

KARNATAKA STATE LAW UNIVERSITY

Navanagar, Hubballi – 580 025.

Accredited with 'A' Grade by NAAC



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Ref: No. KSLU/Acad/BOSUG/2022-23/602

Date: 25-04-2023

Office Note

Sub : Introduction of revised syllabus for II III and IV Semesters of 5 Year B.A., LL.B. (Hons.) and 5 Year B.B.A., LL.B. (Hons.) Programmes from the Academic Year 2022-23

Ref : 1.Board of Studies UG HON's Meeting Proceedings dated 25-04-2023
2.Hon'ble Vice Chancellor's approval date : 25/4/2023


With reference to the above, this is for the information that the revised syllabus as appended below for II, III and IV semesters of 5 Year B.A., LL.B. (Hons.) and 5 Year B.B.A., LL.B. (Hons.) programmes is to be introduced from the Academic Year 2022-23 prospectively starting with the batches admitted to I Semester of B.A.,LL.B (Hon's) and B.B.A., LL.B. (Hons.) programmes.

1. Revised Syllabus for II, III and IV Semesters of B.A.,LL.B. (Hon's)	Appendix-I
2. Revised Syllabus for II, III and IV Semesters of B.B.A.,LL.B. (Hon's)	Appendix-II

The same shall be brought notice of all the teachers and students.

Encl:

1. Appendix-I
2. Appendix-II


08.06.2023
Registrar

To
The Director, KSLU Law School, Navanagar, Hubballi

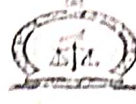
Copy to:

- 1) Special Officer to Hon'ble Vice- Chancellor, KSLU, Hubballi
- 2) P.S to Registrar, KSLU, Hubballi
- 3) P.S. to Registrar (Eval.) KSLU, Hubballi along with the above Appendix I & II for information and needful
- 4) Dy. Registrar/Assistant Registrar (Academic & Administration). KSLU, Hubballi


Registrar

Karnataka State Law University
Navanagar, Hubballi-580 025.


IQAC COORDINATOR
Karnataka State Law University
Hubballi-25.



ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕಾನೂನು ವಿಶ್ವವಿದ್ಯಾಲಯ

ನವನಗರ, ಹುಬ್ಬಳ್ಳಿ - 580025

ನ್ಯಾಕ 'ಎ' ಶ್ರೇಣಿ ಮಾನ್ಯತೆ

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ಸಂಖ್ಯೆ: ಕರಾಕಾವಿ/ಕುಕಾ/2021-22/

ದಿನಾಂಕ: 8-5-2021

ಸುತ್ತೋಲೆ

ವಿಷಯ: ಎರಡು ವರ್ಷದ ಎಲ್.ಎಲ್.ಎಮ್. ಕೋರ್ಸುಗಳಾದ

Constitutional Law and Business & Trade Law ಗಳಿಗೆ

4ನೇ ಸೆಮಿಸ್ಟರ್‌ನ ಪಠ್ಯಕ್ರಮವನ್ನು ನೀಡುವ ಕುರಿತು

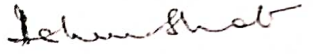
ಉಲ್ಲೇಖ: ಬಿ.ಓ.ಎಸ್. (ಪಿ.ಬಿ.) ಸಭೆಯ ನಡವಳಿಗಳು ದಿನಾಂಕ

30-3-2021

ಮೇಲ್ಕಾಣಿಸಿದ ವಿಷಯ ಹಾಗೂ ಉಲ್ಲೇಖದನ್ವಯ ಈ ಮೂಲಕ ತಿಳಿಸುವುದೇನೆಂದರೆ, ಶೈಕ್ಷಣಿಕ ವರ್ಷ 2019-20 ನೇ ಸಾಲಿನಿಂದ ಎರಡು ವರ್ಷದ ಎಲ್.ಎಲ್.ಎಮ್. ಸ್ನಾತಕೋತ್ತರ ಪದವಿ ಕೋರ್ಸುಗಳನ್ನು ವಿಶ್ವವಿದ್ಯಾಲಯದ ಕಾನೂನು ಶಾಲೆ ಹಾಗೂ ಸಂಯೋಜಿತ ಕಾನೂನು ಮಹಾವಿದ್ಯಾಲಯಗಳಲ್ಲಿ ಪ್ರಾರಂಭಿಸಲಾಗಿದೆ. ಸದರಿ ಕೋರ್ಸಿಗೆ 4ನೇ ಸೆಮಿಸ್ಟರ್‌ನ ಪಠ್ಯಕ್ರಮವನ್ನು ಈ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಲಾಗಿದೆ.

