

# **SYLLABUS**

**Learning Program In Bachelor of Laws (LL.B.)**

**Three Years Degree Course**

**(Semester System)**

**MAHARSHI DAYANAD SARASWATI UNIVERSITY**

# **MAHARSHI DAYNAND SARASWATI UNIVERSITY, AJMER**

## **Learning Program in Three Years Bachelor Degree in Laws**

### **(Semester System)**

This part deals with Admission, Eligibility, Scheme of Papers, Examination and Degree etc. for the Learning Program in 'Three Years Degree of Bachelor in Laws' (LL.B.) under Semester Scheme as prescribed by the Bar Council of India. It will be applicable from the Academic Session 2020-2021.

#### **A. General**

The Learning Program in 'Three Years Degree of Bachelor in Laws' (LL.B.) shall consist of six semesters in three academic years. Every academic year will be divided in 2 semesters. Two consecutive (one odd + one even) semesters constitute one academic year. Every Semester shall contain at least 15 weeks of teaching and will consist of 30 hours of working schedule per week.

#### **B. Admission**

Subject to compliance with the requirements of the Ordinance and regulations of the University and the directions passed by the Bar Council of India from time to time, a candidate who has passed Bachelor's or Master's Degree Course in Arts/Science/Commerce/Management/Medicine/Pharmacy/Social Sciences/ Engineering / Technology / Agriculture / Veterinary Science/ and Animal Husbandry or equivalent courses of this University or of an Indian or Foreign University recognized for this purpose by this University and such other examinations, as may be recommended by the Bar Council of India in this regard, may apply for admission in the Learning Program in 'Three Years Degree of Bachelor in Laws' (LL.B.).

#### **C. Eligibility for Admission**

##### **(i) Admission in First Semester:**

- (a)** An applicant who has graduated/post graduated in any discipline of knowledge from a university established by an act of Parliament or by a State Legislature or an equivalent national institution recognized as a deemed to be University or foreign University recognized as equivalent to the status of an Indian University by an authority

competent to declare equivalence, is eligible to apply for admission in Learning Program in three years bachelor degree in law (LL.B) leading to conferment of LL.B. degree on successful completion of the regular program conducted by the University.

- (b) For the purpose of applying for and getting admission, the minimum percentage of marks shall not be below 45% of total marks in case of general category applicant, 42% of total marks in case of OBCs and 40% of total marks in case of SC, ST and Economically Weaker Section applicant, in the graduate/post graduate qualifying examination. The provisions prescribed by the Bar Council of India, New Delhi regarding eligibility and age criteria etc. will be applicable.
  - (c) Admission in the First Semester of Learning Program in three years bachelor degree in law (LL.B) shall be made on the basis of merit in accordance with rules laid down.
  - (d) For the purpose of admission, marks of only those subjects/ papers shall be taken into account which had been considered for awarding division at the Bachelor/Master's Degree Examination.
  - (e) 20% of the total seats in LL.B. First Semester shall be reserved for the candidates who will become eligible on the basis of Master's degree as defined above and 80% seats will be available for Graduate Degree Holders.
  - (f) No student shall be allowed to simultaneously register for a Law degree program with any other graduate or post graduate or certificate course run by the same or any other University or an institute for academic or professional learning. Provided that any short period part time certificate course on language, computer science or computer application of an institute or any such certificate course run by a center for Distance Learning of a University however, shall be exempted.
- (ii) **Promotion from First Semester to Second Semester:** A Candidate who has completed a regular course of study for first semester will, subject to the other provisions of Ordinances and Regulations of the University, be eligible to be promoted to the Second Semester of LL.B. only in case of passing at least 3 out of 5 papers/subjects with minimum passing marks in each paper/subject as well as in aggregate in the Examination of First Semester.
- (iii) **Admission from Second Semester to Third Semester:** A Candidate who has completed a regular course of study for Second semester will, subject to the other provisions of Ordinances and Regulations of the

- University, be eligible to be admitted in the Second year (Third Semester) of LL.B. only in case of passing in at least 3 papers/subjects out of 5 with minimum passing marks in each paper/subject as well as in aggregate in the Examination of the Second Semester.
- (iv) **Promotion from Third Semester to Fourth Semester:** A Candidate who has completed a regular course of study for Third semester will, subject to the other provisions of Ordinances and Regulations of the University, be eligible to be promoted to the Fourth Semester of LL.B. only in case of passing in at least 3 out of 5 papers/subjects with minimum passing marks in each paper/subject as well as in aggregate in the Examination of Third Semester.
- (v) **Admission from Fourth Semester to Fifth Semester:** A Candidate who has completed a regular course of study for Fourth semester will, subject to the other provisions of Ordinances and Regulations of the University, be eligible to be admitted in the Third Year (Fifth Semester) of LL.B. only in case of passing in at least 3 out of 5 papers/subjects with minimum passing marks in each paper/subject as well as in aggregate in the Examination of Fourth Semester.
- (vi) **Promotion from Fifth Semester to Sixth Semester:** A Candidate who has completed a regular course of study for Fifth semester will, subject to the other provisions of Ordinances and Regulations of the University, be eligible to be promoted to the Sixth Semester of LL.B. only in case of passing in at least 3 out of 5 papers/subjects with minimum passing marks in each paper/subject as well as in aggregate in the Examination of Fifth Semester.

It is to be noted that a candidate may be promoted to the next Semester on passing a minimum of Three paper/subjects out of Five, however, the remaining (Due) papers/subjects will still have to be cleared for passing the Semester as given in the Scheme of Examination.

#### **D. Course Structure**

There will be total 30 papers in Six Semesters of the Three years LL.B. Degree Course. There will be five theory papers in Semester I to IV and Four theory papers and one clinical paper in each semester from Semester V and VI. Each paper will be of 100 marks (80 for Theory and 20 for Continuous Assessment Scheme) and the duration of exam shall be 3 hours. Details are as below:

<b>First Year</b>			
<b>Semester I</b>		<b>Semester II</b>	
Course Code	Name of the Course	Course Code	Name of the Course
LL.B/101	Constitutional Law of India -I	LL.B/201	Jurisprudence
LL.B/102	General Principles of Contract	LL.B/202	Special Contracts
LL.B/103	Family Law-I (Hindu law)	LL.B/203	Family Law-II (Muslim law)
LL.B/104	Law of Torts including The M.V. Act and Consumer Protection Law	LL.B/204	Administrative Law
LL.B/105	General English, Legal Language, Legal writing and Interpretation of statutes	LL.B/205	Environmental Law

<b>Second Year</b>			
<b>Semester III</b>		<b>Semester IV</b>	
Course Code	Name of the Course	Course Code	Name of the Course
LL.B/301	Constitutional Law of India-II	LL.B/401	Public International Law and International Human Rights
LL.B/302	Law of Crimes-I (Indian Penal Code)	LL.B/402	Company Law
LL.B/303	T. P. Act, 1882 and Indian Easements Act, 1882.	LL.B/403	Law relating to intellectual property rights
LL.B/304	Cyber Law and I. T. Act 2000	LL.B/404	Right to Information Act, 2005 and Minor Acts
LL.B/305	Professional Ethics & Professional accounting system (Clinical Course)	LL.B/405	Alternative Dispute Resolution (Clinical Course)

<b>Third Year</b>			
<b>Semester V</b>		<b>Semester VI</b>	
Course Code	Name of the Course	Course Code	Name of the Course
LL.B/501	Law of Taxation	LL.B/601	Law of Evidence
LL.B/502	Land Laws	LL.B/602	Criminology, Penology, Victimology and Forensic Science
LL.B/503	Civil Procedure Code and Limitation Act	LL.B/603	Law of Crimes-II (Cr.P.C)
LL.B/504	Labour and Industrial law- I	LL.B/604	Labour and Industrial Laws –II
LL.B/505	Drafting, Pleading and Conveyance (Clinical Course).	LL.B/605	Moot Court exercise and internship Clinical course (Clinical Course)

### **E. Examination**

Examinations shall be conducted at the end of each semester. Every candidate of three years degree course for the degree of LL.B. (semester scheme) shall present himself / herself for examination in the papers prescribed for the course as per the University Ordinance, Rules and Regulations. Each Theory paper in I, II, III, IV, V and VI semester in the LL.B. Course Examination shall be of 80 marks and CAS of 20 marks. The Clinical course will be of 100 marks.

### **F. Eligibility for Appearing in the Examination**

No student of the degree program shall be allowed to take the end semester test in a subject if the student concerned has not attended minimum of 70% of the classes held in the subject concerned as also the moot court room exercises, tutorials and practical training conducted in the subject taken together.

Provided that if a student for any exceptional reasons fail to attend 70% of the classes held in any subject, the Dean of the University or the Principal of the Centre of Legal Education, as the case may be, may allow the student to take the test if the student concerned attended at least 65% of the classes held in the subject concerned and attended 70% of classes in all the subjects taken together. The list of such students allowed to take the test with reasons recorded is to be forwarded to the Bar Council of India, New Delhi. Such an exemption is permissible only in one subject.

### **G. Scheme of Examination**

- A. In each semester pass percentage for each Theory, Clinical and CAS paper, as the case may be, shall be a minimum of 36%. Additionally, the aggregate of marks, in all papers in each Semester shall be a minimum of 48%. Candidates with such percentages shall be declared as having passed the Semester Examination.
- B. A candidate who does not score the pass marks in more than two papers or in aggregate in any Semester shall be declared as having failed in that Semester. He / She will be required to repeat such Semester as an ex-student.
- C. A candidate may however be promoted to the next Semester if he/she has secured at least 36% marks in at least 3 out of 5 papers of that Semester and his/her aggregate in those three papers totals 48% or more. That is to say, such a candidate can carry forward a maximum of remaining two due papers to the next Semester.
- D. A candidate who is promoted to the next Semester as per C above will be required to reappear in and clear the due papers. However, it may be noted that, for this purpose, he/she will be permitted not more than two additional attempts.
- E. The additional attempts to a candidate as in D above will be available according to the scheme given below:

For Due papers of Semester I – With the examinations of Semester III and V

For Due papers of Semester II- With the examinations of Semester IV and VI

For Due papers of Semester III- With the examinations of Semester V and Special Supplementary Examination

For Due papers of Semester IV- With the examinations of Semester VI and Special Supplementary Examination

For Due papers of Semester V and VI- Special Supplementary Examination and at the time of examination of next Semester V and VI, as the case may be.

- F. If a candidate has failed in any paper of previous Semesters in two additional attempts, he/ she shall be deemed to have failed in the concerned Semester Exam and will be required to repeat the Semester as an Ex-Student. No Semester can be repeated twice. However, before a candidate is permitted to take a repeat as an Ex-student the Head of the Department/ Principal will have to certify that he/she will be able to complete the total Three Years LL.B. Degree Course within a period of Five years from the date of admission in the First Semester.
- H. Notwithstanding any of the above provisions, all the candidates will have to clear all Semester Exams of the Three Years LL.B. Degree Course in not more than 5 years. Inability to do so will render a candidate liable for being declared failed.

### **H. Evaluation**

The evaluation of students in all courses will be divided in two parts i.e. Theory (80 marks) and Continuous Assessment Scheme (20 marks), totaling 100 marks except the Clinical Courses which will be assessed as laid down by the Bar Council of India, New Delhi.

In Theory paper students will be evaluated for 80 marks on the basis of answers written in examination conducted by the University and as per the marking scheme given in the Question Paper. The format of Question Paper is as follows:

The question paper will be divided in two parts, i.e. Part-A and Part- B

Part-A: This part shall consist of 10 compulsory questions of two marks each. At least two questions shall be asked from each unit in the order of units. The answer of these questions will be limited up to 50 words

Part-B: There will be five questions of 12 marks each with internal Choice from each unit. The answer of these questions will be limited up to 400 words

In case of discrepancies between the English and Hindi Versions of the Question Paper, English Version will prevail.



In Continuous Assessment Scheme (CAS), a student's performance will be assessed for 20 marks by the mentors (Practicing Lawyers/ Retired Judges)/ faculty members as deputed by the Head of Department/Principal. Division of marks shall be as follows:

(i)	Project Writing/ Case Study –	10 marks
(ii)	Project Presentation/ Viva-voce –	10 marks
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Total:		20 Marks
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The marks of all the semester examinations viz., Semester I, II, III, IV, V and VI of the LL.B. Course will be counted together for classification of result as follows:

1st Division: 60% or more marks in aggregate in total of all six semesters

2nd Division: all others will be awarded II division if they secure 48% marks or above but less than 60% in aggregate in total of all semesters.

### **I. Award of Degree**

A Candidate who has completed a regular course of study in the University Department of law or in an affiliated college for all six semesters and have passed all concerned examinations will, subject to the other provisions of the Ordinances, Rules and Regulations, be awarded the degree of Bachelor of Laws( LL.B.) three years Degree Course (Semester Scheme).

### **J. Miscellaneous**

- a. To award LL.B. Degree a candidate must have passed the LL.B. three years examinations within Five years from the year of initial admission in first semester of the course.
- b. The marks actually obtained by a candidate in the due papers of the previous semester examination shall be taken into account for awarding division.
- c. Grace marks will be as per University rules.
- d. Department of Law and affiliated colleges are advised to conduct Viva - voce as per the instructions of the University examination department.

- e. The duration of Internship in the entire academic period (three years) will be for 12 weeks. Internship in a year cannot be for a continuous period of more than Four Weeks. In the entire academic period every student will have to go to Trial and Appellate Advocates at least once.

### **Course Contents**

**Constitution and the Acts mentioned in the course contents of various semesters are to be read with amendments.**

### **Semester –I**

#### **Course Code- LL.B/101** **Constitutional Law of India –I**

#### **Unit I: Constitutional History of India:**

- A. The Council of India Act, 1909
- B. The Council of India Act, 1919
- C. The Government of India Act, 1935
- D. The Independence of India Act, 1947

#### **Constitution of India, 1950:**

- A. Nature and Characteristics of the Indian Constitution,
- B. Salient Features,
- C. Preamble,
- D. Comparative Form of the Government
- E. Federal Structure in Indian Constitution

#### **Unit II: Union of India and its Territory:**

- A. Territory of India,
- B. Admissions and Establishment of New States.

