

SARDAR PATEL UNIVERSITY
FACULTY OF LAW
COURSE OF STUDY
INTEGRATED DEGREE OF BACHELOR OF ARTS & LAW
B.A. LL.B. (INTEGRATED) 5 years
(Under Choice Based Credit Scheme Semester Degree Programme)
Semester- V
(Effect from June, 2021)

Course Type	Subject Code	Subject	T/P	Credit	Exam Duration in hrs.	Components of Marks		
						Internal	External	Total
						Total Passing %	Total Passing %	Total Passing %
Compulsory Courses	UL05CBA021	Administrative Law including RTI Act	T	4	3	12/30	28/70	40/100
	UL05CBA022	Labour & Industrial Law-I - Industrial Laws	T	4	3	12/30	28/70	40/100
	UL05CBA023	Family Law – I (Hindu Law)	T	4	3	12/30	28/70	40/100
	UL05CBA024	Research Methodology	T	4	3	12/30	28/70	40/100
	UL05CBA025	English-VI (Major)	T	4	3	12/30	28/70	40/100
Elective Courses	UL05EBA021	Law and Education	T	4	3	12/30	28/70	40/100
	UL05EBA022	Air and Space Law	T	4	3	12/30	28/70	40/100
				24				240/600



SARDAR PATEL UNIVERSITY
Programme: B.A. LL.B. (5 Year) Integrated Degree of Bachelor of Arts & Law
Semester - V
Syllabus with effect from June -2021

Objectives of the course:

The main objectives of administrative law are to protect the interests of the public as it interacts with the government and to provide a formula for preventing abuse, non use of power by administrative authorities and thus provide a mechanism for government that is transparent and accountable. The objective of study of this administrative law is to aware students about various aspects of Administrative Law including quasi-legislative, quasi-judicial and other ministerial functions of administration and control thereof with a practical approach.

Paper Code: UL05CBA021	Total Credit:
Title of Paper: Administrative Law including RTI Act	4

Course Content		
Unit	Description	Weightage* (%)
1.	<u>Evolution and Scope of Administrative Law</u> 1.1 Definition, Nature, Scope and Development of Administrative Law. 1.2 Reason for the growth of administrative law. 1.3 Relationship between Constitutional Law and Administrative Law 1.4 Classification of Administrative Law 1.5 Sources of administrative law 1.6 Difference between English & Indian Administrative Law 1.7 Separation of power 1.8 Droit administratif	25%
2.	<u>Legislative Functions of Administration</u> 2.1 Delegated legislation: Meaning, Concept, Growth and Necessity 2.2 Advantages and Disadvantages of delegated legislation 2.3 Constitutionality of Delegated Legislation 2.4 Which function can be delegated and which cannot be delegated 2.5 Condition legislation, sub delegation and administrative Instructions 2.6 Control Mechanism 2.6.1 Parliamentary Control of Delegated Legislation 2.6.2 Judicial Control of Delegated Legislation 2.6.3 Procedural Control of Delegated Legislation	25%





3.	<u>Judicial Functions of Administration</u> 3.1 Need for Devolution of Adjudicatory Authority on Administration 3.2 Administrative tribunals and other adjudicating authorities 3.3 Tribunals- need, nature, Constitution, jurisdiction, procedure, Powers 3.4 Rules of Natural Justice: 3.4.1 No man can be a judge in his own case, A person cannot be condemned without being heard. 3.4.2 Speaking Order (Reasoned Decisions) 3.5 Writ Jurisdiction of Supreme Court and High Court and Kinds of Writ 3.6 Public Interest Litigation and Locus Standi 3.7 Revision and appellate Jurisdiction of Supreme Court and High Court	25%
4.	<u>Administrative Discretion and Judicial Control of Administrative Action:</u> <u>Part:- A</u> 4.1 Need and its Relationship with Rule of Law 4.2 Administrative Discretion need and Limitation 4.3 Judicial Review of Administrative Action and Grounds of Judicial Review 4.3.1 Abuse of Discretion 4.3.2 Failure to Exercise Discretion 4.3.3 Illegality, Irrationality, Procedure Impropriety 4.4 Doctrine of Legitimate Expectations <u>Part:- B</u> 4.5 Informal Methods of Settlement of Disputes and Grievance Redressal Procedures: 4.5.1 Ombudsman, Lokpal and Lokayukta 4.5.2 Vigilance Commission 4.6 Liability of government in Tort and Contract: 4.6.1 Liability of Government in Tort, 4.6.2 Liability of Government in Contract, 4.6.3 The doctrine of crown privilege 4.6.4 The right to know: RTI act	25%

