



SARVAJANIK  
UNIVERSITY

INCLUSIVE | INTEGRATED | INNOVATIVE

# PROFESSIONAL ELECTIVE COURSES SEMESTER - VI



SARVAJANIK EDUCATION SOCIETY  
**SARVAJANIK COLLEGE OF LAW**  
(CONSTITUENT COLLEGE OF SARVAJANIK UNIVERSITY)

SARVAJANIK UNIVERSITY				
Program		LL.B.		
Semester		6		
Subject		Right to Information Act, 2005		
Course Type		Professional Elective Course		
Course Code		BLLB12601	Total Credit	2
Teaching Hours		Examination Marking Scheme		
Theory (Hrs)	Practical /Lib./Lab./Tut. (Hrs)	Internal/ CCE (Marks)	External/ SEE (Marks)	Total
2	-	25	25	50

**Object:** Any democratic government needs a well-informed citizenry and transparency of information is important to its smooth functioning. Transparency also helps us to contain corruption and to hold governments and their instrumentalities accountable to the governed, says the preamble of the Right to Information Act, 2005. Today is era of Good Governance and Transparency. In this era, openness is the need of the hour for every public organization and should be transparent in its working and functioning. Right to Information is a course which focuses on transparency in administration and ensures various mechanism through which this transparency can be ensured.

### **Course Outcome**

At the end of the course, students will be able to:

CO1: Understand the meaning and concept of right to information which leads to transparency in administration.

CO2: Analyse the functioning of various agencies which brings transparency in administration.

CO3: Determine the various pros and cons of Right to Information Act 2005.

### **Syllabus**

#### **Module 01. Introduction**

- 1.1 Right to Information: Need, relevance and significance;
- 1.2 Historical Growth of Right to Information Act in India.
- 1.3 Initiatives, Campaigns, Movements, Conferences and decisions.
- 1.4 Official Secrecy Act, 1923

#### **Module 2. Right to Information Act, 2005**

- 2.1 Right to information Act, 2005: Purpose and Aims, Features and Significance.
- 2.2 Implementation Issues: Designing Application for seeking information; Procedure and Fees and time bound limitation,
- 2.3 Duties of the Public Information Officer, Obligation of Public Authorities, Disposal of Application,
- 2.4 Exemption from disclosure of information, Grounds for rejection.

#### **Module 03. Appellate Authority and Redressal Grievances Bodies**

- 3.1 Grounds of Appeal Against the decision of State Public Information Officer; Duties and functions of the First Appellate Authority.
- 3.2 Grounds of Appeal Against the Decision of the First Appellate Authority.
- 3.3 State Information Commission: Appointment, Removal, Powers and Functions;
- 3.4 Grounds of Complaint and Appeals.

#### **Module 04. Issues in Implementation**

- 4.1 Major obstacles and Issues in Implementation:
- 4.2 Weakness in the working of the offices of State Public Information Officer,
- 4.3 First Appellate Authority and State Information Commission.
- 4.4 Exemption Disclosure controversy.

#### **Suggested Readings**

- Yadav, A.S. Right to Information Act, 2<sup>nd</sup> edition, 2012.
- Narayana & Reddy, Right to Information & Law, 4<sup>th</sup> edition, 2011.
- Kumar Niraj, The Right to Information Act, 3<sup>rd</sup> edition, 2011.
- Singh, Ajit Kumar and Ravi, N.S. (2015), Transparency, Disclosure and Governance, Concept, New Delhi

SARVAJANIK UNIVERSITY				
Program		LL.B.		
Semester		6		
Subject		Election Law		
Course Type		Professional Elective Course		
Course Code		BLLB12602	Total Credit	2
Teaching Hours		Examination Marking Scheme		
Theory (Hrs)	Practical /Lib./Lab./Tut. (Hrs)	Internal/ CCE (Marks)	External/ SEE (Marks)	Total
2	-	25	25	50

**Object:** Democracy is one of the basic features of the Constitution and free and fair elections is the cornerstone for constructive realization for democratic ideals and aspirations of the people of a country. The elections are conducted according to the constitutional provisions, supplemented by laws made by Parliament. The course provides the students with the process of conduct of election and related aspects. This paper is intended to acquaint the students regarding the significance of free and fair elections and various intricacies of the Elections Law, including electoral corrupt practices, which will facilitate them to choose responsive representatives for good governance.

### **Course Outcome**

At the end of the course, students will be able to:

CO1: Understand and identify the importance of election in democratic country.

CO2: Analyse lacuna within among the election law and available remedies.

CO3: Understand the judicial perspectives on electoral reforms.

### **Syllabus**

#### **Module 01. Meaning and Concept of Election and Election Dispute**

- 1.1 Challenge to Election: Whom and How to Made
- 1.2 Forum for filing Election Petition
- 1.3 Parties, contents and grounds of Challenge to Election
- 1.4 Trial of Election Petition
- 1.5 Recriminatory Petition
- 1.6 Withdrawal, Abetment and Appeal
- 1.7 Election to President and Vice President
- 1.8 Composition and Powers of Election Commission

#### **Module 02. Qualification and Disqualification of Candidates**

- 2.1 Meaning and Distinction Between Qualification and Disqualification
- 2.2 Qualifications and Disqualifications Provisions under Indian Constitution and the Representation of Peoples' Act, 1951
- 2.3 Office of Profit
- 2.4 Government Contract
- 2.5 Disqualifications on Convictions under the Representation of Peoples' Act, 1951

