



1974-2024  
Golden Jubilee Year

# M KRISHNA LAW COLLEGE, HASSAN.

(Under the Auspices of the Malnad Technical Education Society (R), Hassan.)  
(Affiliated to the Karnataka State Law University, Hubballi)  
Accredited by the NAAC with B+ Grade.

Salagame Road, Behind All India Radio, HASSAN - 573 202, (Karnataka)

Phone : (O) : 08172-245406, Fax (P) : 08172-245414

e-mail : principalmkclchn@yahoo.co.in

Website : www.mkrishnalawcollege.com

Ref. No. : MKLC

Date : .....

1.2.1

Query :

- List of programs in which CBCS/Elective course system implemented in the last completed academic year certified by the Registrar of the affiliating university.
- Minutes of relevant Academic Council/BOS meetings highlighting the relevant documents to this metric of the affiliating university.
- Affiliating University letter stating implementation of CBCS.
- Structure of the program clearly indicating courses, credits/Electives as approved by the competent board.

Response :

This is to certify that the following documents shows that CBCS cannot be offered by the institution. The Karnataka State Law University, Hubballi frame the curriculum and it has to be followed by all affiliated Institutions.

The University has given the following choice based credit courses in its curriculum.



  
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## Self Declaration

This is to declare that M.Krishna Law College, Hassan is affiliated to Karnataka State Law University, Hubballi.

The curriculum is prepared by the affiliating University and the colleges have not been given any autonomy to make the curriculum and to start choice based credit courses.



  
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**KARNATAKA STATE LAW UNIVERSITY**  
Navanagar, Hubballi-580025  
Accredited with 'A' Grade by NAAC

Phone: 0836-2222472  
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Website : [www.kslu.ac.in](http://www.kslu.ac.in)  
Email : [ksluacademicsyllabus@gmail.com](mailto:ksluacademicsyllabus@gmail.com).

**Appendix-VI A**

Sl.No.	Semester	3yrs LL.B. Programme for the year 2018-19
1	1st semester	1. Constitutional Law –I – Syllabus as per Appendix-IX 2. Contract - I 3. Law of Torts 4. Family Law - I: Hindu Law 5. Criminal Law - I: Indian Penal Code 6. English (For those who write examinations in Kannada) - Syllabus as per Appendix-II
2	2nd semester	1. Constitutional Law-II -Syllabus as per Appendix-X 2. Contract -II. 3. Labour Law-I -Syllabus as per Appendix-XI 4. Property Law. 5. Family Law -II: Mohemmadan Law & Indian Succession Act. 6. Kanoonu Kannada/ Kannada Kali (For non-Kannadiga students)
	3rd semester.	1. Jurisprudence 2. Labour Law-II 3. Law of Taxation 4. Criminal Law-II: CR.P.C., JJ Act & Probation of Offenders Act 5. Administrative Law.
4	4th semester.	1. Public International Law. ✓ 2. <b>Optional-I:</b> Human Rights Law and Practice / Insurance Law. ✓ ✓ 3. <b>Optional-II:</b> Banking Law / Right to Information. ✓ 4. <b>Clinical Course-I:</b> Professional Ethics and Professional Accounting System. 5. <b>Clinical Course-II:</b> Alternative Dispute Resolution Systems.
5	5th semester	1. Company Law 2. Civil Procedure Code and Limitation Act. ✓ 3. <b>Optional-III:</b> Intellectual Property Rights-I / Penology &Victimology. ✓ ✓ 4. <b>Optional-IV:</b> Interpretation of Statutes and Principles of Legislation / Competition Law. ✓ 5. <b>Clinical Course-III:</b> Drafting, Pleading and Conveyance.
6	6 <sup>th</sup> semester	1. Law of Evidence. 2. Environmental Law ✓ 3. <b>Optional-V:</b> Intellectual Property Rights-II/ White Collar Crimes. ✓ ✓ 4. <b>Optional-VI:</b> Land Law / Law relating to International Trade Economics. ✓ 5. <b>Clinical Course-IV:</b> Moot Court Exercise and Internship

## OPTIONAL-I HUMAN RIGHTS LAW AND PRACTICE

### OBJECTIVES:

The objectives of the course are to prepare for responsible citizenship with awareness of the relationship between Human Rights, democracy and development; to foster respect for international obligations for peace and development to impart education on national and international regime of Human Rights; to sensitize students to human suffering and promotion of human life and dignity; to develop skills on human rights advocacy and to appreciate, relationship between rights and duties and to foster respect for tolerance and development; to impart education on national and international regime of Human compassion for all living creatures.

### COURSE CONTENTS:

#### UNIT-I

Jurisprudence of Human Rights; Nature, definition, origin and theories of Human Rights.

