



# **GAUHATI UNIVERSITY**

**GUWAHATI - 781014**

**REGULATION AND SYLLABUS**

**OF**

**THREE YEAR LAW DEGREE COURSE IN SEMESTER SYSTEM WITH CHOICE BASED CREDIT  
AND GRADING SYSTEM LEADING TO THE AWARD OF LL.B. / LL.B.(HONS.) DEGREE**

IN CONFORMITY WITH THE BAR COUNCIL OF INDIA RULES (UNDER THE ADVOCATES ACT, 1961) PART -IV and as approved and adopted by the Bar Council of India at its meeting held on 14<sup>th</sup> September, 2008 vide resolution No. 110/2008 (Rules under Section 7(h) & (i), 24(1)(c)(iii) and (iii)(a), 49(1)(af) ,(ag), and (d) of the Advocates Act, 1961.

And as approved and passed by the Academic Council, Gauhati University on

.....

## - REGULATION -

### PART - A

#### TITLE, COMMENCEMENT AND DEFINITIONS

**1. Title:**

This regulation may be known as the Regulation of 3yr. Law Degree Course in Semester System with Choice Based Credit and Grading System (CBCGS) leading to the Award of LL.B. / LL.B. (Hons.) Degree.

**2. Commencement:**

- a) This regulation shall come into force from 2010-2011 session.
- b) **The students who took admission in 3yr. law degree course in 2009-10 session will also be governed by the syllabus & course structure prepared under this regulation from 2010-11 session i.e. from their Semester - III onwards**, with necessary minor adjustments as noted in relevant places of the syllabus and the course structure. In order to reduce the number of papers of the students who took admission in 2009-10 session this arrangement has been made. However, the results of the students who took admission in 2009-10 session will be declared in marks & not in grades.

**3. Definitions:**

- 3.1 **“Bar Council of India or Council or BCI”** shall mean Bar Council of India constituted under the Advocates Act, 1961.
- 3.2 **“Centre of Legal Education”** means the Constituent Law College of the University and affiliated Law Colleges recognized by the Gauhati University.
- 3.3 **“Compulsory Subjects”** mean and include subjects prescribed by the Bar Council of India as such.
- 3.4 **“Bachelor Degree in Law”** means and includes a degree in law conferred by the University and recognized by the Bar Council of India for the purpose of the Advocates Act, 1961 and includes a bachelor degree in law after any bachelor degree in science, arts, commerce, engineering, medicine or any other discipline of a University for a period of study of not less than three years.
- 3.5 **“First Degree”** means Bachelor Degree in any branch of knowledge such as Arts, Fine Arts, Science, Commerce, Management, Medicine, Engineering, Pharmacy, Technology etc. conferred by Gauhati University or any other University recognized by the Bar Council of India, from time to time.
- 3.6 **“Regular Course of Study”** means and includes a course which runs for **at least five hours a day** continuously with an additional half an hour recess every day and running **not less than thirty hours of working schedule per week**.
- 3.7 **“Second Degree”** means a course of study leading to a degree, which can be prosecuted only after obtaining a bachelor degree.
- 3.8 **“State Bar Council”** means the state bar council constituted in the state under the Advocates Act, 1961.

- 3.9 **“Unitary Degree Course in Law”** means three year degree course in law prosecuted by a student after completing a bachelor degree course in any discipline.
- 3.10 **“Full-time Faculty Members”** mean all full-time faculty members of the affiliated or constituent college as per UGC/ BCI guideline.

## **PART- B**

### **PROVISIONS OF ADMISSION**

#### **4. Introduction:**

There shall be a 3yr. Law Degree Course of 6 (six) semesters, spreading over 3 academic years, with Choice Based Credit and Grading System (CBCGS) leading to the Award of LL.B. / LL.B.(Hons.) degree for the purpose of enrolment as advocates under Advocates Act, 1961.

#### **5. Eligibility for Admission:**

**3yr. Law Degree Course:** An applicant who has **graduated in any discipline** of knowledge from a university established by an Act of Parliament or by a state legislature or from an equivalent national institution recognized as a deemed to be University or from a foreign university recognized as equivalent to the status of an Indian University by an authority competent to declare equivalence, may apply for a three year law degree course leading to conferment of LL.B. / LL.B (Hons.) degree on successful completion of the regular course.

Provided that applicants who have obtained First Degree Certificate after prosecuting studies in **distance or correspondence** method shall also be considered eligible for admission in the 3yr. law degree course.

#### **6. Age on Admission:**

The maximum age for seeking admission in 3yr. law degree course is limited to **30 (Thirty)** years, and **35 (Thirty Five)** years for the applicants belonging to SC, ST or any other backward communities, as on the 1<sup>st</sup> June of the year of admission.

However, upper age limit may be relaxed with the permission from the Vice-Chancellor of the University in extremely hard cases, on the recommendation of the Principal of the College and the Dean of the Faculty of Law.

#### **7. Admission Procedure:**

7.1 Admission shall be made strictly on merit by the respective college admission committee either by holding written admission test or interview of the candidates. In case of written admission test, if any, the question paper shall comprise to test (a) linguistic ability; (b) analytical skills; (c) level of quantum of information; (d) mathematical aptitude; (e) legal reasoning; (f) aptitude for learning law. Some preliminary psychological ability test may also be included.

7.2 In case of equal marks in admission test, their merit shall be determined by marks obtained in the qualifying examination i.e. the First Degree examination.

7.3 The result of the admission test, in order of merit, shall be notified in the office notice board and/or website, if any. Any selected student who fails to pay his/her admission fee and other charges by the date fixed for such payment shall forfeit his/her claim for admission.

7.4 There shall be **no relaxation** of marks in minimum eligibility for admission.

7.5 **Reservation policy** of the Govt. in the category of physically handicapped and candidates having extracurricular and co-curricular activities shall be followed while selecting the candidate. As per existing policy **7%** (seven percent) of the total seats shall be reserved for the applicants from schedule cast (SC), **10%** (ten percent) for applicants from schedule tribe-plains (ST-P), **5%** (five percent) for applicants from schedule tribes-hills (ST-H) and **15%** (fifteen percent) for other backward communities (OBC and MOBC) provided that they attain a standard for admission by scoring **cut off point of 40%** in case of written admission test and are **permanent residents of Assam**.

**8. Prohibition to Register in Two or More Regular Courses of Study:**

No student of the 3yr. law course shall be allowed to register simultaneously with any other graduate, postgraduate, certificate or diploma courses run by the same or any other university or institute for academic or professional learning.

Provided that any short period part time certificate or diploma course on language, computer science or computer application of an institute or any course run by a Centre for Distance Learning of a university shall, however, be allowed.

**9. Minimum Marks in Qualifying Examination for Admission:**

As per stipulation of the Bar Council of India the minimum percentage of marks not bellow **45%** of the total marks in case of general category applicants, and **40%** of the total marks in case of SC, ST and OBC applicants, to be obtained in the qualifying examination, i.e., in First Degree Examination in any discipline.

Provided that such a minimum qualifying mark shall not automatically entitle a person to get admission in the college, but shall only entitle the person concerned to fulfil other criteria notified by the college concerned or by the government concerned, from time to time, for admission.

## PART – C

### PROCESS AND MANNER OF RUNNING COURSE & NUMBER OF PAPERS

**10. Semester System with CBCGS and Teaching Load:**

10.1 The 3yr. law degree course leading to the award of LL.B / LL.B (Hons.) degree shall be conducted in semester system with CBCGS in not less than **15 weeks per semester**, with not less than **30 class-hours per week** including tutorials, moot court class room exercises and seminars provided there shall be at least 24 lecture hours per week. Provided further that in case of specialized and / or honours law degree courses there shall be not less than **36 class-hours per week** including seminar, moot court and tutorial classes and 30 minimum lecture hours per week.

10.2 The **teaching load** of full-time faculty members and contractual or part time teachers shall be according to the norms prescribed by the BCI / U.G.C. from time to time and in-case-of any conflict the norms prescribed by the UGC shall prevail. There shall be a **break for 10 days** at the end of each Semester.

**10.3 Minimum Weekly Class Program per Paper:**

- i) Each class will be of **one hour duration**.
- ii) **Number of class-hour per paper per week shall be equal to the number of credit** assigned to that paper as indicated in the course structure or as

shown against the name of that paper in the syllabus. (For course structure see **PART - J**).

- 10.4 The session for the odd semester shall run from **July to December** and for the even semester shall run from **January to June**. The odd semester examination will be held in December and the even semester examination will be held in June every year. (For academic calendar see **PART - I**).

**11. Attendance Provision for End Semester Examination:**

- 11.1 No student shall be allowed to appear in the end semester examination in a paper if he/ she has not attended minimum of **70%** of the classes held in the paper concerned including in tutorials, moot court exercises, practical trainings etc. conducted in respect of that paper.
- 11.2 If a student for any exceptional reasons fail to attend **70%** of the classes held in any paper, the principal of the college may allow him/ her to take the examination if he/ she attended at least 65% of the classes held in the paper concerned and attended 70% of classes in all the papers taken together. Provided a list of such students allowed to take examination, with reasons recorded, be forwarded to BCI.

**12. Academic Standards and Courses to be Studied:**

- 12.1 **Medium of Instruction:** English shall be the medium of instruction in 3yr. Law Degree Course.

- 12.2 **Total number of law papers** to be offered in 3yr. Law Degree Course:

- i) For 3yr. LL.B. Degree course students have to take **twenty compulsory law papers, six optional law papers and four compulsory practical (clinical) law papers** as indicated in the course structure. **(The internship training programme for the 4<sup>th</sup> practical paper may start from the earlier semesters of the 3yr. course as per Rule 17).**
- ii) For 3yr. LL.B. honours degree course, in addition to above mentioned papers, a student has to take **eight additional law papers** from any of the honours/specialized groups as indicated in the course structure. The honours /specialised groups are **Constitutional Law Group, Crime and Criminology Group, Intellectual Property Law Group and Business Law Group**. However, if the additional eight papers are taken from more than one group, honours will be given in general law without mentioning any specialization.

**Example:** "A" has taken eight honours papers selected as follows: two from Constitutional Law Group, three from Business Law Group, one from Crime and Criminology Group and two from Intellectual Property Law Group, his honours shall be in Law. "B" takes eight papers from Constitutional Law group, his honours shall be mentioned in Constitutional Law.

**However, severalty of papers must be maintained in selecting honours and optional papers. (For list of Honours paper see Part – K).**

**13. General Timing for Conducting the Courses:**

Classes shall be conducted between **8 a.m. to 7 p.m.** in a college, which is not fully residential. However the Library may remain open till 10 p.m.

**14. Size of a Section:**

The size of each of the section of a class shall be not more than **60 students**, but not more than five sections in one class, such as first semester or second semester or third semester, etc.

**15. Computer Education:**

Computer Education is to be made compulsory for all the students.

**16. Legal Aid Centre:**

Each college shall establish and run a Legal Aid Clinic under the supervision of a Senior Faculty Member who will administer the Clinic, run by the final year students of the college, in co-operation with the Legal Aid Authorities with the help of voluntary lawyers and other Non-Government Organizations engaged in this regard generally in the locality from which the student community of the college hail.

**17. Minimum Period of Internship:**

17.1 Each registered student shall complete minimum of **12 weeks internship** for 3yr. law course during the period of legal studies under NGO, Trial and Appellate Advocates, Judiciary, Legal Regulatory Authorities, Legislatures and Parliament, Other Legal Functionaries, Market Institutions, Law Firms, Companies, Local Self Government and other such bodies as the University shall stipulate, where law is practiced either in action or in dispute resolution or in management.

Provided that internship in any year cannot be for a continuous period of more than **Four Weeks** and all students shall at least have gone through once in the entire academic period with Trial and Appellate Advocates.

17.2 Each student shall keep **Internship diary** in such form as may be stipulated by the University/College concerned and the same shall be evaluated by the Guide in Internship and also a Core Faculty member of the college, each time. The total mark shall be assessed in the Final Semester of the course in the 4<sup>th</sup> practical paper.

**17.3 District-wise List of Senior Lawyers Willing to Guide Students under Internship:**

The college principals shall assist the State Bar Council in the preparation of the list of suggested senior advocates, district-wise, with at least ten years experience, who are willing to take under them internship students during the vacation period.

**17.4 Formal Dress Code During Internship:**

Students placed under internship or in moot court exercise shall have formal dress of legal professional in pupillage as follows:

For all: White or black trouser, white shirt, black tie, black coat, black shoe and black socks.

Optional for girl students: Black printed sharee, with white full sleeve blouse and covered black shoe or lawyer's suit with covered black shoe.

Formal Dress Code as above may be applicable during the normal class-hours also.

**PART - D****END SEMESTER EXAMINATIONS AND EVALUATIONS****18. Examination and Evaluation:**

Examination consists of **(i) continuous internal assessments** through sessional examinations, viva-voce, seminars/group discussions and **(ii) end-semester examinations**. The schemes of continuous internal assessment designed according to

needs of teaching-learning process in the course shall be disclosed to the students at the beginning of every semester by the teacher of the paper concerned.

**19. Timing of End Semester Examinations:**

The end semester examinations shall ordinarily be held at the end of every semester. The end semester examinations of the **odd semesters** will be held in **December** and end semester examinations of the **even semesters** will be held in **June** every year.

**20. Written End Semester Examinations of Theory/Practical papers:**

20.1 There will be **written end semester examinations** of 80 marks of 3 hour duration in **each theory paper** out of total 100 marks, remaining 20 marks will be internal assessment.

20.2 For **practical paper No. 1: Alternate Dispute Resolution** there will be written end semester examination for **60 marks of 2 hour duration** out of total 100 marks. For 20 marks, there will be internal assessment and for rest of the 20 marks there will be viva-voce examination and evaluation of written assignments/projects etc. to be jointly evaluated at the end of semester by one internal examiner and one external examiner to be appointed by the University.

20.3 The end semester examination of **practical paper No. 2: Drafting, Pleading and Conveyancing** will consist of viva-voce examination and evaluation of written assignments/projects etc. on entire 100 marks to be jointly evaluated at the end of semester by one internal examiner and one external examiner to be appointed by the University.

20.4 For **practical paper No. 3: Professional Ethics & Professional Accounting System** there will be written end semester examination for **60 marks of 2 hour duration** out of total 100 marks. For remaining 40 marks, there will be viva-voce examination and evaluation of written assignments/projects etc. to be jointly evaluated at the end of the semester by one internal examiner and one external examiner to be appointed by the University.

20.5 For **practical paper No. 4: Moot Court & Internship** (i) the written assignments relating to moot court, (ii) records relating to observation of 2 (two) trials in the court and (iii) the internship diary (jointly evaluated by the Guide in the internship and the core faculty member of the college) along with the list of the marks awarded on all the above three components will be placed before an internal examiner and external examiner to be appointed by the University for joint and final evaluation at the time of viva-voce examination at the end of the final semester. As per **Rule 17** of the Regulation the internship training will be of minimum 12 weeks during the entire 3yr. course, but in any year it should not be for a continuous period of more than 4 weeks.

**21. Distribution of Marks in the Question Papers of the End Semester Examinations & Instructions:**

**A. In a written paper of 80 marks of 3 hour duration the distribution of marks in the question paper will be as follows: -**

i) There will be **2 (two) questions, each of 12 marks, from each of the 5 units** of the syllabus of the paper. The students have to **answer 1(one) from each unit**. Of course, a question may have more than one part. (12 x 5=60 marks)

ii) There will be a compulsory question of 20 marks in two parts:

First part will have **10 (ten) multiple choice questions, each of 1 mark**, containing 2 questions from each unit. (10 X 1=10 marks)

Second part will have **5 (five) short questions on legal reasoning, each of 2 marks**, containing 1 question from each unit. (5 X 2=10 marks)

**B. In a written paper of 60 marks of 2 hour duration the distribution of marks in the question paper will be as follows:**

i) There will be **2 (two) questions, each of 15 marks, from each of the 3 units** of the syllabus of the paper. Students have to **answer one from each unit**. Of course, a question may have more than one part. (15X 3=45 marks)

ii) There will be a compulsory question of 15 marks in two parts:

The first part will have **5 (five) multiple choice questions, each of 1 mark**, covering all the 3 units of the syllabus, equally, as far as practicable

(5 X 1 = 5 marks)

The second part will have **5 (five) short questions on legal reasoning, each of 2 marks**, covering all the 3 units of the syllabus, equally, as far as practicable.

(5 x 2 = 10 marks)

**Instruction 1:** The teachers/ principals will explain about the above distribution of marks in the question paper to the students in the beginning of the semester and **the Controller of Examinations will bring the above distribution of marks to the notice of the question setters and question paper moderators.**

**Instruction 2:** Question setter will provide in separate sheet the correct answers of the multiple choice questions to the Controller of Examinations in a sealed envelope. **The Controller will supply the copy of the same to the respective examiners.**

**Instruction 3:** Referred cases have been incorporated in the syllabus to make the concept of law clear. But there will be no question in examinations exclusively on any decided case, though question on any concept of law may be asked with reference to important referred cases.

**For example:**

There will be no question from the referred cases of the following pattern :

Q. State the facts and principles of law laid down in Maneka Gandhi vs. Union of India.

But there can be question with reference to Maneka Gandhi case of the following pattern :

Q. State the meaning of "Procedure Established by Law" under Article 21 in the Constitution in the light of the decision of the Supreme Court in Maneka Gandhi vs. Union of India.

**22. Admission into End Semester Examination:**

A candidate shall be admitted to end semester examination provided he/she prosecutes a regular course of study prescribed for that particular examination with **minimum 70% attendance** and secures **at least 45% of marks (i.e. 9 marks out of 20) in the internal assessment** of each of the papers in which there is provision for internal assessment.

A candidate shall have to submit a certificate from the principal of the college concerned regarding his/her bonafides, satisfactory progress of studies and testifying to his/her good conduct and character.



**23. Forfeiting of Examination Fees:**

Every candidate found to be qualified to be admitted in the end semester examination shall have to pay the prescribed fees and apply in the prescribed form through the Principal of the college. If he/she fails to pass or fails to present himself/herself at the examination, he/she shall forfeit the examination fees so paid for that examination.

**24. Time Limit for Clearing the Degree:**

A Candidates shall be required to clear his/her LL.B/LL.B (Hons.) degree **within a period of 5 (five) years** from the date of his/her admission in the first semester of the course.

**PART - E****INTERNAL ASSESSMENT****25. Distribution of Marks in Internal Assessment:**

Distribution of 20 marks for internal assessment shall be as follows: -

First Sessional Examination	= 5 marks
Second Sessional Examination	= 5 marks
Viva-voce Examination	= 5 marks
Group Discussion/ Seminar	= 5 marks

**26. Procedure of Internal Assessment:**

- 26.1 The 1<sup>st</sup> and 2<sup>nd</sup> sessional examinations of the **odd semesters** will be held in **the last part of September and November** respectively. And the 1<sup>st</sup> and 2<sup>nd</sup> sessional examinations of the **even semesters** will be held in the **last part of February and April** respectively.
- 26.2 The principal in consultation with the teachers **will notify from time to time the exact dates of** sessional examinations, viva-voce examinations and group discussions/ seminars.
- 26.3 Each sessional examination will be of **1½ hour duration of total 40 marks in each paper**. The setting of question paper, invigilation duty, evaluation of answer scripts, viva-voce examination and all other activities connected with internal assessment will be done by the concerned teachers as part of their normal duty as teacher of the paper and **will not be entitled to any extra remuneration**.
- 26.4 After evaluation, the **answer scripts should be shown to the students concerned and correction should be made, if needed**. After this, the answer scripts should be collected back from the students. The entire process of evaluation of a sessional examination should not take more than 2 weeks from the date of examination.
- 26.5 If a student misses any of the sessional examinations for valid reasons, as evidenced by medical certificate or other authentic documents, the teachers concerned may allow the student a separate examination using the teachers' own discretion.
- 26.6 It is **recommended that 1 (one) paper in semester system should be taught by not more than two teachers**. The concern teachers of a paper should cooperate in conducting the internal assessment of that paper.

26.7 The concerned teacher(s) should submit the internal marks in proper marksheet along with the answer scripts to the principal at least a week before the filling up of examination forms begins for that semester. The principal will send the internal marks of all the papers to the controller of examinations before the end of the semester examinations. But the answer scripts of sessional examinations and other records will be kept in the custody of the principal for future references for a minimum period of 1 year.

**27. Scaling of Marks of Internal Assessment:**

If necessary, the Controller of Examination shall arrange the scaling of marks of Internal Assessments before announcement of examination result.

**PART – F**

**PROVISIONS FOR PASSING EXAMINATIONS & SEMESTER PROMOTION**

**28. Standard of Passing the Semester Examinations:**

28.1 In order to qualify in a particular examination, a candidate shall have **to secure at least 45% of marks** in each and every theory and practical/clinical paper **in end semester examination** and **a minimum of 45% marks in internal assessment** of each of the papers in which there is provision for internal assessment.

28.2 To pass any of the semester examinations a candidate must have passed in all the papers of that semester as per the provisions mentioned in the preceding rules. The results of the candidates appearing at the 6<sup>th</sup> semester of the 3yr. law degree course shall not be declared unless and until the candidate has been declared passed in all the papers up to 5<sup>th</sup> semester examination.

**29. Semester Promotion:**

A candidate, in order to be eligible for admission for the next semester, must have successfully kept the term of the preceding semester, irrespective of the result of the semester examination.

**30. Maximum No. of Back Papers:**

Maximum of **3 (three) theory papers** may be allowed as **'back'** papers in a particular semester for 3yr. law degree course. A candidate will be allowed to clear his or her back paper or papers within the **prescribed limit of 5 (five) years** in 3yr. law course from the date of admission in the first semester.

**31. Next Due Semester Examination:**

A candidate who could not appear or failed, in any semester examination, will be allowed to clear the same as follows:

- i) First semester examination with the regular third or odd semester examinations.
- ii) Second semester examination with the regular fourth or even semester examinations and so on.

**32. Betterment:**

A candidate may be allowed to repeat **in any one of the theory papers** (except that of fifth & sixth semester in 3yr. law course) in the next due semester for **'betterment'** of marks provided the candidate secures **less than 55% marks** in that paper.

**33. No Betterment and Back:**

No 'betterment'/'back paper' shall be allowed in the internal assessment and in practical/clinical papers in any semester.

**34. Maximum Chances to Clear a Semester Examination:**

A Candidate must pass all his/her semester examinations including the 'back' and 'betterment' chances within 5 (five) years in 3yr. law course from the date of admission to the first semester. **A candidate will get a maximum of 3 (three) chances** to clear a particular semester. Be it clarified that a candidate not appearing in any examination due, shall lose that particular chance allowed to him or her.

**PART - G****PROVISIONS OF DISCIPLINE****35. Disciplinary Provisions:**

35.1 Every student shall maintain high standard of peace and tranquility, ideal conduct, cleanliness and discipline in class room and within the university or college campus.

35.2 No Students shall shout and scream or commit acts of miss-behaviour with his/her fellow students.

35.3 Ragging in any form is strictly prohibited and would attract severe disciplinary action including the punishment of expulsion from the college.

35.4 Obscene and indecent behaviour shall invite strict disciplinary action including expulsion from the college.

35.5 Sexual harassment, or any practice derogatory to human dignity and personal privacy are strictly prohibited. Anyone found indulging in such act would be placed before the committee on sexual harassment of the college for taking immediate & appropriate strong action.

35.6 Library is maintained and managed in accordance with the rules framed for the library. It is mandatory for all students to strictly adhere to the rules. Non-compliance shall meet strong disciplinary action.

35.7 These disciplinary regulations are deemed to be known to all students of the college.

**36.** For any matter not covered under this regulation for semester system, the existing University rules and the Gauhati University Act, 1947 (as amended up-to date) shall be applicable.

**37.** The above rules and guidelines are provisional and subject to modification by the University Authorities from time to time.

**38. Committee on Courses & Syllabus (CCS):**

The CCS may, from time to time design various courses in law taking into account the development of the law in various field of study.

**PART – H**  
**PHYSICAL AND ACADEMIC INFRASTRUCTURE**

**39. Physical Infrastructure:**

- 39.1 **Definition:** Institution means a Centre of Legal Education (CLE) which includes constituent and affiliated law colleges.
- 39.2 **Minimum Capital Fund Requirement:** Each Law College or the Centre of Legal Education before seeking affiliation with the University and approval of Bar Council of India for the same shall have a minimum capital fund of Rupees ten lakh to be kept into a Bank account to be used for any future exigencies and development of the Institution. The Account is to be jointly operated by the Secretary or Principal with the Registrar of the University or his authorized agent.
- 39.3 **Freehold or Leasehold Property:** Each Law College or the Centre of Legal Education providing education in law must have either freehold or long leasehold land adequate to provide academic buildings, library, indoor and outdoor sports facilities, halls of residences for male and female students separately, as the case may be, in the name of the Centre of Legal Education or Organization running the Centre of Legal Education. However, lease in the name of the Centre of Legal Education shall be for a period of not less than ten years. Such Institutions are further regulated by the affiliation regulation of the University and as guided by the UGC, based on the size of its student population, faculty requirement, infrastructure facilities, library space requirement, indoor and outdoor games facilities and other requirements.
- 39.4 **Academic Building:** There shall be the academic building to provide separate class room for general class for each section sufficient to accommodate 60(sixty) students as per the requirement of per student floor space as specified by the University Grants Commission or such other standard setting body like AICTE etc. and also such other rooms for tutorial work, moot court room exercises, common room for male and female students and adequate library space for keeping books, periodicals, and journals. The library shall also have adequate reading space for at least 25% of the enrolled students according to per capita reading space.
- 39.5 **Library Building:** There shall be adequate space in the library for computer facility with access to Internet and national and international library access and databases.
- 39.6 **Games Facilities:** There shall be facilities for indoor and outdoor games and sports.
- 39.7 **Halls of Residence:** There may be facility required for halls of residence separately for males and females students constructed on the direction and specification by UGC or any such other standard setting body for affiliating an Institution.
- 39.8 **Organizational Structure of a College:**
- 39.8.1 **Constituent College:** A constituent college shall be run by the University and all properties, assets, and the academic and academic support services shall be required to be recorded in the name of the University.
- 39.8.2 **Affiliated College:** An affiliated college or a Centre of Legal Education can be run by a Non-profit organization, like a Public Trust, Societies registered under Union or State law, or a Non-Profit Company. All properties, assets, and the academic and academic support services shall be required to be recorded in the name of the institution or college.

- 39.8.3 **Bank Accounts and Funds:** All bank accounts and funds of an affiliated college or a centre of legal education shall be jointly operated by the Manager/ Secretary designated by the Trust, Society, or the Non-Profit Company, as the case may be, with the Principal or the Head of the Institution. Records relating to finance shall be kept in safe custody by the Principal or the Head of the Institution in the Office of the Institution or college.
- 39.8.4 **Records of the Institution or College:** All records of the institution or college, like academic and other organizational records and the meeting proceedings, shall be kept in safe custody by the Principal or the Head of the Institution or College in the Office of the Institution or College and shall remain accessible to all the authorities.

#### 40. Academic Infrastructure:

- 40.1 **Minimum Library Requirement:** To start with a Law Library shall have a set of AIR Manuals, Central Acts and Local Acts, Criminal Law Journals, SCC, Company Cases, Indian Bar Review, **Selected Judgments on Professional Ethics (Published by the Bar Council of India Trust, 21, Rouse Avenue Institutional Area, New Delhi - 110002, Phones No. 3231647, 3231648, Fax: 3231767, E-mail: bcindia1@vsnl.com)** and **Journals** with the back volumes for at least ten years and also such number of text books in each subjects taught during the period according to the minimum standard ratio of ten books for each registered students. For running integrated program, text books of such other subjects are also to be kept in the similar minimum ratio. The minimum investment in Library in each academic year shall be Rupees Fifty Thousand for one stream and Rupees One Lakh for both the streams.
- 40.2 **Whole Time Principal:** There shall be a whole time Principal for each affiliated or constituent college who shall have minimum prescribed qualification in law as prescribed by the UGC/BCI.
- 40.3 **Core Faculty:** There shall be sufficient number of full time faculty members in each affiliated or constituent college to teach each subject at all point of time for running courses who can be supported by contractual, part time, guest or visiting faculty. The **core faculty, with both streams** (i.e. 3yr. & 5yr. law courses) in operation without the honours program, there shall be **minimum of 6 (Six)** in the first year of the approval, **8 (eight)** in the second year and **10 (ten)** in the case of third year **for teaching law papers.**

In addition, for the integrated 5yr. course, there shall be **adequate faculty in the liberal educational subjects** as part of the course. These faculties in the liberal educational discipline in Arts, Science, Management, Commerce, Engineering and Technology or any other discipline shall possess qualification as is required under the UGC guidelines or under any Act, Statute, or Rules of the Government of India or of the State.

For the **3yr. Law Course, with two sections**, without the honours program, there shall be **minimum of 4 (four)** core faculty in the first year, **6 (six)** in the second and **8 (eight)** in the third year in addition to the Principal.

Provided that a college intending to run any **specialized/honours course**, must have **minimum of 3 (three)** faculty in the group in which specialization/honours courses are offered.

Provided further that each full time faculty shall take as many classes in the subject or subjects as may be assigned to them preferably on the basis of standard prescribed by UGC/BCI.

Provided further, if the affiliated college or constituent college, approved to run professional courses, falls short of required full time faculty, the new admission in the courses may be required to remain suspended until required number of faculty is procured.

- 40.4 **Minimum Qualification Needed for the Faculty:** Full-time faculty members including the principal shall be holders of a Master's degree as prescribed by UGC / BCI. However, faculty for teaching practical/clinical programmes may be appointed from the judicial officers or retired judicial officers or from the Bar. Visiting faculty from the Bar, bench or academy shall have a minimum professional experience of ten years.
- 40.5 **Salary Scale:** The salary paid to full-time faculty members including the principal shall be according to the scales recommended by the UGC from time to time with other benefits as applicable. A college may however have faculty whose remuneration is based on contract, provided the remuneration is comparable with or more favourable to the faculty in comparison with the UGC Scale, and salary to all faculty members shall be paid through account payee cheque.

## **PART - I**

### **ACADEMIC CALENDAR**

1. **Admission :** Admission for each academic year will be over by 31<sup>st</sup> July.
2. **Odd Semesters (I/III/V Semesters):** From 1<sup>st</sup> July to 31<sup>st</sup> December.
  - a. **Classes :** From 1<sup>st</sup> August to 30<sup>th</sup> November.
  - b. **End semester examination :** Between 1<sup>st</sup> December & 31<sup>st</sup> December.  
(Including examination preparation).
  - c. **Sessional examinations :** 1<sup>st</sup> & 2<sup>nd</sup> Sessional examinations will be held in second part of September and November respectively.
  - d. **Result :** Result will be declared by 28<sup>th</sup> February.
3. **Even Semesters (II/IV/VI Semesters) :** From 1<sup>st</sup> January to 30<sup>th</sup> June.
  - a. **Classes :** From 1<sup>st</sup> January to 31<sup>st</sup> May.
  - b. **End semester examination :** Between 1<sup>st</sup> June & 30<sup>th</sup> June.  
(Including examination preparation).
  - c. **Sessional examinations :** 1<sup>st</sup> & 2<sup>nd</sup> Sessional examinations will be held second part of March & May respectively.
  - d. **Result :** Result will be declared by 15<sup>th</sup> August.

**PART – J****COURSE STRUCTURE OF 3yr. LL.B. & LL.B. (Hons) DEGREE WITH CREDITS AND MARKS UNDER C.B.C.G.S.**

**Note 1:** In the class routine the number of classes per theory paper per week must be equal to the number of credits shown against that paper in this course structure.

**Note 2:** Severalty of papers must be maintained in selecting honours and optional papers.

**Note 3:** The internship training programme for the 4<sup>th</sup> practical paper of Semester-VI may start from the earlier semesters of the 3yr. course as per Rule 17 of the regulation.

**Note 4:** CL = Constitutional Law, CC = Crime & Criminology, IPL = Intellectual Property Law, BL = Business Law, LA = Law & Agriculture.

