

Barkatullah University, Bhopal

Syllabus for Colleges

LL.B. (Three Years Course)

LL.B. Part – I (Semester –I)

2018-19

Proposed Semester Pattern

		Max	Min	Aggregate
Paper – I	Constitutional Law - I	100	40	50%
Paper – II	Law of Contract – I	100	40	50%
Paper – III	Jurisrudence	100	40	50%
Paper – IV	Law of Torts, Consumer Protection Laws and Motor Vehicle Act, 1988	100	40	50%
Paper – V	Family Law I (Hindu Law)	100	40	50%

Paper - I

Constitutional Law – I

India is a democracy and her Constitution embodies the main principles of the democratic government- how it comes into being what are its powers, functions, responsibilities and obligations- how power is limited and distributed. Whatever might have been the original power base of the Constitution, today it seems to have acquired legitimacy as highest norms of public law. A good understanding of the Constitutional Law, judicial decisions, constitutional practice and conventions is, therefore, absolutely necessary for a student of law. He must also know the genesis, nature and special features and be aware of the social, political and economic influence of the Constitution.

1. Preamble
2. Nature of Indian Constitution
3. Characteristic of federalism
4. Indian federalism
5. Unitary form of Government
6. Citizenship
7. State
8. Fundamental Rights- Equality, Freedom and Social Control, Personal Liberty, Changing Dimensions of personal Liberty, Cultural and Educational Rights.
9. Directive Principles of State Policy
10. Inter relationship between fundamental rights and directive principles
11. Fundamental duties
12. Union Executive – The President, Vice President
13. Union Legislature – Council of ministers
14. Union Judiciary – Supreme Court
15. State Executive – Governor
16. State Legislature – *Vidhan Sabha, Vidhan Parishad*
17. State Judiciary – High Court

Book Recommended

1. V.N.Shukla : Constitution of India
2. J.N. Paney : Constitution Law of India
3. D.D.Basu : Constitution of India
4. M.P.Jain : Indian Constitution of India
5. H.M.Seervai : Constitution Law of India
6. Lippman : Constitution Law
7. Kauper : Constitution Law Cases and Materials
8. Woll : Constitution Law Cases and Comments
9. Basu : Select Constitutions of the World
10. Corwin : Constitution of U.S.
11. Lane : An Introduction to the Constitution Law

Paper – II

CONTRACT – I (General Principles of Contract and Specific Relief) Objective of the Course

Every man in his day-to-day life down to dusk makes a variety of contracts. Man's contracts making activities increase with the increasing trade, commerce, and Industry. In a way living in a modern society would be impossible if the law did not recognize this contract making power of a person. This prompt Roscoe pound to make his celebrated observation: "Wealth in a commercial age, is made up largely of promises" In this sense India is also a "Promissory" Society.

The conferment and protection by the Law of this contract making power of persons gives them a considerable leeway to strike best bargain for the contract making persons. In a way they are permitted to regulate and define their relations in a best possible manner they chose. However, the contours of contractual relations in a feudal, colonial and capitalist society of pre-independence India cannot necessarily be the same in an independent and developing Indian society. Whatever may be the nature of a given society, the contractual relation as are obtained in that society, are governed by certain principles, which are more or less general and basic nature. In Indian these general principles are statutised in the form of the Indian Contract Act 1972.

This course designed to acquaint a student with the conceptual and operational parameters of these various general principles of contractual relations.

Specific enforcement of contract is an important aspect of the law of contracts. Analysis of the kinds of contracts that can be specifically enforced and the method of enforcement from a significant segment of this study.

Syllabus

1. General Principles of Law of Contract

1. History and nature of contractual obligations.
2. Agreement and contract: definitions, element and kinds.
3. Proposal and acceptance- their various forms, essential elements, communication and revocation- proposal and invitations for proposal – floating offers – tenders dumping of goods.
4. Consideration – its need meaning, kinds, essential elements – nudumpactumprivity of contract and of consideration–its exceptions– adequacy of consideration – present, past and adequate consideration – unlawful consideration and its effects view of Law Commission of India on consideration – evaluation of the doctrine of considerations.
5. Capacity to contract – meaning- incapacity arising out of status and mental defect minor's agreements –beneficial and detrimental to a minor affirmation–agreements– restitution in cases of minor's agreements – fraud by a minor – agreements made on behalf of a minor- minor's agreements and estoppel – evaluation of the law relating to minor's agreements – other illustrations of incapacity to contract.
6. Free consent- its need and definition- factors vitiating free consent.
7. Coercion- definition-essential element- duress and coercion- various illustrations of coercion- doctrine of economic duress-effect of coercion.

8. 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.
9. Misrepresentation- definition misrepresentation of law and of fact- their effects and illustration.
10. Fraud – definition: essential elements- suggestion falsi-Supperesio very- when does silence amounts to fraud? Active- concealment of truth- importance of intention.
11. 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.
12. Legality of objects.
13. Void agreements- lawful and unlawful considerations, and objects- void, void able, illegal and unlawful agreements and their effects.
14. Unlawful considerations and objects.
15. Forbidden by law
16. Defeating the provision of nay law.
17. Fraudulent
18. Injurious to person or property
19. Immoral
20. Against public policy
21. Void Agreements.
22. Agreements without consideration
23. Agreements in restraint of marriage
24. Agreements in restraint of trade- its exceptions- sale of goodwill, section 1 restrictions, under the partnership Act, trade combinations, exclusive dealin agreements, and restraints on employees under Agreements of service.
25. Agreements in restraint of legal proceeding- its exceptions
26. Uncertain agreements
27. Wagering agreement- its exception
28. Discharge of a contract and its various modes.
29. By performance-conditions of valid tender of performance How? By whom? Where? When? In what manner? Performance of reciprocal promises-time as essence contract.
30. By breach-anticipatory breach and present breach.
31. Impossibility of performance –specific grounds of frustration-application to lease theories of frustration –effect of frustration-frustration and restitution.
32. By period of limitation.
33. By agreement –rescission and alteration –their effect –remission and waiver performance – extension of time accord and satisfaction.
34. Quasi –contracts or certain relations resembling those created by contract
35. Remedies in contractual relations
36. Damages kinds –remoteness of damage –ascertainment of damages.
37. Injection –when granted and when refused –why?
38. Refund and restitution
39. Specific performance –when? Why?
2. Government as a Contracting Party

Constitutional provisions –government power to contract – procedural requirement –kinds of government contracts –their usual clauses –performance of such contracts –settlements of disputes and remedies.

3. Standard from Contracts

Barkatullah University, Bhopal

Syllabus for Colleges

LL.B. (Three Years Course)

LL.B. Part – I (Semester –II)

2018-19

Proposed Semester Pattern

		Max	Min	Aggregate
Paper – I	Constitutional Law - II	100	40	50%
Paper – II	Law of Contract – II			
	(Special Contract)	100	40	50%
Paper – III	Law of Crimes	100	40	50%
Paper – IV	Administrative Law	100	40	50%
Paper – V	Family Law II			
	(Mohammedan Law)	100	40	50%

Paper - I

Constitutional Law – II

The Purpose of teaching constitutional law is to highlight its never- ending growth. Constitutional interpretation is bound to be influenced by one's social economic or political predilections. A student must, therefore learn how various interpretations of the constitution are possible and why a significant interpretation was adopted in a particular situation. Such a critical approaches is necessary requirement in the study of constitutional law.

