

FOURTH SEMESTER

Paper-I Law of Copyright

[Total Marks 100 out of which 80 marks shall be for written Examination and 20 marks for internal assessment]

1. Theoretical Foundations of Law of Copyright- Nature and Meaning- Copyright as Property-General Principles-Special Features-Justification for Providing Copyright to authors: Labour Theory, Personality Theory, Economic Incentive Theory, Social Requirements Theory.
2. Origin and Development of Law of Copyright –1886 Berne Convention, 1952 Universal Copyright Convention, 1961 Rome Convention, 1994 TRIPS Agreement, 1996 WIPO Copyright Treaty, 2012 Beijing Treaty on Audiovisual Performances, Utility of International Copyright Law in India- Development in India: Copyright Act, 1847, Copyright Act, 1914, Copyright Act, 1957, Information Technology Act, 2000.
3. Works in Which Copyright Subsists- Concept of Originality-Idea and Expression Dichotomy- No Copyright in Common Property- Literary Work- Dramatic Work- Musical Work- Artistic Work-Cinematograph Film-Sound Recording.
4. Author of Work, Owner of Copyright and Rights of Copyright Owner- Meaning of Author and Work- Ownership of Copyright- Transfer of Ownership of Copyright- Recognised Rights of Copyright Owner.
5. Term, Licencing and Registration of Copyright-Terms of Copyright in Published Works, Anonymous and Pseudonymous Works, Posthumous Work, Photographs, Cinematograph Films and Sound Recording-Licencing of Copyright-International Copyright-Procedure for Copyright Registration.
6. Rights of Broadcasting Organisation and of Performers-Concept-Indian Broadcasting Organisation: Regulatory Framework, and Their Importance, International Protection, Broadcasting Rights under Indian Copyright Act- Rights of Performers at International Level- Protection of Performer's Rights in India.
7. Protection of Copyright in Internet-Concepts of Internet, Internet Protocol, Domain Name, Browsing on Internet, Caching, Linking, E-Mail and Bulletin Board Service-Rights of Reproduction in Internet-Liability of Internet Service Provider- Jurisdictional Issue in Internet Disputes.
8. Infringement of Copyright and Defence of Copyright Liability-When Copyright is deemed to be Infringed?-Defence of Copyright Liability.
9. Enforcement of Copyright-TRIPS Agreement Mandate on Enforcement- Administrative and Judicial Remedies in India.

Books Recommended:

1. Jatindra Kumar Das, Law of Copyright, PHI Learning (2013).
2. W.R. Cornish-Intellectual Property, Sweet and Maxwell
3. S.N. Mandal-Copyright Laws: Cases and Materials
4. Alka Chawla- Copyright Law

Paper-II

Administrative Law

[Total Marks 100 out of which 80 marks shall be for written Examination and 20 marks for internal assessment]

1. Nature Scope and Definition of Administrative Law-Distinction Between Constitutional Law and Administrative Law-Sources of Administrative Law-Growth of Administrative Law.
2. Rule of Law-Application of Rule of Law in India-Rule of Law *vis-à-vis* Droit Administrative-Doctrine of Separation of Power.
3. Delegated Legislation-Concept and Reasons for Growth in National and International Level-Merits and Demerits- Sub-Delegation- Conditional Legislation- Control of Delegated Legislation.
4. Principles of Natural Justice- Concept- Rule against Bias, Right to be Heard and Reasoned Decision- Application in India.
5. Administrative Tribunal- Growth and Importance.
6. Judicial Control of Administrative Action-Nature and Extent of Prerogative Writs.
7. Ombudsman and Scope of Lokpal Remedy.
8. Public Corporations.

Books Recommended:

1. D.D. Basu- (i) Administrative Law (ii) Comparative Administrative Law
2. Indian Law Institute- Cases and Materials on Administrative Law
3. I.P. Massey- Administrative Law
4. S.P. Sathe- Administrative Law
5. J.J.R. Upadhyaya- Administrative Law

Paper-III

Law of Evidence

[Total Marks 100 out of which 80 marks shall be for written Examination and 20 marks for internal assessment]

1. Preliminary (Sections 1-4)
2. Relevancy of Facts (Sections 5-55)
3. Facts which need not be proved (Sections 56-58)
4. Oral and Documentary Evidence (Sections 59-90A)
5. Exclusion of Oral or Documentary Evidence (Sections 91-100)
6. Burden of Proof (Sections 101-114A)
7. Estoppel (Sections 115-117)
8. Witness and Examination of Witnesses (Sections 118-166)
9. Improper Admission and Rejection of Evidence (Section 167)

Books Recommended:

1. Ratanlal Dhiraj Lal – The Law of Evidence
2. Batuklal – The Law of Evidence
3. Avtar Singh – Principles of Law of Evidence
4. S.N. Bhattacharjee – The Law and Practice of Evidence: Civil and Criminal.

