



# Shri Vaishnav Vidyapeeth Vishwavidyalaya

## LL.B. (Hons.)

### Choice-Based Credit System

### 2<sup>nd</sup> YEAR, SEMESTER IV

#### LLB401- PROPERTY LAW

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY			PRACTICAL	
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLB401	DC	PROPERTY LAW	4	0	0	4	60	20	20	0	0

**Legends:** L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C– Credit

\***Teacher Assessment** shall be based on the following components: Quiz/Assignment/ Project/Participation in class (Given that no component shall exceed 10 Marks)

**Course Educational Objectives (CEO):** The student will be able to:

1. Understand that immovable property is precious and transactions in connection with the immovable property are to be authenticated by the government via registration
2. Appreciate that the law requires that immovable property must remain in circulation for the benefit of society
3. Understand the transfer between living persons.
4. Integrate and deconstruct core concepts in property, including acquisition by capture, by the find, and by adverse possession; laws governing the utilization of property including landlord-tenant, and conveying property including deeds, recording, possessory estates, future interests, and co-ownership.
5. Analyse core theories and policy rationales to provide property laws and legal decisions, such as law and economics, fairness, and social justice.

**Course Outcomes (COs):** The student will be:

1. Determine, explain and apply the principles of Australian property law to resolve complex problems and theoretical questions.
2. Analyses, evaluate and synthesize information from a wide variety of sources and experiences to answer complex legal questions in a principled manner.
3. Apply property law to complex problems and critically examine its operation from a range of cultural, theoretical and social perspectives.
4. Prepare to convince written arguments for a legal audience.
5. Embody professionalism and ethical behavior in providing legal advice in an academic environment.



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LLB401	DC	PROPERTY LAW	4	0	0	4	60	20	20	0	0

### COURSE CONTENTS:

#### **UNIT I: Introduction**

1. Concept and meaning of property
2. Various definitions are given under the Transfer of Property Act,
3. Kinds of property
  - a. movable and immovable property
  - b. tangible and intangible property
4. Intellectual property-copyright, patents and designs, trademarks

#### **UNIT II: Law Relating to Transfer of Property under Transfer of Property Act, 1882**

1. General principles of transfer of property whether movable or immovable: What may be transferred.
2. Competence, operation, conditions of restraining, alienation and repugnant: to interest.
3. Other Conditions – determinable on insolvency, transfer to the unborn person, Rule against perpetuity, accumulation, transfer for benefit of Public in perpetuity.
4. Conditional transfers – Condition precedent and subsequent, Vested and Contingent interest, Void condition
5. Election – Doctrine and Apportionment

#### **UNIT III: Transfer of Properties and Indian Easement Act, 1882**

1. Sale
2. Mortgage
3. Gift
4. Leases
5. Exchanges
6. Actionable claims
7. Salient features of Indian Easement Act, 1882



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#### UNIT IV: M.P. Accommodation Control Act 1961

1. Preamble, Definitions and Provisions Regarding Rent
2. Control of Evictions of Tenants
3. Eviction on grounds of bonafide Requirement
4. Deposit of Rents

#### UNIT V: Rent Control Authority

1. Appointment
2. Powers and Functions of Rent Controlling Authority
3. Procedure
4. Appeals
5. Special obligations and penalties of Landlords
6. Miscellaneous provisions

#### REFERENCES:

##### **Bare Acts:**

1. Indian Easements Act, 1882
2. MP Accommodation Control Act, 1961
3. Transfer of Property Act, 1872



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LLB401	DC	PROPERTY LAW	4	0	0	4	60	20	20	0	0

#### Books:

1. Mulla & Hariharan, M.R. (2015). The Transfer of Property Act, (15<sup>th</sup> Ed.) New Delhi: Lexis Nexis
2. R.K. Sinha, (2018). Law of Transfer of Property, Prayagraj: Central Law Agency
3. Singh, Avtar & Kaur, Harpreet (2019). Textbook on Transfer of Property Act, (6<sup>th</sup> Ed.)
4. V.P. Sarthy, (2010). Transfer of Property. Lucknow: Eastern Book Company

