

FACULTY OF LAW
UNIVERSITY OF ALLAHABAD

SYLLABUS B.A.LL.B. (Hons): FIVE YEAR INTEGRATED COURSE

SEMESTER-IX

PAPER-I

Private International Law

Unit-I

1. Introduction: (a) Definition, Nature, Scope and Importance of Private International Law; (b) Conflict of Law or Private International Law; (c) Distinction between Private International Law and Public International Law.
2. The Process of Classification/Characterization: Theories of Classification and its Necessity.

Unit-II

1. Doctrine of Renvoi: Partial Renvoi, Total Renvoi and its application.
2. The concept of Connecting Factor: (i) Domicile: Meaning and its Kinds; (ii) Nationality (iii) Residence.
3. Matters related to Substance & Procedure of Law.

Unit-III

1. Choice of Jurisdiction (i) Meaning and Bases jurisdiction; (ii) Position in England and India (iii) Staying of Action (iv) Forum Shopping.
2. The Law of Contractual Obligations; (i) Creation of Contractual Obligations and General Principles of Contract (ii) The Proper Law of Contract (iii) The Rome Convention, 1982.
3. Foreign Tort: (i) The Traditional Theories (ii) Present Position in English Law and Indian Law.

Unit-IV

1. Law relating to Marriage and Matrimonial Causes.
2. Recognition & Enforcement of Foreign Judgements.

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SEMESTER-IX

PAPER-II

Labour and Industrial Law-I

Unit-I

1. General:

- a) Origin and Development of Labour Law
- b) Position of Status and Contract
- c) Laissez – Faire, hire and fire.
- d) From Contract to status
- e) Role of ILO in growth and development Labour Law
- f) Effect of Globalization

Unit-II

1. Social Security Legislations

- a) Social justice, social security and social equity

2. Employee's Compensations Act, 1923

- a) Definition of disablement, dependant, employee employer.
- b) Conditions for payment of compensation and when compensation is not payable.
- c) Notional extension of employer's premises.
- d) Amount of compensation and distribution
- e) Commissioner his powers and functions and when appeal can be preferred against the order of commissioner.

Unit-III

1. Employee's Provident Fund and Miscellaneous Provision Act, 1952

- a) Scope, application and constitutionality of Act
- b) Definition of Factory, Wages, Occupier
- c) Schemes and Benefits under the Act
- d) Contribution
- e) Protection to fund
- f) Authorities

Unit-IV

1. Employees State Insurance Act, 1948

- a) Scope, object and application
- b) Corporation & Committees
- c) Contribution
- d) Benefits
- e) Penalties

2. Minimum Wages Act, 1948

- a) Scope and object of the Act
- b) Fixation and revision of minimum rates of wages etc.

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SEMESTER-IX

PAPER-III

Corporate Law

Unit-I

Foundations of Corporate Law and Policy

1. Forms of Business Organization
 - a) Sole Proprietorships
 - b) Partnership and Limited Liability Partnerships
 - c) Corporations and other forms.

Unit-II

2. Company Law:
 - a) Concept, Nature and Incorporation of a Company
 - b) Powers, functions and liability of a company
 - c) Shares and Debentures
 - d) Managing a company; Directors and others
 - e) Decision making in a company; Oppression and Mismanagement
 - f) Winding up of a Company
 - g) Corporate Social Responsibility, Corporate Crimes

Unit-III

Corporate Governance and Public Policy

1. Transnational Business: Challenges and Opportunities:
 - a) World Trade Organization
 - b) Foreign Direct Investment and Transfer of Technology
 - c) E-Commerce

Unit-IV

Emerging Issues in Company Law

1. Director Identity No. (DIN), Corporate Identity No. (CIN) online filing and registration.
2. Corporate Governing inside of Trading
3. National Company Law Tribunal

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SEMESTER-IX

Paper-IV

Right to Information Law

Unit-I

1. Right to Information – A General overview
 - a) Origin and History Right to Information.
 - b) RTI and International Covenants.
 - c) RTI in other countries: UK, USA, European Union and others.

