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B.A. LL.B. (VII SEM)
Exam. Dec-2018
2018
M.A. M.Sc.
First Third Semester
Pages: 07 to 07

B.A. LL.B.(Hon's) Five Years Course

SESSION 2012-2013

VII Semester

Paper – I

Property Law

UNIT – I

Introduction:-

Concept and meaning of property. various definitions given under transfer of property act, kinds of property – movable and immovable property – tangible and intangible property – intellectual property – copyright – patents and designs – trademarks

UNIT – II

Law relating to Transfer of Property under Transfer of Property Act, 1882

1. General Principles of transfer of Property whether movable or immovable (Sec. 5 to 37)

UNIT – III

1. General Principles of transfer of immovable property sale, mortgage, (Sec. 38 to 53 "A")

UNIT – IV

1. Gift, Leases, exchange Actionable claims

UNIT – V

Easement

1. Nature, Characteristics, definition and essentials creation of easements, kinds Riparian rights, Extinction, Suspension and revival of easements, Licenses

Selected Bibliography

Mulla	Transfer of Property Act
V.P. Sarthy	Transfer of Property
R.K. Sinha	Law of Transfer of Property
N.K. Jhabwala	The Indian Easement Act

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B.A. LL.B.(Hon's) Five Years Course

SESSION 2012-2013

VII Semester

Paper – II

Criminology & Penology

Note:- This Paper shall be of 100marks. Candidates are required to attempt five question on ten.

Contents:-

(I)

Introduction:- Early concept of Crime, Nature and extent of Crime in India, Definition Crime and its characteristics, Difference from Sin, Scope of Criminology, Relation between Criminology, Penology and Criminal law. Possibility of criminology as a Science.

(II)

Causes of Criminal Behavior :- The Schools of Criminology Classical School, Positive School – Lombroso and others (heredity and mental retardation as causes of crime) Sociology Theories. Sutherland's Theory of Criminal behavior and differential association, Multi Causation theory, Economic theories and their relevance, Environment – home and combination influence, Urban and Rural Crimes, Effect of media broken homes – Motion Pictures – T.V. Video, Press-Narcotics and alcohol, Emotional disturbance and other Psychological factors.

(III)

Dimensions of Crime in India :- Nature and extent of Crime in India, Crime of Power Organised Crimes, White – Collar Crimes, Socio – economic Crimes – adulteration of food and fraudulent trade practices, Crimes in the Professions – Medical, legal, Engineering, Crime related Crimes, Criminality of women.

(IV)

Police and the Criminal Justice:- The Police System in India, Organization of Police, ~~P~~and duties of Police, The role of Police, Functions of Police in Crime Prevention, Custom violence and liability of Police, Corruption in Police.

Punishment of Offenders:- Modes of Punishment, Capital Punishment, The Prison System reforms in Prison Open Prisons Prison labour,

(V)

Theories of Punishment.

Juvenile delinquency and Juvenile Courts.

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B.A. LL.B.(Hon's) Five Years Course
VII Semester
Paper – III
Drafting Pleading and Conveyancing
(Clinical Course)

Drafting

General Principles of Drafting and relevant substantive rules shall be taught

Pleadings

Civil : Complaint, W/s; Interlocutory application; Original petition; Affidavit; Execution petition; Memorandum of appeal and Revision; petition under Article 226 and 32 of the constitution of India

Criminal

Complaints; Misc, petition; Bail application; Memorandum of appeal and revision
Conveyancing

Sale deed; Mortgage deed; Lease deed; Gift deed; Promissory Note; Power of Attorney; and Will – The remaining 10 marks will be given in a Viva – Voce which will test the understanding of Legal Practice in relation to Drafting Pleading and Conveyancing

Clinical Course

This paper shall consist of theory (80 marks) and Viva (20 marks)

In Practical : the student will prepare Civil/Criminal Clint – (10 marks)

Viva – (10 marks)

Books Recommended:-

Drafting Pleading and Conveyancing - Mogha s Indian Conveyancer

Drafting Pleading and Conveyancing - The Advocacy Dr. Jayant L. Aparajit
– Udayan Law Publishes Nagpur

Drafting Pleading and Conveyancing - R.K. Chaturvedi

प्रारूपण अभिवचन तथा अभिहस्तान्तरण लेखन – डॉ. वाई एस. शर्मा

प्रारूपण अभिवचन तथा अभिहस्तान्तरण लेखन – एस.सी. दीक्षित

प्रारूपण अभिवचन तथा अभिहस्तान्तरण लेखन – ए.एन. पाण्डेय

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B.A. LL.B.(Hon's) Five Years Course
SESSION 2012-2013
VII Semester

