

Purbanchal University
Faculty of Law
Syllabus for Three Years LL.B
Subject: Administrative Law

Full Marks: 100

Pass Marks: 35

Year: III

Nature: Compulsory

Course Code: 501

Course Objectives

The objectives of this course are:

- To expose students to basic concepts and principles of Administrative Law,
- To help them understand the role of Administrative Law in promotion of rule of law and good governance, and
- To let them know about processes and procedures of Quasi Judicial Bodies.

Contents

Unit- 1 Introduction

- I. Meaning and Definition of Administrative Law
- II. Nature, Scope and Sources of Administrative Law
- III. Importance of Administrative Law

Unit- 2 Development of Administrative Law

- I. Development of Administrative Law
- II. Rule of Law
- III. Separation of Power and Check and Balance

Unit- 3 Classification of Administrative Power

- I. Legislative Power
- II. Administrative Power
- III. Judicial/Quasi Judicial Power

Unit- 4 Delegated Legislation

- I. Definition and Scope of Delegated Legislation
- II. Forms of Delegated Legislation
- III. Limitation on Delegated Legislation
- IV. Sub Delegation

Unit- 5 Control of Delegated Legislation

- I. Reason for Control
- II. Constitutional and Parliamentary Control

Unit- 6 Administrative Discretion

Unit- 7 Quasi Judicial Bodies and Their Procedure

- I. Quasi Judicial Bodies (Administrative Court, Revenue Tribunal, District Administrative Office, Local Authorities, Others)
- II. Structure and Procedure of Quasi Judicial Bodies
- III. Control over the Administrative Adjudication

Unit- 8 Principles of Natural Justice

- I. Meaning and Scope of Natural Justice
- II. Limbs of Natural Justice
- III. Nemo Judex in Causa Sua
- IV. Audi Alteram Partem
- V. Due Process

Unit- 9 Ombudsman

- I. Introduction of Ombudsman
- II. Authority of Ombudsman
- III. Complaints Handling
- IV. Investigation and Decision
- V. Concept of Commission for Investigation of Abuse of Authority

Unit- 10 Role of the Supreme Court in Development of Administrative Law in Nepal

Recommended Books

1. A.V. Dicey, An Introduction to the Law of the constitution, 10th Edition, Publication by Universal Law Publishing Co. Pvt. Ltd., Delhi.
2. Civil Service Act and Regulations
3. Commission of the Investigation of Abuse of Authority Act, 2048
4. D.D.Basu, Comparative Administrative Law, 19th ed., 2006, Wadhwa & Company
5. Edwin Borchard, French Administrative Law, Yale Law School Legal Scholarship Repository, Yale Law School
6. Edward L. Metzler, The Growth and Development of Administrative Law, Marquette Law Review (1935)
7. Hailaire Barnett, Constitutional and Administrative Law (2002)
8. Income Tax Act and Regulations
9. Judicial Administrative Act
10. Keshav Pandey, Administrative Law, Second Edition, 2056, Pub. by Ramesh Silwal.
11. Local Administrative Act and Regulations
12. Local Self Governance Act and Regulations, 2055/56
13. M.P. Jain & S.N. Jain, Principles of Administrative Law, Wadhwa and Company, Naypur, 4th Edition, Reprint, 2003
14. Mangal Krishna Shrestha, Public Administrative in Nepal
15. Panl Jackson & Patricia Leopold Constitutional & Administrative Law 8th ed. 2001, Sweet & Maxwell
16. Research Report on Counter Corruption Legal Framework, CeLRRd/TAF 2000.
17. W.R. Wade & C.F. Forsyth, Administrative Law, 9th edition Publication by Oxford University Press, Delhi
18. The Constitution of Nepal (2015)
19. Muluki Criminal (Code) Act, 2074 & Muluki Criminal Procedure (Code) Act, 2074
20. Muluki Civil (Code) Act, 2074 & Muluki Civil Procedure (Code) Act, 2074

Purbanchal University
Faculty of Law
Syllabus for Three Years LL.B
Subject: Public International Law

Full Marks: 100

Pass Marks: 35

Year: III

Nature: Compulsory

Course Code: 502

Course Objectives

The objectives of this course are:

- To provide basic knowledge of Public International Law to the students,
- To provide an understanding to them on Public International Law, particularly its fundamental principles, rules and norms, and
- To enable them to make critical analysis of Public International Law Jurisprudence.

