



BHARATI VIDYAPEETH UNIVERSITY PUNE (INDIA)
NEW LAW COLLEGE
ERANDWANE, PUNE - 411038

DIPLOMA SYLLABUS
(2012-13, 2015, 2017)

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INTRODUCTION

BHARATI VIDYAPEETH

Bharati Vidyapeeth, the parent body of Bharati Vidyapeeth Deemed University was established in May, 1964 by Dr. Patangrao Kadam with the objective of bringing about intellectual awakening and all sided development of the people of our country through education.

Bharati Vidyapeeth is now a leading educational institution in the country, which has created a history by establishing within a short span of 45 years or so 180 educational institutions imparting education from the pre-primary stage to post graduate stage. Our colleges and institutions of higher education impart education in different disciplines including Medicine, Dentistry, Ayurved, Homoeopathy, Nursing, Arts, Science, Commerce, Engineering, Pharmacy, Management, Social Sciences, Law, Environmental Science, Architecture, Hotel Management and Catering Technology, Physical Education, Computer Science, Library Science, Information Technology, Biotechnology and Agriculture.

These educational institutions which have achieved an acclaimed academic excellence cater to the educational needs of thousands of students coming from different parts of India and also abroad. Our teaching faculty includes highly qualified, experienced, dedicated and student-caring teachers. These educational institutions are located at various places viz. Pune, Navi Mumbai, Kolhapur, Solapur, Sangli, Karad, Panchagani, Jawhar and New Delhi. The spectacular success achieved by Vidyapeeth is mainly a creation of unusual foresight, exceptionally dynamic leadership and able guidance of the founder of Vidyapeeth, Dr. Patangrao Kadam. It has been our constant endeavour to impart high quality education and training to our students and so, no wonder that our institutions have become nationally known for their academic excellence. In recognition of the academic merit achieved by these institutions and potential for development which they have, the Department of Human Resource Development, Government of India and the University Grants Commission of India have accorded the status of a deemed to be university to Bharati Vidyapeeth with its fifteen constituent units.

Besides these 180 educational institutions, Bharati Vidyapeeth has also been successfully running a Co-operative Bank, Co-operative Consumer Stores, a Co-operative Poultry, a Co-operative Sugar Factory, Charitable Hospitals and Medical Research Centre and the like.

BHARATI VIDYAPEETH DEEMED UNIVERSITY, Pune

As mentioned earlier, the Department of Human Resource Development, Government of India on the recommendation of University Grants Commission accorded the status of Deemed University to twelve units of Bharati Vidyapeeth (vide their notification No. F.9-15/95-U.3 dated 26/4/96 under the Section 3 of the University Grants Commission Act. of 1956).

Subsequently, the Govt. of India on the recommendations of the UGC and AICTE brought some more institutions of Bharati Vidyapeeth within the ambit of Bharati Vidyapeeth University. At present there are 32 Constituent Unites.

- 1) Bharati Vidyapeeth Medical College, Pune;
- 2) Bharati Vidyapeeth Dental College and Hospital, Pune;
- 3) Bharati Vidyapeeth College of Ayurved, Pune;
- 4) Bharati Vidyapeeth Homoeopathic Medical College, Pune;
- 5) Bharati Vidyapeeth College of Nursing, Pune;
- 6) Bharati Vidyapeeth Yashwantrao Mohite College of Arts, Science and Commerce, Pune;
- 7) New Law College, Pune;
- 8) Social Sciences Centre (M.S.W.), Pune;
- 9) Poona College of Pharmacy, Pune;
- 10) College of Engineering, Pune;
- 11) Institute of Management and Entrepreneurship Development, Pune;
- 12) Yashwantrao Chavan Institute of Social Science Studies and Research, Pune;
- 13) Research and Development Centre in Applied Chemistry, Pune;
- 14) College of Physical Education, Pune;
- 15) Bharati Vidyapeeth's Institute of Environment Education and Research, Pune.
- 16) Rajiv Gandhi Institute of Information Technology and Biotechnology;
- 17) Interactive Research School in Health Affairs (IRSHA);
- 18) Bharati Vidyapeeth Medical College, Sangli
- 19) Bharati Vidyapeeth Dental College and Hospital, Mumbai
- 20) Bharati Vidyapeeth Nursing College, Mumbai.
- 21) Bharati Vidyapeeth's Institute of Management and Research, New Delhi;
- 22) Bharati Vidyapeeth's College of Architecture, Pune;
- 23) Bharati Vidyapeeth's Institute of Hotel Management and Catering Technology, Pune;
- 24) Bharati Vidyapeeth's Yashwantrao Mohite Institute of Management, Karad;
- 25) Bharati Vidyapeeth's Institute of Management, Kolhapur;
- 26) Bharati Vidyapeeth's Institute of Management and Rural Development Administration, Sangli.
- 27) Bharati Vidyapeeth's Abhijit Kadam Institute of Management and Social Sciences, Solapur.
- 28) Bharati Vidyapeeth's College of Engineering, New Delhi.
- 29) Bharati Vidyapeeth's Institute of Computer Application and Management, New Delhi.
- 30) Bharati Vidyapeeth's Dental College and Hospital, Sangli.
- 31) Bharati Vidyapeeth's Nursing College, Sangli.
- 32) Bharati Vidyapeeth's Medical College, Mumbai.

BHARATI VIDYAPEETH DEEMED UNIVERSITY NEW LAW COLLEGE, PUNE

The Bharati Vidyapeeth's New Law College, Pune, having the recognition from Bar Council of India, New Delhi, came into existence on 1st August, 1978 as a permanently affiliated college of the University of Pune, Pune. This college had a privilege of being inaugurated at the hands of Hon'ble Shri.Y.V.Chandrachud, former Chief Justice of India. **When Bharati Vidyapeeth became a Deemed University in 1996, the New Law College became a constituent unit of the BHARATI VIDYAPEETH DEEMED UNIVERSITY.** It was then resolved by the University authorities to shape the college as a centre of excellence in the field of legal education at national level. **The College has celebrated its Silver Jubilee during the academic year 2002-2003.**

Recognition of LL.B. Degree from Bar Council of India

The Bar Council of India has given the recognition to the **Bachelor Degree of LL.B.** offered by Bharati Vidyapeeth University, for LL.B. 5 Year and 3 Year Courses by vide letter No.BCI.D.699.1999 (LE/Mtg) dated 6th August, 1999. The college affiliation is approved by the Bar Council of India by vide letter No.BCI:D:1029/2009 (LE/M/G) dt. 07/07/2009.

LEGAL EDUCATION AND BHARATI VIDYAPEETH DEEMED UNIVERSITY

The Bharati Vidyapeeth Deemed University, New Law College, has kept before itself the goals of advancement and dissemination of knowledge of law and legal processes in the context of national development. In accordance with these basic expectations the College is striving to achieve excellence in the field of legal education and research. The College while imparting the legal education has kept a goal in view that professional lawyers must be well equipped to perform the various roles which lawyers are expected to play in our society. The lawyer is not to be merely a craftsman, manipulating advocacy skills in the traditional role of conflict resolution in courts. There are other concurrent curricular goals and roles for legal education, some of which may be more important than litigation in the context of our society.

In pursuance of Bar Council of India's Directive through Rule of Legal Education 2008, the Law Faculty of Bharati Vidyapeeth Deemed University has revised the entire syllabi of LL.B. of Three Year and Five Year Courses. The revised syllabus incorporates the theme of UGC Curriculum Report. The University has also introduced the semester programme (As per the Circular No.2/99 of Bar Council of India) for LL.B Three Year and Five Year Course from the academic year 2000-2001.

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General Rules and regulations governing Diploma Course in Foreign Investment Law, Merger and Acquisition, Air and Space Law, Media and Law, E-Learning, E-Litigation, and LPO, Social Legislations and Anti-corruption Laws.

- 1. **Duration** : 1 Year
- 2. **Pattern** : Yearly
- 3. **No. of Papers** : 4
- 4. **Content of Paper** : Syllabus

5. Eligibility: Any Graduate who has passed Graduation from any recognized university in India or foreign university approved by Govt. of India is eligible to seek admission in Diploma Course.

6. Pattern of Examination :

a) Each paper shall be of 100 marks out of which 80 marks for Theory Examination and 20 Marks for Internal Assessment.

b) Passing of Examination :

In order to pass the examination the candidate has to secure 40% of marks in each and 50% of marks in aggregate.

c) Award of Division :

- i. Second Class : 50% and above less than 60%
- ii. First Class : 60% and above less than 75%
- iii. First Class with : 75% and above
Distinction

Diploma in Merger and Acquisition

1. Diploma in Merger and Acquisition

Introduction:-

The course focuses on the design, analysis, and implementation of financial strategies aimed at repositioning and revitalizing companies faced with major competitive challenges, problems, and opportunities. The course helps you to learn how to create corporate value by restructuring a company or by undergoing a business combination. This course will focus on debt restructuring, leveraged buyouts and recapitalizations, corporate downsizing programs, mergers and acquisitions, corporate spin-offs, divestitures, and tracking stock. Emphasis will be given to the contemporary expectations and requirements of good governance, based on the roles corporate sector play in the society, and the timing and principles of merger integration. The focus is on challenges and solution there to.

Aims and Objective:

The main objective of Merger and Acquisition transaction is as follows:

1. Need for Merger and Acquisitions
2. Problems of Merger and Acquisitions
3. Solution to the problem of Merger and Acquisitions
4. Master the language and processes of MandA
5. Identify MandA issues worth attention
6. Analyze an MandA transaction rigorously
7. Proper utilization of all available resources
8. To prevent exploitation of utilized and underutilized assets and assets and recourses
9. Reducing tax burden
10. Improving profits
11. Eliminating or limiting the competition

Duration: The duration of course will be one academic year.

Medium of course: The medium of course shall be only in English.

Eligibility: - The candidate must be graduate of any Faculty either of this University or of any other University or of any other University whose degree is recognized, or equivalent to the corresponding degree of this University.

Course Structure: -The diploma examination shall comprise of four papers of 100 marks each. Out of 100 marks 80 marks for theory examination and 20 for internal assessment.

Paper: I Law of Mergers and Acquisitions

Unit -1 Basic Concepts

- 1.1 Need for Mergers and Acquisitions
- 1.2 Problem of Mergers and Acquisitions
- 1.3 Definition Mergers and Acquisitions
- 1.4 Types of Mergers Acquisitions
- 1.5. Legal Procedure of Merger Acquisitions

Unit -2 Competition Act, 1956

- 2.1. Application to the National Law Tribunal
- 2 2. Intimation to the Creditors and Members
- 2.3. Facilitating Reconstruction And Amalgamation
- 2 4. Power of the Central Government
- 2.5 Restriction on Acquisition of Shares
- 2.6 Buy Back of Shares
- 2.7 Relevant Provision of the Companies Act, 1956
- 2.8 Companies Court Rules, 1956
- 2.9 SEBI Guidelines

Unit -3 Statutory Provision relating to Merger Acquisitions

- 3.1 The Income tax Act, 1961
- 3.2 The Sales Tax
- 3.3 The Stamp Duty
- 3.4 The Sick Companies
- 3.5 The Competition Act, 2000

Unit- 4 Foreign Exchange Management Act, 1999

- 4.1 -Transfer of Shares to Employees
- 4.2-Issue of Shares to Employees
- 4.3-Buy Back of Shares
- 4.4 -Solution to Problem of Merger Acquisitions

RECOMMENDED BOOKS:

1. Sudi Sudarsanam – Value Creation From Mergers And Acquisitions– Pearson Education, 1/e, 2003
2. Valuation for mergers Buyouts and Restructuring – Arzak Wiley India (P) Ltd.
3. Merger Acquisitions and Corporate Restructuring – Chandrashekar Krishna Murthy and Vishwanath. S.R – Sage Publication.
4. The book on Merger and Acquisition: Indian Scenario by Bhagaban Das, Alok Kumar Pramanik (author) by Kanishka
5. Mergers and Acquisitions in India by . Rohan Rai and H P Mathur..

PAPER:II Documentation issues in Mergers and Acquisitions

Unit -1 Laws of Scheme of Amalgamation

1. 1 – Meaning of scheme of Amalgamation
- 1.2 - Draft scheme of Amalgamation

Unit -2 Application to the National Law Tribunal

- 2.1 Order of the National law Tribunal

Unit – 3 Meeting of Creditors And Members

- 3.1 Details Regarding Notice of the Meeting
- 3.2 – Form No.36
- 3.3 Form – No. 37
- 3.4 Form –No – 38
- 3.5 Form – No. 39
- 3.6 Filing with the Register of Companies
- 3.7 Details regarding Notice of the Meeting

Unit -4 Petition to the National law Tribunal

- 4.1 Sanction by the National law Tribunal
- 4.2 Valuation Report

RECOMMENDED BOOKS:

1. Weston, Mitchel And Mulherin - Takeovers, Restructuring And Corporate Governance – Pearson Education, 4/e, 2003
2. Shiv Ramu – Corporate Growth Through Mergers And Acquisitions – Response Books
3. P Mohan Rao – Mergers And Acquisitions – Deep And Deep Publications.
4. Mergers, Acquisitions And Corporate Restructuring :Books by Prasad.

