

# Chanakya National Law University, Patna

B.A., LL.B. (Hons.) & B.B.A., LL.B. (Hons.) 2024-25; SEMESTER- X

Course Title: Aviation Law (Optional -V)
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## Course Overview

Aviation law addresses the legal and regulatory dimensions of air travel, aircraft operations, and aerospace activities. It integrates international, national, and regional laws to ensure the safety, security, and efficiency of air transportation. The inclusion of aviation law in the syllabus aims to equip students with a thorough understanding of the legal principles, regulatory systems, and international conventions shaping the aviation industry. By studying aviation law, students gain a comprehensive knowledge of the frameworks critical to aviation operations. This knowledge prepares them for roles that require expertise in compliance, safety, liability, and dispute resolution within the sector.

<b>Learning Outcomes</b> <p>The course aims to provide foundational understanding of Aviation law to Vth year undergraduate students.</p> <p>On completion of the course, students will be able to:</p> <ol style="list-style-type: none"><li>1. Understand the global aviation regulatory structure and key conventions.</li><li>2. Analyse complex legal issues related to aviation operations, liability, and consumer rights.</li><li>3. Apply legal frameworks to resolve disputes and ensure regulatory compliance.</li><li>4. Assess emerging challenges and propose solutions for legal issues in the aviation industry.</li><li>5. Gain practical knowledge through case studies and legal drafting exercises.</li></ol>
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Topic/ Module	Contents/ Concepts	Sessions / Lectures
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<b>Module I:</b>	<p>Introduction to Aviation Law</p> <p>Definition, scope, and significance of aviation law.</p> <p>Historical development of aviation law: from the Wright brothers to modern aviation.</p> <p>Key principles:</p> <ul style="list-style-type: none"> <li>sovereignty of airspace, freedom of the skies.</li> </ul> <p>Differentiation between public and private aviation law</p>	1-10 classes
<b>Module II:</b>	<p>International Legal Framework in Aviation</p> <p>Role of ICAO (International Civil Aviation Organization):</p> <p>Formation, functions, and annexes to the Chicago Convention.</p> <p>Key Conventions:</p> <ul style="list-style-type: none"> <li>Chicago Convention (1944): Principles of international air law.</li> <li>Warsaw Convention (1929) and Montreal Convention (1999): Liability regimes.</li> <li>Cape Town Convention: Aircraft financing and leasing.</li> <li>Open Skies Agreements: Liberalization of international air travel.</li> </ul>	11-20 classes
<b>Module III:</b>	<p>Regulatory Frameworks</p> <p>National regulatory authorities (e.g., FAA in the USA, EASA in Europe, DGCA in India)</p> <p>Regional agreements: EU Aviation Policy, ASEAN Single Aviation Market.</p>	21- 26 classes

<b>Module IV:</b>	<p>Aviation Law in India</p> <ol style="list-style-type: none"> <li>1. '<b>Bharatiya Vayuyan Adhiniyam 2024</b>' &amp; The Aircraft Act, 1934 • Historical background • Objectives and purposes of the act • Its salient features • Important provisions</li> <li>2. The Carriage by Air Act, 1972 • Historical background • Objectives and purposes of the act • Its salient features • Important provisions</li> <li>3. The Anti-Hijacking Act, 2016 • Historical background • Objectives and purposes of the act • Its salient features • Important provisions</li> <li>4. Aviation Law in India: Role of Judiciary • This module will cover development of case law in India regarding Aviation Law. It will track landmark judgements through the course of time.</li> </ol>	<p>27- 38 classes</p>
<b>Module VI:</b>	<p>Crime On-board Aircrafts</p> <ol style="list-style-type: none"> <li>1. Challenges associated with crime on-board aircrafts. <ul style="list-style-type: none"> <li>• Problem of jurisdiction</li> </ul> </li> <li>2. Tokyo Convention of 1963</li> <li>3. Montreal Protocol, 2014 (Protocol to amend the Tokyo convention)</li> <li>4. Hague Convention, 1970 (The Anti-Hijacking Convention)</li> <li>5. Beijing Protocol to Hague Convention, 2010</li> <li>6. Beijing Convention, 2010</li> </ol>	<p>51-60 classes</p>

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

### **1. Text books:**

International Aviation Law: A Practical Guide by Ron Bartsch.

Fundamentals of International Aviation by Suzanne K. Kearns.

Aviation and the Law by Laurence E. Gesell.

Foundations of Aviation Law by Dr. N.K. Nandal.

Indian Aviation Law & Regulations by Davalsab M. Ladammanavar .

### **2. Legal Conventions and Manuals:**

Chicago Convention and its Annexes.

ICAO publications and circulars.

Montreal and Warsaw Conventions.

### **3. Case Law Databases:**

ICAO Legal Committee archives.

National aviation regulatory authority rulings.

### **4. Supplementary Materials:**

ICAO's "Manual on the Regulation of International Air Transport."

Journals like "Air and Space Law Review" or "Aviation Law Reporter. TIMES

## **Instructor Details**

<b>Name of the Instructor:</b>	<b>Ms. Nidhi kumari</b>
<b>Email:</b>	<a href="mailto:Nidhi@cnlu.ac.in">Nidhi@cnlu.ac.in</a>
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**Chanakya National Law University, Patna**  
**Syllabus on**  
**Citizenship and Emigration Law**

Optional – VI: Citizenship and Emigration Law

4 Credits

B.A. & B.B.A., LL.B. (H), Vth Year – Xth Semester.

2025

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**&**

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***Human Rights Documentation Centre***

**Course Objectives:**

This course aims to provide a comprehensive understanding of the legal framework governing citizenship and emigration in India. It will explore the constitutional provisions, statutory laws, judicial interpretations, and international conventions affecting citizenship and emigration. The course also examines the socio-political and economic factors influencing policies and their implications for individuals and the state. An understanding of evidence law and civil and criminal trial procedure is a prerequisite for this course, and for this reason the course is open to students in their 5th years. A combination of the Socratic method and lecture-based classes will be followed in this course.

**Course Structure:**

The course will be divided into the following modules:

- **Module 1: Introduction to Citizenship in India**
- Concept and types of citizenship: ***Jus Soli, Jus Sanguinis, and Naturalization.***
- Constitutional provisions: ***Articles 5 to 11*** of the Indian Constitution.
- Evolution and Theories of citizenship laws in India: Historical perspective

***1. Ancient Citizenship***

***Prescribed Readings:***

*Aristotle, Politics – Discusses the concept of citizenship in the Greek polis.*

*J.G.A. Pocock, The Machiavellian Moment – Explores classical republicanism and citizenship.*

*Moses I. Finley, Democracy Ancient and Modern – Examines Athenian democracy and citizenship.*

*Cicero, De Re Publica – Roman perspectives on citizenship and civic duty.*

## **2. Modern Citizenship**

*T.H. Marshall, Citizenship and Social Class – Defines modern citizenship in terms of civil, political, and social rights.*

*Rogers Brubaker, Citizenship and Nationhood in France and Germany – Comparative analysis of modern citizenship.*

*Linda Bosniak, The Citizen and the Alien – Explores the exclusionary aspects of citizenship in modern states.*

*Seyla Benhabib, The Rights of Others: Aliens, Residents, and Citizens – Discusses modern citizenship in a globalized world.*

