



Session-2022-23

# University of Kota, Kota

Ordinance and Scheme of Papers, Examination etc. for LL.B. Professional Three Years (Semester Scheme) Degree Course under the scheme prescribed by the Bar Council of India

## LL.B. Professional Three Years (Semester Scheme) Degree Course

Ordinance relating to the Examination etc.

### O. 256 D-1

There shall be a three years course for the degree of LL.B. (Professional) with two semesters in each year and examinations shall be conducted at the end of each semester namely.

1. LL.B. (P) First Semester examination at the end of the First Semester.
2. LL.B. (P) Second Semester examination at the end of the Second Semester.
3. LL.B. (P) Third Semester examination at the end of the Third Semester.
4. LL.B. (P) Fourth Semester examination at the end of the Fourth Semester.
5. LL.B. (P) Fifth Semester examination at the end of the Fifth Semester.
6. LL.B. (P) Sixth Semester examination at the end of the Sixth Semester.

### O.256 D-2

#### (1) Eligibility for admission:

An applicant who has graduated/post graduated in any discipline of knowledge from a university established by an act of Parliament or by a State legislature or an equivalent national institution recognized as a deemed to be University or foreign University recognised as equivalent to the status of an Indian University by an authority competent to declare equivalence, may apply for a three years' degree program in law leading to conferment of LL.B. degree on successful completion of the regular program conducted by the University. For the purpose of applying for and getting admission the minimum percentage of marks not below 45% of the total marks in case of general category applicant and 40% of the total marks in case of SC and ST applicant, to be obtained for the graduate/post graduate qualifying examination. Provisions regarding age declared by BCI time to time shall be applicable.

**Explanation:** The applicants who have obtained graduation/ post graduation through open universities system directly without having any basic qualification for prosecuting such studies are not eligible for admission in the LL.B. degree course.

- (a) Admission shall be made on the basis of merit and in accordance with rules made by the competent authority.
- (b) For the purpose of this Ordinance marks of only those subjects/ papers shall be taken into account which had been considered for awarding division at the Bachelor/Master's Degree Examination.
- (c) Not more than 20% of the total seats in LL.B. First Year shall be reserved for the candidates who will become eligible on the basis of Master's degree as defined above.
- (d) No student shall be allowed to simultaneously register for a Law degree program with any other graduate or post graduate or certificate course run by the same or any other University or an institute for academic or professional learning.

Provided that any short period part time certificate course on language, computer science or computer application of an institute or any course run by a center for Distance Learning of a University however, shall be exempted

#### O.256 D-3

- (a.) A Candidate who has completed a regular course of study in the University Teaching Department of law or in an affiliated college for first semester will, subject to the other provisions of the Act, Statutes Ordinances. Rules and Regulations be admitted to the first semester examination of LL.B. (P) first year.
- (b.) A candidate who after passing the examination of the first semester has completed a regular course of study in the University. teaching department of law Or in an affiliated college for the second semester of LL.B. (P) course will, subject to the other provisions of the Act, statutes, Ordinances, Rules and Regulations, be admitted to the second semester examination of LLB. (P) First Year.
- (c.) A candidate who after passing the examination of the second semester has completed a regular course of study in the University Teaching Department of law or in an affiliated college for the third semester of LL.B. (P) First Year course will, subject to the other provisions of the act, statutes, Ordinances Rules and Regulations, be admitted to the Third semester examination of LL.B. (P) Second Year.
- (d.) A candidate who after passing the examination of the third semester has completed a regular course of study in the University Teaching Department of law or in an affiliated college for the fourth semester of LL.B. (P) Second Year course will, subject to the other provisions of the act, statutes, Ordinances Rules and Regulations, be admitted to the fourth semester examination of LL.B. (P) Second Year.
- (e.) A candidate who after passing the examination of the fourth semester has completed a regular course of study in the University Teaching Department of law or in an affiliated college for the fifth semester of LL.B. (P) Second Year course will, subject to the other provisions of the act, statutes, Ordinances Rules and Regulations, be admitted to the fifth semester examination of LL.B. (P) Third Year.
- (f.) A candidate who after passing the examination of the fifth semester has completed a regular course of study in the University Teaching Department of law or in an affiliated college for the sixth semester of LL.B. (P) Third Year course will, subject to the other provisions of the act, statutes, Ordinances Rules and Regulations, be admitted to the sixth semester examination of LL.B. (P) Third Year.

#### O.256 D-4

A Candidate who has completed a regular course of study in the University Teaching Department of law or in an affiliated college for all six semesters will, subject to the other provisions of the Act, Statutes Ordinances. Rules and Regulations shall be awarded the degree of the “Bachelor of Laws”/ LL.B.(Professional) three years (Semester Scheme) Degree Course.

O. 256 D-5: Every candidate of three years degree (semester scheme) course for the degree of LLB. (Professional) shall present himself for examination in the papers prescribed in the Regulations.

#### O. 256 D-6

Each paper in I, II, III, IV, V and VI semester in the LL.B. (Professional) Course Examination shall be of 100 marks.

#### O.256 D-7

A Candidate appearing for LL.B. II year and III year (III to VI semester) examination may choose any one of the optional paper prescribed for semester III, IV, V and VI as per the allocation of subject for each semester. The Principal or the Head of the Law Department will determine in the beginning of each session/ semester the optional papers and the options for which instructions will be provided during the session/semester. The choice of the candidate will be limited to the options so provided for instructions.

Candidates holding LL.B. degree of this University or of any other University recognised by the Board of Management of the University as equivalent there to may also take one of the enumerated

options not already passed by the candidate as an additional paper. Such candidates will not be required to join any affiliated college for this purpose.

The marks of all the semester examination viz I and II semester examinations in first year, III and IV semester examinations in second year and V and VI semester examinations in third Year examination of the LL.B. (P) Degree will be counted together for classification of results.

**O.256 D-8 - First Year: (Scheme of Examination)**

- (a) The minimum marks for passing each year { both semesters in first year, second year and third year of LL.B. degree(P) Course taken together} shall be 36% in each theory and / or practical papers of the semester examinations and 48% marks in the aggregate of papers prescribed in aforesaid examinations.
- (b) The minimum marks for passing first year (I & II Semester taken together) shall be 36% in each theory paper of semester examinations and 48% marks in the aggregate of papers prescribed in I and II semester.
- (c) A candidate may be promoted to second year i.e. III semester if he/she secured at least 36% marks in at least five papers out of eight theory papers prescribed in I & II semesters taken together provided that the aggregate of marks in five papers of I and II semesters taken together is at least 48%. Such candidate shall be required to appear in not more than three papers of I & II semester so as to make his aggregate atleast 48% marks alongwith the theory and practical papers of III & IV semesters.
- (d) A candidate who fails to satisfy the passing criteria as prescribed in 256 D-8 (a), 256 D-8 (b), and 256 D-8 (c) for promotion to second year shall be required to reappear in consecutive semester in back papers of I & II semesters with satisfying the contents of Ord. 256 D-9 (c) and 256 D-11 (b), if otherwise eligible in accordance with the university regulations laid in this regard.

**O.256 D-9 - Second Year: (Scheme of Examination)**

- (a) The minimum marks for passing second year (III & IV semesters & including I & II semesters taken together) shall be 36% in each theory and practical papers of semester examinations and 48% marks in the aggregate of papers prescribed in aforesaid semesters.
- (b.) A candidate may be promoted to third year that is V semester if he has secured at least 36% marks in Six theory and practical papers out of ten papers prescribed in III & IV semesters taken together provided that the aggregate of marks in six papers of III & IV semesters taken together is atleast 48%. Such a candidate shall be required to appear in not more than four theory and practical papers of III & IV semesters so as to make his aggregate at least 48% alongwith the theory and practical papers of V and VI semester. To be declared pass in Second Year he should secured atleast 36% marks in all eight papers of I & II semesters of the First year and 48% marks in aggregate taken together in these papers.
- (c) To promote in V semester a candidate should have passed in I and II semester completely and must have secured at least 36% marks in 6 theory and practical papers of III and IV semester taken together and 48% marks in aggregate in these papers.
- (d) A candidate who fails to satisfy the passing criteria as prescribed in 256 D-9 (a) 256 D-9 (b), and 256 D-9 (c) for promotion to third year shall be required to reappear in consecutive semester in back papers of III & IV semesters with satisfying the contents of Ord. 256 D-9 (b) and 256 D-11 (b), if otherwise eligible in accordance with the university regulations laid in this regard.

**O.256 D-10 - Third Year: (Scheme of Examination)**

- (a) The minimum marks for passing third year (V & VI Semesters and including I, II & III & IV semester) shall be 36% in each theory and practical papers of semester examinations separately and 48 % marks in aggregate of papers prescribed in aforesaid semesters.
- (b.) If a candidate has secured 36% marks in six papers out of ten papers prescribed in V & VI semesters taken together provided that the aggregate of marks in six papers of V & VI

semester taken together are atleast 48%. Such a candidate shall be required to appear in not more than four theory and practical papers of V & VI semesters to make his aggregate atleast 48% in the following semester examination. To be declared pass in Third Year he should secured atleast 36% marks in all eight papers of I & II semesters and all ten papers of III & IV semesters of the First and Second Year respectively and 48% marks in aggregate taken together in these papers.

- (c) A candidate who fails to satisfy the passing criteria in 256 D-10 (a) and 256 D-10 (b) at the end of VI semester, he/she shall be required to reappear in consecutive semester in back papers of V & VI semesters with satisfying the contents of ordinance 256 D-11 (b), if otherwise eligible in accordance with the university regulation laid in this regard.

**O-256 D-11 (Scheme of Examination)**

- (a.) No student of the LL.B. degree program shall be allowed to take semester examination in a subject if the student concern has not attended minimum of 70% of the classes held in the subject concern as also the moot court room exercises, tutorials and practical training conducted in the subject taken together.

Provided that if a student for any exceptional reasons fail to attend 70% of the classes held in any subject, the Dean of the University or the Principal of the college, as the case may be, may allow the student to take the examination if the student concern attended atleast 65% of the classes held in the subject concern and attended 70% of the classes in all the subject taken together.

Provided further that a list of such students allowed to take the examination with reasons recorded be forwarded to the Bar Council of India.

- (b.) At the end of final examination, the candidate eligible for the award of LL.B. degree 'shall be classified on the basis of the marks obtained in all the semester examination taken together, as follows:

1<sup>st</sup> Division: 60% OR more marks in aggregate in all six semester

2<sup>nd</sup> Division: all others will be awarded II division if secure 48% marks in aggregate in all semester.

- (c) To award LL.B.(P) Degree a candidate must have passed the LL.B. three years examinations with in Six years from the year of initial admission in first semester of the course. If a candidate drops out after passing I and/or II year ( I to IV semesters) with 48% aggregate of marks due to some satisfactory grounds, may, with the permission of Principal be permitted up to eight year from the year of initial admission to I semester.
- (d) The marks actually obtained by a candidate in the back papers of the previous semester examination shall be taken into account for awarding division.
- (e) 1% grace marks of maximum marks in each Semester, including back papers, may be awarded in either aggregate or in one paper only to make 36% in individual paper or 48% in aggregate.
- (f) For distribution of marks and procedure of examination in practical papers see the details of practical papers prescribed in the contents of papers.
- (g) University teaching department of Law and affiliated colleges are advised to conduct practical as per the instruction of the University examination department and as per the guidelines prescribed by the B.O.S. for this purpose. (including fee to be charged from the students for regular & back papers).

**Explanation : The ordinances 256 D-1 to 256 D-11 will apply to the candidates to be admitted to LL.B. Professional Three year (Semester Scheme) Degree course in the session 2009-10 and onwards.**

### **Innovation & Employability of LL.B. Course :**

The course is essential for the following jobs :

- Judicial Services; (RJS, RHJS) in other states also.
- Legal Services – such as – LA, APP, Law Officer, Law advisor in various institutions etc..
- Practice in Law as an advocate.

- d. Part-time law teaching by practicing lawyer.
- e. Arbitrators, Mediator, conciliators etc..
- f. Essential for teaching job in law classes.

Certain new concepts and law have been incorporated in law courses such as :

- a. Human Rights & Practice.
- b. Alternative Dispute Resolution.
- c. Information Technology
- d. Right to Information Law.
- e. Copy Right, Patent, Trade Mark etc..

## **LL.B. I Year (Semester Scheme)**

### **Semester (I & II)**

In LL.B. I & II Semester there shall be 4 theory papers of 100 marks in each semester.

Student of LL.B. I year shall be examined at the end of I & II semester each in the following theory papers of 100 marks and of three hours duration.