#### Case-Reporters:

1. All India Reporter
2. Supreme Court Cases
3. Manupatra Database



# Shri Vaishnav Vidyapeeth Vishwavidyalaya

## LL.B. (Hons.)

### Choice-Based Credit System

### 2<sup>nd</sup> YEAR, SEMESTER IV

#### LLB402- FAMILY LAW-II (Muslim Law)

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY			PRACTICAL	
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLB402	DC	FAMILY LAW-II (Muslim Law)	4	0	0	4	60	20	20	0	0

**Legends:** L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C – Credit

\***Teacher Assessment** shall be based on the following components: Quiz/Assignment/ Project/Participation in class (Given that no component shall exceed 10 Marks)

**Course Educational Objectives:** The student will be able to:

1. Understands basic principles of Muslim Law like Nikah, Talaq etc.
2. Understand the procedure of various deeds, waqf, Shariat, Inheritance and Succession
3. Deploy a range of subject-specific, cognitive and transferable skills
4. Evaluate the appropriateness of different approaches to solving well-defined problems and communicate outcomes in a structured and clear manner
5. Examine the law according to prescribed provisions

**Course Outcomes:** The student will be:

1. Examines and compares personal laws and gain skills of thinking, analysis, written and verbal presentation of ideas of argument
2. To demonstrate the provisions of various deeds, wakf, shariat, inheritance and succession.
3. Identify and discuss the relationship between personal and work experience and
4. Analyse findings from books and journals and other data drawn from the field of study.
5. Apply a systematic approach to the acquisition of knowledge, underpinning concepts, and principles

Chairperson, Board of Studies  
SVVV

Chairperson, Faculty of Studies  
SVVV

Controller of Examinations  
SVVV

Joint Registrar  
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LLB402	DC	FAMILY LAW-II (Muslim Law)	4	0	0	4	60	20	20	0	0

#### COURSE CONTENT:

##### **UNIT-I: Muslim Law**

1. Origin and development of Muslim Law
2. Who is Muslim?
3. Conversion to Islam
4. Nature and History of Mohammedan law
5. Schools and Sources of Muslim law

##### **UNIT II: Marriage**

1. Kind of Marriage, (Nikah) (Muta Marriage)
2. Option of Puberty
3. Divorce
4. Dissolution of Muslim Marriage Act, 1939
5. Mehr (Dowry)

##### **UNIT III: Guardianship**

1. Guardianship – Elements, Types
2. Maintenance – liability

##### **UNIT IV: Will, Gift and Wakf**

1. Wills
2. Gift
3. Doctrine of masha and pre-emption,
4. Wakf



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#### UNIT V: Parentage and Inheritance

1. Parentage and acknowledgment
2. Principles of Succession and Death bed transaction

#### REFERENCES:

##### **Bare Acts:**

1. Dissolution of Muslim Marriage Act, 1939
2. Muslim Personal Law (Shariat) Application Act, 1937
3. The Muslim Women (Protection of Rights on Marriage) Act, 2019

##### **Books:**

1. Diwan, Paras. (2016). *Muslim Law in Modern India*, Prayagraj: Allahabad Law Agency
2. Khan, I, Ali. (2021). *Aquil Ahmed Mohammedan Law*, Prayagraj: Central Law Agency
3. Warner, B. (2010). *Sharia Law for Non-Muslims*. CSPI Online publishing

##### **Case-Reporters:**

1. All India Reporter
2. Supreme Court Cases
3. Manupatra Database



# Shri Vaishnav Vidyapeeth Vishwavidyalaya

## LL.B. (Hons.)

### Choice-Based Credit System

### 2<sup>nd</sup> YEAR, SEMESTER IV

### LLBCL2-MOOT COURT EXERCISE AND INTERNSHIP

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY			PRACTICAL	
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLBCL2	DC	MOOT COURT EXERCISE AND INTERNSHIP	0	0	8	4	0	0	0	0	100

**Legends:** L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C– Credit

\***Teacher Assessment** shall be based on the following components: Quiz/Assignment/ Project/Participation in class (Given that no component shall exceed 10 Marks)

**Course Educational Objectives:** The student will be able to-

1. To impart the practical skills of research, case analyses and strategy, witness handling, and presentation of arguments at the trial and appellate stages of a case.
2. To include hypotheticals, role plays, simulations, and court visits.
3. Get the practical training to make your career bright.
4. Understand court proceedings that arise from a (hypothetical) dispute between parties.
5. Getting practical knowledge about exercises can allow future lawyers, judges and arbitrators to improve their drafting, research and argumentation skills.

