

**Chanakya National Law University, Patna**  
**B.B.A., LL.B. (H) 2023-24; SEMESTER- II**

**Course Title: Financial Management**

**Course Overview:**

Financial Management deals with the procurement of funds and their effective utilization in the business. It is concerned with investment, financing and dividend decisions about the objectives of the company.

**In this paper, the students will-**

- Study the nature and scope of financial management in detail.
- Study the detailed aspect of Capital budgeting refers to long-term planning for proposed capital outlays and their financing. Thus, it includes both the raising of long-term funds as well as their utilisation. It may, thus, be defined as the firm's formal process for the acquisition and investment of capital. Capital budgeting requires the use of various methods including statistical techniques which have been discussed in the chapter.
- Study the overview of the Capital Structure of a firm as a reflection of the overall investment and financing strategy of the firm. It shows how much reliance is being placed by the firm on external sources of finance and how much internal accruals are being used to finance expansions. Optimal capital structure means the arrangement of various components of the structure in tune with both the long-term and short-term objectives of the firm. Study and analyze the various sources of raising long-term finance and various methods of calculation of the cost of capital.
- Study the application-based concept of Dividend policy to determine what portion of earnings will be paid out to stockholders and what portion will be retained in the business to finance long-term growth.
- Study and analyze the concept of working capital management of a business which is used to carry out day-to-day business operations of a firm. Working capital is vital for the proper and smooth functioning of an organisation.

**Learning Outcomes**

The corporate legal advisor by their expertise in corporate laws and procedures are in an eminently suitable position to

- a) Present to the Board of Directors, the financial, legal, and personnel aspects of modernization, expansion, and diversification of the existing projects of

- new projects;
- b) Obtain the decision from the Board; and
  - c) Interact effectively with the financial institutions in the process of procuring the finance.

The legal aspects of finance are becoming increasingly important, and a Corporate Legal Advisor is expected to successfully and effectively handle, amongst other things, important aspects such as management of public issues, syndication of loans, obtaining project approvals, raising of finance through public deposits and debentures or bonds, etc.

All these essentials require expert knowledge of the diverse and complex procedures involved. It is suggested to include this paper to equip the students with the requisite fundamentals of Financial Management. It has been a blend of theoretical concepts and practical orientation.

#### List of Topics/ Modules

Topic/ Module	Contents/ Concepts	Sessions / Lectures
<b>Module I: Nature and Scope of Financial Management:</b>	<ul style="list-style-type: none"> <li>• Nature and Scope of Financial Management.</li> <li>• Risk-Return and Value of the Firm.</li> <li>• Objectives of the Financial Management.</li> <li>• Profit Maximisation vs. Wealth Maximisation.</li> <li>• Emerging roles of Finance Managers</li> </ul>	1-8
<b>Module II: Capital Budgeting:</b>	<ul style="list-style-type: none"> <li>• Meaning, Concept, Compounding, and Discounting techniques</li> <li>• Concepts of Annuity and Perpetuity.</li> <li>• Capital Budgeting Process.</li> <li>• Techniques of Capital Budgeting- Discounted and Non-Discounted Cash Flow Methods.</li> <li>• Capital Rationing.</li> <li>• Case Study</li> </ul>	9-16
<b>Module III: Capital Structure:</b>	<ul style="list-style-type: none"> <li>• Introduction- Meaning and Significance.</li> <li>• Optimal Capital Structure.</li> <li>• Determinants of Capital Structure.</li> <li>• Theories of Capital Structure.</li> <li>• EBIT – EPS Analysis; EBITDA Analysis.</li> <li>• Case Study</li> </ul>	17-24

<b>Module IV: Sources of raising long-term finance and Cost of Capital:</b>	<ul style="list-style-type: none"> <li>• Sources, Meaning, Factors Affecting Cost of Capital.</li> <li>• Methods for Calculating the cost of capital.</li> <li>• Weighted Average Cost of Capital (WACC);</li> <li>• Marginal Cost of Capital.</li> </ul>	25-30
<b>Module V: Dividend Policy:</b>	<ul style="list-style-type: none"> <li>• Introduction- Types.</li> <li>• Determinants and Constraints of Dividend Policy.</li> <li>• Forms of Dividend; Different Dividend Theories.</li> <li>• Case Study</li> </ul>	31-37
<b>Module VI: Working Capital Management:</b>	<ul style="list-style-type: none"> <li>• Meaning, Types,</li> <li>• Determinants and Assessment of Working Capital Requirements,</li> <li>• Negative Working Capital.</li> <li>• Operating Cycle Concept</li> <li>• Applications of Quantitative Techniques.</li> <li>• Financing of Working Capital.</li> <li>• Banking Norms and Macro Aspects.</li> <li>• Case Study</li> </ul>	38-45

#### **Recommended/Reference Text Books and Resources:**

##### **Text Books**

- 1. M Y Khan & P K Jain: Basic Financial Management; McGraw Hill Education (India) Pvt Ltd.**
- 2. R. P. Rustagi: Financial Management – Theory, Concepts, and Problems; Taxmann Publications (P) Ltd.**
- 3. Prasanna Chandra: Investment Analysis and Portfolio Management; McGraw Hill Education (India) Pvt Ltd.**
- 4. I M Pandey: Financial Management; Vikas Publication House Ltd.**
- 5. J Van Horne &: Fundamentals of Financial Management; Pearson Education Ltd. John M. Wachowicz**

##### **References**

- **Aswath Damodaran: Applied Corporate Finance; WILEY Publication**

- **Ravi M. Kishore: Financial Management; TAXMANN'S Publication**
- **Eugene F Brigham &: Financial Management – Theory and Practice; Cengage Learning (India) Michael C Ehrhardt Pvt Ltd.**

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**Chanakya National Law University, Patna**  
**B.B.A., LL.B. (H) 2<sup>nd</sup> SEMESTER.**

**Course Title: International Business**

**Course Overview**

International business concerns all the commercial activities that take place between two or more countries. The course will provide basic concept of International Business and overview of how globalization of economy is taking place. The topics include Meaning, Nature and Scope of International business, Tools for environmental analysis, Internationalization Decisions (entry modes), Theories of International Trade, Regional Economic Integration, The Impact of war on Global Trade and Investment, Popular methods of currency valuation, Balance of Trade & Balance of payment.

