

Chanakya National Law University, Patna
B.B.A., LL.B. (H) 2024-25; SEMESTER- IV

Course Title: Business Environment

Course Overview

The course aims to provide an understanding and in-depth analysis of the Micro and Macro level Business Environment and the various factors operating in the Business Environment. The course also teaches the students various implications of Economic variables in business decision-making. Throughout the course, students will be equipped with the knowledge of factors and their implications related to the Political, Global, Socio-Cultural, and Technological Environment.

Learning Outcomes

The course aims to help the students improve their understanding of Business Organisations and their environment. Students will learn to develop strategies for business Organisations to adapt to environmental changes.

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

1. Understand the concepts of the Business Environment.
2. Analyze the process of Environmental Scanning.
3. Critically analyse the variable comprising the various Categories of Business Environment
- 4 Decode various Environmental Trends and their impact on Business Organisations.
5. Identify the role of Government, Technology, Society, etc. on Business Organisations

List of Topics/ Modules

Topic/ Module	Contents/ Concepts	Sessions / Lectures	Teaching Pedagogy
Module I: <u>Understanding the Business Environment</u>	<ul style="list-style-type: none">• Meaning and Definition,• Objectives, Importance, and Uses of Study of Business Environment.	1-4	Lectures, Classroom Discussions, Case-Study, News Articles

	<ul style="list-style-type: none"> • Types of Business Environment • Internal & External Environment, • Micro & Macro Environment • Environmental Analysis – Meaning, Process of Environmental Analysis, Limitations of Environmental Analysis. • Porter’s 5 force model, PESTEL & SWOT Analysis 		
Module II: <u>Economic Environment of Business</u>	<ul style="list-style-type: none"> • Meaning of Economic Environment • Impact of Liberalization Privatization & Globalization of Indian Business. • Foreign Trade & Globalization. • Case studies on countries like China, Brazil, and Southeast Asian nations. • Latest Trends- E-Commerce, M-Commerce, Knowledge 	5-10	Lectures, Classroom Discussions, Case-Study, Latest News-Discussion

Module III: <u>Financial</u> <u>Environment of</u> <u>Business</u>	<ul style="list-style-type: none"> • Meaning of Financial Environment and its factors • Monetary policy – Meaning, objectives. • Fiscal policy – Meaning, objectives, and its importance. • EXIM policy – Meaning, objectives • Industrial policy – Meaning, objectives (Latest Policy Measures) 	11-17	Lectures, Classroom Discussions, Case-Study, Guest Lectures.
Module IV: <u>Socio Culture Environment of Business</u>	<ul style="list-style-type: none"> • Business and Society, • Social Objectives of Business, • Corporate Social Responsibility, • Corporate Governance • Environmental, social, and governance (ESG) framework and business implications. 	18-22	Lectures, Classroom Discussions, Case-Study
Module V: <u>Global Environment</u>	<ul style="list-style-type: none"> • Meaning, nature, causes of globalisation, • Strategies for globalisation, • Challenges of International Business, 	23-30	Lectures, Classroom Discussions, Case-Study, News Articles Discussion

	<ul style="list-style-type: none"> • GATT and WTO and its implications on the Indian economy. • Emerging Economies and Markets 		
<u>Module VI: Political and Legal Environment of Business</u>	<ul style="list-style-type: none"> • Meaning, Political institutions, • The relationship between Business and Government, • Economic role of Government in India • Extent of state intervention in business • Industrial Policy- An overview • Factors of Legal Environment and impact on Businesses 	31-34	Lectures, Classroom Discussions, Case study, News Articles Discussion
<u>Module VII: Technological Environment</u>	<ul style="list-style-type: none"> • Technological Environment - Meaning and definition. • components of technology, features of technology • Impact of Technology • Limitations in technological development 	34-40	Lectures, Case study, News Articles, Research Paper

	<ul style="list-style-type: none"> Current trends in the technological environment- 5G, Internet of Things (IoT), Artificial Intelligence, Industry 1.0-5.0 The Transformation & Automation 		
Module VIII. <u>Natural Environment</u>	<ul style="list-style-type: none"> Natural Environment - Meaning of Natural Environment, Natural Environment and its impact on business. Sustainable Development Goals (SDG) and Impact 	40-45	Lectures, Case study, News Articles

Recommended/Reference Textbooks and Resources:

Text Book	Author/Publication
Business Environment	Francis, Cherunilam, 30 th Ed. (Himalaya Publishing House)
Business Environment	Dr. K. Aswathappa (Himalaya Publishing House)
Reference Books	Author/Publication
Fernando's Business Environment	Agna Fernandez, 2nd Edition, (Pearson)
Business Environment	Justin Paul (McGraw Hill Publication)
Business Environment	A. C. Fernando (Pearson Publication)
Business Environment	Shaikh Saleem (Pearson Publication)

Instructor Details

Name of the Instructor:	Dr. Kirti
Email:	kirti@cnlu.ac.in

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

Course Title: Business Ethics and Corporate Governance

Course Overview

This course is designed to elucidate what moral judgments are and see how they are integral to all business decisions; understand how we go about making moral judgments in our lives, especially in the arena of business and commerce; learn how you can get better at making moral judgments through theoretical study, reflection, and practice; and learn to apply theoretical moral principles to the evaluation and judgment of complex ethical issues in business today. Our power of judgment is a kind of mental muscle, and like all muscles, develops through exercise.

Learning Outcomes

The course aims to familiarize the learners with the concept and relevance of Business Ethics in the modern era and enable the learners to understand the scope and complexity of Corporate Social Responsibility in the global and Indian context.

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

1. Understand the basic concept of business ethics, corporate governance and corporate social responsibility
2. Analyse the importance of these concepts in the present world.
3. Critically analyse the impact of incorporation and deviation from ethical and corporate governance norms.
4. Apply the concepts in their professional and personal conduct.

