

**DEVI AHILYA VISHWAVIDYALAYA,  
GENERAL RULES FOR THREE YEARS' LAW COURSE  
(SEMESTER SYSTEM)**

1. The LL. B. (Hons.) course shall be a three year degree course (T.Y.D.C.) namely. LL B. (Hons.) First Year (I & II Semester), LL B (Hons.) Second Year (III & IV Semester) and LL. B. (Hons.) Final Year (V & VI Semester) and shall be of three year duration. All the teaching time-span in colleges shall be full time (day) colleges.
2. Candidates seeking admission to the LL. B. (Hons.) degree course must have passed degree examination from any recognized University and must have secured minimum 45% of marks for general category and 40% in case of S.C/S.T. applicants.
3. Candidates for the LL. B. (Hons.) Three Year Degree Course shall be required to pass six semester examinations which shall be held in the month of December and May of each academic year.
4. Students shall be required to put in a minimum 75% attendance of the lectures in each of the subjects as also at tutorials, moot courts and practical training course.  
Provided that in exceptional cases for reasons to be recorded and communicated to the Bar Council of India the Dean of the Faculty of Law and the Principal of Law Colleges may condone attendance short of those required by the Rule, if the student had attended 70% of the lectures in the aggregate for the semester.
5. A Candidate who, after taking the Bachelor's degree of this University or of any other University recognized for this purpose, has completed a regular course of study of law in a constituent or an affiliated College of this University for an academic semester, shall be eligible for appearing in the aforesaid examination.

6. Rules for. promotion to the next semester and higher class of 3YDC:

(i) From. odd semester to even semester:

A candidate who has appeared in the odd-semester (Theory and Practical examination) of any particular year shall be: promoted to an even Semester of that year (i.e. from I to II, from III to IV and from V to VI Semester) irrespective of failing in any number of theory and practical examination of that semester.

(ii) From. even semester to odd semester:

A candidate shall be entitled to carry a backlog of papers for his promotion from even semester to odd semester of next academic sessions, as under:-

(a) A backlog of two papers (Theory and/or Practical) for his promotion from Second Semester of LL.B. (Hons.) First Year to Third Semester of LL.B. (Hons.) Second Year.

(b) A backlog of four papers (Theory and/or Practical) (inclusive a backlog of two papers of LL.B. (Hons.) First Year) for his promotion from Fourth Semester of LL.B.(Hons.) Second Year to Fifth Semester of LL.B.(Hons.) Final/Third year.

(iii) The minimum passing marks in each, paper (Theory & practical) shall be 40 marks and passing marks in aggregate (Theory/Practical) shall be 50 percent of that Semester Examination.

(iv) A candidate shall be allowed to carry a particular semester if he has acquired minimum passing marks in all the papers (Theory/Practical) of that semester and has failed in aggregate by reason thereof, such a candidate shall be allowed to reappear in semester examination in any number of papers of his choice in which he has acquired minimum passing marks in that semester in order to pass in aggregate in such semester examination but shall not be allowed to reappear in any paper (Theory/Practical) in which he has already acquired passing marks, that is 50% or more marks.

- (v) A candidate shall not be permitted to appear/reappear in any examination or any paper in which he has been declared pass by the university for any purpose whatever.
7. Ex-studentship :
- Subject to the general rule of promotion, from odd Semester to even Semester, a candidate shall become ex-student of LL.B.(Hons.) First Year, LL.B. (Hons.) Second Year and LL.B. (Hons.) Third/Final Year as under:
- (a) Ex student in LL. B. (Hons.) First Year- If he carries backlog of three or more papers (Theory and/or Practical) in First and/or Second Semester of LL. B. (Hons.) First Year.
  - (b) Ex-student in LL. B. (Hons.) Second Year - If he carries backlog of three or more papers (Theory and/or Practical) in Third and/or Fourth Semester of LL.B. (Hons.) Second Year.
  - (c) Ex-student in LL. B. (Hons.) Third/Final Year - If he carries a backlog of any paper (Theory and/or Practical) in Fifth and Sixth Semester of LL. B. (Hons.) Third/Final Year.
8. A candidate failing in aggregate in any semester and carrying any semester by reason thereof in LL.B (Hons.) First Year, LL.B. (Hons) Second Year and/or LL.B.(Hons) Year or after the declaration of his result of Sixth Semester of LL.B. (Hons.) Third/Final Year shall also be deemed to be, an Ex-student. He shall be entitled to pass the, backlog of semester for passing in aggregate.
9. Revaluation of answer books shall be allowed as per provision of ordinance No. 6 of University.
10. The subjects and papers for each year of LL.B. (Hons.) shall be prescribed by the Faculty of Law on the recommendations of the Board of Studies. Unless otherwise provided each paper will carry 100 marks and will be of 3 hours duration.

11. If not provided otherwise the candidates will have to pass separately in written papers and practical.
12. The minimum passing marks in each years examination shall be 50 percent in the aggregate of all the papers and 40 percent marks in each individual paper. Division to successful candidates for the LL. B. (Hons.) degree will be assigned at the end of Final Year Examination on the basis of the aggregate. The total marks obtained by him at the LL. B. (Hons) First Year; Second Year and Final Year Examinations i.e. all Six Semesters as under :

First Division 60 percent or above of the aggregate marks

Second Division 50 percent or above of the aggregate marks

- Note**
- (i) No third division shall be awarded**
  - (ii) Candidates who obtain 75 percent or more marks in aggregate shall be declared to have passed the LL B (Hons.) degree course in First Division with distinction.**
  - (iii) V.C. Grace mark as per rule can be awarded.**

13. For each paper there shall be lecture classes for atleast 24 hours per week.
14. Candidates appearing for the LL.B. Examination shall have the option of answering questions through the medium of Hindi. (Devnagri Script) or English.
15. These rules. are subject to change in accordance with the directives of Bar Council of India and instructions issued by department of Higher Education, Govt. of M P from time to time and adopted and notified by the University.

- Note :**
- 1. These rules are subject to alteration from time to time. :**
  - 2. These rules are subject to the provisions of the Act, Statutes and Ordinances as in force from time to time.**

### **Special Rules for LL. B. (Hons.) Course**

1. There shall be semesterisation of all courses and. papers offered for LL.B. Honours.
2. The Maximum Number of student enrolment shall be as per state Govt./DAVV & BCI rules.
3. New Pedagogic Strategies including Problem-cum-case, Seminar Methods and Audio-visual techniques including use of internet facilities are to be followed.
4. The LL. B. Honours Courses shall be emphasized on self-learning process by the students.

**LL.B. (HONS) PART I SEMESTER I  
PAPER-I, CONSTITUTIONAL LAW-I**

**UNIT-I Introduction**

1. Preamble
2. Nature of Indian Constitution
3. Characteristics of federalism
4. Unitary form of Government.

**UNIT-II Citizenship, Fundamental Rights**

1. Citizenship
2. State
3. Fundamental Rights – Equality, freedom and social control, personal liberty, changing dimensions of personal liberty, cultural and educational rights.
4. Right to constitutional remedies

**UNIT-III Fundamental duties, Directive Principles**

1. Directive Principles of State policy.
2. Inter relationship between fundamental rights and directive principles.
3. Fundamental duties.

**UNIT-IV Union Executive, Legislature and Judiciary**

1. Union Executive – the President, Vice President
2. Union Legislature – Council of Ministers
3. Union Judiciary – Supreme Court.

## **UNIT-V State Executive, Legislature and judiciary**

1. State Executive – Governor
2. State Legislature – *Vidhan Sabha – Vidhan Parishad*
3. State Judiciary – High Court.

### **Selected Bibliography –**

1. V.N. Shukla Constitution of India
2. J.N. Pandey Constitutional law of India
3. D.D. Basu Constitution of India
4. M.P. Jain Constitution of India
5. H.M. Seervai Constitution law of India (Vols. 3)
6. Lippman Constitution law
7. Kauper Constitution law Cases and Materials
8. Woll Constitution law Cases and Comments
9. Basu Select Constitutions of the World
10. Carwin Constitution of U.S.
11. Lane An Introduction to the Constitution law.
12. Kailash Rai Constitutional Law of India
13. Dr. Basantilal Babel Hkkjr dk I fo/kku
14. Dr. V.N. Shukla Hkkjr dk I fo/kku
15. Dr. D.K. Tripathi Hkkjr dk I fo/kku

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**LL.B. (HONS) PART I SEMESTER I  
PAPER-II, LAW OF CONTRACT-I**

**UNIT-I Introduction**

1. History and nature of contracted obligations
2. Agreement and contract : definitions, elements and kinds of contract.
3. Proposal and acceptance
4. Consideration

**UNIT-II Capacity to contract**

1. Free consent
2. Undue Influence
3. Misrepresentation
4. Fraud
5. Mistake
6. Unlawful Considerations and objects
7. Fraudulent

**UNIT-III Void and Voidable agreements**

1. Injurious to person or property
2. Immoral
3. Against public policy
4. Void and void able agreements
5. Contract without consideration
6. Agreements in restraint of marriage, trade etc.
7. Contingent contract, wagering contract and its exception.



#### **UNIT-IV Contractual obligations**

1. Contractual obligations – remedies-discharge of
2. Damages, remoteness of damages, ascertainment of damages
3. Government Contracts
4. Quasi Contractual obligation

#### **UNIT-V Specific Relief Act**

1. Specific performance of contract
2. Contract that can be specifically enforced & that cant be enforced
3. Persons against whom specific enforcement can be ordered
4. Rescission and cancellation
5. Injunctions-temporary, perpetual, mandatory, obligatory
6. Declaratory Decree.
7. Discretion and powers of court.

#### **Selected Bibliography –**

1. Beasten (ed.) Anson's Law of Contract (27 ed. 1998).
2. P.S. Atiya, Introduction to the Law of Contract 1992 reprint (Clarendon Law Series).
3. Avtar Singh, Law of Contract (2000) Eastern, Lucknow.
4. G.C. Cheshire, and H.S. Fifott and M.P. Furmston, Law of Contract (1992) ELBS with Butterworth's.
5. M. Krishnan Nair, Law of Contracts, (1998).
6. G.H. Trellat, Law of Contracts, Sweet & Maxwell (1997 reprint).
7. R.K. Abhichandani, (ed.) Pollock & Mulla on the Indian Contract and the Specific Relief Act (1999) Tripathi.
8. Banerjee, S.C. Law of Specific Relief (1998), Universal.
9. Anson, Law of Contract (1998), Universal.
10. Dutt on Contract (2000), Universal.
11. Anand & Aiyer, Law of Specific Relief (1999), Universal.
12. Kailash Rai, Contract I & Specific Relief Act.
13. , | -, | - JhokLro&I fonk&i Fke

**LL.B. (HONS) PART I SEMESTER I**  
**PAPER-III LABOUR and INDUSTRIAL LAW**

**UNIT-I General Introduction**

1. Industrial Jurisprudence
2. Labour policy in India
3. Industrial revolution in India, evils of Industrialization, Labour problems.
4. Growth of labour legislation in India.

**UNIT-II Industrial dispute Act, 1947**

1. Short title, definition & authorities
2. Notice of change
3. Reference of certain industrial disputes to grievance settlements  
Authorities, board, courts, tribunals.
4. Power procedure & duties of authorities.
5. Strike, lock out, lay, Retrenchment.
6. Penalties.

**UNIT-III Trade Union Act, 1926.**

1. Registration of trade union, recognition of trade union
2. Rights & Liabilities of registered trade union.
3. Regulation.
4. Penalties & procedure.

**UNIT-IV Wages**

1. Payment of wages Act 1936

2. Minimum wages Act 1948
3. Introduction & definition
4. Minimum wages : fixation & procedure.
5. Authorities under the Act
6. Fixation of hours of work & wages
7. Claims & their determination
8. Cognizance of offence
9. Maternity Benefit Act
10. Equal Remuneration Act

#### **UNIT-V Factories Act 1948 and Insurance**

1. Introduction, definition, registration & licencing
2. The inspecting staff
3. Health
4. Safety
5. Welfare
6. Working hours of adults
7. Females and children not to be employed in hazardous jobs
8. Annual leave with wages
9. Penalties & provisions.
10. Employees State Insurance Act.

#### **Selected Bibliography**

1. John Bowers and Simon Honeyball, Textbook on Labour Law (1996), Blackstone, London.
2. Shrivastava K.D. Commentaries on payment of wages Act 1936 (1998), Eastern, Lucknow.

3. Shrivastava K.D. Commentaries on minimum wages Act (1948) (1995), Eastern Allahabad.
4. Rao S.S. Law and Practice on minimum wages (1999), Law Publishing House, Allahabad.
5. Seth D.D. Commentaries on Disputes Act 1947 (1998), Law Publishing House, Allahabad.
6. Shrivastava K.D. Commentaries on factories Act 1948 (2000), Eastern Lucknow.
7. R.C. Saxena Labour problems and social welfare.
8. V.V. Giri Labour problems in Indian Industries.
9. O.P. Malhotra, The Law of Industrial Disputes (1998) Universal Delhi.
10. S.C. Srivastava, Social Securities and labour laws pts. 5 and 6 (1985), Universal Delhi.
11. S.C. Srivastava, Commentary on the Factories Act 1948), Universal Delhi.
12. Industrial Adjudication ILI, 2003 New Delhi.
13. Labour and Industrial Laws – Dr. V.G. Goswami
14. Labour and Industrial Laws – S.N. Mishra
15. Labour law – Indrajeet Singh
16. Jfed fof/k; k; & blnzt hr fl g
17. Jfed fof/k; k; & l w Lkjk; .k feJA

**LL.B. (HONS) PART I SEMESTER I**  
**PAPER IV FAMILY LAW 1 (HINDU LAW)**

**UNIT-I Introduction**

1. Nature of Hindu Law
2. Hinduism, Origin and Development, Definitions.
3. Schools and Sources.

**UNIT-II Marriage and Divorce**

1. Marriage
2. Kinds, nullity of marriage.
3. Hindu marriage Act, 1955.
4. Special marriage Act, 1954.
5. Divorce
6. Judicial separation, Restitution of conjugal rights.
7. Grounds for matrimonial remedies.

