

**NOTIFICATION**

As recommended by the meeting of the Board of Studies in Law held on 02.07.2014, the Hon'ble Vice-Chancellor, Dibrugarh University is pleased to approve the Revised Syllabus of Three Year LL.B/ LL.B (Hons) Programme for the First and Second Semester under report to the Under Graduate Board and Academic Council, Dibrugarh University.

The above shall come into effect from the academic session 2014-2015.

Sd/ A. Hazarika  
Deputy Registrar (Academic)i/c  
Dibrugarh University

Copy to:

1. The Vice-Chancellor, D.U. for favour of information.
2. The Registrar, D.U. for favour of information.
3. The Controller of Examinations, DU, for favour of information and necessary action. The copy of the Syllabus is enclosed herewith.
4. Prof. (Ms) K. D. Hazarika, Dept. of Assamese, Dean, School of Humanities and Social Sciences, Dibrugarh University, for kind information.
5. The Director, Centre for Juridical Studies, Dibrugarh University for favour of information and necessary action.
6. All the Principals of the Colleges conducting the Three Year LL.B/ LL.B (Hons) Programme, for favour of information and needful. They are requested to download the copy of the Syllabus from the website: [www.dibru.ac.in](http://www.dibru.ac.in).
7. The System Administrator, Dibrugarh University for kind information and with a request to upload the Notification along with the syllabus urgently in the University website.
8. File

Sd/- A. Hazarika  
Deputy Registrar (Academic)i/c  
Dibrugarh University.

**COURSE STRUCTURE**  
**(FROM 2014-15 SESSION ONWARDS)**

<b>SEMESTER – I</b>			
<b>Code</b>	<b>Paper</b>	<b>Credits</b>	<b>Marks</b>
LL.B.: 1.1	Constitutional Law of India– I	8	100
LL.B.: 1.2	Family Law – I	7	100
LL.B.: 1.3	Law of Contract	8	100
LL.B.: 1.4	Jurisprudence	7	100
LL.B. (Hons): 1.5 H <sub>1</sub>	<b>Honours – 1</b> , any one from following: 1. Indian Federalism (CL Group) 2. Corporate Governance (BL Group) 3. Criminal Jurisprudence I (CrL Group)	6	100
Total for Non Honours Course		<b>30</b>	<b>400</b>
Total for Honours Course		<b>36</b>	<b>500</b>

**Semester I**  
**LL.B.: 1.1**  
**Constitutional Law of India - I**

<b>End Semester – 80</b>	<b>Credit8</b>
<b>Internal Assessment -20</b>	
<b>Total Marks: 100</b>	
	<b>Marks</b>
<b>Unit 1: Introduction to the Constitution of India; Preamble; India and its Territories &amp; Citizenship</b>	<b>16</b>
1.1 Salient Feature of the Indian Constitution	
1.2 Nature of Indian Federalism	
1.3 Preamble	
1.4 India and its Territories	
1.5 Citizenship Under the Constitution (Articles 5-11)	
1.6 Citizenship under the Citizenship Act, 1955 (as amended upto date)	
<b>Unit 2: Fundamental Rights-I (Article -12 to Article -19)</b>	<b>16</b>
2.1 Definition of ‘State’ for enforcement of Fundamental Rights – Justifiability of Fundamental Rights – Doctrine of eclipse, severability and waiver	
2.2 Judicial Review	
2.3 Right to Equality – Doctrine of reasonable classification and absence of arbitrariness	
2.4 Right to Freedom – Expansion by Judicial interpretation – Reasonable restrictions	
<b>Unit 3: Fundamental Rights-II (Article 20 to Article 24)</b>	<b>16</b>
3.1 Right to life and personal liberty – scope and content – judicial interpretation	
3.2 Preventive detention – policy and safeguards – judicial review	
3.3 Rights against exploitation – Forced labour and child employment	
<b>Unit 4: Fundamental Rights-III (Article 25 to Article 35)</b>	<b>16</b>
4.1 Right to Freedom of Religion – Secularism	
4.2 Cultural and Educational rights of minorities	
4.3 Right to Constitutional Remedies – Judicial Review – Writs – Articles 32 and 226	
<b>Unit 5: Directive Principles; Fundamental Duties; Social Justice (Article 36 to Article 51 A)</b>	<b>16</b>
5.1 Directive Principles of State Policy – Justifiability of Directive Principles – Inter-Relationship between Directive Principles and Fundamental Rights	
5.2 Fundamental Duties	
<b>Internal Assessment</b>	<b>20</b>
<b>Referred Cases:</b>	
1 KeshbanandaBharati Vs. State of Kerala, AIR 1973 SC 1461	
2 S.P. Gupta and Others Vs. President of India and Others, AIR 1982 SC 149	
3 Janata Dal Vs. H.S. Choudhury (1992) 4 SCC 305	
4 SarbanandaSonowal Vs. Union of India, AIR 2005 SC 2926	
5 Maneka Gandhi Vs. Union of India, AIR 1978 SC 597	
6 BondhuaMuktiMorcha Vs. Union of India, AIR 1997 SC 2218	
7 HussainaraKeaton Vs. State of Bihar, AIR 1979 SC 1369	
8 KihotalHollohan Vs. Zachithu, AIR 1955 SC 781, AIR 1973	
9 SaralaMutgal Vs. Union of India, (1995) 3 SCC 635	
<b>Recommended Books:</b>	
1. Dr. J. N. Pandey – Constitutional Law of India.	
2. D. D. Basu – Shorter Constitution of India.	
3. V. N. Shukla – Constitutional Law of India.	
4. M. P. Jain – Constitutional Law of India.	
5. H. M. Sreevai – Constitutional Law of India.	

