through the curriculum, the students will be introduced to the big picture of corporate finance and Law relating to it. At the end of the course, students will be able to:

**L01**- The course enables the students to understand the significance of drafting in legal profession.

**L02** – Students would be accustomed by the procedural aspects of pleading and be able to draft different applications/pleadings before various courts.

**L03** – Students will have a technical knowhow on legal aspects of law.

#### **EVALUATION COMPONENTS**

<b>Evaluation Components</b>	<b>Distribution of Marks</b>
Continuous Internal Assessment	25
Mid Term examination	25
End Term	50
Total	100

\*Note: Pass marks 50% of the final grade.

#### **COURSE PLAN**

<b>S.No.</b>	<b>Topics</b>	<b>Lecture Sessions</b>
1	Meaning, Importance, Functions and Essentials of Pleadings	1-12
2	Civil Pleadings - Substantive Aspects and Drafts	12-24
3	Criminal Pleadings - Substantive Aspects and Drafts	24-36
4	Other important Pleadings - Substantive Aspects and Model Forms	36-48
5	Conveyancing	48-60

**DETAILED SYLLABUS**

UNIT	CONTENT
<b>Module 1 Meaning, Importance, Functions and Essentials of Pleadings</b>	<ol style="list-style-type: none"> <li>1. Meaning, Importance of Drafting, Pleading and conveyancing.</li> <li>2. Order 6 of CPC - Essentials of Pleading - Particulars of Pleading – Striking out pleadings- Signing and verification- Amendment in Pleadings - Applicability of Order 6 CPC in Other Proceedings</li> <li>3. Plaint- Meaning of plaint, Ingredient of Plaint and Draft of Plaint (Order 7 of CPC)</li> <li>4. Written Statement- (Order 8 of CPC)</li> <li>5. Necessary Parties and Proper Parties, Joinder, Non joinder and Mis joinder of parties</li> </ol>
<b>Module 2 Civil Pleadings - Substantive Aspects and Drafts</b>	<ol style="list-style-type: none"> <li>1. Concept of Drafting</li> <li>2. Jurisdiction of the Civil Courts- Pecuniary, Territorial and Subject matter jurisdiction</li> <li>3. Set off and counterclaim (under Order 8 of CPC)</li> <li>4. Notice to Government officials under Sec.80 of CPC</li> <li>5. Temporary Injunction Application (Order 39, R 1)</li> <li>6. Appeals – First Appeal and Second Appeal (Section 96- Section 100)</li> </ol>
<b>Module 3 Criminal Pleadings - Substantive Aspects and Drafts</b>	<ol style="list-style-type: none"> <li>1. Meaning - Criminal Pleadings in India</li> <li>2. Complaint (Sec.2d of Cr PC)</li> <li>3. Application for Bail (Sec.436, Sec. 437 of Cr PC)</li> <li>4. Anticipatory Bail (Sec.438 of Cr PC)</li> <li>5. Application U/S. 125 of the Code of Criminal Procedure, 1973</li> </ol>
<b>Module 4 Other important Pleadings - Substantive Aspects and Model Forms</b>	<ol style="list-style-type: none"> <li>1. Complaints Under Sec.138 of Negotiable Instruments Act</li> <li>2. Petition for Dissolution of Marriage under Hindu Marriage Act</li> <li>3. Writs of Habeas Corpus and Mandamus</li> <li>4. Complaints Under Sec. 12 of Consumer Protection Act</li> </ol>
<b>Module 5 Conveyancing</b>	<ol style="list-style-type: none"> <li>1. Sale Deed- Meaning of sale and Its essentials</li> <li>2. Mortgage Deed- Meaning of mortgage and Its kinds</li> <li>3. Lease Deed- Meaning of lease and Distinction between Lease and Licence</li> <li>4. Gift Deed- Meaning of gift and Distinction between Sale and Lease</li> <li>5. Partnership Deed</li> </ol>

## **READINGS:**

### **STATUTES, RULES AND REGULATIONS:**

1. Code of Civil Procedure, 1908
2. Code of Criminal Procedure, 1973
3. Negotiable Instruments Act, 1881
4. Hindu Marriage Act, 1955
5. The Registration Act, 1908
6. The Indian Stamp Act, 1899
7. Indian Contract Act, 1872
8. Transfer of Property Act, 1882

### **CASE LAWS:**

- Lakshmi Narayan Deo Vasti Temple vs. Narayan F. Marathy (1995) 2 Bom CR 610
- Prabodh Verma vs. State of UP (1984) 4 SCC 251
- Someswer vs. Tribhuban AIR 1934 PC 13
- Phula Devi vs. Mangtu Maharaj AIR 1969 Pat 284
- Jagjiban Das vs. Gunan Bhai AIR 1967 Guj 1
- N.Naidu vs. K.Naidu AIR 1969 Mad 329
- Jogeshwar vs. Sheopujan AIR 1986 Pat 35
- Bulchand Jain v. State of M.P 1996
- Mayawati v. Yogesh Kumar Gosain
- N.G. Dastane v. S. Dastane
- State of Bombay vs. United Motors AIR 1955 SC
- PS Santhi vs. SB Bhagwandas Kripalini AIR 1991 SC
- Sonia Bhatia vs. State of UP AIR 1981 SC 1274

### **BOOKS AND ARTICLES**

1. MC Agarwal & GC Mogha, Mogha's Pleading, Edition 2016, EBC, Lucknow. [Part I
2. Chapter's 1-10]
3. Murali Manohar, Conveyancing and Pleading, 2nd Edn -2004, EBC, Lucknow. [Part II
4. Chapter's 1-5]
5. Justice C.K Takwani, Civil Procedure, 7th Edition, 2014
6. KNC Pillai, Lectures on Criminal Procedure, 6th Edn - 2017, Ashok Law House, Hyderabad.
7. Dr. Amit Sen, Legal Language, Legal Writing and Legal Drafting, 2nd Edn - 2006, Kamal
8. Law House, Kolkata. [ Chapter's 23,26,28]
9. CR Datta, MN Das, D' Souza's Conveyancing, 13th Edn-1999, Eastern Law House, New Delhi. [Chapter 1]

### **ONLINE ARTICLES/BLOGS/REPORTS:**

1. "Pleadings : Its Rules and Amendments",  
[http://ijariie.com/AdminUploadPdf/PLEADINGSITS\\_RULES\\_AND\\_AMENDMENTS\\_ijariie6610.pdf](http://ijariie.com/AdminUploadPdf/PLEADINGSITS_RULES_AND_AMENDMENTS_ijariie6610.pdf)
2. 'Appeal',  
[https://www.lkouniv.ac.in/site/writereaddata/siteContent/202003291623594854niharika\\_law\\_CPC.pdf](https://www.lkouniv.ac.in/site/writereaddata/siteContent/202003291623594854niharika_law_CPC.pdf)
3. Suits by or Against the Government and Public Officers,  
[https://delhihighcourt.nic.in/writereaddata/upload/CourtRules/CourtRuleFile\\_6N0W6FNH.P\\_DF](https://delhihighcourt.nic.in/writereaddata/upload/CourtRules/CourtRuleFile_6N0W6FNH.P_DF)
4. Joinder and non-joinder of parties in civil proceedings in India in light of the doctrine of necessary and proper parties,  
<https://www.sconline.com/blog/post/2021/03/27/civil-proceedings/>



**LAND LAWS (COMPULSORY)**  
**SEMESTER VIII | B.A.LL.B. (HONS.)**  
**SYLLABUS (SESSION: JAN-JUNE)**

<b>Faculty Name</b>	Mr. Deepak Kumar	<b>Year/ Semester</b>	4/VIII
<b>Course Name</b>	Land Laws	<b>No. of Credits</b>	4
<b>Course Code</b>	NA	<b>Session Duration</b>	1 Hour
<b>No of Contact Hours</b>	60 hours	<b>Pre-requisite</b>	None
<b>Introduction, Course Objective &amp; Pedagogy</b>	<p>The field of law known as land law deals with people's rights to use, alienate, or exclude others from the land. In India, land is one of the most desired and controversial commodities. Land purchase, possession, and sale are all controlled by specific regulations varying from state to state. The course aims to give students a deeper understanding of how state and federal land laws operate in the Indian scenario.</p> <p>The course also seeks to deepen students' understanding of various concepts covered by central and state laws, including those about tenants, rent, revenue, tenure holders, land acquisition, consolidation of uses, public interest, eminent domain, and Tribal Forest rights.</p> <p>The learning objectives for this course will be as follows:</p> <ol style="list-style-type: none"> <li>1. CO1: To help understand the history, importance, and basic concepts of Land Laws.</li> <li>2. CO2: To understand various Land Reforms in India.</li> <li>3. CO3: To help them understand the rights and liabilities of landlord and tenant.</li> <li>4. CO4: To help them understand the problems faced by the tribal communities in the forest areas.</li> </ol> <p>This subject requires teaching to be a combination of theoretical foundation with practical application. The contact hours will be utilized in catering a blend of instruction, discussion, and</p>		

	brainstorming sessions. The enrolled students will be encouraged to participate in classes via minor assignments in the form of quiz, MCQs or addressing an issue based on facts.
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**LEARNING OUTCOMES:** Through the curriculum, the students will be introduced to the big picture of the abovementioned laws relating to land. At the end of the course, students will be able to:

- comprehend the essential ideas behind diverse land laws.
- comprehend the history of several land reforms in India.
- to be aware of commonly utilized organizations and instruments involved in the formulation and enforcement of land laws.
- to assess the role and composition of governmental and other land-related organizations in India.

### **EVALUATION COMPONENTS**

<b>Evaluation Components</b>	<b>Distribution of Marks</b>
Continuous Internal Assessment	25
Mid Term examination	25
End Term	50
Total	100

\*Note: Pass marks 50% of the final grade.

### **COURSE PLAN**

<b>S.No.</b>	<b>Topics</b>	<b>Lecture Sessions</b>
1	INTRODUCTION TO LAND REVENUE & LAND REFORMS	1-12
2	LAND RECORDS & RIGHTS IN LAND	13-21
3	INTRODUCTION TO RENT LAW AND CONCEPTS	22-35
4	LANDLORD AND TENANT.	36-44
5	LAND RIGHTS OF SCHEDULED TRIBES.	45-60



**DETAILED SYLLABUS**

<b>UNIT</b>	<b>CONTENT</b>
<p style="text-align: center;">MODULE 1</p> <p style="text-align: center;">INTRODUCTION TO LAND REVENUE &amp; LAND REFORMS</p>	<ul style="list-style-type: none"> <li>• History of Land Revenue.</li> <li>• Overview of Indian Land reforms measures.</li> <li>• Overview and Concepts of: Board of Revenue, Revenue Court and Revenue Officers. Theory of Eminent Domain. Assessment and realization of Land revenue.</li> <li>• Landholding, Land revenue, and its liability.</li> </ul>
<p style="text-align: center;">MODULE 2</p> <p style="text-align: center;">LAND RECORDS &amp; RIGHTS IN LAND</p>	<ul style="list-style-type: none"> <li>• Various Land Records: Field Map, Record of Rights, Kisan Kitab, Nistar Patrak, Wajib-ul-arz.</li> <li>• Tenure holders (Bhumiswami), Right of transfer, Lease and Exchange of land.</li> <li>• Revenue Survey, Demarcation, Settlement, and Assessment Rates.</li> <li>• Reinstatement of Bhumiswami improperly dispossessed.</li> </ul>
<p style="text-align: center;">MODULE 3</p> <p style="text-align: center;">INTRODUCTION TO RENT LAW AND CONCEPTS.</p>	<ul style="list-style-type: none"> <li>• Definitions and Exemptions.</li> <li>• Tenancy Agreement and Rent Agreement.</li> <li>• Constitution, Powers, and functions of Rent Control Tribunal and Rent Controller.</li> <li>• Execution of the Order.</li> </ul>
<p style="text-align: center;">MODULE 4</p> <p style="text-align: center;">LANDLORD AND TENANT.</p>	<ul style="list-style-type: none"> <li>• Rights and obligations of Landlords and Tenants.</li> <li>• Schedule 1 to 4.</li> <li>• Appeals in case of a dispute.</li> <li>• Penalties Under the Act.</li> </ul>
<p style="text-align: center;">MODULE 5</p> <p style="text-align: center;">LAND RIGHTS OF SCHEDULED TRIBES</p>	<ul style="list-style-type: none"> <li>• Introduction.</li> <li>• Various Definitions.</li> <li>• Forest rights of Forest-dwelling Scheduled Tribes.</li> <li>• Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006</li> <li>• Land acquisition and tribal rights.</li> <li>• Right to fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013</li> <li>• Self-governance and Tribal Rights.</li> <li>• Panchayats (Extension to Scheduled Areas) Act, 1996.</li> </ul>

**READINGS:****STATUTES, RULES AND REGULATIONS:**

1. Chhattisgarh Land Revenue Code, 1959.
2. Chhattisgarh Rent Control Act, 2011.
3. The Coal Bearing Areas (Acquisition and Development) Act, 1957.
4. Panchayats (Extension to Scheduled Areas) Act, 1996.
5. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
6. Scheduled Tribes and Other Traditional Forest Dwellers (Recognition Of Forest Rights) Act, 2006.
7. Right to fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

**BOOKS AND ARTICLES**

1. M.L. Jindal, M.P./Chhattisgarh Land Revenue Code, 1959, Rajkamal Publications, Indore.

**ONLINE ARTICLES/BLOGS/REPORTS:**

1. Madhu Sarin with Oliver Springate-Baginski, "India's Forest Rights Act -The anatomy of a necessary but not sufficient institutional reform" IPPG Discussion Papers, Available at <https://assets.publishing.service.gov.uk/media/57a08b0be5274a27b2000909/dp45.pdf>
2. Devashree Pillai and Amrita C, "The Road so Far: Forest Rights Act and Constitutionality" Available at <https://practiceconnect.azimpremjiuniversity.edu.in/the-road-so-far-forest-rights-act-and-constitutionality/>
3. The Status of the Forest Rights Act (FRA) in Protected Areas of India A Draft Report Summary, Available at <https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2019/01/Summary-Final-Implementation-of-FRA-in-PAs.-Final-14.11.2017-as-printed.pdf>
4. Bharti Nandwani, Forest Rights Act: An account of contradictory conservation laws, Available at <https://www.ideasforindia.in/topics/governance/forest-rights-act-an-account-of-contradictory-conservation-laws.html>
5. Divya Gupta, Meenakshi Sinha, Ashwini Chhatre, India's Forest Rights Act and Indigenous Claims to Community Forest Resources: A Case Study of Lavari, Maharashtra, World Development Perspectives, Available at <https://doi.org/10.1016/j.wdp.2022.100449>.



## LAW OF TRADEMARK (HONOURS)

### SEMESTER VIII | B.A.LL.B. (HONS.)

#### SYLLABUS (SESSION: JAN-JUNE)

Faculty	Dr. Debmita Mondal Dr. Ankit Singh	Year/ Term	4 <sup>TH</sup> Year / VIII Semester
Course Name	Law of Trademark	Each Session Duration	1 hour
No of Classes/Week	05	No. of Credits	06
No of Contact Hours	60		
Introduction, Course Objective & Pedagogy	<p>A trademark is a symbol or name on a particular good which indicates its distinctive origin or ownership of merchandise exclusively to its owner, thus making it a remote possibility for other companies to manipulate with its brand value and source. In other words, the trademark usually serves as a badge of origin, loyalty, and affiliation.</p> <p>Trademark plays a significant role in promotion of goods and services as it provides information about the quality of the goods. It facilitates any enterprise to obtain individual rights to use, allocate or allot a trademark which can be done through the process of Trademark Registration. India has a huge competitive market for business where there are huge numbers of new as well as identical brands or products that keeps rising every day. At this point, protecting your trademark becomes essential to prevent anybody from taking the benefits of your brand name or Trademark. Such registration furnishes an exclusive right to the owner and also differentiates the goods from other similar goods from other businesses. Trademark demonstrates as intangible assets for the owner and also protects the brand for a period of 10 years. For this purpose a few course objectives for the course have been developed, they are-</p> <p>CO1 - To understand the concept of mark, their usage and</p>		

	<p>influence in development of trademark law.</p> <p>CO2 - To study the international legal instruments and the norm/rules set governing trademarks.</p> <p>CO3 - To examine the conventional as well as emerging new types of marks and their protectability.</p> <p>CO4 - To analyze the commercialization channels and mechanisms of trade marks.</p> <p>CO5 - To recognize the grounds of infringement of marks, remedies, exceptions and defenses.</p> <p>This subject requires teaching to be a combination of theoretical foundation with practical application. The contact hours will be utilized in catering a blend of instruction, discussion, and brainstorming sessions. The enrolled students will be encouraged to participate in classes via minor assignments in the form of quiz, MCQs or addressing an issue based on facts.</p>
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**LEARNING OUTCOMES:** Through the curriculum, the students will be introduced to the more in-depth understanding of Law of Trademarks and issues relating to it. At the end of the course -

- The learner will be able to comprehend the meaning and commercial relevance of trademarks.
- The learner will become acquainted with the international legal framework dealing with trademarks.
- The learner will be able to analyze and explain various jurisprudential aspects pertaining to trademarks.
- The learners will be able to demonstrate the legal implications relating to trademark infringement and passing-off.
- The learners will become familiar with the cutting-edge developments in the commercial arena relating to trademarks.