1. Administration of Union Territories
2. The Panchayat: and Municipalities.
3. The schedule and tribal areas.
4. Relation between the union and the state.
5. Distribution of lagislative power.
6. Administrative relations.
7. Disputes relating to water, trade, commerce and intercourse within territory of India.
8. Financial provisions: property, contracts, rights, liabilities obligation and suit.
9. Public service commissions, service under the union and the states.
10. Tribunals, election, special provisions relating to certain classes, official language.
11. Emergency provision: Proclamation of emergency, effect of emergency, financial emergency.
12. Amendment in the Constitution.

Books Recommended.

1. D.D. Basu, Shorter Constitution of India, (1996), Prentic Hall of India, Delhi.
2. H.M. Seervai, Constitution of India, Vol. 1-3 (1992), Tripathi Bombay.
3. M.P.Singh (ed.), V.N.Shukla Constitutional law of India (2000), Oxford.
4. Indian Constitution, V.N. Shukla.
5. Constitution of India V.P. Mahajan
6. भारतकासंविधान— जय नारायण पाण्डे
7. Bakshi P.M. Constitution of India
8. Constituent Assembly Debates Vol. 1 to 12 (1989)
9. G.Austin, Indian Constitution: Cornestone of a nation (1972)
10. M. Galanter, Competing Equalities- Law and the backward classes in India (1984) Oxford
11. B.Shivramayan, Inequalities and the Law (1984) Eastern, Lacknow

Paper – II CONTRACT – II (INDIAN CONTRACT ACT INDIAN PARTNERSHIP ACT, SALE OF GOODS ACT AND OTHER SPECIFIC CONTRACTS)

Objective of the Course

This course is to be taught after the students have been made familiar with the general principles of contract in which the emphasis is on understanding and appreciating the basic essential of a valid contract and on the existence of contractual relationship in various instances. Obviously a course on special contracts should initiate the students to different kinds of contracts with emphasis on the intricacies therein. This course also should provide an insight into the justification for special statutory provisions for certain kinds of contracts.

Syllabus

I. Indemnity

1. The concept
2. Need for indemnity to facilitate commercial transactions.
3. Methods of creating indemnity obligations.
4. Definition of indemnity
5. Nature and extent of liability of the indemnifier.
6. Commencement of liability of the indemnifier.
7. Situations of various types of indemnity creations
8. Documents/ agreements of indemnity
9. Nature of indemnity clauses
10. Indemnity in cases of International transactions.
11. Indemnity by governments during interstate transactions.
12. Duties of Bailor and Bailee towards each other
13. Rights of bailor and bailee
14. Finder of goods as a bailee
15. Liability towards the true owner
16. Obligation to keep the goods safe.
17. Right to dispose of the goods.

II. Pledge

1. Pledge: Comparison with bailment
2. Commercial utility to pledge transactions.
3. Definition of pledge under the Indian Contract Act.

4. Other statutory regulations (state & Centre) regarding pledge, reasons for the same.
5. Rights of the pawner and pawnee.
6. Pawnee's right of sale as compared to that of an ordinary bailee.
7. Pledge by certain specified persons mentioned in the Indian Contract Act.

III Agency

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

IV Sale of goods

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

V Partnership

1. Nature of partnership: definition
2. Distinct advantages and disadvantages vis-a vis partnership and private limited company
3. Mutual relationship between partners.
4. Authority of partners
5. Admission of partners
6. Outgoing of partners
7. Registration of partnership

8. Dissolution of partnership

Select bibliography

1. R.K. Abhichandani (ed), Pollock and Mulla on contracts and specific Relief Acts (1999) Tripathi Bombay
2. Avtar Singh, Contract Act (2000) Eastern, Lucknow
3. Krishna Nair, Law of Contract, (1999) Orient
4. Avtar Singh, Principal of the Law of Sale of Goods and hire purchase (1998), eastern Lucknow.
5. J.P.Verma (ed), Singh & Gupta, The Law of partnership in India (1999) Orient law House New Delhi
6. A.G. Guest (ed), Benjamin's Sale of goods (1992), Sweet and Maxwell
7. Betason (ed), Ansons, Law of Contracts, (1998), Oxford, London
8. Saharay, h.K. Indian Partnership and sale of Goods Act (2000), Universal
9. Ramanalinga, The sale of goods Act (1998), Universal

PAPER III LAW OF CRIMES

Objective of the Course

The Indian society has changed very rapidly since Independence. A proper understanding of crime methods of controlling them and the socio-economic and political reasons for their existence now extremely important in the larger context of India's development, if students are to use the knowledge and skills to build a just and humane society. The curriculum outline here attempts bring in these new perspectives.

Syllabus

I. General

1. Conception of crime
2. Pre-colonial nations of crime as reflected in Hindu, Muslim and tribal law.
3. Macaulay's drafts based essential on British nations.
4. State's power to determine acts or omissions as crimes
5. State's responsibility to detect control and punish crime.
6. Distinction between crime and other wrongs
7. IPC: a reflection of different social and moral values
8. Applicability of I.P.C.
9. Territorial
10. Personal
11. Salient features of the I.P.C.

II. Elements of criminal liability

1. Author of crime- nature and legal person
2. Men Rea – evil intention
3. Importance of Mens Rea
4. Recent trends to fix liability without mensrea in certain socio-economic offences.
5. Act in furtherance of guilty intent
6. Omission
7. Injury to another

III. Group liability

1. Stringent provision in case of combination of persons attempting to disturb peace.
2. Common intention
3. Abetment

4. Instigation, aiding and conspiracy
5. Mere act of abetment punishable
6. Unlawful assembly
7. Basis of liability
8. Criminal conspiracy
9. Rioting as a specific offence

IV. Stages of a crime

1. Guilty intention – mere intention not punishable
2. Preparation
3. Preparation not punishable
4. Exception in respect of certain offences of grave nature or of peculiar kind such as possession of counterfeit coins, false weights and measures.
5. Attempt
6. Attempt when punishable – specific provisions of IPC
7. Tests for determining what constitutes attempt – proximity equivocally and social danger
8. Impossible attempt

V. Factors negating guilty intention

1. Mental incapacity
2. Minority
3. Insanity – important of cognitive faculties, emotional imbalance
4. Medical and legal insanity
5. Intoxication - involuntary
6. Private defence – justification and limits
7. When private defence extends to causing of death to protect body and property.
8. Necessity
9. Mistake to fact

VI. Types of Punishment

1. Death
2. Social relevance of capital punishment
3. Alternatives to capital punishment

4. Imprisonment for life, with hard labour, simple imprisonment
5. Forfeiture of property
6. Fine
7. Discretion in awarding punishment
8. Minimum punishment in respect of certain offences