**Semester I**  
**LL.B.: 1.2**  
**Family Law – I**

End Semester -80  
Internal Assessment -20  
Total Marks: 100

**Credit – 7**

**Marks**

**Unit 1: Sources, Schools and Joint Hindu Family**

- 1.1 Sources of Hindu Law 16
- 1.2 Mitakshara and Dayabhaga
- 1.3 Points of similarity and distinction between the Mitakshara and the Dayabhaga Laws
- 1.4 Formation and Incident under the coparcenary property
- 1.5 Karta of Joint Family: Position, Powers and privileges; Alienation of property by Karta
- 1.6 Debts – Doctrine of pious obligation and antecedent debts
- 1.7 Partition: Meaning, Division of right and division of property, Persons entitled to demand partition, Partition how effected, Re-opening of partition; Re-union

**Unit 2: Marriage Laws**

16

- 2.1 Hindu Marriage Act, 1955
- 2.2 Evolution of the institution of marriage
- 2.3 Concept of marriage
- 2.4 Forms, validity, void, voidable
- 2.5 Dissolution of Marriage
- 2.6 Theories of Divorce
- 2.7 Separation and Dissolution of Marriage under Hindu Law
- 2.8 Judicial separation, Grounds of Divorce, Divorce by mutual consent

**Unit 3: Principles of Inheritance**

16

- 3.1 Ancient Concept of inheritance
- 3.2 The Hindu Succession Act, 1956:
- 3.3 Definitions: agnate, cognate, full blood etc.
- 3.4 General rules of succession in the case of a Hindu male Dying intestate under the Act,
- 3.5 General rules of succession in the case of a Hindu female Dying intestate under the Act
- 3.6 Distribution of property among class I and II
- 3.7 General Provision relating to succession
- 3.8 Stridhan and Women's estate

**Unit 4: Adoption and Maintenance (Hindu Adoption and Maintenance Act, 1956)**

16

- 4.1 Adoption, Ceremonies, Capability, Effect
- 4.2 Maintenance, Entitlement, Enforcement
- 4.3 Maintenance under the Code of Criminal Procedure, 1973

**Unit 5: Guardianship & Religious and Charitable Endowments**

16

- 5.1 Hindu Minority and Guardianship Act, 1956  
Guardianship – Meaning, Kinds of Guardianship, Right, obligations and Disqualification of guardian, Entitlement to guardianship
- 5.2 Endowments: Meaning, kinds and essentials.
- 5.3 Math – Kinds, Powers and obligations of Mahant and Shevait  
Removal and replacement of Idol

**Internal Assessment**

20

**Referred Cases:**

1. Sitabai Vs. Ramchandra, AIR 1958, Bombay 116
2. MouchumiMaytraGangulyVs, JayantiGanguly, AIR 2008 SC 2262
3. Vijaylaxmlaxmana Vs. B. T Shankar, AIR 2001 SC 1424
4. Gurunathan Vs. Kamalabai, AIR 1955 SC 206
5. M/S Bay Berry Apartments Ltd. Vs. Shobha, AIR, 2007 SC 226

**Recommended books:**

1. Modern Hindu Law – Dr. ParasDiwan
2. Modern Hindu Law- Dr.U.P.D.Kesari
3. Family Laws-Dr. ParasDiwan
4. Modern Hindu Law- Ramesh Chandra Nagpal,
5. Family Law- B.M.Gandhi,
6. Hindu Law and usage -J.D.Mayne
7. Hindu Law – P.N.Chaddha
8. Testamentary and Intestate Succession- Suresh Kumar Sharma
9. Principles of Hindu Law(15<sup>th</sup> Edn.1982)- Mulla

**Semester I**  
**LL.B.:1.3**  
**LAW OF CONTRACT**

End Semester -80  
Internal Assessment -20  
Total Marks: 100

<b>Marks</b>	<b>Credit</b>
<b>UNIT 1: Definition, Nature and Formation of Contract.</b>	<b>16</b>
1.1 Definitions, nature and kinds of contract. 1.2 Proposal 1.3 Acceptance 1.4 Consideration.	
<b>UNIT 2: Capacity and object:</b>	<b>16</b>
2.1 Capacity to contract, 2.2 Privity of contract and consideration, 2.3 Legality of object and consideration.	
<b>UNIT 3: Consent:</b>	<b>16</b>
3.1 Free consent. 3.2 Contingent and conditional contract. 3.3 Standard form of contract and E- Contract.	
<b>UNIT 4: Discharge of Contract:</b>	<b>16</b>
4.1. Different modes of discharge of contracts, breach, anticipatory breach, effects, rights. 4.2. Damages for breach and its measure, 4.3 .Doctrine of Frustration 4.4 Quasi Contract, 4.5 Quantum Meruit.	
<b>UNIT 5: Specific Relief Act 1963:</b>	<b>16</b>
5.1. Objectives of specific relief Act, 5.2. Recovery of possession of property. 5.3 Contract which can be specifically enforced and defences, 5.4. Rescission of contract, 5.5 Injunction.	

