

**BHARATI VIDYAPEETH DEEMED UNIVERSITY**  
**NEW LAW COLLEGE, PUNE**

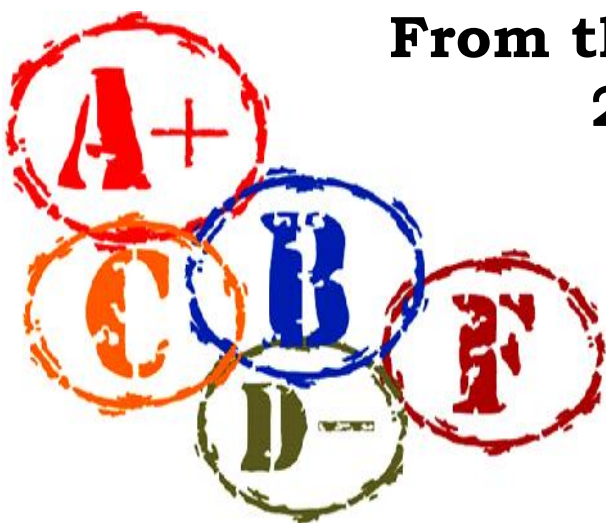
# **REVISED REGULATIONS**

**RELATING TO THE TEN SEMESTERS  
PATTERN OF LL.B. 3 YEAR DEGREE PROGRAMME**



**CHOICE BASED CREDIT SYSTEM  
(CBCS)**

**From the Academic Year  
2015-2016**



## **BHARATI VIDYAPEETH**

Bharati Vidyapeeth, the parent body of Bharati Vidyapeeth University was established in May, 1964 by Dr. Patangrao Kadam with the objective of bringing about intellectual awakening and all sided development of the people of our country through education.

Bharati Vidyapeeth is now a leading educational institution in the country, which has created a history by establishing within a short span of 51 years or so 180 educational institutions imparting education from the pre-primary stage to post graduate stage. Our colleges and institutions of higher education impart education in different disciplines including Medicine, Dentistry, Ayurved, Homoeopathy, Nursing, Arts, Science, Commerce, Engineering, Pharmacy, Management, Social Sciences, Law, Environmental Science, Architecture, Hotel Management and Catering Technology, Physical Education, Computer Science, Library Science, Information Technology, Biotechnology & Agriculture.

These educational institutions which have achieved an acclaimed academic excellence cater to the educational needs of thousands of students coming from different parts of India and also abroad. Our teaching faculty includes highly qualified, experienced, dedicated and student-caring teachers. These educational institutions are located at various places viz. Pune, Navi Mumbai, Kolhapur, Solapur, Sangli, Karad, Panchagani, Jawhar and New Delhi. The spectacular success achieved by Vidyapeeth is mainly a creation of unusual foresight, exceptionally dynamic leadership and able guidance of the founder of Vidyapeeth, Dr. Patangrao Kadam. It has been our constant endeavour to impart high quality education and training to our students and so, no wonder that our institutions have become nationally known for their academic excellence. In recognition of the academic merit achieved by these institutions and potential for development which they have, the Department of Human Resource Development, Government of India and the University Grants Commission of India have accorded the status of a deemed to be university to Bharati Vidyapeeth with its twenty nine constituent units.

Besides these 180 educational institutions, Bharati Vidyapeeth has also been successfully running a Co-operative Bank, Co-operative Consumer Stores, a Co-operative Poultry, a Co-operative Sugar Factory, Charitable Hospitals and Medical Research Centre and the like.

## **BHARATI VIDYAPEETH UNIVERSITY, PUNE**

As mentioned earlier, the Department of Human Resource Development, Government of India on the recommendation of University Grants Commission accorded the status of Deemed University to twelve units of Bharati Vidyapeeth (vide their notification No. F.9-15/95-U.3 dated 26/4/96 under the Section 3 of the University Grants Commission Act. of 1956).

Subsequently, the Govt. of India on the recommendations of the UGC and AICTE brought some more institutions of Bharati Vidyapeeth within the ambit of Bharati Vidyapeeth University. At present there are 29 Constituent Unites.

- 1) BVDU Medical College, Pune
- 2) BVDU Dental College & Hospital, Pune
- 3) BVDU College of Ayurved, Pune
- 4) BVDU Homoeopathic Medical College, Pune
- 5) BVDU College of Nursing, Pune
- 6) BVDU Yashwantrao Mohite College of Arts, Science and Commerce, Pune
- 7) BVDU New Law College, Pune
- 8) BVDU Social Sciences Centre (M.S.W.), Pune
- 9) BVDU Yashwantrao Chavan Institute of Social Science Studies & Research, Pune
- 10) BVDU Center for Research & Development in Pharmaceutical Sciences & Applied Chemistry, Pune
- 11) BVDU College of Physical Education, Pune
- 12) BVDU Institute of Environment Education & Research, Pune
- 13) BVDU Institute of Management and Entrepreneurship Development, Pune
- 14) BVDU Poona College of Pharmacy, Pune
- 15) BVDU College of Engineering, Pune
- 16) BVDU Interactive Research School in Health Affairs (IRSHA), Pune
- 17) BVDU Rajiv Gandhi Institute of Information Technology & Biotechnology, Pune
- 18) BVDU College of Architecture, Pune
- 19) BVDU Abhijit Kadam Institute of Management and Social Sciences, Solapur
- 20) BVDU Institute of Management, Kolhapur
- 21) BVDU Institute of Management & Rural Development Administration, Sangli
- 22) BVDU Institute of Management & Research, New Delhi
- 23) BVDU Institute of Hotel Management & Catering Technology, Pune
- 24) BVDU Yashwantrao Mohite Institute of Management, Malakapur - Karad
- 25) BVDU Medical College & Hospital Sangli
- 26) BVDU Dental College and Hospital, Mumbai
- 27) BVDU Dental College and Hospital, Sangli
- 28) BVDU College of Nursing, Sangli
- 29) BVDU College of Nursing, Navi Mumbai

## **BHARATI VIDYAPEETH DEEMED UNIVERSITY**

### **NEW LAW COLLEGE, PUNE**

The Bharati Vidyapeeth's New Law College, Pune, having the recognition from Bar Council of India, New Delhi, came into existence on 1st August, 1978 as a permanently affiliated college of the University of Pune, Pune. This college had a privilege of being inaugurated at the hands of Hon'ble Shri.Y.V.Chandrachud, former Chief Justice of India. When Bharati Vidyapeeth became a Deemed University in 1996, the New Law College became a constituent unit of the Bharati Vidyapeeth University. It was then resolved by the University authorities to shape the college as a centre of excellence in the field of legal education at national level. The College has celebrated its Silver Jubilee during the academic year 2002-2003.

#### **Recognition of LL.B. Degree from Bar Council of India**

The Bar Council of India has given the recognition to the Bachelor Degree of LL.B. offered by Bharati Vidyapeeth University, for LL.B. 5 Year and 3 Year Courses by vide letter No.BCI.D.699.1999 (LE/Mtg) dated 6th August, 1999. The college affiliation is approved by the Bar Council of India by vide letter No.BCI: D: 336:2002 (LE;Mtg) dated 11.3.2002.

#### **LEGAL EDUCATION AND BHARATI VIDYAPEETH UNIVERSITY**

The Bharati Vidyapeeth University, New Law College, has kept before itself the goals of advancement and dissemination of knowledge of law and legal processes in the context of national development. In accordance with these basic expectations the College is striving to achieve excellence in the field of legal education and research. The College while imparting the legal education has kept a goal in view that professional lawyers must be well equipped to perform the various roles which lawyers are expected to play in our society. The lawyer is not to be merely a craftsman, manipulating advocacy skills in the traditional role of conflict resolution in courts. There are other concurrent curricular goals and roles for legal education, some of which may be more important than litigation in the context of our society.

In pursuance of Bar Council of India's Directive No.4/1997 dated 21st October 1997, the Law Faculty of Bharati Vidyapeeth University has revised the entire syllabi of LL.B. of Three Year & Five Year Courses. The revised syllabi incorporate the theme of UGC Curriculum Report. The University has also introduced the semester programme (As per the Circular No.2/99 of Bar Council of India) for LL.B Three Year & Five Year Course from the academic year 2000-2001.

**REGULATIONS RELATING TO THE SEMESTER  
PATTERN OF LL.B. 3 YEAR DEGREE PROGRAMME-  
{SIX SEMESTER PROGRAMME WITH CHOICE BASED CREDIT SYSTEM  
(CBCS)}**

1. The three years LL.B. Degree Programme approved by BCI is a Six semester programme.
2. The duration of each semester shall be of six months.
3. There shall be an Examination at the end of each semester which shall be conducted by the University.
4. **Intake** = 180
5. Admission to the Programme is by Merit only through All India Entrance Test conducted by Bharati Vidyapeeth University.
6. **Eligibility for 3 year LL.B Programme:** Minimum marks in qualifying examination for admission: As prescribed by Bar Council of India, rule of education 2008, the applicant shall have passed the bachelors degree in any of the faculty of any recognized University or an examination recognized as equivalent there to and have obtained minimum 45% of the total marks in case of general category and minimum 40% of the total marks in case of SC & ST applicants.
7. **Provisional Admission:** Every admission given shall be provisional. Provisional admission is for a limited period. Its confirmation depends upon the clearance of eligibility as per rules of admission/examination. In case of non-clearance of eligibility within the period of first term, it stands cancelled automatically without any notice. In case of any doubt, the student shall contact the Principal immediately and shall clarify the doubts in writing.
8. LL.B 3 years programme **shall have 152 credits in six semesters** as prescribed in the table below.
9. The medium of instruction and of the examination shall be **English**.
10. The scope of the subjects shall be as indicated in the prescribed syllabus.
11. Each paper from Sem I to Sem VI shall be of 100 Marks.
12. In each paper out of 40 marks will be for Internal Examination and 60 marks for University Examination. This rule shall not be applicable for Practical Papers.

## THE GENERAL STRUCTURE

1. LL.B. 3 Years Degree shall be awarded to candidates on successful completion of a six semester programme of study.
2. Curriculum, studies, examinations, and continuance from semester to semester, promotion and declaration of results are given in this info let.
3. LL.B. 3 years Programme will have courses of **152 credits in six semesters**, as given below:

<b>I-Semester</b>				
<b>Course Category</b>	<b>Credits</b>	<b>No. of Courses</b>	<b>Total No. of Papers (Per Semester)</b>	<b>Total Credits</b>
Core Courses (Theory)	4 Credits Each	5	06	20
Core Elective	4	1	06	4
<b>Total Credits in I-Semester</b>				<b>24</b>
<b>II-Semester</b>				
Core Courses (Theory)	4 Credits Each	4	06	16
Core Elective	4	1	06	4
Practical Paper	6	1	06	06
<b>Total Credits in II-Semester</b>				<b>26</b>
<b>III-Semester</b>				
<b>Course Category</b>	<b>Credits</b>	<b>No. of Courses</b>		<b>Total Credits</b>
Core Courses (Theory)	4 Credits Each	4	06	16
Core Elective	4	1	06	4
Practical Paper	6	1	06	06
<b>Total Credits in III-Semester</b>				<b>26</b>
<b>IV-Semester</b>				
Core Courses (Theory)	4 Credits Each	5	06	20
Core Elective	4	1	06	4
<b>Total Credits in IV-Semester</b>				<b>24</b>
<b>V-Semester</b>				
<b>Course Category</b>	<b>Credits</b>	<b>No. of Courses</b>		<b>Total Credits</b>
Core Courses (Theory)	4 Credits Each	4	06	16
Core Elective	4	1	06	4
Practical paper	6	1	06	6
<b>Total Credits in V-Semester</b>				<b>26</b>
<b>VI-Semester</b>				
Core Courses (Theory)	4 Credits Each	4	06	16
Core Elective	4	1	06	4
Practical Paper	6	1	06	06
<b>Total Credits in VI-Semester</b>				<b>26</b>
<b>Total Credit requirement for LL.B. 3 Years Course</b>				<b>152</b>

**THE SEMESTER-WISE DETAILS OF COURSES/CREDITS ARE GIVEN BELOW:  
LL.B. (3 Year Degree Programme)**

<b>I</b>	<b>LL.B First Semester Examination</b>	<b>Credits</b>
1.	Constitutional Law – I	4
2.	Law of Contract	4
3.	Law of Crimes	4
4.	Legal Language	4
5.	Law of Torts Including Motor Vehicle Accident and Consumer Protection Act	4
6.	Optional – I	4
	<b>A. Business Law Group –</b> Banking Law including Negotiable Instrument Act	
	<b>B. Constitutional Law Group –</b> Media and Law	
		<b>Total = 24 Credits</b>
<b>II</b>	<b>LL.B Second Semester Examination</b>	<b>Credits</b>
1.	Constitutional Law – II	4
2.	Special Contract	4
3.	ICT and Legal Research (Soft Skills)	4
4.	Practical Paper – I (Professional Ethics, Accountancy for Lawyers and Bar Bench Relations)	6
5.	Jurisprudence	4
6.	Optional – II	4
	<b>A Business Law Group –</b> Insurance Law	
	<b>B. Constitutional Law Group –</b> Health Law	
		<b>Total =26 Credits</b>
<b>III</b>	<b>LL.B. Third Semester Examination</b>	<b>Credits</b>
1.	Family Law – I (Marriage,Divorce and Matrimonial Disputes)	4
2.	Civil Procedure Code	4
3.	Interpretation of Statute	4
4.	Practical Paper – II (Drafting Pleading & Conveyancing)	6
5.	Company Law	4
6.	Optional – III	4
	<b>A Business Law Group –</b> Merger and Acquisition	
	<b>B. Constitutional Law Group –</b> Right to Information	
		<b>Total =26 Credits</b>
<b>IV</b>	<b>LL.B. Fourth Semester Examination</b>	<b>Credits</b>
1.	Family Law – II (Matrimonial Property, Guardianship And Adoption)	4
2.	Public International Law	4
3.	Criminal Procedure Code, Juvenile Justice Act & Probation of Offenders Act	4
4.	Law of Evidence	4
5.	Cyber Law	4
6.	Optional –IV	4
	<b>A. Business Law Group –</b> Competition Law and practice	
	<b>B. Constitutional Law Group –</b> Gender Justice and Feminist Jurisprudence	
		<b>Total =24 Credits</b>

<b>V</b>	<b>LL.B. Fifth Semester Examination</b>	<b>Credits</b>
1.	Intellectual Property Law	4
2.	Property Law Including Transfer of Property Act and Easement Act	4
3.	Administrative Law	4
4.	Practical Paper – III (Moot Court Pre-trial Preparations and Participation in Trial Proceedings)	6
5.	Court Management	4
6.	Optional – V	4
	<b>A. Business Law Group –</b> Direct Tax	
	<b>B. Constitutional Law Group –</b> Law on Education	
		<b>Total =26 Credits</b>
<b>VI</b>	<b>LL.B. Sixth Semester Examination</b>	<b>Credits</b>
1.	Labour Law	4
2.	Environmental Law	4
3.	Law of Trusts, Equity and Fiduciary Relationship	4
4.	Practical Paper-IV (Arbitration, Conciliation and Alternative Dispute Resolution Systems)	6
5.	Law on Infrastructure Development	4
6.	Optional – VI	4
	<b>A Business Law Group –</b> Indirect Tax	
	<b>B. Constitutional Law Group –</b> Human Rights Law & Practice	
		<b>Total =26 Credits</b>

**Total Credit requirement for LL.B 3 Years Programme = 152 Credits**



## COURSE DESIGN OF LL.B 3 YEARS PROGRAMME

The Scope of the Subjects shall be as indicated in the prescribed syllabus.

<b>Semester</b>	<b>Foundational/ Compulsory Courses</b>	<b>Practical papers</b>	<b>Electives/ Optional</b>	<b>Total number of Papers</b>	<b>Total Marks Allotted</b>	<b>Total Credits</b>
I	5	-	1	6	600	24
II	4	1	1	6	600	26
III	4	1	1	6	600	26
IV	5	-	1	6	600	24
V	4	1	1	6	600	26
VI	4	1	1	6	600	26
Total Number of Compulsory / Foundational Courses = <b>26</b>		Total Number of Practical Papers = <b>04</b>	Total Number of Electives = <b>06</b>	Total Number of papers = <b>36</b>	Total Marks = <b>3600</b>	Total number of Credits for LL.B 3 Years Programme = <b>152</b>

**GUIDELINES FOR INTERNAL ASSESSMENT SYSTEM  
(Rules & Regulations)**

1 Class/ Home Assignments & Research Paper	- 10 Marks
2 Unit Tests / Moot Courts/ Legal Aid	- 20 Marks
3 Tutorials Based On Case Studies & Legislative Analysis	- 05 Marks
4 Attendance	- 05 Marks

---

**Total = 40 Marks**

**GUIDELINES FOR INTERNAL ASSESSMENT SYSTEM  
(Rules & Regulations)**

**1. CLASS/ HOME ASSIGNMENTS & RESEARCH PAPER :-**

Long Term Paper	- 05 Marks
2 research papers	- 05 Marks (2.5 Marks Each)

---

**Total = 10 Marks**

**EXPLANATION:-**

In the Class/Home Assignments, the students are required to prepare a compulsory **Long Term Paper**. Besides this, the students shall also submit a minimum of **two compulsory Research papers** on any of the themes relating to the subject. The Submissions must be **free from plagiarism** and must meet international standards of modes of citation (except at places where only Indian Citation applies).

**2. UNIT TESTS:-**

Unit test I	- 10 Marks
Unit test II	- 10 Marks

---

**Total = 20 Marks**

**EXPLANATION:-**

There shall be a minimum of two compulsory Unit written tests to be appeared by the students which shall consist of 10 Marks for each paper. The Topics for each paper shall be notified by the concerned subject teacher well in advance. Similarly, a student can participate in the moot court/ legal aid and related activities.

### **3. TUTORIALS BASED ON CASE STUDIES & LEGISLATIVE ANALYSIS:-**

Tutorial 1 (Case Study-I)	- 02 Marks
Tutorial 2 (Case Study-II)	- 02 Marks
Tutorial 3 (Legislative Analysis)	- 01 Marks

-----

**Total = 05 Marks**

#### **EXPLANATION:-**

There shall be a minimum number of 3 Tutorials out of which 2 tutorials shall be based on the recent case studies while 1 tutorial shall be based on analysis of recent or landmark legislation relating to the subject to be appeared by the students in the Class.

