

**NEHRU GRAM BHARATI  
VISHWA VIDYALAYA  
KOTWA - JAMUNIPUR-DUBAWAL**

**ALLAHABAD (U.P.) 221505**



**SYLLABUS**

**LL.B. 3 YEAR COURSE**

**Board of Study: 06-09-2016**

**FACULTY OF LAW**

**HANUMANGANJ CAMPUS**

**2016-17, 2017-18 & 2018-2019**

# LL.B. Three Year Course 2016-2017

## LL.B I<sup>st</sup> SEM

100 Marks Each Paper

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1. Law of Contract- I (General Principles, Sec. 1-75)	100
2. Law of Torts including M.V. Accidents and Consumer Protection Act.	100
3. Constitutional Law of India –I	100
4. Legal Language including general English	100
5. Public international law	100
6. Viva – voce	100
Total:	<b>600</b>

## LL.B II<sup>nd</sup> SEM (2016-2017)

100 Marks Each Paper

1. Law of Contract- II (Specific Contract)	100
2. Law of Crime (I.P.C. including prevention of Corruption Act, 1988)	100
3. Constitutional Law of India –I I	100
4. Human Rights	100
5. Jurisprudence	100
6. Viva – voce	100
Total:	<b>600</b>

### **LL.B III<sup>rd</sup> SEM (2017-18)**

#### **100 Marks Each Paper**

1. Family Law – I (Hindu Law)	100
2. Company Law	100
3. Transfer of Property Act, 1882 & Easement Act, 1882	100
4. Labour & Industrial Law	100
5. Trust and Equity	100
6. Viva – voce	100
Total:	<b>600</b>

### **LL.B IV<sup>th</sup> SEM (2017-18)**

#### **100 Marks Each Paper**

1. Family Law-II (Muslim Law)	100
2. Environmental Law	100
3. Interpretation of Statutes	100
4. Banking Law	100
5. Administrative Law	100
6. Viva – voce	100
Total:	<b>600</b>

## **LL.B V<sup>th</sup> SEM (2018-19)**

### **100 Marks Each Paper**

1. Criminal Procedure Code (including Juvenile Justice, care and protection of children) Act, 2000 & Probation of Offenders Act	100
2. Law of Evidence	100
3. Intellectual Property Law	100
4. Professional Ethics	100
5. Arbitration, Conciliation and Alternative Dispute Resolution System:	100
6. Viva – voce	100
<b>Total:</b>	<b>600</b>

## **LL.B VI<sup>th</sup> SEM (2018-19)**

### **100 Marks Each Paper**

1. Civil Procedure Code and Limitation Act, 1963	100
2. U.P. Revenue Code 2006 ‘Rajaswa Sanhita’ 2006 & Other Local Laws:	100
3. Law of Taxation	100
4. Pleading, Drafting and Convincing (Theory & Viva) (50+50)	100
5. Moot Court (Theory & Viva) (50+50)	100
6. Viva – voce	100
<b>Total:</b>	<b>600</b>

**LL.B. First Semester      Maximum Marks: 100**

**PAPER- I LAW OF CONTRACT—I (Section 1-75)**

**UNIT-I**

History and nature of contractual obligations

Agreement and Contract: Definitions, elements and kinds

Proposal and Acceptance - their various forms, essential elements,

Communication and revocation –

Proposal and invitation to treat, standing offers.

Consideration- its need meaning, kinds, essential elements – ‘nudum pactum’

Privity of contract and of consideration - its exceptions

Adequacy of consideration - present, past and adequate consideration

Unlawful consideration and its effects

Standard forms of contract.

**UNIT -II**

What agreements are contracts?

**Capacity to contract-** meaning- incapacity arising out of status and mental defect

**Minor’s agreements** – Definition of 'minor' - accessories supplied to a minor,

Agreements beneficial and detrimental to a minor to a minor

Restitution in cases of minor's agreement.

Free consent - 'Its need and definition

Factors vitiating free consent.

**Coercion** - definition - essential elements

Duress and coercion - doctrine of economic duress+ effect of coercion.

**Undue Influence** - definition - essential elements

Between which parties can it exist?

Who is to prove it?

Illustrations of undue influence

- Independent advice - pardanashin women

- **Unconscionable bargains** - effect of undue influence.

**Misrepresentation** – definition, - misrepresentation of law and fact

- Their effects and illustration.

**Fraud** - definition - essential elements

When does silence amounts to fraud?

Active concealment of truth:" importance of intention.

Mistake - definition - kinds –

Mistake of law and of fact - their effects.

### **UNIT - III**

Legality of objects (Section 23, Indian Contract Act)

Void agreements - from Sections 24-30, Indian Contract Act

### **UNIT- IV**

#### **Performance of contracts**

Discharge of contract and its various modes

Performance –Time and Place

Impossibility of performance

- Specific grounds of frustration

- Effect of frustration Breach

- Anticipatory and present

#### **Quasi - Contracts [Sections 68-72]**

Remedies in contractual relations-

Damages-kinds -remoteness of damages- Ascertainment of damages. **Injunction** -  
when granted and when refused- Why?

Refund and restitution

Specific Performance - When? Why?

### **UNIT-V**

Specific Relief

Specific performance of contract

Contracts that can be specifically enforced

Persons against whom specific performance can be ordered

Rescission and cancellation.

Injunction - Temporary, Perpetual

Declaratory orders

**Acts:**

The Indian Contract Act, 1872

The Specific Relief Act, 1963

**Books:**

Anson, Law of Contract

Avtar Singh, Law of Contract and Specific Relief

S.K. Kapoor, Law of Contract

P.S. Atiya, Introduction of the Law of Contract

S.C. Banerjee, Law of Specific Relief

Anand & Aiyer, Law of Specific Relief

**LL.B. I<sup>st</sup> Year Ist Semester**

**Paper-II, Law of Torts, 100 Marks**

**(Law of Torts, M.V. Act, & Consumer Protection Act, 1986)**

**Unit – I**

Evolution of the law of torts,

Definition, Nature, Scope and Objects.

Wrongful act- violation of duty imposed by law, duty which is owed to people generally (in-rem)- *damnum sine injuria* and *injuria sine damnum*

Tort distinguished from crime and breach of contract

The concept of unliquidated damages.

**Unit – II**

*Volenti non fit injuria*

Necessity- private and public

Plaintiffs default

Act of God

Inevitable accident

Private defense

Statutory authority

Judicial and quasi-judicial acts

Mistake

Vicarious liability – Meaning, Scope and Justification

Master and servant- arising out of and in the course of employment. Who is master? The Control test. Who is servant? Borrowed servant; independent contractor and servant distinguished

Principal and agent

Partners

Vicarious liability of the State

Strict/ absolute liability



The rule of Ryland's v. Fletcher

Liability for harm caused by inherently dangerous industries

Position in India- Phopla Gas Leak Disaster Case, (A.I.R. 1990 S.C. 273)

M.C. Mehta v. Union of India (A.I.R. 1987 S.C. 1086)

Assault, Battery, Mayhem

False imprisonment

Malicious prosecution

Nervous shock.

### **Unit – III**

Trespass to land, trespass ab-initio, dispossession

Moveable property- trespass to goods, detention, conversion.

Torts against business interests-injurious falsehood,  
misstatement, passing off.

Negligence- basic concepts, definition and essentials

Acts which constitute negligence

Theories of negligence

Proof of negligence

Doctrine of contributory negligence

Res ipsa loquitur and its importance

Liabilities of common carriers for negligence

Nuisance-definition, essentials and types

Defamation- definition essentials and defenses'

Legal remedies

Award of damages-simple, special and punitive

Remoteness of damage- foresee – abilities and directness

Injunction

Specific restitution of property.

## **Unit – IV**

### **Motor vehicle Act: accidents**

Motor vehicle accidents

Compulsory insurance-object of compulsory insurance

Insurer's liability – for third party risk, towards the owner of the vehicle, for person on roof of a bus, for 'use of the vehicle' in a public place

Liabilities when the vehicle is not insured

Effect of transfer of vehicle on insurer's liability

Claims Tribunal- constitution, matter of adjudication by Claims Tribunals,

Procedure and the award; Appeal to the High Court.

## **Unit-V**

### **Consumer Protection Act, 1986**

Consumerism in India

Chief characteristics of the Consumer Protection Act

Definitions, consumer- who is not a consumer? Goods, Service, Consumer dispute; Defect- meaning of defect in goods, standard of purity, quality, and purity

Deficiency – what is deficiency in service? Restrictive trade practices and unfair trade practices.

Consumer under the consumer protection Act-District Forum, State Commission and National Commission- Constitution, Jurisdiction, Powers, and Function.

Remedies.

### **Book Recommended:**

Salmond and Heuston,- Law of Torts

D.M. Gandhi- The Law of Torts

Ratanlal Dheeraj Lal The Law of Torts

Winfield and Jolowiz on Torts

R.K. Bangia, The Law of Torts, M.V. Accident and Consumer Protection Act.

Avtar Singh - The Law of Consumer protection: Principles and Practice

D.N. Saraf- Law of Consumer Protection in India

R.M. Vats- Consumer and the Law.