**Internal Assessment 20**

**Referred Cases:**

1. *Carlill v. Carbolic Smoke Ball (1891-4) All Er Rep. 127*
2. *Mohiri Bibi Vs. Dharmo A Das Ghosh, 1903 P.C.*
3. *Bhagwandas Goverdhandas Kedia v. M/s Girdharilal Parshottamdas & Co., AIR 1966 SC 543*
4. *Kanhaiya Lal Aggarwal; v. Union of India, AIR 2002 SC 276*
5. *Abdul Aziz v. Masum Ali, AIR 1914 All. 22*
6. *Tersem Singh v. Sukhinder Singh (1988) 3 SCC 471*
7. *Oil & Natural Gas Corporation Ltd. V. Saw Pipes Ltd. (2003) 4 SCALE 92*
8. *Central Inland Water Transport Corpn. V. Brojo Nath Air 1986 Sc 1571*

**Recommended Books:**

- Beatesen (ed), *Anson's law of Contract* (27<sup>th</sup> ed 1998)
- P.S. Atiya, *-Introduction to the law of contract* 1992 reprint.
- Avtar Singh – *Law of contract 2000*.
- M. Krishnam Nair – *Law of Contract*.
- *Mulla on contract*: Commentary by J.H. Dalal.
- Benerjee S.C. – *Law of Specific Relief* (1998) universal.
- Anand and Aiyer – *Law of Specific Relief* (1998) universal.

**Semester III**  
**LL.B.: 1.4**  
**Jurisprudence**

**End Semester - 80**  
**Internal Assessment – 20**  
**Full Marks: 100**

	<b>Credit</b>
	<b>7</b>
	<b>Marks</b>
	<b>16</b>
<b>Unit 1: Introduction</b>	
1.1 Definition, Nature and Scope of Jurisprudence	
1.2 Definition, nature and kinds of Law	
1.3 Justice	
1.3.1 Meaning of Administration of Justice, Kinds of Justice	
1.3.2 Civil and Criminal Justice.	
1.3.3 Punishment theories	
1.4 Source of Law	-
1.4.1 Legislation	
1.4.2 President	
1.4.3 Custom	
<b>Unit 2: Basic Theory of Law: Schools of Law (Part-I)</b>	<b>16</b>
2.1 Natural Law School - Origin, Development of Natural Law School	
2.2 Analytical Legal Positivism	
2.2.1 Different approaches of Austin, Bentham and Hart	
2.3 Kelson's Pure Theory of Law	
2.3.1 'Grundnorm'	
2.4 Historical School of Law	
2.4.1 Contribution of Savigny	
2.4.2 Distinction between Analytical School and Historical School	
<b>Unit 3: Basic Theories of Law (Part-II)</b>	<b>16</b>
3.1 Legal Rights and Duties	
3.1.1 Analysis of legal rights and kinds of legal rights	
3.1.2 Essentials of legal rights	
3.1.3 Hohfeld's Theory	
3.2 Sociological School of Law (Rosecoe Pound's 'Social Engineering')	
3.2.1 Sociological Jurisprudence in Indian Perspective and its new judicial response on Social Interest, Protection of Bonded Labour & Child Labour and Control of Environmental Pollution.	
<b>Unit 4: Legal Concepts-I</b>	<b>16</b>
4.1 Ownership and Possession	
4.1.1 Concepts & Distinction	
4.1.2 Kinds of Ownership	
4.1.3 Social Control of Ownership	
4.1.4 Kinds of Possession	
4.1.5 Possessory remedies	
4.2 The Law of Property	
<b>Unit 5: Indian Legal System</b>	<b>16</b>
5.1 Concepts of Dharma – Sruti and Smriti	
5.1.1 Supremacy of Law over King & State – Law is the King of Kings	
5.2 Indian Legal System after independence	
5.3 Natural Law – Indian concepts and perception with special reference to KesavanandaBharti Vs. State of Kerala AIR 1973 SC 1461	
5.4 Concept of Truth (Satya), Non-violence (Ahimsa) and Right code of Moral conduct (Sadachar) and Indian Constitution	
5.5 Analytical Positivism and Legal Positivism	

**Internal Assessment****Referred Cases:**

- 1 Olga Tellies Vs. BMC, AIR 1986 SC 180
- 2 BondhuMuktiMorchs Vs. Union of India, AIR 1984 SC 802
- 3 Peoples Union for Democratic Rights Vs. Union of India, AIR 1982, SC 1473

**Recommended Books :**

1. Jurisprudence and Legal Theory by V. D. Mahajan
2. Fundamentals of Jurisprudence –The Indian Approach –by Dr. S. N. Dhyani
3. Jurisprudence –The Philosophy and Method of Law –by Bodenheimer.
4. Jurisprudence –by R. W. M. Dias
5. Jurisprudence –Legal Theory –by Dr. B. N. Mani Tripathi
6. The Concept of Law –by H. L. A. Hart
7. Introduction of Jurisprudence –by Dr. Avatar Singh
8. Studies in Jurisprudence and Legal Theory –Dr. N. V. Paranjape



**Semester I**  
**LL.B.(Hons):1.5 – H<sub>1</sub>**  
**1. Indian Federalism (CL Group)**

***Honours – 1: Constitutional Law Group***

End Semester -80

Internal Assessment -20

Total Marks: 100

**Credit: 6**  
**Marks**

<b>Unit 1: Federalism</b>	<b>16</b>
1.1 Definition and characteristics of federalism	
1.2 Backgrounds of federal principle under the Indian Constitution	
1.3 Advantage & Disadvantage	
1.3.1 Advantages and disadvantages of Federal Constitution	
1.3.2 Advantages and disadvantages of Unitary Constitution	
<b>Unit 2: Modification of the strict federal principle under Indian Constitution</b>	<b>16</b>
2.1 Governor's Role	
2.2 Centre's power over the State at the time of State Emergency	
2.3 Jammu and Kashmir Special status	
<b>Unit 3: Comparative study on federalism in</b>	<b>16</b>
3.1 India	
3.2 U.K. and	
3.3 USA	
<b>Unit 4: Centre-State Relations—</b>	<b>16</b>
4.1 Legislative Relation	
4.2 Administrative Relation	
4.3 Financial Relation	
<b>Unit 5: Types of Federalism</b>	<b>16</b>
5.1 Confederation	
5.2 Co-operative Federalism	
<b>Internal Assessment</b>	<b>20</b>

