

**Format and Distribution of Marks in the Question Papers of the End Semester Examination
& Instructions**

1] For all subjects except Legal language:

Every Question Paper of Theory Subject of 80 marks except that of Legal Language and English shall be modelled on the following Pattern:

1. There shall be 9 questions in all, generally covering all units in the syllabus.
2. Out of that Question No1 will be compulsory and shall consist of short notes type questions. The students must attempt any four (4) short notes out of six (6). Question no 1 shall be of 20marks.
3. All other questions shall have to be answered in the descriptive. They shall be of 10 marks each, and out of which the students will be required to solve any six (6).

2] For Paper in the Subject of Legal Language & Legal Writing:

1. There will be two sections in the Question paper namely, Section A and Section B.
2. The Question paper shall have 10 questions.
3. Question No.1 in Section A and Question no.10 of Section B shall be compulsory and shall be of 10 marks each.
4. Question No.10 shall be divided as 10(a) and 10(b) and shall carry 5 marks each (10 marks in all)
5. All other questions shall be as per the instructions given in the question paper and any 6 questions have to be answered out of the remaining 8 questions, each carrying 10 marks.
6. The question relating to Legal Terminology shall have 6 choices out of which candidate shall be required to write any 5. Each of the terminology shall carry 2 marks
7. The question relating to legal maxims shall have 4 choices out of which the candidate shall be required to answer any 2. Each of the maxim shall carry 5 marks

LL. B I SEMESTER 3 YEARS PROGRAMME

INDIAN CONSTITUTIONAL LAW-I

CORE COURSE (CC): 1.1

COURSE OBJECTIVES: This Course aims at introducing students of law to the basic nature, aims and objectives of the Constitution of India. The course seeks to make students understand the concepts of

[Handwritten signatures and initials in blue ink]

fundamental rights, Directive Principles of State Policy and Fundamental Duties as laid out in the Constitution of India. Its main objective is to make students aware of what rights have been guaranteed, their importance in the entire Constitutional design and most importantly their ever-widening scope through judicial interpretation. The course also seeks to introduce the students to the inter-relationship between fundamental rights and Directive Principles of State Policy and how the line between the two is slowly diminishing through court's activist engagement.

LEARNING OUTCOMES: After studying this course, students will understand the kinds, importance and scope of fundamental rights under the Indian Constitution. They will also be able to appraise the role played by the courts in widening the horizons of each of these rights. Another expected outcome of studying this course is that students will be able to understand the expansion in the rights jurisprudence of the courts and approaches adopted by the judiciary in discharging their role as custodians and guardians of fundamental rights of the people.

UNIT: I

- Historical Background to the Framing of the Indian Constitution: General Idea about the Constituent Assembly of India.
- Preamble–Nature & Significance
- Salient Features of the Constitution of India
- Citizenship under the Indian Constitution

UNIT: II

- Fundamental Rights: Its meaning, nature & significance; Relationship of Fundamental Rights and Human Rights
- State: Definition and Judicial Interpretation
- Law: Meaning of Law and Judicial Review; Laws inconsistent with, or in derogation of Fundamental Rights; Doctrine of Eclipse; Doctrine of Severability

UNIT: III

Right to Equality: Articles 14-18 and Judicial Interpretation thereof:

- Concept and Significance of the Right to Equality: Equality before Law and Equal Protection of Laws; Doctrine of Reasonable Classification; New doctrine of Equality: Equality and Arbitrariness; Judicial Interpretation of the Right to equality

A

sham

22
MD

h
PR

AS

- Prohibition Against Discrimination
- Equality in Public Employments
- Abolition of Untouchability
- Abolition of Titles

UNIT: IV

Right to Freedoms: Articles 19-22 and Judicial Interpretation thereof:

- Freedoms and the Reasonable Restriction on the exercise of those freedoms under Article 19
- Protection against ex-post facto laws; Protection against Double Jeopardy; Privilege against Self-Incrimination
- Right to Life and Personal Liberty
- Right to Education
- Protection Against Arrest and Preventive Detention

UNIT: V

Right Against Exploitation: Articles 23, 24: Judicial Interpretation thereof

- Prohibition against Forced Labour
- Prohibition against Child Labour

Right to Freedom of Religion: Articles 25-28: Judicial Interpretation thereof

- Concept of Secularism
- Religious freedom of the Individual & Religious Denominations
- Restrictions on Right to freedom of religion; Essential Religious Practices Test
- State responsibility in matters of religion

Cultural and Educational Rights: Articles 29 & 30: Judicial Interpretation thereof

UNIT: VI

Right to Constitutional Remedies: Article 32 and Judicial interpretation thereof

23

The bottom of the page features several handwritten signatures and initials in blue ink. From left to right, there is a signature that appears to be 'S. S.', a signature that looks like 'S. S.', a signature that looks like 'S. S.', a signature that looks like 'S. S.', and a signature that looks like 'S. S.'. The page number '23' is centered above these signatures.

- Writ Jurisdiction–Meaning, nature and significance
- Article 32 and the different kinds of writs
- Article 226–Its nature and comparison with Article 32
- Public Interest Litigation

UNIT: VII

Directive Principles of State Policy

- Concept of Welfare State and Social Justice
- Meaning, Nature and Significance of Directive Principles – Non-justiciability of Directive Principles
- Relationship between Fundamental Rights and Directive

Principles Fundamental Duties

- General nature
- Enforceability of Fundamental Duties.

SUGGESTED READINGS:

1. MP Jain, Indian Constitutional Law, Wadhwa & Company, Nagpur
2. VN Shukla, Constitution of India, Eastern Book Company, Lucknow
3. Granville Austin, Indian Constitution: Cornerstone of a Nation, Oxford University Press, New Delhi
4. H M Seervai, Constitutional Law of India (3 Volumes) Universal Law Publishing Co Pvt Ltd
5. G C V Subba Rao, Indian Constitutional Law, S Gogia & Company, Hyderabad
6. J N Pandey, Constitutional Law of India, Central Law Agency, Allahabad
7. Dr. D D Basu, Introduction to the Constitution of India, Lexis Nexis.

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

Handwritten signatures and initials in blue ink at the bottom of the page, including a signature that appears to be "dmm" and another that looks like "24 MND".

LL. B I SEMESTER 3 YEARS PROGRAMME

LAW OF TORTS

CORE COURSE (CC): 1.2

COURSE OBJECTIVES: The course is designed in such a way that the students shall understand the different concepts of civil wrongs, the difference between torts, contract and crime. To understand the relationship between law of Torts and morality in reference to Doctrine of Justice, Equity and Good Conscience. They shall understand the important doctrines and underlying principles of tortious liability like Ubi Jus Ibi Remedium, Injuria Sine Damnum and Damnum Sine Injuria etc. They will learn the significant judgements which have literally changed the lives of the people almost throughout the world like Donoghue V. Stevenson, Ashby V. White etc. They will understand the development of law of Torts in India.

LEARNING OUTCOMES: Students will learn the aim, scope and objects of Law of torts and even the changing notions like how the object of Deterrence is achieved through incorporation of Exemplary Damages. They will gain the knowledge about the basic legal rights of every human being. They will learn the recent development in the area of law of torts and its relevance in contemporary era. They will apply the knowledge gained to the day-to-day life situations. This subject will definitely improve the analytical and critical thinking of the students so also it will develop their ability to have healthy debates, discussions and deliberations. So that they will be in a position to give solutions to the day-to-day problems which may arise into the society. This subject will enhance even their research-based skill.

UNIT: I

- Evolution of Law of Torts, Common Law developments
- Principles of justice, Equity and Good Conscience
- Nature, Scope, Characteristics and Objects of Law of Torts
- Distinction between Tort and Contract, Tort and Crime

UNIT: II

- Principles of Liability- Fault & No-fault Liability
- Essential elements of Torts

Handwritten signature

25
Handwritten signature

Handwritten signature

Handwritten signature

- Malfeasance, Misfeasance & Non-feasance
- Place of Intention, malice & Motive under law of torts
- Justifications/ General Defenses in Tort

UNIT: III

- Actio Personalis Moritur Cum Persona
- Extinguishment of liability
- Capacity & Parties in Torts: Who may sue and who may not be sued

UNIT: IV

- Defamation as a tort and crime
- Trespass to Land and Trespass to person
- Negligence, Doctrine of Contributory Negligence; Res Ipsa Loquitur
- Nuisance
- Liability: Liability of State (Doctrine of Sovereign immunity); Vicarious liability, Strict Liability and Absolute Liability

UNIT: V

- Legal Remedies: Doctrine of Causation, Remoteness of Damages (Test of Directness to test of Foreseeability); Judicial Remedies: Damages, Injunction, Specific Restitution of Property; Extra-Judicial Remedies.

SUGGESTED READINGS:

1. D.D. Basu, The Law of Torts, Kamal, Calcutta.
2. D.M. Gandhi, Law of Tort, Eastern Book Company Lucknow.
3. Ratanlal and Dhirajlal, The Law of Tort, Universal Publishers, Delhi.
4. J. N. Pandey, Law of Tort, Central Law Publication Allahabad.
5. Salmond and Heuston—On the Law of Torts (2000) Universal, Delhi.
6. W.V.H. Rogers, Winfield & Jolowicz on Tort, Sweet & Maxwell, London.

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are

Handwritten signatures and initials at the bottom of the page, including a signature with '26' written above it.

expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B I SEMESTER 3 YEARS PROGRAMME

LAW OF CONTRACT-I

CORE COURSE (CC): 1.3

COURSE OBJECTIVES: This course is designed to acquaint a student with the conceptual and operational parameters of various general principles relating to contract law. It aims to equip the students with the basics of contract law so as to enable them to deal effectively with the various disputes related to contracts. The objective of this course is to provide the students with practical legal knowledge of general business law issues. To equip the students to understand the legal services required in a corporate office so that they can gain insight of practice as a lawyer in society.

LEARNING OUTCOMES: At the end of this course, students will be able to know the context and rationale of formation of Contracts. The student will identify the general principles and doctrines that guide contractual obligations. Exhibit an understanding of the legal concepts involved contracts and determine what rights and duties parties acquire under such contracts. The student will know the significance of contracts in day-to-day commercial activities and their impact on the social and economic field. The student will understand the evolution of contract law and compare Indian and English Law, the general principles and definition of contract, understand and analyze essentials of contracts and various national and international judicial decisions pertaining to law of contracts. The student will be able to understand the basic concepts and provisions relating to discharge of contracts. The student will develop effective, critical and problem-solving skill by understanding remedies available to breach of contract. The student will acquire contemporary knowledge, basic concepts, emerging ideas such as E- contract, evolving theories, latest technique, ever changing procedures and practices in the field contract law.

UNIT: I

- Formation of Contract; Agreement and Contract; Definitions & Classification Offer and Acceptance, Invitation to Offer
- Revocation – Essential elements
- Consideration –Nudum Pactum- Essential elements – Privity of Contract
- Exceptions – Unlawful Consideration and its effect

Handwritten notes and signatures at the bottom of the page, including the number 27 and various scribbles.

- Contractual Ability — Time and Place of Contract

UNIT: II

- Capacity to Contract: Minors Agreements and its effects, Persons of unsound mind, Persons disqualified by Law.
- Free Consent: Coercion - Undue influence, Misrepresentation – Fraud, Mistake
- Legality of Object
- Void Agreements
- Wagering Agreements – Its exceptions
- Contingent Contracts
- Quasi Contracts
- E-contracts - Legal effect of E-contracts

UNIT: III

- Discharge of Contracts and its various Modes
- By performance
- Discharge by Agreement
- By operation of Law
- By frustration (Impossibility of Performance)
- By Breach (Anticipatory and Actual)

UNIT: IV

- Remedies for Breach of Contracts
- Damages – Remoteness of damages – Ascertainment of damages
- Injunction – When granted and when refused
- Restitution
- Specific performance when granted and when not granted

SUGGESTED READINGS:

1. Anson: Law of Contract, Clarendon Press, Oxford, 1998.

Handwritten notes and signatures at the bottom of the page, including the number 28 and various initials.

2. Krishnan Nair: Law of Contract, S. Gogia & Co., Hyderabad 1995.
3. G.C.V. Subba Rao: Law of Contract, S. Gogia & Co., Hyderabad 1995.
4. T.S.Venkatesa Iyer: Law of Contract, revised by Dr. Krishnama Chary, S. Gogia & Co.
5. Avtar Singh: Law of Contract, Eastern Book Company, Lucknow, 1998
6. Law of Contract by Mulla, Lexis Nexis
7. S.K. Kapoor: Law of Contract, Central Law Agency

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B I SEMESTER 3 YEARS PROGRAMME
FAMILY LAW-I (HINDU LAW)
CORE COURSE (CC): 1.4

COURSE OBJECTIVE: Hindu law is a special branch of law which deals with the personal life of Hindus. It acquaints the students with different sources of Hindu law. The Course Covers the concept of Hindu Family, Evolution of family law and ancient and modern sources of Hindu law and their schools. The course also covers the institutions of marriage under Hindu law and grounds of matrimonial remedies. The course is designed to analyze and discuss the laws relating to succession, adoption, inheritance, guardianship. It also covers the establishment of Family Courts, its power, composition, jurisdiction and functions.

LEARNING OUTCOMES: The student will be able to analyze various Laws applicable to Hindu, their sources, concept of marriage, and various matrimonial remedies available in case of a legal dispute under the Hindu law. This will help students understand the various provisions relating to Hindu adoption, maintenance, succession and Hindu guardianship. This enables with the understanding of the establishment of Family Courts, its power, composition, jurisdiction and functions.

29

UNIT: I

1. Introduction
2. Concept of Hindu
3. Sources of Hindu Law – Modern and Ancient
4. Two Principal Schools of Hindu Law
5. Application of Hindu Law.

UNIT: II

1. Concept & Nature of Marriage
2. Evolution of the Institution of Marriage and Family
3. Hindu Marriage Act, 1955
4. Matrimonial Remedies - Maintenance and Alimony;
5. Customary Practices and legislative provisions relating to dowry prohibition.

UNIT: III

1. Meaning of Hindu undivided family.
2. Mitakshara Joint Family - Formation and Incidents
3. Property under both Schools
4. Karta: His Position, Powers, Privileges and Obligations - Debts – Doctrine of Pious Obligation
5. Partition and Reunion.

UNIT: IV

1. Inheritance and Succession
2. Historical perspective of traditional Hindu Law relating to Inheritance
3. Hindu Succession Act, 1956.
4. Stridhan- Woman 's Property.
5. Recent State and Central Amendments to Hindu Succession Act;
6. Gifts and Testamentary Succession – Wills.

UNIT: V

1. Law relating to Hindu Minority and Guardianship
2. Kinds of Guardians; Duties and Powers of Guardians;
3. A detailed study of Hindu Adoption and Maintenance Act, 1956;

Alu

Alu

Alu

30
Alu

Alu

Alu

Alu

4. Maintenance: Traditional Rights and Rights under Hindu Adoption & Maintenance Act 1956.

UNIT: VI

1. Family Courts Act, 1984: Salient Feature; Constitution of Family Court; Jurisdiction; Powers; Appeals & Revisions
2. Emerging Trends: Counseling, Role of NGO 's, Lok Adalts in Settlements of Disputes relating to marriage and Divorce
3. Uniform Civil Code (Article 44 of the Indian Constitution);

NOTE: The students are required to compulsorily visit the Family Court and observe at least 10 cases and maintain record thereof.

SUGGESTED READINGS:

1. Paras Diwan, Family Law of Marriage and Divorce in India (1984). Allahabad Law Agency.
2. Subzari's, Hindu Law (ancient & modified). Ashok Grover & Sons, Aurangabad
3. Mulla, Principles of Hindu Law, Butterworth co.
4. Diwan Paras, Modern Hindu Law, Allahabad Law agency, Faridabad.
5. Subbba Rao, G C V, Family Law
6. Saharaj, H K Laws of Marriage and Divorce, Eastern Law House
7. Singh Jaspal, Hindu Law of Marriage & Divorce, pioneer publication.
8. Dr. Anjali Hastak, Empowerment of women through Property Rights in Hindu Law, SPARC publ, Chandrapur

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

dhms

N

MD

Alu

P.P.

FC

LL. B I SEMESTER 3 YEARS PROGRAMME
LEGAL LANGUAGE AND LEGAL WRITING
CORE COURSE (CC): 1.5

COURSE OBJECTIVES: Legal Language is the tool in the hands of a Lawyer whereby he can articulate and express himself. This course imparts knowledge of the fundamentals of law and the characteristics and scope of legal language. It covers the area of Fundamentals of legal writing, Legal terminologies and Legal Maxims while preparing the students in the skill of synopsis writing and case comments.

LEARNING OUTCOMES: On a proper study and learning of the language of Law, a student shall acquire a knowledge of the commonly used legal terminologies and legal maxims. The student shall be enabled to understand the need, characteristics and scope of language in their practice as an Advocate. They shall learn the skill of fundamental principles of legal writing, synopsis writing and case comments.

SECTION: A

UNIT: I-GENERAL STUDY OF LAW

- Definition of Law
- Functions of law
- Kinds of Law
- Classification of Law
- Sources of Law
- Rights and Remedies

UNIT: II-CHARACTERISTICS OF LEGAL LANGUAGE

- Meaning of Legal Language
- Scope and Domain of Legal Language
- Problems of Legal Language

Handwritten notes and signatures in blue ink at the bottom of the page, including the number 32 and various scribbles.

UNIT: III-FUNDAMENTAL PRINCIPLES OF LEGAL WRITING

Concision, clarity and cogency

- Simplicity of structure
- Title
- Heading
- Use of italics
- Numbers
- Definition of terms
- Contractions
- Use of first person
- Ellipses & alterations
- Citations, references and footnotes

UNIT: IV-LEGAL TERMINOLOGY

Ad hoc, Ad interim, Animo attestandi, Alibi, Ad valorem, Ambiguitas – patent, Ambiguitas – latents, Amicus Curiae, Animus possidenti, Bona Fide(s), Corpus juris civilis, Caveat emptor, De facto, De jure, Detenu, En masse, Ex officio, Ex-cathedra, Ex-parte, Ex-gratia, En-route, Ens legis, Ex post facto, Factum valent, In pari delicto, In pari material, In lieu of, In personam, In rem, Inter se, Impasse, In situ, Inter alia, In toto, Ipso facto, Intra vires, Jure Divino, Jus in rem, Jus ad rem, Jus tertii, Jus in re aliena, Jus in re propria, Jus gentium, Jus natural, Laissez faire, Legalis homo, Lex loci, Locus standi, Magnum bonum, Magnum opus, Mala fides, Modus operandi, Mutatis and mutandis, Note bene, Novus homo, Onus probandi, Obiter dictum, Prima facie, Quid pro quo, Res integra, Res nullius, Sine qua non, Socius criminis, Sans, Status quo, Suo motu, Ultra vires, Vox populi vox dei.

UNIT: V-LEGAL MAXIMS

- Actus dei nemini facit injuriam
- Actus non facit reum nisi mens sit rea
- Actus personalis moritur cum persona
- Audi alteram partem
- Communis error facit jus

Handwritten notes:
A
dim

Handwritten note:
MD

Handwritten notes:
A
P.P.