List of Topics/ Modules

Topic/ Module	Contents/ Concepts	Sessions / Lectures
Module I: Introduction to Business Ethics	<ul style="list-style-type: none">• Business Ethics - Concept of business ethics – meaning, Importance and factors influencing business ethics.	1-15

	<ul style="list-style-type: none"> • Various approaches to Business Ethics - Theories of Ethics- Friedman's Economic theory, Kant's Deontological theory, Mill & Bentham's Utilitarianism theory. • Ethics applied to business – HR, Marketing, Finance, Operation. 	
Module II: Indian Ethical Practices and Corporate Governance	<ul style="list-style-type: none"> • Corporate Governance: Concept & Importance. • Principles of Corporate Governance. • Regulatory Framework of Corporate Governance in India, SEBI Guidelines and clause 49, Role of Independent Directors, Protection of Stake Holders. • Elements of Good Corporate Governance, Failure of Corporate Governance and its consequences. 	16-30
Module III: Introduction to Corporate Social Responsibility	<ul style="list-style-type: none"> • Corporate Social Responsibility: Concept and Importance of CSR in Contemporary Society • CSR and Indian Corporations - Legal Provisions and Specification on CSR, A Score Card, Future of CSR in India. • Drivers of Corporate Social Responsibility. 	31-45
Module IV: Areas of CSR and CSR Policy	<ul style="list-style-type: none"> • CSR towards Stakeholders- - Shareholders, Government, Consumers, Employees and Workers, Local Community and Society 	46-60

	<ul style="list-style-type: none"> • Designing CSR Policy- Factors influencing CSR Policy • CSR and Sustainable Development & CSR through Triple Bottom Line in Business 	
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Recommended/Reference Text Books and Resources:

1. Harsh Srivastava, `` The business of social responsibility, `` books for change
2. CV. Baxi and Ajit Prasad, `` Corporate social responsibility – concepts and cases, `` Excel Books
3. Dr. M. Mahmoudi, `` Global strategic management, `` Deep & Deep Publications Pvt. Ltd.
4. S K. Bhatia, `` International Human resource management – Global perspective, `` Deep & Deep Publications Pvt. Ltd.
5. J.P. Sharma, ``Governance, Ethics and Social responsibility of business, `` Ane books Ltd.
6. Kotler Philip and Lee Nancy, `` Corporate social responsibility; doing the most good for your company, `` John Wiley
7. Simpson, Justine and Taylor, John R, `` Corporate Governance Ethics and and CSR, `` Kogan Page Publishers
8. Velasquez Manuel G, Business Ethics: Concepts and Cases, Pearson
9. Fernando A.C.: Business Ethics, Pearson Education.

Instructor Details

Name of the Instructor:	Dr. Shweta Vats
Email:	shwetavats@cnlu.ac.in

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

Course Title: Criminal Law - II (B.N.S.S., etc.)

Course Overview

The Procedural Law deals with the mechanism to implement the provisions of the substantive law which defines rights, duties and liabilities. The Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 replacing the Code of Criminal Procedure, 1973, provides a fair procedure in any criminal matter, is significant for a just society. Absence or failure of a uniform procedural law for dealing with criminal cases would render the rights and protections guaranteed to all as futile. The course is aimed at making the students aware of the pre-trial, trial and subsequent processes that are geared up to make administration of criminal justice effective. The course will acquaint the students with the organization and powers of the functionaries under the Sanhita, the procedure followed in inquiry, investigation, trial, law relating to arrest including the rights of the arrested persons, etc., and the principles forming the substance of the Sanhita. Apart from the criminal procedures under this Sanhita the students shall get acquainted to the Juvenile Justice (Care and Protection of Children) Act, 2015.

Learning Outcomes

The course aims to acquaint the students with the organization and powers of the functionaries under the sanhita, the procedure followed in inquiry, investigation, trial, law relating to arrest including the rights of the arrested persons, etc., and the principles forming the substance of the Sanhita. Apart from the criminal procedures under this course the students shall get acquainted with the Juvenile Justice (Care and Protection of Children) Act, 2015

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

1. Understand the need, scope and applicability of the Bharatiya Nagarik Suraksha Sanhita, 2023.
2. Understand the procedure followed in pre-trial, trial and post-trial stages of a criminal case, the powers of police officers in investigation, process of investigation, etc.
3. Understand and analyse the rights of arrested and detained persons.
4. Understand the functionaries and procedure under the Juvenile Justice (Care and Protection of Children) Act, 2015.

List of Topics/ Modules

Topic/ Module	Content	Lectures
Module I: Introduction	1.1 Introduction 1.2 Meaning of the term 'Procedure' 1.3 Difference between Substantive and Procedural law. 1.4 Nature, Extent and Scope of Applicability of BNSS. 1.5 Classification of Offences 1.6 Functionaries under the Sanhita 1.7 Constitution and Powers of Criminal Courts	1-10
Module II: Provisions relating to Arrest	2.1 Arrest <ul style="list-style-type: none"> • Introduction, Meaning and Purpose • Arrest how made • Procedures after arrest. • Rights of the arrested persons. 	11-13
Module: III Pre-Trial Process	3.1 Investigation <ul style="list-style-type: none"> • Introduction, meaning and purpose. • FIR: Object and Contents, subsequent procedures • Procedure after recording FIR. • Powers of the investigating officer • Magistrate's power to record confession and statement during investigation. • Delay in investigation beyond 24 hours. • Procedures on completion of investigation 3.2 Search and Seizure 3.3 Complaint to Magistrate 3.4 Cognizance: Meaning and Power of the magistrate to take cognizance 3.5 Framing of Charge 3.6 Processes to compel appearance of persons. <ul style="list-style-type: none"> • Summons • Warrant • Proclamation • Attachment 3.7 Processes to compel production of things	14-30

