

SEMESTER – I			
Code	Paper	Credits	Marks
LL.B.: 1.1	Constitutional Law of India – I	8	100
LL.B.: 1.2	Family Law – I	7	100
LL.B.: 1.3	Law of Contract	8	100
LL.B.: 1.4	Jurisprudence	7	100
Total for Course		30	400

LL.B.:1.1: Constitutional Law of India-I

End Semester-80

Internal Assessment 20

Total Marks: 100

Unit I: Introduction to the Constitution of India; Preamble; India and its Territories & Citizenship

16

- 1.1 Salient Feature of the Indian Constitution
- 1.2 Nature of Indian Federalism
- 1.3 Preamble
- 1.4 India and its Territories
- 1.5 Citizenship Under the Constitution (Articles 5-11)
- 1.6 Citizenship under the Citizenship Act, 1955 (as amended up to date)

Unit 2: Fundamental Rights-I (Article-12 to Article-19)

16

- 2.1 Definition of 'State' for enforcement of Fundamental Rights- Justifiability of Fundamental Rights-Doctrine of eclipse, severability and waiver
- 2.2 Judicial Review
- 2.3 Right to Equality-Doctrine of reasonable classification and absence of arbitrariness
- 2.4 Right to Freedom-Expansion by Judicial interpretation-Reasonable Restrictions

Unit 3: Fundamental Rights-II (Article 20 to Article 24)

16

- 3.1 Right to life and personal liberty-scope and content- judicial interpretation
- 3.2 Preventive detention -policy and safeguards -judicial review
- 3.3 Rights against exploitation-Forced labour and child employment

Unit 4: Fundamental Rights-III (Article 25 to Article 35)

16

- 4.1 Right to Freedom of Religion-Secularism

- 4.2 Cultural and Educational rights of minorities
- 4.3 Right to Constitutional Remedies-Judicial Review-Writs-Articles 32 and 226

Unit 5: Directive Principles; Fundamental Duties; Social Justice (Article 36 to Article 51A) 16

- 5.1 Directive Principles of State Policy- Justifiability of Directive Principles-Inter- Relationship between Directive Principles and Fundamental Rights
- 5.2 Fundamental Duties

Referred Cases:

1. Keshabananda Bharati Vs. State of Kerala, AIR 1973 SC 1461
2. S.P. Gupta and Others Vs. President of India and Others, AIR 1982 SC 149
3. Janata Dal Vs. H. S. Choudhury (1992) 4 SCC 305
4. Sarbananda Sonowal Vs. Union of India, AIR 2005 SC 2926
5. Maneka Gandhi Vs. Union of India, AIR 1978 SC 597
6. Bondhu Mukti Morcha Vs. Union of India, AIR 1997 SC 2218
7. Hussainara Khatoon Vs. State of Bihar, AIR 1979 SC 1369
8. Kihotal Hollohan Vs. Zachithu, AIR 1955 SC 781, AIR 1973
9. Sarala Mutgal Vs. Union of India, (1995) 3 SCC 635

LL.B: 1.2: Family Law I

End Semester-80

Internal Assessment-20

Total Marks: 100

Marks

Unit 1: Introduction: Concept and Sources

16

- 1.1 Concept and sources of Hindu Law
- 1.2 Mitakshara and Dayabhaga, Points of similarity and distinction between the Mitakshara and the Dayabhaga Laws
- 1.3 Formation and Incident under the coparcenary property with recent Amendments.
- 1.4 Karta of Joint Family: Position, Powers and privileges; Alienation of property by Karta
- 1.5 Debts-Doctrine of pious obligation and antecedent debts
- 1.6 Partition: Meaning, Division of right and division of property, Persons entitled to demand partition, Partition how effected, Re-opening of partition; Re-union

Unit 2: Marriage Laws

16

- 2.1 Hindu Marriage Act, 1955
 - 2.1.1 Evolution of the institution of marriage
 - 2.1.2 Concept of marriage and requisites of valid marriage
 - 2.1.3 Forms, validity, void, voidable
 - 2.1.4 Status of Child

- 2.2 Dissolution of Marriage
 - 2.2.1 Theories of Divorce
 - 2.2.2 Separation and Dissolution of Marriage under Hindu Law
 - 2.2.3 Judicial separation
 - 2.2.4 Grounds of Divorce
 - 2.2.5 Divorce by mutual consent

Unit 3: Principles of Inheritance 16

- 3.1 Ancient Concept of inheritance
- 3.2 The Hindu Succession Act, 1956:
 - 3.2.1 Definitions: agnate, cognate, full blood etc.
 - 3.2.2 General rules of succession in the case of a Hindu male dying intestate under the Act,
 - 3.2.3 General rules of succession in the case of a Hindu female dying intestate under the Act
 - 3.2.4 Distribution of property among classified heirs (Section 8)
 - 3.2.5 General Provision relating to succession
- 3.3 Stridhan and Women's estate
- 3.4 Escheat (Section 19)

Unit 4: Adoption and Maintenance 16

Hindu Adoption and Maintenance Act, 1956

- 4.1 Adoption
 - 4.1.1 Who may adopt and Who may be adopted
 - 4.1.2 Ceremonies
 - 4.1.3 Capability
 - 4.1.4 Effect
- 4.2 Maintenance:
 - 4.2.1 Entitlement
 - 4.2.2 Enforcement
- 4.3 Maintenance under the Code of Criminal Procedure, 1973.

Unit 5: Guardianship & Religious and Charitable Endowments 16

- 5.1 Hindu Minority and Guardianship Act, 1956
 - 5.1.1 Guardianship-Meaning
 - 5.1.2 Kinds of Guardianship
 - 5.1.3 Right, obligations and disqualification of guardian
 - 5.1.4 Duties and responsibilities of guardians with reference to Article 51A(k)
- 5.2 Endowments:
 - 5.2.1 Meaning, kinds and essentials.
 - 5.2.2 Math-Kinds, Powers and obligations of Mahant and Shevait
 - 5.2.3 Removal and replacement of Idol

Referred Cases:

1. Sitabai Vs. Ramchandra, AIR 1958, Bombay 116
2. Mouchumi Maytra Ganguly Vs, Jayanti Ganguly, AIR 2008 SC 2262

3. Vijaylaxmlaxmana Vs. B. T Shankar, AIR 2001 SC 1424
4. Gurunathan Vs. Kamalabai, AIR 1955 SC 206
5. M/S Bay Berry Apartments Ltd. Vs. Shobha, AIR, 2007 SC 226

LL.B.:1.3: Law of Contract

End Semester-80
Internal Assessment 20
Total Marks: 100

	Marks
Unit 1: Definition, Nature and Formation of Contract.	16
1.1 Definitions, nature and kinds of contract.	
1.2 Proposal	
1.3 Acceptance	
1.4 Consideration.	
Unit 2: Capacity and object:	16
2.1. Capacity to contract,	
2.2. Privity of contract and consideration,	
2.3. Legality of object and consideration.	
Unit 3: Consent	16
3.1. Free consent.	
3.2. Contingent and conditional contract.	
3.3. Standard form of contract and E-Contract	
Unit 4: Discharge of Contract:	16
1.1. Different modes of discharge of contracts, breach, anticipatory breach, effects, rights.	
1.2. Damages for breach and its measure,	
1.3. Quasi contract,	
1.4. Quantum meruit.	
Unit 5: Specific Relief Act 1963:	16
5.1. Objectives of Specific Relief Act,	
5.2. Recovery of possession of property.	
5.3. Contract which can be specifically enforced and defenses,	
5.4. Rescission of contract,	
5.5. Injunction.	

LL.B.: 1.4: Jurisprudence

End Semester – 80

Internal Assessment – 20

Full Marks: 100 1.

	Marks
Unit 1: Introduction	16
1.1 Definition, Nature and Scope of Jurisprudence	
1.2 Definition, nature and kinds of Law	
1.3 Justice	
1.3.1 Meaning of Administration of Justice, Kinds of Justice	
1.3.2 Civil and Criminal Justice.	
1.3.3 Punishment theories	
1.4 Source of Law	
1.4.1 Legislation	
1.4.2 President	
1.4.3 Custom	
Unit 2: Basic Theory of Law: Schools of Law (Part-I)	16
2.1 Natural Law School - Origin, Development of Natural Law School	
2.2 Analytical Legal Positivism	
2.2.1 Different approaches of Austin, Bentham and Hart	
2.3 Kelson's Pure Theory of Law	
2.3.1 'Grundnorm'	
2.4 Historical School of Law	
2.4.1 Contribution of Savigny	
2.4.2 Distinction between Analytical School and Historical School	
Unit 3: Basic Theories of Law (Part-II)	16
3.1 Legal Rights and Duties	
3.1.1 Analysis of legal rights and kinds of legal rights	
3.1.2 Essentials of legal rights	
3.1.3 Hohfeld's Theory	
3.2 Sociological School of Law (Rosecoe Pound's 'Social Engineering')	
3.2.1 Sociological Jurisprudence in Indian Perspective and its new judicial response on Social Interest, Protection of Bonded Labour & Child Labour and Control of Environmental Pollution.	
Unit 4: Legal Concepts-I	16
4.1 Ownership and Possession	

- 4.1.1 Concepts & Distinction
- 4.1.2 Kinds of Ownership
- 4.1.3 Social Control of Ownership
- 4.1.4 Kinds of Possession
- 4.1.5 Possessory remedies
- 4.2 The Law of Property
- 4.3 Concept and kinds of Person and Liability

Unit 5: Indian Legal System

16

- 5.1 Concepts of Dharma – Sruti and Smriti
 - 5.1.1 Supremacy of Law over King & State – Law is the King of Kings
- 5.2 Indian Legal System after independence
- 5.3 Natural Law – Indian concepts and perception with special reference to Kesavananda Bharti Vs. State of Kerala AIR 1973 SC 1461
- 5.4 Concept of Truth (Satya), Non-violence (Ahimsa) and Right code of Moral conduct (Sadachar) and Indian Constitution
- 5.5 Analytical Positivism and Legal Positivism

Referred Cases:

1. Olga Tellies Vs. BMC, AIR 1986 SC 180
2. Bondhu Mukti Morchs Vs. Union of India, AIR 1984 SC 802
3. Peoples Union for Democratic Rights Vs. Union of India, AIR 1982, SC 1473

SEMESTER – II			
Code	Paper	Credits	Marks
LL.B.: 2.1	Constitutional Law of India – II	8	100
LL.B.: 2.2	Family Law – II	7	100
LL.B.: 2.3	Specific Contract	8	100
LL.B.: 2.4 OP ₁	Optional – 1 , any one from following: 1. Land Laws of Assam 2. Securities Law	7	100
Total for Course		30	400

Paper.: 2.1:Constitutional Law of India - II

End Semester -80

Internal Assessment -20

Total Marks: 100

Marks

Unit 1: The Union and the State Executive

16

- 1.1 The Union and the State Executive
 - 1.1.1 The President of India –qualification –election –term of office –power – impeachment. (Article 52 – 72)
 - 1.1.2 The Governor –appointment and powers. (Article 153, 261)
 - 1.1.3 Relationship between the President and Governor with the Council of Ministers. (Article 73, 162)
 - 1.1.4 Nature, scope and extent of executive powers of the Union and the States – Articles 73 & 162.
- 1.2 The Union Parliament and State Legislatures
 - 1.2.1 Compositions of the Parliament and State Legislatures.
 - 1.2.2 Qualification/Disqualification of Members of Parliament and State Legislatures –Anti Defection Law.
 - 1.2.3 Prime Minister –Cabinet System –Collective Responsibility
 - 1.2.4 Legislative Process –Legislative Privileges –Immunities of members of the Parliament and state legislature. (Article 105, 195)

Unit 2: Union and State Judiciary

16

- 2.1 Supreme Court of India –Composition –appointment and removal of Judges of the Supreme Court. (Article 124 – 147)
- 2.2 High Courts in the States
- 2.3 Jurisdiction of Supreme Court –original/appellate/advisory jurisdiction – statutory appeal- special leave to appeal –power of review-
- 2.4 Writs (32-226)
- 2.5 Judicial Review (nature and scope) –independence of the Judiciary –Judicial

activism –PIL

Unit 3: Relationship between the Union and the States **16**

- 3.1 Distribution of Legislative Powers.
- 3.2 Administrative Relation.
- 3.3 Financial Relation.

Unit 4: Amendment of the Constitution and Emergency Provisions **16**

- 4.1 Amendment of the Constitution
 - 4.1.1 Power of the Parliament to amend the Constitution and procedures (Article 368)
 - 4.1.2 Limitation on the power to amend the Constitution –Doctrine of basic feature/structure
- 4.2 Emergency Provisions
 - 4.2.1 National Emergency
 - 4.2.2 State Emergency –Grounds of imposition
 - 4.2.3 Financial Emergency
 - 4.2.4 Effect of declaration of emergency –emergency and fundamental rights –44th Amendment Act.

Unit 5: Freedom of Trade, Commerce and Intercourse within the Territory of India, services under the Union and States **16**

- 5.1 Freedom of trade, Commerce and Intercourse –meaning-power of the Parliament –restrictions.
- 5.2 Services under the Union and the States –Doctrine of Pleasure –protection against arbitrary dismissal, removal or reduction in rank –Exception of Article 311.