**SEMESTER-WISE COURSE STRUCTURE OF 3yr. LL.B./LL.B (Hons.)**

<b>SEMESTER – I</b> <b>(FROM 2010-11 SESSION ONWARDS)</b>			
<b>Code</b>	<b>Paper</b>	<b>Credits</b>	<b>Marks</b>
LL.B.: 1.1	Constitutional Law – I	8	100
LL.B.: 1.2	Family Law – I	7	100
LL.B.: 1.3	Law of Contract	8	100
LL.B.: 1.4	Law of Tort incl. M.V. Act, Consumer Protection Law	7	100
LL.B. (Hons): 1.5 H <sub>1</sub>	<b>Honours – 1</b> , any one from following: 1. Indian Federalism (CL group) 2. Criminal Psychology (CC group) 3. Trade Mark, Copy Right, Patents & Design (IPL group) 4. Corporate Governance (BL group)	6	100
<b>Total for Non Hons. Course</b>		<b>30</b>	<b>400</b>
<b>Total for Hons. Course</b>		<b>36</b>	<b>500</b>

<b>SEMESTER – II</b> <b>(FROM 2010-11 SESSION ONWARDS)</b>			
<b>Code</b>	<b>Paper</b>	<b>Credits</b>	<b>Marks</b>
LL.B.: 2.1	Constitutional Law – II	8	100
LL.B.: 2.2	Family Law – II	7	100
LL.B.: 2.3	Special Contract	8	100
LL.B.: 2.4 OP <sub>1</sub>	<b>Optional – 1</b> , any one from following: 1. Land Laws of Assam (LA group) 2. Criminal Psychology (CC group)	7	100
LL.B. (Hons): 2.5 H <sub>2</sub>	<b>Honours – 2</b> , any one from following: 1. Comparative Constitution (CL group) 2. Women & Criminal Law (CC group) 3. IT including Cyber Law (IPL group) 4. Direct Tax (BL group)	6	100
<b>Total for Non Hons. Course</b>		<b>30</b>	<b>400</b>
<b>Total for Hons. Course</b>		<b>36</b>	<b>500</b>

<b>SEMESTER – III</b> <b>(FROM 2010-11 SESSION ONWARDS)</b>			
<b>Code</b>	<b>Paper</b>	<b>Credits</b>	<b>Marks</b>
LL.B.: 3.1	Indian Penal Code	7	100
LL.B.: 3.2	Criminal Procedure Code	6	100
LL.B.: 3.3	Jurisprudence <i>(Note: For 2010-11 session this paper is not required as it was already taught in 2009-10 under earlier syllabus)</i>	7	100
LL.B.: 3.4 OP <sub>2</sub>	<b>Optional – 2</b> , any one from following: 1. Women and Criminal law (CC group) 2. Media & Law (CL group)	5	100
LL.B.: 3.5 P <sub>1</sub>	Alternate Dispute Resolution	5	100
LL.B. (Hons): 3.6 H <sub>3</sub>	<b>Honours – 3</b> , any one from following: 1. Local Self Govt. incl. Panchayat Administration (CL group) 2. Prison Administration (CC group) 3. IPR management (IPL group) 4. Indirect Tax Law (BL group)	6	100
LL.B. (Hons): 3.7 H <sub>4</sub>	<b>Honours – 4</b> , any one from following: 1. Media & Law (CL group) 2. Probation & Parole (CC group) 3. Patent Right Creation & Registration (IPL group) 4. Competition Law (BL group)	6	100
<b>Total for Non Hons. Course</b>		<b>30</b>	<b>500</b>
<b>Total for Hons. Course</b>		<b>42</b>	<b>700</b>

<b>SEMESTER – IV</b> <b>(FROM 2010-11 SESSION ONWARDS)</b>			
<b>Code</b>	<b>Paper</b>	<b>Credits</b>	<b>Marks</b>
LL.B.: 4.1	Law of Evidence	7	100
LL.B.: 4.2	Civil Procedure Code & Limitation Act	7	100
LL.B.: 4.3	Property Law	5	100
LL.B.: 4.4	Administrative Law	6	100
LL.B.: 4.5 P <sub>2</sub>	Drafting, Pleading & Conveyancing	5	100
LL.B. (Hons): 4.6 H <sub>5</sub>	<b>Honours – 5</b> , any one from following: 1. Interpretation of Statute and Principles of Legislation (CL group) 2. Penology & Victimology (CC group) 3. Patent Drafting & Specification Writing (IPL group) 4. Bankruptcy and Insolvency Law (BL group)	6	100
LL.B. (Hons): 4.7 H <sub>6</sub>	<b>Honours – 6</b> , any one from following: 1. Right to Information (CL group) 2. Offence against Child and Juvenile Offences (CC group) 3. Biodiversity Protection (IPL group) 4. International Bank & Finance (BL group)	6	100
<b>Total for Non Hons. Course</b>		<b>30</b>	<b>500</b>
<b>Total for Hons. Course</b>		<b>42</b>	<b>700</b>



<b>SEMESTER – V</b> <b>(FROM 2011-12 SESSION ONWARDS)</b>			
<b>Code</b>	<b>Paper</b>	<b>Credits</b>	<b>Marks</b>
LL.B.: 5.1	Labour & Industrial Law – I	5	100
LL.B.: 5.2	Company Law <i>[Note: For 2011-12 Session this paper is not required as it was already taught in 2009-10 under earlier syllabus]</i>	5	100
LL.B.: 5.3	Principles of Taxation Law	5	100
LL.B.: 5.4	Environmental Law	5	100
LL.B.: 5.5 OP <sub>3</sub>	<b>Optional – 3</b> , any one from following: 1. Banking Law (BL group) 2. Penology and Victimology (CC group)	5	100
LL.B.: 5.6 P <sub>3</sub>	Professional Ethics & Professional Accounting System	5	100
LL.B. (Hons): 5.7 H <sub>7</sub>	<b>Honours – 7</b> , any one from following: 1. Health Law (CL group) 2. White Collar Crime (CC group) 3. IPR Litigation in Trade Mark & Design (IPL group) 4. Legal Framework Governing IR (BL group)	6	100
<b>Total for Non Hons. Course</b>		<b>30</b>	<b>600</b>
<b>Total for Hons. Course</b>		<b>36</b>	<b>700</b>

<b>SEMESTER – VI</b> <b>(FROM 2011-12 SESSION ONWARDS)</b>			
<b>Code</b>	<b>Paper</b>	<b>Credits</b>	<b>Marks</b>
LL.B.: 6.1	Labour & Industrial Law – II	5	100
LL.B.: 6.2	Public International Law	5	100
LL.B.: 6.3 OP <sub>4</sub>	<b>Optional – 4</b> , any one from following: 1. Insurance Law (BL group) 2. Prison Administration (CC group)	5	100
LL.B.: 6.4 OP <sub>5</sub>	<b>Optional – 5</b> , any one from following: 1. Trade Marks, Copyright, Patents and Designs (IPL group) 2. Offence against Child and Juvenile Offences (CC group)	5	100
LL.B.: 6.5 OP <sub>6</sub>	<b>Optional – 6</b> , any one from following: 1. Right to Information (CL group) 2. White Collar Crime (CC group)	5	100
LL.B.: 6.6 P <sub>4</sub>	Moot court & Internship	5	100
LL.B. (Hons): 6.7 H <sub>8</sub>	<b>Honours – 8</b> , any one from following: 1. Citizenship & Emigration Law (CL group) 2. IT Offences (CC group) 3. IPR Litigation in Copyright & Patent (IPL group) 4. Business Ethics and Corporate and Social Responsibility (BL group)	6	100
<b>Total for Non Hons. Course</b>		<b>30</b>	<b>600</b>
<b>Total for Hons. Course</b>		<b>36</b>	<b>700</b>

**PART – K**  
**LIST OF HONOURS PAPERS**

	<b>CL = Constitutional Law</b>	<b>CC = Crime &amp; Criminology</b>	<b>IPL = Intellectual Property Law</b>	<b>BL = Business Law</b>
Honours - 1	CL <sub>1</sub> (Indian Federalism)	CC <sub>1</sub> (Criminal Psychology)	IPL <sub>1</sub> (Trade Mark, Copyright, Patent & Design)	BL <sub>1</sub> (Corporate Governance)
Honours - 2	CL <sub>2</sub> (Comparative Constitution)	CC <sub>2</sub> (Women & Criminal Law)	IPL <sub>2</sub> (IT including Cyber Law)	BL <sub>2</sub> (Direct Tax)
Honours - 3	CL <sub>3</sub> (Local Self Govt. Incl. Panchayat Administration)	CC <sub>3</sub> (Prison Administration)	IPL <sub>3</sub> (IPR Management)	BL <sub>3</sub> (Indirect Tax)
Honours - 4	CL <sub>4</sub> (Media & Law)	CC <sub>4</sub> (Probation & Parole)	IPL <sub>4</sub> (Patent Right Creation & Registration)	BL <sub>4</sub> (Competition Law)
Honours - 5	CL <sub>5</sub> (Interpretation of Statute and Principles of Legislation)	CC <sub>5</sub> (Penology & Victimology)	IPL <sub>5</sub> (Patent Drafting & Specification Writing)	BL <sub>5</sub> (Bankruptcy & Insolvency)
Honours - 6	CL <sub>6</sub> (Right to Information)	CC <sub>6</sub> (Offence against Child & Juvenile Offence)	IPL <sub>6</sub> (Biodiversity Protection)	BL <sub>6</sub> (International Banking & Finance)
Honours - 7	CL <sub>7</sub> (Health Law)	CC <sub>7</sub> (White Collar Crime)	IPL <sub>7</sub> (IPR Litigation in Trade Mark & Design)	BL <sub>7</sub> (Legal Framework Governing IR)
Honours - 8	CL <sub>8</sub> (Citizenship & Emigration Law)	CC <sub>8</sub> (IT Offences)	IPL <sub>8</sub> (IPR Litigation in Copyright & Patent)	BL <sub>8</sub> (Business Ethics & Corporate and Social Responsibility)

\*\*\*\*\*

**SYLLABUS OF 3YR. LL.B. & LL.B. (HONS.) DEGREE COURSE**  
**WITH CHOICE BASED CREDIT AND GRADING SYSTEM**

- Note 1:** In the class routine the number of classes per theory paper per week must be equal to the number of credits shown against that paper in this course structure.
- Note 2:** Severalty of papers must be maintained in selecting honours and optional papers.
- Note 3:** The internship training programme for the 4<sup>th</sup> practical paper of Semester-VI may start from the earlier semesters of the 3yr. course as per Rule 17 of the regulation.
- Note 4:** CL = Constitutional Law, CC = Crime & Criminology, IPL = Intellectual Property Law, BL = Business Law, LA = Law & Agriculture.

**SEMESTER – I**  
**(FROM 2010-11 SESSION ONWARDS)**

**LL.B. 1.1**

**Constitutional Law – I**

Full Marks: 100 [80+20]

Pass marks: 45 [36+9]

**(Credit : 8)**

Time : 3 hours

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b><u>Detailed Syllabus:</u></b>	<b><u>Marks</u></b>
<p><b>Unit 1: Preamble, Indian Territory &amp; Citizenship</b></p> <p>1.1 Nature of state Proposed</p> <p>1.2 Sovereign, Socialist, Secular, Democratic, Republic</p> <p>1.3 Justice, Liberty, Equality, Fraternity</p> <p>1.4 India and its territory</p> <p>1.5 Citizenship under the Constitution (Articles 5-11)</p> <p>1.6 Citizenship under the Citizenship Act, 1955 (as amended upto date)</p> <p>1.7 The Foreigners Act, 1946 and The Foreigners Rules, 1964</p> <p>1.8 The Passports Act, 1967</p>	<b>16</b>
<p><b>Unit 2: Fundamental Rights – I</b></p> <p>2.1 Concept of the State (Art. 12)</p> <p>2.2 Concept of Law (Art. 13)</p> <p>2.3 Doctrine of Severability, Eclipse and Waiver</p> <p>2.4 Equality (Art. 14, 15, 16, 17)</p>	<b>16</b>

***Referred Cases :***

1. *Keshavanada Bharati Vs. State of Kerala, AIR 1973 SC 1461*
2. *Kihota Hollohan Vs. Zachithu, AIR 1955, SC 781, AIR 1973 SC*

<b>Unit 3: Fundamental Rights – II</b>	<b>16</b>
3.1 Freedoms (Art. 19, 20)	
3.2 Right to life and liberty (Art. 21, 22)	
3.3 Right to education, Art. 21-A	
3.4 Right against exploitation (Art. 23 and 24)	

<b>Unit 4: Fundamental Rights – III</b>	<b>16</b>
4.1 Right to freedom of religion (Art. 25 – 28)	
4.2 Cultural and Educational rights of minorities (Art. 29 and 30)	
4.3 Saving of certain laws (Art. 31-A, 31-B, 31-C and Ninth schedule)	
4.4 Right to Constitutional Remedies and Judicial Review	

**Referred Cases :**

1. *Maneka Gandhi Vs. Union of India, AIR 1978 Sc 597*
2. *Bandhua Mukti Morcha Vs. Union of India, AIR 1997 SC 2218*
3. *Hussainara Khatoon Vs. State of Bihar, AIR 1979 SC 1369*
4. *Sunil Batra Vs. Delhi Administration, AIR 1980 SC 1759*

<b>Unit 5: Directive Principles and Fundamental duties</b>	<b>16</b>
5.1 Directive Principles of State Policy (Art 37, Art 38, Art 39, Art 39-A, Art 41, Art 44, Art 45, Art 46, Art 47, 48-A, Art 49, Art 51)	
5.2 Fundamental Duties (Art 51 – A including Art 51 – A (K))	

**Referred Cases :**

1. *S.P. Gupta and others Vs. President of India and other, AIR 1982 SC 149.*
2. *Janata Dal Vs. H.S. Choudhari (1992) 4 SCC 305*
3. *Sarbananda Sonowal Vs. Union of Inida, AIR 2005 SC 2926*
4. *Sarla Mudgal Vs. Union of India, (1995) 3 SCC 635*

<b>Internal Assessment :</b>	<b>20</b>
------------------------------	-----------

**Recommended Books:**

1. J.N. Pandey – Constitutional Law of India.
2. V.N. Shukla – Constitutional Law of India.
3. M.P. Jain – Constitutional Law of India.
4. D.D. Basu – Shorter Constitution.
5. Brij Kishore Sarma – Constitutional Law of India.
6. Constitutional Assembly Debate Vol. 1 to 12 (1989).
7. Granville Austin, *The Indian Constitution : Cornerstone of a Nation* 1966.

\*\*\*\*\*

**LL.B. 1.2****Family Law - I**

Full Marks: 100 [80+20]

Pass marks: 45 [36+9]

**(Credit : 7)**

Time : 3 hours

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus** **Marks**

<b>Unit 1: Concepts</b>		<b>16</b>
1.1	Who are Hindus and who are not Hindus.	
1.2	Hindu by religion, Hindu by birth, Hindu by declaration.	
1.3	Hindu Law : its origin, nature and application.	
1.4	Sources of Hindu Law	
1.4.1	Ancient Sources	
1.4.2	Modern Sources	
1.5	Schools of Hindu Law	
1.5.1	Mitakshara School and Sub Schools	
1.5.2	Dayabhaga School	
1.5.3	Main difference between two schools	
1.5.4	Migration, domicile and change of religion	
1.5.5	Concept of Hindu joint family, mitakshara coparcenary, Dayabhaga coparcenary and their incidents.	
1.5.6	Karta : who can be Karta, his position, powers, duties and liabilities	
<b>Unit 2: Marriage</b>		<b>16</b>
2.1	Concept of marriage and evolution of the institution of marriage	
2.2	Marriage as sacrament and marriage as contract	
2.3	Offence of dowry and its incidents	
2.4	Theories of Divorce	
2.5	The Hindu Marriage Act, 1955	
2.5.1	Applicability of the Act (Sec - 2, 4) and salient features of the Act.	
2.5.2	Forms of marriage	
2.5.3	Conditions of valid Hindu marriage (Sec 3 & 5)	
2.5.4	Ceremonies for Hindu marriage (Sec - 7)	
2.5.5	Registration of marriage (Sec - 8)	
2.5.6	Restitution of conjugal rights (Sec - 9)	
2.5.7	Judicial Separation (Sec - 10)	
2.5.8	Void and Voidable marriage (Sec - 11, 12, 17, 18)	
2.5.9	Divorce (Sec - 13(1), (2), 13 (1A), 13A, 13B and 15)	
2.5.10	Legitimacy of children of void and voidable marriage (Sec - 16)	
2.5.11	Maintenance 'pendente lite' and permanent alimony (Sec - 24 & 25)	
2.5.12	Custody of Child (Sec - 26)	
<b>Unit 3: Adoptions and maintenance</b>		<b>16</b>
3.1	Concepts of adoption, sonship, pious obligation of sons	

- 3.2 Debts, its types and father's power of alienation for antecedent debts
- 3.3 The Hindu Adoptions and Maintenance Act, 1956
  - 3.3.1 Changes brought about by the legislation
  - 3.3.2 Requisites for valid adoption (Sec - 6)
  - 3.3.3 Capacity of male Hindu & female Hindu to take in adoption (Sec - 7, 8)
  - 3.3.4 Persons capable of giving in adoption (Sec - 9)
  - 3.3.5 Persons who may be adopted (Sec - 10)
  - 3.3.6 Other conditions of valid adoption (Sec - 11)
  - 3.3.7 Effects of adoption (Sec - 12)
  - 3.3.8 Right of adoptive parents to dispose of their properties (Sec - 13)
  - 3.3.9 Maintenance of wife, daughter-in-law, children, aged parents and other dependants (Sec - 22)
  - 3.3.10 Maintenance under section 125 of the Criminal Procedure Code, 1973
  - 3.3.11 Amount of maintenance (Sec - 23, 25)

**Unit 4: Minority and guardianship 16**

- 4.1 The Hindu Minority and Guardianship Act, 1956
  - 4.1.1 Important changes brought about by the Act.
  - 4.1.2 Definitions of 'Minor' and 'Guardian' (Sec - 4)
  - 4.1.3 Natural Guardians and their powers (Sec - 6, 7, 8)
  - 4.1.4 Testamentary Guardians and their powers (Sec - 9)
  - 4.1.5 Incapacity of Minor to act as guardian of property (Sec - 10)
  - 4.1.6 De-facto Guardian (Sec - 11)
  - 4.1.7 Guardian not to be appointed for minors undivided interest in joint properties (Sec - 12)
  - 4.1.8 Welfare of minor and Guardian appointed by court (Sec - 13)

**Unit 5: Property and Succession 16**

- 5.1 Kinds and sources of property in Hindu Law, coparcenary and separate property, women's property
- 5.2 Alienation of joint Hindu family property by Karta, Father, Alienees rights, duties and remedies
- 5.3 Alienation of property by way of -
  - 5.3.1 Gift
  - 5.3.2 Will
  - 5.3.3 Religious and Charitable Endowments
- 5.4 Partition and its incidents
- 5.5 The Hindu Succession Act, 1956
  - 5.5.1 Main features of legislation
  - 5.5.2 Devolution of Mitakshara property under the Act.
  - 5.5.3 General principles of inheritance, classification of Heirs (Sec - 8 to Sec - 13).
  - 5.5.4 Succession to Mitakshara Coparcener's interest and testamentary succession (Sec - 6, Sec - 30).
  - 5.5.5 Succession to the Property of Female Hindu (Sec - 14, 15, 16).

- 5.5.6 Succession to the Property of a Male Hindu.  
 5.5.7 General rules of succession (Sec – 18 to 30).

**Prescribed Acts :**

1. *The Hindu Marriage Act, 1955.*
2. *The Special Marriage Act, 1954.*
3. *The Hindu Adoptions and Maintenance Act, 1956.*
4. *The Hindu Minority and Guardianship Act, 1956.*
5. *The Hindu Succession Act, 1956.*

**Internal Assessment :**

**20**

**Recommended Books:**

1. Ranganath Mishra, *Mayne's Treatise on Hindu Law & Usage* (15<sup>th</sup> ed) 2006.
2. Satyajeet A. Desai, *Mulla – Principles of Hindu Law Vol. I & II* (20<sup>th</sup> ed.) 2007.
3. Paras Diwan – *Modern Hindu Law* (18<sup>th</sup> ed.) 2008.
4. Duncan M. Derrett, *A Critique of Modern Hindu Law* (1970).
5. Paras Diwan, *Law of Intestate and Testamentary Succession* (1998), Universal.
6. Basu N.D., *Law of Succession* (2000), Universal.
7. Paras Diwan, *Family Law : Law of marriage and Divorce in India* (1984).
8. Machanda, S.C., *Law and Practice of Divorce in India* (2000) Universal.
9. A.M. Bhattacharjee, *Hindu Law and the Constitution* (1994) Eastern Law house, Calcutta.
10. Paras Diwan, *Law of Adoption, Minority, Guardianship and Custody* (2000) Universal.
11. Dr. Basant K. Sharma – *Hindu Law*.
12. Dr. Pathak – *Hindu Law*.

\*\*\*\*\*

**LL.B. 1.3**

**Law of Contract**

**(Credit : 8)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus**

**Marks**

**Unit 1: General Principles – I**

**16**

- 1.1 History and nature of contractual obligations
- 1.2 Formation of an Agreement : (Ss. 2-10)
  - 1.2.1 Intention to create legal relationship
  - 1.2.2 Proposal and acceptance – their various forms, essential elements, communication and revocation – mode of revocation of offer – proposal and invitations for proposal.
- 1.3 Making of an Agreement – Special Situations : (Ss. 2-10)

- 1.3.1 Tenders and Auctions
- 1.4 Consideration (Ss. 2 (d), 2 (f), 23 and 25)
  - 1.4.1 Meaning – basis and the nature of consideration – kinds – essential elements
  - 1.4.2 Doctrine of Privity of Contract and consideration, its exceptions nudum pactum
  - 1.4.3 Adequacy of consideration – present, past and adequate consideration
  - 1.4.4 Unlawful consideration and its effects, views of Law Commission of India on consideration – evaluation of the doctrine of consideration.

## **Unit 2: General Principles – II**

16

- 2.1 Capacity to Contract (Ss. 10, 11, 12, 64, 65, 68 and Specific Relief Act, S. 33)
  - 2.1.1 Legal disability to enter into contract – Minors, persons of unsound mind – person under legal disability – lunatics, idiots.
  - 2.1.2 Restitution in cases of minor's agreement – Liability for necessaries supplied to the minor – fraud by a minor – agreements made on behalf of a minor and estoppels – evaluation of the law relating to minor's agreements – other illustrations of incapacity to contract.
- 2.2 Free consent – Its need and definition – factors vitiating free consent. (Ss. 13-22)
  - 2.2.1 Coercion – definition – essential elements – duress and coercion – various illustrations of coercion – doctrine of economic duress – effect of coercion.
  - 2.2.2 Undue Influence – definition – essential elements – between which parties can it exist ? Who is to prove it ? Illustrations of undue influence – independent advice – pardahanashin women unconscionable bargains – effect of undue influence.
  - 2.2.3 Misrepresentation – definition – misrepresentation of law and of fact – their effects and illustration.
  - 2.2.4 Fraud – definition – essential elements – when does silence amount to fraud ? Active concealment of truth – importance of intention.
  - 2.2.5 Mistake – definition – kinds – fundamental error – mistake of law and of fact – their effects – when does a mistake vitiate free consent and when does it not vitiate free consent.

## **Unit 3: General Principles – III**

16

- 3.1 Legality objects : Limitations on Freedom of Contract (Ss. 23-30)
  - 3.1.1 Void agreement – lawful and unlawful consideration and objects unlawful agreements and their effects.
  - 3.1.2 Unlawful consideration and objects :
    - 3.1.2.1 Forbidden by law
    - 3.1.2.2 Defeating the provision of any law



- 3.1.2.3 Fraudulent
- 3.1.2.4 Injurious to person or property
- 3.1.2.5 Immoral
- 3.1.2.6 Against public policy
- 3.1.3 Void Agreements :
  - 3.1.3.1 Agreements without consideration
  - 3.1.3.2 Agreements in restraint of marriage
  - 3.1.3.3 Agreements in restraint of trade – its exceptions – sale of goodwill – restrictions, under the Partnership Act, trade combinations, exclusive dealing agreements, restraints on employees under agreements of service.
  - 3.1.3.4 Agreements in restraint of legal proceedings – its exceptions
  - 3.1.3.5 Uncertain and ambiguous agreements
  - 3.1.3.6 Wagering agreement – its exception

#### **Unit 4: General Principles – IV**

16

- 4.1 Discharge of a contract and its various modes. (Ss. 37-67)
  - 4.1.1 By performance – conditions of valid tender of performance – How? By whom? Where? In what manner? Performance of reciprocal promises – time as essence of contract.
  - 4.1.2 By breach – anticipatory breach and present breach.
  - 4.1.3 Supervening Impossibility of performance – specific grounds of frustration – application to leases theories of frustration – effect of frustration – frustration and restitution.
    - 4.1.4 By period of limitation
  - 4.1.5 By agreement and novation – rescission and alteration – their effect – remission and waiver of performance – extension of time – accord and satisfaction.
- 4.2 Quasi-contracts (Ss. 68-72)
  - 4.2.1 Certain relations or obligations resembling those created by contract
- 4.3 Remedies for Breach of Contract : (Ss. 73-74)
  - 4.3.1 Damages – kinds – remoteness of damages – ascertainment of damages
  - 4.3.2 Mitigation of Damages – Penalty & Liquidated Damages
  - 4.3.3 Injunction – when granted and when refused – Why ?
  - 4.3.4 Refund and restitution
  - 4.3.5 Specific performance – When? Why?

#### **Unit 5: Government Contracts, Standard form of Contract and Remedies**

16

- 5.1 Government as a contracting Party: Constitutional provisions – government power to contract – procedural requirements – kinds of government contracts – their clauses – performance of such contracts – settlements of disputes and remedies.
- 5.2 Standard Form Contracts : Nature, advantages – unilateral character, principles of protection against the possibility of exploitation – judicial approach to such contracts – exemption clauses – clash between two

standard form contracts – Law Commission of India's views – 4, Multinational Agreement.

- 5.3 Remedies
  - 5.3.1 Strategies and constraints to enforce contractual obligations
    - 5.3.1.1 Judicial methods – redressal forum, remedies
    - 5.3.1.2 Other methods like arbitration, Lok Adalat, Nyaya Panchayat and other such no formal methods.
    - 5.3.1.3 Systemic constraints in settling contractual disputes
      - 5.3.1.3.1 Court fees, service of summons, injunctions, delay.
- 5.4 Specific relief
  - 5.4.1 Specific performance of contract
    - 5.4.1.1 Contract that can be specifically enforced
    - 5.4.1.2 Persons against whom specific enforcement can be ordered
  - 5.4.2 Rescission and cancellation
    - 5.4.3.1 Temporary
    - 5.4.3.2 Perpetual
  - 5.4.4 Declaratory orders
  - 5.4.5 Discretion and powers of court

***Prescribed Legislations :***

1. *The Indian Contract Act, 1872*
2. *The Specific Relief Act, 1963*
3. *The Indian majority Act, 1875*

***Referred Cases:***

1. *Carlill v. Carboic Smoke Ball (1891-4) All Er Rep. 127*
2. *Bhagwandas Goverdhandas Kedia v. M/s Girdharilal Parshottamdas & Co., AIR 1966 SC 543*
3. *Kanhaiya Lal Aggarwal; v. Union of India, AIR 2002 SC 2766*
4. *Abdul Aziz v. Masum Ali, AIR 1914 All. 22*
5. *Tersem Singh v. Sukhminder Singh (1988) 3 SCC 471*
6. *Bank of India v. O.P. Swarankar, AIR 2003 SC 858*
7. *M/s Alopi Parshad & Sons Ltd. V. Union of India, AIR 1960 SC 588*
8. *State of West Bengal v. S.K. Mondal & Sons, AIR 1962 SC 779*
9. *Oil & Natural Gas Corporation Ltd. V. Saw Pipes Ltd. (2003) 4 SCALE 92*
10. *Central Inland Water Transport Corpn. V. Brojo Nath Air 1986 Sc 1571*

**Internal Assessment :**

**20**

**Recommended Books:**

1. Avtar Singh, Law of Contract & Specific Relief (9<sup>th</sup> Ed. 2005) Eastern, Lucknow.
2. T.R. Desai & S.T. Desai, Indian Contract Act and Sale of Goods Act.
3. Anand and Aiyer, Law of Specific Relief (2008), Universal.
4. P.S. Atiya, Introduction to the Law of Contract 1992 reprint (Claredon Law Series)
5. J. Beatson (ed.) Anson's Law of Contract, (2002), Oxford, London.

\*\*\*\*\*

**LL.B. 1.4****Law of Tort incl. M.V. Act & Consumer Protection Law****(Credit : 7)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus****Marks**

<b>Unit 1: Definition and Nature of Tort</b>	<b>16</b>
1.1 General Principles – Definition, nature, scope, characteristics – Tort in England and Tort in India.	
1.2 Distinction between Tort and Crime, Tort and Breach of Contract, Tort and Breach of Trust, Tort and Quasi Contract etc.	
1.3 Essential Conditions of Liability in Tort	
- Damnum Sine Injuria	
- Injuria Sine Damnum	
- Malice, Motive, Intention	
1.4 Foundation of tortious liability, Fault liability, Strict liability, Statutory liability, Liability without fault, Principles of Insurance in tort.	

***Referred Cases :***

1. *Ashby Vs, White (1703) 2 Lord Raym 938*
2. *Donoghue Vs. Stevenson (1932) All ER Rep. 1*
3. *Dr. Sharad Vaid Vs. Pentro, AIR 1992 Bombay 478*

<b>Unit 2: General Exception to Liability in Tort and Vicarious Liability</b>	<b>16</b>
2.1 Volenti Non fit Injuria, Act of God, Inevitable Accident, Necessity, Private Defence, Statutory Authority.	
2.2 Act of State, Plaintiff the wrongdoer, Judicial and Quasi – Judicial acts, Executive act, Mistake, Parental and Quasi – Parental authority.	
2.3 Vicarious liability – Master and Servant relation, Distinction between servant and Independent Contractor, Course of Employment, Hospital cases, Common Employment, Liability for tort in independent contractor, Master’s duties towards servant, Servants duties to the Master, Joint Tort Feasors.	

***Referred Case : 1. Bhopal Gas Leak Disaster cases may be discussed***

- 2.4 Capacity to sue – to sue and to be sued and Remedies
- 2.5 Motor Vehicle Act, 1988 – No fault liability
  - Effect of death of parties in tort – Compensation
  - Insurer’s liability – Driving without driving licence

**Referred Case :** 1. *K. Nandakumar Vs. M.D. Thantai Periyar Transport Corporation 1996 ACV 555 (S.C.)* (for fault liability)

**Recommended Book :** 1. *Motor Accident Compensation*, by A.S. Bhatnagar, (Orient Law House).

- 2.6 General Remedies – Judicial remedies, Extra judicial remedies, Damages, Remoteness of damages and Nervous shock, Novus Actus Interveniens (isolated tort)

**Referred Cases :**

1. *Re Polemis and Furnace Withy & Co. (1921) 3 KB 560* (for Remoteness of damages)
2. *King Vs. Berry (1970) 1 All ER 1074* (for Nervous Shock)
3. *Martin F. D'Souza V. Mohd. Ishfaq (2009) 3 SSC 1*

**Unit 3: Specific Torts** **16**

- 3.1 Trespass to the Person – Assault battery, mayhem  
– False imprisonment
- 3.2 Trespass to land – its remedies
- 3.3 Defamation (with essentials) – Innuendo, Libel, Slander, Defences
- 3.4 Nuisance – Private and Public Nuisance
- 3.5 Negligence – Contributory Negligence
- 3.6 Abuse of legal procedure – Malicious Prosecution
- 3.7 Deceit – Rule in Derry Vs. Peak
- 3.8 Strict liability – Rule in Rylands Vs. Fletcher

**Recommended books :**

1. *Law of Torts by R.K. Bangia (including compensation under the Motor Vehicle Act & Consumer Protection Laws) – (Allahabad Law Agency)*
2. *The Law of Tort and Consumer Protection Act – by M.N. Shukla (Central Law Agency)*
3. *Law of Torts – by Dr. S.K. Kapoor (Central Law Agency)*

**Unit 4:** **16**

- 4.1 Definition of Consumer, Deficiency in service, defects in Goods, Complaint, Complainant, Recognized consumer Association etc. and Objectives of the Consumer Protection Act, 1986.
- 4.2 Patient is Consumer under Medical services.

**Referred Cases :**

1. *Vasantha P. Nair Vs. Smt. V.P. Nair I (1991) CPJ 685 and Indian Medical Association V.V.P. Shartha and Qrs. III 91985) CPJI (S.C.) : AIR 1996 S.C. 550]*

- 4.3 Restriction and Unfair Trade Practices
- 4.4 Restrictive Trade Practice, Hazardous Goods
- 4.5 C.P.A., Position after the 1993 Amendment Act.

**Unit 5: Consumer Disputes Redressal Agencies** **16**

- 5.1 Composition, Jurisdiction, Power and Functions of District Forum, State Commission and National Commission. ‘

- 5.2 Making of complaints, procedure on receipt of complaint, Finding of the District Forum, Appeals and execution of orders.
- 5.3 Important Guidelines for protecting consumer Rights.

**Internal Assessment : 20**

**Recommended Books:**

1. A Handbook of Consumer Protection Law and Procedure – by R.K. Bangia (publisher – Pioneer Publications).
2. The Law of Consumer Protection : Principles and Practice, EBC, Lucknow.

