HIDAYATULLAH NATIONAL LAW UNIVERSITY, NAVA RAIPUR

B.A.LL.B (Optional Papers)

Semester VII & X

(Jan-June 2025)

Syllabus Index

Sr. No	Name of Subject
1	Law Of Bankruptcy And Insolvency (Optional I)
2	Interpretation of Statutes (Optional I)
3	Socio-Economic Offence (Opt-1 and 2 Merged)
4	Women and Law (Optional I and II)
5	Media and Law (Optional I and II)
6	Law of Insurance (Optional I and II)

HIDAYATULLAH NATIONAL LAW UNIVERSITY, NAVA RAIPUR

B.A.LL.B (Hons.) | Batch of 2021-2026 & 2020-2025

LAW OF BANKRUPTCY AND INSOLVENCY (OPTIONAL I)

Course Code	**LLB-O-808**	**Faculty**	Mr. Amitesh Deshmukh
Class Hours	60 hours	**Credits**	4
Programme (select one)	B.A.LL.B. (Hons.)	**Year**	4th Year & 5th Year
Session Duration	55 Minutes	**Semester**	VIII & X

COURSE SUMMARY

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.

COURSE OBJECTIVES

CO 01	To develop a clear theoretical understanding of the legal regime appertaining to the Insolvency and Bankruptcy Laws in India.
CO 02	To understand the rationale for the shift from the old regime to the current regime.
CO 03	To understand the legal framework for resolution of Individual Insolvency and Corporate Insolvency.
CO 04	To have a basic appreciation of current challenges & future opportunities.

TEACHING PEDAGOGY

The pedagogy combines theoretical foundations with practical applications to ensure a holistic learning experience. Teaching methods include lectures, PowerPoint presentations, tutorials, case

law studies, and short documentaries, emphasizing critical thinking and the interplay of insolvency and bankruptcy law with other legal domains. Contact hours integrate instruction, discussion, and brainstorming, with students engaging through research debates, MCQs, and issue-based problem-solving. Continuous evaluation and situational case law analysis develop practical skills, while active participation fosters insightful discussions, encouraging students to share opinions and critically analyze legal concepts.

COURSE PLAN

MODULE I: INTRODUCTION TO INSOLVENCY LAW [No. of Sessions – 12 Sessions]

Unit I	Concepts of "Insolvency" and "Bankruptcy"
Unit II	Roots and Key objectives of Insolvency and Bankruptcy Resolution Laws
Unit III	Tests for determining insolvency
Unit IV	History and framework of Insolvency and Bankruptcy Law in India

Landmark Case laws	• Swiss Ribbons Pvt. Ltd. & Anr. Vs. Union of India & Ors. (2019) 4 SCC 17 • Pioneer Urban Land and Infrastructure Limited & Anr. Vs. Union of India & Ors. [2019] 8 SCC 416 • Innoventive Industries Ltd. Vs. ICICI Bank & Anr. (2018) 1 *SCC* 407 • CoC of Essar Steel India Limited Vs. Satish Kumar Gupta & Ors. (2020) 8 SCC 531

Relevant Laws	Companies Act, 2013 Insolvency & Bankruptcy Code 2016 Provincial Insolvency Act, 1920 Presidential Insolvency Act, 1909

Essential Readings	• Venessa Finch, Corporate Insolvency Law, Cambridge University Press. • Akaant Mittal, Insolvency and Bankruptcy Code: Law & Practice, 2nd Ed, EBC (2023). • BLRC Report - https://ibbi.gov.in/BLRCReportVol1_04112015.pdf

Suggested Readings	• 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).

MODULE II: RESOLUTION OF CORPORATE INSOLVENCY [No. of Sessions – 14 Sessions]

Unit I	Applicability and Relevant Definitions
Unit II	Procedure of application and Moratorium
Unit III	Role and Functions of Resolution Professionals
Unit IV	Corporate Insolvency Resolution Process
Unit V	Role of Adjudicating Authority in CIRP
Unit VI	Fast Track CIRP and Pre-packaged CIRP

Landmark Case laws	• ArcelorMittal India Private Limited Vs. Satish Kumar Gupta & Ors. (2019) 2 *SCC* 1 • Arun Kumar Jagatramka Vs. Jindal Steel and Power Ltd. & Anr (2021) 7 SCC 474 • Asset Reconstruction Company (India) Ltd. Vs. Bishal Jaiswal & Anr. (2021) 6 SCC 366 • Asset Reconstruction Company (India) Ltd. Vs. Tulip Star Hotels Ltd. & Ors. (2022) SCC Online SC 944 • India Resurgence ARC Private Limited Vs. M/S. Amit Metaliks Limited & Anr. (2021) SCC Online SC 409 • Innoventive Industries Ltd. Vs. ICICI Bank & Anr. (2018) 1 *SCC* 407 • Jaypee Kensington Boulevard Apartments Welfare Association & Ors. Vs. NBCC (India) Ltd. & Ors. (2021) ibclaw.in 63 SC • M/s. Reliance Asset Reconstruction Company Ltd. Vs. M/s Hotel Poonja International Pvt. Ltd. (2021) 7 SCC 352 • Macquarie Bank Ltd. Vs. Shilpi Cable Technologies Ltd (2018) 2 SCC 674 • Maharasthra Seamless Limited Vs. Padmanabhan Venkatesh & Ors. (2020) 11 SCC 467 • Mobilox Innovations Pvt. Ltd. Vs. Kirusa Software Pvt. Ltd. (2018) 1 SCC 353 • Ms. Sagufa Ahmed & Ors. Vs. Upper Assam Plywood Products Pvt. Ltd. & Ors. (2021) 2 SCC 317 • Municipal Corporation of Greater Mumbai (Mcgm) Vs. Abhilash Lal & Ors. (2020) 13 SCC 234 • New Okhla Industrial Development Authority Vs. Anand Sonbhadra (2022) SCC Online SC 631 • P. Mohanraj & Ors. Vs. M/S. Shah Brothers Ispat Pvt. Ltd. (2021) 6 SCC 258 • Phoenix Arc Pvt. Ltd. Vs. Spade Financial Services Ltd. & Ors. (2021) 3 SCC 475 • Pioneer Urban Land and Infrastructure Limited & Anr. Vs. Union of India & Ors. [2019] 8 SCC 416

Relevant Laws	Insolvency and Bankruptcy Code, 2016 IBBI (Insolvency Resolution Process For Corporate Persons) Regulations, 2016.

Essential Readings	• Understanding the IBC Key Jurisprudence And Practical Considerations A Handbook, IBBI, available at

	https://ibbi.gov.in/uploads/publication/e42fddce80e99d28b683a7e21c81110e.pdf • Akaant Mittal, Insolvency and Bankruptcy Code: Law & Practice, 2nd Ed, EBC (2023). • Sumant Batra, *Corporate Insolvency Law and Practice,* Eastern Book Company; 1st Edition, 2017 edition .

Suggested Readings	• BLRC Report - 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 • 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=ylj

MODULE III: LIQUIDATION [No. of Sessions – 12 Sessions]

Unit I	Moving from Resolution to Liquidation
Unit II	Appointment, powers, and duties of liquidator
Unit III	Liquidation estate, Liquidation Process and Distribution of assets
Unit IV	Vulnerable/Avoidable transactions
Unit V	Voluntary Liquidation

Landmark Case laws	• ICICI Bank Ltd. v. SIDCO Leathers Ltd. & Ors. (2017) ibclaw.in 103 SC • Bharti Airtel Ltd. and Anr. v. Vijaykumar V. Iyer and Ors. (2024) ibclaw.in 02 SC • Eva Agro Feeds Pvt. Ltd. v. Punjab National Bank and Anr. (2023) ibclaw.in 98 SC • Moser Baer Karamchari Union v. Union of India and Ors. (2023) ibclaw.in 59 SC • State Tax Officer v. Rainbow Papers Ltd. (2022) ibclaw.in 107 SC • R.K. Industries (Unit-II) LLP v. H.R. Commercials Pvt. Ltd. and Ors. (2022) ibclaw.in 104 SC • Sundaresh Bhatt v. Central Board of Indirect Taxes and Customs (2022) ibclaw.in 103 SC

Relevant Laws	Chapter III, IV, & V, Insolvency and Bankruptcy Code, 2016. IBBI (Liquidation Process) Regulations, 2016.

Essential Readings	• Understanding the IBC Key Jurisprudence And Practical Considerations A Handbook, IBBI, available at https://ibbi.gov.in/uploads/publication/e42fddce80e99d28b683a7e21c81110e.pdf • Akaant Mittal, Insolvency and Bankruptcy Code: Law & Practice, 2nd Ed, EBC (2023). • Sumant Batra, *Corporate Insolvency Law and Practice,* Eastern Book Company; 1st Edition, 2017 edition .

Suggested Readings	• Shebani Bhargava, "Schemes of Compromise or Arrangement During Liquidation", (2020) PL June 76 [SCC]. • BLRC Report - https://ibbi.gov.in/BLRCReportVol1_04112015.pdf • 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)

MODULE IV: INDIVIDUAL INSOLVENCY [No. of Sessions – 10 Sessions]

Unit I	Individual Insolvency under IBC in comparison with the older regime
Unit II	Initiation of Insolvency Resolution
Unit III	Fresh Start Process and Insolvency Resolution Process
Unit IV	Bankruptcy order and its consequences

Landmark Case laws	• Dilip B. Jiwrajka v. Union of India & Ors. (2023) ibclaw.in 147 SC • Laxmi Pat Surana v. Union Bank of India & Anr. (2021) ibclaw.in 53 SC • Lalit Kumar Jain v. Union of India & Ors. (2021) ibclaw.in 61 SC

Relevant Laws	Part III, Insolvency and Bankruptcy Code, 2016.

Essential Readings	• Siva Ramann, Renuka Sane and Susan Thomas, Reforming personal insolvency law in India, http://www.igidr.ac.in/pdf/publication/WP-2015-035.pdf • Report on 'Best Practices on Individual Insolvency', Indian Institute of Insolvency Professionals of ICAI (IIIPI), https://www.iiipicai.in/wp-content/uploads/2022/11/Draft-Report-Best-Practices-on-Individual-Insolvency.pdf

Suggested Readings	First Report of the Working Group for recommending strategy and approach for implementation of the provisions of the Insolvency & Bankruptcy Code, 2016 to deal with the insolvency of Guarantors to Corporate Debtors and Individuals having business, https://ibbi.gov.in/Agenda_9_210917.pdf

MODULE V: CROSS-BORDER INSOLVENCY [No. of Sessions – 12 Sessions]

Unit I	Cross Border Insolvency- introduction and overview
Unit II	Letter of request to a country outside India in certain cases
Unit III	Insolvency Law Committee Report on Cross-Border Insolvency
Unit IV	UNCITRAL Model Law on Cross-Border Insolvency (1997) – key highlights

Landmark Case laws	• Macquarie Bank Limited v. Shilpi Cable Technologies Ltd., (2018) 2 SCC 674 decided on 15 December 2017 • M/s Stanbic Bank Ghana Limited v. M/s Rajkumar Impex Pvt Limited, CP/670/IB/2017 decided on 27 April 2018 • V R Hemantraj v. Stanbic Bank Ghana Limited and Ors, Civil Appeal No. 9980 of 2018 decided on 12 October 2018 • Agrocorp International Private v. National Steel and Agro Industries Limited, CP IB No 798/MB/C-IV/2019 decided on 09 June 2020

Relevant Laws	s. 234 and 235, Insolvency and Bankruptcy Code, 2016.

Essential Readings	Sefa M. Franken, "Cross-Border Insolvency Law: A Comparative Institutional Analysis", Oxford Journal of Legal Studies, Vol. 34, No. 1 (2014), pp. 97–131.

Suggested Readings	• Report on the rules and regulations for cross-border insolvency resolution June 2020, https://ibbi.gov.in/uploads/whatsnew/2021-11-23-215206-0clh9-6e353aefb83dd0138211640994127c27.pdf • Bob Wessels and Gert Jan Boon*, Cross-Border Insolvency Law,* (2nd 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)*, 2nd ed. (South Asian ed. 2009).

READING LIST

Essential Reading List

- Understanding the IBC Key Jurisprudence And Practical Considerations A Handbook, IBBI, available at https://ibbi.gov.in/uploads/publication/e42fddce80e99d28b683a7e21c81110e.pdf
- Akaant Mittal, Insolvency and Bankruptcy Code: Law & Practice, 2nd Ed, EBC (2023).
- Sumant Batra, Corporate Insolvency Law and Practice, Eastern Book Company; 1st Edition, 2017 edition.
- Vishwanathan, T.K., Interim Report of the Bankruptcy Law Reform Committee, (Feb. 2015), available at: http://finmin.nic.in/reports/Interim_Report_BLRC.pdf
- Vishwanathan, T.K., Report of the Bankruptcy Law Reform Committee, (Feb. 2015), available at https://ibbi.gov.in/BLRCReportVol1_04112015.pdf

Suggested Reading List

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
- BLRC Report - 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 PressVolume 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=ylj
- 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=ylj
- 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, 1st 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).

REFERENCES

- Bob Wessels and Gert Jan Boon*, Cross-Border Insolvency Law,* (2nd 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)*, 2nd ed. (South Asian ed. 2009).
- Chapters 1 to 4, Finch, Vanessa, *Corporate Insolvency Law: Perspectives and Principles* (2nd ed. Cambridge, 2009).
- Chapters I and II, Barry E. Adler, Douglas G. Baird and Thomas H. Jackson, *Cases, Problems, and Materials on Bankruptcy,* 4th ed. (Foundation Press, N.Y., 2007).
- Corporate Laws Manual (2015).
- Dinshaw Fardunji Mulla and Aparna Ravi, *The Law of Insolvency in India*, (6th ed., Lexis Nexis, 2017).
- Felicity Toube, *International Asset Tracing in Insolvency*, (1st ed., Oxford University Press, 2009).
- Finch Vanessa and David Milman, *Corporate Insolvency Law: Perspectives and Principles,* (3rd 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*, (1st ed., Oxford University Press, 2018).
- Julian R. Franks &Walter N. Torous, *Lessons from a Comparison of U.S and U.K Insolvency Codes*8(3)Oxford Review of Economic Policy<https://academic.oup.com>.
- Justice P.S. Narayana, *Law of Insolvency (Bankruptcy)*, 8th ed., Asia Law House, 2010).
- Lecture 1, Narayan, Ms. Sathya, *Mulla on the Law of Insolvency in India*, 4th 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, ((1st 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,* 4th 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_BLRC.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 Stdies 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

Note: The topics, legislations and cases mentioned are not exhaustive. The instructor of the course shall be at liberty to add new topics/legislations/cases.

