

HEMCHAND YADAV VISHWAVIDYALAYA, DURG (C.G.)

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SCHEME OF EXAMINATION & SYLLABUS Of LL.B. (SEMESTER SYSTEM) UNDER FACULTY OF LAW *Session 2025-26*

(Approved by Board of Studies)
Effective from July 2025

LL.B. SEMESTER SYSTEM EXAMINATION

(SESSION 2025-26)

FIRST SEMESTER

(July to December)

S. No	Papers	Max. Marks in % Theory Paper	Mini. Passing Marks in Theory	Max. Marks in % Internal Paper	Mini. Passing Marks in Internal
1	Jurisprudence (Legal Method, Indian Legal System and Basic Theory of Law)	90	32	10	4
2	LAW OF CONTRACT- I (GENERAL PRINCIPLES) INCLUDING SPECIFIC RELIEF ACT, 1963	90	32	10	4
3	Constitution –I	90	32	10	4
4	Law of Tort Including Motor Vehicle Act & Consumer Protection Laws	90	32	10	4
5	English Legal Language and Writing	90	32	10	4
Total Marks		450		50	

SECOND SEMESTER

(Jan to June)

S. No	Papers	Max. Marks in % Theory Paper	Mini. Passing Marks in Theory	Max. Marks in % Internal Paper	Mini. Passing Marks in Internal
1	Specific Contract-II Including Indian Partnership Act 1932 & Sales of Goods Act 1930 And NEGOTIABLE INSTRUMENT ACT 1881	90	32	10	4
2	Constitution-II	90	32	10	4
3	Criminology, Penology & Victimology	90	32	10	4
4	Family Law-I (Hindu Law)	90	32	10	4
5	Family Law-II (Muslim Law)	90	32	10	4
Total Marks		450		50	

LL.B. (SEMESTER SYSTEM) EXAMINATION
THIRD SEMESTER
(July to December)

S.NO.	Papers	Max. Marks in % Theory Paper	Mini. Passing Marks in Theory	Max. Marks in % Internal Paper/Viva	Mini. Passing Marks in Internal
1	Law of Crime-I (Bhartiya Nyaya Sanhita 2023)	90	32	10	4
2	Bhartiya Sakshya Adhiniyam, 2023	90	32	10	4
3	LABOUR AND INDUSTRIAL LAWS-I	90	32	10	4
4	LABOUR AND INDUSTRIAL LAWS-II	90	32	10	4
5	Professional Ethics & Professional Accounting System (Clinical/Practical)	50	18	50 (Viva)	18
Total Marks		410		40	

FOURTH SEMESTER
(Jan to June)

S.NO.	Papers	Max. Marks in % Theory Paper	Mini. Passing Marks in Theory	Max. Marks in % Internal Paper/Viva	Mini. Passing Marks in Internal
1	CG Land Revenue Code & Rent Control Act 2011	90	32	10	4
2	Administrative Law & Right to Information Act 2005	90	32	10	4
3	Bhartiya Nagrik Suraksha Sanhita, 2023 Juvenile Justice Act, 2015 & Probation of Offenders Act, 1958	90	32	10	4
4	Environmental Laws	90	32	10	4
5	Alternative Dispute Resolution (Clinical/Practical)	50	18	50 (Viva)	18
Total Marks		410			40

LL.B (SEMESTER SYSTEM) EXAMINATION

FIFTH SEMESTER
(July to December)

S.NO.	Papers	Max. Marks in % Theory Paper	Mini. Passing Marks in Theory	Max. Marks in % Internal Paper/Viva	Mini. Passing Marks in Internal
1	Transfer of Property Act 1882 & Easement Act 1882	90	32	10	4
2	Civil Procedure Code 1908 & Limitation Act 1963 & Court Fees Act 1870	90	32	10	4
3	Company Law	90	32	10	4
4	Interpretation of Statutes	90	32	10	4
5	Drafting Pleading and Convincing (Clinical/Practical)	70	25	30 (Viva)	11
Total Marks		430			40

SIXTH SEMESTER
(Jan to June)

S.NO.	Papers	Max. Marks in % Theory Paper	Mini. Passing Marks in Theory	Max. Marks in % Internal Paper/Viva	Mini. Passing Marks in Internal
1	Intellectual Property Law	90	32	10	4
2	Human Rights & Public International Law	90	32	10	4
3	Cyber Law & Information Technology Act, 2000	90	32	10	4
4	Law of Taxation & Good & Service Act 2017	90	32	10	4
5	Moot Court exercise and Internship (Clinical/Practical)			100 (Viva)	36
Total Marks		360			40

Total Marks - 3000

LL.B. First Semester
Paper-I
Jurisprudence (Legal Method, Indian Legal System and Basic Theory of Law)

1. **Introduction-** Meaning, Nature, Definition & Scope of Jurisprudence, its Utility and relation of Jurisprudence with other Sciences.
2. **School of Jurisprudence and their exponent and views:-**

Natural Law Theory- its meaning and definition Natural Law in British American and Indian Legal System

Historical School- Ancient Period, Medieval Period, the Period of renaissance, Modern Period, Savigny, Sir Henry main,

Analytical School- Bentham, Austin, H.L.A. Hart and Kelson,

Philosophical School- Hegel, Herbert Spencer

Sociological School- Rudolph Von Ihering, Eugen Ehrlich, Leon Duigvit, Dean Roscoe Pound

Realistic School- Oliver Wendell Holmes Alf Ross.

Pure Theory of Law- Kelson

3. **Jurisprudence & Law** - Definition, Nature, Kinds and Classification of Law, Law and Morality, State and Sovereignty. Development of Civil and Criminal Law in India, Codification of Indian Law and Law Commission. Sources of Law – Custom, Precedent and Legislation
4. **Administration of Justices** – Concept, Origin and Importance of Administration of Justice, Early Charters and Early Administration of Justice in Calcutta, Madras and Bombay Civil and Criminal Justices. Concept of Social Justice.
5. **Legal concepts** - Person, Rights and Duties, Possession and Ownership, Title, Liability, Obligation, Property

RECOMMENDED BOOKS-

- | | |
|---------------------------|--|
| 1. H.L.A. Hart | - The Concepts of Laws Oxford) ELBS |
| 2. Salmond | - Jurisprudence (Tripathi) Bombay |
| 3. G.W.Paton | - Jurisprudence (Oxford) ELBS |
| 4. RWM Dias | - Jurisprudence (Indian Rep) (Aditya) New Delhi |
| 5. V.D. Mahajan | - Jurisprudence and Legal Theory |
| 6. W.Fridman | - Legal Theory (1999) (Universal) Delhi |
| 7. S.N.Dhyani | - Jurisprudence |
| 8. Dr. B.N. Mani Tripathi | - Jurisprudence |
| 9. Anirudh Prasad | -Vidhishastra Ke Moolbhoot Shindhant
(In Hindi) |
| 10. Pro. N.V. Parajape | - Vidhshastra Awam Vidhi ke Shidhant (In Hindi) |
| 11. Dr. N. V. Paranjape- | Legal and Constitutional History. |
| 12. Dr. N. V. Paranjape- | Vidhik Evam Sanvaidhanik Itihas (in hindi) |

LL.B. First Semester
PAPER—II
LAW OF CONTRACT-I (GENERAL PRINCIPLES)
INCLUDING SPECIFIC RELIEF ACT, 1963

1. LAW OF CONTRACT (GENERAL PRINCIPLES, SECTIONS (1—36))

Preliminary (Sec 01-02), Communication, Acceptance and Revocation of Proposals (Sec 03-09), Voidable Contract and Void Agreements (Sec 10-30), Contingent Contracts (Sec 31-36),

2. LAW OF CONTRACT (GENERAL PRINCIPLES, SECTIONS (37-58))

Performance of Contracts (Sec 37-45), Time and Place for Performance (Sec 46-50), Performance of Reciprocal Promises (Sec 51-58)

3. LAW OF CONTRACT (GENERAL PRINCIPLES, SECTIONS (59—75))

Appropriation of Payment (Sec 59-61), Contracts which need not be performance (Sec 62-67), Certain Relations Resembling those created by contract (68-72), consequences of breach of contract (Sec 73-75)

4. SPECIFIC RELIEF ACT 1963 (SECTIONS 1-25)

Preliminary (Sec 01-04), Recovering Possession of Property (Sec 05-08), Specific Performance of Contract (Sec 09-13), Contract which can not be specifically enforced (Sec 14-25),

5. SPECIFIC RELIEF ACT 1963 (SECTIONS 26-44)

Rectification of Instruments (Sec 26-30), Cancellation of Instruments (Sec 31-33), Declaratory Decrees (Sec 34-35), Preventive Relief (Sec 36-37), Perpetual Injunctions (Sec 38-44), The Schedule

LEADING CASES:

1. Carlill Vs. Carbolic Smoke Ball Co. (1893) (i) Q.B. 256
2. Mohribibi Vs. Dharmodas Ghose, ILR 30 Cal. 539 P.C.
3. Satya Brat Ghose Vs. Mangeeram, AIR 1954 SC 44
4. Lala Kapoorchand and Others Vs. Mir Nawab Himayat Ali Khan AIR 1963 SC 250.

BOOKS RECOMMENDED:

1. Ansons Law of Contract (1998) Universal, Delhi.
2. Pollock and Mulla - Indian Contract and specific Relief Acts. 1999, Universal 650/-
3. Sarkar on Specific Relief Act. - Wadhwa, Nagpur.
4. Avtar Singh - Law of Contract, EBC, Lucknow.
5. Avtar Singh - Law of Contract and Specific Relief EBC, Lucknow.
6. Avtar Singh - Contract & Specific Relief Act (in Hindi)
7. Benerjees - Law of Specific Relief, Universal
8. Anand & Ayer Law of Specific Relief, Universal
9. Bangia R.K. - Law of Contract and Specific Relief 595/-
10. G.H. Treital - Law of Contract, Sweet & Maxwell 1997.
11. Bare Act (Diglot) Specific Relief Act, 1963
12. Bare Act (Diglot) Indian Contract Act, 1872

LL.B. First Semester
Paper-III Constitution –I

1. **CONSTITUTIONAL HISTORY OF INDIA** – The Regulating Act 1773. The Pitt's India Act, 1784. The Charter Act of 1833 and 1853. The government of India Act, 1858, Indian Council Act, 1861. Indian Council Act, 1892, Indian Council Act, 1909, Government of India Act, 1919, Government of India Act, 1935 (Federal Legislative, Federal Executive and Federal Judiciary (Federal Court) Under the Act of 1935)
2. **CONSTITUTIONAL DEVELOPMENT**- Constitutional Developments leading to Indian Independence (1937-1947) The Indian Independence Act, 1947, Shaping of the Indian Constitution, The Constituent Assembly of India. Evolution and the source of the Indian Constitution.
3. **PHILOSOPHY OF CONSTITUTION (Art 01 to 11)**-Salient features of the Indian Constitution. Nature and Main features of Federal and Unitary Constitutions. Welfare State, preamble of the Indian Constitution. Union and its Territory (Art 1-4) Formation of new states, Citizenship (Art5-11)
4. **STATE AND FUNDAMENTAL RIGHTS (Art 12 to 51A)**--State, Fundamental Rights and Their position under the Constitution. Right to Equality, right to freedom, Rights against Exploitation, Right to Freedom of Religion, Cultural and Educational Rights. Right to Constitutional Remedies including Public Interest Litigations (Art- 12-35) Directive Principles of State policy- their relevance, Comparison with Fundamental rights, Classification of Directive Principles of State Policy Correlation between Fundamental Rights (Art 36-51) Fundamental Duties (Art 51-A)
5. **UNION EXECUTIVE (Art 52 to151)**-- President Vice President, Council of Ministers. Attorney General and Conduct of Government Business (Art52-78), Union Legislature (The Parliament)-Constitution, Composition Duration of Houses, Qualification of Members and other General Provision. Officers of the Parliament (Art79-104), Power Privileges and immunities of the members (Art 105-106). Legislative Procedure including procedure of financial matters (Art 107-122). Legislative power of the Presidents (Art 123). Union Judiciary – Supreme Court of India (Art 124-144) Controller General of India (Art148-151)

LEADING CASES :-

1. Meneka Gandhi Vs. Union of India, AIR 1978 SC 597
2. J.R. Kohli Vs. State of Tamilnadu AIR SC 861
3. K.S. Puttaswamy Vs. Union of India (2017) 10SCC1
4. Navtej Singh Johar Vs. Union of India AIR 2018 SC 4321
5. Hussainara Khatoon Vs. Home Secretary State of Bihar AIR 1979 SC 1396

RECOMMENDED BOOKS :-

1. V.N. Shukla - Constitution of India
2. J.N.Pandey - Constitutional Law of India
3. M.P.Jain - Constitution of India
4. D.D.Basu - Shorter Constitution of India
5. Kagzi's - The Constitution of India
6. M.D. Chaturvedi - Bharat ka Savidhan (Hindi)
7. Bare Act (Diglot) Constitutions of India
8. Dr. NV Paranjape- Legal and Constitutional History (Hindi/English)

LL.B. First Semester
Paper-IV
Law of Tort Including Motor Vehicle Act & Consumer Protection Laws

1. Definition, Nature, Scope, Object & General Principles of Law of Torts :-

Historical Background of Law of torts – Evolution in England and India, Form of Action and its Uncodified Character. Its' Indian Origin from the principles of equity justice and good conscience.

Definition Torts : Its comparison with crime and breach of contract. Its nature , purpose and functions. General principles of liability. Its kinds. Demnum sine injuria and injuri sine demnum. General Elements in torts – Acts and Omission Voluntary and non- Voluntary act .

Mental Element in torts – Malice, Intention , Negligence, Motive. Recklessness, Carelessness , Malafide, Malafide , Malfeasance, Misfeasance, Non-feasance and fault.

2. Immunities Justification, Remedies, Discharge and Effect of Death :-

Immunities from tortuous liability, Justification and defenses in action of torts – Act of God Act of State, Judicial Act. Inevitable accident, Private defence, necessity. Consent, leave and license.

Remedies – Damages and its kind, quantum of damages, injunction and its types, specific restitution of property. Joint- torts feasons. Contribution between wrongdoer. Remedies under constitutions and compensation as prescribed by statutes. Self help. Distress damage feasant. Discharge of torts-by accord and satisfaction, waiver by election. Release acquiescence judgment recovered and statute of limitation and effect of death on tort claim.

3. Wrong relating to person & property relations : rights:

Wrong relating to person, assault, battery, false imprisonment and malicious prosecution. Wrong relating to domestic and other rights. Intimidations and conspiracy, fraud and deceit, interference with trade business and occupation by unlawful means.

Wrongs relating to immovable- trespass to land, trespass by animals trespass abinitio injury to reversion & waste and casent. Wrong relating to movable property. Trespass to goods. Conversion and detentions.