S.K. Singh- Consumer protection Act (in Hindi)

M.N. Shukla- The law of Torts and Consumer protection Act

**Bare Acts:**

Motor Vehicles Act

Consumer Protection Act, 1986

**PAPER - III CONSTITUTIONAL LAW-I**

**UNIT-I**

Constitutional Developments since 1858-1947

Making of Indian Constitution

Nature and special features of the Constitution of India

Rule of law & Separation of powers-

**UNIT-II**

State under Article 12 of the Constitution

Right to Equality (Articles 14-18)

Right to Freedom (Articles 19-22)

Right against Exploitation (Articles 23-24)

**UNIT-III**

Concept of Secularism: historical perspective

Right to Freedom of Religion (Articles 25-28)

Cultural and Educational Rights (Articles 29-30)

Fundamental Duties (Article 51-A)

**UNIT-IV**

Directive Principles- directions for social change- A new social order

Fundamental Rights and-Directive Principles of State Policy, inter-relationship, judicial balancing Constitutional amendments- to strengthen

Directive Principles

## **UNIT-V**

Remedies for enforcement of rights contained in Part-III Habeas Corpus, Mandamus, Certiorari, Prohibition and Quo-warranto under Articles 32 and 226 of the Constitution

Judicial Review

Judicial activism and restraint

### **Act:**

Constitution of India

### **Books**

G. Austin, History of Democratic Constitution: The Indian Experience (Oxford)

Constituent Assembly Debates, Vol. 1-12

D.D.Basu, Shorter Constitution of India

H.M. Seervai, Constitution of India Vol.1-3

M.P.Singh (Ed.), V.N.Shukla, Constitutional Law of India

J.N.Pandey, Constitution of India

## **LL.B. I<sup>st</sup> Year I<sup>st</sup> Semester**

### **Paper-IV, Legal Language including General English**

100 Marks

#### **Unit –I: Language of the Law**

Distinctive Features of Legal Language, problems of Language in the drafting of Statutes, Other Legal Documents, Representations and the Language of the Judgments.

**Official Language:** The Indian Constitutional Provisions (Articles 343 to 347)

Language of the Supreme Court and the High Court's (Article 348 of the Constitution)

Language of the representations for the redressed of grievances (Article 350) and the development of the Hindi Language (Article 351)

#### **Unit-II**

##### **Essay Writing (In Hindi and English Language)**

Essay using legal expressions on socio-legal problems and legal concepts (Democracy, Socialism, Social Justice, Human Rights, environment. Consumer Protection, Uniform Civil Code, Panchayat Raj).

#### **Unit-III**

Legal Maxims, Legal Words and Phrases (Used in Law-Teaching, Law-Courts, Legal Documents and Enactments)

##### **Legal Maxims:**

1. Actio personal is maritur cume persona.
2. Actus non facit renum, nisi mens ist rea.
3. Deligatus non potest delegare.
4. Ex turpi casusa, non oritur action.
5. Ignorantia ligis neminem excusat.
6. Jura non remota causa, sed proxima, Spectatur.
7. Nemo dat quod non habit.

8. Par in parem imperium non habit.
9. Ubi jus ibi remedium.
10. Ut res magis valeat quam pareat.
11. Volenti non fit injuria.

### **Legal Terms and Phrases:**

Ab initio, Ab idem, Ad valorem, Alibi Ambiguities lateens, Ambiguitas patens, Amicus Curiae, Animus Possidendi, Audi alteram partem, Bonafide, Caveat, Emptor, Corpus Delecti, Cy-pres, De facto, De jure, De novo, Exabundanti Cautela, Ex-officio, ex parte, Ex-post-facto, factum valet, fait accompli, felo dese, fiat Justitia, functis officio, in limine, in loco parentis, in pari delecto, in parimateria, jus ad rem, letter rogatory, locus-standi, mutatis mutandis, nudum pactum, onus probandi, parens patriae, plenum dominium, prima facie, pro bono publico, quid proquo, res integra, res nullius, sine qua non, ultra vires.

### **Unit-IV**

#### **Translation:**

**(Of Passages from legal documents: Law Books, Constitution of India and Acts, (Indian Penal Code and Indian Contract Act)**

### **Unit-V**

#### **Legal Terminology**

- Terms used in civil and criminal laws
- Latin words and maxims
- One words substitution

#### **Letter and Application**

##### **Letter:**

The candidates will be required to write a letter to the Editor of some News paper highlighting public grievances and furnishing solution there to on one of the several given topics in Hindi or English.

**Application:**

The candidate will have to write an application in Hindi or English requesting authority for some favor as per specification of the authority or court on the given topic or problem.

**Recommended Books:**

1. Bhatnagar & Bhargava: Law and Language
2. R.P. Sinha, How to write correct English
3. R.P. Sinha, How to translate in to English
4. Kelkar, Ashok R, 'Communication and style in Legal Language' Indian Bar Review, Vol. 10 (3), 1993 Black's Law Dictionary. Latin for Lawyers, 1997 Sweet and Maxwell, Universal, New Delhi.
5. Ratan Lal Jain Legal Language.



**LL.B. First Semester      Maximum Marks: 100**  
**PAPER- V    PUBLIC INTERNATIONAL LAW-I**

**UNIT-I**

Nature, definition, origin and basics of International Law

Sources of International Law

Subjects of International Law

Relationship between' International Law and municipal Law

**UNIT-II**

Recognition- definition, theories of recognition, kinds of recognition,

Legal effects of recognition, withdrawal of recognition

Extradition- definition, purpose of extradition, legal duty,

Extradition of political offenders, doctrine of double criminality,

Rule of specialty

Asylum- meaning, right of asylum, types of asylum

Intervention- definition and its prohibition, grounds of intervention

**UNIT- III**

State Territory- concept, modes of acquisition, international rivers

State Jurisdiction- territorial jurisdiction and its limitation

State Succession- definition, kinds of succession, and

Consequences of State succession

State Responsibility- kinds of State responsibility,

Consequences of State responsibility, nationality

**UNIT-IV**

Law of War- legal effects of war, commencement of war,

Termination of war, enemy character and belligerent occupation

War crime, genocide, blockade, doctrine of continuous voyage

Law of Sea- maritime belt, contiguous zone, continental shelf

## **UNIT-V**

**United Nations-** origin, objects.

Principles and membership

**Main organs of United Nations-**

General Assembly,

Security Council,

International Court of Justice

Treaties

Diplomatic agents

### **Books**

Starke, Introduction to International Law

S. K. Kapoor- International Law

S. K. Verma,- Public International Law

H. O. Agrawal - International Law and Human Rights

Arun Kumar Singh - International Law

**LL.B. Ist Year 2nd Semester      Maximum Marks: 100**

**PAPER- I LAW OF CONTRACT-II (SPECIFIC CONTRACTS)**

**UNIT-I**

**Indemnity-** concept and need for indemnity to facilitate commercial transaction, definition of indemnity and its essential element; nature and extent of liability of the indemnifier; commencement of liability of the indemnifier

**Guarantee-** concept of the contract of guarantee; its definition, nature and scope; distinction with indemnity; continuing guarantee; nature and extent of surety's liability; rights of surety; position of surety in the eye of law; discharge of surety's liability

**UNIT-II**

**Bailment-** definition of bailment, kinds of bailee; duties of bailor and bailee towards each other; rights of bailor and bailee; finder of goods as a bailee

**Pledge-** definition, comparison with bailment; rights of the pawner and pawnee

**UNIT-III**

**Agency-** its definition and essential elements, distinction between agent and servant; essentials of agency transaction; various methods of creation of agency; duties and rights of agent; scope and extent of agent's authority;

**Liability of the principal** for acts of the agent including misconduct and tort of the agent; liability of the agent towards the principal; personal liability towards the parties; methods of termination of agency

## **UNIT-IV**

**Concept of sale as a contract;** definition and essentials of contract of sale; implied terms in contract of sale; the rule of caveat emptor and the exceptions thereto under the Sale of Goods Act.

**Sale of Goods Act;** transfer of title and passing of risk;

Unpaid seller and his rights;

Remedies for Breach of Contract;

## **UNIT-V**

**Partnership**-definition, essentials and nature; distinct advantages and disadvantages vis-a vis partnership and private limited company; mutual relationship between partners; authority of partners; admission of partners; outgoing of partners;

Registration of Partnership and Dissolution of Partnership;

### **Acts:**

Indian Contract Act, 1872

Sale of Goods Act, 1930

Indian Partnership Act, 1932

### **Books:**

Anson's Law of Contract

Pollock and Mulla on Contract and Specific Relief Act

Avtar Singh, Contract Act and Specific Relief

Avtar Singh, Principles of the Law of Sale of Goods and Hire Purchase

S.K.Singh, Sale of Goods Act, CLA, Allahabad

H.K.Saharay, Indian Partnership and Sale of Goods Act, Universal, Delhi

S.S.Srivastava, Law of Contract

**LL.B. I<sup>st</sup> Year II Semester: (2016-2017)**

**Paper-II, Law of Crimes**

**(IPC including Prevention of Corruption Act, 1988) 100 Marks**

**Unit – I**

Concept, nature and definition of Crime

Distinction between Crime and other wrongs

Elements of Criminal Liability- physical elements (actus reus) and mental element (mens rea)

Mens rea under statutory offences

I.P.C. reflection on different social and moral values.

Applicability of IPC

Stages of Crime.

Guilty Intention-mere intention is not punishable

Preparation- preparation not punishable, exceptions.

Attempt- attempt when punishable, specific provisions of IPC, tests for determining what constitute attempt- Proximity, equivocality and social danger, impossible attempt.

**Punishment-** types of punishment:

Death, social relevance of capital punishment, alternatives to Capital punishment.

