

**DEPARTMENT OF LAW
INDIRA GANDHI UNIVERSITY, MEERPUR,
REWARI**



SCHEME AND SYLLABUS

FOR

LL.B. 3-Year (Professional) Degree Course

Under

**Choice Based Credit System (CBCS)
(w.e.f. Academic Session 2016-17 & 2017-18)**

(Department Copy)

DEPARTMENT OF LAW
INDIRA GANDHI UNIVERSITY, MEERPUR (REWARD)

**Scheme and syllabus for LL.B. 3-Year (Professional) Degree Course
under Choice Based Credit System w.e.f. Academic Session 2016-17**

Credit Matrix for LL.B. 3-Year (Professional) Degree Programme w.e.f. 2016-17

SEMESTER	CORE COURSES	DISCIPLINE CENTRIC ELECTIVE COURSES	OPEN ELECTIVE COURSES	FOUNDATI ON COURSE	M. M.	TOTAL CREDITS
I	5 (100 Marks each)	NIL	NIL	NIL	500	25
II	5 (100 Marks each)	NIL	NIL	1(40Marks)	540	27
III	5 (100 Marks each)	1 (100 Marks) HMS	1(60 Marks)	NIL	560	28
IV	5 (100 Marks each)	NIL	1(60 Marks)	NIL	560	28
V	4 (100 Marks each)	1 (100 Marks)	NIL	NIL	500	25
VI	4 (100 Marks each)	1 (100 Marks)	NIL	NIL	500	25
TOTAL	28	3	2	1	3160	158

TOTAL CREDITS FOR LL.B. 3 YEAR (P) DEGREE COURSE = 158 (1 credit= 20 marks)

Total Core Courses in LL.B. 3-Year (P) Degree Course = 28

Total Foundation Courses in LL.B. 3-Year (P) Degree Course = 01

Total Discipline Centric Courses in LL.B. 3-Year (P) Degree Course = 03

Total Open Elective Courses in LL.B. 3-Year (P) Degree Course = 02 (As per the list of the open elective courses supplied by the other Faculties)

“Open Elective Courses”
(For other Faculties)

COURSE CODE	NOMENCLATURE OF COURSE	HOURS PER WEEK	MAX. MARKS	TOTAL CREDITS
101- Paper-I (Open Elective Course)	Fundamental Rights and Duties	3	60	3
102- Paper-II (Open Elective Course)	Human Rights and Law	3	60	3

SEMESTER-WISE SCHEME OF LL.M. 2-Year Degree Course

LL.B. 3-Year Professional Course shall consist of Six Semesters of 3 Years duration. Semester-I & II for first year, Semester-III & IV for second year and Semester-V & VI for third year. In Semester-I, there shall be Five Core Courses of 5 Credits each. In Semester-II, there shall be Five Core Courses of 5 Credits each and One Foundation Course of 2 Credits. In Semester-III, there shall be Five Core Courses of 5 Credits each, One Discipline Centric Elective Courses of 5 Credits and there shall be One Open Elective Course of 3 Credits and of Maximum 60 Marks (This course shall be opted out of the list of Open Elective Courses supplied by the other Faculties). In Semester-IV there shall be Five Core Courses of 5 Credits each and there shall be One Open Elective Course of 3 Credits and of Maximum 60 Marks (This course shall be opted out of the list of Open Elective Courses supplied by the other Faculties). In Semester-V, there shall be Four Core Courses of 5 Credits each and One Discipline Centric Elective Course of 5 Credits (The student is required to opt one course out of two courses mentioned in the syllabus for the purpose of Discipline Centric Elective Courses). In Semester-VI, there shall be Four Core Courses of 5 Credits each and One Discipline Centric Elective Course of 5 Credits (The student is required to opt one course out of two courses mentioned in the syllabus for the purpose of Discipline Centric Elective Courses).

- Note:**
- 1. The medium of Instructions shall be English only but students are at liberty to give answer in Examinations either in English or Hindi. If a student opt Hindi as medium of Examinations then he/she have to pass English (General & Legal English) as a compulsory paper in 3rd Semester.**
 - 2. Every student will be declared successful if he/she obtaining 45% Marks/Credits.**
 - 3. A student shall have right of promotion in next year if he/she passes at least 50% of total number of courses offered in a whole year.**

Scheme of Papers

Each course except Compulsory Clinical Courses, Foundation Course and Open Elective Courses shall be of 100 Marks/ 5 Credits (Internal Assessment of 20 Marks and Theory Examination of 80 Marks/ 1+4 =5 Credits) and each theory course shall be of three-hour duration.

The Entire Syllabus of the theory examination has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Every question shall be of 16 Marks.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

Internal Assessment – 20 Marks

20 Marks of Internal Assessment will be divided into **10 Marks for Sessional Test, 05 Marks for Written Assignment/Seminar Presentation** and **05 Marks for Attendance along with conduct & discipline** with the following break up:

For attendance from 76 to 80% - **2 Marks**

For attendance from 81 to 85% - **3 Marks**

For attendance from 86 to 90% - **4 Marks**

For attendance from 91 % and above - **5 Marks**

Note: If attendance is 75.50% or 80.50% or 85.50% or 90.50% or so on, it should be considered as 76%, 81% or 86% or 91% respectively and marks should be allocated accordingly.

Written Assignment (Handwritten only) from 8 to 10 pages - **3 Marks**

Presentation thereon - **2 Marks**

Theory Examination – 80 Marks

The Entire Syllabus of the theory examination has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question form each **unit**. Every question shall be of 16 Marks.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

Instructions to Paper Setters

Theory Examination – 80 Marks

The Entire Syllabus of the theory examination has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question form each **unit**. Every question shall be of 16 Marks. Therefore, you are requested to set two questions from each unit for unit **I** to **IV**.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Further, you are requested to set **eight parts** (two parts from each unit of the syllabus) for **unit V**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

LL.B. 1st SEMESTER

LL.B. 1st SEMESTER				
COURSE CODE	NOMENCLATURE OF COURSE	HOURS PER WEEK	MAX. MARKS	CREDITS
1201-Paper-I (Core Paper)	Jurisprudence (Legal Method, Indian Legal System and Basic Theory of Law)	5	20+80=100	5
1202-Paper-II (Core Paper)	Constitutional Law-I	5	20+80=100	5
1203-Paper-III (Core Paper)	Family Law-I	5	20+80=100	5
1204- Paper- IV (Core Paper)	Law of Crimes-I: Indian Penal Code	5	20+80=100	5
1205- Paper- V (Core Paper)	Law of Contract-I	5	20+80=100	5
				Total Credits=25

LL.B. 2nd SEMESTER

LL.B. 2nd SEMESTER				
COURSE CODE	NOMENCLATURE OF COURSE	HOURS PER WEEK	MAX. MARKS	CREDITS
2201- Paper- I (Core Course)	Public International Law and Human Rights	5	20+80=100	5
2202- Paper- II (Core Course)	Constitutional Law-II	5	20+80=100	5
2203- Paper- III (Core Course)	Family Law-II	5	20+80=100	5
2204- Paper- IV (Core Course)	Law of Crimes-II: Code of Criminal Procedure	5	20+80=100	5
2205- Paper- V (Core Course)	Law of Contract-II (Special Contract)	5	20+80=100	5
2206- Paper- VI (Foundation Course)	Value Education	2	40	2
				Total Credits=27

LL.B. 3rd SEMESTER

LL.B. 3rd SEMESTER				
COURSE CODE	NOMENCLATURE OF COURSE	HOURS PER WEEK	MAX. MARKS	CREDITS
3201- Paper- I (Core Course)	Law of Evidence	5	20+80=100	5
3202- Paper- II (Core Course)	Property Law	5	20+80=100	5
3203- Paper- III (Core Course)	Company Law	5	20+80=100	5
3204- Paper- IV (Core Course)	Interpretation of Statutes	5	20+80=100	5
3205- Paper- V (Core Course)	Compulsory Clinical Course: Drafting, Pleading and Conveyancing	5	100+0=100	5
3206- Paper- VI (DISCIPLINE CENTRIC ELECTIVE COURSE)	General & Legal English (Compulsory for Hindi medium students)	5	100	0
OPEN ELECTIVE COURSE 3207- Paper- VII	One course shall be opted out of the list of Open Elective Courses supplied by other Faculties.	3	60	3
Total Credits=28				

LL.B. 4th SEMESTER

<u>LL.B. 4th SEMESTER</u>				
COURSE CODE	NOMENCLATURE OF COURSE	HOURS PER WEEK	MAX. MARKS	CREDITS
4201- Paper- I (Core Course)	Administrative Law	5	20+80=100	5
4202- Paper- II (Core Course)	Environmental Law	5	20+80=100	5
4203- Paper- III (Core Course)	Law of Torts including M.V. Accident and Consumer Protection Laws	5	20+80=100	5
4204- Paper- IV (Core Course)	Criminology: Penology & Victimology	5	20+80=100	5
4205- Paper- V (Core Course)	Compulsory Clinical Course: Professional Ethics & Professional Accounting System	5	20+80=100	5
OPEN ELECTIVE COURSE 4206- Paper-VII	One course shall be opted out of the list of Open Elective Courses supplied by other Faculties.	3	60	3
Total Credits=28				

LL.B. 5th SEMESTER

<u>LL.B. 5th SEMESTER</u>				
COURSE CODE	NOMENCLATURE OF COURSE	HOURS PER WEEK	MAX. MARKS	CREDITS
5201- Paper- I (Core Course)	Civil Procedure Code and Limitation Act	5	20+80=100	5
5202- Paper- II (Core Course)	Labour and Industrial Law-I	5	20+80=100	5
5203- Paper- III (Core Course)	Right to Information & Competition Law	5	20+80=100	5
5204- Paper- IV (Discipline Centric Elective Course)	Opt any one: (i)Intellectual Property Law or (ii) Information Technology (Cyber) Law	5	20+80=100	5
5205- Paper- V (Core Course)	Compulsory Clinical Course: Alternate Dispute Resolution	5	100+00=100	5
Total Credits=25				

LL.B. 6th SEMESTER

<u>LL.B. 6th SEMESTER</u>				
COURSE CODE	NOMENCLATURE OF COURSE	HOURS PER WEEK	MAX. MARKS	CREDITS
6201- Paper- I (Core Course)	Principles of Taxation Law	5	20+80=100	5
6202- Paper- II (Core Course)	Labour and Industrial Law-II	5	20+80=100	5
6203- Paper- III (Core Course)	Land Laws including Tenure and Tenancy System	5	20+80=100	5
6204- Paper- IV (Discipline Centric Elective Course)	Opt any one: (i)Banking Law or (ii) Insurance Law	5	20+80=100	5
6205- Paper- V (Core Course)	Compulsory Clinical Course: Moot Court Exercise and Internship	5	100+00=100	5
Total Credits=25				

SYLLABUS

LL.B. 1ST SEMESTER

w.e.f. - SESSION 2014-15

CODE-1201: PAPER-I

JURISPRUDENCE

(Legal Method, Indian Legal System and Basic Theory of Law)

Max. Marks: 80

Time: 3 Hours

For theory examination, the whole syllabus has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Every question shall be of 16 Marks. There shall be not more than one question based directly on Prescribed Cases.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

Note: The medium of instructions in classes shall be **English** but students are at liberty to give answer in Examinations either in **English or in Hindi**. If a student opt Hindi as medium of Examinations then he/she have to pass **English (General & Legal English)** as a compulsory paper in **3rd Semester**. Every student will be declared successful if he/she obtains a minimum **45% Marks** in theory examination and in internal assessment. A student shall have a right of promotion in next year if he/she **passes at least 50%** of total number of papers offered in a whole year.

Unit-I

Definition, nature and scope of jurisprudence.

Natural Law- Its development and relevance in modern times.

Analytical School;

- (i) Bentham's Utilitarianism.
- (ii) Austin's Analytical Positivism.
- (iii) Kelson's Pure Theory of Law.
- (iv) Hart's Concept of Law.

Unit-II

1. Historical School;

- (i) Volksgeist; Savigny's Theory of Law.
- (ii) Sir Henry Maine's contribution to historical jurisprudence.