Torts affecting immovable and movable property- slender of title. Slender of goods, maintenance and Champerty.

In-corporal personal property right – patent , copyright & trademarks act etc.

4. Negligence , nuisance, Defamation and Liability for Wrongs committed by Others :

Negligence – Its nature conditions and exception, negligence of various persons it occupied, carrier counsel, doctors animals, keepers dangerous goods holder, street and statutory duty and contributing negligence.

Nuisance –Nature Classification and kind injury to property and remedies.

Defamation – Its Kind libel and slender, its Definition and essentials repetition. Defenses in defamations and remedies for defamation.

Liability for wrong committed by others – Liability by ratification by relations i.e. master and servants. Principles and agent. Owner and independent contractor. Liability of the state. Doctrine of common employment, liability for abatement, absolute and strict liability.

- 5. The Motor Vehicles (Amendments) Act 2019** - Introduction- aims and objects of M.V.A, title, extent and commencement of the act with modification, definitions, licensing of drivers of motor vehicles, licensing of conductors of stage carriages, registration of motor vehicles, control of transport vehicles, control of traffic, liability without fault in certain cases, insurance of motor vehicles against third party risk, claims tribunals, offences, penalties and procedure, power of police officer to impound documents and detain vehicles used without certificate of registration, permit etc., summary disposal of cases, appeal and revision on orders passed by original authority, The first schedule and the second schedule.

The Consumer Protection Act 2019- Introduction- Aims, object and scope of Consumer Protection ACT, Definitions, Central Consumer Council, State Consumer Council.

Consumer Disputers Redressal Agencies- Composition, Jurisdiction and function of district forum, State Commission and National Commission, Procedure adopted in dealing with complaint and appeal cases, Enforcement and execution of orders by Consumer Forum .

LEADING CASES –

1. Indian Medical association Vs. VP Shanth (AIR 1896 SC530)
2. Lucknow Development Authority Vs. MK Gupta (AIR 1994 SC787)
3. Kasturi Lal Ralia Ram Vs. State of UP (AIR 1955 SC1939)
4. Saheli & Women Resource centre Vs. Commissioner of Police (AIR 1990 SC51)
5. MC Mehta Vs. Union of India (AIR 197 SC1086)

BOOKS RECOMMENDED:

1. Ratanlal Dhirajlal- The Law of Torts (1997) Wadwa Nagpur
2. Winfield and Jolowitz - On Torts (1999) Sweet & Maxwell London
3. Salmond and Houston - torts (1999) Butterworth London
4. PS Achutan Pillai - The Law Torts (2004) EBS Lucknow
5. DN Saraf - Law of Consumer Protection in India (1995) Tripathi
6. PR Majumdar - Law of Consumer Protection in India (1998) Orient New Delhi
7. Ramaswami Aiyer - Law of Torts (1999) Tripathi Bombay
8. MD Chaturevedi - Apkrtyo ki vidi (1998) EBCL (In Hindi)
9. Bare Act (Diglot) Motor Vehicle Act, 2019
10. Bare Act (Diglot) Consumer Protection Act, 2019

LL.B. First Semester
Paper-V
English Legal Language and Writing

1. **Introduction to Legal Language**-What is Legal Language? History and Evolution of Legal Language, Use of Dictionary, Phonetics- a brief review (Speech, sounds, Vowels, Consonants), One word substitution, Choosing correct vocabulary-: Gender, Number (Singular, Plural), Article, Tenses, Active and Passive voice, Preposition, Narration, One word , substitution, Antonyms and synonyms, Correction of Common Errors, Idioms and phrases.
2. **Legal terminology.** - Legal Vocabulary, Latin Glossary/Maxims for example- Ab-initio, Ad hoc, Adinterim, Actus non-faciet reum nisi mens sit rea, Injuria sine Damnum, Damnum sine injuria, Respondent superior, Res Ipsa loquitur, Caveat emptor, Res- judicata, Prima facie, Malafides, Bonafides, Expost facto, Exparte, Tresspass-ab-initio used in legal teaching, court, documents and enactments etc.
Abbreviations, for example- AIR, S.C.C., M.P.LJ., J.LJ., M.P.W.N., Cal. LR, S.C.R, S.C.W.R., AL.I.L.J., Cal. L.J., O.LR, Cr. L.J., All L.J., I.B. Rev., I.L.R., AI. Cr. C., S.C.J., I.T.R., I.T.J., Bom. L.R., An. L.T. etc.
3. **Fundamental Principles of Legal Writing**-Translation of the Hindi passage into English and vice versa (from Legal documents, Law Books, Constitution of India and Acts)
Precise writing/ Comprehensive writing.
Essay/ Article writing on current socio legal issues
Foot Note/ Head Note (Blue book style)
Legal Citation Case Comment
4. **Legal Drafting**- General Principles of Drafting & Developing English writing skills in Legal documents. Affidavit, Agreement, power of Attorney, complaint Application, legal Notice, Will etc.
5. **Oral skills**-Importance of listening. Hearing vs. Listening Aptitude Art of Presentation- Purpose, Audience, Preparation, Audio Visual aid, Body Language, Time dimension.

BOOKS RECOMMENDED:

1. SCHEDULED MATERIAL DRAWN FROM RENOWNED JUDGEMENT.
2. M.L. TIKKOO & SUBRAMANIAM - USAGES AND COMPOSITION
(LONGMAN)
3. R.K. JAIN - PROFESSION IN ENGLISH
4. ISHTIAQUE IBIDI, - LAW AND ENGLISH (UNIVERSITY
PUBLICATION ALIGARH, 1978)
5. LEGAL ESSAY - PIONEER PUBLICATION, AGRA.
6. DENIAL JONES - THE PRONUNCIATION OF ENGLISH
(UNIVERSAL BOOK STALL 6, ANSARI
ROAD, NEW DELHI-2).
7. LATIN FOR LAWYERS - SWEET & MAXWELL - UNIVERSAL LAW
PUBLISHING CO. (P) LTD. NEW DELHI.
8. BANSAL & HARRISON - SPOKEN ENGLISH FOR INDIA (O.U.P.)
9. R.P. SINHA -HOW TO TRANSLATE IN TO ENGLISH
(BHARAT BAVAN PATNA)

LL.B. Second Semester

Paper-I

Specific Contract-II Including Indian Partnership Act 1932 & Sales of Goods Act 1930 And NEGOTIABLE INSTRUMENT ACT 1881

1. SPECIFIC CONTRACT (Sec. 124 - 147)

Contract of Indemnity (sec. 124 - 125): Definition, its commencement and extent of indemnifiers liability, His right and when he can sue? (See 124-125).

Contract of Guarantee (sec. 126 - 147): Guarantee and indemnity, surety consideration continuing guarantee and its revocation (see 126 - 132). Discharge of surety and principle debtor, co-surety and remedy for omission (see 133 to 139). Guarantee and Mental aspects; Uberrima fides, liability of surety and co-surety in contribution (see 140 -147).

Contract of Bailment (sec. 148 - 171): Definition of Bailor and Bailee and its kinds ; mode of delivery of goods bailed, duty of bailor and bailee to each other and exemption, mixing good bailed and its consequences (sec. 148 to 157).

Repayment of expenses increased by bailor ; restoration and return of goods ; consignor as a bailor, his right to sue if consignment is not returned ; Gratuitous bailment and effect of death on it. Bailor's rights and responsibility to bailee and right of third person. (sec. 158 to 167).

Position of finders of goods, His liability towards owners ; and his obligation to keep goods safe and rig... to dispose of good (if perishable). Bailee's lien and general line of Bankers etc. (sec. 168 to 171)

2. SPECIFIC CONTRACT (SECTION 172-238)

Contract of Pledge (172 - 181): Pawnor and Pawnee; their rights, right to redeem in case of default. Pledge by mercantile agent, Pledge under voidable contract and pledgor with limited interest (172 to 179) and suit by bailor or bailee against wrongdoer and apportionment of relief and compensation (see 180-181)..

Contract of Agency - (sec. 182 to 238): Appointment and authority of agent who is agent and principle? Who and by whom an agent may be appointed? Mode of appointment of agents. Duties and rights of agent and his authority, sub-agent and his position under the act, delegation of power. His responsibility towards agent and principle. (sec. 182 to 195).

Ratification its mode and its effect. Ratification of unauthorized act. Revocation of authority and its various mode termination of agency, compensation for revocation. Revocation and renunciation position of parties after termination of authorities. (sec. 196 to 210).

Agents various duties towards principles, position when agents remuneration is due ? and Agents lien in principal's property. (sec. 211 - 221).

Principles duty to agent : His right to be indemnified against consequences of lawful act and acts done in good faith and for negligent act of principal, Principals liability for ultra vires act of agent, agent is not personally liable on behalf of principal, liability of the principal for acts of agent including misconduct of the agent. Effect of Fraud and his representation of the agent. (sec. 222-238).

3. INDIAN PARTNERSHIP ACT 1932 (sec. 01 to 74):

Provisions of Indian Partnership Act 1932, including - definition and nature of partnership. Advantage and disadvantages vis a vis partnership and private limited company. Mutual relationship between partners. Authority of partners, admission of partners, outgoing of partners. Registration of firm & Dissolution of firm partnership.

4. SALES OF GOODS ACT 1930

Sales of goods act 1930 (Whole Act) which includes concept of sale on contract, instances of sale of goods and the nature of such contract, essentials of contract of sale, essential condition in every contract of sale, implied terms in contract of sale, the sale of caveat emptor and the exceptions there to under the sales of goods act. Changing concept of caveat emptor. Effect and meaning of implied warranties in a sale, transfer of title and passing of risk. Delivery of goods : various rules regarding delivery of goods. Unpaid seller and his rights. Remedies for breach of contract.

5. NEGOTIABLE INSTRUMENT ACT 1881 (SECTIONS 1-148) –

Preliminary (sec 1-3), Notes bills and cheques (Sec 4-25), Parties to notes, bills and cheques (Sec 26-45A), of Negotiation (sec 46-60), Of Presentment (Sec 61-77), Of Payment & Interest (Sec 78-81, Of Discharge from Liability on Notes, Bills and Cheques (Sec 82-90), Of notice of dishonor (Sec 91-98), Of Noting and Protest (Sec 99-104A), Of reasonable Time (Sec 105-107), Of acceptance and Payment for Honour and Reference in case of Need (Sec 108-116), Of Compensation-Sec 117, Special rule of evidence (Sec 118-122), Of Crossed Cheques (Sec 123-131), Of bill in sets (Sec132-133), Of International Law (Sec 134-137), Of Penalties (Sec 138- 148),

LEADING CASES

- (1) Bina Murlidhar Hunda V. Kanahiyalal lakram Hunda (AIR 1999 SC 2171)
- (2) M/s. Lalliwal Biharilal v. Rambaboo Vaishya (AIR 1990 M.P. 64)
- (3) Premlata v. M/s. Ishwar Das Chamanlal (AIR 1995 S.C. 714)
- (4) Gherulal Parekh v. Mahadeo Das (AIR 1959 S.C. 78)

BOOKS RECOMMENDED:

1. Avtar Singh - Contract Act (2000) E.B.C. Lucknow.
2. Saharay H.K. - Indian Partnership a Sales of goods Act (2000)
3. Beatson (Ed.) - Anson's law of contract (1998) Oxford, Universal London.
4. A.G. Guest (Ed.) - Benjamin's Sale of Goods (1992) Sweat & Maxwell.
5. Pollock Mulla on contract (1999) Tripathi, Bombay.
6. T.R. Desai - Contract sales of goods & Partnership
7. B.L.Babel – Contract – II C.L.A. Allahabad (in Hindi).
8. S.K. Kapoor – Contract - II C.L.A. Allahabad (in Hindi).
9. Krishann Nair - Law of Contract (1999) Orient.
10. Avtar Singh - Principles of the law of sales & goods and hire purchase (1990) E.B.C. Lucknow.
11. Rawlings - The Sales of goods Act (1998) Universal.
12. Dr. J.N. Pandey – Indian Partnership Act (in Hindi).
13. Avtar Singh - Introduction to law of Partnership
14. Bare Act (Diglot) Indian Partnership Act 1932
15. Bare Act (Diglot) Sales Of Goods Act 1930
16. Bare Act (Diglot) Negotiable Instruments Act, 1881

LL.B. Second Semester

Paper-II

Constitution-II

1. **State Executive (Art. 152 to 238)** -Governor, Council of Ministers, Advocate General for the State Conduct of Government Business (Art. 152-167) State Legislature- Constitutional, Composition, Power, Privileges and immunities of State Legislatures and their Members, Legislative Procedure (Art. 168-212) Legislative Power of Governor (Art.213) State Judiciary- High Courts in the States and Subordinate Judiciary (Art. 214-237):
2. **Administration of Union Territories(Art.239-244-A)**, The Panchayats-Definitions, Gram Sabha, Constitution and Composition of Panchayats, Reservation of Seats, Duration, Disqualifications for Membership, Powers, Authority and responsibilities of Panchayats(Art.243-243-O)The Municipalities-Definition, Constitution and Composition of Municipalities and Wards Committees, Reservation of Seats, Duration, Disqualifications for Membership, Powers, Authority and responsibilities of Municipalities, Power to impose Taxes, Finance Commission etc.(Art.243-P-243-ZG) The Scheduled and Tribal Areas (Art.244-244-A)
3. **Relations between Union and the States-Legislative Relations (Art.245-300-A)**
Administrative Relations, Disputes Relating to Waters and Co-ordination Between States (Art. 256-263), Provisions Regarding Finance(Art.264-279) Finance Commission(Art.280-281)Miscellaneous Financial Provisions(Art.282-290)Borrowing by the Government of India and the States(Art.292-293), Constitutional Provisions Regarding Property, Contracts, Rights, Liabilities Obligations and Suits(Art.292-300)
Right to Property (Art.300-A)
4. **Trade Commerce and Intercourse (Art.301-342-A)** Service under the Union and the States (Art. 308-313) Public Service Commissions (Art.315-323) Administrative Tribunals and Tribunals for other Matters (Art. 323-A-323-B), Provisions regarding Election and Election Commission (Art.324-329), Special Provisions regarding to certain Classes (Art. 330-342)
5. **Official Language, Emergency and Amendment (Art 343 to 395)**--Language of the Union, Regional Languages, Language of the Supreme Court and the High Courts etc, Special Directives as to Languages(Art.343-351), Emergency Provisions(Art. 352-360) Miscellaneous Provisions(Art.361-367), Amendment of the Constitution(Art. 368),Temporary, Transitional and Special Provisions(Art.369-392),Short Title, Commencement, Authoritative Text in Hindi and Repeals, All Schedules and Amendments.