**Learning Outcomes**

*The course aims to introduce students to the field of international business. Students should become familiar with three basic areas: underlying theories of international business, environmental factors affecting international activities, and the management of business functional operations in an international context.*

**On completion of the course, students will be able to:**

- Learn about globalization its positive and negative impacts and how globalisation of economy is taking place.
- Understand Business environment in global perspective and some tools to assess the international business environment.
- Learn the choice of method of entry in International Business with considering various environmental factors in the host country and home country.
- Learn theories of International Trade
- Understand the role of Regional Economic Group in countries economic development.
- Understand the Impact of war on Global Trade and Investment
- Understand the factors that lead to changes in the supply of and demand for foreign exchange and consequently, the exchange rate.

**List of Topics/ Modules**

<b>Topic/ Module</b>	<b>Contents/ Concepts</b>	<b>Sessions / Lectures</b>	<b>Methods</b>
<b>Module I:</b>	<ul style="list-style-type: none"> <li>• International Business –Drivers of international business,– Benefits of international business, Scope of international business, Difference between domestic and international business</li> <li>• Need to go global</li> </ul>	1-5	Lecturing

	<ul style="list-style-type: none"> <li>• International Business Approaches.</li> </ul>		
<b>Module II:</b>	<p>Tools for environmental analysis: PEST and PESTEL model</p> <ul style="list-style-type: none"> <li>• Political Environment</li> <li>• Economic Environment</li> <li>• Technological Environment</li> <li>• Cultural Environment</li> <li>• Social Environment</li> <li>• Legal Environment</li> </ul>	5-10	Lecturing, Case study
<b>Module III</b>	<p>Internationalization Decisions (entry modes)</p> <ul style="list-style-type: none"> <li>• Turnkey projects,</li> <li>• Foreign direct investment,</li> <li>• Mergers and acquisitions,</li> <li>• Joint ventures,</li> </ul>	11-15	Lecturing, Case study
<b>Module IV</b>	<ul style="list-style-type: none"> <li>• Exporting,</li> <li>• Licensing,</li> <li>• Franchising,</li> <li>• Contract manufacturing</li> <li>• Management contracts</li> </ul>	16-20	Lecturing, Case study
<b>Module V:</b>	<p>Theories</p> <ul style="list-style-type: none"> <li>• Mercantilism</li> <li>• Theory of absolute cost advantage</li> <li>• Comparative cost advantage theory</li> <li>• Product life cycle theory</li> </ul>	21-25	Lecturing, Case study
<b>Module VI:</b>	<p>Regional Economic Integration</p> <ul style="list-style-type: none"> <li>• BRICS</li> <li>• G20</li> <li>• Belt and Road Initiative(BRI)</li> </ul>	26-30	Lecturing, Case study, News Paper, Research Paper, Video, Guest Lecturer
<b>Module VII:</b>	<p>The Impact of war on Global Trade and Investment</p> <ul style="list-style-type: none"> <li>• Russia Ukraine war</li> <li>• Israel war 2023</li> </ul>	31-35	Lecturing, Case study, News Paper, Research Paper, Video, Guest Lecturer.
<b>Module VIII:</b>	<ul style="list-style-type: none"> <li>• Determination of exchange rate; The Absolute Version and The Relative Version</li> <li>• Balance of Trade.</li> <li>• Balance of payment.</li> </ul>	36-40	Lecturing, Case study, News Paper, Research Paper

## **Recommended/Reference Text Books and Resources:**

### **Text Books**

1. International Business 2021 Edition by Oded Shenkar, Yadong Luo, Tailan Chi , Taylor & Francis Ltd
2. International Business: Text and Cases by Francis Cherunilam, Publisher : PHI Learning; 5th edition .
3. **International Business: The New Realities** by Cavusgil, S.T., Knight, G., & Riesenberger, J.R. Prentice Hall, 2nd Edition, 2012

### **References**

- Charles W.L. Hill, International Business Competing in the Global Marketplace, 4th Edition, Tata McGraw Hill, Publishing Company Limited.
- Cherunillam Francis, International Business, Text and Cases, 3rd Edition, Prentice-Hall of India Private Limited.

### **Research Paper**

- Ruta, Michele (ed.). 2022. The Impact of the War in Ukraine on Global Trade and Investment. © Washington, DC. <http://hdl.handle.net/10986/37359> License: CC BY 3.0 IGO.”

### **Web Resources**

- <http://www.uwf.edu/rsjoland/WEB%20POSTED%20FILES/6%20International%20Trade%20Theory%20A%202%2004.pdf>
- – [www.wto.org](http://www.wto.org)
- – [www.imf.org](http://www.imf.org)
- – [www.adb.org](http://www.adb.org)
- – [www.unctad.org](http://www.unctad.org)
- – [www.worldbank.org](http://www.worldbank.org)
- – [www.finmin.nic.in](http://www.finmin.nic.in)
- – [www.commerce.nic.in](http://www.commerce.nic.in)
- – [www.saarc-sec.org](http://www.saarc-sec.org)
- – [www.iccwbo.org](http://www.iccwbo.org)
- – [www.rbi.org.in](http://www.rbi.org.in)
- – [www.asean.org](http://www.asean.org)
- – [www.europa.eu](http://www.europa.eu)

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**Chanakya National Law University, Patna**  
**B.A., LL.B. (H.) / B.B.A., LL.B. (H.) 2023-24, SEMESTER-2nd**

**Course Title: Law & Literature**

**Course Credit -3**

**Course Overview:** This course aims to explore and establish symbiotic relationship between Law and Literature by analyzing such Literary Texts which have got seminal legal implications. It also intends to analyze literary merits of some pioneering judgments that have profusely used literary references and have got great literary merit. This course also strives to enrich insight of the learners by exposing them to such literary texts which have got socio legal background. The relationship between law and literature is very important one from laws on sedition and censorship to the vitality of resistance literature in times of struggle.

