

IMIRC COLLEGE OF LAW

SYLLABUS

P.G. DIPLOMA. 1 YEAR

(TWO SEMESTER) COURSE

Session-2026-27

POST-GRADUATE DIPLOMA IN CYBER LAW & DATA PROTECTION (PGDCLDP)

(SESSION 2026-27 ONWARDS)

General Rules, Examination, Regulation and Course

PG Diploma in Cyber Law and Data Protection

About the Programme:

In an era dominated by digital technology, the intersection of law, cyberspace, and artificial intelligence (AI) has become more critical than ever. The increasing reliance on the internet, intelligent systems, and electronic communication has given rise to complex legal challenges concerning cybersecurity, data breaches, AI-driven decision-making, digital transactions, and online privacy. As cybercrimes and algorithmic surveillance become more sophisticated and frequent, the demand for legal professionals equipped with advanced understanding of both Cyber Law and AI governance is steadily rising.

The Post Graduate Diploma in Cyber Law and Data Protection, offered by IMIRC College of Law, Bhaina, is a comprehensive and forward-looking academic programme designed to meet these emerging technological and regulatory challenges. This diploma aims to empower students, legal practitioners, IT professionals, AI developers, law enforcement personnel, and policymakers with in-depth knowledge of the legal and policy framework governing cyberspace, data protection, and artificial intelligence.

The programme covers a wide range of subjects including the Information Technology Act, cybercrimes and offences, digital privacy laws, international data protection regulations, cyber forensics, and the legal implications of AI and emerging technologies. Special focus is laid on understanding how AI affects data governance, surveillance practices, algorithmic accountability, and individual rights in a digital society.

The curriculum emphasizes practical learning through real-life case studies, legal drafting exercises, AI and data compliance simulations, and hands-on training in digital evidence handling. The course structure ensures a balanced integration of theoretical concepts, evolving jurisprudence, and applied legal technology, making learners industry-ready and future-proof in an increasingly AI-powered world.

Duration: 1 Year (The program will consist of two semesters comprising six modules with Project, Assignment or Internship.)

Mode: Online / Offline / Hybrid

Eligibility: Graduation in Law / IT / Management / Equivalent

Objectives:

1. To provide a comprehensive understanding of cyber law and its application.
2. To educate learners about Indian and international data protection regimes.
3. To train students in cybercrime investigation and cyber forensics.
4. To enhance the legal and technical skills of students, professionals, and law enforcement personnel.

Assessment of Students' Performance and Scheme of Examination Pass Percentage & Promotional Criteria:

1. Assessment of student's performance shall consist of 70 marks (End Semester Written Examination) and 30 marks (Internal Assessment).
2. The duration of the End Semester Written Examination shall be three hours for 70 marks.
3. For internal assessment of 30 marks, one Internal Test + Assignment + Presentation + Viva shall be in each course in each semester.
4. Internal assessment of each paper shall be evaluated by a panel of three teachers of the department. For each paper panel is to be formed by Principal accordingly.
5. Assignment / Project/ Internship will carry 70 marks.
6. Viva-voce exam will carry 30 marks Viva-voce shall be held soon after the Second semester.
7. In each paper 30 marks shall be reserved for award on the bases of continuous internal assessment of the student in the class room. The HOD will notify information regarding each internal assessment at least one week prior of the presentation with consultation to the teacher concern. All awards of marks will be verified by the HOD and will be send to exam controller accordingly.
8. The criteria for Internal assessment for each paper will be as follows – Internal Test- 10 marks
9. Assignment with presentation – 10 marks Class room seminar and viva – 10 marks

Attendance

The student whose attendance is less than 75% will not be allowed to appear in the end semester examination. Principal may permit a student to appear in examination by relaxation of 25% attendance in special conditions such as;

- Participation in NCC/NSS camps duly supported by a certificate from competent authority.
- Participation in College Team (S) Games or Inter State Tournament (S) duly supported a certificate from competent authority.
- Participation in any of the co-curricular activity organized by College duly certified by competent authority.

- Prolonged illness duly certified by superintendent/CMO of government hospital or registered medical practitioners/hospitals.

Note: The Principal shall have power to condone any deficiency of attendance for cogent reasons.

End Semester Examination

There shall be an end semester examination at the end of the I and II semesters. The semester examination will be held every year normally in December and May or on the dates declared in the academic calendar of the College. A student proceeding to appear in the end semester examination will submit through the Head of the Department his/her application on the prescribed form along with the required examination fee, etc. to the Registrar of the College. Every student will have to be appear in three & two respective theory papers examinations in the I and II, semesters.

In the II semester, every student will be allotted one Assignment work in lieu of Viva-voce Exam.

Allotment of The Assignment

Allotment of the Assignment will be done by a committee comprising of the Head of the Department. The Proposal for Assignment shall be submitted by candidate though head of department.

Candidate shall be required to submit the Assignment at least two weeks before the commencement of Second Semester Examination. Prior of submission of Assignment the students shall make a pre-submission seminar in the College. Seminar shall be opened to all faculty members, research scholar and other students of the College.

The candidate shall be required to secure at least 50% marks in the Assignment to pass the Examination.

The maximum number of students enrolled for Assignment under one teacher will be as follows-

Assistant Professor – 05

Associate Professor – 08

Professor – 10

Full time teacher of the College is authorized for Assignment guidance. If there is non-availability of full time teachers in the College, rest of all student will be supervised by HOD/ principal accordingly.

Viva-Voce Examination:

The Viva Voce Examination shall be conducted by a Board of Examiners.

The Board shall consist of three members; one member shall be a Professor/Associate Professor

as external member of any other university or college. The head of the department (H.O.D.) shall be a member of the board and one Professor/Associate professor of the college as internal examiner. The internal examiner shall be appointed for every year by rotation.

The Viva-Voce Examination shall carry 30 marks. The external examiner shall evaluate the candidate out of 20 maximum marks and two examiners shall evaluate out of 10 maximum marks each.

Candidate shall be required to secure at least 50% marks in the Viva-voce to pass the Examination.

Grad Point and SGPA, CGPA Calculations:

Assessment as per college policy relating to implementation of choice-based credit system (CBCS) to all the programs offered at IMIRC College of Law.

Rules of Promotion:

A student can not to be promoted to next semester if he/she fails in up to the maximum two courses (papers) in first semester. The paper/papers in which a student fail shall be considered as back paper. In no case a student having back in more than two papers can be promoted to next semester and will be treated to have year back. In case of year back, he/she have to take readmission by paying approved fee in same year after the recommendation of Principal/HOD.

After readmission students have following options;

1. He/ She can choose to pass all the papers of the academic year.
2. He/ She can opt to pass the papers in which he/she has failed.
3. Students will have to submit their choices/options at the time of readmission.
4. No repeat attempt is allowed to pass for internal assessment only.
5. He/ She has to repeat complete course i.e. theory and internal assessment both.

Course Modules:

The course is structured into two semesters, covering core concepts and applied aspects of cyber law and data protection.

Programme Learning Outcomes (PLOs):

Upon completion of the PG Diploma in Cyber Law and Data Protection, learners will be able to:

1. Demonstrate a sound understanding of cyber law principles and legal frameworks.
2. Analyze and interpret legal provisions related to IT Act, data protection laws, and cyber offences.
3. Apply cyber forensic methods and tools in real-world scenarios.

4. Advise institutions on data compliance and digital privacy measures.

5. Exhibit legal drafting, investigation, and research skills related to cyber jurisprudence.

Course Learning Outcomes (CLOs):

Semester I:

- Understand the origin, scope, and importance of cyber law.
- Explain the key provisions of the Information Technology Act, 2000.
- Identify and categorize different types of cybercrimes.
- Evaluate the legal challenges in cyber jurisdiction and intermediary liability.

Semester II:

- Analyze data protection frameworks including Indian and international laws.
- Apply legal principles in solving privacy-related issues.
- Develop expertise in collecting and preserving digital evidence.
- Understand intellectual property rights in the online domain.
- Conduct legal research and prepare cyber investigation case reports.

Semester I: Foundations of Cyber Law and Regulation

S.No.	Course Code	Course Name	L-IA-P	Total Credit
1.	PGDCLDP 101	Introduction and International Comparison of Cyber Law and Legal Framework	5-2-0	**7**
2.	PGDCLDP 102	Information Technology Act, 2000 (with Amendments) & Cyber Crimes or Offences	5-2-0	**7**
3.	PGDCLDP 103	Information Technology Act, 2000 (with Amendments) & Cyber Crimes or Offences	5-2-0	**7**
Total Credit in Semester I				21

Semester II: Data Protection, Privacy, and AI

S.No.	Course Code	Course Name	L-IA-P	Total Credit
1.	PGDCLDP 201	Data Protection & Privacy Laws and Intellectual Property Rights In The Digital Space	5-2-0	**7**
2.	PGDCLDP 202	AI with Emerging Tech in Cyber Law & AI with Data Governance in a Digital World	5-2-0	**7**
3.	PGDCLDP 203	Project / Assignment / Internship & Viva	5-2-0	**7**
Total Credit in Semester II				21
The PG Diploma programme comprises a total of six papers, three papers in Semester I and three papers in Semester II. Each paper carries 7 credits, making the total credit requirement for the programme 42 credits.				

Semester I

Paper I- PGDCLDP 101

INTRODUCTION TO CYBER LAW AND LEGAL FRAMEWORK

Duration: 40 hours (including lectures, seminars, and assessments) Credits: 7

Introduction:

In the era of digital transformation, legal professionals must be well-versed in the evolving dimensions of cyberspace. This paper introduces the foundational aspects of Cyber Law, the regulatory framework governing cyberspace, and emerging legal issues such as jurisdiction, liability, and digital evidence. It provides students with a thorough understanding of the Information Technology Act, legal recognition of electronic records, and the challenges posed by cybercrimes.

Course Outcomes (C.O.):

1. To understand the origin, scope, and relevance of cyber law in the digital age.
2. To comprehend the key provisions and legal implications under the Information Technology Act, 2000.
3. To analyze cybercrime typologies and legal mechanisms for redressal.
4. To apply cyber law principles to case studies involving digital transactions, evidence, and liabilities.

Program Outcomes:

1. To equip students with legal tools for understanding and handling cyber law issues.
2. To develop practical understanding of statutory compliance and legal responsibility in online platforms.
3. To build awareness about legal frameworks for electronic governance, contracts, and offenses.
4. To prepare learners for careers in cyber regulation, consulting, and policy development.

Syllabus:

Unit I: Evolution of Cyber Law and Jurisprudence

- Growth of the Internet and its legal implications
- Historical development of cyber law across jurisdictions
- Cyber jurisprudence: nature, scope, and challenges
- Emergence of digital societies and the need for regulation
- Cyberspace as a legal construct
- Theories of jurisdiction: territorial, effects-based, and universal
- Contractual and tortious liabilities in cyberspace
- Role of intermediaries and their legal responsibilities

Suggested Readings:

Books:

- Kumar, S. – Cyber Law: Emerging Trends (Universal Law Publishing), 2023.
- Terry J. Ilardi – Cyber Law and Jurisprudence: A Comparative Perspective, Thomson Reuter, 2015.
- Solove, Daniel J. – The Digital Person: Technology and Privacy in the Information Age, New York University

Press (2004).

Articles:

- Jack L. Goldsmith, "Jurisdiction in Cyberspace: A Theory of Reasonableness", Yale Law Journal, 105(5), 1058–1132, (1996).
- David R. Johnson and David G. Post, "The Role of Law in Governing the Internet", Stanford Law Review, 48, 1367–1402, (1996).

Case Laws:

- Yahoo! Inc. v. La Ligue Contre Le Racisme et l'Antisémitisme, 169 F. Supp. 2d 1181 (2001)
- Reno v. ACLU, 521 U.S. 844 (1997)
- Shreya Singhal v. Union of India, AIR 2015 SC 1523 – Section 66A struck down

Unit II: Indian Legal Context and Framework to understanding Cyberspace and its Challenges

- Unique features of cyberspace (borderless, anonymous, decentralized)
- Attribution, traceability, and identification in cyber incidents
- Enforcement challenges in digital crimes
- Cyber governance and multi-stakeholder models: ICANN, IGF, ITU
- Constitutional rights in the digital age:

a. Article 19(1)(a): Freedom of speech

b. Article 21: Right to privacy

- Overview of the IT Act, 2000 and its relevance
- Role of Indian judiciary in shaping cyber jurisprudence
- Related legislations: Bharatiya Nyaya Sanhita, 2023, Bharatiya Sakshya Adhiniyam, 2023, Data Protection Bill

Suggested Readings:

Books:

- Sharma, Vakul, Information Technology Law and Practice 6th ed., Universal Law Publishing, 2022.
- Gupta, Apar, Internet Law and Policy in India: Cases and Materials, LexisNexis, 2014.

Articles:

- Eichensehr, K. E., "Challenges in Attribution of Cyber Attacks", UCLA Law Review, 67(3), 520–600, 2020.
- Tripathi, H., "Constitutional Rights in the Digital Age", NUJS Law Review2024.

Case Laws:

- Justice K. S. Puttaswamy (Retd.) v. Union of India, (2017) 10 SCC 1 — landmark judgment affirming Right to Privacy as a fundamental right
- Avnish Bajaj v. State (NCT of Delhi), 150 (2008) DLT 769 — early Indian case on intermediary liability under IT Act
- Google India Pvt. Ltd. v. Visakha Industries, AIR 2020 SC 510 — clarified safe harbor under Section 79 of the

IT Act

Unit III: International Legal Instruments and Models

- Budapest Convention on Cybercrime
- OECD Guidelines on the Protection of Privacy
- WTO principles and e-commerce
- Regional legal frameworks:

a. EU's GDPR

b. US Cybersecurity Framework

c. China's Cybersecurity Law

- Role of United Nations in digital norms and security
- Legal responses to AI, Blockchain, and the Metaverse
- Data localization and digital sovereignty
- Role of ethics and digital constitutionalism
- Challenges in regulating decentralized technologies
- Future of cyber governance and cyber peace

Suggested Readings:

Books:

- Schmitt, Michael, Tallinn Manual on the International Law Applicable to Cyber Warfare, 2.0 (Cambridge Univ. Press) 2017.

Articles / Reports

- "The Budapest Convention and Its Global Reach", Journal of International Cybersecurity Law 2021; https://www.coe.int/en/web/cybercrime/the-budapest-convention
- OECD Privacy Guidelines, foundational standards for cross-border flow of personal data, 2013; https://www.oecd.org/sti/ieconomy/oecd_privacy_framework.pdf

Unit VI: Unit I: Introduction to Comparative Cyber Law

- Nature and Scope of Comparative Cyber Law
- Need for International Cooperation in Cyber Law
- Methodologies for Comparing Legal Systems
- International Jurisdiction Issues in Cyber Law
- Overview of Internet Governance and Global Actors (ICANN, ITU, IGF)
- Cybercrime Definitions: A Comparative Study
- Comparative Review of National Cybercrime Laws:

a. USA (Computer Fraud and Abuse Act)

b. EU (Cybercrime Directive)

c. India (IT Act, 2000)

d. China (Cyber security Law)

- Investigation and Admissibility of Electronic Evidence: A Comparative Perspective
- Cross-Border Cybercrime and Mutual Legal Assistance Treaties (MLATs)
- Role of Interpol and Europol in Cybercrime Prevention

Suggested Readings:

Books:

- Brenner, Susan W., Cybercrime and the Law: Challenges, Issues, and Outcomes, Northeastern University Press / Wiley 2012; https://www.upne.com/1555537933.html
- Greenleaf, Graham, Global Data Privacy Laws: 89 National Jurisdictions, 2019 Update (Oxford Univ. Press); https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3381593

Articles:

- Orla Lynskey, "Comparative Approaches to Data Protection Law", Oxford Journal of Legal Studies vol. 34, no. 2, 2014, pp. 256–282.

https://academic.oup.com/ojls/article/34/2/256/1500844

- Jack L. Goldsmith, "International Jurisdiction and Cyberspace", Duke Law Journal vol. 65, no. 3, 1998, pp. 477–505.

Cases:

- U.S. v. Ivanov, 175 F. Supp. 2d 367 (2001) — cross-border hacking liability
- Google Spain v. AEPD & Mario Costeja González, Case C-131/12 (2014) — EU Right- to-be-forgotten case

Unit V: International Legal Instruments on Cyber Law

- Budapest Convention on Cybercrime
- OECD Guidelines on the Protection of Privacy
- Tallinn Manual on International Law Applicable to Cyber Warfare
- UN Resolutions on Cyber security and ICTs
- Role of WTO and WIPO in Digital Trade and IPR
- Cyber Sovereignty vs. Internet Freedom
- Digital Borders and Surveillance Laws
- Artificial Intelligence, Quantum Computing, and Legal Gaps
- Cryptocurrency Regulation and Cross-border Financial Crimes
- Towards a Global Treaty on Cyberspace: Possibilities and Pitfalls

Suggested Readings:

Books:

• Lucian Nehauşer, International Cyber Law: A Practical Framework (Routledge, 2016)

Articles / Reports:

• WTO E-Commerce Work Programme—analyses on digital trade laws

• Chatham House Report on Digital Sovereignty vs. Internet Freedom

Recommendations:

1. Pavan Duggal, Cyber Law: The Indian Perspective, 3rd Edition (LexisNexis / Universal Law Publishing, 2023)

2. Talat Fatima, Cyber Crimes, 3rd Edition (Eastern Book Company, 2021)

3. Jonathan Clough, Principles of Cybercrime (Cambridge University Press, 2010)

4. Susan W. Brenner, Cybercrime and the Law: Challenges, Issues, and Outcomes (Wiley,2010)

5. UNODC – Manual on Cybercrime Investigation and Cyber Law; https://www.unodc.org/e4j/en/tertiary/cybercrime.html; https://www.unodc.org/documents/organized-crime/tools_and_publications/Digest_of_Cyber_Organized_Crime_2nd_edition_English.pdf

6. Budapest Convention on Cybercrime (Council of Europe, 2001); https://www.coe.int/en/web/cybercrime/the-budapest-convention

7. General Data Protection Regulation (GDPR), Regulation (EU) 2016/679; https://gdpr-info.eu; https://gdpr.eu

8. Digital Personal Data Protection Act, 2023 (Government of India); https://www.meity.gov.in/static/uploads/2024/06/2bf1f0e9f04e6fb4f8fef35e82c42aa5.pdf ; https://en.wikipedia.org/wiki/Digital_Personal_Data_Protection_Act,_2023

9. Tallinn Manual 2.0 on International Law Applicable to Cyber Operations; https://ccdcoe.org/research/tallinn-manual; https://www.cambridge.org/core/books/tallinn-manual-20-on-the-international-law-applicable-to-cyber-operations/foreword/F4671348E3478C643AEB9E940044B937

10. WTO and WIPO Resources on Digital Trade and IP; https://www.wto.org/english/tratop_e/trips_e/intel6_e.htm; https://www.wipo.int/global_health/en/trilateral_cooperation.html

11. OECD Guidelines on the Protection of Privacy and Transborder Flows of Personal Data; https://legalinstruments.oecd.org/public/doc/114/114.en.pdf; https://www.oecd.org/sti/ieconomy/privacy.htm

12. UN Cybersecurity Norms – UN GGE / OEWG Report; https://documents.unoda.org/wp-content/uploads/2022/03/The-UN-norms-of-responsible-state-behaviour-in-cyberspace.pdf; https://digitallibrary.un.org/record/799853

13. ICANN and ITU – Internet Governance Resource; https://www.icann.org/en/policy; https://www.itu.int/en/ITU-D/Cybersecurity/Pages/default.aspx

14. K.D. Gaur's Criminal Law (adapted for BNS 2023) Universal Law Publishing

15. Ratanlal & Dhirajlal's The Indian Penal Code (Adapted to BNS 2023) LexisNexis

16. Information Technology Act, 2000

17. Batuk Lal's The Law of Evidence (Adapted to BSA 2023) Central Law Agency

Evaluation Scheme:

• Internal Assessment (30 Marks):

2 written assignments (10 marks), 1 presentation (10 marks) and Class participation/seminar (10 marks)

• End Semester Examination (70 Marks):

Section A: Short answer questions (30 marks)

Section B: Analytical/Essay-type questions (40 marks)

Paper II- PGDCLDP 102

INFORMATION TECHNOLOGY ACT, 2000 (WITH AMENDMENTS) & CYBER CRIMES AND OFFENCES

Duration: 40 hours (including lectures, seminars, and assessments) **Credits: 7**

Introduction:

The Information Technology Act, 2000 is the cornerstone of India's cyber law regime. Enacted to provide legal recognition to electronic commerce and to prevent cybercrime, the Act has evolved through amendments to address the rapid growth of digital technologies. This paper aims to provide a comprehensive understanding of the IT Act's provisions, its enforcement mechanisms, and its intersection with data protection, electronic governance, cybercrime, and digital evidence.

Course Outcomes (C.O.):

1. To understand the legislative intent, structure, and scope of the IT Act, 2000.
2. To analyze the statutory provisions regarding electronic records, signatures, contracts, and governance.
3. To interpret legal protections against cybercrime under the Act and its amendments.
4. To apply the IT Act in practical scenarios involving corporate, civil, and criminal liability in cyberspace.

Program Outcomes:

1. To develop the ability to analyze the structure and legal effect of the IT Act and related rules.
2. To enable understanding of compliance requirements for electronic governance and cyber regulations.
3. To evaluate the liability and responsibilities of intermediaries, companies, and government authorities under the IT Act.
4. To prepare for careers in law, compliance, policy, and digital regulation through strong conceptual grounding.

Syllabus:

Unit I: Structure and Electronic Governance of the IT Act

- Genesis and Need for the IT Act
- Legislative Framework and Definitions under the Act
- Applicability and Non-applicability of the Act
- Amendments to the IT Act: 2008 and post-2011 Developments
- The Digital Personal Data Protection Act, 2023 – Key Points of Convergence
- Legal Recognition of Electronic Records and Digital Signatures
- E-Governance: Legal Provisions, Validity of E-Contracts, Filing and Retention of Electronic Records
- Attribution, Acknowledgment, and Dispatch of Electronic Records
- Secure Digital Signatures and Legal Presumptions
- Case Studies on E-Governance Implementation in India

Suggested Readings:

Books:

- Pavan Duggal, Cyber Law: The Indian Perspective), Saakshar Law Publications, (6th ed.2023

- Justice Yatindra Singh, Cyber Laws, Universal Law Publishing, (5th ed. 2012)

Articles:

- Anirudh Rastogi, "Legal Recognition of Digital Signatures in India," NUJS Law Review, Vol. 2, Issue 3 (2009), pp. 495–510.
- R. Ramakumar, "E-Governance and the Indian Legal Framework," Economic and Political Weekly, Vol. 42, No. 50 (Dec. 15-21, 2007), pp. 91–97.

Case Laws:

- State of Maharashtra v. Dr. Praful B. Desai, AIR 2003 SC 2053
- Karnataka High Court v. Ashok Kini, 2012 SCC OnLine Kar 2678

Unit II: Certifying Authorities , Cyber Regulations , Amendments, Allied Laws and Landmark Cases

- Establishment, Functions, and Duties of the Controller
- Regulation of Certifying Authorities (CAs)
- Licensing Process and Digital Signature Certificates
- Cyber Appellate Tribunal: Powers, Jurisdiction, and Functions
- Role of the Indian Computer Emergency Response Team (CERT-IN)
- IT Amendment Act, 2008 – Overview and Impact
- Relevant Provisions from Bharatiya Nyaya Sanhita, 2023, Bharatiya Nagarik Suraksha Sanhita, 2023, and Bharatiya Sakshya Adhiniyam, 2023
- Shreya Singhal v. Union of India and the Striking Down of Section 66A
- Jurisdictional and Procedural Challenges in Enforcement
- Interface of IT Act with Data Protection and Privacy Laws

Suggested Readings:

Books:

- Rodney D. Ryder, Guide to Cyber Laws (, Wadhwa & Co.)4th ed. 2011.

Articles:

- Indian Constitutional Law Review. Section 66A and freedom of speech: Shreya Singhal v. Union of India. Indian Constitutional Law Review, 1, 55–65, (2016).
- NALSAR Tech Law Forum. (2018, April). Regulation of certifying authorities in India. Retrieved from https://techlawforum.nalsar.ac.in

Case Laws:

- Shreya Singhal v. Union of India, (2015) 5 SCC 1
- Avnish Bajaj v. State (NCT of Delhi), 116 (2005) DLT 427

Unit III: Introduction to Cyber Crimes

- Relevant Sections of the IT Act (Sections 43–66, 66F, 67–72)
- Bharatiya Nyaya Sanhita (BNS), 2023 Provisions Related to Cybercrime (e.g., Sections 303, 318

336–339,340- 341)

- International Legal Instruments: Budapest Convention, Tallinn Manual
- Cyber Law Enforcement Agencies in India: Cyber Crime Police Stations, CBI, CERT-IN
- Cyber Crime Cells: Functions and Case Filing Procedure

Suggested Readings:

Books:

- Susan W. Brenner, Cybercrime and the Law: Challenges, Issues and Outcomes (Northeastern Univ. Press 2012).

Articles:

- Centre for Communication Governance, Emerging Cybercrime Trends in India, CCG Blog (May 2021), https://ccgdelhi.org.
- (2020). Budapest Convention: Global standard for cybercrime legislation. Journal of Cyber Policy, 5(1), 45–59. https://doi.org/10.1080/23738871.2020.1737356

Case Laws:

- Ritu Kohli v. Unknown, Delhi, 2001(First cyberstalking case in India)

Unit IV: Offenses, Penalties and Adjudication Mechanisms

- Computer-Related Offenses and Punishments (Section 43–45, 66–75of IT Act)
- Hacking, Data Theft, Cyberterrorism, Phishing, Spoofing, Identity Theft
- Corporate Responsibility and Intermediary Liability (Section 79 of IT Act)
- Adjudication Process, Powers of Adjudicating Officers
- Compensation and Penalty Mechanisms under the Act
- Financial Frauds: Online Banking, Credit Card, Cryptocurrency Fraud
- Cyber Terrorism and National Security Offences
- Child Pornography, Cyberstalking, and Harassment
- Deepfakes, Revenge Porn, and Gender-Based Cyber Violence

Suggested Readings:

Books:

- Kerr, O. S., Computer crime law West Academic Publishing, 4th ed., (2017).

Articles:

- Adjudication and Compensation under the IT Act, Indian Bar Review, 41, 65-80(2014).
- Internet Democracy Project, Intermediary Liability in India: Section 79 of the IT Act, (2012), https://internetdemocracy.in.

Case Laws:

- Google India Pvt. Ltd. v. Visaka Industries, (2011) 6 ALD 578 (AP HC).

• Myspace Inc. v. Super Cassettes Industries Ltd., (2011) 48 PTC 49 (Del. HC).

Unit V: Investigation, Evidence, Forensics and Case Studies

• Reporting and FIR Registration in Cyber Cases

• Search, Seizure and Jurisdiction Issues in Cyber Investigations

• Collection and Preservation of Digital Evidence

• Role of Cyber Forensics and Expert Testimony

• Corporate Cybercrime and Insider Threats

• Cross-border Cybercrime and Extradition Challenges

• Legal Challenges in Metaverse, AI, and Virtual Reality Crimes

• Role of Media, Ethics, and Public Awareness in Cybercrime Prevention

• Admissibility of Electronic Evidence under Bharatiya Sakshya Adhiniyam, 2023

• Landmark Indian Case: Shreya Singhal v. Union of India, Avnish Bajaj (Bazee.com)

Suggested Readings:

Books:

• K.S. Park, Legal Framework of Cybersecurity (Springer 2014).

• Nandan Kamath, Law Relating to Computers, Internet & E-Commerce, Universal Law Publishing (5th ed. 2012).

Articles:

• Apar Gupta, Digital evidence and legal admissibility in India. Indian Journal of Law and Technology, 9, 1–15, (2013).

Case Laws:

• Shreya Singhal v. Union of India, (2015) 5 Supreme Court Cases 1.

• State v. Mohd. Afzal Guru and Others – (Parliament Attack Case)107 Delhi Law Times 385.