Basic Text & Reference Books:-

1. Administrative Law - M.P. Jain & S.N. Jain
2. Lectures on Administrative - C.K. Takwani
3. Administrative Law - C.K. Thakkar
4. Administrative Law - Garner
5. Administrative Law - Kagzi
6. Administrative Law - I.P. Massey
7. Administrative Law- Basu





SARDAR PATEL UNIVERSITY
Programme: B.A. LL.B. (5 Year) Integrated Degree of Bachelor of Business
Administration & Law
Semester - V

Syllabus with effect from June -2021

Objectives of the course:

The main objectives of Labour & Industrial Law are to provide students knowledge of labour laws, especially the nature and scope of labour law, the rationale of labour laws in organizations, occupational hazards and risk, and managing employee relations at work. The objective of study of this Labour & Industrial Law is to examine the theoretical aspects, problems and issues in arbitration and bargaining and models of bargaining and arbitration.

Paper Code: UL05CBA022	Total Credit: 4
Title of Paper: Labour & Industrial Law-I - Industrial Laws	

Course Content		
Unit	Description	Weightage* (%)
1.	The Industrial Disputes Act,1947 1.1 Preliminary 1.2 Authorities under the Act 1.2.1 Works Committee 1.2.2 Conciliation Machinery 1.2.3 Court of Enquiry 1.2.4 Voluntary Arbitration 1.2.5 Adjudication: Labour Court, Tribunal and National Tribunal 1.3 Notice of Change 1.4 Grievance Redressal Machinery 1.5 Reference of Disputes to Boards, Courts or Tribunals 1.6 Procedures, Powers and Duties of Authorities	25%
2.	The Industrial Disputes Act,1947 2.1 Strikes and Lock-outs 2.1.1 <i>Gherao</i> 2.1.2 <i>Bandh</i> and Lock-out 2.1.3 Types of Strike 2.1.4 Rights to Strike and Lock-out 2.1.5 General Prohibition of strikes and lock-outs 2.1.6 Prohibition of Strikes and Lock-outs in Public Utility Services 2.1.7 Illegal Strikes and Lock-outs 2.1.8 Justification of Strikes and Lock-outs	25%





	<p>2.1.9 Penalties for Illegal strikes and Lock-outs 2.1.10 Wages for Strikes and Lock-outs</p> <p>2.2 Lay-off and retrenchment 2.2.1 Retrenchment 2.2.2 Transfer and Closure: Definition of Lay-off and Retrenchment Compensation 2.2.3 Compensation to Workmen in Case of Transfer of Undertaking Closure 2.2.4 Closure: Prevention and Regulation 2.2.5 Conditions: Precedent for Retrenchment 2.2.6 Special Provisions Relating to Lay-off, Retrenchment and Closure in Certain Establishments 2.2.7 Procedure for Retrenchment and Re-employment of Retrenched Workmen and Penalty</p> <p>2.3 Unfair Labour Practices 2.4 Penalties and miscellaneous</p>	
3.	<p>The Trade Unions Act, 1926 3.1 Preliminary 3.1.1 Definition of Trade Union and Trade Dispute 3.2 Registration of Trade Unions 3.3 Rights and Liabilities of Registered Trade Unions 3.4 Recognition of Trade Union 3.5 Regulations 3.6 Penalties and procedures 3.7 Collective Bargaining and trade disputes</p>	25%
4.	<p>4.1 The Maternity Benefit Act, 1961 4.2 The Payment of Gratuity Act</p>	25%

Basic Text & Reference Books:-

1. Labour and Industrial Law - S.N. Mishra
2. Labour and Industrial Law - S.K. Puri
3. The Industrial Disputes Act - S.K. Shrivastava
4. A Study of Industrial Law - G.M. Kothari
5. The Industrial Disputes Act - Patel's
6. Bombay Industrial Relation Act - K.L. Sothi
7. Law Relating to Trade Union and Labour Practice - K.D. Srivastava
8. Commentary on the Bombay Industrial Relation Act - Gupta and Dighe





SARDAR PATEL UNIVERSITY
Programme: B.A. LL.B. (5 Year) Integrated Degree of Bachelor of Arts & Law
Semester- V
Syllabus with effect from June -2021

Objectives of the course:

To create awareness and educate the students about rights and duties of members of family towards each other, with special reference to spousal relationship. To give overview to the students and enhance their understanding on the current laws on marriage, divorce, maintenance, adoption and guardianship. To give practical exposure to students by field visit of Family Courts, Mediation and Conciliation Centres etc.