Leading Cases:

- (1)- P.L.Dhingra Vs. Union of India, AIR 1958 S.C. 36
- (2)- T.N. Seshan Vs. Union of India (1995) 4 SCC 611
- (3)- Minerva Mills Vs. Union of India AIR 1980 S.C. 1789.
- (4)- S R Bommai Vs.Union of India(1994) 2SCR644

(5) Keisham Megha Chandra Singh Vs. The Honble Speaker Manipur Legislative Assembly and Other (2020)SCR132

RECOMMENDED BOOKS:

- | | | |
|----|-------------------|-------------------------------|
| 1 | V.N. Shukla | Constitution of India |
| 2 | J.N. Pandey | Constitutional Law of India |
| 3 | M.P. Jain | Constitution of India |
| 4 | D.D.Basu | Shorter Constitution of India |
| 5 | Kagzi's | The Constitution of India |
| 6 | M.D. Chaturvedi | Bharat Ka Savindhan(Hindi |
| 7. | Bare Act (Diglot) | Constitution of India |

LL.B. Second Semester

Paper-III

Criminology, Penology & Victimology

- 1. Introduction** – Definition of Criminology, Crime and Criminal Law their theory and Significant, development of Criminal Law and Criminology in India, School of Criminology, - Pre-Classical, Classical and Neo- Classical and their theory Baccaria and Bentham. The positive, Sociology and Clinical school and their contributors.
- 2. Causes and type of Crimes and Criminal** – Habitual, Sexual, Professional organized and white –collar, Terrorism, Modern and International Crimes such as cyber crime, Human Organ crime, crime against women and children.
- 3. Penology** – Concept of Punishment, types and forms of punishment in ancient, medieval and modern India, theories of punishment, necessity Law and order, History of penal system in India.
- 4. Prisoners Administration** – Types of Prisons and Prisoners, Basic principles for the treatment of prisoners, National and International Rights of Prisoners, Structure of Jail and Police in India, Nature, origin and advantages of Parole and probations.
- 5. Victimology-** Nature, Historical, Origin and Development of Victimology, Typology of Victim, Status of Victim in the criminal justice system, Victim Compensation scheme.

Some Codified Laws–

Protection of Children from Sexual Offences Act, 2012 Domestic
Violence Act, 2005

Sexual Harassment of women at work place (Prevention, Prohibition and Redressal)
Act, 2013

The Narcotic Drugs and Psychotropic Substance Act, 1985 The
Prisoners Act, 1900

BOOKS RECOMMENDED –

Sutherland & crassly

- Criminology

Taft & England

- Criminology

Reckless W

- Criminology the Crime Problem Vole

G.B.

- Theoretical Criminology Mannheim

- Compensation Criminology Lolika

Asrkar

- Crime & Women Upendra

Baxi

-Law and Poverty

Pillai S.

- Theory of Criminology

Gilliam J.L.	- Young
P.K.Sen	- Criminology and
Bhattacharya	-Penology old
Flexvor & Baldwani	- Prisons
M.Ponnanian	- Juvenile Court and Probations
J.C. Chaturvedi	- Criminology and Penology
Bare Act (Diglot)	- Penology and Criminal Procedure Code
	- Protection of Children from Sexual
	Offences Act, 2012
Bare Act (Diglot)	Domestic Violence Act, 2005
Bare Act (Diglot)	Sexual Harassment of women at work
	place (Prevention, Prohibition and
	Redressal) Act, 2013
Bare Act (Diglot)	The Narcotic Drugs and Psychotropic
	Substance Act, 1985
Bare Act (Diglot)	The Prisoners Act, 1900

LL.B. Second Semester

Paper-IV Family Law-I (Hindu Law)

- 1 - Nature, Origin, Sources, Applicability and General Principles of Inheritance** Nature and origin of Hindu law, applicability of Hindu Law sources of Hindu law - Smritis and their commentaries, custom, legislation, judicial decision, equity, justice and good conscience as a source, general principle of inheritance (prior to Hindu succession Act 1956) in mitakshara law and Dayabhaga, School and difference between Mitakshara and Dayabhaga succession and the Hindu Marriage Act 1955. (doctrine of representation & spes successionis)
- 2 - Schools, Joint Hindu Family, Coparcenary adoption and provisions of Hindu Adoption and Maintenance Act 1956.**

Schools of Hindu Law - Mitakshara and Dayabhaga and their sub-schools, difference between the Mitakshara and Dayabhaga school, comparison between them, Migration and the schools of law.

Joint Hindu Family - Origin, Growth, Nature and Constitution, members of J.H.F. and property of J.H.F.

Coparcenary - its nature, distinction between J.H. F. and coparcenary, rights of coparcener, Karta, his powers and duties, alienation of property comparison between Mitakshara and Dayabhaga law, Debts - its liability to pay, nature and duration of liability, doctrine of pious obligation and antecedent debt, Bengal rule of Dayabhaga law, rule of Damdupat.
- 3 - Adoption** – Object, form and requirement of valid adoption. Persons who may lawfully take in adoption, adoption by widow under authority from his husband, nature and form of authority, general rules as to adoption by widows, and termination of widows power to adopt, persons lawfully capable of giving in adoption & persons who may be lawfully taken in adoption only son, orphan, stranger, adoption by two persons, simultaneous result and effect of adoption, right of adopted son in property, maintenance under Hindu Law and provisions of Hindu Adoption and Maintenance, Act 1956, and changes made by this Act.
- 4 - Partitions, Stridhan, Women's Estate, Gift & Hindu Succession Act 1956**

Partition - Meaning of partition, partition and family arrangement, person entitled to partition, property liable to partition. Allotment of share, final shares, reopening of partition and reunion, point of similarity and distinction Mitakshara and Dayabhaga, partial partition, its effect. **Stridhan** : its meaning, kinds, special feature and characteristics, enumeration of stridhan, rights of a woman over her stridhan, general rule of succession common to all school, succession to stridhan under Mitakshara and Dayabhaga school, maiden's property. **Women's Estate** - its meaning, nature and sources. Incidents of widow's estate, power of alienation, reversion, compromise, surrender and setting aside. Unauthorized alienation and effect of Hindu Succession Act 1956.

Gift - its definition under T.P. and Hindu law, its subject matter, essential of valid gift, restriction and revocation, 'donatio mortis causa' and gift to trust and Provision of Hindu Succession Act 1956.

5 - Wills impartible estate, religious and charitable endowments and Hindu Marriage Act 1955 & Hindu Minority and Guardianship Act 1956 :

Wills- Its definition, person capable of wills, property as a subject matter of wills under mitakshara and Dayabhaga law, revocation and alteration of wills,. Bequest to unborn person when it is void ? Rules against perpetuity, latter of administration and probate.

Impartible estate - its definition, origin and nature, rules of succession and separation of impartible estate.

Religious and charitable endowment - Essential of endowment, kinds- idol, math, devasthanam, and Dharmashala, Mahant, Hindu Marriage Act 1955 & Hindu and Minority & Guardian ship Act 1956.

Some codified laws relating to Hindu

Special Marriage Act 1954 (Whole Act)

Dowry Prohibition Act 1981 (Whole Act)

Family Courts Act 1984 (Whole Act)

Leading cases.

- 1 Kisan Lal V. State (2000) ISCC 310.
2. Rameshwari Devi V. State of Bihar AIR 2000 SC 735 (739).
3. Vineeta Sharma Vs Rakesh Sharma (2020) AIR3717(SC)
4. Sondur Gopal Vs. Sondur Rajni (2013) 7SCC426
- Balwant Kaur V. Chaman Singh AIR 2000 SC 1908 -12.
- Digamber Adhar Patel V. Dev Rani Girdhari Patel AIR (1995) SC, 1728.

Books Recommended:

1. R.K. Agrawal - Hindu Law, C.L.A., Allahabad.
2. Paras Diwan - Modern Hindu Law (Universal).
3. S.T. Desai (Ed.) - Mulla Hindu Law (1996), Butterwrith, India.
4. Paras Diwan - Law of adoption, minority, guardianship and custody (2000) Universal.
5. Basu N.D. - Law of succession (Universal).
6. Paras Diwan - Law of intestate and testamentary succession (1998), Universal.
7. Paras Diwan - Adhunik Hindu Vidhi (in Hindi)

8. Bare Act (Diglot) Hindu Adoption and Maintenance Act 1956

9. Bare Act (Diglot) Hindu Succession Act 1956

10. Bare Act (Diglot) Hindu Minority and Guardianship Act 1956
11. Bare Act (Diglot) Special Marriage Act 1954
12. Bare Act (Diglot) Dowry Prohibition Act 1981
13. Bare Act (Diglot) Family Courts Act 1984 (Whole Act)

LL.B. Second Semester
Paper-V
Family Law-II (Muslim Law)

1 - History, Origin, Development, Sources & Schools of Muslim Law, :

Historical background of Islamic law - its origin and comparison with other personal laws. Who is Muslim ? Prophet and his companion, his tradition, development of Muslim law.

Sources of Muslim law- Primary sources- Quran, Hadis, Ijma, Kyas, secondary sources- custom, judicial decision, legislation, comparison with sources of Hindu law.

Schools (section and sub-section) of Muslim law - Sunni School - Hanifi, Maliki, Shifai and Humbali, Shia School and their sub-sections, difference between both Shia and Sunni on important matter. Effect of conversion to Islam and Apostasy.

2 - Marriage & Dower (Mehr) & Divorce :

Marriage (Nikah) - Its object and nature, requisite and condition for valid marriage. Effect of incapacity absolute, relative and declaratory, kind of marriage, option of puberty. Restitution of conjugal rights muta marriage, difference between Shia & Sunni law and marriage.

Dower (Mehr)- Definition, nature & classification of dower law of shia sect on dower, confirmation of dower, remission of dower, non-payment of dower effect of apostasy on mehr liabilities of heir for dower, dower as a debt. widows rights in case of non-payment of dower, Kharchi- i-pandan, & Mehr-i-misl.

Divorce (Talaq)- Quranic provisions regarding talaq kind, nature, classification and effect of divorce on the parties, apostasy and conversion as ground of divorce, Iddat utility its rationale and utility divorce through agreement or by mutual consent Khula, Mubarat, Ila & Zihar, Lian; Effect of false charges of adultery. Talaq - i-Tafwid, Fask (Annulment of marriage by court) provision of dissolution of Muslim marriage Act. 1939. Legal Effect of Divorce, Difference between Shia & Sunni Law on Divorce.

3 - Parentage, Legitimacy & Acknowledgement, Guardianship and Maintenance

Parentage - Maternity and paternity. How it is established ? Legitimacy and acknowledgement, acknowledgement as a proof Of legitimacy, prescription of legitimacy condition of valid acknowledgement and its effects. Position of adoption in Muslim Law ? A comparison between acknowledgement and adoption.

Guardianship (Vilaya) - Concept of guardianship in Islam. Appointment of guardian. Their kinds age of majority, disqualification

of guardian, guardianship of property. Power of guardian to dispose of to purchase and to alienate the immovable property of the minor.

Maintenance (Nafaqa)- Introduction, definition and quran decree regarding maintenance, Person entitled to maintenance. Relevant provision of Muslim women (Protection of right on divorce) Act 1986.

4 - **Succession, Administration & Inheritance & Wills**

Succession- General rule of succession and exclusion from succession.

Administration - Administration of the estate of a deceased. Provision of Indian succession act 1925.

Inheritance- General rule of Inheritance (sunni & shia) Position of birth right and heritable property. Principle of renunciation and transfer of chance of succession (spes succession) vested inheritance classification of heirs- sharer, residuary and distant kindred. Their share and distribution of property. Doctrine of increase (Aul) Return (Radd) and position of rules relating to (shia & sunni) illegitimate child, missing person, acknowledge kinsman, universal legatee & successor by contact eldest son and childless widow.

Wills- Person capable of making wills, its forms, position of heir on wills, limit of testamentary power, abatement and lapse of legacy, subject of legacy, position of unborn person in wills, various kinds of bequest i.e. bequest in future, contingent and conditional alienation, revocation of bequest, its types, position of probate and letter of administration is case of muslim wills.

5 - **Marzul Maut, Hiba, Waqf and Pre-emption:**

Marzulmaut- Death bed gift, its condition for validity acknowledgement of debt at death-bed. Hiba (gift)- Definition, capacity of making gift extents of donors powers. Gift to unborn person, gift with intent to defraud creditor, position of gifts i.e. - gift of actionable claim and incorporeal property, gift of equity of redemption, gift of property held adversely to donor, requisite for gift and essential of gift (declaration acceptance & delivery of possession), Gift of movable and immovable and corporeal & property and incorporeal property and actionable claim, gift in family and out of family, gift to bailee to two are more donee : Mushaa, conditional & contingent gift, gift in future, revocation of gift, Gift with exchange (Hiba-bil- iwaz) Hibh- ba shartul iwaz, sadaqah areeat.

Waqf- Definition, object and subject of waqf, condition for valid waqf, doctrine of cy-pres. Form and kind of waqf, waqf how completed ? Revocation of waqf, contingent waqf, waqf aald aulad, alienation of waqf property, muttawalli- his appointment power and function & renewal and provision of waqf act 1995, Khanqah, imambara, sajjadanashir kazi, takiya.

Pre-emption- its nature and kind, who may claim it, its requisite and condition.

Leading Cases :

1. Kapoor Chand v. Kedarunnisa (AIR 1953 S.C.413)
2. Janjira Khatoon v. Mohd. Fakrulla (AIR 1922 Cal 429)
3. Shayara Bano Vs. Union of India (2017) 9SCC1(SC)
4. Maina Bibi v. Chawdhari Vakil Ahme... 673 (PC) (AIR 1925 PC 63)
5. Ms. Jorden Diegdeh vs. S.S. Chopra (AIR 1985 SC 935)
Habibur Rahman v. Atafali (AIR 1922 PC 159)

LL.B. Third Semester
Paper-I
Law of Crime-I (Bhartiya Nyaya Sanhita 2023)
(NEW SYLLABUS)

1. PRELIMINARY, PUNISHMENT AND EXCEPTIONS (SECTION 01-44)

Preliminary (Section-01), Definition (Section-02) General Explanation (Section-03) ,
Of Punishment (Section 04 to 13) , General Exceptions (Section 14 to 33) and Right of
Private Defense (Section 34 to 44)

**2. ABETMENT, CONSPIRACY. OFFENCES AGAINST WOMEN, CHILD AND
HUMAN BODY (SECTION 45-146)**

Of Abetment (Section 45 to 60), Criminal Conspiracy (Section 61) and of attempt
(Section 62) , Of Offences Against women and child (Section 63 to 99) , Of Offences
Affecting the human body (Section 100 to 146)

**3. OFFENCES RELATING TO THE STATE, ARMY NAVY, ELECTION AND
COINS (SECTION 147-188)**

Of Offences Against the state (Section 147 to 158) , Of Offences Against to Army,
Navy and Air force (Section 159 to 168) Offences relating to Elections (Section 169 to
177) Of Offences relating to Coin, Currency, Notes, Bank Notes and Government
Stamps (Section 178 to 188)

**4. OFFENCE AGAINST THE PUBLIC TRANQUILLITY & PUBLIC SERVANTS
(SECTION 189-297)**

Of Offences Against the Public Tranquility (Section 189 to 197), Of Offence by or
relating to Public Servants (Section 198 to 205), Of Contempt's of the Lawful authority
of Public Servants (Section 206 to 226) , Of False Evidence & offences against public
justice (Section 227 to 269) , Of Offences affecting the public health, safety,
convenience, decency and morals (Section 270 to 297)

5. OFFENCE RELATING TO RELIGION & PROPERTY (SECTION 298-358)

Of Offences relating to religion (Section 298 to 302) , Of Offences against property
(Section 303 to 334) , Of Offences relating to Documents to Property marks (Section
335 to 350) , Of Criminal intimidation, Insult, Annoyance, Defamation etc. (Section 351
to 357) , Repeal and Saving (Section 358)

Leading cases:

- 1- Reg. Vs. Govinda ILR Bom. 942
- 2- Inzagul Khan Vs. Emperor, AIR 1936 Nag. 194
- 3- Mehboob Shah Vs Emperor, AIR 1945 PC 118
- 4- Amjad Khan Vs, State, AIR 1952 SC 165

Books Recommended:

1. Bare Act Diglot Bhartiya Nyay Sanhit

LL.B. Third Semester

PAPER – II

Bhartiya Sakshya Adhiniyam, 2023

1. INTRODUCTION, INTERPRETATION & CONCEPTIONS & PRELIMINARY

Introduction- Main feature of The Bhartiya Sakshya Adhiniyam 2023 .