Forfeiture of Property,

Fine

**Unit-II**

**General Exception;**

Mistake of fact and Law

Mental incapacity- minority, insanity- medical and legal insanity

Intoxication

Accident

Necessity

Consent

Private Defense- Justification and limits

**Joint/Group liability**

Common intention, distinction between common intention and common object.

Abetment- instigation, conspiracy and aiding

Unlawful assembly- basis of liability.

Criminal conspiracy

Constructive Liability (Section 149 IPC)

Rioting

Vicarious liability,

Affray

Sedition

**Unit – III**

Culpable homicide,

Murder- when culpable homicide is not amounting to murder, difference between culpable homicide and murder.

Rash and negligent act causing death.

Dowry death

Hurt- simple and grievous

Wrongful restraint and wrongful confinement

Kidnapping

Abduction

Assault, or criminal force, outrage the modesty of women,

Causing miscarriage without women's consent

Kidnapping or abducting women to compel her to marry or force her to illicit intercourse

Selling or buying a minor for purpose of prostitution

Rape- definition; custodial rape; marital rape, Cruelty by husband or her relatives

Prohibition of indecent, representation of women.

#### **Unit- IV**

Theft

Extortion

Robbery and dacoit

Forgery, Cheating, Criminal- Misappropriation and Breach of Trust

Mischief

Criminal trespass

House breaking

Bigamy

Defamation

Criminal intimidation

#### **Unit-V**

Prevention of Corruption Act, 1988: An Overview.

Definitions: Election, Public duty, Public servant

Gratification- definition and acceptance of gratification

Offences and penalties

Special judge- appointment, powers, and jurisdiction

Investigation in cases under the prevention of Corruption Act

Sanction- essentials of sanction, form of sanction, grant of sanction, validity of sanction.

**Act:**

The Indian Penal Code 1860

The Prevention of Corruption Act, 1988

**Recommended Books:**

K.D. Gaur- A Text Book on the Indian Penal Code,

K.D. Gaur- Criminal Law cases and Materials

Ratanlal Dheeraj lal -- Indian Penal Code

P.S. Achutan Pillai, -- Criminal Law

T. Bhattacharya- The Indian Penal Code

M.D. Chaturvedi- Bhartiya Dand Samhita

S.N. Mishra- Indian Penal Code

C.P. Arora Dond Vidhi Sahhita

A.N. Chaturvedi- Bhartiya Dand Samhita



**PAPER-III CONSTITUTIONAL LAW-II**

**UNIT-I**

President of India- Election, Qualification, Salary, Impeachment; Powers- Legislative, Executive and Discretionary.

Prime Minister- Cabinet System, Council of Ministers, Collective Responsibility, Position of the Prime Minister

Governor and State Government- Constitutional relationship, Appointment; Qualification, term of office and powers including ordinance-making and to grant pardons, etc.'

Legislative privileges and Fundamental Rights

**UNIT-II**

Constitution of Parliament, qualification for membership of Parliament, qualification, duration, powers, privileges and immunities of Parliament and its members

Constitution of Legislatures in States- composition, duration, qualification, powers, privileges and immunities of State legislature and its members

Legislative Procedure- rules of procedure; provisions as to introduction and passing of Bills; definition of Money Bill- special procedure in respect of Money Bill

Procedure in Parliament with respect to estimates; Appropriation Bills; special procedure as to Financial Bills

**UNIT-III**

Establishment and constitution of the Supreme Court: qualifications and disqualifications of the Judges; powers and jurisdiction of the Supreme Court,

Constitution of the High Court; appointment, qualifications and disqualifications of Judges of a High Court; powers and jurisdiction of a High Court

Appointment of District judges; control over subordinate judiciary Judicial independence.

#### **UNIT-IV**

**Emergency-** meaning and scope; proclamation of emergency- conditions; effect of emergency on Centre- State relations; emergency and 'suspension of fundamental rights.

Constitutional amendment- methods of constitutional amendment; development of the basic structure.

Relations between the Union and the States- legislative relations and administrative relations.

#### **UNIT- V**

Freedom of trade, commerce and intercourse

Services under the Constitution- doctrine of pleasure (Article 310); protection against arbitrary dismissal, removal or reduction in rank (Article 311); exceptions to Article 311

Administrative Tribunals

#### **Acts:**

The Constitution of India

Administrative tribunals Act, 1985

#### **Books:**

As above, of LL.B First Semester

K. N. Goyal- Administrative Tribunals Act

**PAPER-IV HUMAN RIGHTS**

**UNIT-I**

Human Rights- meaning and evolution of human rights

Human rights in Indian tradition- ancient, medieval and modern

Human rights in western tradition

Concept of natural law

Concept of natural rights, natural rights and human rights

Human rights in legal tradition- International Law and National Law

**UNIT-II**

United Nations and Human Rights,

Universal Declaration of Human Rights (1948)

Individual and group rights

Covenant on Political and Civil Rights (1966)

Covenant on Economic; Social and Cultural Rights

European Convention on Human Rights

American Convention on Human Rights

African Convention on Human Rights

SAARC

**UNIT-III**

International Commission of Human Rights

Amnesty International

European Commission on Human Rights

U.N. Division of Human Rights

International Labour Organization

UNESCO

UNICEF

## **UNIT-IV**

Human Rights in India

Human Rights norms reflected in fundamental rights in the Indian Constitution

**Directive Principles**- legislative and administrative implementation of international human rights norms

**Judicial Activism** and protection of human rights in India

Role of Non-Governmental Organization

## **UNIT- V**

Role of Courts: the Supreme Court, High Courts and other Courts

National Human Rights Commission

National Commission for Minorities

National Commission for Women

National Commission for Backward Classes,

National Commission for Scheduled Castes, and Scheduled Tribes

### **ACTS:**

The Charter of UNO

The Universal Declaration of Human Rights, 1948

The Protection of Human rights Act, 1993

### **BOOK:**

S. K.Awasthi & R, P.Kataria, Law relating to Human Rights

S.K.Kapoor, - International Law and Human Rights

S.K.Varma, - Public International Law

Nirmal,C.J. (ed), Human Rights in India

P. R. Gandhi, International Human Rights Documents (1999), Universal, Delhi

**PAPER-V JURISPRUDENCE- I (Legal Theory)**

**UNIT-I**

Jurisprudence- Meaning, scope and importance.

Definition of law, ' nature and kinds of law.

Sources of law- legislation, precedents: concept of stare decisis, custom and juristic writings.

**UNIT-II**

Natural law - meaning, various stages of the development of natural law.

Ancient concept of '(Dharma". .

Analytical Positivism- Kelsen, Bentham, Salmond, and Austin.

Historical School- German historical school (Savigny) and British historical school (Sir Henry Maine)

Economic interpretation of law.

**UNIT- III .**

Sociological School

Realist School of Jurisprudence

Philosophical School- Kant, Hegel.

The Modern- PIL; Social justice, Compensatory jurisprudence.

Feminist Jurisprudence.

**UNIT- IV**

Rights- meaning and definition, theories of rights, kinds of rights, right-duty co relation

Person- concept, nature of personality, status of unborn, minor, lunatic, drunken and dead persons.

Corporate personality and its theories,

Dimensions of modern legal personality- legal personality of non- human beings.

## **Unit – V**

Ownership- concept, meaning, kinds of ownership.

Various modes of acquisition of ownership,

Possession- concept meaning, kinds of Possession. Various modes of acquisition of Possession. Difference between Possession and ownership.

Law- meaning and definition. Purpose of law.

Justice- meaning and kinds.

Law and justice- approaches of difference Schools.

Morality- concept and meaning.

Relationship between law and morality.

### **Books:**

Salmond on Jurisprudence.

Dias, Jurisprudence

Bodenheimer Jurisprudence -The Philosophy and Method of Law, (Universal, Delhi)

S.N.Dhyani, Jurisprudence- A Study of Indian Legal Theory.

Nomita Agrawal – Jurisprudence

T.Bhattacharya – Vidhishastra

**Paper- I FAMILY LAW-I (HINDU LAW)**

**UNIT-I**

Who are Hindus?

Sources and schools of Hindu law

Evolution of the institution of marriage and family

Hindu Marriage (Sections 5-8)

Restitution of conjugal rights and judicial separation (Sections 9-10)

Nullity of marriage and divorce (Sections 11-18)

**UNIT -II**

Adoption- definition and conditions of valid-adoption, effect of invalid adoption

Capacity of a male Hindu to take in adoption

Capacity of a female Hindu to take in adoption

Persons capable of giving in adoption

Persons who may be adopted

Maintenance- dependents

Maintenance of dependents

Amount of maintenance

Transfer of family property and its effect

**UNIT -III**

Meaning of guardian

Kinds of guardian- natural guardian, testamentary guardian,

Guardian appointed by the court, de facto and ad hoc guardian

Natural guardian of a Hindu minor, its qualifications and disqualifications

Natural guardian of adopted son

Powers of natural guardian

Intestate succession

Order of succession among heirs

Property of a female Hindu to be her absolute property

General rules of succession and exclusion from succession

#### **UNIT-IV**

Joint family, Coparcenary property- Mitakshara and Dayabhaga

Karta of the joint family- his position, powers, privileges and obligations

Alienation of property- separate and coparcenary property

Debts- doctrine of pious obligations and antecedent debt

#### **UNIT-V**

Partition- meaning of partition; partition how effected

Gifts- definition and subject-matter of gift

Gift when complete, Gift to unborn persons, Revocation of gift

Will- definition, Meaning of '**Codicil**' Persons capable of making will

What property may be disposed of by will-? '**Mitakshara**' and '**Dayabhaga law**'. Revocation and alteration of will when void

#### **Acts:**

The Hindu Marriage Act, 1955

The Hindu Adoption and Maintenance Act, 1956

The Hindu Minority and Guardianship Act, 1956

The Hindu Succession Act, 1956

#### **Books :**

Paras Diwan, - Hindu Law

J.D.M.Derrett, Hindu Law:- Past and Present

P.V.Kane,- History of Dharmashastras, Vol.2, Part 1

Paras Diwan,Family Law:- Law of Marriage and Divorce in India

S.T.Desai (ed.),- Mulla's Principles of Hindu Law

S.K.Singh (ed.), -R.K.Agarwala's Hindu Law, C.L.A., Allahabad

N.D.Basu,--- Law of Succession

Paras Diwan, Law of Adoption, Minority, Guardianship and Custody

U.P.D.Keshari --- Hindu Vidhi

U.P.D.Keshari --- Modern Hindu Law

R.R. Maurya --- Hindu Vidhi



**PAPER -II COMPANY LAW**

**UNIT-I**

Company- Need of company for development; definition; kinds of company- public and private company, limited and unlimited "Company, Government company, holding and subsidiary company. Distinction between company and corporation; company and partnership and other associations of persons. Formation of a company- registration and incorporation.