Paper Code: UL05CBA023	Total Credit: 4
Title of Paper: Family Law - 1	

Course Content		
Unit	Description	Weightage* (%)
1	1.1 Introduction to Personal Laws 1.2 Application of Hindu Law: Who are Hindus 1.3 Sources of Hindu Law 1.3.1 Ancient Sources – Shrutis & Smritis, Commentaries & Digest, Custom 1.3.2 Modern Sources – Judicial Decisions , Legislations, Equity, Justice and Good Conscience 1.4 Schools of Hindu Law 1.5 Uniform Civil Code 1.5.1 Religious pluralism and its implications. 1.5.2 Connotations of the directive contained in Article 44 of the Constitution.	25%
2	2.1 Marriage, Divorce and Maintenance: 2.1.1 Nature , Definition and Forms of Marriage 2.1.2 Conditions for Marriage & Registration of Marriage 2.1.3 Degree of Prohibited relationship and Sapinda relationship 2.1.4 Grounds of Void & Voidable Marriage 2.2 Judicial Separation & Restitution of Conjugal Rights 2.2.1 Dissolution of Marriage under Hindu Law 2.2.2 Nullity of Marriage 2.2.3 Grounds of Divorce & Wife's Special Grounds for Divorce 2.2.4 Divorce by Mutual Consent	25%





3	<p>3.1 Maintenance and Adoption</p> <p>3.1.1 Maintenance under Hindu Law</p> <p>3.1.2 Provisions under the Hindu Marriage Act, 1955</p> <p>3.1.3 Provisions under the Hindu Adoption & Maintenance Act, 1956</p> <p>3.1.4 Provisions under the Cr.P.C, 1973</p> <p>3.2 The Hindu Adoptions and Maintenance Act, 1956: (Section 1 to 17)</p> <p>3.2.1 Who may adopt, who may give in adoption and who can be adopted</p> <p>3.2.2 Ceremonies of Adoption & Effects of Adoption</p> <p>3.2.3 Relationship of Adopted Child & Proof of Adoption</p>	25%
4	<p>4.1 The Hindu Minority and Guardianship Act, 1956 (Section 1 to 13)</p> <p>4.1.1 Guardianship of person- Natural, Testamentary and Guardian appointed by court</p> <p>4.1.2 Guardianship of minors property</p> <p>4.1.3 Defacto Guardian</p> <p>4.2 Law relating to Property:</p> <p>4.2.1 Joint Family, Liability of debts, Women's Property,</p> <p>4.2.2 Succession under the Mitakshara and Dayabhaga School,</p> <p>4.2.3 Succession (The Hindu Succession Act, 1956- Sections 1 to 30), Gifts, Wills, Impartible Estates</p>	25%

Basic Text & Reference Books:-

1. Hindu Law – Mulla
2. Family Law - Paras diwan
3. Modern Hindu law - Paras diwan
4. Hindu Law - Basant K. Sharma
5. Hindu Law - Dr.Tahir Mehmood
6. Hindu Law & Usage - Myneni
7. Introduction of modern Hindu Law – Derrett
8. Hindu Law - Agrawal R.D
9. Modern Hindu Law - Dr. U.P.D.Kesari





SARDAR PATEL UNIVERSITY
Programme: B.A. LL.B. (5 Year) Integrated Degree of Bachelor of Arts & Law
Semester - V
Syllabus with effect from June -2021

Objectives of the course:

The main objective of the subject is to develop a research orientation among the students and to acquaint them with fundamentals of research methods, to introduce to students the basic concepts used in research and to scientific social research methods and their approach.

Paper Code: UL05CBA024	Total Credit: 4
Title of Paper: Research Methodology	

Course Content		
Unit	Description	Weightage* (%)
1.	Introduction to Research: 1.2 An introduction meaning of research, 1.3 Objectives of research 1.4 Significance of research, 1.5 Characteristics of Good Research 1.6 Types of research. 1.7 Steps in the Research Process	25%
2.	Research Design: 2.1 Meaning of research design, 2.2 Need for research design, 2.3 Features of research design, 2.4 Different types of research design. Methods of Data Collection : 2.5 Primary data, 2.6 Data collection through questionnaires, 2.7 Schedules and other methods of data collection 2.8 primary data Vs secondary data	25%



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Syllabus with effect from the Academic Year 2021-2022

