

There will be two papers in the subject:

Paper I - Theory: 3 hours70 marks

Paper II- Project Work: ...30 marks

PAPER – I (THEORY) – 70 Marks

1. Crime and Law of Evidence

Crime - Cognizable and Non-Cognizable; First Information Report (FIR); Law of Arrest; concept of Evidence; Relevancy; basic structure of trial.

Crime – Meaning stages and elements; Difference between Cognizable offence and Non-Cognizable offence; Bailable offence and non-bailable offence; complaint in general parlance - information to Police, Written and Signed, if Orally given: reduced to Writing by Police and read-over to the Informant, stating specific facts, Registration of FIR if offence is cognizable and if offence is non cognizable. Police bound to register FIR.

Legal meaning of Arrest; Arrest - how made; Entitlements of an Arrested person- intimation of grounds of Arrest, information about arrest to nominated person/s and bail, etc.; person arrested not to be detained beyond 24 hours and 'remand' under section 167 Cr PC;

General connotations of the term Evidence Oral, Documentary and Material; Direct and Circumstantial Evidence; Meaning of Proof; Effect of Evidence - Proved, Disproved and Not Proved; Evidence and Proof- Cause and Effect.

Connotations of Relevancy of Evidence; facts in Issue and Relevant Facts.

Meaning of Criminal Trial; purpose of Criminal Trial; Basic features of a Criminal Trial with special reference to the Rights of Accused.

2. Dispute Resolution

(i) Dispute Resolution Mechanisms

Quasi-Judicial Bodies, Tribunals (such as CAT, SAT).

Difference between Judicial and Quasi-Judicial Bodies; Understanding the concept of Tribunals as Quasi-Judicial Forums, Articles 323A and 323B to set up Tribunals. Purpose of establishing Central Administrative Tribunal, State Administrative Tribunals, National and International concerns; jurisdiction of National Green Tribunal; Role of 'regulators' in aiding the Tribunals.

(ii) Alternate Dispute Resolution

Arbitration, Conciliation, Mediation, Negotiations, Lok Adalats.

Section 89 CPC as source of ADR system (Conciliation and Mediation), Arbitration and Conciliation Act, 1996 - connotations of Arbitration and Conciliation, benefits of ADR system, which disputes can be covered. Arbitration – Meaning, Arbitration Agreement, Court Referral of Arbitration; Arbitral award- significance, comparison with a judgement, setting aside of an arbitral award.

Mediation – Meaning and scope; Conciliation – Meaning, Role of the Conciliator; Laws on Mediation and Conciliation; Difference between Arbitration and Conciliation, Mediation and Conciliation; sanctity of Settlement arrived through Mediation and Conciliation; encouraging ‘Out of Court’ Settlement in India – challenges and the way ahead.

Locating ‘legal basis’ of Lok Adalats and its jurisdiction; Purposes of holding Lok Adalat; basis of disposal of cases in Lok Adalats; Award of Lok Adalat.

3. Legal Services Authority and its Role

Legal Services Authority Spirit of Article 39A of the Constitution of India; Legal Aid for the deserving sections of society.

Importance of Article 39A of the Constitution of India; implementing the spirit of free Legal Aid through Legal Services Authority Act, 1987- key features; eligibility for getting free Legal Aid; Legal Services Authorities at various levels; role of Educational Institutions and Para Legal Volunteers; Legal Aid Camps; spreading Legal Literacy and providing Legal Aid - challenges and the way-forward, NALSA Regulations 2010 and selection of panel Lawyers for giving free legal aid.

4. Transfer of Property

Property, Ownership, Possession, Modes of transfer of property (like Sale, Mortgage, Gift, Lease, Exchange).

Meaning of Property – Public and Private, Introduction to Property Law – Transfer of Property Act, 1882; types of Property; Movable and Immovable, definition of immovable property under S.3 TPA and S.3(26) General Clauses Act 1908. Transfer of Property – Definition, What may be transferred, persons competent to transfer mode of transfer property; doctrine of Election, Doctrine of Lis Pendens; meaning of sale, Rights and Liabilities of Buyer and Seller.

Mortgage – Definition, Rights and Liabilities of mortgager and mortgagee (lender), Meaning of Lease, Rights and Liabilities of Lessor and Lessee. Meaning of exchange and Gift with illustrations.

5. Intellectual Property Laws

Intellectual Property Rights, Global scenario and the importance of Intellectual Property, Legislation - connotations of The Copyright Act, 1957, Entitlements under Copyright Act 1957; The Trademarks Act, 1999; significance of Trademarks, The Patent Act, 1970; Protection of ‘Inventions’, The Designs Act, 2000 and The Geographical Indications of Goods (Registration and Protection) Act, 1999; International Aspect of the protection of Geographical Indications.

