

YEAR-5 SEMESTER-IX

LLB 681 RESEARCH METHODS

Course Description

This is a compulsory course for all students and is introduced to develop the writing, research and analytical skills of law students. The course will focus on basic research strategy and how to find and use primary and secondary legal sources. The objective of the course is to have a strong research-oriented ethos in law colleges/institutions to enable law students to undertake both theoretical and practical research in all fields of law and legal studies. The course is extremely useful, for law students will be required to submit their written work for each and every module/course.

Course Contents

- Meaning, Objectives and significance of Research
- Research paradigms: Positivist, Interpretivist and Realist
- Types of research: Qualitative; Quantitative; Applied; Fundamental; Empirical etc.
- Research Approaches: Action Research, Case Study Methods, Experiments and Surveys.
- Research Methods and Research Methodology
- Research Strategies: Induction and deduction.
- Selecting, defining and refining a research topic
- Conducting a Systematic Literature Review
- Research Design
- Data collection: Primary and Secondary data
- Issues of values in research
- Report Writing

Suggested Readings:

1. Mckie, Suzanne. *Legal Research: How to find and Understand Law*. London: Cavendish, 1993.
2. Olson, Kent C. *Principles of Legal Research*. St. Paul: West, 2009.
3. Panneerselvam, R. *Research Methodology*. New Delhi: PHI Learning, 2009.
4. Pawar, Manohar. (ed.) *Data Collecting Methods and Experiences: A Guide for Social Researchers*. New Delhi: New Dawn, 2004.
5. Singh, Yogesh Kumar. *Research Methodology*. New Delhi: APH, 2010.
6. Sloan, Amy E. *Basic Legal Research: Tools and Strategies*, (4thedn) Austin: Wolters Kluwer, 2009.
7. Langah, Shahzado. *Civil Service Laws in Pakistan*. Islamabad: National Book Foundation, 2009.
8. Statsky, William P. *Legal, Research, Writing and Analysis*. (2ndedn) St. Paul; West Publishing, 1992.

LLB 682 MINOR ACTS

Course Description

The Course of Minor Acts has been added to the list of core courses with a view to familiarize law students with practical knowledge of some important areas which fresh law graduates come across in their practical and professional field. These laws include the Civil Court Ordinance, the rent related laws, the law of limitation, the court fee and suit valuation matters and the arbitration issues.

Course Contents

1. **Civil Court Ordinance, 1962**
- Classes of Courts

- Civil Districts
 - District Judges
 - Additional District Judges
 - Original Jurisdiction of District Judges
2. **The Rent Laws of the respective provinces/ areas.**
- Definition
 - Determination of fair rent
 - Cases in which further Increase in fair rent admissible
 - Increase of rent of non-residential building
 - Landlord not to Interfere aweimtees enjoyed by tenant
3. **The Limitation Act, 1908**
- Dismissal of Suit
 - Extension of Period
 - Legal disability
 - Continuous running of time
 - Exclusion of time in legal proceedings
4. **The Court Fees (1870) and Suit Valuation (1887) Acts**
- Fees in High Court
 - Fees in other Court
 - Probates and letter of Ad
 - Process Fees
 - Mode of lernge Fees
5. **The Arbitration Act, 1940**
- Arbitration without Intervention of Court
 - Arbitration with Intervention of Court
 - Appeals
 - General Provisions of Arbitration

Suggested Readings:

1. The Civil Court Ordinance, 1962
2. The Rent Laws of the respective provinces/ areas.
3. The Limitation Act, 1908
4. The Court Fees (1870) and Suit Valuation (1887) Acts
5. The Arbitration Act, 1940

LLB 685 MOOT CASES AND PROFESSIONAL ETHICS

Course Description

This is one of the compulsory courses for all law students. The objective of the course is to introduce students to basic trial techniques and skills, including the basics of presentations in court, mode of address, examination-in-chief and cross examination and submissions on facts. The practical skills learned in this module will complement those learned in earlier semesters. The course will give students a taste of the real world litigation practice.

The second part of the course deals with professional ethics which will lay emphasis on adherence to basic legal ethics that is generally required for students who wish to practice law. The course will cover the rules of legal ethics

as laid down in Legal Practitioners and Bar Councils Act, 1973 and other relevant rules. Senior practicing lawyers will be invited to deliver lectures on legal ethics.