VII. Specific offences against human body

1. Causing death of human beings
2. Culpable homicide
3. Murder
4. Distinction between culpable homicide
5. Specific mental element: requirement in respect of murder
6. Situation justifying treating murder as culpable homicide not amounting to murder
7. Grave and sudden provocation
8. Exceeding right to private defense
9. Public servant exceeding legitimated use of force
10. Death in sudden fight
11. Death caused by consent of the deceased – euthanasia and surgical operation
12. Death caused of person other than the person intended
13. Miscarriage with or without consent
14. Rash and negligent act causing death
15. Hurt grievous and simple
16. Assault and criminal force
17. Wrongful restraint and wrongful confinement – kidnapping from lawful guardianship and from outside India
18. Abduction

VIII. Offences against women

1. Insulting the modesty of woman
2. Assault or criminal force with intent to outrage the modesty of women
3. Causing miscarriage without woman's consent
4. Causing death by causing miscarriage without woman's consent
5. kidnapping or abducting woman to compel her marry or force her to illicit intercourse

6. Buying a minor for purposes of prostitution
7. Rape
8. Custodial rape
9. Marital rape
10. Prevention of immoral traffic
11. Cruelty by husband or his relatives
12. Prevention of sati
13. Prohibition of indecent representation of women

IX. Offences against property

1. Theft
2. Cheating
3. Extortion
4. Robbery and dacoity
5. Mischief
6. Criminal misrepresentation and criminal breach of trust

X. New kinds of crimes such as terrorism, pollution and adulteration

XI. Law reforms

Reference Book

1. K.D. Gaur, Criminal law: Cases and Materials (1999), Butterworths, India
2. Ratanlal – Dhirajlal's Indian penal code (1994 reprint)
3. K.D. Gaur, A Text Book on the Indian penal code (1998), Universal Delhi.
4. P.S. Achuthan Pillai, Criminal Law (1995) Eastern, Lucknow
5. Hidayathullaw, M, et.al., Ratanlal and Dhirajlal,'s The Indian Penal Code (1994 reprint), wadhwa& Co. Nagpur
6. B.M. Gandhi, Indian Penal Code (1996), eastern Nagpur

PAPER IV ADMINISTRATIVE LAW

Objective of the Course

The modern state governs in the traditional sense, that is, it maintains law and order, adjudicates upon disputes and regulates economic and social life of individuals and groups in the state. In the event of need occasioned by unforeseen hazards of life in a complex society, it engages itself in giving relief and helps the citizenry towards self-reliance. The assumption of unprecedented responsibilities by the state has necessitated devolution on authority of numerous state functionaries. The number of functionaries in carry out these tasks has ever been on the increase due to proliferation of human needs in an age of science and technology. The aggregate of such functionaries is an essential component of modern administration.

A formidable body of law has come into existence for the purpose of exercising control over administration. For long administrative lawyers have primarily been concerned with such matter as excess or abuse of power, mal administration and abuse of discretion. However, in recent years there has been a shift in emphasis from finding what the administration may not do to what it must do. The courts in India, no doubt, strike down administrative acts which are ultra vires or in violation of procedural norms; however, not much has so far been achieved in compelling the administration to perform statutory duties, though a beginning has been made in respect of matters relating to fundamental human liberties. Most of the statutory duties imposed on administrative agencies or authorities remain largely in the realm of discretion.

A course on administrative law must, therefore, lay emphasis on understanding the structure and modus operandi of administration. It must take note of development perspectives and attainment of social welfare objectives through bureaucratic process. It should go into matters, which facilitate or hinder the attainment of these objectives.

Though in the matter of protection of rights of individuals against administration the role of courts cannot be minimized, it is no less important to know the advantages of informal methods of settlement. Many new methods of grievance redressal have been devised which are not only efficacious but also inexpensive and less time consuming.

Remedies available for administrative deviance need a critical study and evaluation in the context of realities.

Evolutions, nature and Scope of Administrative Law

1. From a laissez- faire to a social welfare state.
2. State as regulator of private interest
3. State as provider of services
4. Other functions of modern state: relief, welfare
5. Evolution of administration as the fourth branch of government – necessity for delegation of powers on administration.
6. Evolution of agencies and procedures for settlement of disputes between individual and administration.
7. Regulatory agencies on the United States
8. Conseil d'Etat
9. Administrative tribunals in England and India
10. Definition and scope of administrative law
11. Relationship between constitutional law and administrative law
12. Separation of powers
13. Rule of law

Civil Service in India

1. Nature and organization of civil service: from colonial relics to democratic aspiration.
2. Powers and functions
3. Accountability and responsiveness: problems and perspectives
4. Administrative deviance- corruption, nepotism, mal administration

Legislative powers of Administration

1. Necessity for delegation of legislative power.
2. Constitutionality of delegated legislation – powers of exclusion and inclusion and power of modify statute
3. Requirements for the validity of delegated legislation
4. Consultation of affected interests and public participation in rule making.
5. Publication of delegated legislation
6. Administrative directions, circulars and policy statements
7. Legislative control of delegated legislation
8. Laying procedures and their efficacy
9. Committee on delegated legislation- their constitution, function and effectiveness
10. Hearings before legislative committees

11. Judicial control of delegated legislation
12. Sub delegation of legislative powers.

Judicial powers of Administration

1. Need for devolution of adjudicatory authority on administration
2. Administrative tribunals and other adjudicating authorities: their adhoc character.
3. Tribunals- need, nature, constitution, jurisdiction and procedure
4. Jurisdiction of administrative tribunals and other authorities.
5. Distinction between quasi-judicial and administrative functions.
6. The right of hearing – essentials of hearing process.
7. No man shall be judge in his own cause
8. No man shall be condemned unheard
9. Rules of evidence – no evidence, some evidence and substantial evidence and substantial evidence rule.
10. Reasoned decisions
11. The right to counsel
12. Institutional decisions
13. Administrative appeals

Judicial control of Administrative Action

1. Exhaustion of administrative remedies
2. Standing: standing for Public Interest Litigation (Social action litigation) collusion bias
3. Laches
4. Res judicata
5. Grounds
6. Jurisdictional error/ultra vires
7. Abuse and non-exercise of jurisdiction
8. Error apparent on the face of the record
9. Violation of principles of natural justice
10. Violation of public policy
11. Unreasonableness
12. Legitimate expectation
13. Remedies in judicial review
14. Statutory appeals
15. Mandamus

16. Certiorari
17. Prohibition
18. Quo-warranto
19. Habens corpus
20. Declaratory judgments and injunctions
21. Specific performance and civil suits for compensation

Administrative Discretion

1. Need for administrative discretion
2. Administrative discretion and rule of law
3. Limitations on exercise of discretion
4. Malafide exercise of discretion
5. Constitutional imperative and use of discretionary authority
6. Irrelevant considerations
7. Non-exercise of discretionary power

Liability for Wrongs (Tortious and Contractual)

1. Tortious liability: sovereign and non-sovereign functions
2. Statutory immunity
3. Act of state
4. Contractual liability of government
5. Government privilege in legal proceedings – state secrets public interest
6. Transparency and right to information
7. Estoppel and waiver

Corporations and Public Undertakings

1. State monopoly – remedies against arbitrary action or for acting against public policy
2. Liability of public and private corporations – departmental undertakings
3. Legislative and government control
4. Legal remedies
5. Accountability – Committee on public undertakings, Estimates Committee etc.