Types of Evidence - Oral, Written and Circumstantial evidence, Medical evidence and evidence of relatives, Eye witness, Chance witness and child witness and direct witnesses.

Standard of proof and presumption - May presume, shall presume, conclusive proof, proved, disproved and not proved.

Preliminary and Definitions (Sec 01 & 02),

2. RELEVANCY OF FACTS (03 to 50):

Relevancy of Facts (Sec 03 to 14), admission & Confessions (Sec.15-25)

Statements by persons who cannot be called as witnesses (Sec 26 -27)

Statements made under special circumstances (Sec 28 -32)

How much of a statement is to be proved (33)

Judgments of courts when relevant (34-38)

Opinions of Third persons when Relevant (39 -45) Character when Relevant (46 -50)

3. ON PROOF- (SECTION 51-103)

Facts which need not to be proved (Section 51-53), Of Oral Evidence (Sec 54-55), Of Documentary Evidence (Sec 56 -93), Of the Exclusion of Oral Evidence by Documentary Evidence (Sec 94 -103),

4. PRODUCTION & EFFECT OF EVIDENCE (SECTION 104-123)

Of the burden of Proof (Sec 104-120), Estoppels (Sec 121-123)

5. OF WITNESSES (SECTION 124-170)

Witnesses (sec 124-139), Examination of witnesses (Sec 140 -168), Improper Admission & Rejection of Evidence (Sec 169), Repeal & Saving (Sec 170)

Leading Cases:

1. Kashmira Singh vs. State of M.P., AIR 1952 SC 159.

2. State of Punjab vs. Sodhi Sukhdeo Singh, AIR 1961 SC 493 (Majority Judgment Only)
3. Kulvinder Kaur vs. State of Punjab, AIR 1952 SC 354
4. State of U.P. vs. Deoman Upadhyay, 1960 SC 1125

Books Recommended –

1. Ratanlal Dhirajlal - Law of Evidence, 21th Ed. 2004, PB, Wadhwa, Nagpur.
2. Sarkar - On Evidence (2 Vol.) 15th ed. 2002, Wadhwa, Nagpur, 2390=00
3. Avatar Singh - Principles of law of Evidence, Universal, Delhi.
4. Vepa P. Sarathi - Law of Evidence EBC, Lucknow.
5. Ratan Lal Dheeraj Lal - Indian Evidence Act, 19th edi., (in Hindi)
- 6 Avtar Singh - Evidence Act (in Hindi)
- 7 M.D. Chaturvedi - Evidence Act (in Hindi)
8. Bare Act (Diglot) Bhartiya Sakshya Adhiniyam 2023

LL.B. Third Semester
Paper-III
LABOUR AND INDUSTRIAL LAWS-I

This Paper includes Following Statutes

- (1) The Industrial Disputes Act, 1947
- (2) The Trade Unions Act, 1926
- (3) The Workmen's Compensation Act, 1923
- (4) The Payment of Wages Act, 1936
- (5) The Minimum Wages Act, 1948

Detail Course Contents

- 1. General Introduction & The Industrial Disputes Act, 1947** -Industrial Jurisprudence, Labour Policy in India, Industrial Revolution of India, Evil of Industrialization, Labour Problems, Principles of Labour Legislation, Growth of Labour Legislation in India, Classification of Labour and Industrial Legislations
The Industrial Disputes Act, 1947 —Preliminary, (Sec. 1-2), Authorities under this Act (Sec. 3-9), Notice of change (Sec. 9A -9 B), Reference Of Certain Individual Disputes To Grievance Settlement Authorities (Sec. 9C), Reference of Disputes to Boards, Courts or Tribunals (Sec. 10 - 10A), Procedure, Power and Duties of Authorities (Sec. 11 -21), Strikes and Lockouts (Sec. 22-25), Lay-Off and Retrenchment (Sec. 25A-25J), Unfair Labour Practice (Sec. 25T-25U), Penalties (Sec. 26-31).
- 2. The Trade Unions Act, 1926** -- Preliminary,(Sec. 1-2), Registration of Trade Unions (Sec. 3-14), Rights and Liabilities of Registered Trade Unions (Sec. 15-28), Regulations (Sec. 29 -30), Penalties and Procedure (Sec. 31-33)
- 3. The Workmen' s Compensation Act, 1923** -- Preliminary, (Sec. 1-2), Workmen's Compensation (Sec. 3 -18), Commissioners – Reference to Commissioners, Appointment and Powers of Commissioners, Powers and Procedure of Commissioners, Appeals (Sec. 19 -21), Rules 32-36, All Schedules, All Schedules and amendments made from time to time.
- 4. The Payment of Wages Act, 1936** -- Preliminary, (Sec. 1-2), Responsibility for Payment of Wages (Sec. 3-6), Deductions which may be made from wages (Sec. 7 -13), Authorities under the Act, Inspectors, Facilities to be afforded to Inspectors, Authorities to hear claims, Single application in respect of claims from unpaid group, Appeal (Sec. 14-17),

Power of authorities appointed under section 15 (Sec. 18 -19), Miscellaneous Provisions (Sec. 20-26).

- 5. The Minimum Wages Act, 1948** -- Preliminary, (Sec. 1-2), Fixing of minimum rates of wages (Sec. 3 -6), Advisory Board (Sec. 7 -9), Wages in kind (Sec. 10-17), Maintenance of Registers and Records, etc. (Sec. 18 -21), Penalties, etc. (Sec. 22 -26), Power of Govt. to make rules (Sec. 27 -31), All Schedules and all amendments made from time to time

LEADING CASES:

1. A Maikenji Vs. J.S. Ishaq AIR 1970 SC 1906
2. Bangalore Water Supply and Sewerage Board Vs. A. Rajappa and Others AIR 1978 SC 553
3. Pottery Majdoor Panchayat Vs. The Perfect Pottery Co. Ltd. A.I.R. 1979, S.C. 1356.

Books Recommended:

1. H.K. Sharey - Industrial & labour laws in India (Prentice-Hall) New Delhi.
2. I.A. Sayieed - Labour laws, Himalayan Publishing Co. Nagpur
3. Reshma Arora - Labour law, Himalayan Publishing Co. Nagpur
4. S.K. Mishra - Labour and Industrial law - Allahabad law agency H.N. 387, Sector 16-A Faridabad.
5. Taxmann - Labour laws - Bare Act (Taxmann allied series, Allahabad)
6. S.C. Shrivastava - Treatise on social security and labour laws EBC Lucknow.
7. S.N. Mishra - Labour & Industrial laws CLA Allahabad.
- 8 P.L. Malik - Hand Book of Labour and Industrial laws, EBC Lucknow.
9. Seth D.D. - Commentaries on Industrial Act (Law publishing house - Allahabad)
10. K.D. Shrivastava - Commentary of payment of wages act (1998) EBC Lucknow.
11. O.P. Malhotra - The law of Industrial Disputes (1998) Universal Delhi.
12. V.G. Goswami - Labour and Industrial laws, CLA Allahabad.
13. P.K. Padhi –Labour and Industrial Laws, Prentice Hall of India Pvt. Ltd. New Delhi.

LL.B. Third Semester
Paper-IV
LABOUR AND INDUSTRIAL LAWS-II

This Paper includes following Statutes :

- (1) The Employees' State Insurance Act, 1948
- (2) The Factories Act, 1948
- (3) The Child Labour(Prohibition and Regulation) Act, 1947
- (4) The Maternity Benefits Act, 1961
- (5) The Gratuity Act, 1972

Detail Course contents:

1. **The Employees' State Insurance Act, 1948** —Preliminary (Definitions) (Sec. 1-2), Corporation, Standing Committee and Medical Benefit Council (Sec. 3-25), Finance and Audit (Sec. 26 -37), Contributions (Sec. 38 -45), Benefits (Sec. 46-59), Adjudication of Disputes and Claims (Sec. 74-83), Penalties (Sec. 84-86).
2. **The Factories Act, 1948** -- Preliminary (Definitions) (Sec. 1 -7), Inspecting Staff (Sec. 8-10), Health (Sec. 11-20), Safety (Sec. 21-41), Welfare (Sec. 42-50), Working hours of Adults (Sec. 51 -66), Employment of Young persons (Sec. 67-77), Annual leave with wages (Sec. 78-84).
3. **The Child Labour(Prohibition and Regulation) Act, 1947** - Preliminary (Definitions) (Sec. 1-2), Prohibition of Employment of Children in certain occupations and processes (Sec. 3 -5), Regulation of conditions of work of children (Sec. 3-5), Miscellaneous (Sec. 14-26).Causes of child labour and Present prospect of child labour in India.
4. **The Maternity Benefits Act, 1961** -- Preliminary (Definitions) (Sec. 1 -3), Employment of, or work by woman prohibited during certain period , Right to payment of maternity benefit, Notice of claim for maternity benefit and payment thereof, Payment of maternity benefit in case of death of a woman, Payment of medical bonus, Leave for miscarriage, Other leaves, Nursing breaks, Dismissal during absence of pregnancy, Deduction of wages, Appointment of Inspectors, Powers and duties of Inspectors (Sec. 4 -22), Cognizance of Offence (Sec. 23).
5. **The Gratuity Act, 1972** -- Preliminary (Definitions) (Sec. 1 -2), Controlling Authority, Payment of Gratuity, Nomination (Sec. 3 -6), Determination of the amount of gratuity (Sec. 7), Inspector , Recovery of gratuity, Penalties (Sec. 8-9), Cognizance of Offences (Sec. 11 -14), Power to make rule (Sec. 15)

LEADING CASES:.

- (!) B.Shah Vs. Labour Court AIR 1978 SC 12
- (2) Ahemdabad Private Primary Education Association Vs. Administrative Officers (2004) I SCC 755
- (3) Peoples Union for Democratic Rights Vs. Union of India AIR 1982 SC 1480

Books Recommended:

- 1. H.K. Sharey - Industrial & labour laws in India (Prentice-Hall) New Delhi.
- 2. I.A. Sayieed - Labour laws, Himalyan Publishing Co. Nagpur
- 3. Reshma Arora - Labour law, Himalyan Publishing Co. Nagpur
- 4. S.K. Mishra - Labour and Industrial law - Allahabad law agency H.N. 387, Sector 16-A Faridabad.
- 5. Taxmann - Labour laws - Bare Act (Taxmann allied series, Allahabad)
- 6. S.C. Shrivastava - Treatise on social security and labour laws EBC Lucknow.
- 7. S.N. Mishra - Labour & Industrial laws CLA Allahabad.
- 8 P.L. Malik - Hand Book of Labour and Industrial laws, EBC Lucknow.
- 9. Seth D.D. - Commentaries on Industrial Act (Law publishing house - Allahabad)
- 10. K.D. Shrivastava - Commentary of payment of wages act (1998) EBC Lucknow.
- 11. O.P. Malhotra - The law of Industrial Disputes (1998) Universal Delhi.
- 12. V.G. Goswami - Labour and Industrial laws, CLA Allahabad.
- 13. P.K. Padhi –Labour and Industrial Laws, Prentice Hall of India Pvt. Ltd. New Delhi.

LL.B. Third Semester
Paper-V
Professional Ethics & Professional Accounting System
(Clinical/Practical)

OUTLINE OF THE COURSE: Professional Ethics, Accountancy for Lawyers and Bar-Bench Relations

This Course will be taught in association with practicing lawyers on the basis of following materials.

- (i) Mr. Krishnamurthy Iyer's book on "Advocacy"
- (ii) The Contempt Law and Practice
- (iii) The Bar Council Code of Ethics
- (iv) 50 selected opinion of the Disciplinary Committees of Bar Councils and 10 major judgments of the Supreme Court on the subject
- (v) Other reading materials as may be prescribed by the University

SCHEME OF EXAMINATION

- | | |
|---|-----------------------------|
| 1. Written Examination | 50 |
| 2. Seminar two (each of 10 marks) | 20 by the Internal Examiner |
| 3. Project Report (Emphasis on Constitutional Values) | 20 by the External Examiner |
| 4. Viva-Voce | 10 by the External Examiner |

The written examination shall be conducted from the prescribed course. The seminar shall also be conducted from the important topics of the materials. The presentation of Project Report and appearance in seminar and viva-voce examination is compulsory. The candidate who does not appear in seminar and viva-voce examination or who does not prepare Project Report will be declared fail in this paper.

The Practical work/Project Report shall be prepared by the students in own handwriting and then submitted in the College. The college on the basis of participation and record will forward the project report to the external examiner for evaluation at the time of viva. The evaluation shall be made by the external examiner on the basis of participation and record. The college after valuation shall be sent the diaries and marks to the University. Viva-voce shall be conducted by the external examiner appointment by University.

DETAILED COURSE CONTENT OF WRITTEN EXAMINATION (50 marks):

1. GROWTH OF LEGAL PROFESSION & BEGINNING OF ADALAT SYSTEM - GENESIS NATURE AND EVOLUTION OF INDIAN BAR

- a) Evolution of Indian Bar - Regulating Act 1773. Bengal Regulation of 1793. and The Legal Practitioners Act 1846.
- b) The Legal Practitioners Act 1853 and the legal practitioners Act 1879.
- c) The Bar Councils Act 1926 and The Report of the All India Bar Committee 1953.
- d) History and circumstances before the passing of the Advocate Act 1961.

