

KARNATAKA STATE LAW UNIVERSITY  
**SYLLABUS**  
COURSES PRESCRIBED FOR  
**3 YEAR LL. B. DEGREE COURSE**

**I Semester:**


- Course I Constitutional Law - I
- Course-II Contract-I
- Course-III Law of Torts
- Course-IV Family Law-I: Hindu Law
- Course-V Criminal Law-I: Indian Penal Code
- Course VI English (For those who write examination in Kannada)

**II Semester:**

- Course-I Constitutional Law - II
- Course-II Contract-II
- Course-III Labour Law - I
- Course-IV Property Law
- Course-V Family Law -II: Mohammedan Law & Indian Succession Act
- Course-VI Kanoonu Kannada / Kannada Kali  
(For non-Kannadiga students)

**III Semester:**

- Course-I Jurisprudence
- Course-II Labour Law - II
- Course-III Law of Taxation
- Course-IV Criminal Law-II: Criminal Procedure Code, 1973 and Juvenile Justice (Care and Protection of children) Act, 2000 and Probation of Offenders Act-1958

  
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Course-V Administrative Law

**IV Semester:**

Course-I Public International Law

Course-II Optional-I : Human Rights Law and Practice / Insurance Law

Course-III Optional-II : Banking Law / Right to Information

Course-IV Clinical Course-I : Professional Ethics and Professional Accounting System

Course-V Clinical Course-II : Alternative Dispute Resolution Systems

**V Semester:**

Course-I Company Law

Course-II Civil Procedure Code and Limitation Act

Course-III Optional-III : Intellectual Property Rights-I / Penology & Victimology

Course-IV Optional-IV : Interpretation of Statutes & Principles of Legislation/ Competition Law

Course-V Clinical Course-III : Drafting, Pleading and Conveyance

**VI Semester:**

Course-I Law of Evidence

Course-II Environmental Law

Course-III Optional – V : Intellectual Property Rights-II / White Collar Crimes

Course-IV Optional – VI : Land Law / International Trade Economics

Course-V Clinical Course-IV : Moot Court exercise and Internship

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# I Semester

## COURSE I : CONSTITUTIONAL LAW-1 (Subject Code: 4001)

### Objectives:

The purpose of the course is to acquaint the students with the idea that the Indian Constitution is a normative Constitution with value aspirations. The Indian Constitution envisages establish a justice system with legal technique. The basic postulate of Constitution like Constitutional Supremacy, Rule of law and Concept of Liberty are emphasized in this paper. Exhaustive analysis of Fundamental Rights and committed approach to Directive principles would from the essence of the course.

### Unit-I

Meaning & Definition of Constitution, Kinds of Constitution, Constitutionalism, Salient features of Indian Constitution. Preamble : Meaning, Scope, Importance, Objectives and Values enshrined in the Preamble. Citizenship - modes of acquisition & termination.

### Unit-II

State: Definition under Article 12, New Judicial trends on concept of State Action – need for widening the definition. Definition and Meaning of Law: Pre-Constitutional and Post-Constitutional Law, Doctrine of Severability and Doctrine of eclipse, Judicial Review and Article 13. Equality and Social Justice: General Equality Clause under Article 14, New Concept of Equality, Judicial Interpretation on Equality.

### Unit -III

Protective Discrimination and Social Justice under Articles 15 and 16 New Judicial trend on Social Justice, Constitutional Provision on Untouchability under Article 17. Right to Freedom: Freedom of Speec and Expression, Different

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dimensions – Freedom of Assembly, Association, Movement and Residence, Profession, Occupation, Trade or Business, Reasonable restrictions.

#### **Unit – IV**

Rights of the Accused: EX-post facto Law – Double jeopardy – Right against self incrimination (Article 20). Rights of the arrested person, Preventive Detention Laws (Article 22), Right to Life and Personal Liberty, Various facets of **Life and Liberty (Article 21)**, Right against Exploitation, Secularism – Freedom of Religion, Judicial interpretation, Restrictions on freedom of religion.

#### **Unit – V**

Cultural and Educational Rights of minorities - Recent trends to Constitutional Remedies: Article 32 and 226 - kinds of writs – Right to property (prior to 1978 and the present position). Directive Principles of State Policy and Fundamental Duties – inter relation between fundamental rights and directive principles.