Module IV: Trial	4.1 Features of a fair trial. 4.2 Trial: meaning and types. <ul style="list-style-type: none"> • Trial before a Court of Sessions • Trial of Warrant Cases. • Trial of Summons Cases. • Summary Trial 	31-40
Module V: Bail	5.1 Meaning 5.2 Right to Bail 5.3 Types of Bail under BNSS 5.4 Cancellation of Bail	41-45
Module VI: Miscellaneous	6.1 Maintenance of Wives, Children and Parents under BNSS. 6.2 Compounding of Offences 6.3 Plea Bargaining 6.4 Juvenile Justice (Care and Protection of Children) Act, 2015. <ul style="list-style-type: none"> • Salient features of the Act. • Definitions and meanings of the important terms. • Authorities under the Act. 	46-55
Tutorials & Discussions	From Modules 1 to 6	56-64

Recommended/Reference Text Books and Resources:

Text Books

1. The Bharatiya Nagarik Suraksha Sanhita, 2023, Ratanlal & Dhirajlal, [2024]
2. The Criminal Procedure Code 1973, Man Mohan Joshi [2023]
3. R.V. Kelkar's Criminal Procedure, Chandrasekharan Pillai [2019]
4. Lectures on Criminal Procedure, R. V. Kelkar [2018]
5. Law of Bail- An Exhaustive Treatise on Bails of all Kinds Along with Model Forms of Bail Applications, V. Ramakrishna, [2016]
6. Law of Bails- Practice and Procedure, Aiyer Mitter, [2012]
7. Law of Bails, Bonds and Arrest, P.K. Majumdar, [2012]
8. Code of Criminal Procedure, Justice P.S. Narayana, [2012]

Bare Acts

1. The Bharatiya Nagarik Suraksha Sanhita, 2023.
2. The Bharatiya Sakshya Adhiniyam, 2023.
3. The Bharatiya Nyaya Sanhita, 2023.
4. The Constitution of India, 1950.
5. The Juvenile Justice (Care and Protection of Children) Act, 2015.

Instructor Details

Name of the Instructor:	Dr. Fr. Peter Ladis F
Email:	frpeterladis@cnlu.ac.in

CHANAKYA NATIONAL LAW UNIVERSITY, PATNA
B.A., LL.B. (H) & B.B.A., LL.B. (H) 2024-25; SEMESTER- 6th Semester

Course Structure: Labour Laws – I

Course Objective

This course is designed to familiarize students with the evolution of labour law as an independent legal discipline, emphasizing its foundational objectives and adaptability to shifting economic and social conditions. Students will explore the regulatory framework governing labour rights in India, analyze the interplay between formal and informal employment sectors, and understand the transformative nature of collective negotiations. By engaging with recent developments in labour codes and their implications, students will be equipped to critically address emerging challenges in labour regulations and apply key principles to real-world issues.

Course Outcome

By the end of this course, students will gain a nuanced understanding of the evolution and purpose of labour law as a distinct legal discipline. They will be able to critically assess the constitutional and statutory framework governing labour rights in India, differentiate between formal and informal sectors of employment, and understand their socio-economic implications. Additionally, students will develop an appreciation for the dynamics of collective bargaining and trade union activities. The course aims to equip students with the analytical skills required to navigate recent legislative reforms and apply fundamental principles of labour law to address contemporary regulatory challenges.

Legislation's:

The Employees' State Insurance Act, 1948

The Factories Act, 1948

The Industrial Disputes Act, 1947

The Industrial Employment (Standing Orders) Act, 1946

The Minimum Wages Act, 1948

The Payment of Wages Act, 1936

The Payment of Gratuity Act, 1972

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

The Employees Provident Funds and Miscellaneous Provisions Act, 1952

The Trade Unions Act, 1926

Codes:

The Industrial Relations Code, 2020

The Occupational Safety, Health and Working Conditions Code, 2020

The Code on Social Security, 2020 No. 36 Of 2020

The Code on Wages, 2019 No. 29 Of 2019

Module 1: Origins and Evolution of Labour Law (Lectures 1-8)

This module explores the historical development of labour law as a separate branch of legal study. It focuses on the initial purposes of labour law and its transformation in response to changes in the socio-economic structure of labour. Particular attention is given to India's labour force composition, emphasizing the coexistence of formal and informal employment sectors and their mutual influence on policy formulation. The module also incorporates international comparisons, shedding light on the global evolution of labour laws.

- Guy Davidov, *The (Changing?) Idea of Labour Law*, 146 (3-4) *International Labour Review* 311-316 (2007)
- Hugh Collins, *Employment Law*, 3-16 (2008)
- Martha Alter Chen, *Rethinking the Informal Economy: Linkages with the Formal Economy and the Formal Regulatory Environment*, DESA Working Paper No. 46 (July 2007), https://www.un.org/esa/desa/papers/2007/wp46_2007.pdf
- Arendt, H. (2018). *The human condition* (2nd ed.). University of Chicago Press.
- Deakin, Simon. (2001). *The Contract of Employment: A Study in Legal Evolution*.
- Hugh Collins, Gillian L. Lester & Virginia Mantouvalou, *Introduction: Does Labour Law Need Philosophical Foundations?* (2018).

Module 2: Roots of Labour Law (Lectures 9-15)

This module examines the interdisciplinary roots of labour regulation, focusing on its evolution through constitutional provisions, common law principles, and international standards. The interaction between contract law and employment law is analyzed, with emphasis on their application to Indian labour regulations. Students will explore key international labour conventions and the role of organizations like the ILO in shaping global labour standards. The module also includes an overview of India's regulatory framework, enabling students to connect foundational theories to current practices.

2.1. The Constitution and Labour Law

- Articles 14, 15, 16, 19, 21, 23, 24, 32, 38, 39, 41, 42, 43, 43A, 309-311 of the Constitution of India
- *PUDR v Union of India* (1982) 2 LLJ 454 (SC)
- *Visakha v State of Rajasthan* AIR 1997 SC 3011

2.2 Common Principles of Labour Law

- Hugh Collins et al, *Labour Law* 45-56 (Cambridge 2012)

Module 3: Key Concepts in Labour Regulation (Lectures 16-25)

This module focuses on threshold concepts that determine labour law applicability. It includes a detailed analysis of workplaces regulated under Indian labour laws, with reference to statutes such as the Industrial Disputes Act and laws on occupational health and social security. The classification of workers is explored, including the definitions of “employee” and “workman” in major statutes. Additional discussions include the challenges of gig and platform worker classifications, providing contemporary relevance to traditional legal definitions.