Informal Methods of Settlement of Disputes and Grievance Redressal Procedures

1. Conciliation and mediation through social action groups
2. Use of media, lobbying and public participation
3. Public inquiries and commissions of inquiry

4. Pmbudsman: Lok pal, LokAyukata
5. Vigilence commission
6. Congressional and Parliamentary Committee

Selected Bibliography

1. C.K. Allen, Law and Orders (1985)
2. D.D. Basu, Comprative Administrative Law (1985).
3. M.A. Fazal, Judicial Control of Administrative Action in India, Pakistan and Bangladesh (2000), Butterworths – India
4. Franks, Report of the Committee on Administrative Tribunals and Inquiries, HMS, 1959.
5. Peter Cane, An Introduction to Administrative Law (1996) Oxford.
6. Wade, Administrative Law (Seventh Edition, Indian print 1997), Universal, Delhi
7. J.C. Garner, Administrative Law (1989), Butterworths (ed. B.L. Jones)
8. M.P.Jain, Case and Materials on Indian administrative Law, Vol. I and II (1996), Universal, Delhi.
9. Jain and Jain, Principles of Administrative Law (1997), Universal Delhi
10. S.P. Sathe, Administrative Law (1998) Butterworths- India, Delhi
11. De Smith, Judicial Review Administrative Action (1995), Swest and Maxwell with supplement.
12. B.Schwartz, An introduction to American Administrative Law in Inia. Vol. I (1996), Delhi

PAPER –V – FAMILY LAW II (MOHAMMEDAN LAW)

1. Nature of Mohammedan Law (Mohammedan, origin and Development, School and Source)

Gifts wills, Marriage, Succession Divorce Meher

Guardianship and Wakf, Dissolution of Marriage Act, 1939

Law Relating to Christians, marriage, Divorce and Succession

Book Recommended:

अकीलअहमद	:	मुस्लिमविधि
Mulla	:	Mohammedan Law
Dr. ParasDiwan	:	Muslim Law in Modern India
Aquil Ahmad	:	Mohammedan Law
पारसदीवान	:	आधुनिकमुस्लिमविधि
शुक्ला	:	भारतीय उत्तराधिकारअधिनियम
शुक्ला	:	Indian Divorce Act, 1869
Fyzee AAA	:	Introduction to Jurisprudence
Schat	:	Mohammedan Jurisprudence
Coulson	:	Principles of Mohammedan
मौर्य	:	मुस्लिमविधि
Jhabvala	:	Principles of Mohammedan

L.L.B. Part II (Semester – III)

Paper – I PROPERTY LAW

Maximum Marks – 100

Minimum Passing Marks – 40

1. Introduction

Concept and meaning of property, various definitions given under Transfer of property Act. Kinds of Property. Movable and immovable property tangible and intangible property, intellectual property copyright – patents and designs – trademarks.

2. Law relating to transfer of property under Transfer of Property Act, 1882

- General Principles of transfer of property whether movable or immovable (Sec 5 to 37)
- General Principles
- Sale Mortgage, Lease, Exchange, Gift, Actionable claims.

3. Easement

Nature, characteristics, definition and creation of easements, kind's, riparian rights, extinction, suspension and revival of easements, license.

Selected Bibliography

- Mulla : Transfer of Property Act
M.P. Sartly : Transfer of Property
R. K. Sinha : Law of Transfer of Property
N. K. Jhabwala : The Indian Easement Act

General Principles of Transfer of Immovable Property S. 38 to 33A

L.L.B. Part II (Semester – III)

Paper – II HUMAN RIGHTS LAW & PRACTICE

Maximum Marks – 100

Minimum Passing Marks – 40

- Human Rights in India ancient, medieval and modern concept of rights
- Human Rights in Western tradition
- Concept of natural law and natural rights
- Human Right in legal tradition : International Law and National Law
- UN and Human Rights.
- Universal Declaration of Human Right (1948) - individual and group rights.
- Convention on political and Civil Rights (1996).
- Convention on economic social and cultural Rights (1966).
- Convention on the elimination of all forms of discrimination against women Convention on the rights of the child.
- Impact and Implementation of International Human Right norms in India.
- Human Rights norms reflected in Fundamental Rights in the Constitution.
- Directive Principles, Legislative and administrative implementation of international human right norms through judicial Process.
- Human Right and disadvantaged groups.
- Enforcement of Human Right in India.
- Role of courts. The Supreme Court, High Courts and other Courts Statutory Commissions on – human rights, of women minority and backward classes.

Selected Bibliography

1. S. K. Avesti and Kataria, Law relating to Human Rights. Orient New Delhi
2. Human Rights Watch Women's Rights Watch global report on women's Human Rights (2000), Oxford
3. Erracora Nowak and Trettsr. International Human Rights (1993), Sweet and Maxwell
4. Wallace International Human Rights: Text & Materials (1996), Sweet and Maxwell
5. Human rights & Global Diversity (2001), Frank Cass, London
6. Nirmal B.C. The Right of self Determination in International Law (1995), Deep and Deep
7. P.R. Gandhi, International Human Right Documents (1999) Universal Delhi

L.L.B. Part II (Semester – III)

Paper – III LEGAL LANGUAGE AND LEGAL WRITING

Maximum Marks – 100

Minimum Passing Marks – 40

Introduction to Legal Language

- Characteristics of Legal Language
- History at Legal Language
- Legal Language in India

Phonetics, Theory and Practice

- The phonetics Script
- Reading exercise – stress, accent, and intonation suitable for Indian speaker with emphasis on clarity speech and felicity of expression.
- Reading comprehension, Principles and practice

Legal Terminology

- Terns used in civil law and criminal law
- Latin word and drafting of law reports
- Writing of case comments
- Essay writing on topics of legal interest

Proficiency in Regional Language

- Every student should acquire skills of understanding analysis writing and communication in the regional language, which he has to use in the interaction with the potential clientele. Necessarily the proficiency in the language will contribute in a substantial measure to a successful practice in law.

L.L.B. Part II (Semester – III)

Paper – IV Pre-Trial process: Magisterial Powers to Take Cognizance

Maximum Marks –

Minimum Passing Marks –

Trial process

- Recommencement of Proceedings: (section 200,201,202)
- Dismissal of complaints (section 203,204)
- Bail, concept, purpose: constitutional overtones
- Cancellation of bail (section 437 (5))
- Anticipatory bail (section 438)
- Appellate bail powers (section 389 (i), 395 (i), 437 (5))
- General principles concerning bond (section 441- 450)

Fair Trail

- Conception of fair trail
- Presumption of innocence
- Venue of trail
- Right of the accused to know the accusation (section 221 – 224)
- The right must generally be had in the accuses presence (section 221 – 224)
- Right of cross – examination and offering evidence in defence: the accused's statement.
- Right to speedy trail

Charge

- Framing of charge
- Form and content of charge (section 211, 212, 216)
- Separate charge for distinct offence (section 218, 219, 220,212, 223)
- Discharge pre-charge evidence

Preliminary pleas to Mar to Trial

- Jurisdiction (section 26, 177 – 188, 461, 462, 479)
- Time limitations: rationale and scope (section 468- 473)
- Pleas of autrefois acuity and autrefois convict (section 300, 22D)
- Issue Estoppel
- Compounding of offences