#### UNIT-II

Universal protection of human rights- United Nations and Human Rights: Universal Declaration of Human Rights, 1948; International Covenant on Civil and Political Rights, 1966; International Covenant Economic, Social and Cultural Rights, 1966.

#### UNIT-III

Regional Protection of Human rights- European system- Inter American System- African System

#### UNIT -IV

Protection of Human Rights at national level; Human rights and the Constitution; The Protection of Human Rights Act, 1993.

#### UNIT -V

Human Rights and Vulnerable Groups: Rights of Women, Children, Disabled, Tribals, Aged and Minorities - National and International Legal Developments.

### PRESCRIBED BOOKS:

- Theodor, Meron, Human Rights and International Law: Legal and Policy Issues, 2 Vols.
- Kapoor, S.K., International Law and Human Rights, Central Law Agency, 2014).

### REFERENCE BOOKS:

- Luis, Henkin, "The Rights of Man Today", University of Miami Inter- American Law Review; Vol.,11, Spring 1979 (p.229-244)
- Singh, Nagendra, Enforcement of Human Rights in Peace and War and the future of humanity, (Calcutta: Eastern Law House 1986)



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## OPTIONAL – I, INSURANCE LAW

### OBJECTIVES:

The insurance idea is an old institution of transactional trade. The main objective of every insurance contract is to give financial security and protection to insured from any future uncertainties. Hence, insurance is considered as an inevitable component of economic development. Even from olden day's merchants who made great adventures, gave money by way of consideration to other persons who made insurance against loss of goods, merchandise ships and things adventured. The rates of money consideration was mutually agreed upon. Such an arrangement enabled other merchants more willingly and more freely to embark upon further trading adventures. The operational framework of insurance idea provided by the general principles of contract. The insurance policy, being a contract, is subject to all the judicial interpretative techniques of rules of interpretation as propounded by the judiciary. Besides, the insurance idea has a compensatory justice component. This course is designed to acquaint the students with the conceptual and operational parameters of insurance law in the light of various legislations regulating insurance sector in India.

### COURSE CONTENTS:

#### UNIT-I

Introduction: Nature - Definition - History of Insurance - History and development of Insurance in India : Classification of contract of Insurance, Insurance: (Life insurance - General insurance and Re-insurance - A brief overview), Nature of Insurance Contract, Overview of Insurance laws in India: Insurance Act, 1938 Insurance Regulatory and Development Authority Act, 1999: Its role and functions.

#### UNIT-II

Principles of Insurance law: Principles of good faith (Uberrimae fidei) - Non disclosure - Misrepresentation in Insurance Contract, Insurable Interest, Principle of Indemnity - Difference between Indemnity and Guarantee, Principle of Contribution, Principle of Subrogation, Principle of Loss Minimization, The risk- Meaning and scope of risk, Causa Proxima, Premium: Definition - Method of payment- Days of grace - Forfeiture - Return of premium, Assignment of the Subject matter.

#### UNIT-III

Life Insurance: Nature and scope of Life Insurance, Kinds of Life Insurance, The policy and formation of a Life Insurance contract, Event insured against Life Insurance contract, Circumstance affecting the risk, Amount recoverable under the Life Policy - Persons entitled to payment Settlement of claim and payment of money - Life Insurance Corporation Act, 1956 (overview) - General Insurance Business (Nationalization) Act, 1972 (overview) - Health and Medical Insurance, payment - Days of grace - Forfeiture - Return of premium, Assignment of the e Motor Vehicles Act, 1988 - Sec. (140-176) - Nature and scope - Absolute or fault liabilities, Third party or compulsory insurance of motors vehicles - Claims Tribunal - Legal aspects of Motor Insurance.



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#### UNIT-IV

Fire Insurance: Nature and scope of Fire Insurance - Basic Principles -Conditions & Warranties - Right & Duties of Parties - Claims - Some Legal Aspects, Introduction to Agriculture Insurance - History of Crop Insurance in India - Crop Insurance under writing - claims, problems associated with crop insurance cattle insurance in India, Micro Insurance, Public Liability Insurance: Public Liability Insurance Act, 1991 (overview)- Claims, Consumer courts and Insurance Ombudsman.

#### UNIT-V

Marine Insurance: Nature and Scope - Classification of Marine policies - Insurable interest - Insurable values - Marine Insurance and policy - Conditions and express Warranties - Voyage Deviation - Perils of sea - Loss - Kinds of Loss - The Marine Insurance Act, 1963 (Sections 1 to 91).

#### PRESCRIBED BOOKS:

- Murthy K.S.N and K. V. S. Sharma, Modern Law of Insurance in India, (New Delhi : Lexis Nexis, 2009 Srinivasan, M.N., Principles of Insurance Law, 7th Edition, (Nagpur: Wadhawa and Co., 2004).