\*\*\*\*\*

**LL.B. (Hons) 1.5 H<sub>1</sub>**

**Indian Federalism**

**(Credit : 6)**

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

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus Marks**

<b>Unit 1: Federalism</b>	<b>16</b>
1.1 Definition and characteristics of federalism	
1.2 Backgrounds of federal principle under the Indian Constitution	
1.3 Advantage & Disadvantage	
2.1 Advantages and disadvantages of Federal Constitution	
2.2 Advantages and disadvantages of Unitary Constitution	
<b>Unit 2: Modification of the strict federal principle under Indian Constitution</b>	<b>16</b>
2.1 Governor's role	
2.2 Centre's powers over the State Emergency	
2.3 Jammu and Kashmir Special status	
<b>Unit 3: Comparative study on federalism in</b>	<b>16</b>
3.1 India	
3.2 U.K. and	
3.3 USA	
<b>Unit 4: Centre-State Relations—</b>	<b>16</b>
4.1 Legislative Relation	
4.2 Administrative Relation	
1.3 Financial Relation	

<b>Unit 5: Types of Federalism</b>	<b>16</b>
5.1 Confederation	
5.2 Co-operative Federalism	

**Internal Assessment :** **20**

**Recommended Books:**

1. Basu, D.D., *Federalism*
2. Gupta, U.N., *Federalism in India*

**OR**

**LL.B. (Hons) 1.5 H<sub>1</sub>**  
**Criminal Psychology** **(Credit : 6)**  
**Honours - 1 : Crime & Criminology Group**

Full Marks: 100 [80+20] Time : 3 hours  
 Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>Unit 1: Introduction</b>	<b>16</b>
1.1 Nature and history of criminal behaviour	
1.2 Techniques of studying criminal behaviour	
<b>Unit 2: Analysis of Crime</b>	<b>16</b>
2.1 Biological Perspectives	
2.2 Sociological Perspectives	
2.3 Psychological Perspectives	
<b>Unit 3: Special Offender Groups</b>	<b>16</b>
3.1 Types	
3.2 Causes and interventions with respect to the following-	
3.2.1 Juvenile delinquency	
3.2.2 Substance abuse	
3.2.3 Terrorism	
<b>Unit 4: Special Offences</b>	<b>16</b>
4.1 Types	
4.2 Causes and interventions with respect to the following-	
4.2.1 Crime against women	
4.2.2 Suicide	

## 4.2.3 Homicide

<b>Unit 5: Rehabilitation</b>	<b>16</b>
5.1 In Family and Society	
5.2 The Role of Law-Enforcement Voluntary Agencies in Social Defence	

**Internal Assessment :** **20**

**Recommended Books:**

1. Chockalingam, K.(1991), Reading in Victimology, R.R. Publications, Madras
2. Curra, J.(1999) ,The Relativity of Deviance, Sage, Delhi
3. Fldman, M.P.(1977), Criminal Behaviour : A psycho-social analysis, Wiley, London
4. Joshi, A.C., & Bhatia, V.B.(1981),Reading in social Defence, Wheelers Pub. Co. Delhi
5. Kushe, W.W.(1998), The Future of Terrorism, Sage, Delhi

**OR****LL.B. (Hons) 1.5 H<sub>1</sub>****Trade Marks, Copyright, Patents and Designs  
Honours – 1 : Intellectual Property Law Group****(Credit : 6)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus** **Marks****Unit 1: Introduction** **16**

- 1.1 Nature of Intellectual Property
  - 1.1.1 Introduction to Intellectual property – Concept – Theories of Protection, Types of Intellectual property under WTO-TRIPS – Trade Marks, Copyright, Patents, Designs, Geographical Indications (Geographical Indications Act,1999), Integrated Circuits, Confidential information
  - 1.1.2 International Institutional mechanism including various conventions and WIPO
  - 1.1.3 Economic importance of Intellectual property

**Unit 2: Trade Marks Act, 1999** **16**

- 2.1 Meaning, Functions, Trade marks for goods or services
- 2.2 Registration of trade mark for goods/services - Procedure (S.18 -23), Grounds of Refusal (S.9 & 11), Prior/Vested Rights (s.34 36), Rectification of register (S.57)
- 2.3 Section 9(2) - 'Mark of the nature as to deceive public or cause confusion' –Wide power –no mention of goods /services

- 2.4 Infringement & Passing off Action of Trade mark (S. 29 )
  - 2.4.1 Difference between passing off and infringement Passing off Injunction against registered trade marks
  - 2.4.2 Passing off for similar goods/ different goods/ based on trans-border reputation
- 2.5 Protecting Domain Names as Trade Marks

### **Unit 3: The Copyright Act, 1957**

16

- 3.1 Classes of Works in which copyright subsists – S.13, Copyright only in expression No Copyright in Ideas,
  - 3.1.1 Definitions of various works: Artistic work s.2(c), dramatic work s. 2(h), Literary work s.2(o), musical work s.2(p), computer programmes s.2(ffc), cinematograph films s.2(f), sound recordings s.2(xx)
  - 3.1.2 Meaning of ‘Original’ & – a prefix to s 13(1)(a)
  - 3.1.3 Literary work
- 3.2 Meaning of Copyright – S.14 – Bundle of Rights
  - 3.2.1 Enumeration of rights in s 14 – reproduction , issue of copies, communication to public, translation, adaptation,
  - 3.2.2 Other important rights in, Computer programmes, cinematograph film, sound recordings; rental rights
  - 3.2.3 Abridgement of the work s 14(a)(vi), 2(a) adaptation, meaning of abridgement, Copyright in abridged work
  - 3.2.4 Author’s Special (Moral) Rights – S.57
  - 3.2.5 Right to Assign and License – S. 18-19A, 30 to 32
  - 3.2.6 Rights of Broadcasting Organizations and Rights of Performers -S.37-38 Exceptions s 39
- 3.3 Ownership of copyright
  - 3.3.1 The first owner – S.17
  - 3.3.2 Who is an author – S. 2(d) and s 2 (g) (s), S.2(uu), authorship of computer generated works,2(d) (vi), Proviso (c) to s 17; employment; Joint authorship - tests for:
- 3.4 Infringement and Exceptions
  - 3.4.1 Infringement – S. 51, Relationship with s 14,
  - 3.4.2 Exceptions to Infringement – S.52 Rights of Public – Fair Dealing, News and current events, Teaching and Research, and others incl. Communication to the public of sound recording in religious ceremonies –S.52 (1) (a) & (b), S.52 (1) (h), S.52(1)(za)

### **Unit 4: The Patents Act, 1970**

16

- 4.1 Object of Patent System – Encouraging Inventions and working of Inventions in country concerned. After TRIPS Imports suffice as working.
- 4.2 Patentable Inventions – S.2(1)(j), S.2(1)(ja)
- 4.3 Non Patentable Inventions – S.3 in particular clause (d)



- 4.4 Procedure for filing Patent Application with emphasis on specifications & claims, application for examination, rights of patentees
- 4.5 Anticipation – Prior public knowledge, prior public use
- 4.6 Grounds of Opposition & Revocation – S.25 – Pre-grant, post –grant

**Unit 5: The Designs Act, 2000 16**

- 5.1 What is design, S.2(d), new and original,
- 5.2 Copyright in Design (duration)– S.11
- 5.3 Registration of design for articles – Ss.3-9
- 5.4 Rights in registered design
  - 5.4.1 Cancellation of Design- S.19
- 5.5 Piracy or Infringement of copyright in Design – S.22

**Referred Cases:**

1. *M/s Hindustan Dev. Corpn. v. The Deputy Registrar of Trade Marks, AIR 1955 Cal 319*
2. *The Imperial Tobacco Co. of India v. The Registrar of Trade Marks, AIR 1977 Cal 413*
3. *Sony Kabushuki Kaisha v. Samrao Masker, AIR 1985 Bom 327*
4. *K. R. Krishna Chettiar v. Sri Ambal & Co, AIR 1970 SC 146*
5. *Cadila Health Care Ltd v. Cadila Pharmaceuticals Ltd, 2001 PTC 541 (SC)*
6. *Bharti Cellular Ltd and Anr v. Jai Distillers P. Ltd., 2006 (33) PTC 220 (Bom.)*
7. *Zee Entertainment Enterprises Ltd. v. Gajendra Singh, 2008 (36) PTC 53(Bom)*
8. *AmarNath Sehgal v. Union of India, (2005) 30 PTC 253*
9. *Canadian General Electric Co. Ltd. v. Fada Radio Ltd., AIR 1930 PC 1*

**Prescribed Legislations:**

1. *Trade Marks Act, 1999*
2. *Copyright Act, 1957*
3. *Design Act, 2000*
4. *Patents Act, 1970*

**Internal Assessment : 20**

**Recommended Books:**

1. Ashwani Kr. Bansal, *Law of Trade Marks in India* (2<sup>nd</sup> ed., 2006)
2. V.K. Ahuja, *Law Relating to Intellectual Property Rights* (2007)
3. P. Narayanan, *Copyright and Industrial Designs* (2007)
4. P. Narayanan, *Law of Trade Marks and Passing off* (6<sup>th</sup> ed., 2004)
5. P. Narayanan, *Patent Law* (4<sup>th</sup> ed., 2006)
6. Ashwani Kr. Bansal, *Materials on Copyright* (2004)
7. V.K. Ahuja, *Law of Copyright and Neighbouring Rights: National and International*
8. Alka Chawla, *Copyright and Related Rights: National and International Perspectives* (2007)

\*\*\*\*\*

**OR****LL.B. (Hons) 1.5 H<sub>1</sub>****Corporate Governance****(Credit : 6)*****Honours – 1 : Business Law Group***

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>Unit 1: Formation, Registration &amp; Incorporation of Company</b>	<b>16</b>
1.1 Nature and Kinds of Company	
1.2 Promoters: Position, Duties & Liabilities	
1.3 Mode & consequence Recovery of Debts of Incorporation	
<b>Unit 2:</b>	<b>16</b>
2.1 Uses & Abuse of the corporate form, lifting of Corporate – Veil	
2.2 Memorandum of Association, alteration & the doctrine of Ultra –Virus	
2.3 Article of Association, binding nature, alteration	
<b>Unit 3: Capital Formation of Regulation</b>	<b>16</b>
3.1 Prospectus: Issues, Contents, Kinds, Liability for misstatement and statement in lieu of Prospectus The nature & classification of Company Security Share & general principle of allotment Share Capital Debentures- Kinds, Share holder & Debenture holder	
<b>Unit 4: Corporate Administrative</b>	<b>16</b>
4.1 Directors- Kind, powers & duties	
4.2 Insider trading	
4.3 Meeting- Kinds & Procedure	
4.4 The balance of within Companies	
4.4.1 Prevention of Oppression	
4.4.2 Power of Court & Central Government	
4.5 Legal liability of Company- Civil, Criminal, Tortuous & Environmental	
<b>Unit 5: Winding up of Company</b>	<b>16</b>
5.1 Kinds, consequences & reason of Winding up	
5.2 Role of Court	
5.3 Payment of Liability	

**Internal Assessment :**

**20**

**Recommended Books:**

1. Indian Company Law - Avtar Singh
2. Company Law - Palmer
3. Guide to Companies Act - Ramiaya

\*\*\*\*\*

**SEMESTER – II**  
**(FROM 2010-11 SESSION ONWARDS)**

**LL.B. 2.1**

**Constitutional Law – II**

Full Marks: 100 [80+20]

Pass marks: 45 [36+9]

**(Credit : 8)**

Time : 3 hours

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus:**

**Marks**

**Unit 1: The Union and The State**

**16**

- 1.1. The Union and State Executive.
  - 1.1.1. The President and the Vice President's qualifications, election, term of office, powers, impeachment. (Articles-52-72)
  - 1.1.2. Governor-Appointment and powers. (Arts 153-161)
  - 1.1.3. Nature, scope and extent of executive power of the union and states. (Arts. 73,162)
  - 1.1.4. Relationship of the President/Governor with the council of minister. (Arts. 74,75,77,78,111,102,103 (2), 217 (3), 163)
- 1.2. Parliament and State Legislatures.
  - 1.2.1. Composition of Parliament and State Legislatures.
  - 1.2.2. Qualification/Disqualification of Members.

- 1.2.3. Powers, privileges and immunities of parliament/  
State Legislatures and its members (Arts. 105,194).
- 1.2.4. Parliamentary privilege and fundamental rights.

<b>Unit 2</b>	<b>Union and State Judiciary:</b>	<b>16</b>
2.1	Union Judiciary- Supreme Court of India (Arts. 124-147) composition, appointment and removal of judges of Supreme Court.	
2.2	State judiciary-High Court in the States.	
2.3	Jurisdiction of Supreme Court – original jurisdiction, appellate jurisdiction, statutory appeal, special leave to appeal power of review, advisory jurisdiction.	
2.3	Writs (Arts. 32 & 226)	
2.5	Judicial review, independence of judiciary and judicial activism.	
<b>Unit 3:</b>	<b>Relationship between the Union and the States:</b>	<b>16</b>
3.1	Distribution of legislative powers. (Arts 245-255)	
3.2	Administrative relation. (Arts 256-262)	
3.3	Financial relation. (Art. 264-267)	
<b>Unit 4:</b>	<b>Emergency and Amendment Provisions:</b>	<b>16</b>
4.1	Emergency provisions-meaning and scope.	
1.1.1	Proclamation of emergency. (Arts. 352,358,359)	
1.1.2	Grounds of imposition of state emergency in states. (Arts. 356-357)	
1.1.3	Financial emergency. (Art. 360)	
1.1.4	Emergency and its effect.	
1.2	Amendment of the Constitution	
1.2.1	Power of the Parliament to amend the Constitution and procedure. (Art.368)	
4.2.2	Limitation upon constitutional power: doctrine of basic feature / structure.	
<b>Unit 5:</b>	<b>Freedom of Trade, Commerce and Inter-Course and Services under the Union and the States and election:</b>	<b>16</b>
5.1	Freedom of Trade, Commerce and intercourse (Arts. 301-307).	
5.1.1	Meaning of Freedom of Trade, Commerce and Intercourse	
5.1.2	Power of Parliament	
5.1.3	Restrictions	
5.2.	Services under the union and the states.	
5.2.1	Doctrine of Pleasure	
5.2.2	Protection against arbitrary dismissal removed or reduction in rank	
5.2.3	Inception to Art. 311	
5.2.4	Electrum.	

**Referred Case:**

1. *Keshavanand Bharati V. State of Kerala, AIR 1973 SC 1461.*
2. *Maneka Gandhi V. Union of India AIR, 1978 SC 597.*
3. *In re special reference No. of 1998.*  
(Judges Appointment case) AIR 1999 SC 1.
4. *S.R. Bammai V. Union of India, AIR 1994 SC 1918.*
5. *Kuldip Nayyar V. Union of India, AIR 2006 SC312.*
6. *A.D.M. Jabalpur V. Shivkant Shakla, AIR 1976 SC1207.*
7. *Remshwar Prasad V. Union of India, AIR 2006 SC980.*
8. *Keshav Singh in re, AIR 1965 SC 745.*
9. *Union of India V. Talsiram, AIR 1985 SC 1416.*
10. *Atiabari Tea Estate Co.V. State of Assam, AIR 1961SC232.*

**Internal Assessment :**

**20**

**Recommended Books:**

1. Constitutional Law of India by J.N. Pandey.
2. Constitutional Law of India by V.N. Shukla.
3. Constitutional Law of India by M.P. Jain.
4. Constitutional Law of India by Brij Kishore Sharma.
5. Shorter Constitution by D.D. Basu.

\*\*\*\*\*

**LL.B. 2.2**

**Family Law – II**

**(Credit : 7)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus**

**Marks**

**Unit 1: Concepts:**

**16**

- 1.1. What is Islam.
- 1.2. Significance of Islam.
- 1.3. Teachings of Islam.
- 1.4. Qoran as the foundation of Muslim Law.
- 1.5. Who is a Muslim.
- 1.6. History of Islam.
  - 1.6.1. Pre-Islamic Arabia.
  - 1.6.2. The Prophet and advent of Islam.
  - 1.6.3. Shias and Sunnis.
  - 1.6.4. Islamic Law in India.
    - 1.6.4.1. The Sharia.
    - 1.6.4.2. Replacement of Islamic Law by legislation : I.P.C. Evidence Act 1872, C.P.C, Cr. P.C., Contract Act, tort.
    - 1.6.4.3. Personal Law of Muslims: Some aspects are touched by legislation: Divorce, Waqf etc.
    - 1.6.4.4. Application of Muslim Law: Muslim by birth, Muslim by conversion.

- 1.7. Sources of Muslim Law.
  - 1.7.1. Primary Sources.
  - 1.7.2. Secondary Sources.
- 1.8. School of Muslim Law.
  - 1.8.1. The Sunni School and its Sub-School.
  - 1.8.2. The Shia School and its Sub-School.
  - 1.8.3. The Motazilas.
  - 1.8.4. Points of difference between the Sunni and Shia School.

**Unit 2: Marriage (Nikah) and Divorce: 16**

- 2.1. Definition of Nikah.
- 2.2. Objects of Nikah.
- 2.3. Nature of Nikah.
- 2.4. Essential requirement of valid Muslim marriage.
- 2.5. Void and Irregular Muslim marriage.
- 2.6. Muta marriage.
- 2.7. Difference between Sunni and Shia law of marriage.
- 2.8. Comparison between Muslim marriage and Hindu marriage.
- 2.9. Dower (Mahr).
  - 2.9.1. Definition, Nature, importance and object of dower.
  - 2.9.2. Classification of dower.
  - 2.9.3. Consequences of non-payment of dower.
  - 2.9.4. Difference between Sunni and Shia Laws relating to dower.
- 2.10. Restitution of Conjugal Rights.
- 2.11. Divorce (Talaq).
  - 2.11.1. Extra-judicial divorce.
  - 2.11.2. Judicial divorce : The Dissolution of Muslim Marriages Act, 1939.
  - 2.11.3. Legal consequences of divorce.

**Unit 3: Minority and Guardianship Maintenance: 16**

- 3.1. Who is a Minor
- 3.2. Appointment of Guardian
- 3.3. Kinds of Guardian
- 3.4. Comparison of Sunni and Shia Laws relating to Guardianship
- 3.5. Maintenance
  - 3.5.1. Definition of maintenance
  - 3.5.2. Liability for maintenance
  - 3.5.3. Principles of maintenance
  - 3.5.4. Persons entitled to maintenance
  - 3.5.5. Right of Muslim divorced women to maintenance

**Unit 4: Gift, Will, Trust, Pre-emption: 16**

- 4.1. Gift (Hiba):
  - 4.1.1. Definition of Gift.
  - 4.1.2. Essentials of a valid gift.
  - 4.1.3. Gift made during death – illness.
  - 4.1.4. Void gifts.
  - 4.1.5. Revocation of gift.

- 4.1.6. Sadaqah.
- 4.2. Will (Wasiyat):
  - 4.2.1. Definition of Will.
  - 4.2.2. Essentials of a valid Will.
  - 4.2.3. Revocation of Will.
  - 4.2.4. Abatement of legacies.
- 4.3. Trust (Waqf):
  - 4.3.1. Definition of Trust (waqf).
  - 4.3.2. Essentials of valid waqf
  - 4.3.3. Wishes of the Waqf : The Doctrine of Cypres.
  - 4.3.4. Mutawalli.
  - 4.3.5. Legal incidents of Waqf.
  - 4.3.6. Kinds of Waqf.
  - 4.3.7. Revocation of Waqf.
  - 4.3.8. The Waqf Act, 1913.
- 4.4. Pre-emption (Shuffa):
  - 4.4.1. Definition of pre-emption.
  - 4.4.2. Nature of the right of pre-emption.
  - 4.4.3. Constitutional validity of pre-emption.

**Unit 5: Inheritance, Succession and Uniform Civil Code: 16**

- 5.1. Applicability of certain Rules.
  - Rules of Primogeniture.
  - Rules of 'Spes Successionis'.
- 5.2. The Indian Succession Act, 1925.
- 5.3. Death-bed transactions.
- 5.4. Uniform Civil Code.
  - 5.4.1. Need for Uniform Civil Code.
  - 5.4.2. Art 44 of the Constitution of India.
  - 5.4.3. Impediments to the formulation of the Uniform Civil Code.

**Internal Assessment : 20**

***Prescribed legislations:***

1. *The Muslim Law (Shariat) Application Act, 1937.*
2. *The Dissolution of Muslim Marriage act, 1939.*
3. *The Muslim Women (Protection of Rights on Divorce) Act, 1986.*
4. *The Special Marriage Act, 1954.*
5. *The Indian Succession Act, 1925.*
6. *The Waqf Act, 1995.*

**Recommended Books:**

1. D.F.Mulla : Principles of Mohammedan Law.
2. A. Fyzee : Outline of Mohammedan Law.
3. Tahir Mohammad : Mohammedan Law.
4. R.K.Sinha : Muslim Law.
5. Aqil Ahmed : Mohammedan Law.
6. N.H.Jhabala : Principles of Mohammedan Law.

7. Dr. Diwan : Family Law.
8. Dr. Diwan : Muslim Law in Modern India.

\*\*\*\*\*

**LL.B. 2.3****Special Contract**

Full Marks: 100 [80+20]

Pass marks: 45 [36+9]

**(Credit : 8)**

Time : 3 hours

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b><u>Detailed Syllabus</u></b>	<b><u>Marks</u></b>
---------------------------------	---------------------

<b>Unit 1: Indian contract Act: Indemnity, Guarantee, Bailment and Pledge</b>	<b>16</b>
---	-----------

- |     |   |  |
|-----|---|--|
| 1.1 | Indemnity (Ss 124-125)  |  |
|     | 1.1.1 Definition  |  |
|     | 1.1.2 Nature and extent of liability of the indemnifier                         |  |
|     | 1.1.3 Commencement of liability of the indemnifier.                             |  |
| 1.2 | Guarantee (Ss 126 -147)   |  |
|     | 1.2.1. Definition of guarantee ; as distinguished from Indemnity.               |  |
|     | 1.2.2. Continuing guarantee   |  |
|     | 1.2.3. Nature of Surety's liability duration and termination of such liability  |  |
|     | 1.2.3.1 Rights of surety  |  |
|     | 1.2.3.2 Extent of Surety liability.   |  |
|     | 1.2.3.3 Discharge of Surety's liability   |  |
| 1.3 | Bailment (Ss 148 -171)  |  |
|     | 1.3.1 Definition of Bailment  |  |
|     | 1.3.2. Kinds of Bailees   |  |
|     | 1.3.3. Duties of Bailor and Bailee towards each other                           |  |
|     | 1.3.4 Rights of bailor and bailee   |  |
| 1.4 | Pledge (Ss 172-179)   |  |
|     | 1.4.1 Pledge : Comparison with bailment   |  |
|     | 1.4.2 Definition of pledge under the Indian contract Act.                       |  |
|     | 1.4.3 Rights of the pawner and pownee   |  |
|     | 1.4.4 Pownee's right of sale as compared to that of an ordinary bailee          |  |
|     | 1.4.5 Pledge by certain specified persons mentioned in the Indian contract Act. |  |

<b>Unit 2: Agency (Ss 182-238)</b>	<b>16</b>
------------------------------------	-----------

- |     |  |  |
|-----|--|--|
| 2.1 | Agent and Principal defined  |  |
| 2.2 | Who may employ an agent who may be appointed as an agent.          |  |
| 2.3 | Kinds of agents and agencies - essentials of a agency transaction. |  |
| 2.4 | Distinction between agent and servant                              |  |
| 2.5 | Various methods of creation of agency                              |  |



- 2.6 Rights, Duties and Liabilities of principal and agent scope and limitation
- 2.7 Delegation Ratification and revocation of authority.
- 2.8 Methods of termination of Agency Contract
- 2.9 Liability of the principal and agent before and after such termination

**Unit 3: The sale of Goods Act, 1930** **16**

- 3.1 General : Formation of contract of Sale (Ss 1-10)
  - 3.1.1. Concept of Goods
  - 3.1.2. Sale and Agreement
  - 3.1.3. Statutory Transactions
  - 3.1.4. Contract for works/Labour
- 3.2. Conditions and warranties (Ss 11-17, 62, 63)
  - 3.2.1. Stipulation as to time
  - 3.2.2. Implied conditions and warranties as to title, quality, fitness etc.
  - 3.2.3. Sale by description and by Sample
  - 3.2.4. Treating conditions as warranties
  - 3.2.5. Doctrine of caveat Emptor
- 3.3. Effect of the contract (Ss 180-30)
  - 3.3.1. Transfer of Property
  - 3.3.2. Doctrine of Nemo dat Quad non habit
  - 3.3.3. Sale
    - 3.3.3.1. By a person other than the owner
    - 3.3.3.2. By joint owner
    - 3.3.3.3. By mercantile agent
    - 3.3.3.4. By Seller or buyer in possession after sale
    - 3.3.3.5. In Market Quer
- 3.4. Performance of the contract (Ss 31-44)
  - 3.4.1. Duties of Seller and Buyer
  - 3.4.2. Rules relating to delivery of goods
- 3.5. Rights of unpaid seller (Ss 45-54)
  - 3.5.1. Who is an un paid seller?
  - 3.5.2. Un paid seller 's Right
  - 3.5.3. Rights of lien
  - 3.5.4. Rights of stoppage in transit
  - 3.5.5. Transfer of goods by buyer and seller
- 3.6. Suit for breach of contract (Ss 18-30)
  - 3.6.1. for price
  - 3.6.2. Non Delivery
  - 3.6.3. Non acceptance
  - 3.6.4. Damages for breach of conditions and warranties
  - 3.6.5. Repudiation of contract
  - 3.6.6. Payment of damages and special damages
- 3.7. Auction Sale (S 64)

**Unit 4: The Indian Partnership Act, 1932** **16**

- 1.1 Nature of Partnership (Ss 4-8)
  - 4.1.1 Definition of Partnership "Partner firm" and "firm name" ( S.4)

- 4.1.2. Partnership not created by Statutes (S.5)
- 4.1.3. Made of determining existence of partnership (S.6)
- 4.1.4. Partnership at Will (S.7)
- 4.1.5. Particular partnership (S.8) Partnership and Private Limited Company – Advantages and disadvantages
- 4.2. Relations
  - 4.2.1. Of partners to one Another (Ss 9-r)
  - 4.2.2. Relations of Partners to third parties (Ss 18-30)
- 4.3. Incoming and outgoing partners (Ss 31-38)
- 4.4. Dissolution of Firm (Ss 39-53)
- 4.5. Registration of Firms (Ss 56-71)

**Unit 5: Limited liability of partnership LLP 16**  
**The limited liability partnership Act 2008**

- 5.1. Concept and nature of Limited liabilities partnerships
- 5.2. Distinction between a partnership[ a limited liability partnership and a company
- 5.3. Incorporation of LLPs
- 5.4. Effect of registration
- 5.5. Partners and their relations
- 5.6. Liabilities of LLP and its partners
- 5.7. Holding out
- 5.8. Protection to whistle blowers
- 5.9. Investigation

**Prescribed Legislation**

1. *The Indian Contract Act 1872*
2. *The Sale of Goods Act 1930*
3. *The Indian Partnership Act 1932*
4. *The Limited Liability Partnership Act 2008 (6 of 2009)*

**Internal Assessment : 20**

**Recommended Books: (Law of contract and Special Contract)**

1. R.G.Pedia (ed.) Pollack and Mulla, Indian contract and Specific Acts (13<sup>th</sup> Ed 2006)
2. G.C.Bharuka, The India Partnership Act 7<sup>th</sup> Ed 2007
3. Avtar Singh , Law of partnership (3<sup>rd</sup>Ed 2001) with Supplement 2003
4. Sanjiv Agarwal and Rohini Agarwal ltd liability partnership : Law and Practice (2009).
5. K. Ramamurthy , Pollack and Multa the sale of goods Act (7<sup>th</sup> ed 2007)
6. V. Krishnamachari and Surender K Gagia T.S. Venkatisa
7. Avtar Singh Contract Act 2000 Eastern Lucknow
8. V.P.Verma (Rev) S.D.and J.P. Gupta law of partnership in India (fth Ed 1996)
9. Krishnan Nair Law of contract 1999 orient
10. Avtar Singh, Principles of the law of the law of sale of goods and their purchase 1998 Eastern Lucknow
11. J.P.Verma Ex Singh and Gupta the Law of partnership in India 1999 orient law house, Delhi

12. A.G.Guest (ed) Benjamin's Sale of goods (1992) Sweet and Maxwell
13. Beatson (ed) Anson's Law of contracts (1998) Oxford, London.
14. Ramnainga, the sale of goods Act (1998) (Universal)

\*\*\*\*\*

**LL.B. 2.4 OP<sub>1</sub>**

**Land Laws of Assam**

**(Credit : 7)**

***Optional 1 : Law & Agriculture Group***

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<u>Detailed Syllabus</u>	<u>Marks</u>
<b>Unit 1: Constitutional Provisions</b>	<b>16</b>
1.1 History of land right in Assam.	
1.2 Factors leading to land reform in Assam	
1.3 Property as legal right	
1.4 State ownership	
1.5 Constitutional mandate of lands	
<b>Unit 2: The Assam Land &amp; Revenue Regulation, 1886</b>	<b>16</b>
2.1 Revenue Administration during Ahom Rule	
2.2 Different kinds of land rights	
2.3 Settlement operation, realization of arrear land revenue	
2.4 Mutation, partition, appeal	
2.5 Matter exempted from preview of civil court	
2.6 Protection of Backward Classes	
<b>Unit 3: The Assam (Temporary settled Areas) Tenancy Act, 1971</b>	<b>16</b>
3.1 Important Definitions – Land lord, Tenant, Land	
3.2 Different kinds of Tenant and their rights under the Act	
3.3 Reasons for passing of the Act	
3.4 Protection of tenant	
3.5 Remedial provisions	
<b>Unit 4: The Assam Non-Agricultural Urban Areas Tenants Act, 1955</b>	<b>16</b>
4.1 Application & objectives	
4.2 Definition – Land, permanent structure, land lord, tenant, salami	
4.3 Protection from ejection, its procedure, enhancement of rent	
4.4 Protection/procedure for fair rent	
4.5 Exception of law provided under the Act.	
<b>Unit 5: The Assam Urban Areas Rent control Act, 1972</b>	<b>16</b>
5.1 Fair rent, urban area, standard rent, fixation thereof	
5.2 Protection of tenant from arbitrary eviction	
5.3 Enhancement of standard rent	

- 5.4 Deposit of rent in court  
5.5 Repairs etc. by tenant & recovery of costs etc.

**Referred cases :**

- 1 *Swarna Brahma Vs Assam Board of Revenue, AIR 1972 Gau - 121*
- 2 *Refiqunnessa Vs Lal Bahadur Chetri AIR 1964 SC. 1511*
- 3 *Kali Kumar Sen Vs Moahulal Biswas AIR 1969 A8M 66 (FB).*
- 4 *Variety Emporium Vs VRM Md. Ibrahim Novina, AIR 1985 SC. 207*
- 5 *Satyaranjan Vs Assam Board of Revenue AIR 1999 Gau - 83 (FB)*
- 6 *V. Dhanpal Chettiar Vs Yesodal Amal, AIR 1979 SC. 1745*

**Internal Assessment :**

**20**

**Recommended Books:**

1. Justice K.N. Saikia, Assam Land and Revenue Regulations, 1886
2. J.N. Das, Land Laws of Assam.
3. B.K. Goswami, The Assam Urban Area Rent Control Act, 1972
4. B.K. Goswami, The Assam Non - Agricultural Urban Areas Tenancy Act, 1955

\*\*\*\*\*

**OR**

**LL.B. (Hons) 2.4 OP<sub>1</sub>**

**Criminal Psychology**

**(Credit : 6)**

**Optional 1: Crime & Criminology Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b><u>Detailed Syllabus</u></b>	<b><u>Marks</u></b>
<b>Unit 1: Introduction</b>	<b>16</b>
1.1 Nature and history of criminal behaviour	
1.2 Techniques of studying criminal behaviour	
<b>Unit 2: Analysis of Crime</b>	<b>16</b>
2.1 Biological Perspectives	
2.2 Sociological Perspectives	
2.3 Psychological Perspectives	
<b>Unit 3: Special Offender Groups</b>	<b>16</b>
3.1 Types	
3.2 Causes and interventions with respect to the following-	
3.2.1 Juvenile delinquency	
3.2.2 Substance abuse	
3.2.3 Terrorism	

<b>Unit 4: Special Offences</b>	<b>16</b>
4.1 Types	
4.2 Causes and interventions with respect to the following-	
4.2.1 Crime against women	
4.2.2 Suicide	
4.2.3 Homicide	
<b>Unit 5: Rehabilitation</b>	<b>16</b>
5.1 In Family and Society	
5.2 The Role of Law-Enforcement Voluntary Agencies in Social Defence	

**Internal Assessment :** **20**

**Recommended Books:**

1. Chockalingam, K.(1991), Reading in Victimology, R.R. Publications, Madras
2. Curra, J.(1999) ,The Relativity of Deviance, Sage, Delhi
3. Fldman, M.P.(1977), Criminal Behaviour : A psycho-social analysis, Wiley, London
4. Joshi, A.C., & Bhatia, V.B.(1981),Reading in social Defence, Wheelers Pub. Co. Delhi
5. Kushe, W.W.(1998), The Future of Terrorism, Sage, Delhi

\*\*\*\*\*

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

**Comparative Constitution**

**(Credit 6)**

***Honours – 2 : Constitutional Law Group***

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus** **Marks**

<b>Unit 1: Salient features of -</b>	<b>16</b>
1.1 Basic features	
1.1.1 Constitution of U.K.,	
1.1.2 Constitution of USA, and	
1.1.3 Constitution of India	
1.2 Doctrine of Separation of Power under the Constitution of-	
1.2.1 U.K	
1.2.2 USA and	
1.2.3 India	
<b>Unit 2: Comparative study on the</b>	<b>16</b>
2.1 Methods of amendment under the Constitution of -	
2.1.1 U.K.,	
2.1 2 USA and	

2.1 3	India.	
2.2	Composition and jurisdiction of	
2.2.1	USA Judicial System	
2.2.2	Indian Judicial System	
2.3	Provisions of trade, commerce and intercourse under the	
2.3.1	Constitution of India and	
2.3.2	Constitution of USA	
<b>Unit 3:</b>	<b>Rule of Law</b>	<b>16</b>
3.1	Meaning	
3.2	Exception to the rule of law	
3.3	Rule of law under the Constitution of U.K., USA and India	
<b>Unit 4:</b>	<b>Natural Justice</b>	<b>16</b>
4.1	Principles	
4.2	Applicability of natural justice principles under the Constitution of	
4.2.1	U.K.	
4.2.2	USA and	
4.2.3	India	
<b>Unit 5:</b>	<b>Doctrine of Judicial Review in</b>	<b>16</b>
5.1	U.K.,	
5.2	USA and	
5.3	India	
<b>Internal Assessment :</b>		<b>20</b>

**Recommended Books:**

1. Dr. D. D. Basu, *Comparative Constitutional Law*, Wadhwa & Co. Ltd.
2. Vishnoo Bhagwan and Vidya Bhusan, *World Constitution*
3. Anup Chand Kapoor & K.K. Mishra, *Select Constitution*, S. Chand & Co. Ltd.