Internal Assessment **20**

Reffered Cases:

- 1 Kesavananda Bharati Vs. State of Kerala, AIR 1973 SC 1461
- 2 Maneka Gandhi Vs. Union of India, AIR 1978 SC 597
- 3 In Reference No. of 1998 (Judges Appointment Case), AIR 1999 SC 1
- 4 SR Bomai Vs. Union of India, AIR 1994 SC 1918
- 5 Kuldeep Nayar Vs. Union of India, AIR 2006 SC 312
- 6 A.D.M. Jabalpur Vs. SrikanthShukla, AIR 1976 SC 1207
- 7 Rameswar Prasad Vs. Union of India, AIR 2006 SC 980
- 8 Powers, Privileges and Immunities of State Legislatures, Re, AIR 1965 SC 745
- 9 Union of India Vs. Tulshi Ram, AIR 1985 SC 1416
- 10 Atiabari Tea State Co. Vs. State of Assam, AIR 1961 SC 232

Paper:2.2: Family Law-II

Unit 1: General Concept	16
1.1 Development of Islamic Jurisprudence	
1.2 Sources of Mohammedan Law	
1.3 Schools of Mohammedan Law	
1.4 Persons Governed by Mohammedan Law	
Unit 2: Law of Marriage Law and Divorce	16
2.1 Essentials of Mohammedan marriage	
2.2 Dower, Mehr, Kinds of Dower	
2.3 Kinds of Marriage	
2.4 Nature and kinds of divorce	
2.4.1 Legal Effect of divorce	
2.4.2 Dissolution of Muslim Marriage Act, 1939	
Unit 3: Guardianship and Maintenance	16
3.1 Guardianship of person and property	
3.2 Acknowledgement of Paternity	
3.3 Law of Adoption	
3.4 Maintenance of wife, divorced wife, children and parents	
3.4.1 The Muslim Women (Protection of Rights on Divorce) Act, 1986	
Unit 4: Special Mohammedan Law	16
4.1 Law of Wills	
4.2 Law of Gifts	
4.3 Law of Pre-emption	
4.4 Law of Wakfs	
Unit V: Guardianship and Maintenance	16
5.1 Law of Inheritance (Sunni Law)	
5.2 Law of Inheritance (Shia Law)	
5.3 Uniform Civil Code	
5.4 Indian Succession Act, 1925	
Internal Assessment	20

Referred Cases:

1. Abdul Khadar Vs. Taib Begum AIR 1957
2. Abdul Latif Mandal Vs. Anawar Khatoon (2002) 1, CLJ 186
3. Hamida Bibi Vs. Zubaida Bibi, (1916), 43 IA 294
4. Maina Bibi Vs. Choudhury Vakil Ahmed (1924) 52 IA 145
5. Sarala Mudgal Vs. Union of India (1985) 3, SCC 635
6. Mohd. Ahmed Khan V. Shah Bano Begum And Ors AIR 1985 SC945

Paper 2.3: Specific Contract

	Marks
UNIT I: Contract of indemnity and guarantee:	16
1.1 Definition, nature.	
1.2 Rights, duties and liabilities.	
1.3 Interrelation between the parties.	
UNIT 2: Bailment and Pledge and agency:	16
2.1 Definition, nature.	
2.2 Rights, duties and liabilities.	
2.3 Interrelation between the parties.	
2.4 Definition, nature of agency	
2.5 Rights, duties and liabilities of agent	
2.6 Interrelation between the parties under contract of agency	
UNIT 3: Negotiable Instrument Act, 1881	16
3.1 .Definition, the essential characteristics, kinds, Difference Between Bill of Exchange and Cheque Bill of Exchange and Promissory Note.	
3.1.1 Parties to a Negotiable Instrument	
3.1.2 Holder and Holder in Due Course- Privileges of a Holder in Due Course	
3.1.3 Competence of Parties to Negotiable Instrument (Minor, Lunatic, Insolvent, Joint Stock Company, Agent, Partnership Firm, Legal Representative, Joint Hindu Family).	
3.1.4 Liabilities of Parties to Negotiable Instrument	
3.1.5 Presentment for Acceptance and Payment	
3.1.6 Negotiation, Assignment and Negotiation	
3.1.7 Endorsement and its Kinds, Once a bearer always a bearer	
3.2 Discharge of Parties, Different modes of Discharges	
3.3 Dishonour of Instruments- Liabilities of Bankers	
3.3.1 As Paying Banker- when a Banker can refuse to pay Customer's Cheque	
3.3.2 Liabilities as Collecting Banker, Crossing of Cheque, Liabilities of Bankers on Crossed Cheques.	
3.3.3 Payment of Customer's Cheque- the Paying Banker's Risks, the Precaution to be take.	
UNIT IV: The Indian Partnership Act. 1932	16

- 4.1 Definition, nature kinds,
- 4.2 Rights, duties, liabilities and interrelations between the partners,
- 4.3 Registration of partnership,
- 4.4 Limited liability partnership,
- 4.5 Dissolution of partnership

UNIT V: The Sales of Goods Act,1930

16

- 5.1 Definition, nature,
- 5.2 Rights, duties and liabilities of buyer and seller,
- 5.3 Condition and warranty.
- 5.4 Rights of unpaid seller.

Referred Cases:

1. Gajanan Moreshwar Vs. Moreshwar Madan, AIR 1942, Bombay, 302
2. Kaliapermal Pillai Vs. Visalaxmi, AIR 1938 Madras, 32
3. Union of India Vs. Anwar Singh
4. Delhi Electric Supply undertaking Vs. Basanti Devi and other, AIR 2005 SC 43
5. Sarswati Devi Vs. Motilal, AIR 1928, Raj. 108

Paper 2.4 OP₁ :1 Land Laws of Assam

Unit1: Introduction

16

- 1.1 Origin of Land Rights in Assam, Proprietor, Land-holder and Settlement holder, other than land holder.
- 1.2 Assam Land and Revenue Regulation, 1881, Definitions; rights over land – acquisition of rights over land, rights of proprietors, land holders, settlement holders,
- 1.3 Allotment of grazing land, disposal of government waste land, rights in fishery.

Unit 2: Land Revenue

16

- 2.1 Settlement & Resumption under the Assam Land & Revenue Regulation, 1886 – Settlement, operation, procedure for settlement – survey & demarcation of land preparation of record of rights – assessment of land revenue; resumption, Hoe tax.
- 2.2 Mutation – classes of persons entitled to pray mutation – obligation to pray for mutation – procedure for mutation; field mutation;
- 2.3 Arrears & Mode of recovering it – defaulter – defaulting estate; models of recovering Arrears – Attachment & sale of movables – attachment of defaulting

estate – sale of defaulting estate, sale of immovable property other than the defaulting estate.

Unit 3: Partition **16**

- 3.1 Partition – meaning – need – who can sue for partition – procedure – restriction for partition.
- 3.2 Powers of officers – revenue officers – procedure and appeals – matters exempted for cognizance of civil court.
- 3.3 Protection of backward classes - tribal belts & blocks.

Unit 4: State legislations on tenancy **16**

- 4.1 The Assam non-Agricultural Urban Areas Tenancy Act, 1955
- 4.2 The Assam (Temporarily Settled Areas Tenancy) Act, 1971.

Unit – 5: State Legislations on – **16**

- 5.1 Rent control:- The Assam Urban Areas Rent Control Act, 1972
- 5.2 Ceiling on land:- The Assam Fixation of Land Holding Act, 1956.
- 5.3 Land Requisition & Acquisition:- The Assam Land (Requisition & Acquisition) Act, 1964.
- 5.4 Central Land Acquisition Act

Referred cases:

- 1. Swasna brahma v. Assam Board of Revenue, AIR, 1972, GAU 121
- 2. Refiquunnessa v. LalBahadurChetri, AIR 1964 SC 1511
- 3. Kali Kumar Sen v. MohanlalBiswas AIR 1969 ASM 66(FB)
- 4. Satyaranjan v. Assam Board of Revenue AIR 1999 GAU-83(FB)

Paper 2.4 OP₁: 2. Securities Law

Unit 1: Securities Contract (Regulation) Act , 1956 **Marks**
16

- 1.1 Recognized Stock Exchanges.
- 1.2 Power of Central Government and SEBI in case of recognition and suspension of Stock Exchange,
- 1.3 Contract of Securities,
- 1.4 Contract of Derivatives,
- 1.5 Requirement of listing of securities,

Unit 2: Securities Exchange Board of India Act, 1992 **16**

- 2.1 Need and objectives of the SEBI Act,
- 2.2 Constitution of the SEBI,
- 2.3 Power and function of the SEBI,
- 2.4 Securities Appellate Tribunal and its procedure.

Unit 3: Depositories Act, 1996

16

- 3.1 Definitions
- 3.2 Setting up of depository,
- 3.3 Role and functions of depository,
- 3.4 Depository participants
- 3.4 Inspection and penalties, Internal audit and concurrent audit of depository participants,
- 3.5 Overview of depository system in India.

Unit 4: Capital Market

16

- 4.1 Importance of Capital Market in the context of Liberalization, privatization and globalization,
- 4.2 Capital Market instrument and Rating
- 4.3 Capital Market intermediaries,
- 4.4 Secondary Market Institutions,
- 4.5 Mutual funds,
- 4.6 Venture Capital,
- 4.7 Collective Investment Schemes,
- 4.8 Buy- Back of Securities

Unit 5: Issue Management and Compliances

16

- 5.1 Importance of issue of capital and resource mobilization
- 5.2 Issue of Capital,
- 5.3 Resource mobilization and International Capital Market,
- 5.4 Indian Depository Receipts.

SEMESTER – III		
Code	Paper	Marks
LL.B.: 3.1	Bharatiya Nyaya Sanhita,2023	100
LL.B.: 3.2	Bharatiya Nagarik Suraksha Sanhita 2023	100
LL.B.: 3.3	Law of Torts, M.V. Act and Consumer Protection Law	100
LL.B.:3.4 OP ₂	Optional – 2 , any one fromfollowing: 1. Methods of Interpretation of Statutes 2. Competition Law	100
LL.B.: 3.5 P ₁	Alternate Dispute Resolution	100
Total for the Course		500

Paper 3.1: Bharatiya Nyaya Sanhita, 2023		Marks
UNIT 1: INTRODUCTION		16
1.1 Conceptual analysis of crime		
1.2 Elements of crime		
1.3 Stages of crime		
1.4 Historical development of Bharatiya Nyaya Sanhita		
1.5 Definitions and General explanation (S 2-3)		
1.6 Punishments (Ss 4 – 13)		
1.7 General exceptions (S 14 – 44)		
UNIT 2: INCHOATE CRIMES & OFFENCES AGAINST WOMEN		16
2.1 Abetment (Ss 45 – 60)		
2.2 Criminal Conspiracy (S 61)		
2.3 Attempt (S 62)		
2.4 Offences against women		
2.4.1 Sexual offences (Ss 63 -73)		
2.4.2 Criminal force and assault against women (Ss 74 – 79)		
2.4.3 Offences relating to marriage- Dowry Death (S 80), Bigamy (S 82) &Cruelty (S85)		
UNIT 3: OFFENCES AFFECTING HUMAN BODY		16
3.1 Offences affecting life		
3.1.1Culpable Homicide (Ss 100, 102, 105, 110)		
3.1.2 Murder (Ss 101, 103, 104, 109)		
3.1.3 Suicide (Ss 107 – 108)		
3.1.4 Organised crime (Ss 111 – 112)		
3.1.5 Terrorist Act (S 113)		
3.2 Hurt (Ss 114 – 125)		
3.3 Wrongful Restraint and confinement (Ss 126 – 127)		
3.4 Criminal force and assault (Ss 128 – 136)		
3.5 Kidnapping, abduction, slavery and forced labour (Ss 137 – 146)		
UNIT 4: OFFENCES AGAINST CHILD, STATE, PUBLIC TRANQUILITY, FALSE EVIDENCE, PUBLIC NUISANCE AND DEFAMATION		16
4.1 Offences against child (Ss 91 -97)		

- 4.2 Offences against state (Ss 147 -158)
- 4.3 Offences against public tranquility (Ss 189 -190)
- 4.4 Offences against public justice (Ss 227 – 238)
- 4.5 Public Nuisance (Ss 270 -273)
- 4.6 Defamation (S 356)

UNIT 5: OFFENCES AGAINST PROPERTY

16

- 5.1 Theft (Ss 303 – 307)
- 5.2 Extortion (S 308)
- 5.3 Robbery (S 309 & S 313)
- 5.4 Dacoity (S 310 – 312)
- 5.5 Criminal misappropriation of property (Ss 314 – 315)
- 5.6 Criminal breach of trust (S 316)
- 5.7 Receiving stolen property (S 317)
- 5.8 Cheating (Ss 318 -319)

Referred Cases :

1. King v. Birendra kumar Ghosh (Common Intention)
2. Kehar Singh v. State of Delhi (Murder)
3. Vishakha v. State of Rajasthan (Sexual Harassment)
4. Nalwah Ali v. State of UP (Common object)
5. Pawan Kumar v. State of Haryana (Cruelty)
6. RoopaDeol Bajaj v. K.P.S. Gill (Outraging modesty of women)
7. State of UP v. Sukhpal Singh & Others(Dacoity& Murder)
8. Bachan Singh v. State of Punjab (Capital Punishment)
9. Gian Kaur v. State of Punjab (Euthanasia – Mercy Killing)
10. Satvir v. State of UP (Murder – Common Intention)
11. Shilpa Mittal v. State of NCT Of Delhi (Juvenile – Heinous Crime)
12. Navtej Singh Johar v. Union of India (Unnatural Offences)
13. Subed Ali v. State of Assam (Murder)
14. Satyam Dube v. Union of India (Hathras Rape case)
15. Joseph Shine v. Union of India (Adultery)

Paper 3.2: Bharatiya Nagarik Suraksha Sanhita, 2023

Marks

Unit 1: Introduction

16

- 1.1 Introduction to Bharatiya Nagarik Suraksha Sanhita and Its Importance
- 1.2 Classification of offences
- 1.3 Definitions (S 2)
- 1.4 Classes of Criminal Courts (S.6), Powers and Jurisdiction (Ss.7-13,21-29) &197-209
- 1.5Executive Magistrates and Jurisdiction of Executive Magistrates (Ss.14-17)
- 1.6 Powers (Ss. 125-143, 148-151, 152-162, 163,164-167)

