



स्वामी रामानंद तीर्थ मराठवाडा विद्यापीठ

नांदेड— ४३१६०६ (महाराष्ट्र)

SWAMI RAMANAND TEERTH MARATHWADA UNIVERSITY

NANDED-431606, MAHARASHTRA STATE, INDIA.

स्वामी रामानंद तीर्थ
मराठवाडा विद्यापीठ, नांदेड.

Established on 17th September 1994 - Recognized by the UGC U/s 2(f) and 12(B), NAAC Re-accredited with 'A' Grade



ACADEMIC (1-BOARD OF STUDIES) SECTION

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विधी विद्याशाखेतील B.S.L. (5 Years) व LL.B. या अभ्यासक्रमांच्या विद्यार्थ्यांसाठी शैक्षणिक वर्ष २०१५-१६ पासून CBCS Pattern नुसार विकल्प (Options) लागू करण्याबाबत.

प रि प त्र क

या परिपत्रकान्वये सर्व संबंधितांना कळविण्यात येते की, प्रस्तुत विद्यापीठाच्या संलग्नित महाविद्यालयांतील विधी विद्याशाखेतील B.S.L. (5 Years) व LL.B. या अभ्यासक्रमांच्या विद्यार्थ्यांसाठी शैक्षणिक वर्ष २०१५-१६ पासून लागू करण्यात आलेल्या **Choice Based Credit System (C.B.C.S.) Pattern** नुसार सोबत जोडल्याप्रमाणे विकल्प (Options) लागू करण्यात आलेले आहेत.

सदरील Choice Based Credit System (C.B.C.S.) Pattern नुसार लागू करण्यात आलेले विकल्प (Options) प्रस्तुत विद्यापीठाच्या www.srtmun.ac.in या संकेतस्थळावर उपलब्ध आहेत. तरी सदरील बाब ही सर्व संबंधितांच्या निदर्शनास आणून द्यावी.

‘ज्ञानतीर्थ’ परिसर,
विष्णुपुरी, नांदेड — ४३१ ६०६.
जा.क्र.: शैक्षणिक—०१/परिपत्रक/सीबीसीएस पॅटर्न—
विकल्प/२०१५-१६/१४५७
दिनांक : १३.१०.२०१५.
सोबत : वरीलप्रमाणे.



स्वाक्षरित/—
संचालक
महाविद्यालय व विद्यापीठ विकास मंडळ

प्रत माहिती व पुढील कार्यवाहीस्तव :

- १) मा. कुलसचिव यांचे कार्यालय, प्रस्तुत विद्यापीठ.
- २) मा. परीक्षा नियंत्रक यांचे कार्यालय, प्रस्तुत विद्यापीठ.
- ३) प्राचार्य, सर्व संबंधित संलग्नित महाविद्यालये, प्रस्तुत विद्यापीठ.
- ४) उपकुलसचिव, पदव्युत्तर विभाग, प्रस्तुत विद्यापीठ.
- ५) साहाय्यक कुलसचिव, पात्रता विभाग, प्रस्तुत विद्यापीठ.
- ६) सिस्टम एक्सपर्ट, यू.जी.सी. कक्ष, प्रस्तुत विद्यापीठ.

OPTIONS FOR STUDENTS OF

B.S.L. (5 Years) C.B.C.S. Pattern_w.e.f. 2015-16

LL.B. C.B.C.S._w.e.f. 2015-16

The colleges are free to offer the following papers as optional depending on the availability of the faculty and other resources. Column-A shows the existing optional subjects which the corresponding subject in Column-B in serial can replace.

Sr. No.		A	B
1.	Paper-XIX	INTERPRETATION OF STATUTES	LAW RELATING TO WOMEN
2.	Paper-VIII	INSURANCE LAW	INFORMATION TECHNOLOGY LAW
3.	Paper-XVII	HUMAN RIGHTS AND INTERNATIONAL LAW	PRIVATE INTERNATIONAL LAW
4.	Paper-XIV	CRIMINOLOGY & PENOLOGY	LAW AND MEDICINE

LAW RELATING TO WOMEN

This paper comprises of 81 units.

