

DETAILED SYLLABUS
OF
LL.B. 3 YRS PROGRAMME
UNDER
CRDET BASED SEMESTER SYSTEM
FROM
2012-13

Format and Distribution of Marks in the Question Papers of the End Semester Examination & Instructions

I] Every question Paper of Theory Subject of 80 marks except Paper no 1.5 i.e Legal Language & Legal writing shall be modeled on following Pattern

SECTION –A (10 Marks):-

Section –A consist of 15(fifteen) Multiple Choice Questions covering all the Units specified in the syllabus. Out of these 15 questions the students are required to answer 10 (ten) questions . Each question carries One mark.

SECTION –B (30 Marks):-

It consist of 8 (Eight) short answer questions from the given syllabus. Students are required to answer 6(Six) out of these eight question . Each question carries 5 marks

SECTION – C (40 Marks) :-

It consist of 8 (Eight) long answer questions from the given syllabus. Students are required to answer 5(Five) out of these eight question . Each question carries 8 marks

II] The question Paper of Computer Theory Subject will be of 40 marks & shall be modeled on following Pattern

SECTION –A (10 Marks):-

Section –A consist of 15(fifteen) Multiple Choice Questions covering all the Units specified in the syllabus. Out of these 15 questions the students are required to answer 10 (ten) questions . Each question carries One mark.

SECTION –B (30 Marks):-

It consist of 8 (Eight) questions from the given syllabus covering all the Units specified in the syllabus. Students are required to answer 6(Six) out of these eight question . Each question carries 5 marks

LL.B. –Ist Semester (3yrs)

Course Code 1.1

Contract –I

UNIT – I

History – Formation of Contract – Agreement and Contract – Definitions – Classification- Offer and Acceptance – Communication – Revocation – Essential elements – Invitation to Offer – Tenders.Consideration –*Nudum Pactum*- Essential elements – Privity of Contract and of Consideration – Exceptions – Unlawful Consideration and its effect.Contractual Ability – Electronic Documents as Web Pages – Digital Certificates as Entry Passes – Time and Place of Contract – Secured Custody of Electronic Records.

UNIT – II

Capacity to Contract – Minor’s Agreements and its effects – Persons of unsound mind –Persons disqualified by Law.Free Consent – Coercion - Undue influence – Misrepresentation – Fraud – Mistake –Legality of Object – Void Agreements – Agreements against Public Policy – Wagering Agreements – Its exceptions – Contingent Contracts.

UNIT – III

Discharge of Contracts and its various Modes – by performance – Time and place of performance – Performance of reciprocal promises - Appropriation of Payments –Discharge by Agreement – By operation of Law – By frustration (Impossibility of Performance) – By Breach (Anticipatory and Actual).

UNIT – IV

Remedies for Breach of Contracts – Damages – Remoteness of damages – Ascertainment of damages -Injunction – When granted and when refused– Restitution – Specific performance when granted – Quasi Contracts.

Reference Books:

1. Anson: Law of Contract, Clarendon Press, Oxford, 1998.
2. Krishnan Nair: Law of Contract , S.Gogia & Co., Hyderabad 1995.
3. G.C.V. Subba Rao: Law of Contract, S.Gogia & Co., Hyderabad 1995.
4. T.S.Venkatesa Iyer: Law of Contract, revised by Dr. Krishnama Chary, S. Gogia & Co.
5. Avtar Singh: Law of Contract , Eastern Book Company, Lucknow, 1998

Course Code 1.2

LAW OF TORTS AND CONSUMER PROTECTION ACT

UNIT-I

Evolution of Law of Torts- England-forms of action - Principles of justice ,Equity and Good Conscience

Defination,Nature Scope and Objects, Wrongful Act – Damnum Sine Injuria And Injuria Sine Damnum;Tort distinguish from Contract ,Crime& Breach of Trust; Unliquidated damages;Scope and object of Law of Torts

Justification In Tort ; Volenty not fit injuria; Necessity;Plaintiffs Default;Act of God; Inevitable accident; Private defence; Statutory authority; Judicial and quasi judicial act;Parental and quasi parental authority; Executive authority; Exercise of common right; Act causing slight harm

UNIT -II

Extinguishment of liability -Actio personalis moritur cum persona; Waiver and Acquiescence

; Accord and Satisfaction; Limitation ;Standing : Who may sue and who may not sued; Doctrine of sovereign Immunity and its relevance in India ;Vicarious liability-Master and Servant relationship, Principal and agent; Absolute\ Strict Liability- Rule in Rylands v. Fletcher

UNIT-III

Defamation –Libel and slander; Trespass to land ; Negligence - Basic concepts ,Standard of care, duty to take care, Doctrine of Contributory Negligence; Nuisance - Definition, essentials and types; Legal remedies- Legal remedy; Award of Damages

UNIT-IV

Consumer Protection-Consumer movements: Historical Perspectives,Consumer Protection Council, Consumer Disputes Redressal Agency,Consumer Protection Act-definitions.

UNIT-V

Consumer –The Concept, Objectives and Scope of CPA, Definitions: Consumer, Services, -- Deficiency in services–Meaning ,Professional service, Medical services, Lawyering services, Public Utility Services ,Commercial Services; Unfair trade Practice -Misleading and False advertisement; Unsafe and Hazardous Products, Falsification of Trade Marks; Consumer safety;Services –

UNIT - VI

Enforcement of Consumer rights- Consumer Forums under CPA: Jurisdiction, Power and Functions-,Procedure and Manner of filing a Complaint and hearing; Execution of Order- PIL- Class Action-Remedies-Administrative Remedies

Suggested Readings:-

1. D.D. Basu,The Law Of Torts ,Kamal , Calcutta.
2. D.M.Gandhi , Law Of Tort,Eastern Lucknow.
3. Ratanlal And Dhirajlal,The Law of Tort,Universal ,Delhi.
4. J. N. Pandey ,Law of Tort,Central Law PublicationAllhabad.
5. Salmond and Heuston –On the Law of Torts (2000)Universal, Delhi.
6. J.N Boriwala, Commentry on Consumer Protection act,1986,Universal ,Delhi.
7. P.K Majumdar,The Law of Consumer Protection In India (1998),Orient Publishing Co., New Delhi.

8. R. M Vats , Consumer and The law(1994),Universal ,Delhi

Course Code 1.3

CONSTITUTIONAL LAW-I

UNIT-I

General: Meaning and Significance of Constitution ,Classification of Constitution,

Nature of Indian Constitution,; Historical Background- Government of India Act, Constituent Assembly etc.; Salient Features of Indian Constitution; Preamble- Nature and Significance

Unit-II

Legislature under Indian Constitution - Union and State Legislatures - Composition, Powers, Functions and Privileges - Anti-Defection Law - Executive under Indian Constitution - President and Union Council of Ministers - Governor and State Council of Ministers - Powers and position of President and Governor

Unit-III

Judiciary under Constitution - Supreme Court - Appointment of Judges, Powers and Jurisdiction - High Courts - Appointment and Transfer of Judges - Powers and Jurisdiction - Subordinate Judiciary - Independence of judiciary - Judicial Accountability

Unit-IV

Centre State Relations - Legislative, Administrative and Financial Relations - Cooperation and Coordination between the Centre and States - Judicial Interpretation of Centre-State Relations - Doctrines evolved by Judiciary

Unit-V

Liability of State in Torts and Contracts - Freedom of Interstate Trade, Commerce and Inter course - Services under the State - All India Services - Public Service Commissions

Unit-VI

Emergency – Need of Emergency Provisions - Different kinds of Emergency - National, State and Financial emergency - Impact of Emergency on Federalism and Fundamental Rights - Amendment of Indian Constitution - Need of Amending the Constitution, Methods of Amendment, Process of Amendment and Basic Structure Theory

UNIT-VII

Need For Review of Indian Constitution -Working of Parliament , Governor- Status and Role;Judiciary-Parliament Relationship

Suggested Readings

1. M.P.Jain, *Indian Constitutional Law*, Wadhwa & Co, Nagpur
2. V.N.Shukla, *Constitution of India*, Eastern Book Company, Lucknow
3. Granville Austin, *Indian Constitution-Cornerstone of a Nation*, OUP, New Delhi
4. H.M.Seervai, *Constitutional Law of India* (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.Subba Rao, *Indian Constitutional Law*, S.Gogia & Co., Hyderabad
6. B.Shiva Rao, *Framing of India's Constitution* (in 5 Volumes), Indian Institute of Public Administration, New Delhi
7. J.N.Pandey, *Constitutional Law of India*, Central Law Agency, Allahabad

Course Code 1.4

Family Law –I (Hindu Law)

UNIT – I

Introduction - Concept of Hindu - Sources of Hindu Law – Modern and Ancient -Two Principal Schools of Hindu Law -Application of Hindu Law.

UNIT – II

Marriage - Evolution of the Institution of Marriage and Family-A detailed study of Hindu Marriage Act, 1955 – Matrimonial Remedies - Maintenance and Alimony; Customary Practices and legislative provisions relating to dowry prohibition.

UNIT – III

Hindu undivided family – Mitakshara Joint Family - Formation and Incidents – Property under both Schools – Kartha: His Position, Powers, Privileges and Obligations - Debts –Doctrine of Pious Obligation - Partition and Reunion .

UNIT – IV

Inheritance and Succession - Historical perspective of traditional Hindu Law relating toInheritance - A detailed study of Hindu Succession Act, 1956.Stridhana- Woman’s Property - Recent State and Central Amendments to Hindu Succession Act; Gifts and Testamentary Succession – Wills.

UNIT – V

Law relating to Hindu Minority and Guardianship: Kinds of Guardians; Duties & Powersof Guardians; A detailed study of Hindu Adoption and Maintenance Act, 1956;Maintenance: Traditional Rights and Rights under Hindu Adoption & Maintenance Act1956.

UNIT – VI

Family Courts Act ,1984 : Salient Feature; Constitution of Family Court; Jurisdiction; Powers; Appeals & Revisions; Emerging Trends : Counseling, Role of NGO’s, Lok Adalts in Settlements of Disputes relating to marriage and Divorce ;Uniform Civil Code (Article 44 of the Indian Constitution);

Reference Books:

- 1 Paras Diwan ,Family Law of Marriage and Divorce in India (1984).Allahabad Law Agency.
- 2 Subzari’s, Hindu Law(ancient &modified).Ashok Grover & Sons ,Aurangabad
- 3 Mullas, Principles of Hindu Law ,Butterworth co.
- 4 Diwan Paras , modern hindu law, Allahabad Law agency, Faridabad.
- 5 Subbba Rao, G C V , family law
- 6 Saharaj, H K Laws of Marriage and Divorce, Eastern Law House
- 7 Singh Jaspal,Hindu Law of Marriage &Divorce.,pioneer publication.
- 8 Dr. Anjali Hastak, Empowerment of women through Property Rights in Hindu Law,SPARC publ, Chandrapur

Course Code 1.5

Legal Language

1. The objective of this course to make the students acquaint with legal terminology
2. Pattern of Question Paper: The question paper shall have two parts i.e Section A & Section B. Section A consists of 70 marks from Unit 1 to V. It consists of 9 questions and students are required to answer 7 questions. Each question carries 10 marks. Section B Consists of TWO compulsory questions of 5 marks each from Unit VI & VII.

UNIT -I – Characteristics of Legal Language

- a. Meaning of Legal Language
- b. Scope and Domain of Legal Language
- c. Problems of Legal Language
- d. Problems of Legal Language in Drafting

UNIT -II – Legal Terminology

Ad hoc, Ad interim, Animo attestandi, Alibi, Ad valorem, Ambiguitas – patent, Ambiguitas – latents, Amicus Curiae, Animus possidenti, Bona Fide(s), Corpus juris civilis, Caveat emptor, De facto, De jure, Detenu, En masse, Ex officio, Ex-cathedra, Ex-parte, Ex-gratia, En-route, Ens legis, Ex post facto, Factum valent, In pari delicto, In pari material, In lieu of, In personam, In rem, Inter se, Impasse, In situ, Inter alia, In toto, Ipso facto, Intra vires, Jure Divino, Jus in rem, Jus ad rem, Jus tertii, Jus in re aliena, Jus in re propria, Jus gentium, Jus natural, Laissez faire, Legalis homo, Lex loci, Locus standi, Magnum bonum, Magnum opus, Mala fides, Modus operandi, Mutatis and mutandis, Note bene, Novus homo, Onus probandi, Obiter dictum, Prima facie, Quid pro quo, Res integra, Res nullius, Sine qua non, Socius criminis, Sans, Status quo, Suo motu, Ultra vires, Vox populi vox dei.