## **3. Citizenship in the Age of Globalization**

*Saskia Sassen, Losing Control? Sovereignty in an Age of Globalization – Analyzes how globalization affects national citizenship.*

*Aihwa Ong, Flexible Citizenship: The Cultural Logics of Transnationality – Examines how globalization changes citizenship.*

*Rainer Bauböck, Transnational Citizenship – Discusses evolving forms of citizenship beyond national borders.*

*Yasemin Nuhoglu Soysal, Limits of Citizenship: Migrants and Postnational Membership in Europe – Argues for postnational forms of citizenship.*

## **4. Constituent Assembly Debates on Citizenship & Citizenship at the Commencement of the Indian Constitution**

*B. Shiva Rao (Ed.), The Framing of India's Constitution: Select Documents – Includes Constituent Assembly debates on citizenship.*

*Granville Austin, The Indian Constitution: Cornerstone of a Nation – Discusses citizenship at the time of India's independence.*

*Niraja Gopal Jayal, Citizenship and Its Discontents: An Indian History – Examines the evolution of Indian citizenship.*

*Sudhir Krishnaswamy, Democracy and Constitutionalism in India – Analyzes foundational debates on citizenship in India.*

*The Constituent Assembly Debates (CAD) – Available online through the Government of India archives.*

## **5. Theories of Citizenship**

### **(a) Civic Republican Theory**

*Philip Pettit, Republicanism: A Theory of Freedom and Government – Discusses citizenship as active participation.*

*Quentin Skinner, Liberty Before Liberalism – Traces civic republican thought.*

### **(b) Liberal Citizenship Theory**

*John Rawls, Political Liberalism – Defines citizenship in liberal democracies.*

*Will Kymlicka, Multicultural Citizenship: A Liberal Theory of Minority Rights – Bridges liberalism and multiculturalism.*

### **(c) Communitarian Citizenship Theory**

*Michael Sandel, Democracy's Discontent – Critiques liberal individualism and supports community-based citizenship.*

*Charles Taylor, Sources of the Self – Explores the importance of community in shaping identity and citizenship.*

### **(d) Sociological Citizenship Theory**

*Bryan Turner, Citizenship and Capitalism: The Debate over Reformism – Examines citizenship in a sociological context.*

*Engin F. Isin & Bryan Turner (Eds.), Handbook of Citizenship Studies – Provides sociological perspectives on citizenship.*

### **(e) Multicultural Citizenship Theory**

*Bhikhu Parekh, Rethinking Multiculturalism – Addresses diversity in citizenship.*

*Iris Marion Young, Inclusion and Democracy – Discusses group-based citizenship rights.*

## **Module 2: The Citizenship Act, 1955**

- Acquisition and termination of citizenship.
- Amendments to the Citizenship Act, including the Citizenship (Amendment) Act, 2019.

- Controversies and debates around citizenship laws (e.g., NRC and CAA).

### **Readings on the Citizenship Act, 1955 and Related Issues:**

#### *1. The Citizenship Act, 1955*

*Bare Act: The Citizenship Act, 1955*

*MP Jain, Indian Constitutional Law – Covers the legal framework of citizenship in India.*

*H.M. Seervai, Constitutional Law of India – Analyzes the constitutional provisions related to citizenship.*

*D.D. Basu, Commentary on the Constitution of India – Discusses statutory provisions and their interpretation.*

#### *2. Acquisition and Termination of Citizenship*

*The Citizenship Act, 1955 (Sections 3-10) – Details modes of acquiring (by birth, descent, registration, naturalization, incorporation) and losing (renunciation, termination, deprivation) Indian citizenship.*

*P.K. Tripathi, Citizenship and Statelessness in India – Discusses how citizenship is granted and revoked.*

*Ramesh Thakur, The Politics and Law of Citizenship in India – Analyzes legal and political dimensions of citizenship.*

#### *3. Amendments to the Citizenship Act, Including the Citizenship (Amendment) Act, 2019 (CAA)*

*The Citizenship (Amendment) Act, 1986, 1992, 2003, 2005, 2015, and 2019 – Legal changes over time (available in government archives).*

*Alok Prasanna Kumar, The Citizenship (Amendment) Act, 2019: A Constitutional Analysis – Examines the legal validity of CAA.*

*Gautam Bhatia, The Citizenship Amendment Act and the Indian Constitution (Blog posts and articles) – A critical analysis of CAA.*

*Anupama Roy, Mapping Citizenship in India – Discusses historical and contemporary issues in Indian citizenship law.*

*Niraja Gopal Jayal, Citizenship and Its Discontents: An Indian History – Covers the evolution of Indian citizenship laws.*

#### *4. Controversies and Debates Around Citizenship Laws (NRC, CAA, and Related Issues)*

*Christophe Jaffrelot & Kalaiyarasan A., Majoritarian State: How Hindu Nationalism is Changing India – Discusses the socio-political impact of CAA and NRC.*

*Rohini Mohan, The NRC Files – Investigative reporting on the National Register of Citizens (NRC) in Assam.*

*Editorials in Economic and Political Weekly (EPW) on CAA, NRC, and citizenship-related protests.*

*Pratap Bhanu Mehta, The Constitutional Challenge of Citizenship (Indian Express & academic articles) – Examines legal challenges to CAA.*

*Supreme Court of India, Sarbananda Sonowal v. Union of India (2005) – Landmark judgment on illegal migration and citizenship in Assam.*

*Supreme Court of India, K.S. Puttaswamy v. Union of India (2017) – Relevance of right to privacy and citizenship databases.*

*Harsh Mander, Partitions of the Heart: Unmaking the Idea of India – Critiques exclusionary citizenship policies.*

### **Module 3: International Refugee Laws**

- An overview of International Refugee law and norms as well as the applicability of International Human rights law and norms.
- UNHCR mandate in India and India's relationship with UNHCR
- Overview of Refugee Law and its application in India.
- Case Law on Refugees in India
- The need for a domestic legal framework for refugees

### **Module 4: Refugees, Stateless Persons, and Migrants**

- An overview- Migrants, External and Internal
- States' obligations concerning the human rights of migrants.
- The principle of non-discrimination
- International Migration Law
- Human Rights of Migrants: An Overview
- How to incorporate rights principles in policy making?
- Human Rights especially relevant to migrants
- Principle of non-discrimination, Derogations and Customary International Law

*N.B: Each student submits a written paper on a related issue to the lectures after prior agreement within 15 days of the end of the lectures. (Can be longer if you so desire). Assessments can be on NALSAR pattern unless CNLU has something different.*

### **Module 5: Emigration and Immigration Laws in India**

- The Emigration Act, 1983: Objectives, key provisions, and challenges.
- Regulation of emigration: Role of the Protector General of Emigrants.