#### **EVALUATION COMPONENTS -**

<b>Evaluation Components</b>	<b>Distribution of Marks</b>
Mid Term Examination	25
End term Examination	50
Continuous Internal Assessments	25
Total	100

\*Note: Pass marks 50% of the final Grade

#### **COURSE PLAN**

S.No.	Topics	Lecture Sessions (inapprox.)
1	Introduction and historical development of trademark law	1-5
2	International Legal Instruments Relating to Trademark law	6-11
3	Subject and criteria of protection under Trademark law	12-20
4	Registration of Trademarks	21-26
5	Commercial dealing in Trademarks	27-35
6	Enforcement of Trademark Rights	35-45
7	Contemporary Issues in Trademark Law	45-55
8	Wrap-up and revision	55-60

### **DETAILED SYLLABUS**

UNIT	CONTENT
<b>Module 1 INTRODUCTION</b>	<ol style="list-style-type: none"> <li>1. Meaning, characteristics and functions of trademark</li> <li>2. Evolution of trademark law</li> <li>3. Justification for legal protection of trademark</li> </ol>
<b>Module 2 INTERNATIONAL LEGAL INSTRUMENTS RELATING TO TRADEMARK LAW</b>	<ol style="list-style-type: none"> <li>1. Paris Convention for The Protection of Industrial Property, 1883</li> <li>2. Trade Related Aspects of Intellectual Property Rights (TRIPs), 1995.</li> <li>3. Madrid System for International Registration of Marks</li> <li>4. Trademark Law Treaty, 1994.</li> <li>5. Nice Agreement, 1957 (Nice classification of classes of goods &amp; Services)</li> <li>6. Vienna Agreement, 1973 (Vienna Classification)</li> </ol>

<p><b>Module 3</b></p> <p><b>SUBJECT AND CRITERIA OF PROTECTION UNDER TRADEMARK LAW</b></p>	<ol style="list-style-type: none"> <li>1. Conventional TMs</li> <li>2. Non-conventional TMs</li> <li>3. Test of distinctiveness – Spectrum of distinctiveness</li> <li>4. Grounds for refusal of TM protection.</li> </ol>
<p><b>Module 4</b></p> <p><b>REGISTRATION AND COMMERCIAL DEALINGS IN TRADEMARKS</b></p>	<ol style="list-style-type: none"> <li>1. Steps and applications in registration</li> <li>2. Registration for certification trademark, collective trademark, well-known trademarks</li> <li>3. Other procedures like rectification, cancellation, etc.</li> <li>4. Assignment</li> <li>5. Licensing</li> <li>6. Transmission</li> </ol>
<p><b>Module 5</b></p> <p><b>ENFORCEMENT OF TRADEMARK RIGHTS</b></p>	<ol style="list-style-type: none"> <li>1. Trademark infringement</li> <li>2. Passing-off – The Trinity Test</li> <li>3. Cross-border reputation and Trademark dilution</li> <li>4. Defenses and Remedies</li> <li>5. Provisions relating to use and application of Counterfeiting.</li> </ol>
<p><b>Module 6</b></p> <p><b>CONTEMPORARY ISSUES IN TRADEMARK LAW</b></p>	<ol style="list-style-type: none"> <li>1. Legality of Parallel Importation</li> <li>2. Domain Name disputes and Cyber-squatting</li> <li>3. Disparagement and Comparative Advertisement</li> <li>4. Ambush Marketing – Types and Dimensions</li> <li>5. Character and Celebrity Merchandizing – Personality Rights</li> <li>6. Plain Packaging and Rights of Trademark owners</li> <li>7. TM and Pharmaceutical Industry</li> <li>8. TM and Block-chain Technology</li> <li>9. Trademark, AdWords and Meta-tags</li> </ol>

**READINGS:**

**STATUTES, RULES AND REGULATIONS:**

- Trade Marks Act, 1999
- Trade Marks Rules, 2002
- Trade Marks Rule, 2017

#### CASE LAWS:

- *Bolt Technology Ou vs Ujoy Technology Private Limited & Other CM APPL. 20183/20232023.*
- *Intex Technologies (India) Ltd & ... vs M/S Az Tech (India) & Another, 2017.*
- *Toyota Jidosha Kabushiki Kaisha vs M/S Prius Auto Industries Limited, 2018 (73) PTC 1.*
- *Starbucks (HK) Limited and another v British Sky Broadcasting Group plc and others [2015] UKSC 31.*
- *Snapdeal Private Limited vs Snapdeallucky - Draws.Org.In & ..Others, CS (COMM) No.264/2020*
- *Cadbury India Ltd. v. Neeraj Food Products, 2007 (35) PTC 95 (Del)*
- *Celador Productions Ltd. v. Gaurav Mehrotra, 2003 (26) PTC 140 (Del)*
- *Cipla Limited v. Cipla Industries Pvt. Ltd., 2016 (67) PTC 509 (Bom)*
- *Corning Inc. v. Raj Kumar Garg, 2004 (28) PTC 257*
- *F. Hoffman-La Roche & Co. Ltd. v. Geoffrey Manner & Co. (P) Ltd., (1969) 2 SCC 716*
- *Geepee Ceval Proteins and Investment Pvt. Ltd. v. Saroj Oil Industry, 2003 (27) PTC 190 (Del)*
- *Godfrey Philips India Ltd. v. Girmar Food & Beverages (P) Ltd., (2004) 5 SCC 257*
- *IREO Pvt. Ltd. v. Genesis Infratech Pvt. Ltd., 2014 (58) PTC 540 (Del)*
- *ITC Limited v. Britannia Industries Ltd., 2016 (68) PTC 11 (Del)*
- *ITC Limited v. Philip Morris Products SA, (2010) 42 PTC 572 (Del)*
- *Kores (India) Ltd. v. M/s Khoday Eshwarsa and Son, 1984 Arb. L.R. 213 (Bom)*
- *Laxmikant V. Patel v. Chetanbhat Shah, AIR 2002 SC 275*
- *M/s Biofarma v. Sanjay Medical Stores, 1997 PTC (17) 355*
- *M/s Hindustan Development Corporation Ltd. v. The Deputy Registrar of Trade Marks, AIR 1955 Cal. 519*
- *N.R. Dongre v. Whirpool Corporation, (1996) 5 SCC 714*
- *Parle Products (P) Ltd. v. J.P. and Co., (1972) 1 SCC 618*
- *Pfizer Products Inc. v. G.S. Pharmaceuticals Pvt. Ltd., 2013 (56) PTC 407 (Del)*
- *Satyam Infoway Ltd. v. Sifynet Solutions (P) Ltd., (2004) 6 SCC 145*
- *Shreya Life Sciences Pvt. Ltd. v. Magna Biochem Pvt. Ltd., 2008 (38) PTC 331 (Del)*
- *Stiefel Laboratories, Inc. v. Ajanta Pharma Ltd., 2014 (59) PTC (Del)*
- *Cadila Health Care Ltd. v. Cadila Pharmaceuticals Ltd., (2001) 5 SCC 73*
- *Tata Sons Limited v. Gina Kilindo, 2014 (57) PTC 415 (Del)*

#### BOOKS AND ARTICLES:

- V.J. Taraporevala, *Law of Intellectual Property (Latest Edn.)*, Thomson Reuters

- V.K. Ahuja, *Law relating to Intellectual Property Rights (Latest Edn.)*, LexisNexis
- Manish Arora, *Guide to Trade Marks Law (Latest Edn.)*, Universal Publications
- Elizabeth Verky, *Intellectual Property Law and Practice*, EBC Reader
- Mathew Thomas, *Understanding Intellectual Property*, EBC Reader
- N. S. Gopalkrishnan, T G Agitha, *Principles of Intellectual Property*, EBC Reader
- WIPO Magazine, *Non-Traditional Marks: Smell, Sound and Taste* (Feb. 2009)
- Suman, Saurabh; Snehi, Sakshi, Exhaustion of Trademark Right and Parallel Importation, *International Journal of Law Management & Humanities*, Vol. 1, Issue 4 (October-November 2018), pp. 56-63
- Bodla, Niharika, Comparative Advertising and Trademark Infringement, *International Journal of Law Management & Humanities*, Vol. 3 Issue 3, pp. 596-606
- Vijayvargiya, Vishal, Plain Packaging of Tobacco Products: Need of the Hour, Economic and Social Development, *International Scientific Conference on Economic and Social Development*, Vol. 22, pp. 690-699

#### ONLINE ARTICLES/BLOGS/REPORTS:

1. Schechter, Frank I. "The Rational Basis of Trademark Protection." *Harvard Law Review*, vol. 40, no. 6, 1927, pp. 813–33. JSTOR, <https://doi.org/10.2307/1330367>.
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7. Trademarks- Concept of Distinctiveness and grounds for refusal of trademarks registration, available at  
<https://epgp.inflibnet.ac.in/Home/ViewSubject?catid=ZzUApmBk4i7kYctp+aiP1w=>  
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9. Trade Mark Law: Civil and Criminal Remedies, available at <https://epgp.inflibnet.ac.in/Home/ViewSubject?catid=ZzUApmBk4i7kYctp+aiP1w=>
10. Passing Off Action Under Trade Mark Law, available at <https://www.indianbarassociation.org/wp-content/uploads/2013/02/Passing-off-action-under-trade-mark-law.pdf>
11. India: Trans-Border Reputation: Protection Of Foreign Trade Marks In India, available at <https://www.mondaq.com/india/trademark/758124/trans-border-reputation--protection-of-foreign-trade-marks-in-india>

### **BLOGS/CHANNELS/PODCASTS**

1. E-PG Pathshala available at <https://www.youtube.com/channel/UCgNgdBmRmUFG2SPTyQ5WRUg>
2. World Intellectual Property Organization available at <https://www.youtube.com/user/wipo/videos>
3. WIPOD – Arbitration and Mediation matters available at Spotify, Apple Podcasts, Google Podcasts
4. SPICY IP - <https://spicyip.com/>
5. IPR Law India - <https://iprlawindia.org/blog/>



**CORPORATE FINANCE (HONOURS PAPER)**

**SEMESTER VIII | B.A.LL.B. (Hons.)**

**SYLLABUS (SESSION: JAN-JUNE, 2024)**

<b>Faculty Name</b>	Dr. Y Papa Rao, Dr Vipin Kumar, Mr. Mayank Shrivastava	<b>Year/ Semester</b>	4/VIII
<b>Course Name</b>	Corporate Finance	<b>No. of Credits</b>	6
<b>Course Code</b>	NA	<b>Session Duration</b>	1 Hour
<b>No of Contact Hours</b>	60 hours	<b>Pre-requisite</b>	None
<b>Introduction, Course Objective &amp; Pedagogy</b>	<p>The Law relating to Corporate Finance deals with the legal and regulatory structures of managing finance by corporate players. The ownership of bigger companies is dispersed in a wide array of persons</p> <p>- natural and juristic, and sources. However, the management of the organization's commercial activities is concentrated in the hands of a few executives who generally own a minuscule percentage of the issued share capital. The main objective of corporate finance is to</p>		

	<p>acquire resources in the form of funds, either internally or externally. This is mainly done via two modes, equity and debt. The law relating to corporate finance attempts to regulate the management of finances by executives and protection of investors.</p> <p>The Course Objective is to develop an understanding about:</p> <p><b>C01-</b> the conceptualization of financial systems;</p> <p><b>C02</b> -the concepts of and relating to Corporate Finance;</p> <p><b>C03-</b> insight(s) of legal structures for Corporate Finance;</p> <p><b>C04-</b> the object, process and rules of procuring finance through various sources;</p> <p><b>C05-</b> the emerging areas of study and research in Corporate Finance.</p> <p>This subject requires teaching to be a combination of theoretical foundation with practical application. The contact hours will be utilized in catering a blend of instruction, discussion, and brainstorming sessions. The enrolled students will be encouraged to participate in classes via minor assignments in the form of quiz, MCQs or addressing an issue based on facts.</p>
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### **LEARNING OUTCOMES**

Through the curriculum, the students will be introduced to the big picture of corporate finance and Law relating to it. At the end of the course, students will be able to:

- L01-** Demonstrate the economic and legal dimensions of financial systems in general and corporate finance in particular
- L02** – Be equipped with the knowledge of legal structures for Corporate Finance
- L03** - The right balance of debt and equity capital to maximize value
- L04** - Educate about the depository system, fundraising for companies and dematerialization of securities
- L05** - Elaborate on the concept and issues with emerging areas in corporate finance.

**EVALUATION COMPONENTS**

<b>Evaluation Components</b>	<b>Distribution of Marks</b>
Continuous Internal Assessment	25
Mid Term examination	25
End Term	50
Total	100

\*Note: Pass marks 50% of the final grade.