**Learning Outcomes:**

The course makes a modest effort to establish better interdisciplinary connection between law and literature so that learners with help of literary readings may give aesthetic expression to their arguments as well as Legal Writings and can question outdated feudal laws/practices, religious bigotry and despotism. It would also enable students to have a sound understanding and interpretation of Law that can be positively incorporated into judicial system to facilitate more humane legal decisions.

**Modules and List of Topics**

<b>Topic/ Module</b>	<b>Contents/ Concepts</b>	<b>Sessions / Lectures</b>
<b>Module 1</b>	<b>Law &amp; Literature Movement and its pioneers</b> <ul style="list-style-type: none"><li>• Law as Literature</li><li>• Law in Literature</li><li>• Law on Literature</li><li>• Interdisciplinarity between law &amp; Literature</li></ul>	1-3



<b>Module 2</b>	<b>Merchant of Venice -by William Shakespeare(Drama)</b> <ul style="list-style-type: none"> <li>• Conflict between Law &amp; Equity</li> <li>• .Anti-Semitism</li> <li>• Humanistic approach of Law.</li> <li>• Role of Mercy.</li> </ul>	4-6
<b>Module 3</b>	<b>Julius Caesar by- William Shakespeare(Drama)</b> <ul style="list-style-type: none"> <li>• Funeral Speech of Mark Antony</li> <li>• Oratory skill and art of Advocacy</li> </ul>	7-9
<b>Module 4</b>	<b>Justice,- By John Galsworthy</b> <b>Rigidities of Law</b> <b>Prison Reforms</b>	10-14
<b>Module 5</b>	<b>In the Court - A short story by Anton Chekhov</b> <b>Mechanical Justice</b> <b>Realistic portrayal of Legal institutions</b>	15-17
<b>Module 6</b>	<b>The Stranger/The Outsider- by Albert Camus(Novella)</b>  Issues of Farcical criminal Trial Issues of being a non-conformist	18-21

	<p>Elements of oddities in Protagonist</p> <p>Flaws of French Penal LawsI</p>	
<b>Module 7</b>	<p><b>Trial of Kafka</b></p> <p><b>Kafkaseque in Literature</b></p> <p><b>Law as Labyrinthe</b></p>	22-25
<b>Module 8</b>	<p><b>Crime &amp; Punishment- by Fyodor Dostoevesky(Novel)</b></p> <p>Theory of superhuman, kenosis and expiation(suffering only way to salvation)</p> <p>Moral and psychological encumbrance of sense of guilt</p>	26-30
<b>Module 9</b>	<p><b>To Kill a Mocking Bird- by Harper Lee (Novel)</b></p> <p>Issues of racial</p>	31-35

	<p>Discrimination</p> <p>Lofty Ideals of Advocacy</p> <p>Jim Crow Laws in U.S</p> <p>Landmark decisions leading to abolition of racial discrimination in U.S</p> <p>,</p>	
<p><b>Module 10</b></p>	<p>Silence ! the court is in Session- A Drama by Vijay Tendulkar</p> <p>Gender discrimination</p> <p>Problems faced by independent women in India</p>	<p>36-40</p>

<b>Module -11</b>	<p><b>Problem of obscenity in Literature</b></p> <p>Emergence of Laws against obscenity in England and United States</p> <p>Hicklin Test</p> <p>Community standard Test</p> <p>Landmark English &amp; Indian case Laws based on issues of obscenity in Literature</p>	<p>41-45</p>
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<p><b>Recommended/Reference Books:</b></p> <p>.</p> <p><b>References:</b></p> <ol style="list-style-type: none"> <li>1. Law &amp; Literature- by Richard Posnor, Universal Law Publishing co. Pvt. Ltd.</li> <li>2. Law &amp; Literature- by Dr. Prasannanshu, Lexix Nexis</li> <li>3. The Law &amp; Literature- by S. Bharvani, Himalya Publishing House Pvt. Ltd.</li> </ol>
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# **Chanakya National Law University, Patna**

**B.A., LL.B. (H) / B.B.A., LL.B. (H) 2023-24; SEMESTER- II**

**Course Title: Law of Contracts – I (General Principles of Contracts and Specific Relief Act)**

## **Course Overview**

The Law of Contract is one of the most fundamental branches of the multi-disciplinary subject of Law. One enters into contract every now and then and this aspect of law affects our daily lives. The contract making activities have increased substantially in today's times as a result of increase of trade and commerce. In this contemporary business world, contract law has to regulate complex business transactions involving huge money and stakes in both governmental and corporate sector. Moreover, in the recent years the exponential increase in online sale purchase of goods and services, advances in the science, technology and communication have given rise to plethora of complex issues concerning consent, privacy and unforeseen challenges of the parties.

The study of this paper is indispensable to law-makers, judges, lawyers, students of law, businessmen and the people in general.

Contract law is said to be a part of 'private law' because it does not involve or bind the state or persons that are not a party to it. Many legal scholars have described contract law as a miniature legal system which people establish amongst themselves; the contract becoming binding upon them as private law or self-imposed law. Thus, contracts are voluntary and require an 'exercise of will of the parties'.

The basic legal material for the study of Contract law is Indian Contract Act, 1872 which provides a legal framework for carrying out business, trade and commercial transactions in India. However, this Act cannot be said to be complete code or exhaustive law on this subject and other legislation include Sale of Goods Act, 1930, Indian Partnership Act, 1932, Specific Relief Act, 1963, Hire Purchase Act, 1972 and

Limited Liability Partnership Act, 2008.

## Learning Outcomes

The first part of the Indian Contract Act, 1872 contains the general principles that govern almost every possible contractual relationship. How and when do individuals while carrying on their trade or occupation related activities enter in binding relationships would be explained with the help of real-life examples, illustrations and precedents. In this paper, the emphasis would be on the general principles of Law of Contract (Ss 1- 75) The basic concepts like offer, acceptance, promise, agreement, consideration, competency, breach, damages and remoteness etc. would be taken up in this course. The unprecedented situations that arose due to the Covid-19 pandemic especially the clause of force majeure as interpreted by various courts would be discussed briefly. However, in today's era, the complexities related to e-commerce have posed newer challenges to the established principles of contract law in India and further readings would be provided at the end of the course to provide insights into such recent developments

**On completion of the course, students will be able:**

1. To understand the fundamental principles, key areas and related theories/doctrines of Law of Contracts.
2. To analyse the principles governing construction and interpretation of the terms and conditions in the agreements.
3. To have an understanding of the changing scenario, latest trends and recent developments in law relating to Contracts.
4. To stimulate discussion and converge thoughts on applicability of the principles ranging from simplest to complex contractual transactions.
5. To be familiar with the redressal mechanism available to the aggrieved parties.