Handwritten note:
EX

- Damnum sine injuria
- Delegates non potest delegare
- Ex turpi causa non oritur action
- Falsus in uno falsus in omnibus
- Generalia specialibus non derogant
- Ignorantia facit excusat ignorantia juris non excusat
- Injuria sine damno
- Nemo dat quod non habet
- Novus actus interveniens or nova causa interveniens Noscitur a sociis
- Par in partem imperium non habet
- Qui facit per alium facit per se
- Respondeat superior
- Res ipsa loquitur
- Res non potest peccare
- Ubi jus ibi idem remedium
- Vigilantibus et non dormientibus, jura subveniunt
- Volenti non fit injura

SECTION: B

UNIT: VI-SYNOPSIS WRITING AND CASE COMMENTS

- Synopsis writing of paragraphs from case laws or judgements
- Case Comments.

(At least 6 exercises in each to be done)

SUGGESTED READINGS:

1. Peter Tiersma, Legal Language (University of Chicago Press, 1999).
2. Legal Language and Legal Writing – S.C. Tripathi.
3. Legal Language, Legal writing and general English – Prof. Dr. Saria Gupta and B. P. Agrawal
4. Outline of Legal language in India – Dr. Anirudh Prashad
5. Legal Language and Legal rights – S.N. Mishra

Amn
MA

MD
the

h
PP

JK

6. Legal language and Legal rights–Tandon

INSTRUCTIONS FOR THE LEGAL LANGUAGE PAPER:

1. There will be two sections in the Question paper namely, Section A and Section B.
2. The Question paper shall have 10 questions.
3. Question No.1 in Section A and Question no.10 of Section B shall be compulsory and shall be of 10 marks each.
4. Question No.10 shall be divided as 10(a) and 10(b) and shall carry 5 marks each (10 marks in all)
5. All other questions shall be as per the instructions given in the question paper and any 6 questions have to be answered out of the remaining 8 questions, each carrying 10 marks.
6. The question relating to Legal Terminology shall have 6 choices out of which candidate shall be required to write any 5. Each of the terminology shall carry 2 marks
7. The question relating to legal maxims shall have 4 choices out of which the candidate shall be required to answer any 2. Each of the maxim shall carry 5 marks

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B I SEMESTER 3 YEARS PROGRAMME

SEMINAR COURSE-I

SKILL-BASED COURSE (SC): 1.1

COURSE OBJECTIVES: This course has been designed with the objective of developing the analytical, writing and presentation skills of students of law. It requires students to write papers on socio-legal topics so that students develop the capacity to think, analyse as well as research on such themes. It also expects students to make presentations of their papers, so that their presentation skills (writing as well as speaking) can be developed.

Handwritten notes and signatures at the bottom of the page, including the number 35.

LEARNING OUTCOMES: The expected outcome of this course is that students will be better equipped to appreciate socio-legal problems and critically analyse them. This will help students as future lawyers to think of ways in which such problems can be better addressed.

The student will be expected to do the following as a part of this course:

- i. Write at least two papers of minimum 2000 words each on socio-legal topics of contemporary relevance, as may be approved by the teacher in-charge
- ii. Make class presentations on the said topics as a part of the Seminar course
- iii. Maintain a record of all the papers and submit the same to the college.

MODE OF ASSESSMENT:

The students will be evaluated on the basis of originality and quality of papers written as well as the presentations on the same (writing and speaking skills) done in the classes held during the entire duration of the semester. This will count for the internal evaluation of the students (40 marks)

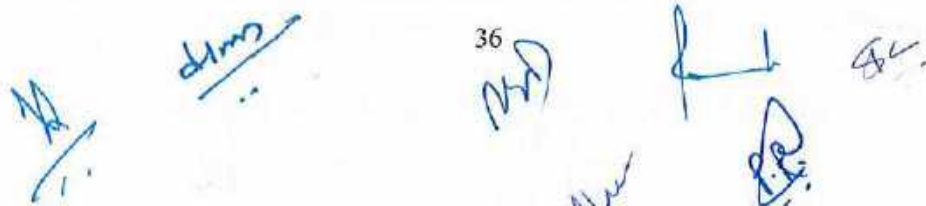
Additionally, the students will also be evaluated at the end of the semester by an external examiner appointed by the University, for all the papers submitted to the college. It shall be mandatory for all students to present themselves before the external examiner for the viva voce. (10 marks)

There shall however be no end semester theory examination on this course

LL.B. II SEMESTER 3 YEARS PROGRAMME
INDIAN CONSTITUTIONAL LAW-II
CORE COURSE (CC): 2.1

COURSE OBJECTIVES: This Course is designed with the objective of making students understand the structuring of the government and its institutions as also their powers and functions under the Constitutional scheme. It aims at providing to the students a detailed study about the functioning of Parliamentary Democracy, federalism etc. It also seeks to educate students of law on the three pillars of the government, emergency powers and the need and importance of amendment provisions in the Constitution of India.

36



LEARNING OUTCOMES: After studying this course, students should be able to understand how India functions as a Parliamentary democracy as also the uniqueness of the federal model adopted in India. Students are also expected to get a crystal-clear idea about the institution of the judiciary and powers of Constitutional courts in the country. Another expected outcome of this course is that students will understand the nature of emergency powers and how it impacts the normal fabric of the Constitution. Students will also get a clear idea about the amending procedure and the historical account of how battles in courts relating to property rights led to the coinage of the basic structure doctrine, which is a tall standing canon of Constitutional law.

UNIT: I

Executive under the Indian Constitution

- President and Union Council of Ministers
- Powers and functions of the office of the President
- Governor and State Council of Ministers–Dual capacity of the Governor
- Powers and functions of the Governor and Legislature under the Indian Constitution
- Union and State Legislatures- Composition, Powers, Functions
- Privileges of the members of legislature; Privileges and Fundamental Rights
- Anti-Defection law-X schedule

UNIT: II

Judiciary under the constitution

Supreme Court of India

- Appointment of Judges
- Powers and Jurisdictions of the Supreme Court: Original, Appellate and Advisory Jurisdiction– Articles 131, 32, 136, 143
- Articles 141, 142

High Courts

Handwritten signatures and initials are present at the bottom of the page, including "dms", "A", "MD", "37", "f", "S.K.", and "A".

- Appointment and Transfer of Judges
- Powers and Jurisdiction of the High Courts Articles 226 & 227

Independence of Judiciary & Judicial Accountability

UNIT: III

- Concept of Co-operative and Competitive Federalism
- Centre State Relations- Legislative, Administrative and Financial Relations
- Article 370 and its abrogation

UNIT: IV

- Freedom of Interstate Trade, Commerce and Intercourse
- Services under the State- All India Services; Doctrine of Pleasure & Its Exceptions

UNIT: V

Emergency

- Need of Emergency Provisions
- Different kinds of Emergency-National, State and Financial emergency
- Impact of Emergency on Federalism and Fundamental Rights

UNIT: VI

Amendment of the Constitution:

- Need of provisions for Amendment of the Constitution
- Power and procedure of amendment of the Indian Constitution
- Amendability of Fundamental Rights & the Basic Structure Theory

SUGGESTED READINGS:

1. MP Jain, Indian Constitutional Law, Wadhwa & Company, Nagpur
2. VN Shukla, Constitution of India, Eastern Book Company, Lucknow
3. Granville Austin, Indian Constitution: Cornerstone of a Nation, Oxford University Press, New Delhi
4. H M Seervai, Constitutional Law of India (3 Volumes) Universal Law Publishing Co Pvt Ltd

Handwritten signatures and initials in blue ink, including 'dmm', 'MAD', 'PPD', and 'ALW'.

5. G C V Subba Rao, Indian Constitutional Law, S Gogia & Company, Hyderabad
6. J N Pandey, Constitutional Law of India, Central Law Agency, Allahabad
7. Dr. D D Basu, Introduction to the Constitution of India, Lexis Nexis.

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B II SEMESTER 3 YEARS PROGRAMME

LAW OF CRIMES

CORE COURSE (CC): 2.2

COURSE OBJECTIVES: The course is designed in such a way that the students shall understand the historical background of inception of Criminal Law in India. They shall understand to critically analyze the concept of crime and shall be in a position to appreciate the changing notion of Crime in 21st Century. They will learn to interpret different judgements which changed the criminal policy of the country Ex. Judgments of Homosexuality, Adultery, Suicide etc. They will understand the cardinal principles of criminal law like Mens Rea, Abetment, Conspiracy and Attempt. They will understand the punitive policy of the country and different theories of punishment. They will also understand the specific offences provided under the Indian Penal Code like, Offences against Human Body, Offences against Property, Offences against Women, Offences against State, Offences against and by public servants etc.

LEARNING OUTCOMES: Students will learn to apply the provisions of Indian Penal Code to different real-life situations and will be in a position to understand the determining factors which will constitute an offence. The study of Indian Penal Code, being the major Penal Code of the Country will help them in their future endeavors as lawyers, judges, law officers or any other legal field. This subject will sensitize the students on different socio legal issues of contemporary relevance like Dowry Harassment, Prohibition of Indecent Representation of Women, Rape, Custodial Rape, Marital Rape, euthanasia, adultery and its decriminalization, homosexuality and its decriminalization etc.

UNIT: I

- Development of Law of Crimes in India
- The Concept and meaning of crime
- Distinction between crime and tort
- Principles of Criminal Liability-Actus Reus and Mensrea
- Stages of crime
- Application of the Indian Penal Code- Territorial and Extra Territorial application
- General Explanations
- Kinds of Punishment.

UNIT: II

- General exceptions under Indian Penal Code, 1860
- Abetment
- Criminal Conspiracy
- Attempt to Commit Offence

UNIT: III

Offences affecting human body:

- Culpable Homicide and Murder
- Hurt and Grievous Hurt
- Wrongful restraint and Wrongful confinement
- Criminal force and Assault
- Kidnapping and abduction
- Suicide

UNIT: IV

- Offences Against Women: Eve teasing, Rape, Custodial rape, relevant provisions under Criminal Amendment Act, 2013 & 2018; Dowry Death.
- Offences relating to Marriage - Cruelty by Husband and relatives of Husband, Bigamy
- Adultery and its de-criminalization
- Homosexuality and its de-criminalization

Handwritten signatures and initials at the bottom of the page, including the number 40.

UNIT: V

Offences against Property: Theft, Extortion, Robbery & Dacoity, Cheating, Mischief, Criminal Trespass, Criminal misappropriation and Criminal breach of trust.

- Offences by or relating to public servants.
- Offences against the State.
- Offences against Public Peace and Tranquility.

SUGGESTED READINGS:

1. Ratan Lal and Dhiraj Lal: Indian Penal Code, Wadhwa & Co., 2000.
2. Achutan Pillai: Criminal Law, Butterworth Co., 2000.
3. Gour K.D.: Criminal Law - Cases and Materials, Butterworth Co., 1999.
4. Kenny's: Outlines of Criminal Law, (1998 Edition)
5. Smith & Hogan 's Criminal Law, Oxford
6. Glanvill Williams- Criminal Law, Universal Law Publishing Co.

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B II SEMESTER 3 YEARS PROGRAMME

LAW OF CONTRACT-II

CORE COURSE (CC): 2.3

COURSE OBJECTIVES: This course aims to provide the students with practical legal knowledge of general business law issues. It aims at providing contemporary knowledge, principles, basic concepts, emerging ideas, evolving theories, latest technique, ever changing procedures & practices in the field of Law. This course is designed to introduce the students to some of the specific contracts that are pervasive and play a significant role in the day-to-day commercial transactions besides the law that governs them. Such specific contracts range from contracts of Indemnity and Guarantee to Bailment and Pledge and to Agency. The focus of the course would be to ingrain in the students a critical understanding of the context

and importance of such contracts from an economic, social and legal perspective. The course includes Indian Contract Act, 1872, Sale of Goods Act, Indian Partnership Act, Limited Liability Act. It further aims at providing students the various judgements of the Courts in India and other relevant legal material

LEARNING OUTCOMES: At the end of this course, students will be able to know the context and rationale of specific contracts of Indemnity, Guarantee, Bailment, Pledge and Agency. It will be helpful for them to identify the principles and doctrines that guide such contracts. The study exhibits an understanding of the legal concepts involved in such contracts. Students will be able to determine what rights and duties parties acquire under such contracts. Students will know the relation of such specific contracts in our day-to-day commercial activities and their impact on the social and economic front. It will help them to understand the circumstances under which performance of such contracts is required or excused. It will be possible for them to identify the situations that constitute breach of contract in such specific contracts and the remedies available for breach.

UNIT: I

- Contract of Indemnity – Documents/Agreements of Indemnity - Definition, Nature and Scope - Rights of indemnity holder – Commencement of the indemnifier's liability
- Contract of Guarantee – Definition, Nature and Scope – Difference between contract of indemnity and Guarantee – Rights of surety – Discharge of Surety – Extent of Surety's liability – Co-surety.
- Contract of Bailment – Definition – Kinds – Duties of Bailor and Bailee – Rights of Finder of goods as Bailee – Liability towards true owner – Rights to dispose of the goods.
- Contract of pledge – Definition – Comparison with Bailment – Rights and duties of Pawnor and Pawnee

UNIT: II

- Agency:
- Definition & Creation of Agency
- Kinds of Agents & Distinction between Agent and Servant
- Rights and Duties of Agent
- Relation of Principal with third parties
- Extent of Agents authority

A

at

42
MD

↓

P.R.

M

- Personal liability of Agent
- Termination of Agency

UNIT: III

- Indian Partnership Act, 1932:
- Definition, Nature, Mode of determining the existence of Partnership
- Registration of Firms
- Types of partners
- Types of Partnership
- Rights and Duties of partner
- Relation of partners with third parties
- Joint and Several liability
- Admission of partners – Retirement – Expulsion – Death
- Dissolution of Firm
- Salient Features of Limited Liability Partnership Act, 2008.

UNIT: IV

Sale of Goods Act, 1930:

- The Contract of sale
- Conditions and Warranties
- Passing of property
- Transfer of title
- Performance of the Contract
- Rights of Unpaid Seller against goods
- Remedies for Breach of Contract

UNIT: V

- Government Contracts: Government as a Contracting Party, Constitutional provisions, Force majeure clause and Arbitration Clause
- Standard Form of Contract: Nature, advantages, principles of protection against exploitation.

43

The bottom of the page contains several handwritten signatures and marks in blue ink. On the left, there is a signature that appears to be 'mu'. In the center, there is a signature that looks like 'dmm' with a horizontal line underneath it. To the right of that is another signature that looks like 'msd'. Further right is a signature that looks like 'f' with a horizontal line underneath it. On the far right, there is a signature that looks like 'SR' with a horizontal line underneath it.

SUGGESTED READINGS:

1. Avtar Singh - Law of Contract
2. J. P. Verma - The Law of Partnership in India
3. Saharay H. K - Indian Partnership and Sale of Goods Act
4. Krishnan Nair - Law of Contract Hire Purchase Act
5. Pollock and Mulla - Indian Contract Act

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B II SEMESTER 3 YEARS PROGRAMME

FAMILY LAW-II

MUSLIM LAW

CORE COURSE (CC): 2.4

COURSE OBJECTIVE: Muslim law is a special branch of law which deals with the personal life of Mohammedan. The Course Covers the concept of Muslim Family, Evolution of family law and source of Muslim law and their schools. The course also covers the institutions of marriage under Muslim law and grounds of matrimonial remedies. The course is designed to analyze and discuss the above issues relating to Muslim personal law.

LEARNING OUTCOMES: The student will be able to analyze various provision of Muslim law, their sources, concept of marriage, and various matrimonial remedies available in case of a legal dispute under the Muslim personal law and will be able to develop social, moral and ethical values in family matters.

Handwritten signatures and initials in blue ink at the bottom of the page, including a signature that appears to be 'Sham' and the number '44'.

UNIT: I

- Advent of Islam & Development of Islamic Law
- Schools and Sources of Islamic Law
- The Shariat Act, 1937.

UNIT: II

- Concept of Marriage (Nikah): Definition, object and nature
- Essential requirements of a Muslim marriage, Classification of marriage
- Legal effects of valid, void and irregular marriage
- Muta marriage
- The Muslim Women (Protection of Rights on Marriage Act, 2019)
- Dower
- Divorce (Talaq); Modes of Divorce; Divorce under the Dissolution of Muslim Marriages Act, 1939; Legal Effects of Divorce.

UNIT: III

- Guardianship: Meaning and Kinds of Guardianship
- Parentage- Legitimacy and Acknowledgement- Special Rules regarding Legitimacy; Acknowledgement of Paternity; Conditions of a valid acknowledgement; Effects of acknowledgement; Distinction between Acknowledgement and Adoption.

UNIT: IV

- Maintenance: Persons entitled to maintenance-a) wife b) children c) aged/infirm parents
- Maintenance of divorced women-provisions under the Criminal Procedure Code 1973; Maintenance of divorced Muslim Women under the Muslim Women (Protection of Rights on Divorce) Act, 1986.
- Relevant provisions for maintenance under Domestic Violence Act.

UNIT: V

- Will and Inheritance: Will-Meaning, difference between will and gift, Will made in

Handwritten notes:
M
dms

45

Handwritten notes:
M

Handwritten notes:
h
P.R.

death-bed or during illness;

- Muslim law of Inheritance- General Principles of Inheritance; Classes of Heirs-Shia and Sunni schools.

UNIT: VI

- Pre-emption
- Law of Gifts
- Law of Wakf (The Waqf Act, 1995)

NOTE: The students are required to compulsorily visit the Family Court and observe at least 10 cases and maintain record thereof.

SUGGESTED READINGS:

1. A.A.A Fyzee- Outline of Mohammedan Law.
2. A.M Bhattacharjee-Muslim Law and Constitution, Easter Law House, Calcutta.
3. Purohit DR. Nishi, The principles of Mohammedan Law, Orient publications.
4. Mulla- Mohammedan Law Butterworth Co.
5. Paras Diwan - Family Law, Allahabad Law Agency, Faridabad
6. Qureshi, M.M- Muslim Law.
7. Myneni, S R, Muslim Law.
8. Hidayatulla, M, Principles of Mohammedan Law.
9. Qazal Basha Yawer, Principles of Muslim Law, Modern Law house.

NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus

The bottom of the page contains several handwritten signatures and initials in blue ink. From left to right, there is a signature that appears to be 'M.A.', a signature that looks like 'shim', the number '46' with a signature below it, a signature that looks like 'L.H.', a signature that looks like 'P.P.', and a signature that looks like 'The'.

LL. B II SEMESTER 3 YEARS PROGRAMME

COMPANY LAW

CORE COURSE (CC): 2.5

COURSE OBJECTIVES: In the contemporary era with vast increase in trade and commerce every person is affected by trade related activities either directly or indirectly. Hence, with that aspect in mind this course has been designed with the purpose to familiarize the students with the basic tenants of Corporate Law and develop their legal acumen to analyze the provisions of law. To acquaint the students with the legal provisions, guidelines and case laws on the subject of corporate law, to inform the students regarding the formation and winding up of company, the concept of share, debentures and management of the company.

LEARNING OUTCOME: The proposed outcome of this course will help the students in acquainting with the legal provisions, guidelines and case laws on the subject of corporate law, familiarize them with the procedure of documentation for a company, inform the students of their rights and duties under the Companies Act and develop the ability to efficiently identify and apply the provisions of law in realistic scenarios.