BEGINNING OF ADALAT SYSTEM – Mayor's Courts(1726-1753), Judicial Plan of Lord Warren Hastings (1772 -1780), Lord Cornwallis (1787-1793), Sir John Shore , Lord Wellesley and Lord William Bentinck (1796-1835), Indian High court Act (1861), Privy Council & Supreme Court (1950)

2. SOURCES & SANCTIONS OF PROFESSIONAL ETHICS & MISCONDUCTS

- a) Sources of Rules of Professional Ethics - Judicial and extra Judicial sanctions and advantages of study of professional ethics.
- b) Lawyers misconduct - Professional and others.
- c) Equipment of Advocate Reverence for the law learning public service, brotherhood organization. Love for professional ideals.
- d) Independence and integrity of The Bench and the Bar.

PRIVILEGES RIGHTS POWERS AND DISABILITIES OF LEGAL PRACTITIONERS

- a) Right and duties of Advocates
- b) Privileges of Advocate
- c) Powers of Legal practitioners
- d) Disabilities of legal practitioners

3. ADVOCATES AND THEIR RELATION WITH OTHERS IN THE LIGHT OF B.C.I. RULES 1976

- a) Advocate and the Court.
- b) Advocates relation with his opponent and with his client.
- c) Advocates relation with his colleagues and witnesses
- d) Advocates and the public and other employment and Advocates

4. ADVOCATE ACT, CODE OF ETHICS AND CONTEMPT OF COURT

- a) Indian Advocates Act, 1961.
- b) The contempt law & practice - Indian contempt of court Act 1976.
- c) Other statutory provisions relating to contempt in Bhartiya Nyay Sanhita 2023 & Bhartiya Nagrik Suraksha Sanhita 2023, CPC.
- d) Supreme Court on professional misconduct - Important cases.
- e) Law Reporting in India

5. Basics of Computer Education:

BOOK RECOMMENDED

- 1. C.L. Anand - Professional Ethics of the Bar (Law Book Co., S.P. Marg Allahabad).
- 2. V.G. Ramchandran's - Contempt of Court EBC, Lucknow.
- 3. The Bar Council Code of Ethics and Indian Advocate Act 1961.
- 4. Indian Contempt of Court Act 1996.
- 5. M. Krishnamurthy - Advocacy
- 6. AVROM Sherr - Advocacy, Universal Book Traders, 80, Gokhale Market, Delhi.
- 7. Herbert Cowell The History and the Constitution of the Court and Legislative Authority in India (1936) (6th edition published by S.C.Bagchi Calcutta)
- 8. A.B. Keith -A Constitutional History of India-(1600-1935)Central Book Deppt Allahabad.
- 9. M.P.Jain -Out Lines of Indian Legal History(Tripathi) (1998)
- 10. M.V.Paylee -Constitutional History of India—(1600-1950) (Asia- Bombay-1967)

11. V.D.Kulshresth - Land Mark in Indian Legal History (Eastern Book Co. Lucknow)
12. M. Ramajois Wajons - Legal and Constitutional History of India(1984) 2 Volumes .
13. N.V. Paranjape - Indian Legal and Constitutional History (CLA)
14. Bare Act (Diglot)- Contempt of Court Act, 1971
15. Bare Act (Diglot)- Advocate Act, 1961

LL.B. Forth Semester
Paper-I
CG Land Revenue Code & Rent Control Act 2011

- 1. The Chhattisgarh Land Revenue Code 1959 (Amended 2006)**
- 2. The C.G. Ceilings on Agricultural Holding Act, 1960 (as Amended 2006)**
- 3. Rent Control Act, 2011**

- (1) C.G. LAND REVENUE CODE** - Historical Development, Definitions, Abadi, Agriculture, Agriculture Year, Bonafid e Agriculturist, Board, Co-operative Society, Government, Forest, Government Lessee, Holding. Improvement, Land, Landless Person, Land Records, Legal Practitioner, Mango Grove, Orchard, Recognized Agent, Rent, Revision, Revenue Officer, Revenue Year, Sub-Division of Survey Number, Tenant, Tenure Holder, Timber Tree, Urban Area, Unoccupied Land, Village, To Cultivate Personally, Survey Number.
- (2) Board of Revenue**, Revenue Officers and their Classes and Powers, Procedure of Revenue Courts, Appeal Revision and Review, Land and Land Revenue ,Revenue Survey and Settlement in Non-Urban Areas, Assessment and Re-assessment of Land Revenue in Urban Areas.
- (3) Land Records**, Boundaries And Boundary Marks and Survey Marks, Tenure Holders, Government Lessee and Service Land, Occupancy Tenants, Alluvian and Dilluvian, Consolidation of Holding, Village - Officers, Rights in Abadi and Unoccupied Land and its Produce.
- (4) C.G. on Agricultural Holding Act, 1960** : Definitions, Exemptions and Restrictions on Transfer of Land, Fix ing of Ceiling Area, Determination of Surplus Land and Acquisition Thereof, Payment of Compensation in Cumbrances on Surplus Land, Offences and Penalties and Miscellaneous.
- (5) Rent Control Act, 2011-**

Leading Cases

1. State of M.P. Vs. Poonam Chand, 1968, J.L.J. 116.
2. M.P. State Vs.Babulal And others, 1980, J.L.J. 856 (SC).
3. Harprasad. B Horelal Vs. Board of Revenue, 1964, M.P.L.J. 370.
4. Nandu Vs. Babu and others. 965, M.P.L.J. 178.
5. Manmohan Lal Shukla Vs. Board of Revenue, 1964, M.P.L.J. 32.

Books Recommended :

1. M.P. Land Revenue Code - H.N. Dwivedi.
2. M.P. Land Revenue Code - R.D. Jain.
3. Chhattisgarh Bhu_Rajaswa Sahinta_-Dr. Bhoopendra Karwande
4. Bare Act (Diglot) The Chhattisgarh Land Revenue Code 1959 (Amended 2006)
5. Bare Act (Diglot) The C.G. Ceilings on Agricultural Holding Act, 1960 (as Amended 2006)

LL.B. Forth Semester

Paper-II

Administrative Law & Right to Information Act 2005

1. Introduction of administrative law, administrative process, discretion and direction:

Meaning, nature, history and function of administrative law, sources of administrative law, its origin and scope, reasons for its growth, its historical development in England, America and India, administrative law and constitutional law, droit administrative ... and council, D. Etate, constitutional foundation of administrative law, the rule of law, its meaning, supremacy of regular laws and equality before the laws, doctrine of separation of powers, its meaning and its position in U.K., U.S.A. & India.

Administrative Process - Nature of administrative process, and its classification, legislative, judicial, quasi-judicial and pure executive action, their characteristics and difference among them.

Administrative Discretion - Meaning, nature and criteria, its use or principle applicable for its use, need for administrative discretion, limit on exercise of discretion, malafide exercise of discretion acting under dictation, constitutional imperative... and use of discretionary authority, non-application of mind, unreasonableness and standard of reasonableness, taking irrelevant consideration or not taking in to consideration among relevant matter, non-exercise of discretionary powers, administrative arbitrariness and bias. Procedural safeguards for use of discretion.

Administrative Direction - its use and classification, its unenforceability.

2. Delegated legislation, Administrative adjudication & Tribunal

Delegated legislation, its historical background and function, reasons for its growth, need for delegation of administrative power, kinds of delegated legislation, sub-delegated legislation and conditional legislation, constitutionality of delegated legislation in Britain and India, Re Delhi Laws Act, Power of exclusion and inclusion and power to modify statutes, essential legislative functions, requirement for the validity of delegated legislation.

Judicial control of delegated legislation - Doctrine of ultra vires, its kinds, substantive and procedural grounds for its applicability, consultation, sub delegation, publication, administrative directions, circular legislative or parliamentary control on delegated legislation, laying procedure, policy statement, committees on delegated legislation and hearing before it, sub delegation & powers, guide-lines for it, and control of sub delegation, administrative adjudication and tribunals, reasons for proliferation of administrative tribunals, functional approach characteristics and feature of administrative tribunals, Basic difference between a court and a tribunals, position of tribunals in India, CAT its purpose, establishment and composition, jurisdiction power and authorities, aspect of tribunal practice and administrative procedure, procedure before the enquiry or hearing, procedure at the tribunal hearing and procedure after tribunal hearing, frank committee report, administrative tribunal act 1985, administrative tribunals and appeal judicial review and finality of the tribunal decision, reopening of tribunal proceeding rule of res judicata, Administrative tribunals in India.

3. Judicial Control of Administrative Action and Natural Justice

Power of the High Court, writ jurisdiction of High Court under Article 226, limitation of jurisdiction, territorial limit, general limitations, Locus standi, non-existence of alternative remedies, laches, acquiescence, doctrine of legitimate expectation, doctrine of public accountability, doctrine of proportionality, grounds and condition for writs and orders, mandamus, certiorari, prohibition, Quo warrants, Habeas corpus, nature of relief practice and procedure, power of supreme court under Art 32, role of natural justice on administrative law - principles of natural justice, (1) No man shall be a judge in his own cause or if he has any bias (Pecuniary personal & official) against a party or any interest in subject matter of the enquiry (2) Audi Alteram Partem - "Hear the other side and limit of audi alteram partem (3) The party must be known the reasons for the decisions, the use of principle of natural justice in disciplinary process and exclusion & violation of principles of natural justice and its effect.

4. State Liability for Wrongs Act & Commission of Inquiry & Corporate:

Liabilities for torts, distinction between sovereign and commercial functions, constitutional provisions in this regard, act of state and statutory immunities contractual liability of Govt., Government privilege in legal proceeding state secrets, public interest, transparency and right to information estoppel and waiver.

Remedies against administrative acts, constitutional remedies writ injunctions, its nature and types, distinction between injunction and mandamus, suit for declaration, its condition and nature, suits for damages.

Public enquiry and commission of enquiry, general enquiry under service rules, procedure in disciplinary action and Provisions of commission of enquiry act 1952, and

Corporation: Corporations, its kinds and characteristics, its classification, legal and constitutional provisions & their responsibilities in contract and in tort, position of their employee whether they are civil servants? Control on corporation, legislative control, judicial control, governmental control and public controls.

Ombudsman vigilance commission-Ombudsman, its development in Newzealand, Britain and Australia, Position of Ombudsman in India, Lokpal and Lokayukt and their position, Public Interest litigations its nature and importance in Democracy. Central vigilance commissions its powers and functions

5. Right to Information Act, 2005 -Introduction, Right to Information and Voluntary Organization, Right to Information in the Foreign Countries, Request for Right to Information, Constitution, Rights and Obligations of the Information Agencies, Procedure of Disposal of Applications and Complaints by State Commissions with special reference to Section 18, 19 and 20 of Right to Information Act 2005.

Leading cases:

1. A.K. Kraipak v. Union of India (AIR 1970 SC 150)
2. Bharat Bank Ltd. v. Employees of Bharat Bank (AIR 1970, SC188)
3. Bhagat Raja, Union of India (AIR 1967 SC1606)

Books Recommended:

1. Jain and Jain - Principles of Administrative law, Tripathi (1986).
2. Wade - Administrative law (Indian Rep.) Universal Delhi.
3. J.C. Garner - Administrative law, Butterworth (1990)
4. D.D. Basu - Comparative Administrative law (Prentice Hall).
5. I.P. Massey - Administrative law EBC, Lucknow. (1996).
6. M.P. Jain - Cases and material on Indian Administrative law (Vol. I & II) 1998
Universal book traders Delhi.
7. S.P. Sathe - Administrative law (1998), Butterworth (India), Delhi.
8. De Smith - Judicial review of Administrative Action (1995) with supplement, Sweet & Maxwell.
9. M.A. Fazal - Judicial control of administrative action in India Pakistan & Bangladesh (2000), Butterworth India.
10. Indian law institute - Cases and material on Administrative law in India vol. I (1996), Delhi.
13. D.R. Saxena - Ombudsman, Deep & Deep Delhi.
14. Tusharkanti Saha - Administrative law - Kanishk Publication, New Delhi.
15. V.G. Ramchandran - Administrative law, Eastern Book Co., Lucknow.
16. Foulkes - Introduction to Administrative law, Butterworth.
17. Bhagwati Prasad Banerjee - Writ Remedies (1999) Wadhwa, Nagpur.
18. M.P. Jain - The evolving Indian Administrative law (1983) Tripathi, Bombay.
19. Bare Act (Diglot) Right to Information Act, 2005

**LL.B. Forth Semester
Paper-III**

LAW OF CRIMES - II

Bhartiya Nagrik Suraksha Sanhita, 2023

Juvenile Justice Act, 2015 & Probation of Offenders Act, 1958

1. PRILIMINARY AND CONSTITUTIONS & POWER OF CRIMINAL COURTS ,ARREST OF PERSONS (SEC 01-196)-

Preliminary (Sec 01-05)

Constitutions of Criminal Courts and Offices (Sec 06-20)

Power of Courts (Sec 21-29)

Power of Superior Officers of Police and Aid to the Magistrates and the Police (Sec 30-34)

Arrest of Persons (Sec 35-62)

Process to Compel Appearance (Summons, Warrants, Attachment) (Sec 63-93)

Processes to Compel the Production of Things (Sec 94-124)

Security for Keeping the Peace and for Good Behaviour (Sec 125-143)

Maintenance and wife, children and parents (Sec 144-147)

Maintenance of Public Order and Tranquility (Sec 148-196)

2. JURISDICTION OF THE CRIMINAL COURTS TRIALS, ATTENDANCE OF CONFINED PERSONS, EVIDENCE IN INQUIRIES AND TRIALS (Sec 197 - 391) –

Jurisdiction of the Criminal Courts Inquiries and Trials (Sec 197-209)

Conditions Requisite for Initiation of Proceedings (Sec 210-222)

Complaints to Magistrates (Sec 223-233)

The Charge (Sec 234-247)

Trial before a Court of Session (Sec 248-260)

Trial of Warrant Cases (Sec 261-273)

Trial of Summons cases (Sec 274-282)

Summary Trials (Sec 283-288)

Plea Bargaining (Sec 289-300)

Attendance of Confined Person (Sec 301-306)

Evidence in Inquiries and Trials (Sec 307-391)

3. JUDGEMENT, APPEAL, REVISION & EXECUTION, SUSPENSION, REMISSION AND COMMUTATION OF SENTENCES (SEC 392-477)

Judgment (Sec 392-412)

Appeal (Sec 413-435)

Reference and Revision (Sec 436-445)

Transfer of Criminal Cases (Sec 446-452)

Execution, Suspension, Remission and Commutation of Sentences (sec 453-477)

4. BAIL, BONDS AND SCHEDULES (SEC 478-531)

Bail and bonds (Sec 478-496)

Disposal of Property (Sec 497-505)

Irregular Proceeding (Sec 506-512)

Limitation for Taking Cognizance of Certain Offences (Sec 513-519)

Miscellaneous (Sec 520-531)

Schedules

5. JUVENILE JUSTICE (CARE & PROTECTION OF CHILDREN) ACT, 2015

Preliminary and Definition of Juvenile etc under JJ(C & P of C) ACT,2015,(Ss 1-2) Juvenile justice board and its procedure,(Ss 4-9), Procedure In Relation to Children in Conflict with Law, (Ss 10-26), Child Welfare Committee, Procedure in relation to children in need of care and protection (Ss 27-38), Rehabilitation and Social Re-integration,(Ss 39-55), Adoption(Ss 56-73), Other Offences Against Children (Ss 74-88), Appeal and Revision (Ss 101-112).