## List of Topics/ Modules

Topic/ Module	Contents/ Concepts	Sessions / Lectures
Module I:	<b>Formation of Contract</b> <ul style="list-style-type: none"><li>• Agreement – Social, Moral and Legal</li><li>• Intention to Contract</li></ul>	1-12

	<ul style="list-style-type: none"> <li>• Essentials of a valid Contract</li> <li>• Proposal &amp; its Kinds</li> <li>• Difference between Offer and Invitation to an Offer</li> <li>• Tenders and Auctions</li> <li>• Acceptance: Absolute and Unconditional</li> <li>• Communication, Acceptance &amp; Revocation of Proposal and Acceptance - Comparison of Indian Law and English Law</li> <li>• Void Agreement, Illegal Agreement and Voidable Contract</li> <li>• Standard Form Contracts</li> <li>• E-contracts</li> </ul>	
<b>Module II:</b>	<b>Consideration</b> <ul style="list-style-type: none"> <li>• Definition</li> <li>• Past, Present &amp; Future Consideration</li> <li>• Doctrine of Privity of Contract &amp; Its Exception</li> <li>• Difference between Privity of Contract and Privity of Consideration</li> <li>• Doctrine of Promissory Estoppel</li> <li>• Exceptions to Consideration</li> <li>• Legality of Object &amp; Consideration</li> </ul>	13-18
<b>Module III:</b>	<b>Capacity to Contract</b> <ul style="list-style-type: none"> <li>• Position of a Minor &amp; an Unsound Person</li> <li>• Restitution in cases of a Minor – Comparison of English and Indian Law</li> <li>• Minor’s liability for Necessaries</li> <li>• Beneficial Contracts</li> </ul>	19-23
<b>Module IV:</b>	<b>Free Consent</b> <ul style="list-style-type: none"> <li>• <i>Consensus ad idem</i>: Meaning of Consent</li> </ul>	24-33

	<ul style="list-style-type: none"> <li>• Factors vitiating Consent: Coercion, Undue Influence, Fraud, Misrepresentation &amp; Mistake</li> </ul> <p><b>Contingent Contracts</b></p>	
<b>Module V:</b>	<p><b>Void Agreements</b></p> <ul style="list-style-type: none"> <li>• Agreement in Restraint of Marriage, Trade, Legal Proceedings, Ambiguous &amp; Uncertain Agreements, Agreements by way of Wager</li> </ul>	34-40
<b>Module VI:</b>	<p><b>Discharge of Contract</b></p> <ul style="list-style-type: none"> <li>• By Performance</li> <li>• By Breach: Actual Breach and Anticipatory Breach of Contract</li> <li>• By Impossibility: Initial Impossibility and Subsequent Impossibility of Performance, Doctrine of Frustration of Contract, Theories of Frustration, Situations of Commercial Hardships</li> <li>• By Agreement: Novation, Alteration, Remission, Rescission and Waiver</li> </ul>	41-50
<b>Module VII:</b>	<p><b>Remedies for Breach of Contract</b></p> <ul style="list-style-type: none"> <li>• Remoteness of Damages &amp; Measure of Damages</li> <li>• Damages: Liquidated, Unliquidated and Penalty</li> <li>• Specific Performance of Contract</li> <li>• Quantum Meruit</li> <li>• <i>Force Majeure</i></li> </ul>	51-55
<b>Module VIII:</b>	<ul style="list-style-type: none"> <li>• Overview of Specific Relief Act, 1963</li> </ul>	56-60



**Recommended/Reference Text Books and Resources:**

**Text Books**

- Pollock and Mulla, **The Indian Contract Act, 1872**, (LexisNexis, 16<sup>th</sup> edn.)
- J. Beatson, A. Burrows and J. Cartwright, **Anson's Law of Contract**, (Oxford, 31<sup>st</sup> edn.)
- Avtar Singh, **Contract and Specific Relief**, (Eastern Book Publication, 12<sup>th</sup> edn.)

**Instructor Details**

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**CHANAKYA NATIONAL LAW UNIVERSITY, PATNA**  
**B.A.LL.B., B.B.A.LL.B. (H) 2023-24; YEAR - I<sup>st</sup> (SEMESTER- II)**

**Course Title: Legal History**

**Course Overview**

The curriculum is designed to focus on the -

**Module 1. EARLY DEVELOPMENTS 1600-1784 CHARTERS, SETTLEMENTS, COURTS AND STATUTES**

**Module 2. CONFLICT: CASE SPECIFIC**

**Module 3. ADALAT SYSTEM: JUDICIAL PLANS**

**Module 4. EVOLUTION OF LAW AND LEGAL INSTITUTIONS - PERSONAL AND CIVIL**

**Module 5. CODIFICATION OF LAWS**

**Module 6. ESTABLISHMENT OF COURTS ACT: AN APPRAISAL**

**Module 7. CONSTITUTIONAL DEVELOPMENTS AND FRAMING OF INDIAN CONSTITUTION**

**Module 8. LEGAL PROFESSION AND EDUCATION**

**Learning Outcomes**

**The course aims:** To have a glimpse of legal procedures, laws and institutions in context to the historical developments of colonial India.

**On completion of the course, students will be able to:** Get intimate knowledge about the changing structure of the governance and the legal system, Charters and Acts passed, and the Legislative changes underwent from time to time.

**Understand** - The development of the Legal system and Judiciary from 1600 till independence in 1947.

**Analyse** - commercial attitude of foreign traders - English East India Company emerged victorious, developed its area of influence and established its empire in India.