#### **Citizenship:**

- A. Constitutional Provision
- B. Dual Citizenship
- C. Citizenship of Corporations

#### **Union and State Executive:**

- A. The President: Legal provision, Appointment, Removal and Powers, viz., Executive, Legislative and Judicial,
- B. Vice President
- C. Council of Ministers

- D. Governors of State: Legal provision, Appointment, Removal and Powers, viz., Executive, Legislative and Judicial, and his Powers

**Unit III: Union Parliament and the State Legislature:**

- A. General Provisions of Organization/s,
- B. Officers of Organization/s
- C. Disqualifications of Members
- D. Powers, Privileges and Immunities
- E. Legislative Procedures
- C. Procedures in Financial Matters

**Comptroller and Auditor- General of India**

**Legislative Relations between centre and state:**

- A. Distribution of Powers between Union and the States,
- B. Extent of Legislative Powers,
- C. Doctrine of Territorial Nexus,
- D. Doctrine of Pith Substance,
- E. Doctrine of Colorable Legislation and
- F. Doctrine of Repugnancy,
- G. Residuary Powers.

**Unit IV: Financial Relations between centre and state:**

- A. Taxes and duties
- D. Surcharge on certain taxes
- E. Grants-in-Aid
- F. Finance Commission

**Union and State Judiciary:**

- A. Composition and Jurisdictions of Supreme Court and High Court
- B. Appointment, Removal and Service Conditions of Judges
- C. Tribunals under Constitution

**Unit V: Emergency Provision:**

- A. National Emergency,
- B. Failure of Constitutional Machinery,
- C. Civil Liberties and Emergency,
- D. Financial Emergency

**Leading Cases:**

1. Indira Nehru Gandhi v Rajanarain AIR 1975SC 2299
2. State of Rajasthan v. Union of India AIR 1977 SCD 61
3. In Re-The Gujrat Legislative Assembly ATR (1974) 2 SCC 33
4. U.K. Rao v. Indira Gandhi AIR 3970 SC 2097
5. Kehar Singh v. Union of India, AIR 1 989 SC 653

**Suggested Readings:**

1. Constitution of India as amended up-to-date.
2. Prof. GS, Pandey: Constitutional Law of India.
3. V.N. Shukla: Constitution of India.
4. M.P. Jain: constitutional law of India (Eng. A Hindi)
5. D.D. Basu: Introduction of the Constitution of India.
6. Paras Diwan: Constitutional of India.
7. M.CJ. Kagzi: Constitution of India

**Semester –I****Course Code- LL.B/102****GENERAL PRINCIPLES OF CONTRACT****Unit I:**

- A. Meaning, Definition, Elements and Kinds of Contract including Standard form of Contract
- B. Proposal/offer: Meaning, Definition, Elements and kinds of Proposal, Distinction between Proposal and Invitation to Proposal
- C. Acceptance: Meaning, Definition, Modes and Characteristics of Acceptance.
- D. Communication, Revocation and Termination of Proposal and Acceptance.

**Unit II:**

- A. Meaning, Definition and Elements of Consideration.
- B. Significance and Adequacy of Consideration.
- C. Unlawful Consideration and Object.
- D. Concept of Stranger to Contract

- E. Privity of Contract and of Consideration.
- F. Exceptions of Consideration
- G. Capacity to enter into a Contract
- H. Nature and Effect of Minor's Agreement
- I. Persons deprived of the capacity to contract

**Unit III:**

- A. Meaning of Consent and Free Consent
- B. Factors rendering consent not free and their effect upon the validity of contract.
- C. Void Agreements: Restraint of marriage, trade, legal proceedings, uncertainty and Wagering agreement.
- D. Contingent Contract: Distinction between Wagering agreement and Contingent Contract

**Unit IV:**

- A. Discharge of contract by performance: Tender of performance, joint rights and joint liability of parties, Time, place and manner of performance, performance of reciprocal promises, novation, accord and satisfaction.
- B. Discharge from liability to perform the contract: impossibility, Anticipatory breach of contract
- C. Certain relations resembling contract (Quasi contract)

**Unit V:**

- A. Remedies for breach of contract: Damages- Measure of damages and remoteness of damages
- B. Specific performance of contract and injunctions under Specific Relief Act, 1963

**Leading Cases:**

1. *Cariil v. Carbolic Smoke Ball Com.*, (1883) 1 QB 256
2. *Bhagwandas v. Girdhari Lai & Co.* AIR 1966 SC 543
3. *Motilal Padamput Sugar Mil Co. Ltd. v. State of UP*, AIR 1979 SC 621
4. *Lalman Shukla v. Gauri Dutt*, AIR (1913) 409

5. Mohori Bibi v. Dhurmodas (1903) IA 172

**Suggested Readings:**

1. Anson: Law of Contract
2. P.S. Atiyah : An Introduction to the Law of Contract
3. Pollock & Mulla: Indian Contract & Specific Relief Act.
4. V.G. Ramchandran: The Law of Contract and Specific Relief ACT.
5. Dr. Avatar Singh: Law of Contract and Specific Relief (English & Hindi)
6. Dr. R. K. Bangia: Contract-I with Specific Relief Act

**Semester –I**

**Course Code- LL.B/103**  
**FAMILY LAW-I (HINDU LAW)**

**Unit I:**

- A. Hindu Law- Sources, Schools and application
- B. Coparcenary, Joint family property and self-acquired property
- C. Karta & His powers and obligations
- D. Religious and Charitable Endowments, Essentials of an endowment, Rights and Duties of Shebait and Mahant

**Unit II:**

- A. The Hindu Marriage Act 1955 – Condition of Hindu Marriage, Ceremonies for Hindu marriage, registration of Hindu marriage
- B. Void and voidable marriage
- C. Restitution of conjugal rights
- D. Judicial separation, Divorce
- E. Legitimacy of children of Void and voidable marriages
- F. Alternative relief in Separation of marriage, proceedings of Separation of marriage
- G. Divorce by mutual consent
- H. One year bar to Separation of marriage, Divorced persons when marry again, jurisdiction and procedure

### **Unit III:**

- A. The Hindu Succession Act, 1956- Succession to the property of a Hindu Male
- B. Succession to interest in coparcenary property
- C. Property of Hindu female, Succession to the property of Hindu female
- D. General rules and disqualifications of Succession, Escheat.

### **Unit IV:**

- A. The Hindu Adoption and Maintenance Act, 1956- Requisites of valid adoption
- B. Capacity to take in adoption,
- C. Capacity to give in adoption,
- D. Effects of adoption
- E. Persons who may be adopted, other condition for a valid adoption, Miscellaneous provisions of adoptions.
- F. Maintenance of wife, Children and Parents
- G. Maintenance of Dependents, Maintenance of daughter-in-law (widow) Criteria of Maintenance Miscellaneous provisions of Maintenance

### **Unit V:**

- A. The Hindu Minority and Guardianship Act 1956- Natural guardians and their powers
- B. Testamentary guardians and their powers
- C. De-facto guardian, general provisions of guardianship.
- D. Partition Under Hindu Law- Meaning, property for partition, persons entitled to sue for partition and allotment of shares, partition how affected
- E. Determination of shares, Re-opening of partition. Reunion. Debt-Doctrine of pious obligation: Antecedent Debt.

### **Leading Cases:**

1. ShastriYagyaPurushasji v. Muldas, AIR 1966SC 1119
2. GitaHariharanv. State Bank of India, AIR 1996 SCI 149
3. Bipin Chandra v. Prabhavati, AIR 1957 SC 176
4. Dharmendra Kumarv.UshaKumari AIR 1977SC2218
5. Tulsan v. Sesha Reddy, AIR 1977 SC 1944

## **Bare acts**

The Hindu Marriage Act, 1955

The Hindu Succession Act, 1956

The Hindu Adoption and Maintenance Act, 1956

The Hindu Minority and Guardianship Act, 1956

## **Suggested Readings:**

1. Dr. P.C. Jain and Mukesh Agarwal: Hindu Law.
2. Mulla: Principles of Hindu Law.
3. Raghvachari: Hindu Law Principles and Procedures. 10
4. Paras Diwan: Modern Hindu Law,
5. TahirMahmood: Hindu Law.
6. Dr. U.C. Shankhla: Fundamental Principles of Separation of marriage Law

## **Semester –I**

### **Course Code- LL.B/104**

### **Law of Torts including Motors Vehicle Act and Consumer Protection Law**

#### **Unit I:**

- A. Law of Torts in India: Nature and Definition of Tort, Constituents of Tort, Distinction between torts and other wrongs
- B. Maxims, Extinction or discharge of tortious liability
- C. General Defences of tortious liability

#### **Unit II:**

- A. Capacity to sue and to be sued, Act of State, Corporation, Minor, Independent
- B. Vicarious Liability, Doctrine of common employment
- C. State Liability, Absolute or Strict Liability
- D. Remedies, Kinds and measure of damages, Remoteness of damages

#### **Unit III:**

- A. Torts to person and property: Assault, Battery, False imprisonment,
- B. Conspiracy, Deceit or fraud, malicious prosecution, Trespass,



- C. Negligence, Contributory Negligence
- D. Nuisance- Public and Private
- E. Nervous shock
- F. Defamation: Meaning, kinds and defences

#### **Unit IV:**

- A. The M.V. Act, 1988 Preliminary, Licensing of drivers of Motor Vehicles, Licensing conductor of stage carriage, Registration of Motor vehicles, control of "transport vehicles
- B. Special provisions relating to stage transfer undertakings, construction, equipment and maintenance of motor vehicles, control of traffic, motor vehicles, temporarily leaving or visiting India
- C. Liability without fault in certain cases
- D. Insurance of Motor vehicles against third party risks
- E. Claim tribunals Offences, penalties and procedure, Miscellaneous.

#### **Unit V:**

- A. Consumer Protection Act, 1986 –Definitions
- B. Consumer Protection Councils, consumer Dispute, Redressal Agencies- Establishment
- C. Jurisdiction, Procedure and orders

#### **Leading Cases:**

1. Ushaben v. Bhagya Laxrai Chitra Mandir, AIR 1970 Guj. 18.
2. N. Nagendra Rao v. State of A.P., AIR 1 994 SC 2663
3. Municipal Corp. of Delhi v. Subhagwati, AIR 1 966 SC 1 750
4. Raylands v. Fletcher, (1868) IRHT 330.
5. Indian Medical Association v. VP Shantha, AIR 1996 SC 500
6. Donoghue v. Stevenson, (1932)A.C. 562
7. M.C. Mehta v. Union of India, AIR 1987S.C. 1086

#### **Suggested Readings:**

1. G S. Pandey: Law of Torts and Consumer Protection Act.
2. Winfield: Law of Torts.

3. Rama swami Iyer: Law of Ton.
4. B.S. Sinha: Law of Torts
5. Salmond: Law of Torts
6. Street: Law of Torts.
7. Ratanlal and Dhirajlal : The Law of Torts.
8. Avtar Singh: Law of Consumer Protection.
9. Venkateshwar: Consumer Protection in India
10. P. Leelakrishan : Consumer Protection and legal control
11. Gandhi,B.M. : Law of Tort

### Semester -I

#### Course Code- LL.B/105

#### General English, Legal Language, Legal writing and Interpretation of statutes

#### **Unit I:**

- A. Vocabulary: Use of legal phrases and terms.
- B. Pairs of words.
- C. One-word substitution.

#### **List of Legal terms:**

Abet	Abstain	Accomplice
Act of God	Actionable	Accused
Adjournment	Adjudication	Admission
Affidavit	Amendment	Appeal
Acquittal	Articles	Assent
Attested	Attornment	Averment
Bail	Bailment	Citation
Clause	Coercion	Code
Cognizable	Confession	Compromise
Consent	Conspiracy	Contempt

Contingent	Contraband	Conviction
Convention	Corporate	Custody
Damages	Decree	Defamation
Defense	Escheat	Estoppel
Eviction	Executive	Ex-parte
Finding	Floating charge	Forma Pauperis
Franchise	Fraud	Frustration
Good faith	Guardian	Habeas Corpus
Hearsay	Homicide	Hypothecation
Illegal	Indemnity	Inheritance
Bench	Bill	Bill of attainder
Bill of rights	Blockade	Bonafide
By-laws	Capital Punishment	Charge
Chattel	Justiciable	Legislation
Legitimacy	Liability	Liberty
License	Lien	Liquidation
Maintenance	Mala-fide	Malfeasance
Minor	Misfeasance	Mortgage
Murder	Negligence	Negotiable Instruments
Neutrality	Non-feasance	Notification
Novation	Nuisance	Oath
Obscene	Offender	Order
Ordinance	Over-rule	De-facto

De Jure	Deposit	Detention
Discretion	Distress	Earnest Money
Enact	Enforceable	Equality
Partition	Perjury	Petition
Plaintiff	Pledge	Preamble
Pre-emption	Prescription	Presumption
Privilege	Privity	Prize
Process	Promissory	Note
Proof	Proposal	Prosecution
Proviso	Ratify	Receiver
Redemption	Reference	Regulation
Remand	Remedy	Rent
Repeal	Res Judicata	Respondent
In Limine	Insanity	Institute
Insurance	Interstate	Issue
Judgment	Judicial	Jurisdiction
Justice	Restitution	Rule
Ruling	Schedule	Section
Settlement	Sovereignty	Specific Performance
Stamp duty	Status quo	Statute
Stay of execution	Succession	Summons
Surety	Tenant	Testator
Testatrix	Title	Tort

Trade Mark	Treason	Treaty
Trespass	Trial	Tribunal
Ultra Vires	Undue Influence	Usage
Valid	Verdict	Vested
Violate	Vis-major	Void
Voidable	Wager	Waiver
Warrant	Warranty	Will
Writ	Wrong	

## **Unit II:**

- A.** Latin maxims: Meaning and use in sentences.
- B.** Comprehension of legal texts.
- C.** Précis writing.

### **LIST OF LATIN MAXIMS:**

1. Ab initio (from the beginning)
2. Actiopersonalismoritur cum persona (Personal actions die with the death of person).
3. Actus Curaeneminemgravabit (an act of the court shall prejudice no one).
4. Actus non facitreum nisi mens sit rea (the act itself does not constitute guilt unless done with a guilty intent).
5. Actus reus (wrongful act).
6. Ad interim (in the meantime)
7. Ad litem (for the suit).
8. Ad valorum (according to the value).

9. Alibi (Plea of being elsewhere)
10. Amicus curiae (friend of the court)
11. Animus (Intention)
12. Audi alteram partem (hear the other side).
13. Caveat emptor (let the buyer beware).
14. Consensus ad idem (agreement by two persons upon the same thing in the same sense).
15. Damnum sine injuria (damage without injury).
16. De facto (in fact).
17. De jure (in law).
18. De minimis non curat lex (the law takes no account of trifling matters).
19. Decree nisi (a decree which takes effect after a specified period).
20. Delegatus non potest delegare (a delegated power cannot be further delegated).
21. Doli incapax (incapable in malice).
22. Donatio mortis causa (gift by a person on the death bed).
23. Ejusdem generis (of the same category).
24. Eminent domain (a right of a government to take private property for public use by virtue of the superior dominion of the sovereign power over all lands within its jurisdiction).
25. Ex-officio (by virtue of an office).
26. Ex-parte (not in the presence of the opposite party).
27. Ex-post-facto (by subsequent act).
28. Factum valet (the fact which cannot be altered).
29. Fait accompli (an accomplished fact).