PROBATION OF OFFENDERS ACT, 1958

Probation of offenders Act, 1958 – Meaning and definition of Probation, its nature and history. Admonition and Exemption from punishment below 21 years of age, Power of probation officer and its duty under the Act (Ss 1-19)

Leading Cases:

- (1) Gurubaksh Singh Sibba Vs. State of Punjab AIR 1980 SC 1632
- (2) Rajpati Vs. Bechar AIR 1981 SC 19
- (3) Suptd & Remmemberances of legal Affairs Vs. Anil Kumar AIR 1980 SC 52
- (4) Anil Rai Vs. State of Bihar (2001) SCC 318(330)

RECOMMENDED BOOKS:

1. N. V. Paranjape : Code of Criminal Procedure, Juvenile Justice ACT and Probation of offenders Act, (in Hindi)
2. Bare Act Diglot Bhartiya Nagrik Suraksha Sanhita 2023
3. Bare Act Diglot Juvenile Justice Act,2015
4. Bare Act Diglot Probation of Offenders Act,1958

LL.B. Forth Semester
Paper-IV

Environmental Laws

This paper includes following Statutes-

1. The Water (Prevention and control of pollution) Act, 1974.
2. The Air (Prevention and control of pollution) Act, 1981.
3. Environment Protection Act, 1986.
4. The Wild Life (Protection) Act, 1972
5. Prevention of Cruelty to Animals Act, 1960.

Detail course contents-

1. **Concept of Environment and Pollution-** Environment, meaning and concept, pollution meaning and effect, environmental pollution, Provisions of Indian Constitution as to Environment.
2. **The Water (Prevention and control of pollution) Act, 1974-** Application and Commencement (S.1), definition(S.2), the control and state Boards for prevention and control of water pollution(S.3-12), Constitution of joint Boards(S. 13-15), Powers and functions of Boards(S. 16-18), Prevention and control of Water pollution(S. 19-33), Funds, Accounts and Audit (S. 34-40), penalties and procedure (S. 41-50), Miscellaneous(S. 51-64).
3. **The Air (Prevention and control of pollution) Act, 1981-** Preliminary (Ss. 1-2), Central and State Boards for the Prevention and Control of Air Pollution (Ss. 3-15), Powers and Functions of Boards (Ss. 16-18), Prevention Control of Air pollution (Ss. 19-31), Fund, Accounts and Audit (Ss. 32-36), Penalties and Procedure (Ss. 37-46), Miscellaneous (47-54) Schedules.
4. **The Wild Life (Protection) Act, 1972 (No. 53 of 1972) -** Preliminary (Ss. 1-2), Authorities to be appointed or constituted under the act (Ss. 3-8), Hunting of wild animals(Ss. 9-17), Sanctuaries, national parks game reserves and closed areas (Ss. 18-38), Trade and commerce in wild animal articles and trophies (Ss. 39-49), prevention and detection of offences (Ss. 50-58), Miscellaneous (Ss. 59-66).
5. **Prevention of Cruelty to Animals Act, 1960-** Preliminary (Ss. 1-3), Animal Welfare Board (Ss. 4-10), Cruelty to animals generally (Ss. 11-13) Experimentation on Animals (Ss. 14-20).

Leading Cases-

- (i) M.C. Mehta vs. Union of India, 1994 S.C.C. 750,
- (ii) Morena Mandal Sahkari Shakkar Karkhana Society vs. M.P. Board of Prevention of Water Pollution 1993 MPLJ 270.
- (iii) Santosh Kumar Gupta vs. Secretary Ministry of Environment New Delhi 1997 (2) MPLJ. 602.
- (iv) M.P. Rice Mill Association vs. State of M.P. 1999 (1) MPLJ 315

Books Recommended -

- 1. Trivedi R.K. & P.K. Goel- Introduction to Air Pollution (Techno Science Publication).
- 2. Jadhav & Bhosle V.M. -Environmental Protection and Laws (Himalaya Publishing House, Delhi)
- 3. Clark R.S. - Marine Pollution (Cleradon Press Oxford)
- 4. Cenningham W.P. Cooper, T.H. Gorhani & Hepworth M.T. - Environmental Encyclopedia (Jaico Publishing House, Mumbai - 1196 P.)
- 5. Rao R.N. & Dutta A.K.- Waste water Treatment (Oxford & IBH) 1987.
- 6. R.B. Singh & Suresh Mishra- Environmental Law in India (Concept Publishing Co. (New Delhi 1996).
- 7. Leela Krishnan P. (Ed.) -Law & Environment (EBC Lucknow 1990)
- 8. Leela Krishnan P.P. - The Environmental Law in India Butterworth India (1999)
- 9. Nagendra Singh - Environmental Law in India (1986)
- 10. Suresh Jain - Environmental Law in India (1986)
- 11. B.L. Babel - Environmental Protection Law 1997.
- 12. Kailash Thakur - Environmental Protection Law & Policy in India (Deep & Deep Publishing Co., New Delhi (1977).
- 13. R.K. Trivedi - Hand Book of Environmental laws, Rules Guidelines Compliance and standard Vol. I & II.
- 14. Dr. Anirudhha Prasad - Paryavaran ayam paryavarniya sanrakshan vidhiya
- 15. Bare Act (Diglot) The Water (Prevention and control of pollution) Act, 1974.
- 16. Bare Act (Diglot) The Air (Prevention and control of pollution) Act, 1981.
- 17. Bare Act (Diglot) Environment Protection Act, 1986.
- 18. Bare Act (Diglot) The Wild Life (Protection) Act, 1972
- 19. Bare Act (Diglot) Prevention of Cruelty to Animals Act, 1960.

LL.B. Forth Semester
Paper-V
Alternative Dispute Resolution (Clinical/Practical)

Outline of the Course :

- (i) Negotiation skills to be learned with simulated program.
- (ii) Conciliation skills.
- (iii) Arbitration Law and Practice including International arbitration and Arbitration rules.

The course is required to be conducted by senior legal practitioners through simulation and case studies. Evaluation may also be conducted in practical exercises at least for a significant part of evaluation.

SCHEME OF EXAMINATION

- | | |
|--|-----------------------------|
| 1. Written Examination | 50 |
| 2. Seminar two (each of 10 marks) | 20 by the Internal Examiner |
| 3. Project Report (on any topic of the material) | 20 by the External Examiner |
| 4. Viva-Voce | 10 by the External Examiner |

The written examination shall be conducted from the prescribed course. The seminar shall also be conducted from the important topics of the materials. The presentation of Project Report and appearance in seminar and viva-voce examination is compulsory. The candidate who does not appear in seminar and viva-voce examination or who does not prepare Project Report will be declared fail in this paper.

The Practical work/Project Report shall be prepared by the students in own handwriting and then submitted in the College. The college on the basis of participation and record will forward the project report to the external examiner for evaluation at the time of viva. The evaluation shall be made by the external examiner on the basis of participation and record. The college after valuation shall be sent the diaries and marks to the University. Viva-voce shall be conducted by the external examiner appointment by University.

DETAILED COURSE CONTENT OF WRITTEN EXAMINATION (50 marks):

1. **Arbitration** : meaning scope and types, Arbitration Agreement- essentials , kinds , Who can enter into arbitration agreement? Validity, Reference to arbitration, Interim measures by Court.
2. Arbitral Tribunal, Appointment, Jurisdiction of arbitral tribunal, Grounds of challenge, Powers, Procedure, Court assistance, Award, Rules of guidance, Form and content, Correction and interpretation, Grounds of setting aside an award--Want of proper notice and hearing , Contravention of composition and procedure, Impartiality of the arbitrator, Bar of limitations, Res judicata, Consent of parties, Enforcement.
3. Appeal and Revision, Enforcement of foreign awards, New York Convention Award, Geneva Convention Awards.
4. **Conciliation**: Distinction between “conciliation”, “negotiation”, “mediation” and “arbitration”, Appointment of conciliator, Interaction between conciliator and parties, Communication, disclosure and confidentiality, Suggestions by parties, Resort to judicial proceedings, legal effect, Costs and deposit repeal.
5. **Rule making power**: Legal Services Authorities Act, Lok Adalat, Legal Camp.

BOOKS RECOMMENDED:

1. Avtar Singh : Arbitration and Conciliation.
2. Goyal : Arbitration and Conciliation Act.
3. Shukla : Legal remedies.
4. Jhabvala : Law of Arbitration and Conciliation.
5. Dr. N.V.Paranjape: Arbitration and Alternative Dispute Resolution.
6. Bare Act (Diglot) The Arbitration and Conciliation Act 1996
7. Bare Act (Diglot) Legal Services Authority Act, 1987

LL.B. Fifth Semester
Papar-I
Transfer of Property Act 1882 & Easement Act 1882
PAPER - I

- (1) **Preliminary and transfer of immovable property (Sec 01 -37)**
Historical evolution of Law of property, Introduction, Short title, Commencement, Repeal of Acts, Interpretation Clause (Ss 1 -3), Transfer of Property by act of Parties - Definition of Property, Rule of Transferability, Persons Competent to Transfer, Operation of Transfer and Oral Transfer (Ss 5-9), Condition Restraining Alienation, Restriction Repugnant to Interest, Condition Making Interest Determinable on Insolvency or Attempted Alienation (Ss 10 -12), Transfer for the Benefit of Unborn Person, Rule against Perpetuity etc. (Ss 13-18), Vested interest and Contingent Interest (Ss 19 -24), Conditional Transfer, Doctrine of Acceleration, Doctrine of Conditional Limitation (Ss 25-34), Doctrine of Election (Ss 35-37),
- (2) **Transfer of Immovable Property (Ss 38-53-A).**
- (3) **Sale and mortgage of immovable property (Sec 54-104) :** Definition of Sale, Competency of Parties, Difference between Sale and Agreement to Sale, Rights and Liabilities of buyer and Seller (Ss 54 -57), Mortgages charges of immovable (Ss 58), Property, Definition, Kinds of Mortgages, Obligation to transfer to third party instead of Mortgagor, Rights and Liabilities of Mortgager (Ss 58 -66), Rights and Liabilities of Mortgagee (Ss 67 -77), Other Provisions Related to Mortgage including charges (Ss 78-104).
- (4) **Leases, Exchange and Gift and Actionable claim (105-137)-** Definition, Essential Elements of Leases, Modes of Leases, Rights and Liabilities of Lessor and Lessee, Doctrine of Waiver, Determination of Lease and Other Related Provisions (Ss 105 -117), Exchanges (Ss 118-121), Gift (Ss 122-129), Transfer of Actionable Claims (Ss 130-137).
- (5) **Indian Easement Act, 1882 :-** Introduction (Ss 1-3), Easement in General (Ss 4-7), Imposition, Acquisition and Transfer of Easements (Ss 8-19), Incidents of Easement (Ss 20 -21), Disturbance of Easement (Ss 32-36), Extinguishment, Suspension and revival of easements (Ss 37 -51), Licenses, Definition, Ingredients and Revocation of Licenses (Ss 52-64)

Leading Cases :

1. Nainsukhdas Shivnarayan Vs. Goverdhan das AIR 1948, Nagpur 110.
2. Associated Hotel of India Vs. R.N. Kapoor AIR 1962, SC 1262.
3. Jama Masjid Vs. Koci Manindra Deviah and other, AIR 1962, SC 807.
4. Kedarnath Vs. Shivnarayan AIR 1970, SC 1717.
5. Kanji Manji Vs. Trusters of Port of Bombay AIR 1963, SC 268.
6. Murari Lal Vs. Devkaran AIR 1965, SC 225.

Books Recommended

1. Transfer of Property Act - Mulla
2. Sampatti Antaran Adhiniyam - G.P. Tripathi
3. Sampati Antaran Adhiniyam - S.N. Shukla
4. Transfer of Property Act 1882 - S.N. Shukla
5. Law of Easement - S.T. Desai
6. Transfer of Property Act, 1882 - G.P. Tripathi
7. Bare Act (Diglot) Transfer of Property Act 1882
8. Bare Act (Diglot)- Easement Act 1882

LL.B. Fifth Semester

Papar-II

Civil Procedure Code 1908 & Limitation Act 1963 & Court Fees Act 1870

1. **Civil Procedure Code 1908**
2. **Limitation Act, 1963**
3. **Court Fees Act 1870**
- (1) **Civil Procedure Code** - Historical Background, Introduction, Short Title, Definition, Kinds of Courts and their Jurisdiction, Stay of Suit, Resjudicata, Bar to Further Suit etc. (Ss 1 -14), Place of Suing, Institution of Suit, Summons and discovery, Judgment and Decree, Interest and Costs (Ss 15 -35-B), Execution Proceedings, Courts by which decree may be executed, Procedure in Execution, Arrest, Detention, Attachment and Sale, Resistance to Execution (Ss 36 -74), Incidental Proceedings, Suit in Particular case, Suit by or against the Government, Suit by Aliens and by or against foreign rulers/ambasadors suits against rulers of former Indian States and Interpleader Suit (Ss 75 -88), Appeals, Reference, Review and Revision (Ss 96 -115), Miscellaneous Proceedings, Application for Restitution, Right to Lodge a Caveat, Power to make-up deficiency of Court fees, Inherent Powers of Courts, Amendment of Judgement, decrees and order and General power to Amend (Ss 144-153).
- (2) **Parties to Suits**, Plaintiff and Defendants, Representative Suit, Joinder, Misjoinder and non- joinder, (Order - I Rules 1-13), Frame of Suit, Recognised Agents and Pleader, Institution of Suits, Issue and Service of Summons (Order II - V), Pleading Generally, Plaint, Writt en-Statement, Set-off and Counter-Claim (Order VI-VIII), Appearance of Parties and Consequences of non-appearance, dismissal of suits and ex-party Decree and Order, Examination of Parties by the Court, Discovery and Inspection, Admission, (Order IX-XII), Settlement of Issues and Determination thereof, Summary Disposal, Summoning Attendance and Examination of Witnesses, Adjournment of Hearing and Affidavit (Order XIV-XIX).
- (3) **Judgement and Decree**, Execution of Decrees and Orders, Death, Marriage and Insolvency of Parties, Withdrawal and Adjustment of Suits (Order XX-XXIII), Commission, Suits by or against the Government and Public Officers, Suits Involving a Substantial Question of Law, Suits by or against Military, Nevel or Airmen, Suits by or against Corporation, Suits by or against Firms, Trustees, Executors and Administrators, Suits by or against Minors and Persons of Unsound Mind, Suits Relating to Matters, Concerning the Family, Suit by Indigent Persons, Suits Relating to Mortgagor, Interpleader Suit (Order XXIV-XXXV), Arrest and Attachment before Judgment, Temporary Injunctions and Interlocutory Order, Appointment of Receiver, Appeal from Original Decrees, Appeal from Appellate

Decrees, Appeal from Orders, Appeal by Indigent Persons, Appeal to the Supreme Court, Reference and Review (Order XXXVIII-XLVII).