Theory of corporate personality.

**UNIT-II**

Memorandum of association- various clauses; doctrine of ultra vires.

Articles of association- its relation with memorandum of association; doctrine of constructive notice; indoor management- its exceptions.

Prospectus- issue, contents, liability for misstatements, statement in lieu of prospectus. Promoters- position, duties and liabilities.

**UNIT-III**

**Members of company-** acquisition, suspension and termination of membership. Share- general principles of allotment, statutory restrictions.

Share capital- its objects and effects, transfer of shares, restrictions on transfer, procedure for transfer, refusal of transfer; relationship between transferor and transferee; issue of shares at premium and discount; depository receipts; dematerialised shares (DEMAT).

**Share holder-** who can be and who cannot be a share holder; modes of becoming a share holder; forfeiture and surrender of shares; lien on shares; share warrant and share warrant holder.

**Share capital-** kinds; alteration and reduction of share capital; further issue of capital; duties of courts to protect the interests of creditors and investors.

**Debenture-** meaning, kinds of debentures; share holder and debenture

holder; remedies of debenture holders.

#### **UNIT-IV**

**Directors-** position, appointment, qualifications, vacation of office, removal, resignation; powers and duties of directors; meetings, registers; role of nominee directors; managing directors and other managerial personnel.

**Meetings-** kinds, procedure, voting. Dividends- payment, capitalization, profit. Company Law Board. National Company Law Tribunal.

#### **UNIT- V**

Majority powers and protection of minority rights.

Protection of oppression and mismanagement, who can apply?- powers of the company, court and of Central Government.

Investigation Amalgamation and reconstruction

Winding up- types- by courts, reasons, grounds, who can apply- procedure; powers of liquidators; consequences of winding up order; voluntary winding up by members and creditors, winding up subject to supervision of courts; winding up of unregistered company.

Legal liabilities of company- civil and criminal.

#### **Acts:**

Companies Act, 1956.

#### **Books:**

Avtar Singh: Company Law, (EBC, Lucknow).

LCB Gower: Principles of Modern Company Law, '(Sweet and Maxwell)

SM Shah: Lectures on Company Law (Tripathi, Bombay)

Palmers' Company Law (Stevens).

Jahanjeer M.J.Sethna- Indian Company Law

J.N.Pandey -Company Vidhi

N.V.Paranjape - Company Vidhi

Kailash Rai - Company Vidhi

**LL.B. 2<sup>nd</sup> Year III Semester Maximum Marks: 100**

**PAPER- III PROPERTY LAW**

**(Transfer of Property Act, 1882 & Indian Easement Act.)**

**UNIT-I**

Concept and meaning of property

Kinds of property- movable and immovable property, tangible and intangible property, intellectual property.

Important terms- Immovable property; Actionable claim.

"Transfer of property" defined.

What may be transferred?

Transfer for the benefit of unborn persons. Rule against perpetuity.

Vested interest

Contingent interest; difference between vested and contingent interest.

**UNIT- II**

Conditional transfer- fulfillment of condition precedent and fulfillment of condition subsequent. Election- election when necessary, doctrine of election, rights of disappointed transferee.

Apportionment

Restrictive covenant.

Transfer by ostensible owner.

Transfer by unauthorized person.

Transfer by one co-owner.

Transfer by co-owners of share in common property.

**UNIT-III**

Transfer of property pending suit relating thereto' (Lis pendens)

Fraudulent transfer.

Part- performance.

Sale-its Definition and nature

Rights and Duties of buyer and seller

## **UNIT-IV**

Exchange -its Definition and nature

Lease- its Definition and nature and Determination of lease

Gift- its Definition and nature including onerous gift and Universal Donee

## **UNIT- V**

Mortgage- Definition, nature and its Kinds

Rights of Mortgagor including right of Redemption

Right of Mortgagee including right of foreclosure or Sale

Marshalling of Securities

Doctrine of subrogation

Charge

Indian Easement Act.

### **Acts:**

The Transfer of Property Act, 1882.

Indian Easement Act. .

### **Books:**

Mulla, Transfer of Property Act, (Universal, Delhi).

T.P.Tripathi, Transfer of Property Act.

Subba Rao, Transfer of Property Act.

V.P.Sarathy, Transfer of Property,(EBC, Lucknow)

R.K.Sinha- Sampati Antaran Adhinium

**PAPER -IV LABOUR AND INDUSTRIAL LAWS- I**

**UNIT-I The Trade Unions Act, 1926.**

Object and essential features of the Trade Union Act

Definition and nature of trade union

Legal characteristics of a registered Trade Union.

Incorporation of registered Trade Union.

Registration of trade unions- appointment of Registrars, mode of registration, application to Registrar, contents of the copy of rules, registration.

Rights and liabilities of registered Trade Unions.

Privileges and immunities of Registered Trade. Unions.

**UNIT-II The Industrial Disputes Act, 1947.**

Object and essential features of the industrial Disputes Act.

Definition of important terms- industry Industrial dispute- when an individual dispute becomes an industrial dispute, Public Utility Service, Wages, and workman.

Provisions concerning Strike and Lock out, prohibitions, illegal strike and lock out, distinction between strike and lock out, lock out and closure.

Provisions concerning Layoff and Retrenchment, conditions precedent to retrenchment of workmen.

Authorities under the Industrial Disputes Act- (1) Works Committee, (2) Conciliation Officer, (3) Board of Conciliation, (4) Courts of Inquiry, (5) Labour Court, (6) Industrial Tribunal, (7) National Tribunal, and (8) Arbitration.

Reference of disputes to Boards, Courts, or Tribunals.

**UNIT-III Workmen's Compensation Act, 1923.**

Object, scope and application.

Definition of important terms- dependent, partial disablement,

total disablement, wage, and workman.

Employer's liability for compensation- doctrine of notional extension of employer's premises; defenses available to an employer from liability for compensation.

Employer's liability in cases of occupational diseases

Amount of compensation

Workmen's Compensation Commissioner - Reference to Commissioner- Powers and functions.

#### **UNIT-IV Employees' State Insurance Act, 1948.**

Object and Scope of the Act.

Concept of factory, principal employer, employee, insured person, and employment injury.

Benefits available under the Act-, sickness benefit, maternity benefit, disablement benefit, dependent's benefit, and medical benefit.

General rules concerning benefits.

Employees' Insurance Court- constitution powers and functions.

#### **UNIT- V Minimum Wages Act, 1948**

Aims and objects of the Minimum Wages Act.

Different concepts of wages- living wage.

Fair wage, minimum wage - Need-based minimum wage and National minimum wage.

Minimum rates of wages.

Fixation and revision of minimum wages.

Inspector.

Claims.

#### **Maternity, Benefit Act, 1961.**

Object and scope of the Maternity Benefit Act.

Restrictions on employment or work by women.

Right to payment of maternity benefit.

Forfeiture of maternity benefit

Different leaves

Inspectors - appointment, powers and duties.

**Acts:**

The Industrial Employment (Standing Orders) Act, 1946.

The Trade Unions Act, 1926.

The Industrial Disputes Act, 1947.

The Contract Labour (Regulation and Prohibition) Act, 1970.

The Child Labour (Prohibition and Regulation) Act, 1986.

The Bonded Labour System (Abolition) Act, 1976.

The Trade Unions Act, 1926

Workman's Compensation Act, 1923

Employees State Insurance Act, 1948

Minimum Wages Act, 1948

Maternity Benefit Act, 1961

**Books:**

S.C. Srivastava: Social Security and Labour Laws,(Universal, Delhi)

R.C.Saxena: Labour Problems and Social Welfare.

V.V.Giri: Labour Problems in Indian Industry.

Indian Law Institute: Labour Law and Labour Relations (1987).

Report of the National Commission on Labour.

V.G:Goswami: Labour and Industrial Laws (CLA, Allahabad)

S.N.Mishra: Labour and Industrial Laws.

**Paper-V, Trust and Equity**

**Unit I: Trust**

**1. Introduction**

- (a) The concept of Trusts; Distinction with Agency and Contract
- (b) Development of Law-Common Law and Equity
- (c) Trusts: Classification.

Definition and Nature of Trusts under the Indian Law

Creation of Trusts: Rules.