HIDAYATULLAH NATIONAL LAW UNIVERSITY, NAVA RAIPUR

B.A.LL. B (Hons.) Batch of 2020-2025 and 2021-2026

[INTERPRETATION OF STATUTES]

(OPTIONAL I)

Course Code	LLB-0-809	**Faculty**	Dr. Pankaj P. Umbarkar
Class Hours	60 hours	**Credits**	4
Programme (select one)	B.A.LL.B. (Hons.)	**Year**	4th & 5th
Session Duration	55 Minutes	**Semester**	VIII & X

COURSE SUMMARY

A cynic describes the draftsman as assigning the lines below to himself and expects the legal profession to be grateful to such a draftsman.

"I am the parliamentary Draftsman, I composed the country laws, And of Half the Country's Legislation, I am undoubtedly the cause".

The work of interpretation is going on in thousands of courts in hundreds of jurisdictions. It is well established that the legislature is the highest law-making body, and the court interprets the law. Lack of legislative simplicity or clarity leads to interpretative complexity and confusion. There is a vast difference between legal phraseology and ordinary phraseology. Sometimes it may not be easy to ascertain the true meaning of the words used in a Statute. In such cases the Court resorts to various methods in ascertaining true meaning. It requires a process which is called an Interpretation. The very concept of 'interpretation' connotes the introduction of elements which are necessarily extrinsic to the words in the statute.

As pointed out by Salmond "The essence of law lies in the spirit, not in its letter, for the letter is significant only as being the external manifestation of the intention that underlies it." The process of depicting the intention is known as Interpretation. As everyone knows, the administration of justice by the Court is being conducted according to the law and law requires having some rules of interpretation to ensure just and uniform decisions. In simple words, this evolution is a logical process which is adopted for determining the true sense of any form of legal language, the sense which their author intended to convey and to ensure justice as the end resulting in the true meaning of the word. This subject revealed the number of rules of

interpretation of statutes, their kinds and ways of interpretation, and sources to be referred to for interpretation and construction. The present subject is offered to the students of VIII and X semester as their optional paper. However, the said subject is one of the subjects listed in the BCI rules of legal education 2008 to be taught to the student and is largely useful not only to the students of law but for those who are the aspirants of judiciary, practice and academics.

By the end of the course, students will be able to examine the tendencies of judicial decisions while exploring the various legislations such as Constitutional Law, Penal Statutes, Remedial Legislations and fiscal statutes. Students will be able to learn about the life of law, its working pattern and the effect of the expiry of the legislation on the existing judicial proceedings. The present subject enhances legal skills to understand the practical challenges in the interpretation and implementation of law, assures employability and comprehends the knowledge of the legal systems.

COURSE OBJECTIVES:

The overall objective of this undergraduate course is to provide the students with the following set of skills:

CO 01	To understand the various kinds of statutes and the role of judges in the interpretation of statutes.
CO 02	To develop the skill of knowing the sources and useful material for the interpretation of statutes
CO 03	To focus on the various canons of interpretations including the rules thereof
CO 04	To find out the tendencies of Judicial Decisions while interpreting constitutional law, penal laws, remedial legislation and fiscal statutes.
CO 5	To know about the operation, working and repeal of legislation

TEACHING PEDAGOGY

The course employs diverse teaching methods, including classroom lectures, PowerPoint presentations, case law studies, tutorials, and short documentaries, with continuous evaluation. Emphasis is placed on fostering critical thinking and understanding the interplay of contract law with other legal domains.

Students are encouraged to actively engage in discussions, share opinions, and offer critical insights to enhance the teaching-learning process. Practical skills are honed through situational case law analysis, promoting a deeper grasp of legal concepts and their applications.

The following pedagogies will be relied upon to teach the paper.

1. Interactive Classroom sessions,
2. Assessment of the previous lecture
3. Group Discussion
4. Case Analysis
5. PowerPoint Presentations
6. Guest Lecture
7. Flip Class

COURSE PLAN:

MODULE I: [INTRODUCTION] [No. of Sessions – 08]

Unit I	Meaning and Objects of Interpretation, Why Interpretation: The need for interpretation; Divergence and convergence between legal and non-legal interpretation
Unit II	How do judges decide the cases? The Method of Philosophy and The Method of Sociology
Unit III	Why is original intent important? Appraisal of the principle of plain meaning
Unit IV	Making sense of Precedent; Tests and rules for determining 'ratio decidendi" and Obiter Dictum

Landmark Case laws	a) Anurag Mittal V Shaily Mishra Mittal, (2018) 9 SCC 691 : AIR 2018 SC 3983 b) Bhatia International V Bulk Trading S.A 2002 4 SCC 105: AIR 2002 SC 1432 c) C.I.T v. Teja Singh AIR 1959 SC 352 d) Jugal Kishore v. Raw Cotton Co., AIR 1955 SC 376. e) Municipal Corporation Hyderabad. v. T.N Murthy (1987) 1 SCC 568 f) Narayanaswami v. Pannersevan, (1972) 3 SCC 717 g) Padma Sundara Rao v. State of Tamil Nadu, (2002) 3 SCC 533. h) T.N Electricity Board V Status Speg. Mills Ltd AIR 2008 SC 2838 i) Tej Kiran Jain v. N. Sanjiva Reddy, (1970) 2 SCC 272,

Relevant Laws / Statutes / International Treaties	• General Clauses Act,1897 • The Constitution of India,1950

Essential Readings	• Aaron-Andrew P. Bruhl and Ethan J. Leib, "Elected Judges and Statutory Interpretation", The University of Chicago Law Review, Fall 2012, Vol. 79, No. 4 (Fall 2012), pp.1215-1283 • Scientific American, How the Supreme Court Decides Cases, Scientific American, Vol. 75, No. 24 (DECEMBER 12, 1896), p. 430

	• Richard A. Primus, "When Should Original Meanings Matter?", Michigan Law Review, Nov. 2008, Vol. 107, No. 2 (Nov. 2008), pp. 211-221 • Benjamin Cardozo, The Nature of Judicial Process (Martino Publishing 2011) Chapters I & III

Suggested Readings	• Vepa.P. Sarthi, Interpretation of Statutes, Eastern Book Comp. Fifth Ed. 2010 Pp.1-8 • G.P Singh, Principle of Statutory Interpretation,12th Ed. 2013 Pp- 1-34 • D.N Mathur, Interpretation of Statute, Central Law Publication 6th Ed. 2021. Pp- 23-30 • Max Radin, Statutory Interpretation, Harvard Law Review, Vol.43, No.6 (April 1930) Pp.1-24

MODULE II: [GENERAL PRESUMPTIONS, PRINCIPLES AND RULES OF INTERPRETATION] [No. of Sessions – 12]

Unit I	Presumptions and Considerations in Interpretation
Unit II	Holistic reading of statutes
Unit III	Rules of Interpretation of Statutes, Literal , Golden, Mischief etc
Unit IV	Harmonious Construction

Landmark Case laws	a) Balram Kumawat v Union of India (2003) 7 SCC 628 b) Bengal Immunity Com. Ltd v State of Bihar AIR 1955 SC 661 c) C. Ronald V U.T Andaman and Nicobar Islands (2011) 12 SCC 428 d) Competition Commission of India V Steel Authority of India Ltd 2010 (10) SCC 744 e) Craw Ford V Spooner (1846) 6 Moore PC 1 f) Grid Corporation of Orisa V Eastern Metal & Ferro Alloys (2011) 11 SCC 334 g) Hardeep Sing v State of Punjab (2014) 3 SCC 92 h) Heydon's Case (1584) 76 ER 637 i) Kartar Singh V State of Punjab (1994) 3 SCC 569 j) National Insurance Company Ltd V Anjana shyam (2007) SCC 445 k) Sachidananda Misra V State of Orissa (2004) 8 SCC 599 l) Sanjay Datt V State through C.B.I Bombay JT 1994 (5) SC 540 m) Shankar Raju V Union of India (2011) 2 SCC 132 n) State of U.P V Hari Ram (2013) 4 SCC 280 o) Union of India V Vasudeva Murthy AIR 2010 SC 2879

	p) V.L.S Finance Ltd v Union of India (2013) 6 SCC 278

Relevant Laws / Statutes / International Treaties	• The Constitution of India, 1950 -Articles 301, 304, 21, 14, 16 etc • The Competition Act, 2002 - Sections 3, 4 • The Electricity Act, 2003 • Terrorist and Disruptive Activities (Prevention) Act, 1987 • The Indian Insurance Act, 1938 • Government Employees' Service Rules

Essential Readings	• Max Radin, Statutory Interpretation, Harvard Law Review, Vol.43, No.6 (April 1930) • George M. Williams Jr., "Modes of Understanding the Law", Law and Literature, SPRING 2017, Vol. 29, No. 1, Special Issue: Festschrift for Richard H. Weisberg (SPRING 2017), pp. 157-166 • Louis I. Katzner, Presumptions of Reason and Presumptions of Justice, Journal of Philosophy, Inc, The Journal of Philosophy, Vol. 70, No. 4 (Feb. 22, 1973), pp. 89-100 • Vepa.P. Sarthi, Interpretation of Statutes, Eastern Book Comp. Fifth Ed. 2010 Pp.38-180

Suggested Readings	• G.P Singh, Principle of Statutory Interpretation,12th Ed. 2013 Chapter 1 Pp-35-61 • D.N Mathur, Interpretation of Statute, Central Law Publication 6th Ed. 2021Chapter 9 Pp- 195-206 • G.P Singh, Principle of Statutory Interpretation,12th Ed. 2013 Chapter 1 Pp-85-123

MODULE III: [INTERNAL AID TO INTERPRETATION] [No. of Sessions –8]

Unit I	Long Title, Preamble, Definition, Sections
Unit II	Heading, Marginal Notes, Punctuation
Unit III	Illustrations, Proviso,
Unit IV	Explanation , Schedules etc.

Landmark Case laws	a) Indian City Properties Ltd V Municipal Commissioner of Greater Bombay (2005) 6 SCC 417 b) Kedarnath V State of West Bengal AIR 1953 SC 404 c) Keshvanadn Bharati V State of Kerala (1973) 4 SCC 225; AIR 1973 SC 1461 d) Maharashtra Land Development Corporation V State of Maharashtra

	2010 (11) SCALE 675 e) Re Kerala Education Bill , 1957 AIR 1958 SC 956 a. Balraj Kunwar V Jagtpal Singh ILR 26 All 393 PC f) Brihan Mumbai Electric Supply and Transport Undertaking V Lakshya Media Pvt.Ltd (2010) 1 SCC 620 g) Hanlon V Law Secretary 1980 2 All ER 199 (HL) h) Iqbal Singh Marwah V Mieenakshi Marwah (2005) 4 SCC 370 i) N.C.Dhoundial V Union of India (2004) 2 SCC 579 j) Union of India V National Federation of the Blind (2013) 10 SCC 772 k) Ali M.K V State of Kerla (2003) 11 SCC 632 l) Benagal Nagpur Railway Company v Ruttanji Ramji AIR 1938 PC 37 m) Biman Basu V Kallol Gupta Thakurta AIR 2010 SC 3328 n) Mohomed Ariffin V Yeah Oai Gark 43 AI 256 Reffered in Jamma Masjid case AIR 1962 o) Mudliyar Chatterjee V International Film Com. AIR 1943 PC 34 p) Shambhu Nath Mehra V State of Ajmer AIR 1956 SC 599

Relevant Laws / Statutes / International Treaties	• The Constitution of India, 1950 • Land Acquisition Act 1984, 2013 • Prevention of Corruption Act, 1947 • The Indian Contract Act,1872

Essential Readings	• Vepa.P. Sarthi, Interpretation of Statutes, Eastern Book Comp. Fifth Ed. 2010 Pp.265-295

Suggested Readings	• G. P Singh, Principle of Statutory Interpretation,12th Ed. 2013 Pp- 155-166 • D.N Mathur, Interpretation of Statute, Central Law Publication 6th Ed. 2021Chapter 10 Pp- 261-284

MODULE IV: [EXTERNAL AID TO INTERPRETATION] [No. of Sessions – 7]

Unit I	Parliamentary History
Unit II	Historical facts and surrounding circumstances
Unit III	Social, Political and Economic Development
Unit IV	Statutes in Pari-Materia, Assistance of Earlier Statutes, Use of Foreign Decisions and Dictionaries

Landmark Case laws	a) Black Clawsom International Ltd v Papierweke Waldjof Aschaffenburg A.G (1975) 1 All ER 810 HL b) Papper v hart 1993 1 All ER 42 (HL) c) Navartis Ag V Union of India (2013) 6 SCC 1 d) Union of India V Purushottam (2015) 3 SCC 779

	e) T.M.A Pai Foundation V State of Karnataka (2002) 8 SCC 481 f) Shashikant Laxman Kale V Union of India AIR 1990 1 SCC 582 g) Auckland Jute Comp. Ltd V Tulasi Chandra Goswami AIR 1949 FC 153 h) Kasmir Singh V Union of India (2008) 7 SCC 259 i) Nandlal Wasudeo Badwaik V Lata Nandlal Badwaik (2014) 2 SCC 576 j) S.P.Gupta V Union of India AIR 1982 SC 149 k) S.B.I V Sundara Mani AIR 1976 l) State of Maharastra V Praful B.Desai (2003) 4 SCC 601 m) Amrendra Pratap Singh V Tej Bahadur Prajapati AIR 2004 SC 256 n) M.D Harrisons Malayalam V Union of India (2004) 1 SCC 3782 o) ICICI Bank V Municipal Corporation of Greater Bombay (2005) 6 SCC 404

Relevant Laws / Statutes / International Treaties	• Bombay Municipal Corporation Act, 1888 • Arbitration Act 1950 (UK) • Patent Act, 1970 • TRIPS Agreement (Trade-Related Aspects of Intellectual Property Rights) • Representation of People Act, 1951

Essential Readings	• Vepa.P. Sarthi, Interpretation of Statutes, Eastern Book Comp. Fifth Ed. 2010 Pp.301-305

Suggested Readings	• J. S.P Singh, Principle of Statutory Interpretation,12th Ed. 2013 Pp-219-247 • D.N Mathur, Interpretation of Statute, Central Law Publication 6th Ed. 2021Chapter 12 Pp- 311- 351

MODULE V: [SUBSIDIARY RULES] [No. of Sessions – 05]

Unit I	Same word same meaning, Use of different words
Unit II	Mandatory and directory provisions, Legal Fictions
Unit III	Conjunctive and disjunctive words 'or' / 'and',
Unit IV	Word of Same Rank, Ejusdem generics, Nocitur a sociis, and Reddendo Singula Singulis etc.