**Course Outcomes:** The students will be-

1. Understand the application of practical skills of research, case analyses and strategy, witness handling, and presentation of arguments at the trial and appellate stages of a case.
2. Concept of moot court competition and research thereof.
3. Demonstrate the application of hypothetical, role plays, simulation, and court visits.
4. Understand how to prepare a suit and how to file
5. Know the practical approach of the law course





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COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY			PRACTICAL	
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LLBCL2	DC	MOOT COURT EXERCISE AND INTERNSHIP	0	0	8	4	0	0	0	0	100

### COURSE-CONTENT:

#### Notes:

**Paper may have three components of 30 marks each and viva for 10 marks.**

- Moot Court (30 Marks). Every student may be required to do at least three moot courts with 10 marks for each. The moot court work will be on an assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.
- Observance of Trial in two cases, one Civil and one Criminal (30 marks):  
Students may be required to attend two trials during 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.
- Interviewing techniques and Pre-trial preparations and Internship diary (30 marks):  
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 student 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.
- The fourth component of this paper will be the Viva-Voce examination on all the above three aspects. This will carry 10 marks.



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LLBCL2	DC	MOOT COURT EXERCISE AND INTERNSHIP	0	0	8	4	0	0	0	0	100

### REFERENCES:

#### **Books:**

1. Bhatiya, K.L. (2018), *Moot Court and Mock Trials- Art to and Art of Advocacy*. New Delhi: Universal Law Publishing
2. Lubet, S. (2020). *Modern Trial Advocacy: Analysis and Practice* (6<sup>th</sup> Ed.), New York: Aspen Publishing
3. Malik, B. (2016). *The Art of a Lawyer* (12<sup>th</sup> Ed). New Delhi: Universal Law Publication
4. Rai, K. (2010). *Moot Court Pre-Trial Preparation and Participation in Trial Proceedings*, Prayagraj: CLP
5. Rao, R.G. (2018). *Lectures on Moot Court, Pretrial Preparation and Participation in Trial Proceedings*. New Delhi: Asia Law House

#### **Case-Reporters:**

1. All India Reporter
2. Supreme Court Cases
3. Manupatra Database



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## LL.B. (Hons.)

Choice-Based Credit System

2<sup>nd</sup> YEAR, SEMESTER IV

# Hons. /Optional

**Semester IV (Two Honors Courses to be chosen out of the following):**

S.No.	Course Code	Course Name
1	LLBH401	Media and Law
2	LLBH402	Insurance Law
3	LLBH403	White Collar Crime

**Semester IV (One optional course to be chosen out of the following):**

1	LLBO404	Maritime Law
2	LLBO405	Refugee Law



# Shri Vaishnav Vidyapeeth Vishwavidyalaya

## LL.B. (Hons.)

### Choice-Based Credit System

### 2<sup>nd</sup> YEAR, SEMESTER IV

#### LLBH401- MEDIA AND LAW

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY			PRACTICAL	
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLBH401	DE	MEDIA AND LAW	4	0	0	4	60	20	20	0	0

**Legends:** L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C – Credit

\***Teacher Assessment** shall be based on the following components: Quiz/Assignment/ Project/Participation in class (Given that no component shall exceed Marks)

**Course Educational Objectives:** The student will be able to:

1. Understand the concept of Media and the need for its regulation
2. Develop a more elaborate understanding of Article 19 (1) (a) in light of the Constitutional status of the Media
3. Critically analyses the censorship and pre-censorship norms in India
4. Apply the expansive meaning of Article 19 (1) (a) to contemporary issues in media regulation like censorship in OTT media, paid news, fake news etc.
5. Practice reporting with an understanding of do's and don'ts as per the law and ethics

**Course Outcomes:** The student will be:

1. Discuss media laws in India and the world
2. Discuss the Right of Freedom of Speech and reasonable restrictions applicable
3. Discuss media regulation in India
4. Demonstrate an understanding of the nature of ethics and morality in journalism
5. Determine the provision provided to the journalist