Historical background and status of women in ancient India — Feminism and Feminist Jurisprudence **Unit 05**

Position of Women under International instruments — Salient features of Convention for Elimination of all forms of Discrimination Against Women (CEDAW) — International Covenant on Civil and Political Rights — International Covenant on Social, Cultural and Economic Rights. **Unit 12**

Constitutional Provisions and gender justice — Relevant provisions relating to women in Directive Principles of State Policy and Fundamental Duties etc. under the Indian Constitution. **Unit 10**

Laws relating to marriage, divorce and succession under the relevant personal laws with special emphasis on women — Special Marriage Act — Live in relation **Unit 12**

Maintenance -under Cr. P.C. – Hindu Adoption and Maintenance Act-Protection of Women from Domestic Violence Act, 2005- The Dowry Prohibition Act, 1961 as amended in 1986 **Unit 10**

Offences against women - outraging the modesty of women -sexual harassment – rape – The Criminal Law (Amendment) Act, 2013-Bigamy - mock and fraudulent marriages – adultery - causing miscarriage - insulting women etc- Indecent Representation of Women, Sati Women under the Indian Evidence Act, 1872 **Unit 14**

Socio-Legal position of women and the law —Medical Termination of Pregnancy Act — Law relating to the Pre Natal Diagnostic Techniques (Regulation and Prevention of Misuse) and Sex selection — Immoral Traffic (Prevention) Act-surrogate motherhood and artificial reproductive technology **Unit 10**

Women under Maternity Benefit Act, 1961, Factories Act and other Labour & Industrial Laws - The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 **Unit 08**

Suggested Readings :

1. S.P. Sathe: Towards Gender Justice, Research Centre for Women's Studies, S.N.D.T. Women's University, 1993.
2. Dr. Vijay Sharma: Protection to woman in Matrimonial home, Deep and Deep Publications New Delhi , 1994
3. Dr. Sarojini Saxena: Femijuris (Law relating to Women in India), Indian Pub. Co. Distributors, Baroda Law House, 1993
4. Archana Parashar, Women and Family Reform in India, New Delhi Sage Publications, (1992)
5. Dr. Paras Diwan: Dowry and Protection to Married Women, Deep and Deep Publication, New Delhi (1995)
6. Mary Wollstonecraft, *A Vindication of the Rights of Woman with Strictures on Political and Moral Subjects* [1792], London: J. Johnson,. Available at <http://oll.libertyfund.org/titles/126>
7. Dr. G.B. Reddy: Women and Law, 2nd Ed. Gogia Law Agency, Hyderabad, 1998

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INFORMATION TECHNOLOGY LAW

This paper comprises of 81 units.

Concept of Information Technology and Cyber Space- Interface of Technology and Law -Jurisdiction in Cyber Space and Jurisdiction in traditional sense - Internet Jurisdiction - Indian Context of Jurisdiction - Enforcement agencies -International position of Internet Jurisdiction - Cases in Cyber Jurisdiction **Unit-08**

E-Commerce - UNCITRAL Model - Legal aspects of E-Commerce - Digital Signatures - Technical and Legal issues - E-Commerce, Trends and Prospects - E-taxation, E-banking, online publishing and online credit card payment - Employment Contracts - Contractor Agreements, Sales, Re-Seller and Distributor Agreements, Non-Disclosure Agreements- Shrink Wrap Contract, Source Code, Escrow Agreements etc. **Unit-10**

Cyber Law and IPRs- Copy Right in Information Technology - Software - Copyrights vs Patents debate - Authorship and Assignment Issues - Copyright in Internet - Multimedia and Copyright - Software Piracy –Patents - Understanding Patents - European Position on Computer related Patents - Legal position of U.S. on Computer related Patents - Indian Position on Computer related Patents – Trademarks - Trademarks in Internet - Domain name registration - Domain Name Disputes & WIPO -Databases in Information Technology - Protection of databases - Position in USA,EU and India **Unit-12**