**UNIT-III Hindu Undivided Family**

1. Joint family (Hindu undivided family)
2. Coparcenaries, property under *Mitakshara* and *Dayabhag*.
3. Partition and Re-union, women estate, stridhan.

**UNIT-IV Gift, Wills and Adoption**

1. Gifts, wills.
2. Hindu adoption and maintenance Act, 1956.
3. Hindu Minority and Guardian Ship Act, 1956.

## **UNIT-V Inheritance**

1. General rules of Succession
2. Disqualification relating to Succession
3. Hindu Succession Act, 1956
4. Religious Endowment.

### **Selected Bibliography**

1. Paras Diwan, Law of Intestate and Testamentary Succession (1998), Universal.
2. Basu, N.D. Law of Succession (2000), Universal.
3. Kusum, Marriage and Divorce Law Manual (2000), Universal.
4. Manchanda, S.C. Law and Practice of Divorce in India (2000), Universal.
5. P.V. Kane, History of Dharmasastra Vol. 2 pt. 1 at 624-632 (1974).
6. Kuppuswami (ed.) Mayne's Hindu Law and Usage Ch. 4 (1986).
7. B. Sivaramaya, Inequalities and the law, (1985).
8. K.C. Daiya, "Population control through family planning in India." Indian Journal of Legal Studies, 85 (1979).
9. J.D.M. Derrett, Hindu Law : Past and Present.
10. B.M. Gandhi – Hindu Law
11. U.P.D. Kesari – fglñwfof/k
12. Dr. Paras Diwan – vk/kfud fglñwfof/k

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**LL.B. (HONS) PART I SEMESTER I**  
**PAPER V GENDER JUSTICE & FEMINIST JURISPRUDENCE**

**UNIT-I Women in Pre-Independence India**

1. Social and legal inequality
4. Social reform movement in India
5. Gandhian movement.
6. Nehru's views – joint family etc.
7. Karachi congress – Fundamental Rights Resolution.
8. Equality of sexes.

**UNIT-II Women in Post-Independence India**

1. Preamble of the Constitution – Equality provisions in fundamental Rights and Directive Principles of State Policy.
2. Negative Aspects of the Constitution – Exploitation of sex not mentioned in Article 23.
3. Different personal laws – unequal position of women.
4. Uniform Civil Code towards gender justice.
5. Indian tradition and family ideology: growth of feminism and schools of feminism.

**UNIT-III Sex Inequality in Inheritance Rights**

1. Continuance of feudal Institutions of joint family – women's inheritance position under Hindu Law.
2. Inheritance right of women under Christian law.
3. Inheritance right of women under Parsi law.
4. Inheritance right of women under Muslim law.

5. Movement towards uniform Civil Code.

#### **Unit-IV Matrimonial relations and its consequences**

1. Matrimonial Property.
2. Separation of property.
3. Maintenance of different system of personal law.
4. Division of assets on divorce.

#### **UNIT-V Social Welfare Laws for Women and Non-implementation of protective labour legislation.**

1. Maternity benefits Act.
2. Equal remuneration Act.
3. Factories Act.
4. Inequality in the work place.
5. Additional burden of domestic responsibilities.

#### **Selected Bibliography -**

1. Flevia Agn's et. al. Women and the Law
2. Meynei Hindu Woman & Marriage

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**LL.B. (HONS) PART I SEMESTER I**  
**PAPER-VI (Optional-A) WOMEN AND CRIMINAL LAW**

**UNIT-I Introduction**

crimes against women, nature, kinds, international commitments.

**UNIT-II Major Hardships to woman and Indian laws**

Rape, sexual harassment of working women in workplace, indecent representation of women-meaning, protection under Indian laws.

**UNIT-III Particular and general offences**

Dowry death, assault, unnatural offences – National protections.

**UNIT-IV Special offending act**

Immoral trafficking, female foeticide, kidnapping and abduction – National protections.

**UNIT-V Cruelty and violence**

Cruelty and domestic violence against women - National protections.

**Selected Bibliography -**

1. Indian Penal Code- Ralanlal Dhirajlal-Wadhwa
2. SITA (Suppression of Immoral Trafficking in Women)
3. Domestic Violence Act, 2005 – Dr. Preeti Mishra
4. Vishaka's Case, Chandrima Das Case.
5. Indira Jaising – Hand book on law of Domestic Violence.

6. Lawyers collective – Law relating to sexual harassment at work place-  
Universal Delhi.
7. Krishna Pal Malik – Women & Law – Allahabad Law Agency
8. Manjula Batra – Women and Law - Allahabad Law Agency.

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**LL.B. (HONS) PART I SEMESTER I**  
**PAPER-VI (OPTIONAL-B) HEALTH LAW**

**UNIT-I Concept**

1. Concept & Definition of Health.
2. Right to health
3. International law & health.
4. Indigenous and Allopathic health system

**UNIT-II Constitutional of India**

1. Constitution protection – Fundamental Right & Directive principle.

**UNIT-III Public health offences and Law**

1. Offence affecting the Public Health, (Chapter XIV of IPC)
2. Nuisance, Miscarriage, (312.3.313 IPC), relevant provision of CrPC.

**UNIT-IV Special critical problems**

1. Immoral trafficking,
2. Female foeticides
3. Kidnapping and abduction – National protections.

**UNIT-V Health and Legal Protection**

1. Health and Legal protection – Environments law, J.J. Act, prenatal diagnostic technique, regulation & prevention of misuses,
2. Factory Act, Mental Health Act 1987, Maternity Benefit Act.

**UNIT-V Jurisprudence of health services**

1. Health law & Judiciary.
2. Types of health insurance
3. Public service related situations – Negligence (Private eye sterilization camp etc.)
4. Disposal of medical and surgical waste
5. Health Care Units (Public/Private) Liabilities

### **Select Bibliography**

1. Right to life and Right to Death : A study – The ICFAI University Press.
2. HIV/Aids – Health Care and Human rights approach – The ICFAI University Press.
3. Public Health : Enforcement and Law - The ICFAI University Press.
4. Clinical Trials : Law and Regulations- The ICFAI University Press.
5. Right to Public Health and Impact of Patents - The ICFAI University Press.

# II Semester

**LL.B. (HONS) PART I SEMESTER II**  
**PAPER-I CONSTITUTIONAL LAW-II**

**UNIT-I Administration of Frinz Area**

1. Administration of Union Territories
2. The Panchayat and Municipalities
3. The schedule and tribal areas

**UNIT-II Legislative and Administrative Relations**

1. Relation between the Union and the State
2. Distribution of legislative power
3. Administrative relations
4. Disputes relating to water.
5. Freedom of trade, commerce and intercourse within territory of India

**UNIT – III Finance and Service**

1. Financial provisions: property, contracts, rights, liabilities obligation and Suit
2. Public service commissions, service under the Union and the States

**UNIT IV Tribunals and Special other matters**

1. Tribunals,
2. Elections,
3. Special provisions-relating to certain classes,
4. Official language

**UNIT-V Emergency provisions and Amendment**

1. Emergency provisions: Proclamation of emergency, effect of emergency, financial emergency
2. Amendment in the Constitutions

## **SELECT BIBLIOGRAPHY:**

D.D. Basu, Shorter Constitution of India, (1996), Prentice Hall of India, Delhi.

D.D. Basu- Introduction to Constitution of India. 2002 (Reprint) Wadhwa.

H.M. Seervai, Constitution of India, Vol. 1-3 (1992), Tripathi, Bombay

M.P. Singh (ed.), V.N. Shukla, Constitutional Law of India (2000), Oxford

Indian Constitution, V.N. Shukla.

Constitution of India, V.P. Mahajan

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**LL.B. (HONS) PART I SEMESTER II**  
**PAPER-II LAW OF CONTRACT-II**

**UNIT - I Indemnity**

1. The Concept – Theories of contract
2. Need for indemnity to facilitate commercial transactions
3. Method of creating indemnity obligations
4. Definition of indemnity
5. Nature and extent of liability of the indemnifier
6. Commencement of liability of the indemnifier
7. Situations of various types of indemnity creations
8. Documents/agreements of indemnity
9. Nature of indemnity clauses
10. Indemnity in case of International transactions
11. Indemnity by Governments during interstate transactions

**Guarantee**

1. The concepts
2. Definition of guarantee: as distinguished from indemnity
3. Basic essentials for a valid guarantee contract
4. The place of consideration and the criteria for ascertaining the existence of consideration in guarantee contracts
5. Position of minor and validity of guarantee when minor is the principal debtor, creditor or surety
6. Continuing guarantee
7. Nature of surety's liability
8. Duration and termination of such liability
9. Illustrative situations of existence of continuing guarantee
10. Creation and identification of continuing guarantees
11. Letters of credit and bank guarantee as instances of guarantee transactions
12. Rights of surety:
13. Position of surety in the eye of law
14. Various judicial interpretations to protect the surety
15. Co-surety and manner of sharing liabilities and rights
16. Extent of surety's liability
17. Discharge of surety's liability



## **UNIT – II Bailment**

1. Identification of bailment contracts in day today life
2. Manner of creation of such contracts
3. Commercial utility of bailment contracts
4. Definition of bailment
5. Kinds of bailees
6. Duties of bailor and bailee towards each other
7. Rights of bailor and bailee
8. Finder of goods as a bailee
9. Liability towards the true owner
10. Obligation to keep the goods safe
11. Right to dispose of the goods

### **Pledge**

1. Pledge: comparison with bailment
2. Commercial utility of pledge transactions
3. Definition of pledge under the Indian Contract Act
4. Other statutory regulations (State & Centre) regarding pledge, reasons for the same
5. Rights of the pawner and pawnee
6. Pawnee's right of sale as compared to that of an ordinary bailee
7. Pledge by certain specified persons mentioned in the Indian Contract Act

## **UNIT-III Agency**

1. Identification of different kinds of agency transactions in day to day life in the commercial world
2. Kinds of agents and agencies
3. Distinction between agent and servant
4. Essentials of agency transaction
5. Various methods of creation of agency
6. Delegation
7. Duties and rights of agent
8. Scope and extent of agent's authority
9. Liability of the principal for acts of the agent including misconduct and tort of the agent
10. Liability of the agent towards the principal
11. Personal liability towards the parties
12. Methods of termination of agency contract
13. Liability of the principal and agent before and after such termination

#### **UNIT-IV Law Relating to Partnership**

1. Definition and Nature of Partnership/Firm/Duties
2. Relationship between partners mutual rights duties.
3. Implied Authority of Partners, Emergency.
4. Liability of Partners
5. Doctrine of Holding out.
6. Incoming and out going partner – their rights liabilities
7. Dissolution – Kinds, consequences.
8. Registration of firm and Effect of non registration.

#### **UNIT-V Sale of Goods**

1. Concept of sale as a contract
2. Illustrative instances of sale of goods and the nature of such contracts
3. Essentials of contract sale
4. Essential conditions in every contract of sale
5. Implied terms in contract sale
6. The rule of caveat emptor and the exceptions thereto under the sale of Goods Act
7. Changing concepts of caveat emptor
8. Effect and meaning of implied warranties in the sale
9. Transfer of title and passing of risk
10. Delivery of goods: various rules regarding delivery of goods
11. Unpaid seller and his rights
12. Remedies for breach of contract

#### **Select Bibliography**

1. R.K. Abhichandani (ed.) Pollack and Mullah on Contract and Specific Relief Acts (1999) Tripathi, Bombay.
2. Avtar Singh, Contract Act (2000), Eastern Lucknow.
3. Krishnan Nair, Law of Contract, (1999) Orient.
4. Avtar Singh, Principles of the Law of Sale of Goods and Hire Purchase (1998), Eastern Lucknow
5. J.P. Verma (ed.), Singh and Gupta, The Law of partnership in India (1999), Orient Law House, New Delhi
6. A.G. Guest (ed.), Benjamin's Sale of Goods (1992), Sweet & Maxwell.
7. Bhashyam and Adiga, The Negotiable Instruments Act (1995), Bharath, Allahabad.
8. M.S. Parthasarathy (ed.), Ansons' Law of Contract, (1998), Oxford, London.
9. Saharaya, H.K. Indian Partnership and sale of Goods Act (2000), Universal.
10. Ramaninga, The Sales of Goods Act (1998), Universal.
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## **LL.B. (HONS) PART I SEMESTER II**

### **PAPER-III LAW OF CRIMES-I (PENAL CODE)**

#### **UNIT-I General**

1. Concept of crime
2. Distinction between crime and other wrongs
3. McCauley's draft based essentially on British notions
4. Salient features of the I.P.C.
5. IPC: a reflection of different social and moral values
6. Applicability of I.P.C.- territorial and personal

#### **UNIT-II Element of Criminal Liability**

1. Person definition - natural and legal person
2. Mens rea- evil intention
3. Recent trends to fix liability without mens rea in certain socio- economic offences
4. Act in furtherance of guilty intent- common object
5. Factors negating guilty intention
6. Definition of specific terms

#### **UNIT-III Group liability**

1. Common Intention
2. Abetment
3. Instigation, aiding and conspiracy
4. Mere act of abetment punishable
5. Unlawful assembly
6. Basis of liability
7. Criminal conspiracy
8. Rioting as a specific offence

#### **General Exceptions :**

9. Mental incapacity
10. Minority
11. Insanity
12. Medical and legal insanity
13. Intoxication
14. Private defence-justification and limits
15. When private defence extends to causing of death to protect body and property
16. Necessity
17. Mistake of fact
18. Offence relating to state
19. Against Tranquility
20. Contempt of Lawful Authority

#### **UNIT-IV Offences against human body**

1. Culpable homicide
2. Murder
3. Culpable homicide amounting to murder
4. Grave and sudden provocation
5. Exceeding right to private defence
6. Hurt - grievous and simple
7. Assault and criminal force
8. Wrongful restraint and wrongful confinement- kidnapping- from lawful guardianship, outside India
9. Abduction

#### **Offences Relating to Marriage**

1. Theft
2. Robbery, Dacoity
3. Cheating
4. Extortion
5. Mischief
6. Criminal misrepresentation and criminal breach of trust
7. Offences relating to Documents and properties.