30. Ignorantia legis neminem excuset (ignorance of law is no excuse).
31. In parimateria (in an analogous case, cause or position).
32. Injuria sine damno (injury without damage)
33. Interest republicae ut sit finis litium (it is in the interest of the republic that there should be an end of law suit).
34. Intra-vires (within the powers)
35. Jus tertii (The right of a third party)
36. Lis pendens (pending suit)
37. Mens rea (a guilty mind)
38. Mesne profits (the profits received by a person on wrongful possession).
39. Nemo det quod non habet (no one gives what they do not have).
40. Nemo det bis vexari pro et eadem causa (no man be twice vexed for the same cause).
41. Nemo in propria causa iudex esse debet (no one ought to be a judge in his own case)
42. Nolle prosequi (to be unwilling to prosecute).
43. Obiter dicta (an opinion of law not necessary to the decision)
44. Onus probandi (the burden of proof)
45. Pacta sunt servanda (pact must be respected)
46. Pendente lite (during litigation)
47. Per Capita (per head)
48. Per incuriam (through inadvertence or carelessness).
49. Per stripes (by stocks)

50. Plenum dominium (full stocks)
51. Pro bono publico (for the public good)
52. Ratio decidendi (grounds for decision, principles of the case).
53. Res geste (connected facts forming the part of the same transaction).
54. Res ipsa loquitur (the thing speaks for itself)
55. Res judicata (a matter already adjudicated upon).
56. Res nullius (an ownerless thing)
57. Rule nisi (a rule or order upon condition that is to become absolute when cause is shown to the contrary).
58. Status quo (existing position)
59. Sub judice (in course of adjudication).
60. Sui juris (one's own right).
61. Suo motu (of one's own accord)
62. Ubi jus ibi remedium (where there is a right, there is a remedy).
63. Ultra vires (beyond the powers of).
64. Volenti non fit injuria (Risk taken voluntarily is not actionable)

### **Unit III:**

- A. Writing of legal drafts, letters and applications
- B. Essay writing on topics of legal interest
- C. Translation from Hindi to English and English to Hindi

### **Unit IV:**

- A. Meaning of interpretation, its distinction from constructions.
- B. Intention of legislation.



- C. Cardinal principles of interpretation, Literal or Grammatical interpretation, Golden rule, mischief rule, harmonious construction.
- D. Internal Aids to interpretation: Long title, Preamble, Headings, Marginal Notes, Non obstante clause, Punctuation, Proviso
- E. External Aids to interpretation: Parliamentary History; legislative debate, Reports of Committees and Commission, Statement of Objects and Reasons, Historical facts and surrounding circumstance, Dictionary

### **Unit V:**

- A. Maxims of interpretation: Ejusdem Generis, Noscitur a Sociis, Ex visceribus, Utres magis valeat quampereat, Statute in parimateria.
- B. Operation of statutes.
- C. Expiry and repeal of Statutes.
- D. Mandatory provisions.
- E. Use of Statutes.
- F. Construction of Fiscal Statutes.
- G. Interpretation of Penal Statutes.
- H. Interpretation of Constitution.
- I. Doctrine of colourable legislation, doctrine of pith and substance and doctrine of eclipse, etc.

Note: Except in a question relating to translation from English to Hindi; answers to Questions asked in unit 1, 2 & 3 are to be given in English.

### **Leading Cases:**

1. Heydon's Case (1584) 3 Co Rep. 7a p. 76: ER 637
2. Bengal Immunity Company v. State of Bihar, AIR 1955 SC 661. 61
3. Alamgir V. State of Bihar, AIR 1959 SC 436.
4. Inder Singh V. State of Rajasthan, AIR 1957 SC 510

### **Suggested Readings:**

1. Maxwell - The Interpretation of Statutes, LexisNexis, 12<sup>th</sup> Edition (Sweet & Maxwell 1969, London)
2. Crawford - Statutory constitution, Thomas Law Book Company, 1940
3. Craies - Statute Law, Sweet & Maxwell, 5<sup>th</sup> Edition, 1952
4. Swarup – Legislation and Interpretation, Dandewal Publishing House, 1968
5. Bindra - Interpretation of Statutes, Lexis Nexis, 12<sup>th</sup> Edition

6. Sarathi - Interpretation of Statutes, 5<sup>th</sup> Edn. 2010, Eastern Book Company, Lucknow
7. Bhattacharya, T., - Interpretation of Statutes (English & Hindi), 2017, 10<sup>th</sup> Edition, Central Law Agency, Allahabad
8. Radha Gupta- Interpretation of Statutes (Hindi), University Book House, Jaipur, 4<sup>th</sup> Edn. 2018
9. Galville William: Learning the Law, Sweet & Maxwell, 4<sup>th</sup> Edn.
10. Wren & Martin: English Grammar, Blackie ELT Books, S. Chand Publications
11. Ganga Sahai Sharma: Fundamental of Legal Writing, Vishv Books, University Book House Pvt. Ltd.
12. Hindi-English Legal glossary: Vidhi Sahitya Prakashan, Ministry of Law, Government of India, New Delhi
13. David Green: Contemporary English Grammar, structure and composition, Trinity,
14. Ishtiaque Abidi: Law and Language, University Publishing, 1978
15. Law Lexicon & Legal Maxims by Venketaramanaija
16. Anirudh Prasad: Legal language and writing, Central Law Publications, 8<sup>th</sup> Edition, 2016

## Semester -II

### Course Code- LL.B./201

### Jurisprudence

#### **Unit I : Introduction to Jurisprudence:**

- A. Jurisprudence: Meaning, Definition, Nature and Scope, Importance of Jurisprudence
- B. Legal Theory, Nature of Law, Law & its Kinds
- C. Concept of State & Sovereignty
- D. Theories of Punishment, Capital Punishment, Administration of Justice
- E. The Indian Jurisprudence: Origin & its nature, The Concept of 'Dharma'

#### **Unit II: Schools of Jurisprudence:**

- A. Analytical and Historical School
- B. Sociological School including American Realism
- C. Natural Law School
- D. Kelson's pure theory of Law

E. Nature of Law: Definition - Austin, Salmond, Holland, Gray, Hart, Law & Morality

### **Unit III: Sources of Law: Meaning, Kinds**

- A. **Custom:** Definitions, Kinds Essentials of legal custom; Importance of custom
- B. **Judicial Precedents:** Definition, Kinds, Ratio Decidendi, obiter dicta; Concept of Stare decisis, Declaratory theory of precedent; judge - made law theory
- C. **Legislation:** Definition, Kinds, comparison between legislation and other sources of law

### **Unit IV: Juridical Concepts & Jural Analysis:**

- A. **Person:** Nature of personality: kinds, corporate personality and its kinds, theories of corporate personality; legal persons and punishment.
- B. **Rights and Duties:** Nature of Rights and Duties; correlation of Rights and Duties; Kinds of Rights and duties.
- C. **Ownership and Possession:** Meaning of Ownership: Kinds, Definition of Ownership by Austin and Salmond, Relation between Ownership and Possession. Importance of Possession: Elements of corporeal possession and problems: Theories of possession ; Salmond and Savigny.
- D. Title, Property, Liability, Obligation

### **Unit V: Emerging trends in Indian Jurisprudence:**

- A. Judicial Activism, Public Interest Litigation
- B. Legal Aid, Lok Adalat
- C. Plea Bargaining
- D. ADR, fast Track Courts
- E. Human Rights Jurisprudence, Rule of Law and Good Governance
- F. The Law of Procedure: difference between substantive and procedural laws
- G. Indian Legal Philosophy

### **Leading Cases:**

1. Keshvananda Bharti Vs. State of Kerala, AIR 1973 SC 1461
2. A.K Gopalan Vs. State of Madras, AIR 1950 SC 27
3. Maharaja Shree Ummed Mills Ltd. Vs. Union of India, AIR 1963 SC 953
4. In Re Article 143 (Keshav Singh) AIR 1965 SC 745

5. Bengal Immunity Co. Vs. State of Bihar , AIR 1955 SC 661
6. Menka Gandhi Vs. Union of India, AIR 1978 SC 59

**Suggested Readings:**

1. Salmond : Jurisprudence
2. Dias & Huges : Jurisprudence
3. Dhyani's S.N. : Fundamentals of Jurisprudence
4. Mahajan, V.D. : Jurisprudence and Legal theory
5. Agarwal & Raizada : Some Thoughts on Modern Jurisprudence
6. R.D. Yadav : Glimpses of Jurisprudence
7. N.V Paranjape: Studies in Jurisprudence & Legal Theory

**Semester –II**

**Course Code- LL.B./202**  
**Special Contracts**

**UNIT 1 : Indian Contract Act, 1872 (Section 75 onwards)**

**A. Contract of Indemnity and Guarantees:**

1. Meaning, Distinction between indemnity and guarantee and Kinds of guarantees,
2. Rights of indemnity holder,
3. Rights of the surety, extent of liability of the surety
4. Discharge of liability of the surety

**B. Contracts of Bailment and Pledge**

1. Meaning and kinds of contract of Bailment, Bailment without consideration
2. Rights and duties of bailee and bailor
3. Termination of contract of Bailment.
4. Position of the finder of goods under law.
5. Contract of pledge-meaning and definition, Pledge by unauthorized persons. Rights and duties of pawner and pawnee

## **UNIT 2: Contract of Agency**

- A. Definition, kinds and modes of creation of Agency
- B. Relations between
  - 1. The Principal and Agent
  - 2. The Principal and Third Party
  - 3. The Agent and The Third Party
- C. Determination of agent's Authority
  - 1. By the acts of parties
  - 2. By operation of Law, Irrevocable authority

## **UNIT 3: The Sales of Goods Act, 1930**

### **Contract of Sale of Goods**

- A. Sale- Meaning, Definition and Elements
- B. Agreement to sell, hire-purchase agreements and a contract for work and labour- meaning and distinctions from sale and agreement to sell.
- C. Goods-existing, future and contingent.
- D. Conditions and warranties.
- E. Passing of Property and risk from seller to buyer
- F. Sale by unauthorized person.
- G. Law relating to performance of sale,
- H. Rights of unpaid seller.

## **UNIT 4: The Indian Partnership Act, 1932**

### **Contract of Partnership:**

- A. Meaning, definition, formation and the characteristics of contract of partnership.
- B. Distinction between:
  - 1. Co-ownership and partnership;
  - 2. Joint Hindu Family, firm and partnership;
  - 3. Company and partnership;
- C. Position of Minor.

- D. Relations of partners inter se and relation of partners with third parties
- E. Registration of partnership firm
- F. Dissolution of partnership firm

### **UNIT 5: The Negotiable Instrument Act,1881**

- A. Definition and characteristic of Negotiable Instruments,
- B. Types of Negotiable Instruments- Promissory Note, Bill of Exchange and Cheque
- C. Liabilities and Capacity of Parties of Negotiable Instrument
- D. Holder and Holder in due course
- E. Transfer and Negotiation of Negotiable Instrument
- F. Crossing of Cheques and payment
- G. Dishonour of Cheques

### **Leading Cases:**

1. National Bank of India Ltd. v. Sohanlal, AIR 1962 Punj, 534.
2. Antrilal Goverdhan Lai v. State Bank of Travancore, AIR 1960 SC1432.
3. Patnaik & Co. v. State of Orissa, AIR 1965 SC 1655.
4. State of Gujarat v. Meman Mohd. AIR 1967 SC1S85.
5. M/s Meters and Instruments Private Limited & Anr. V. Kanchan Mehta (2018) 1 SCC 560
6. Dashrath Roopsingh Rathod Vs. State of Maharashtra & Anr. 2014(9) SCC 129

### **Suggested Readings:**

1. P.S. Atiyah: An Introduction to the Law of Contract
2. Pollock: Principles of the Law of Contract.
3. Poltock & Mulla: Indian Contract and Specific Relief Act.
4. V.G. Ramchandran: The Law of Contract in India.
5. V. G. Ramchandran: Law of Agency.
6. Avtar Singh: Law of Contract (English & Hindi).
7. Avtar Singh: Law of Partnership {English & Hindi),
8. Kapoor N.D: Mercantile Law
9. Dr. Avtar Singh: Negotiable Instrument Act

## Semester –II

### Course Code- LL.B./203 Family Law-II (Muslim law)

#### **Unit I:**

##### **Evolution and application of Muslim Law-**

- A. Origin and development of Muslim law;
- B. Sources of Muslim law;
- C. Schools of Muslim law;
- D. Operation and Application of Muslim Law- (Shariat) Application Act,1937;
- E. Conversion to Islam - effects of conversion

##### **Law of Marriage-**

- A. Nature of Muslim Marriage;
- B. Essential requirements of a valid marriage;
- C. Khyar-ul-bulug, Khilwat-ul-sahih;
- D. Kinds of Marriages;
- E. Effects of Marriage;
- F. Distinction between Void, Irregular and Valid marriage

##### **Dower (Mahr)-**

- A. Meaning, Origin, Nature and Importance of Dower;
- B. Object of dower and classification of dower;
- C. Wife's right on non-payment of dower.

#### **Unit II:**

##### **Dissolution of Marriage under Muslim law-**

- A. Divorce;
- B. Classification of divorce - Talaq, Ila, Zihar, Talaq-e- Tafveez, Mubarat, Khula, Lien, Faskh;
- C. Different modes of Talaq;
- D. Legal consequences of divorce;
- E. Dissolution of Muslim Marriages Act, 1939
- F. The Muslim Women (Protection of Rights on Marriage) Act,2019

##### **Maintenance –**

- A. Principles of maintenance (Nafqa);

- B. Persons entitled to maintenance;
- C. The Muslim Woman (Protection of Rights on Divorce) Act, 1986;
- D. Effect of Conversion on maintenance; and
- E. Difference between Shia and Sunni Law on maintenance;
- F. Concept of Uniform Civil Code.

**Iddat-**

- A. Definition
- B. Rules for the observance of Iddat
- C. Wife's rights during Iddat period
- D. Valid Retirement (Khilwat-us-Sahina)
- E. Difference between Shia and Sunni Law regarding Iddat

**Unit III:**

**Parentage-**

- A. Maternity and Paternity;
- B. Legitimacy and Acknowledgement; Presumption of legitimacy under Muslim law and Section 112 of Indian Evidence Act 1872;
- C. Conditions of valid acknowledgement.