Landmark Case laws	a) Labour Commissioner M.P V Burhanpur Tapti Mills Ltd AIR 1964 SC 35 b) Member Board of Revenue V Arthur Paul Benthall AIR 1956 SC 35 c) Ramnarayan Mor v State of Maharashtra AIR 1964 SC 949 d) T.A. Krishnaswami v State of Madras AIR 1966 SC 1022 e) Aswini Kumar Ghose V Arabinda Bose AIR 1952 SC 369 f) Great Western Railway Company V Swindon & Cheltenham Extension Ply.Com 1884

	g) J.K.Cotton Spinning & Weaving Mills Ltd V Union of India AIR 1988 SC 191 P.202 h) Deoki Nandan v Muralidhar AIR 1957 Sc 133 i) G.k Choukashi v Commissioner of Income Tax (2008) 1 SCC 246

Relevant Laws / Statutes / International Treaties	• Industrial Disputes Act, 1947 • Factories Act, 1948 • Workmen's Compensation Act, 1923 • Indian Contract Act, 1872 • Code of Civil Procedure, 1908 • Bombay Rent Act, 1947 (now Maharashtra Rent Control Act) • Tamil Nadu Agricultural Produce Markets Act, 1939 • Madras Agricultural Income Tax Act, 1955

Essential Readings	• G. P Singh, Principle of Statutory Interpretation,12th Ed. 2013 Pp 256 - 389

Suggested Readings	• C.Veena, Interpretation of Statutes, C.Jamnadas & Co. Educational and Law publisher, 4th Ed, 2018 • D.N Mathur, Interpretation of Statute, Central Law Publication 6th Ed. 2021Chapter 12 Pp- 327-350

MODULE VI: [COMMENCEMENT AND OPERATION OF THE STATUTES AND THEIR INTERPRETATION] [No. of Sessions – 20]

Unit I	Operation Of the Statute – Prospective and Retrospective
Unit II	Interpretation of Constitution, Interpretation of statutes affecting Jurisdiction
Unit III	Interpretation of Penal Statutes
Unit IV	Interpretation of Remedial and Taxing Statutes
Unit V	The General Clauses Act, 1897 and its use for Interpretation of other statutes
Unit VI	Expiry and Repeal of Statutes

Landmark Case laws	a) Atal Tea Com. Ltd V Regional Provident Fund Commissioner 1998 (79) FLR 372 b) Jay Mahakali Rolling Mills V Union of India (2007) 12 SCC 198 c) Keshvan v State of Bombay AIR 1951 SC 128 **d)** N.T.P.C v M.P.S.E.b (2011) 15 SCC 580 e) Rajabhau Rahate v Dinkar Ingole 2002 (3) Mh.LJ 921 (Bom HC)

	f) Standard Chartered Bank V Directorate of Enforcement (2005) 4 SCC 530 g) Bengal V Kesoram Industries Ltd AIR (2005) SC 1646 h) Commissioner of Welth Tax Gujrath V Ellis Bridge Gymkhana AIR 1998 SC 120 i) Ghatge Patil Concern's Employee Union V Ghatge & Patil Transporter AIR 1968 SC 503 j) Harshad Mehta V Custodian AIR 1998 SC 2291 k) Tata Sky Ltd V State of M.P (2013) 4 SCC 656 l) Lucknow Development Authority V M.K.Gupta AIR 1994 SC 787 m) Sadhoo V Haji Lal Mohd.Biri ssWorks 1986 1 SCC 32

Relevant Laws / Statutes / International Treaties	• Employees' Provident Funds and Miscellaneous Provisions Act, 1952 • Central Rules under the Employees' Provident Fund Act • Factories Act, 1948 • The Constitution of India • Indian Penal Code (IPC), 1860 now Bharatiya Nyaya Sanhita 2023 • Electricity Act, 2003 • Transfer of Property Act, 1882 • Maharashtra Rent Control Act, 1999 • Indian Contract Act, 1872 • Central Excise Act, 1944 • Customs Act, 1962 • Wealth-tax Act, 1957 • Securities Contracts (Regulation) Act, 1956 • Recovery of Debts Due to Banks and Financial Institutions Act, 1993 • Telecommunications (Regulation) Act, 1997

Essential Readings	• Veepa Sarthi, Interpretation of Statutes, EBC 5th Ed. 2010 325-383 • Adrian Vermual, Judging Under Uncertainty, Universal Law Publication Company, Reprint 2010 Pp. 230-288

Suggested Readings	• C.Veena, Interpretation of Statutes, C.Jamnadas & Co. Educational and Law publisher, 4th Ed, 2018 Pp-309-323 • J. S.P Singh, Principle of Statutory Interpretation,12th Ed. 2013 Pp-926-1101 • D.N Mathur, Interpretation of Statute, Central Law Publication 6th Ed. 2021Chapter 9 Pp 189-297

READING LIST

- **Essential Reading List:**

1. Vepa.P. Sarthi, Interpretation of Statutes, Eastern Book Comp. Fifth Ed. 2010
2. G.P. Singh, Principles of Statutory Interpretation, Lexis Nexis 12th Ed. 2013
3. J. Benjamin Cardozo, The Nature of Judicial Process (Chapter I & III), Martino Publishing 2011
4. D.N Mathur, Interpretation of Statute, Central Law Publication 6th Ed. 2021
5. The General Clauses Act, 1897
6. Adrian Vermual, Judging Under Uncertainty, Universal Law Publication Company, Reprint 2010.
7. C.Veena, Interpretation of Statutes, Jamnadas & Co. Educational and Law publisher, 4th Ed, 2018

- **Suggested Reading List:**

1. T. R. S. Allan, Law, Justice and Integrity: The Paradox of Wicked Laws, Oxford Journal of Legal Studiees, Winter, 2009, Vol. 29, No. 4 (Winter, 2009), pp. 705-728
2. Aaron-Andrew P. Bruhl and Ethan J. Leib, "Elected Judges and Statutory Interpretation", The University of Chicago Law Review, Fall 2012, Vol. 79, No. 4 (Fall 2012), pp.1215-1283 available at https://www.jstor.org/stable/23317715
3. Scientific American, How the Supreme Court Decides Cases, Scientific American, Vol. 75, No. 24 (DECEMBER 12, 1896), p. 430 available at: https://www.jstor.org/stable/10.2307/26118914
4. Max Radin, Statutory Interpretation, Harvard Law Review, Vol.43, No.6 (April 1930) available at: https://www.jstor.org/stable/1330769
5. George M. Williams Jr., "Modes of Understanding the Law", Law and Literature, SPRING 2017, Vol. 29, No. 1, Special Issue: Festschrift for Richard H. Weisberg (SPRING 2017), pp. 157-166 available at L: https://www.jstor.org/stable/10.2307/26770844
6. Richard A. Primus, "When Should Original Meanings Matter?", Michigan Law Review, Nov. 2008, Vol. 107, No. 2 (Nov. 2008), pp. 211-221 available at: https://www.jstor.org/stable/40041668
7. Louis I. Katzner, Presumptions of Reason and Presumptions of Justice, Journal of Philosophy, Inc, The Journal of Philosophy, Vol. 70, No. 4 (Feb. 22, 1973), pp. 89-100 available at: https://www.jstor.org/stable/2024957
8. Peter Cane, MORALITY, LAW AND CONFLICTING REASONS FOR ACTION, The Cambridge Law Journal, March 2012, Vol. 71, No. 1 (March 2012), pp. 59-85 available at: https://www.jstor.org/stable/23253789
9. H. L. A. Hart on Legal and Moral Obligation, Michigan Law Review, Dec. 1974, Vol. 73, No. 2 (Dec. 1974), pp. 443-458, The Michigan Law Review Association, available at: https://www.jstor.org/stable/1287782
10. Lon L. Fuller, Positivism and the Fidelity to Law – A Reply to Professor Hart, Harvard Law Review, Vol.71 (1958) available at: https://www.jstor.org/stable/1338226
11. Cass R. Sunstein, Justice Scalia's Democratic Formalism, "A Matter of Interpretation: Federal Courts and the Law by Antonin Scalia", The Yale Law Journal, Nov. 1997, Vol. 107, No. 2 (Nov. 1997), pp. 529-567 available at: https://www.jstor.org/stable/797264

12. Gary B. Melton, Law, Science, and Humanity: The Normative Foundation of Social Science in Law, Law and Human Behavior, Aug. 1990, Vol. 14, No. 4 (Aug. 1990), pp. 315-332, available at https://www.jstor.org/stable/1394296
13. Harward Law Review, "The Interpretation of State Constitutional Rights", Harvard Law Review, Apr. 1982, Vol. 95, No. 6 (Apr. 1982), pp. 1324-1502 available at https://www.jstor.org/stable/pdf/1340746.pdf?refreqid=fastly-default%3A8ccd931ec5b3249320d5b588fc638d43&ab_segments=0%2Fbasic_search_gsv2%2Fcontrol&initiator=search-results&acceptTC=1
14. 60th Law Commission Report of Government of India https://lawcommissionofindia.nic.in/51-100/Report60.pdf
15. 183rd Law Commission Report of Government of India https://lawcommissionofindia.nic.in/reports/183rpt.pdf

Note: The topics, legislations and cases mentioned are not exhaustive. The instructor of the course shall be at liberty to add new topics/legislations/cases.

HIDAYATULLAH NATIONAL LAW UNIVERSITY, NAVA RAIPUR

B.A.LL. B (Hons.) Batch of 2020-2021

[SOCIO-ECONOMIC OFFENCES]

Course Code	**LLB-O-810**	**Faculty**	Dr Parvesh Kumar Rajput
Class Hours	60 hours	**Credits**	4
Programme	B.A.LL.B. (Hons.)	**Year**	2024-25
Session Duration	55 Minutes	**Semester**	VIII & X

COURSE SUMMARY

The concept of socio-economic offences as elucidated by the 47th 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 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

CO 01	To expound the meaning of socio-economic offences and explain how it is different from other kinds of offences.
CO 02	To explore the legal and policy tools that may be helpful to control such offences.
CO 03	To give students a comprehensive understanding of contemporary patterns and characteristics of socio-economic offences.
CO 04	To enable the students to understand and appreciate causes of socio-economic offences.

TEACHING PEDAGOGY

To teach socio-economic offences, the pedagogy should focus on blending theory with practical application. Start with interactive lectures to explain core concepts like corruption, money laundering and hoarding. Incorporate case studies and real-world examples to highlight the socio-economic impact of these types of crime on society. Group discussion, debates and mock trials will use to foster critical thinking and problem-solving abilities among the students. The law enforcement officers and practicing advocates of relevant area will invite for the guest lectures.

COURSE PLAN

MODULE I: [Introduction to the Socio-Economic offences] [No. of Sessions – 10 Sessions]

Unit I	Concept and evolution of 'Socio-economic offences'
Unit II	Nature and extent of socio-economic offences.
Unit III	Mens Rea, Nature of Liability, Burden of Proof and Sentencing Policy
Unit IV	Distinction among Socio-economic offences, White Collar Crimes and Traditional Crimes
Unit V	The Socio-economic offences in India: The Santhanam Committee Report, 1964 and the 47th Report of the Law Commission of India, 1972.

Landmark Case laws	Lalit Narayan Mishra v. State of Bihar, AIR 1977 SC 108 M.H.Hoskot v/s State of Maharashtra, AIR 1978 SC 1548 R.S.Nayak v. A.R.Antulay, AIR 1986 SC 2045 State of Gujarat v/s Mohanlal Jitamalji Porwal, AIR 1987 SC 1312 Vinod Solanki v. UOI (2009) 2 SCC 728

Relevant Laws / Statutes / International Treaties	Delhi Special Police Establishment Act, 1946 and The Prevention of Corruption Act, 1947 (repealed) United Nations Conventions against Corruption (2003)

Essential Readings	S.C.Tripathi, Socio-economic offences in India, Central Law Publication Justice V.R.Krishna Iyer, Law and the Social Revolution, Deep & Deep

	Publications (1980)

Suggested Readings	The Santhanam Committee Report, 1964 and the 47th Report of the Law Commission of India, 1972

MODULE II: [The Essential Commodities Act, 1955] [No. of Sessions – 10 Sessions]

Unit I	*Introduction to the Essential Commodities Act, 1955*
Unit II	*Socio-Economic offences under the Act*
Unit III	*Regulation of Public Distribution System*
Unit IV	*Powers of the Government and Enforcement*
Unit V	*Offences, Punishment and Procedural Framework*

Landmark Case laws	• Tolaram Relumal v. State of Bombay (1954) • Shiv Prasad v. State of Rajasthan (1965) • M.C.Mehta v. UOI (1987) • Harla Ram v. State of Rajasthan (1990)g • Kishan Lal v. State of Rajasthan (1999)

Relevant Laws / Statutes	• The Essential Commodities Act, 1955 • National Food Security Act, 2013 • Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980

Essential Readings	Regulation of Essential Commodities: An Analysis of Socio-Economic offences by Dr.N.K.Chakrabarty (Article) Public Distribution System and Legal Framework in India by Prof.D.K.Singh (Article)

Suggested Readings	Socio-Economic offences by Justice M.C.Jain (Book)

MODULE III: [The Food Safety and Standards Act, 2006] [No. of Sessions – 10 Sessions]

Unit I	*Introduction to Food Safety Standards Act, 2006*
Unit II	*Food Safety Authorities and Institutional Framework*
Unit III	*Offences under the Act*
Unit IV	*Penalties, Liability and Burden of Proof*
Unit V	*Role of Consumer Awareness and Public Health*

Landmark Case laws	• Nestle India Ltd v. Food Safety and Standards Authority of India (2015) • Pepsi Co. India Holding Pvt Ltd v. State of Kerala (2012) • Shree Sidhdata Food Products v. UOI (2010) • Indian Medical Association v. UOI (2013) • Food Safety and Standard Authority of India v/s Prakash Bharti (2016)

