

# **AVADH LAW COLLEGE**

**LL. B. SIXTH SEMESTER**

PAPER -I

MAXIMUM MARKS :100

ADMINISTRATIVE LAW –II

UNIT –I

## **Judicial Control of Administrative Action**

Jurisdictional error/ ultra vires – substance and procedural ultra vires Standing: standing for Public Interest Litigation (**Social action litigation**)

**Laches; Res Judicata ; Error apparent on the face of the record; Violation of the principles of natural justice; Unreasonable; Doctrine of legitimate expectation; Violation of public policy Write: Habeas Corpus; Madamus; Certiorari; Prohibition; and Quo-warranto Declaratory Judgments’ and injunction**

UNIT –II

## **Liability for Wrongs (Tortious and Contractual)**

**Tortious Liability: Sovereign and Non-sovereign functions**

**Statutory immunity**

**Act of State**

**Contractual liability of Government**

**Government Privilege in Legal Proceeding- State secrets and, public interest Estoppels and waiver**

UNIT –III

## **CORPORATIONS**

**Definition, characteristics and classification of public corporations**

**Public Corporations: whether “State” under Article 12 of the Constitution of India**

**Rights, Duties and liabilities of public Corporations**

**Control over Public Corporations-Judicial control; Government control;**

**Parliamentary control; and control by public**

UNIT – IV

## **Internal Methods of settlement of disputes and Grievance Redressal**

Conciliation and mediation through social action groups  
Public inquiries and Commissions of Inquiry  
Ombudsman: Lokpal, Lok Ayukta  
Vigilance Commission

## **UNIT –V**

Judicial activism-

Judicial activism- relevance and judicial attitude

Public Interest Litigation – Development, nature, scope and object; Judicial response

Right to information with special reference to the Right to Information Act

Act

Right to Information Act

Books

Jain & Jain: Principles of Administrative Law  
Wade: Administrative Law

C.K. Thakkar; Lectures on Administrative Law

S.P. Sathe: Administrative Law

S.P. Sathe: Right to Information

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

I.L.I. Cases and materials on Administrative

## **LL. B. SIXTH SEMESTER**

PAPER -II

MAXIMUM MARKS :100

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

#### **UNIT – I**

##### **CONCEPT OF ENVIRONMENT AND POLLUTION**

Environment: meaning and contents

Pollution: meaning; causes of environmental pollution and effects there of; kinds of pollution

Historical Perspective: (I) Indian tradition- dharma of environment; British period- industrial development and exploitation of nature; (II) Constitutional perspective- Fundamental Rights; Directive Principles of State Policy; Fundamental Duties

Emerging Principles; 'Polluter pays' ; 'Precautionary principle'; and 'Public trust doctrine'

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

#### **UNIT – II**

##### **WATER AND AIR POLLUTION**

Water (Prevention and Control of Pollution) Act, 1947 and the Air(Prevention and Control of Pollution) Act, 1981

Salient features of the Acts Important

Definitions

Authorities-compositions, powers and jurisdiction

Offences and penalties

Judicial approach

#### **UNIT- III**

##### **ENVIRONMENTAL PROTECTION**

Pollution control under the Environment (Protection) Act, 1986 Salient features of the Act

Important definitions

Powers of the Central Government Offences and penalties under the Act

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

Judicial approach-complex problems in the administration of environmental justice.

## **UNIT –IV**

### **WILD LIFE PROTECTION**

The Wild Life (Protection) Act, 1972

Salient Features of the Act

Important definitions: Animal; animal articles; closed area; trophy; wild animal; wild life; Zoo; and sanctuary

Authorities under the Act; Constitution; powers and functions

Prohibitions under the Act; hunting of wild animals and protection of specified plants Protected Areas; Sanctuaries; national parks and closed areas

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

Offences and Penalties

## **UNIT –V**

### **Cruelty to Animals**

The Prevention of Cruelty to Animals Act, 1960

Salient features, aims and objects of the Act

Important definitions

Authorities under the Act: composition, powers and Jurisdiction Offences and penalties

### **Acts**

Water(Prevention and Control of Pollution) Act, 1974

Air(Prevention and Control of Pollution) Act, 1981

Environment (Protection) Act, 1986

Wild Life (Protection) Act, 1972 Prevention of

Cruelty to Animals Act, 1960

### **Books**

R. B. Singh & Suresh Mishra: Environmental Law In India

Kailash Thakur: Environmental Protection Law and Policy in India Leelakrishnan. P:

Law and Environment

Leelakrishnan. P: The Environmental Law in India

**LL. B. SIXTH SEMESTER**

PAPER -III

MAXIMUM MARKS :100

**LAND LAWS INCLUDING CEILING AND OTHER LOCAL**

**LAWS-II UNIT-I**

U.P. Consolidation of Holdings Act, 1953 UNIT-II

U.P. Panchayat raj Act, 1947

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

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

U.P. Municipalities Act, 1916 Acts

U.P. Consolidation of Holdings Act, 1953

U.P. Panchayat Raj Act, 1947

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

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

U.P. Urban Planning and Development Act, 1973

U.P. Municipalities Act, 1916

**LL. B. SIXTH SEMESTER**

PAPER -IV

MAXIMUM MARKS:100

INTERNATIONAL ORGANISATION

**UNIT – I**

**Evolution of international Organization**

Concept, Nature and development of international Organization Progress of Mankind towards international organization

The Concept of Europe

The League of Nations- genesis and creation provisions, its organs Causes of its failure

The United Nations- genesis and creation provisions

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

Achievements and limitations of the U.N. The

Future role of the U.N.