\*\*\*\*\*

**OR**

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

**Women and Criminal Law**

**(Credit 6)**

***Honours - 2 : Crime & Criminology Group***

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus**

**Marks**

**Unit 1: Introduction**

**16**

1.1	Status of Women in India	
1.2	Status of Women – International concerns	
1.3	Constitution of India & Women	
1.3.1	Preamble	
1.3.2	Equality Provision	
<b>Unit 2:</b>	<b>Personal Laws and Women</b>	<b>16</b>
2.1	Unequal position of women – different personal laws and Directive principles of State Policy	
2.2	Uniform Civil Code towards gender justice	
2.3	Sex inequality in inheritance	
2.4	Guardianship	
<b>Unit 3:</b>	<b>Criminal Laws and Women</b>	<b>16</b>
3.1	Adultery	
3.2	Rape	
3.3	Outraging Modesty	
3.4	Domestic Violence	
<b>Unit 4:</b>	<b>Women Welfare Laws</b>	<b>16</b>
4.1	General laws	
4.1.1	The Dowry Prohibition Act, 1961	
4.1.2	Pre-natal Diagnostic Techniques (Regulation & Prevention of Misuse) Act, 1994	
4.1.3	Indecent Representation of Women (Prohibition) Act, 1986	
4.1.4	Immoral Traffic (Prevention) Act, 1987	
4.1.5	Family Courts Act, 1984	
<b>Unit 5:</b>	<b>Labour Welfare Legislations</b>	<b>16</b>
5.1	Maternity Benefit Act,	
5.2	Factories Act,	
5.3	Equal Remuneration Act,	
5.4	Implementation of Wage Laws and Legislation on Women Employment	

**Referred cases**

1. *Sumithra Vishnu v. Union of India* 1985 SC 1618
2. *Vellore Citizens' Welfare Forum v. Union of India* (1996) 5 SCC 647
3. *Vishaka v. State of Rajasthan*, AIR 1997 SC 3011 : (1997) 6 SCC 241

**Prescribed Legislations:**

1. *The Constitution of India ( Relevant provisions )*
2. *Dowry Prohibition Act( Relevant provisions )*
3. *Indian Penal Code( Relevant provisions )*
4. *Criminal Procedure Code ( Relevant provisions )*
5. *Indian Evidence Act( Relevant provisions )*
6. *Harassment at the Work Place and Public Place, Immoral Traffic (Prevention) Act, 1956*
7. *The Indecent Representation of Women (Prohibition) Act, 1986*

8. *The Medical Termination of Pregnancy Act, 1978*
9. *Equal Remuneration Act, 1988*

**Internal Assessment :**

**20**

**Recommended Books:**

1. Revasia & Revasia, *Women Social Justice & Human Right* (1998), P.H. Publishing, New Delhi
2. Ajnes, Flavia, *Law as Gender Inequality*, (SecIV: Gen. Conl & Recomm) OUP, Delhi (1999)
3. Dr. Sayed Maqsood, *Law relating to Women*
4. Dr. S.C. Tripathi, *Law relating to Women*
5. *42<sup>nd</sup> Report of Law Commission* [Dissenting note of Justice Anna Chandy on Adultery, P.366]
6. *Towards Equality- Report of the Committee on the Status of Women* (Govt. of India), Ch. IV
7. Balram - *Women workers labour legislation in India* 1984 (2) I.L.J. 1527.
8. Lotika Sarkar, *The Law Commission of India* (1988).
9. U.Baxi, *Law and Poverty: Critical Essays* (1988), Eastern, Luknow
10. S.N. Jain ed, *Child and the Law* (1979) Indian Law Institute, New Delhi
11. Prof. Nomita Aggarwal, *Women and Law*
12. Dr. Manjula Batra, *Women and Law*
13. G.P. Reddy, *Women and Law*

\*\*\*\*\*

**OR**

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

**Information Technology incl. Cyber Law**

**(Credit 6)**

***Honours - 2 : Intellectual Property Law Group***

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus**

**Marks**

**Unit 1: Background**

**16**

- 1.1 Meaning of Cyber Law
  - 1.1.1 Cyber World and Cyber Law
  - 1.1.2 The internet and online resources
    - 1.1.2.1 Security of information
    - 1.1.2.2 Digital signature
  - 1.1.3 Cyber Law and Cyber Crimes



<b>Unit 2: Regulation of cyber space – Introducing cyber law</b>	<b>16</b>
2.1 Scope of Cyber laws – e-commerce - online contracts - IPRs (copyright, trademarks and software patenting) - e-taxation - e-governance and cyber crimes	
2.2 Cyber law in India- Information Technology Act, 2000	
<b>Unit 3: Information Technology Act-2000</b>	<b>16</b>
3.1 History of the Act	
3.2 Essence of the Act	
3.2.1 Legal Recognition of Electronic Documents	
3.2.2 Legal Recognition of Digital Signatures	
3.2.3 E-Governance	
3.2.4 Regulation of Certifying Authorities	
3.2.5 Duties of Subscribers	
3.2.6 Offenses and Contraventions- Penalties and Adjudications	
3.2.7 Justice Dispensation System for Cybercrimes	
3.2.8 Making of Rules and Regulations etc.	
<b>Unit 4: The Evidence Aspect in Cyber Law</b>	<b>16</b>
4.1 Applicability of the Indian Evidence Act on Electronic Record	
4.2 The global trends in Cyber Law	
<b>Unit 5: The Intellectual Property Aspect in Cyber Law</b>	<b>16</b>
5.1 The WIPO initiative- rectification- GII initiative	
5.2 Electronic Copy Right Management System (ECMS)	
5.3 Copyrights Act on Soft Propriety Works	
5.4 Patents Act on Soft Propriety Works	

***Prescribed Legislations:***

1. *Information Technology Act, 2000*
2. *Information Technology Rules, 2000*
3. *Cyber Regulation Appellate Tribunal Rules, 2000*
4. *The Indian Penal Code, 1860*
5. *The Indian Evidence Act, 1872*
6. *Bankers Book Evidence Act.1891*
7. *Reserve Bank of India Act, 1934*

**Internal Assessment :** **20**

**Recommended Books:**

1. Farooq Ahmed, *Cyber Law in India*, Pioneer Books, New Delhi-110009
2. Vakul Sharma, *Information Technology Law and Practice*, Universal, Delhi
3. Arun Baweja, *Information Technology and Development*, Kalpar Publication, Delhi
4. P.S. Yivek Shane, Banerjee, *Science and Society*, Himalaya Publishing House, Bombay
5. Ashok Korde, A. Sawant, *Science and Scientific Method*, Himalaya Pub. House, Bombay

6. B.B.Batra, *Information Technology*, Kalpar Publications, Delhi
7. Nandan Kamamth, *Guide to Information Technology Act*, University Law Pub.Co. Delhi-33
8. Suresh T. Viswanathan, *The Indian Cyber Laws*, Bharat Law House, New Delhi-83.
9. Ankit Fadia and Jaya Bhattacharjee, *Encryption-Protecting your Data*
10. P. Narayan, *Intellectual Property Law*, Eastern Law House, New Delhi

\*\*\*\*\*

**OR**

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

**Direct Tax**

**(Credit : 6)**

**Honours – 2 : Business Law Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>Unit 1: Introduction to Direct Tax</b>	<b>16</b>
1.1 Kinds of Direct Tax	
- Income Tax	
- Wealth Tax	
- Gift Tax	
- Agricultural income Tax	
<b>Unit 2: Income Tax</b>	<b>16</b>
2.1 Background & Introduction to Income Tax in India	
2.2 Structure of Income Tax in India	
2.3 Administrative structure of Excise Department	
2.4 Impact & Incidence of Income Tax	
2.5 Causes of Avoidance & Evasion of Income Tax	
<b>Unit 3: Wealth Tax</b>	<b>16</b>
3.1 Background & Introduction to Wealth Tax in India	
3.2 Structure of Wealth Tax in India	
3.3 Administrative structure of Wealth Tax Department	
3.4 Impact & Incidence of Wealth Tax	
<b>Unit 4: Gift Tax</b>	<b>16</b>
4.1 Introduction to Gift Tax in India	
4.2 Abolition of Gift Tax in India	

## 4.3 Impact &amp; Incidence of Gift Tax

**Unit 5: Agricultural Income Tax** **16**

- 5.1 Background & Introduction
- 5.2 Impact & Incidence of Agricultural Income Tax
- 5.3 Agricultural Income Tax Department
- 5.4 Agricultural Income Tax & the Agriculturist
- 5.5 Problems of Agricultural Income Tax

**Internal Assessment :** **20****Recommended Books:**

1. Income Tax Act--- Kanga & Palkiwala
2. Direct Tax Law & Practice--- Dr. Vinod K. Singhania, Kapil Singhania
3. Practical Approach to Indirect Tax--- Girish Ahuja, Dr. Ravi Gupta
4. T.D.C. under the Income Tax Act, 1961 --- V. P. Verma & M D. Kabra

\*\*\*\*\*

**SEMESTER – III**  
**(FROM 2010-11 SESSION ONWARDS)**

**LL.B. 3.1****Indian Penal Code****(Credit : 7)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b><u>Detailed Syllabus</u></b>	<b><u>Marks</u></b>
---------------------------------	---------------------

**Unit 1: Introduction** **16**

- 1.1 Conception of Crime
- 1.2 Elements of criminal liability
  - 1.2.1 Author of crime – natural and legal person – human being
  - 1.2.2 *Mens rea* – evil intention
  - 1.2.3 Act in furtherance of guilty intention
  - 1.2.4 Injury to another
- 1.3 Stages of a crime
  - 1.3.1 Intention to commit an offence
  - 1.3.2 Preparation
  - 1.3.3 Attempt (SS. 511, 307)
  - 1.3.4 Accomplishment
- 1.4 Salient features of I.P.C.
  - 1.4.1 Definitions
  - 1.4.2 Jurisdiction – Territorial – Personal
  - 1.4.3 General Explanation

- 1.4.4 Group liability – Common intention – Common object.  
(SS. 34, 149)
- 1.4.5 Punishment
- 1.4.6 White collar crime

**Referred Cases :**

1. *Baba Lodhi Vs. State of UP AIR 1987 : SC 1268*
2. *Krishna Kumar Vs. Union of India AIR 1959 Sc. 1390*

**Unit 2: General Exceptions : Factors negating guilty intention (SS. 76, 79, 84, 85-86, 96-106) 16**

- 2.1 Mental incapacity
  - 2.1.1 Minority
  - 2.1.2 Insanity – Medical and legal insanity
- 2.2 Intoxication – involuntary
- 2.3 Private defence : Justification and limits
  - 2.3.1 When private defence extends to causing of death to protect body and property.
  - 2.3.2 Necessity
  - 2.3.3 Mistake of fact
- 2.4 Abetment
- 2.5 Criminal Conspiracy

**Referred Case :**

1. *Lohit Chandra Das Vs. State of Assam (1986 I.G.L.R. 299)*

**Unit 3: Offences against State and the Public 16**

- 3.1 Offences against the state
  - 3.1.1 Waging war against the government of India. (SS. 121, 121A, 122, 123).
  - 3.1.2 Assaulting high officers (S. 124).
  - 3.1.3 Sedition (S. 124A).
  - 3.1.4 Waging war against a power at peace with the government of India.
- 3.2 Offences against public Tranquillity
  - 3.2.1 Unlawful Assembly (S. 141)
  - 3.2.2 Rioting (SS. 146, 147)
  - 3.2.3 Promoting enmity between different classes (S. 153 A)
  - 3.2.4 Affray (SS. 159, 160)

**Referred Cases :**

1. *Kedar Nath, AIR 1962 SC 955*
2. *Satvir Vs. State of Uttar Pradesh, AIR 2009 SC 1742*

**Unit 4: Offences affecting human body and the reputation 16**

- 4.1 Unlawful homicide
  - 4.1.1 Culpable homicide (S. 299)
  - 4.1.2 Murder (S. 300)
  - 4.1.3 Homicide by rash or negligent act (S. 304 A)
  - 4.1.4 Suicide (S. 309)

- 4.1.5 Dowry death (304 B)
- 4.2 Hurt and grievous hurt
- 4.3 Wrongful restraint
- 4.4 Wrongful confinement
- 4.5 Criminal force
- 4.6 Assault
- 4.7 Kidnapping
- 4.8 Abduction
- 4.9 Sexual Assault (Rape) and other sexual offences
- 4.10 Cruelty to married woman (S. 498 A)
- 4.11 Defamation

**Referred Cases :**

1. *Bachan Sing Vs. State of Punjab (1980) 2 – SCC 684 (Capital Punishment)*
2. *Mehmat Ali Vs. the State of Assam (1986) 2 G.L.R. 323*
3. *Gian Kaur Vs. State of Punjab, (1996) 2 SCC 648 (Euthanasia – Mercy Killing)*
4. *Shyam Babu and Others Vs. State of Haryana AIR 2009 SC 577 (Kidnapping and Abduction)*
5. *Wazir Chand Vs. State of Haryana AIR 1989 SC 378 (Domestic Violence)*

**Unit 5: Offences against Property**

**16**

- 5.1 Theft (S. 378)
- 5.2 Extortion (S. 383)
- 5.3 Robbery (S. 390)
- 5.4 Dacoity (S. 391)
- 5.5 Criminal misappropriation of property (S. 403)
- 5.6 Criminal Breach of Trust (S. 405)

**Referred Cases :**

1. *Chandi Kumar Vs. Abanidhar Roy AIR 1965*
2. *Shyam Behari, 1957 G. LJ. 416*
3. *State of U.P. Vs. Shukhpal Singh & Others, AIR 2009 SC 1729 (Dacoity & Murder)*

**Internal Assessment :**

**20**

**Recommended Books:**

1. Ratan Lal and Dhiraj Lal – The Indian Penal Code.
2. K.D. Gaur – Criminal Law – Cases and Materials (2008), Butterworths India.
3. Prof. T. Bhattacharyya – The Indian Penal Code.
4. S.N. Misra – The Indian Penal Code.
5. R.C. Nigam – Law of Crimes in India, Vol. I & II

\*\*\*\*\*

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>Unit 1: Introduction</b>	<b>16</b>
1.1 Importance of Criminal Procedure, (S 6)	
1.2 Classes of Criminal Courts, Powers and Jurisdiction (Ss. 7, 9-19, 26-35)	
1.3 Executive Magistrates (Ss. 20, 21, 22, 23)	
1.4 Powers (Ss. 106-124, 129-132, 133-148, 177-189)	
1.5 Powers of Police Officers (Ss. 36-40)	
<b>Unit 2: Arrest of Persons, Rights of arrested Persons (Ss. 41-57)</b>	<b>16</b>
2.1 First Information Report (S. 154) - Evidentiary value of F.I.R.	
2.2 Summons and warrant of arrest (Ss. 61-69, 70-81)	
2.3 Proclamation and Attachment (Ss. 82-86)	
2.4 Search warrant (Ss. 93-105)	
2.5 Maintenance of wife, children and parents (Ss. 125-128)	
2.6 Police Investigation (Ss. 154-175)	
2.7 Bail – Anticipatory Bail (SS 437-439)	
<b>Unit 3: Condition requisite for initiation of proceedings (Ss. 196-199)</b>	<b>16</b>
3.1 Public Prosecutors (Ss. 24, 225-226)	
3.2 Complaints to Magistrates and commencement of proceedings (Ss. 200-210)	
3.3 Charges and Joinder of Charges (Ss. 211-224)	
<b>Unit 4: Trials</b>	<b>16</b>
4.1 Trial before Court of Sessions (Ss. 227-237)	
4.2 Trial of Warrant Cases	
a. Instituted on police report (Ss. 238-243)	
b. Instituted on other than police report (Ss. 244-247)	
4.3 Trials summon cases by Magistrate (Ss. 251-259)	
4.4 Summary trials (Ss. 260-265)	
4.5 Plea Bargaining (Ss. 265A-265L)	
4.6 Commissions for the examination of witnesses (Ss. 284-291 and 291 A)	
4.7 General Provision for enquiry and trial (Ss. 300-311A, 318-321, 323, 326, 328, 329, 344, 348)	
<b>Unit 5: Appeals, Revisions etc.</b>	<b>16</b>
5.1 Appeals (Ss. 372-394)	
5.2 Revisions (Ss. 395-405)	
5.3 Transfer of criminal cases (Ss. 406-412)	
5.4 Execution of order	

**Referred Cases :**1. *Brij Nandan Jaiwal V. Munna AIR 2009 SC 2001*

2. *Bridaban Das V. State of W.B. (2009) 3 SCC 329*
3. *Balbir Singh V. State of Delhi AIR 2007 SC 2397*
4. *State of Haryana V. Dinesh Kumar (2008) 3 SCC 222*
5. *Zahira Habibullah H Shiekh V. State of Gujrat (2004) 4 SCC 158*
6. *Prahlad Singh Bhati V. NCT, Delhi (2001) 4 Sec 280*

**Internal Assessment :**

**20**

**Recommended Books:**

1. Ratanlal & Dhirajlal, Criminal Procedure Code
2. M.P. Tendon, Criminal Procedure Code
3. K.N. Chandrasekharan, Pillai, Kelkar's Criminal Procedures Code

\*\*\*\*\*

**LL.B. 3.3**

**Jurisprudence**

**(Credit : 7)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[Note: For 2010-11 Session this paper is not required as it was already taught in 2009-10 under earlier syllabus]**

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus**

**Marks**

<b>Unit 1: Introduction</b>	<b>16</b>
1.1 Definition, Nature and Scope of Jurisprudence	
1.2 Definition, nature and kinds of Law, State and Sovereignty	
1.3 Justice	– Meaning and kinds, Civil and Criminal Justice. – Administration of Justice, Punishment theories
1.4 Sources of Law	– Legal and Historical sources of Law – Legislation – Precedent – Custom – Professional Opinion – Agreement, etc.
<b>Unit 2: Basic Theory of Law : Schools of Law (Part - I)</b>	<b>16</b>
2.1 Analytical Legal Positivism	
- Different approaches of Austin, Bentham and Hart	
2.2 Kelson's Pure Theory of Law	
- 'Grundnorm'	
2.3 Historical School of Law	

- Contribution of Savigny
- Distinction between Legal History and Historical Jurisprudence
- Analytical School and Historical School

**Unit 3: Basic Theory of Law : Schools of Law (Part - II) 16**

- 3.1 Sociological School of Law.  
 - approaches of Ihering, Duguit, Spencer.
- 3.2 Roscoe Pound's 'Social Engineering'.
- 3.3 'Social Solidarity' and its implications.
- 3.4 American Realism – 'Human Factor' and Scandinavian Realists.
- 3.5 Natural Law School – Origin, Development and revival in 20<sup>th</sup> century.  
 - Human Rights – Fundamental Rights in Indian Constitution.  
 - Reflections in the Constitution of India as well as in the decisions of Supreme Court of India with special reference to Maneka Gandhi Vs. Union of India, AIR 1978 SC 597.

**Unit 4: Legal Concepts 16**

- 4.1 Persons – Natural and Artificial of Legal – implications.
- 4.2 Legal Rights and Duties  
 - Analysis of legal rights and kinds of legal rights  
 - Hohfeld's Theory
- 4.3 Definition, nature and kinds of Liability  
 - Civil and Criminal Liability  
 - Remedial and Vicarious Liability etc.  
 - Negligence and Duty of Care, Strict Liability
- 4.4 The Law of Obligations
- 4.5 The Law of Property
- 4.6 Ownership and Possession  
 - Concepts & Distinction  
 - Kinds of Ownership  
 - Social control of Ownership  
 - Kinds of Possession  
 - Possessory remedies
- 4.7 Feminist Jurisprudence
- 4.8 Law of Procedure

**Unit 5: Indian Legal System 16**

- 5.1 Concepts of Dharma – Sruti and Smriti  
 Supremacy of Law over King & State – Law is the King of Kings
- 5.2 Indian Legal System after independence
- 5.3 Natural Law – Indian concepts and perception with special reference to Kesavananda Bharti Vs. State of Kerala AIR 1973 SC 1461
- 5.4 Concept of Truth (Satya), Non-violence (Ahimsa) and Right code of Moral conduct (Sadachar) and Indian Constitution
- 5.5 Analytical Positivism and Legal Positivism

***Referred Case Law on Legal Positivism : A.K. Gopalan Vs. State of Madras, AIR 1950 SC 28***



- 5.6 Sociological Jurisprudence in Indian Perspective and its new judicial response on Social Interest, Protection of Bonded Labour & Child Labour and Control of Environmental Pollution

**Referred Cases and Amendments :**

1. *Olga Tellis Vs. Bombay Municipal Corporation, AIR 1986 SC 180*
2. *Bandhua Mukti Marcha Vs. Union of India, AIR 1984 SC 802*
3. *Peoples Union for Democratic Rights Vs. Union of India, AIR 1982 SC. 1473*
4. *42<sup>nd</sup> Constitutional Amendment Act. 1976*

**Recommended Books for Unit 5 (Indian Legal System):**

1. *Fundamentals of Jurisprudence – The Indian Approach – by Dr. S.K. Dhyani (Publisher – Central Law Agency), Chapter – 2*
2. *Dias Jurisprudence – Chapter – 3 (Rules, laws and legal system) (Publisher – Butterworths)*
3. *Jurisprudence – Legal Theory – by Dr. B.N. Mani Tripathi (Publisher – Allahabad Law Agency).*

**Internal Assessment :**

**20**

**Recommended Books:**

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

\*\*\*\*\*

**LL.B. 3.4 OP<sub>2</sub>**

**Women & Criminal Law**

**(Credit : 5)**

**Optional 2 : Crime & Criminology Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus**

**Marks**

**Unit 1: Introduction**

**16**

- 1.3 Status of Women in India
- 1.4 Status of Women – International concerns
- 1.3 Constitution of India & Women
  - 1.3.1 Preamble
  - 1.3.2 Equality Provision

<b>Unit 2: Personal Laws and Women</b>	<b>16</b>
2.1 Unequal position of women – different personal laws and Directive principles of State Policy	
2.2 Uniform Civil Code towards gender justice	
2.3 Sex inequality in inheritance	
2.4 Guardianship	
<b>Unit 3: Criminal Laws and Women</b>	<b>16</b>
3.1 Adultery	
3.2 Rape	
3.3 Outraging Modesty	
3.4 Domestic Violence	
<b>Unit 4: Women Welfare Laws</b>	<b>16</b>
4.1 General laws	
4.1.1 The Dowry Prohibition Act, 1961	
4.1.2 Pre-natal Diagnostic Techniques (Regulation & Prevention of Misuse) Act, 1994	
4.1.3 Indecent Representation of Women (Prohibition) Act, 1986	
4.1.4 Immoral Traffic (Prevention) Act, 1987	
4.1.5 Family Courts Act, 1984	
<b>Unit 5: Labour Welfare Legislations</b>	<b>16</b>
5.1 Maternity Benefit Act,	
5.2 Factories Act,	
5.3 Equal Remuneration Act,	
5.4 Implementation of Wage Laws and Legislation on Women Employment	

***Referred cases***

1. *Sumithra Vishnu v. Union of India* 1985 SC 1618
2. *Vellore Citizens' Welfare Forum v. Union of India* (1996) 5 SCC 647
3. *Vishaka v. State of Rajasthan*, AIR 1997 SC 3011 : (1997) 6 SCC 241

***Prescribed Legislations:***

1. *The Constitution of India ( Relevant provisions )*
2. *Dowry Prohibition Act( Relevant provisions )*
3. *Indian Penal Code( Relevant provisions )*
4. *Criminal Procedure Code ( Relevant provisions )*
5. *Indian Evidence Act( Relevant provisions )*
6. *Harassment at the Work Place and Public Place, Immoral Traffic (Prevention) Act, 1956*
7. *The Indecent Representation of Women (Prohibition) Act, 1986*
8. *The Medical Termination of Pregnancy Act, 1978*
9. *Equal Remuneration Act, 1988*

**Recommended Books:**

1. Revasia & Revasia, *Women Social Justice & Human Right* (1998), P.H. Publishing, New Delhi
2. Ajnes, Flavia, *Law as Gender Inequality*, (SecIV: Gen. Conl & Recomm) OUP, Delhi (1999)
3. Dr. Sayed Maqsood, *Law relating to Women*
4. Dr. S.C. Tripathi, *Law relating to Women*
5. *42<sup>nd</sup> Report of Law Commission* [Dissenting note of Justice Anna Chandy on Adultery, P.366]
6. *Towards Equality- Report of the Committee on the Status of Women* (Govt. of India), Ch. IV
7. Balram - *Women workers labour legislation in India* 1984 (2) I.L.J. 1527.
8. Lotika Sarkar, *The Law Commission of India* (1988).
9. U.Baxi, *Law and Poverty: Critical Essays* (1988), Eastern, Luknow
10. S.N. Jain ed, *Child and the Law* (1979) Indian Law Institute, New Delhi
11. Prof. Nomita Aggarwal, *Women and Law*
12. Dr. Manjula Batra, *Women and Law*
13. G.P. Reddy, *Women and Law*

\*\*\*\*\*

**OR****LL.B. 3.4 OP<sub>2</sub>****Media & Law****(Credit : 5)****Optional 2 : Constitutional Law Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus****Marks**

<b>Unit 1: Need of Law in Media</b>	<b>16</b>
1.1 Freedom of Speech and Expression under the Indian Constitution and Restrictions	
1.2 Media Personal Privileges	
<b>Unit 2: Print Media and Press Law</b>	<b>16</b>
2.1 Introduction of Print Media and Press Law	
2.2 Broadcasting and its privileges	
2.3 Performer's Rights	
<b>Unit 3: Copy Right Act, 1999</b>	<b>16</b>
3.1 Indian Copy Right Act as amended	
<b>Unit 4: Defamation-</b>	<b>16</b>
4.1 Provisions embodied in the Indian Penal Code	

4.2 Indecent Representation Act, 1986

**Unit 5: Print Media and Registration Act, 1867** **16**

1.1 National Security Act, 1980

**Referred Cases-**

1. *Zee Telefilms Ltd. V. Union of India* (2005) 4 SCC 649
2. *Bennett Coleman and Co. v. Union of India* AIR 1973 SC 106

**Internal Assessment :** **20**

**Recommended Books:**

1. Madhavi Goradia, *Facet Of Media Law*
2. *Media , Press and Telecommunication Law, 2007*
3. DR. A. Verma, *Cyber Crimes & Law*

\*\*\*\*\*

**LL.B. 3.5 P<sub>1</sub>**

**Alternate Dispute Resolution**

**(Credit : 5)**

***Practical – 1***

Full Marks: 100 [60+20+20] Pass marks: 45 [27+9+9]

Theory : 60, Pass Marks : 27

Practical : 20, Pass Marls : 9

Internal Assessment : 20, Pass Mark : 9

*[For Unit - 1, 2 & 3 there will be written examination of 60 marks of 2 hour duration. Pass mark in the written examination will be 27 marks. Practical examination with viva-voce will be of 20 marks. Pass mark for practical examination will be 9 marks. There will be internal assessment from all the Units and pass mark for internal assessment will be 9 marks.]*

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus** **Marks**

**Unit 1: UNCITRAL, 1980 and UNCITRAL Rules, 1985** **20**

- A. History
- B. International developments
- C. Government of India's obligation (Article 51, Art. 253)

**Unit 2: The Arbitration and Conciliation Act, 1996** **20**

- A. Mediation
- B. Conciliation
- C. Arbitration

D. Pure Legal Process

**Unit 3: ADR Provision Under the Constitution of India and under Different Laws** **20**

- A. ADR provisions under the CPC, 1908 (Sec. 89)
- B. ADR provision under the Hindu Marriage Act, 1955 [Sec. 23 (2)]
- C. ADR provision under the relevant provisions of the Indian Contract Act, 1872.
- D. ADR provisions under the Constitution of India, Article 298, Art. 299 and the related provisions of Art. 53 and Art. 162.
- E. Legal Services Authorities Act, 1987 (relevant provisions)

**Referred Cases :**

1. *K.K. Modi Vs. K.N. Modi & others, AIR 1998 SC 1297.*
2. *National Insurance Co. Vs. Amal Kumar Das, AIR 1998 Gau – 1.*
3. *SBP & Co. Vs. Patel Engg. Ltd. 2005 (8) SCC 618.*
4. *Krishna Bhagya Jala Nigam Ltd. Vs. G. Arischandra Reddy (2007) 2 SCC 720.*
5. *Oil & Natural Gas Corporation Vs. Saw Pipes Ltd. 2003 (4) SCALE 92 – 185.*

**Practical : Marks : 20 [Written Report : 15 + Viva-voce : 5]**

Every student is to attend mediation centres of the High Court, the District Courts, the Permanent Lok Adalats and other Centres under the guidance of the teacher concerned. They will also be required to submit a Report of the cases attended. Written reports will be submitted to the teacher of this paper within a week after attending the Mediation centers and other centres. The teacher will evaluate these reports continuously through out the semester and award marks.

**[Note: The written reports evaluated by the teacher along with list of the marks awarded will be placed before the external examiner at the time of vive-voce examination. The teacher of the practical paper will be the internal examiner who along with the external examiner will jointly award final marks on written reports and viva-voce examination. Written reports will not be accepted for final evaluation by the external & internal examiners if they are not submitted and evaluated regularly throughout the semester.]**

**Internal Assessment :**

**20**

**Recommended Books:**

1. The Arbitration and Conciliation  
By Dr. Avtar Singh.
2. The Arbitration and Conciliation  
By Dr. N.V. Paranjape.

\*\*\*\*\*

**LL.B. (Hons) 3.6 H<sub>3</sub>****Local Self Government incl. Panchayat Administration****(Credit : 6)****Honours – 3 : Constitutional Law Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus** **Marks**

<b>Unit 1: Local Self Government</b>	<b>16</b>
1.1 Concept	
1.2 Importance and its implementation	
1.3 Composition of Gram Sabha	
<b>Unit 2: Panchayat</b>	<b>16</b>
2.1 Composition	
2.2 Qualification and disqualification of membership	
2.3 Election to the Panchayat	
2.4 Reservation of backward classes	
<b>Unit 3: Municipalities</b>	<b>16</b>
3.1 Composition	
3.2 Qualification and disqualification of membership	
3.3 Election to the Panchayat	
3.4 Reservation of backward classes	
<b>Unit 4: Finance Commission on Panchayat and Municipalities</b>	<b>16</b>
<b>Unit 5: Local Self Government</b>	<b>16</b>
5.1 Municipal Corporation	
5.2 Zila Parishad	
5.3 Village Panchayat	
5.4 Nyaya Panchayat	
5.4.1 Nyaya Panchayat Act, 2009	

***Prescribed Legislations:***

1. *Assam Panchayat Act, 1994*
2. *Nyays Panchayat Act, 2009*

**Internal Assessment :** **20****Recommended Books:**

1. V.V. Rao & Dr. Niru Hazarika, *Hundred Years Of Local Self Government of Assam*

\*\*\*\*\*

**OR**

**LL.B. (Hons) 3.6 H<sub>3</sub>****Prison Administration****(Credit : 6)****Honours – 3 : Crime & Criminology Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>Unit 1: Introduction</b>	<b>16</b>
1.1 Prison in India	
1.2 Role of Prison in Modern Penology	
1.3 Self Government in Prison	
1.4 The Prison Community and Classification of Prisoners	
<b>Unit 2: Problems in Prison</b>	<b>16</b>
2.1 Overcrowding in Prison	
2.2 Prison Discipline	
2.3 Prisoner's Health	
2.4 Criminality in Prison	
<b>Unit 3: Prison Reforms</b>	<b>16</b>
3.1 Indian Jail Reform Committee, 1919-20	
<b>Unit 4: Judicial Mandates</b>	<b>16</b>
4.1 Judicial Mandates for Prisoners and Detainees	
4.2 Judicial Mandates for General Administration of Prisons	
4.3 The Repatriation of Prisoners Act, 2003	
<b>Unit 5: International Penal and Penitentiary Commission and Prison Reforms</b>	<b>16</b>
5.1 The Repatriation of Prisoners Act, 2003	
<b>Internal Assessment :</b>	<b>20</b>

**Recommended Books:**

1. N.V. Paranjape, *Criminology and Penology*
2. Sutherland, *Principles of Criminology*
3. Siddiqui, *Criminology*
4. Sethna, *Society and Criminal*
5. Jones, *Crime and Penal System*

\*\*\*\*\*

**LL.B. (Hons) 3.6 H<sub>3</sub>****IPR Management [ International Protection of IPR ]****(Credit : 6)****Honours – 3 : Intellectual Property Law Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>Unit 1: IPR-</b>	<b>16</b>
1.1 Introduction and Meaning of IPR	
1.2 Importance and its implementation of IPR	
1.3 Role of IP in Economic Development	
<b>Unit 2: The International Trade Organization and the GAIT</b>	<b>16</b>
2.1 The GAIT, its working and salient features	
2.2 Negotiating history' of the WTO, the Dunkel Draft and the Agreement stabilizing the WTO 1994.	
2.3 Paris Convention for protection of Industrial Property	
<b>Unit 3: Agreement</b>	<b>16</b>
3.1 Agreement on Agriculture	
3.2 Agreement on Textiles and clothing	
3.3 Agreement on Import licensing Procedure	
3.4 The Agreement on Safeguards	
3.5 General Agreement on Trade in Services	
3.6 The Agreement on Trade Related Aspects of Intellectual Property Rights [TRIPS]	
3.7 General Provisions and Basic Principles	
3.8 TRIPS and Patent Co-operation Treaty, 1970	
<b>Unit 4: Protection of Specific Intellectual Property Rights under TRIPS</b>	<b>16</b>
4.1 Copyrights and related Rights'	
4.2 Trademarks	
4.3 Geographical indications, protection plant, varieties	
4.4 Industrial designs	
3.5 Patents	
4.6 Layout Designs	
4.7 Undisclosed information	
4.8 Control of anti-competitive Practices in Contractual Licenses	
<b>Unit 5: Enforcement of Intellectual Property Rights</b>	<b>16</b>
5.1 Civil and Administrative procedures and Remedies	
5.2 Provisional Measures	
5.3 Special Requirements Related to Border measures	
5.4 Dispute Prevention and Settlement	
5.5 Rules and procedure governing the Settlement of Disputes	
<b>Internal Assessment :</b>	<b>20</b>

**Recommended Books:**

1. M. B. Rao, *WTO and International Trade*



2. Michael Balkency, *Trade Related aspects of Intellectual*
3. Property Rights, *A Concise Guide to the Trips Agreement.*

\*\*\*\*\*

**OR****LL.B. (Hons) 3.6 H<sub>3</sub>****Indirect Tax Law****(Credit : 6)*****Honours - 3 : Business Law Group***

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus** **Marks**

<b>Unit 1: Introduction to Indirect Tax</b>	<b>16</b>
1.1 Central Excise	
1.2 Customs	
1.3 Sales Tax & VAT	
1.4 Service Tax	
<b>Unit 2: Central Excise</b>	<b>16</b>
2.1 Background and introduction to Excise Law in India	
2.2 Structure of Excise Law in India	
2.3 Classification of goods :	
- Central Excise Tariff Act 1985	
- Rules for Interpretation of CETA	
2.4 Valuation	
- Study of section 4 and section 4 A along-with Rules for Valuation	
2.5 CENVAT	
- Basic meaning	
- MODVAT	
- CENVAT on Capitals goods	
2.6 Administration structure of excise department	
<b>Unit 3: Customs</b>	<b>16</b>
3.1 Background and Introduction to Customs Law in India	
3.2 Structure of Customs Law in India	
3.3 Administrative structure of Customs department Sections 3 to 6	
3.4 'Goods' under Customs Act	
3.5 Types of Duties	
3.6 Valuation:	
- Section 14	
- Rules for valuation	
3.7 Introduction to Baggage Rules and Import by Post and Courier	
<b>Unit 4: Sales Tax &amp; VAT</b>	<b>16</b>
4.1 Introduction to Central Sales Tax	

- 4.2 Inter-state sale
- 4.3 Movement of Goods
- 4.4 Stock Transfer
- 4.5 VAT and its implication

**Unit 5: Service Tax** **16**

- 5.1 Introduction and Background
- 5.2 Constitutional Validity
- 5.3 Provisions regarding :
  - Registration
  - Records
  - Self Assessment and verification
  - Interest on Delayed Payment

**Internal Assessment :** **20**

**Recommended Books:**

1. Assam General Sales Tax Act & Rules - B.P. Todi
2. Assam Shops & Establishment Axct & Rules - B.P. Todi
3. K. Parameswaran, Power of Taxation under the Constitution (2008), Wadha, Nagpur
4. Walter R. Mahler, Sales and Excise Taxation in India (2008), Orient Longman, Delhi
5. R.V.Pattel, The Central Sales Tax Act (2008), Thripathi, Bombay
6. S.D. Singh, Principles of Law of Sales Tax (2008), Eastern, Lucknow

\*\*\*\*\*

**LL.B. (Hons) 3.7 H<sub>4</sub>**

**Media and Law**

**(Credit : 6)**

***Honours – 4 : Constitutional Law Group***

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus** **Marks**

**Unit 1: Need of Law in Media** **16**

- 1.1 Freedom of Speech and Expression under the Indian Constitution and Restrictions
- 1.2 Media Personal Privileges

**Unit 2: Print Media and Press Law** **16**

- 2.1 Introduction of Print Media and Press Law
- 2.2 Broadcasting and its privileges
- 2.3 Performer's Rights

**Unit 3: Copy Right Act, 1999** **16**

3.1 Indian Copy Right Act as amended

**Unit 4: Defamation-** **16**

4.1 Provisions embodied in the Indian Penal Code

4.2 Indecent Representation Act, 1986

**Unit 5: Print Media and Registration Act, 1867** **16**

5.1 National Security Act, 1980

***Referred Cases-***

1. *Zee Telefilms Ltd. v. Union of India* (2005) 4 SCC 649

2. *Bennett Coleman and Co. v. Union of India* AIR 1973 SC 106

**Internal Assessment :** **20**

**Recommended Books:**

1. Madhavi Goradia, *Facet Of Media Law*
2. *Media , Press and Telecommunication Law, 2007*
3. DR. A. Verma, *Cyber Crimes & Law*

\*\*\*\*\*

**OR**

**LL.B. (Hons) 3.7 H<sub>4</sub>**

**Probation and Parole**

**(Credit : 6)**

***Honours – 4 : Crime & Criminology Group***

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus** **Marks**

**Unit 1: Probation** **16**

1.1 Definition of Probation

1.2 Object of Probation

1.3 Origin of Probation system India

**Unit 2:** **16**

2.1 Probation in USA

2.2 Probation in UK

2.3 Probation under Criminal Procedure Code ( S.360)

2.4 The Probation of Offender's Act, 1958

**Unit 3: Parole** **16**

2.1 Definition of Parole

2.2 Object of Parole

2.3 Origin of Parole in India

<b>Unit 4:</b>		<b>16</b>
4.1	Parole in USA	
4.2	Parole in U.K.	
4.3	Judicial Trends	
4.4	Differences between Parole and Probation	
<b>Unit 5: Essentials of Parole System</b>		<b>16</b>
5.1	Parole Board	
5.2	Condition of Parole system	
<b>Internal Assessment :</b>		<b>20</b>

**Recommended Books:**

1. N.V. Paranjape, *Criminology and Penology*
2. Sutherland, *Principles of Criminology*
3. Siddiqui, *Criminology*
4. Sethna, *Society and Criminal*
5. Jones, *Crime and Penal System*

\*\*\*\*\*

**OR**

<b>LL.B. (Hons) 3.7 H<sub>4</sub></b>	
<b>Patent Right Creation and Registration</b>	<b>(Credit : 6)</b>
<b>Honours – 4 : Intellectual Property Law Group</b>	
Full Marks: 100 [80+20]	Time : 3 hours
Pass marks: 45 [36+9]	
<b>[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]</b>	

<b><u>Detailed Syllabus</u></b>	<b><u>Marks</u></b>
<b>Unit 1: Introduction</b>	<b>16</b>
1.1 Patent and its importance	
1.1.1 Theories of Protection	
1.1.2 Economic importance of Patent	
1.1.3 International Regime Relating to Patents –	
1.1.3.1 Convention and Treaties	
1.1.3.2 Relevant provisions under TRIPS and laws in US, UK and EU.	
<b>Unit 2: The Patents Act, 1970 and the Patents (Amendment) Act, 1999.</b>	<b>16</b>
2.1 Meaning of Patent	
2.2 Patents & Traditional Knowledge	
2.2 How to obtain a patent	
2.3 Specific Issues–Bio-patents, drug patents vis-à-vis public health, software patents, etc.	