- Immigration policies and laws in India: The Registration Of Foreigners Act, 1939, Role of the Foreigner's Act, 1946, The Registration Of Foreigners Rules, 1992
- The Passport (Entry Into India) Act, 1920
- The Passport (Entry Into India) Rules, 1920
- The Passports Act, 1967

### **Readings on Emigration and Immigration Laws in India:**

#### **1. General Overview of Emigration and Immigration Laws in India**

*P.C. Jain, The Legal Regime of Migration in India – Analyzes emigration and immigration laws.*

*B.S. Chimni, International Refugee Law and South Asia – Discusses India's legal framework on migration.*

*Economic and Political Weekly (EPW) – Various articles on migration laws and policies in India.*

*R.B. Jain, Migration, Citizenship, and Refugee Policies in India – Discusses India's legal stance on migration and citizenship.*

#### **2. The Emigration Act, 1983: Objectives, Key Provisions, and Challenges**

*Bare Act: The Emigration Act, 1983 (Available on Ministry of External Affairs website and legal databases).*

*S.K. Sarkar, Emigration Laws in India: An Overview – Covers key aspects of the Act.*

*A.K. Shiva Kumar, Labour Migration from India: Policies, Practices, and Challenges – Examines challenges in regulating emigration.*

*S. Irudaya Rajan, Gulf Migration and the Indian Emigration Act, 1983 – Discusses its impact on Indian workers abroad.*

*Ministry of External Affairs, Annual Report on Emigration – Provides statistics and updates on emigration laws.*

#### **3. Regulation of Emigration: Role of the Protector General of Emigrants**

*Ministry of External Affairs, Role of the Protector General of Emigrants (PGE) (Available on MEA website).*

*S. Irudaya Rajan & Marie Percot, Protecting Migrants: India's Approach to Emigration Governance – Analyzes PGE's role.*

*International Labour Organization (ILO) Reports on India's labor emigration policies.*

*Government of India, Draft Emigration Bill, 2021 – Proposes reforms in emigration regulation.*

#### **4. Immigration Policies and Laws in India**

##### **(a) The Registration of Foreigners Act, 1939**

*Bare Act: The Registration of Foreigners Act, 1939 (Available in government archives).*

*Ujjwal Kumar Singh, The State, Democracy, and Anti-Terror Laws in India – Covers foreigner registration and its legal implications.*

*Ministry of Home Affairs, Guidelines on Registration of Foreigners in India.*

##### **(b) The Foreigner's Act, 1946**

*Bare Act: The Foreigner's Act, 1946 (Available in legal databases).*

*Supreme Court Case: Hans Muller of Nuremburg v. Superintendent, Presidency Jail (1955) – Landmark judgment on foreigners' rights.*

*S.K. Sinha, Regulating Immigration in India – Covers legal challenges under the Act.*

##### **(c) The Registration of Foreigners Rules, 1992**

*Government Notification: The Registration of Foreigners Rules, 1992 (Available on MHA website).*

*UNHCR, India and International Law on Refugees – Discusses impact on refugee registration.*

#### **5. The Passport (Entry into India) Act, 1920 & The Passport (Entry into India) Rules, 1920**

*Bare Act: The Passport (Entry into India) Act, 1920 & Rules, 1920 (Available in archives).*  
*M.P. Jain, Indian Constitutional Law – Discusses the constitutional basis for passport control.*  
*A.G. Noorani, India's Immigration Laws: Historical and Contemporary Analysis.*

#### 6. The Passports Act, 1967

*Bare Act: The Passports Act, 1967 (Available on government websites).*

*Supreme Court Case: Satwant Singh Sawhney v. D. Ramarathnam (1967) – Landmark case on the right to a passport.*

*Rajeev Dhavan, The Right to Travel and Indian Constitutional Law – Examines restrictions on passports and travel.*

*Harish Narasappa, Freedom of Movement and the Passports Act – Discusses legal challenges.*

### **Module 6: Role of Judiciary in Citizenship and Emigration**

- Key judicial pronouncements on citizenship and migration.
- Judicial interpretation of the Citizenship Act and the Constitution.
- Balancing individual rights and state sovereignty.

### **Module 7: International Frameworks and Comparative Perspectives**

- International treaties and conventions: Refugee Convention, 1951, and Statelessness Conventions.
- Comparative study of citizenship and migration laws in other jurisdictions.
- Globalization and its impact on emigration and immigration policies.

#### **Suggested Books:**

1. Mazhar Hussain, The Law Relating To Foreigners, Passport And Citizenship In India
2. Seth, Citizenship And Foreigner Act
3. Anil Malhotra (2009), India, Nris And Law, Eastern Book Publishers, New Delhi
4. M.P. Jain, Indian Constitutional Law
5. D. D. Basu, Shorter Constitution Of India 6. V.N. Shukla, Constitution Of India

#### **Pedagogy:**

- Lectures and interactive discussions.
- Case law analysis and group presentations.
- Guest lectures by practitioners and policymakers.
- Research assignments and moot court exercises.

#### **Recommended Readings:**

#### **Primary Sources:**

1. The Constitution of India (Articles 5-11).
2. The Citizenship Act, 1955 (as amended).
3. The Emigration Act, 1983.
4. The Foreigners Act, 1946.
5. The Passport (Entry Into India) Act, 1920.

**Secondary Sources:**

1. Basu, D.D. – *Commentary on the Constitution of India*.
2. Narayan, S. – *Citizenship and Statelessness in India*.
3. Chimni, B.S. – *International Refugee Law: A Reader*.
4. Weiner, Myron – *The Indian Paradox: Essays in Indian Politics*.
5. *Articles and reports by UNHCR and ILO on migration and refugee issues*.

**Judgments:** R. Louis De Raedt & Ors. v. Union of India And Ors., AIR 1991 SC 1886 and Maneka Gandhi v. Union of India, AIR 1978 SC 597

**Judgments:** Sarbananda Sonowal v. Union of India, 2005 (5) SCC665 and Akmal Ahmad v. State of Delhi, 1999 (3) SCC 337

**Judgments:** State of Arunachal Pradesh v. Khudiram Chakma, AIR 1994 SC 1461  
Mohd. Raza Dabstani V. State of Bombay and Ors., AIR 1966 SC 1436

**Judgments:** Satwant Singh Sawhney v. D. Ramarathnam, Assistant Passport Officer, AIR 1967 SC 1836, Anwar V. State of J & K, AIR 1971 SC 337

**Judgment:** Assam Sanmilita Mahasangha & Ors vs Union Of India & Ors on 17 December, 2014

**Chanakya National Law University, Patna**  
**B.A., LL.B (Hons.) & B.B.A., LL.B. (Hons.)**  
**SEMESTER- X**  
**Academic Year (2024-2025)**

**Course Title: Health Law**  
**(4 Credits)**  
**Honours– VIII**

**Course Overview**

Health care industry and law are subjects with an inherent dynamism. There expanding dimensions with enduring research and advancements in technology increases its complexity because it touches socio, legal and ethical contours of human civilization. To understand the intricacies of this nascent field of law needs a comprehensive study with a detailed module comprising all possible and significant health issues of human being. Taking into consideration of the above said issues, module of this Optional paper is developed. The capital idea of this syllabus is to professionally equip students with a detailed understanding of national and international regulatory framework and approaches of Health laws and Health policies.

**Module I** deals with meaning and Concept of Health, International Instruments and Constitutional Safeguards for Health.

**Module II** talks about ethical concerns of in Medical Research & Medical Treatment.

**Module III** focuses on legislative framework for Health Sector in India

**Module IV** covers laws for regulation of Medical Profession and Medical Education in India.

**Module V** emphasizes on emerging trends in health sector and their legal and ethical implications

**Learning Outcomes**

This course module is prepared with an objective to develop student's legal acumen in health law regime.