### **4. ATTENDANCE:-**

**Attendance = 05 Marks**

#### **EXPLANATION:-**

As per the norms of Bar Council of India, it shall be compulsory for all students to have a minimum of 75% of attendance per semester.

#### **SPECIAL CLAUSE:-**

The students who participate at the following activities with the prior permission of the Principal may be exempted from the above rules as a Special case:

- a) *A Student Who participated at Various national and International Moot Court Competitions in India or abroad; or*
- b) *A Student Who participated in Mock Trials, Debate, Essay or any other kind of competitions*
- c) *A Student who participated in any Model United Nations, Model Parliamentary Debate Competitions in India or abroad; or*
- d) *A Student Who actively volunteered in the College organized or any national NSS activity or any other extra-curricular activities; or*
- e) *A Student Who participated in assisting NLC's Free Legal Aid Clinic or other legal aid services, Legal Awareness camps etc. ; or*
- f) *A Student who participated in any cultural or sports activities held at national or international level; or*
- g) *A Student who is suffering from prolonged illness duly certified by the Registered medical practitioner*

Provided, the students who participated in the abovementioned activities, have sought prior permission, in writing, of the Principal, Law College to represent the institute at national and international level. The exemption granted under this rule shall solely be subject to the discretion of the Principal, Law College and no Student can claim the exemption as a matter of his/her right.

## **SYSTEM OF EXAMINATION:**

Each paper shall be of out of which 40 Marks shall be for Internal Assessment (IA) and 60 Marks shall be for University Examination (UE). Internal Assessment (IA) and University Examination (UE) shall be conducted by the University for each Paper.

## **THE CREDIT SYSTEM:**

The credits specified for LL.B. 3 year programme describe the weightages of various courses of the programme. The number of credits along with grade points that the student has satisfactorily completed measures the performance of the student. Satisfactory progress of a student is subject to his/ her maintaining a minimum Cumulative Grade Point Average (CGPA), as well as minimum grades in different courses of the programme. A certain number of credits must be earned by the student to qualify for the degree. Description of credit distribution for core Courses, elective Courses, and language course has already been shown. There shall be a 10-Point Absolute Grading System for grading in each head of passing. The system shall have seven, the highest being 10. The performance indicators **O, A+, A, B+, B, and F** shall respectively mean:

O	Outstanding
A+	Excellent
A	Very Good
B+	Good
B	Satisfactory
F	Fail

## **THE GRADING SYSTEM UNDER CBCS**

### **Point Scale for Grading**

<b>Marks Range of marks (Out of 100)</b>	<b>Grade Point</b>	<b>Grade</b>
80 $\leq$ Marks $\leq$ 100	10	O
70 $\leq$ Marks $\leq$ 80	9	A+
60 $\leq$ Marks $\leq$ 70	8	A
55 $\leq$ Marks $\leq$ 60	7	B+
50 $\leq$ Marks $\leq$ 55	6	B
Marks below < 50	0	F

## **EVALUATION AND COMPUTATION OF THE GRADE POINT AVERAGES:**

Cumulative performance indicators such as GPA, SGPA or CGPA shall be calculated as described and illustrated below.

- A) The performances at UE and IA will be combined to obtain the Grade Point Average (GPA) for the Course/ Paper.
- B) The Weights for performance at UE and IA shall respectively be **60% and 40%**.
- C) The Grade Point Average (GPA) for a Course/ Paper shall be calculated by first finding the total marks out of 100 for the Course/ Paper.
- D) Two kinds of performance indicators, namely, the Semester Grade point Average (SGPA) and the Cumulative Grade Point Average (CGPA) shall be computed at the end of each term. The SGPA measures the cumulative performance of a learner in all the Courses/ Paper in a particular Semester, while CGPA measures the cumulative performance in all courses/ papers since his/her enrollment. The CGPA of a learner when he/she completes the programme is the Final Result of the learner.

## **STANDARDS OF PASSING:**

- A) In order to pass in a Semester, a Student must obtain a minimum grade point of 6.00 (50%) both at the UE and IA.
- B) A Student who passes in a Course/ Paper is said to have completed the Credits assigned to the Course/ Paper.
- C) A Student who completed the minimum Credits required for a programme will be declared to have completed the programme.
- D) **Minimum passing grade** shall be Grade 'B' for each course/ Paper.

## **RULES OF PROMOTION FOR LL.B 3 YEARS PROGRAMME:**

The candidate, who has taken admission in LL.B 3 years Course, subject to the clearance of eligibility and after securing required credits as prescribed by the university, shall be automatically promoted to next year. However, a Student who has not put up sufficient credits shall not be promoted to next year. In order to take admission in the final year, the Candidate has to pass in all the papers of 1<sup>st</sup> year with minimum 6.00 Grade points at both University Examination and Internal Examination.

## **AWARD OF HONOURS:**

A Student who has completed the minimum credits specified for the programme shall be declared to have passed in the programme. The Final result will be in terms of letter grade only and is based on the CGPA of all Courses studied and passed. The Criteria for the award of honours is given below.

***The Criteria for the award of Degree are given as follows:***

<b>Range of CGPA</b>	<b>Final Grade</b>	<b>Performance Descriptor</b>	<b>Equivalent Range of Marks (%)</b>
9.50 < CGPA < 10.00	O	Outstanding	80 <Marks <100
9.00 < CGPA < 9.49	A+	Excellent	70 <Marks <80
8.00 < CGPA < 8.99	A	Very Good	60 <Marks <70
7.00 < CGPA < 7.99	B+	Good	55 <Marks <60
6.00 < CGPA < 6.99	B	Satisfactory	50 <Marks <55
CGPA Below 6.00	F	Fail	Marks below 50

---

## FIRST SEMESTER OF LL.B. (3 YEAR) DEGREE COURSE

### PAPER 1 - CONSTITUTIONAL LAW - I

100 MARKS

#### **Unit 1 Nature and Scope of Fundamental Rights under Indian Constitutional Law :**

- a. Citizenship
- b. State- Art. 12

#### **Unit 2 Equality and Social Justice (Art. 14 to 18) :**

- a. Nature of the Doctrine of Equality under Art, 14, 15 and 16 - Old and New Doctrine.
- b. Test of Reasonable Classification - Basis of Classification, Protection against Discrimination.
- c. Equality and Reservation Policy - Judicial Decisions - Strategy for Compensatory and Ameliorative Justice - Supreme Court's Decisions.

#### **Unit 3 Freedom of Speech and Expression (Act 19 (1) (a) & (2)) :**

- a. Scope of the Freedom under Art. 19 (1) (a) - New Dimensions to Freedom of Speech and Expression, Freedom of Press - Prior Restraints on Publication, Film Censorship and Obscenity
- b. Reasonable Restrictions under Art. 19 (2) - Grounds and Instances.

#### **Unit 4 Freedoms:** Freedom of Assembly, Association Movement, Residence, Profession and Business under Art. 19 (1) (b) (c) (d) (e) and (g) Scope of the Freedoms Reasonable Restriction under Art. 19 (3)(4)(5) & (6) -Grounds and Instances of Reasonable and Unreasonable Restrictions.

#### **Unit 5 Safeguards to the persons Accused of Crime (under Art.20 & 22) :**

- a. Protection from the operation of Ex Post Facto Laws [Art. 20 (1)].
- b. Protection from Double Jeopardy [Art. 20 (2)].
- c. Prohibition against Self-Incrimination [Art. 20 (3)].
- d. Rights of Arrested Person [Art. 22 (1) to (3)]
- e. Preventive Detention under [Art 22 (4) to (7)] - Constitutional Safeguards.
- f. Constitutional Validity of Preventive Detention Laws TADA, NSA, COFEPOSA, SAFEMA.

**Unit 6 Rights to Life and Persons Liberty :**

- a. Nature and Scope of Art. 21 - Meaning of Life and "Personal Liberty", Pre and Post Maneka Gandhi Phase - American due process clause and procedure established by Law.
- b. Expanding Horizons of Art. 21 - Capital Punishment, Bonded Labour, Compensation, Medical Help, Education, Right to Live with Dignity, Right to Livelihood, Right to Privacy, Right to Die, Prisoner's Rights, Professional Obligation of Doctors, Free Legal Aid, Speedy Trial etc.

**Unit 7 Right against Exploitation (Art. 23 & 24):**

Prohibition of trafficking in Human Beings and Forced Labour (Art. 23)-POOR v Union of India (1982) and other cases, Prohibition of Employment of Children in Factories etc. (Art. 24) - Statutory Enactments.

**Unit 8 Right to Freedom of Religion (Art. 25-28):**

- a. Nature and Scope of the idea of Freedom of Religion under Art. 25 & 26 – National Anthem and other Cases - limits of Freedom.
- b. Freedom to manage religions denomination and affairs.
- c. Concept of Secularism -constitutional Provisions, Historical Perspective Non- discriminatory State under Art, 14, 15, 16, 29(2) & 325.

**Unit 9 Cultural and Educational Rights of Minority Community (Art. 29-30):**

- a. Protection of the interest of minorities (Art. 29).
- b. Rights of minorities to establish and administer educational institutions (Art. 30) – Frank Anthony Public School Case (1980), St. Stephen College Case (1992) and other cases.

**Unit 10 Right to Constitutional Remedies:**

- a. Nature and Scope of Art. 32 & 226, Nature of Review through writ Jurisdiction, Writ of Habeas Corpus and other writs, Powers & Jurisdiction of Supreme court and High court
- b. Locus Standi - Public Interest Litigation / Social Interest Litigation - use and abuse - guidelines as set out in M.C. Mehta Case (1987), Bandhua Mukti Morcha (1984), Guidelines for rehabilitation and compensation in Delhi Domestic working women Forum vs. Union (1995) and other cases.

**Unit 11 Right to Property:**

- a. History of Right to Property prior to 44th Constitutional Amendment.



- b. Meaning of Property and Doctrine of Eminent Domain.
- c. 44th Amendment and Art. 300 - A, of the Constitution.
- d. Social Control of Right to Property - Deprivation of Property, Concept of Public Purpose, Interest, Compensation, and Amount. Important Judicial Decisions.

**Unit 12 Nature and Scope of the Chapter on Fundamental Rights:** Relationship with Directive principles of State Policy.

**Unit 13 Fundamental Duties of the Citizens:** Historical Background and Sources of the Duties, Significance, Nature, Scope and Enforcement of Duties.

**SUGGESTED READINGS:**

1. Granville Austin: Indian Constitution: Cornerstone of Nation.
2. Dr. Upendra Baxi: "The Little Done, the Vast Undone", JILL, (1969),323.
3. H.M. Seervai: Constitutional Law of India.
4. Dhawan and Jacob (ed): Indian Constitution: Trends and Issues (1978).
5. M.P. Jain: Constitutional Law of India.
6. M. Galanter: Competing Equalities: Law and the Backward Classes in India. (1984).
7. B. Shiva Rao: Framing the India's Constitution (Text).
8. A.L. Gandhi: Right to Property and its Changing Dimensions (1985).
9. C.L. Anand: Equality, Justice and Reverse Discrimination in India (1987).
10. V.N. Shukla: Constitutional Law of India, (Edited by M.P. Singh).

\* \* \*

**Part A - General Principles of Law of Contract:**

**Unit 1** Nature of Contractual Obligation and Historical Development In England & India - Nature of Contractual Obligation, Theories of Contract - Subjective Theory, Objective Theory, History of Contractual Obligation In English Law - The Medieval Actions, Such As Debt., Covenant, Assumption, Consideration Etc., Codification of The Law of Contract In India, Economic Justice and Freedom of Contract Under Indian Constitution.

**Unit 2 General Principles As To Formation of Contract :**

- a. Tender – Public Contracts- Law Relating To Tenders, Article 299, No Unreasonableness, Judicial Review
- b. Offer, Acceptance and Revocation of Electronic Contracts (E-Mail)
- c. Agreement and Contract - Definitions, Elements and Different Kinds, Proposal and Acceptance - Their Various Forms, Essential Elements, Communication and Revocation - Proposal and Invitations For Proposals - Floating offers, Tenders, Principles As To Factors Tending To Defeat, Capacity To Contract, Incapacity Arising Out of Status and Medical Insanity - Minor's Position and Minor's Agreement.

**Unit 3 General Principles Regarding Free Consent:** Need and Definition - Factors Vitiating Free Consent - Coercion, Undue Influence, Misrepresentation, Fraud and Mistake.

**Unit 4 Doctrine of Consideration:** Meaning, Need, Kinds, Essential Elements, Adequacy of Consideration, Exceptions, Privity of Contract and Consideration and Its Effects, Views of The Indian Law Commission.

**Unit 5 General Principles As To Illegality of Objects of Contracts :** Unlawful Considerations and Objects, Void Agreement, Voidable Agreement, Uncertain Agreement, Wagering Agreements, Effects of Void, Voidable, Unlawful and Illegal Agreements.

**Unit 6 General Principles As To Performance and Discharge of A Contract and Its Various Modes :**

- a. Performance, Conditions of Valid Tender of Performance - How? By Whom? Where? When? In What Manner? When Time Is A Essence of Contract?
- b. Breach - Anticipatory Breach and Present Breach, Period of Limitation, Impossibility of Performance - Grounds of Frustration, Theory of Frustration - Subsequent and Supervening Impossibilities, Contracts Not Requiring Performance - Novation, Alteration - Recession, Their Effects - Remission, Waiver of

Performance, Accord and Satisfaction.

**Unit 7 Quasi Contracts** or Certain Relations Resembling Those Created By Contract - Kinds and Consequences

**Unit 8 General Principles As To Remedies For Breach of Contractual Relations** : Damages - Kinds, Ascertainment, Remoteness of Damages, Interest on Damages, Compensatory Nature of Damages, Injunction -Reasons, Specific Performance, Refund and Restitution, Laches.

**Unit 9 Recent Trend and Contemporary Aspects of Contract:** Standard Form Contract - Nature, Advantages, Exemption Clauses, Law Commission of India's Views - Standard Form Contract, Consumer Protection and Contractual Obligation - Consumer Protection Act.

**Part- B. Specific Relief Act :**

**Unit 10** Nature of Specific Relief and Recovering Possession of Property.

**Unit 11** Specific Performance of Contracts and Injunction.

**Unit 12** Rectification, Rescission, Cancellation and Declaration.

**SUGGESTED READINGS:**

1. Bipin Chandra - The Rise and Growth of Economic Nationalism In India (1966) (Especially For Unit I)
2. A.G. Guest (Ed.) - Anson's Law of Contract. (Oxford University Press)
3. P.S. Atiya - Introduction To The Law of Contract. (Oxford University Press)
4. Pollock and Mulla - Indian Contract Act and Specific Relief Act. (N.M.Tripathi, Mumbai)
5. Avtar Sing - Law of Contract. (Eastern Book Company, Lucknow).
6. B.M. Gandhi - Equity, Trusts and Specific Relief (Eastern Book Company, Lucknows)

\* \* \*

**Unit 1 Concept of Crime and Criminal Liability and Punishment Under The Criminal Law :**

Development of Criminal Law In India, Concept of Crime and Criminal Liability - Doctrine of Mens Rea - Elements of Criminal Liability, Stages In Crime - Guilty Intention, Preparation, Attempt and Commission of Crime.

**Unit 2 General Exceptions Under Penal Code :** Mental Incapacity - Minority - Insanity - Medical and Emotional Insanity, Intoxication, Private Defenses, Necessity, Mistake of Fact, Act Done In Good Faith, Act Done By Consent.**Unit 3 Liability :** Vicarious Liability, Group Liability and Preliminary Crimes, Abetment and Criminal Conspiracy**Unit 4 Offences against the State (Sec. 121 To 130). :** Waging War and Sedition.**Unit 5 Offences against the Public Tranquility:** Unlawful Assembly, Rioting, Affray.**Unit 6 Offences by or Relating To Public Servant:** Offences Committed By Public Servants - Relevant Provisions of the Prevention of Corruption Act.**Unit 7 Offences Against Human Body :**

- a. Causing Death of Human Being – Culpable Homicide, Murder, Distinction Between Culpable Homicide and Murder, Specific Mental Element and Justifying Situations
- b. Hurt - Grievous and Simple.
- c. Assault and Criminal Force.
- d. Wrongful Restraint and Wrongful Confinements, Kidnapping and Abduction.

**Unit 8 Sexual offences and offences Relating To Marriage :**

- a. Insulting the Modesty of a Women and Assault or Criminal Force with Intent to Outrage The Modesty of a Women.
- b. Rape - Marital Rape, Immoral Traffic (Prevention) Act 1987 and Unnatural offences.
- c. Fraudulent Conduct in Marriage, Bigamy.
- d. Adultery

**Unit 9 Offences against Property and Documents :**

- a. Theft, Extortion, Robbery and Dacoity.
- b. Cheating, Criminal Misrepresentation and Criminal Breach of Trust, Mischief, Receiving of Stolen Property, Criminal

Trespass.

c. Forgery

**Unit 10 Offences Affecting Reputation :** Defamation (Sec. 499 To 502) and offences Relating To Intimidation, Insult and Annoyance (Sec.503 To 510)

**SUGGESTED READINGS:**

1. K.D. Gaur – Textbook on Indian Penal Code (Universal Law Publishing Company)
2. Ratanlal & Dhirajlal – The Indian Penal Code (34th Edition)(Lexis-Nexis)
3. Prof. S.N. Misra – Indian Penal Code (Central Law Publications)
4. Batuklal – Indian Penal Code (Central Law Agency)
5. B.M. Gandhi – Indian Penal Code (Third Edition)(Eastern Book Company)
6. Prof. N.V. Paranjape – Indian Penal Code (Central Law Publications)

\* \* \*

- Unit 1** **Law as a Synthesis of Order and Justice:** Law and Fact – Meaning and Distinction with Practical Illustration.
- Unit 2** **Interpretation:** Meaning of Interpretation or Construction Intention of the Legislature, Two kinds of Interpretation and Three Rules of Interpretation, Meaning of Statutes, Harmonious Construction and Purposive Construction- Practical Illustration, Legislative Material, Internal and External Aids.
- Unit 3** **Reasoning:** Legal Reasoning, Logical Reasoning, Judicial Reasoning, Analytical and Dialectical Reasoning – Case Law and Illustration.
- Unit 4** **The Techniques of the Judicial Process:** Meaning of Judicial Process, Judicial discretion how do judges exercise it, Doctrine of Precedent and rules of Precedent, Ratio decidendi and Obiter Dicta
- Unit 5** **Maxims and Legal terms:**
- a. Selected Legal Maxims
  - b. Selected Legal Terms.
- Unit 6** **Judgment Writing:** Form and Nature, Role of value Judgement in Law.
- Unit 7** **Drafts and Essay:**
- a. A Exercise on writing documents such as Will, Gift-deed, Lease, Sale-deed, Power-of-Attorney.
  - b. Essay writing on topics of interest to the legal profession.
  - c. Expressing opinions on the given statements upholding or denying the contents in the statements.