PAPER:III Financing Mergers and Acquisitions

Unit -1 Sources of finance

- 1.1 –Internal Accruals
- 1.2 - Initial Public Offering
- 1.3- Issuance of Debentures
- 1.4 – Issuance of bonds
- 1.5 – Bank Financing
- 1.6.1 Long term
- 1.6.2 Short term
- 1.7 – Leveraged Buyouts (LBOs)

Unit -2 Modes of payment

- 2.1 Cash
- 2.2 Debt
- 2.3Equity

Unit -3 Budgeting Mergers and Acquisitions

- 3.1 Due diligence Costs
- 3.2 Professional and legal cost
- 3.3 Considerations payable
- 3.4 Stamp Duty and Taxes
- 3.5 Post Acquisition integration cost

Unit -4 Valuation

- 4.1 Net Asset Value (NAV) method
- 4.2 Profit earning Capacity value
- 4.3 Market multiple methods
- 4.4 Discounted cash flow method (DCF)

Unit -5 Real world case studies

- 5.1 ABN AMRO case study

RECOMMENDED BOOKS:-

1. P Mohan Rao – Mergers And Acquisitions – Deep And Deep Publications
2. Machiraju – Mergers And Acquisitions – New Age Publisherss
3. Ramanujam et al – Megers – TMH, 2003
4. Handbook of International Mergers and Acquisitions – Gerard Picot-Palgrave Publishers Ltd.

PAPER: IV Case Studies in Mergers and Acquisitions

Unit -1 Mergers and Acquisitions in India

1.1 Significant and the latest case studies

Unit -2 Mergers and Acquisitions in U.S.A

2.1 Significant and the latest case studies

Unit -3 Mergers and Acquisitions in Europe

3.1 Significant and the latest case studies

Unit -4 Comparative study of Indian and International case studies

RECOMMENDED BOOKS:

1. Mergers, Acquisitions, by John Wiley And Sons
2. Harvard business review on mergers and Acquisitions
3. Mergers, Acquisitions of Enterprise : India and Global Enterprise ,by Rabi Narayan Kar 2006,New centuary publication

Diploma in Air and Space Law

1. Diploma in Air and Space Law

INTRODUCTION

A man with his knowledge accepted challenges from time to time. Aerial navigation became prominent navigation during 1991, thereafter outer space acquired importance in International Law when the first sputnik was launched in the orbit by U.S.S.R in 1957.

The scientific and technological developments in the field of air and space are so rapid that they have posed challenges to the legal fraternity, since the first and second half of the twentieth century respectively. While the legal response to air technology has been primarily at the municipal level, despite a number of conventions at the international level, the legal response to space technology has been primarily at the international level, though now it is percolating into the municipal sphere. At present, the significance of Air Law and Space Law needs no explanation due to indispensable uses of airspace and outer space for the purposes ranging from commercial to military.

The Course is designed to provide an in-depth understanding of Air and Space Law along with some fundamental principles of public international law related to air and space. The course would be extremely useful to the candidates having wide-ranging background.

AIMS AND OBJECTIVES:-

The development in science and technology was achieved by man with a lightning speed and along with that many challenges came before us. The object of this study course is the wide range of provisions of international law relating to Air and Space and their regulations, which enable to govern relation among states peacefully, and knowledge of this specialized branch of International law is required.

Duration: The duration of course will be one academic year.

Medium of course: The medium of course shall be in English.

Course Structure: The diploma examination shall comprise of four papers of 100 marks each. Out of 100 marks 80 mark for theory and 20 for internal assessment.

Eligibility:

The candidate must be graduate of any Faculty either of this University or of any other University or of any other University whose degree is recognized, or equivalent to the corresponding degree of this University.

Paper-I LAW OF AIR

Unit-1- Introduction

- 1.1. Definition of Air and Space law
- 1.2. Nature, Scope and Source of air and space law
- 1.3. Development of Air Law (Paris convention 1910, Paris Convention 1919, Madrid Convention 1926, Havana Convention 1928, Warsaw Convention and Chicago convention 1944)

Unit-2- The basic principle of International Air Law

- 2.1. The principle of sovereignty over air
- 2.2. Demarcation of boundary between air and space
- 2.3. The principle of the freedom of the air
- 2.4. Right of transit
- 2.5. Commercial rights of air communication
- 2.6. No flight zone

Unit-3- Regulation of International Air transportation

- 3.1. Standardization of the Rules of Air Transport
- 3.2. International Civil Aviation Organization

Unit-4- Crimes against International Civil Aviation

- 4.1. Hijacking
- 4.2. Sabotage
- 4.3. Terrorism in the air

Unit-5- Air carrier's liability for the loss of life and property

- 5.1. Contractual liability and non-contractual liability
- 5.2. Aerial intrusion

Books Recommended:

1. Bin Cheng - The Law of International Air Transport (London)
2. Lowenfield - Aviation Law: Cases and Materials
3. S. K. Agarwal (Ed.) - Aircraft Hijacking and International Law (N. M. Tripathi)

Paper-II LAW OF OUTER SPACE

Unit-1: Legislations relating to space treaty

- 1.1. International legal regime of outer space
- 1.2. Sovereignty over the outer space
- 1.3. The Outer Space Treaty 1967
- 1.4. The Moon Treaty 1969

Unit-2: Freedom, regulation and exploration relating to outer space

- 2.1. Freedoms regarding outer Space
- 2.2. Regulation of Militarization of outer space
- 2.3. Exploration and Exploitation of outer space
- 2.4. Conflict in air space and its resolution

Unit-3: UN Convention on outer space

Responsibility for activities in outer space- UN Convention on International liability for damages caused by space Objects 1972

Unit-4 Regulation of Commercial Space Activities in India

- 4.1. Need for regulation
- 4.2. Organization, Decision-making process, Constitution and International obligations
- 4.3. Launch services
- 4.4. Satellite telecommunication and broadcasting
- 4.5. Earth observation satellite services
- 4.6. Satellite navigational services
- 4.7. Intellectual property rights, export of technology and national security

Books Recommended:-

1. M. Lach - Law of Outer Space
2. Wedeagokar – The Orbit of the Space Law. (N. M. Tripathi)
3. Christol - Space Law(Deventer)

Paper-III INDIAN AIR AND SPACE LAW

Unit 1 - Safety and security in civil aviation

- 1.1. The concept of aviation terrorism
- 1.2. International norms-convention, protocol and regulation followed in India
- 1.3. State obligation to provide air navigation services, sovereign rights of state

Unit -2- New development in India

- 2.1. Technology development and legal problems in civil aviation
- 2.2. Airports-leasing and privatization-legal issues
- 2.3. Liability in international civil aviation
- 2.4. Third party liability for surface damages

Unit-3 – Changing global trends

- 3.1. Globalization, deregulation and liberalization in international civil aviation-infrastructure problems of airport
- 3.2. Private involvement in ownership operation and management of airports
- 3.3. International regulatory framework
- 3.4. Rights and privileges of air passengers
- 3.5. Consumer protection in civil aviation, Liability for death injury delay

Unit-4

The Carriage by Air Act, 1972 - It' components relating to Indian Air and Space Law.

Books Recommended:-

1. Azbeyratne, RIR, Legal and Regulatory Issues in International Aviation(1996)
2. S. Bhatt, The New Aviation Policy In India(1977)
3. Law of Carriage – Air, Land and Sea – Avtar Singh Eastern Book Company, Lucknow

Paper-IV INTERNATIONAL AIR AND SPACE LAW

Unit- 1- Regulation

- 1.1. Freedom of the Air and sovereignty in the air
- 1.2. Membership and Organs of ICAO
- 1.3. Legislative, administrative and judicial function
- 1.4. Economic and technical regulation
- 1.5. Commercialization of space activities public and private activities, industries government partnership, IPR rights, organization of space activities, Need for the law in a country

Unit-2 Air cargo

- 2.1. International convention and regulation
- 2.2. Aviation related environmental problems
- 2.3. Aircraft financing and leasing, Aviation insurance, Settlement of aviation related disputes
- 2.4. General principles of role of ICAO and ICJ, Arbitration settlement under municipal law

Unit-3 International perspective

- 3.1. International and inter governmental organization, bilateral agreement in space activities, satellite broadcasting and telecommunication
- 3.2. Use of space technology-peaceful and non-peaceful, remote sensing, disaster predictions, management of earth resources, satellite navigation and location, space communication

Unit-4

Comparative study of Indian and International law of Air and Space

Books Recommended:-

1. Carole Blackshaw, Aviation Law and Recommendation
2. V. S. Mani, Recent Trends in International Space and Policy(1966)
3. Dr. S. Bhatt- Space Law, in the era of commercialization

Diploma in Media and Law

3. Diploma in Media and Law

Introduction:

Mass media play a significant role in shaping public perceptions on a variety of important issues, both through the information that is dispensed through them, and through the interpretations they place upon this information.

Media law is a term for a mix of more traditional categories of law with a focus on providing legal services to the media industry. The principal areas of media Law overlap substantially with the well-known and conventional field of intellectual property law. But generally speaking the practice of media law often involves questions of employment law, labor law, bankruptcy law, immigration, securities law, security interests, agency, intellectual property (especially trademarks, copyright, and the so-called "Right of Publicity"), right of privacy, defamation, clearance of rights, product placement, advertising, International law (especially Private international law), and insurance law. Much of the work of an entertainment law practice is transaction based, i.e. drafting contracts, negotiation and mediation. Some situations may lead to litigation or arbitration.

This course seeks to familiarize students with the basic concepts and structure of media law. Students will look at the various forms of media law today, concentrating on defamation, court reporting and copyright law as it exists in India. It will further explore more specific issues in relation to awards in defamation cases, privacy and examine general contract principles as they underlie media law.

Programme Aims and Objectives:

This course falls into what is known as a private law stream. Its aims are to enable students to develop an understanding of the legal and regulatory background to Indian media law in its political, social and international context and to enable students to demonstrate knowledge of the ways in which publication in the media is affected by legal rules. Students will be able to apply gained legal knowledge to selected legal problems in this area and to draw reasoned conclusions that are supported by legal authority. Furthermore, on completion of the course, students will be able to demonstrate knowledge of the common law's development in relation to the media in the key areas as outlined above: namely defamation, contempt of court, freedom of expression and privacy and trial by media.

Media law is a legal field that refers to the following:

- Advertising
- Broadcasting
- Censorship
- Confidentiality
- Contempt
- Copyright
- Firm law
- Company Law
- Defamation
- Entertainment law
- Freedom of information
- Internet and on-line services
- Information Technology
- Privacy
- Telecommunications
- Piracy

Paper I: General Laws Relating to Media

Chapter I: Media and Constitutional Framework

The course will explore the common law beginnings of freedom of expression; trial by jury, the open justice principle, the rule against prior restraint and freedoms from governmental interference. In addition, an examination of the recent legal changes on the law of "blasphemy" and its effect on freedom of expression will be examined.

1. Preamble of Indian Constitution.
2. Freedom of Expression in Indian Constitution: Article 19(1)(a) and Article 19(2).
3. Article 14.
4. Article 32.

Chapter II: Media and Legislature Privileges:

1. Constitutional Provisions: Article 105.
2. Media Coverage of legislative proceedings.

Chapter III: Media trial and Judicial Activism:

1. Role of Media played in following cases:
 - a. Priyadarshani Mattu case.
 - b. Arushi murder case.
 - c. Jessica Lal case.
 - d. Shiney Ahuja case.

Chapter IV: Forms of Media:

1. Evolution of Media.
2. Forms of Media:
 - a) Press
 - b) T.V.
 - c) Radio
 - d) Internet

Chapter V: Laws Regulating Free Flow of Information during Emergency

1. Section 144 Criminal Procedure Code.
2. Section 5 and 8 of Indian Telegraphy Act, 1885.
3. Section 19 and 20 of Cable Television Network Act, 1996.

Books Recommended:

1. Indian Constitutional Law – Prof. M. P. Jain
2. Constitutional Law of India – H. M. Seervai
3. Constitution of India – L. M. Singhvi

Paper II: Print, Broadcasting and Electronic Media

Chapter I: Statutory Laws for Print Media:

1. Press Council Act, 1978.
2. The Newspaper (prize and pages) Act, 1956.

Chapter II: Regulatory Bodies for Print Media:

1. Press council of India.

Chapter III: Media and Broadcasting Laws:

Here the age of convergence will be examined, the freedom to broadcast and finally code of practice in this area and enforcing such codes will be examined.

1. The Prasar Bharati (Broadcasting Corporation of India) Act, 1990.
2. Broadcasting service Regulating Act, 2007.

Chapter IV: Broadcasting and Government Control:

1. Airwaves and Government Control.
2. Licensing issues in Broadcasting.
3. Public Policy Issues on Airwaves.

Chapter V: Electronic media laws in India

Role of Television and Internet

1. Indian Telegraphy Act, 1885.
2. The Cinematograph Act, 1952.
3. The Cable Television Networks Act, 1955.

Books Recommended:

1. Law of Press by Durga Das Basu.
2. Press and Media by Vidisha Barua.
3. Mass Media Law and Regulations by C.S.Rayadu and Nageshwar Rao.
4. Freedom of Press some secret trends by Justice .S. Venkatramiah.

Paper III: Media and Regulatory Framework

Chapter I: Media - Regulatory Framework

This much underdeveloped area of law will examine laws relating to malicious falsehood, harassment, press complaints commission and the right to respect for private and family life.

This will encompass a review of the new Defamation under various Legislations focusing on the revised elements, new defenses, and the issue of lodgments and survival of actions.

1. Media and Criminal Law (Defamation / Obscenity/Sedition)
2. Media and Tort Law (Defamation and Negligence)

Chapter II: Media and Role of Journalists:

1. Media and Journalists – Working Journalists (Conditions of Service) Act.

Chapter IV: Court Reporting

Here we will look at access to the courts, reporting restrictions, committal proceedings and the courts and the courts and television. Students will also examine official secrets and the protection of journalist sources.