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

1. Understand conceptual framework and regulatory framework of Health Law and its policies.
2. Understand the relationship between the legal system, health care providers, and patients;
3. Identify and analyze legal issues in health care industry and its practices

4. Effectively communicate, both orally and in writing, the interpretive understanding of a case, statute, and complex regulatory scheme of Health Law Regime (both national and global).
5. Multi facet and interdisciplinary analysis of any public health policy document.

Topic/ Module	Contents/ Concepts	Sessions / Lectures
<b>Module I:</b>	<b>Health: Meaning and Concept, International Instruments and Constitutional Safeguards for Health</b>	10 Lectures
	<p><b>1. Introduction:</b></p> <ul style="list-style-type: none"> <li>➤ Meaning and Concept of health;</li> <li>➤ Factors affecting health;</li> <li>➤ Concept of Public Health;</li> <li>➤ Health Committees Pre And Post-independence;</li> <li>➤ National Health Policies.</li> </ul> <p><b>2. International Instruments and Right to Health:</b></p> <ul style="list-style-type: none"> <li>➤ Right to health- International Perspectives;</li> <li>➤ Role of WHO; ALMATA Declaration;</li> <li>➤ And other important International Human Right Instruments for Right to health.</li> </ul> <p><b>3. Constitutional Framework for Health in India:</b></p> <ul style="list-style-type: none"> <li>➤ Entries relating to health under Schedule VII;</li> <li>➤ Provisions under Directive Principles;</li> <li>➤ Health as a part of Fundamental Rights &amp; Right to life;</li> <li>➤ Fundamental duties;</li> </ul>	
<b>Module II:</b>	<b>Medical Ethics in Medical Research &amp; Medical Treatment</b>	10 Lecture
	<p><b>4. Medical Ethics &amp; Medical Research</b></p> <ul style="list-style-type: none"> <li>➤ Medical ethics and Bio ethics</li> <li>➤ Fundamental notions of Medical ethics</li> <li>➤ International documents on Medical Ethics and its historical development</li> </ul> <p><b>5. Consent &amp; Medical Treatment</b></p> <ul style="list-style-type: none"> <li>➤ Consent in Medical Treatment</li> <li>➤ Privacy, Confidentiality, and Informed Consent</li> </ul>	

	<b>6. Medical Research &amp; Consent</b> <ul style="list-style-type: none"> <li>➤ Introduction, Medical Research vs Medical Treatment</li> <li>➤ International ethical codes (Nuremberg Code, Declaration Helsinki, The CIOMS guidelines)</li> <li>➤ Regulation of medical research in India</li> <li>➤ Clinical Trial</li> </ul>	
<b>Module III:</b>	<b>Health care regulations in India and public Health Emergency law</b>	25 Lectures
	<b>7. Health care regulations in India and public Health Emergency law</b> <ul style="list-style-type: none"> <li>➤ Laws relating to Reproductive and Sexual Rights of Women</li> <li>➤ Organ And Tissue Transplantation</li> <li>➤ Mental Health</li> <li>➤ Regulating pharmaceutical, medical devices and healthcare technology</li> <li>➤ Public Health Emergency Laws</li> <li>➤ Occupational Health and public safety</li> <li>➤ Other significant legislations</li> </ul>	
<b>Module IV:</b>	<b>Laws for Medical Profession and Medical Education</b>	10 Lecture
	<b>8. . Medical Profession and Patient Rights</b> <ul style="list-style-type: none"> <li>➤ Doctor and Patient relationship</li> <li>➤ Medical Negligence (Civil and Criminal)</li> <li>➤ Professional misconduct in medical profession</li> </ul> <p>(The Indian Medical Council Act, 1956, Indian Medical Council (Professional Conduct, Etiquette, and Ethics) Regulations, 2002 etc.)</p> <b>7. Medical Education</b> <ul style="list-style-type: none"> <li>➤ The Medical Council of India (MCI)</li> <li>➤ The National Medical Commission (NMC))</li> </ul>	
<b>Module V:</b>	<b>Emerging Trends in health sector and their Legal and Ethical Implications</b>	10 lectures

	<b>8. Emerging trends in health law regime</b> <ul style="list-style-type: none"> <li>➤ Euthanasia</li> <li>➤ Bio-technology and Human Health</li> <li>➤ Gene Patenting : legal and ethical issues</li> <li>➤ Health Insurance</li> <li>➤ Human Cloning.</li> <li>➤ Telemedicine</li> </ul>	

### Evaluation Criteria

COMPONENTS	MARKS ALLOTTED
Attendance	05
Project Report	16
Presentation	4
Mid-Semester Examination	15
End-Semester Examination	60
Total Marks	100

### RECOMMENDED/REFERENCE TEXT BOOKS AND RESOURCES:

#### Text Books & Reference Books

1. Thomas , Alexander , H.C., Arpitha and V.Nandimath Omprakash, Health Law and Ethics: Critical Reflections, (Thomson Reuters,2022)
2. Kannan, K , Medical Jurisprudence and Toxicology (Modi), (LexisNexis, 26th ed.,2021)
3. Bag ,R.K. - Medical Negligence and Compensation, (Eastern Law House,2021)
4. Kannan ,K, Medicine and Law (Oxford Publication.2014).
5. Foster ,Charles ,Medical Law: A Very Short Introduction (Very Short Introductions) ,Oxford,2013
6. Mason Kenyon,and Lauire,Mason and Mc Call Smith- Law and Medical Ethics, oxford ,2013
7. Jogarao ,S. V. - Current Issues in Criminal Justice and Medical Law, (Eastern Law House,1999)
8. Diamond, Bridgit, Legal Aspect of Care in the Community, (Macmillan Press Ltd., London, 1997)
9. Bakshi ,P. M. -Law and Medicine , Institute of Judicial Training and Research, 1993
10. Knight ,Barnard, American Medical Practice, (Churchill Livingstone, London, 1992)
11. Pattinson, Shaun D. Medical Law and Ethics. 2nd Ed.. London: Sweet & Maxwell; Thomson Reuters, 2009.
12. Plomer, Aurora. The Law and Ethics of Medical Research: International Bioethics and

Human Rights. London: Cavendish, 2004.

13. K S Narayan Reddy, Medical Jurisprudence & Toxicology

**Web Resources**

<https://medicineslawandpolicy.org/>

<https://lawjournals.celnet.in/index.php/ijhml/index>

<https://libraryguides.law.pace.edu/c.php?g=319350&p=3146149>

<https://libraryguides.law.pace.edu/c.php?g=319350&p=3146128>

<https://libraryguides.law.pace.edu/c.php?g=319350&p=3146136>

<https://jipmer.edu.in/library/open-access-and-free-medical-e-resources>

<b>Name of the Instructor:</b>	<b>Kumar Gaurav</b>
<b>WhatsApp Number:</b>	<b>07091140418</b>
<b>Email:</b>	Kumargaurav@cnlu.ac.in

**Chanakya National Law University, Patna**  
**B.A., LL.B. (Hons.) & B.B.A., LL.B. (Hons.)**  
**SEMESTER- X**  
**Academic Session (2024-2025)**

**Course Title: Human Rights (Honors – VII)**

**Course Overview**

The purpose of this module is to examine the history, development, structure and efficacy of human rights law. In this module, students will investigate the legal framework of the United Nations and regional systems relating to the protection and promotion of, inter alia (among other things), the rights of minorities and indigenous peoples, women's rights, the rights of migrants and refugees, cultural rights, and the emerging field of environmental rights. This Course module expose students about concepts and idea of Human Rights in Indian Constitution and its enforcement in India. After finishing this course students will be able to analyze, interpret and assess the challenges posed to the implementation of human Rights and they may provide legal aid to various victims of crime in their vicinity.

