

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

YEAR

4

SEMESTER

7

.MEDIA LAWS(LAW1704)

Mass media such as press, radio, television and films play a vital role in socialization, culturalization and modernization of a society. While these media have potential value as main educators, they are also susceptible to destructive and harmful uses for promoting criminal anti-social and selfish escapist tendencies. Law plays a dual role vis-a-vis such media. On the one hand it protects the creative freedom involved in them, on the other, it has to regulate them so as to avoid their possible abuse. This paper will deal with such interaction between law and mass media.

OBJECTIVES:

COURSE CONTENT/SYLLABUS

CHAPTER 1

Mass Media –types of- Press, Films ,Radio, Television

.1.1 Ownership patterns-Press-Private-Public

1.2 Ownership Patterns- Films- Private

1.3 Ownership Patterns- Radio and Television, Public

1.4 Difference between visual and non-visual media-Impact on People's minds

CHAPTER 2

Speech and expression

.2.1 Freedom of speech and expression

2.2 Freedom of the press

2.2.1 Price and Page Schedule Regulation

2.2.2 Advertisement- whether included within freedom of speech and expression

2.3. Freedom of speech and contempt of court

2.4 Court reporting and Restrictions

2.5 Defamation

CHAPTER 3

.Investigative Journalism

.3.1 Impact of Technology on Freedom of Expression

3.2 Draft Bill on Broadcasting, 2007

CHAPTER 4

Films and Freedom of Expression

4.1 Censorship of Films- Constitutionality

4.2 The Abbas Case

4.3 Censorship under Cinematographer Act

CHAPTER 5

Constitutional Restrictions

5.1 Power to legislate – Article 246 r/w Seventh Schedule

5.2 Power to impose Tax- licensing and license fee

CHAPTER 6

Regulatory Bodies

Select bibliography

1 Expression" 28 J.I.L.I. 299(1986)

2 Constitutional Law (1994), Wadhwa.

Lord Denning, "Plain English", The Closing Chapter, New Delhi: Aditya Books, 1993.

3 Pearson Mark, The Journalist's Guide to Media Laws, 3rd Edition, Allen and Unwin

YEAR	4	
SEMESTER	7	Law of Evidence(LAW1702)

The Law of Evidence is an indispensable part of both substantive and procedural laws. It imparts credibility to the adjudicatory process by indicating the degree of veracity to be attributed to facts before the forum. This paper enables the student to appreciate the concept and principles underlined in the law of evidence and its sources. The subject seeks to impart to the student the skills of examination and appreciation of oral and documentary evidence in order to find out the truth.

OBJECTIVES:

COURSE CONTENT/SYLLABUS

CHAPTER 1

Introductory

- .1.1. The main features of the Indian Evidence Act 1861.
- 1.2. Other acts which deal with evidence (special reference to CPC, CrPC).
- 1.3. Problem of applicability of Evidence Act
 - 1.3.1. Administrative
 - 1.3.2. Administrative Tribunals
 - 1.3.3. Industrial Tribunals
 - 1.3.4. Commissions of Enquiry
 - 1.3.5. Court-martial
- 1.4. Disciplinary authorities in educational institutions

CHAPTER 2

Central Conceptions in Law of Evidence

- .2.1. Facts : section 3 definition: distinction -relevant facts/facts in issue
- 2.2. Evidence: oral and documentary. Circumstantial evidence and direct evidence
- 2.3. Presumption (Section 4)
- 2.4. "Proving", "not providing" and "disproving"
- 2.5. Witness ,
- 2.6. Appreciation of evidence

CHAPTER 3

Facts: relevancy

- .3.1. The Doctrine of res gestae (Section 6,7,8,10)
- 3.2. Evidence of common intention (Section 10)
- 3.3. The problems of relevancy of "Otherwise" irrelevant facts (Section 11)
- 3.4. Relevant facts for proof of custom (Section 13)
- 3.5. Facts concerning bodies & mental state (Section 14, 15)

CHAPTER 4

Admissions and confessions

- .4.1. General principles concerning admission (Section 17, 23)
- 4.2. Differences between "admission" and "confession"
- 4.3. The problems of non-admissibility of confessions caused by "any inducement, threat or promise" (Section 24)
- 4.4. Inadmissibility of confession made before a police officer (Section 25)
- 4.5. Admissibility of custodial confessions (Section 26)
- 4.6. Admissibility of "information" received from accused person in custody; with special reference to the problem of discovery based on "joint statement" (Section 27)
- 4.7. Confession by co-accused (Section 30)
- 4.8. The problems with the judicial action based on a "retracted confession"

CHAPTER 5

Dying Declarations

- .5.1. The justification for relevance on dying declarations (Section 32)
- 5.2. The judicial standards for appreciation of evidentiary value of dying declarations.