### **Scheme of Papers**

#### **Semester – I**

	<b>(A) Compulsory Papers</b>	<b>Max. Marks : 100 Duration : 3 Hr.</b>
Paper 1	Constitutional Law of India	- do -
Paper 2	General Principles of Contract	- do -
Paper 3	Family Law – I (Hindu Law)	- do -
	<b>(B) Optional Paper (any one)</b>	
Paper 4	(i) Land Laws including Tenure and Tenancy System (ii) Insurance Law	- do -

#### **Semester – II**

	<b>(A) Compulsory Papers</b>	<b>Max. Marks : 100 Duration : 3 Hr.</b>
Paper 5	Special Contracts	- do -
Paper 6	Law of Torts (including Motor Vehicle Accident and Consumer Protection Laws)	- do -
Paper 7	Family Law II (Mohammedan Law)	- do -
	<b>(B) Optional Paper (any one)</b>	
Paper 8	(i) Interpretation of Statutes including General Clauses Act (ii) Equity, Trust and Bankruptcy Laws	- do -
Additional Paper	Proficiency test in English <b>Note :</b> Examinee will have to pass this paper securing at least 36% marks. Marks obtained in this paper shall not be counted in award of division. If an examinee fails to secure at least 36% marks, he/she will be allowed to appear in this paper to be held in the forthcoming semester examinations. Without passing this paper, the Degree of LL.B. (P) will not be awarded to the examinee.	- do -

# **LL.B. I Semester (I year) - Paper 1 - Constitutional Law of India**

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

## **CONTENTS**

1. Introductory: Salient features of the Constitution : Nature of the Indian Federalism, Preamble, Citizenship and State, Fundamental rights. Directive Principles and Fundamental duties.
2. Union and state Executive : President, Governor-Election, appointment. Powers, position, council of Ministers, Prime minister, Parliamentary system of Government; Union and State legislature : Lok Sabha, Rajya Sabha, Vidhan Sabha and Vidhan Parishad- Composition, speaker, Chairman, Privileges, Legislative Procedure.
3. Union - State judiciary - Supreme Court and High Courts, composition and powers, Writs.
4. Union State Legislative Relationship - Distribution of legislative powers, administrative and financial relationship.
5. Service under the union and the state : constitutional protection to civil servants. Public Service Commission of the Union and States.
6. Article 300-A - Property Rights.
7. Freedom of Trade, Commerce and Intercourse; State liability in contracts and Torts. Suits by and against the State.
8. Emergency Provisions - National, State and financial.
9. Amendment of the constitution - Constitutionality of ordinary laws and amendment laws, judicial Review of amendment and the doctrine of Basic Structure - Major Amendments and their constitutional value.

## **Leading Cases :**

1. Minerva Mills V. Union of India, AIR 1 978 SC, 1789.
2. Maneka Gandhi V. Union of India. AIR 1978 SC 597.
3. Union of India. V. Tulsidas, AIR 1985 SC 1416.
4. Keshavanand Bharti V. State of Kerala AIR 1973 SC 1476.
5. Kedar Singh V. Union of India, AIR 1989 SC 653.

## **Suggested Readings:**

1. Constitution of India as amended up to-date.
2. Shukla V.N. : Constitution of india.
3. Jam, M.P. : Constitutional law of India (Eng. & Hindi)
4. Basu, D.D. Tntroduction of the Constitution of India.
5. Paras Diwan: Constitution of India.
6. M.C.J. Kagzi : Constitution of India (Eng. & Hindi Ed.).
- 7 जी. एस. शर्मा : भारत का संविधान
8. जे. एन. पाण्डे : भारत की संवैधानिक विधि

## Paper 2 - General Principal of Contract

Max. Marks: 100

Min. Passing Marks: 36

Duration: 3 Hrs.

### CONTENTS

#### 1. Contract:

- (a) Meaning, elements and characteristics of contract
- (b) Basis of Contract
- (c) Classification of contract, including the standard form of contract.

#### 2. Proposal:

- (a) Meaning, elements, characteristics and kinds of proposal, distinction between proposal and invitation to Proposal.
- (b) Acceptance: Meaning, Modes and Characteristics of Acceptance.
- (c) Communication, revocation and termination of proposal and Acceptance.

#### 3. Consideration

- (a) Meaning, definition and Elements of consideration
- (b) Significance and adequacy of consideration
- (c) Unlawful consideration and object.
- (d) Concept of stranger to contract.

#### 4. Capacity to contract:

- (a) Who cannot make a contract, who is minor and the place of minor under the law of contract.
- (b) Person of unsound mind, nature of contract 'by person of unsound mind
- (c) Persons deprived of the capacity to contract.

#### 5. Free Consent:

- (a) Meaning of consent and free consent
- (b) Factors rendering consent not free and their affect upon the validity of contract.

#### 6. Void Agreements:

- (a) Agreements in restraint of marriage: freedom of trade and right to initiate legal proceedings.
- (b) Agreements involving uncertainty :. wager and impossibility. Contingent Ccgitract: Certain relations resembling to those created by contract (Quasi contract).

#### 7. Performance of Contract:

- (a) Who is liable to perform, joint rights and joint liability and performance of reciprocal promises.
- (b) Time, place and manner or performance
- (c) Discharge from liability to perform the contract.

#### 8. Breach of Contract:

- (a) Maning and kinds.
- (b) Remedies for breach of contract.
  - (i) Damages -Measure of damages and remoteness of damages.
  - (ii) Specific performance of contract and injuncion under Specific Relief Act.

### LeadingCases:

- 1. Carlil V Carbolic Smoke Ball Co. (1883) IQB 256
- 2. Bhagwandas V Girdhari Lal & Co. AIR 1966 SC 543
- 3. Motilal Padampur Sugar Mill Co. Ltd. Vs State of UP AIR 1979 SC 621
- 4. Lalman Shukia V Gauri Dutt All II (1913) 409
- 5. Mohori Bibi V Dhurmodas Ghosh(1903)I.A. 172

### Suggested Readings:

- 1. Atiyah, P.S. : An introduction to the law of contract.
- 2 Pollock: Principles of the law of contract.
- 3. Pollock & Mulla: Indian Contract & Specific Relief Act.
- 4. V.O. Ramobandra: The law of contract and Specific Relief Act.
- 5. T..R. Desai: Principles of law of contract.
- 6. Avtar Singh : Law of contract.
- 7. Avtar Singh : संविदा विधि
- 8. I.C. Saxena & R.I. Nawalakha: संविदा विधि

## Paper 3 - Family Law-I (Hindu Law)

Max. Marks: 100

Min. Passing Marks: 36

Duration: 3 Hrs.

### CONTENTS

1. Hindu Law :Sources, School and application, Coparcenary. Joint *family* property and self-acquired property. Karta & his power and obligation. Religious and Charitable Endowments - Essentials of an endowment, kinds. Shebait and Mahant.
2. The Hindu Marriage Act, 1955: Condition of Hindu Marriage its ceremonies and registration. Void and voidable marriages. Restitution of conjugal rights. Judicial separation, legitimacy of children, void-voidable marriages. Divorce, alternative relief in divorce, proceedings of divorce by mutual consent. One year bar to divorce, divorce persons when may marry again, Jurisdiction and procedure.
3. The Hindu Succession Act, 1956-Succession to the property of a Hindu Male. Succession to interest in coparcenary property, property of Hindu female. Succession to the property of Hindu female. General rules and disqualifications of Succession Escheat.
4. The Hindu Adoption and Maintenance Act, 1956: Requisites of valid adoption. Succession to take an adoption. Effect of adoption, persons who may be adopted, other condition for a valid adoption. Effect of Adoption: Miscellaneous provisions of adoptions. Maintenance of 3.
5. The Hindu Minority and Guardianship Act, 1956: Natural guardians and their powers. Testamentary guardians and their powers. De-facto guardian, general provisions of guardianship.
6. Partition Under Hindu Law: Meaning property for partition, persons entitled to sue for partition and allotment of shares, partition, how affected. Determination of shares. Re-opening of partition. Re-union. Debts-Doctrine pious obligation : Antecedent Debt.

### Leading Cases:

1. Shastri Yajna Purushasji V. Muldas AIR 1966 SC 11153
2. Hanooman Prasad, V. Mussamat Babooce Munraj Koonwaree (1856) 6 M.1.A. 305.
3. Gita Hariharan V. State Bank of India AIR 1996 SC 1149.
4. Bipin Chandra V. Prabhavati AIR 1957 S.C. 176.
5. Dr. N.G. Dastanee V. Sucheta Dastanee AIR 1975 S.C. 1534.
6. Dharmendra Kumar V. Usha Kumar AIR 1977 S.C. 2218.
7. Tulsan V. Sesha reddy, AIR 1977 S.C. 1944.

### Suggested Readings:

1. Mulla : Principles of Hindu Law.
2. Raghvachariar: Hindu Law-Principles and precedents.
3. ParasDiwan:HinduLaw.
4. Tahir Mahmood: Hindu Law.
5. पारस दीवान : आधुनिक हिन्दू विधि
6. केसरी यू.पी.डी. : हिन्दू विधि

## Paper 4 (i) - Land Laws including Tenure and Tenancy System

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

### CONTENTS

1. Rajasthan Tenancy Act, 1955 : Objects and reasons, definition. Khudakhasht ( section 2 to 13. Ijredars, grove holder (sections 194 to 205). Classes of tenants (sections 14 to 17 A) conferment of rights of subtenants or tenants Khuda Khasht (section 19) Primary rights of tenants 9 sections 31 to 37 Surrender. abandonment and extinction of tenancies (sections 55 to 64), improvement trees (section 65 to 87) declaratory suits (sections 88 to 92) Determination and modification of Rent (sections 93 to 129), Payment and Recovery of tenants, Remedies for wrongful ejectment (section 216 to 221) provision for injunction and appointment of receiver (section 212) Appeal, review, revision (sections 222 to 232), Reference, Questions of proprietary rights in revenue courts (section 239) Question of Tenancy Rights in civil court (Section 242) Conflict of Jurisdiction (Section 243).
2. Rajasthan Land Revenue Act 1956: The Board of Revenue, Revenue courts and officers (section 4 to 30) Appeal. Reference revision and review (Ss 74-87) Land (Ss 88 to 105) Survey (Ss 100-112). Record of Rights, Maintenance of maps and record. Annual Registers (Ss 113-137). Settlement operations; Rent Ratio, determination of rent, term of settlement (Ss 142-177). Collection of Revenue (Ss 224 to 257).
3. Rajasthan Premises (Control of Rent and Eviction) Act. 2000. Definition, Rent kinds, fixation eviction of tenants grounds, restriction on eviction, restitution of possession, waiver on default.

### Leading Cases :

1. Khemchand v. State and Others 1999 D.N.J. Raj 239.
2. Sarla Ahuja v. United Insurance Co. Ltd. AIR 1999 SC 100
3. Nathu Singh v. Laxaman Singh 1995 RRD 124.
4. Panne Singh v. Guman Singh 1964 RRD 101.
5. Bhonra v. Ganes 1996 RRD 71.
6. Shivshankar V. Murli Sri Bade Muthuresthan land 1996 RRD 316.

### Suggested Readings:

1. S.K. Dutta- Rajasthan Tenancy Law Rajasthan Land Revenue Act. Rent Control in Rajasthan.
2. Mathur & Mathur- Land Laws in Rajasthan.
3. Dr. G.S. Karkara - Land Laws in Rajasthan.
4. B.L. Babel- Rajasthan Ki Bhoomi Vidhia

## Paper 4(ii) -Insurance Law

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

### CONTENTS

1. Principles of Insurance: Life Insurance introduction, Life Insurance Policies annuities, Conditions of Life Insurance Policy. Premium computations.
2. Life Insurance Act. 1956:-  
Definitions: Its establishment- function- Transfer of existing Life Insurance, Business to the corporation- Management, Finance, accounts & Audit Miscellaneous.
3. General Insurance- Corpn. of India- Scheme for reorganization of General insurance, business- Function of corporation and acquiring companies and their management Miscellaneous.
4. Marine Insurance Act. 1963.

### Suggested Readings:

1. Srivastava, Baichand: Elements of Insurance.
2. Dravid & Joshi: Bima Siddhant Evam Vyavahar.

3. Life Insurance Act. 1956.
4. General Insurance Business (Nationalisation )Act. 1972.
5. Marine Insurance Act. 1963.

## LL.B.II Semester (I year)

### Paper 5 - Special Contract

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

#### **CONTENTS**

##### **1. Contract of Indemnity and Guarantees:**

- (a) Meaning, Distinction between indemnity and guarantee and kind of guarantees.
- (b) Right of indemnity holder.
- (c) Rights of the surety, extent of liability of the surety.
- (d) Discharge of liability of the surety.