UNIT -III – Legal Maxims

- a. Actus dei nemini facit injuriam
- b. Actus non facit reum nisi mens sit rea
- c. Actus personalis moritur cum persona
- d. Audi alteram partem
- e. Communis error facit jus
- f. Damnum sine injuria
- g. Delegates non potest delegare
- h. Ex turpi causa non oritur action
- i. Falsus in uno falsus in omnibus

- j. Generalia specialibus non derogant
- k. Ignorantia facit excusat ignorantia juris non excusat
- l. Injuria sine damno
- m. Nemo dat quod non habet
- n. Novus actus interveniens or nova causa interveniens
- o. Noscitur a sociis
- p. Par in partem imperium non habet
- q. Qui facit per alium facit per se
- r. Respondeat superior
- s. Res ipsa loquitur
- t. Res non potest peccare
- u. Ubi jus ibi idem remedium
- v. Vigilantibus et non dormientibus, jura subveniunt
- w. Volenti non fit injura

UNIT -IV – Fundamental Principles of Legal Writing

Concision, clarity and cogency

- a. Simplicity of structure
- b. Title
- c. Heading
- d. Use of italics
- e. Numbers
- f. Definition of terms
- g. Contractions
- h. Use of first person
- i. Ellipses & alterations
- j. Citations, references and foot notes

UNIT-V – Legal Drafting in English, Hindi or Marathi

- a. Notices
- b. Affidavit
- c. Sale deed
- d. Gift deed
- e. Mortgage deed
- f. Lease deed
- g. Agreement of sale
- h. Promissory note
- i. Plaint
- j. Written statement
- k. Will
- l. Exchange deed

UNIT -VI – Paraphrasing

UNIT -VII – Figure of Speech

- a. Simile
- b. Metaphor
- c. Personification
- d. Apostrophe
- e. Hyperbole
- f. Euphemism
- g. Antithesis
- h. Oxymoron
- i. Epigram
- j. Irony
- k. Pun
- l. Metonymy
- m. Synecdoche
- n. Transferred epithet

- o. Litotes
- p. Interrogation
- q. Exclamation
- r. Climax
- s. Anticlimax

Reference Books

- a. Legal Language – Dr. Madabhishi Sridhar
- b. Legal Language and Legal Writing – S. K. Mishra
- c. Legal Language, Legal writing and general English – Prof. Dr. Saria Gupta and B. P. Agrawal
- d. Outline of Legal language in India – Dr. Anirudh Prashad
- e. Legal Language and Legal rights – S. N. Mishra
- f. Legal language and Legal rights – Tandon
- g. English Grammar – Wren and Martin

LL.B. –IIInd Semester (3yrs)

Course Code 2.1

Law of Contract –II

UNIT – I

Contract of Indemnity – Documents/Agreements of Indemnity - Definition, Nature and Scope - Rights of indemnity holder – Commencement of the indemnifier’s liability – Contract of Guarantee – Definition, Nature and Scope – Difference between contract of indemnity and Guarantee – Rights of surety – Discharge of Surety – Extent of Surety’s liability – Co-surety.

Contract of Bailment – Definition – Kinds – Duties of Bailor and Bailee – Rights of Finder of goods as Bailee – Liability towards true owner – Rights to dispose off the goods. Contract of pledge – Definition – Comparison with Bailment – Rights and duties of Pawnor and Pawnee

UNIT – II

Agency – Definition – Creation of Agency – Kinds of Agents – Distinction between Agent and Servant – Rights and Duties of Agent – Relation of Principal with third parties– Delegation – Duties and Rights of Agent – Extent of Agents authority – Personal liability of Agent – Termination of Agency.

UNIT – III

Indian Partnership Act

– Definition – Nature, Mode of determining the existence of Partnership – Relation of Partner to one another – Rights and duties of partner – Relation of partners with third parties – Types of partners – Admission of partners – Retirement – Expulsion – Dissolution of Firm – Registration of Firms.

UNIT – IV

Sale of Goods Act– The Contract of sale – Conditions and Warranties – Passing of property – Transfer of title – Performance of the Contract – Rights of Unpaid Seller against goods – Remedies for Breach of Contract

UNIT – V

Hire Purchase Act 1972– Rights and Obligation of the Hirer and Owner, Form and contents of Hire Purchase Agreements, Warranties and Conditions - Standard Form of Contracts: Nature, Advantages – Unilateral Character, Principles of Protection against the possibility of exploitation – Judicial Approach to such Contracts – Exemption Clauses – Clash between two standard forms of contracts.

Reference Books:

Avtar Singh - Law of Contract

J. P. Verma - The Law of Partnership in India

Saharay H. K - Indian Partnership and Sale of Goods Act

Krishnan Nair - Law of Contract

Hire Purchase Act

Pollock and Mulla - Indian Contract Act

Course Code 2.2

Law of Crimes

UNIT-I

Concept of crime - Definition and meaning of crime - Distinction between crime and tort -Stages of crime - Intention, Preparation, Attempt and Commission of Crime - Elements of Crime - *Actus Reus and Mensrea* - Codification of Law of Crimes in India - Application of the Indian Penal Code - Territorial and Extra Territorial application - General Explanations - Punishments.

UNIT-II

General exceptions - Abetment - Criminal Conspiracy - Offences against the State

Offences against public peace and Tranquility.

UNIT-III

Offences affecting human body (offences affecting human life) Culpable Homicide and Murder – Hurt and Grievous Hurt - Wrongful restraint and Wrongful confinement - Criminal force and Assault - Kidnapping and abduction –

UNIT-IV

Offences Against Women- Rape, custodial rape, marital rape ,Prevention of immoral traffic Prohibition of indecent representation of women , Dowry Harassment , Dowry Death,

UNIT-V

Offences affecting the public health, safety, convenience, decency and morals - Unnatural offences- Offences against Property - Theft - Extortion - Robbery & Dacoity - Cheating - Mischief - Criminal Trespass – Criminal misappropriation and Criminal breach of trust.

UNIT-VI

Offences by or relating to public servants - False Evidence and Offences against Public Justice - Offences relating to documents - Offences relating to Marriage - Cruelty by husband and relatives of husband - Defamation.

Suggested Readings:

1. Ratan Lal and Dhiraj Lal: *Indian Penal Code*, Wadhwa & Co., 2000.
2. Achutan Pillai: *Criminal Law*, Butterworth Co., 2000.
3. Gour K.D.: *Criminal Law - Cases and Materials*, Butterworth Co., 1999.
4. Kenny's: *Outlines of Criminal Law*, (1998 Edition)

Course Code 2.3

CONSTITUTIONAL LAW-II

UNIT-I

Citizenship under Indian Constitution - Person vis-s-vis Citizen; Rights- Meaning, Nature and Classification

UNIT-II

Fundamental Rights- Meaning, Nature and Significance- Relationship of Human Rights and Fundamental Rights - Concept of State: Definition of State & Judicial Interpretation-

Concept of Law: Meaning of Law , Judicial Review, Doctrine of Eclipse, Doctrine of Severability;

UNIT -III

Right to Equality: Concept and Significance-Equality Before Law and Equal

Protection of Law – Test of reasonable classification-Judicial Interpretation-Equality in Public Employment-Abolition of Untouchability and Titles-Protective Discrimination-

Reservation- Present Status and Efficacy

UNIT-IV

Freedoms and Restrictions under Art.19 - Protection against Ex-post facto law - Guarantee against Double Jeopardy - Privilege against Self-incrimination - Right to Life and Personal Liberty - Right to Education – Protection against Arrest and Preventive Detention)

UNIT-V

Right Against Exploitation: Prohibition of Forced Labour & Child Labour- Right to Religion: Concept of Secularism-Religious Freedom to Individual and Religious Denominations -Restrictions on Right to Religion-State Responsibility in the Matters of Religion ; Cultural and Educational Rights - Right to Minorities , Minority- Meaning and Nature

UNIT-VI

Right to Constitutional Remedies - Rights and Remedy- The Relationship-Art.32- Meaning, Nature and Significance- Writs under Art.32-Public Interest Litigation-Art.226- Nature and its Relation with Art.32- Art.136- Special Leave Petitions

UNIT-VII

Directive Principles of State Policy: Meaning, Nature and Scope -Concept of Welfare State and Social Justice-Justiciability of Directive Principles -Relationship Between Fundamental Rights and Directive Principles-Rule of Harmonious Construction

UNIT-VIII

Fundamental Duties: Right-Duty Relationship; Enforceability of Fundamental Duties

Issues and Challenges: Parliamentary Privileges and Fundamental Rights- Enforceability of Directive Principles- Emergency and Fundamental Rights

Suggested Readings

1. M.P.Jain, *Indian Constitutional Law*, Wadhwa & Co, Nagpur
2. V.N.Shukla, *Constitution of India*, Eastern Book Company, Lucknow
3. Granville Austin, *Indian Constitution-Cornerstone of a Nation*, OUP, New Delhi
4. H.M.Seervai, *Constitutional Law of India* (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.Subba Rao, *Indian Constitutional Law*, S.Gogia & Co., Hyderabad

6. B.Shiva Rao, *Framing of India's Constitution* (in 5 Volumes), Indian Institute of
Public Administration, New Delhi

9 J.N.Pandey, *Constitutional Law of India*, Central Law Agency, Allahabad

Course Code 2.4

Family Law –II (Muslim Law)

UNIT-I

Development of Islamic Law: Advent of Islam & development of Muslim Law, Schools and Sources of Islamic Law, the *Shariat Act, 1937*: Concept of Marriage: Definition, object, nature,

UNIT-II

Essential requirements of a Muslim marriage, classification of marriage - Legal effects of valid, void and irregular marriage - Muta marriage; Sources of Islamic law; Customary practices and State regulation: Pre-emption.

UNIT-III

Guardianship, Succession; Child And Family: Legitimacy, Custody, maintenance and education, Guardianship and parental rights.

UNIT-IV

Matrimonial Remedies under Islamic Law and Indian Divorce Act, 1869(Amended Act) - Nullity of marriage - Bar to matrimonial relief; Alimony and Maintenance: Alimony and Maintenance as an independent remedy- A review under Muslim law, Indian Divorce

Act, 1869, provisions under the *Criminal Procedure Code* 1973;
Maintenance of divorced Muslim Women under the *Muslim Women (Protection of Rights on Divorce) Act*, 1986.

UNIT- V

Will and Inheritance:

Will-Meaning, difference between will and gift, Will made in deathbed or during illness; Muslim law of Inheritance- Shia and Sunni schools; Distribution of property .

UNIT-VI

Dower, Law of Gifts ,Law of Wakf

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Reference Books:

- 1 A.A.A Fyzee- Outline of Mohammedan Law.
- 2 A.M Bhattacharjee-Muslim Law and Constitution, Easter Law House, Calcutta.
- 3 Purohit DR. Nishi ,The principles of Mohammedan Law, Orient publications.
- 4 Mulla- Mohammedan Law.Butterworthco.
- 5 Paras Diwan - Family Law. ,Allahabad Law Agency, Faridabad
- 6 kureshi, M.M- Muslim Law.
- 7 Myneni, S R, Muslim Law(other Muslim Law, Family Law II) .
- 8 Hidayatulla, M, Principles of Mohammedan Law.
- 9 Qazal Basha, yawer, Principles of Muslim Law, modern Law house.

Course Code 2.5
COMPANY LAW

UNIT –I

Definition and attributes of Company — Distinction between Partnership Firm and Company
Kinds of Companies including Multinational Companies — Advantages and Disadvantages of
Incorporation — Consequences of non-compliance of the provisions of the Companies Act in
matters of incorporation.

Unit-II:

Formation of Company: Promoters- Meaning, duties and liability; Registration and
Incorporation-Memorandum and Article of Association -Various clauses of Memorandum ,
Doctrine of Ultra-vires, Alteration of Memorandum, & Article of association, , Binding force of
Memorandum and Articles of Association, Doctrine of Constructive Notice, Doctrine of Indoor
Management ; Prospectus -Meaning and contents, Statement in lieu of prospectus, Remedies for
misrepresentation,Criminal liability

UNIT –III :

Shares –Definition, Types, Dematerialized shares(DEMAT), Allotment, Statutory restrictions, Transfer of shares and Buy back of shares- procedure, practice and Government and SEBI guidelines; Debentures – Definition, Kinds, Fixed and Floating charges, remedies of debenture holders, shareholders and debenture holders Shareholders’ democracy- protection of shareholders against oppression and mismanagement, globally changing profile of corporate ownership.

