

1,3,1

X SEMESTER

COURSE -I :

ENVIRONMENTAL LAW

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 & Johannesburg 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.


Principal

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 1 & 2, Delhi Law House.
2. Shyam Divan and Armin Rosencranz, Environmental Law and Policy in India (Cases, Materials and Statutes), Second Edition, Oxford University Press.
3. Relevant Bare Acts/Notifications.


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COURSE-IV: CLINICAL COURSE-I:

PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM

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*.

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 ShekharSoni 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
5	BCI Tr. Case No. 76/95	1997	(Vol. 3 &4)	IBR 201
6	DC Appeal No.43/96	1997	(Vol. 3 &4)	IBR 207
7	DC Appeal No.18/91	1997	(Vol. 1 & 2)	IBR 271
8	DC Appeal No.24/90	1996	(Vol.1)	IBR 135
9	DC Appeal No.19/93	1996	(Vol.1)	IBR 152
10	BCI Tr. Case No.104/90	1996	(Vol.1)	IBR 155
11	BCI Tr. Case No.52/89	1994	(Vol.1)	IBR 187
12	BCI Tr. Case No.127/88	1992	(Vol. 3 &4)	IBR 125
13	BCI Tr. Case No.39/87	1992	(Vol. 3 &4)	IBR 147
14	BCI Tr. Case No.39/89	1992	(Vol. 3 &4)	IBR 149
15	BCI Tr. Case No.16/88	1989	(Vol.1)	IBR 99
16	BCI Tr. Case No.2/88	1989	(Vol.1)	IBR 102
17	BCI Tr. Case No.52/88	1989	(Vol.2)	IBR 110
18	DC Appeal No.41/87	1989	(Vol.2)	IBR 122
19	BCI Tr. Case No.29/81	1989	(Vol.2)	IBR 245
20	DC Appeal No.14/88	1989	(Vol.2)	IBR 258
21	BCI Tr. Case No.14/80	1989	(Vol.2)	IBR 264
22	DC Appeal No.24/87	1989	(Vol.2)	IBR 273
23	DC Appeal No.46/86	1989	(Vol.2)	IBR 280
24	DC Appeal No.3/88	1989	(Vol.2)	IBR 285
25	BCI Tr. Case No.2/80	1989	(Vol.2)	IBR 289
26	BCI Tr. Case No.10/86	1989	(Vol. 3 &4)	IBR 520
27	BCI Tr. Case No.101/88	1989	(Vol. 3 &4)	IBR 524
28	DC Appeal No.23/88	1989	(Vol. 3 &4)	IBR 532
29	DC Appeal No.35/87	1989	(Vol. 3 &4)	IBR 536


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30	BCI Tr. Case No.27/88	1989	(Vol. 3 &4)	IBR 542
31	BCI Tr. Case No.6/84	1989	(Vol. 3 &4)	IBR 560
32	BCI Tr. Case No.24/86	1989	(Vol. 3 &4)	IBR 563
33	DC Appeal No.10/88	1989	(Vol. 3 &4)	IBR 572
34	DC Appeal No.45/74	1988	(Vol. 1 &2)	IBR 182
35	DC Appeal No.23/87	1989	(Vol.1& 2)	IBR 187
36	DC Appeal No.6/81	1988	(Vol.1& 2)	IBR 193
37	BCI Tr. Case No.16/86	1988	(Vol.1& 2)	IBR 197
38	DC Appeal No.41/86	1988	(Vol.1& 2)	IBR 200
39	DC Appeal No.33/86	1988	(Vol. 3 &4)	IBR 354
40	DC Appeal No.21/85	1988	(Vol. 3 &4)	IBR 359
41	BCI Tr. Case No.43/82	1988	(Vol. 3 &4)	IBR 364
42	DC Appeal No.28/86	1988	(Vol.3& 4)	IBR 374
43	DC Appeal No.64/74	1987	(Vol.2)	IBR 314
44	DC Appeal No.30/84	1987	(Vol.2)	IBR 319
45	DC Appeal No.40/86	1987	(Vol.3)	IBR 488
46	DC Appeal No.10/86 &10A/86	1987	(Vol.3)	IBR 491
47	DC Appeal No.7/86	1987	(Vol.3)	IBR 496
48	DC Appeal No.7/81	1987	(Vol.4)	IBR 735
49	DC Appeal No.12/86	1987	(Vol.4)	IBR 745
50	BCI Tr. Case No.57/87	1987	(Vol.4)	IBR 753

UNIT-V

Accountancy for lawyers:

Need for maintenance of accounts- Books of accounts that need to be maintained- Cash Book, journal and ledger

Elementary aspects of bookkeeping: Meaning, object, journal, double entry system, closing of accounts

The cash and bulk transaction- The Cash book- Journal proper especially with reference to client's accounts- Ledger, Trial balance and final accounts- Commercial mathematics.

1. **Mode of assessment:** The scheme of evaluation for **Clinical Course-I:Professional ethics and Professional accounting system** shall be as under:

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- a. There shall be a viva for 20Marks at the end of the semester. Viva shall be conducted by the course teacher and the principal or a senior faculty member designated by the principal.
- b. Two Written Tests shall be conducted for 40 marks each.
- c. The questions in the test papers should be spread over whole syllabus.
- d. I test shall be at the end of 9 weeks of the semester and the II test shall be by the end of the semester.