CHAPTER 6	<ul style="list-style-type: none"> . Other Statements by Persons who cannot be called as Witnesses .General principles. 6.2 Special problems concerning violation of women's rights in marriage in the law of evidence
CHAPTER 7	<ul style="list-style-type: none"> Relevance of Judgments 7.1 General Principles 7.2 Admissibility of judgments in civil and criminal matters. (Section 43) 7.3 "Fraud" and "Collusion" (Section 44)
CHAPTER 8	<ul style="list-style-type: none"> Expert Testimony 8.1 General Principles 8.2 Who is an expert? types of expert evidence 8.3 Opinion on relationship especially proof of marriage (Section 50) 8.4 The problems of judicial defence to expert testimony.
CHAPTER 9	<ul style="list-style-type: none"> Oral and Documentary Evidence . 9.1 General principles concerning oral evidence (Sections 59-60) 9.2 General principles concerning Documentary Evidence (Sections 67 – 90) 9.3 General Principles Regarding Exclusion of Oral by Documentary Evidence 9.4 Special Problems: re-hearing evidence 9.5 Issue estoppels 9.6 Tenancy estoppels (Section 116)
CHAPTER 10	<ul style="list-style-type: none"> Witnesses, Examination and Cross Examination .10.1. Competency to testify (Section 118) 10.2. State privilege (Section 123) 10.3. Professional privilege (Section 126, 127, 128) 10.4. Approval testimony (Section 133) 10.5. General principles of examination and cross examination (Section 135-166) 10.6. Leading questions (Section 141-143) 10.7. Lawful questions in cross-examination (Section 146) 10.8. Compulsion to answer questions put to witness 10.9. Hostile witness (Section 154) 10.10. Impeaching of the standing or credit of witness (Section 155)
CHAPTER 11	<ul style="list-style-type: none"> Burden of Proof 11.1. The general conception of onus probandi (Section 101) 11.2. General and special exceptions to onus probandi 11.3. The justification of presumption and of the doctrine of judicial notice 11.4. Justification as to presumptions as to certain offences (Section 111 A) 11.5. Presumption as to dowry death (Section 113-B) 11.6. The scope of the doctrine of judicial notice (Section 114)
CHAPTER 12	<ul style="list-style-type: none"> Estoppel <ul style="list-style-type: none"> 12.1 Why estoppel? The rationale (Section 115) 12.2 Estoppel, res judicata and waiver and presumption 12.3. Estoppel by deed 12.4. Estoppel by conduct 12.5. Equitable and promissory estoppel 12.6 Questions of corroboration (Section 156-157) 12.7 Improper admission and of witness in civil and criminal cases.

Select bibliography

Sarkar and Manohar, Sarkar or Evidence (1999), Wadha & Co., Nagpur Indian Evidence Act, (Amendment up to date) Ratan Lal, Dhiraj Law; Law of Evidence (1994), Wadhwa, Nagpur
Polein Murphy, Evidence (5thEdn, Reprint 2000), Universal, Delhi
Albert S.Osborn, The Problem of Proof (First Indian Reprint 1998), Universal, Delhi
Avtar Singh, Principles of the Law of Evidence (1992), Central Law Agency, New Delhi

YEAR

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SEMESTER

7

LABOUR LAW I(LAW1703)

OBJECTIVES:

Protection of labour is a Constitutional mandate. This course gives an insight to the student into the mechanics of socio-legal control of labour relations. It also makes the students aware of the history, the present norms, the emerging areas and possible future techniques of labour jurisprudence..

COURSE CONTENT/SYLLABUS

CHAPTER 1

.1. Historical Perspectives on Labour

CHAPTER 2

Trade Unionism

CHAPTER 3

Collective Bargaining

CHAPTER 4

State Regulation of Industrial Relations

4.1 Theoretical Foundations

4.2 Methods of Regulation

4.3 Recognition of mutual agreements

4.4 Assistance to bipartite Settlement: conciliation, voluntary arbitration, formulation of standing orders.

4.5 State prescription of machinery: reference for adjudication (the political overtones), the adjudicatory mechanism (how do they differ from courts?), award and its binding nature, judicial review of awards.