#### REFERENCE BOOKS:

- Singh, Avtar, Law of Insurance, (Jain Book Agency, 2004)
- Birds, John, Bird's Modern Insurance Law, 8th Edition, (London: Suva Maxwell, 1997)
- W.Patterson, Edwen, Cases and Materials on Low of Insurance (New York: Foundation Press, 1955)
- Insurance Act, 1938.
- The Marine Insurance Act, 1963.
- General Insurance (Business) (Nationalization) Act, 1972.
- The Life Insurance Corporation Act, 1956.
- Motor Vehicle Act, 1988.

## OPTIONAL-II: BANKING LAW

### OBJECTIVES:

A Vitaly important economic institution the banking is deeply influenced by socio-political and economic changes. The emerging changes in India, particularly after the initiation of the planning process as an instrument of rapid economic development had molded and affected the banking structure, policies, patterns and practices. A significant development in the banking system is diversification in banks financing. The Commercial banks entered into the field of wide ranging financial assistance to industry, both large and small scale, requiring the need for social control of the banking system eventually leading to the nationalization of banks.

The conventional banking system, found to be deficient for planned developmental purposes, paved the way for developmental banking. The fag of the last millennium witnesses influx of foreign banking companies into India and a shift in the banking policy as part of the global phenomenon of liberalization. The legal system is adopting itself into the new mores.

This course is designed to acquaint the student with the conceptual and operational parameters of banking law, the judicial interpretation and the new and emerging dimensions of the banking system.

### UNIT-I

**NATURE AND DEVELOPMENT OF BANKING** - History of banking in India and elsewhere - indigenous banking-evolution of banking in India- different kinds of banks and their functions- Multi - functional banks - growth and legal issues.

**LAW RELATING TO BANKING COMPANIES IN INDIA:** Control by government and its agencies: On management - On accounts and audit - Lending - Credit policy - Reconstruction and reorganization- Suspension and winding up.

### UNIT-II

**BANKING REGULATION ACT, 1949:** Evolution of Central Bank. Characteristics and functions, Economics and social objectives, The Central bank and the State as banker's bank, The Reserve Bank of India as the Central Bank.

**ORGANISATIONAL STRUCTURE** - Functions of the RBI - Regulation of monetary mechanism of the economy - Credit control - Exchange control- Monopoly of currency issue - Bank rate policy formation. Control of RBI over non - banking companies, Financial companies, Non financial companies.

**THE DEPOSIT INSURANCE CORPORATION ACT, 1961:** Objects and reasons- Establishment of capital of DIC, Registration of banking companies insured banks, liability of DIC to depositors. Relations between insured banks DIC and Reserve Bank of India.



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### UNIT-III

**RELATIONSHIP OF BANKER AND CUSTOMER:** Legal character, Control. between banker and customer, Banker's lien, Protection of bankers, Customers- Nature and type of accounts - Special classes of customers - lunatics, minor. partnership, corporations, local authorities, Right and duties of Bankers & customer. Consumer protection- banking as service.

### UNIT-IV

**LAW RELATING TO NEGOTIABLE INSTRUMENTS, 1881 ACT** (read with the amended act of 2002) Negotiable Instrument - Kinds - Holders and holder in due course - Parties - Negotiable - Assignment - Presentment - Endorsement - Liability of parties - Payment in due course - Special rules of evidence - material alteration - Nothing and protest - Paying banker and collecting banker - Bills in sets - Penal provisions under NI Act - banker's book evidence Act.

### UNIT-V

**LENDING BY BANKS:** Good lending principles Lending to poor masses - Securities for advances - Kinds and their merits and demerits - Repayment of loans: rate of interest, protection against penalty - Default and recovery - debt recovery tribunal.

**RECENT TRENDS OF BANKING SYSTEM IN INDIA:** New technology. Information technology. Automation and legal aspects, Automatic teller machine and use of internet. Smart card, Use of expert system, Credit cards.

#### PRESCRIBED BOOKS:

- Tannan, M.L., Banking Law and Practice, (Lexis Nexis, 2014).
- M.S. Parthasarathy (Ed.), Khergamavala, Negotiable Instruments Act (Bombay: N.M. Tripathi Pvt. Ltd. 1955)
- Justice Bhaghabati Prasad Banerjee, Guide to Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

#### REFERENCE BOOKS:

- Singh, Avtar, Laws of Banking and Negotiable Instruments, (Eastern Book Co., 2007)
- Basu, Saroj Kumar and Alak Ghosh, A Review of Current Banking Theory and Practice, (Mc Millan, 1974)
- Paget, Law of Banking, 13th Edition, (UK: Lexis Nexis, 2007)
- Goyle, L.C., The Law of Banking and Bankers, (Eastern Law House, 1995)
- Relevant provisions of Information Technology Act, 2000

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## **SYLLABUS - II: RIGHT TO INFORMATION ACT**

### **OBJECTIVES:**

Free exchange of ideas is a basic pillar of a democratic society. Corruption thrives in secret places, therefore it is stated that sunlight is the best disinfectant. There should be governance in sunshine. The course is designed to convince the students that the right to information allows transparency and accountability in governance, preventing abuse of power.