**Referred Cases:**

1. S.RBomma v. Union of India, AIR1994, SC1918
2. Atiabari Tea Co. v. State of Assam, 1961,(1) S.C.R 809
3. GangaramMoolchandani v. State of Rajasthan, AIR 2001, SC,2616
4. Rajaram Pal v. Hon'bleSpakerLokSabha,(2007) 3 SCC 184
5. Khyebari Tea co. v. State of Assam, AIR 1964,SC 925
6. State of West Bengal v. Union of India, AIR 1963, SC 1241

**Recommended Books:**

1. D.D. Basu. : Comparative Federalism
2. D.D. Basu. : Comparative Constitutional Law
3. U.N. Fufta. : Federalism in India
4. H.M. Sreevai. : Constitutional Law of India
5. M.P. Jain: Constitutional Law of India.
6. K.C. Wheare: Federal Government

**Semester I**  
**LL.B.(Hons):1.5 – H<sub>1</sub>**

**2. Corporate Governance(BL Group)**

***Honours – 1:Business Law Group***

End Semester -80

Internal Assessment -20

Total Marks: 100

**Credit: 6**  
**Marks**

**Unit 1: Formation, Registration & Incorporation of Company**

**16**

- 1.1 Nature and Kinds of Company
- 1.2 Promoters: Position, Duties & Liabilities

**Unit 2: Memorandum and Article of association**

**16**

- 2.1 Uses & Abuses of the corporate form, lifting of Corporate Veil
- 2.2 Memorandum of Association, alteration & the doctrine of Ultra – Virus
- 2.3 Article of Association, binding nature, alteration

**Unit 3: Capital Formation and Regulation**

**16**

- 3.1 Prospectus: Issues, Contents, Kinds, Liability for misstatement and statement in lieu of Prospectus  
The nature & classification of Company Security  
Share & general principle of allotment  
Share Capital  
Debentures- Kinds, Shareholder & Debenture holder

**Unit 4: Corporate Administration**

**16**

- 4.1 Directors- Kind, powers & duties
- 4.2 Insider trading
- 4.3 Meeting- Kinds & Procedure
- 4.4 The balance of within Companies
  - 4.4.1 Prevention of Oppression
  - 4.4.2 Power of Court & Central Government
- 4.5 Legal liability of Company- Civil, Criminal, Tortuous & Environmental

**Unit 5: Winding up of Company**

**16**

- 5.1 Kinds, consequences & reason of Winding up
- 5.2 Role of Court
- 5.3 Payment of Liability

**Internal Assessment:**

**20**

**Referred Cases**

1. Salman v. Salmon & Company Ltd. (1897)AC 22
2. Lee v. Lee's Air Farming Ltd. (1961) AC 12
3. S.P. Jain v. Kalinga Tubes Ltd. AIR 1965 SC 1535

**Recommended Books:**

1. Indian Company Law - Avtar Singh
2. Company Law - Palmer
3. Guide to Companies Act –Ramiaya
4. Law of Corporation- Carry
5. Principles of Modern Company Law- L.C.B. Grower
6. Guide to Memorandum, Articles and Incorporation of Companies- M.C. Bhandari & Mukheeja

**Semester I**  
**LL.B.(Hons):1.5 – H<sub>1</sub>**

**4. CRIMINAL JURISPRUDENCE-1 (CrL Group)**

***Honours – 1: Crime and Criminology Group***

End Semester -80

Internal Assessment -20

Total Marks: 100

**Credit: 6**  
**Marks**

**UNIT 1: History of Criminal Law**

16

- 1.1.1 Criminal Jurisprudence in Primitive age
- 1.1.2 Development of Criminal Law
- 1.1.3 Criminal Law and India

**UNIT 2: Nature and Definition of Crime**

16

- 2.1 Types of Wrong
- 2.2 Test of Criminality
- 2.3 Distinction between Civil and Criminal Wrong

**UNIT 3: Elements of Crime and Theories of Criminal Liability**

16

- 3.1 Principles of Legality
- 3.2 Subjective Theory
- 3.3 Objective Theory

**UNIT 4: Mental Elements in Crime**

16

- 4.1 *Mensrea* and *actusreus*
  - 4.1.1 Intention
  - 4.1.2 Knowledge
  - 4.1.3 Recklessness
  - 4.1.4 Negligence

**UNIT 5: Group Liabilities**

16

- 5.1 Vicarious Liability
- 5.2 Strict Liability and Absolute Liability
- 5.3 Liability of Corporations

**Internal Assessment**

20

**Referred Cases**

1. *Bachan Sing Vs. State of Punjab (1980) 2 – SCC 684 (Capital Punishment)*
2. *GianKaurVs. State of Punjab, (1996) 2 SCC 648 (Euthanasia – Mercy Killing)*
3. *Joti Prasad V State of Haryana AIR 1973 SC 1167*
4. *Umesh Chandra V State of Rajasthan, (1982) 2 SCC 202*

**Referred Books**

1. Principles of Criminal Law, R.C. Nigam
2. Criminal Law, Smith and Hogan
3. PSAPillai's Criminal Law, K I Vibhuti
4. Law of Crime, RatanLal&DhirajLal

<b>SEMESTER – II</b>			
<b>Code</b>	<b>Paper</b>	<b>Credits</b>	<b>Marks</b>
LL.B.: 2.1	Constitutional Law of India – II	8	100
LL.B.: 2.2	Family Law – II	7	100
LL.B.: 2.3	Specific Contract	8	100
LL.B.: 2.4 OP <sub>1</sub>	<b>Optional – 1</b> , any one from following: 1. Land Laws of Assam 2. Securities Law (BLGroup)	7	100
LL.B. (Hons): 2.5 H <sub>2</sub>	<b>Honours – 2</b> , any one from following: 1. Right to Education(CL group) 2. International Trade Law (BLGroup) 3. Criminal jurisprudence-II(CrLGroup)	6	100
Total for Non Honours Course		<b>30</b>	<b>400</b>
Total for Honours Course		<b>36</b>	<b>500</b>

