

B.A. LL.B. (Hons.)

SEMESTER-X

LBC1001 Public International Law

LBC1002 Intellectual Property Laws

LBC1003 Law, Poverty & Development

LBE1001 Information Technology Law

Or

LBE1002 International Human Rights

LBS1001 Moot Court (Clinical Course)

B.A. LL.B. (Hons.) Semester – X

PUBLIC INTERNATIONAL LAW

Core Course LBC1001

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

UNIT I

- 1.1 Definition and Concept of International Law
- 1.2 Nature and Basis of International Law
- 1.3 Source of International Law
- 1.4 Historical and Progressive development of International Law
- 1.5 Relationship of International Law and Municipal Laws

Unit II

- 1.1 Subject of International Law, Place of Individuals in International Law
- 1.2 Nature of State and Different Kinds of States and Non-State Entities
- 1.3 Recognition
- 1.4 State Succession
- 1.5 Intervention

Unit III

- 1.1 State Jurisdiction
- 1.2 Acquisition and loss of state territory
- 1.3 Responsibilities of State, CTBT
- 1.4 Nationality
- 1.5 Treatment of Aliens

Unit IV

- 1.1 Asylum
- 1.2 Extradition
- 1.3 Diplomatic Agents
- 1.4 Treaties
- 1.5 International Criminal Court

Unit V

- 1.1 Definition Function and Evolution of International Organisation
- 1.2 U.N.O. (including its organs)
- 1.3 International court of Justice
- 1.4 Settlement of International Disputes
- 1.5 Disarmament

Note: The above Units will include all recent amendments and the study of important updated relevant cases decided by the Judiciary

Selected BiL Biography

- 1. S.K. Kapoor : International Law
- 2. R.P. Anand : Salient Documents in International Law
- 3. S.C.H. Warzenberger : A Manual of International Law
- 4. J.G. Starke : Introduction to International Law
- 5. Gurdeep Singh : International Law
- 6. D.W. Bowett : International Institutions

7. Oppenheim : International Law
8. Breirly : Law of Nations
9. S.K. Verma : An Introduction to PuLBic International Law
10. Ian Brownlie : Basic Document in International Law
11. Tripathi : International Law & Human Rights
12. Tondon : International Law

B.A. LL.B. (Hons.) Semester – X

INTELLECTUAL PROPERTY LAWS

Core Course LBC1002

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

UNIT-I: Introduction

1.1 Meaning of Intellectual Property

1.2 Main Components of Intellectual Property: Copyright, Trademarks, Patents and Designs

1.3 Other new forms such as Plant Varieties and Geographical Indications

1.4 International Regime of Intellectual Property Rights: Berne Convention, Universal Copyright Convention, Paris Convention, Madrid Agreement, UPOV, Patent Co-operation Treaty (PCT), TRIPs and World Intellectual Property Rights Organization (WIPO).

UNIT-II: Selected Aspects of the Copyright Law in India (Copyright Act, 1957)

2.1 Evolution and Development of Copyright Law

2.2 Meaning, Definition and Characteristics of Copyright

2.3 Subject Matter of Copyright

2.4 Ownership of copyright: Determination of Ownership and Rights of Owner

2.5 Publication, Term, Assignment and License of copyright

2.6 Copyright Authorities and Copyright Societies

2.7 Infringement of Copyright

2.8 Enforcement of Copyright: Civil Remedies, Criminal Remedies and other available remedies.

2.9 International Copyright (S. 40-41)

UNIT-III: Trademarks (The Trademarks Act, 1999)

- 3.1 Evolution and Development of Trademarks Law
- 3.2 Definition, Concept, Features and the rationale of the protection of trademarks
- 3.3 Registration of Trademark and Rights of Trademark holder
- 3.4 Assignment and Transmission of Trademark
- 3.5 Authorities under the Trademarks Act, 1999
- 3.6 Infringement, Passing Off action and Remedies under the Trademarks Act.

UNIT-IV: Patents (The Patents Act, 1970)

- 4.1 Historical Evolution and Development of Patents Law
- 4.2 Definition and Characteristics of Patent
- 4.3 Patentable and Non-Patentable Inventions
- 4.4 Procedure for Obtaining and filing patents (including filing under PCT)
- 4.5 Rights and Obligations of a Patentee (Including Compulsory Licences)
- 4.6 Transfer, Surrender, Revocation and Restoration of Patent
- 4.7 Infringement of Patent, Remedies thereof, Offences and Penalties

UNIT-V: Other Intellectual Property Laws in National Regime

- 5.1 The Designs Act, 2000-
 - 5.1.1 Evolution and Development of Designs Law in India and Salient Features of Designs Act, 2000
 - 5.1.2 Registration of Designs and Rights of Design Holder
 - 5.1.3 Infringement and Legal Remedies
- 5.2 Geographical Indications of Goods (Registration and Protection) Act, 1999-
 - 5.2.1 Meaning, Definition of Geographical Indications and Salient features of the Act
 - 5.2.2 Registration, Infringement and Legal Remedies
- 5.3 Object and Salient Features of Protection of Plant Varieties and Farmers' Rights Act, 2001

Note: The above units will include whole Acts with recent amendments and the study of important updated relevant cases decided by the Judiciary.