Intellectual Property Rights – definition, The Agreement on Trade-related aspects of Intellectual Property Rights (TRIPS) – objectives and features, The World Intellectual Property Organization (WIPO) - objectives and features.

The Copyright Act, 1957 - Connotations of Copyright- Idea-Expression Dichotomy; definition (section 13 & 14); criteria for protection, Authorship and ownership, Registration, Nature of the rights, Moral Rights, Duration of Copyright.

What is a Trademark? - Beyond 'Words' and 'Symbols'; position of Trademarks under Indian Trademarks Act, 1999 - prerequisites of being a Trademark, Types of trademarks (Generic, Descriptive, Suggestive, Arbitrary, Fanciful under Conventional Trademark and Service, Collective, Certification, Shape, Pattern, Sound under Non-conventional Trademark).

Regime of Patent Rights- Social Interests vs Private Incentives, Monopoly debate; Patent Law in India (Patent Act, 1970)- Definition and Patentable Subject matter (Novelty, Inventive Step, Industrial Application), Non-patentable Inventions, Grant of Patents and Rights conferred thereby; Duration of Patent rights, Using the Invention/Process.

Geographical Indication of Goods - Understanding from the perspective of International Intellectual Property Rights regime; The Geographical Indications of Goods (Registration and protection) Act, 1999; Definition, conditions for Registration, Procedure and Duration, Advantages of Registration, who can apply and who is an Authorised User? comparison with Trademarks.

6. Important Laws

Lokpal and Lokayukta Act 2013 Negotiable Instrument Act, 1881; Direct Tax, Indirect Tax and the concept of GST; Human Rights Act, 1993 (with Amendment Act, 2006), NHRC, India, Motor Vehicle Act, 2019.

Scope and limitation of Lokpal and Lokayukta Act 2013. Ombudsman-Meaning and concept.

Concept of Negotiable Instrument; Negotiable Instrument Act, 1881 – key features; Bills of Exchange, Promissory Note and Cheque Definition. Dishonour of cheque for insufficiency, etc., of funds in the accounts (Section 138 of NI Act).

Concept of Direct Tax and Indirect Tax Differences; Goods and Services Tax (GST) – Objectives, Components of GST: CGST, SGST and IGST – Meaning and application.

Definition of Human Rights, composition & function of NHRC (Sections 3 & 21 of the Protection of Human Rights Act, 1993).

Significance of Road Safety measures; Motor Vehicle Act, 2019 – Driving without Driving License, Owner's liability if driven by other without License, driving without Driving License, Owner's liability if driven by other without License; Using Mobile phone (handheld) while driving, Driving under the influence of Intoxicating Substance, Driving without seatbelt, Driving without insurance, Juvenile offences; two-wheeler driving: more than one pillion rider, without helmet, age limits for getting Driving License under different categories of Vehicles; documents to be shown to policeman: driving license, registration certificate, insurance certificate, tax paid receipt, PUC Certificate and if it is a transport vehicle: permit and the fitness Certificate.

7. Legal Maxims

Important Legal Maxims.

Meaning of the following:

- *Actus non facit reum nisi mens sit rea*
- *Ad valorem*
- *Amicus Curiae*
- *Audi alterem partem*
- *Assentio Mentium*
- *Bona fide*
- *Bona Vacantia*
- *Caveat Emptor*
- *Corpus Delicto*
- *Damnum Sine Injuria*
- *De Die in Diem*
- *De Minimis Lex Non Curat*
- *Doli Incapax*
- *Ejusdem Generis*
- *Ex Post Facto*
- *Ignorantia Facti Excusat*
- *Ignorantia Juris Non Excusat*
- *Injuria Sine Damnum*
- *Locus Standi*
- *Nemo Debet Esse Judex in Propria Sua Causa*
- *Nemo debet non quod habit*
- *Noscitur a Sociis*
- *Obiter Dicta*
- *Pari Materia*
- *Per Incuriam*
- *Qui Facit Per Alium, Facit Per Se*
- *Quid pro quo*

- *Ratio Decidendi*
- *Res ipsa loquitur*
- *Res Judicata Accipitur Pro Veritate*
- *Salus Populi Est Suprema Lex*
- *Stare Decisis*
- *Ubi Jus Ibi Remedium*

PAPER II (PROJECT WORK)– 30 MARKS

In keeping with the significance of doing project work and gaining a hands-on understanding of various contemporary issues, candidates are expected to undertake two studies of 15 Marks each.