- (iii) Puchta's & Hugo's contribution.
- 2. Realist School.
- 3. Sociological School; School;
 - (i) Leon Duguit's Social Solidarity.
 - (ii) Roscoe Pound's Theory of Social Engineering.
 - (iii) Ihring's & Ehrlich's contribution.

Unit-III

- 1. Law, Morality and Ethics.
- 2. Theories and Administration of Justice.
- 3. Socio-economic approach and philosophy;
 - Law and Social Change.
 - Legal Aid.
 - Public Interest Litigation (PIL).

Unit-IV

- 1. Sources of Law; Custom, Legislation and Precedent.
- 2. Rights & Duties.
- 3. Ownership and Possession.
- 4. Persons.

Books Recommended:

- 1. Paton : Jurisprudence.
- 2. Dias : Jurisprudence.
- 3. Friedmann : Legal Theory.
- 4. Bodenheimer : Jurisprudence.
- 5. Lloyed Denis : Idea of Law.
- 6. Tripathi B.N. Mani : Jurisprudence.
- 7. V.D. Mahajan : Jurisprudence & Legal Theory.
- 8. N.V. Pranjapee : Jurisprudence & Legal Theory.
- 9. S.N. Dhayni : Fundamentals of Jurisprudence.

CODE-1202: PAPER-II
CONSTITUTIONAL LAW-I

Max. Marks: 80
Time: 3 Hours

Note: For theory examination, the whole syllabus has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Every question shall be of 16 Marks. There shall be not more than one question based directly on Prescribed Cases.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

Unit-I

1. Nature and Salient Features of the Constitution of India.
2. Preamble of the Constitution of India.
3. Union and its Territory.
4. Citizenship.

Prescribed Case:

Kesavananda Bharti v. State of Kerala, AIR 1973 SC 1461.

Unit-II

1. Fundamental Rights in General (Articles 12-13).
2. Right to Equality (Articles 14-18).
3. Right to Freedom (Articles 19-22).

Prescribed Case:

Maneka Gandhi v. Union of India, AIR 1978 SC 597.

Unit-III

1. Right against Exploitation (Articles 23-24).
2. Right to Freedom of Religion (Articles 25-28).
3. Cultural & Educational Rights (Articles 29-30).

Prescribed Case:

T.M.A. Pai Foundation v. State of Karnataka, AIR 2003 SC 355.

Unit-IV

1. Right to Constitutional Remedies (Article 32).
2. Directive Principles of State Policy (Articles 31-C, 36-51).
3. Right to Property (Articles 300-A, 31-A, 31-B).
4. Fundamental Duties (Article 51-A).

Prescribed Case:

Minerva Mills Ltd. v. Union of India, AIR 1980 SC 1789.

Books Recommended:

1. Basu, D.D. : Constitution of India.
2. Jain, M.P. : Indian Constitutional Law.
3. Seervai, H.M. : Constitutional Law of India.
4. Singh, Mahendra P : V.N. Shukla's Constitutional Law of India.
5. Mane, Suresh : Indian Constitutional Law: Dynamics and Challenges.
6. Chauhan, K.S. : Parliament: Powers, Functions & Privileges.
7. Narender Kumar : Constitutional Law of India.
8. Pandey, J.N. : The Constitutional Law of India.
9. Rai, Kailash : The Constitutional Law of India.
10. Bakshi, P.M. : The Constitution of India.

CODE-1203: PAPER-III

FAMILY LAW-I

Max. Marks: 80

Time: 3 Hours

Note: For theory examination, the whole syllabus has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Every question shall be of 16 Marks. There shall be not more than one question based directly on Prescribed Cases.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

Unit-I

Sources of Hindu Law.
Schools of Hindu Law.
Joint Family and Coparcenary.
Joint Family property, Separate and Self-acquired Property.
Karta and Powers of Karta.

Prescribed Case:

Ass Kaur v. Kartar Singh, AIR 2007 SC 2369.

Unit-II

The Hindu Marriage Act, 1955;

Hindu Marriages.
Matrimonial causes; Restitution of Conjugal rights, Judicial separation, Nullity of marriage and Divorce, Jurisdiction and Procedure.

Prescribed Case:

Samar Ghosh v. Jaya Ghosh, (2007) 4 SCC 511.

Unit-III

The Hindu Adoption and Maintenance Act, 1956;

1. Hindu Adoption; Requisites of a Valid Adoption, Capacity of a Male Hindu to take in Adoption, Capacity of a Female Hindu to take in Adoption, Persons capable of giving in Adoption, Who may be Adopted, Effect of Adoption and Right of Adoptive Parents to Dispose of their Property.

2. Maintenance of; Wife, Widow, Daughter-in-law, Children, Aged Parents and Dependents and Other.

The Hindu Minority and Guardianship Act, 1956;

1. Natural, Testamentary and *De facto* Guardians of a Hindu minor.
2. Power of Natural, Testamentary and *De facto* Guardians.
3. Guardianship of Minor's interest in joint Hindu Family Property.

Prescribed Case:

Githa Hariharan v. Reserve Bank of India, AIR 1999 SC 1149.

Unit-IV

The Hindu Succession Act, 1956;

1. Preliminary.
2. Intestate Succession.
3. Succession to a Hindu Male's Property.
4. Succession to the Property of Hindu Female.
5. General Provisions Relating to Succession.
6. Disqualified heirs and Testamentary Succession.

Prescribed Case:

Sadhu Singh v. Gurdwara Sahib Narike, AIR 2006 SC 3282.

Books Recommended:

1. Derrett, J.D.M. : Introduction to Modern Hindu Law.
2. Diwan, Paras : Modern Hindu Law.
3. Mulla, D.N. : Principles of Hindu Law.
4. Sharma, Basant Kumar : Hindu Law.

CODE-1204: PAPER-IV

LAW OF CRIMES-I:

INDIAN PENAL CODE

Max. Marks: 80

Time: 3 Hours

Note: For theory examination, the whole syllabus has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Every question shall be of 16 Marks. There shall be not more than one question based directly on Prescribed Cases.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

Unit-I

Indian Penal Code, 1860;

1. Territorial Jurisdiction (Sections 1-5).
2. General Explanations (Sections 6-52-A).
3. General Exceptions (Sections 76-106).
4. Abetment (Sections 107-114).
5. Criminal Conspiracy (Section 120-A, 120-B).
6. Offences against the State (Sections 121-124-A).
7. Offences against the Public Tranquility (Sections 141-160).

Prescribed Case:

Nalini v. State, 1999 Cr.L.J. 3124.

Unit-II

1. False Evidence (Sections 191-193).
2. Offences Affecting Life (Sections 299-311).
3. Causing Miscarriage etc. (Sections 312-318).
4. Hurt and Grievous hurt (Sections 319-320).
5. Wrongful Restraint, Wrongful Confinement, Criminal Force and Assault, etc. (Sections 339,340,349,351,354).
6. Kidnapping, Abduction, Slavery, Forced Labour and Sexual Offences (Sections 359-370,375-377).

Prescribed Case:

Gyan Kaur v. State of Punjab, AIR 1996 SC 1217.

Unit-III

1. Theft, Extortion, Robbery and Dacoity (Sections 378,379,383,384,390-396).
2. Criminal Misappropriation of Property, Criminal Breach of Trust and Receiving of Stolen Property (Sections 403-406,410,411).
3. Cheating and Mischief (Sections 415-420,425,426).
4. Criminal Trespass (Sections 441-448).

Prescribed Case:

Shyam Bihari v. State of U.P., AIR 1957 SC 320.

Unit-IV

1. Offences relating to Documents, Property marks, Currency-Notes and Bank-Notes (Sections 463-465).
2. Offences relating to Marriage (Sections 493-498).
3. Offence of Cruelty by Husband or Relatives of the Husband (Section 498-A).
4. Defamation (Sections 499-502).
5. Criminal Intimidation etc. (Sections 503-510).
6. Attempt (Section 511).

Prescribed Case:

Lily Thomas v. Union of India, AIR 2000 SC 1650.

Books Recommended:

1. Gour, H.S. : The Penal Law of India.
2. Raju, V.B. : Commentaries on the Indian Penal Code.
3. Singh, Jaspal : Indian Penal Code.
4. Nelson, Reginald A. : The Indian Penal Code.
5. Ratanlal and Dhirajlal : The Indian Penal Code.
6. Bhattacharya, T. : Indian Penal Code.
7. Tripathi, B.N. Mani : Text Book of Criminal Law.
8. Tandon, M.P. : Indian Penal Code.
9. Mishra, S.N. : Indian Penal Code.
10. Gour, K.D. : A Text Book on the Indian Penal Code.

CODE-1205: PAPER-V

LAW OF CONTRACT-I

Max. Marks: 80

Time: 3 Hours

Note: For theory examination, the whole syllabus has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Every question shall be of 16 Marks. There shall be not more than one question based directly on Prescribed Cases.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

Unit-I

1. Agreement and Contract; Definitions and Essential Elements.
2. Proposal and Acceptance; Definition, their communication and Revocation, Postal, Telephonic and Telex Communication (Section 2-9); Proposal and Invitations for proposal; General offer, Cross-offer and Standing offer.
3. Capacity to Contract; Meaning, Incapacity arising out of unsound mind; Minor's Agreement; Definition, Nature and its Scope, Necessaries supplied to a Minor.
4. Consent and Free consent; Definition and need of free consent; Voidability of Agreement without free consent (Section 19 & 19-A), Factors vitiating free consent; Coercion (Section-15); Undue influence (Section-16); Fraud (Section-17); Misrepresentation (Section-18); Mistake of fact and Mistake of law and Effect of Mistake (Section 20-22).

Prescribed Case: Mohori Bibee v. Dharmodas Ghose, (1903) 30 I.A. 114 (P.C.); 30 Cal. 539.

Unit-II

1. Consideration; Its meaning, definitions and essential elements. Privity of Contract with exceptions, Adequacy of Consideration, Past, Executed and Executory Consideration, Exception to Consideration (Section-2(d) and 25), Legality of Object and Consideration (Sections 23-24).
2. Void Agreements; Agreement in Restraint of Marriage (Section-26), Agreement in Restraint of Trade (Section-27), Agreement in Restraint of Legal Proceedings (Section-28), Ambiguous and Uncertain Agreements (Section-29) and Agreement by Way of Wager (Section-30).
3. Contingent Contracts (Sections-31-36).

Prescribed Case: Gherulal Parekh v. Mahadeo Das, AIR 1959 SC 781.

Unit-III

1. Performance of Contracts; Contracts which must be performed (Sections 37-39), By whom contracts must be performed (Sections 40-45), Time and place for performance (Sections 46-50), Performance of reciprocal promises (Section 51-55), Impossibility of Performance and Doctrine of Frustration (Section 56), Appropriation of Payments (Sections 59-61), Contracts which need not be performed (Sections 62-67).
2. Quasi-Contracts or Certain Relations Resembling those Created by Contract (Sections 68-72).
3. Breach of Contract; Anticipatory Breach and Consequences of Breach (Section 39), Remoteness of Damage and Measures of Damages, Kinds of Damages, Penalty and Liquidated Damages (Sections 73-75).

Prescribed Case: Hadley v. Baxendale, (1854) 9 Ex. 341

Unit-IV

Specific Relief Act, 1963;

1. Specific Relief; Meaning and General Principles
2. Specific Performance of Contracts (Sections 9-25).
3. Rectification and Cancellation of Instruments (Sections 26, 31-33).
4. Rescission of Contracts (Sections 27-30).
5. Preventive Relief. (Sections 36-42).

Prescribed Case: Lakhi Ram v. Trikha Ram, AIR 1998 SC 1230.

Statutory Material:

1. The India Contract Act, 1872(Sections 1-75)
2. The Specific Relief Act,1963

Books Recommended:

1. Anson's : Law of Contract.
2. Chaturvedi A.N. : Lectures on Indian Contract Act.
3. Desai S.T. : Indian Contract Act.
4. Pollock & Mulla : Indian Contract and Specific Relief Acts.
5. Avtar Singh : Law of Contract.
6. Bangia, R.K. : Law of Contract-I.