**COURSE PLAN**

<b>S.No.</b>	<b>Topics</b>	<b>Lecture Sessions</b>
1	INTRODUCTION	1-10
2	EQUITY FINANCE	11-30
3	DEBT FINANCE	31-45
4	CAPITAL MARKETS	46-60

**DETAILED SYLLABUS**

<b>UNIT</b>	<b>CONTENT</b>
<b>Module 1 INTRODUCTION</b>	<ul style="list-style-type: none"> <li>● Corporate Form: Kinds of Companies, Corporate Groups and Distinctive Features</li> <li>● Capital Structure: Types of Securities and Valuation</li> <li>● Sources of Corporate Finance</li> <li>● Regulatory Framework of Corporate Finance</li> </ul>

<b>Module 2 EQUITY FINANCE</b>	<ul style="list-style-type: none"> <li>● Equity Funding: Types of Issues and Procedural Aspects</li> <li>● Preference Shares: Non-Convertible and Redeemable</li> <li>● Dividends to Shareholders</li> <li>● Reduction of Share Capital</li> <li>● Alternative Investment Funds</li> <li>● Sweat Equity and ESOPs</li> <li>● Real Estate Investment Trusts and Infrastructural InvestmentTrusts</li> </ul>
<b>Module 3 DEBT FINANCE</b>	<ul style="list-style-type: none"> <li>● Debentures: Types and Regulatory Framework</li> <li>● Deposits and Acceptance</li> <li>● Banking Finance</li> <li>● External Commercial Borrowings and Depository Receipts</li> <li>● Securitization</li> </ul>
<b>Module 4 CAPITAL MARKETS</b>	<ul style="list-style-type: none"> <li>● Capital Markets in India: Structural Framework</li> <li>● Regulatory Framework of Capital Markets</li> <li>● Listing of Securities in India</li> <li>● International Listing</li> </ul>

### **READINGS**

#### **STATUTES, RULES AND REGULATIONS:**

1. Companies Act, 2013
2. Securities and Exchange Board of India Act, 1992
3. Companies Rules
4. SEBI Regulations
5. Securities Contracts (Regulations) Act, 1956
6. Depository Act, 1996

#### **CASE LAWS:**

1. Sahara vs SEBI Case (2012)

2. Saradha Chit fund Case (2013)
3. Sholapur Spinning & Weaving Co. Ltd., In re (1965)35 Comp Cas 165 (Bom).
4. V.B. Rangaraj v. V.B. Gopalakrishnan- AIR 1992 SC 453.
5. M.Sadhusoodhanan v. Kerala Kaumudi Pvt. Ltd. (2004)9 SCC 204

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1. Alastair Hundson, *The Law on Financial Derivatives* (1998), Sweet & Maxwell.
2. Altman and Subramanian, *Recent Advances in Corporate Finance* (1985) LBC.
3. Aswath Damodaran, *Applied Corporate Finance*, Wiley, 4<sup>th</sup> ed, 2014.
4. Banerjee B., *Financial Policy and Management Accounting*, PHI Learning Private Limited, New Delhi, Eighth Edition, 2010.
5. Denzil Watson and Andhonyhead, *Corporate Finance Principles and Practice*, P.S. Arson Education Ltd.(2007).
6. Eilis Feran, *Company Law and Corporate finance*, (1999) Oxford.
7. Frank.B. Cross & Robert A. Prentice- *Law and Corporate Finance*, Edward Elgar Publishing Limited-U.K (2007).
8. Louise Gullifer, Jennifer Payne, *Corporate Finance Law Principles and Policy*, Bloomsbury (2020).
9. N. Gopalsamy, *Capital Market- The Indian Financial Scene*, Infinity Press, 2017.
10. Ramaiya A., *Guide to the Companies Law*, 2020.
11. Reinier Kraakman, John Armour, *et al.*, *The Anatomy of Corporate Law: A Comparative and Functional Approach*, Oxford Scholarship Online. DOI:10.1093/acprof:oso/9780198739630.001.0001

### **ONLINE AVAILABLE BOOKS** (In HNLU Digital Library/Open Access Platform)

1. Avtar Singh, *Company Law*, EBC 17<sup>th</sup> ed. 2018.
2. Brealey, Myers and Allen, *Principles of Corporate Finance*, McGraw Hill book company, 13<sup>th</sup> Edition, [https://omidfa.ir/uploads/files/Richard A. Brealey, Stewart C. Myers, Franklin Allen - Principles of Corporate Finance-McGraw-Hill Education \(2020\).pdf](https://omidfa.ir/uploads/files/Richard A. Brealey, Stewart C. Myers, Franklin Allen - Principles of Corporate Finance-McGraw-Hill Education (2020).pdf)
3. Pierre Vernimmen, Yann Le Fur, *et al.*, *Corporate Finance: Theory and Practice*, Fifth Edition, John Wiley & Sons, Ltd (2017). DOI:10.1002/9781119424444
4. Richard A. Brealey, Stewart C. Myers, Franklin Allen, Pitabas Mohanty *Principles of Corporate Finance*, Tata McGraw Hill, 11<sup>th</sup> Edition, 2014

5. Ross Stephen A., Randolph W. Westerfield, Bradford D. Jordan, *Fundamentals of Corporate Finance*, Tata McGraw-Hill Publishing Company Limited, New Delhi, Sixth Edition, 2002, Chapter 1 and 5.
6. Ross, Westerfield, Jordan, *Fundamentals of Corporate Finance*, Tata McGraw Hill, 4<sup>th</sup> Edition.

#### **ONLINE ARTICLES/BLOGS/REPORTS:**

1. "Why Blockchain Will Fundamentally Change Corporate Finance", Wall Street Journal, <https://partners.wsj.com/oracle/blockchain-will-fundamentally-change-corporate-finance/>
2. CFA Institute, The Principle-Agent Problem in Finance <https://www.cfainstitute.org/-/media/documents/book/rlf-lit-review/2014/rflr-v9-n1-1-pdf.pdf>
3. Corporate Finance Institute, American Depository Receipts, <https://corporatefinanceinstitute.com/resources/knowledge/trading-investing/american-depository-receipts/>
4. ICAI, Knowledge Bank, ADR/GDR, <http://kb.icai.org/pdfs/PDFFile5b28cd491996f8.36962095.pdf>
5. Nisith Desai Associates, *Debt Funding in India*, Jan. 2019, [http://www.nishithdesai.com/fileadmin/user\\_upload/pdfs/Research%20Papers/Debt\\_Funding\\_in\\_India.pdf](http://www.nishithdesai.com/fileadmin/user_upload/pdfs/Research%20Papers/Debt_Funding_in_India.pdf)
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10. Vedat Akgirey, The Potential for Blockchain Technology in Corporate Governance, <https://www.oecd-ilibrary.org/docserver/ef4eba4c-en.pdf?expires=1641927533&id=id&accname=guest&checksum=08FD3C3BBFC3BADCE94D1491B94028C6>
11. Vidhi Centre for Legal Policy, Regulation Of Credit Rating Agencies In India, [https://vidhilegalpolicy.in/wpcontent/uploads/2019/05/170731\\_CRAReport.pdf](https://vidhilegalpolicy.in/wpcontent/uploads/2019/05/170731_CRAReport.pdf)

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1. Prof.(Dr.)Aswath Damodaran, Professor, NYU Stern Business School, Online lectures, [https://pages.stern.nyu.edu/~adamodar/New\\_Home\\_Page/webcast\\_cfonline.htm](https://pages.stern.nyu.edu/~adamodar/New_Home_Page/webcast_cfonline.htm)

2. Corporate Finance Institute, Lectures on Corporate Finance [https://www.youtube.com/playlist?list=PLI30Xe\\_motSAMKnXSW4NsSx5khfF4IOV](https://www.youtube.com/playlist?list=PLI30Xe_motSAMKnXSW4NsSx5khfF4IOV)
3. Ernst & Young, *The better finance podcast*, [https://www.ey.com/en\\_us/podcasts/better-finance-podcast-series](https://www.ey.com/en_us/podcasts/better-finance-podcast-series)
4. Oxford Business Law Blog, Faculty of Law, University of Oxford, <https://www.law.ox.ac.uk/business-law-blog>
5. India Corporate Law Blog, by Cyril Amarchand Mangaldas, <https://corporate.cyrilamarchandblogs.com/>





**WOMEN AND LAW (OPTIONAL PAPER)**  
**SEMESTER VIII & X | B.A.LL.B. (Hons.)**  
**SYLLABUS (SESSION: JAN-JUNE)**

<b>Faculty</b>	Dr. KIRAN KORI	<b>Year/Semester</b>	4 <sup>th</sup> and 5 <sup>th</sup> / VIII & X
<b>Course Name</b>	WOMEN & LAW (OPTIONAL PAPER)	<b>No. of Credits</b>	04
<b>No. of Classes/Week</b>	05	<b>Each Session Duration</b>	1 Hour
<b>No. of contact hours</b>	60	<b>Pre-requisite</b>	Basic understanding of issues relating to women and their rights
<b>Introduction, Course Objective &amp; Pedagogy</b>	<p>In every civilized society norm of equality and liberty is the basis of just society, free from arbitrariness. Women have long been suffered and subjected to humiliation, inferiority of status and subordination of opportunities. Therefore, the course aims to have radical transformation in their status and historical attitudes. The course will discuss the problems faced by women and the protection provided under various criminal, personal and labor laws in India. The students will be able to understand the jurisprudence of justice to women from fetus to ashes, womb to tomb. For this purpose, we will go through the chronological development of the status of women from pre modernism to post modernism in society and through law. The subject is aimed to trace the journey of status of women through literature and judgments reiterating the flaws and loopholes and attempts to overcome them; laws which were changed from unambiguous, colorable and inconsistent ones to help bring justice. The course will be taught by Lectures, Articles, discussions and moot on Current Events.</p> <p>Thus, the main objective of this course, Women and Law is to</p>		

	<p>trace the development of woman laws through:</p> <p><b>C01-</b> To give an insight into Women and Law in proper perspective</p> <p><b>C02 –</b> To understand the actual realization of women rights;</p> <p><b>C03-</b> Analyze the contribution of legal instrument towards gender equality</p> <p><b>C04-</b> To sensitize the students towards persistent infringements of women rights</p> <p><b>C05-</b> To discuss the burning problems relating to women and endeavor to redress them.</p> <p>This subject requires teaching to be a combination of theoretical foundation with practical application. The contact hours will be utilized in catering a blend of instruction, discussion, and brainstorming sessions. The students will be encouraged to participate in classes via assignments in the form of paper writing etc.</p>
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**LEARNING OUTCOMES:** Through the curriculum, the students will be introduced to the legal status of women in India and their rights in the contemporary scenario which will enables students to:

- L01-** Acquire knowledge on status of women in India through ages and gain perspective into why were women considered a powerless group;
- L02 –** Apply a systematic approach to eliminate on the ideas in the institutions which marginalize, subordinate and accord secondary citizenship to women underestimating their contribution;
- L03 –** To acquire & apply legal knowledge to the complex Socio-legal problems;
- L04-** To develop the understanding of National and International Instruments to combat the issue of marginalization;
- L05 –** to Identify and Understand the problems woman face in terms of protecting their rights through the criminal Justice administrative system.
- L06-** Apply and appraise the legal provisions enacted to ameliorate the situations with special emphasis on the Indian criminal law and its scope, applicability and shortcomings in the existing legal regime in this regard and contribute towards positive development.

### **EVALUATION COMPONENTS**

<b>Evaluation Components</b>	<b>Distribution of Marks</b>
Continuous Internal Assessment	25

Mid Term examination	25
End Term	50
Total	100

\*Note: Pass marks 50% of the final grade.

### **COURSE PLAN**

<b>S. No.</b>	<b>Topics</b>	<b>Lecture Sessions</b>
1	JURISPRUDENCE OF WOMEN AND LAW	<b>1-10</b>
2	INTERNATIONAL EFFORTS FOR HUMAN RIGHTS OF WOMEN	<b>11-21</b>
3	INSTITUTIONS SAFEGUARDING WOMEN RIGHTS	<b>22-32</b>
4	PROTECTION AND SAFEGUARDS UNDER PERSONAL LAWS	<b>33-39</b>
5	PROTECTION AND SAFEGUARDS UNDER LAW OF CRIME	<b>40-47</b>
6	SOCIAL SECURITY AND ECONOMIC EMPOWERMENT	<b>48-54</b>
7	REPRODUCTIVE RIGHTS VIS-À-VIS RIGHT TO MOTHERHOOD	<b>55-60</b>

### **DETAILED SYLLABUS**

<b>UNIT</b>	<b>CONTENT</b>
<p><b>MODULE 1</b></p> <p><b>JURISPRUDENCE OF WOMEN AND LAW</b></p>	<p><b>A. Gender Perspective: Definitions of Woman and Gender; Gender Roles</b></p> <p><b>B. Historical Background and Status of Women in India</b></p> <ol style="list-style-type: none"> <li>1. Vedic Period</li> <li>2. Post Vedic period</li> <li>3. Medieval period</li> </ol> <p><b>C. Women's Position during the British Period</b></p> <ol style="list-style-type: none"> <li>1. Social Reforms Movement</li> <li>2. Nationalist Movement</li> </ol> <p><b>D. Feminist Jurisprudence</b></p> <ol style="list-style-type: none"> <li>1. Origin</li> </ol>

	<p>2. Basic issues of Feminist Jurisprudence</p> <p>3. Schools of Feminist Jurisprudence:</p> <ul style="list-style-type: none"> <li>• School of Liberal Feminism</li> <li>• School of Radical Feminism</li> <li>• School of Cultural Feminism</li> <li>• School of Post-Modern Feminism</li> <li>• Feminism in India</li> <li>• LGBTQ and women</li> </ul>
<p><b>MODULE 2</b></p> <p><b>INTERNATIONAL EFFORTS FOR HUMAN RIGHTS OF WOMEN</b></p>	<ol style="list-style-type: none"> <li>1. The United Nations Charter, 1945</li> <li>2. Commission on the Status of Women, 1946</li> <li>3. UDHR, 1948</li> <li>4. Convention on Political Rights of Women, 1953</li> <li>5. International Covenant on Civil and Political Rights, 1966 (ICCPR)</li> <li>6. International Covenant on Economic, Social and Cultural Right, 1966 (ICESCR)</li> <li>7. Convention on the Elimination of All forms of Discrimination Against Women, 1979</li> <li>8. Sustainable Development Goals on Women Empowerment</li> </ol>

<p><b>MODULE 3</b></p> <p><b>INSTITUTIONS SAFEGUARDING WOMEN RIGHTS</b></p>	<p>A. The Constitutional Provisions</p> <ol style="list-style-type: none"> <li>1. Fundamental Rights and Prohibition of Discrimination Against Women</li> <li>2. Provisions Relating to Women in Directive Principles of State Policy and Fundamental Duties</li> </ol> <p>B. The National Commission for Women</p> <p>C. Women's Influence on Policy Decisions</p> <p>D. Judiciary And Women</p> <p>E. Self Help Groups</p>
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<p style="text-align: center;"><b>MODULE 4</b></p> <p style="text-align: center;"><b>PROTECTION AND SAFEGUARDS UNDER PERSONAL LAWS</b></p>	<ol style="list-style-type: none"> <li>1. Provisions for Marriage and Divorce</li> <li>2. Maintenance provisions under Special Marriage Act and S.125 of CrPC.</li> <li>3. Rights of women in live-in relationship.</li> <li>4. Law on Guardianship</li> <li>5. Right of women to adopt a child</li> <li>6. Gender inequality in Inheritance Rights</li> </ol>
<p style="text-align: center;"><b>MODULE 5</b></p> <p style="text-align: center;"><b>PROTECTION AND SAFEGUARDS UNDER LAW OF CRIME</b></p>	<ol style="list-style-type: none"> <li>1. Outraging the Modesty of Women</li> <li>2. Rape Laws</li> <li>3. Offences related to marriage &amp; cruelty (Law related to Dowry Prohibition &amp; Domestic violence)</li> <li>4. Immoral Trafficking</li> <li>5. Indecent Representation of Women</li> <li>6. Cyber Crime and the Victimization of Women</li> </ol>
<p style="text-align: center;"><b>MODULE 6</b></p> <p style="text-align: center;"><b>SOCIAL SECURITY AND ECONOMIC EMPOWERMENT</b></p>	<p><b>Social Security Provisions of Women for Economic Empowerment</b></p> <p>A. Labour Code: -</p> <ol style="list-style-type: none"> <li>1. Equal Remuneration Act, 1976</li> <li>2. Maternity Benefit (Amendment) Act, 2017</li> <li>3. Provisions relating to Women Under Factories Act and Other Labour and Industrial Legislations</li> </ol> <p>B. Law Protecting Women against Sexual Harassment at Workplace</p> <p>C. Women In Unorganized Sector</p> <p>D. Gender Budgeting</p>
<p style="text-align: center;"><b>MODULE 7</b></p> <p style="text-align: center;"><b>REPRODUCTIVE RIGHTS VIS-À-VIS RIGHT TO MOTHERHOOD</b></p>	<p><b>Reproductive rights</b></p> <ol style="list-style-type: none"> <li>1. Medical Termination of Pregnancy</li> <li>2. <b>Pre-conception &amp; Pre-natal Diagnostics Techniques</b> (PC &amp; PNDT Act, 1994)</li> <li>3. <b>Motherhood through surrogacy</b></li> </ol>