## 2.6 Anti-Defection Law

### **Module 03. Nomination of the Representation of Peoples' Act, 1951**

- 3.1 Meaning of Valid Nomination
- 3.2 Procedure for Filing of Nomination Security Deposits etc.
- 3.3 Grounds of Rejection of and Withdrawal of Nominations
- 3.4 Voter's Right to Know Antecedent of the Candidates
- 3.5 Recognition of Political Parties and Election Symbols

### **Module 04. Corrupt Practices**

- 4.1 Meaning and Distinction between Corrupt Practices and Electoral Offences
- 4.2 Substantive Corrupt Practice: Bribery, Undue Influence, Character, Assassination of Candidates, Appeal on the Grounds of Religion, Race, Caste, etc.
- 4.3 Needs of Educational Qualification for Candidates
- 4.4 Criminalization of Politics
- 4.5 Election Expenses
- 4.6 Model Code of Conduct
- 4.7 Use of Government/Private Electronic Media and Social Media by Political Parties
- 4.8 Opinion and Exit Polls
- 4.9 Defacement of Public and Private Properties
- 4.10 Reservation for Women in Parliament and State Legislatures

### **Suggested Readings**

- V.S. Rama Devi & S.K. Mehendiratta, Election Law, Practice and Procedure, Butterworths Publishers, 2013
- P.C. Jain & Kiran Jain, Election Law and Practice, Chawla Publishers, 2012
- P.M. Bakshi, The Constitution of India, Universal Publishing Company Ltd., 2014
- The Presidential and Vice-Presidential (Election) Act, 1952 (Bare Act), Universal Publishing Company Ltd., 2014
- The Registration of Elector Rules, 1960 (Bare Act), Universal Publishing Company Ltd., 2014

SARVAJANIK UNIVERSITY				
Program		LL.B.		
Semester		6		
Subject		Forensic Science		
Course Type		Professional Elective Course		
Course Code		BLLB12603	Total Credit	2
Teaching Hours		Examination Marking Scheme		
Theory (Hrs)	Practical /Lib./Lab./Tut. (Hrs)	Internal/ CCE (Marks)	External/ SEE (Marks)	Total
2	-	25	25	50

**Object:** Forensic science plays a very important role in criminal law justice system. It helps in determination of the guilt of a suspected criminal, and ascertains various facts in a case by scientifically testing various types of evidences collected during criminal investigation. A Prosecutor or a Judge is an expert in the field of law but may lack in-depth scientific knowledge, which may be necessary in different cases to ascertain the facts and circumstances of the case in order to prove the case “beyond reasonable doubts” and to attribute criminal liability to the accused person. Therefore, expert opinion of scientists and doctors are invited by the courts whenever evidences are scientifically examined. The aim of this course is to explain the concept of forensic science and its role in criminal law. This course will give an overview as to what kind of evidences are collected and scientifically tested in various crimes, how the result of these tests and expert opinion are useful in investigations and trials and its evidentiary value.

### **Course Outcome**

At the end of the course, students will be able to:

CO1: Understand the concept and role of forensic science in criminal justice system.

CO2: Analyse various types of evidences collected during criminal investigation.

CO3: Understand the utility of expert opinion in investigation and trials and its evidentiary value.

### **Syllabus**

#### **Module 01. Introduction**

1.1 Basic Principles and Significance of Forensic Science

1.2 History and Development of Forensic Science

1.3 Recent advances in Forensic Science and the Law- narco-analysis, brain mapping, polygraph, DNA finger printing

#### **Module 02. Crime & Criminal behaviour**

2.1 Definition of Crime

2.2 Various types of Crime

2.3 Modus Operandi

2.4 Criminal Profiling

2.5 Corpus Delicti

#### **Module 03. Criminal Justice System**

- 3.1 Role of Police Officers, Prosecution and Judicial Officers
- 3.2 Role of Forensic Scientists, Medico-legal Doctors
- 3.3 Expert Testimony

#### **Module 04. Crime Scene Management**

- 4.1 Defining the Scene of crime
- 4.2 Crime a Scene Documentation
- 4.3 Collection, Packaging, Labelling and Forwarding of Exhibits to Forensic Laboratories.
- 4.4 Preservation of Evidence
- 4.5 Health & Safety Protocols

#### **Module 05. Constitutional Rights and Law of Forensic Science**

- 5.1 Right to Privacy and Right against Self Incrimination - with leading cases
- 5.2 Importance of forensic science in Criminal Law: Role of forensic science in understanding criminal psychology, Role of forensic science in criminal investigation, Role of forensic science in court of law, Role of forensic science with respect to questioned documents
- 5.3 Digital evidences and forensic science
- 5.4 Role of forensic science in cyber crimes

#### **Suggested Readings**

- Dennis Howitt, 2002, Forensic and Criminal Psychology, Prentice Hall.
- Encyclopedia of Criminal and Deviant Behaviour, 2001, Clifton D. Pryart, Editor-in Chief, Burunner Routledge Taylor and Frances Group.
- Bartal, Curt R, 1999, Criminal Behaviour: A Psychosocial Approach, 5th edition, Prentice Hall, New Delhi.
- Hollin, Clive R Routledge and Kegan Paul, 1989, Psychology and Crime: An introduction to Criminal Psychology, London.
- Dartmouth Aldershot, 1987, Criminal Detection and Psychology of Crime.
- Harvard LPC Forensic Psychology, 1981, Professor of Clinical Psychology, University of Surrey, Batsford Academic and Educational Ltd. London.