LL.B. 2ND SEMESTER

w.e.f. - SESSION 2014-15

CODE-2201: PAPER-1

PUBLIC INTERNATIONAL LAW AND HUMAN RIGHTS

Max. Marks: 80

Time: 3 Hours

Note: For theory examination, the whole syllabus has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Every question shall be of 16 Marks. There shall be not more than one question based directly on Prescribed Cases.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

Unit-I

1. Definition, Nature and Basis of International Law.
2. Sources of International Law.
3. Relationship between International Law and Municipal Law.
4. Subjects of International Law and Position of Individual in International Law.

Prescribed Case:

North Sea Continental shelf Case; ICJ Report 1969, P. 39.

Unit-II

1. Nature of State and Non-State Entities.
2. Recognition.
3. State Succession.
4. State Jurisdiction, including Jurisdiction on the High Sea.
5. Acquisition and Loss of territory.
6. Intervention.
7. Nationality.
8. Extradition.
9. Asylum.

Prescribed Case: S.S. Lotus Case; (1927) PCIJ Series A No. 10

Unit-III

1. Diplomatic Agents and Treaties.
2. Settlement of International Disputes.
3. War, Rules of Land, Naval and Aerial Warfare.
4. Neutrality.
5. Blockade.
6. Prize court.
7. Purposes and Principles of UNO.

Prescribed Case: Zamora Case; (1916) 2 AC 77.

Unit-IV

1. Human Rights; Concept of Human Rights.
2. Provisions of U.N. Charter relating to Human Rights.
3. Universal Declaration of Human Rights, 1948 and its Legal Significance.
4. Covenant on Civil and Political Rights, 1966 and Covenant on Economic, Social and Cultural Rights,
5. The Protection of Human Rights Act, 1993.

Prescribed Case: PUCL v. Union of India, AIR 2005 SC 2419; (2005) 5 SCC 363.

Books Recommended:

1. Kapoor, S.K. : International Law and Human Rights.
2. Aggarwal, H.O. : International Law and Human Rights.
3. Karandikar, S.A & Yende, A. : Human Rights Law.
4. Starke, J.G. : An Introduction to International Law.
5. Tandon, M.P. : Public International Law.

CODE-2202: PAPER-II
CONSTITUTIONAL LAW-II

Max. Marks: 80
Time: 3 Hours

Note: For theory examination, the whole syllabus has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Every question shall be of 16 Marks. There shall be not more than one question based directly on Prescribed Cases.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

Unit-I

1. The Union Judiciary; Supreme Court of India- Establishment, Jurisdiction and Powers (Articles 124-147).
2. Independence of the Judiciary.
3. High Courts in the States (Articles 214-231).
4. Writ Jurisdiction (Article 32 and 226).

Prescribed Case: Supreme Court Advocates-on-Record Association v. Union of India, AIR 1994 SC 268.

Unit-II

- (a) The Union Government- the Executive and the Parliament (Articles 52-123).
- (b) The State Government (Articles 152-213).
- (c) Privileges of the Legislature (Article 105 and 194).

Prescribed Case: Shamsher Singh v. State of Punjab, AIR 1974 SC 2192.

Unit-III

- (a) Relations between the Union and the States (Articles 245-289):
 1. Legislative Relations (Articles 245-255).
 2. Administrative Relations (Articles 256-263).
 3. Financial Relations (Articles 268-289).
- (b) Freedom of Trade and Commerce & Intercourse (Articles 301 to 307).
- (c) Services under the Union and the States (Articles 309-323).

Prescribed Case: Union of India v. Tulsi Ram Patel, (1985) 3. SCC 398.

Unit-IV

1. Tribunals (Articles 323 A-323 B).
2. Panchayats and Municipalities (Articles 243-243 ZG).
3. Election (Articles 324-329).
4. Emergency Provisions (Articles 352-360).
5. Amendment of the Constitution (Article 368).

Prescribed Case: S.R. Bommai v. Union of India, AIR 1994 SC 1918.

Books Recommended:

1. Basu, D.D. : Constitution of India.
2. Jain, M.P. : Indian Constitutional Law.
3. Seervai, H.M. : Constitutional Law of India.
4. Singh Mahendra, P : V.N. Shukla's Constitutional Law of India.
5. Mane, Suresh : Indian Constitutional Law: Dynamics and Challenges.
6. Chauhan, K.S. : Parliament: Powers, Functions & Privileges.
7. Narender Kumar : Constitutional Law of India.
8. Pandey, J.N. : The Constitutional Law of India.
9. Rai, Kailash : The Constitutional Law of India.
10. Bakshi, P.M. : The Constitution of India.

CODE-2203: PAPER-III

FAMILY LAW-II

Max. Marks: 80

Time: 3 Hours

Note: For theory examination, the whole syllabus has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Every question shall be of 16 Marks. There shall be not more than one question based directly on Prescribed Cases.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

Unit-I: Muslim Law:

1. Sources of Muslim Law.
2. Schools of Muslim Law.
3. Muslim Marriages.
4. Dower, Talaq and Divorce.
5. Dissolution of Muslim Marriage Act, 1939.

Prescribed Case:

Shamim Ara v. State of Uttar Pradesh, 2002 SCC (Cri) 1814.

Unit-II: Muslim Law:

1. Guardianship; Kinds of Guardianship, Guardianship of the person, Guardian of the Property and Guardianship in Marriage.
2. Gifts; How gifts are made, who can make gifts, object of gift and subject matter of gift.
3. Legitimacy and Acknowledgement.

Prescribed Case:

Salamat Ali v. Majju Begum, AIR 1985 All. 29.

Unit-III: Muslim Law and the Family Courts Act:

1. Maintenance of Muslim Women, the Muslim Women's (Protection of Right on Divorce) Act, 1986.
2. The Family Courts Act, 1984; Definitions, Establishment of Family Courts, Appointment of Judges, Association of Social Welfare Agencies, Jurisdiction of the Family Courts, Procedure, Appeals and Miscellaneous.

Prescribed Case:

Daniel Latif v. Union of India, AIR 2001 SC 3958.

Unit-IV: The Special Marriage Act:

The Special Marriage Act, 1954;

1. Solemnization of Special Marriage, Registration of Marriage Celebrated in Other Forms, Consequence of Marriage under this Act, Restitution of Conjugal Rights and Judicial Separation, Nullity of Marriage and Divorce.

Prescribed Case: Asha Qureshi v. Afaq Qureshi, AIR 2002 M.P. 363.

Books Recommended:

1. Diwan, Paras : Muslim Law in Modern India.
2. Fyzee, A.A.A. : Outlines of Mohammedan Law.
3. Mulla, D.N. : Mohammedan Law.
4. Diwan, Paras : Modern Hindu Law.

CODE-2204: PAPER-IV

LAW OF CRIMES-II:

THE CODE OF CRIMINAL PROCEDURE

Max. Marks: 80

Time: 3 Hours

Note: For theory examination, the whole syllabus has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Every question shall be of 16 Marks. There shall be not more than one question based directly on Prescribed Cases.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

Unit-I

1. Preliminary (Chapter-I).
2. Criminal Courts (Chapter-II).
3. Powers of Courts (Chapter-II).
4. Arrest of Person (Chapter-V).
5. Process to Compel Appearance and Production of Things (Chapter-VI & VII).
6. Security for Keeping the Peace and for Good Behaviour (Chapter VIII).
7. Order for Maintenance of Wives, Children and Parents (Chapter-IX).

Prescribed Case:

Mohd. Ahmed Khan v. Shah Bano Begum, AIR 1985 SC 945.

Unit-II

1. Maintenance of Public Order and Tranquility (Chapter-X).
2. Preventive Action of the Police (Chapter-XI).
3. Information to the Police and their Powers to Investigate (Chapter-XII).
4. Jurisdiction of Criminal Courts in Inquiries and Trials (Chapter-XIII).
5. Conditions Requisite for Initiation of Proceedings (Chapter-XIV).
6. Complaints to Magistrates (Chapter-XV) and (Chapter-XVI).

Prescribed Case:

Ganesh Das v. State of Punjab, 1996, Cri.L.J. 612 (P&H)

Unit-III

1. The Charge (Chapter-XVII).

2. Trials: Trial Before a Court of Session (Chapter-XVIII).
3. Trial of Warrant Cases and Summons Cases by Magistrate (Chapters-XIX and XX).
4. Summary Trials (Chapter-XXI).
5. Plea Bargaining (Chapter-XXI-A).
6. General Provisions as to Inquiries and Trials (Chapter-XXIV).

Prescribed Case:

V.C. Sukla v. State through CBI, 1080 Supp. SCC 92; 1980 SCC 9Cri) 695; 1980 Cri.L.J. 690.

Unit-IV

1. The Judgment (Chapter-XXVII).
2. Submission of Death Sentence for Confirmation (Chapter-XXVIII).
3. Appeals, Reference and Revision (Chapter-XXIX, XX).
4. Transfer of Criminal Cases (Chapter-XXXI).
5. Execution, Suspension, Remission and Commutation of Sentences (Chapter-XXXII).
6. Provisions as to Bail and Bonds (Chapter-XXXIII).
7. Irregular Proceedings (Chapter-XXXV).

Prescribed Case:

Samunder Singh v. State of Rajasthan, 1987 SCC (Cri) 189; (1987) 1 SCC 466.

Books Recommended:

1. Kelkar, R.V. : Outlines of Criminal Procedure.
2. Ratanlal Dhirajlal : The Code of Criminal Procedure.
3. Tyagi Shorvir : The Code of Criminal Procedure, 1973.
4. Mishra, S.N. : The Code of Criminal Procedure.

CODE-2205: PAPER-V

CONTRACT –II

(SPECIAL CONTRACT)

Max. Marks: 80

Time: 3 Hours

Note: For theory examination, the whole syllabus has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Every question shall be of 16 Marks. There shall be not more than one question based directly on Prescribed Cases.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

Unit-I

1. Contract of Indemnity and Guarantee; Definition and Scope, Rights of Indemnity-Holder (Sections 124-125), Indemnity; Definition and Scope, Essential Features, Comparison of Contract of Guarantee and Indemnity, Continuing Guarantee, Extent of Surety's liability, Modes of Discharge of Surety, Rights of Surety against the Creditor, Principal Debtor and Co-sureties (Section 126-147).
2. Bailment and Pledge; Bailment- Definition and Scope, Essential Features of Bailment, kinds of Bailee- Banker, Factor, Wharfinger, Attorneys, Policy-brokers and Carriers, Duties and Rights of Bailor, Duties and Rights of Bailee, Finder of lost goods(Sections 148-171), Definition and Scope, Hypothecation and Pledge, Pledge and Mortgage, Pawner's Right to Redeem, Rights of Pawnee, Who can Pledge, Pledge by Mercantile Agent, Pledge by person in Possession under Voidable Contract, Pledge by Pledgee (Sections 172-179).

Prescribed Case:

Bank of Bihar v. Damodar Prasad, AIR 1969 SC 297.

Unit-II

1. Agency; Definition, Scope and Essential Features of Agency.
2. Kinds of Agents, Delegation of Authority- Sub-agent and Substituted Agent.
3. Modes of Creation of Agency; Agency by Ratification.
4. Revocation of Authority.
5. Agent's Duty to Principal, Principal's Duty to Agent.
6. Effects of Agency on Contracts with third Persons.
7. Personal Liability of Agent.
8. Termination and Revocation of Agency.
9. Renunciation by Operation of Law.

Prescribed Case:

Syed Abdul Khader v. Rammi Reddi, AIR 1997 SC 553.

Unit-III

The Sale of Goods Act, 1930;

1. Sale and Agreement to Sell, Concept of Goods etc. (Sections 2-10).
2. Conditions and Warranties, Implied condition of warranty, when conditions are treated as warranty, Caveat emptor and caveat venditor (Sections 11-17).
3. Ascertainment of goods-unascertained goods. Risk attached to property and Nemo dat quad non habet (Sections 18-26).
4. Sale by person not the owner, Duties of Seller and Buyer (Sections 27-44).
5. Definition of unpaid seller and his rights, Lien, Stoppages in transit and Resale. (Sections 45-64).

Prescribed Case:

Central National Bank v. United Industrial Bank, AIR 1958 SC 181.