1. Official Secrecy Act, 1923.

Chapter V: Media and Copyright laws:

This area of the course will look at the creation of a copyright work, literary, dramatic, musical and artistic works as well as authorship, infringements, performing and broadcasting and adapting.

1. Copyright Act, 1957.

Books Recommended:

1. Law Relating to Press (8th Edition) by Rai Bhadur and G.K.Roy.
2. Official Secrecy Act, 1923 Bare Act

Paper IV: Advertising, Media Trial And Self Regulation

Chapter I: Media and Advertisement Laws:

1. Advertisement Act, 1954.
2. Indecent Representation (prohibition) Act, 1986.
3. The Drugs and Magic Remedies (objectionable) Advertisements Act, 1954.

Chapter II: Media and Right to Information

Right to Information Act, 2005.

Chapter III: Media Trial and Administration Of Justice:

1. Role of Media and its accountability in Democracy.
2. Media and Education.
3. Media and Social Responsibility.
4. Media and Terrorism.
5. Flaws of Media.

Chapter IV: Media and Other Issues

1. Media and ethics.
2. Media and Self Regulations.
3. Media and Legal Regulations.

Chapter V: String operations: Legal issues.

Books Recommended:

1. Facts of Media Law by Madhavi Goradia Divan
2. Press, Media and Telecommunication Laws, Acts, Rules, Universal Publication Orders and Regulations.
3. Media World the Law – Lalit Bhasin
4. Media Management and Development – Dr. Samir Kumar Singh and Prof. Pushpendra P. Singh
5. Political Journalism With New Challenges – S. N. Dixit
6. Media and Society – Graeme Burton

Diploma in E-Learning, E-Litigation, and LPO

4. Diploma in E-Learning, E-Litigation, and LPO

Introduction:

Beginning as a revolution, the internet has now become a part and parcel of the 21st century world. Everything and everyone is getting online. And those who are not doing so are missing out on the immense power of this modern age wonder. Can the field of education be any far behind? Indeed not, as is evident from the advent of E-learning.

Aims and objective of e-learning:

Many higher education institutes prefer education to be imparted online through a Learning Management System (LMS) in which all aspects of a subject are dealt with through a consistent standard process throughout the institution. Many Universities and Colleges are now offering academic degrees and certificate courses by way of internet of which many are delivered wholly online. In addition to this many educational institutions are also offering online support services to students, like online advising, e-counseling, online buying of valuable study material, etc. Thus e-learning with its more active and interesting opportunities is gradually replacing the traditional form of teaching.

Duration: The duration of course will be one academic year.

Medium of course: The medium of course shall be only in English.

Eligibility: - The candidate must be graduate of any Faculty either of this University or of any other University or of any other University whose degree is recognized, or equivalent to the corresponding degree of this University.

Course Structure: -The diploma examination shall comprise of four papers of 100 marks each. Out of 100 marks 80 marks for theory examination and 20 for internal assessment.

PAPER – I E-LEARNING

I.CONCEPT AND DEVELOPMENT:

- 1.1 Meaning of e-learning
- 1.2 Origin and development of e-learning
- 1.3 Difference between e-learning and traditional learning
- 1.4 Features of e-learning
- 1.5 Benefits and limits of e-learning

II. forms of e-learning:

- 2.1 Internet, email
- 2.2 Video and audio streaming, Blogs, Electronic whiteboard, Collaborative learning forums
- 2.3 On-line legal research -Manupatra, Westlaw, Lexisnexis

III. UTILITIES OF E-LEARNING

- 3.1 e-commerce
- 3.2 e-contracts
- 3.3 e-governance

IV. APPLICATION OF E-LEARNING

- 4.1 Intellectual property rights: Patent law, Trade mark, Copyrights
- 4.2 Banking law
- 4.3 Cyber law
- 4.4 Air and Space law

Books recommended:

1. M.S.BOWLES -Relearning to E-learn –strategies for electronic learning and knowledge
2. MARC ROSENBERG -E-learning: strategies for delivering knowledge in digital age
3. L. PADMARATHI -E-contracts

PAPER -II E-LITIGATION

Introduction:

The advent of Information Technology has necessitated many organisations to re-look into their business processes. The Courts are not an exception to ignore the ever-changing technological developments. The already implemented Management Information Systems (MIS) have given a clue to the Courts to consider the concept of E-Courts

E-Courts can be defined as the Courts, which take the assistance of the Information Technology and Communication (ITC) Tools for conducting their routine functions more efficiently

Objectives

The basic objectives of E-Courts concept are: -

- a. To help in conducting the court proceedings efficiently
- b. To enable the advocates to argue their cases from remote locations
- c. To record the witness's statement from remote locations
- d. To establish Electronic Filing (E-Filing) facility
- e. To make the courts as paperless as possible

I. Origin development of e-litigation:

- 1.1 In United state
- 1.2 In United kingdom
- 1.3 Meaning of e-litigation and componenets of e-litigation
- 1.4 Advantages, disadvantages and challenges of e-litigation for litigants, lawyers and judges

II. Types of e-litigation: ON-LINE FILING:

- 2.1 income tax filing
- 2.2 Intellectual property right litigation
- 2.3 electronic case filing – online e-payment
- 2.4 on-line writs
- 2.5 on-line petition

III. FUNCTIONAL COMPONENTS OF E-COURTS:

- 3.1 E-courts
- 3.2 E-mail based communication
- 3.3 E-Advocacy
- 3.4 E-orders and e-judgements
- 3.5 Litigation through Video conferencing
- 3.6 Security of e-litigation Witness statement recording

IV. COMPARATIVE STUDY OF ELECTRONIC LITIGATION:

- 4.1 United states:
 - 4.1.1 Federal courts
 - 4.1.2 State courts
- 4.2 United Kingdom:
 - 4.2.1 Supreme Court of the United Kingdom
 - 4.2.2 Court of Appeal
 - 4.2.3 Subordinate courts
- 4.3 Comparative study of E-court in U.K and U.S.A

Books recommended:

1. Law commission of India-108 Report
2. JAMES WILCOX-Video conferancing

PAPER- III LEGAL PROCESS OUTSOURCING

1.CONCEPT AND DEVELOPMENT OF LPO :

- 1.1. Origin and development
- 1.2. Meaning of LPO
- 1.3. Types of LPO
- 1.4. Why outsource legal work
- 1.5. Advantages and Disadvantages of LPO
- 1.6. Future of LPO in India and across the globe

2.UTILITY OF LPO IN INDIA:

- 2.1. intellectual property outsourcing
- 2.2. Components of litigation support
- 2.3. contract management system
- 2.4. paralegal service and legal coding

3. LPO AND MODERN CHALLENGES IN LAW:

- 3.1. High technology patent application
- 3.2. Conflict with client's interest
- 3.3. Confidentiality issues
- 3.4. Using properly tested legal software

4. LPO IN U.K.andU.S.:

1.1 UNITED KINGDOM:

- 1.1.1 principles of common law
- 1.1.2 English law
- 1.1.3 Northern Ireland law
- 1.1.4 Scotland law

4.2 UNITED STATES :

- 4.2.1 Hierarchy of court
- 4.2.2 Legal procedure
- 4.2.3 Legal system

4.3 Comparative Study of LPO in USA and UK:

Books recommended:

1. NIIT-swift start- short work programmes in information
2. SHASHI SHEKHAR PANDEY-the law and practice of legal process outsourcing
3. RODNEY RYDER-BPO,DATA PROTECTION, INFORMATION SECURITY

PAPER- IV INFORMATION TECHNOLOGY AND LAW

Unit 1

1. Revolution in Science and Technology and Challenges posed to the legal system, Information technology and relevance of study in the legal profession.
2. Computer fundamentals relating to e-learning relating to e-litigation
3. DOS - Operating System
4. Window-95/98/2000-introduction to Windows, Windows features
5. Microsoft office 2000-introduction to MS-Word, Editing a document, viewing the document, printing the document, Tables, Multicolumn text, Using Graphics, Templates and Wizards, Macros
6. Microsoft Excel- introduction to MS-Excel, Editing a Worksheet Writing Formulae, Rearranging Cell Contents, Formatting Data, Printing Worksheets, Charting Data, Macros
7. Microsoft PowerPoint-Introduction to PowerPoint, Screen Elements of Power Point, Wizards and Templates, The Presentation Window, Drawing, Adding, Inserting, Printing Presentation
8. Internet-what is Internet, Accessing the Internet, Browsing the Internet, Chatting over the Internet, Web mail, Creating home page
9. E-mail-what is E-mail, sending and receiving

Unit 2 Information Technology Act 2000-

Aims, objective, provisions, procedure and penalties

Unit 3 Right to information act 2005-

Aims, objectives, provisions, procedure, and penalties

Books recommended:

1. NIIT-swift start- short work programmes in information
2. Aptech's "Vidya-Computer Education"

Diploma in Social Legislations

5. Diploma in Social Legislations

Introduction:

At present plight of all old people, children and women is grave. They need a lot of social support. This course is aimed at providing legal awareness and tools to help these vulnerable groups.

Aims and objective:

1. To help women, old persons and senior citizens through awareness and application of law.
2. To provide for more effective provisions for the maintenance and welfare of parents and senior citizens guaranteed and recognized under the Constitution and for matters connected therewith or incidental thereto.
3. To provide for more effective protection of the rights of women guaranteed under the Constitution who are victims of violence of any kind occurring within the family and for matters connected therewith or incidental thereto.

Duration: The duration of course will be one academic year.

Medium of course: The medium of course shall be only in English.

Eligibility: - The candidate must be graduate of any Faculty either of this University or of any other University or of any other University whose degree is recognized, or equivalent to the corresponding degree of this University.

Course Structure: -The diploma examination shall comprise of four papers of 100 marks each. Out of 100 marks 80 marks for theory examination and 20 for internal assessment.

PAPER I : MAINTENANCE AND WELFARE OF AGED PARENTS AND SENIOR CITIZENS.

UNIT –I: OLD AGED, PARENTS AND SENIOR CITIZENS

- 1.1 Introduction
- 1.2 Meaning and definition of parents, old aged and senior citizens
- 1.3 Problems of aged, parents ,senior citizens and their reasons
- 1.4 Rights of aged, parents and senior citizens

UNIT- II : LAW RELATING TO MAINTENANCE AND WELFARE OF PARENTS,SENIOR CITIZENS AND AGED IN INDIA

- 2.1 The Maintenance and Welfare of Parents and Senior Citizens Act, 2007
- 2.2 Role of Non Governmental Organisations (NGOs)
- 2.3 Judge made law of old persons

UNIT –III: OTHER INDIAN LAWS REGARDING MAINTENANCE AND CARE OF SENIOR CITIZENS

- 3.1 Constitutional protection
- 3.2 Hindu laws
- 3.3 Muslim laws
- 3.4 Christian laws and Parsi law
- 3.5 Criminal Procedure Code

UNIT –IV: COMPARATIVE STUDY OF LAWS RELATING TO MAINTENANCE AND WELFARE OF PARENTS,SENIOR CITIZENS AND AGED

- 4.1 United States of America
- 4.2 United Kingdom
- 4.3 Canada
- 4.4 China
- 4.5 Sri Lanka and India
- 4.6 Comparative study

UNIT –V: INTERNATIONAL CONVENTIONS ON SENIOR CITIZENS,OLD AGE PARENTS

- 5.1 UNCRPD – The United Nation Convention on the Rights of Person with Disabilities –its features ,scope and implication.
- 5.2 United Nations Principles for older persons,1991 –its features, scope and effect.

Books recommended:

1. Brownlie and Goodwin-Gill, *Basic Documents on Human Rights*,Oxford University Press,First Indian edition(2007)
2. Introduction to the Maintenance and Welfare of Parents and Senior Citizens Act, 2007; Bare Act
3. Cohen, Donna and Carl Eisdorfer. *Seven Steps to Effective Parent Care*. (New York: G. P. Putnam's Sons, 1993).
4. Sember, Brette. *Seniors' Rights, 2E; Your Legal Guide to Living Life to the Fullest*. (Naperville, IL: Sphinx Publishing, an imprint of Sourcebooks, Inc., 2006).
5. Wesley.J.Smith, *The Seniors Citizens,Handbook*

PAPER II: LAWS RELATING TO WOMEN

UNIT I : THE PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005

A) NATURE and SCOPE

- 1.1 Historical Background
- 1.2 Definition of Domestic Violence
- 1.3 Types of Domestic Violence
- 1.4 Women abuse and abuse within relationship
- 1.5 Cruelty by husband or relatives of husband
- 1.6 Cruelty and other offences

B) POWERS and DUTIES OF PROTECTION OFFICER

- 2.1 Duties of Police officers, service providers and Magistrates
- 2.2 Duties of Shelter homes.
- 2.3 Duties of medical Facilities
- 2.4 Appointment of protection officers.
- 2.5 Duties and functions of protection officers.
- 2.6 Service providers.
- 2.7 Duties of Government.
- 2.8 Person not helped by above duties.

C) PROCEDURE FOR OBTAINING ORDERS OF RELIEFS.

- 3.1 Application to Magistrate
- 3.2 Service Notice
- 3.3 Counseling
- 3.4 Procedure to be held in camera
- 3.5 Right to reside in a shared household
- 3.6 Protection orders, Residence orders, monetary relief
- 3.7 Custody orders, compensation orders; power to grant interim and ex-parte Orders.