#### **Unit-V Types of Punishment**

1. Death
2. Social relevance of capital punishment
3. Imprisonment- for life, with hard labour, simple imprisonment
4. Forfeiture of property
5. Fine
6. Discretion of court in awarding punishment
7. Minimum punishment in respect of certain offences

#### **Select Bibliography**

1. K.D. Gaur, Criminal Law: Cases and Materials (1999), Butterworths, India
2. Ratanlal-Dhirajlal, Indian Penal Code (1994 reprint)
3. K.D. Gaur, A Text Book on the Indian Penal Code (1998), Universal Delhi
4. P.S. Achuthan Pillai, Criminal Law (1995) Eastern, Lucknow
5. Hidaythulla, M., et.al. Ratanlal and Dhirajlal, The Indian Penal Code (1994 reprint), Wadhwa & Co. Nagpur
6. B.M. Gandhi, Indian Penal Code (1996), Eastern Nagpur
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**LL.B. (HONS) PART I SEMESTER II**  
**PAPER-IV FAMILY LAW II (MUSLIM LAW)**

**UNIT-I Muslim Law**

1. Origin and development of Muslim Law,
2. Who is Muslim,
3. Conversion to Islam,
4. Nature and history of Mohammedan law.
5. Schools of Muslim law and sources of Muslim law

**UNIT-II Marriage**

1. Kind of Marriage, (Nikah) (Muta Marriage)
2. Option of puberty,
3. Divorce,
4. Dissolution of Marriage,
5. Marriage Act 1939,
6. Meher (Dowry).

**UNIT – III Guardianship**

- 1 Guardianship – elements, types
2. Maintenance-liability

**UNIT-IV Will, Gift and Wakf**

1. Wills,
2. Gift.
3. Doctrine of musha and pre-emption,
4. Wakf

**UNIT-V Parentage and inheritance**

1. Parentage and acknowledgement
2. Succession and Death bed transaction

**Select Bibliography -**

- |                    |                           |
|--------------------|---------------------------|
| 1. Mulla           | Mohammedan Law            |
| 2. Dr. Paras Diwan | Muslim Law in Modem India |

3. Aquil Ahmed

4. Fyzee

5. Schat

6. Coulson

7 Jhabvala

8. MKW i kjl nhoku

Mohammedan Law

Introduction to Mohammedan Law

Mohammedan Jurisprudence

Principles of Mohammedan Law

Principles of Mohammedan law

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**LL.B. (HONS) PART I SEMESTER II**  
**PAPER-V OFFENCE AGAINST CHILD AND JUVENILE**  
**OFFENCES**

**UNIT-I      Concept of Child and Juvenile**

1. Definition and concepts of term child and Juvenile.
2. Causes of offence against child.
3. International protection to child and convention

**UNIT –II      Offences against Child**

1. Child abuse
2. Child labour and forced labour
3. Kidnapping, abduction
4. Abetment of suicide of child
5. Sale of obscene objects to young.

**UNIT – III      Social relations and child**

1. Child marriage (Child Marriage Restraint Act)
2. Abandonment of child
3. Custody of Child during matrimonial suit.
4. Obligations to supply necessaries to children

**UNIT–IV      Protection of Child and Juveniles**

1. Under the provisions of constitution (fundamental rights and directive-principles)
2. Under IPC, 1860.
3. Under CRPC, 1973.
4. Under Contract Act, 1872
5. Under Juvenile Justice Act, 2001

**Unit-V      Juvenile Delinquency**

1. Juvenile delinquency – Nature, causes,
2. Juvenile Court System,

3. Treatment and rehabilitation of juveniles
4. Legislative and judicial protection of juvenile offender,
5. Juvenile Justice Act, 2001.

**Select Bibliography :**

- |                       |                               |
|-----------------------|-------------------------------|
| 1. Paras Diwan        | Children & Legal Protection   |
| 2. Savitri Goonesekar | Children Law and Justice      |
| 3. O.P. Mishra        | Law Relating to women & child |



**LL.B. (HONS) PART I SEMESTER II**  
**PAPER-VI (OPTIONAL-A) INSURANCE LAW**

**Unit – I Introduction**

1. Definition nature and history of insurance
2. Concept of Insurance and law of contract and law of torts future of insurance in globalized economy.
3. History and development of insurance in India.
4. Insurance Regulatory Authority - role and functions.

**Unit- II General principles of law of Insurance**

1. Contract of Insurance - classification of contract of insurance, nature of various Insurance contracts parties thereto
2. Principle of good faith, non-disclosure, misrepresentation in insurance contracts
3. Insurable interest
4. The risk
5. The policy, classification of policies-its form and contents, its commencement, duration, cancellation, alteration, rectification, renewal, assignment, construction
6. Conditions of the policy
7. Alteration of the risk
8. Assignment of the subject matter

**Unit-III Insurance**

1. Nature and scope of life insurance, definition kinds of life insurances, the policy and formation of a life insurance contract
2. Event insured against life insurance contract
3. Circumstances affecting the risk
4. Amounts recoverable under life policy
5. Persons entitled to payment
6. Settlement of claim and payment of money

**Unit-IV Marine Insurance**

1. Nature and scope

2. Classification of marine policies
3. The Marine Insurance Act 1963
4. Insurable interest, insurable value
5. Marine insurance policy-conditions, express-warranties, construction of terms of policy
6. Voyage - deviation
7. Perils of the sea
8. Partial loss of ship and of freight, salvage, general average, particular charges
9. Measure of indemnity, total valuation, liability to third parties.

#### **Unit-V            Social Insurance in India**

1. Important elements in social insurance, its need.
2. Commercial insurance and social insurance
3. Workmen's compensation- scope, risks covered, industrial accidents, occupational diseases, cash benefits, incapacity, amount of compensation, nature of injuries, dependents, schedule
4. Sickness insurance, Adarkar scheme, Stack and Rao scheme for wage earners and others, risks covered, maturity and other benefits
5. Old age, premature death and invalidity insurance or pension insurance, public provident fund.
6. Fire Insurance
7. Social insurance for people like seamen, circus workers and agricultural, workers
8. Public Liability Insurance
9. The scheme
10. Authorities

#### **Select Bibliography**

Singh, Bridge Anand, New Insurance Law (2000) Union Book Publishers, Allahabad.

Ivamy, Case Book on Insurance Law(1984), Butterworths.

Jvamy, General Principles of insurance Laws (1993), Butterworths

John Birds, Modern Insurance Law(1988), Sweet and Maxwell

Sreenivasan. M.N., Principles of insurance Law (1 997), Ramaniya Publishers, Bangalore.

M.N. Mishra – Law of Insurance – Central Law Agency, Allahabad.

**LL.B. (Hons) Part I Semester II**  
**Paper-VI (Optional-B) MEDIA AND LAW**

**UNIT- I. Mass Media- Types of- Press Films, Radio Television**

1. Ownership Patterns :- Press - private-public
  - A - Films, Private
  - B - Radio & Television -
2. Differences between visual and non - visual Media - Impact on peoples minds

**UNIT - II Press-Freedom of Speech and Expression — Article 19 (1) (a)**

1. Includes Freedom of the Press
2. Laws of defamation, obscenity, blasphemy and sedition
3. Law relating to employees wages and service conditions of media, The working journalists and other news paper employee (condition of service) and Misc. Provisions Act, 1955, The working journalist (Fixation of Rates of wages) Act, 1958.
4. . Price and pages Schedule Regulation
5. Newsprint Control order
6. Advertisement- is it included within freedom of speech and expression?
7. Press and the monopolies and Restrictive trade practices Act.
8. The working Journalist (Fixation of Rates of wages) Act, 1958.

**UNIT - III Films - It Included in freedom of speech and expressions?**

1. Censorship of films - constitutionality
2. The Abbas case
3. Differences between films and press - why pre-censorship valid for films but not for the press
4. Censorship under the cinematograph Act

**UNIT-IV Radio and television- Government Policy:**

1. The Press Council Act, 1978
2. Regulatory Code of Conduct
3. Report of the Chadha committee
4. Government policy

5. Commercial advertisement
6. Internal scrutiny of serials etc

### **UNIT - V Constitutional Restrictions**

1. Radio and television subject to law of defamation and obscenity
2. Power of legislature- Article 246 read with the seventh schedule
3. Power of impose tax - licensing and licence fee
4. Contempts of Court Act.

### **Select Bibliography**

- M.P. Jain, Constitutional Law of India (1994) Warcetha
- H.M. Seervai, Constitutional Law of India Vol. (1991) Tripathi, Bombay
- John B. Haward, “The Social Accountability of Public Enterprises” in Law and community contn in New Development Strategies (International Center for law in Development 1980)
- Bruce Michael Boyd, “Film Censorship in India: A Reasonable Restriction on freedom of speech and expression” 14 J.I.L.I. 501 (1972)
- Rajeev Dhavan” On the Law of the Press in India” 26 J.I.L.1. 288 (1984)
- Rajeev Dhavan, “Legitimizing. Government Rhetoric; Reflections on some Aspects of Social press Commission” 26 J..I.L.I. 391 (1984)
- Soli Sorabjee, Law of press Censorship in India (1976)
- Justice E.S. Venkatramiah, freedom of press: Some Recent trends (1984)
- D.D. Basu, The Law of Press of India (1980)
- Students should consult relevant volumes of the Annual Survey of Indian Law Published by Indian Law Institute. (Constitutional Law 1 & 11 Administrative Law and Public Interest Litigation.
- V.N. Shukla Constitutional Law of India.
- Vidisha Bohra, Press and Law Media Manual.

# III Semester

**LL.B. (HONS) PART -II SEMESTER - III**  
**PAPER - I JURISPRUDENCE (LEGAL METHOD, INDIAN LEGAL**  
**SYSTEM AND BASIC THEORY OF LAW)**

**UNIT-I Introduction**

1. Definition of the term Jurisprudence
2. Definition of Law, kinds of law
3. Justice and its kinds
4. Sources of Law (Elementary study)

**UNIT-II Schools of Jurisprudence**

1. Natural law school
2. Analytical school, Imperative Theory of law, Pure Theory of law
3. Historical school
4. Sociological school
5. Realistic school
6. The ancient : The concept of 'DHARMA'
7. Feminist – Schools of Jurisprudence

**UNIT III Sources of Law**

1. Legislation
2. Precedents: concept of stare decisis
3. Customs

**UNIT- IV Legal Rights: the Concept**

1. Rights: kinds, meanings
2. Duty: meaning and kinds
3. Relation between right and duty

**Persons**

1. Nature of personality
2. Status of the unborn, minor, lunatic, drunken and dead persons
3. Corporate personality : Dimension of the modern legal personality: Legal personality of non-human beings

## **UNIT-V Possession and Ownership: the Concept**

1. Kinds of possession, Theories of Possession
2. Kinds of ownership, Theories of Ownership
3. Difference between possession and ownership
4. Title

### **Liability**

1. Condition of imposing liability (Wrongful Acts)
2. Strict liability
3. Vicarious liability

### **Obligation:**

1. Nature and kind
2. Difference between : Being obliged and having obligation (HLA Hart)

### **Select Bibliography**

1. Bodenheimer, Jurisprudence – The Philosophy and Method of Law (1996) Universal. Delhi.
2. Fitzgerald, (ed) Salmond on Jurisprudence (1999) Tripathi. Bombay
3. W. Friedmann. Legal Theory (1995) Universal. Delhi.
4. V.D. Mahajan, Jurisprudence and Legal Theory (1996 reprint), Eastern Lucknow.
5. M.D.A. Freeman(ed.). Lloyd's introduction to Jurisprudence. (1994), Sweet and Maxwell
6. Paton G.W. Jurisprudence (1972) Oxford, ELBS
7. H.L.A. Hart, The concepts of Law (1970) Oxford, ELBS
8. Roscoe Pound, Introduction to the Philosophy of Law (1998 reprint) Universal Delhi
9. Dias, S.N. Jurisprudence: A Study of Indian Legal Theory (1985), Metropolitan New Delhi.
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**LL.B. (HONS) PART II SEMESTER III**  
**PAPER-II EQUITY AND TRUST**

**Unit I. Introduction**

- 1 The concept of trust: distinction with agency and contract
- 2 Origin and growth of equity in England
- 3 Development of law: common law and equity
- 4 The Maxims of equity
- 5 Trusts: classification, (Including Religious, Constructive Trust, Charitable Trust and Public Trust)

**Unit-II. Definition and Nature of trust under Indian law**

- 1 Obligations and Nature of trust
- 2 Creation of trust: rules
- 3 Appointment of new trustees
- 4 Extinction of trust
- 5 Fiduciary Relations.