ಆದ್ದರಿಂದ ಸದರಿ ಪಠ್ಯಕ್ರಮವನ್ನು ಸಂಬಂಧಪಟ್ಟಿರುವ ಉಪನ್ಯಾಸಕರಿಗೆ ಮತ್ತು ವಿದ್ಯಾರ್ಥಿಗಳ ಗಮನಕ್ಕೆ ತರುವಂತೆ ಪ್ರಾಚಾರ್ಯರಿಗೆ ಈ ಮೂಲಕ ತಿಳಿಸಲಾಗಿದೆ.

ಅಡಕ: 4ನೇ ಸೆಮಿಸ್ಟರ್‌ನ ಪಠ್ಯಕ್ರಮವನ್ನು ಲಗತ್ತಿಸಲಾಗಿದೆ.

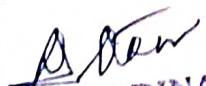

(ಪ್ರೊ. (ಡಾ.) ಪಿ. ಈಶ್ವರ ಭಟ್)
ಕುಲಪತಿಗಳು


ಇವರಿಗೆ

1. ನಿರ್ದೇಶಕರು, ಕ.ರಾ.ಕಾ.ವಿ.ಯ ಕಾನೂನು ಶಾಲೆ, ನವನಗರ, ಹುಬ್ಬಳ್ಳಿ.
2. ಪ್ರಾಚಾರ್ಯರು, ಕೆ.ಎಲ್.ಇ. ಸಂಸ್ಥೆಯ ಕಾನೂನು ಮಹಾವಿದ್ಯಾಲಯ, ಬೆಂಗಳೂರು.
3. ಪ್ರಾಚಾರ್ಯರು, ಎಸ್.ಡಿ.ಎಮ್. ಕಾನೂನು ಮಹಾವಿದ್ಯಾಲಯ, ಮಂಗಳೂರು.
4. ಪ್ರಾಚಾರ್ಯರು, ಸಿ.ಬಿ.ಆರ್. ನ್ಯಾಷನಲ್ ಕಾನೂನು ಮಹಾವಿದ್ಯಾಲಯ, ಶಿವಮೊಗ್ಗ.

ಪ್ರತಿ ಇವರಿಗೆ:

1. ಮಾನ್ಯ ಕುಲಪತಿಗಳ ಆಪ್ತಕಾರ್ಯದರ್ಶಿಗಳು, ಕರಾಕಾವಿ, ಹುಬ್ಬಳ್ಳಿ.
2. ಕುಲಸಚಿವರ ಆಪ್ತಕಾರ್ಯದರ್ಶಿಗಳು, ಕರಾಕಾವಿ, ಹುಬ್ಬಳ್ಳಿ.
3. ಮಾನ್ಯ ಕುಲಸಚಿವರು (ಮೌಲ್ಯಮಾಪನ), ಕರಾಕಾವಿ., ಹುಬ್ಬಳ್ಳಿ.
4. ಕಛೇರಿಯ ಪ್ರತಿ.


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FOURTH SEMESTER

PAPER 13: SPECIALISATION PAPER 7: LAW RELATING TO WRITS AND PUBLIC SERVICE

Objectives:

Rights without remedy are of no use. As the student studies fundamental rights and other rights he is supposed to know about where lies the remedy in case of violations of rights. Prerogative writ remedies which have their genesis in United Kingdom have been replicated under Article 32 and Article 226 of the Constitution of India. A student shall study the genesis of the writ remedies. The scope of writ remedies under Article 32 and Article 226 of the Constitution of India the context and reasons for the Supreme Court to adopt such a narrow construction of writ remedies under Article 32 during 1980 and adopting of liberal construction in the post 1980 period. It is significant to analyse the British unwritten Constitutional law, which is the source and inspiration for many provisions of the constitution of India including provisions relating to writ remedies but functioned differently in Indian setting and also to study the comparative analysis of prerogative writs and the present working of writ remedies under Indian and UK law.