D) THE PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE RULES 2005

UNIT II : CONSTITUTION AND WOMEN'S RIGHT IN INDIA

- 1.1 Rights of women
- 1.2 Empowerment of women
- 1.3 Gender Justice and Its Various Forms
- 1.4 Judicial Interpretation of Rights of women
- 1.5 Women and Reservation policy
- 1.6 Protection Against Sexual Harassment at Work Place

UNIT III : THE PRE-NATAL DIAGNOSTIC TECHNIQUES (REGULATION AND PREVENTION OF MISUSE) ACT, 1994

- 1.1 Regulation of genetic counseling centres, genetic laboratories and genetic clinics
- 1.2 Regulation of pre-natal diagnostic techniques
- 1.3 Central supervisory board
- 1.4 Appropriate authority and advisory committee
- 1.5 Registration of genetic counseling centres, genetic laboratories and genetic clinics
- 1.6 Offences and penalties

UNIT IV : INEFFECTIVENESS OF CONSTITUTIONAL AND OTHER LAWS TO PROTECT WOMEN.

Books recommended:

- 1) Law relating to protection of women from D.V. Dr., Neelam Kant, Sanyukta Singh
- 2) Law relating to protection of women from Dr. Suma Rai.
- 3) Commentary on Protection of woman from Domestic violence Act 2005, N. K. Acharya.

PAPER III LAW RELATING TO FAMILY COURTS IN INDIA

UNIT I THE FAMILY COURTS ACT 1984

- 1.1 History and Background
- 1.2 Need for family courts
- 1.3 Object of the Act
- 1.4 Definitions

UNIT II FAMILY COURTS IN INDIA

- 2.1 Establishment of family courts
- 2.2 Appointment of judges
- 2.3 Association of social welfare, agencies etc.
- 2.4 Counselors ,officers and other employees of family courts

UNIT III PROCEDURE IN FAMILY COURTS

- 3.1 Duty of family court to make efforts for settlement
- 3.2 Procedure generally
- 3.3 Proceeding to be held in camera
- 3.4 Assistance of medical and welfare experts
- 3.5 Right to legal representation
- 3.6 Application of Indian Evidence Act 1872
- 3.7 Judgment, Execution of decree and orders
- 3.8 Miscellaneous
- 3.9 Important Supreme Court case law on matrimonial matters

UNIT IV PROBLEMS

- 4.1 Problems to get divorce
- 4.2 Plight of divorced women
- 4.3 Problems of custody of children
- 4.4 Problems of remarriage of divorced women
- 4.5 Problems of social boycott of divorced women
- 4.6 Problem of maintenance of divorce women

Recommended Books :-

1. Commentary on the Family Courts Act, 1984 ,K. Panduranga Rao's
2. Laws relating to Family Courts Act, 1984 , N.Y. Gupte Advocate

PAPER IV JUVENILE JUSTICE AND CHILD RIGHTS IN INDIA

UNIT I JUVENILE JUSTICE

- 1.1 Reasons of juvenile delinquency
- 1.2 International Instrument
- 1.3 Juvenile Justice Act 1986 – Important Provisions
- 1.4 Juvenile Justice (care and protection of children) Act 2000.
- 1.5 Preamble, scheme of the Act, important provisions of the Act.
- 1.6 Provision under other laws.

UNIT II LAW RELATING TO PROTECTION OF THE CHILDS RIGHTS

- 2.1 International scenario
 - 2.1.1 Declaration of the rights of the child 1959
 - 2.1.2 Convention on the rights of the child 1089
 - 2.1.3 The world summit for children 1990
 - 2.1.4 The world conference on human rights 1993
 - 2.1.5 International labour organization and child
 - 2.1.6 Rights of Child in India
 - 2.1.7 Problems of neglected and destitute children in India
- 2.2 Indian perspective
 - 2.2.1 Constitutional provisions
 - 2.2.2 The commission for protection of child rights Act 2005

UNIT III LEGISLATIVE MEASURES FOR THE PROTECTION OF CHILD

- 3.1 Labour laws
- 3.2 Family Laws
- 3.3 Indian penal code
- 3.4 Right to education
- 3.5 Right to health

UNIT IV PREVENTION OF CHILD ABUSE

- 4.1 Prevention of vagrancy
- 4.2 Prevention of beggary
- 4.3 Child trafficking
- 4.4 Pornography
- 4.5 Prevention of child neglect by rich and poor parents
- 4.6 Problems of children living in one room habitat

Books recommended:

- 1 Child and the law (Indian law Institute New Delhi)
- 2 Treaties on the Juvenile Justice Act , Ved Kumari
- 3 Law relating to women and children , Mamta Rao
- 4 Law relating to Women and children Dr. Anjani Kant
- 5 The Juvenile Justice (Care and Protection of children) Act 2000. K.S. Varma
- 6 Law relating to Women and children Dr. S.C. Tripathi

**DIPLOMA IN
ANTI-
CORRUPTION
LAWS**

A PROPOS THE COURSE

Corruption is a the misuse of public power, office or authority for private benefit-through bribery, extortion, influence peddling, nepotism, fraud, speed money or embezzlement. Corruption has dire global consequences, trapping millions in poverty and misery and breeding social, economic and political unrest. Corruption is both a cause of poverty, and a barrier to overcoming it. It is one of the most serious obstacles to reducing poverty. Corruption undermines democracy and the rule of law. Corruption distorts national and international trade. Corruption jeopardizes sound governance and ethics in the private sector. Corruption threatens domestic and international security and the sustainability of natural resources.

Bharati Vidyapeeth Deemed University New Law College, Pune challenges the inevitability of corruption, and offers hope to its victims, students and masses through education. We firmly believe that with the effective goal oriented and result motivated education there can be a change in the mindsets and perceptions of the masses. The crucial issue of corruption can only be battled through education and not agitation. Educational revolution seems to be the magic potion to curb the tribulations caused by Corruption. Thus, educational intervention and ethical renovation are the pressing catchphrase in this context.

This course aims to raise awareness and endeavor to diminish apathy and tolerance of corruption, and devises and implements practical actions to address it. The duration of the course is one full academic year and anyone who is a graduate is eligible to take admission to this course. The syllabi will be tutored by the expert faculty members, academicians, social activists and eminent lawyers.

Mission

- To effectively educate the young students about the mounting problem of Corruption and the anti-corruption Laws needed to be enforced with integrity & impartiality.
- To strive to accomplish the highest standards in the duties we perform, the services we render & the professionalism we display.

OBJECTIVES

- To maintain the high standards of Integrity through education and not agitation.
- To shape the destiny of the students of law to make them 'Good Lawyers' who are alive to the role that law plays in eradicating the menace of corruption.
- To preserve the sacred values of Responsiveness, accountability and transparency.
- To treat each member of the Public and their complaints with Respect, Courtesy & Compassion.
- To ameliorate and promote the efficiency in administration
- To be assertive and appreciative of different perspectives to meet the specific needs to combat corruption

Stratagem Focus Areas –

- Awareness of Anti-corruption laws
- Attempt to rejoice and spread the culture of transparency & accountability across the global setting by education
- Effective implementation of laws against corrupt officials and individuals
- To raise voice for the protection of the whistleblowers & booking the corrupt elements & thereby preventing heavy loss to the State Exchequer
- Scrutinizing the various anti-corruption laws across the globe with comparative perspective.
- Preventing & Detecting Corruption related crime.

PAPER-I
BASIC FEATURES OF THE CONSTITUTION & JUSTICE DELIVERY SYSTEM

CHAPTER -1

CORRUPTION AND HUMAN RIGHTS

- 1.1 What is Corruption?
- 1.2 The Concept of Human Rights
- 1.3 Provisions in Universal Declaration of Human Rights, 1948
- 1.4 International Covenant on Civil & political Rights, 1966
- 1.5 International covenant on Economic, social & cultural Rights, 1966
- 1.6 Problems of enforcements of human rights and Corruption

CHAPTER-2

MAKING OF THE CONSTITUTION: VALUES

- 2.1 Background of the constitutional provisions
- 2.2 Constitutional Assembly Debates
- 2.3 National Freedom Struggle: Pledges & Promises

CHAPTER-3

PREAMBLE OF THE CONSTITUTION

- 3.1 Secular, Socialist, Democratic Republic
- 3.2 Justice: Social, economic & Political
- 3.3 Equality of Status and of opportunity
- 3.4 The concept of Liberty & Fraternity

CHAPTER-4

FUNDAMENTAL RIGHTS OF THE CONSTITUTION

- 4.1 "Corruption-Free Society" to be a Fundamental Right"?
- 4.2. right to equality
- 4.3 Exploring the possibilities of "Just, Fair & Reasonable"- Article 21
- 4.4 Remedies under Article 32

CHAPTER-5

THE SYSTEM OF PANCHATI RAJ: THE PROBLEMS & PROSPECTS

- 5.1 Experiments of democracy at Grassroots levels.
- 5.2 Implementation of various Schemes & Policies by the authorized local institutions.
- 5.3 Problems of representation of Women in Legislature

CHAPTER-6

JUSTICE DELIVERY SYSTEM

- 6.1 Supreme Court
- 6.2 High Court
- 6.3 Public Interest Litigation: Uses & Misuses

6.4 Corruption in Lower Judiciary

PAPER-2 ANTI-CORRUPTION LAWS IN INDIA

CHAPTER-1

THE PREVENTION OF CORRUPTION ACT, 1988

Salient features of the Act

- 1.1 Preliminary sections
- 1.2 Appointment of Special Judges
- 1.3 Offences & Penalties
- 1.4 Investigation into cases under the Act
- 1.5 Sanction for the Prosecution
- 1.6 Miscellaneous Provisions
- 1.7 The Prevention of Corruption Act, 1988: An evaluation
- 1.8 Machinery for investigation under the Act

CHAPTER-2

THE CENTRAL VIGILANCE COMMISSION ACT, 2003

- 1.1 Preliminary
- 1.2 The Central Vigilance Commission
- 1.3 Functions and powers of the Central Vigilance Commission
- 1.4 Expenses and annual report
- 1.5 Miscellaneous

CHAPTER 3

GENERAL LAWS RELATING TO CORRUPTION

(A) INDIAN PENAL CODE, 1860

- 1.1 Definition of Public Servant
- 1.2 Definition of "Act" "omission".
- 1.3 Common intention and common object
- 1.4 Abatement, criminal conspiracy and attempt
- 1.5 Offences by or relating to public servant

(B) THE CODE OF CRIMINAL PROCEDURE, 1973

- 1.1 Sanction for prosecution of public servants
- 1.2 Provisions relating to arrest
- 1.3 Provisions relating to charge
- 1.4 Provisions relating to summons trials

(C) THE INDIAN EVIDENCE ACT, 1872

- 1.1 Concept of "fact" and "fact in issue".
- 1.2 Relevancy of facts
- 1.3 Oral and documentary evidence
- 1.4 Burden of proof
- 1.5 Examination of witnesses.

CHAPTER-4
OMBUDSMAN & LOKAYUKTAS
4.1 Lokpal Bill
4.2 State Lok-Ayukta

CHAPTER-5

OTHER RELATED ACTS
5.1 The Right to Information Act, 2005
5.1.1 The Comptroller & Auditor General of India

PAPER-3

COMPARATIVE STUDY OF ANTI -CORRUPTION LAWS

CHAPTER I

THE CONCEPT OF OMBUDSMAN IN SCANDINAVIAN COUNTRIES

1.1 Laws in Sweden

1.2 Laws in Denmark

- The 1996 OECD convention
- United Nations Convention Against Corruption (UNCAC)
- Parliamentary Commissioner for Civil and Military Administration in Denmark established in 1955
- The Consumer Ombudsman was established in 1974
- The highest representative of the Danish government in [Greenland](#) is called the Royal Ombudsman since 1979.
- February 2011 the Danish government turned the United Nations request for creating the position of Ombudsman for Children in Denmark

CHAPTER-2

ANTI-CORRUPTION LAWS IN UK

2.1 Developments in the UK for anti corruption Laws:

2.2 English anti- bribery Laws

- Public Bodies Corrupt Practices Act 1889
- Prevention of Corruption Acts, 1916
- Amended by Anti-Terrorism Crime & Security Act 2001
- Reform – Law Commission Report on Bribery 20 November 2008
- Bribery Act 2010

CHAPTER-3

LAWS IN USA

3.1 International Anti-Corruption And Good Governance Act Of 2000

- a) Anti- bribery provision :
- b) Books & Records Provisions:

3.2 Foreign Corrupt Practices Act of 1977 (FCPA)

CHAPTER-4
LAWS IN FRANCE

- 1.1 Reform of the French Criminal Code and French Criminal Procedure Code Stemming from laws, Dated June 30 2000 & November 13, 2007
- 1.2 Protection of the "Whistleblower" article L 1161 of the French Labour Code
- 1.3 Means of investigation reinforced by
 - Extended surveillance, art. 706 81 CPP
 - Infiltration art. 706 81 CPP
 - Interception of correspondence, art. 706 95 CPP

CHAPTER 5
LAWS IN AUSTRALIA

- 5.1 *Criminal Code Act 1995, Public Service Act 1999,*
- 5.2 *Commonwealth Electoral Act 1918,*
- 5.3 *Financial Management and Accountability Act 1997,*
- 5.4 *Freedom of Information Act 1982, Corporations Act 2001,*
- 5.5 *Proceeds of Crime Act 2002 and*
- 5.6 *The Mutual Assistance in Criminal Matters Act 1987*