**Unit-III Rights and Duties of Trustees**

**Rights -**

- 1 Title deed
- 2 Reimbursement
- 3 Indemnity
- 4 Seeking direction from court
- 5 Settlement of accounts
- 6 General authority

**Duties –**

- 1 Execution
- 2 Acquaintance with the nature of property
- 3 Duties in respect of title
- 4 Duty of care
- 5 Conversion



- 6 Impartiality
- 7 Prevention of waste
- 8 Keeping of accounts and giving of information
- 9 Investment
- 10 Sale

**Unit –IV Powers and Liabilities including Disabilities of trustee.**

- 1 Sale
- 2 Varying of Investment
- 3 Property of minors
- 4 Giving receipts
- 5 Power to compound, compromise and settle
- 6 Exercising authority on death or disclaimer of one of the trustees
- 7 Suspension of trustee's power
- 8 Discharge of trustees.
- 9 Liability for breach of trust.

**Unit-V Rights and Liabilities of Beneficiaries**

- 1 Rents and profits
- 2 Specific execution
- 3 Inspection and information
- 4 Transfer
- 5 Suit for execution
- 6 To have proper trustees
- 7 Right to compel the trustee to do the duties
- 8 Rights on wrongful purchase or acquisition by trustees
- 9 Follow up of trust properties in the hands of third parties
- 10 Blending of property by trustee
- 11 Wrongful application of trust property by partner trustee for partnership purposes.

## Select bibliography

1. S. Krishnamurthy Aiyar and Harbans Lal Singh, Principles and Digest of Trusts Laws (1998). Universal Book Agency, Allahabad.
2. R.H. Mandsley and E.H. Bum, Trust and Trustees Cases and materials (1978) Butterworth London
3. R.E. Megarry and P.V. Baker Snell's principles of Equity (1964) ELBS, Sweet and Maxwell.
4. Philip H. Pettit, Equity and Law of Trust (1970)
5. Iyer N., Indian Trust Act (1997), Delhi Law House, New Delhi
6. Ahmedullah Khan, The Law of Wakf in India (1991) Delhi Law House, Delhi
7. Rao. C.R., The Indian Trust Act and Allied Laws (1999).
8. G.P. Singh, Equity Trust, Mortgages and Fiduciary relations, Central Law Agency.
9. B.M. Gandhi, Equity, Trusts and Specific Relief Eastern Book Company.
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**LL.B. (HONS) PART -II SEMESTER - III**  
**PAPER-III ADMINISTRATIVE LAW**

**UNIT-I Introduction**

1. Meaning,
2. Administrative Law – The Concept definitions, nature, historical development, sources, relationship with Constitutional law),
3. rule of law and separation of powers,
4. classification of administrative functions and distinction between them.
5. Droit administrative,

**UNIT –II Delegated Legislation**

1. Meaning and its kinds,
2. Administrative directions
3. Distinction between delegated legislation and administrative directions.
4. Control over delegated legislation procedural, judicial and parliamentary control,
5. Principles of natural justice,
6. Civil services in India.

**UNIT – III Administrative discretion**

1. Judicial control of discretionary powers,
2. Act of State,
3. Tortious liability of the State.
4. Contractual liability of the State

**UNIT –IV Government privileges in legal proceedings.**

1. Meaning and kinds, Estoppel and Waiver
2. official secrets
3. right to information
4. lokpal and lokayukt
5. Central Vigilance Commissions
6. Commission of inquiry.

**UNIT-V Administrative Tribunals-**

1. Definition of Administrative Tribunals

2. Merits, demerits,
3. Reasons of growth
4. Distinction between courts and Tribunals
5. Public corporation - classification characteristics, controls, formation
6. Remedies - Constitutional and ordinary.

### **Select bibliography**

1. C.K. Allen, Law and Orders (1985).
2. D.D. Basu, Comparative Administrative Law (1998).
3. M.A. Fazal, Judicial Control of Administrative Action in India, Pakistan and Bangladesh (2000), Butterworths – India
4. Franks, Report of the Committee on Administrative Tribunals and Inquiries, HMSO, 1959.
5. Peter Cane, An Introduction to Administrative Law (1996) Oxford.
6. Wade, Administrative Law (Seventh Edition, Indian print 1997), Universal, Delhi.
7. J.C. Garner, Administrative Law (1989), Butterworths (ed.B.L.Jones).
8. M.P. Jain, Cases and Materials on Indian Administrative Law, Vol I and II (1996), Universal, Delhi.
9. Jain & Jain, Principles of Administrative Law (1997), Universal, Delhi.
10. S.P. Sathe, Administrative Law (1998) Butterworths, India, Delhi.
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**LL.B. (HONS) PART -II SEMESTER - III**  
**PAPER – IV LAW OF CRIMES -II (CRIMINAL PROCEDURE CODE)**

**UNIT-I Introduction**

1. The rationale of criminal procedure: the importance of fair trial, The constitutional perspectives
2. Pre trial Process: Arrest
3. The distinction between cognizable and non cognizable offences: relevance and adequacy problems
4. Steps to ensure accused's presence at trial: warrant and summons
5. Arrest with and without warrant (Section 70-73 and 41)
6. The absconder status (section 82, 83, and 85)
7. Right of the arrested person Right to know ground of arrest (section 50(1), 55,75)
8. Right to be taken to magistrate without delay (section 56,,57)
9. Right to not being detained for more than twenty- four hours (section 57): Vis-a-vis Article 22 (2) of the constitution of India
10. Right to consult legal practitioner. legal aid and the right to be informed about rights to bail.
11. Right to be examined by a medical practitioner (section 54)

**Search and Seizure (Pretrial Process)**

1. Search warrant (section 83, 94,97, 98) and search without warrant (Section IOs)
2. Police search during investigation (section 165, 166, 153)
3. General principles of search (section 100)
4. Seizure (section 102)
5. Constitutional aspects of validity of search and seizure proceedings

**UNIT-II Pre-trial Process F.I.R.**

1. F.I.R. (section 154)
2. Evidentiary value of F.I.R. (see section 145 and 157 of Evidence Act)

**Pre-trial Process: Magisterial Powers to Take Cognizance**

1. Commencement of proceedings- (section 200, 201, 202)
2. Dismissal of complaints (section 203, 204)
3. Bail: concept, purpose: constitutional overtones
4. Bailable and non- bailable offences (section 436, 437, 438)
5. Cancellation of bail (section 437 (5)).
6. Anticipatory bail (section 438)

7. Appellate bail powers (section 389 (1), 395 (1), 437 (5))
8. General principles concerning bond (section 441 - 450)

### **UNIT-III Fair Trial**

1. Conception of fair trial
2. Presumption of innocence
3. Venue of trial
4. Right of the accused to know the accusation (section 221- 224) and accusation be held in the accused's presence
5. Right of cross- examination and offering evidence in defence: the accused's statement
6. Right to speedy trial

#### **Charge**

1. Framing of charge
2. Form and content of charge (section 211, 212, 216)
3. Separate charge for distinct offence (section 218, 219, 220, 221, 223)
4. Discharge – pre- charge evidence

#### **Preliminary Pleas to Bar the Trial**

1. Jurisdiction (section 26, 177- 189, 461, 462, 479)
2. Time limitations: Rationale and scope (section 468 - 473)
3. Pleas of autrefois acquit and autrefois convict (section 300, and Art 22d)
4. Estoppel
5. Compounding of offences
6. Trial before a Court of Sessions: Procedural Steps and Substantive Rights
7. Summary Trial (Sec 260-265)

### **UNIT-IV Judgment**

1. Form and content (section 354)
2. Post conviction orders in lieu of punishment(section 360, 361, 31): emerging penal policy (Plea Bargaining)
3. Compensation and cost (section 357,358)
4. Modes of providing judgement (section 353, 362, 363)

#### **Appeal, Review, Revision**

1. No appeal in certain cases (section 372. 375. , 376)
2. The rationale of appeals, review, revision

3. The multiple ranges of appellate remedies
4. Appeal before Supreme Court of India and High Courts (section 374, 379) and (Article 31, 132, 134, 136 of constitution of India)
5. Appeal to Sessions Court (section 374)
6. Special right to appeal (section 380)
7. Government appeal against sentencing (section 377, 378)
8. Judicial power in disposal of appeal (section 368)
9. Legal aid in appeals
10. Revisional jurisdiction (section 397- 405)
11. Transfer of cases (section 406, 407)

#### **UNIT-V Juvenile Delinquency**

1. Nature and magnitude of the problem
2. Causes
3. Juvenile court system
4. Treatment and rehabilitation of juveniles
5. Juvenile and adult crime
6. Legislative and judicial protection of juvenile offender
7. Juvenile justice (Protection and Care) Act 2000

#### **Selected Bibliography**

1. Ratanlal Dhirajlal, Criminal Procedure Code (1999), Universal, Delhi
2. Chandrasekharan Pillai, ed., Kelkar Lectures on Criminal Procedure (2001), Eastern Lucknow
3. Principles and commentaries on the Code of Criminal Procedure. 2 Vol. (2000) Universal.
4. Woodroffe: Commentaries on Code of criminal Procedure, 2. vol. (2000) Universal
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**LL.B. (HONS) PART -II SEMESTER - III**  
**PAPER-V PROFESSIONAL ETHICS AND PROFESSIONAL**  
**ACCOUNTING SYSTEM**

**Note:**

1. The written exam of this paper will have 80 marks and viva-voce will carry 20 marks.
2. Written examination will be conducted by the University.
3. Viva-voce of this paper will be conducted by a panel of two examiners out of which one external examiner shall be appointed by the examination committee of the University and internal examiner shall be appointed by the Principal/Director/Head of the Institution concerned. The remuneration shall be as per D.A.V.V. norms.

**Unit –I Admission, Enrolment & Rights of Advocate**

1. Importance of Legal Profession.
2. Persons who may be admitted as advocate on a State roll.
3. Disqualification for enrolment
4. Rights of Advocates
5. State Bar Councils
  - (i) Establishment and Organisation
  - (ii) Powers and Functions
6. Bar Council of India
  - (i) Organisation
  - (ii) Powers and Functions

**Unit – II Ethics of Legal Profession**

1. Meaning, Nature and Need
2. Duty to the Client

**Unit – III Punishment for Professional or Other Misconduct**

1. Professional or other Misconduct- Meaning and Scope
2. The Body or Authority empowered to punish for professional or other misconduct.
  - (i) State Bar Council and its disciplinary committee
  - (ii) Bar Council of India- and its disciplinary committee
3. Complaint against advocates and procedure to be followed by the Disciplinary Committee.
4. Remedies against the order of punishment.



#### **Unit – IV Bench Bar Relation**

1. Role of Judge on Maintaining Rule of Law
2. Mutual Respect
3. Maintenance of orderly society
4. Invaluable aid of advocates to Judges
5. Privilege of Advocates
6. Duty to avoid interruption of Council
7. Administration of Justice clean & Pure
8. Uncourteous conduct, Misconduct of lawyers and Insulting Language.

#### **Unit – V Meaning and Categories of Contempt of Court**

1. Contempt of Court- Its meaning and Nature
2. Kinds of Contempt
  - (i) Criminal Contempt
  - (ii) Civil Contempt
3. Contempt by Lawyers
4. Contempt by Judges, Magistrates or other persons acting judicially
5. Contempt by State, Corporate bodies & other officers

#### **Selected Bibliography**

1. J.P.S. Sirohi : Professional Ethics, Lawyer's Accountability, Bench- Bar Relationship.
2. Kailash Rai : Legal Ethics, Accountability, for Lawyer's , Bar-Bench Relation.
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**LL.B. (HONS) PART -II SEMESTER - III**  
**PAPER – VI (OPTIONAL PAPER –A) PENOLOGY AND VICTIMOLOGY**

**UNIT-I Evolution and nature of punishment**

1. Kinds of punishment
2. Corporeal punishment
3. Capital Punishment
  - (i) Death Penalty by Public hanging
  - (ii) Capital punishment in India
  - (iii) Death Penalty or life imprisonment
  - (iv) Rarest of the rare cases
  - (v) Constitutionality and grounds of capital punishment
  - (vi) Minority judgement of justice Bhagwati

**UNIT-II Imprisonment**

1. Simple Imprisonment
2. Rigorous Imprisonment
3. Solitary confinement
4. Imprisonment for life
5. Monetary Punishment
  - (i) Fines
  - (ii) Forfeiture of Property

**Unit-III Prison Administration**

1. Prisons in India
2. Indian Jail Reforms Committee Report 1919-20 (Recommendations)
3. Plea for setting up Prison Panel
4. Role of Prisons in Modern Penology
5. The problem of Overcrowding in prisons
6. The problem of prison Discipline
7. The problem of Prisoners' Health
8. The problem of Criminality in Prisons
9. Self-Government in Prisons
10. Prison Labour
11. The Prison Community

12. Classification of Prisoners and Jail Reform Committee's Report (1980-83), Views on classification of prisoners
13. The Problem of Undertrial Prisoners
14. Prison Reforms
15. Custodial torture in Prisons
16. Open Prisons in India

#### **Unit-IV Victimology**

1. Nature and Development, categories
2. Compensation
3. Compensation to persons groundlessly arrested
4. Exgratia payment
5. Application of articles 21 and 301A - Comparison
6. National Police commission 1977-80

#### **Unit-V White Collar Crimes**

1. Historical Background, Definition
2. Contributing factors
3. White collar crime in India
4. Hoarding, Black marketing and adulteration.
5. Tax evasion
6. White collar crime in certain profession – medical, engineering, legal, educational, Business deal
7. Disposal by anti-corruption and vigilance departments of state & UTs under Prevention of corruption Act 1983 and related sections of I.P.C.

