

SUMMER INTERNSHIP PERIOD- 4-6 WEEK

Semester : VIII

Paper Code	Course	Marks		Max. Marks
		Internal	External	
LBA801	LAW OF EVIDENCE	20	80	100
LBA802	EQUITY AND TRUST	20	80	100
LBA803	PROFESSIONAL ETHICS, ACCOUNTABILITY FOR LAWYERS AND BAR BENCH RELATION	20	80	100
LBA804	INTELLECTUAL PROPERTY RIGHTS	20	80	100
LBA805	BANKING LAW	20	80	100
LBA806	INSURANCE LAW	20	80	100
			<b>Total</b>	<b>600</b>

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## LBA-801 LAW OF EVIDENCE

### Course Objective:

This paper is to orient students with importance of evidence for establishment of claims and the related rules and principles.

### Course Contents:

#### Unit I: Definitions and Relevancy of Facts

Evidence and its relationship with the substantive and procedural laws ;Definitions : Facts, facts in issue, relevant, evidence proved, disproved, not proved, oral and documentary evidence ;Relevancy and admissibility; Doctrine of *res gestae* ;Conspiracy.

#### Unit II: Admissions, confessions and statements by person who cannot be called as witnesses:

Definition of admission, who can make admissions by or on their behalf, proof of admission against the persons making them and admissions in civil cases. (Section 17-23, 31); Definition, relevance and consideration of confessions (section 24-20); Dying declaration (Section 32 and Section 33). Opinion of Third Persons (Sec. 45 to 51) & Character Evidence (Sec. 52 to 55).

#### Unit III: Documentary Evidence

Primary and Secondary Evidence, Proof and verification of documents; Public documents and presumption as to documents.

#### Unit IV: Production and Effect of Evidence

Burden of proof (Sections 101-114); Estoppels (Section 115); Competence of witnesses (Sections 118-120).

#### Unit V: Examination of Witnesses (Sections 135-166) and Rejection of evidence (Section 167)

Examination –in-chief : Cross Examination, Re-examination; Leading questions; Hostile witnesses; Refreshing memory; Judge"s power to put questions or order production.

### Text & References:

- ☑ Ratanlal and Dheerajlal : Law of Evidence
- ☑ Monir Field : Law of Evidence
- ☑ Batuklal : Law of Evidence
- ☑ Avtar Singh : Evidence Law
- ☑ Bare Act : Indian Evidence Act, 1872

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**BAL/BBL/BCL- 802**

**SUBJECT: EQUITY TRUST AND FIDUCIARY RELATIONS**

**OBJECTIVE:** The objective is to study the concept of equity and trust.

**UNIT-I**

(Lectures –8)

Concept of Equity Definition, Nature and origin of equity, Equity as a Court of conscience, transformation of equity, the relation between common law and equity, Judicature Acts of 1873 and 1875, the nature of equitable rights, classification of equitable rights

**UNIT-II**

(Lectures –8)

Equitable doctrines: Conversion and reconversion, election, performance and satisfaction; The Maxims of equity – Equity will not suffer a wrong to be without a remedy; Equity follows the law; where equities are equal, the law shall prevail; where equities are equal, first in time shall prevail.

**UNIT-III**

(Lectures –8)

He who seeks equity must do equity; He who comes to equity must come with clean hands; Delay defeats equity; equality is equity; equity looks to the intent rather than to the form; equity looks on that as done which ought to have been done; equity imputes an intention to fulfill an obligation; equity acts in persona

**UNIT-IV**

(Lectures –8)

The Indian Trust Act 1882: Definition (sec 3); Creation of Trusts Rules (sections 4-10); Duties and Liabilities of the Trustees (Sections 11-30);

**UNIT – V**

(Lectures –8)

Public and private Trusts and Doctrine of Cyprus. Rights and powers of Trustees (Sections 31-45); Disabilities of Trustees (Sections 46-54); rights and Liabilities of Beneficiaries (Sections 55-69); Vacating the-office of Trustee and Extinction of Trusts (sections 70-79).