Unit 2: Arrest of Persons, Rights of arrested Persons

16

- 2.1Powers of Police Officers (Ss. 30-34)
- 2.2Arrest of Persons, Rights of arrested Persons (Ss. 35-62) and Bail(Ss478-496)
- 2.3 First Information Report (S. 173), Evidentiary Value of F.I.R
- 2.4 Summons and warrant of arrest (Ss 63-71, 72-83)
- 2.5 Proclamation and Attachment (Ss 84-89)
- 2.6 Search Warrant (Ss.96-110)
- 2.7 Police Investigation (Ss. 173-196)

Unit 3: Maintenance & Condition requisite for initiation of proceedings **16**

- 3.1 Maintenance of wife, children, and parents (Ss. 144-147)
- 3.2 Condition requisite for initiation of proceedings (Ss. 217-222)
- 3.3 Public Prosecutors (Ss. 18-20, 248-249)
- 3.4 Complaints to Magistrates and commencement of proceedings (Ss. 223-233)
- 3.5 Charges and Joinder of Charges (Ss. 234-247)

Unit 4: Trials **16**

- 4.1 Trial before a Court of Sessions (Ss. 248-260)
- 4.2 Trial of Warrant Cases
 - 4.2.1. Instituted on police report (Ss. 261-266)
 - 4.2.2. Instituted on other than police report (Ss. 267-270)
- 4.3 Trial of summon cases by Magistrate (Ss. 274-282)
- 4.4 Summary trials (Ss. 283-288)
- 4.5 Plea Bargaining (Ss. 289-300)
- 4.6 Commissions for the examination of witnesses (Ss. 319-336)
- 4.7 General Provision for enquiry and trial (Ss. 337-349, 356-360, 362, 365, 367, 368, 383, 387)

Unit 5 : Judgement, Appeals, Revisions etc. **16**

- 5.1 Judgement (Ss 392 – 406)
- 5.2 Appeals (Ss. 413-435)
- 5.3 Reference and Revision (Ss. 436-445)
- 5.4 Transfer of criminal cases (Ss. 446-452)
- 5.5 Execution, Suspension, Remission and Commutation of Sentences (Ss. 453-477)
- 5.6 Miscellaneous (Ss. 520 to 531)

Referred Cases:

1. Brij Nandan Jaiswal Vs. Munna AIR 2009 SC 2001
2. Bridaban Das Vs. State of W.B. (2009) 3 SCC 329
3. Balbir Singh Vs. State of Delhi AIR 2007 SC 2397
4. State of Haryana Vs. Dinesh Kumar (2008) 3 SCC 222
5. Zahira Habibullah H Shiekh Vs. State of Gujrat (2004) 4 SCC 158
6. Prahlad Singh Bhati Vs. NCT, Delhi (2001) 4 Sec 280
7. D K Basu Vs West Bengal
8. Nilawati Behera Vs State Of Orissa

Paper: 3.3: Law of Torts, M.V. Act and Consumer Protection Law

	Marks
Unit 1: Definition, Nature & Scope	16
1.1 Origin & Development	
1.2 Meaning & Definition	
1.3 Essentials	
1.4 Tort distinguished	
1.5 Personal capacity	
1.6 Justification of torts	
Unit 2: Liability	16
2.1 Principles of liability in torts	
2.2 Vicarious Liability	
2.3 Strict & Absolute Liability	
Unit 3: Torts against Persons & Property	16
3.1 Trespass to person	
3.1.1 Assault & Battery	

3.1.2 False Imprisonment	
3.1.3 Malicious Prosecution	
3.2 Trespass to land	
3.3 Trespass to goods, detune & conversion	
3.4 Torts relating to incorporeal personal property	
3.5 Defamation	
Unit 4: Specific Torts	16
4.1 Negligence	
4.2 Nuisance	
4.3 Remedies	
Unit 5: Consumer Protection Act and Motor Vehicle Act	16
5.1 Consumer Protection Act, 1986 (as amended up to date)	
5.1.1 Definition of Consumer	
5.1.2 Consumer Redressal Forum	
(i) District Forum	
(ii) State Forum	
(iii) National Forum	
5.2 Motor Vehicles Act, 1988 (as amended up to date)	
5.2.1 Liability without faults / compulsory third party insurance	
5.2.2 Claims Tribunal	

Referred Cases:

1. King Vs. Berry (1970) 1 AUER 1074 (for Nervous Shock)
2. Re Polemis Case (1921) 3 KB 560 (for Remoteness of Damages)
3. Martin F D'Souza Vs Mohammad Ishfaq (2009) 3 SCC 1
4. Ashby Vs. White (1703) 2 Lord Raym 938
5. Doughue Vs. Steverson (1932) All ER Rep. 1
6. Rylands Vs. Fletcher Case
7. Indian Medical Association Vs. V.P. Shantha and others III (1985) CPII (SC) AIR 1996SC 550

Paper: 3.4OP₂ :1. Methods of Interpretation of Statutes

Unit 1: Interpretation of Statutes	16
1.1 Meaning, Objects and Scope of 'interpretation', 'construction' and 'statute'	
1.2 Nature and Kinds of Indian Laws: Statutory, Non-statutory, Codified, Unmodified, State-made and State-recognised laws	
1.3 Commencement, operation and repeal of statutes	
1.4 Purpose of interpretation of statutes.	
1.4.1 Basic Sources of Statutory Interpretation	
a. The General Clauses Act, 1897: Nature, Scope and Relevance (Ss.6- 8)	
b. Definition clauses in various Legislations: Nature and Interpretative Role	
Unit 2: Aids to Interpretation	16
2.1 Aids to Interpretation (Parts of the statute and their interpretative role)	
2.1.2 Internal aids	
2.1.2 Title	
2.1.3 Preamble	
2.1.4 Headings and marginal notes.	
2.1.5 Sections and sub-sections	
2.1.6 Punctuation marks.	
2.1.7 Illustrations, exceptions, provisos, saving clauses, explanations and schedules	
2.1.8 Non-obstante clause.	
2.2 External aids	
2.2.1 Role of Constituent Assembly debates in the interpretation of the Constitution of India	
2.2.2 Legislative history- Legislative Intention, Statement of objects and reasons, legislative debates, Committee reports, Law Commission reports etc.	
2.2.3 Dictionaries-Translations	

	2.2.4 Statutes in parimateria	
Unit 3:	Rules of Statutory Interpretation	16
	3.1 Primary Rules	
	3.2 Literal rule	
	3.3 Golden rule	
	3.4 Mischief rule (rule in the Heydon's case)	
	3.5 Rule of harmonious construction	
	3.6 Secondary Rules	
	3.7 Noscitur a sociis (Associated words)	
	3.8 Ejusdem generis	
	3.9 Reddendo singulari singularis	
Unit 4:	Maxims of Statutory Interpretation	16
	4.1 Delegatus non potest delegare	
	4.2 Expressio unius exclusion alterius	
	4.3 Generalia specialibus non derogant	
	4.4 In pari delicto potior est conditio possidentis	
	4.5 Ut res valet potior quam pareat	
Unit 5:	Interpretation with reference to subject matter and purpose	16
	5.1 Taxing Statute	
	5.2 Penal Statute	
	5.3 Welfare legislation	
	5.4 Colourable legislation	
	5.5 Residuary power	
	5.6 Doctrine of repugnancy	
Referred Cases		
	1. Girija K. Phukan v. State of Assam 1984 (2) LR 488	
	2. Bengal Immunity Co. Ltd. V. State of Bihar 1955 2 SCR 603	
	3. Smti Charu Deka v. Umeswari Nath & others AIR 1995 Gau 9.	
	4. P. Ramachandra Rao v. State of Karnataka (2002) 4 SCC 578	
	5. Bhatia International v. Bulk Trading S.A. (2002) 4 SCC 105	
	6. R.M.D.C. v. Union of India, AIR 1957 SC 628	
	7. Avtar Singh v. State of Punjab, AIR 1955 SC 1107	
	8. A.S. Sulochana v. C. Dharmalingam, AIR 1987 SC 242	
	9. Shashi Kant Laxman Kale v. Union of India, AIR 1990 SC 2114 (1990) 4 SCC 366	

Prescribed Legislation:

The General Clauses Act, 1897

Paper: 3.4 OP₂ : Competition Law

		Marks
Unit 1:	Competition Law	16
	1.1 Background	
	1.2 Prohibitions	
	1.3 Competition Commission of India	
Unit 2:	Corporate Finance and regulatory framework	16
	2.1 Security Contract (Regulation) Act 1956	
	2.2 SEBI Act 1992	
Unit 3:		16
	3.1 Depositories Act 1996	
	3.2 The Securitization and Reconstruction of Financial Assets and enforcement of security Interest Act, 2002	
Unit 4:	Regulatory framework for foreign trade, multinational companies	16
	4.1 Foreign Trade (Development & Regulation) Act 1992,	
	4.2 UNCTAD Draft Model on Trans – national Corporations	

- 4.3 Control and regulation of foreign companies in India,
- 4.4 Foreign collaborations and joint ventures

Unit 5: Foreign Exchange Management

16

- 5.1 Background
- 5.2 Policies
- 5.3 Authorities

ALTERNATIVE DISPUTE RESOLUTION

Practical-I

End Semester -80

Internal; Assessment-20

Total Marks: 100

(For Unit 1,2,3& 4 there will be written examination of 60 marks of 2 hour duration. Practical examination with viva-voce will be of 20 marks. There will be internal assessment of 20 marks covering all the Units).

Unit-1-Introduction, International and National Perspectives of ADR 15 2 1.1 Concept of ADR and its types

1.2 History and International development of UNCITRAL, 1980 1.3 UNCITRAL Rules, 1985 1.4

Government of India's obligations (Article 51 and Article 253)

Unit-1-Introduction, International and National Perspectives of ADR

15

- 1.1 Concept of ADR and its types
- 1.2 History and International development of UNCITRAL, 1980
- 1.3 UNCITRAL Rules, 1985
- 1.4 Government of India's obligations (Article 51 and Article 253)
- 1.5 The Arbitration and Conciliation Act, 1996 –I
 - 1.5.1 General Provisions
 - 1.5.2 Arbitration Agreement
 - 1.5.3 Composition of Arbitral Tribunal
 - 1.5.4 Jurisdiction of Arbitral Tribunal

Unit2- The Arbitration and Conciliation Act, 1996 –II

15

- 2.1 Conduct of Arbitral Proceeding
- 2.2 Rules applicable to substance of dispute
- 2.3 Time limit for Arbitral Award and Termination of Arbitral Proceeding
- 2.4 Forms and content of Arbitral Award
- 2.5 Application for setting aside Arbitral Award
- 2.6 Conciliation (Section 61 to Section 76)

Unit 3 – The Mediation Act-2023

15

- 3.1 Object, application and definition
- 3.2 Mediation (Section- 4, 5,6&7)
- 3.3 Appointment and Termination of Mediator
- 3.4 Mediation Proceedings (Section 13, Section 21, 24 and 25)
- 3.5 Enforcement of Mediation Settlement Agreement (Section 27 & 28)
- 3.5 Online Mediation 3.6 Mediation Service Provider (Section 40, 41 and 42)

Unit 4- Legal Services Authorities Act, 1987 & ADR Provisions under different Laws in Indi

15

- 4.1 Legal Services Authorities Act, 1987
 - 4.1.1 Object & Definitions
 - 4.1.2 Authorities under the Legal Services Authorities Act, 1987, composition and jurisdiction (Section 3 to Section 11)
 - 4.1.3 Entitlement to Legal Services (Section 12 &13)

- 4.1.4 Lok Adalat (Section 19, 20, 21 and 22)
- 4.2 ADR Provision under the Constitution of India (Article 39A)
- 4.3 ADR Provision under the Civil Procedure Code, 1908 (Section, 89), Hindu Marriage Act, 1955 (Section 23(2), Indian Contract Act 1872,(Section 28), Companies Act, 2013 (Section 442).

Practical: Marks:20 (Written Report:10+ Viva Voce :10)

Every student shall attend Lok Adalat, Mediation Centres or other such centers of any Court under the guidance of the teacher concerned. They shall require to submit a Report of the proceedings observed. Written reports will be submitted to the concerned teacher on or before the last date fixed by the College/Authority.

(Note: The written report evaluated by the teacher along with list of the marks awarded will be placed before the external examiner at the time of Viva-Voce examination. The teacher of the practical paper will be the internal examiner who along with the external examiner shall evaluate and award final marks on the written reports and viva-voce examination. Written reports shall not be accepted for final evaluation by the external & internal examiners if not submitted on or before the stipulated date fixed by the Competent Authority.)

. Referred Case:

1. K.K.ModiVsK.N.Modi& Others, AIR 1998 SC 129.
2. National Insurance Co. Vs Amal Kanti Das, AIR 1998 Gau- 1.
3. SBI & Co. Vs Patel Engg. Ltd.2005 (8) SCC 618.
4. Krishna Bhagya Jala Nigam Ltd. Vs. Arischandra Reddy (2007) 2 SCC 720
5. Oil and Natural Gas Corporation Vs. Saw Pipes Ltd. AIR 2003 SC 2629

SEMESTER – IV		
Code	Paper	Marks
LL.B.: 4.1	Bharatiya Sakshya Adhiniyam, 2023	100
LL.B.: 4.2	Civil Procedure Code & Limitation Act	100
LL.B.: 4.3	Transfer of Property Act	100
LL.B.: 4.4	Administrative Law	100
LL.B.: 4.5 P ₂	Practical – 2 Drafting, Pleading & Conveyancing	100
Total for the Course		500

Paper-4.1: Bharatiya Sakshya Adhiniyam, 2023

Marks
16

UNIT I : INTRODUCTION

- 1.1 Concept of Evidence
- 1.2 Historical background, reason & objective of law of evidence.
- 1.3 The fundamental principles of law of evidence.
- 1.4 Nature and purpose of law of evidence in civil and criminal cases.
- 1.5 Definitions
 - 1.5.1 Distinction between Proved, Disproved & Not Proved.
 - 1.5.2 Distinction between May Presume, Shall Presume & Conclusive Proof.
- 1.6 Division of evidence – Direct, Indirect, Real, Personal, Original, Hearsay, Primary, Secondary, Oral, Documentary, Judicial & Extrajudicial.