#### **Select Bibliography**

1. E. Sutherland, White collar Crime (1949).
2. Prof. N.V. Paranjape Criminology and penology.
3. Dr. Yamuna Shankar Sharma penology.
4. Om Prakash Shrivastava Principles of Criminal Law
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6. Mkw ; epk'kdj 'kekZ & n.M 'kkL=

**LL.B. (HONS) PART -II SEMESTER - III**  
**PAPER VI (OPTIONAL PAPER-B) LAW ON CORPORATE FINANCE**

**UNIT-I Introduction**

1. Meaning, importance and scope of corporate finance.
2. Capital Needs, capitalization, working capital, securities, borrowings, deposits, debentures.
3. Objectives of corporate finance – profit maximization and wealth maximization.
4. Constitutional perspectives – The following entries 37, 38, 43, 44, 45, 46, 47, 52, 82, 85 and 86 of List I (Union List); entry 24 of List II (State List).

**UNIT-II Equity finance**

1. Share Capital
2. Prospectus – information disclosure.
3. Issue and allotment.
4. Shares without monetary consideration.
5. Non-opting equity shares.

**Debt Finance**

1. Debentures.
2. Nature, issue and class.
3. Deposits and acceptance.
4. Creation of charges.
5. Fixed and floating charges.
6. Mortgages.
7. Convertible debentures.

**UNIT-III Conservation of corporate finance**

1. Regulation by disclosure.
2. Control on payment of dividends.
3. Managerial remuneration.
4. Payment of commissions and brokerage.
5. Inter-corporate loans and investments.
6. Pay-back of shares.
7. Other corporate spending.

**UNIT-IV Protection of creditors**

1. Need for creditor protection

2. Preference in payment.
3. Rights in making company decisions affecting creditor interests.
4. Creditor self-protection.
5. Control over corporate spending.

#### **Protection of Investors**

1. Individual share holder right.
2. Corporate membership right.
3. Derivative actions.
4. Qualified membership right
5. Conversion, Consolidation and Re-organisation of shares.
6. Transfer and transmission of securities.
7. Dematerialisation of securities

#### **UNIT-IV Corporate Fund Raising**

1. Depositories – IDR (Indian Depository Receipts), ADR (American Depository Receipts), GDR(Global Depository Receipts).
2. Public financing institution – IDBI, ICICI, IFC, and SFC.
3. Mutual fund and other collective investment schemes
4. Institutional investments – LIC, UTI and Banks.
5. FDI and NRI investment – Foreign institutional investments (IMF and World Bank).

#### **UNIT-V Administrative regulation on Corporate Finance**

1. Inspection of accounts.
2. Central government control.
3. Control by Registrar of companies.
4. RBI control.
5. SEBI control, status of SEBI

#### **Select Bibliography**

1. Alastair Hundson : The Law on Financial Derivatives (1998), Sweet & Maxwell.
2. Ell's Ferran, Company Law and Corporate Finance (1999), Oxford.
3. Jonathan Charkham : Fair Shares : The Future of Shareholder Power and Responsibility (1999), Oxford.
4. Ramaiya A. : Guide to the Companies Act (1998), Vol. I, II and III.
5. H.A.J. Ford and A.P. Austen : Ford's Principle of Corporations Law (1999) Butterworths.
6. J.H. Farrar and B.M. Hanniyan : Farrar's Company Law (1998) Butterworths.
7. Austen, R.P. : The Law of Public Company Finance (1986) LBC.

8. R.M. Goode : Legal Problems of Credit and Security (1988) Sweet and Maxwell.
9. Altman and Subrahmanyam : Recent Advances in Corporate Finance (1985) LBC.
10. Gilbert Harold : Corporation Finance (2<sup>nd</sup> rev. ed. 1956).
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12. S.C. Kuchhal : Corporation Finance : Principles and Problems (6th ed. 1966).
13. V.G. Kulkarni : Corporate Finance (1961).
14. V.D. Kulshreshta : Government Regulation of Financial Management of Private Corporate Sector in India (1986).
15. Journals – Journal of Indian Law Institute, Journal of Business Law, Chartered Secretary, Company Law Journal, Law and Contemporary Problems.
16. Statutory Materials – Companies Act and Law relating SEBI, Depositories, Industrial Financing and Information Technology.
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# IV Semester

**LL.B. (HONS) PART II SEMESTER-IV**  
**PAPER – I ENVIRONMENTAL LAW**

**UNIT-I Concept of Environment and Pollution**

1. Environment. Meaning and Concept
2. Pollution- Meaning and Effects of pollution
3. Environmental Pollution (Water, Air and Noise Pollution)
4. Meaning and standards, Culprits and victims , Offences and penalties

**UNIT-II International Historical Perspective**

1. Stockholm conference
2. Rio conference
3. U.N. declaration on right to development
4. Green house effect and ozone depletion

**Unit-III Constitutional Provisions related to Environment**

1. Constitution in making- development and property oriented approach
2. Directive Principles, - Status, role and interrelationship with fundamental rights and fundamental duties
3. Fundamental Duties
4. Judicial approach
5. Fundamental Rights (Rights to clean and healthy environment, Environment Vs. Development)
6. Enforcing agencies and remedies (Courts, Tribunal, Constitutional, statutory and judicial remedies)
7. Emerging principles (Polluter pays: public liability insurance, Precautionary principles)
8. Sustainable development

**UNIT-IV Environment Protection Measures VIS A VIS Environment Pollution**

1. Protection: means and sanctions
2. Protection agencies: power and functions
3. Emerging protection through delegated legislation
4. Hazardous waste
5. Bio- medical waste



- Judiciary and complex problems in administration of environment justice

### **UNIT-V Forest and wildlife Protection**

- Greenery conservation laws
- Forest conservation laws
- Conservation agencies
- Prior approval and non-forest purpose
- Symbiotic relationship and tribal people
- Judicial approach Deforestation
- Wild life - Sanctuaries and national parks
- State monopoly in the sale of wild life and wild life articles - Licensing of zoos and parks
- Offences against wild life

### **Bio- diversity**

- Legal control
- Control of eco-unfriendly experimentation on animals, plants, seeds and micro-organisms

### **Selected bibliography**

Armin Rosencranze, et. Al. (eds.) Environmental Law and Policy in India (2000), Oxford

R.B. Singh and Suresh Mishra, Environmental Law in India (1996), Concept Pub. Co., New- Delhi

Kailash Thakur, Environmental Protection Law and Policy in India (1997), Deep and Deep Pub. New Delhi.

Richard L. Riverz et. al. (eds.), environmental Law, The Economy and sustainable Development (2000) Cambridge.

Christopher D. Stone, Should Trees Have Standing and other Essays on law, Moral and environment (1996), Oceana.

Leelakrishnan, P. et, al. (eds.) Law and Environment (1990), Eastern Lucknow.

Leelakrishnan, P. The Environment Law in India (1999), Butterworths India  
Department of Science and technology, Government of India, Report of the Committee Recommending Legislative Measures and Administrative Machinery for ensuring environment Protection (1980) (Tiwari Committee Report)

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**LL.B. (HONS) PART II SEMESTER-IV**  
**PAPER – II COMPANY LAW**

**UNIT-I      Meaning of Company**

1. Theories of corporate personality
2. Creation and exemption of corporations
3. Lifting the corporate veil

**UNIT-II      Forms of corporate and non-corporate organization**

1. Corporations
2. Partnership and other association of persons,
3. State corporations
4. Government companies, small scale, cooperative, corporate and joint sectors

**UNIT-III     Law relating to Companies - Public and Private**

1. Promoters and its position
2. Need of company for development, formation of a company, registration and incorporation
3. Memorandum of association - various clauses - alteration therein - doctrine of ultra vires
4. Articles of association-binding force-alteration-its relation with memorandum of association-doctrine of constructive notice and indoor management- exceptions
5. Prospectus- issue - contents- liability for misstatements in lieu of prospectus
6. Shares-general principles of allotment, statutory restrictions, transfer of shares, relationship between transferor and transferee
7. Shareholder-who can be? And who cannot be shareholder- modes of becoming shareholder- calls on shares- forfeiture and surrender of shares lien on shares
8. Share capital-kinds-alteration and reduction of share capital, further issue of capital- conversion of loan and debentures into capital-duties of courts to protect the interests of creditors and share holders

#### **UNIT-IV Management of corporate structure**

1. Directors - position- appointment-qualifications-vacation of office-removal-resignation- powers and duties of directors - meeting, registers, loans - remuneration of directors - role of nominee directors - companies for loss of office - managing directors and other managerial personnel
2. Meetings – kinds, procedure – voting
3. Dividends payment - capitalization – profit
4. Audit and accounts
5. Borrowing powers, effect of unauthorized borrowing - charges and mortgages – investments
6. Debentures - meaning - fixed and floating charges - kinds of debentures, share holder and debenture holder, remedies for debenture holders
7. Protection of minority rights
8. Protection of oppression and mismanagement - who can apply? Powers of the company, court and of the central Government
9. Investigations, powers
10. Private companies - nature and advantages- government companies- holding and subsidiary companies

#### **UNIT – V Winding up and corporate liability**

1. Winding up -types – Concept (Dissolution and liquidation)
  - (i) by court - reason - ground who can apply - procedure - powers of liquidator - powers of court - consequences of winding up order
  - (ii) voluntary winding up
  - (iii) subject to supervisions of courts
  - (iv) liability of past members - payment of liability preferential payment, unclaimed dividends
  - (v) winding up of unregistered company.
2. Legal liability of companies-civil and criminal
3. Remedies against civil, criminal and tortuous - specific relief Act, writs, liability under special statutes

#### **Selected Bibliography**

1. Avtar Singh Indian Company Law (1999). Eastern Lucknow

2. L.C.B. Gower. Principles of Modern Company Law (1997) Sweet and Maxwell London.
3. Palmer Palmers Company Law (1987). Stevans, London
4. R.R. Pennington. Company Law (1990). Butterworths
5. A. Ramiya. Guide to the Companies Act. (1998), Wadhwa
6. S.M. Shah Lectures on Company Law (1998), Tripathi, Bombay
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**LL.B. (HONS) PART II SEMESTER-IV**  
**PAPER - III PRINCIPLES OF TAXATION LAW**

**UNIT- I      Income Tax Act**

- 1      Basic concepts- basis of charges of tax
- 2      Definitions
- 3      Residential status of assesses – its impact on tax liability.

**UNIT-II      Heads of income -**

1.      General concepts-
2.      Chargeability to tax- admissible & inadmissible deductions, exclusions and deductions from income,
3.      Set off and carry forward of losses.
4.      salaries
5.      Income from House Property
6.      Income from Profits of Profession and business
7.      Capital Gains
8.      Income from other sources
9.      Clubbing of income

**UNIT- III      Income tax authorities-**

1.      Powers & functions,
2.      Assessment
3.      Allotment of permanent account number,
4.      Economic criteria scheme.