**SUGGESTED READINGS:**

1. Cohen and Nigel – Logic and Scientific Methods
2. B. Cardozo – Judicial Processes
3. Edgar Bodenheimer- Jurisprudence
4. Peter Clinch –Using a law library. (UBT Delhi 1995)
5. Maxwell –Introduction to Interpretation of Statutes
6. Mac Cornmik –Legal Reasoning and Legal Theory
7. Ishtiaq Abidi –Law and Language
8. Paul Rylance –Legal Writing and Drafting
9. Dr. Sen Amit –Legal Language, Legal Writing and Legal Drafting,- Karnal Law House, Calcutta.

\* \* \*

**PAPER – 5 LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENT  
AND CONSUMER PROTECTION ACT 100 MARKS**

**Part- A**

**Unit 1 Nature and Definition of Tort :**

- a. Definition of tort, Essentials of tort, tort Compared, Maxims Damnum Sine Injuria and Injuria Sine Damno
- b. Foundation of Tortious Liability- Malice, Motive, Intention and Fault in Law of torts

**Unit 2 General Defenses :**

- a. Maxim Volenti Non Fit Injuria, Act of God, Inevitable accident, Mistake, Necessity
- b. Private defense, Statutory authority, Judicial Acts, Act of State, Officers of the Court

**Unit 3 Capacity to Sue and Be Sued :**

- a. Who cannot sue
- b. Who cannot be sued

**Unit 4 Trespass :** Trespass to Person- Assault, Battery and False Imprisonment, Trespass to Land, Trespass to Goods

**Unit 5 Negligence and Contributory Negligence :**

- a. Meaning, essentials, defenses, Res Ipsa loquitur
- b. Contributory negligence- apportionment of damages, Doctrine of alternative danger, Doctrine of identification

**Unit 6 Nervous Shock :** Meaning and Principles

**Unit 7 Vicarious Liability :**

- a. Vicarious Liability of The State

**Unit 8 Defamation :**

- a. Libel and slander
- b. Essentials of defamation- defenses

**Unit 9 Nuisance :** Public and private, defenses and remedies

**Unit 10 Malicious Prosecution :** Essential conditions, difference between false imprisonments and Malicious Prosecution

**Unit 11 Strict Liability and Absolute Liability**

**Unit 12 Remedies :** Kinds of damages, Injunction, Specific restitution of properties

**Unit 13 Discharge of torts**

**Part- B**

**Unit 14 Consumer Protection Act**

- a. Objects, Reasons and Definitions, Consumer Protection Councils, Consumer Disputes Redressal Agencies
- b. E-Commerce and Consumer Protection

**Unit 15 The Motor Vehicle Act**

- a. Objects and Definitions, Compensation
- b. Liability Without Fault in Certain Cases

**SUGGESTED READINGS: :**

1. S.P.Singh – Law of Torts (Universal Law Publishing Co.)
2. Dr. N. V. Paranjape -Law of Torts, Consumer Protection Law and Motor Vehicle Act (Central Law Agency)
3. Ratanlal & Dhirajlal- Law of Torts (Wadhwa & Co)
4. Avtar Singh- Consumer Protection Act (Eastern Book Company)
5. R. K. Bangia- Law of Torts, Alhabad Law Agency

\* \* \*



## OPTIONAL-I

### A. BUSINESS LAW GROUP

#### PAPER 6 – BANKING LAW INCLUDING NEGOTIABLE INSTRUMENT ACT

100 MARKS

**Unit 1 Historical background of banking in India :**

History of Banking, banking system in India, Functions of commercial Bank, Structure of Banking system.

**Unit 2 Nationalization of Banks in India :**

Compelling reasons of Bank Nationalization, Argument against nationalization of banks, Development of Banking after Nationalization of Banks.

**Unit 3 Banking Regulation Act 1949 :**

Definition of Bank, Types of Bank, Salient features of banking regulation Act 1949, Structure, Role of Reserve Bank of India under Banking Regulation Act 1949, Memorandum, reconstruction and Amalgamation, The Deposit Insurance Corporation Act 1961.

**Unit 4 Reserve Bank of India :**

Constitution and Management, Functions of Reserve Bank of India, Central Banking Functions, Regulatory and Supervisory Functions.

**Unit 5 Relationship between Banker and Customer :**

Definition of Banker, the relationship between Banker and customers, General relationship between banker and customer, Special features of Relationship between banker and customer (Duties and Rights of Banker), Customers Duties to his Banker.

**Unit 6 Employments of Funds :**

Loans and Advances, Guarantees- Advances secured by collateral securities, Agency Services- Financing of exports, Advance to priority sectors, Credit Guarantee Scheme, Securitization Act 2002.

**Unit 7 Law relating to Negotiable Instruments 1881 with Amendments :**

Negotiable Instruments, Kinds, Holder and Holder in due course, Parties, Negotiation-presentments- Endorsement, liability of Parties, Noting and protest, Dishonor of Negotiable Instrument.

## **Unit 8 Customers grievances and Redressal :**

Ancillary Services and E-Banking, Banking Ombudsman Scheme, Consumer Protection Act 1986, and Banking Services, Debt Recovery Tribunal- Establishment, Functions, Power and procedure.

### **SUGGESTED READINGS:**

1. M.L. Tannan- Law of Banking
2. P.N. varshney- banking Law and Practice.
3. Dr. S. R. Myneni –law of Banking
4. Avtar Singh- Banking Law and Practice
5. Negotiable Instrument Act 1881
6. Banking Regulation Act 1949
7. Securitization Act 2002
8. Consumer Protection Act 1986
9. The Deposit Insurance Corporation Act 1961

\* \* \*

**OPTIONAL-I**

**B. CONSTITUTIONAL LAW GROUP**

**PAPER 6 – MEDIA & LAW**

**100 MARKS**

**Unit 1 Concept of Media :**

- a. Meaning of Media
- b. Evolution of Media
- c. Forms of Media

**Unit 2 Media and Indian Constitution :**

- a. Preamble of Indian Constitution
- b. Article 19 (1) (a)
- c. Article 19 (2)
- d. Article 32
- e. Role of judiciary in promoting and limiting the freedom of media.
- f. Media, privacy and sting operations

**Unit 3 Statutory laws for print Media in India :**

- a. Contempt of Court Act
- b. Law of Defamation
- c. Official Secrecy Act and its controversy.
- d. Law of Copyright
- e. Cinematographic Act and its significance in light of its Controversy.
- f. Right to information Act 2000

**Unit 4 Electronic media law in India :**

- a. Indian Telegraph Act 1885
- b. The Prasar Bharati (Broadcasting Corporation of India) Act 1990
- c. Cable Television network Act 1955

**Unit 5 Media regulatory bodies in India :**

- a. Press Council of India
- b. Self regulation Guidelines
- c. National Broadcasting Association (NBA)

**Unit 6 Role of Media in Democratic Country Like India :**

- a. Role of Media in upholding spirit and values of democracy

- b. Impact and accountability of media
- c. Media and National Security
- d. Role of media during crisis like terror attack
- e. Social media, its influence and impact

**Unit 7 Media Trial and administration of Justice :**

- a. Concept of Media Trial
- b. Media activism and Media Trial
- c. Pre- trial publicity and its impact on fair trial with recent and relevant cases.
- d. Doctrine of postponement evolved by court to stop Media Trial
- e. Media Trial and administration of Criminal Justice.

**Unit 8 Flaws of Media :**

- a. Sensationalism
- b. Poor coverage of the important issues
- c. Profit motive
- d. Glorifying crime
- e. Paid news
- f. Cross media holdings

**Unit 9 Freedom of press and emergency :**

- a. Section 144 of Cr.P.C
- b. Section 5 and 8 of Indian Telegraphy Act
- c. Section 19 and 20 of Cable and Television Network Act

**SUGGESTED READINGS:**

1. Durga Das Basu : Law of Press
2. Vidhisha Barua : Press & Media
3. C-S Raidu, S-B Nageshwar Rao : Mass Media Law & Regulations
4. Justice E.S. Venkatramiah : Freedom of Press Some Recent Trends
5. Madhavi Goradia Diwan : Facets of Media Law
6. Dr. S. R Myneni : Media Law

\* \* \*

## SECOND SEMESTER OF LL.B. (3 YEAR) DEGREE COURSE

### PAPER 1 - CONSTITUTIONAL LAW – II

100 MARKS

#### Unit 1 **Federalism :**

- a. Meaning of Federalism
- b. Comparative study of other federalism

#### Unit 2 **Federal Relations :**

- a. Legislative relations between Centre and the States.
- b. Administrative Relations.
- c. Financial Relations. Parliamentary Government.

#### Unit 3 **President of India :**

- a. Position, Election, Qualifications, Impeachment etc.
- b. Council of Ministers, Prime Minister, Cabinet System, Collective Responsibility - Individual responsibility, President & P.M. relationship, Legislative privileges.

#### Unit 4 **Governor:** Constitutional Relationships with State Government, Powers of Governor.

#### Unit 5 **Party systems:** Anti Defection Law, Freedom of Member of Parliament and Legislatures.

#### Unit 6 **Emergency:** Need of the provision - Types of emergency Proclamation, conditions, Effect of emergency on Centre - State Relations, Emergency and fundamental rights.

#### Unit 7 **Services under the Constitution:** Doctrine of pleasure, protection against Arbitrary Dismissal, Removal, or Reduction in Rank - Exceptions to Art. 311.

#### Unit 8 **Legislative processes:** Provisions as to introduction and passing of Bills, Money Bill - Procedure in financial matters.

#### Unit 9 **Method of Constitutional Amendments:** Limitations upon Constitutional Amendments - Basic structure doctrine as a limitation, Pre- Keshvananda and Post-Keshavanda Bharti cases.

#### Unit 10 **Tortuous Liability of Government:** Sovereign Immunity, Statutory Function, Damages and Writs.

#### Unit 11 **Elections:** Election Commission, Legislative Power regarding Election, Election Dispute.

**SUGGESTED READINGS:**

1. T. K. Tope - Constitutional Law of India. (Eastern Book Com. Lucknow)
2. G. Austin - Indian Constitution : Corner-stone of a Nation. (Oxford)
3. M. P. Jain - Constitutional Law of India. (N.M. Tripathi, Mumbai)
4. V. N. Shukla -Constitutional of India, Edited by M. P. Singh (Eastern Book Com. Lucknow)
5. D. D. Basu - Introduction to the Constitution of India.(Prentice Hall)
6. H. M. Seervai - Constitutional Law of India (Vol. I, II & III). (N.M. Tripathi, Mumbai)
7. J.N. Pandey - Constitutional Law of India.(Central Law Agency, Alla.)

\* \* \*

**Part- A      LAW OF CONTRACT –**

**Unit 1      Indemnity and Guarantee :**

- a. Contract of Indemnity- Definition of Indemnity, Rights of Indemnity holder, Indemnifier's liability
- b. Contract of Guarantee- Definition of guarantee, Nature and Extent of Surety's liability, Discharge of surety's liability
- c. Distinction between indemnity and guarantee

**Unit 2      Bailment and Pledge :**

- a. Contract of Bailment- Definition, Kinds, Consideration, Rights of Bailor and Bailee, Duties of Bailor and Bailee, Termination of Bailment, Finder of goods
- b. Contract of pledge- Definition, Rights of Pawnor and Pawnee, Duties of Pawnor and Pawnee, Pledge by non-owners
- c. Distinction between Bailment and Pledge

**Unit 3      Contract of Agency :**

- a. Definition – Agency, Principal, Agent, General rules of agency, Test of agency, Kinds of Agent
- b. Difference between Agent , Servant and Independent Contractor
- c. Creation of Agency, Termination of Agency, Liability of Principal and Agent, Rights and duties of Agent & Principal, Delegation of Agents authority - Sub Agent and Substituted Agent

**Part- B      LAW OF SALE OF GOODS –**

**Unit 4      Contract of Sale of Goods :**

- a. Definition of sale, Goods, Essentials of valid Sale, Kinds of Goods
- b. Conditions and warranties, Transfer of property, Performance of contract of sale

**Unit 5      Rights of unpaid seller :**

- a. Definition of Unpaid Seller
- b. Rights of Unpaid Seller- Against the Goods and Against the Buyer

**Part- C      Law of Partnership –**

**Unit 6      Nature of partnership :**

- a. Definition, Test of Partnership, Essential elements of Partnership, Kinds of Partners
- b. Distinction between Partnership , Joint Hindu Family business, Company, Co-ownership

- Unit 7 Formation of Partnership :**
- a. Registration of Partnership Firm
  - b. Effects of Non-Registration
  - c. Dissolution of firm

- Unit 8 Rights, Duties and Liabilities of Partners :**
- a. Rights of Partners
  - b. Duties of Partners
  - c. Liability of Partner
    - i. Incoming Partner
    - ii. Outgoing Partner

**Part- D Law of Negotiable Instruments –**

**Unit 9 Negotiable Instruments :**

- a. Definition and Characteristics, Kinds of Negotiable Instruments
  - i. Promissory Note
  - ii. Bill of Exchange
  - iii. Cheque
- b. Parties to Negotiable Instruments, Presentment of Negotiable Instruments, Maturity of Negotiable Instruments
- c. Holder and Holder in due course

**Unit 10 Negotiation of Negotiable Instruments : Modes of Negotiation, Kinds of Endorsement, Negotiation and Assignment**

**Unit 11 Dishonour of Negotiable Instruments :**

- a. Dishonour by Non- Acceptance, Dishonour by Non-Payment, Effect of dishonour
- b. Dishonour of Cheque – Amendments

**SUGGESTED READINGS:**

1. Elements of Mercantile Law, N. D. Kapoor, Sultan Chand & Sons
2. Merchantile Law, M.C.Kuchhal, Vikas Publication House Pvt. Ltd
3. Contract II , Dr.R.K.Bangia, Allahabad Law Agency
4. Business Law: Principles of Mercantile Law, Dr. Avtar Singh, Eastern Book Company (2012)
5. Indian Business Laws (second Edition), By S. K. Aggarwal, Galgotia Publications.

\* \* \*



**Unit 1 Introduction to Information Technology**

- a. Information Technology and Legal Education, Challenges and Significance
- b. International Lawyering : A Look At Global Opportunities
- c. Significance of Soft Skills For Lawyers
- d. Relationship Building With Clients, Lawyers, Judges, and Other Citizens
- e. Approaches to Develop Better Communication Skills, Service Orientation, Communication, Verbal Non-Verbal Communication, Barriers In Communication.

**Unit 2 Fundamentals of Computer**

- a. Introduction to Ms office, Word, PowerPoint, Excel, Access,
- b. Basic Concepts of IT, Data Processing: Data and Information.
- c. Introduction to Computers: Classification, History, Types of Computers.
- d. Introduction to Various Units. Hardware: CPU, Memory, Input and Output Devices, Auxiliary Storage Devices. Software: System and Application Software.
- e. The Binary Number System
- f. Computers and Communication: Introduction to Computer Networks, Internet and World Wide Web, Ftp, Electronic Mail.
- g. Front-page, Html, Primary Key and Secondary Key, Information Security and Integrity

**Unit 3 Information Technology and Legal Education**

- a. Use and Significance of Information Technology In Legal Education
- b. Understanding Legal Data Bases, Use of Online Legal Databases and Its Significance In Legal Research
- c. Useful Legal Web-Portals For Lawyers, Useful Websites In Legal Education
- d. Data Basics and E-Library
- e. Other tools For Legal Research and Use of Search Engine
- f. Data Security, Document Management
- g. Open Access Journals and Its Importance in Legal Research
- h. Role of ICT In Courts. Application of ICT in Court Administration, E-Court, E-Litigation

- i. E-Governance In Court Procedure, E-Courts: Needs of The Present Era
- j. ICT Application In Teaching-Learning Purpose In Legal Education
- k. Merits of ICT Application In Legal Education
- l. National Policy For Implementation of ICT In Judiciary
- m. ICT Application In Justice Delivery System

**Unit 4 Information Technology and Legal Research**

- a. Information Technology and Research
- b. Legal Research- Nature and Scope, Objectives, Characteristics
- c. Basic Concepts In Research- Data Collection, Classification of Data, Analysis of Data, Research Methodology, Hypothesis, Research Design, Citation, Endnote, Footnote.
- d. Use of Information Technology In Legal Research, Significance
- e. Use of Search Engines In Collection of Data
- f. Using The Internet Explorer For Legal Information
- g. Different Modes of Communication Though Internet
- h. Bulletin Boards
- i. Retrieving Files
- j. Important Internet Sites On Law
- k. Advantages of Computer Organized Or Assisted Legal Research (COLR/CALR)
- l. Disadvantages or Problems Or Limitation of COLR

**Unit 5 Plagiarism**

- a. Introduction, Definition, Meaning and Concept of Plagiarism
- b. Types of Plagiarism
- c. Student Attitude towards Plagiarism, Plagiarism By Student
- d. Plagiarism and Research Ethics
- e. Plagiarism In Research: Problems and Solutions
- f. How to Detect Plagiarism
- g. Consequences of Plagiarism

**SUGGESTED READINGS:**

1. Prof. Dr. Rattan Singh, Legal Research Methodology, Lexis Nexis, 2013.
2. C.R. Kothari, Research Methodology, New Age International Publishers, 2004
3. Dr. S.R. Myneni, Legal Research Methodology, Allahabad Law Agency, 2012.
4. Dr. H.N. Tewari, Legal Research Methodology, Allahabad Law Agency, 2008.
5. Raja Raman V., "Fundamental of Computers" (4th Edition.), Prentice Hall of India, New Delhi.
6. Norton, Peter, "Introduction to Computers, Mc-Graw-Hill.
7. B. Ram, "Computer Fundamentals", New Age International Pvt. Ltd
8. S. Jaiswal, "Fundamental of Computer & It", Wiley Dreamtech India.

