

## Ordinance

### **Ten Semester B.A. LLB. Five Year Degree Course (Session 2014-15 & Onwards)**

Whereas it is essential to adopt and implement the revised curriculum and rules formulated and approved by Bar Council of India, the Bundelkhand University, Jhansi (U. P.) hereby adopts Ten-semester B.A.LL.B Five Year Degree Course of study and frames these Ordinances for the implementation from the academic year 2014-15.

#### **1. The Degree of Bachelor of Laws (Integrated)**

The Bundelkhand University may confer the Degree of Bachelor of Laws (Integrated) on such candidates who, being eligible for admission to the Five Year B.A.LL.B. Degree Course, have received regular instructions in the prescribed courses of study, undergone required practical training, passed relevant examinations and being otherwise suitable by virtue of their character, have fulfilled such other conditions as may be laid down from time to time.

#### **2. Eligibility for Admission**

The admission to Five-Year B.A.LL.B. Degree Course shall be made on the basis of merit list prepared according to the percentage of the marks obtained by candidates in the qualifying examination plus the weightage, if any, for which the candidate may be entitled as per university rules. The percentage will be calculated up to three figures after decimal point. The eligibility criteria is as follows:

- (i) An applicant who has 10+2 in any discipline of knowledge from a School recognized by Bundelkhand University, Jhansi may apply for a Five Year degree programme in Law.
- (ii) For general candidates 45% marks and for SC/ST candidates 40 % marks in qualifying examination i.e., 10+2 in any discipline.
- (iii) The B.A.LL.B. programme is a five year full-time course and no student shall be allowed to simultaneously register for a law degree programme with any other graduate course run by the same or any other university.
- (iv) NO candidate shall be admitted to Second/ Third/ Fourth/ Fifth/ Sixth / Seventh/ Eighth/ Ninth semester on transfer unless the same course of study is prescribed in transferring university and prior opinion of Dean is obtained.
- (v) Reservations in admission will, be given as per Government/university rules/orders made from time to time.

#### **3. The Curriculum and Duration of Studies**

- (i) The curriculum of study for the B.A.LL.B. Degree shall comprise of the courses set out in Schedule-A.
- (ii) The contents of the courses of study shall be such as set out in Schedule-B.  
Provided that the Board of Studies in Law may make such changes in the contents of the courses of study as and when it deems necessary, and report the matter to the Faculty of Law.
- (iii) The curriculum of study for the B.A. LL.B. Five Year Degree Course shall be spread over five academic years, and shall be divided into Ten semesters for the examination purposes, called as First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth semesters. Each academic year shall be divided into two semesters.
- (iv) Each semester course shall be conducted in not less than 18 weeks with not less than 30 class-hours per week including tutorials, moot court, seminars provided there shall be at least 24 lecture hours per week as presented by Bar Council of India.
- (v) The medium of instruction and examination shall be English or Hindi.

#### **4. Course of Study**

A candidate for the five year B.A.LL.B degree course shall be required:

- (i) To study five papers in first to fourth semester and Four papers in fifth to tenth semester including clinical papers and one Legal and General English paper in tenth semester and must pass in all 45 papers with a minimum of 40% marks in each paper and 48% marks in aggregate in order to qualify for B.A.LL.B. degree .
- (ii) A candidate shall be examined in 14 compulsory First degree papers (which shall include 01 major subject consisting of 06 papers. A Student may opt any one paper as major and two

- papers as minor out of Political science, History, Sociology and this choice must be exercised in the first semester by the student so that he cannot convert the minor into major in subsequent semesters. English consisting of 02 papers and other 02 minor subjects consisting not less than 03 papers each and 20 compulsory Law theory papers, 04 compulsory Law practical papers and 06 optional theory papers and one Legal and General English paper from first to Tenth semester carrying 70 marks for each paper through written examination conducted by the University and 30 internal marks for each paper awarded by the concerned college/department/institute of law affiliated to university.
- (iii) To study four compulsory clinical papers prescribed in Seventh, Eighth, Ninth and Tenth semester carrying 50 marks for each paper through written examination conducted by the university and 50 marks for each paper awarded by the concerned college/department/institute of law affiliated to university through practical work/viva-voce as prescribed by the Bar Council of India.
  - (iv) Each student shall have completed 12 weeks internship for five year course during V to X semester provided that internship in any year cannot be for a continuous period of more than four weeks and it shall be evaluated in the final semester of the course in the 4th clinical course.
  - (v) Each institution shall establish and run a Legal Aid Clinic with The help of final year students and in co-operation with the Legal Aid Authorities.

## **5. Examination**

### **A. General.**

- (i) There shall be an examination at the end of each semester of five year study programme. Every student registered in any semester shall be eligible to appear in the, concerned examination of the respective semester subject to the attendance requirement as prescribed by the Bar Council of India and the University and calculated on the semester basis.
- (ii) A candidate for the five year degree of Bachelor of Laws shall be required to pass in all the prescribed courses within the span of 10 years from the academic session of his/her admission.
- (iii) A candidate shall be examined in All compulsory and optional theory papers and one legal and general English paper from first to tenth semester carrying 70 marks for each paper through written examination conducted by the university and 30 internal marks for each paper awarded by the concerned college/deptt./institute of law affiliated to university.
- (iv) A candidate shall also be examined in 04 compulsory clinical papers of 50 marks each through written examination and 50 marks each through practical work/viva-voce.
- (v) A student must pass in all the 45 papers with a minimum of 40% marks in each and 48% in aggregate in order to qualify for the B.A.LL.B. degree.
- (vi) One question paper shall be set in each of the course prescribed for study and examination. Each paper shall be of three hours duration carrying 70 marks and 30 internal marks shall be awarded by the concerned law college/deptt./institute.
- (vii) In 04 compulsory clinical papers, the student shall be awarded marks out of 50 on the basis of practical work/viva-voce and the written examination shall be held for the remaining 50 marks.
- (viii) There shall be one examination at the end of each semester in each of the courses prescribed. A student must pass each paper with a minimum of 40% marks in each and 48% in aggregate in order to qualify for the B.A.LL.B. degree.
- (ix) There shall be a viva voce examination for each compulsory clinical paper prescribed in VII, VIII, IX and X semester.

### **B. Scale of Marks, Division and Distinction.**

- (i) Each compulsory and optional paper in the B.A.LL.B. examination shall consist of 100 marks.  
Provided that 70 marks in each paper shall be reserved for award on the basis of written theory paper and 30 internal marks awarded by the concerned college/deptt./institute on the basis of project work/seminar/sessional examination including discussion pertaining to the concerned paper, regularity and alertness in the class.

- (ii) Each compulsory clinical paper in the B.A.LL.B. examination shall consist of 100 marks. Provided that 50 marks in each paper shall be reserved for award on the basis of written examination and 50 marks on the basis of practical work/viva-voce as prescribed by the Bar Council of India.
- (iii) Minimum pass marks in each paper 40% (taken Separately of the written theory paper, internal marks and practical/viva voce as the case may be) and 48% in aggregate (taken together of all the semesters).

**Division.**

**First Class :** 60% and above of the aggregate of marks in X semesters.

**Second Class :** 48% and above of the aggregate of marks in X semesters.

**Distinction and Merit.**

A candidate who without failing in any course, secures an average of 75% or more marks in the aggregate of all the X semesters may be declared to have obtained distinction and merit shall be determined accordingly.

**6. Promotion Rules**

- (i) No student shall be promoted to the next semester if he/she has been detained in the examination for shortage of attendance.
- (ii) Subject to sub-rule (I) above, a student of B.A.LL.B. I, III, V, VII or IX semester shall be eligible for promotion to II, IV, VI, VIII or X semester respectively irrespective of the number of courses (papers) in which he/she has failed to pass or failed to appear in the I, III, V, VII or IX semester examinations.
- (iii) Subject to sub-rule (i) and (ii) above, a student of B.A.LL.B. second semester shall be eligible for promotion to third semester if he/she has passed in at least 50% papers of first and second semester examinations taken together and a student of fourth semester shall be eligible for promotion to fifth semester if he/she has passed in at least 50% papers of third and fourth semester examination taken together and student of sixth semester shall be eligible for promotion to seventh semester if he/she has passed in at least 50% papers of fifth and sixth semester examinations taken together and a student of eighth semester shall be eligible for promotion to ninth semester if he/she has passed in at least 50% papers of seventh and eighth semester examination taken together.
- (iv) A student who is not eligible for promotion to third semester as specified under sub-rule (iii), has to appear in first and second semester examination as an ex-student along with the concerned semester examination of next session.
- (v) A student who is not eligible for promotion to fifth semester as specified under sub-rule (iii), has to appear in third and fourth semester examination as an ex-student along with the concerned semester examination of next session.
- (vi) A student who is not eligible for promotion to seventh semester as specified under sub-rule (iii), has to appear in fifth and sixth semester examination as an ex-student along with the concerned semester examination of next session.
- (vii) A student who is not eligible for promotion to ninth semester as specified under sub-rule (iii), has to appear in seventh and eighth semester examination as an ex-student along with the concerned semester examination of next session.
- (viii) A student who has secured minimum pass marks in each paper but failed to secure aggregate of 48% will be allowed back paper examination in the next year.
- (ix) A student who fails to secure minimum pass marks in any paper/papers of I,II,III,IV,V,VI,VII, and VIII semesters shall be required to appear in the examination of the concerned back paper/papers of the concerned examination of the next year.
- (x) A student who fails to secure minimum pass marks in any paper/papers of IX and X semester or 48% in aggregate taken together of all the semesters, shall be required to appear in the Special Back Paper/Papers examination to be held in August/September of subsequent year.

- (xi) There shall be no Special Back Paper examination for I,II,III,IV,V,VI,VII and VIII semester students. However, students who fail to pass or appear in the papers of B.A.LL.B. I,II,III,IV,V,VI,VII and VIII semester shall be eligible to appear in the concerned paper or papers of the respective semesters along with the students of next academic session.
- (xii) In order to improve their previous performance in any subject, the students will be permitted to take the examination at the next available opportunity only when they have passed that subject in the first attempt.

### **7. Re-admission Rules**

- (i) There shall be no re-admission in the B.A.LL.B. first semester under any circumstances including detention for shortage of attendance in that semester.
- (ii) A student who has been detained for shortage of attendance or for applying late for admission II,III,IV,V,VI,VII,VIII.IX or X semester shall be eligible for readmission in the same semester in which he/she had been detained provided (a) he/she seeks re-admission before commencement of teaching in the relevant semester; (b) his/her conduct has been satisfactory and (c) he/she shows sufficient cause for his/her discontinuance of studies or for not having put in the requisite percentage of attendance to the satisfaction of Dean, Faculty of Law.
- (iii) An applicant who has failed in examination or failed to appear at the examination and who is otherwise eligible to appear at the examination as an ex-student, shall not be admitted as a regular student.

### **8. Span Period**

A student must clear all the courses offered in all the semesters within a span of 10 years from the date of admission to first year of B.A.LL.B. course. No student shall be admitted as a candidate for any B.A.LL.B. examination after 10 years from the date of admission to the first year of the course.

### **9. Clinical Courses, Legal Aid Clinic and Moot Court Fee**

Bar Council of India Rules of Legal Education, 2008 has introduced compulsory clinical courses, establishment of legal aid clinic, moot court exercises, internship and compulsory computer education for law students. In order to conduct the above programmes, the following fee may be charged from every student each year by the concerned college/deptt./institute.

- (i) Moot Court Fee ----- Rs.100/-
- (ii) Case material fee ----- Rs.100/-
- (iii) Law Journal fee ----- Rs. 50/-
- (iv) Legal Aid Clinic Fee ----- Rs.100/-
- (v) Conference/seminar/workshop fee ----- Rs.100/-
- (vi) Computer Education fee -----Rs.200/-
- (vii) internship fee-----Rs.200/-
- (viii) Legal Literacy camps/legal tours -----Rs.1 00/-
- (ix) Law Library Development fee -----Rs. 50/-
- (x) Sessional examination fee ----- Rs.100/-

The above fee shall be credited to the “Clinical Training and Moot Court Fund” account and shall be utilized for the above purposes by the law college/deptt./institute. The account should be operated jointly by the Principal/Head and senior most teacher of the Law collage/institution.

### **10. Miscellaneous Provisions**

- (i) These Ordinances contained herein shall be deemed to have come into effect from the academic session 2014-2015 to the extent of its applicability.
- (ii) Any provision contained in earlier Ordinances in this regard repugnant to the present Ordinances shall stand deleted.
- (iii) The Dean of the Faculty of Law shall have power to remove all difficulties in interpretation and/or application of these Ordinances which shall be final.

## **PROGRAM OUTCOMES (POs)**

**PO1. Legal Knowledge:** To acquire & apply legal knowledge to the complex Socio-legal problems.

**PO2. Professional Practice:** to make students eligible to practice in Courts, Industries, Companies as legal practitioner.

**PO3. Professional Skills:** To possess professional skills required for legal practice such as Argument, Pleading, drafting, conveyancing etc.

**PO4. Professional Ethics:** To understand and apply principles of professional ethics of legal profession.

**PO5. Legal research & legal reasoning:** to develop legal research skills & legal reasoning and apply it during programme & in Legal practice.

**PO6. Self-reflection & lifelong learning :** To develop an attitude of self-reflection while learning & Recognize the need for, and have the preparation and ability to engage in independent and life-long learning in the broadest context of changing legal contexts.

**PO7. Self-employability:** To provide a platform of self-employability by developing professional skills in legal industry.

**PO8. Leadership skills:** To develop leadership qualities amongst students.

**PO9. Lifelong Learning:** To make awareness about Constitutional legislative & societal transformation in society & to develop clinical abilities.

**PO10. Lawyering skills:** Every graduate will become skilled in legal research, written and oral communication, teamwork, advocacy, and problem-solving.

## **PROGRAM SPECIFIC OUTCOMES (PSOs)**

**PSO1.** Should be able to Demonstrate understanding of substantive and procedural law sufficient to enter the legal profession and professions in which legal knowledge is an advantage.

**PSO2.** Should be able to associate the learning from the courses related to Law and Management.

**PSO4.** Should be able to Gather and interpret relevant facts and conduct legal research.

**PSO5.** Should have the capability to understand the laws at national and global level and to solve the client's problem.

**PSO6.** Should possess the skills to communicate in both oral and written forms and ability to formulate legal problems and using appropriate concepts and methods to solve them.

**PSO7** should use skills in specific areas (e.g. Criminal, industrial-organizational, clinical, counselling, social, community).

**PSO8** should analysing social problems and understanding social dynamics.

## **SCHEDULE-A**

### **B.A., LL.B. SEMESTER**

Semester wise arrangement of papers is as follows:

#### **I SEMESTER**

- 1221/BL - 101 - General English - I
- 1222/BL - 102 - Political Science – I ( Major/Minor)
- 1223/BL - 103 - History - I (Major/Minor)
- 1224/BL - 104 - Sociology - I (Major/Minor)
- 1225/BL - 105 - Constitutional Law - I

#### **II SEMESTER**

- 1226/BL - 201 - General English - II
- 1227/BL - 202 - Political Science - II( Major/Minor)
- 1228/BL - 203 - History - II (Major/Minor)
- 1229/BL - 204 - Sociology - II (Major/Minor)
- 1230/BL - 205 - Constitutional Law - II

#### **III SEMESTER**

- 2221/BL - 301 - Political Science - III (Major/Minor)
- 2222/BL -302 - History - III (Major/Minor)
- 2223/BL - 303 - Sociology - III (Major/Minor)
- 2224A/BL 304A Political Science IV/2224B/BL 304B -History IV/2224C/BL304C -Sociology-IV(MajorIV)
- 2225/BL - 305 – Environmental Law

#### **IV SEMESTER**

- 2226A/BL -401A Political Science V/2226B/BL -401B History V/2226C/BL -401C Sociology-V(MajorV)
- 2227A/BL – 402A Political Science VI/2227B/BL – 402B History VI/2227C/BL – 402C Sociology-I(MajorVI)
- 2228/BL - 403 - Law of Crime I (I.P.C.)
- 2229/BL - 404 – Law of Contract
- 2230/BL - 405 – Special Contract

#### **V SEMESTER**

- 3221/BL -501 – Law of Torts including M.V. accident and Consumer Protection Laws
- 3222/BL - 502 - Labour Law- I
- 3223/BL - 503 – Family Law – I (Hindu Law)
- 3224/BL - 504 - Women and Criminal Law

#### **VI SEMESTER**

- 3225/BL - .601 – Company Law
- 3226/BL - 602 - Labour Law- II
- 3227/BL - 603 – Family Law – II (Muslim Law)
- 3228/BL - 604 - Principles of Taxation Law

#### **VII SEMESTER**

- 4221/BL - 701 - Jurisprudence
- 4222/BL - 702 –Public International law
- 4223/BL - 703 - Interpretation of statutes
- 4224/BL - 704 - Alternate Dispute Resolution (clinical paper III) + Viva Voce

#### **VIII SEMESTER**

- 4225/BL - 801 - Law of Evidence
- 4226/BL - 802 - Administrative Law
- 4227/BL - 803 - Human Rights Law and Practice including R T I
- 4228/BL - 804 - Professional Ethics & Professional Accounting system (clinical paper II)+Viva Voce

## **IX SEMESTER**

**5221/BL - 901 – Civil Procedure code and limitation Act**

**5222/BL - 902 - Criminology and Penology**

**5223/BL - 903 – Land Law Including Tenure and Tenancy System**

**5224/BL - 904 - Drafting, Pleading and Conveyance (clinical paper I) + Viva Voce**

## **X SEMESTER**

**5225/BL - 1001 – Intellectual Property Law**

**5226/BL - 1002 - Property Law**

**5227/BL - 1003 - Law of Crime II : Criminal Procedure Code**

**5228/BL - 1004 - Moot Court exercise and Internship (clinical paper IV) + Viva Voce**

**5229/BL – 1005 – Legal and General English**

## **SEMESTER 1**

### **BL 101/1221**

#### **GENERAL ENGLISH –I**

##### **Course Outcome:**

At the end of the course, a student will be able to understand

**CO1** Scan complex legal texts. Summarize information and reconstruct arguments in a coherent presentation.

**CO2** Produce organized and coherent communications and essays with clear paragraphs and appropriate methods for introducing and concluding.

**CO3** Produce well-supported communications and essays using different patterns of development taking into consideration purpose and audience.

### **BL-102/1222**

#### **POLITICAL SCIENCE – I (PRINCIPLES OF POLITICAL SCIENCE)**

**CO1** understands the world, their country, their society, as well as themselves and have awareness of ethical problems, social rights, values and responsibility to the self and to others.

**CO2** Understand different disciplines from natural and social sciences to mathematics and art, and develop interdisciplinary approaches in thinking and practice.

**CO3** Think critically, follows innovations and developments in science and technology, demonstrate personal and organizational entrepreneurship and engage in life-long learning in various subjects.