#### **COURSE CONTENT:**

##### **UNIT-I: Press - Freedom of Speech and Expression - Article 19 (1) (a)**

1. Freedom of the Press
2. Laws of defamation, obscenity, blasphemy and sedition.
3. Laws relating to employees wages and service conditions
4. News Paper Price and Page Schedule Regulation, Newsprint Control Order



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LLBH401	DE	MEDIA AND LAW	4	0	0	4	60	20	20	0	0

5. Advertisement - is it included within the freedom of speech and expression?
6. Ethics and Advertisement
7. Monopolies and Restrictive Trade Practices Act, 1969 and Competition Act, 2002

#### UNIT-II: Films - How far is included in freedom of speech and expression?

1. Censorship of films – constitutionality
2. Difference between films and Press - why is pre-censorship valid for films but not for the press?
3. Censorship under the Cinematograph Act.
4. Broadcasting Authority – Censorship

#### UNIT-III: Radio and Television - Government monopoly.

1. Why the Government department?
2. Should there be an autonomous corporation?
3. Effect of television on people, Report of the Chanda Committee, Government policy
4. Commercial advertisement, Internal Scrutiny of serials, etc
5. Judicial Review of Door darshan decisions: Freedom to the telecast

#### UNIT-IV: Constitutional Restrictions

1. Radio and television are subject to the law of defamation and obscenity.
2. Power to legislate - Article 246 read with the Seventh Schedule.
3. Power to impose a tax - licensing and licence fee.



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### LLBH401- MEDIA AND LAW

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LLBH401	DE	MEDIA AND LAW	4	0	0	4	60	20	20	0	0

#### UNIT-V: Contemporary Issues

1. Media (Section 66A Information Technology Act, 2000)
2. Fake News and Paid News
3. OTT Media: Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021

#### REFERENCES:

##### Bare Acts:

1. Constitution of India (Latest Edition)

##### Books:

1. Bhatia, G. (2016). *Offend, Shock or Disturb: Free Speech under the Indian Constitution*. New Delhi: Oxford University Press
2. Boyd, B. M. (1972). *Film Censorship in India: A Reasonable Restriction on Freedom of Speech and Expression*
3. Divan, G. M. (2013). *Facets of Media Law* (2<sup>nd</sup> Ed.) Lucknow: Eastern Book Company
4. Howard, J. B. (1980). *The Social Accountability of Public Enterprises" in Law and Community Controls in New Development Strategies* (International Center for law in Development)
5. Seervai, H.M, (1991). *Constitutional Law of India* Vol-I. Bombay: Tripathi
6. Smartt, Ursula. (2012). "Media and Entertainment Law" Routledge

##### Case-Reporters:

1. All India Reporter
2. Manupatra Database
3. Supreme Court Cases



# Shri Vaishnav Vidyapeeth Vishwavidyalaya

## LL.B. (Hons.)

### Choice-Based Credit System

### 2<sup>nd</sup> YEAR, SEMESTER IV

#### LLBH402- INSURANCE LAW

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
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LLBH402	DE	INSURANCE LAW	4	0	0	4	60	20	20	0	0

**Legends:** L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C – Credit

\***Teacher Assessment** shall be based on the following components: Quiz/Assignment/ Project/Participation in class (Given that no component shall exceed 10 Marks)

**Course Educational Objectives:** The student will be able to:

1. Explain risk management in insurance and understand of insurance mechanism.
2. Determine the loss exposures of properties, human lives, business operations, and the financial consequences because of the occurrence of a loss.
3. Apply the knowledge of current information, models, and techniques and practices in all of the major business disciplines. Apply the process of Insurance

**Course Outcomes:** The student will be:

1. Understand the principles of the law of insurance
2. Understand the Insurance industry
3. Analyse the regulation concerning policyholders
4. Compare various kinds of insurance plans as well as the importance of contracts in Customers
5. Create valuable insights into an overview of Life Insurance and General Insurance Products

#### **COURSE CONTENT:**

##### **UNIT-I: Insurance**

1. Nature, purpose, functions, classification and scope, limitations, and production process
2. Risk and insurance.
3. Economic development and insurance.
4. Insurance as a social security tool.
5. Economics of insurance.