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**Text & References:**

1. Philip H. Pettit – Equity and Law of Trust,
2. R.E. Megarry and P.V. Baker- Snell's Principles of Equity (1964)
3. Dr. G.P. Singh – Equity and Trust
4. Singh G.P. Principles of Equity with special reference to trust and specific relief.
5. Tandon M.P. Principles of Equity with trusts and Specific Relief.
6. Basu, D.D. Equity, Trusts and Specific Relief.
7. Snell; Principles of Equity.
8. B.M. Gandhi Equity, Trust and specific Relief

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## LBA/LBB- 803

# PROFESSIONAL ETHICS, ACCOUNTABILITY FOR LAWYERS AND BAR-BENCH RELATIONS (CLINICAL COURSE)

**Course Outcomes:** At the end of the course, students will be able to:

<b>CO1:</b> demonstrate the professional ethics and ethical standard of the legal profession.
<b>CO2:</b> analyze the key themes in professional ethics, in order to give them an insight into moral decision making in the legal profession.
<b>CO3:</b> value suitable ethical compasses for legal decision making
<b>CO4:</b> design the approach towards art of professional ethics i.e., how should they balance duties to their client to the courts, to justice in the abstract, and to themselves

### **Unit-I: Madhya Pradesh High Court Rules 1967 (Lectures-08)**

Advocates and their Court of Conduct, Role and Power of Single Judge, Jurisdiction of the Civil Courts, Jurisdiction of the Criminal Courts.

### **Unit-II: The Limitation Act, 1963 (Lectures-08)**

Procedural Law (Section 5), Condonation of Delay (Section 6-9), Legal Disability (Section 14-15), Exclusion of Time of Proceeding in Good Faith in Wrong Court (Section 18-19), Acknowledgement Substantive Law (Section 25) Law of Prescription (Section 27) Adverse Possession (Section 29).

### **Unit-III: Bench-Bar Relations (Lectures-08)**

State Bar Council: Duties and Functions, Bar Council of India: Duties and Functions, Professional Misconduct and Punishments, Role and power of Disciplinary Committees,

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Registration of the Advocate.

**Unit- IV: Legal Ethics**

(Lectures-08)

Advocate duty towards Court, Advocate duty towards Client, Advocate duty towards Opponent, Advocate duty towards Colleagues, Advocate duty towards Society.

**Unit – V Meaning and Categories of Contempt of Court**

(Lectures-08)

Contempt of Court- Its meaning and Nature, Contempt by Lawyers, Contempt by Judges, Magistrates, Contempt by State, Corporate bodies Kinds of Contempt (i) Criminal Contempt (ii) Civil Contempt

**Text Books:**

1. P Ramanathan Aiyar, *Legal and Professional Ethics: Legal Ethics, Duties and Privileges of a Lawyer*, Lexis Nexis, 2003
2. The Advocates Act, 1960.
3. J.P.S. Sirohi: Professional Ethics, Lawyer's Accountability, Bench- Bar Relationship.
4. Kailash Rai: Legal Ethics, Accountability, for Lawyer's, Bar-Bench Relation.

**References:**

1. *Kailash Rai, Legal Ethics*, CLP, 2007 (7th Edn)
2. Ramachandran Raju & Gaurav Agarwal, *B.R. Agarwal's Supreme Court Practice and Procedure*, Eastern Book Company, 2002

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**LBA-804**  
**INTELLECTUAL PROPERTY RIGHTS**

**Course Objective:**

The course is designed to provide comprehensive knowledge to the students regarding Indian position of the Patent Law (1980), Copy Right Law (1957) and Designs Act of 2000 which invariably form the part of Intellectual Property Law and shall comprise of the following.

**Course Contents:**

**Unit I: Introduction**

Intellectual Property, Concept and Philosophy, Need for Private Rights versus Public Interests, Advantages and Disadvantages of IPR.