### **COURSE CONTENTS:**

#### **UNIT-I**

Historical development of Freedom of Information in Sweden, USA & UK. Right to Information before Right to Information Act, 2002 in India. Significance in democracy; Constitutional basis; Supreme Court on right to information

#### **UNIT-II**

RTI Act-definitions: Right to information and obligations of public authorities.

#### **UNIT-III**

Central information commission; State information commission; Powers and functions of information commissions; Appeal and penalties.

#### **UNIT-IV**

Other related laws - The Official Secrets Act, 1923; The Public Records Act, 1993; The Public Records Rules, 1997; The Freedom of Information Act, 2002; The Commission of Inquiry Act, 1952; The Commission of Inquiry (Central) Rules, 1972.

#### **UNIT-V**

RTI Judicial response: Supreme Court & High Court decisions on RTI. Best practices - A study of decisions rendered by state commissions and central Commission in the following areas of police, Revenue, PWD, irrigation, Secretariat, BSNI, Posts and Telegraphs, Scheduled Banks, CPWD, Income Tax Department, Central Excise Department, Local Authorities.

**PRESCRIBED BOOKS :** J.H. Barowalia, Commentary on the right to Information Act (Universal Law Publications).

Kamath, Nandan, A Guide to Cyber Laws and IT Act, 2000 with Rules and Notifications, 3rd Edition, (Universal Law Publisher, 2007)

### **REFERENCE BOOKS:**

- Dr. Farooq Ahmed, Cyber Law in India, 3rd Edition, (New Era Law Publisher, 2008)
- Joga Rao, S.V., Law Relating to Right to Information: Comprehensive and Insightful Commentary with comparative Perspectives, (Jain Book Agency, 2009)
- Dr. Madubbushi Sridhar, Right to Information, Law & Practice (latest edition).



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10

## OPTIONAL-III: INTELLECTUAL PROPERTY RIGHTS –I

### OBJECTIVES:

Intellectual Property Law has assumed a great importance in recent times as a result of the recognition that "knowledge is property". The creations of the human brain as IP are required to be understood and protected. The Syllabi encompassing all relevant IP legislations in India with a view to understand and adjust with changing needs of the society because creative work is useful to society and law relating to innovation/creativity i.e. Intellectual Property is one of the fastest growing subjects all over the globe because of its significance and importance in the present era Disseminate information on national and international IPR issues. The course is designed with a view to create IPR consciousness; and familiarize the learners about the documentation and administrative procedures relating to IPR in India. The subject Intellectual Property Law divided into two Papers namely Paper-I and Paper-II of 100 marks each.

### COURSE CONTENTS:

#### UNIT I

Introductory Aspects: Overview of the concept of property; Industrial property and non-industrial property; Historical background of IPR; Importance of human creativity in present scenario; Different forms of Intellectual Property and its conceptual analysis.

**Patents:** Introduction and overview of patent protection; History of Patent protections; Meaning and definition of patent; Object of patent; Scope and salient features of Patent Act; How to obtain a patent; Product patent and Process patent; Specification - Provisional and complete specification; Opposition proceeding to grant of patents; Register of patents and Patent Office; Rights and obligations of patentee; Transfer of Patent Rights; Compulsory licences; Government use inventions; Revocation and surrender of patents; Infringement of Patents; Offences and Penalties.

#### UNIT II

**Trade Marks:** Introduction and overview of trade mark; Evolution of trade mark law; Meaning and definition of Trade mark; Object of trade mark; Features of good trade mark; Different forms of trade mark; Trademarks registry and register of trademarks; Property in a trade mark; Registrable and non-registrable marks; Basic principles of registration of trade mark; Deceptive similarity; Assignment and transmission; Rectification of register; Infringement of trade mark; Passing off, Domain name protection and registration; Offences and penalties.

#### UNIT III

Introduction and overview of Cyber Intellectual Property; Intellectual property and cyberspace; Emergence of cyber crime; Grant in software patent and Copyright in software; Software piracy; Trademarks issues related to Internet (Domain name); Data protection in

cyberspace; E-commerce and E-contract; Salient features of Information Technology Act; IPR provisions in IT Act; Internet policy of Government of India.

#### UNIT IV

Geographical Indications: Introduction and overview of geographical indications; Meaning and scope of geographical indications; Important geographical indications of India and their features; Salient features of the Protection of Geographical Indications Act; Protection of geographical indications; Misleading use of geographical indications; Registration of geographical indications; Right to use geographical indications; Infringement; Remedies against infringement; Role and functions of Registrar of Geographical indications; Conflict between Trade mark and geographical indications.