**Unit-II DUTIES OF TRUSTEES:**

- 1. Execution 2. Acquaintance with the nature of property, 3. Duties in respect of Title, 4. Duty of care, 5. Conversion, 6. Empathy, 7. Prevention of Waste, 8. Keeping of accounts an digging of information, 9. Investment 10. Sale 11. Liability for Breach of Trust.

**Unit-III RIGHTS OF TRUSTEES:**

- 1. Title Deed 2. Reimbursement 3. Indemnity 4. Seeking direction from Court 5. Settlement of Accounts 6. General Authority.

**Unit-IV POWER OF TRUSTEES:**

- 1. Sale 2. Varying of investment 3. Property of minors 4. Giving receipts 5. Power to compound, Compromise and Settle 6. Execercising Authority on death or disclaimer of one of the Trustees, 7. Suspension of Trustee's Power. Disability of Trustees.

**Unit-V EQUITY:**

- (A) Nature, History and Growth of Equity.
- (B) Maxims of Equity.
- (C) Equitable Doctrines.

**Recommended Books:**



**LL.B 2<sup>nd</sup> Year 4<sup>th</sup> Semester      Max. Marks: 100**

**Paper –I Family Law – II (Muslim Law)**

**UNIT-I**

Who is a Muslim?

Sources and Schools of Muslim law

Marriage- definition, essential of a valid marriage, kinds- valid, irregular, void and Muta marriage; effects of void (Batil) marriage and irregular marriage

Conversion and its effect on marriage

**UNIT-II**

Dower (Mehr)- definition, concept and kinds of dower ( Proper dower- Mehr-i-Misl), (Prompt dower- Muajjal), and (Deferred dower- Muwajjal)

Confirmation of dower and remission of dower by the wife

Nature and rights of divorced wife in case' of unpaid dower

Divorce and Talak- different forms of talak (Talak-ul-Sunhat, Talak-ul-Biddat, Ila, Zihar, Khula and Mubarat); different modes of talak (Talak ahsan, Talak hasan, Talak-ul- Biddat)

When talak becomes irrevocable

Divorce under the Dissolution of Muslim Marriage Act, 1939

**UNIT- III**

Maintenance of wives, maintenance of divorced women under Muslim law

Maintenance of divorced Muslim women under the Cr.P.c. and the Muslim Women (Protection of Rights on Divorce) Act, 1986

Maintenance of neglected wives, minor children and parents who are unable to support themselves under the provisions of Cr.P.c.

Guardianship- natural, testamentary, and de facto .

Rights of mother to custody of infant children (Hizanat)

Legal guardian of property

## **UNIT-IV**

Gift (Hiba)- definition, essentials and kinds (Hiba-bil-iwaz, Hiba-ba-shart-uJ-iwaz,

Sadaqah,Musha)

Revocation of gifts

Will (Vasiyat) - definition, essentials of a valid will, and its kinds; limits of testamentary power; abatement of legacies; revocation of will

Pre-emption (the right of Shufaa)- definition, essentials, classification and formalities

## **UNIT-V**

Inheritance

Parentage and legitimacy

### **Acts:**

Dissolution of Muslim Marriage Act, 1939

Muslim Women (Protection of Rights on Divorce) Act,1986

Criminal Procedure Code, 1973

### **Books**

Fyzee, Outline of Muhammadan law

Aquil Ahmad, Mohammadan law

Aquil Ahmad – Muslim Vidhi

R.K.Sinha – Muslim Vidhi

R.R.Maurya– Muslim Vidhi

**PAPER- II ENVIRONMENTAL LAW INCLUDING LAWS FOR PROTECTION OF WILDLIFE AND OTHER LIVING CREATURES INCLUDING ANIMAL WELFARE**

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

Environment: meaning and contents, Pollution: meaning; causes of environmental pollution and effects thereof; kinds of pollution

Historical Perspectives:

(i) Indian tradition- dharma of environment;

British period industrial development and exploitation of nature;

(ii) Constitutional perspective Fundamental Rights;

Directive Principles of State Policy; Fundamental Duties

**Emerging principles:** 'Polluter pays'; 'Precautionary principle'; and 'Public trust doctrine' International Regime: Stockholm Conference;

Rio Conference; and Bio-diversity Convention.

**UNIT-II: Water; and Air Pollution**

Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981

Salient features of the Acts, Important definitions

Authorities- composition, powers and jurisdiction Offences and penalties

Judicial approach

**UNIT-III: Environmental Protection**

Pollution control under the Environment (Protection) Act, 1986

Salient features of the Act

Important definitions

Powers of the Central Government

Offences and penalties under the Act

National Environment Tribunal and National Environment Appellate

Authority composition, powers and functions **judicial approach**-complex

problems in the administration of environmental justice

#### **UNIT-IV: Wild Life Protection**

The Wild Life (Protection) Act, 1972

Salient features of the Act

Important definitions: animal; animal articles; closed area; trophy; wild animal; wild life; zoo; and sanctuary

Authorities under the Act: constitution; powers and functions

Prohibitions under the Act: hunting of wild animals and protection of specified plants Protected Areas: Sanctuaries; national parks and closed areas

Trade and commerce in wild animals, animal articles, trophies and prohibitions thereof Offences and penalties.

#### **UNIT-V: Cruelty to Animals**

The Prevention of Cruelty to Animals Act, 1960

Salient features, aims and objects of the Act

Important definitions

Authorities under the Act: composition, powers and jurisdiction

Offences and penalties

#### **Acts**

Water (Prevention and Control of Pollution) Act, 1974

Air (Prevention and Control of Pollution) Act, 1981

Environment (Protection) Act, 1986

Wild Life (Protection) Act, 1972

Prevention of Cruelty to Animals Act," 1960

#### **Books:**

R.B. Singh & Suresh Mishra: Environmental Law in India

Kailash Thakur: Environmental Protection Law and Policy in India

Leelakrishnan. P: Law and Environment

Leelakrishnan. P: Environmental Law in India

J.J.R. Upadhyay - Environmental Law

**LL.B. 4<sup>th</sup> Semester Maximum Marks: 100**

**PAPER-IV INTERPRETATION OF STATUTES**

**UNIT-I**

Meaning of the term 'statute'

Purpose of interpretation of statutes

Internal aids- Title, Preamble; Heading and Marginal notes; Sections and sub-sections; Punctuation marks; Illustrations, exceptions, provisos and saving clause; Schedules; Non-obstante clause

External aids- Dictionaries; Translations; Travaux repertoires; Statutes in pari material; Contemporaneous Esposito; Debates, inquiry commissions reports and Law Commission Reports Presumptions in statutory interpretation- statutes are valid, statutes are territorial in operation, presumption as to jurisdiction, presumption against what is inconvenient or absurd, presumption against intending injustice

Prospective operation of statutes

**UNIT-II**

Rules of Statutory Interpretation

Primary Rules- Literal rule; Golden rule; Mischief rule (rule in the Hayden's case); Rule of harmonious construction

Secondary Rules- Noscitur a sociis; Ejusdem generis: Reddendo singulari singularis

**UNIT-III**

Maxims of Statutory Interpretation Delegatus non potest delegare  
Expression unius exclusio alterius Generalia specialibus non derogant

In pari delicto potior est condition possidentis Utres valet potior quam pareat

Expressum facit cessare tacitum

In bonam partem

## **UNIT-IV**

Restrictive and beneficial construction- Taxing statutes; Penal statutes;

Welfare legislation Interpretation of enabling statutes

Interpretation of statutes conferring rights.

Interpretation of statutes conferring rights

## **UNIT- V**

Principles of Constitutional Interpretation

Harmonious construction

Doctrine of pith and substance

Colorable legislation

Ancillary powers

Residuary power

Doctrine of repugnancy

### **Books:**

G.P. Singh, Principles of Statutory Interpretation

Maxwell on The Interpretation of Statutes

V. Sarathi, Interpretation of Statutes

N.S. Bindra's Interpretation of Statutes.

B.L. Bowel – Samvidhiyon ka Nirvachan

Anirudha Prasad - Samvidhiyon ka Nirvachan

## **LL.B. II<sup>nd</sup> Year IV Semester**

### **Paper-IV, Banking Law      100 Marks**

#### **Unit – I:**

Concept of Bank and Banker. Functions of Bank, classification of Banks, Relationship between Bank and Customer, Control by government and its agencies, management of Banking Companies on account and audit.

#### **Unit- II**

Reconstruction and reorganization of Banking companies, Suspension and winding up of business of Banking companies, Social control over Banking, Banking Ombudsman, Recent Trends in Banking Frauds.

#### **Unit-III**

##### **Reserve Bank of India Act, 1934**

Incorporation, Capital Management and Business of Banking Company, central Banking function of Reserve Bank of India, Collection and furnishing of Credit Information, control of Reserve Bank of India over Non-Banking institutions and financial Institutions, Credit Control by Reserve Bank of India, General provisions and penalties.

#### **Unit- IV**

##### **Negotiable Instrument Act, 1881**

Definition and characteristic of Negotiable Instruments,  
Types of Negotiable Instruments,  
Definition and Essentials of promissory Note,  
Bill of Exchange and Cheque,  
Liabilities and Capacity of parties of Negotiable Instruments,  
Holder and due course,  
Transfer and Negotiation  
Negotiable Instruments.