PAPER-4
JUDICIAL GUIDELINES: LOK-AYUKTAS, LOKPAL (OMBUDSMAN)

CHAPTER -1

OMBUDSMAN: LOKAPAL

- 1.1 The Concept of Ombudsman/Lokpal: Origin & Etymology
- 1.2 Lok-Ayukta
- 1.3 LokAyukta/Lokpal/LokaAyog Acts in Indian States

CHAPTER 2

THE CONCEPT OF BLACK MONEY

- 2.1 What is Black Money?
 - 2.1.1 Phases of the scam
 - First contact
 - Advance fees: the fraud starts
 - A trunk full of black money?
 - Victim goes to see the "money"
 - Washing a small sample of the black "money"
 - Reporting of the crime
 - Terminology used in the scam
- 2.2 Black money of India in Foreign Banks

CHAPTER-3

NOVEL ROLE OF INDIAN JUDICIARY IN COMBATING THE MENACE OF CORRUPTION

- 3.1 Guidelines of Supreme Court
- 3.2 SC Judgement on Public Servant
- 3.3 SC Judgment on Illegitimate trap
- 3.4 Directions of SC in Vineet Narain Case

CHAPTER-4

COURTING CORRUPTION: JUSTICE DELIVERY SYSTEM

- 5.7 System of Appointments at Higher Judiciary
- 5.8 Inaccessibility & Misuse of Power
- 5.9 Problems of delays
- 5.10 Manipulating witnesses, Speeding up judgement, Favourable judgement
- 5.11 Impeachment process
- 5.12 Judicial Accountability & Independence: Need for maintaining a fine balance

Suggested readings

- Veena Kapoor & A.S. Kapoor, '*Constitutional Provisions Exploited For Corruption in India*'
- N. Vittal, '*Corruption in India*'
- K.N. Gupta, '*Corruption in India*', Amol Publications
- C.P. Srivastava, '*Corruption: India's Enemy within*' Mac Millon Publications
- Upendra Thakur, '*Corruption in Ancient India*' Abhinav Publications
- Vinod Pavarala, '*Interpreting Corruption in India*' Sage Publications, New Delhi
- M.R. Reddy, '*Anti-Corruption Laws & Departmental Inquiries*'
- P.V. Ramakrishna, '*Anti-Corruption Laws in India*'
- Shelkaras, '*Offences & Penalties under the Anti-corruption laws*'
- Dr. Harisingh Gaur, '*Indian Penal Code*'
- Ratanlal & Dhirajlal, '*The Code of Criminal Procedure, 1973*'
- Batuklal, '*The Indian Evidence Act*'
- Susan Rose-Ackerman, '*Corruption & Government: Causes, Consequences & Reforms*' Cambridge University Press (June 28, 1999)
- Raymond Fisman and Edward Miguel, '*Economic Gangsters: Corruption, Violence, and the Poverty of Nations*' Princeton University Press; New edition (January 4, 2010)
- Michael Johnston, '*Syndrome of Corruption: Wealth, Power & Democracy*', Cambridge University Press (January 2, 2006)
- Bertram I. Spector, '*Fighting Corruption in Developing Countries: Strategies and Analysis*', Kumarian Press (April 2005)
- Susan Rose-Ackerman, '*International Handbook on the Economics of Corruption (Elgar Original Reference)*', Edward Elgar Publishing (December 26, 2007)
- Robert E. Klitgaard, '*Controlling Corruption*', University of California Press (June 1, 1991)

Diploma in Foreign Investment Laws

Diploma in Foreign Investment Laws

Exordium

Today's global economy demands an understanding of the interrelationship of legal and business systems. The United States continues to be the world's financial and technological center. Therefore, a proper understanding of the unique laws of trading and investing in the United States is essential.

The unique structure of European Union offers yet another fascinating picturesque of the investment laws in European countries. The entry into force of the Lisbon Treaty entails sweeping changes with respect to foreign investment regulation. Most prominently, the Treaty on the functioning of the European Union (TFEU) now contains in its Article 207 an explicit competence on regulation of foreign direct investment as part of the Common Commercial Policy (CCP).

With its new competence the EU will become a new actor in the field of international investment policy and law. Although the Lisbon Treaty solves problems of the past in some policy fields, the new empowerment in the field of international investment law prompts a multitude of questions.

India has long been known for the diversity of its culture, for the inclusiveness of its people and for the convenience of geography. Today, the world's largest democracy has come to the forefront as a global resource for industry in manufacturing and services. Its pool of technical skills, its base of an English-speaking populace with an increasing disposable income and its burgeoning market have all combined to enable India emerge as a viable partner to global industry. Investment opportunities in India are today perhaps at a peak. Supported by natural strengths, India offers investment opportunities in excess of US\$ 850 billion in diverse sectors.

This Course offers a unique blend of foreign investment laws with specific reference to laws prevalent in United States of America, European Union and in India. The syllabi will be tutored by renowned academicians, eminent practicing lawyers, industry professionals and subject experts. The duration prescribed for the course is one academic year.

PAPER-I
FOREIGN DIRECT INVESTMENT AND INTERNATIONAL LAW
ON INVESTMENT

1. Direct Foreign Investment

- 1.1. Concept of FDI
- 1.2. Significance & Nature of FDI
- 1.3. Concept of 'Global Investor'
- 1.4. FDI & its Effect on National Economy Indicators

2. International Investment Law: Understanding Concepts and tracking innovations

- 2.1 Definition of Investor & Investment in International Investment Agreements
- 2.2 Interpretation of the 'Umbrella Clause' in Investment Agreements
- 2.3 International Investment Agreement: A survey of Environmental, Labour and Anti-Corruption Issues
- 2.4 The Interaction between Investment & Service Chapters in selected regional Trade Agreements

3. Foreign Direct Investment & Effects of Globalization

- 3.1 Globalization and FDI
- 3.2 Privatization & FDI
- 3.3 Importance of Geographic factors in FDI

4. ICSID Convention: Changing Landscape

- 4.1 Rules and Regulations
- 4.2 Key Provisions
- 4.3 The role of ICSID Centre in settlement of disputes relating to investments.

PAPER-II
FOREIGN INVESTMENT LAWS IN UNITED STATES OF
AMERICA

1. Foreign Direct Investment in USA

- 1.1 Financial incentives for foreign Business
- 1.2 Risk of FDI in United States
- 1.3 Tax Factors for Foreign Business
- 1.4 Labour Availability and Quality peak in United States

2. American Recovery & Reinvestment Act, 2009

- 2.1 Legislative history
- 2.2 Key provisions of the Act
 - 2.2.1 Tax incentives
 - 2.2.2 Tax incentives for individuals & for Companies
 - 2.2.3 Infrastructure Investment
 - 2.2.3.1 Transportation
 - 2.2.3.2 Water, sewage, environment and public lands
 - 2.2.3.3 Government Buildings and facilities
 - 2.2.3.4 Communication, information & Security technologies
 - 2.2.3.5 Energy Infrastructure

3. Protection of Investors

- 3.1 Federal incentives and programme available to investors
- 3.2 Credits for Foreign Investors
- 3.3 IRS: Tax information for International Businesses

PAPER- III

FOREIGN INVESTMENT LAWS IN EUROPEAN COUNTRIES

1. FDI & Private Sector Development

2. Contribution of Taxation to European

3. Competitiveness, growth & Employment

4. Recent trends

- 4.1 the move from traditional manufacturing to service industries
- 4.2 the mover from predominantly Greenfield & brownfield investment to more existing foreign investors reinvesting profits in CEE
- 4.3 Recent levels of FDI

5. Incentives available in CEE

- 5.1 Czech Republic
- 5.2 Hungary
- 5.3 Poland
- 5.4 Slovakia

6. Europe's current and future investment policy

- 6.1 The Lisbon Treaty and the new EU investment competence 12
- 6.2 The Corporate Investment Agenda 14
- 6.3 European investment policies: 20 years constructing an architecture of protection for TNCs
- 6.4 Pre-Lisbon external investment policy of the EU
- 6.5 Future forms of EU investment competence
- 6.6 The German model BIT as a minimum level of protection

7. Challenges with Current Investments Regime

- 7.1 BITs, FDI and Development
- 7.2 NAFTA's investment chapter and Mexico's economic downturn

- 7.3 How BITs restrict policy space to prevent or alleviate financial crises
- 7.4 Argentina and Bilateral Investment Agreements (BITs) 31
- 7.5 Vattenfall vs Germany: A troubling precedent
- 7.6 Bolivia resisting the global investment agenda
- 7.7 Violations of peoples' rights by European TNCs: the cases in Latin America presented to the Permanent Peoples' Tribunal

PAPER- IV

FOREIGN INVESTMENT LAWS IN INDIA

1. INDIA Calling

- 1.1 Fastest growing free market democracy
- 1.2 Abundant resources
- 1.3 Robust Legal & business Support Systems
- 1.4 Healthy & Vibrant financial sector
- 1.5 Enriched Quality of life
- 1.6 Versatile & Skilled Human Capital

2. INDIA: Land of Opportunities

- 2.1 Knowledge Economy
- 2.2 Services
- 2.3 Manufacturing
- 2.4 Natural Resources
- 2.5 Infrastructure

3. INDIA: Policies & Laws

- 3.1 FDI Policy in India
- 3.2 Sector Caps & Entry Route
- 3.3 Entry Options for Foreign Investors
- 3.4 Industrial Policy
- 3.5 KEY Legislations governing Foreign investment
- 3.6 Important laws governing business

4. INVESTOR'S PROTECTION: Initiatives by SEBI, ICoI

- 4.1 'Investor's Protection': Concept and initiatives
- 4.2 The Investment Commission of India: Composition, Functions & its role
- 4.3 "Investment Protection" Guidelines by SEBI
- 4.4 SEBI's Role
- 4.5 Relevant provisions to protect investors under the Companies Act, 1956

SUGGESTED READINGS

Bibliography

1. *"Foreign investment disputes: cases, materials, and commentary"*, R. Doak Bishop, James Crawford, William Michael Reisman - 2005
2. *"The International Law on Foreign Investment"* M. Sornarajah - 2010
3. *"Attracting foreign investment: new trends, sources and policies"* Sanjaya Lall - 1997
4. *"Foreign direct investment: trends, data availability, concepts"*, ... Neil K. Patterson, International Monetary Fund - 2004
5. *"Foreign direct investment"*, Dale R. Weigel, Neil F. Gregory, Dileep M. Wagle - 1997
6. 1 . *A Century of Foreign Investment in the Third World*
Michael J. Twomey - 2002
7. 2. *Foreign Direct Investment in Emerging Economies: Corporate*
Lou Anne Barclay - 2002
9. 3. [The role of foreign direct investment in East Asian economic](#), [Takatoshi Itō](#), [Anne O. Krueger](#) - 2000
10. 4 . *New horizons for foreign direct investment - Page 16* Organisation for Economic Co-operation and Development, Global Forum on International Investment - 2002

Bibliography:

1. *"Foreign direct investment"*, Kenneth Froot - 1993 - 297
2. *"US national security and foreign direct investment"*, Edward Montgomery Graham, David Matthew Marchick - 2006
3. *"Foreign direct investment in the United States"* ,Edward Montgomery Graham, Paul R. Krugman - 1995
4. **Foreign Direct Investment (FDI) - Necessary Considerations of tarns national company**, Nicolas Breitfeld - 2010

Bibliography:

1. *A Century of Foreign Investment in the Third World* Michael J. Twomey – 2002
2. *“Foreign direct investment and the regional economy”*, Jonathan Jones, Colin Wren – 2006
3. *The Impact of foreign direct investment on the United Kingdom*, Max David Steuer, Great Britain. Dept. of Trade and Industry
4. *Foreign direct investment: six country case studies*, Yingqi Wei, V. N. Balasubramanyam - 2004

Bibliography:

1. *“Foreign direct investment: six country case studies”*, - Yingqi Wei, V. N. Balasubramanyam – 2004
2. *Guide On Foreign Collaboration”* , Rajiv Jains, India Investment Publication, 2007.
3. *FDI in retail Sector In India*, Arpita Mukharji, Nitisha Patel, Academic Foundation, ISBN No. 7188-0-6.