**Semester II**  
**LL.B.:2.1**  
**Constitutional Law of India – II**

<b>End Semester -80</b>	
<b>Internal Assessment -20</b>	<b>Credit8</b>
<b>Total Marks: 100</b>	
	<b>Marks</b>
<b>Unit 1: The Union and the State Executive</b>	<b>16</b>
1.1 The Union and the State Executive	
1.1.1 The President of India –qualification –election –term of office –power – impeachment. (Article 52 – 72)	
1.1.2 The Governor –appointment and powers. (Article 153, 261)	
1.1.3 Relationship between the President and Governor with the Council of Ministers. (Article 73, 162)	
1.1.4 Nature, scope and extent of executive powers of the Union and the States –Articles 73 & 162.	
1.2 The Union Parliament and State Legislatures	
1.2.1 Compositions of the Parliament and State Legislatures.	
1.2.2 Qualification/Disqualification of Members of Parliament and State Legislatures –Anti Defection Law.	
1.2.3 Prime Minister –Cabinet System –Collective Responsibility	
1.2.4 Legislative Process –Legislative Privileges –Immunities of members of the Parliament and state legislature. (Article 105, 195)	
<b>Unit 2: Union and State Judiciary</b>	<b>16</b>
2.1 Supreme Court of India –Composition –appointment and removal of Judges of the Supreme Court. (Article 124 – 147)	
2.2 High Courts in the States	
2.3 Jurisdiction of Supreme Court –original/appellate/advisory jurisdiction – statutory appeal- special leave to appeal –power of review-	
2.4 Writs (32-226)	
2.5 Judicial Review (nature and scope) –independence of the Judiciary –Judicial activism –PIL	
<b>Unit 3: Relationship between the Union and the States</b>	<b>16</b>
3.1 Distribution of Legislative Powers.	
3.2 Administrative Relation.	
3.3 Financial Relation.	
<b>Unit 4: Amendment of the Constitution and Emergency Provisions</b>	<b>16</b>
4.1 Amendment of the Constitution	
4.1.1 Power of the Parliament to amend the Constitution and procedures (Article 368)	
4.1.2 Limitation on the power to amend the Constitution –Doctrine of basic feature/structure	
4.2 Emergency Provisions	
4.2.1 National Emergency	
4.2.2 State Emergency –Grounds of imposition	
4.2.3 Financial Emergency	
4.2.4 Effect of declaration of emergency –emergency and fundamental rights -44 <sup>th</sup> Amendment Act.	

**Unit 5: Freedom of Trade, Commerce and Intercourse within the Territory of India, services under the Union and States** **16**

- 5.1 Freedom of trade, Commerce and Intercourse –meaning-power of the Parliament –restrictions.
- 5.2 Services under the Union and the States –Doctrine of Pleasure –protection against arbitrary dismissal, removal or reduction in rank –Exception of Article 311.

**Internal Assessment**

**20**

**Referred Cases:**

- 1 KesavanandaBharati Vs. State of Kerala, AIR 1973 SC 1461
- 2 Maneka Gandhi Vs. Union of India, AIR 1978 SC 597
- 3 In Reference No. of 1998 (Judges Appointment Case), AIR 1999 SC 1
- 4 SR Bomai Vs. Union of India, AIR 1994 SC 1918
- 5 KuldeepNayar Vs. Union of India, AIR 2006 SC 312
- 6 A.D.M. Jabalpur Vs. SrikanthShukla, AIR 1976 SC 1207
- 7 Rameswar Prasad Vs. Union of Inda, AIR 2006 SC 980
- 8 Powers, Privileges and Immunties of State Legislatures, Re, AIR 1965 SC 745
- 9 Union of India Vs. Tulshi Ram, AIR 1985 SC 1416
- 10 Atiabari Tea State Co. Vs. State of Assam, AIR 1961 SC 232

**Recommended Books**

- 1. Dr. J. N. Pandey –Constitutional Law of India.
- 2. D. D. Basu –Shorter Constitution of India.
- 3. V. N. Shukla –Constitutional Law of India.
- 4. M. P. Jain –Constitutional Law of India.
- 5. H. M. Sreevai –Constitutional Law of India.

