



Shri Vaishnav Vidyapeeth Vishwavidyalaya

LL.B. (Hons.)

Choice-Based Credit System

2nd YEAR, SEMESTER IV

LLB401N- PROPERTY LAW AND EASEMENT ACT

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*
LLB401N	DC	PROPERTY LAW AND EASEMENT ACT	4	0	0	4	60	20	20	0	0

Legends: L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C– Credit; DC- Departmental Core, CCC- Compulsory Clinical Course, HEC- Honours Elective Course, DEC- Departmental Elective Course

***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. 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 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: The student will be able to:

1. Determine, explain and apply the principles of Indian property law to resolve complex problems and theoretical questions.
2. Analyses, evaluates and synthesizes 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.

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LLB401N	DC	PROPERTY LAW AND EASEMENT ACT	4	0	0	4	60	20	20	0	0

COURSE CONTENTS:

UNIT I: Introduction

1. Concept and Meaning of Property and its Transferability
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
 - c. Dominant and servient Heritage

UNIT II: Laws relating to Transfer of Property

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 the Public in perpetuity.
4. Conditional transfers – Condition precedent and subsequent, Vested and Contingent interest, Void condition
5. Election – Doctrine and Apportionment

UNIT III: Laws relating to the Owners of Property

1. Ostensible owners
2. Feeding the grant by estoppel
3. Transfer by Co-Owner
4. Bonafide improvement in immovable property
5. Doctrine of Lis Pendens
6. Fraudulent Transfer, Doctrine of Part Performance



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UNIT IV: Laws Relating to Partial and Absolute Transfer

1. Sale: elements, rights and duties of buyer and sellers, marshalling of securities
2. Mortgage- definitions, features, kind of mortgage, rights and duties of mortgagor and mortgagee, right of redemptions right to foreclosure.
3. Lease- creation and termination of lease, rights and duties & Lessor and Lessee.
4. Exchange- definition, features, rights, and duties of the party to exchange.
5. Gift- definition, elements, types of gifts, revocation of gift.

UNIT V: Indian Easement Act, 1882

1. Definitions and essential features of the Indian Easement Act 1882.
2. Types of easements
3. Modes of acquiring easement
4. Licence

REFERENCES:

Bare Acts:

1. Indian Easements Act, 1882
2. Transfer of Property Act, 1872

Books:

1. Mulla & Hariharan, M.R. (2015). The Transfer of Property Act, (15th 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, (6th Ed.)
4. V.P. Sarthy, (2010). Transfer of Property. Lucknow: Eastern Book Company
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Case-Reporters:

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

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2nd YEAR, SEMESTER IV

LLB402- FAMILY LAW-II (Muslim Law)

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
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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; DC- Departmental Core, CCC- Compulsory Clinical Course, HEC- Honours Elective Course, DEC- Departmental Elective Course

***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. Understand 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 able to:

1. Examine and compare personal laws and gain skills of thinking, analysis, written and verbal presentation of ideas of argument.
2. Identify and discuss the relationship between personal relationships such as Marriage Divorce etc.
3. Apply a systematic approach to the acquisition of knowledge, underpinning concepts, and principles
4. Able to demonstrate the provisions of various deeds, wakf, Shariat, inheritance and succession.

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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. Schools and Sources of Muslim law

UNIT II: Marriage, Mehr and Divorce

1. Muslim Marriage: Essentials, Kinds of Marriage under Sunni Law & Shia Law
2. Mehr: Definition, Concept, Kinds of Dower, Rights of Wife in case of Unpaid Mehr
3. Divorce: Classification of Divorce under Sunni Law & Shia Law

UNIT III: Guardianship and Maintenance

1. Parentage and Legitimacy Option of puberty
2. Kinds and Powers of Guardian
3. Maintenance of Wife Under Muslim personal law, Cr. P.C and Muslim Women (Protection of Right on Divorce) Act, 1986

UNIT IV: Hiba & Will

1. Hiba: Definition, Essentials, Kinds and Formalities for a Valid Hiba, Revocation of Hiba
2. Will: Definition, Essentials and Kinds of a Valid Will, Abatement of Legacies, Revocation of Will

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UNIT V: Pre-emption and Inheritance

1. Pre-emption: Definition, Classification & Formalities
2. Doctrine of Musha
3. Inheritance under Sunni Law, Doctrine of Aul and Radd
4. 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

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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	CCC	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; DC- Departmental Core, CCC- Compulsory Clinical Course, HEC- Honours Elective Course, DEC- Departmental Elective Course

***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 able to:

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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LLBCL2-MOOT COURT EXERCISE AND INTERNSHIP

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LLBCL2	CCC	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 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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							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLBCL2	CCC	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* (6th Ed.), New York: Aspen Publishing
3. Malik, B. (2016). *The Art of a Lawyer* (12th 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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2nd 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

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2nd 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	HEC	MEDIA AND LAW	4	0	0	4	60	20	20	0	0

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***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. 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 able to:

1. Understand the importance of media laws in India and the world
2. Discuss the Right of Freedom of Speech and reasonable restrictions applicable
3. Analyse and implement media regulation mechanisms in India
4. Demonstrate an understanding of the nature of ethics and morality in Journalism
5. Understand how to curb the current issues and challenges in media law

COURSE CONTENT:

UNIT-I: Concept of Media

1. Definition of Media, Form of media: Print Media, Broadcast media and Social media
2. Legislative efforts in India
3. Freedom of speech and expression under Article 19 (1) (a) and the Reasonable restrictions under Article 19 (2); Derivative rights – right to know, right to broadcast; Hate Speech, Media Freedom & Censorship
4. Rights, privileges and liabilities of media

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LLBH401- MEDIA AND LAW

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

UNIT-II: Laws Relating to Media

1. Common Law Principles Dealing with Media
2. Privacy, Defamation and the Sting operations
3. Trial by media and fair trial: Pre-trial publicity, Cameras in Courtroom and Restrictive Orders
4. Copyright and Press

UNIT-III: Media and Legislature & Judiciary

1. Privileges and Immunities of Journalists and Reporters involved in Legislative Reporting: Extent of liability.
2. Justifications, Judicial analysis, Parliamentary Privileges
3. Extent of Liability for Contempt of Court, Scope of Defenses and Justifications, Civil and Criminal Contempt and Contempt of Courts Act 1971, Comparative Study of the position in other Common Law Countries

UNIT-IV: Media Regulating Mechanisms

1. Press Council of India Act
2. Advertisement Standards Council of India
3. Cinematograph Act
4. Broadcast Laws and Regulatory issues
5. Media Ethics

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LLBH401- MEDIA AND LAW

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

UNIT-V: Contemporary Issues in Media

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* (2nd 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

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LLBH402- INSURANCE LAW

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							THEORY			PRACTICAL	
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LLBH402	HEC	INSURANCE LAW	4	0	0	4	60	20	20	0	0

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***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 able to:

1. Understand the principles of the law of Insurance
2. Understand the Insurance Industry
3. Analyse the regulation concerning policy-holders
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. Principles of Insurance
3. Difference between life Insurance and non-life Insurance
4. Economic development and insurance.
5. Insurance as a social security tool.

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LLBH402	HEC	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, 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	HEC	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:

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2. Manupatra Database
3. Supreme Court Cases

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Choice-Based Credit System

2nd 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	HEC	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; DC- Departmental Core, CCC- Compulsory Clinical Course, HEC- Honours Elective Course, DEC- Departmental Elective Course

*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. 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 able to:

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 how organized criminal groups can be assessed.

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2nd 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	HEC	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

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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

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* (2nd Ed.) New Delhi: Lexis Nexis
3. Narayan, P.S. (2013). *Commentary on Immoral Traffic Prevention Act, 1956* (2nd Ed.) New Delhi: Asia Law House
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6. Singh, P.S.J. (2017). *Basic statutes on Socio- Economic Offences*, Ernakulam: New Era Law Publication
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2nd 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	DEC	MARITIME LAW	4	0	0	4	60	20	20	0	0

Legends: L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C– Credit; DC- Departmental Core, CCC- Compulsory Clinical Course, HEC- Honours Elective Course, DEC- Departmental Elective Course

***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. 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 able to-

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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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	DEC	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: Legislative Approach of Maritime

1. Carriers
2. Major Ports Regulatory Authority
3. Merchant Shipping
4. Inland Vessels
5. Maritime Zones of India
6. The Seaman's Provident Fund
7. Coastal Zone Regulations
8. Role of Indian Maritime Organization

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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 & 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. Recognition of the state claim over seabed and subsoil
4. Protection of equipment and installations
5. Concept of the patrimonial sea and common heritage of mankind
6. Access to high seas: conflict between maritime states and landlocked states
7. International seabed authority: constitution, power and jurisdiction
8. Exploration and exploitation of seabed

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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	DEC	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. Merchant Shipping Act, 1958 and Merchant Shipping Bill, 2020
3. Carriers Act, 1865
4. Major Ports Regulatory Authority Act, 2009
5. Merchant Shipping Act, 1958
6. The Inland Vessels Act, 1917 (1 of 1917)
7. The Indian Ports Act 1908 (15 of 1908)
8. The Maritime Zones of India (Regulation of Fishing By Foreign Vessels) Act, 1981
9. The Seamen's Provident Fund Act

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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2nd 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	DEC	REFUGEE LAW	4	0	0	4	60	20	20	0	0

Legends: L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C– Credit; DC- Departmental Core, CCC- Compulsory Clinical Course, HEC- Honours Elective Course, DEC- Departmental Elective Course

***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. 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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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	DEC	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. Principle of Non-refoulement

UNIT-II: Protection of Refugees under 1951 Convention

1. Rights and Duties of Refugees
2. Administrative measures for the benefits of Refugees
3. Contemporary Challenges in Refugee Law- Citizenship, Asylum-Seekers, Migrants, Stateless persons, Internally Displaced Persons, Exclusion of Refugee status.
4. Welfare measures for Refugees

UNIT-III: Solution to Refugee's Problem

1. Burden Sharing
2. Extradition in relation to International Courts
3. Voluntary Repatriation,
4. Naturalization
5. Re-settlement in Third Country

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LLBO405-REFUGEE LAW

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							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLBO405	DEC	REFUGEE LAW	4	0	0	4	60	20	20	0	0

UNIT- IV: Role of UNHCR

1. Statute of the Office of the United Nations High Commissioner for Refugees (UNHCR), 1950
2. Role of UNHCR
3. Judicial Interpretation and International Court of Justice

UNIT-V: Refugee Protection in India

1. Constitutional Provisions
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

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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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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

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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 Xavier Dos Remedious 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:

1. All India Reporter
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