Diploma in Corporate Law

DIPLOMA IN CORPORATE LAW

PAPER I BUSINESS & COMMERCIAL LAWS

Chapter 1: Law of Contract

- 1.1 Introduction to the Law of Contract
- 1.2 Basic Concepts under the Indian Contract Act, 1872
- 1.3 Offers / Proposals and Acceptances
- 1.4 Offers and Invitation to receive Offers
- 1.5 Validity of offers and Acceptances
- 1.6 Consideration – Essentials and Validity
- 1.7 Contracts – Legal Enforceability
- 1.8 Special Contracts
- 1.9 Importance of contracts in corporate environment

Chapter 2: Law relating to the Sale of Goods

- 1.1 Introduction
- 1.2 SALE –Application of the Law of Contracts
- 1.3 Basic Concepts under the Sale of Goods Act, 1930
- 1.4 Essential ingredients of Sale Transition
- 1.5 Guarantee v/s Conditions and Warranties
- 1.6 Rights and Liabilities of parties under a contract of sale
- 1.7 Sale transactions in business activates

Chapter 3: Law relating to Negotiable Instruments

- 1.1 Negotiable Instruments – Recent Trends
- 1.2 Basic Concepts under the Negotiable Instruments Act, 1881
- 1.3 Negotiable Instruments – Types, Characteristics, Validity
- 1.4 Endorsing of Negotiable Instruments – Merits and Demerits
- 1.5 Dishonor of Negotiable Instruments – Legal Aspects
- 1.6 Negotiable Instruments and modern business

Chapter 4: Law relating to Partnership

- 1.1 Partnership-Legal Overview
- 1.2 Basic concepts under the Partnership Act, 1932
- 1.3 Existence of Partnership-Whether a contract
- 1.4 Registration of Partnership-Whether Mandatory
- 1.5 Essential elements of Partnership
- 1.6 Rights and Liabilities of Partners
- 1.7 Dissolution-Types and Procedures

Chapter5: Consumer Protection Law

- 1.1 Law relating to consumer Protection in India
- 1.2 Concept of Consumer – Requirements

- 1.3 Globalization and Consumer Disputes
- 1.4 Consumer Protection and Restriction of Monopoly Law in India
- 1.5 Monopolies and Restrictive Trade Practices – Competition Law
- 1.6 Consumer Disputes Redressal System in India

Selected Bibliography:

1. BARE ACTS
 - a. INDIAN CONTRACT ACT
 - b. NEGOTIABLE INSTRUMENTS ACT
 - c. INFORMATION TECHNOLOGY ACT
 - d. COMPETITION ACT
 - e. CONSUMER PROTECTION ACT
 - f. TRADE MARKS ACT
 - g. COPYRIGHTS ACT
 - h. PATENTS ACT
 - i. COMPANIES ACT
 - j. SALE OF GOODS ACT
 - k. INDIAN PARTNERSHIP ACT
2. COMPUTER CONTRACTS By Mr.S.V.Joga Rao
3. COMPANY LAW AND PRACTICE By Majumdar and Kapoor.

PAPER II CORPORATE ACCOUNTING, CORPORATE TAXATION & FEMA 1999

Objective:

To have Good working knowledge & better understanding of corporate Accounting & its relevance with special adherence to specific terminologies used in corporate Finance. To understand Tax provisions specially in direct taxation & basic introduction to Indirect Taxation. Due to sharp increase in International business, now days it is a need of an hour to have understanding of the important provisions of FEMA.

A) Corporate Accounting

- i. Basic introduction to Accounting, Accounting concepts, accounting standards.
- ii. Trial Balance & Balance sheet
- iii. Share capital-Types, Issue & Forfeiture of shares
- iv. Schedule VI under companies Act & the Books of Accounts to be maintained
- v. Auditor, Directors Report & Company Balance Sheet
- vi. Concept of Funds flow, Cash Flow, Some ratios (No numericals on this topic)

B) Corporate Taxation

- i. Introduction to Taxation – Direct Tax & Indirect tax
- ii. Constitutional validity
- iii. Head of Income - Introduction
- iv. Income from Business
- v. Corporate Taxation – Various deductions, MAT, Returns, TDS & Appeals
- vi. Introduction to Tax Management

C) FEMA 1999

- i. Introduction to FERA 1973 & FEMA 1999
- ii. Definitions under FEMA
- iii. Current Account Transactions & Capital Account Transactions
- iv. FDI i.e. Foreign Direct Investments
- v. Overseas Investments
- vi. Borrowings & Lending
- vii. Offences & Appeals

Selected Readings

1. Corporate Accounts – R. L. Gupta & M. Radhaswamy
2. Income Tax – Manoharan
3. Income Tax – Ahuja & Gupta
4. FEMA 1999: Handbook by Khilnani

Useful websites:

www.rbi.org
www.incometaxindia.gov
www.dipp.nic.in

PAPER III COMPANY LAW AND PRACTICE

1. Company
Meaning – Characteristics – Incorporation – Types of Companies – Different forms of organization and its distinction
2. Documents forming constitution of the Company
Memorandum & Articles of Association – Alteration thereof – Doctrines Indoor Management, Ultra Vies, Constructive Notice – Lifting of Corporate Veil
3. Share Capital
Public Issue and Private Placement of Share Capital – Types of Share Capital - Shares in Physical and demat mode – Issue of Share Certificates / Duplicate /Renewed Splitting – Calls and Forfeiture – Share Warrants – Transfer and Transmission of Shares.
SEBI Guidelines on IPO, Issue of Bonus Shares, Issue of Rights Shares
4. Membership
Induction of Member – Cessation of Member – Expulsion of Member – Membership Rights – Variation of Membership Rights.
5. Directors & Secretary
Number of Directors – Number of Directorships – Appointment – Removal – Vacation-Term of Appointment – Types of Directors – Remuneration-Qualifications and Disqualifications- Rights, Duties and Responsibilities
6. Accounts and Audit
Books of Accounts – Accounts of Holding & Subsidiary Companies – Preparation and Finalization of Accounts – Directors' Report – Auditors' Report.
7. Meetings
General Meeting –Types Notice-Proxy –poll-Quorum – periodicity –Ordinary & Special Business – ordinary & Special Resolutions – Board Meetings.
8. Statutory Registers
Registers of Members – Share Transfers – Directors – Directors' Shareholdings – Charges – Contracts ect.
9. Secured & Unsecured Loans
Creation / Modification /Satisfaction of Charges – Fixed and Floating Charge – Crystallization of Floating Charge
Public Deposits – Acceptance of Deposits Rules
Inter – Corporate Loans & Investments, Guarantees, Securities

10. Dividend
Interim & Final Dividend – Recommendation & Declaration of Dividend – Unpaid & Unclaimed Dividend – Investor Education & Protection Fund
11. Sole Selling Agents
Appointment – Removal – Right to claim compensation
12. Majority powers / Minority Rights – Oppression & Mismanagement
13. Amalgamation and Mergers
14. Winding Up
Members' Creditors' Voluntary Winding up – Winding up by Court Order

PAPER IV PRACTICAL TRAINING

- 1.1 DRAFTING OF COMMERCIAL CONTRACTS
- 1.2 DIGITAL SIGNATURES AND PROCEDURES
- 1.3 FILLING OF E-FORMS UNDER THE COMPANIES ACT,
1956
- 1.4 FILLING OF FORMS UNDER FEMA

Diploma in Cyber Law

DIPLOMA COURSE IN CYBER LAW

PAPER I : INTRODUCTION TO CYBERSPACE AND LAW

UNIT I : UNDERSTANDING THE TECHNOLOGY OF INTERNET

The Law of Internet

Understanding Cyber Space

UNIT II : INTRODUCTION TO CYBER LAW

Nature, Scope and Definition of Law

Scope of Cyber Law

Introduction to Indian cyber Law

UNIT III : INTERNATIONAL JURISDICTION IN CYBERSPACE

Definition Of Jurisdiction In Cyberspace

The Emerging Jurisprudence of Cyber Space

Model For Jurisdictional Analysis

1. Jurisdiction To Prescribe

2. Jurisdiction To Adjudicate

3. Jurisdiction To Enforce

Personal Jurisdiction In Cyberspace

Issues Of Geography And Sovereignty

The Role Of Private Regulatory Entities In Cyberspace

Freedom Of Speech In Cyberspace

UNIT IV : JUDICIAL ANALYSIS OF CYBER-JURISDICTION

Cases Finding No Jurisdiction

Cases Finding Jurisdiction

PAPER II: CYBERCRIMES AND INDIAN PERSPECTIVE

UNIT I: UNDERSTANDING OF CYBER CRIME

Define Crime
Genesis Of Cyber Crime
Reasons For Cyber Crime
Cyber Criminals
Mode And Manner Of Committing Cyber Crime
Classification Of Cyber Crimes

UNIT II : AN INTERNATIONAL PERSPECTIVE ON FIGHTING CYBER CRIME

The Origins of Computer Crime And Legislation:1960's--1970's
The Main Waves Of International Legislation: 1970's-1990's
The Council Of Europe's Convention On Cyber Crime
The United Nations Asia And Far East Institute For The Prevention Of Crime And The Treatment Of Offenders (UNAFEI)

UNIT III: INFORMATION TECHNOLOGY ACT 2000,AN OVERVIEW

History Of The Act
Information Technology Act 2000
The Objects Of The Information Technology Act 2000
Some Important Definitions Under Information Technology Act 2000
Regulation Of Certifying Authorities
The Cyber Regulations Appellate Tribunal
Cyber Crime And Offences

UNIT IV : INVESTIGATIONS IN CYBER CRIME

Confiscation And Seizure

PAPER III : CYBER LAW: ISSUES AND RELATED LEGISLATIONS

UNIT I: INTELLECTUAL PROPERTY ISSUES AND CYBERSPACE:

Patent Law

Trade Mark

Copyrights

Computer Software, Copyrights And Copy left

Databases

Domain Names

Law Relating To Semi-Conductor, Layouts and Designs

UNIT II: INDIAN LAWS AND CYBERSPACE

Information Technology Act and Civil Procedure Code

Information Technology Act and Criminal Procedure Code

Relevant Provisions of Bankers Books Evidence Act 1891

Relevant Provisions of Indian Evidence Act 1872

Relevant Provisions of Indian Penal Code

Relevant Provisions of Negotiable Instruments Act 1881

Relevant Provisions of Right To Information Act 2005

UNIT III : ISSUES OF E-GOVERNANCE

Free Speech

Defamation

Issue Of Censorship

Privacy

UNIT IV: LEGAL ISSUES IN CYBER CONTRACTS

E-Contract And I.T.Act 2000

Types Of E-Contract

Drafting E-Contract

PAPER IV : E-COMMERCE AND TAXATION

UNIT I : BACKGROUND TO INTERNET COMMERCE

The Benefits Of Ecommerce
Modes Of E-Commerce
E-Commerce Transactions
Indian Legal Position On E-Commerce
I.T. Act 2000
Indian Evidence Act

UNIT II : UNCITRAL MODEL LAW AND E-COMMERCE

E-Commerce Legislation : Recent European Community
Development
E-Commerce And The European Consumer
UNCITRAL MODEL LAW 1998 and E- Commerce
Uniform Electronic Transaction Act 1999

UNIT III : E-COMMERCE AND TAXATION

Overview To E-Commerce Taxation
Tax Structure-Basic
Problems In Taxing E-Commerce
Tax Ramifications
Challenges to International Tax
Uniform Tax Rules
Tax evasion and The Internet

UNIT IV: UNDERSTANDING ONLINE CREDIT CARD PAYMENTS

Introduction
Credit And Debit Card Payment
Electronic Cash
Digital Signature
Security Issue In E Commerce

Books Recommended :

- 1) Nandan Kamath, Law relating to Computer Internet and E-Commerce
- 2) Rodney D Ryder, Gurde to Cyber Laws.
- 3) S. Joga Rao, Computer Contracter and Information Technology Laws

Diploma in Human Rights

DIPLOMA IN HUMAN RIGHTS (DHR)

Duration: The duration of the course will be one academic year.

Medium of course : The medium of the course shall be only in English..

Eligibility : The candidate must be a graduate of any Faculty either of this University or of any other University whose degree is recognized, or equivalent to the corresponding degree of this University.

Standard and Grades of passing:

A candidate who secures a minimum 40% marks in each paper, and an aggregate of 50% on the whole shall be declared to have passed the examination in the second class.

A candidate who secures a minimum 40% marks in each paper, and an aggregate of 60% on the whole shall be declared to have passed the examination in the First Class.

In addition to paragraphs above, if a candidate secures 75% marks and above marks in any subject will be declared to have obtained distinction in the said subject.

Course structure : The diploma examination shall comprise of four papers of 100 marks each.

PAPER I: HISTORICAL BACKGROUND AND FOUNDATION OF HUMAN RIGHTS.

1. Meaning , Sources and Nature of the Concept of Human Rights :
2. Traditional & Modern theories of Human Rights
3. Historical Background of Global Documents on Human Rights:
4. Human Rights Ideas and Traditions in Religious and Cultural Context -Hindu, Arabic & Islamic, Chinese, Japanese, Christian and Jewish Traditions and Ideas.
5. Historical Background of Regional Documents on Human Rights- European, American, African, Arab and Asian Perspectives of Human Rights.
6. National Freedom Struggle and Development of Bill of Rights Movements France, America, Ireland, Canada and U. K.
7. Denigrating Factors & Limitations of Human Rights Norms .
8. Different levels of violations of Human Rights in Modern World
9. Human Rights Development in Pre- Independence India.
10. Impact of Human Rights on Drafting of Indian Constitution
11. Incorporation of Human Rights Norm in Indian Legislations and Policy in Selected field.
12. Indian Human Rights (Protection) Act 1993.
13. Judicial Policy & Techniques of Implementation and Enforcement of International Human Rights Norms .

SELECTED READINGS.

1. Yash Ghai - The Asian Perspectives on Human Rights (1992).
2. Theodor Meron (ed) - Human Rights in International Law (1985).
3. B. Shiva Rao - Framing the Indian Constitution (Text Volume).
4. Bajwa - Human Rights in India : Implementation and Violation.

PAPER - II :PROTECTION OF CIVIL AND POLITICAL RIGHTS.

1. Historical Background of International Covenants on Civil and Political Rights.
2. Right to Equality and Prevention of Discrimination.
3. Right to Life.
4. Rights to Liberty and Security of the Persons.
3. Protection from Torture or Cruel, Inhuman or Degrading Treatment or punishment :
6. Protection from Servitude and Forced Labour.
7. Rights of Accused Person.
8. Freedom of Movement.
9. Protection of Privacy.
10. Freedom of Thought, Conscience and Religion.
11. Freedom of Opinion and Expression and of Seeking, Receiving and Imparting Information.
12. Right to Marry, Equality of Spouses and Protection of the Family.
13. Protection from Imprisonment for Inability to fulfill a Contractual Obligation.
14. Protection of Rights to Property.
15. Right to Effective Judicial Remedies.