3.	Sample Selection: 3.1 Introduction, 3.2 Importance and Advantages of Sampling, 3.3 Census vs. Sample, 3.4 Characteristics of Good Sample, 3.5 Sampling Techniques, 3.6 Criteria for Selection of a Sampling Technique	25%
4.	Interpretation and report writing 4.1 Meaning of interpretation, 4.2 Techniques of interpretation, 4.3 Precautions in interpretation, 4.4 Significance of report writing, 4.5 Different steps of report writing. 4.6 Guidelines for Writing Research Reports	25%

Basic Text & Reference Books:-

1. Research Methodology by C.R. Kothari
2. Research Methodology by Naresh K. Malhotra



SARDAR PATEL UNIVERSITY
Programme: B.A. LL.B. (5 Year) Integrated Degree of Bachelor of Arts & Law
Semester- V
Syllabus with effect from June -2021

Objectives of Courses:

The main objective of English-VI is to inculcate an understanding of correlation between legal and literary aspects in students. It also aims to develop in students social sensitivity through an appreciation of poetry. The objective to study this subject is to enhance and enrich students' vocabulary via exposure to literature. It also aims to instil and develop in students an ability to comprehend and critically analyse the reading material to sensitizing them towards relevant societal issues.

Paper Code: UL05CBA025	Total Credit: 4
Title of Paper: English-VI	

Course Content		
Unit	Description	Weightage* (%)
1.	Phonology and Morphology: 1.1 Correct Pronunciation - Speech Sounds, Word Stress and Intonation ; syllable break ; accent; 1.2 Morphemes and allomorphic variation; 1.3 Use of English and its Significance for Communication in Indian Legal Context (in the Supreme Court, High Courts and various tribunals)	25%
2.	Poetry: 2.1 Sonnet 116 by Shakespeare 2.2 The Solitary Reaper by Wordsworth 2.3 Shakespeare By Matthew Arnold 2.4 The Road Not Taken By Robert Frost	25%
3.	Spoken Skills: 3.1 Conversation Technique – I 3.2 Conversation Technique – II 3.3 Conversation Technique - III 3.4 One Word Substitutes 3.5 Politeness and Diplomacy	25%
4.	Composition skills: 4.1 Essay Writing	25%





	4.2 Creative Writing 4.3 Press Notes	
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References Books:

1. Intermediate English Grammar, Raymond Murphy
2. Essential English Grammar and Composition, James Thomas Peechaat
3. Master your English Grammar, Jaykaran.





SARDAR PATEL UNIVERSITY
Programme: B.A. LL.B. (5 Year) Integrated Degree of Bachelor of Arts & Law
Semester- V
Syllabus with effect from June -2021

Objectives of the course:

The main objectives of the subject are to give understanding of the basic concepts of Law and Education as per the Social change in the society and in the nation. The other objective is to acquaint the students to fundamentals of Legal Education & Clinical legal education, To train man or the legal profession, and to provide a centre where scholars might contribute to an understanding of law and government and participate creatively in their growth and improvement.

Paper Code: UL05EBA021	Total Credit: 4
Title of Paper: LAW & EDUCATION	

Course Content		
Unit	Description	Weightage* (%)
1	Introduction to Law 1.1 Definition of Law 1.2 Functions of Law 1.3 Law, Justice and Morality 1.4 Classification of Laws 1.5 Substantive Law and Procedural Law 1.5.1 1.Public and Private Law 1.5.2 2.Substantive and Procedural Law 1.5.3 3.Municipal and International Law 1.5.4 4.Civil Law And Criminal Law	25%
2	2.1 Fundamentals of Legal Education 2.1.1 Basic concept of Legal Education 2.1.2 Purpose and objective of Legal Education in India 2.1.3 Importance of legal education in India and International Level 2.1.4 Status of Legal Education and Law Teachers 2.1.5 Role of Government, UGC and Bar Council of India in improving the status of Legal education 2.1.6 Implication of Introduction of one year programme.	25%



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3	3.1 Clinical Legal Education:Nature & Concept 3.1.1 Introduction,meaning,concept 3.1.2 History of Clinical Legal education 3.1.3 Traditional Schooling and Clinical Legal Education 3.1.4 Forms of Clinical Education 3.1.5 Clinical law course: 3.1.5.3 Moot Court, Pre-trial Preparation and Participation in trial proceedings 3.1.5.4 Drafting, Pleading, and conveyancing 3.1.5.5 Professional ethics, Accountancy for lawyers and bar-bench relations 3.1.5.6 Public Interest Lawyering, Legal Aid and Para legal Services	25%
4	4.1 Legislation Framework:- 4.1.1 Constitutional Provisions 4.1.2 National Education Policies 4.1.3 Right to Education Act,2009 4.1.4 Government's Scheme on Education 4.1.5 Various commission on Education 4.1.6 Judicial attitudes towards the Education	25%