Unit-II

1. RTI – Jurisprudential Aspects: Concepts of Freedom, Justice and Legal Rights.
2. RTI Act, 2005: Salient Features: Preliminary; RTI and Public Authorities; Central Information Commission; State Information Commission; Powers and Functions of ICs; Appeals and Penalties; and Miscellaneous Provisions.

Unit-III

1. RTI and Judicial Activism: Judicial Activism, RTI and HCs, RTI and SC, and RTI v. Judiciary.
2. RTI and other Laws (Only Sections Relevant to RTI): IT Act, 2000: Official Secrets Act, 1923, Atomic Energy Act, 1962; Contempt of Courts Act, 1971; and Acts related to IP.

Unit-IV

1. RTI – Emerging Trends: Media and RTI; RTI Art.19 (1), and Art.21: Interconnections; Stretching RTI to unreasonable limits; and RTI; A Right without Duty?

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SEMESTER-IX

PAPER-V

Law of Copyright

Unit-I

1. Introduction
 - a) International instruments for protection of copyright
 - b) Subject Matter, Nature, Concept and Scope of Copyright
 - c) Idea-Expression Dichotomy
 - d) Doctrine of Originality
 - e) Doctrine of Labour, Skill and Effort
 - f) Doctrine of Sweat of the Brow and Minimal Creativity
 - g) Concept of Work and Definitions of various Works
 - h) Works in which Copyright subsists
2. Rights in Respect of Works : Meaning of Copyright, Rights in respect to various classes of Works, Authors special right, Term of copyright

Unit-II

1. Authorship, Ownership and Exploitation of Copyright
2. Concept of Author, First Owner of Copyright, Joint Authorship/Ownership, Concept of Producer, Assignment of Copyright Licensing of Copyright: Compulsory Licenses, Statutory Licenses, voluntary licenses, Right to Relinquish Copyright, Collective Management of Copyright by Copyright Societies.

Unit-III

1. Right Related to Copyright Definition of Broadcast, Broadcast Reproduction Right, Definition of Performer, Performer's Rights, Moral Rights of Performers, Exceptions to Related Rights

Unit-IV

1. Infringement of Copyright and Exceptions to Infringement concept of fair dealing, Remedies for Copyright, Infringement Offence of Infringement of Copyright, Protection of Technological Measures, Protection of Rights Management Information

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SEMESTER-IX

Paper-VI

International Environmental Law

Unit-I

1. INTRODUCTION TO INTERNATIONAL ENVIRONMENTAL LAW

- a) Historical Evolution
- b) Developed and Developing Countries Perspectives
- c) Stockholm, Rio and Johannesburg

Unit-II

1. SOURCES AND PRINCIPLES OF INTERNATIONAL ENVIRONMENTAL LAW

Sources:

- a) Treaties Custom
 - b) General Principles of Law Other Sources
2. Principles:

- a) Sovereignty over Natural Resources
- b) Obligation Not to Cause Damage
- c) Principles of Preventive Action and Precaution
- d) Polluter Pays Principle and Equitable Sharing of Cost
- e) Sustainable Development
- f) Equitable Utilization
- g) Common but Differentiated Responsibilities
- h) Precautionary Principle, Public Trust Doctrine, Inter/Intra Generational Equity

Unit-III

1. TRANSBOUNDARY/TRANSNATIONAL POLLUTION: STATE LIABILITY AND STATE RESPONSIBILITY

- a) Desertification as a Transnational Problem; Tropical Deforestation; The 1994 Desertification Convention
- b) Transboundary River Pollution; Transboundary Groundwater Pollution
- c) Transboundary Shipments of Hazardous Wastes; The Basel Convention Regime
- d) Transfrontier Air Pollution and Convention on Transboundary Air Pollution
- e) Environmental Warfare
- f) State Liability: Theoretical Issues

- g) Victim State Sovereignty Threshold Of Cognizable Injury
- h) The Legacy of the Trail Smelter Arbitration
- i) Standard of Liability
- j) Strict Liability & Absolute Liability

Unit-IV

1. COMPLIANCE AND GOVERNANCE MECHANISMS

- a) State Obligations and the role of judiciary; policy and legislative measures in India for environmental protection.
- b) International Environmental Institutions including UNEP and other specialized agencies and their Reforms.
- c) Expanding The Role of Non-governmental Organizations.