Recommendations:

1. Bare Act: The Information Technology Act, 2000 (as amended)

2. Karnika Seth, Computers, Internet and New Technology Laws(2nd ed. 2013).

3. Justice Yatindra Singh, Cyber Laws, Universal Law Publishing.(5th ed. 2012).

4. Bharatiya Nyaya Sanhita, 2023 (With Comparative Table of IPC, 1860)" Universal Law Publishing / LexisNexis (Sections relevant to cybercrime)

5. Avtar Singh, Law of Evidence (Adapted for BSA 2023)Central Law Publications.

6. Government Reports and Guidelines (CERT-IN, MeitY Guidelines on Intermediary Rules);https://www.cert-in.org.in; https://www.meity.gov.in

7. Criminal Procedure (BNSS 2023 Updated)" Prof. N.V. Paranjape (Central Law Publications)

8. Information Technology Act, 2000

9. Digital Personal Data Protection Act, 2023

10. General Data Protection Regulation (GDPR), EU https://eur-lex.europa.eu

11. California Consumer Privacy Act (CCPA)https://oag.ca.gov/privacy/ccpa

12. Agarwal, R., Data Privacy and Protection in India, Bloomsbury (2021).

13. Paul Lambert, Understanding the New EU Data Protection Rules, Routledge (2015).

14. Graham Greenleaf, Global Data Privacy Laws, Oxford University Press (2014).

15. OECD Guidelines on the Protection of Privacy and Transborder Flows of Personal Data; https://www.oecd.org/sti/ieconomy/privacy.htm

16. Justice B.N. Srikrishna, Report of the Committee of Experts on Data Protection Framework for India (2018).; https://www.meity.gov.in/data-protection-framework

17. Reports and Publications of Internet Freedom Foundation (IFF) and CIS India. IFF: https://internetfreedom.in; CIS India: https://cis-india.org

Evaluation Scheme:

• Internal Assessment (30 Marks):

2 written assignments (10 marks), 1 presentation (10 marks) and Class participation/ seminar (10 marks)

• End Semester Examination (70 Marks):

Section A: Short answer questions (30 marks)

Section B: Analytical/Essay-type questions (40 marks)

Paper III-PGDCLDP 103

DIGITAL SURVEILLANCE, ENCRYPTION, CYBER ETHICS, POLICY AND REGULATORY AUTHORITIES

Duration: 40 hours (including lectures, seminars, and assessments) **Credits: 5**

Introduction:

As the digital world expands, the lines between personal privacy and national security continue to blur. Governments increasingly rely on digital surveillance and interception tools to tackle crime, terrorism, and cyber threats, while civil society raises concerns about overreach and abuse. This paper explores the legal, ethical, and technological dimensions of surveillance practices, the role of encryption in digital privacy and security, and the balance of rights in democratic societies. It also examines global best practices, comparative frameworks, and constitutional safeguards related to state surveillance and data interception.

Course Outcomes (C.O.):

1. To understand the evolution and scope of digital surveillance in national and international contexts.
2. To examine the legal mechanisms governing surveillance, interception, and encryption in India.
3. To evaluate the balance between individual rights and national security in the context of surveillance laws.
4. To analyze emerging legal and policy challenges arising from encryption technologies, surveillance capitalism, and state control.

Program Outcomes:

1. To impart critical legal insight into the digital surveillance ecosystem.
2. To understand encryption as a legal and technological safeguard.
3. To explore constitutional dimensions of privacy, liberty, and state power.
4. To prepare learners for roles in cybersecurity policy, digital rights advocacy, and national legal systems.

Syllabus:

Unit I: Introduction to Surveillance and Constitutional Framework

- Meaning and Types of Surveillance (Physical, Digital, Mass, Targeted)
- Constitutional Limits to State Surveillance – Article 21 and Right to Privacy
- Distinction between Surveillance for Security and for Control
- Towards a Legal Framework for Ethical Surveillance in India
- European Court of Human Rights on Surveillance (Liberty v. UK)
- China's Cybersecurity and Surveillance Model
- UN Reports and Human Rights Watch Guidelines on Surveillance and Privacy

Suggested Readings:

Books:

- Shoshana Zuboff, The Age of Surveillance Capitalism (Public Affairs, 2019)

Articles & Reports:

- Surveillance vs. Security in India, Economic and Political Weekly. , 54(10) (2019).
- The Right to Privacy in the Digital Age, United Nations Human Rights Council (A/HRC/27/37, 2014)Updated Reports: A/HRC/39/29 (2018), A/HRC/51/17 (2022)
- Human Rights Watch: "India's Surveillance Industrial Complex"; (2021)

https://www.hrw.org

Case Laws:

- Liberty and Others v. The United Kingdom, App no. 58243/00 (ECtHR, 2008) European surveillance case
- Supreme Court of India. (2017). Justice K.S. Puttaswamy (Retd.) v. Union of India, (2017) 10 SCC 1.

Unit II: Encryption – Law and Technology

- Basics of Encryption – End-to-End, Hashing, SSL/TLS
- Legal Status of Encryption in India and Global Standards
- Law Enforcement vs. Strong Encryption – Backdoors Debate
- Draft Encryption Policy of India (2015) – Analysis and Criticism
- Platform Liability and Intermediary Guidelines 2021 – Traceability Clause
- Role of Judiciary and Judicial Oversight Mechanisms
- Indian Telegraph Act, 1885 – Section 5(2)
- Information Technology Act, 2000 – Sections 69 and 69B
- Interception Rules, 2009 & Data Retention Policies
- Monitoring Tools – CMS, NATGRID, NETRA, and CCTNS

Suggested Readings:

Books:

- Matthew Green, Crypto-Trade Secrets (MIT Press, 2019)
- Paul Rosenzweig, Cyber Warfare & Encryption Policy, Hoover Institution Press (2017).

Articles & Reports

- Raghavan, V. Decrypting the draft: Encryption policy and its implications. Indian Journal of Law and Technology, 12, 45, (2016).
- Susan Landau, "The Backdoor Dilemma: Encryption vs. Law Enforcement", Brookings Institution Report (2016). https://www.brookings.edu
- Anja Kovac, "Intermediary Guidelines Traceability Clauses Analysis", Internet Democracy Project (2021) https://internetdemocracy.in

Case Laws:

- Interception Rules, 2009 (India) — Supreme Court judgments interpreting these provisions in People's Union for Civil Liberties (PUCL) v. Union of India, (1997) 1 SCC 301.

Unit III: Foundations and Ethical Issues in Technology Use

- Meaning and Scope of Cyber Ethics

- Philosophical Foundations – Utilitarianism, Deontology, Virtue Ethics in Cyberspace
- Ethics vs. Law in Cyberspace
- Netiquette, Digital Footprint, and Responsible Digital Citizenship
- Cyber Bullying, Hate Speech, and Online Abuse – Ethical Concerns
- Ethics in Artificial Intelligence, Machine Learning & Automation
- Ethical Challenges in Data Mining and Big Data Analytics
- Online Anonymity and Identity Theft – Ethical Implications
- Ethics in Online Journalism, Misinformation & Deepfakes
- Cyber security Ethics – Hacking, Penetration Testing, and Insider Threats

Suggested Readings:

Books:

- Michael J. Quinn, Ethics for the Information Age (Pearson, 2011)
- Joseph Migga Kizza, Ethical and Social Issues in the Information Age (Springer, 2013)

Articles & Reports

- Latanya Sweeney et al., Algorithmic Bias and the Ethical Challenges of AI, Harvard Kennedy School Research Paper No. RWP20-034 (2020).
- Karen Hao, The Ethical Crisis of Deepfakes and Fake News, MIT Tech. Rev. (2021).
- Rsvi Sharma, Digital footprints and identity theft: Emerging ethical concerns, Journal of Cyber Policy, 7(2), 89–
  105(2022).

Case Laws

- Lalita Kumari v. Govt. of U.P., (2014) 2 SCC 1.– clarifications on online harassment FIR registration
- Janhitabdi CaseK.S. Puttaswamy (Retd.) v. Union of India, (2019) 1 SCC 1 [Aadhaar Judgment]. (Puttaswamy II)
  – ethical surveillance implications

Unit IV: Cyber Policy Framework and Cyber Regulatory Authorities in India

- National Cyber Security Policy (NCSP) – 2013 & Proposed 2020 Draft
- Role of CERT-In (Indian Computer Emergency Response Team)
- Indian Cyber Crime Coordination Centre (I4C)
- National Critical Information Infrastructure Protection Centre (NCIIPC)
- Policy Challenges in Digital India and Cyber security Preparedness Role of Ministry of

Electronics and Information Technology (MeitY)

- Telecom Regulatory Authority of India (TRAI) and Internet Regulation
- Reserve Bank of India (RBI) – Cyber security in Digital Payments

- Data Protection Authority under the Digital Personal Data Protection Act, 2023
- Adjudicating Officers, CERT-In and Sectorial Regulators

Suggested Readings:

Books:

- Vakul Sharma, India's Cyber Legislation Landscape (Universal Law Publishing), 2021.

Policy Reports

- India's National Cyber Security Policy, 2013; Proposed 2020 review (MeitY) https://www.meity.gov.in
- "NCSP Implementation Review", ITU and MeitY evaluation reports. ITU, India: NCSP Implementation Review Report (2021).https://unidir.org/wp content/uploads/2023/05 /UNIDIR_India_ International_ Cyber_Operations.pdf?utm_source=chatgpt.com
- TRAI Consultations on Net Neutrality & OTT Regulation

https://www.trai.gov.in/sites/default/files/2024-11/Sridhar-Prasad_30-05-2016.pdf?utm_source=chatgpt.com

Unit V: International Institutions and Frameworks

- Budapest Convention on Cybercrime
- Internet Governance Forums (IGF) and ICANN
- United Nations and ITU Cybersecurity Initiatives
- European Union's GDPR – Ethics, Compliance and Enforcement
- Role of Interpol and Europol in Cybercrime Regulation Accountability Mechanisms and

Limitations US Surveillance Framework – FISA, PRISM, and the Snowden Revelations

- UK Investigatory Powers Act, 2016

Suggested Readings:

Books:

- Michael Schmitt (ed.), Tallinn Manual 2.0 on International Law Applicable to Cyber Operations (Cambridge University Press, 2017)
- Graham Greenleaf, Global Data Privacy Laws: 89 National Jurisdictions, 2019 Update (Oxford, 2019)

Articles:

- Laura K. Donohue, Section 702 and the Collection of International Telephone and Internet Content, Harvard Journal of Cybersecurity, Pol'y 117 (2014); https://harvardlpr.com/wp-content/uploads/sites/20/2014/07/ Donohue_Symposium.pdf
- Lorna Woods, "UK Investigatory Powers Act, 2016 Review", uropean Data Protection Law Review, 3. (2017)

Case Law:

- R (Privacy International) v. Investigatory Powers Tribunal, [2019] UKSC 22.

Recommendations:

1. Information Technology Act, 2000, Sections 69, 69B

2. Indian Telegraph Act, 1885, Section 5(2)

3. Raman Jit Singh Chima & Udbhav Tiwari, Surveillance in India: A Legal & Regulatory Overview, 2013.

4. Srikrishna Committee Report on Data Protection and Surveillance (Official Documents: Justice B.N. Srikrishna
Committee Report and Personal Data Protection Bill, 2018)

5. Snowden, Edward, Permanent Record, Metropolitan Books, 2019

6. Report of the UN Special Rapporteur on the Right to Privacy by the Secretariat-https://www.ohchr.org/en/Special-procedures/sr-privacy.

7. Liberty v. United Kingdom, ECHR, 2008

8. CIS India Reports on Encryption and Surveillance; https://cis-india.org/internet-governance/blog/state-of-cyber-security-and-surveillance-in-india.pdf/view

9. Intermediary Guidelines & Digital Media Ethics Code, 2021

10. Digital Personal Data Protection Act, 2023

11. National Cyber Security Policy, 2013

12. Budapest Convention on Cybercrime; https://www.coe.int/en/web/cybercrime/the-budapest-convention

13. Kizza, Joseph Migga, Ethical and Social Issues in the Information Age

14. UN GGE Reports on Cyber Norms and State Behaviour

15. CERT-In Guidelines & Advisories; https://www.cert in.org.in/ s2cMainServlet? pageid= GUIDLNVIEW02 &refcode=CISG-2024-01

16. Internet Governance Forum Reports; https://www.intgovforum.org/en/igf-2023-reports

17. RBI Cyber Security Framework for Banks; https://www.rbi.org.in/scripts/NotificationUser.aspx?Id=10435

18. TRAI Recommendations on Net Neutrality and OTT Regulation; https://trai.gov.in/sites/default/files/2024-09/Recommendation_14092020.pdf

19. Indian Cyber Crime Coordination Centre (I4C) Guidelines

20. ICANN Policy Briefs on Internet Infrastructure Governance; https://www.icann.org/ resources/ pages/ Internet-governance-2013-06-14-en

Evaluation Scheme:

• Internal Assessment (30 Marks):

2 written assignments (10 marks), 1 presentation (10 marks) and Class participation/ seminar (10 marks)

• End Semester Examination (70 Marks):

Section A: Short answer questions (30 marks)

Section B: Analytical/Essay-type questions (40 marks)

Semester II

Paper I- PGDCLDP 201

DATA PROTECTION & PRIVACY LAWS AND INTELLECTUAL PROPERTY RIGHTS IN THE DIGITAL SPACE

Duration: 40 hours (including lectures, seminars, and assessments) **Credits: 7**

Introduction:

The digital age has revolutionized the way intellectual property (IP) is created, used, shared, and infringed. This paper examines how traditional IP law principles apply to digital environments, such as websites, software, online content, and domain names. It explores the legal mechanisms and challenges involved in protecting copyright, trademarks, and patents in cyberspace, along with international treaties and enforcement mechanisms. It also addresses current controversies like digital piracy, online licensing, and open-source software governance.

Course Outcomes (C.O.):

1. To understand the relevance and transformation of intellectual property rights in digital domains.
2. To examine the application of copyright, trademark, and patent laws in the context of digital content and technologies.
3. To analyze emerging legal issues such as domain name disputes, digital piracy, and online licensing models.
4. To evaluate the effectiveness of Indian and international mechanisms for protecting digital IPRs.

Program Outcomes:

1. To develop an in-depth understanding of IP law in the context of technology and cyberspace.
2. To empower students to advise on IP protection, enforcement, and litigation in digital platforms.
3. To sensitize learners to the need for balancing innovation, fair use, and IP enforcement in the digital economy.
4. To prepare learners for academic or professional roles in IP consultancy, digital law practice, and IP management.

Syllabus:

Unit I: Fundamentals of Data Protection and Privacy

- Understanding Privacy – Legal and Philosophical Dimensions
- Right to Privacy as a Fundamental Right – Puttaswamy Judgment
- Types of Data: Personal, Sensitive, Biometric, Financial
- Legal Definition and Components of Data Protection
- Evolution of Data Privacy Laws in India
- The Information Technology Act, 2000 – Sections 43A, 72, 72A
- Rules Relating to Reasonable Security Practices (SPDI Rules, 2011)
- Digital Personal Data Protection Act, 2023 – Key Provisions

- Rights of Data Principals, Obligations of Data Fiduciaries
- Role and Powers of the Data Protection Board of India

Suggested Readings:

Books:

- Aparna Chandra, Farrah Ahmed, Siddharth Narrain – Privacy and the Constitution of India (Oxford University Press, 2022)
- Daniel J. Solove – Understanding Privacy (Harvard University Press, 2008) Articles & Reports
- "Justice K. S. Puttaswamy v. Union of India: The Right to Privacy Judgment" – Economic and Political Weekly, Vol. 52, Issue No. 51, Dec. 23, 2017
- "Reasonable Security Practices under SPDI Rules, 2011: Industry Implementation Analysis" – Journal of Data Protection Law, 2014.

Case Laws:

- Justice K.S. Puttaswamy (Retd.) v. Union of India, (2017) 10 SCC 1 – Fundamental Right to Privacy

Unit II: Corporate Responsibilities and Compliance

- Privacy by Design & Default
- Consent and Transparency in Data Processing
- Data Protection Impact Assessment (DPIA)
- Data Breach Notification Requirements
- Sector-Specific Data Compliance (e.g., Fintech, HealthTech, EdTech)
- Government Surveillance, National Security, and Privacy
- Data Localization and Digital Sovereignty
- AI and Big Data – Algorithmic Bias and Ethical Implications
- Facial Recognition, Biometric Data, and Consent
- Towards a Global Data Protection Treaty – Challenges and Prospect

Suggested Readings:

Books:

- Graham Greenleaf – Global Data Privacy Laws: 89 National Jurisdictions, 2019 Update (Oxford University Press)

Articles & Reports

- "Consent Mechanisms under India's 2023 Act and GDPR" – Berkeley Technology Law Journal,36 Berkeley Tech. L.J. 1253 (2021).
- Andrea O'Sullivan, "Algorithmic Bias & Data Fiduciaries: Ethical Dimensions" – Harvard Journal of Law & Technology, Fall 2020.
- Meltzer, J. P., & Lovelock, P., "Data Localization and Sovereignty: Implications for Cloud Services" Brookings India Report (2018).

Unit III: Emerging Challenges and Future Pathways

- AI Surveillance, Facial Recognition, and Predictive Policing
- Surveillance Capitalism and Corporate Data Exploitation
- Impact of Surveillance on Democracy, Dissent, and Media Freedom
- International Treaties and Frameworks on Cross-Border Data Surveillance

Suggested Readings:

Books:

- Julie E. Cohen – Between Truth and Power: The Legal Construction of Informational Capitalism (Oxford, 2019)

Articles & Reports:

- "Predictive Policing and Bias: Rights Violations in Emerging Technologies" – American Civil Liberties Union (2016).
- "Cross-border Data Surveillance Treaties and their Limitations" – Journal of Cyber Policy.

Unit IV: Overview of Intellectual Property Rights

- Introduction to IPR: Copyright, Trademark, Patent, Design, Trade Secrets
- Philosophical and Economic Justifications of IPRs
- Role of IP in Digital Economy and Innovation
- Interface Between IP Law and Technology
- Key Statutes: Indian Copyright Act, Trade Marks Act, Patents Act
- Copyright Protection of Digital Works: Text, Image, Music, Videos, Software
- Digital Reproduction and Distribution Rights
- Fair Use vs. Infringement: YouTube, E-Libraries, Online Archives
- DRM (Digital Rights Management) and Anti-Circumvention Measures
- Internet Piracy, Torrenting, and Streaming Platforms

Suggested Readings:

Books:

- P. Narayanan, Intellectual Property Law, 4th ed., Eastern Book Company, 2017.
- Elizabeth Verkey, Law of Intellectual Property, 2nd ed., Universal Law Publishing, 2016.

Articles & Reports

- "DRM and Copyright enforcement in India" – NUJS Delhi Journal of IP Rights, Vol. 5, 2021, pp. 45–62.
- "Piracy and E-libraries: Fair Use Limits" – Journal of Copyright Society of India, Vol.18, No. 2, 2020, pp. 101–115.
- Ann Cavoukian & Jeff Jonas, "Privacy by Design: The 7 Foundational Principles,"

Information and Privacy Commissioner of Ontario, 2011.

Case Laws:

- Enforcement action in Zee TV vs. ISPs Delhi High Court, 2017 on infringement and injunctions

Unit V: Software Licensing, Open Source Issues, Trademark and Domain Name Disputes

- Legal Nature of Software: Copyright vs. Patent Protection
- Software Licenses: Proprietary, Freeware, Shareware
- Open Source Licenses: GPL, Apache, MIT – Legal Features and Restrictions
- Issues in Software Piracy and Enforcement
- Software Agreements: EULA and Terms of Use
- Trademark Infringement in Online Platforms
- Keyword Advertising, Meta Tags, and Cybersquatting
- Legal Protection of Domain Names under Indian Law
- WIPO's Uniform Domain Name Dispute Resolution Policy (UDRP)

Suggested Readings:

Books:

- S.P. Singh, Law of Copyright and Trademark in Digital Space, 1st ed., Central Law Publications, 2020.
- K.C. Kailasam & Ramu Vedaraman, Law of Copyright and Industrial Designs, 2nd ed.,Eastern Law House, 2012.

Articles:

- "EULA, GPL, and License Risks: What Developers Must Know" – Stanford Technology Law Review, Vol. 14, 2019, pp. 77–94.
- "Keyword Advertising and Unauthorized Meta Tags" – Journal of Competition Law, Vol. 9, No. 1, 2022, pp. 56–73.

Case Law:

Tata Sons Ltd. v. Manu Kosuri & Others2001 (21) PTC 432 (Del) – Trademark and cybersquatting

Recommendations:

1. N.S. Gopalakrishnan & T.G. Agitha, Principles of Intellectual Property
2. K. C. Kailasam & Ramu Vedaraman, Law of Copyright and Industrial Designs
3. WIPO Reports, World Intellectual Property Organization Publications
4. Indian Copyright Act, 1957 (with amendments)
5. The Trade Marks Act, 1999
6. Information Technology Act, 2000
7. UDRP Rules and WIPO Arbitration Guidelines
8. Law Commission Reports and relevant case law on digital IPR

Evaluation Scheme:

- Internal Assessment (30 Marks):

2 written assignments (10 marks), 1 presentation (10 marks) and Class participation/ seminar (10 marks)

- End Semester Examination (70 Marks):

Section A: Short answer questions (30 marks)

Section B: Analytical/Essay-type questions (40 marks)

Paper III- PGDCLDP 203

AI WITH EMERGING TECH IN CYBER LAW & AI WITH DATA GOVERNANCE IN A DIGITAL WORLD

Duration: 40 hours (including lectures, seminars, and assessments) Credits: 7

Introduction:

Artificial Intelligence (AI) is transforming the legal, technological, and data governance landscapes. This paper explores how AI intersects with emerging technologies such as blockchain, quantum computing, big data, IoT, and surveillance tools, and examines the challenges and frameworks that govern their deployment. It focuses on the evolving role of AI in cyber law, digital governance, privacy regimes, ethical AI, accountability mechanisms, and regulatory frameworks.

Students will develop the ability to analyze, critique, and contribute to the debates and legal developments around AI-driven governance and digital ecosystems.

Course Outcomes (C.O.):

1. To understand the intersection between AI and cyber law in national and international contexts.
2. To analyze the ethical, legal, and regulatory challenges posed by AI, big data, and automation.
3. To critically assess the role of AI in surveillance, digital rights, and algorithmic accountability.
4. To examine emerging legal standards, national strategies, and data governance frameworks regulating AI and new technologies.

Program Outcomes:

1. Ability to link legal theories to practical technological applications such as AI, big data analytics, and smart systems.
2. Understanding of interdisciplinary approaches in regulating data-driven technologies and algorithms.
3. Promotion of responsible AI practices with human rights, privacy, and legal safeguards at the core.
4. Capacity to participate in digital policy-making, legal innovation, and AI governance debates.

Syllabus:

Unit I: Fundamentals of AI & Emerging Tech

- Introduction to Artificial Intelligence, Machine Learning, and Deep Learning
- AI and allied technologies: Blockchain, IoT, Quantum Computing
- Role of algorithms and predictive analytics in law enforcement
- Risks of bias, discrimination, and black-box decision making
- AI and the right to privacy, freedom of expression

Suggested Readings:

Books:

- Stuart Russell & Peter Norvig, Artificial Intelligence: A Modern Approach (4th ed.)Pearson. 2021.
- Melanie Mitchell, Artificial Intelligence: A Guide for Thinking Humans (Penguin),2019.

- Chris Reed & Marcin Biały – Law, Artificial Intelligence and the Future of Government (Oxford University Press, 2022)

Articles & Reports:

- "Understanding Artificial Intelligence and the Internet of Things" – NITI Aayog 2018; https://www.niti.gov.in/ai-national-strategy-india
- Green, H., "Risks of Black-Box AI: Legal and Ethical Issues" – Harvard Journal of Law & Technology, 2020.
- West, D., "AI and Law Enforcement: Predictive Policing and Bias" – Brookings Institution,2019.; https://www.brookings.edu/research/algorithmic-bias

Unit II: AI and Cyber Law

- Legal personality of AI: Can AI be held liable?
- AI and automated legal reasoning systems
- Smart contracts and decentralized justice platforms
- Use of AI in legal research, drafting, and dispute resolution
- Algorithmic decision-making and procedural fairness

Suggested Readings:

Books:

- Pavan Duggal, Artificial Intelligence and Law (Universal Law Publishing) 2022.
- Orin S. Kerr – Computer Crime Law (West Academic), 2021.

Articles:

- "Legal Personhood of AI: A Debate" – Stanford Technology Law Review, 2020.
- "Smart Contracts and Legal Enforceability" , Harvard Law Review Blog, 2020.
- "AI in Legal Tech and Judicial Systems" Journal of Law & AI, 2021

Unit III: AI and Data Governance

- Concept and models of data governance
- Role of AI in personal data processing and surveillance
- Consent, control, and algorithmic transparency
- Data trusts, fiduciary models, and accountability

Suggested Readings:

Books:

- Cédric Villani Report (France), For a Meaningful Artificial Intelligence: Towards a French and European Strategy, 2018.

Articles:

- "Data Trusts as an Alternative Data Governance Model" – MIT Technology Review 2021.
- "Algorithmic Transparency in the Age of AI" – Journal of Cyber Policy

- OECD – Principles on Artificial Intelligence 2019.; https://oecd.ai/en/
- Data Governance in the Digital Age – World Economic Forum White Paper, 2021; https://www.weforum.org/reports/data-governance

Unit IV: Global Perspectives and Comparative Frameworks

- OECD, UNESCO, and EU AI frameworks (AI Act, GDPR implications)
- India's approach: NITI Aayog's AI strategy, DPDP Act 2023
- Comparative governance: US, China, and UK AI regulations
- Role of multilateral bodies in setting AI norms and ethics
- Explainability, fairness, and non-discrimination in AI systems

Articles & Reports:

- "Comparative AI Regulation: China, EU, USA, and India" – The Regulatory Review (Penn Law) 2021
- "AI Norms and Global Ethics: Role of Multilateral Bodies" – Carnegie Endowment for International Peace, 2020.
- European Commission – Artificial Intelligence Act 2021 (Proposed Regulation 2021/0106) https://artificialintelligenceact.eu/
- UNESCO – Recommendation on the Ethics of Artificial Intelligence (2021) https://unesdoc.unesco.org/ark:/48223/pf0000381137
- NITI Aayog – National Strategy for Artificial Intelligence 2021 #AIForAll https://www.niti.gov.in/sites/default/files/2021-07/NationalStrategy-for-AI-Discussion-Paper.pdf

Unit V: Ethical and Human Rights Challenges

- Sandbox models, risk-based approaches, and AI audits
- Regulation of autonomous systems (drones, self-driving cars, etc.)
- Legal sandbox initiatives in India
- Preparing law students for AI-driven practice
- Facial recognition and surveillance capitalism

Suggested Readings:

Books:

- Virginia Eubanks – Automating Inequality: How High-Tech Tools Profile, Police, and Punish the Poor (St. Martin's Press), 2018.
- Shoshana Zuboff – The Age of Surveillance Capitalism (Public Affairs), 2019.

Articles & Reports:

- "Facial Recognition and Discrimination" – EFF Report on Surveillance, 2021; https://www.eff.org/issues/surveillance
- "AI and Human Rights: A Primer" – OHCHR Tech & Human Rights Report 2021;

https://www.ohchr.org/en/press-releases/2021/09/new-un-report-calls-moratorium-use-ai-

predictive-policing

Recommendations:

1. Rajya Sabha Report (2021) – Ethical AI and Emerging Challenges
2. UNESCO – Recommendation on the Ethics of Artificial Intelligence (2021)
3. Sandra Wachter – Algorithmic Decision-Making and the Law
4. Julie E. Cohen – Between Truth and Power: The Legal Construction of Informational Capitalism
5. Malgieri, G. – Right to Explanation and Algorithmic Transparency
6. Digital Personal Data Protection Act, 2023 (India)
7. Anita Allen, Unpopular Privacy What Must We Hide? Oxford University Press, 2011.
8. World Economic Forum. (2021). AI Governance Toolkit. Retrieved from https://www.weforum.org /projects/ai-governance
9. OECD. (2020). AI Regulatory Frameworks and Sandbox Models. Retrieved from https://www.oecd.org/ Digital/artificial-intelligence/
10. NASSCOM. (2021). Legal Sandbox Guidelines and AI Startups in India. Retrieved from https://nasscom.in/ knowledge-center/publications
11. Harvard Journal of Law & Technology. (2021). Risk-Based Regulation of AI: A Comparative Study.
12. Stanford Cyber Policy Center. (2021). AI Auditability and Governance.