### **BL-104/1224**

#### **SOCIOLOGY I (BASIC CONCEPTS OF SOCIOLOGY)**

**CO1** Define theory and describe its role in building sociological knowledge.

**CO2** Compare and contrast basic theoretical orientations.

**CO3** Describe how sociology differs from and is similar to other social sciences, and give examples of these differences

### **BL – 105/1225**

## **CONSTITUTIONAL LAW – I**

**CO1** Understand and describe areas of criminal justice, law and society through a critical analysis of the subject

**CO2** Analyze lacunas within the criminal justice system and suggest the amendments have to make to provide the justice according to the changing needs of the society.

**CO3** summarize the process of judicial review and identify criteria used by courts to evaluate the constitutionality of criminal law of India.

## **SEMESTER II**

### **BL-201/1226**

#### **GENERAL ENGLISH -II**

**CO1:** To adapt the texts to particular audience and purpose.

**CO2:** To articulate the thesis and present evidence to support it

**CO3:** To find evaluate and use appropriate bibliographic materials in the texts.

### **BL-202/1227**

#### **POLITICAL SCIENCE II**

(MAIN CURRENTS OF WESTERN POLITICAL THOUGHTS)

**CO1:** Define important field-specific theories and concepts, and understand their role in developing political science knowledge.

**CO2** Summarize conceptual argument or theoretical approaches, apply them to field-relevant situations, and support their application with appropriate evidence.

**CO3** Compare and evaluate the merits of multiple policies, theories, or concepts from different disciplinary perspectives.

### **BL-203/1228**

#### **HISTORY -II**

(INDIA FROM 7th CENTURY TO 15th CENTURY AD.)

**CO1** Students will distinguish between primary and secondary sources and identify and evaluate evidence.

**CO2** Students will demonstrate in discussion and written work their understanding of different peoples and cultures in past environments and of how those cultures changed over the course of the centuries.

**CO3** Students will demonstrate in written work and class discussions the ability to recognize and articulate the diversity of human experience, including ethnicity, race, language, gender, as well as political, economic, social, and cultural structures over time and space.

### **BL-204/1229**

#### **SOCIOLOGY –II(INDIAN SOCIETY)**

**CO 1:** To study the Indian Society Historical background, Structure and Composition of Indian Society Main Features: Demographic profile, Religious composition and Linguistic composition, Ideological concepts of Classical Period .

**CO 2:** CO2 Compare and contrast basic theoretical orientations.

**CO3** Describe how sociology differs from and is similar to other social sciences, and give examples of these differences.



**BL – 205/1230**

**CONSTITUTIONAL LAW –II**

**CO1:** Concept of ‘State’ in reference to the fundamental rights.

**CO2:** The fundamental rights and the procedure for compliance of fundamental rights and Writ jurisdiction of supreme court and high court under Article 32 and 226.

**CO3:** The duty of state and inter- relationship between fundamental rights and directive principles.

**SEMESTER III**

**BL-301/2221**

**POLITICAL SCIENCE-III (INDIAN POLITICAL THOUGHTS)**

**CO 1:** To study various political thinkers such as Manu and Kautilya, Raja Ram Mohan Roy, Dayanand Saraswati and Swami Vivekanand Ranade, Gokhale and Bal Ganga Dhar Tilak.

**BL-302/2222**

**HISTORY III**

**CO 1:** Conquest of Bengal and Awadh, Lord Clive’s Administrative reform and dual system in Bengal Warren Hastings- Administrative Reform and his Relations with Marathas regulating Act Pitts India Act.

**CO 2:** Haider Ali and Tipu Sultan- Lord Wellesely reforms and subsidiary alliance

**CO 3:** William Bentinck reforms, Lord Dalhousie’s reforms, Doctrine of Lapse Causes of revolts/outbreak of 1857 and its results Government of India Act 1858 Indian Council Act 1861.

**CO 4:** Religious reform Movements Brahma samaj, Arya samaj and Prarthana samaj, theosophical society.

**BL- 303/2223**

**SOCIOLOGY- III**

**CO 1:** Indian Social problems: definition and measurements characteristics Social Problems - I; Untouchability & Legislations Casteism, Poverty, pollution Social problems - II- Juvenile Delinquency & Legislations Crime and Legislations Unemployment, Population and law related.

**CO 2:** Community Development - I- Meaning and concepts, Urban community Development; Urban

community; Town, City, Metropolis slums and Housing Problems.

**CO 3:** Rural Community -Meaning, Concept and History, Rural Indebtedness Community Development –II Community Development Programmes

**BL- 304A–2224A Major**

**Political Science IV (International Relations)**

**CO 1:** International relations: Its meaning nature and scope. National Power and its elements, problems of its evaluation. Limitations on national power: International Law, collective security and balance of power.

**CO 2:** Foreign policy: Its definition and determinants the roles of national interest and ideology in formulation of foreign policy. The cold war and its origin and impact on international relations Emerging trends in International Power politics.

**BL- 304B–2224B Major**

**HISTORY- IV- Major**

**(INDIAN NATIONAL MOVEMENT)**

**CO 1:** Factors for the rise of National movement Establishment of Indian national Congress Swadeshi movement, Swaraj or Home rule movement.

**CO 2:** Struggle for freedom under Mahatma Gandhi, The Rowlatt Act, Jallianwala Bagh Massacre.

**CO 3:** The Quit India Movement- Achievement of Independence and Partition of India. The Integration of Indian States and their reorganization.

**BL- 304C–2224C Major**

**SOCIOLOGY-IV**

**CO 1:** Nature of Social Research; Meaning; Objective and Importance Sociology and Research Research Design - Meaning and Types Exploratory Design, Descriptive Design, Experimental Design.

**CO 2:** Data Collection Meaning, Concepts sources - Primary and Secondary, Techniques of Data collection; Observation method, Schedule and Questionnaire, Case study method Sampling - Definition and concept

**CO 3:** Methods - probability and non-probability Universe and population Hypothesis - Meaning, Objectives and Types Social phenomenon, nature and characteristics.

**BL- 305/2225**

**ENVIRONMENTAL LAW**

**CO1:** Analyse advanced and integrated understanding of the complex body of knowledge in the field of environmental law.

**CO2:** Develop the capacity to identify new law and apply existing law in the rapidly evolving legal context for environmental law

**CO3:** Understand in depth knowledge of the specialist area of environmental law and associated disciplinary areas.

**SEMESTER IV**

**BL-401A/2226A**

**Political Science – V -Major**

**(Indian Government & politics)**

**CO 1:** To study The Making of Indian Constitution And Its Sources Basic Features Of Indian Constitution Preamble, Fundamental Rights, Duties & Directive Principles of State Policy.

**CO 2:** To study Union Government: President, Parliament, Cabinet & Prime Minister The State Government: Governor, Council of Minister & The Chief Minister Centre-State Relations

**BL-401B/2226B**

**HISTORY-V**

**CO 1:** Indian Legislature under British Crown- Government of India Act -1858

Indian Council Act- 1861, 1892 Government of India Act 1909, 1919.

**CO 2:** Constitutional Developments- Government of India Act 1935, Cripps and Cabinet mission India gets Freedom- The Interim Government, Mountbatten Plan, Indian Independence Act 1947.

**BL-401C/2226 C**

**SOCIOLOGY**

**CO 1:** To study the rural and urban development in India.

**CO 2:** To Structure- Concept types Characteristics change and development.

**CO 3:** Urban sociology- concept origin of cities Urban community- concept & characteristics Urbanization- concept factors, process of social consequences of urbanization.

**BL-402A/2227A**

**Political Science – VI**

**CO 1:** To study the Approaches to The Study of Comparative Politics Constitution & Constitutionalism.

**CO 2:** Historical Legacy And Political Traditions Constitutional Structures : Executive, Legislative & Judiciary.

**BL-402B/2227B**

**HISTORY-VI**

**CO 1:** The Peace Settlements- Treaty of Versailles, Treaty of SevresThe league of Nations- The Assembly, Permanent Court of International Justice, Functions of league of Nations.

**CO 2:** Foreign Policies of France, Italy, Germany and RussiaBritain Between the Wars- Economic Depression, Political Changes in England, Policy of Appeasement.

**CO 3:**Europe since 1945- The United Nations, Cold War, NATO ( NorthAtlantic Treaty Organisation)

**BL-402C/2227C**

**Sociology VI**

**CO 1:** To make the students learn about the Indian social thinkers such as Raja Ram Mohan Rai, Swami Dayanand.

**CO 2:** Compare and contrast basic theoretical orientations.

**CO3:**Describe how sociology differs from and is similar to other social sciences, and give examples ofthese differences.

**BL – 403/2228**

**Law of Crime I (I.P.C.)**

**CO1:** Analyse lacunas within the criminal justice system and suggest the amendments have to make toprovide the justice according to the changing needs of the society.

**CO2:** Summarize the process of judicial review and identify criteria used by courts to evaluate theconstitutionality of criminal law of India.

**CO3:** Identify and synthesize social theory about crime, justice, and social deviance and explain and addressvarious obstacles and barriers experienced by individuals before, during, and after internment.

**BL – 404/2229**

**Law of Contract**

Students graduating with Law of Contract will be able to:

**CO1:** Define, distinguish and apply the basic concepts and terminology of the law of contract;

**CO2:** Define and distinguish amongst the various processes involved in contract formation;

**CO3:** Identify the relevant legal issues that arises on a given set of facts in the area of contract law.

**BL – 405/2230**

**Special Contract**

**CO1** Identify the relevant legal issues that arise on a given set of facts in the area of contract law.

**CO2** Select and apply a range of approaches to written communication, and apply the critical thinkingrequired to bring about creative solutions to complex legal problems in the area of contract law.

**CO3** Formulate oral and written arguments in response to a given set of facts.

**V SEMESTER**

**BL -501 /3221**

**Law of Torts including M.V. accident and Consumer Protection Laws**

**CO1** To study the principles of Tortuous liability, The defences available in an action for torts, thecapacity of parties to sue and be sued and matters connection there with.

**CO2** To study and evaluate the specific torts against the individual and property. With rapidindustrialization, inadequacy of the law to protect the individual is exposed.

**CO3** The students should reflect on the alternative forms, and also the remedies provided under the Consumer Protection Act, 1986.

**BL – 502/3222**

**Labour Law- I**

**CO1.** Development and the judicial setup of Labour Laws.

**CO2.** The salient features of industrial disputes and trade unions power and function also to integrate the knowledge of Labour Law in General HRD Practice.

**CO3.** The laws relating to Industrial Relations, Working conditions and also learns the enquiry procedural and industrial discipline.

**BL - 503 /3223**

**Family Law – I (Hindu Law)**

**CO 1:** Students studying family law learn about basic concepts like marriage, divorce, parental custody, domestic abuse and children's rights.

**CO2:** Family law examines historical and social contexts that have influenced the modern definition and regulation of families.

**CO3:** Students will gain skills of thinking, analysis, written and verbal presentation of ideas of Argument.

**BL - 504 /3224**

**Women and Criminal Law**

**C.O1:** Apply a systematic approach to eliminate on the ideas in the institutions which marginalize, subordinate and accord secondary citizenship women and underestimate or make the women's contribution invisible.

**C.O2:** Organizes awareness, skill training and capacity building programmes to different classes of women and men.

**C.O3:** Provides consultancy to Identify and discuss issues related to women and child development and inculcates entrepreneurial spirit among the girls, rural and urban grass root women and promote

**VI SEMESTER**

**BL 601/3225**

**Company. Law**

**CO1:** Explain the concepts in business laws with respect to foreign trade.

**CO2:** Apply the global business law to current business environment.

**CO3:** Analyse the principle of international business and strategies adopted by firms to expand globally.

**BL – 602/ 3226**

**Labour Law- II**

**CO 1:** Resolve the labour welfare problems and Students will learn the laws relating to Industrial Relations,

**CO2.** Social Security, private sector wages problems and

**CO3.** Working conditions and also learn the enquiry procedural and industrial discipline

**BL - 603 /3227**

**Family Law – II (Muslim Law)**

**CO1:** Students studying family law learn about concepts like Succession, Inheritance

**CO2:** Family law examines and compares personal laws

**CO3:** Students will gain skills of thinking, analysis, written and verbal presentation of ideas of argument.

**BL - 604 /3228**

**Principles of Taxation Law**

**CO 1.** Exhibit sophisticated knowledge related to tax accounting rules and regulations.

**CO 2.** Identify, define, and resolve tax issues through their understanding, knowledge and application.

**CO 3.** Explain different types of incomes and their taxability and expenses and their Deductibility

**VII SEMESTER**

**BL - 701 /4221**

**Jurisprudence**

**CO1:** Demonstrate an advanced and integrated understanding of the political, social, historical, philosophical, and economic context of law.

**CO2:** Engage in identification, articulation and critical evaluation of legal theory and their implications for policy.

**CO3:** Critically analyze and research complex problems relating to law and legal theory and make reasoned and appropriate choices amongst alternatives.

**BL - 702 /4222**

**Public International law**

**CO1:** Demonstrate knowledge and understanding of the international rights framework, its origins and justifying theories;

**CO2:** Demonstrate capacity to assess how specific human rights may be asserted, enforced or violated;

**CO3:** Critically evaluate the relationship between international and domestic law.

**BL – 703/4223**

**Interpretation of statutes**

**CO1.** Know what are the techniques adopted by courts in construing statutes? And the importance of the law making process in the present context

**CO2.** What are the matters to be reckoned with by legislature while enacting laws?

**CO3.** Understand and analyze the judicial interpretation, construction of words, phrases and expressions.

**BL – 704/4224**

**Alternate Dispute Resolution (clinical paper III)+ Viva Voce**

**CO1:** Students to adopt a comparative approach, drawing on the experiences of many societies and jurisdictions – in a large number of which, entrenched approaches to dispute handling are now under radical re-examination;

**CO2:** Balancing theoretical and practical concerns, the principal areas of discourse and practice that the student will come to understand are the processes of negotiation and mediation.

**CO3:** The student will understand these processes in their own right and also in the context of the emergence of new types of dispute resolution professional, who offer mediation and other services as alternatives to the lawyer's often preferred practice of late settlement through litigation.

**VIII SEMESTER**

**BL – 801/4225**

**Law of Evidence**

**CO1:** Analyse and define the concept and general nature of evidence, and illustrate the different types of evidence and court procedures relating to evidence.

**CO2:** Analyse the rule relating to relevance of evidence and admissibility of evidence before the court.

**CO3:** Evaluate the rules relating to dying declaration and admissibility of dying declaration.

**BL - 802 /4226**

**Administrative Law**

**CO1:** Students will learn about the Nature Development of law relating to administration and effective means of administrative control. The Focus is on their role in protecting the rights of individuals against abuse of administration and adjudicatory powers of the administration and liability of administrative authorities.

**CO2:** Analyze and predict how unresolved or ambiguous administrative law questions could be resolved by the courts through an analysis of case law and the judicial method.

**CO3:** Identify, explain and apply the principles of administrative law covered in the course.

**BL - 803 /4227**

**Human Rights Law and Practice including R T I**

**CO1.**Demonstrate knowledge and understanding of the international human rights framework, its origins and justifying theories;

**CO2.**Demonstrate capacity to assess how specific human rights may be asserted, enforced or violated;

**CO3.**Critically evaluate the relationship between international and domestic law on human rights;

**BL - 804 /4228**

**Professional Ethics and Professional Accounting system**

**CO: 1.** To understand and apply the professional ethics and ethical standard of the legal profession.

**CO: 2** To know and evaluate the key themes in professional ethics, in order to give them an insight into moral decision making in the legal profession.

**CO: 3.** To know , Should lawyers aim to win at all costs, and how should they balance duties to their client, to the Courts, to justice in the abstract, and to themselves.

**IX SEMESTER**

**BL - 901 /5221**

**Civil Procedure code and limitation Act**

**CO1:** To Know the detail procedure for redressal of civil rights.

**CO2:** 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.

**CO3:** Students will be able to recognize and address issues that arise in Civil Procedure that implicate relevant ethical, moral, and religious principles.

**BL - 902 /5222**

**Criminology and Penology**

**CO1:** Analyse and define the concept of crime and antisocial behaviour in the society and the difference between crime and morality as the concept of crime changes from society to society.

**CO2:** Analyse the various views given by philosophers on criminology.

**CO3:** Evaluate the reasons behind the crime and significance of Penology in the present society and

theories of the punishments and its application in the criminal justice system.

**BL - 903 /5223****Land Law Including Tenure and Tenancy System**

**CO1.**Identify and describe the revenue board courts and its function for a appeal revision and review.

**CO2.**Demonstrate an understanding of the legal and regulatory framework for tribunals and the regulatoryrules.

**CO3.**Demonstrate an understanding of the necessary professional skills of urbanization including analyticalskills.

**BL – 904/5224****Drafting, Pleading and Conveyance (clinical paper I)**

**CO1.** Students will understand drafting.

**CO2.** Court purposes as well as for other legal forums

**CO3.**Students will be able to perform better in the subject.

**X SEMESTER****BL - 1001 /5225****Intellectual Property Law**

**CO 1:** Skill to understand the concept of intellectual property rights.

**CO2:** Develops procedural knowledge to Legal System and solving the problem relating to intellectualproperty rights.

**CO3:** Skill to pursue the professional programs in Company Secretaryship, Law, Business(MBA), International Affairs, Public Administration and Other fields.

**BL - 1002 /5226****Property Law**

**CO 1:** The student will understand the concept of property.

**CO 2:** The subject covers the various forms of transfers of property.

**CO3:** The student will learn the specific modes of transfer and the essentials of a valid transfer.

**BL - 1003 /5227****Law of Crime II : Criminal Procedure Code**

**CO: 1.** The system of criminal prosecution in India: who prosecutes; Process to Compel Appearance of Person, Process to Compel Production of Things, Right to speedy trial etc.

**CO: 2.**The legal rules relating to arrest and bail under the Criminal Procedure Act, The rights of arrestedpersons and to apply such rules in a factual scenario.

**CO: 3.** Describe principles applicable to the right to legal representation in Indian criminal trials and toapply such principles in a factual scenario.

**BL – 1005 /5229****Legal and General English**

**CO1** Scan complex legal texts. Summarize information and reconstruct arguments in a coherent presentation.

**CO2** Produce organized and coherent communications and essays with clear paragraphs and appropriate methods for introducing and concluding.

**CO3** Produce well-supported communications and essays using different patterns of development taking into consideration purpose and audience.

**SCHEDULE- B**  
**DETAIL SYLLABUS - SEMESTER WISE**  
**I SEMESTER**

**BL 101/1221**

**GENERAL ENGLISH –I**

**MAX. M.- 70**

**MIN. M.- 28**

- 1 Correction of Common Errors
- 2 Tense and Composition
- 3 Basic transformations Passive, Negative, Questions
- 4 Complex and Compound Sentences
- 5 Direct and Indirect Narration
- 6 Reading Comprehension
- 7 Listening Comprehensions
- 8 Paragraph writing
- 9 Letter writing - Official letter, Business letter
- 10 Length terms - 10 only - Use of legal terms and idiomatic expression
- 11 One word substitution

**REFERENCE**

- 1 High School Grammar - Wren and Martin
- 2 Common Errors in English - Franch F.C. (Oxford University Press)
- 3 English Grammar and Exercise - Chapman L.R.H. (Book 1.2.3)
- 4 Common Mistakes and English - FL Tikixes T.J.Lougman Green London
- 5 Mastering English Grammar – MacMillan

**BL-102/1222**

**POLITICAL SCIENCE – I (PRINCIPLES OF POLITICAL SCIENCE)**

**MAX. M.- 70**

**MIN. M.- 28**

Definition and scope of political science, relation with law, history, economics, sociology and other social sciences.