4.6 State prescription of standards in lay off, strike, lockout, retrenchment, closure and transfer of undertakings.

4.7 The Conceptual conundrum: industry, industrial disputes, workmen

4.8 Unfair Labour Practices.

Suggested Reading

1) Labour & Industrial Laws

by S.N. Misra

2) Industrial & Labour Laws

by S.P.Jain

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YEAR

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.GENERAL AGREEMENT ON

SEMESTER

7

TRADE AND TARIFF

The GATT's main objective was the reduction of barriers to international trade. This was achieved through the reduction of tariff barriers, quantitative restrictions and subsidies on trade through a series of agreements. The GATT was a treaty, not an organization. The functions of the GATT were taken over by the World Trade Organization which was established during the final round of negotiations in early 1990s. This paper deals with GATT and WTO.

OBJECTIVES:

COURSE CONTENT/SYLLABUS

CHAPTER 1

- 1.1 United Nations : GATT
- 1.2 Evolution of New Economic Order
- 1.3 Essential Components of NIEO

CHAPTER 2

Charter of Economic Rights and Duties

- 2.1 Sovereignty over wealth and natural resources
- 2.2 TNCS
- 2.3 Foreign investment
- 2.4 Transfer of technology

CHAPTER 3

Institutions

- 3.1 UNCTAD (United Nations Conference on Trade and Development)
- 3.2 UNCITRAL
- 3.3 GATT
- 3.4 Objectives
- 3.5 Strengths and weakness
- 3.6 Salient Features of GATT 1994 (Final Act of Uruguay Round

CHAPTER 4

WTO

4.1 Structure,
Principles and working
4.2 Difference
between GATT and
WTO
4.3 Problems
4.4 Agriculture
4.5 Textile and
Clothing
4.6 Anti Dumping
4.7 Custom valuation
4.8 Services
4.9 TRIPS
4.10 TRIMS
4.11 Dispute
Settlement
4.12 Information and
Technology
Agreement
4.13 E Commerce

CHAPTER 5

5.1 Relationship with GATT
5.2 Inalienable rights of member countries

CHAPTER 6

6.1 Trade related Intellectual Property rights
6.2 Principles
6.3 Minimum Standards
6.4 Copyrights and related rights
6.5 Trademarks
6.6 Geographical indications
6.7 Industrial Designs
6.8 Patents
6.9 Undisclosed information
6.10 Anti-competitive practice
6.11 Enforcement of IPR
6.12 Transparency
6.13 New Issues

Suggested Reading

- 1** . W.T.O by Dr. S.R.Myneni
- 2** Guide to the WTO & GATT by Avtar Krishen Koul

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ACADEMIC YEAR
2014-2015

YEAR 4

SEMESTER 7 ENGLISH IV (LAW1701)

OBJECTIVES: Language is a medium of communication. This course is designed to enable

COURSE CONTENT/SYLLABUS

CHAPTER 1 Communication

- 1.1 Definition and Role of Communication
- 1.2 Basics of Communication
- 1.3 Process and Barriers of Communication
- 1.4 Characteristics of Communication
- 1.5. Essentials of Communication

CHAPTER 2 Preparatory Steps for Formal Writing

- 2.1 Sources and Methods of Data Collection
- 2.2 Preparing questionnaires and interview sheets
- 2.3 Interpreting, Analyzing and Representing Verbal and Visual information

CHAPTER 3 Referencing Skills

- 3.1 Using library, e-resources for locating information.
- 3.2 Locating required information by seeing lists of contents, indexes and glossaries.
- 3.3 Preparing Bibliography, Legal Footnotes
- 3.4. Note Taking and Note Making

CHAPTER 4 Translation

CHAPTER 5 Law and Language

- 5.1 The Hypothesis of Failure- O. Henry
- 5.2 In the Court- Anton Chekhov
- 5.3 Mr. Havlena's Verdict- Karel Capek

.Suggested Reading:

1 . Mohan, Banerji, Developing Communication Skills, 2000, Macmillan India Ltd.

1

2 Inthira S R, Saraswathi V., Enrich Your English: Book II Academic Skills, 2005, Oxford University Press

2

3 Bassnett Susan, Translation Studies, 2002, Routledge Publishers

3

4 Bhatnagar R P, Law and Language, 2004, Macmillan India

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

YEAR 4 DRAFTING, PLEADINGS AND
CONVEYANCING (LAW1706)

SEMESTER 7

OBJECTIVES: Clinical Course.

COURSE CONTENT/SYLLABUS

CHAPTER 1 DRAFTING

- 1.. Essential Elements of Drafting.
2. Principles of Drafting.
3. Qualification of Draftsman.

CHAPTER 2 PLEADINGS

- :
1. Meaning.
 2. Object.
 3. Fundamental rules of Pleading.