Paper III- PGDCLDP 203

Project / Assignment / Internship

Credits: 7

Introduction:

The culmination of the PG Diploma program is the application of knowledge through a research-based project, Assignment, or practical internship. This paper is designed to foster independent thinking, analytical skills, and domain-specific expertise. Students are encouraged to explore real-world challenges in cyber law, data protection, digital privacy, AI ethics, cybercrime investigation, and policy analysis. The aim is to bridge academic learning with practical legal or regulatory exposure.

Course Outcomes (C.O.):

1. To enable students to apply theoretical knowledge in practical or empirical legal research.
2. To promote critical thinking and original contribution to emerging legal challenges in cyberspace.
3. To provide exposure to legal work environments through internships with law firms, courts, or regulatory agencies.
4. To prepare students for future academic research or professional engagements in cyber and data law fields.

Program Outcomes:

1. Strengthen academic and practical understanding of cyber law and data protection issues.
2. Encourage the development of writing, documentation, and citation skills.
3. Enhance the ability to engage with field-based or doctrinal research methodologies.
4. Promote interface with legal professionals, technology experts, and administrative institutions.

Structure & Guidelines:

Option A: Assignment/Project

- Topic Selection: Based on areas like cyber law, AI and law, privacy rights, data governance, or cyber forensics.
- Supervisor: Each student will be assigned a faculty supervisor.
- Format: As per university norms (Abstract, Introduction, Literature Review, Methodology, Analysis, Conclusion, References).
- Word Limit: Minimum 10,000 words.
- Submission Date: To be notified by the college.
- Assessment Criteria: Originality (20%), Research Quality (30%), Relevance (20%), Structure & Presentation (20%), Viva (10%).

Option B: Internship

- Duration: Minimum 4 weeks
- Organizations: Cyber law firms, IT companies, government departments (e.g., CERT-In), courts, NGOs, data

protection authorities.

- Supervision: Certificate from the host organization and report verified by academic coordinator.
- Internship Report: Minimum 3,000-word report detailing learning outcomes, observations, and contributions.
- Assessment Criteria: Participation (20%), Report Quality (30%), Relevance of Tasks (20%), Evaluation by Mentor (20%), Viva (10%).

Viva Voce Examination

A panel consisting of internal and external examiners will assess the student's presentation and defense of their work (whether Assignment/project or internship). Viva will evaluate clarity, conceptual grasp, articulation, and response to queries.

Suggested Areas for Assignment/Project:

- Legal analysis of cyberbullying and harassment on social media platforms
- GDPR vs. India's Digital Personal Data Protection Act: A comparative legal study
- Regulation of AI-based surveillance in democratic societies
- Role of forensic tools in cybercrime investigations
- Blockchain and smart contract enforceability under Indian law
- Impact of data localization policies on cross-border trade

Suggested Readings & Resources:

1. ILI Publication, Legal Research and Methodology
2. Kothari C.R., Research Methodology: Methods and Techniques
3. Legal citation guides: Harvard Bluebook, OSCOLA

POST-GRADUATE DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION (PGDADR)
(SESSION 2026-27 ONWARDS)
General Rules, Examination, Regulation and Course
IMIRC College of Law, Hapur (Ghaziabad), Uttar Pradesh

About the Programme:

The Post Graduate Diploma in Alternative Dispute Resolution (PGDADR) offered by IIMIRC College Law, Bhaina, is a rigorous and practice-oriented academic programme tailored for law graduates, professionals, judges, academicians, civil servants, corporate executives, and policy enthusiasts seeking specialized training in dispute resolution mechanisms outside the traditional court system.

In a world where litigation often leads to time-consuming, adversarial, and costly outcomes, Alternative Dispute Resolution (ADR) has emerged as a preferred route for ensuring timely, cost-effective, and consensual resolution of conflicts. With globalization, rising commercial complexity, cross-border transactions, and increasing strain on conventional courts, ADR has taken center stage in both public and private dispute resolution systems globally.

This one-year diploma course is designed to provide a comprehensive understanding of ADR theory, mechanisms, laws, institutions, and best practices, blending legal analysis with negotiation psychology and communication strategies. It offers a multidisciplinary and comparative perspective, combining Indian and international legal developments, with a focus on the Arbitration and Conciliation Act, 1996, Legal Services Authorities Act, Singapore Convention on Mediation, and UNCITRAL Model Laws.

The programme emphasizes experiential learning, including mock arbitrations, negotiation workshops, mediation roleplays, and writing of arbitration awards or conciliation agreements. Students will gain practical exposure to institutional ADR frameworks, including arbitral tribunals, mediation centers, Lok Adalats, and sector-specific ADR mechanisms (commercial, matrimonial, labor, environmental, and international trade disputes).

Duration: 1 Year (The program will consist of two semesters comprising six modules with Project, Assignment or Internship.)
Mode: Online / Offline / Hybrid
Eligibility: Graduation in Law / IT / Management / Equivalent

Objectives:

The PG Diploma in Alternative Dispute Resolution (PGDADR) aims to fulfill the following academic and professional objectives:

1. To provide foundational and advanced knowledge of the principles, processes, and legal framework of alternative dispute resolution, including arbitration, mediation, conciliation, negotiation, and Lok Adalat.
2. To equip learners with practical skills in communication, persuasion, problem-solving, and legal drafting necessary for effective dispute resolution.
3. To develop a thorough understanding of the Arbitration and Conciliation Act, 1996 (as amended), and its interplay with international instruments like the UNCITRAL Model Law, the New York Convention, and the Singapore Convention on Mediation.
4. To familiarize students with procedural aspects of ADR mechanisms, including arbitral proceedings, mediation sessions, conciliation techniques, award writing, and enforceability of settlements.

5. To enhance awareness of institutional and non-institutional ADR mechanisms, including their roles, structures, and functions at the national and international levels.
6. To explore the ethical, cultural, and psychological dimensions of ADR practice in diverse socio-legal contexts.
7. To foster analytical and research capabilities through dissertation, field projects, and internships in dispute resolution bodies, law firms, or judicial institutions.
8. To encourage the use of ADR in specialized areas, such as commercial contracts, family disputes, labor relations, environmental conflicts, consumer protection, and international trade.
9. To introduce learners to emerging trends, such as Online Dispute Resolution (ODR), hybrid mechanisms, and cross-border arbitration.
10. To prepare professionals for various roles as mediators, arbitrators, conciliators, ADR consultants, court-annexed mediators, or dispute resolution policy advisors.

Assessment of Students' Performance and Scheme of Examination Pass Percentage & Promotional Criteria:

1. Assessment of student's performance shall consist of 70 marks (End Semester Written Examination) and 30 marks (Internal Assessment).
2. The duration of the End Semester Written Examination shall be three hours for 70 marks.
3. For internal assessment of 30 marks, one Internal Test + Assignment + Presentation + Viva shall be in each course in each semester.
4. Internal assessment of each paper shall be evaluated by a panel of three teachers of the department. For each paper panel is to be formed by Principal accordingly.
5. Dissertation / Project/ Internship will carry 70 marks.
6. Viva-voce exam will carry 30 marks Viva-voce shall be held soon after the Second semester.
7. In each paper 30 marks shall be reserved for award on the bases of continuous internal assessment of the student in the class room. The HOD will notify information regarding each internal assessment at least one week prior of the presentation with consultation to the teacher concern. All awards of marks will be verified by the HOD and will be send to exam controller accordingly.
8. The criteria for Internal assessment for each paper will be as follows – Internal Test- 10 marks
9. Assignment with presentation – 10 marks Class room seminar and viva – 10 marks

Attendance

The student whose attendance is less than 75% will not be allowed to appear in the end semester examination. Principal may permit a student to appear in examination by relaxation of 25% attendance in special conditions such as;

- Participation in NCC/NSS camps duly supported by a certificate from competent authority.
- Participation in College Team (S) Games or Inter State Tournament (S) duly supported a certificate from competent authority.
- Participation in any of the co-curricular activity organized by College duly certified by competent authority.
- Prolonged illness duly certified by superintendent/CMO of government hospital or registered medical practitioners/hospitals.

Note: The Principal shall have power to condone any deficiency of attendance for cogent reasons.

End Semester Examination

There shall be an end semester examination at the end of the I and II semesters. The semester examination will be held every year normally in December and May or on the dates declared in the academic calendar of the College. A student proceeding to appear in the end semester examination will submit through the Head of the Department his/her application on the prescribed

form along with the required examination fee, etc. to the Registrar of the College.

Every student will have to be appear in three & two respective theory papers examinations in the I and II, semesters.

In the II semester, every student will be allotted one dissertation work in lieu of Viva-voce Exam.

Allotment of The Dissertation
Allotment of the dissertation will be done by a committee comprising of the Head of the Department. The Proposal for dissertation shall be submitted by candidate though head of department.

Candidate shall be required to submit the Dissertation at least two weeks before the commencement of Second Semester Examination. Prior of submission of dissertation the students shall make a pre-submission seminar in the College. Seminar shall be opened to all faculty members, research scholar and other students of the College.
The candidate shall be required to secure at least 50% marks in the Dissertation to pass the Examination.

The maximum number of students enrolled for dissertation under one teacher will be as follows-
Assistant Professor – 05
Associate Professor – 08
Professor – 10
Full time teacher of the College is authorized for dissertation guidance. If there is non-availability of full time teachers in the College, rest of all student will be supervised by HOD/ principal accordingly.

Viva-Voce Examination:
The Viva Voce Examination shall be conducted by a Board of Examiners.
The Board shall consist of three members; one member shall be a Professor/Associate Professor as external member of any other university or college. The head of the department (H.O.D.) shall be a member of the board and one Professor/Associate professor of the college as internal examiner. The internal examiner shall be appointed for every year by rotation.
The Viva-Voce Examination shall carry 30 marks. The external examiner shall evaluate the candidate out of 20 maximum marks and two examiners shall evaluate out of 10 maximum marks each.
Candidate shall be required to secure at least 50% marks in the Viva-voce to pass the Examination.

Grad Point and SGPA, CGPA Calculations:

Assessment as per college policy relating to implementation of choice-based credit system (CBCS) to all the programs offered at IMIRC College of Law.

Rules of Promotion:
A student can not to be promoted to next semester if he/she fails in up to the maximum two courses (papers) in first semester. The paper/papers in which a student fail shall be considered as back paper. In no case a student having back in more than two papers can be promoted to next semester and will be treated to have year back. In case of year back, he/she have to take readmission by paying approved fee in same year after the recommendation of Principal/HOD. After readmission students have following options;
1. He/ She can choose to pass all the papers of the academic year.
2. He/ She can opt to pass the papers in which he/she has failed.
3. Students will have to submit their choices/options at the time of readmission.

4. No repeat attempt is allowed to pass for internal assessment only.
5. He/ She has to repeat complete course i.e. theory and internal assessment both.

Course Modules:
The course is structured into two semesters, covering core concepts and applied aspects of Alternative Dispute Resolution.

Programme Learning Outcomes (PLOs):
Upon successful completion of the Post-Graduate Diploma in Alternative Dispute Resolution (PGDADR), learners will be able to:

1. Comprehend the core principles and legal framework of various ADR mechanisms such as arbitration, mediation, conciliation, negotiation, and Lok Adalat within national and international contexts.
2. Apply statutory and treaty-based instruments including the Arbitration and Conciliation Act, 1996; Legal Services Authorities Act, 1987; UNCITRAL Model Law; New York and Singapore Conventions in resolving disputes.
3. Demonstrate procedural and practical skills in drafting arbitration clauses, mediation agreements, conciliation settlements, and arbitral awards, while effectively navigating ADR processes.
4. Analyze and resolve legal conflicts through cost-effective, consensual, and timely ADR strategies, incorporating ethical considerations and sector-specific applications.
5. Conduct independent legal research, engage with ADR institutions, and critically assess dispute resolution policies, integrating interdisciplinary perspectives for socially responsive and professionally sound practice.

Course Learning Outcomes (CLOs):

Semester I:

- Understand the origin, scope, and evolution of Alternative Dispute Resolution (ADR) mechanisms.
- Explain the statutory framework governing arbitration, mediation, conciliation, and Lok Adalats in India.
- Analyze the provisions and procedures under the Arbitration and Conciliation Act, 1996.
- Demonstrate practical understanding of negotiation and mediation techniques through roleplays and simulations.
- Evaluate the role of ADR in enhancing access to justice and reducing judicial burden.

Semester II:

- Examine international frameworks including UNCITRAL Model Law, New York Convention, and Singapore Convention on Mediation.
- Compare global ADR practices across jurisdictions like USA, UK, Singapore, and India.
- Apply ADR strategies to specific dispute areas including commercial, labor, family, and public interest cases.
- Identify ethical and procedural challenges in ADR such as neutrality, confidentiality, and enforceability.
- Conduct legal research or fieldwork in ADR and produce well-structured project reports or dissertations.

Semester I: Foundations and Techniques of ADR

S.No.	Course Code	Course Name	L-IA-P	Total Credit
1.	PGDADR 101	Introduction to ADR and Indian Legal Framework	5-2-0	7

2.	PGDADR 102	Arbitration Law and Practice (Domestic & International)	5-2-0	7
3.	PGDADR 103	Mediation, Negotiation, Conciliation, and Lok Adalat Systems	5-2-0	7
Total Credit in Semester I				21

Semester II: ADR in Action: Contemporary Issues and Applications

S.No.	Course Code	Course Name	L-IA-P	Total Credit
1.	PGDADR 201	International ADR Instruments and Comparative Legal Models	5-2-0	7
2.	PGDADR 202	ADR in Commercial, Labor, Family, and Public Disputes	5-2-0	7
3.	PGDADR 203	Project / Dissertation / Internship & Viva	5-2-0	7
Total Credit in Semester II				21
The PG Diploma programme comprises a total of six papers, three papers in Semester I and three papers in Semester II. Each paper carries 7 credits, making the total credit requirement for the programme 42 credits.				

Semester I
Paper I – PGDADR 101
INTRODUCTION TO ADR AND INDIAN LEGAL FRAMEWORK

Duration: 40 hours (including lectures, seminars, and assessments) Credits: 7

Introduction:

In an era of legal transformation focused on speedy, cost-effective, and amicable resolution of disputes, Alternative Dispute Resolution (ADR) offers robust mechanisms to reduce the burden on courts and provide access to justice. This paper introduces students to the historical evolution, core philosophies, and types of ADR systems recognized in India. Emphasis is placed on statutory recognition of ADR under Indian law, particularly the Arbitration and Conciliation Act, 1996, and the Legal Services Authorities Act, 1987. The course also explores the institutionalization of ADR, court-annexed mediation, and the constitutional context of dispute resolution in India.

Course Outcomes (C.O.):

1. To understand the origin, evolution, and types of ADR mechanisms.
2. To comprehend the legal and constitutional framework supporting ADR in India.
3. To analyze statutory provisions related to arbitration, mediation, conciliation, negotiation, and Lok Adalats.
4. To evaluate the institutional structure and role of courts, tribunals, and legal service authorities in promoting ADR.

Program Outcomes:

1. To equip learners with a foundational understanding of ADR as a legal and justice delivery system.
2. To develop awareness of the legislative and procedural mechanisms supporting ADR in Indian jurisprudence.
3. To build the capacity to identify appropriate ADR mechanisms for different legal disputes.
4. To prepare students for further practical training or specialization in arbitration, mediation, and negotiation.

Syllabus:

Unit I: Foundations of Alternative Dispute Resolution

- Meaning, philosophy, and scope of ADR
- Evolution and growth of ADR in India and globally
- Types of ADR: Arbitration, Mediation, Conciliation, Negotiation, Lok Adalat
- Importance of ADR in legal pluralism and participatory justice
- Comparative advantages of ADR over litigation
- Challenges to effective ADR implementation

Suggested Readings:

Books:

- G.B. Reddy, Alternative Dispute Resolution, Gogia Law Agency, 2023 – Chapter 1 & 2 on ADR evolution and types.
- Sriram Panchu, Settle for More: Mediation for Indian Needs, LexisNexis, 2020 – Introduction and philosophical background.

Articles:

- Justice M. Jagannadha Rao, "ADR: The Indian Perspective", ICADR Journal, 2003.

- Boulle, L., "The Globalization of Mediation: Diversity, Trends, and Challenges", Commonwealth Law Bulletin, 2012.

Case Laws:
- K.K. Modi v. K.N. Modi, (1998) 3 SCC 573 – Conditions for valid arbitration agreements.
- Booz Allen and Hamilton Inc. v. SBI Home Finance Ltd., (2011) 5 SCC 532 – Arbitrability of disputes.

Reports:
- Law Commission of India, 129th Report on Urban Litigation and Mediation, 1988 – Initial call for institutional mediation in India.
- UNCITRAL, ADR Terminology and Recommendations, UN Doc. A/CN.9/WG.II/WP.139, 2003.

Unit II: Constitutional and Legislative Framework for ADR in India
- Article 39-A: Equal access to justice
- Article 14 and 21: Due process and fairness in dispute resolution
- Section 89 CPC: Court-referred ADR
- Legal Services Authorities Act, 1987 – Legal aid and Lok Adalats
- National and State Legal Services Authorities (NALSA/SALSA)
- Constitutional vision and judicial pronouncements supporting ADR

Suggested Readings:
Books:
- Avtar Singh, Law of Arbitration and Conciliation, Eastern Book Company, 12th Edition, 2024.
- Ratanlal & Dhirajlal, The Constitution of India, LexisNexis, 2023, Relevant chapters on Articles 14, 21, and 39A.

Articles:
- Justice R.V. Raveendran, "Mediation – Its Relevance and Importance in Justice Delivery System", SCC Journal, 2010.
- Tripathi, H., "ADR and Constitutional Values", NLUJ Law Review, 2022.

Case Laws:
- Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co., (2010) 8 SCC 24 – Interpretation of Section 89 CPC.
- Salem Advocate Bar Association v. Union of India, (2003) 1 SCC 49 – Legitimacy of ADR through statutory amendment.
- Justice K.S. Puttaswamy v. Union of India, (2017) 10 SCC 1 – Right to privacy and its relation to consensual dispute settlement.

Reports:
- Ministry of Law and Justice, Mediation Bill, 2021
- NALSA Website Reports and Guidelines – https://nalsa.gov.in/

Unit III: Institutionalization and Practice of ADR in India
- Arbitration and Conciliation Act, 1996 – Structure, scope, and reforms
- Types of arbitration: Ad hoc vs. institutional
- Role of the judiciary in promoting ADR: Key judgments
- Court-annexed mediation – Mediation Centres in High Courts and District Courts
- Role of Bar Councils, law schools, and NGOs in ADR advocacy

Suggested Readings:
Books:
- O.P. Tewari, The Arbitration and Conciliation Act, 1996, Allahabad Law Agency, New Edition, 2023.
- R. Vakul Sharma, Justice Through ADR, Universal Law Publishing 2014.

Articles:
- B.N. Srikrishna, "Institutional Arbitration in India: Need for Reform", NLU Jodhpur Journal, 2018.
- P.C. Markanda, "The Arbitration and Conciliation (Amendment) Acts: Transforming the Landscape of Indian Arbitration", Arbitration Brief, 2020.

Case Laws:
- Bharat Aluminium Co. v. Kaiser Aluminium Technical Services Inc., (2012) 9 SCC 552 – BALCO case on seat and jurisdiction.
- Centrotrade Minerals v. Hindustan Copper Ltd., (2017) 2 SCC 228 – Two-tier arbitration validity.

Reports:
- B.N. Srikrishna Committee Report on Institutional Arbitration in India, 2017.
- Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 (selected provisions on pre-litigation mediation).

Unit IV: Lok Adalat and Gram Nyayalayas
- Historical development and concept of Lok Adalat
- Jurisdiction, powers, and procedures of Lok Adalats
- Permanent Lok Adalat (PLAs) and public utility services
- Lok Adalats under the Legal Services Authorities Act, 1987
- Role of Gram Nyayalayas in promoting rural ADR
- Success stories and case studies of community-level dispute resolution

Suggested Readings:
Books:
- N.V. Paranjape, Legal Aid and Lok Adalats in India, Central Law Agency, 2019.
- G.B. Reddy, Lok Adalats, Legal Aid and ADR, Gogia Law Agency, 2013.

Articles:
- S.P. Sathe, "Access to Justice and Legal Aid: Constitutional and International Dimensions", Journal of the Indian Law Institute, 2002.

Case Laws:
- State of Punjab v. Jalour Singh, (2008) 2 SCC 660 – Scope and finality of Lok Adalat awards.
- Moti Ram v. Ashok Kumar, (2011) 1 SCC 466 – Powers of Lok Adalat and procedural flexibility.

Reports:
- Ministry of Law and Justice, Gram Nyayalayas Act, 2008 – Implementation Status Reports

Unit V: Contemporary Debates and Future of ADR in India
- Draft Mediation Bill, 2021 – Overview and objectives
- Role of technology and Online Dispute Resolution (ODR) platforms

- Role of ADR in commercial, family, and consumer disputes
- Challenges of enforcement, neutrality, and capacity-building in ADR
- Judicial activism and ADR jurisprudence
- Future directions for strengthening ADR in India

Suggested Readings:

Books:

- Sriram Panchu, Settle for More, Lexis Nexis , 2022.
- A. Chawla, Online Dispute Resolution in India: Development & Challenges, Thomson Reuters, 2022.

Articles:

- Sudhir Krishnaswamy, "Digital Justice and ODR in India", Vidhi Centre for Legal Policy, 2021.
- Ghosh, Arunima, "Draft Mediation Bill, 2021 – A Step Forward or More of the Same?", IndiaCorpLaw Blog, 2022.

Case Laws:

- Shri Ravi Chandran v. Union of India, (2010) 1 SCC 174 – International mediation and child custody.
- Haresh Dayaram Thakur v. State of Maharashtra, (2000) 6 SCC 179 – Voluntariness and fairness in ADR.

Reports:

- Draft Mediation Bill, 2021 (available at PRS Legislative Research: https://prsindia.org)
- NITI Aayog Working Paper on Strengthening Dispute Resolution in India, 2021
- Report of the Mediation Task Force – Law Ministry, 2022

Recommendations:

1. Laurence Boulle, Mediation: Skills and Strategies, LexisNexis, 2021.
2. H. W. Arthurs, Access to Justice: Theory and Practice, OUP Canada.
3. N.L. Rajah, "ADR in India: The Legal and Institutional Framework", Indian Bar Review, 2021.
4. Catherine Rogers, "The Future of Dispute Resolution in India", Penn State Law Review, Vol. 117.
5. Law Commission Report No. 222 (2009) – "Need for Justice Dispensation Through ADR"; https://lawcommissionofindia.nic.in/reports/report222.pdf
6. https://nalsa.gov.in/ includes legal aid and Lok Adalat resources
7. Vidhi Centre's ADR Analysis – Research on ADR reforms in India; https://vidhilegalpolicy.in

Evaluation Scheme:

- Internal Assessment (30 Marks):

2 written assignments (10 marks), 1 presentation (10 marks) and Class participation/ seminar (10 marks)

- End Semester Examination (70 Marks):

Section A: Short answer questions (30 marks)
Section B: Analytical/Essay-type questions (40 marks)

Paper II – PGDADR 102

ARBITRATION LAW AND PRACTICE (DOMESTIC & INTERNATIONAL)

Duration: 40 hours (including lectures, seminars, and assessments) Credits: 7

Introduction:

Arbitration has emerged as a vital method of dispute resolution, particularly in commercial, civil, and cross-border matters. This course offers a comprehensive overview of the Arbitration and Conciliation Act, 1996 (as amended), global arbitration frameworks, procedural elements of domestic and international arbitration, and practical drafting of arbitration clauses and awards. It prepares students for both academic research and practical engagement with arbitral forums in India and abroad.

Course Outcomes (C.O.):

1. To understand the statutory and conceptual framework of arbitration in India.
2. To analyze arbitration processes including appointment of arbitrators, conduct of proceedings, and award enforcement.
3. To evaluate international frameworks such as UNCITRAL Model Law and the New York Convention.
4. To apply knowledge through case study analysis and draft basic arbitral documents.

Program Outcomes:

1. To build competence in interpreting and using the Arbitration and Conciliation Act, 1996.
2. To develop skills in procedural and institutional aspects of arbitration.
3. To prepare learners for arbitration practice, advisory roles, and policy-level engagement.
4. To promote awareness of comparative and international arbitration mechanisms.

Syllabus:

Unit I: Overview of Arbitration and Legal Framework in India

- Historical evolution of arbitration in India
- Scope and application of the Arbitration and Conciliation Act, 1996
- Key amendments (2015, 2019, and 2021)
- Definitions: arbitration, arbitral tribunal, award
- Classification: ad hoc vs. institutional arbitration
- Arbitrability of disputes: what can and cannot be referred

Suggested Readings:

Books:

- Avtar Singh, Law of Arbitration and Conciliation, Eastern Book Company, 12th Edition, 2024
- S.K. Chawla, Law of Arbitration and Conciliation, LexisNexis, 2020

Articles:

- G.C. Bharuka, "Revisiting the Indian Arbitration Regime Post-2015 Amendment", SCC Journal, 2016
- Born, Gary, "The New York Convention's Impact on Indian Arbitration", ICCA Bulletin, 2019

Case Laws:

- Booz Allen & Hamilton v. SBI Home Finance, (2011) 5 SCC 532
- Ayyasamy v. A. Paramasivam, (2016) 10 SCC 386

Reports:

- 246th Law Commission Report (2014) – Amendments to the Arbitration Act

• B.N. Srikrishna Committee Report on Institutional Arbitration in India (2017)

Unit II: Composition, Jurisdiction, and Conduct of Arbitral Proceedings
• Appointment, challenge, and termination of arbitrators
• Jurisdiction of arbitral tribunals – Kompetenz-Kompetenz
• Interim measures by courts and tribunals
• Conduct of proceedings: statement of claim, defense, evidence, hearings
• Seat vs. venue of arbitration

Suggested Readings:
Books:
• O.P. Tewari, The Arbitration and Conciliation Act, Allahabad Law Agency
• Redfern & Hunter, Law and Practice of International Commercial Arbitration, Oxford

Articles:
• Ashwinie Kumar Bansal, "Kompetenz-Kompetenz in Indian Arbitration", NALSAR Law Review, 2020
• Malhotra, O.P., "The Role of Courts in Arbitration: Indian Experience", NLIU Law Journal, 2019

Case Laws:
• SBP & Co. v. Patel Engineering Ltd., (2005) 8 SCC 618
• Chloro Controls India Pvt. Ltd. v. Severn Trent Water Purification Inc., (2013) 1 SCC 641

Reports:
• Law Commission of India – 246th Report (Chapter on Tribunal Powers)

Unit III: Arbitral Award – Making, Enforcement, and Challenge
• Types and forms of arbitral awards
• Essentials of a valid award
• Time limits for awards
• Correction, interpretation, and additional awards
• Challenge to awards: Section 34 (Arbitration and Conciliation Act, 1996)
• Enforcement under Section 36 (Arbitration and Conciliation Act, 1996)
• Stay, public policy, and finality

Suggested Readings:
Books:

• P.C. Markanda, Law Relating to Arbitration and Conciliation, LexisNexis, First Edition, 2016.

Articles:
• Shashank Garg, "Public Policy as a Ground for Setting Aside Awards", ICCA India Bulletin, 2018
• Prabhash Ranjan, "Enforcing Foreign Arbitral Awards in India", Jindal Global Law Review, 2020

Case Laws:
• ONGC Ltd. v. Saw Pipes Ltd., (2003) 5 SCC 705 – Public policy interpretation
• Fuerst Day Lawson Ltd. v. Jindal Exports Ltd., (2001) 6 SCC 356
• MMTC Ltd. v. Vedanta Ltd., (2019) 4 SCC 163

Reports:
• Report on Amendments to Section 34, Ministry of Law and Justice (2019)

Unit IV: International Commercial Arbitration and Enforcement
• Definition and scope of international commercial arbitration (ICA)
• UNCITRAL Model Law (1985 & 2006 versions)
• New York Convention, 1958 – Recognition and enforcement
• Geneva Convention, 1927 – Historical overview
• Institutional arbitration: ICC, LCIA, SIAC, ICSID, DIAC
• India's role and challenges in international arbitration

Suggested Readings:
Books:
• Gary B. Born, International Commercial Arbitration, Kluwer Law International, Vol. 1, 2009.
• R. Doak Bishop, International Arbitration in the Asia-Pacific, JurisNet LLC, 2nd Edition, 2017.

Articles:
• Sundra Rajoo, "UNCITRAL Model Law and Asia's Growth in Arbitration", Asian Int'l Arbitration Journal, 2022.
• Rishi Gulati, "The Enforcement of Foreign Arbitral Awards in India", Cambridge Arbitration Review, 2020.