- (4) **Limitation Act, 1963** - Historical Background, Short Title, Extent, Commencement and Definition (Ss 1 -2), Limitation of Suits, Appeals and Applications (Ss 3 -11), Computation of Period of Limitation, Exclusion of Time in Legal Proceedings, Effect of Death on or before the accrual of right to Sue, Effect of Fraud or Mistake, Effect of Acknowledgement in Writing, Effect of Substituting or Adding New Plaintiff or Defendant etc. (Ss 12 -24), Acquisition of Ownership by Possession, Acquisition of Easement by Prescription, Reversioner and Extinguishment of Right to Property (Ss 25-27).

5. Court Fees Act 1870

Leading Cases -

1. P.G.H. Patil Vs. R.S. Patil and others AIR 1957, SC 363.
2. M.P. Shrivastava Vs. Mrs. Veena AIR 1967, SC 1193.
3. Kiran Singh & Others Vs. Chaman Paswan and others AIR 1954, SC 340.
4. State Vs. Administrator AIR 1972, SC 749.
5. Hindustan Aeronautics Vs. Ajit Prasad AIR 1973, SC 76.

Books Recommended

1. Civil Procedure Code - Mulla
2. Civil Procedure Code - Viswanath Iyer
3. Code of Civil Procedure - P.K. Majumdar
4. A Guide to Civil Procedure Code - Rama Rao
5. Civil Procedure Code - Sarkar
6. Civil Procedure Code - M.P. Jain
7. Law of Limitation & Prescription - U.N. Mitra
8. Law of Limitation - Dr. N.M. Swami
9. Limitation Act – Sarkar.
10. Bare Act (Diglot) Civil Procedure Code 1908
11. Bare Act (Diglot) Limitation Act, 1963
12. Bare Act (Diglot) Court Fees Act 1870

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LL.B. Fifth Semester
Papar-III
Company Law
(INDIAN COMPANY ACT, 2013 WITH AMENDMENTS)

- (1) Introduction, History and Definition of Company, Registration of Corporate Entity, Corporate Veil, Company and Hindu undivided Family, company and Partnership, Club, Association of Persons, Advantages and Disadvantages of Incorporation, Kinds Companies and Application of the Act.
- Interpretation and Definitions of Various Terms.
- (2) Formation of Companies, Promotion, Promotor and his Rights and Liabilities, Incorporation, Memorandum of Association and Articles of Association, Doctrine of Ultra-Vires, Prospectus, Definition, Contents of Prospectus Punishment for Misrepresentation in the Prospectus, Members of the Company, Members and Shareholders and Public Trustees.
- (3) Share and Share Capital, Allotment of Share, Statutory Restriction on Allotment, General Principles as to Allotment, Company which cannot issue prospectus, Irregular Allotment, Return as to Allotment, Issue of Share at Discount, Underwriting Commission, Brokerage, Issue of Share at Premium, Share Capital : Definition, Nature of Share Certificate, Position of Transferor and Transferee, Procedure, Blank Transfer, Right to Refuse Registration, Restriction on the Acquisition and Transfer of Share, Certificate of Transfer, Kinds of Share, Power of Company to Accept Payment in Advance of Calls. Reserve Liability, Alteration of Capital Reorganisation of Share Capital. Reduction of Capital, Share Warrant.
- Directors, Position of Directors, Appointment, Powers and Duties of Directors, Other Office Bearers of the Company.
- (4) Dividend, Debenture, Accounts and Audit, Borrowing Powers of the Company, Investment and Contract, Majority Powers and Minority Rights and Rule of Foss and Harbottle, Mismanagement and Remedies - -----Compromise.
- Arrangement, Reconstruction and Amalgamation, Investigation and Liquidation and Consequences of Winding up of the Companies.
- (5) **Leading Cases**
1. Saloman Vs. Soloman and Company Ltd., 1897, PC 22.
 2. Income Tax Commissioner Vs. Shri Meenakshi Mills, A.I.R., 1967, SC 819.

3. Nareshchand Vs. Calcutta Stock Exchange Association AIR 1971, SC 422.
4. N. Goverdhandas & Company Vs. N.W. Industries Pvt. Ltd. AIR 1971, SC 2600.
5. Official Liquidator Vs. P.A. Tandolkar AIR 1973, SC 1104.
6. R. Methlone Vs. Bombay Life Insurance Corporation Ltd. AIR 1953, SC 195.

Books Recommended :

1. Company Law - Philip. K. Thayil.
2. Lectures on Company Law - S.M. Shah.
3. Indian Company Law - Awtar Singh.
4. Company Law - R.R. Maurya.
5. Company Law - Dr. Ramchandran.
6. Students Guide to Company Law – Taxmann
7. Company Law- N.V Paranjape.
8. Bare Act (Diglot) Indian Company Act, 2013 With Amendments)

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LL.B. Fifth Semester

Papar-IV

Interpretation of Statues

- (1) Principles and Legislation- Law Making - Legislature, Executive and Judiciary, Principle of Utility, Operation of these Principles upon Legislation, Distinction between Morals and Legislation.

INTERPRETATION OF STATUTES - Introduction, Meaning, Commencement, Operation and Repeal of Statutes, Purpose of Interpretation of Statutes Classification of Statutes.

- (2) GENERAL PRINCIPLES OF INTERPRETATION - Primary Rules, Literal Rule, Golden Rule, Mischief Rule (Rule in the Hydon's Case) Rule of Harmonious Construction. Secondary Rules, Noscitur a Soclis, Ejusdem Generis, Reddendo Singula Singulis, Utres Magis Valeat Quam Pereat, Contemporanea Expositio est Fortissima in Lege.

PRESUMPTIONS IN STATUTORY INTERPRETATION - Presumption as to Jurisdiction, Presumption Against inconvenient or Absurd, Presumption Against Intending Injustice, Presumption Against Impairing Obligations or Permitting from One's Own Wrong, Prospective Operation of Statutes.

- (3) AIDS TO INTERPRETATION AND MAXIMS OF STATUTORY INTERPRETATION - Internal Aids and External Aids, MAXIMS - Delegates Non Potest Delegare, Expressio Unius Exclusio Alterius, Generalia Specialibus non Derogant, In Pari Delicto Potior Est Condition Possidentis, Utresvalet Potior Quam Pareat, Expressum Facit Cessare Tacitum, Jure Nature Sunt Immutabilia.

- (4) Interpretation with Reference to the Subject Matter and Purpose - Beneficial Construction, Strict Construction of Penal Statutes and Taxing Statutes, Construction and Interpretation of Welfare Legislation, Harmonious Construction of the Statutes, Interpretation of Statutes in Pari Materia, Amending, Consolidating and Codifying Statutes, Mandatory and Directory Enactments and Conjunctive and Disjunctive Enactments.

- (5) Principles of Constitutional Interpretation - Principles of Implied Powers, Incidental or Ancillary Power, Doctrine of Pith and Substance and Colourable Legislation, Principles of Implied Prohibition, Occupied Field and Territorial Nexus, Doctrine of Severability and Repugnancy and Doctrine of Eclipse and Ancillary Powers.

Retrospective and Prospective Operation of Statutes.

Books Recommended :

1. Principles of Statutory Interpretation - G.P. Singh.
2. Interpretation of Statutes and Legislation - M.P.Tondon and Rajesh Tondon.
3. Statute Law - Craies.
4. Interpretation of Statutes - V.P. Sarthi.
5. Maxwell's Interpretation of Statute - N.M. Tripathi.

**LL.B. Fifth Semester
Papar-V**

Drafting Pleading and Conveyancing (Clinical/Practical)

There shall be two parts of this paper.

Part- A will consists of theoretical aspect of drafting, pleading and conveyancing caring

70 marks.

Part- B will be based on the practical works caring 30 marks including
10 marks of viva-voce

The theatrical paper of 70 marks will be taught through the class instructors and simulation exercises preferably with the assistance of retired judges/ practicing lawyers.

PART – A (70 marks)

Part – A shall consist of the following:

I Pleading:

(i) Civil: General Principles of Pleadings with Special Reference to the Following :-

Plaint and written statement with reference to the suits mentioned below :-

- (a) Money Suit
- (b) Ejectment Suit
- (c) Injunction
- (d) Interlocutory application under the provisions of C.P.C.
- (e) Suits under Hindu Marriage Act, 1955
- (f) Suits for Specific Performance of Contract
- (g) Original Petition
- (h) Affidavit
- (i) Execution Petition
- (j) Memorandum of Appeal and Revision
- (k) Petition under Articles 226 and 32 of the Constitution of India.

II (ii) Criminal: - Criminal Pleadings with respect to the following:-

- (a) Drafting of First Information Report (FIR under BNSS)
- (b) Drafting of Challan/Chargesheet (under BNSS)
- (c) Drafting of Charge by the Court
- (d) Complaints for Commission of offences under BNS.
- (e) Criminal Miscellaneous Petition. Interlocutory Application.

III

- (a) Drafting of Bail Application.
- (b) Drafting of Anticipatory Bail Application(under BNSS.
- (c) Drafting of Cancellation of bail application(under BNSS.
- (d) Maintenance application(under BNSS).
- (e) Memorandum of Appeal and Revision.

- IV Conveyancing** : General Principles of Conveyancing with special reference to the following :-
- (a) Sale Deed
 - (b) Mortgage Deed
 - (c) Lease Deed
 - (d) Exchange Deed
 - (e) Gift Deed
 - (f) Will Deed
 - (g) General Power of Attorney
 - (h) Promissory Note
- V (a) C.G. High Court Rules and Orders (Civil)**
(b) C.G. High Court Rules and Orders (Criminal)

PART – B (30 marks)

Part – B will be based on the practical work carrying 30 marks including 10 marks of viva-voce.

Practical:

Students will be required to attend the Civil Court for 5 days. The student will observe the proceedings of the Court and take down notes thereon.

After the completion of the attendance and observation of the Court the student will have to submit the report of the proceedings and procedural aspects with their own comments

The evaluation shall be made by the College/SOS in Law on the basis of Participation and record. The Principal/ Head may himself evaluate and allot marks on the record or authorize any senior member of the staff for this purpose. In the later case, the Principal/Head shall countersign on the awarded marks. Viva-voce shall be conducted by the external examiner appointed by University.

Books Recommended :-

1. Mogha's - Pleading
2. Mogha's - Conveyancing
3. N.S. Bindra - Pleading and Practice
4. Murli Manohar - Art of Conveyancing and Pleading
5. Shiv Gopal - Conveyancing, Precedents & Forms.
6. A.K. Banerjee and S.k. Awasthi – Guide to Drafting.
7. Prof. J.K. Mittal : Practical training for law students.

LL.B. Six Semester Paper-I Intellectual Property Law

(1) Introduction Nature Basic Concepts and International Conventions

Nature and meaning of Intellectual property, need for protection of right of intellectual property. The types of intellectual property. The types of intellectual property and enhancement of area of I.P. History and introduction to the leading international instrument concerning intellectual property rights i.e. WIPO (world intellectual property organisation) and its Paris convention on protection of industrial property (PIP) and patents co-operation treaty (PCT) The Berne (1971) and Rome convention (1961) on copy right. Universal copy right convention (UCC) of 1952, and neighbouring rights and Madrid agreement on trade mark registration. The general agreement on tariffs and trade (GATT) and its creations, World trade organisation (WTO), Uruguay Round (April 1997) and its highly significant instrument "Trade Related intellectual property agreement" (TRIPS).

(2) Copyrights its contents and forms & related act :

Copyrights its history and definition, provisions of Copy-right act 1957 and copyrights (amendment) act 1994 which includes copyright its nature and meaning. Subject matter of copyright, forms of copyrights, ownership of copyrights assignment of copy rights. copyrights as an authors special rights. Notion and criteria of infringement, their definition and exception, proposition relating to infringement, authorisation of infringement, acts not constituting infringement, infringement of literary, dramatic, musical and artistic works, cinematographic films and sound recording.

Remedies against infringement of copyright - nature and kind of remedies civil and criminal under Copyright Act sec. 55 -57, 62, 63-70, slender of the Anton Piller order, international copyrights, copyrights societies and copyright office, copyrights board, legislation of copyright and appeal.

(3) Trade Marks & designs - their nature & related acts :

Introduction definition evolution and concept of trade marks, Distinction between trade marks and property works, the doctrine of honest current user and doctrine of deceptive similarity, provisions of The trade mark act 1999 , it includes definition and interpretation, condition for registration, trade mark registry. Property in a trade- mark, registration of trade mark, its refusal, Berne principles of registration of trade marks, its procedure and evidence. Marks, not registrable, effect and limit on effect. registered trade work, assignment and transmission of registered trade marks, use of trade mark and registered user, rectification and correction of the registration, collective marks, provisions relating to textile goods, offences, penalties and procedure, appellate board, its constitution, powers and duties and procedures and

other miscellaneous provisions of the act, provisions of Design act 2000, it includes following chapter - definition, registration of design, copyright in registered design legal proceedings, general powers and duties of controller Evidence agency & powers of central government.

(4) Patents its introduction grant, registration and patents act 1970 :

Provisions of Patents act 1970 which includes patents, its introduction concept and history, process of obtaining patents, specification, application for patents, examination of application, position to grant a patent, invention not patentable, register of patents and patent office, register and obligation of a patent. Transfer of patent right, Right of the Govt. in case of use of invention provisions for secrecy of certain invention. Patents in addition, procedure for restoration of lapse patents. revocation and surrender of patents. Registration of patents, patents office, its constitution, controller and its power, infringement of patents and treat of infringement proceedings of officers penalties for the Violation of act. licences .. of right, compulsory licences patent agent etc. and miscellaneous provision of the act.

(5) leading cases.