Unit-IV

The Indian Partnership Act, 1932;

1. Nature of Partnership; Essentials of Partnership (Sections 4-8),
2. Partnership compared with Co-ownership; Company, joint Hindu Family Business; Relations of Partner to one another (Sections 9-17).
3. Relations of Partners to third parties including the Principle of "Holding Out", minor admitted to the Benefits of Partnership (Sections 18-30).
4. Incoming and outgoing Partners (Sections 31-38).
5. Dissolution of Firms- (Sections 39-55).
6. Registration of Firm and Effects of Non-Registration (Sections 56-71)

Prescribed Case:

Cox v. Hickman, (1860) 8 HLC 268.

Statutory Material:

1. Indian Contract Act, 1872 (Sections 124-238).
2. The Sales of Goods Act, 1930.
3. Indian Partnership Act, 1932.

Books Recommended:

1. Anson's : Law of Contract.
2. Chaturvedi A.N. : Lectures on Indian Contract Act.
3. Desai S.T. : Indian Contract Act.
4. Pollock & Mulla : Indian Contract.
5. Avtar Singh : Law of Contract.
6. Bangia, R.K. : Law of Contract-II.

LL.B. 3RD SEMESTER
CODE-3201: PAPER-I: LAW OF EVIDENCE

Max. Marks: 80

Time: 3 Hours

Unit-I

Preliminary (sections 1-3), May Presume, Shall Presume Conclusive Proof (Section-4); Relevancy of Facts (Sections 5-16), Admissions (Sections 17-23 & 31); Confessions (Sections 24-30).

Prescribed Case:

Palvinder Kaur v. State of Punjab, AIR 1952 SC 354.

Unit-II

Statements by Persons who cannot be called as Witnesses (Sections 32-33); Statements made under Special Circumstances, (Sections 34-39); Judgments of Courts of Justice- When Relevant (Sections 40-44); Opinion of Third Person- When Relevant (Sections 45-51); Character when Relevant (sections 52-55); Facts Need not be Proved (Sections 56-58).

Prescribed Case:

Pakala Narayan Swami v. The King Emperor, AIR 1939 PC 47.

Unit-III

Oral Evidence (Sections 59-60); Documentary Evidence (Sections 61-73); Public Documents (Sections 74-90); Exclusion of Oral Evidence by Documentary Evidence (Sections 91-100); Burden of Proof (Sections 101-111), Presumptions as to Certain Offences (Sections 111-114A) Estoppels (Sections 115-117); Witnesses, Privileged Communications (Sections 118-132); Accomplice (Sections 133); Number of Witnesses (Section 134).

Prescribed Case:

Bai Hira Devi v. Official Assignee. A 1958 SCR 1384.

Unit-IV

Examination of Witnesses: Examination in Chief, Cross-Examination, Re-Examination, Leading Questions. Impeaching the Credit of Witness, Refreshing Memory, Judge's power to put Questions or Order Production (Section 135-166); Improper Admission or Rejection of Evidence (Sections 167)

Prescribed Case:

Abdul Ghani Dhar v. V. Giri, AIR 1971 SC 1162.

Books Recommended:

1. Field, C.D. : Law of Evidence.
2. Pandey, G.S. : Indian Evidence Act.
3. Rattan Lal & Dhiraj Lal : The Law of Evidence.
4. Lal, Batuk : The Law of Evidence.
5. Sarathi, Vepa P. : Law of Evidence.
6. Singh, Avtar : Principles of Law of Evidence.
7. Wondroff and Ammer Ali : Law of Evidence.

CODE-3202: PAPER-II: PROPERTY LAW

Max. Marks: 80

Time: 3 Hours

Unit-I

Interpretation Clause- Immovable Property, Attested, Registered, Actionable Claim and Notice, Definition of Transfer of Property, Transferable Property, Untransferable Interests or Properties, Competence to Transfer and Operation of Transfer, Condition Restraining Alienation, Restriction Repugnant to interest Created. Transfer for Benefit of Unborn Person, Rule against Perpetuity; Vested Interest and Contingent interest; Election and Apportionment.

Prescribed Case:

Mussamat Bibi Sayeeda and others v. State of Bihar, AIR 1996 SC 1936.

Unit-II

Restricted Covenants; Transfer by Ostensible owner, Transfer by Unauthorized Person who subsequently acquires interest, Doctrine of Lis-pendens, Fraudulent Transfer and Part- Performance.

Prescribed Case

Mohan Lal v. Mira Abdul Gaffur, AIR 196 SC 910.

Unit-III

Definition of Sale and Contract for Sale, Rights and liabilities of Buyer and Seller, Marshalling by Subsequent Purchaser, Definition of Mortgage, Kinds of Mortgage, Right of Mortgagor to Redeem and Equity of Redemption; Subrogation, Charges and its kinds; Marshalling and Contribution; Definition of Gift, Modes of Creation of Gift, Suspension and Revocation of Gift and Onerous Gifts.

Prescribed Case

Delhi Development Authority v. Skipper Construction Co. (P) Ltd. And others, AIR 2000 SC 573.

Unit –IV

Definition and kinds of lease; Distinction between Lease and Licence, Modes of Creation and Determination of Lease, Definition and Essential Features of Easement; Kinds of Easement; Easement of Necessity and Quasi-Easement, Easement by Prescription, Extinction, Suspension and Revival of Easement, The Benami Transaction (Prohibition) Act, 1988- Definition of Benami Transaction, Prohibition of Benami Transaction, Prohibition of the Right to Recover Property held Benami.

Prescribed Case

Raja Braja Sunder Dev v. Mani Behara, AIR 1961 SC 247.

Books Recommended:

1. Lahiri, S.M. : The Transfer of Property Act.
2. Mulla : Transfer of Property Act.
3. Shah, S.M. : The Transfer of Property Act.
4. Shukla, S.N. : The Transfer of Property Act.
5. Sulbha Rao, G.C.V. : The Transfer of Property Act.
6. Ameen and Shatri : The Law of Easement.
7. Sinha R.K. : The Transfer of Property Act.
8. Sarathi V.P. : Law of Transfer of Property.

CODE-3203: PAPER-III: COMPANY LAW

Max. Marks: 80

Time: 3 Hours

Unit-I

Historical Development: Emergence of Corporations as a Business Organization and Brief History of the Companies Act,
Company- Definition and Kinds; Nature of Company, Corporate Personality; Lifting the Corporate Veil,
Formation of a Company- Registration and Incorporations,
Memorandum of Association- Its importance and its contents,
Alteration of Memorandum of Association, Doctrine of Ultra Vires,
Articles of Association, its relation with Memorandum of Association: Doctrine of Constructive Notice; Doctrine of Indoor Management with exceptions, Promoters and Pre-incorporation Contracts and Corporate Social Responsibility (CSR).

Prescribed Case:

Salomon v. Salomon & Company Ltd., (1897) A.C. 22.

Unit-II

Prospectus and Statement in lieu of Prospectus- Their importance,
Definition of Prospectus, its contents; Liability for misstatement in the Prospectus,
Shares- nature, General Principles of Allotment of Shares; Statutory Restrictions; Share Certificates, Its objects and effects, Share Warrant, Calls on Shares, forfeiture of shares,
Transfer and Transmission shares; procedure for transfer; Refusal to transfer- Remedy against refusal,
Kind of share and share capital; Issue of shares at premium and Discount,
Debentures- Nature and scope, kinds of debentures; charges and classification of charges,
Registration of Charges, Dividend-Meaning, Manner and time of payment of Dividend,
Composition and Functions of SEBI.

Prescribed Case

Bajaj Auto Ltd. V. Firodia, (1970) 2 SCC 1550; AIR 1971 SC 321.

Unit-III

Meetings- Kinds of Meetings; Annual General Meeting; Extraordinary General Meeting; Procedure and Conduct of Meeting; Voting Resolution and minutes,
Investigation- Powers of the Central Government to appoint Inspectors, Powers of Inspectors; prosecution,

Directors , Constitution of the Board of Directors; Position of Directors; Appointment; Qualification including share, Disqualifications and removal, Power and Duties, Political and Charitable Contribution by Companies, Managing Director and Manager, Appointment, Powers and Duties,
National Company Law Tribunal- Constitution, Powers and Functions.

Prescribed Case

Regal (Hastings) Ltd. v. Gulliver, (1942) 1 ALL ER 378.

Unit –IV

Majority Powers and Minority Rights; Rule laid down in *Foss v. Harbottle* with exceptions,

Prevention of Oppression and Mismanagement,

Winding up Meaning and Scope, Kinds of Winding up; Commencement of Winding Up, Committee of inspection, Liquidator and Official Liquidator, Powers and Functions.

Prescribed Case

Shanti Prasad Jain v. Kalinga Tubes Ltd. AIR 1965 SC 1535.

Books Recommended:

1. Singh Avtar : Company Law.
2. Gower, L.C. B. : The Principles of Modern Company Law.
3. Ramiya : Guide to the Companies Act.
4. Sangal, P.S. : National and Multinational Companies – Some Legal Issues.
5. Shah, S.M. : Lectures of Company Law.
6. Rai, Kailsh : Company Law.
7. The Securities and Exchange Board of India Act, 1992.

CODE-3204: PAPER-IV: INTERPRETATION OF STATUTES

Max. Marks: 80
Time: 3 Hours

Unit-I

Statute- Meaning and classification, General Principles of Interpretation- The rule of literal Construction, Golden Rule and the Mischief Rule, Harmonious Construction, Statute should be read as a whole, Maxims- Expressio Unius Est Exclusio Alterius, Noscitur A Sociis and Ejusdem Generis.

Prescribed Case

Harbhajan Singh v. Press Council of India, AIR 2002 SC 1351.

Unit-II

Internal Aids to interpretation-Short Title, Long Title, Preamble, Marginal Notes, Headings, Definition or Interpretation Clause, Proviso, Illustrations, Exceptions and Saving Clauses, Explanations, Schedules and Punctuation and Interpretation of Constitution.

Prescribed Case

Special officer and competent authority urban land ceiling, Hyderabad v. P.S. Rao, AIR 2002 SC 843.

Unit-III

External Aids to Interpretation- Dictionaries, Foreign Decisions, Text Books, Historical Background, Legislative History, Administrative Conveyancing and Commercial Practice, Prospective and Retrospective operation of statutes.

Prescribed Case

Aruna Rao v. Union of India, AIR 2002 SC 3176.

Unit-IV

Construction of Taxing Statutes and Evasion of Statutes; Remedial and Penal statutes-Distinction; Liberal Construction of Remedial Statutes; Strict Construction of Penal Statutes; Mens Rea in Statutory Offences, Construction of Mandatory and Directory Statutes.

Prescribed Case

Amery Pharmaceuticals v. State of Rajasthan, AIR 2001 SC 1303.

Books Recommended

1. Langan, P.St.J. : Maxwell on the Interpretation of Statutes.
2. Singh, G.P. : Principles of Statutory Interpretation.
3. Sarathi, V.P. : Interpretation of Statutes.
4. Swarup, Jagdish : Legislation and Interpretation.
5. Bindra, N.S. : Interpretation of Statutes.
6. Chakravarti, K.P. : Interpretation of Statute.

**CODE-3205: PAPER-V: COMPULSORY CLINICAL COURSE:
Drafting, Pleading and Conveyancing**

This will be taught through class instructions and simulation exercises, preferably with assistance of practicing lawyers\retired judges. Apart from teaching the relevant provisions of law. The course will include 15 exercises in drafting carrying a total of 45 marks and 15 exercises in conveyancing carrying another 45 marks (3 marks for each exercise)

(a) Drafting :

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

(b) Pleadings:

(I) Civil: (i) Plaint (ii) Written statement, (iii) Interlocutory Applications; (iv) Original Petition, (v) Affidavit; (vi) Execution of Petition; (vii) Petition under Article 226 and 32 of the Constitution of India (viii) Memorandum of Appeal and Revision.

(II) Criminal: (i) Complaints; (ii) Criminal Miscellaneous Petition; (iii) Bail Application and (iv) Memorandum of Appeal and Revision.