Protection of rights of public servants against the mighty state is yet another ever-evolving area of constitutional law. While the constitutional provisions and the service rules by the Governments at the union and at the state 's level regulate the matter, the principles and doctrines like, the doctrine of pleasure having its origin in UK and finding its place in our constitution as delineated in a catena decisions by a judiciary assumes significance. The extent and degree of protection of interests of public servants under the constitutional regime needs to be studied. Further, law governing administrative tribunals and judicial interpretation of constitutional provisions pertaining to them and rules and procedure governing disciplinary actions against public servants and the extent of judicial review of the disciplinary committee's decision shall also be studied for the comprehensive understanding of the service law.

Course Outcomes:

On successful completion of the course the student will be able to -

1. analyse the distinction between the prerogative writs and judicial writs
2. compare and appreciate the Indian law on specific writs
3. describe who can apply and against whom writs may be applied, and where to apply.
4. examine the role of judiciary in relation issuing of writs.
5. explore the nature and scope of jurisdiction of administrative tribunals.

Course content:

Unit I

Importance of constitutional remedies; Evolution of writs in UK and India; Nature of writs in England; prerogative writs- meaning and distinction between prerogative writs and judicial writs. Comparative study of English law and Indian law on specific writs- Habeas Corpus, Mandamus, Certiorari, Prohibition, & Quo-Warranto.

Unit II

General principle of writ jurisdiction: who may apply for writs and against whom writ may be issued- government, local authority and other authorities. Law relating to exhaustion of local remedies. Locus standi- Exceptions, Public Interest Litigation; territorial jurisdiction, alternative remedy; delay and laches; res judicata.

Procedures-impleading of proper parties. Dismissal in limine. No dismissal of petition without speaking orders. Raising of a new plea. Relief and prayers in petition, review petition.

Unit III

Writ Jurisdiction of the supreme court under Articles 32 of the constitution of India and jurisdiction of the High Court under Art. 226 and 227; Grounds and procedure for filing specific writs-Habeas Corpus, Mandamus, Certiorari, Prohibition, & Quo-Warranto; interpretation of the expression 'for any other purposes' under Article 226.

Practice & procedure in writ petitions: pleadings, content of writ petitions Supreme Court rules- Provisions relating to writ procedure. Application for enforcement of fundamental rights; Karnataka High Court rules governing writ petitions; applicability of CPC; drafting of writ pleadings. Evidentiary matters.

Unit IV

Service regulation under the Constitution; constitutional safeguards-rights of civil servants- doctrine of pleasure and its limitations- domestic inquiry- compassionate appointments- voluntary retirement- compulsory retirement.

Unit V

Departmental remedies; representation, review and appeal under CCA Rules- Procedure for imposing penalties- remedies before the Administrative Tribunal; Its jurisdiction, scope and procedure – Administrative Tribunal Act, 1985, Articles 323 A and 323 B- Exclusion of judicial review- judicial Review of service matters- limited jurisdiction of judicial review against disciplinary proceedings.

Select Bibliography:

1. D.D. Basu- Constitutional Remedies and Writs (Kamal Law House, Kolkata, 3rdEdn., 2009)
2. Justice C.K. Takker and MC Thakker, V.G. Ramachandran's Law of Writs (EBC, Delhi, 6thedn., 2007)
3. M.R. Mallick, Writs Law & practice (EBC, New Delhi, 2ndedn., 2009)
4. Justice P.S. Narayana, Law of Writs (Asia Law House, New Delhi, 2ndedn., 2009)
5. P.M. Bakshi, Public Interest Litigation (Ashoka Law House, New Delhi, 3rdedn., 2012)
6. S.A. De Smith, Judicial Review of Administrative Action (Cambridge University Press, 2009)