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LLBH402	DE	INSURANCE LAW	4	0	0	4	60	20	20	0	0

#### UNIT-II: Insurance Contract

1. Nature-subject-matter of insurance and subject-matter of the contract of insurance, features-as per Contract Act, special features, evidence and documents.
2. Payment of premium e-insurance policy and Insurance Repositories.
3. KYC norms and anti-money laundering guidelines for insurers.

#### UNIT-III: Reinsurance Contract

1. Meaning and purpose.
2. Forms and Types- facultative, treaty,proportional, and non- proportional.
3. National Reinsurer- GIC.
4. Insurance companies as consumers.

#### UNIT-IV: Risk and Uncertainty

1. Concepts, causes, degree, classification and Cost Insurable risk.
2. Risk and economic development.
3. Psychology and attitude towards risk.
4. Managing riskand uncertainty.
5. Cash flow at risk
6. Value at risk

#### UNIT-V: Risk Management and Its Managerial Aspects

1. Risk management-concept, evolution, purpose, scope, importance and future.
2. Role of risk management in economic growth.
3. Risk management function.
4. Risk Manager.
5. Managerial Aspects- goals, identification, evaluation, risk response & plan administration.





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LLBH402	DE	INSURANCE LAW	4	0	0	4	60	20	20	0	0

#### REFERENCES:

##### **Bare Acts:**

1. The Insurance Act, 1938
2. The Insurance (Amendment) Bill, 2021

##### **Books:**

1. Vaughan, E. T. & Vaughan, T. (2008). *Fundamentals of Risk Management and Insurance*. New York: John Wiley & Sons
2. Rejda, G.E. (2011). *Principles of Risk Management and Insurance*. New Delhi: Pearson
3. Hampton, J. J. (1993). *Essentials of Risk Management and Insurance*. New York: American Management Association
4. Murthy, K.N.S. (2019). *Modern law of insurance in India*. New Delhi: Lexis Nexis
5. Patukale, K. (2009). *Insurance for Everyone*. Bangalore: Macmillan India Ltd.
6. Myneny, S.R. (2021). *Law of Insurance*. New Delhi: Asia Law House

##### **Case-Reporters:**

1. All India Reporter
2. Manupatra Database
3. Supreme Court Cases



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## LL.B. (Hons.)

### Choice-Based Credit System

### 2<sup>nd</sup> YEAR, SEMESTER IV

#### LLBH403- WHITE-COLLAR CRIME

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY			PRACTICAL	
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLBH403	DE	WHITE COLLAR CRIME	4	0	0	4	60	20	20	0	0

**Legends:** L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C – Credit

\***Teacher Assessment** shall be based on following components: Quiz/Assignment/ Project/Participation in class (Given that no component shall exceed 10 Marks)

**Course Educational Objectives:** The student will be able to:

1. Explore the law and practice of federal white-collar investigation, prosecution, and defense.
2. Perform a variety of the tasks real federal prosecutors and defenders would perform in a white-collar case
3. Understand different approaches to defining organized crime
4. Know the definition of an organized criminal group under the Organized Crime Convention.
5. Understand the ways of drafting and arguing pre-trial motions; negotiating plea agreements, etc.

**Course Outcomes:** The student will be:

1. Demonstrate familiarity with the various definitions of white-collar crime and distinguish it from other varieties of criminal conduct.
2. Examine issues in investigating, prosecuting, defending, punishing and deterring white collar crime
3. Distinguish the similarities and differences between organized crime and other forms of crime, such as white-collar crime and terrorism.
4. Apply a typology of organized crime activity to individual organized crimes.
5. Differentiate the ways in which organized criminal groups can be assessed.



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#### LLBH403- WHITE COLLAR CRIME

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY			PRACTICAL	
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LLBH403	DE	WHITE COLLAR CRIME	4	0	0	4	60	20	20	0	0

#### COURSE CONTENT:

##### **UNIT-I: Introduction**

1. Nature, Concept & Scope of White-Collar Crime
2. Classification of White-Collar Crime
3. Sutherland's view on White Collar Crime
4. Criticism of Sutherland's view on White Collar Crime

##### **UNIT-II: White Collar Crime in India**

1. Hoarding, Black-marketing & Adulteration
2. White collar crime in different professions – Medical, Engineering, Legal and Educational Institutions, Tax evasion
3. White collar crime in Business, Fake employment/placement rackets
4. Overview of Benami Transaction (Prohibition) Act, 1988 with the latest amendments
5. Confiscation and forfeiture of properties in India