**READINGS:****CASE LAWS:**

1. Bobby Art International, Etc. v. Om Pal Singh Hoon & Ors (SC 1996)
2. Joseph Shine v.UOI, [2018 SCC online SC 1676]
3. Laxmi v Union Of India [2014 SCC 4 427]
4. C.B. Muthamma v.Union of India [1979(4)SCC260]
5. Air India and others v.Nergesh Meerza,1982 SCR(1)438
6. Richa Mishra v. State of Chhattisgarh (2016) 4 SCC 179
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8. Vishakha v State of Rajasthan (1997) 6 SCC 241
9. Medha Kotwal v.U.O.I (2013)1SCC 297
10. Municipal Corporation of Delhi v. Female Workers (MusterRoll) and Another, (2000) 3 SCC 224
11. Sabu Mathew George v. Union of India & Ors (2008 SC)
12. Vinod Soni v.UOI, 2005 Bombay High Court
13. S.R. Batra and Anr v.Taruna Batra,(SC 2006)
14. Hiral P. Harsora And Ors v. Kusum Narottamdas Harsora, 2016 SCC OnLine SC 1118, decided on 06.10.2016
15. All India Democratic Women's Association and Janwadi Samitiv. Union of India & Ors., 1989 SCR (2)66
16. Centre for enquiry into Health and Allied themes (CEHAT) v Union of India, Writ Petition (civil) 301 of 2000

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1. Mamta Rao, *Law Relating to Women and Children*, Eastern Book Company, 4<sup>th</sup> Edition, 2019.
2. Lalita Dhar Parihar, *Women and Law*, Eastern Book Company, 2011
3. SC Tripathi and Vibha Arora, *Law relating to Women and Children*, Central Law Publication, 2006
4. Kalpana Kannabiran (ed.), *Women and Law : Critical Feminist Perspective*, Sage Publications India Pvt. Ltd., 2014
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6. DK Tiwari & Mahmood Zaidi, *Commentaries on Family Courts Act, 1984*, Allahabad Law Agency, 1997
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8. Nomita Agarwal, *Women and Law*, New Century Publishing House, 2005

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10. Moira Gatens, "A Critique of the Sex/Gender Distinction" in A Phillips ed. FEMINISM AND SUBJECTIVITY, pp. 139-154
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12. Usha Ramanathan, "Reasonable Man, Reasonable Woman and Reasonable Expectations" in Amita Dhanda, Archana Parashar (ed) ENGENDERING LAW, pp.33-70, Eastern Book Company 1999.  
<http://www.ielrc.org/content/a9906.pdf>.
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14. Alison Jagar "Introduction: Living with Contradictions: Controversies in Feminist Social Ethics" Westview Press, 1994
15. Heywood, "Feminism in Political Ideology: An Introduction" pp.252-265 Palgrave MacMillan, 2004.
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17. Usha Tandon and Sidharth Luthra, "Rape: Violation of the Chastity or Dignity of Woman? A Feminist Critique of Indian Law", FICHL Policy Brief Series No.51 2016  
[http://www.ficlh.org/fileadmin/user\\_upload/160615\\_PBS\\_No.51\\_2016\\_Tandon\\_Luthra.pdf](http://www.ficlh.org/fileadmin/user_upload/160615_PBS_No.51_2016_Tandon_Luthra.pdf).
18. Sarla Gopalan, TOWARDS EQUALITY – THE UNFINISHED AGENDA – STATUS OF WOMEN IN INDIA 2001. National Commission for Women.

#### ARTICLES (Online)

1. Saryal, S. (2014). Women's Rights in India: Problems and Prospects. *International Research Journal of Social Sciences*, 3(7), 49-53  
<http://isca.in/IJSS/Archive/v3/i7/9.ISCA-IRJSS-2014-84.pdf>
2. India: The Legal Framework for Women and Work. (2012).  
[http://www.catalyst.org/system/files/legal\\_framework\\_india\\_1.pdf](http://www.catalyst.org/system/files/legal_framework_india_1.pdf)
3. Chapter III. Indian Laws for the Protection of Women's Rights against Domestic Violence.  
[http://shodhganga.inflibnet.ac.in/bitstream/10603/63917/10/10\\_chapter%203.pdf](http://shodhganga.inflibnet.ac.in/bitstream/10603/63917/10/10_chapter%203.pdf)
4. 2022 and women's rights: Key Supreme court judgments that changed scenario in India  
[2022 and Women's Right: Key Supreme Court Judgements that changed scenario in India \(latestlaws.com\)](http://www.latestlaws.com/2022-and-women-s-right-key-supreme-court-judgements-that-changed-scenario-in-india/)
5. Trajectories of Women's Property Rights in India: A Reading of the Hindu Code

Bill

[Trajectories of Women's Property Rights in India: A Reading of the Hindu Code Bill \(sagepub.com\)](#)

6. Women and Law, Legal Awareness programme by National Legal Services Authority in collaboration with National Commission for women.  
<https://nalsa.gov.in/library/women-and-law>
7. Speeches and Writings of M.K Gandhi, "On Womanhood"  
<https://indianculture.gov.in/flipbook/6650>
8. Self-Expression in the Cyber World: Challenges for a Woman by Nasrina Siddiqi, Sage publications.  
<https://journals.sagepub.com/doi/epub/10.1177/09715215211030586>
9. Abused but 'Not Insulted': Understanding Intersectionality in Symbolic Violence in India  
<http://idsk.edu.in/wp-content/uploads/2021/04/OP-72.pdf>
10. Gender discrimination in devolution of property under Hindu Succession Act, 1956  
[https://www.nipfp.org.in/media/medialibrary/2020/05/WP\\_305\\_2020.pdf](https://www.nipfp.org.in/media/medialibrary/2020/05/WP_305_2020.pdf)
11. Where will all women work  
<https://journals.sagepub.com/doi/full/10.1177/0971521520939281>
12. DYNAMICS OF WOMEN'S MOVEMENT IN INDIA: Lecture Series II  
<http://www.css.ac.in/download/english/CSS@50%20YEARS%20LECTURE%20SERIES%20No.%202.pdf>

#### REPORTS (Online)

1. Towards equality report of the Committee on the Status of Women in India, 1975, Department of Social Welfare, Government of India  
[Towards equality report of the Committee on the Status of Women in India | INDIAN CULTURE](#)
2. Analysis of Union Government's Gender Budget Statement, 2021-2022  
<https://www.cbgaindia.org/wp-content/uploads/2021/08/analysis-of-gender-budget-statement-2021-22-submission-to-MWCD.pdf>
3. Marital Cruelty and 498A: A Study on Legal Redressal for Victims in Two States  
[http://www.ncw.nic.in/sites/default/files/Marital Cruelty and 498A A Study on Legal Redressal for Victims in Two States.pdf](http://www.ncw.nic.in/sites/default/files/Marital%20Cruelty%20and%20498A%20A%20Study%20on%20Legal%20Redressal%20for%20Victims%20in%20Two%20States.pdf)
4. Union Budget 2020-21 and the Gender Budget Statement: A Critical Analysis from a Gender Perspective  
<http://www.ihdindia.org/Working%20Paers/2020/IHD-CGSWP1-2020.pdf>
5. National Consultation Gender & SDGs: Report  
[http://www.jagori.org/sites/default/files/publication/Gender%20%26%20SDGs%20Consultation%20-3%20February%202020\\_0.pdf](http://www.jagori.org/sites/default/files/publication/Gender%20%26%20SDGs%20Consultation%20-3%20February%202020_0.pdf)
6. Status of Gender Equality in India Joint Stakeholders report for the 3rd Universal Periodic Review on women and LGBTI issues  
<https://pldindia.org/wp-content/uploads/2017/04/Status-of-Gender-Equality-in-India-Joint-Stakeholders-Report-UPR3-2012-16.pdf>





## MEDIA AND LAW (OPTIONAL PAPER)

SEMESTER VIII AND X | B.A.LL.B. (Hons.)

SYLLABUS (SESSION: JAN-APRIL 2024)

<b>Faculty Name</b>	Prof. (Dr.) V.C. Vivekanandan Mr. Abhinav K Shukla	<b>Year/ Semester</b>	4/VIII and 5/X
<b>Course Name</b>	Media and Law	<b>No. of Credits</b>	4
<b>Course Code</b>	NA	<b>Session Duration</b>	1 Hour
<b>No of Contact Hours</b>	60	<b>Pre- requisite</b>	None
<b>Introduction, Course Objective &amp; Pedagogy</b>	<p>This course discusses the principles of media law as they apply to the work of media and communications professionals in a variety of fields. Understanding the current and evolving state of media law is a challenging task, therefore this course will introduce students to the study of legal and ethical issues in the media. Students will develop an understanding and appreciation of these issues and the ability to analyze the important legal and ethical issues involved with the mass media industry.</p> <p>The course specializes in law and is aimed to cover an overview of the relevant statutory and regulatory provisions, judicial precedents, and practical aspects of various sectors such as Electronic and Print Media, Film, Television, Radio, Information Technology and Broadcasting.</p> <p><b>The objectives of the course are:</b></p> <p>CO1 -To understand how media policies and regulations enable or constrain effective media environments.</p> <p>CO2 - To understand the obligations and rights of media practitioners in the execution of their duties.</p> <p>CO3 - To understand some of the problems and limitations of applying old media laws in new media environments.</p> <p>CO4 - To understand the changing media landscapes and their possible legal implications.</p> <p>This subject requires teaching to be a combination of theoretical</p>		

	foundation with practical application. The contact hours will be utilized in catering a blend of instruction, discussion, and brainstorming sessions. The enrolled students will be encouraged to participate in classes via minor assignments in the form of quiz, MCQs or addressing an issue based on facts and ongoing contemporary issues such as media trials.

**LEARNING OUTCOMES:** This course is an attempt towards imparting knowledge of various aspects of media law process and upon successful completion of this course student will be able to:

**L01-** To achieve aims to introduce broader constitutional mechanism protecting and regulating the freedom of press in India.

**L02-** To establish a co-relationship with the Constitutional objective of free speech and expression, and existing Rights and Restrictions governing the media, an essential pillar of Democratic Governance

**L03-** To enable the students to understand the ecosystem of digital media platforms along with the existing television and cinema

**L04 -** To introduce the learners to the nuances of the changing media scenario in terms of production of media content

### **EVALUATION COMPONENTS**

<b>Evaluation Components</b>	<b>Distribution of Marks</b>
Continuous Internal Assessment	25
Mid Term examination	25
End Term	50
Total	100

\*Note: Pass marks 50% of the final grade.

### **COURSE-PLAN**

<b>S.No.</b>	<b>Topics</b>	<b>Lecture Sessions</b>
1.	Media and Law: An Introduction	08
2.	Freedom of Speech and Expression in India: Constitutional framework	14

3.	Regulatory Framework of Media: Regulators and Regulations	08
4.	Right to Privacy vis a vis Media Rights	10
5.	Right to Information: Informative and Investigative Journalism	10
6.	Contemporary Development in Media and Law	10

**DETAILED SYLLABUS**

<p>Module I</p> <p>Media and Law: An Introduction</p>	<ul style="list-style-type: none"> <li>• Evolution of Media</li> <li>• Meaning and Types of Media</li> <li>• Importance of Media</li> <li>• Theories related to Media</li> </ul>
<p><b>Module II</b></p> <p><b>Freedom of Speech and Expression in India: Constitutional Framework</b></p>	<ul style="list-style-type: none"> <li>• Meaning and development of Freedom of Speech and Expression</li> <li>• Position of Media in Indian Constitution</li> <li>• Disseminating the facets of Media: Under Article 19(1)(a): <ul style="list-style-type: none"> <li>o Right to circulate</li> <li>o Right to criticize</li> <li>o Right to conduct interviews</li> <li>o Right to express beyond national boundaries</li> <li>o Publication of parliamentary proceedings</li> <li>o Reasonable Restrictions – Article 19(2)</li> </ul> </li> <li>o Rights of Media under Article 19 (1) (g)</li> </ul>

<p>Module III</p> <p>Regulatory Framework of Media: Regulators and Regulations</p>	<ul style="list-style-type: none"> <li>• Press Council of India</li> <li>• Akashvani - All India Radio (AIR)</li> <li>• Prasar Bharati (Broadcasting Corporation of India)</li> <li>• TRAI</li> <li>• ECI: Model Code of Conduct; Exit Polls and Opinion Polls</li> <li>• Laws and Ethics related to Advertisement</li> <li>• Legal Dimensions of Media</li> <li>• Censorship of Media</li> <li>• Self Regulation &amp; Other Issues</li> </ul>
<p>Module IV</p> <p>Right to Privacy Vis a Vis Media Rights</p>	<ul style="list-style-type: none"> <li>• Definition of Privacy and its Origin.</li> <li>• Privacy and the Right to Freedom of Speech and expression</li> <li>• The Law on Privacy in India</li> </ul>
<p><b>Module V</b></p> <p><b>Right to Information</b></p>	<ul style="list-style-type: none"> <li>• Evolution of the Right to Information</li> <li>• Laws that License Secrecy</li> <li>• Judicial Recognition of the Right to Information</li> <li>• Salient Features of The Right to Information Act, 2005</li> </ul>
<p><b>Module VI</b></p> <p><b>Contemporary Development in Media and Law</b></p>	<ul style="list-style-type: none"> <li>• Media Trial</li> <li>• Reporting of judicial proceedings and sub judice matters</li> <li>• Right to Access Internet</li> <li>• Freedom v. National Security</li> <li>• Contempt v. Criticism</li> </ul>

**NOTE:** Since many legislative amendments and court decisions could be handed down on the topics covered herein above after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions also, on the topics mentioned in the aforesaid syllabus. The topics and cases are not exhaustive.

**READINGS:****STATUTES, RULES AND REGULATIONS:**

1. [Cable TV Network Rules, 1994](#) ('Cable TV Rules')
2. [Cable TV Networks \(Regulation\) Act, 1995](#) ('Cable TV Act')
3. Constitution of India, 1950
4. Indecent Representation (Prohibition) Act, 1986
5. Indian Penal Code, 1860
6. [Programme and Advertising Code](#) (the 'Programme Code' or 'Code')
7. Right to Information Act, 2005
8. The Drugs and Magic Remedies (Objectionable) Advertisements Act, 1954
9. The Telecommunications Act, 2023

**CASE LAWS:**

1. ABP Pvt Ltd. v. Union of India, (2014) 3 SCC 327 01
2. Bennett Coleman & Co. v. Union of India, AIR 1973 SC 106
3. Bharat Kumar v. State AIR 1997 Ker. 291.
4. Bijoe Emmanuel v. State of Kerela , (1986) 3 SCC 615
5. Hamdard Dawakhana v. Union of India (AIR 1960 SC 554)
6. Indian Express Newspapers v/s Union of India (1985)1SCC 641
7. MSM Sharma v. Krishna Sinha, AIR 1959 SC 395
8. Naveen Jindal v. Zee Media Corporation Ltd, (2014) 2 SCC 1
9. Prabha Dutt v. Union of India, 1982 SCR (1) 1184
10. Prabha Dutt vs Union Of India & Ors (1982 AIR, 6 1982 SCR (1)1184
11. Rajagopal v. State of Tamil Nadu, 1994 SCC (6) 632
12. [Romesh Thappar v. State of Madras](#), 1950 AIR 124, 1950 SCR 594
13. Sakal Papers v/s Union of India A.I.R. 1962 SC 305
14. Secy., Ministry of Broadcasting v. Cricket Association of Bengal, (1995) 2 SCC 161
15. Shreya Singhal v. Union of India, (2015) 5 SCC 1
16. Swatanter Kumar v. The Indian Express Ltd, 207 (2014) DLT 221 57
17. Tata Press Ltd. V. MTNL (1995) 5 SCC 139; AIR 1995 SC 2438
18. Texas v. Johnson 491 U.S. 397 (1989)

**BOOKS AND ARTICLES**

- A.V.Dicey. An Introduction to the Study of the Law of the Constitution, Universal LawPublishing Co
- Andrew D. Murray, IT Law: The Law and Society, Oxford University Press, 2010.
- Aparna Viswanathan, Cyber Law-Indian & International Perspectives, LexisNexisButterworths, 2nd edn. 2011.
- Austin Granville: The Indian Constitution: Cornerstone of a Nation. New Delhi,