7. H. M. Seervai, Constitutional Law of India (Universal Law Publishing Co. Ltd., 4thedn., 20150
8. Halsbury' s Laws of England Vol II (Lexisnexis, UK, 5thedn., 2020)
9. Justice M. Rama Jois, Services under the state (Indian Law Institute, New Delhi, 2007)
10. G.B. Singh's Commentory on the CCS and CCA Rules
11. ILI- Judicial review through writ petitions
12. Sharpe, Law of Habeas Corpus
13. Chaudary& Chaturvedi- Law of Writs
14. Samaraditya pal- Law Relating to public Service- 3rdedn., Lexisnexis, 2011 re pt. 2017.

PAPER 14: SPECIALISATION PAPER 8: MASS MEDIA LAW

Objectives:

Mass media such as press, radio and television, films, play a vital role in socialisation, culturalisation and modenisation of a society. The visual media are bound to have a much greater impact on human mind. But while these media have such a potential value as man educators, they are also susceptible to destructive and harmful uses for promoting criminal anti-social and selfish escapist tendencies. While their positive potential as mass educators has to be harnessed for developmental purposes, their negative, harmful potential has to be curbed in public interest. Law plays a dual role vis-a-vis such media. On the one hand, it protects the creative freedom involved in them, on the other, it has to regulate them so as to avoid their possible abuse. This paper will deal with such interaction between law and mass media. The following syllabus prepared with this perspective will be spread over a period of one semester.

Course Outcomes:

On successful completion of the course the student will be able to -

1. understand the concept of Media, types and theories of mass media.
2. interpret the issues and analyse the principles laid down in the cases in the field of Media law.
3. evaluate the Constitutional framework impinging upon the fundamental rights to freedom of Speech and expression in India with special reference to freedom of the press and the fundamental right to privacy.
4. evaluate the latest developments in the field of media law.

Course content:

Unit I

Mass media - Types of – Press, Films, Radio, Television; Ownership patterns - Press - Private – Public; Ownership patterns - Films – Private; Ownership patterns - Radio & Television, Public; Difference between visual and non- Visual Media- impact on people's minds.

Unit II

Press - Freedom of Speech and Expression - Article 19 (1) (a): Includes Freedom of the Press; Laws of defamation, obscenity, blasphemy and sedition; the law relating to employees wages and service conditions; Price and Page Schedule Regulation; Newsprint Control Order; Advertisement - is it included within freedom of speech and expression? Press and the Monopolies and Restrictive Trade Practices Act.

Unit III

Films - How far included in freedom of speech and expression? Censorship of films – constitutionality; The Abbas Case; Difference between films and Press - why pre-censorship valid for films but not for the press? Censorship under the Cinematograph Act.

Unit IV

Radio and Television - Government monopoly; Why Government department? Should there be an autonomous corporation? Effect of television on people; Report of the Chanda Committee; Government policy: Commercial advertisement; Internal Scrutiny of serials, etc; Judicial Review of Doordarshan decisions: Freedom to telecast.

Unit V

Constitutional Restrictions; Radio and television subject to law of defamation and obscenity; Power to legislate - Article 246 read with the Seventh Schedule; Power to impose tax - licensing and license fee.

Select Bibliography:

1. M.P. Jain, Constitutional Law of India (1994) Wadhwa
2. H.M. Seervai, Constitutional Law of India (1991) Tripathi, Bombay
3. John B. Howard, "The Social Accountability of Public Enterprises" in Law and Community Controls in New Development Strategies (International Center for law in Development 1980)
4. Bruce Michael Boyd, "Film Censorship in India: A Reasonable Restriction on Freedom of Speech and Expression ". 14 J.I.L.I. 501 (1 972)
5. Rajeev Dhavan "On the Law of the Press in India" 26 J.I.L.I. 288 (1984)
6. Rajeev Dhavan, "Legitimizing Government Rhetoric: Reflections on Some Aspects of the Second Press Commission" 26 J.I.L.I. 391 (1984)
7. Soli Sorabjee, Law of Press Censorship in India (1976)
8. Justice E.S. Venkataramiah, Freedom of Press: Some Recent Trends (1984)
9. D D. Basu, The Law of Press of India (1980)
10. Students should consult relevant volumes of the Annual Survey of Indian Law published by the Indian Law Institute. (Constitutional Law I & II, Administrative Law and Public Interest litigation)