Digital Signature-Authentication of electronic records-Electronic Governance- Legal recognition of electronic records and digital signatures-Use of electronic records and digital signatures in Government and its agencies- Retention of electronic records- Publication of rule, regulation, etc, in Electronic Gazette-right to insist document should be accepted in electronic form. **Unit-08**

Attribution, Acknowledgment and Despatch of Electronic Records- Attribution of electronic records- Acknowledgment of receipt-Secure Electronic Records And Secure Digital Signatures- Secure electronic record- Secure digital signature- Security procedure. **Unit-08**

Regulation of Certifying Authorities- Appointment of Controller- Functions of Controller- Licence to issue Digital Signature Certificates- Application for licence - Renewal of licence -Procedure for grant or rejection of licence- Suspension of licence. Access to computers and data. Procedures of Certifying - Power of Controller to give directions- Cyber Appellate Tribunal- Composition - Qualifications for appointment- Term of office- Salary, allowances and other terms and conditions-Finality of Orders- Appeal - Procedure and powers -Right to legal representation. Limitation -Bar on Civil court jurisdiction- Appeal to High Court- Compounding - Recovery of penalty-Power to investigate offences -Digital Signature Certificates-Authority to issue Digital Signature Certificate- Suspension and Revocation of Digital Signature Certificate- Duties of Subscribers **Unit-15**

Cyber Crimes -Meaning – Kinds – Cyber crimes under IPC, Cr.P.C and Indian Evidence Law - under International Law – Hacking, Child Pornography, Cyber Stalking, Denial of service Attack, Virus Dissemination, Software Piracy, Internet Relay Chat (IRC) Crime, Credit Card Fraud, Net Extortion, Phishing etc - Cyber Terrorism - Violation of Privacy on Internet - Data Protection and Privacy

Unit-10

Offences Penalties under the Information Technology Act,2000 - for damage to computer, computer system, etc- for failure to furnish information return, etc- Residuary penalty -Tampering with computer source documents- Publishing of obscene information -to decrypt information. Penalty for misrepresentation- breach of confidentiality and privacy- publishing Digital Signature Certificate false in certain particulars- Publication for fraudulent purpose- Confiscation **Unit-10**

Suggested Readings:

1. Kamlesh N. & Murali D.Tiwari(Ed), IT and Indian Legal System, Macmillan India Ltd, New Delhi.
2. K.L.James, The Internet: A User's Guide (2003), Prentice Hall of India, New Delhi.
3. Chris Reed, Internet Law-Text and Materials, 2nd Edition, 2005, Universal Law Publishing Co., New Delhi.
4. Vakul Sharma, Hand book of Cyber Laws, Macmillan India Ltd, New Delhi.
5. S.V.Joga Rao, Computer Contract & IT Laws (in 2 Volumes), 2005 Prolific Law Publications, New Delhi.
6. T.Ramappa, Legal Issues in Electronic Commerce, Macmillan India Ltd, New Delhi.
7. Indian Law Institute, Legal Dimensions of Cyber Space, New Delhi.
8. Pankaj Jain & Sangeet Rai Pandey, Copyright and Trademark Laws relating to Computers, Eastern Book Co, New Delhi.
9. Farouq Ahmed, Cyber Law in India, New Era Law Publications Law Book Publishers, 1159, Outrem Linea, Delhi.
10. S.V.Joga Rao, Law of Cyber Crimes and Information Technology Law, Wadhwa & Co, Nagpur.

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PRIVATE INTERNATIONAL LAW

This paper comprises of 87 units.