#### *Prescribed Books:*

1. Dr. V N Shukla – Constitution of India
2. M. P Jain – Indian Constitutional Law

#### *Reference Books:*

1. H.M. Seervai – Constitutional Law of India
2. T.K. Tope - Constitutional Law
3. D.D.Basu Shorter Constitution of India
4. S. Shiva Rao – Framing of Indian Constitution.
5. Subhash. C Kashyap – Parliamentary Procedure.
6. Subhash. C. Kashyap - History of Indian Parliament.
7. R.C. Agarwal – Constitutional Development and National Movement.
8. A.B. Keith – Constitutional History of India.  
D.J.De – The Constitutional of India Vol.I and II.

**COURSE IV :****FAMILY LAW-I: HINDU LAW (Subject Code: 4004)****Objectives:**

The course is designed to endow the students with knowledge of both the codified and uncodified portions of Hindu law. The course concerns itself with the sources, schools, institutions, succession, maintenance, menace of dowry, etc.

**Course contents:****UNIT – I**

The Concept of Dharma - Sources of Hindu Law – Ancient and Modern - Importance of Dharma Shastra on Legislation – Mitakshara and Dayabhaga Schools of Hindu Law - Application of Hindu Law.

**UNIT – II**

Marriage and Kinship - Evolution of the Institution of **Marriage and Family**- Law Prior to Hindu Marriage Act -A detailed study of Hindu Marriage Act, 1955 -**Matrimonial Remedies** - Maintenance and Alimony; Customary Practices and legislative provisions relating to dowry prohibition.

**UNIT – III**

Hindu undivided family – Mitakshara Joint Family - Formation and Incidents - Property under both Schools – Kartha: His Position, Powers, Privileges and Obligations - Debts – Doctrine of Pious Obligation - Partition and Reunion – Religious and Charitable Endowment.

**UNIT – IV**

Inheritance and Succession - Historical perspective of traditional Hindu Law relating to Inheritance - Hindu Succession Act, 1956. **Stridhana- Woman's Property** - Recent State and Central Amendments to Hindu Succession Act;



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Gifts and Testamentary Succession – Wills.

**UNIT – V**

Law relating to Hindu Minority and Guardianship: Kinds of Guardians; Duties & Powers of Guardians; A detailed study of Hindu Adoption and Maintenance Act, 1956; **Maintenance:** Traditional Rights and Rights under Hindu Adoption & Maintenance Act 1956.

**Prescribed Books:**

Diwan, Paras – *Modern Hindu Law*, (Faridabad : Allahabad Law Agency, 1993)

**Reference Books:**


John D. Mayne – *A Treatise on Hindu Law and Usage*, 9th Edition, (Madras : Higginbotham, 1922)

Mulla – *Principles of Hindu Law*, (New Delhi : Lexis Nexis Butterworths, 2007)

Diwan, Paras – *Law of Adoption, Ministry Guardianship and Custody* (Universal : 2000)

J. D. M. Derrett – *Hindu Law – Past and Present*, (Calcutta : A Mukherjee & Co., 1957)

N. Raghavachar - *Hindu Law*

  
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**COURSE V :****CRIMINAL LAW-I: INDIAN PENAL CODE**

(Subject Code: 4005)

**Objectives:**

This course is designed to understand the meaning of crime, methods of controlling them and the essential principles of criminal liability by a study of a range of offences under the Indian Penal Code.

**Course contents:****UNIT – I**

General Principles of Crime; Conceptions of Crime; Distinction between Crime and other wrongs under common Law


Principles of criminal liability – *Actus reus* and *mens rea* (also statutory offences) and other maxims; Variations in liability – Mistake, intoxication, compulsion, legally abnormal persons; Possible parties to the crime: Principal in the I degree; Principal in the II degree; Accessories before the fact; Accessories after the fact.