Trial before a court of session: Procedural steps and substantive Rights

Judgment

- From and content (section 154)
- Summary trial
- Post conviction orders in lieu of punishment: emerging penal policy (section 360,361,31)
- Compensation and cost (section 357,358)

- Modes of providing judgment (section 353, 362, 363)

Appeal Review, Revision

- No appeal, in certain cases (section 372, 375, 376)
- The rationale of appeals, review, revision
- The multiple ranges of appellate remedies
- Supreme Court of India (section 374, 379, Article 31,132,134,136)
- High Court (section 374)
- Session right to appeal against sentencing (section 377, 378)
- Judicial power in disposal of appeal (section 368)
- Legal aid in appeals
- Revisional jurisdiction (section 397-405)
- Transfer of case a (section 406, 407)

Juvenile delinquency

- Nature and magnitude of the problem
- Causes
- Juveniles court system
- Treatment and rehabilitation of juveniles
- Juveniles and adult crime
- Legislative and judicial protection of juvenile offender
- Juvenile justice (Protection and Care) Act 2000

Probation

- Probation of offender's law
- The judicial attitude
- Mechanism of probation: standards of probation services
- Problems and prospects of probatin
- The suspended sentences

Reforms of Criminal Procedure

Reference Book

- Ratanlal Dhirajlal, Criminal Procedure Code (1999), Universal, Delhi
- Chandrasekharan pillal, ed, kelkar Lectures on Criminal Procedure (1998 Eastern Luckonw
- Principal's commentaries on the Code of Criminal Procedure 2 Vol. (2000) Universal
- Woodroffc: Commentaries on Code of Criminal Procedure 2 Vol. (2000) Universal
- Chandrasekharan pillai, ed, kelkar's outlines of Criminal Procedure Code 2001 Eastern Lucknow

L.L.B. Part II (Semester – III)
Paper-V Labour & Industrial Law – I

Maximum Marks –
Minimum Passing Marks –

General Introduction

- Industrial Jurisprudence
- Labour policy in India
- Industrial revolution in India, evils of industrializations, labour problems Growth of labour legislation in India.

Industrial Dispute Act 1947

- Short title, definition & authorities.
- Notice of change
- Reference of certain industrial dispute of grievance settlements authorities, board, courts, tribunals.
- Power procedure & duties of authorities.
- Strike, lock out, lay, Retrenchment .
- Penalties.

Trade Union Act 1926

- Registration of trade union.
- Rights & liabilities of registered trade union.
- Regulation
- Penalties & procedure

Minimum wages Act 1948

- Introduction & definition
- Minimum wages; fixation & procedure
- Authorities under the act
- Fixation of hours of work & wages
- Claims & their determination
- Cognizance of offence

Factories Act 1948

- Introduction, definition registration & licensing
- The inspecting staff
- Health
- Safety
- Working hours of adult
- Annual leave with wages
- Penalties & Provisions.

Reference Book

1. John Bowers and Simon Honeybail, Text book on Labour Law (1996), Blackstone, London.

2. Shrivastava K.D. Commentaries on payment of wages Act 1936 (1998), Eastern Lucknow.
3. Shrivastava K.D. Commentaries on minimum wage Act (1948), Eastern Lucknow
4. Rao S.S. Law and Practice on minimum wage (1999), Law Publishing House, Allahabad
5. Seth D.D. Commentaries on Disputes Act 1947 (1998), Law Publishing House, Allahabad.
6. Shrivastava K.D. Commentaries on factories Act (1948) (2000), Eastern Lucknow
7. R.C. Sexena, Labour problem and Social welfare.
8. V.V. Giri, Labour problems in Indian Industries
9. G.P. Malhotra The Law of Industrial Disputes (1998) Universal Dehli
10. S.C. Srivastava, Social Securities and Labour Law pts, 5 and 6 (1985), Universal Dehli
11. S.C. Srivastava

L.L.B. Part II (Semester – IV)
Paper – I Civil Procedure Code and Limitation Act

Maximum Marks – 100
Minimum Passing Marks – 40

4. Introduction

Concepts

- Affidavit, Order, Judgment, Decree, Plaint, restitution, Execution, Decree-Holder, Judgment –Debtor, Mense Profit. Written Statement
- Distinction between degree and judgment and between decree and order

5. Jurisdiction

- Kinds
- Hierarchy of courts
- Suit of Civil nature –scope and Limits
- Res sub-judice and resjudicata
- Foreign judgment –enforcement
- Place of suing
- Institution of suit
- Parties to suit: joinder or non –joinder of parties: representative suit
- Fram of suit: cause of action
- Alternative disputes resolution (ADR)
- Summons

6. Pleading

- Rules of pleading, signing and verification
- Alternative pleading
- Construction of pleading
- Admission, return and rejunction
- Written statement: particulars, rules of evidence
- Set off and counter claim: distinction
- Discovery , inspection and production of documents
- Interrogatories
- Privileged documents
- Affidavits

7. Appearance, Examination and Trial

- Appearance
- Ex-parte procedure
- Summary and attendance of witnesses
- Trial
- Adjournments
- Interim order: commission, arrest or attachment before judgment, injunction and appointment of receiver.
- Interests or costs
- Execution
- The concept
- General principles
- Power of execution of decrees
- Procedure for execution (session 52-54)
- Enforcement, arrest and detention (ss 55-56)

- Attachment (ss 65-64)
- Sale (ss 65-97)
- Delivery of property
- Stay of execution

8. Suits in particular cases

- By or against government (ss- 79-82)
- By aliens and by or against foreign rules or ambassadors (ss. 83-87A)
- Public nuisance (ss. 91-93)
- Suits by or against firm
- Mortgage
- Interpleader suit
- Suits relating to public charities

9. Appeals review, reference and revision

- Appeals from decree and order, general provisions relation to appeal
- Transfer of cases
- Restitution
- Caveat
- Inherent powers of courts
- Law reform: Law Commission on Civil procedure
- Amendments

10. Law of Limitation

The concept –the law assists to vigilant and not those who sleep over the rights.

11. Object

- Distinction with laches, acquiescence, prescription
- Extension and suspension of limitation
- Sufficient cause for not filling the proceedings
- Illness
- Mistaken legal advise
- Mistaken view of law
- Poverty, minority and purdah
- Imprisonment
- Defective Vakalatnama
- Legal liabilities
- Foreign rule of limitation: contract entered into under a foreign law
- Acknowledgement –essential requisites
- Continuing tort and continuing breach of contract

Reference Book

1. Mulla: Code of Civil Procedure (1990), Universal Delhi
2. C.K, Thacker, Code of Civil Procedure (1990), Universal Delhi
3. M.R. Mallick (ed.) B.B. Mitra on Limitation Act (1998), Eastern Lacknow
4. Majumdar P.K. and Katara R.P. Commentary on the Code of Civil Procedure 1908 (1998), Universal Delhi
5. Saha A.N., Code of Civil A.N. Procedure (2000), Universal Delhi
6. Sarkar's Law of Civil Procedure Vols. (2000), Universal Delhi
7. Universal's Code of Civil Procedure (2000)