UNIT- IV

Management of Company -Concept of Corporate Governance-Directors and other Managerial persons – Position, Qualification, Disqualification, Appointment and Removal, Powers ,Duties, Remuneration and Liability;Company Secretary – Definition, Qualification, Statutory Duties and liabilities.; Sole Selling and Buying Agents;Meetings – Kinds, procedure, Voting;emerging trends- E- Governance, E- Filing

UNIT-V :

Minority Protection -Protection of Minority rights , Rule in Foss vs. Harbottle ; Prevention of Oppression and Mismanagement;Company Law Board, & its powers;

UNIT-VI

Amalgamation, Take over, Mergers - Winding up of Company -Meaning and Types, Grounds for compulsory winding up; Appointment, Powers and Duties of Liquidator, Contributories ,Contemporary issues in Company Law

UNIT-VII

Legal liability of company – civil and criminal,Remedies against them – Civil, Criminal and Tortuous – Specific Relief Act, Writs, Liability under special statutes

Books suggested for Reading:

1. Ashwin Labnnai Shah, Lectures on Company Law, Tripathi Pvt. Ltd.; Mumbai
2. Avtar Singh, Indian Company Law, Eastern Book Company,Luknow
3. Ramaiya, Guide to Companies Act (Vol. 1 & 2), Wadhwa & Company, Nagpur
4. S. M. Shah, Lectures on Company Law, Tripathi, Bombay
5. S.S. Gulshan, Company Law, Excel Books
6. Dr. N. V. Paranjape, Company Law, Central Law Agency
7. B.K. Sen Gupta, Company Law, Eastern Law House, Kolkata

8. R. R. Pennington, Company Law, Butterworths

LL.B. –IIIrd Semester (3yrs)

Course Code 3.1

Jurisprudence

UNIT-I

General-Meaning, Nature and Scope of Jurisprudence,Legal Studies and Jurisprudence, Jurisprudence- Interdisciplinary Approach; **Law**-Definition of Law,Nature and Kinds , Sources of Law, Law and Morality,Law and Justice,Law, State and Sovereignty,Law and Administration of Justice

UNIT-II

Natural School of Jurisprudence-Early Greek Philosophy- Socrates, Aristotle and Plato

Religious Approach of Middle Ages- Thomas Aquinas,Natural Law and Social Contract-Rousseau,Contemporary Natural Law- Fuller

Analytical School -Father of Analytical Positivism- John Austin, Primary and Secondary Rules- H.L.A.Hart, Pure theory of Law- Hans Kelsen

Historical School -Volksgeist- Savigny, Legal Fiction- Sir Henry Maine

Sociological School - Duguit's Social Solidarity Pound's Social Engineering

Realistic School -Justice Holmes Bad Man Theory

UNIT-III

Legal Rights and Duties-Definition of Legal rights, Essential elements of Legal Rights, Theories of Legal Rights, Right and Duty relationship, Kinds of Legal Rights; Ownership -Definition, Essentials, Kinds of Ownership; Possession- Meaning, Scope, Elements of Possession; Possessory Remedies- Why Recognized?; Emerging Issues- Changing nature of Property; Capitalism, Communism and Socialism; Globalization; etc.

UNIT-IV

Persons-Definition, Kinds of Person, Legal Status of Animals, Unborn Person, Dead Person, Idol etc.; Emerging Issues- State as Person, Human right violations and traditional concept of Person; Liability-Definition, nature and Kinds of Liability; Difference between Civil and Criminal Liability; Liability for Negligent acts; Exemptions from Liability; Emerging issues- Death Penalty, Quantum of Compensation, Liability for terrorist attacks, International crimes and Liability.

UNIT-V

Property-Meaning, Kinds of Property; Modes of acquiring Property

UNIT-VI

Contemporary Jurisprudence-Feminist Jurisprudence; Communism and Socialist Jurisprudence;

Comparative Jurisprudence

Suggested Readings

1. Salmond: *Jurisprudence*, Universal Publishers 12th Edn. 1966.
2. Paton : *Jurisprudence*

3. Allen : *Law in the Making*, Universal Publishers 7th Edn. 2001.
4. Mahajan V.D.: *Legal Theory and Jurisprudence*, Eastern Book Company, Lucknow, 5th Edn. 1977.
5. Dias : *Jurisprudence*, Aditya Books, 5th Edn. 1985.
6. Rama Jois, *Legal and Constitutional History of India*, Universal Law Publications, Delhi.

Course Code 3.2

Labour Law-I

UNIT-I

Labour Capital conflicts - evolution of Labour laws- Laissez fair to Welfare State- Constitutional Perspectives of Labour welfare and Industrial relations; Concept of Collective bargaining; Trade Unions: History of Trade Union Movement - The Trade Union Act 1926 – Definitions - Registration – Rights and Liabilities of Registered Trade Unions – Immunities – Amalgamation and dissolution of Unions – Reorganization of Trade Unions.

UNIT-II

Prevention and Settlement of Industrial Disputes in India - The role of State in Industrial Relations – The Industrial Disputes Act 1947 - Definition of industry - Industrial Dispute – Individual Dispute - workman- Lay off – Retrenchment - Closure -Award - Strike – Lockout

UNIT--III

Authorities under the I D Act – Works committee – Conciliation - Court of inquiry - Labour Courts- Tribunal – Powers and functions of authorities - Voluntary Arbitration - Provisions under Chapter V-A & V- B of the Act- Alteration of conditions of service – Management rights of action during pendency of proceedings – Recovery of money due from employer – Unfair labour practices - miscellaneous provisions of the Act.

UNIT--IV

Standing Orders - Concept and Nature of Standing Orders – scope and coverage- Certification process – its operation and binding effect – Modification and Temporary application of Model Standing Orders – Interpretation and enforcement of Standing Orders and provisions contained in the Industrial Employment (Standing Orders) Act 1946.

UNIT--V

Disciplinary Proceedings in Industries - Charge sheet – Explanation – Domestic enquiry - Enquiry officer – Enquiry report – Punishment – Principles of Natural Justice.

Suggested Readings:

1. Srivastava: *Law of Trade Unions* , Eastern Book Company, Lucknow
2. Goswami : *Labour and Industrial Law*, Central Law Agency.
3. R.F. Rustomji : *Law of Industrial Disputes* : Asia Publishing House, Mumbai
4. S.N. Misra : *Labour and Industrial Law*
5. J.N. Malik : *Trade Union Law*
6. Khan& Khan : *Labour Law* , Asia Law House, Hyderabad
7. S.C. Srivastava : *Industrial Relations and Labour Law*, Vikas Publishing House

Course Code 3.3

Environmental Law

UNIT-I

The meaning and definition of environment – Ecology - Ecosystems-Biosphere Biomes - Ozone depletion - Global Warning - Climatic changes - Need for the preservation, conservation and protection of environment - Ancient Indian approach to environment- Environmental degradation and pollution - Kinds, causes and effects of pollution.

UNIT -II

Common Law remedies against pollution - trespass, negligence, and theories of Strict Liability & Absolute Liability - Relevant provisions of I.P.C. and Cr.P.C. and C.P.C., for the abatement of public nuisance in pollution cases - Remedies under Specific Relief Act - Reliefs against smoke and noise - Noise Pollution.

UNIT -III

The law relating to the preservation, conservation and protection of forests, wild life and endangered species, marine life, coastal ecosystems and lakes etc. - Prevention of cruelty towards animals - The law relating to prevention and control of water pollution - Air Pollution - Environment pollution control mechanism - Law relating to environment protection – National Environmental Tribunal and National Environmental Appellate Authority.

UNIT -IV:

Art. 48A and Art. 51A(g) of the Constitution of India - Right to wholesome environment - Right to development - Restriction on freedom of trade, profession, occupation for the protection of environment - Immunity of Environment legislation from judicial scrutiny(Art.31C) - Legislative powers of the Centre and State Government - Writ jurisdiction - Role of Indian Judiciary in the evolution of environmental jurisprudence.

UNIT -V

International Environmental Regime - Transactional Pollution - State Liability - Customary International Law - Liability of Multinational Corporations/Companies - Stockholm Declaration on Human Environment, 1972 - The role of UNEP for the protection of environment - Ramsar Convention 1971 – Bonn Convention (Migratory Birds) 1992 - Nairobi Convention, 1982 (CFCC) - Biodiversity Convention (Earth Summit), 1992 - Kyoto Protocol 1997, Johannesburg Convention 2002.

Suggested Readings:

1. Paras Diwan: *Studies on Environmental Cases*.
2. S.N. Jain (ed.): *Pollution Control and the Law*.
3. Armin Rosencranz and Shyam Divan: *Environmental Law and Policy in India*.
4. A.Agarwal (ed.): *Legal Control of Environmental Pollution*

5. Chetan Singh Mehta: *Environmental Protection and Law*
6. V.K. Krishna Iyer: *Environment Pollution and Law*
7. Shah : *Environmental Law*
8. Paras Diwan : *Environmental Law and Policy in India,1991*
9. Dr. N. Maheshwara Swamy, *Environmental Law*, Asia Law House, Hyderabad.

Course Code 3.4
Transfer of Property

UNIT-I:

Meaning and concept of property — Kinds of property — Transfer of property — Transferable and non-transferable property — Who can transfer — Operation of transfer — Mode of transfer — Conditional transfer — Void and unlawful conditions — Condition precedent and condition subsequent — Vested and contingent interest — Transfer to unborn person

UNIT -II:

Doctrine of Election — Covenants — Transfer by ostensible owner — Doctrine of Feeding the Grant by Estoppel — Doctrine of Lis Pendens — Fraudulent Transfer — Doctrine of Part-performance.

UNIT -III:

Sale - Essential features — Mode of Sale — Rights and liabilities of parties. Mortgage – Kinds of Mortgages - Rights and liabilities of mortgagor and mortgagee — Marshalling and Contribution — Charges.

UNIT -IV:

Lease — Essential features — Kinds of leases — Rights and liabilities of lessor and lessee — Termination of lease — forfeiture — Exchange — Gifts — Different types of gifts — Registration of Gifts — Transfer of Actionable Claims.

UNIT -V:

Easements — Definition of easement — Distinction between Lease and License — Dominant and Servient Tenements. Acquisition of property through testamentary succession — Will — Codicil — Capacity to execute Will — Nature of bequests — Executors of Will — Rights and Obligations of Legatees.

Suggested Readings:

1. Mulla : *Transfer of Property*, Butterworths Publications.
2. Subba Rao GCV: *Commentaries on the Transfer of Property Act*.
3. Krishna Menon: *Law of Property*.
4. Upadhya's *Common Matrix of Transfer of Property*.

Course Code 3.5.1

COMPUTER (THEORY)

Max. Marks 50

UNIT - I

Computer Fundamentals

Block Diagram of Computer, Characteristics and Classification of Computer, Generation of Computer, Advantages and Limitations of Computer, Computer Memory (Primary and Secondary), Secondary Storage Devices (Floppy Disk, Hard Disk, Optical Disk, Pen drives), Input Devices (Keyboard, Mouse, Scanner, Touch Screen, Bar Code Reader), Output Devices (Monitor, Printers, Plotters), Meaning of Hardware and Software (Application Software & System Software)

UNIT -II

Basics of Network & Internet

Computer Network and its need, Types of Networks (LAN,WAN,MAN), Network Topologies (Ring, Bus, Star), Introduction to Internet, History of Internet, Working of Internet, Uses of Internet, The World Wide Web (WWW), Web Browsers, URL.

UNIT- III :

Cyber Law & Cyber Crimes

Salient Features of IT Act – 2000, Recent reforms, Definition, e-governance, Various Authorities under IT act and their powers, Penalties, Offences, Concept of Digital Signature and Cryptography, Authentication and Benefits.

Cyber Terrorism, Cyber Theft, Hacking, Viruses and their types.

UNIT- IV

E-Commerce

Introduction to E-Commerce, Traditional Commerce Vs E-Commerce, its advantages and disadvantages, functions of e-commerce, Types of e-commerce (B2B, B2C, C2B and C2C), Applications of e-commerce (Internet Payment System, Consumer Oriented E-commerce, Business Oriented E-commerce)

e-Services : e-Banking, e-Investment, e-Auction, e-Employments, e-Jobs.