Indian Penal Code: General Explanation, Sections 1 to 5, Sections 6, 7, Sections 21 to 30, 32 to 37 and section 52 & 52A; Punishment : From Sections 53 to 55A, 63, 64, 65, Section 73 to 75

**UNIT – II**

General Exceptions: Sections 76 – 106; Abetment : Sections 107 - 120; Criminal Conspiracy: Sections 120A & 120B; Offences against State: Sections 121 – 130; Offences against the public tranquility: Sections 141 – 160; Difference between Sections 34 & 149 - Offences relating to election: Contempt of lawful authority and public servants (Brief Discussion): Sections 172 – 190

False evidence : Sections 191 – 197, 208 - 212; Offences relating to coins and Government Stamps: Sections 230 to

  
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## II SEMESTER

### COURSE I :

**CONSTITUTIONAL LAW - II (Subject Code: 4007)**

### Objectives :

This course gives the students a picture of Constitutional Parameters regarding the organization, powers and functions of the various organs of the Government. The emphasis is also on the study of the nature of federal structure and its functioning. A critical analysis of the significant judicial decisions is offered to highlight judicial restraint, judicial activism and judicial balancing. Finally, the students should be able to articulate their independent views over contemporary crucial Constitutional issues.

### Unit - I

**Federal system** : Organization of State.

Relationship between the Centre and the State : Legislative, financial and Administrative, Co-operative Federalism and recommendation of Commission.

Freedom of Trade and Commerce, Official Language, Local self-government with special emphasis on 73rd and 74th Amendment.

Constitutional provision of Jammu and Kashmir (Art. 370)

### Unit - II

Executive : Centre and State; President and Governor; powers and functions.

Parliament and State Legislature : **Bicameralism**, Composition, powers and function. Councils of ministers : collective responsibility, Position of Prime Minister and Chief Minister.

### Unit - III

Speaker : Parliament and State Legislature, Powers and Functions, Privileges Anti-Defection Law.



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Judiciary : Union and States, appointment, powers, jurisdiction and Transfer of judges.

**Unit - IV**

Subordinate Judiciary, Administrative Tribunals.  
Public Service Commission : services under the center and the state, Constitutional protection to Civil Servants.  
Election Commission : Powers and functions.  
State liability for Torts and Contract.

**Unit - V**

Emergency : Types, Effects and effects on Fundamental Rights.  
Constitutional Interpretation  
Amendment : Basic structure theory.  
Schedules.  
Review of working of the Constitution.

**Prescribed Book :**

M. P. Jain - Indian Constitutional Law Vol I & II

**Reference Books :**

- H. M. Seervai - *Constitutional Law of India*
- V. N. Shukla - *Constitution of India*
- T. K. Tope - *Constitutional Law*
- S. Shiva Rao - *Framing of Indian Constitution*
- Subash C. Kashyap - *Parliamentary Procedure*
- Subash C. Kashyap - *Constitution of India*
- D.J. De - *The Constitution of India, Vol I and II.*
- J. N. Pandey - *Constitutional Law of India*
- D.D. Basu - *Constitutional Law of India*

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**COURSE III :****LABOUR LAW - I (Subject Code: 4009)****Objectives :**

In this course, the students are to be acquainted with the Industrial relations framework. Further, the importance of the maintenance of industrial peace and efforts to reduce the incidence of strikes and lockouts are to be emphasised. The main objective is to critically examine the provisions in the Trade Unions Act, 1926; the machineries contemplated under the Industrial Disputes Act, 1947 for the prevention and settlement of industrial disputes and other matters. Further, the objectives underlying the Industrial Employment (Standing Orders) Act, 1946, and Disciplinary Enquiry for misconduct are to be studied with a view to acquaint misconduct and the procedure to be followed before imposing punishment for misconduct alleged and established.

Referring wherever necessary to the Constitutional provisions and the ILO Conventions and recommendations will do learning of these legislations. We will be looking at the judicial response, legislative response and probable amendments required to the industrial relations laws to meet the challenges posed by economic liberalisation. In order to understand the abovementioned legislations in their proper perspective, a brief historical background of these legislations will also be examined.