##### **UNIT-III: Remedies to combat White Collar Crime**

1. White-collar crime vs. Traditional crime
2. Judicial response to White collar crime
3. Remedial measures to curb White Collar Crimes

##### **UNIT-IV: The Prevention of Corruption Act, 1988**

1. Salient features of the Act
2. Offences committed by Public Servant & bribe giver
3. Sanction for Prosecution
4. Presumption where public servant accepts gratification
5. Prosecution and Penalties



# Shri Vaishnav Vidyapeeth Vishwavidyalaya

## LL.B. (Hons.)

### Choice-Based Credit System

### 2<sup>nd</sup> YEAR, SEMESTER IV

### LLBH403- WHITE COLLAR CRIME

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							THEORY			PRACTICAL	
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLBH403	DE	WHITE COLLAR CRIME	4	0	0	4	60	20	20	0	0

#### UNIT- V: The Prevention of Money Laundering Act, 2002

1. Salient features of the Act
2. Definition & Scope of Money Laundering
3. Survey, Search & Seizure, Attachment
4. Powers to arrest under the Act
5. Adjudication by the Adjudicating authorities & Special Courts
6. Obligation of banking companies, financial institutions, and Intermediaries

#### REFERENCES:

##### Books:

1. Dabas, Keerty. (2021). *Singhal's Socio-Economic Offences*, New Delhi: Singhal Law Publication
2. Mehanathan, C. (2014). *Law on Prevention of Money Laundering in India* (2<sup>nd</sup> Ed.) New Delhi: Lexis Nexis
3. Narayan, P.S. (2013). *Commentary on Immoral Traffic Prevention Act, 1956* (2<sup>nd</sup> Ed.) New Delhi: Asia Law House
4. Paranjape, N.V. (2014). *Criminology, Penology with Victimology*, (16<sup>th</sup> Ed.) Prayagraj: Central Law Publications
5. Siddiqui, Ahmed (1997). *Criminology: Problems and Perspectives* Lucknow: Eastern Book Company
6. Singh, P.S.J. (2017). *Basic statutes on Socio- Economic Offences*, Ernakulam: New Era Law Publication Capoor and Seth (2000). *Anti-corruption laws with Prevention of Corruption Act* (3<sup>rd</sup> Ed.) Prayagraj: Law Publishers (India) Pvt. Ltd.

##### Case-Reporters:

1. All India Reporter
2. Manupatra Database
3. Supreme Court Cases

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# Shri Vaishnav Vidyapeeth Vishwavidyalaya

## LL.B. (Hons.)

### Choice-Based Credit System

### 2<sup>nd</sup> YEAR, SEMESTER IV

#### LLBO404- MARITIME LAW

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY			PRACTICAL	
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLBO404	DE	MARITIME LAW	4	0	0	4	60	20	20	0	0

**Legends:** L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C – Credit

\***Teacher Assessment** shall be based on following components: Quiz/Assignment/ Project/Participation in class (Given that no component shall exceed 10 Marks)

**Course Educational Objectives:** The student will be able to-

1. Have thorough knowledge of the rules and legal framework of international commercial affairs related to shipping and advanced knowledge of the Scandinavian rules and framework in this field of law.
2. Well acquainted with maritime law based on the Indian Maritime Law
3. Understand the international conventions regulating maritime activities in the shipping business and key international standard contracts used in the maritime industry.
4. Have in-depth knowledge in two maritime law related subjects of the students' choice.
5. Discuss academic questions connected to your own and other people's work.

**Course Outcomes:** The student will be-

1. Identify and assess relevant legal scholarly literature in maritime law.
2. Understand and apply advanced legal theory and method in this area.
3. Formulate a researchable problem in an independent way and assess how your choice of research question influences your choice of research design as well as your choice of method(s)
4. Identify, select, collect and assess relevant sources and data for purposes of analyzing specific research questions.
5. Give and receive comments to ongoing scholarly work in a constructive way.