State : Definition, Elements and Distinction between State, Nation and Society, Theories of Origin of State

Government Forms of government unitary, Federal and Quasi-federal, Parliamentary and Presidential, Organs of Government, Legislature, Executive and Judiciary -

Political Concepts : Law, Liberty, Equality, Right and Justice Political Ideologies : Individualism Anarchy, Fascism, Democratic Socialism

Sovereignty, Parliamentary, Sovereignty, Theories of Separation of Power

**BOOKS RECOMMENDED**

- 1 Aashirvadan - Principles of Political Science
- 2 Kapoor A.C.- Rajniti Shastra (Hindi)
- 3 Jam Pukhraj - Rajniti Shastra ke. Siddhanta
- 4 Jam Pukhraj - Rajniti Vigyan

**BL-103/1223**

**HISTORY – I**

**(HISTORY OF INDIA FROM ANCIENT PERIOD TO 7TH CENTURY A.D.)**

**MAX. M.- 70**

**MIN. M.- 28**

**UNIT-I**

Sources of ancient Indian history, Relation of history with other social sciences sociology, political science, economics and law

**UNIT-II**



Polity in ancient Indian - Regvedic tribal assemblies, Vidath sabha and Samity, Later Vedic development, Kingship - Royal function, Councilors and officials

#### UNIT-III

State and Government in ancient India - The Mauvian polity, The Satvahana polity, The Gupta empire, The Vakatakas Pallavas, Chalukyas-administration, Society, Law, Economy art and Literature

#### UNIT-IV

Social Organisation in Ancient India - The Varna Ashram system, The family, The system of Slavery, Structure of Society in Ancient India, Status and Position of Women, Marriage, Education Right of Property

#### UNIT-V

1 Religious conditions - Growth of Jainism, Buddhism, Bhagwatisni and hinduism

2 Economic Structure in Ancient India - Pastoralism, The Village Agriculture and Stock Breeding, Urban Centers, Guilds, Trade and Finance

#### REFERENCE

- 1 R.C. Majumdar - Ancient India
- 2 Datta and Majumdar - Comprehensive History of India
- 3 SR. Sharma - Crescent in Indian History
- 4 R. S. Tripathi Prachin Bharat (Hindi)
- 5 V.D. Mahajan - Prachin Bharat ka itihās, (Hindi)

#### **B-104/1224**

#### **SOCIOLOGY I (BASIC CONCEPTS OF SOCIOLOGY)**

**MAX. M.- 70**

**MIN. M.- 28**

1. Sociology : Definition, Nature, Scope and Methods of sociology
2. Basic concepts Society, Community, Groups (Primary and Secondary Groups)
3. Folk ways, Customs, Traditions, Mores, Association and Institution
4. Social Stratifications, Differentiation, Status and Role
5. Social Structure and Social Function - Sociology as a critic of Sociology, Sociology of Law and Sociology of Legal profession

#### **L**

#### **REFERENCE**

- 1 Bierstedt robert - Sociology
- 2 Maci Ver and Page - Sociology
- 3 Sharma S.S. - Social System
- 4 Botomore T.B. - Sociology
- 5 Maci Ver and Page - Samaj (Hindi)
- 6 Botomore T.B. - Samaj Shastra (Hindi)

#### **BL – 105/1225**

#### **CONSTITUTIONAL LAW – I**

**MAX. M.- 70**

**MIN. M.- 28**

1. Historical Perspective
  - 1.1 Constitutional developments since 1858 to 1947
  - 1.2 Gandhi Era- 1919 to 1947 : social, political, economic and influence.
  - 1.3 Making of Indian Constitution
  - 1.4 Nature and special features of the constitution.
2. Parliamentary Government
  - 2.1 Westminster model — Choice of parliamentary government at the and States.
  - 2.2 President of India
    - 2.1.1 Election, qualifications, salary and impeachment
    - 2.1.2 Powers: legislative, executive and discretionary power
  - 2.3 Council of Ministers
  - 2.4 Governor and state government — constitutional relationship

- 2.5 Legislative process
  - 2.5.1 Practice of law-making
  - 2.5.2 Legislative privileges and fundamental rights
- 2.6 Prime Minister-Cabinet . system-collective responsibility-individual responsibility
- 2.7 Coalition Government : Anti-defection Law
- 3. Federalism
  - 3.1 Federalism — principles : comparative study
  - 3.2 Indian federalism : identification of federal features
    - 3.2.1 Legislative relations
    - 3.2.2 Administrative relations
    - 3.2.3 Financial relations
  - 3.3. Governor's Role
  - 3.4 Center's powers over the state — emergency
  - 3.5 J&K—special status
  - 3.6 Challenges to Indian federalism
- 4. Constitutional Processes of Adaptation and Alteration
  - 4.1 Methods of constitutional amendment
  - 4.2 Limitation upon constituent power
  - 4.3 Development of the basic Structure : Doctrine judicial activism and restraint
- 5. Secularism
  - 5.1 Concept of secularism : Historical perspective
  - 5.2 Indian constitutional provision
  - 5.3 Freedom of religion — scope
  - 5.4 Religion and the state : the limits
  - 5.5 Minority rights

#### **REFERENCE**

- D.D. Basu Shorter Constitution of India, (1996) Prentice Hall of India Delhi
- Constitution Assembly Debates Vol. 1 to 12 (1989)
- H.M. Seervai, Constitution of India, Vol. 1-3 (1992) Tripathi Bombay
- M.P. Singh (ed), V.N. Shukia Constitutional Law of India (2000) Oxford
- G Austin, Indian Constitution : Cornerstone of a Nation (1972)
- M. Calanter, Competing Equalities — Law and the Backward Classes in India (1984) Oxford

### **SEMESTER II**

#### **BL-201/1226**

#### **GENERAL ENGLISH -II**

**MAX. M.- 70**

**MIN. M.- 28**

- Precis Writing and Paragraph Writing
- Translation from English to Hindi
- Foreign Legal Words and Phrases, Legal Maxims related to Fundamental Legal Principles,
- Synonyms and Antonyms
- One word Substitution, Words often Confused
- Comprehension of legal texts
- Writing of letters and applications
- Essay writing of topics of legal interest

#### **REFERENCE**

- 1 David b. paie, how to write critical, essays
- 2 Otto jespersen, growth and structure of the english language
- 3 Bryant, english in the law courts
- 4 Linter, the practice of criticism

#### **BL-202/1227**

## **POLITICAL SCIENCE II**

### **(MAIN CURRENTS OF WESTERN POLITICAL THOUGHTS)**

**MAX. M.- 70**

**MIN. M.- 28**

Plato : Views on State, Ideal State, Education and Communism

Aristotle: Views on State, Slavery; Property and Revolution

Machiavelli : Views on Morality, Human Nature, Religion and Ideal Ruler

Hobbes : Locke, Rousseau - Views on State on Nature, Social Contract and Sovereignty

Bentham J Views on Utilitarianism and Hedonistic Calculus, Bentham as a Law Reformer

J.S. Mill Views on Liberty, Representative Government and Bentham's Utilitarianism

Hegel : Views on State, Freedom and Law

Green : Views on Liberty and Rights

Karl Marx - Dialectical Materialism, Class Struggle, State

Laski : Liberty, Sovereignty State

### **REFERENCES**

1 Sood J.P. - Western Political Thought Vol-I & Vol - II

2 Savine - Political Theory

3 Maxi - Western Political Thought

## **BL-203/1228**

### **HISTORY -II**

#### **(INDIA FROM 7<sup>th</sup> CENTURY TO 15<sup>th</sup> CENTURY AD.)**

**MAX. M.- 70**

**MIN. M.- 28**

1. Political and Social Condition of Raj. put Age Social and Land Structure - Its Impact on Society, Trade and Commerce

2. Rastrakutas - Their role and History, The Chola Empire- Local Self Government, Administrative setup, Indian Society on the eve of Muslim Invasion

3. Al-Beruni 's India, Foundation of Delhi Sultanate in Northern India, Causes and Circumstances, its, Impact on the Indian Society

4. Nature and Character of State, Political ideas and Institutions, Agrarian structure and relations, Growth of urban centers, Trade and commerce influence of Islam on Indian culture - Bhakti and Sufi movements

5. Establishment and Expansion of Mughal Empire, Suri administration, Political revenue and Military administration, Political ideas and institution, Mansabdari and Jagiradari system, The land structure and role of Jamindars, rise of Maratha power, Chauth and Sardesmukhi disintegration of the Mughal Empire

### **REFERENCE**

1 E.H. Carr- What is History ?

2 Romila Thapar - History of India - Vol. i

3 HA'. Sreenivasa Murthy - History for Law Students - Vol. i.

4 R.S. Sharma - Sudras in Ancient India

5 D.D. Kosambi - Introduction to the Study of Indian History

6 Rothermund and Kulke - The History of India

7 Robert Lingat - Classical Law in Ancient India

8 P.M Kane Dharmasastras

## **BL-204/1229**

### **SOCIOLOGY –II( INDIAN SOCIETY)**

**MAX. M.- 70**

**MIN. M.- 28**

Indian Society Historical background, Structure and Composition of Indian Society

Main Features : Demographic profile, Religious composition and Linguistic composition

Ideological concepts of Classical Period

Varna Ashram, Sanskara and Karma

Caste System Meaning and Characteristic, Origin, Changes and Future of Caste,  
Social Institutions, Marriage,. Family, Caste and Class ; Religion Relation with Law  
Social process and Social change  
Sanskritization: Modernization : Urbanization and Westernization  
Social change : Concept Characteristic and Process

#### **REFERENCE**

- 1 Smelscr, Sociology : An Introduction
- 2 Felicety A. Nuesbarin, The Limits of Human
- 3 B :M Shukia, Law & Social Justice
- 4 K.N. Saikir, Law & Society
- 5 R.N. Mukherjee - Sociology
- 6 Dr. D.S. Bhghel - Sociology

**BL – 205/1230**

#### **CONSTITUTIONAL LAW –II**

**MAX. M.- 70**

**MIN. M.- 28**

1. Right to Equality
2. Right to freedom
3. Personal Liberty
- 3.1 Rights of an accused — double jeopardy — self- incrimination retroactive punishment
- 3.2 Right to life and personal liberty — meaning, scope and limitations
- 3.3 Preventive detention — constitutional policy
4. Fundamental Rights and Directive Principles
- 4.1 Directive Principles- directions for social change-A new social order
- 4.2 Fundamental Rights and Directive Principles-Inter-relationship-Judicial balancing
- 4.3 Constitutional amendments — to strengthen Directive Principles
- 4.4 Reading Directive Principles into Fundamental Rights
5. Fundamental Duties
- 5.1 The need and status in constitutional set up
- 5.2 Interrelationship with fundamental rights and directive principles
6. Emergency
- 6.1 Emergency-meaning and scope
- 6.2 Proclamation of emergency-conditions-effects of emergency on Centre- State relations
- 6.3 Emergency and suspension of fundamental rights
7. Judiciary under the Constitution
- 7.1 Judicial process
- 7.1.1 Court system
- 7.1.2 The Supreme Court
- 7.1.3 High Courts
- 7.1.4 Subordinate Judiciary
- 7.1.5 Judges : appointment, removal transfer and condition of service : judicial independence
- 7.1.6 Judicial review: nature and scope
8. Services under the Constitution
- 8.1 Doctrine of pleasure (Art 310)
- 8.2 Protection against arbitrary dismissal, removal or reduction in rank (Art.311)
- 8.3 Exceptions to Art.3 11

#### **Selected Bibliography**

- G. Austin History of Democratic Constitution : The Indian Expenditure (2000) oxford  
D.D. Basu Shorter Constitution of India, (1996) Prentice Hall of India Delhi  
Constitutiont Assembly Debates Vol. 1 to 12 (1989)  
H.M. Seervai, Constitution of India, Vol. 1-3 (1992) Tripathi Bombay  
M.P. Singh (ed), V.N. Shukia Constitutional Law of India (2000) Oxford  
G Austin, Indian Constitution : Cornestone of a Nation (1972)  
M. Calanter, Competing Equalities — Law and the Backward Classes in India (1984) Oxford

B. Sivaramayya, Inequalities and the Law (1984) Eastern, Lucknow  
S.C. Kashyap, Human Rights and Parliament (1978) Metropolitan, New Delhi  
Leading Cases A.P. Chettior V/s. State of Tamilnadu (AIR 1971 SC 2085)  
Jagdish Prasad V/s. State of U.P. (AIR 1971 SC 1225).  
Jhaveri Bhai Amandos V/s. State of Bombay (AIR 1954 SC 752)

### **SEMESTER III**

**BL-301/2221**

**POLITICAL SCIENCE-III (INDIAN POLITICAL THOUGHTS)**

**MAX. M.- 70**

**MIN. M.- 28**

Manu and Kautiliya

Raja Ram Mohan Roy, Dayanand Saraswati and Swami Vivekanand

Ranade, Gokhale and Bal Ganga Dhar Tilak

Aurbindo, Gandhi and Nehru

Vinoda Bhawe, Jai Prakash Narayan, Dr. Ambedkar

#### **REFERENCE**

1 Grover, Indian Politics and Constitution Making

2 Verma V. P., -Modern Indian Politics Thinker

**BL-302/2222**

**HISTORY III**

**MAX. M.- 70**

**MIN. M.- 28**

Conquest of Bengal and Awadh, Lord Clive's Administrative reform and dual system in Bengal  
Warren Hastings- Administrative Reform and his Relations with Marathas regulating Act Pitts  
India Act

Haider Ali and Tipu Sultan- Lord Wellesely reforms and subsidiary alliance Lord Hastings-  
reforms, William Bentinck reforms, Lord Dalhousie's reforms, Doctrine of Lapse

Causes of revolts/outbreak of 1857 and its results Government of India Act 1858 Indian Council  
Act 1861

Religious reform Movements

Brahmo samaj, Arya samaj and Prarthana samaj, theosophical society

#### **REFERENCE**

1 V.D. Mahajan- Advance history of India

2 K.C. Srivastava- History of India

3 B. L. Grover & S. Grover- Modern Indian History

**BL- 303/2223**

**SOCIOLOGY- III**

**MAX. M.- 70**

**MIN. M.- 28**

Indian Social problems: definition and measurements characteristics

Social Problems - I; Untouchability & Legislations Casteism, Poverty, pollution

Social problems - II- Juvenile Delinquency & Legislations Crime and I 'egislations Unemployment,  
Population and law related

Community Development - I- Meaning and concepts, Urban community Development; Urban  
community; Town, City, Metropolis slums and Housing Problems

Rural Community'-Meaning, Concept and History, Rural Indebtness

Community Development -II Community Development Programmes

Five year plans; Objectives Community Participation; Socialaction, Community Development &  
NGO

#### **REFERENCE**

1 Smelser, Sociology : An Introduction

2 Felicity A. Nuesbarin, The Limits of Human

3 B.M. Shukla, Law & Social Justice

4 K.N. Saikr, Law & Society

5 A.R. Dasai - Community Development  
6 D.S. Bhaghel – Criminology

**BL- 304A–2224A Major  
Political Science IV (International Relations)**

**MAX. M.- 70**

**MIN. M.- 28**

International relations : Its meaning nature and scope.

National Power and its elements, problems of its evaluation.

Limitations on national power : International Law, collective security and balance of power.

Foreign policy : Its definition and determinants the roles of national interest and ideology in formulation of foreign policy.

The cold war : Its origin and impact on international relations Emerging trends in International Power politics.

The Present International economic orders, the struggle for the new international economic order, The North South dialogue in the United Nations and outside, WTO and its impact on India.

Diplomacy : Its meaning, importance, nature and objectives types - old/new and secret/open.

Avoidance of war and facilitations of peaceful changes, Arms control and disarmament - with special reference to N.P.T. and C.T.B.T. World community and World Government.

Concept of regionalism and regional organizations-PLO, OAS, the Arab League SAARC and ASEAN the EEC and their role in international relations.

Non-alignments : meaning non alignments movement and its role in international relations Relevance of NAM in the Contemporary World order.

International Organisation : League of Nations and UNO.

United Nations and its principal organs

ILO and international financial institutions.

Relationship between United Nations and regional organizations.

**Suggested Reading**

- 1- Agarwal, P.N. : The New International Economic order:An overview.
- 2- Baylic, John & Smith : The globalizations of world politics
- 3- Bowel, D.W. : International Institutions
- 4- Garg, J.P. : Regionalism in International Politics
- 5- Jha. L.K. : North-South Debate
- 6 Kurnar, Mahendra : The Theoretical Aspects of International Politics
7. Morgenthau, Hans, J : Politics Among Nations
- 8- Palmer & Perkins : International Relations
- 9- Maihotra, Vinay : International Relations

**BL- 304B–2224B Major  
HISTORY- IV- Major  
(INDIAN NATIONAL MOVEMENT)**

**MAX. M.- 70**

**MIN. M.- 28**

Factors for the rise of National movement

Establishment of Indian national Congress

Swadeshi movement, Swaraj or

Home rule movement

Struggle for freedom under Mahatma Gandhi

The Rowlatt Act, jallianwala Bagh Massacre

Non Cooperation movement, The Simon Commission

Declaration of Complete Independence and Civil Disobedience movement

The Quit India Movement- Achievement of Independence and Partition of India

The Integration of Indian States and their reorganization.

**Suggested Readings-**

Grover and Grover- Modern India  
Bipin Chandra- Indian National Movement  
K.Mohan- Indian national Congress  
Hassan Imam- Indian National Movement.