Basic Text & Reference Books:-

1. P.L. Mehta, Sushma Gupta Legal Education and Profession in India(2000)
2. Legal Education in India:-Challenges & Perspectives-Prof.G.Manohar Rao & Prof.K.Shrinivas Rao
3. Legal Education In India-Dr.G.P.Tripathi
4. Education Laws-1996 to 2002-J.S.Chawla
5. Legal Education & Research Methodology-Dr.Mona Purohit
6. Legal Education & Research Methodology-B.K.Das



SARDAR PATEL UNIVERSITY
Programme: B.A. LL.B. (5 Year) Integrated Degree of Bachelor of Arts & Law
Syllabus- V
Syllabus with effect from June -2021

Objectives of the course:

To look into the legal regime governing outer space, the moon and other celestial bodies, and its implications on the recent scientific and technological developments. the developments of space law at national level by analyzing the laws passed by some of the space-faring nations. Sky's upper horizons have always fascinated and perturbed humans. The human race, however, did not have the knowledge or resources to reach and control any of these 'realms' during much of its history. For this reason, air and space laws did not form during much of human history. We have entered a new age of air and space exploration as a result of the scientific developments of the last century. Clearly, a conflict over the use of these "Resources" has erupted, requiring new legislative mechanisms and regulations.

The Air and Space Law has developed complementary branches due to this. Thus, these disciplines of International Law are of recent origin. In addition, the course examines the legal frameworks governing various aspects of air and space activities. The dynamic in the nature of the subject has at one level contributed to its continuous evolution, resulting in new developments such as Enactment of International Conventions, Technological Developments in Aviation Industry, Aviation Security and Product Liability, Freedoms of the Air, Open Sky Agreements, Territorial Sovereignty, Jurisdiction, Property Rights, Commercialization and Militarisation of the Outer Space

Paper Code: UL05EBA022	Total Credit: 4
Title of Paper: Air & Space Law	

Course Content		
Unit	Description	Weight age* (%)
1.	1.1 A. Introduction 1.1.1 Definition of Air Law. 1.1.2 Various theories regarding Air Space 1.1.3 Aerial Navigation (Paris Convention, 1919; Havana Convention, 1944, Chicago convention 1944) 1.2 B. Regulation 1.2.1 Freedom of the air, membership and organs of ICAO 1.2.2 Legislative, Administrative and Judicial functions	25%





2.	Safety and Security Liability in civil aviation 2.1 Aircraft- hijacking 2.1.1 development of law to hijacking 2.1.2 Provision: Hague Convention 1970, Montreal Convention, 1971 2.1.3 Hijacking Of Indian and I.C.A.O - Jurisdiction case (India V. Pakistan) 2.1.4 Principle of Universal Jurisdiction in respect of the crime of the hijacking	25%
3.	A. Rights and Privileges of Air Passengers and Air Cargo 3.1 Consumer protection in civil aviation; liability for death, injury & delay; B. Settlement of aviation and related disputes 3.2 General principles; role of ICAO and ICJ, Arbitration.	25%
4.	4.1A. Space Law: Outer Space 4.1.1 Definition, nature, scope and development; sources, India and Space law, contribution to development of space law. 4.1.2 UN and Outer Space: Space Technology; Establishment of COPOUS, International Co-operation for Peaceful Use; Development by General Assembly Resolutions, UN Space Treaties, strengths and needs. 4.2 B. Development of Space Law by Treaties 4.2.1 The Space Treaty, 1967 4.2.2 The Rescue Agreement, 1968 4.2.3 The Moon Treaty, 1979	25%

Basic Text & Reference Books:-

1. Lord McNair, *The Law of the Air*, 3rd ed. (London: Steven & Sons, 1964)
2. Peter Martin, *Air Law*, Vol 1, 4th ed. (London: Butterworths, 1977)
3. P.P.C. Haanappel, *The Law and Policy of Air Space and Outer Space*, (The Hague: Kluwer Law International, 2003)
4. H. Ph. Diederiks – Verschoor, *An Introduction to Air Law*, 8th ed. (The Netherlands: Kluwer Law International, 2006)

4. Dr. S.K.KAPOOR: International Law and Human Rights

Journal

1. Journal of Air Law and Commerce
2. Air Law Review