**Unit II: Patent**

Development of patent law, Rationale for patent protection, Nature and definition, Types of patentable subject matter , Patentability criteria, non-patentable inventions, Rights of patentee, Procedure for granting a patent, Grounds for opposition, Transfer of patent rights, Compulsory Licenses, Acquisition , Surrender, Revocation, restoration, Patent infringement and remedies, Bio patents and software patents ,Official Machinery, Controller, Powers and Functions, Patent in pharmaceutical industry, Patent cooperation treaty , Paris convention.

**Unit III: Copyright**

History, Concept of copyright, conditions for grant of copyright, extent of rights exception to copyright protection, fair use provision, assignment and licensing, Compulsory licensing and statutory licensing, Collective administration, Copyright board and office, powers and functions, Moral rights: Neighboring rights; infringement penalties and remedies , Appeals , Berne Convention , Universal Copyright Convention - WIPO Copyright Treaty: WIPO Phonograms and Performances treaty, TRIPS with respect to Copyright and Neighboring rights.

**Unit IV: Designs, Protection, Historical development, Rationale**

Designs Act of 2000: Meaning of Design, Conditions for grant of protection, Ambit of Protection, Exceptions, Registration of Designs, Cancellation, Copyright in Registered Designs, Enforcement, Infringement and remedies, Powers and duties of Controller.

**Unit V: Trademarks**

Evolution, Functions, Objective, Definition, Kinds of Marks, Domain names, Registration, Concurrent registration, Procedure for registration, Relative and absolute grounds of refusal, opposition and its grounds, Assignment, transmission and licensing of Trademarks, Infringement, Penalties and Remedies, Withdrawal of protection, Passing off, Official machinery for regulation administration and Redressal, Registrar, Difference between Trade Mark, **Trade Secret**, **Traditional Knowledge** and Geographical Indications, TRIPS on Trademarks, Madrid Agreement for The Repression of False or Deceptive Indications of Source on Goods, 1891- Madrid Agreement for the International Registration of Marks, 1891 and protocol relating to that agreement 1989.

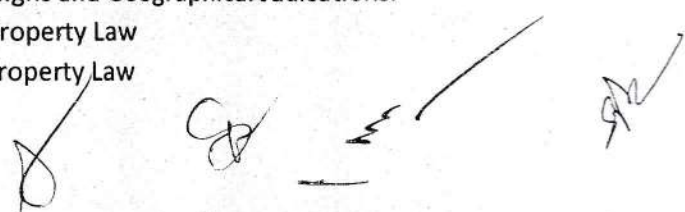
**Text & References:**

D.P. Mittal (Taxman Publication), Indian Patents Law and Procedure

B.L. Wadera, Patents, trademarks, copyright, Designs and Geographical Judications.

P. Narayanan (Eastern Law House), Intellectual Property Law

W. Cornish (Universal Publication), Intellectual Property Law





**BAL/BBL/BCL – 805**

**Subject: BANKING LAW**

**OBJECTIVES:** Bank and the banking system evolved into a vital socio-economical institution in the modern age and backbone of any country. This has been largely influenced by the socio-political and economic changes that have been witnessed at large. The course is designed to enlighten the students with- The conceptual and legal parameters including the judicial interpretation of banking law and new emerging dimensions in banking system including e-commerce and e-banking.

**UNIT I: INTRODUCTION(Lectures-08)**

Evolution of banking system in India, Banking definition, types of banks Commercial banks: functions; System of banking: Unit banking, group banking, chain banking, branch banking.

**UNIT II: RELATION BETWEEN BANKER AND CUSTOMER(Lectures-08)**

Customer: Special types of customers: Lunatics, minors, agents, administrators and executors, partnership firms and companies; Legal character of Banker – Customer relationship, Rights and obligations of Banker, Types of Accounts.