8. Limitation Act -1963

**L.L.B. Part –II(Semester – IV)
Paper – II Environmental Law**

**Maximum Marks – 100
Minimum Passing Marks – 40**

Concept of environment and Pollution

- Environment, Meaning and concept
- Pollution –Meaning and effects of pollution
- Environmental Pollution (Water, Air and Noise Pollution)
- Meaning and standards, Culprits and victims, Offences and penalties

International Historical Perspective

- Stockholm Conference
- Rio Conference
- U.N. declaration on right to development

Constitutional Provisions related to Environment

- Constitution Making –development and property oriented approach
- Directive principles, (status , role and interrelationship with fundamental rights and fundamental duties)
- Fundamental Duty
- Judicial approach
- Fundamental Rights (Rights to clean and healthy environment. Environment Vs. Development)
- Enforcing agencies and remedies (Court, Tribunal, Cons situational, statutory and judicial remedies)
- Emerging principles (Polluter Pays, Public Liability insurance, Precautionary Principles)
- Sustainable development

Environmental Protection measures VIS A VIS Environment Pollution

- Protection agencies : power and functions
- Protection: Means and sanctions
- Emerging protection through delegated legislation
- Hazardous waste
- Bio –medical waste
- Judiciary: complex problems in administration of environment justice

Forest and wild Life Protection

- Greenery conservation laws
- Forest conservation agencies
- Prior approval and non –forest purpose
- Symbiotic relationship and tribal people
- Denudation of forest : judicial approach
- Wildlife
- Sanctuaries and national parks
- Licensing of zoos and parks
- State monopoly in the sale of wild and wild life article
- Offences against wild life

Bio –diversity

- Legal control
- Control of eco –un friendly experimentation on animal plants, seeds and Microorganism

Reference Book

8. Armin Rosencranzr, et. AJ. (eds.) Environmental Law and Policy in India (2000), Oxford

9. R.B. Singh and Suresh Mishra, Environmental Law and Policy in India (1996), Concept Pub. Co., New Delhi
10. Kailash Thakur, Environmental Protection Law and Policy in India (1997), Deep and Deep Pub. New Delhi
11. Richard Riverze, et. El. (eds.) Environmental Law, The Economy and sustainable Development (2000), Cambridge
12. Christopher D. Stone, should Trees Have Standing and other –Economy on Law, Moral and environment (1996), Oceana
13. Leclakrishanan, P. The Environmental Law and Policy in India (1999), Eastern Lucknow
14. Leclakrishnan P. The Environmental Law and Policy in India (1999), Butter worth India
15. Department of Science and Technology, Government of India, Report of the Committee Recommending Legislative Measures and Administrative Machinery for ensuring environment Protection (1980) (Tiwari Committee Report)

L.L.B. Part II (Semester – IV)

Paper –III Professional Ethics and Professional Accounting System

Maximum Marks – 100
Minimum Passing Marks – 40

- Professional Ethics
- Accounting for Lawyer and Bar –Bench relations
- Recommended materials –
 - (i) Mr. Krishnamurthy Iyer's book on advocacy
 - (ii) The Contempt Law and Practice
 - (iii) The Bar –Council code of ethics
 - (iv) Fifty selected opinions of the disciplinary committees of Bar councils and 10 major judgments of the Supreme Court on the subject

Note –

1. The written exam of this paper will have 80 marks and the Viva-Voce /research paper for project or participation in seminar will carry 20 marks.
2. Written examination will be conducted by the university to be conducted by the department.

L.L.B. Part II (Semester – IV)
Paper – IV Interpretation of Statues

Maximum Marks –
Minimum Passing Marks –

Introduction

- Meaning of the term ‘statues’
- Commencement, operation and repeal of statues
- Purpose of interpretation of statues

Aids to Interpretation

I. Internal aids

- Titles
- Preamble
- Heading and marginal notes
- Sections and sub –section
- Punctuation marks
- Illustration, exceptions, provisos and saving clauses
- Schedules
- Non –obstinate clause

II. External aids

- Dictionaries
- Translation
- Travaux preparations
- Statues in Pari material
- Contemporanea Exposition
- Debates, inquiry commission reports and Law commission reports

III. Rules of statutory interpretation

- Primary rules
- Literal rule
- Golden rule
- Mischief rule (rule in the Heydon’s case)
- Rules of Harmonious construction
- Noscitur a sociis
- Ejusdemgeneries
- Reddendosigulasigulis

IV. Interpretation with reference to the subject matter and purpose

- Restrictive and beneficial construction
- Taxing statues
- Penal statues
- Welfare legis;ation

V. Principal of constitutional interpretation

- Harmonious constructions
- Doctrine of pith and substance
- Colourable legislation

- Ancillary power
- Occupied field
- Residuary power
- Doctrine of repugnancy

Reference Book

1. G.P Singh, principal of statutory interpretation (7thed,) 1999, wadhwa Nagpur.
2. P.StLaggan (ed.) Maxwell on The interpretation of Statues (19760, N.M. Tripathi, Bombay
3. K. Shanmukham, N.S. Bindras's Interpretation of Statues (1997) The Law book Co. Allahabad
4. V.Sarathi, Interpretation of statues, (1984) Estern and Co.
5. M.P. Singh, (ed.) V.N. Shukla's Constitution of India (1994) EaaternLucknow
6. U. Baxi Introduction to Justix K.K. Mathewa, Democracy Equality and freedom (1978) Eastern Luknow

L.L.B. Part II (Semester – IV)
Paper – V Labour and Industrial Law –II

Maximum Marks – 100
Minimum Passing Marks – 40

1. Introduction

Mines Act 1952

- Aims, Objects, Commencement, Definition
- Inspections and certifying surgeons
- Committees
- Provision as to health and safety
- Hours and limitation of employment
- Leave with wages
- Regulation, rules
- Penalties and procedures

2. Bonded labour System (Abolition) Act 1976

- Aims, object, operation, definition of Act
- Abolition of bonded labour system
- Extinguishment of liability to repay bounded debt
- Implementing authorities
- Vigilance committee
- Offences and procedure for trial

3. Equal remuneration Act 1976

- Introduction, definition, Act to leave overriding effect
- Payment of remuneration of equal rates to men and women works and other matters
- Miscellaneous –duty of employers to maintain register, inspection, penalties, offences by cognizance and trial of offence, power of central Government.

4. Child Labour (Prohibition and Regulation Act 1986)

- Definition, object, scope of act
- Prohibition of employment of children in certain occupation and process
- Regulation of condition of work of children
- Miscellaneous
- Penalties, procedure, employment of inspector, power, rules repeal and saving

5. E.S.I. Act 1948

- Definition, object, scope of act
- Corporation, standing committee and medical benefit leave
- Finance and audit
- Contribution of disputes, clause
- Penalties

Reference Book

- | | |
|---------------------|-----------------------------|
| 1. Malik | Industrial Law |
| 2. Shrivastava K.D. | Disciplinary Action Against |
| 3. GM.Kothari | A Study of Industrial Law |
| 4. V.V. Giri | Labour Problem |
| 5. S.N. Mishra | Labour and Industrial Law |

L.L.B. Part III (Semester – V)
Paper – I Principles of Taxation

Maximum Marks – 100
Minimum Passing Marks – 40

Unit –I

Income Tax Act

Basic concepts –basic of charges of tax: Definition: residential status of assesses –its impact on tax liability.