UNIT- V

Operating System (DOS & WINDOWS)

File Types, Directory Structure, Booting (Warm and Cold), Internal and External DOS Commands, Wildcard Characters, Commands related to Directory (DIR, MD, CD, RD, TREE, PATH), Commands related to files (COPY, DEL, ERASE, REN, ATTRIB, FORMAT, SCANDISK, XCOPY, BACKUP, RESTORE), General Commands (TYPE, DATE, EDIT, TIME, PROMPT)

Introduction to Windows Operating System and their examples, Graphical User Interface, Various applications and Utilities of Windows Operating System, Starting applications, Creating shortcuts, files, folders and sub-folders, Copying files and folders, Control Panel (Add Hardware, add or remove program, display properties, date and time properties, taskbar and start button, mouse, keyboard), Accessories (Notepad, WordPad, Paint, Calculator)

My Documents, My Computer, Recycle Bin, Windows Explorer

System Tools : Disk Cleanup, Disk Defragmenter, Scandisk,

Recommended Books:

1. Computer Fundamentals, P.K. Sinha, Priti Sinha, BPB Publications
2. Information Technology Act 2008, Bare Act, Universal Law Publishing Co. Pvt. Ltd.
3. Law relating to Computer, Internet and E-Commerce, Nandan Kamat, Universal Law Publishing Co. Pvt. Ltd.

Course Code 3.5.2

Computer (Practical Paper)

Max. Marks 50

UNIT- I :

DOS & WINDOWS Xp

File Types, Directory Structure, Booting (Warm and Cold), Internal and External DOS Commands, Wildcard Characters, Commands related to Directory (DIR, MD, CD, RD, TREE, PATH), Commands related to files (COPY, DEL, ERASE, REN, ATTRIB, FORMAT, SCANDISK, XCOPY, BACKUP, RESTORE), General Commands (TYPE, DATE, EDIT, TIME, PROMPT), Use of Wildcard characters in different commands,

Introduction to Windows Operating System and their examples, Graphical User Interface, Various applications and Utilities of Windows Operating System, Starting applications, Creating shortcuts, files, folders and sub-folders, Copying files and folders, Control Panel (Add Hardware, add or remove program, display properties, date and time properties, taskbar and start button, mouse, keyboard), Accessories (Notepad, WordPad, Paint, Calculator)

UNIT- II

Introduction to Microsoft Word 2007

Creating a new document, designing a document, saving and closing a document, different views of document.

Formatting : Selection of text, Cut, Copy, Paste, Delete, Alignments, Bold, Italic, Underline, Borders and Shadings, Tabs, Paragraph settings, Page Setup, Print preview, Print, Spellings and Grammar check, Drop Caps, Bullets and Numbering, Columns settings, Header and Footer, Endnotes and Footnotes, Inserting Pictures, Clipart, Shapes, Wordart, Text box, Find and Replace, Change Case.

Inserting or Creating Tables, Add and remove Columns and Rows, Inserting Text, Change text directions, Sorting (Ascending and Descending), Inserting formula in the tables, Working with formulas like SUM, PRODUCT, MAX, MIN, MOD, AVERAGE, INT, Table properties, Table Autoformat, Mailmerge.

UNIT -III

Introduction to Microsoft Excel 2007

Introduction to Excel, Concept of Worksheet and Workbook, Creating a new worksheet, saving and closing a worksheet, different views in Excel.

Formatting : Paste special, Fill Series, Format Cell, Split Cell, Borders and Shadings, Data Sort (Ascending & Descending), Auto Filter, Advanced Filter, Conditional Formatting, Working with

Functions (Mathematical, Text, Statistical, Logical and Financial), Goal Seek Function, Workbook and Worksheet linking. Inserting Chart, Formatting of Chart

UNIT- IV

Introduction to Microsoft Powerpoint 2007

Introduction to Powerpoint, Designing, Saving and closing presentation, Different views of Powerpoint.

Inserting Slide, Pictures, Cliparts, Organisation Chart, Tables, Chart, Text Styling, Hide and Unhide slide, Header and Footer

Animation settings, Custom Animation, Transition, Applying Timings and sound effects to slide and text, Slide Show

UNIT –V

Internet

Creation of Email ID, Exchange of Email with and without attachment, Searching materials on Internet using different search engines, downloading and uploading of data

Recommended Books:

1. DOS 6 & 6.22 – An Introduction, M. Lotia, BPB Publication (2002)
2. Mastering Windows Xp Home Edition – Guy Hart-Davis, BPB Publication (2003)

LL.B. –IVth Semester (3yrs)

Course Code 4.1

ADMINISTRATIVE LAW

UNIT-I

Nature and scope of Administrative Law — Meaning, Definition and Evolution of Administrative Law—Reasons for the growth of Administrative Law — Relationship between Administrative Law and Constitutional Law.

UNIT -II

Basic concepts of Administrative Law — Rule of Law — **Interpretation** of Dicey's Principle of Rule of Law — Modern trends - Theory of Separation of Powers — Position in India, UK and USA

UNIT -III

Classification of Administrative functions — Legislative, Quasi-judicial, Administrative and Ministerial functions — Delegated Legislation — Meaning, Reasons for the growth and Classification of delegated legislation— Judicial and Legislative Control of Delegated litigation.

UNIT -IV

Judicial Control of Administrative Action - Grounds of Judicial Control — Principles of Natural Justice — Administrative discretion and its control.

UNIT –V

Remedies available against the State — Writs — Lokpal and Lok Ayukta — Liability of the State in Torts and Contracts — Rule of Promissory Estoppel —Administrative Tribunals - Commissions of Inquiry - Conciliation & Mediation through social action groups- Central Vigilance Commission— Public Corporations.;

Books suggested for reading:

1. M.P. Jain and S.N. Jain, Principals of Administrative Law, Wadhwa and Company, Nagpur.
2. Dr. S. P. Sathe , Administrative Law, Butterworths, New Delhi.
3. Durga Das Basu and A.K.Nandi, Administrative Law, Kamal Law House,Calcutta.
4. H.W.R. Wade and Christopher Forsyth, Administrative Law, Clarendon Press,Oxford
5. A. K. Shrivastav, Administrative Law (2 Vols.), Delhi Kamal Prakashan
6. Indian Law Institute, Cases and Materials on Administrative Law in India

7. J.C. Garner, Administrative Law, Butterworths, New Delhi

Course Code 4.2

Intellectual Property Law

UNIT-I

Meaning, Nature, Classification and protection of Intellectual Property — The main forms of Intellectual Property — Copyright, Trademarks, Patents, Designs etc..

UNIT –II

Introduction to the leading International instruments concerning Intellectual Property Rights The Berne Convention — Universal Copyright Convention — The Paris Union — Patent Cooperation Treaty -- The World Intellectual Property Organization (WIPO) and the UNEESCO, International TradeAgreements concerning IPR — WTO — TRIPS.

UNIT -III

The Copy Right Act, 1957 - Historical evolution — Meaning of copyright — Copyright in literary,dramatic and musical works, computer programmes and cinematograph films Neighbouring rights —Rights of performers and broadcasters, etc. —Registration of Copy Right Term of Copy Right; Ownership and Assignment of copyright — Author's special rights Notion of infringement —Criteria of infringement — Infringement of copyright in films, literary and dramatic works —Authorities under the Act — Remedies for infringement of copyright.

UNIT –IV

Intellectual Property in Trademarks and the rationale of their protection - The Trade Marks Act, 1999— Definition of Trademarks — Service Mark, Well known Trade Mark& Certification Marks; Distinction between Trademark and Property Mark - Registration — Passing off Infringement of Trademark — Criteria of Infringement — Remedies. The Designs Act, 2000 — Definition and characteristics of Design — Law in India — Protection and rights of design holders — Copyright in design — Registration — Remedies for infringement. Trademark and Domain Name Interface

UNIT –V

Patents — Concept of Patent — Historical overview of the Patents Law in India — Patentable Inventions — Kinds of Patents — Procedure for obtaining patent — The Patents Act, 1970 Recent amendments- Rights and obligations of a patentee — Term of patent protection — Use and exercise of rights — Exclusive Marketing Rights — Right to Secrecy — The notion of

‘abuse’ of patent rights —Infringement of patent rights and remedies available.

UNIT - VI

Geographical indication.-Plant varieties-Traditional knowledge.-Bio piracy, Patentability of Biotechnology and micro organize

Suggested Readings :

- 1) G.B. Reddy – Intellectual property Rights & Law, Gogia Law agency Hyderabad.
- 2) Comish W.R. 0 Intellectual Property, Patents, Trademarks, Copyrights and Allied Rights.
- 3) Vikas Vashisht – Law and Practice of intellectual Property, (1999), Bharat Law House Delhi.
- 4) P. Narayanan – Intellectual Property Law, (1999), (ed), Eastern Law House, Calcutta.
- 5) Bibeck Debroy – (ed), Intellectual Property Rights, (1998), Rajiv Gandhi Foundation, Delhi.
- 6) U.I.F. Anderfelt – International Patent Legislation and Developing Countries, (1971).
- 7) Comish W.R. – Intellectual Property, (3rd Edn), (1996), Sweet & Maxwell.
- 8) W.R. Mann – Transfer of Technology (1982).
- 9) Mata Din – Law of Passing Off and Infringement Action of Trademarks (1986).
- 10) P.S. Sangal & Kishore Singh – Indian Patent System and Paris Convention – Legal Perspectives (1987).

Course Code 4.3

Labour Law-II

UNIT-I

The Remunerative Aspects – Wages – Concepts of wages - Minimum, Fair, Living Wages - Wage and Industrial Policies - Whitley Commission Recommendations -Provisions of Payment of Wages Act 1936 - Timely payment of wages - Authorised deductions – Claims - Minimum Wages Act 1948 - Definitions - Types of wages -Minimum rates of wages - Procedure for fixing and revising Minimum Wages – Claims -Remedy.

UNIT -II

Bonus – concept - Right to claim Bonus – Full Bench formula - Bonus Commission - Payment of Bonus Act 1965 - Application – Computation of gross profit, available, allocable surplus - Eligibility of Bonus - Disqualification of Bonus - set on – set off of allocable surplus- Minimum and Maximum Bonus-Recovery of Bonus.

UNIT -III

Employees Security and Welfare aspect - Social Security - Concept and meaning - Social Insurance - Social Assistance Schemes. Social Security Legislations - Law relating to workmen's compensation - The Workmen's Compensation Act 1923 – Definitions -Employer's liability for compensation - Nexus between injury and employment - payment of compensation - penalty for default - Employees State Insurance Act 1948 – Application - Benefits under the Act - Adjudication of disputes and claims – ESI Corporation.

UNIT -IV

Employees Provident Fund and Miscellaneous Provisions Act 1952 – Contributions -Schemes under the Act - Benefits. The Maternity Benefit Act 1961 - Definitions-Application - Benefits. The Payment of Gratuity Act 1972 – Definitions – application - Payment of gratuity - eligibility – forfeiture – Nomination - Controlling authorities.

UNIT -V

The Factories Act 1948 - Chapters dealing with Health, Safety and Welfare of Labour.Child Labour - Rights of child and the Indian Constitution - Salient features of the Child Labour(Prohibition and Regulation) Act 1986.

Suggested Readings

1. S.N.Misra, *Labour and Industrial Laws*, Central law publication-22nd edition. 2006.
2. N.G. Goswami, *Labour and Industrial Laws*, Central Law Agency.
3. Khan & Kahan, *Labour Law*-Asia Law house, Hyderabad
4. K.D. Srivastava, *Payment of Bonus Act*, Eastern Book Company
5. K.D. Srivastava, *Payment of Wages Act*
6. K.D. Srivastava, *Industrial Employment (Standing Orders) Act 1947*
7. S.C.Srivastava, *Treatise on Social Security*
8. Jidwitesukumar Singh, *Labour Economics*, Deep& Deep, New Delhi
9. V.J.Rao, *Factories Law*

Course Code 4.4

Public International Law

UNIT-I

Nature, definition, origin and basis of International Law; Sources of International Law; Relationship between Municipal and International Law; Subjects of International Law.

UNIT- II

States as subjects of International Law: States in general; Recognition; State territorial sovereignty.

UNIT –III

State Succession — Responsibility of States for International delinquencies — State Territory — Modes of acquiring State Territory

UNIT – IV

State and Individual - Extradition, Asylum -Nationality-diplomatic envoys, consuls and other representatives; the law and practice as to treaties- Formation of Treaties - Modes of Consent, Reservation and termination.