Paper-IV
Criminal Law- II:
(Cr. P. C., J. J. ACT, P.O. ACT)

[Total Marks 100 out of which 80 marks shall be for written Examination and 20 marks for internal assessment]

1. Preliminary (Sec. 1-5), Constitution of Criminal Courts and Offices (Sec. 6-25A), Power of Courts (Sec. 26-35).
2. Arrest of Persons (Sec. 41-57)
3. Summons and Warrant of Arrest Sec. (61-81), Search Warrant (Sec. 93-98)
4. Security for Keeping the Peace and for Good Behaviour (Sec.106-110), Order for Maintenance of Wives, Children and Parents (Sec. 125-128), Maintenance of Public Order and Tranquillity (Sec. 129-134), Urgent Cases of Nuisance or Apprehended Danger (Sec.144), Preventive Action of The Police (Sec. 149-153).
5. Information to the Police and their Powers to Investigate (Sec. 154-176). Jurisdiction of the Criminal Courts in Inquiries and Trials (Sec. 177-189), Conditions Requisite for Initiation of Proceedings (Sec. 190-199)
6. Complaints to Magistrates (Sec.200-203), Commencement of Proceedings Before Magistrates (Sec. 204-210), Charge (Sec.211-224)
7. Sessions Trial (Sec.225-237), Trial of Warrant-Cases by Magistrates (Sec.238-250), Summary Trials (Sec. 260-265)
8. Mode of Taking and Recording Evidence (Sec.272-283), The Judgment (Sec.353-365), Appeals (Sec. 372-394), Reference and Revision (Sec. 395-404), Provisions as to Bail and Bonds (Sec. 436-450)
9. Salient features of the Juvenile Justice (Care & Protection of Children) Act, 2015 and its working.
10. Salient features of the Probation of Offenders Act, 1958 and its working.

Books Recommended:

1. Ratanlal and Dhirajlal- The Code of Criminal Procedure
2. R.V.Kelkar- Criminal Procedure
3. Tandon- Criminal Procedure Code
4. K.D. Gaur- A Text Book on Criminal Procedure Code
5. N.V.Paranjape- Code of Criminal Procedure
6. Batuk Lal- The Code of Criminal Procedure
7. Report of the Committee on Reforms of Criminal Justice System.

Paper- V
Practical Training- I
(Drafting, Pleadings, Conveyance and ADR)

[Total Marks 100 out of which 10 marks shall be for *viva-voce*/ internal assessment]

1. Drafting- General Principles of Drafting and Relevant Substantive Rules- Drafting of Writ Petition and Public Interest litigation. **Marks 30**
2. Pleadings and Conveyance- (a) Civil: Complaint and Written Statement (Order 6,7,8 of CPC), Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petitions under Articles 226 and 32 of the Constitution of India. (b) Criminal: Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision. (c) Conveyance: Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will and Trust Deed.

Marks 30

3. Alternative Disputes Resolution- Arbitration Law, International Arbitration, Arbitration Rules, Basis of Conciliation and Negotiation.

Marks 30

4. *Viva-Voce*/ Internal Assessment.

Marks 10

The course will be taught through class instructions and simulation exercise preferably with assistance of practicing Lawyers/ Retired Judges with case studies wherever applicable. Apart from teaching the relevant provision of Law, the course may include not less than 10 exercise in Drafting carrying a total of 30 marks (3 marks for each), 10 exercises in Conveyance carrying another 30 marks (3 marks for each exercise). Evolution of Alternative Dispute Resolution may also be conducted in practical exercise at least for a significant part of evaluation for 30 marks. Remaining 10 marks will be given for *viva-voce*/ internal assessment.

Books Recommended:

1. Desouza- Conveyancing
2. C.R. Dutta- A. B. Mazumder's Plaint
3. Rodney D. Ryder- Drafting Corporate and Commercial Agreements
4. Shiva Gopal- Conveyancing, Precedents and Forms
5. N.M.Swamy- Drafting, Pleading and Conveyancing
6. Mogha- Law of Pleadings