## **Unit- V**

Crossing of Chaque and payment, Dishonour of Chaque, Presentment and Payment, Dishonour, Noting and Protest of Negotiable Instruments  
Endorsement: Definition, Essential of a valid endorsement and its kinds,  
Rule of Evidence Compensation.

### **Recommended Books:**

1. Bashyam and Adiga The Negotiable Instrument Act, 1997
2. M.L.Tennen Banking Law &Practice in India, 2000
3. Dr Avtar Singh Negotiable Instrument Act
4. S.N. Gupta The banking Law in Theory and Practice 1999
5. R.N. Choudhary Banking law
6. R.B. Jaisal Banking
7. R.N. Chaturvedi Banking law



**LL.B. II<sup>nd</sup> Year IV Semester**  
**Paper-V, Administrative Law      100 Marks**

**UNIT-I: Evolution and Basic Concept of Administrative Law**

Nature, definition, scope and development.

Administrative Law and its relation with Constitutional Law.

Rule of law and Separation of powers - its applicability and relevance in India.

Need, growth and validity of delegated legislation.

Control on delegated legislation -Parliamentary, procedural & Judicial.

**UNIT- II: Natural Justice, Administrative Discretion & Administrative Action**

Definition, nature, object and scope of natural justice

Principles of natural justice:

(i) Rule against bias- meaning and types; real and likelihood of bias; and

(ii) Audi alteram partem (Hear the other side)

Meaning and need for Administrative discretion

Judicial review of administrative discretion and its grounds.

**UNIT-III: Liability of State (Tortious. and Contractual)**

Tortious liability: Sovereign and non-sovereign functions

Statutory immunity; Contractual liability of Government

Government privilege in legal proceedings- Estoppels and waiver

Right to Information Act-2005

**UNIT-IV: Mechanism of control on Administrative action**

Judicial- writ, PIL, Appeal.

Quasi Judicial- Public inquiries and Commissions of Inquiry

Ombudsman: Lokpal, Lok Ayukta and. Vigilance Commission

Quasi-judicial and administrative functions; tribunal and court

Administrative Tribunal: constitution, powers and jurisdiction under the

Administrative Tribunals Act, 1985

## **UNIT- V: Corporations**

Definition, characteristics and classification of Public Corporations. Rights, Duties and Liabilities of Public Corporations & Control over Public Corporations- Judicial Governmental& Parliamentary.

### **Act:**

Right to Information Act.2005

### **Books:**

Jain & Jain: Principles of Administrative Law

Wade: Administrative Law .

C. K. Thakkar: Lectures on Administrative Law

S. P. Sathe: Administrative Law

S. P. Sathe: Right to Information

M. P. Jain: Cases and Materials on Indian Administrative Law

I.L.I: Cases and Materials on Administrative Law in India

U.P.D. Keshari – Prashasanik Vidhi

**LL.B 3<sup>rd</sup> Year V<sup>th</sup> Semester: Max. Mark 100**

**Paper I Criminal Procedure Code**

**[Including juvenile Justice (Care and Protection of Children Act, 2000) and Probation of Offenders Act,]**

**Unit-1**

The rationale of criminal procedure, the importance of fair trial  
Definition and distinctions: Bailable and non-bailable Offence,  
Cognizable and non-cognizable Offence.

Inquiry and Investigation Complaint, Compoundable and non  
compoundable Offence and Police Report.

Criminal Court's- Classes, Constitution, Power and Jurisdiction. The  
Police Functions and organization of the Police (The Police Act,  
1861) Public Prosecutor Assistant Public Prosecutors,- Duties,  
Function and powers. Importance of procuring accused's presence at  
trial.

How to procure the presence of the accused at the trial –summons  
and warrant. Arrest with or without a warrant Arrest by a private  
person. Arrest by Magistrate Arrest how made Rights of Arrested  
persons. First Information Report.

Evidentiary value of F.I.R.

**Unit-II**

Investigation

Search Warrant.

Search by Police Officer

General Provision relating to searches

Seizure

Complaints to Magistrates.

Commencement of proceeding before Magistrates.

Bail – object and meaning of bail.

Cancellation of bail

Anticipatory bail Power of appellate court to grant bail.

General principles concerning bond

Charge, framing of charge, form and contents of charge and its exceptions

Separate charges for distinct offence Discharge – pre charge evidence

Conception of fair trial

Presumption of innocence

Place of trial

Rights of accused to know the accusation

Right of cross- examination and offering evidence in defense: the accused's statement

Right to speedy trial

Doctrine of –autrefois acquit and autrefois convict—

### **Unit—III**

Trail before a Court of Session. Initial steps, evidence for prosecution, steps to follow the prosecution evidence, evidence for the defense, steps to follow the defense evidence, judgments and connected matters.

Trail of warrant cases by magistrates. (cases instituted on a police report and cases instituted otherwise than on a police report)

Initial steps in the trail, evidence for prosecution,- steps to follow the prosecution evidence, evidence for the defense, steps to follow, the defense evidence, judgments and connected matters Trail of summons cases and summary trails.

Steps in the trail, hearing of the prosecution case personal examination of the accused, hearing of the defence case acquittal or conviction Offences triable in a summary way, procedure to followed in summary trails,

Judgment in cases tried summarily  
Security for keeping peace and good behavior  
Public nuisance and disputes as to immovable property  
Maintenance of the public order and tranquility  
Maintenance of wives, children and parents  
Plea bargaining  
Appeal, Reference, Revision

#### **UNIT –IV**

Juvenile Justice, (Care and Protection of Children) Act, 2000

Object and essential features of the act.

Definitions Begging, child in need of care and protection, narcotic drugs and psychotropic substance, juvenile in conflict with law-

Juvenile justice board –constitution, procedure and powers

Child welfare committee-- constitution, procedure and powers

Special homes.

Offences under the act.

#### **Unit –V**

Probation of Offenders Act

Object and essential features of the Act

Powers of the Courts to release certain offenders on probation of good conduct.

Restrictions on imprisonment of the offenders under twenty one years of the age.

Probation officers, Duties of probation Officers

**Recommended books:**

- Ratanlal Dhirajlal      Criminal Procedure Code
- Kelkar,              Lectures on Criminal Procedure (EBC Lucknow)
- Kelkar              Outline of Criminal Procedure Code (EBC Lucknow)
- Woodroffe,      Commentaries on Code of Criminal Procedure(Universal Delhi)
- S.N. Mishra      The code of Criminal Procedure.
- S.N. Mishra      Dand prakriya Sanhita
- B.L.Bowel      Dand Prakriya Sanhita

**ACTS:**

- Criminal Procedure Code, 1973
- Probation of Offenders Act
- Juvenile Justice, (Care and Protection of Children) Act, 2000.
- Police Act, 1861

**LL.B. 3<sup>rd</sup> Year 5<sup>th</sup> Semester      Maximum Marks: 100**

**PAPER-II LAW OF EVIDENCE**

**(The Indian Evidence Act, 1861)**

**UNIT-I**

The main features of Indian Evidence Act, 1861.

Concepts in Law of Evidence- Facts, relevant facts and facts in issue- distinction. Evidence- oral and documentary, circumstantial evidence and direct evidence.

Presumption.

'Proving', 'not proving' and 'disproving'

Witness.

Appreciation of evidence

Doctrine of res - gestate .

Evidence of common intention

Problems of relevancy of 'otherwise' irrelevant

Relevant facts for proof of custom

Facts concerning body and mental state.

**UNIT-II**

General principles. concerning admission and confession

Distinction between 'admission' and 'confession'

Problems of non-admissibility of confessions caused by 'any inducement, threat or promise'

Inadmissibility of confession made before a police officer

Admissibility of custodial confessions.

Dying declaration- the justification *for* relevance on dying declaration

Appreciation of evidentiary value of dying declaration.

**UNIT- III**

Expert witness

Who is an expert? Types of expert evidence

Opinion on relationship especially proof of marriage  
The problems of judicial defense to expert testimony  
General principles concerning oral evidence  
General principles concerning documentary evidence.

#### **UNIT-IV**

Competency to testify.  
State privilege  
Professional privilege  
General principles of examination and cross-examination  
Leading questions  
Unlawful questions in cross-examination  
Compulsion to answer questions put to witness  
Hostile witness

#### **UNIT- V**

Burden of proof  
General conception of onus probandi  
Scope of the doctrine of judicial notice.  
Estoppel- Why estoppel? The rationale.  
Estoppel, res judicata, waiver and presumption  
Estoppel by deed Estoppel by conduct  
Equitable and promissory estoppel.  
Question of corroboration

#### **Act:**

The Indian Evidence Act, 1861

#### **Books:**

Sarkar and Manohar: on Evidence, (Wadhwa & Co., Nagpur).

Ratan Lal Dhiraj Lal: Law of Evidence (Wadhwa & Co.)

Batuk Lal: Law of Evidence.

Avtar Singh: Principles of the Law of Evidence.

Avtar Singh- Sakshya Vidhi



**PAPER-III Intellectual Property Rights**

**UNIT-I: Introductory** ,

Intellectual Property: meaning, definition, nature and importance

Rationale of the legal regimes for the protection of intellectual property

Kinds of intellectual property

Rationale for protection of rights in-

Copyright

Trade marks

Patents

Designs

Trade Secrets and Geographical Indications

Introduction to the leading international instruments concerning IPR: Paris Convention; Berne Convention; World Trade Organization (WTO); World Intellectual Property Organization (WIPO) and TRIPS Agreement.