Relevant Laws / Statutes / International Commission/ Standard	The Food Safety and Standards Act, 2006 The Consumer Protection Act, 2019 Codex Alimentarius Commission-International Food Standards

Essential Readings	Food Safety and Standards in India: Regulatory Framework and Enforcement by R.K.Sharma Adulteration and the Consumer Protection: A Comparative Study by Dr.M.K.Hegde

Suggested Readings	The Food Safety and Standards Act, 2006: A Commentary by Dr. A.K. Upadhyay

MODULE IV: [The Prevention of Corruption Act, 1988] [No. of Sessions – 10 Sessions]

Unit I	*Introduction to the Prevention of Corruption Act, 1988*
Unit II	*Offences under the Prevention of Corruption Act*
Unit III	*Investigation and Prosecution under the Act*
Unit IV	*Punishments, sentencing and liabilities*
Unit V	*Defenses, challenges and Changes brought in after 2018 amendment*

Landmark Case laws	• K.K.Verma v. UOI (2015) • State of Karnataka v. A.P.Puttaswamy (2011) • Subramanian Swamy v. Manmohan Singh (2012) • Dr.Subramanian Swamy v. Director of CBI (2014) • S.S.B Mehta v. State of Maharastra (2016) After amendment of 2018 • State of Karnataka Lokayukta Police v. S.Subbgowda (2023) • Sundarajan v. State (2023) • P.Sarangapani (Dead) Through Paka Saroja (LR) v. State of A.P (2023)

Relevant Laws / Statutes / International Treaties	• The Prevention of Corruption Act, 1988 • The Lokpal and Lokayuktas Act, 2013 • United Nations Conventions against Corruption (2003)

Essential Readings	• Corruption and the Prevention of Corruption Act: A Critical Analysis by Dr.R.K.Aggarwal • The Role of Anti-Corruption Agencies in India: Challenges and opportunities by Dr.L.P.Sharma

Suggested Readings	• Prevention of Corruption Act, 1988: A Critical Commentary by R.K.Gupta

MODULE V: [The Prevention of Money Laundering Act, 2002] [No. of Sessions – 10 Sessions]

Unit I	*Introduction to Money Laundering*
Unit II	*Authorities and its Powers*
Unit III	*Legal Framework under the PMLA*
Unit IV	*Investigation and adjudicated Processes*
Unit V	*Significant change in PMLA after amendment in 2019 and 2023*

Landmark Case laws	• Nikesh Tarachand Shah v. UOI (2017) • ED v. Karti Chidambaram (2018) • ED v. J.Sekar and Ors (2021) • Vijay Madanlal Chaoudhary v. UOI (2022) • Ram Kishore Arora v/s ED • V.Senthil Balaji v. The State Represented by Deputy Director and Ors. (2023) • Pankaj Bansal v/s ED (2023)

Relevant Laws / Statutes / International Treaties	• The Prevention of Money Laundering Act, 2002 • The Fugitive Economic Offenders Act, 2018 • The Companies Act, 2013 (Provisions related to money laundering) • Vienna Convention and Palermo Convention

Essential Readings	• Effectiveness of Anti-Money Laundering Measures in India - Published in the Journal of Financial Crime • Money Laundering: Legal Framework and Emerging Challenges- NALSAR Law Review

Suggested Readings	• The Prevention of Money Laundering Act: A Commentary by M.C.Mehta • Money Laundering Law and Practice by Arun Srivastava, Mark Simpson and Nina Moffat

MODULE VI: [The Narcotics Drugs and Psychotropic Substances Act, 1985] [No. of Sessions – 10 Sessions]

Unit I	*Definition of Narcotics Drugs and Psychotropic Substances*
Unit II	*Authorities and officers (s.4 and 6)*
Unit III	*National Fund for Control of Drugs Abuse (s.7A)*
Unit IV	*Prohibition Control and Regulation*
Unit V	*Offences, Penalties and Procedural Safeguards (s.18, 19, 21, 22, 25A, 27, 27A, 30, 31, 31A, 32, 32A, 33, 35, 36, 36A, 37, 39) and (s. 50, 52 & 57)*

Landmark Case laws	• State of Punjab v. Balbir Singh (1994) • Ali Mustafa v. State of Kerala (1994)

	• UOI v. Kuldeep Singh (2004) • Mohammed Hussain Shaikh v. State of Maharashtra (2012) • Tofan Singh v. State of Tamil Nadu (2021)

Relevant Laws / Statutes / International Treaties	• Narcotics Drugs and Psychotropic Substances Act, 1985 • United Nations Convention Against Illicit Traffic in Narcotics Drugs and Psychotropic Substances, 1988

Essential Readings	• Mandatory or Directory Procedure? A Practical Solution in Balbir Singh by Srinivas. s. Kaushik, Journal of the Indian Law Institute (1995) • Proof of Innocence Before Bail: Amendment Required by Vikramjit Reen, Journal of the Indian Law Institute (1995)

Suggested Readings	• Narcotics Drugs and Psychotropic Substances Act, 1985: A Commentary by Dr. S.K.Kapoor, Publisher- Eastern Book Company • Drugs and the Law: The Indian Perspective by V.K.Bhatia, Publisher- Universal Law Publishing House

READING LIST

Essential Reading List

1. Socio-Economic offences in India by S.C.Tripathi, Publisher-Universal Law Publishing, ISBN: 978-9350356600
2. Prevention of Corruption Act, 1988 by R.K.Gupta, Publisher- Orient Law House, ISBN: 978-8184904994
3. Money Laundering and the Law by R.K.Gupta, Publisher: Lexis Nexis, ISBN: 978-935035605
4. Law of Essential Commodities by S.K.Gupta, Publisher: Eastern Book Company, ISBN: 978-9350355610
5. Food Safety and Standard Act, 2006: A Commentary by M.N.Bhatia, Publisher: Lexis Nexis, ISBN: 978-9350355065
6. Drugs and the Law: The Indian Perspective by V.K.Bhatia, Publisher- Universal Law Publishing House

Suggested Reading List

1. White collar crime and socio-economic offences by R.S.Sharma, Publisher: APH Publishing, ISBN: 978-8176649480
2. Corruption in India: The DNA of Governance by Pradeep Tiwari, Publisher: Pentagon Press, ISBN: 978-8182747886
3. Financial Crimes and the Law by R.V.Shukla, Publisher: Universal Law Publishing, ISBN: 978-9350355566
4. Narcotics Drugs and Psychotropic Substances: A Critical Overview by U.N.Khanna, Publishing: Lexis Nexis, ISBN: 978-9350355054

5. Food Safety in India: Law and Practice by Rajiv. S. Makhija. Publisher: Oxford University Press, ISBN: 978 0198064212

Note: The topics, legislations and cases mentioned are not exhaustive. The instructor of the course shall be at liberty to add new topics/legislations/cases.

HIDAYATULLAH NATIONAL LAW UNIVERSITY, NAVA RAIPUR

B.A.LL. B (Hons.) Batch of 2020-2025 & 2021-2026

WOMEN AND LAW (OPTIONAL I & II)

Course Code	**LLB-O-805\LLB-O-1004**	**Faculty**	Dr. Pankaj Umbarkar Ms. Apurva Sharma
Class Hours	60 hours	**Credits**	04
Programme (select one)	B.A.LL.B. (Hons.)	**Year**	4th and 5th
Session Duration	60 Minutes	**Semester**	VIII and X

COURSE SUMMARY

The course on "Women and Law" offers an in-depth exploration of the legal frameworks governing women's rights in India, with a focus on the personal, public, and professional aspects of their lives. It examines the evolution of gender-related legal protections and the role of law in addressing gender inequality, drawing on constitutional, statutory, and judicial perspectives. Through this course, students will gain an understanding of the complex relationship between law and gender, analyzing the impact of Indian legal provisions such as the Constitution, family law, criminal law, labor rights etc relating to women in India

The course will cover a variety of critical topics, including women's rights in family and personal law (marriage, divorce, maintenance, and domestic violence), protections against sexual violence (including workplace harassment and rape), and women's rights in the workplace, focusing on issues such as equal pay, maternity benefits, and leadership roles. Additionally, it will examine the intersectionality of gender with caste, class, and religion, exploring how marginalized groups of women experience discrimination. Finally, the course will highlight global feminist movements, international human rights frameworks like CEDAW, and the future of legal reforms for women's empowerment in India.

By engaging with case studies, statutory provisions, and global perspectives, students will develop a critical understanding of the challenges women face and the potential for legal reforms in advancing gender equality.

At the end of the course, the students will be able to excel themselves in gender justice and empowerment of women. Students will be able to understand the potential challenges, scope of the rights of women and legal safeguards to the women as provided by the laws time to time.

COURSE OBJECTIVES

CO 01	To provide a comprehensive understanding of gradual development, socio-legal challenges, legal rights and remedies for women in India.
CO 02	To explore the intersections of law with gender and sex ratio by focusing on personal, public, and professional aspects of women's lives.
CO 03	To analyze Indian laws, judicial decisions and expectations of International Instruments in the context of women's rights in India.
CO 04	To develop a holistic understanding of legal status, potential challenges before the enforcement agencies for the protection and promotion of the rights of women.

TEACHING PEDAGOGY

The Women and Law course will use an interactive, student-centered teaching methodology that combines lectures, case studies, group discussions, and hands-on activities. It is important to support theoretical ideas with real-world examples, emphasizing significant laws and court decisions.
In order to include students in the actual application of legal ideas through critical analysis via discussions, interactions will be the part of the course deliverables. Diverse viewpoints can also be offered by guest lecturers from academics, group activists, and by seeking legal expertise on laws on women empowerment. Documentaries and assessments of recent events are examples of multimedia that may be used to link academic learning with practical problems.

COURSE PLAN

MODULE I: INTRODUCTION TO WOMEN AND LAW (10 sessions)

Unit I	Evolution of Women rights in India; overview of gender and law
Unit II	Feminist jurisprudence: Theories and perspectives.
Unit III	International human rights framework: CEDAW and the UDHR and the role of United Nation
Unit IV	Indian Constitution and women's rights

Landmark Case laws	• Charu Khurana v. UOI (2015) 1 SCC 192 • The Secretary, Ministry of Defence v. Babita Puniya & Ors.

	MANU/SC/0194/2020 • Kush kalra v. Union of India & Anr., 2018 • State of Jammu and Kashmir and Ors. v. Susheela Sawhney and Ors. AIR 2003 J&K • Air India v. Nargesh Mirza (1981) • MCD v. Female Workers Special Leave Petition (Civil) 12797 of 1998 • Budhadev Karmaskar v. State of West Bengal [(2011) 10 SCC 283 • People's Union for Democratic Rights v. Union of India [(1982)] • Kajal Mukesh Singh v. State of Maharashtra [2020 SCC On Line Bom 954] • Neeraja Chaudhary v. State Of M.P [AIR 1984 SC 1099] and • Bandhua Mukti Morcha vs Union of India & Others [1984 AIR 802] • Rajbala v. the State of Haryana (2016) 1 SCC 463 • Javed v. State of Haryana AIR 2003 SC 3057 • C.B. Muthamma v. UOI 1979 SCC (4) 260 • Vishakha v. State of Rajasthan AIR 1997 SC 3011

Relevant Laws / Statutes / International Treaties	• Constitution of India (Articles 14, 15, 16, 21,39, 39A, 42, 43, 46, 47, 51A(e), 243) • UDHR (Universal Declaration of Human Rights 1948) • The International Covenant on Economic, Social and Cultural Rights (ICESCR), • The International Covenant on Civil and Political Rights (ICCPR) • CEDAW (Convention on Elimination of All forms of Discrimination Against Women) • UN Human Rights Council Resolution on Human rights, sexual orientation and gender identity

Essential Readings	• R. J. P. George, GENDER JUSTICE AND LAW, Cambridge University Press and Assessment (9781108499248_frontmatter.pdf) • Ved Kumari, ―Gender Analyses of Indian Penal Code‖ in Amita Dhanda, Archana Parashar (ed) Engendering Law Essays in Honour of Lotika Sarkar, pp.139-160 (1999). Eastern Book Company. Available at http://www.womenstudies.in/elib/crime_ag_women/ca_gender_analysis.pdf • P.M Bakshi, Constitution Of India. 16,(Universal Law Publishing Co. Pvt. Ltd. Eighth Edition 2008) • Kalpana Kannabiran (ed.), Women And Law : Critical Feminist Perspective, Sage Publications India Pvt. Ltd., 2014

Suggested Readings	• B K Nagala, Sex and Gender: cognitive Analysis, in Modernity, Feminism And Women Empowerment (Abha Avasthi and A K Srivastava ed,2001) Jaipur, 131,New Delhi Rawat publications • Bhaswati Das And Vimal Khawas, Gender Issue In Development- Concerns For 21st Century" 2-3(New Delh, Rawat Publication 2009) • V R Krishna Iyer, Social Justice Sunset Or Daun. pp 4 and 5 (Lalbagh,Lucknow Eastern Book Co. 1993) • Ratna Kapur and Brenda Cossman, On Women, Equality and the Constitution: through the looking Glass of Feminism in NLSI 1 For A

	Critique About Formalistic And Substantive Gender Equality Approaches(1993)1 • Usha Tandon and Sidharth Luthra, ―Rape: Violation of the Chastity or Dignity of Women? A Feminist Critique of Indian Law", FICHL Policy Brief Series No. 51 (2016) available at< http://www.fichl.org/fileadmin/user_upload/160615_PBS_No._51__2016_Tandon_Luthra_.pdf>

MODULE II: [WOMEN'S RIGHTS IN PERSONAL LAW] [10 Sessions]

Unit I	Legal rights of woman: Property and Marital (Hindu Marriage Act, Muslim Personal Law, Christian Marriage Act)
Unit II	Divorce, maintenance, alimony, and child custody
Unit III	Adoption and guardianship
Unit IV	Reproductive rights.