**UNIT III: THE NEGOTIABLE INSTRUMENT ACT, 1881(Lectures-08)**

Legal aspects of negotiable instrument in general and special features of the following instruments in particular: Promissory Note, Bill of Exchange, Cheque; Drawer, Drawee, Payee, Holder, Holder in due course, Inland Instrument, Foreign Instrument, negotiable Instrument, Negotiation, Endorsement, inchoate stamped Instruments Crossing of Cheques.

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**UNIT IV: RESERVE BANK OF INDIA: Structure and Functions(Lectures-08)**

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Central Banking: Organizational Structure of RBI; Functions of the Reserve Bank-Primary functions and Secondary functions, Controlling function of RBI over Banking and Non-Banking Companies

**UNIT V: EMERGING DIMENSIONS IN BANKING SYSTEM(Lectures-08)**

E-commerce

E-banking

**REFERENCES:**

1. M.L. Tannan, Tannan's Banking Law and Practice in India(Eighth Edition-2008), India Law House, NewDelhi,2 volumes
2. Principles of Banking Law (Third Edition) [ROSS CRANSTON, QC, MP, Centennial Professor of Law, LSE]
3. K.C. Shekhar, &Lekshmi Shekhar, Banking Theory and Practice, Vikas Publishing House, 19th Edition, 2005.
4. M.L. Tannan, Banking Law and Practice in India, Lexis Nexis, 23rd Edition, 2010

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- M.L. Tanna, Tanna's Banking Law and Practice in India (Eighth Edition-2008), India Law House, New Delhi, 2 volumes Ellinger's Modern Banking Law (Fourth Edition)

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BAL/BBL/BCL- 806

**Subject: INSURANCE LAW**

**OBJECTIVES:** The object of the paper is to analyse the history and importance of insurance law in India. The subject also deals with the various types of insurances governing in India.

**UNIT - I**

(Lectures-08)

History and Growth of Insurance Business in India, Definition of Insurance, Insurance Contract, Contract of Indemnity, Contingent Contract, Wager and Insurance, Principle of Utmost good faith

**UNIT - II**

(Lectures-08)

Kinds of Insurance, General Principle of Insurance, Insurable interest, Premium, Risk, Doctrine of Subrogation and Contribution, Rights and Liabilities of Insurer and Insured person

**UNIT -III: LIFE INSURANCE**(Lectures-08)

Nature and scope, Event insured against life insurance contract, Circumstances affecting the risk, amounts recoverable under life policy, Persons entitled to payment, Settlement of claim and payment of money

**UNIT - IV**(Lectures-08)

Nature and scope of Marine Insurance, Different kinds of marine policies, Voyage - Deviation, Partial laws of ship and of freight, salvage, General average. particular charges, Return of premium

**UNIT- V**(Lectures-08)

Nature of Fire Insurance Contract. Meaning of the word 'fire' - Scope of Fire Policy. Principle of Reinstatement, Double insurance and reinsurance, Doctrine of Approximation

**References:**

1. M.N. Srinivasan, Principles of Insurance Law (1997), Ramaiya Publishers, Bangalore
2. Avatar Singh: Law of Insurance, Eastern Book Company, Lucknow
3. Banking and Insurance law: Jyotsna Sethi

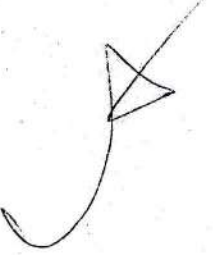
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NINTH SEMESTER

Semester : IX

Paper Code	Course	Marks		Max. Marks
		Internal	External	
LBA901	LAND LAW OR LOCAL LAWS	20	80	100
LBA 902	ALTERNATIVE DISPUTE RESOLUTIONS	20	80	100
LBA903	LAW OF TAXATION	20	80	100
LBA904	LEGAL REGULATION OF ECONOMIC ENTERPRISES	20	80	100
LBA905	INFORMATION TECHNOLOGY LAW	20	80	100
			<b>Total</b>	<b>500</b>

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BA/BCOM LL.B. (HONS.) IX  
SEMESTER  
LAND LAWS AND LOCAL LAW  
PAPER CODE: LBA/LBC- 901