UNIT – V

The United Nations Organisation - Principal organs and their functions; World Trade Organisation- Main features; International Labour Organisation.

UNIT -VI:

The Legal Regime of the Seas – Evolution of the Law of the Sea – Freedoms of the High Seas
Common Heritage of Mankind – United Nations Convention on the Law of the Seas – Legal
Regime of Airspace – Important Conventions relating to Airspace – Paris, Havana, Warsaw and
Chicago Conventions – Five Freedoms of Air – Legal Regime of Outer space – Important
Conventions such as Outer space Treaty, Agreement on Rescue and Return of Astronauts,
Liability Convention, Agreement on Registration of Space objects, Moon Treaty - Unispace.

Prescribed Books:

- 1 J. G. Starke- An Introduction to International Law.
- 2 P.W. Bowett- International Institutions.
- 3 J. B. Brierly - The Law of Nations.
- 4 D. H. Harris - International Law (Cases and Materials).
- 5 Oppenheim - International Law(Volume I, Peace)
- 6 S. K. Kapoor - International Law and Human Rights.
- 7 Bhagirathlal Das – World Trade Organization .
- 8 Agrawal H O-International Law & Human Rights, Central Law Publication, Allahabad.
- 9 Starke J G, An Introduction to International Law, Aditya Book, Butterworths.

OPTIONAL PAPER-I

Course Code 4.5.1

BANKING LAW

UNIT – I

Indian Banking Structure - Origin – Evolution of Banking Institutions – Types and functions of banks - Commercial banks – Functions – Banking Companies in India – RBI - Constitution, Management and Functions - Banking Regulation Act, 1949 – State Bank of India- UTI, IDBI, RRBs'-Local banks

UNIT - II

Employment of funds - Loans and Advances- Guarantees- Advances secured by Collateral securities- Agency Services- Financing of Exports- Special Banking Services –Advances to Priority Sectors and Credit Guarantee schemes- Securitization Act, 2002.

UNIT - III

Law relating to Negotiable Instruments, 1881 Act (Read with the amended Act of 2002) - Negotiable Instruments - Kinds - Holder and holder in due course – Parties –Negotiation- Assignment – Presentment – Endorsement – Liability of parties – Payment in due course – Special rules of evidence - Material alteration – Noting and protest – Paying banker and collecting banker – Bills in sets – Penal provisions under NI Act - Banker's book evidence Act.

UNIT – IV

Banker and customer Relationship - Definition of banker and customer – General relationship – Special relationship - Banker's duty of secrecy, banker's duty to honour cheques, banker's lien, and banker's right to set off - Appropriation of payments - Garnishee order - Customer's duties towards his banker. Opening of New Accounts – Special types of customers - Minor's A/C, Joint A/C, Partnership A/C, Company's A/C, Married women's A/C, Trust A/C, Joint Hindu family A/C - Illiterate persons, lunatics, executors - Precautions required in case of administrators, clubs, societies and charitable institutions to open an account

UNIT – V

Ancillary Services and E- Banking: Remittances - General, DD, MT, TT, Traveler's cheques, bank orders, credit card, debit/smart cards, safe deposit vaults, gift cheques, stock invest. E-Banking - Definition – E-Banking includes - Internet banking, mobile banking, ATM banking, computerized banking –E- banking services – retail services – wholesale services – E- Cheque-authentication-Cyber Evidence-Banking Ombudsman.

Prescribed Books:

1. M. L. Tannan- Law of Banking.
2. M. S. Parthasarathy (Ed.), Khergamvala - Negotiable Instruments Act.
3. Taxman: *Law of Banking*, India Law House
4. R.N. Chaudhary, Banking Laws, Central Law Publications, Allahabad.
5. Avtar Singh – Negotiable Instruments Act.
6. Basu - Review of Current Banking: Theory and Practice.
7. Paget- Law of Banking.
8. L. C. Goyle- The Law of Banking and Bankers.
9. Relevant provisions of Information Technology Act, 2000

OPTIONAL PAPER-II
course Code 4.5.2

Insurance Law

UNIT – I

Introduction: Nature- Definition- History of Insurance- History and development of Insurance in India- Insurance Act, 1938- (main sections) Insurance Regulatory Authority Act, 1999: Its role and functions.

UNIT – II

Contract of Insurance: Classification of contract of Insurance- Nature of various Insurance Contracts- Parties there to- Principles of good faith – non disclosure –Misrepresentation in Insurance Contract- Insurable Interest- Premium: Definition-method of payment, days of grace, forfeiture, return of premium, Mortality; The risk –Meaning and scope of risk, Causa Proxima, Assignment of the subject matter.

UNIT – III

Life Insurance: Nature and scope of Life Insurance- Kinds of Life Insurance.The policy and formation of a life insurance contract- Event insured against Life Insurance contract- Circumstance affecting the risk- Amount recoverable under the Life Policy- Persons entitles to payment- Settlement of claim and payment of money- Life Insurance Act, 1956- Insurance against third party rights- General Insurance Act, 1972- The Motor Vehicles Act, 1988 – Sec. (140-176), Nature and scope- Absolute or no fault liabilities, Third party or compulsory insurance of motors vehicles- Claims Tribunal- Public Liability Insurance –Legal aspects of Motor Insurance –Claims – Own Damages Claims – Third Party Liability Claims.

UNIT – IV

Fire Insurance: Nature and scope of Fire Insurance –Basic Principles – Conditions & Warranties – Right & Duties of Parties – Claims – Some Legal Aspects. Introduction to Agriculture Insurance – History of Crop Insurance in India – Crop Insurance Underwriting, Claims, Problems associated with Crop Insurance – Cattle Insurance in India.

UNIT – V

Marine Insurance: Nature and Scope- Classification of Marine policies- Insurable interest- Insurable values- Marine insurance and policy- Conditions and express warranties- Voyage deviation- Perils of sea- Loss- Kinds of Loss- The Marine Insurance Act, 1963 (Sections 1 to 91).

Prescribed Books:

1. K. S. N. Murthy and K. V. S. Sharma - Modern Law of Insurance in India.
2. M. H. Srinivasan - Principles of Insurance Law.
3. E. R. Hardy Ivamy - General Principles of Insurance Law, relevant Chapters.
4. Insurance Act, 1938.
5. The Marine Insurance Act, 1963.
6. General Insurance (Business) (Nationalization) Act, 1972.
7. The Life Insurance Corporation Act, 1956.
8. Motor Vehicle Act, 1988.

LL.B. – Vth Semester (3yrs)

Course Code 5.1

CIVIL PROCEDURE CODE AND LIMITATION ACT

UNIT-I : Codification of Civil Procedure and Introduction to CPC — Principal features of the Civil Procedure Code — *recent Amendments* in CPC -Hierarchy of courts--Suits — Parties to Suit — Framing of Suit —Institution of Suits — Bars of Suit - Doctrines of *Sub Judice* and *Res Judicata* — Place of Suing — Transfer of suits — Territorial Jurisdiction — ‘Cause of Action’ and Jurisdictional Bars — Summons — Service of Foreign summons.

UNIT -II

Pleadings — Contents of pleadings — Forms of Pleading — Striking out / Amendment of Pleadings - Plaint— Essentials of Plaint - Return of Plaint—Rejection of Plaint—Production and marking of Documents— Written Statement — Counter claim — Set off — Framing of issues.

UNIT -III

Appearance and Examination of parties & Adjournments — *Ex-parte* Procedure — Summoning and Attendance of Witnesses — Examination — Admissions — Production, Impounding, Return of Documents — Hearing — Affidavit —Judgment and Decree — Concepts of Judgment, Decree, and Interim Orders and Stay — Injunctions — Appointment of Receivers and Commissions — Costs -- Execution — Concept of Execution — General Principles of Execution — Power of Execution — Power of Executing Courts — Procedure for Execution — Modes of Execution -- Arrest and detention — Attachment and Sale.

UNIT –IV

Suits in Particular Cases — Suits by or against Government — Suits relating to public matters;— Suits by or against minors, persons with unsound mind, - Suits by indigent persons – Interpleader suits — Incidental and supplementary proceedings - Appeals, Reference, Review and Revision — Appeals from Original Decrees — Appeals from Appellate Decrees — Appeals from Orders — General Provisions Relating to Appeals.

UNIT –V

Law of Limitation — Concept of Limitation — Object of limitation - General Principles of Limitation — Extension — Condonation of delay — Sufficient Cause — Computation of limitation -- Acknowledgment and Part-payment — Legal Disability — Provisions of the Limitation Act, 1963 (Excluding Schedule)

Suggested Readings:-

1. Mulla, Code of Civil Procedure Code (1999) Universal, Delhi.
2. C.K. Thakkar, Code of Civil Procedure Code (2000) Universal, Delhi.
3. M.R. Mallik (ed) B.B. Mitra, On Limitation Act (1998) Eastern, Lucknow.
4. P.K. Majumdar and R. P. Kataria, Commentary On The Code of Civil Procedure Code-1908, Universal, Delhi.
5. P.K. Mukharjee, Limitation Act, Allahabad Law Agency.
6. Shailendra Malik, Code Of Civil Procedure, 27th Edition, 2011, Allahabad Law Agency.
7. Dr. Avtar Singh, Code of Civil Procedure, Central Law Publication, Allahabad.
8. Sarkar's Commentary on The Civil Procedure Code, Dwivedi, Allahabad Law Agency.
9. *AIR Commentaries on Limitation Act*, W.W. Chitale, AIR Ltd., Nagpur

Course Code 5.2

CRIMINAL PROCEDURE CODE, PROBATION OF OFFENDERS ACT AND JUVENILE JUSTICE ACT

UNIT-I : The Code of Criminal Procedure, 1973 : The rationale of Criminal Procedure — The importance of fair trial — Constitutional Perspectives : Articles 14, 20 & 21 — The organization of Police, Prosecutor and Defence Counsel — Pre-trial Process — Arrest — Distinction between “cognizable” and “non-cognizable” offences — Steps to ensure presence of accused at trial -- Warrant and Summons cases — Arrest with and without Warrant — The absconder status — Rights of arrested persons under Cr.P.C. and Article 22 (2) of the Constitution of India.

UNIT II: Search and Seizure — Search with and without warrant — Police search during investigation — General Principles of Search — Seizure — Constitutional aspects of validity of Search and Seizure proceedings.

UNIT -III : Trial Process: Commencement of Proceedings — Dismissal of Complaint — Bail, Bailable and Non-bailable Offences — Cancellation of Bails — Anticipatory Bail — General Principles concerning Bail Bond — Preliminary pleas to bar trial — Jurisdiction — Time Limitations — Pleas of *Autrefois Acquit and Autrefois Convict* — Fair Trial — Concept of fair trial — Presumption of innocence — Venue of trial — Jurisdiction of Criminal Courts — Rights of accused -- Constitutional Interpretation of Article 21 as a right to speedy trial — Charge — Form and content of Charge — Trial before a Court of Session : Procedural steps and substantive rights.

UNIT -IV: Judgment: Form and content -- Summary trial — Post-conviction orders in lieu of punishment — Modes of providing judgment copy — appeals, review and revisions- Reforms in Criminal Procedure Code

UNIT-V Preventive Measures- removal of Public Nuisance- Security Provisions-Maintenance of wife, children & parents

UNIT -VI: Probation and Parole: Authority granting Parole — Supervision — Conditional release -- suspension of sentence — Procedure under Probation of Offenders Act, 1958 -- Salient features of the Act. Juvenile Justice System -- Juvenile Justice (Care and Protection of Children) Act of 2000 -- Procedure under Juvenile Justice...Act — Treatment and Rehabilitation of Juveniles — Protection of Juvenile Offenders — Legislative and Judicial Role.

Suggested Readings:-

- 1.Ratanlal &Dhirajlal- Criminal procedure Code,Universal, Delhi.
2. Chandrashekar Pillai,Kelkal Lectures on Criminal Procedure Code,Eastern,Lucknow.
- 3.ShailedraMalik,The Code Of Criminal Procedure Code,Eighteen edition,2011,Allahabad law Agency.
- 4.R.N. Choudhari,Juvenile Justice In India,II nd Edition,Orient publishing Compony,Allahabad.
- 5.K.L.Sethi,The Probation of offender Act,1958,3 rd Edition,Unique Law House,Ahemadabad.