Contents

Unit- 1 Introduction

- I. Meaning, Origin and Importance of International Law
- II. Basis of International Law
- III. Major Schools in International Law
- IV. International Law and Municipal Law
- V. Public and Private International Law

Unit-2 Sources of International Law

- I. Treaties
- II. Custom
- III. General Principle of Law
- IV. Judicial Reason
- V. Resolution adopted by International Organization

Unit- 3 Subjects of International Law

- I. State
- II. Concept of State and Sovereignty
- III. Modes of Acquiring and losing state Territory
- IV. International Institutions/Organizations
- V. Individuals (Position of Individual in International Law)
- VI. Private Corporations/ MNCs/MNEs

Unit- 4 Recognition

- I. Nature of Recognition
- II. Recognition of Government and State
- III. Effects of recognition and non-recognition
- IV. De facto and De Jure Recognition

Unit- 5 Nationality

- I. Importance and Function

- II. Modes of Acquiring and losing Nationality
- III. Internal Displacement of Refugees
- IV. Statelessness/Migration/IDPs/Refugees
- V. Double Nationality

Asylum

- Meaning and Function
- Types
- Rights
- Obligation and State of refugees extradition

Extradition

Unit- 6 Immunities and Privilege

- I. Diplomatic Immunities
- II. Consular Immunities
- III. Immunities of Special Missions
- IV. Immunities of Foreign State
- V. Privilege of International Organization
- VI. Limitation of Immunities

Unit- 7 State Succession

- I. Theory of State Succession
- II. Succession of State
- III. Succession of Government
- IV. Succession of International Organization

Unit- 8 Treaties

- I. Meaning and Importance of Treaties
- II. Types of Treaties
- III. Reservation of Treaties
- IV. Condition of Treaties
- V. *Pacta Sunt Servanda*
- VI. *eRebus Sic Stantibus*
- VII. Interpretation of Treaties
- VIII. Termination of Treaties
- IX. Effects of war on Treaties
- X. Treaty making power under the Constitution of Nepal and Nepal Treaty Act, 2047

Unit- 9 Law of Sea

- I. Concept of the Law of the Sea
- II. Legal Status of various maritime zone
- III. International Seabed Authority
- IV. Landlocked States and Their Rights
- V. Nepal's Situation and its Efforts in International Forum

Unit- 10 Settlement of International Dispute

- I. Meaning and Types of Dispute
- II. Traditional or Coercive means of Settlement of Disputes
- III. Various Forms of Settlement of Dispute

Unit- 11 Use of Force and War

- I. Meaning of War and Just war
- II. Legality of War and Use of Force
- III. Regulation of war, Commencement and effects of war
- IV. Defense of Aggression
- V. Termination of war and Hostilities

Unit- 12 International Humanitarian Law

- I. Meaning and Principles of IHL
- II. Sources of IHL
- III. Neutrality in War
- IV. Prisoners of war, war crimes

Recommended Books

1. A. Cassese, *International Law* (Oxford: OUP 2001).
2. D. B. Hollis, ed., *The Oxford Guide to Treaties*, (Oxford: OUP 2012).
3. Harris, *Cases and Materials on International Law* (7th edn, 2010)
4. James Crawford, *Brownlie's Principles of Public International Law*, (Oxford: OUP 2012).
5. Lori F. Damrosch eds., *International Law, Cases and Materials* (New York: West Publishing 2001).
6. M. Evans (ed), *International Law* (Oxford: OUP 2010).
7. Malcolm N Shaw, *International Law*, (Cambridge: CUP 2008)
8. Rosenne, *The Law and Practice of the International Court, 1920-2005* (2006).
9. W. M. Reisman, *Systems of Control in International Adjudication and Arbitration. Breakdown and Repair*. (1992).
10. Zimmermann et al, *The Statute of the International Court of Justice: A Commentary* (2006).
11. KC Yadav Kumar , *Refugee Law: Theory and praxis A Nepalese Perspective*, Pairavi Prakashan, 1st ed 2016, Kathmandu
12. KC Yadav Kumar , *International Law: Theory and praxis*, Pairavi Prakashan, 1st ed 2016, Kathmandu

Purbanchal University
Faculty of Law
Syllabus for Three Years LL.B
Subject: International Organizations and Human Rights

Full Marks: 100

Pass Marks: 35

Year: III

Nature: Compulsory

Course code: 503

Course Objectives

The objectives of this course are:

- To Impart general knowledge to students about types, functions, powers and responsibilities of various international organizations.
- To expose students to contribution of international organization in modern law making process as well as to maintain current international order
- To Familiarize the students with concepts and principles of human rights law.
- To discourse the normative framework of human rights mainly developed out world wars
- To help develop capacity of students to conduct comparative study of domestic laws in the light of international human rights laws, and
- To help students build capacity to apply international human rights instruments in the domestic situation with special reference to poor and marginalized communities.