**BL- 304C-2224C Major**

**SOCIOLOGY-IV**

**(SOCIAL SEARCH)**

**MAX. M.- 70**

**MIN. M.- 28**

Nature of Social Research ; Meaning; Objective and Importance Sociology and Research  
Research Design - Meaning and Types Exploratory Design, Descriptive Design,  
Experimental Design  
Data Collection Meaning, Concepts sources - Primary and Secondary, Techniques of Data  
collection; Observation method, Schedule and Questionnaire, Case study method  
Sampling - Definition and concept  
Methods - probability and non-probability Universe and population  
Hypothesis - Meaning, Objectives and Types  
Social phenomenon, nature and characteristics

**REFERENCE**

- 1 Prof. D.S. Baghel Social Research
- 2 Dr. Kapil - Social Research & Statistics
- 3 Prof RN. Mukherjee - Social Research & Statistics
- 4 Dr. RN. Rai - Method of Research
- 5 Dr. S.P. Gupta - Social Research & Statistics
- 6 Dr. Kohli - Social Research (English)

**BL- 305/2225**

**ENVIRONMENTAL LAW**

**MAX. M.- 70**

**MIN. M.- 28**

1. Concept of environment and Pollution
  - 1.1 Environment
    - 1.1.1 Meaning and contents
  - 1.2. Pollution
    - 1.2.1 Meaning
    - 1.2.2 Kinds of Pollution
    - 1.2.3 Effects of pollution
2. Legal control: Historical perspectives
  - 2.1 Indian tradition Dharma of environment
  - 2.2 British Raj — industrial development and exploitation of nature
    - 2.2.1 Nuisance : penal code and procedural codes
  - 2.3 Free India — Continuance of British influence
    - 2.3.1 Old laws and new interpretations
3. Constitutional Perspectives
  - 3.1 Constitution making — development and property oriented approach
  - 3.2 Directive principles
    - 3.2.1 Status, Role and interrelationship with fundamental rights and fundamental duties
  - 3.3 Fundamental Duty
    - 3.3.1 Contents
    - 3.3.2 Judicial approach
  - 3.4 Fundamental Rights
    - 3.4.1 Rights to clean and healthy environment
    - 3.4.2 Right to Education
    - 3.4.3 Right to information

- 3.4.4 Environment V. Dvelopment
- 3.5 Environment agencies and remedies
  - 3,5.1 Courts
  - 3.5.2 Tribunal
  - 3.5.3 Constitutional, statutory and judicial remedies
- 3.6 Emerging principles
  - 3.6.1 Polluter pays public liability insurance
  - 3.6.2 Precautionary principle
  - 3.6.3 Public trust doctrine
  - 3.6.4 Sustainable development
- 4. Water and Air Pollution
  - 4.1 Meaning and standards
  - 4.2 Culprits and victims
  - 4.3 Offences and penalties
  - 4.4 Judicial approach
- 5. Noise Pollution
  - 5.1 Legal control
  - 5.2 Courts of balancing: Permissible and impermissible noise
- 6. Environment Protection
  - 6.1 Protection agencies : power and functions
  - 6.2 Protection : means and sanctions
  - 6.3. Emerging protection through delegated legislation
    - 6.3.1 Hazardous waste,
    - 6.3.2 Bio-Medical Waste
    - 6.3.3 Genetic engineering
    - 6.3.4 Disaster emergency preparedness
    - 6.3.5 Environment impact assessment
    - 6.3.6 Coastal zone management
    - 6.3.7 Environmental audit and eco mark
  - 6.4 Judiciary : complex problems in administration of environmental justice
- 7. Town and country planning
  - 7.1 Law : Enforcement and constrain
  - 7.2 Planning —management policies
- 8. Forest and greenery
  - 8.1 Greenery conservation laws
    - 8.2 forest conservation
      - 8.1.2 Conservation agencies
      - 8.1.3 Prior approval and non-forest purpose
      - 8.1.4 Symbiotic relationship and tribal people
      - 8.1.5 Denudation of forest :judicial approach
    - .8.2 Wild life
      - 8.2.1 Sanctuaries and national parks
      - 8.2.2 Licensing of zoos and parks
      - 8.2.3 State monopoly in the sale of wild life and wild life articles
      - 8.2.4 Offences against wild life
- 9. Bio-diversity
  - 9.1 Legal control'
  - 9.2 Control of eco-unfriendly experimentation on animals, plants, seeds and micro organism
- 10. Internationifi regime
  - 10.1 Stockholm conference
  - 10.2 Green house effect and ozone depletion
  - 10.3 Rio conference
  - 10.4 Bio-dicersity
  - 10.5 U.N. declaration on right to development



## 10.6 Wetlands

### **Leading Cases**

1. Pyarelal V/s. State of Delhi Administrative AIR 1995 SC 1159
2. A.P. Pollution Control Board V/s. Prof M.V. Naidu (Retd) and Others AIR 1999 SC 8712
3. Centre for Environmental law wwf-1 V/s. Union of India and Others AIR 1999 SC 354

### **Select Bibliography**

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R.B. Singh & Suresh Mishra Environmental law in India (1996) Concept Publishing Co. New Delhi  
Kailash Thakur, Environmental Protection law and policy in India (1997) Deep and Deep publications, New Delhi  
Richard L Riversz, et al (eds) Environmental law, the Economy and Sustainable Development (2000). Cambridge  
Christopher D Stone. Should Trees Have Standing and other Essays on Law, Morals and Environment (1996) Oceana  
Leelakrishanari P. et al (eds) Law and Environment (1990) Eastern, Lucknow  
Leelakrishanan P. The Environmental Law in India (1999) Butterworths-India  
Department of Science and Technology, Government of India, Report of the Committee for Recommending Legislative measures and administrative Machinery for Ensuring Environmental Protection, (1980), (Tiwari Committee Report)  
Indian Journal of Public Administration, Special Number on Environment and Administration, July-September 1988, Vol.XXXV No.3, PP. 353-801  
Centre for Science and Environment. The State of India's Environment 1982. The State of India's Environment 1984-85 and The State of Indian Environment 1999-2000  
World Commission on Environment and Development, Our Common Future (1987) Oxford

## **SEMESTER IV**

### **BL-401A/2226A**

#### **Political Science – V -Major (Indian Government & politics)**

**MAX. M.- 70**

**MIN. M.- 28**

The Making Of Indian Constitution And Its Sources  
Basic Features Of Indian Constitution  
Preamble, Fundamental Rights, Duties & Directive Principles of State Policy  
Union Government : President , Parliament, Cabinet & Prime Minister  
The State Government : Governor, Council of Minister & The Chief Minister  
Centre-State Relations  
Supreme Court And The Constitutional Process  
Political Parties: National & Regional Parties  
The Election Commission and Electoral Reforms  
Major Issues in Indian Politics: Caste, secularism, Communalism , Naxelism, Terrorism

### **Selected Bibliography**

D.D. Basu	Constitution of India
Sunder Raman ed.	Indian Government & Politics
M.P. Singh & Himanshu Rai	Indian Political System
Pukhraj Jain & Fadia	Bhartiya Shasan aur Rajniti
J.C. Johari	Indian Government & Politics
Rajani Kothari	Politics in India

### **BL-401B/2226B**

#### **HISTORY-V**

#### **(Legal and Constitutional History of India)**

**MAX. M.- 70**

**MIN. M.- 28**

Indian Legislature under British Crown- Government of India Act -1858

Indian Council Act- 1861, 1892

Government of India Act 1909, 1919

Constitutional Developments- Government of India Act 1935, Cripps and Cabinet mission

India gets Freedom- The Interim Government , Mountbatten Plan, Indian Independence Act 1947

Growth of Legal Profession- The legal Practitioner Act 1879, Indian Bar Council Act 1926

The Advocate Act 1961

**SUGGESTED READINGS**

- V.D. Kulshreshtha- Landmarks in Indian Legal and Constitutional History
- N.V.Paranjape- Indian Legal and Constitutional History
- M.P.Jain- Outline of Legal History

**BL-401C/2226 C**

**SOCIOLOGY (RURAL & URBAN COMMUNITY DEVELOPMENT)**

**RURAL COMMUNITY**

**MAX. M.- 70**

**MIN. M.- 28**

Concept & Definition

Characteristics

Structure- Concept types Characteristics change and development

( **COMMUNITY DEVELOPMENT**)

Concept & Definition

Objective and Function

Rural development programme

(**URBAN COMMUNITY & URBANIZATION**)

Urban sociology- concept origin of cities

Urban community- concept & characteristics

Urbanization- concept factors, process of social consequences of urbanization

- **HOUSING PROGRAMME/ SCHEMES**

(**PROBLEM OF RURAL URBAN COMMUNITY**)

Indebtedness, Untouchability, Slums, Youth unrest, Urban environmental problems

**BL-402A/2227A**

**Political Science – VI**

**Comparative Government & Politics (Government & Politics Of U.K.,U.S.A., RUSSIA, CHINA, SWITZERLAND & FRANCE)**

**MAX. M.- 70**

**MIN. M.- 28**

Approaches to The Study of Comparative Politics

Constitution & Constitutionalism

Historical Legacy And Political Traditions

Constitutional Structures : Executive, Legislative & Judiciary

Political Parties & Party Systems

Interest Groups & Social Movements

State And Local Government

**Book Recommended**

Dr. S.C. Singh

Vibhinna samvidhan

Dr. Pukhraj Jain

Vibhinna samvidhan

A. C. Kapoor& K.K. Mishra

Select Constitutions

**BL-402B/2227B****HISTORY-VI****(World History)****MAX. M.- 70****MIN. M.- 28**

The Peace Settlements- Treaty of Versailles, Treaty of Sevres

The league of Nations- The Assembly, Permanent Court of International Justice, Functions of league of Nations.

Foreign Policies of France, Italy, Germany and Russia

Britain Between the Wars- Economic Depression, Political Changes in England, Policy of Appeasement

Europe since 1945- The United Nations, Cold War, NATO ( North atlantic Treaty Organisation)

**SUGGESTED Readings**

Charles Downer Hazen- Modern Europe since 1789

R.S. Boker- What Wilson did at Paris? 1919

Nicholson H- The Peace making 1919

Fraser .L- Germany between two wars

**BL-402C/2227C****Sociology VI****FOUNDATION OF SOCIAL THOUGHTs – INDIAN THINKER****MAX. M.- 70****MIN. M.- 28**

Raja Ram Mohan Rai- Brahma samaj

Swami Dayanand Saraswati- Arya samaj

Mahatma Gandhi- Concept of Ahinsa Theory of Trasteeship

Acharya Vinova Bhave- Bhudan Andolan

Shri Arvindo- Nationalism and unity of mankind

Swami Vivekanand- Vedant

Auguste Comte- Comte's law of three stages positivism

Harbert spencer -- Social evolution or social darwanism

Emile Durkhiem- Division of Labour, Sucide

Vilfredo- Pareto-Circultion of Elites social action theory.

**BL – 403/2228****Law of Crime I (I.P.C.)****MAX. M.- 70****MIN. M.- 28**

1. General V V

1.1 Conception of crime

1.1.1 Pre-Colonial notions of crime as reflected in Hindu, Muslim and tribal law.

1.1.2 Macaulay's draft based essentially on British notions

1,2 State's power to determine acts or omissions as crimes

1.3 State's responsibility to detect, control and punish crime

1.4 Distinction between crime and other wrongs

1.5 IPC A reflection of different social and moral values

1.6 Applicability of I.P.C.

1.6.1 Territorial

1.6.2 Personal V

1.7 Salient Features of the I.P.C

2. Elements of Criminal Liability V

2.1 Author of crime — natural and legal person

2.2 Men rea - Evil Intention

2.3 Importance of mens rea V V

- 2.4 Recent trends to fix liability without mens rea in certain socio-economic offences
- 2.5 Act in furtherance of guilty intent
- 2.6 Omission
- 2.7 Injury to another
- 3. Group Liability
  - 3.1 Stringent provision in case of combination of persons attempting to disturb peace
  - 3.2 Common Intention
  - 3.3 Abetment
    - 3.3.1 Instigation, Aiding and conspiracy
    - 3.3.2 Mere act of abetment punishable
  - 3.4 Unlawful assembly
    - 3.4.1 Basis of liability
  - 3.5 Criminal conspiracy
  - 3.6 Rioting as a Sepecific offence
- 4. Stage of a crime units 6
  - 4.1 Guilty intention mere intention not punishable
  - 4.2 Preparation
    - 4.2.1 Preparation not punishable
    - 4.2.2 Exception in respect of certain offences of grave nature or of peculiar kind such as possession of counterfeit coins, false weights and measures.
  - 4.3 Attempt
    - 4.3.1 Attempt when punishable — specific provisions of TPC
    - 4.3.2 Tests for determining what constitute attempt — proximity, equivocality and social danger
    - 4.3.3 Impossible attempt
- 5. Factors negating guilty intention
  - 5.1 Mental incapacity
    - 5.1.1 Minority
    - 5.1.2 Insanity — Impairment of cognitive faculties, emotional imbalance
    - 5.1.3 Medical and legal insanity
  - 5.2 Intoxication — involuntary
  - 5.3 Private defence — Justification and limits
    - 5.3.1 When private defence extends to causing of death to protect body and property
    - 5.3.2 Necessity
    - 5.3.3 Mistake of fact
- 6. Types of Punishment
  - 6.1 Death
    - 6.1.1 Social relevance of capital punishment
    - 6.1.2 Alternatives to capital punishment
  - 6.2 Imprisonment — for life, with hard labour, simple imprisonment
  - 6.3 Forfeiture of property
  - 6.4 Fine
  - 6.5 Discretion in awarding punishment
    - 6.5.1 Minimum punishment in respect of certain offences
- 7. Specific offences against human body
  - 7.1 Causing death of human beings
    - 7.1.1 Culpable homicide
    - 7.1.2 Murder
  - 7.2 Distinction between culpable homicide and murder
    - 7.2.1 Specific mental element Requirement in respect of murder
  - 7.3 Situation justifying treating murder as culpable homicide not amounting to murder
    - 7.3.1 Grave and sudden provocation
    - 7.3.2 Exceeding right to private defense
    - 7.3.3 Public servant exceeding legitimate use of force
    - 7.3.4 Death in sudden fight

- 7.3.5 Death Caused by consent of the deceased — euthanasia and surgical operation
- 7.3.6 Death caused of person other than the person intended
- 7.3.7 Miscarriage with or without consent
- 7.4 Rash and negligent act causing death
- 7.5 Hurt — grievous and simple
- 7.6 Assault and criminal force
- 7.7 Wrongful restraint and wrongful confinement — kidnapping from lawful guardianship and from outside India
- 7.8 Abduction
- 8. Offences against women
  - 8.1 Insulting the modesty of women
  - 8.2 Assault or criminal force with intent to outrage the modesty of women
  - 8.3 Causing miscarriage without women's consent:
    - 8.3.1 Causing death by causing miscarriage without women's consent
  - 8.4 Kidnapping or abducting woman to compel her to marry or force her to intercourse
  - 8.5 Buying a minor for purposes of prostitution
  - 8.6 Rape
    - 8.6.1 Custodial rape
    - 8.6.2 Maritai Rape
  - 8.7 Prevention of immoral traffic
  - 8.8 Cruelty by husband or his relatives
    - 8.8.1 Prevention of Sati
  - 8.9 Prohibition of indecent representation of women
- 9. Offences against Property
  - 9.1 Theft
  - 9.2 Cheating
  - 9.3 Extortion
  - 9.4 Robbery and dacoity
  - 9.5 Mischief
  - 9.6 Criminal misrepresentation and criminal breach of trust
- 10. New kinds of crimes such as terrorism, pollution and adulteration
- 11. Law Reforms

### **Bibliography**

- Dr. Vimla V/s. Delhi Administration (AIR 1963 SC 1572)
- Viswanath V/s. State of U.P. (AIR 1960 SC 67)
- Dahya Bhai V/s. State Gujrat (AIR 1964 SC 1568)
- State of A.P. V/s. Rai Varagu Punnaya and others (AIR 1977 SC 45)
- K.D. Gaur, Criminal Law: Cases and Materials (1999) Buttersorths, India
- Ratanlan — Dhirajlal's Indian Penal Code (1994 Reprint)
- KD. Gaur, A text Book on the Indian Penal Code (1998), Universal, Delhi
- P.S. Achuthan Pillai, Criminal Law (1995) Eastern, Lucknow
- Hidayathullaw, M., et.al Ratanlal and Dhirajlats The Indian Penal Code (1994 Reprint), Wadhwa & Co., Nagpur

**BL – 404/2229**

**Law of Contract**

**MAX. M.- 70**

**MIN. M.- 28**

- 1. General Principles of Law of Contract
  - 1.1 History and Nature of contractual obligations
  - 1.2 Agreement and contract Definitions, elements and kinds.

- 1.3 Proposal and acceptance — their various forms, essential elements, communication and revocation- proposal and invitations for proposal- floating offers — tenders dumping of goods.
- 1.4 Consideration — its need, meaning, kinds, essential elements — nudum pactum — privity of contract and of consideration-its exceptions-adequacy of consideration- present, past and adequate consideration-unlawful consideration and its effects- views of Law Commission of India on consideration-evaluation of the doctrine of consideration.
- 1.5 Capacity of contract-meaning-incapacity arising out of status and mental defect-minor's agreements- definition of 'minor' — accessories supplied to a minor agreements beneficial and detrimental to a minor — affirmation- restitution in cases of minor's agreements-fraud by a minor-agreements made on behalf of a minor minor's agreements and estoppel-evaluation of the law relating to minor's agreements-other illustrations of incapacity to contract.
- 1.6 Free consent — Its need and definitions- factors vitiating free consent.
- 1.6.1 Coercion-definition-essential elements- duress and coercion-various illustrations of coercion-doctrine of economic duress-effect of coercion.
- 1.6.2 Undue Influence-definition-essential elements- between which parties can it exist? Who is to prove it? Illustrations of undue influence- independent advicepardahanshin women-unconscionable bargains effect of undue influence.
- 1.6.3 Misrepresentation — definition — misrepresentation of law and of fact- their effects and illustration.
- 1.6.4 Fraud — definition-essential elements — suggestion falsi-suppressionwhen does silence amount to fraud? Active-concealment of truth- importance of intention.
- 1.6.5 Mistake-definition-kinds-fundamental error-mistake of law and of fact — their effects-when does a mistake vitiate free consent and when does it not vitiate free consent?
- 1.7 Legality of objects:
- 1.7.1 Void agreements — lawful and unlawful considerations, and objects — void, voidable, illegal and unlawful agreements and their effects.
- 1.7.2 Unlawful considerations and objects.
- 1.7.2.1 Forbidden by law
- 1.7.2.2 Defeating the provision of any law
- 1.7.2.3 Fraudulent
- 1.7.2.4 Injurious to person or property
- 1.7.2.5 Immoral
- 1.7.2.6 Against public policy
- 1.7.3 Void Agreements
- 1.7.3.1 Agreements without consideration
- 1.7.3.2 Agreements in restraint of marriage
- 1.7.3.3 Agreements in restraint of trade- Its exceptions- Sale of goodful, section 11 restrictions, under the partnership Act, 'trade combinations, exclusive dealing agreements, restraints on employees under agreements of service
- 1.7.3.4 Agreements in restraint of legal proceedings- Its exceptions
- 1.7.3.5 Uncertain agreements
- 1.7.3.6 Watering agreement — Its exception.
- 1.8 Discharge of a contract and its various modes
- 1.8.1 By performance- Conditions of valid tender of performance- How? By whom ? Where ? when ? in what manner? Performance of reciprocal promises- Time as essence of contract
- 1.8.2 By breach — Anticipatory breach and present breach
- 1.8.3 Impossibility of performance- Specific grounds of frustrationApplication to leasestheories of frustration- Effect of frustrationfrustration and restitution.
- 1.8.4 By period of limitation
- 1.8.5 By agreement- rescission and alteration — their effect — remission and waiver of performance — extension of time- Accord and satisfaction.
- 1.9 Quasi- Contracts or certain relations resembling those created by contract
- 1.10 Remedies in contractual relations
- 1.10.1 Damages- Kinds- Remoteness of damages- ascertainment of damages