Max. Marks: 100  
Min. Marks: 36  
External: 80  
Internal : 20

**Course Outcomes:** At the completion of the course, students will be able to;

- CO1: demonstrate basic conceptual facets of the subject and the Board of Revenue and other revenue officers
- CO2: analyze and evaluate the process of fixing tenure by various revenue officers
- CO3: develop an analogy with regard to the rights of bhumiswami and unoccupied tenant under various legal provisions

### Unit – I Concept

(Lecture 08)

1. Objects and Reasons and Basic features of enacting Madhya Pradesh Land Revenue Code, 1959.
2. Definitions : Abadi, Agriculture, Agriculture and Revenue years, Board, Bonafide Agriculturist, Co-operative Society, Government Forest, Government Lessee, Holding, Improvement, Land, Landless Person, Land Records, Mango grove, Orchard, Plot number, Rents, Revenue Officer.
3. Tenant, Tenure-holder,

### Unit – II Revenue Board and Revenue officer

(Lecture 08)

1. Constitution and Conditions of service of members.
2. Jurisdiction of Board and Powers of Board.
3. Revenue Officers, Their Classes and Powers and Procedure of Revenue Officer and revenue courts.
4. Powers of State Government to alter the limits
5. Powers of State Government of appointing Revenue Officers
6. Sub-Divisional Officers
7. Powers to transfer Cases
8. Conferral of Status of Courts, Inherent Powers and other Powers of Revenue Courts
9. Appeal, Revision and Review
10. Appellate, Authorities and their powers and limitation for appeals,
11. Revision
12. Review of orders
13. Stay of execution of orders

### Land and Land Revenue

1. State ownership in all lands, Liability of land to pay land revenue, land exempted from payment of land revenue, and variation of land revenue
2. Assessment, Reassessment,
3. Revenue Survey and Settlement in Non Urban Area.

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4. Appointment and Powers of Settlement Officers,
5. Revenue Survey,
6. Settlement of Rent,
7. Assessment and Re-Assessment of Land in Urban Area,
8. Land Records, Bhoo- Adhikar Pustika
9. Formation of circles and appointment of Patwari and Revenue Inspectors,
10. Land Records, Field Map, Record of rights,
11. Realisation of Land Revenue

### **Unit – III Tenure Holders**

**(Lecture 08)**

1. Bhuswami
2. Right of Transfer, Forfeiture, lease, set aside of transfer, Reversion of land of members of aboriginal tribes, Relinquishment, abandonment, disposal and partition of holding,

### **Unit – IV Government lease and service land rights and liabilities of Government lease**

**(Lecture08)**

1. Government lease - Appointment, Termination of lease, Service Land
2. Alluvion and Deluvion
3. Consolidation of Holding
4. Village Officers
5. Patels
6. Kotwars

### **Unit – V Rights in Abadi and unoccupied Land**

**(Lecture08)**

4. Gram Sabha
5. Wajib-ul-arz
6. Nistar Patrak
7. Rights in forest Easement
8. Exclusive Jurisdiction of Revenue Courts
9. Miscellaneous Provisions

### **Text References:-**

1. Dwivedi, M.P. Land Revenue Code
2. K.K.Nigam M.P. Bhu-Rajaswa Sahinta
3. Jindal, M.P. Accomodation Control Act.
4. Khare M.P. Accomodation Control Act
5. M.P. Land Revenue Code – 1959 (Jindal) 2008 Ed.
6. Basantlal Babel (Diglot) Vedpal Law in India 2007

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**BA/BCOM/BBA LL.B. (HONS.) IX  
SEMESTER  
ALTERNATIVE DISPUTE  
RESOLUTION  
PAPER CODE: LBA/LBB/LBC- 902**

**Max. Marks: 100  
Min. Marks: 36  
External : 80  
Internal: 20**

**Course Outcomes:** At the end of the course, students will be able to:

- CO1: Involve with the modalities and techniques of resolution of conflict which is a necessary component in the endeavours of developing expertise in juridical exercise.
- CO2: Analyze the traditional justice delivery system through adjudication by along with an alternative mode of dispute resolution in the common law countries.
- CO3: Evaluate the proper deliverance of justice through Arbitration and conciliation process in India
- CO4: Develop the approach innovatively to reach the needy ones through proper mechanism to provide them legal aid.