In this course, students shall also acquaint with legal frame-work relating to social security and welfare. The concept of social security, its importance and also Constitutional basis for the same are introduced. The importance of ensuring health, safety and welfare of the workmen, social assistance and social insurance schemes and the regulation of wages under various legislations are to be

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emphasised. The objective is also to understand the provisions of the Employees Compensation Act, 1923, the Employees' State Insurance Act, 1948, the Payment of Wages Act, 1936, the Factories Act, 1948. These legislation are to be studied with a view to acquaint the students regarding various rights and benefits available to the workmen thereunder. Legislations are to be analysed by examining historical background, objectives underlying these legislations, judicial interpretations and effectiveness of these legislations in the changed economic policies.

### **Unit - I**

Historical aspects - Master and Slave Relationship, **Trade Unionism** in India and UK - Enactment of the Trade Unions Act, 1926 - ILO Conventions relating to Trade Unions and relevant Constitutional provisions.

A bird's eye view of the Act - Definitions - Trade Union, Trade Dispute, etc Provisions relating to registration, withdrawal and cancellation of registration - Funds of Trade Union, Immunities, problems of Trade Union, Amalgamation of Trade Union - Recognition of Trade Unions - Methods need and efforts in this regard, Collective Bargaining - Meaning, methods, status of collective bargaining settlements collective bargaining and liberalisation.

### **Unit - II**

Historical Background and Introduction to the Industrial Disputes Act, 1947 - Definitions - Industry, Workman, Industrial Dispute, Appropriate Government, etc., - Authorities / Industrial Dispute resolution machinery - Works Committee, Conciliation and Board of Conciliation - Powers and Functions, Court of Inquiry, Grievance Settlement Authority.

  
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Voluntary Arbitration U/S 10-A, Compulsory Adjudication - Government's power of reference U/S-10 - Critical analysis with reference to decided cases. Compulsory Adjudication - Composition, Qualification, Jurisdiction, powers of adjudication authorities, Award and Settlement - Definition, Period of operation, binding nature and Juridical Review of award.

### Unit - III

Law relating to regulation of strikes and lockouts - Definition of strikes and lockouts, Analysis with references to Judicial Interpretations, Regulation U/Ss 22, 23, 10-A (4-A) and 10 (3), Illegal strikes and lockouts, penalties. - Regulation of Job losses - concepts of Lay-off, Retrenchment, Closure and Transfer of undertakings with reference to statutory definition and judicial Interpretations - Regulation of job losses with reference to the provisions of chapter V A and V B the ID Act, 1947 - Certified Standing Orders - Meaning and Procedure for Certification, Certifying officers Powers and Functions, etc.

### Unit - IV

Concept and Importance of Social Security of I.L.O. Constitutional Mandate. The Employees' Compensation Act, 1923 - Definitions - employee, employer, dependent, partial disablement, total disablement, etc - Employer's liability for compensation Conditions and Exceptions - Procedure for claiming compensation. Computation of Compensation. Commissioner - Jurisdiction, Powers, etc.

The Employees' State Insurance Act, 1948 - Definitions - Employment injury, contribution, dependent, employee, principal employer, etc. - Employees' State Insurance Funds - Contribution, Benefits available - Administrative Mechanism - E.S.I. Corporation, Standing Committee,

  
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**COURSE V :****FAMILY LAW -II: MOHAMMEDAN LAW AND  
INDIAN SUCCESSION ACT (Subject Code: 4011)****Objectives:**

The knowledge of family laws is important for lawyers. This course is designed to endow the students with knowledge of both the codified and uncodified portions of Mohammedan Law. The course concerns itself with the sources, schools, institutions, succession, maintenance, menace of dowry, etc. In addition the students have to familiarize themselves with the provisions of the Indian Succession Act.

**Course contents:****UNIT-I**

Development of Islamic Law: Advent of Islam & development of Muslim Law, Schools of Islamic Law, Who is a Mohammedan; Conversion and its consequences on family: Marriage, Guardianship, Succession; Child and Family: *the Shariat Act, 1937*; Sources of Islamic Law; Concept of Marriage: Definition, object, nature, essential requirements of a Muslim marriage, classification of marriage - Legal effects of valid, void and irregular marriage - Muta marriage; Customary practices and State regulation: Polygamy; Child marriage; Option of Puberty; Dower; Kinds of Dower: Dower when confirmed; Widow's Right of Retention

**UNIT-II**

Parentage Legitimacy, and Acknowledgement of Paternity Custody, Maintenance and education, Guardianship and parental rights. Matrimonial Remedies under Islamic Law and Indian Divorce Act, 1869(Amended Act) - Modes of

  
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Talak - Effects of Talak - Iddat - Nullity of marriage - Bar to matrimonial relief; Alimony and Maintenance: Alimony and Maintenance as an independent remedy- A review under Muslim law, Indian Divorce Act, 1869, provisions under the *Criminal Procedure Code, 1973*; Maintenance of divorced Muslim Women under the *Muslim Women (Protection of Rights on Divorce) Act, 1986*.