SELECTED READINGS.

1. Sohn. and Burgenthal, (ed) - International Protection of Human Rights : Basic Documents
2. Lillich and Numan (eds) International Human Rights : Problems of Law and Policy (Boston,).
3. Carey, J. - UN Protection of Civil and Political Rights (New York, 1970).
4. B.G. Ramchandran (ed) - The Right to Life in International Law (1985).
5. Vasak, K. (ed) - The International Dimensions of Human Rights (UNESCO, 1979).

PAPER - III - PROTECTION OF ECONOMIC , SOCIAL AND CULTURAL RIGHTS.

1. Historical Background of International Covenant on Social , Economic and Cultural Right.
2. Right to Work and Favourable Conditions of Work.
3. Right to Health and Adequate Standard of Living.
4. Right to Education and Training.
5. Right to Social Security Assistance and Social Welfare.
6. Right to Strike and Form Trade Unions.
7. Right to Development.
8. Right of Indigenous Population.
9. Protection of Women and Children.
10. Right to a Safe and Decent Environment.
11. Right to Peace, Security and Disarmament.
12. Right to Benefit from the Common Heritage of Mankind.
13. Right to Participate in Election, Government and Public Life.
14. Rights of Consumer.
15. Right to Self - Determination.
16. Right of People to use Natural Wealth and Resources.
17. Right of Ethnic, Religious or Linguistic Minorities with Regard to Culture, Religion or Language.

SUGGESTED READINGS :

1. Paul Seighart - International Law of Human Rights.
2. Rebecca J. Cook (ed) - Human Rights of Women : National and International Perspectives (1994 Pennsylvawa).
3. Agora - "What Obligations does our Generation owe to the Next? An approach to Global Environmental Responsibility" American Journal of International Law (1990).

PAPER - IV - PROTECTION SYSTEM AND IMPLEMENTATION OF HUMAN RIGHTS STANDARDS.

1. Domestic Application and Enforcement of Human Rights Norms :
2. Human Rights Protection System of the United Nations (Under Covenants of Political and Civil Rights) :
3. European System of Protection of Human Rights.
4. American System of Protection of Human Rights.
4. African System of Protection of Human Rights - African Commission on Human and People Rights.
6. UNESCO & ILO and Human Rights.
7. Role of Non- Governmental Organizations in Promotion and Protection of Human Rights.
8. Australian Commission on Human Rights and Equal Opportunity :
9. National Commission on Human Rights in India :
10. Canadian Human Rights Commission.
11. Some Problems in the Implementation of Human Rights Norms :

SELECTED READINGS

1. Ganji - International Protection of Human Rights (1962)
2. Schreiber, A. - The Inter - American Commission on Human Rights.
3. Jacobs - The European Convention on Human Rights.
4. Burgenthal, Norries & Shelden - Protecting Human Rights in the America - Selected Problems (1986).
5. Vasak and Vasak - International Law of Human Rights (Vol . I & II).

Diploma in Intellectual Property Law

Diploma in Intellectual Property Law (DIPL) (2015 Course)

Objective of course:

Making students aware of the relevance and impact of Intellectual Property laws on their academic and professional lives.

Paper I: Intellectual Property – Evolution, Concept & Kind.

Unit I: Concept of Intellectual Property Law

- Concept of Intellectual Property.
- Significance of Intellectual Property in commercial world.
- Classification of Intellectual Property Law.
- Basic understanding of Industrial Property
- Basic Understanding of Copyright
- Need for harmonisation of Intellectual Property.

Unit II: Harmonisation of Intellectual Property Laws by International Agencies.

- United Nations by TRIPS
- WTO
- EEC
- WIPO

Unit III: International Instrument relating Industrial Property.

- Patent and Industrial Instruments
 - Paris Convention
 - Patent Co-operation Treaty
 - TRIPS and patent Law
 - Locarno Agreement

- Budapest treaty.
- UPOV
- Trademark and International Conventions
 - Madrid Protocol
 - [Trademark Law Treaty](#)
 - Provisions relating to TRIPS

Unit IV: Copyright Law and International Convention

- Berne Convention
- UCC
- Relevant provisions from WIPO relating copyright
- Relevant provisions from TRIPS relating copyright

Recommended Books

- ❖ Dr. G. B Reddy- Intellectual Property Rights and the Law
- ❖ Dr. P. Narayanan – Intellectual Property Law
- ❖ Dr. S. R Myneni – Law of Intellectual Property
- ❖ Oxford – Intellectual Property Rights, Development and catch up An International Comparative Study.

Paper II: Law relating to Protection and recognition of patent

Unit I: Features of Patent

- Concept of Patent.
- History of Patent in India.
- Essential features to acquire patent.
- Specifications.
- Non patentable inventions.
- Patent in addition.

Unit II: Registration of Patent and its provisions for transfer of Patent.

- Types of Patent.
- Procedure for application.
- Pre grant and post grant opposition of patents.
- Effects of registration of Patents.
- Rights and obligations of patentee.
- Mode of assignment and its effects.
- Licensing of patents
- Concept of compulsory licensing, and circumstances when it can be issued.
- Revocation of patents.
- Government use of patents
- Landmark cases

Unit III: Infringement of Patents and its remedies.

- Concept of infringement
- Remedies available in cases of infringer.
- Defences available in case of infringement of patents.

- Controller of Patents and his powers.
- IPAB

Unit IV : Patents Act and living organisms

- Concept of Biotechnology
 - Diamond v. Chakrabarty
 - **Dimminaco AG v. Controller of Patents and Designs**
 - Dolly Case.
- Status of biotechnology patent in India.
- Ever greening of patents.
- 2005 Amendment to patent law of India and its impact on pharmaceutical industry.
- Bio diversity
- Plants Variety & Farmer's Right Act.

Unit V : International Instruments and International patent filing

- Budapest Treaty
- Madrid protocol
- Hague Agreement
- PCT
- Paris Convention
- TRIPS
- US Patent System (USPTO)
- European Patent System (EPO)

Recommended Books

- ❖ N.R. Subbarama - Patent Law Practise and Procedure
- ❖ Dr. P. Narayanan – Patent Law
- ❖ Shail Jain R.K Jain – Patents Procedure and Practise

Paper III: Law of Copyright and Geographical indications

Unit I: Subject matter of Copyright

- Meaning and nature of Copyright.
- History of Copyright
- Work in which Copyright Subsists.
- Economic and moral rights.
- Term of Copyright.

Unit II: Licensing and Assignment of Copyrights

- Author and Owner of Copyright.
- Licensing of Copyrights
- Modes of Assignment of Copyright
- Copyright Societies
- Copyright Board

Unit III: Infringement and Remedies

- Concept of Infringement
- Remedies available in cases of Infringement
- Concept of Fair deal.

Unit IV: Performers rights and recent trends in Copyright Law

- Performer rights
- Amendment in Copyright Law in respect of performers rights
- Broadcasting rights
- Landmark judgements
- Internet and Copyright.

Unit V: Geographical Indications

- Concept of Geographical Indications.

- Preference and Indicators and Schedule
- Registration and restoration.
- Offences and Punishments

- **Recommended Books**

- ❖ Iyengars – Commentary on The Copyright Act.
- ❖ N.S Gopal Krishnan & T.G Agitha – Principles of Intellectual Property

Paper IV: Trademarks and Industrial Designs.

Unit I: Concept and Nature of Trademark.

- Meaning of Trademark.
- Utility and significance of Trademark.
- Features of good trademark.
- Service marks
- Associate marks and collective marks.

Unit II Registration, its effects and assignment of Trademark.

- Procedure for registration
- Grounds of refusal of trademark
- Assignment and Licensing of Trademark.
- Doctrine of honest and concurrent users.

Unit III. Infringement of Trademark

- Infringement of trademark.
- Remedies for infringement.
- Passing off

Unit IV; Concept of Designs, its registration piracy

- Meaning of designs.
- Designs as Industrial property.
- Designs Act 2000 and its salient features
- Procedure for registration.
- Piracy of registered designs
- Offences and penalties.

Books Recommended

- ❖ Dr. P Narayanan – Trademark and Passing off
- ❖ Dr. B. L Wadera – Law relating to Intellectual Property
- ❖ Manish Arora – Guide to Trademark Law.
- ❖ -Rama Sharma – Commentary on Intellectual Property Law

Diploma in Labour Laws and Labour Welfare

Diploma in Labour Laws and Labour Welfare (2015 Course)

Duration: The duration of the course will be one academic year.

Medium of course : The medium of the course shall be only in English..

Eligibility : The candidate must be a graduate of any Faculty either of this University or of any other University whose degree is recognized, or equivalent to the corresponding degree of this University.

Standard and Grades of passing:

A candidate who secures a minimum 40% marks in each paper, and an aggregate of 50% on the whole shall be declared to have passed the examination in the second class.

A candidate who secures a minimum 40% marks in each paper, and an aggregate of 60% on the whole shall be declared to have passed the examination in the First Class.

In addition to paragraphs above, if a candidate secures 75% marks and above marks in any subject will be declared to have obtained distinction in the said subject.

Course structure : The diploma examination shall comprise of four papers of 100 marks each.

Paper I - Law Relating to Industrial Relations and Adjudication

1. Industrial Disputes Act, 1947:

- i. Definition, Authorities for the settlement of disputes, methods of settlement, collective bargaining, conciliation, arbitration and adjudication.
- ii. Scope of Industry, Workmen, Employers, Industrial Disputes, Authorities under the Industrial Dispute Act, 1947; Procedure, Power and Duties of Authorities, Reference of Disputes to Boards, Courts or Tribunals.
- iii. Strike, Lock Out, Lay Off, Retrenchment and Closure Unfair Labour Practices, Penalties, Offences by Companies etc.

2. The Trade Union Act. 1926:

- i. Collective Bargaining- Concept and Process, Legal control, Factor affecting collective bargaining, Merit and Demerit of collective bargaining
- ii. History and Development of Trade Union Movement with reference to India, Registration of Trade Union, Rights and Liabilities of Registered Trade Union, Penalties and procedure

3. Bombay Industrial Relations Act, 1946:

- i. Authorities under
- ii. Registration of unions, procedure for registration, cancellation of registration
- iii. Powers and duties of Labour officers

- iv. Penalties and procedure

4. Industrial Employment (Standing Order) Act, 1946:

- i. Definition, Historical Background, application of the Act
- ii. Submission of drafts standing orders, conditions for standing orders, certification of standing order, Posting, Duration and modification of standing orders
- iii. Payment of subsistence allowance
- iv. Powers of Certifying officers and appellate authority
- v. Penalties and procedure

5. Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practice Act, 1971:

- i. Authorities under Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practice Act, powers and duties
- ii. Unfair Labour Practices
- iii Penalties and Procedure

Paper II - Social Security Legislation:

Conceptual frame work of Social Security, Evolution and concept of Social Security system in India

1. Employee's Compensation Act, 2010:

- i. Definitions, Aims & Object, Liability of Employer, Notional Extension & Defenses, Determination of Amount of Compensation, Compensation when due- Penalty for default, Contracting Out ,
- ii. Commissioner for Employees' Compensation- his duties, powers and procedure

2. Employee's Provident Fund Act, 1952:

- i. Definition, Object and scope of the Act
- ii. Employee's Provident Fund Scheme
- iii. Penalties, Offences by Companies
- iv. Enhanced punishment in certain cases after previous conviction

3. Employee's State Insurance Act 1948:

- i. Authorities under the Act –their powers and function. Employees State Insurance Fund-Contributions to the fund by the Employer and Employees, Grant by Central and State Government.
- ii. Purposes for which the fund may be expended.
- iii. Benefits available, conditions under which available, persons entitled.
- iv. Corporation's right to recover damages or other amounts from employer, or to be indemnified in certain cases.
- v. Adjudication of disputes and claims

4. The Maternity Benefit Act, 1961:

i. Applicability, Nature of benefits and privileges available under the Act

i. Procedure for claiming payment

ii. Inspectors – their powers and functions.

iii. Penalties.

5. Bombay Labour Welfare Fund Act, 1953:

i. Salient features of Bombay Labour Welfare Fund Act, 1953.

ii. Payment of contribution to the fund

iii. Unpaid accumulation

iv. Powers of State Government under the Act

6. The Payment of Gratuity Act 1972:

i. Definition, Scope and application of the Act

ii. Controlling authority

iii. Inspector, powers of Inspector

iv. Penalties, Exemption of employer from liability in certain cases

Paper III - Law of Wages and Principles of Wage Fixation

1. The Minimum Wages Act, 1948:

- i. Theories and Concept of Wages , Aims & Objects of Act, Definition, Fixation & Revision of rates of Wages, Working Hours and Determination of Wages and Claim etc.
- ii. Authority appointment & Powers of the Authority.
- iii. Offences and penalties and Exemptions
- iv. Concepts of Dearness Allowance and Principles for determination of Dearness allowances

2. The Payment of Wages Act, 1936:

- i. Responsibility for payment of wages.
- ii. Authorised deductions of wages and delay in payment.
- iii. Obligations of employer and employee
- iv. Offences, their trial procedure and penalties.
- v. Enforcement machinery under the Act- their powers and functions.