2.4	Protection of traditional knowledge–domestic as well as international issues.	
2.5	Patent drafting	
<b>Unit 3:</b>	<b>Register of Patents and Patent Office</b>	<b>16</b>
3.1	Register of patent	
3.2	Patent office	
3.3	Power of the Controller	
3.4	Power of Central Government	
3.5	Appeal	
<b>Unit 4:</b>	<b>Rights and obligations of a patentee</b>	<b>16</b>
4.1	Nature of patent rights	
4.2	Limitation of the patentees' rights	
4.3	Obligation of patentee	
<b>Unit 5:</b>	<b>Transfer of Patent Rights – concept of Exhaustion of Rights</b>	<b>16</b>
5.1	Compulsory Licenses and Licenses of Right	
5.2	Revocation and surrender of patents	
5.3	Infringement of Patents and penalties	
5.4	International and global patent information retrieval system [European Patent Treaty]	
5.6	Patent Co-operation treaty [PCT]	
<b>Internal Assessment :</b>		<b>20</b>

**Recommended Books:**

1. Prabudh Ganguli, *Gearing up for Patents*
2. Prabudh Ganguli, *Intellectual Property Rights*
3. P. Narayanan, *Intellectual Property Law*
4. Wadehra B.L., *Patents, Trademarks, Designs and Geological Indications.*
5. Cornish P., *Intellectual Property Law.*
6. P. Narayanan, *Patent Law* (4<sup>th</sup> ed., 2006)

\*\*\*\*\*

**OR**

**LL.B. (Hons) 3.7 H<sub>4</sub>**

**Competition Law**

**(Credit : 6)**

***Honours – 4 : Business Law Group***

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus**

**Marks**

<b>Unit 1: Competition Law</b>	<b>16</b>
1.1 Background	
1.2 Prohibitions	
1.3 Competition Commission of India	
<b>Unit 2: Corporate Finance and regulatory framework</b>	<b>16</b>
2.1 Security Contract (Regulation) Act 1956	
2.2 SEBI Act 1992	
<b>Unit 3:</b>	<b>16</b>
3.1 Depositories Act 1996	
3.2 The Securitisation and Reconstruction of Financial Assets and enforcement of security Interest Act, 2002	
<b>Unit 4: Regulatory framework for foreign trade, multinational companies</b>	<b>16</b>
4.1 Foreign Trade (Development & Regulation) Act 1992,	
4.2 UNCTAD Draft Model on Trans - national Corporations	
4.3 Control and regulation of foreign companies in India,	
4.4 Foreign collaborations and joint ventures	
<b>Unit 5: Foreign Exchange Management</b>	<b>16</b>
5.1 Background	
5.2 Policies	
5.3 Authorities	
<b>Internal Assessment :</b>	<b>20</b>

**Recommended Books :**

**Books on :**

1. Competition Act 2002
2. Security Contract (Regulation) Act 1956
3. SEBI Act 1992
4. Depositories Act 1996
5. Foreign Trade (Development & Regulation) Act 1992,
6. Foreign Exchange Management Act, 1999
7. Taxman's Student's Guide to Economic Laws

\*\*\*\*\*

**SEMESTER – IV**  
**(FROM 2010-11 SESSION ONWARDS)**

**LL.B. 4.1****Law of Evidence**

Full Marks: 100 [80+20]

Pass marks: 45 [36+9]

**(Credit : 7)**

Time : 3 hours

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus****Marks****Unit 1: Introduction****16**

- 1.1 The main features of the Indian Evidence Act, 1872
- 1.2 Definition of Evidence Interpretation clause – Sec. 3-4, Nature and Purpose Law of Evidence in Civil and Criminal cases, 'May presume', 'Shall presume', Conclusive Proof.
- 1.3 Central conceptions in Law of Evidence
  - 1.3.1 Facts, Distinction between Relevant facts and facts in issue.
  - 1.3.2 Proved, Not Proved and Disproved.
  - 1.3.3 Oral and Documentary Evidence.
  - 1.3.4 Circumstantial Evidence and Direct Evidence.
  - 1.3.5 Presumption (Ss. 4, 113A-113-B, 114)

- 1.3.6 Witness
- 1.3.7 Appreciation of evidence.
- 1.4 Applicability of Evidence Act on Electronic Record.
- 1.5 Division of Evidence – Direct, Indirect, Real and Personal, Original and Hearsay, Primary and Secondary, Oral and of Documentary, judicial etc.

**Unit 2: Relevancy & Admissibility of Facts : 16**

- 2.1 Facts – Relevancy of facts (S.S – 16), facts in Issue, Facts distinguished from law, facts which is to be proved, not proved and Proof in civil and criminal cases disproved,
- 2.2 Doctrine of Res. Gastae (Ss. 6-9, 11)
- 2.3 Evidence of Common Intention – relating to conspiracy (S. 10)
- 2.4 The problems of relevancy of “otherwise” irrelevant facts (Sec. 11)
- 2.5 Relevant facts for proof of custom (S. 13)
- 2.6 Facts concerning bodies and mental state (Ss. 14, 15)
- 2.7 Relevancy and Admissibility of facts
- 2.8 Admission and confession (Ss. 24-30)
  - 2.8.1 Definition
  - 2.8.2 Similarity and difference between ‘admission’ and ‘confession’
  - 2.8.3 Admission in civil cases, when relevant (S. 23)
  - 2.8.4 Classification of confession – judicial and Extra-judicial
  - 2.8.5 Confession to police (Ss. 25-30)
  - 2.8.6 Retracted confession (S. 27)
  - 2.8.7 Improper admission and rejection of evidence

**Unit 3: Dying Declaration (Ss. 32-55) 16**

- 3.1 Statements by persons who cannot be called as witnesses (Ss. 32-33)
  - justification for relevance on dying declarations
  - judicial standards for appreciation of evidentiary value of dying declaration
- 3.2 How much of a statement to be proved (S. 39)
- 3.3 Relevance of judgment (Ss. 40-44)
- 3.4 Opinion of third person when relevant (Ss. 45-51)
- 3.5 Character when relevant (Ss. 52-55)
  - in civil cases, character to prove conduct imputed, irrelevant
  - in criminal cases, previous good character relevant, previous bad character not relevant, except in reply, character as affecting damages.

**Unit 4: Proof, Burden of Proof And Estoppel : 16**

- 4.1 Facts which need not be proved (Ss. 56-58)
- 4.2 Oral Evidence (Ss. 59-60)
- 4.3 Documentary Evidence (Ss. 61-73)
  - in aspect of electronic records, video conferencing and digital signatures and its verification.
- 4.4 Public Documents (Ss. 74-78)
- 4.5 Presumptions of documents (Ss. 79-90), including electronic forms, electronic agreements, electronic records and digital signatures, electronic messages etc.
  - Presumption to electronic records of five years old (Ss. 90-A)



- 4.6 Exclusion of oral by documentary evidence (Ss. 91-100)
- 4.7 Burden of Proof. – in civil and criminal cases (Ss. 101-114A)
- 4.8 Estoppel (Ss. 115-117)

**Unit 5: Witnesses and Examination of Witnesses (Ss. 118-166) 16**

- 5.1 Who may testify
- 5.2 Dumb witnesses
- 5.3 Parties to a civil suit and their wives or husbands
  - Husband of wife of person under criminal trial.
- 5.4 Judicial privileges
- 5.5 Privileged communications
  - during marriage, as to affairs of state
  - information as to commission of offences
  - sources of information as to offences
- 5.6 Official communication, Professional communication, position of interpreters etc.
  - voluntary evidence, – non compellable witnesses
  - confidential communications
  - production of electronic records which another person having possession (S. 131), (as substituted by the Information Technology Act, 2000)
- 5.7 Evidence of Accomplice
- 5.8 Examination of witnesses
  - Examination in chief, cross examination, re-examination, order of examination, - leading questions,
  - Hostile witnesses
  - Child witness
- 5.9 Improper admission and rejection of evidence

**Referred cases :**

1. *State of Maharashtra V. Praful B. Desai (2003) 4 SCC 601; AIR 2003 S.C. 2053 (Evidence by means electronic records)*
2. *Iqbal Singh Marwah V. Meenakshi Marwah (2005) 4 S.C.C. 370 ; AIR 2005 S.C. 2119 (Degree of standard of Proof)*
3. *Bhim Singh V. State of Haryana AIR 2003 S.C. 693, (Post-mortem Report as Evidence)*
4. *State of Assam V. Mahim Barkakati AIR 1987 S.C. 98 : (1986) 4 S.C. C. 439 (Testimony of Police officer)*
5. *Shukla V. Daroga Singh AIR 2009 S.C. 320 (Chance Witness)*
6. *State of Karnataka V. Papanaiika AIR 2004 S.C. 4967 (Post-mortem Report)*
7. *State of Maharashtra V. Vasudeo Ramchandra Kaidalwar (1981) 3 S.C.C. 199 (Burden of Proof)*
8. *Public Information officer V. A.P. Information Commissioner AIR 2009 A.P. 73*
9. *Rita Pandit V. Atul Pandi A.I.R. 2005 AP. 253 (Examination in chief)*
10. *Som Nath V. State of Haryana A.I.R. 1980 S.C. 1226*

*(Dying Declaration)***Internal Assessment :****20****Recommended Books on The Indian Evidence Act, by:**

1. Ratanlal Dhirajlal
2. Dr. Artar Singh
3. Batak Lal
4. Rameshwar Dayal
5. Vepa P. Sarathi
6. Robert Cross
7. Sarkar

\*\*\*\*\*

**LL.B. 4.2****Civil Procedure Code & Limitation Act****(Credit : 7)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus****Marks****Unit 1: Introduction :****16**

- 1.1 SUITS IN GENERAL (S.1 – 35)  
Object of the code, scope, meaning of substantive law and procedural law, important terms and definitions related with the code – Affidavit, Appeal, Cause of Action, Caveat, Issue, Jurisdiction, Suit, Summons, Pleat, Pleading, Written Statement, Decree, Judgement, Order, Decree holder and Decree debtor, Legal representative, Mesne Profit, Execution etc.
- 1.2 Jurisdiction of Civil Courts, Cause of Action, Res subjudice, Res judicata, Constructive Resjudicata.
- 1.3 Institution of Suit, Essentials of Suits, Parties to Suit, Representative Suit, Frame of Suit.
- 1.4 Pleadings, - Definition, Basic Rules, Construction of Pleadings, Signing and verification of pleading , Amendment of pleading.
- 1.5 Pleat – Meaning, particulars, Written Statement, Set-off, Legal set-off,

- Equitable set-off, Set-off and Counter – claim.
- 1.6 Issue and Service of summons, Meaning and essentials of summons, contents of summon, modes of service of summons.

**Unit 2: Appearance & Non- appearance of Parties – Withdrawal & Compromise of Suits, Trial and Special Suits: 16**

- 2.1 Appearance and non- appearance of parties, Ex parte decree.
- 2.2 First Hearing – Meaning, object. Disposal of Suit at first hearing.
- 2.3 Discovery, Inspection and Production of Documents.
- 2.4 Issue – meaning, framing of issues, kinds of issue, importance of issues, materials for framing issues, omission to France issues, Disposal of suit, penalty for default Adjournments.
- 2.5 Interim orders, Issue of commission and its purpose arrest before judgement, attachment before judgment,  
- Temporary injunctions, Interlocutory orders (order 39, Rules 1-5)
- 2.6 Withdrawal and Compromise of suits.
- 2.7 Summoning and attendance of witness, summons to produce documents, adjournments,
- 2.8 Hearing of suit.
- 2.9 Judgement – its essentials, pronouncement of judgment, copy and contents of judgement, alteration in judgement.
- 2.10 Decree – its essentials, decree and judgment, contents etc.
- 2.11 Award of Interest and Award of Costs.

**Unit 3: Special Suits: 16**

- 3.1 Suits by or against Government or public officers, suits by aliens, suits by or against Foreign Rules, Ambassadors and Envoys.
- 3.2 Suits by or against corporations, suits by or against partnership firms, suits by or against trustees, executors and administrators.
- 3.3 Suits against minors and lunatics, guardians or next friends, suits concerning family matters.
- 3.4 Interpleader Suit.
- 3.5 Suits by indigent persons.
- 3.6 Summary Suits.
- 3.7 Arrest and attachment before judgment.
- 3.8 Temporary Injunctions and Interlocutory orders.
- 3.9 Appointment of Receiver.

**Unit 4: Appeals, Reference, Review, Revision and Execution 16**

- 4.1 Meaning of Appeals, Reference, Review and Revision.  
- First Appeals – meanings, essentials, different stages of Appeals, right of appeal, who may appeal, who cannot appeal, decision where appeal heard by two or more judges, cross-objection, cross appeal, powers of Appellate Court, Appeal from appellate decree.  
- Second Appeal 100 to 103, 107 – 108 and Order 42 – substantial question of law.  
- Appeals from orders, appeals by indigent/ persons, appeals to Supreme Court, Limitation, Savings powers of High Court.

- 4.2 Review – meaning, nature and scope, object, review and appeal, review and reference, review and revision, circumstances, grounds, procedure at hearings.
- 4.3 Revision – meaning, Sec. 115, nature and scope, object, revision and appeal, revision and second appeal, revision and reference, revision and review, appeal, reference, review and revision – distinction.
- 4.4 Reference – object, nature and object, condition, who may apply, power and duty of the referring court, power and duty of High Court, distinction with appeal, review and revision, reference under CPC and Cr.P.C., reference under CPC and Constitution.
- 4.5 Execution (Sec. 36 -74) – meaning, nature and scope, execution proceedings.  
 - Courts executing decrees, - court passing a decree, courts by which decrees may be executed.  
 - Application for execution, procedure on receiving application, mode of execution.  
 - Attachment of Property, garnishee order.
- 4.6 Miscellaneous – restitution  
 - Notice under C.P.C  
 - Caveat – meaning, Sec. 148 – A.  
 - Inherent Powers of the Court (S. 148 to 151)  
 - Causes of delay, in Civil Litigation, amendment of 1999 and 2002.

**Unit 5: Limitation Act, 1963 – Sec. 1-31 16**

- 5.1 Meaning of law of limitation, nature and object,
- 5.2 Plea of bar of limitation and its efficiency
- 5.3 Condonation of delay and the doctrine of sufficient cause.
- 5.4 Doctrine legal disability, continuous running of time,
- 5.5 Rules regarding execution of prescribed time.
- 5.6 Effect of certain events on computation of period of limitation.

**Referred Cases :**

1. *Nawab Shaquafath Ali Khan V. Nawab Imdad Jah Bahadur (2009) S Sec. 162*
2. *Narayan Rajendram V. Lekshmy Sarojini (2009) S Sec. 264*
3. *Director General of Police, Central Reserve Police Force, New Delhi V. P.M. Ramalingam, AIR 2009 SC 956*
4. *Malwa Strips Pvt. Ltd. V. Jyoti Ltd., AIR 2009 SC 1581*
5. *Booddoreddy Chandraiah V. Arigela Laxmi, AIR 2008 SC 380*
6. *Puran Ram V. Bhaguram, AIR 2008 SC 1960*
7. *Union of India V. Kamalendu Shukla, AIR 2006 Pat 117*
8. *Kishor Kirtila Mehta V. Lilavati Kirtilal Mehta Medical Trust, 2007 (9) Scale 36.*
9. *R.N. Jadu V. Subhashchandra, AIR 2007 SC 2571*
10. *State of U.P. V. Nawab Hussain, AIR 1977 SC 1680*
11. *Salem Advocate Bar Association, Tamil Nadu V. Union of India, AIR 2003 SC 189.*

**Internal Assessment : 20**

**Recommended Books:**

**on The Civil Procedure Code by,**

1. C.K. Takwani (Thakkar)
2. Dr. Avtar Singh
3. M.P. Tandon
4. S.N. Singh
5. S. Rows.

**on Law of Limitation by,**

1. K.K. Srivastava
2. Dr. D.N.R. Pandey

\*\*\*\*\*

**LL.B. 4.3****Property Law****(Credit : 5)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus****Marks**

<b>Unit 1: Introduction:</b>	<b>16</b>
1.1. Definition, Object and Scope of the Act.	
1.2. Transfer of Property- movable and immovable.	
1.3. Interpretation Clause- 'Immovable clause', 'Instrument', 'attested', registered, attached to the earth', 'actionable claim', 'notice', 'actually express and constructive notice.	
1.4. Vested and Contingent interest, Difference, Conditional Transfer, (5.25) Difference between Contingent interest and spes-successionis.	

**- NORMS PART -**

<b>Unit 2: Transfer of Property by Act of Parties:</b>	<b>16</b>
2.1 Sec. 6- Spes-successionis, Mere right of re-entry, Easements, Restricted interest, Right to future maintenance, Mere right to sue, Pensions and stipends,	
2.2 Sec. 7- Persons competent to transfer, Easements of valid transfer, competency of transfer. Sec. 8- Operation of transfer. Sec. 9- Oral transfer. Sec. 10- Conditions restraining alienation.	
2.3 Sec. 14- Rule against perpetuity- Object, Maximum remoteness of vesting, ultimate beneficiary in mothers' womb, Exceptions to the Rule.	
2.4 Sec. 26 to 29- Condition Precedent and Condition subsequent Fulfilment of Condition Precedent and Condition subsequent	
2.5 Sec.35- Doctrine of Election.	

**Unit 3: Transfer of Immovable Property****16**

- 3.1 Sec.38- Transfer by person authorized only under certain circumstances to transfer.
- 3.2 Sec.39- Transfer where third person is entitled to maintenance.
- 3.3 Sec. 40- Burden of obligation imposing restriction on use of land or of obligation annexed to ownership, but not amounting to interest of easement.
- 3.4 Sec. 41- Transfer by Ostensible Owner, Benami Transaction Act, 1988. Sec. 42- Transfer by person having authority to revoke former transfer, Sec. 44 & 47, Transfer by Co-owner, Sec. 44-46, joint transfer for consideration, Sec. 48 & 78- Priority of Rights created by Transfer. Sec. 49- Transferee's rights under policy.
- 3.5 Sec. 50-51- Bonafide holders under defective title. Sec. 52- Transfer of property during pendency of suit. (Doctrine of Lis Pendens). Sec.53- Fraudulent Transfer, voidable by creditors. Sec. 53A- Doctrine of Part- Performance, Partial information of equity of redemption, difference between English and Indian Law.

**- FORMS PART -**

**Unit 4: Sales of Immovable Property: 16**

- 4.1 Sec. 54- Definition of Sale, how made, 'Contract for sale', Essential of valid sale.
- 4.2 Hire- purchase agreements, Distinction between sale and exchange, Distinction between sale and gift.
- 4.3 Sec. 55- Rights and liabilities of buyer and seller.
- 4.4 Sec. 56- Marshalling by subsequent purchase.
- 4.5 Sec. 57- Provision by Court for incumbrances and sale freed therefrom.

**Unit 5: Mortgages, Leases, Exchanges, Gift & Actionable Claims : 16**

- 5.1 Sec. 58- Mortgages- Definition and Essential its kinds of Rights and Liabilities of Mortgagors and Mortgagees. Sec. 100- Charges- Definition and kinds- Distinction between charge and mortgage, charge and lien.
- 5.2 Sec. 105- Leases – Definition of Lease, Lessor, Lessee, premium and rent. Sec. 107- How made Sec. Rights and Liabilities of Lessor and Lessee. Sec. 111- Forfeiture of Lease. Holding over, Determination of Lease.
- 5.3 Sec. 118- Exchange- Definition, Rights and Liabilities of parties.
- 5.4 Sec. 122- Gift- Definition and Essential.  
Sec. 123- Transfer how effected, modes of making gift.  
Sec. 124- Gift of existing and future property.  
Sec. 125- Gift to several of whom one does not accept.  
Sec. 126- When gift may be suspended & revoked.  
Sec. 127- Onerous gift.  
Sec. 128- Universal donee.
- 5.5 Sec. 130- Transfer of Actionable claim,- Definition, Transfer how effected, Sec. 130 & 132- Rights of a transfer of an actionable claim.  
Sec. 133 & 134- Warranty of solvency of debtor, Mortgaged debt.  
Sec. 135- Assignment of rights under policy of insurance against fire.

**Referred Case Laws:**

1. *M. Ramkrishna Reddy V. Sub- Registrar, Bangalore, AIR (2000) Kant. 46.*
2. *Godrej and Boyee Manufacturing Co. Ltd. v State of Maharashtra (2009) 5 Sec.24.*
3. *Kaliperumal V. Rajagopal, (2009) 4 Sec. 193.*
4. *C. Cheriathan V. P. Narayanan Embranthiri (2009) 2 Sec. 673*
5. *Vimal Chand Ghevarchand Jain V. Ramakanta Eknath Jadoo (2009) 5 Sec. 713.*

**Internal Assessment :****20****Recommended Books on The Transfer of Property Act.:**

1. By- Prof. R. K. Sinha, (Publisher- Central Law Agency)
2. By- H. N. Tiwari, (Publisher- Allahabad Law Agency)
3. By- S. N. Sukla. - Allahabad Law Agency
4. By- S. M. Lahiri –
5. By- D. F. Mulla
6. By- S. M. Lahiri

\*\*\*\*\*

**LL.B. 4.4****Administrative Law****(Credit : 6)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus****Marks****Unit 1: Introduction :****16**

- 1.1 Definition, Nature and scope of Administrative Law.
- 1.2 Reasons for Development and Growth of Administrative Law.
- 1.3 Sources of Administrative Law.
- 1.4 Relationship between constitutional Law and Administrative Law.
- 1.5 Droit Administrative – Consil De Etat.
- 1.6 Meaning and concept of Rule of Law, Dicey's concept of Rule of Law, Rule of Law in Indian context.  
– Dicey's Rule of Law and Droit Administrative.
- 1.7 Doctrine of separation of Power, application of separation of Power in India, United states of America and United Kingdom.
- 1.8 Administrative Action, its classification (quasi legislative, quasi judicial and administrative)
- 1.9 Administrative Discretion – meaning and action – Abuse of Discretion
- 1.10 Administrative Discretion and Administrative Discrimination.

**Unit 2: Delegated Legislation :****16**

- 2.1 Meaning and concept of Delegated Legislation.
- 2.2 Reasons for growth of Delegated Legislation.
- 2.3 Advantages and Disadvantages of Delegated Legislation.
- 2.4 Delegated Legislation in United states of America and United Kingdom.
- 2.5 Committees on delegated legislation – its constitution and functions.
- 2.6 Delegated Legislation of Taxing Statute.
  - Control Mechanism
  - 2.6.1 Judicial control
  - 2.6.2 Parliamentary control
  - 2.6.3 Procedural control
- 2.7 Sub-Delegations of legislative powers – delegata potestas non potest delegare.

**Unit 3: Principles of Natural Justice (Practice and Procedure of Administrative Adjudication) 16**

- 3.1 Concept of Principles of Natural justice
- 3.2 Rule against Bias – Nemo debet case judex in propria cause
  - 3.2.1 Personal Bias
  - 3.2.2 Pecuniary Bias
  - 3.2.3 Subject matter Bias
  - 3.2.4 Departmental Bias
  - 3.2.5 Preconceived Bias
  - 3.2.6 Bias on account of obstinacy – Doctrine of Necessity
- 3.3 Rule of Fair Hearing – Audi Alteram Partem
  - 3.3.1 Right to Notice
  - 3.3.2 Right to know the evidence against him
  - 3.3.3 Right to present case and evidence
  - 3.3.4 Right to rebut adverse evidence
  - 3.3.5 Report of the enquiring to be shown to the other party
  - 3.3.6 No Evidence at the back of other party
  - 3.3.7 Right to cross examination
  - 3.3.8 Financial incapacity to attend the Enquiring
- 3.4 Reasoned Decisions
  - 3.4.1 Institutional Decision
  - 3.4.2 Post Decisional Hearing
- 3.5 Exclusion of Principles of Natural justice
- 3.6 Administrative tribunals and other adjudicating authorities – powers and functions
- 3.7 Tribunals – nature, constitution, jurisdiction and procedure
- 3.8 Advantages of justice by Tribunals – openness, Fairness, Impartiality, Absence of Technicalities of Evidence and Procedure
- 3.9 Administrative Tribunals established under the Administrative Tribunals Act, 1985
- 3.10 Distinction between Quasi-Judicial and Administrative functions
- 3.11 Distinction between Tribunals and Courts of Law

**Unit 4: Judicial Review of Administrative Action – Judicial Remedies 16**

- 4.1 Jurisdiction of the Supreme Court and High Court
  - 4.1.1 Under Articles 32 and 136



- 4.1.2 Jurisdiction of the High Court's under Articles 226 and 227
- 4.2 Rules restricting judicial review – locus standi, laches, resjudicata, exhaustion of Alternative/administrative remedies, no dismissal of petition – without speaking order, finality of administrative action
- 4.3 Violation of Procedural norms
  - Doctrine of Legitimate Expectation
  - Doctrine of Public Accountability
  - Doctrine of Proportionality
- 4.4 Remedies in judicial Review – writs
  - 4.4.1 Writ of *Certiorari*
  - 4.4.2 Writ of *Prohibition*
  - 4.4.3 Writ of *Mandamus*
  - 4.4.4 Writ of *Quo Warranto*
  - 4.4.5 Writ of *Habeas Corpus*

**Unit 5: Other Remedial Procedures – 16**  
**P.I.L., Liability of Administration, statutory and Non-statutory Public Undertakings, Constitutional Protection of civil servants etc.**

- 5.1 Nature and purpose of Public Interest Litigation, Locus Standi, procedure, class actions.
- 5.2 Liability of the Administration in Contract
- 5.3 Liability of Administration in Tort
- 5.4 Privileges and Immunities of the Administration in suits
- 5.5 Statutory Public Corporations, its characteristics, classifications, liability, status of employers control of statutory corporations – Government companies.
- 5.6 Ombudsman meaning and objectives, development in England, U.S.A. and India
  - 5.6.1 Working of Lokayuktas in the states
  - 5.6.2 Right to know – working of Right to Information Act, 2005
  - 5.6.3 Control by Vigilance Commission
- 5.7 Constitutional Protections of civil servants
  - Doctrine of Pleasure
  - Constituency of Article 311
    - 5.7.1 Procedural safeguards
      - No termination by subordinate authority
      - Reasonable opportunity to defend
    - 5.7.2 Working of the Administrative Tribunals – central Administrative Tribunals and state Administrative Tribunals

**Referred Cases :**

1. *Keshavananda Bharathi V. State of Kerala, (1973) 4 SCC 225*  
(*Doctrine of Rule of Law*)
2. *A.D.M. Jabalpur V. Shivakant Shukla, (1976) 2 SCC 521*  
(*Doctrine of Separation of Powers*)
3. *Indira, Nehru, Gandhi V. Raj Narayan*  
(1975) Supp. SCC1

4. *Supreme Court Advocates on Record Assn. V. Union of India (1993) 4 SCC 441 (Delegated Legislations)*
5. *Sahni Silk Mills V.E.S.I. Corp (1994) 5 SCC 346 (Natural Justice)*
6. *A.K. Kraipak V. Union of India, AIR 1970 SC 150*
7. *J. Mohapatra of Co. V. State of Orissa, AIR 1987 SC 1572*
8. *Maneka Gandhi V. Union of India, AIR 1978 SC 597*
9. *M.S. Gill V. Chief Election Commissioner, AIR 1978 SC 851*
10. *Olga Tellis V. Bombay Municipal Corp<sup>n</sup>. AIR 1986 SC 180*
11. *State of Tamil Nadu V. R. Krishnamurthy, AIR 2006 SC 1622 (Administrative Action)*
12. *Divisional Forest Officer, Kothagudem V. Madhusudhan Rao (2008) 3 SCC 469*

**Internal Assessment :**

**20**

**Recommended Books on Administrative Law by:**

1. I.P. Massay
2. C.K. Thakker
3. Kailash Rai
4. D.D. Basu
5. V.J.R. Upadhyay
6. V.P.D. Kesari
7. M.P. Gain
8. S.P. Sathe – The Tribunal System in India
9. H.W.R. Wade of C.F. Toroth
10. S.N. Gain – Administrative Tribunals in India

\*\*\*\*\*

**LL.B. 4.5 P<sub>2</sub>**

**Drafting, Pleading and Conveyancing**

**(Credit : 5)**

***Practical – 2***

Full Marks: 100

Pass marks: 45

*[The course will be taught through class instructions and simulation exercises, preferably with assistance of practising lawyers/ retired judges.]*

*Apart from teaching the relevant provisions of law, the course will include not less than 15 practical exercises in drafting, carrying a total of **45 marks** (3 marks for each) and 15 exercises in conveyancing carrying another **45 marks** (3 marks for each exercise) remaining **10 marks** will be given for viva voce. Viva Voce examination will test the understanding of legal practice in relation to Drafting, Pleading and Conveyancing.]*

***[No Internal assessment as distribution of 100 marks has been made by the BCI as mentioned below]***

**Detailed Syllabus**

**Marks**

**Outline of the course:**

**a) Drafting** – General principles of drafting and relevant substantive rules shall be taught.

**b) Pleadings –**

*i)* Pleadings in general, object of pleadings and fundamental rules of pleadings.

*ii)* **Civil:** Plaint, written statement, interlocutory application, original petition, affidavit, execution petition, memorandum of appeal and revision, petition under Article 226 and 32 of the Constitution of India.

*iii)* **Criminal:** Complaint, criminal miscellaneous petition, bail application, memorandum of appeal and revision.

*iv)* **Form of Pleadings:** Practical exercises on any of the 15 following topics:

**15x3 = 45**

- Suit for recovery under order XXXVII of the Code of Civil Procedure 1908.
- Suit for Permanent Injunction.
- Application for Temporary Injunction under Order 39 Rules 1 & 2 of the CPC.
- Application under Order 39, Rule 2-A of the CPC.
- Suit for Ejectment and Damages for Wrongful Use and Occupation.
- Petition for Restitution of Conjugal Rights under S.9 of the Hindu Marriage Act, 1955.
- Petition for Judicial Separation under S.10 of the Hindu Marriage Act, 1955.
- Petition for Dissolution of Marriage by Decree of Divorce under S.13 & S.13B(1) of the Hindu Marriage Act, 1955.
- Petition for Grant of Probate in High Court.
- Petition for Grant of Letters of Administration.
- Contempt Petition under Ss. 11 & 12 of the Contempt of Courts Act, 1971 before High Court.
- Writ petition under Article 226 of Constitution of India.
- Caveat under S. 148-A of CPC.
- Caveat for Special Leave Petition (Civil) under Article 136 of the Constitution of India.
- Special Leave Petition (civil) under Article 136 of the Constitution of India.
- Counter Affidavit in Special Leave Petition (Civil).
- Application for Bail.
- Application for Grant of Anticipatory Bail.
- Complaint under S. 138 of the Negotiable Instruments Act, 1881.
- Application U/S. 125 of Cr.PC.
- Special Leave Petition (Criminal) under Article 136 of the Constitution of India.
- Transfer Petition (Civil) U/S. 25 of CPC.
- Curative Petition under Articles 129, 137, 141 and 142 of the Constitution of India.

- Complaint under S. 12 of the Consumer Protection Act, 1986.
- Written Statement to the Complaint under Consumer Protection Act, 1986.

**c) Conveyancing:**

- i) Conveyancing in general, object of conveyancing and component parts of a deed.
- ii) Forms of deeds and notices: practical exercises on any fifteen of the following: - **15x3=45**
- Sale deed
  - Mortgage deed
  - Lease deed
  - Gift deed
  - Promissory note
  - Power of attorney – general and special power of attorney
  - Will
  - Trust deed
  - Relinquishment deed
  - Partnership deed
  - Deed of dissolution partnership
  - Hire-purchase agreement
  - Deed of family settlement between rival claimants of an estate
  - Notice of ejection to the tenant under S. 106 of the T.P. Act., 1982
  - Notice under S. 80 of the Code of Civil Procedure, 1908.

**Viva-voce**

**10**

Viva-voce examination of 10 marks will be mainly on the above practical works to test the understanding of the students on the topics besides general principles of drafting, pleadings and conveyancing.