Introduction – meaning-purpose- function, basis - Development and history - Unification Efforts - Modern Theories - Stages in a Conflict of Law's Case - Choice of Jurisdiction - Choice of Law - Recognition and Enforcement of Foreign Judgments/Awards. **Unit-08**

Choice of Jurisdiction - Meaning basis of Jurisdiction, Limitations - Kinds of Jurisdiction - In personam – In rem - Admiralty - Stay of Proceedings-Anti suit injunctions- Modi Entertainment Network v. W.S.G. Cricket Pte. Ltd. (AIR 2003 SC 1177) - Assumed Jurisdictions -. Classification / Characterisation - Necessity for classifications - Various theories -Re Cohn Apt v. Apt, Shehnaz v. Rizwan, Ogden v. Odgen, De Nicols v. Curlier, Re Berehrold. Re. Maldonade. **Unit-10**

Choice of law – Lex Causae - Connecting Factor - relevance of Connecting factor - Selection of lex causae (applicable law) - Application of lex causae - Renvoi-Partial-Total, Foreign Court Theory - Collier v. Rivaz. Re Duke of Wellington. Bremer v. Freeman, Re. Aske. Re Annesly. Re Ross. Forege's Case -Limitations on application or exclusion on foreign law. **Unit-12**

Concept of Domicile -General Principles Elements of Domicile : Intention & Residence -Winavas v. Attorney General, Ramsay v. Liverpool Royal Infirmary -Kinds of Domicile -Domicile of Origin- Domicile of Choice-Domicile of Dependent- Domicile of Corporation. - Status and Universality of Status. **Unit-10**

Marriage- Kinds - Monogamous - Polygamous -Questions of formal and essential validity - matrimonial jurisdiction in India and Marriage Laws 2. Matrimonial Causes :- Divorce-Nullity-Judicial separation - restitution of Conjugal rights In England and in India- Choice of jurisdiction and choice of Law. **Unit-10**

Legitimacy - Legitimation – meaning and difference - Recognition of status-Law governing legitimacy - Different methods where by legitimation may take place- Legitimacy , legitimation and succession. Adoption- Purpose of Adoption - Adoption at Common law and in Indian Law. Recognition of Foreign Adoption Adoption and succession. **Unit-12**

Property law- movable and immovable property - Assignments of Intangible Movables - Kinds of assignments - Theories -formal and essential Validity- Lex

domicile- lex actus-Lex Situs(*Lex loci rei sitae*) rule- Mocabiquo Rule- exception - transfer of tangible movables- Negotiable Instrument - Negotiability - Succession - Testate and Intestate - movable - immovable property- proper law - Cammell v. Bewell.

Unit-10

Law of Obligation - Contracts- torts - Validity of Contracts - Capacity to contract - Formal validity - Essential Validity -Proper Law of contract- Subjective and objective theory -Torts - Various theories - Lex fori -lex loci, proper law etc. philips v. Eyre,Boys v. Chaplin.

Unit-05

Recognition and Enforcement of foreign Judgments and arbitral awards- theories - Limitation.

Unit-05

Suggested Readings

R.H. Graveson- The Conflict of Law, London: Sweet & Maxwell. 1974.

David McClean and Dr Veronica Ruiz Abou-Nigm, Morris on The Conflict of Law, 8th Edition, Sweet and Maxwell, London, 2012.

Dicey, Morris & Collins on the Conflict of Laws, 15th Ed, Sweet and Maxwell.

R.S.Chavan - Indian Private Int. Law, Sterling Pvt. Ltd, New Delhi, 1982.

Cheshire, North & Fawcett- Private International Law, 14th Ed, Oxford University Press.

Paras Diwan- Private International Law-Indian and English, Deep & Deep, 1993.

Law Commission of India -193rd Report on Transnational Litigation – Conflict Of Laws – Law of Limitation.

Sudipto Sarkar and V.R. Manohar, Sarkar Code of Civil Procedure, 10th ed., Wadhwa and Company, 2004.

LAW AND MEDICINE

This paper comprises of 81 units.