UNIT: I

- Origin and development of Company Law in India
- Meaning, Features and Kinds of Companies
- Advantages and Disadvantages of Incorporation

UNIT: II

- Formation of Company: Registration and Incorporation
- Promoters- Meaning, duties and liability and pre-incorporation Contracts
- Prospectus -Meaning and contents, Liabilities and Remedies for misrepresentation,
- Memorandum and Article of Association: Meaning, importance and Content
- Alteration of Memorandum, & Article of association,
- Binding force of Memorandum and Articles of Association,
- Doctrine of Ultra vires, Doctrine of Constructive Notice, Doctrine of Indoor Management; Doctrine of

Handwritten signatures and initials in blue ink at the bottom of the page.

Lifting the Corporate Veil

UNIT: III

- Shares –Definition, Types, Dematerialized shares (DEMAT), Allotment and Statutory restrictions
- Transfer and transmission of shares and buy back of shares
- Debentures – Definition, Kinds, remedies of debenture holders, Fixed and Floating charges
- Concept of Insider Trading

UNIT: IV

- Management of Company
- Concept of Corporate Governance and CSR
- Directors– Types, Position, Qualification, Disqualification, Appointment and Removal, Powers, Duties, Civil and criminal Liability of Directors
- Other Key Managerial persons (KMPs)
- Meetings – Kinds, Essential Elements of Meeting, Voting

UNIT: V

- Protection of Minority rights, Rule in Foss vs. Harbottle with Exceptions
- Prevention of Oppression and Mismanagement;

UNIT:VI

- Winding up of Company -Meaning, Voluntary Winding-up, Grounds for compulsory winding up;
- Appointment, Powers and Duties of Liquidator
- Amalgamation, Take over, Mergers

UNIT: VII

- NCLT, NCLAT, SFIO, Regional Directors, ROC: Functions and powers

SUGGESTED READINGS:

1. Ashwin Labnnai Shah, Lectures on Company Law, Tripathi Pvt. Ltd.; Mumbai

The bottom of the page features several handwritten signatures and initials in blue ink. From left to right, there is a signature that appears to be 'A', a signature that looks like 'Srinivas', the number '48' above the initials 'MD', a signature that looks like 'R', a signature that looks like 'R.R.', and a signature that looks like 'M'. There are also some small scribbles and marks scattered around these signatures.

2. Avtar Singh, Indian Company Law, Eastern Book Company, Luknow
3. Ramaiya, Guide to Companies Act (Vol. 1 & 2), Wadhwa & Company, Nagpur
4. S. M. Shah, Lectures on Company Law, Tripathi, Bombay
5. S.S. Gulshan, Company Law, Excel Books
6. Dr. N. V. Paranjape, Company Law, Central Law Agency
7. B.K. Sen Gupta, Company Law, Eastern Law House, Kolkata 8. R. R. Pennington, Company Law, Butterworths

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B II SEMESTER 3 YEARS PROGRAMME

CASE STUDY

SKILL BASED COURSE (SC): 2.1

COURSE OBJECTIVES: This course is aimed to compel the students to read the original cases so that they will learn to interpret the law with the help of real-life cases.

LEARNING OUTCOME: This course will help students to develop problem solving skills by studying the original cases and will develop their ability to think analytically & critically. They will be in a position to apply the law to the day-to-day live examples.

1. Students are expected to study minimum 3 reported cases of contemporary relevance, as may be allotted by the teacher in charge.
2. Throughout the semester, teacher shall assess the students on the basis of following criteria:
3. (40 marks)
 - i. Written submission of critical analysis of the case and
 - ii. Their ability to present the facts of the case, analytical and critical thinking, understanding the law point etc.

4. Additionally, the students will also be evaluated by the external examiner at the end of the semester.
5. It shall be mandatory for all students to present themselves before the external examiner for this evaluation. (10 marks)
6. There shall be no end semester theory examination for this course.

LL. B III SEMESTER 3 YEARS PROGRAMME

LABOUR LAW-I

CORE COURSE (CC): 3.1

COURSE OBJECTIVES: The course aims at providing fundamental knowledge and exposure to the Industrial Relations and related aspects prevailing in industries and to familiarize the students with various labour legislation applicable to industries.

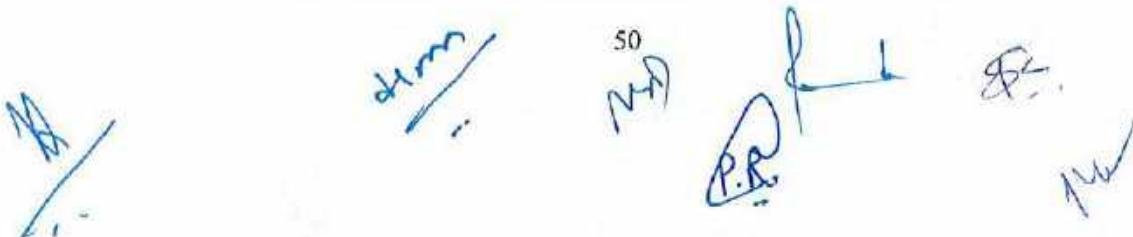
LEARNING OUTCOMES: After the completion of the course the student shall be able to describe fundamental concepts and nature of Industrial Relation. Understand the nature and role of trade union for workers and industries. To study the relevance of collective bargaining and its impact on employee employer relations. To understand industrial dispute and ways to resolve them. To study the application of various industrial legislation in India

UNIT: I

Labour Capital conflicts - evolution of Labour laws- 21st century challenges to labour Laws in India- the Gig Economy and issues with the sector, Unorganized works, Gig workers and their rights-Constitutional Perspectives of Labour welfare and security

UNIT: II

Concept of Collective bargaining and its relevance in present day web-based Fissured employment Trade Unions: History of Trade Union Movement - The Trade Union Act 1926 – Definitions - Registration – Rights and Liabilities of Registered Trade Unions – Immunities – Amalgamation and dissolution of Unions – The Trade Union (Amendment) Act,2001, Trade Union under Chapter III of The Industrial Relation Code,2020, Registrar of Trade Union

The bottom of the page features several handwritten signatures and initials in blue ink. From left to right, there is a signature that appears to be 'A.', followed by 'd.m.', then '50' above 'M.A.', a signature that looks like 'P.R.', another signature that is partially obscured, and finally a signature that appears to be 'M.W.'.

UNIT: III

Industrial Relation in India- Its Concept, evolution and definition- An overview on the laws dealing with IR as covered under the repealed Act, The Industrial Dispute Act, 1947, The Industrial Dispute (Central) Rules, 1957,

UNIT: IV

Salient features of the Industrial Relation Code, 2020, Various Definitions, Definition of Industry - Industrial Dispute - Individual Dispute - Workman - Worker - Bi-Partite Forums - Works Committee - Grievance Redressal Committee., Notice of Change- reference of disputes to Arbitration - Mechanism for Resolution of Industrial Disputes - Procedure and powers of arbitrator, conciliation officer, Tribunal and National Industrial Tribunal. - Conciliation and adjudication of dispute.

UNIT: V

Provisions of Strikes and Lock-Outs—Illegal Strikes and Lockout, Prohibition of financial aid to illegal strikes or lock-outs, Lay-Off, Retrenchment and Closure, Workers Laid off For Compensation, Special Provisions Relating to Lay-Off, Retrenchment and Closure in Certain Establishments-Worker Re-Skilling Fund-Unfair Labour Practices-Offences and Penalties-Special Provision for Adjudication as To Whether Conditions of Service, Etc., Changed During Pendency of Proceedings.

UNIT: VI

Standing Orders - Concept and Nature of Standing Orders - scope and coverage- Certification process - its operation and binding effect - Provision of standing Orders under Chapter IV of The Industrial Relation Code, 2020 Making of model standing orders by Central Government and temporary application. Preparation of draft standing orders by employer and procedure for certification., Power of Certifying Officer and Appellate Authority, Provision of Appeals, Duration and Modification of Standing Orders-. Disciplinary Proceedings in Industries - Charge sheet - Explanation - Domestic enquiry - Enquiry officer - Enquiry report - Punishment - Principles of Natural Justice.

SUGGESTED READINGS:

1. Srivastava: Law of Trade Unions, Eastern Book Company, Lucknow

2. Goswami: Labour and Industrial Law, Central Law Agency.
3. R.F. Rustomji: Law of Industrial Disputes: Asia Publishing House, Mumbai
4. S.N. Mishra: Labour and Industrial Law
5. J.N. Malik: Trade Union Law
6. Khan & Khan: Labour Law, Asia Law House, Hyderabad
7. S.C. Srivastava: Industrial Relations and Labour Law, Vikas Publishing House
8. Amitav Ghosh: GIG ECONOMY IN INDIA RISING: GEN X-Millennial-Z, Evince pub Publishing; 1st Edition (11 August 2020)

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B III SEMESTER 3 YEARS PROGRAMME

CIVIL PROCEDURE CODE

CORE COURSE (CC): 3.2

COURSE OBJECTIVES: This paper is designed to study the importance of procedural law in civil matters. Its main object is to acquaint the students with the various stages through which a civil case passes through, and the connected matters. Civil Procedure Code is a procedural law which is applied of daily the courts and lawyers. Every law student should have knowledge of civil procedure when he goes out to practice as a lawyer. Though, it is true that one gains expert knowledge of civil procedure through experience. However, it is necessary to have a good understanding of the subject before one enters the profession. The course also includes law of limitation, which fixes a period within which a case has to be filed.

LEARNING OUTCOMES: Students graduating with 'Civil Procedure Code & Limitation Act' will be able to know the detail procedure for redressal of civil rights, understand, where the suit is to be filed? The essential forms and procedure for institution of suit, the documents in support and against, evidence taking and trial, dimensions of an interim order, the peculiar nature of the suits, the complexities of



executing a decree and provisions for appeal and revision are all matters which a lawyer for any side is to be familiar with and to have good grounding in the subject before one enters the profession

UNIT: I

- Codification of Civil Procedure and Introduction to CPC — Principal features of the Civil Procedure Code
- Hierarchy of courts
- Suits; Parties to Suit; Framing of Suit — Institution of Suits — Bars of Suit
- Doctrines of Sub Judice and Res Judicata
- Place of Suing — Transfer of suits
- Territorial Jurisdiction; Cause of Action' and Jurisdictional Bars
- Summons; Service of Foreign summons.

UNIT: II

- Pleadings: Contents of pleadings; Forms of Pleading; Striking out / Amendment of Pleadings
- Plaint: Essentials of Plaint - Return of Plaint; Rejection of Plaint
- Production and marking of Documents; Written Statement; Counter claim — Setoff; Framing of issues.

UNIT: III

- Appearance and Examination of parties & Adjournments
- Ex-Parte Procedure
- Summoning and Attendance of Witnesses — Examination — Admissions —
- Production, Impounding, Return of Documents Hearing; Affidavit
- Judgment and Decree; Concepts of Judgment, Decree, and Interim Orders and Stay; Injunctions
- Appointment of Receivers and Commissions; Costs
- Execution; Concept of Execution; General Principles of Execution; Power of Execution; Power of Executing Courts; Procedure for Execution; Modes of Execution
- Arrest and detention; Attachment and Sale.

Handwritten signatures and initials at the bottom of the page, including the number 53 in the center.

UNIT: IV

- Suits in Particular Cases; Suits by or against Government; Suits relating to public matters; Suits by or against minors, persons with unsound mind, - Suits by indigent persons – Interpleader suits
- Summary Suit.
- Consequences of Death, marriage and insolvency of Parties, in Civil Suit.
- Appeals, Reference, Review and Revision — Appeals from Original Decrees;
- Appeals from Appellate Decrees; Appeals from Orders; General Provisions
- Relating to Appeals.

UNIT: V

- Law of Limitation — Concept of Limitation; Object of limitation – General Principles of Limitation
- Extension: Condonation of delay; Sufficient Cause — Computation of limitation
- Acknowledgment and Part-payment; Legal Disability; Provisions of the
- Limitation Act, 1963 Articles for appeal, revision, reference, review, possession, bringing legal heirs on record.

SUGGESTED READINGS:

1. Mulla, Code of Civil Procedure Code (1999) Universal, Delhi.
2. C.K. Thakkar, Code of Civil Procedure Code (2000) Universal, Delhi.
3. M.R. Mallik (ed) B.B. Mitra, On Limitation Act (1998) Eastern, Lucknow.
4. P.K. Majumdar and R. P. Kataria, Commentary on The Code of Civil Procedure Code-1908, Universal, Delhi.
5. P.K. Mukharjee, Limitation Act, Allahabad Law Agency.
6. Shailendra Malik, Code of Civil Procedure, Allahabad Law Agency.
7. Dr. Avtar Singh, Code of Civil Procedure, Central Law Publication, Allahabad.
8. Sarkar's Commentary on The Civil Procedure Code, Dwivedi, Allahabad Law Agency.
9. AIR Commentaries on Limitation Act, W.W. Chitale, AIR Ltd., Nagpur.

54

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B III SEMESTER 3 YEARS PROGRAMME
JURISPRUDENCE
CORE COURSE (CC): 3.3

COURSE OBJECTIVES: This course is designed to serve as a general introduction to jurisprudence. Its objective is to help students take a panoramic view of the law by studying the science of law. During the semester, this course will consider the philosophical nature of law, legal reasoning and argument, and concepts such as rights, duties, liability, personhood etc. For theory, the course will require students to look into the approaches of different schools of jurisprudence towards the concept of law Also, the course will require the students of law to study feminist jurisprudence, the contextual background in which it emanated and how they lived experiences of women have shaped different approaches to the struggle towards the achievement of gender equality.

LEARNING OUTCOMES: After studying this course, the students are expected to be equipped with an understanding of different philosophical approaches that have shaped the understanding of law. Another expected outcome of this course is that students are expected to be equipped with the capacity to critically appraise the majority decisions as well as dissents in judgments of the courts about which theoretical approach they reflect. Students are also expected to get a fair idea about the evolving nature of the notion of law and how it changes with time, place and culture. A very important outcome of studying this course is strengthening the legal acumen of students by broadening their outlook towards law and legal concepts; which in turn, is expected to help them make legally sound and cogent arguments in courts.

UNIT: I

- Meaning, Nature and Value of Jurisprudence
- Sources of Law: Legislation, Precedent and Custom; Comparison between legislation and precedent.

Handwritten signatures and initials at the bottom of the page, including a signature that appears to be "A. J.", a signature that appears to be "S. S.", a signature that appears to be "P. P.", and other illegible signatures.

- Administration of Justice: Civil and Criminal

LEGAL THEORY

UNIT: II

- Natural Law School of Jurisprudence- General Approaches: Ancient, Medieval and Modern
- Analytical School of Jurisprudence
 - John Austin's theory of Law
 - Primary and Secondary Rules- Prof.H.L.A.Hart's Concept of Law
 - Pure theory of Law-Prof. Hans Kelsen
- School of Legal Realism-Justice Oliver Holmes' Bad Man Theory

UNIT: III

- Historical School of Jurisprudence
 - Savigny and the concept of Volkgeist
 - Legal Fiction- Sir Henry Maine
- Sociological School of Jurisprudence
 - Roscoe Pound's theory of Social Engineering

CONCEPTUAL JURISPRUDENCE

UNIT- IV

- Legal Rights and Duties
 - Characteristics of Legal rights,
 - Hohfeld's Analysis of Rights
 - Kinds of Legal Rights
- Persons
 - Definition and Kinds
 - Legal status of: Animals, Unborn persons, Dead persons, Idols

UNIT-V:

- Liability
 - Meaning, nature and Kinds



- Difference between Civil and Criminal liability
- Liability for negligent acts
- Exemptions from liability

UNIT-VI:

- Ownership
 - Meaning and essentials
 - Kinds of Ownership
- Possession
 - Meaning and Scope
 - Essential elements; Possession in fact and possession in law
 - Possessory remedies
- Property
 - Meaning and kinds
 - Modes of acquiring property

UNIT VII:

- Gender Jurisprudence
 - Feminist jurisprudence
 - Emerging jurisprudence with regard to sexual minorities

SUGGESTED READINGS:

1. Salmond: Jurisprudence, Universal Publishers.
2. Paton: Jurisprudence
3. Allen: Law in the Making, Universal Publishers.
4. Mahajan V.D.: Legal Theory and Jurisprudence, Eastern Book Company, Lucknow.
5. Dias: Jurisprudence, Aditya Books.
6. RamaJois, Legal and Constitutional History of India, Universal Law Publication, Delhi.

NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are

expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus

**LL. B III SEMESTER 3 YEARS PROGRAMME
CYBER LAW**

ELECTIVE COURSE (EC): 3.1

COURSE OBJECTIVES: After completing the course, students will be familiar with concepts related to cyber world. Cyber Law in general will develop their understanding on various facets of cybercrimes. Problems arising out of online transactions insist them to find solutions. It will help them to understand Intellectual property issues in the cyber space and the growth and development of the law Regulation of cyber space at national and international level, ethical standards in cyber laws and intellectual property issues.

LEARNING OUTCOMES: The learning outcome of the course is to develop understanding about E-commerce, E-Contracting and Information Technology Act. In view of the important developments that have taken place in the cyber space student will be able to understand and acquire a critical understanding of Cyber Law. Students will develop in-depth understanding and techniques to deal with Frauds, Deceptions, other Cyber Crimes and important regulations pertaining to the issue of dispute resolutions. It will make them conversant with the social and Intellectual Property Issues emerging from Cyberspace. Students will be able to explore the Legal and Policy Developments in various Countries to Regulate Cyberspace. It will help them in understanding the relationship between e-commerce and cyberspace. It will increase in depth Knowledge of Information Technology Act and legal frame work of right to privacy, data security and data protection.

UNIT: I-FUNDAMENTALS OF E-COMMERCE AND E-CONTRACTING

- Fundamentals of Computer and Web Technology
- Electronic data Interchange
- Salient Features of E-commerce
- Advantages and Limitations of E-Commerce
- Models of E-commerce

Handwritten notes and signatures in blue ink at the bottom of the page, including the number 58 and various initials.

- Salient features of E-contract
- Formation of E-contracts and Types
- Need for Cyber Law

UNIT: II- INFORMATION TECHNOLOGY ACT

- Concept of Digital Signatures & Electronic Signatures
- Technical issues: Cryptography, Concept of Public key and Private Key, Process of Formation and Verification.
- Legal issues: Definition, Recognition and Authentication of digital & Electronic signature under IT Act, Certification Authorities and their role, Public Key Infra structure under the IT Act E-contracting under IT Act

UNIT: III- CYBER CONTRAVENTIONS

- Different Types of Civil Wrongs under the IT Act, 2000

UNIT: IV- CYBER CRIMES AND THE IT ACT, 2000

- Understanding Cyber Crimes
- Types of Cyber Crimes,
[Hacking, Cyber Stalking, Cyber Pornography, Cyber Terrorism, Cyber Defamation, Digital Forgery, Identity Theft & Fraud]
- Different Offences under the IT Act, 2000

UNIT: V- INTELLECTUAL PROPERTY ISSUES IN CYBERSPACE

- Interface with Copyright Law and Patent Law,
- Trademark and Domain name related issues.