1.10.2 Injunction-when granted and when refused- Why?

1.10.3 Refund and restitution

1.10.4 Specific Performance- When? Why?

2. Government as a Contracting Party

Constitutional provisions — Government power to contract- procedural requirements-kinds of government contracts-their usual clauses — performance of such contracts- settlements of disputes and remedies

3. Standard Form Contracts

Nature, advantages — unilateral character, principles of protection against the possible of exploitation- judicial approach to such contracts- Exemption clauses — Clash between two standard form contracts-Law Commission of India's views

4. Multi-national Agreement

5. Strategies and constraints to enforce contractual obligations

5.1 Judicial methods- redressal forum, remedies

5.2 Other methods like arbitration, Lok Adalat, Nyaya Panchayat and other such non formal methods

5.3 Systemic constraints in setting contractual disputes

5.3.1 Court fees, service of summons, injunctions, delay.

**6. Specific relief**

6.1 Specific performance of contract

6.1.2 Contract that can be specifically enforced

6.1.3 Persons against whom specific enforcement can be ordered

6.2 Rescission and cancellation

6.3 Injunction

6.3.1 Temporary

6.3.2 Perpetual

6.4 Declaratory orders

6.5 Discretion and powers of courts

**Leading Cases**

1. Carlil V/s. Carbolic smoke Ball Company 1863 I.Q.B. 256)

2. Mahanbibi V/s. Dharmodas Ghash (1903 ILR 30 Cal)

3. Sactyabvata Ghosh V/s. Mugniram Bangur of Co. (AIR 1954 5C 44. S.C.R. 310 (1954)

4. M/s. Murlidhar Chimjit Lal V/s. Harish Chandra Dwaraka Das and others (AIR 1962 SC 36)

**Select Bibliography**

Beatsen (ed.) Anson's Law of Contract (27ed 1998)

P.S. Atiya, Introduction to the law of Contract 1992 reprint (Cleredon Law Series)

Avtar Singh, Law of Contract (2000) Eastern, Lucknow

G.C. Cheshire, and H.S. Fifoot and M.P. Firmston, Law of Contract (1992) ELLLS with Butterworths

M. Krishnan Nair, Law of Contract (1998)

G.H. Traitel, Law of Contract, Sweet and Maxwell (1997 Reprint)

R.K. Abihandani (ed) Pollock and Mulla on the Indian Contract and the Specific Relief Act (1999), Tripathi

Banarjee, S.C., Law of Specific Relief (1998) Universal

Anson, Law of Contract (1 998), Universal

Anand and Aiyer, Law of Specific Relief (1999), Universal

**BL – 405/2230**

**Special Contract**

**MAX. M.- 70**

**MIN. M.- 28**

1. Indemnity

1.1 The concept

1.2 Need for indemnity to facilitate commercial transactions.

- 1.3 Methods of creating indemnity obligations.
- 1.4 Definition of indemnity
- 1.5 Nature and extent of liability of the indemnifier
- 1.6 Commencement of liability of the indemnifier
- 1.7 Situations of various types of indemnity creations.
- 1.8 Documents/agreements of indemnity
- 1.9 Nature of indemnity clauses
- 1.10 Indemnity in cases of International Transactions
- 1.11 Indemnity by governments during interstate transactions
2. Guarantee
  - 2.1 The Concept
  - 2.2 Definition of guarantee as distinguished from indemnity
  - 2.3 Basic essentials for a valid guarantee contract.
  - 2.4 The Place of consideration and the criteria for ascertaining the existence of consideration in guarantee contracts
  - 2.5 Position of minor and validity of guarantee when minor is the principal debtor, creditor of surety.
  - 2.6 Continuing guarantee
    - 2.6.1 Nature of surety's liability
    - 2.6.2 Duration and termination of such liability
  - 2.7 Illustrative situations of existence of continuing guarantee
    - 2.7.1 Creation and identification of continuing guarantees.
  - 2.8 Letters of credit and bank guarantees as instances of guarantee transactions
  - 2.9 Rights of surety.
    - 2.9.1 Position of surety in the eye of law
    - 2.9.2 Various judicial interpretations to protect the surety
  - 2.10 Co-surety and manner of sharing liabilities and rights.
  - 2.11 Extent of surety's liability
  - 2.12 Discharge of surety's liability
3. Bailment
  - 3.1 Identification of bailment contracts in day today life,
    - 3.1.1 Manner of creation of such contracts
  - 3.2 Commercial utility of bailment contracts
  - 3.3 Definition of bailment
  - 3.4 Kinds of bailees
  - 3.5 Duties of bailor and Bailee towards each other
  - 3.6 Rights of bailor and Bailee
  - 3.7 Finder of goods as bailee
    - 3.7.1 Liability towards the true owner.
    - 3.7.2 Obligation to keep the goods safe
    - 3.7.3 Right to dispose off the goods
4. Pledge
  - 4.1 Pledge: Comparison with bailment
  - 4.2 Commercial utility of pledge transactions
  - 4.3 Definition of pledge under the Indian contract Act.
  - 4.4 Other statutory regulations (State & Centre) regarding pledge, reasons for the same.
  - 4.5 Rights of the pawnee and pawnee
    - 4.5.1 Pawnee's right of sale as compared to that of an ordinary bailee
  - 4.6 Pledge by certain specified persons mentioned in the Indian Contract Act.
5. Agency
  - 5.1 Identification of different kinds of agency transactions in day to day life in the commercial world
  - 5.2 Kinds of agents and agencies
    - 5.2.1 Distinction between agent and servant



- 5.3 Essentials of a agency transaction
- 5.4 Various methods of creation of agency
- 5.5 Delegation
- 5.6 Duties and rights of agent
- 5.7 Scope and extent of agent's authority
- 5.8 Liability of the principal for acts of the agent including misconduct and tort of the agent.
- 5.9 Liability of the agent towards the principal
- 5.10 Personal liability towards the parties
- 5.11 Methods of termination of agency contract
  - 5.11.1 Liability of the principal and agent before and after such termination
- 6. Sale of Goods
  - 6.1 Concept of sale as a contract
  - 6.2 illustrative instances of sale of goods and the nature of such contracts
  - 6.3 Essentials of contract of sale
  - 6.4 Essentials conditions in every contract of sale
  - 6.5 Implied terms in contract of sale
  - 6.6 The rule of caveat emptor and the exceptions thereto under the Sale of Goods Acts.
  - 6.7 Changing concept of caveat emptor
  - 6.8 Effect and meaning of implied warranties in a sale
  - 6.9 Transfer of title and passing of risk
  - 6.10 Delivery of goods : Various rules regarding delivery of goods
  - 6.11 Unpaid seller and his rights
  - 6.12 Remedies for breach of contract
- 7. Partnership
  - 7.1 Nature of partnership definition
  - 7.2 Distinct advantages and disadvantages vis-à-vis partnership and private limited company.
  - 7.3 Mutual relationship between partners
  - 7.4 Authority of Partners
  - 7.5 Admission of Partners
  - 7.6 Outgoing of partners
  - 7.7 Registration of Partnership
  - 7.8 Dissolution of Partnership
- 8. Negotiable Instruments
  - 8.1 The Concept
  - 8.2 Various kinds
  - 8.3 Essential requirements to making and negotiation
  - 8.4 Competent parties for making and negotiations
  - 8.5 Acceptance of the instrument
  - 8.6 Dishonour by non acceptance and remedies remedies available to the holder
  - 8.7 Holder and holder in due course: meaning essential conditions rights and privileges of holder in course and indorsee from the holder in due course
  - 8.8 Negotiation of the instrument
  - 8.9 Presentment of the instrument
  - 8.10 Cheques : rules regarding payment of cheque
    - 8.10.1 Liability of the collecting banker and paying banker
    - 8.10.2 Dishonour of cheque and its effects.
    - 8.10.3 Discharge from liability
  - 8.11 Kinds of bills
  - 8.12 Evidence
    - 8.12.1 Special rules of evidence regarding negotiable instruments

### **Selected Bibliography**

- R.K. Abhichandarn (ed.) Pollock and Mulla on Contracts and Specific Relief Acts (1999) Tripathi Bombay.
- Avtar Singh, Contract Act (2000), Eastern, Lucknow.

Krishnan Nair, Law of Contract (1999) Orient  
 Avtar Singh, Principals of the Law of Sale of Goods and Hire Purchase (1998), Eastern, Lucknow  
 J.P. Verma (ed.) Singh and Gupta, The Law of Partnership in India (1999), Orient Law House, New Delhi  
 AG. Guest (ed.), Banarjee's Sale of Goods (1992), Sweet and Maxwell.  
 Bhashyam and Adiga, The Negotiable Instruments Act (1995), Bharath, Allahabad  
 Ramnainga, The Sales of Goods Act (1998), Universal

## V SEMESTER

**BL -501 /3221**

**Law of Torts including M.V. accident and Consumer Protection Laws**

**MAX. M.- 70**

**MIN. M.- 28**

1. Evolution of Law of Torts
  - 1.1 England — forms of action — specific remedies from case to case
  - 1.2 India — principals of justice equity and good conscience - uncedified character advantages and disadvantages.
2. Definition, Nature, Scope and Objects.
  - 2.1 A wrongful Act - imposed by law, duty which is owed to people generally (in term) — *damnum sine injuria* and *injuria sine damnam*.
  - 2.2 Tort distinguished from crime and breach of contract
  - 2.3 The Concept of unliquidated damages
  - 2.4 Changing scope of law of torts : Expanding character of duties owed to people generally due to complexities of modern society
  - 2.5 Objects — Prescribing standards of human conduct redressal of wrongs by payment of compensation, proscribing unlawful conduct by injunction.
3. Principals of Liability in Torts
  - 3.1 Fault
    - 3.1.1 Wrongful intent
    - 3.1.2 Negligence
  - 3.2 Liability without fault
  - 3.3 Violation of ethical codes
  - 3.4 Statutory liability
  - 3.5 Place of motive in torts
4. Justification in Tort
  - 4.1 Volenti non fit injuria
  - 4.2 Necessity, private and public
  - 4.3 Plaintiffs default
  - 4.4 Act of God
  - 4.5 Inevitable accident
  - 4.6 Private defense
  - 4.7 Statutory authority
  - 4.8 Judicial and quasi-judicial acts
  - 4.9 Parental and quasi-parental authority
5. Extinguishment of liability in certain situation
  - 5.1 *Actio personalis moritur cum persona* — exceptions
  - 5.2 Waiver and acquiescence
  - 5.3 Release
  - 5.4 Accord and satisfaction
  - 5.5 Limitation
6. Standing
  - 6.1 Who may sue — aggrieved individual — class action — social action group
  - 6.2 Statues granting standing to certain persons or groups

- 6.3 Who may not be sued?
- 7. Doctrine of sovereign In'mmunity and its relevance in India
- 8. Vicarious Liability
  - 8.1 Basis, Scope and justification
    - 8.1.1 Express authorization
    - 8.1.2 Ratification
    - 8.1.3 Abetment
  - 8.2 Special Relationships
    - 8.2.1 Master and servant — arising out of and in the course of employment — who is master? The control test — who is servant? borrowed servant — independent contractor and servant, distinguished
    - 8.2.2 Principal and agent
    - 8.2.3 Corporation and principal officer
- 9. Torts against persons and personal relations
  - 9.1 Assault, battery, mayhem
  - 9.2 False imprisonment
  - 9.3 Detamation — libel, slander including law relation to privileges
  - 9.4 Marital relations, domestic relations, parental relations, master and servant relations
  - 9.5 Maticious prosecution
  - 9.6 Shortened expectation of life
  - 9.7 Nervous shock
- 10. Wrong affecting property
  - 10.1 Trespass to land, trespass ab initio, dispossession
  - 10.2 Movable property-- trespass to goods, cletinue, conversion
  - 10.3 Torts against business interests — injurious falsehood, misstatements, passing off
- 11. Negligence
  - 11.1, Basic concepts
    - 11.1.1 Theories of negligence
    - 11.1.2 Standards of Care, duty to take care, carelessness, inadvertence
    - 11.1.3 Doctrine of contributory negligence
    - 11.1.4 Res ipsa loquitor and its importance in contemporary Law
  - 11.2 Liability due to negligence : different professionals
  - 11.3 Liability of common carriers for negligence
  - 11.4 Product liability due to negligence : Liability of manufacturers and business houses for their products
- 12. Nuisance
  - 12.1 Definition, essentials and types
  - 12.2 Act which constitute nuisance — obstructions of highways — pollution of air, water, noise and interference with light and air,
- 13. Absolute/Strict liability
  - 13.1 The rule in Ryland isV. Fletcher
  - 13.2 Liability for harm hauser by
- 14. Legal remedies
  - 14.1 Legal remedies
    - 14.1.1 Award of damages — simple, special punitive
    - 14.1.2 Remoteness of damage —foreseeability and directness
    - 14.1.3 Injunction
    - 14.1.4 'Specific restitution of property
  - 14.2Extra-legal remedies — self-help, re-entry on land, re-capture of goods, distress damage feasant and abatement of nuisance
- 15. Consumer movements : historical perspectives
  - 15.1 Common law protection Control and torts
  - 15.2 Consumerism in India : food adulteration, drugs and cosmetics — essential commodities

15.2.1 Criminal sanction : Sale of noxious and adulterated substances. Tales weights and measures  
 Use of unsafe carries.

16. Consumer the concept

16.1 General perspectives

16.2 Statutory and government services to be included or not?

16.3 Definition and scope the Consumer protection Act 1986 (CPA)

16.3.1 Who is not a consumer?

17 Unfair Trade Practices

17.1 Misleading and false advertising

17.2 Unsafe and hazardous products

17.3 Disparaging competitors

17.4 Business ethics and business self-regulation

17.5 Falsification of Trade marks.

18. Consumer of goods

18.1 Meaning of defects on goods

18.2 Standards of purity, quality and potency

18.2.1 Status : food and drugs, engineering and electrical goods

18.2.2 Common law: decision of courts

18.3 Price control

18.3.1 Administrative fixation

18.3.2 Competitive Market

18.4 Supply and distribution of goods

19. Supply of essential commodities

19.1 Quality Control

19.2 Sale of goods and hire purchase law

19.3 Prescribing standards of quality — BIS and Agmark, Essential commodities law.

20. Consumer Safety

20.1 Starting, distribution and handling of unsafe and hazardous products.

20.2 Insecticides and pesticides and other poisonous substances

21 Service

21.1 Deficiency — meaning

21 .2 Professional Services

2 1.2.1 Medical Services

21.2.2 How to determine negligence

2 1.2.3 Violation of Statute

21.2.4 Denial of medical services : violation of human rights

21.2.5 Lawyering Services : Duty to wards court and duty to client delimma, break of confidentiality — Negligence and Misconduct

21 .3Public Utilities

21.3. 1 Supply of electricity

21.3.2 Telecommunication and postal services

21.3.3 Housing

21.3.4 Banking

22. Commercial Services

22.1 Hiring

22.2Financing

22.3Agency services

23. Enforcement of consumer rights

23.1 Consumer for a under CPA : jurisdiction, powers and functions

23.1.1 Execution of orders

23.1.2 Judicial review

23.2 PIL

23.3 Class Action

23.4 Remedies

23. 5Administrative remedies

24. Motor Vehicle Act

**Leading Cases:**

1. Mrs. M.N. Chibwala V/s. Fidattussain AIR 1965 SC 610

2. Sitaram V/s. Santanu Prasad AIR 1966 SC 1697

3. Reyland V/s. FletcherL.R. H.L. 330

**Selected Bibliography**

Salmond and Heuston - On the Law of Torts (2000) Universal, Delhi

D.D. Basu, The Law of Torts (1982), Kamal Calcutta

D.M. Gandhi, Law of Tort (1987), Eastern Lucknow

P.S. Achuthan Pillai, The Law of Tort (1994), Eastern Lucknow

Ratanlal & Dhirajlal, The Law of Torts (1997), Universal Delhi

**BL – 502/3222**

**Labour Law- I**

**MAX. M.- 70**

**MIN. M.- 28**

The Course shall comprise of the following — Evaluation of industrial legislation in India

Industrial Dispute Act 1947

Scope and object, main features, important definitions,

Industry

Industrial Dispute and individual dispute

Workman and Employer

Reference of disputes

Voluntary arbitration (Section 1 OA) Award

Authorities under the Act

Procedures, powers and duties of authorities

Strike

Lock-out

Retrenchment and lay-off

Transfer and Closure

Trade Unions Act, 1926

1. Growth of Unions

2. Important Definitions

3. Registration of Trade Unions

4. Rights and Liabilities of registered Trade Unions

5. Collective Bargaining

Workmen's Compensation Act, 1923

1. Important Definitions

2. Workmen's Compensation

3. Commissioners .

4. Powers of Central and state Governments to make rules

**BL - 503 /3223**

**Family Law – I (Hindu Law)**

**MAX. M.- 70**

**MIN. M.- 28**

1. Nature and Origin of Hindu Law.

2. Sources of Hindu Law and schools of Hindu Law.

3. Coparceners and Coparcenxy property — Mitakshasa and Dayabhas law

4. Debts

5. Partition

6. Gifts

7. Wills

8. Religions and charitable endowments
9. Hindu Marriage Act 1955
10. Hindu Succession Act 1956 Hindu Succession Act (Amendment) 1990
11. Stridhan and women Estate
- 12 Guardianship
13. Joint family
14. Hindu Adoption and maintenance Act 1956

**Leading Case**

1. Saroj Rani V/s. Sudarshan Kumar Chaddha (AIR 1984 SC 1562)
2. J.L.Nands V/s. Veena (AIR 1988 SC 437)
3. Chandramohini Srivastava V/s. Avinash Prasad Srivastava (AIR SC 581)
4. Dhanraj V/s. Surajbai (AIR sc 1103)

**Book Recommended**

1. Mulla Principals of Hindu Law
2. Paris Diwan-Hindu Law
3. R.K. Agarwal - Hindu Law
4. N.H.Thaswala-HinduLaw

**BL - 504 /3224**

**Women and Criminal Law**

**MAX. M.- 70**

**MIN. M.- 28**

The course shall comprise of the following

- i. Criminal Law —
  - a. Dowry death
  - b. Rape
  - c. Bigamy
  - d. Adultery
  - e. Cruelty to married women
  - f. Sexual Harassment and Eve-teasing
- ii. Prohibition of dowry Act, 1961
- iii. The protection of women from domestic violence Act, 2005

**VI SEMESTER**

**Bl 601/3225**

**Company. Law**

**MAX. M.- 70**

**MIN. M.- 28**

Meaning of Corporation

Theories of corporate personality

Creation and extinction of corporations

Forms of Corporate and Non-Corporate Organisations

Corporations, partnerships and other associations of persons, state corporations, government companies, small scale, co-operative, corporate and joint sectors.