**Module I** deals with meaning and Concept of Human Rights & its development.

**Module II** talks about International Instruments for Human Rights.

**Module III** focuses on protection and promotion of human rights –UN role

**Module IV** covers world conferences and international conventions on Human Rights.

**Module V** emphasizes on regional protection of human rights.

**Module VI** covers protection of human rights in India.

**Learning Outcomes**

This course module is prepared with an objective to develop student's legal acumen in Human Right laws.

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

1. Understand conceptual framework and regulatory framework of Human Right Law and its policies.
2. Improve their ability to think critically, engage in complex reasoning and express their thoughts clearly through their written work
3. Understand the historical background of the international human rights movement
4. Develop their understanding of the different disciplinary approaches to the study of human rights
5. Develop their understanding of the main international human rights' legal instruments and institutions

6. Develop a basic understanding of some of the key contemporary challenges in international human rights.

<b>Topic/ Module</b>	<b>Contents/ Concepts</b>	<b>Sessions / Lectures</b>
<b>Module I:</b>	<b>INTRODUCTON</b>	<b>12 Lectures</b>
	A. Humanism and importance of human rights B. Human Rights concept, kinds, source and history (Evolution) of Human Rights C. Land marks in the path of Liberty eg. The Magna Carta 1215, The petition of Rights 1628, The Bill of rights 1689 etc. D. International Developments	
<b>Module II:</b>	<b>INTERNATIONAL INSTRUMENTS</b>	<b>14 Lecture</b>
	A. UDHR B. Covenant on Civil and Political Rights,1966 C. Covenant on Economic and Cultural Rights,1966 D. Declaration on Promotion among youth of the ideals of peace, Mutual Respect and Understanding between people.	
<b>Module III:</b>	<b>PROTECTION AND PROMOTION OF HUMAN RIGHTS –UN ROLE</b>	<b>12 lectures</b>
	A. Provisions of UN Charter concerning Human Rights B. UN Bodies primarily concerned with Human Rights	
<b>Module IV:</b>	<b>WORLD CONFERENCES AND INTERNATIONAL CONVENTIONS ON HUMAN RIGHTS.</b>	<b>10 lectures</b>
	A. Conferences: Tehran Conference 1968, Viena Conference 1993, Beijing Conference B. Conventions: <ul style="list-style-type: none"> <li>• Conventions relating to Inhuman, Cruel and Degrading Acts.</li> <li>• Convention on Right of the Child</li> <li>• Conventions on Women’s rights</li> <li>• Conventions on Migrant Labours</li> </ul>	
<b>Module V:</b>	<b>REGIONAL PROTECTION OF HUMAN RIGHTS</b>	<b>10 lectures</b>

	<p>A. European Convention for the protection of Human Rights and Fundamental Freedom 1950 and other Instruments.</p> <p>B. American Convention on Human Rights, 1969</p> <p>C. African Charter on Human and people's Rights 1981</p> <p>D. Other Regional Arrangements for the protection of Human Rights.</p>	
<b>Module VI:</b>	<b>PROTECTION OF HUMAN RIGHTS IN INDIA</b>	<b>12 lectures</b>
	<p>A. Human Rights in India</p> <p>B. Human Rights and Indian Constitution</p> <p>C. The Protection of Human Rights Act, 1993</p> <p>D. Role of the Central and State Governments in Promoting Human Rights Education</p> <p>E. Criminal justice system in India and human rights</p> <p>F. National Human Right Commission Report and its effect</p>	

#### **RECOMMENDED/REFERENCE TEXT BOOKS AND RESOURCES:**

##### **Text Books & Reference Books**

- K C Joshi (2019): International Law and Human Rights, Eastern Book Company, Lucknow
- Bhagyashree A. Deshpande, Human rights- Law and Practice, (CLP, 2017)
- H.O. Agarwal, International Law and Human Rights (CLP, 2019)
- Justice D M Dharmadhikari, Human Values and Human Rights (Lexis Nexis, 2016)
- Rashee Jain, Text book on Human Rights Law and Practice (Lexis Nexis, 2016)
- V. N. Shukla's Constitution of India (Eastern Book Company, 2017)
- Bruce K Friesen, Moral Systems and the Evolution of Human Rights (Springer Briefs in Sociology, 2014)
- Manoj Kumar Sinha, Implementation of Basic Human Rights, (Lexis Nexis)
- Vijay Chitnis et. all., Human Rights and the Law: National and Global Perspective
- A. N. Dange, Human Rights and International Law Practices (M D Publications Pvt. Ltd. 2011).
- Rega Surya Rao, International Law & Human Rights (Gogia Law Agency, 2020)
- Brij Kishore Sharma, Human Rights Covenants and Indian Law (PHI Learning private Ltd.)
- John Finnis (2011): Natural Law and Natural, Oxford Univ. Press
- Stefan-Ludwig Hoffmann (2010) , Human Rights in Twenty First Century, University of California, Berkeley

- Bimal N. Patel India and International law

#### CASES:

**Shri D.K. Basu, Ashok K. Johri vs State Of West Bengal, State Of U.P on 18 December, 1996**

Shri D.K. Basu, Ashok K. Johri vs State Of West Bengal, State Of U.P on 18 December, 1996

Om Kumar And Ors vs Union Of India on 17 November, 2000

Noor Aga vs State Of Punjab & Anr on 9 July, 2008

Bachan Singh, Sher Singh And Anr. And ... vs State Of Punjab And Ors. on 16 August, 1982

Independent Thought vs Union Of India on 11 October, 2017

#### Web Resources

<https://cdp-hrc.uottawa.ca/en/partnerships>

<https://www.asil.org/resources/electronic-resource-guide-erg>

<http://www.whatconvention.org/>

<https://en.unesco.org/cultnatlaws/list>

<https://nhrc.nic.in/publications/annual-reports>

<b>Name of the Instructor:</b>	<b>Dr. Vijay kumar Vimal</b>
<b>WhatsApp Number:</b>	<b>9470708595</b>
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**Signature**

**Chanakya National Law University, Patna**  
**B.A., LL.B. (Hons.) / B.B.A., LL.B. (H) 2024-25; SEMESTER- X**

**Course Title: International Trade Law**

**Course Overview**

The world trade has grown manifold over the years, The decades after mid-20<sup>th</sup> century saw an immense growth of International Trade and as the world became more interdependent, the globalisation became the theme of the times. However this massive growth of International Trade brought with it many intricate issues. The establishment of multilateral trade organisations as well as regional arrangements also led to multiple issues between the nations. All these issues always need to be ironed out amongst the nations so that the international trade is carried on smoothly to the mutual benefit of all the nations involved. Along with multilateral organisations, the basic idea about the instruments of international trade are also important so that the students are aware of all the aspects of international trader in a holistic matter. This course intends to make students familiar with all these details so they are well equipped to have a thorough understanding of nuances of international trade. With this view, the paper on international trade law has been designed incorporating important case studies, multilateral treaties, dispute settlement etc.