Unit –II

Heads of income –general concepts –chargeability to tax –admissible and inadmissible deductions, exclusions and deductions from income, set off and carry forward of losses.

Unit –III

Income tax authorities –power and functions, assessment allotment of permanent account number, economic criteria scheme

Unit –IV

Rectification, revision, appeal, reference

Unit –V

Penalties and prosecutions under income tax act, 1961 for non –compliance contravention, avoidance and evasion of tax

Book Reference

- | | |
|---------------------------|--------------------------------|
| 1. B.B. Lal | Direct Taxes |
| 2. Kailsh Roy | Taaxation Laws |
| 3. Dr. VonodSnghania | Students’sGuidw to Income –Tax |
| 4. Dr. Monika Singjhanian | Service Tax, VAT for CA PCC |

L.L.B. Part –II(Semester – V)
Paper – II Intellectual Property

Maximum Marks – 100
Minimum Passing Marks – 40

Unit –I

Introduction

1. The meaning of intellectual property
2. The main forms intellectual property copyright, trademarks, patents and designs
3. Other new forms such its plant varieties and geographical indications
4. Introduction to the leading international instruments concerning intellectual property rights the being convention, universal copyrights, convention, the Paris convention Trip, the World intellectual property Rights organization (WIPO) and the UNESCO

Unit –II

Selected aspects of the Law of copyrights in India

1. Historical evolution of the copyrights law
2. Meaning Copyrights
3. Copyrights literacy, Dramatic and Musical Work
4. Copyrights in sound records and cinematograph films
5. Ownership of copyrights
6. Assignment and license of copyrights
7. Copyrights authorities
8. Aspects of copyright justice
9. Remedies, especially, the possibility of Anton Pillar injunctive relief in India.

Unit –III

Intellectual Property in Trademarks

1. The intonate of protection of trademarks as a (a) an aspect of commercial and (b) of consumer rights.
2. Definition and concept of trademarks.
3. Registration of trademarks – authorities under the trademarks Act
4. Passing off and infringement
5. Remedies

Unit –IV

The law of intellectual property: patents

1. Concepts of patents
2. Historical view of the patents law in India
3. Process of obtaining a patents: general introduction
4. Procedure for filling patents: patents co-operation treaty
5. Prior publications of a patentee
6. Compulsory licenses
7. Infringement
8. Defences in suit of infringement
9. Injections and related remedies

Unit –V

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

Book Reference

1. Cormish W.R. Intellectual Properties, Patents, Trade Marks, Copy Right and Allied Right (1999), Asia Law House, Hydrabad
2. VikasVashishth, Law and practice of Intellectual Property (1999), Bharat Law House Delhi
3. P.Narayanan, Intellectual Property Law (1999), (ed) Eastern Law House, Calcutta.
4. BibeckDebroy (ed). Intellectual Property Right (1998), Rajiv Gandhi Foundation, Delhi.
5. U.I.F. Anderfelt, International Patent Legislation and Developing Countries (1971)
6. W.R. Cornish, Intellectual PProperty (3rded) (1996) Swwey and Maxowell
7. K.Thairani, copyright: The Indian Experience (1987)
8. W.R. Cornish,para and Materials on Intellectual Property (1999), Sweet.

L.L.B. Part –II (Semester – V)
Paper – IV Law of Evidence

Maximum Marks – 100
Minimum Passing Marks – 40

Unit –I

Introduction

- The main features of the Indian Evidence Act 1861
- Problem of applicability of evidence Act
- Administrative Tribunals
- Industrial Tribunals
- Commission of enquiry
- Court & material

Unit –II

Central conceptions in law of Evidence

- Fact: section 3 definition: distinction –relevant facts/facts in issue
- Evidence: oral and documentary
- Circumstantial evidence and direct evidence
- Presumption)section 4)
- “proving” “not proving” and “disproving”
- Witness
- Appreciation of evidence

Unit –III

Facts: relevancy

- The doctrine of res gestae (section 6,7,8,10)
- Evidence of common intention (section 10)
- The problems of relevancy of “otherwise” irrelevant facts (section 11)
- Relevant fact’s for proof of custom (section 13)
- Facts concerning bodies and mental state (section 14, 15)

Unit –IV

Admission and confessions

- General principles concerning admission (section 17, 23)
- Differences between “admission” and “confession”
- The problems of non –admissibility of confessions caused by “any inducement threat or promise” (section 24)
- Inadmissibility of confession made before a police officer (section 25)
- Admissibility of “information” received from accused person in custody, with special
- Reference to the problem of discovery based on “joint statement” (section 27)
- Confession by co –accused (section 30)
- The problems with the judicial action based on a “retracted confession”

Unit –V

Dying declaration

- The justification for relevance on dying declarations (section 32)
- The judicial standards for appreciation of evidentiary value of dying declarations

Relevance of judgments

- Admissibility of judgment in civil and criminal matters (section 43)
- “Fraud” and Collusion” (section 44)

Expert Testimony

- Who is an expert? Types of expert evidence
- Opinion on relationship especially proof of marriage (section 67 -90)
- The problem of judicial defence to expert testimony

Oral documentary evidence

- General principles concerning oral evidence (section 59-60)
- General principles concerning documentary evidence (section 97- 90)
- General principles regarding exclusion of oral by documentary evidence
- Special problem: rehearing evidence
- Issue estoppel
- Tenancy estoppel (section 116)

Witness examination and cross examinations

- Competency to testify (section 118)
- State privilege (section 123)
- Professional privilege (section 126, 127, 128)
- Approval testimony (section 133)
- General Principles of examination and cross examination (section 135-166)
- Leading questions (section 141-143)
- Lawful questions in cross –examination (section 146)
- Compulsion to answer questions put to witness
- Hostile witness (section 154)
- Impeaching of the standing or credit of witness (section 155)

Burden of proof

- General principles conception of onus probandi (Section 101)
- General and special exceptions to Probandi
- The justification as to presumption and of the doctrine of judicial notice
- Justification as to presumption as to certain offences (section 111A)
- Presumption as to dowry (section 115)
- The scope of the doctrine of judicial notice (section 114)

Estoppels

- Why estoppels? The rationale (section 115)
- Estoppels, res-judicial and waiver and presumption
- Question of corroboration (section 156-157)
- Improper admission and of witness in civil and criminal cases

Book Reference

1. Sarkar and Manohar Sarkar on evidence (1999), Wadhwa & Nagpur
2. Indian Evidence Act (amendment up to date)
3. Rathanal, Dhirajlal, Law of evidence (1994, Wadhwa Nagpur)
4. Poltein Murphy, evidence (5th reprint 2000) Universal Delhi
5. Albert S. Osborn, the problem proof (First Indian Reprint 1998) Universal Delhi
6. Avtar Singh, Principles of law of evidence (1992), central Law Agency, New Delhi

L.L.B. Part –II (Semester – V)
Paper – V Land Laws including Tenure and Tenancy System

Maximum Marks – 100
Minimum Passing Marks – 40

Concept of Land reforms: Land and constitutions

M.P. Land Revenue Code, 1959

M.P. Ceiling on agricultural Holding Act, 1960

Book Reference

1. Jindal : M.P., Land Revenue Code
2. द्विवेदी : म.प्र. भू-राजस्व संहिता 1959
3. प्रो.के.के. निगम : सीमा अधिनियम 1960
4. उपाध्याय : म.प्र. भू-राजस्व संहिता

L.L.B. Part III (Semester – VI)
Paper – I Public International Law

Maximum Marks – 100
Minimum Passing Marks – 40

Unit –I

Definition and concept of international law
Source of International law
Historical development of International law

Unit –II

Relationship of International law and Municipal Laws
Subject of International Law, Place of individuals in International Law
States, recognition

Unit –III

States, Succession
Acquisition and loss of state territory
Responsibilities' of state CBBT

Unit –IV

Nationality aliens, asylum extradition, diplomatic agents treaties
International organization –U.N.O., including in its organs and international criminal court.