3. The Payment of Bonus Act, 1965:

- i. Concept of Profit Sharing- Desirability.
- ii. Difficulties in Implementation.
- iii. Concept of Bonus.
- iv. Interpretation by Indian Courts and Tribunals.
- v. Basis for the calculation of Bonus under the Payment of Bonus Act, 1965.
- vi. Eligibility for Bonus, minimum and maximum bonus.
- vii. Set on and Set off of allocable.

4. The Equal Remuneration Act, 1976:

- i. Payment of Remuneration at equal rates to Men and Women workers and other matters.
- ii. Duties of the employer
- iii. Penalties

Paper IV - Legislation affecting conditions of work

1. The Factories Act, 1948:

- i. Definition of factory, Manufacturing process, Worker, Occupies,
- ii. Health, welfare and safety provisions under the Act
- iii. Employer's liability- liability for hazardous and inherently dangerous industries,

2. The Plantation Labour Act, 1951:

- i. Registration of Plantation
- ii. Inspecting staff- Powers and liability
- iii. Hours and Limitation of employment, leave with wages, accidents
- iv. Penalties and Procedure

3. The Dock Workers (Regulation of Employment) Act, 1948:

- i. Establishment and constitution of first advisory committee and Dock labour Board- their function
- ii. Dock Worker Scheme
- iii. Powers of Inspector under the Act

4. The Mines Act, 1952:

- i. Inspector and Certifying Surgeons, Committee - Powers and Function
- ii. Mining operations and Management of Mines
- iii. Hours and limitation of employment, leave with wages
- iv. Penalties and procedure

5. Mines and Minerals (Regulations and Development) Act, 1957:

- i. Procedure for obtaining prospective licenses and mining leases in respect of land

- ii. Restriction on the grant of prospective licenses

6. The Bombay Shop and Establishment Act, 1948:

- i. Definition of commercial establishment shop
- ii. Registration of establishment, working hours of shops.
Restaurant, theatres
- iii. Employment of women and children, health and safety, obligation of employer's

7. Contract Labour (Regulation and abolition) Act, 1970:

- i. Central and state advisory board, power to constitute committee
- ii Registration of establishments employing contract Labour, Licensing of contractors
- iii Welfare and health of contract Labour
- iv Penalties and procedure

8. Child Labour (Prohibition and Regulation) Act, 1986:

- i. Object and scope of the Act, Prohibition of employment of children in certain occupation and processes
- ii Regulation of condition of work of children
- iii Penalties

9. The Motor Transport Worker's Act, 1988:

Books Recommended:

1. Dr. V. G. Goswami, Labour & Industrial Laws
2. S. N. Misra, Labour and Industrial Laws
3. S. P. Jain, Industrial and Labour Laws
4. Avtar Singh & Harpreet Kaur, Introduction to Labour and Industrial Laws
5. P. L. Malik, Handbook of Industrial and Labour Law
6. S. R. Myneni, Labour Laws
7. S. R. Samant, Employer's guide to LAbour Laws

8. Taxman's Labour Laws
9. Adv. S. R. Bhosale, Law of Industrial Disputes
10. R. C. Saxena, Labour Problems and social Welfare(1974)
11. S. C. Srivastava, Social Security and Labour Laws (1985)
12. K. M. Pillai, Labour and Industrial Laws

Diploma in Taxation Law

DIPLOMA IN TAXATION LAW (2017 Course)

Aim and Objective:

This programme is aimed at individuals who wish to extend their professional expertise and combine it with a broad based understanding of the taxation structure. The programme enables a candidate to start income tax & sale tax consultancies.

PAPER I : INCOME TAX ACT, 1961

Unit 1: Definition (Sec.2) (20 hrs.)

Assessee, Assessment year, Previous year, Income, Person, Capital Assets, Agricultural Income, Capital and Revenue Receipts & Expenditure.

Unit 2: Scope of Total Income & Residential Status of different Assesseees (30 hrs.)

Unit 3: Computation of taxable Income under different heads of income (30 hrs.)

- a. Salaries
- b. Income from House Property
- c. Profit and gain from business or profession
- d. Capital gains
- e. Income from other sources

Unit 4: Assessment of individual (20 hrs.)

Unit 5: Income of other persons included in Assessee's total Income (20 hrs.)

Unit 6: Income Exempted from Tax. (20 hrs.)

Unit 7: Deductions from gross total Income (20 hrs.)

Unit 8: Set off and carry forward of losses (20 hrs.)

Unit 9: Income Tax Authorities (20 hrs.)

Unit 10: Deduction and collection of Tax at Source. (20 hrs.)

Unit 11: Refunds, appeals and Revision (20 hrs.)

Unit 12: Penalties and Prosecutions (20 hrs.)

Books Recommended:

1. Taxman's Direct Taxes, Law & Practice by Dr. Vinodighania
2. Bharat's Direct Taxes Law and Practice by Dr. Girish Aahuja and Dr. Ravi Gupta
3. Direct Tax Laws & by Manoharan T.N.

PAPER II: CENTRAL GOODS AND SERVICE TAX LAW

Unit 1: Constitutional aspects (15 hrs.)

Unit 2: Levy and collection of CGST– Application of CGST law; Concept of supply including composite and mixed supplies, inter-State supply, intra-State supply, supplies in territorial waters; Charge of tax; Exemption from tax; Composition levy. (15 hrs.)

Unit 3: Place of supply (15 hrs.)

Unit 4: Time and Value of supply (15 hrs.)

Unit 5: Input tax credit (15 hrs.)

Unit 6: Computation of GST liability (15 hrs.)

Unit 7: Procedures under GST – All procedures including registration, tax invoice, credit and debit notes, electronic way bill, accounts and records, returns, payment of tax including reverse charge, refund, job work. (15 hrs.)

Unit 8: Provisions relating to electronic commerce (15 hrs.)

Unit 9: Liability to pay in certain cases (15 hrs.)

Unit 10: Administration of GST; Assessment and Audit (15 hrs.)

Unit 11: Inspection, Search, Seizure and Arrest (15 hrs.)

Unit 12: Demand and Recovery (15 hrs.)

Unit 13: Offences and Penalties (15 hrs.)

Unit 14: Advance Ruling (15 hrs.)

Unit 15: Appeals and Revision (15 hrs.)

Unit 16: Other provisions (15 hrs.)

Books Recommended:

1. GST How to Meet Your Obligations (Set of 2 Volumes) - By S.S. Gupta
2. Taxmann's GST Ready Reckoner - By V. S. Datey.

**PAPER III: INTEGRATED GOODS AND SERVICE TAX LAW &
PROFESSIONAL TAX**

A. Integrated Goods and Service Tax Law

Unit 1: Levy and collection of Tax (20 hrs.)

Unit 2: Determination of nature of Interstate and Intra state supply (20 hrs.)

Unit 3: Place of supply of Goods or Services or both (20 hrs.)

Unit4: Refund of Integrated Tax to International Tourist (20 hrs.)

Unit5: Zero rated supply (20 hrs.)

Unit6: Apportionment of tax and settlement of funds (20 hrs.)

Unit7: Miscellaneous provisions (20 hrs.)

C. Profession Tax Act

Unit 8: Certificate of Registration and Enrolment (20 hrs.)

Unit 9: Rate of Profession Tax (30 hrs.)

Unit 10: Exemption from paying profession Tax (30 hrs.)

Unit 11: Return (20 hrs.)

Books Recommended:

1. GST How to Meet Your Obligations (Set of 2 Volumes) - By S S Gupta
2. Taxmann's GST Ready Reckoner - By V. S. Datey
3. The Profession Tax act, 1975

PAPER IV: CUSTOMS LAW AND FOREIGN TRADE POLICY

A. Custom Act, 1962

Unit 1: Definitions: (30 hrs.)

Goods, Indian customs waters, fund, customs area, Import manifest, export manifest,

Unit 2: - Type of Custom Duties. (30 hrs)

- Prohibition on importation and exportation of goods

Unit 3: - Levy of an exemption from custom Duties (30 hrs.)

- Clearances of Imported and exported goods
- Tax Liability and valuation of goods.

Unit 4: - Custom Authorities and their powers (30 hrs.)

- Warehousing, Drawback.
- Baggage, import or Export through post

Unit 5: - Penalties and prosecution (30 hrs.)

- Appeals and Revision
- Search, seizure and Arrest.

B. Foreign Trade Policy

Unit 6: Introduction to Foreign Trade Policy (30 hrs.)

Legislation governing FTP, Salient features of an FTP, Administration of FTP, and Contents of FTP and other related provisions

Unit 7: Basic concepts relating to import or export of Goods (30 hrs.)

Unit 8: Basic concepts relating to export promotion schemes provided under Foreign Trade Policy (30 hrs.)

Books Recommended:

1. Taxmann's Customs Law: By V.S. Datey
2. Taxmann's guide to Foreign Trade Policy 2015-2020: By V. S. Datey

**DIPLLOMA IN
ALTERNATIVE
DISPUTE RESOLUTION
SYSTEM**

PAPER I: LAW RELATING TO ARBITRATION AND CONCILIATION IN

UNIT I : INTRODUCTION

- a) Meaning and concept of arbitration
- b) Historical background and development
- c) Important features of arbitration
- d) Need for professional arbitration

UNIT II : LAW OF ARBITRATION IN INDIA

- a) The Arbitration Act 1940.
- b) The Arbitration and conciliation Act 1996
- c) UNICITRAL Model law
- d) Differences between the Act of 1940 and 1996

UNIT III : PROVISIONS OF ARBITRATION ACT 1996

- a) Arbitration agreement
- b) Arbitration Tribunal
- c) Award-making and enforcement
- d) Appeal and revision

UNIT IV : CONCILIATION PROCEEDINGS

- a) Application and scope
- b) Appointment of conciliators
- c) Role of conciliator
- d) Settlement agreement

Books Recommended:

- 1) N.K.Acharya's: Law relating to arbitration and A.D.R Edition 2002, Asia Law House publication Hyderabad.
- 2) Basu,N.D. Law of arbitration and conciliation,2000 print Universal, Delhi
- 3) Markana,P.C.Law relating to arbitration and conciliation, Universal Delhi (1998)
- 4) G.K.Kwatra, The Arbitration and conciliation law in India(2000) universal Delhi.

PAPER II: INTERNATIONAL LAW RELATING TO ARBITRATION

UNIT I : INTRODUCTION

- a) Meaning of International Arbitration
- b) Domestic awards and foreign awards
- c) Foreign arbitration
- d) Conflict of laws

UNIT II : UNICITRAL MODEL LAW ON INTERNATIONAL COMMERCIAL ARBITRATION

- a) General Provisions
- b) Arbitration agreement
- c) Composition of Arbitral Tribunal
- d) Jurisdiction
- e) Making of award

UNIT III : RECOGNITION AND ENFORCEMENT OF AWARD

- a) Enforcement measures
- b) Grounds for refusing enforcement
- c) Application for setting aside

UNIT IV: a) UNICITRAL Arbitration rules

- b) Geneva Convention Award
- c) New York Convention Award

Book Recommended:

1. A.K.Bansal, Law of International Commercial Arbitration, (1999) Universal Delhi
2. N.K.Acharya's: Law relating to arbitration and A.D.R Edition 2002, Asia Law House publication Hyderabad.
3. Basu,N.D. Law of arbitration and conciliation, 2000 print Universal, Delhi
4. Markana, P.C. Law relating to arbitration and conciliation, Universal Delhi (1998)
5. G.K.Kwatra, The Arbitration and conciliation law in India (2000) universal Delhi

PAPER III ALTERNATIVE DISPUTE RESOLUTION SYSTEM

UNIT I: INTRODUCTION

- a) Meaning
- b) Models of dispute settlement
- c) Litigation versus arbitration
- d) Importance of ADR

UNIT II : MODELS OF ALTERNATIVE DISPUTE RESOLUTIONS

- a) Negotiation conciliation mediation)
- b) Mini-trial fast track arbitration
- c) Limitation and necessity
- d) Impact of ADR

UNIT III : IMPORTANT MODELS OF ADR SYSTEM IN INDIA

- a) Administrative tribunal
- b) Family Courts
- c) Consumer councils
- d) Lok Adalat and Lok Nyalaya

UNIT IV : PROBLEMS AND HURDLES IN ADR

- a) causes for hurdles
- b) public awareness
- c) legal literacy and legal aid camps

Books Recommended:

- 1) PC Rao & William sheffield Alternative dispute resolution.
- 2) B.S. Patil, The law of arbitration and conciliation
- 3) N.K. Acharya's Law relating to arbitration and A.D.R., Asia Law House, Hyderabad.

PAPER IV COMPARATIVE STUDY OF ARBITRATION LAWS

UNIT I : THE AMERICAN EXPERIENCE IN THE FIELD OF ADR

- a) Introduction
- b) Historical background
- c) Community based dispute resolution
- d) Dispute resolution in judicial system
- e) Federal agency use of ADR
- f) Corporate use of ADR

UNIT II : INTERNATIONAL ARBITRATION IN U.K.

- a) Introduction
- b) Appointment of arbitrators
- c) Intervention by courts
- d) Foreign awards

UNIT III : ALTERNATIVE DISPUTE RESOLUTION IN NEW ZEALAND

- a) Introduction
- b) Arbitrators and mediators institute of New Zealand
- c) Procedure
- d) Enforcement

UNIT IV : COMPARATIVE ANALYSIS

- a) Position in U.K., U.S and New Zealand
- b) Position in India

Books Recommended:

- 1 P.C.Rao, Alternative dispute resolution, Universal law publication.
- 2 N.K.Acharyas; Law relating to a