##### **2. Contracts of Bailment and Pledge:**

- (a) Meaning and kinds of contract of Bailment-Bailment without consideration
- (b) Rights and duties of bailee and bailor.
- (c) Termination of contract of Bailment.
- (d) Position of the finder of goods under law.
- (e) Contract of pledge - meaning and definition. Pledge by unauthorised persons.
- (f) Rights and duties of pawner and pawnee

##### **3. Contract of Agency:**

- (a) Definition, kinds and modes of creation of Agency.
- (b) Relations between the Principal and agent.

The Principal and third party and The agent and the third party.

##### **(c) Determination of agent's Authority :-**

By the acts of parties and by operation of Law. Irrevocable authority.

##### **4. Contract of Sale of Goods:**

- (a) Sale - Meaning Definition and elements.
- (b) Agreement to sell, hire-purchase agreements and a contract for work and labour - meaning and distinctions from sale.
- (c) Goods - existing future and contingent.
- (d) Condition and warranties.
- (e) Passing of property and risk from seller to buyer.
- (f) Sale by unauthorised person.
- (g) Law relating to performance of sale.
- (h) Rights of unpaired seller.

##### **5. Contract of Partnership:**

- (a) Meaning definition, formation and the characteristics of contract of partnership.
- (b) Distinction between:
  - (i) Co-ownership and partnership
  - (ii) Joint Hindu Family firm and partnership ; and
  - (iii) Company and partnership
- (c) Position of Minor
- (d) Relations interest of partners and relation of partners with third parties.
- (e) Registration of partnership firm
- (f) Dissolution of partnership and of firm.

#### **Leading cases:**

1. National Bank of India Ltd. V Sohanlal, AIR 1962 Punj.534.
2. Amritlal Goverdhan Lallan V State Bank of Travancore, AIR 1960 SC 1432.

3. Patnaik & Co. V State of Orissa, AIR 1965 S.C. 1655.
4. State of Gujarat V Maman Mohd. AIR 1967 SC 1885.

**Suggested Readings:**

1. Atiyah P.S. : An introduction to the law of contract.
2. Pollock : Principles of the Law of contract.
3. Pollock & Mulla: Indian Contract and Specific Relief Acts.
4. V.G. Rarnchandran : The law of Contract in India.
5. V.G. Ramchandran : Law of Agency.
6. Desai S.T. : The law of partnership in India and Pakistan.
7. Avtar Singh: Law of contract (English & Hindi) .
8. Avtar Singh: Law of partnership (English & Hindi)
9. Kapoor N. D. Mercantile Law. a

## **Paper 6 - Law of Torts (including Motor Vehicle Accident and Consumer Protection Laws)**

<b>Max. Marks: 100</b>	<b>Min. Passing Marks: 36</b>	<b>Duration: 3 Hrs.</b>
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**CONTENTS**

1. Definition, nature, scope, objects and elements of Tort, Maxims, Extinction or Discharge of Tortious Liability, Joint Tort - Feasors.
  2. General Defences of Tortious Liability. Vicarious Liability Doctrine of common employment, State Liability. Absolute or Strict Liability.
  3. Remedies, Kinds and measure of damages, Remoteness of damages.
  4. Torts to person and property including Negligence. Nuisance, nervous shock. interference with contract or business, intimidation, conspiracy, deceit or fraud, malicious prosecution, defamation.
  5. Consumer protection Act, 1986. Definitions, Consumer protection councils, Consumer Dispute Redressal agencies- Establishments, Jurisdiction Procedure and orders.
  6. The following provisions of The Motor Vehicle Act, 1988 :
    - (a) Liability without fault in certain cases, chapter 10, from sections 140 to 144.
    - (b) Insurance of Motor Vehicle against third party, chapter 11, from sections 145 to 166.
- Claims Tribunal, chapter 12, sections 165 to 176, with concerning Rajasthan Motor Vehicle Rules, 1990.

**Leading Cases:**

1. Ushaben V. Bhagva Laxmi Chitra Mandir. AIR 1978 GUJ. 13.
2. N. Mahendra Rao V. State of A.P. AIR S.C. 2663.
3. Municipal Corpn. of Delhi V. Subhagwati. AIR 1966 SC 1750.
4. Rylands V. fletcher(1869) IRHT 330.
5. Indian Medical Association Vs V.P. Shantha AIR 1996 SC 500.
6. Dipal Girish Bhai v/s United Insurance Company, 2004 AIR, S.C.W. 1864.
7. Shivaji Dayani Palit v/s Smt. Vatsala Uttam More, AIR 1991 SC, 1769.
8. United India Insurance Co. Ltd. Shimla v/s Tilak Singh, AIR 2006 SC 1576.

**Suggested Readings:**

1. Winfield: Law of Torts.
2. Rarnaswami Iyar: Law of Torts.
3. B.S. Saba : Law of Torts.
4. Salrnond: Law of Torts.
5. Street: Law of Torts.
6. G.S. Karkara: Contributory Negligence.
7. जे. एन. पाण्डे : अपकृत्य विधि

8. एस. एल. अग्रवाल : अपकृत्य विधि के सिद्धान्त
9. आर. के. बंगिया : अपकृत्य विधि
10. एम. एन. शुक्ला : अपकृत्य विधि
11. Gurbax Singh : Law of Consumer Protection
12. Avtar Singh : Law of Consumer Protection
13. P. Leela Krishan : Consumer Protection & Legal Contracts
14. धाकड़ : उपभोक्ता संरक्षण कानून
15. Motor Vehicle Act, 1988 and its rules.

## **Paper 7 - Family Law -II (Mohammedan Law)**

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

### **CONTENTS**

1. Mohammedan Law : Origin development sources, schools. Application, interpretation and conversion.
2. Marriage : Nature of marriage, essential of marriage Khyar-ul-bulug Iddat. Khilwat-us-sahih, Matrimonial stipulations, kinds of marriage and effects of marriage.
3. Mahr: Meaning, nature, kinds, Objects and subject matter. Wife's right on non-payment of dower. Dissolution of marriage : Talaq, ha, Zihar Mahr: Meaning, nature, kinds. object and subject matter. Matter. Wife's right on non-payment of dower. Dissolution of marriage : Talaq, ha, Zihar, Talaq-ulTafweez, Mubarat, Khula, Lien, Fashk, Section 2 of the Dissolution of Muslim Marriage Act, 1939. Legal effects of divorce.
4. Pre-emption, Meaning, nature and classification of Haq shufa (Pre-emption) Right of pre-emption when conflict of law, subject matter and formalities of pre-emption, legal effects of Pre-exemption. Devices for evading preemption.
5. Gift Hiba: Meaning and requisites of gift (Hiba): Gift of Musha, Conditional and future gifts. Life estate, Life interest, I-Iiba-bil-awaz, Hiba-bil-shart-ulawaj.
6. Will (Vasiyat): Competancy of testator and legatee, valid subject of will Testamentary limitations, formalities of a will and abatement of legacy.
7. Legitimacy and acknowledgment : Legitimacy and legitimation, presumption of legitimacy under Muslim law and section 112 of the Indian Evidence Act, conditions of a valid acknowledgment.
8. Maintenance : Persons entitled to maintenance, Principles of maintenance, The Muslim Women (Protection of Rights on Divorce) Act, 1986.
9. Death Bed Transactions : Meaning and effect of Marj-ul-maut.
10. Wakf: Meaning, essential and kinds. Beneficiaries of wakf. The Wakf validating Act, 1913. Formalities for creation wakf, wakf of Musha, Muslim religions institutions and officers. Administration of Wakfs, Mutawali.
11. Inheritance : General Principles of law of inheritance. Doctrine of Aul and Radd under hanafi and shia law.

### **Leading Cases:**

1. Mama Bibi V. Chaudhary Vakil Ahmed (1923)52 la 145.
2. HabiburRehman V. AltafAli(1921)481A 114.
3. Moonshee Buzul-ul-Rahem V. Luteefun Nissa, (1861)3 MIA 379.
4. Abdul Fata V. Russomoy Choudhary (1894)221 A 76.
5. Mohd. Abmad Khan V. ShahBano Begum, AIR 1985 S.C.945.

### **Suggested Readings:**

1. Fyzee : Mohammedan Law.

2. Mulla : Principles of Mohammedan Law.
3. Verma B.R.: Islamic Law.
4. Aquil Ahmed: Mohammedan Law.
5. Amir Au: Mohammedan Law.
6. के. पी. शर्मा : मुस्लिम विधि
7. हफीजुरहमान : मुस्लिम विधि
8. बी. एल. वर्मा : मुस्लिम विधि

## **Paper 8(i) - Interpretation of Statutes Including General Clauses Act**

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

### **CONTENTS**

#### **Interpretation of Statutes**

Meaning of Interpretation — Basic principles of interpretation — intention of the legislature statute be read as a whole. Plain meaning rule. Harmonious Construction, Golden and Mischief rule — pith and substance rule. Aids to Interpretation — External — Parliamentary — legislative debates. Statement of objects and reasons. Dictionary. Statute in Pari materia. Contemporanea exposition, Internal — Title, preamble, Heading. Marginal Notes. proviso and function. Principle of Interpretation of Constitution and Penal and Fiscal Statutes.

#### **General Clauses Act, 1897**

#### **Leading Cases :**

1. Alamgir v. State of Bihar, AIR 1979, SC 436.
2. Inder Singh v. State of Rajasthan, AIR 1957, SC 510.
3. Suraj Mal-Singhvi v. State of Rajasthan, 1966 RLW 566.
4. Tilakayat Shri Govind Lal Ji v. State of Rajasthan, AIR 1963 SC 1630.

#### **Suggested Readings :**

1. Maxwell — the interpretation of Statute.
2. Crawford — Statutory constitution.
3. Craies — Statute Law.
4. Swarup — Interpretation of Statutes.
5. Bindra — interpretation of Statutes.
6. Sarathi— Interpretation of Statutes.
7. Bhattacharva, T. — Interpretation of Statutes (Hindi & English)

## **Paper 8(ii) - Trust, Equity & Bankruptcy Law**

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

### **CONTENTS**

This paper shall consist of following two parts – Part (A) 50 marks, Part (B) 50 Marks.

#### **Part A**

1. Equity: Concept of Equity - Origin and Growth of Equity in England - Maxims of equity .
2. Indian Trusts Act, 1882: Definition- Creation of Trusts - Duties and liabilities of Trustees - Rights and Powers of trustees - Disabilities of trustees - Rights and Liabilities of the Beneficiary, Vacating the office of Trustees - Extinction of Trustees - Certain obligations in the nature of Trusts.
3. Rajasthan Public Trusts Act, 1959 : Definition and validity of certain public trusts - Registration of Public Trusts - Management of Public Trust property - Powers of officers in

## Part B

- A. Acts for study.
1. The provincial Insolvency Act, 1920.
  2. The presidency Towns Insolvency Act, 1909.
  3. The Rajasthan Insolvency Rules.
- B. Contents: - Definition, - Origin and History of bankruptcy law, Constitution and power of Court, Proceedings form act of insolvency of discharge. Order of adjudication, Proceeding consequent on order of adjudication, Discharge, Annulment of Adjudication, Administration of property Realization
- B. of property, Distribution of property, Appeal to court against receiver Penalties, Summary Administration, Appeals Miscellaneous.

### Leading Cases:

1. Official Assigners V. Tehmina Dineshaw Tehrani AIR 1972 Mad. 187.
2. Abdul Shakoor V. Arji Law AIR 1967 SC 1150.
3. Gandhi V. Gitanjali 1972 IMLJ -234.
4. Mahomed Siddiqui V. The Official Assignee (1943) 70 IA 93.
5. Khat Mal V. Chaggaraj, AIR 1963 Rajasthan 123.
6. Hindu religious Endowments, Madras V. shri Lakshminder Thiratha Swamiar of Shri Shirur Mutt, 1954 SC 282.
7. Durgah Committee, Ajmer V. Syed Hussain Au, AIR 1961 SC 1402.
8. Surajthal Singhvi V. State of Rajasthan, 1966 RLW 566.
9. Tilakayat Shri Govindlaji V. State of Rajasthan, AIR 1963 SC 1630.