**Semester II**  
**LL.B.:2.2**  
**Family Law – II**

End Semester -80  
Internal Assessment -20  
Total Marks: 100

**Credit – 7**

	<b>Marks</b>
<b>Unit 1: General Conception, School and Application of Muslim Laws</b>	<b>16</b>
1.1 General conception: who is Muslim, Fiqh, Sources etc.	
1.2 Schools of Muslim Law	
1.3 Application of Muslim Law	
<b>Unit 2: Marriage Laws</b>	<b>16</b>
2.1 Nikah (Muslim Marriage):	
2.1.1 Definition, objects and nature	
2.1.2 Essentials and validity	
2.2 Obligations arising out of marriage :	
2.2.1 Mahr: concept, kinds & quantum;	
2.2.2 Maintenance etc.	
2.3 Civil Marriage Concept	
2.4 Dissolution of Marriage under Muslim Law	
2.4.1 By death	
2.4.2 By the act of either party	
2.4.3 By mutual consent	
2.4.4 By court	
2.5 Indian Divorce Act and Parsi Marriage Act	
<b>Unit 3: Principles of Inheritance and Gift</b>	<b>16</b>
3.1 Inheritance under Muslim Law:	
3.1.1 General Principles of Inheritance	
3.1.2 Its legal impact	
3.1.3 Difference between Shia and Sunni	
3.1.4 Uniform Civil Code	
3.2 Gift:	
3.2.1 Concept of Hiba,	
3.2.2 Kinds of Hiba,	
3.2.3 Revocation of Hiba	
<b>Unit 4: Religious and Charitable Endowments</b>	<b>16</b>
4.1 Waqf under Muslim Law:	
4.1.1 Meaning, Kinds, Rights and Characteristics,	
4.1.2 Advantages and disadvantage	
4.1.3 Objects and purpose	
4.1.4 Methods of creation of waqf	
4.2 Mosques – objects, kind, requisites	
4.3 Pre-emption – Origin, Definition, Classification, Subject matter, formalities, effects, constitutional validity	
<b>Unit V: Guardianship and Maintenance</b>	<b>16</b>
5.1 Guardianship under Muslim Law	
5.1.1 Entitlement to guardianship,	
5.1.2 Rights, obligations and disqualification of a guardian	
5.2 Maintenance under Muslim Law	
5.2.1 Entitlement to maintenance	

- 5.2.2 Rights, obligations and disqualification of maintenance
- 5.2.3 Kharcha -e- pandan
- 5.2.4 Muslim Women (Protection of Rights on Divorce) Act, 1986
- 5.2.5 Maintenance under the Code of Criminal Procedure, 1973

### **Internal Assessment**

**20**

#### **Referred Cases:**

1. Abdul Khadar Vs. Taib Begum AIR 1957
2. Abdul Latif Mandal Vs. Anwar Khatoon (2002) 1, CLJ 186
3. Hamida Bibi Vs. Zubaida Bibi, (1916), 43 IA 294
4. Maina Bibi Vs. Choudhury Vakil Ahmed (1924) 52 IA 145
5. Sarala Mudgal Vs. Union of India (1985) 3, SCC 635

#### **Recommended Books:**

1. Outlines of Mohammadan Law – A. A. A. Fyzee
2. Muslim Law of India - Tahir Mahmood
3. Mohammadan Law : Aqil Ahmad
4. Ameer Ali: Mahomedan Law
5. Mulla : Principle of Mohammedan Law
6. Tyabji : Muslim Law
7. Sir William Jones: The Mohammedon Law of Inheritance
8. Wilson and Ali: Aglo-Mahomedan Law



**Semester II**  
**LL.B.:2.3**  
**Specific Contract**

End Semester -80  
Internal Assessment -20  
Total Marks: 100

	<b>Credit</b>
	<b>8</b>
	<b>Marks</b>
<b>UNIT 1:Contract of indemnity and guarantee:</b>	<b>16</b>
1.1 Definition, nature.	
1.2 Rights, duties and liabilities.	
1.3 Interrelation between the parties.	
<b>UNIT 2:Bailment and Pledge:</b>	<b>16</b>
1.1 Definition, nature.	
1.2 Rights, duties and liabilities.	
1.3 Interrelation between the parties.	
<b>UNIT 3:Contract of Agency:</b>	<b>16</b>
1.1 Definition, nature.	
1.2 Rights, duties and liabilities.	
1.3 Interrelation between the parties.	
<b>UNIT 4:The Indian Partnership Act: 1932</b>	<b>16</b>
1.1 Definition, nature kinds,	
1.2 Rights, duties, liabilities and interrelations between the partners,	
1.3 Registration of partnership,	
1.4 Limited liability partnership,	
1.5 Dissolution of partnership	
<b>UNIT 5:The Sales of Goods Act: 1930</b>	<b>16</b>
1.1 Definition, nature,	
1.2 Rights, duties and liabilities of buyer and seller,	
1.3 Condition and warranty.	
1.4 Doctrine of Caveat Emptor	
1.5 Rights of unpaid seller.	

**Internal Assessment**  
**20**

**Referred Cases:**

1. Gajanan Moreshwar Vs. Moreshwar Madan, AIR 1942, Bombay, 302
2. Kaliapermal Pillai Vs. Visalaxmi, AIR 1938 Madrash, 32
3. Union of India Vs. Anawar Singh
4. Delhi Electric Supply undertaking Vs. Basanti Devi and other, AIR 2005 SC 43
5. Sarswati Devi Vs. Motilal, AIR 1928, Raj. 108

**Books Recommended:**

- Beatesen (ed), *Anson's law of Contract* ( 27<sup>th</sup>ed 1998)
- P.S. Atiya, *-Introduction to the law of contract* 1992 reprint.
- Avtar Singh – *Law of contract* 2000.
- M. Krishnam Nair – *Law of Contract*
- *Mulla on contract* :Commentory by J.H. Dalal.
- Avtar Singh, *Principles of Law of Sale of Goods and Hire Purchase* (1998), Eastern, Lucknow

- J.P. Verma (ed.), Singh and Gupta, *The Law of partnership in India* (1999), Orient Law House, New Delhi
- A.G. Guest (ed.), Benjamin's *Sale of Goods* (1992), Sweet and Maxwell.
- Bhashyam and Adiga, *The Negotiable Instruments Act* (1995), Bharath, Allahbad
- M.S. parthasarathy (ed.), J.S. Khergamvala, *The Negotiable Instruments Act*
- Saharaya, H.K., *Indian Partnership and Sale of Goods Act* (2000) Universal
- Ramnainga, *The Sales of Goods Act* (1998) Universal

**Semester II**  
**LL.B.:2.4 OP<sub>1</sub>**  
**1. Land Laws of Assam**

**Optional -1**  
End Semester -80  
Internal Assessment -20  
Total Marks: 100

Credit 7

**Unit1: Introduction** 16

- 1.1 Origin of Land Rights in Assam, Proprietor, Land-holder and Settlement holder, other than land holder.
- 1.2 Assam Land and Revenue Regulation, 1881, Definitions; rights over land – acquisition of rights over land, rights of proprietors, land holders, settlement holders,
- 1.3 Allotment of grazing land, disposal of government waste land, rights in fishery.