#### UNIT V

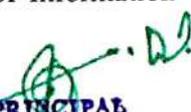
International Convention and Treaties: Paris Convention: Background; Salient features of Paris Convention; Governing rules of Paris Convention; Patent Co-operation Treaty: Background; Objectives of PCT; Salient features of PCT; Madrid Convention: Salient features: International registration of marks, World Intellectual Property Organisation (WIPO); Background; Salient features WIPO: World Intellectual Property Organisation.

#### PRESCRIBED BOOKS:

- ❖ Narayan, S., Intellectual Property Law in India. (Hyderabad; Gogia Law Agency, 2005)
- ❖ Cornish, William, Intellectual Property; Patents, Copyright, Trademark and Allied Rights, 2nd Edition, (London: Sweet & Maxwell, 1998)

#### REFERENCE BOOKS:

- ❖ Ganguli, Prabuddha, Intellectual Property Rights: Unleashed the knowledge Economy, (Tata Mc Graw Hill Publishing Co., 2001)
- ❖ Caddick, Nicholas et (al)., Copinger & Skone James, Copyright, 16th Edition 2. (U.K: Sweet & Maxwell, 21013)
- ❖ Unni, Trade Marks and the Emerging concepts of Cyber Property Rights, (Kolkata: Eastern Law House, 2002)
- ❖ Ryder, Rodney, Intellectual Property and the Internet. (Jain Book Agency: 2002)
- ❖ Matthan, Rahul, The law relating to Computers and the Internet, (Butterworths India Ltd, 2005)
- ❖ Verkey, Elizabeth, Law of Plant Varieties Protection, 1st Edition, (Eastern Book Co., 2007)
- ❖ Duggal, Pavan, Cyber Law: the Indian Perspective, (Saakshar Law Publications, 2002)
- ❖ Mittal, D.P., Taxmann's Law of Information Technology (Cyber Law) (Taxmann Allied Services, 2000).

  
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## OPTIONAL - III: PENOLOGY & VICTIMOLOGY

### OBJECTIVES:

This course offers a specialist understanding of criminal policies including theories of punishment, their supposed philosophical and sociological justifications and the problem of exercise of discretion in sentencing. In addition the course introduces students to the discipline of Victimology which will shift the study from accused centric approach to much needed victim centric approach.

### COURSE CONTENTS:

#### UNIT -I

Introduction: Notion of punishment in law; Difference between crime prevention and control; Theories of punishments.

#### UNIT-II

Kinds of punishment; Sentencing policies and processes; the riddle of capital punishment.

#### UNIT-III

Prison reforms; Alternatives to imprisonment; Victimology - Introduction, history and philosophy.

#### UNIT-VI

Victimology - European experience; American experience; Victim witness assistance programmes; Restitution.

#### UNIT-V

Victimology - Indian experience; Legal framework; Role of Courts; Role of NHRC.

### PRESCRIBED BOOKS:

- ❖ Sutherland, Edwin H., Principles of Criminology, 11th Edition, (Rowan & Little field, 1992)
- ❖ Qadri, Syed M. Afzal, Ahmad Siddique's Criminology and Penology. (Eastern Book Co., 2009)
- ❖ Rajan, V.N. Victimology in India: Perspectives beyond Frontier, (APH Publishing, 1995)

### REFERENCE BOOKS:

- ❖ H.L.A Hart, Punishment and Responsibility
- ❖ S. Chabra, Quantum of Punishment in Criminal Law
- ❖ Herbert L. Packer, The Limits of Criminal sanctions



  
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## OPTIONAL-IV: INTERPRETATION OF STATUTES & PRINCIPLES OF LEGISLATION

### OBJECTIVES OF THE COURSE

As it is difficult to have legislations without ambiguous provisions, there is a need to make proper study of the rules and principles relating to interpretation of statutes. Legislation is the major source of law of the modern era. Legislatures enact- after much deliberation. No doubt in this process they have to take into account the present and future needs of the people. What are the matters to be reckoned with by legislature while enacting laws? With the emergence of legislation, interpretation of statutes became a method by which judiciary explores the intention behind the statutes. Judicial interpretation involves construction of words, phrases and expressions. In their attempt to make the old and existing statutes contextual relevant, courts used to develop certain rules, doctrines and principles of interpretation. Judiciary plays a highly creative role in this respect. What are the techniques adopted by courts in construing statutes? How far are they successful in their strategy? With the above problems and perspectives in view, this paper is framed.

#### UNIT I: Interpretation of Statutes

Meaning of the term 'statute', Commencement, operation and repeal of statute, Purpose of interpretation of statutes, Restrictive and beneficial construction Taxing statutes, Penal statutes, Welfare legislation Law, Interpretation of substantive and adjunctival statutes, Interpretation of adjunctival directory and mandatory provisions, Interpretation of enabling statute, Interpretation of codifying an consolidating statutes, Interpretation of statutes conferring rights, Interpretation statutes conferring powers.