UNIT: VI- DISPUTE RESOLUTION IN CYBERSPACE

- Concept of Jurisdiction in cyberspace
- Issues of Jurisdiction in cyber-Space

flu

dim

N
MSD

f
P.P.

EX

- Jurisdiction under IT Act, 2000
- Dispute Resolutions

UNIT: VII-CONSTITUTIONAL & HUMAN RIGHTS ISSUES IN CYBERSPACE

- Freedom of Speech and Expression in Cyberspace
- Right to Access Cyberspace—Access to Internet
- Right to Privacy
- Right to Data Protection

SUGGESTED READINGS:

1. Kamlesh N. & Murali D. Tiwari (Ed), IT and Indian Legal System, Macmillan India Ltd, New Delhi
2. K.L. James, The Internet: A User's Guide (2003), Prentice Hall of India, New Delhi
3. Chris Reed, Internet Law-Text and Materials, Universal Law Publishing Co, New Delhi
4. Vakul Sharma, Handbook of Cyber Laws, Macmillan India Ltd, New Delhi
5. S.V. Joga Rao, Computer Contract & IT Laws (in 2 Volumes), 2005 Prolific Law Publications, New Delhi
6. T. Ramappa, Legal Issues in Electronic Commerce, Macmillan India Ltd, New Delhi
7. Indian Law Institute, Legal Dimensions of Cyber Space, New Delhi
8. Pankaj Jain & Sangeet Rai Pandey, Copyright and Trademark Laws relating to Computers, Eastern Book Co, New Delhi
9. Farouq Ahmed, Cyber Law in India
10. S.V. Joga Rao, Law of Cyber Crimes and Information Technology Law, 2007, Wadhwa & Co, Nagpur
11. Rodney D. Ryder, Guide to Cyber Laws, Wadhwa and Company, Nagpur

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

Handwritten signatures and initials at the bottom of the page, including "dms", "GO", "P.H.", "P.P.", and "S.K.".

LL. B III SEMESTER 3 YEARS PROGRAMME

BANKING LAW

ELECTIVE COURSE (EC): 3.2

COURSE OBJECTIVES: The students will become familiar with the Banking Laws and with the legal and regulatory laws which apply to the banks. The learners will be able to understand various services offered, risks faced by banks and also will understand banking innovations after nationalization. They will also understand various principles, provisions that govern banking companies. They will gain a comprehensive understanding of the ECommerce landscape, current and emerging business models and the technology and infrastructure underpinnings of the banking business. They will be able to develop an understanding on Bankers Books Evidence Act. They will gain an understanding on the importance of security, privacy and ethical issues as they relate to E- Commerce. They will be able to describe fundamental concepts behind modern e-banking/mobile banking technologies. Students can pursue Banking law specialization at the Undergraduate and the Postgraduate level.

LEARNING OUTCOMES: The main learning outcome of this course is to provide the student an understanding of legal and regulatory aspects of banking. This course studies the purpose and the functions of central banks and monetary policies and how they have evolved over time. Students are introduced to the tools of monetary policy and to the rules that central banks follow. Students will know the relevant provisions Law relating to Negotiable Instruments, 1881 Act (Read with the amended Act of 2002).

UNIT: I

Indian Banking Structure:

- Origin and Evolution of Banking Institutions
- Advent of Foreign Banks in India
- Different kinds of banks and their functions
- Banking Companies in India
- Banking Regulation Act, 1949

UNIT: II

The Central Bank of India:

- Evolution of Central Bank

Handwritten signature

Handwritten signature

Handwritten signature

61

Handwritten signature

Handwritten signature

Handwritten signature

Handwritten signature

- RBI - Constitution, Management and Functions
- Monopoly of currency issue
- Control of RBI over non-banking companies
- Financial companies
- Non-financial companies

UNIT: III

Employment of funds

- Loans and Advances
- Guarantees
- Advances secured by Collateral securities
- Agency Services
- Financing of Exports
- Special Banking Services
- Advances to Priority Sectors and Credit Guarantee schemes
- Securitization Act, 2002. (SARFAESI Act, 2002); Debt recovery and non-performing assets

UNIT: IV

Banker and customer Relationship

- Definition of banker and customer
- General relationship and Special relationship
- Banker 's duty of secrecy
- Banker's duty to honor cheques
- Banker's lien, and banker's right to set off
- Appropriation of payments - Garnishee order
- Customer's duties towards his banker.
- Opening of New Accounts
- Special types of customers - Minor 's A/C, Joint A/C, Partnership A/C, Company's A/C, Married women 's A/C, Trust A/C, Joint Hindu family A/C - Illiterate persons, lunatics, executors
- Precautions required in case of administrators, clubs, societies and charitable institutions to open an account

Handwritten signature

62
Handwritten initials

Handwritten signature

Handwritten initials

Handwritten signature

UNIT: V

Law relating to Negotiable Instruments, 1881 Act (Read with the amended Act of 2002):

- Negotiable Instruments - Kinds - Holder and holder in due course – Parties –Negotiation- Assignment – Presentment – Endorsement – Liability of parties –Payment in due course – Special rules of evidence - Material alteration – Noting and protest – Paying banker and collecting banker
- Penal provisions under NI Act
- Banker's Book Evidence Act, 1891.

UNIT: VI

Recent trends of Banking System in India

- E-Banking - Internet banking, Mobile banking, ATM banking, Computerized banking
- Credit card, debit/smart cards
- Safe deposit vaults
- E- banking services – retail services – wholesale services
- E- Cheque-authentication
- Cyber Evidence
- Banking Ombudsman.

SUGGESTED READINGS:

1. M. L. Tannan- Law of Banking.
2. M. S. Parthasarathy (Ed.), Khergamvala - Negotiable Instruments Act.
3. Taxman: Law of Banking, India Law House
4. R.N. Chaudhary, Banking Laws, Central Law Publications, Allahabad.
5. Avtar Singh – Negotiable Instruments Act.
6. Basu - Review of Current Banking: Theory and Practice.
7. Paget- Law of Banking.
8. L. C. Goyle- The Law of Banking and Bankers.
9. Relevant provisions of Information Technology Act, 2000
10. Reforms in Indian Banking and Recommendations of Committees

Handwritten signatures and marks:
The
dmm
63
PR
PR
PR


Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus

LL. B III SEMESTER 3 YEARS PROGRAMME
ALTERNATE DISPUTE RESOLUTION
(CLINICAL PAPER-I)
SKILL BASED COURSE (SC): 3.1

COURSE OBJECTIVES: The objective of this course is to Acquire expertise in the skills and techniques necessary for effective dispute resolution. It will enable students to understand and reflect critically on key theoretical and practical dimensions of dispute processes, including the role played by the Hon'ble Judiciary in interpreting the Arbitration and Conciliation Act, 1996 and the Legal Services Authorities Act, 1987. Also enables students to adopt a comparative approach, the key differences between Alternative Dispute Resolution mechanisms and Judicial Adjudication and the skills and elements involved in Negotiation, Mediation and Conciliation. The student will understand the provisions related to reference of disputes to alternative dispute mechanisms under the Code of Civil Procedure (CPC), 1908. [Section 89].

LEARNING OUTCOMES: Students will develop an ability to situate dispute resolution processes in their wider social, political and theoretical and professional contexts and the ability to analyze a conflict situation and to select the appropriate dispute resolution strategy, to negotiate effectively and an ability to conduct or participate appropriately in a mediation process. The course aims at defining the benefits and drawbacks of ADR as compared to litigation and its legal basis. It will develop a thorough understanding of the arbitration as a method of dispute resolution. It helps to understand the legal and regulatory framework governing both domestic and International Commercial Arbitration Agreement and the legal framework for enforcement of Arbitral Awards. Students will be able to acquire theoretical and practical understanding of Lokpal and Lokayukta. They will learn the latest development in the field of ADR and the various foreign awards like New York Convention and Geneva Convention. Students will be able to understand effective resolution of dispute through Conciliation process.

64



The course will be taught through classroom instruction in association with the Practicing Lawyers. However, there is no end semester theory examination for this Course. Students have to prepare a record covering the topics specified in Unit-I to III of Section -A and assigned to the students. The student shall be required to attend and observe the proceedings of Lok Adalats, Family Courts, Tribunals and other ADR Systems and shall record at least 10 proceedings in the diary. The record and Report shall be submitted within the stipulated time to the evaluation Committee constituted by the College with a Full Time Teacher and Practicing Advocates. The mode of Assessment shall be as follows: -

- | | |
|---|-----------|
| A) Record on Topics from Unit I to III (Internal marks to be awarded by the evaluation Committee) | -40 Marks |
| B) Diary on Lok Adalat, Family Court, Tribunals & other ADR Proceedings (To be awarded by both External & Internal Examiner jointly) | -40 Marks |
| C) Viva – Voce (To be awarded by both External & Internal Examiner jointly) | -20 Marks |

UNIT-I: ALTERNATE DISPUTE RESOLUTION

- Characteristics, Advantages and Disadvantages; Unilateral — Bilateral — Triadic (Third Party) Intervention
- Techniques and processes: Negotiation — Conciliation — Arbitration — Distinction between Arbitration, Conciliation and Negotiation.

UNIT-II: THE ARBITRATION AND CONCILIATION ACT, 1996:

- Historical Background and Objectives of the Act
- Definitions of Arbitration, Arbitrator, Arbitration Agreement
- Appointment of Arbitrator & Termination of Arbitrator
- Proceedings in Arbitral Tribunal -- Termination of Proceedings
- Arbitral Award -- Setting aside of Arbitral Award — Finality and Enforcement of Award
- Appeals – Enforcement of Foreign Awards.
- Conciliation – Appointment of Conciliators
- Powers and Functions of Conciliator; Procedure

the

dims

NA

MD

65

P

PK

- Settlement of disputes through conciliation.

UNIT-III: OTHER ALTERNATIVE DISPUTE RESOLUTION SYSTEMS:

- Tribunals
- Lokpal and Lokayukta
- Lok Adalats
- Family Courts.
- Section 89 and Order X, Rules 1A, 1B and 1C of Civil Procedure Code.

NOTE:

- ATTENDENCE AND COMPLIANCE TO ALL THE AFORESAID COMPONENTS IS COMPULSORY.
- THE STUDENTS WILL HAVE TO SCORE ATLEAST 40% OF MARKS IN EACH OF THE ABOVE COMPONENTS.

SUGGESTED READINGS:

1. O.P. Tiwari: *The Arbitration and Conciliation Act* (2nd Edition): Allahabad Law Agency.
2. Johar's: *Commentary on Arbitration and Conciliation Act, 1996*: Kamal Law House.
3. Acharya N.K.: *Law relating to Arbitration and ADR*, Asia Law House, Hyderabad
4. Tripathi S.C.: *Arbitration, Conciliation and ADR*, Central Law Agency, Allahabad.
5. Avatar Singh: *Arbitration and Conciliation*, Eastern Law Book House, Lucknow.
6. KSR Murthy: *An introduction to ADR Mechanism*, Gogia Law Agency, Hyderabad
7. P.C. Rao: *Alternate Dispute Resolution*, 2001 Edition, Universal Book Traders, New Delhi.
8. S.D. Singh: *Alternate Dispute Resolution*, Universal Book Traders, New Delhi.

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

Handwritten signatures and initials:
A
M
66
P.P.
S.K.

LL. B IV SEMESTER 3YEARS PROGRAMME

LABOUR LAW-II

CORE COURSE (CC): 4.1

COURSE OBJECTIVES: The course aims at providing knowledge of the labour welfare and security which is of paramount importance in Industrial Relations solutions. Thus, to enable the students to have a good base in labour laws this subject focuses on Social and wage legislation in judicial setup. To know learn the laws relating to Industrial Relations social security and working condition.

LEARNING OUTCOMES: Students will know the development and judicial setup of labour laws they will learn the salient features of welfare and Wage legislation and also to integrate the knowledge of labour law in general human resource practice students will learn the laws relating to industrial relation social security and working conditions and to learn the enquiry procedure and industrial discipline

UNIT: I- THE REMUNERATIVE ASPECTS

- Wages – Concepts of wages - Minimum, Fair, Living Wages - Wage and Industrial Policies with reference to the newly enacted Code on Wages, 2019,
- Provisions of Payment of Wages Act 1936 - Timely payment of wages – Authorized deductions–Claims
- MinimumWagesAct1948 -Definitions-Types of wages-Minimum rates of wages
- Procedure for fixing and revising Minimum Wages–Claims-Remedy.

UNIT: II- BONUS

- Concept: Right to claim Bonus–Full Bench Formula-Bonus Commission
- Payment of Bonus Act 1965 - Application – Computation of gross profit, Available, Allocable surplus
- Eligibility of Bonus- Disqualification of Bonus-seton–setoff of Allocable surplus
- Minimum and Maximum Bonus-Recovery of Bonus.

UNIT: III- EMPLOYEES SECURITY AND WELFARE- WITH REFERENCE TO THE NEWLY ENACTED CODE ON SOCIAL SECURITY, 2020

- Law relating to workmen 's compensation - The Employee's Compensation Act 1923 – Definitions -Employer 's liability for compensation – Nexus between injury and employment

the

dim

ND

ND

f

AK

PP

- payment of compensation - penalty for default
- Employees State Insurance Act 1948 – Application - Benefits under the Act -Adjudication of disputes and claims– ESI Corporation.
- Unorganized Workers' Social Security Act, 2009
- Sexual Harassment of Women at Workplace Act, 2013

UNIT: IV- EMPLOYEES PROVIDENT FUND AND MISCELLANEOUS PROVISIONS ACT, 1952

- Contributions; Schemes under the Act; Benefits.
- The Maternity Benefit Act 1961-Definitions-Application-Benefits.
- The Payment of Gratuity Act 1972 – Definitions – application - Payment of gratuity -eligibility– forfeiture –Nomination- Controlling authorities.

UNIT: V- THE FACTORIES ACT, 1948

- Chapters dealing with Health, Safety and Welfare of Labour.
- Provisions Relating to Hazardous Processes
- Working Hours of Adults Employment of Young Persons
- Salient features of the Child Labour (Prohibition and Regulation) Act 1986.

SUGGESTED READINGS:

1. S.N. Misra, Labour and Industrial Laws, Central law publication 22nd edition.2006.
2. N.G. Goswami, Labour and Industrial Laws, Central Law Agency.
3. Khan & Kahan, Labour Law-Asia Law house, Hyderabad
4. K.D. Srivastava, Payment of Bonus Act, Eastern Book Company
5. K.D. Srivastava, Payment of Wages Act
6. K. D. Srivastava, Industrial Employment, 1987(Standing order)
7. S. C. Srivastava, Treatise on Social Security
8. V.J. Rao, Factories Law

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

68

 The bottom of the page features several handwritten signatures and initials in blue ink. From left to right, there is a signature that appears to be 'A', another signature that looks like 'shim', a signature that is partially obscured but seems to be 'M.D.', a signature that includes the initials 'P.P.', and finally a signature that looks like 'M'. There are also some other scribbles and marks scattered around these signatures.

LL. B IV SEMESTER 3 YEARS PROGRAMME
CRIMINAL PROCEDURE CODE
CORE COURSE (CC): 4.2

COURSE OBJECTIVES: The Criminal Procedure code was enacted many years ago. It has undergone many changes. It is too enormous for classroom discussion. But the students should have a fair idea about how the code works as a main spring of the criminal justice. With this perspective the course is designed to make the student understand how the Criminal Procedure code controls and regulates the working of the machinery set up for the investigation and trial of offence.

LEARNING OUTCOMES: On completion of this course the students will be able to distinguish between criminal procedural law and substantive law, evaluate the structure, hierarchy and working of criminal courts in India; comprehend the role of functionaries like the Police, Magistrates, Courts, etc., analyze important concepts like 'Offence', 'Charge', 'Bail', 'Examination of Witnesses', 'Appeals' etc. The students will be able to describe the basic procedures relating to FIRs, Complaint, Police Report, Inquiry, Search and Seizure, enables them to explain different kinds of Trials such as warrant case, summons case, and summary and their respective stages; Assess provisions regarding the maintenance of wife, children and parents under the Cr.P.C.

UNIT: I - Introduction

- Object, extent, Nature and scope of Criminal Procedure
- Preliminary Considerations –
 - a. Classification of offences
 - b. Distinction between Investigation, Inquiry and Trial
 - c. Constitution of Criminal Courts and Its Power
 - d. Functionaries under the Code (Police, Public Prosecutor)

UNIT: II – Arrest

- Meaning and purpose of arrest
- Arrest with a warrant
- Arrest without a warrant
- Arrest by a private Person

- Arrest of a woman
- Arrest how made

UNIT: III - Maintenance of Wives, Children and Parents

- Essential conditions for granting maintenance
- Jurisdiction of Magistrates
- Alteration of allowance
- Cancellation of the order of the maintenance

UNIT: IV – Search and Seizure

- Search with a warrant
- Search without warrant
- General provisions relating to searches
- Illegality in a search and its consequences

UNIT: V – Investigation

- Meaning and purpose of Investigation
- Who can investigate?
- When police can investigate?
- Information to the police
- F.I.R. and procedure after the recording of the F.I.R.
- Evidentiary value of statements made to the police
- Investigation in the case of unnatural deaths and suicides, in police custody etc.

UNIT: VI – Charge and Trials

- Framing of charge
 - Form and content of charge
 - Separate charges for distinct offences
 - Discharge - pre-charge evidence
- Trials- Trial before a court of session
- Trial of warrant cases
 - Procedure for trial in a summons case

NA

dm

70
MD

P.R.

JK

AK

- Summary trials
- Plea Bargaining

UNIT: VII – Bail, Appeal, Reference, Revision and Transfer

- Bail: concept, purpose: constitutional overtones
- When release on bail is mandatory?
- When release on bail is Discretion?
- Anticipatory bail
- Law relating to bail in the light of amendment in the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act in the light of Section 14-A.
- Appeal, Reference, Revision and Transfer --Appeal
- Reference to High Court
- Revision
- Transfer of cases
- Inherent power of High court under section 482.
- Limitation For Taking Cognizance of Certain Offences

SUGGESTED READINGS:

1. Ratanlal Dhirajlal, Criminal Procedure Code (1999) Universal, Delhi.
2. K I Vibhute, Durga Das Basu Criminal procedure Code, 1973, Lexis Nexis.
3. S C Sarkar, Sarkar the Code of Criminal Procedure Code, Lexis Nexis.
4. K D Gaur, Textbook on the Code of Criminal Procedure, Universal Law Publishing.
5. S N Mishra, The Code of Criminal Procedure, Central Law Publications.
6. Chandrasekharan Pillai (ed.) Kelkar's Outlines of Criminal

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

Handwritten notes and signatures at the bottom of the page, including the number 71 and various initials.

LL. B IV SEMESTER 3 YEARS PROGRAMME

LAW OF EVIDENCE

CORE COURSE (CC): 4.3

COURSE OBJECTIVES: To provide learners with detailed knowledge and skills in the rules of evidence and procedure as they apply to civil and criminal trials as might be relevant to a person working in a legal office, an insurance company or associated fields in the public or corporate sectors. Knowledge of the rules of evidence will enable analysis and evaluation of evidence available in connection with the preparation of a case for trial.