### Suggested Readings:

1. Mulla: The law of insolvency in India.
2. Williams on Bankruptcy.
3. Rameshwar Dayal : Commentary on the Provincial insolvency Act.
4. Mulla & Bhagwati : The Law of insolvency in India'
5. Upadhyaya, J.J.R. - Equity, Trusts with Fiduciary Relation and. Specific Relief.
6. Gandhi, B.M. - Equity, Trusts and Specific Relief.
7. Varadachari, V.K. - Law of Hindu Religious and Charitable Endowments.
8. Varadachari, V.K.- Public Trusts and Taxation.
9. जी. पी. सिंह : साम्य, न्यास एवं विशिष्ट सहायता अधिनियम
10. बी. एल. बाबेल : साम्य, न्यास एवं विशिष्ट अनुतोश अधिनियम

## Additional Paper Proficiency Test in English

**Note :** Examinee will have to pass this paper securing at least 36% marks. Marks obtained in this paper shall not be counted in award of division. If an examinee fails to secure at least 36% marks, he/she will be allowed to appear in this paper to be held in the forthcoming semester examinations. Without passing this paper, the Degree of LL.B. (P) will not be awarded to the examinee.

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

### CONTENTS

#### (A) Vocabulary:

1. Use of legal phrases and terms (list of legal terms given below)
2. Pairs of words.
3. One word substitution.
- 4 Latin Maxims (Listed Below )

**(B) Composition Skills**

1. Brief Writing and drafting notice. Letter and applications
2. Essay writing on topics of legal interest.
3. Translation (from English to Hindi and Hindi to English)
4. Precise writing.
5. Varieties of Sentence Structures & Verb Patterns.

**List of legal terms which, are relevant for LLB. Students:**

Abet Abstain Accomplice  
Act of God Actionable Accused  
Adjournment Actionable ... Admission  
Affidavit Amendment Appeal  
Acquittal Articles Assent  
Attested Adornment Averment  
Bail Bailment Citation  
Clause Coercion Code  
Cognizable Confusion p' Compromise  
Consent Conspiracy Contempt  
Contingent Comorian Conviction  
Convention Corporate Custody  
Damages Decree Defamation  
Defense Escheat Estoppels  
Eviction Executive Ex-parte  
Finding Floating charge Forma Pauperise  
Franchise Fraud Frustration  
Good faith Guardian Habeas Corpus  
Hearse Homicide hypothecation  
Illegal indent Inheritance  
Bench Bill Bill of attainder  
Bill of rights Blockade Bonafide  
By-laws Capital Punishment Charge  
Chattles Justiciable Legislation  
Legitimacy Liability Liberty  
Licence Lieu Liquidation  
Maintenance Malafide Malfeasance  
Minor Misfeasance Mortgage  
Murder Negligence Negotiable  
Instruments Neutrality Nonfeasance  
Notification Nuisance Novation  
Oath Obscene Offender  
Order Ordinance over rule  
De-facto De hire Deposit  
Detention Discretion Distress  
Earnest Mone Enact Entraceable  
Equality Partition Perjun  
Petition Plaintiff Pledge  
Preamble Pre-emption Prescription  
Presumption Privilege Privit  
Prize Process Promission Note  
Proof Proposal Prosecution  
Proviso Ratify Receiver  
Redemption Reference Regulation  
Remand Remedy Rent  
Repeal Res Judicata Respondent  
In Limine Insanity Institute  
Insurance Interstate Issue

Judgement Judicial Jurisdiction  
 Justice Restitution Rule  
 Ruling Schedule Section  
 Settlement Sovereignty Specific Performance  
 Stamp duty Status quo Statute  
 Stay of execution Succession Suiniitions  
 Surety Tenant Testator  
 Tesiari, Title Tort  
 Trade Mark Trade Treaty  
 Trespass Trial Tribunal  
 True Ultra Vires Undue influence  
 Usage Valid Verdict  
 Vested Violate Vis-major  
 Void Voidable Wager  
 Waiver Warrant Warranty  
 Will Writ Wrong

**List of Latin Maxims:**

1. Ab initio (from the beginning)
2. Actio personalis moritur cum persona (Personal rights by action dies with the person).
3. Actus curae neminem gravabit (an act of the court shall prejudice no one).
4. Actus non facit reum. nisi mens sit rea (the act itself does not constitute guilt unless done with a guilty intent).
5. Actus reus (wrongful act).
6. Ad interim (in the meantime)
7. Ad idem (for the suit).
8. Ad valorem (according to the value).
9. Alibi (plea of being elsewhere)
10. Amicus curiae (friend of the court).
11. Animus (intention).
12. Audi alteram (hear the other side).
13. Caveat emptor (buyer beware).
14. Conviction by the testimony of the thing in itself sine sensu).
15. Damnum sine injuria (damage without injury).
16. De facto (in fact).
17. De jure (in law).
18. De minimis non curat lex (the law takes no account of trifling matters).
19. Decree nisi (a decree which takes effect after a specified period), delegated).
20. Doli in capax (incapable of malice).
21. Donatio mortis causa (gift by a person on the death bed).
22. Ejusdem generis (of the same category).
23. Eminent domain (the supreme right).
24. Ex officio (by virtue of an office).
25. Ex parte (not in the presence of the opposite party).
26. Ex post facto (by subsequent act).
27. Factum valet (the fact which cannot be altered).
28. Fact accompli (an accomplished fact).
29. Ignorantia legis neminem excuset (ignorance of law is no excuse).
30. In pari materia (in an analogous case, cause or position)
31. Injuria sine damno (injury without damage).
32. Interest reipublicae Ut sit finis litium (it is in the interest of the republic that there should be an end of law suit).
33. intra vires (within the powers).
34. Jus terti (The right of a third party)
35. Lis pendens (pending suit).

36. Mens rea (a guilty mind)
37. Mesne profits (the profits received by a person on wrongful possession).
38. Nemo det quod non habet (no man can't transfer better little than be himself).
39. Neiw ck bis vn pro et idem causa (no man be tce xed for t1E sane cause).
40. Nemo in p acaijux ese et(no oi ought tobe ajixige in his ocase)
41. Nolle prosequi (to be unwilling to prosecute).
42. Obiter dicta (an opinion of law not necessary to the decision)
43. Onus probandi (the burden of proof)
- 44 Pacta sunt servanda (pact must be respected.
45. Pendenti lite (during litigation)
46. Per capita (per head)
47. Per incuriam (through inadvertence or carelessness).
48. Per stripes (by stocks)
49. Plenum dominium (full stocks)
50. Pro bono publico (for the public good)
51. Ratio decidendi (grounds for decision, principles of the case).
52. Res geste (connected facts forming the part of the same transaction).
53. Res ipsa loquitur (the thing speaks for itself)
54. Res judicala (a matter already adjudicated upon).
55. Res nallius (an ownerless thing)
56. Rule nisi (a rule or order upon condition that is to become absolute when cause is shown to the contrar).
57. Status quo (existing position).
58. Sub judice (in course of adjudication).
59. Sui juris (one's own right).
60. Suo motti (of ones own accord)
61. Ubi jus ibi reniediurn (where there is a right, there is remedy)
62. Ultra vires (beyond the powers of).
63. Volenti non fit injuria (Risk taken Voluntarily is not actionabale).

#### **Leading Cases:**

1. State of Rajasthan v Smt. Kalbu & Others AIR 1981 SC 1390.
2. Kuljeet Singh alias Ranga v Union of India AR 1981 SC 1572.
3. State of Meharastra v Champa Lal AIR 1981 SC 1675
4. Nand Lal v. State of Punjab & another AIR 1981 SC 2041
5. Smi. Jewanti Pandey v Kishan Chandra Pandey AIR 1980 SC 517

#### **Suggested Readings:**

1. GaInville William : Learning the Law
2. Wren & Martin : English Grammar.
3. Ganga Sahai Sharraa: Fundamental of Legal Writing.
4. Hindi-English Legal glossary: Vidhi Sahitya Prakashan, Ministry of Lafl Government of India. New Delhi.
5. David Green : Contemporary English Grammar, structure and composition.
6. Ishtiaque Abidi: Law and Language
7. Dr. Anirudha Prasad: Legal Language & Writing.
8. Dr. Surendra Yadav : Legal Language, Legal Writing Including Gen. Eng
9. Dr. R.L. Jain : Legal Language, Legal Writing Including Gen. Eng.

### **LL.B. II Year (Semester Scheme) Exam. - Semester (III & IV)**

In LL.B. III & IV Semester there shall be 5 papers including four theory papers alongwith one practical paper of 100 marks in each semester.

Student of LL.B. II yr shall be examined at the end of LL.B. III & IV semester each in the following theory papers of 100 marks and of three hours duration. For practical paper see the 'Note' below:

## Scheme of Papers

### Semester – III

	(A) Compulsory Papers	M. M. : 100 Time : 3 Hr.
Paper 9	Jurisprudence	- do -
Paper 10	Law of Crimes – I (I. P.C.)	- do -
Paper 11	Property Law	- do -
Paper 12	Information Technology Law & Right to Information Law	- do -
	<b>Clinical Paper</b>	
Paper 13	Professional Ethics and Professional Accounting System  <b>Note (I – theory) :</b> There shall be a written examination of 70 marks of three hours duration. The question paper shall be in two parts. In part I, there shall be six questions of descriptive nature of 10 marks each, out of which examinee shall have to attend four questions. In part II, there shall be 5 questions of practical nature of 10 marks each, out of which examinee shall have to attend three questions. <b>Note (II – practical) :</b> There shall be a practical examination of 30 marks by an external examiner appointed by the University and an internal examiner appointed by the Principal will take the Exam: (a) <b>Submission</b> of record – 15 marks. (b) <b>Viva voce</b> – 15 marks. Record shall content decisions of B C I and five judgments of H.C. & S.C.	Theory: 70, (3 Hrs.) Practical : 30

### Semester – IV

	(A) Compulsory Papers	M. M. : 100 Time : 3 Hr.
Paper 14	Company Law	- do -
Paper 15	Public International Law	- do -
Paper 16	Labour & Industrial Law	- do -
Paper 17	Copy right, Patent, Trade Mark and Design Laws	- do -
	<b>Clinical Paper</b>	
Paper 18	Alternative Dispute Resolution <b>Note (I – theory):</b> There shall be a written examination of 70 marks of three hours duration. The question paper shall be in two parts. In part I, there shall be six questions of descriptive nature of 10 marks each, out of which examinee shall have to attend four questions. In part II, there shall be 5 questions of practical nature of 10 marks each, out of which examinee shall have to attend three questions. <b>Note (II – practical):</b> There shall be a practical examination of 30 marks by an external examiner appointed by the University and an internal examiner appointed by the Principal will take the Exam: (a) <b>Submission</b> of record – 15 marks. (b) <b>Viva voce</b> – 15 marks. Record shall content 10 case studies and five judgments of H.C. & S.C.	Theory: 70, (3 Hrs.) Practical : 30

## Details of Course Contents of LL.B. II Year (Semester Scheme) Exam. - LL.B. III Semester Examination (Second Year); Paper – 9 - Jurisprudence

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

1. Meaning, definition of Jurisprudence, General and particular Jurisprudence, Importance of Jurisprudence.
2. Positive Law School of Jurisprudence: Chief Exponents, background, basic tenets of school, law in terms of and a product of state.

3. Historical School; Its basic tenets, thinkers mainly Savigny & Henry Main ; their theories and contribution;
4. Sociological School: its basic tenets; Theory of Roscoe Pound & its Principal about the Social Engineering: his Contribution of the school.
5. Natural Law School: Principles and Contribution; Definition of Law given by different jurists and its relevance.
6. Realist School: Principles and Contribution; Definition of Law given by different jurists and its relevance.
7. Administration of Justice and Theories of Punishment.
8. Sources of law; customs, judicial precedent and legislation.
9. Concepts of Rights and Duties; Theories & Their relationship,
10. Legal Person, personality, kinds of person. Theories of personality.
11. Concept of Possession & Ownership; meaning, definition, kinds and utility in modern law.
12. Concept of Liability & Obligation.
13. Concept of Property.

#### **Leading Cases:**

1. Keshavanand Bharati V. State of Kerala, AIR 1973 SC 1461 (Per Mathew J.) 1974; Paras 1617-1620 (Sovereignty) 1685-1698 (Natural law and natural rights) 1726-1729 (Roscoe pound and Sociological Jurisprudence) 1738- 1751 (Property rights and Social Justice).
2. A.K. Gopalan V. State of Madras, AIR 1950 SC 970 (S.970 paras 18, 19 Per Kania C.J.) Paras 107-109 (Per Patanjali Shastri) Para 192 (Per Mukherji 3.) Paras 228 (Per Das J. Natural Law and Positive Law)
3. Maharaja Shree Umed Mills Ltd. V. Union of India, AIR 1963 SC 953 Paras 12,13,14 (Per S.K. Das J.) Concept of Law; Legislative agreements).
4. Jaipur udyog Ltd. V. Income Tax Commissioner, AIR 1965 Raj 162 Paras 12,13,14 (Per Tyagi J.) (Sovereignty, separation of powers and functions).
5. Shrimati Indira Gandhi V. Rajanarayan, AIR 1975 SC Paras 219 and 299 (Per Mathew J.) (generally as a property of law.)
6. In Re article 143 (Keshav Singh) AIR 1965 SC 745 paras 9-17 (Per sarkar 3. Law making by judicial and legislative comity).
7. Bengal Immunity co. V. State of Bihar, AIR 1955 SC 62 (Precedent)
8. Trilokchand Motichand V. H.B. Munshi AIR 1970 SC 893. (Pam 4 to 11, per Hidayatulla Ci.) Pars 36 per Bhachawat J.; pars 59-63 per hegde J.). These excerpt illustrate problems and uses of I-Iohfeld analysis.
9. Maneka Gandhi v. Union of India, AIR 1978 SC 597.