**Learning Outcomes.** International Trade Law as a paper is not only concerned with trade amongst nations but also the issues relating to international cooperation in the spirit of give and take. International Trade but at the same time students will also learn the nuances of diplomacy and strategic concerns in negotiations. After all, the cooperation between nations as well as the conflict is based on economic considerations above all throughout history. So how to protect one's own interest and taking care of others interests too is a delicate balance which must be maintained so that the wheels on international trade and commerce run smoothly

## List of Topics/ Modules

Topic/ Module	Contents/ Concepts	Sessions / Lectures
<b>Module I:</b>	<p><b>Topic 1: Origin and Evolution of GATT &amp; WTO.</b>  Global Economics and International Trade Law  Protectionism <i>and</i> Free Trade theories  The Havana Charter &amp; Birth of GATT, 1947  iv  GATT Rounds of Negotiation  GATT 1994 &amp; The WTO: Its Genesis (Uruguay Round 1986 to 1994)  WTO Agreements, Understandings, Annexes, Membership  Objective, Functions and Structure of WTO (Key Organs/Bodies)  Decision - Making Process, Voting, Amendment, Waiver etc.</p>	1-10
<b>Module II:</b>	<p><b>Dispute Settlement Procedures under GATT and WTO</b>  Dispute settlement under GATT: Article XXII, Article XXIII, its merits &amp; demerits  Difference between the GATT and WTO dispute settlement procedures  Dispute Settlement Procedure under the WTO charter (refer Agreement on Dispute Settlement Understanding),  Consultation, Dispute Panel Body, Appellate Body,  Implementation of findings/decisions of WTO Dispute Settlement Body (Refer Article XXV GATT)</p>	11-15

<b>Module III:</b>	<p><b>The Principles of Non-Discrimination in GATT &amp; WTO</b></p> <p>Most-Favoured-Nation Treatment (MFN) under Article 1 of GATT 1947: its background, history, meaning, scope, significance &amp; advantages; Meaning and scope of 'likeproduct'.</p> <p>Exceptions to MFN (Annexes A to F of Article 1, Customs Unions and Free Trade Areas (Art. XXXIV), Generalized System of Preferences (Art XXV), Art. XXXV, Art XXV, Art. XX, Art XXI, XII-XVIII, Art. VI, Subsidies Code and Government Procurement Code, Art XXIII, XIX (Escape Clause); Regional Associations like NAFTA, EU, BRICS, SAFTA, TTIP, RCEP etc.</p> <p>National treatment principle (NT) under Article III, GATT: its Origin &amp; Scope, Meaning, Methodology.</p> <p>Exceptions to National Treatment Principle</p>	15- 20
<b>Module IV:</b>	<p><b>Subsidies and Countervailing Measures</b></p> <p>Identification of Subsidies that are subject to the SCM Agreement.</p> <p>Definition of 'Subsidy', 'Specificity'.</p> <p>Regulation of Specific Subsidies</p> <p>Prohibited Subsidies</p> <p>Actionable Subsidies</p> <p>Non- actionable Subsidies</p> <p>Dispute Settlement and Remedies</p>	21-30

<b>Module V:</b>	Anti-dumping: A Basic Overview Anti-dumping Investigations i) Initiation ii) Evidence used in the Investigation iii) Key substantive issues: Dumping, injury and causation Anti- dumping Measures i) Provisional measures ii) Price undertakings iii) Duration & review of duties iv) The use of Anti-dumping Measures other than Tariff Duties Challenging AD measures in WTO DisputeSettlement v) Standard ofReview vi) The measures to be challenged vii) Good faith, Even-handedness, Impartiality	30 -35
<b>Module VI:</b>	<b>Services, Investment &amp; Intellectual Property</b> The scope of GATS General obligations and disciplines MFN Principle (GATS Article II & Annex) Domestic regulations (GATS Article VI) Exceptions (GATS Article XIV) Specific commitments (GATS Parts III-IV) Market access National treatment Objective and Coverage of TRIMs National Treatment and Quantitative Restrictions, Inconsistent TRIMs Notification & Transitional Agreements, Transparency Provision for Developing Country Members Objective and Coverage of Agreement on Trade Related Intellectual Property Rights (TRIPS), 1994.	35-40
<b>Module VII</b>		40-45

<p><b>Module VIII</b></p>	<p>Export Trade transactions and International Commercial Contracts</p> <p>Standard Trade Terms (CIF, FOB, FAS) Formation and Enforcement of International contracts Rights &amp; Liabilities of Parties to Contracts.</p> <p><b>Payments in International Trade</b> Bills of Exchange Law Relating to Bills of Exchange Commercial Credit in International Trade Letter of Credit: Types and the Law Relating to Commercial Credit</p> <p><b>Module IX</b></p> <p><b>Carriage of Goods in Export Trade</b> Carriage of Goods by Sea Bills of lading and Charter Parties Rights and Liabilities of the Parties to Contract of Carriage</p>	<p>45-50</p> <p>50-55</p>
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## **Recommended/Reference Text Books and Resources:**

### **Prescribed Books.**

1. Indira Carr, *International Trade Law*, (5<sup>th</sup>edn.) Routledge (2014)
2. Jason Chuah, *Law of International Trade*, (5<sup>th</sup>edn.) Sweet & Maxwell (2013)
3. John Head, *General Principles of Business and Economic Law* (1st ed.) Carolina Academic (2008)
4. Simone Schnitzer, *Understanding International Trade Law*, Universal (2006)
5. Rahmatullah Khan (ed.), *Law of International Trade Transactions*, N.M. Tripathi (1973)

### **Prescribed Agreements/Instruments:**

1. UNCITRAL Convention on International Bills of Exchange and International Promissory Notes, 1988
2. UN Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea, 2008
3. Uniform Customs and Practice for Documentary Credits 600, 2007
4. International Convention for the Unification of Certain Rules Relating to Bill of Lading,

## **Instructor Details**

<b>Name of the Instructor:</b>	<b>Dr. G P Pandey</b>
<b>Email:</b>	<b>gppandey@cnlu.ac.in</b>

## **Law Relating to Investment and Corporate Finance**

**B.A. , LL.B. (Hons.) and B.B.A. , LL.B. (Hons.)**

**10<sup>th</sup> Semester**

**Faculty**

**Mr. Abhishek Kumar**



**Chanakya National Law University, Patna**

### **Module I: Introduction**

- Corporate Finance: Meaning, Importance and Scope
- Objectives of Corporate Finance
- Capitalization
- Shares and Debentures: Nature and Types
- Provisions of the Companies Act, 2013

### **Module II: Primary Market**

- Primary Market: Meaning and Functions
- Indian Capital Market
- Authority Governing Capital Market in India
- Capital Market Instruments: Equities, Preference Shares, Shares with Differential Voting Rights

### **Module III: Secondary Market**

- Secondary Market Development of Stock market in India
- Stock market & its operations
- Trading Mechanism
- Basis of Sensex
- Risk Management in Secondary Market

### **Module IV: Mutual Funds**

- Introduction
- Types
- Risks Involved
- Setting Up of Mutual Fund
- Regulatory Framework

### **Module V: Venture Capital**

- Concept
- Regulatory Framework
- Registration
- Investment Conditions and Restrictions
- Foreign Capital Investors

### **Module VI: Legal Scenario**

- The SEBI Act, 1992
- The Companies Act, 2013
- The Securities Contracts (Regulation) Act, 1956