Unit- 1 Introduction

- I. Meaning, Definition and Scope of International Organization
- II. Classification of International Organization
- III. Role and Importance of International Organization
- IV. Origin and Development of IO

Unit- 2 The United Nations

- I. Historical Background
- II. Purpose and Principles
- III. Membership
- IV. Organs of the UN

Unit- 3 International Court of Justice

- I. Background
- II. Composition
- III. Access the Court
- IV. Jurisdiction of the Court
- V. Important Cases Decided by the ICJ (The Corfu Channel Case, Fisheries Case, Nottebohm Case)

Unit- 4 Major Specialized Agencies of the UN

- I. Composition, Function and Contributions of the UNESCO, ILO, IMF, World Bank, ICAO, WHO, UNDP, OHCHR, UNICEF.

Unit- 5 Outline of some Regional Organizations

- I. Composition, Function and Contributions of ESCAP, ADB, ASEAN, SAARC, EU, AU, BIMSTEC

Unit- 6 Introduction to Human Rights

- I. Historical Prescriptive
- II. Emergence of Human Rights on a subject of National and International rules of Law

Unit- 7 International Protection of Injury to Aliens

- I. Denial of Justice and International Responsibility
- II. Violation of HR and International Responsibility

Unit- 8 Humanitarian Intervention

- I. Rescue Operation
- II. UN Charter

Unit- 9 Rights relating to members of Vulnerable group

- I. Rights of Children
- II. Prevention of discrimination and protection of minorities
- III. The advancement of Women
- IV. UN, High Commission for Refugees

Unit- 10 International Instrument Concerned with Human Rights

- I. The UN Charter
- II. Universal Declaration of Human Right (UDHR 1948)
- III. International Convention on the Elimination of all forms of Racial Discrimination
- IV. International Convention on Economic, Social and Cultural Rights
- V. Convention against Torture and Other Cruel in Human or Degrading Treatment or Punishment

Unit- 11 National and International Arrangements on Human Rights

- I. European Convention on HR
- II. The American Convention on HR
- III. The African Convention on HR
- IV. Consideration for Asian Convention and SAARC
- V. National Human Rights Commission (Nepal)

Recommended Books

1. Alvin LeRoy Benett and James K. Oliver, *International Organizations: Principles and Issues*, Prince Hall, 2002
2. Asbjorn Eide et al (Edited) "*Economic Social and Cultural Rights*" Second Revised Edition, (Kluwar Law International, 2001)
3. Clive Archer, *International Organizations*, Routledge, 2007
4. Devraj Dahal and Nischal Nath Pandey, *Comprehensive Security in South Asia* FEE and IFA 2006
5. Dr. H. O. Agarwal, "*International Law and Human Rights*" (13th edition), Central Law Publications, Delhi, 2006)
6. Gudmunder Alfredsson and Asbjorn Eide. (edited), "*The Universal Declaration of Human Rights*" [Martinus Nijhoff Publishers, 1999]