UNIT II: RELEVANCY & ADMISSIBILITY OF FACTS – I

16

- 2.1 Facts, Distinction between relevant facts and facts in issue, (See 3)
- 2.2 Doctrine of Res Gestae (Sec 4) (Ss 5 – 7)
- 2.3 Evidence of Common Intention – relating to conspiracy (Sec 8)
- 2.4 Facts otherwise irrelevant when relevant. (Sec 9)
- 2.5 Relevant facts for proof of custom. (Sec 11)
- 2.6 Facts concerning mental state or body (Sec 12)
- 2.7 Admission (Ss 15-21, 25)
- 2.8 Confession (Ss 22-24)

UNIT III: RELEVANCY & ADMISSIBILITY OF FACTS – II

16

- 3.1 Statements by persons who cannot be called as witnesses (s 26-27)
- 3.2 Statements made under special circumstances (s-28-32)
- 3.3 How much of a statement is to be proved (s.33)
- 3.4 Relevance of judgement(s.34-3)
- 3.5 Opinion of third person when relevant(s.39)
- 3.6 Character when relevant (Ss 46-50)

UNIT IV: ON PROOF & BURDEN OF PROOF

16

- 4.1 Facts which need not be proved (Ss 51-53)
- 4.2 Oral Evidence(Ss 54-55)
- 4.3 Documentary Evidence (Ss 56-73)
- 4.4 Presumptions as to documents(Ss 78-93)
- 4.5 Exclusion of oral by documentary evidence (Ss 94 – 103)
- 4.6 Burden of Proof (Ss 104 – 120)

UNIT V: ESTOPPEL & WITNESSES

16

- 5.1 Estoppel (Ss 121 -123)
- 5.2 Who may testify (Ss 124-126)
- 5.3 Judicial privileges (Sec 127)
- 5.4 Privileged Communication (Ss 128-134)

- 5.5 Rules relating to production of title deeds & documents or electronic records (Ss 135-136)
- 5.6 Accomplice and rules regarding evidence of an accomplice (Sec 138)
- 5.7 Examination of witnesses (Ss 140-168)
- 5.8 Appreciation of evidence
- 5.9 Improper admission & rejection of evidence (Sec 169)

LL.B.: 4.2: Civil Procedure Code and Limitation Act

	Marks
Unit 1: Introduction	16
1.1 Suits in general (s.1-35) Object of the code, scope, meaning of substantive law and procedural law, important terms and definitions related with code –Affidavit, Appeal, Cause of Action, Caveat, Issue, Jurisdiction, Suit, Summons, Pleading, Written Statement, Decree, Judgment, Order, Decree holder and Decree debtor, Legal representative, Mesne Profit, Execution etc.	
1.2 Jurisdiction of Civil Courts, Cause of action, Res subjudice, Res Judicata, Constructive Resjudicata.	
1.3 Institution of Suit, Essentials of Suits, Parties to Suit, Representative Suit, Frame of Suit.	
1.4 Pleadings, Definition, Basic Rules, Construction of Pleadings, Singing and verification of pleading, Amendment of pleading.	
1.5 Plaint –Meaning, particulars, Written Statement, Set-off, Legal set-off, Equitable set-off, Set-off and Counter –claim.	
1.6 Issue and Service of summon, Meaning and essentials of summons, contents of summon, modes of service of summons.	
Unit-2: Appearance & Non-appearance of Parties-Withdrawal of Compromise of Suits, Trial and Special Suits:	16
2.1 Appearance and non-appearance of parties, Ex parte decree.	
2.2 First Hearing –Meaning, object. Disposal of Suit at first hearing.	
2.3 Discovery, Inspection and Production of Documents.	
2.4 Issue –meaning framing of issues, kinds of issue, importance of issues, materials for framing issues, omission to frame issues, Disposal of suit, penalty for default Adjournments.	
2.5 Interim orders, Issue of commission and its purpose arrest before judgment, attachment before judgment, -Temporary injunction, Interlocutory orders (order 39, Rules 1-5) s	
2.6 Withdrawal and Compromise of suits.	
2.7 Summoning and attendance of witness, summons to produce documents, adjournments,	
2.8 Hearing of suit.	
2.9 Judgment –its essentials, pronouncement of judgment, copy and contents of judgment, alteration in judgment.	
2.10 Decree –its essentials, decree and judgment, contents etc.	
2.11 Award of Interest and Award of Costs.	
Unit 3: Special Suits:	16
3.1 Suits by or against Government or public officers, suits by aliens, suits by or against Foreign Rules, Ambassadors and Envoys.	
3.2 Suits by or against corporations, suits by or against partnership firms, suits by or against trustees, executors and administrators.	
3.3 Suits against minors and lunatics, guardians or next friends, suits concerning family matters.	

- 3.4 Interpleader Suit
- 3.5 Suits by indigent persons.
- 3.6 Summary Suits.
- 3.7 Arrest and attachment before judgment

Unit 4: Appeals, Reference, Review, Revision and Execution

16

- 4.1 Meaning of Appeals, Reference, Review and Revision
 - First Appeals –meaning, essentials, different stages of Appeals, right of appeal, who may appeal, who cannot appeal, decision where appeal heard by two or more judges, cross-objection, cross appeal, powers of Appellate Court, Appeal from appellate decree.
 - Second Appeal 100 to 103, 107 -108 and Order 42 –substantial question of law.
 - Appeals from orders, appeals by indigent/persons, appeals to Supreme Court, Limitation, Savings powers of High Court.
- 4.2 Review –meaning, nature and scope, object, review and appeal, review and reference, review and revision, circumstances, grounds, procedure at hearings.
- 4.3 Revision –meaning, Sec. 115, nature and scope, object revisions and appeal, revision and second appeal, revision and reference, revision and review, appeal, reference, review and revision –distinction.
- 4.4 Reference –object, nature and object, condition, who may apply, power and duty of the referring court, power and duty of High Court, distinction with appeal, review and revision, reference under CPC and Cr. P. C., reference under CPC and Constitution.
- 4.5 Execution (Sec. 36 -74) –meaning, nature and scope, execution proceedings.
 - Courts executing decrees, -court passing a decree, courts by which decrees may be executed
 - Application for execution, procedures on receiving application, mode of execution.
 - Attachment of Property, garnishee order.
- 4.6 Miscellaneous –restitution
 - Notice under C. P. C.
 - Caveat –meaning, Sec. 148 –A.
 - Inherit Powers of the Courts (S. 148 to 151)
 - Causes of delay, in Civil Litigation, amendments of 1999 and 2002.

Unit 5: Limitation Act, 1963 –Sec. 1-31

16

- 5.1 Meaning of law of limitation, nature and object.
- 5.2 Plea of bar of limitation and its efficiency
- 5.3 Condonation of delay and the doctrine of sufficient cause.
- 5.4 Doctrine legal disability, continuous running of time,
- 5.5 Rules regarding execution of prescribed time.
- 5.6 Effect of certain events on computation of period of limitation

Referred Cases:

1. NAWabShaquafath Ali Khan V. NawabImdadJahBahadur (2009) S. Sec 162
2. Narayan Rajendram V. LakshmySarojiny (2009) S Sec. 264
3. Director General of Police, Central Reserve Polcie Force, New Delhi V. P. M. Ramalingam, AIR 2009 SC 956
4. Malwa Strips Pvt. Ltd. V. Jyoti Ltd. V. Jyoti Ltd., AIR 2009 SC 1581
5. BooddoreddyChandraiahV.ArigelaLaxmi, AIR 2008 SC 380
6. Puran Ram V. Bhagyaram, AIR 2008 SC 1960
7. Union of India V. KamalenduShukla, AIR 2006 Pat 117
8. KsihorKirtila Mehta V. LilavatiKirtilal Mehta Medical Trust, 2007 (9) Scale 36.
9. R. N. Jadu V. Subhashchandra, AIR 2007 SC 2571
10. State of U. P. V. NawabHussain, AIR 1977 SC 1680

11. Salem Advocate Bar Association, Tamil Nadu V. Union of India, AIR 2003 SC 189.

LL.B.: 4.3: Transfer of Property Act

Marks

Unit 1: Introduction:

16

- 1.1 Definition, Object and Scope of the Act.
- 1.2 Transfer of Property- movable and immovable.
- 1.3 Interpretation Clause- 'Immovable property', 'Instrument', 'Attested', 'Registered', 'Attached to the earth', 'actionable claim', 'notice', 'actual or express notice and constructive notice.
- 1.4 Vested and Contingent interest, Difference, Conditional Transfer (Sec.25), Difference between Contingent interest and spes-successionis.

- NORMS PART -

Unit 2: Transfer of Property by Act of Parties:

16

- 2.1 Sec.5 "Transfer of Property" defined
- 2.2 Sec 6- Spes-successionis, Mere right of re-entry, Easements, Restricted interest, Right to future maintenance, Mere right to sue, Pensions and stipends,
- 2.3 Sec. 7- Persons competent to transfer, Essentials of valid transfer, competency of transfer.
- 2.4 Sec. 8- Operation of transfer, Sec.9-Oral transfer, Sec.10- Conditions restraining Alienation.
- 2.5 Sec 13- Transfer for benefit of unborn child, Sec. 14- Rule against perpetuity- Object, maximum remoteness of vesting, ultimate beneficiary in mothers' womb, Exceptions to the Rule.
- 2.6 Sec. 26 to 29- Condition Precedent and Condition subsequent, Fulfillment of Condition Precedent and Condition subsequent
- 2.7 Sec.35- Doctrine of Election.

Unit 3: Transfer of Immovable Property

16

- 3.1 Sec.38- Transfer by person authorized only under certain circumstances to transfer.
- 3.2 Sec.39- Transfer where third person is entitled to maintenance.
- 3.3 Sec. 40- Burden of obligation imposing restriction on use of land or of obligation annexed to ownership, but not amounting to interest of easement.
- 3.4 Sec. 41- Transfer by Ostensible Owner, Benami Transaction Act, 1988.
Sec. 42- Transfer by person having authority to revoke former transfer, Sec 43- Transfer by an authorized person, Sec. 44 & 47-Transfer by Co-owner, Sec. 45-46, joint transfer for consideration, Sec. 48 & 78- Priority of Rights created by Transfer. Sec. 49- Transferee's rights under policy.
- 3.5 Sec. 50-51- Bonafide holders under defective title, Sec. 52- Transfer of property during pendency of suit. (Doctrine of Lis Pendens), Sec.53- Fraudulent Transfer, voidable by creditors.
- 3.6 Sec. 53A- Doctrine of Part- Performance, Partial information of equity of redemption, difference between English and Indian Law.

- FORMS PART -

Unit 4: Sales of Immovable Property:

16

- 4.1 Sec. 54- Definition of Sale, Sale how made, Contract for sale", Essential of valid sale.
- 4.2 Hire- purchase agreements, Distinction between sale and exchange, Distinction between sale and gift.

- 4.3 Sec. 55- Rights and liabilities of buyer and seller.
- 4.4 Sec. 56- Marshalling by subsequent purchase.
- 4.5 Sec. 57- Provision by Court for encumbrances and sale freed therefrom.

Unit 5: Mortgages, Leases, Exchanges, Gift & Actionable Claims :

16

- 5.1 Sec. 58- Mortgage- Definition and Essential its kinds of Rights and Liabilities of Mortgagor and Mortgagee, Sec. 100- Charges- Definition and kinds- Distinction between charge and mortgage, charge and lien.
- 5.2 Sec. 105- Lease – Definition of Lease, Lessor, Lessee, premium and rent, Sec. 107- Leases how made, Sec.108- Rights and Liabilities of Lessor and Lessee. Sec. 111- Determination of Lease, Forfeiture of Lease, Holding over.
- 5.3 Sec. 118- Exchange- Definition, Rights and Liabilities of parties.
- 5.4 Sec. 122- Gift- Definition and Essentials.
Sec. 123- Transfer how effected, modes of making gift, Sec. 124- Gift of existing and future property, Sec. 125- Gift to several of whom one does not accept, Sec. 126- When gift may be suspended & revoked, Sec. 127- Onerous gift, Sec. 128- Universal donee.
- 5.5 Sec. 130- Transfer of Actionable claim, Definition, Transfer how effected, 132- Liability of transferee of an actionable claim.
Sec. 133 & 134- Warranty of solvency of debtor, Mortgaged debt, Sec. 135- Assignment of rights under policy of insurance against fire.

Referred Case Laws:

1. *M. Ramkrishna Reddy V. Sub- Registrar, Bangalore*, AIR (2000) Kant. 46.
2. *Godrej and Boyee Manufacturing Co. Ltd. v State of Maharastra* (2009) 5 Sec.24.
3. *Kaliperumal V. Rajagopal*, (2009) 4 Sec. 193.
- 4 *C. Cheriathan V. P. Narayanan Embranthiri* (2009) 2 Sec. 673
5. *Vimal Chand Ghevarchand Jain V. RamakantaEknathJadoo* (2009) 5 Sec. 713.