LEARNING OUTCOME: after completion of the course the students will be able to analyze and define the concept and general nature of evidence, and illustrate the different types of evidence and court procedures relating to evidence, analyze the different types of evidence with reference to: real, oral, direct, circumstantial, original, hearsay, primary, secondary, documentary, it will further be able to specify the standard of proof in civil and criminal cases, determine and analyze the standard of proof and burden of proof in civil and criminal cases, and specify types of presumptions, and also analyze and evaluate the rules governing examination in chief, cross examination and re-examination, and establish the procedures in the conduct of a civil or criminal trial.

UNIT: I

- Introduction to Law of Evidence
- The Indian Evidence Act, 1872 —Salient features of the Act
- Other acts which deal with evidence. (Special reference to C.P.C., Cr.P.C., IT Act)
- Meaning and kinds of Evidence
- Interpretation clause —May Presume, shall presume and Conclusive proof - Fact, Fact in issue and Relevant facts
- Distinction between Relevancy and Admissibility
- Standard or Degree of Proof in Civil/ Criminal Proceeding
- Doctrine of *Res Gestae*— Motive, preparation and conduct — Conspiracy —When Facts not otherwise relevant become relevant —Right and custom — Facts showing the state of mind etc.

R

dim

72
MD

P.R.

ES

M

UNIT: II

- Admissions & Confessions: General Principles concerning Admissions
- Differences between "Admission" and "Confession"
- Confessions obtained by inducement, threat or promise
- Confessions made to police officer - Statement made in the custody of a police officer leading to the discovery of incriminating material — Admissibility of Confessions made by one accused person against co-accused.
- Dying Declarations and their evidentiary value
- Other Statements by persons who cannot be called as Witnesses
- Admissibility of evidence of witnesses in previous judicial proceedings in subsequent judicial proceedings.

UNIT: III

- Relevancy of Judgments — Opinion of witnesses — Expert's opinion — Opinion on Relationship especially proof of marriage
- Facts which need not be proved
- Oral and Documentary Evidence - General Principles concerning oral evidence and documentary evidence
- Primary and Secondary evidence
- Modes of proof of execution of documents
- Presumptions as to documents
- General Principles regarding Exclusion of Oral by Documentary Evidence.

UNIT: IV

- Rules relating to Burden of Proof
- Presumption as to Dowry Death
- Estoppel —Kinds of estoppel —Res Judicata, Waiver and Presumption.

UNIT: V

- Competency to testify
- Privileged communications
- Testimony of Accomplice

Handwritten notes and signatures in blue ink at the bottom of the page. The notes include the number "73" and several illegible signatures and scribbles.

- Examination in Chief, Cross examination and Re-examination — Leading questions
Lawful questions in cross examination; Compulsion to answer questions put to witness
- Hostile witness — Impeaching the credit of witness
- Refreshing memory — Questions of corroboration
- Improper admission and rejection of evidence.

SUGGESTED READINGS:

1. Batuk Lal: *The Law of Evidence*, 13th Edition, Central Law Agency, Allahabad, 1998.
2. M. Munir: *Principles and Digest of the Law of Evidence*, 10th Edition (in 2 vols), Universal Book Agency, Allahabad, 1994.
3. M Monir: *Textbook on Law of Evidence*, Universal Law Publishing 2012.
4. Avtar Singh: *Principles of the Law of Evidence*, 11th Edn. Central Law Publications.
5. V. Krishnama Chary: *The Law of Evidence*, 4th Edn. S.Gogia & Company, Hyderabad.

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B IV SEMESTER 3 YEARS PROGRAMME

GENDER AND LAW

ELECTIVE COURSE (EC): 4.1

COURSE OUTCOMES: The Objective of Gender and law Studies is for students to learn to recognize, examine social practices and traditional concepts that revolve around gender, sexuality, and sexual orientation, as well as understanding how gender is a persuasive factor in people's lives from a social, legal, and economic perspectives by examining different legislations and constitutional provisions.

LEARNING OUTCOMES: After successful completion of this course students will be able-to understand the Notion of gender and Problems and issues relating to gender in order to analyze women, gender, and sexuality in meaningful ways, to examine the constitutional provisions and judicial interpretations with respect to various Gender related rights, to enhance research capabilities that addresses practical issues of gender in relation to race, ethnicity, class, sexuality, privilege, and power.

74

The bottom of the page features several handwritten signatures and initials in blue ink. From left to right, there is a signature that appears to be 'A.', a signature that looks like 'dimm', a signature with the number '74' above it, a signature that looks like 'P.R.', a signature that looks like 'P.R.', a signature that looks like 'P.R.', and a signature that looks like 'P.R.'.

Demonstrate an understanding of gender with respect to family laws and crimes based on gender. Engage in promoting social justice and human rights by organizing awareness, skill training and capacity building programs for different classes of women, men, and transgenders.

UNIT 1 – Introduction to Gender

- Concept of gender: Male; Female and the Third Gender
- Problems and issues relating to gender
- The Changing Social Construction of Gender
- Transgender Activism: The Transgender Persons (Protection of Rights) Act, 2019

UNIT 2–Gender and the Constitution

- Gender Equality and women empowerment
- Equal Pay for Equal Work
- Right to Dignity and Right to Identity
- Art.21 and Reproductive autonomy.

UNIT 3 – Legislative Framework for Gender Justice

- The PCPNDT ACT, 1994 as Amended in 2002.
- Protection of Women from Domestic Violence Act, 2005.
- Sexual Harassment of Women at Workplace, (Prevention, Prohibition and Redressal) Act, 2013.

UNIT 4 – Gender Discrimination and Family Laws

- Divorce: Provisions under Hindu, Muslim, Parsi and Christian Laws.
- Maintenance: Provisions under Hindu law, Muslim law and Cr.P.C .

UNIT 5 – Gender Based Crimes

- Rape
- Outraging Modesty of women
- Honour Killing
- Indecent representation of women

UNIT 6 – National Commission of Women

SUGGESTED READINGS:

1. Asha Bhandari, Rekha Meha, Women, Justice and the Rule of Law, Serial Publications, New Delhi;
2. Amita Dhanda, Archana parashar, Editors, Engendering Law, Essays in Honour of

Lotika Sarkar, EBC Publications;

3. Dr. Surinder Medratta on Crime against Women and The Law, Delhi Law House

4. Dr. S.K. Mukherjee, Laws Relating to Sexual Harassment & Sexual Offences, Kamal Publications, New Delhi;

5. Dr. Sarojini Saxena: Femijuris(Law relating to Women in India)

6. Dr. Archana Parsher: Women and Social Reform

7. Dr. Paras Diwan: Dowry and protection to married women

8. Dr. G.B.Reddy: Women and Law, 2nd Edn. Gogia Law Agency, Hyderabad;

9. Krishna Pal Malik, Women & Law, Allahabad Law Agency;

10. Lalita Dhar Parihar, Women & Law, From Impoverishment to Empowerment- A Critique, Eastern Book Company;

11. Mary Wollstonecraft: A Vindication of the rights of women.

12. S.P. Sathe: Towards Gender Justice.

13. V.K. Dewan, Laws relating to Offences Against Women, Asia Law House, Heyderabad

14. Dr. Vijay Sharma: Protection to woman in Matrimonial home

NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B IV SEMESTER 3 YEARS PROGRAMME

CHILD AND LAW

ELECTIVE COURSE (EC): 4.2

COURSE OBJECTIVES: The objective of the course is to make the law students understand the impact of social context of children laws. This course provides the foundation for study of constitutional provisions relating to child rights and particular legislations dealing with child protection, juvenile justice, child labour and sensitive issues like sexual abuse by exploring legal and social perspectives along with the international legal standards and human rights laws.

[Handwritten signatures and initials in blue ink at the bottom of the page, including a signature that appears to be 'S.K.' and another that appears to be 'M.S.']

LEARNING OUTCOMES: After the completion of this course students will be able to understand the concept and extent of child rights provided under International conventions, evaluate the role of the law in regulating relationships between parent, child, and the state through constitutional mechanism and domestic legal framework, understand the procedure and applicability of child law in society, apply their legal acumen in situations involving child law issues and contemporary challenges like child sexual and drug abuse, and analyze past, present, and future national policy developments in terms of notional issues and their effect on child rights.

UNIT I: INTERNATIONAL CONVENTIONS AND PRINCIPLES OF THE UN FOR THE CHILD RIGHTS

- The Declaration on the Rights of the Child, 1959
- The United Nations Convention on the Rights of the Child, 1989(UNCRC);
- Guiding principles for enjoyment of all rights: Right relating to Life, survival and development, Protection from violence, abuse or neglect, right to education to fulfil their potential, Child parent relationship, Expression of their opinions

UNIT II: CHALLENGES AND ISSUES RELATING TO CHILDREN

- The problem of sex tourism
- Child pornography
 - Online violence-Cyberbullying, Sexual Exploitation & Abuse

UNIT III: CONSTITUTIONAL PROTECTION TO CHILDREN IN INDIA

- Right to Education (Article 21 A),
- Right to equality (Article 14),
- Right against discrimination (Article 15),
- Right to personal liberty and due process of law (Article 21), Right against exploitation and child abuse (Article 23) and (Article 24),
- Right to early childhood care and education to all children until they complete the age of six years (Article 45) Right to nutrition and standard of living and improved public health (Article 47).

the

NA

drmm

77
mnd

h

SK
R.P.

**UNIT IV: PROTECTION OF CHILD: PROTECTIVE LEGISLATIVE MECHANISM
(BECAUSE THESE ARE THE CORE LEGISLATIONS IN PROTECTION OF CHILD RIGHTS)**

- The Juvenile Justice (Care and Protection) Act (2000, amended in 2015);
- The Prohibition of Child Marriage Act (2006);
- The Protection of Children from Sexual Offences Act (2012), and
- The Child Labor (Prohibition and Regulation) Act (1986)
- The Immoral Traffic (Prevention) Act, 1987
- Right of Children to Free and Compulsory Education Act, 2009 (RTE) 2009
- Adoption Regulation, 2017 (Adoption (First Amendment) Regulations, 2021)

UNIT V: NATIONAL POLICIES REGARDING CHILDREN

- National Policy for Children, 1974
- National Policy on Education, 1986
- National Policy on Child labour, 1987
- National Health policy, 2002

UNIT VI:

- The Commissions for Protection of Child Rights Act, 2005- National and State Commissions for Children

SUGGESTED READINGS:

1. Asha Bajpai, **Childrens Rights in India**
2. Gertrud Lenzer, ,EditorViolence against Children, Making Human Rights real, Published by Taylor& francis Ltd.
3. Kieran Walsh, The Development of Child Protection Law & Policy- Children, Rik and Modernities, Published by Routledge, 2021.
4. Mamta Rao, Laws Relating to Women & Children, EBC Publications
5. Mamta Rao, Laws Relating to Women & Children, EBC Publications
6. Nuzhat Parveen Khan, **Women and Child Related Laws by LexisNexis**
7. Ved Kumari, The Juvenile Justice System in India- from Welfare to Rights, Oxford India.

78
MAD

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B IV SEMESTER 3 YEARS PROGRAMME
PROFESSIONAL ETHICS
(CLINICAL PAPER-II)
SKILL BASED COURSE (SC): 4.1

COURSE OBJECTIVES: This course is designed with a main purpose of making law students on the verge of completing their law course to get acquainted with, analyze and critically examine such rules of professional ethics and conduct. The legal philosophy underlying professional ethics, the rights and concomitant duties of Advocates and the role played by Bar Councils in regulating legal profession will be the core Module of the course. Furthermore, the knowledge of responsibilities and sanctions is indispensable for an advocate to have a better professional career, especially in the present era.

COURSE OUTCOMES: After successful completion of this course the students will familiarize with the legal provisions, guidelines, and judicial decisions on the subject of professional conduct for lawyers, acquaint with the opinions of the Bar Council of India on professional misconduct. The students will be informed of their Rights as advocates, the concomitant duties and limitations thereof. This will help in developing the ability to efficiently identify ethical issues and dilemmas in realistic scenarios, and to propose well-reasoned and articulate resolutions to those issues and dilemmas.

The course will be taught through classroom instruction in association with the Practicing Lawyers. However, there is no end semester theory examination for this Course. Students have to prepare a record covering the topics specified in Unit-I to IV of Section -A and assigned to the students & a Report on 50 select opinions of Disciplinary committee of Bar Council of India and 10 Major judgments of the Supreme Court relating to the Contempt of Court specified in Section B. The record and Report shall be submitted within the stipulated time to the evaluation Committee constituted by the College with Full Time Teacher and Practicing Advocates. The mode of Assessment is as follows:

79

The bottom of the page features several handwritten signatures and initials in blue ink. From left to right, there is a signature that appears to be 'Aru', followed by 'dms' with an arrow pointing to the right, a signature that looks like 'N.', a signature that looks like 'MD', a signature that looks like 'R.', a signature that looks like 'SK', and a signature that looks like 'PP'.

A) Record on Topics from Unit I to IV

40 Marks

(Internal marks to be awarded by the evaluation Committee)

B) Report on opinions of Disciplinary committee of Bar Council of India & judgments of the Supreme Court

40 Marks

(to be awarded by both External & Internal Examiner jointly)

C) Viva – Voce

20 Marks

(to be awarded by both External & Internal Examiner jointly)

SECTION –A

UNIT-I

- The legal profession and its responsibilities;
- The equipment of the lawyer;
- Conduct in court;
- Professional conduct in general;
- Privileges of a lawyer;

UNIT-II

- Seven lamps of advocacy
- Advocates duties towards public, clients, court, and other advocates and legal aid ;
- Bar Council Code of Ethics.

UNIT-III

- Disciplinary proceedings
- Professional misconduct
- Disqualifications
- Functions of Bar Council of India/State Bar Councils in dealing with the disciplinary proceedings • Disciplinary Committees -- Powers and functions - Disqualification and removal from rolls. Contempt of Court Act, 1972

[Handwritten signatures and marks at the bottom of the page, including "80", "P.P.", and various scribbles.]

SECTION -B

Selected major judgments of the Supreme Court:

1. *In the matter of D, An Advocate*, AIR 1956 SC 102.
2. *P.J. Ratnam v. D.Kanikaram*, AIR 1964 SC 244.
3. *N.B. Mirzany. The disciplinary committee of Bar Council of Maharashtra and Another*, AIR 1972 SC 46.
4. *Bar Council of Maharashtra v. M.V. Dabholkar, etc.*, AIR 1976 SC 242. 5. *V.C. Rangadurai v. D.Gopalan and others*, AIR 1979 SC 201.
6. *Chandra Shekhar Soniv. Bar Council of Rajasthan and Others*, AIR 1983 SC 1012.
7. *In Re an Advocate*, AIR 1989 SC 245.
8. *In Re Vinay Chandra Mishra*, 1995 (Vol-I) IBR 118.
9. *Supreme Court Bar Association v. Union of India*, AIR 1998 SC 1895.
10. *Ex-Capt. Harish Uppal v. Union of India*, AIR 2003 SC 739.
- 11 Any other recent judgments of Supreme Court selected and given by concerned teacher

Selected opinions of the Bar council of India

1. DC Appeal No. 16/93 1998 (Vol.1) IBR 135
2. BCI Tr. Case No.40/91 1998 (Vol.1) IBR 139
3. DC Appeal No. 8/94 1998 (Vol. 1) IBR 153
4. DC Appeal No. 20/94 1997 (Vol. 3 &4) IBR 193
- 5 BCI Tr. Case No. 76/95 1997 (Vol. 3 &4) IBR 201
- 6 DC Appeal No.43/96 1997 (Vol. 3 &4) IBR 207
- 7 DC Appeal No.18/91 1997 (Vol. 1 & 2) IBR 271
- 8 DC Appeal No.24/90 1996 (Vol.1) IBR 135
- 9 DC Appeal No.19/93 1996 (Vol.1) IBR 152
- 10 BCI Tr. Case No.104/90 1996 (Vol.1) IBR 155
- 11 BCI Tr. Case No.52/89 1994 (Vol.1) IBR 187
- 12 BCI Tr. Case No.127/88 1992 (Vol. 3 &4) IBR 125
- 13 BCI Tr. Case No.39/87 1992 (Vol. 3 &4) IBR 147
- 14 BCI Tr. Case No.39/89 1992 (Vol. 3 &4) IBR 149
- 15 BCI Tr. Case No.16/88 1989 (Vol.1) IBR 99
- 16 BCI Tr. Case No.2/88 1989 (Vol.1) IBR 102

M

dim

N

M

H

S

R

- 17 BCI Tr. Case No.52/88 1989 (Vol.2) IBR 110
- 18 DC Appeal No.41/87 1989 (Vol.2) IBR 122
- 19 BCI Tr. Case No.29/81 1989 (Vol.2) IBR 245
- 20 DC Appeal No.14/88 1989 (Vol.2) IBR 258
- 21 BCI Tr. Case No.14/80 1989 (Vol.2) IBR 264
- 22 DC Appeal No.24/87 1989 (Vol.2) IBR 273
- 23 DC Appeal No.46/86 1989 (Vol.2) IBR 280
- 24 DC Appeal No.3/88 1989 (Vol.2) IBR 285
- 25 BCI Tr. Case No.2/80 1989 (Vol.2) IBR 289
- 26 BCI Tr. Case No.10/86 1989 (Vol. 3 &4) IBR 520
- 27 BCI Tr. Case No.101/88 1989 (Vol. 3 &4) IBR 524
- 28 DC Appeal No.23/88 1989 (Vol. 3 &4) IBR 532
- 29 DC Appeal No.35/87 1989 (Vol. 3 &4) IBR 536
- 30 BCI Tr. Case No.27/88 1989 (Vol. 3 &4) IBR 542
- 31 BCI Tr. Case No.6/84 1989 (Vol. 3 &4) IBR 560
- 32 BCI Tr. Case No.24/86 1989 (Vol. 3 &4) IBR 563
- 33 DC Appeal No.10/88 1989 (Vol. 3 &4) IBR 572
- 34 DC Appeal No.45/74 1988 (Vol. 1 &2) IBR 182
- 35 DC Appeal No.23/87 1989 (Vol.1 & 2) IBR 187
- 36 DC Appeal No.6/81 1988 (Vol.1 & 2) IBR 193
- 37 BCI Tr. Case No.16/86 1988 (Vol.1 & 2) IBR 197
- 38 DC Appeal No.41/86 1988 (Vol.1 & 2) IBR 200
- 39 DC Appeal No.33/86 1988 (Vol. 3 &4) IBR 354
- 40 DC Appeal No.21/85 1988 (Vol. 3 &4) IBR 359
- 41 BCI Tr. Case No.43/82 1988 (Vol. 3 &4) IBR 364
- 42 DC Appeal No.28/86 1988 (Vol.3 & 4) IBR 374
- 43 DC Appeal No.64/74 1987 (Vol.2) IBR 314
- 44 DC Appeal No.30/84 1987 (Vol.2) IBR 319
- 45 DC Appeal No.40/86 1987 (Vol.3) IBR 488
- 46 DC Appeal No.10/86 &10A/86 1987 (Vol.3) IBR 491
- 47 DC Appeal No.7/86 1987 (Vol.3) IBR 496
- 48 DC Appeal No.7/81 1987 (Vol.4) IBR 735

Handwritten signature

Handwritten signature

82
Handwritten initials

Handwritten signature
P.R.