3.1 Overview of Labour Laws in India

- Section 2 (a) of Industrial Disputes Act 1947, Section 2 (b) of the Industrial Relations Code, section 2 (d) of the OSH Code, Section 2(3) of the Social Security Code, Section 2(d) of Code on Wages
- Steel Authority of India Ltd. v National Union of Water-Front Workers (2001) 7 SCC 1
- Nandram v Garware Polyester (2016) 6 SCC 290

3.2 Scope of Labour Law: Coverage of Establishments, Shops, and Industrial Units

- Sections 1, 2 (12), 2 (14-AA) of ESI Act, Sections 2 (k) and 2 (m) of Factories Act, Section 2 (32) of Social Security Code 2020 and Sections 1 (4), 2 (w), First Schedule of OSH Code 2020
- Bangalore Turf Club Ltd. V. ESI Corpn. (2014) 9 SCC 657
- Uttaranchal Forest Development Corporation v. Jabar Singh (2007) 2 SCC 112
- Delhi Gymkhana Club Ltd. V. ESI Corpn. (2015) 1 SCC 142

3.3 Concept and Scope of Industry

- Section 2 (j) of Industrial Disputes Act 1947
- Bangalore Water Supply and Sewerage Board v. A.S. Rajappa (1978) 2 SCC 548
- Sections 2 (p) and 2 (r) of Industrial Relations Code 2020
- Bombay Telephone Canteen Employees' Association v. Union of India AIR 1997 SC 2817

3.4 Categories of Workers Under Labour Legislation

- Dharangadhara Chemical Works v. Management AIR 1958 SC 264
- Hussain Bhai v. Alath Factory Employees Union (1978) 4 SCC 257
- Balwant Rai Saluja v. Air India 2014 Indlaw SC 556
- Sushilaben Indravadan Gandhi v. New India Assurance Co. 2020 Indlaw SC 282
- Uber BV and others v. Aslam [2021] UKSC 5
- Dynamex Operation v. Superior Court, Los Angeles 4 Cal.5th 903 (2018)
- Section 2 (s), Industrial Disputes Act.
- Bharat Bhawan Trust v Bharat Bhawan Artists Association (2001) 7 SCC 630
- Royal Western India Turf Club v. ESIC (2016) 4 SCC 521 (ESI Act)
- Section 2 (f) of EPF Act

- Section 2 (l) and 2 (zr) of the Industrial Relations Code, section 2 (26) Social Security Code 2020, section 2 (k) and section 2(z) of Code of Wages 2019, section 2 (t) of the Occupational Safety, Health and Working Conditions Code, 2020.

Module 4: Trade Unions and Collective Negotiation Mechanisms (Lectures 26-35)

This module delves into the historical development of trade unions, focusing on their criminalization, subsequent legalization, and the rights and duties conferred upon them. It includes a study of statutory frameworks for trade union registration, recognition, and their constitutional protections. The module also examines the legal aspects of strikes and lockouts, with case studies that highlight recent trends and challenges in collective negotiation practices across different industries.

4.1 Evolution of Trade Union Decriminalization and Collective Bargaining in India, along with Union Registration Process

- Benjamin Levin, Criminal Labor Law, 37 Berkeley J. Emp. & Lab. L. 43 (2016)
- K.R. Shyam Sunder, Trade Unions in India: From Politics of Fragmentation to Politics of Expansion and Integration in Trade Unions in Asia: An Economic and Sociological Analysis (John Benson and Ying Zhu eds) 157 (2008)
- Sections 2 (g), 2 (h), 13, 17-19 of Trade Unions Act 1926

4.2 Union Registration, Membership, and Legal Protections of Trade Unions

- Sections 2 (g), 2 (h), Section 10, 11, 15, 21, 21A, 22, Sections 17-18 of Trade Unions Act
- R.G. D'Souza v. Poona Employees Union (2015) 2 SCC 526
- Charu Khurana v. Union of India (2015) 1 SCC 192

4.3 Recognition of Trade Unions and the Practice of Collective Bargaining

- Sarath Chandra Davala, Question of Union Recognition, Economic and Political Weekly, Nov. 25, 1989
- Balmer Lawrie Workers Union, Bombay v. Balmer Lawrie and Company Ltd (1985) 1 LLJ 314
- Section 14, Industrial Relations Code 2020

4.4 Right to Strike

- All India Bank Employees Association v. National Industrial Tribunal AIR 1962 SC 171
- Kameshwar Prasad v. State of Bihar AIR 1962 SC 1166
- Communist Party of India v Bharat Kumar (1998) 1 SCC 201
- TK Rangarajan v. Govt of Tamil Nadu 2003 (6) SCALE 84
- Sections 2 (q), 10 (3), 10A (4A), Sections 22 to 25, 26-28 of IDA, 1947
- Jorg Nowak, Strikes and Labor Unrest in the Automobile Industry in India: The Case of Maruti Suzuki India Limited, 19 (3) Journal of Labour and Society 416 (2016)

Module 5: Service Conditions: Industrial Organizations (Lectures 36-45)

This module addresses the governance of service conditions in industrial establishments. It examines the legal framework surrounding industrial standing orders, focusing on the principles laid out in model standing orders and their relevance to fixed-term employment. The implications of the Industrial Relations Code, 2020, are discussed, with comparisons to prior legislation to highlight the transition in regulatory approaches.