- OxfordUniversity Press.
- Austin, Granville. Working a Democratic Constitution: A History of the Indian Experience. New Delhi: Oxford University Press
  - D.D. Basu Law of the Press, Wadhwa Nagpur, 2002
  - D.D. Basu, The Law of Press of India (1980)
  - D.D. Basu, Commentary on the Constitution of India, Wandhwa Nagpur, Vol. 2, 8th edn., 2007
  - H.M. Seervai, Constitutional Law of India Vol. I (1991)
  - Justice E.S. Venkatramaiah, Freedom of Press : Some Recent Trends (1984)
  - Lok Sabha Secretariat. Constituent Assembly Debates. 5 Vols. New Delhi: Lok Sabha Secretariat.
  - Madhavi Goradia Divan, Facets of Media Law, 2<sup>nd</sup> Edn., 2018
  - Rajeev Dhavan "On the Law of the Press in India" 26 J.I.L.I. 288 (1984)
  - Rajeev Dhavan, "Legitimizing Government Rhetoric : Reflections on Some Aspects of the Second Press Commission" 26 J.I.L.I. 391 (1984)
  - Ram Jethmalani & D.S. Chopra, Cases and Materials on Media Law, Thomson Reuters, 1st edn., 2012.
  - Seervai, H. M. Constitutional Law of India: A Critical Commentary. 3 vols. 4th ed. New Delhi: Universal Law Publishers, 2006.
  - Singh, M. P., and V. N. Shukla. Constitution of India. 11th ed. Lucknow: Eastern Book Co., 2010.
  - Soli Sorabjee, Law of Press Censorship in India (1976)

#### ONLINE ARTICLES/BLOGS/REPORTS:

6. **NDTV India ban: A case of regulatory overreach and insidious censorship?**  
<https://www.legallyindia.com/blogs/ndtv-india-ban-a-case-of-regulatory-overreach-and-insidious-censorship>
7. NDTV Ban Order,  
<https://www.livelaw.in/need-know-ndtv-ban-order-read-order/>
8. MEDIA AND JUDICIARY: REVITALIZATION OF DEMOCRACY,  
<https://www.jstor.org/stable/44782789>
9. Media Influence on Courts: Evidence from Civil Case Adjudication,  
<https://www.jstor.org/stable/24735731>
10. MEDIA AND LAW: Privileges and Specific Rights  
<https://www.presscouncil.nic.in/OldWebsite/speechpdf/speech6.htm>
11. PRESS COUNCIL OF INDIA: NORMS OF JOURNALISTIC CONDUCT,  
<https://presscouncil.nic.in/OldWebsite/NORMS-2010.pdf>
12. ROLE OF MEDIA IN MAKING AND EXECUTION OF PUBLIC POLICY IN INDIA,  
*The Indian Journal of Political Science* Vol. 74, No. 2 (April - June, 2013), pp. 309-312 (4 pages); <https://www.jstor.org/stable/24701115>



**LAW OF INSURANCE (OPTIONAL PAPER)  
SEMESTER VIII AND X | B.A., LL.B. (HONS.)  
SYLLABUS (SESSION : JAN-JUNE)**

<b>Faculty @</b>	Dr. Y Papa Rao & Dr. Kiran Kori	<b>Year/ Semester</b>	VIII and X Semesters
<b>Course Name</b>	Law of Insurance	<b>No. of Credits</b>	04
<b>Course Code</b>	None	<b>Session duration</b>	1 Hour
<b>No of Contact Hours (Week)</b>	05	<b>Pre-requisite</b>	None
<b>Total Hours</b>	50 Lectures+10 Tutorials=60		
<b>Course Objective &amp; Pedagogy</b>	<p><b>About the Course:</b></p> <p>Insurance law in India had its origin from the United Kingdom with the establishment of a British firm, the Oriental Life Insurance Company in 1818 in Calcutta, followed by the Bombay Life Assurance Company in 1823, the Madras Equitable Life Insurance Society in 1829 and the Oriental Life Assurance Company in 1874. Later on the Insurance Act, 1938, The Life Insurance Act, 1956, The Marine Insurance Act, 1963, The General Insurance Business (Nationalization) Act, 1972, Insurance Regulatory and Development Authority Act, 1999 and the Motor Vehicles (Amendment) Act, 2019 have been enacted.</p> <p>The insurance industry of India has 57 insurance companies 24 are in the life insurance business, while 34 are non-life insurers. Life Insurance Corporation of India is the only public sector company among the life insurers. General Insurance Corporation of India is the only reinsurer in India recognized by the IRDA.</p> <p>The insurance idea is an old-institution of transactional trade. The age-old form of insurance was the marine insurance. Consequently, in due course of time fire and life insurance, made their appearance. Within the last hundred years the insurance principle is being extended wider.</p>		

Today one finds insurance cover for health, accidents, motor vehicles, livestock, crop, burglary, and various other disasters. Insurance is a device not to avert risks, calamities and disasters; but to mitigate their rigors and financial losses. The function of insurance is to spread such loss arising from risks of life over a large number of persons.

The operational framework of insurance idea is provided by the general principles of contract. The insurance policy, being a contract, is subject to all the judicial interpretative techniques. Besides, the insurance idea has a compensatory justice component. This brings it in the arena of the law of tort as well. It is even suggested that a fully grown and developed law of insurance may, if not totally displace, decrease the significance of the law of tort.

**Course Objectives:**

This course is designed to acquaint the students with the conceptual and operational parameters of insurance law in the context of the development of the general principles of law and judicial interpretation to inform the students about the use of law for the establishment of “just” order in insurance and to develop the appreciative and evaluative faculties of the students. The objective of the course is as follows:

- To understand the basic and advance concepts of law of Insurance.
- To provide students with the critical aptitudes necessary in an academic environment and in an increasingly complex, challenging and interdependent world.
- To assist students in the development of intellectual flexibility and creativity so that they may engage in life-long learning.
- To develop skills of analyzing various legal provisions considering practical issues to cater the need of the industry.
- To improve the students’ interest in engaging subject with laws governing Contract of Insurance in specialized areas.

**Pedagogy:**

The course components are administered through class room teaching, showing short documentaries, tutorial classes, open access resources, workshops/debate/discussions. Every component of the course module tries to inculcate the basic principles of contract of insurance and its application in the case laws critically. Students are not only encouraged to participate in the process of discussion but also expected to share their opinions, creative ideas and critical views



	thereafter in the class room which can help all the stakeholders for further improvements in teaching-learning process and interpretation of case laws related to Law of Insurance. The methods used for teaching will be purely based on case law studies in form of a situation and involve enhancing practical skills.
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**Learning Outcomes: At the end of the students will be able to:**

**L01** Demonstrate and understand about the basic and essential tenets of the Indian Legal Regime relating to Insurance Laws.

**L02** Equipped about Rights of an Insured and beneficiaries in India and the various remedies he is entitled to avail under different Insurance Legislations.

**L03** Educate the various flaws in existing Insurance legal framework and role of judiciary and other regulatory institutions.

**L04** Develop an analytical and critical perspective about the existing Insurance law framework to enable them to suggest changes wherever necessary.

**Evaluation Components:**

Heads of Evaluation components	Distribution of marks
End Term Examination	50 marks
Mid Term Examination	25 marks
Continuous Internal Assessment	25 marks
Total	100 marks

**COURSE PLAN**

S.No.	Topics	Lecture Sessions
1	<b>Introduction</b>	1-05
2	<b>General Principles of Law of Insurance</b>	06-15
3	<b>Life Insurance</b>	16-25
4	<b>Fire Insurance</b>	26-30
5	<b>Marine Insurance</b>	31-40
6	<b>Motor Vehicle Insurance</b>	41-50
7	<b>Miscellaneous Insurance Schemes: New Dimensions</b>	51-60

**DETAILED SYLLABUS FOR LAW OF INSURANCE (OPTIONAL PAPER)**

Unit	Content
<b>Module-1 Introduction</b>	<ul style="list-style-type: none"> <li>• Definition, nature, and history of insurance</li> <li>• Contract of insurance- classification of contract of insurance, nature of various insurance contracts</li> <li>• History and development of insurance in India</li> <li>• The Insurance Act, 1938</li> <li>• Insurance Regulatory Development Authority (IRDA) of India- role, powers and functions</li> </ul>
<b>Module-2 General Principles of Law of Insurance</b>	<ul style="list-style-type: none"> <li>• Principle of Uberrima Fidei-non-disclosure-misrepresentation in insurance contract</li> <li>• Principle of Indemnity</li> <li>• Insurable interest</li> <li>• Risk and principle of causa Proxima</li> <li>• Loss Minimization.</li> </ul>
<b>Module-3 Life Insurance</b>	<ul style="list-style-type: none"> <li>• Nature and scope of life insurance, definition, kinds of life insurance, the policy and formation of a life insurance contract</li> <li>• Event insured against life insurance contract</li> <li>• Circumstances affecting the risk</li> <li>• Amounts recoverable under life policy</li> <li>• Persons entitled to payment</li> <li>• Settlement of claim and payment of money</li> </ul>
<b>Module-4 Fire Insurance</b>	<ul style="list-style-type: none"> <li>• Definition and Scope of Fire Insurance</li> <li>• Meaning of Fire and Loss by Fire</li> <li>• Special Doctrines: Reinstatement, Subrogation and Contribution.</li> </ul>
<b>Module-5 Marine Insurance</b>	<ul style="list-style-type: none"> <li>• Nature and scope</li> <li>• The Marine Insurance Act 1963</li> <li>• Voyage -deviation</li> <li>• Perils of the sea</li> <li>• Partial loss of ship and of freight, salvage, general average, particular charges</li> <li>• Measure of indemnity, total valuation, liability to third parties</li> </ul>
<b>Module-6 Motor Vehicle Insurance</b>	<ul style="list-style-type: none"> <li>• Motor Vehicles (Amendment) Act, 2019</li> <li>• Nature and scope</li> <li>• Third Party Insurance or Compulsory Insurance</li> <li>• Effect of insolvency or death on claims, insolvency</li> </ul>

	<p>and death of parties, certificate of insurance</p> <ul style="list-style-type: none"> <li>• Claims tribunal, constitution, functions, application for compensation – who can apply? – Procedure and powers of claims tribunal – its awards.</li> </ul>
<p><b>Module-7</b> <b>Miscellaneous</b> <b>Insurance Schemes:</b> <b>New Dimensions</b></p>	<ul style="list-style-type: none"> <li>• Burglary Insurance</li> <li>• Health Insurance</li> <li>• Livestock Insurance</li> <li>• Premium</li> <li>• Reinsurance</li> <li>• Double Insurance</li> <li>• Energy Insurance</li> <li>• Social Insurance</li> <li>• Public Liability Insurance</li> </ul>

**Prescribed Legislations:**

1. The Insurance Act, 1938
2. The Marine Insurance Act, 1963
3. The Life Insurance Corporation Act, 1956
4. The General Insurance Business (Nationalization) Act, 1972
5. The Insurance Regulatory and Development Authority Act, 1999
6. Motor Vehicles (Amendment) Act, 2019
7. The Public Liability Insurance Act, 1991

**Essential Readings:**

1. Bird, John, Modern Insurance Law (10<sup>th</sup> ed., 2013), Sweet and Maxwell
2. Singh, Avtar, Law of Insurance, EBC

**Suggested Readings:**

1. Malik, Sumeet, J.V.N. Jaiswal's Law of Insurance- Vols 1&2, Eastern Book Company (2<sup>nd</sup> ed., 2020)
2. Gaurav Varshney, Insurance Laws, LexisNexis (1st ed., 2017)
3. M.N. Srinivasan & K. Kannan (Revised by Justice K. Kannan) Principles of Insurance Law (10<sup>th</sup> ed., 2017), LexisNexis
4. M.N. Mishra and S.B. Mishra, Law of Insurance (25<sup>th</sup> ed., 2016)
5. Birds, John, Modern Insurance Law, Sweet & Maxwell; Eighth edition (1 January 2011)
6. M.B. Shah, Landmark Judgments on Insurance under the Consumer Protection Act, Universal Law Publishing (2004)
7. E.R. Hardy Ivamy, General Principles of Insurance Laws, (6<sup>th</sup> ed., 1993), Butterworths, Delhi
8. Vandana Singh, K. B. Agrawal, Insurance Law in India, (2012)
9. Evan James MacGillivray, MacGillivray on Insurance Law: Relating to All Risks Other Than Marine, Sweet & Maxwell Ltd; 6<sup>th</sup> Revised edition (1997)
10. K.S.N. Murthy & K.V.S. Sarma, Modern Law of Insurance in India (Sixth Edition- 2019), LexisNexis, Delhi

**Recommended Cases:**

1. Pink v. Fleming (1890) 25 QBD 396
2. Mithoolal Nayak v. Life Insurance Corporation of India. AIR 1962 SC 814
3. Kasim Ali Bulbul v. New India Assurance Co. AIR 1968 J & K 39
4. Smt. Krishna Wanti Puri v. Life Insurance Corporation of India, AIR 1975 Del. 19
5. Smt. Dipashri v. Life Insurance Corporation of India, AIR 1985 Bom 192
6. Life Insurance Corporation of India v. Asha Goel, AIR 2001 SC 549
7. New India Assurance Co. Ltd. v. M/s Zuari Industries Ltd. (2009) 9 SCC 70
8. Simmonds v. Cockell (1920) All ER Rep. 162
9. Harris v. Poland (1941) All ER 204: 1 K.B.D. 204
10. L.I.C. of India v/s Channasbasamma, AIR 1991 SC 392
11. Vijay Kumar v/s New Zealand Insurance Co. AIR 1954 Bom.
12. Bhagwani Bai v/s L.I.C. of India AIR 1984 M.P.
13. Lakshmi Insurance Co. v/s Bibi Padmavati AIR 1961 Punjab
14. L.I.C. of India v/s Smt. Vijaya Chopra AIR 2008 (NOC) 2334
15. L.I.C. of India v/s Smt. Chandra Kanta AIR 2008 (NOC) 2334
16. L.I.C. of India v/s Mrs. Shashi Sethi AIR 2008 H.P. 67
17. Smt. Sakhitombi v/s Zonal Manager, L.I.C. of India, Calcutta AIR 2009 Gauhati 90
18. United India Insurance Co. Ltd. v/s Shri Hasan Sultan Nadaf [(1992) 3 CPJ 64 (National Commission)]
19. Castellain v/s Preston [1883 2 Q B 38]
20. Nagappa v. Gurudayal Singh (2003) 2 SCC 274
21. Ibrahim v. Raju (2011) 10 SCC 634
22. Biman Krishna Bose v. United India Insurance Co. Ltd. (2001) 6 SCC 477
23. LIC of India v Asha Goel (2001) 2 SCC 160
24. P.C. Chako v. Chairman, LIC of India (2008) 1 SCC 321
25. Satwant Kaur Sandhu v. New India Assurance Co. Ltd. (2009) 8 SCC 316
26. Reliance Life Insurance Co. Ltd. V. Rekhaben Nareshbhai Rathod (2019) 6 SCC 175
27. Sonell Clocks and Gifts Ltd v. The New India Assurance Co Ltd (2018) 9 SCC 784.