Case Laws:
• Bharat Aluminium Co. v. Kaiser Aluminium (BALCO), (2012) 9 SCC 552
• Venture Global Engg. v. Satyam Computer, (2008) 4 SCC 190
• Renusagar Power Co. Ltd. v. General Electric Co., (1994) Supp (1) SCC 644

Reports:
• UNCITRAL Model Law (1985, 2006)

Unit V: Institutional Developments and Emerging Trends in Arbitration
• Rise of institutional arbitration in India (DIAC, MCIA, ICA)
• Emergency arbitration and fast-track procedures
• Role of technology and Online Dispute Resolution (ODR)
• Arbitrator ethics and neutrality
• Third-party funding and transparency
• Future directions for India as an international arbitration hub

Suggested Readings:
Books:

• Anirudh Krishnan & Shilpa Shah, Institutional Arbitration in India, LexisNexis, 2018
• R. Abhishek, Online Dispute Resolution: Indian and Global Perspective, 2021

Articles:
• Neeti Shikha, "ODR and the Future of Arbitration in India", NLUJ Law Review, 2021
• Niti Aayog Report, "Strengthening Dispute Resolution in India", 2021

Case Laws:
• Amazon.com NV Investment Holdings v. Future Retail Ltd., (2021) SCC OnLine SC 557

• Avitel Post Studioz Ltd. v. HSBC PI Holdings, (2020) 4 SCC 1

Reports:

• Ministry of Law and Justice, Draft Arbitration Council of India Rules, 2020
• ICCA Task Force Reports on Third-Party Funding and Transparency

Recommendations:

1. Julian D.M. Lew et al., Comparative International Commercial Arbitration, Kluwer Law.
2. Ashwinie Kumar Bansal, Law of Arbitration and Conciliation, Universal Law Publishing, 2021.
3. Rishi Gulati, "India and International Arbitration: A Developing Relationship", Cambridge International Law Journal, 2022.
4. IBA, "Best Practices for International Arbitration", IBA Arbitration Committee.
5. UNCITRAL Model Law (1985, amended 2006); https://uncitral.un.org/en/texts/arbitration/modellaw/commercial arbitration
6. SIAC Rules and Handbook – International arbitration institution frequently used in India; https://www.siac.org.sg/
7. Law Commission of India Report No. 246 (2014); https://lawcommissionofindia.nic.in/reports/Report246.pdf

Evaluation Scheme:

• Internal Assessment (30 Marks):
2 written assignments (10 marks), 1 presentation (10 marks) and Class participation/seminar (10 marks)
• End Semester Examination (70 Marks):
Section A: Short answer questions (30 marks)
Section B: Analytical/Essay-type questions (40 marks)

Paper III – PGDADR 103
MEDIATION, NEGOTIATION, CONCILIATION, AND LOK ADALAT SYSTEMS

Duration: 40 hours (including lectures, seminars, and assessments) Credits: 7
Introduction:

This integrated paper covers the foundational and advanced aspects of consensual dispute resolution mechanisms: mediation, negotiation, conciliation, and Lok Adalats. It highlights the legal framework, theoretical principles, and practical skills needed to engage in these non-adversarial methods. Special emphasis is placed on India's statutory and institutional mechanisms, including the Mediation Act, 2023, and Legal Services Authorities Act, 1987.

Course Outcomes (C.O.):
1. To understand the principles and processes of mediation, negotiation, conciliation, and Lok Adalats.
2. To examine legal frameworks and key legislative provisions.
3. To develop skills in conducting sessions and drafting settlements.
4. To assess evolving institutional mechanisms and digital trends in dispute resolution.

Program Outcomes:
1. To foster understanding of cooperative dispute resolution mechanisms.
2. To prepare students for practical application of ADR strategies.
3. To build ethical, communication, and analytical skills essential in ADR.
4. To enable students to contribute meaningfully to dispute resolution programs and institutions.

Syllabus

Unit I: Mediation and Conciliation – Concepts and Legal Framework:
- Meaning and principles of mediation and conciliation
- Comparative features with litigation and arbitration
- Legal framework: Part III of the Arbitration and Conciliation Act, 1996; The Mediation Act, 2023
- Enforceability of settlement agreements
- Role of courts and Mediation and Conciliation Project Committee (MCPC)

Suggested Readings:
Books:
- Sriram Panchu, Settle for More: Mediation for Indian Needs, LexisNexis, 2020
- G.B. Reddy, Alternative Dispute Resolution, Gogia Law Agency, 2023

Articles:
- Carrie Menkel-Meadow, "The Many Ways of Mediation", Harvard Negotiation Law Review, 2006

Unit II: Negotiation – Theory, Skills, and Application:
- Types and styles of negotiation: distributive vs. integrative
- Core concepts: BATNA, ZOPA, interests vs. positions
- Role of communication, culture, and ethics

• Practical negotiation exercises and drafting techniques

Suggested Readings:
Books:
• Roger Fisher & William Ury, Getting to Yes, Penguin Books, 2012
• Roy J. Lewicki, Essentials of Negotiation, McGraw Hill, 7th Ed., 2021

Articles:
• Noam Ebner, "Negotiation is Changing", ADR Times, 2022
• ABA Journal, "Negotiation Ethics for the 21st Century", 2020

Unit III: Lok Adalats – Access to Justice and Legal Empowerment:
• Origin, structure, and jurisdiction under the Legal Services Authorities Act, 1987
• Types of Lok Adalats: regular, permanent, mobile
• Nature of awards and procedural simplicity
• Role of NALSA, SLSAs, and DLSAs
• Challenges and successes in delivery of justice

Suggested Readings:
Books:
• S.S. Sharma, Legal Services, Lok Adalat and Para Legal Services, Central Law Agency, 2nd Edition, 2006.

Articles:
• Law Commission of India, 131st Report on Lok Adalats (1988)
• M.P. Singh, "Lok Adalats and Access to Justice in India", ILI Law Review, 2020

Case Laws:
• State of Punjab v. Jalour Singh, (2008) 2 SCC 660
• Bhargavi Constructions v. Kothakapu Muthyam Reddy, (2018) SCC OnLine SC 2944

Unit IV: Institutional and Court-annexed Mediation :
• Role of Mediation Centres in High Courts and District Courts
• Mediation and Conciliation Project Committee (MCPC)
• Role of NALSA and legal services institutions
• Private mediation institutions and community mediation models
• Mediation training and accreditation in India (MCPC guidelines, IIAM, CAMP)

Suggested Readings:
Books:
• Justice D.K. Jain, Court-annexed Mediation in India, Universal Law Publishing, 2010.

Articles:
• BCI Journal on Legal Education and Mediation Training; https://nalsa.gov.in
https://main.sci.gov.in/committees/mcpc

Unit V: Contemporary Issues and Online Mediation:

• Online Dispute Resolution (ODR) and its adoption in India
• Technology in mediation: confidentiality and security
• Mediation in commercial, family, and consumer disputes
• Cross-border mediation and the Singapore Convention on Mediation
• Challenges in implementation of the Mediation Act, 2023

Suggested Readings:

Books:

- Arunima Ghosh, Digital Mediation and ODR in India, EBC, 2023
- P.C. Rao & William Sheffield, Alternative Dispute Resolution: What it is and How it Works, LexisNexis, 1st Edition, 1st Vol., 2015.

Articles:

- Vidhi Centre for Legal Policy, "Bringing Mediation to the Mainstream", 2021
- UNCITRAL Guide on the Singapore Convention on Mediation (2019)

Reports:

- NITI Aayog Report on Online Dispute Resolution (2021);http://efaidnbmnnnibpcajpcglclefindmkaj /https://www.niti.gov.in/sites/default/files/2023-03/Designing-The-Future-of-Dispute-Resolution-The-ODR-Policy-Plan-for-India.pdf
- UN Convention on International Settlement Agreements Resulting from Mediation (Singapore Convention, 2019): https://uncitral.un.org/ en/texts/ mediation/ conventions/ international_settlement_agreements

Recommendations:

1. R. Menon, "Mediation as a Judicial Reform Tool in India", The Hindu Centre for Politics and Public Policy, 2022.
2. Madhu Mehra, "Gender, Power and Mediation: A Critical Perspective", EPW, Vol. 54(3), 2019.
3. Singapore Convention on Mediation (UNCITRAL);https://uncitral.un.org/en/texts/mediation/ conventions/international_settlement_agreements
4. MCPC (Supreme Court Mediation Portal); https://main.sci.gov.in/committees/mcpc

Evaluation Scheme:

- Internal Assessment (30 Marks):

2 written assignments (10 marks), 1 presentation (10 marks) and Class participation/seminar (10 marks)

- End Semester Examination (70 Marks):

Section A: Short answer questions (30 marks)
Section B: Analytical/Essay-type questions (40 marks)

Semester II
Paper I – PGDADR 201
INTERNATIONAL ADR INSTRUMENTS AND COMPARATIVE LEGAL MODELS

Duration: 40 hours (including lectures, seminars, and assessments) Credits: 7
Introduction:

Introduction: This paper aims to provide an in-depth understanding of global ADR instruments and practices. It covers international treaties, model laws, conventions, and the legal frameworks governing arbitration, mediation, and conciliation in key jurisdictions. Students will analyze comparative legal models, institutional mechanisms, and cross-border enforcement regimes. The course prepares learners for practice in international dispute resolution and global legal consultancy.

Course Outcomes (C.O.):
1. To understand and interpret international treaties and model laws governing ADR.
2. To analyze comparative legal systems and institutional practices in ADR.
3. To assess the enforcement of foreign arbitral and mediated awards.
4. To evaluate India's position in the global ADR landscape.

Program Outcomes:
1. To promote familiarity with UNCITRAL, ICSID, ICC, LCIA, and other global instruments.
2. To build analytical skills in comparative legal reasoning.
3. To enhance readiness for cross-border ADR practice.
4. To encourage policy awareness on international dispute resolution.

Syllabus

Unit I: International Framework for Arbitration and Mediation:
- UNCITRAL Model Law on Arbitration (1985, 2006)
- UNCITRAL Model Law on International Commercial Conciliation (2002)
- New York Convention (1958) on the Recognition and Enforcement of Foreign Arbitral Awards
- ICSID Convention and Investor-State Dispute Settlement (ISDS)
- Singapore Convention on Mediation (2019)

Suggested Readings:
Books:
- Gary B. Born, International Commercial Arbitration, Kluwer Law International, Vol. 1, 2009.
- Nadja Alexander, International and Comparative Mediation, Wolters Kluwer, 2009.

Articles:
- UNCITRAL Secretariat Guide on the New York Convention 2016; http://efaidnbmnnnibpcajpcglclefindmkaj/https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/2016_guide_on_the_convention.pdf
- Vidhi Centre, "India and the Singapore Convention: Scope and Challenges" 2019.

Reports:

• UNCITRAL Explanatory Notes on Model Law, 2006;https://uncitral.un.org/en/texts/arbitration/modellaw/commercial_arbitration

Unit II: Comparative Arbitration Models:
• Arbitration laws and reforms in the UK (Arbitration Act, 1996)
• US Federal Arbitration Act and role of AAA, JAMS
• Civil law approaches: France and Germany
• Arbitration in Singapore and Hong Kong: procedural innovations
• Key distinctions in enforcement, interim relief, confidentiality

Suggested Readings:
Books:
• Julian D. M. Lew, Comparative International Commercial Arbitration, Wolters Kluwer Law & Business, 2001
• Jeffrey Waincymer, Procedure and Evidence in International Arbitration, Wolters Kluwer Law & Business, 2012.

Articles:
• Lucy Reed, "Arbitration Reform in Asia: Singapore and Hong Kong Models", Kluwer Arbitration Blog, 2019.

Case Laws:
• Hall Street Associates v. Mattel Inc., 552 U.S. 576 (2008) [USA]
• Dallah Real Estate v. Pakistan [UK Supreme Court, 2010]

Unit III: Comparative Mediation and Conciliation Practices:
• Mediation regimes in USA, UK, EU, Singapore, and Australia
• Confidentiality, privilege, and enforceability in different jurisdictions
• Cultural considerations and mediator styles
• Institutional models: WIPO, ICC Mediation Rules, Centre for Effective Dispute Resolution (CEDR)

Suggested Readings:
Books:
• Lela Porter Love, The International Guide to Mediation, ABA Press, 2009.
• Deborah M. Kolb, When Talk Works: Profiles of Mediators, Jossey-Bass Inc.,U.S., 1994.

Articles:
• European Code of Conduct for Mediators, 2018;https://efaidnbmnnnibpcajpcglclefindmkaj/https://rm.coe.int/cepej-2018-24-en-mediation-development-toolkit-european-code-of-conduc/1680901dc6
• WIPO Arbitration and Mediation Center Annual Reports; https://www.wipo.int/amc/en/center/background.html

Unit IV: Cross-border Enforcement and Challenges:
• Enforcement of foreign arbitral awards under New York Convention
• Recognition of international mediated settlements under Singapore Convention
• Public policy and sovereign immunity
• Cross-border commercial dispute examples
• Role of national courts in enforcement

Suggested Readings:
Books:

- Emmanuel Gaillard, Legal Theory of International Arbitration, Martinus Nijhoff, 2012.
- Bantekas & Ortlep, International Dispute Resolution, Cambridge University Press, 2015.

Articles:
- R. Doak Bishop, "Public Policy Exception and Enforcement of Awards", Contemporary Asia Arbitration Journal, Vol. 5, pp45-81, 2012.

Case Laws:
- Renusagar Power Co. Ltd. v. General Electric Co., (1994) Supp (1) SCC 644
- Vijay Karia v. Prysmian Cavi, (2020) 11 SCC 1
- Parsons & Whittemore Overseas Co. v. Societe Generale, 508 F.2d 969 (2d Cir. 1974)

Unit V: India's Participation in Global ADR Regimes:
- India's accession to New York and Singapore Conventions
- Interpretation of UNCITRAL Model Law by Indian courts
- Bilateral Investment Treaties (BITs) and ISDS cases involving India
- Comparative impact of Indian arbitration reforms (2015, 2019, 2021)
- India's engagement in UNCITRAL Working Groups

Suggested Readings:
Books:
- P.C. Markanda, Law Relating to Arbitration and Conciliation, LexisNexis, First Edition, 2016.
- O.P. Malhotra & Indu Malhotra, The Law and Practice of Arbitration in India, 4th Edition, 2023.

Articles:
- Arghya Sengupta, "India's Role in Global Arbitration Reform", Caravan, 2023
- Nishith Desai Associates, "Comparative Analysis of BIT Arbitration", 2015; https://efaidnbmnnnibpcajpcglclefindmkaj/https://www.nishithdesai.com/fileadmin/user_upload/pdfs/Research%20Papers/Bite_of_the_BIT.pdf

Reports:
- Draft India Model BIT, 2016; https://efaidnbmnnnibpcajpcglclefindmkaj/https://dea.gov.in/sites/default/files/ModelBIT_Annex_0.pdf

Recommendations:
1. Thomas Schultz, The Oxford Handbook of International Arbitration, Oxford University Press, 2021.
2. Nadja Alexander, Mediation: A Comparative Framework, Kluwer Law International.
3. Gabrielle Kaufmann-Kohler, "Globalization of Arbitration: The Next Frontier?", Arbitration International, Vol. 28, 2012.
4. Michael Pryles, "The Influence of Culture on Dispute Resolution", Asian Dispute Review, 2016.
5. UNCITRAL ADR texts and conventions; https://uncitral.un.org/en/texts/mediation
6. Singapore International Mediation Centre (SIMC) – Resources on international mediation standards; https://simc.com.sg/
7. ICCA Reports and Toolkits; https://www.arbitration-icca.org/publications/icca-reports

Evaluation Scheme:
- Internal Assessment (30 Marks):

2 written assignments (10 marks), 1 presentation (10 marks) and Class participation/ seminar (10 marks)

• End Semester Examination (70 Marks):
Section A: Short answer questions (30 marks)
Section B: Analytical/Essay-type questions (40 marks)

Paper II – PGDADR 202
ADR IN COMMERCIAL, LABOR, FAMILY, AND PUBLIC DISPUTES

Duration: 40 hours (including lectures, seminars, and assessments) Credits: 7

Introduction:

This paper focuses on the application of ADR mechanisms in specific legal sectors where disputes are frequent and sensitive—commercial, labor, family, and public interest. Students will study legal frameworks, case law, and sector-specific ADR models and develop skills to apply suitable resolution techniques in these areas. The course also emphasizes social sensitivity and practical competence.

Course Outcomes (C.O.):

1. To examine the sectoral use of ADR in commercial, labor, family, and public disputes.
2. To analyze procedural differences and statutory bases for ADR in each area.
3. To apply appropriate ADR techniques considering the nature and context of disputes.
4. To evaluate the social, ethical, and professional dimensions of sectoral ADR.

Program Outcomes:

1. To enable learners to participate effectively in dispute resolution across sectors.
2. To integrate legal and emotional intelligence in resolving interpersonal and economic disputes.
3. To understand the institutional and policy frameworks supporting sectoral ADR.
4. To build cross-disciplinary sensitivity and community-focused legal approaches.

Syllabus :

Unit I: ADR in Commercial Disputes:

• Arbitration clauses in contracts: drafting and enforcement
• Commercial Courts Act, 2015 and pre-institution mediation
• Institutional commercial arbitration (e.g., ICC, MCIA)
• Role of SIAC, LCIA, and ICDR
• Case studies on infrastructure, IPR, and shareholder disputes

Suggested Readings:
Books:

• Dushyant Dave, Handbook on Commercial Arbitration, Wolters Kluwer (2021)

Articles:

• Nishith Desai Associates, "Commercial Arbitration in India – 2022 Update"

Case Laws:

• Booz Allen and Hamilton Inc. v. SBI Home Finance Ltd., (2011) 5 SCC 532
• Vidya Drolia v. Durga Trading Corp., (2021) 2 SCC 1

Unit II: ADR in Labor and Employment Disputes:

• Role of conciliation officers and labor courts
• Industrial Disputes Act, 1947 – Section 4 and 12
• Grievance redressal in trade unions and worker-management negotiations

• Collective bargaining and settlements
• Mediation in industrial relations

Suggested Readings:

Books:

• S.C. Srivastava, Industrial Relations and Labour Laws, Vikas Publishing, 2022.
• K.D. Srivastava, (Revised by) P.L. Malik, Law Relating to Trade Unions and Industrial Disputes, EBC, 4th Edition, 2002.

Articles:

• ILO Guidelines on Mediation and Conciliation in Labor Disputes, High–Level Tripartite Seminar on The Settlement of Labour Disputes Through Mediation, Conciliation, Arbitration and Labour Courts, Nicosia, Cyprus, October 18th – 19th, 2007

Case Laws:

• Life Insurance Corporation of India v. D.J. Bahadur, (1981) 1 SCC 315
• Gujarat Steel Tubes Ltd. v. Gujarat Mazdoor Sabha, (1980) 2 SCC 593

Unit III: ADR in Family and Matrimonial Disputes:

• Mediation under Section 9 of the Family Courts Act, 1984
• Counseling and conciliation in divorce and custody cases
• Role of Women's Commissions, NGOs, and counselors
• Gender sensitivity and child welfare in family ADR
• Role of Lok Adalats in family settlements

Suggested Readings:

Books:

• Kusum, Family Law Lectures, LexisNexis, 6th Edition, 2022.
• B.M. Gandhi, Family Law, Eastern Book Company, 2nd Edition 2019, 2nd Edition, 2023, & Reprinted 2024.

Articles:

• National Commission for Women Reports on Family Mediation 2023- 2024; chttps://efaidnbmnnnibpcajpcglclefindmkaj/https://cdn.ncw.gov.in/wp-content/uploads/2025/03/NCWAnnual Report 20232024Eng.pdf

Case Laws:

• K. Srinivas Rao v. D.A. Deepa, (2013) 5 SCC 226
• Gaurav Nagpal v. Sumedha Nagpal, (2009) 1 SCC 42

Unit IV: ADR in Public Interest and Environmental Disputes:

• PIL and mediation in environmental and developmental conflicts
• Negotiated rulemaking and policy ADR
• Mediation in land acquisition, resettlement, and tribal disputes
• Role of civil society and ombudsman
• Dialogue-based dispute resolution in governance

Suggested Readings:

Books:

• S.K. Sarkar, Public Interest Litigation and ADR, Orient Law House, 2024.

Articles:

• UNDP Report on Access to Justice and Environment;https://undp.org/rolhr/justice/environmental-justice.

Case Laws:
- M.C. Mehta v. Union of India, AIR 1987 SC 965
- Orissa Mining Corporation v. Ministry of Environment & Forests, (2013) 6 SCC 476

Unit V: Skills, Challenges, and Sectoral Innovations:
- Soft skills for handling sensitive disputes
- Sector-specific ethics and confidentiality concerns
- Innovative tools: storytelling, visual aids, trauma-informed mediation
- Technology-aided ADR in sectoral disputes
- Drafting and negotiation exercises for each sector

Suggested Readings:
Books:
- Christopher Honeyman & Andrea Kupfer Schneider, Negotiator's Fieldbook, ABA, 2006.
- Julie Macfarlane, The New Lawyer: How Settlement is Transforming Legal Practice, University of British Columbia Press, 2008.

Recommendations:
1. Bhatia, Gautam, Offend, Shock, or Disturb: Free Speech under the Indian Constitution, Oxford University Press, for public disputes mediation context.
2. S.K. Bhatia, Labour and Industrial Law, Deep and Deep Publications.
3. UNDP India, "Community Mediation: Empowering Grassroots Justice", UNDP Justice Report, 2021.
4. Sudhir Krishnaswamy, "Mediation in Public Interest Litigation", Indian Law Review, 2020.
5. NCW Family Law Mediation Toolkit – Focus on gender-sensitive mediation; https://ncw.nic.in/en/publications
6. ILO Guide to Labour Dispute Resolution; https://www.ilo.org/global/publications/WCMS_107540/lang--en/index.htm
7. NITI Aayog Handbook on Online Dispute Resolution; https://www.niti.gov.in/sites/default/files/2021-12/ODR_Report_NITI.pdf

Evaluation Scheme:
- Internal Assessment (30 Marks):

2 written assignments (10 marks), 1 presentation (10 marks) and Class participation/seminar (10 marks)
- End Semester Examination (70 Marks):

Section A: Short answer questions (30 marks)
Section B: Analytical/Essay-type questions (40 marks)

Paper III – PGDADR 203
Project / Dissertation / Internship

Introduction: **Credits: 7**

This capstone component enables students to synthesize their learning in ADR by undertaking a focused research project, dissertation, or practical internship. The paper is designed to encourage empirical engagement, reflective analysis, and sectoral exploration in dispute resolution. Topics may include arbitration, mediation, conciliation, online dispute resolution (ODR), institutional ADR practices, legal aid models, comparative systems, or reforms in dispute settlement mechanisms.

Course Outcomes (C.O.):

1. To apply theoretical understanding of ADR to practical or research-based legal challenges.
2. To develop independent research and problem-solving capabilities in ADR contexts.
3. To gain exposure to the workings of ADR institutions, tribunals, NGOs, courts, or dispute resolution centers.
4. To contribute constructively to legal, policy, or institutional discourse in the field of ADR.

Program Outcomes:

1. Strengthen academic and professional proficiency in ADR techniques and institutions.
2. Enhance legal writing, empirical documentation, and research methodology.
3. Develop capacity for doctrinal, comparative, or field-based inquiry.
4. Facilitate interface with ADR professionals, policy-makers, and community mechanisms.

Structure & Guidelines:

Option A: Dissertation / Research Project

- Topic Selection: Related to arbitration, mediation, conciliation, ODR, informal justice, institutional reforms, or comparative ADR.
- Supervisor: Faculty member assigned by the institution.
- Format: As per university standards (Abstract, Introduction, Literature Review, Methodology, Findings, Conclusion, References).
- Word Limit: Minimum 10,000 words.
- Submission Date: To be announced by the college.
- Assessment Criteria: Originality (20%), Research Quality (30%), Relevance to ADR (20%), Structure & Presentation (20%), Viva Voce (10%)

Option B: Internship

- Duration: Minimum 4 weeks.
- Host Institutions: Arbitration tribunals, mediation centers, legal aid clinics, NGOs, law firms, online platforms (e.g., SAMA, AGAMI), or government ADR bodies.
- Certification: Letter from the host organization + verification by college internship coordinator.
- Internship Report: Minimum 3,000 words with analysis of tasks, skills acquired, and legal relevance.
- Assessment Criteria: Participation and engagement (20%), Quality of Report (30%), Relevance of Work (20%), Mentor Evaluation (20%), Viva (10%)

Viva Voce Examination:

A panel consisting of internal and external examiners will assess the student's presentation and defense of their work (whether dissertation/project or internship). Viva will evaluate clarity, Conceptual grasp, articulation, and response to queries.

Suggested Areas for Dissertation/Project:

- Institutional mediation and Lok Adalat models: A comparative study
- Role of arbitration in resolving MSME disputes in India
- Assessing effectiveness of digital mediation platforms post-COVID
- Application of negotiation theory in family or labor dispute settlement
- Analysis of the Singapore Convention's impact on Indian cross-border mediation
- Community mediation and tribal justice systems in India
- Evaluation of Permanent Lok Adalats under the Legal Services Authorities Act
- Confidentiality and neutrality in ADR: Legal and ethical perspectives
- Exploring the role of gender and power in negotiation strategies
- Judicial attitudes toward ADR in Indian courts

Suggested Readings & Resources:

1. S.K. Verma & M. Afzal Wani (Eds.), Legal Research and Methodology, ILI, 2021
2. C.R. Kothari, Research Methodology: Methods and Techniques, New Age International
3. Ratanlal & Dhirajlal, Legal Writing and Drafting, LexisNexis
4. Julie Macfarlane, The New Lawyer: Settlement and Dispute Resolution, UBC Press
5. Nadja Alexander, Mediation: A Comparative Perspective, Kluwer
6. The Bluebook: A Uniform System of Citation, Harvard Law Review
7. OSCOLA: Oxford Standard for Citation of Legal Authoritie

IMIRC COLLEGE OF LAW

SYLLABUS

DIPLOMA. 1 YEAR

(TWO SEMESTER) COURSE

Session-2026-27

DIPLOMA IN COOPERATIVE LAWS (DCL)
(SESSION 2026–27 ONWARDS)
General Rules, Examination Regulations and Course Structure
IMIRC College of Law, Hapur (Ghaziabad), Uttar Pradesh

About the Programme

The cooperative movement has played a significant role in promoting inclusive economic development, social justice, and democratic participation across the world. Rooted in the principles of mutual assistance, self-help, equity, and collective ownership, cooperative institutions have emerged as important instruments for empowering farmers, workers, consumers, artisans, women, and marginalized communities. In India, cooperatives have contributed substantially to agricultural development, rural credit, dairy production, housing, marketing, banking, and consumer welfare, thereby becoming an essential component of the country's socio-economic framework.

The contemporary cooperative sector is undergoing significant transformation owing to economic liberalization, globalization, technological advancements, financial reforms, digital governance, and changing regulatory frameworks. The establishment of the Ministry of Cooperation by the Government of India and the emphasis on the vision of "Sahkar Se Samriddhi" (Prosperity through Cooperation) have renewed attention towards strengthening cooperative institutions and enhancing their role in achieving sustainable and equitable development. Recent legislative developments, constitutional recognition of cooperative societies through the Ninety-Seventh Constitutional Amendment, and reforms in multi-state cooperatives have further highlighted the importance of specialized legal knowledge relating to cooperatives.

Recognizing the growing significance of cooperative institutions and the need for trained professionals in this field, IMIRC College of Law , Bhaina, offers the **Diploma in Cooperative Laws (DCL).** The programme is designed to provide a comprehensive understanding of the legal, institutional, financial, and governance aspects of cooperative societies in India and comparative jurisdictions. It seeks to bridge the gap between law,
economics, management, rural development, and public policy by adopting an interdisciplinary approach to cooperative studies.

The programme aims to familiarize learners with the historical development and philosophy of cooperation, constitutional and statutory framework governing cooperative societies, principles of cooperative governance, rights and liabilities of members, management and administration of cooperatives, cooperative banking and finance, dispute resolution mechanisms, and emerging issues affecting the cooperative sector. Particular emphasis is placed on the Multi-State Cooperative Societies Act, 2002, cooperative banking regulations, audit and accountability mechanisms, digital transformation, platform cooperatives, and sustainable development initiatives.