Paper: 4.4: Administrative Law

	Marks
Unit 1: Evolution and Scope of Administrative Law	16

- 1.1 Definition, Nature, Scope and reasons for development of Administrative Law
- 1.2 Relationship between Constitutional Law and Administrative Law
- 1.3 Meaning & concept of Rule of Law –Rule of Law and Administrative Law
- 1.4 Separation of powers and its relevance –application in India
- 1.5 Droit Administrative
- 1.6 Classification of functions of Administration

Unit 2: Delegated Legislation	16
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- 2.1 Meaning and scope of Delegated Legislation
- 2.2 Reasons for the growth of Delegated Legislation –Constitutionally
- 2.3 Advantages and disadvantages of Delegated Legislation
- 2.4 Forms of Delegated Legislation
- 2.5 Delegated Legislation in India and the United Kingdom
- 2.6 Control Mechanism –Judicial, Parliamentary, and procedural control
- 2.7 Sub delegation of legislative powers
- 2.8 Difference between delegated legislation and conditional legislation
- 2.9 Colourable Legislation

Unit 3: Judicial Function of Administration and Principles of Natural Justice	16
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- 3.1 Need for devolution of adjudicatory authority on administration

- 3.2 Nature of tribunals –Constitution, powers, procedures, rules of evidence
- 3.3 Administrative Tribunals –advantages –distinction between administrative Tribunals and Court of Law
- 3.4 Principal of Natural Justice
 - Rule against bias
 - Audi Alteram Partem
 - Reasoned decisions
- 3.5 Administrative Tribunals established under the Administrative Tribunals Act, 1985

Unit 4: Administrative Discretion and Judicial Control of Administrative Action 16

- 4.1 Administrative Discretion
 - Need and its relationship with rule of law
 - Constitutional imperatives and exercise of discretion
 - Grounds of judicial review
 - Abuse of discretion
 - failure to exercise discretion
 - Doctrine of legitimate expectations
 - Doctrine of Public Accountability
 - Doctrine of Proportionality
- 4.2 Judicial Control of Administrative Action
 - 4.2.1 Introduction
 - Court as the final authority to determine the legality of administrative action
 - Exhaustion of Administrative remedies
 - Locus standi
 - Res Judicata
 - Judicial review and its extent
- 4.3 Methods of judicial review
 - Statutory appeals
 - Writs –Certiorari –Prohibition –Mandamus –Quo Warranto –Habeas Corpus
 - Declaratory judgements and injunctions
 - Civil Suits for Compensation

Unit 5: Liability of Government/Administration, Public Corporations, Ombudsman and Constitutional protection of Civil Servants etc. 16

- 5.1 Liability of Administration, Liability in Contract, Liability in Tort, Privileges and Immunities of the Administration in suits.
- 5.2 Public Corporations –characteristics –classification –liability – status of employees- control of Public Corporations –Government Companies
- 5.3 Ombudsman –meaning –objectives-development
 - Working of Lokayuktas in States
 - Right to Information Act and good Governance
 - Working of Vigilance Commission
- 5.4 Constitutional protection of Civil Servants, Doctrine of Pleasure, Article 311 of the Indian Constitution, Procedural safeguards, No termination of subordinate authority Reasonable opportunity to defend

Referred Cases:

1. *A.D.M. Jabalpur V. ShivakantShukla*, (1976) 2 SCC 521 (Doctrine of Separation of Powers)
2. *Olga Tellis Vs. BMC*, AIR 1986 SC 180
3. *Indira, Nehru, Gandhi V. RajNarayan*(1975) Supp. SCC1
4. *Supreme Court Advocates on Record Assn. V. Union of India* (1993) 4 SCC 441 (Delegated Legislations)
5. *Sahni Silk Mills V.E.S.I. Corp* (1994) 5 SCC 346 (Natural Justice)
6. *A.K. Kraipak V. Union of India*, AIR 1970 SC 150
7. *J. Mohapatra of Co. V. State of Orissa*, AIR 1987 SC 1572

LL.B.: 4.5 P₂
Drafting, Pleading and Conveyancing
Practical - 2

Full Marks: 100

Practical Assignments:90

Viva-voce:10

Outline of the course:

- a) **Drafting** – General principles of drafting and relevant substantive rules shall be taught.
- b) **Pleadings** –
 - i) Pleadings in general, object of pleadings and fundamental rules of pleadings.
 - ii) **Civil:** Plaint, written statement, interlocutory application, original petition, affidavit, execution petition, memorandum of appeal and revision, petition under Article 226 and 32 of the Constitution of India.
 - iii) **Criminal:** Complaint, criminal miscellaneous petition, bail application, memorandum of appeal and revision.
 - iv) **Form of Pleadings:** Practical exercises on any of the 15 following topics: 15x3=45
 - Suit for recovery under order XXXVII of the Code of Civil Procedure 1908. Suit for Permanent Injunction.
 - Application for Temporary Injunction under Order 39 Rules 1 & 2 of the CPC.
 - Application under Order 39, Rule 2-A of the CPC.
 - Suit for Ejectment and Damages for Wrongful Use and Occupation.
 - Petition for Restitution of Conjugal Rights under S.9 of the Hindu Marriage Act, 1955.
 - Petition for Judicial Separation under S.10 of the Hindu Marriage Act, 1955.
 - Petition for Dissolution of Marriage by Decree of Divorce under S.13 &S.13B(1) of the Hindu Marriage Act, 1955.
 - Petition for Grant of Probate in High Court. Petition for Grant of Letters of Administration.
 - Contempt Petition under Ss. 11 & 12 of the Contempt of Courts Act, 1971 before High Court.
 - Writ petition under Article 226 of Constitution of India. Caveat under S. 148-A of CPC.
 - Caveat for Special Leave Petition (Civil) under Article 136 of the Constitution of India.
 - Special Leave Petition (civil) under Article 136 of the Constitution of India.
 - Counter Affidavit in Special Leave Petition (Civil).
 - Application for Bail.
 - Application for Grant of Anticipatory Bail.
 - Complaint under S. 138 of the Negotiable Instruments Act, 1881. Application U/S. 125 of Cr.PC.
 - Special Leave Petition (Criminal) under Article 136 of the Constitution of India.

- Transfer Petition (Civil) U/S. 25 of CPC.
- Curative Petition under Articles 129, 137, 141 and 142 of the Constitution of India.
- Complaint under S. 12 of the Consumer Protection Act, 1986.
- Written Statement to the Complaint under Consumer Protection Act, 1986.

c) Conveyancing:

15x3=45

Conveyancing in general, object of conveyancing and component parts of a deed.
Forms of deeds and notices: practical exercises on any fifteen of the following: -

- Sale deed
- Mortgage deed
- Lease deed
- Gift deed
- Promissory note
- Power of attorney – general and special power of attorney
- Will
- Trust deed
- Relinquishment deed
- Partnership deed
- Deed of dissolution partnership
- Hire-purchase agreement
- Deed of family settlement between rival claimants of an estate
- Notice of ejectment to the tenant under S. 106 of the T.P. Act, 1982
- Notice under S. 80 of the Code of Civil Procedure, 1908.

Viva-voce

10

Viva-voce examination of 10 marks will be mainly on the above practical works to test the understanding of the students on the topics besides general principles of drafting, pleadings and conveyancing.

Note 1: The practical exercises (minimum 15 for Drafting and minimum 15 for Conveyancing) should regularly be submitted by the students to the teacher of the paper throughout the semester for continuous evaluation.

Note 2: The evaluated exercises along with the list of the marks awarded would be placed before the external examiner at the time of viva-voce examination. The teacher of this paper would be internal examiner who along with the external examiner would jointly award final marks on the exercises and viva-voce examination.

Prescribed Legislation:

The Code of Civil Procedure. 1908, Orders VI to VIII.

Referred cases:

1. *Ram Sarup Gupta vs. Bishunarayan Inter College*, AIR 1987 SC 1242.
 2. *Hari Chand vs. Daulat Ram*, AIR 1987 Sc 94.
 3. *Dhoom Singh vs. Prakash Ch. Sethi*, 1975 (1) SCC 597.
- Delhi Development Authority vs. Durga Chand*, AIR 1973 Sc 2609.

LL.B. :: SEMESTER V		
Code	Paper	Marks
LL.B.: 5.1	Labour & Industrial Law – I	100
LL.B.: 5.2	Company Law	100
LL.B.: 5.3	Environmental Law	100
LL.B.: 5.4 OP ₃	Optional – 3 , any one from following: 1. Legal Research Methodology 2. Trust equity and fiduciary relations 3. Legal Language and RTI	100
LL.B.: 5.5 P ₃	Practical-3 Professional Ethics, Bench-Bar Relation & Accountancy for Lawyers	100
Total for Non the Course		500

5.1: Labour and Industrial Law – I

Marks

Unit I: Introduction

16

- 1.1 Historical development of labour law
- 1.2 Patterns of labour exploitation
- 1.3 Changing perspectives on labour
- 1.4 International Commitments on development of labour

Unit II: The Industrial Dispute Act, 1947

16

- 2.1 Object & Scope, Industrial Jurisprudence
- 2.2 Methods and authorities for the settlement of Industrial Dispute
- 2.3 Strikes and lock-outs
- 2.4 Lay off, Retrenchment & Closure

Unit Iii: The Factories Act, 1948

16

- 3.1 Object & Scope
- 3.2 Registration of factories
- 3.3 Inspecting Staff and Certifying Surgeons
- 3.4 Health, Safety & Welfare
- 3.5 Working hours of Adult & Children, Employment of Young Person.
- 3.6 Annual leave with wages

Unit IV: Trade Union Act, 1926 & The Minimum Wages Act, 1948

16

- 4.1 History, object & scope of Trade Union Act
- 4.2 Registration of Trade Unions
- 4.3 Rights, liabilities, immunities & cancellation of registered trade union.

4.5 Concept & Object of Minimum Wage

4.5 Fixation, revision and payment of minimum wages along its procedure.

Unit V: The Employee's Compensation Act, 1923

16

5.1. Employer's Liability for compensation

5.2 Determination of quantum of compensation.

5.3 Powers and duties of Commissioners.

Referred Cases:

1. Saurashtra Salt Manufacturing Co. (Appellant) Vs. Bai Value Raja and Others (Respondents) AIR 1958 SC 881.
2. People's Union for Democratic Rights Vs. Union of India, AIR 1982, SC 1473 (Asiad Games case)
3. Bandhua Mukti Morcha Vs. Union of India and Others, AIR 1984, SC 802 (Bonded Labour case)

5.2 Company Law

Marks

UNIT 1: Formation of a Company:

16

- 1.1 Historical background.
- 1.2 Meaning, nature and Kinds Company.
- 1.3 Advantage & disadvantage of a company.
- 1.4 Lifting of corporate veil.
- 1.5 Incorporation of company.
- 1.6 Pre-incorporation contract.
- 1.7 Promoters of a company.
- 1.8 Corporate Social Responsibility

UNIT 2: Memorandum and Article of Association:

16

- 2.1 Meaning and nature
- 2.2 Doctrine of Ultra-Vires.
- 2.3 Doctrine of constructive notice
- 2.4 Doctrine of indoor management

UNIT 3: Capital of a Company:

16

- 3.1 Prospectus – definition, contents.
 - 3.1.1 Liability for mis-statement in the prospectus,
- 3.2 Shares- definition, kinds.
- 3.3 Debentures- definition, kinds.
 - 3.3.1 Charges- definition, kinds.

UNIT 4: Management of the Company: **16**

- 4.1 Directors and other Managerial Staff
- 4.2 Majority rule and minority rights.
- 4.3 Prevention of oppression & mismanagement.
- 4.5 Meetings – kinds, purpose, procedure.
- 4.6 Dividend

UNIT 5: Winding up of the Company: **16**

- 5.1 Kinds of winding up.
- 5.2 Official liquidator

Referred Cases:

- 1. *Salmon Vs. Salmon and Company Ltd. (1897) AC 22*
- 2. *Lee Vs. Lee's Air Farming Ltd. (1961) AC 12.*
- 3. *Seth Mohan Lal Vs. Grain Chambers Ltd. AIR 1968 SC 772.*
- 4. *Royal British Bank Vs. Turquand (1856) 119 ER 886*
- 5. *S.P. Jain Vs. Kalinga Tubes Ltd. AIR 1965 SC 1535.*

5.3: Environmental Law

	Marks
UNIT: I Introduction:	16
1.1 The concept of Environment, the basic concepts of ecology and ecosystem;	
1.2 Ancient Indian approach to Environment, Traditional approach;	
1.3 Recent issues relating to environment, National and International Perspectives, Population and Developmental impact on environment.	

UNIT :- Law and Environmental Protection **16**

- 2.1: International conventions in the development of environmental laws and its Policy-Form Stockholm to recent conventions – Multilateral environmental agreements –Common Law aspects of Environmental Protection; U.N. Millennium Declaration.
- 2.2 Indian: Constitution of India-Fundamental Rights, Directive Principles of State Policy, Fundamental Duties; Relevant Provisions of BNS., BNSS., C.P.C., for preventing pollution;
- 2.3 Environment Protection Act, 1986, ECO-Mark, Environment Impact Assessment, Environmental Audit, Public Participation in Environmental decision making, Environment information, public hearing

UNIT III:- Laws and Pollution Control: **16**

- 3.1 Air, Water, Noise, Soil and Marine Pollution- Prevention and Legal Control of Pollution- Water Act, 1974; Air Act, 1981; Environment (Protection) Act, 1986 etc.; Powers and Functions of the Board, Penalty and Procedure, Role of Government –

- Central and state,
- 3.2 Doctrines- Polluter Pays Principle, Public Trust Principle, Sustainable Development Principle, Precautionary Principle.
 - 3.3 Legal remedies for environmental problems: Environmental Disputes and its Redressal agencies: Environmental Tribunals, Public liability Insurance and Environment Relief Fund and remedies under other laws;
 - 3.4 National Environment Appellate Authority –United Nations Initiatives, Civil Society and Environment, Role of NGO's (National and International Level) and Voluntary organizations;
 - 3.5 National Green Tribunal Act, 2010: Jurisdiction, Power and Proceedings before tribunal; Role of Judiciary in Environment Protection.