**LAW OF BANKRUPTCY AND INSOLVENCY (OPTIONAL PAPER)**  
**SEMESTER VIII&X | B.A.LL.B. (Hons.)**  
**SYLLABUS (SESSION: JAN-JUNE)**

<b>Faculty Name</b>	Amitesh Deshmukh	<b>Year/ Semester</b>	4&5/VIII & X
<b>Course Name</b>	Law of Bankruptcy and Insolvency	<b>No. of Credits</b>	4
<b>Course Code</b>	NA	<b>Session Duration</b>	1 hour
<b>No of Contact Hours</b>	50 Lectures+10 Tutorials=60	<b>Pre-requisite</b>	NA
<b>Introduction, Course Objective &amp; Pedagogy</b>	<p>Insolvency is a situation, where the duty has been endowed upon the state machinery to declare whether a person or entity should be made to go through the laws regulating/resolving insolvency. Insolvency can be understood as the general inability of paying dues as they accrue. Also, looked at from a degrowth perspective, insolvency law provides for an exit mechanism from markets for business entities whose business is not making profits. The resources are scarce and insolvency law facilitates infrastructure for the proper allocation of resources by either making loss-making businesses profitable or by removing unviable entities from the market. Hence, the efficacy of insolvency laws also forms an important facet of credit infrastructure. In India, the general principles of insolvency laws are codified under the most recent legislation which is the Insolvency and Bankruptcy Code, 2016 whereas the Provincial Insolvency Act, 1920, and Presidency Insolvency Act, 1909 contemplate insolvency resolution law for individuals and partnerships.</p> <p>This course is designed to acquaint a student with the conceptual and operational parameters of various general principles relating to bankruptcy and insolvency law. It aims to equip the students with the basics of this law to enable them to deal effectively with the various disputes related to credits.</p> <p>Against this backdrop, the present course aims at:</p> <p><b>CO1:</b> To develop a clear theoretical understanding of the legal regime appertaining to the Insolvency and Bankruptcy Laws in</p>		

	<p>India.</p> <p><b>CO2:</b> To understand the rationale for the shift from the old regime to the current regime.</p> <p><b>CO3:</b> To understand the legal framework of Individual Insolvency, CIRP, FTCIRP, and PPCIRP.</p> <p><b>CO4:</b> To have a basic appreciation of current challenges &amp; future opportunities.</p> <p>The pedagogy for the course will involve a combination of methods aimed at building the legal knowledge, practical perspective and skills that are requisite for an exquisite exposure of insolvency law as lawyers as well as understanding the perspectives of reading the provisions with interpretation. The methods used will be based on case law studies in form of a situation and involve honing practical skills.</p>
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**LEARNING OUTCOMES:** Through the curriculum, the students will get a clear frame of Law of Insolvency. At the end of the course, students will be able to:

**[L001]:** To discuss the fundamentals of Bankruptcy and Insolvency Law.

**[L002]:** To enumerate different methods and techniques for resolving Insolvency.

**[L003]:** To outline the advantages the new regime has over the previous regime.

**[L004]:** To discuss the Corporate Insolvency Resolution Process and its future prospects.

**[L005]:** To elaborate on the concept of the Liquidation Process as envisaged under IBC.

**[L006]:** To understand and appreciate the regime for personal and partnership insolvency.

**[L007]:** To outline and discuss the infrastructure put in place by the Insolvency and bankruptcy Code.

**[L008]:** To examine and highlight the concept of Cross Border Insolvency and the stand of the Insolvency Law Committee on it.

#### EVALUATION COMPONENTS

Evaluation Components	Distribution of Marks
Continuous Internal Assessment	25
Mid Term examination	25
End Term	50
Total	100

\*Note: Pass marks 50% of the final grade.

**COURSE PLAN**

S.No.	Topics	Sessions
1	<b>INTRODUCTION</b>	1-11
2	<b>CORPORATE INSOLVENCY</b>	12-25
3	<b>LIQUIDATION</b>	27-37
4	<b>INDIVIDUAL INSOLVENCY AND BANKRUPTCY</b>	38-52
5	<b>CROSS BORDER INSOLVENCY AND BANKRUPTCY</b>	53-60

**DETAILED SYLLABUS**

UNIT	CONTENT
<b>Module 1 INTRODUCTION</b>	<ul style="list-style-type: none"> <li>a) Basic understanding of “insolvency” and “bankruptcy.”</li> <li>b) Key objectives of Insolvency and Bankruptcy Resolution Laws</li> <li>c) Roots, and benchmarks of Insolvency and Bankruptcy Law</li> <li>d) Tests for determining insolvency</li> <li>e) The framework of Insolvency and Bankruptcy Law in India</li> </ul>
<b>Module 2 RESOLUTION OF CORPORATE INSOLVENCY</b>	<ul style="list-style-type: none"> <li>a) Applicability and Definitions</li> <li>b) Persons who may initiate</li> <li>c) The time limit for completion of the process</li> <li>d) Moratorium</li> <li>e) Insolvency Resolution Process</li> <li>f) Resolution Plan</li> <li>g) Fast Track CIRP and Pre-Packaged CIRP</li> <li>h) Authorities and Enforcement Mechanism</li> </ul>
<b>Module 3 LIQUIDATION PROCESS</b>	<ul style="list-style-type: none"> <li>a) Moving from Resolution to Liquidation</li> <li>b) Initiation of liquidation</li> <li>c) Appointment, powers, and duties of liquidator</li> <li>d) Liquidation estate</li> <li>e) Liquidation Process and Distribution of assets</li> <li>f) Voluntary Liquidation</li> <li>g) Vulnerable/Avoidable transactions</li> <li>h) Dissolution of the corporate debtor</li> </ul>
<b>Module 4 INDIVIDUAL INSOLVENCY</b>	<ul style="list-style-type: none"> <li>a) Applicability and Terms</li> <li>b) Individual Insolvency under IBC in comparison with the older regime</li> <li>c) Initiation of Insolvency Resolution</li> <li>d) Fresh Start Process and Insolvency Resolution</li> </ul>

	Process e) Bankruptcy order and its consequences f) Treatment of Personal Guarantors of Corporate Debtors g) Authorities and Enforcement Mechanism
<b>Module 5 CROSS-BORDER INSOLVENCY</b>	a) Cross Border Insolvency- introduction and overview b) Agreements with foreign countries c) Letter of request to a country outside India in certain cases d) <u>UNCITRAL Model Law on Cross-Border Insolvency (1997)</u> – key highlights e) Insolvency Law Committee Report on Cross-Border Insolvency

**READINGS:****STATUTES, RULES, AND REGULATIONS:**

1. Companies Act, 2013
2. Insolvency & Bankruptcy Code 2016
3. Provincial Insolvency Act, 1920
4. Presidential Insolvency Act, 1909
5. Various Regulations.

**CASE LAWS:**

- 1) Anjali Rathi and Others Vs. Today Homes & Infrastructure Pvt. Ltd. and Others (2022) 2 SCC 401
- 2) Anuj Jain IRP for Jaypee Infratech Limited Vs. Axis Bank Limited etc. (2019) SCC Online SC 1775
- 3) ArcelorMittal India Private Limited Vs. Satish Kumar Gupta & Ors. (2019) 2 SCC 1
- 4) Arun Kumar Jagatramka Vs. Jindal Steel and Power Ltd. & Anr (2021) 7 SCC 474
- 5) Asset Reconstruction Company (India) Ltd. Vs. Bishal Jaiswal & Anr. (2021) 6 SCC 366
- 6) Asset Reconstruction Company (India) Ltd. Vs. Tulip Star Hotels Ltd. & Ors. (2022) SCC Online SC 944
- 7) B.K. Educational Services Private Limited Vs. Parag Gupta And Associates (2019) 11 SCC 633
- 8) Babulal Vardharji Gurjar Vs. Veer Gurjar Aluminium Industries Pvt. Ltd. & Anr. (2020) 15 SCC 1
- 9) Brilliant Alloys Private Limited Vs. Mr. S. Rajagopal & Ors. (2022) 2 SCC 544
- 10) CoC of Essar Steel India Limited Vs. Satish Kumar Gupta & Ors. (2020) 8 SCC 531
- 11) Dena Bank (now Bank of Baroda) Vs. C. Shivakumar Reddy and Anr. (2021) 10 SCC 330
- 12) E S Krishnamurthy & Ors. Vs. M/s Bharath Hi Tech Builders Pvt. Ltd. (2022) 3 SCC 161



- 13) Ebix Singapore Pvt. Ltd. Vs. CoC of Educomp Solutions Ltd. & Anr. (2021) ibclaw.in 153 SC
- 14) Gaurav Hargovindbhai Dave Vs. Asset Reconstruction Company (India) Ltd & Anr (2019) 10 SCC 572
- 15) Ghanashyam Mishra and Sons Pvt. Ltd. Vs. Edelweiss Asset Reconstruction Company Ltd. & Ors. (2021) 9 SCC 657
- 16) Gujarat Urja Vikas Nigam Limited Vs. Mr. Amit Gupta & Ors (2020) SCC Online SC 1167
- 17) India Resurgence ARC Private Limited Vs. M/S. Amit Metaliks Limited & Anr. (2021) SCC Online SC 409
- 18) Innoventive Industries Ltd. Vs. ICICI Bank & Anr. (2018) 1 SCC 407
- 19) Jaypee Kensington Boulevard Apartments Welfare Association & Ors. Vs. NBCC (India) Ltd. & Ors. (2021) ibclaw.in 63 SC
- 20) Jignesh Shah & Anr Vs Union of India & Anr (2019) 10 SCC 750
- 21) K. Kishan Vs. M/s. Vijay Nirman Company Pvt. Ltd. (2018) 17 SCC 662
- 22) K. Sashidhar Vs. Indian Overseas Bank & Ors. (2019) 12 SCC 150
- 23) Kalpraj Dharamshi & Anr Vs. Kotak Investment Advisors Ltd. & Anr. (2021) 10 SCC 401
- 24) Kotak Mahindra Bank Ltd. Vs. A. Balakrishnan & Anr. (2022) 9 SCC 186
- 25) Lalit Kumar Jain Vs. Union of India & Ors. (2021) 9 SCC 321
- 26) Laxmi Pat Surana Vs. Union Bank Of India & Anr. (2021) 8 SCC 481
- 27) M/s Embassy Property Developments Pvt. Ltd. Vs. State of Karnataka & Ors. (2020) 13 SCC 308
- 28) M/s. Orator Marketing Pvt. Ltd. Vs. M/s. Samtex Desinz Pvt. Ltd. (2021) SCC Online SC 513
- 29) M/s. Reliance Asset Reconstruction Company Ltd. Vs. M/s Hotel Poonja International Pvt. Ltd. (2021) 7 SCC 352
- 30) Macquarie Bank Ltd. Vs. Shilpi Cable Technologies Ltd (2018) 2 SCC 674
- 31) Maharashtra Seamless Limited Vs. Padmanabhan Venkatesh & Ors. (2020) 11 SCC 467
- 32) Maitreya Doshi Vs. Anand Rathi Global Finance Ltd. and Anr. (2022) SCC Online SC 1276
- 33) Mobilox Innovations Pvt. Ltd. Vs. Kirusa Software Pvt. Ltd. (2018) 1 SCC 353
- 34) Ms. Sagufa Ahmed & Ors. Vs. Upper Assam Plywood Products Pvt. Ltd. & Ors. (2021) 2 SCC 317
- 35) Municipal Corporation of Greater Mumbai (MCGM) Vs. Abhilash Lal & Ors. (2020) 13 SCC 234
- 36) New Okhla Industrial Development Authority Vs. Anand Sonbhadra (2022) SCC Online SC 631
- 37) P. Mohanraj & Ors. Vs. M/S. Shah Brothers Ispat Pvt. Ltd. (2021) 6 SCC 258
- 38) Phoenix Arc Pvt. Ltd. Vs. Spade Financial Services Ltd. & Ors. (2021) 3 SCC 475
- 39) Pioneer Urban Land and Infrastructure Limited & Anr. Vs. Union of India & Ors. [2019] 8 SCC 416

- 40)Pr. Commissioner of Income Tax Vs. Monnet Ispat and Energy Ltd. (2018) 18 SCC 786
- 41)Pratap Technocrats (P) Ltd. & Ors. Vs. Monitoring Committee of Reliance Infratel Ltd. & Anr. (2021) SCC Online SC 661
- 42)Sagar Sharma & Anr Vs. Phoenix Arc Pvt. Ltd. & Anr (2019) 10 SCC 353
- 43)Sesh Nath Singh & Anr Vs. Baidyabati Sheoraphuli Co-Operative Bank Ltd And Anr. (2021) 7 SCC 313
- 44)State Bank of India Vs. V. Ramakrishnan & Anr. (2018) 17 SCC 394
- 45)State Tax Officer Vs. Rainbow Papers Ltd. (2022) SCC Online SC 1162
- 46)Sundaresh Bhatt Liquidator of ABG Shipyard Vs. Central Board of Indirect Taxes and Customs (2022) SCC Online SC 1101
- 47)Swiss Ribbons Pvt. Ltd. & Anr. Vs. Union of India & Ors. (2019) 4 SCC 17
- 48)Transmission Corporation of Andhra Pradesh Limited Vs. Equipment Conductors and Cables Limited (2019) 12 SCC 697
- 49)Vashdeo R Bhojwani Vs. Abhyudaya Co-Operative Bank Ltd & Anr (2019) 9 SCC 158
- 50)Vidarbha Industries Power Ltd. Vs. Axis Bank Ltd. (2022) 8 SCC 352

#### REFERENCES:

#### Online Blogs/Articles:

- A Primer on the Insolvency and Bankruptcy Code, 2016, Nishith Desai Associates, 2019,  
[http://www.nishithdesai.com/fileadmin/user\\_upload/pdfs/Research\\_Papers/A-Primer-on-the-Insolvency-and-Bankruptcy-Code.pdf](http://www.nishithdesai.com/fileadmin/user_upload/pdfs/Research_Papers/A-Primer-on-the-Insolvency-and-Bankruptcy-Code.pdf)
- BLRC Report - [https://ibbi.gov.in/BLRCReportVol1\\_04112015.pdf](https://ibbi.gov.in/BLRCReportVol1_04112015.pdf)
- Dr. Neeti Shikha, India's Tryst with Cross-border Insolvency, IBBI Annual journal 2020.
- Draft Information Memorandum and Resolution Plan, IBBI - <https://ibbi.gov.in/webadmin/pdf/press/2018/Nov/PR-Specimen-compressed.pdf>
- Gerard McCormack, "US exceptionalism and UK localism? Cross-border insolvency law in comparative perspective", Cambridge University Press Volume 36, Issue 1, March 2016 , pp. 136-162
- Jennifer Payne, "The Role of the Court in Debt Restructuring", <https://blogs.harvard.edu/bankruptcyroundtable/2017/03/21/the-role-of-the-court-in-debt-restructuring/>
- Lucian Arye Bebchuk, "The Uneasy Case for the Priority of Secured Claims in Bankruptcy", The Yale Law Journal, 1996, Vol. 105: 857, <https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=7663&context=yli>
- Mark J. Roe & Stephen D. Adam, "Restructuring Failed Financial Firms in Bankruptcy: Selling Lehman's Derivatives Portfolio", Yale Journal on Regulation,

Vol. 32, 2015,  
<https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1414&context=yjreg>

- Nimmer, Raymond T. "Negotiated Bankruptcy Reorganization Plans: Absolute Priority and New Value Contributions." *Emory Law Journal*, vol. 36, no. 4, Fall 1987, p. 1009-1084. HeinOnline, <https://heinonline.org/HOL/P?h=hein.journals/emlj36&i=1027>
- Richard Squire, "The Case for Symmetry in Creditors' Rights", *The Yale Law Journal*, 2009, <https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=5153&context=yli>
- Sefa M. Franken, "Cross-Border Insolvency Law: A Comparative Institutional Analysis", *Oxford Journal of Legal Studies*, Vol. 34, No. 1 (2014), pp. 97-131.
- Shebani Bhargava, "Schemes of Compromise or Arrangement During Liquidation", (2020) PL June 76 [SCC]

## BOOKS

- A K Mittal, *Insolvency and Bankruptcy Code: Law and Practice* (EBC, 1<sup>st</sup> ed.).
- Ashish Makhija, *Insolvency and Bankruptcy Code of India*, (Lexis Nexis, ed. 2018).
- Mulla, *Law of Insolvency in India* (LexisNexis, 2013)
- Sumant Batra, *Corporate Insolvency Law and Practice*, Eastern Book Company; 1st Edition, 2017 edition
- V.S Wahi, *Treatise on Insolvency & Bankruptcy Code*, (Bharat Law House, ed. 2018).
- Vinod Kothari and Shikha Bansal, *Law Relating to Insolvency and Bankruptcy Code, 2016*, (Taxmann, ed. 2016).