The curriculum has been carefully designed to combine theoretical foundations with practical and policy-oriented perspectives. It seeks to acquaint learners with the role of cooperative institutions in agriculture, dairy, housing, consumer welfare, credit, rural development, women empowerment, and social entrepreneurship. The programme also examines contemporary challenges confronting cooperatives, including governance issues, financial sustainability, regulatory reforms, technological innovation, and globalization.

The Diploma in Cooperative Laws is particularly suitable for a diverse group of learners and professionals, including:

- Law graduates and students seeking specialization in cooperative and rural development laws;
- Officers and employees of cooperative societies, cooperative banks, and credit institutions;
- Officials of State Cooperative Departments and regulatory authorities;
- Professionals engaged in agriculture, dairy, housing, banking, and rural development sectors;
- Members of Self-Help Groups, Farmer Producer Organizations, and cooperative enterprises;
- Advocates, chartered accountants, company secretaries, and legal practitioners dealing with cooperative matters;
- Researchers, academicians, and scholars interested in cooperative governance and public policy;
- Development professionals and members of non-governmental organizations working in the field of rural and community development;
- Individuals interested in social entrepreneurship, sustainable development, and cooperative economics.

The programme adopts an interdisciplinary approach by integrating principles of constitutional law, administrative law, banking law, commercial law, dispute resolution, rural development, and public policy. It seeks to provide learners with a balanced understanding of legal regulation, democratic governance, and economic efficiency within cooperative institutions.

The course is offered entirely through online mode, thereby ensuring accessibility and flexibility for students, working professionals, government officials, and members of cooperative institutions across the country. Through virtual lectures, webinars, case studies, assignments, and research-based learning, the programme aims to provide an engaging and contemporary academic experience.

Upon successful completion of the programme, learners will acquire the knowledge and analytical skills necessary to understand and address legal and policy issues relating to cooperative societies, cooperative banking, dispute resolution, governance, and emerging challenges in the cooperative sector. The programme also seeks to promote research, policy analysis, and professional competence in the field of cooperative law and administration.

In view of the increasing importance of cooperatives in promoting inclusive growth, sustainable development, and social justice, the Diploma in Cooperative Laws seeks to create a new generation of legal professionals, researchers, administrators, and development practitioners equipped to contribute effectively to strengthening cooperative institutions and realizing the constitutional vision of democratic and participatory economic development.

Duration: 6 Months The programme shall consist of three theory papers and one Project/Assignment/Case Study Paper.Mode: Online Mode Only

Eligibility: Graduation in Law / Commerce / Management / Agriculture / Cooperative Management / Economics / Equivalent

Objectives

1. To provide comprehensive knowledge of cooperative law and the cooperative

movement in India and abroad.

2. To familiarize learners with the constitutional and statutory framework governing cooperative societies, including the Multi-State Cooperative Societies Act, 2002 and relevant State Cooperative Societies Acts.
3. To develop an understanding of the structure, management, governance, and administration of cooperative institutions.
4. To study the legal and regulatory framework relating to cooperative banking, finance, accounting, and audit mechanisms.
5. To examine dispute resolution mechanisms, arbitration procedures, and remedies available under cooperative laws.
6. To analyze the role of cooperatives in agriculture, dairy, housing, consumer welfare, credit, rural development, and social entrepreneurship.
7. To understand contemporary issues and reforms affecting cooperative institutions, including digital governance, platform cooperatives, and sustainable development initiatives.
8. To promote awareness regarding accountability, transparency, and good governance in cooperative institutions.
9. To encourage interdisciplinary research and policy analysis relating to cooperative laws and cooperative development.
10. To develop analytical, professional, and practical skills necessary for effective engagement with cooperative institutions, regulatory authorities, and dispute resolution mechanisms.

Assessment and Scheme of Examination

1. Assessment of student's performance shall consist of 70 marks (End Written Examination) and 30 marks (Internal Assessment).
2. The duration of the End Written Examination shall be three hours for 70 marks.
3. Internal assessment of each paper shall be evaluated by a panel of three teachers of the department. For each paper, a panel is to be formed by the Principal accordingly.
4. Assignment / Project/ Internship will carry 70 marks.

1. Viva-voce exam will carry 30 marks Viva-voce shall be held before End Written Examination.
2. In each paper, 30 marks shall be reserved for award on the basis of continuous internal assessment of the student in the online class. The HOD will notify information regarding each internal assessment at least one week prior of the presentation with consultation to the concerned teacher. All awards of marks will be verified by the HOD and will be send to exam controller accordingly.

1. The criteria for Internal assessment for each paper will be as follows – Internal Test- 10 marks, Assignment with presentation – 10 marks, Online classroom seminar and viva – 10 marks.

Attendance

Since the Diploma in Military and Security (Defence) Law is offered exclusively through **Online Mode,** attendance shall be monitored through participation in live online classes, webinars, tutorials, assignments, and other academic activities conducted through the Learning Management System (LMS) or other approved digital platforms.

A student whose attendance is less than 75% shall not ordinarily be permitted to appear in the End Written Examination. However, the Principal may, for sufficient and special reasons, condone deficiency in attendance up to 25%, subject to submission of documentary evidence

and approval by the competent authority. Such special circumstances may include:

- Participation in NCC, NSS, military training camps, or any training programme conducted by the Armed Forces, Central Armed Police Forces, or other recognized authorities, duly supported by a certificate issued by the competent authority.
- Participation in sports events, tournaments, or national and international competitions representing the College, University, State, or Country, duly certified by the competent authority.
- Participation in seminars, conferences, webinars, workshops, moot courts, co-curricular and extracurricular activities organized or recognized by the College, University, or any competent authority, duly supported by relevant certificates.
- Prolonged illness, hospitalization, or medical emergencies duly certified by the Superintendent/Chief Medical Officer of a Government Hospital or a registered medical practitioner/hospital.
- Active service commitments, field duties, training exercises, deployment, or any official assignments in the Armed Forces, Paramilitary Forces, Police, or Government services, duly certified by the competent authority.

Note: The Principal shall have the power to condone any deficiency in attendance for cogent and sufficient reasons.

End Written Examination

There shall be an **End Written Examination** at the conclusion of the Diploma. The examination shall ordinarily be held in accordance with the Academic Calendar of the College or on such dates as may be notified by the College from time to time.

A student seeking to appear in the End Written Examination shall submit the prescribed examination form along with the requisite examination fee through the Head of the Department to the Registrar of the College.

Every student shall be required to appear in **three theory papers and one Project/Assignment/Case Study paper** prescribed for the Diploma programme.

Project / Assignment / Case Study

Every student shall be required to undertake a **Project, Assignment, Case Study, Policy Paper, or Internship Report** in the Diploma Course.

The allotment of topics and supervisors shall be made by a Committee constituted by the Head of the Department. The proposal for the Project/Assignment shall be submitted by the candidate through the Head of the Department.

The candidate shall be required to submit the Project/Assignment at least **two weeks before the commencement of the End Written Examination.** Prior to submission, each student shall deliver an online or offline pre-submission seminar, which shall be open to faculty members and other students of the Department.

A candidate shall be required to secure at least **50% marks** in the Project/Assignment to pass the examination.

The maximum number of students under one supervisor shall ordinarily be:

- Assistant Professor – 05
- Associate Professor – 08
- Professor – 10

Only full-time teachers of the College shall ordinarily be authorized to supervise Projects/Assignments. In case of non-availability of full-time faculty members, the remaining students may be allotted to supervisors as decided by the Head of the Department or the Principal.

Viva-Voce Examination

The Viva-Voce Examination shall be conducted by a Board of Examiners.

The Board shall consist of:

1. One external examiner, who shall be a Professor or Associate Professor from another University or College;
2. The Head of the Department, who shall be a member of the Board; and
3. One Professor/Associate Professor of the College, who shall act as the internal examiner. The internal examiner shall be appointed on a rotational basis.

The Viva-Voce Examination shall carry **30 marks.** The external examiner shall evaluate the candidate out of **20 marks,** while the internal examiner shall evaluate the candidate out of **10 marks.** A candidate shall be required to secure at least **50% marks** in the Viva-Voce Examination to pass.

Grade Point, SGPA and CGPA Calculations

Assessment and grading shall be governed by the **Choice Based Credit System (CBCS)** and shall be carried out in accordance with the rules, regulations, and policies adopted by **IMIRC College of Law , Bhaina ,** as amended from time to time. The computation of Grade Point, Semester Grade Point Average (SGPA), and Cumulative Grade Point Average (CGPA) shall be made in accordance with the norms prescribed by the College for all academic programmes.

Programme Learning Outcomes (PLOs)

After successful completion of the Diploma in Cooperative Laws (DCL), learners shall be able to:

1. Understand the philosophy, principles, and evolution of the cooperative movement and appreciate the role of cooperative institutions in promoting inclusive growth, social justice, and sustainable development.
2. Interpret and apply the constitutional and statutory framework governing cooperative societies in India, including the Multi-State Cooperative Societies Act, 2002, State Cooperative Societies Acts, and other related laws and regulations.
3. Analyze the organizational structure, governance mechanisms, and administrative processes of cooperative institutions and evaluate their role in democratic and participatory management.
4. Examine the legal, financial, and regulatory framework relating to cooperative banking,

credit institutions, accounting, and audit mechanisms, and assess their significance in ensuring transparency and financial stability.

5. Evaluate the rights, duties, liabilities, and responsibilities of members, directors, and office bearers of cooperative societies, and understand the principles of accountability and ethical governance.
6. Interpret and apply dispute resolution mechanisms under cooperative laws, including arbitration, appeals, revisions, and judicial remedies, and analyze the role of regulatory authorities and tribunals in resolving cooperative disputes.
7. Assess the contribution of cooperative institutions to agriculture, dairy development, housing, consumer welfare, rural development, women empowerment, and social entrepreneurship, and appreciate their importance in socio-economic transformation.
8. Analyze contemporary challenges and emerging issues affecting cooperative institutions, including governance reforms, digitalization, platform cooperatives, financial inclusion, climate change, and sustainable development initiatives.
9. Develop research, analytical, and problem-solving skills to undertake independent studies, policy analysis, and legal research relating to cooperative laws, governance, and development.
10. Apply legal and policy principles to practical issues arising in cooperative institutions and propose appropriate solutions consistent with the principles of democratic participation, accountability, and good governance.
11. Demonstrate professional competence and ethical values necessary for effective engagement with cooperative societies, cooperative banks, regulatory authorities, development agencies, and related institutions.
12. Promote the ideals of cooperation, mutual assistance, and community development and contribute to strengthening cooperative institutions as instruments of inclusive and sustainable economic development.

Course Structure

S.N	Course Code	Course Name	Credits
1.	DCL-101	Foundations of Cooperative Law and Cooperative Movement	8
2.	DCL-102	Cooperative Governance, Banking and Financial Laws	8
3.	DCL-103	Dispute Resolution, Insolvency and Emerging Issues in Cooperatives	8
4.	DCL-104	Project / Assignment / Internship	8
		Total	32

Paper I – DCL 101
FOUNDATIONS OF COOPERATIVE LAWAND COOPERATIVE MOVEMENT

Duration: 40 Hours (including online lectures, seminars, tutorials, and assessments)
Credits: 8

Introduction
The cooperative movement represents one of the most significant socio-economic institutions aimed at promoting collective welfare, democratic participation, and equitable distribution of resources. Based on the principles of self-help, mutual aid, voluntary membership, and democratic control, cooperative organizations have emerged as effective instruments for achieving inclusive growth, rural development, poverty alleviation, and social empowerment. In India, cooperative societies have played a pivotal role in agriculture, credit, dairy development, consumer welfare, housing, marketing, and employment generation, thereby contributing substantially to economic development and social justice.
The legal framework governing cooperative societies has undergone significant transformation in recent decades owing to economic liberalization, globalization, technological advancements, and institutional reforms. The constitutional recognition accorded to cooperative societies through the Ninety-Seventh Constitutional Amendment and the enactment of various central and state legislations have strengthened the autonomy, accountability, and democratic functioning of cooperatives. The establishment of the Ministry of Cooperation and renewed emphasis on cooperative-led development have further highlighted the importance of understanding the legal and institutional dimensions of cooperative organizations.
This paper provides a comprehensive understanding of the foundations of cooperative law and the cooperative movement in India and comparative jurisdictions. It examines the philosophical basis and historical evolution of cooperatives, constitutional and statutory framework governing cooperative societies, registration and management of cooperatives, rights and liabilities of members, and the role of cooperatives in various sectors of the economy. The paper also introduces students to comparative cooperative models and contemporary developments influencing cooperative governance and sustainable development.

Course Outcomes (C.O.)
After successful completion of this paper, students will be able to:
1. Understand the concept, origin, nature, and evolution of the cooperative movement and cooperative law.
2. Examine the constitutional and statutory framework governing cooperative societies in India.
3. Analyze the structure, organization, and functioning of cooperative institutions.
4. Understand the rights, duties, and liabilities of members and office bearers of cooperative societies.
5. Evaluate the role of cooperative institutions in agricultural, financial, housing, and consumer sectors.
6. Compare cooperative systems and models operating in different jurisdictions.
7. Develop analytical skills relating to cooperative governance and legal accountability.

Program Outcomes
1. To provide a sound understanding of cooperative law and the philosophy of cooperation.

2. To equip learners with knowledge of the legal and institutional framework governing cooperative societies.
3. To promote awareness regarding democratic governance, transparency, and accountability in cooperatives.
4. To prepare students for research and professional engagement in cooperative administration and rural development.
5. To develop comparative and interdisciplinary perspectives on cooperative institutions and their role in socio-economic development.

Syllabus

Unit I: Introduction to Cooperative Law and Cooperative Movement

- Meaning, nature and scope of cooperation
- Historical evolution and development of the cooperative movement
- Rochdale Principles and International Cooperative Alliance
- Cooperative philosophy and principles
- Sources of Cooperative Law
- Relationship between cooperative law and other branches of law
- Constitutional framework relating to cooperative societies under the Constitution of India
- Ninety-Seventh Constitutional Amendment and constitutional status of cooperatives
- Role of the State in promoting cooperative development
- Cooperative federalism and democratic participation

Suggested Readings

Books

- B.S. Mathur, Cooperation in India.
- D.C. Saxena, Principles of Cooperation.
- Vasant Desai, Cooperative Management.
- M.P. Jain, Indian Constitutional Law.

Articles

- "Cooperative Principles and Democratic Governance", Indian Journal of Public Administration.
- "Constitutional Status of Cooperative Societies in India", Journal of Constitutional Studies.

Case Laws

- **Daman Singh v. State of Punjab,** AIR 1985 SC 973.
- **Union of India v. Rajendra N. Shah,** (2021) 9 SCC 1.

Unit II: Legal Framework and Registration of Cooperative Societies

- Multi-State Cooperative Societies Act, 2002
- State Cooperative Societies Acts
- Registration and incorporation of cooperative societies
- Bye-laws and their legal significance
- Classification of cooperative societies
- Membership and qualifications
- Rights and liabilities of members

- Shares, capital and funds of cooperative societies
- Government control and supervision
- Role and powers of the Registrar of Cooperative Societies

Suggested Readings

Books

- Avtar Singh, Introduction to Cooperative Law.
- R.K. Maheshwari, Cooperative Administration.
- Vasant Desai, Management of Cooperatives.

Articles

- "Registration and Governance of Cooperative Societies", Indian Bar Review.
- "Role of Registrar in Cooperative Administration", Journal of Cooperative Studies.

Legislations

- Multi-State Cooperative Societies Act, 2002.
- Relevant State Cooperative Societies Acts.

Unit III : Management and Administration of Cooperative Societies

- General Body and Managing Committee
- Board of Directors and office bearers
- Election of managing committees
- Powers and functions of office bearers
- Meetings and resolutions
- Audit, accounts and financial management
- Inspection and inquiry
- Supersession of managing committees
- Transparency and accountability
- Principles of good governance

Suggested Readings

Books

- R.K. Maheshwari, Cooperative Administration.
- Vasant Desai, Cooperative Management.

Articles

- "Good Governance in Cooperatives", Indian Journal of Corporate Governance.
- "Accountability and Transparency in Cooperative Institutions", Cooperative Perspective.

Reports

- National Cooperative Policy.
- Ministry of Cooperation Annual Reports.

Unit IV : Sectoral Cooperatives and Their Role in Development

- Agricultural cooperatives
- Credit cooperatives
- Dairy cooperatives and the Amul Model
- Consumer cooperatives
- Housing cooperatives

- Labour cooperatives
- Women cooperatives and Self-Help Groups
- Producer companies and Farmer Producer Organizations
- Cooperatives and rural development
- Cooperatives and sustainable development
-

Suggested Readings

Books

- B.S. Mathur, Cooperation in India.
- Vasant Desai, Cooperative Management.
- D.C. Saxena, Principles of Cooperation.

Articles

- "The Amul Model and Cooperative Development", Economic and Political Weekly.
- "Women Empowerment through Cooperatives", Journal of Rural Development.

Reports

- NABARD Annual Reports.
- National Cooperative Development Corporation Reports.

Unit V : Comparative Cooperative Systems and Emerging Trends

- Nature and significance of comparative cooperative law
- Cooperative movement in the United Kingdom
- Cooperative movement in Germany
- Japanese cooperative model
- Cooperative systems in Israel
- International Cooperative Alliance and global cooperative movement
- Digital cooperatives and platform cooperatives
- Sustainable Development Goals and cooperatives
- Cooperative reforms in India
- Lessons for strengthening cooperative institutions in India

Suggested Readings

Books

- Johnston Birchall, The International Cooperative Movement.
- Vasant Desai, Cooperative Management.
- Ian MacPherson, Cooperative Principles for the Twenty-First Century.

Articles

- Johnston Birchall, "Cooperatives and Sustainable Development".
- "Global Cooperative Models and Governance", Journal of Cooperative Studies.

Case Laws

- Daman Singh v. State of Punjab, AIR 1985 SC 973.
- Zoroastrian Cooperative Housing Society Ltd. v. District Registrar, (2005) 5 SCC 632.

Recommendations

1. B.S. Mathur, Cooperation in India.
2. Vasant Desai, Cooperative Management.
3. D.C. Saxena, Principles of Cooperation.

4. R.K. Maheshwari, Cooperative Administration.
5. Johnston Birchall, The International Cooperative Movement.
6. M.P. Jain, Indian Constitutional Law.
7. Multi-State Cooperative Societies Act, 2002.
8. Relevant State Cooperative Societies Acts.
9. Constitution of India.
10. National Cooperative Policy.
11. Ministry of Cooperation Annual Reports.
12. NABARD Annual Reports.
13. National Cooperative Development Corporation Reports.
14. International Cooperative Alliance Publications.
15. Reports relating to Cooperative Reforms in India.

Evaluation Scheme

Internal Assessment (30 Marks)

- Two Written Assignments – 10 Marks
- One Presentation / Seminar – 10 Marks
- Participation in Online Discussions / Class Activities – 10 Marks

End Written Examination (70 Marks)

Section A

Short Answer Questions – 30 Marks

Section B

Analytical / Essay Type Questions – 40 Marks

Paper II – DCL 102
COOPERATIVE GOVERNANCE, BANKING AND FINANCIAL LAWS

Duration: 40 Hours (including online lectures, seminars, tutorials, and assessments)
Credits: 8

Introduction

The effectiveness and sustainability of cooperative institutions depend significantly upon sound governance, prudent financial management, and an efficient regulatory framework. Cooperatives, as democratic organizations based on principles of self-help and mutual assistance, require transparent administration, accountability, financial discipline, and professional management to fulfill their economic and social objectives. In recent decades, economic liberalization, globalization, technological advancements, and financial sector reforms have transformed the functioning of cooperative institutions, particularly cooperative banks and credit societies, thereby necessitating stronger governance mechanisms and regulatory oversight.

Cooperative banking and credit institutions constitute an important pillar of India's financial system and contribute substantially to agricultural development, rural credit, financial inclusion, and poverty alleviation. Institutions such as Primary Agricultural Credit Societies (PACS), District Central Cooperative Banks (DCCBs), State Cooperative Banks (SCBs), Urban Cooperative Banks (UCBs), NABARD, and National Cooperative Development Corporation (NCDC) play a vital role in promoting cooperative development and strengthening rural economies. However, challenges relating to governance, financial irregularities, digital transformation, regulatory compliance, and technological adaptation continue to demand effective legal and institutional responses.

This paper provides a comprehensive understanding of the governance, banking, and financial dimensions of cooperative institutions. It examines the principles of cooperative governance, legal framework regulating cooperative banks and credit institutions, financial management and audit mechanisms, the role of national institutions, and contemporary developments affecting cooperative finance and administration. The paper also introduces students to emerging trends such as digitalization, financial inclusion, and sustainable cooperative development.

Course Outcomes (C.O.)

After successful completion of this paper, students will be able to:

1. Understand the principles and mechanisms of cooperative governance and administration.
2. Examine the legal and regulatory framework governing cooperative banking and financial institutions.
3. Analyze the structure and functions of cooperative credit institutions and cooperative banks.
4. Understand financial management, accounting, audit, and transparency mechanisms in cooperative institutions.
5. Evaluate the role of national institutions and regulatory agencies in promoting cooperative development.
6. Examine contemporary challenges relating to financial inclusion, digitalization, and governance reforms.

7. Develop analytical skills relating to cooperative banking and financial accountability.

Program Outcomes

1. To provide a sound understanding of cooperative governance and administration.
2. To equip learners with knowledge of cooperative banking and financial laws.
3. To promote awareness regarding transparency, accountability, and ethical governance.
4. To prepare students for research and professional engagement in cooperative finance and banking.
5. To develop interdisciplinary perspectives on financial regulation and cooperative development.

Syllabus

Unit I : Principles of Cooperative Governance

- Meaning and significance of cooperative governance
- Principles of democratic management
- Governance structure of cooperative societies
- General body and board of directors
- Duties and responsibilities of office bearers
- Transparency and accountability mechanisms
- Corporate governance and cooperative institutions
- Ethics and professional responsibility
- Role of government in cooperative administration
- Good governance practices and reforms

Suggested Readings

Books

- Vasant Desai, Cooperative Management.
- R.K. Maheshwari, Cooperative Administration.
- B.S. Mathur, Cooperation in India.

Articles

- "Corporate Governance in Cooperative Institutions", Journal of Cooperative Studies.
- "Transparency and Accountability in Cooperatives", Indian Journal of Public Administration.

Reports

- National Cooperative Policy.
- Ministry of Cooperation Annual Reports.

Unit II : Cooperative Banking and Credit Institutions

- Evolution and development of cooperative banking
- Structure of cooperative credit institutions
- Primary Agricultural Credit Societies (PACS)
- District Central Cooperative Banks (DCCBs)
- State Cooperative Banks (SCBs)
- Urban Cooperative Banks (UCBs)
- Banking Regulation Act, 1949 and cooperative banks
- Reserve Bank of India and regulation of cooperative banks
- Cooperative credit and financial inclusion
- Agricultural finance and rural credit

Suggested Readings

Books

- S.K. Basu, Agricultural Finance and Cooperative Credit.
- Vasant Desai, Management of Cooperative Banks.
- M.L. Tannan, Banking Law and Practice in India.

Articles

- "Cooperative Banking in India", Economic and Political Weekly.
- "Financial Inclusion through Cooperative Credit Institutions", NABARD Journal.

Legislations

- Banking Regulation Act, 1949.
- Reserve Bank of India Act, 1934.

Unit III : Financial Management, Accounts and Audit

- Capital structure of cooperative societies
- Sources of finance
- Financial planning and budgeting
- Maintenance of accounts
- Audit and inspection
- Internal and statutory audit
- Inquiry and surcharge proceedings
- Financial irregularities and liabilities
- Risk management in cooperative institutions
- Transparency and financial accountability

Suggested Readings

Books

- Vasant Desai, Financial Management of Cooperatives.
- R.K. Maheshwari, Cooperative Administration.

Articles

- "Audit and Accountability in Cooperatives", Cooperative Perspective.
- "Financial Discipline in Cooperative Institutions", Indian Cooperative Review.

Reports

- NABARD Reports.
- RBI Annual Reports.

Unit IV : National Institutions and Regulatory Framework

- Ministry of Cooperation
- National Cooperative Development Corporation (NCDC)
- National Bank for Agriculture and Rural Development (NABARD)
- National Agricultural Cooperative Marketing Federation (NAFED)
- Indian Farmers Fertiliser Cooperative Limited (IFFCO)
- Krishak Bharati Cooperative Limited (KRIBHCO)
- Reserve Bank of India and cooperative banks

- National Cooperative Union of India (NCUI)
- Cooperative education and training institutions
- Role of government agencies in cooperative development

Suggested Readings

Books

- B.S. Mathur, Cooperation in India.
- Vasant Desai, Cooperative Management.

Articles

- "Institutional Framework for Cooperative Development", Journal of Rural

Development.

- "Role of NABARD in Strengthening Cooperative Credit", Indian Banking Review.

Reports

- NABARD Annual Reports.
- NCDC Annual Reports.
- Ministry of Cooperation Annual Reports.

Unit V : Contemporary Developments and Emerging Trends

- Digitalization of cooperative institutions
- Computerization of PACS
- E-governance and cooperative administration
- Digital payments and financial technology
- Financial inclusion and inclusive banking
- Sustainable finance and ESG principles
- Platform cooperatives and digital cooperatives
- Artificial intelligence and cooperative management
- Climate change and sustainable cooperative development
- Reforms in cooperative banking and governance

Suggested Readings

Books

- Johnston Birchall, The International Cooperative Movement.
- Vasant Desai, Cooperative Management.

Articles

- "Digital Transformation of Cooperatives", Journal of Cooperative Studies.
- "Financial Technology and Cooperative Banking", Indian Journal of Banking and Finance.

Reports

- RBI Reports on Cooperative Banking.
- NABARD Vision Documents.
- Ministry of Cooperation Reports.
- NITI Aayog Reports.

Recommendations

1. Vasant Desai, Cooperative Management.
2. R.K. Maheshwari, Cooperative Administration.
3. S.K. Basu, Agricultural Finance and Cooperative Credit.
4. M.L. Tannan, Banking Law and Practice in India.
5. B.S. Mathur, Cooperation in India.
6. Johnston Birchall, The International Cooperative Movement.
7. Banking Regulation Act, 1949.
8. Reserve Bank of India Act, 1934.
9. Multi-State Cooperative Societies Act, 2002.
10. NABARD Act, 1981.
11. National Cooperative Policy.
12. RBI Annual Reports.
13. NABARD Annual Reports.
14. National Cooperative Development Corporation Reports.
15. Ministry of Cooperation Annual Reports.

Evaluation Scheme

Internal Assessment (30 Marks)

- Two Written Assignments – 10 Marks
- One Presentation / Seminar – 10 Marks
- Participation in Online Discussions / Class Activities – 10 Marks

End Written Examination (70 Marks)

Section A

Short Answer Questions – 30 Marks

Section B

Analytical / Essay Type Questions – 40 Marks

Paper III – DCL 103
DISPUTE RESOLUTION, INSOLVENCYAND EMERGING ISSUES IN COOPERATIVES

Duration: 40 Hours (including online lectures, seminars, tutorials, and assessments)
Credits: 8

Introduction

The effective functioning of cooperative institutions requires a robust framework for dispute resolution, financial stability, and institutional accountability. Owing to their democratic character and socio-economic significance, cooperative societies frequently encounter disputes relating to membership, elections, management, financial transactions, service matters, and administrative decisions. The resolution of such disputes through specialized mechanisms is essential to preserve the autonomy, efficiency, and sustainability of cooperative institutions. At the same time, economic liberalization, globalization, technological advancements, and financial reforms have introduced new challenges concerning insolvency, restructuring, competition, consumer protection, and digital transformation.

The legal framework governing cooperative societies provides distinct mechanisms for settlement of disputes, appeals, revisions, arbitration, and judicial review. The powers of the Registrar, cooperative tribunals, and courts have played a significant role in maintaining discipline and ensuring compliance with legal and statutory obligations. Furthermore, issues relating to winding up, liquidation, amalgamation, and revival of cooperative institutions have assumed increasing importance in the context of financial viability and governance reforms.

This paper provides a comprehensive understanding of dispute resolution mechanisms, insolvency, and emerging challenges affecting cooperative institutions. It examines the legal framework governing cooperative disputes, judicial remedies, winding up and liquidation, interaction between cooperative laws and other regulatory regimes, and contemporary developments such as digital cooperatives, platform cooperatives, sustainable development, and climate governance. The paper seeks to equip learners with analytical and practical skills necessary for addressing legal and policy issues confronting the cooperative sector.