**Unit-I: Concept of ADR**

**(Lectures-8)**

- a. Meaning, Nature and Genesis of Alternative Dispute Resolution
- b. Forms of ADR Mechanism
- c. Legal Framework: Legal Services Authorities Act, 1987
- d. Legal Aid

**Unit-II: Negotiation and Mediation**

**(Lectures-8)**

- a. Negotiation
- b. Theories, Development and its types
- c. Qualities of Negotiator and Process for Negotiation
- d. International Negotiation
- e. Mediation
- f. Good Offices

**Unit-III: Arbitration and Conciliation**

**(Lectures-8)**

- a. Arbitration Agreement, Essentials, Rule of Severability
- b. Composition of Arbitral Tribunal, Extent of Judicial Intervention, Interim Measures, Power of Court to refer Parties to Arbitration
- c. Jurisdiction of Arbitral Tribunal, Competence, Competence of Arbitral Tribunal, Conduct of Arbitral Proceedings, Place of Arbitration
- d. Arbitral Award, Termination, Enforcement
- e. Conciliation and its Mechanism

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**UNIT-IV: International Perspective**

(Lectures-8)

- a. International Commercial Arbitration
- b. New-York and Geneva Convention
- c. UNCITRAL Model Law, Treaties etc.
- d. Enforcement of Foreign Award and Jurisdictional Issues
- e.

**Unit-V Rule making Power  
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(Lectures -

- a. Legal Service Authorities Act, 1987
- b. Lok Adalat
- c. Legal Litreacy and Legal Aid Camp.

**Text Books:**

1. J. G. Merrills, *International Dispute Settlement*. U.K : Cambridge University Press, 2005(Fifth Edn)
2. Avtar Singh, *Law of Arbitration and Conciliation*, Eastern Book Company, 2013(10<sup>th</sup> Edn)

**References:**

1. Robert J. Niemic, Donna Stienstra and Randall E. Ravitz, *Guide to Judicial Management of Cases in ADR*, Federal Judicial Centre, 2001
2. J. Auerbach, *Justice Without Law?* Oxford University Press, 1983
3. Abraham P. Ordoover and Andrea Doneff, *Alternatives to Litigation : Mediation, Arbitration, and the Art of Dispute Resolution*, Notre Dame: National Institute for Trial Advocacy, 2002

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<b>BA/BCOM LL.B. (HONS.) IX</b> <b>SEMESTER</b> <b>LAW OF TAXATION</b> <b>PAPER CODE: LBA/LBC- 903</b>	<b>Max. Marks: 100</b> <b>Min. Marks: 36</b> <b>External: 80</b> <b>Internal : 20</b>
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**Course outcomes:** At the end of the course, students will be able to:

• CO1: Use the fundamental concepts of income tax law
• CO2: Analyze a broad understanding of tax laws in India
• CO3: Argue between the Direct and indirect taxes in reference to GST
• CO4: Construct tax law research by using research skills to interrogate primary and secondary legal materials, and analyse and synthesise complex legal information

**Unit -I: Basic Concept**

**(Lectures-08)**

- a. Types of Taxes and Distinction between Direct and Indirect tax
- b. Previous Year and Assessment Year
- c. Definition of Certain Terms: Persons, Assessee, Income, Application of Income and Diversion of Income by overriding Titles
- d. Assessee and Assessment
- e. Capital Receipt and Revenue Receipt
- f. Rates of Income Tax: Proportional and Progressive Rate of Taxation
- g. Agricultural Income