Paper – IV

INTERPRETATION OF STATUES

UNIT – I

Interpretation of Statues

1. Meaning of the term 'statues'
2. Commencement, operation and repeal of statues
3. Purpose of interpretation of statues

UNIT – II

Aids to Interpretation

1. Internal aids


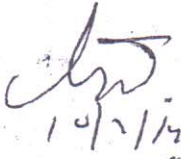
1. Titles
2. Preamble
3. Heading and marginal notes
4. Sections and sub-sections
5. Punctuation marks
6. Illustrative, exceptions, provisos and saving clauses
7. Schedules
8. Non obstante clause

2. External aids

1. Dictionaries
2. Translations
3. Travaux preparatoires
4. Statues in pari material
5. Contemporanea Exposito
6. Debates, inquiry commission reports and Law commission reports

UNIT – III

Rules of Statutory Interpretation

1. Primary rules
 2. Literal rule
 3. Golden rule
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4. Mischief rule (rule in the Heydon's case)

NIT -IV

1. Rule of harmonious construction
2. Noscitur a sociis
3. Eiusdem generis
4. Reddendo singula singulis

UNIT -V

Interpretation with reference to the subject matter and purpose

1. Restrictive and beneficial construction
2. Taxing statutes
3. Penal statutes
4. Welfare legislation

UNIT - VI

Principal of Constitutional Interpretation

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

Selected Bibliography

1. G.P. Singh, Principal of Statutory Interpretation, (7th ed.) 1999, Wadhwa Nagpur
2. P.St. Langan (ed.) Maxwell on The Interpretation of Statues (19760, N.M. Tripathi. Bombay
3. K. Shanmukham, N.S. Bindra's Interpretation of Statues (1997) The Law Book Co.
4. V. Sarathi, Interpretation of Statues, (19894), Easern & co.
5. M.P. Jain, Constitutional Law of India, (1994) Wadhwa & co.
6. M.P. Singh, (ed.) V.N. Shukla's Constitution of India (1994) Eastern Lucknow
7. U. Baxi, INtroduction to Justice K.K.Mathews, Democracy Equality and Freedom (19780 Eastern Lucknow

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B.A. LL.B.(Hon's) Five Years Course

SESSION 2012-2013

VII Semester

Paper – V

BANKING LAW

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UNIT – I

Introduction

1. Evolution of Banking institution in India banking definition, banking company in India banking legislation in India – common law and statutory,
2. Commercial banks : functions
3. Essential functions
4. Agency services
5. System of banking : Unit banking, branch banking, group banking and chain banking

UNIT – II

Bank and Customers

1. Customer: meaning
2. Legal character of banker – customer relationship
3. Special types of customers: Lunatics, minors, agents, administrators and executors, partnership firms and companies
4. Cheque- Duties and liabilities of banks payment of cheques by bank liabilities of the banker in case of dishonour – protection of paying banker – forged cheques – alteration of cheque – collection of cheques and drafts – protection of collecting banker.

UNIT – III

1. Bill of exchange, promissory note – Hundi types of hundi, notary public noting protest acceptance for honour payment for honour
2. Holder and holder in due course – distinction between a holder and holder in due course essential features of negotiable instrument – different types of bill and note reasonable, acceptance and negotiations
3. Types of endorsement – restrictive endorsement – endorsement excluding personal liability – partial endorsement – (once a bearer instrument always a bearer instrument)
4. Dishonour of negotiable instrument

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UNIT - IV

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Control Banking Theory and RBI

1. Characteristics and function of central banks
2. The Reserve Bank of India as central bank of India
3. Objectives and organizational structure
4. Functions, Regulations of the monetary system, Monopoly of note issue
5. Credit control, Determination of bank rate policy, Open market operations, Banker of Government, Control over non - banking financial institutions, Economic and statistical research, Staff training, Control and supervisions of other banks,
6. Interest: Rule against penalties, default and recovery

UNIT - V

Merchant Banking

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

Selected Bibliography

M.S. Parthasarthy (ed.) Kherganvala on the Negotiaable Instruments Act (1998), Butterworth, New- Delhi

M.L. Tannen, Tannen's Banking Law and Practice in India, (2000) India Law House, New - Delhi

S.N. Gupta, The Banking Law in Theory and Partice, (1999), Universal New Delhi

G.S.N. Tripathi (ed.), Sethi's Commentaries on Banking Regulation Act 1949 and Allied Banking Laws (2000), Law Pub. Allahabad

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