5.1 Industrial Standing Orders: Framework, Formulation, and Implementation

- Sections 1, 3-7, 10-10A, 13-A of the Industrial Employment Standing Orders Act 1946
- Section 2 (jz), Sections 28-37, Code on Industrial Relations 2020
- Rajasthan State Road Transport Corporation v. Krishna Kant AIR 1995 SC 1715
- Model Standing Orders under the Industrial Employment (Standing Orders) Central Rules, 1946
- Jaivir Singh, Incentives and Judicially Determined Terms of Employment in India, Economic and Political Weekly, 124-125 (January 11, 2003)

Module 6: Employment Security: Lay-Offs, Retrenchment, and Closures (Lectures 46-50)

This module provides an in-depth analysis of the legal protections against arbitrary termination, including the concepts of retrenchment, lay-offs, and closures. It also discusses the procedural requirements under Chapter V-B of the Industrial Disputes Act for large establishments. Contemporary case studies on illegal terminations and the associated judicial remedies are integrated to offer students practical insights into the operational aspects of labour law.

6.1 Lay-offs and related subjects

- Section 2 (kkk), 2 (l), 25A, 25K, 25L, 25B, 25C, 25E, Section 25 M of The Industrial Disputes Act, 1947
- Supriya Sharma, Hiring and firing workers was never difficult in Rajasthan, data shows. Scroll.in, August 23, 2014
- Kairbetta Estate v. Rajamanickam AIR 1960 SC 893
- Section 2 (oo) and Sections 25 F, 25G, 25H, 25N, 25F, 25G, 25H, 25N, 25Q of The Industrial Disputes Act, 1947
- Punjab Land Development and Reclamation Corporation v. Presiding Officer (1990) 3 SCC 682
- Upton v. Shammi Bhan (1998) 6 SCC 538
- SM Nilajkar and others Vs. Telecom District Manager, Karnataka (2003) 4 SCC 27
- Sections 25 F, 25G, 25H, 25K, 25N, 25Q, Sections 2 (cc), 25FFA, 25FFF, 25O, 25FF, 25R
- District Red Cross Society v. Babita Arora (2007) 7 SCC 366
- Pradeep v. Manganese Ore (2022) 3 SCC 683
- Pranab Bardhan, The labour reform myth, Ideas for India, September 08, 2014, <https://www.ideasforindia.in/topics/macroeconomics/the-labour-reform-myth.html>

Module 7: Mechanisms of Industrial Dispute Resolution (Lectures 51-55)

This module explores the dispute resolution system under the Industrial Disputes Act. It covers the roles of conciliation officers, arbitrators, and tribunals, along with the procedural nuances of voluntary and statutory arbitration. Students will also examine judicial interpretations of 'industrial disputes' and the limits of judicial review over references. Emphasis is placed on contemporary trends in industrial dispute resolution to foster a nuanced understanding.

7.1 Industrial Conflict Resolution Mechanisms

- Sections 3-7, 10, 2-A, Section 10-A
- Workmen of Dimakuchi Tea Estate v. DTE AIR 1958 SC 353
- Karnal Leather Karamchari Sangathan v. Liberty Footwear Co. AIR SC 1990
- Sections 10, 11, 11A, 12, 13
- Prabhakar v. Joint Director Sericulture Department 2015(10) SCALE 114

Module 8: Managerial Powers and Miscellaneous Provisions in Labour Law (Lectures 56-60)

This module addresses procedural constraints on managerial authority, such as the requirement for notices of change and restrictions on altering service conditions during disputes. It also covers provisions relating to protected workmen and the recovery of dues by workers. Discussions on the role of civil courts in labour disputes provide additional perspectives on the interface between industrial law and general legal principles.

8.1 Regulation of Managerial Powers and Other Miscellaneous Aspects of Industrial Law

- Sections 9-A, 33, 33A, 33C and 36 of Industrial Disputes Act
- Sections 40, 59, 90, 91 and 94 Industrial Relations Code
- Harmohinder Singh v. Kharga Canteen, Ambala Cantonment (2001) 5 SCC 540
- Jaipur Zila Sahakari Bhoomi Vikas Bank Ltd. v. Ram Gopal Sharma (2002) 2 SCC 244

Resources:

- SC Srivastava, Labour Law and Labour Relations: Cases and Materials (2007)
- VG Goswami, Labour and Industrial Laws (2019)
- Ministry of Labour and Employment, Government of India: <https://labour.gov.in>
- WIEGO <https://www.wiego.org/informal-economy>
- International Labour Organisation Labour Standards

Instructor Name: Vishwam Prakash	Email: vishwam.prakash@cnlu.ac.in
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Chanakya National Law University, Patna
B.A., LL.B (H) & B.B.A., LL.B. (H) 2024-25; SEMESTER- IV

Course Title: Public International Law

Course Overview

While International Law may look alien and irrelevant to some, this law can be easily seen as a labyrinth encasing India's legal system, national interest and geopolitical challenges. International law is traditionally taught as inter relationship between states and seeks to re affirm its positivist nature aligning with the Westphalian perspective of statehood and eurocentrism. With this nature, International Law seems to be standing innately in conflict with the interests of developing countries with a long colonial past. However International law is still significant because knowing it is critical to maneuvering through its imperial, neo colonial and Eurocentric approach. Further, knowing it is imperative to survive, protect ones interests in a highly connected and interdependent world requiring constant interaction, collaboration and negotiation. It also helps states like India to find spaces, gaps and opportunities to integrate their values, interests and advantages into these systems. Any influence or refashioning of this regime is possible only if its intricacies are thoroughly understood, its ramifications on domestic law discerned and its nature, features, nuances thoroughly understood. The Covid 19 Pandemic, the recent Ukraine-Russia conflict, Israel's incursion in Gaza has further complicated this legal regime magnifying and exposing more blatantly the structural fault lines which were until now subtle or dismissed. It has dramatically changed the nature of globalization where issues hitherto at the periphery of global cooperation have forced their way to the centre. Many issues including the purpose of International Institutions and evaluation of their role in this crisis situation, State Responsibility for failure to inform and alert the World in time, Environment issues, Cross border issues including International Legal Education, rising protectionism, International Trade relations including excluding/terminating contracts with companies of certain countries, Cybersecurity and Technology, rule of law, International Finance and Banking, Poverty & Homelessness and many more need re evaluation.