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- Bob Wessels and Gert Jan Boon, *Cross-Border Insolvency Law*, (2<sup>nd</sup> ed., Wolters Kluwer Law International, 2015).
- Chapter 1, Wood, Philip R., *Principles of International Insolvency (The Law and Practice of International Finance Series, vol. 1)*, 2<sup>nd</sup> ed. (South Asian ed. 2009).
- Chapters 1 to 4, Finch, Vanessa, *Corporate Insolvency Law: Perspectives and Principles* (2<sup>nd</sup> ed. Cambridge, 2009).
- Chapters I and II, Barry E. Adler, Douglas G. Baird and Thomas H. Jackson, *Cases, Problems, and Materials on Bankruptcy*, 4<sup>th</sup> ed. (Foundation Press, N.Y., 2007).
- Corporate Laws Manual (2015).
- Dinshaw Fardunji Mulla and Aparna Ravi, *The Law of Insolvency in India*, (6<sup>th</sup> ed., Lexis Nexis, 2017).
- Felicity Toubé, *International Asset Tracing in Insolvency*, (1<sup>st</sup> ed., Oxford University Press, 2009).

- Finch Vanessa and David Milman, *Corporate Insolvency Law: Perspectives and Principles*, (3<sup>rd</sup> ed., Cambridge, 2017).
- *Guide to Insolvency and Bankruptcy Code 2016*, (As amended by Insolvency and Bankruptcy Code (Amendment) Ordinance 2017), (Taxmann, ed. 2017).
- Ian F. Fletcher, *Law of Insolvency*, Sweet & Maxwell; 5th edition edition (2017)
- Insolvency and Bankruptcy Code, 2016.
- Irit Mevorach, *The Future of Cross Border Insolvency*, (1<sup>st</sup> ed., Oxford University Press, 2018).
- Julian R. Franks & Walter N. Torous, *Lessons from a Comparison of U.S and U.K Insolvency Codes* (3) Oxford Review of Economic Policy <<https://academic.oup.com>>.
- Justice P.S. Narayana, *Law of Insolvency (Bankruptcy)*, 8<sup>th</sup> ed., Asia Law House, 2010).
- Lecture 1, Narayan, Ms. Sathya, *Mulla on the Law of Insolvency in India*, 4<sup>th</sup> ed. (Tripathi, 1997).
- Mitra, Dr. N.L. (Chairman), *Report of the Advisory Group on Bankruptcy Laws-May 2001, along-with Illustrative Code-Corporate Bankruptcy and Winding up Code, 2001*; Available at: <http://www.rbi.org.in/Scripts/PublicationReportDetails.aspx?FromDate=05/17/01&SECID=4&SUBSECID=27>
- Rosa M. Lastra, *Cross-Border Bank Insolvency*, ((1<sup>st</sup> ed., Oxford University Press, 2011).
- Thomson Reuters, *Manzar Saeed Commentary on the Insolvency and Bankruptcy Code 2016*, (Hardcover, ed.2017).
- Transnational Bankruptcy, Chapter XIII, Barry E. Adler, Douglas G. Baird and Thomas H. Jackson, *Cases, Problems, and Materials on Bankruptcy*, 4<sup>th</sup> ed. (Foundation Press, N.Y., 2007).
- UNCITRAL Model-Law on Cross-Border Insolvency.
- Vinod Kothari and Shikha Bansal, *Law Relating to Insolvency and Bankruptcy Code, 2016*, (Taxmann, ed. 2016).
- Vishwanathan, T.K., *Interim Report of the Bankruptcy Law Reform Committee*, (Feb. 2015), available at: [http://finmin.nic.in/reports/Interim\\_Report\\_BLRRC.pdf](http://finmin.nic.in/reports/Interim_Report_BLRRC.pdf)
- Ziad Raymond Azar, *Bankruptcy Policy: A Review and Critique of Bankruptcy Statutes and Practices in Fifty Countries Worldwide*, *Cardozo J. of Int'l. & Comp. Law*, (Vol. 16), 2008, 279.

#### **BLOGS AND JOURNALS TO FOLLOW:**

- Cyril Amarchand Mangaldas Blog - <https://corporate.cyrilamarchandblogs.com/category/insolvency-and-bankruptcy/>

- Harvard Blog - <http://blogs.harvard.edu/bankruptcyroundtable/category/bankruptcy-roundtable-updates/>
- Harvard Law School, The Case Studies Blog - <https://blogs.harvard.edu/hlscasestudies/>
- IndiaCorpLaw Blog - <https://indiacorplaw.in/>
- INSOL India Blog
- Journal of Financial Crises – Yale school of Management
- Nishith Desai - <https://www.nishithdesai.com/information/research-and-articles/nda-hotline/insolvency-and-bankruptcy-hotline.html>
- Oxford Business Law Blog - <https://www.law.ox.ac.uk/business-law-blog>

*\* IMPORTANT NOTE*

- 1. The reading material is preliminary and suggestive. The faculty shall distribute pertinent study materials as pre/post lecture content (from time to time). Students must keep themselves abreast of the distributed materials and clarify their respective doubts with the faculty.*
- 2. The faculty member-in-charge of the course reserves the right to modify any of the contents, terms and conditions, provided in this curriculum.*
- 3. A list of project topics would be notified to the class after the commencement of the session.*



## INTERPRETATION OF STATUTES (OPTIONAL PAPER)

SEMESTER VIII & X | B.A.LL.B. (Hons.)

SYLLABUS (SESSION: JAN-JUNE)

<b>Faculty</b>	Dr. Pankaj Umbarkar	<b>Year/ Semester</b>	VIII & X
<b>Course Name</b>	Interpretation of Statutes	<b>No. of Credits</b>	4
		<b>Session duration</b>	1 Hour
<b>No of Hours</b>	60	<b>Pre-requisite</b>	Knowledge of Law
<b>Introduction, Course Objective &amp; Pedagogy</b>	<p><b>INTRODUCTION:</b></p> <p>Legislation dominates the contemporary legal landscape. Almost all fields of legal regulation involve legislation in some form. Legislatures enact laws after much deliberation. No doubt in this process they have to take into account the present and future needs of the people. With the emergence of legislation, interpretation of statutes became a method by which judiciary explores the intention behind the statutes. Judicial interpretation involves construction of words, phrases and expressions. In their attempt to make the old and existing statutes contextually relevant, courts used to develop certain rules, doctrines and principles of interpretation. Judiciary plays a highly creative role in this respect. The ability to interpret and understand the operation of legislation is a skill essential to understanding law and its operation. In this backdrop, the course is designed to discuss in detail the nuances of interpretation of statutes.</p> <p><b>Course Objectives:</b></p> <p>CO 1- To explore tendency of the judiciary in deciding cases.</p> <p>CO 2 -To understand the system of Interpretation of Statutes which is the core functions of the Court.</p> <p>CO 3- To discuss the methods of interpretation according to the nature and type of law such as remedial, penal laws, tax etc.</p>		

	<p>CO 4 -To know about the various components of a statute and its use in the interpretation of statutes.</p> <p><b>Pedagogy:</b></p> <p>Teaching methodology will predominantly focus on classroom teaching through lecture and discussion method. Further, adequate explanations, illustrations, examples will be given to make clear the nuances of law. Discussions will take place on laws and case-laws to understand the interpretation of legal provisions.</p>
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**Learning Outcome:** After completion of the course -

L01- Students will be able to examine the tendencies of judicial decisions while exploring the meaning of the terms especially at the time of uncertainties in law.

L0 2- Student will be able to understand the meaning nature, kind's of laws and its interpretation.

L03- Student will be able to know the system for interpretation of statutes

L04- Students will be able to know the various components of the legislation and its use in the process of interpretation

**EVALUATION COMPONENTS :**

Components of Course Evaluation	% distribution
Individual Assignments	25
Mid Term Examination	25
End term Examination	50%
<b>Total</b>	<b>100%</b>

\*Note: Pass marks 50% of the final grade.

**Executions of the Modules :**

S.No.	Topics	Lecture Required	Lecture Numbers
1	Introduction	8	1-8
2	General Principles of Interpretation	8	9-16
3	Internal and External Aid to Interpretation	14	17-30
4	Subsidiary Rules	7	31-37

5	Operation of the Statutes & Interpretation of Penal, Tax & Remedial Statutes	9	38-46
6	Interpretation of Constitutional Documents	7	47-53
7	Expiry and Repeal of Statutes	7	54-60

UNIT	CONTENT OF SYLLABUS
<p><b>MODULE I</b> <b>Introduction</b></p>	<p><b>1. Introduction:</b> Meaning of Interpretation and the construction Intention in interpretation; why original intent is important? Appraisal of the principle of plain meaning Making sense of Precedent; determining 'ratio decidendi' How judges decide? The Method of Philosophy; the Method of Sociology</p>
<p><b>MODULE II</b> <b>General Principles Of Interpretation</b></p>	<p><b>2. General Principles of Interpretation:</b> Statute must be read as a whole in its context Literal Rule of Interpretation Golden Rule of Interpretation, Mischief Rule of Interpretation Regards to subjects and Objects Presumptions and Considerations in Interpretation</p>
<p><b>Module III</b> <b>Internal and External Aids To Interpretation</b></p>	<p><b>3. A Internal Aids to Interpretation:</b> Long Title, Preamble, Definition, Sections, Heading, Marginal Notes, Punctuation, Illustrations, Proviso, Explanation and Schedules,</p> <p><i>3. B External Aid to Interpretation</i> Parliamentary History (English Practice, American Practice and Modern Trends) Historical facts and surrounding circumstances, Social, Political and Economic Developments and scientific inventions, Statutes in Para materia Assistance of earlier statutes Use of foreign Decisions Dictionaries</p>
<p><b>Module IV</b> <b>Subsidiary</b></p>	<p><b>4. Subsidiary Rules</b> Causes Omnisus , Same word same meaning,</p>



<b>Rules</b>	Non-obstante Clause, Legal fiction, Mandatory and directory provisions, Conjunctive and disjunctive words 'or' and 'and', Construction of general words – Noscitur A Socis, Rule of Last Antecedent Rule of ejusdem generis, Words of rank, Mimansa Rule Reddendo Singula Singulis etc. Harmonious Construction
<b>Module V Operation Of The Statutes And Its Interpretation</b>	<b>5. <i>Operation of the Statutes and its Interpretation</i></b> Commencement - Prospective and retrospective operation of the statute Special statutes in context of substantive rights, procedure, Succession, transfer & contracts. Penal Statutes and its interpretation Tax related Statutes and its interpretation, Interpretation of Remedial Statutes
<b>Module VI Interpretation Of Constitutional Documents</b>	<b>6. <i>Interpretation of Constitutional Documents</i></b> Constitutional Interpretation and Judicial Review Rules of Interpretation of Constitution and Constitutional Documents The General Clauses Act, 1897
<b>Module VII Expiry And Repeal Of Statutes</b>	<b>7. <i>Expiry and Repeal of Statutes</i></b> Express or implied Repeal Consequences of Repeal Subordinate Legislations under repealed statute

**Reading:****Text Books:****Statutes:**

1. The General Clauses Act, 1897

**BOOKS AND ARTICLES:****Essential Reading:**

1. G.P. Singh, Principles of Statutory Interpretation, Lexis Nexis 12<sup>th</sup> Ed. 2013
2. D.N Mathur, Interpretation of Statute, Central Law Publication 6<sup>th</sup> Ed. 2021

3. J. Benjamin Cardozo, *The Nature of Judicial Process* (Chapter I & III), Martino Publishing 2011

### **Additional Reading**

1. Adrian Vermual, *Judging Under Uncertainty*, Universal Law Publication Company, Reprint 2010,
2. Rupert Cross, John Bell, and George Engle, *Statutory Interpretation*, Oxford University Press, Third Ed,
3. Peter Maxwell,, *Interpretation of Statutes* Maxwell & Sons Ltd

### **Articles**

1. Joseph Raz, *Between Authority and Interpretation* (Oxford University Press 2009)
2. Robert H. Bork, *The Tempting of America: The Political Seduction of the Law* (New York: The Free Press 1990)
3. Max Radin, *Statutory Interpretation*, Harvard Law Review, Vol.43, No.6 (April 1930)
4. Paul Brest, *The Misconceived Quest for the Original Understanding*, Boston University Law Review, Vol. 60 (1980)
5. Ronald Dworkin, *Natural Law Revisited*, University of Florida Law Review, Vol. 34 (1982)
6. H.L.A. Hart, *Positivism and the Separation and Morals*, Harvard Law Review, Vol. 71(1958)
7. Lon L. Fuller, *Positivism and the Fidelity to Law – A Reply to Professor Hart*, Harvard Law Review, Vol.71 (1958)
8. Frederick Schauer, *Formalism*, Yale Law Journal, Vol. 97 (1989)
9. Richard Posner, *Legal Formalism, Legal Realism and the Interpretation of Statutes and the Constitution*, Case Western Reserve University Law Review, Vol. 37 (1987)
10. Cass R. Sunstein, *On Analogical Reasoning*, Harvard Law Review, Vol. 106 (1992)
11. Veena C, *Interpretation of Statutes* C. Jamnadas & Co. Educational & Law publisher 4<sup>th</sup> Ed. 2018

### **Case Laws:**

1. Anurag Mittal V Shaily Mishra Mittal, (2018) 9 SCC 691 :AIR 2018 SC 3983
2. Bhatia International V Bulk Trading S.A 2002 4 SCC 105 : AIR 2002 SC 1432
3. T.N Electricity Board V Status Speg. Mills Ltd (2008) 7 SCC 353 :AIR 2008 SC 2838
4. Municipal Corporation Hyderabad. v. T.N Murthy (1987) 1 SCC 568
5. C.I.T v. Teja Singh AIR 1959 SC 352
6. ITO, Mangalore v. M. Damodhar Bhat, AIR 1969 SC 408
7. Sussex Peerage Case (844) 11 C1 & F 85
8. Wallace v Jaffree 283U.S.25(1931);
9. Padma Sundara Rao v. State of Tamil Nadu, (2002) 3 SCC 533;

10. Tej Kiran Jain v. N. Sanjiva Reddy, (1970) 2 SCC 272,
11. Jugalkishore v. Raw Cotton Co., AIR 1955 SC 376;
12. G. Narayanaswami v. Pannersevan, (1972) 3 SCC 717,
13. Union of India V Elphinstone Spinning and Weaving Com. Ltd 2001 (1) JT SC 536
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18. C. Ronald V U.T Andaman and Nicobar Islands (2011) 12 SCC 428
19. Shankar Raju V Union of India (2011) 2 SCC 132
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23. Kartar Singh V State of Punjab (1994) 3 SCC 569
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26. Sanjay Datt V State through C.B.I Bombay JT 1994 (5) SC 540
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37. Keshvanadn Bharati V State of Kerala (1973) 4 SCC 225; AIR 1973 SC 1461
38. Indian City Properties Ltd V Municipal Commissioner of Greater Bombay (2005) 6 SCC 417
39. N.C.Dhoundial V Union of India (2004) 2 SCC 579
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47. Mohomed Ariffin V Yeah Oai Gark 43 AI 256 Referred in Jamma Masjid case AIR 1962
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56. Shashikant Laxman Kale V Union of India AIR 1990 1 SCC 582
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58. Kasmir Singh V Union of India (2008) 7 SCC 259
59. Nandlal Wasudeo Badwaik V Lata Nandlal Badwaik (2014) 2 SCC 576
60. S.P.Gupta V union of India AIR 1982 SC 149
61. S.B.I V Sundara Mani AIR 1976
62. State of Maharastra V Praful B.Desai (2003) 4 SCC 601
63. Amrendra Pratap Singh V Tej Bahadur Prajapati AIR 2004 SC 256
64. M.D Harrisons Malayalam V Union of India (2004) 1 SCC 3782
65. ICICI Bank V Municipal Corporation of Greater Bombay (2005) 6 SCC 404
66. Ramnarayan Mor v State of Maharashtra AIR 1964 SC 949
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70. Aswini Kumar Ghose V Arbinda Bose AIR 1952 SC 369
71. Great Western Railway Company V Swindon & Cheltenham Extention Rly.Com 1884
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74. G.k Choukashi v Commissioner of Income Tax (2008) 1 SCC 246
75. Keshvan v State of Bombay AIR 1951 SC 128
76. Jay Mahakali Rolling Mills V Union of India (2007) 12 SCC 198
77. Atal Tea Com. Ltd V Regional Provident Fund Commissioner 1998 (79) FLR 372
78. N.T.P.C v M.P.S.E.b (2011) 15 SCC 580
79. Rajabhau Rahate v Dinkar Ingole 2002 (3) Mh.LJ 921 (Bom HC)

**Law Commission Reports:**

1. 60<sup>th</sup> Law Commission Report of Government of India  
<https://lawcommissionofindia.nic.in/51-100/Report60.pdf>
2. 183<sup>rd</sup> Law Commission Report of Government of India  
<https://lawcommissionofindia.nic.in/reports/183rpt.pdf>



## SOCIO ECONOMIC OFFENCES (OPTIONAL PAPER)

SEMESTER VIII/X | B.A.LL.B. (Hons.)