Unit –V

Settlement of Disputes
International terrorism, disarmament

Book Reference

1. S. K. Kapoor : International Law
 2. R.P. Anand : Salient Documents in International Law
 3. S.C.H. Warzenberger : A Manual of International law
 4. J.G. Starke : Introduction to International Law
 5. Gurdeep Singh : International Law
 6. D.W. Bowett : International Institutions
 7. Oppenheim : International Law
 8. Breirly : Law of nations
- .

L.L.B. Part –II(Semester – VI)
Paper – II Information Technology law

Maximum Marks – 100
Minimum Passing Marks – 40

Unit –I

Preamble and introduction, Definition, authentication of electronic records.

Unit –II

Electronic governance, attribution acknowledgement and dispatch of electronic records, secure electronic records and secures and secure digital signatures

Unit –III

Regulation of certifying authorities

Digital signature certificates

Unit –IV

Duties of subscribers, penalties and adjudication, the cyber regulations appellate tribunal.

Unit –V

Offences network service providers not be liable in certain case

Book Reference

Prof. S.R. Bhansali

Information Technology Act 2000

Vakul Sharma

Information Technology Law & Practice

L.L.B. Part –II (Semester – VI)
Paper – III Company Law

Maximum Marks – 100
Minimum Passing Marks – 40

Meaning of Corporation

- Theories of corporate personality
- Creation and exemption of corporations

Forms of corporate and non-corporate organization

- Corporation partnership and other association of persons, state corporations Government companies, small scale, co –operative, corporate and joint sector.

Law relating to companies 0public and priate –companies Act 2013

- Promoters
- Need of company for development, formation of a company, registration and incorporation kinds –one person company
- Memorandum of association –various clauses –alteration therein –doctrine of ultra vires.
- Article of association –binding force –alteration – its relation with memorandum of association – doctrine of constructive notice and indoor management, exceptions
- Prospectus –issue –contents –liability for misstatements, in lieu of prospectus
- Shares general principles of allotment. Statutory restrictions, transfer of shares –relationship between transferor and transferee.
- Shareholder –who can be? And who cannot be shareholder –modes of becoming shareholder – calls on shares –forfeiture and surrender to “shares –lien on shares.
- Share capital –kinds –alteration and reduction of share capital –further issue of capital –conversion of loan and debentures into capital –duties of courts to protect the interests of creditors and shareholders
- Directors –position –appointment –qualification –vacation of office –removal –resignation –power and duties of directors –meeting, registers, loan –remuneration of directors –role of nominee directors – companies for loss of office –managing directors end other managerial personnel.
- Meetings –kinds, procedure –voting
- Dividends payment –capitalization –profit
- Audit and accounts.
- Borrowing powers –effect of unauthorized borrowing –charges and mortgages –investments.
- Debentures –meaning fixed and floating charges kinds of debentures share holder and debentures holder, remedies for debentures holders.
- Protection of minority rights
- Protection of oppression and mismanagement –who can apply? Power of the company, court and of the central Government.
- Investigations –power
- Private companies – nature and advantages government companies –holding and subsidiary companies.
- Winding up –type –by court –reasons grounds-who can apply –procedure –power of liquidator – powers of court –consequences of winding up order voluntary winding up subject of supervisions of courts –liability of past members –payment of liability, preferential payment, unclaimed dividends –winding up of unregistered company.

Corporate liability

- Legal liability of companies –civil and criminal National Company law attributed and special courts.

- Remedies against them –civil, Criminal and Tortuous, Specific relief Act Writs, liability under special statutes.

Book Reference

1. Avatar Singh Indian Company law (1999), Eastern Lucknow
2. L.C.B. Gower Principles of Modern Company Law (1998) Sweet and Meswell
3. Palmer Company Law (1987), Stevens, London
4. R.R. Pennington, Company Law (1998), Butterworths
5. A Ramiya, Guide to the Companies Act, (1998) Wadhwa
6. S.M. Shahu Lectures on Company Law (1998), Tripathi, Bombay
7. Bangin R.K. Company Law
8. Tripathi S.C. Modern Company Law

L.L.B. Part –II (Semester – VI)
Paper – IV Banking Law

Maximum Marks – 100
Minimum Passing Marks – 40

Unit –I

Introduction

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

Unit –II

Bank and Customers

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

Unit –III

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

Unit –IV

Control Banking Theory and RBI

1. Characteristics and function of central banks
2. The reserve Bank of India as central bank of India
3. Objectives and organizational structure
4. Functions, regulation of the monetary system, monopoly of note issue
5. Credit control, determination of bank rate policy, open market operations, Banker of Government, Control over non –banking financial institution, economic and statistical research, Staff training, Control and supervisions of other banks.
6. Interest: rule against penalties, default and recovery.

Unit –V

Merchant Banking

1. Merchant banking in India
2. SEBI (Merchant Bankers) Regulations, 1992
3. Recovery of debts due to bank and financial institutions Act, 1993

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Book Reference

7. M.S. Parthasarthy (ed.) Kherganvala on the Negotiable instruments Act (1998) Butterworth, New –Delhi
8. M.L. Tanne, Tanne's Banking Law and Practice in India, (2000) India law House, New –Delhi
9. S. N. Gupta, The banking Law in Theory and Practice, (1999), Universal New Delhi
10. G.S.N. Tripathi (ed.), Sethi's Commentaries on banking regulation Act 1949 and Allied banking Lawss (2000), Law Pub. Allahabad

L.L.B. Part –II (Semester – VI)
Paper – V Alternate Dispute Resolution

Maximum Marks – 100
Minimum Passing Marks – 40

Geneva convention Awards

Conciliation

1. Distinction between “conciliation”, “negotiation”, “mediation”, and “arbitrations”,
2. Appointment
3. Interaction between conciliator and parties
4. Communication
5. Suggestions by parties
6. Resort to judicial proceedings
7. Costs

Rule making Power

1. High court
2. Central Government

Legal service authorities Act: Scope

Book Reference

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|----------------|---|-------------------------------------|
| 5. Avtar Singh | : | Arbitration and Conciliation |
| 6. Goyal | : | Arbitration and Conciliation Act |
| 7. अवतार सिंह | : | माध्यसमि एवं सुलह अधिनियम |
| 8. Shukla | : | Legal Remedies |
| 9. Jhabvala | : | Law of Arbitration and Conciliation |