\* \* \*

**PAPER 4 – PRACTICAL PAPER- I (PROFESSIONAL ETHICS,  
ACCOUNTANCY FOR LAWYERS AND BAR BENCH  
RELATIONS) 100 MARKS**

**Part- A PROFESSIONAL ETHICS**

- Unit 1 Legal Profession:** Historical perspective, Role of a lawyer in Independent India. Concept and necessity of Professional Ethics, Code of conduct, All India Bar.
- Unit 2 Norms of Professional Ethics regarding the client and general public :** Lawyer's ten commandments, Duty to the client, Duty to opponent, Duty to public, Duty to self, Duty to render legal aid, restrictions on the engagement of other employment's.
- Unit 3 Professional Ethics and Etiquettes:** Fee- Structures, Refusal of briefs, Power of compromise, Retainers, Negligence, General Rules of Professional etiquettes to be observed in court, Brief - Stealing, under - cutting, not to used touting.

**Part- B ACCOUNTANCY FOR LAWYERS**

- Unit 4 Fundamentals of Double Entry :** I - Object of Account keeping, Essentials of a proper record, Personal Accounts, Books of Accounts - Ledgers, Cash Books, Bill Book, Purchase Book, Journal, Bank Reconciliation Statement, Trial Balance, Balance Sheet.
- Unit 5 Fundamentals of Double Entry :** II - Capital and Revenue, Income and Expenditure, Receipts and Payments Accounts; Bills of Exchange, Promissory notes and cheque, Partnership Accounts, Single entry system, Depreciation and Reserves, Solicitor's Account.

**Part- C BAR BENCH RELATIONS**

- Unit 6 Duties of Advocate to Judge and Court :** Rules of the Bar Council of India framed under Sec. 49 (C) of the Act.
- Unit 7 Control of Professional Misconduct by Bar Council of India and State:** Function of the Bar Council, Disciplinary Committee - Power in conducting inquiry, When a State Bar Council can initiate action against an Advocate? and for What?. Limitation of time of inquiry and its consequences, Costs, Review of orders; withdrawal of proceedings.
- Unit 8 Appeals to the Bar Council of India, and to the Supreme Court:** 10 major judgments of the Supreme Court on the contempt proceeding.
- Unit 9 Disciplinary proceeding against the lawyer for the violation of ethic rules:** Rules relating to the Disciplinary Proceedings and Review ; Complaint and Inquiry under Sec. 35,36, and 36B of the

Advocates Act., 50 selected Decisions (opinions) of the Disciplinary Committee of Bar Council of India.

**Part- D VIVA – VOCE**

**SUGGESTED READINGS:**

**Books**

1. Krishnamurthy Iyer - Advocacy.
2. The Bar Council Code of Ethics.
3. The Contempt Law and Practice
4. Upendra Baxi - "The Pathology of the Indian Legal Profession". 13 Indian Bar Review 1986 P-455.
5. J.R. Batliboy - Advanced Accounting

**10 Decisions Of Supreme Court On Contempt – (Cases for the study of Unit No. 6)**

1. Advocate General Bihar v. M.P. Khair Industries 1980 (3)SCC 311.
2. Naraindas v. Govt. of M.P. (19100) 3 SCC 31.
3. Re : Vinay Chandra Mishra. (1995) 2 SCC 584.
4. M.B. Sanghi Advocate v. High Court of M.P. AIR 1991 SC 1834.
5. Pritam Pal v. High Court of M.P. 1993 Supp. (1) SCC 529.
6. R.K. Garg v. Shanti Bhusan (1995) 1 SCC 3.
7. E.S. Reddy v. The Chief Secretary (1987) 3 SCC 258.
8. Afzal v. State of Haryana 1995 Supp. 2 SCC 388.
9. Harbans Kaur v. P.C. Chaturvedi 1969 (3) SCC 712.
10. C. Ravichandran Iyer v. Jurtime A.M. Bhattacharjee 1995 (5) SCC 457.

**50 Selected Decisions Of The Disciplinary Committee Of All India Bar Council (Cases for the study of Unit No. 7)**

1. F Vs K 1992 I.B.R. XIX (3 & 4) 149
2. C Vs A 1992 I.B.R XIX (3 & 4) 125
3. R Vs Y & S 1987 I.B.R XIV (4) 1006
4. R. G. Vs M. S. 1989 I.B.R XVI (1) 89
5. O. M. Vs R. K. 1989 I.B.R XIV (1) 105
6. M. P. Vs B. P. 1989 I.B.R XVI (1) 102
7. D. Vs B 1987 I.B.R XIV (2) 324
8. P Vs V 1987 I.B.R XIV (2) 314
9. C Vs M 1987 I.B.R XIV (4) 1003
10. S Vs M 1987 I.B.R XIV (4) 749
11. A Vs P 1987 I.B.R XIV (4) 745
12. R Vs L 1985 I.B.R XII (2) 288
13. N Vs S 1985 I.B.R XII (4) 528
14. PC Vs High Court of andra Pradesh 1985 I.B.R XII (3) 408.
15. M. Y. J. Vs P.R.K. 1985 XII (3) 400
16. B.R. Vs M. K. 1985 I.B.R XII (3) 395
17. R. Vs C 1988 I.B.R XV (1 & 2) 193

18. C.C. Vs S.S. 1988 I.B.R XV (1 & 2) 197
19. A. K. Vs R. S. 1988 XV (1 & 2) 200
20. G Vs M 1987 I.B.R XIV (3) 488
21. R Vs L. J. 1987 I.B.R XIV (3) 491
22. K Vs V 1987 I.B.R XIV (3) 496
23. N Vs K 1985 I.B.R XII (1) 86
24. S Vs K 1985 I.B.R XII (1) 92
25. J Vs M 1985 I.B.R XII (1) 95
26. Suo Motu Enquiry Vs Shri P. Advocate 1985 I.B.R XII (1)100
27. ABC Vs R 1976 Vol. 5 (4) J.B.C.I.341.
28. A Vs B 1978 Vol. 7 (1) J.B.C.I. 128
29. A Vs. B. 1978 Vol. 7 (1) J.B.C.I. 121
30. A Vs B 1978 Vol. 7 (1) J.B.C.I. 108
31. A Vs Registrar High of Patna 1977 Vol. 6 (3 & 4) 192
32. K Vs Judge, Revisions, Sales Tax, Lucknow 1977 Vol. 6 (3 & 4) J.B.C.I. 207
33. A Vs B 1977 Vol. 6 (3 & 4) J.B.C.I. 200
34. C Vs R 1978 Vol. 7 (3) J.B.C.I. 396
35. L Vs M 1976 Vol. 5 (4) 1976 J.B.C.I.
36. Lachman Dayaram Jaishinghari Vs Sorabji Kakhashru Jamshedji Modi 1973 Vol. 2 J.B.C.I. 61
37. Shri Sant Ram Lumb vs Dewan Chand and Khazanchi Mal 1974 Vol. 3 J.B.C.I.
38. L vs A 1976 Vol. 5 J.B.C.I. 327
39. R. Sbramanian vs. S. Ramalingam 1974 Vol. 3 J.B.C.I.
40. T. Chevanthi vs A. Chidambara Nadar 1974 Vol. 3 J.B.C.I.
41. C Vs R 1976 Vol. 5 J.B.C.I. 222
42. A Vs Bar Council of Maharastra 1976 Vol 5 J.B.C.I.
43. Padmalochan Panda Vs Ganesh Mahapatr 1974 J.B.C.I. August 370.
44. G Vs S 1974 Vol 4 J.B.C.I. 216.
45. A Vs N Advocate 19100 Vol 4 J.B.C.I. 211
46. Ishwar Bapuji Sonavane Vs Disciplinary Committee of the Bar 1972 Vol 1 J.B.C.I. 111.
47. Rama Sankar Gupta Vs
  - 1) Bar Council of U.P.
  - 2) Advocate General of U.P.
  - 3) S. Hasan Ejaz 1973 Vol 3 JBCI 87
48. Bakhatawar Singh Liberam Advocate, Ambla Vs Gaide Ram S/O Ude Ram 1973 Vol 2 JBCI 2100.
49. Jitendra Mohan Gupta Advocate Vs Bar Council of Delhi and Others 1973 May JBCI 260.
50. X v. Y & Z 1973 Vol 2 (2) JBCI 227

\* \* \*

**Part- A Legal Theory and Sources of Law**

**Unit 1 Introductory :** Nature and meaning of Jurisprudence, Concept of Rules, Laws, Principles and precepts, significance of the study of legal theory.

**Unit 2 Natural Law Theories:** Ancient natural law, classical natural law, modern (20th century) natural law, some neo-naturalists-John Finnis, Fuller and Hart.

**Unit 3 Legal Positivism :**

- a. Bentham and John Austin's theory of positivism.
- b. Hart's concept of law.
- c. Kelsen's pure theory of law.
- d. Dworkin's right thesis.

**Unit 4 Sociological, Realist, Historical and Marxist School of Law :**

- a. Sociological school of law - Roscoe Pound.
- b. Realist school of law.
- c. Historical school of jurisprudence - Savigny and Maine.
- d. Marxist and Leninist approach to law.

**Unit 5** Legislation as a source of law

**Unit 6** Custom as a source of law

**Unit 7** Precedent as a source of law

**Part- B CONCEPTS OF LAW**

**Unit 8** Legal Right and Duties.

**Unit 9** Possession and Ownership.

**Unit 10** Obligation, Person and Liability.

**Unit 11 Concept and theories of justice:** Concept of justice, Theories of justice, Kinds of justice, distributive justice and Indian Constitution.

**SUGGESTED READINGS:**

1. Salmond - Jurisprudence. (N.M. Tripathi - Mumbai)
2. Dias - Jurisprudence. (Aditya Books, New Delhi)
3. Friedmann - Legal Theory. (Sweet & Maxwell, London)
4. G.S. Sharma (Ed.) - Essay In Indian Jurisprudence. (Jaipur)
5. Venkat Subba Rao - Legal Theory & Jurisprudence. (Eastern Book Co.)
6. C.K. Allen - Law In The Making (Oxford).
7. Bodenheimer - Philosophy of Law. (Oxford).
8. P. Raja Ram - Jurisprudence (Ashwin Publication, Chennai, 1998)

\* \* \*

## OPTIONAL-II

### A. BUSINESS LAW GROUP

#### PAPER 6 – INSURANCE LAW

100 MARKS

- Unit 1 Nature of Insurance contracts various Kinds of Insurance:** Proposal, Policy, Parties consideration almost good faith insulate interest indemnity.
- Unit 2 General principles of Law of Insurance:** Definition, nature and histories.
- Unit 3 Indian Insurance Law in General :** History and development
- a. The Insurance Act 1938
  - b. Insurance Regulatory Authority Act 2000.
- Unit 4 Mutual insurance companies & cooperative :**
- a. Life insurance societies.
  - b. Double insurance and re insurance.
- Unit 5 Marine Insurance :**
- a. Nature of the Contract
  - b. The Marine Adventure.
- Unit 6 Voyage change of voyage, deviation perils of Sea:** Definition, Excluded losses.
- Unit 7 Fire insurance :** Meaning of fire & Loss by fire Nature of Fire Insurance Contract standard fire policy.
- Unit 8 Life Insurance :**
- a. Formation of Life Insurance Contract
  - b. Insurable interest
  - c. Proposal and Policy
- Unit 9 Motor Vehicle Insurance:** Nature and Scope, Third Party or compulsory insurance of motor vehicles.
- Unit 10 Miscellaneous Insurance:** Nature & Scope Personal Accident insurance, Burglary Insurance Liability Insurance – Public Liability Insurance.

#### SUGGESTED READINGS:

1. Modern Law of Insurance-Ksn. Murthy & Dr. Kvs Sarma.
2. Principles of Insurance Law -M.N. Srinivasan.

\* \* \*



## OPTIONAL-II

### B. CONSTITUTIONAL LAW GROUP

#### PAPER 6 – HEALTH LAW

100 MARKS

##### Unit 1 Introduction :

- a. Right to Health- International Perspective
- b. Role of WHO
- c. Health as a Human Right
  - i. Constitutional perspective
  - ii. Fundamental Rights (Art-21 & 24)
  - iii. Directive principles of state policy (Art- 41,42)
  - iv. Fundamental Duties.(Art 51A(g))

##### Unit 2 Health: Legislative Perspective :

- a. Drugs and Cosmetic Act, 1940
- b. Environment Protection Act-1986
- c. Maternity Benefits Act,1961
- d. Medical Termination of Pregnancy Act,1971
- e. Mental Health Act,1987
- f. Narcotic Drugs and Psychotropic Substance, Act-1985
- g. Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994

##### Unit 3 Inter Relation of Law and Health :

- a. AIDS and the law
- b. Transplantation of Human Organs Act-1994 and rules 1995
- c. Health relating to Children
- d. Health relating to women – Reproductive rights and family planning

##### Unit 4 Medical Profession, Patient and the Law :

- a. Doctor and patient relationship
- b. Medical Negligence (Sec-304-A of I.P.C.) and Medical Malpractices.
- c. Consent and Informed Consent
- d. Confidentiality
- e. Duty to take care and duty to treat
- f. Medical Council Act,1956 and code of medical ethics 1972
- g. Euthanasia- Marcy killing- role of Doctor

##### Unit 5 Hospital Administration :

- a. Professional liability of Hospitals
- b. Civil liabilities –Tort
- c. Criminal liabilities- Indian Penal Code
- d. Contractual liabilities
- e. Statutory liability -Consumer Protection Act, 1986

**SUGGESTED READINGS:**

1. Bakshi P.M. Law and Medicine, [1993], UP Institute of Judicial Training and Research, Lucknow
2. Modi's Medical Jurisprudence and Toxicology, Lexis Nexis, Butterworth Publication.
3. M.L. Bhargava's Guide to Medical Laws Containing 37 Acts ,Laws and Regulations, Lawnann's Kamal Publishers New Delhi
4. Y.V. Rao, Law Relating to Medical Negligence, Asia Law House, Hyderabad.
5. Dr. Nandita Adhikari, Law and Medicine, Central Law Publication.
6. Dr. Lily Srivastava law and Medicine, Universal Law Publishing Co. New Delhi.

\* \* \*

### **THIRD SEMESTER OF LL.B. (3 YEAR) DEGREE COURSE**

#### **PAPER 1 FAMILY LAW – I (MARRIAGE, DIVORCE AND MATRIMONIAL DISPUTES) 100 MARKS**

##### **Unit 1 Nature, Sources and Schools of :**

- a. Hindu Law
- b. Muslim Law

##### **Unit 2 Marriage :**

- a. Hindu law: Nature, Essential Conditions, Ceremonies & Registration of Marriage
- b. Muslim law: Nature, Essential Conditions, Ceremonies & Registration of Marriage
- c. Christian and Parsi Law: Nature, Essential Conditions, Ceremonies & Registration of Marriage
- d. Special Marriage Act 1954: Nature, Essential Conditions, Ceremonies & Registration of Marriage

##### **Unit 3 Dower and Dowry :**

- a. Dower: Origin, Nature, Importance, Definition, Quantum, Classification of Dower, its Mode of Enforcement & Liabilities of the Parties
- b. Dowry: Definition, Offence of Dowry, Trials of Dowry Offences

##### **Unit 4 Matrimonial Disputes :**

- a. Nullity of Marriage: Distinction between Void and Voidable marriages, its grounds and effects under Hindu Muslim Christian Parsi and Special Marriage Act
- b. Judicial Separation: Grounds, effects and distinction between judicial separation and divorce under Hindu Muslim Christian Parsi and Special Marriage Act
- c. Restitution of conjugal rights: Provision and constitutional validity under Hindu Muslim Christian Parsi and Special Marriage Act

##### **Unit 5 Divorce :**

- a. Theories of Divorce: Fault theory, Consent theory, Breakdown theory(71st Law Commission Report)
- b. Hindu Law: Grounds of Divorce available to Husband & Wife, Grounds of Divorce available to Wife only, Legal Effects on Parties after Divorce
- c. Muslim Law: Talak-Unilateral Divorce, different modes of talak, grounds available under Dissolution of Muslim Marriage

Act,1939, legal effects on parties after divorce

- d. Christian, Parsi Law & Special Marriage Act 1954:Grounds of divorce and its legal effects on parties after divorce
- e. Divorce by Mutual Consent: Requirements and procedure under Hindu, Muslim Christian, Parsi Law and Special Marriage Act

**Unit 6      Miscellaneous :**

- a. Barsto Matrimonial Relief-Doctrine of strict proof, taking advantage of one's wrong, accessory, connivance, condonation, collusion, delay and any other ground
- b. Reconciliation: When necessary, duty of court, reconciliation machinery
- c. Family Courts: Concept, status, jurisdiction and procedure

**SUGGESTED READINGS:**

1. Paras Diwan, Family Law of Marriage and Divorce in India ,Allahabad Law Agency
2. Mullas, Principles of Hindu Law, Butterworth co.
3. Diwan Paras, Modern Hindu Law, Allahabad Law agency, Faridabad.
4. Subbba Rao, G.C.V., Family Law in India, S. Gogia and Co.
5. Kumud Desai, Marriage and Divorce in India, N M Tripathi, Mumbai
6. Mullas, Mohamedan Law, N M Tripathi, Mumbai
7. Tahir Mahmood, Muslim Law, Universal Law Publishing co. New Delhi
8. Aqil Ahmad, Mohammedan Law, Central Law agency, Allahabad
9. Singh Jaspal, Hindu Law of Marriage & Divorce, pioneer publication.
10. Kusum, Cases and Materials on Family Law, Universal Law Publishing co. New Delhi

\* \* \*

**Part- A Civil Procedure Code**

**Unit 1 Introductory:** Concept of civil procedure in India before the advent of the British rule, Evolution of civil procedure from 1712 to 1911, Principle features of the civil procedure code, Importance of State Amendments.