Course Outcomes (C.O.)

After successful completion of this paper, students will be able to:

1. Understand the legal framework governing disputes in cooperative societies.
2. Analyze mechanisms for arbitration, appeals, revisions, and judicial remedies under cooperative laws.
3. Examine legal principles relating to winding up, liquidation, amalgamation, and restructuring of cooperative institutions.
4. Evaluate the interaction between cooperative laws and other regulatory frameworks such as consumer protection and competition law.
5. Understand contemporary challenges and emerging issues affecting cooperative institutions.

6. Analyze the impact of digital transformation, platform cooperatives, and sustainable development on cooperative governance.
7. Develop analytical skills relating to dispute resolution and legal accountability in cooperative institutions.

Program Outcomes

1. To provide a sound understanding of dispute resolution mechanisms under cooperative laws.
2. To equip learners with knowledge relating to insolvency, restructuring, and regulatory compliance.
3. To promote awareness regarding judicial remedies and legal accountability.
4. To prepare students for research and professional engagement in cooperative law and governance.
5. To develop interdisciplinary perspectives on contemporary challenges affecting cooperatives.

Syllabus

Unit I : Cooperative Disputes and Dispute Resolution Mechanisms

- Nature and scope of disputes under cooperative laws
- Powers and functions of the Registrar
- Reference of disputes
- Arbitration under cooperative laws
- Settlement of disputes relating to membership
- Election disputes
- Service disputes in cooperative institutions
- Disputes relating to management and administration
- Jurisdiction of cooperative authorities
- Alternative Dispute Resolution mechanisms in cooperatives

Suggested Readings

Books

- R.K. Maheshwari, Cooperative Administration.
- Vasant Desai, Cooperative Management.
- Avtar Singh, Introduction to Cooperative Law.

Articles

- "Dispute Resolution in Cooperative Societies", Indian Bar Review.
- "Arbitration under Cooperative Laws", Journal of Cooperative Studies.

Case Laws

- Daman Singh v. State of Punjab, AIR 1985 SC 973.
- Deccan Merchants Cooperative Bank Ltd. v. Dalichand Jugraj Jain, AIR 1969 SC 1320.

Unit II : Appeals, Revisions and Judicial Remedies

- Appeals under cooperative laws
- Revisional jurisdiction
- Cooperative tribunals and appellate authorities
- Judicial review under Articles 32 and 226 of the Constitution
- Writ jurisdiction of High Courts
- Role of civil courts
- Principles of natural justice
- Administrative fairness and accountability
- Jurisdictional conflicts
- Judicial control over cooperative administration

Suggested Readings

Books

- M.P. Jain, Indian Constitutional Law.
- R.K. Maheshwari, Cooperative Administration.

Articles

- "Judicial Review of Cooperative Decisions", Indian Journal of Constitutional Law.
- "Natural Justice and Cooperative Administration", Journal of Public Law.

Case Laws

- Zoroastrian Cooperative Housing Society Ltd. v. District Registrar, (2005) 5 SCC 632.
- Thalappalam Service Cooperative Bank Ltd. v. State of Kerala, (2013) 16 SCC 82.

Unit III : Winding Up, Liquidation and Restructuring

- Dissolution and winding up of cooperative societies
- Appointment and powers of liquidator
- Liquidation proceedings
- Distribution of assets and liabilities
- Merger and amalgamation
- Revival and reconstruction of cooperative institutions
- Financial distress and restructuring
- Insolvency and cooperative institutions
- Government intervention and revival packages
- Role of regulatory authorities

Suggested Readings

Books

- Vasant Desai, Cooperative Management.
- R.K. Maheshwari, Cooperative Administration.

Articles

- "Liquidation and Revival of Cooperatives", Cooperative Perspective.
- "Financial Restructuring of Cooperative Institutions", Indian Cooperative Review.

Reports

- NABARD Reports on Cooperative Reforms.

- Ministry of Cooperation Annual Reports.

Unit IV : Competition, Consumer Protection and Regulatory Framework

- Competition law and cooperative institutions
- Consumer Protection Act, 2019
- Rights of consumers and cooperative members
- Unfair trade practices
- Producer companies and cooperative enterprises
- Competition Commission of India and cooperative sector
- Cooperative marketing and consumer welfare
- Interface between cooperative laws and commercial laws
- Regulatory compliance and accountability
- Protection of stakeholders' interests

Suggested Readings

Books

- Avtar Singh, Mercantile Law.
- V.K. Agarwal, Consumer Protection Law.

Articles

- "Competition Law and Cooperatives", Indian Law Review.

- "Consumer Protection and Cooperative Institutions", Journal of Consumer Affairs.

Legislations

- Consumer Protection Act, 2019.
- Competition Act, 2002.

Case Laws

- Zoroastrian Cooperative Housing Society Ltd. v. District Registrar, (2005) 5 SCC 632.
- Secretary, Thirumurugan Cooperative Agricultural Credit Society v. M. Lalitha, (2004) 1 SCC 305.

Unit V : Emerging Issues and Contemporary Challenges

- Digital cooperatives and platform cooperatives
- E-governance and technological transformation
- Artificial intelligence and cooperative management
- Financial inclusion and digital banking
- Climate change and sustainable development
- ESG principles and cooperative governance
- Women empowerment through cooperatives
- Farmer Producer Organizations and producer companies
- Rural entrepreneurship and social enterprises
- Cooperative reforms and future challenges

Suggested Readings

Books

DIPLOMA IN COOPERATIVE LAWS (DCL) 22

- Johnston Birchall, The International Cooperative Movement.
- Vasant Desai, Cooperative Management.
- Ian MacPherson, Cooperative Principles for the Twenty-First Century.

Articles

- "Digital Cooperatives and Platform Economy", Journal of Cooperative Studies.
- "Sustainable Development and Cooperatives", International Cooperative Alliance Review.

Reports

- NITI Aayog Reports.
- NABARD Vision Documents.
- Ministry of Cooperation Annual Reports.
- International Cooperative Alliance Publications.

Recommendations

1. Vasant Desai, Cooperative Management.
2. R.K. Maheshwari, Cooperative Administration.
3. Avtar Singh, Introduction to Cooperative Law.
4. M.P. Jain, Indian Constitutional Law.
5. Johnston Birchall, The International Cooperative Movement.
6. Ian MacPherson, Cooperative Principles for the Twenty-First Century.
7. Multi-State Cooperative Societies Act, 2002.
8. Relevant State Cooperative Societies Acts.
9. Consumer Protection Act, 2019.
10. Competition Act, 2002.
11. National Cooperative Policy.
12. NABARD Annual Reports.

13. Ministry of Cooperation Annual Reports.
14. International Cooperative Alliance Publications.
15. NITI Aayog Reports on Cooperative Reforms.

Evaluation Scheme

Internal Assessment (30 Marks)

- Two Written Assignments – 10 Marks
- One Presentation / Seminar – 10 Marks
- Participation in Online Discussions / Class Activities – 10 Marks

End Written Examination (70 Marks)

Section A

Short Answer Questions – 30 Marks

Section B

Analytical / Essay Type Questions – 40 Marks

DIPLOMA IN COOPERATIVE LAWS (DCL) 23

Paper IV – DCL 104

Project / Assignment / Internship

Credits: 8

Introduction

The culmination of the Diploma in Cooperative Laws programme lies in the practical application of theoretical knowledge through research-based projects, Assignments, case studies, policy papers, or internships. This paper is intended to cultivate independent thinking, analytical skills, legal research aptitude, and domain-specific expertise in cooperative law, governance, banking, and rural development. Students are encouraged to explore contemporary issues relating to cooperative societies, cooperative banking, dispute resolution, governance reforms, digital cooperatives, financial inclusion, and sustainable development.

The paper seeks to bridge academic learning with practical and institutional exposure. Through research projects or internships, students are expected to develop a comprehensive understanding of the legal, regulatory, financial, and administrative dimensions of cooperative institutions. The paper aims to equip learners with the ability to analyze practical problems, formulate policy recommendations, and contribute effectively to the development and strengthening of cooperative institutions in India.

Course Outcomes (C.O.)

Upon successful completion of this paper, students will be able to:

1. Apply theoretical and doctrinal knowledge to practical and empirical research in cooperative law and administration.
2. Develop critical thinking and analytical skills relating to governance, finance, and regulation of cooperative institutions.
3. Acquire practical exposure to cooperative institutions, regulatory bodies, financial institutions, and rural development organizations through internships and field-based learning.
4. Enhance legal research, writing, and documentation skills.
5. Prepare research reports and policy-oriented studies on contemporary issues affecting the cooperative sector.
6. Develop professional competence for higher studies, research, and engagement with cooperative institutions.
7. Promote interdisciplinary approaches to cooperative law, economics, banking, and rural development.

Program Outcomes

1. Strengthen academic and practical understanding of cooperative laws and governance.
2. Encourage development of research methodology, legal writing, and citation skills.
3. Enhance the ability to undertake doctrinal, comparative, and interdisciplinary research.
4. Promote interaction with cooperative institutions, financial organizations, and regulatory authorities.

5. Prepare learners for professional engagement, policy analysis, and higher studies in cooperative law and administration.

Structure and Guidelines

Option A : Assignment / Project / Case Study:

Topic Selection

Students may choose topics relating to:

- Cooperative Law and Administration
- Constitutional Status of Cooperative Societies
- Multi-State Cooperative Societies Act, 2002
- Cooperative Governance and Democratic Management
- Cooperative Banking and Credit Institutions
- Agricultural and Rural Cooperatives
- Dairy Cooperatives and the Amul Model
- Consumer and Housing Cooperatives
- Women Cooperatives and Self-Help Groups
- Producer Companies and Farmer Producer Organizations
- Dispute Resolution under Cooperative Laws
- Digital Cooperatives and Platform Cooperatives
- Cooperative Reforms and Financial Inclusion
- Sustainable Development and Cooperatives
- Comparative Study of Cooperative Models

Supervisor: Each student shall be assigned a faculty supervisor by the Department.

Format:

The Assignment/Project shall ordinarily contain:

- Title Page
- Certificate
- Declaration
- Acknowledgement
- Abstract
- Table of Contents
- Introduction
- Review of Literature
- Objectives and Research Methodology
- Analysis and Discussion
- Findings and Conclusions
- Suggestions and Recommendations
- Bibliography

Word Limit: Minimum 10,000 words

Submission Date: The date of submission shall be notified by the College. The Assignment shall ordinarily be submitted at least two weeks before the commencement of the End Written Examination.

Assessment Criteria:
Components Weightage
Originality and Innovation 20%
Research Quality and Analysis 30%
Relevance and Contemporary Importance 20%
Structure, Citation and Presentation 20%
Viva-Voce 10%
Option B : Internship
Duration: Minimum Four Weeks
Organizations:
Students may undertake internships with:
- Ministry of Cooperation, Government of India
- National Cooperative Development Corporation (NCDC)
- National Bank for Agriculture and Rural Development (NABARD)
- National Cooperative Union of India (NCUI)
- State Cooperative Departments
- State Cooperative Banks
- District Central Cooperative Banks
- Primary Agricultural Credit Societies (PACS)
- Urban Cooperative Banks
- Indian Farmers Fertiliser Cooperative Limited (IFFCO)
- Krishak Bharati Cooperative Limited (KRIBHCO)
- National Agricultural Cooperative Marketing Federation (NAFED)
- Dairy Cooperatives and Milk Federations
- Farmer Producer Organizations (FPOs)
- Rural Development Institutions
- NGOs and Self-Help Group Federations
- Law Firms and Chambers dealing with Banking, Commercial, or Cooperative Laws
- Research Institutions and Think Tanks
- Consumer Cooperatives and Housing Cooperatives

Supervision:
The student shall submit a certificate from the host organization, which shall be verified by the Academic Coordinator/Faculty Supervisor.
DIPLOMA IN COOPERATIVE LAWS (DCL) 26
Internship Report:
A report of minimum 3,000 words shall be submitted detailing:
- Nature of Work Assigned
- Objectives of Internship
- Activities Undertaken
- Observations and Learning Outcomes
- Contributions and Recommendations

Assessment Criteria:
Components Weightage
Participation and Attendance 20%
Quality of Internship Report 30%
Relevance of Work Assigned 20%
Evaluation by Mentor/Supervisor 20%
Viva-Voce 10%

Viva-Voce Examination

A Board of Examiners consisting of Internal and External Examiners shall assess the student's presentation and defence of the Assignment/Project or Internship Report.

The Viva-Voce Examination shall evaluate:

- Conceptual Understanding
- Analytical Skills
- Clarity of Presentation
- Knowledge of the Subject
- Practical and Policy Understanding

The candidate shall be required to secure at least 50% marks in the Viva-Voce Examination to pass.

Suggested Areas for Assignment / Project:

Cooperative Law and Governance

- Constitutional Status of Cooperative Societies in India
- Impact of the Ninety-Seventh Constitutional Amendment
- Democratic Governance in Cooperative Institutions
- Comparative Study of State Cooperative Laws
- Accountability and Transparency in Cooperatives

Cooperative Banking and Finance

- Regulation of Cooperative Banks in India
- Role of NABARD in Rural Credit Development
- Financial Inclusion through Cooperative Institutions
- Computerization of Primary Agricultural Credit Societies
- Audit and Financial Accountability in Cooperative Banks

Agricultural and Rural Development

- Role of Cooperatives in Agricultural Development
- Farmer Producer Organizations and Rural Entrepreneurship
- Dairy Cooperatives and the Amul Model
- Women Cooperatives and Economic Empowerment
- Cooperatives and Sustainable Rural Development

Dispute Resolution and Legal Reforms

- Arbitration under Cooperative Laws
- Judicial Review of Cooperative Administration
- Role of Registrar in Cooperative Disputes
- Consumer Protection and Cooperative Societies
- Cooperative Reforms and Policy Developments

Emerging Issues

- Digital Cooperatives and Platform Economy
- Artificial Intelligence and Cooperative Governance
- Climate Change and Sustainable Cooperatives
- ESG Principles and Cooperative Institutions
- Comparative Study of International Cooperative Models

Suggested Readings and Resources

Books

1. B.S. Mathur, Cooperation in India.
2. Vasant Desai, Cooperative Management.
3. R.K. Maheshwari, Cooperative Administration.

4. Johnston Birchall, The International Cooperative Movement.
5. C.R. Kothari, Research Methodology: Methods and Techniques.
6. S.N. Jain, Legal Research and Methodology.
7. William H. Putman, Legal Research, Analysis and Writing.
8. Eugene Volokh, Academic Legal Writing.
9. Bryan A. Garner, The Winning Brief.
10. Avtar Singh, Mercantile Law.

Research Methodology and Citation Guides

1. Indian Law Institute (ILI), Legal Research and Methodology.
2. Harvard Bluebook Citation Manual.
3. OSCOLA: Oxford Standard for Citation of Legal Authorities.
4. SCC Online and Manupatra Citation Guides.

Online Databases and Resources

1. SCC Online.
2. Manupatra.
3. HeinOnline.

4. JSTOR.
5. LexisNexis.
6. Westlaw International.
7. Ministry of Cooperation, Government of India.
8. National Cooperative Development Corporation (NCDC).
9. NABARD Digital Library.
10. International Cooperative Alliance (ICA).
11. National Cooperative Union of India (NCUI).
12. NITI Aayog Reports.
13. Reserve Bank of India Publications.
14. Ministry of Agriculture and Farmers Welfare.
15. Government of India Open Data Portal.

Evaluation Scheme

Internal Assessment (30 Marks)

- Research Proposal / Synopsis – 10 Marks
- Seminar / Presentation – 10 Marks
- Progress Report and Participation – 10 Marks

Project / Assignment / Internship Evaluation (70 Marks)

Section A

Research / Report Quality – 40 Marks

Section B

Analytical Content, Findings and Presentation – 30 Marks



IMIRC COLLEGE OF LAW

SYLLABUS

CERTIFICATE PROGRAM. 1 YEAR

(TWO SEMESTER) COURSE

UNDERGRADUATE CERTIFICATE COURSE IN RTI, PIL & LEGAL AWARENESS (RPLA)

(SESSION 2026-27 ONWARDS)

General Rules, Examination, Regulation and Course

IMIRC College of Law, Hapur (Ghaziabad), Uttar Pradesh

About the Programme

In a vibrant democracy like India, citizens' ability to access information, seek judicial remedies for collective concerns, and spread awareness about legal rights is fundamental to ensuring transparency, accountability, and justice. The Right to Information (RTI) Act and Public Interest Litigation (PIL) have emerged as two of the most powerful legal tools to achieve these objectives, empowering individuals and communities to challenge arbitrary governance, demand transparency, and protect public interest.

The UG Certificate Course in RTI, PIL & Legal Awareness, offered by IMIRC College of Law, Bhaina, is a focused, practice-oriented programme aimed at equipping undergraduate students with the knowledge, skills, and practical exposure necessary to effectively use these legal mechanisms. Building on the college's strong academic foundation and its commitment to socially responsive legal education, the course integrates doctrinal learning with experiential training.

Over six months, students will be introduced to the constitutional foundations of transparency and public participation, the detailed provisions of the RTI Act, 2005, and the procedural requirements for filing and pursuing PILs in High Courts and the Supreme Court. They will also explore strategies for designing and delivering impactful legal awareness programmes that address the needs of diverse communities.

The course emphasizes hands-on skill development through drafting RTI applications, preparing appeals, simulating PIL petitions, and conducting community outreach initiatives. Learners will participate in workshops, field visits, and legal literacy campaigns under the mentorship of experienced faculty, RTI activists, and practising lawyers.

This certificate programme is ideal for undergraduate students aspiring to work in litigation, social justice advocacy, public policy, investigative journalism, or community development. It aligns with the objectives of the National Education Policy by fostering skill-based, socially engaged, and interdisciplinary learning, preparing students to become informed and active participants in strengthening the rule of law.

Duration: 6 Months (Two Terms)

Mode: Online / Offline / Hybrid

Eligibility: Undergraduate Students of Law / Postgraduate Students of Law or Equivalent

Objectives

1. To impart a comprehensive understanding of the legal framework, principles, and procedures governing the Right to Information and Public Interest Litigation in India.
2. To develop practical skills in drafting RTI applications, appeals, and PIL petitions, and in conducting effective legal awareness initiatives.

3. To cultivate analytical and advocacy abilities for identifying issues of public concern, framing legal strategies, and engaging with public authorities and judicial forums.
4. To promote socially responsible lawyering by encouraging participation in transparency, accountability, and community legal literacy efforts.

Assessment of Students' Performance and Scheme of Examination Pass Percentage & Promotional Criteria

1. Assessment of student performance shall consist of 70 marks for the End-Term Written Examination and 30 marks for Internal Assessment for each paper.
2. The duration of the End-Term Written Examination shall be three hours and shall cover all units of the respective subject.
3. The internal assessment of each paper shall be conducted by a panel of three faculty members, constituted by the Principal in consultation with the Head of Department (HoD).
4. There shall be no requirement for Assignment, project, or internship in this certificate course.
5. In each paper, 30 marks shall be reserved for continuous internal evaluation within the classroom environment. The HoD will issue prior notification (at least one week in advance) regarding the internal evaluation schedule, in consultation with the concerned faculty. All awarded marks will be verified by the HoD before being forwarded to the Controller of Examinations.
6. Break-up of Internal Assessment (30 Marks): Internal Test – 10 marks, Assignment with Presentation – 10 marks & Classroom Seminar / Participation – 10 marks.

Attendance

A student must maintain at least 75% attendance in each paper to be eligible to appear in the End-Term Examination. The Principal may grant relaxation up to 25% in genuine and documented cases including:

- Participation in NCC/NSS camps duly supported by a certificate from competent authority.
- Participation in College Team (S) Games or Inter State Tournament (S) duly supported with a certificate from competent authority.
- Participation in any of the co-curricular activity organized by the college duly certified by competent authority.
- Prolonged illness duly certified by the superintendent/CMO of government hospital or registered medical practitioners/hospitals.

Note: The Principal reserves the right to condone attendance deficiencies on valid and cogent grounds.

End-Term Examination

- The End-Term Examination shall be conducted at the end of each of the two terms (3 months each).
- Examinations shall be scheduled as per the academic calendar of IMIRC College of Law (generally in December and June). Students are required to fill the examination form and submit it with the prescribed fee through the HoD to the Registrar of the College.

- Students will appear in three theory papers in each term, amounting to a total of six written examinations for the full course.

Grad Point and SGPA, CGPA Calculations:

Assessment as per college policy relating to implementation of choice-based credit system (CBCS) to all the programs offered at IMIRC College of Law.

Rules of Promotion:

A student shall not be promoted to the second term if he/she fails in more than two papers in the first term. The paper(s) in which a student fails shall be treated as back paper(s). In no case shall a student having backlogs in more than two papers be permitted to continue to the next term, and he/she will be considered to have a term back.

In case of a term back, the student must seek readmission in the same academic year after approval from the Principal/Head of Department and pay the prescribed readmission fee.

Upon readmission, the student shall have the following options:

1. He/She can choose to reappear in all the papers of the academic year.
2. He/She may opt to appear only in the papers in which he/she has failed.
3. The student must submit their choice in writing at the time of readmission.
4. No repeat attempt is allowed for internal assessment components only.
5. The student shall be required to repeat the complete course, including both theory and internal assessment in the selected papers.

Note: A student must secure a minimum of 50% marks in each paper (combined internal + end-term) to be considered as having passed that paper.

Course Modules:

The course is structured into two terms (Term I and Term II), covering both the conceptual foundations and practical application of the Right to Information, Public Interest Litigation, and community legal awareness.

Programme Learning Outcomes (PLOs):

1. Upon completion of the Certificate Course in RTI, PIL & Legal Awareness, learners will be able to:
2. Demonstrate comprehensive knowledge of the RTI Act, PIL procedures, and constitutional principles underpinning transparency and access to justice.
3. Draft effective RTI applications, appeals, and PIL petitions in compliance with statutory formats and procedural rules.
4. Plan and execute community legal awareness programmes to empower citizens.
5. Analyze landmark judgments and their impact on governance, social justice, and public accountability.
6. Engage ethically and professionally with public authorities, courts, and civil society organizations in matters of public interest.

Course Learning Outcomes (CLOs):

Term I:

- Understand the constitutional and statutory framework governing the RTI Act, 2005.
- Learn to draft RTI applications, first appeals, and second appeals to Information Commissions.
- Interpret and apply judicial precedents on transparency and the right to information.
- Engage with online RTI portals and filing procedures through hands-on exercises.

Term II:

- Comprehend the concept, scope, and evolution of PIL in India.
- Draft and file PIL petitions in line with Supreme Court and High Court procedures.
- Identify and research issues suitable for PIL intervention.
- Design and implement legal awareness programmes for targeted communities.

Term I: Right to Information – Concepts and Practice

S.No.	Course Code	Course Name	L-IA-P	Total Credit
1.	RPIL 101	Foundations of RTI: Constitutional and Legal Framework	3-2-0	5
2.	RPIL 102	Drafting and Filing RTI Applications and Appeals	3-2-0	5
3.	RPIL 103	Judicial Interpretations of RTI and Governance	3-2-0	5
Total Credit in Term I:				**15**

Term II: Public Interest Litigation and Legal Awareness

S.No.	Course Code	Course Name	L-IA-P	Total Credit
1.	RPIL 201	PIL: Concept, Evolution, and Procedures	3-2-0	5
2.	RPIL 202	Drafting PIL Petitions and Case Strategies	3-2-0	5
3.	RPIL 203	Legal Awareness Campaigns: Design and Implementation	3-2-0	5
Total Credit in Term II:				**15**

- The Certificate Course comprises six papers, three papers per term.
- Each paper carries 5 credits, making the total credit requirement = 30 credits.
- All papers integrate theoretical learning with practical skills including drafting, fieldwork, and simulations.

Term I

Paper I – RPIL 101

FOUNDATIONS OF RTI: CONSTITUTIONAL AND LEGAL FRAMEWORK

Duration: 36 hours (including lectures, seminars, and assessments) **Credits: 5**

Introduction:

The Right to Information (RTI) is a cornerstone of democratic governance, enabling citizens to access information from public authorities and thereby promoting transparency, accountability, and participatory decision-making. This paper introduces students to the constitutional foundations, legislative framework, and institutional mechanisms of the RTI Act, 2005. Emphasis is placed on understanding the Act's provisions, exemptions, and procedures, as well as analyzing landmark judicial pronouncements that have shaped India's information rights regime. Students will gain the theoretical grounding and initial practical skills needed to effectively utilize RTI as a tool for social justice and good governance.

Course Outcomes (C.O.):

1. To understand the objectives, scope, and principles underlying the RTI Act, 2005.
2. To analyze the constitutional basis for the right to information in India.
3. To interpret and apply statutory provisions, rules, and regulations under the RTI Act.
4. To assess the role of RTI in promoting transparency, accountability, and citizen participation.

Programme Outcomes:

1. To provide a foundational understanding of information rights and transparency laws.
2. To introduce the legal and institutional framework of RTI at central and state levels.
3. To develop analytical skills for interpreting statutes and judicial decisions related to RTI.
4. To prepare students for practical application of RTI in civic, journalistic, and legal contexts.

Syllabus:

Unit I: Constitutional Foundations of RTI

- Concept of Right to Information as part of Fundamental Rights
- Relationship between RTI and Article 19(1)(a) – Freedom of Speech & Expression
- Article 21 – Right to Life and Personal Liberty in the context of transparency
- Directive Principles and RTI: Articles 38, 39, 41, and 43A
- Supreme Court decisions recognizing RTI before 2005 legislation (e.g., State of U.P. v. Raj Narain, S.P. Gupta v. Union of India)

Unit II: Evolution and Objectives of the RTI Act, 2005

- Historical background: from Official Secrets Act, 1923 to RTI Act, 2005

- International context: FOI laws worldwide and India's commitments
- Objectives and salient features of the Act
- Role of civil society and RTI movements in India
- Overview of the structure of the RTI Act

Unit III: Key Provisions and Institutional Framework

- Definitions: Public Authority, Information, Record, Third Party
- Obligations of Public Authorities (Section 4)
- Appointment, powers, and functions of Public Information Officers (PIOs) and Appellate Authorities
- Information Commissions – composition, powers, and functions
- Suo moto disclosure requirements
- Exemptions from disclosure (Sections 8 & 9) and partial disclosure provisions

Unit IV: Judicial Interpretation and Case Law

- CBSE v. Aditya Bandopadhyay, (2011) 8 SCC 497 – Scope of "information" under RTI
- Namit Sharma v. Union of India, (2013) 1 SCC 745 – Qualifications of Information Commissioners
- Girish Ramchandra Deshpande v. CIC, (2013) 1 SCC 212 – Personal information and privacy under RTI
- Bihar Public Service Commission v. Saiyed Hussain Abbas Rizwi, (2012) 13 SCC 61 – Public interest override
- Analysis of High Court decisions on proactive disclosure

Suggested Readings:

Books:

- Venkatesh Nayak, *A Guide to Using the Right to Information Act, 2005*, 1st Edition, Commonwealth Human Rights Initiative (CHRI), New Delhi, 2022.
- P.K. Saini & R.K. Gupta, *Right to Information Act, 2005: A Practical Guide*, 2nd Edition, Satyam Law International, New Delhi, 2021.
- M.P. Jain, *Indian Constitutional Law, 8th Edition*, LexisNexis, Gurugram, 2023.
- Alok Kumar, *Right to Information: Law and Practice*, 4th Edition, Central Law Publications, Allahabad, 2022.
- S.K. Sharma, *Commentary on the Right to Information Act*, 3rd Edition, Universal Law Publishing, New Delhi, 2021.
- R.P. Misra, *Right to Information Law and Practice in India*, 1st Edition, Satyam Law International, New Delhi, 2020.
- K.P. Sharma, *Transparency and Accountability through RTI in India*, 1st Edition, Regal Publications, New Delhi, 2017.

Articles / Reports

- Commonwealth Human Rights Initiative (CHRI), *Implementing RTI: Lessons from India,* CHRI, New Delhi, 2018.
- Transparency International India, *Empowering Citizens through RTI*, Transparency International India, New Delhi, 2019.
- Second Administrative Reforms Commission (ARC), *Right to Information – Master Key to Good Governance* (4th Report), Government of India, New Delhi, 2006.
- Department of Personnel & Training (DoPT), Government of India, *RTI Act – Guidelines and Best Practices*, DoPT, New Delhi, 2021.
- Law Commission of India, *Report No. 272 – Assessment of RTI Implementation*, Government of India, New Delhi, 2018.
- World Bank, *The Right to Information: An Implementation Toolkit for Developing Countries*, World Bank, Washington DC, 2016.
- UNESCO, *Access to Information: A Key to Building Knowledge Societies*, UNESCO Publishing, Paris, 2019.