UNIT IV: Laws and Waste Management: 16

- 4.1 concept, meaning, cause, disposal, control and the laws:
- 4.2 Municipal Solid Waste; Plastic Wastes; Hospital Wastes; Electronic Wastes; Radioactive Waste

UNIT V: Protection of Forest and Wild Life: 16

- 5.1 Need and importance of forest, Deforestation- causes and effects-The Indian Forest Act, 1927 Forest Conservation Act, 1980;
- 5.2 National Forest Policies. Wild Life Protection in India- ancient, British period and Independent India; Wild Life Protection Act, 1972.

Referred Cases:

1. *Indian Council for Enviro-legal action Vs Union of India*, AIR 1996 SC 1446
2. *Shri Ram Gas Leak Case, M.C. Mehta Vs. Union of India* AIR, SC, 965, 982, 1086
3. *Raylands Vs. Fletcher*, (1868) LR 3 HL 330
4. *A.P. Pollution Control Board Vs, Prof M.V. Nayadu*, AIR, 1999 SC 812
5. *Vellore Citizens Welfare Forum Vs. Union of India*, AIR 1996, SC 2715
6. *Narmada Bachoo Andolan Vs. Union of India* (2000) 10 SCC 664
7. *Taj Trapezium case. M.C. Mehta Vs. Union of India* AIR, 1997 SC 734
8. *M.C Mehta v. Kamal Nath*

5.4 OP4: 1. Equity, Trust and Fiduciary Relationship

UNIT- 1:-Concept of Equity	Marks
	16

- 1.1 Concept of Equity, Nature, history and development in Roman Law and English Common Law
- 1.2 Equity Court and Common Law Courts in England; Equitable Rights, Remedies

and Procedure

1.3 Classification of Jurisdictions of Equity Courts.

1.4 Unification of Equity and Common Law Courts and the Provisions of the Judicature Acts of 1873-75

UNIT- 2:- Major maxims or principles of equity and their application **16**

2.1 Equity will not suffer a wrong to be without a remedy, Equity follows the Law

2.2 He who seeks equity must do equity

2.3 He who comes into equity must come with clean hands

2.4 Delay defeats equity, Equality is equity

2.5 Equity looks to the intent rather than the form;

2.6 Equity looks on that as done which ought to be done

2.7 Equity inputs and intention to fulfill an obligation

2.8 Where there is equal equity; the law shall prevail

UNIT-3 The Indian Trusts Act, 1882 **16**

3.1 Historical background of the Act

3.2 Classification or kinds of Trusts

3.3 Creation of Trusts

3.4 Trustees-their duties and liabilities; Trustees-their rights and powers, Trustees and their disabilities under the Indian Trusts Act.

UNIT-4 Beneficiaries **16**

4.1 Beneficiaries and their rights and liabilities,

4.2 Appointment and Discharge of Trustees, Extinction of Trust, Obligations in the nature of Trusts and Fiduciary relations,

4.3 Concept of Equity and its relevance and Application in Indian Legal System

Unit 5 Special Legislations **16**

5.1 Basic objects and Principles of the Charitable and Religious Trusts Act, 1920

5.2 Basic objects and Principles of the Religious endowment Act, 1863

5.3 . Basic objects and Principles of the Societies Registration Act, 1860

Leading Cases:

- i) Official Trustee, W.B. & Others V Sachindra Nath Chatterjee & Others (1969) 3 SCR-92

- ii) Allahabad Bank Ltd. V The Commissioner of Income Tax, W.B. AIR 1953 SC 476

5.4 OP4: Legal Language and RTI

	Marks
Unit 1: Introduction to Legal Language	16
<ul style="list-style-type: none"> 1.1 History of Legal Language 1.2 Characteristics of Legal Language 1.3 Legal Language in India-attention and awareness of practical legal import of sentences. 1.4 Law in general- concepts on Law of Contracts, Law of Property, Law of Tort, Law of Crimes, CPC, Cr. P.C., Law of Evidence 1.5 Lawyer's duty to: Client, Court, Opponent, Colleagues, Profession, Legal Aid and Trainees. 1.6. Advice to a young man interested in going into Law: Felix Frankfurter 1.7 The Language of the Law: Urban A. Laveery 1.8 In the Court: Anton Chekov 1.9 The Five Functions of the Lawyer: Arthur T. Vanderbilt 	
Unit 2: Fundamental Principles of Legal Writing and Terminology	16
<ul style="list-style-type: none"> 2.1 Concision - clarity - cogency - simplicity of structure <ul style="list-style-type: none"> 2.2.1 Brief writing, writing of case comment and drafting of law reports 2.2 Legal citation 2.3 Terms used in civil law and criminal law 2.4 Latin words and expressions- Law Register 	
Unit 3: Maxims	16
<ul style="list-style-type: none"> 3.1 Aequitas sequitur legem (Equity follows the law) 3.2 Affirmanti, non neganti, incumbit probatio (The proof is incumbent upon the one who affirms, not on the one who denies) 3.3 Aequitas agit in personam (Equity acts in personam, not in rem) 3.4 Ex turpi causa non oritur actio (No action arises out of a wrongful consideration) 3.5 Exturpi causa non oritur actio (He who seeks equity must come with clean hands) 3.6 Ignorantia facti excusat, Ignorantia juris non excusat (Ignorance of fact is an excuse but ignorance of the law is no excuse) 3.7 Jus respicit aequitatem (The law pays regard to equity) 3.8 Lex est norma recti (The law is a rule of right) 3.9 Nemo potest esse simul actor et judex (No one can be at the same time both 	

pursuer and judge)

3.10 **Nemo debet bis puniri pro uno delicto** (No one should be punished twice for the same.

Unit – 4: The Right to Information act, 2005 – I

16

- 4.1 Aim & objects of the Act
- 4.2 Right to information
- 4.3 Obligations of public authorities
- 4.4 Designations of Public information officers
- 4.5 Procedure for obtaining information
- 4.6 Disposal of request
- 4.7 Exemption from disclosure of information
- 4.8 Grounds for rejection
- 4.9 Severability
- 4.10 Third party information

Unit – 5: The Right to Information Act, 2005 –II

- 5.1 The central Information commission
- 5.2 The state information commission
- 5.3 Powers & functions of information commission
- 5.4 Appeal
- 5.5 Penalties
- 5.6 Miscellaneous provisions
- 5.7 Schedules
- 5.8 The Right to information (Regulation of fee and cost Rules,2005
- 5.9 The central information commission (Appeal procedure)Rules, 2005
- 5.10The Assam Right to information Act, 2001

5.5 P₃ : Professional Ethics, Bar Bench Relations and Accountancy for Lawyers

Practical -3

Full Marks: 100 [60+40]

Theory : 60, Pass Marks : 27

Pass marks: 45 [27+18]

Time : 2 hours

Practical with Viva-voce : 40 (30+10),

[For Unit - 1, 2 & 3 there will be written examination of 60 marks of 2 hour duration. Pass mark in the written examination will be 27 marks. Practical examination with viva-voce will be of 40 marks. Pass mark for practical examination with viva-voce will be 18 marks.]

Unit 1:Introduction

Marks

20

- 1.1 Aim and Objective of Professional Ethics
- 1.2 Need for the Code of Legal Ethics

- 1.3 Need for the Professional Accounting System
- 1.4 Bar-Bench Relation
- 1.5 Mr. Krishnamurthy Iyer's book on 'Advocacy'

Unit 2: The Contempt Law and Practice

Prescribed Legislation: The Contempt of Court Act, 1971. 20

Unit 3: The Bar Council Code of Ethics 20

Prescribed Legislation :

1. Bar Council of India Rules on Standards of Professional Conduct and Etiquette. (Rules under Sec. 49(I)(c) of the Advocates Act, 1961 read with proviso thereto)
2. Relevant portions of the Advocates Act, 1961 (Sec. 35, 36, 36(A), 36(B), 37, 38, 39, 40, 41, 42, 42(A), 43 & 44).

[Prescribed book for this Unit 3 is "Selected Judgements on Professional Ethics published" by Bar Council of India Trust from Page No. 3 to 21.]

Practical Projects:

40

- (a) 50 selected opinions of Disciplinary Committees of Bar Councils and 10 major judgments of the Supreme Court on professional misconduct.
Following are the 50 selected opinions of the Bar Councils on professional misconduct: -

Financial Misappropriation:

1. K.V. Umere vs. Smt. Venubai, O Dase and Anr. *Civil Appeal No. 2385 of 1977.*
2. Smt. Siya Bai vs. Sitaram Singh *BCI Tr. Case No. 8/1987*
3. Smt. Urmila Devi vs. Sita Ram Singh *BCI Tr. Case No. 21/1987*
4. Secretary, Karnataka Khadi Gram Udyog Samyukta Sangha vs. J.S. Kulkarni *BCI Tr. Case No. 12/1990*
5. Devendra Bhai Shankar Mehta vs. Rameshchandra Vithaldas Sheth & Anr. *Civil Appeal No. 4437 of 1990*
6. Mr. M.S. Patwardhan vs. V.V. Karmarkar *BCI Tr. Case No. 93/1991*
7. Upendra D. Bhatt vs. Vijay Singh M. Kapadia *D.C. Appeal No. 23/1993*
8. Allahabad Bank vs. Girish Prasad Verma *BCI Tr. Case No. 49/1993*
9. Regional Officer, Allahabad Bank vs. J.P. Srivastava *BCI Tr. Case No. 20/1995*
10. Prof. Krishnaraj Goswami vs. Viswanath D. Mukasikar *D.C. Appeal No. 40/1995*
11. Mrs. Suresh Joshi vs. L.C. Goyal *BCI Tr. Case No. 44/1995*
12. Tek Chand vs. Promod Kumar Choudhury *BCI Tr. Case No. 22/1998*

Suppression of Material Facts.

13. Smt. Sudesh Rani & Ors. Vs. Munish Chandra Goel *BCI Tr. Case No. 43/1996*
Misuse of Signed Documents & Forgery

14. M. Veerabhadra Rao vs. Tek Chand *Civil Appeal No. 1019/1978*
15. In the matter of 'A' an Advocate *Supreme Court 1887*
16. Surendranath Mittal vs. Dayanand Swaroop *BCI Tr. Case No. 63/1987*
17. Smt. Farida Choudhury vs. Dr. Achyut Kumar Thakuria *BCI Tr. Case No. 1/1993*
18. Pratap Narain vs. Y.P. Raheja *BCI Tr. Case No. 40/1993*
19. Vikramaditya vs. Smt. Jamila Khatoon *D.C. Appeal No. 21/1996*
20. S.K. Nagar vs. V.P. Jain *D.C. Appeal No. 14/1997*
21. D.P. Chadha vs. Triyugi Narain Mishra & Ors. *Civil Appeal No. 1124/1998*
22. R.N. Tiwari vs. Keta Shah *D.C. Appeal No. 9/1999*
23. Ashok Kumar Kapur vs. Bar Council of Punjab & Haryana *D.C. Appeal No. 18/1999*

Purchase of Property of the Client in Dispute

24. P.D. Gupta vs. Ram Murti & Anr. *Civil Appeal No. 15496/1986*
25. Ram Sewak Patel vs. Vir Singh *D.C. Appeal No. 32/1992*
26. Ajmer Singh vs. Jagir Singh *D.C. Appeal No. 11/1994*

Duty to the Client

27. V.C. Rangadurai vs. D. Gopalan & Ors. *Civil Appeal No. 839/1978*
28. Chandrashekhar Soni vs. Bar Council of Rajasthan & Ors. *Civil Appeal No. 258/1977*
29. Prahlad Sharan Gupta vs. Bar Council of India & Anr. *Civil Appeal No. 3588/1984*
30. In Re: An advocate *Civil Appeal No. 316/1987*
31. Manjit Kaur, Etc. vs. Deol Bus Service Ltd. *Civil Misc. No. 4905/1988*
32. Smt. P. Pankajam vs. B.H. Chandrashekhar *B.C.I. Tr. Case No. 86/1992*
33. John D'Souza vs. Edward Ani *Civil Appeal No. 3206/1993*
34. In the matter of Mr. 'P' an advocate *Supreme Court of India*

Contingent Fees

35. H.G. Kulkarni & Ors. Vs. B.B. Subedar *D.C. Appeal No. 40/1996*
And B.B. Subedar vs. H.G. Kulkarni & Ors. *D.C. Appeal No. 36/1996*
36. Rajendra V. Pai vs. Alex Fernandes, Baptist Fernandes and Francisco Fernandes
D.C. Appeal No. 11, 12, 13/2000
37. R.D. Saxena vs. Balram Prasad Sharma *Civil Appeal No. 1938/2000*

Contempt of Court

38. In Re.: Vinay Chandra Mishra *Contempt Petition (Criminal) No. 3 of 1994*
39. Suo Motu Enquiry vs. Nand Lal Balwani *B.C.I. Tr. Case No. 68/1999*
40. Kanta Prasad vs. Baldev Sahai Rastogi *D.C. Appeal No. 28/1996*

Duty to the Court

41. Vijaya Singh vs. Murarilal & Ors. *Civil Appeal No. 1922/1979*

Physical Assault

42. Hikmat Ali Khan vs. Ishwar Prasad Arya & Ors. *Civil Appeal No. 4240/1986*
43. Saiyed Anwar Abbas vs. Krishna Singh Singh & Ors. *B.C.I. Tr. Case No. 62/1991*

Any Other Misconduct

44. Satish Kumar Sharma vs. bar Council of Himachal Pradesh *Civil Appeal No. 5395/1997*
45. Sardul Singh vs. Pritam Singh & Ors. *Civil Appeal No. 1763/1993*
46. J.N. Gupta vs. D.C. Singhanian & J.K. Gupta *B.C.I. Tr. Case No. 38/1994*
47. J.N. Karia vs. M.S. Udeshi and M.S. Udeshi vs. T. Raja Ram Mohan Roy *B.C.I. Tr. Case No. 61/1995 / B.C.I. Tr. Case No. 3/1999*
48. Babu Lal vs. Subhash Jain *B.C.I. Tr. Case No. 115/1996*
49. Kamal Prasad Misra vs. Mehilal *D.C. Appeal No. 45/2000*
50. Sambhu Ram Yadav vs. Hanuman Das Khatri *Civil Appeal No. 6768/2000*

All the above opinions are available in the book “**Selected Judgments on Professional Ethics (Published by the Bar Council of India Trust, 21, Rouse Avenue Institutional Area, New Delhi – 110002, Phones No. 3231647, 3231648, Fax: 3231767,**

***E-mail:bcindia1@vsnl.com, Price: Rs. 400/-, 2002 edition)*”.**

It is mandatory for the college to have this book in the library under the BCI Rules, 2008.