**UNIT- IV      Appeal, Revision and Reference**

1.      Appeal,
2.      Revision,
3.      Reference
4.      Rectification, (Sec.269N, 269 UJ)

**UNIT-V      Prosecution and Penalties**

1.      Prosecutions under Income Tax Act, 1961
2.      Non- compliance,

3. Contravention,
4. Avoidance
5. Evasion of tax.
6. Penalties

### **Selected Bibliography**

1. Taxman : Tax Planning and Management, (1998), Taxman
2. Agarwal, A.N. : Indian Economics (Selected Chapters) (1997) Wishwa Prakashini, N.Delhi.
3. N.K. Palkhivala & B.A. Palkhivala (eds) : Kanga and Palkhivala's Income Tax Law and Practice (7th ed. 1976).
4. Agrawal, V.S. : Taxation of Salaries with Tax Planning (1990), Professional Book Publishers, New Delhi.
5. V.S. Sunderam : Law of Income Tax in India (11th ed. 1978).
6. A.C. Sampat Iyengar : Three Taxes (6th ed. 1987).
7. K. Chaturvedi and S.M. Pithisaria : Income Tax Law (3rd ed. 1981).
8. V.P. Gandhi : Some Aspects of Indian Tax Structure : An Economic Analysis (1970)
9. T. Mathew : Tax Policy (1975).
10. H.M. Seervai : Constitutional Law of India (3rd ed. 1984)
11. I.P.S. Siddhu : Company Taxation Cases.
12. M.P. Jain : Indian Constitutional Law. (4th ed. 1994).
13. Bhagwati Prasad : Direct Taxes : Law and Practice (1996) Wishwa Prakashan, New Delhi.
14. *iks l pno k % vk; dj fof/k*

## **LL.B. (HONS) PART II SEMESTER-IV**

### **PAPER – IV HUMAN RIGHTS LAW AND PRACTICE**

#### **UNIT – I Concept**

1. Historical Development and concept of Human Right
2. Human Right in India ancient, medieval and modern concept of rights
3. Human Right in Western tradition
4. Concept of natural law and natural rights
5. Human Right in legal tradition: International Law and National Law
6. UN and Human Rights
7. Universal Declaration of Human Rights (1980) - individual and group rights
8. Covenant on political and Civil Rights (1966)

#### **UNIT - II Conventions**

1. Convention on economic social and cultural Rights 1966
2. Convention on the elimination of all forms of discrimination against women
3. Convention on the rights of the child

#### **UNIT – III Impact and Implementation**

1. Impact and Implementation of International Human Rights Norms in India
2. Human rights norms reflected in fundamental rights in the constitution
3. Directive principles: legislative and administrative implementation of international human rights norms through judicial process

#### **UNIT –IV Disadvantaged Groups**

1. Human Rights and disadvantaged Groups – women, prisoners, child, Dalits, Aid victims, and Minorities
2. Enforcement of Human Right in India

#### **UNIT- V Remedies**

1. Role of courts: the Supreme Court, High Courts and other courts
2. Statutory commissions- human rights, women, minority and backward class

## Select bibliography

1. S.K. Awasthi and R.P. Kataria. Law Relating to Human Rights, Orient New Delhi.
2. Human Rights Watch women's Rights Project, The Human Rights Watch Global Report on women's Human Rights (2000) Oxford.
3. Ermacora, Nowak and Tretter. International Human Rights (1993), Sweet & Maxwell.
4. Wallace, International Human Rights: Text & Materials (1996), Sweet & Maxwell.
5. Human Rights and Global Diversify (2001), Frank Cass, London.
6. Nirmal. B.C., The Right to Self determination in International (1995). Deep & Deep.
7. P.R. Gandhi. International Human Rights documents (1999) Universal, Delhi.
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**LL.B. (HONS) PART II SEMESTER-IV**  
**PAPER- V ALTERNATE DISPUTE RESOLUTION**

**Note:**

1. The written exam of this paper will have 80 marks and viva-voce will carry 20 marks.
2. Written examination will be conducted by the University.
3. Viva-voce of this paper will be conducted by a panel of two examiners out of which one external examiner shall be appointed by the examination committee of the University and internal examiner shall be appointed by the Principal/Director/Head of the Institution concerned. The remuneration shall be as per D.A.V.V. norms.

**Unit-I            Concept**

1. Arbitration : Meaning scope and types
2. Arbitration Agreement- Essentials, Kinds
3. Who can enter into arbitration agreement ?
4. Validity
5. Reference to arbitration
6. Interim measures by court

**Unit-II            Arbitration Tribunal**

1. Composition
2. Jurisdiction
3. Grounds of challenge
4. Powers
5. Procedure
6. Court assistance
7. Award, Rules of guidance, Form and content, Correction and interpretation

8. Grounds of setting aside an award-Want of proper notice and hearing, Contravention of composition and procedure.
9. Impartiality of the arbitrator
10. Bar of limitations, res judicata
11. Consent of parties
12. Enforcement
13. Appeals

### **Unit-III Conciliation**

1. Distinction between “conciliation”, “mediation”, and “arbitration”.
2. Appointment of conciliator
3. Interaction between conciliator and parties
4. Communication, disclosure and confidentiality
5. Suggestions by parties
6. Settlement agreement and its effect
7. Resort to judicial proceedings, legal effect
8. Costs and deposit

### **Unit-IV International Arbitration**

1. Enforcement of Foreign Award
2. New York convention Award
3. Geneva Convention Award

### **Unit-V Rule making Power**

1. Legal Service Authorities Act, 1987
2. Lok Adalat
3. Legal Litreacy and Legal Aid Camp.

## Select bibliography

1. Avtar Singh : Arbitration and Conciliation
2. Goyal : Arbitration and Conciliation Act
3. Shukla : Legal remedies
4. Jhabvala : Law of Arbitration and Conciliation
6. vorkj fl g % ek/; LFke , oal yg vf/kfu; e

**LL.B. (HONS) PART II SEMESTER-IV**  
**PAPER –VI (OPTIONAL – A) LAW ON EDUCATION**

**UNIT-I        Education : Constitutional Allocation of Power**

1. Art. 246 read with the Seventh Schedule OF Indian Constitution
2. Concurrent List Entry 25.
3. Union List Entries 63, 64, 65 and 66.
4. Gujarat University Vs. Srikrishna AIR 1963 SC 703.
5. Why was education transferred from the State list to the Concurrent list ?
6. Areas of Central legislation over Education the U.G.C. Act, etc.

**UNIT-II        Constitutional Goals**

1. Right to Education.
2. Fundamental Right to education for children below 14 years.
3. Preamble and Right to Education

**UNIT-III      Equality of opportunity to education**

1. Articles 14, 15, 16, 21, 29(2) 41 and 45.
2. Reasonable classification.
3. Affirmative action and the deprived.

**UNIT-IV      Minority and Education**

1. Minority Rights – Right to conserve distinct script and culture.
2. Right to establish and administer educational institutions of their choice.
3. Minority institutions – right to compensation.
4. No discrimination in grant in aid.

**UNIT-V        Dispute Settlement Mechanism for Educational Institution**

1. Students – Discipline and Action, Mass Copying etc.
2. Grievances.
3. Rules and Natural Justice.
4. Educational Tribunals.
5. Chancellor
6. Judicial Mechanison
7. Zilla Parished and Primary secondary schools relationship
8. Government power to nominate members on various bodies and their role

### **Select Bibliography**

1. B.M. Sankudhar : Encyclopaedia of Education System in India 1999. Deep Publications.
2. P.L Mehta, R. Poonga : Free and Compulsory Education (1999) Deep & Deep Publication.
3. R.D. Agrawal : Law of Education and Educational Institutions (Higher Secondary)

**LL.B. (HONS) PART II SEMESTER-IV**

**PAPER –VI (OPTIONAL – B) INFORMATION TECHNOLOGY LAW**

**UNIT-I Introduction**

1. Concept and Definition – Computer, Digital Signature, Key Pair, Subscriber, Verification
2. Globalisation and ECommerce – U.S./U.K.
3. I.T. Act 2000 – Aim and object, E-mail, Torts & contract on Internet, Offences and Cyber Crimes, Stalking, Hacking, tempering, Junk Spaming – publication of obscene material, offences of computer, worms & virus Defamation and internet
4. Loop holes in I.T. Act.

**UNIT-II Adjudication and penalties**

1. Powers of Police Officers
2. The Cyber Regulations Appellate Tribunal
3. Appeal to High Court
4. Compounding of contravention and Recovery of penalty

**UNIT-III Protection of Consumers and Victims**

1. Protection of consumer & unfair Terms
2. Protection of person when person is not consumer
3. Proposed Amendments
4. R.B.I. Guideline for A.T.M. Transactions

**UNIT-IV International at sphere of Global Regime**

1. Civil Jurisdictions
2. Minimum contact Doctrine in U.S.A.
3. E mail on Internet
4. Danger for computer software failure

**UNIT-V Right of Privacy (on Internet) Media Law**

1. Right to Privacy – Breach of (Defamation, Trespass, Nuisance
2. Breaching confidence and harassment
3. Privacy on Internet
4. Real Victims of Virtual Crime

## **Select Bibliography**

1. I.T. Tech. Law : Gupta & Agrawal – Premier Publication, Allahabad

# V Semester



**LL.B. (HONS) PART III SEMESTER-V**  
**PAPER - I LAW OF EVIDENCE**

**UNIT-I      Introductory**

1. The main features of the Indian Evidence Act 1861
2. Applicability of Evidence Act
3. Administrative Tribunals
4. Industrial Tribunals
5. Commissions of enquiry
6. Court- Martial

**Central Conceptions in Law of Evidence**

1. Facts: section 3 definition: distinction - relevant facts/facts in issue
2. Evidence: oral and documentary
3. Circumstantial evidence and Direct evidence
4. Presumption
5. “Proving” “not proving” and “disproving”
6. Witness
7. Appreciation of evidence

**UNIT-II      Facts: relevancy**

1. The Doctrine of res gestae
2. The problems of relevancy of “otherwise” irrelevant facts (section ii)
3. Facts concerning bodies and mental state

**Admission and Confessions**

1. General principles concerning admission
2. Differences between “admission” and “confession”
3. Non- admissibility of confessions caused by “any inducement, threat or promise”
4. Inadmissibility of confession made before a police officer
5. Admissibility of custodial confessions
6. Admissibility of “information” received from accused person in custody; with special reference to discovery based on “joint statement”
7. Confession by co-accused
8. The problems with the judicial action based on a “retracted confession”

### **UNIT-III Dying Declarations**

1. The justification for relevance of dying declarations
2. The judicial standards for appreciation of evidentiary value of dying declarations
3. Conclusive Evidence

#### **Relevance of judgments**

1. Admissibility of judgments in civil and criminal matters
2. “Fraud” and “Collusion”.

#### **Expert Testimony**

1. Who is an expert? : types of expert evidence
2. Opinion on relationship especially proof of marriage
3. Judicial defence to expert testimony

### **UNIT IV Oral Documentary Evidence**

1. General principles concerning oral evidence, Primary / Secondary evidence.
2. General principles concerning documentary evidence.
3. General principles regarding exclusion of oral by documentary evidence, public & private documents.
4. Special problems: re-hearing evidence
5. Estoppel

#### **Witness Examination and cross Examinations**

1. Competency to testify
2. State privilege
3. Professional privilege
4. Approval testimony
5. General principles of examination and Cross examination
6. Leading questions
7. Lawful questions in Cross-examination
8. Reexamination
9. Compulsion to answer questions put to witness
10. Hostile witness
11. Impeaching of the standing or credit of witness

## **UNIT V      Burden of Proof**

1. General principles conception of onus-probands and onus-probandi
2. General and special exceptions to onus probandi
3. The justification of presumption and of the doctrine of judicial notice
4. Justification as to presumption as to certain offences
5. Presumption as to dowry
6. The scope of the doctrine of judicial notice

### **Estoppel**

1. Why estoppel? The rationale
2. Tenomacy Estoppel
3. Estoppel, res-judicial and waiver and presumption
4. Question of corroboration
5. Improper admission and of witness in civil and criminal cases

### **Selected Bibliography**

1. Sarkar and Manohar, Sarkar on evidence (1999), Wadhwa & Co. Nagpur
2. Indian Evidence Act, (Amendment up to date)
3. Ratanlal, Dhirajlal: Law of Evidence (1994), Wadhwa Nagpur
4. Polein Murphy, Evidence (51h Reprint 2000), Universal Delhi
5. Albert S. Osbom, The Problem Proof (First Indian Reprint 1998). Universal Delhi
6. Avtar Singh, Principles of Law of evidence (1992), Central Law Agency, New Delhi
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**LL.B. (HONS) PART III SEMESTER-V**  
**PAPER – II CIVIL PROCEDURE CODE AND LIMITATION ACT**

**UNIT-I Introduction**

**Concepts.**

1. Affidavit, order, judgment, degree, plaint, restitution, execution. decree-holder, judgment- debtor, mense profits, written statement.
2. Distinction between decree and judgment and between decree and order

**Jurisdiction**

1. Kinds
2. Hierarchy of courts
3. Suit of civil nature- scope and limits
4. Res subjudice and resjudicata
5. Foreign judgment - enforcement
6. Place of suing
7. Institution of suit
8. Parties to suit: joinder mis- joinder or non-joinder of parties representative suit
9. Frame of suit: cause of action
10. Alternative disputes resolution (ADR)
11. Summons

**Unit-II Pleading**

1. Rules of pleading, signing and verification
2. Alternative pleading
3. Construction of pleadings
4. Plaint: particulars
5. Admission, return and rejection
6. Written statement: particulars, rules of Evidence
7. Set off and counter claim: distinction
8. Discovery, inspection and production of documents
9. Interrogatories
10. Privileged documents
11. Affidavits

### **Unit-III Appearance, Examination, Trial and Suit in particular cases**

1. Appearance
2. Ex-parte procedure
3. Summary and attendance of witnesses
4. Trial
5. Adjournments
6. Interim orders: commission. arrest or attachment before judgment, injunction and appointment of receiver.
7. Interests or costs
8. Execution - concept General principles
9. Power for execution of decrees
10. Procedure for execution (section 52-54)
11. Enforcement, arrest and detection (ss 55-56)
12. Attachment (ss 65-64)
13. Sale (ss 65-97)
14. Delivery of property
15. Stay of execution

#### **Suits in Particular Cases -**

1. By or against government (ss 79-82).
2. By aliens and by or against foreign rules or ambassadors (ss 83-87-A)
3. Public nuisance (ss. 91-93)
4. Suits by or against firm
5. Mortgage
6. Interpleader suits
- 7 Suits relating to public charities
- 8 Indigent (Pauper) suits