#### UNIT II: Aids to Interpretation

Internal aids: Title, Preamble, Headings and marginal notes, Sections and subsections, Punctuation marks, Illustrations, exceptions, provisos and saving clauses, Schedules, Non-obstante clause

External aids: Dictionaries, Translations, Travaux-Preparatoires, Statutes in parimateria, Contemporanea Exposito, Debates, inquiry commission reports and Law Commission reports

#### UNIT III: Rules and Principles of Statutory Interpretation

Primary Rules, Literal rule, Golden rule, Mischief rule (rule in the Heydon's case), Rule of harmonious construction, Secondary Rules, Noscitur a sociis, Ejusdem generis, Reddendo singular singularis

Principles of Constitutional Interpretation, Harmonious construction, Doctrine of pith and substance

Colourable legislation, Ancillary powers, "Occupied field", Residuary power Doctrine of repugnancy.

## UNIT IV: Presumptions in statutory interpretation

Statutes are valid, Statutes are territorial in operation, Presumption as to jurisdiction, Presumption against what is inconvenient or absurd, Presumption against intending injustice, Presumption against impairing obligations or permitting advantage from one's wrong, Prospective operation of statutes

## UNIT V Principles of Legislation

Law-making the legislature, executive and the judiciary, Principle of utility, Operation of these principles upon legislation, Distinction between morals and legislation

### PRESCRIBED BOOKS:

- ❖ G.P. Singh, Principles of Statutory Interpretation, (7th Edition) 1999, Wadhwa. Nagpur.
- ❖ P. St. Langan (Ed.). Maxwell on The Interpretation of Status (1976) N.M. Tripathi, Bombay
- ❖ K. Shanmukham, N.S. Bindra's Interpretation of Statutes, (1997) The Law Book Co. Allahabad.
- ❖ V. Sarathi Interpretation of Statutes, (1984) Eastern, Lucknow
- ❖ M.P. Jain, Constitutional Law of India, (1994) Wadhwa e co.
- ❖ M.P. Singh, (Ed.) V.N. Sukla's Constitution of India, (1994) Eastern, Lucknow.
- ❖ Jeremy Bentham, Theory of Legislation, Wadhwa, Nagpur.

  
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## OPTIONAL-IV: COMPETITION LAW

### OBJECTIVES:

The competition plays a key role in ensuring productive, efficient, innovative, and responsive markets. The consumers are ensured availability of 'goods and "services' in abundance of acceptable quality at affordable price. But if the anti-competitive practices take precedence in the market, the consumers and the economy of the nation both will be adversely affected. Hence, to prevent such situation and to ensure fair competition in the market the Competition Act, 2002 was enacted. This Course is designed to give the students an insight into the Competition Act, 2002. It enables the students to understand the role of competitive market in the economic development of the country, anti-competitive practices and its impact on socio-legal scenario of the country.

### COURSE CONTENTS:

#### UNIT-I

Competition policy and economics, the function of Competition Law, Overview of the practices Controlled by Competition Law, Constitutional provisions regulating trade.

#### UNIT-II

Sherman Antitrust Act, 1890; relevant provisions of the Clayton Act, 1914. Relevant provisions of the Federal Trade Commission Act, 1914; Salient features of U.K. Competition Act, 1998; (U.K.) Enterprise Act, 2002.

#### UNIT-III

Overview of the Monopolies and Restrictive Trade Practices Act, 1969; the relevant provisions of Consumer Protection Act, 1986; the Competition Act, 2002; definitions; prohibition of anti-competitive agreements, abuse of dominant position and regulation of combinations.

#### UNIT-IV

Competition Commission of India; composition of Commission; duties, powers and functions of Commission.

#### UNIT - V

Duties of Director general; Penalties; Competition advocacy; Case Law

### PRESCRIBED BOOKS:

- ❖ Richard Whish & David Bailey, Competition Law, 7th ed., (New York: Oxford University Press, 2012).
- ❖ Mittal D.P., Competition Law and Practice, 3rd ed., (New Delhi: Taxmann Publications (P) Ltd, 2010).

- ❖ Roy Abir & Jayant Kumar, Competition Law in India, (Kolkata: Eastern Book House, 2008).

### REFERENCE BOOKS:

- ❖ Dugar S. M., Commentary on the MRTP Law, Competition Law & Consumer Protection Law, Vol. I & II, 4th ed., (Nagpur: Lexis Nexis Butterworths Wadhawa, 2006).
- ❖ Dhall Vinod (ed.), Competition Law today - Concepts, Issues & the Law in Practice, (New Delhi: Oxford University Press, 2007).