PAPER 15: SPECIALISATION PAPER 9: PANCHAYAT RAJ INSTITUTIONS

Objectives:

The role of Panchayat Raj institutions as institutions of grass roots of democracy and of the planning process is becoming more obvious today for all discerning eyes in the context of modern democracy and development exercise. The Panchayat Raj institutions are unique in the area of governance and their importance has, however, increased enormously after the Constitution (73rd Amendment) Act 1993.

There is a need of understanding the nature and scope of decentralized democracy. Whether constitutional framework and legal structure of Panchayat Raj institutions is in accordance with the Constitutional philosophy of decentralized democracy? The provisions of Panchayat Raj Act 1993 has to be studied and verified in the context of working model of the Panchayat Raj institutions.

Whether Panchayat Raj institutions have been fully endowed with power by the State legislatures is a significant point in assessing quality of local governance. In this regard Karnataka Panchayat Raj Act 1993 has to be studied to verify the devolution of powers to Panchayat Raj Institution in Karnataka.

Course Outcomes:

On successful completion of the course the student will be able to -

1. understand the introductory aspects, the historical and philosophical background for the Panchayat Raj Institutions
2. analyse the Constitutional scheme for the Panchayat Raj Institutions
3. understand about the structure, powers and functions of Panchayat Raj Institutions
4. address the issues of decentralization and grass- root planning of the Panchayat Raj Institutions
5. explore the modern dimensions of local self-government.

Course content:

Unit I

Decentralisation, Decentralised Democracy; rural local government before 1862; Evolution of local self-government before independence; Principles of Local governance & Institutions of self-governance; M.K. Gandhi's concept of village Panchayat; Panchayat Raj & the constituent Assembly; Article 40: Organisation of village Panchayat; committees Reports on Panchayat raj Institutions; Emergence of Panchayat Raj Institutions.

Unit II

Constitutional Frame work & legal structure governing PRI's; The constitution (73rd Amendment) Act, 1992; Eleventh schedule & 29 subjects therein; Constitutional provisions as normative model; Panchayats as local & other authorities, The provisions of Panchayats (Extension to the scheduled Areas) Act, 1996; Panchayat Raj jurisprudence; A review of central Acts.

Unit III

Empowerment of Panchayats- A perspective; Legislative measures for democratization of Panchayat raj Institutions; The Panchayat Raj Act 1993; Devolution of powers & functions; structural issues, Reservations, duration of Panchayat, powers, authority & responsibilities, powers to impose taxes, District planning committee (DPC)

Unit IV

Local self-government in Karnataka; Evolution of legal structure governing Panchayat Raj institutions in Karnataka; The Karnataka Panchayat Raj Act 1993; state enactments & rules supplementing Panchayat Raj institutions; Political empowerment; Gram Sabha; Constitution of Panchayats, Transfer of Powers, functions & resources to institutions of self-Governance; State finance commission; Financial devolution to Panchayats, state election commission, Efficacy of Panchayat Raj Laws for constituting legal structure & functioning of Panchayat.

Unit V

Panchayat Raj as a development Institution: Planning at grass roots Level; Functions, duties & powers of: Gram Panchayats; Taluk Panchayats; Zilla Panchayats in Karnataka; Election process: Electoral politics of Grass roots Democracy; Election petition & trial, Efficacy Panchayat Raj Laws for functioning of Panchayat; Panchayat Raj Personnel & Services.

Select Bibliography:

Relevant provisions of constitution of India

73rd constitutional Amendment Act 1992.

The provisions of Panchayats (Extension to the scheduled Areas) Act, 1996

Eleventh Schedule & 29 subjects therein - Constitution of India

The Panchayat Raj Act 1993

1. The Karnataka Panchayat Raj Act 1993
2. Economic & political weekly
3. Case law decisions-HC's and SC
4. Panchayat Raj update-Institute of social science