(c) Conveyancing:

(i) Sale Deed; (ii) Mortgage Deed; (iii) Lease Deed; (iv) Gift Deed; (v) Promissory Note; (vi) Power of Attorney; (vii) Will, (viii) Partnership deed, (ix) Notice.

(d) Viva-Voce: The remaining 10 marks will be given in a Viva-voce Examination which will test the understanding of Legal Practice in Relation to Drafting, Pleading and Conveyancing.

Important Note:

For (b), (c) and (d) - External Expert, Chairperson and teacher concerned shall constitute a panel and the presence of two persons shall constitute the quorum.

Books Recommended:

- | | |
|---------------------------------------|--|
| 1. Chaturvedi, R.N. | : Pleading, Drafting and Conveyancing. |
| 2. Aggarwal, S.P. | : Drafting and Conveyancing. |
| 3. Tyoriwala, M.T.
Vimadalal, S.N. | : Law and Practice of Conveyancing. |
| 4. Majumdar, M.K. | : Law of Pleading and Conveyancing. |
| 5. Tiwari, O.P.
Singhal, M.L. | : Pleadings, Conveyancing, Drafting and Legal Professional
Ethics |

CODE-3206: PAPER-VI: GENERAL & LEGAL ENGLISH

Max. Marks: 100

Time: 3 Hours

Note: This paper is meant only for those students who are appearing in Hindi medium in their examinations. They have to pass this paper by obtaining 45 Marks in this paper but marks of this paper shall not be included in total merit for LL.B. The Entire Syllabus of this paper has been divided into **five units** and the question paper also shall have **five units**. This question paper shall have all compulsory questions and their marks shall be indicated against each question. The student will be required to attempt all questions compulsorily.

Unit-I

1. Precis Writing (20 Marks).

Unit-II

1. Translation:
 - (i) English to Hindi (10 Marks).
 - (ii) Hindi to English (10 Marks).

Unit –III

English –Grammar:

1. The Noun (05 Marks).
2. The Pronoun (05 Marks).
3. Articles (05 Marks).
4. Punctuation (05 Marks).

Unit –IV

1. Legal Terms-Meanings (05 Marks).
2. Legal Latin/Foreign Words and Phrases-Meanings (05 Marks)
3. Legal Maxims-Meanings (05 Marks).
4. Abbreviations (Law Magazines & Journals etc.) (05 Marks).

Unit –V

1. Essay (Legal) Writing: {200-250 words} (20 Marks).
 - (i) Right to Information.
 - (ii) Right to Privacy.
 - (iii) Protection of Human Rights.
 - (iv) Judicial Activism in India.
 - (v) Discrimination against Women.
 - (vi) Environmental Pollution.
 - (vii) Public Interest Litigation.
 - (viii) Election Reforms.
 - (ix) Independence of Judiciary.
 - (x) Right to Speedy Trial.
 - (xi) Right to Die.
 - (xii) Child Labour.
 - (xiii) Consumer Protection Rights.
 - (xiv) Death Penalty.

- (xv) Constitutional Amendments.
- (xvi) Intellectual Property Rights.
- (xvii) Cyber Crime.
- (xviii) Domestic Violence.
- (xix) Secularism.
- (xx) Freedom of Expression.

LL.B. 4TH SEMESTER
SESSION 2016-17

CODE-4201: PAPER-I: ADMINISTRATIVE LAW

Max. Marks: 80

Time: 3 Hours

For theory examination, the whole syllabus has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Every question shall be of 16 Marks. There shall be not more than one question based directly on Prescribed Cases.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

Note: The medium of instructions in classes shall be **English** but students are at liberty to give answer in Examinations either in **English or in Hindi**. If a student opt Hindi as medium of Examinations then he/she have to pass **English (General & Legal English)** as a compulsory paper along with 3rd **Semester**. Every student will be declared successful if he/she obtains a minimum **45% Marks** separately in theory examination as well as in internal assessment. A student shall have a right of promotion in next year if he/she **passes at least 50%** of total number of papers offered in a whole year.

Unit-I

Administrative Law; Meaning, Definition, Nature and Scope, Reasons for the growth, Constitutional Law and Administrative Law, Droit Administratif, Administrative Law and Public Administration, Development and Sources of Administrative Law, Fundamental concepts; Rule of Law and Separation of Powers,

Prescribed Case:

A. K. Kraipak v. Union of India, AIR 1970 SC 150.

Unit-II

Delegated Legislation; Meaning, Necessity, Scope, Factors leading to the growth, Classification of Delegated Legislation; Sub-delegation, Conditional legislation etc., Control of Delegated Legislation; Judicial Control, Legislative Control and Procedural Control,

The Concept of Natural Justice and its exceptions; the Rule against Bias, Right to Fair Hearing and Reasoned Decision.

Prescribed Case

Panchi Devi v. State of Rajasthan, (2008) 17 SCR 1325.

Unit –III

Liability of the State and Public Authorities in Tort Contractual Liability of the State, Promissory Estoppels, Public Corporation- Liability and Judicial Control, Discretionary

Powers- Failure to exercise a Discretion, Prevention of Abuse of Discretion- the Principle of Reasonableness. Judicial Review of Administrative Actions through writs.

Prescribed Case

Divisional Forest officer, Kothagudem v. Madhusudhan Rao, (2008) 3 SCC 469.

Unit –IV

Exclusion of Judicial Review, Constitutional Protection of Civil Servants, Ombudsman-
Lakpal and Lokayukta and Central Vigilance Commission and Public Interest Litigation.

Prescribed Case

S. R. Tiwari v. Union of India (2013) 6 SCC 602.

Books Recommended:

1. Jain and Jain : Principles of Administrative Law.
2. Joshi, K.C. : Administrative Law.
3. Massey, I.P. : Administrative Law.
4. Sathe, S.P. : Administrative Law.
5. Thakkar, C.K. : Administrative Law.
6. Wade, H.W.R. : Administrative Law.
7. Garner : Administrative Law.
8. Griffith and Street : Principles of Administrative Law, a case book of Administrative Law.
9. De Smith : Judicial Review of Administrative Actions.

CODE-4202: PAPER-II: ENVIRONMENTAL LAW

Max. Marks: 80

Time: 3 Hours

Unit-I

Environmental Protection and its importance, Constitutional Provisions and Environment Protection in India, Sustainable Development and the role of Indian Judiciary in Promoting it with special reference to “Precautionary Principle” and “Polluter Pays Principle”

The National Green Tribunal Act, 2010: Object and Purpose of the Act; Preliminary (Section 1-2), Establishment of the Tribunal (Section 3-13); Powers and Proceedings of the Tribunal (Section 14-25, Penalty (Section 26-28)

Prescribed Case:

Howrah Ganatantrik Nagrik Samiti v. State of W.B., AIR 2008 Cal 271.

Unit-II

The Environment Protection Act, 1986

Definitions (Section 2), General Powers of Central Govt. (Sections 3-6), Prevention, Control and Abatement of Environment Pollution (Section 7-17), Miscellaneous (Section 18-26),

Environment Protection and Law of Tort; Role of Urban Local Bodies in Controlling Pollution; Criminal Law and Environment Protection; Constitutional provisions and Noise Pollution Control.

Prescribed Case

Gujrat Pollution Control Board v. Nicosulf I & E Pvt. Ltd., (2009) 2 SCC 171.

Unit-III

Water (Prevention and Control of Pollution) Act, 1974

Definitions (Section 2), the Central and State Boards for Prevention and Control of Water Pollution (Section 3-12), Joint Boards (Sections 13-15), Powers and Functions of Boards (Section 16-18), Prevention and Control of Water Pollution (Section 19-33A), Penalties and Procedure (Section 41-50)

Air (Protection and Control of Pollution) Act, 1981

Definitions (Section 2), Central and State Boards for Prevention and Control of Air pollution (Section 3-15), Powers and Functions of Boards (Section 16-18), Prevention and Control of Air pollution (Section 9-31A), Penalties and Procedure (Section 37-46).

Prescribed Case

U.P. Pollution Control Board v. Dr. Bhupendra Kumar Modi (2009) 2 SCC 147.

Unit –IV

Wild Life (Protection) Act, 1972; Definitions (Section 2), Authorities under the Act (Section 3-8), Hunting of wild Animals (Section 9-12), Sanctuaries, National Parks and Closed Areas (Section 18-38), Central Zoo Authority and Recognition of Zoos (Sections 38A-38J), Constitution of National Tiger Conservation Authority and its powers and functions (Sections 38-L and 38-O), Tiger and other Endangered Species Crime Control

Bureau (Section 38y and 38z), Trade or Commerce in Wild Animals, Animals Articles and Trophies (Section 39-49). Prohibition of Trade or Commerce in Trophies etc. (Sections 49A-49C), Prevention and Detection of Offences (Section 50-58),

The Schedules Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006: Preliminary (Section 1-2), Forest Rights (Section 3); Recognition (Section 4-5); Restoration and Vesting of Forest Rights and related matters; Authorities and Procedure for vesting of Forest Rights (Section 6); Offences & Penalties (Section 7-8), Miscellaneous (Section 14).

Prescribed Case

Indian Handicraft Emporium v. Union of India, (2003) 7 SCC 589.

Books Recommended:

1. Agarwal, S. : Legal Control of Environmental Pollution
2. Armin Rosencrauz : Environmental Law and Policy in India-Cases; Material and
Syam Divan Statements
Marthal, L. Noble
3. Chaturvedi, R.G. : Law on Protection of Environment
Chaturvedi M.M. and Prevention of Pollution
4. Krishna Iyer, V.R. : Environmental Pollution and the Law, 1984
5. Paras Diwan : Environmental Administration- Law and Judicial attitude,
Vols. I & II, 1992
6. Rama Krishna : The Emergence of Environmental Law in Developing
Countries, a Case study of India
7. Srivastava, A.B. : Protect Global Environment, 1994
8. Jaswal, P.S. : Environmental Law
& Nistha
9. Shanthakumar, S. : Introduction to Environment Law

**CODE-4203: PAPER-III: LAW OF TORTS INCLUDING MV ACCIDENT AND
CONSUMER PROTECTION LAWS**

Max. Marks: 80
Time: 3 Hours

Unit-I

Definition, Nature and Development of Tort,
General Conditions of Tortious Liability,
Parties to a Tort and General Conditions Negating Tortious Liability.

Prescribed Case:

Haynes v. Harwood, (1935) 1 KB 146.

Unit-II

Trespass to Person, Trespass to Goods and Immovable Property, Battery, Assault and
False Imprisonment, Malicious Prosecution and Defamation.

Prescribed Case:

B.M. Thimmaiah v. Smt. T.M. Rukmini, AIR 2013 Kar 81.

Unit-III

Nuisance and Negligence, Contributory Negligence, Vicarious Liability, Strict Liability,
Motor Vehicle Accident Liability, Remoteness of Damage

Prescribed Case:

Chellamma v. Kerala State Electricity Board, AIR 2010 (NOC) 355 (Ker).

Unit-IV

Consumer Protection Act, 1986; Meaning and Scope, Definitions, Consumer Protection
Councils (Section 4-8), Consumer Disputes Redressal Agencies (Sections 9-25),
Remedies and Penalties (Sections 26-27).

Prescribed Case:

Raythara Sahakari Bank Ltd. v. Chandrankala R. Das, (2007) 1 SCC 199.