Case Law References:

- State of U.P. v. Raj Narain, AIR 1975 SC 865
- S.P. Gupta v. Union of India, 1981 Supp SCC 87
- CBSE v. Aditya Bandopadhyay, (2011) 8 SCC 497

Evaluation Scheme:

Internal Assessment (30 Marks):

- Two written assignments – 10 marks
- One classroom presentation – 10 marks
- Participation/Seminar/Viva – 10 marks

End Semester Examination (70 Marks):

- **Section A:** Short answer questions (30 marks)
- **Section B:** Analytical/Essay-type questions (40 marks)

Paper II – RPIL 102

DRAFTING AND FILING RTI APPLICATIONS AND APPEALS

Duration: 36 hours (including lectures, workshops, and assessments) **Credits: 5**

Introduction:

Drafting effective RTI applications and appeals requires a sound understanding of the RTI Act's procedural framework, the skill to frame precise questions, and the ability to navigate administrative processes. This paper focuses on the practical aspects of preparing RTI requests, first appeals, and second appeals before Information Commissions. Students will learn the statutory requirements, language, and structure of RTI documents, along with strategies for overcoming delays, refusals, and misuse of exemptions. Through drafting workshops, case studies, and simulation exercises, learners will develop the competence to use RTI as an actionable legal tool.

Course Outcomes (C.O.):

1. To understand the procedural requirements for filing RTI applications and appeals.
2. To acquire drafting skills for preparing clear, concise, and targeted RTI requests.
3. To learn the structure, format, and legal language used in RTI applications, first appeals, and second appeals.
4. To apply RTI mechanisms to real-life information needs and public interest causes.

Programme Outcomes:

1. To equip students with practical skills in RTI drafting for civic, legal, and journalistic purposes.
2. To enhance familiarity with online and offline RTI filing systems at central and state levels.
3. To build capacity for addressing refusals, exemptions, and non-disclosure through the appeal process.
4. To prepare students for active participation in transparency and accountability initiatives.

Syllabus:

Unit I: Basics of Drafting RTI Applications

- Statutory requirements under Sections 6 & 7 of the RTI Act
- Identifying the correct public authority and PIO
- Crafting specific and answerable questions
- Use of plain language in RTI drafting
- Avoiding vague, speculative, or multiple-topic queries
- Time limits for response and deemed refusal

Unit II: Drafting First Appeals

- Grounds for appeal under Section 19(1)
- Structure and components of the first appeal

- Common reasons for rejection of RTI applications
- Role of the First Appellate Authority
- Case-based exercises on framing grounds of appeal

Unit III: Drafting Second Appeals and Complaints

- Second appeal to the Central or State Information Commission under Section 19(3)
- Format, timelines, and supporting documents
- Drafting complaints under Section 18 for refusal, delays, or non-compliance
- Common pitfalls and best practices in appellate drafting
- Practical workshop on preparing a second appeal file

Unit IV: Online and Offline Filing Mechanisms

- Central RTI Online Portal (https://rtionline.gov.in) – features and workflow
- State RTI portals – similarities and differences
- Physical filing through post or in-person submission
- Fee payment modes and exemptions for BPL applicants
- Tracking applications and appeals

Unit V: Practical Exercises and Case Studies

- Drafting and filing a model RTI application on a governance issue
- Preparing a first appeal based on a real-life RTI response
- Simulating a second appeal before an Information Commission
- Studying notable RTI interventions in public interest

Suggested Readings:

Books:

- P.K. Saini & R.K. Gupta, *Right to Information Act, 2005: A Practical Guide*, 2nd Edition, Satyam Law International, New Delhi, 2021.
- Venkatesh Nayak, *Using the Right to Information Act Effectively*, 1st Edition, Commonwealth Human Rights Initiative (CHRI), New Delhi, 2022.
- M.P. Jain, *Indian Constitutional Law*, 8th Edition, LexisNexis, Gurugram, 2023.

Articles / Reports:

- Commonwealth Human Rights Initiative (CHRI), *Open Governance through RTI: Best Practices and Model Formats*, Revised Edition, CHRI, New Delhi, 2019.
- Transparency International India, *RTI Appeals – Challenges and Solutions*, 1st Edition, Transparency International India, New Delhi, 2020.
- Government of India, *RTI Act User Guide*, Updated Edition, Department of Personnel & Training (DoPT), New Delhi, 2021.

Case Law References:

- CBSE v. Aditya Bandopadhyay, (2011) 8 SCC 497 – Scope of "information"

- Namit Sharma v. Union of India, (2013) 1 SCC 745 – Qualifications and independence of ICs
- Union of India v. Vishwas Bhamburkar, 2013 SCC OnLine Del 2805 – Timelines and penalties for delay

Evaluation Scheme:

Internal Assessment (30 Marks):

- Two written assignments – 10 marks
- One classroom presentation – 10 marks
- Participation/Seminar/Viva – 10 marks

End Semester Examination (70 Marks):

- **Section A:** Short answer questions (30 marks)
- **Section B:** Analytical/Essay-type questions (40 marks)

Paper III – RPIL 103

JUDICIAL INTERPRETATIONS OF RTI AND GOVERNANCE

Duration: 36 hours (including lectures, seminars, and case law analysis) **Credits: 5**

Introduction:

Judicial interpretation has been instrumental in shaping the scope, effectiveness, and limitations of the Right to Information Act, 2005. Courts have clarified definitions, expanded the reach of transparency norms, balanced RTI with privacy and national security, and reinforced the duties of public authorities. This paper focuses on landmark Supreme Court and High Court decisions that have influenced governance through RTI jurisprudence. Students will learn how judicial reasoning has addressed conflicts between transparency and other competing interests, and how such interpretations have impacted administrative practices and public accountability.

Course Outcomes (C.O.):

1. To understand the role of the judiciary in interpreting the RTI Act and related constitutional provisions.
2. To analyze landmark judgments and their implications for transparency, accountability, and governance.
3. To evaluate the balance between the right to information and competing interests such as privacy, national security, and commercial confidentiality.
4. To apply judicial principles from case law to hypothetical and real-life RTI disputes.

Programme Outcomes:

1. To develop skills in reading, summarizing, and applying judicial decisions.
2. To build capacity for legal reasoning in RTI-related matters.
3. To link judicial interpretations to governance reforms and administrative changes.
4. To prepare students for advocacy in RTI cases before Information Commissions and courts.

Syllabus:

Unit I: Pre-RTI Act Judicial Recognition of Information Rights

- State of U.P. v. Raj Narain, AIR 1975 SC 865 – Citizens' right to know
- S.P. Gupta v. Union of India, 1981 Supp SCC 87 – Judicial transparency and disclosure
- Association for Democratic Reforms v. Union of India, (2002) 5 SCC 294 – Disclosure of candidates' information

Unit II: Scope and Interpretation of "Information"

- CBSE v. Aditya Bandopadhyay, (2011) 8 SCC 497 – Examination answer scripts as information
- Khanapuram Gandaiah v. Administrative Officer, (2010) 2 SCC 1 – RTI not a mechanism for grievances or opinions

- Reserve Bank of India v. Jayantilal N. Mistry, (2016) 3 SCC 525 – Public interest override in financial disclosures

Unit III: Privacy, Confidentiality, and RTI

- Girish Ramchandra Deshpande v. CIC, (2013) 1 SCC 212 – Personal information and privacy limits
- Bihar Public Service Commission v. Saiyed Hussain Abbas Rizwi, (2012) 13 SCC 61 – Public interest test for disclosure
- Canara Bank v. C.S. Shyam, (2018) 11 SCC 426 – Employee records and RTI

Unit IV: Governance Reforms and Administrative Impact

- Namit Sharma v. Union of India, (2013) 1 SCC 745 – Composition and qualifications of ICs
- Union of India v. Namit Sharma, Review Petition – Judicial officers in Information Commissions
- High Court decisions mandating proactive disclosure under Section 4

Unit V: Contemporary Issues and Trends

- RTI and digital governance – use of online platforms for disclosure
- RTI in environmental governance – M.C. Mehta and related cases
- RTI and electoral reforms – ADR and Lok Prahari judgments
- Analysis of ongoing debates: misuse of RTI, frivolous queries, and strengthening compliance

Suggested Readings:

Books:

- P.K. Saini & R.K. Gupta, *Right to Information Act, 2005: A Practical Guide*, 2nd Edition, Satyam Law International, New Delhi, 2021.
- Venkatesh Nayak, *Transparency in Governance: The Role of RTI in India*, 1st Edition, Commonwealth Human Rights Initiative (CHRI), New Delhi, 2022.
- M.P. Jain, *Indian Constitutional Law*, 8th Edition, LexisNexis, Gurugram, 2023.
- Alok Kumar, *Right to Information: Law and Practice*, 4th Edition, Central Law Publications, Allahabad, 2022.
- S.K. Sharma, *Commentary on the Right to Information Act*, 3rd Edition, Universal Law Publishing, New Delhi, 2021.
- R.P. Misra, *Right to Information Law and Practice in India*, 1st Edition, Satyam Law International, New Delhi, 2020.

Articles / Reports:

- Commonwealth Human Rights Initiative (CHRI), *Judicial Trends in RTI: Balancing Transparency and Privacy*, CHRI, New Delhi, 2019.

- Transparency International India, *RTI and Accountability in Governance,* Transparency International India, New Delhi, 2020.
- Department of Personnel & Training (DoPT), Government of India, *Annual RTI Report – Analysis of Trends in Appeals and Disclosures*, DoPT, New Delhi, 2022.
- Law Commission of India, *Report No. 272: Assessment of RTI Implementation and Judicial Interpretation*, Government of India, New Delhi, 2018.
- Vidhi Centre for Legal Policy, *Ten Years of the Right to Information Act: Case Law Analysis and Impact*, Vidhi Policy Paper, New Delhi, 2015.
- Asian Development Bank, R*ight to Information: Comparative Jurisprudence and Lessons for Asia*, ADB Publication, Manila, 2017.

Case Law References:

- State of U.P. v. Raj Narain, AIR 1975 SC 865
- S.P. Gupta v. Union of India, 1981 Supp SCC 87
- CBSE v. Aditya Bandopadhyay, (2011) 8 SCC 497
- Reserve Bank of India v. Jayantilal N. Mistry, (2016) 3 SCC 525
- Girish Ramchandra Deshpande v. CIC, (2013) 1 SCC 212

Evaluation Scheme:

Internal Assessment (30 Marks):

- Two written assignments – 10 marks
- One classroom presentation – 10 marks
- Participation/Seminar/Viva – 10 marks

End Semester Examination (70 Marks):

- **Section A:** Short answer questions (30 marks)
- **Section B:** Analytical/Essay-type questions (40 marks)

Term II

Paper I – RPIL 201

PIL: CONCEPT, EVOLUTION, AND PROCEDURES

Duration: 36 hours (including lectures, seminars, and practical exercises) **Credits: 5**

Introduction:

Public Interest Litigation (PIL) has emerged as one of the most significant judicial innovations in Indian constitutional law, enabling courts to address issues affecting large sections of society, particularly marginalized and disadvantaged groups. This paper introduces students to the concept, history, and jurisprudence of PIL, its procedural framework in the Supreme Court and High Courts, and its role in promoting social justice, environmental protection, and governance reforms. Special emphasis is given to understanding the liberalization of locus standi, the shift from adversarial to investigative justice, and safeguards against misuse of PIL.

Course Outcomes (C.O.):

1. To understand the meaning, objectives, and distinctive features of PIL in India.
2. To analyze the constitutional provisions and judicial interpretations underpinning PIL.
3. To learn the procedural requirements for initiating PILs in the Supreme Court and High Courts.
4. To evaluate the impact of PIL on governance, policy, and rights protection.

Programme Outcomes:

1. To equip students with theoretical and procedural knowledge for effective PIL advocacy.
2. To enable critical engagement with the benefits and criticisms of PIL jurisprudence.
3. To develop skills for identifying public interest causes suitable for litigation.
4. To prepare students for practical drafting and filing of PIL petitions.

Syllabus:

Unit I: Concept and Origins of PIL

- Definition and scope of PIL
- Difference between PIL and traditional litigation
- Historical development of PIL in India
- Role of Justice P.N. Bhagwati and Justice V.R. Krishna Iyer in shaping PIL jurisprudence
- Comparative perspectives: PIL and class actions in other jurisdictions

Unit II: Constitutional Foundations of PIL

- Articles 32 and 226 – Writ jurisdiction of Supreme Court and High Courts
- Article 39A – Free legal aid and access to justice
- Expansion of locus standi – from "aggrieved person" to "public-spirited citizen"
- PIL and Fundamental Rights – Part III of the Constitution
- PIL and Directive Principles – Part IV of the Constitution

Unit III: Procedural Aspects of PIL

- Filing PILs in Supreme Court and High Courts – format, court fees, and affidavits
- Letters, postcards, and suo moto cognizance as PILs
- Role of amicus curiae in PIL cases
- Interim orders, monitoring committees, and continuing mandamus
- Frivolous PILs – judicial guidelines and cost imposition

Unit IV: Landmark PIL Judgments

- Hussainara Khatoon v. State of Bihar, 1979 – Right to speedy trial
- Vishaka v. State of Rajasthan, 1997 – Sexual harassment at workplace
- M.C. Mehta v. Union of India series – Environmental jurisprudence
- Olga Tellis v. Bombay Municipal Corporation, 1985 – Right to livelihood
- PUCL v. Union of India (Right to Food case)

Unit V: Contemporary Issues and Reforms in PIL

- PIL in environmental, human rights, and governance contexts
- Judicial activism vs. judicial overreach in PIL
- PIL in the era of social media and digital evidence
- Proposals for codifying PIL procedures
- Impact of PIL on policy-making and democratic accountability

Suggested Readings:

Books:

- S.P. Sathe, *Judicial Activism in India: Transgressing Borders and Enforcing Limits*, 2nd Edition, Oxford University Press, New Delhi, 2002.
- P.N. Bhagwati, *The Role of the Judiciary in Democracy*, 1st Edition, Universal Law Publishing, New Delhi, 1994.
- M.P. Jain, *Indian Constitutional Law*, 8th Edition, LexisNexis, Gurugram, 2023.
- Upendra Baxi, *The Indian Supreme Court and Politics*, 1st Edition, Eastern Book Company, Lucknow, 1980.
- S. Muralidhar, *Law, Poverty, and Legal Aid: Access to Justice*, 1st Edition, LexisNexis, Gurugram, 2004.
- Lakshminath & M. Sridhar Acharyulu, *Public Interest Litigation: Legal Aid and Lok Adalats*, 3rd Edition, LexisNexis, Gurugram, 2018.
- V.R. Krishna Iyer, *Justice at Crossroads: PIL and Social Change*, Revised Edition, Universal Law Publishing, New Delhi, 2011.

Articles / Reports

- Law Commission of India, *Report No. 229 – Need for Transparency in PILs*, Government of India, New Delhi, 2009.
- People's Union for Civil Liberties (PUCL), *PIL as a Tool for Social Change*, PUCL Policy Paper, New Delhi, 2017.

- EPW – Economic & Political Weekly, "*Public Interest Litigation in India: A Critical Review*", EPW Special Article, Vol. 49, No. 30, 2014.
- Supreme Court of India, *Handbook on Public Interest Litigation*, Supreme Court Registry, New Delhi, 2010.
- National Judicial Academy, *PIL: Concept, Scope, and Emerging Challenges*, NJA Training Module, Bhopal, 2019.
- UNDP India, *PIL and Access to Justice for the Marginalized*, UNDP Policy Brief, New Delhi, 2016.
- Commonwealth Human Rights Initiative, *PIL: Comparative Experiences and Global Lessons*, CHRI, New Delhi, 2015.
- Centre for Public Interest Law (NLSIU), *PIL and the Indian Legal System*, NLSIU Publication, Bengaluru, 2018.

Case Law References:

- Hussainara Khatoon v. State of Bihar, 1979 AIR 1369
- Vishaka v. State of Rajasthan, (1997) 6 SCC 241
- Olga Tellis v. Bombay Municipal Corporation, (1985) 3 SCC 545
- M.C. Mehta v. Union of India, (1987 onwards) – multiple environmental rulings
- PUCL v. Union of India, (2001) 5 SCC 577

Evaluation Scheme:

Internal Assessment (30 Marks):

- Two written assignments – 10 marks
- One classroom presentation – 10 marks
- Participation/Seminar/Viva – 10 marks

End Semester Examination (70 Marks):

- **Section A:** Short answer questions (30 marks)
- **Section B:** Analytical/Essay-type questions (40 marks)

Paper II – RPIL 202

DRAFTING PIL PETITIONS AND CASE STRATEGIES

Duration: 36 hours (including lectures, drafting workshops, and assessments) **Credits: 5**

Introduction:

Drafting a Public Interest Litigation (PIL) petition requires a nuanced understanding of legal procedure, constitutional principles, and persuasive writing. This paper equips students with practical skills to draft PIL petitions, affidavits, and related applications while also developing strategic thinking to plan and conduct PIL litigation effectively. Students will learn to identify justiciable issues, collect supporting evidence, and structure pleadings to withstand judicial scrutiny. The course combines doctrinal learning with simulation-based exercises, enabling learners to develop competence in preparing high-quality PIL documents for real-world advocacy.

Course Outcomes (C.O.):

1. To understand the essential components and structure of a PIL petition.
2. To develop practical drafting skills for PILs, including affidavits and interlocutory applications.
3. To plan litigation strategies for effective case presentation in PIL matters.
4. To evaluate the role of legal research, evidence collection, and stakeholder engagement in PIL success.

Programme Outcomes:

1. To build drafting proficiency aligned with Supreme Court and High Court PIL procedures.
2. To enhance ability to integrate legal analysis, factual evidence, and public interest arguments.
3. To foster strategic thinking in selecting remedies and structuring legal arguments.
4. To prepare students for advocacy in social justice and policy reform contexts.

Syllabus:

Unit I: Essentials of a PIL Petition

- Identifying the cause of action and public interest element
- Determining appropriate jurisdiction (Supreme Court or High Court)
- Structure of a PIL petition – cause title, synopsis, list of dates, main petition, prayers
- Drafting relief clauses – writs and directions under Articles 32 and 226
- Affidavit in support of the petition

Unit II: Drafting Related Applications

- Interlocutory applications – interim relief, appointment of commissioners, impleadment
- Applications for exemption from filing certified copies or fees
- Contempt petitions for non-compliance with PIL orders
- Review and curative petitions in PIL cases

Unit III: Legal Research and Evidence Collection

- Use of case law databases (SCC Online, Manupatra, Indian Kanoon)
- Identifying and citing constitutional and statutory provisions
- Gathering factual evidence, expert opinions, and survey data
- Attaching annexures – guidelines for documents, photographs, and reports
- Role of RTI in collecting evidence for PILs

Unit IV: Case Strategies in PIL Advocacy

- Framing issues and legal questions
- Anticipating counterarguments and government responses
- Coordinating with NGOs, activists, and affected communities
- Media engagement and public outreach to support PIL objectives
- Long-term monitoring of compliance through continuing mandamus

Unit V: Drafting Workshops and Simulations

- Drafting a complete PIL petition on a contemporary social or environmental issue
- Preparing an interim application for urgent relief
- Simulating arguments before a mock court on admissibility and merits
- Peer review and faculty feedback on drafts

Suggested Readings:

Books:

- S.P. Sathe, *Judicial Activism in India: Transgressing Borders and Enforcing Limits*, 2nd Edition, Oxford University Press, New Delhi, 2002.
- P.N. Bhagwati, *The Role of the Judiciary in Democracy*, 1st Edition, Universal Law Publishing, New Delhi, 1994.
- M.P. Jain, *Indian Constitutional Law*, 8th Edition, LexisNexis, Gurugram, 2023.
- Lakshminath & M. Sridhar Acharyulu, *Public Interest Litigation: Legal Aid and Lok Adalats*, 3rd Edition, LexisNexis, Gurugram, 2018.
- S. Muralidhar, *Law, Poverty, and Legal Aid: Access to Justice*, 1st Edition, LexisNexis, Gurugram, 2004.
- Upendra Baxi, *The Indian Supreme Court and Politics*, 1st Edition, Eastern Book Company, Lucknow, 1980.
- V.R. Krishna Iyer, *Justice at Crossroads: PIL and Social Change*, Revised Edition, Universal Law Publishing, New Delhi, 2011.
- S.K. Sharma, *Public Interest Litigation: Principles and Practice,* 2nd Edition, Central Law Publications, Allahabad, 2020.

Articles / Reports

- Law Commission of India, *Report No. 229 – Need for Transparency in PILs*, Government of India, New Delhi, 2009.

- Commonwealth Human Rights Initiative (CHRI), *Strategic Use of Litigation for Public Interest*, CHRI Policy Brief, New Delhi, 2016.
- EPW – Economic & Political Weekly, *"Public Interest Litigation in India: A Critical Review"*, EPW Special Article, Vol. 49, No. 30, 2014.
- Supreme Court of India, *Handbook on Public Interest Litigation*, Supreme Court Registry, New Delhi, 2010.
- National Judicial Academy, *Best Practices in PIL Drafting and Litigation*, NJA Research Publication, Bhopal, 2019.
- Vidhi Centre for Legal Policy, *Strengthening Public Interest Litigation Practice in India,* Vidhi Policy Report, New Delhi, 2018.
- UNDP India, *Strategic Litigation and Access to Justice*, UNDP Policy Brief, New Delhi, 2016.
- Centre for Public Interest Law (NLSIU), *Drafting and Managing PILs in India*, NLSIU Publication, Bengaluru, 2018.

Case Law References:

- Vishaka v. State of Rajasthan, (1997) 6 SCC 241 – Guidelines through PIL
- M.C. Mehta v. Union of India (series) – Environmental law through PIL
- Bandhua Mukti Morcha v. Union of India, (1984) 3 SCC 161 – Labour rights and PIL
- PUCL v. Union of India, (2001) 5 SCC 577 – Right to food through PIL

Evaluation Scheme:

Internal Assessment (30 Marks):

- Two written assignments – 10 marks
- One classroom presentation – 10 marks
- Participation/Seminar/Viva – 10 marks

End Semester Examination (70 Marks):

- **Section A:** Short answer questions (30 marks)
- **Section B:** Analytical/Essay-type questions (40 marks)

Paper III – RPIL 203

LEGAL AWARENESS CAMPAIGNS: DESIGN AND IMPLEMENTATION

Duration: 36 hours (including lectures, workshops, and field exercises) **Credits: 5**

Introduction:

Legal awareness is the foundation for empowering citizens to understand and exercise their rights and duties. This paper trains students in conceptualizing, designing, and executing effective legal awareness campaigns that address real-world socio-legal issues. The focus is on practical engagement with communities through legal aid clinics, NGOs, government agencies, and educational institutions. Students will learn campaign planning, audience targeting, message framing, use of media, and evaluation techniques. Field-based activities will give learners first-hand experience in bridging the gap between law and society, making them active contributors to access to justice.

Course Outcomes (C.O.):

1. To understand the purpose, scope, and methods of legal awareness campaigns.
2. To develop skills in planning and executing community-based legal literacy programmes.
3. To apply effective communication techniques for diverse audiences using various media.
4. To evaluate the impact of legal awareness activities on targeted communities.

Programme Outcomes:

1. To prepare students for active participation in legal aid and community outreach.
2. To strengthen practical abilities in designing and delivering awareness programmes.
3. To foster ethical and culturally sensitive engagement with vulnerable groups.
4. To link classroom knowledge with field-based socio-legal interventions.

Syllabus:

Unit I: Concept and Objectives of Legal Awareness

- Definition and significance of legal literacy
- Role in promoting access to justice and empowerment
- Constitutional and statutory basis for legal awareness programmes
- Role of NALSA, SLSAs, DLSAs, NGOs, and educational institutions

Unit II: Identifying Target Groups and Issues

- Understanding community demographics and needs
- Issues for awareness: RTI, PIL, human rights, women's rights, labour laws, environmental laws, consumer protection
- Special focus on vulnerable groups: women, children, marginalized communities, differently abled persons

Unit III: Designing Legal Awareness Campaigns

- Setting objectives and expected outcomes
- Framing messages for clarity and cultural appropriateness
- Selecting delivery methods: workshops, street plays, posters, social media campaigns, radio programmes
- Collaboration with legal aid bodies, media, and community leaders

Unit IV: Implementation Strategies

- Preparing schedules, materials, and resource persons
- Conducting legal aid camps and mobile legal aid clinics
- Role of students as para-legal volunteers
- Using local language and participatory methods for greater impact

Unit V: Monitoring, Evaluation, and Reporting

- Measuring reach, participation, and feedback
- Assessing behavioural and attitudinal changes in target groups
- Preparing campaign reports with photographs, statistics, and narratives
- Documenting best practices and lessons learned for future campaigns

Suggested Readings:

Books:

- NALSA (National Legal Services Authority), *Manual on Legal Literacy and Legal Awareness Programmes,* Revised Edition, NALSA, New Delhi, 2020.
- P. Ishwara Bhat, *Law and Social Transformation*, 1st Edition, Eastern Book Company, Lucknow, 2009.
- S.K. Sharma, *Legal Aid to the Poor: The Law and the Promise*, 2nd Edition, Deep & Deep Publications, New Delhi, 2011.
- M.S. Jagannath, *Legal Literacy and Legal Awareness*, 1st Edition, A.P.H. Publishing Corporation, New Delhi, 2018.
- K.P. Singh, *Legal Literacy: Awareness, Education, and Empowerment*, 1st Edition, Regal Publications, New Delhi, 2015.
- P.C. Rao & William Sheffield, *Alternative Dispute Resolution and Legal Aid*, 2nd Edition, Universal Law Publishing, New Delhi, 2012.

Articles / Reports

- NALSA, *Annual Reports* (latest editions), NALSA, New Delhi – https://nalsa.gov.in.
- UNDP, *Access to Justice and Legal Empowerment*, UNDP India Policy Paper, New Delhi, 2016.
- Commonwealth Human Rights Initiative (CHRI), *Legal Awareness for Community Empowerment*, CHRI, New Delhi, 2018.
- Law Commission of India, *Report No. 266 – The Need for Legal Literacy*, Government of India, New Delhi, 2017.

- Amnesty International India, *Grassroots Legal Literacy Programmes: Best Practices*, Amnesty India Report, Bengaluru, 2019.
- National Judicial Academy, *Community Engagement and Legal Awareness: Training Manual for Lawyers and Law Students*, NJA Publication, Bhopal, 2020.
- Centre for Social Justice, *Participatory Legal Awareness Models in Rural India,* CSJ Publication, Ahmedabad, 2015.

Case Law References:

- Hussainara Khatoon v. State of Bihar, AIR 1979 SC 1369 – Right to legal aid
- Khatri v. State of Bihar, (1981) 1 SCC 627 – State's obligation to provide free legal aid
- State of Maharashtra v. Manubhai Pragaji Vashi, (1995) 5 SCC 730 – Legal aid in education and access to justice

Evaluation Scheme:

Internal Assessment (30 Marks):

- Two written assignments – 10 marks
- One classroom presentation – 10 marks
- Participation/Seminar/Viva – 10 marks

End Semester Examination (70 Marks):

- **Section A:** Short answer questions (30 marks)
- **Section B:** Analytical/Essay-type questions (40 marks)

UNDERGRADUATE CERTIFICATE COURSE IN LEGAL DRAFTING AND ADVOCACY SKILLS (CLDA)

(SESSION 2026-27 ONWARDS)
General Rules, Examination, Regulation and Course
IMIRC College of Law, Hapur (Ghaziabad), Uttar Pradesh

UG Certificate Course in Legal Drafting and Advocacy Skills

About the Programme:

In the evolving legal landscape, the ability to draft precise legal documents and present effective arguments is an indispensable skill for every aspiring lawyer. Legal drafting and advocacy form the foundation of litigation, client representation, and judicial communication. As courts increasingly emphasize well-reasoned pleadings and professional conduct, the demand for law graduates with strong drafting and courtroom skills has never been greater.