Selected BiLBiography

1. W.R. Cornish, Intellectual Property (London: Sweet and Maxwell, 1996)
2. M. Carlos Correa, Intellectual Property Rights, the WTO and Developing Countries: The TRIPS Agreement and Policy Options (Penang: Third World Network, 2000)
3. B.L. Wadhwa, Law Relating to Intellectual Property, Universal Law PuLBishing, 2014
4. P. Narayanan, Intellectual Property Law (1999), (ed) Eastern Law House, Calcutta
5. M.K. Bhandari, Law Relating to Intellectual Property Rights, Central Law PuLBications (2013)
6. J.P. Mishra, An Introduction to Intellectual Property Rights, Central Law PuLBications
7. Bibeck Debroy (ed). Intellectual Property Right (1998), Rajiv Gandhi Foundation, Delhi
8. U.I.F. Anderfelt, International Patent Legislation and Developing Countries (1971)
9. K. Thairani, copyright: The Indian Experience (1987)
10. W.R. Cornish, Para and Materials on Intellectual Property (1999)
11. J.P. Mishra, Bauddhik Sampada Adhikar, Central Law PuLBications (2013)
12. B.L. Babel, Bauddhik Sampada Adhikar

B.A. LL.B. (Hons.) Semester – X

LAW, POVERTY AND DEVELOPMENT

Core Course LBC1003

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

UNIT-I

1. The concept of poverty units 10
 - 1.1. Economical
 - 1.2. Cultural
 - 1.3. Situational
 - 1.4. Distinction between "natural" and "social" poverty
 - 1.5. Absolute and relative poverty
 - 1.6. Sociological
 - 1.7. Religion and poverty

UNIT-II

3. The "Determinants" of Impoverishment units 10
 - 3.1. Population growth as determinant.
 - 3.2. Legal system as a determinant of Impoverishment.
 - 3.3. Planning as a determinant of poverty:
 - 3.3.1. The Nehru Phase : 1950-1964
 - 3.3.2. The Green Revolution and basic needs strategies: 1964-1977
 - 3.3.3. The anti-poverty Programme strategy : 1977-1988
 - 3.3.4. The Lackadaisical agrarian reforms programme.
 4. Poverty of Planning and Anti-poverty Programmes
 - 4.1. SFDA (Small Farmer Development Programme)
 - 4.2. MFAL (Project for Marginal Farmers and Agricultural Labourers)
 - 4.3. DPAP (The Drought - Prone Areas Programme)
 - 4.4. IRDP (Integrated Rural Development Programme)
 - 4.5. NREP (National Rural Employment Programme)
 - 4.6. RLEGP (Rural Landless Labour Employment Guarantee Programme)
 - 4.7. "Food For Work", "Anti-Poverty Programme, "with special reference for IRDP:
 - 4.8.1. Identification of beneficiaries
 - 4.8.2. Arbitrariness and application of "Poverty line" measures.
 - 4.8.3. Lack of differentiation among the impoverished constituencies (age, gender, health).
 - 4.8.4. Administrative structure weaknesses.
 - 4.8.5. Bribery, corruption, leakages, maladministration, (the proLBem of the IRDP cow").
 - 4.8.6. Bank financing of IRDP.

- 4.8.7. Bank loans for poor and landless
- 4.9. Constitutional Aspects of the Anti-poverty Programmes:
 - 4.9.1. Non-legislative character.
 - 4.9.2. Right to access to information
 - 4.9.3. ProLBem of legal accountability
 - 4.9.4. Judicial remedies for maladministration
 - 4.9.5. Constitutionality of measures such as identification of beneficiaries and bank financing
 - 4.9.6. Federal autonomy questions in centrally sponsored anti-poverty programmes.