**Unit 2 Jurisdiction and Res Judicata :**

a. Jurisdiction - Meaning, Types, Objectives, Cause of action and Jurisdictional bar.

b. Res Judicata - Meaning, Conditions and applications, Difference between estoppel and res judicata, Constructive Res Judicata.

c. Foreign, Judgment - When not conclusive? Presumptions.

**Unit 3 Suits and institution of suit:** Concept of Law suit, Parties to suit (order I), Place of suing (Sec -15), Framing of suit (order II), Institution of suits (order IV), Summons (Sec - 27,28,31, Order IV, VI, IX), Service of foreign summons (Sec - 29), Power for order (Sec - 30 Order XI).

**Unit 4 Pleadings and Pleat :** Material facts, Forms of Pleading, Condition Precedent, Presumptions of law, Striking out or amendment, Particulars in money suits and suits for immovable property, Grounds of Limitation, Return of Pleat, Rejection of Pleat, Production and Listing of Documents, Written Statement, Counter Claim, Set off and Framing of Issues.

**Unit 5 Appearance and Examination :** Appearance, Ex. Parte Procedure, Default of Parties, Summoning and attendance of witnesses, Examination, Admissions, Production, Return of Documents, Hearing and Affidavit.

**Unit 6 Adjournments, Judgment and Degree:** Order XVIII, Adjournment - Judicial discretion and problems of arrears, Concept of judgment - Decree, interim orders and stay, Injunctions, Costs.

**Unit 7 Execution and Commissions :**

Concept of Execution, General principles of Execution, Power for execution of Decrees. (Sec -38-46), Procedure for execution, Enforcement : Arrest and Detention (Sec - 55-59), Attachment (Sec 60-64), Sale (Sec 65-67), The rationale of Commissions, Order XXVI.

**Unit 8 Suits in Particular Cases :**

a. Suits by or against government (Sec 79-82).

- b. Suits by Aliens and by or Against foreign Rulers.
- c. Suits relating to public matters (Sec 91-93)
- d. Incidental and Supplementary Proceedings (Sec 100-78, 94-95).

**Unit 9 Appeal, Review and Revision :**

- a. Concept and Meaning of appeal, Review and Revision.
- b. Appeals from Original Decrees. (Sec 96-99 A).
- c. Appeals from Appellate Decrees (Sec 100-103).
- d. Appeals from Orders (Sec. 104-106).
- e. General provisions relating to appeals (Sec 107-108).
- f. Appeals to the Supreme Court (Sec 109).
- g. Appellate Power of High Court in Civil Matters.

**Part- B Limitation Act.**

**Unit 10** Limitation Act - Historical background, Nature and scope of Limitation Act, Limitation of Suits, appeal and applications.

**Unit 11** Computation of period of limitation, Acquisition of ownership by possession

**SUGGESTED READINGS:**

1. Mulla - Code of Civil Procedure. (N.M.Tripathi)
2. A.C. Ganguly - Civil Court Practice and Procedure.
3. Mitra- Limitation Act.(Eastern Book Company)

\* \* \*

**PAPER 3 - INTERPRETATION OF STATUTES****100 MARKS**

- Unit 1** **Introductory:** Meaning & Objects of Interpretation, General Clauses Act.
- Unit 2** **General Principles of Interpretation :** Literal Rule, Golden Rule, Mischief Rule, Statute must be read as a whole, Statute to be construed to make it effective and workable, Omissions not to be inferred, Every word in a statute to be given a meaning.
- Unit 3** **Internal Aid to Construction:** Preamble, Definition, Sections, Heading, Marginal notes, Punctuations, Illustrations, Proviso, Explanation & Schedule.
- Unit 4** **External Aid to Construction:** Parliamentary History, Historical facts and surrounding circumstances, Socio-political & economic developments, Reference to other Statutes, Contemporaneous Exposition & other external aids.
- Unit 5** **Subsidiary Rules :** Same word same meaning, use of different words, Rule of Last Antecedent, Non obstante clause, Legal fiction, Mandatory and Directory Provisions, Conjunctive and Disjunctive words 'or' and 'and' ; construction of General words - Noscitur A Socis, Rule of Ejusdem Generis, Word of rank, Reddendo Singula Singulis etc.
- Unit 6** **Interpretation of Statute affecting Jurisdiction of Courts:** General Principles, the Extent of Exclusion of Jurisdiction of Superior Courts.
- Unit 7** **Interpretation of Penal and Taxing Statutes:** Rule of Strict Interpretation, General principle, Limits of the Rule of strict construction, Mens rea in statutory offences and Indian penal Code, Vicarious responsibility in statutory offences.
- Unit 8** **Interpretation of Remedial Statutes:** Distinction between Remedial and Penal statute, Liberal construction of Remedial statutes.
- Unit 9** **Commencement, Operation, Expiry and Repeal of Statutes :** Commencement, Effect of Expiry of Temporary Statutes, Express or Implied Repeal, Consequences of Repeal, Consolidating and codifying statutes.
- Unit 10** **Interpretation of Constitutional documents:** Rules of interpretation of constitutional documents as developed by the Courts in India.

**SUGGESTED READINGS:**

1. Rupert Cross - Statutory Interpretation, (London: Butterworths).
2. G.P. Singh - Interpretation of Statute (Eastern Book Company)
3. Maxwell - Interpretation of Statute. (Sweet & Maxwell).

\* \* \*

**PAPER 4 - PRACTICAL PAPER – II DRAFTING PLEADING AND  
CONVEYANCING** **100 MARKS**

**Unit 1 Drafting:** General principles and substantive rules of drafting. Fundamental Rules of Pleadings, Forms of Pleadings, Particulars, Alternative and Inconsistent Pleadings, Amendment, Frame of Suit, Parties to Suit, Complaint, Defense, Appeals, Applications, Affidavits.

**Unit 2 Pleadings :**

- a. Civil: i) Complaint (ii) written statement (iii) Interlocutory Application (iv) Original Petition (v) Affidavit (vi) Execution Petition and (vii) Memorandum of Appeal and Revision (viii) Petition under Articles 226 and 32 of the Constitution of India.
- b. Criminal: i) Complaints (ii) Criminal Miscellaneous Petition, (iii) Bail Application and (iv) Memorandum of Appeal and Revision.

**Unit 3 Conveyancing : (15 Exercises)**

- a. Sale Deed
- b. Mortgage Deeds
- c. Lease Deed
- d. Gift Deed
- e. Promissory Note
- f. Power of Attorney
- g. Will.

**Unit 4 Viva- Voce**

**SUGGESTED READINGS:**

1. Majumdar - Law Relating to Notices (Particularly Chapter 1 to 6)
2. Mogha-Drafting Pleading and Conveyancing. (Eastern Book Company)

\* \* \*



## **PAPER 5 - COMPANY LAW (AS PER COMPANIES ACT 2013) 100 MARKS**

### **Unit 1 Introduction :**

- a. Meaning, definition of company, characteristics of a company
- b. Lifting of corporate veil,
- c. Kinds of company- Limited by shares, Limited by guarantee, Public company, Private company, Listed company, Government company, Foreign company, Subsidiary company, One person company, Associate company
- d. Comparison of company with other association of persons such as Partnership firm, Hindu Undivided Family etc.

### **Unit 2 Formation of a Company :**

- a. Incorporation and Registration of a company, Procedure for Registration of company, Certificate of Incorporation, Commencement of business
- b. Pre- incorporation Contracts

### **Unit 3 Corporate Charter :**

- a. Memorandum of Association(MOA)- Meaning, Definition, Purpose and Significance, Contents of memorandum, Procedure for alteration, Doctrine of Ultra Virus
- b. Articles of Association(AOA)- Meaning, Definition and Significance, Contents of Articles, Model forms, Procedure for Alteration
- c. Relation of MOA and AOA, Legal effect of MOA and AOA
- d. Doctrine of Constructive Notice, Doctrine of Indoor Management-Royal British Bank Vs. Turquand, Exceptions to the rule

### **Unit 4 Prospectus :**

- a. Definition, Meaning, Object and Contents
- b. Abridged Prospectus, Shelf Prospectus, Red herring Prospectus, Misstatements in prospectus and their consequences

### **Unit 5 Promoter :**

- a. Definition and Meaning
- b. Position, duties and Liabilities

### **Unit 6 Membership of a Company :**

- a. Meaning, Definition and Qualification, Rights and liabilities of Member,
- b. Modes of acquiring Membership, Cessation of Membership, Register and Index of members.

**Unit 7 Share Capital :**

- a. Meaning of share Capital, Definition of share, Kinds of share, Allotment of shares
- b. Share certificate, Calls on shares, Forfeiture & Lien on shares
- c. Issue of shares at premium and discount, Issue of sweat equity shares, Issue of bonus shares
- d. Alteration & Reduction of share capital
- e. Transfer & Transmission of shares
- f. Buy – Back of shares

**Unit 8 Debentures :**

- a. Meaning, Definition and Kinds of debentures
- b. Debenture holder & his remedies, Debenture trust deed

**Unit 9 Borrowing Powers :**

- a. Ultra Virus borrowing
- b. Charges & Mortgages, Fixed & Floating Charge, Registration of charges, Effects of non-registration
- c. Deposits

**Unit 10 Meetings :**

- a. Requisites of valid meeting, Kinds of meeting
- b. Voting and Poll, Resolutions

**Unit 11 Directors :**

- a. Position and status of Directors
- b. Appointment, Qualification, Remuneration & Removal of director
- c. Powers, Duties & Liabilities

**Unit 12 National Company Law Tribunal & Appellate Tribunal :**

- a. Definitions and Constitution of NCLT & NCLAT
- b. Qualifications of President, Chairperson and Members
- c. Removal and resignation
- d. Orders & Appeal

**Unit 13 Majority Rule & Minority Rights :**

- a. Importance of majority rule
- b. Rule in Foss vs. Harbottle
- c. Exceptions to the majority rule
- d. Prevention of oppression and mismanagement

**Unit 14 Corporate Social Responsibility :**

- a. Importance, Mandatory spending
- b. CSR committee, Qualified CSR Activities, Failure to contribute

**Unit 15 Winding up :**

- a. Meaning, Modes of winding up
- b. Compulsory winding up by tribunal
- c. Appointment of official Liquidator, Powers and duties of Liquidator
- d. Consequences of winding up order
- e. Voluntary winding up
- f. Resolutions for winding up
- g. Declaration of solvency
- h. Preferential payments
- i. Dissolution of company

**SUGGESTED READINGS:**

1. The New Company Law, Dr. N. V. Paranjape, Central Law Publication
2. Guide to Companies Act 2013, Corporate Law Adviser
3. Companies Act 2013 Impact Assessment, Satwinder Singh, Corporate Law Adviser
4. Companies Act 2013 with Rules, Taxmann
5. Company Law by G.K. Kapoor ,Sanjay Dhamija ,Taxmann
6. A Comparative Study of Companies Act 2013 with Rules and Companies Act 1956, Taxmann
7. A Ramaiya Guide to the Companies Act, Ramaiya, Lexisnexis

\* \* \*

**OPTIONAL PAPER III**  
**A. BUSINESS LAW GROUP**

**PAPER 6 - MERGER AND ACQUISITION**

**100 MARKS**

**Unit 1 Corporate Restructuring :**

- a. Meaning, Concept, Objectives of Corporate restructuring and Modes of Corporate restructuring
- b. Different forms of corporate restructuring

**Unit 2 Corporate Restructuring under Company Law :**

- a. General Concepts under company Law- Definition of Company, Essential characteristics of company, MOA and AOA, Shares and its Kinds, Position of Promoters and Directors
- b. Merger or amalgamation of companies- Power of Tribunal, Procedure for Merger or Amalgamation, Procedure for Small Companies, Power of central government for amalgamation in Public Interest
- c. Acquisition under Company law- Power to acquire shares of dissenting shareholders, Purchase of minority shareholding, Organic restructuring under Company law, Alteration of capital, Reduction of capital, Buyback of shares

**Unit 3 Corporate Restructuring and Competition Law :**

- a. Objectives of Competition Act
- b. Regulation of Combination- Definition of combination, Combination Thresholds, Void Combinations, Procedure for investigation of combinations,
- c. Order of Commission, Appeals, Penalties

**Unit 4 Tax Aspects under Corporate Restructuring :**

- a. Stamp Duty Provisions- Meaning of Stamp Duty, Constitution and payment of Stamp Duty, Central and State laws on Stamp Duty, Levy of stamp duty, Payment of stamp duty on Order of High Court, Landmark Judgments, Exemption from Payment
- b. Amalgamation under Income Tax Act
- c. Provisions related to Capital Gains

**Unit 5 Amalgamation of Sick Companies :**

- a. Definition of Sick Company, Revival of sick companies
- b. Preparation of Scheme, Sanction of scheme

**Unit 6 Amalgamation and Foreign Exchange :**

- a. Basic concepts under FEMA
- b. FEMA 19

c. FEMA 20

**Unit 7 SEBI Regulations related to Corporate Restructuring :**

a. Listing Agreements

i. Meaning

ii. Clause 40 A & 40 B

b. SEBI Takeover Code

i. Definitions - Acquirer, Target Company, Control, Person acting in Concert

ii. Disclosures under SEBI Takeover Code

iii. Open offer Process, Trigger Points for open offer

iv. Exemptions

v. Procedure for open offer

**Unit 8 Due diligence :**

a. Concept and need

b. Various aspects for due diligence, Due diligence report

**SUGGESTED READINGS:**

1. The New Company Law, Dr. N. V. Paranjape, Central Law Publication
2. Mergers, Acquisitions and Corporate Restructuring, Prasad Godbole, Vikas Publication House Pvt. Ltd
3. Hand book on Mergers , Amalgamations and Takeovers Law and Practice, CCH Publication
4. Competition Law & Practice, D.P. Mittal, Taxmann
5. Bare Act Foreign Exchange Management Act 1999
6. Bare Act Companies Act 2013
7. SEBI Takeover Code 2011
8. About Corporate Restructuring, Dr.K.R. Chandratre , Bharat Law House Pvt. Ltd

\* \* \*

## OPTIONAL PAPER III

### B. CONSTITUTIONAL LAW GROUP

#### PAPER 6 - RIGHT TO INFORMATION

100 MARKS

- Unit 1 Introduction of Right to Information Act 2005:** History, Background, Objectives, Preamble of Right to Information Act 2005, Obligation of Public Authorities (Section 3 to 11)
- Unit 2 Right to Information in Global Perspective:** (World right to Know)
- United Nations and the Right to Information
  - The Commonwealth and the Right to Information
  - The Right to Information in USA
  - The Right to Information in UK
  - Rome Convention for the Protection of Human rights and Fundamental Freedoms, 1950
- Unit 3 Right to Information as Constitutional rights:** Protection of Article 19(1) (a), Right to privacy, Contempt of Court, Public Interest vis-à-vis Information
- Unit 4 The Central Information Commission : Constitutions,** Eligibility criteria and Process of Appointment, Term of office and Condition of Service, Removal of Informational Commissioner
- Unit 5 The State Information Commission :** Constitutions, Eligibility criteria and Process of Appointment, Term of office and Condition of Service, Removal of Informational Commissioner
- Unit 6 Power and Function:** Information Commission, Appeal and Penalties under Right to Information Act 2005
- Unit 7 Breach of Confidentiality and Privacy:** The Indian perspective an 'offence' under the Indian Information Technologies Act 2000
- Unit 8 Public Authority vis-à-vis Right to Information Act 2005:** Origin, History, Public Authority, right to Information, Breach of Duty to disclose by Public Authority
- Unit 9 Right to Information and E-Governance:** Electronic Information Dissemination, need for regulation, Jurisdiction in Cyberspace: Problem and perspective
- Unit 10 Right to Information and Other Acts, Reports, Bill :**
- The official Secrets Act, 1923
  - Public records Act 1993, Public records rules 1997
  - The Freedom of Information Act 2002
  - Reports of National Commission to Review the working of the Constitution ,2002(relevant provisions)

- e. 179th Report of Law Commissions of India on Public Interest Disclosure and protection of Informer ,2001(relevant provisions)
- f. The Public Interest Discloser (Protection of Informer Bill)2002

**SUGGESTED READINGS:**

1. The Right to Information Act Book, By Shruti Desai
2. The Right to Information Act,2005 By Dheera Khanawal &Krishna K. Khanawal
3. The Right to Information :Law-Policy-Practice By Rodney D Ryder
4. Handbook on The Right to Information Act By P.K.Das
5. Treaties on The Right to Information Act 2005 By Dr.Hiraj Kumar (2007)

\* \* \*

## FOURTH SEMESTER OF LL.B. (3 YEAR) DEGREE COURSE

### PAPER 1 - FAMILY LAW – II (MATRIMONIAL PROPERTY, GUARDIANSHIP & ADOPTION) 100 MARKS

#### Unit 1 Hindu Joint Family System :

- a. Coparcener
- b. Karta
- c. Classification of property
- d. Alienations of property
- e. Son's Pious Obligation

#### Unit 2 Partition :

- a. Subject matter of partition
- b. How partition is effected
- c. Reopening
- d. Reunion

#### Unit 3 Woman's Property: Stridhan :

- a. Concept of Stridhan & Woman's property
- b. Sources and features of Stridhan
- c. Provision under Hindu Succession Act, 1956

#### Unit 4 Succession :

- a. Hindu Law: Succession to the property of Hindu male & female, disqualification, General rules under Hindu Succession Act 1956
- b. Muslim Law: General principles, Sunni & Shia Law of Inheritance, Disqualifications
- c. Indian Succession Act: Rules for Christian and Parsi succession

#### Unit 5 Will :

- a. Muslim Law: Meaning, Requisites, Capacity, formalities, subject matter & revocation of will, Marz-ul-Maut
- b. Indian Succession Act: Provisions for Privileged and Unprivileged will,

#### Unit 6 Gift :

- a. Hindu Law: Gifts under Hindu Law, Hindu Religious & Charitable Endowments
- b. Muslim Law:
  - i. Hiba: Definition, essentials, capacity, subject matter, formalities, kinds, revocation of gifts



- ii. Wakfs : Definition, essentials, kinds, creation, revocation of wakf, Mutawalli

**Unit 7 Alimony and Maintenance :**

- a. Hindu Law: Maintenance of wife, children & parents under Hindu Law, Maintenance under S.125 Cr.P.C.
- b. Muslim Law: Maintenance of wife, children & parents under Muslim Law, Maintenance under S.125 Cr.P.C.
- c. Maintenance of wife, children & parents under Christian and Parsi Law, Maintenance under S.125 Cr.P.C.