#### **Suggested Readings:**

1. Salmond: Jurisprudence.
2. Dias : Jurisprudence.
3. S.N. Dhyani : Jurisprudence A study of Indian Legal Theory.
4. Henery Maine : Ancient Law.
5. Vijay Mani Tripathi : Jurisprudence.
6. N.y. Paranjape : Vidhi Shastra.
7. Anirudd Prasad : Vidhi Shastra ke mul Shidhant.

## **Paper -10 - Law of Crimes (I.P.C.)**

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

1. **General Introduction** : Nature, Scope and definition, of crime; Mental elements in crimes, intention, motive, knowledge; extent and operation in case of intra and extra territorial

operation; General explanation, common intention and common object, punishments and its kinds.

2. **General Exceptions :** Mistake of fact and mistake of law; judicial act, accident, necessity, child's act, act of person of unsound mind, intoxication, trifling act ; right of private defence of body and property ; abetment ; criminal conspiracy.
3. **Offences against the State :** Waging war against the state and sedition etc.
4. **Offences against public tranquility :** Unlawful Assembly; rioting ; promoting enmity between different classes, affray; contempt of lawful authority of public servants; False evidence and offences against public justice; Public nuisance, rash driving or riding.
5. **Offences relating to Religion :** Injury of defiling place of worship; Disturbing religious assembly, trespassing on burial places, uttering words to injure religious feelings.
6. **Offences affecting Human body :** Culpable homicide, murder, homicide by rash or negligent acts, dowry deaths; Hurt-simple and grievous, wrongful restraint and wrongful confinement; criminal force and assault; Kidnapping, abduction, rape, unlawful sexual intercourse and unnatural offences.
7. **Offences against property :** Theft, extortion, robbery, dacoity; Criminal misappropriation of property, criminal breach of trust, receiving and retaining or concealment of state property; Cheating mischief and criminal trespass.
8. **Offences relating to documents :** Forgery or making a forged document.
9. **Offences relating to marriage :** Bigamy, marriage or fraudulently gone through without lawful marriage, adultery, enticing or deceiting a married woman; Cruelty by husband or relatives of husband.
10. **Definition :** Criminal intimidation and words leading to the insulting the modesty of woman.
11. **Stage of Crime :** Intention, preparation and act.

#### **Leading Cases :**

1. Reg. v. Govinda IR 1876 I Bom 342.
2. Kedarnath v. State of Bihar AIR 1962 SC 955.
3. T.D. Vadgama v. State of Gujrat, AIR 1973 SC 2215.
4. Veliji Raghavji v. State of Maharashtra, AIR 1965 SC 1433.
5. K.M. Nanavati v. State of Maharashtra, AIR 1962 SC 605.

#### **Suggested Readings :**

1. Ratanlal and Dhirajlal : The Indian Penal Code.
2. T. Bhattacharya : The Indian Penal Code.
3. Hari Singh : Indian Penal Law of India.
4. Jaspal Singh : Indian Penal Code.
5. T. Bhattacharya : Bhartiya Dand Samhita.
6. Amar Singh and Vimla Yadav : Dand Vidhi ke sidhant evam bhartiya Dand Samhita.

## **Paper -11 - Property Law (T. P. Act) & Law of Easement**

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

## **Concept of Property and General Principles Relating to Transfer of Property (The Transfer of Property Act, 1882)**

Concept of property: distinction between moveable and immoveable property

Definition clause: Immovable property, Attestation, Notice, Actionable claim

Definition to transfer of property (Sec.5)

Transfer and non-transfer property (Sec.10-12)

Transfer to an unborn person and rule against perpetuity (Sec.13, 14)

Vested and Contingent interest (Sec.19 & 21)

Rule of Election (Sec.35)

## **General Principles Governing Transfer of Immoveable Property**

Transfer by ostensible owner

Rule of feeding the grant by estoppel

Rule of Lis pendens

Fraudulent transfer

Rule of part performance

Vested and contingent interest

Conditional transfer

## **Specific Transfers**

Sale and Gift, Mortgage and Charge, Lease and Licence, Exchange and Actionable Claims.

## **Easement Act**

The Indian Easement Act, 1882; Easement in general ; imposition and transfer of easements; incident of easements; distribution of easements; extinction, suspension and revival of easements ; and license.

## **Leading Cases :**

1. Smt. Shanta Bai v. State of Bombay and others, AIR 1985 SC 532.
2. Rajendra v. Santa Singh, AIR SC 2537.
3. Kreglinger v. New Patagonia Meat and Cold Storage Comp. Ltd., (1914) AC 25.
4. Union of India v. Sharda Mills Ltd., AIR 1973 SC 281.
5. Nathu Lal v. Phool Chand, AIR 1970 SC 54.
6. Jumma Masjid v. Danish and others, AIR 1962 SC 847.

## **Suggested Readings :**

1. Mulla : Transfer of property Act.
2. S. Shah : Lecturers on Transfer of property.
3. I.C. Saxena : Transfer of property.
4. B.B. Mitra : Transfer of property.
5. S.R. Bhansali and Sharma : Sampatti Antaran Adhiniyam.
6. J.N. Kulshreshtra : Sampatti Antaran Adhiniyam.
7. S.N. Shukla : Sampatti Antaran Adhiniyam.
8. G.P. Tripathi : Sampatti Antaran Adhiniyam.

**Acts:** The Transfer of Property Act, 1882 & The Indian Easement Act, 1882.

## **Paper -12 - Information Technology Law & Right to Information Law**

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

### **The Information and Technology Act,2000:-**

1. Aims and Objectives of the I.T. Act, 2000, Definition, Authentication of Electric records.

- 2.. Introduction to Development of Science and Technology and its impact on Human Rights and Duties.
3. Definitions of Information Technology and its scope.
4. Electronic Governance; Digital Signature & its legal perspective.
5. Cyber Crimes; Obscenity, Defamation, Hacking and Cracking, Crime through Mobile Phones, Regulations of Certifying Authorities cyber crime, Penalties and Adjudication, Cyber Regulations Appellate Tribunal.
6. Regulating Authorities & penalties.

### **The Right of Information Act, 2005-**

1. Definition of Information law and its importance. Historical Background before RTI Act.2005. Significance in democracy; constitutional basis.
2. Type of Information; Restricted Information.
3. Application about information & its formalities.
4. Obligation of public authorities .
5. Appeal and penalties.

### **Leading Cases-**

- a.- Yousafalli Esmail Nagree v. State of Maharashtra, AIR 1986 SC 147
- b.- Sidhath Kejiwal v. E.S.I.; 1997, Comp. Cas (Ker.) 496.

### **Suggested Readings:**

#### **Act -**

- a. The Information and Technology Act,2000.
- b. The Right of Information Act, 2005.

#### **Books-**

1. Prof. S.R. Bhansali, Information Technology Act, 2000
2. Gerald R. Ferrera, Cyber law (Text and Cases)
3. Vikul Sharma, Cyber Crime.
4. J.N. Barowalia; Commentary on the RTI Act.
5. S.V. Joga Rao; Law Relating to RTI.
6. Dr. P.M. Bakshi and Dr. R.K.Suri; Hand book of Cyber & E- Commerce Laws.

## **Paper- 13 - Professional Ethics and Professional Accounting System**

**Note-** This paper shall consist of the following two part :

Written paper	70 Marks
Practical (Viva-Voce) Exam	30 Marks

### **Written Paper**

**Max. Marks: 70**

**Min. Passing Marks: 25**

**Duration: 3 Hrs.**

1. Meaning and scope of this paper; the legal profession and its duties, responsibilities towards court and client, bar and bench relations its necessity, nature and scope, the equipments of lawyers, conduct in court; privileges of lawyers, with light of Advocate Act 1961. The law of Contempt; Practice in High Court & Supreme Court & Bar.
2. Advocates & Judges; Duty to the court, duty to the opponent, duty to the client, duty to the self, duty to the public and the state also.

### **Suggested Redaings :**

1. The Bar Council Code of ethics.

2. The contempt of Court Act
3. Mr. Krishnamurthy Laivyer's book on "Advocacy".
4. major judgements of the supreme court on misconduct.

### **Practical (Viva-Voce)**

**Max. Marks: 30**

**Min. Passing Marks: 11**

- (a) There shall be a practical examination of 30 marks by an external examiner appointed by the University and an internal examiner appointed by the Principal will take the Exam:
- (b) Submission of record – 15 marks. (b) Viva voce – 15 marks.  
Record shall content 10 case studies and five judgments of High Court & Supreme Court.

## **LL.B. IV Semester Examination (Second Year);**

### **Paper- 14 - Company Law**

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

1. Definition and Nature of Company - classification of companies, formation, promotion, promotion and incorporation of companies.
2. Memorandum, Doctrine of ultra vires, Articles of Association, Doctrine of indoor management, prospectus of a company.
3. Share capital issue and allotment of share, members, dividends, interest and commission.
4. Borrowing powers, charges, mortgages and debentures.
5. Directors, other managerial persons, accounts and audit.
6. Meetings, majority powers and rights of minority of share holders, protection of a company from oppressions and mismanagement, investigation of company's affairs.
7. Reconstruction and amalgamation of company.
8. Winding up-General provisions, illegal Association and Defunct companies.

9. Concept of Multinational Companies and Corporate Liability.

**Leading Cases :**

1. Aron Soloman v. Soloman and Co. (1897) AC 22.
2. Royal British bank v. Turkund (1856) 119 ER 886.
3. Deputy Secretary to Government of India, Ministry of Finance v.S.N. Das Gupta AIR 1956 Cal 414.
4. Tata Engg. and Locomotive Co. Ltd. v. State of Bihar, AIR 1966 SC 40.
5. Shanti Pd. Jain v. Kalinga Tyre and Tube co. AIR 1956 SC.
6. Vasudev Ram Chandra Shetal v. Pranla Jaya and Thakur.
7. Bajaj Auto Ltd. v.N.K. Farodia & Others (1970) 2 SC.
8. Bell House Ltd. v. City wall Properties Ltd. (1966) SC.
9. Seth Mohan Lal v. Grain Chambers Ltd., AIR 1968 SC 777.
10. Bharat Commerce and Industries Ltd. v. Registrar Com. West Bengal (1973) 43 Company cases 775.

**Suggested Readings :**

1. Indian Companies Act 1956 with upto date amendments.
2. Aiyas : The comapnies Act 1956.
3. Lectures on Company Law.
4. Avtar Singh : Company Law (English and Hindi)
5. Ramayan : A guide to Company Law.

**Paper- 15 - Public International Law**

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

1. Definition of International law. Nature and Basis of International law.
2. Sources of International Law.
3. Relationship of International law and Municipal law, codification of International law, Subjects of International law, place of individual in International law.
4. State Territory : Theory of recognition of state, acquisition and loss of state territory, state jurisdiction, state succession.
5. Law relating to Sea, Outer Space, Asylum.
6. Extradition; Diplomatic Agents.
7. U.N.O. - General Assembly; Security Council; International court of Justice.
8. Settlements of Disputes, intervention, war, laws of war, war crimes, aggression.
8. Belligerent Occupation: Neutrality, Blockade and control.
10. Asylum.
11. War crimes & War trials.
12. Terrorism.

**Leading Cases :**

1. United Kingdom v. Norway (Anglo Norwegian Case) ICJ Report 1951 p. 116.
2. The Nuremberg Judgement, International Military Tribunal, Nuremberg 1946 AJIL Vol. 41, 1947 p. 12
3. In Re Govt. of India and Mubarak Ali Ahamd 1952, 1 IIER 2060.
4. Kutch tribunal Award Case-Foreign Affairs Report volume XVII March 68.

5. Right to passage over Indian Territory case ICJ Report 1960 p. 06.

**Suggested Readings :**

1. Strark : An introduction to International Law.
2. Oppenheim : International Law vol. I and II.
3. Breirly : The Law of Nations.
4. S.K. Kapur : International law (English and Hindi)
5. M.P. Tondon : International Law (English and Hindi)
6. Nagendra Singh : Lectures on International Law.