3. **Critically analyse** - Territorial extension of trade and monopoly of the company based on the policy of Acts and Enactments.

**List of Topics/ Modules**

Topic/Module	Contents/ Concepts	Sessions/Lectures
<b>Module I:</b>	Charters of East India Company: 1601, 1661 Settlements: Surat, Madras, Bombay and Calcutta Courts: Mayor's Court of 1726 and Supreme Court of 1774 Statutes: Regulating Act 1773, Act of Settlement 1781, and Pitt's India Act 1784	01-10
<b>Module II:</b>	Raja Nand Kumar Case Kamaluddin Case Patna case Cossijurah case	11-18
<b>Module III:</b>	Waren Hasting's Judicial Plans of 1772, 1774 and 1780 Lord Cornwallis Judicial Plans of 1787, 1790 and 1793 Lord William Bentinck's Judicial Reforms	19-26
<b>Module IV:</b>	Development of Personal Laws Development of Civil Law in Presidency towns Mufassil: Special emphasis on Justice, Equity and Good conscience	27-34
<b>Module V:</b>	Charter of 1833 First Law Commission Charter of 1853 Second law Commission	35-42
<b>Module VI:</b>	Indian High Courts Act 1861 Privy Council Federal Court	43-47
<b>Module VII:</b>	Indian Councils Act 1861	48-55

	Government of India Act 1909 Government of India Act 1919 Government of India Act 1935	
<b>Module VIII:</b>	Mayor's Court, Supreme Court, Companies Adalat, High Court Legal Practitioner's Act of 1879 Chamier and Indian Bar Committee of 1951 Advocate Act of 1961- Provisions and Disciplinary Powers	56-62

**Recommended/Reference Text Books and Resources:**

**Text Books**

Kaith A.B. A constitutional History of India 1600-1935, Low Price Publication, Delhi, 2011  
Kailash rai, History of Courts, Allahabad law agencies, Faridabad 2016  
Nilakshi Jatar and Laxmi Paranjape, Legal History (Evolution of the Indian Legal System), eastern Book Company, Lucknow, 2012  
Rama Jois M., Legal and Constitutional History of India, Universal Law Publishing Co., New Delhi, 2014  
S. Dayal, Revised by K.N. Chandrasekharan Pillar, Legal Profession and Legal Education, Indian law Institute, New delhi, 2006

**References**

M.P.Jain, Outlines of Indian Legal History, Wadhwa & Co, Nagpur, 2003 (6<sup>th</sup> Edn)  
M.P.Singh, Outlines of Indian legal and constitutional History, Universal law Publishing Co., New Delhi, 2006  
B.M.Gandhi, Landmarks in Indian Legal and Constitutional History, 10<sup>th</sup> Edition Eastern Book Company, Lucknow 2011

**Web Resources**

<https://en.wikipedia.org>  
<https://libguides.bodleian.ox.ac.uk>  
<https://www.history.ac.uk>

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*Darshini*

DR PRIYA DARSHINI  
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**Chanakya National Law University, Patna**  
**B.A., LL.B. (Hons.) 2023-24**  
**Semester: II Semester**

<b>Course Title: Political Science -II</b>
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**Course Overview**

- The objective is to create basic understanding in students regarding fundamentals of International Relationships and of International Organisations to make them prepare to receive instruction of Law papers related to International Law in upcoming semester.
- To foster analytical blend of mind of students regarding contemporary debates, issues and changes in International Relations.
- To make students understand and develop analytical skill of structural and functional dynamics of International Relations and significance in the present scenario.
- Understand the nature of the Indian Foreign Policy and analyse the relationship of India with neighbouring countries and regional blocks.

**Learning Outcomes :**

- Identify the changing perspective of security from traditional and non traditional security in context of India and to analyse the functioning of International organisations in the 21<sup>st</sup> Century.
- Obtain proficiency to manoeuvre in diverse context of the advance subject knowledge.
- Make students understand and analyse the operations of power politics at global levels.
- The programme prepares the students to undertake research project/surveys.
- Provides opportunities to undergo various competitive examinations of administrative services and law.

## Topics

SI. No.	Topics	Proposed Lectures
1.	Meaning and Scope of International Relations.	02
2.	<b>Approaches to the study of International Relations</b> : Realism and Liberalism.	<b>05</b>
3.	<b>League of Nations</b> : (i) Origin, (ii) Structure, (iii) Achievements & Failures.	<b>04</b>
4.	<b>United Nations Organization (UNO)</b> : Organs and its Functions.	<b>12</b>
5.	<b>Diplomacy</b> : (i) Meaning and its types, (ii) Immunities and Privileges of Diplomatic Agents.	<b>04</b>
6.	Foreign Policy and its determinants.	03
7.	Extradition and Asylum.	04
8.	<b>International issues</b> : (i) Globalization (ii) Human Rights, (iii) Terrorism, (iv) Environment.	<b>07</b>
9.	<b>Regional Arrangements / Organizations</b> : (i) ASEAN, (ii) SAARC, (iii) BRICS, (iv) OPEC, (v) G7, (vi) G20	<b>06</b>
10.	Basic determinants of Indian Foreign Policy and Bilateral Relations with Neighboring Countries and also with USA, Russia, Brazil and China, Indo- Pacific.	10
<b>TOTAL</b>		<b>57</b>

### Books :

1. Hans J. Morgenthau, Politics Among Nations : The Struggle for Power & Peace, Kalyani Publishers (Indian Reprint), ND 1997.
2. Norman D. Palmer & Howard C. Perkins, International Relations : The World Community in Transition, CBSE Publishers & Distributors, ND, 1985.
3. John Baylis, Steve Smit & Patricia Owens, The Globalization of WORls Politics, OUP, London, 4<sup>th</sup> ed. 2008.
4. Charls W. Kagley JR & Eugene R. Wittopt, Worls Politics : Trend & Transformation, 4<sup>th</sup> ed. St. Martins Press N.Y. 1993.
5. Morton A. Kaplan :The New Great Debate : Traditionalism vs. Science in International Relations", in Stephan Chan and Cerwyn Moore, eds., Theories of International Relations, Vo.. 1, Indusland : Sage, 2006, pp. 72-88.