### **UNIT-IV Appeals, Review, Reference and Revision**

1. Appeals from decree and order general provisions relating to appeal
2. Transfer of cases
3. Restitution
4. Caveat
5. Inherent powers of courts
6. Law Reform : Law Commission on Civil Procedure - Amendments

## Unit-V Limitation

1. The concept- the law assists the vigilant and not those who sleep over the rights.
2. object of the law of Limitation
3. Distinction with laches, acquiescence, prescription.
4. Extension and suspension of limitation
5. Sufficient cause for not filing the proceedings.
6. Illness.
7. Mistaken legal advise.
8. Mistaken view of law.
9. Poverty, minority and purdha.
10. Imprisonment
11. Defective vakalatnama
12. Legal liabilities
13. Acknowledgement- essential requisites
14. Continuing tort and continuing breach of contract
15. Foreign rule of limitation : contract entered into under a foreign law

## Selected Bibliography

1. Mulla, Code of Civil procedure (1999), Universal Delhi
2. C.K. Thakker, Code of Civil Procedure (1999), Universal Delhi
3. M.R. Mallick (ed.) B.B. Mitra on Limitation Act (1998), Eastern Lucknow.
4. Majumdar P.K. and Kataria R.P. Commentary on the Code of Civil Procedure.1908 (1998), Universal Delhi.
5. Saha A.N. The Code of Civil Procedure (2000) Universal Delhi
6. Sarkar Law of Civil Procedure Vols. (2000) Universal Delhi.
7. Universal's Code of Civil Procedure (2000).
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**LL.B. (HONS) PART III SEMESTER-V**  
**PAPER – III PROPERTY LAW**

**UNIT-I Introduction:**

1. Concept and meaning of property,
2. Various definitions given under Transfer of Property Act,
3. Kinds of property
  - (i) movable and immovable property
  - (ii) tangible and intangible property
4. intellectual property-copyright, patents and designs, trademarks

**UNIT-II Law relating to Transfer of Property under Transfer of Property Act, 1882**

1. General principles of transfer of property whether movable or immovable (Sec. 5 to 37)
2. What may be transferred
3. Competence, operation, conditions of restraining, alienation and repugnant to interest
4. Other Conditions – determinable on insolvency, transfer to unborn person, Rule against perpetuity, accumulation, transfer for benefit of Public in perpetuity
5. Conditional transfers – Condition precedent and subsequent, Vested and Contingent interest, Void condition, Election – Doctrine and Apportionment

**UNIT-III Transfers of Immovable Properties and Movable Properties**

1. Sale
2. Mortgage
3. Gift
4. Leases
5. Exchanges
6. Actionable claims

**UNIT-IV M.P. Accommodation Control Act 1961**

1. Preamble, Definitions and Provisions Regarding Rent
2. Control of Evictions of Tenants
3. Eviction on grounds of bonafide Requirement

4. Deposit of Rents

**UNIT-V Rent Controlling Authority**

1. Appointment
2. Powers and Functions of Rent Controlling Authority
3. Procedure
4. Appeals
5. Special obligations and penalties of Land Lords
6. Miscellaneous provisions

**Selected Bibliography**

Mulla : Transfer of Property Act  
V.P. Sarthy : Transfer of Property  
R.K. Sinha : Law of Transfer of Property  
The Transfer of Property Act, 1882  
The Transfer of Property Act, 1882



**LL.B. (HONS) PART III SEMESTER-V**  
**PAPER - IV INTERPRETATION OF STATUTES AND**  
**PRINCIPLES OF LEGISLATION**

**UNIT-I Interpretation of Statutes**

1. Meaning of the term statute, Kinds of statutes
2. Commencement, operation, repeal of statutes
3. Purpose of interpretation of statutes
4. Meaning of construction and interpretation – their difference

**UNIT-II Aids to Interpretation**

**Internal aids**

1. Titles
2. Preamble
3. Heading and marginal notes
4. Sections and sub- sections
5. Punctuation marks
6. Illustrative exceptions, provisos and saving clauses
7. Schedules
8. Non - obstante clause

**External aids**

1. Dictionaries
2. Translations
3. Travaux preparatoires
4. Statutes in pari materia
5. Contemporanea Exposition
6. Debates, inquiry commission reports and Law commission reports
7. General Clauses Act

**Unit-III Principles and Rules of Statutory Interpretation**

1. Primary rules
2. Literal rule
3. Golden rule
4. Mischief rule (rule in the Heydon's case)
5. Rule of harmonious construction
6. Noscitur a sociis
7. Ejusdem generis

8. Reddendo singula singulis

#### **UNIT-IV Interpretation with reference to the subject matter and purpose**

1. Restrictive and beneficial construction
2. Taxing statutes
3. Penal statutes
4. Welfare legislation and principles of legislation
5. Presumption

#### **Unit-V Principle of Constitutional Interpretation**

1. Harmonious constructions
2. Doctrine of pith and substance
3. Colourable legislation
4. Ancillary powers
5. "Occupied field"
6. Residuary power
7. Doctrine of repugnancy

#### **Selected Bibliography**

1. G.P. Singh, Principle of Statutory Interpretation,(7<sup>th</sup> ed.), 1999 Wadhwa Nagpur.
2. P.S. Langan (ed.), Maxwell on The interpretation of Statutes (1976, N.M. Tripathi, Bombay
3. K. Shanmukham, N.S. Bindras' Interpretation of Statutes (1997) The Law Book Co. Allahabad.
4. V. Sarathi, Interpretation of Statutes (1984), Eastern & Co.
5. M.P. Jain, Constitutional Law of India, (1994) Wadhwa & Co.
6. M.P. Singh, (ed.) V.N. Shukla's Constitution of India (1994) Eastern Lucknow
7. U. Baxi, Introduction to Justice K.K. Mathews, Democracy Equality and Freedom (19780 Eastern Lucknow.
8. Theories of Legislation by Jeremy Bentham, Tripathi Publication
9. vfu: ) i/ kn %l kfof/kd fuoþu dsfl )kr
10. cl rhyky ckosy %l fof/k; ka dk fuoþu

**LL.B. (Hons) Part - VI Semester - V**  
**PAPER – V Moot Court exercise and Internship :**

Note : 1. Three components of 30 marks each and viva for 10 marks shall be conducted by University.

2. Each component and viva-voce examination of this paper will be conducted by a panel of two examiners out of which one external examiner shall be appointed by the examination committee of the University and Internal examiner who may be retired professor/ Judges shall be appointed by the Principal/Director/Head of the Institution concerned. The remuneration shall be as per D.A.V.V. norms.

3. (a) Moot Court (30 Marks). Every student will be required to participate in moot courts in a year. The moot court work will be on assigned problem.

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

Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. 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 and Internship diary (30 marks) :

Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and

the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.

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

**LL.B. (HONS) PART - III SEMESTER - V**  
**PAPER VI (OPTIONAL –A) PROBATION AND PAROLE**

**UNIT-I Criminology**

1. The concept of Crime
2. Nature and scope of criminology
3. Schools of criminology
4. Causation of Crime (Etiology)

**UNIT- II Nature of Punishment**

1. Theories of punishments- deterrent, preventive, retributive, reformatory and expiatory theory
2. Kinds of punishment and judicial sentencing
3. Capital punishment
4. The police system
5. Criminal laws Courts protection to the accused
6. Strict construction of penal statutes
7. Penal law not to be retrospective in operation

**UNIT-III Organised Crime**

1. Definition Main characteristics of organized crime.
2. Organised Predatory Crime
3. Crime Syndicate
4. Criminal Rackets
5. Political grafts

**Unit-IV Probation**

1. Application of probation – utility and misconception
2. Conditions of Probation
3. Probation of offenders Act 1958
4. Power of Court to release certain offenders after admonition
5. Power of Court to release certain offenders on probation of good conduct
6. Power of Court to require released offenders to pay compensation and costs.
7. Restrictions on imprisonment of offenders under twenty-one years of age.
8. Report of probation officer to be confidential

9. Variation of conditions of probation
10. Procedure in case of offender failing to observe conditions of bond
11. Provisions as to Sureties

#### **Unit-V Parole**

1. The concept of Parole and object of parole
2. Parole and Probation Compared
3. Parole Distinguished from Furlough
4. Parole in India
5. Structural set up of Parole Boards and their functions
6. Conditions of Parole
7. Judicial Trend
8. Parole Violation

#### **Bibliography**

1. Katherine S. Williams, Text Book on Criminology (1997) Blackstone, London.
2. A. Siddique, Criminology, problems and perspectives (1997).
3. D.C. Pandey, Habitual offenders and the law.
4. Prof. N.V. Paranjape criminology and penology.
5. Prof. S.S. Shrivastava Criminology and criminal administration.
6. Prof. V.B. Agrawal and R.K. Raizada Crime and Criminology.
7. Probation of offenders Act. 1958

**LL.B. (HONS) PART III SEMESTER-V**  
**PAPER – VI (OPTIONAL – B) LOCAL SELF GOVERNMENT-**  
**INCLUDING PANCHAYAT ADMINISTRATION**

**UNIT-I Concept**

4. Local self Government- meaning, evolution.
5. Nature
6. Doctrine of distribution of power.

**UNIT-II Constitutional Provisions**

1. Constitutional Provisions-Directive principles,
2. 73<sup>rd</sup> and 74<sup>th</sup> Amendment;
3. Panchayats Constitution. and Composition.,
4. Powers and responsibilities.
5. Election, (Article 243. 243A-O) and 12<sup>th</sup> schedule.

**UNIT-III Municipalities**

1. The Municipalities- Constitution and Composition,
2. Reservation of seats,
3. Powers and responsibilities Election.
4. Wards Committees Finance Commission (relating to Municipalities) (Article 243 P, ZG and 280)

**UNIT -IV**

1. Panchayati Raj Act 1993.

**UNIT-V**

1. Nagar Palika Adhiniyam,

**Suggested Readings**

Dr. J.N. Pandey	Constitution Law of India
V. N. Shukla	Constitution Law of India
M.P. Jain	Indian Constitution
Basanti Lal Babel	Constitution of India

# VI Semester



**LL.B. (HONS) PART III SEMESTER-VI**  
**PAPER – I LAW OF TORT INCLUDING MOTOR VEHICLE**  
**ACCIDENT AND CONSUMER PROTECTION LAWS**

**Unit-I Evolution of Law of Torts**

- 1 England.- Forms of action, specific remedies from case to case
- 2 India - principles of justice equity and good conscience-unmodified character- advantages and disadvantages

**Definition, Nature, Scope and Objects of Tort**

1. A wrongful act- violation of duty imposed by law, duty which is owed to people generally (in rem) - *damnum sine injuria* and *injuria sine damnum*- doctrine and applicability.
2. Tort distinguished from crime and breach of contract and trusts.
3. The contract of unliquidated damages
4. Changing scope of law of torts : expanding character of duties owed to people generally due to complexities of modern society
5. Objects-prescribing standards of human conduct, redressal of wrongs by payment of compensation, proscribing unlawful conduct by injunction.

**Unit-II Justification in Tort**

1. *Volenti non fit injuria*
2. Necessity, private and public
3. Plaintiffs default
4. Act of God
5. Inevitable accident
6. Private defense
7. Statutory authority
8. Judicial and quasi-judicial acts

9. Parental and quasi-parental authority
10. Extinguishment of liability in certain situations

### **Unit-III Doctrine of sovereign immunity and its relevance in India**

1. Vicarious Liability
2. Torts against persons and personal relations
3. Defamation
4. Parental relations, master and servant relation
5. Malicious prosecution, wrongful confinement
6. Wrongs affecting property
7. Trespass to land
8. Constitutional torts and Public liability for victim's compensation.

### **Unit-IV Negligence**

1. Basic concepts
2. Theories of negligence
3. Contributory negligence
4. Special situations of negligence – Hazardous Substance and Machinery product liability, liability towards ultimate transferee.

### **Nuisance**

1. Definition essentials and types
2. Acts of obstructions (view and formation of queues)
3. Absolute and Strict liability
4. Legal remedies
5. Award of damages
6. Injunction
7. Extra-legal remedies

## **Unit-V Consumer Protection Act**

1. Concept and definition of Consumer and service
2. Unfair trade practices
3. Supply of essential commodities and services
4. Enforcement of consumer rights

## **Motor Vehicle Act**

1. Types of Accident, At road intersections, collision, involving children, excessive speed, in floods, pedestrian, Running over cyclist and Hit and run case.
2. Compensation and Right to Just Compensation.
3. Claims and Claim Tribunal – Composition, Powers, Procedure and appeal against its orders.
4. Liability – Insurance company, Third Party, Vicarious Liability Fault and no Fault liability, Right to fixed compensation.