**Paper- 16 - Labour and Industrial Law**

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

1. **The Industrial Disputes Act 1947:** Scope and objects, definitions, works committee, Authorities for solving disputes, Notice of Change, Reference power, Lay Off, Retrenchment, Closure, Strike, Lock Out, Penalties, Recovery, Unfair Labour Practices.
2. **The Minimum Wages Act 1948:** Objects, definitions. Concept of minimum wage, fair wage and living wage, fixation of minimum rates of wages, advisory boards, committees, inspectors, payment of minimum rates of wages, overtime claims and miscellaneous provisions in the Act.
3. **The Trade Union Act:** Definitions, registration of Trade Union, functions of registrar, cancellation of registration, appeal, incorporation of registered Trade Union, Fund of Trade Union and liabilities of registered trade union, including immunities, office bearers change of name, amalgamation, dissolution of trade union, and recognition of trade union, Penalties.
4. **The Industrial Employment (Standing Order) Act, 1946 :** Definitions and other essential feature of this act.

**Leading Cases :**

1. Workmen of Indian standard Institution v. Indian Standard Institution AIR 1976 SC 145.
2. Burmah Shell Co. v. Burmeh Shell Management Staff Association 1970 IFLJ 590 SC AIR (1971) SC 922.
3. Workmen of firestone Tyre and Rubber Co. Ltd. v. The Management of Firestone Tyre and Rubber Co. Ltd. AIR 1973 SC.
4. Delhi Cloth and General Mills co. Ltd. v. Ludh Budh Singh (1970) LLJ 180 AIR 1972 SC 103.
5. Jay Engineering Works v. State of West Bengal AIR 1990 Cal 406.
6. Bidi Leaves and Tobacco Merchants Association Gondia and other v. State of Bombay AIR 1962 SC 486.
7. Bangalore Water Supply v.A. Rajappa AIR 1978 SC 5.
8. Express Newspapers Ltd. v. Union of India and others AIR 1958 SC 578.

**Suggested Readings :**

1. Indian Law Institute : Law and labour Management relations in India.
2. Rustamjee : The Law of industrial disputes.
3. O.P. Malhotra : Law of Industrial disputes vol. 1.
4. S.N. Mishra : Labour and Industrial Laws (English and Hindi).
5. Gopikrishna Arora : Shram Vidhi.
6. Ganga Sahai Sharma : Shram Vidhi.
7. N.D. Sharma : Shram Vidhi.
8. S.C. Srivastava: Social Security and Labour Laws.

## **Paper- 17 - Copy Right, Patent, Trade Mark and Design Laws**

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration: 3 Hrs.**

1. Historical Back Ground and Jurisprudence of Intellectual Property Right with International Perspective.
2. Nature, need, scope and importance of Copy Right, Patent, Trade Mark and Design Laws.
3. Meaning and definition of Copy Right, Patent, Trade Mark and Design Laws.
4. Law and Practice of Copy Right, Patent, Trade Mark and Design Laws.
5. Application of Patent; Copy Right; Trade Mark and Design Laws.

### **Leading Cases-**

1. Manu Bhandari v. Kalankas Pictures Pvt. Ltd., AIR (1987) Del.13.
2. Nac Sahitya Prakash v. Anand Kumar, AIR 1981 All 200.
3. Brudaban Sahu v. Rajengra Subudhi, AIR 1986 Orrisa 210.
4. R.G.Anand v. Messers Delux Film, AIR 1987 SC 1513.

### **Suggested Readings:**

1. Copy Right Act, 1957
2. Copy Right Order, 1999
3. Patent Act, 1970
4. Trade Mark Act, 1999
5. Design Act, 1999

## **Paper- 18 - Alternative Dispute Resolution**

**Note-** This paper shall consist of the following two part :

Written paper	70 Marks
Practical (Viva-Voce) Exam	30 Marks

### **Written Paper**

**Max. Marks: 70**

**Min. Passing Marks: 25**

**Duration: 3 Hrs.**

1. Alternative dispute & resolution system: meaning of different methods of dispute resolution; object and role of committee for implementation of Legal Aid schemes (CILAS). The legal services authorities Act, 1987. Functions of National Legal Services Authority. State Legal Services Authority and District Legal Services Authority. Organizations of Lok Adalats. Jurisdictions and powers of Lok Adalat. Procedure of determination of disputes before the 'Lok Adalat'. Study of other alternative dispute resolution system in brief such as Gram Panchayat. Family courts and commissioner for a Panchayat.
2. The Arbitration and conciliation act 1996: General provisions, arbitration agreements, arbitral tribunals (composition and jurisdiction) conduct of arbitral proceedings, arbitral awards, termination of proceedings, settings aside of arbitral award – enforcement of arbitral awards, New York Convention and Geneva Convention.
3. Conciliation – Conciliators – appointment of conciliators. Relationship of conciliators with the parties, settlement agreement status and effect of settlement agreements. Termination of conciliation proceedings. Resort to arbitral of judicial proceedings costs and deposits.
4. Negotiation and Mediation; its meaning, importance, role and process.

### **Leading Cases:**

1. Sundaram Finance Ltd. (1999) 2 SCC 479 NPC India Ltd. Interpretation of provisions 96 Act, 1940, section 9.21 discussed (The scope of the Act discussed).
2. State of U.P. v. Harishchandra & Co. Arbitration Power to grant interest.
3. Union of India v. Girdhari Lal 1998 (2) 1403 the scheme of the Act Discussed whether D.J. Designation by C.J. as subordinate authority to H.C. (Section 6 of the Act)
4. NMTC Ltd. V. Sterlite Industries Ltd. 1996 (4) CCS 219 (S) appointment arbitrator 7, 10, 11.
5. Lotus investment and securities v. Pramod S. Tiberwal 1996 (2) CCS 579 (Bom) settings aside of award.
6. State of Rajasthan v. Bharat Construction Co. 1998 (4) CCS 172 (Raj.).

#### **Suggested Readings:**

1. G.C. Mathur, Arbitration and Conciliation Act, 1996.
2. S. Krishnamurthy : Law of Arbitration and Conciliation.
3. P.M. Bakshi: Arbitration Law.
4. O.P. Tiwari: The Arbitration Conciliation Act, 1996.
5. Avtar Singh: Law of Arbitration and Conciliation
6. Sunil Deshtha: Lok Adalats in India.

### **Practical (Viva-Voce)**

**Max. Marks: 30**

**Min. Passing Marks: 11**

- (a) There shall be a practical examination of 30 marks by an external examiner appointed by the University and an internal examiner appointed by the Principal will take the Exam:
- (b) Submission of record – 15 marks. (b) Viva voce – 15 marks.  
Record shall content 10 case studies and five judgments of High Court & Supreme Court.

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### **LL.B. III Year (Semester Scheme)**

#### **Semester (V & VI)**

In LL.B. V & VI Semester there shall be 5 papers of 100 marks of each including four theory papers alongwith one practical paper of 100 marks in each semester.

Student of LL.B. III yr shall be examined at the end of LL.B. V & VI semester each in the following theory papers of 100 marks and of three hours duration. For practical paper see the 'Note' below.

#### **Scheme of Papers**

##### **Semester –V**

	<b>(A) Compulsory Papers</b>	<b>M. M. : 100 Time : 3 Hr.</b>
Paper 19	Law of Evidence	- do -
Paper 20	Civil Procedure Code & Limitation Act	- do -
Paper 21	Environmental Law	- do -
	<b>(B) Optional Paper (any one)</b>	
Paper 22	(i) Criminology Paper – I (ii) Human Rights & Practice	- do -
	<b>(C) Clinical Paper</b>	
Paper 23	Drafting, Pleading & Conveyancing <b>Note ( I – theory )</b> : There shall be a written examination of 70 marks of three hours duration. The question paper shall be in two parts. In part I, there shall be six questions	Theory: 70, (3 Hrs.) Practical : 30

	<p>of descriptive nature of 10 marks each, out of which examinee shall have to attend four questions. In part II, there shall be 5 questions of practical nature of 10 marks each, out of which examinee shall have to attend three questions</p> <p><b>Note ( II – practical ) :</b> There shall be a practical examination of 30 marks by an external examiner appointed by the university and an internal examiner appointed by the Principal or H.O.D. Distribution of practical marks:</p> <p>(a) <b>Submission</b> of record – 10 marks. (Atleast 10 drafts of pleading &amp; Conveyancing) (b) <b>Test</b> for drafting – 10 marks (C) <b>Viva voce</b> – 10 marks.</p> <p>Practical exercises shall be given for drafting in test.</p>	
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### Semester – VI

	<b>(A) Compulsory Papers</b>	<b>M. M. : 100</b> <b>Time : 3 Hr.</b>
Paper 24	Law of Crimes – II (Cr.P.C.)	- do -
Paper 25	Administrative Law	- do -
Paper 26	Law Relating to Taxation	- do -
	<b>(B) Optional Paper (any one)</b>	
Paper 27	(i) Criminology Paper – II (Penology) (ii) I. L. O. and Labour Laws	- do -
	<b>(C) Clinical Paper</b>	
Paper 28	<p>Moot Court Exercise and Internship</p> <p><b>Note:</b> This paper have three component of 30 marks each and a viva voce for 10 marks.</p> <p>(i) Moot Court (30 Marks). Every student shall be required to do atleast three moot courts of 10 marks each during the III yr. Each moot court work will be evaluated for 5 marks for written submission and 5 marks for oral advocacy on assigned problem by the college.</p> <p>(ii) Court visit / Observance of Trial 1 civil and 1 criminal (30 marks). Every student shall be required to attend these trials during the III yr and they have to maintain record of various steps observed during their presence in the court.</p> <p>(iii) Interviewing techniques and pre – trial preparation and internship diary ( 30 marks). Every student shall be required to observe two interviewing sessions of clients at the nominated lawyer's / legal aid office, and record the proceeding in a diary, which will carry 15 marks. Student will further observe the preparation of document and court papers and procedure for filing the suit / petition by the nominated advocate. This will also be recorded in the diary and will carry 15 marks.</p> <p>(iv) Every student shall be required to appear in a viva voce examination of 10 marks taken by the external examiner appointed by the university and an internal examiner appointed by the Principal or H.O.D.</p> <p>(v) College will compile the marks obtained during the practical, and shall send to the university in prescribed Performa alongwith the duly signed statement of marks obtained in (a), (b), (c) &amp; (d).</p>	Max. Marks: 100

## LL.B. III Year (Semester Scheme)

### Semester (V)

### Paper 19 - Law of Evidence

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration – 3 Hrs**

#### **Indian Evidence Act. 1872**

- Preliminary:** Application of Indian Evidence Act. Definition Court, fact, fact in issue and relevant fact. Evidence meaning and its kinds, proved, disproved, not proved, may presume, shall presume and conclusive proof. Presumptions of fact and law. Presumptions regarding documents, Relevancy of facts, Explaining Res-gestae. Occassion cause, effect : motive, intention preparation Previous and subsequent conduct introductory and explanatory facts and otherwise relevant become relevant, accidental and incidental facts, facts which need not be proved, improper admission and rejection of facts.
- Admission and Confession**

- (a) Admission: Definition, whose admission is relevant, relevancy of admission in civil cases, admission is not conclusive proof. admission an estoppel
- (b) Confession: definition. Its kinds, confession caused by inducement, threat or promise, confession to police officer, confession in the custody of police, confession to magistrate, confession by co- accused.
- (c) Difference between admission and confession. Relevancy of statements.
  - (a) Statements by person who cannot be called as witness.
  - (b) Statements made under special circumstances.
  - (c) Relevancy of judgement of a court of law.
  - (d) Opinions of third persons
  - (e) Opinions of experts/third person.
  - (f) .Relevancy of character.
- 3 Evidence:** Oral evidence, documentary evidence, kinds of documentary, when secondary evidence is relevant. Public and private document. Exclusion of oral evidence by documentary evidence: application of this principle, its exceptions, ambiguous documents, kinds of ambiguity. Burden of Proof: meaning, general principles of burden of proof in civil and criminal cases and exceptions to it. When burden of proof shifts, proof of legitimacy of child, proof in dowry deaths and in matters of rape.
- 4 Estoppel :** Meaning, essential, nature and its kinds, Witnesses Competency of witness, when person can be compelled to appear as witnesses, privileged communications and documents, accomplice, hostile witnesses.
- 5 Examination of Witnesses:** Order of examinations, kinds of examinations, leading question, impeaching the credit of witness, questions which can and which cannot be asked, refreshing the memory of witness, production of document, judge's power to put questions and to order production. Effect of improper acceptance or rejection of evidence.