**Guardianship-**

- A. Meaning;
- B. Kinds of Guardianship;
- C. Removal of Guardian;
- D. Difference between Shia law and Sunni law regarding Guardianship

**Will-**

- A. Meaning;
- B. Requisites of will;
- C. Competence of Testator and Legatee;
- D. Valid subjects of will;
- E. Revocation of will;
- F. Testamentary Limitation;
- G. Formality and abatement of legacy;
- H. Distinction between Will and Gift;
- I. Difference between Shia law and Sunni law regarding Will



## **Unit IV:**

### **Gift-**

- A. Definition of Gift;
- B. Requisites of valid gift; Gift of Musha;
- C. Conditional and future gift;
- D. Gift formalities;
- E. Revocation of gift;
- F. Kinds of Gift- Hiba-bil-ewaj, Hiba-bil-shartul ewaj

### **Death Bed Transaction -**

- A. Meaning and effect of Marz-ul-Maut

### **Inheritance -**

- A. General principles of law on Inheritance;
- B. Sunni and Shia law of Inheritance including women's right to inherit and disqualification of heirs;
- C. Doctrine of 'Aul' and 'Radd';
- D. Difference between Shia law and Hanafi law regarding Inheritance

## **Unit V:**

### **Waqf-**

- A. Definition, Essentials, Kinds, Creation and Revocation of Waqf;
- B. Salient features of Waqf Act,1995;
- C. Waqf of Musha;
- D. Administration of Waqf;
- E. Mutawalli- Appointment, Function, Role, Power, Removal;
- F. Management of Waqf Property;
- G. Waqf Tribunals and Jurisdiction;
- H. Takia, Khankah

### **Pre-Emption (Haq shufa)-**

- A. Meaning;
- B. Classification of Haq shufa;
- C. Subject matter and formalities of Haq shufa;
- D. Rights of Haq shufa;
- E. Legal effects of Haq shufa;
- F. Devices for evading Haq shufa;
- G. Constitutional Validity of Haq shufa

**Leading cases:**

1. Maina Bibi V. Choudhary Vakil Ahmed, 1925 52 IA 145
2. HabiburRehman V. Altaf, (1921) 481A114
3. Buzul-ul-Raheem V. Luteefoon Nissa, (1861) 3 MIA 379
4. Abdul Fata V. Russomoy Choudhary, (1894) 22 1A 76
5. Mohd. Ahmed Khan V. Shahbano Begum AIR 1985 SC 945
6. Shayara Bano V. Union of India 2017 SCC OnLine SC 963

**Suggested Readings:**

1. Dr. P.C, Jain and P.K. Gupta : Mohammedan Law,
2. Fyzee : Mohammedan Law.
3. Mulla : Principles of Mohammedan Law
4. B.R Verma : Islamic Law,
5. Aquil Ahmed: Mohammedan Law (English & Hindi)
6. Amir Ali : Mohammedan Law

**Semester –II**

**Course Code- LL.B./204**

**Administrative Law**

**Unit I:**

- A. Definition, Nature and scope of Administrative Law.
- B. Sources of Administrative Law.
- C. Rule of Law, Relationship between Administrative Law and Constitutional Law.
- D. Separation of powers

**Unit II:**

- A. Principles of Natural Justice and their Control.
- B. Doctrine of Bias.
- C. Audi Alteram Partem.
- D. Exceptions of Natural Justice rule.
- E. Administrative Adjudication : Reasons for growth.
- F. Structure and procedure of Administrative Bodies like Tribunals.
- G. Finality of the Tribunal decision

**Unit III:**

- A. Delegated Legislation : Definition, Nature and Scope.
- B. Factors leading to its growth and Necessity.
- C. Restraints on delegation.
- D. Control: Judicial Legislative and procedural.
- E. Conditional Legislation and Sub delegation.
- F. Henry VIII Clause

**Unit IV:**

- A. Judicial Control of Administrative Action
- B. Writs of Habeas Corpus, Mandamus, Certiorari, Prohibition and QuoWarranto.
- C. Redressal of Citizens Grievances.
- D. Central Vigilance Commission

**Unit V:**

- A. Government Liability in Torts and Contract.
- B. Suits against the Government and Public Authorities.
- C. Ombudsman
- D. Lokpal, Lokayukta of the State of Rajasthan.
- E. Public Corporation and undertakings including their parliamentary and judicial control

**Leading Cases:**

1. A.K. Kripak and Others vs. Union of India, ATA 1970 SC 150; (1969) 2 SCC 262
2. In re-Delhi Laws Act etc. AIR 1951 SC 332
3. Raj Narayan v. Chairman, Patna Administration, AIR 1954 SC 569
4. Syed Yaqoob v. Radha Krishan, AIR 2014 SC 477
5. Rohtash Industries Pvt Ltd. v. S.D, Agarwal, AIR 1969 SC 707

**Suggested Readings:**

1. I.P. Massey: Administrative Law.
2. Jain A; Administrative Law,
3. S.P Sathe: Administrative Law.
4. U.P.D. Kesri: Administrative Law (English & Hindi)

## Semester -II

### Course Code- LL.B./205

## ENVIRONMENT PROTECTION AND LAW

### **Unit I: Environment, Biosphere and Ecosystem**

- A. Types of Environment
- B. Components of Environment
- C. Sources and causes of environmental pollution
- D. Effects of environment degradation
- E. Environmental Pollution-Meaning, definition and kinds
- F. Nature and Scope of Environmental Law – Importance
- G. Law as a tool for Environmental Protection, Environment protection related programs

### **Protection of Environment under the Indian Constitution**

- A. Introduction – Indirect Provisions, International Obligations, 42nd Constitution Amendment Act, 1976
- B. Directive Principles of State Policy - Fundamental Duties
- C. Development of Fundamental Right to Environment - Judicial Role, Expansion of Locus Standii, PIL, Constitutional Remedy for Protection of Environment, Dynamic Interpretation of Article 21, 14 & 19 of the Constitution
- D. Right to Wholesome Environment – Right to Clean and Pollution-free Environment, Right to Sweet Water
- E. Incorporation of International Principles under Indian Constitution – Sustainable Development - Precautionary and Polluter Pays Principles, Absolute and Strict Liability, Doctrine of Public Trust

### **Unit II: International Law and Environmental Protection**

- A. History and Development of Environmental Protection under International Law - Major international instruments for environmental protection.
- B. Fundamental Principles of International Environmental Law
- C. United Nations Conference on Human Environment, 1972 (Stockholm Conference)
  - Aims and Objectives of the Conference, Stockholm Declaration, 1972, Impact of Stockholm
  - UNEP- Vienna Convention & Montreal Protocol, World Charter for Nature, 1982.

- D. WCED – The Brundtland Commission, Brundtland Report 1987.
- E. United Nations Conference on Environment and Development (UNCED/Earth Summit) – Aims and Objectives of Conference, Rio Declaration 1992, Agenda 21,
- F. Convention on Biological Diversity, 1992, Statement of Forest Principles, UNFCCC
- G. Earth Summit Plus Five - Kyoto Protocol, 1997; Millennium Development Goals
- H. Johannesburg Conference 2002 (WSSD) - Johannesburg Declaration & Major Outcomes

### **History and Development of Environmental Law in India**

- A. Environmental Protection in Ancient Indian Tradition and Culture - Protection of Environment in Ancient India and During Medieval Period
- B. Protection of Environment during British Period – Major Legislations
- C. Protection of Environment during Post Independence Period – Pitambar Pant Committee, Tiwari Committee, NCEP, Department of Environment, MoEF,
- D. Environmental Plans and Policies, An overview of the present position

**Environment (Protection) Act, 1986-** Application of the Act, Definitions, General powers of the Central Government including the powers to give directions; prevention and control of Environmental Pollution and procedure thereof; penalties and procedure and Miscellaneous.

### **Unit III: Environmental Protection and General Civil and Criminal Laws**

General Law applicable to environmental violations:

- A. Civil Law-The Constitutional Law of India-Preamble, Articles 21, 48-A and 51A(g), The Code of Civil Procedure- Section 9 and Order 39, Rule 1 to 5 Law relating to nuisance, trespass, negligence, strict liability reparion rights and prior appropriation.
- B. Penal Law-The Indian Penal Code, 1860-Sections 268, 277, 278, 304A, 336, 338, 425-428 and 430-432, The Code of Criminal Procedure, 1973, Sections 133 and 144; The Police Act-Sections 30, 32, 34 and 363

- C. Environmental Protection and Law of Torts – Tort of Nuisance: Public and Private– Tort of Negligence – Tort of Trespass – Environmental Torts.

#### **Unit IV: The Water (Prevention and Control of Pollution) Act, 1974**

- A. Application of the Act, Definitions
- B. Constitution of Central, State and joint boards; power and functions of the board Qualifications and disqualification of the members
- C. Prevention and control of water pollution and procedure thereof
- D. Powers to give direction; funds, accounts and audit
- E. Penalties and procedure and Miscellaneous provisions

#### **The Air (Prevention and Control of Pollution) Act, 1981**

- A. Application of the Act, Definitions
- B. Constitution of Central, State and joint boards power and functions of the board Qualifications and disqualification of the members
- C. Prevention and control of water pollution and procedure thereof
- D. Powers to give direction; funds, accounts and audit
- E. Penalties and procedure and Miscellaneous provisions

#### **Unit V: Hazardous Waste Management, Protection of Forest, Wild Life and Biodiversity and Emerging Issues**

- A. Hazardous Waste Management and Handling Rules, 1989
- B. Municipal Solid Waste Management and Handling Rules 2000
- C. Biomedical Waste Management and Handling Rules 1998
- D. Noise Pollution Regulation and Control Rules 2000

#### **Protection of Forest, Wild Life and Biodiversity**

- A. Importance of Forest and need for its Conservation, Indian Forest Act, 1927 and its Salient Features
- B. Forest Conservation Act, 1980 and its Salient Features
- C. Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and its salient features
- D. Judicial Approach for Forest Conservation

- E. The Wildlife Protection Act 1972 - Sanctuaries and National Parks, Licensing of Zoos and Parks, State Monopoly in the Sale of Wild Life and Wild Life Articles
- F. Offences against Wild Life
- G. Biodiversity Conservation - Biological Diversity Act, 2002 and its Salient Features

**Emerging Issues in Environmental Law**

- A. Environment Impact Assessment – Definition and Meaning, Types: Mandatory and Discretionary
- B. Global Warming and Climate Change – Nature and Causes, Legal Framework:
- C. International and National Responses
- D. Natural Resources Accounting
- E. National Green Tribunal Act 2010- An Appraisal.

**Leading Cases:**

1. M.C. Mehta v. Union of India, AIR 1987 SC 965.
2. M.C. Mehta v. Union of India, AIR 1988 SC 1115
3. Municipal Council of Ratalam v. Wirdhichand, AIR 1980 SC 1622.
4. Vallore Citizen Forum v. Union of India. AIR 1996 SC 2715.
5. Tarun Bharat Singh v. Union of India, Affi.1992 SC 514

**Statutes:**

1. The Water (Prevention and Control of Pollution) Act, 1974.
2. The Air (Prevention and Control of Pollution) Act, 1981.
3. The Environment (Protection) Act, 1986.
4. National Environmental Tribunal Act, 1995
5. The Forest Act, 1927.
6. The Forest (Conservation) Act, 1980.
7. The Wildlife (Protection) Act, 1972
8. Biological Diversity Act, 2002.
9. The Insecticide Act, 1961
10. The Forest Conservation Act, 1980

**International Documents:**

1. Stockholm Declaration on Human Environment, 1972
2. World Charter for Nature, 1982
3. Brundtland Commission Report- Our Common Future 1987

4. Vienna Convention on Protection of Ozone Layer, 1985 & Montreal Protocol, 1987
5. Rio Declaration on Environment and Development, 1992
6. Agenda 21
7. Convention on Biological Diversity, 1992
8. UN Framework Convention on Climate Change, 1992
9. Kyoto Protocol, 1997
10. Johannesburg Declaration on Sustainable Development, 2002
11. Montreal Protocol, 1987
12. Copenhagen Accord, 2010

**Suggested Readings:**

1. Maheshwara Swamy, *Textbook on Environmental Law*, (2nd Edn.), Asia Law House, Hyderabad, 2008.
2. I.A. Khan, *Environmental Law*, (2nd Edn.), Central Law Agency, Allahabad, 2002.
3. D.K. Asthana and Meera Asthana, *Environment Problems and Solutions*, (2nd Edn.), S.Chand & Co. Ltd., New Delhi, 2001.
4. S. Shantakumar, *Introduction to Environmental Law*, (2nd Edn.), Wadhwa & Company, Nagpur, 2005.
5. S.C. Shastri, *Environmental Law*, (3rd Edn.), Eastern Book Company, Lucknow, 2008.
6. Shyam Divan and Armin Rosencranz, *Environmental Law and Policy in India*, Oxford University Press, New Delhi, 2005.
7. Amod S. Tilak, *Environmental Law*, (1st Edn.), Snow White Publication, Mumbai, 2009.
8. P Leelakrishnan, *Environmental Law in India*, (2nd Edn.), Lexis Nexis, New Delhi, 2005.
9. SP Singh & Indrajith Singh, *Law of Torts*, 4th Edn – 2006, Universal Law Publishers, Delhi.
10. B M Gandhi, *Law of Torts*, EBC, Lucknow, 2002.
11. R K Bangia, *Law of Torts*, 8th Edn- 2005, Allahabad Law Agency, Haryana.
12. Ratanlal & Dhirajlal, *The Law of Torts*, 24th Edn-2004, Wadhwa, Nagpur



**Second Year**  
**(2021-22)**

**Semester –III**

**Course Code- LL.B/301**  
**Constitutional Law of India-II**

**Unit I: Concept of Fundamental Rights:**

- A. Origin and Development of Fundamental rights,
- B. Against whom Fundamental Rights are available,
- C. State: Meaning and Definition, Judicial Pronouncements on Other Authorities,
- D. Doctrine of Eclipse,
- E. Doctrine of Severability and
- F. Doctrine of Waiver,
- G. Suspension of Fundamental Rights

**Unit II: Fundamental Rights (Part I):**

- A. Right to Equality (Article 14 to 18)
- B. Right to Freedom (Article 19)

**Unit III: Fundamental Rights (Part II):**

- C. Right to Life and Personal Liberty (Article 21)
- A. Right to Education
- B. Right to Freedom of Religion (Article 25 to 28)
- C. Minority Rights (Article 29 to 30)
- D. Right to Constitutional Remedies (Article 32)

**Unit IV: 1. Fundamental Duties**

**2. Directive Principles of State Policy:** Importance and Relationship with Fundamental Rights

**3. Trade, Commerce and Intercourse within the territory of India**

**4. Service under the Union and the State:**

- A. Constitutional protection to civil servants,
- B. Public Service Commission of the Union and States.
- C. Administrative Tribunals