**Unit 8 Custody, Guardianship and Parentage of Children :**

- a. Hindu Law: Guardianship of minor person and minor's property, Liabilities, Rights, Removal of guardians
- b. Muslim Law: Classification of Guardianship, Hizanat, Rights , Duties & Powers of Guardians

**Unit 9 Adoption:** Adoption under Hindu Law & other Personal Laws

**SUGGESTED READINGS:**

1. Paras Diwan, Family Law in India (1984).Allahabad Law Agency.
2. Diwan Paras , Modern Hindu Law, Allahabad Law agency, Faridabad.
3. Subzari's, Hindu Law(ancient &modified).Ashok Grover & Sons, Aurangabad
4. Mulla, Principles of Hindu Law, Butterworth co
5. Mulla, Mohammedan Law, NM Tripathi, Mumbai
6. Tahir Mahmood, Muslim Law, Universal Law Publishing co. New Delhi
7. Aqil Ahmad, Mohammedan Law, Central Law agency, Allahabad
8. Subbba Rao, G.C.V., Family Law in India, S. Gogia and Co.

\* \* \*

**Unit 1 Nature of International Law :**

- a. Its Origin, Definition and Basis of International Law
- b. Schools of International Law – Positivist, Naturalist, Communist (Recent Approach)

**Unit 2 Sources of International Law :**

- a. Treaties, Custom, General Principles of Law
- b. Judicial Decisions-Tribunals
- c. Other Sources of International Law-Reports of International Law Commission, United Nations Organization

**Unit 3 Relation between International Law and Municipal Law :**

- a. Conflict Between International Law and Municipal Law
- b. Monistic Theory and Dualistic Theory

**Unit 4 State In General :**

- a. Definition of State, Classification of States and Equality of States
- b. Diplomatic Privileges and Immunities

**Unit 5 Recognition of States :**

- a. Definition of Recognition and Forms of Recognition
- b. Recognition of Governments

**Unit 6 State Succession :**

- a. Meaning of Succession of States and Types of State Succession
- b. Consequences of State Succession

**Unit 7 State Territory, the Law of the Sea and Air Law :**

- a. State Territory, National and Territorial Waters, Maritime Belt
- b. Law of the Sea – First and Second Conference on the Law of the Sea, Third Conference on the Law of Sea, Territorial Sea
- c. Contiguous Zone, Continental Shelf

**Unit 8 Outer Space :**

- a. Outer Space Treaty 1966
- b. Prevention of Arms Race in Outer Space
- c. The Moon and other Celestial Bodies,

**Unit 9 Treaties :**

- a. Definition, Kinds of Treaties and Formation of Treaties
- b. Termination of Treaties, Reservations to Treaties

**Unit 10 Settlement of Disputes :**

- a. Amicable Means
- b. Compulsive (Coercive Means)

**Unit 11 International Court of Justice :**

- a. Composition and Jurisdiction of Court
- b. Law Applied by The Court
- c. Role of The Court In The Development of International Law

**Unit 12 International Terrorism :**

- a. Forms of International Terrorism
- b. Terrorism and United States
- c. Terrorism and National Measures
- d. Terrorism and Human Rights

**SUGGESTED READINGS:**

1. Dr. A.O. Agarwal – International Law
2. M.P. Tandan: Public International Law
3. Shaw – International Law

\* \* \*

**PAPER 3 - CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE ACT & PROBATION OF OFFENDERS ACT** **100 MARKS**

**Part- A CRIMINAL PROCEDURE CODE**

**Unit 1 Rationale of Criminal Procedure and Functionaries under the code :**

- a. The rationale of criminal procedure: Importance of fair trial, Constitutional perspective : Art - 14,20 and 21, Classification of offences under the Code.
- b. Constitution of Criminal Courts & offices (Sec. 1 to 40)

**Unit 2** Arrest of persons and process to compel appearance & production of things (Sec. 41 to 105)

**Unit 3** Security for keeping the peace & for good behaviour & provisions regarding bail (Sec. 106 to 124) Bail and Bond (Sec. 436 to 450)

**Unit 4** Proceedings for maintenance of wives, children and parents. (Sec. 125 to 128)

**Unit 5** Information to the Police & Powers to investing (Sec. 154 to 176)

**Unit 6** Jurisdiction and conditions of the Criminal Court in Inquiries and trial (Sec. 177 to 199)

**Unit 7** **Complaint to Magistrate:** commencement of proceedings before him. Sec 200- 210

**Unit 8** **Charge and Trial :**

- a. Charge (Sec. 227 to 253)
- b. Trial before a Court of Session (Sec. 225 to 237)
- c. Trial of warrant cases & summons cases by Magistrate Sec. 238 to 269
- d. Summary Trial Sec. 260 to 265

**Unit 9** Evidence in Inquiries and Trials and general provisions Sec 272 to 327

**Unit 10** **Appeal, Review and Revision :**

- a. Submission of death sentence for confirmation Sec. 366 to 371
- b. Appeal - 372 to 394
- c. Reference and Revision Sec. 395 to 405
- d. Transfer of Criminal Cases Sec. 406 to 412
- e. Execution, suspension, Remission and commutation of sentences (Sec 413 to 435)

**Part- B PROBATION ACT & JUVENILE JUSTICE ACT**

**Unit 11 Probation of offenders Act.** : Historical Background of the Indian Probation Act, Powers & Procedure of Court to release offenders under the Act, Probation officer and his functions.

**Unit 12 Juvenile Justice Act** : Meaning of Juvenile Delinquency, Juvenile Court - its Powers and functions, Treatment of Juveniles under the Act.

**SUGGESTED READINGS:**

1. R.V. Kelkar - Outline of Criminal Procedure (Eastern Book Company)
2. Ratanlal & Dhirajlal - Criminal Procedure Code.(Wadhawa, Nagpur)
3. Ved Kumari - Juvenile Justice Act. (I.L.I., New Delhi)
4. N.V. Paranjape - Law Relating to Probation of offenders in India.(Central Law Agency, Allahabad)
5. D.D.Basu - Criminal Procedure Code (Prentice - Hall, Calcutta)

\* \* \*

**Unit 1 Introductory Background of the Indian Evidence Law :**

- a. The Introduction of the British Principles of evidence.
- b. Problem of applicability of Evidence Act. Administrative Tribunals, Industrial Tribunals, Commission of Inquiry, Court Martial.
- c. Law Commission Report on the Evidence Act.

**Unit 2 General Principles. I (Preliminary) :**

- a. The principle items of judicial evidence - Facts in issue, Evidence - Testimony witness, Admissible hearsay statements, Documents, Things, relevant facts.
- b. The principal classifications of judicial evidence - Direct and circumstantial evidence, Primary and Secondary evidence, oral and documentary evidence.
- c. Facts must generally be proved, evidence-proved-proving disproving.

**Unit 3 General Principles II (Relevancy of Facts) :** The Doctrine of Res Gestae, (Sec - 6,7,8 & 10), Evidence of Common intention (Sec - 10), The Problems of Relevancy of otherwise Irrelevant facts (Sec - 11), Relevant facts for proof of custom (Sec - 13) Facts concerning bodies and mental state (Sec 14 & 15).

**Unit 4 General Principles III (Admission & Confession) :**

- a. General principles concerning admission (Sec. 17-23). Difference between "Admission" and "Confession".
- b. The problems of non-admissibility of confessions caused by any inducement, threat or promise (Sec - 24), Inadmissibility of confession made before a Police officer (Sec - 25).
- c. Admissibility of 'Custodial' Confessions (Sec. - 26), Admissibility of "Information" received from an accused person in custody with special reference to the problem of discovery based on " Joint statement" (Sec. - 27), Confession by co-accused (Sec - 30)

**Unit 5 Statement by persons who cannot be called as witnesses and relevance of other statements :**

- d. Dying Declaration - The justification for relevance of dying declaration (Sec - 32).
- e. Judicial standards for appreciation of evidentiary value of dying declaration, General Principles - (Sec 32 (2) to 32 (8)).
- f. Statement made under special circumstances - entries in books of account, statement in maps, charts, plans, public

record and Law books.

- g. Relevance of judgment of Court of Justice - General Principles (Sec 40-41) - Admissibility of Judgment in Civil and Criminal matters framed in collusion (Sec - 44).
- h. E. Relevancy of Opinions of Third Party - General principles (Sec - 45-50), who is an expert? Types of Expert Evidence, Opinion on relationship especially proof of marriage (Sec - 50), The problems of judicial defence to expert testimony.
- i. F. Relevance of Character in Civil and Criminal Cases - when it is relevant? Character affecting damages.

**Unit 6 Facts which need not be proved and presumptions as to documents :**

- a. The scope and justification of the doctrine of Judicial notice (Sec - 114). Facts which need not be proved, facts of which court must take judicial notice, facts admitted need not be proved.
- b. Meaning and classification of presumptions - Presumptions of legality, accuracy, legitimacy, marriage, death, formal admission old documents, Presumption about existence of certain facts. (Sec - 114). Presumption as to certain offences (Sec - 111A).

**Unit 7 Oral and Documentary Evidence :**

- a. General principles concerning oral Evidence (Sec - 59-60), and documentary Evidence (Sec - 67, 90).
- b. Public documents - Meaning, Kinds, Proof of documents.
- c. Presumptions as to Documents.
- d. General principles regarding exclusion of Oral evidence by documentary Evidence.

**Unit 8 Estoppel : Principle of estoppel under Sec. 115.**

**Unit 9 Witnesses:** Competency to testify Evidence as to the affairs of State (Sec 123), Professional Privileges (Sec 126,127 & 128) & Approver's testimony (Sec. 133).

**Unit 10 Chief - Examination and Cross - Examination:** General Principles of Examination in Chief, Cross and Re - Examination (Sec 135 -166). Leading Questions (Sec 141-143). Compulsion to answer question put to witness (Sec. 147, 153). Hostile witness (Sec 154). Impeaching credit of witness (Sec 155) Refreshing the memory of witnesses (Sec 158).

**SUGGESTED READINGS:**

1. Ratanlal & Dhirajlal - Law of Evidence.(Wadhawa, Nagpur)
2. Venkat Subbarao - Law of Evidence. (Eastern Book Company)
3. V. Sarthi - Law of Evidence. (Eastern Book Company)
4. P.S. A. Pillai - Law of Evidence. (Eastern Book Company)
5. Law Commission Report.
6. Cross - Law of Evidence. (Sweet & Maxwell)

\* \* \*



- Unit 1 Evolution of Law in Cyberspace:** Internet related Legal Issues  
Concept and Definitions of Cyberspace, Fundamental Components of Computer, Overview of Computer and Web technology, Application of Network, Origins of Internet and www, Communication through Internet, Internet related Legal Issues.
- Unit 2 Evolution of Cyber Crimes and Real World Cases :** Definition and Nature, Evolution of Cyber Crime, Classification of Cyber crimes, Reason for Computer Vulnerability, Computer Contaminant, Real World Cases - Online banking, Credit Card Frauds, Identity Theft, crimes relating to Social Networking websites and Social Media.
- Unit 3 Introduction to Indian Cyber Law :** Objectives and Scope of the Information Technology Act 2000, Regulation of Certifying Authorities, The Cyber Appellate Tribunal, offences and Penalties, Information Technology(Amendment) Act 2008
- Unit 4 National Cyber Security Policy, 2013 :** History, Aim and Objectives, Nature and scope, Strategies, Securing e-governance service, Cyber Terrorism and Cyber security, Promotion of research and development in cyber security.
- Unit 5 Judicial Analysis of Cyber Jurisdiction:** Definition of Jurisdiction in Cyberspace, Model for Jurisdictional Analysis, Personal Jurisdiction, Issue of Geography & Sovereignty, Freedom of Speech in Cyberspace.
- Unit 6 International Cooperation in fighting Cyber Crime:**
- a. United Nations
  - b. The Council of Europe Convention on Cyber Crime
  - c. Position in UK
  - d. Position in US
- Unit 7 Intellectual Property Issues and Cyberspace:** Concept and nature of Intellectual property, Copyright and the Internet, Liability of Domain name registrant, Trademark issues in Cyberspace, Status of Computer Software's under Patent Law.
- Unit 8 Authentication of Electronic Records and Electronic Governance:** Formation of Electronic Contract, Legal issues in Cyber Contract, and E Commerce, Digital Signature, Problems in Taxing E-Commerce, Electronic Governance: Legal Recognition of Electronic Record.
- Unit 9 Admissibility of Digital Evidence:** Concept of Digital Evidence, Conditions for the admissibility of Digital Evidence, Examination of a witness by video conference, Changes in the Evidence Act.
- Unit 10 Liabilities of an Internet Service Provider in Cyberspace:** Due Diligence to be observed by intermediary, Information technology

(Intermediaries Guidelines) Rules, 2011, Cases in which ISP can be exempted from liability in India.

**SUGGESTED READINGS:**

1. Information Technology (Amendment) Act, 2008, Bare Act Taxmann, Delhi.
2. Dr. Jyoti Rattan, "Cyber Laws & Information Technology". 2nd Edition, Bharat Law House Pvt Ltd. New Delhi .
3. Dr.R .K.Chaubey," An Introduction to Cyber Crime and Cyber Law", Kamal Law House.
4. Dr.Farooq Ahmad., "Cyber Law In India (Law on Internet)", Pioneer Books, Delhi.
5. Justice Yatindra Singh., "Cyber Laws". 2nd Edition, Universal Law Publishing Co.Pvt.ltd., Delhi .
6. Kamath Nandon, "Law Relating To Computers, Internet & E-commerce", Universal Law Publishing Co.Pvt.ltd., Delhi.
7. Matthan Rahul, "Law Relating To Computers and The Internet", Butterworths, Delhi.
8. Ojha Avadhesh, "Commentary on Information Technology Act-2000", Tax Law Pub., Jodhpur.
9. Rao S.Joga, "Computer Contracts & Information Technology Law", Wadhwa Co., Nagpur.
10. Satya Prasad, "Law Relating to Information Technology (Cyber Laws)" T.V.R.,1st edition, Asia Law House.

\* \* \*

**OPTIONAL PAPER IV**  
**A. BUSINESS LAW GROUP**

**PAPER 6 - COMPETITION LAW AND PRACTICE**

**100 MARKS**

**Unit 1 Introduction :**

- a. Economic Reforms and Industrial Policy 1991
- b. Competition Advantages & Disadvantages
- c. Need of Competition Regulations

**Unit 2 Competition Law :**

- a. Historical Background
- b. Sherman Act, 1890
- c. Federal Trade Commission Act, 1914
- d. Competition Law of The European Union
- e. U.K. Competition Act, 1998

**Unit 3 Monopolies & Restrictive Trade Practices (MRTP) Act, 1969–  
Indian Laws :**

- a. Salient Features
- b. Scheme of The Act
- c. Unfair Trade Practices
- d. Categories

**Unit 4 Powers and Functions of The MRTP Commission :**

- a. Compensation For Loss
- b. Damages
- c. Non Compliance offence

**Unit 5 Competition Act, 2002- Overview :**

- a. Object of The Act, Scheme, Salient Features
- b. Establishment of Competition Commission of India
- c. Competition Advocacy
- d. Competition Fund

**Unit 6 Competition Anti Competitive Agreement :**

- a. Horizontal and Vertical Agreement
- b. Klor's Inc. Case
- c. General Motor Case

- Unit 7 Intellectual Property Rights & Anti- Competitive Agreement :**  
Copy Right, Patent and Competitive Agreement
- Unit 8 Competition :** Acquisition, Merger and Amalgamation
- Unit 9 Competition :** Competition Commission of India and Appellate Tribunal
- Unit 10 Commission :** Powers and Functions
- Unit 11 Judicial Acquisition and Competition Act**

**SUGGESTED READINGS:**

1. Taxmann's Competition Law & Practice, D.P. Mittal
2. Competition Law in India, Abhir Roy, Jayant Kumar

\* \* \*

**OPTIONAL PAPER IV**  
**B. CONSTITUTIONAL LAW GROUP**

**PAPER 6 - GENDER JUSTICE AND FEMINIST JURISPRUDENCE**

**100 MARKS**

- Unit 1      **Historical Evolution:**** Feminism and Feminist Movement in India, Europe and America.
- Unit 2      **Global Standards of Gender justice :**** I - United Nations and Equality of Women, UN Sub-Commission on the Status of Women, ILO and women - equal pay for equal work, maternity protection, prohibition of the night work of women. Universal Declaration of UN and Women's equality - Art 21, Provisions under the International Convention on Political & Civil Rights, Provisions under the International Convention on Social, Economical & Cultural Rights 1966.
- Unit 3      **Partriarchical elements and inequalities based on sex and gender in traditional Hindu Society :**** Sati, Female infanticide, dowry, prostitution, child marriage etc.
- Unit 4      **Feministic Critique of Constitution and Constitution Making :****
- a. Constitution contents no special heading 'Women' six provisions relating to women.
  - b. Fundamental Right against Exploitation (Art - 23) non inclusion of exploitation of women - domestic Labour no recognition or value given.
  - c. Different personal Laws - unequal position of women, movement of uniform civil code.
- Unit 5      **Critique of Divorce and Marriage Law :**** Discriminatory Provisions under Hindu, Muslim Law and Christian Law.
- Unit 6      **Critique of Criminal Law :****
- a. Adultery.
  - b. Rape.
    - i. Critique of law relating to Employment and Labour Conditions.
    - ii. Discriminatory provisions under Guardianship, Adoption and Maintenance Law.