### **Instructor details :**

S. P. Singh

Prof. (Pol. Sc.) & Dean, Social Sciences

**Chanakya National Law University, Patna**  
**B.A., LL.B. (H) 2023-24; SEMESTER- II**

**Course Title: Sociology of Law (3 Credits)**

**Course Overview**

The course sensitizes the students to the role of law in society in terms of seeing law in relationship with other social institutions. The first module delineates the contours of the sociology of law and its usefulness for budding legal professionals. The second module details diverse sociological approaches to unpack the relationship between law and society. The third module focuses on deploying sociological approaches to reflect on key legal dimensions of social construction, pluralism, and social control in Indian society. The fourth module delves into contemporary social issues related to caste, indigeneity, and gender, and the role of law in securing social justice in India.

**Learning Outcomes**

On completion of the course, students will be able to:

1. Critically understand the instrumental approaches to understanding the relationship between law and society.
2. Appreciate legal pluralism's relevance to understanding the relationship between law and society.
3. Understand the complex relationship between legal institutions and social mores in regulating social behaviour.
4. Critically appreciate the role of law in Indian society towards achieving social change and control.

**List of Topics/ Modules**

<b>Topic/ Module</b>	<b>Contents</b>	<b>Sessions / Lectures</b>
<b>Module I: <i>Introducing Sociology of Law</i></b>	<ul style="list-style-type: none"><li>• Traditions of Sociology of Law</li></ul>	1-8
<b>Module II: <i>Law and Modern Sociological Theory</i></b>	<ul style="list-style-type: none"><li>• Max Weber: Rationalization of Law</li><li>• Emile Durkheim: Law and Social Solidarity</li><li>• Karl Marx: Economic Determination of Law</li><li>• Michel Foucault: Discipline and Governmentality</li></ul>	9-23

<b>Module III: Key Sociological Dimensions of Law in India</b>	<ul style="list-style-type: none"> <li>• Legal Construction of Society</li> <li>• Legal Pluralism</li> <li>• Law and Social Control</li> </ul>	24-33
<b>Module IV: Law and Social Justice in India</b>	<ul style="list-style-type: none"> <li>• Law and Caste</li> <li>• Law and Indigeneity</li> <li>• Law and Gender</li> </ul>	34-48

### Suggested Reading Material

#### Module I

- Deflem, M. (2008). *Sociology of Law: Visions of a Scholarly Tradition*. Cambridge: Cambridge University Press. (read 'Introduction')
- Deva, I. (Ed.). (2010). *Sociology of Law*. New Delhi: Oxford University Press. (read pp. 1-14)

#### Module II

- Deflem, M. (2008). *Sociology of Law: Visions of a Scholarly Tradition*. Cambridge: Cambridge University Press. (read chapters 2, 3, pp. 24-28, and pp. 231-249)

#### Module III

- Deva, I. (2005). *Sociology of Law*. New Delhi: Oxford University Press. (Pp. 14-30).
- Baxi, U. (2005). Colonial Nature of Indian Legal System, in I. Deva (Ed.) *Sociology of Law*. New Delhi: Oxford University Press. (pp. 45-59).
- Eckert, J. (2004). Urban Governance and Emergent Forms of Legal Pluralism in Mumbai. *The Journal of Legal Pluralism and Unofficial Law*, 36(50), 29-60.
- Jain, A., & Das, S. (2019). Crisis of the Forest Community in Postcolonial Indian Forest Policies and Laws. *Environmental Sociology*, 5(1), 23-32.
- Chowdhry, P. (2004). Private Lives, State Intervention: Cases of Runaway Marriage in Rural North India. *Modern Asian Studies*, 38(1), 55-84.
- Bordia, D. (2023). Legal Practices and Tribal Exceptionalism in Western India. *Legal Pluralism and Critical Social Analysis*, 1-25.

#### Module IV

- Mitta, M. (2023). *Caste Pride: Battles for Equality in Hindu India*. Chennai: Westland Books. (Selections).
- Saxena, A., & Chitkara, R. (2023). Decolonizing Sovereignty and Reimagining Autonomy: Adivasi Assertions and Interpretations of Law. In V. Clavé-Mercier and M. Wuth (eds.) *Decolonising Political Concepts* (pp. 133-152). Routledge.
- Jain, A., & Mohanty, A. (2023). Forest Rights Act (FRA) 2006 and Changing Contours of Tribal Identity in Hazaribagh, Jharkhand, *IASSI Quarterly: Contributions to Indian Social Science*, 42(3), 633-641.
- EPW Engage. (2023). Personal Laws versus Gender Justice: Will a Uniform Civil Code Solve the Problem? *Economic and Political Weekly (Engage)*.

<https://www.epw.in/engage/article/personal-laws-versus-gender-justice-uniform-civil-code-solutio>

- Dutta, A. (2014). Contradictory Tendencies: The Supreme Court's NALSA Judgment on Transgender Recognition and Rights. *Journal of Indian Law & Society*, 5(Monsoon), 225-236.
- Vanita, R. (2005). *Love's Rite: Same-Sex Marriages in Modern India*. Gurugram: Penguin Books. (Chapter 2: Who Decides? Marriage, Law, the State, and Mutual Consent)
- EPW Engage. (2023). Making the Case for Same-Sex Marriage. *Economic and Political Weekly (Engage)*.  
[https://www.epw.in/sites/default/files/engage\\_pdf/2023/07/19/162159-.pdf](https://www.epw.in/sites/default/files/engage_pdf/2023/07/19/162159-.pdf)
- Mandal, S. (2023). The Supreme Court's Marriage Equality Verdict. *Economic and Political Weekly*, 58(43), 8-9.