#### **Leading cases:**

- 1 Nishi Kant Jha v. State of Bihar, AIR 1969 SC 422.
- 2 Himachal Pradesh Administration v. Om Prakash AIR 1972 SC 975.
3. Sat Paul v. Delhi Administration, AIR 1976 SC 294
4. Laxmipat Chorasias v. State of Maharashtra, AIR 1968 SC 938.
5. Pakala Narayan Swami v. Emperor, AIR 1939 PC 47.
6. Bhardwade Bhogin Bhan Herrji Bhai v. State of Gujrat, AIR 1988 SC 753.
7. RM Malkani v. State of Maharashtra, AIR 1973 SC157.

#### **Suggested Readings**

1. Ratan Lal – The Law of Evidence
2. Batuklal - Law of Evidence
3. Vepa P. Sarathi - Law of Evidence
4. Awatar Singh, Sachaya Vidhi and Law of Evidence
5. Raja Ram Yadav, Sachaya Vidhi.

## **Paper 20 - Civil Procedure Code & Limitation Act**

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration – 3 Hrs**

### **1. The Code of Civil Procedure Code, 1908**

Definition – suits in general suit to civil nature, stay of suit, Resjudicata, Res subjudice, Foreign Judgments, Place of trial, transfer of suits, Joinder non – joinder and mis – joinder of parties and causes of action. Service of summon and pleadings.

- 2. Execution in general** – Courts by which decrees may be executed, powers of the Court executing the decrees, transfer of decrees for execution and modes of execution. Stay of execution. Suit in particular cases (Orders XXIX to XXIII). Abatement of suits.

3. **Supplemental proceedings** - Attachment before judgement. Arrest before judgement. Temporary injunction and appointment of receiver.
4. **Appeals** – Appeals against order and appeals against decree. Review: Revision and Reference.
5. **The Limitation – Act 1963 (Omitting the Schedule).**  
Purpose, policy, nature and scope of the Act. Definition: Applicant, bond, defendant, easement, good faith, plaintiff, period of limitation. Relationship between limitations. Laches, acquiescence. estoppel and resjudicata; Limitation of suits. Appeals and applications. Disability, computation of period of limitation. Acknowledgement and part payment. Acquisition of ownership by prescription.

#### **Leading Cases:**

1. Shri Sinha Ramanujan v. Ramanujun, AIR 1961 SC 1720.
2. Seth Hukamchand v. Maharaja Bahadur Singh, 60 IA 313.
3. Narayan Bhagwant Rao v. Gopal Vinayak, AIR 1960 SC 104.
4. Garikapati Veerava v. N. Subhia Choudhary, AIR 1957 SC 540.
5. Deoki Nandan v. Murlidhar, AIR 1957 SC 133.
6. Deity Pattabhirama Swami v. Hanmayya, AIR 1959 SC 57.
7. S.M. Jakati v. B.M. Broker, AIR SC 282.

#### **Suggested Readings:**

1. Mulla – Civil Procedure Code.
2. Singh S.N. – Civil Procedure Code.
3. Sahai on Civil Procedure.
4. Tandon, M.P. – Civil Procedure Code (English & Hindi).
5. Mridula Srivastava – Civil Procedure Code (Hindi).
6. A.N. Pandey – Civil Procedure Code (Hindi).

## **Paper 21 - Environmental Law**

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration – 3 Hrs**

1. **Introduction:** (a) Concept and dimension of environment; Enormity of Environmental degradation and its causes; Environmental concern in the Traditional knowledge system of India; Environmental concern in modern in India; post independence policy framework.
2. **Constitution and the Environment:** Dimensions of the Right to pollution free Environment under article 21 of the Constitution of India; Specific constitutional provisions to ensure pollution free Environment; judicial activism and environmental protection.
3. **The Water (Prevention and Control of Pollution) Act 1974:** Application of the Act. Definition, constitution of central state and joint board, power and function of the Board, qualifications and disqualifications of the member, prevention and control of water pollution and procedure there of; power to give directions; funds, account and audit, penalties and procedure and miscellaneous provisions.
4. **The Air (Prevention and Control of Pollution) Act 1981:** Application of the Act. Definition, constitution of Central, State and joint Board, power and function of the Board, qualifications and disqualifications of the member, prevention and control of air pollution and procedure there of; power to give directions; funds, account and audit, penalties and procedure and miscellaneous provisions.

5. **Environment (Protection) Act 1988:** Application of the Act. Definitions, General powers of the Central Government including the powers to give directions; prevention and control and Environmental pollutions and procedure there of; penalties and procedure and miscellaneous.

**Leading Cases:**

- (A) M.C. Mehta v/s Union of India, AIR 1987 SC 965.  
(B) M.C. Mehta v/s Union of India, AIR 1988 SC 1115.  
(C) Municipal Council Ratlam v/s Vardichand, AIR 1980 SC 1622.  
(D) Vallore Citizens forum v/s Union of India (1996) 5 SCC 647  
(E) Tarun Bharat Singh v/s Union of India, AIR 1992 SC 514.

## **Paper 22(i) -Criminology Paper – I**

**Max. Marks : 100**

**Min. Passing Marks: 36**

**Duration – 3 Hrs.**

1. **Criminology:** Definition. nature and scope, method of studying, importance, and classification of crimes.  
Crime and social process: Economic Motivation. Socio cultural Motivations, home and community influence, white collar crime, Female offender, juvenile Delinquency, influence of mass-media, Alcoholisms and Drugs.
2. **Schools of Criminological Thought** (Factors in causation of Criminal Behaviors)
  1. Ancient School
    - (a) Demonological
    - (b) School of Free will
  2. Classical School.
  3. Cartographic or Ecological School.
  4. Typological School
    - (a) Italian or Positive School.
    - (b) Mental Testers School.
    - (c) Psychiaticists School.
  5. Sociological School
  6. Multi factor School.
3. **Control of Crime:** Police and Law courts, Prison system, Re-socialisation of the offender, Rehabilitation of discharged prisoners in the administration of Criminal justice, prevention of crime delinquency.
4. **Constitutional Guarantees** - Principles of natural Justice as applicable to procedural law, Protection to arrested persons, Under-trials, detenue and convicted persons. Double jeopardy and self-incrimination, rights to life and legal aid.

**The Probation of offenders Act, 1958 :**

Definitions - Power of court to require released offenders after admonition on probation of good conduct - power of Court to require released offenders to pay compensation under twenty one years of age. Variations of conditions of probation. Probation in case of 'Of

fender' failing to observe conditions of bond, provision as to sureties, Probation Officers, Duties of Probation Officer.

### **Leading Cases :**

1. Gura singh v. State of Rajasthan, 1984 Cr. LJ 1423 (1428).
2. Francis Coralie Mullin v. Union Territory Delhi, AIR (1981) SC 746.
3. R.K. Garg v. Union of India (1981) 133 ITR 239.
4. Mithu v. State of Punjab, AIR 1983 SC 473.

### **Suggested Readings :**

1. Barnes, H.B. - Tecters - New Horizons in Criminology.
2. Vold, G.S. - Theoretical Criminology.
3. Pillai, K.S. - Criminology.
4. R. Taft, Donald - Criminology.
5. Edwin, H. Sutherland and Donald R. Grussey - Principles of Criminology.
6. Horman mannheim - Pioneers in Criminology.
7. Hon. Barren, Mays - Crime and the Social Structure.
8. Ahmed Siddiqui - Criminology - Problems & Perspective.
9. Lord Pakenham - Causes of Crime.
10. S. Venugopala Rao - Facts of Crime in India.
11. Korm. R.R. and Mc Gorble. LW - Criminology and Penology.
12. Grunhut - Penal Reforms.
13. Mandholm - Criminal Justice and Reconstruction.
14. Garden Rose - The Struggle for Penal reform.
15. I.L.I. - Essays on Indian Penal Code.
16. Ben - Penology - Old and New - Tagore Law Lectures.
17. Elliot - conflicting Penal Theories in Statutory in Criminal Law.
18. Shamshul Huda - Tagore Law Lectures on Criminal Law.
19. Lawburse - Crime, Its causes and Remedies.
20. Dequires - Modern Theories of Criminology.
21. Gillin - Criminology and Penology.
22. Deccaria - Crime and Punishment.
23. N.V. Paranjape - अपराध शास्त्र एवं दण्ड प्र शासन
24. M.S. Chauhan - अपराध शास्त्र एवं अपराधिक विज्ञान सिद्धान्त
25. B.L. Bavel - अपराध शास्त्र
26. The Criminal Procedure Code.
27. The Constitution of India.

## **Paper 22(ii) - Human Rights and Practice**

**Max. Marks : 100**

**Min. Passing Marks: 36**

**Duration – 3 Hrs.**

1. Jurisprudence of Human Rights; Nature, definition, origin and theories of human Rights.
2. Universal Protection of Human Rights; United Nations and Human Rights- Universal Declaration of Human Rights, 1948. Various International Covenants about Human Rights.
3. Protection of Human Rights in India; National Human Rights Commissions and State Human Right Commissions.
4. Human Rights and the Constitution of India; Judicial trends about Protection of Human Rights in India.

5. Human Rights and Vulnerable Groups; Rights of Women, Children, Disabled, Tribal, Aged and Minorities.

**Leading Cases :**

1. Bandhua Mukti Morcha v Union of India, AIR 1984 SC 802.
2. Vishakha v State of Rajasthan, AIR 1987 SC 579.
3. Prem Sankar Sukla v Delhi Administration, AIR 1980 SC 1535.
4. Sunil Batra v Delhi Administration, AIR 1978 SC 1675.

**Suggested Readings :**

1. UNO Charter.
2. Universal Declaration of Human Rights, 1948.
3. Human Rights and the Constitution Act, 1993.
4. S.K. Kapur : International law (English and Hindi)
5. M.P. Tondon : International Law (English and Hindi)
6. Nagendra Singh : Lectures on International Law.
7. Agrawal, H.O.: International law and Human Rights.

## **Paper 23 - Drafting, Pleading & Conveyancing**

(Marks - 70 marks for written Examination and 30 marks for Viva-Voce)

### **Theory Paper**

**Max. Marks: 70**

**Min. Passing Marks: 25**

**Duration – 3 Hrs**

**Drafting & Pleading**

General Principles of Drafting and relevant substantive rules of pleading and their exceptions: Amendments of pleading; alternative and inconsistent pleadings.

**Drafting Exercise on Pleadings:**

- (a) Civil – (i) Plaints (ii) Written statement (iii) interlocutory application, (iv) Original petition: (v) Affidavit; (vi) Notice; (vii) Execution petition; (viii) Memorandum of Appeal and Revision, (ix) Writ petition and its appeal.
- (b) Criminal – (i) Complaints, (ii) Bail Application (iii) Accused Reply (iv) Criminal miscellaneous petition, (v) Memorandum of Appeal, Reference and Revision
- (c) Conveyancing – Drafting exercise on Conveyancing.
  - (i) Sale Deed; (ii) Mortgage Deed (iii) Gift Deed (iv) Lease Deed (v) Rent Deed
  - (vi) Partnership Deed (vii) Power of Attorney (viii) Promissory Note and (ix) Will.

**Note ( I – theory ) :** There shall be a written examination of 70 marks of three hours duration. The question paper shall be in two parts. In part I, there shall be six questions of descriptive nature of 10 marks each, out of which examinee shall have to attend four questions. In part II, there shall be 5 questions of practical nature of 10 marks each, out of which examinee shall have to attend three questions

**Note ( II – practical ) :** There shall be a practical examination of 30 marks by an external examiner appointed by the university and an internal examiner appointed by the Principal or H.O.D. Distribution of practical marks:

- (a) **Submission** of record – 10 marks. (At least 10 drafts of pleading & Conveyancing)
- (b) **Test** for drafting – 10 marks
- (c) **Viva voce** – 10 marks.

Note- Practical exercises shall be given for drafting in test.