**Unit V: 1. Elections:**

- A. Election Commission of India: Composition, Appointment and Removal, Service Conditions and Powers of Election Commission
- B. Adult Suffrage
- C. Power of Parliament and Legislature of States with respect to Elections
- D. Interference of Courts in Election Matter

## **2. Amendment of the Constitution:**

- A. Power and Procedure,
- B. Basic Structure of the Constitution,

### **Leading Cases:**

1. Maneka Gandhi v. Union of India, AIR 1 978 SC 597
2. Justice K.S. Puttaswamy (retd.) v. Union of India, (2017) 10 SCC 1
2. Union of India v. Tulsi Ram Patel, AIR 1985 SC 1416
3. Keshvanand Bharti v. State of Kerala, AIR 1973 SC 1461
4. Minerva Mills v. Union of India, AIR 1980 SC 1789

### **Suggested Readings:**

1. Constitution of India as amended up-to-date.
2. M. P. Jain: Indian Constitutional law
3. V. N. Shukla : Constitution of India
4. D. D. Basu: Introduction of the Constitution of India
5. J. N. Panday: (Eng. & Hindi)
6. N. Kumar: The Constitutional Law of India

## **Semester –III**

### **Course Code- LL.B/302** **Law of Crimes-I (Indian Penal Code)**

#### **Unit 1:**

- A. General Introduction: Nature, scope and definition of crime, Elements and Stages of Crime- Intention ,motive, knowledge and Intention, preparation, attempt and action
- B. Criminal Liability: Doctrine of Mens rea
- C. Extent and operation in case of intra and extra territorial operation, General explanations, punishments and its kinds
- D. General Exceptions: Mistake of Law and mistake of Fact, Judicial Act, Accident, Necessity, Child's Act, Act of person of the unsound mind, Intoxication, trifling act; right of private defense of person and property

#### **Unit 2:**

- A. Joint Liability: Common intention, common object, Abetment, Criminal conspiracy, constructive liability

- B. Offences against public peace and state authorities: Unlawful Assembly; rioting; promoting enmity between different classes, affray; contempt of lawful authority of public servants; False evidence and offences against public justice; Public nuisance, rash driving or riding, sedition
- C. Offences relating to Religion: Injury of defiling place of worship; disturbing religious assembly, trespassing on burial places, uttering words to injure religious feelings

**Unit 3:**

- A. Offences affecting Human body: Culpable homicide, murder, homicide by rash or negligent act, dowry deaths
- B. Hurt simple and grievous, wrongful restraint and wrongful confinement; criminal force and assault
- C. Kidnapping and Abduction

**Unit 4:**

- A. Offences against property: Theft, Extortion, Robbery, Dacoity
- B. Criminal misappropriation of property, Criminal breach of trust, Receiving and Retaining or Concealment of stolen property; Cheating, Mischief
- C. Criminal trespass, House trespass and House breaking

**Unit 5:**

- A. Offences relating to documents: Forgery and making a false document
- B. Offences relating to sex and marriage: rape, unlawful sexual intercourse and unnatural offences, Bigamy, adultery, Cruelty by husband or relatives of husband
- C. Defamation, Criminal intimidation and words leading to the insulting the modesty of woman

**Leading Cases:**

1. Reg. v. Govind IR 1876 1 Bom 342.
2. Kedar Nath Singh v. State of Bihar, AIR 1 962 SC 955.
3. T.V. Vadgamma v. State of Gujrat, AIR 1973 SC 2213.
4. Veliji Raghav ji v. State of Maharashtra AIR J 965 SC 1433,
5. K.M. Nanavati v. State of Maharashtra, AIR 1962 SC 605.
6. Bachan Singh v. State of Punjab, AIR 1 980 SC 896

**Suggested Readings:**

1. Ratanlal and Dhirajlal: the Indian Penal Code (English &Hindi)
2. T. Bhattacharya: The Indian Penal Code (English &Hindi)

3. Hari Singh: Criminal Law of India
4. Jaspal Singh: Indian Penal Code

**Semester –III**

**Course Code- LL.B/303**  
**Property Law**

**Unit 1 :**

- A. Preliminary: Definition
- B. Essentials of Transfer
- C. General Principles relating to transfer of property
- D. Specific Transfer, Competence of parties, subject matter of transfer
- E. Transfer to unborn child, registration of transfer, etc.
- F. Accumulation of income
- G. exceptions, Conditional transfer
- H. Condition precedent, conditions subsequent
- I. Vested and contingent interest

**Unit 2 :**

- A. Doctrine of Election
- B. Priority of rights, Notice, Implied transfers by limited owners.
- C. transfer of property out of which maintenance claims have to be met.
- D. Ownership by holding out, ownership by estoppel, feeding the grant by estoppel
- E. Doctrine of Part-performance (Ss. 35-53 A)
- F. Sale of immovable property (Ss. 54 to 57)

**Unit 3 :**

- A. Mortgage.
- B. Kinds of mortgage.
- C. Rights and liabilities of Mortgagor and mortgagee.
- D. Rule of marshalling, contribution and subrogation.
- E. Charge.

**Unit 4 :**

- A. Exchange.
- B. Lease.

- C. Gift.
- D. Actionable claims.
- E. Easements Definition, General Rules.
- F. Essentials of Easements, Imposition, Acquisition.
- G. Incidents, Disturbance, Extinction, Suspension and Revival of Easement.
- H. License.
- I. Difference between lease and license

### **Unit 5 :**

- A. The Indian Trust Act, 1882.
- B. Definition, Creation of Trust.
- C. Duties and Liabilities of Trustees.
- D. Rights and Power of Trustees.
- E. Disabilities of trustees, Rights and Liabilities of the Beneficiary.
- F. Vacation the office of Trustees, Extinction of Trustees.
- G. Certain obligation in the nature of Trusts.
- H. The Rajasthan Public Trust Act, 1959.
- I. Definition and validity of certain public trust.
- J. Registration of public trust.
- K. Management of Public Trust property.
- L. Powers of officers in relation to Public Trust.
- M. Control of Public Trust, Social provisions in respect to certain trust.
- N. Dharmada-Procedure and Penalties.

### **Leading cases:**

1. Smt. Shanta Bai v State of Bombay and others, AIR 1958 SC 532.
2. Kreglinger v. New Patagonia Meat and Cold Storage Comp. Ltd., (1914)
3. Union of India v. Sharda Mills Ltd., AIR 1973 SC 281.
4. Nathu Lal v. Phool Chand, AIR 1970 SC 546.
5. Jamma Masjid v. Davish and others, AIR 1962 SC 84

### **Bare Acts:**

1. Transfer of Property Act, 1882
2. Indian Easements Act, 1882
3. The Indian Trust Act, 1882
4. The Rajasthan Public Trust Act, 1959

### **Suggested Readings:**

1. Mulla: Transfer of Property Act
2. S. Shah: Lectures on Transfer of Property
3. I. C.Saxena: Transfer of Property
4. B.B. Mitra: Transfer of Property
5. S.R. Bhansali and Sharna :Sampatti Antaran Adhinyam
6. S.N. Shukla: Sampatti Antaran Adhinyam
7. G.P. Tripathi: Sampatti Antaran Adhinyam
8. Indian Easement Act, 1882
9. J.P. Singh: Equity and trust

### **Semester –III**

#### **Course Code- LL.B/304**

#### **Cyber Law and Information Technology Act 2000**

#### **Unit I: Introduction to Cyber Law**

- A. Introduction, Meaning, Definition of Cyber Law
- B. Cyberspace, Search Engines, Internet, World Wide Web
- C. Origin and Historical Background of Cyber Crime,
- D. Overview of Computer and Web Technology Need for Cyber Law, jurisdiction of cyber crime, Jurisdiction under IT Act, 2000
- E. Introduction to UNICITRAL Model, Law on E-Commerce Cyber Jurisprudence at International and Indian Level
- F. Legal framework of Cyber crimes, Cyber Crime Vs. Conventional Crimes, Causes of Cyber Crime

#### **Unit II: Digital Signature & Electronic Signature**

- A. Digital Signature, Concept of public key and private key, Certification authorities and their role, Creation and authentication of digital signature, Concept of electronic signature certificates
- B. Electronic Governance: Concept of electronic records and electronic signatures, Rules for attribution, acknowledgement and dispatch of such records

#### **Unit III: Offences under Information Technology Act**

- A. Classification of Cyber Crimes: Cyber Crimes against Individuals, Institution and State, Hacking Digital Forgery, Cyber Stalking/Harassment Cyber Pornography, Child Pornography, Identity Theft, & Fraud Cyber Terrorism, Cyber Defamation, Salami attacks- Web Jacking, Denial of service attack, Crime against organizations
- B. Right to Privacy and Data Protection on Internet: Concept of privacy: Threat to privacy on internet, Ingredients to decide confidentiality of information, Breach of sensitive personal information and confidentiality under IT Act and penalties
- C. Right of Interception under IT Act, Different offences under IT Act, 2000 including Social Networking Offences in India

#### **Unit IV: E Contracting**

- A. E - Contracting: Salient features of E-contract, Formation of E-contract and types,
- B. E-mail Contracting, E Concept: E-contracts., E-Commerce, E-Governance, E-Signatures, E-Consumers

#### **Unit V: Cyber Security & Mobile Phone Security**

- A. Installation of Firewalls, Encryption Techniques, Antivirus, Scanners, Protection of Data etc.
- B. Role of various Authorities in Combating Cyber Crime: National Nodal Agencies, Indian Computer Emergency Response Team
- C. Cyber regulations Advisory Committee & Role of Judiciary in Combating Cyber Crime

#### **Leading Cases:**

1. Avinash Bajaj Vs. State (N.C.T) of Delhi (2005) 3 Comp LJ 364 (Del)
2. Shafi Mohammad Vs. State of Himachal Pradesh SLP (Crl). No. 2302 of 2017
3. Rajesh Talwar and Another Vs. Central Bureau of Investigation, 2013 (82) ACC 303
5. Right to Privacy Case- Justice K.S Puttaswami Vs. Union of India, (2017)
6. Shreya Singhal Vs. Union of India, (2013) 12 SCC, 73

#### **References:**

1. Rinku Gangwani, (2020) Law Relating to Cyber forensics & Social Networking Offences in India, University Book House, Jaipur

2. Karnika Seth, Computers, Internet and New Technology Laws, Lexis Nexis Butterworths Wadhwa Nagpur, (2013)
3. Nandan Kamath, Law Relating to Computer Network and E-commerce, Universal Law Publisher,(2012)
4. Apar Gupta, Commentary on Information Technology Act, 2000, Lexis Nexis, (2015)
5. Chris Reed & John Angel, Computer Law, OUP, New York, (2007)
6. Justice Yatindra Singh, Cyber Laws, Universal Law Publishing Co, New Delhi, (2012)
7. Verma S, K, Mittal Raman, Legal Dimensions of Cyber Space, Indian Law Institute, New Delhi, (2004) 10 SCC 1

### **Semester –III**

#### **Course Code- LL.B./305**

#### **Professional Ethics, Professional Accountability and Bar- Bench Relations** **(Clinical Course)**

#### **Unit 1:**

- A. Historical Perspective of Legal Profession, Regulation of Legal Profession
- B. Structure, powers and Functions of Bar Council of India
- C. Structure, powers and Functions of State Bar Council
- D. Admission of Advocates, Enrolment of Advocates, Conduct of Advocates: Qualifications, Types of Advocates-Senior and other Advocates Roll of Advocates, Right of Pre-Audience, Right to practice

#### **Unit 2:**

- A. Nature and Characteristics of Ethics of Legal Profession, Legal Profession, Extent of Professionalization of Legal Profession, Disqualification, Professional Misconduct and its Control
- B. Duties of Advocates, Bar-Bench Relations, Accountability of Lawyers, Duty towards Court, Clients, Others-Opposite party, Colleagues and Society
- C. Strike by the Lawyers, Disciplinary proceeding (Authorities and Stages), Powers of Disciplinary Committee
- D. Entry of foreign lawyers, , Code of Ethics for Lawyers- Need



- E. Advertisements by Advocates- Name-plates, News, Photographs, Sign boards, Web-site
- F. Role of Law and Legal Profession in Social Transformation

**Unit 3:**

- A. Contempt of Court: Meaning and Scope, Historical development of law of contempt of court in India
- B. Civil Contempt
- C. Criminal Contempt
- D. Defenses for Contempt
- E. Punishment for Contempt

**Unit 4:**

- A. Constitutional Validity of Contempt Law
- B. Contempt by Lawyers, Judges, Magistrates, State, Corporate Bodies and others
- C. Remedies, Apology, Appeal, Review
- D. Contempt of Supreme Court, High Court and Subordinate Court
- E. Comparison with Order 39 Rule 2A of Civil Procedure Code, 1908

**Unit 5:**

- A. 50 selected opinions of the Disciplinary Committees of Bar Council of India and State (List of opinions will be given in the class separately)
- B. 10 major judgments of the Supreme Court on the subject (List of opinions will be given in the class separately)

**Leading Cases:**

1. Rajendra V Pai v Alex Fernandes AIR 2002 SC 1808.
2. In re; A an advocate AIR 1962 SC 1337.
3. In re; Mr. G a Senior Advocate of SC AIR 1954 SC 557.
4. In re; Lalit Mohan Das AIR 1957 SC 250.
5. Shiv Narain Jafa v Hon'ble Judges of High Court of Judicature Allahabad AIR 1953 SC 368.
6. P. J. Ratnam v D. Kanika Ram &Ors. AIR 1964 SC 244

**Suggested Readings:**

1. Gupta S.P., Professional Ethics, Accountancy for Lawyers & Bench Bar Relations
2. Rai Kailash, Professional Ethics, Accountancy for Lawyers & Bench Bar Relations
3. Sirohi (Dr.), Professional Ethics, Accountancy for Lawyers & Bench Bar Relations
4. Prasad Anirudh: Professional Ethics
5. Bhagwati P.N.: Legal Aid as a Human Right
6. Singh Sujana: Legal Aid – Human Right of Equality
7. Sharma S.S.: Legal Assistance to Poor
8. Bajpayee P.N.: Legal Aid & the Bar Council
9. Mr. Krishnamurthy Iyer's book on "Advocacy"
10. The Contempt Law and Practice
11. The Bar Council Code of Ethics

**Semester –IV****Course Code- LL.B./401****Public International Law and International Human Rights****Unit-1 Introduction**

- A. Definition
- B. Distinction between Public International law and Private International law
- C. Nature and Basis of International law
- D. Sources of International Law
- E. Relationship between International law and Municipal law
- F. Codification of International law
- G. Subjects of International law