**Note 1:** The practical exercises (minimum 15 for Drafting and minimum 15 for Conveyancing) should regularly be submitted by the students to the teacher of the paper throughout the semester for continuous evaluation.

**Note 2:** The evaluated exercises along with the list of the marks awarded would be placed before the external examiner at the time of viva-voce examination. The teacher of this paper would be internal examiner who along with the external examiner would jointly award final marks on the exercises and viva-voce examination.

**Prescribed Legislation:**

*The Code of Civil Procedure. 1908, Orders VI to VIII.*

**Referred cases:**

1. *Ram Sarup Gupta vs. Bishu narayan Inter College*, AIR 1987 SC 1242.
2. *Hari Chand vs. Daulat Ram*, AIR 1987 Sc 94.
3. *Dhoom Singh vs. Prakash Ch. Sethi*, 1975 (1) SCC 597.
4. *Delhi Development Authority vs. Durga Chand*, AIR 1973 Sc 2609.

**Recommended Books:**

1. M.C. Agarwal and G.C. Mogha, *Mogha's The Law of Pleadings in India*
2. J.M. Srivastava and G.C. Mogha, *Mogha's The Indian Copnveyancer*
3. M.R. Mallick, Ganguly's, *Civil Code: Practice and Procedure*
4. C.R. Datta and M.N. Das, *De Souza's, Forms and Precedents of Conveyancing.*
5. N.S. Bindra, *Conveyancing*, Vol. 1-5, Law Publisher, Allahabad

\*\*\*\*\*

**LL.B. (Hons) 4.6 H<sub>5</sub>****Interpretation of Statute & Principles of Legislation****(Credit : 6)****Honours – 5 : Constitutional Law Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus****Marks**

<b>Unit 1: Interpretation of Statutes</b>	<b>16</b>
1.1 Meaning, Objects and Scope of 'interpretation', 'construction' and 'statute'	
1.2 Nature and Kinds of Indian Laws: Statutory, Non-statutory, Codified, Uncodified, State-made and State-recognised laws	
1.3 Commencement, operation and repeal of statutes	
1.4 Purpose of interpretation of statutes.	
1.4.1 Basic Sources of Statutory Interpretation	
(i) The General Clauses Act, 1897: Nature, Scope and Relevance (Ss.6- 8)	
(ii) Definition clauses in various Legislations: Nature and Interpretative Role	
 <b>Unit 2: Interpretation</b>	 <b>16</b>
2.1 Aids to Interpretation (Parts of the statute and their interpretative role)	
2.1.1 Internal aids	
2.1.2 Title	
2.1.3 Preamble	
2.1.4 Headings and marginal notes.	
2.1.5 Sections and sub-sections	
2.1.6 Punctuation marks.	
2.1.7 Illustrations, exceptions, provisos, saving clauses, explanations and schedules	
2.1.8 Non-obstante clause.	
2.2 External aids	
2.2.1 Role of Constituent Assembly debates in the interpretation of the Constitution of India	

- 2.2.2 Legislative history- Legislative Intention, Statement of objects and reasons, legislative debates, Committee reports, Law Commission reports etc.
- 2.2.3 International-law and human-rights documents
- 2.2.4 Dictionaries-Translations
- 2.2.5 Statutes in pari material

**Unit 3: Rules of Statutory Interpretation** **16**

- 3.1 Primary Rules
- 3.2 Literal rule
- 3.3 Golden rule
- 3.4 Mischief rule (rule in the Heydon's case)
- 3.5 Rule of harmonious construction
- 3.6 Secondary Rules
  - 3.6.1. Noscitur a sociis ( Associated words )
  - 3.6.2. Ejusdem generis
  - 3.6.3. Reddendo singula singulis

**Unit 4: Maxims of Statutory Interpretation** **16**

- 4.1 Delegatus non potest delegare
- 4.2 Expressio unius exclusio alterius
- 4.3 Generalia specialibus non derogant
- 4.4 In pari delicto potior est conditio possidentis
- 4.5 Utres valet potior quam pareat
- 4.6 Expressum facit cessare tacitum
- 4.7 In bonam partem

**Unit 5: Interpretation with reference to subject matter and purpose** **16**

- 5.1 Taxing Statute
- 5.2 Penal Statute
- 5.3 Welfare legislation
- 5.4 Colourable legislation
- 5.5 Residuary power
- 5.6 Doctrine of repugnancy

**Referred Cases**

1. *Girija K. Phukan v. State of Assam* 1984 (2) LR 488
2. *Bengal Iemunity Co. Ltd. V. State of Bihar* 1955 2 SCR 603
3. *Smti Charu Deka v. Umeswari Nath & other* AIR 1995 Gau 9.
4. *P. Ramachandra Rao v. State of Karnataka* (2002) 4 SCC 578
5. *Bhatia International v. Bulk Trading S.A.* (2002) 4 SCC 105
6. *R.M.D.C. v. Union of India*, AIR 1957 SC 628
7. *Avtar Singh v. State of Punjab*, AIR 1955 SC 1107
8. *A.S. Sulochana v. C. Dharmalingam*, AIR 1987 SC 242
9. *ShashiKant Laxman Kale v. Union of India*, AIR 1990 SC 2114 (1990) 4 SCC 366

**Prescribed Legislation:**

*The General Clauses Act, 1897*

**Internal Assessment :****20****Recommended Books:**

1. P. St. J. Langan, *Maxwell on the Interpretation of Statutes* (12<sup>th</sup> ed., 1969)
2. Vepa P. Sarathi, *Interpretation of Statutes* (4<sup>th</sup> ed., 2003)
3. G.P. Singh, *Principles of Statutory Interpretation* (11<sup>th</sup> ed., 2008)
4. S.G.G. Edgar, *Craies on Statute Law* (1999)
5. Swarup Jagdish, *Legislation and Interpretation*
6. P. St. Langan (Ed.). *Maxwell on The Interpretation of Statutes* (1976)  
N.M.Tripathi, Bombay
7. K. Shanmukham, *N.S.Bindras's Interpretation of Statutes*, (1997) The Law Book Co. Allahabad.
8. V.Sarathi, *Interpretation of Statutes*, (1984) Eastern, Lucknow
9. M.P. Jain, *Constitutional Law of India*, (1994) Wadhwa & Co.
10. M.P. Singh, (Ed.) *V.N.Sukla's Constitution of India*, (1994) Eastern, Lucknow.
11. U. Baxi, *Introduction to Justice K.K.Mathew's, Democracy Equality and Freedom* (1978) Eastern, Lucknow

\*\*\*\*\*

**OR****LL.B. (Hons) 4.6 H<sub>5</sub>****Penology and Victimology****(Credit : 6)*****Honours – 5 : Crime & Criminology Group***

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus****Marks**

<b>Unit 1: Introduction- Penology</b>	<b>16</b>
1.1 Definition of Penology	
1.2 Punishment	
1.2.1 Concept of Punishment	
1.2.2 Object of	
1.2.3 Theories of	
1.2.3.1 Deterrent theory of Punishment	
1.2.3.2 Retributive theory of Punishment	
1.2.3.3 Preventive theory of Punishment	
1.2.3.4 Reformative theory of Punishment	
 <b>Unit 2: Capital Punishment</b>	 <b>16</b>
2.1 Capital Punishment in India	
2.2 Constitutionality of Capital Punishment	
2.3 Judicial Trend	

<b>Unit 3: Sentencing and Imprisonment</b>	<b>16</b>
3.1 Approaches to Sentencing	
3.1.1 Alternatives to Imprisonment	
3.1.2 Probation	
3.1.3 Compensation	
3.1.4 Fines	
3.2 Imprisonment	
3.2.1 Jail System	
3.2.2 Classification of Prisoners	
3.2.3 Open Prison	
<b>Unit 4: The Police System</b>	<b>16</b>
4.1 Police Force in India	
4.2 The role of Police	
4.3 Functions of Police	
<b>Unit 5: Victimology</b>	<b>16</b>
5:1 Need for Compensation	
5:2 Compensation and Rehabilitation	
5:3 Compensation as a Mode of Punishment	
5:4 Constitutional Perspective of Compensation	

***Referred Cases***

1. Bishnu Deo v. State of West Bengal AIR 79 SC 964
2. Munna v. State of UP AIR 82 SC 806
3. Samnder Singh v. State of Rajasthan AIR 87 SC 737
4. Dharan Bir v. State of UP (1979) 3 SCC 645
5. Sunil Batra v. Delhi Administration, AIR 1980 SC 1579

<b>Internal Assessment :</b>	<b>20</b>
------------------------------	-----------

**Recommended Books:**

1. N.V. Paranjape, *Criminology and Penology*
2. Sutherland, *Principles of Criminology*
3. Siddiqui, *Criminology*
4. Sethna, *Society and Criminal*
5. Jones, *Crime and Penal System*

\*\*\*\*\*

**OR**



**LL.B. (Hons) 4.6 H<sub>5</sub>**  
**Patent, Drafting and Specification Writing**  
**Honours – 5 : Intellectual Property Law Group**

**(Credit : 6)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus** **Marks**

---

**Unit 1: Introduction- Patent and its importance** **16**

**Unit 2: Patent drafting** **16**

**Unit 3: Specification** **16**

3.1 General

3.2 Provisional Specification

3.3 Complete Specification

3.3.1 Priority date and state of the art

3.3.2 Drafting of Specification

3.4 Construction of Specification

3.5 Amendment of Specification

**Unit 4: Opposition to Grant of Patent** **16**

4.1 Procedure

4.4 Grounds of opposition

**Unit 5:** **16**

5.1 Discretion of Controller

5.2 Disclaimer and References

**Referred Cases**

1. *Excerpts from Canadian General Electric Co. Ltd. v. Fada Radio Ltd.*, AIR 1930 PC 1
2. *Hoffmann-La Roche Ltd v. Cipla Limited*, 2008 (37 ) PTC 71 (Del)

**Internal Assessment :** **20**

**Recommended Books:**

2. Prabudh Ganguli, *Gearing up for Patents*
3. Prabudh Ganguli, *Intellectual Property Rights*
4. P. Narayanan, *Intellectual Property Law*
5. Wadehra B.L., *Patents, Trademarks, Designs and Geological Indications.*
6. Cornish P., *Intellectual Property Law.*
7. P. Narayanan, *Patent Law* (4<sup>th</sup> ed., 2006)

\*\*\*\*\*

**OR**

**LL.B. (Hons) 4.6 H<sub>5</sub>**  
**Bankruptcy and Insolvency Law**  
**Honours – 5 : Business Law Group**

**(Credit : 6)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>Unit 1: The Concept: Inability to pay Debt</b>	<b>16</b>
1.1 Transfer of property to a third person for benefit of creditors	
1.2 Transfer with intent to defeat the creditors	
1.3 Fraudulent preference in transfer of property	
<b>Unit 2:</b>	<b>16</b>
2.1 Absconding with intent to defeat the creditors	
2.2 Sale of property in execution of decree of court	
2.3 Adjudication as insolvent	
<b>Unit 3: Insolvency Petition</b>	<b>16</b>
3.1 By Creditor	
3.2 By Debtor	
3.3 Contents of the petition	
3.4 Admission	
3.5 Procedure	
<b>Unit 4: Duties of the debtor and Interim Proceedings against the debtor</b>	<b>16</b>
<b>Unit 5: Order of Adjudication</b>	<b>16</b>
5.1 Effect	
5.2 Publication	
5.3 Dismissal of petition filed by a creditor	
<b>Internal Assessment :</b>	<b>20</b>

**Recommended Books:**

1. Law of Insolvency- Avtar Singh
2. Bankruptcy Reform Act ,1994
3. Banking Law, R.N. Choudhury
4. Lecture on Banking Law- Anjani Kant

\*\*\*\*\*

**LL.B. (Hons) 4.7 H<sub>6</sub>**  
**Right to Information**

**(Credit : 6)**

**Honours – 6 : Constitutional Law Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>Unit 1: Introduction</b>	<b>16</b>
1.1 Classification of Information	
1.2 Meaning of Information	
1.3 Right to Information in India	
1.4 Legal & Constitutional Perspective	
1.5 Importance & Necessity of Right to Information	
<b>Unit 2: Right to Information in India</b>	<b>16</b>
2.1 Judicial Interpretation	
2.2 Freedom of Press & Freedom of Information	
2.3 Right to know under Article 19 (1)(a) & Contempt of Court	
2.4 Voter's Right to Know	
<b>Unit 3: Right to Information of Consumer and Arrested Person and others</b>	<b>16</b>
3.1 Consumer's Right to Know	
3.2 Right to Information of the arrested person	
3.3 Hazards of noise pollution - S.C. Guidelines	
<b>Unit 4: Right to Information &amp; Public Interest Litigation</b>	<b>16</b>
<b>Unit 5: Salient features of</b>	<b>16</b>
5.1 Right to Information Act, 2005	
5.2 The Assam Right to Information Act, 2001	

**Referred Cases:**

1. *Union of India v. Association for Democratic Reforms*, AIR 2002 SC 2112 : (2002) 5 SCC 294
2. *Secretary, Ministry of Information and Broadcasting, Govt. of India v. Cricket Association of Bengal*, AIR 1995 SC 1236: (1995) 2 SCC 161
3. *People's Union for Civil Liberties v. Union of India*, AIR 2003 SC 2363: (2003) 4 SCC 399
4. *Indra Sawhney v. Union of India*, AIR 1993 SC 477
5. *Union of India v. Raghubir Singh*, AIR 1989 SC 1933
6. *P.V.Narashimha Rao v. State*, AIR 1998 SC 2120

**Prescribed Legislations:**

1. *Right to Information Act, 2005*
2. *The Assam Right to Information Act, 2001*

**Internal Assessment :****20**

**Recommended Books:**

1. Justice P.S. Narayan, G.B. Reddy, *Right to Information and Law*
2. R.K. Verma, *Right to Information Law and Practice*
3. Dr. D.N. Barowalia, *Commentary on the Right to Information*, Universal, Delhi (2007)

\*\*\*\*\*

**OR****LL.B. (Hons) 4.7 H<sub>6</sub>****Offence against Child and Juvenile Offences  
Honours – 6 : Crime and Criminology Group****(Credit : 6)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus****Marks**

<b>Unit 1: Constitutional and International Legal Status of Child</b>	<b>16</b>
1.1. Special status of child - national policy	
1.2. Constitutional concern – Arts. 15(3), 24, 39(e) & (f) and 45	
1.3. International concern and endeavour for the welfare of the children:	
1.3.1. Minimum Age conventions	
1.3.2. Child rights conventions	
1.3.3. U.N. Declaration of the Rights of the Child, 1924, 1959.	
1.3.4. Contributions - UNESCO, UNICEF.	
<b>Unit 2: Legal Control of Child Labour</b>	<b>16</b>
2.1. Regulation of the employment: protection of the health and well-being	
2.2. International conventions and recommendations of the ILO.	
2.3. Recommendations of the National Commission of Labour.	
2.4. Legislation relating to factories, plantation labour, mines, merchant shipping, motor transport workers, apprentices, shop & establishments and child labour:	
2.4.1 The Factories Act, 1948	
2.4.2 Apprentice Act, 1961	
2.4.3 The Child Labour Act, 1986	
<b>Unit 3: Child and Criminal Liability</b>	<b>16</b>
3.1. Crimes committed by child; crimes committed by others in relation to children;	
3.2. Implementation of social policy through criminal sanctions in relation to child;	
3.3. Variation of procedure in case of child offender	
3.4. Judicial proceedings in criminal cases relating to children	

- Unit 4: Statutory provisions - 16**
- 4.1 Sections 82, 83, 299 Exp.3, 363A, 372 and 376 of IPC
  - 4.2 Sec 27 of the Cr. P.C.
  - 4.3 Suppression of Immoral Traffic Act 1956 (SITA)
  - 4.4 Child Marriage Restraint Act 1929 as amended in 1978
  - 4.5 Young Persons Harmful Publications Act 1956
    - 4.5.1 The Children Act 1960
    - 4.5.2 Reformatory Schools Act 1897
- Unit 5: Juvenile Offence: Juvenile Delinquency 16**
- 5.1 Concept of Juvenile Delinquency
  - 5.2 Legal Position in India
    - 5.2.1 Juvenile Delinquency Act,1986
    - 5.2.2 The Juvenile Justice ( Care and Protection of Children ) Act, 2000

***Referred Cases***

1. *Raghubir v. State of Haryana, AIR 1981 SC 2037*
2. *Sanjay Suri v. Delhi Administration, AIR 1988 SC 414*
3. *Pratap Singh v. State of Jharkhand 2005 (1) SCALE 763*
4. *Sudesh Kumar v. State of Uttarakhand (2008) 3 SCC 111*

***Prescribed Legislations:***

1. *The Constitution of India ( Relevant provisions )*
2. *Indian Penal Code (Relevant provisions- Ss. 82 , 83, 299 Exp.3, 363A, 372 and 376)*
3. *Criminal Procedure Code ( Relevant provisions- Sec 27 )*
4. *Indian Evidence Act( Relevant provisions )*
5. *Child Marriage Restraint Act 1929 as amended in 1978*
6. *Young Persons Harmful Publications Act 1956*
7. *The Children Act 1960*
8. *Reformatory Schools Act 1897*
9. *Juvenile Delinquency Act,1986,*
10. *The Juvenile Justice ( Care and Protection of Children ) Act, 2000*

**Internal Assessment : 20**

**Recommended Books:**

1. S.N. Jain ed, *Child and the Law* (1979) Indian Law Institute, New Delhi
2. Lotika Sarkar, *The Law Commission of India* (1988).
3. U.Baxi, *Law and Poverty: Critical Essays* (1988), Eastern, Luknow
4. Ajnes, Flavia, *Law as Gender Inequality*, New Delhi, Oxford (1999)  
(Section IV : General Conclusions & Recommendations)
5. S.C. Tripathy, *Law relating to Women & Children*
6. Anjani Kant, *Law relating to Women & Children*
7. Mamta Rao, *Law relating to Women & Children*
8. Agarwal & Agarwal, *Law relating to Women & Children*

\*\*\*\*\*

**OR**

**LL.B. (Hons) 4.7 H<sub>6</sub>****Bio Diversity Protection****(Credit : 6)****Honours – 6 : Intellectual Property Law Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>Unit 1: Introduction:</b>	<b>16</b>
1.1 Rights, Property Rights, Intellectual Property Rights and Bio-technology	
1.2 Scope and need for protection of Bio Diversity	
<b>Unit 2: Biotechnology Patent</b>	<b>16</b>
2.1 Nature and types of biotechnology patent	
2.2 Patent over new form of life: TRIP obligations	
2.3 Plant patenting	
2.3.1 Sui generis protection for plant varieties	
2.3.2 Multinational ownership	
<b>Unit 3: Bio-Diversity Act-1999</b>	<b>16</b>
3.1 Objectives of the legislation	
3.2 Principles of Bio-diversity	
3.3 Protection of Bio-diversity as Sovereign Rights	
3.4 Mechanism of Monitoring bio-diversity	
3.5 Remedies for infringement	
<b>Unit 4: Protection of Plant Varieties and Farmers Rights Act, 2001</b>	<b>16</b>
4.1 Objective of the legislation	
4.2 Conceptualization of Plant varieties, breeding, culture, farmers rights etc.	
4.3 Period of protection	
4.4 Infringements	
<b>Unit 5: Geographical Indications Act, 2001</b>	<b>16</b>
5.1 Concept of appellations of origin, indication of source and Geographical Indication	
5.1.1 International conventions/ agreements	
5.2 The Geographical Indications of goods (Registration and Protection) Act, 2000	
5.2.1 Objectives of the Act	
5.2.2 Procedure for registration, duration of protection and renewal	
5.3 Geographical Indications and Biotechnology	
5.4 Protection of Geographical Indications	
5.5 Authorities for monitoring protection	
5.6 Infringement, penalties and remedies	

**Prescribed Legislations:**

1. *The Patents Act, 1970 and the Patents (Amendment) Act, 1999.*
2. *Bio-Diversity Act-1999*
3. *Protection of Plant Varieties and Farmers Rights Act, 2001.*
4. *Geographical Indications Act, 2001*

**Internal Assessment :****20****Recommended Books:**

1. B. L. Wadehra : *Patents, Trademarks, Copyright, Designs and Geographical Indications*
2. P. Narayanan : *Intellectual Property Law*
3. Cornish P. : *Intellectual Property Law*
4. Prabudh Ganguli : *Gearing up for Patents*
5. Prabudh Ganguli : *Intellectual Property Rights*
6. Iver P. Cooper, *Biotechnology and Law* (1998), Clerk Boardman Callaghan, New York

\*\*\*\*\*

**OR****LL.B. (Hons) 4.7 H<sub>6</sub>****International Banking and Finance  
Honours – 6 : Business Law Group****(Credit : 6)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus****Marks**

<b>Unit 1: Introduction to Bank</b>	<b>16</b>
1.1 Central Bank and their functions and Role	
1.2 Role of EXIM Bank	
1.3 Role and function of RBI and Exchange Control	
1.4 Role of ECGC, Types of insurance and guarantee covers of ECGC	
<b>Unit 2: Overview of Investment Banking</b>	<b>16</b>
2.1 Meaning of Investment Bank , Services/ Functions of Investment Banking	
2.2 Structure of Investment Banking	
2.3 Nature and scope of present day Investment Bankers	
<b>Unit 3: International Banking</b>	<b>16</b>
3.1 Factors determining exchange rates	

- 3.2 Correspondent Banking- Bank Accounts – NOSTRO and VOSTRO accounts
- 3.3 NRI ACCOUNTS- Indian rupee and Foreign currency accounts

**Unit 4: Financial Management in a Global context 16**

- 4.1 The importance , rewards and risk of international finance
- 4.2 Goals of MNCs
- 4.3 International Monetary System
- 4.4 Balance of Payment
- 4.5 International Financial Markets- Forex markets, forex trading, cash and spot exchange Markets, Forex rates and quotation , forward markets, exchange rate behaviour

**Unit 5: International Monetary Organizations & their function: 16**

- 5.1 IMF
- 5.2 World Bank
- 5.3 WTO
- 5.4 IBRD
- 5.5 ADB
- 5.6 AFC

**Internal Assessment : 20**

**Recommended Books:**

1. International Financial Management – P.G. APTE, TMH
2. Multinational Financial Management - AC Shapiro, PTH
3. International Financial Management – Maurice D. Levi TMH
4. International Financial Management – Bhalla V.K. , Anmol Publication
5. Banking and Financial Systems – Dr. D. M. Mithani, E Gordon

\*\*\*\*\*



**SEMESTER – V**  
**(FROM 2011-12 SESSION ONWARDS)**

**LL.B. 5.1****Labour and Industrial Law – I****(Credit : 5)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
--------------------------	--------------

<b>Unit 1: Introduction to Labour and Industrial Law</b>	<b>16</b>
--	-----------

- |   |  |
|---|--|
| 1.1 The Indian Trade Union Act, 1926  |  |
| 1.2 History of trade union movement in India, trade unionism, need, objects, types and functions.                             |  |
| 1.3 Registration of trade unions, rights and privileges of a registered trade union, advantages of registration.              |  |
| 1.4 Rights, privileges, liabilities and immunities of a registered trade union, amalgamation and dissolution of trade unions. |  |
| 1.5 Penalties and procedure, collective bargaining and trade disputes   |  |

**Referred Case :**

1. *Rangaswami and Another Vs. Registrar of Trade Unions, AIR 1962 Mad. 231*

<b>Unit 2: The Industrial Disputes Act, 1947</b>	<b>16</b>
--	-----------

- |   |  |
|---|--|
| 2.1 Preliminary : appropriate government, industry, industrial dispute vs. individual dispute, public utility service, workman.   |  |
| 2.2 Strikes and lockouts in industrial units, lay-off and retrenchment, compensation theory, special provisions relating to lay-off, retrenchment and closure in certain establishment. |  |
| 2.3 Reference of disputes to board, courts or tribunals.  |  |
| 2.4 Un-fair labour practices, penalties and miscellaneous provisions.   |  |

**Referred Cases :**

1. *Rohtas Industries Ltd. And another Vs. Rohtas Industries Staff Union and others AIR 1976, SC 425.*
2. *Bangalore Water Supply and Sewerage Board Vs. A. Rajappa, 1978 (3) SCR 207*
3. *Osmania University Vs. Industrial Tribunal 1960, LLJ, A.P.*
4. *Workmen of Dimakutri Tea Estate Vs. Dimakutri Tea Estate, 1958, I, LLI. 500 SC*

<b>Unit 3: The Factories Act, 1948</b>	<b>16</b>
--	-----------

- 3.1 Preliminary, manufacturing process, factory, occupier, the inspecting staff.
- 3.2 Health and cleanliness measures, safety arrangement measures in factory.
- 3.3 Provisions relating to hazardous processes, welfare of workers.
- 3.4 Working hours of adults, employment of young persons, employment of women.
- 3.5 Annual leave with wages, special provisions, penalties and procedures.

**Referred Cases :**

1. *Lal Mohammad and other Vs. Indian Railway Construction Co. Ltd. & Others, (1999) 1, SSC 596.*

**Unit 4: Workmen's Compensation Act, 1923 and The Minimum Wages Act, 1948. 16**

- 4.1 Preliminary, object, scope of Workmen's Compensation Act, 1923, dependants, workman, disablements etc.
- 4.2 Workmen's compensation, procedure for determination of compensation, commissioners etc.
- 4.3 Introduction, objects and salient features of the minimum wages act, 1948, definition, wages and its classifications etc.
- 4.4 Procedure for fixation or revision of minimum wages, authorities and their powers, claims etc.

**Referred Cases**

1. *Saurashtra Salt Manufacturing Co. (Appellant) Vs. Bai Value Raja and Others (Respondents) AIR 1958 SC 881.*
2. *People's Union for Democratic Rights Vs. Union of India, AIR 1982, SC 1473 (Asiad Games case)*
3. *Bandhua Mukti Morcha Vs. Union of India and Others, AIR 1984, SC 802 (Bonded Labour case)*

**Unit 5: The Assam Shops and Establishment Act, 1961 16**

- 5.1 Introduction, definitions, hours of works, leave and wages.
- 5.2 Employment of children and women, prohibition, health and safety.
- 5.3 Enforcement and inspector, offences, penalties and procedure.

**Internal Assessment : 20**

**Recommended Books:**

1. Labour and Industrial Law by S.N. Mishra.
2. Labour and Industrial Law by P.M. Mallick.
3. Nabhi's Labour Laws by Ajay Garg.
4. The Assam Shops and Establishment Act, by B.P. Todi etc.

**LL.B. 5.2****Company Law****(Credit : 5)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[Note: For 2011-12 Session this paper is not required as it was already taught in 2009-10 under earlier syllabus]**

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
--------------------------	--------------

<b>Unit 1: Introduction</b>	<b>16</b>
-----------------------------	-----------

- 1.1 Historical background
- 1.2 Meaning, definition, features or characteristics of a company.
- 1.3 Different types of companies, definitions, distinction and conversion.
- 1.4 Distinction between company and partnership.

**Referred Case :**

1. *Salmon Vs. Salmon and Company Ltd. (1897) AC 22*

<b>Unit 2: Formation of Company</b>	<b>16</b>
-------------------------------------	-----------

- 2.1 Formation, Registration and Incorporation, Certificate of Incorporation, Commencement of Business, Advantages and Disadvantages of Incorporation of Company.
- 2.2 Promoter, meaning, legal position, duties and liabilities.
- 2.3 Memorandum of association, articles of association, clauses and conditions, legal effects, alteration, doctrine of *ultra-vires*, constructive notice, doctrine of indoor management.

**Referred Cases :**

1. *Lee Vs. Lee's Air Farming Ltd. (1961) AC 12.*
2. *Ashbury Railway Carriage and Iron Co. Ltd. Vs. Riche, (1875) LR 7 HL 653.*
3. *Lakshmanaswami Mudaliar Vs. LIC, AIR 1963, SC 1185.*
4. *Royal British Bank Vs. Turquand (1856) 119 ER 886.*

<b>Unit 3: Prospectus, Shares and Membership</b>	<b>16</b>
--	-----------

- 3.1 Prospectus, meaning, definition, significance and contents, registration of prospectus, statement in lieu of prospectus, golden rule of framing prospectus, liability of misstatement or untrue statement in prospectus.
- 3.2 Shares, meaning, definition, characteristics, classifications, distinction, allotment, transfer and transmission of shares, share certificate, share warrant, stock and shares, share at discount, call on shares, forfeiture of shares.
- 3.3 Members, modes of acquiring membership, shareholders, their rights, duties and liabilities.

- 3.4 Majority rule, oppression of minority shareholders, protection of minority against oppression and mismanagement.

**Referred cases :**

1. *Foss Vs. Harbottle (1843) 67 ER 189.*
2. *S.P. Jain Vs. Kalinga Tubes Ltd. AIR 1965 SC 1535.*

**Unit 4: Law Relating to Debt, Finance and Company Management 16**

- 4.1 Debenture, meaning, definition, nature and classification, creation of charges, fixed and floating charges, conversion, distinction between debenture and share.
- 4.2 Shareholders' meeting, meaning, classification, resolutions etc.
- 4.3 Directors, managing director, appointment, qualification, legal position, disqualification, disabilities, retirement, removal, powers and duties, rights and liabilities etc.
- 4.4 Auditors, appointment, removal, rights, duties and liabilities, auditors are watch dogs and not blood hounds etc.

**Unit 5: Administrative Regulations and Winding up 16**

- 5.1 Central government control by registrar of companies
- 5.2 Company law tribunals, role of National Company Law Tribunal (NCLT) and National Company Law Appellant Tribunal (NCLAT) etc.
- 5.3 SEBI (Security Exchange Board India)
- 5.4 Winding up, meaning, definition, classification, consequences, liquidator, contributory etc.

**Referred Case :**

1. *Seth Mohan Lal Vs. Grain Chambers Ltd. AIR 1968 SC 772.*

**Internal Assessment : 20**

**Recommended Books:**

1. Company law by – Palm
2. Company law by – Gower
3. Company law by – Avtar Singh
4. Morden Company law by – S.C. Tripathi

\*\*\*\*\*

**LL.B. 5.3**

**Principles of Law of Taxation**

Full Marks: 100 [80+20]

Pass marks: 45 [36+9]

**(Credit : 5)**

Time : 3 hours

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus Marks**

**Unit 1: Introduction 16**

What is Tax, Classification Taxes, characteristics, Principles or canons of Taxation, Requirements of Good Tax system, concept of Equity in Taxation, Modern Principles of Taxation, Cost of Service Principles and Benefit Principles – Direct and Indirect Tax, Merits and Demerits, Single Taxation and Multiple Taxation – Advantages and Disadvantages of Multiple Taxation – Impact and Incidence of Taxation – Distinction between them – Shifting of Taxation etc.

**Unit 2: The Central Sale Tax Act, 1956 16**

- 2.1 Introduction, constitutional provisions, Sales inside or outside the state, Sale or purchases in course of export or import.
- 2.2 Inter – State Sales or Purchases, Essential goods.
- 2.3 Commencement, Definitions, Formulation of Principles for Determining when a sale or purchase of goods takes place in the course of inter-state trade or commerce or outside a state or in the course of import or in the course of Import or Export.
- 2.4 Liability Tax on Inter-State Sales.
- 2.5 Burden of Proof, etc. in case of transfer of goods claimed otherwise than by way of sale, Registration of Dealers, Rates of Tax, Determination of Turnover, Levy and Collection of Tax and Penalties.

**Referred Cases :**

1. *State of Assam Vs. Ramesh Chandra Dey.*
2. *Atiabari Tea Estate Vs. State of Assam, AIR 61 SC.*

**Unit 3: Income Tax Act, 1961 16**

- 3.1 Preliminary, Definitions, Basis of Changes, Changes of Income Tax, Scope of Total Income, Incomes not included in Total Income, Income of 100% export-oriented undertaking, etc.
- 3.2 Computation of total Income, Salaries, Income from house property, profits and gains of business or profession, capital gains, Income from other Sources, Aggregation of Income, carry forward and set-off.
- 3.3 Incomes forming part of total income on which no Income Tax is payable, Relief in respect of Income Tax, Double Taxation relief, special provisions relating to avoidance of Tax etc.
- 3.4 Special provisions relating to incomes of non-residents and certain companies etc.
- 3.5 Income Tax authorities : Appointment control, jurisdiction, powers, procedure for return income, notice of demand, special provisions, refunds, appeals revisions and penalties etc.

**Referred Case :**

1. *Assam Bengal Cement Co. Ltd. C.I.T. (1955, 27 ITR, 34)*

**Unit 4: Wealth Tax Act, 1965 and Gift Tax Act, 1958 16**

- 4.1 Preliminary, Definitions, Charge of Wealth-Tax and Assets subjects to such charge.

- 4.2 Wealth-Tax Authorities, Jurisdiction, Powers, Assessment, Special Cases, Appeals, Revisions, Payment and Recovery of Wealth Tax, Refunds etc.
- 4.3 Preliminary, Definitions, Charge of Gift-Tax and Gifts subject to such charge.
- 4.4 Gift-Tax Authorities, Jurisdiction, Powers, Assessment, Liabilities Appeals, Revisions, Payment and Recovery, Refunds etc.

**Referred Case :**

1. *Gopal Raj Swarup Vs. Commissioner of Wealth Tax, 1970, 77 ITR 912 (ALL).*

**Unit 5: Local Tax 16**

- 5.1 Assam Agricultural Income Tax Act, 1939.
- 5.2 Assam General Sales Tax Act, 1993 and Rules.
- 5.3 The Assam Shops and Establishment Act and Rules.

**Referred Case :**

1. *India Carbon Ltd. Vs. State of Assam, AIR 99 SC*

**Internal Assessment : 20****Recommended Books:**

1. The Law of Central Sales Tax by S.D. Singh.
2. The Income Tax Act by Kanga and Palkiwala.
3. Text Book of Wealth Tax Act by Remeshwar Dayal Agrwala.
4. Text Book of Gift-Tax Act by Rameshwar Dayal Agarwala.
5. Assam General Tax Act & Rules by B.P. Todi.
6. Assam Shops and Establishment Act and Rules by B.P. Todi.
7. Assam Agricultural Income Tax by V. Singhania.

\*\*\*\*\*

**LL.B. 5.4****Environmental Law**

Full Marks: 100 [80+20]

Pass marks: 45 [36+9]

**(Credit : 5)**

Time : 3 hours

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus****Marks****Unit 1: Introduction 16**

- 1.1 Meaning of environment, meaning of environmental pollution and causes of environmental pollution
- 1.2 Global issues of depletion of ozone layer and global warming (green house effect), importance of green house effect and global warming and action plan.

- 1.3 International concern for environmental protection
- 1.4 Indian scenario and people's response.
- 1.5 Environment and Indian Constitution.