**SUGGESTED READINGS:**

1. Bina Agrawal- Structures of patriarchy (Introduction).
2. Kamla Bhasin and Nighat Said Khan - Some questions of Feminism and its Relevance in South Asia.
3. South Asia.
4. Maria Mies - Patriarchy and Accumulation on a World Scale.
5. S. K. Kuba - Status of Women in International Law.
6. Alison M, Jaggar - Feminist Thought and Human Nature (Sussex, Harvester Press).
7. Ratna Kapur & Brenda Cossman - Sub verte Sites - Feminist engagements with law in India (Sage Publication New Delhi 1992).

\* \* \*

## **FIFTH SEMESTER OF LL.B. (3 YEAR) DEGREE COURSE**

### **PAPER 1 INTELLECTUAL PROPERTY LAW**

**100 MARKS**

#### **Unit 1 Meaning, Evolution & Scope of Intellectual Property :**

- a. Introduction of Intellectual Property
- b. Rights, Property Rights & Intellectual Property Rights, Types of Intellectual Property
- c. WTO, TRIPS, WIPO, & Indian Intellectual Property Law.

#### **Unit 2 Patent Act 1970 :**

- a. Concept and History of Patent in India, Essential Features of Patents, Specifications, Patent in Addition.
- b. Non Patentable Inventions, Types of Patent.

#### **Unit 3 Registration and Licensing of Patents :**

- a. Procedure for application, Effects of registration of Patents.
- b. Rights and obligations of patentee.
- c. Mode of assignment, licencing and its effects, Concept of compulsory licensing, and circumstances when it can be issued.
- d. Novartis AG v Union of India, Bayer v Natco and other landmark cases.

#### **Unit 4 Infringement of patents, remedies :**

- a. Concept of infringement, Remedies available in cases of infringer, Defenses available in case of infringement of patents.
- b. Controller and his powers.
- c. Intellectual Property Appellate Board.

#### **Unit 5 Patents Act and living organisms :**

- a. Concept of Biotechnology, Status of biotechnology patent in India.
- b. Ever greening of patents, Sui Generis, Pharmaceutical patents

#### **Unit 6 Trade Mark Law:**

- a. Concept of Trademark, Functions & Utility of a trade mark
- b. Associate Mark & Collective Mark
- a. Salient features of Designs Act 2000, Conflict between Trade mark & Design.

#### **Unit 7 Registration, Infringement, Piracy & Passing off :**

- b. Registration procedure of Trade mark & Industrial Design, Infringement & remedies for infringement,

- c. Piracy of registered design, Passing off remedy for unregistered trade mark & designs
- d. Service Mark, Function, GATT & GATS
- e. Assignment & Licensing

**Unit 8 Copyright Law :**

- a. Meaning, application, Subject matter and nature, Copyrightable matter, Qualification for copyright subsistence.
- b. 2013 Amendment and recent trends relating Copyright

**Unit 9 Registration, Infringement & Transfer of Copyrights :**

- a. Registration procedure with the Registrar
- b. Infringement & Infringement remedies, Defenses against Infringement
- c. Assignment & Licensing provisions

**Unit 10 Law relating to Geographical indications and trade secret :**

- a. Concept of Trade secret, Position of trade secret in India and reasons for its non development
- b. Concept of Geographical indications.
- c. Infringement and remedies.

**Unit 11 International perspective of Intellectual property and its impact on India: UCC, Berne Convention, PCT, Paris Convention**

**SUGGESTED READINGS:**

1. Dr. G. B Reddy: Intellectual Property and the Law
2. Vikas Vashisht: Law and Practise of Intellectual Property in India.
3. Dr. B. L Wadhwa : Intellectual Property Law Handbook
4. Dr. Jayant Lahiri : Lectures on Intellectual Property Law
5. Dr. P Narayanan: Intellectual Property Law
6. Dr.S.R Myneni : Law of Intellectual Property
7. Bibek Debroy (Editor) : Intellectual Property Rights
8. CCH India : Intellectual Property Rights Case Digest

\* \* \*



**PAPER 2 PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT  
AND EASEMENT ACT** **100 MARKS**

**Part- A PROPERTY LAW & TRANSFER OF PROPERTY**

**Unit 1 Concept of Property Under Indian Law :**

- a. Concept, Meaning, Nature & Scope of Property
- b. The Law of Property under Jurisprudence-Corporal and Incorporeal, Movable & Immovable, Real and Personal, Public and Private.
- c. Modes of Acquisition of Property-Possession, Agreement, Prescription & Inheritance.
- d. Concept of Property Under Sales of Goods Act- Mode of Transfer-Differentiate it From transfer of property
- e. Position of Property under The Constitution-Article 300 A, Scope and Limitations.

**Unit 2 General Principles Relating to Transfer of Property :**

- a. Meaning of Transfer- Concept of Possession and Ownership – Living Person- Definition of Property –Essentials of Valid Transfer-Transferable and Non-Transferable Property.
- b. Conditional Transfers-Transfer For The Benefit of Unborn Person-Rule Against Perpetuity- Vested Interest- Contingent Interest.
- c. Doctrine of Election and Apportionment- Transfer By Ostensible Owner- Benami Transaction Act 1988—Concept of Feeding The Estoppels By Grant.

**Unit 3 General Principles Relating to Transfer of Property Law :**

- a. Doctrine of Notice- Types of Notice- Importance of Notice.
- b. Transfer of Property Pending Suit Relation Thereto I.E. Doctrine of Lis-Pendens –Basis- Effect and Essential Conditions of Lis-Pendens.
- c. Fundamental Transfer
- d. Doctrine of Part Performance

**Unit 4 Specific Transfers: I - Mortgages of Immovable Property. Rights and Liabilities of Mortgagor and Mortgagee and Charge**

**Unit 5 Specific Transfers II -**

- a. Sale of Immovable Property,
- b. Lease of Immovable Property

**Unit 6 Specific Transfers III -**

- a. Gifts
- b. Assignment of Actionable Claims
- c. Exchange

**Part- B EASEMENT ACT**

**Unit 7 Easement Act - I:** General Principles, Imposition, Acquisition and Transfer of Easement, Incidents of Easement.

**Unit 8 Easement Act - II:** Disturbance of Easement and The Extinction, Suspension and Revival of Easements and Licenses.

**SUGGESTED READINGS:**

1. Indian Law Institute - Property and Property Relation In India.
2. S.M. Shah - Principles of The Law of Transfer.(N.M.Tripathi)
3. Khanna and Bakshi - Mulla on Transfer of Property Act. 1882.
4. P.S. Narayan - Indian Easement Act 1882.

\* \* \*

- Unit 1     **Introductory:**** Nature and Scope of Administrative Law.
- Evolution and Development of Administrative Law-India, UK, USA & France.
  - Rule of Law, Doctrine of Separation of Powers.
- Unit 2     **Delegated Legislation:**** Reason for growth of delegated legislation in India, Constitutional limits, Control Mechanism of delegated legislation- Judicial, Legislative, Procedural, Sub-delegation.
- Unit 3     **Administrative Adjudication:**** Reason for growth & it's need; structure and procedure of adjudicatory bodies; tribunals in some special areas, e.g. tax assessment, labour laws, railway rates tribunal.
- Unit 4     **Principles of Natural Justice :****
- Concept, Evolution & Importance
  - Application of Natural Justice
  - Rule against Bias and Rule of Fair Hearing-reasoned decision; institutional decision.
- Unit 5     **Judicial control of administrative action through writs :****
- General conditions for the issuance of writ.
  - Writ of Certiorar & Mandamus.
  - The scope of review of administrative actions through writs
  - High Court : Power of Superintendence (Article 227).
- Unit 6     **Administrative Discretion :****
- Meaning & Definition.
  - Control of Administrative Discretion.
  - Special leave to appeal.
- Unit 7**
- Public Undertaking: Reason for autonomous bodies; types, controls - Parliamentary, judicial and governmental.
  - Power of investigation and inquiry: under Statutes, under Commissions of Inquiry Act, 1952 and kinds of power to obtain information.
- Unit 8**
- Statutory judicial remedies, Ordinary civil remedies, special remedies under certain statutes, injunctions, declaratory actions.
  - Exclusion of judicial review.
- Unit 9     **Liability of the Administration :****
- Contractual Liability of the Administration-Constitutional & Other Provisions
  - Tortious Liability of the Administration-Constitutional & Other Provisions
  - Government privileges in legal proceeding & Promissory Estoppel
- Unit 10    **Ombudsman in India :**** Vigilance Commissions

**Unit 11 Emerging Trends in Administrative Law :**

- a. Administration & Good Governance-Corruption-Prevention of Corruption Act
- b. Right to Know-Right to Information Act, 2005

**SUGGESTED READINGS:**

1. M.P. Jain & S. N. Jain - Principles of Administrative Law (N.M.Tripathi)
2. Prof. Kailash Rai – Principles of Administrative Law
3. M.C. Jain, Kagzi & Balbir Singh – A Case Book of Administrative Law.
4. M.C. Jain, Kagzi – The Administrative Law.
5. Dr. I.P. Massey - Principles of Administrative Law.
6. S.P.Sathe - Administrative Law.
7. H.W.R. Wade - Administrative Law.
8. O Hood Philips & Jackson – Administrative Law

\* \* \*

**PAPER 4 - PRACTICAL PAPER –III (MOOT COURT, PRE TRIAL PREPARATIONS AND PARTICIPATION IN TRIAL PROCEEDINGS) 100 MARKS**

- Unit 1 Moot Court (30 marks) :** Every student will do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problems and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.
- Unit 2 Observance of Trial in two cases, one Civil and one Criminal (30 Marks) :** Students will attend two trials in the course of the last 2 years of LL.B. studies. They will maintain a record and enter the various observations made during their attendance on different days in the court assignment. This scheme will carry 30 marks.
- Unit 3 Interviewing techniques and Pre trial preparations (30 marks):** Each student will observe two interviewing sessions of clients at the Lawyers 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 brief by the Advocate and the procedure for the filling of the petition. This will be recorded in the diary.
- Unit 4** The fourth component of this paper will be **Viva Voce** examination on all the above three aspects. This will carry (10 marks.)

\* \* \*

**Unit 1 Introduction to Law & Management :**

- a. Meaning and Classification of Law, Function of Law, Sources of Law
- b. Basics of Administrative Management
- c. Concepts and Evolving Areas: Interface Between Law and Management, Economic Analysis of Law. Accounting For Law

**Unit 2 Public Administration :**

- a. Theories and Methodologies
- b. Concept of Governance
- c. Introduction to E-Governance & Its Concepts
- d. Best Practices of Governance-Case Studies

**Unit 3 Introduction to Judicial System :**

- a. Understanding Indian Legal System
- b. Judicial Process and The Court Structure
- c. The Constitutional Role of Judiciary
- d. Administration of Justice (Civil and Criminal With Special Reference to C.P.C, Cr.P.C, Indian Evidence Act & Limitation Act)
- e. Alternate Dispute Resolution System
- f. Judicial Review, Independence of Judiciary, Writ Jurisdiction and Public Interest Litigation.
- g. Judicial Reforms
- h. Judicial Conduct and Disciplines

**Unit 4 Court Management and Practices :**

- a. Justice Theories, Justice Delivery System and Justice Management
- b. Cash Flow Management and Docket Control and Calendaring, Judicial Responsiveness Management
- c. E-Court Management: Role of ICT In Courts. Application of Ict to Court Administration
- d. Management of Court Personnel and Leadership: Staff Control and Supervision.
- e. Management of Court and Administrative Records: Maintenance of Registers Supervision and Accuracy of Returns, Court Accounts and Financial Matters Including Financial Rules, Correspondence With Superior Courts, Government and High Court Circulars
- f. Civil and Criminal Manuals
- g. Alternative Dispute Resolution System and Process, Lok Adalat, Legal Aid.

**Unit 5 Legal Research, Analysis and Reporting :**

- a. Law and Logic
- b. Judicial Reasoning and Case Briefing
- c. Reading Law: Statutory Interpretation
- d. Legal Research, Legal Analysis, and Legal Writing

- e. Introduction to Law Libraries, Legal Authority Retrieval, and Citations
- f. Research Skills, Ethics and Standards

**Unit 6 Ethics, Integrity and Aptitude :**

- a. Legal Profession
- b. Professional Codes and Ethics
- c. Access to Justice
- d. Judicial Code of Conduct and Integrity
- e. Court Manners and Etiquettes

**Unit 7 Legal Skills and System :**

- a. Communication Techniques
- b. Organizational Behavior and Soft Skills
- c. Drafting Skills-Relevance In Legal Profession.

**SUGGESTED READINGS:**

1. Benjimin N Cardozo, The Nature of The Judicial Process, Universal Law Publishing Company Ltd. 2010
2. Dr. Kailash Rai, Moot Court, 2<sup>nd</sup> Edition, Central Law Publication.
3. Avtar Singh, Introduction to Jurisprudence, Eastern Book Company.
4. M P Jain, Constitution of India, Wadhawa Publication, Nagpur
5. Paranjape, Criminology and Penology.
6. Ict Training
7. Cpc, Cr.P.C. Evidence Act Relevant Provisions.
8. Civil and Criminal Manual

\* \* \*

**OPTIONAL PAPER V**  
**A.BUSINESS LAW GROUP**

**PAPER 6 - DIRECT TAX**

**100 MARKS**

**A INCOME TAX ACT 1961**

- Unit 1**     **Definitions (Sec 2)** : Agricultural Income, Assessee, Previous Year, Assessment Year, Income, Person
- Unit 2**     Basis of Charge, Scope of Total Income & Residential Status of different Assesses, Exempted Income
- Unit 3**     **Computation of taxable income under different heads of Income :**  
a) Salaries  
b) Income from House Property  
c) Profit and Gains from Business or Profession  
d) Capital Gain  
e) Income from other sources
- Unit 4**     Clubbing of Income, Aggregation of Income and setoff and carry forward of losses, deductions from total income, rebate & relief
- Unit 5**     Advance Tax, Deduction and collection of tax at source, Assessment
- Unit 6**     Income Tax Authorities, Refunds, Appeals & Revision, offences & Penalties  
a) Wealth Tax Act 1957
- Unit 7**     **Definitions:** Valuation Date, Net Wealth, Assessee, Person, Assets Scope of Liability to Wealth Tax or Incidence of Tax (Sec 6)
- Unit 8**     Deemed Assets, Exempted Assets, Valuation of Assets, Penalty, Appeal & Revision  
a) Profession Tax Act 1975
- Unit 9**     Certificate of Registration, Enrolment, Exemption from Profession Tax, Rate of Profession Tax, E- Filing of Returns under Profession Tax

**SUGGESTED READINGS:**

1. Taxman's Direct Taxes, Law & Practice By Vinod Singhania
2. Direct Tax Law By Manoharan T.N
3. Direct taxes By Melhotra and Goel
4. The Maharashtra State Tax on Professions By PL Subramanian

\* \* \*



**OPTIONAL PAPER V**  
**B. CONSTITUTIONAL LAW GROUP**

**PAPER 6 - LAW ON EDUCATION**

**100 MARKS**

**Unit 1 International law and Right to Education :**

- a. Convention against Discrimination in Education, 1960.
- b. International Bill of Rights and Right to Education.
- c. Regional Legal Instruments.
- d. Role of UNO's Specialized Agencies.

**Unit 2 Development of Right to Education in India :**

- a. Elementary Education
- b. Secondary Education
- c. Technical Education
- d. Adult Education
- e. Teachers Education and training
- f. National Policy on Education, 1986
- g. Right of Children to Free and Compulsory Education Act, 2009
- h. The Constitution (Eighty-sixth Amendment) Act, 2002

**Unit 3 Recent Development in Women's Education in India :**

- a. UGC policy and Programmes on Women's Education
- b. Legislations on Women Education
- c. Role of Judiciary in Protection and Promotion of Women's Education
- d. Education Among Rural Girls in India
- e. MHRD and Women's Education.

**Unit 4 Judiciary and Right to Education: An Overview**

**Unit 5 Problems of Higher Education**

**Unit 6 Privatisation of Education :**

- a. Privatization : Causes and Consequences
- b. Privatization of Professional Education
- c. Cases Against Privatization
- d. Accessibility and Accountability in Education
- e. Impact of Privatisation on Globalization
- f. Privatization and Law

**Unit 7 Professional Bodies for Quality Improvement :**

- a. Role of University Grant Commission
- b. Other Professional Bodies
- c. Problem of Co-ordination

**Unit 8    Role Performed by Different Commissions and Committees :**

- a. Law Commission of India
- b. Kothari Commission
- c. Yashpal committee
- d. Hurtog committee
- e. National Knowledge Commission

**SUGGESTED READINGS:**

1. History and Development of Elementary Education in India, D.D. Agarwal.
2. Fifty Years of Higher Education in Education the Role of University Grant Commission, Amrik Singh.
3. Higher Education in India Development and Problems, B. Deka,
4. Problems of Education in India, Ram Nath Sharma, Rajendra K. Sharma.
5. History of Modern Indian Education, J. C. Agarwal,
6. Development of Education in India, S.P. Agarwal.
7. Women's Education in India, S. P. Agarwal.
8. Education in India, M. Dash.
9. Decentralization and Privetisation in Education, Josef Zajda.
10. Privatization of Education, N Ramnath Kishan.
11. The Protection of The Right To Education By International Law, Klaus Dieter Beiter.

\* \* \*

## SIXTH SEMESTER LL.B. 3 YEAR DEGREE COURSE

### PAPER 1 - LABOUR LAWS

100 MARKS

#### **Unit 1 Historical Perspective on Labour and Labor Legislation :**

- a. Labour Laws- Concept, Origin, Objectives and Classification
- b. International Labour Organisation- Genesis, development and dimensions, aims and objectives, Organs of the International Labour Organisation

#### **Unit 2 Industrial Disputes Act, 1947 :**

- a. Definition, Authorities for the settlement of disputes, methods of settlement, collective bargaining, conciliation, arbitration and adjudication.
- b. Scope of Industry, Workmen, Employers, Industrial Disputes, Authorities under the Industrial Dispute Act, 1947; Procedure, Power and Duties of Authorities, Reference of Disputes to Boards, Courts or Tribunals.
- c. Strike, Lock Out, Lay off, Retrenchment and Closure Unfair Labour Practices, Penalties, offences by Companies etc.