**Unit-2 State**

- A. Concept of State and its essential ingredients
- B. State Territory- Concept, Territory of State- Land, Water and Air, Acquisition and loss of state territory
- C. Law of the Sea: Maritime belt, Contiguous Zone, Continental Shelf,, Exclusive Economic Zone, The High Seas, Land Locked States, International Tribunal for the Law of the Sea, Piracy, and Outer space: Various theories, Aerial Navigation, Outer Space Treaty, 1967
- D. State Jurisdiction- Territorial and Extra -territorial jurisdiction and its limitations
- E. Recognition of State- Definition of State Recognition, Recognition of Government, Theories of Recognition, De Jure and De Facto Recognition, Legal effect of Recognition, Collective Recognition, Withdrawal of Recognition, Retroactive effect of Recognition, Recognition of Belligerency, Recognition of Insurgency
- F. State succession- Definition and Kinds of Succession, Consequences of State Succession, Succession in respect of International Organization
- G. State Responsibility- Kinds, Consequences

### **Unit-3 Individual and International Law**

- A. Place of Individual in International Law
- B. Extradition- Definition, Purpose, Legal duty, Extradition of Political Offenders, Doctrine of Double Criminality, Rule of Speciality
- C. Asylum- Meaning, Right of Asylum, Types of Asylum
- D. Human Rights- Concept of Human Rights, Convention and Covenant of Human Rights
- E. Nationality- Acquisition, Loss, Statelessness
- F. Individual Criminal Responsibility

### **Unit-4**

- A. Intervention- Definition, and its Prohibition, Grounds of Intervention, Intervention by Invitation
- B. Diplomatic Envoys, Consuls and other representatives- Classification, Function, Immunities, and Privileges, Waiver of Immunity
- C. U.N.O. - General Assembly, Security Council, International Court of Justice

- D. The Law and Practice as to Treaties- concept of treaties, kinds of treaties, Binding force of treaties, Pacta Sunt Servanda, Jus cogens, Rebus Sic Stantibus , Parties of a treaty, Formation of Treaty, Reservations, Invalidity and Termination of Treaties etc.
- E. Environment and International Law

### **Unit-5**

- A. War, Laws of War, War Crimes, Aggression
- B. Belligerent occupation: Neutrality, Blockade and central
- C. Settlement of Dispute
- D. International Terrorism
- E. Disarmament
- F. Air Craft hijack

### **Leading cases:**

1. United Kingdom v. Norway (Anglo Norwegian Case), ICJ Report 1951 p. 116.
2. The Nuremberg Judgment, International Military Tribunal Nuremberg 1946 AJIL Vol. 41, 1947 p. 12.
3. In Re Govt. of India and Mubarak Ali Ahmad, 1952 1 HER 2060.
4. Kutch Tribunal Award Case-Foreign Affairs Report Vol. XVII March 68.
5. Right to Passage over Indian Territory Case, ICJ Report p.06.

### **Suggested Readings:**

1. Stark: An Introduction to International Law.
2. Oppenheim: International Law, Vol. I &U.
3. Breirly: The Law of Nations.
4. Dr. Kusum Jam: Foundation of Human Rights.
5. S.K.Kapur: International Law (English & Hindi)
6. M.P. Tendon: International Law (English &Hindi)
7. Nagendra Singh :Lectures on International Law

### **Semester –IV**

### **Course Code- LL.B./402** **Company Law**

## **UNIT 1 : Company Act, 2013**

- A. Introduction, Historical background and Salient features of the Companies Act, 2013.
- B. Definition and Nature of Company.
- C. Classification of companies.
- D. Formation promotion and incorporation of companies

## **UNIT 2 :**

- A. Memorandum of Association.
- B. Doctrine of ultra-virus.
- C. Articles of Association.
- D. doctrine of indoor management.
- E. prospectus of a company.

## **UNIT 3 :**

- A. Promoters and preliminary Contract.
- B. Share capital issue and allotment of shares.
- C. Members, share holders.
- D. Dividends, interest and commission.
- E. Borrowing powers, charges, mortgages and debentures.

## **UNIT 4 :**

- A. Directors, other managerial persons.
- B. Accounts and Audit.
- C. Meetings, majority powers and rights of minorities.
- D. Protection of a company from oppressions and mismanagement.
- E. Investigation of company's affairs

## **UNIT 5 :**

- A. Reconstruction and amalgamation of company.
- B. Winding up and Dissolution.
- C. Illegal Association and Defunct Companies.

### **Leading Cases:**

1. Aron Soloman v. Soloman and Co., (1897) AC 22.
2. Royal British Bank v. Turquand, (1856) 119ER 886.
3. Deputy Secretary to Government of India, Ministry of Finance v. S.N. Das Gupta, AIR 1956 Cal, 414
4. Tata Engg. and Locomotive Co. , Ltd, v. State of Bihar AIR 1965 SC 40.
5. Shanti Pd. Jain v. Kalinga TubeLtd. AIR 1965 SC 1535.
6. Vasudev Ram Chandra Shetal v. PJ. Shanker, AIR1974SC1728.
7. Bajaj Auto Ltd. v. N.K, Farodia & Others, AIR1971 SC 321
8. Bell Houses ltd. v. City Wall Properties Ltd., (1966)2 WLR 1323.
9. Seth Mohan Lal v. Grain Chambers Ltd., AIR1968 SC777
10. Bharat Commerce and Industries Ltd. v. Registrar of Companies, West Bengal, (1973)43 Co. cases275

### **Suggested Readings:**

1. Indian Companies Act, 1956 with upto date amendments.
2. Shah: Lectures on Company Law.
3. Avtar Singh : Company Law (English & Hindi)
4. Ramayya: A Guide to Company Law
5. N.V. Paranjpe: Company Law (English & Hindi)

## **Semester –IV**

### **Course Code- LL.B./403**

### **Laws Relating to Intellectual Property Rights**

#### **UNIT 1:**

- A. Intellectual Property rights: Meaning and scope of Intellectual property rights
- B. International and Regional Influence, TRIPS
- C. Intellectual Property Rights in India.
- D. Foundation of Patent Law, Patents: Meaning and history of Patents, Product Patent and Process Patent, not patentable Inventions, Patent searching process, Ownership Rights and Transfer

## **UNIT 2:**

- A. Copyright: Introduction to copyright, nature and Objectives of Copyright, Law
- B. Copy rights vs. Public Interest, Neighbouring and related Rights, Subject Matter, Ownership and Term of Copyright
- C. Economic Rights of Copyright owner, Assignment of Copyright and Licenses
- D. Role of Copyright Societies in the Administration of Copyright, Copyright Office, Copyright Board and Registration of Copyright, Infringement of Copyright.

## **UNIT 3:**

- A. Trade Marks: Meaning and Definition, Functions and Objectives of Trade Marks, Historical Background of Trade Marks in India
- B. Certification Trade Mark, Collective Marks and Well known Trade Mark
- C. Trade Mark and Property Mark, Trade Mark and Goodwill, Domain Name, Territoriality of Trade Mark

## **UNIT 4:**

- A. Geographical Indication: Definition and function of Geographical Indication, Rational of protecting geographical Indication, Distinction between Trade Mark and Geographical Indication
- B. Historical Background of Law on Geographical Indication in India, Geographical Indication Registry, Condition for registration and effect of Registration, Infringement and Passing off
- C. Designs: Meaning of Design, Historical Background of Design Law, Protection of Industrial Design, Introduction to Industrial designs, Registration of designs, Copyright in Registered Design, Piracy of Registered Design and Remedies.

## **UNIT 5:**

- A. Plant Varieties and Farmers ‘Rights: Meaning of Plant varieties, Objectives of the Plant varieties Act, Advantages
- B. Farmer’s Rights, Researcher’s Rights and Public Interest
- C. National Gene Fund and Benefit sharing, Registration, Effect of registration and Benefit sharing
- D. Biological Diversity: Meaning of Biodiversity, Objectives of Law on Biological diversity, National Biodiversity Authority, Functions and Powers of National Biodiversity Authority, State Biodiversity Authority,

### **Leading Cases:**

1. Novartis v. Union of India CIVIL APPEAL Nos. 2706-2716 OF 2013 (ARISING OUT OF SLP(C) Nos. 20539-20549 OF 2009)
2. RG Anand v. Delux Films, (AIR 1978 SC 1613)
3. Yahoo!, Inc. v Akash Arora & Anr [1999 (19) PTC 201 (Del)]
4. The Coca-Cola Company Vs. Bisleri International Pvt.Ltd [Manu/DE/2698/2009]
5. Eastern Book Company & Ors vs D.B. Modak & Anr Appeal (civil) 6472 of 2004 decided by The Supreme court of India on 12 December, 2007

### **Suggested Readings:**

1. Bentley, L & Sherman, B: Intellectual Property Law, Oxford University Press
2. K. Bansal, Law of Trademark In India, Thomson & Reuter, 2014
3. V.K. Ahuja, Law Relating to Intellectual Property Law, Lexis Nexis, 2013 (2nd Edn)
4. Elizabeth Verkey, Law of Patents, Eastern India Company, 2012 (2nd Edn)
5. Jayashree Watal, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press, 2001
6. P. Narayanan, Law of Trademarks (The Trademarks Act 1999) and Passing Off, Eastern Law, Calcutta, 2006
7. W.R. Cornish, Intellectual Property: Patents, Copyright, Trademark and Allied Rights, Universal Law Publishing 2001
8. C.S. Lal, Intellectual Property Handbook: Copyright, Designs, Patents & Trademarks, Law Publishers, Allahabad, 2000



**Semester –IV**

**Course Code- LL.B./404**

**Right to Information and Minor Acts**

**Unit I:**

- A. Right to Information: Concept, Origin and Development
- B. Right to Information Act, 2005: Salient features and Definitions, Obligations of Public Authorities
- C. Central Information Commission: Constitution, Term of Office and Condition of Service, Removal of Central Chief Information Commissioner and Information Commissioner
- D. State Information Commission: Constitution, Term of Office and Condition of Service, Removal of State Chief Information Commissioner and Information Commissioner

**Unit II:**

- A. Power and Functions of The Commission, Appeals and Penalties
- B. The Rajasthan Guaranteed Delivery of Public Services Act, 2011
- C. Rajasthan Right to Hearing Act, 2005

**Unit III:**

- A. The Protection of Women From Domestic Violence Act, 2005  
Background, Preliminary, Definitions: Aggrieved Person, Compensation Order, Custody Order, Domestic Relationship, Domestic Violence, Protection Officer, Protection Order, Respondent, Service Provider, Shared Household, Shelter Home; Powers and Duties of Protection Officers, Service Providers etc.
- B. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 - Background, Preliminary, Definitions; Offences of atrocities, Punishment for Neglect of Duties, Exemption, Special Courts etc.

#### **Unit IV:**

- A. Juvenile Justice ( Care And Protection of Children) Act, 2015  
Background, Preliminary
- B. Definitions: Abandoned Child, Adoption, Adoption regulations, Aftercare, Authorised foreign adoption agency, Begging, Best interest of children, Child in conflict with law, Children in need of care and protection, fit person, Foster care, Guardian, Heinous offences, Juvenile, Orphan, Petty offences, Place of safety, Probation officer, Serious offences, Special home, Specialised adoption agency, Sponsorship, Surrendered child
- C. General principles of Care and Protection of Children, Juvenile Justice Board

#### **Unit V:**

- A. Procedure in relation to children in conflict with law, Child Welfare Committee
- B. Procedure in relation to children in need of care and protection, Rehabilitation and Social Re-integration
- C. Adoption, Other offences against children, Miscellaneous provisions

#### **Leading Cases:**

1. People's Union For Civil Liberties (PUCL) And Another, Petitioner V. Union of India And Another, With Lok Satta And Others, V. Union Of India, 2003(001) SCW 2353 SC
2. Union Of India V. Association For Democratic Reforms And Another, With People's Union For Civil Liberties (PUCL) And Another, V. Union Of India And Another, 2002(005) SCC 0361SC
3. Sampurna Behura v. Union of India and Others(2018) 4 SCC 433
4. Ram Prasad Sahu v. State of Bihar 1980 AIR 83, 1980 SCR (1) 927
5. S.R. Batra vs. Smt. Taruna Batra decided on 15. 12. 2006
6. D. Velusamy v. D. Patchaiammal, (2010) 10 SCC 469
7. Ajay Kumar vs Lata@ Sharuti. 2019 SCC OnLine SC 726

**Suggested Readings:**

1. Bhansali, S.R.; the Right to Information Act, 2005
2. Jain, P.; Suchna ka adhikar: Vidhiavam Vyavahar (Hindi)
3. Hand-Book on Right to Information Act, 2005
4. Protection of Women from Domestic Violence Act, N.K.Acharya, 6<sup>th</sup> Ed. 2013, Asia Law House
5. Atrocities Against Scheduled Castes and Scheduled Tribes, G.S. Narwani, 2011, Rawat Publishers
6. Commentary on the Juvenile Justice Act, Nalwa Suman & Kohli Hari Dev, Universal Law Publishing - An imprint of LexisNexis (2011)

**Course Code- LL.B./405****Alternative Dispute Resolution**  
**(Clinical Course)****Unit-I:**

- A. Concept of Alternate Dispute Resolution, Meaning and Characteristics of Alternate Dispute Resolution
- B. Legislative recognition of Alternate Dispute Resolution
- C. Advantages and Limitations of Alternate Dispute Resolution
- D. Negotiation: Meaning and Scope
- E. Mediation: Meaning, Basic rules of Mediation, Selecting Mediator, Restrictions of Mediator
- F. Conciliation: Meaning, Scope and Difference between Mediation and Conciliation
- G. Arbitration: Meaning, Scope, Types, International Arbitration
- H. Distinction between Arbitration and Conciliation

**Unit-II:**

- A. The Arbitration and Conciliation Act, 1996 —Historical Background and Objectives of the Act
- B. Domestic Arbitration: Definitions of Arbitration, Arbitrator, Arbitration Agreement
- C. Composition of Arbitral Tribunal; Competence of Arbitral Tribunal, Jurisdiction of Arbitral Tribunal
- D. Conduct of Arbitral Proceedings
- E. Making of Arbitral Award and Termination of Proceedings; Setting aside of Arbitral Award; Finality and Enforcement of Award; Appeals