7. Human Rights and *Development*, Edited by Dr. Mizanur Rahman (Published by ELCOP, 2002)
8. *Human Rights in International Law* (Council of Europe Publishing (Universal law Publishing Co. (3rd Edition, 2007, 1st Indian Reprint 2009)
9. Janusz Symonides (edited) "*Human Rights Concept and Standards*", [UNESCO publishing, Rawat Publications, 2002]
10. James and Wolfs, *An Introduction to International Relations*, Institute of Foreign Affairs (IFA), Kathmandu Nepal.
11. Kumar Ignam, *An Introduction to World Trade Organizations*, Kathmandu School of Law, 2009.
12. Mahendra P. Singh, Helmut Goerlich, Michael von Hauff, "*Human Rights and Basic Needs*" (Universal law Publishing Co., 2008)
13. MV Raju, "*HUMAN RIGHTS Today and Tomorrow Role of Human rights Commission and Others*") Swastik Publications, Delhi, 2010
14. Niamh Relly, "*Women's Human Rights*", (Polity Press, Cambridge, UK, 2009)
15. Philip Alston and Mary Robinson, "*Human rights and Development Towards Mutual Reinforcement*", (Indian edition), Oxford University Press, 2006)
16. Rahul Rai, *Monitoring International Human Rights*, [Authors Press, 2002]
17. Sandra Fredman (edited by), "*Discrimination and Human Rights*": *The Case of Racism* (Vol.XI/1), [Academy of Oxford University press, 2001]
18. Steven Foster, "*The Judiciary, Civil Liberties and Human Rights*", Edinburgh University Press, 2006
19. Upendra Baxi, "*The future of Human Rights*", [Oxford Publication, Second Ed. 2006]
20. V.T. Patil, "*Human Rights Development in South Asia*", [Authors Press, 2003)
21. Yubaraj Sangroula, "*Concepts and Evolution of Human Rights: Nepalese Perspectives*" [KSL, 2005]
22. Wermer J Feild, Robert S. Jordan and Leon Hurwitz; *International Organizations: A Comparative Approach*

Purbanchal University
Faculty of Law
Syllabus for Three Years LL.B
Subject: Professional Ethics and Advocacy

Full Marks: 50

Pass Marks: 18

Year: III

Nature: Compulsory

Course code: 504

Course Objectives

The objectives of this course are:

- To introduce students with fundamental concepts and principles of legal professional ethics,
- To help them develop ethical professionalism,
- To prepare them take up legal profession in a professional manner, and
- To strengthen the ethical standard of legal profession in Nepal.

Contents

Unit- 1 Introduction

- I. Meaning and Definition of Professional Ethics and Advocacy
- II. Concept of Professional Ethics
- III. Basic Principles of Professional Ethics

Unit- 2 Professional Ethics

- I. Professional Responsibility of Lawyers towards Client, Opposite party, Court, Society and State
- II. Bar-Bench relations
- III. Professional Ethics under the Existing Laws in Nepal
- IV. Investigation and other Disciplinary Action on the violation of Professional Ethics in Nepal
- V. Critical Appraisals of Ethics

Unit- 3 Drafting, Pleading and Convincing Skills in Nepal

- I. General Principles of Legislative Drafting and Case Drafting
- II. Skills of Case Drafting (Civil and Criminal)
- III. Legal Obligation regarding to the Case Drafting
- IV. Court Pleading skills both Civil and Criminal Cases
- V. Convincing to the Different types of Case and Deed

Unit- 4 Advocacy Skills

- I. Concept and Skills of Advocacy
- II. Communication Skills for Lawyers
 - General Presentation
 - Client Interviewing and Advising
 - Negotiation and Oral Arguments
 - Examination of Witnesses

- III. Trial Advocacy Skill
- Case Oriented Legal Research
 - Case Preparation
 - Organization of Arguments

Unit- 5 Public Interest and Legal Aid

- IV. Public Interest Layering
V. Legal Aid
VI. Legal Literacy
VII. Para-legal Service
VIII. Notary Public

Unit- 6 Judicial Conduct for Lawyers

References:

1. Gillers, Regulation of Lawyers: Problems of Law and Ethics; 5th Ed. Aspen 1998.
2. John S. Dzienkowski, Professional Representation Standard, Rules and Statements, West Publishing Com., (1995-96)
3. Crystal, Introduction to Professional Responsibility, Aspen 1998.
4. Freedman, Understanding Ethics, Mathew Bender 1990.
5. D.S.R. Maynerhi, Legal Research Methodology. 1997 Pioneer.Books
6. Legal , (Legal Research, (Collection of Articles) 1985, Indian Law Institute.
7. Wolfram, Modern Legal Ethics, West, 1986.
8. Elizabeth Dvorkin, Jack Himmelstein & Howard Lesnick, Becoming a Lawyer: A Humanistic Perspective on Legal Education and Professionalism. 1981, West Publishing Company.
9. Constitution of the International Bar Association.
10. Constitution of the Law Asia.
11. Constitution of SAARC Law.
12. Nepal Bar Council Act and Regulations, 2051
13. V.K.V. Krishna Swami Aiyer, Professional Conducts and Advocacy.
14. Hahn & Elizabeth A. Stanko, Judge, Lawyer, Victim and Thief, Northeastern Nicole University Press (DATE)
15. H.R. Bhardwaj, Law, Lawyers and Judges, Konark Publishers

Purbanchal University
Faculty of Law
Syllabus for Three Years LL.B
Subject: Seminar and Internship

Full Marks: 50

Pass Marks: 25

Year: III

Nature: Compulsory

Course code: 505

Course Objectives

The objectives of this course are:

- The subject has two different components. The students will have to take up one of the subject as permitted by the Campus.
- The objective of the Seminar paper is to enable students to undertake a research on definite legal issues/topic approved by the Campus.
- The objective of the Internship is to acquaint students with practical knowledge in any area of law through internship.