#### **Unit 3 The Trade Union Act. 1926 :**

- a. Collective Bargaining- Concept and Process, Legal control, Factor affecting collective bargaining, Merit and Demerit of collective bargaining
- b. History and Development of Trade Union Movement with reference to India, Registration of Trade Union, cancellation of registration, Rights and Liabilities of Registered Trade Union, Penalties and procedure, Powers and duties of Labour officers, Penalties and procedure

#### **Unit 4 The Factories Act, 1948 :**

- a. Definition of factory, Manufacturing process, Worker, Occupies,
- b. Health, welfare and safety provisions under the Act
- c. Employer's liability- liability for hazardous and inherently dangerous industries

#### **Unit 5 The Payment of Wages Act, 1936 :**

- a. Responsibility for payment of wages.
- b. Authorised deductions of wages and delay in payment.

- c. Obligations of employer and employee
- d. Offences, their trial procedure and penalties.
- e. Enforcement machinery under the Act- their powers and functions.

**Unit 6 The Minimum Wages Act, 1948 :**

- a. Theories and Concept of Wages , Aims & Objects of Act, Definition, Fixation & Revision of rates of Wages, Working Hours and Determination of Wages and Claim etc.
- b. Authority appointment & Powers of the Authority.
- c. offences and penalties and Exemptions
- d. Concepts of Dearness Allowance and Principles for determination of Dearness allowances

**Unit 7 Employee's Compensation Act, 2010:**

- a. Definitions, Aims & Object, Liability of Employer, Notional Extension & Defenses, Determination of Amount of Compensation, Compensation when due-Penalty for default, Contracting Out ,
- b. Commissioner for Employees' Compensation- his duties, powers and procedure

**Unit 8 The Maternity Benefit Act, 1961:**

- a. Applicability, Nature of benefits and privileges available under the Act
- b. Procedure for claiming payment
- c. Inspectors – their powers and functions. Penalties.

**Unit 9 Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practice Act, 1971 :**

- a. Authorities under Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practice Act, powers and duties
- b. Unfair Labour Practices
- c. Penalties and Procedure

**SUGGESTED READINGS:**

1. Dr. V. G. Goswami, Labour & Industrial Laws
2. S. N. Misra, Labour and Industrial Laws
3. S. P. Jain, Industrial and Labour Laws

4. Avtar Singh & Harpreet Kaur, Introduction to Labour and Industrial Laws
5. P. L. Malik, Handbook of Industrial and Labour Law
6. S. R. Myneni, Labour Laws
7. S. R. Samant, Employer's guide to Labour Laws
8. Taxman's Labour Laws
9. Adv. S. R. Bhosale, Law of Industrial Disputes
10. R. C. Saxena, Labour Problems and social Welfare(1974)
11. S. C. Srivastava, Social Security and Labour Laws (1985)
12. K. M. Pillai, Labour and Industrial Laws

\* \* \*

**Unit 1 Concept of Nature, Environment & Eco-system :**

- a. Nature, scope, need and application of Environmental law
- b. Environmental pollution - causes and effects
- c. Study of Ecological Cycle

**Unit 2 Constitutional Provisions and Environmental legislations :**

- a. Right to life, Right to Wholesome environment, Right to development, Right to clean & decent environment, Directive Principles of State Policy, Fundamental Duties,
- b. Environment Protection and Public Interest Litigation

**Unit 3 Common Law aspects of Environmental Protection :**

- a. Traditional remedies under Law of Torts for Nuisance, Negligence and Strict Liability
- b. Remedies under Specific Relief Act - Reliefs against Smoke and Noise Pollution.
- c. Writ Jurisdiction under Art 32 and 226 and Public Interest Litigation.

**Unit 4 International Environmental Regime :**

- a. Sustainable Development, Polluter-Pays-Principle, Precautionary Principle
- b. Salient features and critical study of Stockholm Conference on Human Environment, 1972
- c. Copenhagen Conference on Environment and Development, 1995
- d. Rio-Conference on Environment and Development, 1992 (Earth Summit)
  - i. Rio Declaration
  - ii. Convention on Biological Diversity, The Indian Biological Diversity Act 2002
  - iii. Convention on Climate Change 1992

**Unit 5 Environment Protection Act. (1986) :**

- a. Environment Protection Rules, Coastal Zone Regulation, ECO-Mark
- b. Environment Impact Assessment, Environmental Audit
- c. Public Participation in Environmental decision making, Environment information, public hearing
- d. Regulation on Bio-Medical Waste.

**Unit 6 Problems of Environmental Pollution, Control Measures and Acts :**

- a. Environment Pollution - Causes and effects
- b. Environment Pollution Control Mechanism

- i. Air (Prevention and Control of Pollution) Act
- ii. Water (Prevention and Control of Pollution) Act
- c. Protection of Wild Life and Forests
  - i. The Wild Life (Protection) Amendment Act, 2006
  - ii. The Indian Forest Act, 1927
  - iii. The Forest (Conservation) Act, 1980
- d. National Environmental Tribunal and National Environmental Appellate Authority.

## **Unit 7 Important Decisions of High Courts and The Supreme Court**

### **SUGGESTED READINGS:**

1. Environmental Law, Jaswal P.S. and Jaswal Nishtha, (Ed 3), Allahbad Law Agency, 2012
2. Environmental Law, Prof. Satish C. Shastri, (Ed. 4), Eastern Book Company, Lucknow, 2012
3. Commentaries on Water and Air Pollution and Environment Laws, Lal C. S. (Ed. 3), Law Publishers (India) Pvt. Ltd. Null, 1997
4. Cases and materials on Environment and Pollution Laws, Lal C. S. (Ed.4), Law Publishers (India) Pvt. Ltd. Allahabad, 2003
5. Cases and Material on Environmental Law and Policy in India. Rosencranz and Diwan - (N.M. Tripathi)
6. The Bhopal Case, Upendra Baxi, (2 Vol.) Indian Law Institute, 1990
7. Environment Protection Act: An Agenda for Implementation Upendra Baxi (Ed), Indian Law Institute

\* \* \*

## **PAPER 3 - LAW OF TRUSTS, EQUITY AND FIDUCIARY RELATIONSHIP**

**100 MARKS**

### **A TRUST LAWS**

- Unit 1** **Indian Trust Act - (I)** - Definition, Creation and Classification of Trusts.
- Unit 2** **Indian Trust Act (II)** - Trustees - their Duties, Liabilities, Rights, Power and Disabilities; Rights and Liabilities of the Beneficiary, Appointment and Discharge of Trustee.
- Unit 3** **Bombay Public Trust Act 1950 I** - Operation and application of the Act, Establishment, Charitable purposes and validity of certain public trusts, Registration of Public trusts.
- Unit 4** **Bombay Public Trust Act II** - Power and duties of Trustees, Restrictions on Trust, Control over trust, Functions and power of Charity Commissioner, procedure and Jurisdiction of Charity Commissioner, Public Trust Administration Fund.

### **B EQUITY & FIDUCIARY RELATIONSHIP**

- Unit 5** **Equity** - Nature, History and Jurisdiction, Nature and Classification of Equitable rights and Maxims of Equity.
- Unit 6** **Fiduciary Relationship** - Meaning Express and Constructive Trusts, Obligations in the nature of trusts, Application of the Principle of fiduciary Relations and Exceptions.

### **SUGGESTED READINGS:**

1. Gupte and Dighe - The Bombay Public Trust Act (Hind Law House Pune)
2. A.K. Aggarwal - Commentary on the Indian Trusts Act 1982.
3. Snell - Principles of Equity.



**PAPER 4 - PRACTICAL PAPER IV (ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTE RESOLUTION SYSTEMS)**

**100 MARKS**

**Part- A ARBITRATION AND CONCILIATION**

- Unit 1** **Historical Background and Development** : Arbitration law in India Arbitration and Conciliation Act - Basic concepts and objectives.
- Unit 2** Arbitration without intervention of a court; and with intervention of a court where there is no suit pending.
- Unit 3** Arbitration agreement, Composition of Arbitral tribunal Jurisdiction of Arbitral Tribunals.
- Unit 4** Condition of Arbitral proceeding, making of arbitral award and termination of proceedings, Recourse against arbitral award, and Finality and enforcement of Arbitral awards.
- Unit 5** Conciliation - Conciliation proceedings and Conciliators Appointment, Role power and Duties and Procedure.
- Unit 6** International Arbitration: International Commercial Awards passed within the country, award passed outside the country, Enforcement of foreign Awards - New York convention and Geneva Convention Awards.

**Part- B ALTERNATIVE MODELS OF DISPUTE SETTLEMENT RESOLUTION.**

- Unit 7** Models of Dispute settlement, Litigation versus Arbitration, Models of alternative dispute resolutions - Negotiation, Conciliation, Mediation, Mini-trial, Fast tract Arbitration, Nature, scope, limitations and necessity of alternative models of disputes Resolution.
- Unit 8** Administrative Tribunal - Art. 323 A and B - Sampath Kumar Case (1987).
- Unit 9** Family Court under the Family Court Act, 1984.
- Unit 10** Consumer Council and Forums under the Consumer Protection Act, 1986.
- Unit 11** Settlement of Disputes through Lok Adalat and Lok Nyayalayas - Grassroot justice and Panchayat System for Resolution of dispute.
- Unit 12** Problems and Hurdles in the Alternative Settlement of Disputes - Legal aid movement, Legal literacy

**SUGGESTED READINGS:**

1. Upendra Baxi - Crisis of the Indian Legal System (1982).

2. B.S. Patil - The Law of Arbitration and Conciliation.
3. S.D. Singh - Law of Arbitration (Eastern Book Company).
4. P.C. Rao & William Sheffield - Alternative Dispute Resolution.

\* \* \*

**PAPER 5 - LAW ON INFRASTRUCTURE DEVELOPMENT 100 MARKS**

**Unit 1 Introduction of Indian Legal System and Basic Principles :**

- a. Housing One of The Basic Needs, Security and Comfort; Investment, Housing Policy
- b. Concepts of Ownership and Possession
- c. Basic Principles of Contract
- d. Definition and Concept of Immovable Property
- e. Devolution of Immovable Property During Life Time - Intervivos
- f. Devolution of Immovable Property On Death of A Person By Inheritance/ Succession

**Unit 2 Legal Requirements and Implications :**

- a. Power of Attorney, Kinds and Procedure
- b. Certain Specific Transfers, Cooperative Societies, Mhada, Apartments Leasehold Land Etc.
- c. Revenue Records and Procedure
- d. Valuation of Property
- e. Public Notice; Questionnaire; Search Report and Title Investigation; Registration Record, Verification of Documents Etc.
- f. Purchase of Flats -From Booking of Flats/Apartments Until Formation of Society/Condominium
- g. Registered, Unregistered and Notarized Documents.

**Unit 3 Formation and Management of Societies & Apartments :**

- a. Development Agreement and Redevelopment of Buildings In A Co-Operative Housing Society - Recent Law Provisions and Procedure In Respect of Deemed Conveyance.
- b. Farm Houses, Agricultural Land, Non-Agriculture Land Its Parameters
- c. Stamp Duty and Registration Act – Relevant Provisions
- d. The Maharashtra Apartment Ownership Act 1970
- e. The Maharashtra Ownership of Flats Act 1963
- f. Procedure, Documentation and Registration of Co-Operative Housing Society
- g. Land Acquisition Act, 1894 – An Overview

**Unit 4 Law Relating to Tenants and Licensees :**

- a. Tenants and Licensees
- b. Housing: An Avenue For Investment
- c. Mortgage On Immovable Property

- d. Housing Finance
- e. Service Tax and Vat On Purchase of Immovable Property
- f. Relevant Provisions of Specific Relief Act Pertaining to Transactions of Immovable Property

**Unit 5 Land Use Policies and Other Related Laws :**

- a. Dispute Settling Mechanism to Resolve Problems Relating to Housing and Land Deals
- b. Applicability of The Consumer Protection Act to Housing.- Case Studies
- c. Challenges Before Construction Industry
- d. Liability of Builders/Promoters/ Developers
- e. New Bills Relating to Immovable Property and Real Estate Pending Before The Parliament Relating Land Titling Bill ;The Maharashtra Housing (Regulation and Development) Act, 2012; The Real Estate (Regulation & Development) Bill, 2011
- f. Labour Laws With Regard to Construction Industry

**SUGGESTED READINGS:**

1. Dr. Poonam Pradhan Saxena, Property Law, 2<sup>nd</sup> Edition, 2011, Lexis-Nexis Publication.
2. Sunil Dighe, Ownership of Flats and Apartments In Maharashtra, Snow White Publication, 2010.
3. Land Laws In Maharashtra Sunil Dighe, Snow White Publication.
4. Bombay Stamp Act 1958, A. K. Gupte, Hind Law House, 2010.
5. Mulla On Transfer of Property Act , G.L. Bhanuka, Lexis Nexis Butterworths, 2005.
6. P.J. Fitzgerald "Slamond On Jurisprudence 12<sup>th</sup> Edi 2004, Universal Law Publishing Co. Pvt. Ltd.
7. Gupte and Dighe, Maharashtra Co-Operative Society Act 1949.
8. G.M. Divekar, Law of Ownership of Flats, Chaudhari Law Publisher, 2<sup>nd</sup> Edition, 2004.
9. The Maharashtra Apartment Ownership Act 1970
10. The Maharashtra Ownership of Flats Act 1963
11. Land Acquisition Act, 1894

\* \* \*

**OPTIONAL PAPER VI**  
**A. BUSINESS LAW GROUP**

**PAPER 6 - INDIRECT TAXES**

**100 MARKS**

**Part A : Central Goods and Service Tax Act 2017**

**Unit 1      GST - Nature & Scope**

- a. Nature & Constitutional Aspects
- b. Principles
- c. Definitions

**Unit 2      Registration**

- a. Person's liable for registration
- b. Person's not liable for registration
- c. Compulsory registration
- d. Procedure for registration
- e. Cancellation of registration

**Unit 3      Administration and Collection of Tax**

- a. Officers under the act
- b. Appointment & powers
- c. Scope of supply
- d. Levy and collection
- e. Power to grant exemption from tax
- f. Reverse Charge Mechanism (RCM)

**Unit 4      Time, Value and Place of Supply & Input tax credit**

- a. Time and Place of supply of goods & services
- b. Change in rate of tax
- c. Value of taxable supply
- d. Eligibility and conditions for taking input
- e. Appointment, Availability in special circumstances
- f. Manner of distribution

**Unit 5      Assessment**

- a. Accounts and records
- b. Returns
- c. Assessment, Audit
- d. Payment of tax
- e. Refund
- f. Inspection, search, seizure and Arrest
- g. Appeals and revision

**Unit 6      Advance Ruling, Offences & Penalties**

- a. Authority for advance ruling
- b. Application for advance ruling
- c. Procedure
- d. Appellate Authority
- e. Rectification
- f. Offences and Penalties

**Part B : The Integrated Goods and Service Tax Act 2017**

- a. Administration and collection of tax
- b. Determination of nature of supply, place of supply
- c. Refund
- d. Zero Rated supply
- e. Appointment of tax and settlement
- f. Exports & Imports

**Part C : The Union Territories Goods & service Tax Act 2017**

- a. Administration
- b. Levy, Collection of tax, payment of tax
- c. Inspection, search, seizure and Arrest
- d. Demands and Recovery
- e. Advance Ruling and Transitional Provisions

**SUGGESTED READINGS:**

1. Taxman, Basis of GST, GST Made Easy
2. Handbook of GST in India: Rakesh Garg, Sandeep Garg - Bloomsbury India Professional
3. R.K. Jain's: GST Law Manual, Centax Publications Pvt Ltd

\* \* \*

**OPTIONAL PAPER VI**  
**B. CONSTITUTIONAL LAW GROUP**

**PAPER 6 - HUMAN RIGHTS LAW AND PRACTICE**

**100 MARKS**

**Unit 1 Concept of Human Rights :**

- a. Meaning, Kinds of Human Rights, and Evolution of Human Rights
- b. Human Rights under U.N charter
- c. Classification of Human Rights

**Unit 2 Universal Declaration of Human Rights :**

- a. Preparation of the universal declaration of Human Rights.
- b. Legal effect of declaration.
- c. India and Universal declaration.

**Unit 3 International Covenants of Human Rights :**

- a. Preparation of the draft of two convention.
- b. Covenant on civil and political Rights.
- c. Covenant on Economic, Social & Cultural Rights

**Unit 4 International Convention on Inhuman Acts :**

- a. Genocide, Apartheid.
- b. Torture and other cruel inhuman
- c. Degrading treatment
- d. Slavery and slave trade
- e. Elimination of Rapid dissemination
- f. Death penalty

**Unit 5 Vulnerable groups and human Rights :**

- a. Women
- b. Child
- c. Migrant Workers
- d. Disabled Person
- e. Indigenous People
- f. Older People

**Unit 6 Regional Convention on Human Rights :**

- a. European convention on human rights.
- b. American convention on human rights.

- c. African charter on human and people's rights
- d. Arab commission on human rights

**Unit 7 International Humanitarian Law :**

- a. Application of humanitarian law
- b. Historical development of humanitarian law
- c. Character of humanitarian law

**Unit 8 India & International Covenants :**

- a. Covenants on civil & political rights & the Indian constitution & restrictions on rights
- b. Covenant on economic, social & cultural rights & the Indian constitution & restrictions on Rights.

**Unit 9 Human Rights Commission in India :**

- a. Protection of Human Rights Act.
- b. National Human Rights Commission (NHRC)
- c. State Human Rights Commission

**Unit 10 International Conferences on Human Rights :**

- a. International Conferences on Human Rights (Tehran Conference)
- b. World Conferences on Human Rights (Vienna Conference 1993)
- c. Follow up to the world conference on Human Rights.

**SUGGESTED READINGS:**

1. Dr. H. O. Agarwal, International Law
2. Dr. Kapoor, International Law Human Rights
3. Dr. V.K. Anand, Human Rights.

\* \* \*