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### Choice-Based Credit System

### 2<sup>nd</sup> YEAR, SEMESTER IV

#### LLBO404- MARITIME LAW

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
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LLBO404	DE	MARITIME LAW	4	0	0	4	60	20	20	0	0

#### **COURSE-CONTENT:**

##### **UNIT-I: Internal waters**

1. Meaning: Maritime Boundary
2. Baseline concept: determination of baseline
3. Innocent passage: scope of coastal state interference
4. Regime of maritime ports
5. Port state jurisdiction: civil and criminal
6. Attachment of ships: arrest of ships
7. Access of foreign ships to ports
8. Ships in distress
9. Quarantine regulation

##### **UNIT-II: Overview of laws governing Maritime in India**

1. Carriers Act, 1865
2. Major Ports Regulatory Authority Act, 2009
3. Merchant Shipping Act, 1958
4. The Inland Vessels Act, 1917 (1 of 1917)
5. The Indian Ports Act 1908 (15 of 1908)
6. The Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981
7. The Seaman's Provident Fund Act
8. Gujarat Maritime Board Act, 1981.
9. Coastal Zone Regulations
10. Role of Indian Maritime Organization



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### 2<sup>nd</sup> YEAR, SEMESTER IV

#### LLBO404- MARITIME LAW

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#### UNIT-III: Territorial waters

1. Territorial sea: concept and development
2. Width, conflicting claims of coastal states
3. Coastal state jurisdictions
4. Access of ships to the territorial sea
5. Scientific research: jurisdiction
6. Jurisdiction; Problems and Dispute settlement mechanism

#### UNIT-IV: Contiguous Zone

1. Concept and relevance in present times
2. Coastal state jurisdiction over customs and law and order confined to contiguous or not
3. Exclusive Economic Zone
4. Definition and jurisdiction

#### UNIT-V: Continental Shelf & High Seas

1. Development of the concept
2. Coastal state claim: the legal basis
3. Submerged territory theory
4. Contiguous area theory
5. Recognition of the state claim over seabed and subsoil
6. Protection of equipment and installations
7. Concept of the patrimonial sea and common heritage of mankind
8. Access to high seas: conflict between maritime states and landlocked states
9. International seabed authority: constitution, power and jurisdiction
10. Exploration and exploitation of seabed



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## LL.B. (Hons.)

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LLBO404	DE	MARITIME LAW	4	0	0	4	60	20	20	0	0

#### REFERENCES:

##### Bare Acts:

1. Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017
2. Admiralty Offences (Colonial) Act, 1849
3. Merchant Shipping Act, 1958 and Merchant Shipping Bill, 2020

##### Books:

1. Brownlie, I. (1998). *Principles of Public International Law*. Oxford: Clarendon press.
2. Mankabady, S.(1986). *The International Shipping Rules*. London: Croom Helm.
3. Nordquist, M.H. & Moor, J.N. (1999). *Ocean Policy – New Institutions, Challenges and opportunities*. Netherland: Wolter Kluwer.
4. Rao, P.C. (1983). *The New Law of Maritime Zones*. New Delhi: Milling publications
5. Singh, N. (1983). *International Maritime Law Conventions, Vol. I Navigation*. London: Stevens & Maxwell.
6. Vicuna, F.O. (1999). *The Changing International Law of the High seas Fisheries*. Cambridge: Cambridge University Press.

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# Shri Vaishnav Vidyapeeth Vishwavidyalaya

## LL.B. (Hons.)

### Choice-Based Credit System

### 2<sup>nd</sup> YEAR, SEMESTER IV

#### LLBO405- REFUGEE LAW

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY			PRACTICAL	
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLBO405	DE	REFUGEE LAW	4	0	0	4	60	20	20	0	0

**Legends:** L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C – Credit

\***Teacher Assessment** shall be based on following components: Quiz/Assignment/ Project/Participation in class (Given that no component shall exceed 10 Marks)

**Course Educational Objectives:** The student will be able to:

1. Understand how to conduct a refugee status determination pursuant to the definition of a refugee contained within the 1951 convention
2. Learn the principal aspects of inclusion, exclusion, cessation and non-refoulment criteria will be addressed.
3. Analyse the drawbacks and benefits of alternative forms of protection, e.g. temporary protection and safe haven.
4. Expected to demonstrate critical thinking in evaluating the reasoning and conclusions of national and international judges contained in case law.