Contents

1. Seminar:

- In the final year of Bachelors of Laws, students will undertake a research or prepare a paper on the topic approved by Campus.
- Students will firstly submit a proposal to the campus and the Campus will thereafter appoint the supervisor for supervising the students.
- The student should prepare a seminar paper in close consultation with the supervisor.
- The rules and requirements made by the Campus and its a obligatory one to the students

2. Internship:

The students will be placed before any reputed institution for Internship wherein the students will learn practical knowledge on topic approved by Campus. The student will submit a report of practical work on the recommendation of an institution for evolution. The Campus will conduct viva-voice on 30% full marks by three member committee appointed by Campus comprising of experts having at least 5 years of experience in the legal field with eligibility to teach law.

Purbanchal University
Faculty of Law
Syllabus for Three Years LL.B
Subject: Law against Organized Crime

Full Marks: 100

Pass Marks: 35

Year: III

Nature: Optional (Criminal Law Group)

Course Code: 506

Course Objectives

The objectives of this course are:

- To acquaint students about phenomenon of Organized Crimes in the world,
- To acquaint them on the existing legal provisions against Organized Crimes in Nepal, and
- To introduce them with international measures taken to combat Organized Crimes.

Contents

1. Introduction

- a. Definition of Organized Crimes
- b. Specific Features of Organized Crime
- c. Differences Between Crime Committed by an Individual and in an Organized Way
- d. Theory of Organized Crime

2. Types of Crime Committed in Organized Pattern (Transborder and Transnational Crime)

3. Dacoity/Robbery

4. Drug Trafficking

- a. Nature of Drug Trafficking
- b. Pattern and Trend of Drug Trafficking in Nepal
- c. International and Regional Arrangement on Prevention and Suppression of Drug Trafficking

5. Crime of Human Trafficking

- a. Introduction
- b. Causes and Purposes of Trafficking
- c. Problems and Severity of Crime of Trafficking of Girls and Women in Nepal
- d. Changing Trends of Crime of Trafficking
- e. Measure Taken to Combat the Crime of Trafficking.
 - National
 - International

6. Arms, Ammunition and Explosives

- a. Smuggling
- b. Factors / Causes
- c. National Legal Framework
- d. International and Regional Measures

7. Insurgency, Terrorism and Conflict

- a. Definition
- b. National and International Terrorism
- c. Forms (Hostage Taking, Kidnapping, Hijacking of Aircraft, and Others)
- d. National, Regional and International Measures

8. Money Laundering

- a. Definition
- b. National Measure to Control Money Laundering
- c. International Measure to Control Money Laundering.

9. Other Forms of Organized Crime

10. National and International Measures to Control Organized Crimes

- a. Enforcement Agencies (National)
- b. International Institutions
 - Interpole
 - Others
- c. Concept of Extradition and Nepalese Legal Framework.

Recommended Books

1. Ahmad Siddique Criminology: Problem and Prospective India: Easter Book Co. 4th ed, 1997
2. Barash, David P. & Charles P. Webal, (2002) Peace and Conflict Studies, New Delhi, Sage Publication.
3. Condemned to Exploitation: Impact of Corruption in Criminal Justice System on Women, 2000.
4. Graeme Newman (ed.), Global Report on Crime and Justice, New York,(1999) (Published for the United Nations Office for Drug Control and Crime Prevention Center for International Crime Prevention)
5. Larry J. Siegel, Ph.D. "Criminology" 7th edition.
6. Michael D. Lyman, Garyw Fotter 'Organied Crime', 1997
7. Prof. Dr. N.V. Paranjape "Criminology and Penology' Central Law Publication, 12th Edition
8. Prof. Dr. Yubaraj Sangroula, Condemned to Exploitation, Trafficking of Girls and Women, KSL, 2001.
9. Prof. Madhav P. Acharya Criminology, Kathmandu, Ratna Pustak Bhandar
10. Raid Sue Titus, Crime and Criminology, Mcgraw Hill 8th Edition.1999
11. Sutherland, Principles of Criminology,
12. V.K. Anand 1981 Insurgency and Counter Insurgency. A study of modern Guevilla Warfare, New Delhi, Delhi, Deep & Deep Publication.
13. Wallenstein, Understanding Conflict Resolution, War, Peace and the Global System, New Delhi Sage Publication.
14. Walter C. Reckless, The Crime Problem, Vikils, Feffer and Simons Private Ltd, India, 1st reprint 1971
15. Muluki Criminal (Code) Act, 2074 and Muluki Criminal Porcedure (Code) Act, 2074