**UNIT-III**

Will-Meaning, Limitations on a Mohammeden in making a will; Difference between will and gift, Will made in death bed or during illness; Gifts(Hiba) : Essentials of Valid Gift; Kinds of Hiba; Revocation of Gifts; Wakf; Essentials of valid Wakf; Mutawalli - Appointment - Powers and Duties of Mutawalli; Law relating Pre-emption; Nature of Right of Pre-emption; Who can Pre-empt; Formalities; When the Right of Pre-emption is lost.

**Unit IV**

**Muslim law of Inheritance**- Shia and Sunni schools; Distribution of property under Indian Succession Act of 1925(of Christians, Parsis)- Domicile- Kinds of Domicile - Modes of acquisition of Domicile; Parsis Intestate succession and Non Parsis Intestate succession, Succession certificate, Probate and letters of administration, Powers and Duties of Executor,

**UNIT-V**

*Wills - Privileged and unprivileged wills - Construction of Wills in brief - Void bequests, void wills, Kinds of Legacies; Specific and Demonstrative Legacy; Ademption of Legacies; - Protection of property of the deceased; Appointment of Curator - Powers and Duties Family Courts Act, 1984-*

*Gpt*

*Constitution, powers, and its functions; Need for Uniform Civil Code- Article 44 of Indian Constitution*

**Prescribed Books:**

Mulla - *Principles of Mohammedan Law*, (New Delhi: Lexis Nexis, 1906).

Paras Diwan - *Law of Intestate and Testamentary Succession*, 4th Edition, (New Delhi: Universal Law Publishing Co. Ltd, 2013)

**Reference Books:**

B. B. Mitra - *Indian Succession Act, 1925*, 15th Edition, (New Delhi: Jain Book Agency, 2013)

A. A. A Fyzee - *Outlines of Mohammedan Law*, (Oxford University Press, 1974)

Basu, N.D. - *Law of Succession*, 5th Edition, (Calcutta: Eastern Law House, 1974)

Paras Diwan - *Family Law: Law of Marriage and Divorce in India*, (New Delhi: Universal Law Publishing Co. Ltd, 2011)

A. M. Bhattacharjee - *Muslim Law and the Constitution* (Calcutta: Eastern Law House, 1994)

Tahir Mohamood - *The Muslim Law of India*, (Law Book Company, 1980)

*Indian Divorce Act, 1869 - Bare Act*

  
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**Course-IV****CLINICAL COURSE-I:  
PROFESSIONAL ETHICS AND PROFESSIONAL  
ACCOUNTING SYSTEM****(Subject Code: 4024)****Objective:**

Professions are noble. The movement of all professions, hitherto, has been from chaos to organization, organization to consolidation and consolidation to autonomy and monopoly. Same is true of the law profession also. The prime reason for conferring autonomy and monopoly by the society on the professionals is the fact that they are a body of learned persons and the interest of society and individuals is safe in their hands. The Bar should set enviable standards of ethics and scrupulously adhere to them as also enforce them. It is too good of the society to trust the learned body of the professionals to regulate themselves and not to empower an outsider to sit in judgment over their activities. The trust reposed by the society in profession is to be zealously guarded. The Bar should live up to the expectations of the society. The society has a right to expect of the professionals such ideal behaviour. The course is designed to imbue students with these high values forming the basis of the profession so that they can live up to those standards in their professional life.

**Course contents:****UNIT-I**

The legal profession and its responsibilities; The equipment of the lawyer; Conduct in court; Professional conduct in general; Privileges of a lawyer; Salient features of the *Advocates Act, 1961*.