## **Select bibliography**

1. Salmond and Heuston - On the Law of Torts (2000) Universal Delhi.
2. D.D. Basu, The Law of Torts (1982), Kamal, Calcutta.
3. B.M. Gandhi, Law of Tort (1987), Eastern, Lucknow
4. P.S. Achuthan Pillai, The law of Tort (199t) Eastern, Lucknow.
5. Ratanlal & Dhirajal, The Law of Torts (1997), universal, Delhi.
6. MKW cl Urhyky ckcy & vi dR; fof/k
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**LL.B. (HONS) PART III SEMESTER-VI**  
**PAPER – II LAND LAWS INCLUDING TENURE AND TENANCY**  
**SYSTEM**

**Unit – I      Concept**

1.    Objects and Reasons and Basic features of enacting Madhya Pradesh Land Revenue Code, 1959.
2.    Definitions : Abadi, Agriculture, Agriculture and Revenue years, Board, Bonafide Agriculturist, Co-operative Society, Government Forest, Government Lesees, Holding, Improvement, Land, Landless Person, Land Records, Mango grove, Orchard, Plot number, Rents, Revenue Officer.
3.    Tenant, Tenure-holder,

**Unit – II      Revenue Board and Revenue officer**

1.    Constitution and Conditions of service of members.
2.    Jurisdiction of Board and Powers of Board.
3.    Revenue Officers, Their Classes and Powers and Procedure of Revenue Officer and revenue courts.
4.    Powers of State Government to alter the limits
5.    Powers of State Government of appointing Revenue Officers
6.    Sub-Divisional Officers
7.    Powers to transfer Cases
8.    Conferral of Status of Courts, Inherent Powers and other Powers of Revenue Courts
9.    Appeal, Revision and Review
10.   Appellate, Authorities and their powers and limitation for appeals,
11.   Revision
12.   Review of orders
13.   Stay of execution of orders

## **Land and Land Revenue**

1. State ownership in all lands, Liability of land to pay land revenue, land exempted from payment of land revenue, and variation of land revenue
2. Assessment, Reassessment,
3. Revenue Survey and Settlement in Non Urban Area.
4. Appointment and Powers of Settlement Officers,
5. Revenue Survey,
6. Settlement of Rent,
7. Assessment and Re-Assessment of Land in Urban Area,
8. Land Records
9. Formation of circles and appointment of Patwari and Revenue Inspectors,
10. Land Records, Field Map, Record of rights,
11. Realisation of Land Revenue

## **Unit – III Tenure Holders**

1. Bhuswami
2. Right of Transfer, Forfeiture, lease, set aside of transfer, Reversion of land of members of aboriginal tribes, Diversion of land, Relinquishment, abandonment, disposal and partition of holding,
3. Occupancy Tenants,

## **Unit – IV Government leasee and service land rights and liabilities of Government leasee**

1. Government lease - Appointment, Termination of lease, Service Land
2. Alluvion and Deluvion
3. Consolidation of Holding
4. Village Officers
5. Patels
6. Kotwars

## **Unit – V Rights in Abadi and unoccupied Land**

1. Gram Sabha
2. Wajib-ul-arz
3. Nistar Patrak
4. Rights in forest Easement
5. Exclusive Jurisdiction of Revenue Courts
6. Miscellaneous Provisions

### **Select bibliography**

1. M.P. Land Revenue Code – 1959 (Jindal) 2008 Ed.
2. Basantilal Babel (Diglot) Vedpal Law in India 2007
3. dsds fuxe] l Vvy yW , tWl h] bykgckn 2008
4. cl rhyky ckcy] (Diglot) oniky & 2007
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## **LL.B. (HONS) PART III SEMESTER-VI**

### **PAPER – III BANKING LAW**

#### **UNIT-I - Introduction**

1. Evolution of Banking institution in India, banking definition, banking company in India, banking legislation in India- common law and statutory,
2. System and Classification of banks – essential functions and special functions
3. Agency services
4. E Banking and recent trends in banking

#### **UNIT-II Banker and Customers**

1. Customer, Banker – definition and nature
2. Legal character of banker - customer relationship
3. Special types of customers: Lunatics, minors, agents administrators and executors. partnership firms and companies
4. Duties and liabilities of banks and customers

#### **UNIT – III Negotiable Instrument**

1. Cheque- Meaning and characteristics, Duties and liabilities of banks payment of cheques by bank, liabilities of the banker in case of dishonour, protection of paying banker - forged cheques, alteration of cheque, collection of cheques and drafts- protection of collecting banker.
2. Crossing of cheques
3. Bill of exchange, promissory note – Meaning and characteristics and types of hundi, notary public noting protest, acceptance for honour, payment for honour
4. Holder and holder in due course- Definition and distinction between a holder and holder in due course,
5. Endorsement and its kinds, Acceptance, Presentment and Payment
6. Dishonour and discharge of negotiable instrument

#### **UNIT-IV Central Banking Theory and RBI**

1. Characteristics and function of central banks
2. The Reserve Bank of India as central bank of India
3. Objectives and organizational structure of RBI
4. Functions, Regulations of the monetary system, Monopoly of note issue

5. Credit control, Determination of bank rate policy, Open market operations, Banker's Bank, Banker of Government, Control over non-banking financial institutions, Economic and statistical research, Staff training, Control and supervisions of other banks.

#### **UNIT-V Merchant Banking**

1. Merchant banking in India.
2. SEBI (Merchant Bankers) Regulations. 1992.
3. Recovery of Debts Due to Bank and Financial institutions Act. 1993

#### **Selected Bibliography**

1. M.S. Parthasarthy (ed.) Kherganvala on the Negotiable Instruments Act (1998), Butterworth, New-Delhi
2. M.L. Tanaon, Tannon's Banking Law and Practice in India, (2000) India Law House, New Delhi.
3. S.N. Gupta, The Banking Law in Theory and Practice, (1999), Universal New Delhi.
4. G.S.N. Tripathi (ed.), Sethi's Commentaries on Banking Regulation Act 1949 and Allied Banking Laws (2000), Law Pub. Allahabad.
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**LL.B. (HONS) PART III SEMESTER-VI**  
**PAPER- IV INTELLECTUAL PROPERTY LAW**

**UNIT-I Introduction**

1. The meaning of intellectual property
2. Forms of intellectual property: copyright, trademarks, patents and designs
3. New forms as plant varieties and geographical indications
4. Introduction to the leading international instruments concerning intellectual property rights: the Berne Convention, Universal Copyright, . Convention, the Paris Convention, Trips, the World Intellectual Property Rights Organization (WIPO) and the UNESCO

**UNIT-II Selected aspects of the Law of copyright in India**

1. Historical evolution of the copyright law
2. Meaning of copyright
3. Copyright in literacy, dramatic and musical works
4. Copyright in sound records and cinematograph films
5. Ownership of copyright
6. Assignment and licence
7. Copyright authorities
8. Infringement of Copy right and remedies including Anton Pillor injunctive relief in India

**UNIT-III Trademarks**

1. The rationale of protection of trademarks as an aspect of commercial and of consumer rights, Dilution Theories of trade mark
2. Definition and concept of trademarks
3. Registration of trademark- authorities under the trademark Act
4. Passing off and infringement
5. Remedies

**UNIT-IV**

**Patents**

1. Concepts and Historical view of the patents

2. Process of obtaining a patent, authorities
3. Procedure for filling patents: patent co-operation treaty
4. Prior publication or anticipation
5. Rights and obligations of a patentee
6. Compulsory licences
7. Infringement - defences
8. Injunctions and related remedies

#### **UNIT-V**

1. Geographical indication Act
2. New plant culture and breeds Act

#### **Selected Bibliography**

1. Cornish W.R. Intellectual Property, Patents, Trade Marks, Copy Right and Allied Right (1999), Asia Law House, Hyderabad.
2. Vikas Vashishth, Law and practice oi Intellectual Property 1999 Bharat Law House Delhi.
3. P. Narayanan, Ine1lectua1 Property Law (1999), (ed) Eastern Law House, Calcutta
4. Bibeck Debroy (ed). Intellectual Property Right (1998), Rajiv Gandhi Foundation, Delhi
5. U.I.F. Anderfelt, International Patent Legislation and Developing Countries (1971)
6. W.R. Cornish, Intellectual Property (3rd ed) (1996) Sweet and Maxwell
7. K. Thairani, copyright: The Indian Experience (1987)
8. W.R. Cornish, Para and Materials on Intellectual Property (1999) Sweet and Maxwell.
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**LL.B. (HONS) PART III SEMESTER-VI**  
**PAPER- V DRAFTING, PLEADING AND CONVEYANCE**

- Note : 1. This paper shall have Diary of 90 (45+45) marks and viva- voce of 10 marks, which shall be evaluated by a panel of two examiners out of which one external examiner shall be appointed by the examination committee of the University and Internal examiner shall be appointed by the Principal/Director/Head of the Institution concerned. The remuneration shall be as per D.A.V.V. norms.
2. (a) Drafting : General principles of drafting and relevant substantive rules shall be taught
- (b) Pleadings :-
- (i) Civil : Complaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.
  - (ii) Criminal : Complaint, Criminal Miscellaneous petition, Bail Application, Memorandum of Appeal and Revision.
  - (iii) Conveyance : Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed
  - (iv) Drafting of writ petition and PIL petition

The course 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 may include not less than 15 practical exercises in drafting carrying a total of 45 marks (3 marks for each) and 15 exercises in conveyance carrying another 45 marks (3 marks for each exercise) remaining 10 marks will be given for viva voce.

## Select Bibliography

1. R.N. Chaturvedi : Pleading, Drafting and Conveyancing,
2. Manohar Murli : The art of Conveyancing and Pleading
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## **LL.B. (HONS) PART III SEMESTER-VI**

### **PAPER-VI (OPTIONAL – A) COMPETITION LAW**

#### **UNIT-I Introduction**

1. Development of competition Law – Classical and neo classical competition
2. Competition Law and Common Law.
3. Economic Rationale for Competition
4. Competition – its Goals, Efficiency, Consumer Welfare, Policy debate- Harvard v/s Chicago. School.

#### **UNIT-II Competition Law in India – Evolution Development and analysis**

1. MRTP Act, amendment in MRTP Act 1997 and shift in the emphasis.
2. Doctrine Guiding the MRTP
3. MRTP Failure.
4. Enacting Competition Act and rationale for prohibition of Anti competitive agreements, types of agreement, Exemptions, abuse of dominant position and competition law.
5. Instrument of abuse and remedies in case of abuse dominant position.

#### **UNIT-III Merger and Competition Law.**

1. Types of Merger and Pre notification
2. Analysing Mergers and competition law- market definition, structure and concentration, Non- Coordinated and Coordinated effects.
3. Market entry role of efficiency and Indian aspect of merger

#### **UNIT-IV Intellectual Property and International Trade in Context of competition Law**

1. Rationale for IPR and Competition Law, Economic Theory of Innovation, Trips and Competition Issues.
2. Licensing of IPR
3. Anti competitive settlement of IPR disputes,
4. Penalty provisions
5. International Trade and competition policy, Efforts at the UNCTAD, GATT, WTO Connections, Jurisdiction Issues in cross border activities

## **UNIT-V Competition Authorities (Regulatory Mechanism)**

1. Necessity and competition Law Regime.
2. Notable features of competition commission of India – Appointment, functions
3. Powers of commission as Civil Court
4. Directions of commission and Director General
5. Competition Appealate Tribunal- for motion, function, powers, awarding compensation

### **Selected Bibliography**

1. Abir Roy and Jayant Kumar : Competition Law in India, Eastern Law House, Calcutta

## LL.B. (HONS) PART III SEMESTER-VI

### PAPER- VI (OPTIONAL- B) BIO DIVERSITY PROTECTION

#### UNIT – I Introduction.

- 1 Concept - Multi Disciplinary Subject, Object and Reasons of the Act and Salient features.
- 2 Biological Diversity – Convention 1992 (glimpses ) Biotechnology and Biopiracy Art 3 and 15 thereof
- 3 Definitions – Benefit claims, Bio Diversity, Resources,
- 4 Relationship with IPR : Patent, Copy Right, Software and Application of IPR with approval of Authority to the undertaking.

#### UNIT – II National Bio Diversity Authority

- 1 Constitution organization and establishment of and committees under it.
- 2 Powers and Function of N.D.B.A.
- 3 For certain activities approval of Authorities by undertaking
- 4 Determination of equal benefits
- 5 Transfer of Bio Resource Knowledge

#### UNIT – III State Bio Diversity Boards

- 1 Constitution and establishment of State Boards
- 2 Function
- 3 Powers of State Bio Diversity Board

#### UNIT – IV National Bio Diversity Fund .

- 1 Constitution of National Bio-Diversity fund .
- 2 Accountable to central govt. by periodical reports and other provisions
- 3 constitution of State Bio Diversity Fund and other provisions of central and state government
- 4 Local Bio Diversity fund

#### UNIT – V Functions

- 1 To develop National strategies plans for conservation of Bio Diversity
- 2 Bio Diversity Management Committees
- 3 NBDA to be bound by the instruction of Central Government
- 4 Power of State to give direction
- 5 Settlement of Dispute between State Bio Diversity Board and nature of office of members of NBDA
- 6 Appeals
- 7 Cognizance of offence and non bailable offences
- 8 Offences by Companies

- 9 powers of Central Government to make rules and State Government to make rules.

### **Selected Bibliography**

1. Intellectual property Law in India – Justice P.S. Narayan Gogia Law Agency / Hyderabad.
2. Law Relating to IPR Central Law Agency Allahabad Dr. M.K. Bhandari
3. Dr. S R Mynei Law Relating to Intellectual Property Asia law House, Hyderabad.
4. I.P. Laws – P. Narayan Eastern law House.
5. A Usha – Biodiversity and conservation : International Perspectives – The ICFAI University Press.