**Referred case:**

1. *Indian Council for Enviro-legal action Vs Union of India, AIR 1996 SC 1446*

**Unit 2: Environmental Pollution- Legal Remedies and Procedure 16**

- 2.1 Remedies under law of Torts
  - 2.1.1 Nuisance
  - 2.1.2 Negligence
  - 2.1.3 Trespass
  - 2.1.4 Strict Liability
  - 2.1.5 Absolute Liability
- 2.2 The writ Jurisdiction
- 2.3 Statutory remedies
- 2.4 Criminal law remedies
  - 2.4.1 India penal code
  - 2.4.2 Code of Criminal procedure
- 2.5 Remedies for environmental justice
  - 2.5.1 Damages
  - 2.5.2 Injunction
- 2.6 Public Interest Litigation
  - 2.6.1 New dynamic role of the Judiciary
  - 2.6.2 Emergence of Public Interest Litigation
  - 2.6.3 Public Interest Litigation entering the Area of Environmental Pollution

**Referred cases:**

1. *Shri Ram Gas Leak Case, M.C. Mehta Vs. Union of India AIR, SC, 965, 982, 1086*
2. *Raylands Vs. Fletcher, (1868)LR 3 HL330*
3. *A.P. Pollution Control Board Vs, Prof M.V. Nayadu, AIR, 1999 SC 812*
4. *Vellore Citizens Welfare Forum Vs. Union of India, AIR1996, SC 2715*
5. *Narmada Bachoo Andolan Vs. Union of India(2000) 10 SCC 664*

**Unit 3: Sustainable Development and Law 16**

- 3.1 The concept of International perspective
  - 3.1.1 Stock Declaration, (ii) Montreal Protocol
  - 3.1.2 Brundtland Commission
  - 3.1.3 Earth Summit 1992
    1. Rio Declaration
    2. Agenda 21
    3. Convention on climate change
  - 3.1.4 U.N. Commission on Sustainable Development
  - 3.1.5 Kyota Conference
  - 3.1.6 Earth Summit 2002, Johannesburg Declaration on Sustainable Development

- 3.1.7 Copenhagen Summit
- 3.2 Salient principle of sustainable development
  - 3.2.1 Precautionary principle
  - 3.2.2 Polluter principle

**Referred case:**

2. *Taj Trapeziun case. M.C. Mehta Vs. Union of India AIR, 1997 SC 734*

**Unit 4: Water, Air and Noise Pollution and Its Control 16**

- 4.1 The Water (Prevention and Control of Pollution) Act, 1974
  - 4.1.1 Introduction
  - 4.1.2 Meaning of Water Pollution
  - 4.1.3 Sources of Water Pollution
  - 4.1.4 Central Pollution Control Board
  - 4.1.5 State Pollution Control Board
  - 4.1.6 Prevention and Control of Water Pollution
  - 4.1.7 Offences and Penalties
- 4.2 The Air (Prevention and Control of Pollution) Act, 1981
  - 4.2.1 Introduction
  - 4.2.2 Meaning of Air Pollution
  - 4.2.3 Sources of Sources of Pollution
  - 4.2.4 Effects of Air Pollution
  - 4.2.5 Central pollution Control Board
  - 4.2.6 State Pollution Control Board
  - 4.2.7 Prevention and Control of Air Pollution
  - 4.2.8 Offences and Penalties
- 4.3 Noise Pollution
  - 4.3.1 Meaning of Noise Pollution
  - 4.3.2 Sources and Effect of Noise Pollution
  - 4.3.3 Legal control

**Unit V: 16**

- 5.1 Environment (Protection Act) 1986
  - 5.1.1 Salient Features
  - 5.1.2 Power and function of Central Govt.
  - 5.1.3 Prevention, Offences and penalties of Environment pollution
  - 5.1.4 Citizen's suit provision
- 5.2 The National Environment Appellate Authority Act, 1997
- 5.3 Principle of no fault and the Public Liability Insurance Act, 1991 liability
- 5.4 Forest conservation and the Law
  - 5.4.1 Indian Forest Act, 1927
  - 5.4.2 Forest Conservation and Judicial Attitude

**Internal Assessment : 20****Recommended Books:**

1. Dr. S.K. Nanda, Environmental Law
2. Dr. S.C, Tripathi, Environmental Law
3. Dr. I.A. Khan, Environmental Law



4. Gurdip Sing, Environmental Law in India
5. Kailash Rai, Environmental Protection Law and Policy in India

\*\*\*\*\*

**LL.B. 5.5 OP<sub>3</sub>****Banking Law****(Credit : 5)****Optional 3 : Business Law Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus****Marks**

**Unit 1:** Origin of the word 'Bank' – evolution of Banking institution Classification of Banking – Commercial Banking – Central Bank – The Reserve Bank of India – its Organization – Functions of Central Bank – Banking Systems – Branch Banking and Unit Banking – Chain Banking and Group Banking – Deposit Banking – Investment Banking and Mixed Banking – their features and functions. **16**

**Unit 2:** The Banking Regulation Act, 1949 – Applicability to different kinds of Banks.

General Provisions : Definitions – Banking, Banking Company, Banking Policy, Branch Office, Company, Demand and Time Liability – small scale industrial concern. Business in which a Banking company may engage – Use of the word "Bank", "Banker", "Banking" and "Banking Company" Prohibition of Trading Disposal of Banking Assets. Requirements as to paid-up capital and reserves. Regulation of Capital and Voting Rights of shareholders.

Restriction on commission, brokerage, discount etc. on sale of shares. Prohibition of charge on unpaid capital. Prohibition of floating charge on assets. Restriction as to payment of Dividend – Reserve Fund – Restriction on the nature of subsidiary companies.

Management and Control : Restrictions on certain forms of employment – constitution of Board of Directors – Chairman – Exemption from holding qualification shares for Chairman etc. – overriding effect of Sec. 10A and 10B over other laws, contracts etc. – Prohibition of common Directors Restriction on Loans and advances – Determination of Policy by the Reserve Bank of India regarding Loans and Advances – Assets of a Banking Company – Maintenance of liquid Assets.

Power of the Reserve Bank : Election of new Director – Cash Reserve – Licensing of Banking Companies – Cancellation of License – Opening of new and Transfer of Existing Business – Power to call for information – Power of Inspection – Power to give directions – Power to Remove Managerial and other persons – Power to Appoint Additional Directors – Suspension of Business – Winding up – Powers of the High Court in Winding up – Nomination for Payment of Directors' Money. **16**

**Unit 3:** Negotiable Instruments Act, 1881 – Definition – The Essential Characteristics – Kinds – Difference Between Bill as Exchange and Cheque Bill of exchange and

Promissory note – Parties to a Negotiable Instrument – Holder and Herder in Due Course – Privileges of a Holder in Due Course – Competence of Parties to Negotiable Instrument – (Minor, Lunatic, Insolvent, Joint Stock Company, Agent, Partnership Firm, Legal Representative, Joint Hindu Family). Liabilities of Parties to Negotiable instrument.

Presentment for Acceptance and Payment – Negotiation Assignment and Negotiation – Endorsement and its Kinds – Once a bearer always a bearer – Discharge of Parties – Different modes of Discharge – Dishonour of instruments – Liabilities of Bankers – (a) As Paying Banker – When a Banker can Refuse to pay Customer’s Cheque. (b) Liabilities as Collecting Banker – Crossing of Cheque – Liabilities of Bankers on Crossed Cheques. Payment of Customer’s Cheque – the Paying Banker’s Risks – The Precaution to be taken.

**16**

**Unit 4:** Relationship Between Banker and Customer – Meaning of the Term “Customer” – General Relationship between a Banker and Customer – Obligation of Banker – Obligation to Honour Cheque – Garnishee Order – Stopping Payment of Cheque – Obligation to Maintain secrecy of Accounts – Limitation of Banker’s Obligation as Regards Secrecy – Disclosure as Legal Necessity Disclosure as a Banking Practice – Disclosure in Public Interest – Consequence of Wrongful Dishonour of Cheques – Rights of Bankers – Right of General Lien – Right of Set-off – Right of appropriation – Appropriation by the Debtor and the Creditor.

**16**

**Unit 5:** Special Types of Banker’s Customers – Minors – Married Woman – Pardanashin Woman – Illiterate Persons – Drunkards – Lunatics – Executors and Administrators – Customer’s Attorneys – Joints Accounts – Joint Hindu Family – Partnership Firm – Payment of Firm’s Debts and Separate Debts – Joint Stock Companies – Modes of Charging Securities – Lien, Pledge Hypothecation – Mortgage – “Charge” – Meaning – Mortgage and Charge – Assignment – Contract of Indemnity and Guarantee – Situations Under Which Letters of Indemnity are obtained.

**16**

***Referred Cases :***

*Ram Ratan Vs. Director of Enforcement (AIR 1966, SC 495)*

*Chidambara Vs. Ranga (AIR 1966, SC 193)*

*Pankaj Mehra Vs. State of Maharashtra (AIR 2000, SC 1953)*

*Verra Exports Vs. T. Kalavathy (AIR 2002, SC 38)*

**Internal Assessment :**

**20**

**Recommended Books:**

1. Banking Law & Practice in India – Tannan.
2. Banking Law & Practice – S.N. Maheswari.
3. Lectures on Banking Law – Anjani Kant.
4. Banking Law – Varshney.
5. Banking Law – Dr. R.K. Bangia.

\*\*\*\*\*

**OR****5.5 OP<sub>3</sub>****Penology and Victimology****(Credit : 5)****Optional 3 : Crime & Criminology Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>Unit 1: Introduction- Penology</b>	<b>16</b>
1.1 Definition of Penology	
1.2 Punishment	
1.2.1 Concept of Punishment	
1.2.2 Object of	
1.2.3 Theories of	
1.2.3.1 Deterrent theory of Punishment	
1.2.3.2 Retributive theory of Punishment	
1.2.3.3 Preventive theory of Punishment	
1.2.3.4 Reformatory theory of Punishment	
<b>Unit 2: Capital Punishment</b>	<b>16</b>
2.1 Capital Punishment in India	
2.2 Constitutionality of Capital Punishment	
2.3 Judicial Trend	
<b>Unit 3: Sentencing and Imprisonment</b>	<b>16</b>
3.1 Approaches to Sentencing	
3.1.1 Alternatives to Imprisonment	
3.1.2 Probation	
3.1.3 Compensation	
3.1.4 Fines	
3.2 Imprisonment	
3.2.1 Jail System	
3.2.2 Classification of Prisoners	
3.2.3 Open Prison	
<b>Unit 4: The Police System</b>	<b>16</b>
4.1 Police Force in India	
4.2 The role of Police	
4.3 Functions of Police	
<b>Unit 5: Victimology</b>	<b>16</b>

- 5.1 Need for Compensation
- 5.2 Compensation and Rehabilitation
- 5.3 Compensation as a Mode of Punishment
- 5.4 Constitutional Perspective of Compensation

**Referred Cases**

1. Bishnu Deo v. State of West Bengal AIR 79 SC 964
2. Munna v. State of UP AIR 82 SC 806
3. Samnder Singh v. State of Rajasthan AIR 87 SC 737
4. Dharan Bir v. State of UP (1979) 3 SCC 645
5. Sunil Batra v. Delhi Administration, AIR 1980 SC 1579

**Internal Assessment :**

**20**

**Recommended Books:**

1. N.V. Paranjape, *Criminology and Penology*
2. Sutherland, *Principles of Criminology*
3. Siddiqui, *Criminology*
4. Sethna, *Society and Criminal*
5. Jones, *Crime and Penal System*

\*\*\*\*\*

**LL.B. 5.6 P<sub>3</sub>**

**Professional Ethics & Professional Accounting System**

**(Credit : 5)**

**Practical – 3**

Full Marks: 100 [60+40]

Pass marks: 45 [27+18]

Theory : 60, Pass Marks : 27

**Time : 2 hours**

Practical with Viva-voce : 40 (30+10), Pass Marks : 18

*[For Unit - 1, 2 & 3 there will be written examination of 60 marks of 2 hour duration. Pass mark in the written examination will be 27 marks. Practical examination with viva-voce will be of 40 marks. Pass mark for practical examination with viva-voce will be 18 marks.]*

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus**

**Marks**

**Unit 1: Introduction**

**20**

- 1.1 Aim and Objective of Professional Ethics
- 1.2 Need for the Code of Legal Ethics
- 1.3 Need for the Professional Accounting System
- 1.4 Bar-Bench Relation
- 1.5 Mr. Krishnamurthy Iyer's book on 'Advocacy'

**Unit 2: The Contempt Law and Practice**

**20**

***Prescribed legislation :***

*The Contempt of Court Act, 1971.*

**Unit 3: The Bar Council Code of Ethics** **20**

**Prescribed legislation :**

1. *Bar Council of India Rules on Standards of Professional Conduct and Etiquette. (Rules under Sec. 49(I)(c) of the Advocates Act, 1961 read with proviso thereto)*
2. *Relevant portions of the Advocates Act, 1961 (Sec. 35, 36, 36(A), 36(B), 37, 38, 39, 40, 41, 42, 42(A), 43 & 44).*

**[Prescribed book for this Unit 3 is "Selected Judgements on Professional Ethics published" by Bar Council of India Trust from Page No. 3 to 21.]**

**Practical Projects:** **30**

- (a) 50 selected opinions of Disciplinary Committees of Bar Councils and 10 major judgments of the Supreme Court on professional misconduct.

Following are the 50 selected opinions of the Bar Councils on professional misconduct: -

**Financial Misappropriation:**

1. *K.V. Umere vs. Smt. Venubai, O Dase and Anr. Civil Appeal No. 2385 of 1977.*
2. *Smt. Siya Bai vs. Sitaram Singh BCI Tr. Case No. 8/1987*
3. *Smt. Urmila Devi vs. Sita Ram Singh BCI Tr. Case No. 21/1987*
4. *Secretary, Karnataka Khadi Gram Udyog Samyukta Sangha vs. J.S. Kulkarni BCI Tr. Case No. 12/1990*
5. *Devendra Bhai Shankar Mehta vs. Rameshchandra Vithaldas Sheth & Anr. Civil Appeal No. 4437 of 1990*
6. *Mr. M.S. Patwardhan vs. V.V. Karmarkar BCI Tr. Case No. 93/1991*
7. *Upendra D. Bhatt vs. Vijay Singh M. Kapadia D.C. Appeal No. 23/1993*
8. *Allahabad Bank vs. Girish Prasad Verma BCI Tr. Case No. 49/1993*
9. *Regional Officer, Allahabad Bank vs. J.P. Srivastava BCI Tr. Case No. 20/1995*
10. *Prof. Krishnaraj Goswami vs. Viswanath D. Mukasikar D.C. Appeal No. 40/1995*
11. *Mrs. Suresh Joshi vs. L.C. Goyal BCI Tr. Case No. 44/1995*
12. *Tek Chand vs. Promod Kumar Choudhury BCI Tr. Case No. 22/1998*

**Suppression of Material Facts.**

13. *Smt. Sudesh Rani & Ors. Vs. Munish Chandra Goel BCI Tr. Case No. 43/1996*

**Misuse of Signed Documents & Forgery**

14. M. Veerabhadra Rao vs. Tek Chand  
*Civil Appeal No. 1019/1978*
15. In the matter of 'A' an Advocate  
Supreme Court 1887
16. Surendranath Mittal vs. Dayanand Swaroop  
*BCI Tr. Case No. 63/1987*
17. Smt. Farida Choudhury vs. Dr. Achyut Kumar Thakuria  
*BCI Tr. Case No. 1/1993*
18. Pratap Narain vs. Y.P. Raheja  
*BCI Tr. Case No. 40/1993*
19. Vikramaditya vs. Smt. Jamila Khatoon  
*D.C. Appeal No. 21/1996*
20. S.K. Nagar vs. V.P. Jain  
*D.C. Appeal No. 14/1997*
21. D.P. Chadha vs. Triyugi Narain Mishra & Ors.  
*Civil Appeal No. 1124/1998*
22. R.N. Tiwari vs. Ketan Shah  
*D.C. Appeal No. 9/1999*
23. Ashok Kumar Kapur vs. Bar Council of Punjab & Haryana  
*D.C. Appeal No. 18/1999*

**Purchase of Property of the Client in Dispute**

24. P.D. Gupta vs. Ram Murti & Anr.  
*Civil Appeal No. 15496/1986*
25. Ram Sewak Patel vs. Vir Singh  
*D.C. Appeal No. 32/1992*
26. Ajmer Singh vs. Jagir Singh  
*D.C. Appeal No. 11/1994*

**Duty to the Client**

27. V.C. Rangadurai vs. D. Gopalan & Ors.  
*Civil Appeal No. 839/1978*
28. Chandrashekhar Soni vs. Bar Council of Rajasthan & Ors.  
*Civil Appeal No. 258/1977*
29. Prahlad Sharan Gupta vs. Bar Council of India & Anr.  
*Civil Appeal No. 3588/1984*
30. In Re: An advocate  
*Civil Appeal No. 316/1987*
31. Manjit Kaur, Etc. vs. Deol Bus Service Ltd.  
*Civil Misc. No. 4905/1988*
32. Smt. P. Pankajam vs. B.H. Chandrashekhar  
*B.C.I. Tr. Case No. 86/1992*
33. John D'Souza vs. Edward Ani  
*Civil Appeal No. 3206/1993*
34. In the matter of Mr. 'P' an advocate  
Supreme Court of India

**Contingent Fees**

35. H.G. Kulkarni & Ors. Vs. B.B. Subedar  
*D.C. Appeal No. 40/1996*  
And  
B.B. Subedar vs. H.G. Kulkarni & Ors.  
*D.C. Appeal No. 36/1996*
36. Rajendra V. Pai vs. Alex Fernandes, Baptist Fernandes and  
Francisco Fernandes  
*D.C. Appeal No. 11, 12, 13/2000*
37. R.D. Saxena vs. Balram Prasad Sharma  
*Civil Appeal No. 1938/2000*

#### **Contempt of Court**

38. In Re.: Vinay Chandra Mishra  
*Contempt Petition (Criminal) No. 3 of 1994*
39. Suo Motu Enquiry vs. Nand Lal Balwani  
*B.C.I. Tr. Case No. 68/1999*
40. Kanta Prasad vs. Baldev Sahai Rastogi  
*D.C. Appeal No. 28/1996*

#### **Duty to the Court**

41. Vijaya Singh vs. Murarilal & Ors.  
*Civil Appeal No. 1922/1979*

#### **Physical Assault**

42. Hikmat Ali Khan vs. Ishwar Prasad Arya & Ors.  
*Civil Appeal No. 4240/1986*
43. Saiyed Anwar Abbas vs. Krishna Singh Singh & Ors.  
*B.C.I. Tr. Case No. 62/1991*

#### **Any Other Misconduct**

44. Satish Kumar Sharma vs. bar Council of Himachal Pradesh  
*Civil Appeal No. 5395/1997*
45. Sardul Singh vs. Pritam Singh & Ors.  
*Civil Appeal No. 1763/1993*
46. J.N. Gupta vs. D.C. Singhania & J.K. Gupta  
*B.C.I. Tr. Case No. 38/1994*
47. J.N. Karia vs. M.S. Udeshi and M.S. Udeshi vs. T. Raja Ram Mohan Roy  
*B.C.I. Tr. Case No. 61/1995 / B.C.I. Tr. Case No. 3/1999*
48. Babu Lal vs. Subhash Jain  
*B.C.I. Tr. Case No. 115/1996*
49. Kamal Prasad Misra vs. Mehilal  
*D.C. Appeal No. 45/2000*
50. Sambhu Ram Yadav vs. Hanuman Das Khatri  
*Civil Appeal No. 6768/2000*

All the above opinions are available in the book “**Selected Judgments on Professional Ethics (Published by the Bar Council of India Trust, 21, Rouse Avenue Institutional Area, New Delhi – 110002, Phones No. 3231647, 3231648, Fax: 3231767, E-mail: bcindia1@vsnl.com, Price: Rs. 400/-, 2002 edition)**”.

It is mandatory for the college to have this book in the library under the BCI Rules, 2008.

From the following Supreme Court cases on Professional Misconducts, the students are required to study any 10 for their practical project.

1. *Salil Dutta vs. T.M. and M.C. (P) Ltd.* (1993) 2 SCC 185.
2. *Vinay Chandra Mishra, In re* (1995) 2 SCC 584.
3. *C. Ravichandran Iyer Vs. Justice A.M. Bhattacharjee* 91995) 5 SCC 457.
4. *P.D. Gupta vs. Ram Murti* (1997) 7 SCC 147.
5. *R.D. Saxena vs. Balram Prasad Sharma* (2000) 7 SCC 264.
6. *D.P. Chadha vs. Triyugi Narain Mishra* (2001) 2 SCC 221.
7. *Shambhu Ram Yadav vs. Hanuman Das Khatry* (2001) 6 SCC 1.
8. *Pravin C. Shah vs. K.A. Mohd. Ali* (2001) 8 SCC 650.
9. *Bhupinder Kumar Sharma vs. Bar Assn., Pathankot* (2002) 1 SCC 470.
10. *Ex-Capt. Harish Uppal vs. Union of India* (2003) 2 SCC 45.
11. *Mahabir Prasad Singh vs. Jacks Aviation (P) Ltd.* AIR 1999 SC 287; (1999) 1 SCC 37.
12. *John D'Souza vs. Edward Ani*, AIR 1994 SC 975, 1994 SCC (2) 64.
13. *Bar Council of Maharashtra vs. M.V. Dabhollkar*, AIR 1976 SC 242, 1976 SCC (2) 291.
14. *Pandurang Dattatraya Khandekar vs. Bar Council of Maharashtra, Bombay & Others*, AIR 1984 SC 1100, 1984 (2) SCC 556.
15. *V.C. Rangadurari vs. D. Gopalan & Others*, AIR 1979 SC 281, 1979 SCC (1) 308.

(b) Viva-voce 10

Viva-voce examination of 10 marks will be mainly on the above practical works to test the understanding of the students on the topics.

**Note :** The written reports evaluated by the teacher along with list of the marks awarded will be placed before the external examiner at the time of viva-voce examination. The teacher of the practical paper will be the internal examiner who along with the external examiner will jointly award final marks on written reports and viva-voce examination. Written reports will not be accepted for final evaluation by the external & internal examiners if they are not submitted and evaluated regularly throughout the semester.

**Recommended Books:**

1. The Advocates Act, 1961.
2. The Contempt of Court Act, 1971.
3. Mr. Krishna Iyer's book on *Advocacy*.
4. *Professional Ethics, Accountancy for Lawyers & Bench-Bar Relations* by Dr. S.P. Gupta.
5. *Legal Ethics, Accounting for Lawyers & Bench-Bar Relations* by Dr. Kailash Rai.
6. *Professional Ethics, Accountancy for lawyers & Bench-Bar Relations* by J.R.S. Sirohi.
7. *Legal Profession & its Ethics* by B.K. Goswami.
8. *Challenges to the Legal Profession – Law and Investment in Developing Countries* by P.N. Bhagawati.
9. *Sociology of Legal Profession and Legal System* by J.B. Gandhi.
10. *Socio-Legal Study of Occupational Status of Law Graduates* by K.L. Bhatia.
11. "Sociology of Law and Legal Profession: Cross Cultural Theoretical Prospective" by K.L. Sharma in *24 J.I.L.I. 528 (1982)*.



12. "The Pathology of the Indian Legal Profession" by Upendra Baxi in *13 Ind. Bar. Rev.* 455 (1986).
13. "Legal Profession and the Advocates Act, 1961" by A.N. Veeraraghavan in *14 J.L.L.I.* 229 (1972).
14. "Legal Profession: Its Contribution to Social Change" by K.K. Sathe in *13 ICSSR*.

\*\*\*\*\*

**LL.B. (Hons) 5.7 H<sub>7</sub>****Health Law****(Credit : 6)****Honours – 7 : Constitutional Law Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus** **Marks**

<b>Unit 1: Introductory</b>	<b>16</b>
1.1 The right to health as emergent from parts III and IV of the Constitution of India	
1.2 National Health Policy	
<b>Unit 2: Organization of public health care in India – I</b>	<b>16</b>
2.1 Legal Organization of public hospitals	
2.2 Medico-legal cases and duties of hospitals	
2.3 Liability for medical negligence in public hospitals	
2.4 Mental health care public hospitals: duties and liabilities	
2.5 Rural health care	
<b>Unit 3: Organization of public health care – II</b>	<b>16</b>
3.1 Legal aspects of private medical practice	
3.2 Medical negligence	
<b>Unit 4: Cost and Insurance</b>	<b>16</b>
4.1 Types of Health Insurance in India	
4.2 Employee's Health Insurance Corporation	
<b>Unit 5: Cost of Health Care and Weaker Sections of Society</b>	<b>16</b>
5.1 Health of marginalized Groups	

**Referred Cases**

1. CESC Ltd. v. Subhash Ch. Bose *AIR 1992 SC 573*
2. *K.P. Singh v. Union of India* (2001) 10 SCC 167
3. *State of Tripura v. Amrita Bala Sen* 2005 1 GLR 7
4. *Ram Datt Sharma v. State of Rajasthan* AIR 2005 RAJ 317
5. *Directorate of Enforcement v. Ashok Kumar Jain* (1998) 2 SCC 105

6. *Marri Yadamma v. State of Andhra Pradesh* AIR 2002 AP 164

**Internal Assessment :** **20**

**Recommended Books:**

15. Nandita Adhikari – *Law and Medicine*
16. R.M. Jhala & K. Kumar (rev), Jhala & Raju's *Medical Jurisprudence*, (1997)

\*\*\*\*\*

**OR**

**LL.B. (Hons) 5.7 H<sub>7</sub>**

**White Collar Crime**

**(Credit : 6)**

***Honours – 7 : Crime & Criminology Group***

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus** **Marks**

<b>Unit 1</b>	<b>Introduction</b>	<b>16</b>
	1.1 Meaning and Definition	
	1.2 Historical Backgrounds	
	1.3 Differences between White Collar Crime and traditional crime	
<b>Unit 2:</b>	<b>White Collar Crime in India</b>	<b>16</b>
<b>Unit 3:</b>	<b>Main Factors of White Collar Crime</b>	<b>16</b>
<b>Unit 4:</b>	<b>White Collar Crime in Certain Professions</b>	<b>16</b>
	4.1 Medical profession	
	4.2 Engineering profession	
	4.3 Legal profession	
	4.4 Educational professions	
	4.5 Business related White Collar Crime	
	4.6 Computer related White Collar Crime	
<b>Unit 5:</b>	<b>Remedial Measures</b>	<b>16</b>

**Internal Assessment :** **20**

**Recommended Books:**

1. N.V. Paranjape, *Criminology and Penology*
2. Sutherland, *Principles of Criminology*
3. Siddiqui, *Criminology*
4. Sethna, *Society and Criminal*

5. Jones, *Crime and Penal System*

\*\*\*\*\*

**OR****LL.B. (Hons) 5.7 H<sub>7</sub>****IPR Litigation in Trade Mark and Design****(Credit : 6)****Honours – 7 : Intellectual Property Law Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>Unit 1: Trademarks : Trademarks Act, 1999</b>	<b>16</b>
1.1 Definition and concept of trademarks	
1.1.1 Distinction between trademark and property mark	
1.2 Need for Protection of Trademarks-rationale	
1.2.1 As an aspect of commercial and	
1.2.2 As consumer rights.	
<b>Unit 2: Protection of Trademarks</b>	<b>16</b>
2.1 Procedural Requirements for Protection of Trademarks	
2.2 Kinds of Trademarks-Registration	
2.3 International Legal Instruments on Trademarks	
<b>Unit 3: Indian Trademark Law</b>	<b>16</b>
2.1 Content of the Rights, Exhaustion of Rights	
2.2 Assignment and Licensing	
2.3 Infringement, Right of Goodwill, Passing Off	
2.3.1 Criteria of infringement	
2.3.2 Standards of proof in passing off action	
2.4 Remedies	
<b>Unit 4: Designs - The Designs Act, 2000</b>	<b>16</b>
2.1 Definition of design - Copyright in Design (duration)	
2.1.1 Need for protection of industrial designs	
2.1.1.1 Subject matter of protection and requirements	
2.1.1.2 Procedure for obtaining design protection	
2.1.2 Registration of design for articles	
2.1.3 Rights in registered design	
2.1.3.1 Transfer of rights	
2.1.3.2 Cancellation of Design	
2.1.4 Piracy or Infringement of copyright in Design	
2.1.4.1 Remedies	

**Unit 5: Layout – Designs of Integrated Circuits** **16**

- 5.1 The Semiconductor Integrated Circuits Layout
- 5.2 Requirements and procedure for registration
- 5.3 Duration and effect of registration
- 5.4 Assignment and transmission

**Referred cases :**

- 1 *Use of trade mark on goods/services: N.R. Dongre v. Whirlpool (1996) 5 SCC 714*
- 2 *Protecting Domain Names as Trade Marks: Satyam Infoway Ltd v. Sifynet Solutions Pvt. Ltd, AIR 2004 SC 3540*
- 3 *Registration of trademark for goods/services: Geep Flash Light Industries v. Registrar of Trade Marks, AIR 1972 Del 179*
- 4 *Relative Grounds of Refusal: Carrefour v. Subburaman, 2007(35) PTC 225*
- 5 *Parley Products v. J P & Co, AIR 1972 SC 1359*
- 6 *Bata India Ltd. v. Pyare Lal & Co., AIR 1985 All 242*
- 7 *Milmet Oftho Industries v. Allergen Inc. (2004) 12 SCC 624*
- 8 *Balkrishna Hatcheries v. Nandos International Ltd., 2007(35) PTC 295(Bom)*
- 9 *Bharat Glass Tube Limited v. Gopal Glass Works Limited, 2008 (37) PTC 1 (SC)*

**Prescribed Legislations:**

1. *Trade Marks Act, 1999*
2. *Design Act, 2000*

**Internal Assessment :** **20****Recommended Books:**

1. Ashwani Kr. Bansal, *Law of Trade Marks in India* (2<sup>nd</sup> ed., 2006)
2. V.K. Ahuja, *Law Relating to Intellectual Property Rights* (2007)
3. P. Narayanan, *Copyright and Industrial Designs* (2007)
4. P. Narayanan, *Law of Trade Marks and Passing off* (6<sup>th</sup> ed., 2004)
5. Ashwani Kr. Bansal, *Materials on Copyright* (2004)
6. V.K. Ahuja, *Law of Copyright and Neighbouring Rights: National and International*
7. Alka Chawla, *Copyright and Related Rights: National and International Perspectives* (2007)
8. Wadhera, B.L., *Law Relating to Patents, Trademarks, Copyrights, Designs & Geographic Indications*
9. Mittal, D.P., *Trademarks, Passing Off & Geographical Indications of Goods, Law and Procedure, (2002)*
10. Vashisth, V., *Law and Practice of Intellectual Property in India, (1999)*

**OR**

**LL.B. (Hons) 5.7 H<sub>7</sub>**

**Legal Framework Governing IR**

**(Credit : 6)**

***Honours – 7 : Business Law Group***

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<p><b>Unit 1:</b> Emergence and Objectives of Labour laws- their Socio-Economic Environment, IR Laws- Laws relating to Industrial Disputes, Trade Unions and the Standing Orders.</p>	<b>16</b>
<p><b>Unit 2:</b> Laws Relating to Discharge- Misconduct- Domestic enquiry- Disciplinary Action</p>	<b>16</b>
<p><b>Unit 3:</b> Social Security Laws- Laws Relating to Workmen's Compensation - Employees' State Insurance, Provident Fund- Gratuity and Maternity Relief.</p>	<b>16</b>
<p><b>Unit 4:</b> Wages and Bonus Laws- The Laws of Minimum Wages - Payment of wages- Payment of Bonus</p>	<b>16</b>
<p><b>Unit 5:</b> The Laws relating to Working Conditions- The Laws relating to Factories, Establishment and Contract Labour, Interpretation of Labour Laws, their working and Implications for Management, Union, Workmen.</p>	<b>16</b>
<p><b>Internal Assessment:</b></p>	<b>20</b>

**Recommended Books:**

1. N.D. Kapoor: A Handbook of Labour Laws
2. S.N. Mishra: Labour and Industrial Laws. 2007
3. P.L. Malik: Handbook of Labour & Industrial Law. 2008
4. Srivastava K.D.: Commentaries on Payment of Wages Act, 1936. (1998), Eastern, Lucknow
5. Srivastava K.D.: Commentaries on Minimum Wages Act, 1948. (1995), Eastern, Lucknow
6. Rao S.B.: Law and Practice on Minimum Wages (1999), Law Publishing House, Allahabad

7. Seth D.D.: Commentaries on Industrial Disputes Act, 1947. (1998), Law Publishing House, Allahabad
8. R.C. Saxena: Labour Problems and Social Welfare Chapters 1, 5 and 6 (1974)
9. Report of the National Commission on Labour Ch. 14-17, 22, 23 and 24

\*\*\*\*\*

**SEMESTER – VI**  
**(FROM 2011-12 SESSION ONWARDS)**

**LL.B. 6.1**  
**Labour and Industrial Law – II**  
Full Marks: 100 [80+20]

**(Credit : 5)**  
Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>Unit 1: The Industrial Disputes Act, 1947 (Contd.)</b>	<b>16</b>
1.1 Investigation & Settlement of Industrial Disputes – General (Sections 3 to 15)	
1.2 Dispute Settlement Machinery : Conciliation and Adjudication	
1.2.1 Conciliation/Mediation as a Dispute Settlement Mechanism	
1.2.2 Adjudication : Voluntary Adjudication/Arbitration and Compulsory Adjudication.	
1.3 Reference of the Industrial Dispute	
1.3.1 Nature and Scope of the Power of the Appropriate Government under Section 10	
1.3.2 Jurisdiction of Adjudicatory Authorities.	
1.4 Awards and Settlements	
1.4.1 Settlement : Nature, Duration and Termination	
1.4.2 Awards : Nature and Duration	
1.4.3 Judicial Review of Industrial Awards	
<b>Unit 2: Managerial Prerogative</b>	<b>16</b>
2.1 Domestic Enquiry and Disciplinary actions with special reference to the Industrial Employment (Standing Orders) Act, 1946	
2.2 Powers of the Adjudicatory Authorities	
2.2.1 Power in cases of Discharge/Dismissal (section 11A)	
2.3 Restraints on Managerial Prerogatives (section 33 and 33A)	
<b>Unit 3: Wage – Concept and Kinds of Wages</b>	<b>16</b>
3.1 Concept – National Wage Policy	
3.1.1 Theories of wages : Marginal productivity, subsistence, wages fund, supply	
3.2 Kinds of wages – (a) Minimum Wage; (b) Fair Wage ; (c) Living Wage	
3.3 Components of wages : dearness allowance, principle of fixation.	
3.4 The Minimum Wage Act, 1948	
3.5 Machinery under the Act for the Fixation of Minimum Wage	
3.6 The Payment of Wages Act, 1936 : Salient Features	
3.6.1 Protection of wages : non-payment, delayed payment	
3.6.2 Unauthorized deductions – remedial measures.	
<b>Unit 4: Bonus</b>	<b>16</b>
4.1 Concept of Bonus – computation of bonus	
4.2 Salient features of the Payment of Bonus Act, 1965	
<b>Unit 5: Health and Safety: Legislative Controls : Factory, Mines and plantations</b>	<b>16</b>
5.1 The Workmen’s Compensation Act, 1923	
5.1.1 Entitlement for Compensation	