Prescribed Books:

1. Iyer, K.V., Krishnaswamy, *Professional Conduct and Advocacy*, (Oxford University Press, 1945)
2. B.S.Raman, *Financial Accounting, "Elements of Accountancy"*, (Mangalore: United Publishers, 1998)

Reference Books:

1. Menon, N.R. Madhava, *Clinical Legal Education*, (Eastern Book Co., 2008)
2. Dr. B. Malik, *Art of Lawyer*, (New Delhi: Universal Book Agency, 1999)
3. Contempt of Court Act, 1971


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COURSE-III
FAMILY LAW-I HINDU LAW

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 Dayabaga 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 - Amendments to Hindu Succession Act; 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-IV:
FAMILYLAW-II:
MOHAMMEDAN LAW AND INDIAN SUCCESSION ACT

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, Whos 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 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 Mohammedan 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- 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- V

Appendix-IX

Constitutional Law – I

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 to establish a justice system with legal technique. The basic postulate of Constitution like the 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 form 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 Laws, 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 trends on Social Justice, Constitutional Provisions on Untouchability under Article 17.

Right to Freedom: Freedom of Speech and Expression, Different dimensions - Freedom of Assembly, Association, Movement and Residence, Profession, Occupation, Trade or business, Reasonable restrictions.

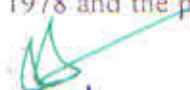
UNIT- IV

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 - Right to Constitutional Remedies: Article 32 and 226 – kinds of writs - Right to property (prior to 1978 and the present

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position), Directive Principles of State Policy and Fundamental Duties- inter relation between fundamental rights and directive principles.

Prescribed Book:

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.
9. D.J. De – The Constitution of India Vol. I and II.


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COURSE III - CONSTITUTIONAL LAW - II**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).

Special provisions relating to specific states (Articles 371-A to 371-J)

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.

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:

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

Reference Books:

1. H. M. Seervai - Constitutional Law of India
2. V. N. Shukla - Constitution of India
3. T. K Tope - Constitutional Law
4. S. Shiva Rao - Framing of Indian Constitution

5. Subash .C. Kashyap - Parliamentary Procedure
6. Subash. C. Kashyap - Constitution of India
7. D.J. De – the Constitution of India, vol.I and II.
8. J.N. Pandey - Constitutional Law of India
9. D.D. Basu - Constitutional Law of India


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COURSE-II: OPTIONAL-I
HUMAN RIGHTS LAW AND PRACTICE

Objectives:

The objectives of the course are to prepare for responsible citizenship with awareness of the relationship between Human Rights, democracy and development; to foster respect for international obligations for peace and development; to impart education on national and international regime of Human Rights; to sensitize students to human suffering and promotion of human life with dignity; to develop skills on human rights advocacy and to appreciate the relationship between rights and duties and to foster respect for tolerance and compassion for all living creatures.

Course contents:

UNIT – I

Jurisprudence of Human Rights; Nature, definition, origin and theories of human rights.

UNIT – II

Universal protection of human rights- United Nations and Human Rights- *Universal Declaration of Human Rights, 1948; International Covenant on Civil and Political Rights, 1966; International Covenant Economic, Social and Cultural Rights, 1966.*

UNIT - III

Regional Protection of Human rights- European system- Inter American System- African System

UNIT – IV

Protection of Human Rights at national level; Human rights and the Constitution; The Protection of Human rights Act, 1993.

UNIT - V

Human Rights and Vulnerable Groups: Rights of Women, Children, Disabled, Tribals, Aged and Minorities - National and International Legal Developments.

Prescribed Books:


Theodor, Meron, Human Rights and International Law: Legal and Policy Issues, 2 Vols.

Kapoor, S.K., International Law and Human Rights, Central Law Agency, 2014).

Reference Books:

Luis, Henkin, "The Rights of Man Today", *University of Miami Inter- American Law Review*, Vol.,11, Spring 1979 (p.229-244)

Singh, Nagendra. *Enforcement of Human Rights in Peace and War and the future of humanity*, (Calcutta: Eastern Law House 1986)


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Relevant International Instruments.

United Nations Charter, 1945.

Universal Declaration of Human Rights, 1948.

International Convention on the Elimination of All Forms of Racial Discrimination, 1948.

International covenant on civil and Political Rights, 1966.

International covenant on Economic and Cultural Rights, 1966.

Convention on Elimination of All forms of Discrimination against Women, 1979.

Convention on the Rights of the Child, 1989.



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Phone : 080-23323303 E mail : vivekanandacollegeoflaw@gmail.com Website : www.vcljes.edu.in

Student visited Central Prison, Bengaluru



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Phone : 080-23323303 E mail : vivekanandacollegeoflaw@gmail.com Website : www.vcljes.edu.in

Students visited Arbitration Centre




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Students Visited Mediation Centre, Bengaluru.




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Our student visited the City Civil & Sessions Court Complex at Bengaluru to witness day long deliberations in the court of law on 17.08.2020


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Our students visit the Statutory Authorities like Arbitration centre, Mediation centre etc.. Every year to study how the centres help in peaceful settlement of disputes which is an essence of Alternative Disputes Resolution Systems. The students interact with the Arbitrators & the Mediators to understand how the resolve the disputes.



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Our students visited the Legislative Assembly when in session to witness the day long deliberations on 21.3.2022 accompanied by the members of Teaching Faculty Smt Kalpana.L and Sri Bayya Reddy.T, Assistant Professors.


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