

Third Year – Sixth Semester

COURSE-IV OPTIONAL – VI. WOMEN AND CRIMINAL LAW & LAW RELATING TO CHILD.

Objectives:

It is now for centuries that the women in India have suffered in the society. Even after 50 years of adoption of the Constitution, for women, equality with man appears to be a distant mirage to be reached. Effective political representation of women in Legislature and other forums too has become a difficult proposition to be acceptable. Breach of her personality, through various forms of violence, too has not subsided. The course will study, what are the legal provisions enacted to ameliorate these situation with special emphasis on Indian municipal Law and what is the scope and shortcomings in the existing legal regime in this regard.

Course contents:

UNIT-I

Women in Pre-Constitution Period: Social and Legal Inequality; Social Reform Movement in India; Legislative response in India.

Women & children in Post-Constitution Period.

Provisions of Constitution of India

Preamble, Art. 14, 15, 23, and Part IV.

Legal Measures in relating to Child Labour.

Women and Political Representation.

UNIT-II

DIFFERENT Personal Laws – Unequal Position of Indian Women – Uniform Civil code; Sex inequality in Inheritance Rights; Right of Inheritance by birth for Sons and not for Daughters; Inheritance under Christian Law; Inheritance under Muslim Law; Matrimonial Property Law; Right of Women to be Guardian of her minor sons and daughters.

UNIT-III

Law of Divorce- Christian Law – Discriminatory Provision; Muslim Law – Inheritance divorce. Women and Social Legislation; Dowry Prohibition Law; Sex Determination Test, Law relating to Prevention of Immoral Trafficking in Women Act.

UNIT-IV

Women and Criminal Law : Adultery; Rape; Outraging the Modesty of women; Kidnapping; Sati Prohibition Law; Law relating to Domestic violence; Law relating Eve-Testing; Indecent Representation of Women Act.

UNIT-V

Women and Employment; Factories Act – Provisions relating to women; Maternity Benefit Act; Equal Remuneration Act; Law relating to Sexual Harassment at Working Place; N.C.W-Aims, Functions and Performance.

Prescribed Books:

1. Indu Prakash Singh – Women, law and Social Change in India.
2. Paras Dewan – Dowry and Protection to married Women.
3. S.P.Sathe – Towards Gender Justice.
4. Dwarka Nath Mitter – Position of Women in Hindu Law.
5. Shaukat Nasir – Muslim Women and their Rights.

Reference material:

1. Relevant Provisions of Constitution of India.
2. Relevant Provisions of Indian Penal Code.
3. S.125, Criminal Procedure Code.
4. National Commission on Women Act, 1990.
5. Matrimonial Property – Private Members bill Introduced in Parliament.
6. Towards Equality – Report of Committee on the Status of Women (Govt. of India) Chapter IV and Section IV. General Conclusions and Recommendations.

COURSE-IV, OPTIONAL – VI; LAW RELATING TO INTERNATIONAL TRADE.

Objectives:

International trade has assumed great importance in 21st century and its regulation under law has become a necessity to prevent exploitation of the weaker people. A new legal regime to regulate international trade is emerging. Students of law should have understanding of these developments. This course is worked out to provide the future lawyers basic inputs in the area of international trade law.

Course contents:

UNIT-1

Historical perspectives of International Trade/ Institutions – UNCTAD, UNCITRAL, GATT (1947-1994); World Trade Organization – Objectives, Structure, Power; Most Favored Nation Treatment and National Treatment; Tariffs and Safeguard measures.

UNIT-II

Technical Barriers to Trade; Sanitary and Phyto – sanitary measures; Trade Related Investment Measures (TRIMs); Anti – Dumping, Subsidies and Countervailing Measures; Dispute Settlement Process.

UNIT-III

International Sales of Goods Formation and Performance of International contracts, various Forms and Standardization of Terms: Acceptance and rejection of Goods. Frustration of Contract, Invoices and packing. Produce liability.

UNIT-IV

Exports – Insurance of goods formation and kinds; law on carriage of goods by sea, land and air, container transport, pre-shipment inspection; licensing of exports and imports.

UNIT-V

Laws governing finance and investments; foreign collaboration and investment policy; foreign direct investment in Industries and Governing Policies; Foreign Institutional Investors (FIIs); Investment by Non-resident Indians (NRIs) and Overseas Corporate Bodies (OCBs); Foreign Collaboration Agreement – Foreign Technology Agreement; Foreign Companies and Foreign nationals in India.

Prescribed Books:

1. Indira Carr – Peter Stone – International Trade Law.
2. Myneni S.R – The world Trade Organization.
3. Clive M Schmitthoff – Export Trade : The Law and Practice of International trade.
4. Rajiv Jain – Guide on Foreign Collaboration; Policies and Procedures.
5. C.Singhania – Foreign collaborations ad Investment in India; Law and Procedures.
6. Jayanta Bagachi – World Trade Organization: An Indian Perspective, Eastern Law house.

NOTE: The course teacher should down load the latest materials from the net and impart the information to the students.