SYLLABUS (SESSION: JAN-JUNE)

<b>Faculty Name</b>	Dr. Parvesh Kumar Rajput and Dr. Archana Shayam Gharote	<b>Year/ Semester</b>	4/5/VIII/X
<b>Course Name</b>	Socio Economic Offences	<b>No. of Credits</b>	4
<b>Course Code</b>	NA	<b>Session Duration</b>	1 Hour
<b>No of Contact Hours</b>	60 hours	<b>Pre-requisite</b>	None
<b>Introduction, Course Objective &amp; Pedagogy</b>	<p>The concept of socio- economic offences as elucidated by the 47<sup>th</sup> Law Commission Report in India is very important in criminal law arena. In this report the salient features of these social and economic offences are discussed in a detailed manner. Socio-economic offences do not only extend the scope of the subject matter of white-collar crime, as conceived by Sutherland and as appreciated by others, but is also of wider import. The growth in socio-economic crime is traced to the materialism and business competitiveness fostered by industrialization, coupled with a decline in the influence of religious ethics that demand material accomplishments while emphasizing honest and fair dealings with others. These factors influenced India after World War II, and Indian criminal jurisprudence had limited opportunity to shape itself to counter the growing tide of socio- economic crimes. Currently, there are elements of a new criminal jurisprudence evidenced in legislation intended to regulate and control socio-economic offences. This includes treating socio-economic offences as having strict liability, with curtailment or abandonment of the necessity to prove intent. Further, vicarious criminal liability, which involves the liability of a principal for the acts of</p>		

its agents, is being increasingly recognized. Sentencing for socio-economic crimes is also becoming more severe, including mandatory minimum imprisonment, large fines, and the confiscation of goods and property.

In the light of this introductory note this course on Socio-Economic Offences is designed to give students a comprehensive understanding of contemporary patterns and characteristics of Socio-Economic Offences. The course also intends to enhance the students' abilities to research policy documents and legal material, critically analyze legislation, case studies and scholarly writings, present research findings to an academic audience, and elaborate practical recommendations for law reform and policy change relevant to the subject area.

Course Objectives are:

**CO1:** To expound the meaning of Socio-Economic Offences and explain how it is different from other kinds of offences.

**CO2:** To explore the legal and policy tools that may be helpful to control such offences.

**CO3:** To give students a comprehensive understanding of contemporary patterns and characteristics of Socio-economic offences.

**CO4:** To enable the students to understand and appreciate causes of socio-economic offences.

**CO5:** To develop students' analytical skills in relation to socio-economic offences and operation of the combating measures.

The teaching methods will include Lectures, PowerPoint Presentations, documentaries, discussion and debate on various aspects of Socio-Economic offences.

### **LEARNING OUTCOMES:**

After the successful completion of Course Curriculum, a student will be able to:

- **LO1** Explain about the conceptual aspects of socio-economic offences and different forms of socio-economic offences.
- **LO2** Distinguish between socio-economic offences and other violations of the law.
- **LO3** Critically analyse the various causes of emergence of socio-economic offences and its all-pervasive dimensions.
- **LO4** Know and understand the various aspects of socio-economic offences.

**EVALUATION COMPONENTS**

<b>Evaluation Components</b>	<b>Distribution of Marks</b>
Continuous Internal Assessment	25
Mid Term examination	25
End Term	50
Total	100

\*Note: Pass marks 50% of the final grade.

**COURSE PLAN**

<b>S.No.</b>	<b>Topics</b>	<b>Lecture Sessions</b>
1	Introduction to the Socio-Economic Offences	10
2	The Essential Commodities Act, 1955	05
3	The Food Safety and Standards Act, 2006	10
4	The Prevention of Corruption Act, 1988	10
5	The Prevention of Money-Laundering Act, 2002	10
6	The Narcotic Drugs and Psychotropic Substances Act, 1985	10
7	Law Enforcement Agencies	05
	<b>Total</b>	60

**DETAILED SYLLABUS**

<b>UNIT</b>	<b>CONTENT</b>
<b>Module 1 Introduction to the Socio- Economic Offences</b>	<p>Concept and Evolution of 'Socio-Economic Offences.' Nature and Extent of Socio-Economic Offences.</p> <p>Mens Rea, Nature of Liability, Burden of Proof and Sentencing Policy. Concept of White-Collar Crimes</p> <p>Distinction among Socio-Economic Offences, White Collar Crimes and Traditional Crimes.</p> <p>The Socio-Economic Offences in India: The Santhanam Committee Report, 1964 and the 47th Report of the Law Commission of India, 1972.</p>



<p><b>Module 2</b> <b>Essential Commodities Act,1955</b></p>	<p>Definition Clause Hoarding and black marketing Public Distribution Scheme Power of the Governments to control production, supply and distribution of essential commodities, Offences and Punishments under the Act. Cognisance of matter under section 11 EC Act, 1955</p>
<p><b>Module 3</b> <b>The Food Safety and Standards Act,2006</b></p>	<p>Definition of 'food', 'Adulterant', 'contaminant', 'food business', 'misbranded food' Authorities under the Act: Food Safety and Standards Authorities of India &amp; State Food Safety and Standards Authorities: Establishment and functions</p>
	<p>Food Safety Officer- Power, Function and liabilities Food Analyst General Principles to be followed for food safety under the Act (Section 18) Licensing and Registration of food business (Section 31) Purchaser may have food analyzed (Section 40) Provisions related to offence and penalties (Sections 48 to 67) Adjudication and Appeal procedures (Sections 68 &amp; 76)</p>
<p><b>Module 4</b> <b>The Prevention of Corruption Act, 1988</b></p>	<p>Need of the Act (read with Santhanam Committee Report) The Prevention of Corruption Act, 1988 Definitions of 'public servant,' Section 2 (c) and 'gratification,' Section 7. Offence committed by public servant and bribe giver and their Penalties (Section 7 to 14) Punishment for attempts (Section 15) Sanction for prosecution (Section 19 r/w Section 197 of the Code of Criminal Procedure, 1973) Presumption where public servant accepts gratification (Section 20)</p>
<p><b>Module 5</b> <b>The Prevention of Money-Laundering Act, 2002</b></p>	<p>Definition of 'Money Laundering' Need for combating Money-Laundering, Magnitude of Money-Laundering, Steps and various methods of Money Laundering. Offences and Punishments</p>

<b>Module 6 The Narcotic Drugs and Psychotropic Substances Act,1985</b>	Definition of Narcotic Drugs and Psychotropic Substances Authorities and officers (Section 4,6) National Fund for Control of Drugs Abuse (Section 7A) Prohibition Control and Regulation (Section 8, 9, 9A) Offences and Penalties (Section 18, 19, 21, 22, 25A, 27, 27A, 30, 31, 31A, 32, 32A, 33, 35, 36, 36A, 37, 39).
<b>Module 7: Law Enforcement Agencies</b>	CBI: Role, Function and Powers.  ED: Role, Functions and Powers.  NCB: Role, Functions and Powers  Anti-Corruption Bureau (State Police Force): Role, Functions and Power.

### READINGS:

#### STATUTES, RULES AND REGULATIONS:

1. The Essential Commodities Act, 1955
2. The Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980
3. The Food Safety and Standards Act, 2006
4. The Prevention of Corruption Act, 1988
5. The Prevention of Money-Laundering Act, 2002
6. The Narcotic Drugs and Psychotropic Substances Act, 1985

#### BOOKS

1. Mahesh Chandra, Socio- Economic Offences (1979).
2. J.S.P. Singh, Socio- Economic Offences (1st Ed., 2005, Reprint 2015).
3. B.R. Boetra, The Immoral Traffic (Prevention) Act 1956 (with state rules) (4th Ed., 1988).
4. P.S. Narayan, Commentary on Immoral Traffic Prevention Act, 1956 (2nd Ed., 2013).
5. BK Sharma and Vijay Nagpal, Treatise on Economic and Social Offences (2017).
6. Nuzhat Parveen Khan, Law Relating to Socio Economic Offence (2018).
7. Shailesh kumar Singh, White Collar Crimes (2014).
8. Seth and Capoor, Prevention of Corruption Act with a treatise on Anti- Corruption Laws (3rd Ed.,2000).

#### Suggested Readings:

- UN Political Declaration & Action Plan against money laundering 1998
- UN Convention against Corruption, 2003
- Santhanam Committee Report on Prevention of Corruption in Central Government
- 47<sup>th</sup> Law Commission Report
- Malimath Committee Report

#### **CASE LAWS:**

1. P. Chidambaram v. Directorate of Enforcement (2020) 13 SCC 791.
2. P. Chidambaram v. Directorate of Enforcement (2019) 9 SCC 24.
3. State v. Anil Sharma (2017) 13 SCC 751.
4. Malvinder Mohan singh v. State. 2020 SCC Online Del. 2001.
5. CBI v. Remender Chattopadhyay 2020 14 SCC 396.
6. J.Sekar Reddy v. Directorate of Enforcement 2022.
7. CBI, Bank Securities And Fraud Cell v. Ramesh Gellie and others CRL no. 167 of 2015.
8. Neeraj Dutta Vs. State (NCT of Delhi), (2019) 14 SCC 311.
9. K. Shanthamma vs. State of Karnataka, (2022) 4 SCC 574.
10. Navaneethakrishnan vs. State by Inspector of Police, AIR 2018 SC 2027.
11. Yashwant Sinha and Ors. v. Central Bureau of Investigation, (2020) 2 SCC 338.
12. Asian Resurfacing of Road Agency Pvt. Ltd. v. Central Bureau of Investigation, AIR 2018 SC 2039.
13. Union of India v. Ranjit Kumar Saha, (2019) 7 SCC 505.
14. Vijay Madanlal Choudhary Vs Union of India, 2022 SCC OnLine SC 929.
15. Bablu @ Jitendra vs. State of U.P [CRIMINAL APPEAL No. - 1201 of 2021]
16. Abbas Ali v. State of Punjab, (2013) 2 SCC 195.
17. Abdul Rashid v. State of Haryana, 2014 Cri LJ 1588.
18. Abhay Singh Chautala v. C.B.I, (2011) 7 SCC 141.
19. Ajnappa v. State of Karnataka, (2014) 2 SCC 776.
20. Ashok Kumar Sharma v. State of Rajasthan, (2013) 2 SCC 67.
21. Basant Kumar Sharma v. Government of India, [2013] 120 SCL 122 (Del).
22. Budh Singh v. State of Haryana, (2013) 3SCC 742.
23. CBI v. Birendra Kumar Singh @ Virendra Kumar Singh @ Pandit, 207(2014) DLT 680.
24. CBI v. Jagjit Singh, (2013) 10 SCC 686.
25. Centre for Public Interest Litigation v. Union of India, AIR 2014 SC 49.
26. Chitan J. Vaswani & Anr v. State of West Bengal & Anr., AIR 1975 SC 2473.
27. Gaurav Jain v. Union of India & Ors, 1997 (8) SCC 114.

28. Gian Chand v. State of Haryana, (2013) 14 SCC 420.
29. Kalicharan Mahapatra v. State of Orissa, AIR 1998 SC 2595.
30. Kanwarjit Singh Kakkar v. State Of Punjab, (2011) 6 S.C.R. 895.
31. Kashmiri Lal v. State of Haryana, (2013) 6 SCC 595.
32. Krishnamurthy @ Tailor Krishnan v. Public Prosecutor, Madras, AIR 1967 SC 567.
33. Kulwant Singh v. State of Punjab, (2013) 4 SCC 177.
34. M. Mohammed v. Union of India, W.A.No.1491 of 2014.
35. M/S Nestle India Limited v. The Food Safety and Standards Authority of India, W. P (L) No. 1688 of 2015.
36. M/s. G.M.H. Laboratories, HP & Sri Ram Gopal Goyal v. The Asst. Drug Controller, Bangalore, MANU/KA/0440/2013.
37. Madan Lal Agarwal v. State through Drug Inspector, 2012 Cri L.J. 2584.
38. Mahesh Chand v. State of UP, 2013 (10) ADJ 222.
39. Mak Data (P) Ltd. v. CIT, (2014) 1 SCC 674.
40. Manohar Lal Sharma v. Principal Secy, 2013 (15) SCALE 305.
41. Namdev Genba Parthe through M/s/ Kulswami Medical and General Stores v. State of Maharashtra. 2014 (1) MhLj 266.
42. Narayanan K. v. State of Kerala, ILR (2014) 1 Ker 654.
43. Navdeep Singh v. State of Haryana, (2013) 2 SCC 584.
44. Nimmagadda Prasad v. CBI, (2013) 7 SCC 466.
45. Niranjan Hemchandra Sashittal v. State of Maharashtra, (2013) 4 SCC 642.
46. PUCL (PDS Matters) v. Union of India, (2013) 2 SCC 663.
47. Rajesh Shantilal Adani v. Special Director, Enforcement Directorate, Mumbai, (2014) 1 GLR 819.
48. Ram Swaroop v. State (Govt. Of NCT, Delhi), (2013) 14 SCC 235.
49. Ranjit Kr v. State of Bihar, AIR 2014 Pat 14.
50. State of Kerala v. President, Parent Teacher Association SNVUP, AIR 2013 SC 1254.
51. State of Maharashtra v. Indian Hotel and Restaurants Assn., 2013(9) SCALE 47.
52. State of Rajasthan v. Bheru Lal., (2013) 11 SCC 730.
53. Subhash Popatlal Dave v. Union of India, (2014) 1 SCC 280.
54. Swami Achyutanand Tirth v. Union of India, 2013(5) SCALE 23.
55. Telstar Travels (P) Ltd. v. Enforcement Directorate, (2013) 9 SCC 549.
56. Thana Singh v. Central Bureau of Narcotics, (2013) 2 SCC 603.
57. Tummala Venkateswar Rao v. State of Andhra Pradesh, (2014) 2 SCC 240.
58. Vidya Dhar v. Multi Screen Media (P) Ltd., (2013) 10 SCC 145.
59. Vishal Jeet v. Union of India & Ors, (1990) 3 SCC 318

60. Y.S. Jagan Mohan Reddy v. CBI, (2013) 7 SCC 439.

**N.B. The list of cases is not exhaustive**

**ONLINE ARTICLES / BLOGS AND REPORTS**

1. <https://www.scribd.com/doc/315032958/Law-Commission-of-India-Report-No-47-The-Trial-and-Punishment-of-Social-and-Economic-Offences>
2. <file:///D:/SOCIO-ECO.%20OFFENCES/nature%20of%20SEO.pdf>
3. [https://www.researchgate.net/publication/228198597\\_A\\_New\\_Dimension\\_of\\_Socio-Economic\\_Offences\\_e-Money\\_Laundering](https://www.researchgate.net/publication/228198597_A_New_Dimension_of_Socio-Economic_Offences_e-Money_Laundering)
4. [https://www.epw.in/journal/2021/49/commentary/foodstuffs-market-regulation.html?0=ip\\_login\\_no\\_cache%3De7868165f01fc414f57ca0cb9f76fa77](https://www.epw.in/journal/2021/49/commentary/foodstuffs-market-regulation.html?0=ip_login_no_cache%3De7868165f01fc414f57ca0cb9f76fa77)
5. <https://www.jstor.org/stable/44156653>
6. [https://heinonline.org/HOL/Page?handle=hein.journals/scjil1&div=5&g\\_sent=1&casa\\_token=&collection=journals](https://heinonline.org/HOL/Page?handle=hein.journals/scjil1&div=5&g_sent=1&casa_token=&collection=journals)