**Unit-III:**

- A. Conciliation: Appointment of Conciliators; Procedure of Conciliation; Settlement of disputes through Conciliation; Termination of Conciliation Proceedings
- B. Negotiation: Meaning and theories, Problem solving approach, competitive theory, Structure, strategy, style and skills of negotiation, Types, Appointment, Role and qualities of the negotiator, Process of Negotiation, International negotiation
- C. Mediation- Meaning, Features, Theories, Role of Mediation, Models of Mediation, rights based, interest based, facilitative, evaluative, settlement oriented, transformative etc., Role of mediator and the party's attorney, Good offices, skills of client interviewing/legal counseling, Stages of mediation, Mediation agreement, Civil and commercial mediation

**Unit-IV:**

- A. The Legal Services Authority Act, 1987: Historical Developments and Objectives
- B. Legal Service Authorities: National, State, District and Taluka Level: Composition, Functions etc.
- C. Role of Committees in implementation of Legal Aid Schemes, Lok Adalats

**Unit-V:**

- A. Other Alternative Dispute Resolution Systems: Online Dispute Resolution, Gram Nyayalayas, Role of Grama Sabhas, Lokpal, Lakayukta, Ombudsman
- B. Family Courts; Section 89 and Order X, Rules 1A, 1B and 1C of The Civil Procedure Code,
- C. Enforcement of Certain Foreign Awards
- D. International Commercial Arbitration, New York Convention ; Geneva Protocol

**Internal Assessment:**

- a) **Each student is required to participate in simulations relating to Arbitration, Conciliation, Mediation and Negotiation. Participation in each such simulation proceeding will be evaluated for maximum 3 marks (4 x 3 = 12)**
- b) **Each student is required to attend and observe the proceedings of Lok Adalats, Mediation Centres and/or other ADR systems and to record the observations in a Diary which will be evaluated for 8 marks**

#### **Leading Cases:**

1. Sundaram Finance Ltd. vs. NEPC India Ltd. (1999) 2 SCC479, AIR 1999 SC 565.
2. State of U.P. vs. Harishchandran & Co., Arbitration Power to grant interest. AIR 1976, 1430
3. Union of India & Others v. Girdhari Lal, 1999 Rajasthan 106.
4. MMTCL Ltd. vs. Starlight Industries Ltd., 1996(4) CCS 219 (S) appointment of arbitrator 7, 10, 11.
5. Lotus Investment and Securities v. Pramod S. Tiberwal, 1996(4) CCS 219 (s).
6. State of Rajasthan v. Nav Bharat Construction Col., 1998(4) CCS 172(Raj.)

#### **Suggested Readings:**

1. B.P. Saraf and M. Jhunjhunwala, Law of Arbitration and Conciliation (2000), Snow white, Mumbai
2. Gerald R. Williams, The New Arbitration and Conciliation Law of India, Indian Council of Arbitration (1998), New Delhi
3. A.K. Bansal, Law of International Commercial Arbitration (1999) Universal Law Publications, Delhi
4. P.C. Rao & William Sheffield, Alternative Disputes Resolution-what it is And How it works? (1997) Universal Law Publications, Delhi
5. G.K. Kwatra, The Arbitration and Conciliation Law of India (2000) Universal Law Publications, Delhi
6. Basu N.D., Law of Arbitration and Conciliation (9th edition reprint (2000) Universal Law Publications, Delhi
7. Johari, Commentary on Arbitration and Conciliation Act 1996 (1999) Universal Law Publications, Delhi
8. Markanda. P.C, Law Relating to Arbitration and Conciliation, 7thEd. (2009) Lexis Nexis Butterworths & Wadhwa, Nagpur
9. Ajay Gulati & Jasmeet Gulati, Public Interest Lawyering, Legal Aid & Para-Legal Services (2009), Central Law Agency, Allahabad
10. Charles Chatterjee and Anna Lefkovich, Alternative Dispute Resolution: A Practical Guide, Routledge (2008)

11. Henry Brown and Arthur Marriot, *ADR Principles and Practice*, Sweet and Maxwell (2013)
12. Madabhushi Sridhar, *Alternative Dispute Resolution, Negotiation and Mediation*, Lexis Nexis and Butterworths (2006)

**Third Year**  
**(2022-23)**

**Semester V**

**Course Code- LL.B./501**  
**Law of Taxation**

**Unit 1:**

**Income Tax Act 1961:**

- A. Meaning and Kinds of Income
- B. Taxation of individuals, HUF, firm, association of persons, co-operative and non-resident
- C. Exemption- Incomes exempted from tax
- D. Tax on Agriculture Income, Corporate Income Tax

**Unit 2:**

**The Income Tax Act, 1961:**

- A. Income Tax Authorities, their appointment, jurisdiction, powers and functions
- B. Provision relating to collection and recovery of tax, refund of tax
- C. Appeal and revision provisions, offences and penalties

**Unit 3:**

**Wealth Tax Act, 1951:**

- A. Meaning of Wealth, Valuation and Calculation of wealth tax
- B. Charges of wealth tax, assets, deemed assets exempted from tax
- C. Wealth tax authorities, offence and penalties

**Unit 4:**

**Gift Tax Act, 1958:**

- A. Meaning of Gifts
- B. charges on gift tax, Gift tax on transfer
- C. exemption

**Unit 5:**

**Goods & Service Tax:**

- A. Central Goods and services Tax, 2017 (Act 12 of 2017) : Introduction, Meaning of goods & services, Tax slabs, calculation of GST, Exemptions
- B. The Integrated Goods & Service Tax Act 2017

## C. The Union Territories Goods & Service Tax Act 2017

### **Leading Cases :**

1. Janab A. Sayed Jalal Saheb v. C.I.T. (1960) 391 1.T.R.
2. P. Krishna menon v. C.I.T. (1959) 35, I.T.R. 48 (SC)
3. Tata Sons Ltd. v. C.I.T. Bombay City (1950) 18 1.T.R. 460.
4. Bacha F. Gadar v. C.I.T. Bombay A.I.R. 1955, SC.
5. The Commissioners of Income-tax Madras v. Bhagya Lakshmi & Co., A.I.R. 1955, SC 1708.
6. Bhawanipore Banking Corpn. Ltd. v. Gauri Shanker Sharma, AIR (1950), SC 6, 1950 SCR 25
7. The Bharat Bank Ltd., Delhi v. The Employees of Bharat Bank Ltd. And the Bharat Bank Employee's Union, AIR 1950, SC 188.
8. V. Ramaswami, Aiyanger & Other v. T.N.V. Kailasa Thevar, AIR 1950, SC 189.

### **Suggested Readings:**

1. Gupta, R.R. Income-tax and Practice.
2. Kanga & Palkiwala The Law and Practice of Income-tax
3. Agrwal, S.E. Law and Practice relating to Central Sales Tax Act, 1956.
4. R,K, Lakhota: Law and Practice of Income Tax in India,
5. A. K.Saxena : Law of Income Tax in India
6. S.L. Jain: Ayakar Vidhi
7. Bhagwati Prasad: Ayakar Vidhi.

## **Semester V**

### **Course Code- LL.B./502**

#### **Land Laws**

### **Unit-1 Rajasthan Tenancy Act, 1955**

- A. Objects and reasons, and Definitions, Khud kasht; Ijraiders; Grove Holder
- B. Classes of Tenants
- C. Conferment of Rights on Sub-tenants or Tenants of Khud Kasht
- D. Primary rights of Tenants
- E. Surrender, Abandonment and Extinction of Tenancies
- F. Improvement and Trees



G. Declaratory Suit

## **Unit-2**

- A. Determination and Modification of Rent: Payment and Recovery of Rent
- B. Remedies for Wrongful Ejectment
- C. Provision for Injunction and Appointment of Receiver
- D. Appeal, Review, Revision, Reference
- E. Questions of Proprietary Rights in Revenue Courts
- F. Question of Tenancy Rights in Civil Court
- G. Conflict of Jurisdiction

## **Unit-3 Rajasthan Land Revenue Act, 1956**

- A. The Board of Revenue
- B. Revenue Courts and Officers
- C. Appeal, Reference, Revision and Review
- D. Land
- E. Survey; Record of Rights
- F. Maintenance of Maps and Record; Annual Registers

## **Unit-4**

- A. Settlement Operation
- B. Rent Ratio
- C. Determination of Rent
- D. Term of Settlement
- E. Collection of Revenue of Tenants

## **Unit-5 Rent Control Act,2001**

- A. Preliminary: object and reasons; and Definitions- Amenities, Landlord, Premises, Tenants
- B. Revision of Rent; and Limited Period Tenancy
- C. Eviction of Tenants
- D. Right of Landlord to recover immediate possession in certain cases
- E. Restoration of possession of illegally evicted tenant and procedure there of

F. Constitution of Tribunals; and Procedure for Revision of Rent and Eviction, Appeal and Execution; Amenities

**Leading Cases:**

1. Khemchand v. State and Others, 1999 DNJ Raj. 239,
2. Saria Ahuja v. United Ins. Co. Ltd., AIR 1999 SC100.
3. Nathu singh v. Laxman Singh, 1995 RRD 124.
4. Panne Singh v. Guman Singh, 1964 RRD 101.
5. Bhonra v. Ganesh 1996 RRD 71
6. Shiv Shankar v. Murli Sri Bade Muthuresthan, 1996 RRD 316

**Suggested Readings :**

1. S.K. Dutta : Rajsthan Tenancy Law, Rajasthan Land Revenue Act, Rent
2. Mathur & Mathur: Land Laws in Rajasthan.
3. Dr. G.S. Karkara :Land Laws in Rajasthan (English & Hindi)
4. Dr. Anil kaushik: Rajasthan Bhumi Vidhiyan

**Semester V**

**Course Code- LL.B./503**  
**Civil Procedure Code and Limitation Act**

**Unit 1:**

- A. Code of Civil Procedure, 1908: Definitions, suits in general suit of civil nature, stay of suit, resjudicata, Res-subjudice, Foreign Judgment.
- B. Place of trial, Transfer of suits.
- C. Joinder non-joinder and mis-joinder of parties and causes of action.
- D. Service of summon and pleadings

**Unit 2:**

- A. Execution in general; Courts which decrees may be executed, Powers of the Court executing the decrees
- B. Transfer of decrees for execution and modes of execution. Stay of execution,
- C. Suits in particular cases (Orders XXIX to XXIII)

**Unit 3:**

- A. Supplemental proceedings. Attachment before judgment, Arrest before judgment

- B. Temporary injunction
- C. Appointment of Receiver

**Unit 4:**

- A. Appeals: Appeals against order and appeals against decree
- B. Review, Revision and Reference

**Unit 5:**

**The Limitation Act 1963** (Omitting the Schedule)

- A. Purpose, policy, nature and scope of the Act, Definitions: Applicant, bond, defendant, easement, good faith, plaintiff, period of limitation
- B. Relationship between limitations, laches, acquiescence, estoppel and res judicate; Limitation of suits, appeals and applications, disability, computation of period of limitation acknowledgement and part payment, acquisition of ownership by prescription

**Leading Cases:**

1. Shri Sinha Ramanuja v. Ramanuja, AIR 1961 SC 1720
2. Seth Hukumchand v. Maharaja Bahadur Singh, 60 IA 313
3. Narain Bhagwant Rao v. Gopal Vinayak, AIR 1960 SC 104
4. Garikapati Veerava v. N. Subhia Chaudhary, AIR 1957 SC 540
5. Deoki Nandan v. Murlidhar, AIR 1957 SC 133
6. Deity Pattabhirama Swamy v. Hanmayya, AIR SC 57
7. S.N. Jakati v. B.M. Borker, AIR 1959 SC 281

**Suggested Readings:**

1. Mulla: Civil Procedure Code
2. S.N. Singh: Civil Procedure Code
3. Sahai on Civil Procedure Code (English & Hindi)
4. M.P. Tandon: Civil Procedure (English & Hindi)
5. C.K. Takwani: Civil Procedure Code
6. Gupta, R.R.: Civil Procedure Code (Hindi)

**Semester V**

**Course Code- LL.B./504**  
**Labour and Industrial Laws- I**

**UNIT 1:**

**Introduction:**

- A. Labour Laws – Origin and Development, Nature and Need, Social Justice, Industrial Peace and development
- B. Development of Labour Laws in India, Pre and Post Independence period
- C. Indian Constitutional values, Directive Principles and Fundamental Rights, Judicial activism and Labour welfare in India, State regulation of Industrial relations
- D. Impact of Liberalization and Globalization, Labour Policy of India
- E. Role of International Labour Organisation and Labour Laws, International Conventions
- F. Collective Bargaining, Meaning and Scope, Emerging Trends, International Developments and its impact, Recent Developments and Judicial interpretation

**UNIT 2: The Industrial Dispute Act, 1947:**

- A. Scope and objects, definitions
- B. Works committee, Authorities for solving disputes, reference power
- C. Strike and Lock out, Definition, Justification, Types, Right to Strike, Constitutional validity
- D. Lay off, retrenchment, closure
- E. Penalties, unfair labour practices

**UNIT 3: Factories Act, 1948:**

- A. Definitions and inspectors.
- B. Provisions regarding health, safety, welfare.
- C. Working hours of workers, provisions relating to hazarder process.
- D. Employment of young persons, Annual leaves with wages, penalties

**UNIT 4: The Trade Union Act, 1926:**

- A. Definition, Registration of trade Unions.
- B. Functions of registrar, cancellation of registration, appeals, incorporation or registered trade union.
- C. Funds of trade union, rights and liabilities of registered trade union including immunities.
- D. Office bearers, change of names, amalgamation, Dissolution of Trade Unions, Recognition of Trade Unions, Penalties

**UNIT 5: Wage Related Acts:**

- A. The Payments of Wages Act, 1936-

- a. Preliminary, Payment of Wages and Deduction from Wages
- b. Authorities under the Act, Miscellaneous Provisions.
- B. The Minimum Wages Act, 1948-
  - a. Objects, definitions, Concept of minimum wage, fair wage and living wages
  - b. Fixation of minimum rates of wages, advisory boards, committees
  - c. Inspectors, payment of minimum rates of wages, overtime claims, Miscellaneous provisions in the Act
  - d. Latest Developments in Labour Law Wages Code, 2019

**Leading Cases:**

1. Bangalore Water Supply v. A. Rajappa, AIR 1978 SC
2. Workmen of Indian Standard Institution v. Indian Standard Institution, AIR 1976 SC 145.
3. Workmen of Firestone Tyre and Rubber Co. Ltd. v. The Management of Firestone Tyre and Rubber Co. Ltd., AIR 1973 SC
4. Delhi Cloth and General Mills Co. Ltd. v. Ludh Budh Singh, AIR 1972 SC 103.
5. Burmah Shell Co. v. Burmah Shell Management Staff Association, AIR (1971) SC 992.
6. Jay Engineering Works v. State of West Bengal, AIR 1968 Cal. 406
7. Bidi Leaves and Tobacco Merchants Association, Gondia and others, v. State of Bombay, AIR 1962 SC 486