Law relating to companies — public and private-Companies Act, 1956

Need of company for development formation of a company registration and incorporation

Memorandum of association — various clauses-alteration therein-doctrine of Ultra vires.

Articles of association-binding force-alteration-its relation with memorandum of association-doctrine of constructive notice and indoor management — exceptions

Prospectus- issue-contents-liability for misstatements-statement in lieu of prospects

Promoters-position-duties and liabilities

Shares-general principles of allotment statutory restrictions-share certificate its objects and effects — transfer of shares-restrictions on transfer-procedure for transfer-refusal of transfer — role of public finance institution- relationship between transferor and transferee-issue of shares at premium and discount —depository receipts-dematerialised shares (DEMAT)

Shareholder—who can be and who cannot be a shareholder—modes of becoming a shareholder—calls on shares—forfeiture and surrender of shares lieu on shares

Share capital — kinds—alteration and reduction of share capital—further issue of capital—conversion of loans and debentures into capital—duties of courts to protect the interests of creditors and share holders

Directors—position—appointment—qualifications—vacation of office—removal, resignation—powers and duties of directors—meeting, registers, loans— remuneration of directors—role of nominee directors—compensation for loss of office— managing directors—compensation for loss of office—managing directors and other managerial personal.

Meeting — kinds—procedure—voting

Dividends — payment—capitalisation—profit

Audit and accounts

Borrowing powers—powers—effect of unauthorized borrowing—changes and mortgages—loans to other companies—investments—contracts by companies

Debentures—meaning—fixed and floating charge—kinds of debentures – shareholder and debenture holder—remedies of debenture holders.

Protection of minority rights

Protection of oppression and mismanagement—who can apply? Powers of the company, court and of the central government

Investigation — powers

Private companies—nature and advantages—government companies —holding and subsidiary companies

Regulation and amalgamation

Winding up—types—by court—reasons—grounds—who can apply? Procedure powers of liquidator—powers of court—consequences of winding up order—voluntary winding up by members and creditors—winding up subject to supervision of courts—liability of past members—payment of liabilities—preferential payment, unclaimed dividends — winding up of unregistered company,

Law and Multinational Companies

International norms for control

National law FEMA (Foreign Exchange Management Act 1999) control joint ventures—investment in India—repatriation of projects Collaboration agreements for technology transfer Corporate Liability

Legal liability of companies : civil and criminal

Remedies against them civil, criminal and tortious—Specific Relief Act, writs liability under special statutes

### **Bibliography**

Avtar Singh, Indian Company Law (1999) Eastern, Lucknow

LC.B. Gower, Principles of modern Company Law (1997) Sweet and Maxwell, London

Palmer, Palmer's company Law (1987) Stevens, London

R.R. Pennington, Company Law (1990), Butterworths.

A Ramaiya, Guide to the companies Act, (1998) Wadha

SM. Shah, Lectures on Company Law (1988), Tripathi, Bombay

Leasing Cases- Company Law

Dr A Laxman Swamy Mudliar V/s. LIC of India (AIR 1963 SC 1185)

Satish Chandra V/s. H.R. Gangulory (AIR 1962 32 Co. Cases 97 SC)

Official Liquidator V/s. Raghav Desikachar and other (1957, 45 Co. cases 136 SC)

**BL – 602/ 3226**

**Labour Law- II**

**MAX. M.- 70**

**MIN. M.- 28**

1 Employees state Insurance Act, 1948

1.1 Historical Development

- 1.2 Important definitions and object of the Act
- 1.3 Employment injury
- 1.4 Liability of the employers for accidents during and in the course of employment
- 1.5 Various benefits available under the Act
- 1.6 Constitution, Jurisdiction and powers of employees state insurance court
2. The Minimum Wages Act, 1948.
  - 2.1 Object, Constitutional validity and salient features of the Act.
  - 2.2 Important Definitions
  - 2.3 Fixation of minimum rates of wages
3. The Payment of wages Act, 1936.
  - 3.1 Scope and applicability of the Act
  - 3.2 Important Definitions
  - 3.3 Payment of wages and deductions from wages
  - 3.4 Authorities under the Act
4. The Factories Act, 1948
  - 4.1 Important Definitions
  - 4.2 Inspecting Staff
  - 4.3 Health, safety and welfare measures
  - 4.4 Working hours of adults c
  - 4.5 Employment of young persons
  - 4.6 Annual leave with wages

**BL - 603 /3227**

**Family Law – II (Muslim Law)**

**MAX. M.- 70**

**MIN. M.- 28**

1. Instruction of Muslim Law
2. Nature and Sources of Muslim Law
3. Schools of Mohammadan Law
4. Marriage and Special Marriage Act
5. Dowce
6. Divorce
7. Will
8. Hiba or Gift
9. Waqd
10. Pic-Emption
11. Guardianship
12. Parentage legitimacy and acknowledge
13. Maintenance of relations under Mohammadan Law and Optimal Procedure Law

**Leading Cases -**

1. Mainabibi and others V/s. Chaudhary Vakil Ahmad and others (1952 J.A.-145)
2. Sattar Shaikh V/s. Mst. Sahdunnissa (AIR 1969 A.L.J. 415)
3. Ayub Hasan V/s. Mst. Akhtari (AIR All 525)
- 4, Ram Saran Lal V/s. Smt. Damini Kaur (AIR 1961 1747)

**Books Recommended**

1. Faizi Mohammadan Law
2. Mullà - Principals of Mohammadan Law
3. Paras Diwan- Muslim Law
4. Akil Ahmad - Muslim Law

**BL - 604 /3228**

**Principales of Taxation Law**

**MAX. M.- 70**

**MIN. M.- 28**

- History of tax law in India  
Fundamental principles relating tO tax laws



Governmental financial policy, tax structure and their role in the national economy

Concept of tax

Nature and characteristics of taxes

Distinction between

Tax and fee

Tax and cess

Direct and Indirect Taxes

Tax evasion and tax avoidance

Scope of taxing powers of Parliament, state legislature and local bodies,

Income Tax

Basic concept

Income

Total Income

Income not included in total income

Deemed income

Clubbing of income

Assessed

Person

Tax Planning

Chargeable income

2.5.1 Heads of income

2.5.1.1 Salaries

2.5.1.2 Income from House Property

2.5.1.3 Income from Business Profession

2.5.1.4 Capital Gains

2.5.1.5 Income from other sources•

2.5.2 Deductions, relief and exemptions

2.5.3 Rate of income tax

2.6 Income tax Authorities

2.6.1 Power and Function

2.7 Offences and penal Sanctions

2.8 Settlement of Grievances

2.8.1 Authorities, powers and functions

3. Wealth Tax

3.1 Important Concept

3.2 Net Wealth

3.3 Evaluation

3.4 Tax Assessment

3.5 Liability for tax Assessment

3.6 Statutory provisions as regard to appeal

3.7 Notice

3.8 Rules regarding civil case

3.9 Power to make rule

Act Prescribed

1 Indian Income Tax Act, 1961

2 Wealth Tax Act, 1958

3 Gift Tax Act, 1958

**Leading Cases:**

Commissioner of Income Tax V/s. Kesho Bhai Lal Bhai Patel (SC 1965, 55 ITR 637)

C-IT Bombay V/s. Dwarka Das Khetan & Co. (SC 1961-41 HR 191)

The Second Gift Tax Commissioner Mangalore V/s. D.H. Hazareth (SC 1970, 76 ITR 7B)

**Books Recommended**

R.R. Gupta: Income Tax and Practice

S.R. Bhargava : Direct Taxation Manual

## VII SEMESTER

**BL - 701 /4221**

**Jurisprudence**

**MAX. M.- 70**

**MIN. M.- 28**

1. Introduction .
  - 1.1 Meaning of the term jurisprudence
  - 1.2. Norms and the normative system
    - 1.2.1 Different types of normative systems, such as of games, languages religious orders, unions, clubs and customary practice.
    - 1.2.2 Legal system as a normative order: similarities and differences of the legal system with other normative systems
    - 1.2.3 Nature and definition of law
2. Schools of Jurisprudence
  - 2.1 Analytical Positivism
  - 2.2 Nature Law
  - 2.3 Historical School
  - 2.4 Sociological School
  - 2.5 Economic interpretation of law
  - 2.6 The Bharat Jurisprudence
    - 2.6.1 The Ancient : The Concept of Dharma
    - 2.6.2 . The Modern : PIL, Social, Justice, Compensatory jurisprudence
3. Purpose of Law
  - 3.1 Justice
    - 3.1.1 Meaning and kinds
    - 3.1.2 Justice and law: Approaches of different schools
    - 3.1.3 Power of the Supreme Court of India to do complete justice in. a case: Article 142 . .
    - 3.1.4 Critical Studies
    - 3.1.5 Feminist Jurisprudence
4. Sources of Law
  - 4.1 Legislation
  - 4.2 Precedents : Concept of Stare decisis
  - 4.3 Customs
  - 4.4 Juristic writings
5. Legal Right : The Concept
  - 5.1 Rights : Kinds
  - 5.2 Right duty correlation
6. Persons
  - 6.1 Nature of Personality
  - 6.2 Status of the unborn, minor, lunatic drunken and dead persons]
  - 6.3 Corporate Personality
  - 6.4 Dimensions of the modern legal personality : Legal personality of non-human beings.
7. Possession The Concept
  - 7.1 Kinds of Possession
8. Ownership The Concept
  - 8.1 Kinds of Ownership
  - 8.2 Difference between possession and ownership
- 9.1 Title
10. Property : The Concept Unit 3
  - 10.1 Kinds of Property
11. Liability
  - 11.1 Conditions for imposing liability
    - 11.1.1 Wrongful Act

- 11.1.2 Damnum Sine injuna
- 11.1.3 Causation
- 11.1.4 Mensrea
- 11.1.5 Intention
- 11.1.6 Malice
- 11.1.7 Negligence and recklessness
- 11.1.8 Strict Liability
- 11.1.9 Vicarious liability
- 12. Obligation Nature and Kinds
- 12.1 Sources of obligation
- 13. Procedure
- 13.1 Substantive and procedural laws Difference
- 13.2 Evidence : Nature and Kinds

### **Selected Bibliography**

- Bodenheimer Jurisprudence - The Philosophy and Method of Law (1996). Universal, Delhi.
- Fetzgerald, (ed) Salmond on Jurisprudence (1999) Tripathi, Bombay
- W. Frieridmarin, Legal Theory (1999) Universal, Delhi
- V.D. Mahajan, Jurisprudence and Legal Theoiy(1996 Re-print), Eastern, Lucknow
- M.D.A. Freeman (ed). Lloyd's Introduction t Jurisprudence (1994), Sweet & Maxwell
- Paton G.W., Jurisprudence (1972) Oxford, ELBS
- H.L.A. Hart, The Concepts of Law (1970) Oxford ELBS
- Roscoe Pond, Introduction to the Philosophy of Law (1998 Re-Print) Universal, Delhi
- Dias, Jurisprudence (1994 First Indian re-Print), Adithya Books, New Delhi
- Dhyani SN., Jurisprudence : A study of Indian Legal Theory (1985) Metropolitan, New Delhi.

### **BL - 702 /4222**

#### **Public International law**

**MAX. M.- 70**

**MIN. M.- 28**

1. Nature, origin and basis of international law various theories and schools
2. Sources of international law
3. History and development of International law
4. Codification of International Law
5. Relationship between International Law and Municipal Law
6. Law of Peace — Nature of state and different kinds of states and non-state entities — subjects of International Law and Place of individual in international Law — Human rights — state responsibility — Recognition — State Succession — Intervention — State Jurisdiction — State Territory including modes of acquisition and loss of state territory — The law of the sea — piracy - - air Law including Air craft Hijacking — outer space — Nationality — Extradition- Asylum — Treatments of aliens
7. International Transactions — Diplomatic Agents — Treaties
8. International organizations-definition, functions and evolution of international organizations-league of nations-origin, purpose, principles, membership etc. of the united nations-The general assembly of the united nations security council — secretariat-the Economic and social council-The Trusteeship council-International court of justice — collective security — Regionalism regional arrangements — maintenance of international peace and security — the specialized agencies — Disarmament — comparison of the U.N. and the league of the nations and evaluation of the work of the U.N.
9. Law of War
- 9.1 Settlement of International Disputes
- 9.2 War, Its legal character and effects
- 9.3 Enemy character — Law of land warfare — belligerent occupation — Law of maritime warfare — Law of Aerial Warfare, War crimes-Neuremberg, Tokyo, Peleus, Eichmann and other war crime trials Genocide — Termination of war and postiliminium

10. The law of Neutrality — Neutrality, Jus angwiiae or privilege of angway — contraband and doctrine of continuous vorage — blockade- unneutral service and right of visit and search — price courts

11. Human Rights

Leading Cases

1. Nurembarg Trial (1946 C.M.D. 6964)

2. Daimlar Co. Ltd, V/s. Continental Tyre and Rubber Co. Ltd. (1916, 3 AC. 13)

3. Jamora (C 1996) 20 A Cn)

**Books Recommended —**

1. M.P. Tondon — international Law

2. J.D. Jam — International Law

3. S.K. Kapoor — International Law

4. Jai Jai Ram Upadhyay — Human Rights

**BL – 703/4223**

**Interpretation of statutes**

**MAX. M.- 70**

**MIN. M.- 28**

1 Principles of Legislation

1.1 Law making — the legislation, executive and the judiciary

1.2 Principle of utility

1.3 Relevance of John Rawls and Robert Nazilk — Individual interest to community interest

1.4 Operation of these principles upon legislation

1.5 Distribution between morals and legislation

2. Interpretation of statutes;

2.1 Meaning of the Term Statutes

2.2 Commeniement operation and repeal of statutes

2.3 Purpose of interpretation of statutes

3. Aids to interpretation

3.1 Internal aids

3.1.1 Title

3.1.2 Preamble

3.1.3 Headings and marginal notes

3.1.4 Sections and sub-sections

3.1.5 Punctuation marks

3.1.6 Illustrations, exceptions, provisos and saving clauses

3.1.7 Schedules

3.1.8 Non-obstante clause

3.2 External aids

3.2.1 Dictionaries

3.2.2 Translations

3.2.3 Travaux Preparatoires

3.2.4 Statutes in pan material

3,2.5 Contemporanea Exposito

3.2.6 Debates inquiry commission reports and law commission reprints

4. Rules of Statutory Interpretation

4.1 Primary Rules

4.1.1 Literal Rule

4.1.2 Golden rule

4.1.3 Mischief Rule (rule in the Heydon's case)

4.1.4 Rule of Harmonious construction

4.2. Secondary Rules

4.2.1 Nosoitur a sociis

4.2.2 Ejudem Generis

- 4.2.3 Reddendo singula singulis
- 5. Presumptions in statutory interpretation
  - 5.1 Statutes are valid
  - 5.2 Statutes are territorial in operation
  - 5.3 Presumption as to jurisdiction
  - 5.4 Presumption against what is inconvenient or absurd
  - 5.5 Presumption against intending injustice
  - 5.6 Presumption against impairing obligations or permitting advantage from one's own wrong.
  - 5.7 Prospective operation of statutes
- 6. Maxims of Statutory Interpretation
  - 6.1 Delegatus non potest delegare
  - 6.2 Expressio unius exclusion alterius
  - 6.3 Generalia specialibus non derogant
  - 6.4 In pan delicto potior est condition possidentis
  - 6.5 Utres valet potior quam pareat
  - 6.6 Expresum facit cassare facitum
  - 6.7 In bonam partem
- 7. Interpretation with reference to the subject matter and purpose
  - 7.1 Restrictive and beneficial construction
    - 7.1.1 Taxing statutes
    - 7.1.2 Penal Statutes
    - 7.1.3 Welfare Legislation
  - 7.2 Interpretation of substantive and adjunctival statutes
  - 7.3 Interpretation of directory and mandatory provisions
  - 7.4 Interpretation of enabling statutes
  - 7.5 Interpretation of codifying and consolidating statutes
  - 7.6 Interpretation of statutes conferring rights
  - 7.7 Interpretation of statutes conferring powers
- 8. Principles of constitutional interpretation
  - 8.1 Harmonious construction
  - 8.2 Doctrine of pith and substance
  - 8.3 Colourable legislation
  - 8.4 Ancillary powers
  - 8.5 Occupied field
  - 8.6 Residuary power
  - 8.7 Doctrine of repugnancy

#### **Selected bibliography**

- G.P. Singh, Principles of Statutory interpretation, (7t Edition) 1999, Wadhwa, Nagpur
- P.St. Langan (Ed) Maxwell on the Interpretation of Statutes (1976) N.M. Tripathi Bombay
- K. Shanmukham, N.S. Bindras's interpretation of statutes (1997) The law book Co. Allahabad
- V. Sarathi, Interpretation of Statutes, (1984), Eastern, Lucknow
- M.P. Jam, Constitutional Law of India, (1994), Wadhwa and Co.
- M.P.Singh (Ed) V.N. Sukia's Constitution of India, (1994) Eastern, Lucknow
- U. Baxi, Introduction to justice, K.K. Mathew's democracy equality and freedom (1978) Eastern.