**Unit -II: Residential Status, Chargeability**

**(Lectures-08)**

- a. Meaning and Rules for Determining Residential status of an Assessee
- b. Charge of Income Tax and Scope of Total Income
- c. Income Exempted from Tax and Deduction under Income Tax Law
- d. Heads of Income and its Justification
- e. Tax Treatment to Salary, Perquisites etc

**Unit -III: Heads of Income and Rules of Tax**

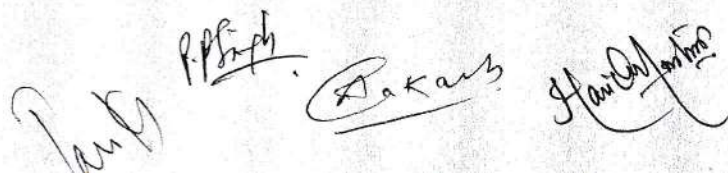
**(Lectures-08)**

- a. Tax Treatment to Income from House property
- b. Profits and Gains of Business & Profession
- c. Capital Gain Taxation

**Unit – IV: Residual Income and Procedure for Assessment**

**(Lectures-08)**

- a. Income from other Sources
- b. Set off and Carry Forward of Losses
- c. Deductions, Refund and Tax Authorities
- d. Return of Income and Assessment
- e. Penalty and Prosecution for Tax Evasion





f. Search and Seizure

**Unit – V: Indirect Tax Regime**

(Lectures-08)

- a. Concept of Goods and Service Tax (GST)- The Constitution (122<sup>nd</sup> amendment) Act, 2017.
- b. The Central Goods and Services Tax Act, 2017- Dual GST model taxation- GST Council- CGST;
- c. GST levy on transaction sale, transfer, purchase, barter, lease, or import of goods and/or services. IGST/SGST/UTGST/ compensation law to state Governments,
- d. GSTN-Goods and Services Network Portal,
- e. Tax Invoice,
- f. GST on Import & Exports,
- g. benefits of GST to trade industry e-commerce & Service Sector and the consumers at large,
- h. Impact of GST on GDP of India and Inflation.

**Text Books:**

1. Vinod Singhania & Kapil Singhania, *Direct Taxes Law and Practice*, Taxmann, 2014 Edition
2. Chaturvedi & Pithisaria, *Income Tax Act with Relevant Tax Allied Acts, 2013*, Lexis Nexis, Butterworths, Wadhwa, 2013
3. Sumit Dutt Majumdar, *GST in India, 2<sup>nd</sup> edition.*, (New Delhi: Centax Publications Pvt. Ltd)
4. Taxmann's, *Income Tax Act, 60<sup>th</sup> edn.*, (New Delhi: Taxmann Publication Pvt. Ltd.)
5. R.K.Jha and P.K. Singh, *A Bird's Eye view of GST, 1<sup>st</sup> edn.*, (Hyderabad :Asian Law House, 2017).
6. Parameswaran, K. (1987), *Power of Taxation under the Constitution*, Eastern Book Company

**References:**

1. B.B. Lal, *Income Tax*, Pearson, 2010 (1st Edition)
2. *Taxmann's Income Tax Act as Amended by Finance Act, 2014*

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LBC-904

BUSINESS LAW GROUP- LEGAL REGULATION OF ECONOMIC ENTERPRISES

**Unit 1 The Rationale of Government Regulation**

Constitutional perspectives, The new economic policy - industrial policy resolutions, declarations and statements, The place of public, small scale, co-operative, corporate, private and joint sectors - in the changing context, Regulation of economic activities

**Unit 2. Development and Regulation of Industries**

, Take-over of Management and Control of Industrial Units, Sick Undertakings: Nationalisation or Winding Up, Licensing Policy and Legal Process - Growing Trends of Liberalisation

**Unit 3. Financial Services : Changing Techniques of Regulation**

**Unit 4 Critical Issues Regarding the Capital Issues**

Equity and debt finance, Global depositories, De-materialised securities

**Unit 5. Problems of Control and Accountability:**

Regulation of Hazardous Activity, Mass disaster and environmental degradation : legal liability and legal remedies, Public Liability Insurance : adequacy, Issues in zoning and location of industrial units