**As part of the project work, the students will review a movie in about 1000 words from the list of movies given below.**

1. *Aakrosh*. (1980). Directed by Govind Nihlani.  
<https://www.youtube.com/watch?v=Qe0iRHo8eMM&t=7423s>
2. *Arohan*. (1982). Directed by Shyam Benegal.  
[https://www.youtube.com/watch?v=z\\_dP34fsx4U&t=3s](https://www.youtube.com/watch?v=z_dP34fsx4U&t=3s)
3. *Pink*. (2016). Directed by Aniruddha Roy Chowdhury.  
<https://www.youtube.com/watch?v=dNe7gaUXi1k>
4. *Article 15*. (2019). Directed by Anubhav Sinha.  
<https://www.youtube.com/watch?v=MLX5IIOBsm4>

### **Instructor Details**

<b>Name of the Instructor:</b>	<b>Dr. Amit Jain</b>
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Dr. Amit Jain  
Assistant Professor of Sociology  
Signature



**Chanakya National Law University, Patna**  
**B.A. & B.B.A., LL.B. (H) 2023-24; SEMESTER- II**

**Course Title: Family Law I**

**Course Credit: 3**

**Class Hour: 60 Minutes**

**Pedagogy: The teaching methodology includes lectures, case studies, interactive discussions, research projects, moot courts, legal writing exercises, practical assignments.**

**Course Overview:** The Family Law I syllabus aims to introduce law students to the fundamental structure and comparative examination of diverse Personal Laws governing family relations, including Marriage, Divorce, Maintenance, Adoption, and Guardianship. It emphasizes the critical analysis of contemporary issues like Gender Justice, Bigamy, Age of Marriage, and the Uniform Civil Code.

Family Law, an essential component of legal education, addresses the varied personal relationships in India, considering distinct laws for Hindus, Christians, Muslims, Parsis, and others. It plays a vital role in societal management by dealing with fundamental human emotions and passions in extreme situations.

Teaching Family Law involves imparting skills such as understanding, critical thinking, applying the law, and relating it to policy. Students must develop proficiency in report writing, research, fact handling, decision-making, and understanding the law in its social context. Sensitivity to the special and delicate nature of family issues is crucial, along with an awareness of alternative dispute resolution in family cases.

Hindu Law, grounded in Hindu religion and philosophy, governs the rights, duties, and obligations of Hindus. While based on Dharma, Hindu Law has evolved through judicial interpretation and legislative enactments like the Hindu Marriage Act, 1955, Hindu Adoption & Maintenance Act, 1956, and Hindu Minority & Guardianship Act, 1956.

Similarly, Muslim Law, primarily based on Islamic literature, remains largely uncodified in India. The Dissolution of Muslim Marriages Act, 1939, addresses divorce grounds for Muslim women, and the Muslim Women (Protection of Rights on Divorce) Act, 1986, allows for maintenance.

Christians and Parsis have specific Acts governing family matters, such as the Parsi Marriage and Divorce Act, 1936, the Christian Marriage Act, 1872, and the Indian Divorce Act, 1869. Secular laws like the Special Marriage Act, 1954, Code of Criminal Procedure, 1973, Foreign Marriage Act, 1969, and Family Courts Act, 1984, apply universally, providing legal frameworks for people of all religions.

The Special Marriage Act, 1954, holds significance as a progressive measure for social, analytical, and comparative study, reflecting the ongoing discourse on the need for a Uniform Civil Code in India.

Module One deals with Sources and Schools of Hindu Law

Module Two focuses on The Hindu Marriage Act, 1955

Module Three deals with Maintenance under Hindu Law

Module Four covers Adoption.

Module Five Minority and Guardianship under Hindu Law

Module Six deals with Sources and Schools of Muslim Law

Module Seven deals with Application and Interpretation

Module Eight deals with Nikah

Module Nine covers Dower (Mahr)

Module Ten covers Divorce

Module Eleven focuses on Maintenance of Women Under Muslim Law

Module Twelfth covers Laws governing Christian and Parsi Marriage and Divorce

Module Thirteen covers Laws governing Civil Marriage: The Special Marriage Act, 1954.

Module Fourteen focuses on Foreign Marriage Act, 1969

## Learning Outcomes

The goal is for students to develop specific skills through a comprehensive study of family law, as outlined in the module.

1. **Knowledge:** Attaining a solid understanding of fundamental principles through lectures and readings.
2. **Application and Problem Solving:** Applying these principles to real-life situations through collaborative problem-solving in group work.
3. **Sources and Research:** Utilizing an interdisciplinary approach, with a focus on integrating social policy and staying informed about current affairs.

## General Skills:

1. **Analysis, Synthesis, Critical Judgment, and Evaluation:** Employing prior knowledge and social conditioning to analyze, synthesize, critically judge, and evaluate information.
2. **Autonomy and Ability to Learn:** Cultivating self-motivation and a sense of responsibility for one's own learning.
3. **Communication and Literacy:** Practicing oral communication in seminars and tutorials, and honing written communication skills through the examination of problems and formative coursework.

## List of Topics/ Modules

<b>Topic/ Module</b>	<b>Contents/ Concepts</b>	<b>Sessions / Lectures</b>
<b>Module I: Schools and Sources of Hindu Law</b>	<ul style="list-style-type: none"><li>• Ancient source of Hindu Law</li><li>•• Modern source of Hindu law</li><li>• Origin of schools</li><li>• Principles of school</li></ul>	1-4