  
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## OPTIONAL-V: INTELLECTUAL PROPERTY RIGHTS-II

### OBJECTIVES:

Intellectual Property Law has assumed a great importance in recent times as a result of the recognition that "knowledge is property". The creations of the human brain as IP are required to be understood and protected. The syllabi encompassing all relevant IP legislations in India with a view to understand and adjust with changing needs of the society because creative works useful to society and law relating to innovation/creativity i.e., intellectual property is one of the fastest growing subjects all over the globe because of its significance and importance in the present era. Disseminate information on national and international IPR issues. The course is designed with a view to create IPR consciousness; and familiarize the learners about the documentation and administrative procedures relating to IPR in India.

### COURSE CONTENTS:

#### UNIT I

**Indian Copyright Law:** Introduction and overview of copyright: History of the concept of copyright and related rights; Nature of copyright: Salient features of Copyright Act: Subject matter of copyright; Literary work; Dramatic work; Musical works; Artistic works; Cinematographic films; Sound recordings; Term of copyright; Rights conferred by copyright; Assignment, transmission and relinquishment of copyright; Licences; Infringement of copyright; Remedies against infringement of copyright.

#### UNIT II

**Biological Diversity Law:** Introduction and overview of Biological Diversity; Meaning and scope of Biological Diversity; Biological resources and traditional knowledge; Salient features of Biological Diversity Act 2002; Regulation of access to Biological Diversity; National Biodiversity Authority; Functions and powers of Biodiversity Authority; State Biodiversity Board; Biodiversity Management Committee and its functions.

#### UNIT III

**Protection of Plant Varieties and Farmers Rights Law :** Legal concepts relating to the protection of plant varieties rights; Legal concepts relating to the protection of plant breeders rights; IPR in new plant varieties; Policy and objectives of protection of plant varieties and farmers rights Act; Plant varieties and Farmers rights protection authority; National register of plant varieties; Procedure for registration; Rights and privileges; Benefit sharing; Compensation to communities; Compulsory licence; infringement; Relief against infringement; National Gene Fund.

#### UNIT IV

**Designs Law:** Introduction and overview of Designs Law; Salient features of Designs Law; Procedure for registration; Rights conferred by registration; Copyright in registered designs;

infringement; Powers and duties of Controller; Distinction between design, trade mark, copyright & patent.

## UNIT V

**International Treaties /Conventions on IPR: TRIPS Agreement:** Background; Salient Features of TRIPS; TRIPS and Indian IPR; **Berne Convention:** Background; Salient features of Berne Convention; **Convention on Biological Diversity: Objectives of CBD; Salient features of CBD;** International IPR agreements affecting protection of plant varieties: The WTO Doha round of trade negotiations; International Treaty on Plant Genetic Resources ("ITPGR")

### PRESCRIBED BOOKS:

- ❖ Narayan, S., Intellectual Property Law in India, (Hyderabad: Gogia Law Agency, 2005)
- ❖ Cornish, William, Intellectual Property: Patents, Copyright, Trademark and Allied Rights, 2nd Edition, (London: Sweet & Maxwell, 1998)

### REFERENCE BOOKS:

- ❖ Ganguli, Prabuddha, Intellectual Property Rights: Unleashed the knowledge Economy, (Tata Mc GrawHillPublishing Co., 2001)
- ❖ Caddick, Nicholas et (al), Copinger & Skone James, Copyright, 16th Edition 2. (U.K: Sweet & Maxwell, 21013).
- ❖ Unni, Trade Marks and the Emerging concepts of Cyber Property Rights. (Kolkata: Eastern Law Hosue, 2002)
- ❖ Verkey, Elizabeth, Law of Plant Varieties Protection, 1st Edition, (Eastern Book Co., 2007)
- ❖ Acharya, N.K, Text Book on Intellectual Property Rights, 7th Edition, (Asia Law House, 2014)
- ❖ Das, J.K., Intellectual Property Rights, 1st Edition, (Kamal Law House, 2008)

  
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## OPTIONAL-V: WHITE COLLAR CRIMES

### OBJECTIVES:

This course focuses on the criminality of the privileged classes - the wielders of all forms of state and social power. The course focuses on the relation between privilege, power and deviant behaviour. The traditional approaches which highlight white collar offences, socio-economic offences or crimes of powerful deal mainly deal with the deviance of the economically resourceful. The dimension of deviance associated with the bureaucracy, the new rich, religious leaders and organisations, professional classes are to be addressed. In teaching this course, current developments in deviants reflected in press and media, law reports and legislative proceedings are to be focussed.

### COURSE CONTENTS:

#### UNIT -I

Introduction - Concept of white collar crime Indian approaches to socio- economic offences - forms of privileged class deviance - official deviance (Legislators, judges and bureaucrats), professional deviance, trade union deviants, land law deviance, upper class deviance, police deviance, and gender based deviance, deviance by religious leaders and organizations.

#### UNIT-II

Official deviance; Prevention of Corruption Act, 1988.