UNIT III

5. Criminal Law and the Poor

- 5.1. Anti-poor biases of the criminal justice system
- 5.2. Poor and right to die: prosecution of the poor for attempt to suicide.
- 5.3. The right to bail
- 5.4. The proLBem of undertrials.
- 5.5. Compensation to victims of crime, especially to the impoverished in communal riots or civil disturbances.
- 5.6. Corruption laws, effective prosecution and their impact on poverty.
- 5.7. Sentences: Is imprisonment in default of fine constitutional in relation to the "poorest of the poor"?

UNIT IV

. Women, Poverty and the Law units 10

- 11.1. Special features of impact of gender discrimination on the Impoverished Women
- 11.2. Specific domains
 - 11.2.1. Bidi workers
 - 11.2.2. Wage discrimination by puLBic financial institutions
- 11.3. Atrocities against women
 - 11.3.1. Rape, sexual assault including custodial rape.
 - 11.3.2. Institutionalised abuse
 - 11.3.3. Traficing in women
 - 11.3.4. Devadasi system
 - 11.3.5. Sati
 - 11.3.6. Dowry

UNIT V

12. Legal services of the poor

- 12.1. Concept of legal aid
- 12.2. Growth of legal aid movement in India
- 12.3. Krishna Iyer report
- 12.4. Bhagwati report.
- 12.5. The Tamil Nadu legal services programme
- 12.6. Case law on legal services
- 12.7. The Legal Services and Lok Adalat Act, 1986.
- 12.8. Role of students and teachers

SELECT BIBLIOGRAPHY

D.R. Saxena, Tribals and the Law (1997), Deep and Deep, New Delhi.

L.P. Vidyarthi (ed.), Tribal Development and its Administration (1986) Concept Publishing Company,
New Delhi

U. Baxi (ed.), Law and Poverty (1988) Tripathi, Mumbai

A.W. Murphy, et.al., Law and Poverty (1973), Tripathi, Mumbai.

Government of India, Planning documents relating to poverty alleviation programme at different
times.

J.S. Gandhi, Law and Social Change (1989) Rawat, Jaipur.

Leelakrishnan.P, et.al.(eds.), Tribal Welfare: Law and Practice (1985), Cochin University
Department
of Law

B.A. LL.B. (Hons.) Semester – X

INFORMATION TECHNOLOGY LAW

Elective Course LBE1001

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

UNIT – I

- 1.1 Notion of Technology: Emergence of Technology and Industrial Revolution
- 1.2 Legal Order and Technological Innovation
- 1.3 Introduction to Information Technology Act: Objects and Definitions
- 1.4 Authentication of electronic records through digital signatures

UNIT - II

- 2.1 Electronic Governance
- 2.2 Attribution, Acknowledgement and dispatch of electronic records
- 2.3 Secure electronic records and Secure digital signatures
- 2.4 Regulation of certifying authorities

UNIT- III

- 3.1 Digital signature certificates
- 3.2 Duties of subscribers
- 3.3 Offences, Penalties and Adjudication
- 3.4 Network Service Providers not to be liable in certain cases

UNIT- IV

- 4.1 Introduction to E-Commerce
- 4.2 Model Law of E-Commerce
- 4.3 Online Contracting
- 4.4 Jurisdiction Issue in E-Commerce
- 4.5 E-Banking and E-Payment

UNIT- V

- 5.1 Introduction to Cyber Crimes: Meaning, Definitions and Kinds
- 5.2 Jurisdiction Issue in Cyber Crimes
- 5.3 Cyber Crimes: National Perspective
 - 5.3.1 Cyber Crimes under Information Technology Act 2000
 - 5.3.2 The Cyber Regulations Appellate Tribunal under IT Act
- 5.4 Cyber Crimes: International Perspective (International Conventions on Cyber Crime).

Note: The above units will include whole Act with recent amendments and the study of important updated relevant cases decided by the Judiciary.

Select BiL Biography

1. S.R. Bhansali, Information Technology Act 2000
2. UNCITRAL Model Law on E-commerce, 1996
3. Vakul Sharma, Information Technology Law and Practice, 2011
4. Harish Chander, Cyber Laws and IT Protection, 2012
5. Gerald R. Ferrera, Cyber Law (Text and Cases)

6. Nandan Kamath, Law Relating to Computers, Internet and E-commerce, 2010
7. Anil Sachdeva, Soochna Praudyogiki Adhinyam, 2000
8. Vakul Sharma, Soochna Praudyogiki Vidhi, 2011

B.A. LL.B. (Hons.) Semester – X

INTERNATIONAL HUMAN RIGHTS

Elective Course LBE1002

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

UNIT-I Development of the Concept of Human Rights under International Law

- I. Role of International Organization and Human rights
- II. Universal Declaration of Human Rights (1948)
- III. Covenant of political and Civil Rights (1966)
- IV. Covenant on Economics, Social and Cultural Rights (1966)
- V. ILO and other Conventions and protocols dealing with human rights

UNIT-II Role of Regional Organizations

- I. European Convention on human Rights
- II. European Commission on Human Rights / Court of Human Rights.
- III. American Convention on Human Rights
- IV. African Convention on Human Rights
- V. Other regional Conventions.