**UNIT-II: Law of Copyright in India**

Historical evolution of law

Subject-matter and meaning of copyright

Copyright in literary, dramatic, musical and artistic works

Copyright in cinematograph film and sound recording

Ownership of copyright

Terms of copyright

Assignment of copyright

Licensing of copyright and compulsory licensing

Author's Special Rights

Infringement of copyright; exceptions

Video Piracy and piracy in Internet

Remedies

### **UNIT- III: Intellectual Property in Trade marks**

Rationale of protection of trademarks as (a) an aspect of commercial rights, and (b) of consumer rights

Definition and concept of trade marks

Distinction between trade mark and property mark; trade mark and service mark  
Registration of trade marks

The doctrine of deceptive similarity

The doctrine of honest concurrent user

Protection of well-known marks

Infringement and passing off

Remedies.

### **UNIT-IV: Intellectual property in Patents**

Patent: meaning, definition and importance

Patentable inventions

Patent protection for computer programme

Process of obtaining a patent: application, examination, opposition and sealing of patent

Procedure for filing patent, Patent Co-operation Treaty (PCT)

Rights and obligations of a patentee

Duration of patent

Compulsory licenses

Infringement

Remedies

### **UNIT- V: Intellectual Property in Designs and Geographical**

**Indications Important** definitions: design; article; mechanical device;

geographical indication  
Registration of designs: application for registration of designs; procedure for registration of designs; cancellation of registration

Rights conferred by registration

Restoration of lapsed design

Infringement and remedies

Characteristics and functions of design

Distinction between 'geographical indication' and 'trade mark'; 'geographical indication' and 'collective marks'

Procedure for registration of GI

Infringement and remedies.

### **Acts**

Copyright Act, 1957

Trade Marks Act, 1999

Patents Act, 1970

Designs Act, 2000

Geographical Indications of Goods (Registration and Protection) Act, 1999

### **Books**

Cornish W.R.: Intellectual Property, Patents, Trade Marks, Copyright and Allied Rights

P. Narayanan: Intellectual Property Law

S.K.Singh: Intellectual Property Rights Law

Vikas Vashishth: Law and Practice of Intellectual Property

Bibeck Debroy (ed.): Intellectual Property Rights.

J.P. Mishra - Intellectual Property Rights

**PAPER-IV PROFESSIONAL ETHICS, PROFESSIONAL  
ACCOUNTING SYSTEM AND BAR-BENCH RELATIONS:**

**UNIT-I**

Development and importance of legal profession.

Legal profession during British period: under Mayor's Court and Supreme Court of Judicature.

Legal profession under the Indian High Courts Act, 1861.

Legal profession under the Legal Practitioners' Act; 1879, Indian Bar Committee, 1923, and the Indian Bar Councils Act, 1926.

Legal profession after Independence- (i) legal profession under All India Bar Committee, 1951, and (ii) legal profession under the Advocates Act, 1961.

**UNIT-II**

Bar Council of India- constitution, powers and functions.

State Bar Councils- constitution, powers and functions.

Admission and enrolment of advocates- persons who may be admitted as advocates; disqualifications for enrolment.

Disposal of application for admission as an advocate.

Rights of an advocate.

**UNIT-III**

Professional ethics- meaning and necessity.

Standard of professional conduct and etiquette- duty to the court, duty to the client, duty to the opponent, duty to the colleagues, and residual duties.

Professional misconduct- meaning and scope.

Disciplinary Committee of the Bar Council of India- powers and procedure.

Powers and procedure for initiating cases of misconduct by the State Bar Council.

## **UNIT-IV**

Law of contempt.

Contempt of Courts Act, 1971- its object.

Contempt of court- meaning, categories of contempt of court- civil and criminal. Contempt jurisdiction of High Courts and the Supreme Court.

Contempt by lawyers, judges, State and corporate bodies.

Defenses in contempt proceedings- civil and criminal.

Remedies against the order of punishment.

## **UNIT- V**

Bar-Bench relations.

The personality of an advocate.

Art of advocacy.

Seven Lamps of advocacy.

### **Acts:**

Indian Advocates Act, 1961.

Contempt of Courts Act, 1971.

### **Books:**

Krishnamurthy Iyer on Advocacy.

The Contempt Law and Practice.

Bar Council Code of Ethics.

S.P. Gupta, Professional Ethics, Accountancy for lawyers and 'Bar-Bench Relations, (CLA, Allahabad)

50 selected opinions of the Disciplinary Committee of the Bar Council of India and 10 major judgments of the Supreme Court.

**Paper-V Arbitration and Conciliation and A.D.R. System**

**UNIT-I: Arbitration**

Arbitration: meaning, scope and importance of arbitration

UNCITRAL model law

Types of arbitration

Distinctions: arbitration and conciliation: arbitration and expert determination

Extent of judicial intervention

International commercial arbitration

**UNIT-II: Arbitration agreement and arbitration tribunal**

Essentials of arbitration agreement: kinds of arbitration agreement

Who can enter into arbitration agreement?

Validity

Reference to arbitration

Interim measures by court

Arbitration Tribunal: appointment, jurisdiction, powers of arbitral tribunal

Grounds of challenge

Procedure

Court assistance

**UNIT- III: Award**

Rules of guidance

Form and content

Correction and interpretation

Grounds of setting aside an award

Can misconduct be a ground?; incapacity of a party; invalidity of arbitration agreement; want of proper notice and hearing; beyond the scope of reference; contravention of composition and procedure; breach of

confidentiality; impartiality of the arbitrator; bar of limitation; *res judicata*;  
consent of parties

Enforcement

#### **UNIT-IV: Appeal, Revision and Enforcement of foreign awards**

Forum of appeal

Power of Appellate Court

Costs of arbitration proceeding

Revision

New York Convention awards

Geneva Convention awards

#### **UNIT- V: Conciliation**

Conciliation: meaning and importance

Distinction between 'conciliation', 'negotiation', 'mediation', and 'arbitration'

Appointment of Conciliator

Interaction between conciliator and parties; communication; duty of the parties to cooperate; suggestions by parties; confidentiality

Resort to judicial proceeding

#### **Act:**

Arbitration and Conciliation Act, 1996

#### **Books:**

B.P. Saraf and M. Jhunjhunwala: Law of Arbitration and Conciliation

Gerald R. Willieme: The New Arbitration and Conciliation Law of India

A.K. Bansal: Law of International Commercial Arbitration

Avtar Singh: Arbitration and Conciliation

G.K. Kwatra: The Arbitration and Conciliation Law of India

N.D. Basu: Law of Arbitration and Conciliation

**Paper-I CIVIL PROCEDURE CODE AND LIMITATION ACT**

**UNIT-I**

Definitions- decree, judgment, decree holder, judgment debtor, manse profits. Jurisdiction- jurisdiction of civil courts

Suits of civil nature.

Place of suing- general principle-pecuniary jurisdiction, territorial jurisdiction and jurisdiction as to subject- matter.

**UNIT-II**

Res - Subjudice- nature and scope; object; conditions; res sub judice and res judicata.

**Res -Judicata-** nature and scope; object; res judicata and rule of law; res judicata and estoppels.

**Suit-** meaning; essentials of suit; parties to suit; joinder of parties; non-joinder, and misjoinder of parties; representative suit.

Suits by indigent person, minor, insane person, and corporation.

Pleadings- definition; basic and general rules of pleadings; plaint and written statement; set off and counter-claim.

Issues- meaning and importance of issues; framing of issues; kinds of issues.

Trial- general; summoning and attendance of witnesses.

Adjournment- discretion of court; when granted and when refused.

**UNIT -III**

Judgment - definition; essentials; judgment and decree; contents of judgment; alteration in judgment.

Decree- meaning; essentials; contents of decree; classes of decree; decree and order. Execution- meaning; nature and scope; execution proceedings under the CPC; application for execution- who may apply? - Against whom application may be made? **To** whom' application may be made?- contents of



application; procedure for hearing application; stay of execution; mode of execution. Arrest and detention. Attachment of property.

Sale and delivery of property.

#### **UNIT-IV**

Appeal- first and second appeal- meaning; essentials;

Right of appeal; no second appeal lies in certain cases.

Appeals from orders.

Order- meaning; nature and scope.

Reference- nature and scope; object; Who may apply?; powers and duties of referring court; reference and appeal; reference and review; reference and revision.

Review- meaning; nature and scope; object; Who may apply?; grounds.

Revision- meaning; nature and scope; Who may apply?; grounds.

#### **UNIT- V**

Limitation- meaning; nature and scope of the law of limitation.

Bar of limitation and its efficacy.

Sufficient cause- meaning and applicability. Legal disability- meaning, scope and effect.

Computation of period of limitation and exclusion of time in legal proceedings. Computation of period of limitation in certain cases- death, fraud or mistake, acknowledgement in writing, and part-payment.

#### **Acts**

Code of Civil Procedure, 1908.

Indian Limitation Act.

#### **Books:**

C.K.Thakkar, Civil Procedure Code, (EBC, Lucknow).

Mulla, Code of Civil Procedure, (Universal, Delhi)

Sarkar's Law of Civil Procedure

B.L. Bowel - Civil Prakriya Sanghita

C.K.Takwani Civil Procedure Code

P.C.Vishwakarma - Civil Prakriya Sanghita

R.R.Gupta - Civil Prakriya Sanghita

**LL.B VI Sem (2018-19) Maximum Marks: 100**

**Paper II Land Law**

**(Uttar Pradesh Revenue Code, 2006)**

**(Rajaswa Sanhita, 2006)**

**Unit-I**

Historical Background, Aims and Objects of the Act. Need of the Act, Causes, Applicability of the Code, Important definitions Abadi, Agricultural, Bhumi Prabandhak Samiti, Charitable Institution, Family Grove land, Improvement, Taungya plantation.