Handwritten signature

49 DC Appeal No.12/86 1987 (Vol.4) IBR 745

50 BCI Tr. Case No.57/87 1987 (Vol.4) IBR 75351 Any other recent opinion/decision of Disciplinary committee of BCI, selected and given by concerned teacher.

NOTE:

- **ATTENDENCE AND COMPLIANCE TO ALL THE AFORESAID COMPONENTS IS COMPULSORY.**
- **THE STUDENTS WILL HAVE TO SCORE ATLEAST 40% OF MARKS IN EACH OF THE ABOVE COMPONENTS.**

SUGGESTED READINGS:

1. K.V. Krishnaswamy Iyer- Professional Conduct and Advocacy.
2. B.S. Raman- Accountancy.
3. N. R. Madhava Menon- Clinical Legal Education.
4. Dr. B. Malik- Art of Lawyer (New Delhi, Universal Book Agency, 1999) – Relevant articles
5. Contempt of Court Act, 1971
6. Myneni S.R.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.
7. Gupta S.P.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.
8. Kailash Rai: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Allahabad Law Agency.
9. Siroh: Professional Ethics, Central Law Publications, Allahabad.
10. Ramachandra Jha: Selected Judgements on Professional Ethics published by Bar Council of India Trust, 2002.
11. Dr. G.B. Reddy: Practical Advocacy of Law, 2nd Ed. 2005. Gogia Law Agency. Hyderabad

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

the
A
dim
83
M
P.P.
B

LL. B V SEMESTER 3 YEARS PROGRAMME
INTERPRETATION OF STATUTE
CORE COURSE (CC): 5.1

COURSE OBJECTIVES: Statutory interpretation is the process by which legislative instruments are given meaning so that they can be understood and applied. This subject will systematically examine the body of law that is relevant when determining the intention of Parliament as expressed in legislative instruments. The rules, approaches and practices required by statute or developed at common law are considered and applied to both state and federal legislation. In addition to developing students' interpretation skills the subject will also focus on legal research and opinion writing.

LEARNING OUTCOMES: On successful completion of this course, a student will be able to know what are the techniques adopted by courts in construing statutes, the importance of the law-making process in the present context, also what are the matters to be reckoned with by legislature while enacting laws? This will help in understanding and analyzing the judicial interpretation, construction of words, phrases and expressions.

UNIT: I- INTRODUCTION

- Law making: The role of Legislature, Executive and Judiciary.
- Meaning and scope of the term "Statute".
- The Process of Law Making (The draft, bill, Act, Assent & operation).
- Parts of a Statute & Classification of Statutes
- Meaning, nature and scope of the term "Interpretation".
- Need and Purpose of Interpretation
- Difference between Interpretation and Construction.

UNIT: II- GENERAL THEORIES

- Presumptions and Considerations in interpretation
- Basic Principles

84



- The Function of the Court is to interpret the law and not to legislate
- Intention of Legislature
- Statute must be read as a whole
- Statute to be workable and effective
- Plain Language must be given effect irrespective of consequences

UNIT-III: RULES OF INTERPRETATION

- Literal/Grammatical Rule of Construction
- Golden Rule of Construction
- Mischief Rule of Construction (Rule in Heydon's Case)
- Rule of Harmonious Construction.
- Strict and Liberal Construction

UNIT-IV: SUBSIDIARY RULES OF CONSTRUCTION

- Same word same meaning, use of different words,
- Rule of Last Antecedent,
- Non-Obstinate Clause,
- legal fiction,
- Mandatory and Directory Provisions,
- Conductive and Disjunctive words 'or'/'and',
- Construction of general words - Noscitur A Sociis; Rule of ejusdem generis, Words of rank, Redendo Singula Singulis etc.

UNIT-V: AIDS TO CONSTRUCTION

Understanding the need and importance of Aids to constructions

- Internal Aid to Construction

Preamble, Definition, Sections, Heading, Marginal Notes, Punctuation, Illustrations, Provisions, Explanation and Schedule.

down
A

85
MAD

→
PR

the
EX

UNIT VI: EXTERNAL AID TO CONSTRUCTION

Parliamentary History, Historical Facts and surrounding circumstances, socio-political and economic developments, reference to other statutes, contemporaneous exposition and other external aids.

UNIT-VII: INTERPRETATION WITH RESPECT TO SUBJECT MATTER AND PURPOSE

- Constructions of Penal & Remedial Statutes
- Constructions of Welfare Statutes
- Construction of Substantive and Procedural Statutes.

UNIT-VIII: THE GENERAL CLAUSES ACT, 1897

- Rules of Construction under the General Clauses Act, 1897
- Repeal: Effect of Repeal: Temporary and Perpetual Statutes: Their expiry and repeal
- Prospective and Retrospective Operation of statutes
- Effect of amendment to statutes.
- Revival of repealed enactments

SUGGESTED READINGS:

1. G.P. Singh: Principles of Statutory Interpretation, Lexis Nexis, 14th Edn., 2016.
2. Vepa P. Sarathi: Interpretation of Statutes, Eastern Book Co, 5th Edition, 2010.
3. Maxwell: Interpretation of Statutes, Butterworths Publications, 1976, 12th Edition.
4. N.S. Bindra's: Interpretation of Statutes, Lexis Nexis, 12th Edition
4. Crawford: Interpretation of Statutes, Universal Publishers.
6. Cross, Statutory Interpretation
7. Avtar Singh: Introduction to Interpretation of Statutes, Butterworth Wadhwa
8. B.M. Gandhi: Interpretation of Statutes, 2nd Edition, Eastern Book Co.

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

[Handwritten signatures and initials in blue ink at the bottom of the page.]

LL. B V SEMESTER 5 YEARS PROGRAMME
PUBLIC INTERNATIONAL LAW
CORE COURSE (CC): 5.2

COURSE OBJECTIVES: This course aims to focus on the relations between states, international organizations and other legal actors within the public international legal framework. It explores competing notions of sovereignty, and the dilemma of conflict resolution between parties under international law. Special attention will be paid to the recognition of states and the consequent obligations of states, the law of treaties, and topical issues in international law, for example criminal justice, refugees, the law of the sea, and human rights. Students requires to gain knowledge of the public international legal framework, and be exposed to a range of controversial debates which reflect the highly politicized nature of international law. A blended learning format will enable active learning and encourage student engagement with topical issues.

LEARNING OUTCOME: On successful completion of the course students will be able to understand thorough and contextual knowledge of public international law doctrine, principles and the role of legal institutions, in the areas covered during the course, the capacity to identify contentious issues in public international law, and apply legal doctrine to solve problems. A critical perspective on the relationship between public international law and the politics of the international community. A reflective understanding of the significance of notions of justice, sovereignty and rights within the international legal framework. Will inculcated the ability to conduct high-level legal research, exploring primary and secondary materials, and provide critical analysis of problems and questions.

UNIT I:

- Origin, Development and Definition of International Law
- Nature and Basis of International Law
- Sources of International Law
- Relationship between Municipal Law and International Law (Monism, Dualism, British, American and Indian Practice)
- Subjects of international law

Handwritten signatures and initials:
A series of handwritten marks and signatures in blue ink, including the number 87, are located at the bottom of the page.

UNIT II:

- State: essential characteristics of a State in International Law
- Sovereignty of States, Kinds of states, Rights and duties of states
- State succession: Definition and Kinds of Succession
- Consequences of state succession
- Succession in respect of International Organization
- State Jurisdiction
- State Territory and modes of acquisition and loss of state territory

UNIT III:

- Responsibility of states, kinds and consequences.
- Recognition: Definition of State Recognition
- Recognition of Government
- Theories and Modes of Recognition
- Legal Effects of Recognition

UNIT IV:

- Extradition & Asylum
- Nationality
- Diplomatic agents, Consuls and other representatives
- Formation of treaties
- Mode of consent, Reservation and termination.

UNIT V:

- League of Nations
- The United Nations Organization: Preamble, purposes and principles of UN Charter
- UN principal organs and their composition and functions
- Specialized agencies: UNESCO, WHO, ILO, IMF.
- Settlement of international disputes.

Handwritten signatures and initials in blue ink at the bottom of the page, including the number 88.

UNIT VI:

- The Legal Regime of the Seas
- Evolution of the Law of the Sea
- United Nations Convention on the Law of the Seas
- Maritime Belt, Contiguous Zone, Continental Shelf, Exclusive Economic Zone
- The High Seas
- Land Locked States
- International Tribunal for the Law of the Sea

SUGGESTED READINGS:

1. J. G. Starke- An Introduction to International Law.
2. P.W. Bowett- International Institutions.
3. J. B. Brierly - The Law of Nations.
4. D. H. Harris - International Law (Cases and Materials).
5. Oppenheim - International Law (Volume I, Peace)
6. S. K. Kapoor - International Law and Human Rights.
7. Agrawal H O-International Law & Human Rights, Central Law Publication, Allahabad.
8. Rebecca Wallace, International Law
9. Brownlie, Principles of International law
10. M.P. Tandon, Public International Law, ALA.

NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B V SEMESTER 3 YEARS PROGRAM
ENVIRONMENTAL LAW
CORE COURSE(CC): 5.3

COURSE OBJECTIVES: The objective of the course is to provide a basic level understanding of the legislative framework of environmental regulation, its implementation and adjudication and to enable students to identify core environmental issues and legal and institutional responses to them, to analyze

the role of judiciary in environmental protection, to introduce the basic concepts and principles of environmental law and to analyze these principles as tools of environmental protection, where the laws and policies fall short, to understand development of environmental law in an international perspective, specifically developed and developing countries perspective.

LEARNING OUTCOMES: The course gives students the opportunity to grapple with contemporary legal debates in environment law. The primary learning outcome is to sensitize the students towards human activities that adversely affect the environment and the need for regulation of such activities. Students will develop a thorough understanding of practice and procedure followed by various environmental law enforcing agencies/bodies. Students will be able to pursue environmental litigation before the National Green Tribunal and assist the Tribunal as a researcher or in any other capacity.

UNIT: I

- Meaning and Concept of Environment, Environment Pollution
- Ozone depletion, Global Warming Climate Change
- Causes and effects of Environment degradation
- Ancient Indian approach towards Environment Protection.

UNIT: II

- International Environmental Regime
- Stockholm Declaration on Human Environment, 1972
- United Nations Conference on Environment and Development 1992,
- Role of UNEP for the Protection of Environment
- Biodiversity Convention 1992,
- Wetlands, COP 27

UNIT: III

- The Air (Prevention and Control of Pollution) Act 1981
- The Water (Prevention and Control of Pollution) Act 1974
- The Environment (Protection) Act 1986
- Noise Pollution Regulations and Control Rules, 2000

The bottom of the page features several handwritten signatures and initials in blue ink. From left to right, there is a signature that appears to be 'A', a signature that looks like 'Hm', a signature with the number '90' written above it, a signature that looks like 'R', a signature that looks like 'S', and a final signature that is partially cut off on the right edge.

UNIT: IV

- The Laws relating to Preservation Conservation and Protection of forest and wild life Biodiversity Act - Salient features and authorities under the Act
- Hazardous Waste Management and Handling Rules, 1989
- Municipal Solid Waste Management and Handling Rules 2000
- Biomedical Waste Management and Handling Rules 1998

UNIT: V

- Common Law Remedies- Trespass, negligence
- Theories of strict Liability and absolute Liability
- Sustainable Development, Intergenerational Equity, Polluter Pays Principle, Precautionary Principle, Doctrine of Public Trust, National Green Tribunal

UNIT: VI

- Relevant Provisions of Fundamental Rights and Directive Principles of State Policy of the Constitution of India and Article 51A (g)
- Right to wholesome environment
- Right to development
- Role of Indian Judiciary in the evolution of environmental jurisprudence.

SUGGESTED READING:

1. Dr. N. Maheshwara Swamy: A Text Book on Environmental Law
2. P. Leela Krishna: Environmental Law in India
3. Dr. Padma: Environmental Protection and the Law
4. Divan and Rosencranz: Environmental Law and Policy in India
5. S. Shantha Kumar's: Introduction to Environmental Law
6. Dr. S.R. Myneni: Environmental Law
7. Paras Divan: Studies on Environmental Cases
8. V.K. Krishna Iyer: Environment Pollution and Law

NOTE: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are

Handwritten signature

Handwritten signature

Handwritten signature

91
Handwritten signature

Handwritten signature

Handwritten signature

Handwritten signature

expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus

LL. B V SEMESTER 3 YEARS PROGRAMME
LAW ON CONSUMER PROTECTION AND RIGHT TO INFORMATION
COURSE (CC): 5.4

COURSE OBJECTIVES: The objective of the course is to understand several Consumer Rights against exploitation by tracing out the growth and origin of consumer movement at international and national level. The students will be able to gain knowledge about several rights available to consumers and the redressal mechanism under the Consumers protection and other related laws.

The course is designed to focus on the signification of RTI in Indian democracy, international conventions on the same and constitutional basis. It aims to analyze the obligations of Public Authorities, Functions -Record Management and Appellate Authority thereunder and Guidelines for Information Officers, their powers and functions. To familiarize students with the relevant provisions of Maharashtra Right to Public Services Act, 2015

LEARNING OUTCOMES: After successful completion of the course the students will be able to build an in-depth understanding of consumer movement in India and its different phases. It will help the student to develop capacities about the new consumer protection legislation. It will demonstrate the capacity in dealing with the new age challenges such as e-commerce under the consumer law regime. It will help the students to develop the research skills with the help case studies and landmark decisions. Students will be able to appraise the role of mediation in redressal mechanism and able to appreciate the best global practices in consumer protection regime.

It is important for the students to understand the significance of right to information in the changing scenario. This help in understanding the role of the Government in enacting RTI Act in 2005 which allows transparency and autonomy and access to accountability in Public Authority. At the end of the study the students will understand and analyze the important definitions, Public Authorities and their obligations, information which is exempted from disclosure, Constitution of information commissions and their powers and penalties.

A

stmm

92
MD

P
PR.

SR.

MR

UNIT: I

- Brief History of Consumer Movement in India
- Concept of Consumerism
- Consumer Rights and UN guidelines on consumer protection
- Consumer Protection Act 2019: Basic Concepts and Definitions- Meaning of Consumer; Kinds of consumer disputes: Defect in goods, Deficiency in services; Rights of Consumers
- Design, Misleading advertisements, Product Service provider, Service, Hoarding, Spurious goods, Infringing privacy, Goods Hazardous to Life & Safety, Product Liability: Meaning, Product liability action, Liability of product manufacturer, Liability of product service provider, Liability of product sellers, Exceptions to product liability action

UNIT: II

- Complainant, Complaint,
- Advisory Bodies: Consumer Protection Councils at the Central, State and District Levels;
- Central Consumer Protection Authority: Powers and Functions
- Adjudicatory Bodies: District Commission, State Commissions, National Commission: Their Composition, Powers, and Jurisdiction (Pecuniary and Territorial), Appeal provisions.
- Mediation in consumer disputes
- Role of Supreme Court under the CPA with important case laws.

UNIT: III

- Offences and Penalties: Punishment for - false or misleading advertisement; manufacturing for sale or storing; selling or distributing or importing products containing adulterant; for manufacturing for sale or for storing or selling, distributing, importing spurious goods. Compounding of offences,
- Measures to prevent Unfair Trade Practices, Restrictive Trade Practices, unfair trade practices in e-commerce, direct selling, etc.

UNIT: IV

- Significance of Right to Information in Democracy
- Constitutional Basis for Right to Information
- Aims and Objectives of the Right to Information Act, 2005
- Definitions- Appropriate government, Competent Authority, Information, Record, Right to Information

UNIT: V

- Right to Information and obligations of Public Authorities

93



The bottom of the page features several handwritten signatures and initials in blue ink. From left to right, there is a signature that appears to be 'A', a signature that looks like 'dinn', a signature that is partially obscured but has '93' written above it, a signature that looks like 'f h', a signature that looks like 'R R', and a signature that looks like 'S R'.

- Central and State Public Information Officer
- Request for obtaining Information, Mandatory disclosure of Information, and Disposal of Request
- Exemption from Disclosure of Information
- Severability, Third Party Information

UNIT: VI

- Information Commission- Central and State Commissions
- Powers and Functions of the Information Commissions
- Appeal and Penalties
- Judiciary on Right to Information in India

SUGGESTED READINGS:

1. J.N. Boriwala, Commentry on Consumer Protection Act, 1986, Universal Pub. Delhi.
2. P.K. Majumdar, The Law of Consumer Protection in India (1998), Orient Publishing Co., New Delhi.
3. R.M. Vats, Consumer and the Law (1994), Universal, Delhi,
4. Consumer Protection Act- Bare Act
5. Right to Information Act 2005 – Bare Act
6. N.K. Acharya, Right to Information Act 2005, Asia Law House, Hyderabad
7. N.K. Jain Right to Information- Concept, Law and Practice, Regal Publication, New Delhi

Note: In view of the fact that many legislative amendments and court decisions could behanded down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B V SEMESTER 3 YEARS PROGRAMME

HEALTH LAW

ELECTIVE COURSE (EC): 5.1

COURSE OBJECTIVES: This course is designed in such a manner as to make students understand the use of health law in contemporary legal practice. This will help them to understand the interrelationship between two noble professions i.e., law and medicine. They will understand the right to health provided under International and national policies, especially under the Constitution of India. They will also learn different laws associated with the issue of health and which are of utmost importance for the smooth

94

The bottom of the page features several handwritten signatures and initials in blue ink. From left to right, there is a signature that appears to be 'A', a signature that looks like 'M', a signature with the number '94' above it, a signature that looks like 'P.R.', a signature that looks like 'S.K.', and a signature that looks like 'M'.

functioning of life. The students will also understand the different aspects of health and legal and ethical issues surrounding some important contemporary issues like surrogacy, malnutrition, euthanasia etc. They will also learn some other important topics relating to medical profession where there is a direct interrelationship between law and medicine like, medical confidentiality, informed consent and the relationship between doctor and patient in this complex era. They will also learn some important bodies of medical profession like Medical Council of India.

LEARNING OUTCOME: Undoubtedly there is a direct relationship between law and medicine today. Law regulated medical practice by structuring the delivery and financing services by different ways like regulating licensing services, restrictions on practice, and by providing remedies in case of wrong or malpractices by medical practitioners. So, students will learn all these important factors under health law. The student will learn the liability of doctors to the patient under all relevant laws. This will help them in understanding the health law policy in India which will further help them to practice in the area of health law which is very demanding field these days. At the same time students will learn the different ethical and legal issues involved in medico legal cases which will help them to be empathetic and will definitely improve their skill and will help them to be successful in healthcare law practice.

UNIT: I- INTERRELATIONSHIP BETWEEN LAW AND MEDICINE

- Right to Health-
- International Perspective- UDHR, 1948 (Art.25); ICESCR, 1966(Art.12): Declaration of Geneva, 1948.
- Constitutional Perspectives- Fundamental Rights- Right to Health care, Right to Life, Right to Clean Environment, Right to Emergency Medical Care.
- Directive Principles of State policies- Art. 39(a), 47, 48-A.