- 5.1.2 Concept of injury : arising out of and in the course of employment
- 5.1.3 Disablement : Partial and Total, Temporary and Permanent
- 5.1.4 Quantum of Compensation – principles for determination
- 5.2 The Factories Act, 1948 : A General Study of the Act

**Referred Cases :**

1. *Karnal Leather Karamchari Sanghatan v. Liberty Footwear Co.* AIR 1990 SC 247
2. *J.K. Synthetics Ltd. V. K.P. Agrawal* (2007) 2 SCC 433
3. *Delhi Cloth and General Mills Ltd. V. Kushal Bhan*, AIR 1960 SC 806
4. *Debotosh Pal Choudhary v. Punjab National Bank*, AIR 2002 SC 3276
5. *Neeta Kaplish v. Presiding Officer, Labour Court*, AIR 1999 SC 698
6. *Jalan Trading Co. (P.) Ltd. V. Mill Mazdoor Sabha*, AIR 1967 SC 69

**Prescribed Legislations :**

1. *The Industrial Disputes Act, 1947*
2. *The Industrial Employment (Standing Orders) Act, 1946*
3. *The Minimum Wages Act, 1948*
4. *The Payment of Wages Act, 1936*
5. *The Workmen's Compensation Act, 1936*
6. *The Payment of Bonus Act, 1965*
7. *The Factories Act, 1948*

**Internal Assessment:**

**20**

**Recommended Books:**

Books on Labour and Industrial law by

1. O.P. Agarwala
2. V.G. Goswami
3. A.G. Chatarvedi
4. S.C. Srivastava

\*\*\*\*\*

**LL.B. 6.2**

**Public International Law**

Full Marks: 100 [80+20]

Pass marks: 45 [36+9]

**(Credit : 5)**

Time : 3 hours

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus**

**Marks**



<b>Unit 1: Nature and Development of International Law</b>	<b>16</b>
1.1 Definition and concept of International law	
1.2 Sources of International law	
1.3 History, Development and Schools of International law	
1.4 Law of Nature and its influence on the development of International law	
1.5 Relationship of International law and Municipal law	
<b>Unit 2: The Law of Peace</b>	<b>16</b>
2.1 States in General	
2.2 Recognition of states	
2.3 State succession	
2.4 Intervention	
2.5 Law of Sea and Air law	
2.6 Extradition	
2.7 Asylum	
2.8 Diplomatic Agents	
2.9 Laws of Treaties, including its formation, classification, ratification, termination and binding forces.	
<b>Unit 3: The Law of War</b>	<b>16</b>
3.1 Settlement of International Dispute	
3.2 Laws of Armed conflicts and its effect including insurgency and belligerency, Four Geneva covenants of 1949 including its Additional Protocol of 1977,	
3.3 Enemy character	
3.4 Belligerent occupation	
3.4 Prize court	
3.6 War Crimes and Role of ICRC	
3.7 The Termination of war	
3.8 International Terrorism	
3.9 Concept of International Humanitarian Law	
<b>Unit 4: The law of Neutrality</b>	<b>16</b>
4.1 Neutrality	
4.2 Blockade	
4.3 Contraband	
4.4 Disarmament	
<b>Unit 5: International Institution</b>	<b>16</b>
5.1 Origin, Development role and functions	
5.2 The League of nations	
5.3 The United nations Organisations and its organs	
5.4 International Court of justice	
5.5 International Criminal Court	

***Referred cases***

1. *Shri Krishna Sharma Vs, State of West Bengal, AIR(1954) Calcutta 591*

2. *Civil Air Transport Inc. Vs. Central Air Transport Corporation, (1953) AC70*
3. *G.B Sing Vs. Government of India, AIR 1973, S.C.. P 2667*
4. *Daya Sing Lahoria Vs. Union of India, AIR, S.C2001. P1716*
5. *Vishakha Vs. State of Rajasthan, A.I.R. 1997, S.C. P3011*
6. *Re Castioni Case (1981) IQB 149*
7. *Luther Vs., Sagor, (1921) 3 KB, P 532*

**Internal Assessment:**

**20**

**Recommended Books:**

1. J.G. Starke: Introduction to International Law
2. Dr. H.O. Agarwal: International law & Human Right
3. M.P. Tandon & Dr. V.K Anand : Introduction to International Law
4. Dr.S.K . Kapoor: International Law & Human Right

\*\*\*\*\*

**LL.B. 6.3 OP<sub>4</sub>**

**Insurance Law**

**(Credit : 5)**

***Optional 4 : Business Law Group***

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus**

**Marks**

**Unit 1: Introduction**

**16**

- 1.1 Nature of insurance contract
  - 1.1.1 Kinds of insurance, proposal ,policy ,parties.
  - 1.1.2 Consideration-need for utmost good faith
  - 1.1.3 Insurable interest ,indemnity ,insurance policy.
- 1.2. Law of contract and law of torts-
  - 1.2.1 Future of insurance, need, importance and place of insurance,
- 1.3. Constitutional perspectives –
  - 1.3.1 List-I : Union List – Entries 24,25,29, 30 and 47
  - 1.3.2 List III: Concurrent List – Entries 23 and 24.

**Unit 2: General Principles of Law of insurance:**

**16**

- 2.1 Definition, nature and history,
  - 2.1.1 The risk – commencement, attachment and duration
  - 2.1.2 Assignment and alteration
  - 2.1.3 Settlement of claim and subrogation.
  - 2.1.4 Effect of war upon policies
- 2.2 Indian Insurance Law: General , History and development,
  - 2.2.1 The Insurance Act 1938 and the Insurance Regulatory Authority Act 2000,

2.2.2	Mutual insurance companies and cooperative life insurance societies,	
2.2.3	Double Insurance and re-insurance	
<b>Unit 3: Life Insurance :</b>		<b>16</b>
3.1	Nature and scope	
3.2	Event insured against life insurance contract	
3.3	Circumstances affecting the risk	
3.4	Amounts recoverable under life policy	
3.4.1	Persons entitled to payment	
3.4.2	Settlement of claim and payment of money	
<b>Unit 4: Insurance against accidents:</b>		<b>16</b>
4.1	The Fatal Accidents Act, 1855- Objects and reasons.	
4.2	Assessment of compensation,	
4.2.1	Contributory negligence	
4.2.2	Apportionment of compensation and liability,	
4.3	The personal injuries (Compensation insurance) Act 1963,	
4.3.1	Compensation payable under the Act.	
4.3.2	Compensation insurance scheme under the Act	
4.3.2.1	Compulsory insurance	
<b>Unit 5: Property insurance – Insurance against Third Party Risks</b>		<b>16</b>
<b>Internal assessment</b>		<b>20</b>

**Recommended Books :**

1. Banerjee, Law of Insurance (1994), Asia Law House, Hyderabad.
2. Birds, Modern Insurance Law (1997) Sweet & Maxwell.
3. Colinvaux's Law of Insurance (1997), Sweet & Maxwell.
4. John Hanson and C. Henly, All Risks Property Insurance, LLP Asia, Hongkong.
5. Peter M.D. Eggers and P.Foss , Good Faith and Insurance Contracts, LLP, Asia , Hongkong.
6. JCB Gilmar and Mustill , Arnold on the Law of Marine Insurance , (1981), Sweet & Maxwell.
7. Mitra B.C., Law Relating to Marine Insurance(1997) Asia Law House, Hyderabad.

\*\*\*\*\*

**OR**

**LL.B. 6.3 OP<sub>4</sub>**

**Prison Administration**

**Optional 4 : Crime & Criminology Law Group**

Full Marks: 100 [80+20]

Pass marks: 45 [36+9]

**(Credit : 5)**

Time : 3 hours

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b><u>Detailed Syllabus</u></b>	<b><u>Marks</u></b>
<b>Unit 1: Introduction</b>	<b>16</b>
1.1 Prison in India	
1.2 Role of Prison in Modern Penology	
1.3 Self Government in Prison	
1.4 The Prison Community and Classification of Prisoners	
<b>Unit 2: Problems in Prison</b>	<b>16</b>
2.1 Overcrowding in Prison	
2.2 Prison Discipline	
2.3 Prisoner's Health	
2.4 Criminality in Prison	
<b>Unit 3: Prison Reforms</b>	<b>16</b>
3.1 Indian Jail Reform Committee, 1919-20	
<b>Unit 4: Judicial Mandates</b>	<b>16</b>
4.1 Judicial Mandates for Prisoners and Detainees	
4.2 Judicial Mandates for General Administration of Prisons	
4.3 The Repatriation of Prisoners Act, 2003	
<b>Unit 5: International Penal and Penitentiary Commission and Prison Reforms</b>	<b>16</b>
5.1 The Repatriation of Prisoners Act, 2003	
<b>Internal Assessment :</b>	<b>20</b>

**Recommended Books:**

1. N.V. Paranjape, *Criminology and Penology*
2. Sutherland, *Principles of Criminology*
3. Siddiqui, *Criminology*
4. Sethna, *Society and Criminal*
5. Jones, *Crime and Penal System*

\*\*\*\*\*

**LL.B. 6.4 OP<sub>5</sub>**

**Trade Marks, Copyright, Patents and Designs**

**(Credit : 5)**

***Optional 5 : Intellectual Property Law Group***

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>Unit 1: Introduction</b>	<b>16</b>
1.1 Nature of Intellectual Property	
1.1.1 Introduction to Intellectual property – Concept – Theories of Protection, Types of Intellectual property under WTO-TRIPS – Trade Marks, Copyright, Patents, Designs, Geographical Indications (Geographical Indications Act,1999), Integrated Circuits, Confidential information	
1.1.2 International Institutional mechanism including various conventions and WIPO	
1.1.3 Economic importance of Intellectual property	
<b>Unit 2: Trade Marks Act, 1999</b>	<b>16</b>
2.1 Meaning, Functions, Trade marks for goods or services	
2.2 Registration of trade mark for goods/services - Procedure (S.18 -23), Grounds of Refusal (S.9 & 11), Prior/Vested Rights (s.34 36), Rectification of register (S.57)	
2.3 Section 9(2) - 'Mark of the nature as to deceive public or cause confusion' –Wide power –no mention of goods /services	
2.4 Infringement & Passing off Action of Trade mark (S. 29 )	
2.4.1 Difference between passing off and infringement Passing off Injunction against registered trade marks	
2.4.2 Passing off for similar goods/ different goods/ based on trans-border reputation	
2.5 Protecting Domain Names as Trade Marks	
<b>Unit 3: The Copyright Act, 1957</b>	<b>16</b>
3.1 Classes of Works in which copyright subsists – S.13, Copyright only in expression No Copyright in Ideas,	
3.1.1 Definitions of various works: Artistic work s. 2(c), dramatic work s. 2(h), Literary work s.2(o), musical work s.2(p), computer programmes s.2(ffc), cinematograph films s.2(f), sound recordings s.2(xx)	
3.1.2 Meaning of 'Original' & – a prefix to s 13(1)(a)	
3.1.3 Literary work	
3.2 Meaning of Copyright – S.14 – Bundle of Rights	
3.2.1 Enumeration of rights in s 14 – reproduction , issue of copies, communication to public, translation, adaptation,	
3.2.2 Other important rights in, Computer programmes, cinematograph film, sound recordings; rental rights	
3.2.3 Abridgement of the work s 14(a)(vi), 2(a) adaptation, meaning of abridgement, Copyright in abridged work	
3.2.4 Author's Special (Moral) Rights – S.57	
3.2.5 Right to Assign and License – S. 18-19A, 30 to 32	

- 3.2.6 Rights of Broadcasting Organizations and Rights of Performers -S.37-38 Exceptions s 39
- 3.3 Ownership of copyright
  - 3.3.1 The first owner – S.17
  - 3.3.2 Who is an author – S. 2(d) and s 2 (g) (s), S.2(uu), authorship of computer generated works,2(d) (vi), Proviso (c) to s 17; employment; Joint authorship - tests for:
- 3.4 Infringement and Exceptions
  - 3.4.1 Infringement – S. 51, Relationship with s 14,
  - 3.4.2 Exceptions to Infringement – S.52 Rights of Public – Fair Dealing, News and current events, Teaching and Research, and others incl. Communication to the public of sound recording in religious ceremonies –S.52 (1) (a) & (b), S.52 (1) (h), S.52(1)(za)

**Unit 4: The Patents Act, 1970 16**

- 4.1 Object of Patent System – Encouraging Inventions and working of Inventions in country concerned. After TRIPS Imports suffice as working.
- 4.2 Patentable Inventions – S.2(1)(j), S.2(1)(ja)
- 4.3 Non Patentable Inventions – S.3 in particular clause (d)
- 4.4 Procedure for filing Patent Application with emphasis on specifications & claims, application for examination, rights of patentees
- 4.5 Anticipation – Prior public knowledge, prior public use
- 4.6 Grounds of Opposition & Revocation – S.25 – Pre-grant, post –grant

**Unit 5: The Designs Act, 2000 16**

- 5.1 What is design, S.2(d), new and original,
- 5.2 Copyright in Design (duration)– S.11
- 5.3 Registration of design for articles – Ss.3-9
- 5.4 Rights in registered design
  - 5.4.1 Cancellation of Design- S.19
- 5.5 Piracy or Infringement of copyright in Design – S.22

**Referred Cases:**

1. *M/s Hindustan Dev. Corpn. v. The Depty Registrar of Trade Marks, AIR 1955 Cal 319*
2. *The Imperial Tobacco Co. of India v. The Registrar of Trade Marks, AIR 1977 Cal 413*
3. *Sony Kabushuki Kaisha v. Samrao Masker, AIR 1985 Bom 327*
4. *K. R. Krishna Chettiar v. Sri Ambal & Co, AIR 1970 SC 146*
5. *Cadila Health Care Ltd v. Cadila Pharmaceuticals Ltd, 2001 PTC 541 (SC)*
6. *Bharti Cellular Ltd and Anr v. Jai Distillers P. Ltd., 2006 (33) PTC 220 (Bom.)*
7. *Zee Entertainment Enterprises Ltd. v. Gajendra Singh, 2008 (36) PTC 53(Bom)*
8. *AmarNath Sehgal v. Union of India, (2005) 30 PTC 253*

9. *Canadian General Electric Co. Ltd. v. Fada Radio Ltd., AIR 1930 PC 1*

**Prescribed Legislations:**

1. *Trade Marks Act, 1999*
2. *Copyright Act, 1957*
3. *Design Act, 2000*
4. *Patents Act, 1970*

**Internal Assessment :**

**20**

**Recommended Books:**

1. Ashwani Kr. Bansal, *Law of Trade Marks in India* (2<sup>nd</sup> ed., 2006)
2. V.K. Ahuja, *Law Relating to Intellectual Property Rights* (2007)
3. P. Narayanan, *Copyright and Industrial Designs* (2007)
4. P. Narayanan, *Law of Trade Marks and Passing off* (6<sup>th</sup> ed., 2004)
5. P. Narayanan, *Patent Law* (4<sup>th</sup> ed., 2006)
6. Ashwani Kr. Bansal, *Materials on Copyright* (2004)
7. V.K. Ahuja, *Law of Copyright and Neighbouring Rights: National and International*
8. Alka Chawla, *Copyright and Related Rights: National and International Perspectives* (2007)

\*\*\*\*\*

**OR**

**LL.B. 6.4 OP<sub>5</sub>**

**Offence against Child and Juvenile Offences**

**(Credit : 5)**

**Optional 5 : Crime & Criminology Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus**

**Marks**

<b>Unit 1: Constitutional and International Legal Status of Child</b>	<b>16</b>
1.1. Special status of child – national policy	
1.2. Constitutional concern – Arts. 15(3), 24, 39(e) & (f) and 45	
1.3. International concern and endeavour for the welfare of the children:	
1.3.1. Minimum Age conventions	
1.3.2. Child rights conventions	
1.3.3. U.N. Declaration of the rights of the child, 1924, 1959.	
1.3.4. Contributions – UNESCO, UNICEF.	
 <b>Unit 2: Legal Control of Child Labour</b>	 <b>16</b>
2.1. Regulation of the employment: protection of the health and well-being	
2.2. International conventions and recommendations of the ILO.	
2.3. Recommendations of the National Commission of Labour.	

- 2.4. Legislation relating to factories, plantation labour, mines, merchant shipping, motor transport workers, apprentices, shop & establishments and child labour:
  - 2.4.1 The Factories Act, 1948
  - 2.4.2 Apprentice Act, 1961
  - 2.4.3 The Child Labour Act, 1986

**Unit 3: Child and Criminal Liability 16**

- 3.1. Crimes committed by child; crimes committed by others in relation to children;
- 3.2. Implementation of social policy through criminal sanctions in relation to child;
- 3.3. Variation of procedure in case of child offender
- 3.4. Judicial proceedings in criminal cases relating to children

**Unit 4: Statutory provisions - 16**

- 4.1 Sections 82 , 83, 299 Exp.3, 363A, 372 and 376 of IPC
- 4.2 Sec 27 of the Cr. P.C.
- 4.3 Suppression of Immoral Traffic Act 1956 (SITA)
- 4.4 Child Marriage Restraint Act 1929 as amended in 1978
- 4.5 Young Persons Harmful Publications Act 1956
  - 4.5.1 The Children Act 1960
  - 4.5.2 Reformatory Schools Act 1897

**Unit 5: Juvenile Offence: Juvenile Delinquency 16**

- 5.1 Concept of Juvenile Delinquency
- 5.2 Legal Position in India
  - 5.2.1 Juvenile Delinquency Act, 1986
  - 5.2.3 The Juvenile Justice ( Care and Protection of Children ) Act, 2000

***Referred Cases***

1. *Raghubir v. State of Haryana, AIR 1981 SC 2037*
2. *Sanjay Suri v. Delhi Administration, AIR 1988 SC 414*
3. *Pratap Singh v. State of Jharkhand 2005 (1) SCALE 763*
4. *Sudesh Kumar v. State of Uttarakhand (2008) 3 SCC 111*

***Prescribed Legislations:***

1. *The Constitution of India ( Relevant provisions )*
2. *Indian Penal Code (Relevant provisions- Ss. 82 , 83, 299 Exp.3, 363A, 372 and 376)*
3. *Criminal Procedure Code ( Relevant provisions- Sec 27 )*
4. *Indian Evidence Act( Relevant provisions )*
5. *Child Marriage Restraint Act 1929 as amended in 1978*
6. *Young Persons Harmful Publications Act 1956*
7. *The Children Act 1960*
8. *Reformatory Schools Act 1897*
9. *Juvenile Delinquency Act,1986,*
10. *The Juvenile Justice ( Care and Protection of Children ) Act, 2000*



**Internal Assessment :****20****Recommended Books:**

1. S.N. Jain ed, *Child and the Law* (1979) Indian Law Institute, New Delhi
2. Lotika Sarkar, *The Law Commission of India* (1988).
3. U.Baxi, *Law and Poverty: Critical Essays* (1988), Eastern, Luknow
4. Ajnes, Flavia, *Law as Gender Inequality*, New Delhi, Oxford (1999)  
(Section IV : General Conclusions & Recommendations)
5. S.C. Tripathy, *Law relating to Women & Children*
6. Anjani Kant, *Law relating to Women & Children*
7. Mamta Rao, *Law relating to Women & Children*
8. Agarwal & Agarwal, *Law relating to Women & Children*

\*\*\*\*\*

**LL.B. 6.5 OP<sub>6</sub>****Right to Information****(Credit : 6)*****Optional 6 : Constitutional Law Group***

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus****Marks**

<b>Unit 1: Introduction</b>	<b>16</b>
1.1 Classification of Information	
1.2 Meaning of Information	
1.3 Right to Information in India	
1.4 Legal & Constitutional Perspective	
1.5 Importance & Necessity of Right to Information	
<b>Unit 2: Right to Information in India</b>	<b>16</b>
2.1 Judicial Interpretation	
2.2 Freedom of Press & Freedom of Information	
2.3 Right to know under Article 19 (1)(a) & Contempt of Court	
2.4 Voter's Right to Know	
<b>Unit 3: Right to Information of Consumer and Arrested Person and others</b>	<b>16</b>
3.1 Consumer's Right to Know	
3.2 Right to Information of the arrested person	
3.3 Hazards of noise pollution - S.C. Guidelines	
<b>Unit 4: Right to Information &amp; Public Interest Litigation</b>	<b>16</b>
<b>Unit 5: Salient features of</b>	<b>16</b>
5.1 Right to Information Act, 2005	
5.2 The Assam Right to Information Act, 2001	

**Referred Cases:**

1. *Union of India v. Association for Democratic Reforms*, AIR 2002 SC 2112 : (2002) 5 SCC 294
2. *Secretary, Ministry of Information and Broadcasting, Govt. of India v. Cricket Association of Bengal*, AIR 1995 SC 1236: (1995) 2 SCC 161
3. *People's Union for Civil Liberties v. Union of India*, AIR 2003 SC 2363: (2003) 4 SCC 399
4. *Indra Sawhney v. Union of India*, AIR 1993 SC 477
5. *Union of India v. Raghubir Singh*, AIR 1989 SC 1933
6. *P.V.Narashimha Rao v. State*, AIR 1998 SC 2120

**Prescribed Legislations:**

1. *Right to Information Act, 2005*
2. *The Assam Right to Information Act, 2001*

**Internal Assessment :****20****Recommended Books:**

1. Justice P.S. Narayan, G.B. Reddy, *Right to Information and Law*
2. R.K. Verma, *Right to Information Law and Practice*
3. Dr. D.N. Barowalia, *Commentary on the Right to Information*, Universal, Delhi (2007)

\*\*\*\*\*

**OR****LL.B. 6.5 OP<sub>6</sub>****White Collar Crime****(Credit : 5)****Optional 6 : Crime & Criminology Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]****Detailed Syllabus****Marks**

<b>Unit 1</b>	<b>Introduction</b>	<b>16</b>
	1.1 Meaning and Definition	
	1.2 Historical Backgrounds	
	1.3 Differences between White Collar Crime and traditional crime	
<b>Unit 2:</b>	<b>White Collar Crime in India</b>	<b>16</b>
<b>Unit 3:</b>	<b>Main Factors of White Collar Crime</b>	<b>16</b>
<b>Unit 4:</b>	<b>White Collar Crime in Certain Professions</b>	<b>16</b>

- 4.1 Medical profession
- 4.2 Engineering profession
- 4.3 Legal profession
- 4.4 Educational professions
- 4.5 Business related White Collar Crime
- 4.6 Computer related White Collar Crime

<b>Unit 5: Remedial Measures</b>	<b>16</b>
<b>Internal Assessment :</b>	<b>20</b>

**Recommended Books:**

1. N.V. Paranjape, *Criminology and Penology*
2. Sutherland, *Principles of Criminology*
3. Siddiqui, *Criminology*
4. Sethna, *Society and Criminal*
5. Jones, *Crime and Penal System*

\*\*\*\*\*

**LL.B. 6.6 P<sub>4</sub>**

**Moot Court & Internship**

**(Credit : 5)**

***Practical – 4***

Full Marks: 100

Pass marks: 45

*[This paper will have three components of 30 marks each, and the fourth component will be a viva-voce examination for 10 marks.]*

<b><u>Detailed Syllabus</u></b>	<b><u>Marks</u></b>
---------------------------------	---------------------

<b>Unit 1: Moot Court</b>	<b>30</b>
Every student will do at least 3 (three) moot courts with 10 marks each. Each moot court work will be on assigned problem and it will be evaluated as follows :	
1.1 Written submission	: 5 marks
1.2 Oral advocacy	: 5 marks
<b>Unit 2: Observance of Trial in two cases :</b>	<b>30</b>
2.1 One Civil case	: 15 marks
2.2 One Criminal case	: 15 marks
Students in a group of not more than 10 (ten) students will <b>attend two trials in the course of the last two or three years of law course.</b> They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment.	
<b>Unit 3: Interviewing techniques and Pre-trial preparations</b>	<b>30</b>
3.1 Two interviewing sessions of clients	: 15 marks

3.2 Observation of the preparation of documents and court papers : 15 marks

Each student will observe 2 (two) interviewing sessions of clients at the Lawyers' Office/ Legal Aid Office and record the proceedings in the diary which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary which will carry 15 marks.

**Viva Voce examination [on all the above three aspects] 10**

**Note 1:** Written submissions on Moot Courts, Written Records of Observance of Trials in Courts and Written Diaries regarding Interviewing Techniques and Pre-trial preparations must be submitted to the teacher of this paper regularly and the teacher will evaluate those continuously throughout the semester and award marks.

**Note 2:** All the evaluated works along with the list of marks awarded would be placed before the external examiner at the time of viva-voce examination. The teacher of this paper would be internal examiner who along with external examiner would jointly award final marks on the above works and viva-voce.

\*\*\*\*\*

**LL.B. (Hons) 6.7 H<sub>8</sub>**

**Citizenship and Emigration Law**

**(Credit : 6)**

**Honours – 8 : Constitutional Law Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>Unit 1: Introduction</b>	<b>16</b>
1.1 Meaning and Definition of Citizenship	
1.2 Citizenship under the Indian Constitutional provisions and Citizenship Act, 1955	
<b>Unit 2: Citizenship</b>	<b>16</b>
2.1 Acquisition of Citizenship	
2.2 Termination of Citizenship	
2.3 Overseas Citizenship	
2.4 Commonwealth Citizenship	
<b>Unit 3: Kinds of Citizenship</b>	<b>16</b>
3.1 Single Citizenship	
3.2 Dual Citizenship	
<b>Unit 4: Meaning of Immigration</b>	<b>16</b>

<b>Unit 5: Migration</b>	<b>16</b>
5.1 Fundamental Right for movement	
5.2 Migration, Growth of informal sector and quality of life: Problems for the Indian Population	
5.3 Illegal Migrations	
5.3.1 Migration into Assam-Historical Background	
5.3.2 Contributory factors of Illegal Migration	

**Internal Assessment :** **20**

**Recommended Books:**

1. Mazhar Hussain, *The Law relating to Foreigners, Passport and Citizenship in India*
2. Seth, *Citizenship and Foreigner Act*
3. *Immigration Reform & Control Act, 1986*
4. M.P. Jain, *Indian Constitutional Law*
5. D. D. Basu, *Shorter Constitution of India*
6. V.N. Shukla, *Constitution of India*

\*\*\*\*\*

**OR**

**LL.B. (Hons) 6.7 H<sub>8</sub>**

**IT Offences**

**(Credit : 6)**

**Honours – 8 : Crime & Criminology Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

<b><u>Detailed Syllabus</u></b>	<b><u>Marks</u></b>
<b>Unit 1: Introduction to Cyber Crime &amp; Cyber Laws</b>	<b>16</b>
1.1 Freedom of Expression in Cyberspace	
<b>Unit 2: The Cyber Regulations Appellate Tribunal</b>	<b>16</b>
2.1 Composition	
2.2 Power and Procedure	
2.3 Limitation	
2.4 Appeal to High Court	
2.5 Recovery of Penalty	
<b>Unit 3: Offences under the Information Technology Act, 2000</b>	<b>16</b>
3.1 The Cyber Offences	
<b>Unit 4: Offences:</b>	<b>16</b>
4.1 Tampering with computer Source Documents	

- 4.2 Hacking with Computer System
- 4.3 Publishing of Obscene Information in Electronic Form
- 4.4 Acts and Omissions Against the Controller
- 4.5 Breach of Confidentiality and Privacy

**Unit 5: Electronic Signature** **16**

- 5.1 Related to Digital Signature Certificate
- 5.2 Contravention Committed outside India

**Referred Cases**

1. *Shrimant Shamrao Surryavanshi v. Pralhad Bhairoba Suryavanshi, (2002) 3 SCC 676*
2. *Ajay Goswami v. Union of India (2007) 1 SCC 170*
3. *District Registrar and Collector v. Canara Bank (2005) 1 SCC 496, AIR 2005 SC 186*

**Internal Assessment :** **20**

**Recommended Books:**

1. J.A. Senn, *Information Technology in Business* – J. A. Senn
2. C.S.V. Murthy, *E- Commerce*, Himalaya Publishing House
3. Rohnay D. Ryder, *Guide to Cyber Crime*, Wadhwa Nagpur
4. Devid Whiteley, *E- Commerce*, Mc Graw Hill

\*\*\*\*\*

**OR**

**LL.B. (Hons) 6.7 H<sub>8</sub>**

**IPR Litigation in Copy Right and Patent**

**(Credit : 6)**

**Honours – 8 : Intellectual Property Law Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus** **Marks**

**Unit 1: Copyright: Introduction:** **16**

- 1.1 Historical evolution of the law
- 1.2 Meaning of copyright
- 1.3 Subject Matter of Copyright
- 1.4 International Conventions and Treaties
- 1.5 The Copyright Act, 1957

**Unit 2: Copyright** **16**

- 2.1 Literary, dramatic and musical works

- 2.2 Sound records and cinematograph films
- 2.3 Computer programme
- 2.4 Multimedia works
- 2.5 The Cyber World

**Unit 3: Ownership of Copyright –Infringement and Remedies 16**

- 3.1 Assignment of copyright
- 3.2 Author's special rights
  - 3.2.1 Authorship,
    - 3.2.1.1 Ownership,
    - 3.2.1.2 Transfer and Duration of copyright
  - 3.2.2 Renewal and termination of copyright
  - 3.3.3 Neighbouring rights
- 3.3 Notion of infringement
  - 3.3.1 Criteria of infringement
  - 3.3.2 Infringement of copyright by films of literary and dramatic works.
  - 3.3.3 Importation and infringement
  - 3.3.4 Piracy in internet
- 3.4 Aspects of copyright justice
  - 3.4.1 Remedies- injunctive relief in India.

**Unit 4: Patent : Introduction 16**

- 4.1 Concept of patent
  - 4.1.1 Paris convention
  - 4.1.2 Patent cooperation treaty
  - 4.1.3 Patent and WTO – TRIPS
    - 4.1.3.1 Harmonization of TRIPS & CBD
  - 4.1.4 Historical view of the patents law in India

**Unit 5: The Patents Act, 1970 with its Amendments 16**

- 5.1 Patentable subject matter, patentability criteria
- 5.2 Revocation, patent infringement and remedies
  - 5.2.1 Criteria of infringement
  - 5.2.2 Onus of Proof
  - 5.2.3 Modes of Infringement : the Doctrine of Colourable Variation
  - 5.2.4 Defences in suits of infringement
  - 5.2.5 Injunctions and related remedies

**Referred cases :**

1. *R.G.Anand v. Deluxe Films, AIR 1978 SC16 (Subject Matter of Copyright)*
2. *Eastern Book Co. v. D.B. Modhak, 2008 (36) PTC 1 (SC) (Subject Matter of Copyright)*
3. *Macmillan v. K. J. Cooper, AIR 1924 PC 75 181 (Ownership and Rights )*
4. *Gee Pee Films Pvt. Ltd. v. Pratik Chowdhury, 2002(24) PTC 392 (Cal) 190 (Ownership)*
5. *R G Anand v. Deluxe Films, AIR 1978 SC 1613 (Infringement and Exceptions )*
6. *Canadian General Electric Co. Ltd. v. Fada Radio Ltd., AIR 1930 PC 1*

7. *Hoffmann-La Roche Ltd v. Cipla Limited, 2008 (37) PTC 71 (Del) 219*

**Prescribed Legislations:**

1. *Copyright Act, 1957*
2. *Patents Act, 1970*

**Internal Assessment :**

**20**

**Recommended Books:**

1. V.K. Ahuja, *Law Relating to Intellectual Property Rights* (2007)
2. P. Narayanan, *Copyright and Industrial Designs* (2007)
3. P. Narayanan, *Patent Law* (4<sup>th</sup> ed., 2006)
4. Ashwani Kr. Bansal, *Materials on Copyright* (2004)
5. V.K. Ahuja, *Law of Copyright and Neighbouring Rights: National and International*
6. Alka Chawla, *Copyright and Related Rights: National and International Perspectives* (2007)
7. Wadhwa, B.L., *Law Relating to Patents, Trademarks, Copyrights, Designs & Geographic Indications*
8. Mittal, D.P., *Trademarks, Passing Off & Geographical Indications of Goods, Law and Procedure, (2002)*
9. Vashisth, V., *Law and Practice of Intellectual Property in India, (1999)*
10. Mittal, D.P., *Indian Patents Law* (1997)

\*\*\*\*\*

**OR**

**LL.B. (Hons) 6.7 H<sub>8</sub>**

**Business Ethics and Corporate & Social Responsibility**

**(Credit : 6)**

**Honours – 8 : Business Law Group**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

**[For distribution of marks in question paper and other instructions see Rule No. 21 of the Regulation]**

**Detailed Syllabus**

**Marks**

**Unit 1: Corporate Social responsibility**

**16**

Social responsibility of a business firm; Social responsibility of business stakeholders (owners, employees, consumers and community); response of Indian firms towards CSR

**Unit 2: CSR and Consumer Protection**

**16**

Consumerism, unethical issues in sales, marketing and technology; competitive strategy



<b>Unit 3: Corporate Ethics</b>	<b>16</b>
Values concepts, types and formation; principles and concepts of managerial ethics; relevance of ethics and values in business; corruption in businesses; values of Indian managers; factors influencing business ethics	
<b>Unit 4: Knowledge and Wisdom</b>	<b>16</b>
Meaning and difference between knowledge and wisdom; wisdom workers, wisdom based management; modern business ethics and dilemmas	
<b>Unit 5: Business and Humanism, Business and environment</b>	<b>16</b>
<b>Internal Assessment :</b>	<b>20</b>

**Recommended Books:**

1. Velasquez (2002) – Business Ethics – Concepts and Cases, Prentice Hall, 5th edition.
2. Baxi C.V. and Prasad Ajit (2005): Corporate Social Responsibility, Excel Books.
3. Kaur Tripat, Values & Ethics in Management, Galgotia Publications.
4. Chakraborty, S.K. Human Values for Managers.
5. Badi, R.V. and Badi, N.V. Business Ethics, Vrinda Publications

**References:**

1. [www.bite.org.uk](http://www.bite.org.uk)

\*\*\*\*\*