#### **Leading Cases**

- 1. M. Venugopal V/s. Divisional Manger L.I.C. of India (1994, S SCJ 62)
- 2. H.S. Atwal and others v/s. Union of India & Others 1994, 3SCJ 321

#### **BL – 704/4224**

#### **Alternate Dispute Resolution (clinical paper III)+ Viva Voce**

**MAX. M.- 50**

**MIN. M.- 20**

Outline of the course

1. Negotiation skills to be learned with simulated program
2. Conciliation skills
3. Arbitration Law Practice including International arbitration and Arbitration rules

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

## **VIII SEMESTER**

**BL – 801/4225**

**Law of Evidence**

**MAX. M.- 70**

**MIN. M.- 28**

1. Introductory
  - 1.1 The main features of the Indian Evidence Act (1861)
  - 1.2 Other acts which deal with evidence (Special reference to CPC, CrPC)
  - 1.3 Problem of applicability of Evidence Act
    - 1.3.1 Administrative
    - 1.3.2 Administrative Tribunals
    - 1.3.3 Industrial Tribunals
    - 1.3.4 Commissions of Enquiry
    - 1.3.5 Court-Martial
  - 1.4 Disciplinary authorities in educational institutions
2. Central Conceptions in Law of Evidence
  - 2.1 Facts : section 3 definition : distinction — relevant facts/facts in issue
  - 2.2 Evidence: oral and documentary
  - 2.3 Circumstantial evidence and direct evidence
  - 2.4 Presumption (Section 4)
  - 2.5 Proving not providing and disproving
  - 2.6 Witness
  - 2.7 Appreciation of evidence, V
3. Facts Relevancy'
  - 3.1 The Doctrine of register (section 6,7,8,10)
  - 3.2 Evidence of common intention (Section 10)
  - 3.3 The problems of relevancy of Otherwise irrelevant facts (Section 11)
  - 3.4 Relevant facts for proof of custom (Section 13)
  - 3.5 Facts concerning bodies & Mental state (Section 14, 15)
4. Admissions and confessions
  - 4.1 General principles concerning admission (Section 17, 23)
  - 4.2 Differences between admission and confession
  - 4.3 The problems of non-admissibility of confessions caused by any inducement threat or promise (Section 24)
  - 4.4 inadmissibility of confession made before a police officer (Section 25).
  - 4.5 Admissibility of custodial confessions (Section 26)
  - 4.6 Admissibility of information received from accused person in custody with special reference to the problem of discovery based on joint statement (Section 27)
  - 4.7 Confession by to-accused (Section 30)
  - 4.8 The problems with the judicial based on a retracted confession
5. Dying declarations
  - 5.1 The justification fo,r relevance on dying declarations (Section 32)
  - 5.2 The judicial' standards for appreciation of evidentiary value of dying declarations
6. Other Statement by Persons who cannot be called as Witnesses
  - 6.1 General principles

- 6.2 Special problems concerning violation of women's rights in marriage in the law of evidence
- 7. Relevance of Judgement
  - 7.1 General principles
  - 7.2 Admissibility of judgements in civil and criminal matters (Section 43)
  - 7.3 Fraud and Collusion (Section 44)
- 8. Expert Testimony
  - 8.1 General principles
  - 8.2 Who is an expert ? Types of expert evidence
  - 8.3 Opinion on relationship especially proof of marriage (Section 50)
  - 8.4 The problems of judicial defence to expert testimony
- 9. Oral and Documentary Evidence
  - 9.1 General principles concerning oral evidence (Section 59-60)
  - 9.2 General principles concerning Documentary Evidence (Section 67-90)
  - 9.3 General Principles Regarding Exclusion of Oral by Documentary Evidence
  - 9.4 Special problems re-hearing evidence
  - 9.5 Issue estoppel
  - 9.6 Tenancy estoppel (Section 116)
- 10. Witnesses, Examination and Cross Examination
  - 10.1 Competency to testify (Section 118)
  - 10.2 State privilege (Section 118)
  - 10.3 Professional Privilege (Section 126, 127, 128)
  - 10.4 Approval testimony (Section 133)
  - 10.5 General principles of examination and cross examination (Section 135-166)
  - 10.6 Leading questions (Section 141-143)
  - 10.7 Lawful questions in cross-examination (Section 146)
  - 10.8 Compulsion to answer questions put to witness
  - 10.9 Hostile witness (Section 154)
  - 10.10 Impeaching of the standing of credit of witness (Section 155)
- ii. Burden of Proof
  - 11.1 The General Conception of onus probandi (Section 101)
  - 11.2 General and Special Exceptions to onus Probandi
  - 11.3 The Justification of presumption and of the doctrine of judicial notice
  - 11.4 Justification as to presumptions as to certain offences (Section 113-A)
  - 11.5 Presumption as to dowry death (Section 113-B)
  - 11.6 The Scope of the doctrine of judicial notice (Section 114)
- 12. Estoppel
  - 12.1 Why estoppel ? The rationale (Section 115)
  - 12.2 Estoppel, res judicata and waiver and presumption
  - 12.3 Estoppel by deed
  - 12.4 Estoppel by conduct
  - 12.5 Equitable and promissory estoppel
  - 12.6 Questions of corroboration (Section 156-157)
  - 12.7 Improper admission and of witness in civil and criminal cases

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- Potein Murphy, Evidence (5th Edn. Reprint 2000), Universal Delhi
- Albert S Osborn, The Problem of Proof (First Indian Reprint 1993) Universal Delhi
- Avtar Singh, Principles of the Law of Evidence (1992), Central Law Agency, New Delhi

### **Leading Cases**

- 1. Balkishan Das V/s. Legg  (ILR 22A 149)

2. Bhawani Sahu V/s. K.E. (AIR 1949 P.C.. 257)
3. Deaman Upadhyay V/s. State of U.P. (AIR 1960 S.C. 1125)
4. Palvinder Kaur V/s. State of Punjab (AIR 1952 SC 359)

**BL - 802 /4226**

**Administrative Law**

**MAX. M.- 70**

**MIN. M.- 28**

1. Evolution, Nature and Scope of Administrative Law
  - 1.1 From a laissez-faire to a social welfare state
    - 1.1.1 State as regulator of private interest
    - 1.1.2 State as provider of services
    - 1.1.3 Other functions of modern state relief welfare
  - 1.2 Evolution of administration as the fourth branch of government - necessity for delegation of powers on administration.
  - 1.3 Evolution of agencies and procedures for settlement of disputes between individual and administration
    - 1.3.1 Regulatory agencies on the United States
    - 1.3.2 Conseil d Estate
    - 1.3.3 Tribunalization in England and India
  - 1.4 Definition and scope of administrative law
  - 1.5 Relationship between constitutional law and administrative law
  - 1.6 Separation of powers
  - 1.7 Rule of law
2. Civil Service in India
  - 2.1 Nature and organization of civil services ; from colonial relics to democratic aspiration
  - 2.2 Powers and functions
  - 2.3 Accountability and responsiveness ; Problems and perspectives
  - 2.4 Administrative deviance-corruption, nepotism, mal-administration.
3. Legislative Powers of Administration
  - 3.1 Constitutionality for delegation of legislative power
  - 3.2 Constitutionality of delegated legislation — powers of exclusion and inclusion and power to modify statute
  - 3.3 Requirements for the validity of delegated legislation
    - 3.3.1 Consultation of affected interests and public participation in rule-making
    - 3.3.2 Publication of delegated legislation
  - 3.4 Administrative directions, circulars and policy statements
  - 3.5 Legislative control of delegated legislation
    - 3.5.1 Laying procedures and their efficacy
    - 3.5.2 Committees on delegated legislation-their constitution, function and effectiveness
    - 3.5.3 Hearings before legislative committee
  - 3.6 Judicial control of delegated legislation
  - 3.7 Sub-delegation of legislative powers
4. Judicial Powers of Administration
  - 4.1 Need for devolution of adjudicatory authority on administration
  - 4.2 Administrative tribunals and other adjudicating authorities : their ad-hoc character
  - 4.3 Tribunals-need, nature, constitution, jurisdiction and procedure
  - 4.4 Jurisdiction of administrative tribunals and other authorities
  - 4.5 Distinction between quasi-judicial and administrative functions
  - 4.6 The right to hearing — essentials of hearing process
    - 4.6.1 No man shall be judge in his own cause
    - 4.6.2 No man shall be condemned unheard
  - 4.7 Rules of evidence — no evidence, some evidence and substantial evidence



- rules
- 4.8 Reasoned decisions
- 4.9 The right to counsel
- 4.10 Institutional decisions
- 4.11 Administrative appeals
- 5. Judicial Control of Administrative Action
  - 5.1 Exhaustion of administrative remedies
  - 5.2 Standing : standing for Public interest litigation (social action litigation)
    - collusion, bias
  - 5.3 Laches
  - 5.4 Res Judicata
  - 5.5 Grounds
    - 5.5.1 Jurisdictional error/ultra vires
    - 5.5.2 Abuse and non exercise of jurisdiction
    - 5.5.3 Error apparent on the face of the record
    - 5.5.4 Violation of principles of natural justice
    - 5.5.5 Violation of public policy
    - 5.5.6 Unreasonableness
    - 5.5.7 Legitimate expectation
  - 5.6 Remedies in judicial Review
    - 5.6.1 Statutory Appeals
    - 5.6.2 Mandamus
    - 5.6.3 Certiorari
    - 5.6.4 Prohibition
    - 5.6.5 Quo-Warranto
    - 5.6.6 Habeas Corpus
    - 5.6.7 Declaratory judgments and injunction
    - 5.6.8 Specific performance and civil suits for compensation
- 6. Administrative Discretion
  - 6.1 Need for administrative discretion
  - 6.2 Administrative discretion and rule of law
  - 6.3 Limitations on exercise of discretion
    - 6.3.1 Malafide exercise of discretion
    - 6.3.2 Constitutional imperatives and use of discretionary authority
    - 6.3.3 Irrelevant Considerations
    - 6.3.4 Non-exercise of discretionary power
- 7. Liability for wrongs (Tortious and Contractual)
  - 7.1 Tortious liability : sovereign and non-sovereign functions
  - 7.2 Statutory immunity
  - 7.3 Act of state
  - 7.4 Contractual liability of government
  - 7.5 Government privilege in legal proceedings-state secrets, public interest
  - 7.6 Transparency and right to information
  - 7.7 Estoppel and waiver
- 8. Corporations and Public Undertakings
  - 8.1 State monopoly-remedies against arbitrary action or for acting against public policy
  - 8.2 Liability of public and private corporations-departmental undertaking
  - 8.3 Legislative and governmental control
  - 8.4 Legal remedies
  - 8.5 Accountability-Committee on Public Undertaking, Estimates Committee, etc.
- 9. Informal methods of settlement of disputes and grievance redressal procedures
  - 9.1 Conciliation and mediation through social action groups

- 9.2 Use of media, lobbying and public participation
- 9.3 Public inquiries and commissions of inquiry
- 9.4 Ombudsman Lok Pal, Lok Ayukta
- 9.5 Vigilance Commission
- 9.6 Congressional and Parliamentary Committee

**Selected Bibliography**

- C.K. Allen, Law & orders (1985)
- D.D. Basu, Comparative Administrative Law (1998)
- MA. Fazal, Judicial Control of Administrative Action in India, Pakistan and Bangladesh (2000) Butterworths — India
- Franks, Report of the Committee on Administrative Tribunals and Inquiries, HMSO, 1959

**Leading Cases**

- 1. Han Shankar Bagla and Other V/s. State of M.P. AIR 1954SC 465
- 2. Hamdard Dawakhana and others V/s. Union of India (AIR 1960 SC 554)
- 3. Bhagat Raja V/s. Union of India AIR 1967 SC 1607

**Books Recommended —**

- 1. C.K. Allen, Law and Order (1985)
- 2. D.D. Basu, Comparative Administrative Law (1998)
- 3. MA. Fazal, Judicial Control of Administrative Action in India, Pakistan and Bangladesh (2000)
- 4. Wade, Administrative Law
- 5. I.C. Gamer, Administrative Law
- 6. M.P. Jam, Cases and Materials on Administrative Law
- 7. Jam and Jam, Principles of Administrative Law
- 8. S.P. Sathe, Administrative Law
- 9. Dc. Smith, Judicial Review of Administrative Action
- 10. B. Schwartz, An Introduction to American Administrative Law,

**BL - 803 /4227**

**Human Rights Law and Practice including R T I**

**MAX. M.- 70**

**MIN. M.- 28**

The course shall comprise of the following —

- 1. Meaning and concept of Human Rights
- 2. Evolution and development of Human Rights Law
  - a. Imp act of Natural Law and Natural Rights
  - b. Broadening of contents
- 3. Human Rights and the United Nations:
  - a. Charter Provision
  - b. International Protection of Human Rights
- 4. Universal declaration of Human Rights
- 5. Covenant on Political and Civil Rights (1996)
- 6. Covenant on Social, economic and cultural Rights (1966)
- 7. Protection of Human Rights Act, 1993
- 8. Right to Information Act, 2005
- 9. Enforcement of Human Rights in India:
  - a. Role of Courts : The Supreme Court, High Court and Other courts
  - b. Statutory Commissions : Human Rights, Women’s Minority and Backward Class

**BL - 804 /4228**

**Professional Ethics and Professional Accounting system**

**(clinical paper II) + Viva Voce**

**MAX. M.- 50**

**MIN. M.-20**

Outline of the course — Professional Ethics, Accountancy for lawyers and Bar-Bench Relations

This course will be taught in association with practising lawyers and Bar-Bench Relations

1. Mr. Krishnamurthy Iyer's book on Advocacy
2. The Contempt law and practice
3. The Bar Council Code of Ethics
4. 50 Selected opinions of the Disciplinary committees of bar Councils and 10 major judgements of the supreme court on the subject
5. Other reading materials as may be prescribed by the University Examination rules of the University shall include assessment through case-study, viva and periodical problem solution besides the written tests.

## **IX SEMESTER**

**BL - 901 /5221**

**Civil Procedure code and limitation Act**

**MAX. M.- 70**

**MIN. M.- 28**

1. Introduction
  - 1.1 Concepts
    - 1.1.1 Affidavit, order, judgment, decree, plaint restitution, execution, decree-holder, judgement-debtor mesne profits, written statement
    - 1.1.2 Distinction between decree and judgment and between decree and order.
2. Jurisdiction
  - 2.1 Kinds
    - 2.1.1 Hierarchy of Courts
  - 2.2 Suit of civil nature
  - 2.3 Res-judicata and Res-judices
  - 2.4 Foreign judgement — enforcement
  - 2.5 Place of suing
  - 2.6 Institution of suit
    - 2.6.1 Parties to suit: joinder, mis-joinder or non-joinder of parties : Representative suit.
      - 2.6.1.1 Frame of suit: Cause of action
    - 2.6.2 Alternative disputes resolution (ADR)
    - 2.6.3 Summons
3. Pleadings
  - 3.1 Rules of pleading Signing and verification
    - 3.1.1 Alternative pleadings
    - 3.1.2 Construction of pleadings
  - 3.2 Complaint : Particulars
    - 3.2.1 Admission, return and rejection
  - 3.3 Written statement : particulars, rules of evidence
    - 3.3.1 Set off and counter Claim: distinction
  - 3.4 Discovery, inspection and production of documents
    - 3.4.1 Interrogatories
    - 3.4.2 Privileged documents .
    - 3.4.3 Affidavits
4. Appearance, examination and trial
  - 4.1 Appearance
  - 4.2 Ex-Parte procedure
  - 4.3 Summary and attendance of witnesses
  - 4.4 Trial
  - 4.5 Adjudgments

4.6 Interim orders : Commission, arrest of attachment before judgement, injunction and appointment of receiver  
 Interests and costs  
 Execution  
 The Concept  
 General Principles  
 Power for execution of decrees  
 Procedure for execution (ss. 55-54)  
 Enforcement, arrest and detection (ss.55.59)  
 Attachment (ss. 60-64)  
 Sale (ss. 65-67)  
 Delivery of property  
 Stay of execution  
 Suits in particular cases  
 By or against government (ss.79-82)  
 By alienee and by or against foreign rules or ambassadors (ss.83—87A)  
 Public nuisance (ss. 91-93)  
 Suits by or against firm  
 Suits in forma pauperis  
 Mortgages  
 Interpleader Suits  
 Suits relating to public charties  
 7. Appeals  
 7.1 Appeals from original decree  
 7.2 Appeals from appellate decree  
 7.3 Appeals from orders  
 7.4 General provisions relating to appeal  
 7.5 Appeal to the Supreme Court  
 8. Review, Reference and revision  
 9. Miscellaneous  
 9.1 Transfer of cases  
 9.2 Restitution  
 9.3 Caveat  
 9.4 Inherent powers of courts  
 10. Law reform: Law commission on Civil Procedure-Amendments  
 11. Law of Limitation  
 11.1 The concept — The law assists the vigilant and not those who sleep over the rights  
 11.2 Object  
 11.3 Distinction with laches, acquiescence, presumption  
 11.4 Extension and suspension of limitation  
 11.5 Sufficient cause for not fitting the proceedings  
 11.5.1 Illness  
 11.5.2 Mistaken legal advise  
 11.5.3 Mistaken view of law  
 11.5.4 Poverty, minority and Purdha  
 11.5.5 Imprisonment  
 11.5.6 Defective vakalatnama  
 11.6 Legal liabilities  
 11.7 Foreign rule of limitation : Contract entered into under a foreign law  
 11.8 Acknowledgement — essential requisites  
 11.9 Continuing tort and continuing breach of contract  
**Leading Cases**  
 1. Deaki Nandan V/s. Murlidhar (AIR 1957 SC 550)  
 2. The Virathi Nager Steel Mills Ltd V/s. State of madras (AIR 1968 SC 1196)

Chhajju RamV/s. Neki Ram and Others (AIR 1922 PC 112)

**Selected Bibliography**

1. Mulla, code of civil Procedure (1999) Universal Delhi
2. C.K. Thacker, Code of Civil Procedure
3. MR. Mallick (ed.) B.B. Mitra on Limitation Act
4. Majumdar P.K. and Kataria PP. C.P.C.
5. SahaA.N.(C.P.C.)
6. Sarkar Law of Civil Procedure
7. Universal Code of Civil Procedure

**BL - 902 /5222**

**Criminology and Penology**

**MAX. M.- 70**

**MIN. M.- 28**

1. Dimensions of Crime in India
  - 1.1 Nature and extent of crime in India
  - 1.2 General approaches to crime control
  - 1.3 Crimes of the powerful
    - 1.3.1 Organised crime-smuggling traffic in narcotics
    - 1.3.2 White collar crime — Corruption in public life
    - 1.3.3 Socio-Economic crime; Adulteration of foods and drugs fraudulent trade practices.
    - 1.3.4 Crimes in the professions — Medical, legal engineering
    - 1.3.5 Criminality by agencies of the state
  - 1.4 Perpetrators of ordinary crime
    - 1.4.1 The Situational Offender
    - 1.4.2 The Chronic offender
    - 1.4.3 Criminality of women
    - 1.4.4 Young offenders
    - 1.4.5 Criminal gange
2. Causes of criminal behaviour
  - 2.1 Nature of the problem; Some unscientific theories
  - 2.2 The constitutional school of criminology — Lomborso and others (heredity and mental retardation as causes of crime)
  - 2.3 Sociological theories anomies
  - 2.4 Modern sociological theories ; Sutherland's differential association theory Reckless's social vulnerable theory
  - 2.5 Economic theories and their relevance
  - 2.6 Environment —home and community influences, urban and rural crimes
  - 2.7 The ghetto, broken homes, the effect of motion pictures, TV. and Video, Press, narcotics and alcohol
  - 2.8 Casts ad community tensions : Caste wars and communal riots - their causes and demoralizing effects: atrocities agilities against scheduled cadres.
  - 2.9 Emotional disturbance and other psychological factors
  - 2.10 Multiple causation approach to crime
3. Police and the criminal justice
  - 3.1 The police system
  - 3.2 Structural organization of police at the centre and the states
  - 3.3 Mode of recruitment and training
  - 3.4 Powers and duties of police under the police acts, criminal procedure code and other laws
  - 3.5 Arrest search and seizure and constitutional imperatives
  - 3.6 Methods of police investigation
  - 3.7 Third degree methods
  - 3.8 Corruption in police
  - 3.9 Relationship between police and prosecution
  - 3.10 Liability of police for custodial violence