**Suggested Readings:**

1. Indian Law Institute: Law and Labour Management Relations in India
2. Rustamjee: The Law of Industrial Disputes
3. O.P. Malhotra: law of industries disputes Vol.I &II
4. MJ, Mathew: Labour & Industrial Law
5. S.N. Dhyani: Trade Unions and the Right to Strike
6. S.N. Mishra: Labour and Industrial Law (English & Hindi)
7. G.S. Sharma: Labour law (English & Hindi)
8. Report of National Commissions on Labour
9. Code of Discipline in Industry: C.B. Memoria and Satish Memoria: Dynamics of Industrial Relations, Himalaya Publishing House, Mumbai, 2007

**Semester V**

**Course Code- LL.B./505**  
**Drafting, Pleading and Conveyance**  
**(Clinical Course)**

Apart from teaching the relevant provisions of law and Simulation exercises, the course will include **not less than 15 practical exercises** in drafting carrying a **total of 45 marks (3 marks for each)** and **15 exercises in conveyancing carrying another 45 marks (3 marks for each exercise)** remaining **10 marks will be given for viva voice.**

**Class room teaching:**

- A. Drafting: -General principles of drafting and relevant substantive rules
- B. Pleadings: -
  - a) Civil: Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India
  - b) Criminal: Complaint, Criminal Miscellaneous petition, Bail Application, Memorandum of Appeal and Revision
- C. Conveyance: Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed
- D. Drafting of writ petition and PIL petition

**Semester –VI**

**Course Code- LL.B./601**  
**Law of Evidence**

**UNIT-1 Preliminary and Relevancy of Facts:**

- A. Definitions (section 3)- Court, Fact, Fact in issue, Relevant fact, Evidence-meaning and its kind, Circumstantial evidence, Document, Proved, Disproved, Not proved, Presumptions- may presume, shall presume and conclusive proof (sec. 4), Presumptions of Fact and law, Presumptions regarding documents
- B. Relevancy of facts: Relevancy and Admissibility of fact, Doctrine of Res Gestae (Sec.6,7,8,9), Conspiracy (sec.10) and Relevancy of otherwise irrelevant facts ( sec.11); Facts concerning state of mind /state of body or bodily feelings (sec.14); Accidental and Incidental facts(sec.15) Facts which need not be proved (sec. 56-58), Relevancy of judgment of a court (sec.40-

44), Opinions of Third Persons (sec. 45-51), Opinion of Experts (sec. 45-46), Relevancy of Character (sec. 52-55)

## **Unit -2. Admission and Confession and Relevancy of statements:**

- A. Admission (sec. 17-23 & 31): Definition, whose admission is relevant, relevancy of admission in civil cases, admission is not conclusive proof, admissions as estoppels.
- B. Confession : Definition., its kinds, Confession caused by inducement, threat or promise(sec.24), Confession to police officer (sec.25), Confession in the custody of police confession of Magistrate(sec.26), Confession by co-accused (sec.30), Confession when Relevant (sec. 27-29)
- C. Difference between Admission and Confession
- D. Relevancy of statements-
  - i. Statements by persons who cannot be called as witness( sec.32-33)
  - ii. Statement made under special circumstances (sec.34-39)

## **Unit-3 Evidence:**

- A. Oral evidence and Hearsay Evidence (sec.59-60)
- B. Documentary Evidence (sec.61-90) - Kinds of Documentary Evidence; Special provision regarding Electronic Evidence and its admissibility; When Secondary Evidence is relevant; Public and Private Document; Exclusion of Oral Evidence by Documentary Evidence (sec.91-92) : Application of this principle and its exceptions; Ambiguous documents, Kinds of ambiguity.(93-100)
- C. Burden of Proof( Sec.101-114): Meaning, General principles of Burden of Proof in Civil l and Criminal cases and exceptions to it When burden of proof shifts, Proof of Legitimacy of Child, Proof in Dowry Deaths and in the matters of Rape.

## **Unit-4 Estoppel and Witness:**

- A. Estoppel: Meaning, essentials, nature and its kinds. (Sec 115-117)

B. Witnesses: Competency of Witness to Testify (sec 118-120); Privileged Communications (sec 121-129); Accomplice (sec.133); Hostile Witness(sec.154)

**Unit-5 Examination of Witnesses: (Sec.136-166)**

- A. Order of examinations, Kinds of examinations
- B. Leading questions; Impeaching the credit to witness, Questions which can and which cannot be asked; Refreshing the memory of witness; Compulsion to answer questions; questions of corroboration, Production of document
- C. Judge's power to put questions and to order production
- D. Effect of Acceptance or Rejection of Improper Evidence

**Leading Cases:**

1. Nishi Kant Jha v. State of Bihar, AIR 1969 SC 422.
2. Himachal Pradesh Administration v. Om Prakash AIR 1972 SC 975,
3. Sat Pal V Delhi Administration, AIR 1976 SC 294.
4. Laxmipat Chorasias v. State of Maharashtra, AIR 1968 SC 938.
5. Pakala Narayan Swami v. Emperor, AIR 1939 PC 47.
6. Bhardwade Bhogui Bhan Herrji Bhai v State of Gujrat AIR 1988 SC 753. 26
7. RM Malkani v. State of Maharashtra, AIR 1973 SC 157

**Suggested Readings:**

1. Ratan Lal: The Law of Evidence
2. Batuklal: Law Evidence.
3. V.P. Sarathi: Law of Evidence.
4. Avtar Singh: Law of Evidence.
5. G S. Pande: Law of Evidence (English &Hindi)

**Semester VI**

**Course Code- LL.B./602**

**Criminology, Penology, Victimology and Forensic Science**

**Unit I: Introduction and schools of Criminology**

- A. Definition, Nature, Scope and Importance of Criminology



- B. The concept of crime and characteristic of criminal law
- C. Role of criminology in public policy
- D. Pre classical school
- E. Classical school
- F. Neo-classical
- G. Positivist school

**Unit II: Methods of Study of Criminology and Factor Responsible for Causation of Crime, postmodern and feminist criminology etc.**

- A. Statistics of Crimes, Individual case study method, Limited case method
- B. Environment, home and community influences, Urban and rural crimes, The ghetto, broken homes, effect of TV, Video, Press, Narcotics and Alcohol, Wars and Communal riots-their causes and demoralizing effects, Postmodern Criminology and Feminist Criminology
- C. Crimes of the powerful, white collars-crimes in the profession viz. medical, legal, engineering, Organised crime, sexual offences, prostitution & drugs abuse, Perpetrators of ordinary crimes, the situational criminals, chronic offenders and criminal gangs

**Unit III: Penology**

- A. Penology: Meaning and scope of Penology, Relationship between Criminology and Penology
- B. Definition of Punishment, origin and evaluation of Punishment
- C. Theories of Punishment, kinds of Punishment, Penal system in India, Capital punishment

**Unit IV: Probation and Parole, Prison system and Juvenile House in India**

- A. Probation and Parole, Definitions, Nature of probation and parole, Duties of Probation Officers, Difference between Parole and Probation, Authority for granting Parole, Supervisor of Parole
- B. Problems of the released offender, Attitude of the community towards released offender
- C. History of Prisons, Aims, objectives and conditions of prison, Types of prisons, Prison work, Education, Open Jail, Prison reform (schools and reformations), Rights of prisoners (contribution of the Supreme Court), Brosthel, Remand Homes, Nari Niketan

## **Unit V: Victimology and Forensic Science**

- A. Victimology: Need for compensation, Compensation and Rehabilitation, Compensation as a mode of punishment, Constitutional perspective of compensation
- B. Forensic Science: Meaning of forensic science, Elements and methods of criminal investigation

### **Leading Cases:**

- 1. Francis Coralie Mullinv. Union Territory Delhi, AIR (1981) SC 746
- 2. R.K. Garg v. unionofIndia (1981) 133ITR239
- 3. Mitthuv State of Punjab, A1R1983 SC 473

### **Suggested Readings:**

- 1. Korm, R.R. and Me Gorble, LW- Criminology & Penology
  - 2. Grunhut- Penal Reforms
  - 3. Garden Rose-The Struggle for Penal reform
  - 4. I.L.I. -Essays on Indian Penal Code
  - 5. Ben; Penology -Old and New -Tagore Law Lectures
  - 6. Elton-Conflicting Penal Theories m Statutory Criminal Law.
  - 7. Cillin- Criminology and Penology
  - 8. R Beccaria-Crime and Punishment
  - 9. The Criminal Procedure Code
  - 10.The Constitution of India
  - 11.Sutherland and Gisey: Criminology
  - 12.Ahmed Sidelique – Criminology
  - 13.N. V. Pranjape - Criminology and Penology
- 

## **Semester VI**

### **LL.B./603**

### **Law of Crimes-II (Cr.P.C)**

**Unit 1: 1. Criminal Procedure Code, 1973: Preliminary-**

- A. Object, Extent and definitions (Chapter-1)
- B. Duties of Public-
  - i. To assist police and Magistrate
  - ii. To give information about certain offences (Chapter IV Ss. 37 to 40)

**2. Criminal Courts-**

- A. Territorial divisions and classifications (Chapter II, Ss, 10,14,15,19,22 and 23)
- B. Powers (Chapter II, ss. 26 to 31)

**Unit 2: 1. Pre-Trial Procedures-**

- A. Process to compel appearance (Chapter VI)
- B. Process to compel Production of things (Chapter VII)
- C. Arrest of Persons Chapter V)
- D. Information to Police and their powers of Investigation (Chapter XII)
- E. Bail (Chapter XXXIII)
- F. Maintenance of Public Order and Tranquility (Chapter X)

**2. Jurisdiction of the Courts in the inquiries and Trials (Chapter XIII)**

**Unit 3: 1. Complaints to Magistrates and Cognizance of Offence (Chapter-XV and XIV)**

**2. Charge Chapter XVII)**

**3. Types of Trials-**

- A. Trial before Court of Session (Chapter XVIII)
- B. Trial of Summons and Warrant Cases (Chapter XIX & XX)
- C. Summary Trials (Chapter XXVII)

**Unit 4: 1. Judgment**

**2. Appeals (Chapter XXIX) References and revision (Chapter XXX)**

**3. Misc. Provisions-**

- A. Period of Limitation (Chapter XXXVI)
- B. Irregular Proceedings (Chapter XXXV)
- C. Autrefois acquit and Autrefois convict
- D. Legal Aid to accused at State Expenses (S. 304)
- E. Pardon to an accomplice
- F. Saving to Inherent powers of High Court
- G. Maintenance of Wives, Children and Parents
- H. Plea Bargaining (S. 265 A to L)

**Unit 5: 1. Probation of Offenders Act, 1958**

- 2. The Narcotic Drugs And Psychotropic Substances Act, 1985

**Leading Cases-**

- 1. Tehsildar Singh v. State of Delhi, AIR 1955 SC

2. State of U.P. v. Singhara Singh, AIR 1964 SC 359
3. Nisar Ali v. State of UP, AIR 1957 SC 336
4. Purshottam Das Dalmia v. State of West Bengal, AIR 1968 SC 1989
5. State of Andhra Pradesh v. Ganeshwara Rao, AIR 1968 SC 1050
6. Satwant Singh v. State of Punjab, AIR 1956 SC 415

**Bare Acts:**

1. Criminal Procedure Code, 1973
2. Probation of Offenders Act, 1958
3. Juvenile Justice Act, 2000

**Suggested Readings:**

1. Ratan Lal: Criminal Procedure Code (English & Hindi)
2. A.C. Ganguli: A Guide to Criminal Code Practice
3. Juvenile Justice Act, 2000
4. Probation of Offenders Act, 1958
5. B.D. Khatri: Law of Probation in India along with Juvenile Justice Act, 2000
6. N.K. Chakravarti: Probation System in the Administration of Criminal Justice

**Semester VI**

**LL.B./604**

**Labour and Industrial Laws –II**

**Unit 1:**

**The Employees' Compensation Act, 1923:**

- A. Definitions, Employers liability for compensation, Amount of Compensation,
- B. Method of Calculating wages, Commutation of payments,
- C. Commissioners- appointment, powers & procedure of commissioners.

**Unit 2:**

**The Employees' State Insurance Act, 1948:**

- A. Object & Scope, Definitions,
- B. Establishment of Employees state insurance corporations
- C. standing committee & medical benefit council

**Unit 3:**

**The Employees' Provident Funds and Miscellaneous Provisions Act, 1952:**

- A. Object & Scope, Definitions,
- B. Employees provident funds scheme & authorities

## C. Penalties

### Unit 4:

- A. **The Bonded Labour System (Abolition) Act, 1976:** Aim object & operation, Definitions, abolition of bonded labour system, implementing authorities, Vigilance Committee, Offences and procedure for Trial.
- B. **The Contract Labour (Regulation and Abolition) Act, 1970:** Object & Scope, Definitions, Advisory Board, Registration of establishment employing contract labour, Licensing of contractor, Welfare health of contract labour, Penalties & procedures

### Unit 5:

#### **The Child Labour (prohibition and Regulation) Act, 1986:**

- A. Object & Scope, definition,
- B. Prohibition of employment of children in certain occupations and process,
- C. Regulation of conditions of Work of Children.
- D. Constitutional provisions

### Leading Cases:

1. Jaya Biswal v. IFFCO Tokio General Insurance Co. Ltd., (2016) 11 SCC 201
2. K Sivaraman & Ors v. P Sathishkumar & Anr Civil Appeal No. 9046 of 2019 (Arising out of SLP (C) No 18110 of 2019) decided on February 13, 2020.
3. Regional Director, ESI Corporation v Francis De Costa (1997) 1 LLJ 34
4. JyothiAdemma v. Plant Engineer, Nellore ( 2006) 5 SCC 513
5. Shakuntala Chandrakant Shresthi v Prabhakar Maruti Garvali AIR 2007 SC 248

### Suggested Readings:

1. Indian Law Institute : Law and labour Management relations in India.
2. Ganga Sahai Sharma : Shram Vidhi.
3. N.D. Sharma : Shram Vidhi.
4. S.C. Srivastava: Social Security and Labour Laws.
5. Myres, Charles : Industrial Relations in India
6. Darwell & Karr : Law of Service Industry, Vol. 2, 1956

**Semester VI**

**LL.B./605**

**Moot Court and Internship**  
**(Clinical Course)**

**This paper will have three components of 30 marks each and a viva for 10 marks**

- A. Moot Court (30 Marks).** Every student is required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.
- B. Observance of Trial in two cases, one Civil and one Criminal (30 marks):**  
Students are required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.
- C. Interviewing techniques and Pre-trial preparations and Internship diary (30 marks):** Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.
- D. The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.**