**Unit – II**

Board and the revenue officers its Jurisdiction and procedure of the Revenue Courts.

1. Composition, Power and Duties of Board of Revenue
2. Jurisdiction of Commissioner and Additional Commissioners;
3. Power and Duties of Collector and Additional Collectors.
4. Power and function of Deputy Collectors, Tahsildar, Naib Tahsildar, Lekhpal Revenue Inspector.
5. Appeal, Review.

**Tenures:** Classes of tenure holders

- i. Bhumidhar with transferable rights, Restriction on the transfer by Bhumidhar.
- ii. Bhumidhar with non-transferable right and Asami
- iii. Bhumidhar right not to accrue in certain lands
- iv. Transferability of a Bhumidhar's interest restrictions
- v. Bequest by Bhumidhar or Asami
- vi. Succession to women inheriting interest as a male and female heir.
- vii. Suit for division holding.

### **Unit-III**

#### **Surrender and abandonment**

- i. Surrender by Bhumidhar, Effect of surrender, and liability for rent or revenue of date of surrender.
- ii. Abandonment by Bhumidhar. Consequence of Abandonment
- iii. Lease of Land by Gram Sabha, consequences of allotment
- iv. Ejectment, Rent
- v. Declaratory suits
- vi. Assessment of Land Revenue
- vii. Collection of Land Revenue (Process for recovery on an arrear of Land Revenue)

### **Unit-VI**

U.P. Consolidation of Holding Act, 1953

U.P. Panchayat Raj Act, 1947

### **Unit-V**

U.P. Urban Building (Regulation of Letting, Rent and Eviction, 1947)

U.P. Urban Planning and Development Act, 1973

U.P. Municipalities Act, 1916

#### **Acts:**

Rajaswa Sanhita 2006

U.P. Consolidation of Holding Act, 1953

U.P. Panchayat Raj Act, 1947

U.P. Urban Building (Regulation of Letting, Rent and Eviction, 1947)

U.P. Urban Planning and Development Act, 1973

U.P. Municipalities Act, 1916

#### **Books Recommended:**

R.R. Maurya- U.P. Land Laws

R.P. Singh- U.P. Land Laws

**LL.B 3<sup>rd</sup> Year VI Semester      Maximum Marks: 100**  
**Paper III TAXATION LAWS**

**UNIT-I: General Perspective**

History of tax law in India

Fundamental principles relating to tax laws

Governmental financial policy, tax structure and their role in the national economy Concept of tax; nature and characteristics of taxes

Distinction between tax and fee; tax. and cess; direct and indirect taxes; and tax evasion and tax avoidance.

Scope of taxing power of Parliament, State legislatures and local bodies.

**UNIT- II: Income Tax**

Basic concepts: Income; Total income; Income not included in total income; Deemed income; Clubbing of income; Assessee; Person; and Tax planning.

Chargeable income: Heads of income- salaries; income from house property; income from business or profession; capital & ains; income from other sources.

Deductions, relief and exemptions

Income Tax Authorities: powers and functions Offences and penal sanctions.

Settlement of grievances: authorities, powers and functions.

**UNIT- III: Sales Tax**

Central Sales Tax and State Sales Tax

Sale or purchase of goods: meaning of sale; sale in the course of inter-State sale and commerce; sale to take place outside a State; and sale in the course of export and import

Charge of tax; exemption and rebate

Sales Tax Authorities: powers and functions

Offences and penalties

#### **UNIT-IV: Wealth Tax**

Taxable wealth; determination of value of assets; exemptions and rate of wealth tax Wealth Tax Authorities: constitution, powers and functions

Offences and penalties

#### **UNIT- V: Service Tax**

Taxable service

Meaning and importance of service tax

Constitutional perspective

Salient provisions of service tax law

Valuation of taxable service

Offences and penalties

#### **Books**

Sampath Iyengar: Law of Income Tax

Kanga and Patkiwala: The Law and Practice of Income Tax

K. Parameswaran: Power of Taxation under the Constitution

S. D. Singh: Principles of Sales Tax Law

R. V. Patel: The Central Sales Tax Act

C. A. Gularickar: Law and Practice of Wealth Tax and Valuation

Ramesh Sharma: Supreme Court on Direct Taxes

R.R.Maurya - Law of Taxation

**LL.B Third Year VI Semester:**  
**Paper: IV Pleading, Drafting and Convincing**

**Written Paper, 50 Marks, Field Work, Project Work and Viva-voice 50 Marks**

**Unit- I**

Fundamental Rule of Pleading Meaning and Definition of Pleading,  
Affidavit Execution petition,

General and Fundamental Amendment of Pleading

**Unit-II**

Civil: Complaint, written statement, Interlocutory application Original Petition,  
Affidavit Execution Petition,

Memorandum of appeal, and revision.

Petition under Article 226 and 32 of the Constitution of India

**Unit-III**

General Principles Governing Transfer of Immovable Property.

Criminal: Complaint, Criminal Miscellaneous Petition,

Bail Application, Memorandum of Appeal and Revision.

**Unit-IV**

Model draft of Application:

Application for Restoration of Suit, Amendment in Pleading, Substitution of Parties,

Setting a-side expert decree,

Alimony, Bail, Matrimonial Petition, legal notice, Appointment of receiver/local commission, Compromise of Suit, Condensation of delay and application for execution, etc

Drafting of writ petition and PIL petition.

## **Unite-V**

Convincing: Theory and Model Draft.

Definition and essential part of a deed, Model deed: Sale deed, Mortgage deed, gift deed, Trust deed, Will deed, Lease deed, Promissory note, General Powers of Attorney, Partnership deed, Tenancy deed, Relinquishment deed.

### **Recommended Books:**

Banarjee and Awasthi-Guide to Drafting  
Mogha-Law of Pleadings,  
Mogha-Indian conveyance  
R.N. Chaturvedi- Pleading Drafting and Conveyancing  
A.N. Chaturvedi- Pleading Drafting and Conveyancing  
Vishvkarma: अभिवचन, हस्तान्तर लेखन  
Srivastava; अभिवचन, प्रलेख शास्त्र  
Pandey- अभिवचन, प्रलेख शास्त्र प्रारूप

## **LL.B III Year VI Semester**

### **Paper–V (Written Paper-50, Field work, Project work, Viva-Voce-50 Moot Court, Pre Trail Preparation and Participation in Trail System (Written Examination)**

#### **Unit – I**

- I-** Meaning and importance of Moot Court
- II-** Difference between Moot Court and ‘Court’
- III-** Manner of organizing or conducting the Moot Court.
  - (a) Imaginary legal case.
  - (b) Decided case
  - (c) Moot Court on Specific Legal Subject.

#### **Unit – II Judicial System in India**

- i-** Hierarchy of Courts
- ii-** Union Judiciary – Supreme Court (Articles 124-145)
- iii-** State Judiciary – High Courts and Subordinate Court (Articles 214-237)
- iv** Jurisdiction and Powers
- v.** Writ and drafting of writ petitions

#### **Unit – III**

- Art of interviewing the client (interviewing technique)
- Art of cross- examination and argument
- Procedure followed before CAT/ District Consumer Forums

#### **Unit - IV**

- Complaint and written statements
- Procedure in Suits after Hearing
- Procedure in Suits during Hearing
- Application and Affidavits
- Complaints to Magistrates
- Framing of Charge



## **Unit –V**

1. Preparation of case and argument
2. Pre Trial Preparation and Participation in Trial proceedings.

### **Field work, Project work and Viva-Voce-50 marks**

- Every student will attend three moot courts on the problems assigned. He will also attend one civil and one criminal trial. He will enter into the note books prepared by him and various steps observed during his attendance on different days in courts assigned. The procedural aspects of law should be emphasized. The book will be signed by the teacher in charge under whose supervision the candidate will visit the court.
- Each student will have to attend two interview sessions of clients at the Lawyer's office / legal Aid center and record the proceedings in the note book. In awarding marks, special importance will be given to the interviewing technique. The note book signed by the teacher in charge under whose supervision the students attend the Lawyer's office / legal Aid center.
- Each student will observe the preparation of the documents and court's papers by the advocate and procedure for filling of the suit or petition. This will be recorded in the note book. The note book will be signed by the teacher in charge.

### **MODE OF EVALUATION OF FIELDWORK AND CLASS WORK**

- ❖ The departmental committee -----dated provides -----following guidelines to further clarify the award of marks in the examination of LL.B. III year Paper v.
- ❖ Roll Nos. on moot court copies shall be the same roll no. as provided by the controller of examination under a sealed cover on those same days or latest by next day.
- ❖ The break- up of the award of marks in the moot court shall be as under.

### **Nature of examination**

- ❖ Written examination
- ❖ Field work and class work

### **Moot Court Copies**

- ❖ Participation in moot courts
- ❖ Court Visit (one civil and one criminal trial)
- ❖ Participation in interview session of client at lawyer's office.
- ❖ Preparation of documents and court papers including procedure for filing of visit and petition (each paper relating to moot court shall be signed by the teacher in charge.)

### **Books:**

Kailash Rai - Moot Court

O.P. Mishra - Moot Court

H.P. Gupta - Moot Court

S.P. Gupta - Moot Court

B.L. Bavel - Moot Court Sidhhant avam Vyavahar