1. Grama phone co. of India v. B.B. Pandey (AIR 1984 SC 667)
2. Indian Performing Right Society Ltd. v. Eastern India Motion pictures association (AIR 1977 SC 1443).
3. Monsanto Co. v. Caromandal Idag product (AIR 1986, SC 712).
4. American House Product Corpn. v. Mac Laboratories (Pvt) Ltd. (AIR 1986 SC 137) (Dristan Case)

Books Recommended :

1. Parvin Anand - The law of Intellectual Property (Batter Worth)
2. Bibek Deb Roy - The Intellectual Property Rights (B.R. Publishing, New Delhi)
3. Terrel - Law of Patents (Rajiv Gandhi Institute of Concept Studies)
4. P.S. Sanyal & Kishore Singh - Indian Patent System
5. Stewart - International copyright and neighbouring right.
6. P. Narayanan - Intellectual Property Law (Eastern Law House, Kolkata / Delhi, 315/-)
7. Vikas Vashisth - Intellectual Property Law (Bharat Law House)
8. Cornish W.R. - Intellectual Property Patents, Trade Names, Copyrights and allied rights (1999) (Universal law publishing Co. Pvt. Ltd.) Ansal's Dilkhush Industrial Estate, G.T. Karnal Rd., Delhi.
9. W.R. Cornish - Intellectual Property (Sweet & Maxwell)
10. Mata Din - Law of passing off and infringement action of trade marks.
11. UIE Anderfelt - International patent legislation and developing countries.
12. The Patent Act 1970
13. The Design Act 2000
14. The Trade Mark Act 1999
15. The Copyright Act 1957.

LL.B. Six Semester

Papar-II

Human Rights & Public International Law

(1) GENERAL BACKGROUND & HISTORICAL PERSPECTIVE

1. Historical Development and concept of Human Right
2. Meaning and definition of Human Rights
3. Theories of Human Rights
4. Kinds and Classification of Human Rights
5. Human Right in India ancient, medieval and modern concept rights
6. Human Right in Western tradition
7. Concept of natural law and natural rights

(2) INTERNATIONAL, NATIONAL AND REGIONAL PROTECTION OF HUMAN RIGHTS

- 1 Evolution of the concept of Human Rights
- 2 Sources of International Human Rights Law
- 3 Protection and implementation of Human Rights under the U.N.O. Charter
- 4 Universal Declaration of Human Rights, 1948 –Importance of declaration, Legal Effect and influence of the Universal Declaration
- 5 International Covenant on Economic, Social and Cultural Rights, 1966
- 6 International Covenant on Civil and Political Rights, 1966
- 7 Convention on the elimination Of all forms of discrimination against women
- 8 Convention on the rights of the child
- 9 European Convention for the protection of Human Rights and Fundamental Freedoms (1950) and European Social Charter, 1961
- 10 American Convention on Human Rights, 1969
- 11 African Charter on Human and People's Rights, 1981
- 12 Arab Commission on Human Rights
- 13 Impact and Implementation of International Human Rights Norms in India
- 14 Human rights norms reflected in fundamental rights in the constitution
- 15 Directive principles: legislative and administrative implementation of international human rights norms through judicial process
- 16 Enforcement of Human Right in India
- 17 Role of courts: the Supreme Court, High Courts and other Courts

(3) PROTECTION OF HUMAN RIGHTS ACT, 1993:

- 1 The National Human Rights Commission- Constitution, Functions and powers of the Commission, Power of Investigation and inquiry into Complaints
- 2 The State Human Rights Commission—Constitution, Functions and powers of the Commission
Power of Investigation and inquiry into Complaints
- 3 Human Rights Courts
- 4 Other Statutory Commissions – Women's, Minority, ST, SC and Backward classes

(4) PUBLIC INTERNATIONAL LAW - INTRODUCTION:

- a) Definition and Concept of International Law, Object of International Law, Nature and Origin and development of International Law,
- b) Sources of International Law, Codification of International Law Relationship between international and Municipal law and

difference between Public International law and Law of conflicts subjects of PIL.

- c) Relationship between international and Municipal law and difference between Public International law and Law of conflicts, subjects of Public International Law
- d) State - its nature, evolution, and criteria of statehood, Recognition of States and Governments, Meaning and theory of Recognition, Mode of Recognition and legal effects of Recognition, Acquisition and Loss of State Territory
- e) State Succession-Its kinds and Principles of State Succession, Effect of Succession, State Jurisdiction and State Responsibility, Nationality, Extradition, Asylum, Diplomatic Agents and Treaties
- f) Law of the Sea - Territorial water, continental shelf, sea bed, ocean-floor, Economic zone, Contiguous Zone

(5) LAW OF WAR AND PEACE AND SETTLEMENT OF DISPUTES

- a) Settlement of International Disputes- Peaceful or amicable methods and forcible or coercive methods for settlement of disputes, Intervention, Neutrality, Blockade, Contraband and Prize Courts
- b) International Organization- League of Nations and reasons of its failure, Role of United Nations Organization(UNO) and their specialized agencies. Composition, Powers and Functions of The General Assembly and The Security Council, Composition, Powers and Jurisdiction of the International Court of Justice
- c) Some recent trends –International Criminal Courts of Justice, Doctrine of Self-determination, International Terrorism Disarmament and Genocide

LEADING CASES:

- 1-Daimlar Co. Ltd Vs. Continental Tyre and Rubber Co. Ltd.(1961)2 A.C. 307
- 2-Anglo Indian Oil Co. Case(1952) I.C.J.R. 93
- 3-Harbhajan Singh Vs. Union of India, AIR 1987 S.C. 9
- 4. Gaurav Jain Vs. Union of India, AIR 1997 SC 3021
- 5 Vikram Dev Sing Tomar Vs. State of Bihar, AIR 1988 SC 178

Recommended Reading Material :

- 1. J.K. Starke - An Introduction to the International Law.
- 2. J. L. Brierley - The Law of Nations (Oxford)
- 3. K.C. Joshi - International Law and Human Rights
- 4. S.K. Verma - An Introduction to Public International Law (Prentice-Hall India).
- 5. All the Covenants and Conventions.
- 6. Shaw M.N. - International law (CUP).
- 7. M.C. Nair - The Law of Treaties (Oxford)

8. S.K. Kappor - Human Rights under International Law and Indian Law
Central Law Agency Allahabad
8. S.K. Kappor - Human Rights under International Law and Indian Law
Central Law Agency Allahabad(In Hindi)
9. H.O. Agrawal - International Law and Human Right(In Hindi)
10. S.K. Avesti and kataria Law relating to Human Rights, Orient New Delhi
11. Human Rights watch women's Rights watch global report on women's Human Rights (2000), Oxford
13. Ermacora Nowak and Tretter, International Human Rights (1993), Sweet and Maxwell
14. Wallace, International Human Rights: Text & Materials (1996), Sweet & Maxwell
15. Human Rights & Global Diversity (2001), Frank Cass, Landon
16. Nirmal B.C. The Right of self Determination in International Law (1995), Deep and Deep
17. P.R. Gandhi, International Human Rights Documents (1999) Universal Delhi
18. H.O. Agrawal , International Law and Human Rights, Central Law Publication
19. S.K. Kapoor, Human Rights Under International Law and Indian Law
20. Bare Act (Diglot) Human Right Protection Act, 1993

LL.B. Six Semester

Papar-III

Cyber Law& Information Technology Act, 2000

1. Cyber Crime_ Meaning , Definition, Nature, Scope & Characteristics of cyber Crimes, Historical Genesis and evolution of Cyber Crimes.

Canada, The Problem of cyber Terrorism, Cyber Defamation, Cyber Squatting, Spamming , Phishing, Investigation and Jurisdiction over Cyber Crimes. **Crimes** – The Juridical response in India, International Juridical responses. Cyber Crimes emerging **A Comparative Study** - a comparative study cyber crimes laws of USA, UK and international Control Regimes. Cyber Crimes emerging National Control Regimes.

2. **Cyber crime and Cyber law-** Classification of cyber crimes, Common cyber crimes- cyber crime targeting computers and mobiles, cyber crime against women and children, financial frauds, social engineering attacks, malware and ransomware attacks, zero day and zero click attacks, Cyber criminals modus-operandi , Reporting of cyber crimes, Remedial and mitigation measures, Legal perspective of cyber crime, Cyber crime and offences, Organisations dealing with Cyber crime and Cyber security in India, Case studies. Specific Cyber Crimes- Hacking, Viruses, Worms, Logic Bombs, Trojan Horse, Cyber Pornography/Child Pornography, Cyber Stalking/Cyber Harassment, email related crimes, digital signature and Forgery, Cyber Gambling, Cyber Money Laundering, Cyber Fraud and Cyber Chating,
3. **Social Media Overview and Security-** Introduction to Social networks. Types of Social media, Social media platforms, Social media monitoring, Hashtag, Viral content, Social media marketing, Social media privacy, Challenges, opportunities and pitfalls in online social network, Security issues related to social media, Flagging and reporting of inappropriate content, Laws regarding posting of inappropriate content, Best practices for the use of Social media, Case studies.
4. **Data Privacy and Data Security-**Defining data, meta-data, big data, non personal data. Data protection, Data privacy and data security, Personal Data Protection Bill and its compliance, Data protection principles, Big data security issues and challenges, Data protection regulations of other countries- General Data Protection Regulations (GDPR),2016 Personal Information Protection and Electronic Documents Act (PIPEDA)., Social media- data privacy and security issues.
5. **Cyber Law** -Cyber crime and legal landscape around the world, IT Act,2000 and its amendments. Limitations of IT Act, 2000. Cyber crime and punishments, Cyber Laws and Legal and ethical aspects related to new technologies- AI/ML, IoT, Blockchain, Darknet and Social media, Cyber Laws of other countries, Case Studies.
Basics on Blockchains, Electronic Discovery, Robotics, Artificial Intelligence and Bio-Ethics

Book Recommended

Bare Act (Diglot)-
Bare Act (Diglot)

Information Technology Act, 2000
Data Protection Act,

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L.L.B. Six Semester
Papar-IV
Law of Taxation & Good & Service Act 2017

1. GENERAL INTRODUCTION:

Historical Perspective

Historical Development of Tax Laws in India

Concepts of tax

Nature & characteristics of taxes

Distinction between tax & fee, tax, & cost

Distinction between Direct & Indirect tax

2. INCOME TAX ACT, 1961: Preliminary – Short Title, Extent and Commencement, Definitions, Previous Year Defined(Sec. 1-3) - Basis of charges of Income Tax: Residential status of assesses – its impact on tax liability(Sec. 4-9) Incomes which do not form part of total income(Sec. 10-13)

3. Computation of Total Income(Heads of income) Salaries, Income from House Property, Profits and Gains of Business or Profession, Capital Gains and Income from Other Sources – general concepts – chargeability to tax – admissible & inadmissible deductions, exclusions and deductions from income(Sec. 14-59) Income of other persons included in assessee's Total Income(Sec. 60-65), Aggregation of Income and set- off and carry forward of losses(Sec. 66- 80) Deductions to be made in computing total income, Deductions in respect of certain Payments and certain incomes and other deductions, Rebate of Income Tax and Relief for Income Tax(Sec. 80A-89) Double Taxation Relief (Sec 90-91), Special Provision Relating to avoidance of Tax (Section 90-94B)

4.-Income tax authorities- Appointment and Control, Jurisdiction, powers & functions, Disclosure of Information(Sec.116-138), Procedure for Assessment(Sec.139-158), Liability in special Cases (Section 159-180A), Special Provision applicable to firms (Section 184-189A), Collection and Recovery of Tax-Deduction at source and Collection at source, Advance payment of tax, Collection and Recovery , Interest Chargeable in some cases and Refunds,(Sec. 190-245)Allotment of permanent account number, Appeals and Revision, Appeals to the Appellate Tribunal, Reference to High Court, Appeals to High Court, Appeals to the Supreme Court, Revision and reference(Sec. 245A-269) Penalties Imposable(Sec. 270-275) Offences and Prosecutions-

Penalties and prosecutions under income tax act, 1961 for non- compliance, contravention, avoidance and evasion of tax(Sec. 275A-280)

5. THE CENTRAL GOODS AND SERVICES ACT, 2017

Basic Concept of GST, Historical Perspective, Preliminary-Short Title, Extent and Commencement, Definitions, Administration, Levy and Collection of Tax, Time & Value of Supply, Input Tax Credit, Registration, Tax Invoice, Credit and Debit Notes, Accounts And Record, Returns, Payment of Tax, Refund of Tax, Refunds, Assessment, Audit, Inspection, Research, Seizure and Arrest, Demands and Recovery, Liability to Pay in certain Cases,

Advance Ruling, Appeals and Revision, Offences and Penalties, Transitional Provision, Miscellaneous, Schedule, Removal of Difficulty Orders

LEADING CASES:

1- Commissioner of Income Tax Vs. Anwar Ali AIR 1970 SC 1982

2- Jute Corporation of India Vs. CIT, AIR 1991 SC 341

3- Mc Dowell & Company Ltd. Vs. The Commercial Tax Officer (1985) 154 ITR 148(SC)

4- Sumati Dayal Vs. CIT (1995) 214 ITR 801 (SC)

5- Royala Corporation Private Limited Vs. Assistant Commissioner of Income Tax (2016) 15 SCC 201

Calcutta Discount Co. Ltd. Vs. Income Tax Officer, (1961) 41 ITR 191(SC)
Reopening of Assessment Section-147(9)

Dwarka Das Keshardeo Morarka Vs. Commissioner of Income Tax (1962) 42 ITR 529 On law of Estoppel in Taxation

BOOKS RECOMMENDED:

1- A.K. Saxena Income Tax Act

2- Kailash Rai Income Tax Act

3 V.K. Shusha Kumari Law of Income Tax

4- B.L. Babel Pratyaksh Kar Vidhayan, Aparadh,
Abhiyojan Evam Shastiyam

5- Bare Act (Diglot) The Central Goods And Services Act, 2017

LL.B. Six Semester

Papar-V

Moot Court exercise and Internship (Clinical/Practical)

This paper may have three components of 30 marks each and a viva for 10 marks :

- a. Moot Court (30 marks)- every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.
- b. Observance of Trial in two cases, one Civil and one Criminal (30 marks).

Students may be required to attend two trials in the course of the last two or three years of LL.B studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.
- c. Interviewing techniques and Pre-trial preparations and Internship dairy 30 marks. Each student will observe two interview ing sessions of clients at the Lawyer's Office/ Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/ petition. This will be recorded in the dairy, which will carry 15 marks.
- d. The fourth component of this will be Viva Voce examination on all the above three aspects. This will carry 10 marks.

The Court work shall be submitted by Student in own handwriting in the College/SOS in Law. The evaluation shall be made by the college/SOS in Law on the basis of participation and record. The college/SOS in Law after valuation shall sent the diaries and marks to the University. The Principal/ Head may himself evaluate and allot marks on the record or authorize any senior members of the staff, for this purpose. In the later case the Principal/Head shall countersign on the awarded marks. Viva-voce shall be conducted by the external examiner appointment by University.

Books Recommended:

1. Moot Court, Pre-trial Preparation and Participaticipation in trial Proceedings - O.P. Mishra (Advocate).
2. Moot Court Pre-trial Preparation and Participation in trial Proceedings - Dr. S.P. Gupta.
3. Moot Court Pre-trial Preparation and Participation in trial Proceedings – J.P.S.Sirohi.
4. Practical training for Law students – Prof. J. k. Mittal.