**Course Outcomes:** The student will be:

1. Analyse substantive knowledge gained through both class participation and self-study and apply this to contemporary dilemmas arising in the refugee field in an assessed piece of written work.
2. Demonstrate a solid understanding of the institutional, procedural and substantive aspects of the international refugee law system, as well as its location in the international legal order.
3. Demonstrate an ability to set the substantive law content of the module in a wider context, both legal and non-legal.
4. Critically evaluate the protection offered by international refugee law, its virtues and shortcomings.

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### 2<sup>nd</sup> YEAR, SEMESTER IV

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LLBO405	DE	REFUGEE LAW	4	0	0	4	60	20	20	0	0

#### **COURSE-CONTENT:**

##### **UNIT-I: Historical Background and development of Refugee Law**

1. Meaning of Refugee under various International Instruments - Convention relating to the Status of Refugees, 1951 and Protocol Relating to the Status of Refugees, 1967; Bangkok Principles on the Status and Treatment of Refugees 1966; Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa, 1969; Cartagena Declaration, 1984
2. Refugee Law, Human Rights and Humanitarian Law: Co-relation
3. Contemporary Challenges in Refugee Law- Asylum-Seekers, Migrants, Stateless persons, Internally Displaced Persons, Exclusion of Refugee status.
4. Principle of Non-refoulement

##### **UNIT-II: Protection of Refugees under 1951 Convention**

1. Rights and Duties of Refugees
2. Welfare measures for Refugees
3. Administrative measures for the benefits of Refugees

##### **UNIT-III: Solution to Refugee's Problem**

1. Burden Sharing
2. Extradition of Refugee
3. Voluntary Repatriation,
4. Naturalization
5. Re-settlement in Third Country



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#### UNIT- IV: Role of UNHCR

1. Statute of the Office of the United Nations High Commissioner for Refugees (UNHCR), 1950
2. Role of UNHCR

#### UNIT-V: Refugee Protection in India

1. Constitution of India
2. Registration of Foreigners Act, 1939, the Foreigners Act, 1946, and the Foreigners Order, 1948
3. Role of National Human Rights Commission (NHRC)
4. Judicial decisions interpreting rights of refugees in India
5. India's Position regarding 1951 Convention on Refugees

#### REFERENCES:

##### **Books:**

1. Ahuja, V.K. (2016). *The Public International Law, Chapter on International Criminal Court*, New Delhi: Lexis Nexis, (2016)
2. Dhawan, R. (2004). *Refugee Law and Policy in India PILSARC*, pp 32 to 79 181 (2004)
3. Hossain, Md. J. (2009). *International Humanitarian Law - An Anthology*, New Delhi: LexisNexis Butterworths
4. Hossain, Md. J. (2009). *International Humanitarian Law - An Anthology, Chapter on Individual Criminal responsibility for Violation of International Humanitarian law by Dr. V Seshaiiah Shastri*. New Delhi: LexisNexis Butterworths.



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5. Mani, V.S. (2007). *Handbook of International Humanitarian Law in South Asia*. (1<sup>st</sup> Ed.). New Delhi: Oxford University Press.
6. Patnaik, D.S. & Siddiqui, N. A. (2018). *Problems of Refugee: Protection in International Law: An Assessment through the Rohingya Refugee Crisis in India*
7. Robertson, A.H. & Merills, J.G. (2005). *Human Rights in the World: An Introduction to the study of the international protection of human rights*. London: Universal
8. Saxena, J.N. (1994). *Problems of refugees in Developing Countries and Need for International Burden*. New Delhi: Lancers Books,
9. Ticehurst, R. (2014). *The Martens Clause and the Laws of Armed Conflict*

#### Case Laws:

1. Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Advisory Opinion) 2004
2. National Human Rights Commission v. State Of Arunachal Pradesh & Another, 1996 AIR 1234, 1996 SCC (1) 742
3. Nicaragua v. United States of America) [1986] ICJ
4. Rev. Mons. Sebastian Francisco Zavier Dos Remedios Monterio v. State of Goa reported in MANU/SC/0140/ [1969].
5. Sarbananda Sonowal v. Union of India (2005) SCC 66
6. State of Arunachal Pradesh v. Khudiram Chakma, 1994 AIR 1461, 1993 SCR
7. The Prosecutor v Duško Tadić (Jurisdiction) International Criminal Tribunal for the Former Yugoslavia (ICTY) [1995]

#### Case-Reporters:

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