<p><b>Module II: The Hindu Marriage Act, 1955</b></p>	<ul style="list-style-type: none"> <li>• Applicability of legislation (section 2)</li> <li>• Conditions for the validity of marriage (sections 3 and 5)</li> <li>• Solemnisation of marriage (section 7)</li> <li>• Registration of Marriage (section 8)</li> <li>• Void and Voidable marriages (sections 11 and 12)</li> <li>• Restitution of Conjugal Rights (Section 9)</li> <li>• Judicial Separation [sections 10 and 13 (IA)]</li> <li>• Divorce [sections 13(1), (2), 13(1A), 13A, 13B] (a) Theories of Divorce (b) Grounds of Divorce with particular emphasis on Cruelty, Desertion, Breakdown of Marriage, Mutual Consent, Irretrievable Breakdown of Marriage (Seventy-first Report of Law Commission of India)</li> <li>• Jurisdiction and Procedure: Section 19 to 23 and relevant provisions of CPC)</li> </ul>	<p>5-10</p>
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<p><b>Module III: Maintenance</b></p>	<ul style="list-style-type: none"> <li>• The Hindu Marriage Act, 1955, sections 24 and 25</li> <li>• The Hindu Adoptions and Maintenance Act, 1956, section 18</li> <li>• Bharatiya Nagarik Suraksha Sanhita 2023 Section 144 to 147</li> <li>• Maintenance of dependence section 20-23</li> </ul>	<p>11-15</p>
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<b>Module IV: Adoption</b>	<ul style="list-style-type: none"> <li>• The Hindu Adoptions and Maintenance Act, 1956, Section 1 to 17</li> <li>• The Juvenile Justice (Care and Protection Of Children) Act, 2015, CHAPTER VIII Adoption Section 56 to 73</li> </ul>	16-23
<b>Module V: Minority and Guardianship</b>	<ul style="list-style-type: none"> <li>• The Hindu Minority and Guardianship Act, 1956</li> </ul>	24-29
<b>Module VI: Sources and Schools of Muslim Law</b>	I. Pre-Islamic Arabia II. Ancient Arabian Customs III. Advent of Islam IV. Origin of Muslim Law (A) Shariat (B) Fiqh: The Classical Theory (C) Fiqh: The Modern Theory V. Development of Muslim Law (A) Formation of Sunnite schools (B) Evolution of Ijtihad and Taqlid VI. The Shi'a: History and Sub-Schools VII. Imamatus: Shiite Notion of Law VIII The Last Phase: Muhammadan Law	30-32
<b>Module VII: Application And Interpretation</b>	<ul style="list-style-type: none"> <li>• Application Of Muhammadan Law— Shariat Act, 1937</li> <li>• Definition Of A 'Muslim'</li> <li>• Conversion To Islam and Custom</li> <li>• Three Commercial Communities.' Khojas, Bohoras, Memons</li> <li>• Schools Of Law — Principles of Interpretation.</li> </ul>	

<b>Module VIII: Nikah</b>	<ul style="list-style-type: none"> <li>• Introduction</li> <li>• Definition Of Marriage</li> <li>• Form And Capacity</li> <li>• Disabilities</li> <li>• Foreign Marriages</li> <li>• Classification Of Marriages</li> <li>• The Legal Effects Of A Valid Marriage</li> <li>• Muta Marriage Or Temporary Marriage</li> <li>• Judicial Proceedings</li> </ul>	33-36
<b>Module IX: Dower ( Mahr)</b>	<ul style="list-style-type: none"> <li>• Definition</li> <li>• Classification of Dower</li> <li>• Increase or Decrease of Dower .</li> <li>• Enforcement of Dower .</li> <li>• The Widow's Right of Retention .</li> </ul>	

<b>Module X: Divorce</b>	<p><b>Forms Of Dissolution</b></p> <p>(1) Talaq (2) Ila (3) Zihar</p> <p><b>Divorce by common consent</b></p> <p>i. Khula, ii. Mubarat</p> <p><b>Dissolution by judicial process</b></p> <p>i. Li'an</p> <p><b>Judicial Rescission</b></p> <p>i. Faskh</p> <p><b>Change Of Religion</b></p> <p><b>Effects Of Dissolution</b></p> <p><b>Judicial</b> - The Dissolution of Muslim Marriages Act, 1939</p>	37-42
<b>Module XII: Laws governing Christian, Parsi, and Jews marriage:</b>	<ul style="list-style-type: none"> <li>• The Indian Christian Marriage Act, 1872.</li> <li>• The Parsi Marriage &amp; Divorce Act, 1936.</li> <li>• Jewish Marriage Act 1946</li> </ul>	48-52
<b>Module XIII: Civil Marriage</b>	<ul style="list-style-type: none"> <li>• The Special Marriage Act, 1954.</li> </ul>	53-56
<b>Module XIV: Foreign Marriage Act, 1969</b>	<ul style="list-style-type: none"> <li>• Foreign Marriage Act, 1969</li> </ul>	57-61

## **Recommended/Reference Textbooks and Resources:**

### **Prescribed Legislations:**

1. The Hindu Marriage Act, 1955.
2. The Hindu Adoptions and Maintenance Act, 1956.
3. The Hindu Minority and Guardianship Act, 1956.
4. The Dissolution of Muslim Marriages Act, 1939.
5. The Muslim Women [Protection of Rights on Divorce] Act, 1986.
6. Prohibition of Child Marriage Act, 2006.
7. The Special Marriage Act, 1954.
8. The Foreign Marriage Act, 1969.
9. The Divorce Act, 1869.
10. The Indian Christian Marriage Act, 1872.
11. The Parsi Marriage and Divorce Act, 1936.
12. The Family Courts Act, 1984.
13. The Code of Criminal Procedure, 1973.
14. The Maintenance and Welfare of Parents and Senior Citizens Act, 2007.
15. Muslim Personal Law (Shariat) Application Act, 1937.
16. Guardianship and Wards Act, 1890.
17. The Dowry Prohibition Act, 1961.
18. Juvenile Justice (Care and Protection of Children) Act, 2000.
19. The Protection of Women from Domestic Violence Act, 2005

### **Prescribed Books:**

1. Ranganath Misra (Rev.), Mayne's Treatise on Hindu Law & Usage
2. Satyajeet A. Desai, Mulla's Principles of Hindu Law, Vol. I & II
2. Paras Diwan, Law of Marriage and Divorce
3. M. Hidayatulla & Arshad Hidayatulla, Mulla's Principles of Mahommedan Law (19th Edn. 2006.)
4. Tahir Mahmood, Fyzees Outlines of Muhammedan Law (3rd Edn. 2008)
5. Muslim Law, Sixth Edition by Syed Khalid Rashid
6. Tahir Mahmood, Muslim Law In India and Abroad, Second Edition
7. Mohammedan Law, by Aqil Ahmad, 27th Edition, 2021
8. Rao Kande Prasada, The Law relating to Marriages of Christians in India

9. Shabbir & Manchanda, Parsi Law in India.
10. H. D. Pithavala, C. Jamnadas & Co., Jhabvala's Law of Marriage & Divorce Governing Christians & Parsis [Edn. 2023]

### Instructor Details

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