Acts

1. Extradiction Act and Treaties
2. Human Trafficking (Control) Act, 2064 BS
3. Money Laundering (Control) Act, 2064 BS
4. Narcotic Drug (Control) Act, 2033 BS
5. Muluki Criminal (Code), Act, 2074
6. Muluki Criminal Procedure (Code) Act, 2074

Purbanchal University
Faculty of Law
Syllabus for Three Years LL.B
Subject: Intellectual Property Law

Full Marks: 100

Pass Marks: 35

Year: III

Nature: Optional (Commercial Law Group)

Course Code: 507

Course Objectives

The objectives of this course are:

- To familiarize students with the concept of Intellectual Property,
- To examine various philosophical and policy considerations in relation to Intellectual Property rights,
- To help them identify and protect different forms of Intellectual Property.

Contents:

1. Introduction to the Intellectual Property

- a. Concept of Intellectual Property
- b. Importance of Intellectual Property
- c. Kinds of Intellectual Property
- d. Sources of Intellectual Property Law
- e. Historical Development of Intellectual Property in Nepal
- f. Concept of Intellectual Property in Nepalese Constitution

2. Concept of Copyright

- a. Concept
 - Concept & justification
 - Basic elements
 - Acquisition, Ownership: Economic & Moral right / Authorship & Ownership
 - Assignment & Licensing
 - Fair dealing and permitted use
 - Infringement, Remedies and Defense
- b. Neighbouring Right
 - Performers' Right
 - Right of Sound Recording Companies & Phonogram Producers
 - Right of Broadcasting Organizations

3. Concept of Patent

- a. Concept and Justification of Patent
- b. Basic Elements
- c. Patent prosecution
- d. Acquisition, Ownership, Exception and Limitation; Assignment & Licensing
- e. Patent Revocation
- f. Infringement, Remedies & Defense

4. Concept of Trade Mark

- a. Concept; Justification and Major forms of Marks :
 - Trademark , Trade Name, Service Mark , Service Name, Certification Mark, Collective Mark, Associated Mark, Geographic Mark
- b. Basic Elements
- c. Acquisition of right
- d. Ownership; Assignment & Licensing
- e. Infringement Remedies and Defense
- f. Passing Off

5. Industrial Design

- a. Concept and Justification
- b. Basic Elements
- c. Acquisition of Rights
- d. Ownership & its limitation; Assignment and Licensing
- e. Infringement Remedies and Defense; Revocation
- f. Industrial Design Protection and its Relation with Copyright, Patent and Trademark

6. Other forms of Intellectual property

- a. Geographical Indication
- b. Trade Secret
- c. Layout Design of Integrated circuit
- d. Plant Varieties Protection

7. Traditional Knowledge Traditional Cultural Expression and Folklore and Intellectual Property

8. Enforcement Authority

- a. Department of Industry, Copyright Registrar's Office, Custom Office, Court & Other Agencies

9. International Protection of Intellectual Property Rights (IPR)

- a. International IPR Regime
- b. Paris Convention, Berne Convention & WIPO
- c. Madrid System & TLT, CT
- d. Int'l protection of patent PCT, PTC.PLT
- e. Hague System
- f. GATT-WTO-TRIPS: Dispute settlement Mechanism
- g. Nepalese Position in Int'l IP Regime

Recommended Books

1. Black's Law Dictionary
2. Cetnerin Colston, Principles of Intellectual Property
3. Copyrights Act & Regulation
4. Franchis, W. Rushing, Carole Granz Brown, Intellectual Property Rights in Science, Technology and Economic Performance
5. Law Lexicon
6. P. Noreyanan, Intellectual Property Law
7. Patent Right Design and Trademark Act and Regulation
8. Raj Kumar Suwal, Intellectual Property Jurisprudence, 2011, CIPN (Coming Soon)
9. Raj Kumar Suwal, Patent Specification, 2008, CIPN
10. W.R. Cornish, Intellectual Property

Purbanchal University
Faculty of Law
Syllabus for Three Years LL.B
Subject: Election Law

Full Marks: 100

Pass Marks: 35

Year: III

Nature: Optional (Constitutional Law Group)

Course Code: 508

Course Objectives

The objectives of this course are:

- To impart knowledge to students about general principles of the law of election and the provision of constitution relating to election and electoral process, and
- To acquaint students with various laws relating to electoral process in Nepal.