Course Code 5.3

Law of Evidence

UNIT-I:

The Indian Evidence Act, 1872 — Salient features of the Act – Meaning and kinds of Evidence — Interpretation clause — May Presume, Shall presume and Conclusive proof - Fact, Fact in issue and Relevant facts — Distinction between Relevancy and Admissibility - Doctrine of *Res Gestae* — Motive, preparation and conduct — Conspiracy — When Facts not otherwise relevant become relevant — Right and custom — Facts showing the state of mind etc.

UNIT -II :

Admissions & Confessions: General Principles concerning Admissions — Differences between "Admission" and "Confession" — Confessions obtained by inducement , threat or promise – Confessions made to police officer - Statement made in the custody of a police officer leading to the discovery of incriminating material — Admissibility of Confessions made by one accused person against co-accused. Dying Declarations and their evidentiary value — Other Statements by persons who cannot be called as Witnesses — Admissibility of evidence of witnesses in previous judicial proceedings in subsequent judicial proceedings.

UNIT -III :

Relevancy of Judgments — Opinion of witnesses — Expert's opinion — Opinion on Relationship especially proof of marriage — Facts which need not be proved — Oral and Documentary Evidence - General Principles concerning oral evidence and documentary evidence — Primary and Secondary evidence — Modes of proof of execution of documents — Presumptions as to documents — General Principles regarding Exclusion of Oral by Documentary Evidence.

UNIT -IV:

Rules relating to Burden of Proof - Presumption as to Dowry Death — Estoppel — Kinds of

estoppel — Res Judicata, Waiver and Presumption.

UNIT -V :

Competency to testify — Privileged communications - Testimony of Accomplice — Examination in Chief, Cross examination and Re-examination — Leading questions — Lawful questions in cross examination — Compulsion to answer questions put to witness — Hostile witness — Impeaching the credit of witness — Refreshing memory — Questions of corroboration — Improper admission and rejection of evidence.

Suggested Readings:

1. Batuk Lal: *The Law of Evidence*, 13th Edition, Central Law Agency, Allahabad, 1998.
2. M. Munir: *Principles and Digest of the Law of Evidence*, 10th Edition (in 2 vols), Universal Book Agency, Allahabad, 1994.
3. Vepa P. Saradhi: *Law of Evidence* 4th Edn. Eastern Book Co., Lucknow, 1989.
4. Avtar Singh: *Principles of the Law of Evidence*, 11th Edn. Central Law Publications.
5. V. Krishnama Chary: *The Law of Evidence*, 4th Edn. S.Gogia & Company, Hyderabad.

Course Code 5.4

Clinical Paper-I

Alternative Dispute Resolution

The course will be taught through classroom instruction in association with the Practicing Lawyers. However there is no end semester theory examination for this Course. Students have to prepare a record covering the topics specified in Unit-I to III of Section -A and assigned to the students. The Student shall required to attend and observe the proceedings of Lok Adalats, Family Courts, Tribunals and other ADR Systems and shall record atleast 10 proceedings in the diary.. The record and Report shall be submitted within the stipulated time to the evaluation Committee Constituted by the College with Full Time Teacher and Practicing Advocates.

The mode of Assessment is as follows:-

- | | |
|--|-----------------|
| A) Record on Topics from Unit I to III –
(Internal marks to be awarded by the evaluation Committee) | 40 Marks |
| B) Diary on Lok Adalat, Family Court, Tribunals & other ADR Proceedings
(to be awarded by both External & Internal Examiner jointly) | 40 Marks |
| C) Viva – Voce
(to be awarded by both External & Internal Examiner jointly) | 20 Marks |

Note :- Student shall get atleast 45% of the marks in each of the above components.

Unit-I: Alternate Dispute Resolution — Characteristics — Advantages and Disadvantages—
—Unilateral — Bilateral — Triadic (Third Party) Intervention — Techniques and processes -- Negotiation — Conciliation — Arbitration — Distinction between Arbitration, Conciliation and Negotiation.

Unit-II: The Arbitration and Conciliation Act, 1996 — Historical Background and Objectives of the Act — Definitions of Arbitration, Arbitrator, Arbitration Agreement -- Appointment of Arbitrator — Termination of Arbitrator -- Proceedings in Arbitral Tribunal -- Termination of Proceedings — Arbitral Award -- Setting aside of Arbitral Award — Finality and Enforcement of Award — Appeals – Enforcement of Foreign

Awards. Conciliation – Appointment of Conciliators – Powers and Functions of Conciliator -- Procedure – Settlement of disputes through conciliation.

Unit-III: Other Alternative Dispute Resolution Systems —Tribunals -- Lokpal and Lokayukta — Lok Adalats — Family Courts. Section 89 and Order X, Rules 1A, 1B and 1C of Civil Procedure Code.

Suggested Readings:

1. O.P. Tiwari : *The Arbitration and Conciliation Act* (2nd Edition): Allahabad Law Agency.
2. Johar's : *Commentary on Arbitration and Conciliation Act, 1996*: Kamal Law House.
3. Acharya N.K.: *Law relating to Arbitration and ADR*, Asia Law House,Hyderabad
4. Tripathi S.C.: *Arbitration, Conciliation and ADR*, Central Law Agency, Allahabad.
5. Avatar Singh: *Arbitration and Conciliation*, Eastern Law Book House, Lucknow.
6. KSR Murthy: *An introduction to ADR Mechanism*, Gogia Law Agency, Hyderabad
7. P.C. Rao : *Alternate Dispute Resolution* , 2001 Edition, Universal Book Traders, New Delhi.
8. S.D. Singh: *Alternate Dispute Resolution*, Universal Book Traders, New Delhi.

Course Code 5.5

Clinical Paper-II :

Professional Ethics & Professional Accounting system

The course will be taught through classroom instruction in association with the Practicing Lawyers. However there is no end semester theory examination for this Course. Students have to prepare a record covering the topics specified in Unit-I to IV of Section -A and assigned to the students & a Report on 50 select opinions of Disciplinary committee of Bar Council of India and 10 Major judgments of the Supreme Court relating to the Contempt of Court specified in Section - B. The record and Report shall be submitted within the stipulated time to the evaluation Committee Constituted by the College with Full Time Teacher and Practicing Advocates.

The mode of Assessment is as follows:-

- D) Record on Topics from Unit I to IV – **40 Marks**
(Internal marks to be awarded by the evaluation Committee)
- E) Report on opinions of Disciplinary committee **40 Marks**
of Bar Council of India & judgments of the Supreme Court
(to be awarded by both External & Internal Examiner jointly)
- F) Viva – Voce **20 Marks**
(to be awarded by both External & Internal Examiner jointly)

Note :- Student shall get atleast 45% of the marks in each of the above components.

SECTION –A

UNIT-I

The legal profession and its responsibilities; The equipment of the lawyer; Conduct in court; Professional conduct in general; Privileges of a lawyer;

UNIT-II

Seven lamps of advocacy — Advocates duties towards public, clients, court, and other advocates and legal aid ; Bar Council Code of Ethics.

UNIT-III

Disciplinary proceedings — Professional misconduct — Disqualifications — Functions of Bar Council of India/State Bar Councils in dealing with the disciplinary proceedings —Disciplinary Committees -- Powers and functions - Disqualification and removal from rolls.

Contempt of Court Act, 1972

UNIT-IV

Accountancy for lawyers:

Need for maintenance of accounts- Books of accounts that need to be maintained- Cash Book, journal and ledger Elementary aspects of bookkeeping: Meaning, object, journal, double entry system, closing of accounts The cash and bulk transaction- The Cash book- Journal proper especially with reference to client's accounts- Ledger, Trial balance and final accounts- Commercial mathematics.

SECTION –B

Selected major judgments of the Supreme Court:

1. *In the matter of D, An Advocate*, AIR 1956 SC 102.
2. *P.J.Ratnamv.D.Kanikaram*, AIR1964 SC 244.
3. *N.B.Mirzanv.The disciplinary committee of Bar Council of Maharashtra and Another*, AIR 1972 SC 46.
4. *Bar Council Of Maharashtrav.M.V.Dabholkar, etc.*, AIR 1976 SC 242.
5. *V.C.Rangadurai v.D.Goplan and others*, AIR 1979 SC 201.
6. *Chandra Shekhar Soniv.Bar Council of Rajasthan and Others*, AIR 1983 SC 1012.
7. *In Re an Advocate*, AIR 1989 SC 245.
8. *In Re Vinay Chandra Mishra*, 1995 (Vol-I) IBR 118.
9. *Supreme Court Bar Associationv.Union of India*, AIR 1998 SC 1895.
10. *Ex-Capt. Harish Uppalv.Union of India*, AIR 2003 SC 739.
- 11 Any other recent judgments of Supreme Court selected and given by concerned teacher

Selected opinions of the Bar council of India

1. DC Appeal No. 16/93 1998 (Vol.1) IBR 135
2. BCI Tr. Case No.40/91 1998 (Vol.1) IBR139
3. DC Appeal No. 8/94 1998 (Vol. 1) IBR 153
4. DC Appeal No. 20/94 1997 (Vol. 3 &4) IBR 193
- 5 BCI Tr. Case No. 76/95 1997 (Vol. 3 &4) IBR 201
- 6 DC Appeal No.43/96 1997 (Vol. 3 &4) IBR 207
- 7 DC Appeal No.18/91 1997 (Vol. 1 & 2) IBR 271
- 8 DC Appeal No.24/90 1996 (Vol.1) IBR 135
- 9 DC Appeal No.19/93 1996 (Vol.1) IBR 152
- 10 BCI Tr. Case No.104/90 1996 (Vol.1) IBR 155
- 11 BCI Tr. Case No.52/89 1994 (Vol.1) IBR 187
- 12 BCI Tr. Case No.127/88 1992 (Vol. 3 &4) IBR 125
- 13 BCI Tr. Case No.39/87 1992 (Vol. 3 &4) IBR 147
- 14 BCI Tr. Case No.39/89 1992 (Vol. 3 &4) IBR 149
- 15 BCI Tr. Case No.16/88 1989 (Vol.1) IBR 99
- 16 BCI Tr. Case No.2/88 1989 (Vol.1) IBR 102
- 17 BCI Tr. Case No.52/88 1989 (Vol.2) IBR 110
- 18 DC Appeal No.41/87 1989 (Vol.2) IBR 122
- 19 BCI Tr. Case No.29/81 1989 (Vol.2) IBR 245
- 20 DC Appeal No.14/88 1989 (Vol.2) IBR 258
- 21 BCI Tr. Case No.14/80 1989 (Vol.2) IBR 264

- 22 DC Appeal No.24/87 1989 (Vol.2) IBR 273
- 23 DC Appeal No.46/86 1989 (Vol.2) IBR 280
- 24 DC Appeal No.3/88 1989 (Vol.2) IBR 285
- 25 BCI Tr. Case No.2/80 1989 (Vol.2) IBR 289
- 26 BCI Tr. Case No.10/86 1989 (Vol. 3 &4) IBR 520
- 27 BCI Tr. Case No.101/88 1989 (Vol. 3 &4) IBR 524
- 28 DC Appeal No.23/88 1989 (Vol. 3 &4) IBR 532
- 29 DC Appeal No.35/87 1989 (Vol. 3 &4) IBR 536
- 30 BCI Tr. Case No.27/88 1989 (Vol. 3 &4) IBR 542
- 31 BCI Tr. Case No.6/84 1989 (Vol. 3 &4) IBR 560
- 32 BCI Tr. Case No.24/86 1989 (Vol. 3 &4) IBR 563
- 33 DC Appeal No.10/88 1989 (Vol. 3 &4) IBR 572
- 34 DC Appeal No.45/74 1988 (Vol. 1 &2) IBR 182
- 35 DC Appeal No.23/87 1989 (Vol.1& 2) IBR 187
- 36 DC Appeal No.6/81 1988 (Vol.1& 2) IBR 193
- 37 BCI Tr. Case No.16/86 1988 (Vol.1& 2) IBR 197
- 38 DC Appeal No.41/86 1988 (Vol.1& 2) IBR 200
- 39 DC Appeal No.33/86 1988 (Vol. 3 &4) IBR 354
- 40 DC Appeal No.21/85 1988 (Vol. 3 &4) IBR 359
- 41 BCI Tr. Case No.43/82 1988 (Vol. 3 &4) IBR 364
- 42 DC Appeal No.28/86 1988 (Vol.3& 4) IBR 374
- 43 DC Appeal No.64/74 1987 (Vol.2) IBR 314
- 44 DC Appeal No.30/84 1987 (Vol.2) IBR 319
- 45 DC Appeal No.40/86 1987 (Vol.3) IBR 488
- 46 DC Appeal No.10/86 &10A/86 1987 (Vol.3) IBR 491
- 47 DC Appeal No.7/86 1987 (Vol.3) IBR 496
- 48 DC Appeal No.7/81 1987 (Vol.4) IBR 735
- 49 DC Appeal No.12/86 1987 (Vol.4) IBR 745
- 50 BCI Tr. Case No.57/87 1987 (Vol.4) IBR 753
- 51 Any other recent opinion/decision of Disciplinary committee of BCI, selected and given by concerned teacher

Prescribed Books:

- 1) K.V.Krishnaswamy Iyer- Professional Conduct and Advocacy.
- 2) B.S.Raman- Accountancy.
- 3) N. R. Madhava Menon- Clinical Legal Education.
- 4) Dr. B. Malik- Art of Lawyer (New Delhi, Universal Book Agency, 1999) – Relevant articles
- 5) Contempt of Court Act, 1971
- 6) Myneni S.R.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.
- 7) Gupta S.P.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.
- 8) Kailash Rai: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Allahabad Law Agency.
- 9) Siroh: Professional Ethics, Central Law Publications, Allahabad.