Landmark Case laws	• Lata Singh v. State of Uttar Pradesh (2006) 5 SCC 475 • A Shafin Jahan v. Ashokan KM AIR 2018 SC 35 • Gurnaib Singh v. the State of Punjab (2013) 7 SCC 108 • Shayara Bano v. Union of India (2017) 9 SCC 1 • Joseph Shine v. Union of India 2018 SCC • ABC v. The State (NCT of Delhi) (2015) 10 SCC 1 • Githa Hariharan and Anr v. RBI and Anr. (1991) • Seema v. Ashwani Kumar 2006(2) SCC 578 • Krishna Bhattacharjee v. Sarathi Choudhury (2016) 2 SCC 705 • KM Vinaya v. B Srinivas MFA.NO.1729/2011 (G & W) • Rashmi Kumar v. Mahesh Kumar Bhada (1997) 2 SCC 397 SC • Padmaja Sharma v. Ratan Lal Sharma (2000) 4 SCC 266 • Savitri Devi v Ramesh Chand & Ors, II (2003) DMC 328. • Kanaraj vs. State of Punjab, 2000 Cri LJ 2993. • S.R. Batra v. Taruna Batra (2007) 3 SCC 169 • D Velusamy v. D Patchaiammal, decided by SC on 21 December 2010 • Varun Bhatia v State and Another, 2023 LiveLaw (Del) 761 • Shivam Kumar Pal @ Sonu Pal And 3 Others vs. State Of U.P. And 2 Others, 2023 LiveLaw (AB) • Vivek Kumar Maurya v. State of U.P. And 3 Others, 2023 LiveLaw (AB) 237 • Manoj Kumar Arya v. State of Uttarakhand & Anr., 2023 LiveLaw (Utt) 11. • Suchita srivastava and Anr v. Chandigarh Administration (2009) • Federation of Obstetric and Gynacological • Sandeep Kumar Mishra vs. State of U.P., 2023 LiveLaw (AB) 74.

Relevant Laws / Statutes / International Treaties	• Hindu Marriage Act, 1955 (Sec. 5,7, 13, 13B, 26)/ Hindu Minority and Guardianship Act, 1956, The Hindu Adoption and Maintenance Act of 1956 (HAMA),1956 • The Dowry Prohibition Act, 1961

	• The Special Marriage Act, 1954 (Sec 4, 27, 28, 38) • Indian Divorce Act, 1869 Law relating to marriage and divorce governing Christians, Parsi Marriage and Divorce Act, 1936. • The Muslim Personal Law (Shariat) Application Act, 1937, The Dissolution of Muslim Marriages Act, 1939, The Muslim Women (Protection of Rights on Marriage) Act, 2019 • Prohibition of Child Marriage Act, 2006 • The Mental Healthcare Act, 2017 • Surrogacy (Regulation) Act, 2021 with Surrogacy (Regulation) Rules, 2022 • Medical Termination of Pregnancy Act, 1971 • PC& PNDT Act, 1994

Essential Readings	• Archana Parashar, *Women and Family Law Reform in India: Uniform Civil Code and Gender Equality,* • SC Tripathi and Vibha Arora, *Law relating to Women and Children*, Central Law Publication, 2006 • Parashar, A., & Dhanda, A (2009*). Redefining Family Law in India* (1st ed.). Routledge India. https://doi.org/10.4324/9780367817831 • Prithvi Raj, Regulating Surrogacy in India: Legal Frameworks, *Ethical Considerations and Lessons from Global Practices*, Nyaayshastra Law Review, SSRN, 2024 (https://dx.doi.org/10.2139/ssrn.5017308)

Suggested Readings	• Senthil, N., Vajiram, J., & V, N. (2019). The misuse of law by Women in India-Constitutionality of Gender Bias. Journal of Legal Research and Juridical Sciences, 2(2), 77-82. • Dandona, R., Gupta, A., George, S. et al. Domestic violence in Indian women: lessons from nearly 20 years of surveillance. BMC Women's Health 22, 128 (2022). https://doi.org/10.1186/s12905-022-01703-3

MODULE III: [CRIME AND WOMEN: LEGAL PROTECTIONS] [10 Sessions]

Unit I	Crime against women in BNS, definition and penalty
Unit II	Sexual harassment and related workplace rights
Unit III	Cybercrimes and online harassment
Unit IV	Domestic violence: Protection of Women from Domestic Violence Act, 2005.

Landmark Case laws	• Shreya Singhal v. UOI AIR 2015 SC 1523 • State of Tamil Nadu Vs SuhasKatti CC No. 4680 of 2004 • Avnish Bajaj v. NCT of Delhi 150 DLT 769

Relevant Laws / Statutes / International Treaties	• Bhartiya Nyay Sanhita (Sec 64-69, 73,74, 76-78) • The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 • Maternity Benefit Act, (MBA), 1961 and Maternity Benefit (Amendment) Act, 2017 • Domestic Violence Act, 2005 • Information Technology Act, 2005 • Schemes: Cyber Crime Prevention against Women & Children (CCPWC) scheme, Indian Cyber Crime Coordination Centre (I4C)

Essential Readings	• BPRD, Women, Children and the New Criminal Laws: an overviewWomen, Children and the New Criminal Laws (1).pdf/ 20240220083430674040 4WomenandChildren.pdf • Dr. Sharmila Rudra, Cyber crime Against Women in India, (IOSR-JHSS) 2023 • S.R Balabantaray, M. Mishra and U. Pani, A Sociological Study Of Cybercrimes Against Women In India: Deciphering The Causes And Evaluating The Impact On The Victims, Ijaps 2023 < (PDF) A SOCIOLOGICAL STUDY OF CYBERCRIMES AGAINST WOMEN IN INDIA: DECIPHERING THE CAUSES AND EVALUATING THE IMPACT ON THE VICTIMS> • Usha Tandon and Sidharth Luthra, "*Rape: Violation of the Chastity or Dignity of Women? A Feminist Critique of Indian Law"*, FICHL Policy Brief Series No.51 2016 <http://www.fichl.org/fileadmin/user_upload/160615_PBS_No.51_2016_Tandon_Luthra_.pdf. >

Suggested Readings	• Prof (Dr) Sarfaraz Ahmed Khan and Dr Pankaj Prakash Umbarkar, Cyber Crimes Security and Warfare's, Satyam Law International Publication 2022 • Ms. Saumya Uma, Outlawing cyber crimes against women in India, Bharati Law Review, April-June, 2017 < OUTLAWING CYBER CRIMES AGAINST WOMEN IN INDIA> • Ministry of Home Affairs, Increase in cyber Crimes, PIB Delhi, 2024 < Press Release:Press Information Bureau> • Indira Jaisingh, ―Bringing Rights Home: Review of the Campaign for a Law on Domestic Violence‖ in Kalapana Kannabhiran (ed), WOMEN AND LAW CRITICAL FEMINIST PERSPECTIVES (Sage Publications India 2014)

MODULE IV: [WOMEN AND EMPLOYMENT: LEGAL AND PROFESSIONAL RIGHTS]

[5 sessions]

Unit I	Women in Unorganized sector: Discrimination and Representation
Unit II	Women in Organized Sector: Challenges, rights and protections
Unit III	Vishakha Guidelines, 1997 and Maternity Benefit Act-post 2017 Amendment
Unit IV	Legislative reforms for women's professional empowerment; Gender Budgeting; gender pay gap; political rights

Landmark Case laws	• Vishakha v. State of Rajasthan • Municipal Corporation of Delhi v. Female Workers (Muster Roll) and Another, (2000) 3 SCC 224 • Sabu Mathew George v. Union Of India & Ors., Writ Petition(s)(Civil) No(s).341/2008 in Supreme Court of India • Vinod Soni v. UOI, 2005 Bombay High Court

Relevant Laws / Statutes / International Treaties	• Factories Act, 1948 (Chapter III, IV, V and VI), The Occupational Safety, Health, and Working Conditions Code, 2020, The Code on Wages, 2019, The Code on Social Security, 2020, The Industrial Relations Code, 2020 • Women Reservation Act, 2023 • Maternity Benefit Act, (MBA), 1961 and Maternity Benefit (Amendment) Act, 2017 • The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013

Essential Readings	• About Women Labour, Ministry of Labour and Employment < https://labour.gov.in/womenlabour/about-women-labour> • New labour Code for New India-Biggest labour reforms in Independent India, Ministry of labour and employment, 2021 < doc202111101.pdf> • Kalapana Kannabhiran (ed), WOMEN AND LAW CRITICAL FEMINIST PERSPECTIVES (Sage Publications India 2014) • Goldin, Claudia and Lawrence F. Katz. "The Power Of The Pill: Contraceptives And Women's Career And Marriage Decisions," Journal of Political Economy, 2002, v110(4,Aug), 730-770

Suggested Readings	• Krea University, Digital Platforms and Labour laws in India: Status and Rights of Women Workers, 2023 < DP-WEE_Digital-Platforms-and-Labour-Laws-in-India.pdf>

MODULE V: [INTERSECTIONALITY AND ACCESS TO JUSTICE] [8 Sessions]

Unit I	Intersectionality: Gender, caste, class, and religion in women's legal struggles
Unit II	Legal aid and access to justice for women in India
Unit III	Public interest litigation (PIL) and role of Judiciary in empowering women
Unit IV	Discrimination of Marginalized women

Landmark Case laws	• The Constitution of India, 1950 (Art.14, 21, 22(1), 39A)

Relevant Laws /	• Delhi Domestic Working Women'S Forum vs Union Of India And

Statutes / International Treaties	Others on 19 October, 1994

Essential Readings	• UN Women, Intersectional feminism: what it means and why it matters right now, 2020 < Intersectional feminism: what it means and why it matters right now | UN Women – Headquarters> • Dr. M. M. Vaidya, Access to justice and Women, e-pgpathshala. < Access to Justice & Women – Access to Justice> • International Women's Day 2024: 24 Supreme Court judgments that shaped the contours of women's rights in India <https://www.barandbench.com/columns/litigation-columns/international-womens-day-24-supreme-court-judgments-womens-rights-india > • Handbook on combating gender stereotypes, Supreme court of India <Handbook - Final copy> • Kapur, Ratna and Cossman, Brenda (2022) "Gender Equality Redux," National Law School Journal: Vol. 16: Iss. 1, Article 5. DOI: 10.55496/FLYJ7684 Available at: https://repository.nls.ac.in/nlsj/vol16/iss1/5

Suggested Readings	• Nupur Preeti Alok, Intersectional Feminism 101: Why It's Important And What We Must Remember, 2017, FII < Intersectional Feminism 101: Why It's Important And What We Must Remember>

MODULE VI: [CONTEMPORARY ISSUES, GLOBAL FEMINIST MOVEMENTS,

AND REFORMS] [17 sessions]

Unit I	Contemporary challenges in implementation of Women Rights
Unit II	Role of Commission for women's Rights , Government and NGOs
Unit III	The future of women's rights in India: Advocacy, activism, and legal reforms
Unit IV	UCC and Women in India- Contemporary Challenge

Landmark Case laws	• Daniel Latifi v. Union of India 2001 AIR SCW 3932 • State of Madhya Pradesh vs. Jogendra & Anr 2022 • Bhanwari Devi vs The State Of Rajasthan 1997(1)WLC42, 1996(2)WLN387 • Joseph Shine v. Union of India (2018) • Federation of Obstetric and Gynecological Societies of India (FOGSI) v. Union of India& Ors. (2019) • The Secretary, Ministry of Defence v. Babita Puniya & Ors. (2020)

Relevant Laws / Statutes / International	• Kalpana Kannabiran (ed.), Women and Law : Critical Feminist Perspective, Sage Publications India Pvt. Ltd., 2014

Treaties	

Essential Readings	Geraldine Van Bueren, The International Protection of Family Members' Rights as the 21st Century Approaches, Human Rights Quarterly , Nov., 1995, Vol. 17, No. 4 (Nov., 1995), pp. 732-765 Published by: The Johns Hopkins University Press, : https://www.jstor.org/stable/762487 Daniel A. Bell, The East Asian Challenge to Human Rights: Reflections on an East West Dialogue, Human Rights Quarterly , Aug., 1996, Vol. 18, No. 3 (Aug., 1996), pp. 641-667 : https://www.jstor.org/stable/762475 Gopal Sharma and Ranjan Kr. Das, WOMEN IN GRASSROOTS DEMOCRACY IN INDIA : Non-Governmental Organisations and its Possibilities, The Indian Journal of Political Science , OCT. - DEC., 2008, Vol. 69, No. 4 (OCT. - DEC., 2008), pp. 815-823, : https://www.jstor.org/stable/41856471 Dr.Pankaj Umbarkar and Dr.Priyanka R.Mohod, Beneath The Surface: An Analysis Of Constitutional And Human Values For Incarcerated Individuals In Pursuit Of Justice, RLR (2023) Volume VII Issue II ISSN 2321-3787 https://www.rostrumlegal.com/beneath-the-surface-an-analysis-of-constitutional-and-human-values-for-incarcerated-individuals-in-pursuit-of-justice/

Suggested Readings	Vaibhav Goel and Manoj Kr. Tripathi, The Role Of Ngos In The Enforcement Of Human Rights: An Overview, The Indian Journal of Political Science , JULY - SEPT., 2010, Vol. 71, No. 3 (JULY - SEPT., 2010), pp. 769-793, Indian Political Science Association, http://www.jstor.com/stable/42748408 ZOYA HASAN, Gender, Religion and Democratic Politics in India, Third World Quarterly , 2010, Vol. 31, No. 6, The Unhappy Marriage Of Religion And Politics: Problems And Pitfalls For Gender Equality (2010), pp. 939-954, Taylor & Francis, Ltd, : https://www.jstor.org/stable/27896590 Dr. Pankaj Umbarkar, Personal Law, Uniform Civil Code and Beyond" International Interdisciplinary Research Journal, {Bi-Monthly}, ISSN2249-9598, Volume-IV, Sept 2014 Special Issue, Impact Factor 3.816

READING LIST

- **Essential Reading List**

Books

1. Mamta Rao, Law relating to Women and Children-,Eastern Book Company fourth edition reprinted 2024

2. Lalita Dhar Parihar, Women and Law, From Impoverishment to Empowerment- Eastern Book Company Reprint 2016

3. Amita Dhandha and Archana Parashar, Engendering Law: Treatise on women and law, Eastern Book company ISBN: 9788170129540 Reprinted in 2007

- **Suggested Reading List**

1. Jaya Sagade, Vedna Jivan and Christ , Feminism in the Subcontinent and Beyond: Challenging Laws, Changing Laws Eastern Book Company 2014
2. Sahla Aroussi , Women, Peace, and Security, Repositioning Gender in Peace Agreements: 2015, Eastern Book Company