- 3.11 Police public relations
- 3.12 Select aspects of National Police Commission report
- 4. Punishment of Offenders
  - 4.1 Some discarded modes of punishment
    - 4.1.1 Corporal punishment; whipping and flogging: mutilation and branding
    - 4.1.2 Transportation
    - 4.1.3 Public execution
  - 4.2 Punishments under the Indian criminal law
    - 4.2.1 Capital punishment
    - 4.2.2 Imprisonment
    - 4.2.3 Fine
    - 4.2.4 Cancellation or withdrawal of licences
  - 4.3 The prison system
    - 4.3.1 Administrative organization of prisons
    - 4.3.2 Mode of recruitment and training
    - 4.3.3 The jail manual
    - 4.3.4 Powers of prison officials
    - 4.3.5 Prisoners classification-male, female: juvenile and adult : undertrial and convicted prisoners
    - 4.3.6 Constitutional imperatives and prison reforms
    - 4.3.7 Prison management : prisoners right and security compulsions
    - 4.3.8 Open prisons
    - 4.3.9 Prison Labour
    - 4.3.10 Violation of Prison code and its consequences
  - 4.4 Appraisal of imprisonment as a mode of punishment
- 5. Treatment of Correction of Offenders
  - 5.1 The need for reformation and rehabilitation of offenders undergoing punishment imprisonment
  - 5.2 Classification of offenders through modern diagnostic techniques.
  - 5.3 The role of psychiatrists, psychoanalysts and social workers in the prison
  - 5.4 Vocational and religious education and apprenticeship programs for the offenders
  - 5.5 Group counselling and re-socialisation programmes
  - 5.6 Prisoners organizations for self-government.
  - 5.7 Participation of inmates in community Services
  - 5.8 An appraisal of reformatory techniques..
  - 5.9 Efficacy of imprisonment as a measure to combat criminality and the search for substitutes
- 6. RE-Socialisation Processes
  - 6.1 Parole
    - 6.1.1 Nature of Parole
    - 6.1.2 Authority for granting parole
    - 6.1.3 Supervision of parolees
    - 6.1.4 parole and conditional release
  - 6.2 Release of the offender
    - 6.2.1 Problems of the released offender
    - 6.2.2 Attitudes of the community towards released offenders
    - 6.2.3 Prisoner aid societies and other voluntary organisations
    - 6.2.4 Governmental action
    - 6.2.5 An appraisal

### **Selected bibliography**

- Katherine S Williams, Text Book on Criminology (1997) Blackstone, London
- Loveland, The frontiers of Criminality (1995) Sweet and Maxwell
- Martin Wasik, Emmins on Sentencing (1998), Blackstone, London
- Hall, J. Law Social Science and Criminal Theory (1982)
- Manheim, H. Comparative Criminology A Text Book (1965)
- Ross, H. (Lawrence Ed.) Law and Deviance (1981)

Sutherland, E and Cressy, Principles of Criminology (1978)  
 Walker, N, Crime and Criminology : A Critical Introduction (1987)  
 S. Rao, Crime in Our Society, (1983)  
 J.M. Sethna, Society and the Criminal (1980)  
 A. Siddiqui, Criminology Problems and Perspectives (1997)  
 E. Sutherland, White Collar Crime (1949)  
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 W.C. Reckless, The Prevention of Juvenile Delinquency (1972)  
 D.C. Pandey, Habitual Offenders and the Law (1983)  
 D Abrahamsen, David: Crime and the Human Mind (1979)  
 Conrad, John P: Crime and its correction : An international survey of attitudes and Krishna Iyer Report on Female Prisoners (1983)  
 Mulla Committee Report (1983)  
 P. Rajgopal, Violence and Response : A Critique of indian Criminal Justice System

**BL - 903 /5223**

**Land Law Including Tenure and Tenancy System**

**MAX. M.- 70**

**MIN. M.- 28**

- I. UP. Zamindari Abolition and Land Reforms Act, 1950
- I General introduction and Definitions (Sec 1- 3)
2. Acquisition of the interests of Intermediaries and its consequences (sec 4-26)
3. Evacuee property (Sec 26-A and 26-B)
4. Mines and Minerals (Sec 106-112)
5. Gaon Sabhas and Land Management Committees,  
(Sec 117, 117-A, 119,122-A— 127, 127-B, 127-C, 128)
6. Tenure —Classes of Tenure, Transfer Prevention of fragmentation, Devolution, Division, Surrender, abandonment, extinction and acquisition, Ejectment, Rent, and Miscellaneous
7. Conferment of Sirdari rights on Adhivasi
8. Land Revenue and its cOllection
9. Miscellaneous (See, 3 19-344)
10. U.P. Land Revenue Act, III 1901
11. Tenancy

**Leading Cases**

1. Ghanshyam Das V/s. Devi Prasad & Others (AIR 1966 SC 1998)
2. Rudra PRatap and Others V/s. Board of Revenue and Others (AIR 1975 All 125)
3. Ramji Dixit V/s. Birju and Others (AIR 1968 SC 1058)
4. Smt. Santoshi V/s. U.P. State (1968 RD 289)

**BL – 904/5224**

**Drafting, Pleading and Conveyance (clinical paper I) + Viva Voce**

**MAX. M.- 50**

**MIN. M.- 20**

Outline of the course

1. Drafting — General principles of drafting and relevant substantive rules shall be taught.
  2. Pleading— Civil - Pleint, Written Statement, Interlocutory, Application, Original Petition under Article 226 and 32 of the Constitution of India
- Criminal : Complaint, Criminal Miscellaneous petition, Bail Application, Memorandum of Appeal and Revision
- Conveyance: Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed.
- Drafting of writ petition and PIL petition
- The course will be taught class instructions and simulation exercise preferably with assistance of practising lawyers/retired judges

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

## **X SEMESTER**

### **BL - 1001 /5225**

#### **Intellectual Property Law**

**MAX. M.- 70**

**MIN. M.- 28**

1. Introductory
  - 1.1 The meaning of Intellectual property
  - 1.2 Competing rationales of the legal regimes for the protection of intellectual property
  - 1.3 The main forms of intellectual property Copyright trademarks, patents, designs.
  - 1.4 The competing rationales for protection of right in
    - 1.4.1 Copyright
    - 1.4.2 Trademarks
    - 1.4.3 Patents
    - 1.4.4 Designs
    - 1.4.5 Trade secrets
    - 1.4.6 Other new forms such as plant varieties and geographical Indians
  - 1.5 Introduction to the international instruments concerning intellectual property rights the Berne Convention, Universal Copyright Convention, the Paris Union Trips the World Intellectual Property Rights Organisation (WIPO) and the UNESCO.
2. Select aspects of the law of copyright in India
  - 2.1 Historical evolution of the law
  - 2.2 Meaning of copyrights
  - 2.3 Copyright in literary, dramatic and musical works
  - 2.4 Copyright in sound records and cinematograph films
  - 2.5 Copyright in computer programme
  - 2.6 Ownership of copyright
  - 2.7 Assignment of copyright
  - 2.8 Author's special rights
  - 2.9 Notion of infringement
  - 2.10 Criteria of infringement
  - 2.11 Infringement of copyright by films of literary and dramatic works
  - 2.12 Importation and infringement
  - 2.13 Fair use provisions
  - 2.14 Piracy in internet
  - 2.15 Aspects of copyright justice
  - 2.16 Remedies, especially, the possibility of Anton pillar injunctive relief in India.
3. Intellectual Property in Trademarks
  - 3.1 The rationale of protection of trademarks (a) an aspect of commercial and (b) of consumer rights.
  - 3.2 Definition and concept of trademarks
  - 3.3 Registration
  - 3.4 Distinction between trademark and property mark
  - 3.5 The doctrine of honest Current User
  - 3.6 The doctrine of deceptive similarity
  - 3.7 Protection of well-known marks
  - 3.8 Passing off and infringement
  - 3.9 Criteria of infringement
  - 3.10 Standards of proof in passing off action
  - 3.11 Remedies



4. The law of Intellectual property : Patents
  - 4.1 Concept of patent
  - 4.2 Historical view of the patents law in India
  - 4.3 Patentable invention with special reference to biotechnology products entailing creation of new forms of life.
  - 4.4 Patent protection for computer programme
  - 4.5 Process of obtaining a patent application, examination, opposition and sealing of patents : general introduction
  - 4.6 Procedure for filing patents. Patent co-operation treaty
  - 4.7 Some grounds for opposition
    - 4.7.1 The problem of limited locus standi to oppose, specially in relation to inventions having potential of ecological and mass disasters
    - 4.7.2 Wrongfully obtaining the invention
  - 4.7.3 Prior publication or anticipation
  - 4.7.4 Obviousness and the lack of inventive step
  - 4.7.5 Insufficient description
  - 4.8 Rights and obligations of a patentee
    - 4.8.1 Patents as chose in action
    - 4.8.2 Duration of patents: law and policy considerations
    - 4.8.3 Use and exercise rights
    - 4.8.4 Right to secrecy
    - 4.8.5 The notion of 'Abuse' of patent rights
    - 4.8.6 Compulsory licenses
  - 4.9 Special Categories
    - 4.9.1 Employee Invention : Law and Policy Consideration
    - 4.9.2 International Patents, Transfer of Technology. Know-How and Problems of self reliant development
  4. 10 Infringement
    - 4.10.1 Criteria of infringement
    - 4.10.2 Onus of Proof
    - 4.10.3 Modes of infringement The Doctrine of Colourable Variation
    - 4.10.4 Defences in suits of infringement
    - 4.10.5 Injunction and related remedies

#### **Selected Bibliography**

- Cormish W.R., Intellectual Property, Patents, Trade Marks, Copy Rights and Allied Rights (1999), Asia Law House, Hyderabad.
- Vikas Vashishth, Law and Practice of Intellectual Property (1999), Bharat Law House, Delhi
- P. Narayanan, Intellectual Property Law (1999), (ed) Eastern Law House, Calcutta
- Bibeck Debroy (ed) Intellectual Property Rights (1998) Rajiv Gandhi Foundation, Delhi.
- U.I.F. Anderfelt, International Patent Legislation and Developing Countries (1971).
- W.R. Cormish, Intellectual Property (3rd ed.) (1996), Sweet and Maxwell
- W.R. Mann., Transfer of Technology (1982)
- Mata Din, Law of Passing off and infringement Action of Trade Marks (1986)
- P.S. Sangal and Kishore Singh, Indian Patent System and Paris Convention Legal Perspectives (1987).
- K.. Thairani, Copyright The Indian Experience (1987)
- W.R. Cornish, Para and Materials on Intellectual Property (1999), Sweet and Maxwell.

**BL - 1002 /5226**

**Property Law**

**MAX. M.- 70**

**MIN. M.- 28**

Transfer of Property Act

1. Interpretation clause
2. Transfer of property defined
3. Movable and immovable property
4. Oral transfers
5. Transfer for the benefit of unborn persons
6. rule against perpetuity
- 7 Vested and contingent interest
8. Conditional transfer
  - Condition precedent
  - Condition subsequent
9. Doctrine of election
10. Restrictive covenants
11. Fraudulent transfers
12. Lis-pendens
13. Part-performance
14. Doctrine of priority
15. Sale — Rights and liabilities of buyer and seller
16. Sale and contract for sale
17. Mortgage and its different types
18. Rights and liabilities of mortgage and mirtgage
  - Equity of redemption
  - Once a mortgage, always a mortgage
  - Clog on redemption
19. Doctrine of marshalling
20. Doctrine of contribution
21. Doctrine of Subrogation
22. Doctrine of taking
23. Charge
24. Lease, rights and liabilities of lesser and leasee
- 25,Exchange.
26. Gift, owner gift
27. Transfer of Actionlate claims
28. Development and scope of easements
29. Definitions of easements
30. Kinds of easements
- 31 . Essential elements for easements
32. Licenses

#### **Leading Cases**

1. Narayan Das Kasson Das V/s. S,A. Kamtam and other (AIR SC 774)
2. V.N. Sarin V/s. Ajit Kumar (AIR 1966 SC 432)
- 3 Subhash Chandra V/s. Ganga Prasad (AIR 1967 SC 878)
4. Smt. Shantabai V/s. State of Bombay (AIR 1958 SC 525)

#### **Books Recommended**

1. G.P. Tripathi — Transfer of property Act
2. Shukia - Transfer of property Act
3. Babel - Indian easement Act
4. R.K. Sinha - Transfer of property Act
5. Mulla - Transfer of property Act

#### **BL - 1003 /5227**

#### **Law of Crime II : Criminal Procedure Code**

**MAX. M.- 70**

**MIN. M.- 28**

1. Introductory
  - 1.1 The Rotion ale of criminal procedure the importance of fair trail.

- 1.2 Constitutional perspectives : Article 14, 20 + 21
- 1.3 The Variety of criminal procedure (the class should examine in particular the procedure for trial of special offences especially, offences under the prevention of corruption act and Narcotic Drugs and psychotropic substances Act)
- 1.4 The organization of police, Prosecutor, defence counsel and prison authorities and their duties, functions and powers.
2. Pre-trial process Arrest
  - 2.1 The distinction between cognizable and non-cognizable offences : relevance and adequacy problems.
  - 2.2. Steps to ensure accused's presence at trial warrant and summons
  - 2.3 Arrest with and without warrant (Section 70-73 and 41)
  - 2.4 The absconder status (Section 82, 83, 84 and 85)
  - 2.5 Right of the arrested person
  - 2.6 Right to know grounds of arrest (Section 50(1), 55, 75)
  - 2.7 Right to be taken to magistrate without delay (Section 56,57)
  - 2.8 Right of not being detained for more than twenty-four hours (Section 57) : 22(2) of the constitution of India
  - 2.9 Right to consult legal practitioner, legal aid and the right to be told rights
  - 2.10 Right to be examined by a medical practitioner (Section 54).
3. Pre-trial process: Search and Seizure
  - 3.1 Search warrant (Section 83, 94, 97, 98) and searches without warrant (Section 83)
  - 3.2 Police search during investigation (Section 165, 166, 153)
  - 3.3 General principles of search (Section 100)
  - 3.4 Seizure (Section 102).
  - 3.5 Constitutional aspects of validity of search and seizure proceedings
4. Pre-trial Process : FIR
  - 4.1 FIR. (Section 154)
  - 4.2 Evidentiary Value of FIR. (See Sections 145 and 157 of Evidence Act)
5. Pre-trial Process : Magisterial Powers to Take Cognizance
6. Trial Process 1•
  - 6.1 Commencement of proceedings : (Section 200, 201, 202)
  - 6.2 Dismissal of Complaints (Section 203, 204)
  - 6.3 Bail : Concept, purpose : constitutional overtones
    - 6.3.1 Bailable and non-bailable offences (Section 436, 437 439)
    - 6.3.2 Cancellation of Bail (Section 437 (5))
    - 6.3.3 Anticipatory bail (Section 438)
    - 6.3.4 Appellate bail powers (Section 389(1), 395(1), 437(5))
    - 6.3.5 General principles concerning bond (Section 441-450)
7. Fair Trial
  - 7.1 Conception of fair trial
  - 7.2 Presumption of Innocence
  - 7.3 Venue of trial
  - 7.4 Right of the accused to know the accusation (Section 221-224)
  - 7.5 The right must generally be held in the accused's presence (Section 221-224)
  - 7.6 Right of cross-examination and offering evidence in defence : the accused's statement.
  - 7.7 Right to speedy trial
8. Charge
  - 8.1 Framing of charge
  - 8.2 Form and content of charge (Section 211, 212, 216)
  - 8.3 Separate Charge for distinct (Section 218, 219, 220, 221,223)
  - 8.4 Discharge — Pre-charge evidence
9. Preliminary pleas to bar the trial
91. Jurisdiction (Section 26, 177-188, 461, 462,479)

- 9.2 Time limitation : rationale and scope (section 468-473)
- 9.3 Pleas of autrefois acquit and autrefois convict (Section 300, 22D)
- 9.4 Issue-Estoppels
- 9.5 Compounding of offences
- 10. Trial Before a court of sessions : Procedural Steps and Substantive Rights
- 11, Judgment
  - 11.1 Form and content (Section 354)
  - 11.2 Summary Trial
  - 11.3 Post-conviction orders in lieu of punishment: emerging penal policy (Section 360, 361, 31)
  - 11.4 Compensation and cost (Section 357, 358)
  - 11.5 Modes of providing judgment (Section 353, 362, 363)
- 12. Appeal, Review, Revision
  - 12.1 No appeal in certain cases (Section 372, 375, 376)
  - 12.2 The rationale of appeals, review, revision
  - 12.3 The multiple range of appellate remedies
    - 12.3.1 Supreme Court of India (Section 374, 379, Articles 31, 132, 134, 136)
    - 12.3.2 High Court (Section 374)
    - 12.3.3 Sessions court (Section 374)
    - 12.3.4 Special right to appeal (Section 380)
    - 12.3.5 Government appeal against sentencing (Section 377, 378)
    - 12.3.6 Judicial power in disposal of appeals (Section 368)
    - 12.3.7 Legal aid in appeals
  - 12.4 Revisitional Jurisdiction (Section 397-405)
  - 12.5 Transfer of Cases (Section 406, 407)
- 13. Juvenile Delinquency
  - 13.1 Nature and magnitude of the problem
  - 13.2 Causes
  - 13.3 Juvenile court system
  - 13.4 Treatment and rehabilitation of Juvenile
  - 13.5 Juveniles and adult crime
  - 13.6 Legislative and Judicial protection of Juvenile offender
  - 13.7 Juvenile Justice Act 1988
- 14. Probation
  - 14.1 Probation of offenders law
  - 14.2 The judicial attitude
  - 14.3 Mechanism of probation : standards of probation services
  - 14.4 Problems and prospects of probation
  - 14.5 The suspended sentence
- 15 V Reform of criminal procedure

### **Bibliography**

- Retanlal Dhirajlal, Criminal Procedure Code (1999) Universal, Delhi
- Chandrasekharan Pillai ed., Kelkar Lectures on Criminal Procedure (1998) Eastern, Lucknow
- Princip's Commentaries on the Code of Criminal Procedure, 2 Vol. (2000) Universal
- Wooroffe : commentaries on Code of Criminal Procedure, 2 Vol. (2000) Universal
- Chandrasekharan Pillai (ed.) Kelkars Outlines of Criminal Procedure (2001), Eastern Lucknow

### **Leading cases —**

- Bhagwan Prasad Srivastava V/s. N.P. Mishra AIR 1970 SC 1661
- Sanjay Gandhi V/s. Union of India AIR 1978 SC 514
- Raghunath and others V/s. Sate of U.P. AIR 1973 Sc 1100
- Santa Singh V/s. State of Punjab AIR 1976 SC 2366

**BL – 1004/5228**

**Moot Court exercise and Internship (clinical paper IV) + Viva Voce**

**MAX. M.- 50**

**MIN. M.- 20**

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

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

**BL – 1005 /5229**

**Legal and General English**

**MAX. M.- 70**

**MIN. M.-28**

The course shall comprise of the following —

1. Essay writing on topics of legal interests in 500 words
2. Translation from Hindi to English
3. Letter writing/Application Writing
4. Proficiency in general English:
  - a. Parts of Speech - a brief introduction
  - b. Tense : Forms and use
  - c. Active and Passive Voice
  - d. Direct and Indirect Speech
  - e. Synonyms/Antonyms
  - f. One word substitution
5. Precise/Paragraph writing
6. Legal Terminology:
  - a. Terms used in civil and criminal Law
  - b. Latin words and expression

Note - All the questions must be replied in English only. The written paper shall be of 70 mark and sectional exam is of 30 marks.