UNIT: II- HEALTH- LEGISLATIVE PERSPECTIVE

- Drugs and Cosmetics Act, 1940
- The Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994
- The Transplantation of Human Organs Act, 1994
- The Medical Termination of Pregnancy Act, 1971 (MTP (Amendment) Act, 2021)
- Overview of the Mental Health Act, 1987

dim

95
mm

h
P.P.

hu

UNIT: III- PUBLIC HEALTH AND LAW

- Overview of-AIDS and Law
- Offences Affecting Public Health under IPC

UNIT: IV- MEDICAL PROFESSION AND LAW

- Doctor- Patient Relationship
- Informed Consent
- Medical Confidentiality
- Medical Negligence- Liability: Civil, Criminal and Liability under Consumer Protection Act, 1986.
- Indian Medical Council and Association
- Regulation of Bio-Medical Waste

UNIT: V- CONTEMPORARY ISSUES

- Surrogacy- Social, Legal & Ethical Issues
- Euthanasia in India
- Malnutrition in India

SUGGESTED READINGS:

1. M.P. Jain, *Indian Constitutional Law*, Wadhwa& Co, Nagpur.
2. Dr.U. Chandra, *Human Rights*, Allahabad Law Agency.
3. Dr. Nandita Adhikari, *Law and Medicine*, Central Law Publications, Allahabad.
4. Shyam Divan, Armin Rosencranz, *Environmental Law and Policy in India*, Oxford University Press.
5. Dr. Lily Shrivastava, *Law and Medicine*, Paper Back, Universal Law Publishing Co.
6. P.K. Sasidharan, *Healthy India*, notionpress.com, Chennai.

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.



LL. B V SEMESTER 3 YEARS PROGRAMME

HUMAN RIGHTS

ELECTIVE COURSE (EC): 5.2

COURSE OBJECTIVES: The course provides an introduction to basic human rights philosophy, principles, instruments and institutions, and also an overview of current issues. This course aims to explore some aspects of the diverse and increasingly complex body of international law of human rights that has both national and international application.

LEARNING OUTCOMES: After studying this course, students will be able to understand the historical growth of the idea of human rights and can demonstrate an awareness of the international context of human rights. It will also help to understand the importance of the Human Rights Act 1998 and analyse and evaluate concepts and ideas.

UNIT: I

- Human Rights: Meaning, Evolution of Human Rights
- Ancient and Natural law perspective
- Classification of Human Rights
- Generations of Human Rights
- Sources of International Human Rights Law
- Importance and Significance of Human Rights

UNIT: II

- U.N. Charter and Human Rights
- Universal Declaration of Human Rights and its legal significance
- International Covenant on Economic, Social and Cultural Rights, 1966
- International Covenant on Civil & Political Rights, 1966
- The Vienna Conference on Human Rights
- Human Rights Council

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

97
[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

UNIT: III

- Regional Conventions on Human Rights: The European Convention on Human Rights, 1950
- The American Convention on Human Rights, 1969 With Additional Protocols
- African Charter on Human and Peoples Rights
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- International Convention on Genocide, Apartheid, Slave Trade, Trafficking in Person and Prostitution.

UNIT: IV

- Human Rights in India
- Human Rights and Indian Constitution
- The Protection of Human Rights Act, 1993
- National Human Rights Commission
- State Human Rights Commission
- National Commission for Minorities
- National Commission for Safai karamcharis
- National Commission for Women
- National Commission for Backward Classes and National Commission for Schedule Castes and Schedule Tribes
- Judicial activism & Protection of Human Rights in India
- Role of Non-Governmental organization in the Promotion and Protection of Human Rights

UNIT: V

- International Conventions on Human Rights and Vulnerable Groups:
- Disabled Persons,
- Indigenous Persons,
- Persons with HIV- AIDS,
- Women & Children,

A

dharm

98

M.D.

P.P.

f h

PK

the

- Refugees,
- Aged Persons,
- Minorities and Tribal
- Collective Rights- Right to Development
- Right to Self Determination
- Right to Healthy Environment

SUGGESTED READINGS:

- 1 Wallace, International Human Rights, 1996 Sweet & Maxwell
2. Theodor Meron (ed.), Human Right in International Law
3. S.K. Kapoor, Human Right under International Law & Indian
4. Dugmarti Rao, HIV/AIDS and Law, Ethics and Human Rights, Discovery Publishing House, New Delhi.
5. Dr. H.O.Agrawal, International Law and Human Rights, Central Law Publication
6. Dr. Awasthi and Kataria, Law Relating to Protection of Human Rights

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

**LL. B V SEMESTER 3 YEARS PROGRAMME
DRAFTING, PLEADING, CONVEYANCING
(CLINICAL PAPER-III)**

SKILL BASED COURSE (SC): 5.1

COURSE OBJECTIVES: This course is designed to support undergraduate students in developing their drafting, pleading and conveyancing skills and to assist them in defining the various modes of legal terminologies and rules associated with it. It will give students a general introduction to number of basic documents, its methodologies, its challenges and its organization. Students will be introduced to a range of pleading tools and will be equipped to plan and organize their drafting, as well as to plead them in front of Court.

Handwritten signature

Handwritten signature 'A'

Handwritten signature 'dms'

99
Handwritten signature 'MD'

Handwritten signature 'R.P.'

Handwritten signature 'SK'

LEARNING OBJECTIVE: To acquaint the students with the teaching of law, rules of pleading, various deeds between the Parties. The course also focuses on interactive and learner-centric methods of seminar, discussion and learning through clinical legal education, to provide insight into the aspects of choosing appropriate legal terminologies while drafting a contract or agreement. It aims at providing the understanding and developing hands-on skills in drafting, pleading and conveyancing including law-finding, legal analysis, use of formats and legal writing.

Class-room instruction and simulation exercises on the following items shall be extended. However, there is no end semester theory examination for this course.

UNIT: I- DRAFTING

General Principles of Drafting and relevant Substantive Rules shall be taught.

UNIT: II- PLEADINGS:

(i) Civil—Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision.

(ii) Petition under Article 226 and 32 of the Constitution of India - Drafting of Writ Petition and PIL Petition.

(iii) Criminal— Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision.

Unit: III-Conveyancing

Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed

Practical Exercises

Apart from teaching the relevant law, the course includes not less than 15 (fifteen) practical

The bottom of the page features several handwritten signatures and initials in blue ink. From left to right, there is a signature that appears to be 'A', a signature that looks like 'dms', a signature that is 'MD', a signature that is 'R L' with 'P.P.' written below it, a signature that is 'SK', and a signature that is 'Mw'.

exercises in drafting of pleadings carrying a total of 45 marks (3 marks for each) and 15 (fifteen) exercises in conveyancing carrying another 45 marks (3 marks for each exercise) and remaining 10 marks for viva-voce. These 30 exercises shall be recorded. Each student shall be served with different problems for the purpose of exercise. These exercises shall be assessed and marks may be allotted. These exercises shall be evaluated by a common committee consisting of-

- (i) Principal of the College/the concerned teacher as Internal Examiner
- (ii) External Examiner appointed by the University
- (iii) An Advocate with 10 years' experience at the Bar.

The same committee will also conduct viva-voce on the above concepts.

NOTE:

- ATTENDANCE AND COMPLIANCE TO ALL THE AFORESAID COMPONENTS IS COMPULSORY.
- THE STUDENTS WILL HAVE TO SCORE ATLEAST 40% OF MARKS IN EACH OF THE ABOVE COMPONENTS.

SUGGESTED READINGS:

1. R.N. Chaturvedi: *Pleadings and Conveyancing*, Central Law Publications.
2. De Souza: *Conveyancing*, Eastern Law House.
3. Tiwari: *Drafting, Pleading and Conveyancing*, Central Law Agency.
4. Mogha: *Indian Conveyancer*, Eastern Law House.
5. Mogha: *Law of Pleadings in India*, Eastern Law House.
6. Shiv Gopal: *Conveyancing, Precedents and Forms*, Eastern Book Company
7. Narayana P.S.: *Civil Pleadings and Practice*, Asia Law House.
8. Narayana P.S.: *Criminal Pleadings and Practice*, Asia Law House.
9. Noshirvan H. Jhabvala: *Drafting, Pleadings, Conveyancing & Professional Ethics*.

101

Jamhadar & Companies.

10. R.D. Srivastava: *The Law of Pleadings, Drafting and Conveyancing*, Central Law Agency

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B VI SEMESTER 3 YEARS PROGRAMME
ADMINISTRATIVE LAW
CORE COURSE (CC): 6.1

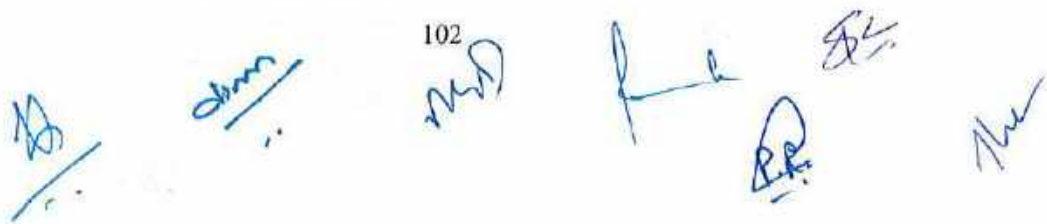
COURSE OBJECTIVE: The objective of this course is to give the students an insight into the development of administrative law, to make them appreciate the concepts and principles of administrative law and to help them understand the functioning of the administrative organizations as per the standards of democratic governance, transparency, and accountability. It involves the study of attainment of social-welfare objectives through bureaucratic activities. This course further lays emphasis on understanding the doctrines and guiding principles under administrative laws through which executive decision-making is approved, controlled, and challenged. It enlightens the student about the role of tribunals and the role of the judiciary in undertaking judicial review by invoking different grounds of interference.

LEARNING OUTCOMES: After successful completion of this course, the students will be able to understand the characteristics and nature of the administrative law distinct from the Constitutional Law, to apply fundamental principles of administrative law like Rule of Law, Separation of powers, natural justice, and their different types to appreciate the reasons for the growth of delegated legislation and administrative discretion and the functioning of the authorities making subordinate legislations within the ambit of the power conferred to them, to examine the functioning of the statutory bodies established for administering justice like Administrative Tribunals, Ombudsman, Lokayuktas, Lokpal etc.

UNIT: I

- Nature and Scope of Administrative Law

102



- Meaning, Definition and Evolution of Administrative Law
- Reasons for growth of Administrative Law
- Distinction between Administrative law and Constitutional Law

UNIT: II

- Rule of Law: Interpretation of Dicey's Principle of Rule of Law; Modern trends in the Indian context
- Theory of Separation of Powers — Position in India, UK and USA

UNIT: III

- Delegated Legislation: Meaning, Reasons for the growth and Classification of delegated legislation
- Judicial and Legislative Control of Delegated legislation
- Administrative Adjudication
- Meaning and Reasons for emergence
- Control mechanism
- Classification of Administrative actions: Legislative, Quasi-judicial, Administrative and Ministerial functions

UNIT: IV

- Principles of Natural Justice
- Judicial Control of Administrative Action: Grounds of Judicial Control
- Judicial Review and Writ Jurisdiction: Articles 32, 226, 227, 136 and 13
- Administrative discretion and its control.

UNIT: V

- Ombudsman: Lokpal and Lok Ayukta
- Liability of the State in Torts and Contracts; Rule of Promissory Estoppel
- Commissions of Inquiry
- Central Vigilance Commission
- Public Corporations and their control mechanisms.

Handwritten mark

Handwritten mark

Handwritten mark

Handwritten mark

Handwritten mark

Handwritten mark

SUGGESTED READINGS:

1. M.P. Jain and S.N. Jain, Principals of Administrative Law, Wadhwa and Company, Nagpur.
2. Dr. S. P. Sathe, Administrative Law, Butterworths, New Delhi.
3. Durga Das Basu and A.K.Nandi, Administrative Law, Kamal Law House, Calcutta.
4. H.W.R. Wade and Christopher Forsyth, Administrative Law, Clarendon Press, Oxford
5. A. K. Shrivastav, Administrative Law (2 Vols.), Delhi Kamal Prakashan
6. Indian Law Institute, Cases and Materials on Administrative Law in India
7. J.C. Garner, Administrative Law, Butterworths, New Delhi

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B VI SEMESTER 3 YEARS PROGRAMME

LAW OF TAXATION

CORE COURSE (CC): 6.2

COURSE OBJECTIVES: This Course is designed to offer the students the legal understanding of basic concept of income, importance of income tax and annual finance act, exempted income, person and policy and philosophy of taxation; to analyze different types of taxation policy and its outcome; and to examine the Wealth and corporation taxation and its impact.

LEARNING OUTCOMES: At the end it is expected that the student will be able to understand and interpret the various approaches, policy and philosophy of taxation, and how far the state power of taxation affect individual, institution; and explore the various functional theories, doctrine and principles working in the backdrop of taxation structure in India

UNIT: I

- Direct Taxes at a glance: - Taxes -types of taxes, its characteristics and objectives. The cannons of



taxes. Direct vs. Indirect taxation. The background of Indian taxation system and its structure.

- Constitutional basis of power of taxation -Arts. 265 to 289.
- Tax administration.
- The vital statistics and layout of tax.

UNIT: II:

- Basic Concepts of Income Tax
- Overview of Finance Bill; Basic concepts like assessment year, previous year, income, person, assessee.; distinguish between capital receipt and revenue receipt; Residential Status & basis of charge; scope of total income; basic steps in computation of tax liability; rates of tax

UNIT: III

- Heads of Income and Computation-Income from Salary, Income from House Property- Profits and Gains of Business or Profession-Capital Gains and Income from other sources.
- Income exempts from taxes

UNIT: IV:

- Clubbing of Income;
- Set off and Carry Forward of Losses
- Deductions from Gross Total Income & Rebate and Relief

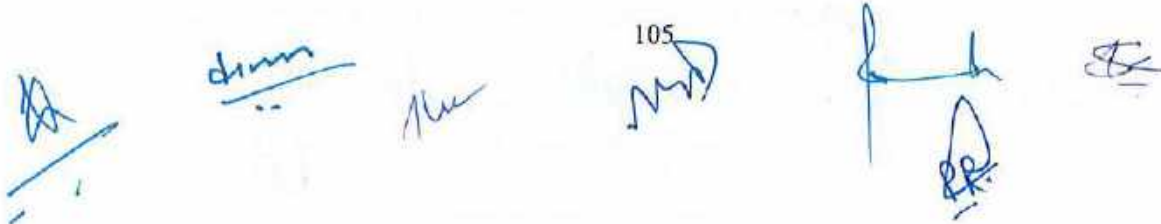
UNIT: V

- Computation of total income and tax liability of various entities: Individual, HUF, Firm, Company, etc.;
- Alternate minimum tax

UNIT: VI

Law and Procedure

- P.A.N. — Filing of Returns — Payment of Advance Tax -- Deduction of Tax at Source (TDS) -- Double Tax Relief
- Law and Procedure for Assessment- Kinds of Assessment, Penalties, Prosecution, Appeals and



Grievances -- Authorities.

- Offences under Income Tax Act
- Case Laws, Case Studies and Practical Aspects.

Unit-VII:

Indirect Taxes

- Concept of indirect tax at a glance- Indirect tax in India- An overview; Administration of Indirect Taxation India;
- Basics of Goods and Service Tax- Basic concept and overview of GST; Constitutional framework of GST; GST Model- CGST / IGST / SGST / UTGST; Taxable Event; Concept of supply including composite and mixed supply; Levy and collection of CGST and IGST;
- Composition scheme & Reverse Charge; Exemptions under GST.

SUGGESTED READINGS:

1. Bharat's Law House: Income Tax Act and Rules
2. Dr. Vinod K.Singhania: Student Guide to Income Tax, Taxman, Allied Service Pvt. Limited.
3. Dr. Gurish Ahuja: Systematic Approach to Income Tax, Bharat Law House Pvt. Limited. Taxman, Basis of GST
4. Taxman, GST Made Easy
5. Handbook of GST in India
6. Rakesh Garg, Sandeep Garg - Bloomsbury India
7. Dr. Sanjiv Agarwal: Goods & Services Tax, Laws, Concepts and Impact Analysis, Bloomsbury & Sanjeev Malhotra
8. Dr. Yogendra Bangur: Comprehensive Guide to Tax Laws, Aadhya Prakashan

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

106

LL. B VI SEMESTER 3 YEARS PROGRAMME

TRANSFER OF PROPERTY

CORE COURSE (CC): 6.3

COURSE OBJECTIVES: Property is an important jurisprudential concept which has various facades. The object of this subject is to explore into those various concepts by dealing various principles laid down in Transfer of Property Act, 1882 with a contemporary analysis. The subject would also deal with several other laws concerned with Jurisprudential aspect of Law, Various doctrines, essential features of Sale, Easements and Transfer of Property Amendment Act, 2002.

LEARNING OUTCOME: These subject analyses the basic principles of property law through jurisprudential theories. This also explain about the basic principles and doctrines of Transfer of Property Act, 1882.it helps to understand the various modes of transferring a property and get accustomed to the drafting of various deed such as sale deed, mortgage deed.

UNIT: I

- Meaning and concept of property
- Kinds of property
- Meaning and Definition of Transfer of property
- Transferable and non-transferable property
- Who can transfer?
- Operation of transfer
- Mode of transfer- Conditional transfer, Void and unlawful conditions, Condition precedent and condition subsequent
- Vested and contingent interest
- Transfer to unborn person

UNIT: II

- Doctrine of Election

Handwritten signature

Handwritten signature

Handwritten signature

107
Handwritten signature

Handwritten signature

Handwritten signature

- Covenants
- Transfer by ostensible owner
- Doctrine of Feeding the Grant by Estoppel
- Doctrine of Lis Pendens
- Fraudulent Transfer
- Doctrine of Part-performance.

UNIT: III

- Sale - Essential features
- Mode of Sale
- Rights and liabilities of parties.
- Mortgage – Meaning
- Kinds of Mortgages
- Rights and liabilities of mortgagor and mortgagee
- Marshalling and Contribution
- Charges.

UNIT: IV

- Lease - Essential features
- Kinds of leases
- Sec 106 as amended by The Transfer Of Property (Amendment) Act, 2002
- Rights and liabilities of lessor and lessee
- Termination of lease
- Forfeiture
- Exchange
- Gifts – Definition
- Different types of gifts
- Registration of Gifts
- Transfer of Actionable Claims.

UNIT: V

- Easements — Definition of easement

A collection of handwritten signatures and initials in blue ink, including a large 'A', 'dmm', '108', 'P.P.', and 'Mw'.

- Distinction between Lease and License
- Dominant and Servient Tenements.
- Acquisition of property through testamentary succession
- Will
- Codicil
- Capacity to execute Will
- Nature of bequests
- Executors of Will
- Rights and Obligations of Legatees.

SUGGESTED READINGS:

1. Mulla: Transfer of Property, Butterworths Publications.
2. Subba Rao GCV: Commentaries on the Transfer of Property Act.
3. Krishna Menon: Law of Property.
4. Upadhy's Common Matrix of Transfer of Property

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B VI SEMESTER 3 YEARS PROGRAMME

INTELLECTUAL PROPERTY LAW

CORE COURSE (CC): 6.4

COURSE OBJECTIVES: Intellectual property may be thought of as different forms of legal rights over creativity or innovation. Intellectual Property is also a global concern, with complex interrelationships between the different forms of Intellectual Property and the process of reform of those rights. In doing so, this course will provide opportunities for students to explore key policy themes: the globalization of trade; the rise of information technology; the scientific revolutions in agriculture, medicine and

Handwritten signature

Handwritten signature

Handwritten signature

109

Handwritten signature

Handwritten signature

Handwritten signature

biotechnology. This course will therefore also attempt to ensure students are equipped to understand and respond to changes in intellectual property and able to contribute to the process of reform.