Learning Outcomes:

After going through this course, a student would be able :

- To understand the history, structure, basis, nature and efficacy of International Law
- To understand a n d a n a l y z e the sources, subjects and objects of International Law
- To understand regimes governing treaty making in international law, governance of sea and resources therein
- To provide students with basic understanding of states and statehood, recognition of states, their succession, responsibility, settlement of disputes and use of force, relationship between international law and municipal Law

List of Topics/ Modules

Topic/ Module	Contents/ Concepts	Sessions / Lectures
Module I: History, Nature, Basis of International Law	<ul style="list-style-type: none"> i. Evolution of International law ii. Definition of International Law iii. Nature, Basis, of International Law iv. Is International Law a law? Is International Law weak Law? 	5 hours
Module II: Relationship between International Law and Domestic Law	<ul style="list-style-type: none"> i. Domestic Law in International Law ii. International Law in Domestic Law 	4 hours
Module III: Subjects and Sources of International Law	<p>Sources</p> <ul style="list-style-type: none"> i. Customs ii. Treaties iii. Relationship between Treaties and Customs iv. General Principles of Law recognized by civilized nations v. Other sources vi. Soft Law, Jus Cogens, UN Resolutions vii. Integrated view of all sources viii. VCLT (process of treaty making, application and interpretation, amendment, invalidity and termination) <p>Subjects</p> <ul style="list-style-type: none"> i. International Organizations- International Organizations as subjects of International Law; Institutional Liability' ii. States- State identity, Sovereignty and Legitimacy iii. Individuals – Nationality; Rights, Duties and Procedural capacity of Individuals under International Law iv. NGOs, Multi National Corporations? 	15 hours
Module IV: States Recognition and State Succession	<ul style="list-style-type: none"> i. State Recognition, criteria of statehood ii. State Succession- partial succession, universal succession, state succession in treaty obligations 	8 hours

Module V: State Jurisdiction and State Immunity	i. Theories of jurisdiction ii. Extradition iii. Asylum Treaty based diplomatic, consular and International organizations immunities i. Act of State doctrine	8 hours
Module VI: State Responsibility	i. Direct Responsibility and indirect responsibility; i. State responsibility and remedies	4 hours
Module VII: International Organizations	i. The UN ii. Specialised Agencies iii. ICJ	6 hours
Module VIII: Law of Seas and Outer Space	i. Ocean Resources and Law ii. Maritime Zones iii. Maritime delimitations	8 hours
Module IX: International Dispute Resolution	i. Negotiation, Conciliation and Arbitration ii. The World Court –ICJ iii. Remedies	6 hours

Recommended/Reference Text Books and Resources:

Text Books

- Brownlie's Principles of International Law, James Crawford, 9th edition, OUP
- International Law by Malcolm D Evans, 5th edition, OUP
- Akehurst's Modern Introduction to international law by Alexander Orakhelashvili, 8th edition Routledge
- An Introduction to Contemporary International law Lung Chu Chen , 3rd edition, OUP (policy oriented perspective) 2015
- Cases and Materials on International Law, David Harris and Sandesh Sivakumaran, Sweet and Maxwell, 2020
- International Law by Malcolm N Shaw, 8th edition CUP
- Starke's International Law, I A Shearer, OUP, 11th Edition
- Introduction to Public International Law by S K Verma 2nd edition by Satyam Books
- Landmark cases in Public International Law Eirik Bjorge and Cameron Miles, Hart, 2017

References:

- International Law, Gurdip Singh Eastern Book Co
- Rebecca M M Wallace International Law , Sweet and Maxwell, 2005
- Brierley's Law of Nations: An Introduction to the role of International law in International Relations, Andrew Clapham, OUP 2012
- Bowett's the Law of International Institutions, Phillippe Sands, Pierre Klien, Sweet and Maxwell, 2009
- John Collier and Vaughan Lowe The Settlement of Disputes in International Law OUP 2000

- Lauterpacht The functions of Law in the International Community
- Oppenheim's International Law, Sir Robert Jennings QC, Arthur Watts KCMG QC, Vol. I, 9th edition, 2008 OUP
- Shifting Horizons of Public International Law, J L Kaul, Anupama Jha, Springer 2017
- International Law and Empire, Martti Koskeniemi, Walter Rech, Manuel Jimenez Fonseca, OUP
- Imperialism, Sovereignty and making of International Law, Anthony Angie CUP,
- Handbook of International Law Anthony Aust
- The Politics of International law, Martti Koskenneimi, Hart, 2011
- Critical International Law, Postrealism, postcolonialism, transnationalism, Prabhakar Singh, OUP, 2014

Instructor Details

Name of the Instructor:	Dr. P P.RAO
Telephone:	7989559038; 7321809654
WhatsApp Number:	
Email:	pprao@cnlu.ac.in
Website:	

Signature

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

Course Title: Law of Evidence

Course Overview

The curriculum is designed to focus on the evidence law in India. It aims to equip law students who enter the legal profession and helps them become successful lawyers.

The course will together look into both the statutes, i.e. The Indian Evidence Act, 1872 and the Bharatiya Sakshya Adhiniyam, 2023 in comparison.

- Module 1 – Introduction to the Law of Evidence in India.
- Module 2 – Relevancy of facts.
- Module 3 – Proof, Oral evidence and Documentary evidence.
- Module 4 – Burden of proof and estoppel.
- Module 5 – Competency of Witnesses.
- Module 6 – Examination of witness.

Learning Outcomes

The course aims at providing knowledge of the greatest practical value.

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

Analyze the evidence concepts and be able to apply them in future proceedings.