CHAPTER 3 PLAINTS

1. Framing the Plaints – Plaint in a suit for:
 - a. Summary Suit: - Order 37 of the Code of Civil Procedure [Amendment] Act 2002.
 - b. Money Suits: i] By a Bank to recover a loan advanced by the Bank with interest. ii] Suit for recovery of price of goods sold.

CHAPTER 4 .WRITTEN STATEMENTS

1. General defences
2. Specimen form of Written Statement.

.An Affidavit for discovery of documents as per the Order of the Court under Order 11, Rule 13, in form no. 5 in Schedule Appendix C, of Civil Procedure Code [Amendment] Act 2002.

CHAPTER 5

CHAPTER 6 .APPLICATIONS UNDER CRIMINAL PROCEDURE CODE.

1. Application u/s 437 of Criminal Procedure Code: 1973.
[When bail may be taken in case of non-bail able offence]
2. Application u/s 438 of Criminal Procedure Code: 1973.
[Direction for grant of bail to person apprehending arrest]
3. Application u/s 125 of Criminal Procedure Code.
[Order for maintenance of wives, children and parents.]

CHAPTER 7

APPLICATIONS UNDER CIVIL PROCEDURE CODE.

- 1. A Caveat Application u/s 148 of Code of Civil Procedure.
- 2. An Application under Order 39 Rules 1 & 2 r/w section 151 and 94 of Civil Procedure Code for temporary injunctions.
- 3. An Application under Order 38, Rule 5 r/w section 151 of Civil Procedure Code for attachment before judgment.
- 4. An Application for Appointment of Commissioner- Order 26, Rule. 1 of Civil Procedure Code.

- 2. An Application for Appointment of Receiver under Order 40, Rule 1 of Civil Procedure Code.

CHAPTER 8

COMPLAINTS

- 1. Complaint u/s 420 of Indian Penal Code.
[Cheating and dishonestly inducing delivery of property]
- 2. Complaint u/s 138 r/w 141 of N.I.Act.
[Section 138: Dishonor of Cheque for insufficiency, etc, of funds in the account.]
[Section 141: Offences by Companies]

CHAPTER 9

STATUTORY NOTICES

- 1. U/s 80 of Civil Procedure Code.
- 2. U/s 138 r/w section 141 of N.I.Act.

CHAPTER 10

MATRIMONIAL PETITIONS

- 1. Petition for restitution of conjugal rights u/s 9 of The Hindu Marriage Act 1955.
- 2. Joint Petition by husband and wife for divorce by mutual consent u/s 13 B of The Hindu Marriage Act 1955.

CHAPTER 11

CONVEYANCING

Introduction – Definition: Convey, Conveyance, Conveyancing, Conveyancer, General Rules of Drafting a Conveyance.

CHAPTER 12

.MEANING OF CERTAIN TERMS

.Document, Indenture, Deed
Poll,
Instrument, Presents,
Scribe, Scriveners Registration
Officer.

CHAPTER 13

DEED, COMPONENTS OF DEED
Description of the Deed, Date,
Parties to the Deed,
Recitals, Testatum,
Consideration, Receipt,
Operative Words, Parcels,
All the Estate Clause,
Exceptions and
Reservations Habendum,
Covenants, Testimonium,
Essentials of
signature, Attestation.

CHAPTER 14	SALE i] Various Model Forms.
CHAPTER 15	MORTGAGE Simple Mortgage Deed.A:E E41:F41 Memorandum of Record for creation of Equitable- Mortgage in favour of a Bank.
CHAPTER 16	EXCHANGE i] Exchange of an immovable property by one Deed.
CHAPTER 17	LEASE i] Lease of a building for office. ii] Lease of a furnished house for residential purposes.
CHAPTER 18	GIFT i] Gift deed of a house for natural love and affection.
CHAPTER 19	WILL i] Will in favour of wife and children. ii] Will by a lady in favour of husband. iii] Joint Will by husband and wife. iv] Detailed Will in favour of family members.
CHAPTER 20	POWER OF ATTORNEY i] Power of Attorney from a person going abroad for the general management of his affairs / property. ii] Power of Attorney to sell specified property to execute its sale deed and to get the same registered.
CHAPTER 21	PROMISSORY NOTE i] Individual and Joint.
CHAPTER 22	AFFIDAVIT i] Introductory observation, Forms.
CHAPTER 23	RECEIPTS i] Model Forms.

Suggested Books:

- 1 Pleading, Drafting and Conveyancing - R.N.Chaturvedi
- 2 Lawmann's Notices (Civil & Criminal) - Sharma & Margo
- 3 Conveyancing - D'souza
- 4 Pleading Without Tears - William Rose
- 5 Law of Affidavits - S. Parameswaran