Course Contents

➤ **Module 1**

Session 1 Introduction—Moot Court

- Introduction
- What is Moot?
- Types of Moot Problem
- Appeal level
- Trial Court level
- Significance of Moot
- Why everybody should participate?
- Opportunity in legal profession
- Tools for excellence Advocacy skills
- Mock Trials

➤ **Session 2 Moot Court—Practice and Procedure**

- Moot Court Practice & Procedure
- Memorials
- Drafting Prosecution Memorial
- Drafting Defense Memorial
- How to crack the problem
- Oral submission
- Dos & Donts
- Judges for the Moot Court and the Organizing Committee
- Legal Ethics (Bar Councils Act, 1973)

Suggested Readings:

1. Hart, William and Blanchard, Roderick. *Litigation and Trial Practice*, (6th edn) Clifton Park: Thomson/ Delmar, 2006.
2. Menon. N. R. Madhava, *Clinical Legal Education*. Lucknow: Eastern, 2006.
3. Snape, John and Watt, Gary. *How to Moot: A Students Guide to Mooting*. Oxford: Oxford University Press, 2010.
4. Pakistan Bar Councils Canons of Professional Conduct and Etiquette, 1976.
5. UN Basic Principles on the Role of Lawyers, 1990.
<http://www1.umn.edu/humanrts/instree/i3bprl.htm>
6. UN Guidelines on the Role of Prosecutors, 1990. <http://www1.umn.edu/humanrts/instree/i4grp.htm>
7. UN Basic Principles on the Independence of the Judiciary, 1985.
<http://www1.umn.edu/humanrts/instree/i5bpj.htm>

LLB 683 CONSUMER PROTECTION LAWS (ELECTIVE-I)

Course Description

In the present era, greater importance has been assigned to consumer law at a global basis. The basic purpose of making these acts a part of our legislation is to establish a prosperous society where all the consumers should feel themselves secured and where there is no room for fraud. There is a great emphasis on the need for teaching consumer law very seriously to present generation law students for making them equipped to handle issues relating

to this branch of law. In this background the present course will aim to introduce the students to the existing law and practice relating to consumer protection.

Course Contents

- Concept of Consumer Sovereignty
- Need of Consumer Protection
- Consumer Protection & Doctrine of Negligence
- Consumer Protection Law
- Salient Features and the Relationship of the Act with Other Consumer Protection Legislations
- Consumer Protection Act 1997
- Important Definitions
- Consumer's Rights
- liability of principal for acts of an agent
- Consumer Protection Councils : Objective, Composition and Procedures
- Consumer Dispute Redressal Agencies - Their Constitution, Jurisdiction and Procedure, Enforcement of Decrees and Order, reliefs to a consumer.
- Dismissal of Frivolous or Vexatious Complaints, Limitation.

Suggested Readings:

1. The NWFP *Consumer Protection (Amendment) Act* 2005.
2. Munir Ahmad Mughal, *Law of Consumer Protection*, Lahore, Muneeb Book House, 2010.
3. V.K. Agarwal, *Consumer Protection in India*, New Delhi, Deep and Deep Publications.

LLB 684 LABOUR LAWS (ELECTIVE-II)

Course Description

Labour Law is an area that deals with the rights of employers, employees and Labour organizations. The primary function of labour laws is to provide equal opportunity and pay, employees physical and mental wellbeing and safety at work place. This course consists of the Charter of International Labour Organization (ILO), the Khyber Pakhtunkhwa Industrial Relations Act, 2010 and the Khyber Pakhtunkhwa Commercial Employment (Standing Orders) Act, 2013.

Course Contents

International Labor Organization (ILO)

1) Industrial Relations Act 2010 (Khyber Pakhtunkhwa)

- Charter
- Administrative machinery
- Mission
- Industrial Relations Act 2010
- Definitions
- Trade unions
- Registration
- Registrar, its powers and functions
- Unfair labor practices on part of employers
- Unfair labor practices on part of workmen

- Immunity from civil suit in certain cases
- Federation of trade unions
- Confederation of trade union
- Collective bargaining agent
- Collective bargaining unit
- Shop steward
- Joint management board
- Inspector
- Works council
- Consultative
- Arbitration
- Strike and lock out
- Labor court
- Labor applet tribunal
- Penalties

2) West Pakistan Employment and standing order

- Deification
- Classification of workmen
- Tickets
- Terms and condition of service
- Wage rates
- Shift working
- Leave
- Group incentive schemes
- Compulsory group insurance
- Bonus
- Stoppage of work
- Close of establishment
- Termination of employment
- Special provision for construction worker
- Punishments
- Evection from residential accommodation
- Liability of employer

Suggested Readings:

1. Blanpain, R. *Comparative Labor Law and Industrial Relations* Kluwer, (3rd edn).
2. Nisar Ahmed Pannoun; "*Industrial Relation Ordinance 1969*" Lahore: Mansoor Book House, (latest edition).
3. *The Industrial Relation Ordinance, 2002 with Labor Policy, 2002*" Lahore: Irfan Law Book House, 2002.
4. Mubsher Hussain; "*The Industrial and Commercial Employment (Standing Order) Ordinance 1968*" Lahore: Irfan Book House, 2002.
5. Mubashir Hussain; "*The Workmen Compensation Act 1923*" Lahore: Irfan Law Book House, 1998.
6. Relevant Statutes and Cases