Books Recommended:

- | | |
|----------------------------|---|
| 1. Bangia, R.K. | : Law of Torts. |
| 2. Desai, Kumud | : Law of Torts (An Outline with Cases). |
| 3. Garg, O.P. | : The Consumer Protection Act, 1986 |
| 4. Kapoor, S.K. | : Law of Torts. |
| 5. Pillai, P.S. Atethuthan | : Law of Torts. |
| 6. Ratan Lal & Dhiraj Lal | : Law of Torts. |
| 7. Sarraf, D.N. | : Law of Consumer Protection in India. |
| 8. Singh, Avtar | : Law of Consumer Protection. |

CODE-4204: PAPER-IV: CRIMINOLOGY & VICTIMOLOGY

Max. Marks: 80

Time: 3 Hours

Unit-I

1. Criminology: Definition, Nature and Scope
2. Crime and Social Processes
3. Classical School
4. Cartographic School
5. Sociological School
6. Typological School

Unit-II

4. Socialistic School
5. Multifactor School
6. Theories of Punishment
7. The Police System
 - (a) Functions and Duties of the Police
 - (b) Custodial Violence
 - (c) Police- Community Relations
5. Prison System: Prison Reforms and open prison system in India

Unit –III

8. Treatment and Correction of Offenders
9. Probation: The Probation of Offenders Act, 1958
10. Parole
11. Juvenile Delinquency: Juvenile Justice (Care and Protection of Children) Act, 2000

Unit –IV

1. Victimology
 - (a) Nature and Development
 - (b) Victim and Criminal Justice
 - (c) Role and Typology of Victims
2. Recidivism
3. White Collar Crime
4. Organized Crime
5. Prevention of Crime

Books Recommended:

- | | |
|----------------------------|---|
| 1. Sutherland, E & Cressey | : Principles of Criminology. |
| 2. Barnes & Teeters | : New Horizons in Criminology. |
| 3. Chang, D.H. | : Criminology: A Cross- Culture Perspective. |
| 4. Walker, N. | : Crime and Criminology: A Critical Introduction. |
| 5. Taft & England | : Criminology. |
| 6. Siddique, Ahmed | : Criminology. |
| 7. Sirohi, P.S. | : Criminology and Penology. |
| 8. Batra P.P. | : Probation of Offenders Act, 1958. |
| 9. Pranjape, N.V. | : Criminology and Penol |

CODE-4205: PAPER-V:

Compulsory Clinical Course: Professional Ethics & Professional Accounting System

Max. Marks: 100
Written Exam: 80
Viva-voce: 20
Time: 2.30 Hours

Eight questions will be set. The students shall be required to attempt four questions in all. All questions shall carry equal marks. The course will be taught through class instructions and exercises preferably with the assistance of lawyers, judges/retired judges.

Prescribed Course of Studies:

- A. Professional Ethics: General Principles and Bar Council code of Ethics
- B. Contempt Law and Practice, Accountancy for Lawyers and Bar Bench Relations

The Course will be taught on the basis of the following materials:

- i) Mr. Krishnamurthy Iyer's book on "Advocacy;
- ii) The Contempt Law and Practice: The Contempt of Courts Act, 1971;
- iii) The Bar Council code of Ethics;
- iv) 50 selected opinions of the Disciplinary Committee of Bar Councils and following 10 judgments of the Supreme Court would be discussed and analyzed: -
 1. Supreme Court Bar Association v. Union of India & Others, AIR 1998 SC 1895.
 2. Re Ajay Kumar Pandey Advocate, AIR 1998 SC 3299
 3. Dr. I.P. Mishra v. State of U.P. AIR 1998 SC 3337
 4. Kashinath Kher and Other v. Dinesh Kuamr Bhagat and Others, AIR 1998 SC 374
 5. P.D. Gupta v. Ram Murti, AIR 1998 SC 283
 6. Sadhvi Ritumbhara v. Digvijay Singh & others (1997, 4SCJ 64)
 7. Delhi Judicial Services Association, Tis Hazari Court Delhi v. State of Gujrat and others, AIR 1991 SC 2176
 8. M.B. Sanghi v. High Cosurt of Punjab & Haryana and others, AIR 1991 SC 1834
 9. Amrit Nahata v. Union of India, AIR 1986 SC 791
 10. State of Bihar v. Kripalu Shanker, AIR 1987 SC 1554

The opinions would be selected by the teacher concerned with the approval of the Chairperson and a copy of the same would be sent to the Controller of Exam., I.G.U., Meerpur, Rewari.

SYLLABUS
LL.B. 5TH SEMESTER
SESSION 2016-17

CODE-5201: PAPER-I:

CIVIL PROCEDURE CODE AND LIMITATION ACT

Max. Marks: 80

Time: 3 Hours

For theory examination, the whole syllabus has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Every question shall be of 16 Marks. There shall be not more than one question based directly on Prescribed Cases.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

Note: The medium of instructions in classes shall be **English** but students are at liberty to give answer in Examinations either in **English or in Hindi**. If a student opt Hindi as medium of Examinations then he/she have to pass **English (General & Legal English)** as a compulsory paper along with **3rd Semester**. Every student will be declared successful if he/she obtains a minimum **45% Marks**.

Unit-I:

Definition, Jurisdiction of Civil Courts, Suits of Civil Nature (Sec. 9), Stay of suits, *Res-judicata*, Foreign Judgments (Ss. 10-14), Place of Suing, Transfer of Suits (Ss. 15-25), Joinder of Parties, Representative Suits, Splitting of Claims and Reliefs, Joinder of Cause of Actions (order I & II)

Prescribed Case

Muni Bibi v. Triloki Nath, AIR 1931 SC 114

Unit-II:

Summons to Defendants (Order-V), Appearance of Parties, *Ex-parte* Decree (O. IX, X)

Discovery and Inspection (O. XI), Settlement of Issues (O. XIV, XV), Summons to Witnesses (O. XVI, XVII, XIX), Hearing of Suits (O. XVIII); Judgment and Decree (O. XX), Awarding of Interest and Costs (Ss. 34 to 35), Restitution, Inherent Powers of the Courts, Miscellaneous Provisions (Ss. 132-158)

Prescribed Case

Babbar Sewing Machine Co. v. Triloki Nath, AIR 1978 SC 1436

Unit-III:

Commissions (Ss. 75-78, Order XXVI), Suits against Government (Ss. 79-80), Suits in cases of Minors, Indigent Persons (Order XXXII, XXXIII), Inter Pleader Suit (Sec. 88, Order XXXV) Supplemental Proceedings- Arrest and Attachment before Judgment, Temporary Injunctions, Interlocutory Orders, Appointment of Receivers, (Ss. 94-95)(Orders XXXVIII to XL), Appeals- First and Second Appeal; Procedure in Appeal (Ss. 96-108, Order XLI)

Prescribed Case

Amar Nath Dogra v. Union of India, 1963 SC 424

Unit-IV:

Reference, Review, Revision (Ss. 113-115, Order XL VI-XLVII)

Execution-Basic Provisions (Ss. 36-74)

Execution-(Order XXI) with all rules

Limitation of Suits, Appeals and Applications (Ss. 3-11)

Exclusion of Time (Ss. 12-15)

Effects of Death, Fraud Acknowledgment, Payment etc of Limitation (Ss. 16-22)

Prescribed Case

Major S.S. Khanna v. Brig. F.J. Dillon, AIR 1964 SC 497

Books Recommended

1. Matta : The Code of Civil Procedure
2. Saha, A.N. : The Code of Civil Procedure
3. Mitra, B.B. : H.C. Mitra's Indian Limitation Act.
4. Takwani, C.K. : Civil Procedure

CODE-5202: PAPER-II:
LABOUR AND INDUSTRIAL LAW-I

Max. Marks: 80
Time: 3 Hours

Unit-I:

Industrial Disputes Act, 1947

Definition of Industry, Industrial Dispute and Workman; Grievance Settlement Authorities- Works Committee, Court of Enquiry, Conciliation Officer and Board of Conciliation, Labour Court, Industrial and National Tribunal; Reference of Dispute to Board, Court and Tribunals (Section 10); Voluntary Reference of Disputes to Arbitration (Section 10A)

Prescribed Case

Banglore Water Supply and Sewerage Board v. A. Rajappa and others, AIR 1978 SC 548

Unit-II:

Industrial Disputes Act, 1947

Strikes and Lockouts, Lay Off and Retrenchment, Transfer and Closure (Chapter VA & VB), Conditions of Service etc. to remain unchanged (Sections 33-33C), Workers Participation in Management, Unfair Labour Practices.

Prescribed Case

Syndicate Bank v. K. Umesh Nayak, 1994 1 LLJ 836(SC)

Unit-III:

Trade Union Act, 1926

Definitions of Trade Union, Trade Disputes, Procedure of Registration of Trade Unions

Cancellation of Registration, Dissolution of Trade Union, Rights, Liabilities and Immunities of the Members of Registered Trade Union, Recognition of Trade Union, Collective Bargaining.

Industrial Employment (Standing Orders) Act, 1946

Concept and Meaning of Standing orders, Certification Process; Its Operation and binding

Effect, Modification of Standing Orders and Temporary Application of Model Standing Orders.

Prescribed Case

In re Indian Steam Navigation Workers Union, AIR 1936 Cal. 57

Unit-IV:**Equal Remuneration Act, 1976**

Payment of Equal Remuneration to Men and Women Workers, Prohibition of Discrimination

while Recruiting Men and Women Workers, Advisory Committee and the Role of the

Appropriate Government to Appoint Authorities for Deciding Claims.

Child Labour (Prohibition and Regulations) Act,1986- Prohibition of Employment of

Children in Certain Occupations and Processes, Regulation of Conditions of work of Children

Penalties.

Prescribed Case

M/s Mackinnan Mackenzie and Co. Ltd. V. Andrey D'Costas and another, (1987) ILLJ 536(SC)

Books Recommended

1. Malhotra O.P. : Industrial Dispute Act, 1947
2. Mishra, S.N. : Labour and Industrial Laws
3. Varandani, G. : Social Security for Industrial Workers in India
4. Puri, S.K. : Labour and Industrial Laws
5. Goswami, V.G. : Labour Law and Industrial Laws
6. Varandani, G. : Workers Participation in Management
7. Varandani, G. : Child Labour and Women Worker
8. Sabharwal, R.K. : Job Security of Industrial Workers

CODE-5203: PAPER-III:
RIGHT TO INFORMATION & COMPETITION LAW

Max. Marks: 80
Time: 3 Hours

Unit-I:

The Right to Information Act, 2005;

5. Introduction, Meaning and Scope of Right to Information.
6. Historical Background
 - Global Perspective

 - Indian Perspective.
7. Preliminary (Sec. 1-2).
8. Right to Information and Obligation of Public Authorities (Sec. 3-11).

Prescribed Case:

Central Board of Secondary Education v. Aditya Bandopadhyay, (2011) 8 SCC 497: JT 2011 (9) SC 212: (2011) 8 SCALE 645.

Unit-II:

The Right to Information Act, 2005;

1. The Central Information Commission (Sec.12-14).
2. The State Information Commission (Sec.15-17).
3. Powers & Functions of Information Commissions, Appeal & Penalties (Sec.18-20).
4. Miscellaneous (Sec. 21-31).

Prescribed Case:

Manohar Manikrao Anchule v. State of Maharashtra, AIR 2013 SC 681.

Unit-III:

The Competition Act, 2002;

1. Introduction and Historical Background of Competition Law.
2. Preliminary (Sec. 1-2).
3. Prohibition of Certain Agreements, Abuse of Dominant Position and Regulation of Combinations (Sec. 3-6).
4. Competition Commission of India (Sec.7-17).
5. Duties, Powers and Functions of Commission (Sec.18-40).

Prescribed Case:

T.M.A. Pai Foundation v. State of Karnataka, AIR 2003 SC 355.

Unit-IV:

The Competition Act, 2002;

5. Duties of Director-General (Sec.41).
6. Penalties (Sec.42-48).
7. Competition Advocacy (Sec.49).
8. Finance, Account and Audit (Sec.50-53).
9. Competition Appellate Tribunal (Sec.53A-53U).
10. Miscellaneous (Sec. 54-66).

Prescribed Case:

Minerva Mills Ltd. v. Union of India, AIR 1980 SC 1789.

Books Recommended:

1. Kumar, Neeraj : Treatise on Right to Information Act, 2005.
2. Khandelwal, D. & K.K. : The Right to Information Act, 2005.
3. Das, P.K. : The Right to Information Act.
4. Jain, N.K. : Right to Information Concept Law and Practice.
5. Yadav, A.S. : The Right to Information Act, 2005.
6. Chauhan, K.S. : Parliament: Powers, Functions & Privileges.
7. Narender Kumar : Constitutional Law of India.
8. Pandey, J.N. : The Constitutional Law of India.
9. Rai, Kailash : The Constitutional Law of India.
10. Bakshi, P.M. : The Constitution of India.