○ **Reading Materials:**

1. E. Gordon, Capital Market in India; Himalaya Publishing House, Ramdoot, K. Natarajan Dr. Bhalerao Marg, Girgaon, Mumbai- 400004.
2. Sanjeev Aggarwal: Guide to Indian Capital Market; Bharat Law House, 22, Tarun Enclave, Pitampura, New Delhi– 110 034.
3. V.L. Iyer: SEBI Practice Manual; Taxman Allied Service (P) Ltd., 59/32, New Rohtak Road, New Delhi- 110005.
4. M.Y. Khan: Indian Financial Systems; Tata McGraw Hill, 4/12, Asaf Ali Road, New Delhi– 110 002.
5. S. Suryanarayanan: SEBI– Law, Practice & Procedure; Commercial Law Publishers (India) V. Varadarajan Pvt. Ltd., 151, Rajindra Market, Opp. Tis Hazari Court, Delhi– 110054.
6. Mamta Bhargava: Compliances and Procedures under SEBI Law; Shreeji Publishers, 8/ 294, Sunder Vihar, New Delhi– 110 087.
7. Taxmann: SEBI Manual.
8. Asim Kumar Mishra: Venture Capital Financing in India; Shipra Publications, 115A, Vikas Marg, Shakarpur, Delhi- 110092.
9. Vishal Saraogi: Capital Markets and Securities Laws simplified, Lawpoint Publication, 6C, R.N. Mukherjee Road, Kolkata-70000.
10. Ramaiya A, Guide to the Companies Act (1998), Vol. I, II and III.

# **CHANAKYA NATIONAL LAW UNIVERSITY, PATNA**

**5<sup>th</sup> Year, 10<sup>th</sup> Semester, 2025**

Course Title: Moot Court
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## **Course Overview:**

Moot Court is a simulation of real court process for imparting the knowledge and skills of lawyering. In this practical activity, students take part in make-believe legal activities to acquire the necessary courtroom abilities. The curriculum aims at providing experiential learning which is of utmost importance for the successful training of law students and is imperative for the administration of justice.

## **Course Objectives :**

To empower the students by providing them necessary courtroom skills of writing and arguing. The student gets an exposure of how a lawyer feels in the court arguing his/her case.

## **Learning Outcomes:**

The course aims to-

- provide experience of the greatest practical value for a profession which is an essential part of the administration of justice.
- prepare students for a legal career by providing opportunity for application of legal knowledge; understanding court procedure; enhancing communication and advocacy skills; developing critical thinking; imparting the knowledge and skills of researching; lawyering; and collaboration and teamwork.
- expose students to diverse perspectives, so that they as learned lawyers and honorable judges - are able to meet the challenges of an evolving society, while administering justice in courts
- create sensitivity about ethical issues likely to arise during the course of legal profession and facilitate the students to face the challenges of professional dilemma without compromising with the core values of the legal profession.
- build the capacity for reasoning and analysis inherent in court practice.

**On completion of the course:**

- students will understand better than they did before that the legal profession is not only for their private gain but for public good law; and they will strive to maintain the honour and prestige of the great tradition which they will inherit.
- students will be equipped to promote the advancement of justice in the society.
- students will be able to derive crucial benefit not only in their professional life but also in their personal life by incorporating professional norms and values in their personality.
- Students will take their profession seriously and will be instilled with respect for the rule of law.

**Module 1** deals with drafting of petition for the High Court, accompanied by court visits, internship and recording of diary.

**Module 2** covers trial of criminal cases in the subordinate court, accompanied by court visits, internship and recording of diary.

**Module 3** covers trial of civil suits in the subordinate court, accompanied by court visits, internship and recording of diary.

**Module 4** deals with proceedings in the High Court, accompanied by court visits, internship and recording of diary.

**Details of Modules**

Each student is required to draft ten petitions, and one each week.

Module no.	Particulars	Marks	Deadline
1	Court Visit and presentation on court proceeding	25	As per instruction
2	Criminal trial	25	January and February 2025

	<ul style="list-style-type: none"> <li>i. Drafting FIR/ Complaint petition</li> <li>ii. Case Diary</li> <li>iii. Charge-sheet</li> <li>iv. Order taking cognizance</li> <li>v. Bail petition and arguments by each student</li> <li>vi. Framing of charge</li> <li>vii. Discharge petition. Arguments each group</li> <li>viii. Recording of testimony (examination in chief &amp; cross examination)</li> <li>ix. Oral arguments by each group</li> <li>x. Written arguments By each group</li> <li>xi. Recording of entire order sheet, from beginning to delivery of judgment.</li> </ul>		
3	Civil trial	20	January and February` 2025
	<ul style="list-style-type: none"> <li>i. Drafting of Plaint</li> <li>ii. Written statement</li> <li>iii. Limitation petition</li> <li>iv. Amendment petition</li> <li>v. Substitution petition</li> <li>vi. Submission of documents and marking of exhibits</li> <li>vii. Settlement of issues</li> <li>viii. Recording of testimony (examination in chief &amp; cross examination)</li> <li>ix. Oral arguments by each student. Cite the oldest &amp; most recent reported judgments of Hon'ble Supreme Court of India.</li> <li>x. Written arguments. Cite oldest &amp; most recent</li> </ul>		

	<p>reported judgments of Hon'ble Supreme Court of India.</p> <p>xi. Recording of entire order sheet, from beginning to delivery of judgment.</p>		
4	<p>High Court proceedings</p> <p>i. Civil Writ/Criminal Writ/LPA/Request Case/Contempt application</p> <p>ii. Counter Affidavit</p> <p>iii. Rejoinder</p> <p>iv. Argument</p> <p>v. Written notes</p> <p>vi. Judgment</p>	25	March`2025

Attendance

5

Name and details of instructors	
i.	<p>Dr Meeta Mohini</p> <p>WhatsApp no. 9431033035</p> <p><a href="mailto:meeta@cnlu.ac.in">meeta@cnlu.ac.in</a></p>
ii.	<p>Dr Ranjeet Kumar</p> <p>WhatsApp no. 9234945387</p> <p><a href="mailto:lawgkp@gmail.com">lawgkp@gmail.com</a></p>

Signature:

Dr Meeta Mohini

Dr Ranjeet Kumar

**CHANAKYA NATIONAL LAW UNIVERSITY, PATNA**

**B.A., LL.B. (H) / B.B.A., LL.B. (H)**

**(10<sup>th</sup> Semester)**

**Academic Year- 2024-25**

**January 2025 – June 2025**

**Offences Against Child & Juvenile Justice (Hons. - VIII)**

**Course Outline**

**Course Overview:**

This course explores the rights and protections afforded to children under national and international legal frameworks, with a focus on Indian laws and global perspectives. It explores into the conceptual foundations of child rights, the juvenile justice system, and the mechanisms to address offences against children. By analyzing constitutional provisions, landmark legislations, and case studies, the course equips students to critically engage with child protection policies and understand the evolving challenges in this field.

**Learning Outcomes:**

- Identify and analyze offences like abuse, trafficking, child labor, and exploitation; apply laws such as the POCSO Act and Bharatiya Nyaya Sanhita.
- Examine the Juvenile Justice Act, its structure, and challenges; differentiate between children in conflict with the law and those needing care and protection.
- Compare global juvenile justice frameworks and extract lessons for India; understand the role of organizations like UNICEF, WHO, and ILO.
- Analyze issues like cybercrimes, child marriage, and exploitation; propose reforms to strengthen child protection systems.
- Develop policy insights to contribute to child protection measures at national and international levels.