**UNIT – II**

**Structure/Organs of the U.N.**

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

Council- compositions, voting procedure, powers and function The Economic and Social

Council- compositions, voting procedure, powers and function

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

The Secretariat- appointment of the Secretary General; Powers and functions of the Secretary General

The International Court of Justice- composition, jurisdiction

### **UNIT – III**

#### **POLITICAL PROCESS**

A Comparative view of the League of Nations' and U.N. Charter International  
Personality- Nature and Consequences of the concept Treaty- making process

Privileges and immunities

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

### **UNIT – IV**

#### **Specialized Agencies**

International Labour Organization (ILO)

International Monetary Fund (IMF)

Food and Agriculture Organization (FAO)

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

Health Organization (WHO)

### **UNIT – V**

#### **Regional Institutions**

The Council of Europe

The Organization of American States (OAS)

The Association of South East Asian Nations (ASEAN)

The Warsa Treaty Organization

SAARC

#### **BOOKS**

D.W. Bowett: The law of International Institutions

Stephen S. Goodspeed: Nature and Function of International Organization

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

Khan: Implied Powers of the United Nations

M.S. Rajan: United Nations and Domestic Jurisdiction

Rumki Basu: The United Nations: Structure and Functions of International  
Organization

## **LL. B. SIXTH SEMESTER**

PAPER -V

MAXIMUM MARKS:100

INTELLECTUAL PROPERTY LAW

UNIT – I

### **INTRODUCTORY**

Intellectual Property: meaning, definition, nature and importance Rationale of the legal regimes for the protection of intellectual property Kinds of intellectual property

Rationale for protection of rights in-

Copyright

Trade marks

Patents

Designs

Trade Secrets and Geographical Indications

Introduction to the leading international instruments concerning IPR: Paris

Convention;

Berne Convention; World Trade Organization (WTO); world Intellectual Property Organization (WIPO) and TRIPS Agreement

UNIT – II

### **Law of Copyright in India**

Historical evolution of law

Subject-matter and meaning of copyright

Copyright in literary, dramatic, musical and artistic works

Copyright in cinematograph film and sound recording Ownership of copyright

Terms of copyright

Assignment of copyright

Licensing of copyright and compulsory licensing

Author's Special Rights

Infringement of copyright and compulsory licensing Video

Piracy and piracy in Internet



Remedies

### UNIT – III

#### INTELLECTUAL PROPERTY IN TRADE MARKS

Rationale of protection of trade marks as (a) an aspect of commercial rights. And  
(b) of consumer rights

Definition and concept of trade marks

Distinction between trade mark and property mark and service mark

Registration of trade marks

The doctrine of deceptive similarity The  
doctrine of honest concurrent user Protection  
of well-known marks Infringement and  
passing off

Remedies

### UNIT – IV

#### INTELLECTUAL PROPERTY IN PATENTS

Patent: meaning, definition and importance

Patentable inventions

Patent protection for computer programme

Process of obtaining a patent, Patent Co-operation Treaty (PCT) Rights  
and obligations of a patentee

Duration of patent

Compulsory licenses

Infringement Remedies

### UNIT – V

#### INTELLECTUAL PROPERTY IN DESIGNS AND GEOGRAPHICAL INDICATIONS

Importance definitions: design article; mechanical device; geographical indication

Registration of designs: application for registration of designs; procedure for registration of designs; cancellation of registration  
Rights conferred by registration Restoration  
of lapsed design Infringement and remedies  
Characteristics and functions of design  
Distinction between 'geographical indication' and 'trade mark'; 'geographical indication' and 'Collective marks'  
Procedure for registration of GI  
Infringement and remedies

#### ACTS

Copyright Act, 1957 Trade

Marks Act, 1999 Patents

Act, 1970

Design Act, 2000

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

#### BOOKS

Cornish W.R. Intellectual Property, Patents, Trade Marks, Copyright and Allied Rights

P. Narayanan: Intellectual Property Law

S.K. Singh: Intellectual Property Rights Law

Vikas Vashishth: Law and practice of Intellectual Property Bibeck

Debroy (ed.): Intellectual Property Rights

## **LL. B. SIXTH SEMESTER**

PAPER -VI

MAXIMUM MARKS:100 WOMEN

AND THE LAW

UNIT – I WOMEN IN INDIA

Pre – independence period: social and legal inequality in ancient and medieval India

Social reforms movement in India

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

Personal Laws- unequal position of women

International Conventions and National Commission for Women

UNIT – II GENDER INEQUALITY IN PERSONAL LAWS

Inheritance and succession: position of women in Hindu law and Muslim Law Matrimonial property

Maintenance under personal laws and under Section 125 of the Cr. P.C. Guardianship : right of women to adopt a child; problems of women guardianing Domestic violence: Causes and cure

UNIT – III WOMEN AND CRIMINAL LAW

Insulting the modesty of woman

Dowry death

Rape

Adultery

Cruelty by husband or his relative for dowry Dowry prohibition

Female foeticide

UNIT – IV Women And Employment

Women in employment: causes, extent and importance Equal remuneration for men and women

Maternity

Other provisions for welfare and safety of women in Industrial laws

Exploitation and harassment of women in work places

UNIT –V

Protection and Enforcement Agencies

Courts

Family Courts

National and State Commission for Women NGOs

Books

A.S. Altekar: The position of women in Hindu Civilisation Revasia & Revasia: Women, Social justice And Human Rights Agens, Flavia: Law and Gender Inequality

Balram : Women Workers, the Labour Legislation In India

Towards Equality – Report of the committee on the Status of women(Govt. of India)

## **LL. B. SIXTH SEMESTER**

PAPER -VII

MAXIMUM MARKS:100

### **PRACTICAL TRAINING: MOOT COURT, PRE-TRIAL PREPARTIONS AND PARTICIPATION IN TRIAL PROCEEDINGS**

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

**(a) Moot Court (30 marks)**

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

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

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

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