**Unit 2: Land Revenue** 16

- 2.1 *Settlement & Resumption under the Assam Land & Revenue Regulation, 1886* – Settlement, operation, procedure for settlement – survey & demarcation of land – preparation of record of rights – assessment of land revenue; resumption, Hoe tax.
- 2.2 Mutation – classes of persons entitled to pray mutation – obligation to pray for mutation – procedure for mutation; field mutation;
- 2.3 Arrears & Mode of recovering it – defaulter – defaulting estate; models of recovering Arrears – Attachment & sale of movables – attachment of defaulting estate – sale of defaulting estate, sale of immovable property other than the defaulting estate.

**Unit 3: Partition** 16

- 3.1 partition – meaning – need – who can sue for partition – procedure – restriction for partition.
- 3.2 Powers of officers – revenue officers – procedure and appeals – matters exempted for cognizance of civil court.
- 3.3 Protection of backward classes - tribal belts & blocks.

**Unit 4: State legislations on tenancy** 16

- 4.1 The Assam non-Agricultural Urban Areas Tenancy Act, 1955
- 4.2 The Assam (Temporarily Settled Areas Tenancy) Act, 1971.

**Unit – 5: State Legislations on –** 16

- 5.1 Rent control:- The Assam Urban Areas Rent Control Act, 1972
- 5.2 Ceiling on land:- The Assam Fixation of Land Holding Act, 1956.
- 5.2 Land Requisition & Acquisition:- The Assam Land (Requisition & Acquisition) Act, 1964.

**Internal Assessment** 20

**Referred cases:**

1. Swasna brahma v. Assam Board of Revenue, AIR, 1972, GAU 121
2. Refiqunnessa v. LalBahadurChetri, AIR 1964 SC 1511
3. Kali Kumar Sen v. MohanlalBiswas AIR 1969 ASM 66(FB)
4. Satyaranjan v. Assam Board of Revenue AIR 1999 GAU-83(FB)

**Recommended Books:**

1. O.D. Iadia, “Land laws in Assam & Meghalaya”, Assam Law House, Guwahati.
2. K.C. Mazumdar, “Commentaries on Land Laws of Assam”, Assam Law house, Guwahati
3. J.N. Das, “Land laws of Assam, ed. Book land, Guwahati
4. K.N. Saikia, “Land Laws of Assam”

**Semester III**  
**LL.B.:2.4OP<sub>1</sub>**  
**2. Securities Law (BL Group)**

**Optional – 1**

End Semester Marks: 80

Internal Assessment: 20

Total Marks: 100

Credit 6

**Unit 1: Securities Contract (Regulation) Act, 1956**

Marks

16

- 1.1 Recognised Stock Exchanges.
- 1.2 Power of Central Government and SEBI in case of recognition and suspension of Stock Exchange,
- 1.2 Contract of Securities,
- 1.3 Contract of Derivatives,
- 1.5 Requirement of listing of securities,

**Unit 2: Securities Exchange Board of India Act, 1992**

16

- 2.1 Need and objectives of the SEBI Act,
- 2.2 Constitution of the SEBI,
- 2.3 Power and function of the SEBI,
- 2.4 Securities Appellate Tribunal and its procedure.

**Unit 3: Depositories Act, 1996**

16

- 3.1 Definitions
- 3.2 Setting up of depository,
- 3.3 Role and functions of depository,
- 3.4 Depository participants
- 3.5 Inspection and penalties, Internal audit and concurrent audit of depository participants,
- 3.6 Overview of depository system in India.

**Unit 4: Capital Market**

16

- 4.1 Importance of Capital Market in the context of Liberalisation, privatisation and globalisation,
- 4.2 Capital Market instrument and Rating
- 4.3 Capital Market intermediaries,
- 4.4 Secondary Market Institutions,
- 4.5 Mutual funds,
- 4.6 Venture Capital,
- 4.7 Collective Investment Schemes,
- 4.8 Buy- Back of Securities

**Unit 5: Issue Management and Compliances**

16

- 5.1 Importance of issue of capital and resource mobilisation
- 5.2 Issue of Capital,
- 5.3 Resource mobilisation and International Capital Market,
- 5.4 Indian Depository Receipts.

**Internal Assessment**

20

**Recommended Books-**

1. E. Gordon & K. Natarajan – Capital Market in India, Himalaya Publishing House, Ramdood,, Dr.Bhalerao Marg, Girgaon, Mumbai, 400004
2. Sanjeev Aggarwal :- Guid to Indian Capital Market, Bharat Law House, 22, Tarun Enclave, Pitampura, New Delhi -110034
3. V.L.Iyer: SEBI Practice Manual, Taxman Allied Service (P) Ltd. 59/32, New Rohtak Road, New Delhi-110005
4. V.K.Bhalla – Investment management Security Analysis and Portfolio Management, S. Chand & Co. Ltd.
5. Students are advised to read relevant Bare Acts and Rules and Regulation relating thereto.