LEARNING OUTCOMES: Upon successful completion, students will have the knowledge and skills to have an understanding of the fundamental legal principles relating to Patents, copyright, patents, designs, trademarks and unfair competition. This will also help him to recognize the importance of IP and to educate the pupils on basic concepts of Intellectual. They will learn the procedure of obtaining Patents, Copyrights, Trade Marks & Industrial Design. He will also understand current and emerging issues relating to the intellectual property protection, including those relating to indigenous knowledge, biotechnology and international trade.

UNIT-I

- Meaning, Nature, Rationale behind protecting IP; Classification of Intellectual Property,
- The main forms of Intellectual Property — Copyright, Trademarks, Patents, Designs, Geographical Indications, Semiconductors and Integrated Circuits, Plant Varieties, Traditional Knowledge.
- Jurisprudential Theories
 - a) Locke's Theory on IPR (Labour Theory).
 - b) Hegel's Theory on IPR (Personality Theory).
 - c) Incentive Theory

UNIT: II

- Introduction to the leading international instruments concerning Intellectual Property Rights
 - a) The Berne Convention;
 - b) Universal Copyright Convention;
 - c) The Paris Union;
 - d) Patent Cooperation Treaty
 - e) Madrid Agreement
- The World Intellectual Property Organization (WIPO)
- TRIPS – Relevant Provisions.

UNIT: III

The Copy Right Act, 1957

- Meaning of copyright — Copyright in literary, dramatic and musical works, computer programmes and cinematograph films
- Neighbouring rights — Rights of performers and broadcasters, etc.
- Registration of Copyright; Term of Copyright;
- Ownership and Assignment of copyright — Author's special rights
- Notion of infringement — Criteria of infringement — Infringement of copyright in films, literary and dramatic works
- Fair Use
- Authorities under the Act — Remedies for infringement of copyright

UNIT: IV

Intellectual Property in Trademarks

- The Trade Marks Act, 1999— Definition of Trademarks — Service Mark, well known Trade Mark, Collective & Certification Marks; Distinction between Trademark and Property Mark - Registration — Passing off- Infringement of Trademark — Criteria of Infringement — Remedies — Trademark and Domain Name Interface.

UNIT: V

Patents

- Definition of Patents; — Patentable Inventions
- Kinds of Patents
- Procedure for obtaining patent
- The Patents Act, 1970: Recent amendments
 - Rights and obligations of a patentee
 - Term of patent protection
 - Use and exercise of rights
 - Exclusive Marketing Rights
 - Infringement of patent rights and remedies available.

hu

dmn
N

111
md

h
pp

BC

UNIT: VI

- Geographical indication under GI Act 1999, Definition, rationale for protection, Term of protection, Registration Process, infringement and remedies. Landmark cases
- Plant varieties
- Traditional knowledge.

SUGGESTED READINGS:

- 1) G.B. Reddy – Intellectual property Rights & Law, Gogia Law agency Hyderabad.
- 2) Comish W.R. Intellectual Property, Patents, Trademarks, Copyrights and Allied Rights.
- 3) Vikas Vashisht – Law and Practice of intellectual Property, (1999), Bharat Law House Delhi.
- 4) P. Narayanan – Intellectual Property Law, (1999), (ed), Eastern Law House, Calcutta.
- 5) Bibeck Debroy – (ed), Intellectual Property Rights, (1998), Rajiv Gandhi Foundation, Delhi.
- 6) Comish W.R. – Intellectual Property, (3rd Edn), (1996), Sweet & Maxwell.
- 7) W.R. Mann – Transfer of Technology (1982).
- 8) Mata Din – Law of Passing Off and Infringement Action of Trademarks (1986).
- 9) P.S. Sangal & Kishore Singh – Indian Patent System and Paris Convention – Legal

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B VI SEMESTER 3 YEARS PROGRAMME

LAND LAWS

ELECTIVE COURSE (EC): 6.1

COURSE OBJECTIVES: The objective of this paper is to focus on the classification of lands, the concept of ownership and relevant provisions of The Maharashtra Regional and Town Planning Act, 1966, The Maharashtra Land Revenue Code, 1966. The course provides the detailed knowledge of land law reforms, broad concept of agriculture, relationship between land and man, concepts and applications



including analysis of tenure holders, their interests, rights and liabilities, ownership, possession, succession, surrender, abandonment, mortgage, lease and the use of modern techniques for demarcation and digitalization of Revenue Records and procedure of the Revenue Courts. It also deals with consolidation of holdings, mutation proceedings and local authorities at village level.

LEARNING OUTCOMES: On successful completion of this course students will be able to explain the notion of agricultural land and apply land law concepts relating to tenure holders, ownership, possession, succession, surrender, abandonment, mortgage, lease and tenancies. They will be able to learn about maintenance and revision of village record, gain knowledge about the concept of land revenue and its assessment, understand about the procedure of Revenue Courts and remedies in case of any illegal encroachment and get a deep insight about the management of land and other property by local authorities.

UNIT: I

- Classification of lands
- Ownership of Land, absolute and limited ownership (tenancy, lease etc.)
- Doctrine of Eminent Domain
- Doctrine of Escheat and Bona Vacantia
- Constitutional Remedies – Right to Property
- Implications of 73rd & 74th Constitution Amendment Act, 1993

UNIT: II

- The Right to Fair Compensation and Transparency in Land Acquisition,
- Rehabilitation and Resettlement Act 2013
- Definitions
- Determination of Social Impact and Public Purpose
- Preliminary Investigation for determination of Social Impact and Public Purpose
- Special Provision to Safeguard Food Security
- Notification and Acquisition
- Rehabilitation and Resettlement Award
- Procedure and Manner of Rehabilitation and Resettlement

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

113
[Handwritten signature]

[Handwritten signature]

- National Monitoring Committee for Rehabilitation and Resettlement
- Establishment of Land Acquisition, Rehabilitation and Resettlement Authority
- Apportionment of Compensation, Payment and Temporary Occupation of Land
- Offence and Penalties.

UNIT: III

- The Maharashtra Regional and Town Planning Act, 1966
- Definitions
- Provisions Relating to Regional Plan
- Establishment of Region and alteration of limits
- Constitution, Power and Duties of Regional Planning Board
- Regional plan; Contents, Procedure and Publication of Regional plan
- Development Plan; Contents, Procedure and Publication
- Interim development plan
- Penalty for Unauthorized development
- Preparation and Contents of Town Planning scheme;
- New Town Development Authority

UNIT: IV

- The Maharashtra Land Revenue Code, 1966
- Revenue Officers
- Chief Controlling Authority, Revenue Officer in districts and their power and duties
- Classes of persons holding land - Disposal of intestate occupancies-Occupancies to be transferable and restriction on transferability;
- Procedure for Conversion of use of land from one purpose to another
- penalty for using land without permission
- Procedure for Construction of Water Course Through Others Land
- Removal of encroachment of land vesting in Government, regularization of encroachment
- Summary eviction, Relinquishment of alienated land- Right to relinquished land

Handwritten signatures and initials at the bottom of the page, including the number 114.

UNIT: V

- The Maharashtra Land Revenue Code, 1966
- Penalty for default of payment of land revenue
- Process of recovery of arrears, Arrest and Detention of defaulter
- Boundary and Boundary Marks
- Fixation, Determination and demarcation of Boundaries, disputes regarding boundaries
- Straightening out crooked boundaries
- Land record, Record of right, Register of Mutation
- Nistar patrak and Wajib-Ul Arz
- Appeal, Revision and Review, Maharashtra Revenue Tribunal

UNIT VI

- Key features of the Laws dealing with, while purchasing or selling of land /immovable properties by individual, organization etc.
- Indian Registration Act 1908 (Section 17, 18 and 19)
- Role of Local authorities while regulating and administering the Land records -MHADA, City survey property card, Role of Surveyor in urban infrastructure development, Nagar Parishad, Municipal Corporation and Improvement Trust.

SUGGESTED READINGS:

1. A. K. Gupte and Dighe, The Maharashtra Land Revenue Code ,1966Hind Law House, Pune
2. Sameer Tendulkar and H. M. Bhatt, MRTP Act 1966, Noble Law House, Mumbai
3. Bare Act, The Maharashtra Land Revenue Code ,1966
4. Bare Act, MRTP Act 1966
5. Bare Act, The Land Acquisition Act,1894R. Choudhari, The Land Acquisition Act, Orient Law agency, Allahabad
6. A. B. Puranik, Law of Land Acquisition & Compensation, III rd Edition, Orient, Allahabad.
7. S. R. Majumdar, The Maharashtra Regional Town Planning Act, Bhupesh Publication.
8. Bare Acts of Indian Registration Act 1908 MHADA,1976

the

dimn

A

115
MAD

R

SR

SK

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

LL. B VI SEMESTER 3 YEARS PROGRAMME

LAW OF TRUST

ELECTIVE COURSE (EC): 6.2

COURSE OBJECTIVE: The objective of the course is to acquaint the students with the concept of general equity evolution of law thereto coupled with fusion of law and equity with stress on concept of trust and Indian trust Act, 1882. To enable the students in understanding duties, rights, liabilities and power of trustee and beneficiary. This course aims to let the student know the provision of Termination of Trust.

LEARNING OUTCOME: This course acquaints the students with the general equitable principles some of which are already finding mention in various statute and in addition students can acquire in depth knowledge of institutions like trust. The student will aware of the relevant provisions of special legislation namely Bombay Public Trust Act, 1950

UNIT: I- EQUITY

- Origin, Growth & Concept of Equity
- Development of law: common law and equity.
- Relation between Equity & Common Law
- Maxims of Equity

UNIT: II- TRUST (INDIAN TRUST ACT 1882)

- The concept of trust
- Distinction of Trust with agency and contract
- Development of Trust Law
- Creation of Trust
- Definition, Rules, Classifications.

- Benefits of Trust
- Charitable & Religious Trust

UNIT: III- TRUSTEE: DUTIES OF TRUSTEES & RIGHTS OF TRUSTEES, POWERS OF TRUSTEES

- **Duties:** Execution, Acquaintance with the nature of property, Duties in respect of title, Duty of care, Conversion, Impartiality, Prevention of waste, keeping of accounts and giving of information, Investment, Sale, Liability for breach of trust.
- **Rights:** Title deed, Reimbursement, Indemnity, Seeking direction from court, Settlement of accounts, General authority.
- **Powers:** Sale, varying of investment, Property of minors, giving receipts, Power to compound, compromise and settle, Exercising authority on death or disclaimer of one of the trustees, Suspension of trustee's power.
- Disabilities of trustees

UNIT: IV- RIGHTS AND LIABILITIES OF BENEFICIARIES.

- **Rights:** Rents and profits, Specific execution, Inspection and information, Transfer, Suit for execution, to have proper trustees, right to compel the trustee to do the duties, Rights on wrongful purchase or acquisition by trustees, follow up of trust properties in the hands of third parties, Blending of property by trustee, Wrongful application of trust property by partner trustee for partnership purposes.
- Liabilities of beneficiaries.
- Discharge of Trustees
- Appointment of New Trustees
- Extinction of Trust

UNIT: 5-CONSTRUCTIVE TRUSTS: THE EQUITABLE AND FIDUCIARY RELATIONSHIP.

- Transfer without intent to dispose beneficial interest.
- Trust incapable of execution and trusts executed fully without exhausting property the cypress doctrine.
- Transfer and request for illegal purpose.
- Transfer pursuant to rescindable contract.
- Debtor becoming creditor's representative.

Alu

dim
[Signature]

117
[Signature]

[Signature]
[Signature]

[Signature]

- Advantage from undue influence.
- Advantage by qualified owner.
- Property acquired with notice of existing contract.
- Purchase by person contracting to buy property to be held on trust.
- Possession of property without whole beneficial interest.
- Duties of constructive trustees.
- Right to bonafide purchasers

UNIT: VI--SPECIAL LEGISLATION (REFER TO BPT ACT, 1950- RELEVANT PROVISIONS)

- Charitable and religious trust
- Registration of public trust
- Budget Accounts and Audit
- Public Trust Administration Fund
- Offences and penalties

SUGGESTED READINGS:

1. M. P Tandon's, Indian Trust Act 1882 (with Fiduciary Relations), Allahabad Law Agency
2. S. Krishnamurthy Aiyar and Harbans Lal Swin, Principles and Digest of Trusts Laws (1998), University Book Agency, Allahabad.
3. R.H. Mandsley and E.H. Burn, Trust and Trustees: Casca and Materials (1978) Butterworths, London.
4. R.E. Megarry and P.V. Baker, Snell 's principles of Equity (1964) ELBS, sneet and Maxwell.
5. Philip H. Pettit, Equity and Law of Trust (1970)
6. Bombay Public Trust Act, 1950

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus.

118

The bottom of the page features several handwritten signatures and initials in blue ink. From left to right, there is a signature that appears to be 'A.', another signature 'S.M.', the number '118' in the center, a signature 'P.R.', and a final signature 'M.' on the far right.

LL. B VI SEMESTER 3 YEARS PROGRAMME
MOOT COURT AND INTERNSHIP
(CLINICAL PAPER- IV)
SKILL BASED COURSE (SC): 6.1

COURSE OBJECTIVES: Practical paper of Moot Court, includes actual Mooting on given propositions drafted by lawyers based on some actual case, as well as the practical paper covers client counselling, which is done in lawyers chamber or NGOs, or being attached to some company legal department. The students have to study one civil and criminal case and maintain a daily record of the court visits and other legal work they are entrusted by the senior lawyer. Mooting is an exercise that helps a law student develop all of the necessary habits and grasp all of the court's policies and processes to better prepare him for his future. One of the most beneficial aspects of mooting is that it allows you to meet and socialize with a large number of people from all around the world. As students from various schools and institutions come together to represent themselves, it provides an opportunity for them to gain exposure to the outside world.

LEARNING OUTCOME:

1. **Writing and Researching Skills:** Participating in moot court contests helps students to improve their research abilities because it is based on their research that they will be arguing their case and defending their side, as well as constructing a good moot court memorial on which the opposing team will raise objections and interrogate them. This can also help them to improve their skills in adapting to sudden situations and dealing with uncomfortable scenarios.
2. **Building Self-Belief:** Mooting helps a person gain confidence in talking and presenting their point of view to others. It aids in the development of a person's confidence to the point where they are not afraid to question or speak in front of others and can effectively fight cases.
3. **Practical Experience:** Mooting assists students who are studying law by providing practical implications and knowledge that they would not find in books and would be unaware of, as practical and theoretical knowledge is like two sides of the same coin, and to pass the hurdle you must study both of them, even though they appear to be the same but are opposite in reality.
4. **Collaboration:** Moot court contests are held at the school or institutions that host them, and teams from several colleges compete. The team consists of three students, one of whom serves as the researcher and the other two as presenters, expressing opposing viewpoints. This teaches students how to work

successfully as a team and examine their strengths and weaknesses, as well as how to improve them to reach optimum efficiency. It also teaches you how to work with people who are different from you and how to collaborate with them.

This paper has three components of 30 marks each and viva-voce for 10 marks.

(A) Moot Court (30 marks): Every student is required to participate in at least three moot courts in the X Semester with 10 marks for each. The moot court work will be on an assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

Marks will be given on the basis of written submission and oral advocacy. Written submissions shall include brief summary of facts, issues involved, provisions of laws and arguments, citation, prayer, etc. Marks for oral advocacy may be awarded for communication skills, presentations, language, provisions of law; authorities quoted, court manners, etc. Written Memorials submitted by the students shall be kept by the College for Further Verification.

The performance of student in the moot court shall be evaluated by a committee consisting of (i) Principal of the College (ii) an Advocate with 10 years' experience at the Bar; and (iii) the teacher concerned.

(B) Observance of Trial in two cases, one Civil and one Criminal (30 marks):

Students are required to attend courts to observe at least one civil and one criminal case. They shall maintain a record and enter the various steps observed during their attendance on different days in the court. The Court Observation Record submitted by the students should be evaluated by a committee consisting of (i) Principal of the College/the concerned teacher (ii) External Examiner appointed by the University and (iii) an Advocate with 10 years' experience at the Bar. Court attendance shall be compulsory and details shall be recorded in a Record Book kept therefor. This may be carried under the supervision of a teacher of the college. This scheme will carry 30 marks.

(C) Interviewing Techniques and Pre-Trial Preparations and Internship/Court Visit Diary (30 marks):

Each student should observe two 'interview sessions' of clients either in the Lawyer 's Office or in the Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student has to further observe the preparation of documents and court papers by the Advocate and the procedure for the

The bottom of the page features several handwritten signatures and initials in blue ink. From left to right, there is a signature that appears to be 'A', a signature that looks like 'Suman', a signature that is partially obscured and possibly 'S.P.', a signature that is a simple 'P.P.', a signature that is a simple 'A', and a signature that is a simple 'A'. There are also some small dots and marks scattered around the signatures.

filing of the suit / petition. This shall be recorded in the diary which will carry 15 marks. The diary shall clearly indicate the dates on which the above observations are made and they shall be authenticated by the advocate concerned. Evaluation of the above diary shall be made by the committee consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, Board of Studies in Law, and (iii) an Advocate with 10 years' experience at the Bar.

(D) Viva-voce (10 marks):

There shall be viva-voce examination on all the above three components. The Viva-voce Board consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law; and (iii) an advocate with 10 years' experience at the Bar shall evaluate the student in the Viva. The proceedings of the viva-voce shall be recorded.

NOTE:

- ATTENDANCE AND COMPLIANCE TO ALL THE AFORESAID COMPONENTS IS COMPULSORY. THE STUDENTS WILL HAVE TO SCORE ATLEAST 40% OF MARKS IN EACH OF THE ABOVE COMPONENTS.
- THE ABOVE RECORDS, DIARY CERTIFIED BY THE UNIVERSITY REPRESENTATIVE APPOINTED BY THE CONTROLLER OF EXAMINATIONS INCONSULTATION WITH THE CHAIRMAN, BOS IN LAW SHALL BE SUBMITTED TO THE UNIVERSITY FOR FURTHER VERIFICATION.

SUGGESTED READINGS:

1. Dr. Kailash Rai: *Moot Court Pre-Trial Preparation and Participation in Trial Proceedings*, Central Law Publication.
2. Amita Danda: *Moot Court for Interactive Legal Education*, Gogia Law Agency, Hyderabad.
3. Blackstone's: *Books of Moots*, Oxford University Press.
4. Mishra: *Moot Court Pre-Trial Preparation and Participation in Trial Proceedings*, Central Law, Allahabad.

Handwritten signatures and initials at the bottom of the page, including the number 121.

Note: In view of the fact that many legislative amendments and court decisions could be handed down on the topics covered hereinabove after this syllabus has been made applicable, students are expected to study all such latest amendments and court decisions on the topics mentioned in the aforesaid syllabus

[Handwritten signature]

[Handwritten signature]

122

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]
P.R.