3. S. C. Tripathi , Law Relating to Women & Children, Eastern Book Company
4. Asha Bhandari and Rekha Mehta , Women, Justice and the Rule of Law, Estern Book Company.
5. LawChristina Jones-Pauly and Abir Dajani Tuqan (eds)- I.B Tauris, Women Under Islam Gender, Justice and the Politics of Islamic 9. Women and Violence in India Gender, Oppression and the Politics ofNeoliberalism-Tamsin Bradley- I.B. Tauris
6. Robert L, A. Kochanek- Hartcourt Brace Javanovich Rethinking Equality Projects in Law Feminist Challenges- Hardgrave, College Publishers, 1993, New York
7. Flavia Agnes, Law and Gender Inequality; The politics of Women's Rights in India-
8. Oxford University Press

9. G.B. Reddy , Women and Law, Gogia Law Agency
10. The Universal Declaration of Human Rights (UDHR) was adopted by the United Nations
11. General Assembly at its 3rd session on 10 December 1948 at the Palais de Chaillot in Paris,
12. France.
13. The European Convention on Human Rights (ECHR) (formally the Convention for the
14. Protection of Human Rights and Fundamental Freedoms) is drafted in 1950 by the then
15. newly formed Council of Europe
16. The Convention concerning Equal Remuneration for Men and Women Workers for Work
17. of Equal Value, or Equal Remuneration Convention. C100 ILO Convention Date of adoption
18. 29 June 1951
19. ILO Conventions No. 103 (1952) concerning Maternity Protection Convention (Revised)
20. Convention on The Political Rights Of Women New York, 1952
21. The International Covenant on Civil and Political Rights (ICCPR) is a multilateral treaty
22. adopted by the United Nations General Assembly with resolution 2200A (XXI) on 16
23. December 1966
24. The International Covenant on Economic, Social and Cultural Rights (ICESCR) is a
25. multilateral treaty adopted by the United Nations General Assembly on 16 December 1966
26. The Convention on the Elimination of all Forms of Discrimination Against Women
27. (CEDAW) is an international treaty adopted in 1979 by the United Nations General Assembly.
28. Bharatiya Nyaya Sanhita 2023
29. The Immoral Traffic (Prevention) Act, 1956
30. The Dowry Prohibition Act, 1961
31. The Commission of Sati (Prevention) Act, 1987

32. The Protection of Women from Domestic Violence Act, 2005
33. The Sexual Harassment of Women at Workplace (PREVENTION, PROHIBITION and REDRESSAL) Act, 2013
34. Justice Verma Committee Report 2013

Note: The topics, legislations and cases mentioned are not exhaustive. The instructor of the course shall be at liberty to add new topics/legislations/cases.

HIDAYATULLAH NATIONAL LAW UNIVERSITY

B.A.LL. B (Hons.) Batch of 2020-25 / 2021-26

MEDIA LAW (OPTIONAL I & II)

Course Code	**LLB-O-806** **LLB-O-1005**	**Faculty**	Mr. Abhinav K Shukla
Class Hours	60 hours	**Credits**	4
Programme	B.A.LL.B. (Hons.)	**Year**	IV and V Year
Session Duration	55 Minutes	**Semester**	VIII and IX

COURSE SUMMARY

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.

With the rapid advancement of technology, the course integrates contemporary issues such as the interface of media with the Information Technology Act and Rules, the regulation of OTT platforms, the rise of artificial intelligence and deep fakes, and the challenges posed by misinformation and the role of fact-checking units. It aims to equip students with a comprehensive understanding of the legal and ethical dimensions of media, focusing on statutory and regulatory frameworks, judicial precedents, and practical insights.

The curriculum spans diverse sectors, including electronic and print media, film, television, radio, information technology, and broadcasting, preparing students to navigate the complex intersection of law, technology, and media practices.

COURSE OBJECTIVES

CO 01	To understand how media policies and regulations enable or constrain an effective media environment.

CO 02	To understand the obligations and rights of media practitioners in the execution of their duties.
CO 03	Analyze the interface between media and emerging technologies, such as artificial intelligence, deep fakes, and digital platforms, alongside the implications of the Information Technology Act, Rules, and related regulations on media operations and content dissemination.
CO 04	To understand the changing media landscapes and their possible legal implications.

TEACHING PEDAGOGY

The teaching pedagogy for Media Law should blend theoretical understanding with practical insights to prepare students for real-world challenges. Interactive lectures and case law discussions will provide foundational knowledge of statutory provisions, judicial precedents, and emerging issues. Practical exercises like mock trials, media regulatory simulations, and analysis of deep fake scenarios will enhance critical thinking. Guest lectures from media professionals, legal experts, and fact-checking organizations will offer diverse perspectives. Incorporating multimedia tools, such as videos on landmark cases and documentaries on media ethics, alongside AI-driven tools for analyzing misinformation, will enrich learning. Assignments on OTT regulations and IT Act implications will ensure applied understanding.

COURSE PLAN

MODULE I: MEDIA AND LAW: FOUNDATIONS AND EVOLUTION [10 Sessions]

Unit I	Evolution of Media and its Role in Society
Unit II	Normative Theories of Media
Unit III	Media's Interface with Democracy and Governance
Unit IV	Digital Transformation: From Print to AI-Powered Media

Landmark Case laws	(a) Romesh Thappar v. State of Madras, 1950 AIR 124 (b) Indian Express Newspapers v. Union of India, 1985 SCC (1) 641 (c) Shreya Singhal v. Union of India, (2015) 5 SCC 1

Relevant Laws / Statutes International Treaties	● Constitution of India, 1950 (Article 19 and its reasonable restrictions). ● IT Rules, 2021 (intermediaries and digital media). ● Universal Declaration of Human Rights (Article 19).

Essential Readings	● D.D. Basu, *Law of the Press*, Wadhwa Nagpur, 2002. ● H.M. Seervai, *Constitutional Law of India*, Vol. I, 1991. ● Andrew D. Murray, *IT Law: The Law and Society*, Oxford University Press, 2010. ● Monroe E. Price, *Media and Sovereignty: The Global Information Revolution and Its Challenge to State Power*, MIT Press. ● Phillip M. Napoli, *Foundations of Communication Policy: Principles and Process in the Regulation of Electronic Media*, Hampton Press.

Suggested Readings	● Gaur, K.D. "Constitutional Rights and Freedom of Media in India." *Journal of the Indian Law Institute* 36, no. 4 (1994): 429–54. http://www.jstor.org/stable/43952367. ● Joseph, Ammu. "Media Pluralism: Not Just a Question of Numbers." *India International Centre Quarterly* 42, no. 1 (2015): 1–11. http://www.jstor.org/stable/26316658. ● Tully, Stephen. "People You Might Know: Social Media in the Conflict Between Law and Democracy." In *Law and Democracy: Contemporary Questions*, edited by Glenn Patmore and Kim Rubenstein, 153–72. ANU Press, 2014. ● Mishra, Naveen K. "Governmental Threats For Media Freedom : Comparative Study of Asian Countries." *The Indian Journal of Political Science* 69, no. 1 (2008): 149–56. http://www.jstor.org/stable/41856399. ● Aparna Viswanathan, *Cyber Law – Indian & International Perspectives*. ● Justice E.S. Venkatramaiah, *Freedom of Press: Some Recent Trends*. ● Ram Jethmalani & Shravan N. Jethmalani, *Constitutional and Media Law in India*. ● David Goldberg, Tony Prosser & Stefaan Verhulst, *Regulating the Changing Media: A Comparative Study*, Clarendon Press, Oxford. ● Eric Barendt, *Freedom of Speech*, Oxford University Press. ● Palmer, John R. "Theories of Social Change and the Mass Media." *Journal of Aesthetic Education* 5, no. 4 (1971): 127–49. https://doi.org/10.2307/3331625. ● McCormack, Thelma. "Social Theory and the Mass Media." *The Canadian Journal of Economics and Political Science / Revue Canadienne d'Economique et de Science Politique* 27, no. 4 (1961): 479–89. https://doi.org/10.2307/139434. ● Kumar, Smarika. "Media Ownership and the Marketplace of Ideas." *Economic and* ● *Political Weekly* 50, no. 22 (2015): 20–23. http://www.jstor.org/stable/24482485.

MODULE II: FREEDOM OF SPEECH AND EXPRESSION: CONSTITUTIONAL FRAMEWORK AND MEDIA RIGHTS [10 Sessions]

Unit I	Development and Scope of Freedom of Speech and Expression under Article 19(1)(a)
Unit II	Media Rights: Circulation, Criticism, Cross-Border Expression, and Interviews
Unit III	Reasonable Restrictions under Article 19(2): Hate Speech, Sedition, and National Security; Contempt of Court vs. Freedom of Criticism
Unit IV	Media and Article 19(1)(g): Balancing Commercial Interests and Public Welfare Landmark Cases on Media Freedom and Constitutional Protections
Unit V	Landmark Cases on Media Freedom and Constitutional Protections

Landmark Case laws	(a) S.G. Vombatkere vs. Union of India is (2022) 7 SCC 433. (b) Bennett Coleman & Co. v. Union of India, AIR 1973 SC 106 (c) Texas v. Johnson, 491 U.S. 397 (1989) (d) Bijoe Emmanuel v. State of Kerala, (1986) 3 SCC 615

Relevant Laws / Internatio nal Treaties	● Bharatiya Nyaya Sanhita, 2023 ● Indian Penal Code, 1860 ● Cable TV Networks (Regulation) Act, 1995. ● Contempt of Courts Act, 1971 ● Programme and Advertising Code. ● European Convention on Human Rights (Article 10).

Essential Readings	● Rajeev Dhavan, *On the Law of the Press in India*. ● D.D. Basu, *Commentary on the Constitution of India*, 8th edn. ● Ram Jethmalani & D.S. Chopra, *Cases and Materials on Media Law*. ● Tom Campbell & Wojciech Sadurski (eds.), *Freedom of Communication*, Dartmouth. ● Frederick Schauer, *Free Speech: A Philosophical Enquiry*, Cambridge University Press.

Suggested Readings	● Lok Sabha Secretariat, *Constituent Assembly Debates*. ● Udupa, Sahana. "Beyond Acquiescence and Surveillance: New Directions for Media Regulation." *Economic and Political Weekly* 47, no. 4 (2012): 101–9. http://www.jstor.org/stable/41419771. ● J. A. R. "Free Speech and the Mass Media." *Virginia Law Review* 57, no. 4 (1971): 636–56. https://doi.org/10.2307/1072151. ● Gaur, K.D. "Constitutional Rights and Freedom of Media in India." *Journal of the Indian Law Institute* 36, no. 4 (1994): 429–54. http://www.jstor.org/stable/43952367. ● Thakurta, Paranjoy Guha. "Curbing Media Monopolies." *Economic and Political Weekly* 48, no. 16 (2013): 10–14. http://www.jstor.org/stable/23527252. ● Madhavi Goradia Divan, *Facets of Media Law*, 2nd Edn., 2018. ● Austin Granville, *The Indian Constitution: Cornerstone of a Nation*. ● Geoffrey R. Stone, *Perilous Times: Free Speech in Wartime from the Sedition Act of 1798 to the War on Terrorism*, W.W. Norton. ● Larry Alexander, *Is There a Right of Freedom of Expression?*, Cambridge University Press. ● Guilbeault, Douglas. "Digital Marketing in the Disinformation Age." *Journal of International Affairs* 71, no. 1.5 (2018): 33–42. https://www.jstor.org/stable/26508116. ● Verma, D.P.S. "Advertising & the Law." *Journal of the Indian Law Institute* 48, no. 2 (2006): 257–70. http://www.jstor.org/stable/43952035. ● Ahmad, Farooq. "False and Misleading Advertisements — Legal Perspectives." *Journal of the Indian Law Institute* 38, no. 2 (1996): 168–83. http://www.jstor.org/stable/43927467.

MODULE III: REGULATORY ECOSYSTEM: GOVERNANCE OF TRADITIONAL AND DIGITAL MEDIA [12 Sessions]

Unit I	Regulatory Bodies: ● Press Council of India ● Prasar Bharati and All India Radio ● Ministry of Information and Broadcasting ● Ministry of Electronics and Information Technology ● TRAI and OTT Platforms ● Fact Check Units and Content Moderation in Digital Media ● News Broadcasters & Digital Association
Unit II	Laws Governing Advertisements and Consumer Protection
Unit III	IT Rules, 2021: Oversight of Social Media, Intermediaries, and Digital News
Unit IV	Censorship, OTT Regulations, and Self-Regulation Mechanisms
Unit V	Election Commission of India: Rules on Exit Polls, Opinion Polls and Surrogate News

Landmark Case laws	(a) Secretary, Ministry of I&B v. Cricket Association of Bengal, (1995) 2 SCC 161 (b) ABP Pvt Ltd. v. Union of India, (2014) 3 SCC 327 (c) Naveen Jindal v. Zee Media Corporation Ltd, (2014) 2 SCC 1 (d) Anoop Baranwal v Union of India, WP (C) 104/2015 (e) Kunal Kamra v. Union of India, Writ Petition (L) No.9792 Of 2023

Relevant Laws / Statutes	1. IT Rules, 2021 & IT (Amendment) Rules 2023 2. Prasar Bharati Act, 1990. 3. Cable Television Networks Rules, 1994 4. United Nations International Covenant on Civil and Political Rights (ICCPR), Article 19.

Essential Readings	1. Ram Jethmalani & Shravan N. Jethmalani, *Constitutional and Media Law in India*. 2. Madhavi Goradia Divan, *Facets of Media Law*. 3. Justice E.S. Venkatramaiah, *Freedom of Press: Some Recent Trends*. 4. Steven Barnett & Judith Townend, *Media Power and Plurality: From Hyperlocal to High-Level Policy*, Palgrave Macmillan. 5. Peter Lunt & Sonia Livingstone, *Media Regulation: Governance and the Interests of Citizens and Consumers*, SAGE Publications.