**Semester II**  
**LL.B.(Hons) 2.5 H<sub>2</sub>**  
**1. Right to Education (CL Group)**

**Honours-2: Constitutional Law Group**

End Semester Marks: 80

Internal Assessment: 20

Total Marks: 100

Credit 6

**Marks**

<b>Unit 1:</b>	16
1.1 Right to Education and U.N.	
1.2 Right to education – Article 21-A	
1.3 Judicial Activism for Right to Education.	
1.4 Directive principles of State policy (Art. 41 & 45)	
1.5 Reasonable classification, Affirmative Action by the State.	
<b>Unit 2: Minority and Education</b>	16
2.1 Minority Rights – Art. 25	
2.2 Art 29	
2.3 Art. 30	
2.4 No discrimination in grants in –aid	
<b>Unit 3:</b>	16
3.1 Article 246 read with 7 <sup>th</sup> Schedule	
3.2 Concurrent List entry, 25	
3.3 Union List 63,64,65 & 66	
3.4 Transfer of education from State List to Concurrent List	
3.5 Right to Education Act 2009: Merits and Demerits	
<b>Unit 4: Higher education Regulatory authority</b>	16
4.1 U.G.C. Act 1965	
4.2 Rules regarding legal Education by Bar council of India	
4.3 National Knowledge Commission	
4.4 National Higher Education & Research Council (Bill)	
<b>Unit 5: Judicial Process and Education</b>	16
1.1 Judicial review	
1.2 Educational Tribunal	
1.3 Rules of Natural Justice	
<b>Internal Assessment</b>	<b>20</b>

**Referred Cases:**

1. Mohini Jain v. State of Karnataka, 1992(3)SCC 666
2. Unni Krishnan v. State of A.P (1993) 1 SCC 645
3. P.AInamdar v. State of Maharashtra, AIR 2005 SC 3226

**Suggested Readings:**

86<sup>th</sup> constitutional Amendment act 2002

93<sup>rd</sup> amendment act 2005

Malick.Surendra, 'Supreme Court on Educational institutions' EBC, Lucknow

H.MSreevai: Constitutional Law of India

D.DBasu: Constitutional Law of India

J.N Pandey: Constitutional Law of India

**Semester II**  
**LL.B. (Hons) 2.5 H<sub>2</sub>**  
**2. International Trade Law (BL Group)**

**Honours-2:Business Law Group**

End Semester Marks: 80

Internal Assessment: 20

Total Marks:100

**(Credit : 6)**  
**Marks**

<b>Unit 1:</b> Concept and theories of international trade:	16
1.1 Meaning of trade, international trade	
1.2 Inter-relation between international trade, inter-State trade and intra-State trade	
1.3 Theories of international trade	
<b>Unit 2:</b> International trade and treaties:	16
2.1 Institutionalisation of international trade	
2.2 Establishment of WTO, need, objectives and powers and functions of WTO	
<b>Unit 3:-</b> Economic Blocks and trade:	16
3.1 Agreements such as ASEAN, EU, SAPTA, NAFTA	
3.2 India's free trade	
3.3 Economic co-operation and partnership agreements	
<b>Unit 4:-</b> Anti-dumping, subsidies and countervailing duties:	16
4.1 WTO agreements or anti-dumping	
4.2 Safeguard measures	
4.3 Subsidies & countervailing duties	
4.5 Regulatory framework and procedure in India	
<b>Unit 5:-</b> Settlement of disputes under WTO:	16
5.1 Rules	
5.2 Regulations	
5.3 Procedures relating to settlement of disputes under WTO	

**Recommended Books-**

1. R.K. Gupta- Safeguards countervailing and anti-dumping measures, Academy of business study, Ansary Road, New Delhi-110002
2. D.C. Singhanian- Foreign collaboration and investment in india, Universal Law Publishing Co. Pvt. Ltd. New Delhi
3. M.B. Rao&Manjula Guru- WTO and International Trade; Vikas Publishing House, Pvt. Ltd. A-22 Sector-4 Noida-201301
4. M.G. Sasvraja- World Trade Organisation, Serial Publication Khyberpas Market, Civil Market , Delhi-54
5. dr. Raj Agarwal- Joint Venture – Law and Management, Bharti Publishing House' New Delhi.

**Semester II**  
**LL.B. (Hons) 2.5 H<sub>2</sub>**

**CRIMINAL JURISPRUDENCE-II (CrL Group)**

***Honours – 2: Criminal Law Group***

***End Semester: 80***

***Internal Assessment: 20***

***Total Marks: 100***

***Credits: 6***  
***Marks***

**Unit 1 Inchoate Crime**

16

- 1.1 Attempt
- 1.2 Abetment
- 1.3 Criminal Conspiracy

**Unit 2 General Defences-I**

16

- 2.1 Excusable Defences (I)
  - 2.1.1 Accident
  - 2.1.2 Necessity
  - 2.1.3 Duress or Compulsion

**Unit 3 General Defences II**

16

- 3.1 Excusable Defences (II)
  - 3.1.1 Non-mentality
    - 3.1.1.1 Infancy
    - 3.1.1.2 Unsoundness of mind
    - 3.1.1.3 Intoxication

**Unit 4 Justifiable Defences**

16

- 4.1 Right of Private Defence
- 4.2 Limits on the Right of Private Defence

**Unit 5 Rights and Protection of the Accused**

16

- 5.1 Innocence of the Accused
- 5.2 Protection under the Constitution of India
- 5.3 Legal Aid to Poor Accused
- 5.4 New Judicial Trend

**Internal Assessment**

**20**

**Referred Cases**

1. Houghton V Smith (1975) AC 476(HL)
2. Malkiat Singh V State of Punjab AIR 1970 SC 713
3. Mod Khalid V State of W.B. (2002) 7SCC 334
4. State of T.N. VsNalini&ors AIR 1999 SC2640
5. M. S. Hoskot V State of Maharastra AIR 1978 SC 1548

**Referred Books**

1. Text Book of Criminal Law, Glanville Williams
2. R. C. Nigam, Principles of Criminal Law
3. Andrew Ashworth, Principles of Criminal Law