- 10) Ramachandra Jha: Selected Judgements on Professional Ethics published by Bar Council of India Trust, 2002.
- 11) Dr. G.B. Reddy: Practical Advocacy of Law, 2nd Ed. 2005. Gogia Law Agency. Hyderabad

OPTIONAL PAPER-I

Course Code 5.6.1

Cyber Law

UNIT-I

Fundamentals of Cyber Law- Jurisprudence of Cyber Law- Overview of Computer and Web Technology- Introduction to Indian Cyber Law- Overview of General Laws and Procedures in India; Freedom of Expression on the Internet: Is it a Global Value?;The Internet and the Problems of Geography and Sovereignty

UNIT-II

E-commerce-Legal issues; Electronic Commerce –Digital Signature- Meaning; Creation of Digital Signature; Understanding how digital signatures work, Role in Information Technology; technical issues;legal issues; Crimes relating to digital signature certificates; Case Study - Digital signature fraud ;Electronic Contracts; E-taxation, E-banking, online publishing and online credit card payment

UNIT-III

Cyber Crimes -Meaning of Cyber Crimes –Cyber crimes under IPC, Cr.P.C and Indian Evidence Law - Cyber crimes under the Information Technology Act,2000 - Cyber crimes under International Law - Hacking Child Pornography, Cyber Stalking, Denial of service Attack, Virus Dissemination, Software Piracy, Internet Relay Chat (IRC) Crime, Credit Card Fraud, Net Extortion, Phishing etc - Cyber Terrorism - Violation of Privacy on Internet - Data Protection and Privacy ;Concept of Social Networking – Legal Implications of Social Networking

UNIT-IV

Intellectual Property Issues and Cyberspace - The Indian Perspective; Overview of Intellectual Property related Legislation-Copyright law & Cyberspace;Trademark law & Cyberspace;Law relating to Semiconductor Layout & Design

UNIT-V

Information Technology Act, 2000 - Aims and Objects — Overview of the Act – Jurisdiction - Electronic Governance – Legal Recognition of Electronic Records and Electronic Evidence - Digital Signature Certificates - Securing Electronic records and secure digital signatures - Duties of Subscribers - Role of Certifying Authorities - Regulators under the Act -The Cyber Regulations Appellate Tribunal - Internet Service Providers and their Liability – Powers of Police under the Act – Impact of the Act on other Laws .

Suggested Readings:

1. Kamlesh N. & Murali D.Tiwari(Ed), *IT and Indian Legal System*, Macmillan India Ltd, New Delhi
2. K.L.James, *The Internet: A User's Guide* (2003), Prentice Hall of India, New Delhi
3. Chris Reed, *Internet Law-Text and Materials*, 2nd Edition, 2005, Universal Law Publishing Co., New Delhi
4. Vakul Sharma, *Hand book of Cyber Laws*, Macmillan India Ltd, New Delhi
5. S.V.Joga Rao, *Computer Contract & IT Laws* (in 2 Volumes), 2005 Prolific Law Publications, New Delhi
6. T.Ramappa, *Legal Issues in Electronic Commerce*, Macmillan India Ltd, New Delhi
7. Indian Law Institute, *Legal Dimensions of Cyber Space*, New Delhi
8. Pankaj Jain & Sangeet Rai Pandey, *Copyright and Trademark Laws relating to Computers*, Eastern Book Co, New Delhi
9. Farouq Ahmed, *Cyber Law in India*
10. S.V.Joga Rao, *Law of Cyber Crimes and Information Technology Law*, 2007, Wadhwa & Co, Nagpur
- 11 Rodney D. Ryder, *Guide to Cyber Laws*, 2nd Edit, Wadhwa and Company, Nagpur

OPTIONAL PAPER-II

Course Code 5.6.2

Right to Information

UNIT-I

Right to Information before Right to Information Act, 2005-Significance of RTI in democracy
-Constitutional basis for RTI-Supreme Court on right to information.

UNIT-II

Public Authority-Definition- Criteria for Determination-Public Authority- Main function -Record Management-Identification and designation of PIOs/APIOs-Size and level of PIOs-Appellate Authority-Information Commission-Role of Appellate Authority-Dissemination of information-Determination of fees-Inspection of work/record/taking sample-Accounting procedure for the fees collected-Publication of details of PIOs and Appellate Authority-GUIDELINES FOR Information Officers-Non – Applicability of the Act to certain State Organisations

Unit –III

Public Information Officer- Duties and responsibilities-Onus on the PIOs-Procedure and steps involved-Dealings with the APIOs and other Department- Right of the Citizen-Types of help to be extended to the citizen-Time Frame-Exemptions-Third Party Information-Special Skills of PIOs

UNIT –IV

Information Commission-Powers and Functions - The Role and Responsibilities of the Information Commissions.- The relevant provisions in the RTI Act dealing with Complaints to the Information Commission and the specifications thereof- The "Second Appeal" process and the Commissions' mandate for the same- The power of Information Commissions with regard to enforcing compliance of public authorities with the provisions of the RTI Act-Imposing penalty / recommending disciplinary action against erring PIOs etc.

UNIT -V

RTI and Good Governance- Role of Civil Society Organisations and Media- Records Management for Effective Information Management -The importance of records

management. Best practices- A study of decisions rendered by state commissions and central Commission in the following areas of – Police, Revenue, PWD, Irrigation, Secretariat, BSNL, Posts and Telegraphs, Scheduled Banks, CPWD, Income Tax Department, Central Excise Department, Local Authorities. The broad issues relating to the keeping, maintaining, managing and destructing.

Reference Books:-

- 1) N.K. Jain, Right to Information – Concept, Law ,Practice, Regal Publication, New Delhi
- 2) Raj Kumar Pruthi, Manual of Right to Information Act, Pentagon Press, New Delhi
- 3) Prof(Dr) S. V. Joga Rao, Law Relating to Right to Information, Pentagon Press, New Delhi
- 4) N.K. Acharya, Right to Information Act, 2005,Edi 5th, Asia Law House, Hydrabad,
- 5) Dr. J. N. Barowalia, Commentry on Right to Information Act, 1st Edi 2006,Universal Law Publication , New Delhi
- 6) Right to Information Act, Bare Act

LL.B. – VIth Semester (3yrs)

Course Code 6.1

INTERPRETATION OF STATUTE

UNIT-I

General-Meaning, Nature and Scope of Interpretation ;Statute- Definition and Classification
Need and Purpose of Interpretation- General Principles of Interpretation - Rules of Construction
under the General Clauses Act, 1897

UNIT-II

General /Primary Principles of Interpretation,Intention of Legislature-Statute must be read as a
whole-Statute to be workable and effective-Plain Language must be given effect irrespective of
consequences- Subsidiary Rules of Interpretation -Rule of Last Antecedent-Non Obstante
Clause-Legal Fiction-Mandatory and Directory Provisions-Conjunctive and Disjunctive words-
Construction of General Words-*Noscitur A Sociis*, *Ejusdem Generis*,*Words of Rank*,
Reddendo Singula Singulis

Unit-III:

Grammatical Rule of Interpretation — Golden Rule of Interpretation – Rule of Interpretation to
avoid mischief.

Unit-IV:

Interpretation of Penal Statutes and Statutes of Taxation — Beneficial Construction —
Construction to avoid conflict with other provisions — Doctrine of Harmonious Construction.

Unit-V:

External Aids to Interpretation — Statement of objects of legislation, Legislative debates,
identification of purpose sought to be achieved through legislation — Internal Aids to
Interpretation — Preamble, title, interpretation clause, marginal notes, explanations etc. —
Presumptions.

Unit-VI:

Effect of Repeal — Effect of amendments to statutes — Conflict between parent legislation and subordinate legislation — Methods of interpreting substantive and procedural laws.

UNIT-VII Contemporary Issues of Interpretation- Enactment of Complex and Technical Statutes-Traditional Usage of Latin, French words in the Statutes-Globalization and Unification of Law- A Challenge Ahead -Judicial Review and Interpretation of Statutes-Encroachment on Legislative Powers

Suggested Readings

1. Vepa P. Sarathi: Interpretation of Statutes, Eastern Book Co, 4th Edition, 1976.
2. Maxwell: Interpretation of Statutes, Butterworths Publications, 1976, 12th Edition.
3. Crawford: Interpretation of Statutes, Universal Publishers.
4. Chatterjee: Interpretation of Statutes.
5. G.P. Singh: Principles of Statutory Interpretation, Wadhwa and Company, 8th Edn., 2001.
6. Cross, Statutory Interpretation

Course Code 6.2

Law of Taxation

Unit-I : Constitutional basis of power of taxation — Article 265 of Constitution of India — Basic concept of Income Tax — Outlines of Income Tax Law -- Definition of Income and Agricultural Income under Income Tax Act — Residential Status — Previous Year — Assessment Year — Computation of Income.

Unit-II: Incomes which do not form part of Total Income; Heads of Income and Computation — Income from Salary, Income from House Property- Profits and Gains of Business or Profession-Capital Gains and Income from other sources.

UNIT-III: Clubbing of Income; Set off and Carry Forward of Losses; Deductions to be made in computing Total Income

Unit-IV: Law and Procedure — P.A.N. — Filing of Returns — Payment of Advance Tax -- Deduction of Tax at Source (TDS) -- Double Tax Relief — Law and Procedure for Assessment- Kinds of Assessment, Penalties, Prosecution, Appeals and Grievances -- Authorities.

Unit-V : Wealth Tax — Charge of Wealth Tax — Persons liable to Wealth Tax — Persons exempted from Wealth Tax — Assessment — Deemed Assessment — Debts — Assessment year -- Previous Year -- Valuation Date -- Rate of Wealth Tax — Wealth Tax Procedure — Filing of Returns — Statement of net wealth, Computation of Wealth Tax, Valuation rules for immovable property, Business Assets, Jewelry.

Unit-VI: Sales Tax & Value Added Tax — Relevant important provisions of Maharashtra Value Added Tax Act-2002 - Assessment — Procedure -Practice of Sales Tax and VAT – Authorities - Powers and Jurisdiction.

Suggested Readings :

1. Dr. Vinod K. Singhania: *Student Guide to Income Tax*, Taxman, Allied Service Pvt. Limited.
2. Dr. Vinod K. Singhania: *Direct Taxes Law & Practice*, Taxman Allied Service Pvt. Limited.
3. Myneni S.R.: *Law of Taxation*, Allahabad Law Series.
4. Kailash Rai: *Taxation Laws*, Allahabad Law Agency.
5. Dr. Gurish Ahuja: *Systematic Approach to Income Tax*, Bharat Law House Pvt. Limited.
6. V.S. Datey : *Law and Practice Central Sales Tax Act, 2003*, Taxman Publications.
7. Nani Palkivala: *Income Tax*, Butterworths Publications.

Course Code 6.3

LAND LAWS

UNIT-I:

Classification of lands — Ownership of Land — Absolute and limited ownership (tenancy, lease etc.) — Doctrine of Eminent Domain — Doctrine of Escheat - Doctrine of Bona Vacantia — Maintenance of land records and issue of Pattas and

UNIT--II:

law reforms before and after independence — zamindari settlement — ryotwari settlement mahalwari system — intermediaries — constitutional provisions — abolition of zamindaries, jagirs and inams — tenancy laws — conferment of ownership on tenants/ryots.