Suggested Readings	1. Siripurapu, Anshu, and William Merrow. "Social Media and Online Speech: How Should Countries Regulate Tech Giants?" Council on Foreign Relations, 2021. http://www.jstor.org/stable/resrep31160. 2. Thakurta, Paranjoy Guha. "Curbing Media Monopolies." *Economic and Political Weekly* 48, no. 16 (2013): 10–14. http://www.jstor.org/stable/23527252. 3. Bhushan, Sandeep. "'Regulation' and 'Non-Media' Money in Media." *Economic and Political Weekly* 50, no. 7 (2015): 21–23. http://www.jstor.org/stable/24481387. 4. Nireekshak. "Resurrecting the Press Council." *Economic and Political Weekly* 13, no. 2 (1978): 46–47. http://www.jstor.org/stable/4366280. 5. Andrew D. Murray, *IT Law: The Law and Society*, Oxford University Press, 2010. 6. Nireekshak. "The Fourth Estate: The Wayward Press." *Economic and Political Weekly* 35, no. 34 (2000): 3001–2. http://www.jstor.org/stable/4409643. 7. Dhavan, Rajeev. "On the Law of the Press in India." *Journal of the Indian Law Institute* 26, no. 3 (1984): 288–332. http://www.jstor.org/stable/43953869. 8. Dhavan, Rajéev. "The Press Council As Super Editor : V.N. Gadgil's Right To Reply Bill." *Journal of the Indian Law Institute* 37, no. 3 (1995): 364–77. http://www.jstor.org/stable/43951605. 9. RHathaway, Melissa E., and Global Commission On Internet Governance. "Connected Choices: How The Internet Is Challenging Sovereign Decisions." *Cyber Security in a Volatile World*. Centre for International Governance Innovation, 2017. http://www.jstor.org/stable/resrep05239.10. 10. Muralidharan, Sukumar. "TRAI Report on Media Ownership: The Press's Curious Response." *Economic and Political Weekly* 49, no. 36 (2014): 10–13. http://www.jstor.org/stable/24480637. 11. Sanyal, Kaushiki. "Regulating the Regulators: Role of Parliament." *Economic and Political Weekly* 51, no. 13 (2016): 16–19. http://www.jstor.org/stable/44004038. 12. Ian Brown, *Research Handbook on Governance of the Internet*, Edward Elgar Publishing.

MODULE IV: PRIVACY, SURVEILLANCE, AND MEDIA RIGHTS [08 Sessions]

Unit I	The Concept and Evolution of Privacy Rights
Unit II	The Right to Privacy in the Digital Era: Challenges with AI, Surveillance & Deepfakes
Unit III	Media's Role in Safeguarding or Infringing Privacy

Unit IV	Balancing Privacy with Freedom of Expression: Judicial Perspectives

Landmark Case laws	(a) Justice K.S. Puttaswamy v. Union of India, (2017) 10 SCC 1 (b) R. Rajagopal v. State of Tamil Nadu, 1994 SCC (6) 632 (c) Swatanter Kumar v. The Indian Express Ltd., 207 (2014) DLT 221

Relevant Laws	● IT Act, 2000 ● IT Rules, 2021 (Privacy obligations for intermediaries). ● Digital Personal Data Protection (DPDP) Act ● General Data Protection Regulation (GDPR), EU. ● Indecent Representation (Prohibition) Act, 1986.

Essential Readings	● Daniel J. Solove, *Understanding Privacy*, Harvard University Press. ● Helen Fenwick & Gavin Phillipson, *Media Freedom under the Human Rights Act*, Oxford University Press. ● Privacy Law - Principles, Injunctions and Compensation

Suggested Readings	● Guruswamy, Menaka. "Justice K.S. Puttaswamy (Ret'd) and Anr v. Union of India and Ors, Writ Petition (Civil) No. 494 of 2012." *The American Journal of International Law* 111, no. 4 (2017): 994–1000. https://www.jstor.org/stable/26568904. ● Luthra, Samarth Krishan, and Vasundhara Bakhru. "Publicity Rights & the Right to Privacy in India." *National Law School of India Review* 31, no. 1 (2019): 125–48. https://www.jstor.org/stable/26918425. ● Richards, Neil M. "The Dangers of Surveillance." *Harvard Law Review* 126, no. 7 (2013): 1934–65. http://www.jstor.org/stable/23415062. ● Bhandari, Vrinda. "Privacy Concerns in the Age of Social Media." *India International Centre Quarterly* 45, no. 3/4 (2018): 66–81. http://www.jstor.org/stable/45129854. ● Young, Kaliya, Richard Abisla, Subhodeep Jash, Aditya K. Kaushik, Sylvia Mishra, Ananth Padmanabhan, Pranesh Prakash, Tanvi Ratna, Joshua Simons, and Madhulika Srikumar. "Key Differences Between the U.S. Social Security System and India's Aadhaar System." *The Promise of Public Interest Technology: In India and the United States*. New America, 2019. http://www.jstor.org/stable/resrep19980.13. ● Revathi, Raddivari. "Evolution of Privacy Jurisprudence – A Critique." *Journal of the Indian Law Institute* 60, no. 2 (2018): 189–99. https://www.jstor.org/stable/26826635.

	● Singh, Shiv Shankar. "Privacy & Data Protection in India: A Critical Assessment." *Journal of the Indian Law Institute* 53, no. 4 (2011): 663–77. http://www.jstor.org/stable/45148583.

MODULE V: TRANSPARENCY AND ACCOUNTABILITY: RIGHT TO INFORMATION AND INVESTIGATIVE JOURNALISM [10 Sessions]

Unit I	Evolution and Significance of the Right to Information in India
Unit II	Salient Features of the RTI Act, 2005: Processes and Limitations
Unit III	Role of RTI in Empowering Investigative Journalism
Unit IV	Media's Role in Ensuring Government Accountability and Transparency
Unit V	Challenges in Balancing RTI with National Security and Privacy Laws

Landmark Case laws	(a) Prabha Dutt v. Union of India, 1982 SCR (1) 1184 (b) State of UP v. Raj Narain, AIR 1975 SC 865 (c) Central Public Information Officer v. Subhash Chandra Agarwal, 2019 SC (d) Association for Democratic Reforms v Union of India, Writ Petition (Civil) No.880/2017: Electoral Bonds Case

Relevant Laws / Statutes	● Right to Information Act, 2005. ● Public Records Act, 1993. ● Official secrets act 1923 ● ICCPR (Article 19).

Essential Readings	● Roy, A., & Gandhi, S. (2008). *The Right to Information Act, 2005: A Handbook*. New Delhi: Penguin Books India. ● Jain, M. P. (2008). *Right to Information: A Practical Guide*. New Delhi: Universal Law Publishing. ● Alasdair Roberts, *Blacked Out: Government Secrecy in the Information Age*, Cambridge University Press. ● Toby Mendel, *Freedom of Information: A Comparative Legal Survey*, UNESCO.

Suggested Readings	● Dhavan, Rajeev. "Legitimating Government Rhetoric : Reflections On Some Aspects of the Report of the Second Press Commission." *Journal of the Indian Law Institute* 26, no. 4 (1984): 391–423. http://www.jstor.org/stable/43950943 ● Ghuman, B. S., and Mohammad Sohail. "Right to Information Act, 2005 in India: A Decadal Experience." *Indian Journal of Public Administration* 63, no. 2 (June 2017): 228–51. http://dx.doi.org/10.1177/0019556117699737

	• Khanwalker, Varsha. "The Right To Information Act in India: Its Connotations & Implementation." *The Indian Journal of Political Science* 72, no. 2 (2011): 387–93. http://www.jstor.org/stable/42761423. • Dhavan, Rajeev. "Information & Democracy in India." *Journal of the Indian Law Institute* 47, no. 3 (2005): 295–325. http://www.jstor.org/stable/43951978. • Jain, Anshu. "Good Governance & Right to Information: A Perspective." *Journal of the Indian Law Institute* 54, no. 4 (2012): 506–19. http://www.jstor.org/stable/43953611. • Kamla. "Role of RTI Act in Making Governance Accountable And Transparent." *The Indian Journal of Political Science* 73, no. 2 (2012): 321–30. http://www.jstor.org/stable/41856594.

MODULE VI: CONTEMPORARY AND EMERGING ISSUES IN MEDIA LAW [10 Sessions]

Unit I	Media Trials and Their Impact on Judicial Processes
Unit II	Freedom of Expression vs. National Security in the Digital Age
Unit III	Deep fakes, Fake News, and the Role of AI in Media Ethics
Unit IV	Regulation of Digital Media Platforms and Content Moderation
Unit V	The Right to Access the Internet as a Fundamental Right: Indian and Global Perspectives

Landmark cases	1. Shreya Singhal v. Union of India, (2015) 5 SCC 1 2. NDTV Ban Case, 2016: Regulatory overreach and censorship debates. 3. Elonis v. United States, 575 U.S. 723 (2015) 4. Media One Ban Case: Madhyamam Broadcasting Limited vs Union Of India on 5 April, 2023, 2023 SCC OnLine SC 366

Relevant Laws / Statutes Internatio nal Treaties	1. IT Rules, 2021. 2. Cable Tv Networks (Regulation) Act, 1995. 3. The Cable Television Networks (Regulation) Amendment Act Of 2011 4. The Cable Television Networks Rules, 1994 5. Un Guiding Principles On Business And Human Rights.

Essential readings	1. Kate Klonick, *The New Governors: The People, Rules, and Processes Governing Online Speech*, Harvard Law Review.
	2. Tarleton Gillespie, *Custodians of the Internet: Platforms, Content Moderation, and the Hidden Decisions That Shape Social Media*, Yale University Press.

Suggested Readings	1. "Insidious Censorship: The Ban on NDTV India Should Ring Warning Bells about the Future." *Economic and Political Weekly* 51, no. 46 (2016): 8–8. http://www.jstor.org/stable/44165693 2. https://www.theguardian.com/world/2023/jan/23/india-emergency-laws- to-ban-bbc-narendra-modi-documentary 3. HELMUS, TODD C. "Artificial Intelligence, Deepfakes, and Disinformation: A Primer." RAND Corporation, 2022. http://www.jstor.org/stable/resrep42027. 4. Fay, Robert, and Centre for International Governance Innovation. "Digital Platforms Require a Global Governance Framework." *Models for Platform Governance*. Centre for International Governance Innovation, 2019. http://www.jstor.org/stable/resrep26127.7. 5. Kumar, Shanti. "Digital Television in Digital India." In *Global Digital Cultures: Perspectives from South Asia*, edited by ASWIN PUNATHAMBEKAR and SRIRAM MOHAN, 53–75. University of Michigan Press, 2019. http://www.jstor.org/stable/j.ctvndv9rb.6. 6. Malik, Ashok. "Ethics of Media Reportage." *India International Centre Quarterly* 38, no. 2 (2011): 38–47. http://www.jstor.org/stable/41804001. 7. SHANKAR, RAGHAV. "Supreme Court's Decision on Reporting of Proceedings." *Economic and Political Weekly* 47, no. 40 (2012): 15–17. http://www.jstor.org/stable/41720207. 8. Datta, Sandip, and Geeta Gandhi Kingdon. "Inequality in Internet Access in India: Implications for Learning during COVID." IZA - Institute of Labor Economics, 2022. http://www.jstor.org/stable/resrep64853. 9. Shaver, Lea. "Access to Knowledge in India." *National Law School of India Review* 23, no. 1 (2011): 87–98. http://www.jstor.org/stable/44283741.

READING LIST

- **Essential readings**
  List Books
  1. Andrew D. Murray, *IT Law: The Law and Society*, Oxford University Press, 2010.
  2. Madhavi Goradia Divan, *Facets of Media Law*, 2nd Edition, 2018.
  3. Aparna Viswanathan, *Cyber Law-Indian & International Perspectives*, LexisNexis Butterworths, 2nd edn., 2011.
  4. David Goldberg, Tony Prosser & Stefaan Verhulst, *Regulating the Changing Media: A Comparative Study*, Clarendon Press, Oxford.

5. Eric Barendt, *Freedom of Speech*, Oxford University Press.
6. Geoffrey R. Stone, *Perilous Times: Free Speech in Wartime from the Sedition Act of 1798 to the War on Terrorism*, W.W. Norton.
7. Larry Alexander, *Is There a Right of Freedom of Expression?* Cambridge University Press.
8. Ian Brown, *Research Handbook on Governance of the Internet*, Edward Elgar Publishing.
9. M.P. Singh & V.N. Shukla, *Constitution of India*, 11th ed., Eastern Book Co., 2010.
10. Soli Sorabjee, *Law of Press Censorship in India*, 1976.
11. D.D. Basu, *Law of the Press*, Wadhwa Nagpur, 2002.
12. Justice E.S. Venkatramaiah, *Freedom of Press: Some Recent Trends*, 1984.
13. Ram Jethmalani & D.S. Chopra, *Cases and Materials on Media Law*, Thomson Reuters, 1st edn., 2012.
14. H.M. Seervai, *Constitutional Law of India: A Critical Commentary*, Universal Law Publishing Co., 2006.
15. Seervai, H.M., *Constitutional Law of India Vol. I* (1991).
16. Rajeev Dhavan, *On the Law of the Press in India*, 26 J.I.L.I., 1984.
17. Rajeev Dhavan, *Legitimating Government Rhetoric: Reflections on Some Aspects of the Second Press Commission*, 26 J.I.L.I. 391 (1984).
18. Austin Granville, *The Indian Constitution: Cornerstone of a Nation*, Oxford University Press.
19. A.V. Dicey, *An Introduction to the Study of the Law of the Constitution*, Universal Law Publishing Co.
20. Austrian, Granville, *Working a Democratic Constitution: A History of the Indian Experience*, Oxford University Press.

- **Suggested Reading**

List Books:

1. Monroe E. Price, *Media and Sovereignty: The Global Information Revolution and Its Challenge to State Power*, MIT Press.
2. Phillip M. Napoli, *Foundations of Communication Policy: Principles and Process in the Regulation of Electronic Media*, Hampton Press.
3. Tom Campbell & Wojciech Sadurski (eds.), *Freedom of Communication*, Dartmouth.
4. Frederick Schauer, *Free Speech: A Philosophical Enquiry*, Cambridge University Press.
5. Steven Barnett & Judith Townend, *Media Power and Plurality: From Hyperlocal to High- Level Policy*, Palgrave Macmillan.
6. Robin Mansell & Marc Raboy (eds.), *The Handbook of Global Media and Communication Policy*, Wiley-Blackwell.
7. Daniel J. Solove, *Understanding Privacy*, Harvard University Press.
8. Helen Fenwick & Gavin Phillipson, *Media Freedom under the Human Rights Act*, Oxford University Press.
9. Alasdair Roberts, *Blacked Out: Government Secrecy in the Information Age*, Cambridge University Press.