List of Topics/ Modules

Topic/ Module	Contents/ Concepts	Sessions / Lectures
Module I:	<ul style="list-style-type: none">• Introduction• Consolidation of Law of Evidence in India• Application of the Act• Definitions• Meaning of Evidence	1-5

Module II:	<ul style="list-style-type: none"> • Relevancy of facts – Section 6 – 55 of the IEA • Res Gestae • Occasion, cause and effect • Motive, preparation, conduct • Alibi and Identification Parade • Conspiracy • Admission & Confession • Dying Declaration • Opinion Evidence • Character Evidence 	6- 26
Module III:	<ul style="list-style-type: none"> • Facts which the court takes judicial notice and facts which need not be proved • Oral evidence • Documentary evidence • Exclusion of Oral by documentary evidence 	27-33
Module IV:	<ul style="list-style-type: none"> • Burden of proof • Estoppel 	34-38
Module V:	<ul style="list-style-type: none"> • Competency of Witnesses • Hostile witness • Privileged communication 	39-42
Module VI:	<ul style="list-style-type: none"> • Examination of witnesses • Admission and rejection of evidence 	43-47

Recommended/Reference Text Books and Resources:

Text Books

1. Vepa P. Sarathi – Law of Evidence
2. Batuk Lal- The Law of Evidence
3. Ratanlal & Dhirajlal- The Law of Evidence
4. Dr Avtar Singh-Principles of The Law of Evidence

References

- Dr. V Nageswara Rao- The Indian Evidence Act
- Supreme Court on Evidence Act

Instructor Details

Name of the Instructor	Tulika Singh
Email	Tulika.Singh@cnlu.ac.in

Chanakya National Law University, Patna
B.A., LL.B. (H) 2024-25; SEMESTER- IV

Course Title: Macroeconomics

Course Overview

It is believed that economics determines the fundamentals on which political system runs and therefore, must be read by people in the legal profession. The knowledge of macroeconomics is imperative in formulation of policies and law. The concepts from the discipline of macroeconomics provide a strong foundation for working out any legal framework for the constituents of the society. An understanding of the themes of macroeconomics can provide an insight to the individuals with a logical and consistent framework for comprehending the commonly used terms like inflation, budgetary deficit, economic growth, development national income etc. and analyses the impact of economic courses on our daily lives. Macroeconomics contain the issues that determine growth, gross domestic production, national income and distribution, flow of investment and the employment of resources including human resources in the country.

Learning Outcomes

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

1. Understand the basics of macroeconomics and issues related to it;
2. Analyse the real-world economic issues and problems related to employment, output inflation, deflation in short as well as long run
3. Establish the relationship with various theoretical as well as practical issues related to macroeconomics and law
4. Demonstrate their understanding regarding existing issues and the problems of the economy with the help of analytical tools of macroeconomic theories and its applications.
5. Relate and apply the concept of the above subject on contemporary issues like crypto currencies, pandemic and market, monetary stimulus during covid-19 and behavioural changes in the economy during pandemic.

List of Topics/ Modules

Topic/ Module	Contents/ Concepts	Sessions / Lectures
Module I: Introduction to Macroeconomics	<ul style="list-style-type: none">• What is macroeconomics• relation between Macro and Micro,• Relations between various concepts, savings and investment,• Goals of macroeconomic objectives• Circular Flow of Income and Output	1-8
Module II: National Income and Accounting	<ul style="list-style-type: none">• concept and measurement, theory of growth –• GDP, GNP, NNP –• national budget, crowding out effect• deficit finance – national income and international trade –• environmental concern – green accounting concept – methods of NI accounting system	9-15
Module III: Schools of Thought	<ul style="list-style-type: none">• Classical,• Keynesian and• Post-Keynesian• Classical theory of employment its critical analysis – aggregate demand and supply functions	16-22

	<ul style="list-style-type: none"> • Keynes's Theory of Employment • Principles of Effective Demand 	
Module IV: Concept of Business Cycle, Inflation and Deflation and stagflation	<ul style="list-style-type: none"> • Business cycle – short and long run, • Inflation, • deflation and • stagflation- symptom and features, reasons, • (Hawtrey's monetary theory, Keynes view on trade cycle – multiplier and accelerator interaction model – control of trade cycle.) • Phillips Curve 	23-33
Module V: Issues related to Growth and Development and International Trade	<ul style="list-style-type: none"> • Concept of Economic Development and Growth, • Factors of Economic Development and Obstacles of Economic Development, • New Economic Policy • Free Trade and Protection • BOP • Theories of International Trade 	34-40
Module VI: Contemporary Macroeconomic Issues and Challenges	<ul style="list-style-type: none"> • Fiscal and Monetary Policy Mix, issues and challenges • Demonetisation, Digital and Cashless economy 	41-50

Recommended/Reference Text Books and Resources

1. Krugman, Paul R. and Obstfeld, Maurice. International Economics: (8th ed.) Pearson Education.
2. Caves, Frankel, Jones, World Trades and Payments: (9th Ed.) Pearson Education. Jagdish N. Bhagwati, Arvind Panagariya, and T. N. Srinivasan, (2nd ed.) Lectures on International Trade.
3. Salvatore, Dominick. International Economics (8th Ed.), Wiley India.
4. Dornbusch R, Fischer S and Startz R, *Macroeconomics* (10th ed. Tata McGraw Hill Education 2012).
5. Mishkin FS, *Macroeconomics: Policy and Practice* (1st ed. Pearson Addison-Wesley 2012).
6. Ahuja HL, *Macroeconomics: Theories and Policies* (20th ed. S. Chand 2015).
7. Froyen RT, *Macroeconomics: Theories and Policies* (10th ed. Pearson 2014).
8. Mankiw GN, *Macroeconomics* (7th ed. Worth Publishers 2010).
9. Errol D, *Macroeconomics* (Pearson Education 2008).
10. Blanchard O, *Macroeconomics* (4th ed. Pearson/Prentice Hall 2006).
11. Mishkin FS, *Macroeconomics: Policy and Practice* (1st ed. Pearson Addison-Wesley 2012).
12. Lewis Arthur, *Theory of Economic Growth* (Fourth ed.), Routledge Library Editions
13. Economic survey 2022