#### UNIT III

Police and politicians' deviance; N.N. Vorha Committee Report; Lokpal and Lokayukta institutions.

#### UNIT-IV

Professional deviance; Medical profession - The Lentin Commission Report; Legal Profession -Opinions of Disciplinary Committee of Bar Council of India.

#### UNIT-V

Gender based deviance - sexual harassment; Offences against scheduled castes and scheduled tribes

### PRESCRIBED BOOKS:

- ❖ Edwin H. Sutherland-Criminology.
- ❖ Ahmad Siddique. Criminology.

### REFERENCE BOOKS:

- ❖ Upendra Baxi - The Crisis of Indian Law.
- ❖ Upendra Baxi - Law and Poverty.
- ❖ Upendra Baxi- Liberty and Corruption.
- ❖ A.R. Desai - Violation of Democratic Rights in India.

  
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## OPTIONAL - VI: LAND LAW

Land plays an important role in the lives of individuals because of which it is elevated to the level of a constitutional status. Of late there is a shift in the approach of the state towards land which is reflected in the laws and their interpretation. Apart from introducing the students to the basic legal regime applicable to land, it is important to introduce them to diverse aspects of land dealings like land revenue, prohibition of transfer, Acquisition, Conversion, compensation, rehabilitation, Resettlement etc., This courses is designed towards this end.

### UNIT-1

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013- Determination of social impact and public purpose; provision to safeguard food security; notification and acquisition; rehabilitation and resettlement award and procedure.

### UNIT-II

The Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, 2013-Utilisation, conversion; National Monitoring Committee; Acquisition, Rehabilitation and Resettlement Authority; apportionment of compensation and payment of compensation.

### UNIT-III

The Karnataka Land Revenue Act 1964-Revenue officers and their procedure, Revenue Appellate Tribunal, Appeal and Revision, Land and land revenue, Record of rights, realisation of land revenue.

### UNIT-IV

The Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Certain Lands) Act, 1978 and Rules 1979

The Karnataka reforms Act, 1961 – General provisions regarding tenancies, conferment of ownership on tenants, ceiling on land holdings, restrictions on holding or transfer of agricultural lands, co – operative farms, fragmentation and consolidation of holdings.

### UNIT-V

The Real Estate (Regulation and Development) Act, 2016 – registration of real estate project and registration of real estate agents, functions and duties of promoter, rights and duties of allottees, the real estate regulatory authority, the real estate appellate tribunal, offences, penalties, adjudication.

The Karnataka real estate (Regulation and Development) Rules, 2007

### BOOKS PRESCRIBED

- ❖ S.G.Biradar, Land acquisition – A Paradigm Shift, KAS Officers' Resettlement and training institute, Bangalore
- ❖ Relevant Status and Rules.

  
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## **OPTIONAL - VI LAW RELATING TO INTERNATIONAL TRADE ECONOMICS**

### **OBJECTIVES:**

International trade has assumed great importance in 21st century and its regulation under law has become a necessity to prevent exploitation of the weaker people. A new legal regime to regulate international trade is emerging. Students of law should have understanding of these developments. This course is worked out to provide the future lawyers basic inputs in the area of international trade law.

### **COURSE CONTENTS:**

#### **UNIT I**

Historical perspectives of International Trade, Institutions UNCTAD, UNCITRAL, GATT (1947-1994) World Trade Organization-Objectives, Structure, Power, Most Favoured, Nation Treatment & National Treatment; Tariffs and Safeguard, measures.

#### **UNIT II**

Technical Barriers to Trade; Sanitary and Phyto - sanitary measures; Trade Related Investment Measures (TRIMS); Anti-Dumping, Subsidies and Countervailing Measures; Dispute Settlement Process.

#### **UNIT III**

International Sales of Goods Formation and Performance of International Contracts, Various Forms and Standardization of Terms; Acceptance and Rejection of Goods, Frustration of Contract, Invoices and packing, Product liability.

#### **UNIT IV**

Exports - Insurance of Goods in Transit; Marine Insurance and kinds; Law on Carriage of goods by sea, land and air, Container transport, Pre-shipment inspection; Licensing of Export and Imports.

#### **UNIT V**

Law Governing Finance and Investments; Foreign Collaboration and Investment Policy; Foreign Direct Investment in Industries and Governing Policies; Foreign Institutional Investors (FIIS); Investment by Non-resident Indians (NRIs) and Overseas Corporate Bodies (OCBs); Foreign Collaboration Agreement - Foreign Technology Agreement; Foreign Companies and Foreign Nationals in India

### **PRESCRIBED BOOKS:**

- ❖ Bhalla, Raj, International Trade Law: Theory and Practice, 2nd Edition, (Lexis Nexis, 2001)
- ❖ Kaul A.K., Guide to the WTO and GATT Economics, Law and Politics (Kluwer Law International, 2006)

  
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