10. Toby Mendel, *Freedom of Information: A Comparative Legal Survey*, UNESCO.
11. Kate Klonick, *The New Governors: The People, Rules, and Processes Governing Online Speech*, Harvard Law Review.
12. Tarleton Gillespie, *Custodians of the Internet: Platforms, Content Moderation, and the Hidden Decisions That Shape Social Media*, Yale University Press.

HIDAYATULLAH NATIONAL LAW UNIVERSITY, NAVA RAIPUR

B.A.LL.B. (Hons.) Batches of 2020-2025 & 2021-2026

LAW OF INSURANCE

Course Codes	**LLB-O-807 & LLB-O-1006**	**Faculty**	Dr. Y Papa Rao
Class Hours	60 hours	**Credits**	4
Programme	B.A.LL.B. (Hons.)	**Year**	IV & V
Session Duration	55 Minutes	**Semesters**	VIII & X

COURSE SUMMARY

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.

The insurance industry of India has 58 insurance companies 26 are in the life insurance business, while 32 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.

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. 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, decreases the significance of the law of tort.

COURSE OBJECTIVES

CO 01	To understand the basic and advance concepts of law of Insurance.
CO 02	To provide students with the critical aptitudes necessary in an academic environment and in an increasingly complex, challenging and interdependent world.
CO 03	To assist students in the development of intellectual flexibility and creativity so that they may engage in life-long learning.
CO 04	To develop skills of analyzing various legal provisions considering practical issues to cater the need of the industry.
CO 05	To improve the students' interest in engaging subject with laws governing Contract of Insurance in specialized areas.

TEACHING 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.

COURSE PLAN

MODULE I: [INTRODUCTION TO INSURANCE] [10 Sessions]

Unit I	History and development of insurance in India.
Unit II	Definition and Nature of Insurance Contract.
Unit III	Classification of contract of insurance.
Unit IV	The Insurance Act, 1938.
Unit V	Insurance Regulatory Development Authority (IRDA) of India (1999) - role, powers and functions.

Landmark Case laws	1. National Insurance Co Ltd v Seema Malhotra (2001) 3 SCC 151. 2. Reliance Life Insurance Co. Ltd. vs Rekhaben Nareshbhai Rathod (2019) 6 SCC 175 3. Canara Bank v. United India Insurance Company (2020) SC 137. 4. LIC vs. Smt. G.M. Channabasamma AIR1991SC392, 5. New India Assurance Company Ltd vs. M/S Zuari Indsustries Ltd. & Ors. Civil Appeal No. 4436 of 2004.

Relevant Laws / Statutes / International Treaties	The Insurance Act, 1938. The Insurance Regulatory and Development Authority Act, 1999. The Indian Contract Act, 1872.

Essential Readings	1. Life Insurance. By J. B. Maclean. [9th ed. Pp. xiv + 617. New York: McGraw-Hill Book Co., Inc., 1962. 2. K.S.N. Murthy & K.V.S. Sarma, Modern Law of Insurance in India (Sixth Edition- 2019), LexisNexis, Delhi.

	3. M.N. Srinivasan's Principles of Insurance Law, Lexis Nexis-Butterworths Wadhwa. 11th Edition 2021. 4. The Law of Torts by Ratanlal and Dhirajlal, Akshay Sapre Edition 29, 2023, Lexis Nexis.

Suggested Readings	1. R.M. Ray, Life Insurance in India its History, Law Practice and Problems (1981) Printed at Times Press, 910 Jatwara Street, Darya Ganj, New Delhi-2. 2. Porter's Law of Insurance, Seventh Edition. By T.W.Morgan 1925 Sweet & Maxwell. 3. John Birds, Modern Insurance Law, Fourth Edition Seet & Maxwell (997) 4. Taxmann's Insurance Law Manual 26th Edition (2024)

MODULE II: [GENERAL PRINCIPLES OF INSURANCE] [10 Sessions]

Unit I	Principle of Uberrima Fidei-non-disclosure-misrepresentation in insurance contract
Unit II	Principle of Indemnity
Unit III	Insurable interest
Unit IV	Risk and principle of causa Proxima
Unit V	Loss Minimization.

Landmark Case laws	1. Castellain v Preston, (1883) 11 QBD 380. 2. Macaura v Northen Assurance Co Ltd (1925) All ER 51. 3. Rozanes v Bowen, (1928) 32 L1 L Rep 98 (CA) 4. United India Insurance Co. Ltd. v. Levis Strauss (India) Pvt. Ltd. Civil Appeal No. 2955 of 2022 5. Dalby v India and London Assurance Co, (1954) 15 CB 365.

Relevant Laws / Statutes / International Treaties	The Insurance Act, 1938. The Marine Insurance Act, 1963. The Life Insurance Corporation Act, 1956. The General Insurance Business (Nationalization) Act, 1972. The Indian Contract Act, 1872.

Essential Readings	1. M.N. Srinivasan's Principles of Insurance Law, Lexis Nexis-Butterworths Wadhwa. 11th Edition 2021. 2. K.S.N. Murthy & K.V.S. Sarma, Modern Law of Insurance in India (Sixth Edition-2019), LexisNexis, Delhi.

Suggested Readings	1. ND Basu's "Principles of Insurance Law British India" (1940) Eastern Law House, Kolkata. 2. Taxmann's Insurance Law Manual 26th Edition (2024)

MODULE III: [LIFE INSURANCE] [10 Sessions]

Unit I	Nature and scope of life insurance, definition, kinds of life insurance, the policy and formation of a life insurance contract
Unit II	Event insured against life insurance contract
Unit III	Circumstances affecting the risk
Unit IV	Amounts recoverable under life policy
Unit V	Settlement of claim and payment of money

Landmark Case laws	1. L.I.C of India v Mrs. Shashi Sethi AIR 2008 H.P. 67. 2. LIC of India v Asha Goel (2001) 2 SCC 160. 3. Anderson v Fitzerald (1853) 4 HL cas 484. 4. Life Insurance Corporation of India vs Asha Goel, AIR1986BOM412 **5.** Life Insurance Corporation Of India vs Shubhalaxmi Shankar Shetty-National Consumer Disputes Redressal- on 8 May, 2024

Relevant Laws / Statutes / International Treaties	The Insurance Act, 1938 The Life Insurance Corporation Act, 1956 The Insurance Regulatory and Development Authority Act, 1999

Essential Readings	1. M.N. Srinivasan & K. Kannan (Revised by Justice K. Kannan) Principles of Insurance Law (11th ed., 2021), LexisNexis 2. K.S.N. Murthy & K.V.S. Sarma, Modern Law of Insurance in India (Sixth Edition-2019), LexisNexis, Delhi. 3. Singh, Avtar, Law of Insurance, EBC 3rd Edition 2022.

Suggested Readings	1. Taxmann's Insurance Law Manual 26th Edition (2024) 2. Bird, John, Modern Insurance Law (10th ed., 2016), Sweet and Maxwell 3. Slomon Stephen Huebner, Life Insurance, D. Appleton (1923)

MODULE IV: [MARINE INSURANCE] [10 Sessions]

Unit I	Nature and scope
Unit II	The Marine Insurance Act 1963
Unit III	Voyage –deviation
Unit IV	Perils of the sea
Unit V	Partial loss of ship and of freight, salvage, general average, particular charges
Landmark Case laws	1. Lloyd v Fleming (1872) LR 7 QB 299, 302. 2. Haughton v The Maine Insurance Co [1954] 1 QB 247. 3. Hamilton v Pandorf, (1887) 12 AC 325. 4. M/S Rajkumar and Brothers v Oriental Insurance Co Ltd. 2020 SC 144. 5. United India Insurance Co Ltd. v Levis Strauss (India) Pvt Ltd. 2022 SC. 6. Hind Offshore Pvt Ltd v IFFCO-TOKIO General Insurance Company Ltd. 2023 SC 624.

Relevant Laws / Statutes / International Treaties	The Insurance Act, 1938. The Marine Insurance Act, 1963

Essential Readings	1. M.N. Srinivasan & K. Kannan (Revised by Justice K. Kannan) Principles of

	Insurance Law (11th ed., 2021), LexisNexis 2. K.S.N. Murthy & K.V.S. Sarma, Modern Law of Insurance in India (Sixth Edition-2019), LexisNexis, Delhi. 3. Singh, Avtar, Law of Insurance, EBC 3rd Edition 2022.

Suggested Readings	1. Taxmann's Insurance Law Manual 26th Edition (2024) 2. Bird, John, Modern Insurance Law (10th ed., 2016), Sweet and Maxwell 3. Marine Insurance Law by Gurses, Dr. Ozlem, Edition-2 Rev ed, 2016.

MODULE V: [HEALTH INSURANCE] [10 Sessions]

Unit I	Concept of Health Insurance
Unit II	Types of Health Insurance
Unit III	Need for Health Insurance
Unit IV	Benefits of Health Insurance
Unit V	Claims and settlement procedure.
Landmark Case laws	**1.** Narayan Dutt Gupta v. New India Assurance Co. Ltd. (03/01/2022). 2. Bajaj Allianz General Insurance ... vs Permanent Lok Adalat and Anr on 16 July, 2024. 3. Shrikrishna Raghubard vs United India Insurance Co. (Mar 20, 2015). 4. Kanwaljit Singh vs National Insurance Company Ltd. on 14 August, 2019 (AIR 2019 SC 3868). 5. Kuldeep Singh vs Bajaj Allianz General Insurance Co. Ltd. (9 January, 2024).

Relevant Laws / Statutes / International Treaties	The Insurance Act, 1938. The General Insurance Business (Nationalization) Act, 1972.

Essential Readings	**1.** Dr. L.P. Gupta, Health Insurance for Rich and Poor in India (2016) **2.** Brijesh C. Purohit, Economics of Public and Private Healthcare and Health Insurance. (2020) SAGE Publications Pvt. Ltd; First Edition. **3.** Singh, Avtar, Law of Insurance, EBC 3rd Edition 2022.

Suggested Readings	**1.** Brijesh C. Purohit, Economics of Public and Private Healthcare and Health Insurance. (2020) SAGE Publications Pvt. Ltd; First Edition. **2.** Singh, Avtar, Law of Insurance, EBC 3rd Edition 2022. 3. Sumanth Raman, Sick Business: The Truth Behind Healthcare in India (2024)

MODULE VI: [MISCELLANEOUS INSURACE SCHEMES AND NEW DIMENTIONS] [10 Sessions]

Unit I	Fire Insurance and special doctrines
Unit II	Third Party/Compulsory Insurance
Unit III	Burglary Insurance
Unit IV	Cyber Insurance
Unit V	Impact of AI on Insurance
Landmark Case laws	1. Union Carbide Corporation v. Union of India. 1990 AIR 273. 2. General Assurance Society v Chandmull AIR 1966 SC 1644. 3. Anderson v Commercial Assurance Co, (1855) 55 DJQB 146(CA). 4. Pushpabai Sudershin v Ranjit G and P Co. AIR 1977 SC 1735.North British and Mercantile v Liverpool and London Globe (1877) 3 Ch D 569. 5. Manmohan Nanda v. United India Assurance Co. Ltd. CIVIL APPEAL NO.8386/2015 decided on 06/12/2021. 6. New India Assurance Co Ltd v Motor Accident Claims Tribunal, 1993 ACJ 413 (J&K).

Relevant Laws / Statutes / International Treaties	The General Insurance Business (Nationalization) Act, 1972. The Public Liability Insurance Act, 1991, The Insurance Act, 1938. Motor Vehicles (Amendment) Act, 2019

Essential Readings	1. M.N. Srinivasan & K. Kannan (Revised by Justice K. Kannan) Principles of Insurance Law (11th ed., 2021), LexisNexis 2. K.S.N. Murthy & K.V.S. Sarma, Modern Law of Insurance in India (Sixth Edition- 2019), LexisNexis, Delhi. 3. The Law of Torts by Ratanlal and Dhirajlal, Akshay Sapre Edition 29, 2023, Lexis Nexis. 4. AI Insurance Principles by Erick Wright, Publisher: Independently Published (8 February 2023) U.K

Suggested Readings	1. Taxmann's Insurance Law Manual 26th Edition (2024) 2. Bird, John, Modern Insurance Law (10th ed., 2016), Sweet and Maxwell. 3. The Standard Fire Insurance Policy by Denry Darrach, Legare Street Press, 2022.

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- **Essential Reading List**
- 1. M.N. Srinivasan & K. Kannan (Revised by Justice K. Kannan) Principles of Insurance Law (11th ed., 2021), LexisNexis
- 2. K.S.N. Murthy & K.V.S. Sarma, Modern Law of Insurance in India (Sixth Edition- 2019), LexisNexis, Delhi.
- 3. Singh, Avtar, Law of Insurance, EBC 3rd Edition 2022.
- 4. The Law of Torts by Ratanlal and Dhirajlal, Akshay Sapre Edition 29, 2023, Lexis Nexis.
- 5. AI Insurance Principles by Erick Wright, Publisher: Independently Published (8 February 2023) U.K.
- 6. Dr. L.P. Gupta, Health Insurance for Rich and Poor in India (2016)

- **Suggested Reading List**
- 1. Malik, Sumeet, J.V.N. Jaiswal's Law of Insurance- Vols 1&2, Eastern Book Company (2nd ed., 2020)
- 2. Gaurav Varshney, Insurance Laws,LexisNexis (1st ed., 2017)
- 3. M.N. Mishra and S.B. Mishra, Law of Insurance (25th ed., 2016)

- 4. M.B. Shah, Landmark Judgments on Insurance under the Consumer Protection Act, Universal Law Publishing (2004)
- 5. E.R. Hardy Ivamy, General Principles of Insurance Laws, (6th ed., 1993), Butterworths, Delhi
- 6. Vandana Singh, K. B. Agrawal, Insurance Law in India, (2012) Kluwer Law International.
- 7. Evan James MacGillivray, MacGillivray on Insurance Law: Relating to All Risks Other Than Marine, Sweet & Maxwell Ltd; 6th Revised edition (1997)
- 8. Bird, John, Modern Insurance Law (10th ed., 2016), Sweet and Maxwell
- 9. Winfield and Jolowicz on Tort, 20th Edition, Thomson Reuters. (2020).
- 10. Brijesh C. Purohit, Economics of Public and Private Healthcare and Health Insurance. (2020) SAGE Publications Pvt. Ltd; First Edition.

Note: The topics, legislations and cases mentioned above are not exhaustive. The instructor of the course shall be at liberty to add new topics/legislations/cases.