Additional Readings

1. Dwivedi, D.N., *Macro Economics*, Tata McGraw Hill Publishing Company Limited, New Delhi, 2006.
2. Koutsoyiannis, A., *Modern Microeconomics*, McGraw Hill, London, 1979.
3. Rana, K.C. and K.N., Verma, *Macro Economic Analysis*, Vishal Publishing Company, Jalandhar, Eighth Edition, 2006.
4. Shapiro, Edward, *Macro Economic Analysis*, Galgotia Publications Private Limited, New Delhi, 2007.
5. Kindelburger – *International Trade*
6. Dewett, K.K. *Modern Economic Theory*;
7. Bhatia, H.L. *Public Finance*;
8. Mishra, S.K. and V.K. Puri *Modern Macroeconomic Theory*; Himalaya Publishing House; 2003
9. Jhingan, M.L. *Macroeconomic Theory*;
10. M.C. Vaish, *Macro-Economic Theory*, Vikas Publishing House, New Delhi, 1999
11. S.K. Mishra and V.K. Puri, *Indian Economy*, Himalaya Publishing House, New Delhi, 2005
12. I.C. Dhingra, *Indian Economy*, Sultan Chand & Sons, New Delhi, Latest Edition, 2013

Reports, Journals and Newspapers

1. Economic and Political Weekly
2. World Economic Outlook
3. Financial Times
4. RBI Currency and Finance Report
5. Economic survey
6. The Economics Times/ Business Standard
7. Editorial, The Indian Express

Websites

1. Ministry of Statistics and Programme Implementation. <https://mospi.gov.in/>
2. <https://mospi.gov.in/132-overview-indian-system-national-accounts>
3. Ministry of Finance, Economic Survey. <https://www.indiabudget.gov.in/economicsurvey/>
4. NITI Aayog Library. <https://library.niti.gov.in/cgi-bin/koha/opac-detail.pl?biblionumber=81104>

Instructor Details

Name of the Instructor:	Dr. Shivani Mohan
Email:	shivanimohan@cnlu.ac.in

Chanakya National Law University, Patna
B.A., LL.B. (Hons.) 2024-25; SEMESTER- IV

Course Title: Sociology of Development (3 Credits)

Course Overview

Why should a law student be bothered to read about development? A partial answer to this could be that development is one of the most used and abused terms in our times. Such an (ab)use becomes possible due to the power it holds in shaping our cognitive abilities. This often means that anything and everything becomes ‘necessary’ the moment it is linked with development. Consider for instance discussions around law, social change and justice, and the ways in which it succumbs under the weight of development. Thus, it becomes imperative even for law students to ask: What is development? What does it hold? How and why, it links to practically every social institution, including law?

In short, a law student devoid of any critical understanding of development tends to fall prey to the power of development, having serious implications for deploying law as an instrument of social change and justice. Thus, with an objective to equip law students with a critical understanding of development, this course is divided into three modules. The first module is an invitation for law students to unpack development and the ways it shapes our cognitive abilities. Following this, the second module encourages law students to critically see how development shapes postcolonial states and our notions of human freedom. This brings students to the third module that enables them to critically appreciate the contemporary concerns of yawning inequalities and environmental conflicts in neoliberal India. This module sensitizes them to the ways in which development undercuts the project of social justice and change through law.

Learning Outcomes

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

1. The power of development over socio-legal institutions and our cognitive abilities.
2. The potential and limits of development in neoliberal postcolonial states to address the socially desirable goals of human freedom and justice.
3. The linkages between development, inequality, and environmental justice in India.

List of Topics/ Modules

Topic/ Module	Contents	Sessions / Lectures
Module I: Unpacking Development	<ul style="list-style-type: none">History of DevelopmentDevelopmentalism	1-15
Module II: Development Perspectives	<ul style="list-style-type: none">FreedomGovernmentalityPost-Development	16-35

	<ul style="list-style-type: none"> • Gender and Development 	
Module III: Development in India: Key Issues	<ul style="list-style-type: none"> • Neoliberalism and Rising Inequality • Neoliberalism and Environmental Conflicts • Neoliberal Developmental Regimes and Social Policy 	36-48

Mandatory Reading Material

Module I

- Rist, G. (2008). *The History of Development: From Western Origins to Global Faith*. London: Zed Books. (Read pp. 1-24).
- Dirlik, A. (2014). 'Developmentalism: A Critique', *Intervention*, 16 (1), pp. 30-48.

Module II

- Sen, A. (1999). *Development as Freedom*. New Delhi: Oxford University Press. (pp. 3, 11, 35- 54).
- Sanyal, K. (2007). Rethinking Capitalist Development: Primitive Accumulation, Governmentality and Postcolonial Capitalism. New Delhi: Routledge. pp 168-189.
- Escobar, A. (1995). *Encountering Development: The Making and Unmaking of the Third World*. Princeton: Princeton University Press. (Read chapters 1 and 2).
- Rai, S. M. (2011). Gender and Development: Theoretical Perspectives, in Visvanathan, N., L. Duggan, L. Nisonoff & N. Wiegiersma (eds). *The Women, Gender and Development Reader*. London: Zed Books.

Module III

- Prabhakaran, P. (2023). *The Crooked Timber of New India*. Speaking Tiger. (Read chapter 'Oxfam's Inequality Report, Piketty and New India.')
- Parikh, S., and G. Sahu. (2023). Has the Judiciary Abandoned the Environment for Neoliberalism? *Economic and Political Weekly (Engage)*, 58(13).
https://www.epw.in/sites/default/files/engage_pdf/2023/11/02/162550-.pdf
- Chatterjee, P. (2008). Democracy and Economic Transformation in India, *Economic and Political Weekly*, 43 (16), pp. 53-62.
- Gupta, A., & Sharma, A. (2006). 'Globalization and Postcolonial States,' *Current Anthropology* 47 (2), pp. 277-293.

Additional readings may be suggested by the course instructor.

Instructor Details

Name of the Instructor:	Dr. Amit Jain
Designation:	Assistant Professor of Sociology
Email:	amitjain@cnlu.ac.in