~~Regulation of Foreign Investment~~

Collaboration agreements for technology transfer, Development and regulation of foreign investments, Investment in India : FDIs and NRIs, Investment abroad

**Text and References:**

- S.Aswani Kumar, The Law of Indian Trade Mark (2001), Commercial Law House, Delhi.
- Industrial Policy Resolutions of 1948, 1956, 1991
- U. Baxi (ed.), Inconvenient Forum and Convenient Catastrophe The Bhopal Case, (1986) U. Baxi & T. Paul (eds.), Mass Disasters and Multinational Liability (1986)
- U. Baxi & A. Dhandba, Valiant Victims and Lethal Litigation: The Bhopal Case (1989)
- Indian Law Institute, Law of international Trade Transactions, (1973)

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**BA/BCOM/BBA LL.B. (HONS.) IX  
SEMESTER  
INFORMATION TECHNOLOGY LAW  
PAPER CODE: LBA/LBB/LBC- 905**

**Max. Marks: 100  
Min. Marks: 36  
External: 80  
Internal : 20**

**Objective-** The course intends to inculcate the significance of Cyber Law and to enlighten the various legal, social and international issues and the various remedies available under the Information Technology Act for the breach and commission of offence in cyber space. The course also outlines international best practices and the various legal mechanisms to control the various offences in the cyberspace.

### **COURSE OUTCOMES**

On the completion of the course, the students would be able to:

<b>CO1</b>	Demonstrate the significance of IT Act in today's scenario.
<b>CO2</b>	Correlate various legislations in light of IT Act, 2000.
<b>CO3</b>	Relate IT Act to the current issues and could solve the issue/problem as a lawman and not a layman.
<b>CO4</b>	Appraise the role of IT Act in the digital age.
<b>CO5</b>	Solve the IPR issues in cyberspace.

### **UNIT-I**

(Lectures- 8)

Introduction; Jurisprudence of cyber law: overview of computer and web technology, Freedom of expression on the internet: global value, Internet and problems of geography, Sovereignty, ecommerce.

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## UNIT-II

(Lectures-8)

The Information Technology Act, 2000 and International Legal Regime Aims and objects, Overview of the Act, Jurisdiction, Electronic governance, Legal recognition of electronic records and electronic evidence, Digital signature certificates, Securing electronic records and digital signature, European Convention on cyber crimes, UNCITRAL model on electronic commerce, 1996.

## UNIT-III

(Lectures-8)

Cyber Crimes Meaning of cyber crimes, Cyber crimes under Indian Penal Code, 1860, Criminal Procedure Code, 1973, and Indian Evidence Act, 1872,

## UNIT-IV

(Lectures-8)

Cyber crimes under the Information Technology Act, 2000, Cyber crimes under International law, Legal implications of social networking, Investigation and jurisdiction over cyber crimes.

## UNIT-V

(Lectures-8)

Intellectual Property Issues and Cyberspace The Indian perspective: overview of intellectual property related legislation, Copyright law and cyberspace, Trademark law and cyberspace, Law relating to semi-conductor layout and design. Act and Statute (As Amended), The Information Technology Act, 2000

### Suggested Books

- 1) Suri, Preeti and Associates; Open Source And The Law; LexisNexis
- 2) Gupta, Apar; Commentary on Information Technology Act; LexisNexis

### Reference Books

- 1) Seth, Karnika; Computers Internet and New Technology Laws; LexisNexis
- 2) Gangopadhyay, Shubhashis, Singh, Manisha G. and Singh, Nirvikar; Waiting to Connect; LexisNexis

P. Singh

Apar Gupta

Manisha G. Singh

Nirvikar Singh

- 3) Viswanathan, Aparna; Cyber Law; LexisNexis
- 4) Bhansali, S.R.; The Information Technology Act, Bharat Law House

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