From the following Supreme Court cases on Professional Misconducts, the students are required to study any 10 for their practical project.

1. *Salil Dutta vs. T.M. and M.C. (P) Ltd.* (1993) 2 SCC 185.
2. *Vinay Chandra Mishra, In re* (1995) 2 SCC 584.
3. *C. Ravichandran Iyer Vs. Justice A.M. Bhattacharjee* 91995) 5 SCC 457.
4. *P.D. Gupta vs. Ram Murti* (1997) 7 SCC 147.
5. *R.D. Saxena vs. Balram Prasad Sharma* (2000) 7 SCC 264.
6. *D.P. Chadha vs. Triyugi Narain Mishra* (2001) 2 SCC 221.
7. *Shambhu Ram Yadav vs. Hanuman Das Khatry* (2001) 6 SCC 1.
8. *Pravin C. Shah vs. K.A. Mohd. Ali* (2001) 8 SCC 650.
9. *Bhupinder Kumar Sharma vs. Bar Assn., Pathankot* (2002) 1 SCC 470.
10. *Ex-Capt. Harish Uppal vs. Union of India* (2003) 2 SCC 45.
11. *Mahabir Prasad Singh vs. Jacks Aviation (P) Ltd.* AIR 1999 SC 287; (1999) 1 SCC 37.
12. *John D’Souza vs. Edward Ani*, AIR 1994 SC 975, 1994 SCC (2) 64.

13. *Bar Council of Maharashtra vs. M.V. Dabholkar*, AIR 1976 SC 242, 1976 SCC (2) 291.
14. *Pandurang Dattatraya Khandekar vs. Bar Council of Maharashtra, Bombay & Others*, AIR 1984 SC 1100, 1984 (2) SCC 556.
15. *V.C. Rangadurari vs. D. Gopalan & Others*, AIR 1979 SC 281, 1979 SCC (1) 308.

- (b) Viva-voce 10
 Viva-voce examination of 10 marks will be mainly on the above practical works to test the understanding of the students on the topics.

Note : The written reports evaluated by the teacher along with list of the marks awarded will be placed before the external examiner at the time of viva-voce examination. The teacher of the practical paper will be the internal examiner who along with the external examiner will jointly award final marks on written reports and viva-voce examination. Written reports will not be accepted for final evaluation by the external & internal examiners if they are not submitted and evaluated regularly throughout the semester.

Recommended Books:

1. The Advocates Act, 1961.
2. The Contempt of Court Act, 1971.
3. Mr. Krishna Iyer's book on *Advocacy*.
4. *Professional Ethics, Accountancy for Lawyers & Bench-Bar Relations* by Dr. S.P. Gupta.
5. *Legal Ethics, Accounting for Lawyers & Bench-Bar Relations* by Dr. Kailash Rai.
6. *Professional Ethics, Accountancy for lawyers & Bench-Bar Relations* by J.R.S. Sirohi.
7. *Legal Profession & its Ethics* by B.K. Goswami.
8. *Challenges to the Legal Profession – Law and Investment in Developing Countries* by P.N. Bhagawati.
9. *Sociology of Legal Profession and Legal System* by J.B. Gandhi.
10. *Socio-Legal Study of Occupational Status of Law Graduates* by K.L. Bhatia.
11. "Sociology of Law and Legal Profession: Cross Cultural Theoretical Prospective" by K.L. Sharma in 24 *J.I.L.I.* 528 (1982).
12. "The Pathology of the Indian Legal Profession" by Upendra Baxi in 13 *Ind. Bar. Rev.* 455 (1986).
13. "Legal Profession and the Advocates Act, 1961" by A.N. Veeraraghavan in 14 *J.I.L.I.* 229 (1972).
14. "Legal Profession: Its Contribution to Social Change" by K.K. Sathe in 13 *ICSSR*.

LL.B. :: SEMESTER VI		
Code	Paper	Marks
LL.B.: 6.1	Labour & Industrial Law – II	100
LL.B.: 6.2	Public International Law	100
LL.B.: 6.3 OP ₄	Optional – 4 , any one from following: 1. Insurance Law 2 Principles of Taxation Law	100
LL.B.: 6.4 OP ₅	Optional – 5 , any one from following: 1. Intellectual Property Rights 2. Humantarian and Refugee Law	100
LL.B.: 6.5 OP ₆	Optional – 6 , any one from following: 1. Human Rights 2. Criminology	100
LL.B.: 6.6 P ₄	Practical – 4 Moot court & Internship	100
Total for the Course		600

6.1:Labour and Industrial Law – II

UNIT I: Plantations Labour Act, 1951	Marks 16
1.1 Registration of plantations	
1.2 Health, welfare & safety provision	
1.3 Hours and limitation of employment	
1.4 Leave with wages	
UNIT II: Industrial (Development And Regulation) Act,1951	16
2.1 Introduction and Definitions	
2.2 The Central Advisory Councils and Development Councils	
2.3 Regulations of Scheduled Industries	
2.4 Direct Management of Industrial Undertakings by Central Govt. In certain cases.	
2.5 Liquidation of Companies and Control of Supply, Distribution of certain articles.	
UNIT III: Contract Labour (Regulation & Abolition) Act,1970 and Bonus Act	16
3.1 Introduction	
3.2 The Advisory Boards and Regulation of establishment	
3.3 Licensing of Contractors	
3.4 Welfare and Health of Contract Labour	
3.5 Payment of Bonus Act, 1965	
UNIT IV: The Mines Act, 1952	16
4.1 Introduction	
4.2 Inspectors and Certifying Surgeons, Committees	
4.3 Mining operations and Management of Mines.	

- 4.4 Provisions as to health and society
- 4.5 Hours, Limitation of employment and leave with wages.
- 4.6 Penalties and procedures.

UNIT V: Payment of Gratuity Act, 1972 & Employees Provident Funds Act, 1952 16

- 5.1 Continuous service & payment of gratuity
- 5.2 Determination of the amount of gratuity
- 5.3 Recovery of gratuity
- 5.4 Employees provident fund scheme
- 5.5 Employees provident fund appellate authority
- 5.6 Appeal and procedure of Tribunal

Referred Cases:

1. *Karnal Leather Karamchari Sanghatan v. Liberty Footwear Co. AIR 1990 SC 247*
2. *J.K. Synthetics Ltd. V. K.P. Agrawal (2007) 2 SCC 433*
3. *Delhi Cloth and General Mills Ltd. V. Kushal Bhan, AIR 1960 SC 806*
4. *Debotosh Pal Choudhary v. Punjab National Bank, AIR 2002 SC 3276*
5. *Neeta Kaplish v. Presiding Officer, Labour Court, AIR 1999 SC 698*
6. *Jalan Trading Co. (P.) Ltd. V. Mill Mazdoor Sabha, AIR 1967 SC 69*

6.2: Public International Law

Unit – 1: Introduction 16

- 1.1 History of International Law
- 1.2 Definition and Nature of International Law
- 1.3 Subjects of International Law
- 1.4 Relationship between International Law and Municipal Law

Unit –2: Sources of International law and Jurisdiction 16

- 2.1 Sources of International law:
 - 2.1.1 Custom
 - 2.1.2 Treaties
 - 2.1.3 General Assembly Resolutions
 - 2.1.4 General Principles
 - 2.1.5 Juristic Works
 - 2.1.6 Other Sources

2.2 Jurisdiction: 16

- 2.2.1 General Concept
- 2.2.2 Principles: Territorial, Active, Passive, Protective, Universality.
- 2.2.3 International Status of High Sea, Aircraft, Antarctica and Outer Space

Unit-3: Recognition, Extradition and Law of the Sea 16

3.1 Recognition

- 3.1.1 Theories of Recognition

3.1.2 De facto, De jure recognition	
3.1.3 Implied Recognition	
3.1.4 Withdrawal of Recognition	
3.1.5 Retrospective Effects of Recognition	
3.2 Extradition	
3.2.1 Customary Law basis	
3.2.2 The nature of obligation	
Unit – 4. Settlement of International Disputes and Treaties	16
4.1 Settlement of International Disputes:	
4.1.1 Pacific Means,	
4.1.2 Coercive Means	
4.2 Treaties:	
4.2.1 Concept with important maxims,	
4.2.2 Kinds,	
4.2.3 Termination	
Unit – 5. War and International Organizations	16
5.1 War:	
5.1.1 International Concept of war,	
5.1.2 Important Legislations on war	
5.2 International Organizations:	
5.2.1 Concept and Kinds,	
5.2.2 League of Nations,	
5.2.3 The United Nation and its ‘organs.	
Referred cases	
1. <i>Shri Krishna Sharma Vs, State of West Bengal., AIR(1954) Calcutta 591</i>	
2. <i>Civil Air Transport Inc. Vs. Central Air Transport Corporation, (1953) AC70</i>	
3. <i>G.B Sing Vs. Government of India, AIR 1973, S.C.. P 2667</i>	
4. <i>Daya Sing Lahoria Vs. Union of India, AIR, S.C2001. P1716</i>	
5. <i>Vishakha Vs. State of Rajasthan, A.I.R. 1997, S.C. P3011</i>	
6. <i>Re Castioni Case (1981) IQB 149</i>	
7. <i>Luther Vs., Sagor, (1921) 3 KB, P 532</i>	

6.3 Op4 :1. Insurance Law

Optional – 4

Unit 1: Introduction	16
1.1 Nature of insurance contract	
1.2 Kinds of insurance, proposal ,policy ,parties.	
1.3 Consideration-need for utmost good faith	
1.4 Insurable interest ,indemnity ,insurance policy.	
1.5 Law of contract and law of torts-	
1.6 Future of insurance, need, importance and place of insurance,	

- 1.7 Constitutional perspectives –
 List-I : Union List – Entries 24,25,29, 30 and 47
 List III: Concurrent List – Entries 23 and 24.

Unit 2: General Principles of Law of insurance:	16
2.1 Definition, nature and history,	
2.2 The risk – commencement, attachment and duration	
2.3 Assignment and alteration	
2.4 Settlement of claim and subrogation.	
2.5 Effect of war upon policies	
Unit 3: Life Insurance :	16
3.1 Nature and scope	
3.2 Event insured against life insurance contract	
3.3 Circumstances affecting the risk	
3.4 Amounts recoverable under life policy	
3.5 Persons entitled to payment	
3.6 Settlement of claim and payment of money	
Unit 4: Insurance against accidents:	16
4.1 The Fatal Accidents Act, 1855- Objects and reasons.	
4.2 Assessment of compensation,	
4.3 Contributory negligence	
4.4 Apportionment of compensation and liability,	
4.5 The personal injuries (Compensation insurance) Act 1963,	
4.6 Compensation payable under the Act.	
4.7 Compensation insurance scheme under the Act	
4.8 Compulsory insurance	
Unit 5: Property Insurance – Insurance against ThirdParty Risks	16
5.1 Burglary and Theft	
5.2 Plate Glass Insurance	
5.3 Goods in Transit Insurance	
5.4 Storm and tempest Insurance	
5.5 M.V Compulsorily third party Insurance	

Referred Cases:

1. K Sasi Kala V Life Insurance Company AIR +1999 AP 32
2. Sarbati Devi Case AIR 1977
3. LIC V Kiran Sinha AIR 1985
4. Lakshmi Insurance Co. Ltd. V B. Padmawati AIR 1961
5. LIC V Canara Bank Ltd. AIR 1974

6.3OP4:2. Principles of Taxation Law

Marks

UNIT 1: Introduction to Taxation Law

16

- 1.1 Tax-Meaning, Concept, Origin, Characteristics, Classification, Fundamental Principles.
- 1.2 Tax system before Indian independence-ancient, medieval and modern India.
- 1.3 Distribution of legislative powers regarding taxation.
- 1.4 Constitutional Safeguards regarding Taxation
- 1.5 Role of tax system in national economy

UNIT 2: Income Tax Act, 1961

16

- 2.1 Concept and Mechanism of Income Tax; Definitions- Income, Previous Year, Assessment Year, Residential Status, Receipts and Expenditure; Distinction between Capital and Revenue; Basis of Charge and Scope of Total Income
- 2.2 Heads of Income and Computation of Total Income under various heads-Income from salaries, Income from House property, Profits and gains from Business or Profession, Capital gains, Income from other sources
- 2.3 Income which do not form part of Total Income
- 2.4 Clubbing Provisions, Set off and Carry forward of Losses, Deductions; Assessment of Income of different persons; Corporate Taxation;
- 2.5 Tax Deduction at Source, Tax Collection at Source, Advance Tax, Self- Assessment Tax
- 2.6 Income Tax authorities: Appointment, jurisdiction, powers
- 2.7 Notice of demand, special provisions, refunds, appeals, revisions and penalties.
- 2.8 Assessment, return and best judgment assessment.