Contents

1. Introduction

- a. Meaning and Importance of Election Law
- b. Nature of Election Law
- c. Basic Concept of the Multiparty Election and Parliament Election
- d. Historical Development of Election Law in Nepal
- e. Election System and Constitutionalism

2. Basic Concept

- a) Concept of Representation
- b) Adult Franchise
- c) Electoral College
- d) Electoral Constituencies
- e) Recalling representatives
- f) Voting Rights
- g) Threshold

3. Electoral System

- a) Basic concept of direct and indirect election
- b) Majority System and its types
- c) Proportional System and its types

5. Election to the elected bodies

- a. Criteria for the Determination of Electoral Constituencies
- b. House of Representatives and Constitutional Legal Provisions
- c. National Assembly and Constitutional Legal Provisions
- d. Provincial Assembly and Constitutional Legal Provisions
- e. Local Level Assembly (Municipality and Village Municipality) and Constitutional Legal Provisions

7. Legal Provision as to Co-operation, Nominations, By-election and Midterm Election

8. Election Authority

- a. Election Commission (Power, Functions and Duties)
- b. Election/Returning Officer (Powers, Functions and Delegation)
- c. Polling Officer (Powers and Functions)

d. Election Code of Conduct

9. Role of the Political Parties in Election and Code of Conduct

10. Election Observations and Implication

11. Election and Referendum

12. Concept of Reservation in Election System

13. Campaign Financing during Elections

14. Voting from Abroad

15. Crime and Punishment

a. Crime and Punishment Relating to Election Offences

b. Election Tribunals (Jurisdiction and Trial)

Recommended books

1. American Electoral Behavior, Michale M. Gant, Norman R. Luttbeg, F.E. Peacock Publishers, Inc.
2. Commission for Determining of Electoral Constituencies Act
3. Comparative Electoral Process in South Asia, Nepal South Asia Center, 1999
4. Corrupt Practices in Election Law, K.C. Sunny, Eastern Book Company, 1996
5. Democracy and election laws, Anand Ballabh Kataliya, Beep & Deep Publication, 2003
6. Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers, 2005
7. Election (Crime and Punishment) Laws
8. Election and Governance in Nepal, Lok Raj Baral (ed.), Manohar, 2005
9. Election Code of Conduct
10. Election Commission Act and Regulations
11. Elections as Popular Culture in Asia, Chau Beng Haut, Routledge (2007)
12. Electoral System Design, The New International IDEA Handbook (2005)
13. Electoral Management Design, The New International IDEA Handbook (2006)
14. Election Commission, Nepal, 1992
15. Guy S. Goodwin-Gill, Free and Fair Election, New Expanded Edition (2006)
16. General Election in Nepal, 1991
17. House of Representative Members Election Act
18. National Assembly Election Act
19. National Dialogue on Affirmative Action and the electoral System in Nepal, Enabling State Programme, 2005
20. Reports of Election Observation Groups (DRCN, GEOC, NEOC, NHRC, INSEC, The Carter Center, The EU)
21. Representative Democracy and Concept of Free and Fair Election, Raisa Ali, Deepak & Deep Publication, 1996
22. The Constitution of Nepal 2015
23. k|hftGq lgjf{rg k|0ffnL / k|tlglwTj , k|f= 8f= jL/]Gb| k|;fb ld>, g|kfn bLif0f Pl;of s]Gb|, @)^)
24. ;+3Lo ;+/rgfsf nflu lgjf{rg, dfgj ljsf; tyf zflGt cleofg -x'8]k g|kfn_, @)^)

25. $\int_{\sin^{-1} \frac{1}{\sqrt{2}}}^{\sin^{-1} \frac{1}{\sqrt{3}}} \frac{1}{\sqrt{1-x^2}} dx$ का मान ज्ञात करें।