UNIT-III Protection agencies and mechanisms

- I. International Commission of Human Rights
- II. Amnesty International
- III. Non- Governmental Organizations (NGOs)
- IV. U.N. Division of Human Rights
- V. International Labour Organization
- VI. UNESCO
- VII. UNICEF
- VIII. Voluntary organization

UNIT-IV

- I. International enforcement of Human Rights
- II National enforcement of Human Rights
- III National and State Human Rights Commissions

UNIT-V

Role of ICJ and regional institutions

Note: The above units will include all recent amendments and the study of important updated relevant cases decided by the judiciary.

Select biLBiography

Benedetto Conforti and Francesco Francioni, Enforcing International Human Rights in Domestic courts (1997).

Francisco Forrest Martin, International Human rights Law and practice, (1997)

Luck Clements, European Human Rights Taking a Case under the Convention, (1994)

Evelyn A. Ankumah, The African Commission on Human Rights and people's Rights, (1996)

R.K. Sinha, human Rights of the world, (1997)

Philip Alston, The United Nations and Human Rights A Critical Appraisal, (1992)

R.S. Sharma and R.K. Sinha, perspectives in Human rights Development, (1997)

The Human Rights Watch global Report on Women's human rights, (2000), Oxford

B.P. Singh Gehat, Human Rights in India (1996)

Chandan Bala, International Court of Justice: Its Functioning and settlement of International Disputes, (1997)

B.A. LL.B. (Hons.) Semester – X

MOOT COURT (CLINICAL COURSE)

Skill Course LBS1001

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

The detail of syllabus of this papers are as under :-

- | | |
|--|-----------|
| (A) Preparation of Diary and Attendance in Courts. | 30 marks. |
| (B) Moot courts | 30 marks. |
| (C) Viva- Voice Examination | 40 marks. |

Section – A

PREPARATION OF DIARY AND ATTENDANCE IN COURT:

This diary shall consist of the following. 30 marks

- (i) Preparation of Five legal cases.
- (ii) Record of Moot Court activities.
- (iii) Record of group discussion, debate, etc.
- (iv) Record of visits.
- (v) Record of attendance in courts.

All Students shall be required to prepare a diary of five legal cases or proceedings or interim petitions in courts as far as possible from start to finish of the following nature –

Following nature :-

- (i) Civil Suit.
- (ii) Criminal Case.
- (iii) Session Case.
- (iv) Small cause proceedings, Labour Cases, revenue Cases or any other court as may be decided by the teacher concerned.

The diary shall be prepared by the students in their own handwriting signed by him/her and counter signed by in concerned teacher. The work or the preparation of diary shall be assessed by the internal external examinations appointed by the University.

A student for this course shall be required to Participate in a group discussion or debate or talk preferaLBy on a topic of current legal importance as may be decided by the concerning teacher. The student shall record his views in his own hand writing from time to time signed by him and counter signed by the concerned teacher. The same will be duly assessed for the purpose of allotting the marks.

VISITS :-The student in convenient group under the supervision of a teacher shall visit the following office on such days and during such timings as may be decided by the concerned department/college.

- (1) Office of the Registrar, Clerks of the Courts of Nazir Record.
Keepers etc. in courts.
- (2) Police Station.
- (3) Office Station.

Section – B

MOOT COURTS :

30 Marks

Separate groups shall be formed and cases involving several issues in any branch of law shall be assigned to each group. The aim of the moot court shall be imparting of practical training in Court Procedure i.e. preparation of a brief and actual argument of points involved. The Department/College shall prescribe the number of moot courts.

The Department/College shall maintain a record of attendance to the Court for the practical training to enforce regular attendance strictly.

The student shall submit their diaries etc. to the concerning College/Department for evaluation. The Colleges/Department shall them to the University. The assessment of moot court shall be done by the University. The total marks of moot examination shall be 20.

The moot court shall consist of the following

- (i) Preparation of brief and
- (ii) Oral arguments, group discussion, dabate etc. on the points involved on behalf of one or other party.

Comprehensive *Viva-Voce***Credit 04**

Comprehensive *viva-voce* of 4 virtual credits will be conducted at the end of each semester of the programme by a board of examiners. The grades awarded in the *viva-voce* shall be shown separately in the grade-sheet.