UNIT 3: Goods and Services Tax (GST):

16

- 3.1 Introduction ,meaning, origin, advantages and disadvantages
- 3.2 Constitutional provisions and GST
- 3.3 GST- Implementation, Liability of the Tax Payer, Levy, Composition Scheme, Remission of Tax
- 3.4 GST Council- Composition, Functions and Role
- 3.5 Registration Procedure
- 3.6 Meaning and Scope of Supply- Taxable Supply, Supply of Goods and Supply of Services, Course or Furtherance of Business, Special Transactions
- 3.7 Valuation in GST-Transaction Value, Valuation Rules

- 3.8 Payment of GST- Time of GST Payment, How to make payment, Challan Generation & CPIN, TDS and TCS

UNIT 4 International Taxation **16**

- 4.1 Double Taxation Avoidance Agreements (DTAA)
- 4.2 India's Mutual Agreement Procedure (MAP)
- 4.3 Transfer Pricing
- 4.4 TDS rates under DTAA
- 4.5 Tax rates as per Income Tax Act *vis-à-vis* tax treaties
- 4.6 Utility on DTAA
- 4.7 Withholding Tax

UNIT 5: Miscellaneous **16**

- 5.1 Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015
- 5.2 Assam Agricultural Income Tax Act, 1939

6.4 Op5 : 1. Intellectual Property Rights

	Marks
Unit 1: Introduction:	16
1.1 The Concept of Property vis-à-vis Intellectual Property: Concept of Property and theories of Property –An Overview, Theories of Intellectual Property Rights, Social and Economic Development and Role of Intellectual Property System,	
1.2 Need of Protecting Intellectual Property-Policy Consideration- National Perspectives and International Demands;	
1.3 Kinds of Intellectual Property; Role of International Institutions –WIPO: Functions, Membership, Agreement between WIPO and WTO,	
1.4 Dispute Settlement – New Treaties; International Legal Instruments Relating to IPR – Paris Convention, Berne Convention, PCT etc.	
Unit2. Patent	16
2.1 Patent: Meaning of Patent; Historical evolution of the concept of patent, Acquisition and loss of the right to the patentee, Grounds of opposition, Wrongfully obtaining the invention, Prior publication, lack of inventive step, insufficient description	
2.2 Rights conferred by patents and obligation of patentee, Patents as chose in action, Duration of patent, Use and exercises of rights, right to secrecy	
2.3 Abuse of patent rights, Compulsory licensing; Remedies.	

Unit 3.Trademark:**16**

3.1 Trademark: Historical evolution of Trademark Law; Definition, Registration, Rights conferred

1.3 Registered user, Assignment and transmission, 12 3 16 Page 37 of 53 Well-known trademarks, domain name, collective trademark

3.3 action for passing off and infringement of trademarks; Remedies

Unit 4. Copyright**16**

4.1 Copyright: Historical evolution of Copyright law: Definition, Copyright in literary, dramatic and musical works, cinematograph films, computer software, etc.

4.2 Ownership of copyright, Author's Special rights Infringement-Fair use provisions; Remedies,

Unit 5. Other Forms of Intellectual Property**16**

5.1. Other Forms of Intellectual Property: Law relating to Geographical Indication,

5.2. Industrial designs,

5.3. Traditional Knowledge: Domestic as well as International Law.

Refereed cases:

1. The Imperial Tobacco Co. of India v. The Registrar of Trade Marks, AIR 1977 Cal 413
2. Sony Kabushuki Kaisha v. Samrao Masker, AIR 1985 Bom 327
3. K. R. Krishna Chettiar v. Sri Ambal & Co, AIR 1970 SC 146
4. Cadila Health Care Ltd v. Cadila Pharmaceuticals Ltd, 2001 PTC 541 (SC)
5. Bharti Cellular Ltd and Anr v. Jai Distillers P. Ltd., 2006 (33) PTC 220 (Bom.)
6. Zee Entertainment Enterprises Ltd. v. Gajendra Singh, 2008 (36) PTC 53(Bom)
7. AmarNath Sehgal v. Union of India, (2005) 30 PTC 253
8. Canadian General Electric Co. Ltd. v. Fada Radio Ltd., AIR 1930 PT1

6.4 Op5: 2. Humanitarian and Refugee Law**Marks****Unit 1: Introduction****16**

1.1 Nature and Definition of IHL — Historical Background and Origins of IHL (including a South Asian perspective) Difference between International Humanitarian Law and Human Rights.

1.2 Inter-state resort to force and international law – Prohibition and Exceptions

1.3 IHL as a part of International Law — Sources of Modern IHL –Development and adoption of the Geneva Conventions and Additional Protocols

1.4 Fundamental Rules of IHL — Applicable in Armed Conflict	
1.5 Concept of War/ armed conflict - International and NonInternational	
1.6 Relationship between IHL and International Human Rights Law (IHRL); The Problem of Applicability of Human Rights Law in Armed Conflict	
Unit 2: Protection of Defenceless	16
2.1 The General Obligations of Humane Treatment — Role of ICRC — Wounded, Sick and Shipwrecked persons	
2.2 Combatant Status	
2.3 Protection of POW's	
2.4 Women and Children and Other Vulnerable civilians including Refugees	
Unit 3: Limitation on Means and Methods of Warfare	16
3.1 General Limitations on the Conduct of War— Limits on the Choice of Methods and Means of Warfare , Specific Weapons — Chemical, Biological, Nuclear, Anti-personnel Land Mines 28 etc	
3.2 Protection of Cultural Property and Natural Environment	
Unit 4: Law of Non-International Armed Conflicts	16
4.1. Historical Development and Conditions of Application Common Article 3	
4.2 Additional Protocol II to the Geneva Conventions of 1949 — A Critical Evaluation Situation of Internal Disturbances and Violence — IHL and Human Rights	
4.3 Implementation of International Humanitarian Law: National Implementation of IHL — Status in South Asia –position in India	
4.4 Role and responsibility of National Governments, Geneva Conventions Act, 1960 (Armed Forces Special Powers Act, 1948)	
4.5 Powers and jurisdiction of War Crime Tribunals	
4.6 Nuremberg and Tokyo Trial	
Unit 5: Refugee	16
5.1. Origin and Development of International norms / principles for protection of refugee	
5.2 The 1951 UN Convention on the Status of Refugees and its 1967 Protocol 26	
5.3 The Definition of Refugee including the Exclusion and Cessation of Refugee Status	
5.4 Statute and Role of the UNHCR	
5.5 Asylum and the Principle of Non-Refoulement	

6.5 Op6:1. Human Rights Optional -6

Marks

Unit 1: Foundational Aspects	16
1.1-Meaning and Concept of Human Rights	
1.2- Classification of Rights : Natural, Moral and Legal Rights,	
1.3- Three Generations of Human Rights (Civil and Political Rights; Economic, Social and Cultural Rights; Collective/Solidarity Rights)	
Unit 2: Evolution of the Concept of Human Rights	16
2.1 Journey from Magna Carta to the Universal Declaration of Human Rights (Magna Carta;	
2.2 The United States Declaration of Independence; The French Declaration of the Rights of Man and the Citizen; United States Bill of Rights; Geneva Convention of 1864; Universal Declaration of Human Rights, 1948.	
2.3 International Bill of Rights (Significance of Universal Declaration of Human Rights, International Covenant on Civil and Political Rights; and the International Covenant on Economic, Social and Cultural Rights)	
Unit 3: Social Problem and Human Rights	16
3.1 Social Hierarchy and social prejudices and exploitation socially approved racial and communal discrimination	
3.2 Economic Problems and Human Rights	
3.2.1. Poverty, illiteracy, food security and habitation	
3.2.2. Rural to urban migration; domestic displaced persons	
Unit 4 Human Rights in International Prospective	16
4. 1: Concerns about Violation of Rights	
4.1.1. Provisions in the U.N. Declaration	
4.1.2. Vienna Declaration 1993	
4.2: International Crimes	
4.2.1. Concept of the Violations of Human Rights As An International Crime; International Criminal Court	
4.2.2. War Crimes Including Genocide and War Tribunals	
Unit 5 Human rights Relating to Women and Children	16
5. 1 Gender Bias, harassment and offences against women, Special laws and Institutional mechanisms for the protection of Women's rights	
5.2 Nature and issues in child rights in India National and international norms and mechanisms for the protection of the child rights (UN Convention on the rights of the child; UNESCO Conventions; ILO Conventions)	

Referred Cases:

1. Olga Tallis Vs. DMB, AIR 1986 SC 180
2. Consumer Education and Research Council Vs. Union of India AIR 1995 SC 922
3. National Human Rights Commission of India Vs. State of Arunachal Pradesh
4. R Rajagopal Vs. State of Tamilnadu, AIR 1994 6 SCC 632
5. Sameli Singh Vs. State of U.P, AIR 1996
6. People Union for Civil Liberties Vs. Union of India, AIR 1997, SC 568
7. Maneka Gandhi Vs. Union of India, AIR 1978

6.5 Op6:2. Criminology and Penology

Unit 1: Introduction **16**

- 1.1 Nature and Scope of Criminology
- 1.2 Importance of Criminology
- 1.3 Schools of Criminology

Unit 2: Causation of Crime and Theories of Crime **16**

- 2.1. Heredity and crime
- 2.2 Mental Disorder and criminality
- 2.3 Conflict Theory of Crime
- 2.4. Sociological Theory,
- 2.5. Tentative Theory
- 2.6 Economic Theory

Unit 3: Organized Crimes and White Collar Crimes **16**

- 3.1 Organized predatory crime
- 3.2 Crime Syndicate 3.3 Political Graft,
- 3.4 Criminal Racket
- 3.5 Historical Background of White Collar Crimes
- 3.6 White Collar Crime in India
- 3.7 Legislative measures
- 3.8 New Judicial Trends

Unit 4: Theories of Punishment **16**

- 4.1 Deterrent Theory, Retributive Theory, Preventive Theory, Reformative
- 4.2 Punishment of Offenders Some discarded modes of Punishment, Corporal Punishment-whipping, Mutilation, Transportation, Public execution, Punishment under the Indian Criminal Law-Capital Punishment, Imprisonment, Fine, Prison System: Administrative Organization of Prison, Jail Manual, Power of Prison Officials, Open Prisons,
- 4.3 Prisoner's Classification: Male, Female, Juvenile and Adult, Undertrial and

Convicted Prisoners, Constitutional Imperatives and Prison Reforms, Prison Management Prisoners Right

Unit 5 Treatment of correction of offenders 16

- 5.1. The need for reformation and rehabilitation of offenders, Undergoing punishment/imprisonment
- 5.2. Vocational and religious education and apprenticeship programmes for the offenders, Group counseling & Resocialization programmes, Participation of inmates in community service
- 5.3. Probation and Parole- Definition, Nature, Duties of Probation Officers
- 5.4. Prisoner Aid Society and other Voluntary Organization governmental Action.

Referred Cases

- 1. Sunil Batra V Delhi Administration (1978) 4SCC 494
- 2. Sheela Barse V UOI, AIR 1986, SC 1773
- 3. Ramdeo Chauhan V State of Assam (2000) 7SCC 445
- 4. Jagmohan Singh V State of UP (1973) SCC 26

LL.B 6.5 P4

Moot Court & Internship Practical – 4

Full Marks: 100

Practical Assignments: 90

Viva-Voce :10

[Moot court programme also shall start from 3rd semester (in case of 3yr LL.B) and from 7th semester (in case of 5yr B.ALL.B). There will be at least 3 Moot Courts in each of the said semester. At the end of 6th semester (in case of 3yr LL.B) and 10th Semester (in case of 5yr B.ALL.B) average marks will be calculated out of total 30 marks by the teacher concerned. The same will be placed before the external examiner for joint evaluation with the external examiner at the time of viva-voce]

[This paper will have three components of 30 marks each, and the fourth component will be a viva-voce examination for 10 marks.]

Marks

Unit 1: Moot Court

30

Every student will do at least 3 (three) moot courts with 10 marks each.

Each moot court work will be on assigned problem and it will be evaluated as follows :

- 1.1 Written submission (5 marks)
- 1.2 Oral advocacy (5 marks)

Unit 2: Observance of Trial in two cases (15 marks Each) 30

2.1 One Civil case

2.2 One Criminal case

Students in a group of not more than 10 (ten) students will attend two trials in the course of the last two or three years of law course. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment.

Unit 3: Interviewing techniques and Pre-trial preparations 30

3.1 Two interviewing sessions of clients :

3.2 Observation of the preparation of documents and court papers

Each student will observe 2 (two) interviewing sessions of clients at the Lawyers' Office/ Legal Aid Office and record the proceedings in the diary which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary which will carry 15 marks.

Viva Voce examination [on all the above three aspects] 10

Note 1: Written submissions on Moot Courts, Written Records of Observance of Trials in Courts and Written Diaries regarding Interviewing Techniques and Pre-trial preparations must be submitted to the teacher of this paper regularly and the teacher will evaluate those continuously throughout the semester and award marks.

Note 2: All the evaluated works along with the list of marks awarded would be placed before the external examiner at the time of viva-voce examination. The teacher of this paper would be internal examiner who along with external examiner would jointly award final marks on the above works and viva-voce.