UNIT--III:

The Land Acquisition Act, 1894- Preliminary Investigation-Publication Of preliminary notification,- Payment for damages -Declaration of intended acquisition- Award by the collector; Reference to Court and procedure thereon ;. Temporary Occupation of land ; Acquisition of land for Companies ; Things determine during granting compensation

UNIT--IV:

The Maharashtra Regional and Town Planning Act, 1966-Definitions; Provisions Relating to Regional Plan-Establishment of Region and alteration of limits-Constitution, Power and Duties of Regional Planning Board; Regional plan-Survey-Contents of regional Plan-Submission , Procedure and Publication of Regional plan; Development Plan -Contents of development Plan- Procedure to be followed in Preparing and sanctioning the development plan-Procedure for

Preparation of interim development plan; Penalty for Unauthorized development; Preparation and Contents of Town Planning scheme; New Town Development Authority

UNIT-V:

The Maharashtra Land Revenue Code ,1966-Definitions;Revenue Areas- Historical Perspective of Revenue system-Division of State into Revenue Areas-Constitution of Revenue areas;. **Revenue Officers -Their power and duties ;** Chief Controlling Authority in revenue matters-Revenue Officers in Divisions- Revenue Officer in District-Survey Officers
Combination of officer- Delegation Of power- Temporary Vacancies - Subordination officers- Power and duties of Survey officer; Title of State in all Lands, Public Road ,etc, which are not the property of others- Extinction of right of public on public road; Classes of persons holding land - Disposal of intestate occupancies-Occupancies to be transferable and restriction on transferability;

UNIT-VI

The Maharashtra Land Revenue Code ,1966-Procedure for Conversion of use of land from one purpose to another- penalty for using land without permission- Procedure for Construction of Water Course Through othersLand; Removal of encroachment of land vesting in Government- Regularization of encroachment- Summary eviction; Relinquishment- Relinquishment of alienated land- Right of to relinquished land;Penalty for default of payment of land revenue- Process of recovery of arrears- **Arest and Detention of defaulter;Boundry and Boundry Marks - Fixation and demarcation of Boundaries-Determination of Village boundaries- Determination of field boundaries- Disputes regarding boundaries - Straightening out crooked boundaries;. **Land record-** Record of right-Acquisition of right to be reported- Register of Mutation; **Rights of Unoccupied land -** .Nistar patrak -Wajib- Ul –Urj; **Appeal ,Revision and Review,Maharashtra Revenue Tribunal****

Suggested Readings :-

- 1.A. K .Gupte and Dighe , The Maharashtra Land Revenue Code ,1966Hind Law House ,Pune
- 2.Sameer Tendulkar and H. M. Bhatt ,MRTP Act 1966,Noble Law House, Mumbai
- 3 .Bare act , The Maharashtra Land Revenue Code ,1966
- 4.Bare Act ,MRTP Act 1966
5. Bare Act, The Land Acquisition Act,1894
- 6.R. Choudhari ,The Land Acqasition Act,Orient Law agency ,Allahabad.

7 . A. B. Puranik, Law Of Land Aquasition& Compensation,III rd Edition,Orient ,Allahabad.

8.S. R. Majumdar, The Maharashtra Regional town Plannig Act,Bhupesh Publication.

Course Code 6.4

Clinical Paper -III

DRAFTING, PLEADINGS AND CONVEYANCING

Class-room instruction and simulation exercises on the following items shall be extended.However there is no end semester theory examination for this course.

UNIT-I

Drafting: General Principles of Drafting and relevant Substantive Rules shall be taught.

UNIT -II

Pleadings:

(i) Civil—Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision.

(ii) Petition under Article 226 and 32 of the Constitution of India - Drafting of Writ Petition and PIL Petition.

(iii) Criminal— Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision.

UNIT -III

Conveyancing: Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed

Practical Exercises

Apart from teaching the relevant law, the course includes not less than 15 (fifteen) practical exercises in drafting of pleadings carrying a total of 45 marks (3 marks for each) and 15 (fifteen) exercises in conveyancing carrying another 45 marks (3 marks for each exercise) and remaining 10 marks for viva-voce.

These 30 exercises shall be recorded. Each student shall be served with different problems for the purpose of exercise. These exercises shall be assessed and marks may be allotted.

These exercises shall be evaluated by a common committee consisting of (i) Principal of the College/the concerned teacher as Internal Examiner (ii) External Examiner appointed by the University (iii) an Advocate with 10 years experience at the Bar. The same committee will also conduct viva-voce on the above concepts.

Note: Attendance of the students for viva-voce shall be compulsory.

Suggested Readings:

1. R.N. Chaturvedi : *Pleadings and Conveyancing*, Central Law Publications.
2. De Souza : *Conveyancing*, Eastern Law House.
3. Tiwari : *Drafting, Pleading and Conveyancing*, Central Law Agency.
4. Mogha: *Indian Conveyancer*, Eastern Law House.
5. Mogha: *Law of Pleadings in India*, Eastern Law House.
6. Shiv Gopal: *Conveyancing, Precedents and Forms*, Eastern Book Company
7. Narayana P.S.: *Civil Pleadings and Practice*, Asia Law House.
8. Narayana P.S.: *Criminal Pleadings and Practice*, Asia Law House.
9. Noshirvan H.Jhabvala: *Drafting, Pleadings, Conveyancing & Professional Ethics*. Jamhadar & Companes.
10. R.D.Srivastava: *The Law of Pleadings, Drafting and Conveyancing*, Central Law Agency

Course Code 6.5 Clinical Paper -IV :

Moot court & Internship

This paper has three components of 30 marks each and viva-voce for 10 marks.

(A) Moot Court (30 marks): Every student is required to participate in at least three moot courts in the VI Semester with 10 marks for each. The moot court work will be on an assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

Marks will be given on the basis of written submission and oral advocacy. Written submissions shall include brief summary of facts, issues involved, provisions of laws and arguments, citation, prayer, etc. Marks for oral advocacy may be awarded for communication skills, presentations, language, provisions of law; authorities quoted, court manners, etc. Written Memorials submitted by the students shall be kept by the College for Further Verification.

The performance of student in the moot court shall be evaluated by a committee consisting of (i) Principal of the College (ii) an Advocate with 10 years experience at the Bar; and (iii) the teacher concerned.

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

Students are required to attend courts to observe at least one civil and one criminal case. They shall maintain a record and enter the various steps observed during their attendance on different days in the court assignment. The Court Observation Record submitted by the students should be evaluated by a committee consisting of (i) Principal of the College/the concerned teacher (ii) External Examiner appointed by the University and (iii) an Advocate with 10 years experience at the Bar. Court attendance shall be compulsory and details shall be recorded in a

Record Book kept therefor. This may be carried under the supervision of a teacher of the college. This scheme will carry 30 marks.

(C) Interviewing Techniques and Pre-Trial Preparations and Internship/Court Visit Diary

(30 marks):

Each student should observe two 'interview sessions' of clients either in the Lawyer's Office or in the Legal Aid Office and record the proceedings in a diary, which will carry 15 marks.

Each student has to further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit / petition. This shall be recorded in the diary which will carry 15 marks.

The diary shall clearly indicate the dates on which the above observations are made and they shall be authenticated by the advocate concerned.

Evaluation of the above diary shall be made by the committee consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, Board of Studies in Law, O.U.; and (iii) an Advocate with 10 years experience at the Bar and average be taken.

(D)Viva-voce (10 marks): There shall be viva-voce examination on all the above three components. The Viva-voce Board consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law; and (iii)an advocate with 10 years experience at the Bar shall evaluate the student in the Viva. The proceedings of the viva-voce shall be recorded.

Note:

- 1. Attendance of the students in all the four components of the paper shall be compulsory.**
- 2. The above records, diary certified by the University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University for Further Verification.**

Suggested Readings:

1. Dr. Kailash Rai: *Moot Court Pre-Trial Preparation and Participation in Trial Proceedings*, Central Law Publication.
2. Amita Danda: *Moot Court for Interactive Legal Education*, Gogia Law Agency, Hyderabad.
3. Blackstone's: *Books of Moots*, Oxford University Press.

4. Mishra: *Moot Court Pre-Trial Preparation and Participation in Trial Proceedings*, Central Law, Allahabad.

OPTIONAL PAPER-I

Course Code 6.5.1

Human Right

UNIT-I

Meaning and definition of Human Rights - Evolution of Human Rights –Theories of Human Rights- Classification of rights; **Collective Rights**-Right to development-Right to Self determination -Right to Healthy Environment

UNIT -II

Adoption of Human Rights by the UN Charter - U.N.Commission on Human Rights - Universal Declaration of Human Rights - International Covenants on Human Rights(Civil and Political; Economic, Social and Cultural).

UNIT-III

Regional Conventions on Human Rights - European Convention on Human Rights - American Convention on Human Rights - African Charter on Human Rights(Banjul).

UNIT - IV

International Conventions on Human Rights - Disabled Persons, Indigenous persons,Persons with HIV – AIDS - CEDAW, Child Rights Convention, Convention against Slavery, Convention on Refugees - International Conference on Human Rights(1968) - World Conference on Human Rights(1993).

UNIT –V

Protection Agencies and Mechanisms -International Commission of Human Rights

- Amnesty International-Non-Governmental Organizations-International Labour

Organization- UNESCO-UNICEF

UNIT -VI

Human Rights Protection in India - Human Rights Commissions - Protection of Human Rights Act - National Human Rights Commission (NHRC) - State Human Rights Commissions - Human Right Courts in Districts;**Human Rights and Terrorism –Present scenario**

Books suggested for reading:

1. Meron Theodor, Human Rights and International Law: Legal and Policy Issues, 2 Vols.
2. S.K. Kapoor, Human rights Under International Law and Indian Law.
3. C. J. Nirmal, Human Rights in India, Oxford
4. P. R. Gandhi, International Human Rights Documents, Univrsal, Delhi
5. Wallace, International Human Rights: Texts and Materials, Sweet and Maxwell
6. Dr. H.O. Agrawal, International Law and Human Rights, Central Law Publication
7. K. R. Gupta, Global Terrorism, Atlantic Publishers
8. Dugmarti Rao, HIV / AIDS and Law, Ethics and Human Rights, Discovery Publishing House, New Delhi.

OPTIONAL PAPER-II
Course Code 6.5.2
WOMEN & LAW

UNIT-I :

Historical background and status of women in ancient India — Constitutional Provisions and gender justice — Relevant provisions relating to women in Directive Principles of State Policy and Fundamental Duties etc. under the Indian Constitution.

UNIT -II:

Laws relating to marriage, divorce and succession and maintenance under the relevant personal laws with special emphasis on discrimination of women — Special Marriage Act — Maintenance under Cr. P.C.

UNIT -III :

Special provisions relating to women under the Indian Evidence Act, 1872 — Offences against women under Indian Penal Code - outraging the modesty of women -sexual harassment – rape – bigamy - mock and fraudulent marriages – adultery - causing miscarriage - insulting women etc.

UNIT -IV:

Socio-Legal position of women and the law — Dowry Prohibition Act, 1961, Medical Termination of Pregnancy Act — Law relating to the Pre Natal Diagnostic Techniques (Regulation and Prevention of Misuse) and Sex selection — Immoral Traffic (Prevention) Act – Law relating to domestic violence.

UNIT -V :

Relevant provisions relating to women under Maternity Benefit Act, 1961, Factories Act and other Labour & Industrial Laws — Position of Women under International instruments — Salient features of Convention for Elimination of all forms of Discrimination Against Women (CEDAW)

Suggested Readings :

1. S.P. Sathe: *Towards Gender Justice*.
2. Dr. Vijay Sharma: *Protection to woman in Matrimonial home*
3. Dr. Sarojini Saxena: *Femijuris* (Law relating to Women in India)
4. Dr. Archana Parsher: *Women and Social Reform*
5. Dr. Paras Diwan: *Dowry and protection to married women*
6. Mary Wollstonecraft: *A Vindication of the rights of women*.
7. Dr. G.B.Reddy: *Women and Law*, 2nd Edn. Gogia Law Agency, Hyderabad, 1998.
8. Dr. Anjali Hastak, Empowerment of women through Property Rights in Hindu Law, SPARC publ, Chandrapur