**CODE-5204: PAPER-IV: OPTION (I):
INTELLECTUAL PROPERTY LAW**

Max. Marks: 80

Time: 3 Hours

Unit-I:

International Law on Intellectual Property

1. Introductory to Intellectual Property
2. The World Intellectual Property Organization (WIPO) Convention
3. TRIPS Agreement.
4. Paris Convention, Berne Convention and Universal Copy Right Convention
5. Phonogram Treaty

Unit-II:

Law of Patent and Copy Right in India

- (e) Inventions not Patentable (Ss. 3-5)
- (f) Applications of Patents and Examinations of Applications (Ss. 6-24)
- (g) Applications to Grant of Patent and Anticipation (Ss. 25-34)
- (h) Grant and Sealing of Patents and Rights Conferred (Ss. 43-53)
- (i) Surrender and Revocation of Patents (Ss. 63-66)
- (j) Copyright (Ss. 13-16)
- (k) Ownership of Copyright and Rights of owner (Ss. 17-22)
- (l) Term of Copyright (Ss. 22-29)
- (m) Registration of Copyright (Ss. 44-50A)
- (n) Infringement of Copyright and Civil Remedies (Ss. 51-62)

Prescribed Case

R.G. Anand v. Deluxe Films, AIR 1978 SC 1613

Unit-III:

Law of Trade Marks in India

4. Definitions (Sec. 2)
5. The Register and conditions for Registration (Ss. 3-17)
6. Procedure for Registration and Duration for Registration (Ss. 18-26)
7. Effects of Registration (Ss. 27-36)
8. Certification of Trade Marks (Ss. 69-82)

Prescribed Case

National Garments v. National Apparels, (1990) PTC 90

Unit-IV:

Changing Dimensions of IPR

Protection Plant Varieties and Farmer's Rights Act, 2001

- (a) Protection of Plant Varieties and Farmer's Rights Authority
- (b) Registration of Plant Varieties, Duration and Effect of Registration
- (c) Revocation and Surrender of Registration
- (d) Plant Varieties Protection Appellate Tribunal: Composition, Procedure and Penalties under the Act.

Geographical Indications of Goods (Registration and Protection) Act, 1999:

1. Concept of Geographical Indications
2. Registration and Protection of Geographical Indications

The Biological Diversity Act, 2002

3. Establishment of National Biodiversity Authority
4. Function and Powers of Biodiversity Authority

The Designs Act, 2000

1. Definitions
2. Registration of Designs
3. Copy right in registered designs
4. Power and Duties of Controller

Prescribed Case

Castrol India Ltd. V. Tide Water Oil Co. Ltd., 1996 PTC (16) 2002

Books Recommended

1. Baxi, U. : The Law of Intellectual Property, Property Law in India (1989)
2. Cornish, W.R. : Intellectual Property: Patent, Copyright, Trade Marks and Allied Rights
3. Narayanan, P. : Law of Patents (1986)
4. Narayanan, P. : Copyright Law (1986)
5. Khosla, K.D. : Know yours Copyright
6. Thairrany Kala : Copyright Act, 1957
7. Vashisth Vikas : Law and Practice of intellectual Property in India
8. Nagarajan, R.K. : Intellectual Property Law, 2003
9. Raju, K.D. : Intellectual Property Law, 2005

**CODE-5204: PAPER-IV: OPTION (II):
INFORMATION TECHNOLOGY (CYBER) LAW**

Max. Marks: 80
Time: 3 Hours

Unit-I

Introduction to Information Technology Act, 2000

1. Historical Background and Objectives of the Act.
2. Definition under the Act.
3. Digital Signatures.
4. Electronic Records.
5. Authorities under the Act.
6. Cyber Appellate Tribunal.

Prescribed Case

State of Maharashtra v. Marwanjee F. Desai (2002)2 SCC 318.

Unit-II

Cyber Crimes.

1. Tempering with Computer Source Documents.
2. Hacking with Computer System.
3. Publishing of Obscene Information in Electronic Form.
4. Breach of Confidentiality and Privacy.
5. Publishing of False Digital Signature Certificate.
6. Offences Committed Outside India.
7. Powers of Adjudication and Investigation.

Prescribed Case

R.v. Whiteley (1991) 93 Cr. App. R 25.

Unit-III

International Regime of Cyber Law.

5. Personal Jurisdiction in Cyber Space.
6. International Jurisdiction in Cyber Space.
7. The issues relating to online Defamation.

Prescribed Case

Rambabu Saxena v. State, AIR 1950 SC 155.

Unit-IV

Cyber Law and Related Issues.

1. Freedom of Expression in Cyberspace.
2. Computer Forensic and the Process of Confiscation.
3. Network Service Provider.

Prescribed Case

Ben Ezra, Weinstein & Co. v. America Online Inc. 206.F. 3d 980 (10th cir 2000)

Books Recommended:

Information Technology Act, 2000.

Information Technology Manual.

Diane Rowland: Information Technology Law.

Elizabeth Macdonald

Nandan Kamath : A Guide to Cyber Laws and the Information Technology Act, 2000 with Rules and Notification.

Rodney, D. Ryder : Guide to Cyber Laws.

Yogesh Barua & Denzil : Cyber Crimes

Sharma, Vakul : Information Technology Law and Practice

Justice Yathindra Singh : Cyber Laws

Bakshi, R.M. : Cyber & E-Commerce Laws

**CODE-5205: PAPER-V:
COMPULSORY CLINICAL COURSE:
ALTERNATE DISPUTE RESOLUTION**

Max. Marks: 100

Written Exam: 80

Viva-voce: 20

Time: 2.30 Hours

Eight questions will be set. The students shall be required to attempt four questions in all. All questions shall carry equal marks. The course will be taught through class instructions and exercises preferably with the assistance of lawyers, judges/retired judges.

I. Negotiation Skills With simulated Program.

II. Conciliation Skill

Conciliation- Purpose and Scope (Sec.61).

Conciliation Skills.

Conciliation Proceedings (Ss.62-71).

Settlement Agreements in Conciliation (Ss. 72-75).

Miscellaneous Provisions (Ss. 76-81).

III. Arbitration Law and Practice including international Arbitration and Arbitration Rules

Nature of Arbitration Proceedings, Objectives o

f Arbitration & Conciliation Act, 1996, Preamble.

Definitions and General Provisions (Ss. 2-6).

Composition of Arbitral Tribunal (Ss. 10-15).

Jurisdiction of Arbitral Tribunal (Ss. 16-17).

Conduct of Arbitral Proceedings (Ss. 18-23).

Making of Arbitral Awards and Termination of Proceedings (Ss. 28-33).

Setting aside Finality and Enforcement of Award (Ss. 34-36).

Miscellaneous Provisions (Ss 37-43).

International Arbitration and Arbitration Rules.

Enforcement of Foreign Awards- New York Convention Award (Ss.44-52).

Geneva Convention Awards (Ss. 53-60).

Note: The Course will be conducted through Simulation and Case Studies. Evaluation may also be conducted in Practical exercises.

Books Recommended:

1. Saraf B.P. & Jhunjhunwala S.M. : Law of Arbitration & ADR in India.
2. Tripathi, S.C. : Arbitration and Conciliation Act.
3. Kohli, Hari Dev : New Case Law Reference on Arbitration & Conciliation Act.
4. Datta, C.R. : Law Relating to Commercial and Domestic Arbitration.
5. Destha, Sunil : Lok Adalats in India.

LL.B. 6TH SEMESTER

SESSION 2016-17

**CODE-6201: PAPER-I:
PRINCIPLES OF TAXATION LAW**

Max. Marks: 80
Time: 3 Hours

For theory examination, the whole syllabus has been divided into **four units**. But the question paper shall have **five units**. Unit **I** to **IV** of the question paper will have two questions from each **unit** of the syllabus. The student will be required to attempt one question from each **unit**. Every question shall be of 16 Marks. There shall be not more than one question based directly on Prescribed Cases.

Unit V of the question paper shall have one compulsory question (will be numbered as 9) divided into **eight parts**, which will cover **two parts** from **each unit** of the syllabus. The student will be required to attempt **any four parts from this unit**. Every part of this unit shall be of 4 Marks and this unit shall be of 16 Marks.

Note: The medium of instructions in classes shall be **English** but students are at liberty to give answer in Examinations either in **English or in Hindi**. If a student opt Hindi as medium of Examinations then he/she have to pass **English (General & Legal English)** as a compulsory paper along with **3rd Semester**. Every student will be declared successful if he/she obtains a minimum **45% Marks** separately in theory examination as well as in internal assessment.

Unit-I:

Need and importance of Income Tax in India, history of the development of Income Tax, nature of Income Tax.

Concepts; Income (Sec. 2(24)), Total Income (Sec.2(45)), Agriculture Income (Sec. 2(1A)), Assessee (Sec.2(7)), Assessment Year and Previous Year (Sec. 2(9)) and Revenue; Charge of Income Tax; Income of other persons included in assessed total Income(Ss. 60-65); Income which do not form part of total Income (Ss. 10-13A)

Prescribed Case

C.I.T. v. Raja Benoy Kumar Sahas Roy, 32 ITR 466 SC (1957)

Unit-II:

Salary (Ss. 15-17); Income from House Property (Ss. 2-27); Profits and gain of business or Profession (Ss. 24 to 44 AD & 68 to 69 AD); Depreciation Allowance and Development Rebate; Capital Gains (Sections 45-55 A); Income from other Sources (Ss. 56 to 59)

Prescribed Case

C.I.T. v. Dalhousie Properties Ltd. 1984 Tax. L.R. 1334 (SC)

Unit-III:

Set off and carry forward of losses (Ss. 70-80); Procedure for Assessment (Ss. 139-158); Liability in special cases (Ss. 159-181); Special Provisions Applicable to Firms (Ss. 184-189 A)

Prescribed Case

Bhushan Lal Parduman Kumar v. C.I.T., 1978 Tax L.R. 1346 SC

Unit-IV:

Income Tax Authorities (Ss. 1176-138); Appeal, Reference and Revision and Special Provisions for Avoiding Repetitive Appeals; Collection, Recoveries and Refund (Ss. 190-234) and (237-245); Penalties, Offences and Prosecution.

History of Sales Tax, Nature of Sales Tax

Central Sales Tax: History of Sales Tax, Nature of Sales Tax, Definition of Dealer, Goods, Sale price and Turnover; Sale in Course of inter-state trade or commerce, outside state sales and sale in the course of import and export; liability to Tax on inter-state sales; Registration of Dealer; Levy and Collection of Tax, Penalties; Goods of Special Importance and rate of Tax

Prescribed Case

Consolidated Coffee Board v. Coffee Board Bangalore, AIR 1980 SC 1468

Books Recommended

1. Bhattacharya's : Law and Practice of Income Tax
2. Chaturvedi, Kothari : Central Sales Tax Act
3. Jain, S.N. : Central Tax Act
4. Kanga and Pai : Law and Practice of Income Tax
5. Saxena, A.K. : Income Tax Act, 1996
6. Ravi, K. : Law of Income Tax
7. Sampath Iyenger : Law of Income Tax
8. Kailash Rai : Law of Income Tax

CODE-6202: PAPER-II: LABOUR AND INDUSTRIAL LAW-II

Max. Marks: 80

Time: 3 Hours

Unit-I:

Workmen's Compensation Act, 1923

Definition of Total and Partial Disablement, Workman, Employer, Dependent, Wages
Employer's Liability for Compensation, Modes of Calculating wages, Distribution of
Compensation, Commissioners

Employees' State Insurance Act, 1948:

ESI Corporation, Standing Committee and Medical Benefit Council, Contributions and Benefits,
Adjudication of Disputes & Claims

Prescribed Case

M. Mackenzie v. I.M. Issak, AIR 1970 SC 1006

Unit-II:

The Employees' Provident Funds and Miscellaneous Provisions Act, 1952

Object and Scope of the Act, Employees' Provident Fund Scheme, Authorities, Central Board of
Trustees, State Board of Trustees, Regional Committees, Determination of Money due from
employer, Mode of recovery of money, Power to recover damages (Section 14-B)

The Payment of Gratuity Act, 1972

Object, Scope and Concept of Gratuity, Payment of Gratuity, Ceiling of Gratuity, Determination
and recovery of Gratuity

Prescribed Case

Jeewan Lal (1929) Ltd. V. Appellate Authority and Others, 1984 II LLJ 464(SC)

Unit-III:

The Factories Act, 1948

Definition of Factory, Worker, Hazardous process, Occupier, Adult, Adolescent and child,
Provisions relating to Health & Cleanliness, Safety, Hazardous process and welfare of workers.
Employment of children and Adolescents. Annual leave with wages, penalties and procedure

Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979

Definition, Registration of Establishments, Employing Inter-State Migrant Workmen; Licensing
of Contractors; Duties and Obligations of Contractors, Wages, Welfare and other facilities,
Inspecting Staff.