# **LL.B. Semester –VI**

**(LL.B. III Year)**

## **Paper 24 - Law of Crimes – II (Cr.P.C.)**

**Max. Marks: 100**

**Min. Passing Marks: 36**

**Duration – 3 Hrs**

### **1. Preliminary:**

- a) Object, extent and definitions ( Chapter 1)
- b) Duties of Public
  - (i) To assist police and Magistrate
  - (ii) To give information about certain offences ( Chapter IV Ss. 37 to 40)

### **2. Criminal Courts:**

- (a) Territorial divisions and Classifications ( Chapter II, Ss 10,14,15,19,22 and 23)
- (b) Powers (Chapter II, Ss 26 to 31). Pre trial Procedures:
  - (a) Process to compel appearance (Chapter VI)
  - (b) Process to compel production of things (Chapter VII)
  - (c) Arrest to persons (Chapter V).s
  - (d) Information to the police and their powers of investigation (Chapter XII)
  - (e) Bail (Chapter XXXIII)
  - (f) Jurisdiction of the courts in inquiries and trials (Chapter XIII)
- (g) Maintenance of public order and tranquility (Chapter X) 2. Jurisdiction of the Courts in the inquiries and trials (Chapter XIII)
- 3. Complaints to Magistrate and Cognizance of Offence (Chapter XV and XIV). Charge (Chapter XVII)
  - (a) Types of Trials:
    - (i) Trial before Court of Session (Chapter XVIII).
    - (ii) Trial of Summons and Warrant Cases (Chapters XIX & XX).
    - (iii) Summary Trials (Chapter XXI)
    - (iv) Judgments (Chapter XXVII)
- 4. (a) Appeals (Chapter XXIX) References and Revision (Chapter XXX).
- (b) Misc. Provision:
  - (i) Period of Limitation (Chapter XXXVI)
  - (ii) Irregular proceedings (Chapter XXXV)
  - (iii) Autrefois acquit and Autrefois convict.
  - (iv) Legal Aid to accused at State expenses (S. 304)
  - (v) Pardon to an accomplice
  - (vi) Saving of Inherent powers of High Court.
  - (vii) Maintenance of Wives. Children and Parents.

### **Leadings Cases:**

- 1. Tehsildar Singh v. State of Delhi, AIR 1955 SC 196.
- 2. State of U.P. v. Singh, AIR 1964 SC 359.
- 3. Nisar Ali v. State of U.P., AIR 1957 SC 336.
- 4. Purshottam Das Dalmia v. State of West Bengal, AIR 1968 SC 1989.
- 5. State of Andhra Pradesh v. Ganeshwara Rao, AIR 1968 SC 1050.
- 6. Satwant Singh v. State of Punjab, AIR 1956 SC 415.

### **Suggested Readings:**

1. Ratan Lal: Criminal Procedure Code.
2. Ganguly, A.C.: A Guide to Criminal Procedure Code.
3. तिवारी. वाई. के. : दण्ड प्रक्रिया संहिता
4. जैन पी. सी. : दण्ड प्रक्रिया संहिता

## Paper 25 - Administrative Law

**Max. Marks : 100**

**Min. Passing Marks: 36**

**Duration - 3 Hrs**

1. Nature, Definition and scope of Administrative Law
2. Principles of Natural Justice.
3. Delegated Legislation.
  - (i) Factor Leading to its growth.
  - (ii) Restraints on delegation.
  - (iii) Control: Judicial and Legislative.
4. Writs.
5. Rule of Law.
6. Ombudsman and CVC.
7. Public Undertaking and Public Corporations.
8. Administrative agencies and tribunal.

### Leading Cases:

1. A.K. Kripak V/s Union of India A.I.R. 1970, S.C. 150(1969)2SCC 262.
2. In re-Delhi Laws Act etc. A.I.R. 1951 S.C. 332.
3. RajNarayan V/s Chairman, Patna Administration A.I.R. 1954 S.C. 569.
4. Syed Yaqoob V/s Radha Krishan A.I.R. 1964 S.C. 477.
5. Rohtash Industries Pvt. Ltd. V/s S.D. Agarwal A.I.R. 1969 S.C. 707.
6. State of Karnataka V/s Union of India A.I.R. 1978 S.C. 68.

### Suggested Readings :

- 1) Constitution of India
- 2) Massy's Administrative Law
- 3) Paranjapey, Prasasanik Vidhi
- 4) Upadhyay, J.J., Prasasanik Vidhi
- 5) Dyise 'Rule of Law.
- 6) Takwani,C.K. 'Prasasanik Vidhi.

## Law Relating to Taxation

### Paper 26 –Taxation Law

**Max. Marks : 100**

**Min. Passing Marks:36**

**Duration- 3 Hrs**

1. **The Income Tax Act, 1961:** Basis of taxation of Income-Incomes exempted from tax- Income from salaries, house property, business or profession and other sources. Taxation of individuals, HUF, firm, association of persons, co-operative and non-resident.  
Income Tax Authorities, their appointment, jurisdiction,

powers and functions. Provision relating to collection and recovery of tax, refund of tax, appeal and revision provisions, offences and penalties. Wealth Tax: Charges of wealth tax, assets, deemed assets exempted from tax, wealth tax authorities, offence and penalties.

**2. Central Goods and services Tax, 2017 (Act 12 of 2017)**

- a. Nature and definition in GST
- b. Administration and Collection of Tax
- c. Time and Value of Supply, input Tax Credit
- d. Registration
- e. Accounts and Records, Returns
- f. Assessment
- g. Payment of Tax, Refund, Audit
- h. Search and Seizure, Appeals and Revision
- i. Advance Ruling

**3. The Integrated and Union Territories Goods and Service Tax Act 2017**

**3A. The Integrated Goods & Service Tax Act 2017**

- a. Administration and collection of tax
- b. Determination of nature of supply, place of supply
- c. Refund
- D. Zero Rated Supply
- E. Appointment of Tax and Settlement of funds

**3B. The Union Territories Goods & Service Tax Act 2017**

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

**Leading Cases:**

1. P.Krishna Menon v. CIT, AIR 1956, SC, 75.
2. CIT West Bengal v. Benoy Kumar Saha Roy, AIR 1957, SC, 761
3. Mala Ram & Sons. V. CIT, AIR 1956 SC 367.
4. Pingle Industries Ltd. v. CIT, AIR 1960 SC 1034 ITO Banaras (1964) IIR 507
5. Benares cloth Dealers Syndicate v. (To Benares 1964 ITR, 50).
6. CIT v. Kothari (1963) 40 ITR 107 (SC)

**Books Recommended:**

1. The Income Tax Act, 1961.
2. Gupta, RR-Income Tax and Practice
3. Kanga and Palkiwala-The Law and Practice of Income Tax
4. S. Bhattacharya: Indian Income Tax Law and Practice
5. R.N. Lakhota: Law and Practice of Income Tax in India.
6. A.K. Saxena: Law on Income Tax in India.
7. H.C. Malhotra: Ayakar Vidhan Lakhe.
8. S.L. Jain: Ayakar Vidhi.
9. Bhagwai Prasad: Ayakar Vidhi.

**Paper 27(i) - Criminology Paper – II (Penology)**

**Max. Marks : 100**

**Min. Passing Marks: 36**

**Duration - 3 Hrs**

1. **Penology:** Definition, nature and scope, method of studying, importance, forms of punishment and its objectives. Prison system in India.
2. **Punishment,** Definition, Relationship between Criminology and Penology; Theories of Punishment; Expiatory, Preventive and reformative and purposes of punishment.  
Penal Science in India : School of Punishment Pre-classical School, Neo classical Positive school. The reformers, Clinical school and multiple Causation approach.
3. **Kinds of Punishment :** Modes of treatment of offenders, corporeal punishment, Transportation of criminals, Capital punishment, imprisonment, reformatory treatment, Parole, Compensation, Admonition, Sex and adolescent offenders, Indeterminate Sentences, Borstal School, Criminal procedural Jurisprudence.
4. **Juvenile Justice (Care and Protection of Children) Act, 2000 :**  
Definitions - Competent authorities and institutions for juveniles.  
Neglected Delinquent Juveniles (Child in need of care and protection).  
Procedures of competent authorities. special offences in respect of juveniles.  
Juvenile in conflict of law.

#### **Leading Cases :**

1. Gura singh v. State of Rajasthan, 1984 Cr. LJ 1423 (1428).
2. Francis Coralie Mullin v. Union Territory Delhi, AIR (1981) SC 746.
3. R.K. Garg v. Union of India (1981) 133 ITR 239.
4. Mithu v. State of Punjab, AIR 1983 SC 473.

#### **Suggested Readings :**

1. Barnes, H.B. - Texts - New Horizons in Criminology.
2. Vold, G.S. - Theoretical Criminology.
3. Pillai, K.S. - Criminology.
4. R. Taft, Donald - Criminology.
5. Edwin, H. Sutherland and Donald R. Grussey - Principles of Criminology.
6. Horman mannheim - Pioneers in Criminology.
7. Hon. Barren, Mays - Crime and the Social Structure.
8. Ahmed Siddiqui - Criminology - Problems & Perspective.
9. Lord Pakenham - Causes of Crime.
10. S. Venugopala Rao - Facts of Crime in India.
11. Korm. R.R. and Mc Gorble. LW - Criminology and Penology.
12. Grunhut - Penal Reforms.
13. Mandholm - Criminal Justice and Reconstruction.
14. Garden Rose - The Struggle for Penal reform.
15. I.L.I. - Essays on Indian Penal Code.
16. Ben - Penology - Old and New - Tagore Law Lectures.
17. Elliot - conflicting Penal Theories in Statutory in Criminal Law.
18. Shamshul Huda - Tagore Law Lectures on Criminal Law.
19. Lawburse - Crime, Its causes and Remedies.
20. Dequires - Modern Theories of Criminology.
21. Gillin - Criminology and Penology.
22. Deccaria - Crime and Punishment.
23. N.V. Paranjape - अपराधशास्त्र एवं दण्ड प्रशासन
24. M.S. Chauhan - अपराधशास्त्र एवं अपराधिक विज्ञान सिद्धान्त

25. B.L. Bavel - अपराधशास्त्र

26. The Criminal Procedure Code.

27. The Constitution of India.

## **Paper 27(ii) - ILO and Labour Laws**

**Max. Marks : 100**

**Min. Passing Marks: 36**

**Duration - 3 Hrs**

### **1. Labour Laws:**

1. The Factory Act, 1948
2. The Payment of Wages Act, 1948
3. The Payment of Bonus Act, 1956
4. The Equal Remuneration Act, 1976
5. The Maternity Benefit Act, 1961
6. The Payment of Gratuity Act, 1972

### **2. International Labour Organization:**

Origin and Object of I.L.O. its problems and prospect; ILO and Regional Conferences. International labour standards and labour legislations in India. ILO and Human Rights in Indian Perspectives.

### **Leading Cases:**

1. Workmen of Indian standard Institution v. Indian Standard Institution AIR 1976 SC 145.
2. Burmah Shell Co. v. Burmeh Shell Management Staff Association 1970 IFLJ 590 SC AIR (1971) SC 922.
3. Workmen of firestone Tyre and Rubber Co. Ltd. v. The Management of Firestone Tyre and Rubber Co. Ltd. AIR 1973 SC.
4. Delhi Cloth and General Mills co. Ltd. v. Ludh Budh Singh (1970) LLJ 180 AIR 1972 SC 103.
5. Jay Engineering Works v. State of West Bengal AIR 1990 Cal 406.
6. Bangalore Water Supply v.A. Rajappa AIR 1978 SC 5.
7. Express Newspapers Ltd. v. Union of India and others AIR 1958 SC 578.
8. Som Prakash v Union of India, AIR 1981 SC 212.

### **Suggested Readings :**

1. Indian Law Institute : Law and labour Management relations in India.
2. Rustamjee : The Law of industrial disputes.
3. O.P. Malhotra : Law of Industrial disputes vol. 1.
4. S.N. Mishra : Labour and Industrial Laws (English and Hindi).
5. Gopikrishna Arora : Shram Vidhi.
6. Ganga Sahai Sharma : Shram Vidhi.
7. N.D. Sharma : Shram Vidhi.
8. S.C. Srivastava: Social Security and Labour Laws.

## **Paper 28 - Moot Court Exercise and Internship**

**(Marks 30+30+30+10)**

These papers have three components of 30 marks each and a viva voce for 10 marks.

1. Moot Court (30 Marks). Every student shall be required to do at least three moot courts of 10 marks each during the III yr. Each moot court work will be evaluated for 5 marks for written submission and 5 marks for oral advocacy on assigned problem by the college.

2. Court visit / Observance of Trial 1 civil and 1 criminal (30 marks). Every student shall be required to attend these trials during the III yr and they have to maintain record of various steps observed during their presence in the court.
3. Interviewing techniques and pre – trial preparation and internship diary ( 30 marks). Every student shall be required to observe two interviewing sessions of clients at the nominated lawyer's / legal aid office, and record the proceeding in a diary, which will carry 15 marks. Student will further observe the preparation of document and court papers and procedure for filing the suit / petition by the nominated advocate. This will also be recorded in the diary and will carry 15 marks.
4. Every student shall be required to appear in a viva voce examination of 10 marks taken by the external examiner appointed by the university and an internal examiner appointed by the Principal or H.O.D.

**Note: College will compile the marks obtained during the practical, and shall send to the university in prescribed Performa along with the duly signed statement of marks obtained in (a), (b), (c) & (d).**