1. Introduction **Units 10**

General background - Interrelationship between law and medicine -. Issues involved -Need of legal control - Constitutional perspectives - Rights to life: Fundamental right - Right to health - Right to emergency medical care - Directive principles -Health of workers -Public assistance in sickness and disability -Raising the level of nutrition and public health - Power to make law.

2. Regulation of Medical and Paramedical Profession **Units 7**

Regulatory authorities-Disciplinary controls- Doctors and Para-Medical professionals -Controls on institutions - Hospitals - Testing laboratories - institutions for research and experiments.

3. Regulation on Manufacture, Storage and Sale of Medicines **Units 10**

Production, Transport and Storage - Sale - Advertisement.

4. Liability for Professional Negligence **Units 10**

Tort - Standard of care - Problems of evidence - Contractual liability - Criminal liability - Liability of doctors and hospitals under the consumer protection law.

5. Law, Science and Technology **Units 8**

Experiments on human beings- The Concept - Kinds -Subjects of experimentation - Controls - Genetic engineering.- Transplantations of organs - Controls on handling and disposal of bio-medical wastes.- International norms.

5. Artificial Insemination- Test Tube Babies- Surrogate Motherhood **Units 14**

Historical background -The contractual aspect and enforceability - Parenthood – who is the legal parent? - Problems of consent in caesarean surgery - Rights of husband against the right of the wife for surrogate motherhood - Rights and duties of surrogate mother when genetic parents refuse to accept the child.

6. The Unborn Child and Law **Units 8**

Unborn child- constitutional or other legal rights- Causing miscarriage and injuries to the unborn - liability - Amniocentesis -Medical termination of pregnancy-selective reduction-female foeticide.

6. Population Control **Units 4**

Law, practice and society - Family Planning: Legality of coercive methods-Sterilization of Unfit - Social Response.

8. AIDS Law **Units 10**

Nature and scope- Regulation of blood and blood products- Regulation of sexual activity - Rights and freedom - Privacy and liability to report - Liberty and security – Movement-Marriage and selling up to a family-Work - Education - Social security-Rights against degrading treatment- Equality before Law- International norms.

Suggested Readings

Digumarti Bhaskara Rao (Ed.) HIV/AIDS and Ethics and Human Rights (2000),
Discovery Publishing House, New Delhi.

Austen Garwood, Gowers, Living Donor Organ Transplantation: Key Legal and Ethical
issues (1999), Dart Month Publishing Company, England.

S.V. Jogarao, Current Issues in Criminal Justice and Medical Law (1999) Eastern
Calcutta.

Jonathan Montgomery, Health Care Law, (1997), Oxford.

Carol Levine, Taking Sides: Clashing Views On Controversial Bio-Ethical issues (1984)
Dushkin Publishing Group, Inc. Conneticut.

Eileen McDonagh, Breaking the Abortion Dead lock (1996), Oxford.

Malcolm Khan and Michelle Robson, Medical Negligence (1997) Cavendish Publishing
Limited, London.

William H. Roache, (Jr.) et.al, Medical Records and the Law (1998), Aspen Publishers,
Maryland.

Edward P. Richards, and Katharine C.Rathbun, Medical Care Law (1999) Aspen Publishers. Mary Land.

R.K.Bag, Law of Medical Negligence and Compensation (1996) Eastern Law House, Calcutta.

Council of Europe: Convention on Human Rights and Biomedicine and Explanatory Report, 36 International Legal Materials 817 (1997).

R.K.Nayak(Ed.), The Indian Law Institute, Global Health Law, (1998), World Health Organization, Regional Office for South East Asia, New Delhi.

Mason and Mc Call Smith, Law and Medical Ethics (1991) Butterworths, London.

Anoop K. Kaushal, Medical Negligence and Legal Remedies with Special reference to Consumer Protection Act, (1999), Universal.

Gregory Kaebnick, Taking Sides: Clashing Views On Bio-Ethical issues, McGraw-Hill Education; 15th Edition (2013).

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