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**UNIT-II**

Duty to the court; **Duty to the profession**; Duty to the opponent; Duty to the client; Duty to the self; Duty to the public and the state.

**UNIT-III**

Contempt of Court Act, 1972

Selected major judgments of the Supreme Court:

1. In the matter of *D, An Advocate*, AIR 1956 SC 102.
2. *P.J.Ratnam v. D.Kanikaram*, AIR 1964 SC 244.
3. *N.B.Mirzan v. The disciplinary committee of Bar Council of Maharashtra and Another*, AIR 1972 SC 46.
4. *Bar Council of Maharashtra v. M.V.Dabholkar, etc.*, AIR 1976 SC 242.
5. *V.C.Rangadurai v. D.Goplan and others*, AIR 1979 SC 201.
6. *Chandra Shekhar Soni v. Bar Council of Rajasthan and Others*, AIR 1983 SC 1012.
7. *In Re an Advocate*, AIR 1989 SC 245.
8. *In Re Vinay Chandra Mishra*, 1995 (Vol-I) IBR 118.
9. *Supreme Court Bar Association v. Union of India*, AIR 1998 SC 1895.
10. *Ex-Capt. Harish Uppal v. Union of India*, AIR 2003 SC 739.

**UNIT-IV**

Selected opinions of the Bar council of India

1. DC Appeal No. 16/93 1998 (Vol.1) IBR 135
2. BCI Tr. Case No.40/91 1998 (Vol.1) IBR139
3. DC Appeal No. 8/94 1998 (Vol. 1) IBR 153
4. DC Appeal No. 20/94 1997 (Vol. 3 &4) IBR 193

  
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**Course II****ENVIRONMENTAL LAW (Subject Code: 4034)****Objective:**

Environmental problems have attained alarming proportions. It is essential to sensitise the students to environmental issues and the laws. The important principles in the field like inter-generation equity, carrying capacity, sustainable development, and precautionary principle, polluter pay principles are to be appreciated. The law in practice is to be analysed and evaluated. The course is designed towards these objectives.

**Course contents:****UNIT - I**

The Idea of Environment:

Environment: meaning and components- Pollution: meaning, sources, Kinds, and effects of pollution - Ancient and Medieval Writings - Environmental jurisprudence - National environmental policy.

**UNIT - II**

Environmental Policy and Law: Pre & Post Independence Period -Constitutional provisions on Environment and its Protection: Right to Environment - Duty to protect environment - Public interest litigation and environment - Role of Judiciary on Environmental issues -Doctrines of Environmental Pollution: Evolving new Principles - Absolute Liability -Polluter pays principle - Precautionary principle - Inter generational equity principle -Public trust doctrine.

**UNIT-III**

International Law and Environmental Protection: Sustainable - Development International conventions in the development of Environmental Laws and its Policy: Stockholm - Rio &

  
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Johannesberg Declaration - Trans-boundary Pollution hazards & Regulation; Common Law aspects of Environmental Protection - Criminal Law and environment.

#### UNIT - IV

Prevention and Control of Water & Air Pollution: Water Act, 1974 and Air Act, 1981 - Pollution Control Boards and its powers and functions- offences and penalties - Remedies in case of water and air pollution - Noise Pollution and its control; Noise Pollution (Regulation & Control) Rules, 2000 - Wildlife Protection Act, 1972: Hunting - Trade in Animal articles - Authorities under wild life protection Act- Role of Judiciary on wild life protection - Forest Conservation Act, 1980 - judicial approach.

#### UNIT - V


Environment Protection Act 1986 - ECO-Mark Environmental Audit - Coastal Regulation Zone, **Environment Impact Assessment**: Discretionary Model and Mandatory Model - Regulation on Bio-Medical Waste - Disposal of Solid Waste.

#### *Prescribed Books:*

1. P. Leela Krishnan - *Environmental Law in India*, Third Edition, (Lexis Nexis)  
Armin Rosencranz - *Environmental Law and its Policy in India*.
2. S. C. Shastri - *Environmental Law*, Third Edition, (Eastern Book Company)

#### *Reference Books:*

1. Lal's Encyclopedia on Environment Protection and Pollution laws, Fifth Edition, Volume I & II, (Delhi Law House.)

  
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