Prescribed Case

Delhi Cloth and General Mills Co. Ltd. V. The Chief Commissioner, Delhi, AIR 1971 SC 344

Unit-IV:

The Minimum Wages Act, 1948

Definition of minimum Wages, Fixation of Minimum rates of Wages, Procedure for Fixation, Revision and Disposal of Claims

The Payment of Wages Act, 1936

Object and Scope of the Act, Responsibility for Payment of Wages, Deductions Fines, Claims arising out of Deduction and delay in payment, Enforcement Machinery- their powers and functions

Bonded Labour System (Abolition) Act, 1976

Object and main features of the Act, Abolition of Bonded Labour System, Extinguishment of Liability to Repay Bonded Debt, Implementing Authorities, Vigilance Committee

Prescribed Case

Bandhua Mukti Morcha v. Union of India, AIR 1984 SC 802

Books Recommended

1. Mishra, S.N. : Labour and Industrial Laws
2. Varandani, G. : Social Security for Industrial Workers in India
3. Puri, S.K. : Labour and Industrial Laws
4. Goswami, V.G. : Labour Law and Industrial Laws
5. Varandsani, G. : Child Labour and Women Worker
6. Sabharwal, R.K. : Job Security of Industrial Workers
7. Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979

CODE-6203: PAPER-III:

LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM

Max. Marks: 80

Time: 3 Hours

Unit-I:

The Punjab Land Revenue Act, 1887

Definitions (Section-3) and Exclusion of Certain land from Operation of Act (Section 4)

Revenue Officers: Classes and Powers (Ss. 6-22)

Records (Ss. 31-47)

Collection of Land Revenue (Ss. 61-96)

Partition (Ss. 110-126)

Prescribed Case

Harsih v. Grisha Ram, AIR 1981 SC 695

Unit-II:

The Punjab Tenancy Act, 1887 (As applicable to Haryana)

Definitions (Sec. 4)

Right of Occupancy (Ss. 5-11)

Rent (Ss. 12-34)

Relinquishment, Abandonment and Ejectment (Ss. 35-50)

Improvement and Compensation (Ss. 61-74)

Prescribed Case

Chandu Lal v. Kalia & Gorla, 1976 PLR 607

Unit-III:

The Haryana Ceiling on Land Holding Act, 1972

Definitions (Sec. 3); Permissible Area (Sec. 4)

Exemptions (Sec. 5)

Ceiling on Lands etc. (Ss. 7-17)

The Punjab Village Common Lands (Regulation) Act, 1961 (As applicable to Haryana)

Definitions (Sec. 2) and Lands to which this Act Applies (Sec. 3)

Vesting of Rights and Regulations of use and Occupation etc. of Lands (Ss. 7-12)

Ban of jurisdiction of Civil Courts (Ss. 13-15)

Prescribed Case

Om Parkash v. State of Haryana, 1987 (i) Cur.L.J. 791 (FC)

Unit-IV:

The Haryana Panchayati Raj Act, 1994

General Provisions applicable to Gram Panchayat, Panchayat Samiti and Zila Parishads (Ss. 3-6)

Sabha Area Establishment. Constitution of Gram Sabha and Gram Panchayat (Ss. 7-12)

Gram Panchayat (Ss. 13-38), Control (Ss. 46-54), Panchayat Samiti (Ss. 56-87), Supervisions (Ss. 106-116), Zila Parishad (Ss. 117-143), Supervision of Zila Parishad (Ss. 155-160), Provisions Relating to Election (Ss. 162-188)

Prescribed Case

Sunita Devi v. F.C. Haryana, 1999(ii) R.C.R. (Civil); 356 (P&H)

Books Recommended

1. Agarwala, O.P. : The Punjab Land Revenue Act, 1887
2. Agarwala, O.P. : The Punjab Tenancy Act, 1887
3. Jain's : The Punjab village Common Lands(Regulation) Act, 1961
4. Jaiswal and Chawla : A Commentary on Haryana Panchayati Raj Act, 1994
5. Saini, Baryam Singh : Treatise on Village Common Land (Punjab and Haryana)
6. Narula, D.P. : Punjab and Haryana Land Laws

CODE-6204: PAPER-IV: OPTION (I):

BANKING LAW

Max. Marks: 80

Time: 3 Hours

Unit-I:

- Nature and Development of banking; Nationalization of Bank, Relationship of Banker and customer; Banking Business; Banker's Lien, Type of Accounts.
- Social control of Banking Institution.
- Banking Regulation Act, 1949- Applicability to Banking Companies and Public Sector Banks; Business of Banking Companies; Control over Management; Prohibition of Certain Activities in Relation to Banking Companies Acquisition of the Undertaking of Banking Companies in certain cases.
- Winding up of Banking Companies; Special provision for speedy disposal of winding up proceedings.
- Banking Regulation Act as applicable to certain co-operative Banks.
- Social Control of Banking Institutions.

Leading Case:

Sajjan Bank (P) Ltd v. R.B.I. 30 Comp. Cases 146

Unit-II:

- Reserve Bank of India Act, 1934- Purpose and scope, organizational structure of RBI; Powers and Functions of RBI: Incorporation, Capital, Management and Business, Central Banking Business, Provision relating to non-banking institutions receiving deposits and Financial Institutions, Prohibition of Acceptance of deposits by unincorporated bodies.
- State Bank of India Act, 1955- Objectives and purposes, Incorporation and Share Capital of SBI; Establishment of SBI, Authorized Capital, Issued Capital, Management; Business of State Bank of India- State Bank as agent of Reserve Bank, Business which SBI may or may not transact, Power of Acquisition of Business of other Banks.

Leading Case:

Lloyd v. Grace Smith & Company 1912 AC 716.

Unit-III:

The Negotiable Instruments Act- Purpose and object, Historical development of law relating to Negotiable Instruments.

Definition, kinds of negotiable instruments, promissory note, kinds of crossing and their effect, holder and holder in due course; payment in due course; inland and foreign instruments; Ambiguous instruments, Inland and Foreign instruments, Parties to Negotiable Instrument, Capacity to make; Maker, drawer and acceptor principal;

Negotiable Instrument without consideration; position of Minor, agency and Legal representative.

Leading Cases:

- 1.) Bank of Bihar v. Damodar Parsad AIR 1969 SC 297
- 2.) Canara Bank v. Canara Sales Corporation AIR 1987 SC 1603
- 3.) Bangal Bank v. Satinder Nath AIR 1952, Calcutta 385

Unit-IV:

- Negotiation and Liability, Negotiation and assignment; Negotiation by delivery and by Indorsement; Kinds of Indorsement- Indorsement in blank and Indorsement in full, restrictive Indorsement, Indorsement sans recourse, conditional Indorsement, Partial. Indorsment, Liability of Parties- Liability of acceptor, maker, drawer, Drawee, Discharge from liability by cancellation, delay in presenting material alternation, negotiation back, allowing more than 48 hours to accept; Presentation for acceptance and payment, presentment to agent etc, Time and place of presentment, when presentment unnecessary, Dishonour and notice of dishonour, noting and protests, Acceptance and payment for honour and reference in case of need.
- Special rules of evidence- Presumptions and estoppel, penalties for dishonour of certain cheques for insufficiency of funds in account.

Select Bibliography:

- Bhashyam & Adiga : The Negotiable Instrument Act
- Parthsarthy : Cheques in Law and Practice.**
- Aggarwal, C.L. : Law of Hundi and Negotiable Instruments.
- Canygton : Business Law
- Smith and Keenan : Essentail of Mecantile Law.
- Tannan's : Banking Law and Practice in India
- Sethi : Commentary on Banking Regulation Act, 1949.

CODE-6204: PAPER-IV: OPTION (II):

INSURANCE LAW

Max. Marks: 80

Time: 3 Hours

Unit-I:

General Principles of law of insurance: Definition, Nature and History of Insurance, Contract of Insurance; Insurable Interest, Premium, the Policy- Classification of Policies form and Contents; Commencement; Assignment, Construction, Condition of the Policy

Prescribed Case:

Reserve Bank of India v. Peerless General Finance and Investment Co. AIR 1987 SC 1023

Unit-II:

The Life Insurance Corporation Act, 1956 and the Life Insurance (Emergency Provisions) Act, 1956, Object of the Act. Nature and Scope of Life Insurance, Definition, kinds of Life insurance, the Policy and Formation of a life insurance contract; Circumstance affecting the risk, amounts recoverable under life policy, persons entitled to payment, settlement of claim and payment of money, Establishment of LIC, Compensation for insurance business and exclusive privileges of LIC of carrying on life Insurance Business

Prescribed Case

LIC v. Nirmala Adi Reddy, AIR 1984 SC 346

Unit-III:

Marine Insurance Act, 1963

Nature and scope, Classification of Marine Policies, Marine insurance, insurable Interest Insurable Value, Insurance is Uberrima fides, Marine insurance policy voyage-deviation, perils of the Sea, Assignment of Policy, Premium, Partial Loss of Ship and of Freight, salvage, general average, particular charges, Measures of indemnity, total valuation, liability to third parties, Rights of Insurer on payments and return of premium.

Prescribed Case

Home insurance Co. v. Ramnath & Co., AIR 1955 Mad. 602

Unit –IV:

Public Liability Insurance Act, 1991

Nature, Scope and object, liability to give relief in certain cases on principles of no fault (Section 3), Duty of owner to take out insurance policies (Section 4), verification and Publication of

Accident by collector (Section 5) Application for Claim for relief (Section 6), Award of Relief (Section 7)

Establishment of Environmental Relief Fund (Sections 7A); Provisions as to other right to claim compensation of death (Section 8); Powers of Collection (Section 9 to 13), Penalty for contravention (Section 15); offences by companies and Government Departments (Section 16,17)

Prescribed Case

Charan Lal Sahu v. Union of India, AIR 1990 SC 1480; (1990) 1 SCC 613

Statutory Material

1. The Life Insurance Corporation Act,1956
2. The Life Insurance (Emergency Provisions) Act,1956
3. Marine insurance Act,1963
4. Public Liability Insurance Act,1991

Books Recommended:

1. Srinivasan, M.N. : Law and the Life Insurance Contract
2. Srivastava, Kirpa Dayal : Commentaries on Employees State Insurance Act,1948
3. Murthy, K.S.N. : Modern Law of Insurance in India
4. Banerjee , B.N. : The Law of Insurance
5. Mishra, M.N. : Law of insurance
6. Ivamy, E.R. Hardy : Marine insurance
7. Bhattacharjee : The Life Insurance Corporation Act

**CODE-6205: PAPER-V:
COMPULSORY CLINICAL COURSE:
MOOT COURT EXERCISE AND INTERNSHIP**

Max. Marks: 100

Note: This paper will have three components of 30 marks each and a Viva-voce for 10 marks.

(a) Moot Court (30 marks)

Every student is required to do at least three moot courts in the LL.B. 3-Year (Professional) Course with 10 marks for each. The Moot court work will be on assigned problems and it will be evaluated for 5 marks for written submission and 5 marks for oral advocacy.

(b) Observance of Trial in two cases one Civil and one Criminal (30 marks)

Students will attend two trials in every year of LL.B. 3-Year (Professional) course. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks

(c) Interviewing techniques and Pre-trial Preparations (30marks)

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

(d) The fourth components of this paper will be Viva-voce examination on all the above three aspects. This will carry 10 marks

Minimum Period of Internship

(d) Each registered student shall have completed minimum of twelve weeks of internship during the entire period of legal studies provided that internship in any year cannot be for a continuous period of more than four weeks

(e) Each student shall maintain internship diary as prescribed by the teacher.