**Module 1: Introduction to Child Rights and Juvenile Justice**

**[10 Lectures]**

- Concept of “Child” and “Juvenile”: Definitions and Context
- Historical Evolution of Child Rights in India
- Constitutional Protections for Children
- Overview of International Instruments

## **Module 2: Offences Against Children in India**

**[15 Lectures]**

- Nature of Offences
  - Physical Abuse
  - Sexual Abuse and Exploitation
  - Child Pornography
  - Child Trafficking and Forced Labour
- Legal Framework:
  - The Protection of Children from Sexual Offences (POCSO) Act, 2012
  - Relevant Sections of the Bharatiya Nyaya Sanhita (BNS), 2023
  - The Child Labour (Prohibition and Regulation) Act, 1986

## **Module 3: Juvenile Justice System in India**

**[15 Lectures]**

- Key Provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015
- Juvenile Justice Boards (JJB): Structure and Functioning
- Rehabilitation and Social Reintegration of Juveniles
- Distinction Between “Child in Conflict with Law” and “Child in Need of Care and Protection”

## **Module 4: Comparative and International Perspectives**

**[10 Lectures]**

- Comparative Juvenile Justice Systems:
  - USA, UK, and Scandinavian Models
- International Organizations Working for Child Protection: UNICEF, ILO, and WHO
- Cross-Border Issues in Child Protection:
  - Child Refugees and Migrants
  - International Adoptions
- Best Practices and Lessons for India

## **Module 5: Emerging Issues and Challenges in Child Protection**

**[10 Lectures]**

- Cybercrimes Against Children
- Child Labour and Economic Exploitation
- Child Marriage and its Consequences
- Children in Conflict Zones and Disaster Areas
- Institutional Challenges in Child Protection

### **Suggested Readings:**

1. *The Juvenile Justice (Care and Protection of Children) Act, 2015*
2. *Protection of Children from Sexual Offences Act, 2012*
3. Ved Kumari, *The Juvenile Justice System in India: From Welfare to Rights*
4. Ved Kumari, *The Juvenile Justice (Care and Protection of Children) Act 2015- Critical Analysis*
5. Vinod's, *Commentary on Juvenile Justice (Care and Protection of Children Act, 2015)* By Justice M L Singhal
6. Ganguly, *POCSO - Commentary on The Protection of Children from Sexual Offences Act, 2012*
7. UNICEF Reports on Child Rights and Protection

### **Instructors Details**

<b>Name of the Instructor:</b>	<b>Dr. Hrishikesh Manu</b>
<b>Email:</b>	<b>hrishikeshmanu@cnlu.ac.in</b>

**Chanakya National Law University, Patna**  
**B.A. LL.B. (Hons.) / B.B.A., LL.B. (Hons.) 2024-25, SEMESTER- X**

**Course Title: White Collar Crime (Honours - VII)**

**Course Overview**

This course provides an in-depth analysis of White Collar Crime and focuses on the criminal laws that relate to crimes that typically do not feature violence or force. It looks at many categories of these crimes that are punished on the federal and state levels. The course looks at the distinction between corporate liability and personal liability for criminal actions. It also covers how various white-collar crimes are punished. It will further provide an examination of theory and research in the field of white-collar crime. The course will begin with an introduction to the field, including definitional and theoretical issues regarding the areas of white-collar, occupational, organizational, and corporate crime.

**Learning Outcomes –**

1. Know the different types of white collar crimes that exist and the diverse types of offenders that commit white collar crimes;
2. Demonstrate knowledge of the various theoretical explanations for white collar crime;
3. Understand problems associated with defining white collar crime;
4. Examine offender sentencing issues and the difficulties inherent in the criminal justice system response to white collar crime;
5. Demonstrate an understanding of how white collar crime victimization differs from traditional crime victimization,
6. Assess issues and concerns relating to victims of white-collar crimes and offenses, including the impact of legislation and sentences on victims and society.

**List of Topics / Modules**

Topic/ Module	Contents/ Concepts	Sessions / Lectures
<b>Module I: Introduction: Definition, Nature and Scope</b>	1.1 Genesis of White Collar Crime. 1.2 Nature and Scope of White Collar Crime. 1.3 Growth of White Collar Crime in India and Western Countries. 1.4 Men-sera and White Collar Crime. 1.5 Vicarious liability in White Collar Crime 1.6 Strict liability in White Collar Crime. 1.7 Sutherland's View	1-10
<b>Module II: White Collar Crimes in Different Professions</b>	2.1. Tax Evasion 2.2. Corporate Fraud. 2.3 Health Care Fraud	11-20

	2.4 Misbranding and Adulteration 2.5 Education Fraud	
<b>Module III: Indian Scenario</b>	3.1 White Collar Crimes in Indian scenario. 3.2 Corruption in government and politics 3.3 Black Money. 3.4 Judicial response to white collar crimes in India. 3.5 Cyber Crimes	21-30
<b>Module IV: Critical Analysis of related laws</b>	<b>4.1 The Prevention of Corruption Act, 1988</b> - Need of the Act (read with Santhanam Committee Report) - Role of Anti-Corruption Bureau, Central Vigilance Commission, and Central Bureau of Investigation - The Prevention of Corruption Act, 1988 and 2018 Amendments <b>4.2 The Prevention of Money-Laundering Act, 2002</b> - Need for combating Money-Laundering - Magnitude of Money-Laundering, its steps and various methods <b>4.3 Benami Transaction Prohibition Amendment act, 2016</b> <b>4.4 Foreign Exchange Management act, 1999</b> <b>4.5 The Fugitive Economic Offenders Act, 2018</b>	31-42
<b>Module V: Land Mark Case Laws</b>	1. Y.S Jagan Mohan Reddy vs. Central Bureau of Investigation AIR 2014 SC 1933. 2. Directorate of Enforcement vs. Arun Kumar Mishra (2015 SCC OnLine Del 8658). 3. P. Chidambaram vs Directorate of Enforcement (SC) Criminal Appeal No. 1340 of 2019. <b>(Note :- Other Case Laws will also be dealt depending upon course coverage)</b>	42-50

**NOTE :-** The above syllabus provides a comprehensive overview of the key topics and themes commonly covered in a course on White Collar Crimes.

However, please note that the specific structure and content may vary depending on the situations.

**Recommended/Reference Text Books and Resources**

**Text Books**

1. Mahesh Chandra : Socio- Economic Crimes
2. Marshal B. Clinard : Crime in Developing Countries
3. N.V. Pranjape : Criminology and Penology Prevention of Corruption Act, 1988
4. 47th Report of Law Commission of India
5. 29th Report (1966) on “Proposal to include certain Social and Economic Offences in the Indian Penal Code”.
6. Gandhirajan, C K 2004, Organized crime, A P H Publishing Corporation
7. Nair, P M 2002, Combating Organized crime, Konark Publishers

**Instructor Details**

<b>Name of the Instructor:</b>	<b>Mr. Vijayant Sinha</b>
<b>Telephone:</b>	<b>+919431421056, +917979848811</b>
<b>WhatsApp Number:</b>	<b>+919431421056</b>
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<b>Website:</b>	<b>www.cnlu.ac.in</b>