The UG Certificate Course in Legal Drafting and Advocacy Skills, offered by IMIRC College of Law, Bhaina, is a dynamic, practice-oriented programme designed to build essential legal competencies in undergraduate students. Drawing from decades of legal education excellence and the region's rich tradition of justice and advocacy, the course bridges academic learning with the functional skills required in legal practice.

This six-month certificate programme introduces students to the principles of legal writing, statutory interpretation, and the formats of various legal documents including plaints, written statements, affidavits, notices, contracts, bail applications, and petitions. Simultaneously, it trains them in advocacy techniques such as framing arguments, case presentation, examination of witnesses, and client interviewing—both inside and outside the courtroom. With an emphasis on experiential learning, students will engage in drafting workshops, moot courts, mock trials, and legal research assignments under the guidance of experienced faculty and legal professionals. The curriculum also encourages participation in debates, seminars, and trial advocacy simulations to boost confidence and public speaking.

This certificate course is ideal for undergraduate students preparing for a future in litigation, judicial services, public policy, or higher legal studies. It also aligns with the objectives of the National Education Policy by fostering skill-based, interdisciplinary learning at the UG level.

Duration: 6 Months (Two Terms)

Mode: Online / Offline / Hybrid

Eligibility: Undergraduate Students of Law / Postgraduate Students of Law or Equivalent

Objectives:

1. To provide fundamental and applied knowledge in legal drafting and courtroom advocacy.
2. To train students in drafting of civil and criminal pleadings, notices, affidavits, and contracts.
3. To develop practical skills in oral argumentation, case analysis, and trial techniques.
4. To foster legal research, ethical reasoning, and effective communication for legal

practice.

Assessment of Students' Performance and Scheme of Examination Pass Percentage & Promotional Criteria

1. Assessment of student performance shall consist of 70 marks for the End-Term Written Examination and 30 marks for Internal Assessment for each paper.
2. The duration of the End-Term Written Examination shall be three hours and shall cover all units of the respective subject.
3. The internal assessment of each paper shall be conducted by a panel of three faculty members, constituted by the Principal in consultation with the Head of Department (HoD).
4. There shall be no requirement for Assignment, project, or internship in this certificate course.
5. In each paper, 30 marks shall be reserved for continuous internal evaluation within the classroom environment. The HoD will issue prior notification (at least one week in advance) regarding the internal evaluation schedule, in consultation with the concerned faculty. All awarded marks will be verified by the HoD before being forwarded to the Controller of Examinations.
6. Break-up of Internal Assessment (30 Marks): Internal Test – 10 marks, Assignment with Presentation – 10 marks & Classroom Seminar / Participation – 10 marks

Attendance

A student must maintain at least 75% attendance in each paper to be eligible to appear in the End-Term Examination. The Principal may grant relaxation up to 25% in genuine and documented cases including:

- Participation in NCC/NSS camps duly supported by a certificate from competent authority.
- Participation in College Team (S) Games or Inter State Tournament (S) duly supported with a certificate from competent authority.
- Participation in any of the co-curricular activity organized by the college duly certified by competent authority.
- Prolonged illness duly certified by the superintendent/CMO of government hospital or registered medical practitioners/hospitals.

Note: The Principal reserves the right to condone attendance deficiencies on valid and cogent grounds.

End-Term Examination

- The End-Term Examination shall be conducted at the end of each of the two terms (3 months each).
- Examinations shall be scheduled as per the academic calendar of IMIRC College of Law (generally in December and June). Students are required to fill the examination form and submit it with the prescribed fee through the HoD to the Registrar of the College.
- Students will appear in three theory papers in each term, amounting to a total of six

written examinations for the full course.

Grad Point and SGPA, CGPA Calculations:

Assessment as per college policy relating to implementation of choice-based credit system (CBCS) to all the programs offered at IMIRC College of Law.

Rules of Promotion:

A student shall not be promoted to the second term if he/she fails in more than two papers in the first term. The paper(s) in which a student fails shall be treated as back paper(s). In no case shall a student having backlogs in more than two papers be permitted to continue to the next term, and he/she will be considered to have a term back.

In case of a term back, the student must seek readmission in the same academic year after approval from the Principal/Head of Department and pay the prescribed readmission fee.

Upon readmission, the student shall have the following options:

1. He/She can choose to reappear in all the papers of the academic year.
2. He/She may opt to appear only in the papers in which he/she has failed.
3. The student must submit their choice in writing at the time of readmission.
4. No repeat attempt is allowed for internal assessment components only.
5. The student shall be required to repeat the complete course, including both theory and internal assessment in the selected papers.

Note: A student must secure a minimum of 50% marks in each paper (combined internal + end-term) to be considered as having passed that paper.

Course Modules:

The course is structured into two terms (Term I and Term II), covering both foundational concepts and practical skills in legal drafting and advocacy.

Programme Learning Outcomes (PLOs):

Upon completion of the Certificate Course in Legal Drafting and Advocacy Skills, learners will be able to:

1. Demonstrate foundational knowledge of legal drafting formats and procedural documents.
2. Draft a wide range of legal documents including pleadings, notices, and contracts.
3. Apply advocacy skills in mock courtroom scenarios and oral arguments.
4. Understand the role of legal ethics, courtroom etiquette, and professional responsibility.
5. Develop preliminary skills for legal research, referencing, and written argumentation.

Course Learning Outcomes (CLOs):

Term I:

- Understand the key elements and formats of legal writing and documentation.
- Learn the principles of precision, structure, and clarity in legal drafting.
- Draft basic civil and criminal pleadings, notices, affidavits, and contracts.
- Analyze legal provisions related to contracts, CPC, and BNSS through practical exercises.

Term II:

- Acquire advocacy and courtroom communication skills.
- Practice framing arguments, examination-in-chief, and cross-examination techniques.
- Prepare memorials and legal research notes in a mooting/trial setting.
- Understand court decorum, ethics, and etiquette for legal professionals.

Term I: Fundamentals of Legal Drafting

S.No.	Course Code	Course Name	L-IA-P	Total Credit
1.	CLDA 101	Introduction to Legal Drafting: Theory and Structure	3-2-0	5
2.	CLDA 102	Drafting of Civil and Criminal Pleadings	3-2-0	5
3.	CLDA 103	Drafting of Contracts, Notices, Affidavits and Legal Forms	3-2-0	5
Total Credit in Term I:				15

Term II: Advocacy and Applied Legal Skills

S.No.	Course Code	Course Name	L-IA-P	Total Credit
1.	CLDA 201	Advocacy Skills and Courtroom Practice	3-2-0	5
2.	CLDA 202	Moot Court and Trial Advocacy Techniques	3-2-0	5
3.	CLDA 203	Court Procedures and Client Counselling Techniques	3-2-0	5
Total Credit in Term II				15

- The Certificate Course comprises a total of six papers, three papers per term.
- Each paper carries 5 credits, making the total credit requirement = 30 credits.
- All papers are designed to ensure a balanced integration of theory and practical training in legal drafting and advocacy.

Term I

Paper I – CLDA 101

INTRODUCTION TO LEGAL DRAFTING: THEORY AND STRUCTURE

Duration: 36 hours (including lectures, seminars, and assessments) **Credits:**5

Introduction:

Legal drafting is the cornerstone of legal practice. Whether preparing pleadings, contracts, or statutory instruments, precise and coherent drafting ensures effective communication of legal rights, duties, and procedures. This paper introduces students to the theoretical foundations, techniques, and language of legal drafting. Emphasis is laid on clarity, brevity, structure, and the avoidance of ambiguity in written legal communication. Through exposure to various types of legal documents, students will begin to develop the skill set required for drafting formal legal instruments across different legal contexts.

Course Outcomes (C.O.):

1. To understand the concept, purpose, and importance of legal drafting in the legal system.
2. To analyze key elements and structure of different categories of legal documents.
3. To develop the ability to draft simple pleadings, notices, and legal communications.
4. To apply rules of grammar, formatting, and legal language in a precise and persuasive manner.

Program Outcomes:

1. To provide foundational understanding of legal writing and communication.
2. To introduce drafting techniques applicable in civil, criminal, and commercial practice.
3. To develop skills for creating structured, logical, and effective legal documents.
4. To prepare students for further practical training in court-based drafting and litigation.

Syllabus:

Unit I: Foundations of Legal Drafting

- Definition, Nature, and Objectives of Legal Drafting
- Types of Legal Drafting: Legislative, Judicial, and Conventional
- Characteristics of a Good Draft
- Difference between Legal Writing and Legal Drafting
- Importance of Structure, Style, and Tone in Legal Documents
- Legal Maxims, Punctuation, and Terminology

Unit II: Language and Principles of Drafting

- Use of Plain Language vs. Legalese
- Golden Rules of Drafting (Clarity, Coherence, Precision, Relevance)
- Negative and Positive Wording in Legal Texts
- Avoidance of Ambiguity and Redundancy
- Drafting Definitional Clauses and Recitals
- Use of Passive Voice and Modal Verbs in Law

Unit III: Drafting Format and Structure

- Heading, Title, Parties, Jurisdiction Clause, and Cause Title
- Opening Statements, Material Facts, Issues, and Prayers
- Signatures, Affidavits, and Verifications
- Drafting Clauses: Operative, Boilerplate, Indemnity, Termination
- Sample Formats: Legal Notice, Show-Cause Notice, Legal Opinion
- Style Sheets, Numbering, and Referencing in Legal Documents

Suggested Readings:

Books:

- R.N. Chaturvedi – *Legal Drafting and Conveyancing*, Central Law Publications, 2022 (Latest Edition)
- M.C. Kuchhal – *Business Law*, Vikas Publishing House, 2021 (Latest Edition)
- N.S. Bindra – *Interpretation of Statutes*, LexisNexis, 13th Edition, 2022
- S.K. Mishra – *Legal Language, Legal Writing & General English*, Allahabad Law Agency, 2020

Articles / Reports:

- G.C.V. Subba Rao, "Plain Language Drafting in Indian Legal System", Indian Bar Review, Vol. 38 (2011)
- Law Commission of India, Report No. 200 (2006) – *Proposal to Encode Plain Language in Government Drafting*
- Bar Council of India Journal (Latest Volume) – Selected Articles on Drafting and Court Practice

Case Law References (for Illustrative Purposes):

- *Bachhitar Singh v. State of Punjab*, AIR 1963 SC 395 – Importance of clarity in legal communication
- *K.K. Kochuni v. States of Madras & Kerala*, AIR 1960 SC 1080 – Significance of language in property documents
- *State of Bihar v. Kripalu Shankar*, AIR 1987 SC 1554 – Interpretation of clauses in legal instruments

Evaluation Scheme:

Internal Assessment (30 Marks):

- Two written assignments – 10 marks
- One classroom presentation – 10 marks
- Participation/Seminar/Viva – 10 marks

End Semester Examination (70 Marks):

- **Section A:** Short answer questions (30 marks)
- **Section B:** Analytical/Essay-type questions (40 marks)

Paper II – CLDA 102

DRAFTING OF CIVIL AND CRIMINAL PLEADINGS

Duration: 36 hours (including lectures, seminars, and assessments) **Credits:** 5

Introduction:

Pleadings are essential to framing issues in both civil and criminal proceedings. This paper provides a practical introduction to drafting basic pleadings used in courts of law under the Code of Civil Procedure, 1908 and the Bharatiya Nagarik Suraksha Sanhita, 2023. It enables students to understand the procedural and substantive requirements of pleadings, and to develop the ability to draft plaints, written statements, complaints, FIRs, bail applications, and related documents. The course emphasizes logical reasoning, statutory compliance, and clarity of expression in legal writing.

Course Outcomes (C.O.):

1. To understand the structure and purpose of pleadings in civil and criminal proceedings.
2. To apply statutory formats and procedural requirements to drafting legal documents.
3. To develop skills in drafting core pleadings such as plaints, written statements, and complaints.
4. To analyze the role of pleadings in litigation strategy and judicial outcomes.

Program Outcomes:

1. To provide practical exposure to courtroom documentation under CPC and BNSS.
2. To improve legal reasoning and articulation through structured drafting exercises.
3. To build confidence in preparing legally valid pleadings for client representation.
4. To prepare learners for practical litigation, internships, and mooting experiences.

Syllabus:

Unit I: Civil Pleadings under CPC, 1908

- Meaning and essentials of pleadings under Order VI Rule 1 of CPC
- Drafting of a Plaint: cause of action, relief, jurisdiction
- Drafting of Written Statement: admission, denial, set-off, counterclaim
- Interlocutory Applications (IA): injunction, commission, stay, limitation
- Execution and Appeal: Drafting appeals and review applications
- Practical Exercises on plaint and written statement

Unit II: Criminal Pleadings under BNSS, 2023

- FIR and Police Complaint: format and drafting techniques
- Criminal Complaint
- Charge-sheet and Discharge Applications
- Bail Application (Regular and Anticipatory)
- Drafting of Protest Petition, Application for Compounding
- Sample format of Criminal Revision Petition and Appeal

Unit III: Legal Requirements and Court Formalities

- Essential parts of any pleading: cause title, memo of parties, verification, affidavit
- Jurisdiction clauses and limitation periods
- Drafting based on precedents and templates
- Use of precise language and framing of legal issues
- Common mistakes in pleadings and how to avoid them
- Drafting Exercises: Short problem-based pleadings

Suggested Readings:

Books:

- R.N. Chaturvedi – *Pleadings, Drafting and Conveyancing*, Central Law Publications, 2023 Edition
- C.K. Takwani – *Civil Procedure with Limitation Act*, Eastern Book Company, 2023 Edition
- K.D. Gaur – *Textbook on the Indian Penal Code* (Adapted for Bharatiya Nyaya Sanhita, 2023), Universal Law Publishing, 2024 Edition
- Ratanlal & Dhirajlal – *The Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS)* (formerly The Criminal Procedure Code), LexisNexis, 2024 Edition

Articles / Reports:

- Indian Bar Review – "Essentials of Drafting Effective Pleadings", 2021 Edition
- All India Reporter – "Practical Aspects of Drafting in Civil and Criminal Law"

Case References (for Illustrative Context):

- *Virendra Kashinath Ravat v. Vinayak N. Joshi*, (1999) 1 SCC 47 – Deficiency in pleadings
- *State of Haryana v. Bhajan Lal*, 1992 Supp (1) SCC 335 – Guidelines on FIR
- *M/s Sopan Sukhdeo Sable v. Assistant Charity Commissioner*, (2004) 3 SCC 137 – Proper pleading requirements

Evaluation Scheme:

Internal Assessment (30 Marks):

- 1 Written Assignment (Problem-based Draft) – 10 marks
- 1 Presentation/Drafting Exercise – 10 marks
- Class Participation / Seminar – 10 marks

End Semester Examination (70 Marks):

- **Section A:** Short answer questions – 30 marks
- **Section B:** Essay/Problem-based drafting – 40 marks

Paper III – CLDA 103
DRAFTING OF CONTRACTS, NOTICES, AFFIDAVITS AND LEGAL FORMS

Duration: 36 hours (including lectures, seminars, and assessments) **Credits:** 5

Introduction:

Contracts, legal notices, and affidavits form the backbone of transactional and regulatory law. This course equips students with the practical skills needed to draft essential legal instruments used in civil, commercial, and personal legal matters. Through case-based exercises, students will learn the standard structure, legal language, and enforceability requirements for contracts and formal documents. Emphasis is laid on applying statutory requirements, customizing clauses, and avoiding drafting errors.

Course Outcomes (C.O.):

1. To understand the basic elements and enforceability of contracts and legal forms.
2. To acquire skills in drafting simple and standard form contracts, legal notices, and affidavits.
3. To analyze various clauses in contracts and understand their legal consequences.
4. To apply appropriate formatting, structure, and language in creating legal documents.

Program Outcomes:

1. To familiarize students with commonly used contractual and regulatory documents.
2. To prepare students for drafting professional legal instruments in practice.
3. To develop competence in commercial drafting and client communication.
4. To provide practical insights into statutory compliance through drafting work.

Syllabus:

Unit I: Drafting of Contracts

- Nature and types of contracts: express, implied, void, contingent
- Essentials of a valid contract under the Indian Contract Act, 1872
- Structure of a contract: recitals, definitions, operative clauses, termination, dispute resolution
- Drafting of standard commercial agreements: Sale Agreement, Lease Agreement, Employment Contract
- Customization of clauses: indemnity, force majeure, arbitration, confidentiality
- Drafting of MOU (Memorandum of Understanding)

Unit II: Drafting of Notices and Affidavits

- Legal Notices: Purpose, structure, tone, and language
- Drafting of Notice under Section 80 CPC, 138 NI Act, and for breach of contract
- Types of Affidavits: general affidavit, income affidavit, address affidavit, proof of service
- Drafting and formatting of affidavit and verification clauses
- Requirements for attestation and notarization
- Common errors in affidavits and notices

Unit III: Drafting of Common Legal Forms and Applications

- Drafting of Power of Attorney – general and special
- Drafting of Undertakings, Consent Letters, and No Objection Certificates (NOCs)
- Applications to court: delay condonation, adjournment, exemption, inspection of records
- Petition formats under various statutes (Marriage Act, Succession Act, Rent Control, etc.)
- Basic principles of drafting in bilingual jurisdictions (English and Hindi legal formats)
- Sample exercises on commonly used forms

Suggested Readings:

Books:

- R.N. Chaturvedi – *Legal Drafting and Conveyancing*, 7th Edition, Central Law Agency, 2023
- Avtar Singh – *Law of Contract and Specific Relief*, 13th Edition, Eastern Book Company, 2023
- P.S. Narayan – *Law of Affidavits and Powers of Attorney*, 5th Edition, Universal Law Publishing, 2021
- M.C. Kuchhal – *Business Law*, 6th Edition, Vikas Publishing House, 2021

Articles / Guidelines:

- Department of Legal Affairs, *Manual for Drafting Commercial Contracts*, Ministry of Law & Justice
- "Best Practices in Legal Notices and Contracts," Indian Bar Review, 2022
- BCI Guidelines for Legal Drafting Standards in Affidavits

Evaluation Scheme:

Internal Assessment (30 Marks):

- 1 Drafting Assignment (Contract / Notice / Affidavit) – 10 marks
- 1 Presentation/Clause Analysis – 10 marks
- Class Participation / Viva – 10 marks

End Semester Examination (70 Marks):

- **Section A:** Short answer questions – 30 marks
- **Section B:** Essay-type and document-based drafting problems – 40 marks

Term II

Paper I – CLDA 201

ADVOCACY SKILLS AND COURTROOM PRACTICE

Duration: 36 hours (including lectures, seminars, and assessments) **Credits:** 5

Introduction:

Advocacy is a vital component of legal practice that combines knowledge of substantive and procedural law with oratory, persuasion, and strategic thinking. This paper aims to build students' confidence and ability in courtroom presentation, examination of witnesses, framing of arguments, and professional court conduct. Through mock exercises and demonstrations, students will experience the real-world dynamics of client advocacy, ethical challenges, and trial decorum.

Course Outcomes (C.O.):

1. To understand the meaning, scope, and ethics of advocacy in the legal profession.
2. To develop courtroom skills such as framing issues, addressing the judge, and examining witnesses.
3. To prepare and deliver oral arguments with confidence and legal reasoning.
4. To apply courtroom decorum and procedures for effective legal representation.

Program Outcomes:

1. To strengthen professional presentation and speaking skills for litigation practice.
2. To inculcate knowledge of formal courtroom language, body language, and protocol.
3. To bridge the gap between theory and practice through simulated hearings and exercises.
4. To prepare students for moot courts, internships, and early-stage litigation roles.

Syllabus:

Unit I: Fundamentals of Advocacy

- Meaning, nature, and history of advocacy
- Difference between advocacy, negotiation, and legal counselling
- Qualities of a good advocate
- Ethical conduct, client confidentiality, and bar-bench relations
- Preparation before appearance: facts, law, documents, and strategy
- Addressing the court: language, tone, and presentation

Unit II: Courtroom Techniques and Skills

- Art of framing issues and identifying material facts
- Opening and closing statements
- Direct and cross-examination of witnesses
- Handling objections and legal interruptions
- Impeaching witness credibility
- Time management during oral arguments
- Practical Exercises: role-play and mock courtroom practice

Unit III: Courtroom Etiquette and Procedural Aspects

- Dress code and physical appearance in court
- Behavior with court staff, opposing counsel, and clients
- Conduct in Trial vs. Appellate Courts
- Understanding the hierarchy of courts and jurisdictions
- Handling high-pressure situations in adversarial settings
- Common mistakes in court and how to avoid them

Suggested Readings:

Books:

- Abhinandan Malik – *Art of a Lawyer: Advocacy Skills and Courtroom Craft*, 1st Edition, Eastern Book Company (EBC), 2021
- R.D. Srivastava – *Advocacy and Professional Ethics*, 7th Edition, Central Law Publications, 2023
- George R. Johns – *Professional Ethics and Courtroom Etiquette*, 3rd Edition, Oxford University Press, 2020
- Dr. Kailash Rai – *Moot Court, Pre-Trial Preparations & Participation in Trial Proceedings*, 7th Edition, Central Law Publications (CLP), 2022

Articles / Reports:

- BCI Rules on Advocacy Conduct and Duties of Advocates
- Supreme Court Bar Association, Guidelines on Courtroom Practice (2023 Edition)
- Harvard Law Review: "Trial Advocacy: Ethics, Rhetoric, and Performance"

Evaluation Scheme:

Internal Assessment (30 Marks):

- 1 Simulation-based oral argument or cross-examination – 10 marks
- 1 Viva/Presentation on Court Etiquette – 10 marks
- Class Participation / Attendance – 10 marks

End Semester Examination (70 Marks):

- **Section A:** Short answer and situational questions – 30 marks
- **Section B:** Analytical/legal scenario-based questions – 40 marks

Paper II – CLDA 202

MOOT COURT AND TRIAL ADVOCACY TECHNIQUES

Duration: 36 hours (including lectures, seminars, and assessments) **Credits:** 5

Introduction:

Moot court and trial advocacy are indispensable tools for experiential learning in legal education. This paper introduces students to the art of legal argumentation, case theory building, court submissions, and trial-stage advocacy. The course encourages practical skill development through simulated court exercises, moot memorial drafting, and performance-based assessments. Students will learn the structure of moot problems, citation methods, oral advocacy formats, and effective case presentation under time constraints.

Course Outcomes (C.O.):

1. To develop the skill of interpreting moot problems and identifying legal issues.
2. To learn the technique of framing arguments and anticipating counter-arguments.
3. To acquire hands-on experience in oral and written courtroom submissions.
4. To improve confidence and clarity in trial simulation and moot competitions.

Program Outcomes:

1. To prepare students for professional-level moot courts, debates, and mock trials.
2. To enhance understanding of procedural law through live simulations.
3. To inculcate research, citation, and legal writing skills aligned with courtroom advocacy.
4. To strengthen articulation, composure, and persuasion in high-pressure settings.

Syllabus:

Unit I: Moot Court Orientation and Process

- Meaning and significance of moot courts
- Structure of a moot court competition
- Understanding moot problems: facts, issues, and applicable law
- Roles of petitioner/appellant and respondent
- Written submission vs. oral argument – coordination and consistency
- Format of memorials: content, indexing, and annexures

Unit II: Oral Advocacy Techniques in Moots and Trials

- Preparing for oral submissions
- Structuring content and maintaining clarity under time limits
- Responding to judicial interventions and questions
- Team strategy in moots: speaker roles, rebuttals, and sur-rebuttals
- Voice modulation, courtroom posture, and handling pressure
- Demonstration of sample moot sessions and feedback

Unit III: Trial Advocacy and Simulation Exercises

- Distinction between moot court and trial advocacy
- Stages of trial: opening, examination-in-chief, cross-examination, closing

- Role-play: judges, lawyers, witnesses, clerks
- Drafting trial scripts and structuring the proceedings
- Courtroom management during trial simulations
- Reflection and peer feedback on mock performance

Suggested Readings:

Books:

- Dr. Kailash Rai – *Moot Court, Pre-Trial Preparations & Participation in Trial Proceedings*, 7th Edition, Central Law Publications (CLP), 2022
- Rattan Singh – *Moot Courts and Advocacy Skills*, 2nd Edition, LexisNexis, 2021
- David Pope & Dan Hill – *Mooting and Advocacy Skills*, 2nd Edition, Sweet & Maxwell, 2020
- Shambhu Prasad Choudhary – *Trial Techniques and Courtroom Practice*, 1st Edition, Central Law Agency, 2021

Articles / Reports:

- Bar Council of India: Guidelines for Moot Court Exercise in Legal Education
- National Law University Moot Court Manual, 2023 Edition
- "Trial Advocacy Tips for Law Students" – Journal of Legal Pedagogy, 2022

Evaluation Scheme:

Internal Assessment (30 Marks):

- 1 Moot Memorial Writing Exercise – 10 marks
- 1 Oral Submission or Trial Simulation – 10 marks
- Class Participation / Peer Review / Feedback Sessions – 10 marks

End Semester Examination (70 Marks):

- **Section A:** Conceptual and Short Answer Questions – 30 marks
- **Section B:** Problem-based and performance-reflective essays – 40 marks

Paper III – CLDA 203

COURT PROCEDURES AND CLIENT COUNSELLING TECHNIQUES

Duration: 36 hours (including lectures, seminars, and assessments) **Credits:** 5

Introduction:

This paper introduces students to the practical functioning of courts, filing procedures, case progress tracking, and the professional art of client counselling. It focuses on developing procedural knowledge of civil and criminal litigation and the interpersonal skills necessary to guide and support clients. Emphasis is laid on pre-filing consultation, client interviews, documentation, filing of cases, follow-up, and post-trial advice. Students also learn the ethical dimensions of client relationships, confidentiality, and lawyer-client privilege.

Course Outcomes (C.O.):

1. To understand and follow the basic court procedures and filing protocols.
2. To develop skills in interviewing and counselling clients in a professional and empathetic manner.
3. To gain familiarity with procedural steps in different types of legal matters.
4. To apply ethical principles in client interactions and case management.

Program Outcomes:

1. To prepare students for direct legal interaction with clients and case coordination.
2. To build practical awareness of courtroom structure, hierarchy, and documentation.
3. To cultivate confidence in handling real-world procedural and advisory aspects of practice.
4. To promote ethical lawyering and effective communication in litigation settings.

Syllabus:

Unit I: Court Procedures and Case Filing

- Hierarchy and jurisdiction of courts in India
- Structure and administration of civil and criminal courts
- Filing of plaint, written statement, bail application, complaint, etc.
- Use of e-court and filing portals (e-filing system basics)
- Limitation, court fees, registry process, and cause list
- Role of advocates, clerks, process servers, and court staff
- Monitoring case progress through online portals (ecourts.gov.in)

Unit II: Client Counselling – Concept and Process

- Definition and goals of client counselling
- Stages of a client interview: opening, information gathering, advice, and closing
- Active listening and effective questioning techniques
- Explaining legal rights, remedies, and possible outcomes
- Handling emotional or aggrieved clients
- Drafting consultation notes and advisory letters
- Practice exercises on counselling simulations

Unit III: Ethics and Professional Responsibility in Counselling and Procedure

- Lawyer-client privilege and confidentiality
- Ethical dilemmas in advice and decision-making

- Informed consent and client autonomy
- Managing expectations and avoiding malpractice
- Importance of proper documentation and record-keeping
- Relevant provisions from BCI Rules and Advocates Act, 1961
- Feedback and reflection from simulated client counselling sessions

Suggested Readings:

Books:

- David Binder & Paul Bergman – *Lawyers as Counselors: A Client-Centered Approach*, 4th Edition, West Academic Publishing, 2020
- Dr. Kailash Rai – *Moot Court, Pre-Trial Preparations & Participation in Trial Proceedings*, 7th Edition, Central Law Publications (CLP), 2022
- Avtar Singh – *Law of Civil Procedure*, 6th Edition, Eastern Book Company, 2022
- P.K. Majumdar – *Judicial Remedies*, 2nd Edition, LexisNexis, 2021

Articles / Reports:

- Bar Council of India – Rules of Professional Conduct and Etiquette
- Ministry of Law & Justice – *Citizen's Guide to Indian Courts*
- Harvard Law Review – "Client Counselling as a Legal Skill" (2022)

Evaluation Scheme:

Internal Assessment (30 Marks):

- 1 Assignment (Procedure or Counselling Simulation Report) – 10 marks
- 1 Role-play/Mock Interview – 10 marks
- Class Participation / Feedback Session – 10 marks

End Semester Examination (70 Marks):

- **Section A:** Procedural and Ethics-based short answer – 30 marks
- **Section B:** Counselling scenario-based problems/reflective essays – 40 marks